

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

**June 3, 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 May 20, 2024.
3. Motion approving a Final Plat of East Midland Addition, Section 23, being a replat of the east 129 feet of the west 279 feet of Block 93, East Midland Addition, Section, City and County of Midland, Texas. (Generally located on the south side of Orchard Lane, approximately 150 feet west of North Benton Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
4. Motion approving a Final Plat of West End Addition, Section 27, being a residential replat of Lots 7-12, Block 93, Lots 1- 12, Block 94, the abandoned alley in Block 94, a 0.263-acre portion of Block 96, the North 40-feet of the west 175-feet of Block 104, Lots 1-5, Block 105, the abandoned portions of Brunson Avenue, the abandoned portions of West Indiana Avenue and South K Street, all out of the West End Addition, Vol. 17 Pages 614 & 615, Midland County Deed Records, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Missouri Avenue and South J Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
5. Motion approving, with the condition of all required public improvements have been satisfied by the Engineering department before filing for recording with the County Clerk of Midland, a Final Plat of Mockingbird Ridge, Section 7, being a 33.65-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of

Midland, Texas. (Generally located north of Blazing Saddle Boulevard, approximately 130 feet east of Puritis Creek Drive.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

6. Motion approving a Final plat of Westridge Park Addition, Section 54, being a replat of a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park Addition, Section 53, City and County of Midland, Texas. (Generally located southwest of the intersection of Deauville Boulevard and North Loop 250 West.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
7. Motion to approving a proposed Final Plat of MIDCO LEB, being a replat of a 53.71-acre tract of land out of Lot 1, Block 1, Parsley Addition, Midland County, Texas. (Generally located on the northwest corner of the intersection of Farm to Market Road 715 and East County Road 120) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
8. Motion approving a Final Plat of Goree Addition, Section 1, being a Replat of the west half of the portion of Block 8, Original Town of Midland and the west half of the portion of Block 8, Homestead Addition, and an 897 square foot and a 925 square foot street abandonment, City and County of Midland, Texas. (Generally located northeast of the intersection of North Loraine Street and West Ohio Avenue) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
9. Motion approving a Final Plat of Original Town, Section 27 being a replat of Lots 10, 11 & 12, Block 82, Original Town, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of East Indiana Avenue and South Fort Worth Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
10. Motion approving a Final Plat of Parkway South Addition, Section 4, being a replat of Lot 1, Block 2, Parkway South Addition, Section 2, an 8.0-acre tract of land and a 0.429-acre tract of land out of Section 2, Block 39, T-2-S, T&P RR Co. Survey, in part, and a replat of Lot 1, Block 2, Parkway South Addition, Section 2, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of South Lamesa Road and East Gist Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
11. Motion approving, with the condition of the public water improvements have been installed and accepted by the City prior to issuance of the Certificate of Occupancy. Building permits for structures within the current floodplain boundary can not be issued until the LOMR-F has been approved by FEMA and in effect, a Final Plat of 349 Ranch Estates, Section 25 being a replat of Lot 55, Block 8, 349 Ranch Estates, City and County of Midland, Texas. (Generally located immediately east of Tejas, approximately 190 Feet South of Navajo.) **(DEVELOPMENT SERVICES) (COUNCIL DISTRICT 1) (DISTRICT 1) (DEVELOPMENT SERVICES)**

PUBLIC HEARINGS

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

12. Motion to approve, with staff's recommended conditions, a proposed Preliminary Plat of Grasslands Estates, Section 26, being a replat of Lot 1, Block 21, Grasslands Estates,

Section 16, City and County of Midland, Texas. (Generally located at the southwest corner of West Wadley Avenue and Callaway Drive.) (Council District 4) (Development Services) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

13. Motion approving a request by Andrea Diaz for a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Service on Lot 1A, Block 4, Plunk 10th, City and County of Midland, Texas. (Generally located on the south side of Garden City Highway approximately 568-feet west of Allen Street. (District 2) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
14. Hold a public hearing and consider a request by Schumann Engineering for a zone change from O-1, Office District to SF-2, Single-Family Dwelling District for Lot 9, Block 1, Westover Place Addition, City and County of Midland, Texas. (Generally located northwest of the intersection of Kent Street and West Louisiana Avenue.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
15. Hold a public hearing and consider a request by Schumann Engineering for a zone change from 2F, Two-Family Dwelling (Duplex) District to SF-2, Single-Family Dwelling District for Lot 11, Block 1, Westover Place Addition, City and County of Midland, Texas. (Generally located on the east side of Kent Street, approximately 140 feet north of West Louisiana Avenue.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
16. Hold a public hearing and consider a request by Moore Casey Properties, LLC for a zone change from RR, Regional Retail District to LI, Light Industrial District for a 6.92-acre tract of land, out of Block 1, Lots 11A-11G, West 191 Industrial Park, Section 12, and a 8.70-acre tract of land, out of Block 2, Lots 7A-7I, West 191 Industrial Park, Section 13., City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. FM 1788 and West County Road 77.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

17. Motion approving with staff's recommended conditions a Preliminary Plat of Snively Block Addition, Section 15, being a replat of Snively Block Addition, Section 5, a 2.3-acres tract of land out of Lot 1, Block 3, Snively Block, Section 5, City and County of Midland, Texas. (Generally located on the west side of Cotton Flat Road, approximately 517-feet northwest of West Francis Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Xavier Bauguess
Planning Division Manager
Department of Development Services

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

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES
May 20, 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 20, 2024.

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

Commissioners absent: John Burkholder, Dara Richardson

Staff members present: Landon Ochoa, Xavier Bauguess, Andrew Meyers, 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 Planning & Zoning meeting minutes from April 15, 2024.

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

3. Motion approving Planning & Zoning meeting minutes from May 6, 2024.

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Planner Andrew Meyers gave an overview of this project.

Chair Lucy Sisneiga asked when the preliminary plat was approved.

Planner Andrew Meyers explained the preliminary plat was approved via short-form process.

Chair Lucy Sisneiga requested the criteria for short-form approval.

Planner Andrew Meyers gave an overview of the short-form process citing the code.

Planning Manager Xavier Bauguess stated that the existing short-form process met the requirements.

Chair Lucy Sisneiga had no further questions.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Planner Andrew Meyers gave an overview of this project.

Commissioner Adrian Carrasco stated he had the same question as Chair Lucy Sisneiga over short-form and could move on.

Joshua Sparks moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Planner Andrew Meyers gave an overview of this project.

Chair Lucy Sisneiga asked if this was a rezone.

Planner Andrew Meyers answered that it is a final plat to fix lot lines, not a rezoning.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Chair Lucy Sisneiga read the legal description of the item and moved to vote.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)

Commissioner Emily Holeva explained that she pulled the item to abstain from voting.

Joshua Sparks moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)

Abraham Bejil moved to approve the Consent Agenda, excluding item(s) 10, 11, 12, 13, 14; seconded by Adrian Carrasco.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)

Senior Planner Landon Ochoa gave an overview of the project. Stating one letter of objection was received however it was objecting to a zone change which was not applicable to the project being discussed.

There were no questions.

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

The applicant was present. Russell Myers, the Senior Warden for the church explained that the church was wanting to sell the vacant lot to the east as shown on the map in order to bolster church funds.

There were no question.

The public hearing was closed at 4:09p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)

Planning Manager Xavier Bauguess gave an overview of this project.

There were no questions.

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

The public hearing was closed at 4:12p.m.

Steven Villela moved to approve; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Planning Manager Xavier Bauguess gave an overview of this project.

Alternate Commissioner Joshua Sparks asked if there would be off site parking.

Planning Manager Xavier Bauguess stated that the code does allow for off site parking on immediate contiguous lots.

The public hearing was opened at 4:15p.m.

The applicant John Scharbaur was present. He stated they will be expanding parking to the east to include 52 parking spots within the next couple of months. He explained that the SUD was mainly for the catering portion of the business.

Alternate Commissioner Joshua Sparks asked if the adjacent two lots are separated.

The applicant John Scharbauer replied that they are trying to make it one lot to expand

parking and add an outdoor family area.

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

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**)

Planning Manager Xavier Bauguess gave an overview of this project.

There were no questions.

Steven Villela moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Burkholder, Richardson

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)**

Planner Andrew Meyers gave an overview of the project.

There were no questions.

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

The motion passed by the following vote:

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

NAY: None
ABSTAIN: None
ABSENT: Burkholder, Richardson

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

05/31/2024
Date



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

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

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

LI, Light Industrial District.

Preliminary Plat Approval:

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

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

PAVING: Deferral request for paving improvements were administratively approved on 05/17/2024. [For Applicant's Information Only.]

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

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

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

SEWER: 18" sewer exists North of tract, okay as is. 15" sewer exists North of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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 2023 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 the time of new code editions adopted in the City of Midland and date of permit application.

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of East Midland Addition, Section 23.

Attachments:

Application
Proposed Final Plat
Maps



VICINITY MAP
(NOT TO SCALE)

FINAL PLAT EAST MIDLAND ADDITION, SECTION 23

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, DOMINIC NICK SALINAS, being the owner of the land shown on this plat designated as EAST MIDLAND ADDITION, SECTION 23, or Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage and trash collection, and location and maintenance of trash containers and access thereto, and condition add easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

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

By: DOMINIC NICK SALINAS OWNER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

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

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

This is to certify that the above and foregoing plat of "EAST MIDLAND ADDITION, SECTION 23" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2024.

LUCY SISNIEGA, CHAIRMAN

XAVIER BAUGUCESS, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

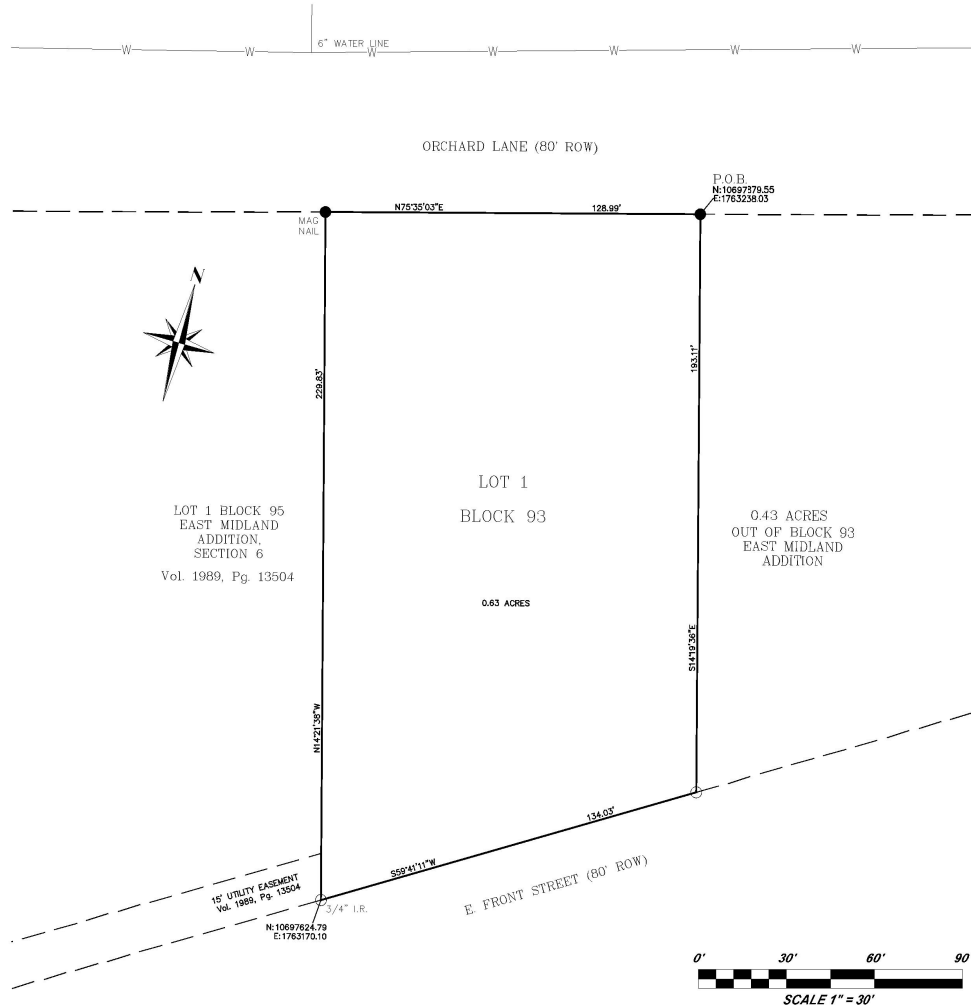
NO. _____

DATE: _____

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

MAY 2024

June 3, 2024
EAST MIDLAND ADDITION,
SECTION 23



NOTICE:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY, ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
4. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 4832900093 F, EFFECTIVE DATE: 09/16/05, THIS SURVEYOR HAS DETERMINED THAT PART OF THIS PROPERTY IS LOCATED IN ZONE "X" WITH THE 100 YEAR FLOODPLAIN. THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.
5. PROPOSED WATER, SANITARY SEWER, AND STORM WATER PIPELINES WITH CULVERTS, BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT APPROVAL.
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.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name: _____

OPTIMUM Print Name: _____

AT&T-TEXAS Print Name: _____

ONCOR ELECTRIC DELIVERY Print Name: _____

ASTOUND Print Name: _____

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

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

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

FIRM NO: 10193978



Final Plat Application

Project Number: Sub-23-0699

Case Number: _____

Proposed Subdivision Plat Name: **EAST MIDLAND ADDITION, SEC. 23**

Legal Description (attached sealed Metes and Bounds): LOT 1, BLOCK 93, EAST MIDLAND, SECTION 23

Property Owner
Printed Name: **DOMINIC NICK SALINAS**

Phone (432) 570-7923
Email ndtireguy@gmail.com
State TX Zip 79701

Address **1933 E. FRONT STREET**

City **MIDLAND**

Developer (if different than Owner)
Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: PENNEL LAND SURVEYING, LLC

Printed Name: **DURYN HENINGTON**

Phone (432) 570-6256
Email dhenington.pennellsurvey@gmail.com
State TX Zip 79701

Address **2030 W. CUTHBERT, STE. 4**

City **MIDLAND**

Current Zoning:

Reason for Platting: Build Addition to tire Shop

Plat Information

Total Acreage: **0.63**

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):

Nickoli Salinas

Date:

5-6-24

Property Owner (printed):

Nickoli Salinas

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.

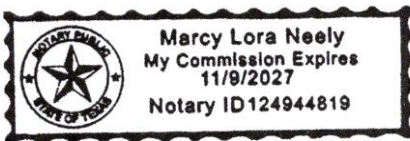
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Nickoli Salinas 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.

Nickoli Salinas
Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of May, 20 24, to certify which witness my hand and seal of office.



Marcy Neely
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

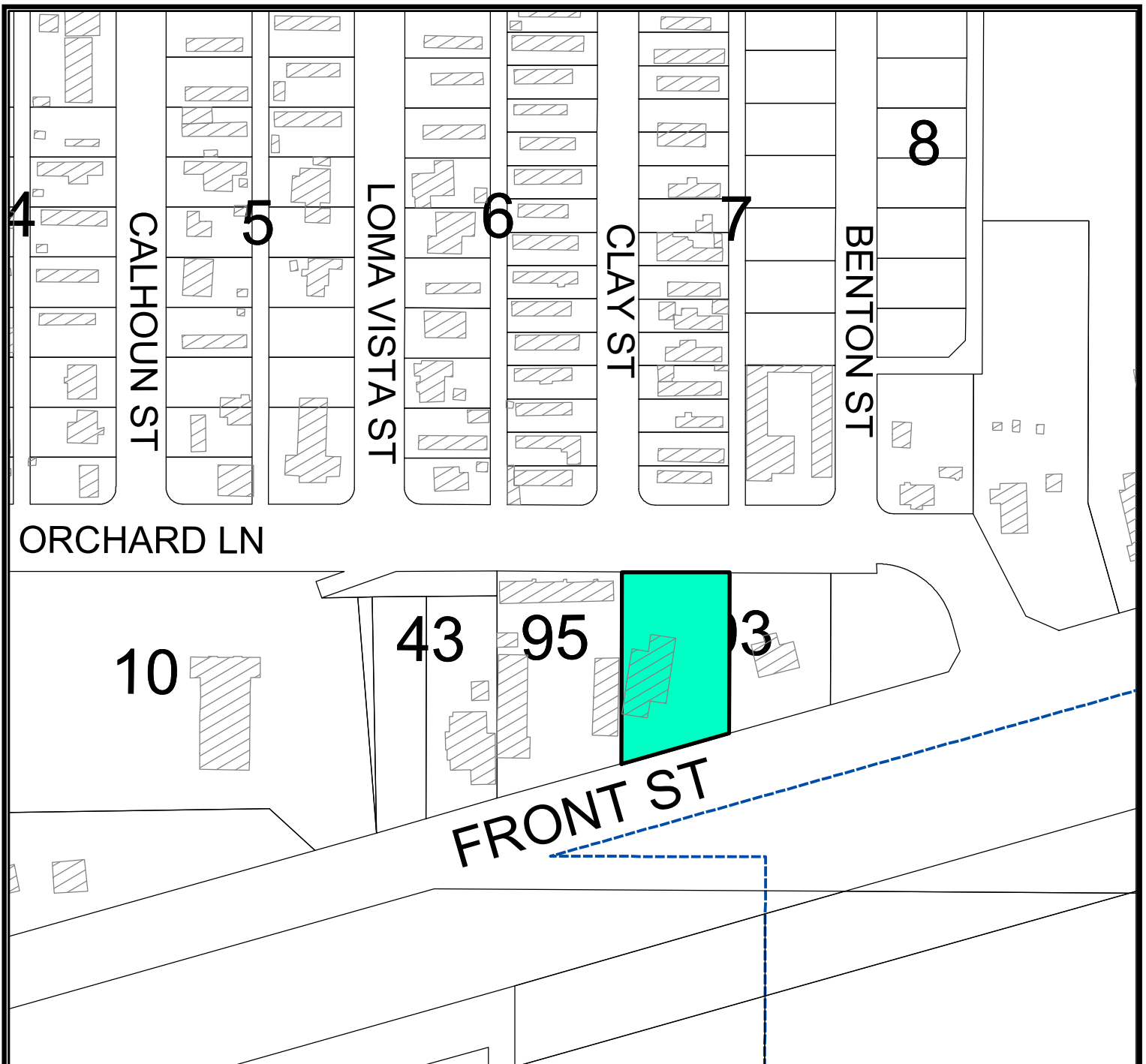
- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # _____ | ☐ Tax Certificates | ☐ Recording Fee |

Received By:

[Signature]

Date:

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



LOCATION MAP

SUB-23-0699

Scale: 1" = 173'

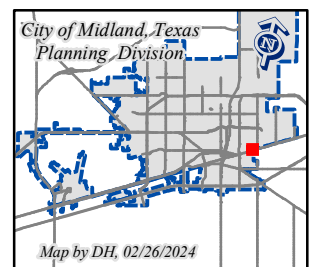
Proposed plat of East Midland Addition, Section 23, being a Replat of the east 129 feet of the west 279 feet of Block 93, East Midland Addition, Section, City and County of Midland, Texas.

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

PACKET

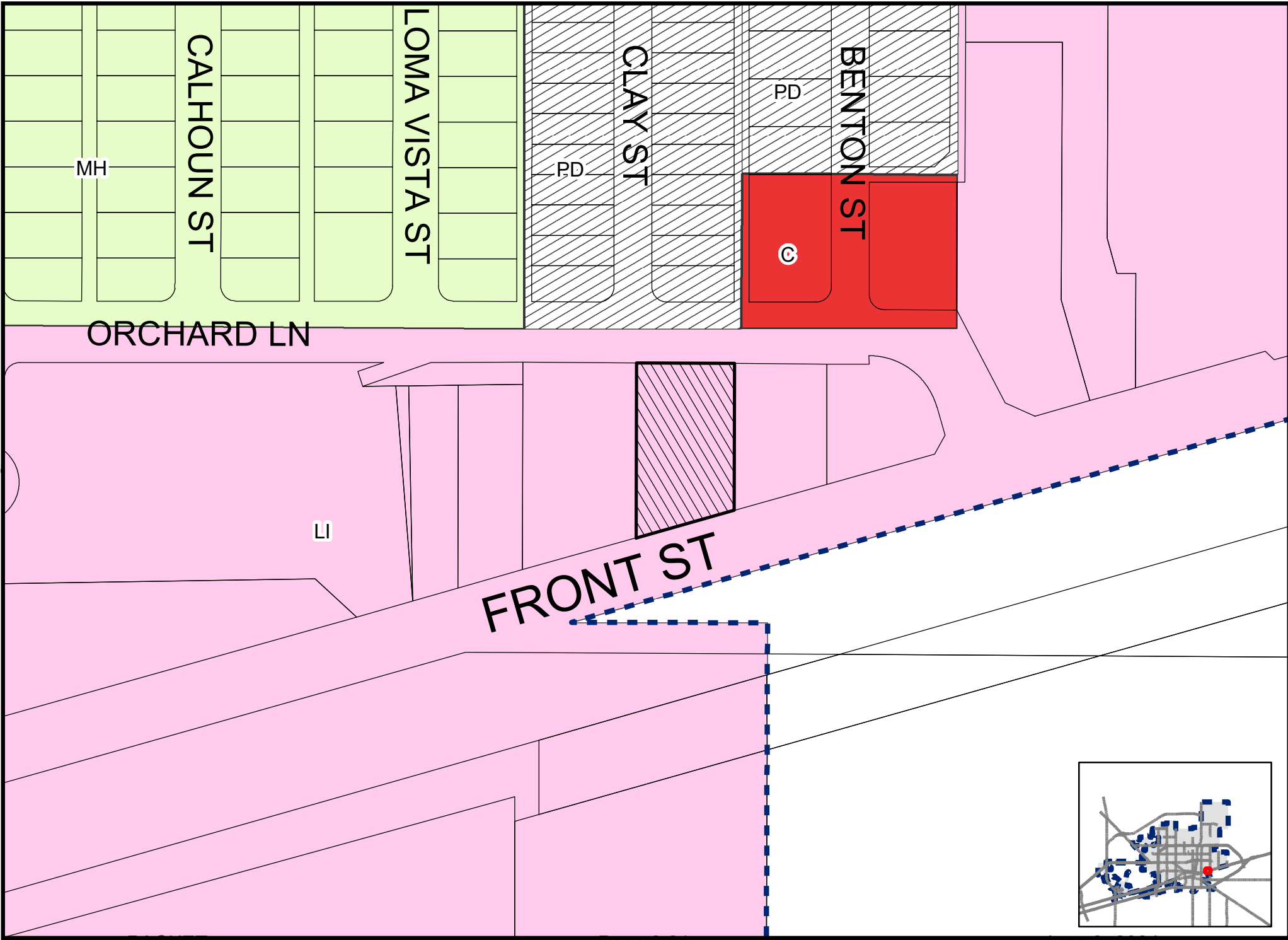
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of West End Addition, Section 27, being a residential replat of Lots 7-12, Block 93, Lots 1- 12, Block 94, the abandoned alley in Block 94, a 0.263-acre portion of Block 96, the North 40-feet of the west 175-feet of Block 104, Lots 1-5, Block 105, the abandoned portions of Brunson Avenue, the abandoned portions of West Indiana Avenue and South K Street, all out of the West End Addition, Vol. 17 Pages 614 & 615, Midland County Deed Records, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Missouri Avenue and South J Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned Development District (Ordinances 6768 and 10340) for a Civic Center and Community Center.

Preliminary Plat Approval:

Landgraf, Crutcher and Associates, on behalf of Nita Stewart Haley Memorial Library & Museum of the Southwest is replatting for ownership purposes and future building permits.

The preliminary plat was approved at the September 6, 2022, 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: Ok as shown. [For the Applicant's information only.]

ROW: Refer to Transportation's comments. [For the Applicant's information only.]

PAVING: South L Street, West Indiana Avenue, Brunson Avenue, South K Street, and South J Street okay as is. [For the Applicant's information only.]

WATER: 6" water main exists in South L Street., 6" water main exists in South K Street, 4" water main existing in north alley, and 16" water main exists in West Indiana Avenue, 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 the Applicant's information only.]

SEWER: 6" wastewater main exists in South L Street., 8" wastewater main exists in South K Street, 6" wastewater main existing in north alley, and 6" wastewater main exists in West Indiana Avenue, okay as is. No public water improvements required. [For Applicant's Information Only.]

DRAINAGE: Approved for platting purposes. [For the Applicant's information only.]

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

SIDEWALKS: Required with building permit. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: Public utilities easement to be shown along vacated K Street prior to recording of plat. [For the 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 2023 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 the time of new code editions adopted in the City of Midland and date of permit application.

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of West End Addition, Section 27.

Attachments:

Application
Proposed Final Plat
Maps
Ordinance 6768
Ordinance 10340



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: West End Addition, Section 27

Legal Description (attached sealed Metes and Bounds): Being a replat of Lots 7-12, Block 93, Lots 1-12, Block 94 The abandoned Alley in Block 94, a 0.263-ac portion of Block 96, N 40 ft of the W 175 ft of Block 104, Lots 1-5 Block 105 the abandoned portion of Brunson Avenue, The abandoned portion of W. Indiana Avenue & S. K. Street all in West End Addition, Volume 17 Pages 614 & 615 Midland County Deed Records City of Midland County, Texas.

Property Owner

Printed Name: Nita Stewart Haley Memorial Library & Museum of the Southwest

Phone ()
Email contact
representative

Address 1705 W. Missouri Avenue

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: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email LCA@LCAODESSA.com

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: SF-1; 2F; PD**Reason for Platting:** Ownership purposes, future building permits will be required**Plat Information**

Total Acreage: 6.281

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

Number of Residential Lots: 0

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

J. P. "Pat" McDaniel Ray W. Farmer

Date: 5-8-24

Property Owner (printed):

J. P. "Pat" McDaniel Ray W. Farmer

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.

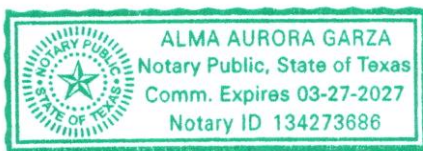
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of May, 2024, to certify which witness my hand and seal of office.



Alma Aurora Garza

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)

☒ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # 42289

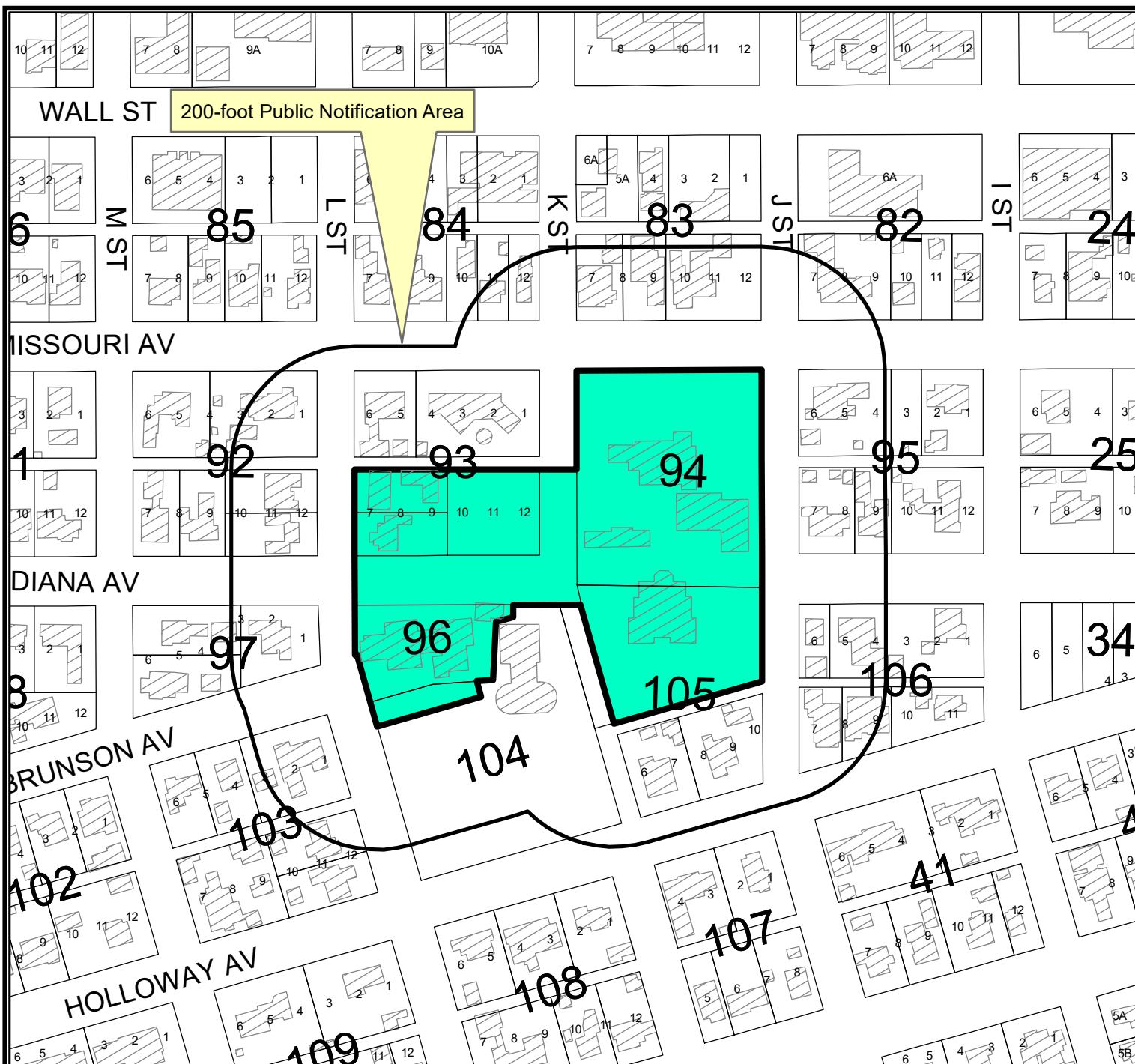
☒ Tax Certificates

Check # 42289

Received By: 

Date:

MAY 09 2024



LOCATION MAP

SUD-22-0516

Scale: 1" = 200'

Proposed plat of West End Addition, Section 27 being a replat of Lots 7-12, Block 93, Lots 1- 12, Block 94, the abandoned alley in Block 94, a 0.263-acre portion of Block 96, the North 40-feet of the west 175-feet of Block 104, Lots 1-5, Block 105, the abandoned portions of Brunson Avenue, the abandoned portions of W. Indiana Avenue and S. K Street, all in the West End Addition, Vol. 17 Pages 614 & 615, Midland County Deed Records, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of West Missouri Avenue and South J Street. (Council District 3).

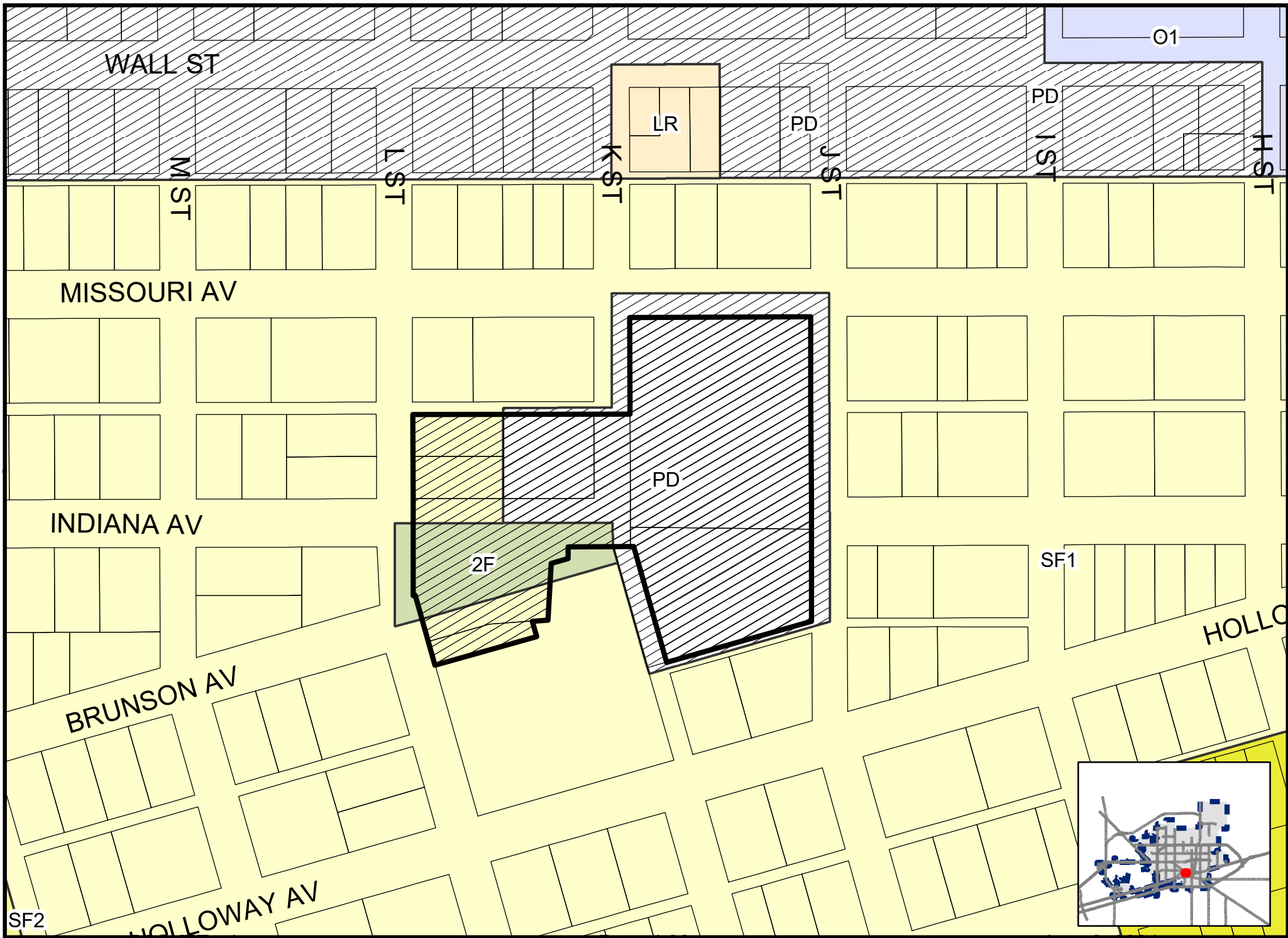
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



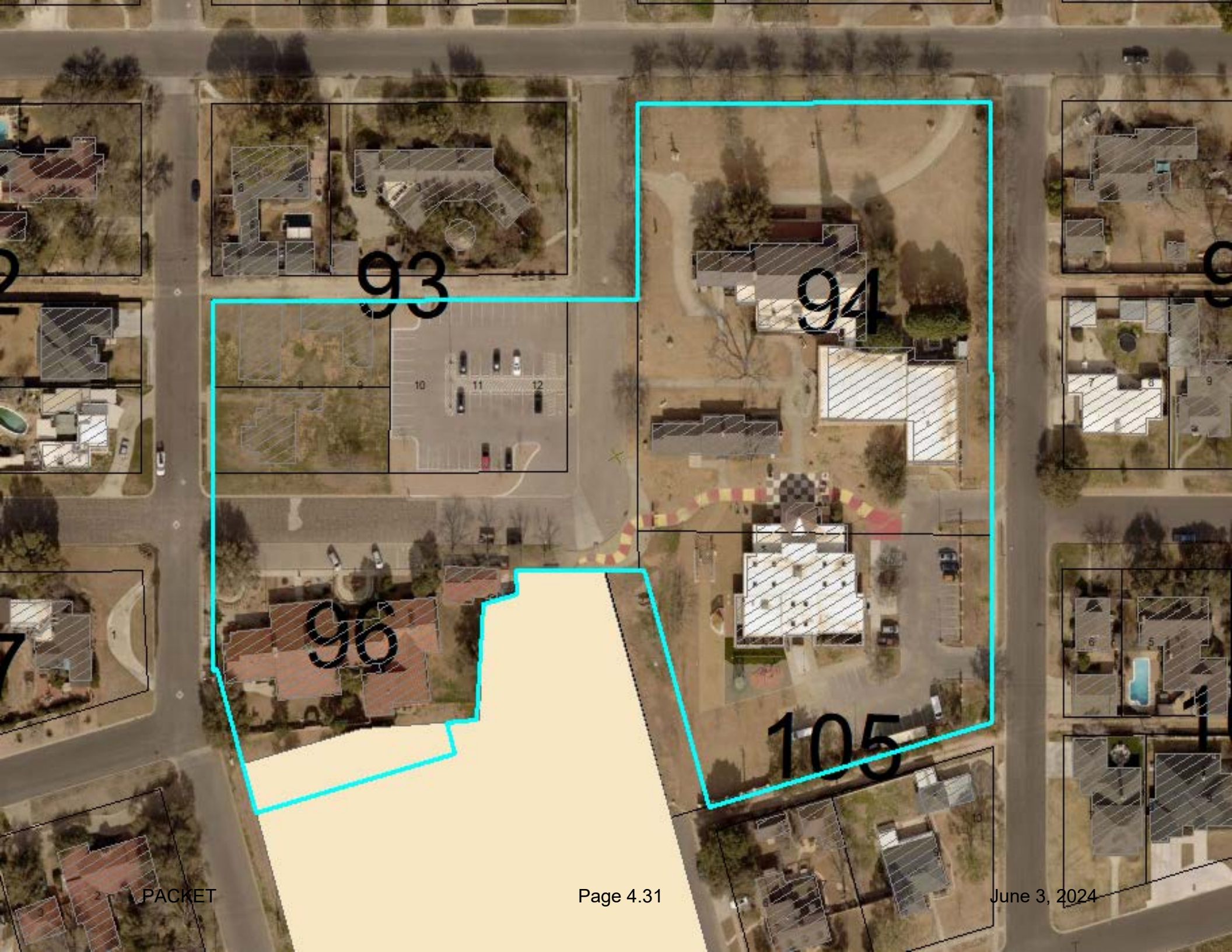
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PACKET





ORDINANCE NO. 6768

AN ORDINANCE AMENDING ORDINANCE NO. 6619 WHICH GRANTED A "PLANNED DISTRICT" FOR A COMMUNITY CENTER SO AS TO ADOPT A NEW SITE PLAN FOR SAID "PLANNED DISTRICT" IN LIEU OF AND IN SUBSTITUTION FOR THE ORIGINAL SITE PLAN; CONTAINING A CUMULATIVE CLAUSE; AND CONTAINING A SAVINGS AND SEVERABILITY CLAUSE

WHEREAS, by Ordinance No. 6619, the City granted a "Planned District" for a Community Center; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to amend said "Planned District" for a Community Center so as to approve and adopt a new site plan for said "Planned District";

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

SECTION ONE. That there is hereby approved and adopted as a site plan for the "Planned District" for a Community Center established by Ordinance No. 6619, and in lieu of and in substitution for the original site plan attached to said ordinance, the new site plan attached hereto and marked Exhibit "1-A" and made a part hereof for all legal purposes.

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

SECTION THREE. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have

passed this ordinance and each section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 23rd day of June, A.D., 1987; and passed to second reading on motion of Council member Marcum, seconded by Council member Fish, by the following vote:

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

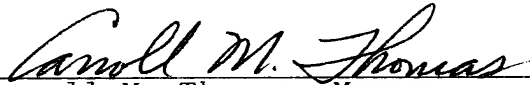
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Marcum, seconded by Council member Heck, on the 14th day of July, A.D., 1987, at a regular meeting of the City Council:

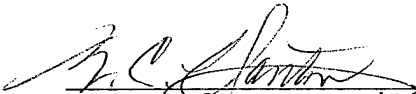
Council members voting "AYE": Marcum, Heck, Williams,
Corrales and Rendall

Council members voting "NAY": None

PASSED AND APPROVED THIS 14th day of July, A.D., 1987.


Carroll M. Thomas, Mayor

ATTEST:


B. C. Stanton, City Secretary

APPROVED AS TO FORM:


David W. Reagan, City Attorney

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE TRACT OF LAND DESCRIBED AS LOTS 7 THROUGH 9, BLOCK 93, A 0.263-ACRE PORTION OF BLOCK 96, THE NORTH 40 FEET OF THE WEST 175 FEET OF BLOCK 104, THE ABANDONED PORTIONS OF THE BRUNSON STREET RIGHT-OF-WAY, A 14,408-SQUARE FOOT PORTION OF WEST INDIANA STREET RIGHT-OF-WAY, AND A 2,650-SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE RIGHT-OF-WAY, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT, IN PART, AND SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A CIVIC CENTER AND COMMUNITY CENTER (GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF SOUTH L STREET AND WEST INDIANA AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning the tract of land described as Lots 7 through 9, Block 93, a 0.263-acre portion of Block 96, the north 40 feet of the west 175 feet of Block 104, the abandoned portions of the Brunson Street right-of-way, a 14,408-square foot portion of West Indiana Street right-of-way, and a 2,650-square foot portion of the abandoned Brunson Avenue right-of-way, West End Addition, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property") to PD, Planned Development District for a Civic Center and Community Center and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from 2F, Two-Family Dwelling (Duplex) District, in part, and SF-1, Single-Family Dwelling District, in part, to PD, Planned Development District for a Civic Center and Community Center.

SECTION TWO. That the base zoning district to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, is the O-1. Office District.

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

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit "B".
- B. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- C. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

SECTION SIX. If any section, subsection, sentence, clause or phrase of this

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 23rd day of August, A.D., 2022; and passed to second reading on motion of Council member Poole, seconded by Council member Dufford, by the following vote:

Council members voting "AYE": Corrales, Poole, Blong, Payton, Dufford, Norman

Council members voting "ABSTAIN": Ladd

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Blong, seconded by Council member Ladd, on the 13th day of September, A.D., 2022, at a regular meeting of the City Council:

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

Council members voting "ABSTAIN":

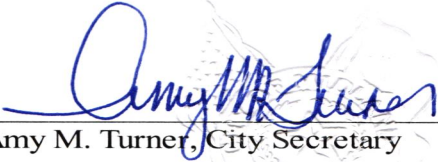
Council members voting "NAY": None

PASSED AND APPROVED THIS 13th day of September, A.D., 2022.



Patrick N. Payton, Mayor

ATTEST:



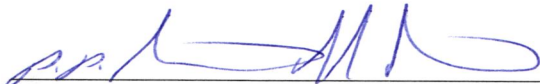
Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney



EXHIBIT "A"



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

lca@lcaodessa.com

521 N. Texas Ave. • Odessa, Texas 79761

(432) 332-5058 or 580-8812 • Fax (432) 332-8812

Engineering Firm# 001363 • Surveying Firm# 10034300

**METES & BOUNDS DESCRIPTION
FOR THE RE-ZONING OF
ALL OF LOTS 7 THRU 9 BLOCK 93
A 0.263-ACRE PORTION OF BLOCK 96
N 40 FEET OF THE W 175 FEET OF BLOCK 104
THE ABANDONED PORTIONS OF BRUNSON STREET
A 14,408 SQUARE FOOT PORTION W. INDIANA AVENUE
A 2,650 SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE
RECORDED IN VOLUME 2933 PAGE 275, MIDLAND COUNTY DEED RECORDS
ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615,
MIDLAND COUNTY DEED RECORDS
CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS**

ZONING FROM SF-1 TO PD

BEING ALL OF LOTS 7 THRU 9, BLOCK 93, ONE-HALF OF THE ABUTTING RIGHT-OF-WAY OF W. INDIANNA AVENUE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at (Y=10,692,906.02' & X=1,750,707.84') a ½' bent Iron Rod (Control Monument) found at the northwest corner of said Lot 7 on the south line of a 20-foot alley and the east right-of-way of S. L Street;

THENCE North 75°25'12" East with the north line of Lots 7 thru 9 of said Block 93 and the south line of said alley, a distance of 150.00 feet to the northeast corner of said Lot 9;

THENCE South 14°40'35" East with the east line of said Lot 9 and in the north half of said W. Indiana right-of-way, a distance of 180.25 feet to the southeast corner of this tract on the centerline of said W. Indiana Avenue;

THENCE South 75°19'25" West with the centerline of said W. Indiana Avenue, a distance of 150.19 feet to the southwest corner of this tract on the east right-of-way line of said S. L Street;

THENCE North 14°36'57" West with the east right-of-way line of said S. L Street, pass a 3/8" spike in a 2" Iron Pipe (Control Monument) found at the southwest corner of Lot 7 of Block 93 of said WEST END ADDITION at 40.5 feet, continuing with the west line of said Lot 7 and the east right-of-way line of said S. L Street, in all a total distance of 180.50 feet to the Point of the Beginning containing 0.63 surface acres.

ZONING FROM 2-F TO PD

BEING A 0.263-ACRE PORTION OF BLOCK 96, N 40 FEET OF THE W 175 FEET OF BLOCK 104, THE ABANDONED PORTIONS OF BRUNSON STREET, AN 8,350 SQUARE FOOT PORTION W. INDIANNA AVENUE, A 2,650 SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE, RECORDED IN VOLUME 2933 PAGE 275, MIDLAND COUNTY DEED

RECORDS, ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615, MIDLAND COUNTY DEED RECORDS, CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at (Y= 10,692,731.36' & X= 1,750,753.39') a 3/8" spike in a 2" Iron Pipe (Control Monument) found on the east right-of-way of S. L Street, an 80-foot public right-of-way, and the northwest corner of Lot 7 of Block 93 of said WEST END ADDITION bears North 14°40'35" West, a distance of 40.5 feet;

THENCE North 75°19'25" East with the centerline of said W. Indiana Avenue, a distance of 360.19 feet to the northeast corner of this tract;

THENCE South 14°40'35" East, a distance of 39.77 feet to the northernmost southeast corner of this tract on the south right-of-way line of said W. Indiana Avenue;

THENCE South 75°22'02" West with the south right-of-way of said W. Indiana Avenue, and the north line of said Block 96 of said WEST END ADDITION, a distance of 67.88 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set the northeast corner of that certain 2,650 square-foot tract as described in Volume 2933 Page 281 of the Deed Records of Midland County, Texas;

THENCE South 30°26'55" East with the east line of said 2,650 square-foot tract, a distance of 37.98 to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set on the centerline of the abandoned Brunson Avenue;

THENCE South 59°36'03" West with the centerline of said abandoned Brunson Avenue, a distance of 78.41 feet to the east line of that certain 2,650 square-foot tract as described in Volume 2933 Page 275 of said Deed Records of Midland County, Texas;

THENCE South 11°15'51" East, with an east line of said 2,650 square-foot tract, a distance of 63.65 feet to a 2" Aluminum Cap stamped "CITY OF MIDLAND" (Control Monument) found at the southeast corner of said 2,650 square-foot tract as described in Volume 2933 Page 275 of said Deed Records of Midland County, Texas;

THENCE South 71°12'01" West, with the south line of said 2,650 square-foot tract as described in Volume 2933 Page 275, a distance of 26.34 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set on the east line of the N 70-feet of the W 175-feet of Block 104 of said WEST END ADDITION;

THENCE South 30°22'40" East with the east line of said N 70-feet of the W 175-feet of Block 104, a distance of 26.48 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set for the southeast corner of said N 70-feet of the W 175-feet of Block 104;

THENCE South 59°42'01" West with the south line of said N 70-feet of the W 175-feet of Block 104, a distance of 175.00 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set at the southwest corner of said N 70-feet of the W 175-feet of Block 104, on the east right-of-way line of S. L Street, a 60-foot public right-of-way;

THENCE North 30°22'21" West with the west line of said Block 104, the abandoned portion of Brunson avenue, as described in Volume 68 Page 612 and Volume 578 Page 459 of said Midland County Deed Records and the east right-of-way of said S. L Street, pass a 1/2" iron rod in a 2" iron pipe (Control Monument) found at the northwest corner of Lot 6 of said Block 104 at a distance of

120.86 to a ½" iron rod with cap marked "LCA ODESSA TX" set at the northwest corner of said Brunson Avenue abandonment on the south line of said Block 96;

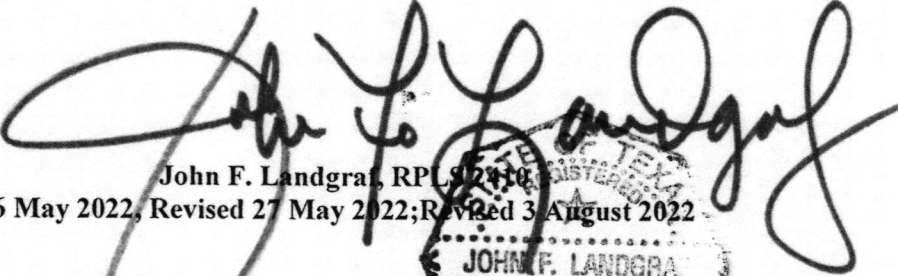
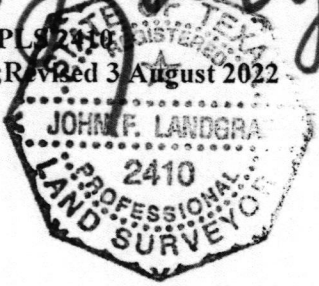
THENCE South 59°42'01" West with the south line of said Block 96, a distance of 3.28 feet to a ½" iron rod with cap marked "LCA ODESSA TX" set at the southwest corner of said Block 96 on the east right of way line of said S. L street;

THENCE North 14°36'57" West with the west line of said Block 96 and the east right-of-way of said S. L Street, a distance of 120.10 feet to the Point of the Beginning containing 1.24-surface acres.

Bearings, distances, and coordinates are relative to the Texas Coordinate System, 1983 NAD, Central Zone, based on the City of Midland GPS Control Monument "E89-6405" (Y=10,695,261.89' and X=1,754,276.95', Elevation = 2782.04 NAVD 29) with a theta angle of -00°54'55" with a combined grid factor of 0.999900197 as published in US Survey feet. Elevations are NAVD 29.

This document was prepared under 22 TAC 663.21 and is not to be used to convey or establish interest in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

LCA


John F. Landgraf, RPLS 2410
6 May 2022, Revised 27 May 2022; Revised 3 August 2022


ZONING EXHIBIT

WEST END ADDITION

BEING ALL OF LOTS 7 THRU 9 BLOCK 93

A 0.263-ACRE PORTION OF BLOCK 96 N 40 FEET OF THE W 175 FEET OF BLOCK 104

THE ABANDONED PORTIONS OF BRUNSON STREET

A 14.408 SQUARE FOOT PORTION W. INDIANA AVENUE

A 2.650 SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE

RECORDED IN VOLUME 29833 PAGE 275

ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615

MIDLAND COUNTY DEED RECORDS CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS



VICINITY MAP

SCALE: 1/2" = 1'

LEGEND

- FOUND 1/2" I.R. W/CAP
UNLESS OTHERWISE NOTED
- SET 1/2" I.R. W/CAP
UNLESS OTHERWISE NOTED
- MIDLAND COUNTY PLAT RECORDS
- SF-1 TO PD
- 2F TO PD

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS

That I, John F. Landgraf, a Registered Professional Land Surveyor of the State of Texas, have surveyed and have caused to be surveyed and laid out the above described 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.



JOHN F. LANDGRAF, R.P.L.S. # 240
MAY 2, 2002 Renewed Aug. 3, 2002

OWNER: NITA STEWART HALEY
1885 W. INDIANA AVE
MIDLAND, TX 79701

OWNER: MUSEUM OF THE SOUTHWEST
1705 W. MISSOURI AVE
MIDLAND, TX 79701

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
521 NORTH TEXAS
ODessa, TEXAS 79661-5131
PHONE: (432) 332-5088



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

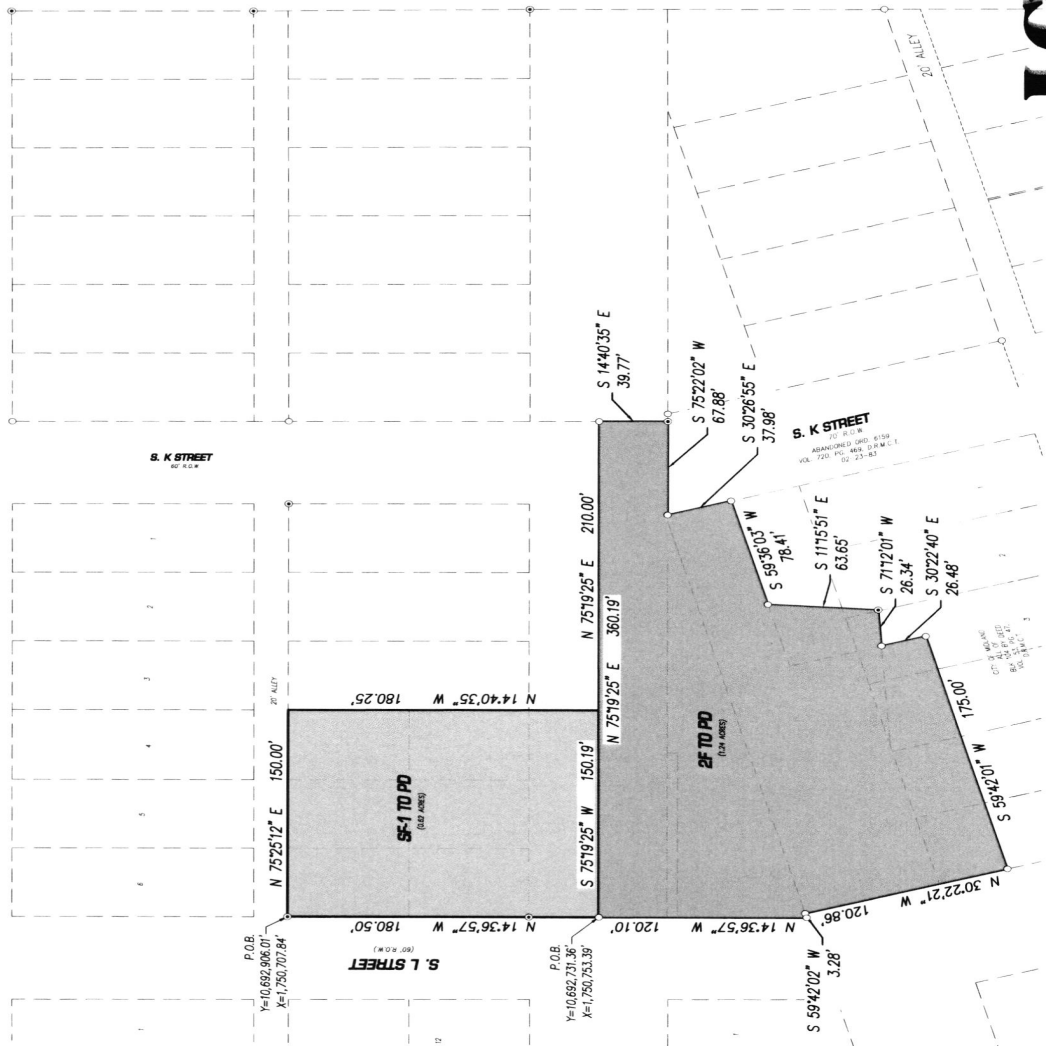
521 North Texas, Odessa Tx, 79761 F-10034390

E-Mail: land@landgraf.com

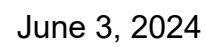
Phone # (432) 332-5088



Professional Services, Planning and Construction



REVISIONS (REVISED AT C. 3, 2022)



#10340



City Council Meeting

Item Number: 25
Meeting Date: August 23, 2022, September 13, 2022
To: City Council / City Manager
From: Elizabeth Shaughnessy, Planning Division Manger
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE TRACT OF LAND DESCRIBED AS LOTS 7 THROUGH 9, BLOCK 93, A 0.263-ACRE PORTION OF BLOCK 96, THE NORTH 40 FEET OF THE WEST 175 FEET OF BLOCK 104, THE ABANDONED PORTIONS OF THE BRUNSON STREET RIGHT-OF-WAY, A 14,408-SQUARE FOOT PORTION OF WEST INDIANA STREET RIGHT-OF-WAY, AND A 2,650-SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE RIGHT-OF-WAY, WEST END ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, FROM 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT, IN PART, AND SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A CIVIC CENTER AND COMMUNITY CENTER (GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF SOUTH L STREET AND WEST INDIANA AVENUE); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 3) (DEVELOPMENT SERVICES)

Purpose:

The applicant, LCA, is requesting a zone change from SF-1, Single Family Dwelling District in part and 2F, Two-Family Dwelling District in part to PD – Planned Development District for a Civic Center and Community Center on Lots 7-9, Block 93, a 0.263-acre portion of Block 96, the North 40-Foot of the West 175-foot of Block 104, the abandoned portions of Brunson Street, a 14, 408 square foot portion W. Indiana Street, a 2,650 square foot portion of the abandoned Brunson Avenue recorded in volume 2933, page 275, all in West End Addition, volume 17, pages 614 & 615, Midland County Deed Records City of Midland and County of Midland, Texas for the future expansion of the Museum of the Southwest and Haley Memorial Library.

Recommended City Council Action:

Approve

Fiscal Impact:

This request does not require any City funds.

Discussion:**Current Zoning:**

SF-1, Single Family District in part and 2F, Two-Family Dwelling District in part

Surrounding Zoning and Land Use:

The properties to the north, east, and west are zoned SF1, Single Family Dwelling District and 2F, Two-Family Dwelling District, and are the locations of single-family residences, while the properties to the south are the locations of the Museum of the Southwest, Haley Memorial Library, and a parking lot, respectively.

Analysis:

The properties to the north, east, and west are zoned SF1, Single Family Dwelling District and 2F, Two-Family Dwelling District, and are the locations of single-family residences, while the properties to the south are the locations of the Museum of the Southwest, Haley Memorial Library, and a parking lot, respectively.

Analysis:

LAC is requesting a zone change from SF-1, Single Family Dwelling District in part and 2F, Two-Family Dwelling District in part to PD – Planned Development District for a Civic Center and Community Center for the development of the expansion for the Museum of the Southwest and Haley Memorial Library. The property is currently vacant and in the process of being re-platted and including the recently vacated right-of-way of Indiana Avenue and K Street (Ordinance No. 10318). The new site plan, attached hereto as Exhibit A, shows a design of approximately 9,600 square feet for an Archives Building, which will be utilized for storage and research workspace. It also shows 13 parking spaces that will serve the proposed development.

The applicant will be required to adhere to the site plan review standards outline within the City of Midland Zoning Ordinance Section 5.05: - Nonresidential Zoning District Dimensional Regulations Chart as well as Chapter 9, Landscape Regulations for future landscaping.

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

Fire: (Approved)

No objections to zone change request.

Building: (Approved)

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

Engineering: (Approved)

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

GIS: (Approved)

No comments.

Code: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

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

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

Planning:

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to* "Encourage the development of places where Midland residents can gather and socialize to build connections." (Tall City Tomorrow page 137) This zone change would promote the expansion of the Haley Memorial Library as well as the Museum of the Southwest. In doing so, it will provide Midland residents with a unique social gathering experience.

This request was recommended for approval at the August 15, 2022, Planning and Zoning Commission meeting.

Staff recommends approval of this zone change from 2F, Two-Family Dwelling District in part and SF-1, Single Family Dwelling District in part to PD, Planned Development District for a Civic Center and Community Center, subject to condition A through D.

Conditions:

- A. That the use and development of the property shall conform to the regulations of the O-1, Office District.**
- B. That this property shall conform to the site plan, which is attached hereto and incorporated herein as Exhibits "A".**
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- D. That the signage for this property shall conform to the regulations set forth in Title XI, Chapter 7a. of the City Code.**

Letters of Objection:

Staff has not received any letters of objection as of August 18, 2022.

Attachments:

Application
Maps
Site and Floor Plan (Exhibit A)
Metes and bounds with survey plat (Exhibit B)



City Manager's Office



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

LCA Job #

Project Number

2-22-0295

Case Number: _____

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

Printed Name SEE REPRESENTATIVE / ACTING AS AGENT

Phone ()

Email

Address

City

State

Zip

Property Owner Nita Stewart Haley Memorial Library &

Printed Name: Museum of the Southwest

Phone ()

Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email

mbo@lcaodessa.com

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Street Address: 207 & 211 S. L Street / 1805 W. Indiana Ave / Portion of proposed to
be vacated W. Indiana Ave & S. K Street

Legal Description

Lot: Varies Block: Varies Subdivision: West End Addition (Sketch plat submitted for reference

Current Zoning: SF1 & 2F

Proposed Zone: PD

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

Reason for Zone Change Request: To allow the Museum/ Library area to expand and develop
under the zoning requirements specific to PD.

Present Use of Property: 207 & 211 S. L Street are vacant lots. 1805 W. Indiana Avenue is
currently used as a Memorial Library.

Proposed Use of Property: See attached site plan

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

This zoning does include a proposed portion of W. Indiana & S. K street abandonment this will
affect incoming traffic. (see attached site plan)

Describe how conditions affecting the property have changed since present zoning

designation: A portion of the property has been undeveloped, changing zoning designation will
allow the expansion of the museum/ Library plans (see attached site plan)

Submittal and Fees

Items to be submitted with this application form:

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

RECEIVED
MAY 11 2022

BY: Paul Rodriguez

PACKET

25.14

September 13, 2022

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature): <u>JP McDaniel - Ex Dir Haley Library</u>	Date: <u>4-11-22</u>
Property Owner (printed): <u>Lori Wesley - Ex Dir Museum of the Southwest 4-11-22</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.	

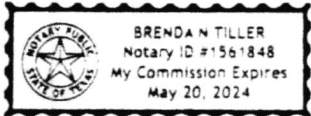
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared JP McDaniel, Lori Wesley who, being by me duly sworn, upon oath says: That (s)he is authorized by Haley Library Museum of the Southwest, 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.

Brenda N. Tiller
Authorized Agent (signature)

Subscribed and sworn to before me, this 11 day of APRIL, 20 22, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>Card</u>	
Received By: <u>Paul Rodriguez</u>	Date: <u>5/11/22</u>

RECEIVED
MAY 11 2022

BY: Paul Rodriguez

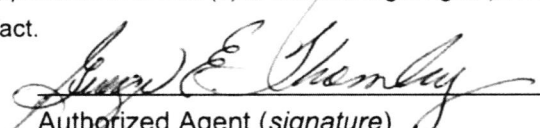
Application will not be considered for scheduling until reviewed by a planner

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature):	Date:
Property Owner (printed) : _____	
<i>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.</i> <i>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.</i>	

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

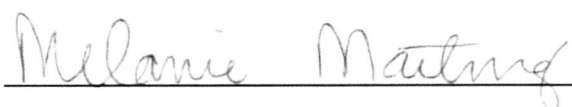
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared George E. Thornley who, being by me duly sworn, upon oath says: That (s)he is authorized by Museum of the Southwest & Haley Memorial Library, 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 11th day of April, 2022, to certify which witness my hand and seal of office.

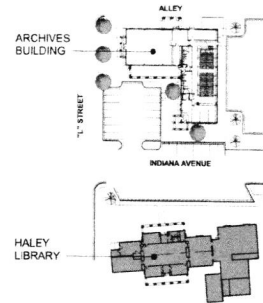
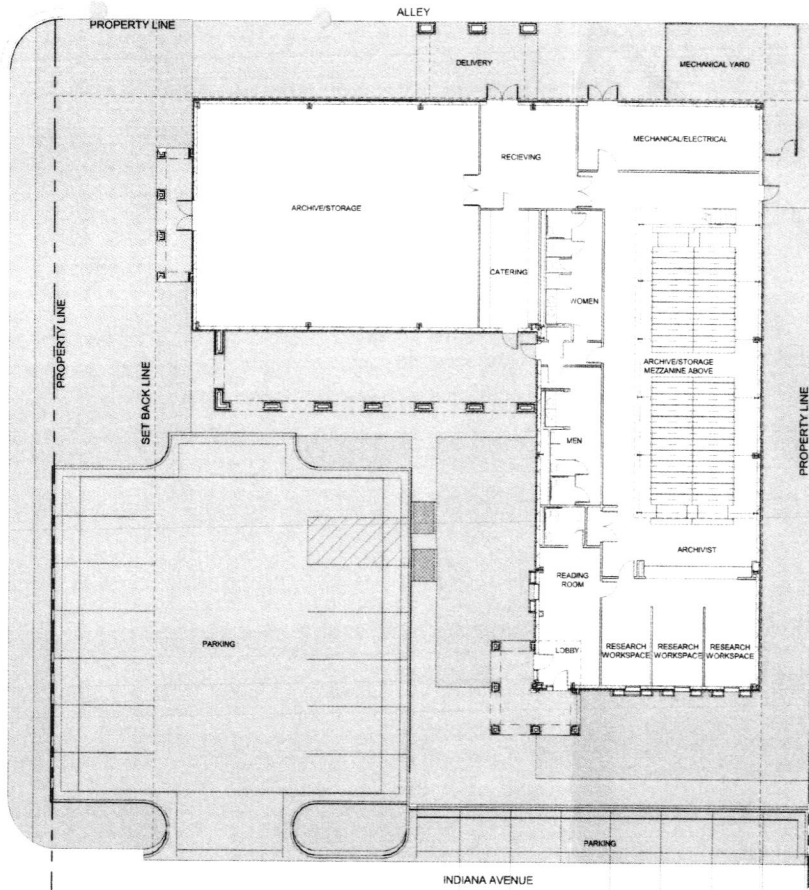



 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

PACKET 25.16 September 13, 2022
 Application will not be considered for scheduling until reviewed by a planner.

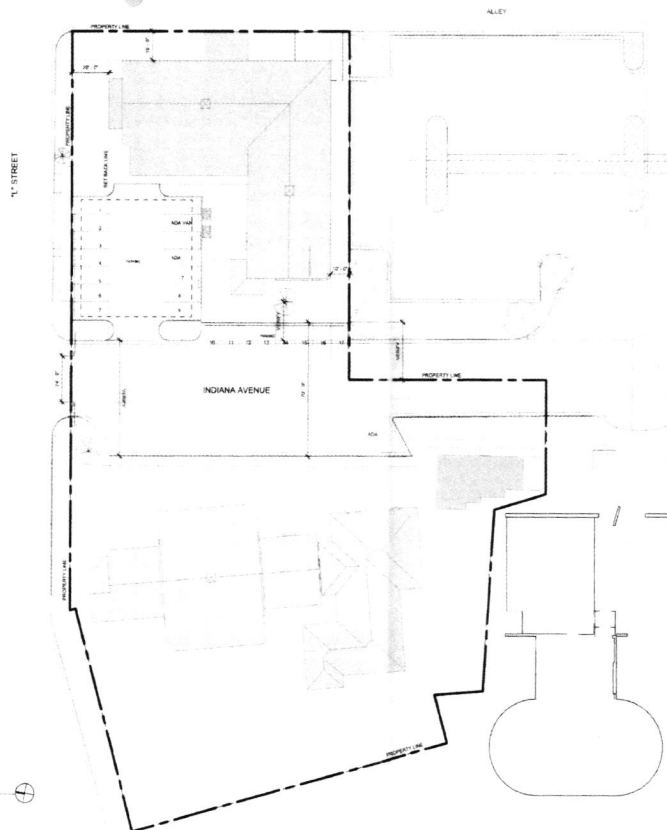
1" STREET



SITE PLAN

HALEY MEMORIAL LIBRARY AND HISTORY CENTER Archives Building

PLAN
1/16" = 1'-0"
02-15-2022



1 SP - SITE PLAN
1" = 20'-0"

Haley Library



1102 WEST TEMPLE AVE.
MIDLAND, TEXAS 79701
PHONE: 409.682.1202
FAX: 409.682.1207

Date: 02/15/2022
Description: SD-100 ARCHIVES BUILDING

Drawn: [Signature]

Project Name:

Project Number:
1914

Description:
SITE PLAN

SD-100

© 2022 Rhotenberry Wellen Architects



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

lca@lcaodessa.com

521 N. Texas Ave. • Odessa, Texas 79761

(432) 332-5058 or 580-8812 • Fax (432) 332-8812

Engineering Firm# 001363 • Surveying Firm# 10034300

**METES & BOUNDS DESCRIPTION
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ALL OF LOTS 7 THRU 9 BLOCK 93
A 0.263-ACRE PORTION OF BLOCK 96
N 40 FEET OF THE W 175 FEET OF BLOCK 104
THE ABANDONED PORTIONS OF BRUNSON STREET
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ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615,
MIDLAND COUNTY DEED RECORDS
CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS**

ZONING FROM SF-1 TO PD

BEING ALL OF LOTS 7 THRU 9, BLOCK 93, ONE-HALF OF THE ABUTTING RIGHT-OF-WAY OF W. INDIANNA AVENUE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at (Y=10,692,906.02' & X=1,750,707.84') a ½' bent Iron Rod (Control Monument) found at the northwest corner of said Lot 7 on the south line of a 20-foot alley and the east right-of-way of S. L Street;

THENCE North 75°25'12" East with the north line of Lots 7 thru 9 of said Block 93 and the south line of said alley, a distance of 150.00 feet to the northeast corner of said Lot 9;

THENCE South 14°40'35" East with the east line of said Lot 9 and in the north half of said W. Indiana right-of-way, a distance of 180.25 feet to the southeast corner of this tract on the centerline of said W. Indiana Avenue;

THENCE South 75°19'25" West with the centerline of said W. Indiana Avenue, a distance of 150.19 feet to the southwest corner of this tract on the east right-of-way line of said S. L Street;

THENCE North 14°36'57" West with the east right-of-way line of said S. L Street, pass a 3/8" spike in a 2" Iron Pipe (Control Monument) found at the southwest corner of Lot 7 of Block 93 of said WEST END ADDITION at 40.5 feet, continuing with the west line of said Lot 7 and the east right-of-way line of said S. L Street, in all a total distance of 180.50 feet to the Point of the Beginning containing 0.63 surface acres.

ZONING FROM 2-F TO PD

BEING A 0.263-ACRE PORTION OF BLOCK 96, N 40 FEET OF THE W 175 FEET OF BLOCK 104, THE ABANDONED PORTIONS OF BRUNSON STREET, AN 8,350 SQUARE FOOT PORTION W. INDIANNA AVENUE, A 2,650 SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE, RECORDED IN VOLUME 2933 PAGE 275, MIDLAND COUNTY DEED

RECORDS, ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615, MIDLAND COUNTY DEED RECORDS, CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at (Y= 10,692,731.36' & X= 1,750,753.39') a 3/8" spike in a 2" Iron Pipe (Control Monument) found on the east right-of-way of S. L Street, an 80-foot public right-of-way, and the northwest corner of Lot 7 of Block 93 of said WEST END ADDITION bears North 14°40'35" West, a distance of 40.5 feet;

THENCE North 75°19'25" East with the centerline of said W. Indiana Avenue, a distance of 360.19 feet to the northeast corner of this tract;

THENCE South 14°40'35" East, a distance of 39.77 feet to the northernmost southeast corner of this tract on the south right-of-way line of said W. Indiana Avenue;

THENCE South 75°22'02" West with the south right-of-way of said W. Indiana Avenue, and the north line of said Block 96 of said WEST END ADDITION, a distance of 67.88 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set the northeast corner of that certain 2,650 square-foot tract as described in Volume 2933 Page 281 of the Deed Records of Midland County, Texas;

THENCE South 30°26'55" East with the east line of said 2,650 square-foot tract, a distance of 37.98 to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set on the centerline of the abandoned Brunson Avenue;

THENCE South 59°36'03" West with the centerline of said abandoned Brunson Avenue, a distance of 78.41 feet to the east line of that certain 2,650 square-foot tract as described in Volume 2933 Page 275 of said Deed Records of Midland County, Texas;

THENCE South 11°15'51" East, with an east line of said 2,650 square-foot tract, a distance of 63.65 feet to a 2" Aluminum Cap stamped "CITY OF MIDLAND" (Control Monument) found at the southeast corner of said 2,650 square-foot tract as described in Volume 2933 Page 275 of said Deed Records of Midland County, Texas;

THENCE South 71°12'01" West, with the south line of said 2,650 square-foot tract as described in Volume 2933 Page 275, a distance of 26.34 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set on the east line of the N 70-feet of the W 175-feet of Block 104 of said WEST END ADDITION;

THENCE South 30°22'40" East with the east line of said N 70-feet of the W 175-feet of Block 104, a distance of 26.48 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set for the southeast corner of said N 70-feet of the W 175-feet of Block 104;

THENCE South 59°42'01" West with the south line of said N 70-feet of the W 175-feet of Block 104, a distance of 175.00 feet to a 1/2" Iron Rod with cap marked "LCA ODESSA TX" set at the southwest corner of said N 70-feet of the W 175-feet of Block 104, on the east right-of-way line of S. L Street, a 60-foot public right-of-way;

THENCE North 30°22'21" West with the west line of said Block 104, the abandoned portion of Brunson Avenue, as described in Volume 68 Page 612 and Volume 578 Page 459 of said Midland County Deed Records and the east right-of-way of said S. L Street, pass a 1/2" iron rod in a 2" iron pipe (Control Monument) found at the northwest corner of Lot 6 of said Block 104 at a distance of

120.86 to a ½" iron rod with cap marked "LCA ODESSA TX" set at the northwest corner of said Brunson Avenue abandonment on the south line of said Block 96;

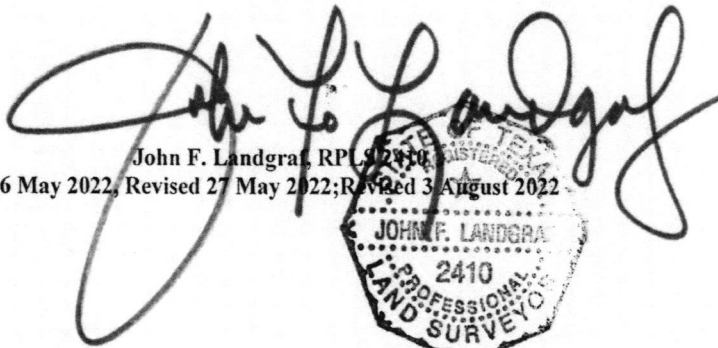
THENCE South 59°42'01" West with the south line of said Block 96, a distance of 3.28 feet to a ½" iron rod with cap marked "LCA ODESSA TX" set at the southwest corner of said Block 96 on the east right of way line of said S. L street;

THENCE North 14°36'57" West with the west line of said Block 96 and the east right-of-way of said S. L Street, a distance of 120.10 feet to the Point of the Beginning containing 1.24-surface acres.

Bearings, distances, and coordinates are relative to the Texas Coordinate System, 1983 NAD, Central Zone, based on the City of Midland GPS Control Monument "E89-6405" (Y=10,695,261.89' and X=1,754,276.95', Elevation = 2782.04 NAVD 29) with a theta angle of -00°54'55" with a combined grid factor of 0.999900197 as published in US Survey feet. Elevations are NAVD 29.

This document was prepared under 22 TAC 663.21 and is not to be used to convey or establish interest in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

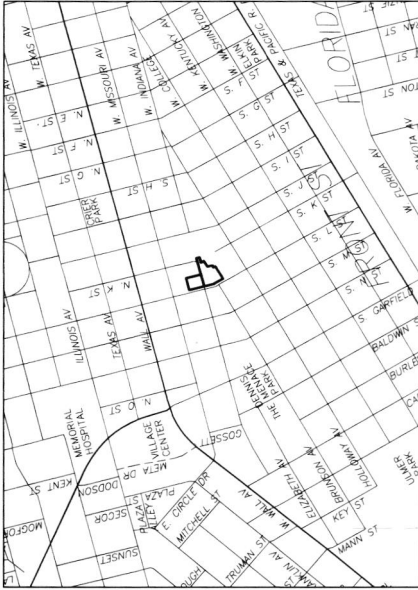
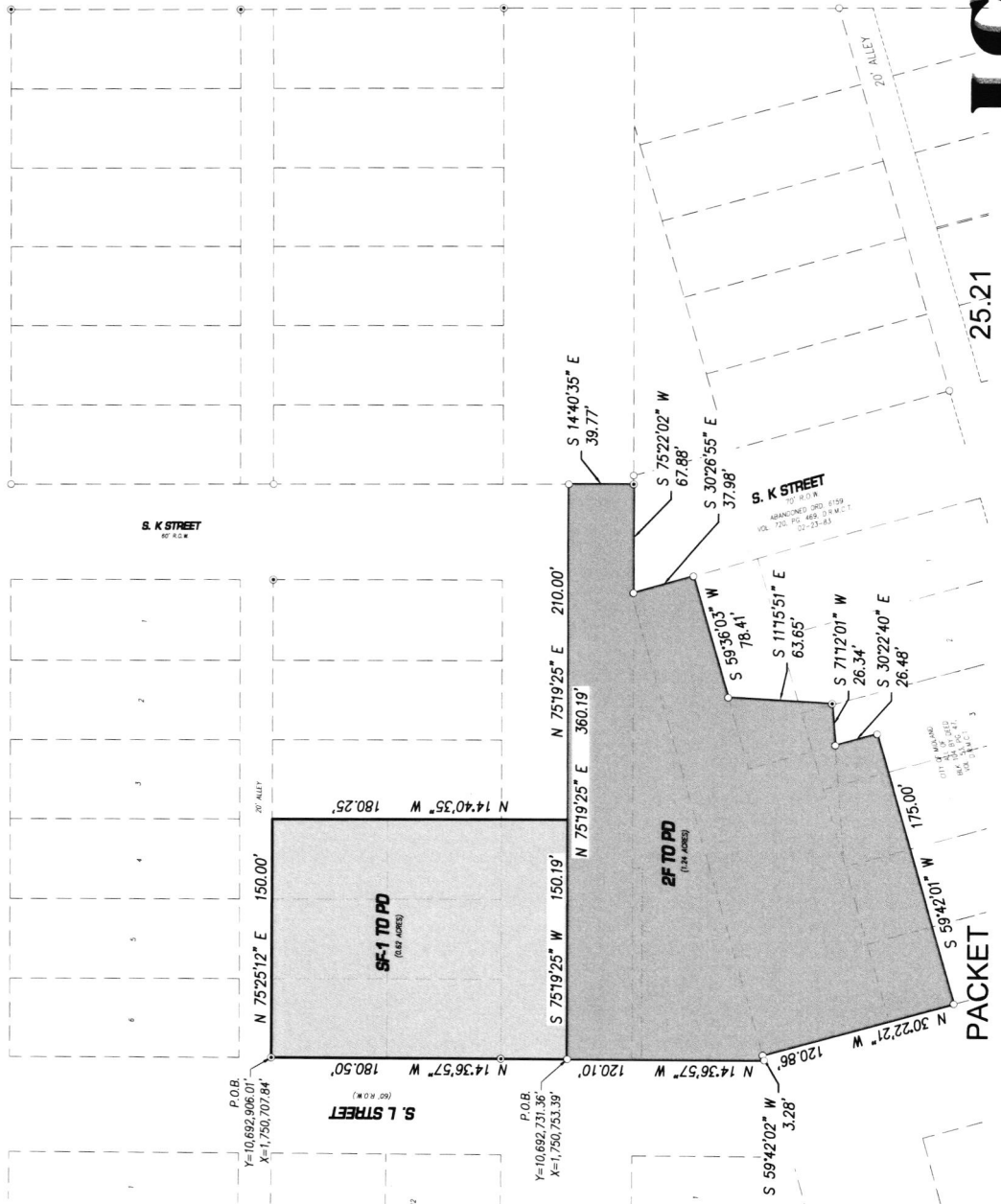
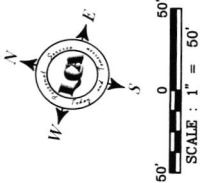
LCA


John F. Landgraf, RPLS 2410
6 May 2022, Revised 27 May 2022; Revised 3 August 2022


ZONING EXHIBIT

WEST END ADDITION

BEING ALL OF LOTS 7 THRU 9 BLOCK 93
A 0.263-ACRE PORTION OF BLOCK 96 N 40 FEET OF THE W 175 FEET OF BLOCK 104
THE ABANDONED PORTIONS OF BRUNSON STREET
A 14,408 SQUARE FOOT PORTION W. INDIANA AVENUE
A 2,650 SQUARE FOOT PORTION OF THE ABANDONED BRUNSON AVENUE
RECORDED IN VOLUME 2933 PAGE 275
ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615
MIDLAND COUNTY DEED RECORDS CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS



VICINITY MAP

SCALE: N.T.S.

LEGEND

- FOUND 1/2" I.R. W/CAP UNLESS OTHERWISE NOTED
- SET 1/2" I.R. W/CAP UNLESS OTHERWISE NOTED
- MIDLAND COUNTY PLAT RECORDS
- M.C.P.R.
- SF-1 TO PD
- 2F TO PD

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:
That I, John F. Landgraf, 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 described herein, and that the same is in accordance with the laws and regulations of the State of Texas, and that the same is in accordance with the subdivision regulations of the City of Midland, Texas.



JOHN F. LANDGRAF, R.P.L.S. # 2410
MAY 27, 2022 Revised Aug. 3, 2022

OWNER: NITA STEWART HALLEY

1805 W. INDIANA AVE.

MIDLAND, TX 79701

OWNER: MUSEUM OF THE SOUTHWEST

1705 W. MISSOURI AVE.

MIDLAND, TX 79701

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.

521 NORTH TEXAS

ODESSA, TEXAS 79761-5131

PHONE: (432) 332-5068



ENVIRONMENTAL September 13, 2022 SURVEYING

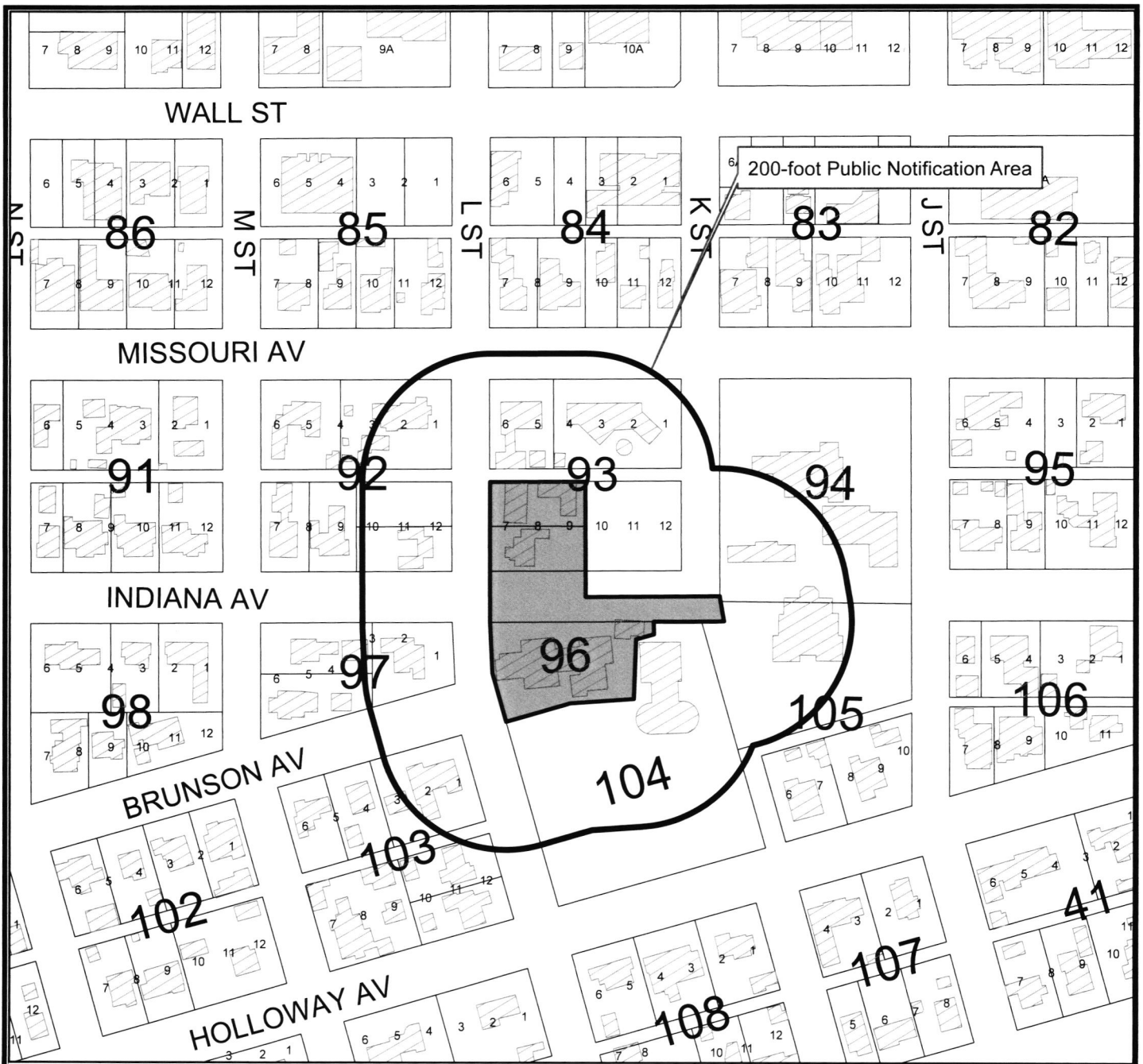
521 North Texas, Odessa Tx. 79761 F-001363 F-001360

Phone # (432) 332-5068

E-Mail: kg@landgraf.com



Environmental Services, Survey and Forestry



LOCATION MAP

Z-22-0295

Scale: 1" = 2,701'

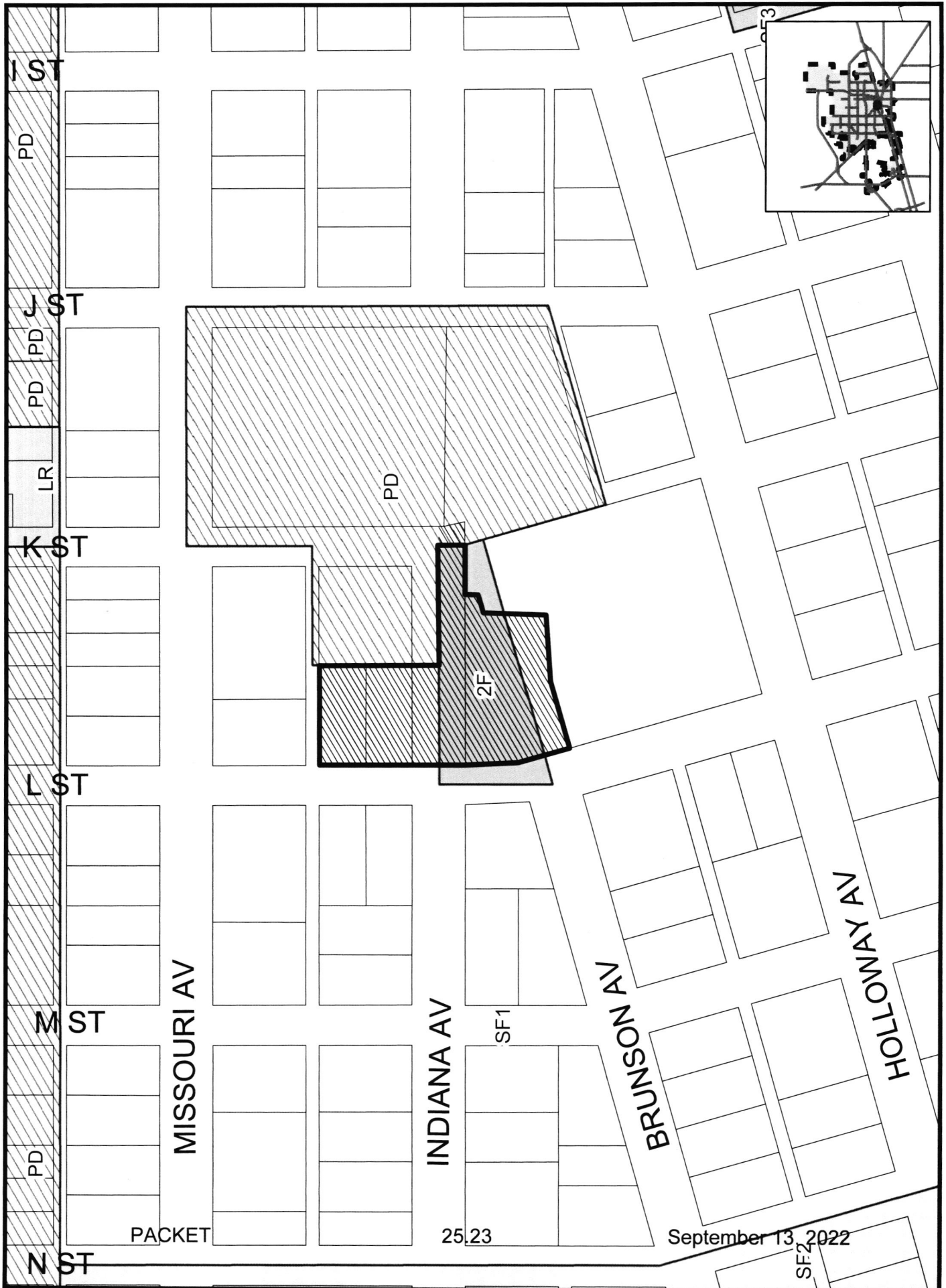
Consider a request by LCA for a zone change from SF-1, Single-Family Dwelling District in part, and 2F, Two-Family Dwelling District in part to PD, Planned Development District for a Civic Center and Community Center on lots 7-9, Block 93, a 0.263-acre portion of Block 96, the North 40-Foot of the West 175-feet of Block 104, the abandoned portions of Brunson Street, a 14,408 square foot portion W. Indiana Street, a 2,650 square foot portion of the abandoned Brunson Avenue recorded in volume 2933, page 275, all in West End Addition, volume 17, pages 614 & 615, Midland County Deed Records City of Midland and County of Midland, Texas.

Generally located on the east side of South "L" Street, approximately 100 feet south of W. Missouri Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS





ZONING MAP

Scale: 1" = 200'

Z-22-0295

Map By ES, 6/9/2022

ACT MAP IS IT DEBORAH:
THE USE OF THIS DATA

September 13, 2022

25.23

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25.24

September 13, 2022

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Page 4.59

June 3, 2024



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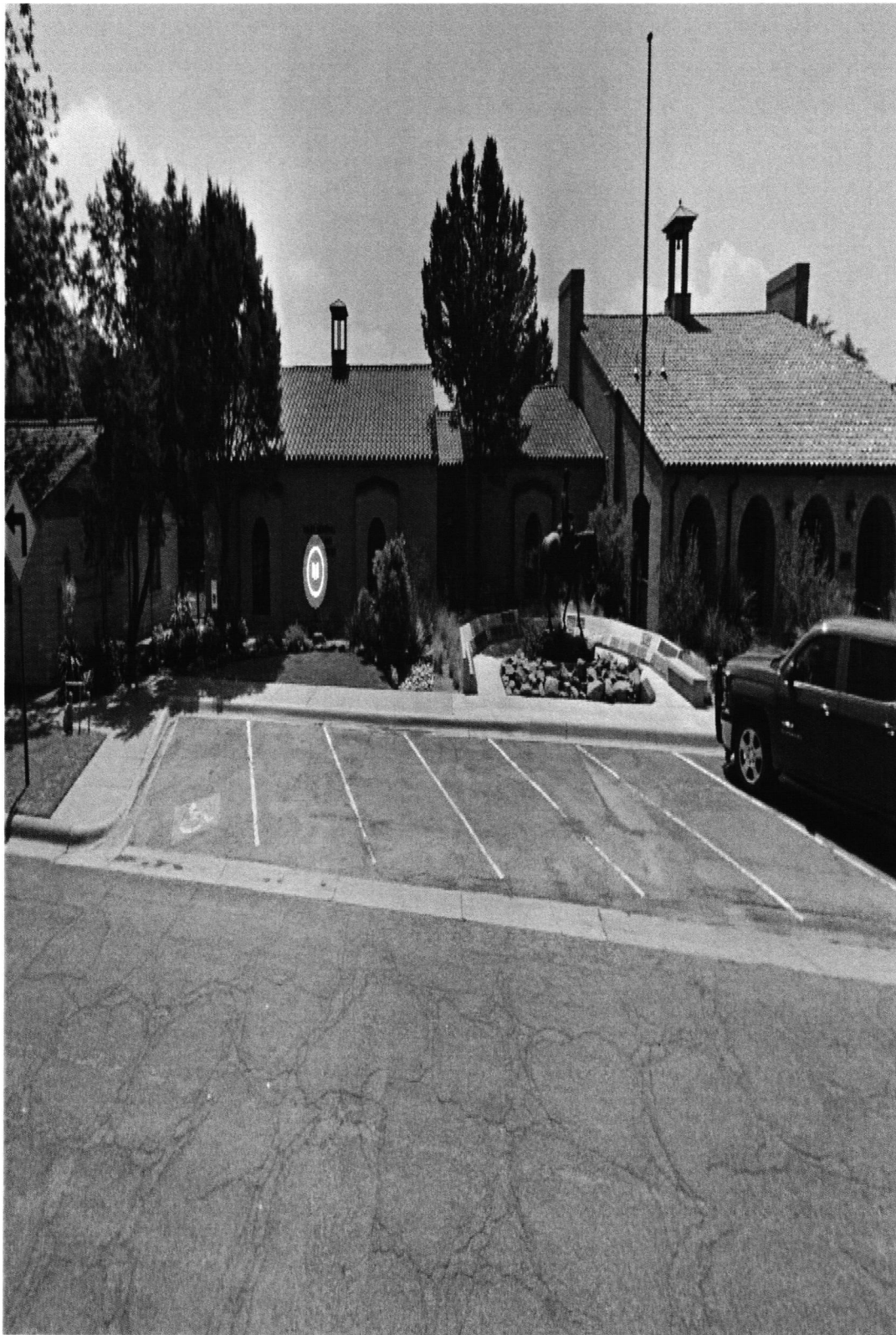
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September 13, 2022

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Page 4.60

June 3, 2024



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25.26

September 13, 2022

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June 3, 2024



PACKET

25.27

September 13, 2022

PACKET

Page 4.62

June 3, 2024

#10340



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving, with the condition of all required public improvements have been satisfied by the Engineering department before filing for recording with the County Clerk of Midland, a Final Plat of Mockingbird Ridge, Section 7, being a 33.65-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located north of Blazing Saddle Boulevard, approximately 130 feet east of Purdis Creek Drive.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

PD, Planned Development District (Ordinances 10344 & 10405) for housing development.

Preliminary Plat Approval:

Maverick Engineering, on behalf of Betenbough Homes LLC, is requesting to plat a 258.87-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. CO. Survey, City of Midland, Midland County, Texas.

The applicant is platting to allow for the development of multi-use site including single family housing, townhomes, cottage housing, retail, and greenspace/detention. On October 3, 2022, the Planning and Zoning Commission recommended approval of a preliminary plat for 317.56 acres. On October 11, 2022, City Council approved the preliminary plat of 317.56 acres. On April 17, 2023, the Planning & Zoning Commission recommended approval of the new preliminary plat of 258.17 acres. On May 9, 2023, the City Council approved the new preliminary plat of 258.17 acres.

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 with Conditions)

* * * Approved with Condition: Per Midland City Code Sect. 11-2-3(G)1: "Timing of public improvements. Except as provided otherwise herein, all street, alley, water, sanitary or storm sewer, and other public improvements, as well as lot improvements on the individual lots of the subdivision or addition as required in these regulations, for subdivisions within the City or within 1.5 kilometers (0.93 miles) thereof, shall be installed as required by the public improvement plans, prepared in accordance with Section 11-2-4, offered for dedication and accepted by the City prior to final plat approval. The required improvements shall be those specified and approved by the City in the public improvement plans. As used in this Section, "lot improvements" refers to grading and installation of improvements required for proper drainage and prevention of soil erosion."

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

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

PAVING: Internal paving improvements have not been accepted nor has a final walk-through been requested. [Reference City Code Sect. 11-2-3(G)1]

WATER: Water improvements have not been accepted nor has a final walk-through been requested. [Reference City Code Sect. 11-2-3(G)1].

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

PRO RATA: None SEWER: Wastewater improvement plan have not been accepted nor has a final walk-through been requested. [Reference City Code Sect. 11-2-3(G)1]

DRAINAGE: Drainage study has been approved.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Sidewalk improvement plan have not been accepted nor has a final walk-through been requested. [Reference City Code Sect. 11-2-3(G)1].

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No comments.

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 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 the time of new code editions adopted in the City of Midland and date of permit application.

GIS: (Approved)

No comments.

Planning: (Approved)

The Planning & Zoning Commission approved the final plat Mockingbird Ridge, Section 1 on July 10, 2023 and Sections 2 & 3 on September 5, 2023. Section 4 was approved on December 18, 2023. Section 5 was approved on February 5, 2024. Section 6 was approved on March 18, 2024. [Informational]

Staff recommends approval of the Final Plat of Mockingbird Ridge, Section 7, subject to condition A.

Condition(s):

- A. All required public improvements have been satisfied by the Engineering department before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Proposed Final Plat
Maps
Ordinance 10344
Ordinance 10405



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Mockingbird Ridge Section 7**Legal Description (attached sealed Metes and Bounds):** _____

BEING A 33.65 -ACRE TRACT OF LAND, SITUATED IN SECTION 18,BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY OF MIDLAND,MIDLAND COUNTY, TEXAS

Property OwnerPrinted Name: **Betenbough Homes LLC**

Phone (806) 797-9494

Email abec@betenbough.com

Address 6305 82nd St

City Lubbock

State TX

Zip 79424

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: PD**Reason for Platting:** OWNERSHIP**Plat Information**

Total Acreage: 33.65

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

Number of Lots: 103

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):

DocuSigned by:

Abram FuentezDate: 5/3/24

Property Owner (printed):

EAE9B1510B0437 Abram Fuentez

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.

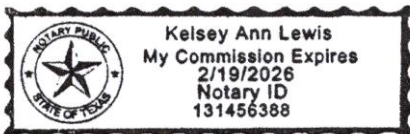
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Bethunough Homes, 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 Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 3rd day of May, 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 # 4744☒ 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 # 4799Received By: [Signature]Date: MAY 08 2024

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

PACKET

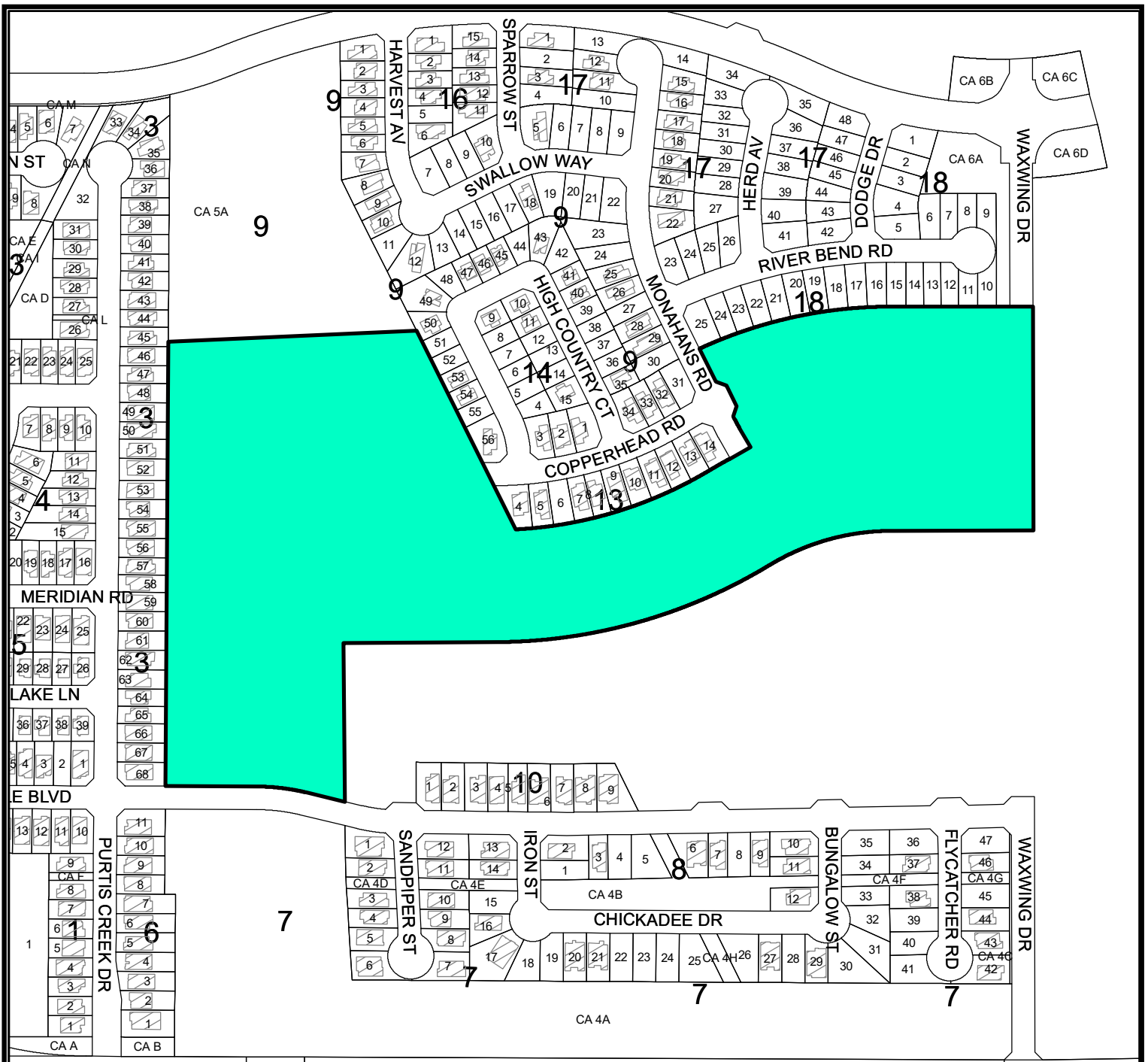
Page 5.69

June 3, 2024

Final Plat Application

2

Revised 7/01/19



Location Map

P-24-2001

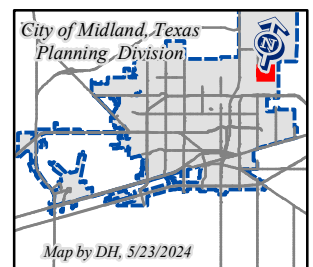
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Final Plat of Mockingbird Ridge, Section 7, being a 33.65-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas.

(Generally located north of Blazing Saddle Boulevard, approximately 130 feet east of Purits Creek Drive.)
(Council District 1)

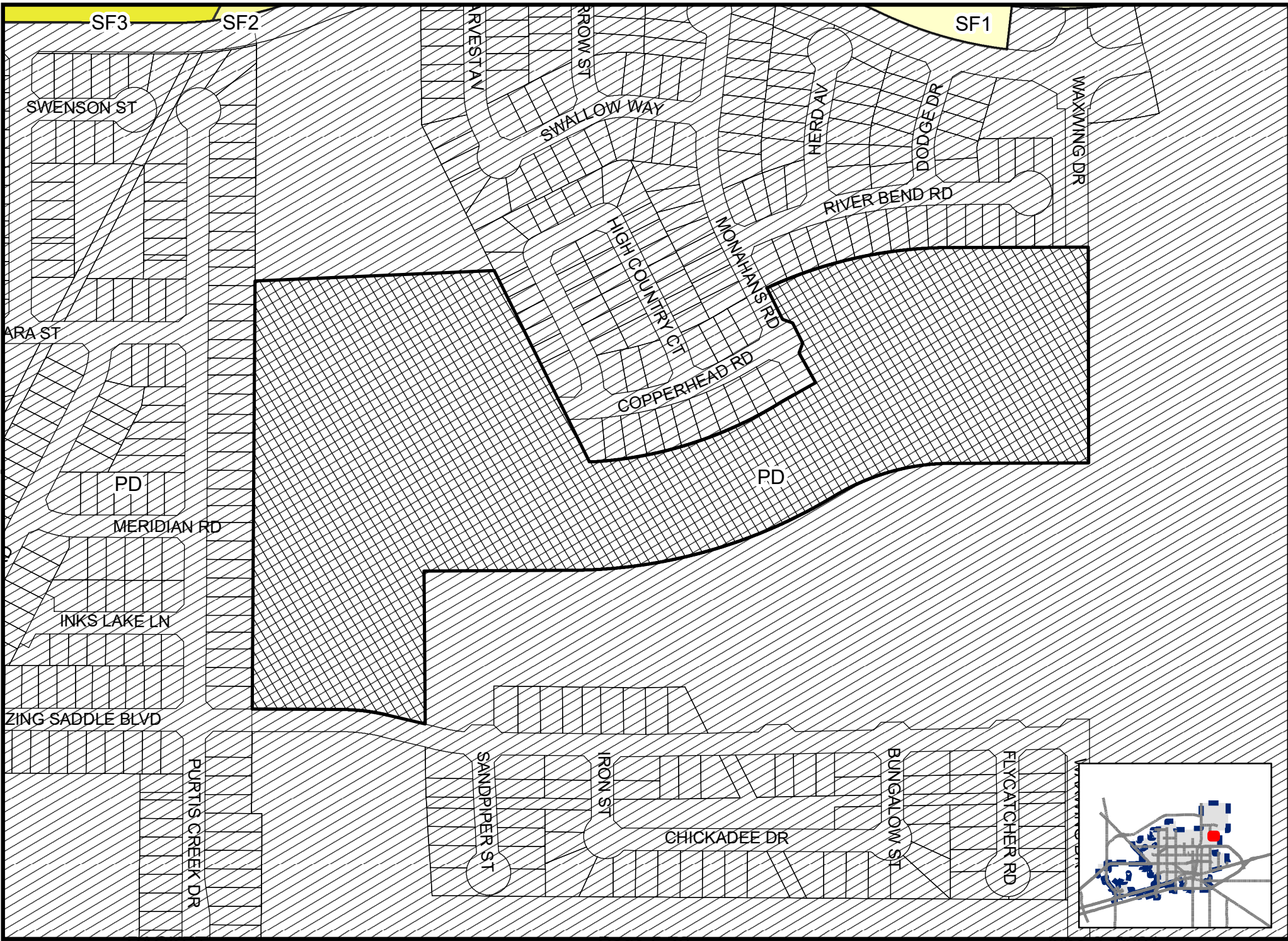
LEGEND

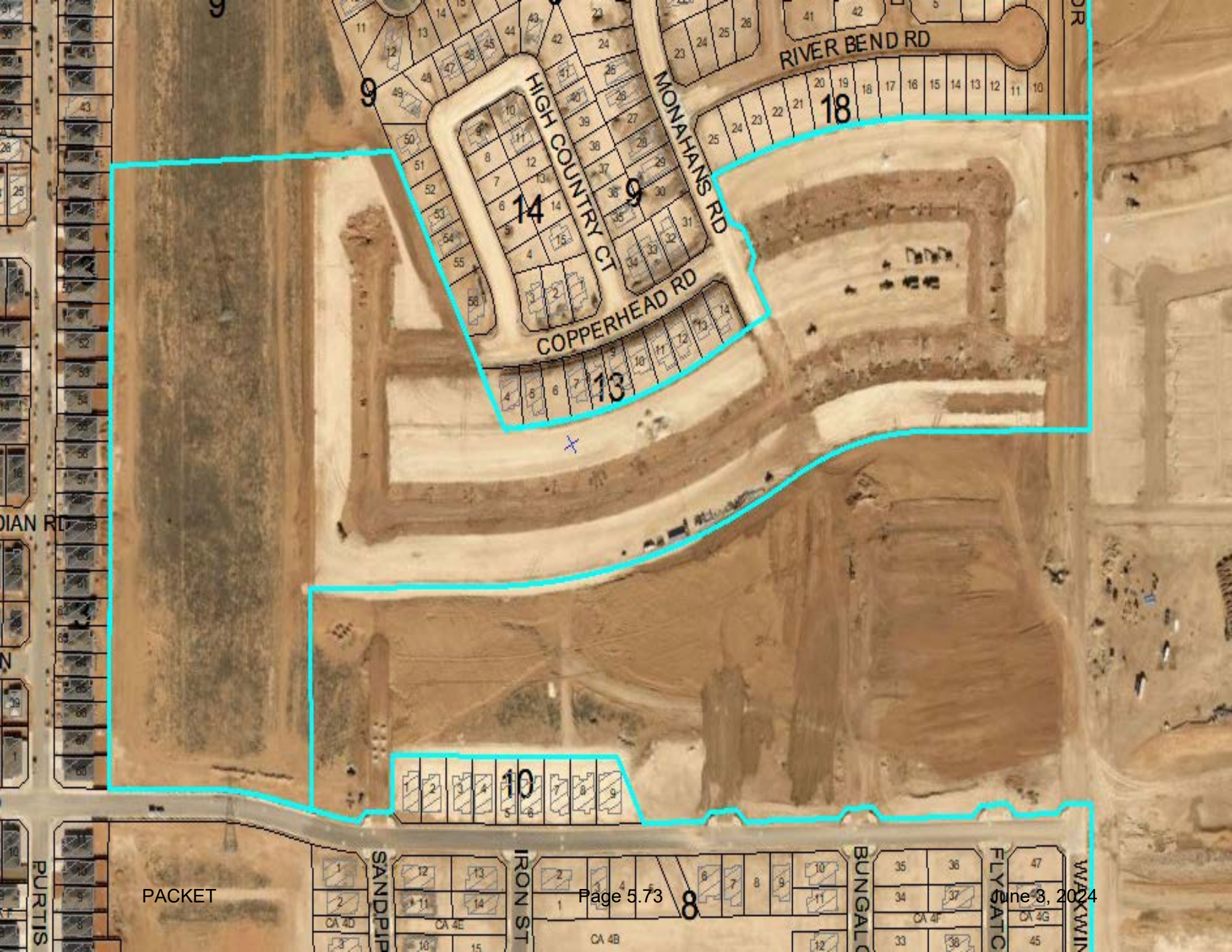
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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.





PACKET

ORDINANCE NO. 10344

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 317.56-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT, IN PART, 2F, TWO-FAMILY DWELLING (DUPLICATE) DISTRICT, IN PART, MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS AND EAST MOCKINGBIRD ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning a 317.56-acre tract of land out of Section 18, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property"), to PD, Planned Development District for a Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from SF-1, Single-Family Dwelling District, in part,

SF-2, Single-Family Dwelling District, in part, SF-3, Single-Family Dwelling District, in part, TH, Townhouse (Attached) Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, MF-16, Multiple-Family Dwelling District, in part, and RR, Regional Retail District, in part to PD, Planned Development District for a Housing Development.

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

- A. For the portions of the Property identified as “COMMERCIAL TRACT” in Exhibit “B”, which is attached hereto and incorporated herein for all purposes, LR, Local Retail District;
- B. For the portions of the Property identified as “45' FRONT WIDTH - CORE”, “50' FRONT WIDTH - CORE”, “50' FRONT WIDTH - COTTAGE”, “50' FRONT WIDTH - RESERVE”, “60' FRONT WIDTH - RESERVE”, “75' FRONT WIDTH - RESERVE” and “80' FRONT WIDTH - RESERVE” in Exhibit “B”, SF-3, Single-Family Dwelling District; and
- C. For the portions of the Property identified as “30' FRONT WIDTH - TOWNHOME” in Exhibit “B”, TH, Townhouse (Attached) Dwelling District.

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

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “B”.
- B. That each lot identified as “50' FRONT WIDTH - COTTAGE” in Exhibit “B” shall have:
 - 1. A minimum lot width of 50 feet;
 - 2. A minimum lot depth of 77 feet; and
 - 3. A minimum lot area of 4,200 square feet.
- C. That each lot identified as “45' FRONT WIDTH - CORE” in Exhibit “B” shall have a minimum lot width of 45 feet.
- D. That each lot identified as “30' FRONT WIDTH - TOWNHOME” in Exhibit “B” shall be allowed to have a one-car garage; provided, however, that each lot shall have two additional off-street parking spaces.

- E. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- F. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 11th day of October, A.D., 2022; and passed to second reading

on motion of Council member Ladd, seconded by Council member Poole, by the following vote:

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

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Poole, seconded by Council member Dufford, on the 25th day of October, A.D., 2022, at a regular meeting of the City Council:

Council members voting "AYE": Corrales, Poole, Blong, Payton, Dufford, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 25th day of October, A.D., 2022.



Patrick N. Payton, Mayor

ATTEST:



Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services



APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney

EXHIBIT "A"

STATE OF TEXAS §
COUNTY OF MIDLAND §

**SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH,
TEXAS and PACIFIC RAILWAY COMPANY SURVEY
MIDLAND COUNTY, TEXAS.**

FIELD NOTE DESCRIPTION OF A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4984.62 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET AT THE SOUTHEAST CORNER OF A CALLED 22.96 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2019-3532 OF SAID OFFICIAL PUBLIC RECORDS, FROM WHICH A ONE HALF INCH IRON ROD WITH A GREEN PLASTIC CAP MARKED "ASB 5689" BEARS S.75°43'57"W., 388.28 FEET AND A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "PSC RPLS 6453" BEARS S.75°08'25"W., 392.12, FOR THE SOUTHWEST CORNER HEREOF;

THENCE THE FOLLOWING NINE COURSES AND DISTANCES ALONG THE EAST LINE OF SAID CALLED 22.96 ACRE TRACT FOR THE WEST LINE HEREOF;

1. N.14°23'29"W., 60.57 FEET TO A POINT;
2. N.58°53'33"W., 71.33 FEET TO A POINT;
3. N.14°23'29"W., 82.07 FEET TO THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
4. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1490.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 436.87 FEET, AN ARC DISTANCE OF 438.35 FEET TO THE POINT OF REVERSE CURVATURE;
5. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1360.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 398.75 FEET, AN ARC DISTANCE OF 400.19 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
6. N.14°23'53"W., 99.99 FEET TO A MAG NAIL FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
7. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 308.82 FEET, AN ARC DISTANCE OF 309.37 FEET TO A MAG NAIL FOUND AT THE POINT OF REVERSE CURVATURE;
8. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1350.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 277.95 FEET, AN ARC DISTANCE OF 278.44 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
9. N.14°24'01"W., 859.28 FEET TO AN "RPC" SET IN SAID EAST LINE FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°43'57"E., 95.07 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N.74°47'34"E., 79.96 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE S.59°20'03"E., 28.32 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.75°43'57"E., 651.20 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.64°37'59"E., 354.21 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 356.44 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;
11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 317.56 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (θ) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.



APPROVED

10344



City Council Meeting

Item Number: 20
Meeting Date: October 11, 2022
To: City Council / City Manager
From: Landon Ochoa, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 317.56-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT, IN PART, 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT, IN PART, MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS AND EAST MOCKINGBIRD ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 1) (DEVELOPMENT SERVICES)

Purpose:

The applicant, Maverick Engineering, is requesting a zone change from SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development to allow for the development of multi-use site including single family housing, townhomes, cottage housing, retail, and greenspace/detention.

APPROVED



Recommended City Council Action:

Approve

Fiscal Impact:

This project will not require any City funds.

Current Zoning:

SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part.

Surrounding Zoning and Land Use:

The property to the north is zoned SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and LR, Local Retail District, in part. The property to east and south is zoned AE, Agricultural Estate District. The properties to the west are zoned SF-3 Single-Family-Dwelling District, in part, PD, Planned Development District for Housing Development, in part, SF-2, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, MF-16, Multiple-Family Dwelling District, in part, LR, Local Retail District.

Analysis:

The applicant, Maverick Engineering, who is representing Betenbough, is requesting approval of a zone change for the development of a multi-use site, including a mix of residential, commercial, and greenspace uses. This proposed subdivision will have a total of nine hundred and twenty-four (924) residential lots, one approximately 6.235-acre local retail lot, and approximately 72.91 acres of greenspace/detention pond that is composed of parks, trails, common areas, and drainage ponds.

The current zoning is SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, and the location of vacant lots. The proposed development will consist of a variety of uses but will predominantly be a residential development. The proposed residential districts include, SF, Single Family Dwelling District lots, and TH, Townhouse (Attached) Dwelling District lots. The applicant is also proposing to provide a local retail zoning area along the northeast corner of the intersection of E. Mockingbird Lane and N. Fairgrounds Road. Throughout the proposed development is a greenspace/detention that will be a new concept to Midlander's.

The applicant is proposing the development to be executed in nine (9) phases. The lots width will vary from either 45, 50, 60, 75, or 85 feet and the minimum depth would be 77 feet. The properties that fall in the minimum lot depth is less than 1%. Below is a chart with the lot class tabulation, representing them by phases and percentage by lot widths.

LOT CLASS TABULATION

Product Class		Phases									Percent of Total
		1	2	3	4	5	6	7	8	9	
Core	45'	49	17		15	23	30		31	19	19.9%
	50'	89	22		43	89	82		115	63	54.4%
Reserve	50'			14				12			4.3%
	60'			44		2		21			7.3%
	75'			5		3		1			1.0%
	85'			6				4			1.1%
Cottages						62			23		9.2%
Townhome 30' Lots			14							26	2.8%
PHASE TOTAL		138	53	69	58	179	112	38	169	108	100%
OVERALL TOTAL		924									

The site plan introduces a new housing prototype called Cottages. These homes will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendments.

1. A minimum lot Width shall be 50 feet;
2. A minimum lot Depth be 77 feet; and
3. A minimum lot Area shall be 4,200 square feet

The site plan also introduces a new housing prototype called Core, that split into two front widths. These homes will have an underlying zoning of SF-3, Single Family Dwelling District. However, the 45' Front Width Core will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendment.

1. A minimum lot Width shall be 45 feet.

Furthermore, the site plan also shows housing prototype called Townhomes. These homes will have an underlying zoning of TH, Townhouse Dwelling but with the following amendments.

1. A one-car garage, provided, that each lot shall have two additional off-street parking.

As mentioned before this development will consist of a variety of uses but will predominantly be a residential development. The proposed residential districts include:

- 687 - Core (SF-3, Single Family Dwelling District lots);
- 112 - Reserve (SF-3, Single Family Dwelling District lots);
- 26 – Townhomes (TH, Townhouse Dwelling District lots);
- 99 – Cottages (SF-3, Single Dwelling District lots);

The proposed density for each district is as followed:

- Core (SF-3): 4.56 units per acre
- Cottage (SF-3): 6.6 units per acre
- Townhouse (TH-Attached): 8.3 units per acre
- Reserve (SF-3): 3.9 units per acre

The appropriate setbacks and maximum height of future development must meet the regulations as described in Section 5.04 Residential Zoning District Dimensional Regulations chart. The proposed lots meet or exceed these requirements.

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

Fire: (Approved)

No comments.

Building: (Approved)

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

Engineering: (Approved)

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

Code: (Approved)

Phase I, page1 -The Plugged and Abandoned well Stimson Burley #18 #2- API 329-31184 is identified being in the street. Phase 6 page 2 – the Stinson-Burley B #2 API 329-31044 is identified with a 135 ft radius as requested for a non-City permitted well. Phase I Page 3- the non-city permitted Stimson Burley #1M API 329-31751 has the required 135 ft. Phase 8, page 3 -the non-City permitted Stimson Burley B #3 API 32--31045 is identified on plat with the required 135 ft. radius and noted to be P&A well. No building permits are allowed in the 135 ft radius of existing well until it is P&A. In addition, the City permitted Endeavor operated Willow Lakes 19 #191 (located south of Mockingbird Lane) is identified with a 500 ft. radius that is located below Mockingbird Lane. The occupied residential/commercial building permits inside the 500 ft. radius will require a variance to the permitted well from the City Council. The variance request would need to be made thru the Building Official. Informational: Please note

if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures.

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:

This request is not in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Future Land Use Map". However, the area is classified as Urban Residential-Low, in part, which calls for restrictive land use, emphasizing single-family detached development. The area is also classified as Urban Medium which calls for a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use. The plan also calls for a parkway that would run through the property which is identified on the site plan.

The Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the "Current Development Area" which seeks to address the compatibility of uses, "specifically between different housing intensities," As shown in the proposed site plan, the applicant is planning to create a gradual transition from existing housing developments at the western edge of the property in question.

Principle 4 of Chapter 3 of the Tall City Tomorrow Plan seeks to increase the diversity of the housing stock in Midland specifically including the need of smaller lot homes. This proposal works in compliance since the development will be introducing a neighborhood with a mix of housing intensities to include smaller townhouse sized lots as well as larger single-family lots. Additionally, Principle 8 of the Chapter 3 requests that land use policies and regulations support the creation of more balanced neighborhoods, which include "a variety of housing options, access to open space, and contain activity centers such as parks..." The applicant is proposing to develop more specifically delineated park space and trails in the development which will help give the residents a diversity of recreation allowing for a more balance feel.

Principle 5 of Chapter 3 requests planning for community amenities such as parks and open space to support "community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community." The applicant is proposing to include a park, greenspace, and trails all of which will contribute to creating a sense of place for new residents.

This request was recommended for approval at the August 15, 2022, Planning and Zoning Commission Meeting.

The base zoning districts to which the use and development of the Property shall conform, except as modified by conditions listed below, are as follows:

- A. That the portions of the Property identified as “Commercial” in Exhibit A, LR, Local Retail District;**
- B. That the portions of the Property identified as “Core” in Exhibit A, SF-3, Single-Family Dwelling District;**
- C. That the portions of the Property identified as “Cottages” in Exhibit A, SF-3, Single-Family Dwelling District;**
- D. That the portions of the Property identified as “Townhomes” in Exhibit A, TH, Townhouse Dwelling District;**
- E. That the portions of the Property identified as “Reserve” in Exhibit A, SF-3, Single-Family Dwelling District;**

If this Zone Change from SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part. to PD, Planned Development District for Housing Development, is approved, staff recommends that it should be subject to conditions A through F.

Conditions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “A & B”.**
- B. That each lot identified as Exhibit “A” as “Cottage” is subject to the following conditions and regulation:**
 - 1. The minimum lot Width shall be 50 feet.**
 - 2. The minimum lot Depth be 77 feet.**
 - 3. The minimum lot Area shall be 4,200 square feet**
- C. That each lot identified as Exhibit “A” as “45’ Front Width - Core” is subject to the following condition and regulation:**
 - 1. The minimum lot Width shall be 45 feet.**
- D. That each lot identified as Exhibit “A” as “Townhomes” is subject to the following condition and regulation:**
 - 1. A one-car garage and off-street parking for two vehicles.**

- E. That the landscaping shown in Exhibit "A" shall be considered illustrative.
The landscape shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- F. That the signs on the property shall conform to the regulations set in Title XI, Chapter 7a.

Letters of Objection:

Staff has not received any letters of objection as of September 29, 2022.

Attachments:

Application
Sit Plan (Exhibit A)
Metes and Bounds (Exhibit B)
Detail Site Plan 1
Detail Site Plan 2
Detail Site Plan 3
Open Space Concept
Entry Concept
Rendering of Cottage Homes
Maps



City Manager's Office

EXHIBIT "A"

STATE OF TEXAS §
COUNTY OF MIDLAND §

SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY COMPANY SURVEY MIDLAND COUNTY, TEXAS.

FIELD NOTE DESCRIPTION OF A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4984.62 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET AT THE SOUTHEAST CORNER OF A CALLED 22.96 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2019-3532 OF SAID OFFICIAL PUBLIC RECORDS, FROM WHICH A ONE HALF INCH IRON ROD WITH A GREEN PLASTIC CAP MARKED "ASB 5689" BEARS S.75°43'57"W., 388.28 FEET AND A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "PSC RPLS 6453" BEARS S.75°08'25"W., 392.12, FOR THE SOUTHWEST CORNER HEREOF;

THENCE THE FOLLOWING NINE COURSES AND DISTANCES ALONG THE EAST LINE OF SAID CALLED 22.96 ACRE TRACT FOR THE WEST LINE HEREOF;

1. N.14°23'29"W., 60.57 FEET TO A POINT;
2. N.58°53'33"W., 71.33 FEET TO A POINT;
3. N.14°23'29"W., 82.07 FEET TO THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
4. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1490.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 436.87 FEET, AN ARC DISTANCE OF 438.35 FEET TO THE POINT OF REVERSE CURVATURE;
5. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1360.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 398.75 FEET, AN ARC DISTANCE OF 400.19 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
6. N.14°23'53"W., 99.99 FEET TO A MAG NAIL FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
7. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 308.82 FEET, AN ARC DISTANCE OF 309.37 FEET TO A MAG NAIL FOUND AT THE POINT OF REVERSE CURVATURE;
8. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1350.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 277.95 FEET, AN ARC DISTANCE OF 278.44 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
9. N.14°24'01"W., 859.28 FEET TO AN "RPC" SET IN SAID EAST LINE FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°43'57"E., 95.07 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N.74°47'34"E., 79.96 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE S.59°20'03"E., 28.32 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.75°43'57"E., 651.20 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.64°37'59"E., 354.21 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 356.44 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

PACKET

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October 25, 2022

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

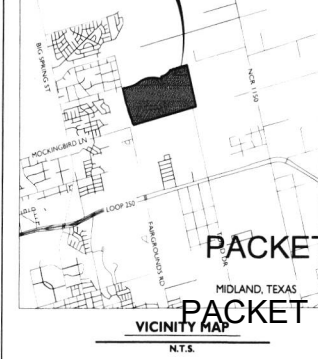
THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;
11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 317.56 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.



- DEVELOPMENT NOTES**
- 1. GENERAL: SITE PLAN IS FOR A PROPOSED 174 LOT RESIDENTIAL SUBDIVISION WITH 1 LOT DESIGNATED COMMERCIAL, 4 PROPOSED DEDICATED STORMWATER DETENTION BASINS SITUATED WITHIN A NETWORK OF MAINTAINED COMMON AREA GREEN SPACES ALL BEING OUT OF A 317.56 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. THE PROPOSED DEVELOPMENT AREA CURRENTLY SHOWS OVERLAPPING OF MH 18, TH 32, 33, AND R4.
 - 2. DEVELOPMENT: THE DEVELOPMENT WILL CONSIST OF PRIMARILY SINGLE FAMILY RESIDENTIAL DETACHED LOTS OF MIXED CLASSIFICATION, SINGLE FAMILY ATTACHED TOWNHOMES, AND ONE COMMERCIAL LOT. SEE INCLUDED LOT CLASS TABULATION FOR THE OVERALL LOT MAKEUP.
 - 3. SETBACKS: PROPOSED SETBACKS FOR THE RESIDENTIAL COMPONENT OF THE SUBDIVISION ARE AS FOLLOWS: FRONT 20'; CORNER SIDE 10'; REAR 10'; SETBACKS ON CALLED COMMERCIAL LOT WILL CONFORM TO THE 40' REGIONAL RETAIL SERVICE REQUIREMENTS.
 - 4. BUILDING HEIGHT: NO STRUCTURE SHALL EXCEED 42' IN HEIGHT OR 3 STORIES WITHIN THE SUBDIVISION.
 - 5. ACCESS: THE SITE IS PLANNED TO HAVE 14 EVENTUAL ACCESS POINTS: TWO TO THE NORTH ACCESSING HARRINGTONS ROAD AND TODD DRIVE, AND TWO TO THE SOUTH ACCESSING MOCKINGBIRD LANE. ALL ACCESS POINTS ARE PLANNED FOR BOTH INGRESS AND EGRESS.
 - 6. EASEMENTS: OUTSIDE OF EXISTING EASEMENT ESTATE ON THE PARENT TRACT, THE FOLLOWING EASEMENTS ARE PLANNED TO SERVICE THE DEVELOPMENT:
 - 6.1 IF GENERAL UTILITY EASEMENT ALONG THE FRONTAGE OF ALL LOTS
 - 6.2 DEDICATED STORMWATER DRAINAGE BASINS WITHIN COMMON AREAS 1, 4, 5, 6, & 7
 - 6.3 DEDICATED DRAINAGE CONVEYANCE EASEMENTS VIA COMMON AREAS 2, 3, 4, & 5
 - 7. UTILITIES: PUBLIC UTILITIES WILL SERVICE THE DEVELOPMENT FROM THE EXISTING ADJACENT INFRASTRUCTURE AND EXTENDED ON AND OFFSITE INFRASTRUCTURE PROPOSED AS A REQUIRED COMPONENT OF THIS DEVELOPMENT. NEW WATER AND SEWER TAPS WILL BE REQUIRED.
 - 8. REFUSE: TRASH COLLECTION WILL BE IN COMPLIANCE WITH THE CITY OF MIDLAND REQUIREMENTS, COLLECTED BY THE CITY OF MIDLAND UTILIZING SIDE LOADING TRUCKS.
 - 9. DRAINAGE: STORM WATER RUNOFF WILL BE DETAINED SO AS NOT TO INCREASE EXISTING PEAK RUNOFF IN COMPLIANCE WITH THE APPROVED DRAINAGE REPORT TO BE FILED WITH THE APPROVED PRELIMINARY PLAN.

LEGEND

⊙	DENOTES 12" (3-INCH) IRON ROD W/ WIRE PLASTIC CAP MARKED "MAVERICK FIRM 10191451"
⊙	DENOTES FOUND MONUMENT AS NOTED
⊙	DENOTES POINT OF CURVATURE/INTERSECTION
⊙	DENOTES P&G NAIL FOUND
---	DENOTES EXISTING ADJACENT PROPERTY LINES
---	DENOTES EASEMENT LINE
---	DENOTES SECTION LINE
---	DENOTES OFFICIAL PUBLIC RECORD, MIDLAND CO., TX
---	DENOTES OFFICIAL PUBLIC RECORD, MIDLAND CO., TX
---	DENOTES DEED RECORDATION, MIDLAND CO., TX
---	DENOTES SECTION NUMBER

PRM.C.T.
OPM.C.T.
DRM.C.T.
D.M.C.T.

LOT CLASS TABULATION

Product Class	1	2	3	4	5	6	7	8	9	Percent of Total
Core	45'	49	17	15	23	30	31	19		19.9%
	50'	89	22	45	69	82	115	63		54.6%
	75'			34			32			4.3%
	80'			46			23			7.3%
Reserve	75'			5	3		1			1.0%
	80'			6						1.1%
	85'									0.2%
Townhome 30' Lots		14			62		29			9.2%
								26		2.8%
PHASE TOTAL	138	53	69	58	179	112	168	308		100%
OVERALL TOTAL										

MOCKINGBIRD RIDGE
PDHD SITE PLAN

BEING A 317.56 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

October 25, 2022

MAVERICK
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "X"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # S-109454
PHONE: (409) 699-9999 Fax: (409) 763-0999
www.Maverick-Eng.com

EXHIBIT "B"

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SHEET 1 OF 5



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

Project Number 2-22-0299
Case Number: _____

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

Printed Name: Betenbough Homes

Phone ()
Email

Address

City

State

Zip

Property Owner

Printed Name: See Applicant

Phone ()
Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email
phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Street Address: NA County Rd 40

Legal Description

Lot: Block: 38 T-1-S Subdivision:

Current Zoning: In Part: SF3, TH, SF2, MF16,
SF1, 2F, RR

Proposed Zone: PDHD

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

Reason for Zone Change Request: To advance the proposed housing development associated
with this request

Present Use of Property: vacant

Proposed Use of Property: residential

How would this zone change affect the public health, safety and welfare? This development
will contribute to the housing inventory of the City of Midland, adding needed options to the housing
makeup of the community

**Describe how conditions affecting the property have changed since present zoning
designation:** No change since original zoning

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)

PACKET

20.16

October 25, 2022

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

Applicant (signature):

Chris Berry

Date: 7-18-2022

Applicant (printed): Chris Berry

Property Owner (signature): See Applicant

Date:

Property Owner (printed):

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

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

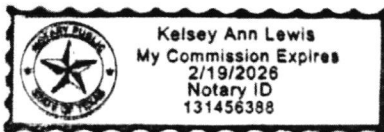
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L. Miller
Authorized Agent (signature)

Subscribed and sworn to before me, this 20th day of July, 2022, 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

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # 3818

Received By: KM

Date: 7-20-2022

PACKET

2017

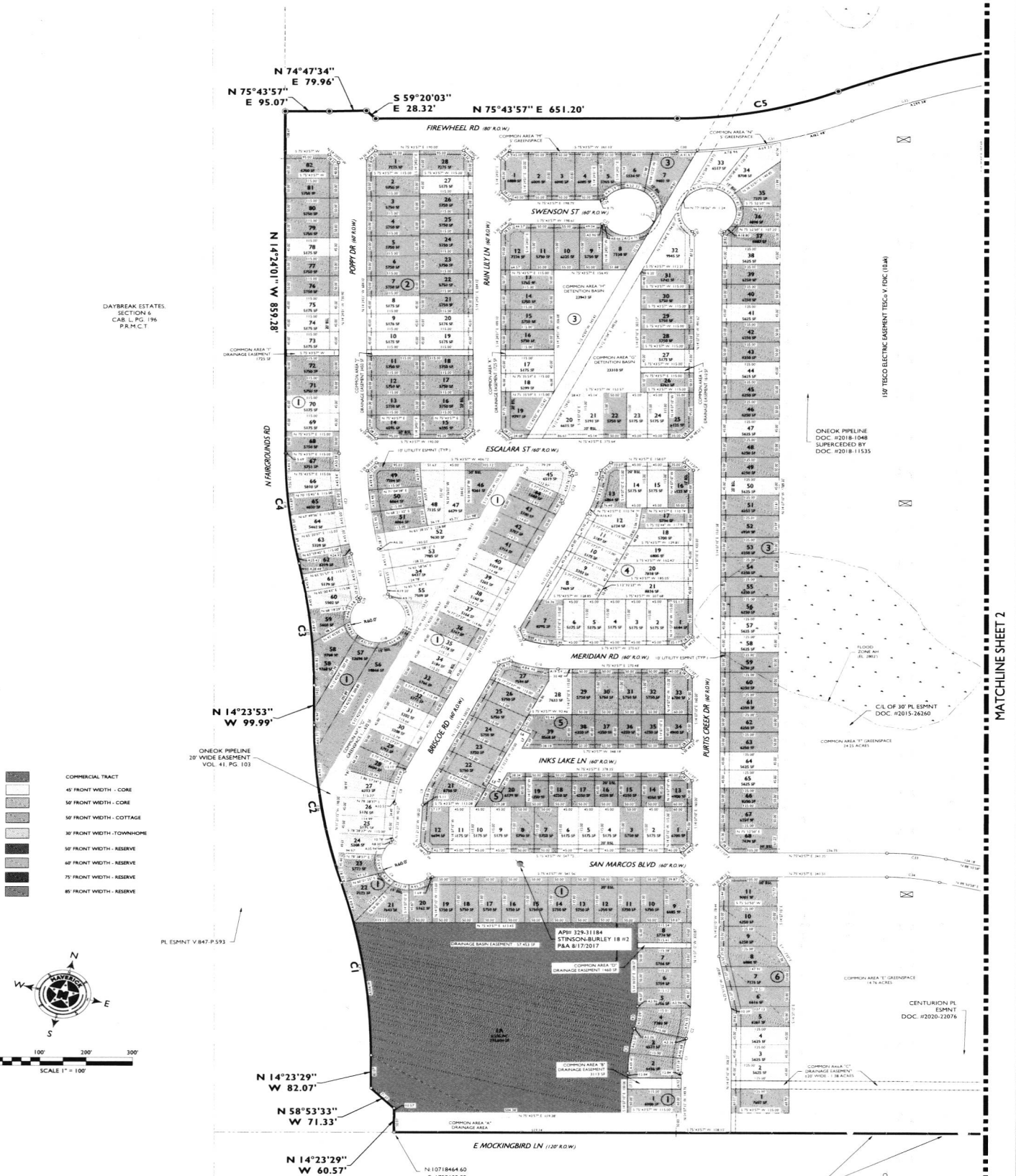
October 25, 2022

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

MOCKINGBIRD RIDGE

DETAIL SHEET #1

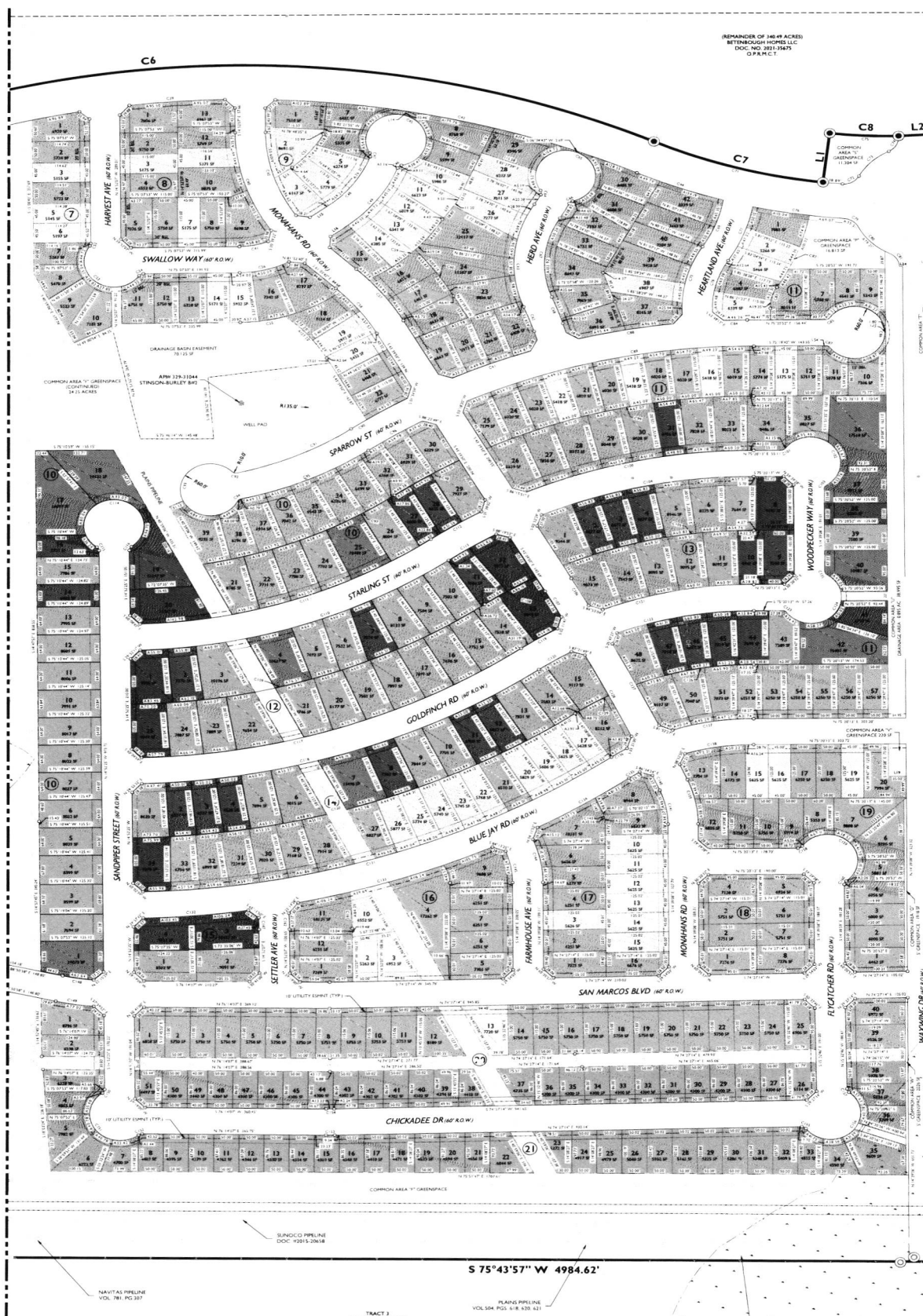
BEING A 317.56 ACRE TRACT OF LAND, SITUATED IN
SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO.
SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



MATCHLINE SHEET 2

MATCHLINE SHEET 1

MATCHLINE SHEET 3



- 45' FRONT WIDTH - CORE
- 50' FRONT WIDTH - CORE
- 50' FRONT WIDTH - COTTAGE
- 30' FRONT WIDTH - TOWNHOME
- 50' FRONT WIDTH - RESERVE
- 40' FRONT WIDTH - RESERVE
- 75' FRONT WIDTH - RESERVE
- 80' FRONT WIDTH - RESERVE

MOCKINGBIRD RIDGE

2019 DETAIL SHEET #2
BEING A 377.56 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

October 25, 2022



MAVERICK
ENGINEERING SURVEY & WATER RESOURCES
1909 West Wall Street, Suite "C"
Midland, Texas 79701
ENGINEER (2024) #1-15089
SURVEY (2024) #1-15089
Tel: (432) 242-0999 Fax: (432) 242-0999
www.maverick-engineering.com

MATCHLINE SHEET 2

FLOOD ZONE X

FLOOD ZONE AH
(EL. 2792)

1/2 IRF
AT ESMT
CORNERS

TRACT 3
170.24 ACRES
NORMAN LANE
2018.10.24
D.R.M.C.T.

MOCKINGBIRD RIDGE

20.20 DETAIL SHEET #3

BEING A 317.58 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

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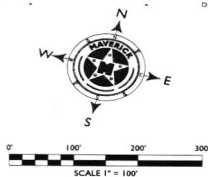
October 25, 2022

June 3, 2024

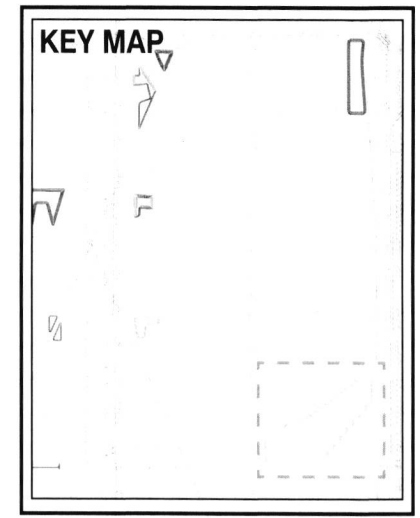
SHEET 4 OF 5



MAVERACK
ENGINEERING / SURVEY / WATER RESOURCES
1909 West Vase Street, Suite "C"
Midland, Texas 79701
ENGINEER FROM: P-13089
SURVEYOR FROM: 2018414
Tel: (432) 342-0999 Fax: (432) 342-0989
www.maverack-engineering.com



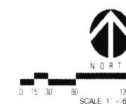
- 45' FRONT WIDTH - CORE
- 50' FRONT WIDTH - CORE
- 50' FRONT WIDTH - COTTAGE
- 50' FRONT WIDTH - RESERVE
- 60' FRONT WIDTH - RESERVE
- 75' FRONT WIDTH - RESERVE

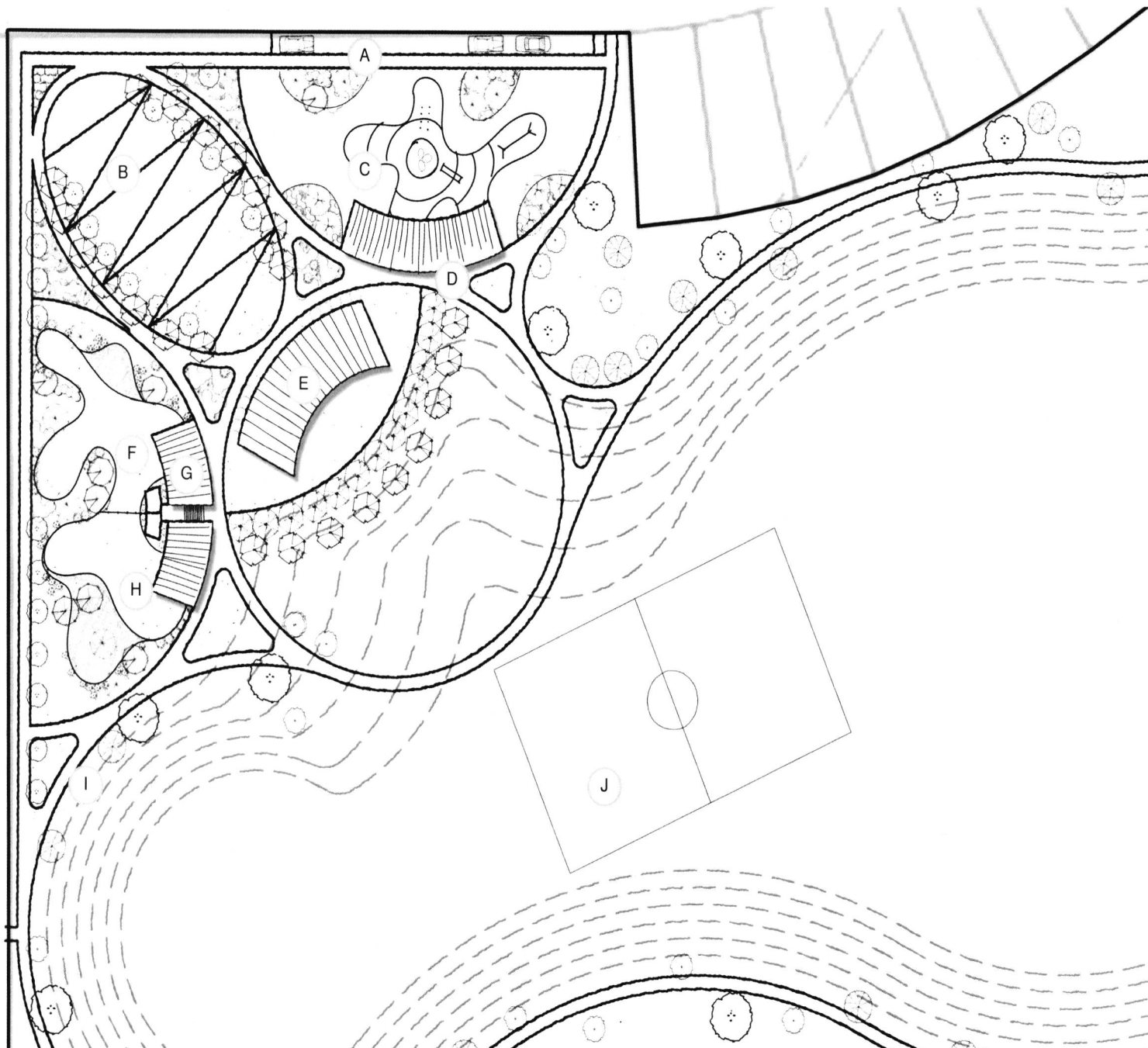


SCALE: NOT TO SCALE

LEGEND

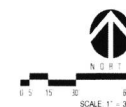
- A ACTIVITY LAWN
- B PLAYGROUND + PAVILLION
- C DOG PARK + PAVILLIONS
- D EVENT PAVILLION
- E SPORTS FIELD
- F TRAIL SYSTEM





LEGEND

- A ON STREET PARKING
- B ACTIVITY LAWN WITH FESTOON LIGHTING
- C "THE NEST" ALL AGES PLAYGROUND
- D SHADE & PICNIC PAVILLION
- E ACTIVITY PAVILLION
- F SMALL DOG PARK
- G DOG PARK ENTRY WITH COVERED SEATING AREAS
- I TRAIL SYSTEM
- J SPORTS FIELD





PACKET
MOCKINGBIRD RIDGE
 MIDLAND, TX
 OPEN SPACE CONCEPT

20.23

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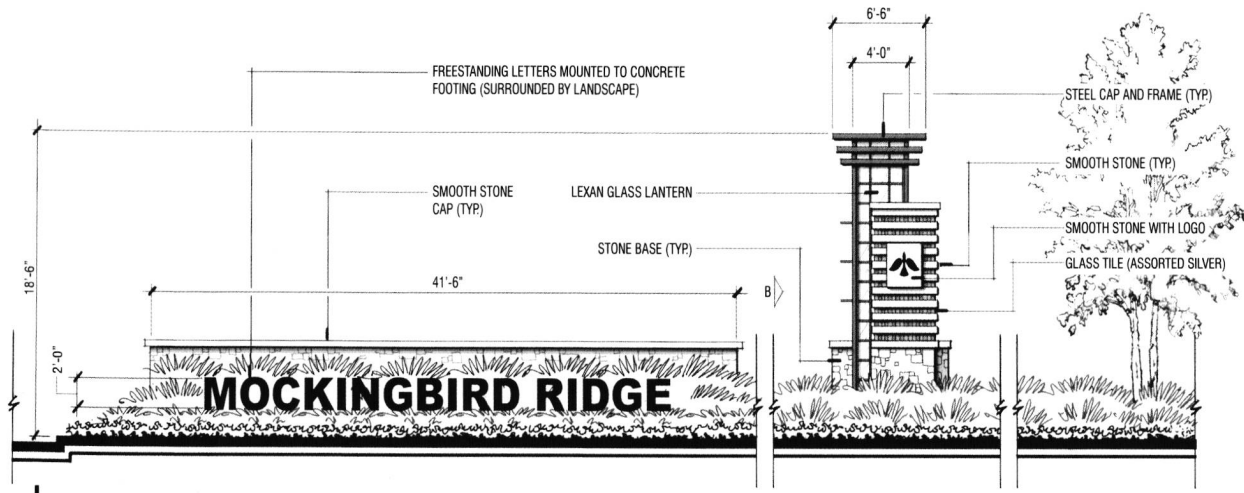
October 25, 2022

June 3, 2024
 Kimley»Horn

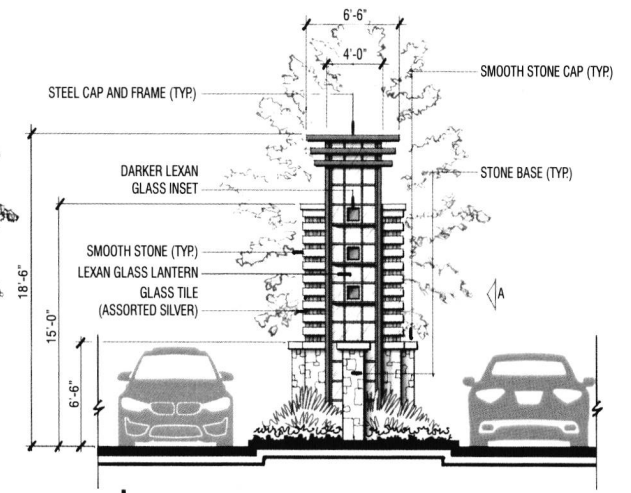
THIS GRAPHIC IS CONCEPTUAL. THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

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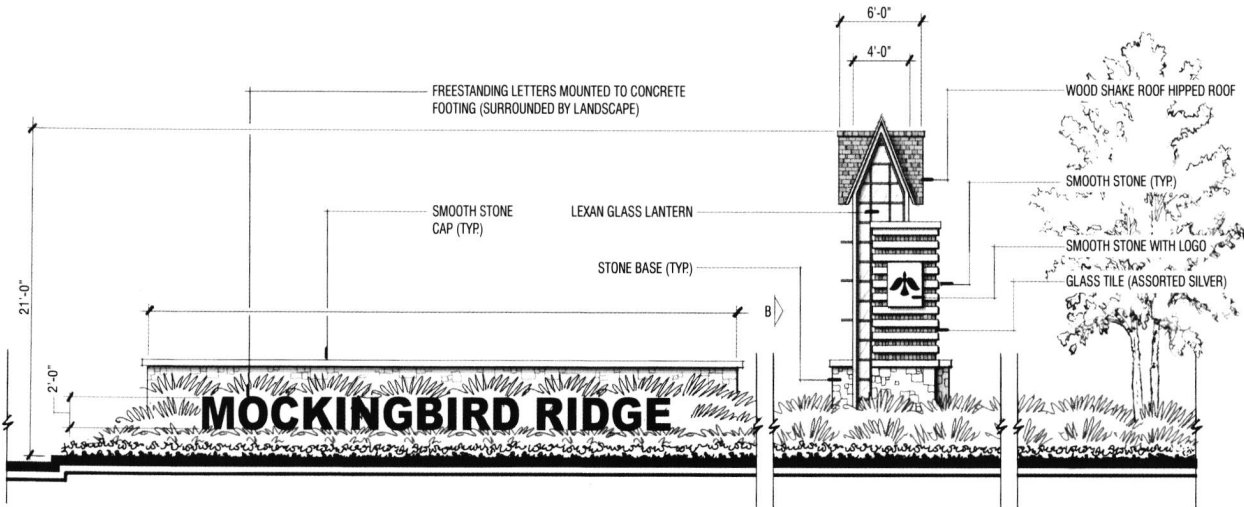
6/28/2022



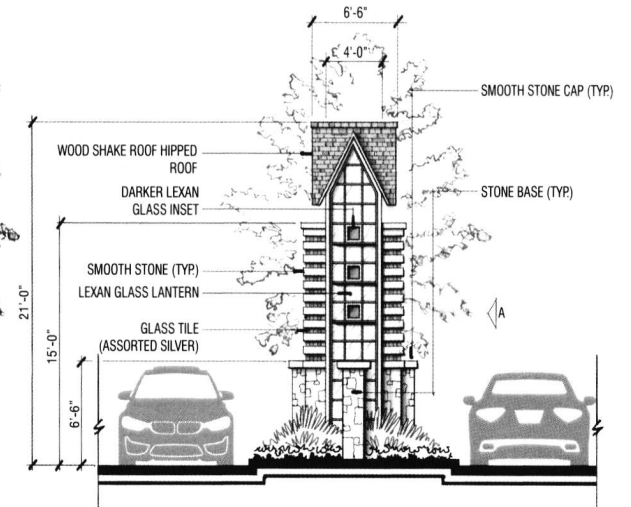
A OPTION 2 (SIDE ELEVATION)
SCALE: 1/4" = 1'-0"



B OPTION 2 (FRONT ELEVATION)
SCALE: 1/4" = 1'-0"



A OPTION 1 (SIDE ELEVATION)
SCALE: 1/4" = 1'-0"



B OPTION 1 (FRONT ELEVATION)
SCALE: 1/4" = 1'-0"

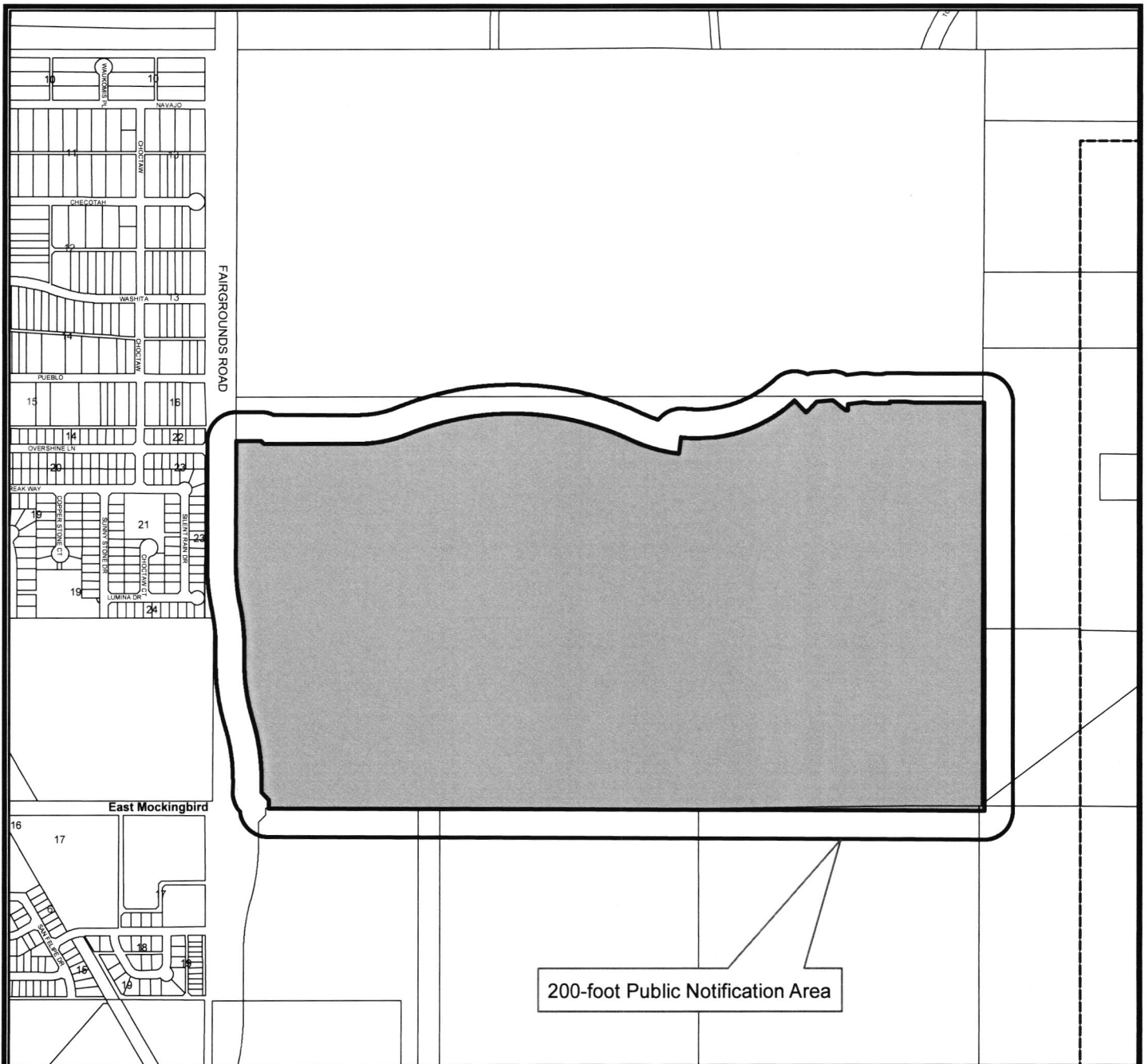
Renderings of Cottage Homes:

The April Plan: 3/2 w 1,109 SQ FT



The Annabeth Plan: 3/2 w 1,231 SQ FT





LOCATION MAP

Z-22-0299

Scale: 1" = 12,044'

Consider a request by Maverick Engineering for a zone change from, SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development out of a 317.56-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas.

PACKET

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

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

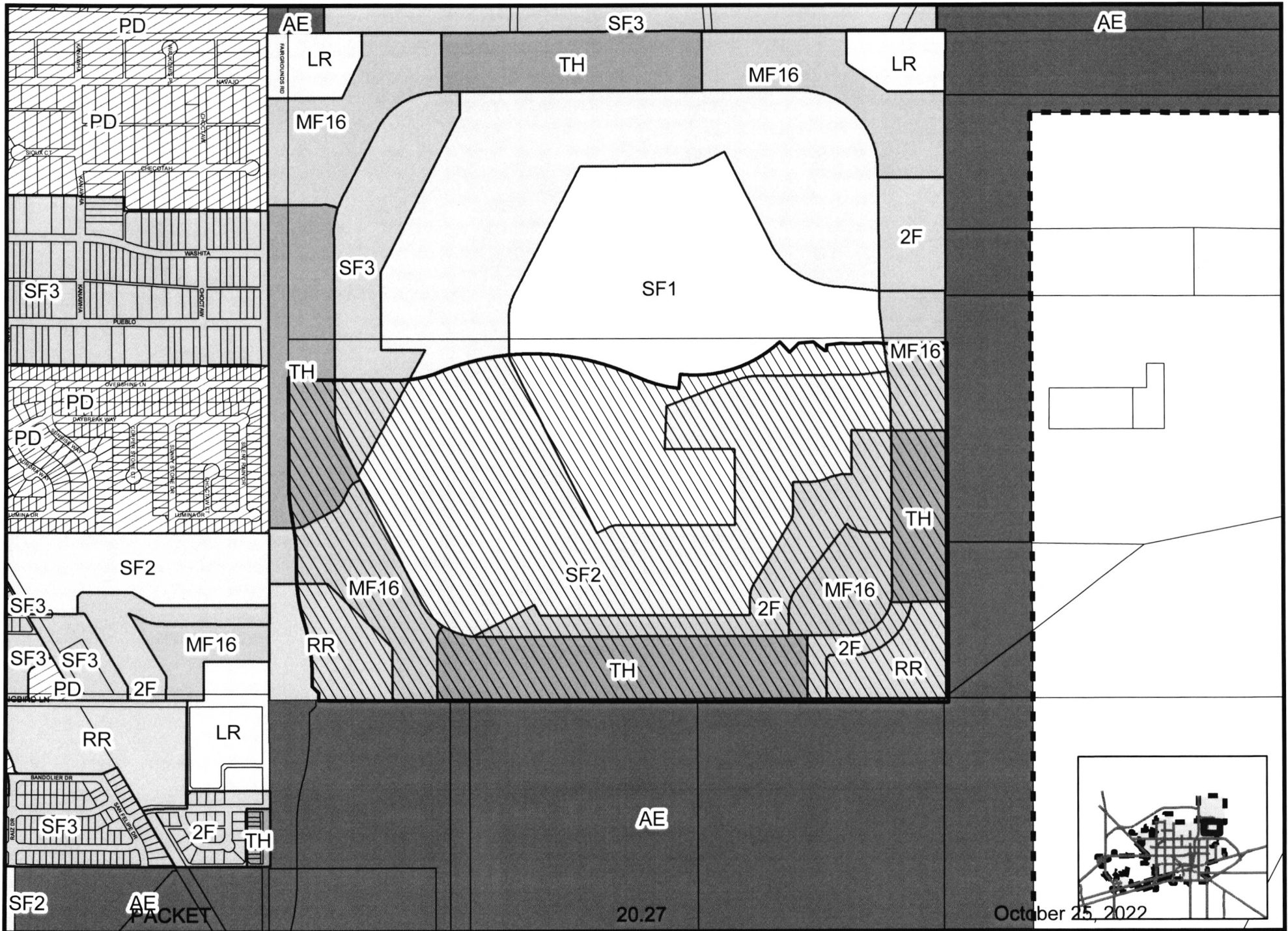


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THIS DATA IS NOT A SUBSTITUTION FOR A PROFESSIONAL ENGINEER'S DESIGN TO PERFORM ANY TOOLS IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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

October 25, 2022





PACKET

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PACKET

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June 3, 2024



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PACKET

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October 25, 2022

PACKET

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June 3, 2024



PACKET

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October 25, 2022

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June 3, 2024

ORDINANCE NO. 10405

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 258.87-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST MOCKINGBIRD LANE, APPROXIMATELY 900 FEET EAST OF NORTH FAIRGROUNDS ROAD) ; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning a 258.87-acre tract of land out of Section 18, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property") to an amended PD, Planned Development District for a Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for a Housing Development to an amended PD, Planned Development District for a Housing Development.

SECTION TWO. That the base zoning district to which the use and development

of the Property shall conform, except as modified by Section Three of this ordinance, is the SF-3, Single-Family Dwelling District.

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

- A. That the Property, including the minimum dimensions of lots contained therein, shall significantly conform to the site plan attached hereto as Exhibit “B”.
- B. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- C. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

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

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 9th day of May, A.D., 2023; and passed to second reading on motion of Council member Poole, seconded by Council member Corrales, by the following vote:

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

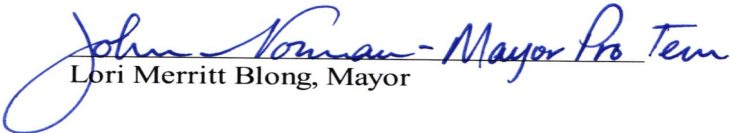
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Ladd, seconded by Council member Dufford, on the 23rd day of May, A.D., 2023, at a regular meeting of the City Council:

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

Council members voting "NAY": None

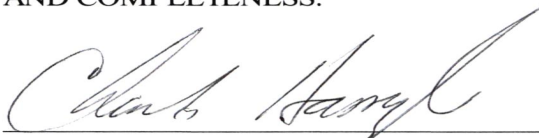
PASSED AND APPROVED THIS 23rd day of May, A.D., 2023.


Lori Merritt Blong, Mayor

ATTEST:


Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:


Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

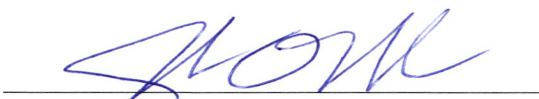

John Ohnemiller, City Attorney



EXHIBIT "A"

MAVERICK

ENGINEERING - SURVEY - WATER RESOURCES

1909 West Wall Street, Suite K - Midland, TX 79701
Tel: 432.262.0999 - Fax: 432.262.0989 - maverick-eng.com
ENGINEER FIRM #: F-15089 | SURVEY FIRM #: 10194514



FIELD NOTE DESCRIPTION OF A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4132.38 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°07'10"W., 419.64 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE S.75°52'50"W., 28.10 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N. N.14°07'10"W., 2069.30 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.22°36'06"W., 80.28 FEET TO A POINT OF DEFLECTION RIGHT AND A POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.57°59'24"E., 142.96 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 143.11 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;

11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 258.87 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (θ) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.


MARCH 20, 2023

Gregory W. Shoults

www.maverick-eng.com

Texas RPLS - No. 5356

Maverick Engineering (FIRM - No. 10194514)





7. LOCATION OF BURNED UTILITIES AND PIPELINE, IF ANY, IS APPROPRIATE BASED ON THE LOCATION OF THE CITY OF CHICAGO AND LOCAL ROAD NETWORK. PROVIDE A MAP OF THE CITY OF CHICAGO AND LOCAL ROAD NETWORK, INDICATING THE LOCATION OF THE BURNED UTILITIES AND PIPELINE, IF ANY, AND THE LOCATION OF THE CITY OF CHICAGO AND LOCAL ROAD NETWORK. PROVIDE A MAP OF THE CITY OF CHICAGO AND LOCAL ROAD NETWORK, INDICATING THE LOCATION OF THE BURNED UTILITIES AND PIPELINE, IF ANY, AND THE LOCATION OF THE CITY OF CHICAGO AND LOCAL ROAD NETWORK.
8. THIS IS A PRELIMINARY PLANNING DOCUMENT AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
9. PROVIDE RECOMMENDED PHOTOGRAPHY OR FOR PLANNING PURPOSES AND MAY BE SUBJECT TO CHANGE.

GREENSPACE NOTES

S 75°52'50" W 28.10' ✓
N 14°07'10" W 419.64' ✓

N 22°36'06" W
80.28'



• DENOTES FBI (HONOLULU) RECORDS • DENOTES CALIFORNIA RECORDS • DENOTES TEXAS RECORDS • DENOTES FLORIDA RECORDS • DENOTES NEW YORK RECORDS • DENOTES ALABAMA RECORDS • DENOTES ARIZONA RECORDS • DENOTES ARKANSAS RECORDS • DENOTES CALIFORNIA RECORDS • DENOTES COLORADO RECORDS • DENOTES CONNECTICUT RECORDS • DENOTES DELAWARE RECORDS • DENOTES DISTRICT OF COLUMBIA RECORDS • DENOTES FLORIDA RECORDS • DENOTES GEORGIA RECORDS • DENOTES HAWAII RECORDS • DENOTES ILLINOIS RECORDS • DENOTES INDIANA RECORDS • DENOTES IOWA RECORDS • DENOTES KANSAS RECORDS • DENOTES KENTUCKY RECORDS • DENOTES LOUISIANA RECORDS • DENOTES MAINE RECORDS • DENOTES MARYLAND RECORDS • DENOTES MASSACHUSETTS RECORDS • DENOTES MICHIGAN RECORDS • DENOTES MINNESOTA RECORDS • DENOTES MISSISSIPPI RECORDS • DENOTES MISSOURI RECORDS • DENOTES MONTANA RECORDS • DENOTES NEBRASKA RECORDS • DENOTES NEVADA RECORDS • DENOTES NEW HAMPSHIRE RECORDS • DENOTES NEW JERSEY RECORDS • DENOTES NEW MEXICO RECORDS • DENOTES NEW YORK RECORDS • DENOTES NORTH CAROLINA RECORDS • DENOTES NORTH DAKOTA RECORDS • DENOTES OHIO RECORDS • DENOTES OKLAHOMA RECORDS • DENOTES OREGON RECORDS • DENOTES PENNSYLVANIA RECORDS • DENOTES RHODE ISLAND RECORDS • DENOTES SOUTH CAROLINA RECORDS • DENOTES SOUTH DAKOTA RECORDS • DENOTES TENNESSEE RECORDS • DENOTES TEXAS RECORDS • DENOTES UTAH RECORDS • DENOTES VERMONT RECORDS • DENOTES VIRGINIA RECORDS • DENOTES WASHINGTON RECORDS • DENOTES WEST VIRGINIA RECORDS • DENOTES WISCONSIN RECORDS • DENOTES WYOMING RECORDS	DENOTES FBI (HONOLULU) RECORDS DENOTES CALIFORNIA RECORDS DENOTES TEXAS RECORDS DENOTES FLORIDA RECORDS DENOTES NEW YORK RECORDS DENOTES ALABAMA RECORDS DENOTES ARIZONA RECORDS DENOTES ARKANSAS RECORDS DENOTES CALIFORNIA RECORDS DENOTES COLORADO RECORDS DENOTES CONNECTICUT RECORDS DENOTES DELAWARE RECORDS DENOTES DISTRICT OF COLUMBIA RECORDS DENOTES FLORIDA RECORDS DENOTES GEORGIA RECORDS DENOTES HAWAII RECORDS DENOTES ILLINOIS RECORDS DENOTES INDIANA RECORDS DENOTES IOWA RECORDS DENOTES KANSAS RECORDS DENOTES KENTUCKY RECORDS DENOTES LOUISIANA RECORDS DENOTES MAINE RECORDS DENOTES MARYLAND RECORDS DENOTES MASSACHUSETTS RECORDS DENOTES MICHIGAN RECORDS DENOTES MINNESOTA RECORDS DENOTES MISSISSIPPI RECORDS DENOTES MISSOURI RECORDS DENOTES MONTANA RECORDS DENOTES NEBRASKA RECORDS DENOTES NEVADA RECORDS DENOTES NEW HAMPSHIRE RECORDS DENOTES NEW JERSEY RECORDS DENOTES NEW MEXICO RECORDS DENOTES NEW YORK RECORDS DENOTES NORTH CAROLINA RECORDS DENOTES NORTH DAKOTA RECORDS DENOTES OHIO RECORDS DENOTES OKLAHOMA RECORDS DENOTES OREGON RECORDS DENOTES PENNSYLVANIA RECORDS DENOTES RHODE ISLAND RECORDS DENOTES SOUTH CAROLINA RECORDS DENOTES SOUTH DAKOTA RECORDS DENOTES TENNESSEE RECORDS DENOTES TEXAS RECORDS DENOTES UTAH RECORDS DENOTES VERMONT RECORDS DENOTES VIRGINIA RECORDS DENOTES WASHINGTON RECORDS DENOTES WEST VIRGINIA RECORDS DENOTES WISCONSIN RECORDS DENOTES WYOMING RECORDS
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LOT CLASS TABULATION

PDHD SITE PLAN

PA





City Council Meeting

Item Number: 19
Meeting Date: May 9, 2023, May 23, 2023
To: City Council / City Manager
From: Landon Ochoa, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 258.87-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST MOCKINGBIRD LANE, APPROXIMATELY 900 FEET EAST OF NORTH FAIRGROUNDS ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 1) (DEVELOPMENT SERVICES)

Purpose:

The applicant, Maverick Engineering, is requesting a Zone Change from PD, Planned Development District for Housing Development (Ordinance No. 10344) to an amended PD, Planned Development District for Housing Development to modify the lot sizes of proposed housing development and revise the previously approved preliminary plat. This is because Betenbough is changing up their product line due to the change in the market.

Recommended City Council Action:

Approve

Fiscal Impact:

None.

Discussion:

Current Zoning:

PD, Planned Development District for Housing Development (Ordinance No. 10344)

Surrounding Zoning and Land Use:

The property to the north is zoned SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and LR, Local Retail District, in part. The property to the east and south is zoned AE, Agricultural Estate District. The properties to the west are zoned MF-16, Multiple-Family Dwelling District, in part, and RR, Regional Retail District in part.

Analysis:

The applicant, Betenbough Homes, is requesting approval of a Zone Change for the development of a multi-use site, including a mix of residential and greenspace uses. This proposed subdivision will have a total of six hundred ninety-five (695) residential lots, approximately 102.42-acres of greenspace/detention pond that is composed of common areas and drainage ponds.

The applicant is proposing this section of the development to be executed in eight phases (4-11). Phases 1-3 are remaining the same from the first zone change related to this project and are not included in this request.

Product Class		Smallest Lot	Smallest Lot Depth	Phase #							Percent of Total	
		Area SF	LF	4	5	6	7	8	9	10		11
Core	30-45'	4236	85'		27	18	23		20	24	12	17.8%
	30-50'	4404	86'		59	33	86		55	70	27	46.6%
Reserve	40-50'	5750	95'	26				19				6.5%
	40-60'	6250	90'	42				52				13.5%
	75'	9387	125'					8				1.2%
	80'	11811	130'									0.1%
Cottages	30-50'	4173	81'		33				23		42	14.1%
PHASE TOTAL				68	119	51	103	81	98	94	81	100%
OVERALL TOTAL												

These lots will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendments. The minimum dimensions are as follows:

Core Product Class: 448 lots

1. Minimum lot width - 30 feet.
2. Minimum lot depth - 85 feet
3. Minimum lot area - 4,200 square feet.

Reserve Product Class: 149 lots

1. Minimum lot width - 40 feet.

2. Minimum lot depth - 90 feet
3. Minimum lot area - 5,700 square feet.

Cottages Product Class: 98 lots

1. Minimum lot width - 30 feet.
2. Minimum lot depth - 81 feet
3. Minimum lot area - 4,100 square feet.

The previous request had only nine phases compared to the current request which contains phases 4-11. The previous lot counts for each product class in phases 4-9 for the first zone change request are as follows:

Core: 510
Reserve: 112
Cottages: 85

The appropriate setbacks and maximum height of future development will comply with the regulations as described in Section 5.04 Residential Zoning District Dimensional Regulations chart. Not all the proposed lots meet the minimum lot depth, minimum lot width, and minimum lot area requirements of the SF-3 Single-Family Dwelling District. However, the new PD Ordinance will allow reduced depth, width, and areas as outlined above.

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

Fire: (Approved)

No objections.

Building: (Approved)

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

No objection to zone change. [For the 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 the Applicant's information only.] Our staff has examined the FEMA flood map and it appears that several property lies entirely within Zone AH, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood. [For the Applicant's information only.] If a LOMR is not proposed to remove these properties from the floodplain, an elevation certificate based off of construction drawings will be required to get a building permit to show compliance

to the 1 foot of freeboard above the base flood elevation for residential structures. An elevation certificate based off of finish construction will be required for the Certificate of Occupancy. [For the Applicant's information only.]

Code: (Approved)

Phase 6 page 2 – (High Country Ct.) the Stinson-Burley B #2 API 329-31044 is identified but missing the 135 ft radius as previously requested for a non-City permitted well. Previous preliminary plat had it included correctly. Noted it will be Plugged and Abandoned (No building permits inside 135 ft. radius till P&A completed). Phase 11 Page 3- the non-city permitted Stimson Burley #1M API 329-31751 is identified with radius but needs to be identified as a 135 ft radius as required. Previous preliminary plat had it correctly. Noted to be P&A well (No building permits inside 135 ft. radius till P&A). Phase 11, page 3 -the non-City permitted Stimson Burley B #3 API 32--31045 is identified on plat with radius but needs to be identified as a 135 ft. radius as required. Previous preliminary plat had it correctly. Noted to be P&A well. No building permits are allowed in the 135 ft radius of existing well until it is actually P&A with a W-3 permit per RRC. In addition, the City permitted Endeavor operated Willow Lakes 19 #191 (located south of Mockingbird Lane) is identified with a 500 ft. radius that is located below Mockingbird Lane. Any occupied residential/commercial building permits inside the 500 ft. radius will require a variance to a permitted well from the City Council. For information: Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures.

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:

The area is classified as Urban Residential-Low, in part, which calls for restrictive land use, emphasizing single-family detached development. The area is also classified as Urban Medium which calls for a mix of complementary uses, including single-family housing, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use. The plan also calls for a parkway that would run through the property which is identified on the site plan. All of these uses are compatible with the Low and Medium designations.

The Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the "Current Development Area" which seeks to address the compatibility of uses, "specifically between different housing intensities," As shown in the proposed site plan, the applicant is planning to create a gradual transition from existing housing developments at the western edge of the property in question which is consistent with this statement.

Principle 4 of Chapter 3 of the Tall City Tomorrow Plan seeks to increase the diversity of the

housing stock in Midland specifically including the need for smaller lot homes. This proposal works in compliance since the development will be introducing a neighborhood with a mix of housing intensities to include smaller townhouse-sized lots as well as larger single-family lots. Additionally, Principle 8 of the Chapter 3 requests that land use policies and regulations support the creation of more balanced neighborhoods, which include “a variety of housing options, access to open space, and contain activity centers such as parks...” The applicant is proposing to develop more specifically delineated park space and trails in the development which will help give the residents a diversity of recreation allowing for a more balanced feel.

Principle 5 of Chapter 3 requests planning for community amenities such as parks and open space to support “community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community.” The applicant is proposing to include a park, greenspace, and trails all of which will contribute to creating a sense of place for new residents.

The Planning & Zoning Commission recommended approval of this request April 17, 2023.

Staff recommends approval of this request subject to conditions A through C.

Conditions:

- A. That the Property, including the minimum dimensions of lots contained therein, shall significantly conform to the site plan attached hereto as Exhibit “B”.**
- B. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- C. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.**

Letters of Objection:

As of May 8, 2023, staff has received no letters of objection for this request.

Attachments:

Application
Metes and Bounds (Exhibit A)
Site Plan (Exhibit B)
Maps

City Manager's Office



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

Project Number 2-23-0326

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Betenbough Homes</u>		Phone () Email	
Address <u>6305 82nd St</u>	City <u>Lubbock</u>	State <u>TX</u>	Zip <u>79424</u>

Property Owner Printed Name: <u>See Applicant</u>		Phone () Email	
Address	City	State	Zip

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

Street Address: <u>NA County Rd 40</u>
Legal Description Lot: _____ Block: <u>38 T-1-S</u> Subdivision: _____

Current Zoning: In Part: <u>SF3, TH, SF2, MF16, SF1, 2F, RR</u>	Proposed Zone: <u>PDHD</u> (List by tracts if more than one district is requested)
--	--

Reason for Zone Change Request: To advance the proposed housing development associated with this request

Present Use of Property: vacant

Proposed Use of Property: residential

How would this zone change affect the public health, safety and welfare? This development will contribute to the housing inventory of the City of Midland, adding needed options to the housing makeup of the community

Describe how conditions affecting the property have changed since present zoning designation: No change since original zoning

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)

PACKET

19.13

May 23, 2023

PACKET

Page 5.123

June 3, 2024

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature): See Applicant

Date:

Property Owner (printed):

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

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

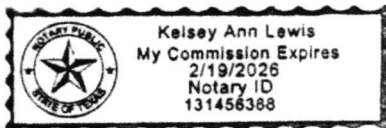
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Bettenbaugh Homes, 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 21st day of March, 2023, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # 4105

BY:

Received By: James Reba

Date:

~~PACKET~~ Application will not be considered for 19.14 scheduling until reviewed by May 23, 2023

Special Exception Application
PACKET

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Revised 12/6/16
June 3, 2024



FIELD NOTE DESCRIPTION OF A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4132.38 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°07'10"W., 419.64 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE S.75°52'50"W., 28.10 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N. N.14°07'10"W., 2069.30 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.22°36'06"W., 80.28 FEET TO A POINT OF DEFLECTION RIGHT AND A POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.57°59'24"E., 142.96 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 143.11 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

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THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;

11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

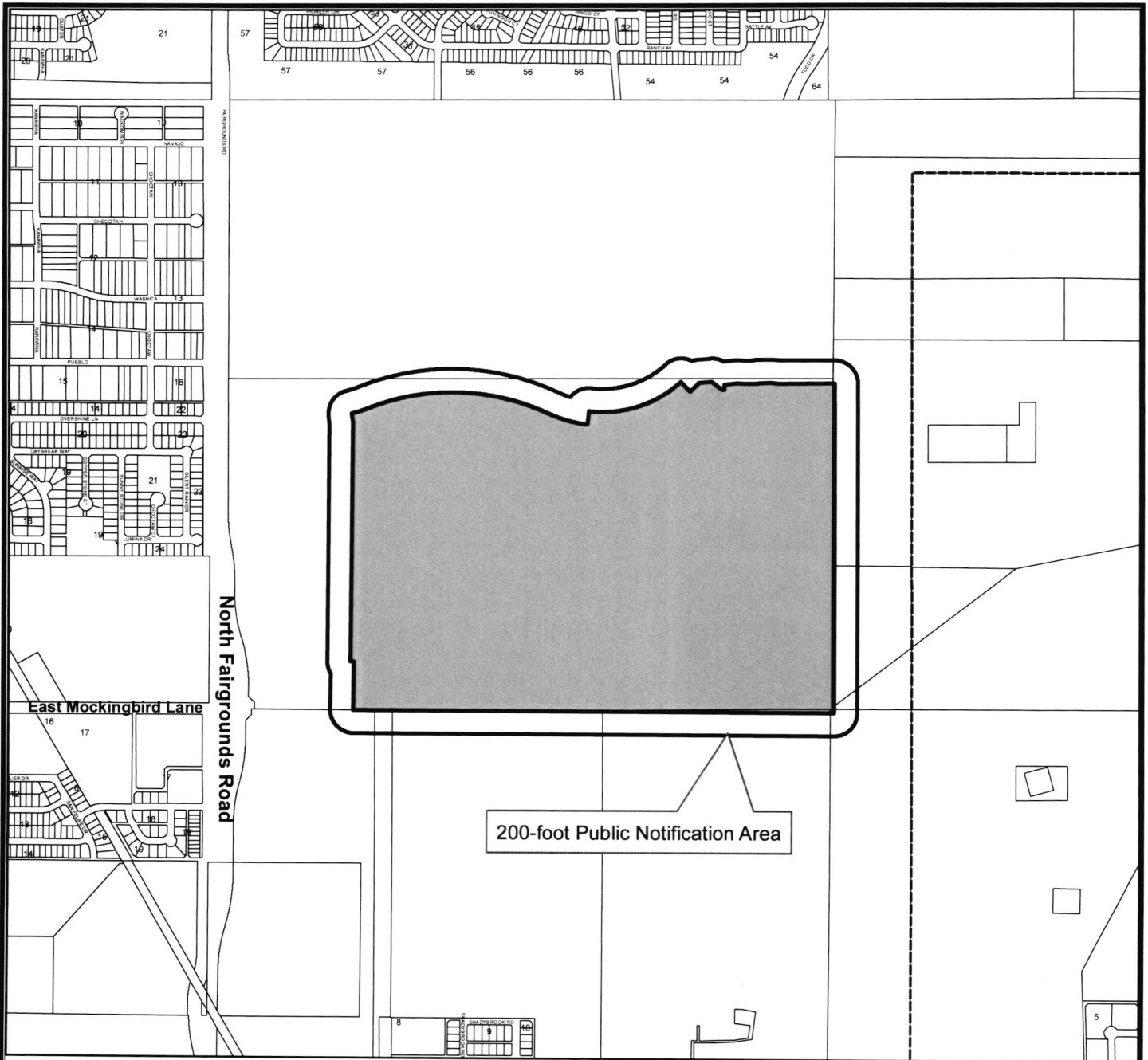
THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 258.87 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.


MARCH 20, 2023

Gregory W. Shoults
www.maverick-eng.com
Texas RPLS - No. 5356
Maverick Engineering (FIRM - No. 10194514)





LOCATION MAP

Z-23-0326

Scale: 1" = 14,899'

Consider a request by Betenbough Homes for a zone change from, PD, Planned Development District for Housing Development to PD, Planned Development District for Housing Development out of a 258.87-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas.

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

LEGEND

- - CITY LIMITS
- ▭ PARCEL
- ▨ PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

May 23, 2023

THIS DATA IS NOT A SUBSTITUTION FOR A PROFESSIONAL ENGINEER'S DESIGN OR FOR A PROFESSIONAL ENGINEER'S 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.





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ORDINANCE NO. 10344

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 317.56-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT, IN PART, 2F, TWO-FAMILY DWELLING (DUPLICATE) DISTRICT, IN PART, MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS AND EAST MOCKINGBIRD ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning a 317.56-acre tract of land out of Section 18, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property"), to PD, Planned Development District for a Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from SF-1, Single-Family Dwelling District, in part,

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SF-2, Single-Family Dwelling District, in part, SF-3, Single-Family Dwelling District, in part, TH, Townhouse (Attached) Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, MF-16, Multiple-Family Dwelling District, in part, and RR, Regional Retail District, in part to PD, Planned Development District for a Housing Development.

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

- A. For the portions of the Property identified as "COMMERCIAL TRACT" in Exhibit "B", which is attached hereto and incorporated herein for all purposes, LR, Local Retail District;
- B. For the portions of the Property identified as "45' FRONT WIDTH - CORE", "50' FRONT WIDTH - CORE", "50' FRONT WIDTH - COTTAGE", "50' FRONT WIDTH - RESERVE", "60' FRONT WIDTH - RESERVE", "75' FRONT WIDTH - RESERVE" and "80' FRONT WIDTH - RESERVE" in Exhibit "B", SF-3, Single-Family Dwelling District; and
- C. For the portions of the Property identified as "30' FRONT WIDTH - TOWNHOME" in Exhibit "B", TH, Townhouse (Attached) Dwelling District.

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

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit "B".
- B. That each lot identified as "50' FRONT WIDTH - COTTAGE" in Exhibit "B" shall have:
 - 1. A minimum lot width of 50 feet;
 - 2. A minimum lot depth of 77 feet; and
 - 3. A minimum lot area of 4,200 square feet.
- C. That each lot identified as "45' FRONT WIDTH - CORE" in Exhibit "B" shall have a minimum lot width of 45 feet.
- D. That each lot identified as "30' FRONT WIDTH - TOWNHOME" in Exhibit "B" shall be allowed to have a one-car garage; provided, however, that each lot shall have two additional off-street parking spaces.

- E. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- F. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 11th day of October, A.D., 2022; and passed to second reading

on motion of Council member Ladd, seconded by Council member Poole, by the following vote:

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

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Poole, seconded by Council member Dufford, on the 25th day of October, A.D., 2022, at a regular meeting of the City Council:

Council members voting "AYE": Corrales, Poole, Blong, Payton, Dufford, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 25th day of October, A.D., 2022.

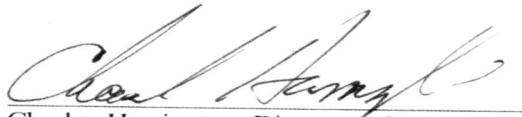


Patrick N. Payton, Mayor

ATTEST:


Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

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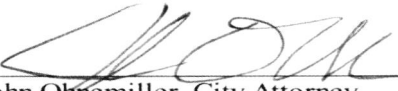
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APPROVED ONLY AS TO FORM:


John Ohnemiller, City Attorney

S:\Ordinances\Planning\Zone Chng\2022\Z-22-0299.SF-1, SF-2, SF-3, TH, 2F, MIS⁵16 & RR to PDHD.wpd

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EXHIBIT "A"

STATE OF TEXAS §
COUNTY OF MIDLAND §

SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY COMPANY SURVEY MIDLAND COUNTY, TEXAS.

FIELD NOTE DESCRIPTION OF A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4984.62 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET AT THE SOUTHEAST CORNER OF A CALLED 22.96 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2019-3532 OF SAID OFFICIAL PUBLIC RECORDS, FROM WHICH A ONE HALF INCH IRON ROD WITH A GREEN PLASTIC CAP MARKED "ASB 5689" BEARS S.75°43'57"W., 388.28 FEET AND A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "PSC RPLS 6453" BEARS S.75°08'25"W., 392.12, FOR THE SOUTHWEST CORNER HEREOF;

THENCE THE FOLLOWING NINE COURSES AND DISTANCES ALONG THE EAST LINE OF SAID CALLED 22.96 ACRE TRACT FOR THE WEST LINE HEREOF;

1. N.14°23'29"W., 60.57 FEET TO A POINT;
2. N.58°53'33"W., 71.33 FEET TO A POINT;
3. N.14°23'29"W., 82.07 FEET TO THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
4. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1490.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 436.87 FEET, AN ARC DISTANCE OF 438.35 FEET TO THE POINT OF REVERSE CURVATURE;
5. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1360.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 398.75 FEET, AN ARC DISTANCE OF 400.19 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
6. N.14°23'53"W., 99.99 FEET TO A MAG NAIL FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
7. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 308.82 FEET, AN ARC DISTANCE OF 309.37 FEET TO A MAG NAIL FOUND AT THE POINT OF REVERSE CURVATURE;
8. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1350.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 277.95 FEET, AN ARC DISTANCE OF 278.44 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
9. N.14°24'01"W., 859.28 FEET TO AN "RPC" SET IN SAID EAST LINE FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°43'57"E., 95.07 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N.74°47'34"E., 79.96 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE S.59°20'03"E., 28.32 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.75°43'57"E., 651.20 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.64°37'59"E., 354.21 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 356.44 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

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THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
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7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
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10. N.80°51'01"E., 60.26 FEET;
11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 317.56 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.



APPROVED

10344



City Council Meeting

Item Number: 20
Meeting Date: October 11, 2022
To: City Council / City Manager
From: Landon Ochoa, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 317.56-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT, IN PART, 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT, IN PART, MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS AND EAST MOCKINGBIRD ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 1) (DEVELOPMENT SERVICES)

Purpose:

The applicant, Maverick Engineering, is requesting a zone change from SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development to allow for the development of multi-use site including single family housing, townhomes, cottage housing, retail, and greenspace/detention.

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Recommended City Council Action:

Approve

Fiscal Impact:

This project will not require any City funds.

Current Zoning:

SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part.

Surrounding Zoning and Land Use:

The property to the north is zoned SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and LR, Local Retail District, in part. The property to east and south is zoned AE, Agricultural Estate District. The properties to the west are zoned SF-3 Single-Family-Dwelling District, in part, PD, Planned Development District for Housing Development, in part, SF-2, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, MF-16, Multiple-Family Dwelling District, in part, LR, Local Retail District.

Analysis:

The applicant, Maverick Engineering, who is representing Betenbough, is requesting approval of a zone change for the development of a multi-use site, including a mix of residential, commercial, and greenspace uses. This proposed subdivision will have a total of nine hundred and twenty-four (924) residential lots, one approximately 6.235-acre local retail lot, and approximately 72.91 acres of greenspace/detention pond that is composed of parks, trails, common areas, and drainage ponds.

The current zoning is SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, and the location of vacant lots. The proposed development will consist of a variety of uses but will predominantly be a residential development. The proposed residential districts include, SF, Single Family Dwelling District lots, and TH, Townhouse (Attached) Dwelling District lots. The applicant is also proposing to provide a local retail zoning area along the northeast corner of the intersection of E. Mockingbird Lane and N. Fairgrounds Road. Throughout the proposed development is a greenspace/detention that will be a new concept to Midlander's.

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The applicant is proposing the development to be executed in nine (9) phases. The lots width will vary from either 45, 50, 60, 75, or 85 feet and the minimum depth would be 77 feet. The properties that fall in the minimum lot depth is less than 1%. Below is a chart with the lot class tabulation, representing them by phases and percentage by lot widths.

LOT CLASS TABULATION

Product Class		Phases									Percent of Total
		1	2	3	4	5	6	7	8	9	
Core	45'	49	17		15	23	30		31	19	19.9%
	50'	89	22		43	89	82		115	63	54.4%
Reserve	50'			14				12			4.3%
	60'			44		2		21			7.3%
	75'			5		3		1			1.0%
	85'			6				6			1.1%
Cottages						62			23		9.2%
Townhome 30' Lots			14							26	2.8%
PHASE TOTAL		138	53	69	58	179	112	38	169	108	100%
OVERALL TOTAL		924									

The site plan introduces a new housing prototype called Cottages. These homes will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendments.

1. A minimum lot Width shall be 50 feet;
2. A minimum lot Depth be 77 feet; and
3. A minimum lot Area shall be 4,200 square feet

The site plan also introduces a new housing prototype called Core, that split into two front widths. These homes will have an underlying zoning of SF-3, Single Family Dwelling District. However, the 45' Front Width Core will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendment.

1. A minimum lot Width shall be 45 feet.

Furthermore, the site plan also shows housing prototype called Townhomes. These homes will have an underlying zoning of TH, Townhouse Dwelling but with the following amendments.

1. A one-car garage, provided, that each lot shall have two additional off-street parking.

As mentioned before this development will consist of a variety of uses but will predominantly be a residential development. The proposed residential districts include:

- 687 - Core (SF-3, Single Family Dwelling District lots);
- 112 - Reserve (SF-3, Single Family Dwelling District lots);
- 26 - Townhomes (TH, Townhouse Dwelling District lots);
- 99 - Cottages (SF-3, Single Dwelling District lots);

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The proposed density for each district is as followed:

- Core (SF-3): 4.56 units per acre
- Cottage (SF-3): 6.6 units per acre
- Townhouse (TH-Attached): 8.3 units per acre
- Reserve (SF-3): 3.9 units per acre

The appropriate setbacks and maximum height of future development must meet the regulations as described in Section 5.04 Residential Zoning District Dimensional Regulations chart. The proposed lots meet or exceed these requirements.

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

Fire: (Approved)

No comments.

Building: (Approved)

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

Engineering: (Approved)

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

Code: (Approved)

Phase I, page1 -The Plugged and Abandoned well Stimson Burley #18 #2- API 329-31184 is identified being in the street. Phase 6 page 2 – the Stinson-Burley B #2 API 329-31044 is identified with a 135 ft radius as requested for a non-City permitted well. Phase I Page 3- the non-city permitted Stimson Burley #1M API 329-31751 has the required 135 ft. Phase 8, page 3 -the non-City permitted Stimson Burley B #3 API 32--31045 is identified on plat with the required 135 ft. radius and noted to be P&A well. No building permits are allowed in the 135 ft radius of existing well until it is P&A. In addition, the City permitted Endeavor operated Willow Lakes 19 #191 (located south of Mockingbird Lane) is identified with a 500 ft. radius that is located below Mockingbird Lane. The occupied residential/commercial building permits inside the 500 ft. radius will require a variance to the permitted well from the City Council. The variance request would need to be made thru the Building Official. Informational: Please note

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if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures.

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:

This request is not in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Future Land Use Map". However, the area is classified as Urban Residential-Low, in part, which calls for restrictive land use, emphasizing single-family detached development. The area is also classified as Urban Medium which calls for a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use. The plan also calls for a parkway that would run through the property which is identified on the site plan.

The Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the "Current Development Area" which seeks to address the compatibility of uses, "specifically between different housing intensities," As shown in the proposed site plan, the applicant is planning to create a gradual transition from existing housing developments at the western edge of the property in question.

Principle 4 of Chapter 3 of the Tall City Tomorrow Plan seeks to increase the diversity of the housing stock in Midland specifically including the need of smaller lot homes. This proposal works in compliance since the development will be introducing a neighborhood with a mix of housing intensities to include smaller townhouse sized lots as well as larger single-family lots. Additionally, Principle 8 of the Chapter 3 requests that land use policies and regulations support the creation of more balanced neighborhoods, which include "a variety of housing options, access to open space, and contain activity centers such as parks..." The applicant is proposing to develop more specifically delineated park space and trails in the development which will help give the residents a diversity of recreation allowing for a more balance feel.

Principle 5 of Chapter 3 requests planning for community amenities such as parks and open space to support "community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community." The applicant is proposing to include a park, greenspace, and trails all of which will contribute to creating a sense of place for new residents.

This request was recommended for approval at the August 15, 2022, Planning and Zoning Commission Meeting.

The base zoning districts to which the use and development of the Property shall conform, except as modified by conditions listed below, are as follows:

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- A. That the portions of the Property identified as "Commercial" in Exhibit A, LR, Local Retail District;**
- B. That the portions of the Property identified as "Core" in Exhibit A, SF-3, Single-Family Dwelling District;**
- C. That the portions of the Property identified as "Cottages" in Exhibit A, SF-3, Single-Family Dwelling District;**
- D. That the portions of the Property identified as "Townhomes" in Exhibit A, TH, Townhouse Dwelling District;**
- E. That the portions of the Property identified as "Reserve" in Exhibit A, SF-3, Single-Family Dwelling District;**

If this Zone Change from SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development, is approved, staff recommends that it should be subject to conditions A through F.

Conditions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit "A & B".**
- B. That each lot identified as Exhibit "A" as "Cottage" is subject to the following conditions and regulation:**
 - 1. The minimum lot Width shall be 50 feet.**
 - 2. The minimum lot Depth be 77 feet.**
 - 3. The minimum lot Area shall be 4,200 square feet**
- C. That each lot identified as Exhibit "A" as "45' Front Width - Core" is subject to the following condition and regulation:**
 - 1. The minimum lot Width shall be 45 feet.**
- D. That each lot identified as Exhibit "A" as "Townhomes" is subject to the following condition and regulation:**
 - 1. A one-car garage and off-street parking for two vehicles.**

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E. That the landscaping shown in Exhibit "A" shall be considered illustrative.
The landscape shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.

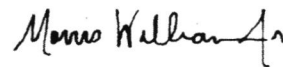
F. That the signs on the property shall conform to the regulations set in Title XI, Chapter 7a.

Letters of Objection:

Staff has not received any letters of objection as of September 29, 2022.

Attachments:

Application
Sit Plan (Exhibit A)
Metes and Bounds (Exhibit B)
Detail Site Plan 1
Detail Site Plan 2
Detail Site Plan 3
Open Space Concept
Entry Concept
Rendering of Cottage Homes
Maps



City Manager's Office

EXHIBIT "A"

STATE OF TEXAS §
COUNTY OF MIDLAND §

SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY COMPANY SURVEY MIDLAND COUNTY, TEXAS.

FIELD NOTE DESCRIPTION OF A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N 82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4984.62 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET AT THE SOUTHEAST CORNER OF A CALLED 22.96 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2019-3532 OF SAID OFFICIAL PUBLIC RECORDS, FROM WHICH A ONE HALF INCH IRON ROD WITH A GREEN PLASTIC CAP MARKED "ASB 5689" BEARS S.75°43'57"W., 388.28 FEET AND A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "PSC RPLS 6453" BEARS S.75°08'25"W., 392.12, FOR THE SOUTHWEST CORNER HEREOF;

THENCE THE FOLLOWING NINE COURSES AND DISTANCES ALONG THE EAST LINE OF SAID CALLED 22.96 ACRE TRACT FOR THE WEST LINE HEREOF;

1. N.14°23'29"W., 60.57 FEET TO A POINT;
2. N.58°53'33"W., 71.33 FEET TO A POINT;
3. N.14°23'29"W., 82.07 FEET TO THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
4. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1490.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 436.87 FEET, AN ARC DISTANCE OF 438.35 FEET TO THE POINT OF REVERSE CURVATURE;
5. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1360.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 398.75 FEET, AN ARC DISTANCE OF 400.19 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
6. N.14°23'53"W., 99.99 FEET TO A MAG NAIL FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
7. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 308.82 FEET, AN ARC DISTANCE OF 309.37 FEET TO A MAG NAIL FOUND AT THE POINT OF REVERSE CURVATURE;
8. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1350.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 277.95 FEET, AN ARC DISTANCE OF 278.44 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
9. N.14°24'01"W., 859.28 FEET TO AN "RPC" SET IN SAID EAST LINE FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°43'57"E., 95.07 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N.74°47'34"E., 79.96 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE S.59°20'03"E., 28.32 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.75°43'57"E., 651.20 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.64°37'59"E., 354.21 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 356.44 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

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THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;
11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 317.56 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.

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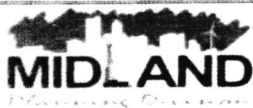
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**Zone Change/Planned District
Amendment/Site Plan Approval**

Project Number 2-23-0299

Case Number _____

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

Printed Name Betenbough Homes

Phone ()

Email

Address

City

State

Zip

Property Owner

Printed Name See Applicant

Phone ()

Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm Maverick Engineering

Printed Name Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Street Address: NA County Rd 40

Legal Description

Lot _____ Block: 38 T-1-S Subdivision _____

Current Zoning: In Part: SF3, TH, SF2, MF16, SF1, 2F, RR

Proposed Zone: PDHD

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

Reason for Zone Change Request: To advance the proposed housing development associated with this request

Present Use of Property: vacant

Proposed Use of Property: residential

How would this zone change affect the public health, safety and welfare? This development will contribute to the housing inventory of the City of Midland, adding needed options to the housing makeup of the community

Describe how conditions affecting the property have changed since present zoning designation: No change since original zoning

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)

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Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature) <u>[Signature]</u>	Date 7-18-2021
Applicant (printed) Chris Berry	
Property Owner (signature) See Applicant	Date
Property Owner (printed)	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received	
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland	

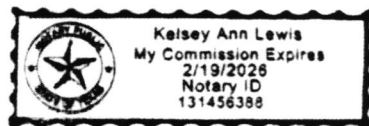
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 20th day of July, 2022, to certify which witness my hand and seal of office



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

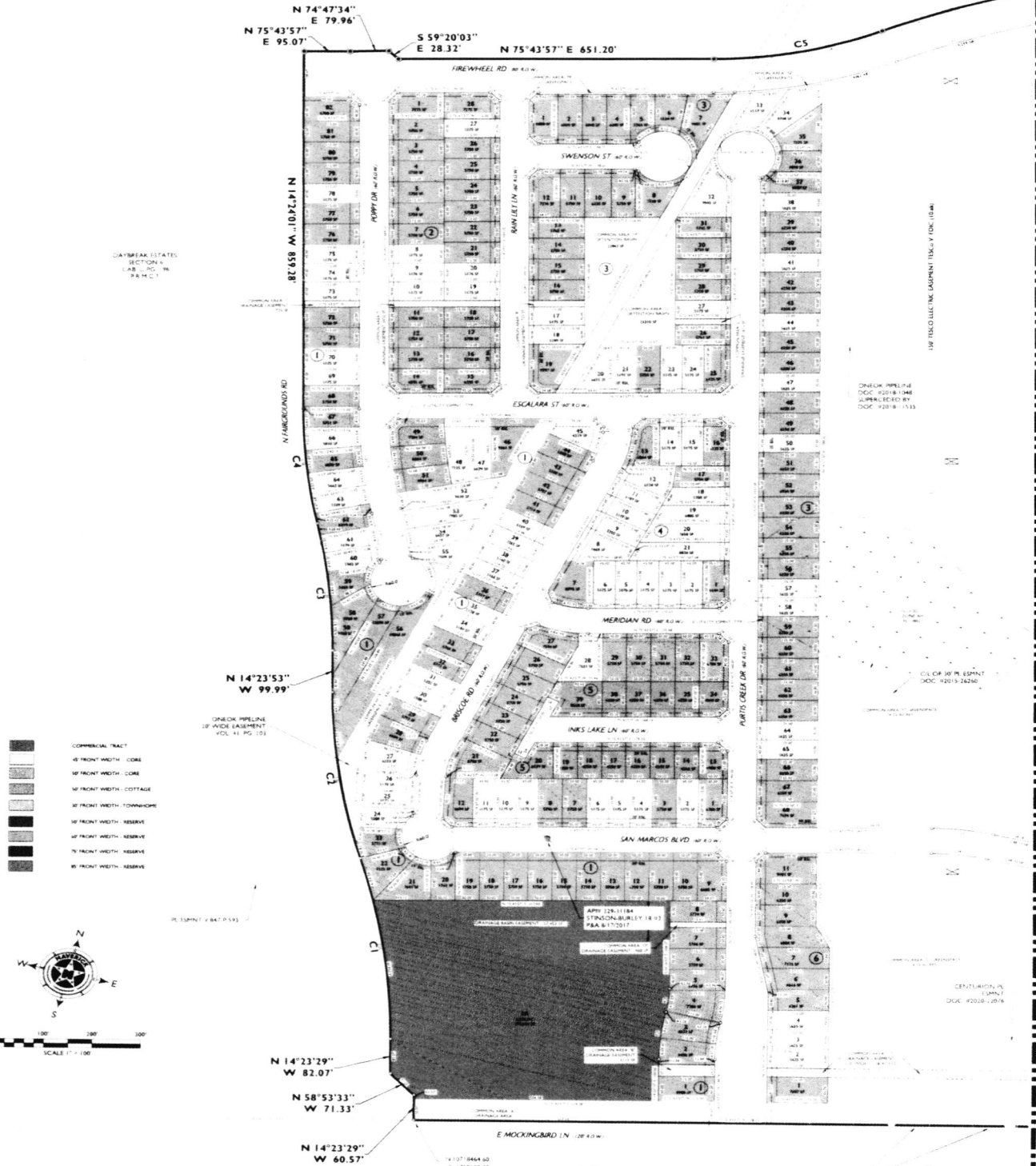
FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>3818</u>	
Received By <u>KM</u>	Date

PACKET
Application will not be considered for scheduling until reviewed by a planner
PACKET
Special Exception Application
2017
19.45
2
October 25, 2022
May 23, 2023
Revised 12/6/16

MOCKINGBIRD RIDGE

DETAIL SHEET #1

BEING A 317.56 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



MATCHLINE SHEET 2



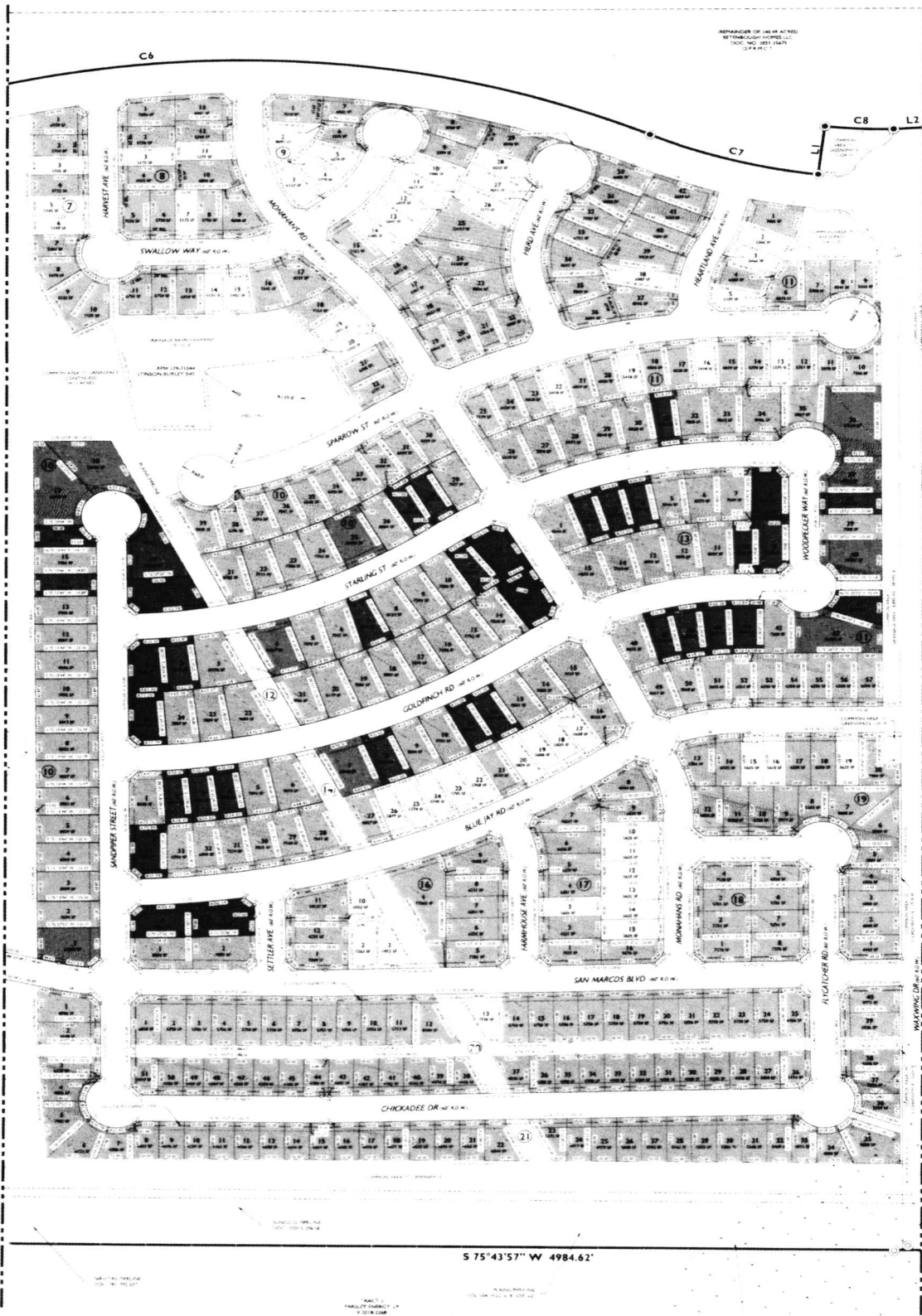
20.18
19.46

October 25, 2022
May 23, 2023

SHEET 2 OF 5

MATCHLINE SHEET 1

MATCHLINE SHEET 3



S 75°43'57" W 4984.62'

MOCKINGBIRD RIDGE

20.19 DETAIL SHEET #2

BEING A 377.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, C19-47, COUNTY OF MIDLAND, TEXAS

October 25, 2022

May 23, 2023



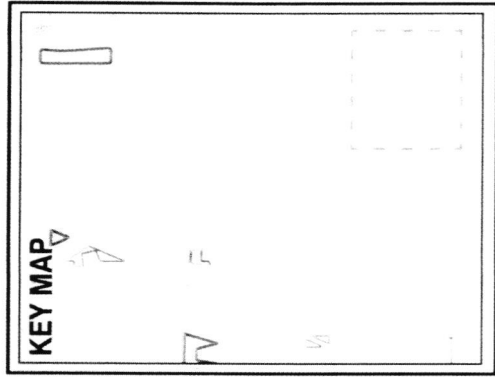
SCALE 1" = 100'

SHEET 3 OF 5



MAVERICK
ENGINEERING, SURVEY, WATER RESOURCES
PACKET

- 40' FRONT YIELD - CORNER
- 50' FRONT YIELD - CORNER
- 50' FRONT YIELD - CUL-DE-SAC
- 50' FRONT YIELD - TOWNHOME
- 50' FRONT YIELD - RESERVE
- 75' FRONT YIELD - RESERVE
- 80' FRONT YIELD - RESERVE



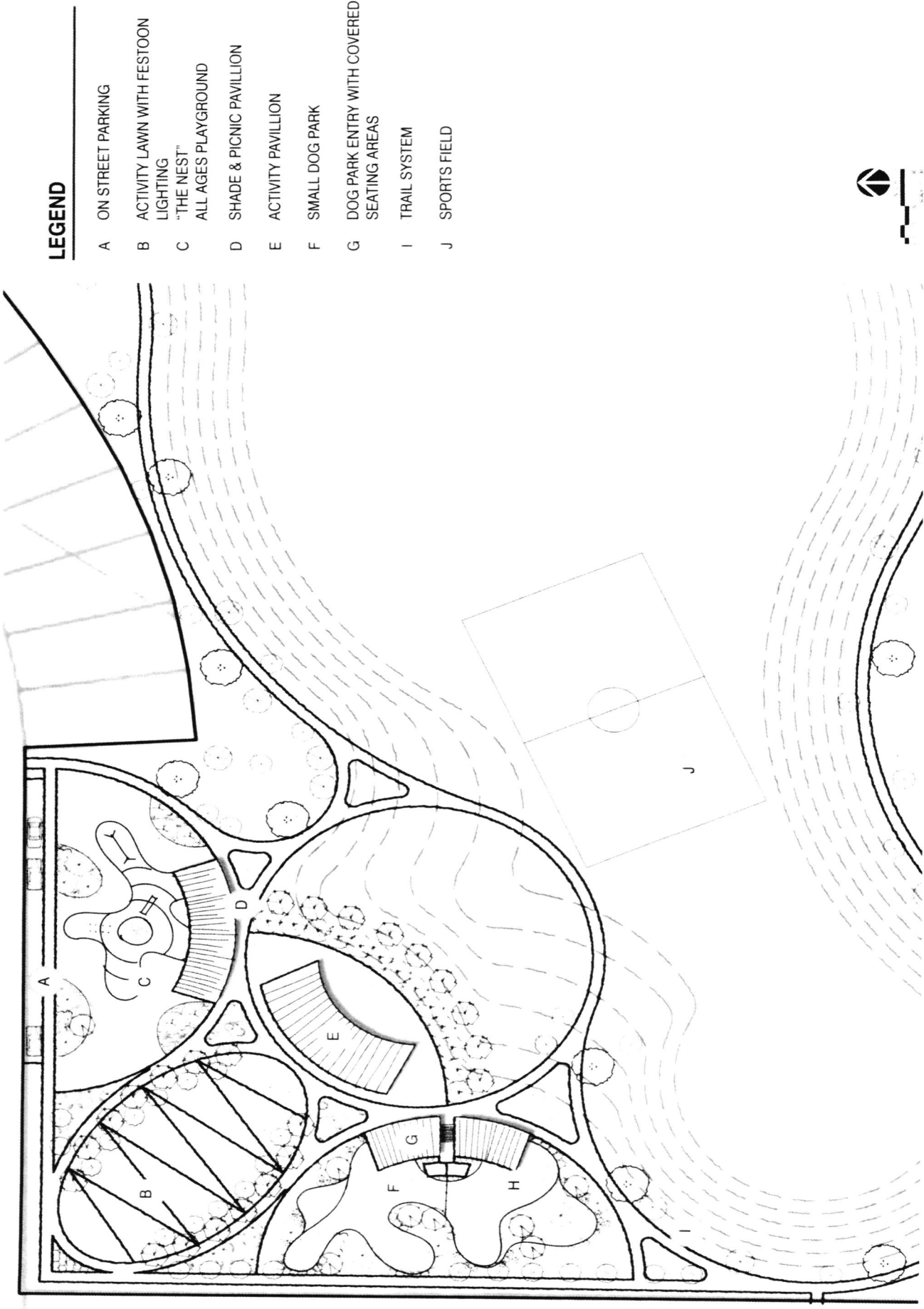
LEGEND

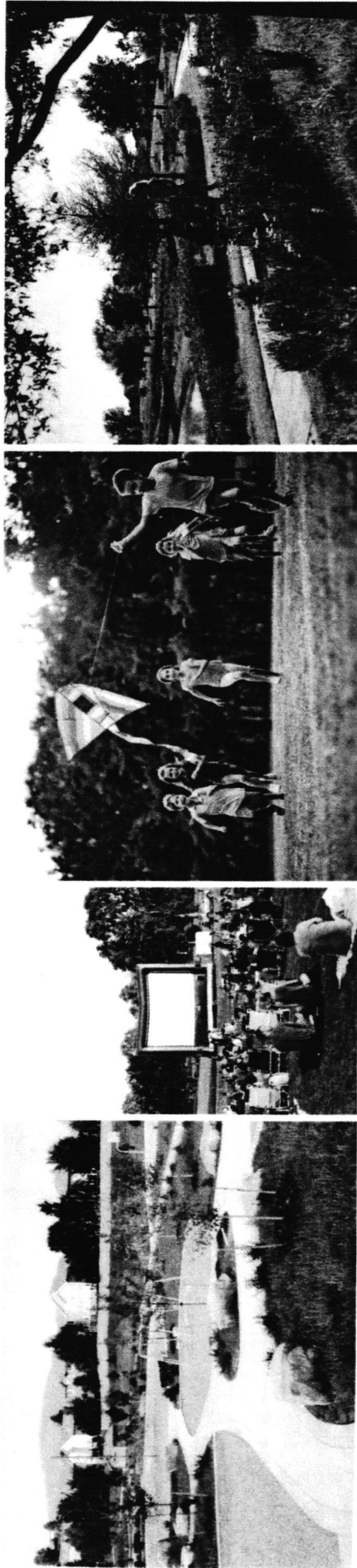
- A ACTIVITY LAWN
- B PLAYGROUND + PAVILLION
- C DOG PARK + PAVILLIONS
- D EVENT PAVILLION
- E SPORTS FIELD
- F TRAIL SYSTEM



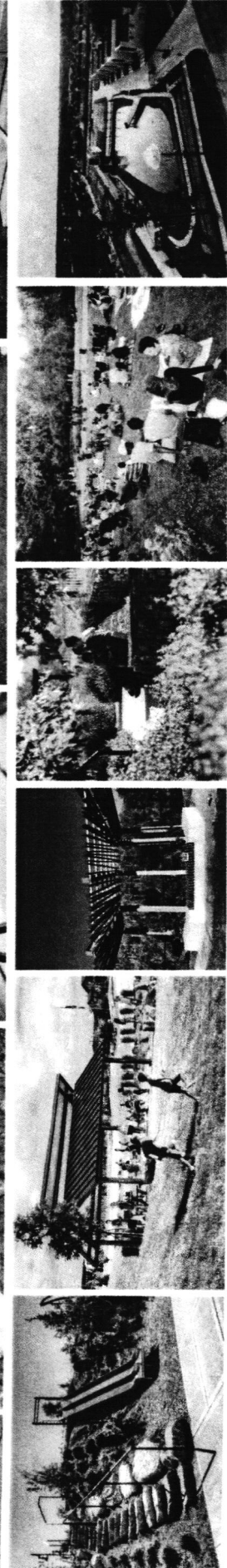
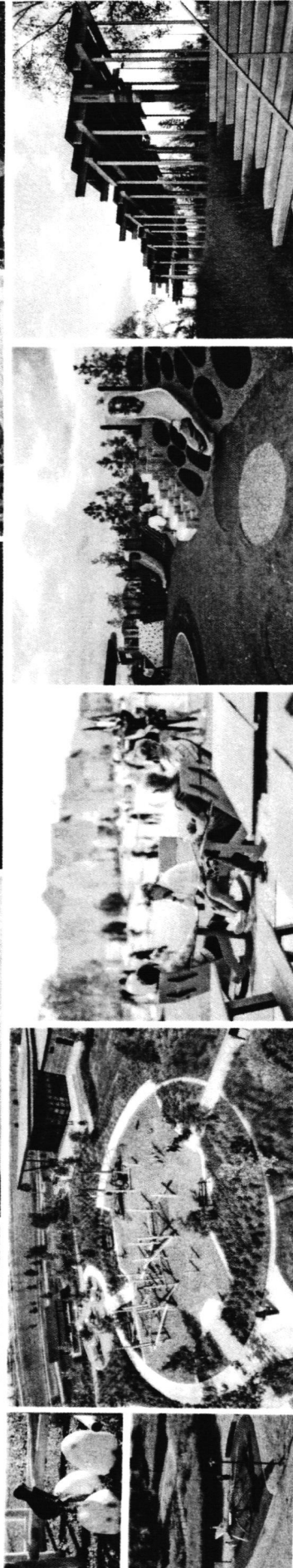
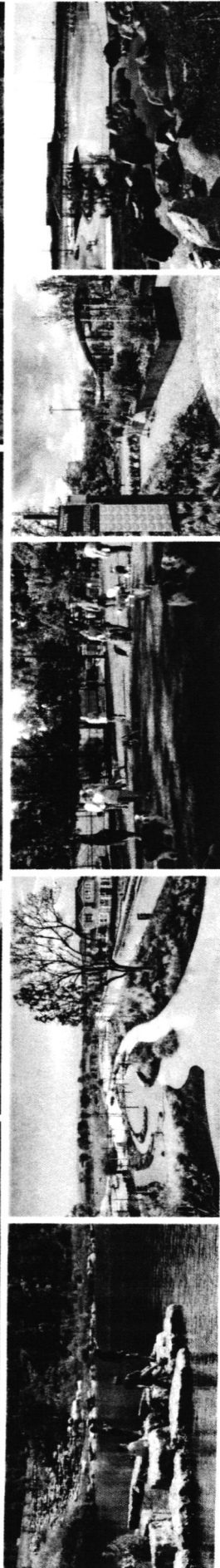
October 25, 2022
May 23, 2023
THE DRAWING IS CONCEPTUAL. THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
Kimley»Horn
6/28/2022

20.21
19.49





PACKET



June 3, 2024

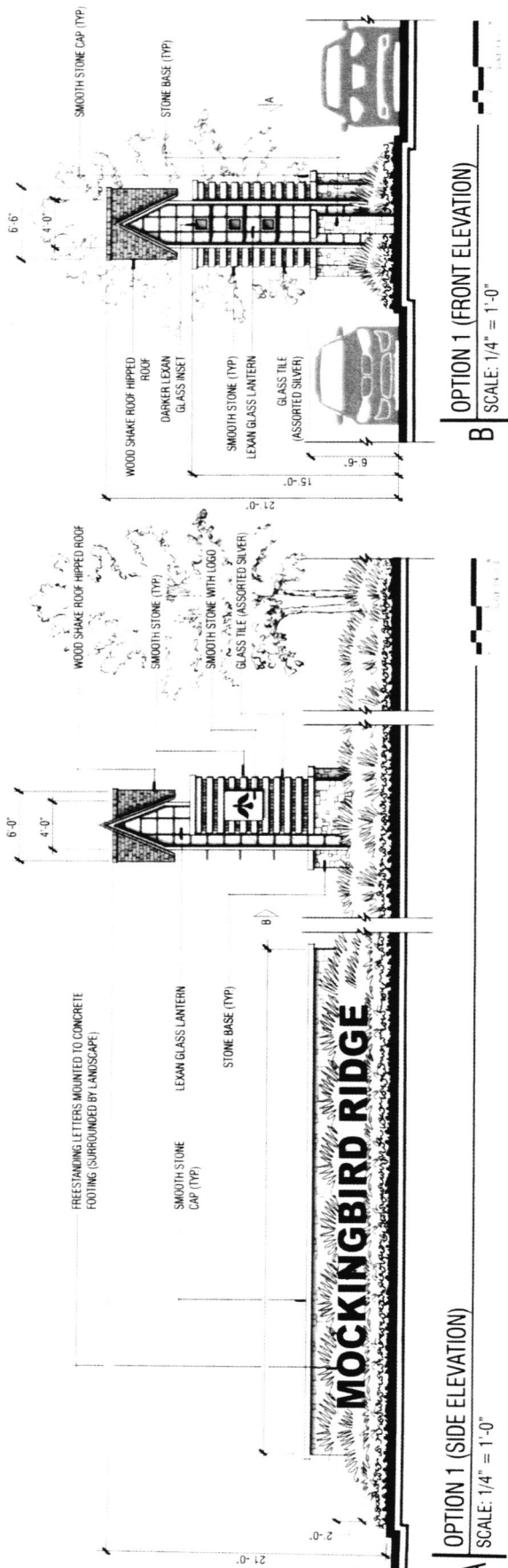
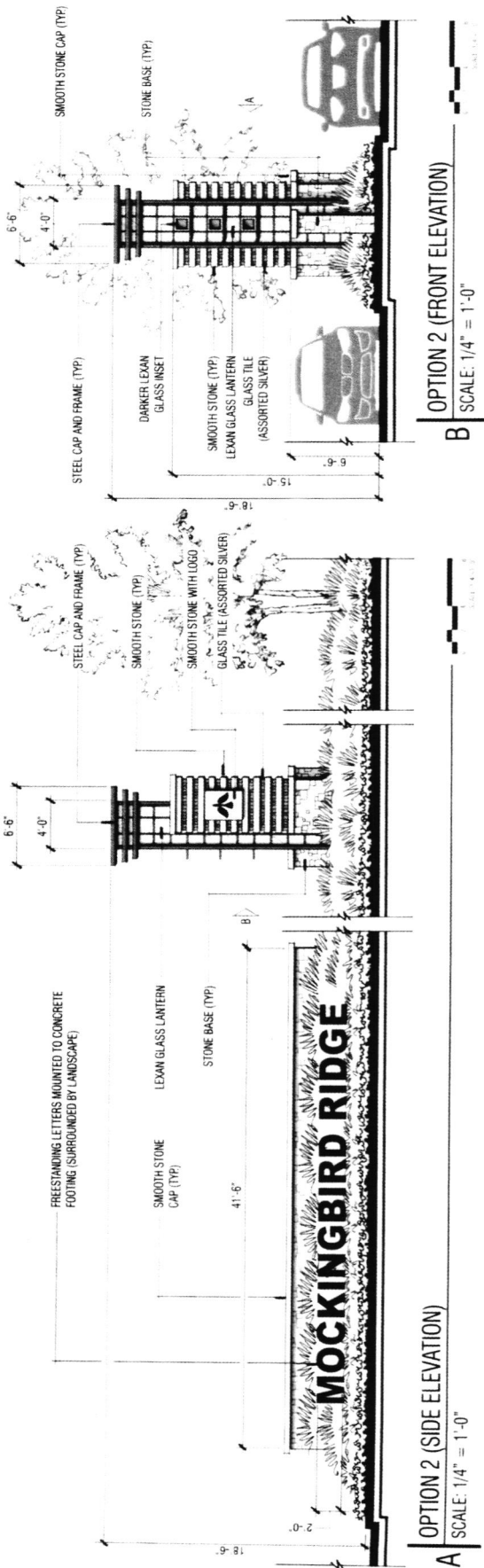
PACKET MOCKINGBIRD RIDGE MIDLAND, TX OPEN SPACE CONCEPT

20.23
19.51

October 25, 2022
May 23, 2023

THIS DRAWING IS CONCEPTUAL. THE
INFORMATION AVAILABLE AND IS SUBJECT TO
CHANGE WITHOUT NOTICE.

Kimley»Horn
6/28/2022



COMMUNITY ENTRY SCHEMATIC DESIGN MOCKINGBIRD RIDGE

20.24
19.52

THIS DRAWING IS CONCEPTUAL. THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

October 25, 2022
May 23, 2022
Horn

FEBRUARY 15, 2022

Renderings of Cottage Homes:

The April Plan: 3/2 w 1,109 SQ FT



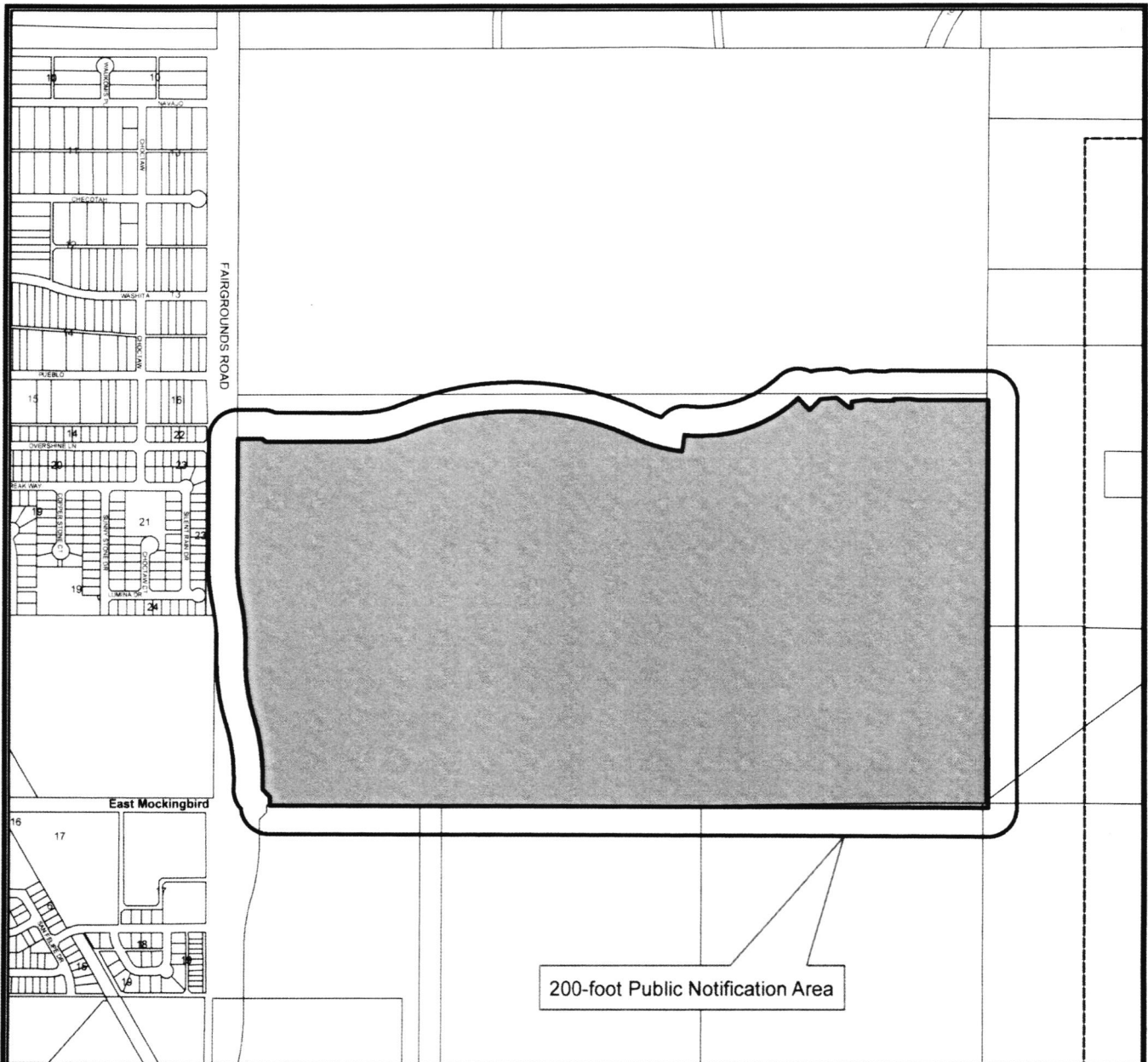
The Annabeth Plan: 3/2 w 1,231 SQ FT



PACKET
PACKET

20.25
19.53

October 25, 2022
May 23, 2023



LOCATION MAP

Z-22-0299

Scale: 1" = 12,044'

Consider a request by Maverick Engineering for a zone change from, SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development out of a 317.56-acre tract of land, in Section 18, Block 38, T-I-S. A-734, T&P RY. CO. Survey, City and County of Midland, Texas.

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

LEGEND

- - - CITY LIMITS
- ▭ PARCEL
- ▭ PRIVATE BLDGS

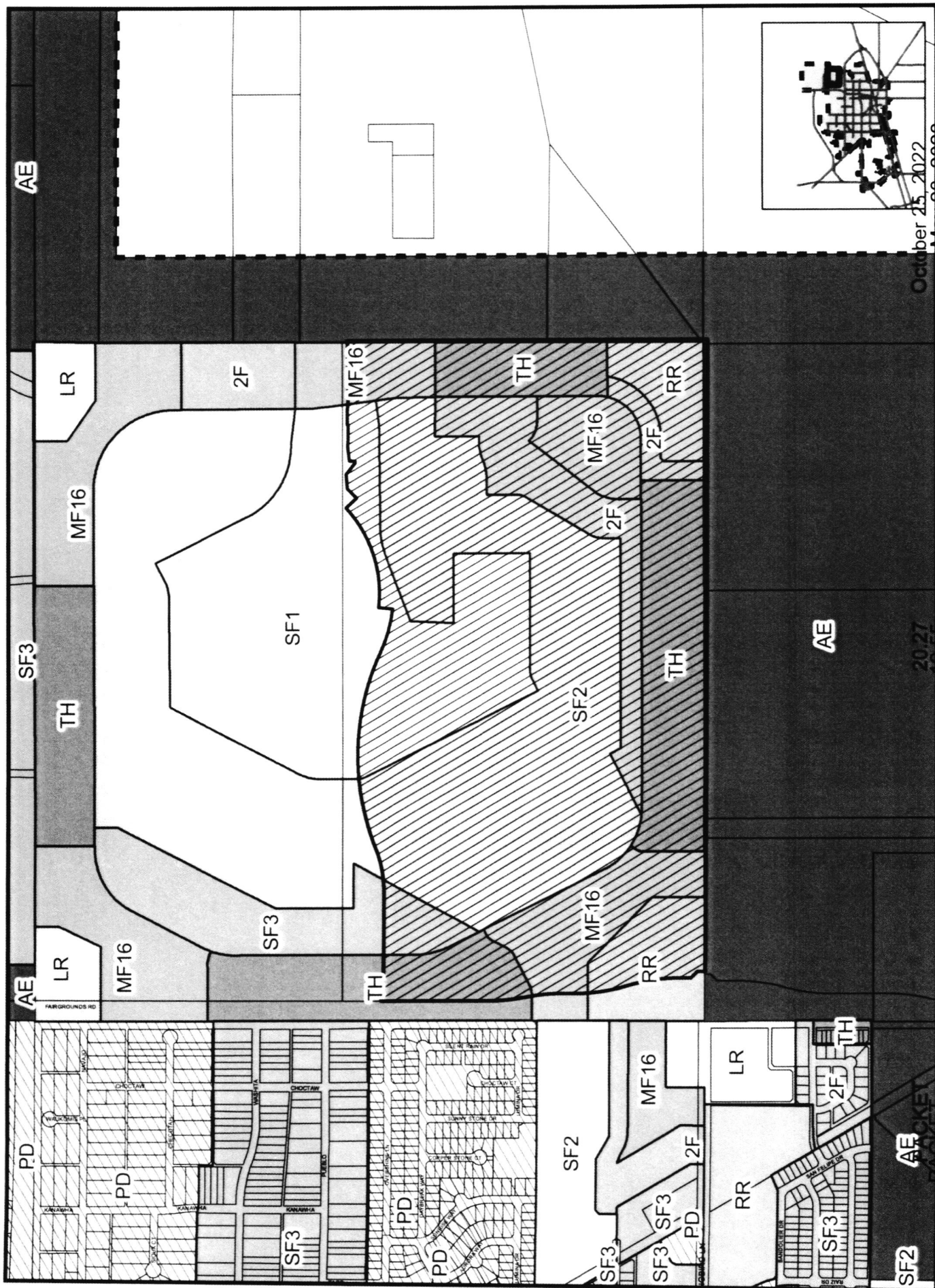


©THE CITY OF MIDLAND - 2021

October 25, 2022

May 23, 2023

BE RESPONSIBLE FOR USE OF THIS DATA.





PACKET
PACKET

20.28
19.56

October 25, 2022
May 23, 2023

PACKET

Page 5.166

June 3, 2024



PACKET

20.29

October 25, 2022

PACKET

19.57

May 23, 2023

PACKET

Page 5.167

June 3, 2024



PACKET

20.30

October 25, 2022

PACKET

19.58

May 23, 2023

PACKET

Page 5.168

June 3, 2024



PACKET

20.31

October 25, 2022

PACKET

19.59

May 23, 2023

PACKET

Page 5.169

June 3, 2024

#10405



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Final plat of Westridge Park Addition, Section 54, being a replat of a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park Addition, Section 53, City and County of Midland, Texas. (Generally located southwest of the intersection of Deauville Boulevard and North Loop 250 West.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

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

Preliminary Plat Approval:

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

The Preliminary Plat was approved by the Planning and Zoning Commission on February 20th, 2024.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

ENGINEERING: (Approved)

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

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

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

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

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

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

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

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

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

TRANSPORTATION: (Approved)

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

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

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 2023 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 the time of new code editions adopted in the City of Midland and date of permit application.

GIS: (Approved)

Please add direction to Loop 250 (N Loop 250 W)

CRMWD: (Approved)

We do not have any comments on this plat.

Planning: (Approved)

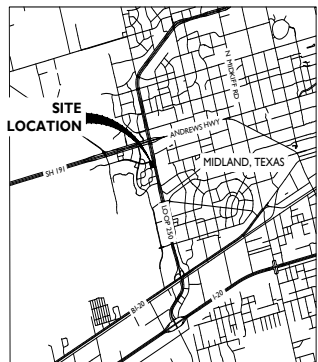
All comments have been addressed.

Attachments:

Proposed Final Plat
Application
Maps
Aerial Photo

WESTRIDGE PARK ADDITION, SECTION 54

BEING A REPLAT OF 4.33 ACRES
OUT OF LOT 4A, BLOCK 5, WESTRIDGE PARK, SECTION 53,
CITY AND COUNTY OF MIDLAND, TEXAS



VICINITY MAP

N.T.S.



LEGEND

- DENOTES SET 1/2 INCH IRON ROD W/ RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- FOUND MONUMENT AS NOTED
- ✱ MARKED IN CONCRETE
- BOUNDARY LINE
- - - - - EXISTING PROPERTY LINES
- - - - - EXISTING EASEMENT LINE
- P.R.M.C.T. PLAT RECORDS, MIDLAND CO., TX
- O.P.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- D.R.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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT THE CITY OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WESTRIDGE PARK ADDITION, SECTION 54, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON; AND DO HEREBY GIVE AN EASEMENT OF PASSES AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN; AND CONSENT 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: TOMMY GONZALEZ, CITY MANAGER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

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

_____, DAY OF _____, 2024.

LUCKY SORRELL, CHAIRMAN

XAVIER BRIDGES, SECRETARY

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

STRENGTH ENERGY

BY: _____

UTILITY COMPANY

BY: _____

UTILITY COMPANY

BY: _____

UTILITY COMPANY

PROPERTY OWNER

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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

WESTRIDGE PARK ADDITION
SECTION 54
June 3, 2024

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, KNOWN BY MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

GREGORY W. SHOULTS (0683354)
MAVERICK ENGINEERING, TX FIRM #10194514
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701



SURVEY NOTES

- BASE OF BEARING, COORDINATES, DISTANCE AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (mms) OF 0.541845" AND A COMBINED SCALE FACTOR OF 0.9999911 AT 100' "MIDLAND".
- 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
- LOCATION OF BURIED UTILITIES AND APPLIANCES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SONING, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL #1. SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED; CALL 1-800-DIG-TEXAS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

DEVELOPMENT NOTES

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

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48324C0183Z, DATED SEPTEMBER 1, 2005, THIS PROPERTY IS WITHIN THE UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN."

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

PACKET

Page 6.174



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Westridge Park Addition Section 54**Legal Description (attached sealed Metes and Bounds):** _____
BEING A REPLAT OF 4.33 ACRES OUT OF LOT 4A, BLOCK 5, WESTRIDGE
PARK, SECTION 53, CITY AND COUNTY OF MIDLAND, TEXAS**Property Owner**

Printed Name: City of Midland

Phone ()
Email

Address PO BOX 1152

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., Suite K

City Midland

State TX

Zip 79701

Current Zoning: PD**Reason for Platting:** OWNERSHIP**Plat Information**

Total Acreage: 4.33

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 05/08/2024

Property Owner (printed):

Elizabeth Triggs For City of Midland

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.

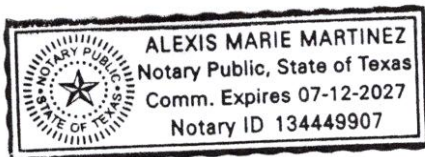
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Ashlee Devine
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of May, 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 # 4745

☒ Tax Certificates

☒ Recording Fee

Check # 1010101010

Received By: [Signature]

Date: May 08 2024

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

PACKET

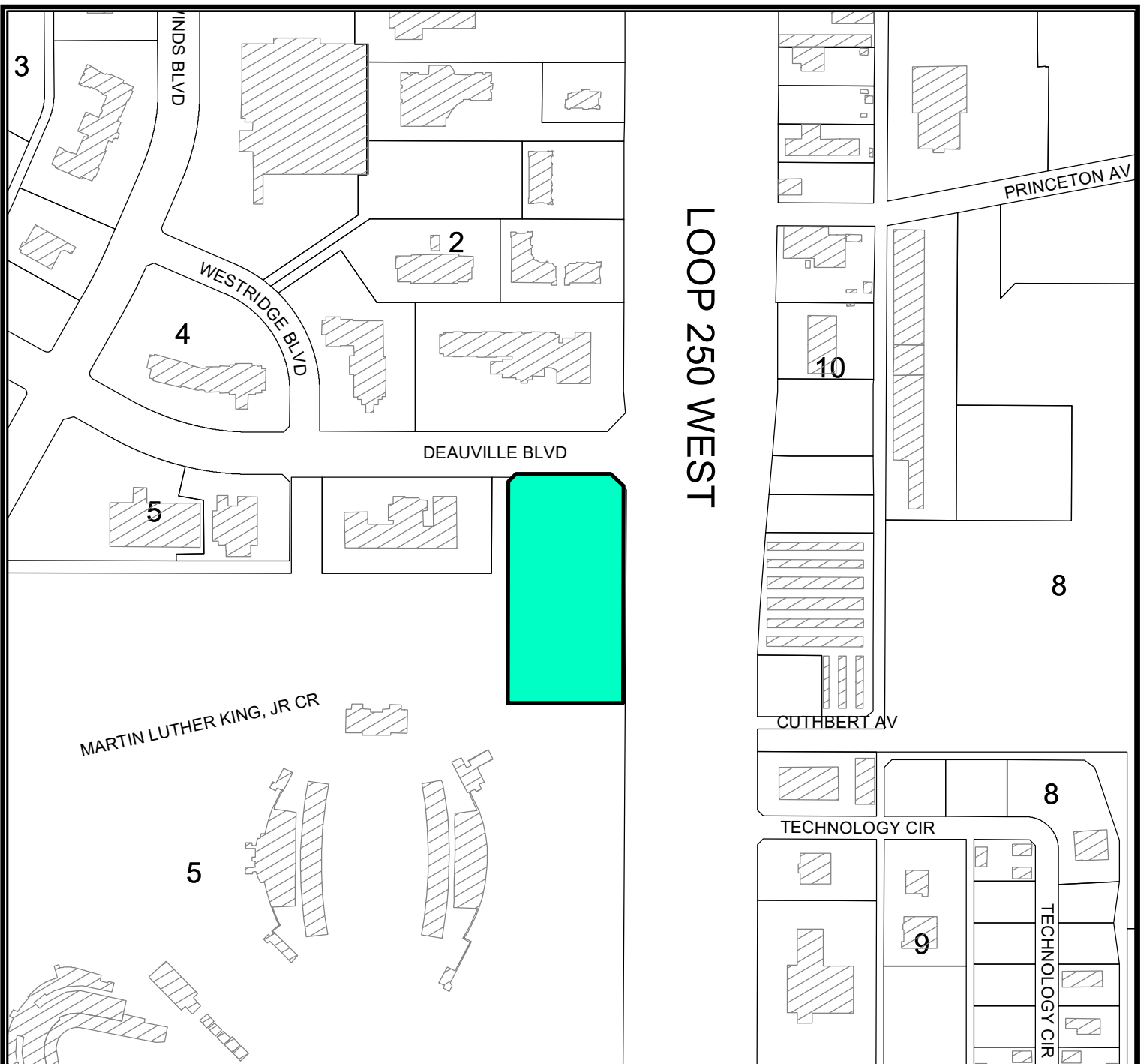
Page 6.176

June 3, 2024

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0701

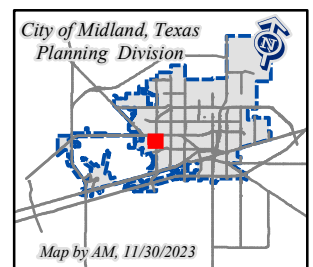
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Proposed Plat of Westridge Park Addition, Section 54, being a replat of a 4.33-acre tract of land out of Lot 4A, Block 5, Westridge Park Addition, Section 53 City and County of Midland, Texas.

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

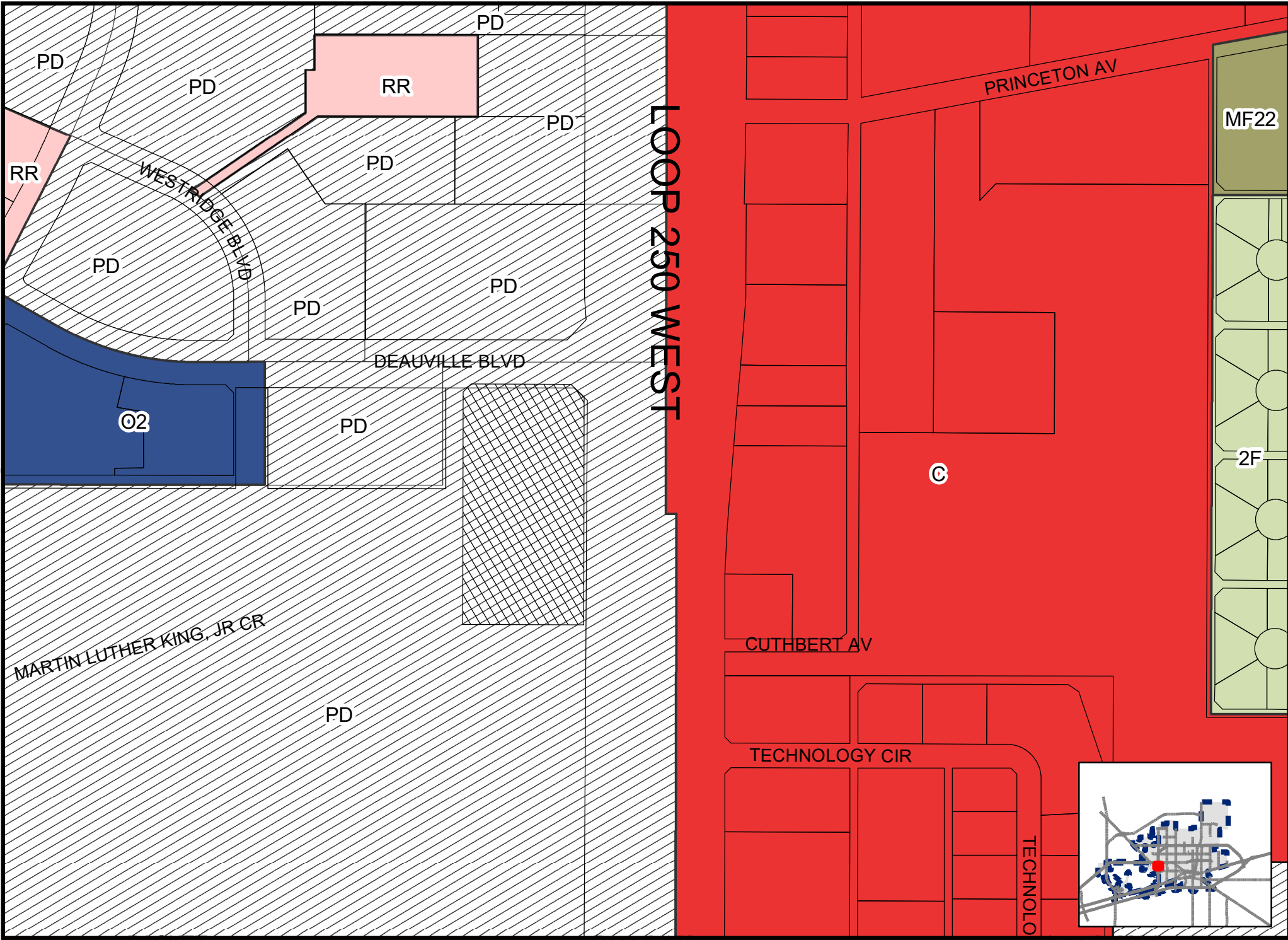
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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.



LOOP 250 WEST

PRINCETON AV

WESTRIDGE BLVD

DEAUVILLE BLVD

CUTHBERT AV

TECHNOLOGY CIR

MARTIN LUTHER KING, JR CR

PACKET

Page 6.178

June 3, 2024

Map By AM, 11/30/2023

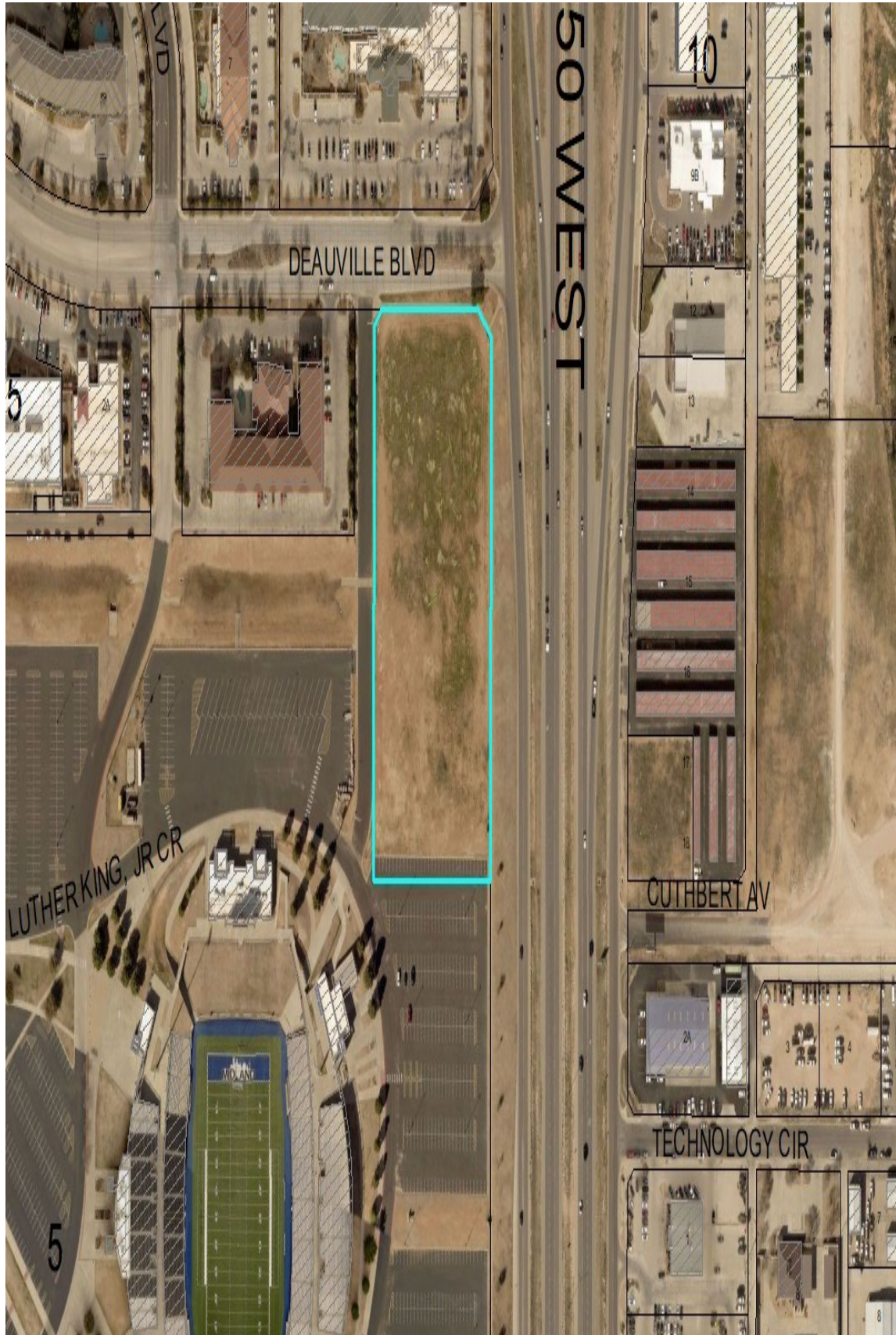
SUB-23-0701

Scale: 1" = 300'

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: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion to approving a proposed Final Plat of MIDCO LEB, being a replat of a 53.71-acre tract of land out of Lot 1, Block 1, Parsley Addition, Midland County, Texas. (Generally located on the northwest corner of the intersection of Farm to Market Road 715 and East County Road 120) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

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

Preliminary Plat Approval:

The Preliminary Plat was approved on January 16th, 2024, by the Planning and Zoning Commission and then again on February 13th, 2024, by City Council.

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.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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 2023 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 the time of new code editions adopted in the City of Midland and date of permit application.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 06/28/2018. [For Applicant's Information Only.]

WATER: Deferral request for water improvement were administratively approved on 06/28/2018. [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 06/28/2018. [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.]

OTHER: Parsley Addition, section 12, block 39 has a City of Midland administratively approved deferral, approved on 06/28/2018.

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.

Oil and Gas: (Approved)

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

Midland County Public Works: (Approved)

No comments.

Midland County Health: (Approved)

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

CRMWD: (Approved)

No comments.

Planning: (Approved)

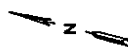
All Comments have been addressed.

Attachments:

Proposed Final Plat
Application
Maps
Aerial Photo

Being a replat of 53.889 acres out of Lot 1, Block 1, Parsley Addition, Midland County, Texas.

Original Scale 1" = 150'



CONCEPT

- [illegible]

[illegible]

OWNER
SEDLAND COUNTY
1000 N. LOWERY, 17TH FLOOR
DENVER, COLORADO 80202

ENGINEER
PARDOLL
200 WEST WALK, SUITE 100
DENVER, COLORADO 80202

MIDCO LEB

Parkhill

Figure 10.10: A plot of the function $f(x) = \sin(x)$ for x in the interval $[-\pi, \pi]$. The function is periodic and oscillates between -1 and 1.



SUBSCRIBER CERTIFICATE
I HEREBY ACKNOWLEDGE THAT I HAVE RECEIVED FROM THE
PUBLISHERS ALL THE ISSUES OF THIS PUBLICATION.



Franklin Leonard

CLAY FILED FOR RECORD
HOUSTON COUNTY, TEXAS

— १५ —

CERTIFICATE OF APPROVAL

CERTIFICATE OF APPROVAL

Secretary - Kevin Bingham

Assistant - Lucy Simpson

Secretary - Robert Bragg

Monday's Law - Insurance

SPECIAL STATE PLANE COORDINATE NOTE

7000 TIME INFORMATION

⁴ Based on the U.S. Department of Housing and Urban Development, Federal Housing Administration Rent Survey, Housing Unit, Community Number 491230, San Francisco 94122-3040, Period 08 of 123, Initiated September 16, 2000, the reported monthly rent was \$1,000.

UTILITY COMPANY'S CERTIFICATE

My plot has been checked for accuracy at
08/21

Order Directly Online From **FLAS®** www.flas.com

2

(Leave entry)

Mark Lie Mark Lie

— **Finney** —
 (1830-1864)
 (1830-1864)

Options _____ (PLEASE PRINT)

Don
Tim Roper

PLEASE PRINT

PACKET

June 3, 2024



Final Plat Application

Project Number: SUB-23-0694

Case Number: _____

Proposed Subdivision Plat Name: MIDCO LEBLegal Description (attached sealed Metes and Bounds): Being a plat of 53.71 Ac. out of Lot 1, Block 1, Parsley Addition, Midland County, Texas**Property Owner**Printed Name: Midland County

Phone ()

Email

Address 500 N Loraine, 11th FloorCity MidlandState TxZip 79701**Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: ParkhillPrinted Name: Josh WallenderProj # 41563.23

Phone ()

Email

jwallender@parkhill.comAddress 1700 W Wall Street, Suite 100City MidlandState TxZip 79701Current Zoning: N/A - in ETJReason for Platting: Subdiving lot**Plat Information**Total Acreage: 53.71Type: ☐ 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): Andrew Davis

Date: 4/2/2024

Property Owner (printed): Andrew Davis - Director of Public Works

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

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

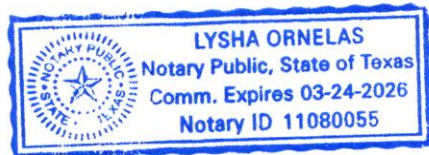
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

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



[Signature]
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 # 02161

Received By: [Signature]

Date: MAY 08 2024

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

PACKET

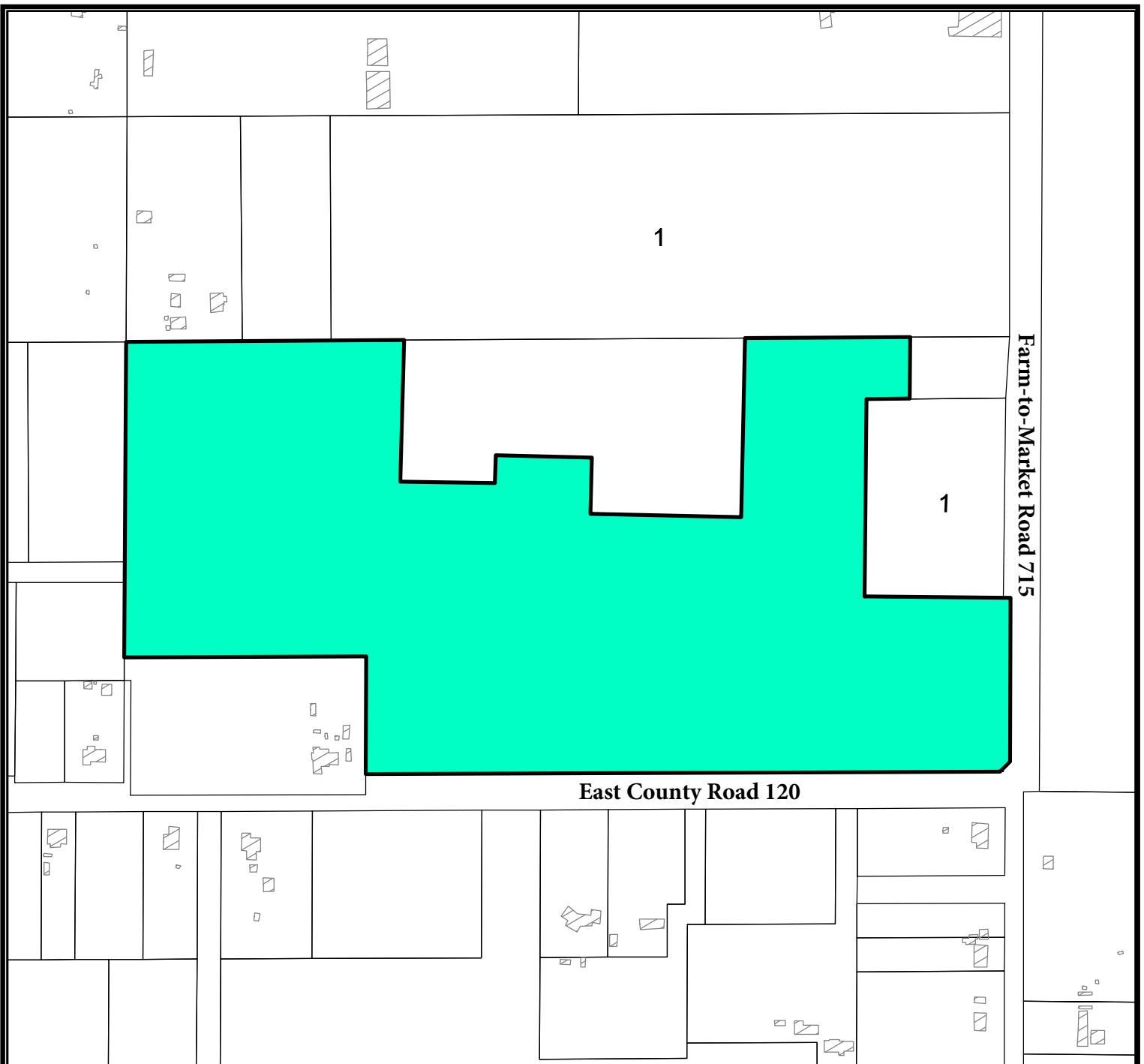
Page 7.185

June 3, 2024

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

SUB-23-0694

Scale: 1" = 425'

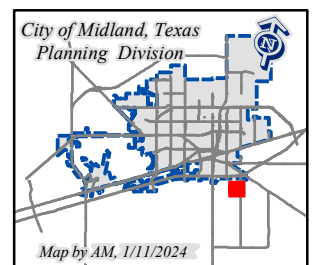
Proposed Plat of MIDCO LEB, being a replat of a 53.71-acre tract of land out of Lot 1, Block 1, Parsley Addition, Midland County, Texas.

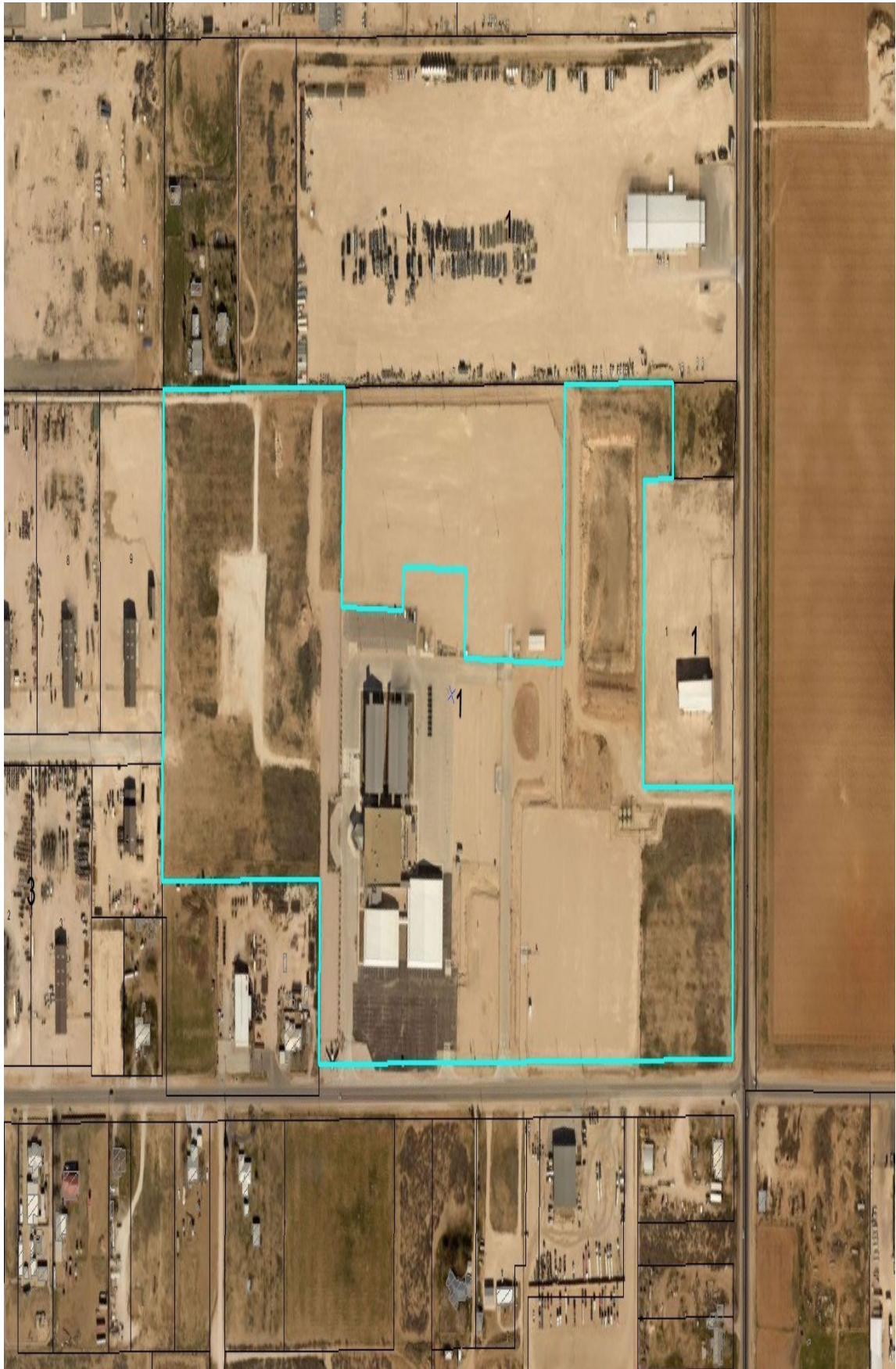
Generally located on the northwest corner of the intersection of Farm to Market Road 715 and East County Road 120. (Extraterritorial Jurisdiction)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Final Plat of Goree Addition, Section 1, being a Replat of the west half of the portion of Block 8, Original Town of Midland and the west half of the portion of Block 8, Homestead Addition, and an 897 square foot and a 925 square foot street abandonment, City and County of Midland, Texas. (Generally located northeast of the intersection of North Loraine Street and West Ohio Avenue) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

CB, Central Business District.

Preliminary Plat Approval:

This final plat is eligible for approval under the short form procedure per Section 11-2-3(I) of the Subdivision Ordinance, without prior approval of a preliminary plat. The property owner is platting one block into two lots for ownership purposes and future building permits.

This Final Plat was originally approved on August 23, 2023 by the Planning and Zoning Commission and then subsequently lapsed in approval, was dead filed, and never recorded.

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 2023 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 the time of new code editions adopted in the City of Midland and date of permit application.

Engineering: (Approved)

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

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

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

WATER: 16" water exists in Loraine Street, okay as is. 6" water exists in Ohio Street, okay as is. 6" water exists in alley East 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 Tennessee Street , okay as is. 12" sewer exists in alley East of tract, okay as is. 10" sewer exists in Ohio Street, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

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

Code Compliance (Approved)

No oil or gas issues.

GIS: (Approved)

Western call should be split at POB. Block can be Block 1.

CRMWD: (Approved)

No comments.

Planning: (Approved)

All comments have been addressed.

Attachments:

Proposed Final Plat
Application
Maps
Aerial Photo

GOREE ADDITION, SECTION 1

BEING A REPLAT OF THE WEST HALF OF THE PORTION OF BLOCK 8, ORIGINAL TOWN OF MIDLAND AND THE WEST HALF OF THE PORTION OF BLOCK 8, HOMESTEAD ADDITION, AND AN 897 SQUARE - FOOT & A 925 SQUARE - FOOT STREET ABANDONMENT CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, GGB LEASING, L.P., IS THE RECORDED OWNER OF THE WEST-HALF OF BLOCK 8, ORIGINAL TOWN OF MIDLAND AND HOMESTEAD ADDITION AND TWO STREET ABANDONMENT STRIPS BEING 897 SQUARE-FOOT OF W. TENNESSEE AVENUE AND 925 SQUARE-FOOT OF W. OHIO AVENUE, CITY AND COUNTY OF MIDLAND, TEXAS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THE PERIMETER OF ALL OF THE WEST-HALF OF BLOCK 8 AND BEING ALL OF THAT PORTION OF THE WEST-HALF OF BLOCK 8 IN THE ORIGINAL TOWN OF MIDLAND AS DESCRIBED IN VOLUME 3 PAGE 232 OF THE DEED RECORDS OF MIDLAND COUNTY AND BEING ALL OF THAT PORTION OF THE WEST-HALF OF BLOCK 8 HOMESTEAD ADDITION AS DESCRIBED IN CABINET 1 PAGE 244 OF THE MIDLAND COUNTY PLAT RECORDS AND ALSO BEING THE PERIMETER OF THAT CERTAIN NORTH 100-FOOT OF THE NW 1/4 OF THE SOUTH 3/4-FEET OF THE NW 1/4 OF SAID BLOCK 8 AS DESCRIBED IN DOCUMENT NO. 208-25364 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS AND THAT CERTAIN SW 1/4 OF SAID BLOCK 8 AS DESCRIBED IN DOCUMENT NO. 202-14143 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS AND INCLUDING TWO (2) STREET ABANDONMENT STRIPS BEING AN 897 SQUARE-FOOT ABANDONMENT STRIP OF W. TENNESSEE AVENUE AND A 925 SQUARE-FOOT ABANDONMENT STRIP OF W. OHIO AVENUE PER CITY OF MIDLAND ORDINANCE NO. 10499, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (Y=10,695,822.68' & X=1,756,469.59') A 1" IRON ROD IN CONCRETE, CONTROL MONUMENT FOUND AT THE SOUTHWEST CORNER OF SAID SOUTH 3/4-FEET OF THE NW 1/4 AND THE NORTHWEST CORNER OF THE SAID SW 1/4 OF BLOCK 8, ON THE EAST RIGHT-OF-WAY LINE OF N. LORRAINE STREET, AN 80-FOOT PUBLIC RIGHT-OF-WAY, WHENCE THE GPS CONTROL MONUMENT "83048" BEARS SOUTH 75°39'15" WEST, A DISTANCE OF 2,261.21 FEET;

THENCE NORTH 0°35'51" WEST WITH THE EAST RIGHT-OF-WAY LINE OF SAID N. LORRAINE STREET AND THE WEST LINE OF SAID BLOCK 8, PASS A 1" IRON ROD WITH CAP MARKED "LCA ODESSA TX" FOUND AT THE NORTHWEST CORNER OF SAID WEST-HALF OF SAID BLOCK 8 AT A DISTANCE OF 156.19 FEET, IN ALL A TOTAL DISTANCE OF 156.19 FEET TO A 1" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET FOR THE NORTHWEST CORNER OF GOREE ADDITION, SECTION 1 BEING APPROXIMATELY 13-FEET SOUTH OF THE EXISTING BACK OF CURB AND BEING THE NORTHWEST CORNER OF SAID 897 SQUARE-FOOT ABANDONMENT STRIP;

THENCE NORTH 0°35'51" EAST WITH THE NORTH LINE OF SAID 897 SQUARE-FOOT ABANDONMENT STRIP OF SAID W. TENNESSEE AVENUE AND BEING APPROXIMATELY 13-FEET SOUTH OF SAID BACK-OF-CURB AND BEING THE NORTH LINE OF SAID GOREE ADDITION SECTION 1, A DISTANCE OF 148.00 FEET TO A 1" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTHEAST CORNER OF SAID 897 SQUARE-FOOT ABANDONMENT STRIP OF W. TENNESSEE AVENUE AND BEING THE NORTHEAST CORNER OF SAID GOREE ADDITION, SECTION 1, WHENCE A PL. NAIL WITH WASHER (CONTROL MONUMENT) FOUND AT THE NORTHEAST CORNER OF THE EAST-HALF OF SAID BLOCK 8 BEARS SOUTH 87°35'31" EAST, A DISTANCE OF 6.28 FEET AND NORTH 0°27'30" EAST, A DISTANCE OF 165.56 FEET;

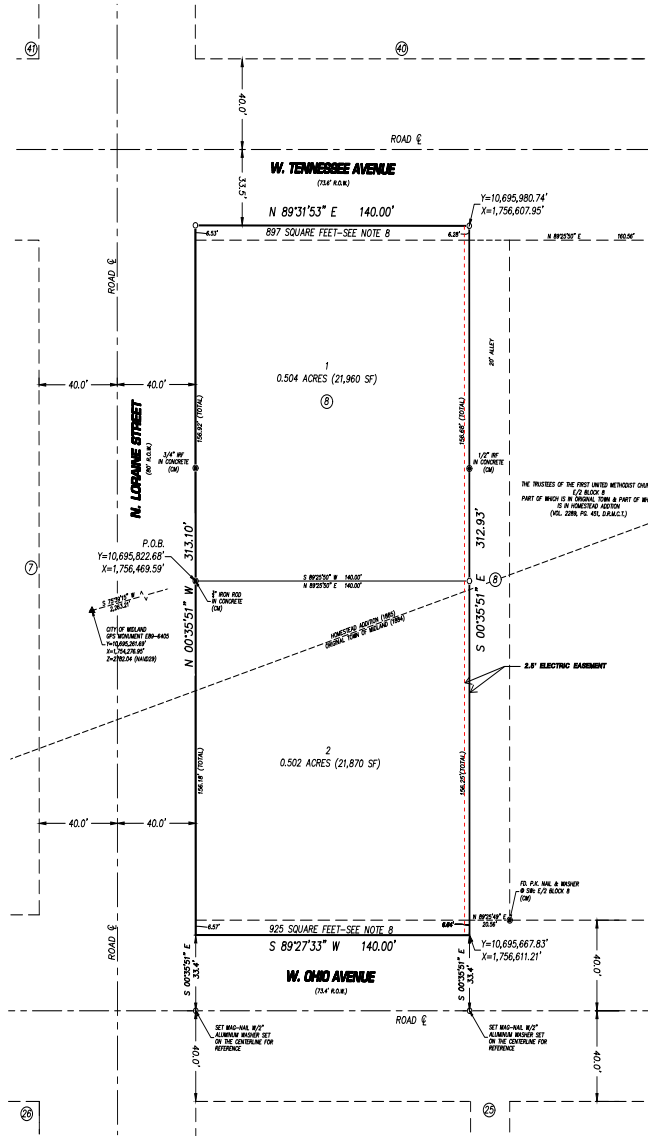
THENCE SOUTH 0°35'51" EAST WITH THE EAST LINE OF SAID 897 SQUARE-FOOT ABANDONMENT STRIP OF SAID W. TENNESSEE AVENUE AND SAID WEST-HALF OF BLOCK 8 AND THE WEST LINE OF A 28-FOOT ALLEY, AND THE EAST LINE OF SAID GOREE ADDITION, SECTION 1, PASS A 1" IRON ROD (CONTROL MONUMENT) FOUND AT THE SOUTHWEST CORNER OF SAID NORTH 100-FOET OF THE NW 1/4 AND THE NORTHEAST CORNER OF SAID SOUTH 3/4-FEET OF SAID BLOCK 8 AT 107.03 FEET, PASS THE SOUTHEAST CORNER OF THE E 1/2 OF SAID BLOCK 8 AND THE NORTHEAST CORNER OF SAID 925 SQUARE-FOOT ABANDONMENT STRIP AT 386.28 FEET WHENCE A MAGNAIL WITH A TIN WASHER FOUND AT THE SOUTHWEST CORNER OF THE EAST-HALF OF SAID BLOCK 8 BEARS NORTH 0°27'30" EAST, A DISTANCE OF 38.56 FEET, CONTINUING FOR A TOTAL DISTANCE OF 312.93 FEET TO THE SOUTHEAST CORNER OF SAID 927 SQUARE-FOOT ABANDONMENT STRIP OF SAID W. OHIO AVENUE AND THE SOUTHEAST CORNER OF SAID GOREE ADDITION, SECTION 1, REFERENCED BY A MAGNAIL WITH A 2" ALUMINUM WASHER STAMPED "LCA ODESSA" SET ON THE CENTERLINE OF W. OHIO AVENUE BEARING SOUTH 0°35'51" EAST, A DISTANCE OF 33.4 FEET;

THENCE SOUTH 0°27'30" WEST WITH THE SOUTH LINE OF SAID 927 SQUARE-FOOT ABANDONMENT STRIP AND THE SOUTHLINE OF SAID GOREE ADDITION, SECTION 1, A DISTANCE OF 148.00 FEET TO THE SOUTHWEST CORNER OF SAID 927 SQUARE-FOOT ABANDONMENT STRIP OF SAID W. OHIO AVENUE AND THE SOUTHWEST CORNER OF SAID GOREE ADDITION, SECTION 1, REFERENCED BY A MAGNAIL WITH A 2" ALUMINUM WASHER STAMPED "LCA ODESSA" SET ON THE CENTERLINE OF W. OHIO AVENUE BEARING SOUTH 0°35'51" EAST, A DISTANCE OF 33.4 FEET;

THENCE NORTH 0°35'51" WEST WITH THE WEST LINE OF SAID 927 SQUARE-FOOT ABANDONMENT STRIP OF SAID W. OHIO AVENUE, THE WEST LINE OF SAID WEST-HALF OF BLOCK 8 AND THE EAST RIGHT-OF-WAY LINE OF SAID N. LORRAINE STREET, A DISTANCE OF 156.19 FEET TO THE POINT OF THE BEGINNING CONTAINING 1.000 SURFACE ACRES.

GENERAL NOTES

- Approval of a site plan by the City of Midland may be required before this lot may be developed and before a building permit may be obtained.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law subject to fines and withholding of utilities and building permits.
- Bearings, distances and coordinates are relative to the Texas Coordinate System, 1983 NAD, Central Zone, based on the City of Midland GPS Control Monument "83048" (Y=10,695,822.68', X=1,756,469.59' & Z=7,702.04' NAVD 29) with a theta angle of 40°54'04" and a combined grid factor of 0.999990197 as published in U.S. Survey Feet.
- The boundary predicated on property corner evidence found in the field, as shown on the survey.
- All property corners will be 2" iron rods with caps marked "LCA ODESSA TX" unless otherwise noted.
- The property lies in Zone X per the FEMA/FIRM Plan 4832C0089Y, dated September 16, 2005.
- Initial impact fees will be assessed during the final planning process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increase in fees may not be addressed against the tract unless the number of service units to be developed on the tract increases.
- The two (2) abandonment strips, 897 square-feet of W. Tennessee Ave and the 925 square-feet of W. Ohio Ave, were approved per Ordinance No. 10499 by the Midland City Council on 9 April, 2024.



SCALE : 1" = 30'

LEGEND

- FOUND 1/2" I.R. W/CAP "LCA ODESSA TX" UNLESS OTHERWISE NOTED
- SET 1/2" I.R. W/CAP "LCA ODESSA TX" UNLESS OTHERWISE NOTED
- ▲ SAW CUT "X"
- ▲ CITY OF MIDLAND MONUMENT
- (CM) CONTROL MONUMENT
- D.R.M.C.T. DEED RECORDS MIDLAND COUNTY TEXAS
- O.P.R.M.C.T. OFFICIAL PUBLIC RECORDS MIDLAND COUNTY TEXAS

CERTIFICATE OF APPROVAL

For approval by the Commission:

This is to certify that the above and foregoing Plat of Goree Addition, Section 1 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this ____ day of _____, 2024.

SIGNED: CHAIRMAN OF PLANNING & ZONING COMMISSION
LUCY SIBINIGA

SIGNED: SECRETARY OF PLANNING & ZONING COMMISSION
XAVIER BAUGUSS

THE UTILITY COMPANIES CERTIFICATE

This plat has been checked for accessibility of utilities

Mark Lel

AT&T ENERGY
Jeffrey K. Henderson

ONCOR ELECTRIC

Ruben Guerra

ASTOUND BROADBAND

Indalogue Community

AT&T TELEPHONE COMPANY

Luis Montez

OPTIMUM

			W. LOUISIANA AV	E. LOUISIANA AV	
			POLICE STATION		
N. PECOS ST	N. MARIENFELD ST	N. BIG SPRING ST	N. COLORADO ST	N. LORRAINE ST	N. BAIRD ST
			W. ILLINOIS AV	E. ILLINOIS AV	
			W. TEXAS AV		
					N. FT. WORTH ST

VICINITY MAP

SCALE: N.T.S.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Tyler Gorie, of GGB Leasing, L.P., owner of the land shown on this plat, do hereby adopt this plat designating the herein described property as, Goree Addition, Section 1, and do hereby dedicate to the public use forever the streets, alley and easements shown thereon for the purpose and consideration therein expressed, and an easement of egress and ingress for trash collection, and location and maintenance of trash containers, and as a condition of said easement that no construction shall commence on the said lot or lots until the exact location of said containers there with have been selected and approved by the Director of Utilities.

TYLER GOREE
GGB LEASING, L.P.

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 Tyler Gorie, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 2024.

My commission expires: _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

That I, John F. Landgraf, 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 placed under my personal supervision, in accordance with the subdivision regulations of the City of Midland, Texas.



JOHN F. LANDGRAF, R.P.L.S. # 2410

OWNER: TYLER GOREE
GGB LEASING, L.P.
6001 W. Industrial Ave.
MIDLAND, TX 79706

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
521 NORTH TEXAS
ODESSA, TEXAS 79661-5131
PHONE: (432) 332-9658

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____

DATE: _____



GOREE ADDITION, SECTION 1

LCA ENVIRONMENTAL & LAND SURVEYING
521 North Texas, Odessa Tx. 79761 F-001363 E-10034300
Phone # (432) 332-3038 E-Mail : lca@lcaodessa.com

PACKET

Page 8.191

Document Details

Title	22-044 Goree
File Name	2022-044 Plat 4.19.24.pdf
Document ID	ffb6bb781302469e826441ae99938ca3
Fingerprint	4160fc4f4a89defc7beed281a01b027f
Status	In Process

Document History

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Document Sent	Document Sent to Guadalupe Hernandez (gh4020@att.com)	Apr 19 2024 06:33PM UTC
Document Sent	Document Sent to Ruben Guerra (ruben.guerra@astound.com)	Apr 19 2024 06:33PM UTC
Document Sent	Document Sent to Mark Lieb (Mark.Lieb@atmosenergy.com)	Apr 19 2024 06:33PM UTC
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Document History

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Document Completed	This document has been completed. Fingerprint: b149de8162734d981358b88eac3b11da	May 07 2024 05:29PM UTC



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Goree Addition, Section 1

Legal Description (attached sealed Metes and Bounds): Being a replat of the West-half of the portion of Block 8 in Original Town of Midland and the west-half of the portion of Block 8 in Homestead Addition City of Midland, Midland County, Texas.

Property Owner

Printed Name: GGB Leasing LP Attn: Tyler Goree

Phone (432) 332-5058 (agent)

Email LCA@LCAODESSA.COM

Address 6001 W. Industrial Avenue

City Midland

State TX

Zip 79706-2841

Developer (if different than Owner)

Printed Name: CB- Central Business District

Phone ()

Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email LCA@LCAODESSA.COM

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning:**Reason for Platting:** Ownership Purposes / future building permits will be required**Plat Information**

Total Acreage: 0.964

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

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 1 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- 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: 5-8-27

Property Owner (printed):

Steve Goree

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.

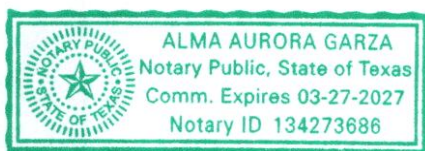
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of May, 2024, to certify which witness my hand and seal of office.



Alma Aurora Garza

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) | ☐ Public Improvements |
| ☐ Application Fee | ☐ Title Opinion | ☐ Recording Fee |
| Check # <u>42287</u> | ☐ Tax Certificates | Check # <u>42288</u> |

Received By:

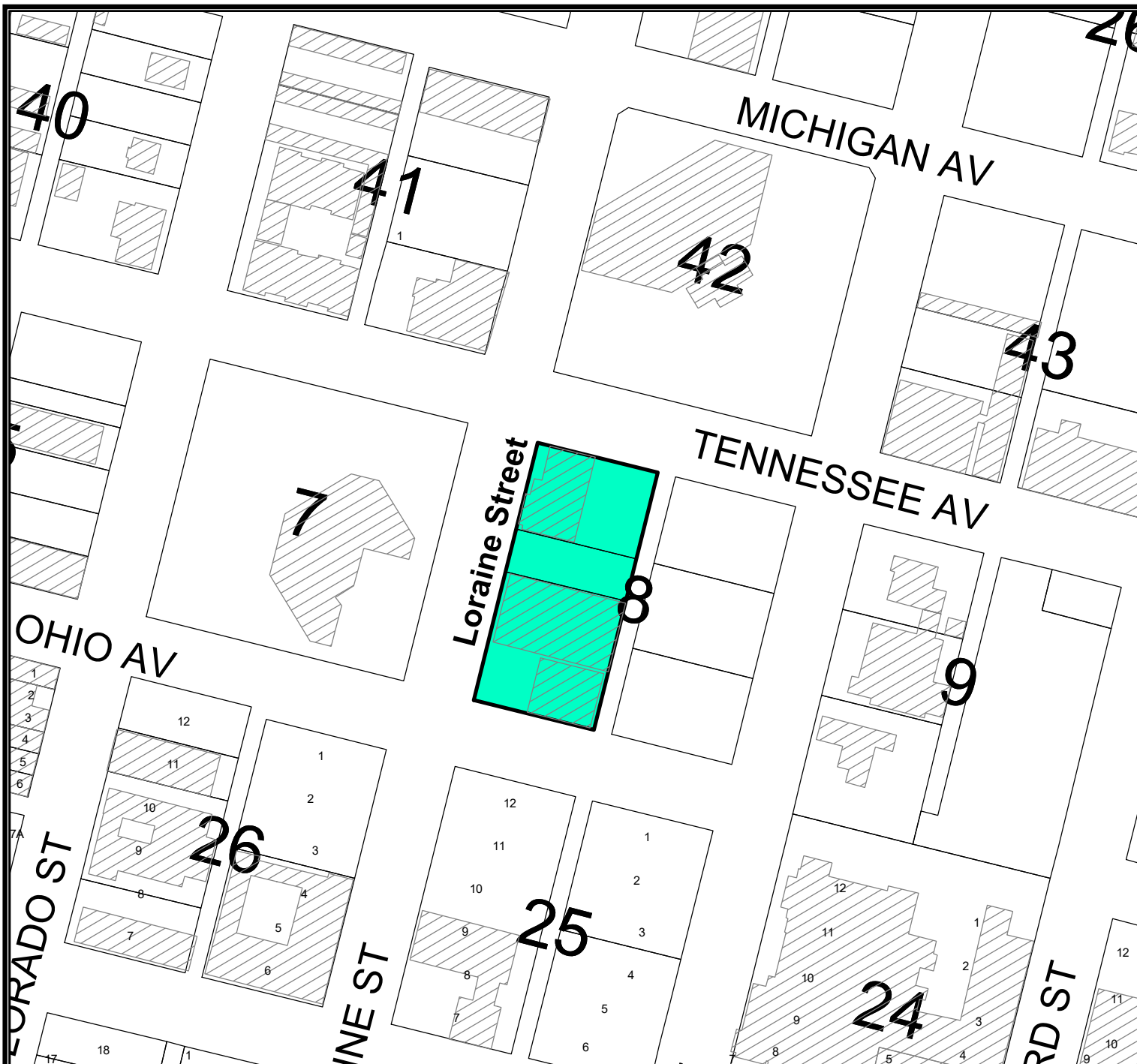
Date:

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

PACKET

Page 8.198

June 3, 2024



LOCATION MAP

SUB-23-0659

Scale: 1" = 1,954'

Plat of Goree Addition, Section 1, being a Replat of the west half of the portion of Block 8, Original Town of Midland and the west half of the portion of Block 8, Homestead Addition, City and County of Midland, Texas.

Generally located on the northeast corner of North Loraine Street and West Ohio Avenue.

(Council District 2)

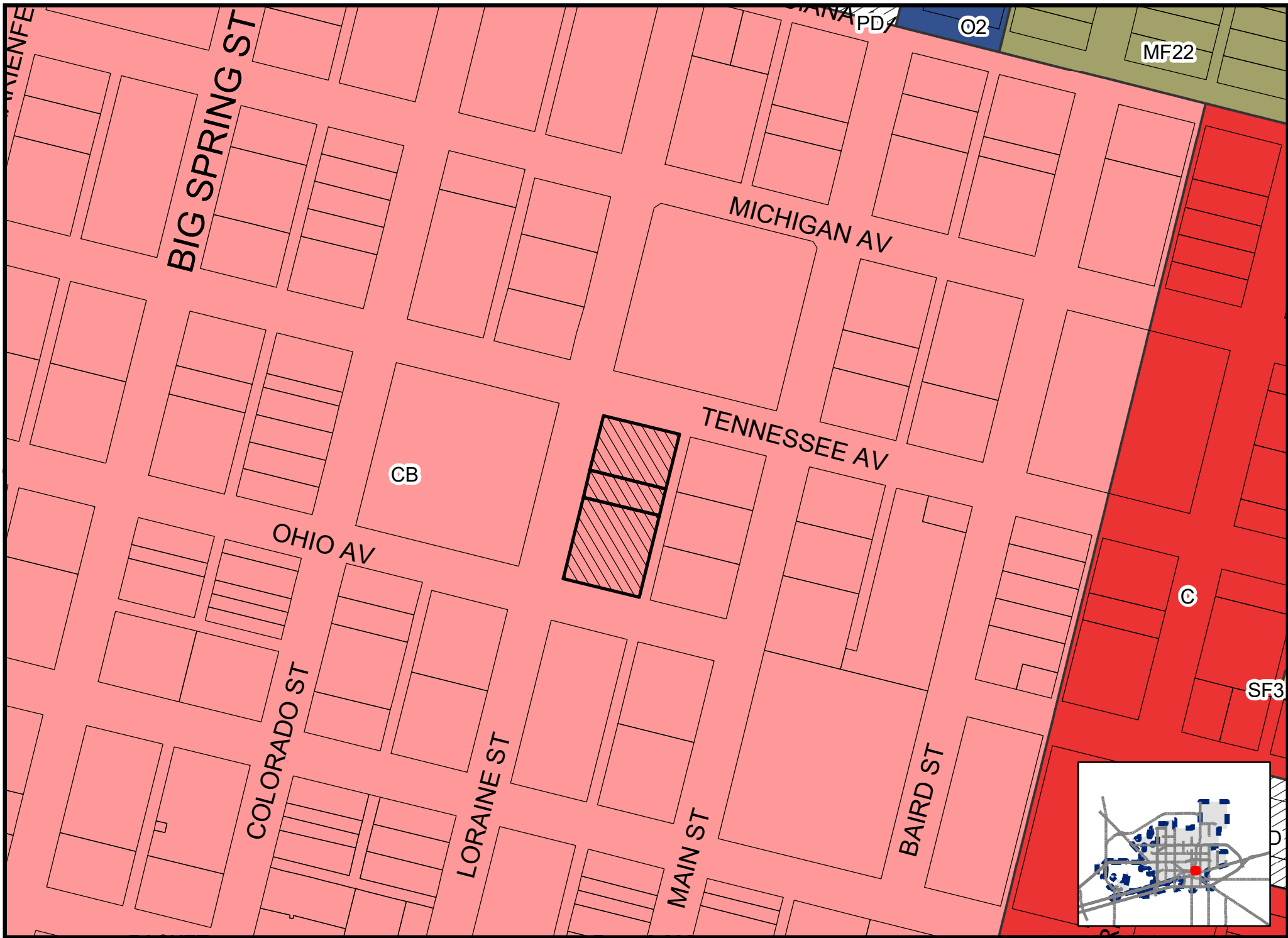
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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June 3, 2024

Map By LO, 8/17/2023

SUB-23-0659

Scale: 1" = 2,583'

ZONING MAP



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

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

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

LI, Light Industrial District

Preliminary Plat Approval:

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

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 Comment's. [For Applicant's Information Only.]

PAVING: Deferral request for paving improvements were administratively approved on 5/13/2024. [For Applicant's Information Only.]

WATER: 16" water exists in Indiana Street S of tract, okay as is. 6" water exists in Fort Worth Street S of tract, okay as is. 6" water exists in Alley of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

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

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

SIDEWALKS: Sidewalk improvements required with building permits. [For Applicant's Information Only.]

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil & Gas issues.

GIS: (Approved)

No comments.

CRMWD: (Approved)

No comments.

PLANNING: (Approved)

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

Attachments:

Proposed Final Plat
Application
Maps



VICINITY MAP
(NOT TO SCALE)

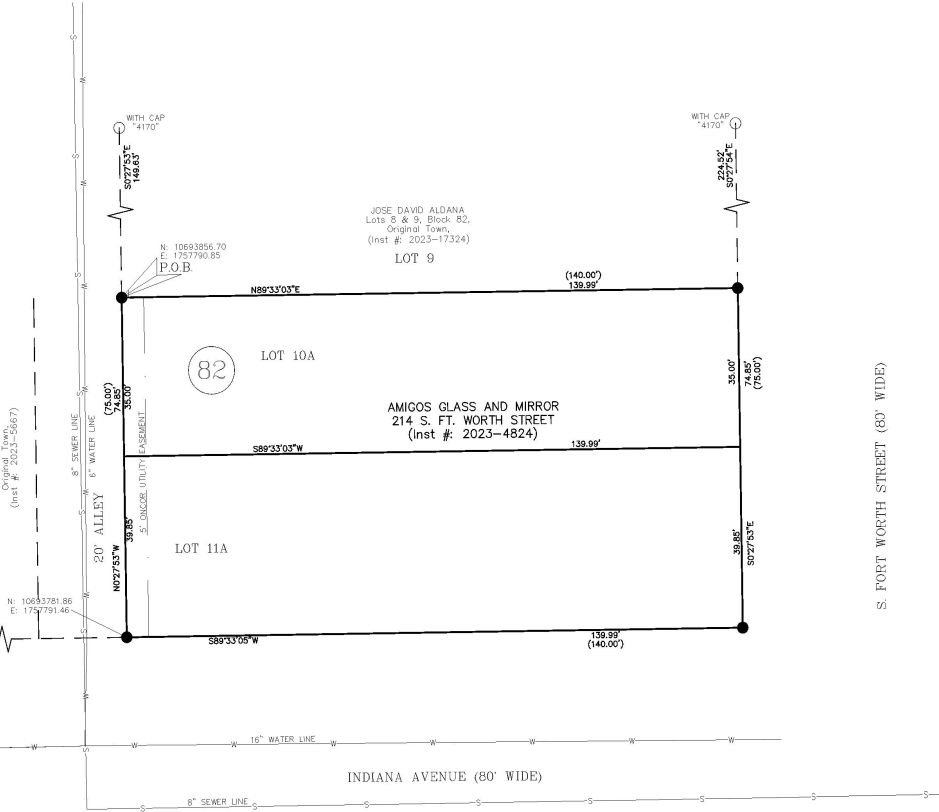
- LEGEND
- Set 1/2" I.R.
 - W/Coop "RPL'S 6832"
 - Find 1/2" I.R.
 - Existing Sewer Line
 - Existing Water Line



NOTICE:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
4. EXISTING WATER AND SEWER PIPE SIZES ARE LABELED WITH INFORMATION OBTAINED FROM CITY OF MIDLAND GIS.
5. 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.
6. A BLANKET UTILITY EASEMENT FOR ELECTRIC SERVICE IS GRANTED HEREBY FOR THIS 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.

FORMOSA HOMES LLC
Lots 13 & 14, Block 82,
Original Town,
(Inst # 2023-5667)



UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

OPTIMUM Print Name:

AT&T-TEXAS Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

ASTOUND Print Name:

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, AMIGOS GLASS AND MIRROR, being the owner of the land shown on this plat designated as ORIGINAL TOWN, SECTION 27, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage and trash collection, and location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

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

By: DONNY YBARRA OWNER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

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

CERTIFICATE OF APPROVAL

For approval by the Commission:

This is to certify that the above and foregoing plat of "ORIGINAL TOWN, SECTION 27" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2024.

LUCY SISNIEGA, CHAIRMAN

XAVIER BAUGUCESS, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE: _____

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

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

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

FIRM No: 10193978

APRIL 2024

June 3, 2024
ORIGINAL TOWN,
SECTION 27

PACKET

Page 2 of 2



Final Plat Application

Project Number: Sub-23-0703

Case Number: _____

Proposed Subdivision Plat Name: **ORIGINAL TOWN, SECTION 27**

Legal Description (attached sealed Metes and Bounds): REAPLT OF LOTS 10, 11 & 12, BLOCK 82
ORIGINAL TOWN

Property Owner

Printed Name: **AMIGOS GLASS & MIRROR**

Address **214 S. FT. WORTH ST.**

City **MIDLAND**

Phone ()

Email

State **TX**

Zip **79701**

(432) 352-6734
dyduster07@yahoo.com

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()

Email

State

Zip

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

Firm: PENNELL LAND SURVEYING, LLC

Printed Name: **DURYN HENINGTON**

Address **2030 W. CUTHBERT, STE. 4**

City **MIDLAND**

Phone ()

Email

State **TX**

Zip **79701**

(432) 570-6256
dhenington.
Pennell survey@gmail.com

Current Zoning:

Reason for Platting: New Building on property

Plat Information

Total Acreage: 0.4 Acres

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
- 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: 4-23-24

Property Owner (printed): Donny Ybarra

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

Donny Ybarra
Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd 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 | ☒ 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>Paying online</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>2086</u> |

Received By: London Chan

Date: May 08, 2024

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

PACKET

Page 9.207

June 3, 2024

Final Plat Application

2

Revised 7/01/19

82

FT WORTH ST

INDIANA AV

LOCATION MAP

SUB-23-0703

Scale: 1" = 200'

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

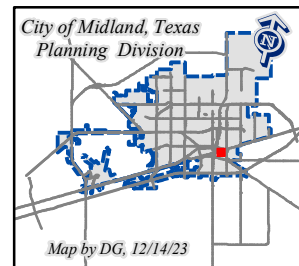
Generally located at the northwest corner of the intersection of East Indiana Avenue and South Fort Worth Street.(DISTRICT: 2)

PACKET

Page 9.208

LEGEND

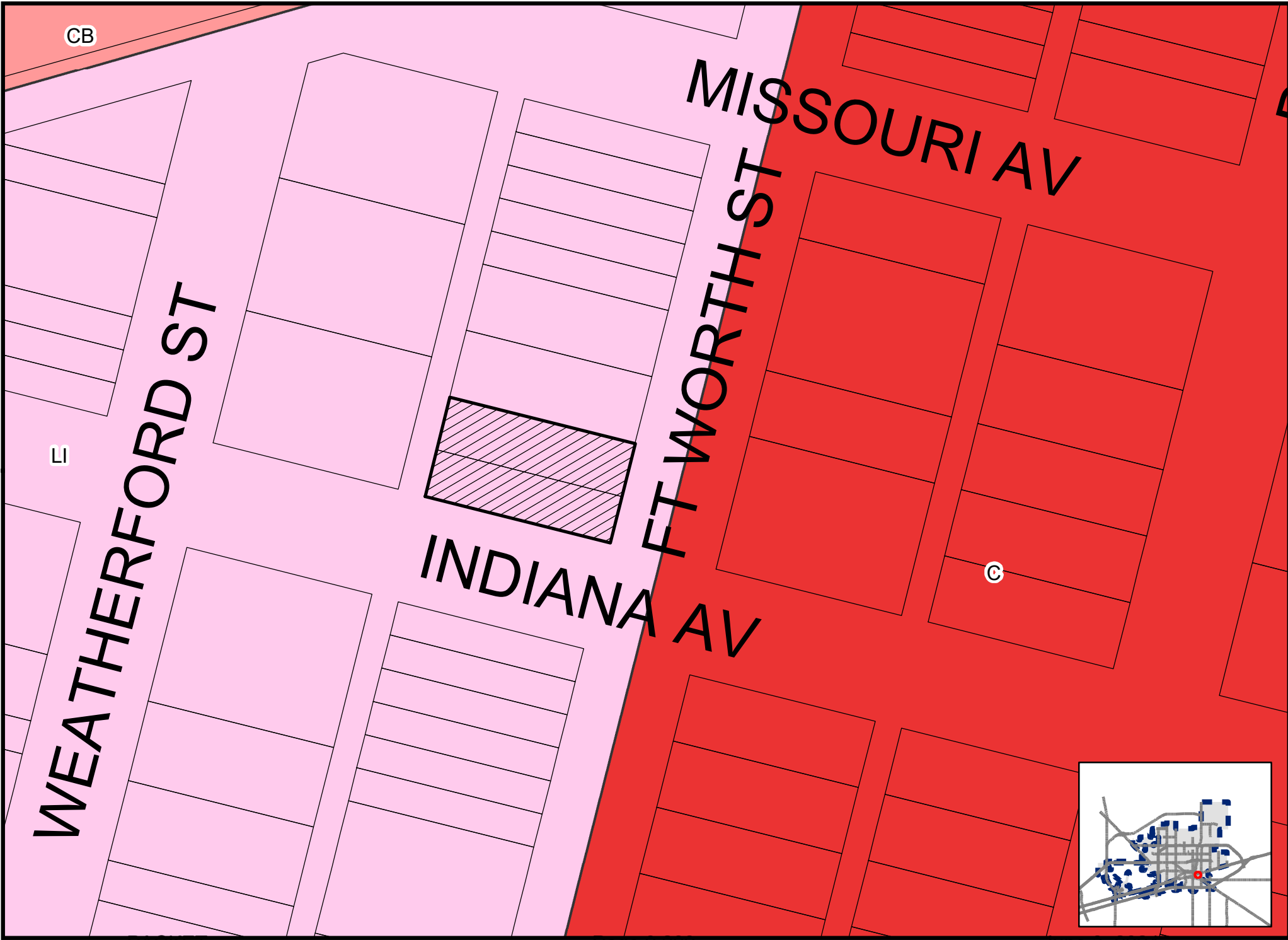
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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June 3, 2024



PACKET

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June 3, 2024





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving a Final Plat of Parkway South Addition, Section 4, being a replat of Lot 1, Block 2, Parkway South Addition, Section 2, an 8.0-acre tract of land and a 0.429-acre tract of land out of Section 2, Block 39, T-2-S, T&P RR Co. Survey, in part, and a replat of Lot 1, Block 2, Parkway South Addition, Section 2, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of South Lamesa Road and East Gist Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single-Family Dwelling District

Preliminary Plat Approval:

Newton Engineering, on behalf of Midland Independent School District, is requesting to replat the property located at 1900 S. Lamesa Road. Being Lot 1, Block 2, Parkway South Addition, Section 2, an 8.0-acre tract of land and a 0.429-acre tract of land out of Section 2, Block 39, T-2-S, T&P RR Co. Survey, in part, and a replat of Lot 1, Block 2, Parkway South Addition, Section 2, City and County of Midland, Texas.

The Planning & Zoning Commission approved the preliminary plat on April 9, 2024.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have 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.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

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

WATER: 12" water exists in S Lamesa, okay as is. 12" water exists in E Gist, okay as is. 6" water exists in S Terrell, 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: 15" sewer exists in S Terrell, okay as is. 15" sewer exists in E Gist, okay as is. 8" sewer exists in S Lamesa, okay as is.No public wastewater improvements required. [For the Applicant's information only.]

DRAINAGE: Drainage letter 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. 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.

GIS: (Approved)

Add direction to Gist Av (E Gist Av) and Lamesa Rd (S Lamesa Rd). Should legal description say "an 8.429 acre tract" instead of two separate tracts?

CRMWD: (Approved)

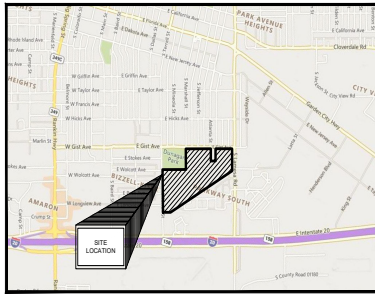
We do not have any comments on this plat.

PLANNING: (Approved)

Staff recommends approval of the Final Plat of Parkway South Addition, Section 4.

Attachments:

Proposed Final Plat
Application
Maps



LOCATION MAP

N.T.S.

S. TERRELL STREET
(60' ROW)

N15° 03' 40" W 1091.78'

S75° 41' 23" W 221.81'

PACKET

CITY OF MIDLAND
8.72 ACRE TRACT
VOL. 279, PG. 296, M.C.D.R.

P.O.B.
Y=10,687,914.49
X=1,759,425.39

N75° 39' 50" E 712.21'

EX. CONC. EASEMENT AND RIGHT OF WAY
(BOOK 2024-2744, M.C.D.R.)

EX. CONC. EASEMENT AND RIGHT OF WAY
(BOOK 2024-2744, M.C.D.R.)

LOT 1A
44.75 ACRES
(2)

LOT 3, BLOCK 1
PARKWAY SOUTH ADDITION, SECTION 3
CAB. 1, PG. 53, M.C.P.R.

CERTIFICATE OF APPROVAL: FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF PARKWAY SOUTH ADDITION, SECTION 4, WAS APPROVED BY PROPER ACTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, ON THIS _____ DAY OF _____, 2024.

Signed: _____
Lucy Stanaga, Chairman

Signed: _____
Xavier Bouquess, Secretary

PARKWAY SOUTH ADDITION, SECTION 4

BEING A REPLAT OF LOT 1, BLOCK 2, PARKWAY SOUTH ADDITION, SECTION 2,
AN 8.0 ACRE TRACT AND A 0.429 ACRE TRACT,
LOCATED IN SECTION 2, BLOCK 39, T-2-S, T&P RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

GIST AVENUE
(60' ROW)

N75° 39' 50" E 719.93'

N75° 39' 50" E 490.22'

S14° 20' 10" E 310.92'

THIS IS A REPLAT OF LOT 1, BLOCK 2, PARKWAY SOUTH ADDITION, SECTION 2, AN 8.0 ACRE TRACT AND A 0.429 ACRE TRACT, LOCATED IN SECTION 2, BLOCK 39, T-2-S, T&P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED HEREON.

N14° 20' 10" W 310.92'

N75° 39' 50" E 139.99'

S14° 18' 58" E 563.75'

LAMESA ROAD
(120' ROW)

Y=10,688,390.40
X=1,761,432.19

EX. 99.57' PIPELINE ROW (VOL. 651, PG. 788, M.C.D.R.)
S45° 57' 48" W 2109.81'

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

Signed: _____
MARTIN ARQUELLO, Oncor Electric Delivery Company

Signed: _____
LUIS MONTEZ, Optimum

Signed: _____
JERRY UNDERWOOD, A. T. & T.

Signed: _____
RUBEN GUERRA, Astound Broadband

Signed: _____
MARK LEEB, Atmos Energy

SURVEYOR'S CERTIFICATE:

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



Page 10.213

REGISTERED PROFESSIONAL SURVEYOR

LEGEND

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

GRAPHIC SCALE
0 100' 200'
(IN FEET)
1 inch = 100 ft.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, MIDLAND INDEPENDENT SCHOOL DISTRICT IS THE RECORD OWNER OF ALL OF THAT CERTAIN LAND SHOWN ON THIS PLAT AND DESIGNATED AS PARKWAY SOUTH ADDITION, SECTION 4, BEING A REPLAT OF LOT 1, BLOCK 2, PARKWAY SOUTH ADDITION, SECTION 2, AN 8.0 ACRE TRACT AND A 0.429 ACRE TRACT LOCATED IN SECTION 2, BLOCK 39, T-2-S, T&P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, CORTNEY SMITH, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS PARKWAY SOUTH ADDITION, SECTION 4 AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER OF THE STREETS, ALLEYS AND EASEMENTS SHOWN HEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAVE BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

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

MIDLAND INDEPENDENT SCHOOL DISTRICT
CORTNEY SMITH, CHIEF OF FACILITIES AND OPERATIONS

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON _____, 2024 BY CORTNEY SMITH.

NOTARY PUBLIC, STATE OF TEXAS

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. 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 0.0000047 AND THETA ANGLE OF -00°53'27".
4. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 48329C0208F DATED SEPTEMBER 16, 2005 AND FIRM MAP NUMBER 48329C0208F 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.

OWNERS:

MIDLAND INDEPENDENT SCHOOL DISTRICT
605 W. MISSOURI AVENUE
MIDLAND, TEXAS 79701

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

PARKWAY SOUTH ADDITION, SECTION 4



NEWTON ENGINEERING, PC

4501A Santa Rosa Dr. F-13855 2481 E. 2nd St.
Midland, Texas 79707 F-10194509 Odessa, Texas 79761
(409) 770-0000 (409) 933-0707

June 3, 2024
DATE: APRIL 2024

SCALE: 1"=100'

FINAL PLAT

PROJECT NUMBER
23-ME12191



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Parkway South Addition, Section 4

Legal Description (attached sealed Metes and Bounds): _____

Parkway South Addition, Section 4 being a replat of Lot 1, Block 2, Parkway South Addition, Section 2, an 8.0 acre tract and a

0.429 acre tract, located in Section 2, Block 39, T-2-S, T&P RR. Co. Survey, City and County of Midland, Tx

Property Owner

Printed Name: Midland Independent School District

Phone (432) 240-1008

Email cortney.smith@midlandisd.net

Address 605 W. Missouri Avenue

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: SF-1

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

Plat Information

Total Acreage: 44.75 ac

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

05/01/24

Property Owner (printed) : _____

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

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

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

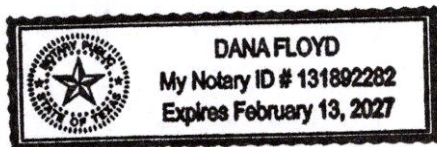
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Cortney Smith who, being by me duly sworn, upon oath says: That (s)he is authorized by Midland Independent School District, 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 1st day of May, 20 24, 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 # 1593

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☐ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

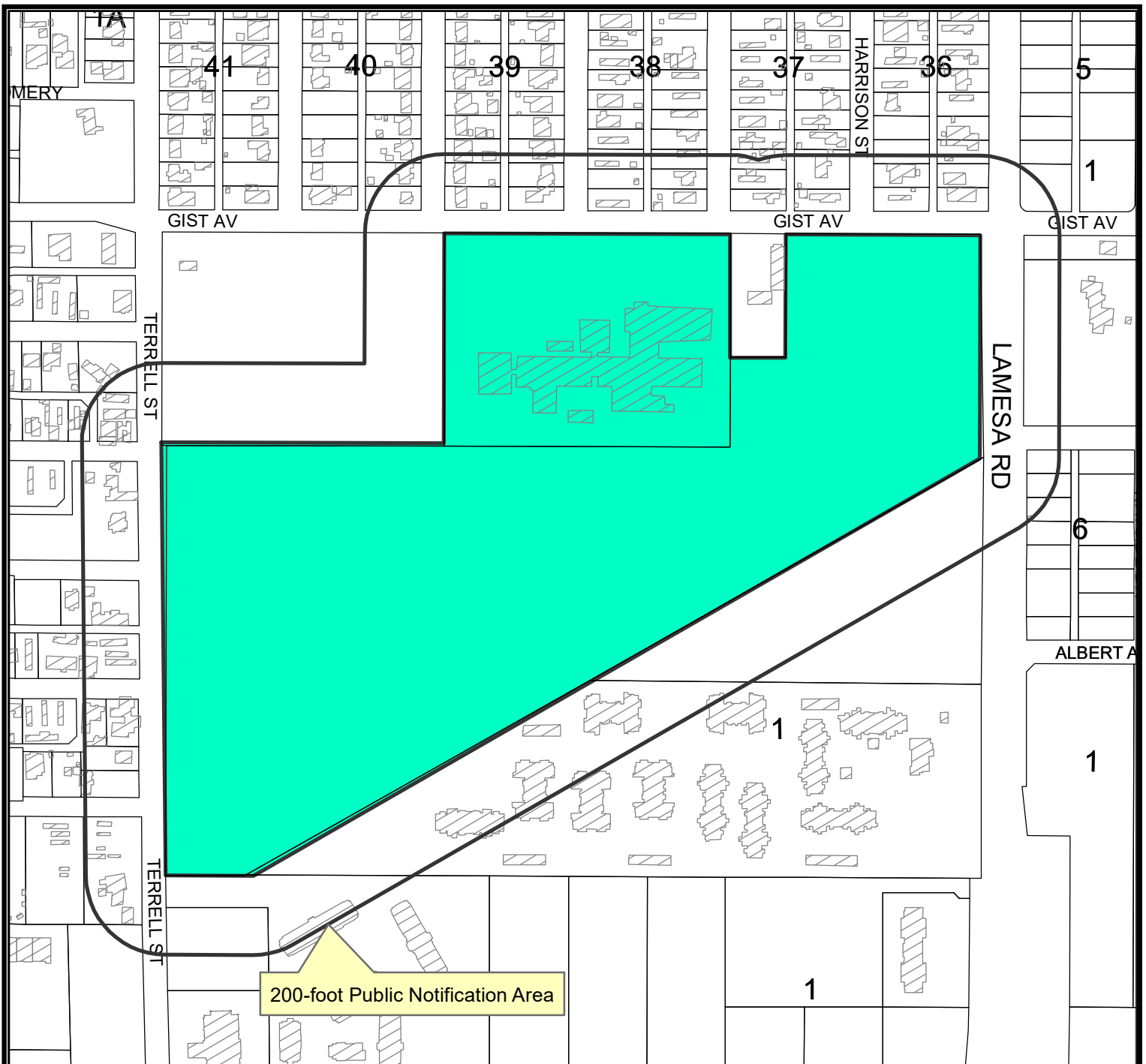
☒ Recording Fee

Check # 1592

Received By: _____

Date: _____

****Application will not be considered for scheduling until reviewed by a planner****
PACKET Page 10 of 15 June 3, 2024



LOCATION MAP

SUB-23-0710

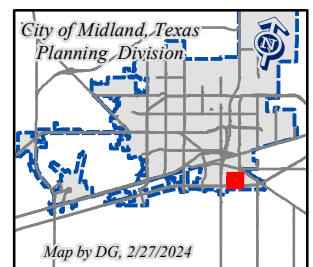
Scale: 1" = 360'

Proposed plat of Parkway South Addition, Section 4, being a Replat of Lot 1, Block 2, Parkway South Addition, Section 2, an 8.0-acre tract of land and a 0.429-acre tract of land out of Section 2, Block 39, T-2-S, T&P RR. CO. Survey, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of South Lamesa Road and East Gist Avenue. (District 2)

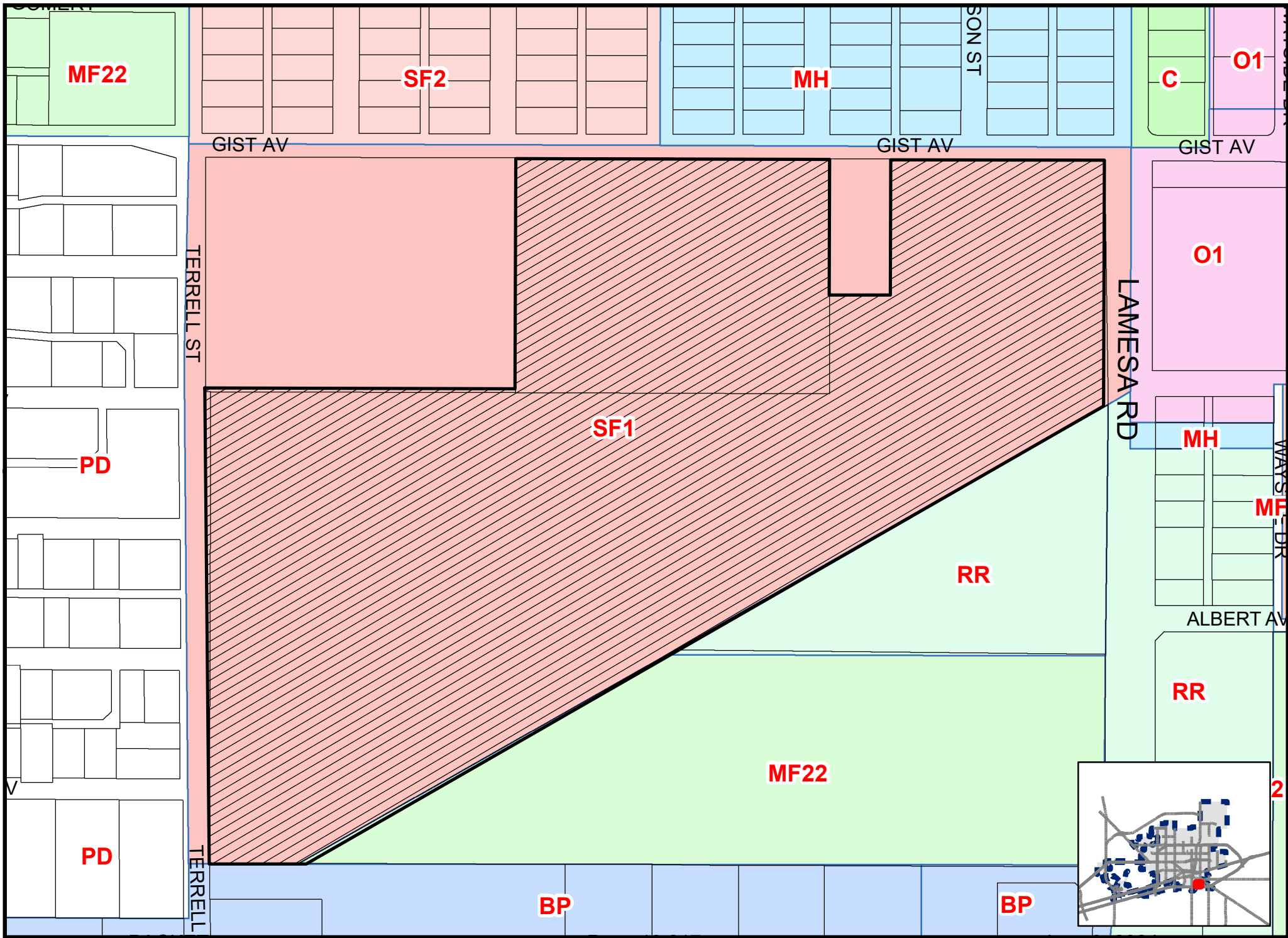
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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





Planning and Zoning Commission

Item Number: 11
Meeting Date: June 3, 2024
To: PLANNING AND ZONING COMMISSION
From: Daniel Humbert, Planner
Subject: Motion approving, with the condition of the public water improvements have been installed and accepted by the City prior to issuance of the Certificate of Occupancy. Building permits for structures within the current floodplain boundary can not be issued until the LOMR-F has been approved by FEMA and in effect, a Final Plat of 349 Ranch Estates, Section 25 being a replat of Lot 55, Block 8, 349 Ranch Estates, City and County of Midland, Texas. (Generally located immediately east of Tejas, approximately 190 Feet South of Navajo.) (DEVELOPMENT SERVICES) (COUNCIL DISTRICT 1)

Recommended Planning and Zoning Commission Action:

X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single Family Dwelling District.

Preliminary Plat Approval:

Schumann Surveying, Inc., on behalf of Castle Restorations, Inc., is requesting to replat in order to obtain addresses. The proposed subdivision will have fourteen (14) lots with a total acreage of 7.88.

The preliminary plat was approved at the December 18, 2023, 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 with Conditions)

* * * Updated on 05/17/2024 * * * Approved with Condition: The public water improvements have been installed and accepted by the City prior to issuance of the Certificate of Occupancy. Building permits for structures within the current floodplain boundary can not be issued until the LOMR-F has been approved by FEMA and in effect.

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

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

PAVING: No frontage along Public ROW. No paving improvements required. Internal streets will be privately maintained [For Applicant's Information Only.]

WATER: The deferral for the timing of the construction of the water main was administratively deferred. The public water improvements has been installed and accepted by the City prior to issuance of the Certificate of Occupancies. [For Applicant's Information Only.]

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

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

SEWER: Sewer improvements were administratively deferred. [For Applicant's Information Only.]

DRAINAGE: Drainage report was approved for platting purposes. Building permits for structures within the currently floodplain boundary can not be issued until the LOMR-F is in effect. [For Applicant's Information Only.]

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

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of 349 Ranch Estates, Section 25, subject to condition A.

Condition(s):

- A. The public water improvements have been installed and accepted by the City prior to issuance of the Certificate of Occupancy. Building permits for structures within the current floodplain boundary can not be issued until the LOMR-F has been approved by FEMA and in effect.**

Attachments:

Application
Proposed Final Plat
Maps

City Manager's Office



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **349 RANCH ESTATES, SECTION 25,**Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OFLOT 55, BLOCK 8, 349 RANCH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS**Property Owner**Printed Name: **CASTLE RESTORATIONS INC.**

Phone (432) 638-7495

Email Lance@lancefridayhomes.comAddress **PO BOX 80295**City **MIDLAND**State **TX**Zip **79708****Developer (if different than Owner)**

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: **SCHUMANN SURVEYING, INC.**Printed Name: **EDUARDO ALEMAN**

Phone (432) 684-5548

Email _____

edaleman@schumannsurveying.netAddress **800 N. MARIENFELD SUITE 100**City **MIDLAND**State **TX**Zip **79701****Current Zoning:** _____**Reason for Platting:** TO DIVIDE PROPERTY INTO 14 LOTS**Plat Information**Total Acreage: **7.88**Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: **14**

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'

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:

4/10/24

Property Owner (printed): Lance Friday

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

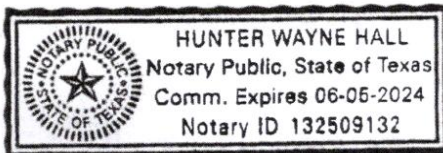
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland

STATE OF TEXAS
COUNTY OF MIDLAND

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

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.



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:

APR 10 2024

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

349 RANCH ESTATES
SECTION 25,
BEING A REPLAT OF LOT 55, BLOCK 8, 349 RANCH ESTATES,
CITY AND COUNTY OF MIDLAND, 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 12, BLOCK X, ABSTRACT 684, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON:

FIELD NOTE DESCRIPTION OF A 7.88 ACRE TRACT OF LAND, IN THE NORTH 1/4 OF SECTION 12, BLOCK X, ABSTRACT 684, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS. SAID 7.88 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR SET (N:10721748.45, E:1756054.13) IN THE NORTH RIGHT OF WAY LINE OF A 20.00' ALLEY FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THIS TRACT, FROM WHICH THE NW LOT CORNER OF LOT 9 N/2, OF BLOCK 8, 349 RANCH ESTATES, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, ACCORDING TO THE MAP OR PLAT RECORDED IN CABINET B, PAGE 287, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, BEARS SOUTH 75°31'26" WEST 211.09 FEET AND SOUTH 14°28'34" EAST 20.95 FEET:

THENCE SOUTH 75°31'26" WEST 561.94 FEET TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
THENCE NORTH 11°30'37" WEST 333.47 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;
THENCE NORTH 14°34'47" WEST 154.27 FEET TO A REINF BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;
THENCE SOUTH 75°36'34" WEST 14.86 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;
THENCE NORTH 14°41'37" WEST 94.97 FEET TO A REINF BAR SET FOR THE MOST SOUTHERLY NORTHWEST CORNER OF THIS TRACT;
THENCE NORTH 30°27'29" EAST 28.21 FEET TO A REINF BAR SET FOR THE MOST NORTHERLY NORTHWEST CORNER OF THIS TRACT;
THENCE NORTH 75°36'36" EAST 538.53 FEET TO A REINF BAR SET FOR THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 59°29'05" EAST 28.33 FEET TO A REINF BAR SET FOR THE MOST SOUTHERLY NORTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 14°38'32" EAST 561.42 FEET TO A REINF BAR SET FOR THE MOST NORTHERLY SOUTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 30°26'28" WEST 28.24 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 349 RANCH ESTATES AN ADDITION OF 7.88 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.

CASTLE RESTORATIONS, LLC.

STATE OF TEXAS §
COUNTY OF MIDLAND §

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

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

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

SIGNED: _____
CHAIRMAN LUCY SISNEGA

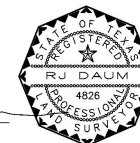
ATTEST: _____
SECRETARY XAVIER BAUQUESS

OWNER(S):

CASTLE RESTORATIONS INC.
432-638-7495
PO BOX 80295
MIDLAND, TX 79708

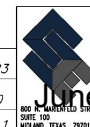
THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY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

GRAPHIC SCALE
0 100 200
(1 INCH = 100' FEET)



RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY
		DRAWN BY: JG	DATE: 05/09/2023
		CHECKED BY: ED/RJ	PROJECT NO.: 78170
		JOB NO.: 79,404	SHEET: 1 OF 1



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

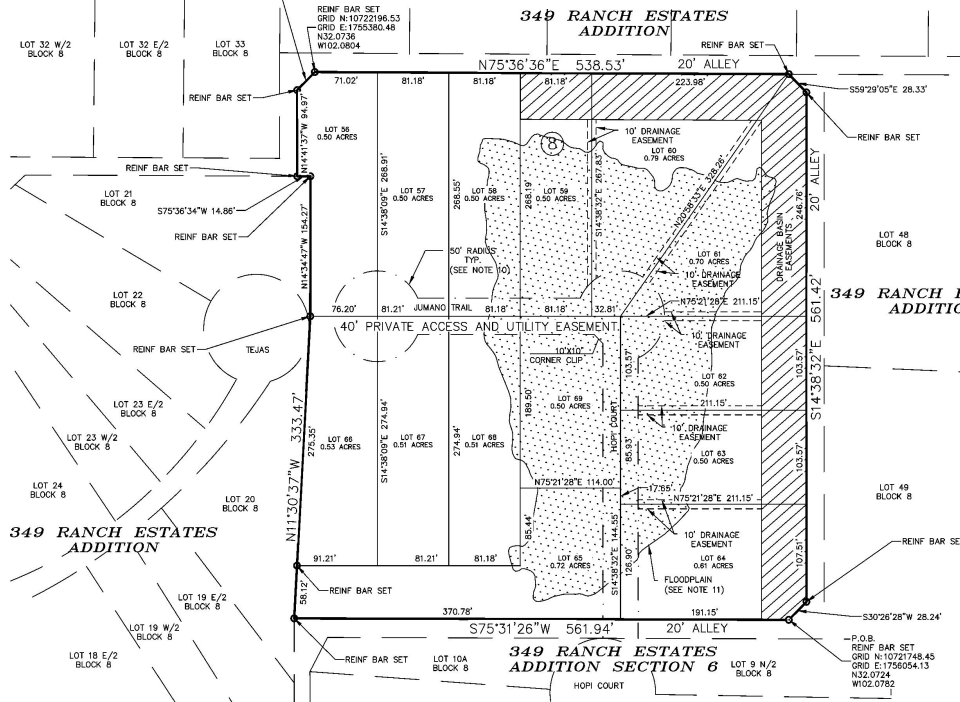
SCHUMANN
A LATERAL LAND COMPANY



LAND SURVEYING
SINCE 1954 101-0500
June 3, 2024

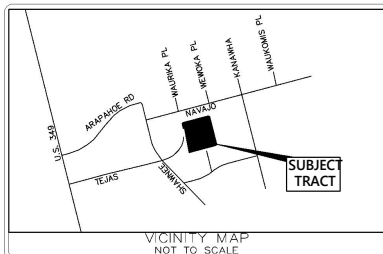
Office (432) 684-5548

349 RANCH ESTATES, BLOCK 11



LEGEND:

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



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

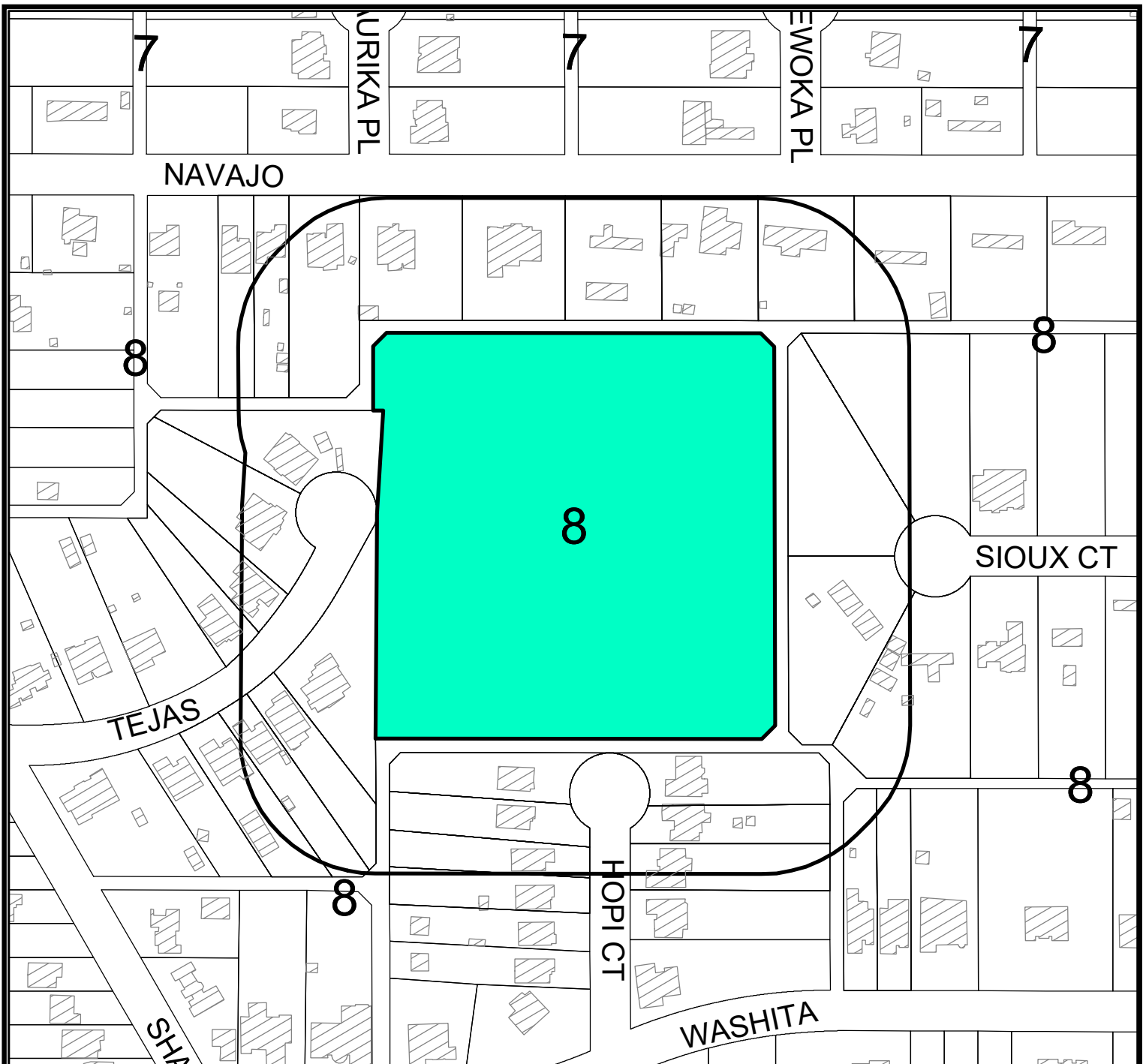
NOTES:

1. BEARINGS, DISTANCES, COORDINATES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
6. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
7. 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. THIS PROPERTY IS IN FEMA FLOOD MAP PANEL 48329C100F, EFFECTIVE DATE OF SEPTEMBER 16, 2005. PROPERTY IS IN ZONE "AH", WITH A FLOOD PLAIN BASE OF 2813.00' ELEVATION.
8. ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.
9. PROPOSED WATER, SANITARY SEWER, AND STORM SEWER PIPELINES WITH CULVERTS, BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT APPROVAL.
10. CUL-DE-SAC CURVE DATA: L=273.01' R=50.00' CHORD=S14°38'32"E 40.00' D=312°50'37"
11. LOWR-F IS IN PROGRESS. FLOODPLAIN BOUNDARY IS BOUND TO CHANGE.

DRAINAGE EASEMENT NOTES:

1. THE MAINTENANCE OF ANY STORM WATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE HOA. HOA AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH INSPECTIONS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY.
2. THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFICIENCIES IN THE FUNCTION OF THE STORMWATER FACILITY, AND TO BE REIMBURSED BY THE HOA, IF THE CITY FINDS IT NECESSARY FOR PUBLIC HEALTH AND SAFETY.
3. THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS, SHALL HAVE THE FREE AND UNINTERRUPTED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING, CONSTRUCTING, RECONSTRUCTING, INSTALLING, REALIGNING, MODIFYING, REPLACING, IMPROVING, ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, REPAIRING, RELOCATING AND REMOVING SAID FACILITIES, INCLUDING BUT NOT LIMITED TO, THE RIGHT TO CUT AND TRIM BUSHES AND TREES, TOGETHER WITH THE RIGHT OF INGRESS.
4. DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, INJURE, AND/OR UNDULY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY. DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR HIMSELF, HIS LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS, THAT NO BUILDING, ROADWAYS, OR CURBS AND GUTTERS OF ANY KIND SHALL BE PLACED ON THE PROPERTY DESCRIBED HEREIN. WRITTEN PERMISSION FOR ABOVE GROUND APPURTENANCES MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.

Page 11 224



LOCATION MAP

SUB-23-0652

Scale: 1" = 214'

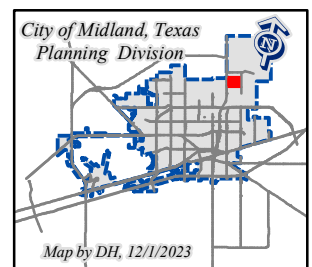
Proposed plat of 349 Ranch Estates,
Section 25 being a replat of Lot 55,
Block 8, 349 Ranch Estates, City and
County of Midland, Texas.

Generally located immediately east of
Tejas, approximately 190 feet south of
Navajo. (Council District 1)

PACKET

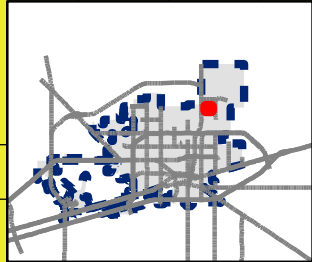
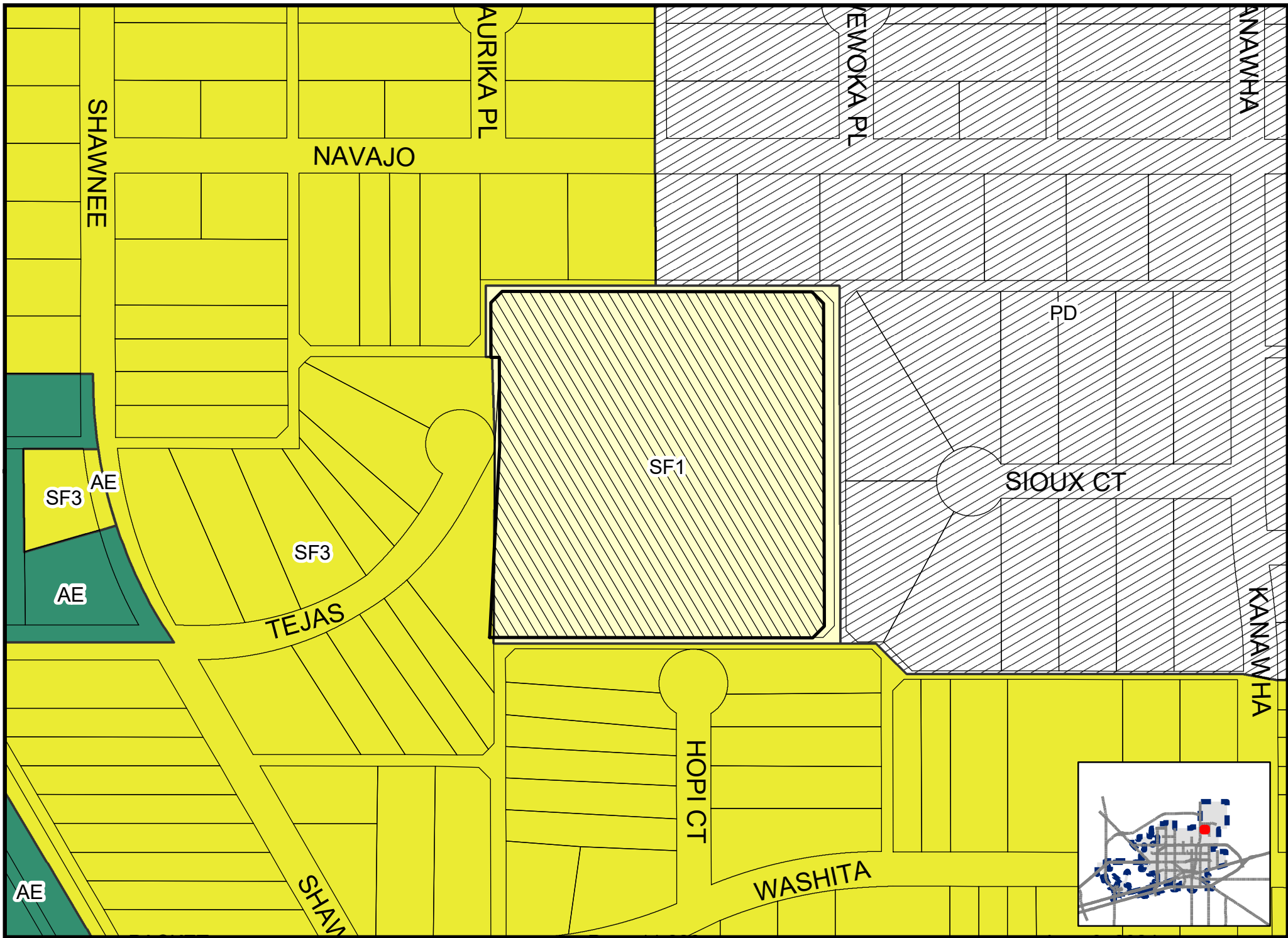
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion to approve, with staff's recommended conditions, a proposed Preliminary Plat of Grasslands Estates, Section 26, being a replat of Lot 1, Block 21, Grasslands Estates, Section 16, City and County of Midland, Texas. (Generally located at the southwest corner of West Wadley Avenue and Callaway Drive.) (Council District 4) (Development Services)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Dunaway Associates, on behalf of Boot Lake Ranch Property Owner, LLC, is requesting to replat Lot 1, Block 21, Grasslands Estates, Section 16, City and County of Midland, Texas, for a proposed zoning change.

Current Zoning:

LR, Local Retail District and AE, Agricultural Estate District

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

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 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 the time of new code editions adopted in the City of Midland and date of permit application.

Engineering: (Approved with Conditions)

IMPACT FEES: Provide the following impact fee language on the plat face: Initial Impact Fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the permitting process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases. [Per Midland City Code Sect. 11-14-6]

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

PAVING: Wadley improvements are currently being constructed as part of a City project. No public paving improvements required. [For Applicant's Information Only.]

WATER: Internal Water improvements have not been submitted/accepted. Construct internal public water improvements to city standards. 12" water exists in Wadley Street N of tract, okay as is. No public water improvements required. 8" water exists in Callaway Street E of tract, okay as is. No public water improvements required. 8" water exists in alley W of tract, okay as is. No public water improvements required.[For Applicant's Information Only.] 16" water exists in Homestead Blvd 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.

SEWER: 10" sewer exists in Callaway Street E of tract, okay as is. No public wastewater improvements required. 15" sewer exists in alley S and W of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

Transportation: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Fee due at Final Plat submittal = 7 new intersections created at \$500/intersection = \$3500. [Reference City Code Section 11-2-5(C)3(t).] Street Aguila Dr run east-west and also north-south, it will create confusion, change one of the street name. 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.

GIS: (Approved)

Lots can be 2-10. Should lot 3 be a common area? Please label surrounding subdivisions. Call N71-7-16e 441.02 (along northern side of plat) appears to encroach into ROW by 8'. Lot lines should be solid. Calls needed for lot lines. Please provide recording information for easements (including the easement to be abandoned). Are the proposed ponds meant to be detention basins as well? if so, we may need a detention basin easement where they fall within the plat boundaries. Is Private St (Oso Ct) a driveway or an actual street? If it is a street, then its centerline will need calls. Street names are under review.

Oil and Gas: (Approved)

No Oil & Gas Issues. The Plugged and Abandoned well- Scharbauer 36 #1 is identified and located under street. No building permits are allowed over the top of a P&A well.

Midland County Health: (Approved)

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

CRMWD: (Approved)

No comments.

Surveyor: (Approved)

No comments.

Planning: (Approved)

Please update the month in the Owners Certificate [Informational]

Match the certificate of approval in the Plats and Subdivisions regulations [Informational]

Scale needs to be drawn to 1"=200' [Informational]

Ownership documentation needs to be furnished as MCAD lists a different owner [Informational]

Dunaway logo and information needs to be in the righthand corner with the title block [Informational]

Please list ROW for private street Oso Circle [Informational]

Will the easement on the west be vacated prior to final or after final? [Informational]

Add section numbers to surrounding subdivision names [Informational]

Lot lines need to be solid and not dashed [Informational]

Will you be adding any sewer or water line? These need to be shown if so [Informational]

Staff recommends approval of the Preliminary Plat of Grasslands Estates, Section 26, 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



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Grassland Estates - SECTION 26

Legal Description (attached sealed Metes and Bounds): _____
LOT 1, BLOCK 21, GRASSLAND ESTATES, SEC 26, CITY AND COUNTY OF MIDLAND,
TEXAS

Property OwnerPrinted Name: Boot Lake Ranch Property Owner, LLC

Phone (432) 260-5081

Email adam@dahliacompanies.comAddress 2500 N. Big Spring StreetCity MidlandState TXZip 79705**Developer (if different than Owner)**

Printed Name: _____

Phone _____

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: Dunaway AssociatesPrinted Name: Tim Hair

Phone (432) 699-4889

Email thair@dunaway.comAddress 4000 Big Spring St, Suite 101City MidlandState TXZip 79705Current Zoning: LR and AEReason for Platting: Proposed Zoning Change

BEING A REPLAT OF 132.075 ACRES

Plat InformationTotal Acreage: 132.075Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 7

Number of Multi-family Dwelling Units: _____

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

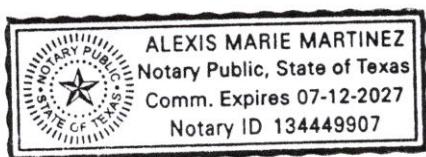
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Christopher Bygones who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Ian Denholm 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 16th day of May, 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)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

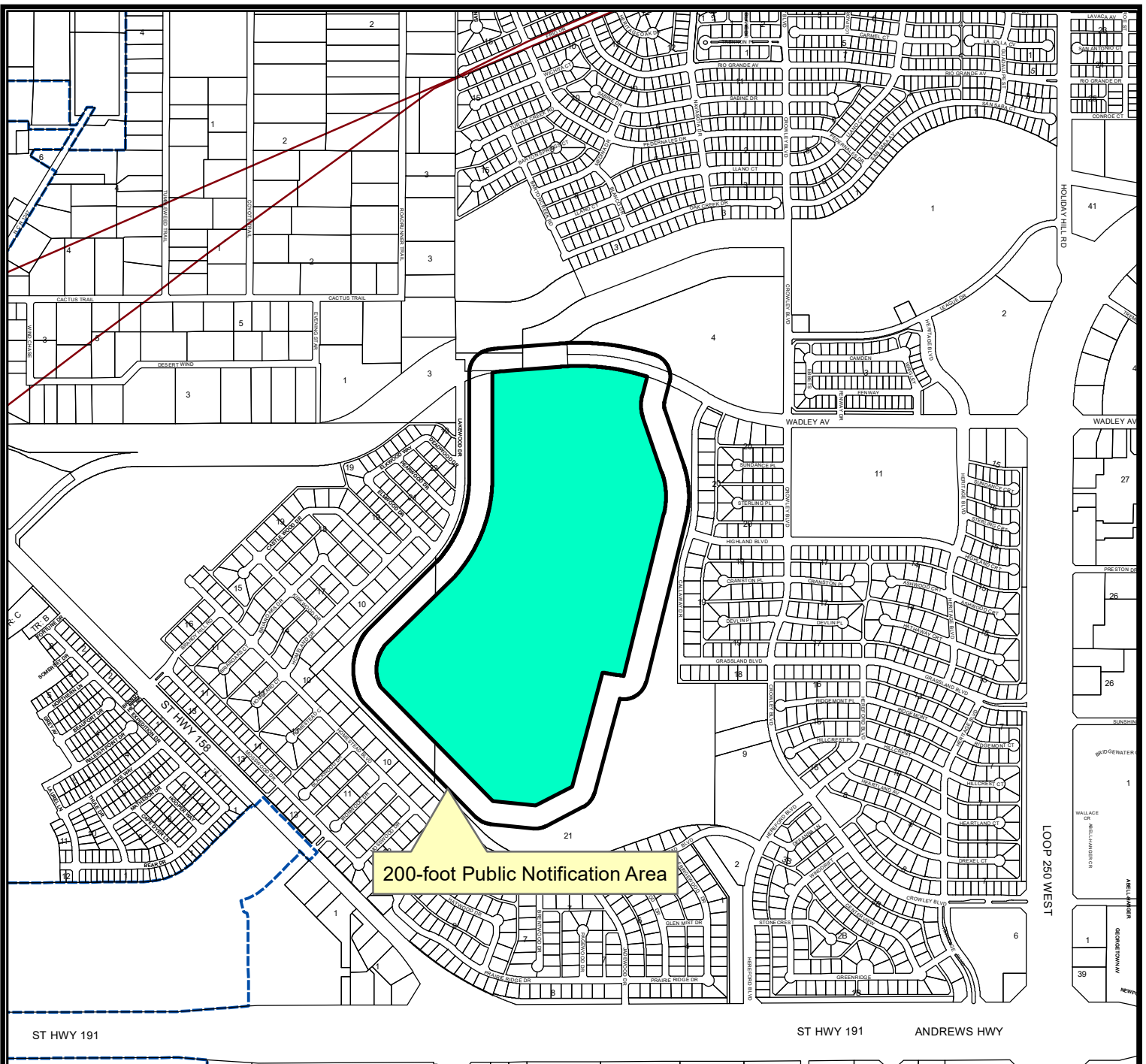
Check # 1735

Received By:

Date:

RECEIVED
MAY 06 2024

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



200-foot Public Notification Area

Location Map

SUB-24-0723

Scale: 1" = 1250'

Proposed Plat of Grasslands Estates, Section 26 being a replat of Lot 1, Block 21, Grasslands Estates, Section 16, City and County of Midland, Texas.

Generally located southwest of the intersection of West Wadley Avenue and Callaway Drive.

(Council District 4)

LEGEND

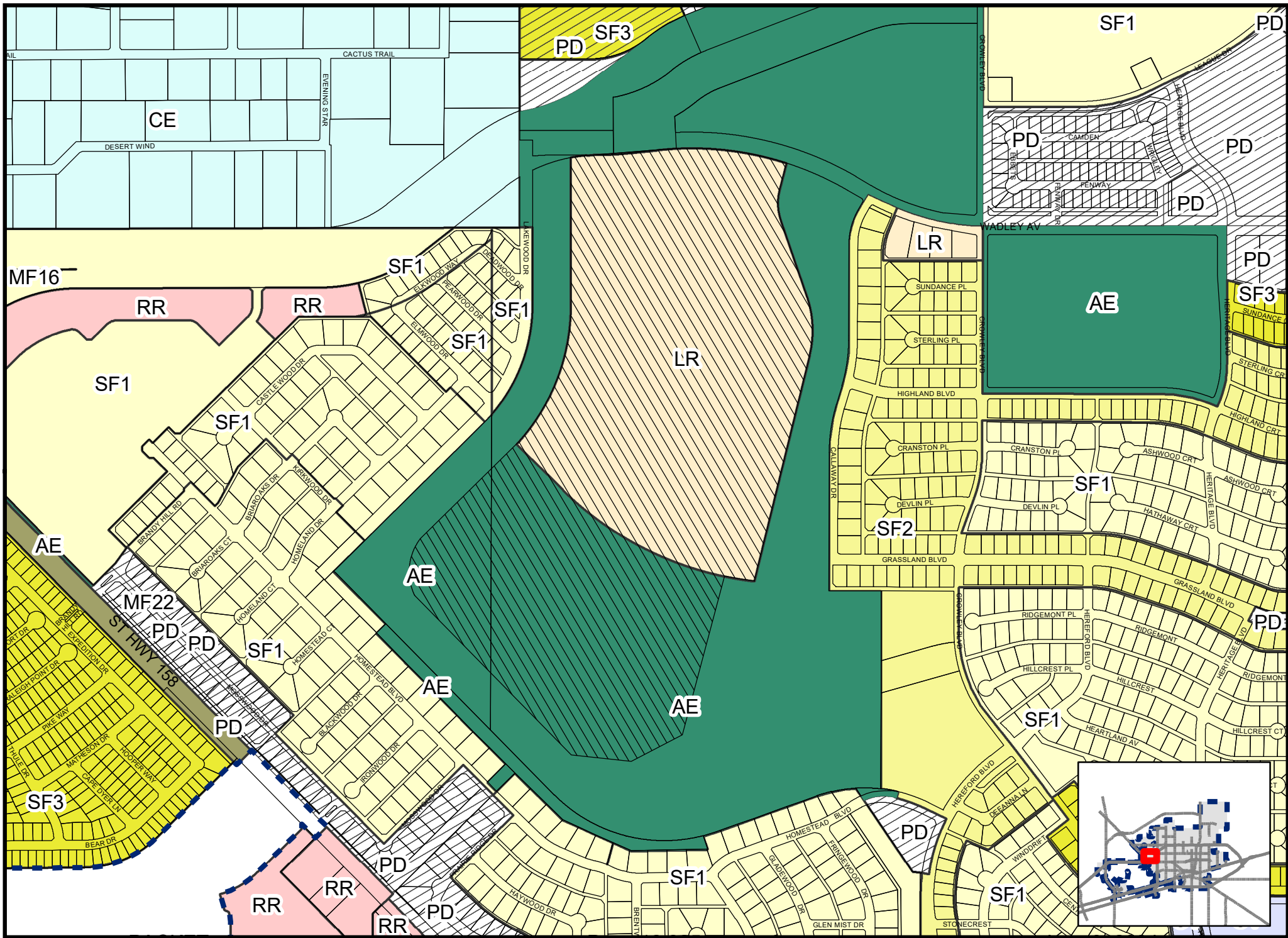
- CITY LIMITS
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June 3, 2024



PACKET

Page 12.235

June 3, 2024

Map AM, 5/7/2024

SUB-24-0723

Scale: 1" = 750'

ZONING MAP



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving a request by Andrea Diaz for a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Service on Lot 1A, Block 4, Plunk 10th, City and County of Midland, Texas. (Generally located on the south side of Garden City Highway approximately 568-feet west of Allen Street. (District 2) (DISTRICT 2) (DEVELOPMENT SERVICES))

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Andrea Diaz, is requesting a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Services to operate a used car dealership.

Current Zoning:

C, Commercial District

Surrounding Zoning and Land Use:

The surrounding properties to the north, east, south, and west are all zoned C, Commercial District and are the location of commercial buildings.

Analysis:

The applicant is requesting Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Services located at 1300 Garden City Highway. The applicant is proposing to use an office inside of the Lobo's Services building as her office for the proposed car dealership. The site plan (Exhibit A) provided shows an overview of the property that will be used for car sales. The property has two (2) existing buildings, one in the front of the property and one further back on the property. The building located

at the front will be used as an office for the proposed business assigning 100 square feet as office space. The building has designated (18) parking spaces for the dealership, including ten (10) for customers and eight (8) for car sales.

The proposed hours of operation are the following:

Wednesday through Saturday, 10:00 a.m. to 2:00 p.m.

Per section 4.03 Use Chart of the zoning ordinance, a car dealership is allowed in the C, Commercial District with a Specific Use Designation without Term.

The Automobile or Other Motorized Vehicle Sales and Services will need to comply with the standards as listed in Section 4.04.A.6 of the Zoning Ordinances.

6. Automobile or Other Motorized Vehicle Sales and Service Standards

- a. Allowed by Specific Use Designation, according to the permitted Use Chart.
- b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
- c. No intermittent or flashing lights shall be permitted.
- d. Luminaries shall be mounted at a height not to exceed 30 feet as measured vertically from the horizontal surface of the nearest parking pavement.
- e. All building façades shall be constructed with the same masonry materials that meet the masonry regulations for the zoning district in which the property is located.
- f. No exterior auditory devices shall be permitted.

The Future Land Use Map in the Tall City Tomorrow Comprehensive Plan calls for Special Study Area uses in this area, encompassing a mix of commercial, office, and service uses. Therefore, the development of a car dealership fits the recommendations of the Tall City Tomorrow Comprehensive Plan.

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

Fire: (Approved)

No objection

Engineering: (Approved)

No objection.

Transportation: (Approved)

Apply for a commercial driveway permit. 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.]

Building Code: (Approved)

No objections to SUD request.

Planning:

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation without Term for an Automobile or other Motorized Vehicle Sales and Services, subject to Condition A through D.

Conditions:

- A. That the Automobile and other Motorized Vehicle Sales and Service shall significantly conform to the Site Plan (Exhibit A) which is attached hereto and incorporated herein for all purposes.**
- B. That the development of the automobile or other motorized vehicle sales and services shall comply with the standards listed in Section 4.04. A.6 of the Zoning Ordinance.**
- C. That the days and hours of operation of the Automobile or other Motorized Vehicle Sales and Service shall be limited to:**

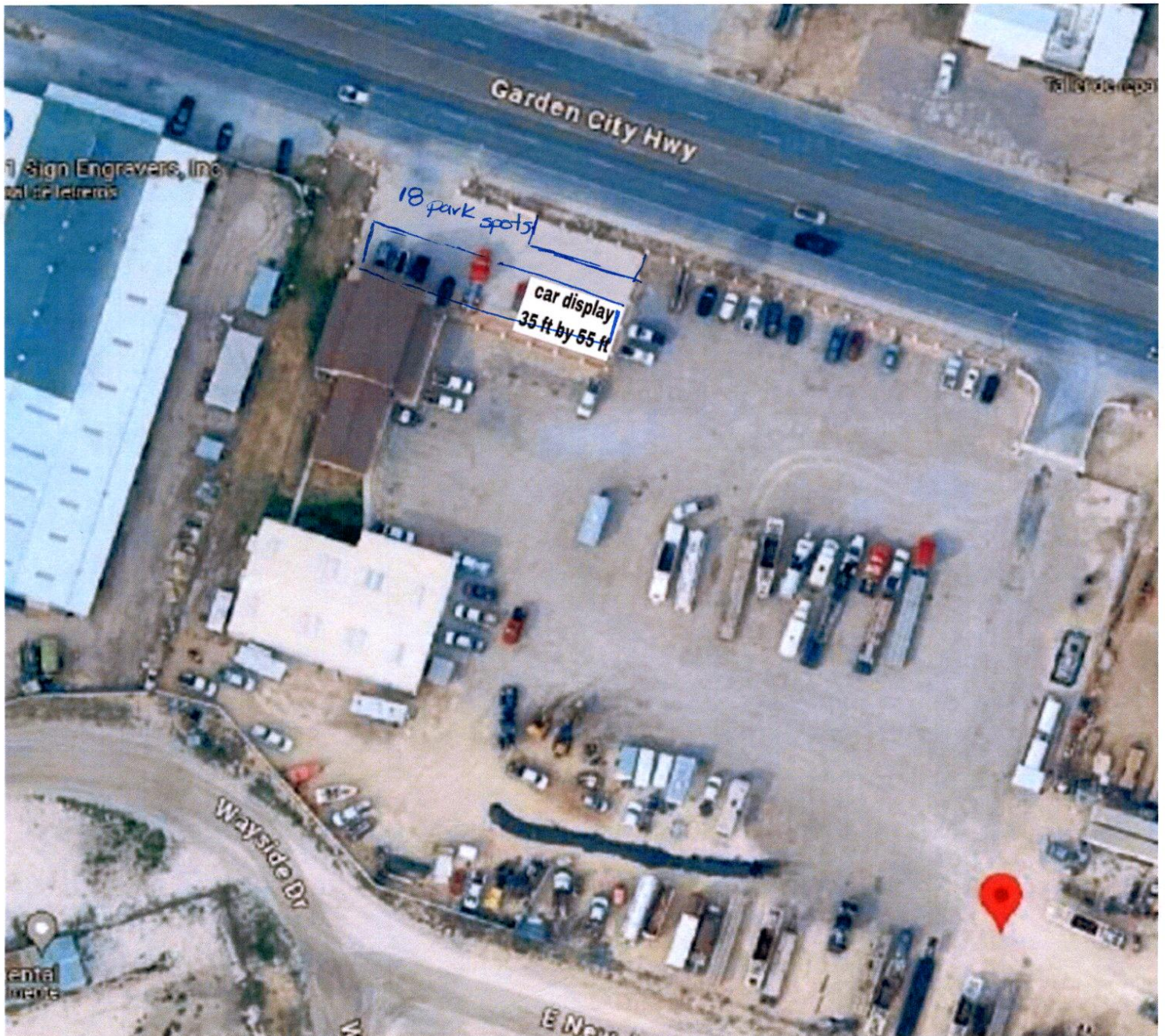
Wednesday through Saturday, from 10:00 a.m. to 2:00 p.m.
- D. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the Automobile Sales and Services to ensure that the conditions of this permit are satisfied.**

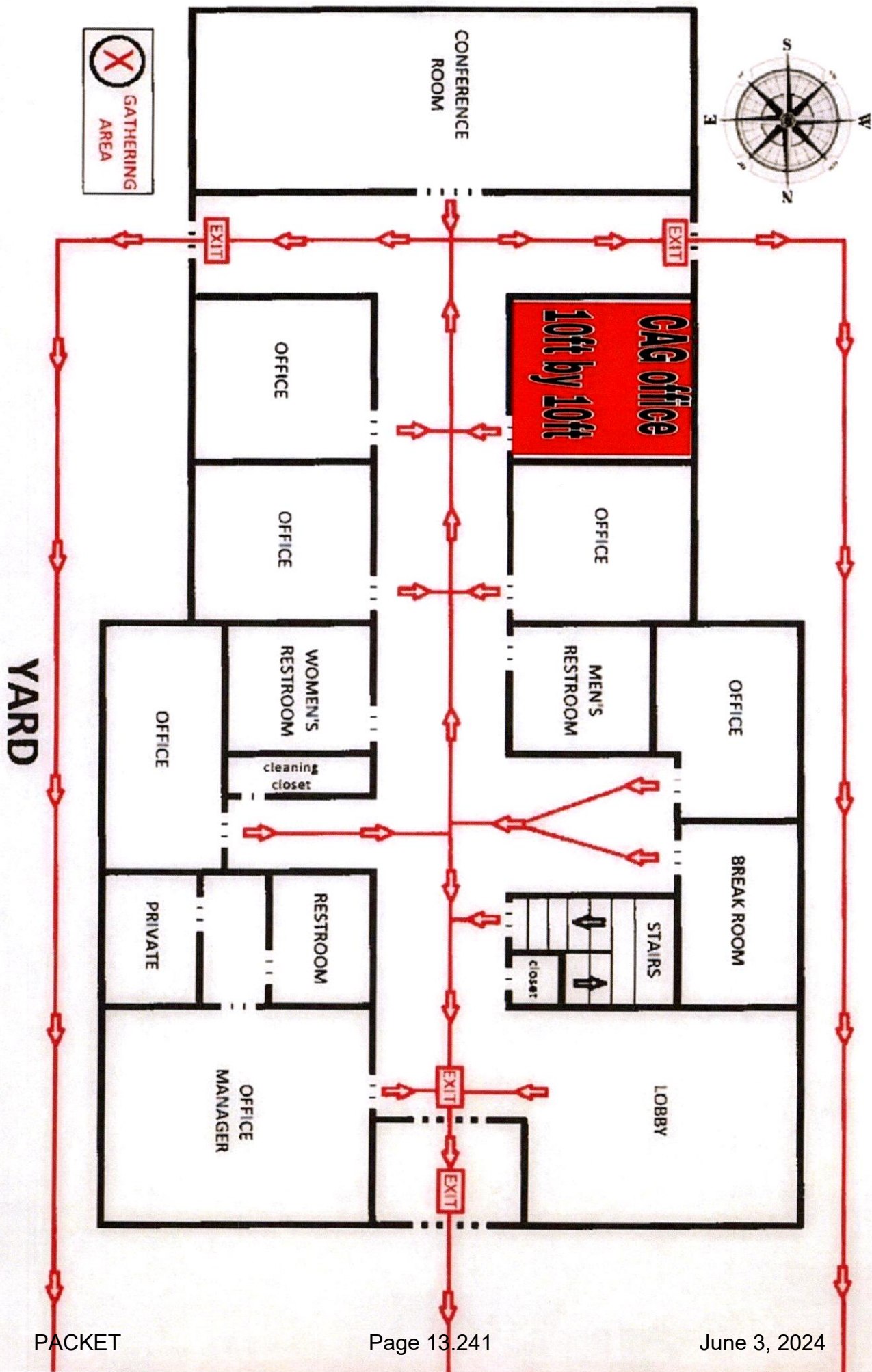
Letters of Objection:

As of May 29, 2024, staff has not received any letters of objection.

Attachments:

Site Plan (Exhibit A)
Application
Maps







**Specific Use Designation
Application (Non-Alcohol)**

Case Number: _____

Ord. Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Andrea Diaz</u>		Phone (432) <u>269 3186</u> Email <u>andyguiten53@gmail.com</u>	
Address <u>7320 cross b rd</u>	City <u>Odessa</u>	State <u>TX</u>	Zip <u>79765</u>

Property Owner Printed Name: <u>Angel Sanchez</u>		Phone (432) <u>664-8486</u> Email <u>angel.sanchez@lobasservices.us</u>	
Address <u>1300 Garden city Hwy</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

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

Type of Permit:	For Office Use Only ☐ with Term ☐ without Term
Is there any Code Enforcement action pending on property? ☐ Yes ☒ No	

Street Address: <u>1300 Garden city Hwy, Midland, Tx, 79701</u>	
Legal Description Lot: <u>2</u> Block: <u>3</u> Subdivision: <u>Surface Est B Runson Add</u>	

Current Zoning:	
Maximum Floor Area: <u>1600 Feet²</u>	Maximum Occupancy:
Proposed hours and days of use or operation: <u>Wednesday - Saturday</u> <u>10:00 am - 2:00 pm</u>	
Reason for request: <u>TX DMV Dealer license, retail used car business</u>	
Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: <u>The place meets safety standards and has adequate space. It does not imply any risk to the population.</u>	

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

Signatures

Applicant (signature): Andrea D. Date: _____

Applicant (printed): Andrea Diaz

Property Owner (signature): Angel Sanchez Date: _____

Property Owner (printed): ANGEL SANCHEZ

The Specific Use Designation 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.

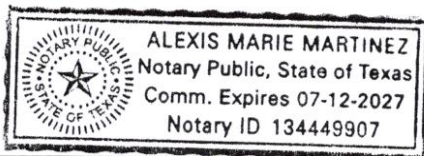
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrea Diaz who, being by me duly sworn, upon oath says: That (s)he is authorized by Angel Sanchez, 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.

Andrea D.
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of May, 20 24, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☐ Application Fee

☒ Site Plan in Digital Format (PDF/JPEG)

Check # Online Payment

Received By: Alexis

Date: MAY 08 2024

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

PACKET

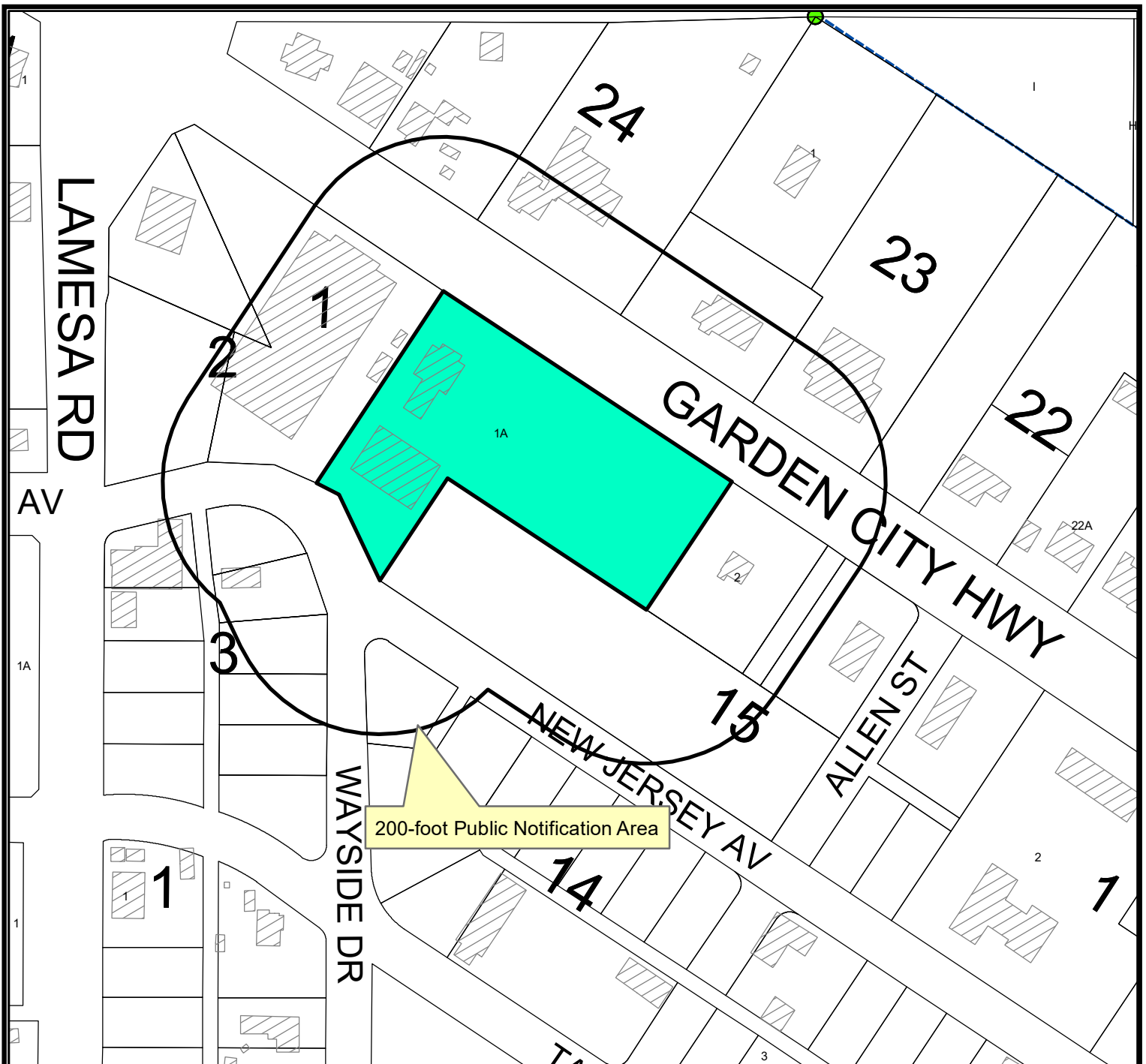
Page 13.243

June 3, 2024

SUD Application

2

Revised 07/02/19



Location Map

SUDwo-24-0042

Scale: 1" = 600'

Consider a request by Andrea Diaz for a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Service on Lot 1A, Block 4, Plunk 10th, City and County of Midland, Texas.

Generally located on the south side of Garden City Highway approximately 568-feet west of Allen Street.
(District 2)

PACKET

Page 13.244

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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June 3, 2024

LAMESA RD

SEY AV

C

GARDEN CITY HWY

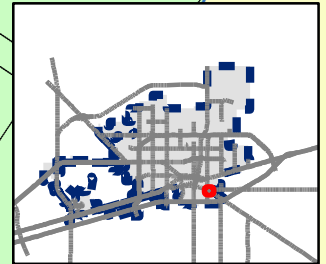
LI

NEW JERSEY AV

ALLEN ST

WAYSIDE

PD



PACKET

Page 13.245

June 3, 2024

Map By DG 5/15/2024

SUDwo-24-0042

Scale: 1" = 200'

ZONING MAP



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Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 3, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Schumann Engineering for a zone change from O-1, Office District to SF-2, Single-Family Dwelling District for Lot 9, Block 1, Westover Place Addition, City and County of Midland, Texas. (Generally located northwest of the intersection of Kent Street and West Louisiana Avenue.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Schumann Engineering, on behalf of First Baptist Church of Midland, is requesting a zone change for a property located at 2206 West Louisiana Avenue to make the zoning match the rest of the property.

Current Zoning:

O-1, Office District

Surrounding Zoning and Land Use:

The properties to south, east, & west are zoned O-1, Office District and are the locations of a parking lot and residences. The property to the north is zone SF-2 and is the location of a church.

Analysis:

The applicant is requesting to change the zoning from O-1, Office District, to SF-2, Single-Family Dwelling District. The applicant is preparing to replat the properties that the church is located on into one lot. They are requesting this zone change to make the properties

all one zoning. The Future Land Use Map Chapter 3 of the *Tall City Tomorrow Comprehensive Plan* designates this area as Urban-Residential Medium (UR-M) which calls for residential zonings such as SF-2.

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

Fire: (Approved)

No comments.

Building Code: (Approved)

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

Engineering: (Approved)

No 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 Compliance: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

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

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

Planning:

Staff recommends approval of this request for a zone change.

Letters of Objection:

As of May 28, 2024, Staff has not received any letters of objection.

Attachments:

Application
Location Map
Zoning Map
Aerial
Photo



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

Project Number: _____

Case Number: _____

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

Printed Name: _____

Phone ()

Email _____

Address _____

City _____

State _____

Zip _____

Property Owner

Printed Name: **FIRST BAPTIST CHURCH OF MIDLAND**

Phone (432) **260-0809**

Email _____

Address _____

2104 W LOUISIANA AVE

City _____

MIDLAND

State _____

TEXAS

Zip _____

79701-5972

Representative (if different from Applicant or Property Owner)

Firm: SCHUMANN SURVEYING, INC.

Printed Name: **Ed Akman**

Phone (432) **254-0327**

Email _____

EALEMAN@SCHUMANNONLINE.NET

Address _____

800 N. MARIENFELD STREET SUITE 100

City _____

MIDLAND

State _____

TX

Zip _____

79701

Street Address: 2104 W LOUISIANA AVE & 702 KENT STREET

Legal Description

Lot: 9 & 11 Block: **BLOCK 1** Subdivision: WESTOVER PLACE ADDITION

Current Zoning:

O1 & ~~SF2~~ **SF2**

Proposed Zone: ~~SF~~ ~~SF2~~ **SF2**

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

Reason for Zone Change Request: FIRST BAPTIST OWNS ALL LOTS, THEY PLAN ON REPLATTING PROPERTY AS 1 LOT

CHANGE AFFECT PUBLIC HEALTH, SAFTEY OR WELFARE

Present Use of Property: CHURCH BUILDINGS

Proposed Use of Property: CHURCH BUILDINGS

How would this zone change affect the public health, safety and welfare? IN NO SUCH WAY SHALL THIS ZONE

CHANGE AFFECT PUBLIC HEALTH, SAFTEY OR WELFARE

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

CHANGE AFFECT PUBLIC HEALTH, SAFTEY OR WELFARE

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)

OWNER
Applicant (signature):

Date: 5-8-24

Applicant (printed): BOE Bomer

Property Owner (signature):

Date:

Property Owner (printed):

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

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

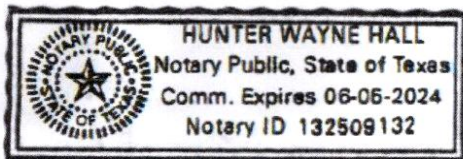
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo J Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of May, 20 24, to certify which witness my hand and seal of office.



HWH
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # Paying online

Received By: Larbor Olson

Date: MAY 08 2024

KANSAS AV

KENT ST

MOGFORD ST

LOUISIANA AV

GARFIELD ST

CAN AV

Location Map

Z-24-0380

Scale: 1" = 122'

A request by Schumann Engineering for a zone change from, O-1, Office District, to SF-2, Single-Family Dwelling District, Lot 9, Block 1, Westover Place Addition, City and County of Midland, Texas.

Generally located northeast of the intersection of Kent Street and West Louisiana Avenue.
(District 3)

PACKET

Page 14.252

LEGEND

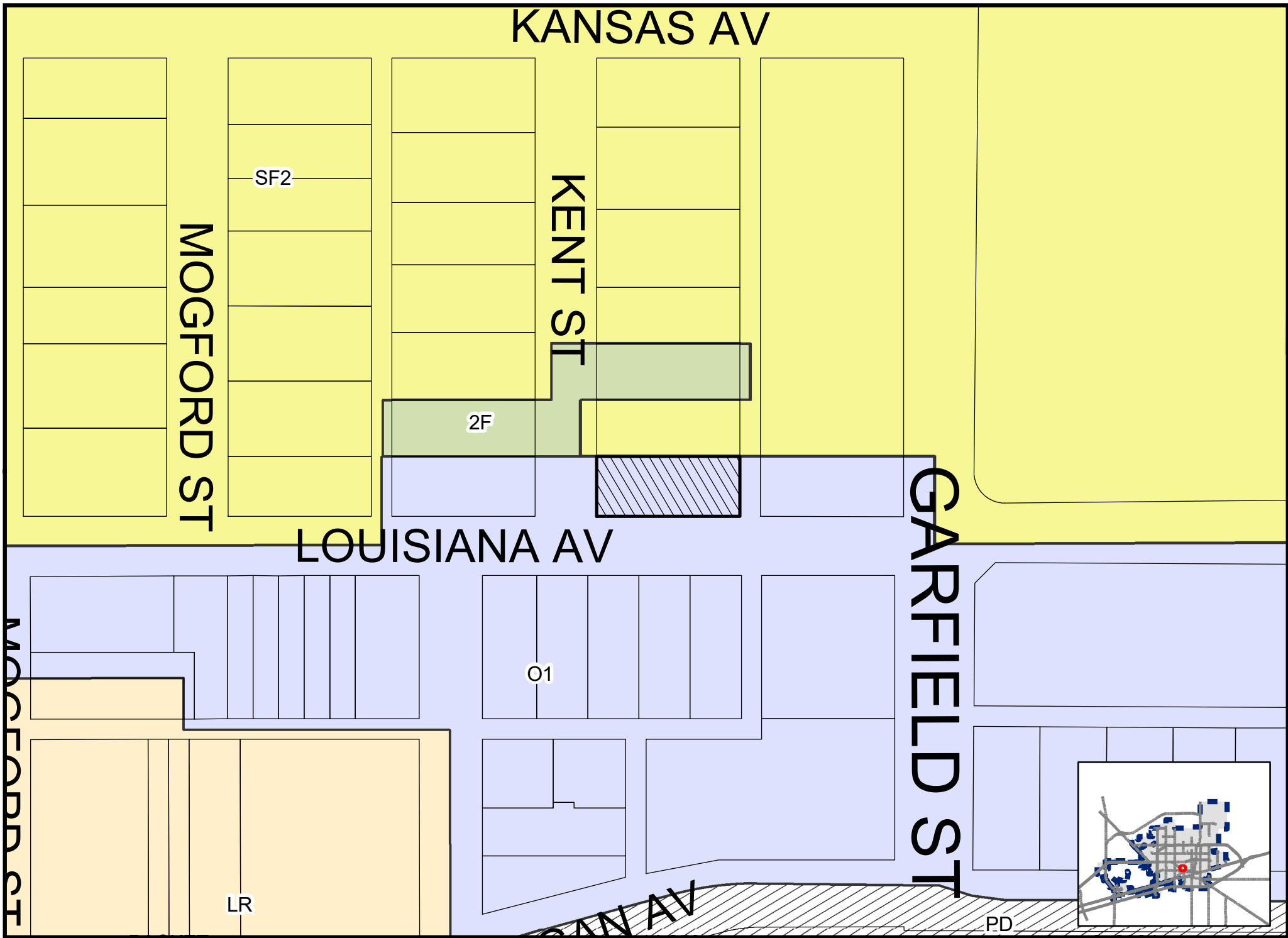
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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June 3, 2024



PACKET

Z-24-0380

Map LO, 5/22/2024

Scale: 1" = 118'

Page 14.253

ZONING MAP



PD

June 3, 2024

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KANSAS AV

KENT ST

MOGFORD ST

LOUISIANA AV

GARFIELD ST

14

PACKET

Page 14.254

June 3, 2024





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 3, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Schumann Engineering for a zone change from 2F, Two-Family Dwelling (Duplex) District to SF-2, Single-Family Dwelling District for Lot 11, Block 1, Westover Place Addition, City and County of Midland, Texas. (Generally located on the east side of Kent Street, approximately 140 feet north of West Louisiana Avenue.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Schumann Engineering, on behalf of First Baptist Church of Midland, is requesting a zone change for a property located at 702 Kent Street to make the zoning match the rest of the property.

Current Zoning:

2F, Two-Family Dwelling (Duplex) District

Surrounding Zoning and Land Use:

The properties to the north, south, east, & west are zoned SF-2, Single-Family Dwelling District and are the locations of residences, a church, and a parking lot.

Analysis:

The applicant is requesting to change the zoning from 2F, Two-Family Dwelling (Duplex) District, to SF-2, Single-Family Dwelling District. The applicant is preparing to replat the properties that the church is located on into one lot. They are requesting this zone change

to make the properties all one zoning. The Future Land Use Map Chapter 3 of the *Tall City Tomorrow Comprehensive Plan* designates this area as Urban-Residential Medium (UR-M) which calls for residential zonings such as SF-2.

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

Fire: (Approved)

No comments.

Building Code: (Approved)

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

Engineering: (Approved)

No 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 Compliance: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

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

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

Planning:

Staff recommends approval of this request for a zone change.

Letters of Objection:

As of May 28, 2024, Staff has not received any letters of objection.

Attachments:

Application
Location Map
Zoning Map
Aerial
Photo



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

Project Number: _____

Case Number: _____

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

Printed Name: _____

Phone ()
Email _____

Address _____

City _____

State _____

Zip _____

Property Owner

Printed Name: **FIRST BAPTIST CHURCH OF MIDLAND**

Phone (432) 260-0809
Email _____

Address _____

2104 W LOUISIANA AVE

City _____

MIDLAND

State _____

TEXAS

Zip _____

79701-5972

Representative (if different from Applicant or Property Owner)

Firm: SCHUMANN SURVEYING, INC.

Printed Name: Ed Akman

Phone (432) 254-0327
Email _____

EALEMAN@SCHUMANNONLINE.NET

Address _____

800 N. MARIENFELD STREET SUITE 100

City _____

MIDLAND

State _____

TX

Zip _____

79701

Street Address: 2104 W LOUISIANA AVE & 702 KENT STREET

Legal Description

Lot: 9 & 11 Block: BLOCK 1 Subdivision: WESTOVER PLACE ADDITION

Current Zoning:

O1 & SF2 SF2

Proposed Zone: ~~SF~~ ~~SF1~~ SF2

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

Reason for Zone Change Request: FIRST BAPTIST OWNS ALL LOTS, THEY PLAN ON REPLATTING PROPERTY AS 1 LOT

CHANGE AFFECT PUBLIC HEALTH, SAFTEY OR WELFARE

Present Use of Property: CHURCH BUILDINGS

Proposed Use of Property: CHURCH BUILDINGS

How would this zone change affect the public health, safety and welfare? IN NO SUCH WAY SHALL THIS ZONE

CHANGE AFFECT PUBLIC HEALTH, SAFTEY OR WELFARE

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

CHANGE AFFECT PUBLIC HEALTH, SAFTEY OR WELFARE

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)

OWNER
Applicant (signature):

Date: 5.8.24

Applicant (printed): BOE Bomer

Property Owner (signature):

Date:

Property Owner (printed):

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

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

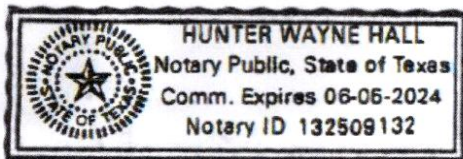
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo J Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of May, 20 24, to certify which witness my hand and seal of office.



H. Hall
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

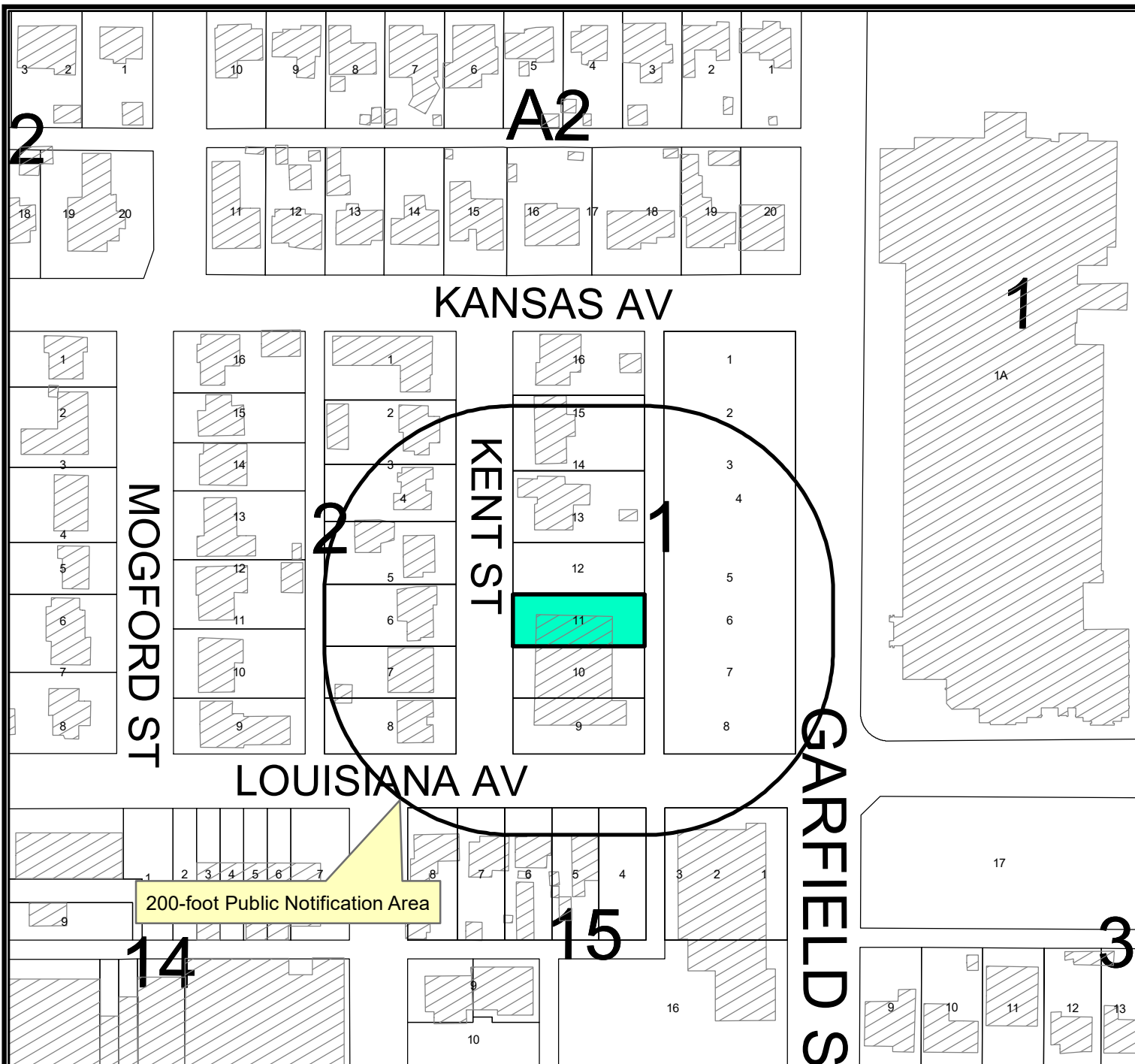
☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # Paying online

Received By: Larbor Olson

Date: MAY 08 2024



Location Map

Z-24-0380

Scale: 1" = 153'

A request by Schumann Engineering for a zone change from, 2F, Two-Family Dwelling (Duplex) District, to SF-2, Single-Family Dwelling District for Lot 11, Block 1, Westover Place Addition, City and County of Midland, Texas.

Generally located on the east side of Kent Street, approximately 140 feet north of West Louisiana Avenue. (District 3)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

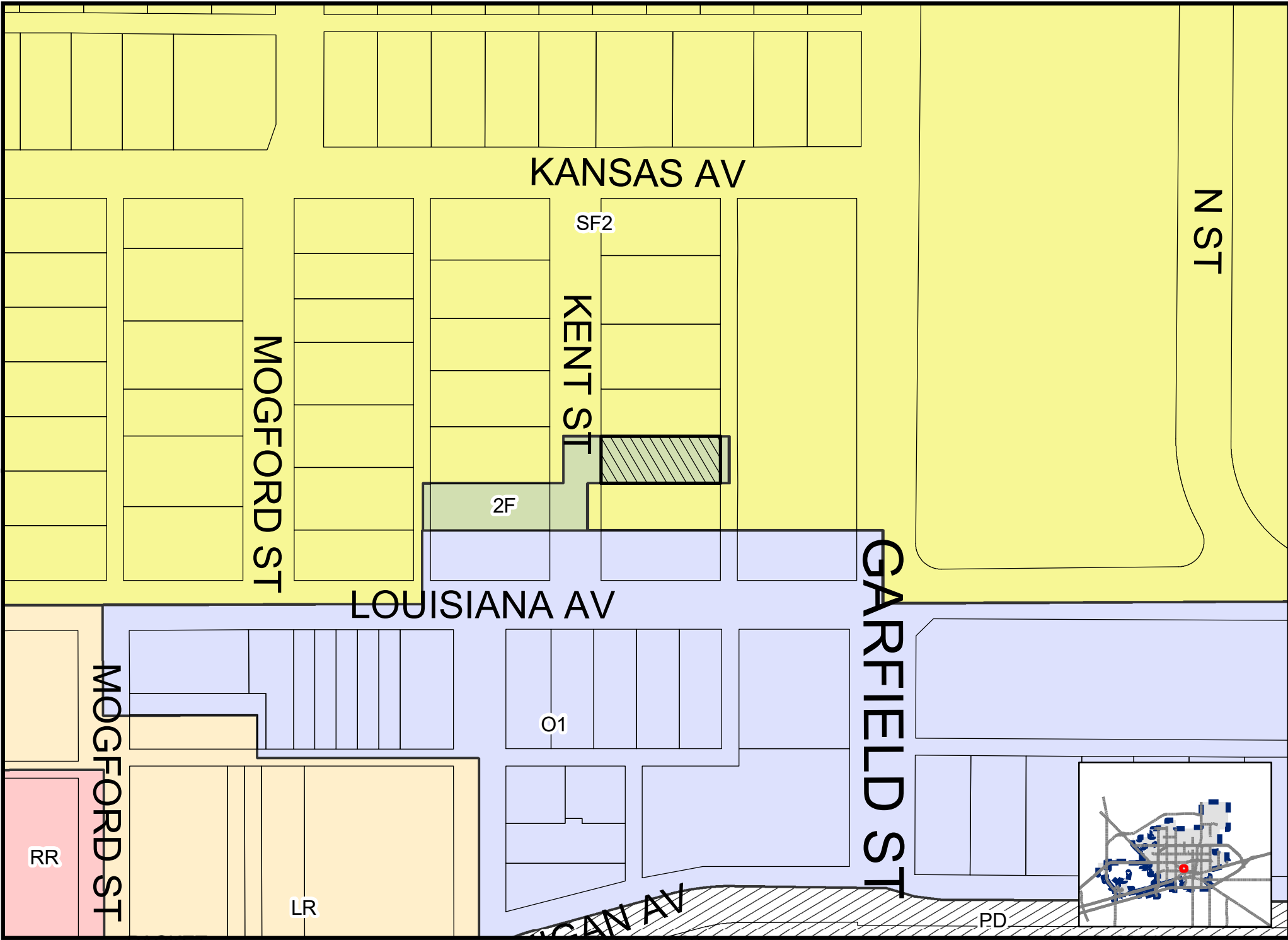


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June 3, 2024

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



PACKET

Page 15.262

June 3, 2024





KANSAS AV

KENT ST

MOGFORD ST

LOUISIANA AV

GARFIELD ST

2

1

1

14

15

PACKET

Page 15.263

June 3, 2024 11





Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Moore Casey Properties, LLC for a zone change from RR, Regional Retail District to LI, Light Industrial District for a 6.92-acre tract of land, out of Block 1, Lots 11A-11G, West 191 Industrial Park, Section 12, and a 8.70-acre tract of land, out of Block 2, Lots 7A-7I, West 191 Industrial Park, Section 13., City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. FM 1788 and West County Road 77.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Newton Engineering, on behalf of Moore Casey Properties, LLC, is requesting a zone change to conform to the development of LI, Light Industrial use.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The properties to the south and east are zoned RR, Regional Retail District and are commercial buildings or currently undeveloped. The properties to the north and west are in the ETJ, Extra Territorial Jurisdiction and are the locations of single-family buildings and vacant land.

Analysis:

The applicant is requesting a zone change from RR to LI for light industrial use. The property has not yet been developed but has plans to develop into light industrial use instead of regional retail. The owner wants to construct an office with a yard and garage.

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.

Building Code: (Approved)

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

Engineering: (Approved)

No 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.]

Oil and Gas: (Approved with Conditions)

Oil & Gas well concern-It appears a Plugged and Abandoned (P&A) well Nobles 3115R API 329-36328 needs to be identified. Include language in plat notes- No structure shall be built over Plugged and Abandoned well. 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.

Transportation: (Approved)

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

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

Planning:

Staff recommends approval of this request for a zone change.

Letters of Objection:

As of May 29, 2024, Staff has not received any letters of objection.

Attachments:

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



NEWTON ENGINEERING, PC

4501A Santa Rosa Dr.
Midland, Texas 79707
(432) 770-0499

F-13856
F-10194809

2481 E. 2nd St.
Odessa, Texas 79761
(432) 935-0707

EXHIBIT "A"
LEGAL DESCRIPTION
FOR ZONING OF A 6.92 ACRE TRACT
LOCATED IN SECTION 31, BLOCK 40, T-1-S, T&P RWY. CO. SURVEY, MIDLAND COUNTY, TEXAS

BOUNDARY BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" Iron rod found in the east right-of-way line of FM 1788 and the southwest corner of Lot 11A, Block 1, West 191 Industrial Park, Section 12 as recorded in Document Number 2023-27972, Official Public Records of Midland County, Texas, being the southwest corner of this tract;

THENCE N 14°08'24" W along the east right-of-way line of said FM 1788 and the west line of said Lot 11A, a distance of 306.89 feet to the City of Midland City Limits, being the northwest corner of this tract;

THENCE N 75°14'50" E along said City of Midland City Limits, a distance of 566.01 feet to a point in the east line of Lot 11C, said Block 1, being the most northerly northeast corner of this tract;

THENCE S 14°08'45" E along the east line of said Lot 11C, a distance of 49.57 feet to a ½" Iron rod found at the northwest corner of Lot 11D, said Block 1, being an ell corner of this tract;

THENCE N 75°15'38" E, a distance of 294.48 feet to a ½" Iron rod found at the northwest corner of Common Area "A" Drainage Basin, Block 1, West 191 Industrial Park, Section 6, as recorded in Cabinet M, Page 101, Midland County Plat Records and the most northerly northeast corner of Lot 11F, Block 1, said West 191 Industrial Park, Section 12, being an ell corner of this tract;

THENCE S 14°44'22" E along the most northerly west line of said Common Area "A" Drainage Basin and the east line of said Lot 11F, a distance of 59.99 feet to a ½" Iron rod found at an ell corner of said Common Area "A" Drainage Basin and said Lot 11F and this tract;

THENCE N 75°15'38" E along the most northerly south line of said Common Area "A" Drainage Basin, a distance of 262.54 feet to a ½" Iron rod found at an ell corner of said Common Area "A" Drainage Basin and the northeast corner of Lot 11G, Block 1, said West 191 Industrial Park, Section 12, being the most easterly northeast corner of this tract;

THENCE S 14°42'39" E along the west line of said Common Area "A" Drainage Basin and the east line of said Lot 11G, a distance of 196.55 feet to a ½" Iron rod found in the north line of a 60 foot wide Common Area "A" Access Road, said West 191 Industrial Park, Section 6, and being the southwest corner of said Common Area "A" Drainage Basin and the southeast corner of said Lot 11G and this tract;

THENCE S 75°12'55" W along the north line of said 60 foot wide Common Area "A" Access Road, a distance of 1125.63 feet to the Point of Beginning, containing 6.92 surface acres of land.

Bearings and Distances are relative to the Texas State Plane Coordinate System, 1983 NAD, Central Zone. Combined Grid Factor of 0.999890068 and a Theta Angle of -00°59'09".

This document was prepared under 22 TAC 663.21, and is not to be used to convey or establish interest in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Dow E Kelly, R.P.L.S. 5707



NEWTON ENGINEERING, PC

4501A Santa Rosa Dr.
Midland, Texas 79707
(432) 770-0499

F-13856
F-10194809

2481 E. 2nd St.
Odessa, Texas 79761
(432) 935-0707

EXHIBIT "B" LEGAL DESCRIPTION

FOR ZONING OF A 8.70 ACRE TRACT

BEING WEST 191 INDUSTRIAL PARK, SECTION 13,

AS RECORDED IN DOCUMENT NUMBER 2023-27968, OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS
LOCATED IN SECTION 31, BLOCK 40, T-1-S, T&P RWY. CO. SURVEY, MIDLAND COUNTY, TEXAS

BOUNDARY BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" Iron rod found in the east right-of-way line of FM 1788 and being the southwest corner of said Lot 7A, Block 2, said West 191 Industrial Park, Section 13 and this tract;

THENCE N 14°08'24" W along the east right-of-way line of said FM 1788 and the west line of said Lot 7A, a distance of 291.83 feet to a ½" Iron rod found in the south line of a 60 foot wide Common Area "A" Access Road, West 191 Industrial Park, Section 6, as recorded in Cabinet M, Page 101, Midland County Plat Records, and being the northwest corner of said Lot 7A and this tract;

THENCE N 75°12'55" E along the south line of said 60 foot wide Common Area "A" Access Road, a distance of 1297.31 feet to a ½" Iron rod found at the northwest corner of Lot 8, Block 2, said West 191 Industrial Park, Section 6 and being the northeast corner of Lot 7I, Block 2, said West 191 Industrial Park, Section 13 and this tract;

THENCE S 14°49'08" E along the west line of said Lot 8 and the east line of said Lot 7I, a distance of 82.41 feet pass the southwest corner of said Lot 8, continuing on for a total distance of 291.80 feet to a ½" Iron rod found at the northeast corner of a 9.09 acre tract as described in Document Number 2014-26379, Official Public Records of Midland County and being the southeast corner of said Lot 7I and this tract;

THENCE S 75°12'53" W along the north line of said 9.09 acre tract, a distance of 1300.77 feet to the Point of Beginning, containing 8.70 surface acres of land.

Bearings and Distances are relative to the Texas State Plane Coordinate System, 1983 NAD, Central Zone. Combined Grid Factor of 0.999890068 and a Theta Angle of -00°59'09".

This document was prepared under 22 TAC 663.21, and is not to be used to convey or establish interest in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Dow E Kelly, R.P.L.S. 5707



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

Project Number: _____

Case Number: _____

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

Printed Name: Moore Casey Properties, LLC

Phone (432) 352-3186

Email
casey_1jones@yahoo.com

Address PO Box 51896

City Midland

State TX

Zip 79710

Property Owner SAME AS APPLICANT

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: Newton Engineering, PC

Printed Name: John M. Newton

Phone (432) 770-0499

Email
john@newtoncivil.com

Address 4501 A Santa Rosa Dr.

City Midland

State TX

Zip 79707

Street Address: 1812, 1810, 1808, 1806, 1804, 1802, 1800, 1716, 1714, 1712, 1710, 1708, 1706,
1704, 1702, 1700 N FM 1788, Midland, Tx 79707

Legal Description

Lot: Block:

Lot 11A-11G, Block 1 West 191 Industrial Section 12,
Subdivision: and 7A-7I, Block 2, West 191 Industrial Section 13

Current Zoning: Regional Retail-RR

Proposed Zone: Light Industrial-LI

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

Reason for Zone Change Request: To conform to the development

Present Use of Property: Undeveloped

Proposed Use of Property: Office with yard and garage

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

This project would provide much needed office space for the community

Describe how conditions affecting the property have changed since present zoning

designation: The property has been developed to what the staff determined to be
light industrial instead of Regional Retail.

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): Casey Jones

Date: 5-2-24

Applicant (printed): Casey Jones

Property Owner (signature): Casey Jones

Date: 5-2-24

Property Owner (printed): Casey Jones

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Casey Jones who, being by me duly sworn, upon oath says: That (s)he is the owner of Moore Casey Properties LLC or authorized by Moore Casey 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.

Casey Jones
Authorized Agent (signature)

Subscribed and sworn to before me, this 2 day of May, 2024, to certify which witness my hand and seal of office.



Sarah Bays

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

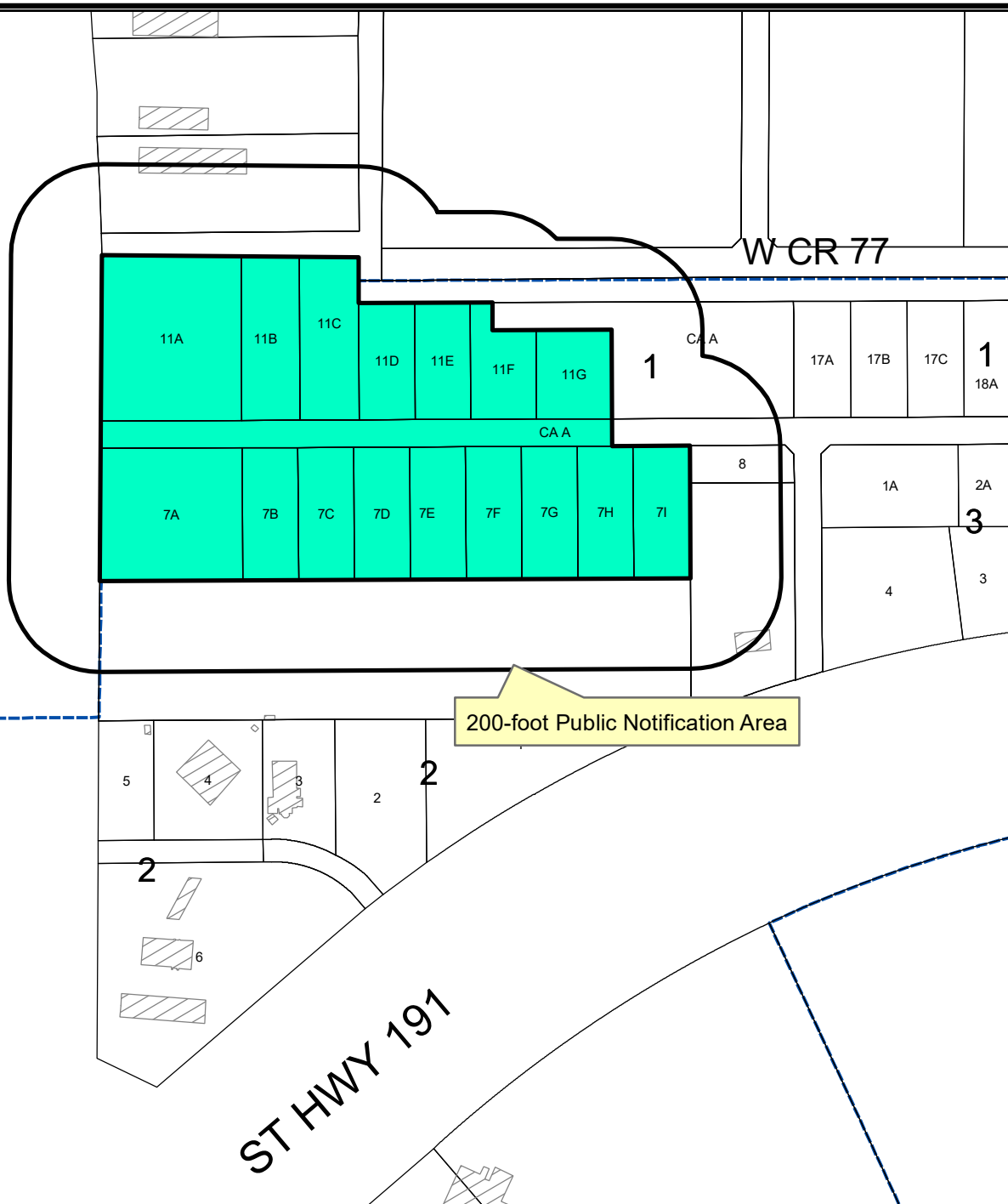
Check # 1733

Received By: DA

Date:

RECEIVED
MAY 07 2024

BY:



Location Map

Z-24-0379

Scale: 1" = 600'

A request by Moore Casey Properties for a zone change from, RR, Regional Retail District, to LI, Light Industrial District for a 6.92-acre tract of land, out of Block 1, Lots 11A-11G, West 191 Industrial Park, Section 12, and a 8.70-acre tract of land, out of Block 2, Lots 7A-7I, West 191 Industrial Park, Section 13., City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of N FM 1788 and W County Road 77. (District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

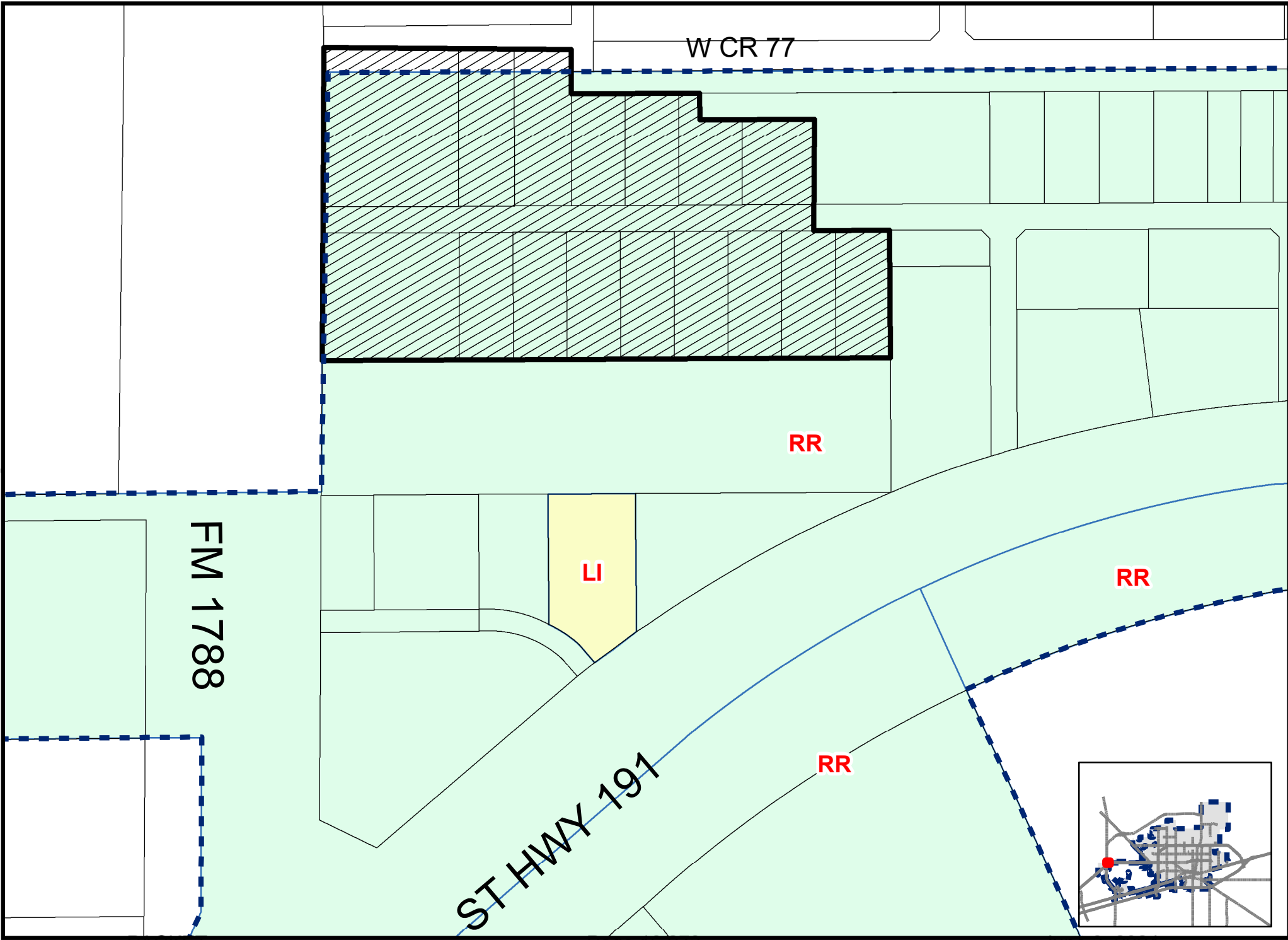
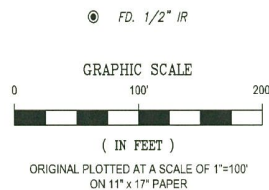
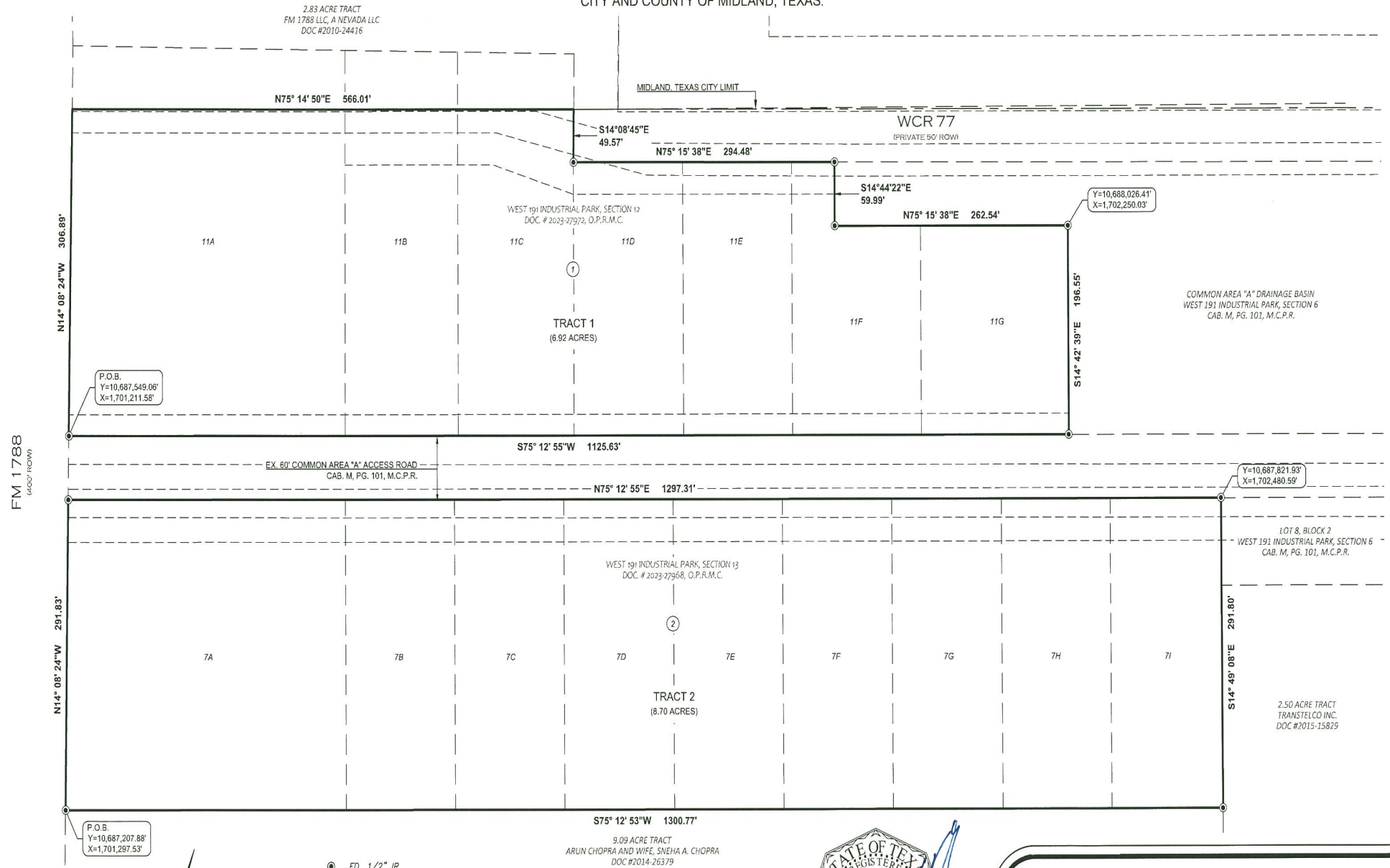


EXHIBIT "C"
ZONING EXHIBIT OF
A 6.92 ACRE TRACT AND A 8.70 ACRE TRACT
LOCATED IN SECTION 31, BLOCK 40, T-1-S, T&P RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS.



HEAVY PLOTTED LINES INDICATE LIMITS OF SURVEY.

BEARINGS AND DISTANCES ARE RELATIVE TO THE TEXAS STATE
PLANE COORDINATE SYSTEM, 1983 NAD, CENTRAL ZONE. COMBINED
GRID FACTOR OF 0.999890068 AND A THETA ANGLE OF -00°59'09".

EXHIBIT "A" AND "B" ACCOMPANY THIS EXHIBIT



NEWTON ENGINEERING, PC

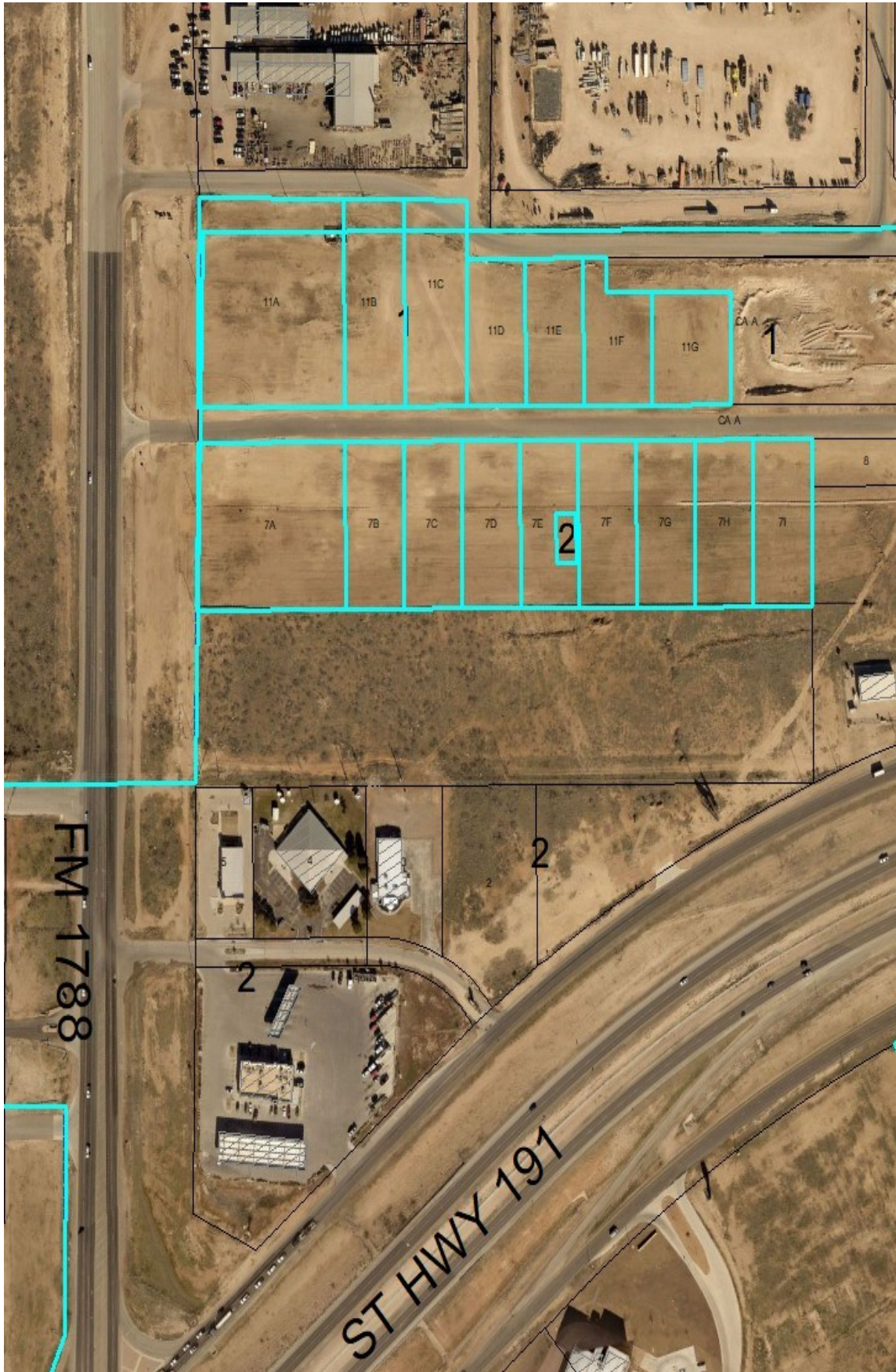
4501A Santa Rosa Dr.
Midland, Texas 79707
(432) 710-0489

F-13856
F-10194809

2481 E. 2nd St.
Odessa, Texas 79761
(432) 935-0707

Prepared For: MOORE CASEY PROPERTIES, LLC

Job No: 23-ME06191





Planning and Zoning Commission

Approved for
Agenda:
Xavier Bauguess

MEETING DATE: June 03, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a Preliminary Plat of Snively Block Addition, Section 15, being a replat of Snively Block Addition, Section 5, a 2.3-acres tract of land out of Lot 1, Block 3, Snively Block, Section 5, City and County of Midland, Texas. (Generally located on the west side of Cotton Flat Road, approximately 517-feet northwest of West Francis Street.)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Pennell Surveying, on behalf of Sueno De Dia LLC, is requesting to replat the property located at 1500 Cottonflat Road. Being Snively Block Addition, Section 5, a 2.3-acres tract of land out of Lot 1, Block 3, Snively Block, Section 5, City and County of Midland, Texas.

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Okay as Shown. ROW: Refer to transportation's comment's.

PAVING: Cottonflat roadway is not built to City Standards, construct to City standards for entire platted frontage.

WATER: 12" water exists in Cottonflat 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: None existing. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)].

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.]

Other: City of Midland is okay with the vacate of Roadway N of tract. Surrounding neighbors must agree to make the public roadway a private roadway with a private access agreement. Should there be no agreement to the private roadway and private access agreement the roadway must be constructed to City Standards for entire platted frontage or request a deferral. Water main utility will need to be extended through Roadway N of tract to supply water services to lot 1A or a water easement will need to be dedicated through lot 1B to allow lot 1A access to the water main on Cotton flat road.

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

No Oil & Gas well concerns. Informational: No Oil or Gas wells identified within 500 ft. 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.

GIS: (Approved)

SW and NW corners are off by about 10' feet. Please check calls. Legal description can say "Being a Replat of Lot 1, Block 3, Snively Block Addition, 5th Section, City and County of Midland, Texas."

CRMWD: (Approved)

We do not have any comments on this plat.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 2 proposed lots of Snively Block Addition, 5th Section, RE-PLAT OF LOT 1, BLOCK 3, SNIVELY BLOCK ADDITION 5TH SECTION, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, lot 1A is 1 and Lot 1b is 1.3 acre, septic system application must be installed by a Texas OSSF licensed installer, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING: (Approved with Conditions)

Staff recommends approval of the Preliminary Plat of Snively Block Addition, Section 15, subject to conditions A.

Conditions:

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

County, Texas.

Attachments:

Proposed Preliminary Plat
Application
Maps



VICINITY MAP
(NOT TO SCALE)



LEGEND

- Set 1/2" I.R.
W/Cap "RPLS 6832"
- Fnd. 1/2" I.R.
- W — W —
Existing Water Line

NOTICE:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
4. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0201 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.

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

UTILITY COMPANY'S CERTIFICATE

This plot has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

ONCOR ELECTRIC DELIVERY **PACKET** Print Name:

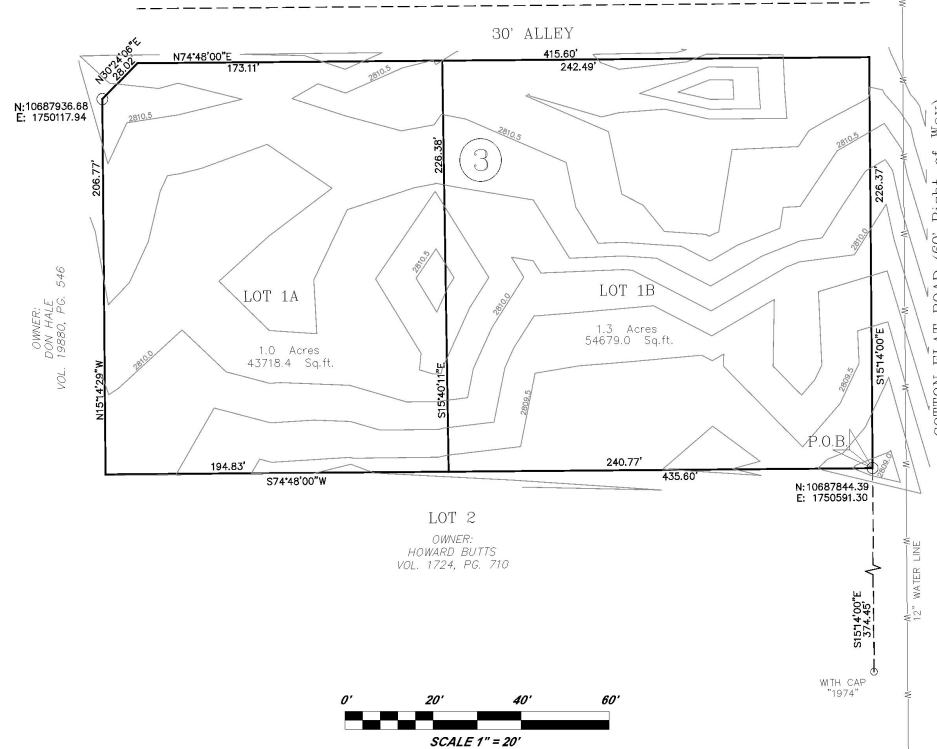
OPTIMUM Print Name:

ASTOUND Print Name:

AT&T-TEXAS Print Name:

PRELIMINARY PLAT SNIVELY BLOCK ADDITION, SECTION 15

BEING A RE-PLAT OF A 2.3 ACRE TRACT OUT OF
LOT 1, BLOCK 3, SNIVELY BLOCK ADDITION, 5TH SECTION,
CITY AND COUNTY OF MIDLAND, TEXAS,



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, SUENO DE DIA, LLC, is the record owner of LOT ONE (1), BLOCK THREE (3), SNIVELY BLOCK ADDITION, 5TH SECTION, an addition to the City of Midland, Midland County, Texas, according to the plat recorded in Plat Cabinet D, Page 24, of the Plat Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, SUENO DE DIA, LLC, being the owner of the land shown on this plat designated as SNIVELY BLOCK ADDITION, 5TH SECTION REPLAT, 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: PATRICK CLAUD GRAY SIGNATORY

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, (OWNER OR SIGNOR), 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, DURYIN 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.

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

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

This is to certify that the above and foregoing plat of "SNIVELY BLOCK ADDITION, 5TH SECTION REPLAT" 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:
SUENO DE DIA, LLC,
18 BEAR CREEK RD.
FREDERICKSBURG, TX 78624
000-000-0000

MAY 2024

PENNELL LAND SURVEYING, LLC
SURVEYING FIRM #: 10193978
2030 W. Cuthbert, Midland, Texas 79701
(432)570-6256, brucepennell@yahoo.com

**SNIVELY BLOCK ADDITION,
5TH SECTION REPLAT**



Preliminary Plat Application

Project Number: Sub-24-0714
Case Number: _____

Proposed Subdivision Plat Name: SNIVELY BLK. ADD., 5th SEC. REPLAT

Legal Description (attached sealed Metes and Bounds): _____

Property Owner

Printed Name: **SUENO DE DIA, LLC**

Phone (432) 967-5373

Email patrickcgray@gmail.com

Address **18 BEAR CREEK RD.**

City **FREDERICKSBURG**

State **TX**

Zip **78624**

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: PENNEL LAND SURVEYING, LLC

Printed Name: **DURYN HENINGTON**

Phone (432) 570-6256

Email dhenington.pennell
survey@gmail.com

Address **2030 W. CUTHBERT, STE. 4**

City **MIDLAND**

State **TX**

Zip **79701**

Current Zoning: _____

Reason for Platting: Sale of West 1.0 Acre

Plat Information

Total Acreage: **2.3**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 2

Number of Multi-family Dwelling Units: _____

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development 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):

Patrick Gray

Date: 4-24-24

Property Owner (printed):

PATRICK GRAY

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.

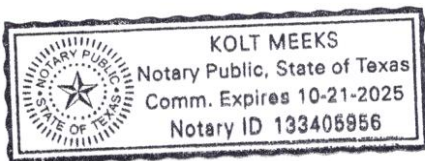
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

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

Kolt Meeks
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.



Kolt Meeks
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

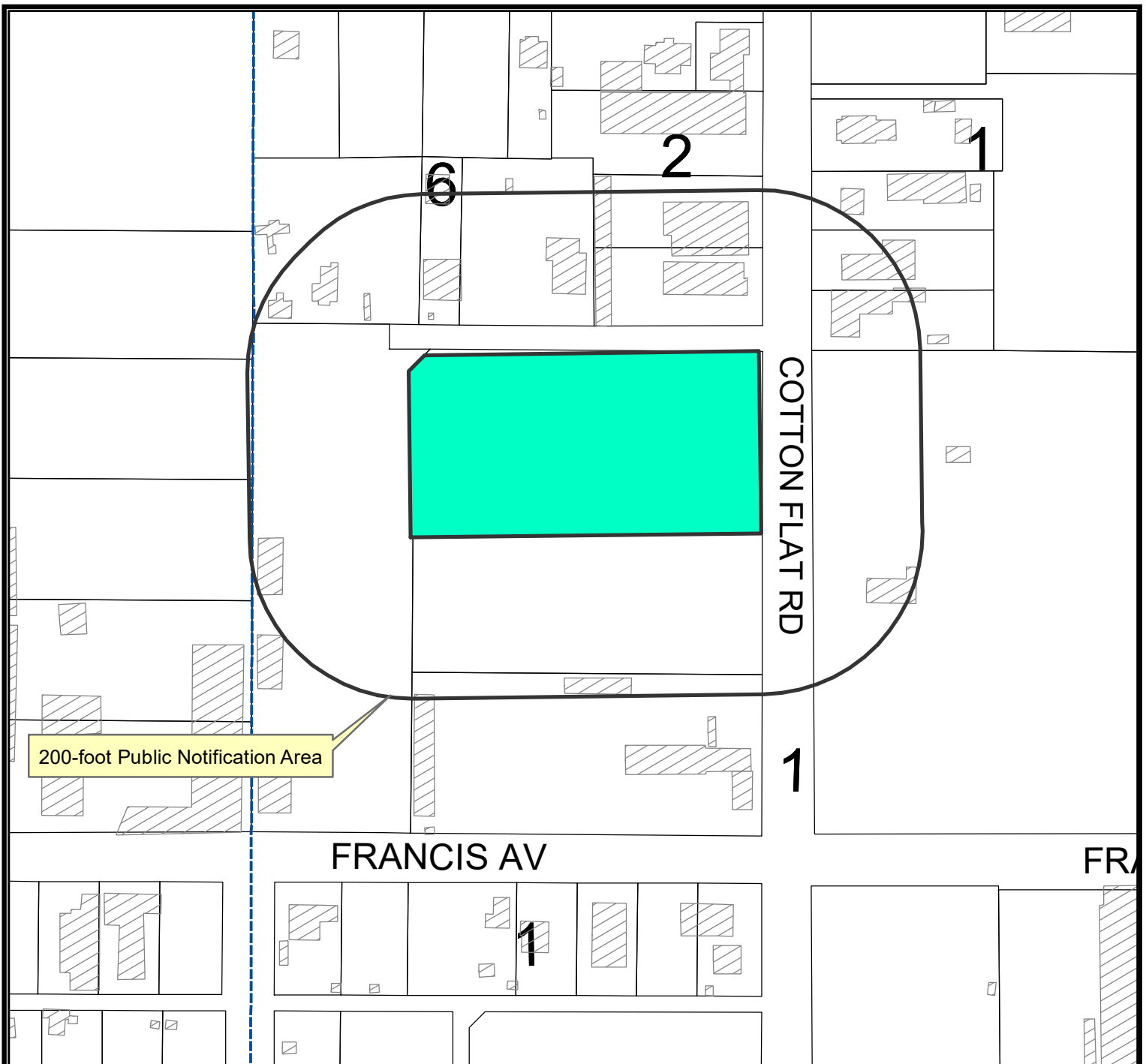
☒ 1 Copy of Plat (11x17)

Check # Paid Online

Received By: [Signature]

Date: MAY 08 2024

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



LOCATION MAP

SUB--24-0714

Scale: 1" = 244'

Proposed replat of Snively Block Addition, Section 5, a 2.3-acre tract of land out of Lot 1, Block 3, Snively Block, Section 5, City and County of Midland, Texas.

Generally located on the west side of Cotton Flat Road, approximately 517-feet northwest of West Francis Street (DISTRICT 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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