

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

July 1, 2024 - 3:30 PM

Council Chambers – City Hall



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

PUBLIC HEARINGS

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

2. Motion approving Planning & Zoning meeting minutes from June 17, 2024.
3. Hold a public hearing and 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 8, Block 63, Park Avenue Heights Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of Bunche Street, approximately 380 feet south of East California Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
4. Hold a public hearing and consider a request by Terrill Q. LittleJohn for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 9 and 10, Block 31, Greenwood Addition, Section 3,4 and 5, City and County of Midland, Texas. (Generally located on the east side of South Calhoun Street, approximately 160 feet south of East New York.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
5. Hold a public hearing and consider a request by Leticia Juarez Gonzalez for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant, on a 2,400-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West

Longview Avenue, approximately 290 feet east of Belmont Street.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

6. Hold a public hearing and consider a request by Lee Sanchez for a Specific Use Designation with Term for the sale of all alcoholic beverages sales for on-premises consumption in a Restaurant, on a 2,173 square-foot portion of Lot 7, Block 58, Original Town, City and County of Midland, Texas. (Generally located northeast of the intersection of North Pecos Street and West Wall Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
7. Hold a public hearing and consider a request by Marty Gautreaux for a Specific Use Designation with Term for the sale of beer and wine, for on premises consumption in a restaurant on a 2,650 square foot portion of Lot 5A, Block 1, Gateway Plaza, Section 12, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Starboard Drive and Liberty Drive.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
8. Hold a public hearing and consider a request by James Books Reeder for a zone change from RR, Regional Retail District, to PD, Planned Development District for an Office Center, on Lot 7, Block 3, Corporate Plaza Addition, Section 16, City and County of Midland, Texas. (Generally located on the east side of North Big Spring Street, approximately 355 feet north of Fiesta Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

9. Motion approving, with staff's recommended conditions, a Preliminary Plat of Repman Addition, being a 14.07-acre tract located in the north half of section 26, Block 40, T-1-S, T&P, RR Co. Survey, County of Midland, Texas. (Generally located southeast of the intersection of North County Road 1250 and West County Road 62.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**
10. Motion approving, with staff's recommended conditions, a Preliminary Plat of Fuse Industrial Park, Section 3, being a plat of a 15.23-acre tract of land out of the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the west side of South Fairgrounds Road, approximately 395 feet north of East Indiana Avenue.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**
11. Motion approving, with staff's recommended conditions, a Preliminary Plat of Zoo Midland Offsite, being a replat of a 4.352-acre tract of land out of Tract 4, Parker Acres, City and County of Midland, Texas. (Generally located on the west side of Todd Drive, approximately 420 feet south of East Golf Course Road) **(DISTRICT 2) (ENGINEERING SERVICES)**
12. Motion approving, with staff's recommended conditions, a Preliminary Plat of 349 Ranch Estates, Section 24 being a replat of Lots 11-14, Block 2, 349 Ranch Estates, Lots 24-27, 30 and 31, Block 2, 349 Ranch Estates, Section 2, and Lot 28A, Block 2, 349 Ranch

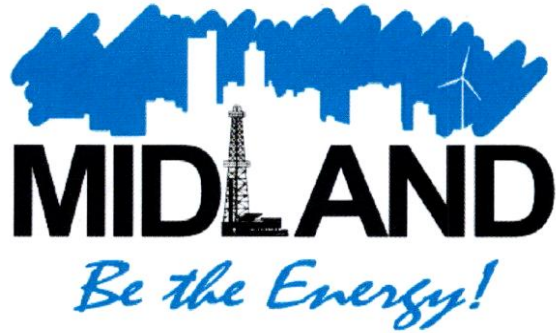
Estates, Section 14, a previously vacated .192-acre portion of alley right-of-way, and a previously vacated .65-acre portion of Washita Street, both vacated portions being located adjacent to said lots, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North State Highway 349 and Pueblo Street.) **(DISTRICT 1)**
(DEVELOPMENT SERVICES)

13. Motion approving, with staff's recommended conditions, a Preliminary Plat of City View Acres, Section 6, being a replat of a 9.36-acre tract of land out of Tract 5, City View Acres Addition, City and County of Midland, Texas. (Generally located southeast of the intersection of S Jackson Street and City View Road.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
14. Motion approving, with staff's recommended conditions, a Preliminary Plat of Moody Addition, Section 17 being a replat of Lot 1A and Lot 9A, Block 10, Moody Addition, Section 6, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Carver Street and East Front Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
15. Motion approving, with staff's recommended conditions, a Preliminary Plat of White Addition, Section 2, being a replat of a Lots 1 through 4, Block 1, White Addition, Midland County, Texas. (Generally located on the west side of South County Road 1207, approximately 370 feet north of West County Road 116.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**
16. Motion approving, with staff's recommended conditions, a Preliminary Plat of Heritage Oaks Addition, Section 9, being a plat of a 16.92-acre tract of land located in Section 25, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located east of the intersection of Barton Creek and Oak Creek.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Landon Ochoa
Senior Planner
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
June 17, 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 , June 17, 2024.

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

Commissioners absent: Abraham Bejil

Staff members present: Landon Ochoa, Elizabeth Triggs, Andrew Meyers, Diana E. Geerts, Daniel Humbert, Sarah Yeilding

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving Planning & Zoning meeting minutes from June 3, 2024.

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

3. Motion approving a Final Plat of Westview Addition, Section 6, being a replat of Lots 13-14, Block 2, Westview Addition, Midland County, Texas. (Generally located on the south side of West County Road 58, approximately 1,000 feet west of North County Road 1278.) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

4. Motion approving a Final Plat of West End Addition, Section 29, being a replat of Lots 5, 6, and the west 5-feet of Lot 7, Block 126, West End Addition, City and County of Midland, Texas. (Generally located on the northeast corner of West Front Street and South K Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

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

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

6. Motion approving a Final 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) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

7. 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 8, being a 21.32-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 northwest of the intersection of Waxwing Drive and Blazing Saddle Boulevard.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Item pulled for discussion by Commissioner Adrian Carrasco.

Planner Daniel Humbert gave an overview of the project.

Commissioner Adrian Carrasco requested an explanation of the public improvement condition.

Planning and Development Officer Elizabeth Triggs explained the improvements would be made and inspected before recording the final plat.

Chair Lucy Sisneiga asked if the Staff Report could list what the conditions are in more detail.

Planning and Development Officer Elizabeth Triggs showed where the conditions are currently listed in the staff report but agreed the requested changes could be made.

There were no further questions.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

8. Motion approving a Final Plat of Avalon Addition, Section 4, being a Residential Replat of Lot 19 less the west 14.5 feet, all of Lot 20, and the west 9 feet of Lot 21, Block 6, Avalon Addition, City and County of Midland, Texas (Generally located on the south side of Stanolind Avenue, approximately 130 feet west of North I Street) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

PUBLIC HEARINGS

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

MISCELLANEOUS

9. Motion approving a Preliminary Plat of Meissner Addition, being a 1.072-acre tract as described in Volume 1841, Page 3, O.P.R.M.C. located in Section 36, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located southwest of the intersection of North Lincoln Street and South Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Daniel Humbert gave an overview of the project.

Commissioner John Burkholder asked for the GIS condition on the staff report be explained.

Land Surveyor on the project Stan Piper described the section in question as an easement for access to the property.

There were no further questions.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

10. Motion approving with staff's recommended conditions a Preliminary Plat of Southern Addition, Section 31, being a Replat of Lots 5 & 6, Block 141, Southern Addition, City and County of Midland, Texas. (Generally located on the northwest intersection of E. Pennsylvania and S. Mineola Street. **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Senior Planner Diana Geerts gave an overview of the project.

There were no questions or discussion.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Bejil, Richardson

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

Lucy Sisniega, Chairwoman

Date



Landon Ochoa
Senior Planner
Department of Development Services

6/29/24

Date



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: July 1 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and 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 8, Block 63, Park Avenue Heights Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of Bunche Street, approximately 380 feet south of East California Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Jorge Chavez, is requesting a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District to build a new single-family home at 814 Bunche Street.

Current Zoning:

MF-22, Multiple-Family Dwelling District

Surrounding Zoning and Land Use:

The adjacent lots to the north, south, west are zoned MF-22, Multiple-Family Dwelling District and currently vacant. The adjacent lot to the east is zoned MF-22 and is developed with a single-family home.

Analysis:

The subject property is zoned MF-22, Multiple-Family Dwelling District. Jorge Chavez is seeking this zone change in order to construct a single-family home. The lot is currently undeveloped and the surrounding neighborhood is developed with single family-homes.

This zone change would help the future residential development of this area have more uniform zoning. It does meet the requirements for the SF-3, Single-Family Dwelling District zoning which is in the area.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; The Tall City Tomorrow Plan designated this area as U-M NC, Urban-Medium Neighborhood Center. This designation calls for any single-family zoning district.

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

Fire: (Approved)

No comments or objections.

Oil and Gas: (Approved)

No Oil and Gas issues.

Engineering: (Approved)

No objections to zone change. [For Applicant's Information Only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

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

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning:

Therefore, staff recommends approval of this zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District.

Letters of Objection:

Staff has not received any letters of objection as of June 28, 2024.

Attachments:

Application
Site Plan
Maps



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

Project Number: _____

Case Number: 2-24-0384

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

Property Owner Printed Name: <u>Jorge Chavez</u>		Phone (432) <u>254-0327</u> Email <u>eaaleman@schumannsurveying.com</u>	
Address <u>1111 Magnolia Ave</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Schumann Surveying</u> Printed Name: <u>Ed Aleman</u>		Phone (432) <u>254-0327</u> Email <u>eaaleman@schumannsurveying.com</u>	
Address <u>800 N. Marientfeld, suite 100</u>	City _____	State _____	Zip _____

Street Address: <u>814 S. Bunche St.</u>		
Legal Description Lot: <u>8</u> Block: <u>63</u> Subdivision: <u>Park Avenue Height Sec. 2.</u>		

Current Zoning: <u>MF 22</u>	Proposed Zone: <u>SF 3</u> (List by tracts if more than one district is requested)
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Reason for Zone Change Request: <u>Single home Construction</u>
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Present Use of Property: <u>Vacant</u>

Proposed Use of Property: <u>Single Family</u>

How would this zone change affect the public health, safety and welfare? <u>NA</u>

Describe how conditions affecting the property have changed since present zoning designation: <u>NA</u>
--

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

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

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature): Jorge Chavez

Date: 05-22-2024

Property Owner (printed): Jorge Chavez

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

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

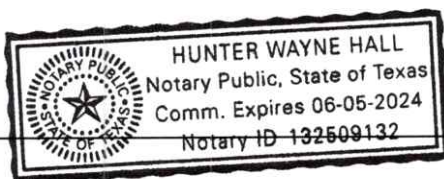
STATE OF TEXAS
COUNTY OF MIDLAND

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

Edوارد Aleman
Authorized Agent (signature)

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

Hh



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

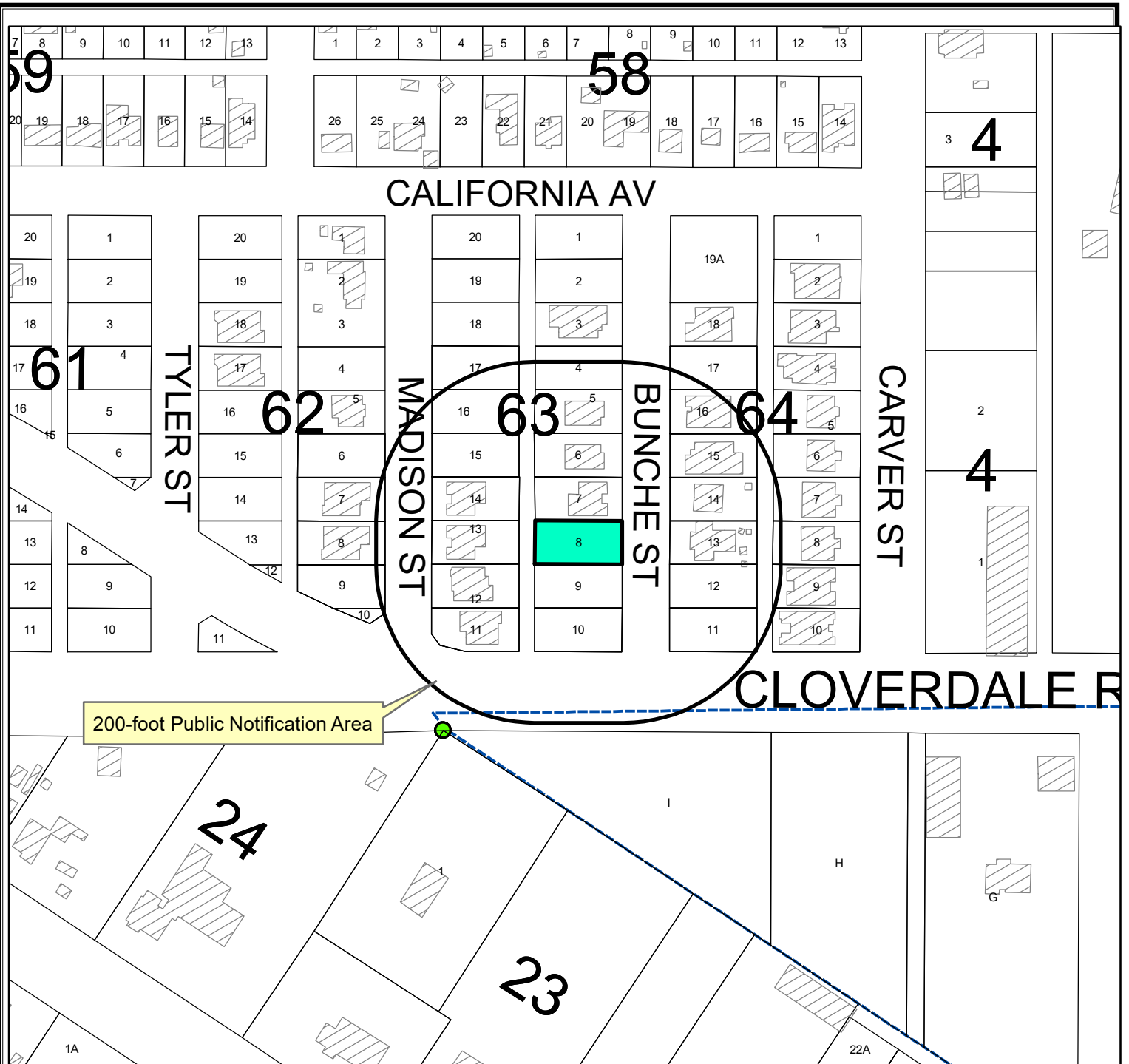
Check # Paid online

Received By: [Signature]

Date:

RECEIVED
MAY 22 2024

BY:



Location Map

Z-24-0384

Scale: 1" = 2,147'

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 8, Block 63, Park Avenue Heights Addition, Section 2, City and County of Midland, Texas.

Generally located on the west side of Bunche Street, approximately 380 feet south of East California Avenue. (Council 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.

TYLER ST

MADISON ST

BUNCHE ST

CARVER ST

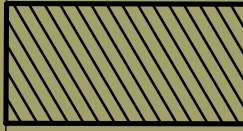
SF3
SF3

SF3

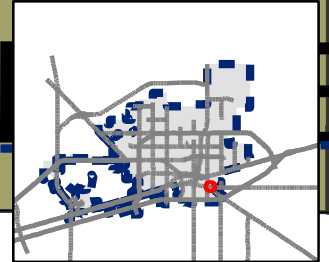
SF3

MF22

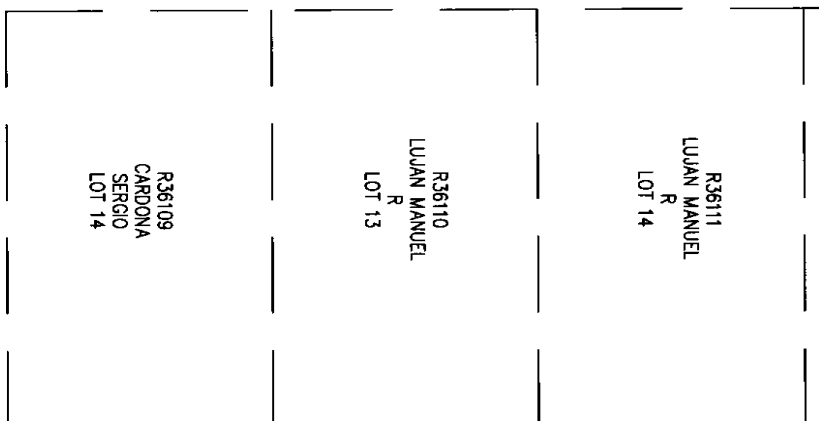
SF3



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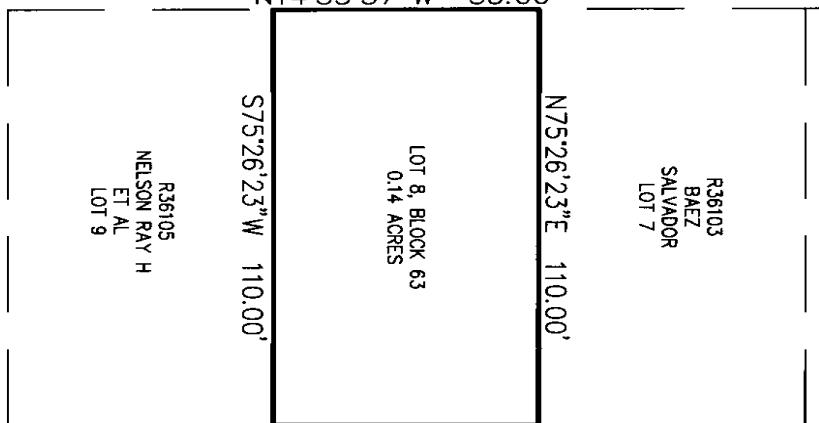


S. MADISON ST.
(60 FOOT RIGHT-OF-WAY)



20 FOOT ALLEY

N14°33'37"W 55.00'



S14°33'37"E 55.00'

814 S. BUNCHE ST.
(60 FOOT RIGHT-OF-WAY)

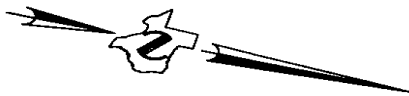
LEGEND:
— PROPERTY LINE
--- ADJOINING PROPERTIES



SCHUMANN
SURVEYING, INC.
A LATERAL LAND COMPANY

800 N. WAREFIELD STREET
SUITE 100
MCKINNEY, TEXAS 75069
TEXAS PROFESSIONAL No. 10148500

Office (432) 964-5548



SITE PLAN

SITE PLAN FOR

LOT 8, BLOCK 63,

PARK AVENUE HEIGHTS
SECTION 2.

ACCORDING TO THE PLAT RECORDED IN
THE COUNTY CLERKS OFFICE OF

MIDLAND COUNTY, TEXAS

PACKET

SCALE: 1" = 40'

PROJECT: SITE PLAN
JOB NO.: SITE PLAN

MADISON ST

63

BUNCHE ST

64

PACKET

Page 3.17

July 1, 2024

LAND USE: URBAN-MEDIUM NEIGHBORHOOD CENTER (U-M NC)**DESCRIPTION:**

- » These districts will be new village hubs for the city's growth areas. They should offer small to moderate scale commercial development connected to an anchor store such as a grocery store surrounded by a mix of housing types including townhomes and small lot single family.

POTENTIAL ZONING:

- » Single-Family Dwelling District
- » Townhouse District
- » Office District
- » Local Retail District

**INTENSITY
(DU/A):****10+****USES:**

Should include a mix of traditional neighborhood businesses including small scale commercial, office, civic and residential. The commercial uses should be low impact and provide a variety of neighborhood services.

FORM:

Low to moderate building and impervious coverage, located along major streets in areas close to residential growth centers or at nodes created by significant intersections of streets. Developments should emphasize pedestrian scale and relationships among businesses and accommodate automobile access without being dominated by an automotive scale. Good pedestrian circulation should connect businesses and surrounding residential uses.

COMPATIBILITY:

The emphasis for these areas should be on creating unique neighborhood centers or villages. Compatibility should be achieved through increased attention to traffic circulation and parking, site and building design, and on-site operations.

- Land uses may be mixed vertically in smaller scale two to three story buildings.
- Horizontal mixed use must create should create smooth internal transitions from lower to higher intensity uses in distances similar to U-M or U-H.
- Larger commercial uses should cluster around arterial streets.
- Smaller commercial uses are appropriate on any street provided that a smooth transition in intensity of uses is maintained.





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

Project Number: _____

Case Number: 2-24-0384

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

Property Owner Printed Name: <u>Jorge Chavez</u>		Phone (432) <u>254-0327</u> Email <u>eaaleman@schumannsurveying.com</u>	
Address <u>1111 Magnolia Ave</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Schumann Surveying</u> Printed Name: <u>Ed Aleman</u>		Phone (432) <u>254-0327</u> Email <u>eaaleman@schumannsurveying.com</u>	
Address <u>800 N. Marientfeld, suite 100</u>	City _____	State _____	Zip _____

Street Address: <u>814 S. Bunche St.</u>		
Legal Description Lot: <u>8</u> Block: <u>63</u> Subdivision: <u>Park Avenue Height Sec. 2.</u>		

Current Zoning: <u>MF 22</u>	Proposed Zone: <u>SF 3</u> (List by tracts if more than one district is requested)
-------------------------------------	--

Reason for Zone Change Request: <u>Single home Construction</u>
--

Present Use of Property: <u>Vacant</u>

Proposed Use of Property: <u>Single Family</u>

How would this zone change affect the public health, safety and welfare? <u>NA</u>

Describe how conditions affecting the property have changed since present zoning designation: <u>NA</u>
--

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

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

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature): Jorge Chavez

Date: 05-22-2024

Property Owner (printed): Jorge Chavez

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.

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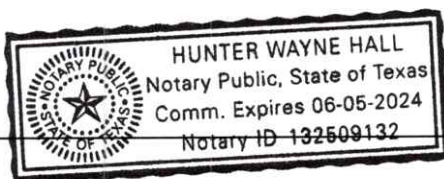
STATE OF TEXAS
COUNTY OF MIDLAND

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

Edوارد Aleman
Authorized Agent (signature)

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

Hth



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

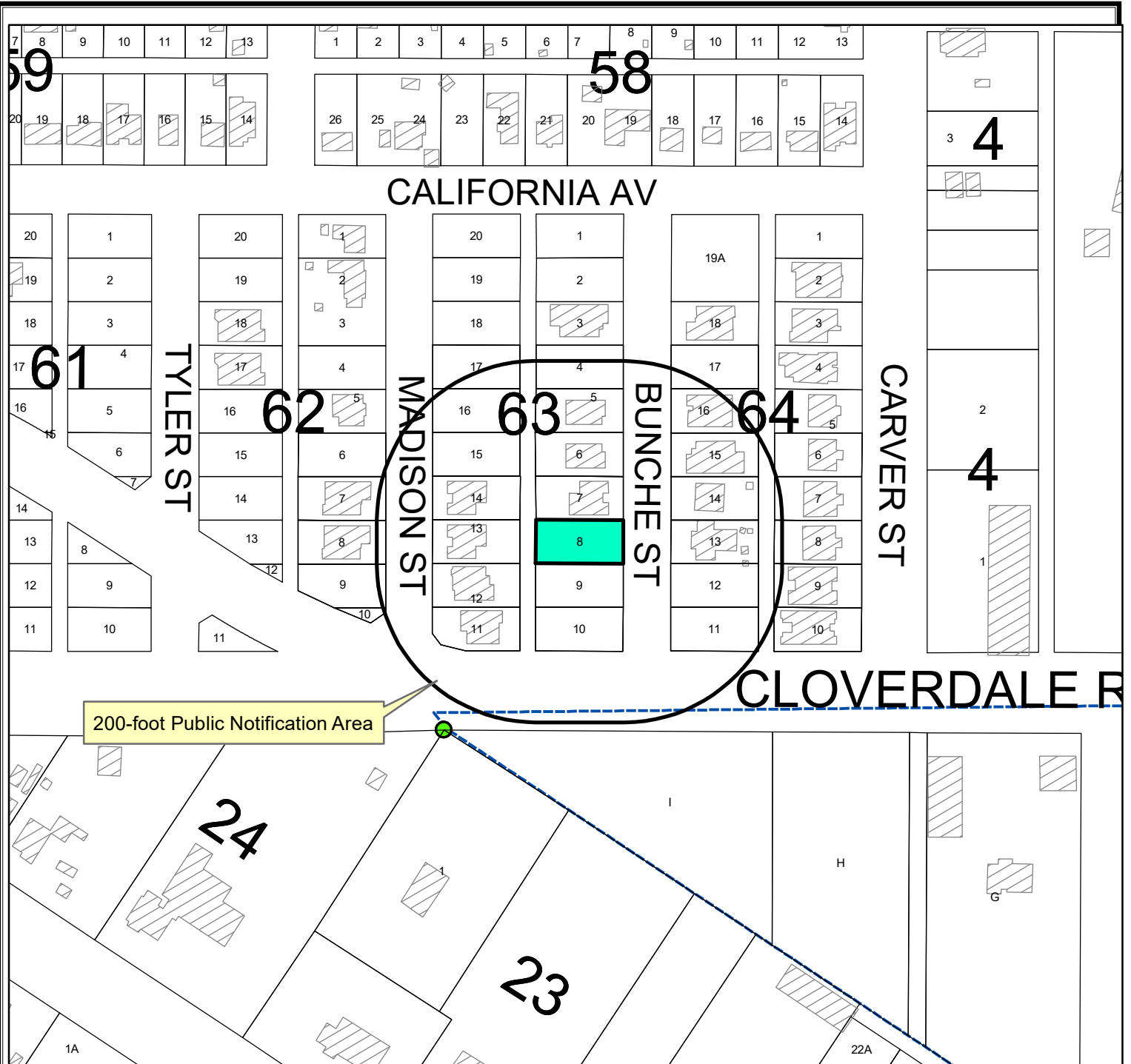
Check # Paid online

Received By: [Signature]

Date:

RECEIVED
MAY 22 2024

BY:



Location Map

Z-24-0384

Scale: 1" = 2,147'

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 8, Block 63, Park Avenue Heights Addition, Section 2, City and County of Midland, Texas.

Generally located on the west side of Bunche Street, approximately 380 feet south of East California Avenue. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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TYLER ST

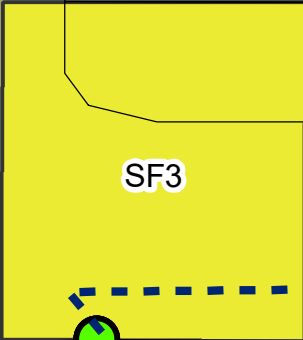
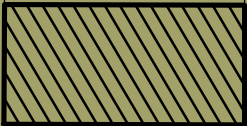
MADISON ST

BUNCHE ST

CARVER ST



MF22

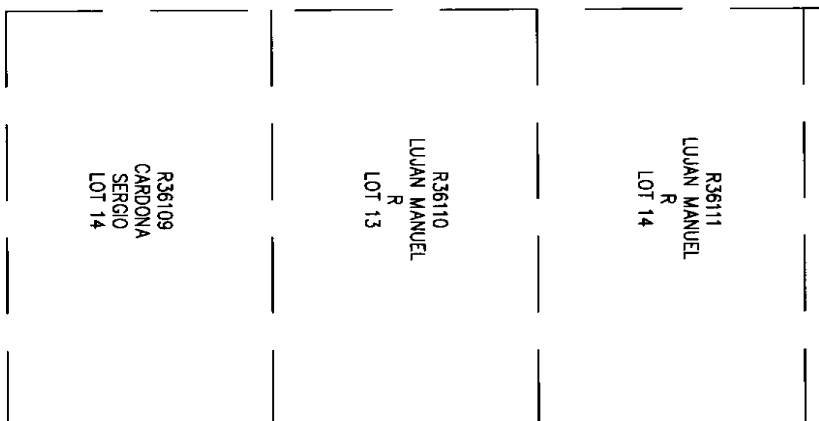


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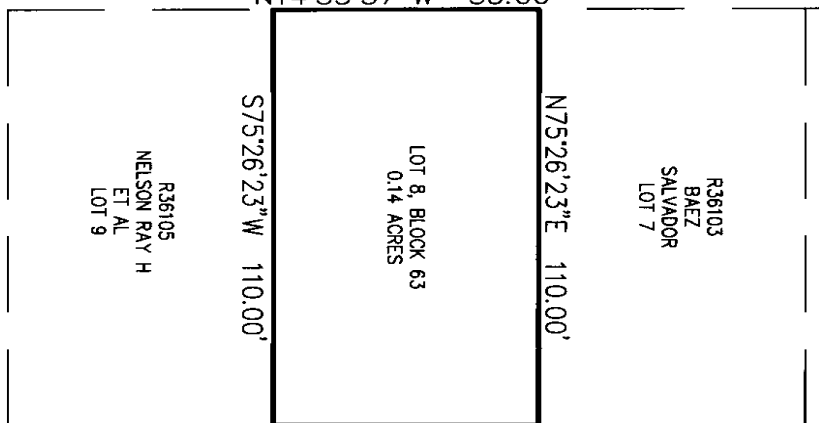


S. MADISON ST.
(60 FOOT RIGHT-OF-WAY)



20 FOOT ALLEY

N14°33'37"W 55.00'



S14°33'37"E 55.00'

814 S. BUNCHE ST.
(60 FOOT RIGHT-OF-WAY)

LEGEND:
— PROPERTY LINE
--- ADJOINING PROPERTIES



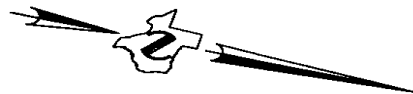
SCHUMANN
SURVEYING, INC.

A LATERAL LAND COMPANY

800 N. WINTERLUD STREET
SUITE 100
MCKINNEY, TEXAS 75069

TEXAS PROFESSIONAL No. 10148500

Office (432) 964-5548



SITE PLAN

SITE PLAN FOR

LOT 8, BLOCK 63,

PARK AVENUE HEIGHTS
SECTION 2.

ACCORDING TO THE PLAT RECORDED IN
THE COUNTY CLERKS OFFICE OF

MIDLAND COUNTY, TEXAS

PACKET

SCALE: 1" = 40'

PROJECT: SITE PLAN
JOB NO.: SITE PLAN

MADISON ST

63

BUNCHE ST

64

PACKET

Page 3.25

July 1, 2024

LAND USE: URBAN-MEDIUM NEIGHBORHOOD CENTER (U-M NC)**DESCRIPTION:**

- » These districts will be new village hubs for the city's growth areas. They should offer small to moderate scale commercial development connected to an anchor store such as a grocery store surrounded by a mix of housing types including townhomes and small lot single family.

POTENTIAL ZONING:

- » Single-Family Dwelling District
- » Townhouse District
- » Office District
- » Local Retail District

INTENSITY (DU/A):**10+****USES:**

Should include a mix of traditional neighborhood businesses including small scale commercial, office, civic and residential. The commercial uses should be low impact and provide a variety of neighborhood services.

FORM:

Low to moderate building and impervious coverage, located along major streets in areas close to residential growth centers or at nodes created by significant intersections of streets. Developments should emphasize pedestrian scale and relationships among businesses and accommodate automobile access without being dominated by an automotive scale. Good pedestrian circulation should connect businesses and surrounding residential uses.

COMPATIBILITY:

The emphasis for these areas should be on creating unique neighborhood centers or villages. Compatibility should be achieved through increased attention to traffic circulation and parking, site and building design, and on-site operations.

- Land uses may be mixed vertically in smaller scale two to three story buildings.
- Horizontal mixed use must create should create smooth internal transitions from lower to higher intensity uses in distances similar to U-M or U-H.
- Larger commercial uses should cluster around arterial streets.
- Smaller commercial uses are appropriate on any street provided that a smooth transition in intensity of uses is maintained.





Item 3

Jorge Chavez

Zone Change

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

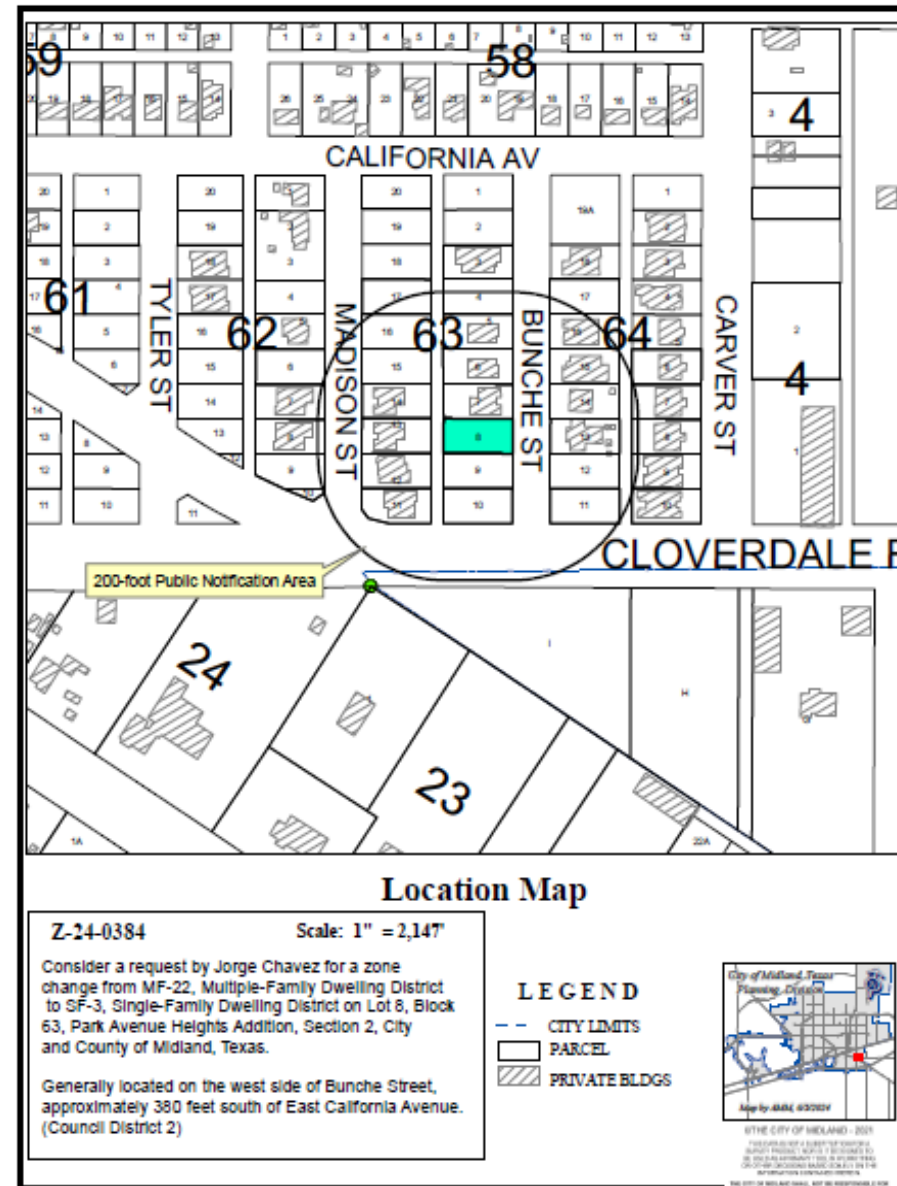
PACKET

Page 3.28

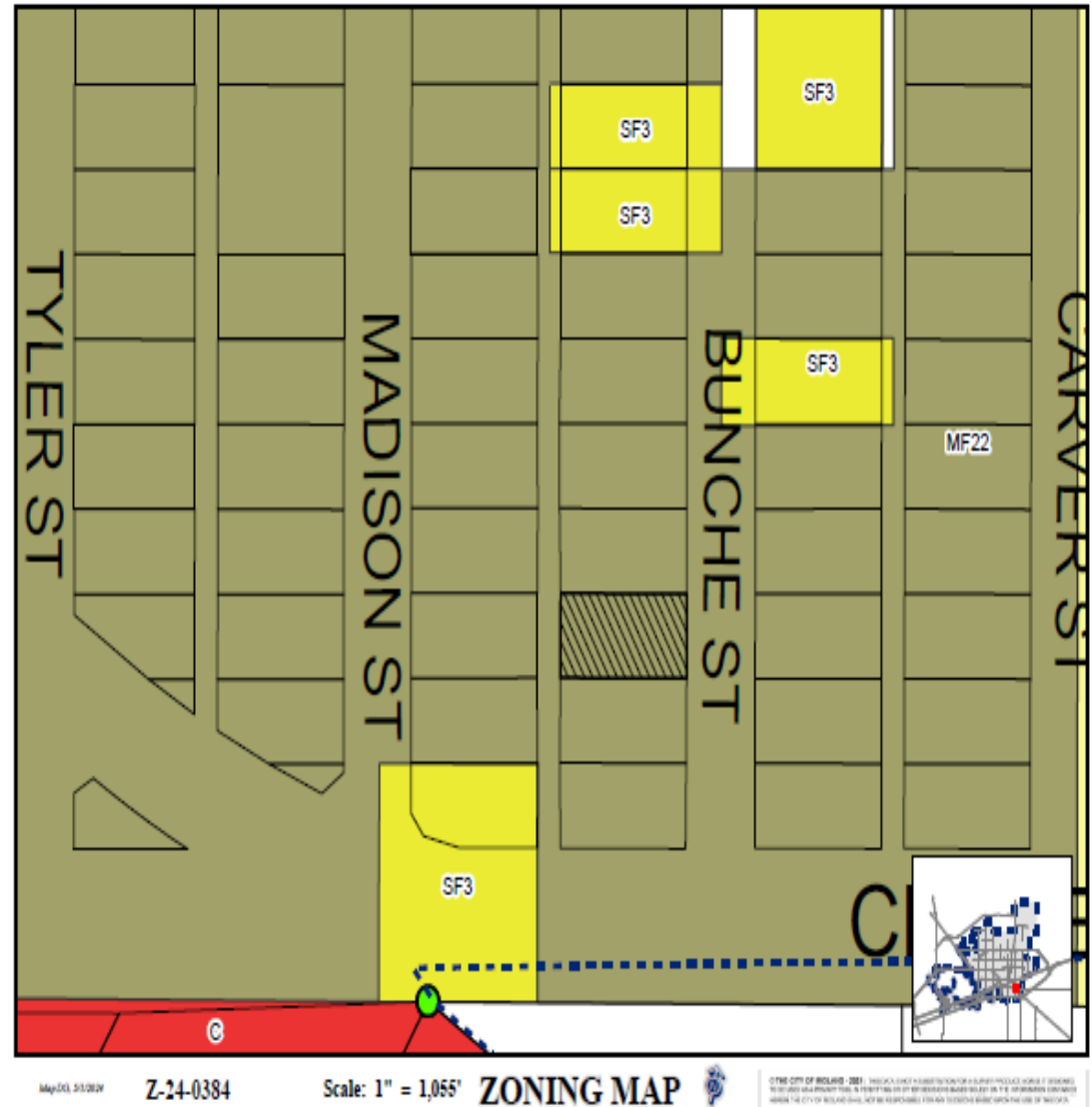
July 1, 2024

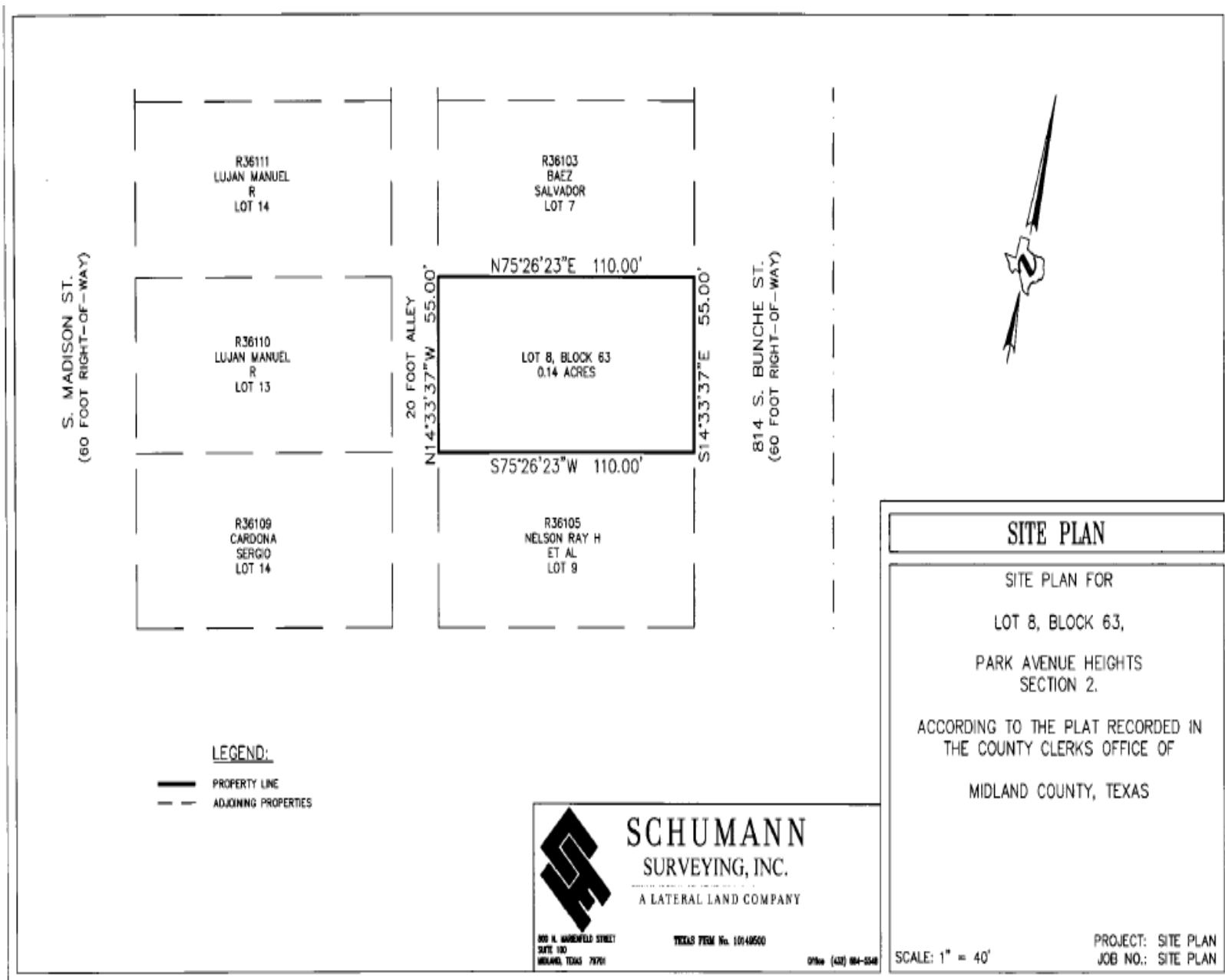


- Jorge Chavez
- Zone Change
- 814 S. Bunche
- .14 Acres

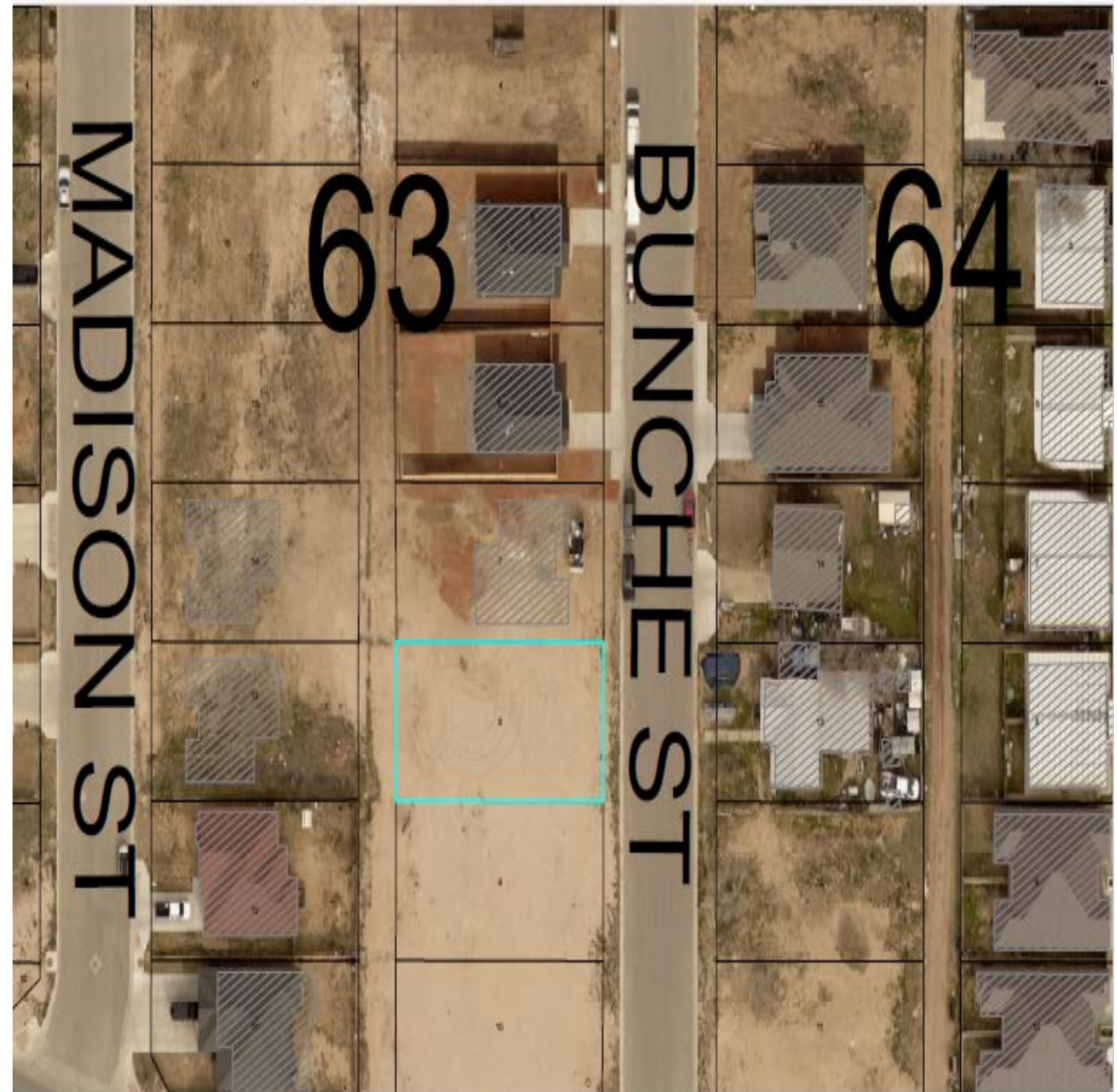


- **Current Zoning: MF-22, Multiple-Family Dwelling District**
- **Surrounding Zoning:**
- **North, South, East, and West is MF-22, Multiple-Family Dwelling District**
- **Proposed Zoning: SF-3, Single-Family Dwelling District**



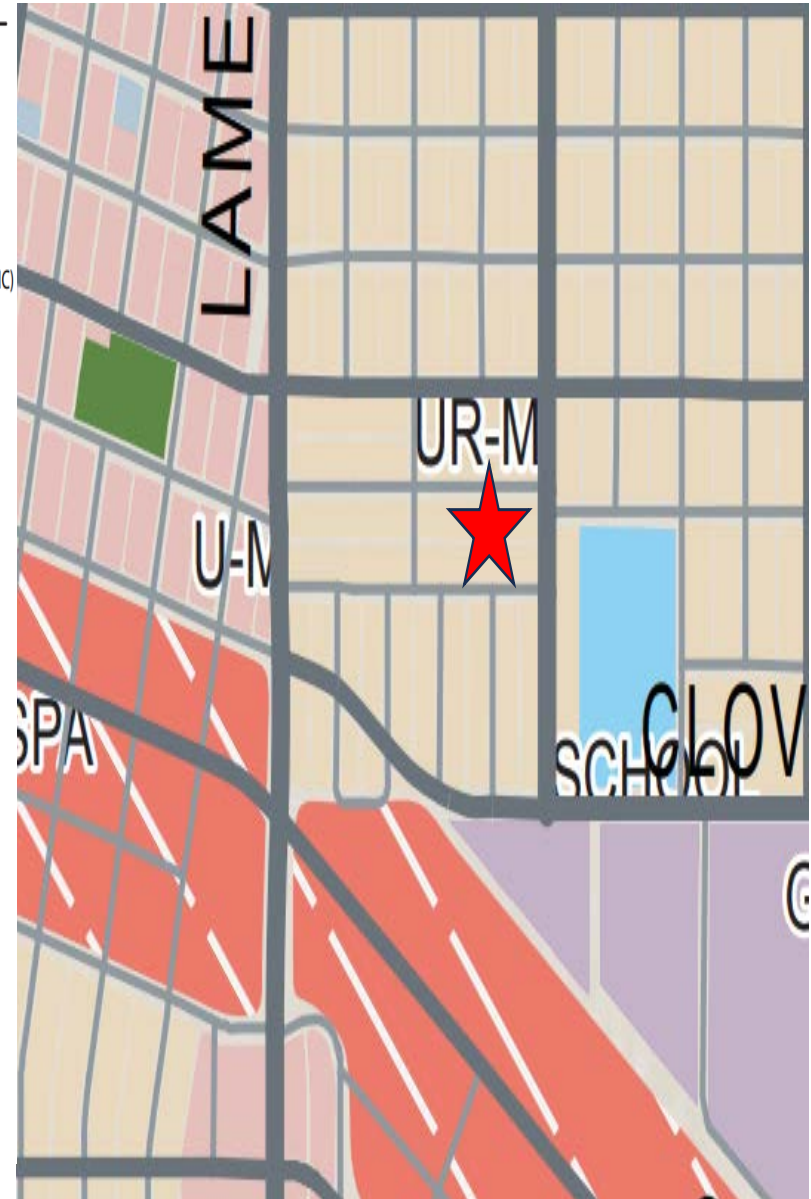


- Current use of the property:
Vacant
- Proposed use of the Property
Single- Family dwelling



- **TCT Land Use Designation: Urban-Medium Neighborhood Center (U-M)**
- **Supported Uses: Calls for any single-family zoning district**
- **Request is compatible with the surrounding area and the Tall City Tomorrow Plan.**

Future Land Use Plan*



- Therefore, staff recommends **APPROVAL** of the Zone Change from MF-22, Multiple-Family to SF-3, Single-Family District.



Planning and Zoning Commission

Approved for Agenda:
Xavier Bauguess

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and consider a request by Terrill Q. LittleJohn for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 9 and 10, Block 31, Greenwood Addition, Section 3,4 and 5, City and County of Midland, Texas. (Generally located on the east side of South Calhoun Street, approximately 160 feet south of East New York.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Terrill Q. LittleJohn, is requesting a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District to build a new single-family home at 605 and 607 South Calhoun Street.

Current Zoning:

MF-22, Multiple-Family Dwelling District

Surrounding Zoning and Land Use:

The adjacent lots to the north, south, east and west are zoned MF-22, Multiple-Family Dwelling District and are developed with single-family homes.

Analysis:

The subject property is zoned MF-22, Multiple-Family Dwelling District. Terrill Q. LittleJohn is seeking this zone change in order to construct a single-family home at 605 and 607 South Calhoun Street. The lots are currently undeveloped and the surrounding neighborhood is developed with single family-homes. This zone change would help the

future residential development of this area have more uniform zoning. The lots meet the requirements for the SF-3, Single-Family Dwelling District zoning which is in the area.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; The Tall City Tomorrow Plan designated this area as U-M NC, Urban-Medium Neighborhood Center. This designation calls for any single-family zoning district.

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

Fire: (Approved)

No comments or objections.

Oil and Gas: (Approved)

No Oil and Gas issues.

Engineering: (Approved)

No objections to zone change. [For Applicant's Information Only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

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

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning:

Therefore, staff recommends approval of this zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District.

Letters of Objection:

Staff has not received any letters of objection as of June 28, 2024.

Attachments:

Application
Site Plan
Maps



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: _____

Case Number: 2-24-03887

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>TERRILL Q. LITTLEJOHN</u>		Phone (432) <u>684-4643</u>	
Address <u>1209 W. LOUISIANA AVE.</u>		Email <u>+littlej@suddenlink.net</u>	
City <u>MIDLAND</u>	State <u>TEXAS</u>	Zip <u>79701</u>	

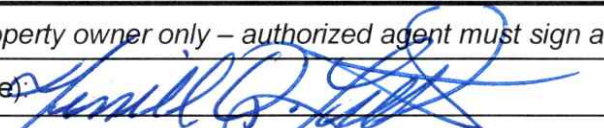
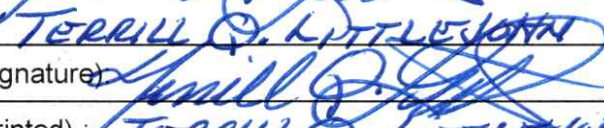
Property Owner Printed Name: <u>TERRILL Q. LITTLEJOHN</u>		Phone (432) <u>684-4643</u>	
Address <u>1209 W. LOUISIANA AVE.</u>		Email <u>+littlej@suddenlink.net</u>	
City <u>MIDLAND</u>	State <u>TEXAS</u>	Zip <u>79701</u>	

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

Street Address: <u>LOT 5 + LOT 7 S. CALHOUN ST.</u>		
Legal Description Lot: <u>009+010</u> Block: <u>031</u> Subdivision: <u>GREENWOOD</u>		

Current Zoning: _____	Proposed Zone: (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>TO MAKE APPLICABLE FOR SINGLE FAMILY USE</u>	
Present Use of Property: <u>VACANT</u>	
Proposed Use of Property: <u>RESIDENTIAL</u>	
How would this zone change affect the public health, safety and welfare? <u>NONE</u>	
Describe how conditions affecting the property have changed since present zoning designation: <u>NONE</u>	

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): 	Date: <u>5-17-24</u>
Applicant (printed): <u>TERRILL Q. LITTLEJOHN</u>	
Property Owner (signature): 	Date: <u>5-17-24</u>
Property Owner (printed): <u>TERRILL Q. LITTLEJOHN</u>	

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

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

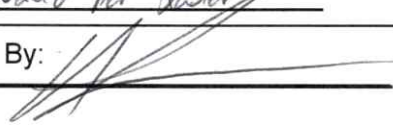
STATE OF TEXAS
COUNTY OF MIDLAND

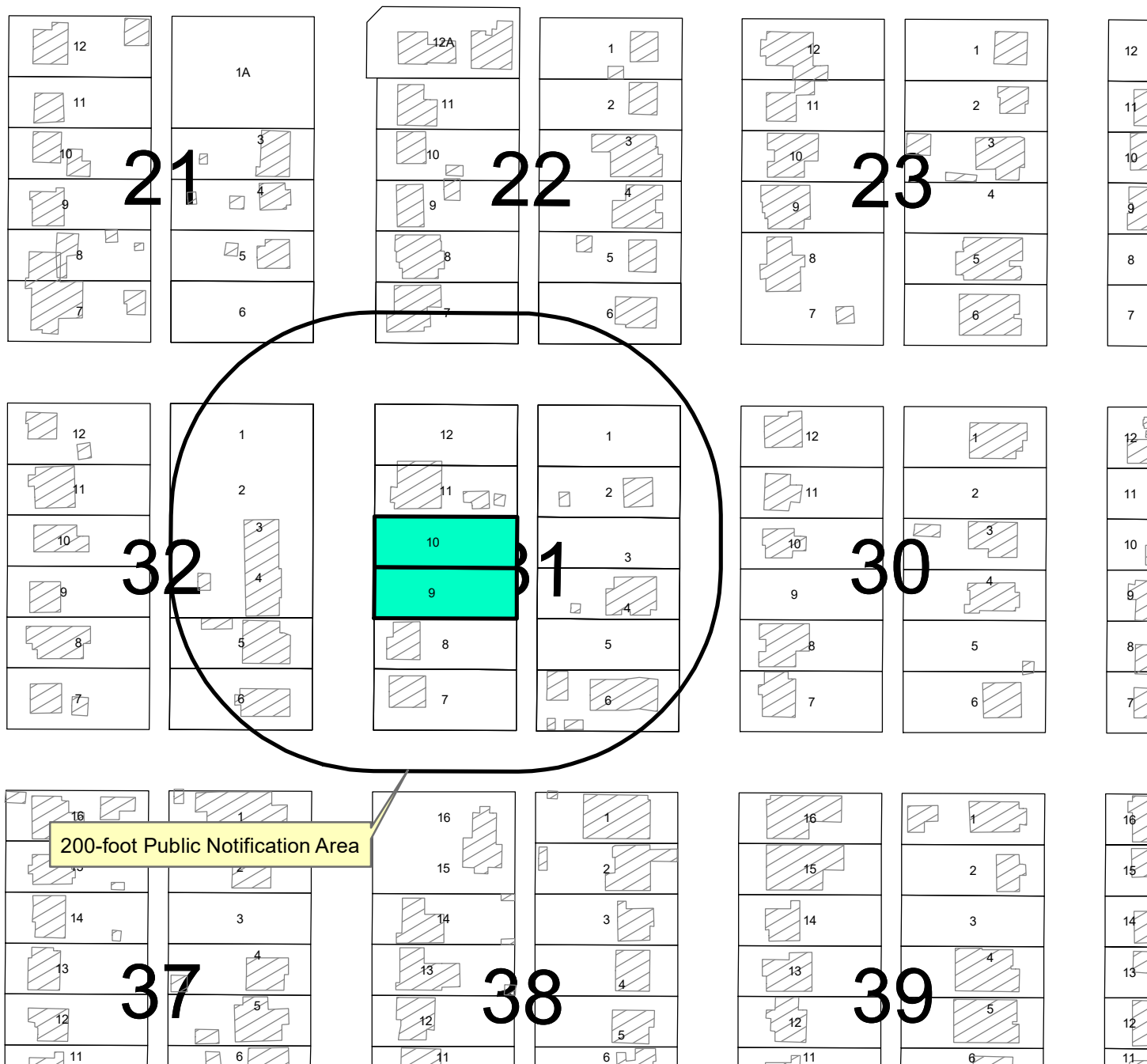
Before me, the undersigned authority, on this day personally appear _____ who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right,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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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



Location Map

Z-24-0382

Scale: 1" = 1,789

Consider a request by Terrill Q. LittleJohn for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 9 and 10, Block 31, Greenwood, Addition, Section 3,4 and 5, City and County of Midland, Texas.

Generally located on the east side of South Calhoun Street, approximately 160 feet south of East New York. (Council District 2)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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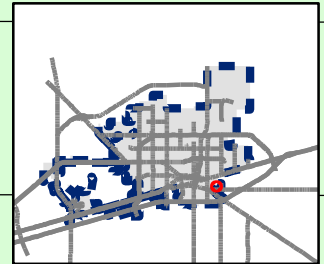
July 1, 2024

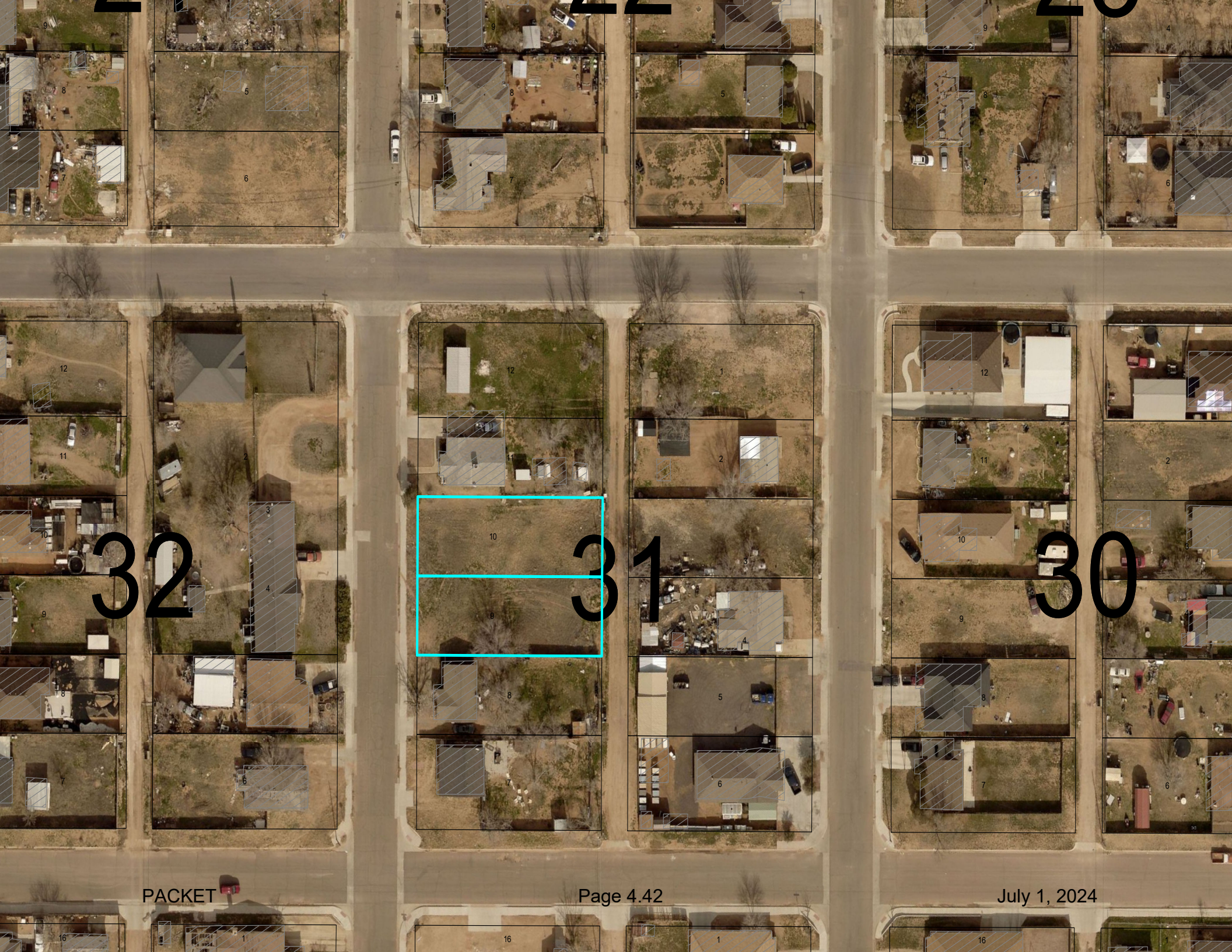
E. NEW YORK

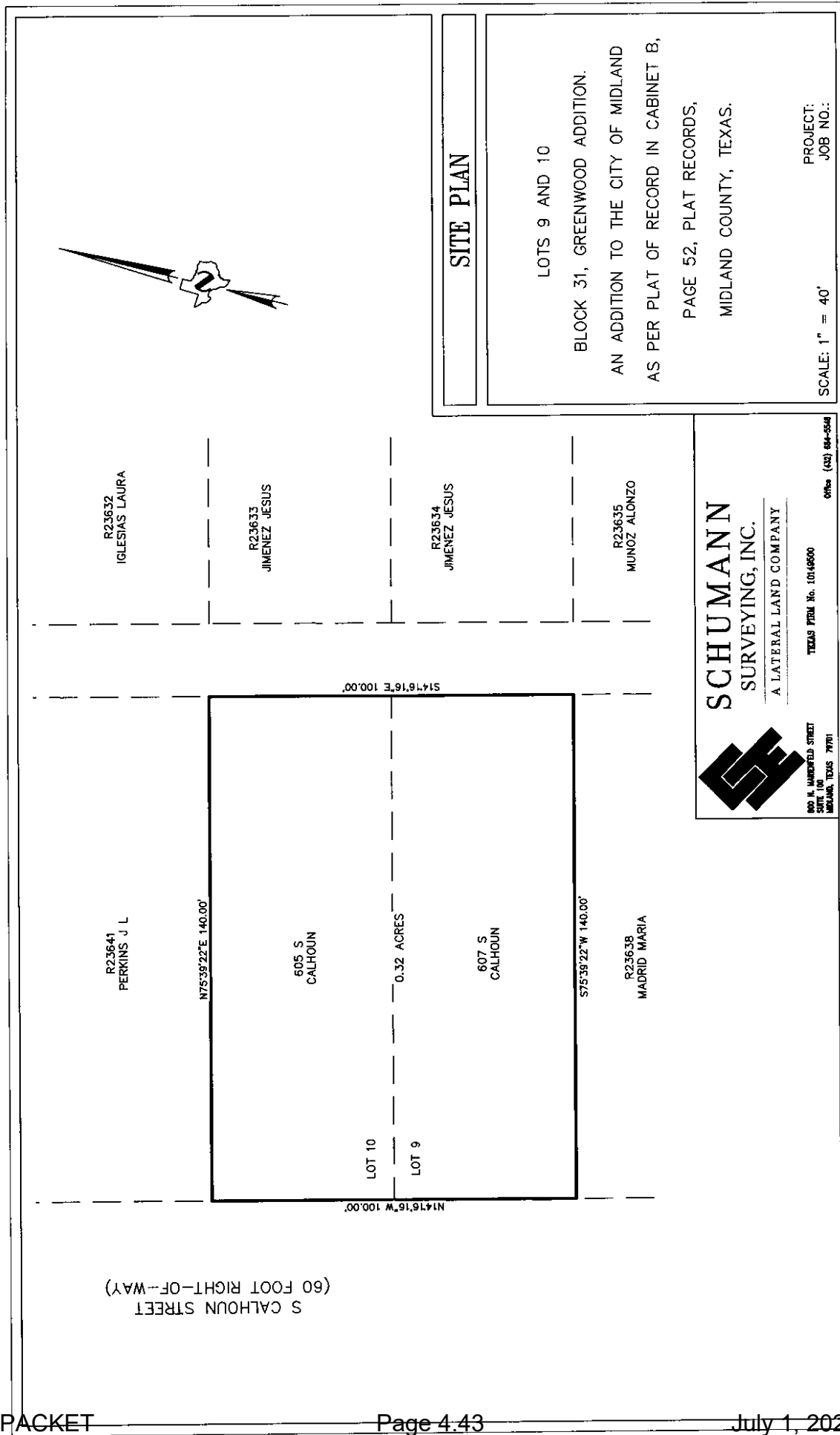
S. CALHOUN

MF22

SF3







LAND USE: URBAN-MEDIUM NEIGHBORHOOD CENTER (U-M NC)**DESCRIPTION:**

- » These districts will be new village hubs for the city's growth areas. They should offer small to moderate scale commercial development connected to an anchor store such as a grocery store surrounded by a mix of housing types including townhomes and small lot single family.

POTENTIAL ZONING:

- » Single-Family Dwelling District
- » Townhouse District
- » Office District
- » Local Retail District

**INTENSITY
(DU/A):****10+****USES:**

Should include a mix of traditional neighborhood businesses including small scale commercial, office, civic and residential. The commercial uses should be low impact and provide a variety of neighborhood services.

FORM:

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- Land uses may be mixed vertically in smaller scale two to three story buildings.
- Horizontal mixed use must create should create smooth internal transitions from lower to higher intensity uses in distances similar to U-M or U-H.
- Larger commercial uses should cluster around arterial streets.
- Smaller commercial uses are appropriate on any street provided that a smooth transition in intensity of uses is maintained.



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number:

Case Number: 2-24-03887

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>TERRILL Q. LITTLEJOHN</u>		Phone (432) <u>684-4643</u>	
Address <u>1209 W. LOUISIANA AVE.</u>		Email <u>+littlej@suddenlink.net</u>	
City <u>MIDLAND</u>	State <u>TEXAS</u>	Zip <u>79701</u>	

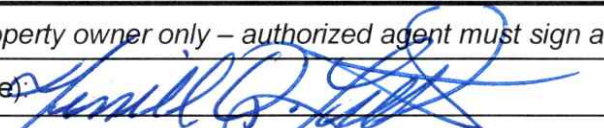
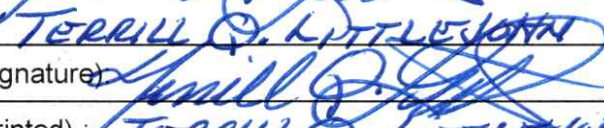
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Address <u>1209 W. LOUISIANA AVE.</u>		Email <u>+littlej@suddenlink.net</u>	
City <u>MIDLAND</u>	State <u>TEXAS</u>	Zip <u>79701</u>	

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

Street Address: <u>LOT 5 + LOT 7 S. CALHOUN ST.</u>		
Legal Description Lot: <u>009+010</u> Block: <u>031</u> Subdivision: <u>GREENWOOD</u>		

Current Zoning:	Proposed Zone: (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>TO MAKE APPLICABLE FOR SINGLE FAMILY USE</u>	
Present Use of Property: <u>VACANT</u>	
Proposed Use of Property: <u>RESIDENTIAL</u>	
How would this zone change affect the public health, safety and welfare? <u>NONE</u>	
Describe how conditions affecting the property have changed since present zoning designation: <u>NONE</u>	

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): 	Date: <u>5-17-24</u>
Applicant (printed): <u>TERRILL Q. LITTLEJOHN</u>	
Property Owner (signature): 	Date: <u>5-17-24</u>
Property Owner (printed): <u>TERRILL Q. LITTLEJOHN</u>	

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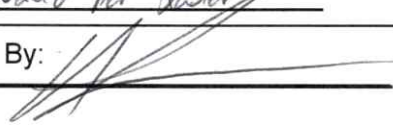
STATE OF TEXAS
COUNTY OF MIDLAND

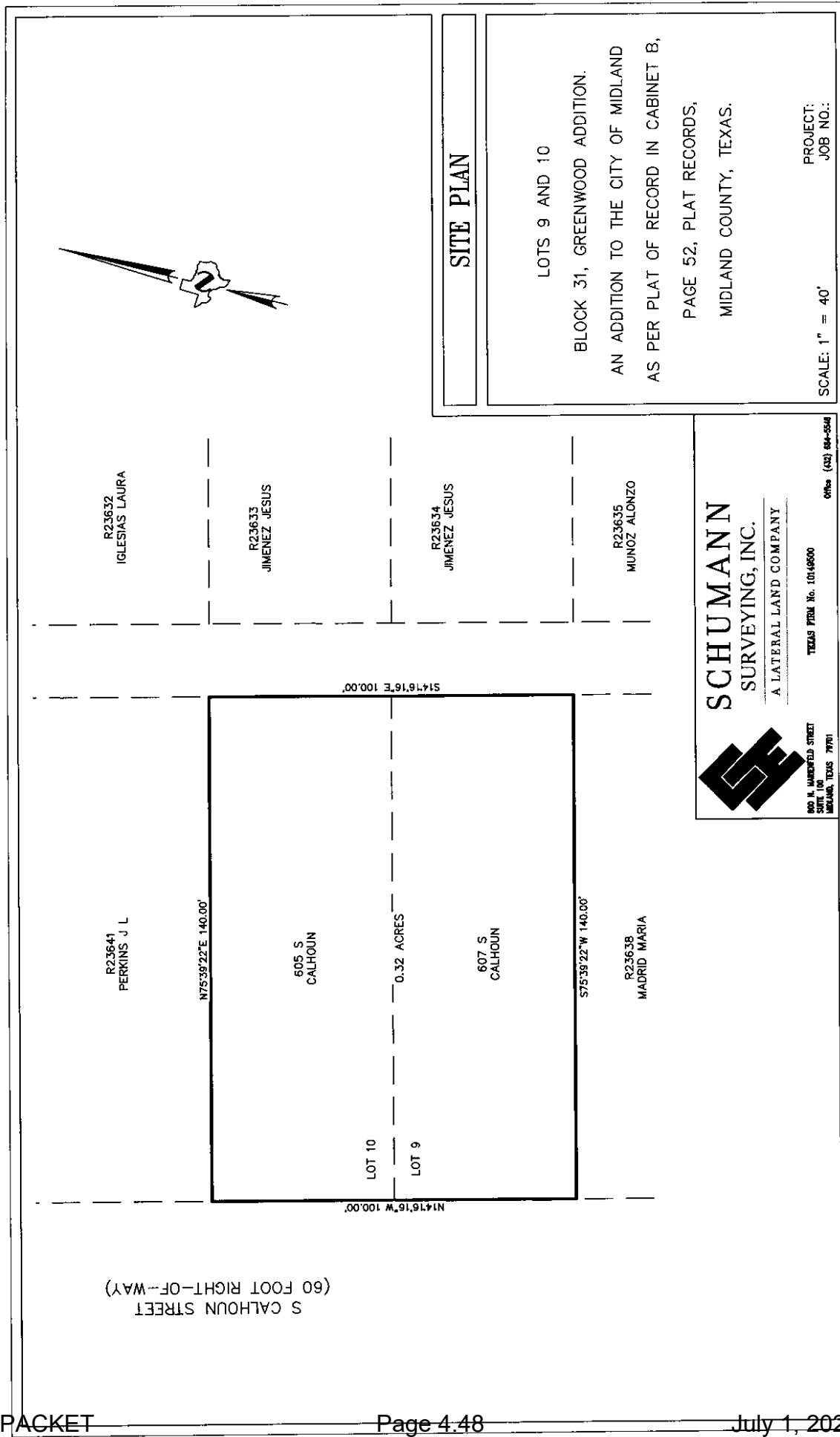
Before me, the undersigned authority, on this day personally appear _____ who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right,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

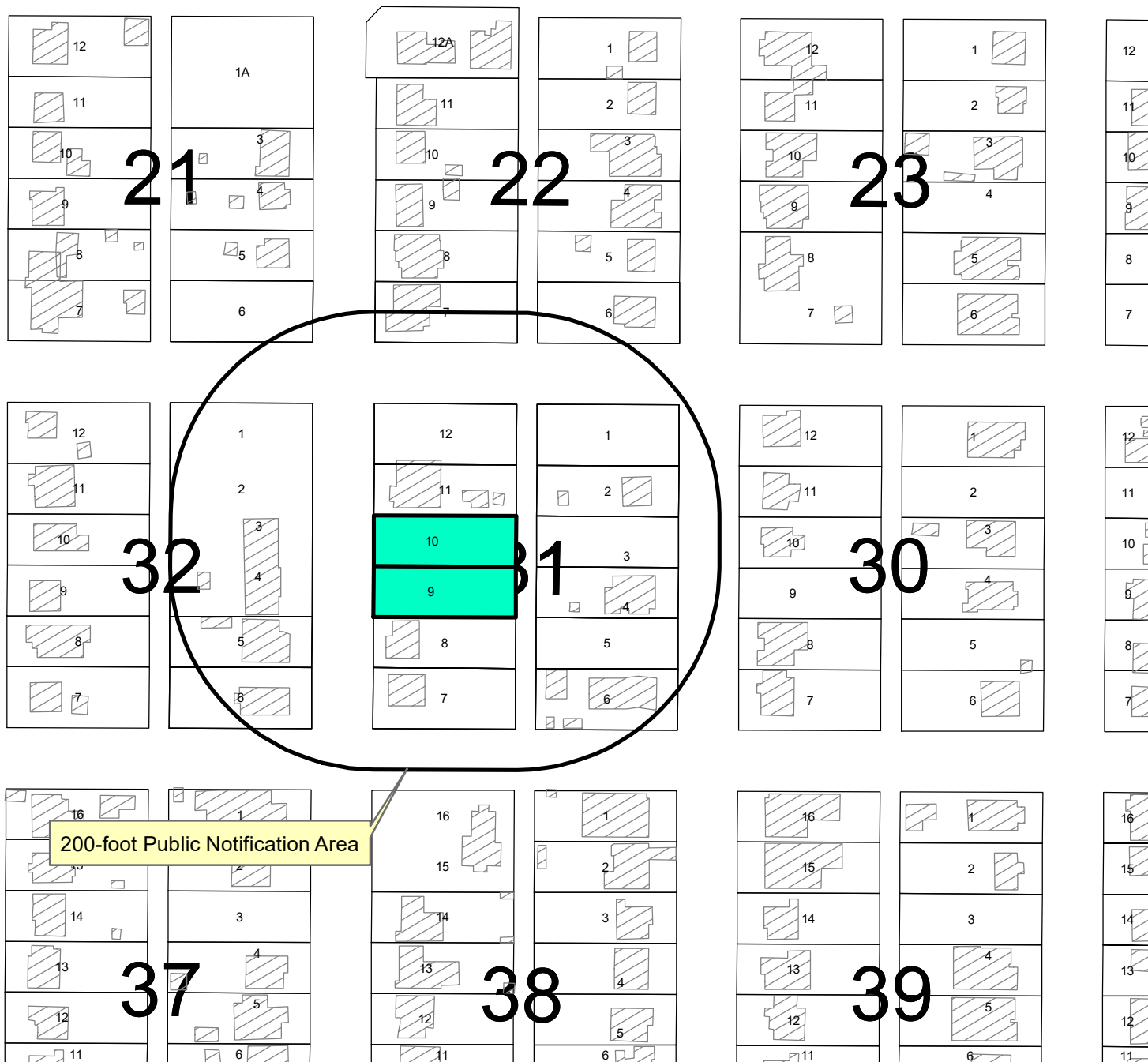
Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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





Location Map

Z-24-0382

Scale: 1" = 1,789

Consider a request by Terrill Q. LittleJohn for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 9 and 10, Block 31, Greenwood, Addition, Section 3,4 and 5, City and County of Midland, Texas.

Generally located on the east side of South Calhoun Street, approximately 160 feet south of East New York. (Council District 2)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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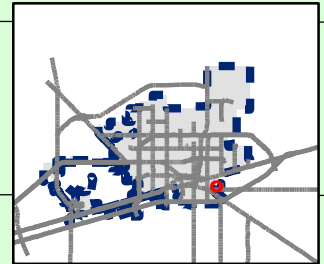
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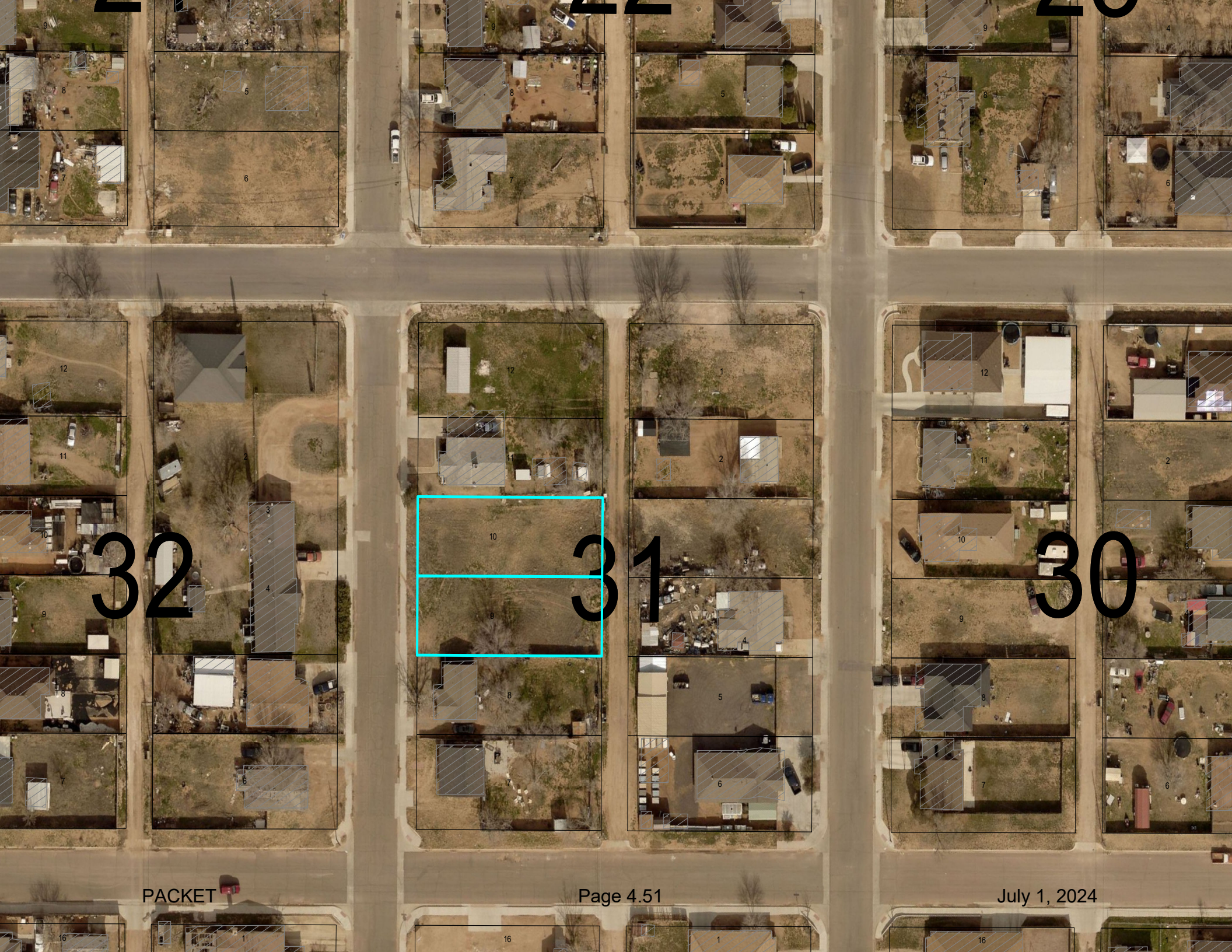
E. NEW YORK

S. CALHOUN

MF22

SF3









Item 4

Terrill Q. LittleJohn

Zone Change

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

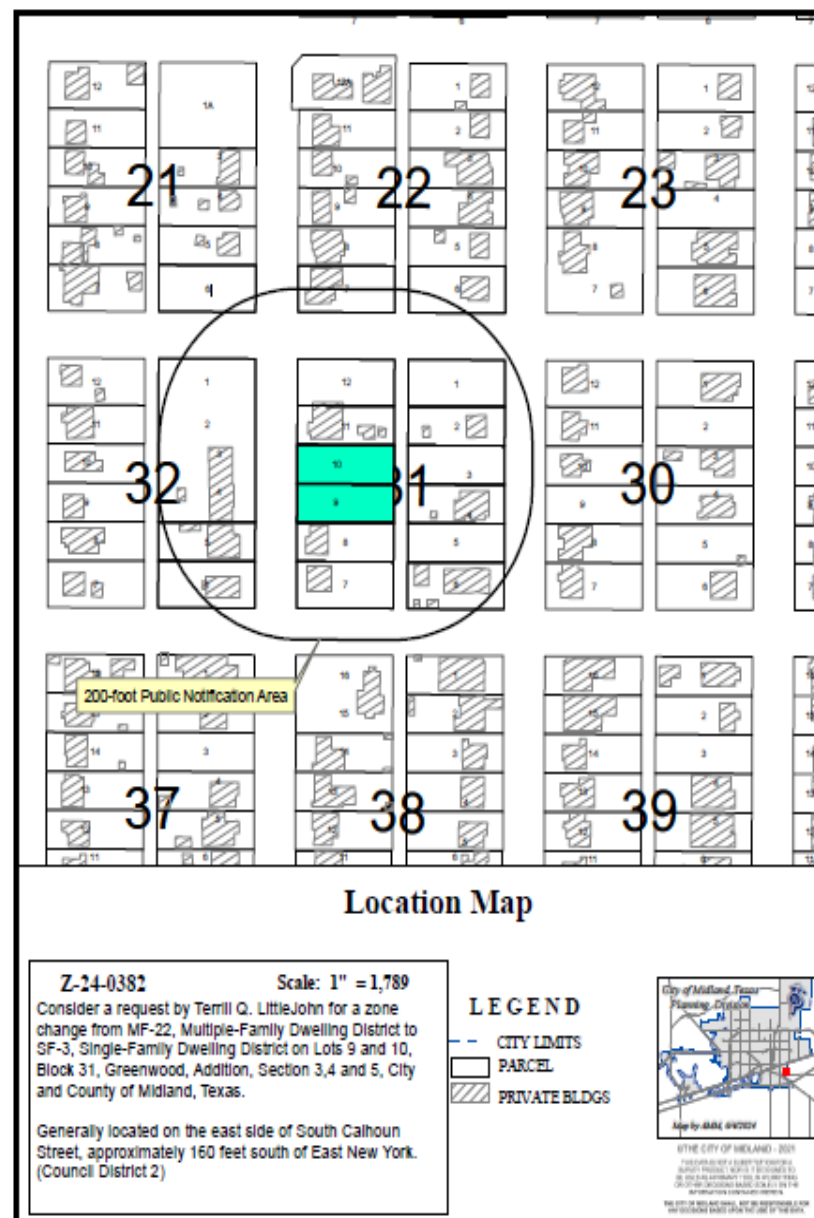
PACKET

Page 4.53

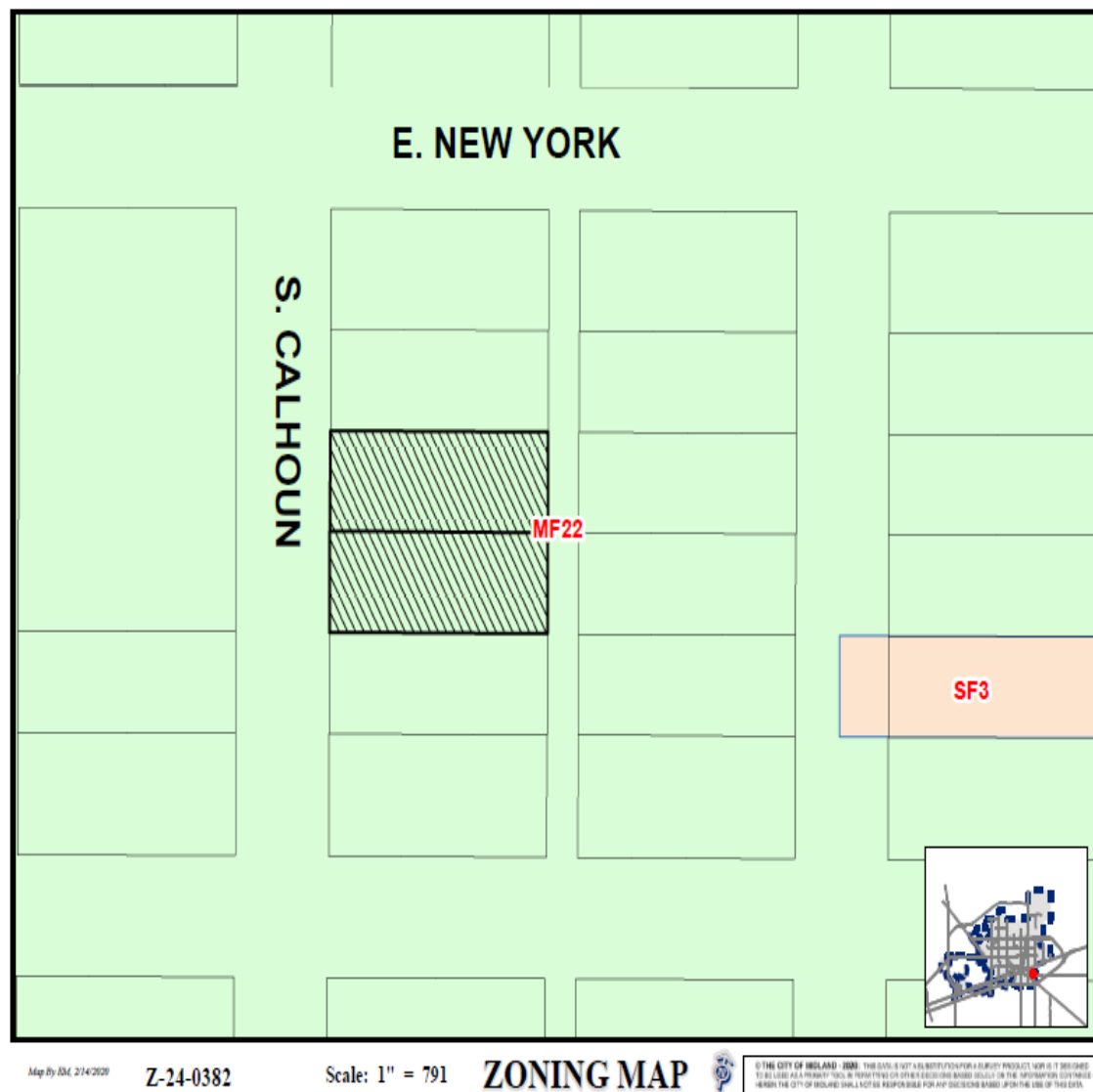
July 1, 2024

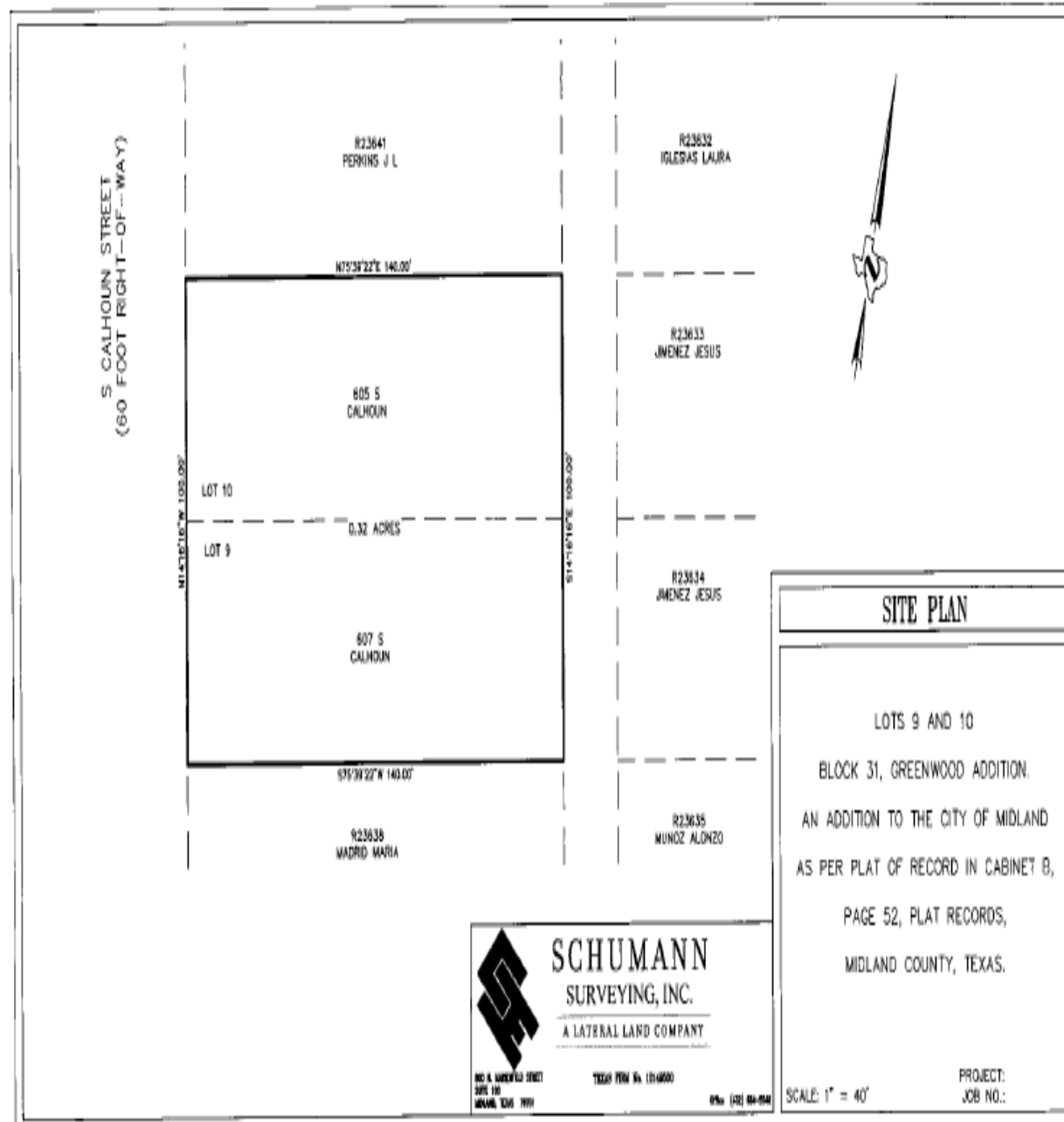


- Terrill Q. LittleJohn
- Zone Change
- 605 & 607 S. Calhoun
- Both are .13 acres



- **Current Zoning: MF-22, Multiple-Family Dwelling District**
- **Surrounding Zoning:**
 - North, South, East, and West is MF-22, Multiple-Family Dwelling District
- **Proposed Zoning: SF-3, Single-Family Dwelling District**





- Current use of the property:
Vacant
- Proposed use of the Property
Single- Family dwelling



- **TCT Land Use Designation: Urban-Medium Neighborhood Center (U-M)**
- **Supported Uses: Calls for any single-family zoning district**
- **Request is compatible with the surrounding area and the Tall City Tomorrow Plan.**

Future Land Use Plan*



- Therefore, staff recommends **APPROVAL** of the Zone Change from MF-22, Multiple-Family to SF-3, Single-Family District.
 - No letters of objection have been received.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and consider a request by Leticia Juarez Gonzalez for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant, on a 2,400-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Longview Avenue, approximately 290 feet east of Belmont Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Leticia Juarez Gonzalez, is requesting a Specific Use Designation (SUD) with Term for the sale of all alcoholic beverages sales for on-premises consumption in a restaurant. The restaurant, La Florida, is located at 210 West Longview Ave.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north are zoned O1, Office District, SF-1, Single Family Dwelling District and SF-3, Single-Family Dwelling District. The property to the south is RR, Regional Retail District, and the location of Walmart. The property to the east is zoned PD and is the location of a hotel. The property to the west is zoned PD, Planned District and is the location of a bank and retail stores.

Analysis:

The property is zoned RR, Regional Retail. The RR zoning allows for Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant with the approval of an SUD. The total area of the restaurant, La Florida, is 2,400-square feet and the proposed alcohol serviceable area is 1,200-square feet.

The proposed hours of operation:

Monday through Sunday from 5 a.m. to 2 a.m.

The proposed hours of alcohol service:

Monday through Sunday from 11 a.m. to 2 a.m.

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

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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

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

Fire: (Approved)

No comments.

Engineering: (Approved)

No objection. [For the Applicant’s information only.]

Transportation: (Approved)

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

Building Code: (Approved)

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

Planning: (Approved with Conditions)

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

Conditions:

- A. That the serviceable area of the establishment shall be limited to approximately 1,200 square feet as shown in Exhibit "A".**
- B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:**

Monday through Sunday from 11 a.m. to 2 a.m.
- D. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- E. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- F. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**
- G. That in accordance with Section 9.07.E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

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

Attachments:

Application
Floor Plan
Site Plan

Maps
Aerial
Powerpoint



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

Project Number:

Case Number:

SUD-24-0182

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Leticia Juarez Gonzalez</u>		Phone (432) 553-1265 Email: <u>leticia.juarez657@gmail.com</u>	
Address <u>2105 Fort worth st #</u>	City <u>Midland</u>	State <u>Texas</u>	Zip <u>79701</u>
Property Owner Printed Name: <u>Kiran Ponnamm</u>		Phone (918) 978-3366 Email: <u>kponnam@yahoo.com</u>	
Address <u>440 Louisiana Ave S 952</u>	City <u>Houston</u>	State <u>Texas</u>	Zip <u>77002</u>

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

Street Address: <u>210 Longview Ave</u>	
Business Name: <u>Mexican Restaurant La Florida #2</u> <u>JL</u>	
Legal Description Lot: <u>2A</u> Block: <u>52</u> Subdivision: <u>BELMONT SECTION 12</u>	
Current Zoning: <u>Comercial</u>	
Reason for Request: <u>permit for Alcohol</u>	

Type of Business (restaurant, bar, lounge, nightclub, etc.): <u>restaurant bar</u>		
Proposed/Current Days and Hours of Operation: <u>Lunes a Domingo 5:AM a 2:00 AM</u>		
Proposed Days and Hours of Alcohol Service: <u>Lunes a Domingo</u> <u>11:00AM a 2:00 AM</u>		
Total Square Footage of Business: <u>2400</u>		
Square Footage of Alcohol Serviceable Area: <u>1200</u>		
Restroom Fixtures: <u>1 Men</u>	Toilets/Urinals: <u>1 /</u>	Bathroom Sinks: <u>1</u>
<u>1 Women</u>	Toilets: <u>1</u>	Bathroom Sinks: <u>1</u>

Submittal and Fees Items to be submitted with this application form:	
• Application Fee – Payable to the 'City of Midland' • Dimensioned Floor Plan showing: • Seati • Exits • Restr • Dimensioned Site Plan showing: • Parking	• Kitchen (if applicable) • Total Square Footage • Serviceable Square Footage • Business Footprint

Signatures	
Applicant (signature): <u>Leticia B. Alvarez Gonzalez</u>	Date: <u>05-08-2024</u>
Applicant (printed): <u>Leticia B. Alvarez Gonzalez</u>	
Property Owner (signature):	Date:
Property Owner (printed): _____	
<i>The Specific Use Designation with Term for the sale of all alcoholic beverages shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.</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 _____ who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact. _____ Authorized Agent (signature) Subscribed and sworn to before me, this _____ day of _____, 20 __, to certify which witness my hand and seal of office. _____ NOTARY PUBLIC, MIDLAND COUNTY, TEXA

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

Signature

Applicant (signature)

Applicant (printed)

Property Owner (signature)

Property Owner (printed)

The Specialized Design which is the subject of this application is being submitted for the status consideration, officially recognizing the Plan and/or design, which is the subject of this application, as being in compliance with the provisions of Section 212 of the Texas Local Government Code and the Planning Code of the City of Midland, Texas, and that such recognition is a prerequisite for the use of the same.

On this day, the undersigned, a duly qualified and sworn Notary Public for the State of Texas, has personally observed the signing of the foregoing instrument by the person or persons whose names are subscribed to the same, and has acknowledged the execution of the same by the person or persons so appearing.

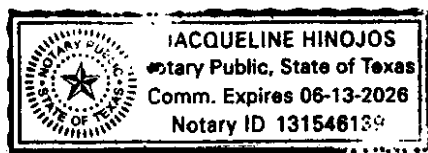
The foregoing instrument is being submitted to the City of Midland, Texas, for the purpose of obtaining a permit for the use of the same, and the undersigned is not aware of any fact which would render the same invalid or fraudulent.

Notary Public, State of Texas
My Commission Expires 06/13/2026

Before me, the undersigned authority, on this day personally appeared Kiran Ponham, who being of legal age and of sound mind, acknowledged to me that he executed the foregoing instrument for the purposes and consideration therein expressed. The undersigned authority is not aware of any fact which would render the foregoing instrument invalid or fraudulent.

Notary Public (signature)

Subscribed and sworn to before me, this 20th day of May, 2024, to certify which witness my hand and seal of office.



Commission Expires 06/13/2026

NOTARY PUBLIC, MIDLAND COUNTY, TEXA

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Floor Plan

☒ Application Fee

☒ Site Plan

Check #

1003

☐ Plans in Digital Format (PDF/JPEG)

Received By:

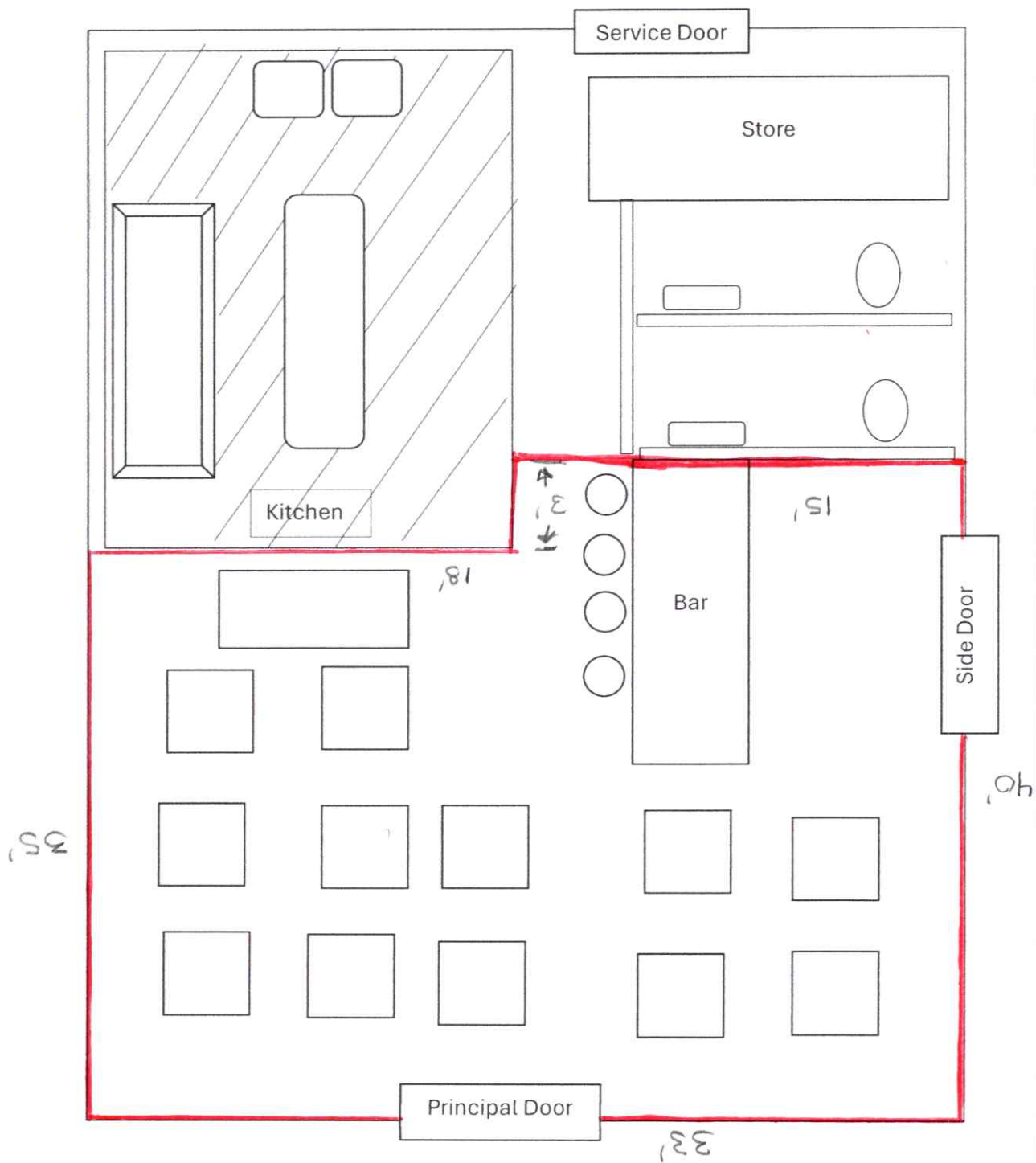
Alexis

Date:

RECEIVED

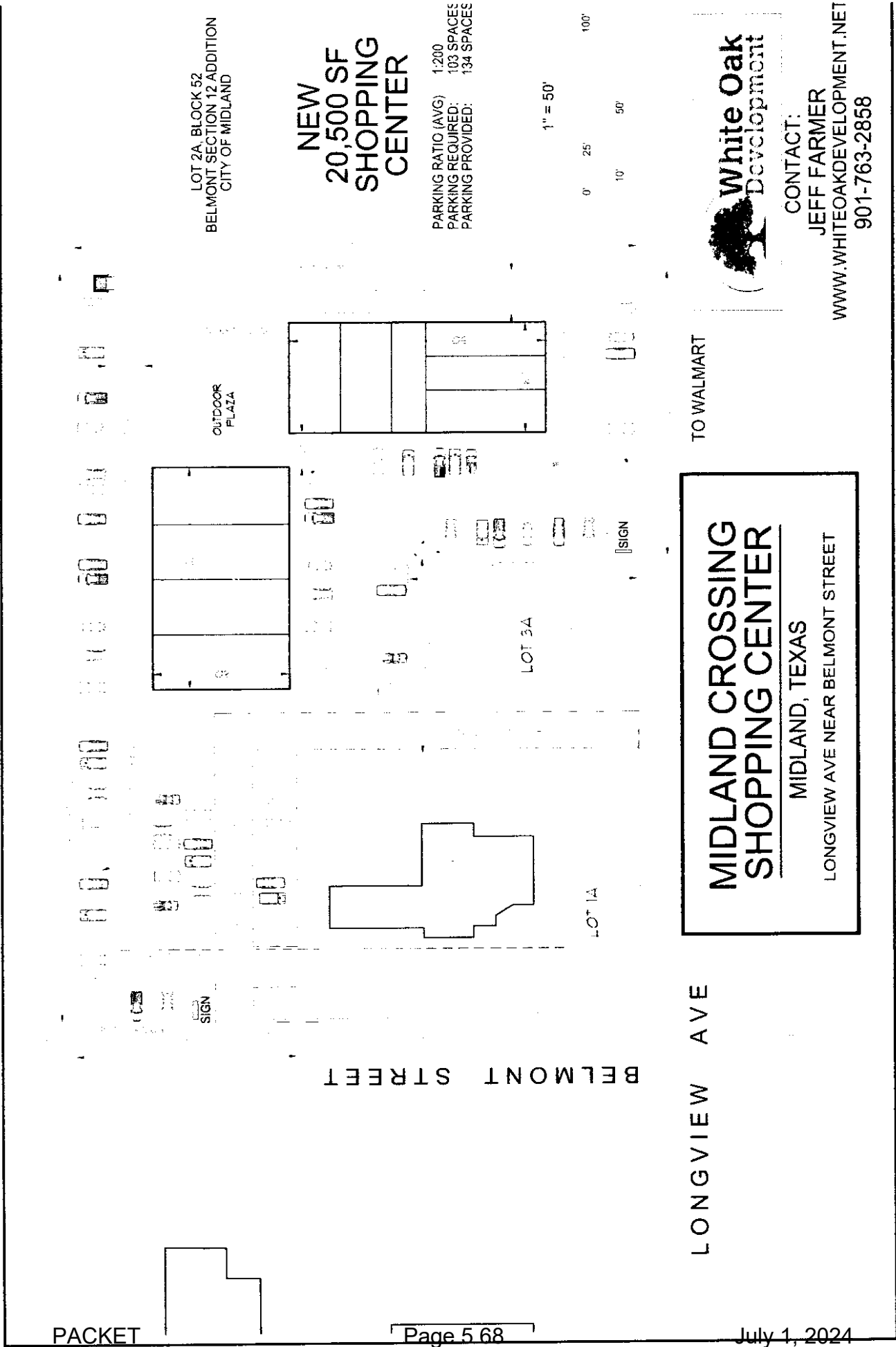
BY:

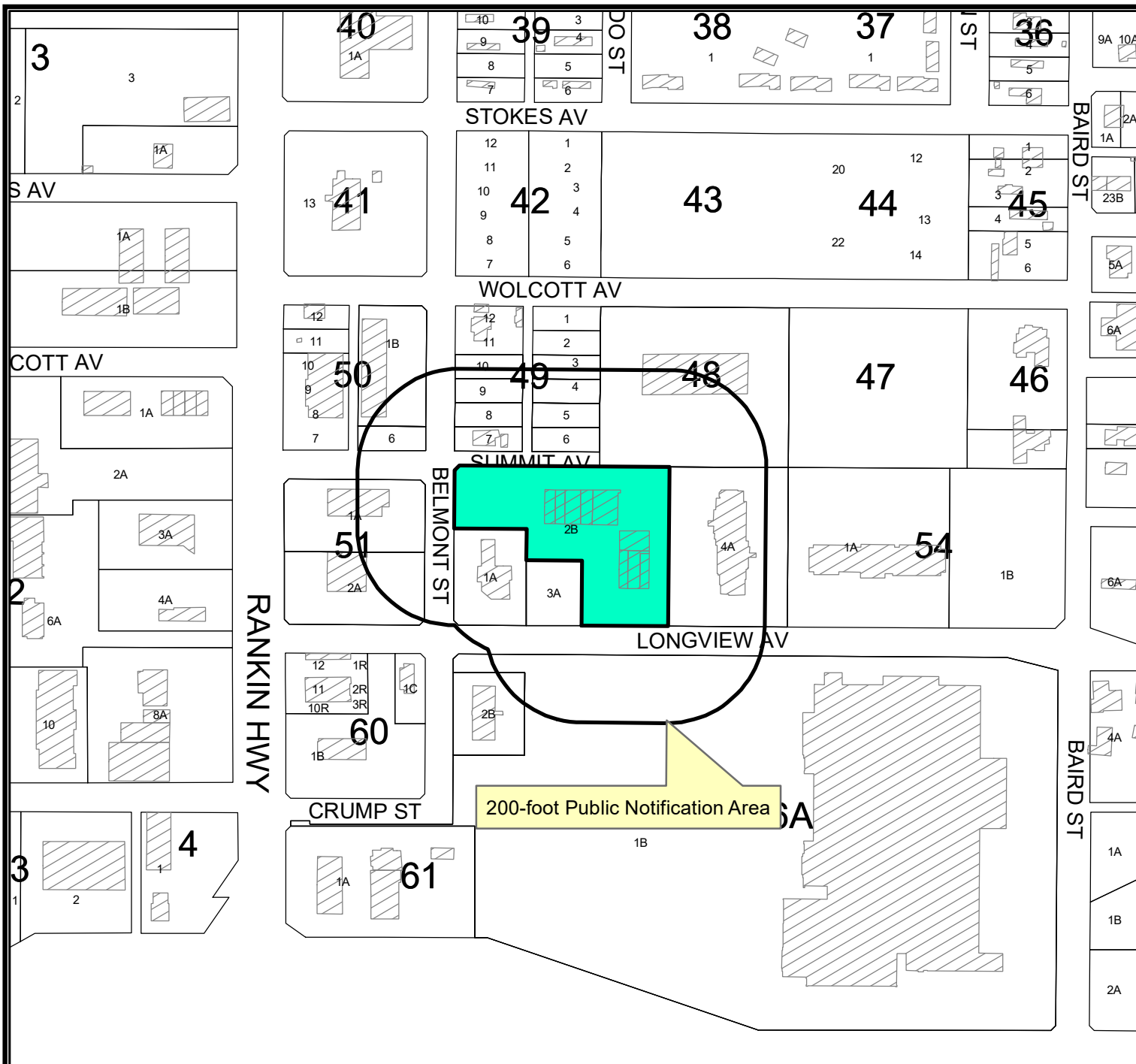
****Application will not be considered for scheduling until reviewed by a planner.****



Local J2-Mexican Restaurant La Florida #2

Total square Footage of Business 2,400
 Square Footage of Alcohol serviceable Area 1,200-





Location Map

SUD-24-0182

Scale: 1" = 3,578'

Consider a request by Leticia Juarez Gonzalez for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a Restaurant on a 2,400 square foot portion of Lot 2B, Block 52, Belmont, Section 21, City and County of Midland, Texas.

Generally located on the North side of West Longview Avenue, approximately 290 feet east of Belmont Street.

(Council District 2)

LEGEND

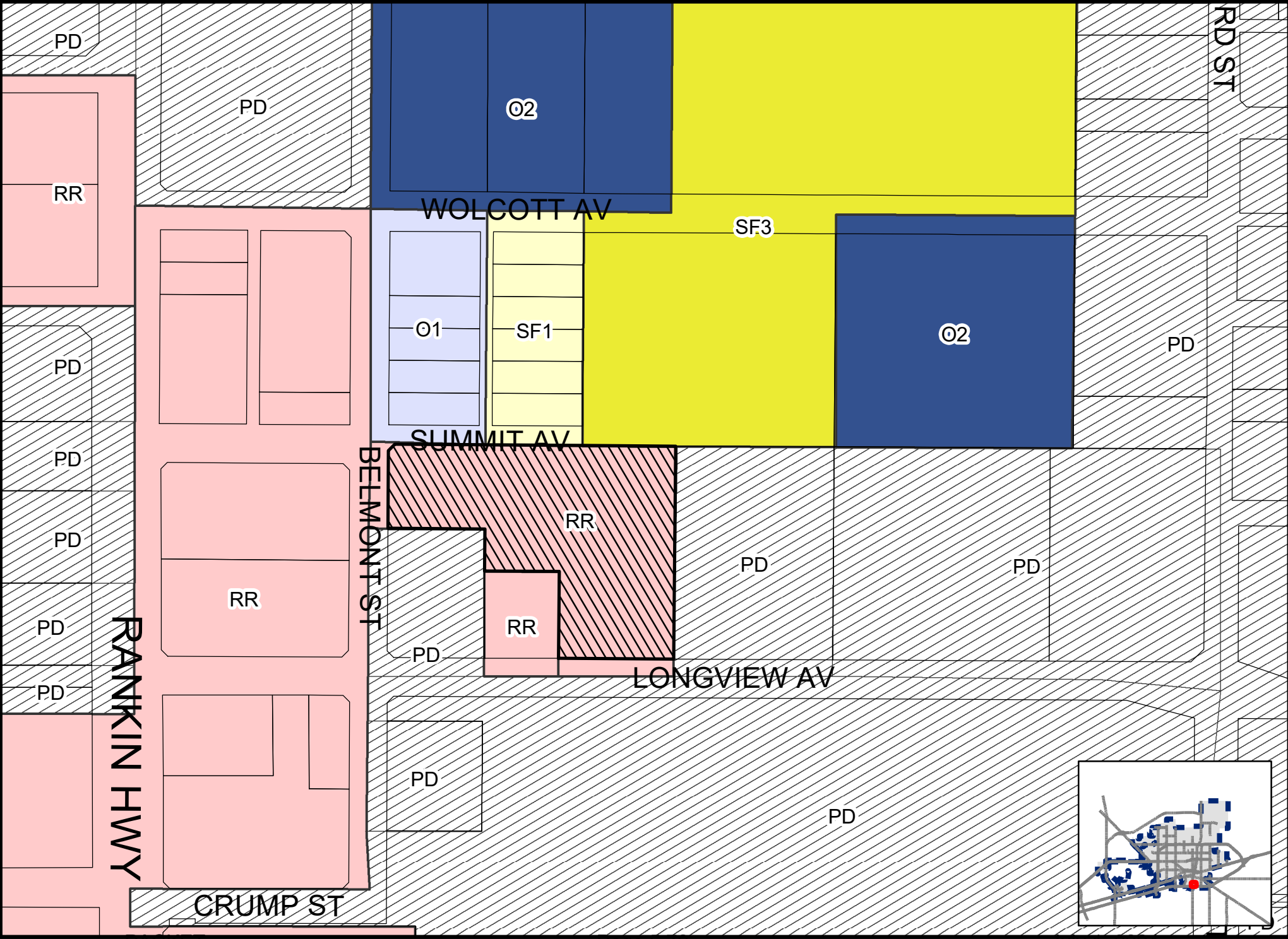
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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July 1, 2024





50

49

48

47

SUMMIT AV

BELMONT ST

51

52

53

RANKIN HWY

LONGVIEW AV

60

PACKET





La Florida

Specific Use Designation

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

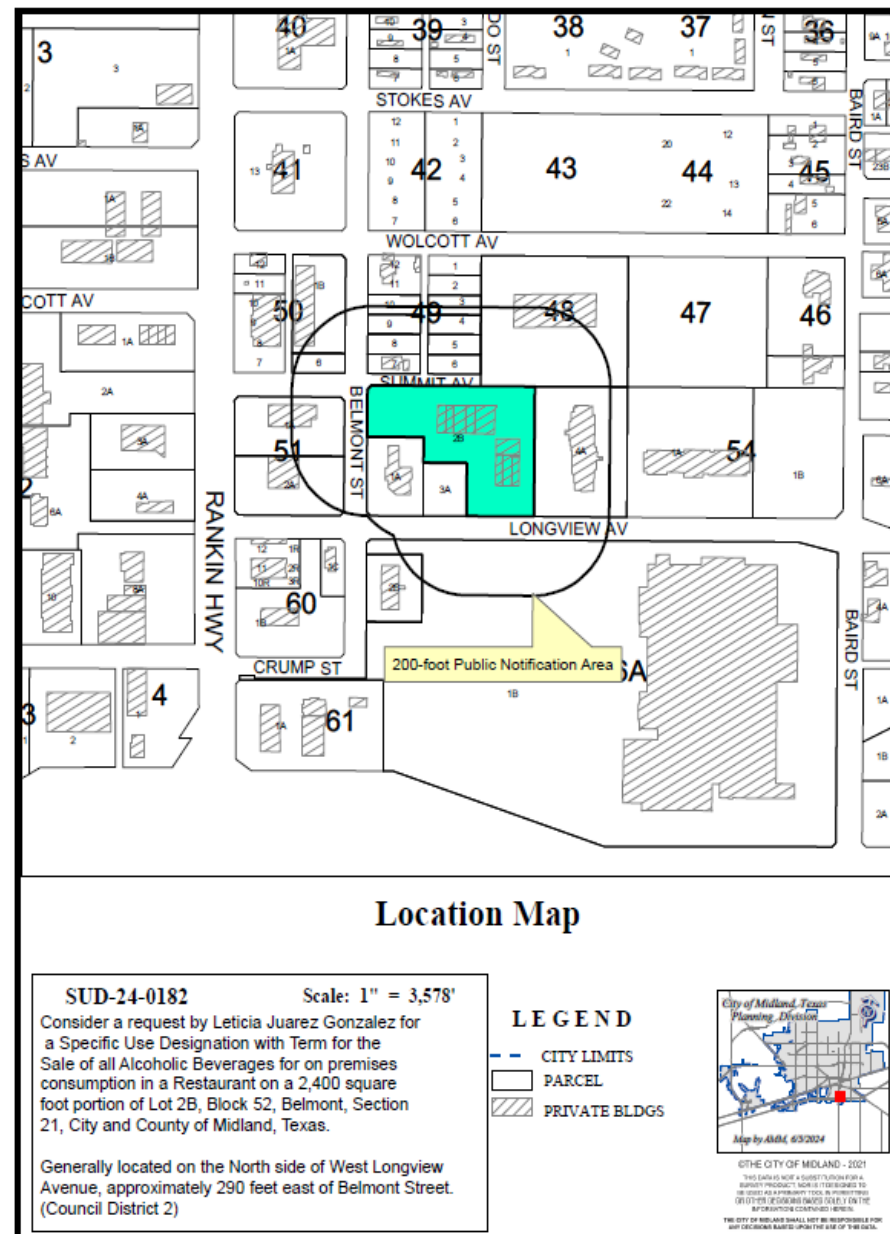
PACKET

Page 5.73

July 1, 2024

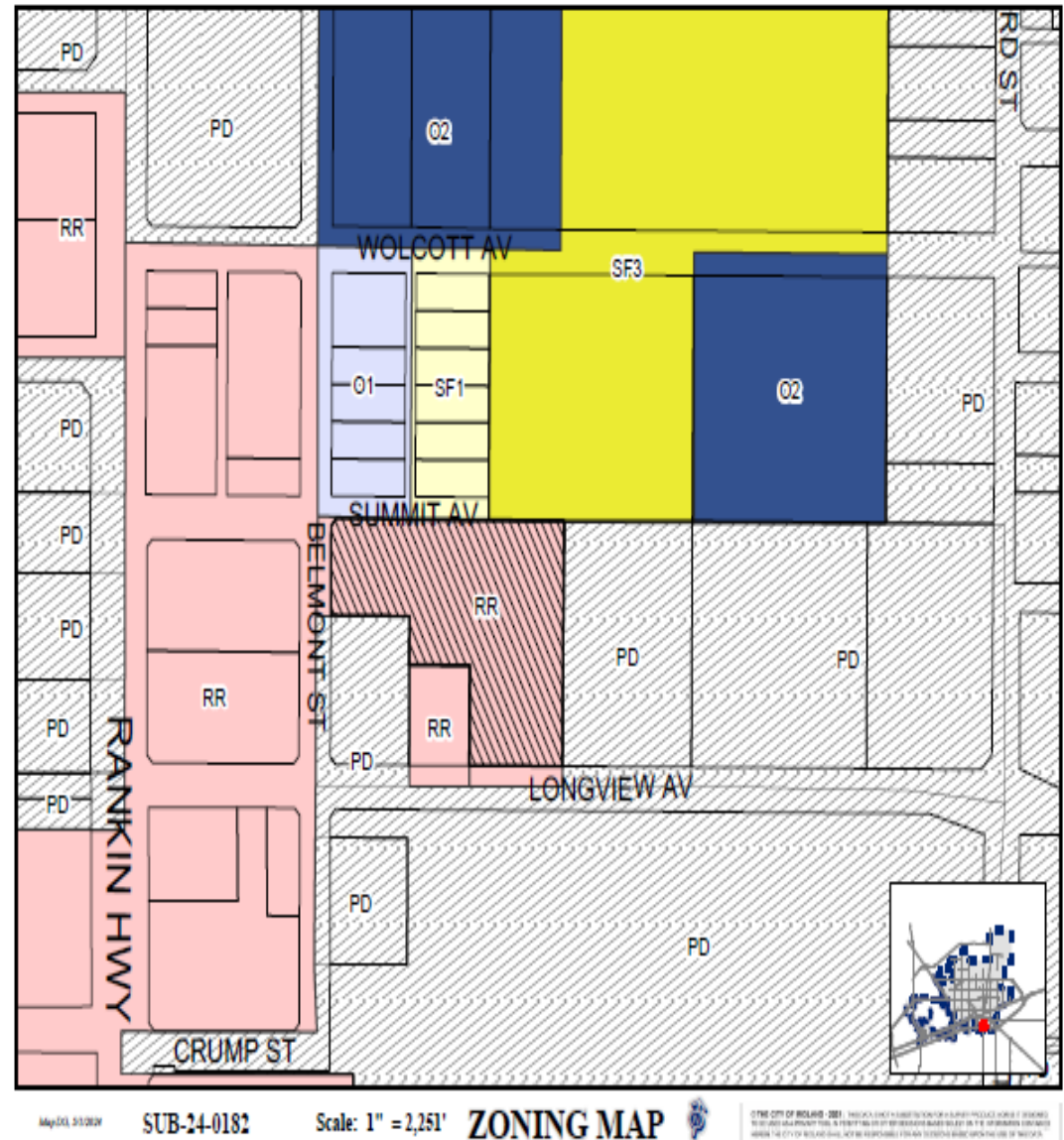


- Leticia Juarez Gonzalez
- Specific Use Designation (SUD)-
with Term for Alcoholic Beverages
Sales for On- Premises
Consumption
- 210 Longview Ave.
- Suite J2



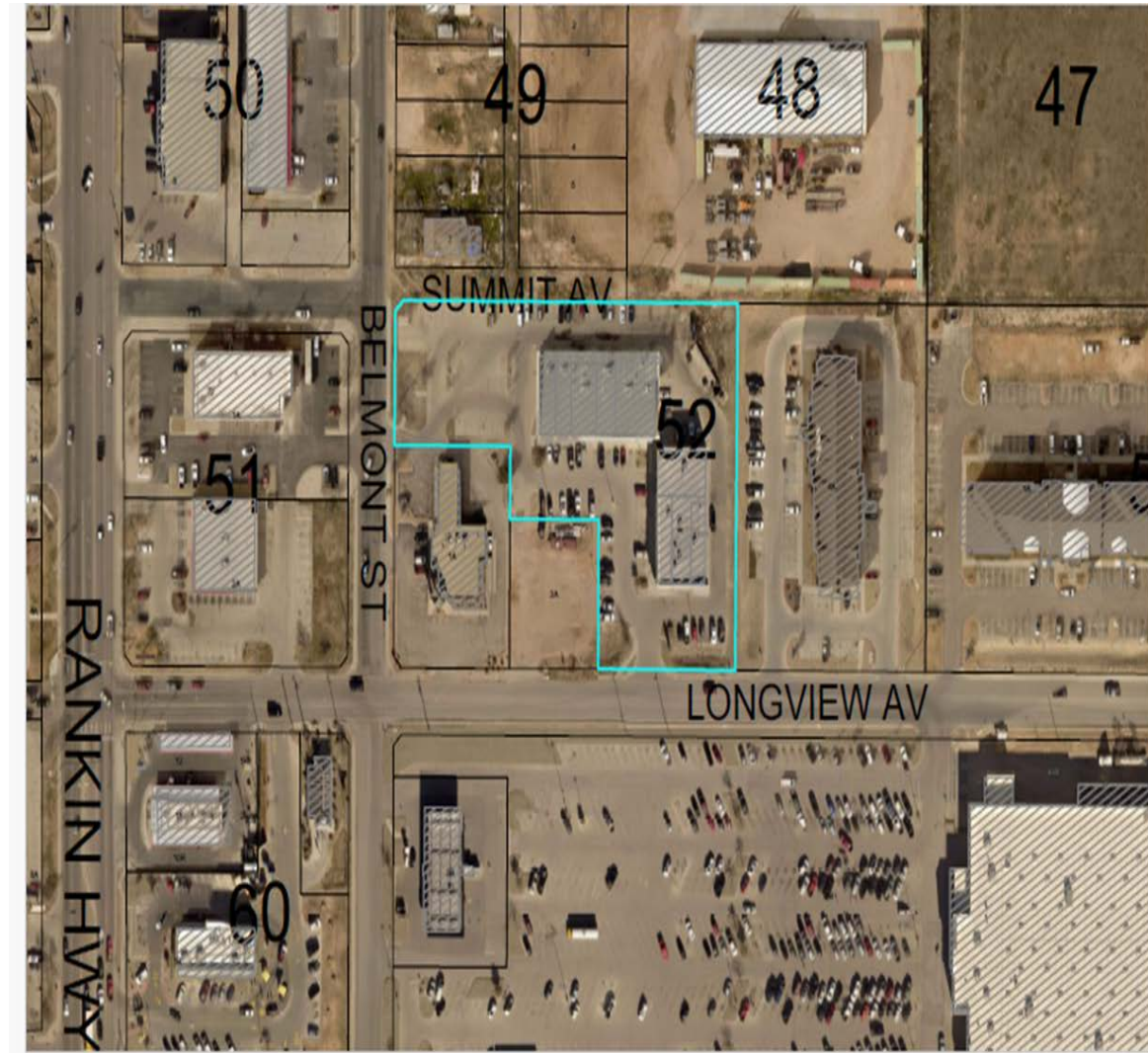


- **Current Zoning:** RR, Regional Retail District
- **Surrounding Zoning:**
- **North:** O1- Office District and SF-1, Single Family Dwelling and SF-3
- **South:** RR, Regional Retail and PD, Planned District for Shopping Center
- **East:** PD, Planned District for Shopping Center
- **West:** RR, Regional Retail



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

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



- Therefore, staff recommends **APPROVAL** of this request for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Noah Perkins, Planning Intern & Daniel Humbert, Planner

SUBJECT: Hold a public hearing and consider a request by Lee Sanchez for a Specific Use Designation with Term for the sale of all alcoholic beverages sales for on-premises consumption in a Restaurant, on a 2,173 square-foot portion of Lot 7, Block 58, Original Town, City and County of Midland, Texas. (Generally located northeast of the intersection of North Pecos Street and West Wall Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Lee Sanchez, is requesting a Specific Use Designation (SUD) with Term for alcoholic beverages sales for on-premises consumption in a restaurant, Saint Blaise is located at 508 West Wall Street.

Current Zoning:

CB, Central Business District

Surrounding Zoning and Land Use:

The parcel to the north and south is zoned CB, Central Business District and the location of parking spots and a bank respectively. The parcels to the east and west are zoned CB, Central Business District and are parking spots and an office building.

Analysis:

The property is zoned CB, Central Business District and is the location of business building. The CB zoning allows for alcoholic beverages sales for on-premises consumption in a Restaurant with the approval of an SUD. The total area of the Restaurant, is 2,173-square feet and the proposed alcohol serviceable area is 1,821-square feet.

The proposed hours of operation:

Monday through Sunday from 7 a.m. to 11 p.m.

The proposed hours of alcohol service:

**Monday through Saturday from 7 a.m. to 11 p.m.
Sunday from 10 a.m. to 11 p.m.**

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

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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

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

Fire: (Approved)

No objections.

Engineering: (Approved)

No objection.

Transportation: (Approved)

No Objection.

Building Code: (Approved)

The SUD for Saint Blaise is acceptable. The property must adhere to the maximum occupant load of 121 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

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

Conditions:

- A. That the serviceable area of the establishment shall be limited to approximately 1,821 square feet as shown in Exhibit "A".**
- B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:**

Monday through Saturday from 7 a.m. to 11 p.m.
Sunday from 10 a.m. to 11 p.m.
- D. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- E. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- F. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**
- G. That in accordance with Section 11- 1- 9. 07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

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

Attachments:

Application
Floor Plan
Site Plan
Maps



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

Project Number: _____

Case Number: _____

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

Printed Name: Lee Sanchez

Phone (432) 853 5659

Email Lee@sculpt-haus.com

Address 5105 King Richards Row

City Midland

State TX

Zip 79707

Property Owner

Printed Name: Franklin Mountain Permian I, LP.
William Kell

Phone (915) 504 7150

Email wkell@FMMEP.com

Address 123 W Mills Ave Ste 600

City El Paso

State TX

Zip 79901

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()

Email

Address

City

State

Zip

Street Address: 508 W Wall St Suite 150
Midland, TX 79701

Business Name: Sip Haus LLC

Legal Description

Lot: 7 Block: 58 Subdivision: original town

Current Zoning: Commercial

Reason for Request: TABC License/Restaurant

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

Proposed/Current Days and Hours of Operation: Monday-Sunday 7am-11pm

Proposed Days and Hours of Alcohol Service: Monday-Saturday 7am-11pm & Sunday 10am-11pm

Total Square Footage of Business: 957 interior 966 exterior patio 250 lobby
patio. Total 2173

Square Footage of Alcohol Serviceable Area: 1821

Restroom Fixtures: Men

Toilets/Urinals: /

Bathroom Sinks:

Women

Toilets:

Bathroom Sinks:

1 unisex restroom ADA Compliant
1 toilet & 1 sink

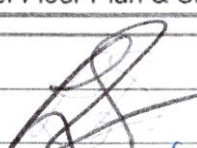
Submittal and Fees

Items to be submitted with this application form:

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

Signatures

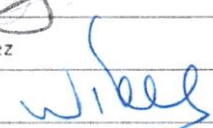
Applicant (signature):



Date: 05/31/24

Applicant (printed): Lee Sanchez

Property Owner (signature):



Date: 05/31/2024

Property Owner (printed) : William Kell, COO of Franklin Mountain Frost Tower GP, LLC, General Partner of Franklin Mountain Permian I, LP

The Specific Use Designation with Term for the sale of all alcoholic beverages shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

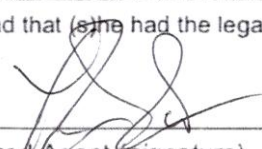
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

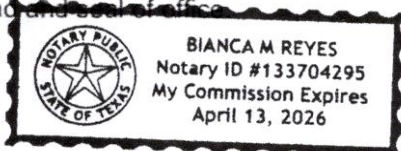
STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)



Subscribed and sworn to before me, this 3 day of June, 2024, to certify which witness my hand and seal of office.



Bianca M. Reyes
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☐ Property Owner Authorization

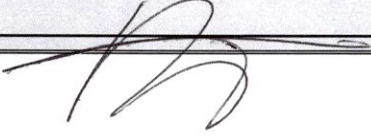
☐ Dimensioned Floor Plan

☐ Application Fee

☐ Site Plan

Check # 1303

☐ Plans in Digital Format (PDF/JPEG)

Received By: 

Date: RECEIVED

JUL 03 2024

BY:

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

PACKET

Page 6.85

July 1, 2024

electrical key	
	duplex wall outlet
	quad wall outlet
	floor outlet
	clock outlet
	power outlet w/ usb capabilities
	cable tv outlet
	recessed junction box
	dual telephone/data outlet
	data outlet
	telephone outlet

electrical general notes:

1. all existing conditions should be verified.
2. areas with more than one symbol adjacent to one another indicate that another power source is located right next.
3. refer to MEP drawings for any additional & exact electrical locations and dimensions.
4. refer to kitchen drawings for kitchen electrical locations and dimensions.
5. verify all tv locations with the consultant and owner.
6. this drawing is only a guide for convenience electrical locations.
7. electrical installation shall meet requirements of all applicable codes and regulations.
8. contractor to verify location of utilities.
9. verify the power requirements of all installed mechanical equipment.
10. smoke detectors (if req.) to comply with all applicable codes and coordinate with alarm system.
11. all electrical sources with no height specified should be placed at typical mounting location as described on general notes sheet. (15" A.F.F.)
12. all power receptacles and outlets should be write in color (NOC).

alcohol service
area 1821



01 electrical plan

1/8" = 1'-0"

PROJECT NAME

PROJECT NAME / ARCHITECT
Coeval Studio
200 King Street
Ottawa, Ontario
K1P 1G1

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info@coevalstudio.com
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PROJECT NUMBER
24001

REVISIONS

DATE DATE
03.27.2024

ELECTRICAL PLAN
ID2.003

SAINT BLAISE

floor plan key:

existing walls	
new walls	
half walls	
overhang	
fire rated walls	
floor level	

1/8" = 1'-0"

floor plan notes:

1. the contractor shall verify all existing conditions prior to the commencement of work. any discrepancies shall be brought to the attention of the owner & designer.
2. all new typical interior walls are to be 3 1/2" or 4" metal stud @ 16" o.c. or u.n.s with typical 1/2" thick gypsum board.
3. ensure wall blocking is available for any wall mounting element. reference all sheets and elevations as required.
4. reference wall section details for different wall types and conditions.

INTERIOR SQUARE FOOTAGE TABULATION:

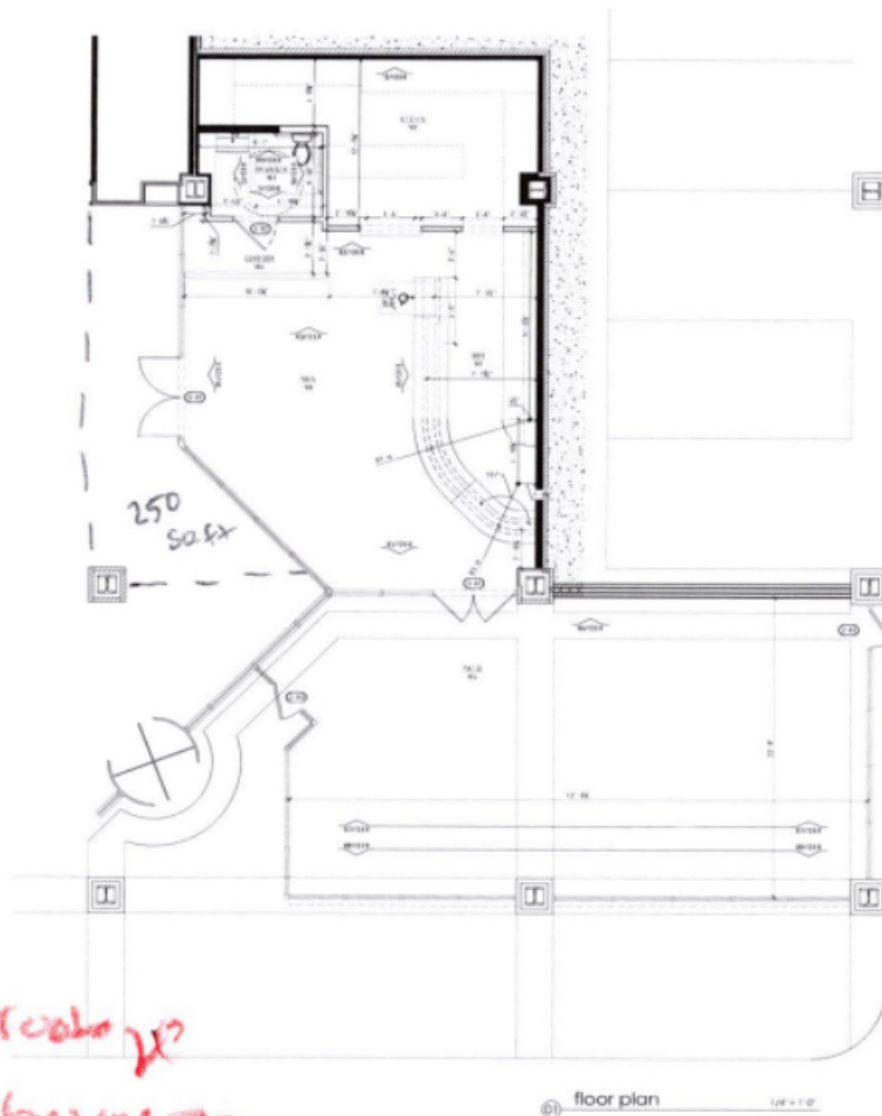
main floor	400 sq.ft
restrooms/corridor	107 sq.ft
kitchen	245 sq.ft
MAIN TOTAL A/C	952 sq.ft

patio	864 sq.ft
-------	-----------

Lobby patio 250 Sqft

total 2173

500 sq ft
6 business



floor plan 1/8" = 1'-0"

PROJECT NAME:

DESIGN NAME / ARCHITECTURE
Coeval Studio
2000 Washington St.
Boulder, CO 80501
743-4071-0000

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COEVAL
www.coevalstudio.com
info@coevalstudio.com
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24001

REVISION

DATE DATE
03.27.2024

FLOOR PLAN
ID2.002

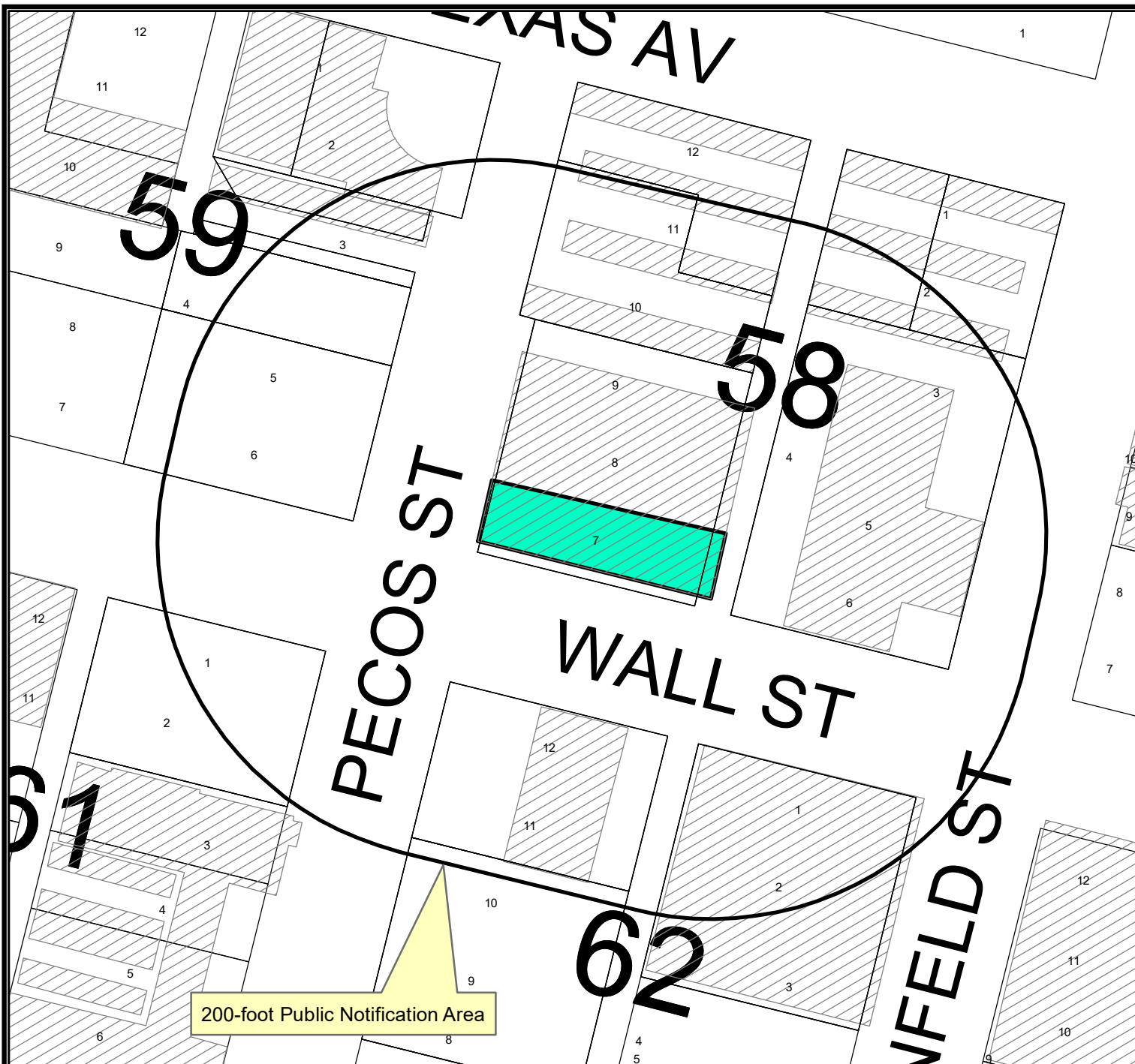
SAINT BLAISE

PARKING SITE PLAN



● RESTAURANT LOCATION

□ PARKING



Location Map

SUD-24-0183

Scale: 1" = 90.01'

Consider a request by Lee Sanchez for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a restaurant on a 2,173 square foot portion of Lot 7, Block 58, Original Town, City and County of Midland, Texas

Generally located northeast of the intersection of North Pecos Street and West Wall Street. (District 3)

PACKET

Page 6.89

LEGEND

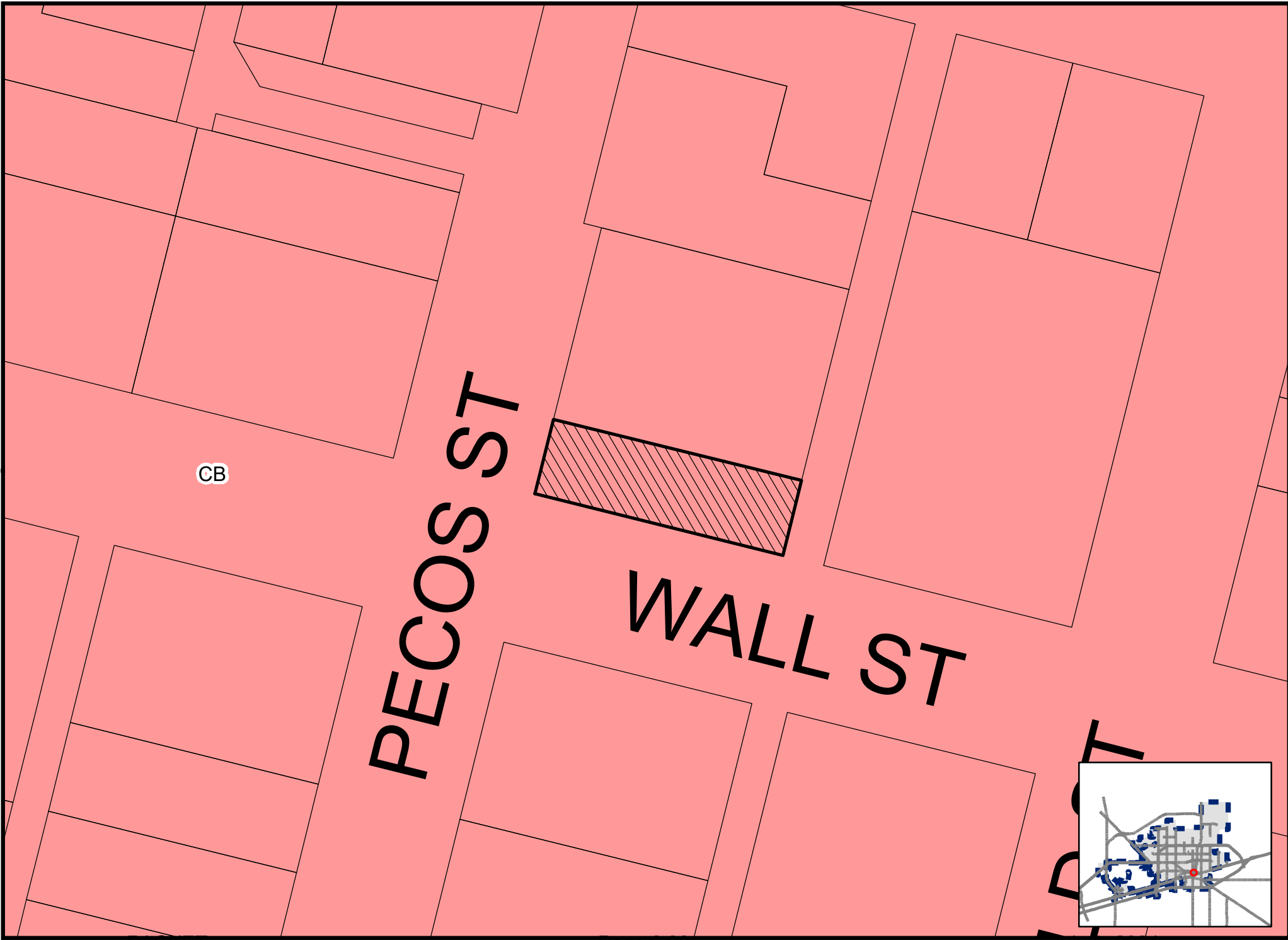
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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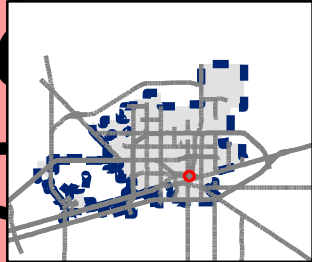
July 1, 2024



CB

PECOS ST

WALL ST







Frost

Frost

PACKET

Page 6.5

July 1, 2024



Item _

Specific Use Designation

Saint Blaise

July 1, 2024



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1

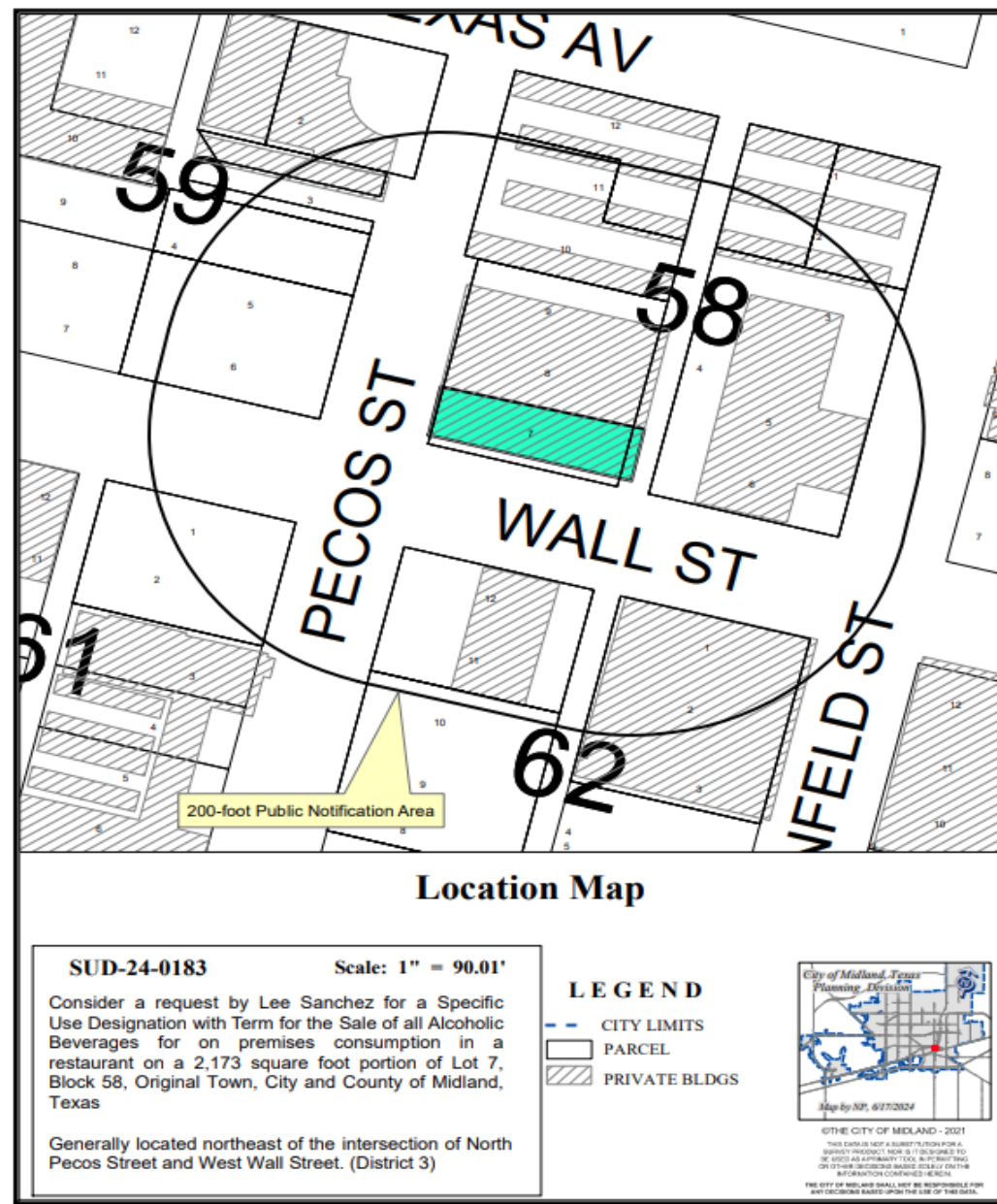
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Page 6.93

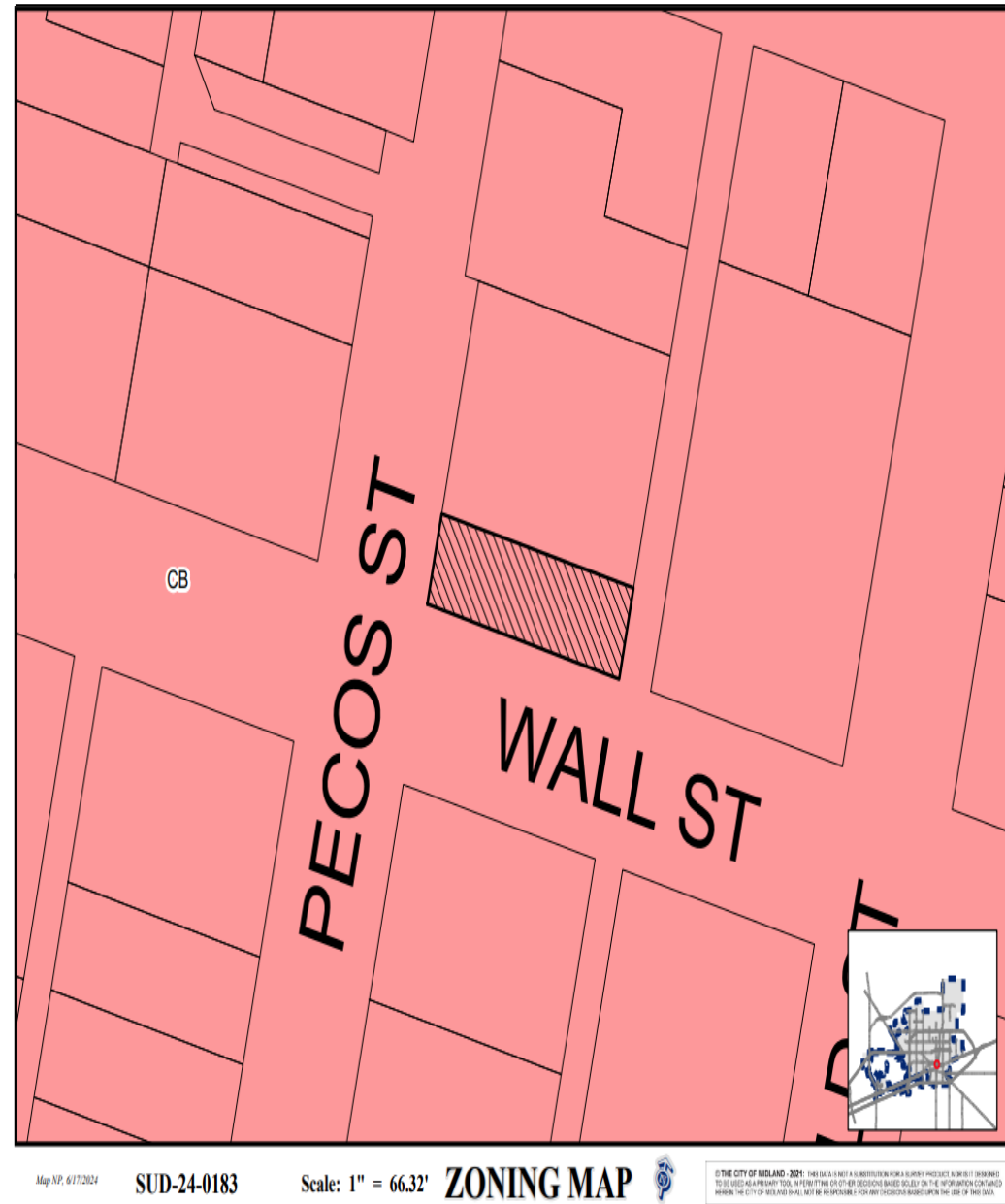
July 1, 2024



- Lee Sanchez
- Specific Use Designation (SUD) with Term for the sale of all alcoholic beverages for on-premises consumption
- 508 West Wall Street



- **Current Zoning: CB, Central Business District**
- **Surrounding Zoning: CB, Central Business District**



- Per Midland City Code, Section 5-4-4, Prohibited Places of Business:
- The sale of any alcoholic beverage is hereby prohibited by any person, where the place of business of any such dealer is within 300 feet of any church, public-school, public-school ground, athletic stadium used by any public school or public hospital, the measurements to be along the property lines of the street fronts and from front door to front door and in a direct line across intersections where they occur.



On Pecos Street looking east.



- **Recommendation**

- **As of July 1, 2024, staff has not received any letters of objection.**
- **Staff recommends approval of the request of the Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant subject to Condition A through G.**



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Marty Gautreaux for a Specific Use Designation with Term for the sale of beer and wine, for on premises consumption in a restaurant on a 2,650 square foot portion of Lot 5A, Block 1, Gateway Plaza, Section 12, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Starboard Drive and Liberty Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Marty Gautreaux is requesting approval of a Specific Used Designation with Term for the sale of beer and wine, for on premises consumption, in a restaurant at 5701 Starboard Drive, Suite 1.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned Development District for Housing Development, O-2, Office District and the location of an apartment complex and a hotel, respectively. The property to the east is zoned PD, Planned Development District for a Shopping Center, and the location of a movie theater. The property to the south and across Business Interstate-20 is located outside city limits and the location of industrial businesses. The property to the west is zoned PD, Planned Development District for a Shopping Center and the location of a motor sports store.

Analysis:

The applicant, Marty Gautreaux is requesting approval of a Specific Used Designation with Term for the sale of beer and wine, for on premises consumption, in a restaurant. The property is zoned RR, Regional Retail District, which allows the sale of alcoholic beverages, for on premises consumption, in a restaurant with the approval of a Specific Use Designation. The property previously functioned as The Rig Tacos, which was regulated by Ordinance No.10,120. The location of the proposed restaurant is located within a retail center and there is currently one other Specific Use Designation for a bar, Woody's Hideaway.

The floor plan attached here to Exhibit A illustrates a dining area of 1,000 square feet. There is also an outside patio area of approximately 775 square feet. A total of 1,775 square feet is being dedicated for the sale and on premises consumption of alcoholic beverages.

The proposed hours of operations for the restaurant are as followed:

Monday through Saturday from 11:00 a.m. to 12:00 a.m. (midnight)

The applicant is requesting the following hours for alcohol service as the following:

Monday through Saturday from 11:00 a.m. to 12:00 a.m. (midnight)

Per Midland City Code 5.4.4. –Prohibited place of business

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

This proposed project has been circulated to and reviewed by respective City departments for internal review and their comments, conditions, and requirements are as follows:

Building: (Approved)

The SUD for Marty G's is acceptable. The property must adhere to the maximum occupant load of 118 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Engineering: (Approved)

No objection.

Transportation: (Approved)

No objection.

Fire: (Approved)

No comments.

Planning:

This request meets all requirements; therefore, staff recommends approval of the Specific Use Designation with Term for the sale of beer and wine, for on-premises consumption, in a restaurant, subject to Conditions A through G.

Conditions:

- A. That the serviceable area of the restaurant shall be limited to approximately 1,775 square feet as shown in Exhibits "A", which is attached hereto and incorporated herein for all purposes.**
- B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:**
 - Monday through Saturday, from 11:00 a.m. to 12:00 a.m. (midnight)**
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- D. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.**
- G. That in accordance with Section 9.07.E. 3 of the City Code, the establishment shall receive a certificate of occupancy within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

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

Attachments:

Floor Plan (Exhibit A)

Site Plan

Application

Maps

Aerial

Photos

Powerpoint



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

Project Number: _____
Case Number: SUD-24-0124

Applicant (if acting as Agent, see affidavit on page 2)		Phone (337) 319 0616	
Printed Name: <u>MARTY Gauthreaux</u>		Email: <u>Marty@MartyG3CajinEats.com</u>	
Address: <u>5701 Starboard Dr STE 1</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79703</u>

Property Owner		Phone (806) 794-1492	
Printed Name: <u>Crimson Sky Capital, LTD</u>		Email: <u>pshipton@cmspropertiesinc.com</u>	
Address: <u>PO Box 53608</u>	City: <u>Lubbock</u>	State: <u>TX</u>	Zip: <u>79453</u>

Representative (if different from Applicant or Property Owner)		Phone ()	
Firm: _____		Email: _____	
Printed Name: <u>N/A</u>			
Address: _____	City: _____	State: _____	Zip: _____

Street Address: <u>5701 Starboard Dr. STE 1</u>	
Business Name: <u>Marty G's Cajin Restaurant</u>	
Legal Description	
Lot: <u>5A</u>	Block: <u>1</u> Subdivision: <u>Gateway Plaza section 12</u>
Current Zoning: <u>PR</u>	
Reason for Request: <u>TABC TO sell Beer.</u>	

Type of Business (restaurant, bar, lounge, nightclub, etc.): <u>Restaurant</u>			
Proposed/Current Days and Hours of Operation: <u>Monday Thru Saturday</u> <u>11 AM - 12 AM</u>			
Proposed Days and Hours of Alcohol Service: <u>Monday - Saturday</u> <u>11 AM - 12 AM</u>			
Total Square Footage of Business: <u>2,560</u>			
Square Footage of Alcohol Serviceable Area: <u>1,775</u>			
Restroom Fixtures:	Men	Toilets/Urinals: <u>1 1</u>	Bathroom Sinks: <u>1</u>
	Women	Toilets: <u>1</u>	Bathroom Sinks: <u>1</u>

Submittal and Fees

Items to be submitted with this application form:

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

SignaturesApplicant (signature): Marty Gaudreault Date: 6/4/24Applicant (printed): Marty GaudreaultProperty Owner (signature): Crimson Sky Capital, LTD Patty Shipton Date: 6/3/2024Property Owner (printed): Crimson Sky Capital, LTD Patty Shipton

The Specific Use Designation with Term for the sale of all alcoholic beverages shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

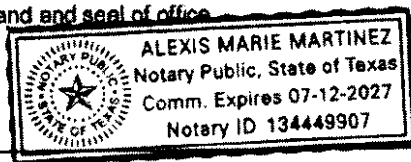
All materials, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland

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

**STATE OF TEXAS
COUNTY OF MIDLAND**

Before me, the undersigned authority, on this day personally appeared Marcelas D. Gaudreault who, being by me duly sworn, upon oath says: That (s)he is authorized by Crimson Sky Capital, 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. Marcelas D. Gaudreault

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

[Signature]
Notary Public**FOR OFFICE USE ONLY**

- ☐ Property Owner Authorization ☐ Dimensioned Floor Plan
☐ Application Fee ☐ Site Plan
Check # 2112 ☐ Plans in Digital Format (PDF/JPEG)

Received By: [Signature]Date: 6/4/24

BY:

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



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

Project Number:

Case Number:

SUO-24-0124

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

Printed Name: MARTY Gauthreaux

Address 5701 Starboard Dr STE 1

City Midland

Phone (337) 319 0616

Email Marty@MartyG3CajinEats.com

State TX

Zip 79703

Property Owner

Printed Name: Crimson Sky Capital, LTD

Address PO Box 53608

City Lubbock

Phone (806) 794-1492

Email pskington@cmspropertiesinc.com

State TX

Zip 79453

Representative (if different from Applicant or Property Owner)

Firm: N/A

Printed Name:

Address

City

Phone ()

Email

State

Zip

Street Address: 5701 Starboard Dr. STE 1

Business Name: Marty G's Cajin Restaurant

Legal Description

Lot: 5A Block: 1 Subdivision: Gateway Plaza section 12

Current Zoning: PR

Reason for Request: TABC TO sell Beer.

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

Proposed/Current Days and Hours of Operation: Monday Thru Saturday
11 AM - 12 AM

Proposed Days and Hours of Alcohol Service: Monday - Saturday
11 AM - 12 AM

Total Square Footage of Business: 2,560

Square Footage of Alcohol Serviceable Area: 1,775

Restroom Fixtures: Men

Toilets/Urinals: 1 1

Bathroom Sinks: 1

Women

Toilets: 1

Bathroom Sinks: 1

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Floor Plan showing:
 - Seating
 - Exits
 - Restrooms
 - Kitchen (if applicable)
 - Total Square Footage
 - Serviceable Square Footage
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SignaturesApplicant (signature): Marty Gaudreault Date: 6/4/24Applicant (printed): Marty GaudreaultProperty Owner (signature): Crimson Sky Capital, LTD Patty Shipton Date: 6/3/2024Property Owner (printed): Crimson Sky Capital, LTD Patty Shipton

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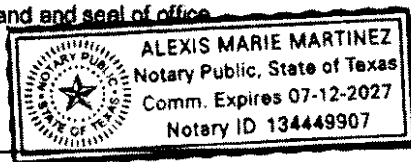
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**STATE OF TEXAS
COUNTY OF MIDLAND**

Before me, the undersigned authority, on this day personally appeared Marcelas D. Gaudreault who, being by me duly sworn, upon oath says: That (s)he is authorized by Crimson Sky Capital, 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. Marcelas D. Gaudreault

Subscribed and sworn to before me, this 4th day of June, 20 24 to certify which witness my hand and seal of office

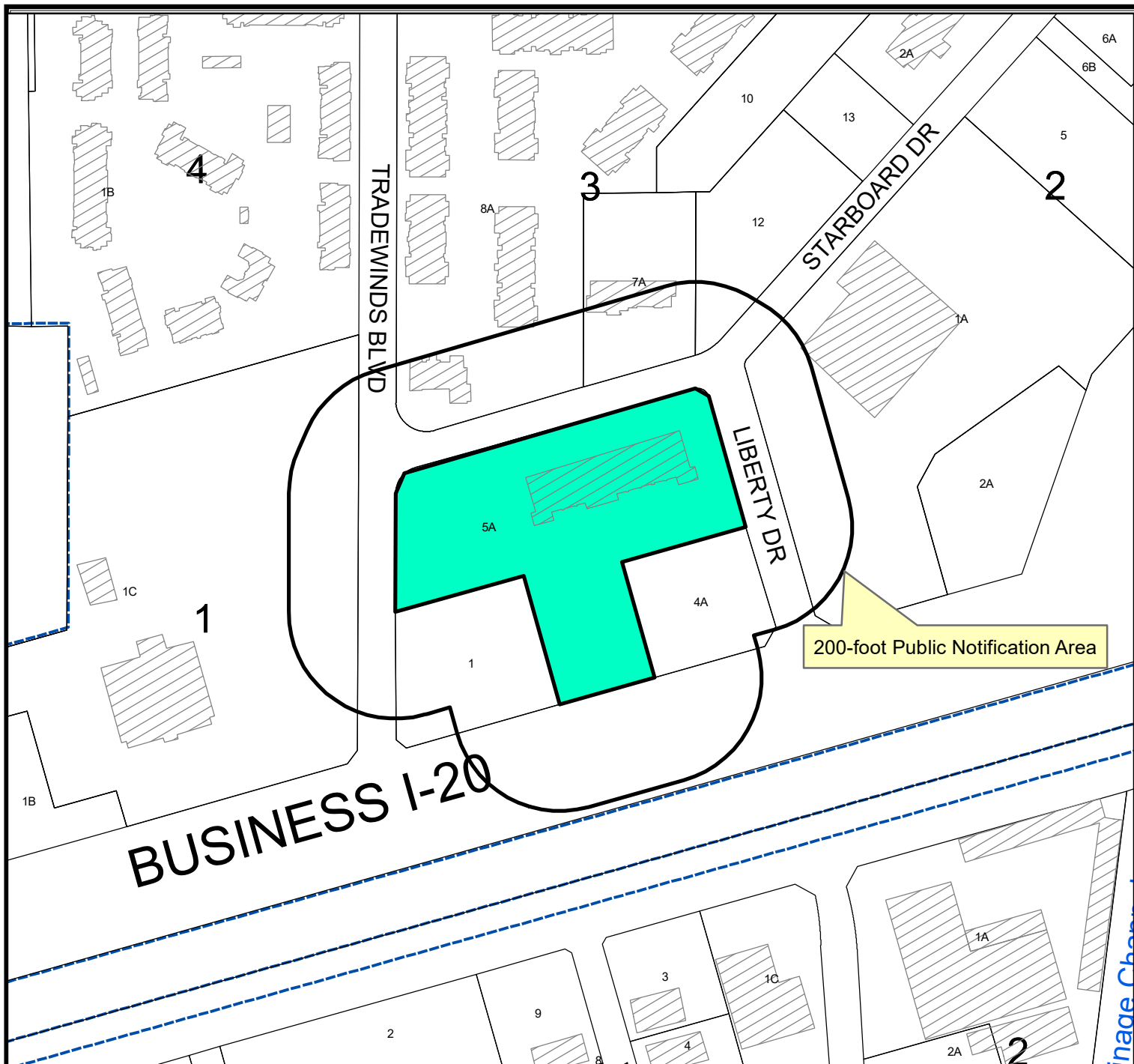
[Signature]
Notary Public**FOR OFFICE USE ONLY**

- ☐ Property Owner Authorization ☐ Dimensioned Floor Plan
☐ Application Fee ☐ Site Plan
Check # 2112 ☐ Plans in Digital Format (PDF/JPEG)

Received By: [Signature]Date: 6/4/24**RECEIVED**

BY:

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



Location Map

SUD-24-0184

Scale: 1" = 600'

Consider a request by Marty Gautreaux for a Specific Use Designation with Term for the Sale of Beer and Wine for on premises consumption in a Restaurant on a 2,650 square foot portion of Lot 5A, Block 1, Gateway Plaza, Section 12, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Starboard Drive and Liberty Drive.

(District 4) PACKET

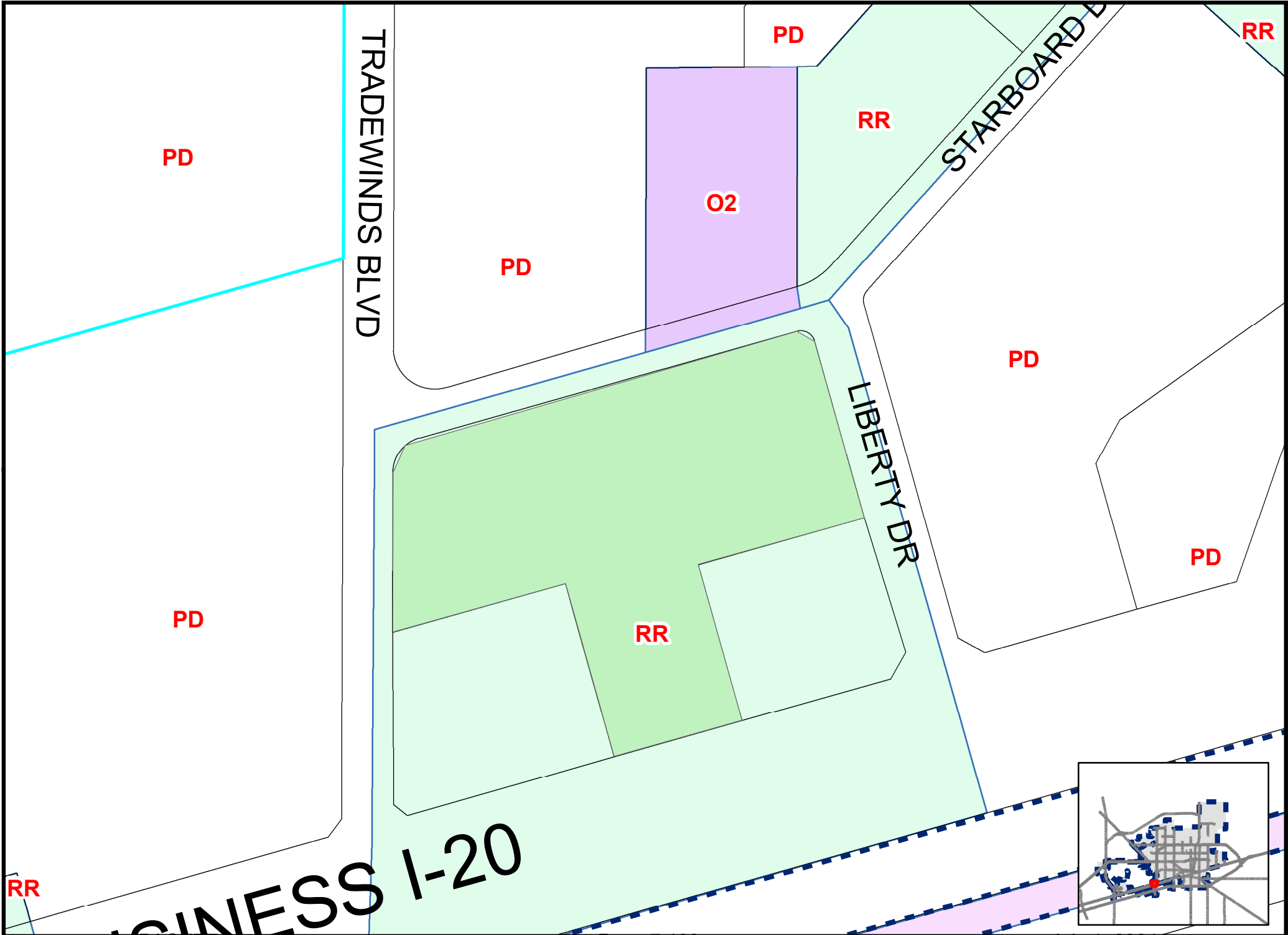
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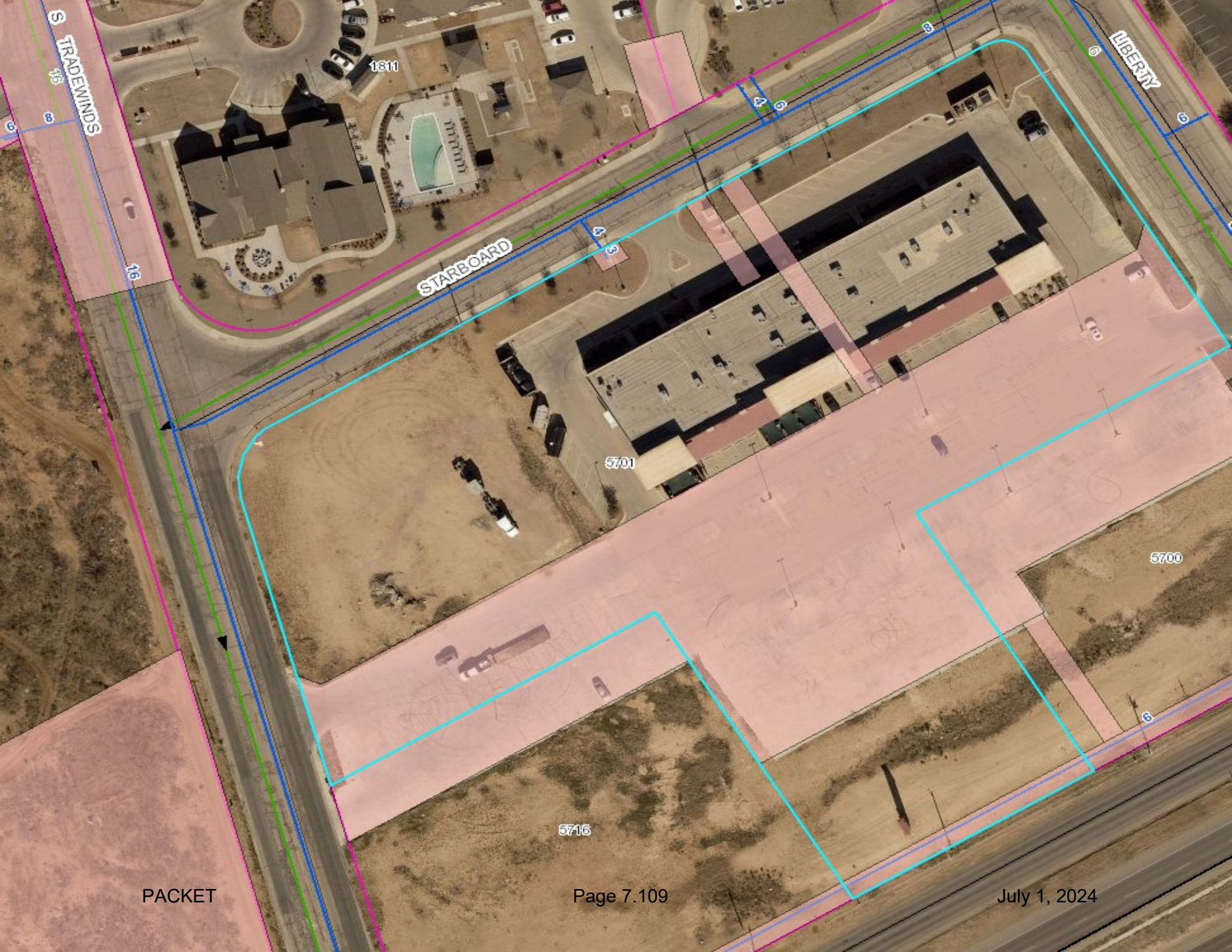
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



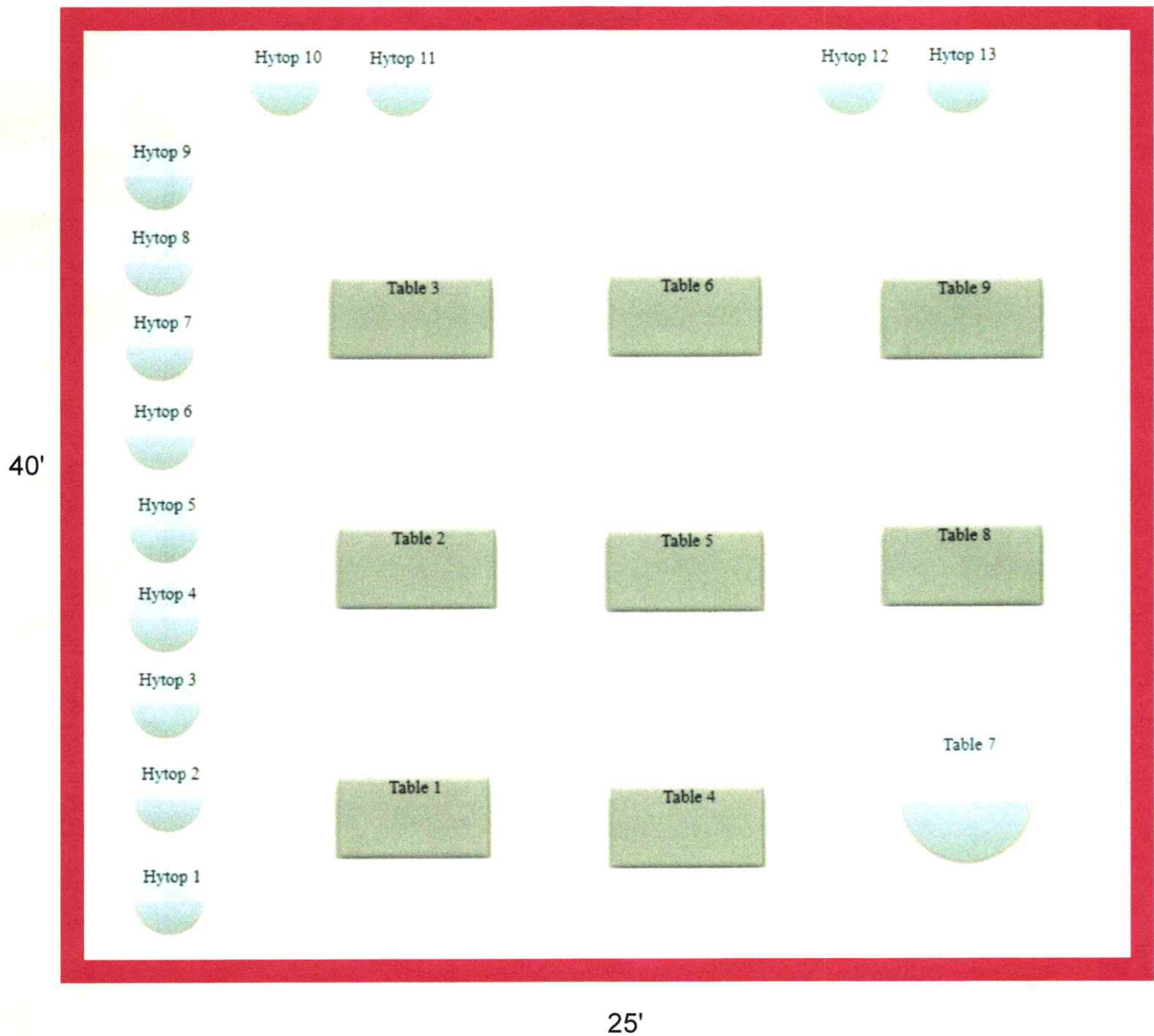
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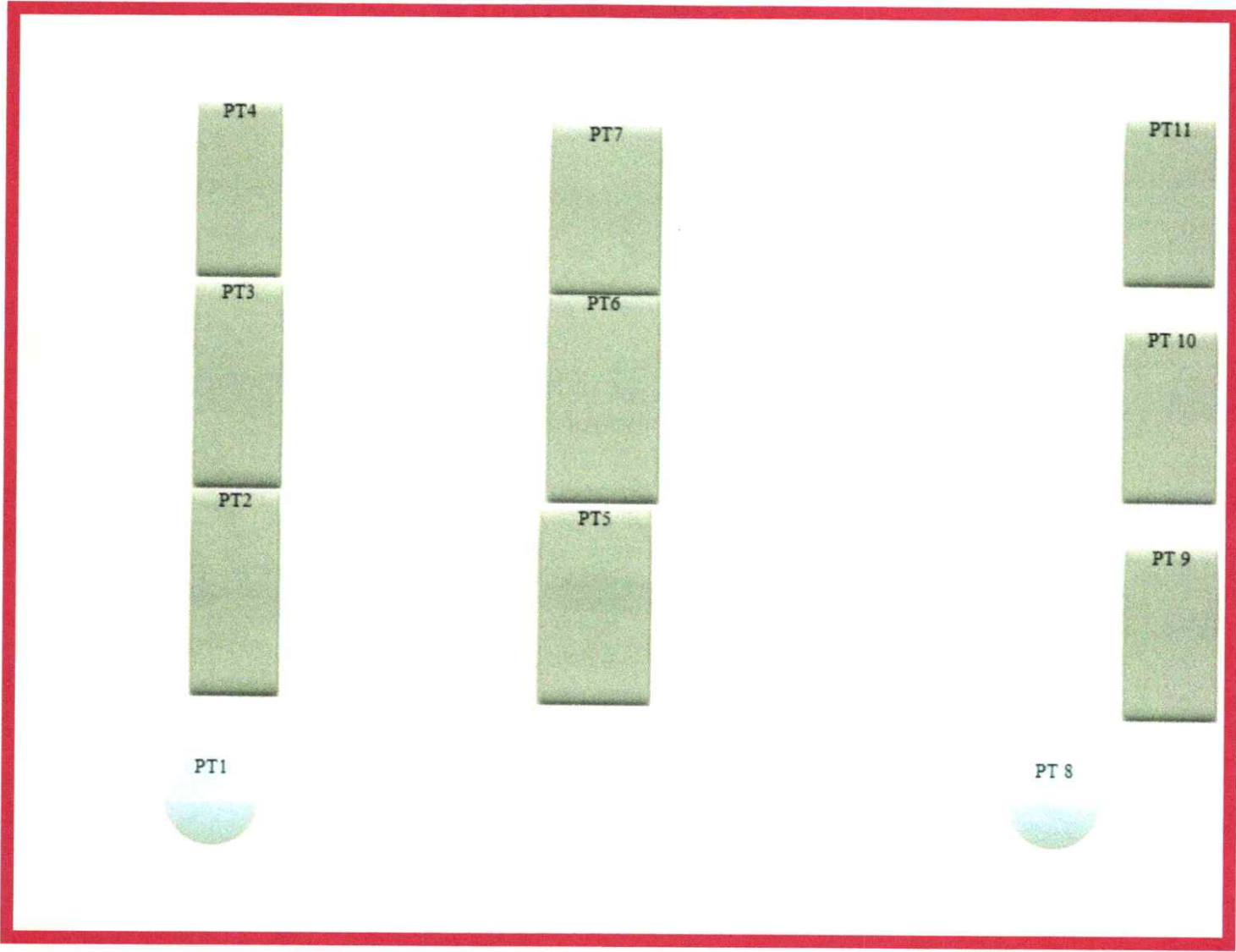


Inside Serving Area=
1,000 Sq. Ft.

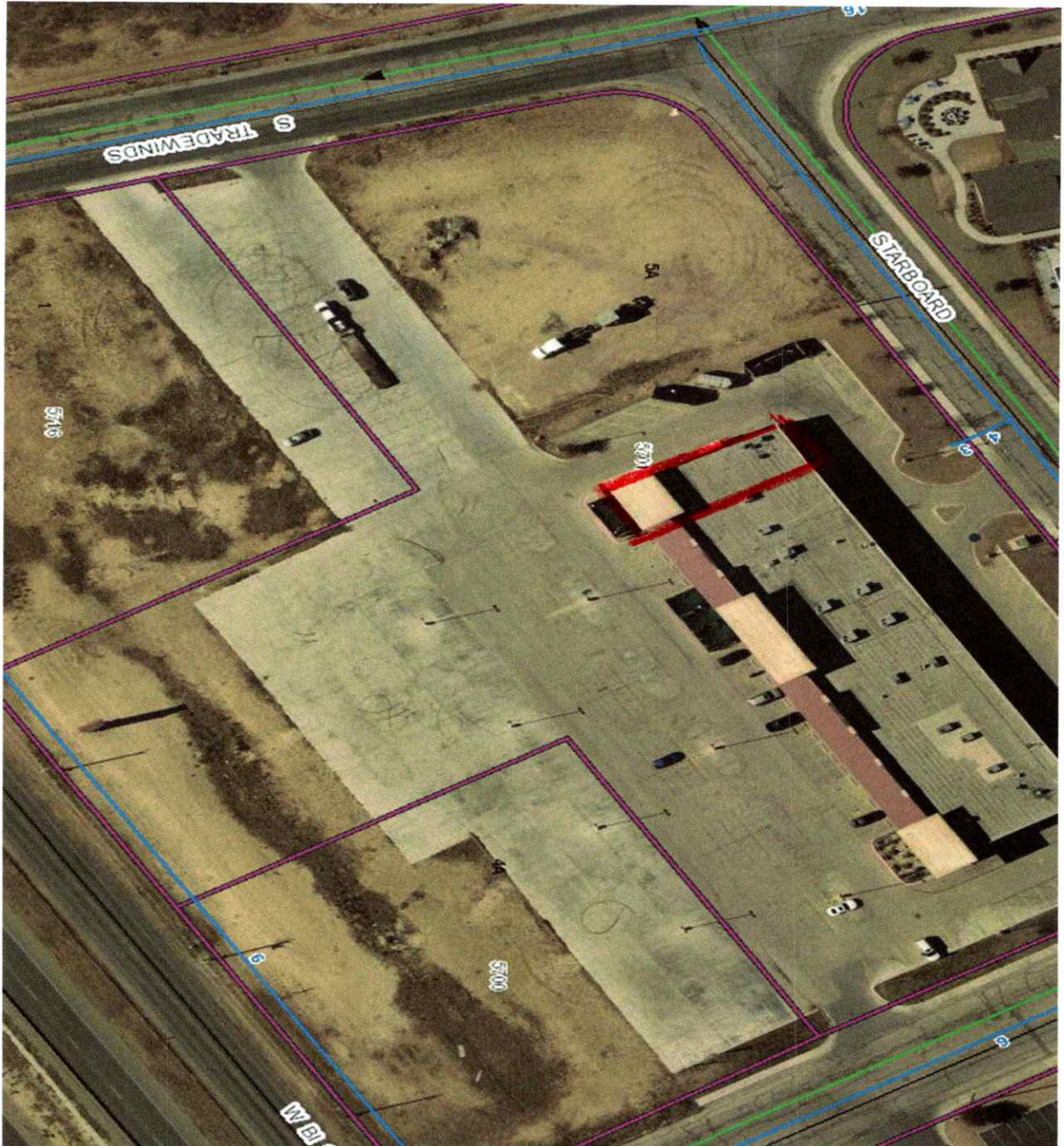


Patio Layout =
775 Sq. Ft.

31'



25'



701

Marty G's

Cajun Restaurant

OPEN



Specific Use Designation With Term for Alcoholic Beverages

Marty G's Cajun Restaurant

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

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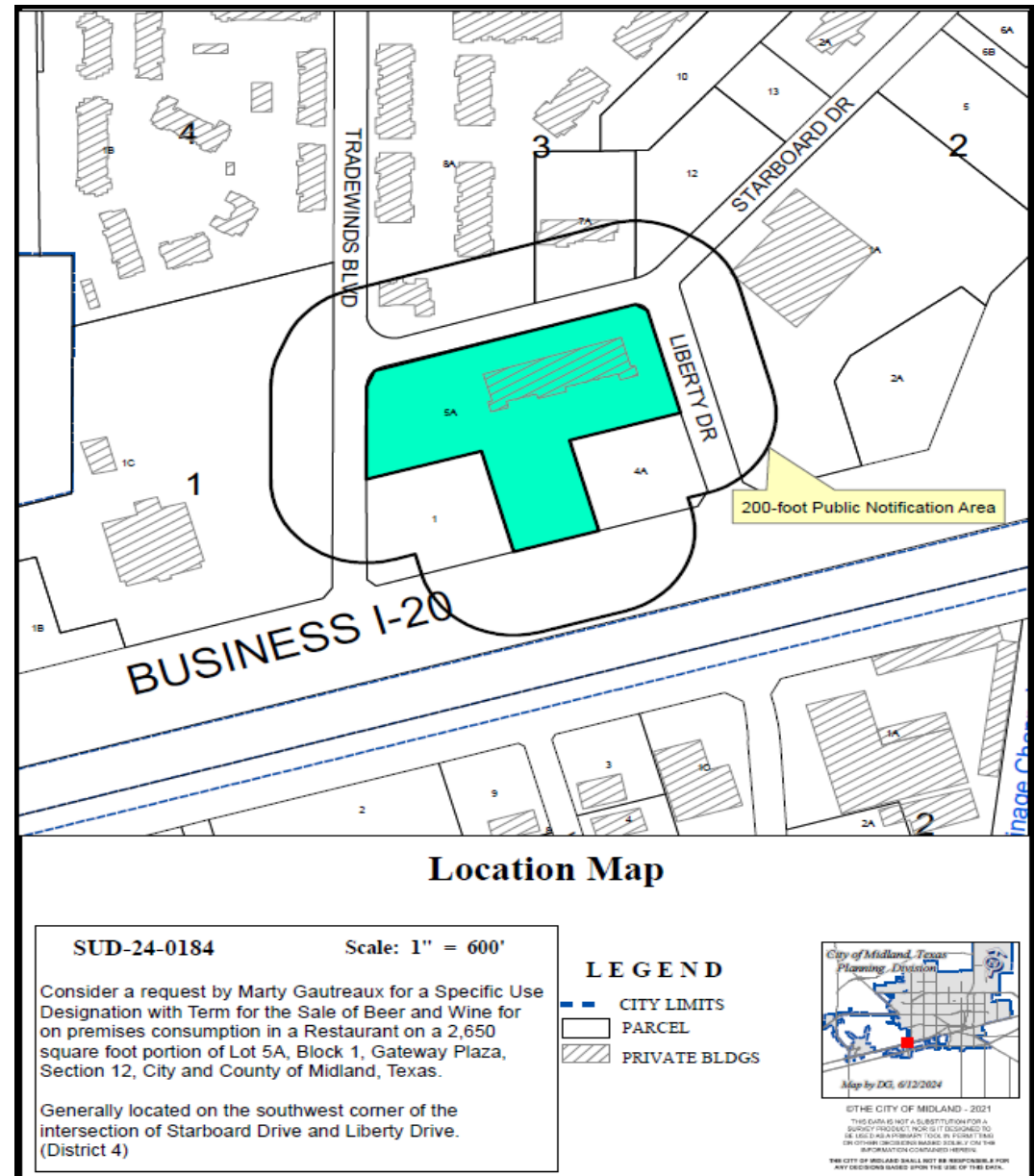
Page 7.1.15

July 1, 2024



Marty G's Cajun Restaurant

- Marty Gautreaux
- Specific Use Designation (SUD)-
with Term for the sale of beer and
wine for On- Premises
Consumption
- 5701 Starboard Drive



Marty G's Cajun Restaurant

- **Proposed Days and Hours of Operation and Alcohol Service:**

Monday through Saturday,

11:00 a.m. to 12:00 a.m.

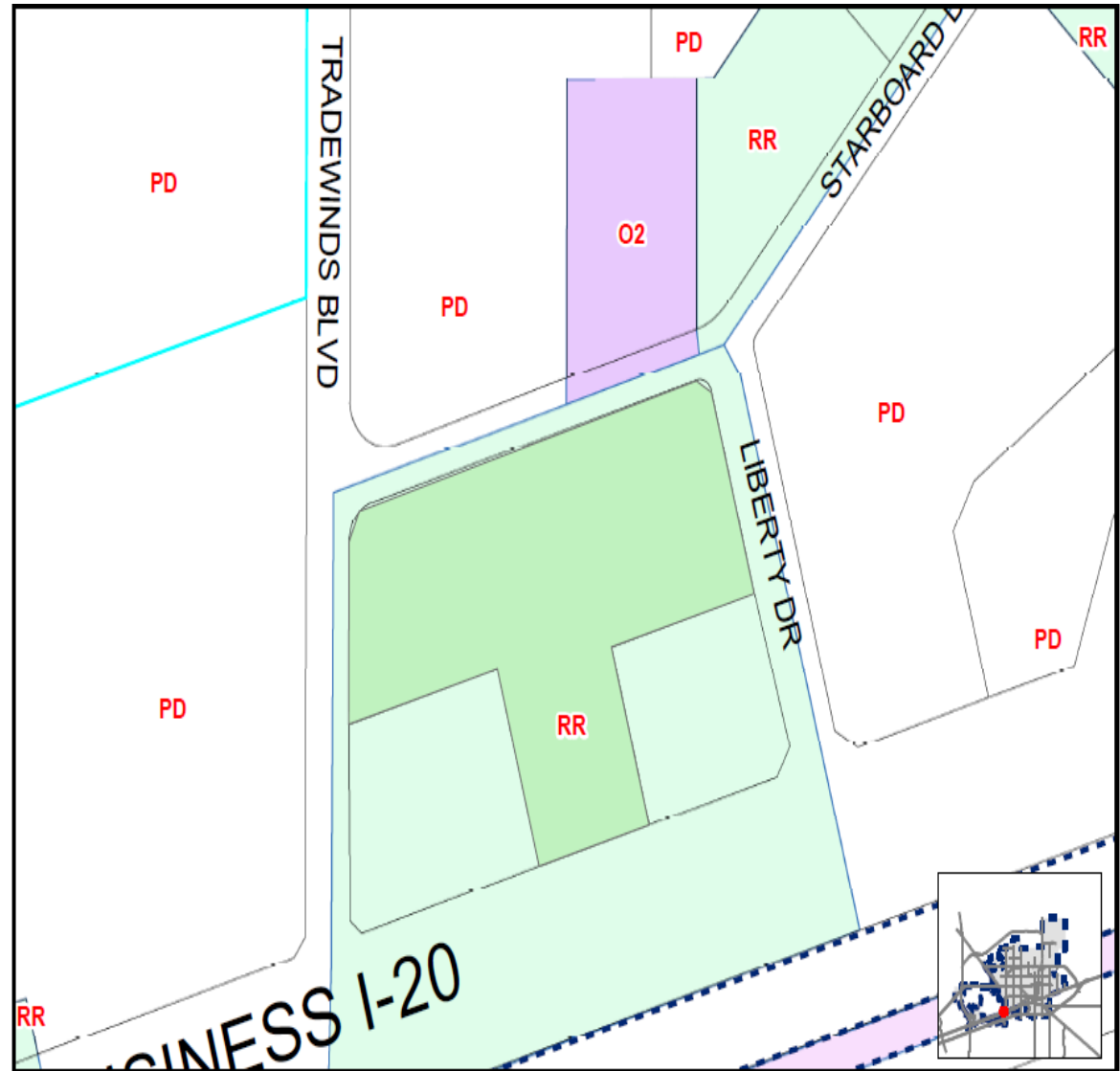
- **Per Midland City Code, Section 5-4-4, Prohibited Places of Business:**

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



Marty G's Cajun Restaurant

- **Current Zoning:**
- **RR, Regional Retail District.**
- **Surrounding Zoning:**
 - North: PD, Planned Development District for Housing Development and O-2, Office District
 - South: ETJ
 - East: PD, Planned Development District for a Shopping Center
 - West: PD, Planned Development District for a Shopping Center



Map By DG, 6/12/2024

SUD-24-0184

Scale: 1" = 200'

ZONING MAP



© THE CITY OF MIDLAND - 2020. THIS DATA IS NOT A SUBSTITUTE FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL. IN REPLY TO THIS CITY'S POLICY, THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS BASED UPON THE USE OF THIS DATA.

- Staff has not received any letters of objection and the request meets all the City of Midland Zoning requirements of the City Ordinance.
- Therefore, Staff recommends **APPROVAL** of the request of the Specific Use Designation with Term for for the sale of beer and wine for On- Premises Consumption.





Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Hold a public hearing and consider a request by James Books Reeder for a zone change from RR, Regional Retail District, to PD, Planned Development District for an Office Center, on Lot 7, Block 3, Corporate Plaza Addition, Section 16, City and County of Midland, Texas. (Generally located on the east side of North Big Spring Street, approximately 355 feet north of Fiesta Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Directional/Informational

Purpose:

The applicant, James Boots Reeder, is requesting a zone change from RR, Regional Retail District, to PD, Planned Development District, with an underlying zoning of RR, Regional Retail district, at 3600 North Big Spring Street in order to expand the current storage unit business located on the property.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north are zoned RR, Regional Retail District, as well as PD-TD, Planned Development District for a Transitional District. These properties are the location of doctors' offices and commercial buildings. The properties to the east and south are zoned RR, Regional Retail District. The property to the east is the location of Ally Village. To the south the properties are being used as a car wash. The properties to the west are zoned O1, Office District, and are the location of office buildings.

Analysis:

The subject property is zoned RR, Regional Retail District, and is home to Midland Self Storage. The applicant, James Boots Reeder, is requesting this zone change to PD, Planned Development District to allow for the use of storage units, mini, for an expansion of the current use.

This falls in line with the Tall City Tomorrow Comprehensive Plan, Chapter 3; This area is designated as Urban High, U-H. The U-H designation allows for a multitude of uses including commercial, residential, and office. Since this is an existing commercial use in the area this would not only fit the Comprehensive Plan but also bring the property into full compliance with the current Zoning Code.

Departmental Review:

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 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)

No objection. [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: (Approved)

No comments

Therefore, staff recommends approval of this zone change from RR, Regional Retail District, to PD, Planned Development District.

Condition:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit "A".**
- B. That the use of the Property for Storage Units, Mini, as such term is defined in Section 11-1-2.01 of the City Code, is hereby allowed.**

Letters of Objection:

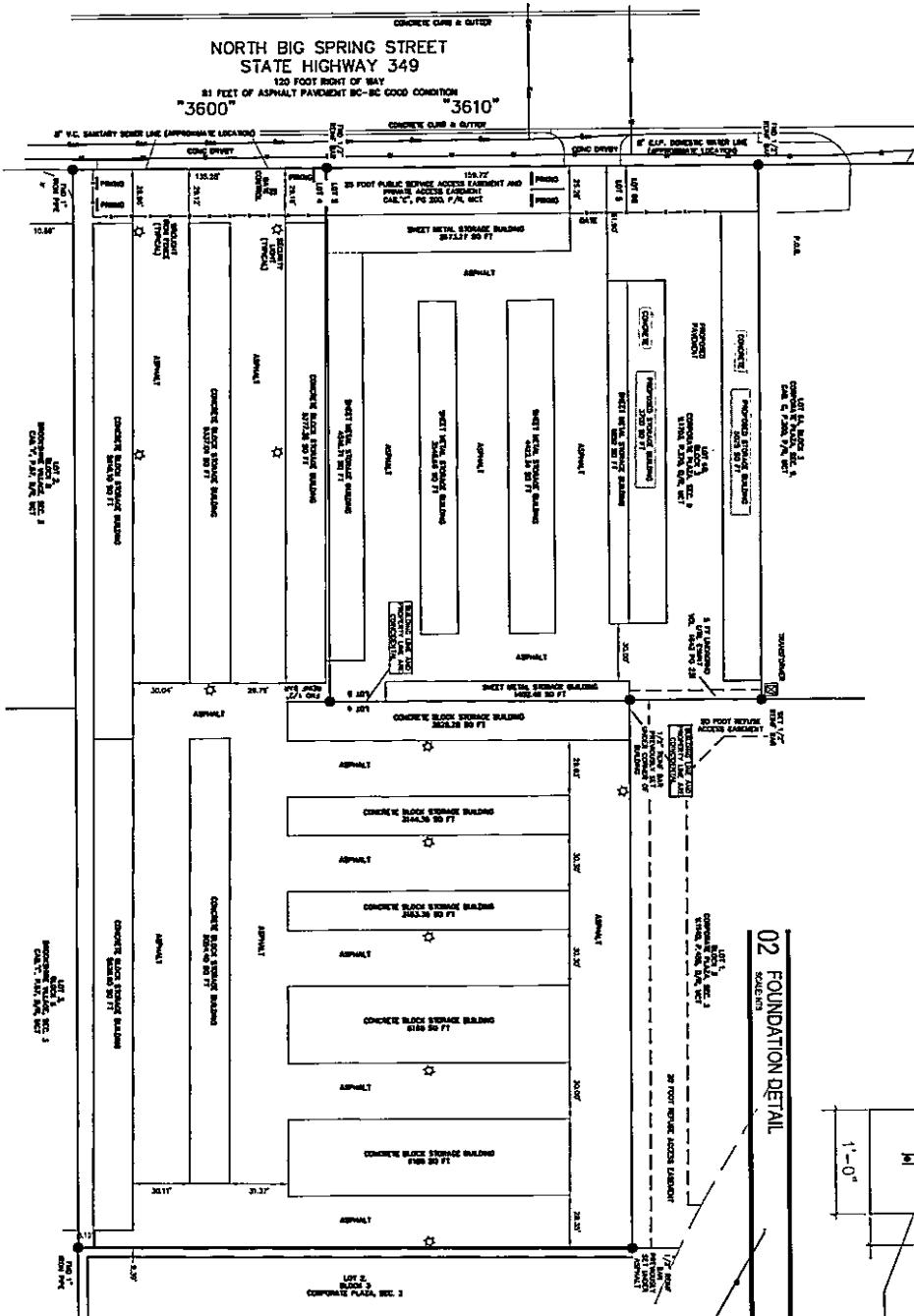
As of July 1, 2024, Staff has received no letters of objection for this request.

Attachments:

Survey
Application
Maps
Aerial Photo
PowerPoint Presentation

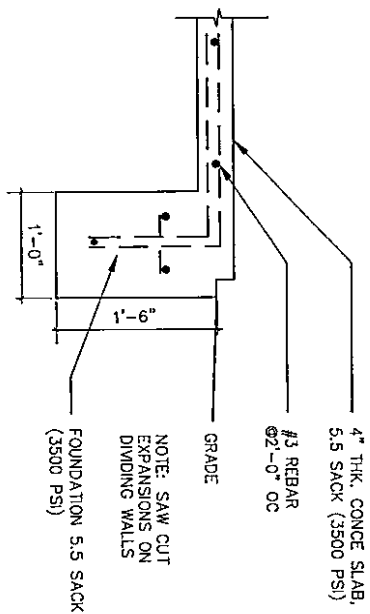
01 SITE PLAN

SCALE: 1"=30'



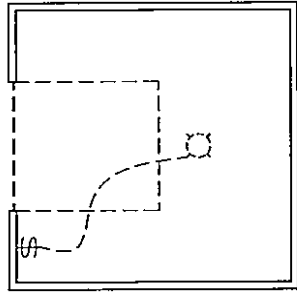
02 FOUNDATION DETAIL

SCALE: 1"=1'-0"



MIDLAND SELF STORAGE

W3 STUDIO
ARCHITECTURE
2024

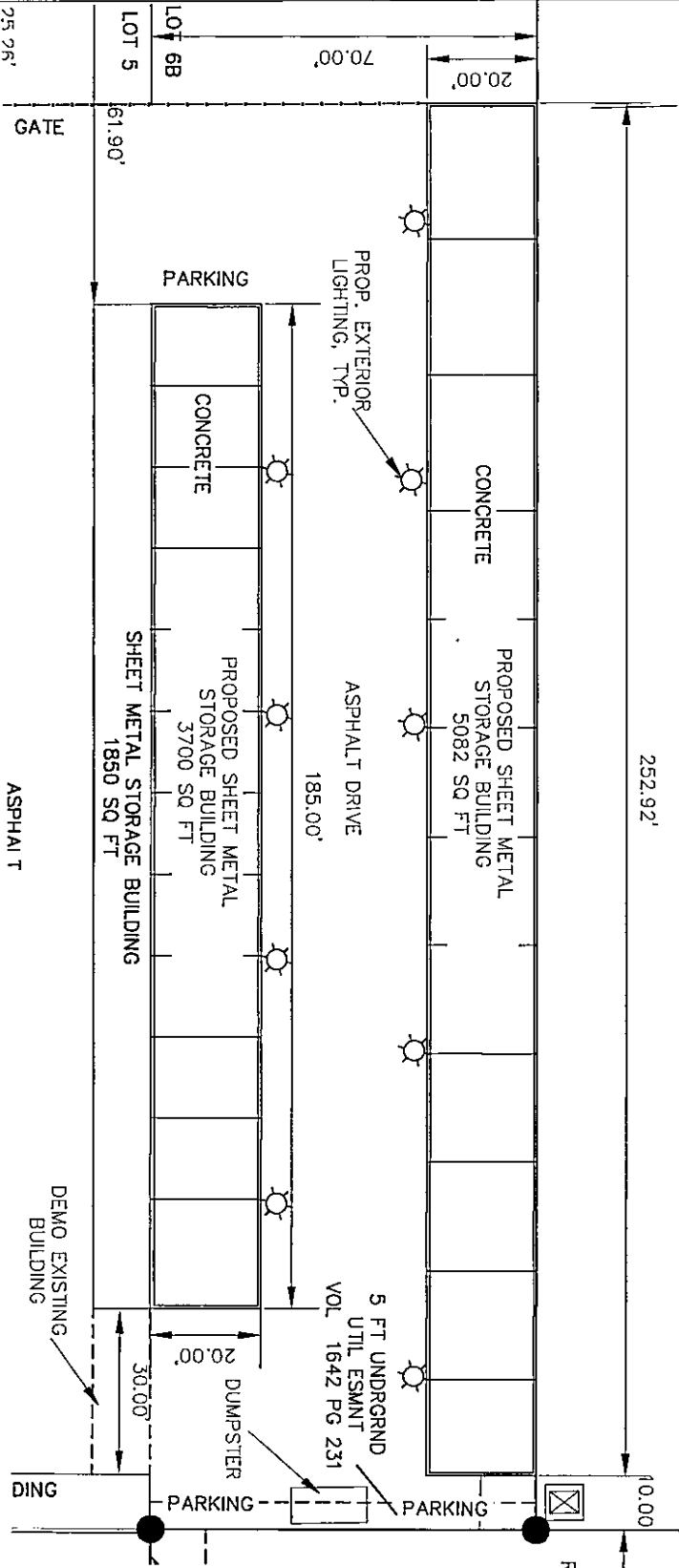
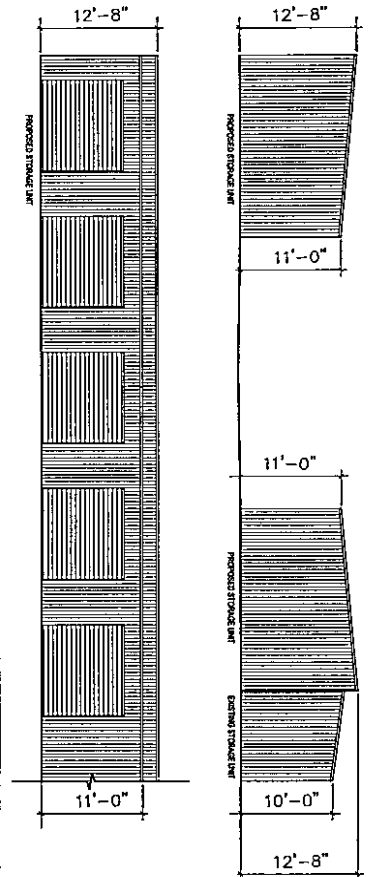


02 TYPICAL UNIT FLOOR PLAN

SCALE: 1/8" = 1'-0"

02 ELEVATIONS

SCALE: 1/8" = 1'-0"



01 ENLARGED PROPOSED FLOOR PLAN

SCALE: 1/8" = 1'-0"

MIDLAND SELF STORAGE

NESTUDIO
ARCHITECTURE
10.14.2024

A1-100

PACKET



MIDLAND SELF STORAGE

245012.00

SITE PLAN & ELEVATIONS

1" = 8'-0"

9.20.2024



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>MIDLAND SELF STORAGE</u>		Phone (214) <u>707-2921</u>	
Address <u>3600 N. Big Spring</u>		Email <u>JReeder@feckenablers.com</u>	
City <u>MIDLAND</u>	State <u>TX</u>	Zip <u>79705</u>	

Property Owner Printed Name: _____		Phone () _____	
Address _____		Email _____	
City _____	State _____	Zip _____	

Representative (if different from Applicant or Property Owner) Firm: _____		Phone () _____	
Printed Name: <u>James Boots Reeder</u>		Email _____	
Address <u>1925 Cedar Springs</u>		Zip _____	
City <u>Dallas</u>	State <u>TX</u>	Zip <u>75201</u>	

Street Address: <u>3600 N. Big Spring MIDLAND TX</u>	
Legal Description Lot: <u>465</u> Block: <u>3</u> Subdivision: <u>CORPORATE PLAZA, SECTION B</u>	

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

Reason for Zone Change Request: TO Add 24 UNITS ON LAND we have owned from 1979

Present Use of Property: SELF STORAGE

Proposed Use of Property: SELF STORAGE

How would this zone change affect the public health, safety and welfare? NO CHANGE 202

Describe how conditions affecting the property have changed since present zoning designation: NO CHANGE

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)
--

1995-1996
 1995-1996
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1995-1996
 1995-1996

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

Applicant (signature):

James B. Reeder

Date:

5/9/24

Applicant (printed):

James B. Reeder

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.

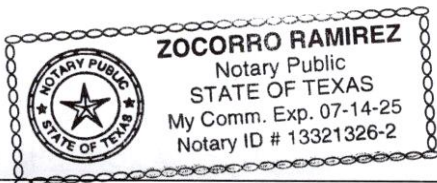
STATE OF TEXAS

COUNTY OF ~~MIDLAND~~ Dallas

Before me, the undersigned authority, on this day personally appear James B. Reeder who, being by me duly sworn, upon oath says: That (s)he is the owner of Midland Self Storage or authorized by himself, 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.

James B. Reeder
Authorized Agent (signature)

Subscribed and sworn to before me, this 9th 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

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check #

6737

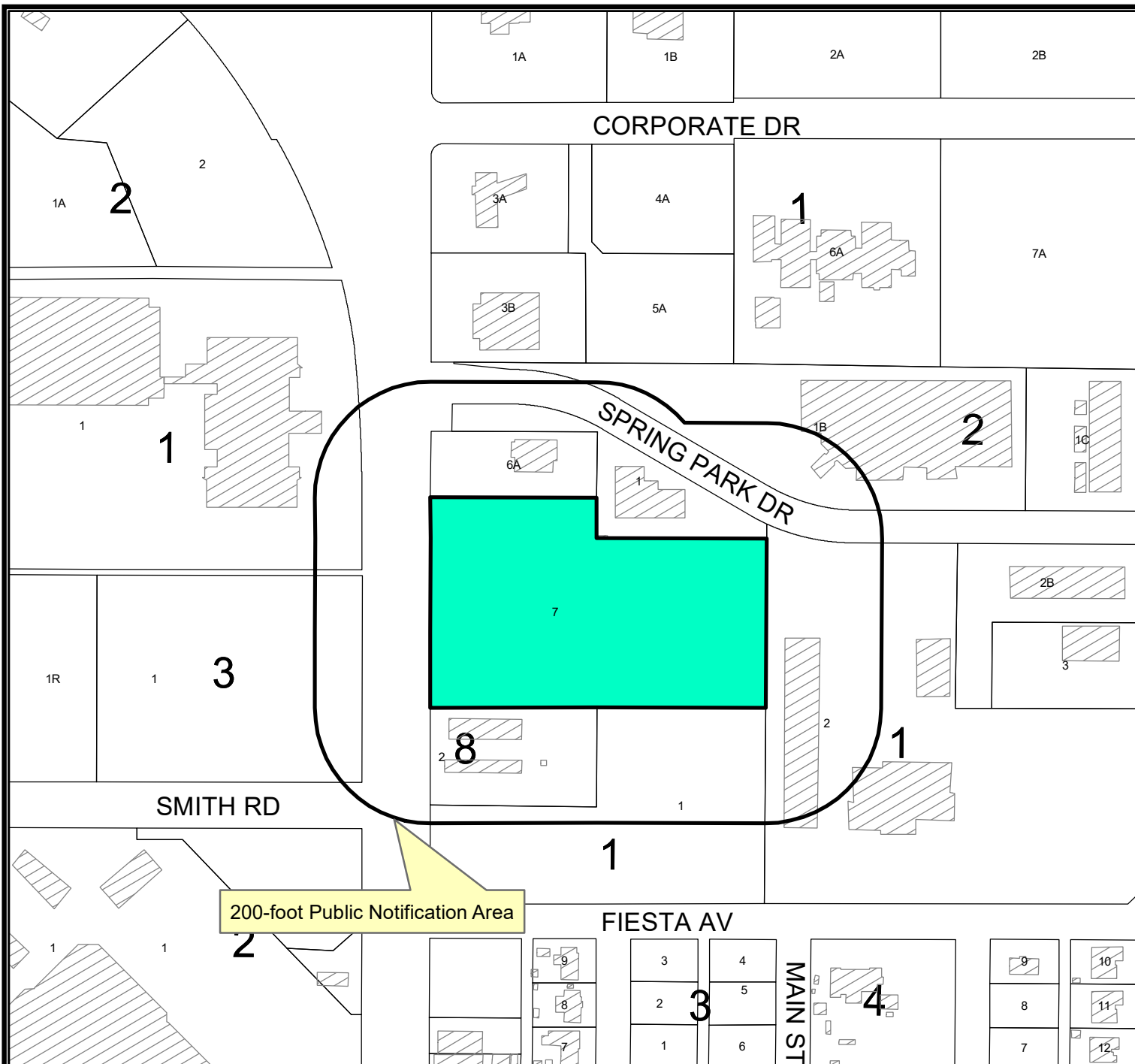
Received By:

[Signature]

Date:

RECEIVED
JUN 06 2024

BY:



Location Map

Z-24-0385

Scale: 1" = 250'

Consider a request by James Boots Reeder for a zone change from RR, Regional Retail District, to PD, Planned Development District, on Lot 7, Block 3, Corporate Plaza Addition, Section 16, City and County of Midland, Texas.

Generally located on the east side of North Big Spring Street, approximately 355 feet north of Fiesta Avenue.
(Council District 2)

PACKET

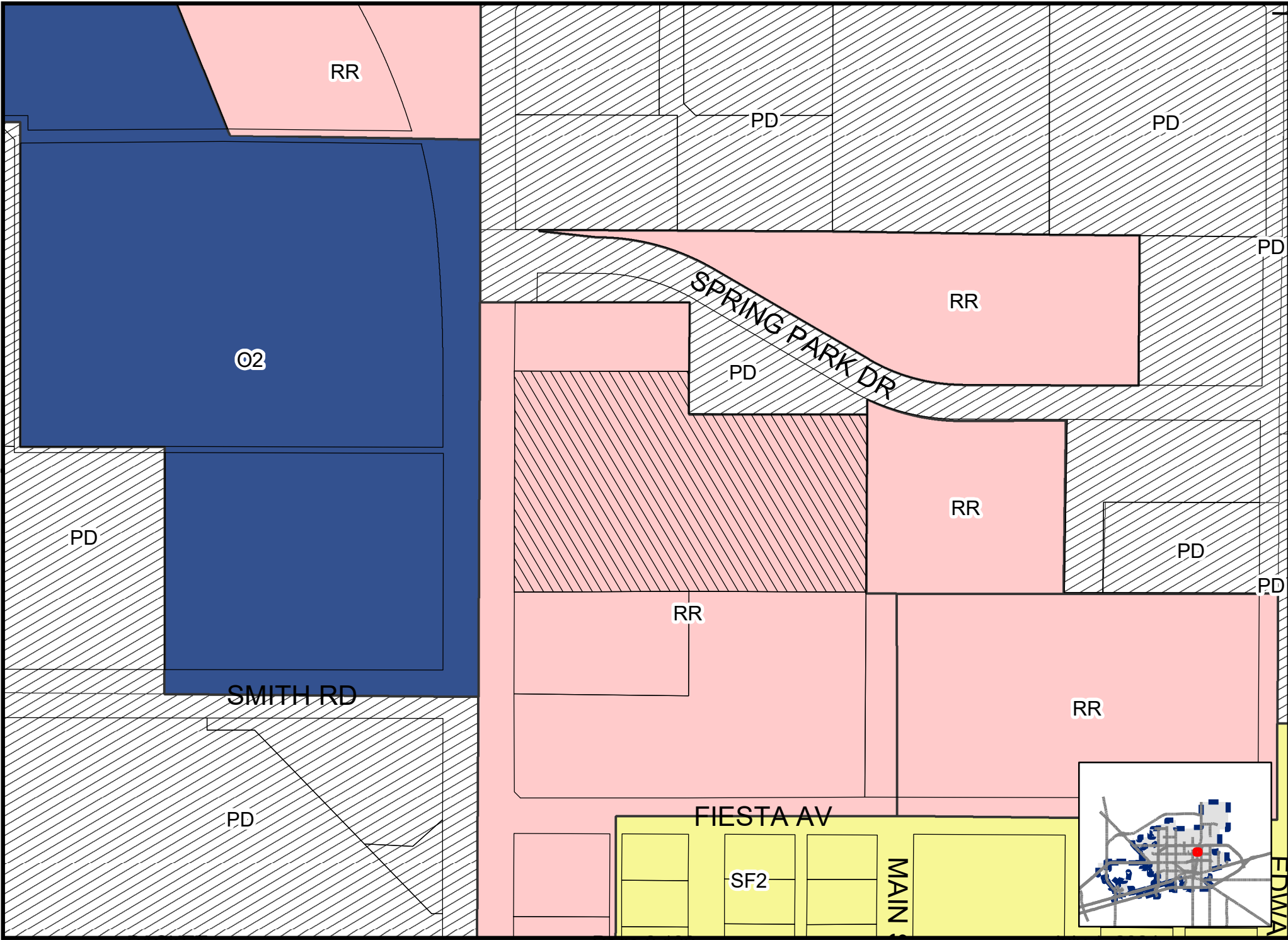
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



PACKET

Page 8.130

July 1, 2024





SPRING CREEK CENTER

3

H RD

PACKET

July 1, 2024



Public Hearing Midland Self Storage Zone Change

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

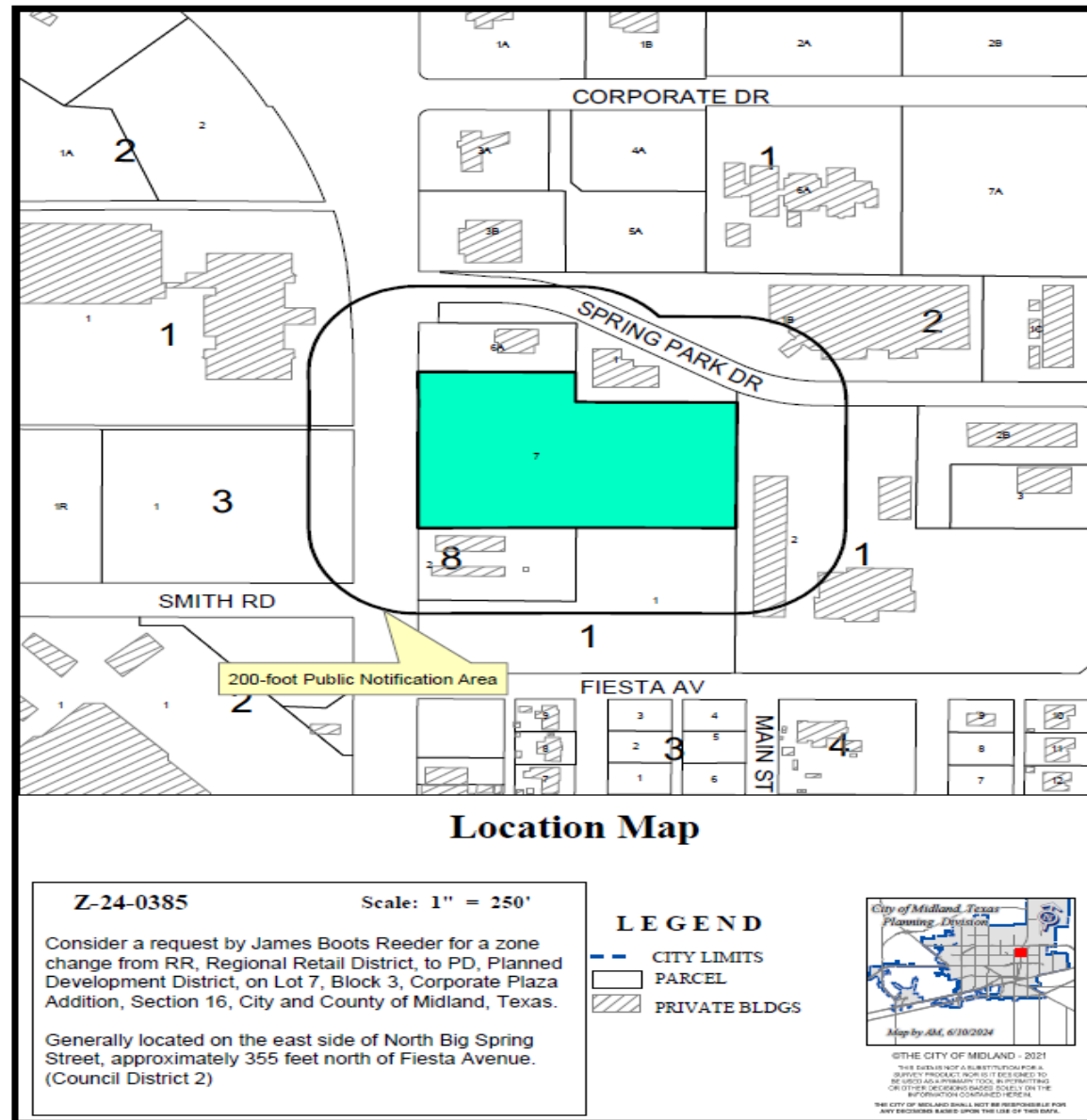
PACKET

Page 8.132

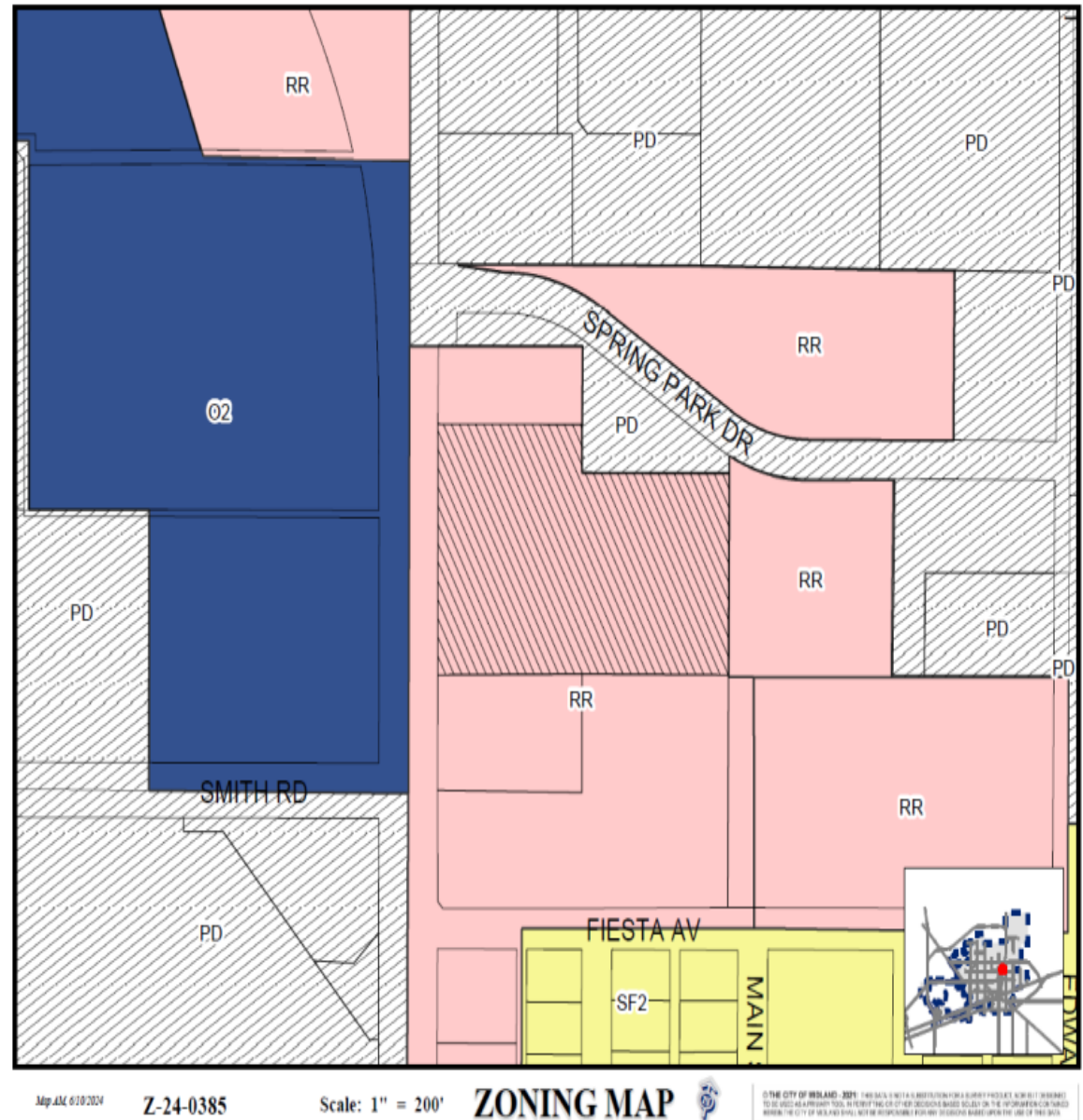
July 1, 2024



- James Boots Reeder
- Zone Change from RR to PD-OC
- 3600 North Big Spring
- Approximately 4.405 acres



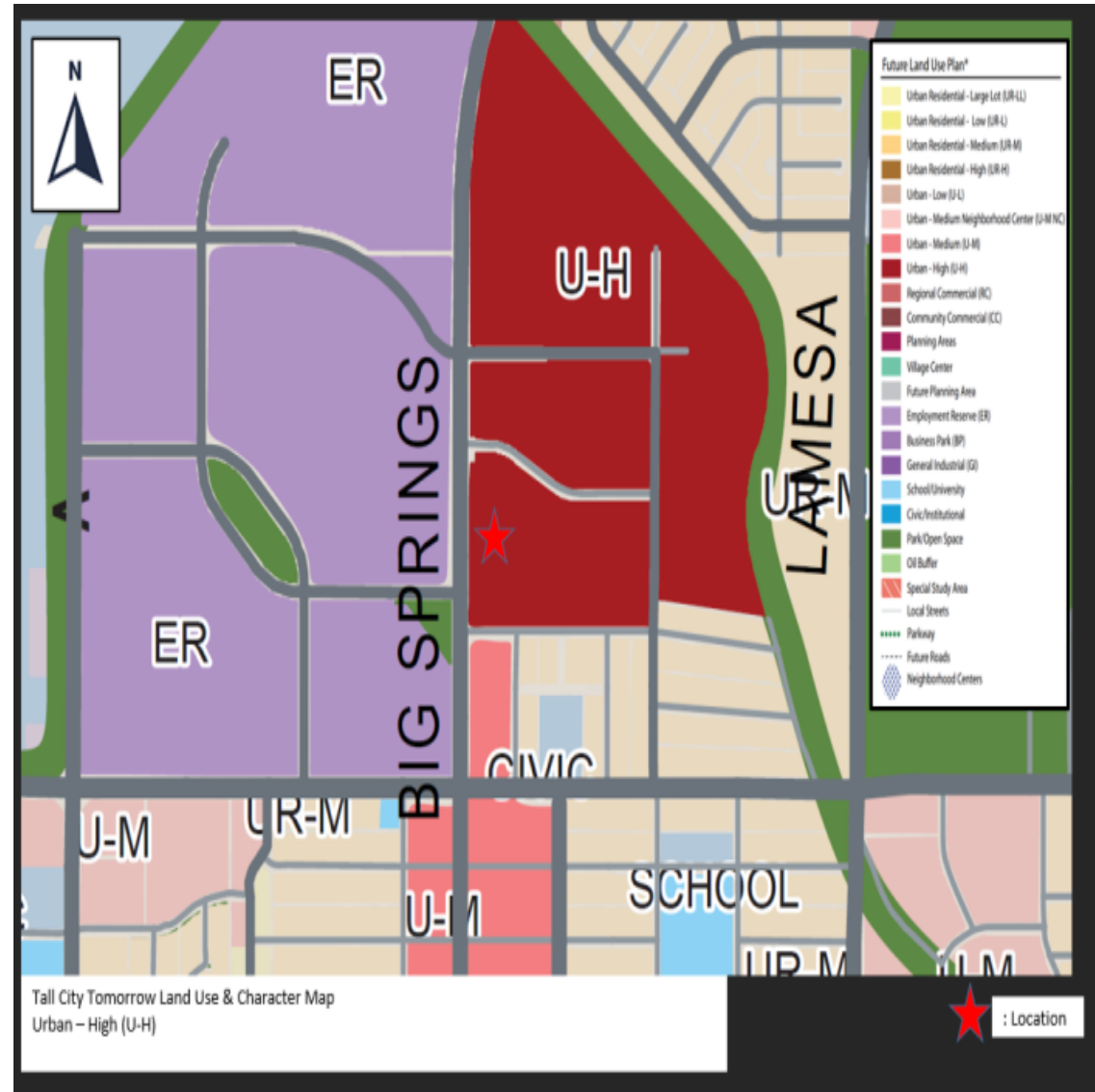
- **Currently Zoned: RR, Regional Retail District**
- **Surrounding Zoning of the Property**
 - North: RR, Regional Retail District, and PD-TD, Planned Development District for a Transitional District
 - East and South: RR, Regional Retail
 - West: O-2, Office District
- **Proposed Zoning of the property**
 - PD-OC, Planned Development District for an Office Center



- Storage Units
- Expansion of Storage Units



- Designated U-H, Urban High, by the Tall City Tomorrow Plan
- U-H, Urban High, accepted uses:
 - Townhouse District
 - Multi-Family Dwelling District
 - Office District
 - Commercial District





- This meets all applicable City Code therefore Staff recommends APPROVAL of the Zone Change for Midland Self Storage
 - As of July 26, 2024, Staff has not received any letters of objection
 - There has been no action yet on this case



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Repman Addition, being a 14.07-acre tract located in the north half of section 26, Block 40, T-1-S, T&P, RR Co. Survey, County of Midland, Texas. (Generally located southeast of the intersection of North County Road 1250 and West County Road 62.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Luchinin & Mertz, on behalf of Chris Repman, is requesting to plat a property located on North County Road 1250 into 5 lots to obtain future commercial building permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

Last call of legal description is missing the distance.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: W CR 62 and N CR 1250 are sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

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

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

DRAINAGE: Drainage 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)

No comments.

OIL AND GAS: (Approved)

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

GIS: (Approved with Conditions)

Please provide x-y coordinate at POB. Dedication should be part of plat boundaries and say it is a dedication. Boundaries do not close. Add directionality to streets.

PUBLIC WORKS: (Approved)

They will need to get a permit from Public Works to tie into either WCR 62 or NCR 1250. [Informational]

CRMWD: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 5 proposed lots of Repman Addition, PLAT OF A 14 ACRE TRACT OF LAND OUT SECTION 26, BLOCK 40, T-1-S, T. & P. RR. CO. SURVEY each lot 1 is 1.4 acre, lots 2-4 is 1.7 acres, lot 5 is 5.3 acres to ensure the proposed plans on the application for the septic system will meet the setbacks from the existing structures and the water well on the property and the water wells on the adjacent properties.

PLANNING: (Approved with Conditions)

GIS shows owner of north lot to be Jesus Martinez, provide proof of ownership as well as owner information on the plat face if this is accurate. [11-2-3(H)3(e)]

Change Secretary to Landon Ochoa. [Informational]

Fix spelling of "the" in note 4. [Informational]

Correct plat name in first Certificate of Approval. [11-2-3(H)m(3)]

Remove second Certificate of Approval that mentions Director of Engineering & Development. [11-2-3(H)m(3)]

Make plat boundary thicker. [11-2-3(H)3(b)2]

Change "Head Chair" to "Chairman"

Staff recommends approval of the Preliminary Plat of Repman Addition subject to condition A.

Condition:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Preliminary Plat
Maps



Preliminary Plat Application

Project Number: SUB-24-0740Case Number: P-24-2027Proposed Subdivision Plat Name: Repman AdditionLegal Description (attached sealed Metes and Bounds): Section 26, Block 40, T-1-S, T & P RR Co. Survey Midland County Texas**Property Owner**Printed Name: Chris RepmanPhone (432) 684-6728
EmailAddress 4202 N. Co. Rd. 1250City MidlandState TxZip 79705**Developer** (if different than Owner)

Printed Name:

Phone (432) 684-6728
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Luchinin & MertzPrinted Name: Jimmy BerndtPhone (432) 684-6728
Emailjimmyb@luchinimertz.comAddress 2805 W KentuckyCity OdessaState TxZip 79702Current Zoning: No Current ZoneReason for Platting: Platting a 4.07 ac tract and 10.00 acre tract together and then split into 5 separate lots.Plat Information Doc 2002-13654 & 1995-4653 Total Acreage: 14.07Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☒ Extraterritorial Jurisdiction (ETJ)Number of Lots: 5Number of Multi-family Dwelling Units: 0**Submittal and Fees**

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Date: 6-3-24

Property Owner (printed): Chris Repman

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.

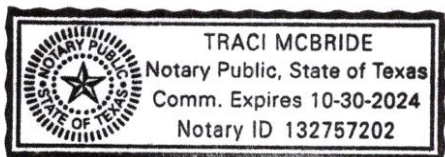
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Jimmy Berndt who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Chris Repman 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 3rd day of June, 2024, to certify which witness my hand and seal of office.



Traci McBride
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 # 14527

Received By:

Date:

RECEIVED
JUN 05 2024

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

Preliminary Plat Application

2

Revised 07/01/19

PACKET

Page 9.144

July 1, 2024

REPMAN ADDITION

BEING A 14.07 ACRE TRACT
LOCATED IN SECTION 26,
BLOCK 40 T-1-S,
T&P RR Co. SURVEY
MIDLAND COUNTY TEXAS

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, CHRIS REPMAN, the record owner of a 4.07 acre tract and a 10.00 acre tract of land situated in Section 26, Block 40, T-1-S, T & P RR Co. Survey, County of Midland, and more particularly described as follows:

Being a 4.07 acre tract to CHRIS REPMAN as described Doc. 2002-13654 D.R.M.C.T and a 10.00 acre tract to Chris Repman as recorded in Doc. 1995-4653 D.R.M.C.T. Located in Section 26, Block 40, T-1-S, T&P R.R. Co. Survey, and being more particularly described as follows;

Beginning at a $\frac{3}{8}$ " spike nail (X=10,701,666.94, Y=1,720,057.91) found at the Northeast corner of said 4.07 acre tract and being on the South Right of Way line of County Road 62, from whence a spike nail found in the centerline of said County Road 62 bears North 14°14'56" West a distance of 30-feet;

THENCE South 14°14'56" East a distance of 1,225.10 feet to a $\frac{1}{2}$ " iron rod with cap marked "LUCHINI & MERTZ" found at the southeast corner of said 10 acre tract;

THENCE South 75°13'22" West along the South line of said 10.00 acre tract a distance of 440.00 feet to a $\frac{1}{2}$ " iron rod marked "LUCHINI & MERTZ" set on the East Right of Way line of said County Road 1250 from whence a $\frac{3}{8}$ " spike nail found in the centerline of said County Road 1250 bears South 75°13'22" West a distance of 60-feet;

THENCE North 14°14'58" West with the East Right of Way line of said County Road 1250 distance of 1,225.02 feet to a $\frac{1}{2}$ " iron rod with cap marked "LUCHINI & MERTZ" set at a point of curvature to the left and being on the East Right of Way line of said Co. Rd. 1250;

THENCE in a northwest direction along said curve to the left having a central angle of 7°42'30", a radius of 1,074.82 feet, an arch length of 144.60 feet, a chord distance of 144.49 feet, bearing North 18°07'54" West to a $\frac{1}{2}$ " iron rod set on intersection of the East Right of Way line of said Co. Rd. 1250 and the South Right of Way line of said Co. Rd. 62 and being the northwest corner of said 4.07 acre tract;

THENCE North 75°12'48" East along the South Right of Way line of said County Road 62 to the Point of Beginning containing 12.08 acres of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, CHRIS REPMAN do here by adopt this plat designating the herein above described property as REPMAN ADDITION, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon. WITNESS our hands at Midland, Texas, this the _____ day of _____, 2024.

CHRIS REPMAN

ACKNOWLEDGMENT

STATE OF TEXAS COUNTY OF MIDLAND

This plat was acknowledged before me on _____ by CHRIS REPMAN

Notary Public, State of Texas

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

OWNER:

Chris Repman,
4202 N. Co. Rd 1250
Midland, Texas 79705
Phone: 432-770-8792

Chris Repman

REPMAN ADDITION

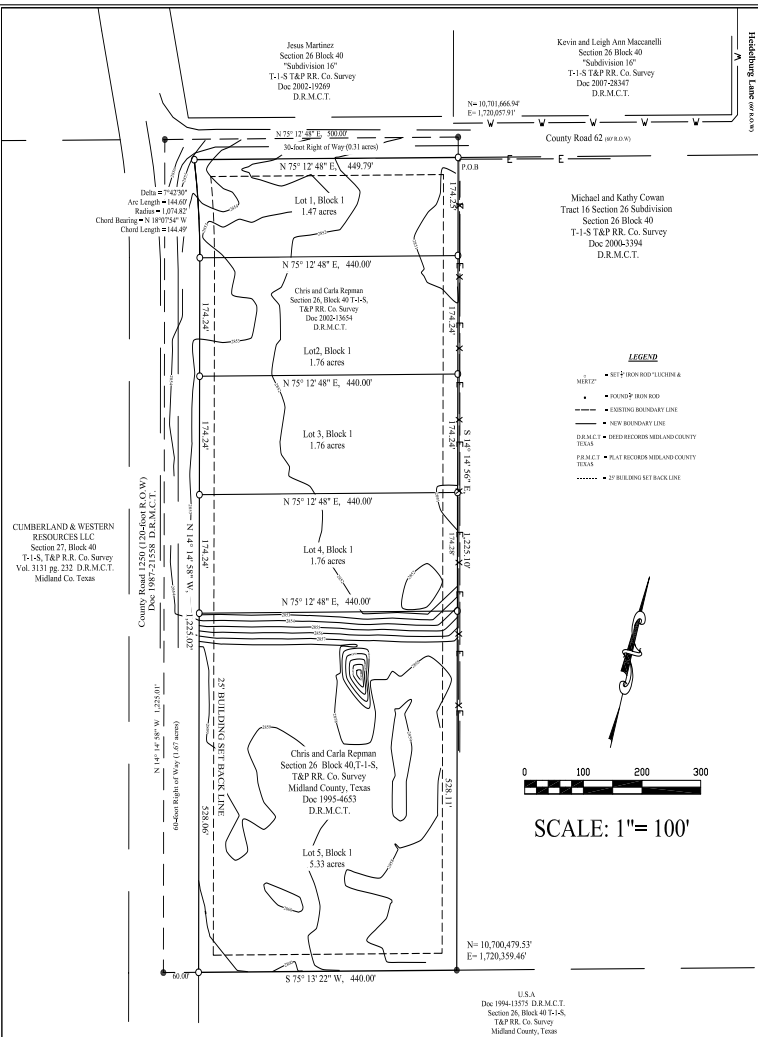
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CABINET _____

DATE _____ PAGE _____

July 1, 2024

Luchini & Mertz 2805 W. Kentucky Midland, Texas (432) 684-6728 Firm# 10086500



Notes:

- All bearings and coordinates are based on the Texas Coordinate System of 1983, Central Zone.
- Survey Reconstruction filed in the Office of Luchini and Mertz Land Surveying Company.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
- Approval of a site plan by the City of Midland may be required before these lot(s) may be developed and before a building permit may be obtained.
- According to the FEMA Flood Insurance Rate Map 48329C0064F, dated September 16, 2005 shows this property not to lie in a Special Flood Hazard Area.

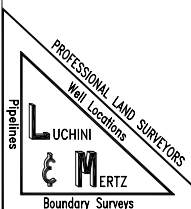
SURVEYOR'S CERTIFICATE

KNOWN ALL BY THESE PRESENTS:
THAT I, JEFFREY SUITER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, 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

JEFFREY SUITER R.P.L.S. 4650
2805 W. KENTUCKY
MIDLAND, TEXAS 79702

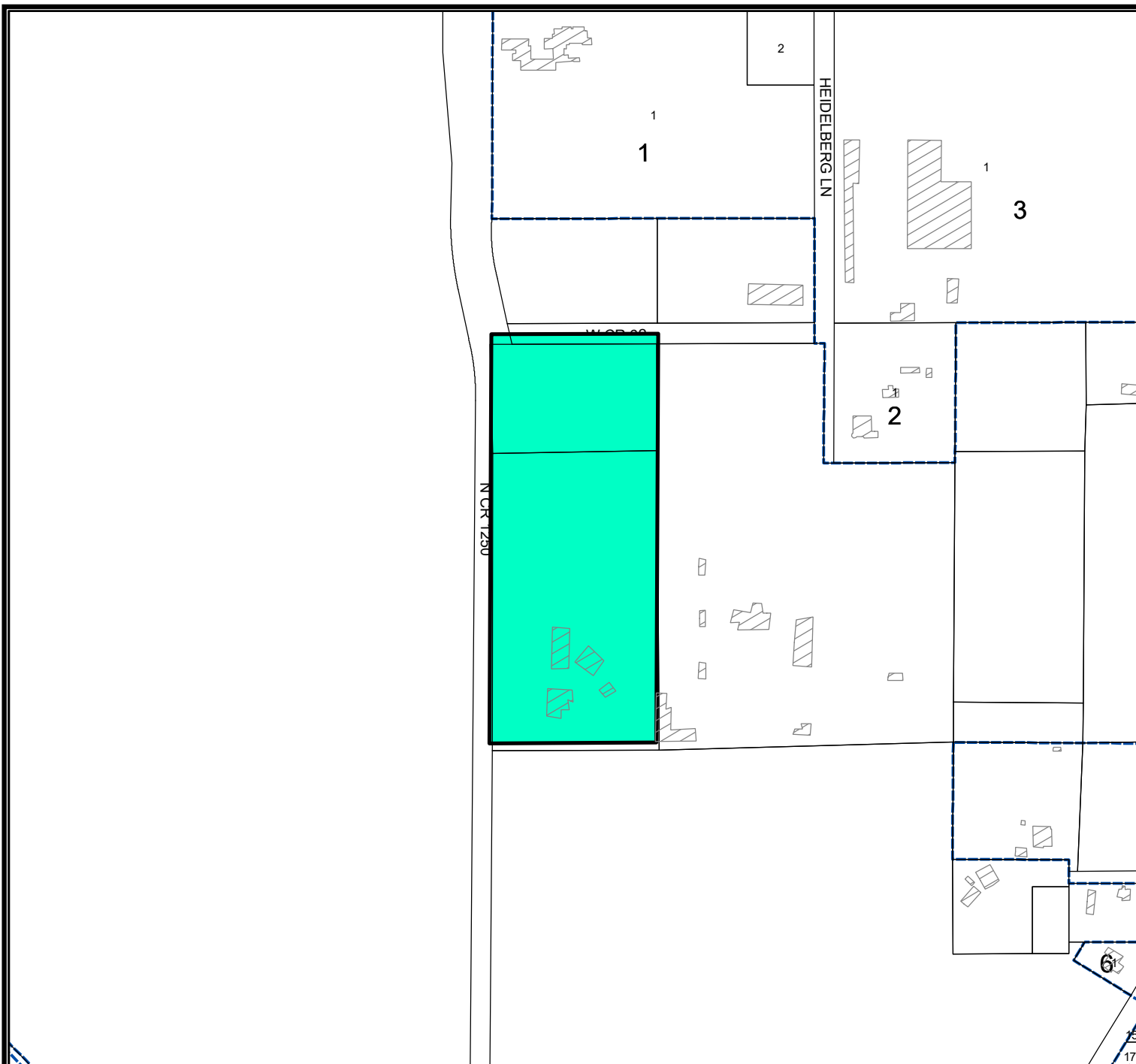


Page 9.145



PACKET

P. O. Box 1963 Midland, Texas 79702 (432) 684-6728 Firm# 10086500



Location Map

SUB-24-0740

Scale: 1" = 432'

Proposed Plat of Repman Addition, being a 14.07-acre tract located in section 26, Block 40, T-1-S, T&P, RR Co. Survey, County of Midland, Texas

Generally located southeast of the intersection of North County Road 1250 and W. County Road 62. (Extraterritorial Jurisdiction)

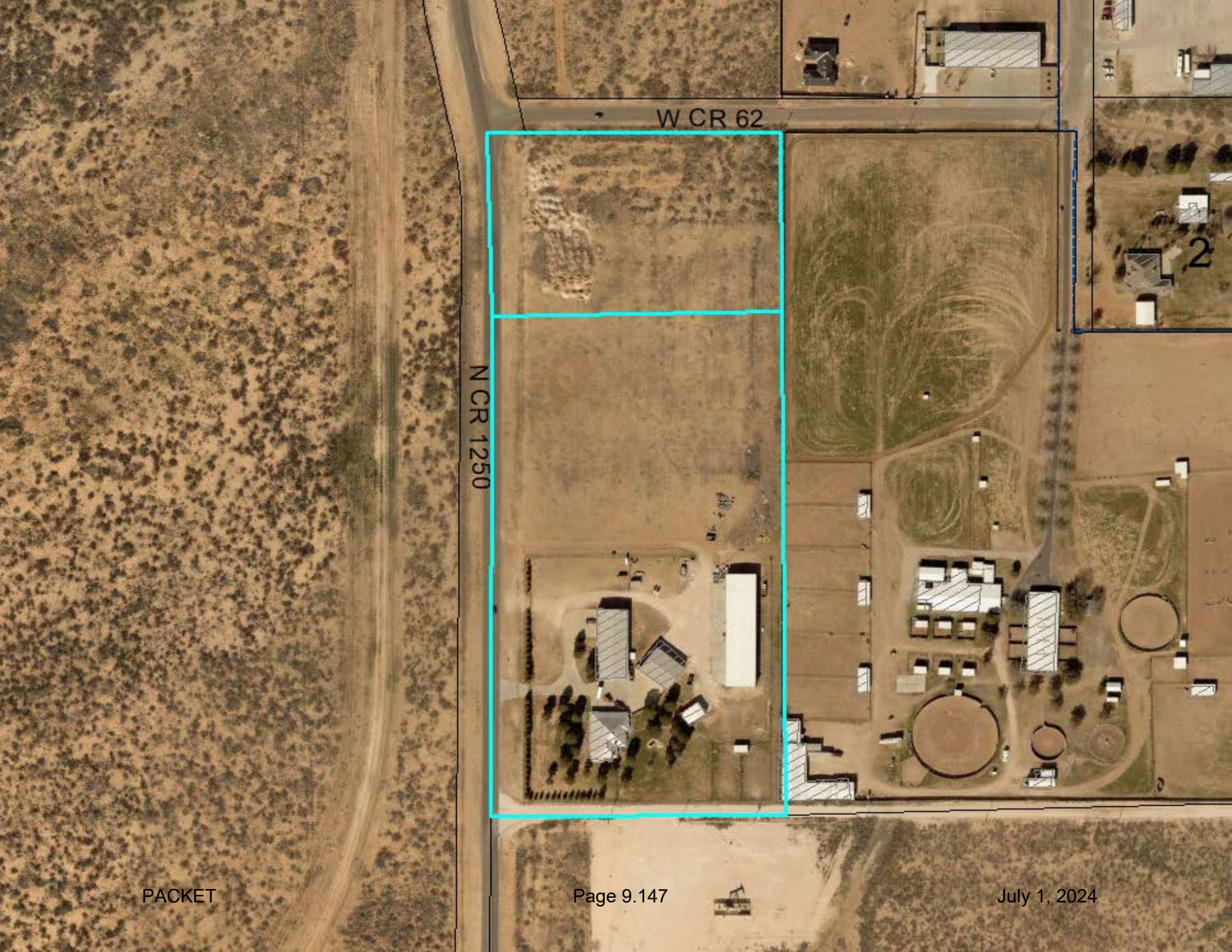
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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W CR 62

N CR 1250

2



Item _

Preliminary Plat

Repman Addition

July 1, 2024



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1

PACKET

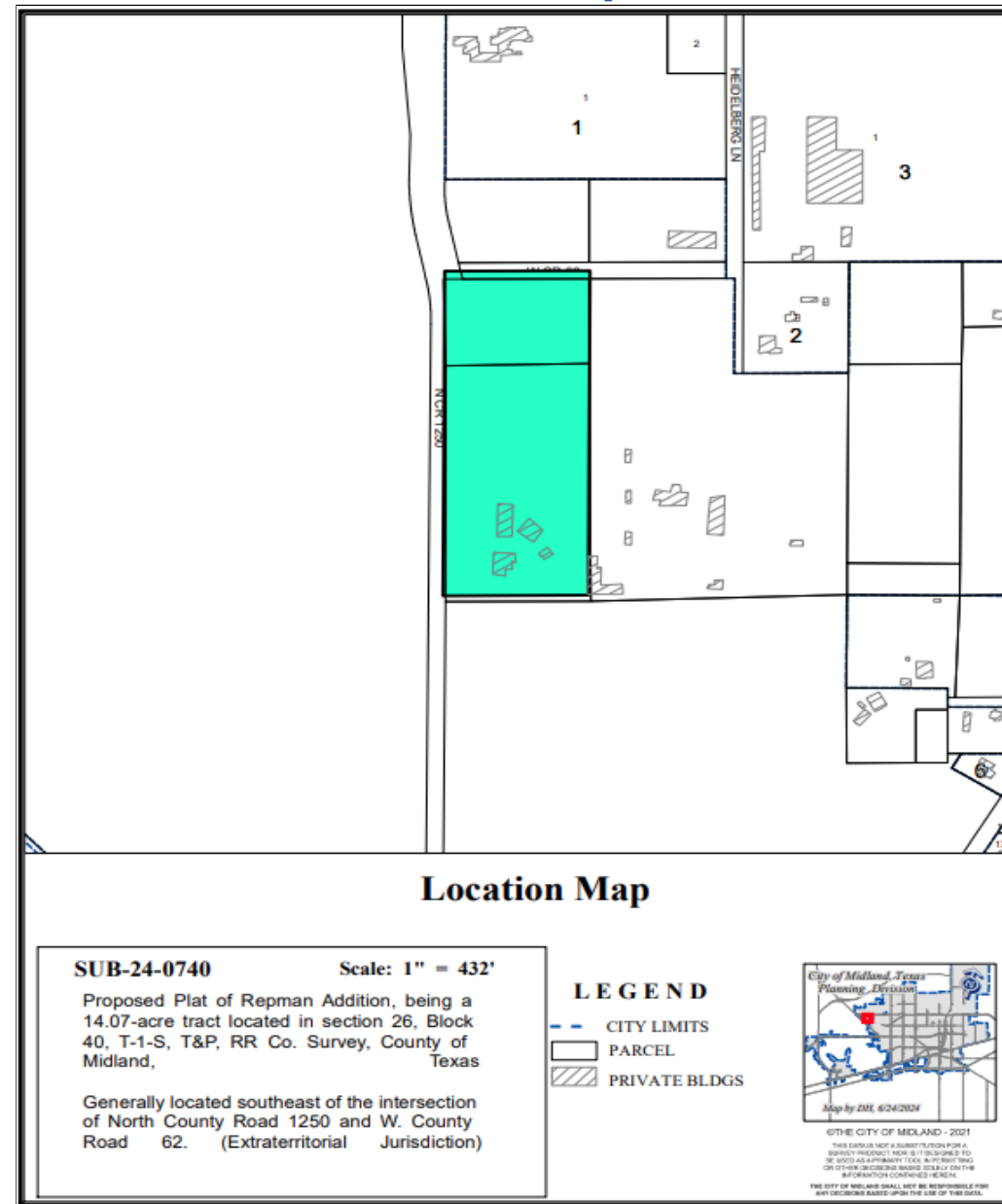
Page 9.148

July 1, 2024



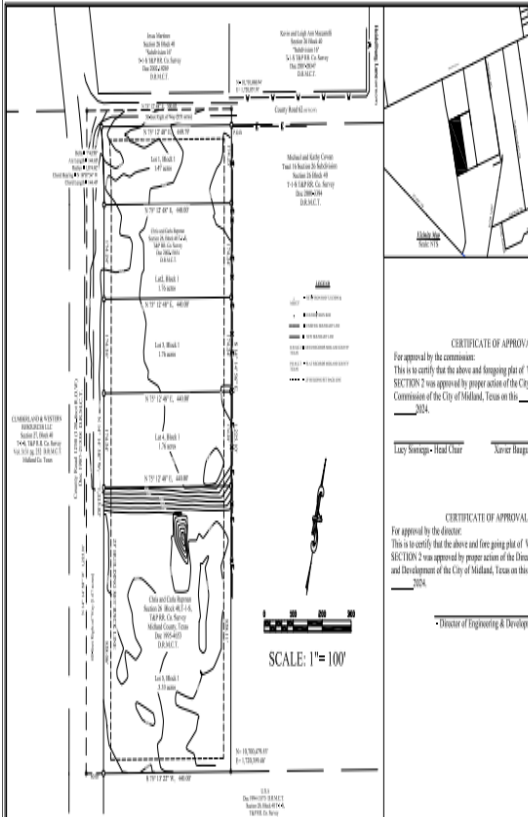
Repman Addition

- Luchinin & Mertz, on behalf of Chris Repman
- Requesting to plat for future commercial building permits
- Located on North County Road 1250



Repman Addition

- 14.07-acres
- Requesting to replat to
- Consists of 5 lots



Notes:

- All bearings and coordinates are based on the Texas Coordinate System of 1983, Central Zone.
- Survey Reconstructions filed in the Office of Luchini and Mertz Land Surveying Company.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
- Approval of a site plan by the City of Midland may be required before these lots may be developed and before a building permit may be obtained.
- According to the FEMA Flood Insurance Rate Map 48320C0064F, dated September 16, 2005 shows this property not to lie in a Special Flood Hazard Area.

REPMAN ADDITION
BEING A 14.07 ACRE TRACT
LOCATED IN SECTION 26,
BLOCK 40 T-1-S,
T&P R.R. Co. SURVEY
MIDLAND COUNTY TEXAS

OWNER'S CERTIFICATE
STATE OF TEXAS &
COUNTY OF MIDLAND &

WHEREAS, CHRIS REPMAN, the record owner of a 4.07 acre tract and a 10.00 acre tract of land situated in Section 26, Block 40, T-1-S, T & P R.R. Co. Survey, County of Midland, and more particularly described as follows:

Being a 4.07 acre tract to CHRIS REPMAN as described Dec: 2003-13654 D.R.M.C.T. and a 10.00 acre tract to Chris Repman as recorded in Dec: 1995-4653 D.R.M.C.T. Located in Section 26, Block 40, T-1-S, T&P R.R. Co. Survey, and being more particularly described as follows:

Beginning at a 1/2" spike nail (7+10) 666.94, 1+1, 720.657 911 found at the Northeast corner of said 4.07 acre tract and being on the South Right of Way line of County Road 62, from whence a spike nail found in the centerline of said County Road 62 bears North 14°14'50" West a distance of 38.40ft;

THENCE South 14°14'50" East a distance of 1,225.10 feet to a 1/2" iron rod with cap marked "LUCCHINI & MERTZ" found at the southeast corner of said 10 acre tract;

THENCE South 79°13'22" West along the South line of said 10.00 acre tract a distance of 440.00 feet to a 1/2" iron rod marked "LUCCHINI & MERTZ" set on the East Right of Way line of said County Road 1250 from whence a 1/2" spike nail found in the centerline of said County Road 1250 bears South 79°13'22" West a distance of 60.40ft;

THENCE North 14°14'50" West with the East Right of Way line of said County Road 1250 distance of 1,225.02 feet to a 1/2" iron rod with cap marked "LUCCHINI & MERTZ" set at a point of curvature to the left and being on the East Right of Way line of said Co. Rd. 1250;

THENCE in a northwest direction along said curve to the left having a central angle of 7°42'30", a radius of 1,074.82 feet, an arc length of 144.80 feet, a chord distance of 144.49 feet, bearing North 18°07'54" West to a 1/2" iron rod set on intersection of the East Right of Way line of said Co. Rd. 1250 and the South Right of Way line of said Co. Rd. 62 and being the northwest corner of said 4.07 acre tract;

THENCE North 79°12'48" East along the South Right of Way line of said County Road 62 to the Point of Beginning containing 12.08 acres of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, CHRIS REPMAN do hereby adopt this plat designating the herein above described property as REPMAN ADDITION, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon.

WITNESS our hands at Midland, Texas, this _____ day of _____, 2024.

CHRIS REPMAN
ACKNOWLEDGMENT

STATE OF TEXAS COUNTY OF MIDLAND
This plan was acknowledged before me on _____ by CHRIS REPMAN

Notary Public, State of Texas

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

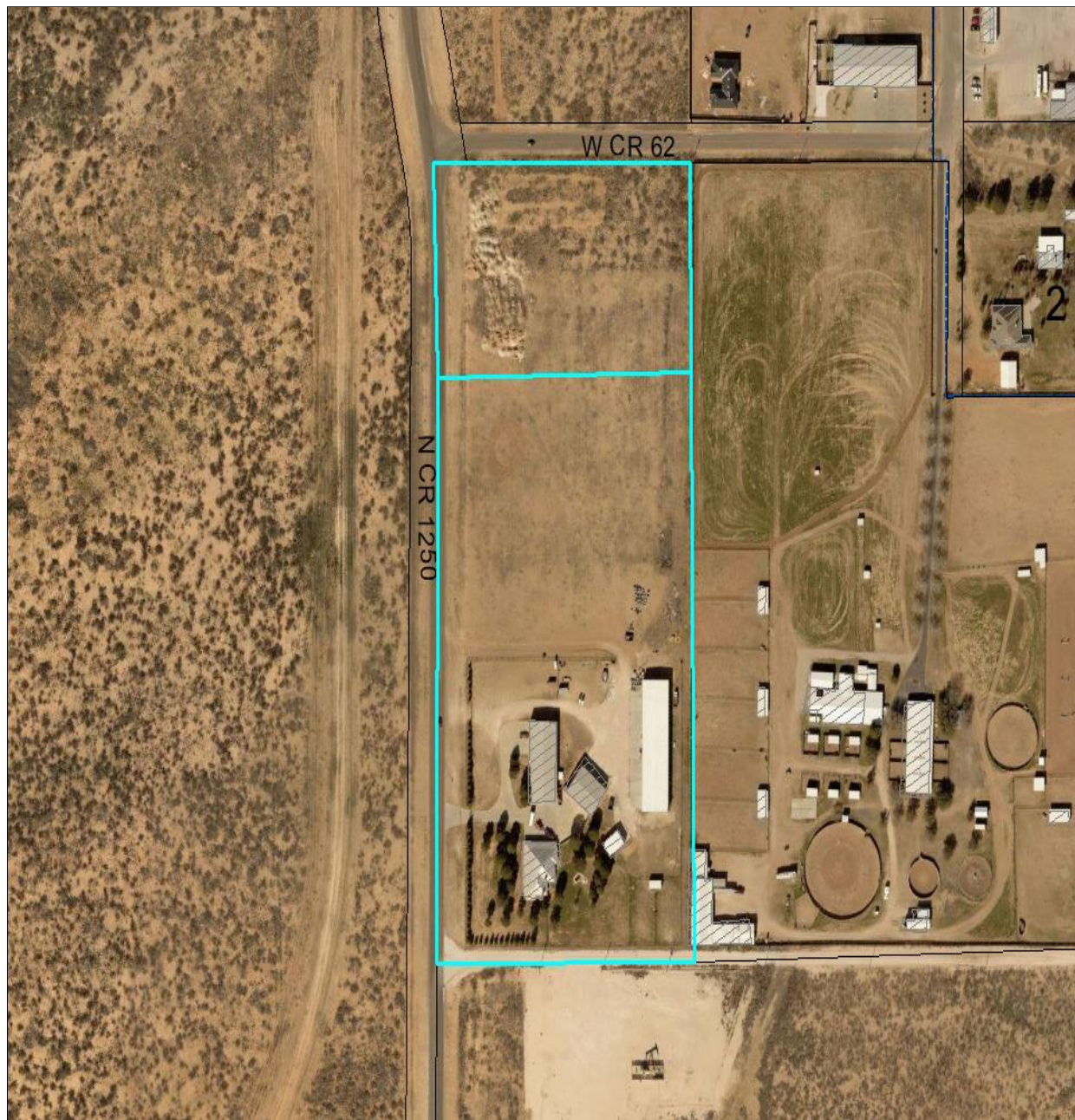
REPMAN ADDITION
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
No. _____ CABINET _____
DATE _____ PAGE _____

OWNER:
Chris Repman,
4202 N. Co. Rd 1250
Midland, Texas 79705
Phone: 432-770-6792
May 2024 Chris Repman

SURVEYOR'S CERTIFICATE
KNOWN ALL BY THESE PRESENTS:
THAT I, JEFFREY SLUTER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, 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

JEFFREY SLUTER, R.P.L.S. 4050
2805 W. KENTUCKY
MIDLAND, TEXAS 79702

REPLAT TO
P. O. Box 1863 Midland, Texas 79702 (432) 684-6728 Firm# 10086500



There has been no objections and all code requirements have been met; therefore, staff recommends approval.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Fuse Industrial Park, Section 3, being a plat of a 15.23-acre tract of land out of the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the west side of South Fairgrounds Road, approximately 395 feet north of East Indiana Avenue.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

ZECO Enterprises, LLC, on behalf of Foundation for Fairgrounds Partners, is requesting to replat the above described property into four lots located at 228 S Fairgrounds Road.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Engineering: (Approved with Conditions)

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

ROW: See Transportation's comments. (E Wall St doesn't exist in this section, it is a private access easement. Label it as an easement and provide the document number.) [For Applicant's Information Only.]

PAVING: Fairgrounds Road is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]
WATER: None existing. Construct water to City standards along entire platted frontage (Fairgrounds Rd.) or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test.
PRO RATA: None. [For Applicant's Information Only.]

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

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

EASEMENTS: See Transportation's comments. (E Wall St doesn't exist in this section, it is a private access easement. Label it as an easement and provide the document number.) [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with Conditions)

Provide this project's share of a 150 ft total right-of-way (75 ft half-street right-of-way) on Fairgrounds Rd. [Reference City Code Section 11-2-5(C)2.]

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

No Oil and Gas issues.

Building Code: (Approved)

ETJ, no jurisdiction

GIS: (Approved)

Please place two sets of x-y coordinates, one being at POB. Boundary does not close by 3.8 ft. (Please check west call of plat.) Vicinity map shows incorrectly where this plat is. (shows BI 20 instead of Front St) Block 1 is already in use. Block number can be 2. Lots can be 1-4. GIS does not show E Wall St extends to this plat. (Confirm with Transportation.) Please provide documentation for ROW dedication east of plat (for S Fairgrounds RD) or confirm with Transportation if ROW dedication is needed. Current deeds show land extends into half of S Fairgrounds Rd, please confirm POB.

Surveyor: (Approved with Conditions)

Show state plane coordinates for two corners.

MIDLAND COUNTY PUBLIC WORKS: (Approved)

The county recommends requiring: A drainage plan (subdivision regulations 5.01-.10)

And Water availability (Sect. 10.8-.09) or Water will-serve (Sect. 10.1-.4

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 4 proposed lots of Fuse Industrial Park, Section 3, PLAT OF A 15.2 ACRE TRACT OF LAND OUT OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 36, BLOCK 39, T-1-S, T. & P. RR. CO. SURVEY ABSTRACT 1 lot 1 is 5.2 acre, lot 2 is 3.9 acre, lot 3 is 2.6 acre and lot 4 is 3.3 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Planning: (Approved with Conditions)

Change legal description to: "Being a 15.23-acre tract of land out of Section 36, Block 39, T-1-S, T&P RR Co. Survey, County of Midland, Texas." [11-2-3(A)]: [11-2-3(D)4]

City maps do not show E. Wall Street as extending through this property. Verify and then rename to "Access and Utility Easement" and remove "E. Wall Street" from face of plat. [-2-3(C)2(b)(1)]

Label Block 2 on bottom right lot. [11-2-3(H)3(b)(6)]

Change Secretary to Landon Ochoa. [Informational]

Staff recommends approval of the Preliminary Plat of Fuse Industrial Park, Section 3.

Condition:

- A. **Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Location Map
Zoning Map
Aerial
Powerpoint



Preliminary Plat Application

Project Number: SUB-23-0668

Case Number: _____

Proposed Subdivision Plat Name: Fuse Industrial Park, Section 3Legal Description (attached sealed Metes and Bounds): Being a 15.23-acre tract of land out of Section 36, Block 39
T-1-S, T&P RR Co. Survey, County of Midland, Texas.**Property Owner**Printed Name: Fairgrounds Partners, LLC

Phone (432) 250-5691

Email josh@fusedp.comAddress P.O. Box 52953City MidlandState TXZip 79710**Developer (if different than Owner)**

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: ZECO Enterprises, LLCPrinted Name: Zeke Saavedra, P.E.

Phone (832) 702-6386

Email zeke.saavedra
@zeco-ent.comAddress 25638 Myrtle SpringsCity SpringState TXZip 77373Current Zoning: ETJReason for Platting: To subdivide property into 4 lots**Plat Information**Total Acreage: 15.23Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☒ Extraterritorial Jurisdiction (ETJ)Number of Lots: 4Number of Multi-family Dwelling Units: 0**Submittal and Fees**

Items to be submitted with this application form:

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

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

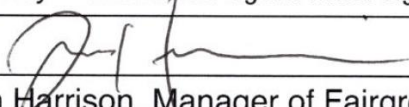
If yes, contact the City Engineer at (432) 685-7286

Provisions

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

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

Property Owner (signature):



Date: 5-22-24

Property Owner (printed) : Josh Harrison, Manager of Fairgrounds Partners, LLC

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.

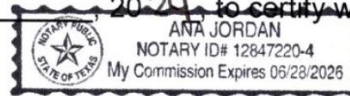
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Harrison who, being by me duly sworn, upon oath says: That (s)he is the owner of Fairgrounds 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 22nd day of may 2024, to certify which witness my hand and seal of office.



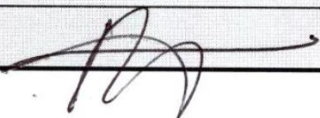
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # 1390

Received By:

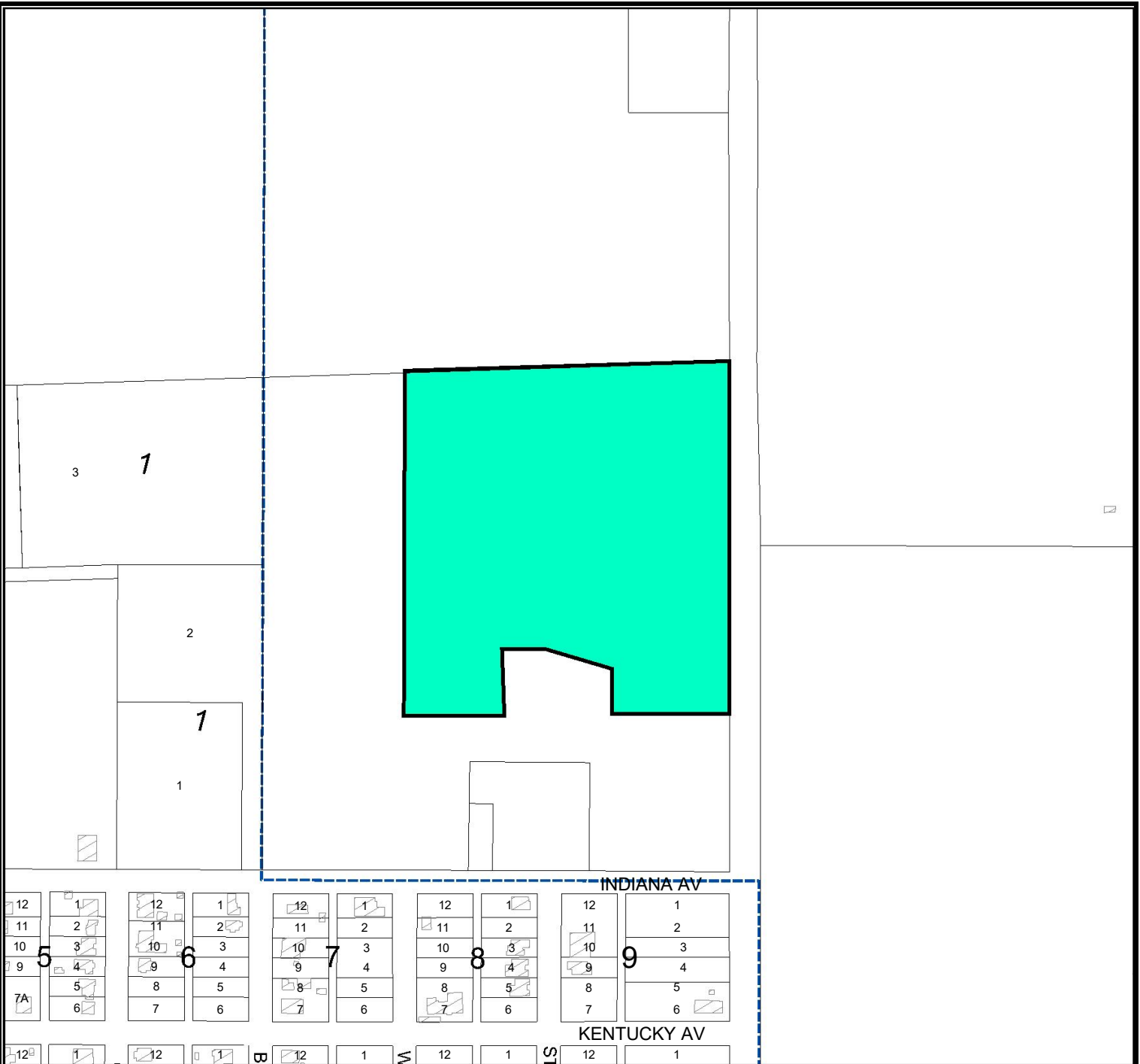


Date:

RECEIVED
JUL 03 2024

BY:

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



Location Map

SUB-23-0668

Scale: 1" = 360'

Proposed Plat of Fuse Industrial Park, Section 3, being a 15.23-acre tract of land out of Section 36, Block 39, T-1-S, T&P RR Co. Survey, County of Midland, Texas.

Generally located west of Fairgrounds Road, approximately 395 feet north of East Indiana Avenue. (Extraterritorial Jurisdiction)

PACKET

Page 10.160

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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July 1, 2024







Fuse Industrial Park, Section 3 Preliminary Plat

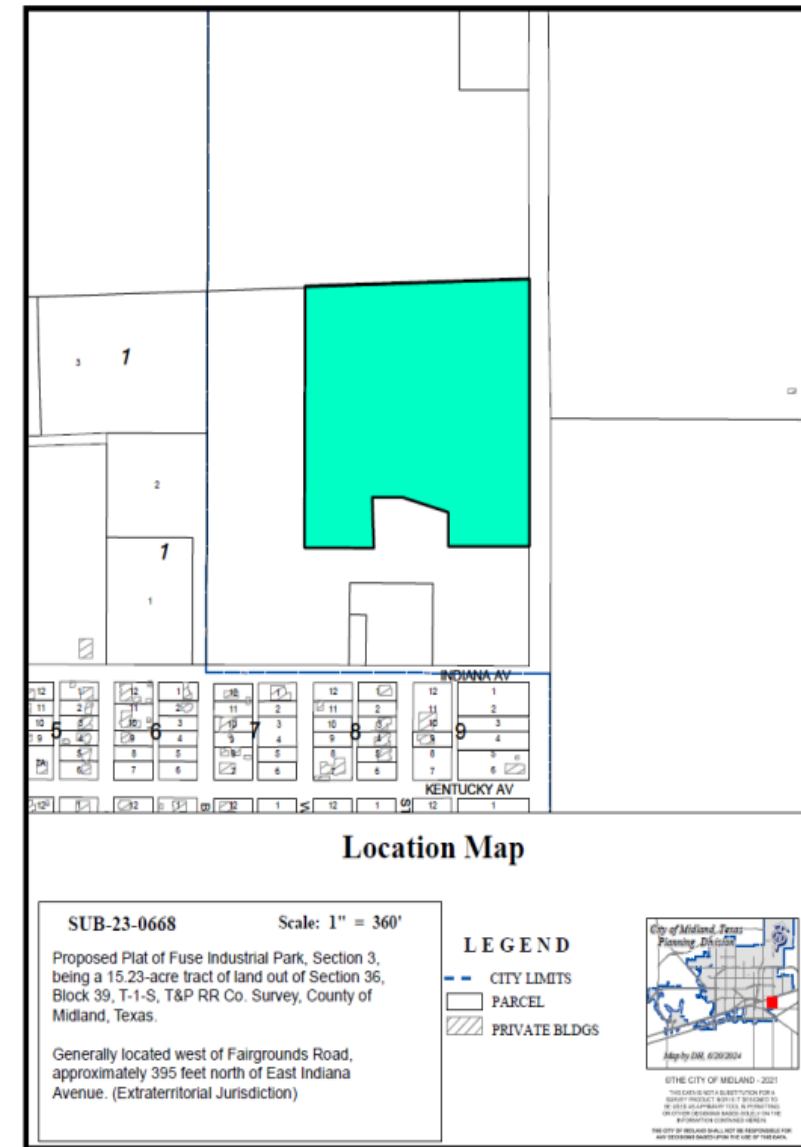
July 1, 2024



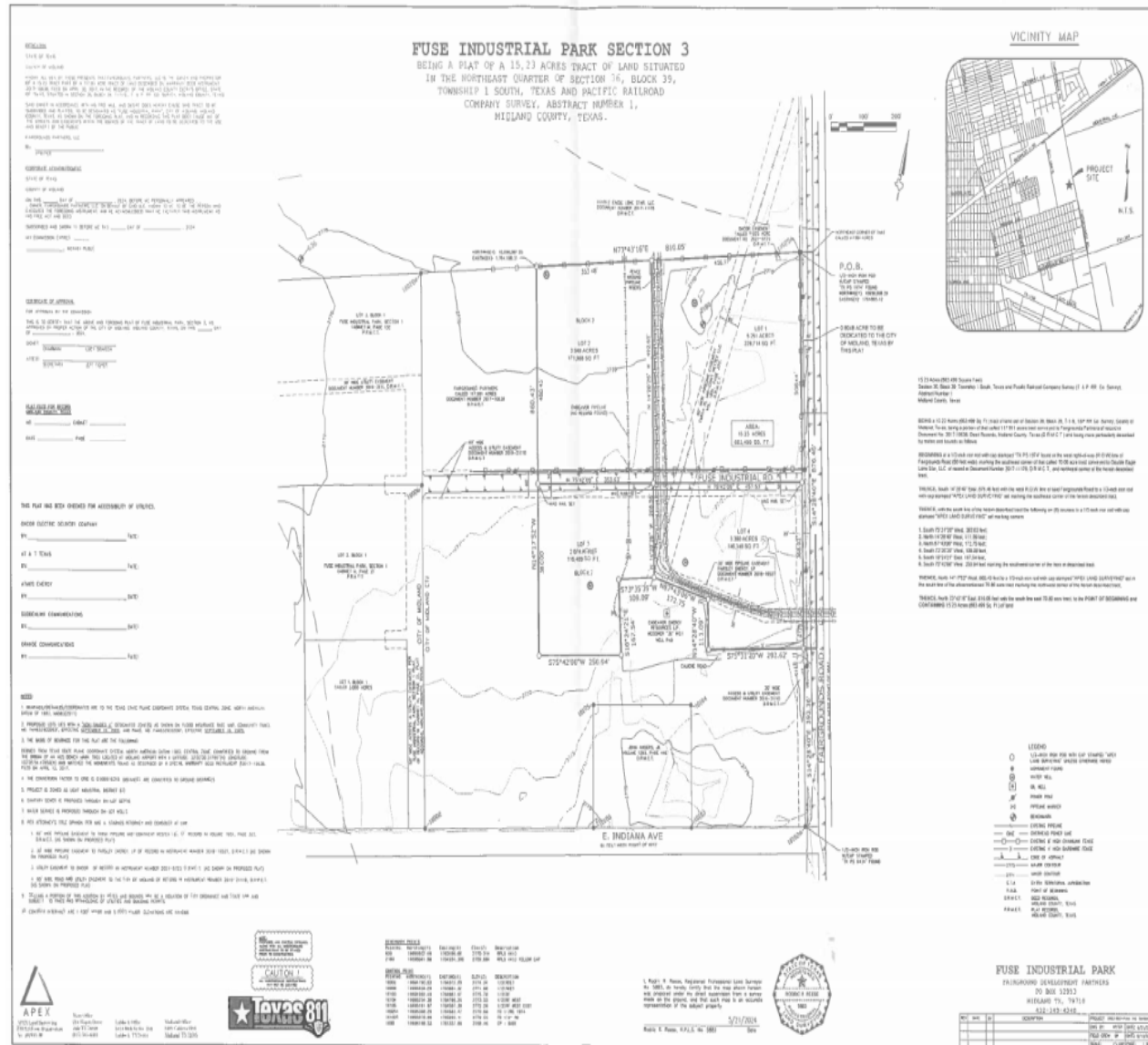
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MIDLANDTEXAS.GOV



- ZECO Enterprises, LLC, on behalf of Fairgrounds Partners, LLC, is
- Preliminary Plat approval
- 228 S Fairgrounds Road



- 15.23 acres
- Requesting to subdivide property into 4 lots for ownership purposes







- The plat meets all requirements; therefore, staff recommends approval of the Preliminary Plat of Fuse Industrial Park, Section 3.



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Zoo Midland Offsite, being a replat of a 4.352-acre tract of land out of Tract 4, Parker Acres, City and County of Midland, Texas. (Generally located on the west side of Todd Drive, approximately 420 feet south of East Golf Course Road) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Dunaway Associates, on behalf of Zoo Midland, Inc., is requesting to replat 4.352 acres out of Tract 4, Parker Acres, in order to develop a wildlife rehabilitation center at 1507 Todd Drive.

Current Zoning:

AE, Agricultural Estate District.

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

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 transportations comments. [For Applicant's Information Only.]

PAVING: Todd roadway is not built to City Standards, construct to City standards for entire platted frontage or request a deferral. [For Applicant's Information Only.]

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

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

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

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

DRAINAGE: Show compliance with Zoo Midland-Green Acres Drainage Study, prepared by Dunaway Associates and approved by City on 06/11/2024. [Reference City Code Sect. 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)

Label width of rights-of-way dedication.

Surveyor: (Approved)

no comments.

Fire: (Approved)

No objections

Building Inspection: (Approved)

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

Oil and Gas: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Lot 1, Block 1 is unnecessary in Title. POB on plat visual does not match metes and bounds. Please confirm POB. Directionality of east and west calls should be reversed. provide recording information for 50' Oncor ROW. Legal description can say "Being a replat of Tract 4 less south X.XX feet, Parker Acres, City and County of Midland, Texas."

Midland County Health Department: (Approved)

Yes, the health department will review applications from the 1 proposed lots of GREEN ACRES REMOTE SITE, RE-PLAT OF TRACT 4 OF PARKER ACRES, SECTION 42, BLOCK 38, TOWNSHIP 1 SOUTH E.C KNEPLEY SURVEY ABSTRACT NO 541, lot is 4.3 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and existing structures on the property and the water wells on the adjacent properties.

CRWMD: (Approved)

No Comments.

Planning: (Approved with Conditions)

Please update the Secretary to 'Landon Ochoa' [Informational]

Please update the Chairman to 'Lucy Sisniega' [Informational]

Please match the Certificate of Approval with the one in the Plats and Subdivisions. This should have two signature lines. [11-2-3(H)3[m]3]

This should just read "...the foregoing plat of Zoo Midland Offsite..."

In the Owners Certificate there are some discrepancies. Please remediate these. [11-2-3(H)3[m]1]

The main one is that it should read "...designating the herein describes property as Zoo Midland Offsite..."

The Surveyors Certificate should have a print name underneath the signature line. [11-2-3(H)3[m]1]

The legal description needs to be updated throughout the plat to the one above. [Informational]

The legal description is unnecessary within the Plat Boundaries. Just the Lot and Block number are required. [Informational]

The Name of the plat, Dunaways logo, and the legal description should be in the bottom right corner with the owner and engineering firm data. This is the title block, please remediate this. [11-2-3(A)1[a]]

Provide documentation that whoever signs for Zoo Midland is indeed allowed to sign for Zoo Midland. [Informational]

Staff recommends approval of the Preliminary Plat for Zoo Midland Offsite 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 filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Proposed Preliminary Plat
Maps
Aerial Photo
PowerPoint Presentation



Preliminary Plat Application

Project Number: SUB - 24 - 0743Case Number: P - 24 - 2023Proposed Subdivision Plat Name: Zoo Midland Offsite

Legal Description (attached sealed Metes and Bounds): A REPLAT OF A PORTION OF TRACT 4 OF PARKER ACRES, SECTION 42, BLOCK 38, TOWNSHIP 1 SOUTH E. C KNEPLEY SURVEY, ABSTRACT NO. 541 CITY AND COUNTY OF MIDLAND, TEXAS

Property OwnerPrinted Name: Zoo Midland, Inc.

Phone (432) 309-8415

Email charrington@zoomidland.orgAddress 18 Desta DriveCity 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: DunawayPrinted Name: Tim Hair

Phone: 432-848-4403

Email: thair@dunaway.comAddress 4000 Big Spring St, St. 101City MidlandState TXZip 79705Current Zoning: AE with an SUD for a Wildlife Rehabilitation CenterReason for Platting: To construct proposed buildings and operate a wildlife rehab center**Plat Information**Total Acreage: 4.352Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Date: May 21, 2024

Property Owner (printed): Jeff Beard

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.

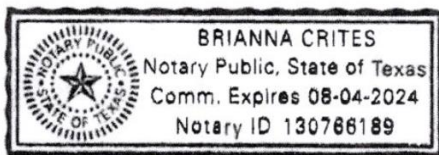
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Tim Hair who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Zoo Midland, Inc. 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 22 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

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

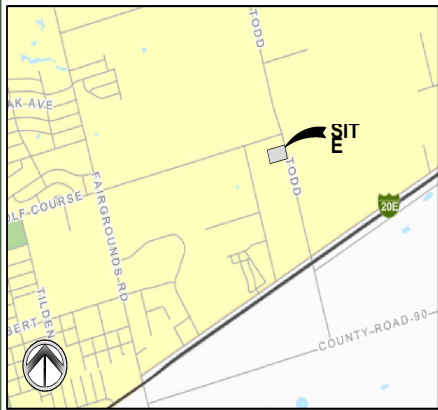
☒ 1 Copy of Plat (11x17)

Check # Paid Online (Invoice)

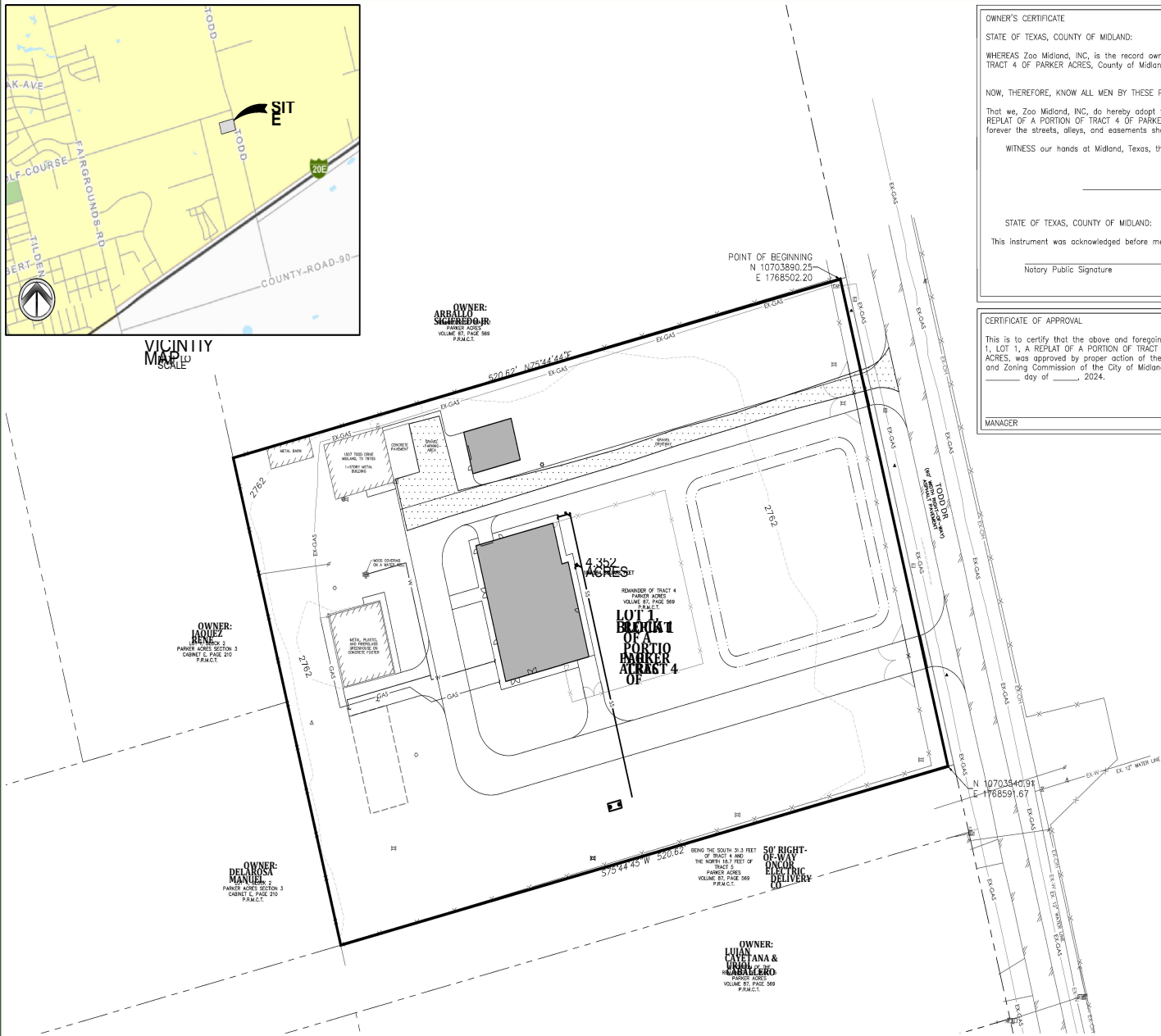
Received By: [Signature]

Date: JUN 05 2024

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



VICINITY
MAP



NOTES:

- The basis of the bearings shown hereon is the Texas State Plane Coordinate System of 1983, Central Zone, (NAD 83).
- According to the graphical plotting of the Flood Insurance Rate Map for Midland County, Texas and Incorporated Areas, Panel 93 of 325, Map Number 452920049, Map Released September 16, 2005, the subject property is located in Zone X. This statement does not reflect any type of flood study by this firm.
- 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.
- Any utility company, developer or other entity installing, repairing, maintaining or relocating a utility line or permanent improvement within utility easements must restore the premises as nearly as possible to its original condition following any such work at its sole expense.
- Approval of a site plan by the City of Midland does not constitute approval or development of any lot and before a plat is recorded, all other requirements may be required.
- A blanket refuse easement of ingress and egress for garbage and trash collection purposes is hereby granted.

PRELIMINARY
PLAT LEGEND

- 4.352 AC. ZOO MIDLAND OFFSITE
- PROPERTY LINE
- PROPOSED RIGHT OF WAY

NOTE: THIS PROJECT WILL COMPLY WITH THE STANDARDS FOR ALL PUBLIC INFRASTRUCTURE.

OWNER'S CERTIFICATE

STATE OF TEXAS, COUNTY OF MIDLAND:

WHEREAS Zoo Midland, INC. is the record owner of a tract of land situated in BLOCK 1, LOT 1, A REPLAT OF A PORTION OF TRACT 4 OF PARKER ACRES, County of Midland, and more particularly described hereon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Zoo Midland, INC. do hereby adopt this plat designating the herein above described property as BLOCK 1, LOT 1, A REPLAT OF A PORTION OF TRACT 4 OF PARKER ACRES to the City of Midland, Texas, and we do hereby dedicate to the public use forever the streets, alleys, and easements shown hereon.

WITNESS our hands at Midland, Texas, this the ____ day of ____ 2024.

ZOO MIDLAND, INC.

STATE OF TEXAS, COUNTY OF MIDLAND:

This instrument was acknowledged before me on ____, 2024, by ____ on behalf of ZOO MIDLAND, INC.

Notary Public Signature

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plot of BLOCK 1, LOT 1, A REPLAT OF A PORTION OF TRACT 4 OF PARKER ACRES, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on the ____ day of ____, 2024.

MANAGER

SURVEYOR'S CERTIFICATE

I, ____, 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 hereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

Date

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATKINS ENERGY Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

AT&T Print Name:

GRANDE COMMUNICATIONS Print Name:

AT&T-TEXAS Print Name:

METES AND BOUNDS DESCRIPTION

BEING a 4.352 acre parcel of land situated in Section 42, Block 38, Township 1 South, E. C. Knepley Survey, Abstract No. 541, Midland County, Texas, and being a tract of land described in Warranty Deed to Green Acres Golf, LLC, as recorded in Instrument Number 2023-6743, Official Public Records of Midland County, Texas (O.P.R.M.C.T.), and being a portion of Tract 4, Parker Acres, an addition to the City of Midland, as recorded in Volume 87, Page 569, Plat Records of Midland County, Texas (P.R.M.C.T.), said 4.352 acre parcel of land being more particularly described by metes and bounds as follows:

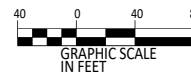
BEGINNING at a found 1/2-inch iron rod for the common northeast corner of said Green Acres Golf tract and the southeast corner of a tract of land described in General Warranty Deed with Vendor's Lien in Favor of Third Party to Sigfredo Arballo Jr., as recorded in Instrument Number 2020-9531, O.P.R.M.C.T., and being on the westerly line of a 30-foot roadway dedication into the use of the public of Todd Road (N County Road 1180), as recorded in Volume 87, Page 571, Deed Records of Midland County, Texas (D.R.M.C.T.), said point being locatable by NAD83 Grid Coordinate N=10,703,891.49, E=1,768,507.04, and from which a found 1/2-inch iron rod with cap stamped "BRADSHAW ASSOC" for the northeast corner of said Sigfredo Arballo Jr. tract bears North 14 degrees 21 minutes 55 seconds West, a distance of 392.19 feet;

THENCE South 14 degrees 21 minutes 55 seconds East, along the westerly line of said 30-foot roadway dedication of Todd Road, a distance of 360.65 feet to a found 1/2-inch iron rod for the common southeast corner of said Green Acres Golf tract and the northeast corner of a 50-foot Right-of-Way to Texas Electric Service Company, as recorded in Volume 107, Page 574, D.R.M.C.T., and from which a found 1-inch iron rod for the southeast corner of said 50-foot Right-of-Way bears South 14 degrees 21 minutes 55 seconds East, a distance of 50.00 feet;

THENCE South 75 degrees 44 minutes 41 seconds West, departing the westerly line of said 30-foot roadway dedication of Todd Road, along the common southerly line of said Green Acres Golf tract and the northerly line of said 50-foot Right-of-Way, a distance of 525.68 feet to a found 3-inch iron pipe for the common southwest corner of said Green Acres Golf tract and the southeast corner of Lot 4, Block 2, Parker Acres Section 3, an addition to the City of Midland, as recorded in Cabinet E, Page 210, P.R.M.C.T.;

THENCE North 14 degrees 21 minutes 55 seconds West, departing the northerly line of said 50-foot Right-of-Way, along the common westerly line of said Green Acres Golf tract and the easterly lines of said Lot 4 and Lot 1, Block 2, of said Parker Acres Section 3, a distance of 360.65 feet to a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC" for the common northwest corner of said Green Acres Golf tract and the southwest corner of said Sigfredo Arballo Jr. tract;

THENCE North 75 degrees 44 minutes 41 seconds East, departing the easterly line of said Lot 1, along the common northerly line of said Green Acres Golf tract and the southerly line of said Sigfredo Arballo Jr. tract, a distance of 525.68 feet to the POINT OF BEGINNING and containing 4.352 acres (or 189,584 square feet) of land, more or less.



OWNER

ZOO MIDLAND, INC.
18 DESTA DRIVE
Midland, Texas 79705
(432) 308-8415

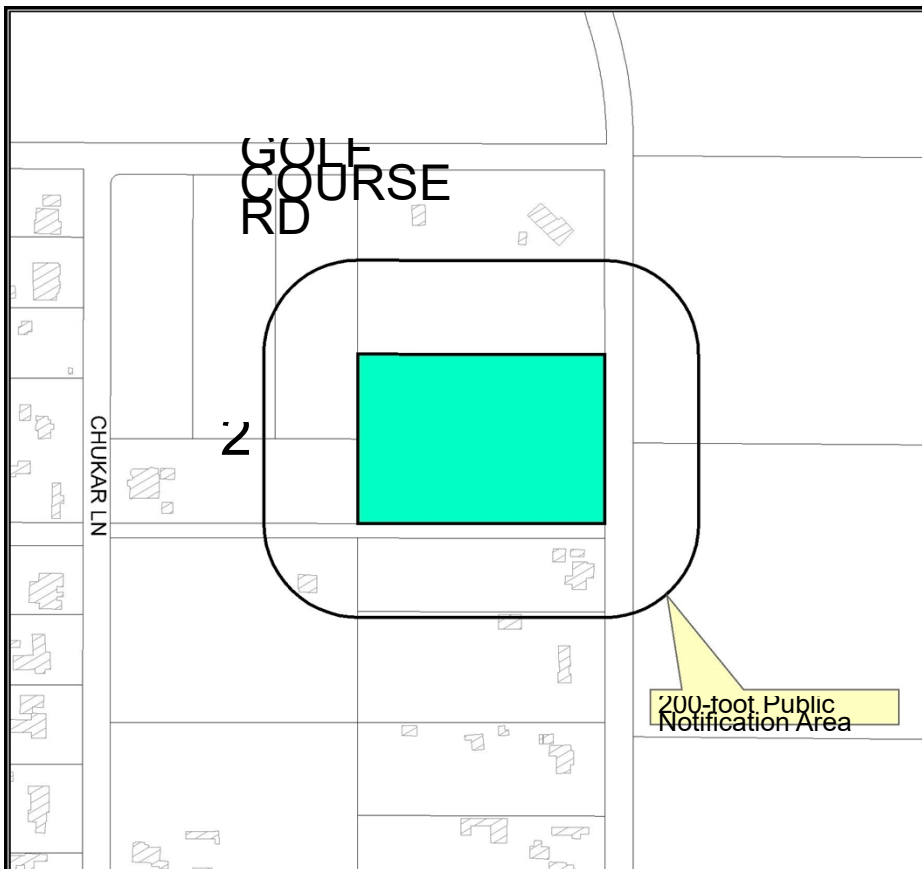
ENGINEER/SURVEYOR

DUNAWAY ASSOCIATES, L.P.
4000 Big Spring Street, Suite 101
Midland, Texas 79705
(432) 698-4899 (PHONE)
(432) 682-7722 (FAX)



July 1, 2024 • Suite 101 • Midland, Texas 79705
Tel: 432.699.4229
(TX REG. F-1114)

LOT 1,
BLOCK 1
A REPLAT OF A PORTION OF TRACT 4 OF PARKER ACRES, SECTION 3, TOWNSHIP 1 SOUTH, E. C. KNEPLEY SURVEY, ABSTRACT NO. 541, CITY AND COUNTY OF MIDLAND, TEXAS



Location Map

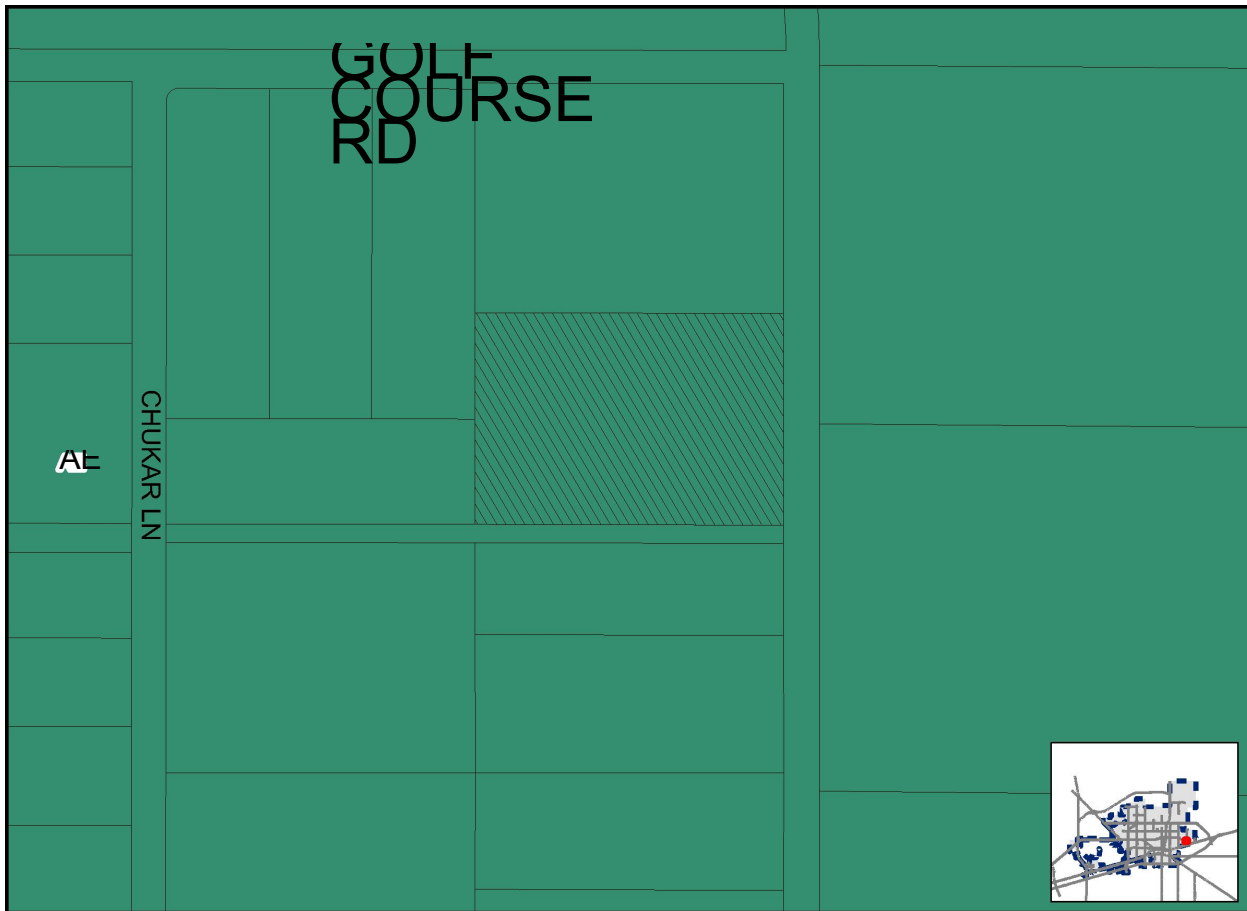
SUB-24-0743
 Proposed plat of Green Acres Remote Site being a 4.352-acre tract of land out of Tract 4, Parker Acres, City of Midland, located on the west side of Todd Drive, approximately 420' feet south of East Gold Course Road. (Council District 2)

Scale: 1" = 250'

LEGEND
 CITY LIMITS
 PARCEL
 PRIVATE BLDGS



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Map By: AM,
4/1/2024

**SUB-24-
0743**

Scale: 1"
= 200'

**ZONING
MAP**



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Zoo Midland Offsite Preliminary Plat

July 1, 2024



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MIDLANDTEXAS.GOV

1

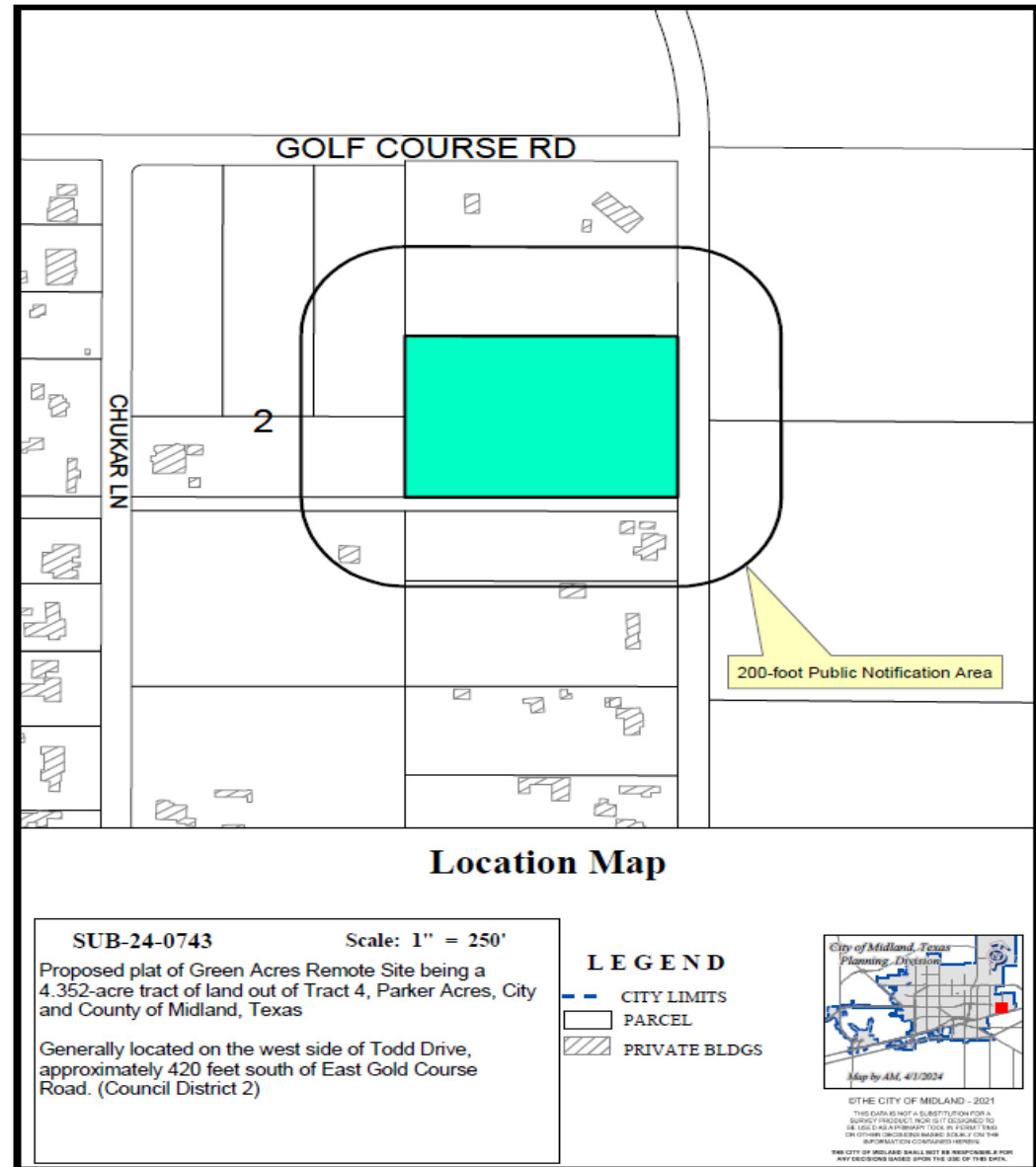
PACKET

Page 11.179

July 1, 2024



- Dunaway Associates, on behalf of Zoo Midland, Inc.
- Preliminary Plat approval
- 1507 Todd

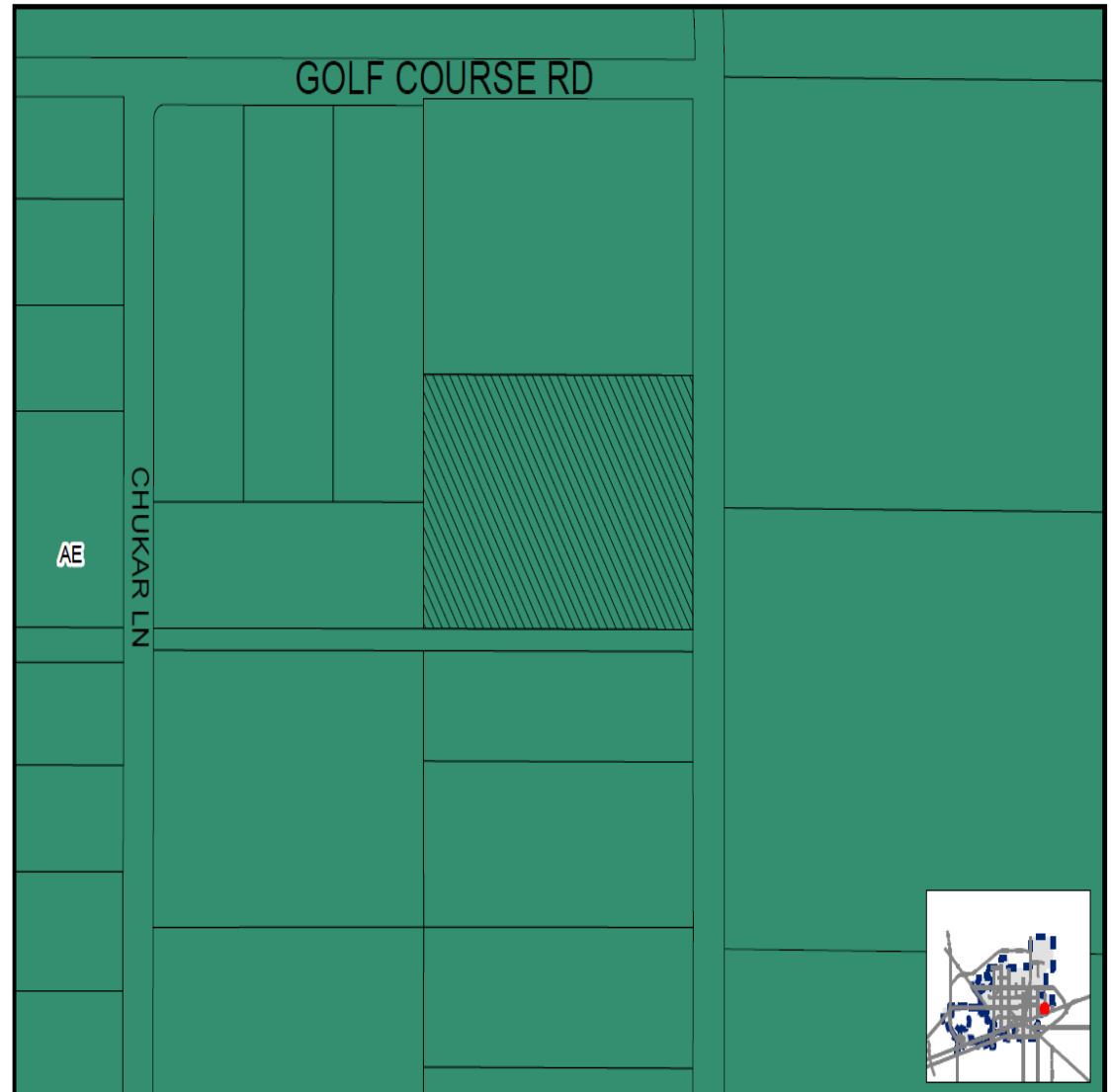


- # 3

Page 11.181



- **Current Zoning: AE, Agricultural Estate District Surrounding**
- Zoning:**
 - North, South, East, and West: AE, Agricultural Estate District



Map By AM, 4/1/2024

SUB-24-0743

Scale: 1" = 200'

ZONING MAP



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- The plat meets all requirements; therefore, staff recommends approval of the Preliminary Plat of Zoo Midland Offsite.



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of 349 Ranch Estates, Section 24 being a replat of Lots 11-14, Block 2, 349 Ranch Estates, Lots 24-27, 30 and 31, Block 2, 349 Ranch Estates, Section 2, and Lot 28A, Block 2, 349 Ranch Estates, Section 14, a previously vacated .192-acre portion of alley right-of-way, and a previously vacated .65-acre portion of Washita Street, both vacated portions being located adjacent to said lots, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North State Highway 349 and Pueblo Street.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to replat Lots 11-14, Block 2, 349 Ranch Estates, Lots 24-27, 30 and 31, Block 2, 349 Ranch Estates, Section 2, and Lot 28A, Block 2, 349 Ranch Estates, Section 14, and a previously vacated .0192-acre portion of the alley right-of-way located adjacent to said lots, City and County of Midland, Texas on Highway 349.

Current Zoning:

RR, Regional Retail 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 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.

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: Amend the deferral request for pavement improvement requirements. [For the Applicant's information only.]

WATER: 12" water main exists in N State Hwy 349, 6" water main exists in Washita Street, and a 8" water main is existing in Pueblo Street, okay as is. No public water improvements are 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: The public infrastructure plan set has been approved. This public infrastructure must be inspected and accepted by the City prior to the recording of this plat. [Reference City Code Sect. 11-2-3(G)2]

DRAINAGE: No Drainage Report is required at this time. Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit. [For the Applicant's information only.]

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

SIDEWALKS Amend the deferral request for pavement improvement requirements. [For the Applicant's information only.]

OTHER: * * * 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 & GAS: (Approved)

No Oil and Gas Issues

GIS: (Approved)

Please also include mention of the vacation of Washita St in the legal description. Provide ordinance by which Washita St was vacated. Calls needed for the 60' private access easement.

Health Department: (Approved)

Yes, the health department will review application from the 7 proposed lot of 349 Ranch Estates, Section 24, RE-PLAT OF LOTS 11-14, BLOCK 2, 349 RANCH ESTATES, LOTS 24-27,30 & 31, BLOCK 2, 349 RANCH ESTATES SECTION 2 LOT 28A, BLOCK 2, 340 RANCH ESTATES SECTION 14 AND PREVIOUSLY VACATED .192 ACRE PORTION OF THE ALLEY RIGHT OF WAY LOCATED ADJACENT TO SAID LOTS CITY AND COUNTY OF MIDLAND TEXAS, LOT 27A 2.8 ACRES, LOT 28B IS 1.1 ACRE, LOT 30A is 1.1 ACRE, LOT 14A is .5 ACRE, LOT 13A is .5 acre, LOT 12A is .5 acre, LOT 11A is .5 acre, the septic applications must be designed by an Registered Sanitarian or Professional Engineer and must be installed by a Texas OSSF licensed installer for the lots .5 acre and below and 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)

Provide documentation confirming Washita Street has been vacated as ordinance number 2021-10196 is incorrect. It should be ordinance 10197. [Informational]

Staff recommends approval of this preliminary plat for 349 Ranch Estates, Section 24 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
Maps
Application
Aerial
Powerpoint

BEING A REPLAT OF LOTS 11-14, BLOCK 2, 349
RANCH ESTATES, LOTS 24-27, 30, & 31,
BLOCK 2, 349 RANCH ESTATES, SECTION 2, LOT
28A, BLOCK 2, 349 RANCH ESTATES,
SECTION 14 AND A PREVIOUSLY VACATED 0.192-
ACRE PORTION OF THE EX-
RIGHT-OF-WAY LOCATED ADJACENT TO
SAID LOTS

Drawing: F:\2022\220006-5 FIGURE FIVE-349 RANCH ESTATES RE-PLAT
EXPANDED DRAWINGS\PLAT PRELIMINARY PLAT\220006 PRELIM PLAT.DWG Last Saved By: ADevine on 3/8/24



Preliminary Plat Application

Project Number: SUB-22-0500
Case Number: P-24-2030

Proposed Subdivision Plat Name: 349 Ranch Estates, Section 24

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 11-24, Block 2, 349 Ranch Estates, Lots 24-27, 30, and 31, Block 2, 349 Ranch Estates, Section 2, and Lot 28A, Block 2, 349 Ranch Estates, Section 14, City and County of Midland, Texas

Property Owner Printed Name: <u>5 Figure Five LLC</u>		Phone (432) 262-0999 Email	
Address <u>PO Box 52188</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79710</u>
Developer (if different than Owner) Printed Name:		Phone (432) 262-0999 Email	
Address	City	State	Zip
Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Maverick Engineering</u> Printed Name: <u>Paladin Huckaba</u>		Phone (432) 262-0999 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>

Current Zoning: RR

Reason for Platting: ownership purposes

Plat Information	Total Acreage: <u>7.306</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>7</u>	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) John C. Scharbauer. **Date:** 6/5/2024
Property Owner (printed) : John Scharbauer

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.

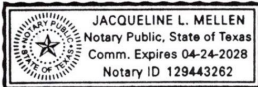
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
 COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ashlee Devine who, being by me duly sworn, upon oath says: That (s)he is the owner of 541 Ranch Estate or is authorized by John Scharbauer 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 5 day of JUNE, 2024, to certify which witness my hand and seal of office.



Jacqueline L. Mellen
 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 # 4836
 Received By: London Allen **Date:** JUN 15 2024

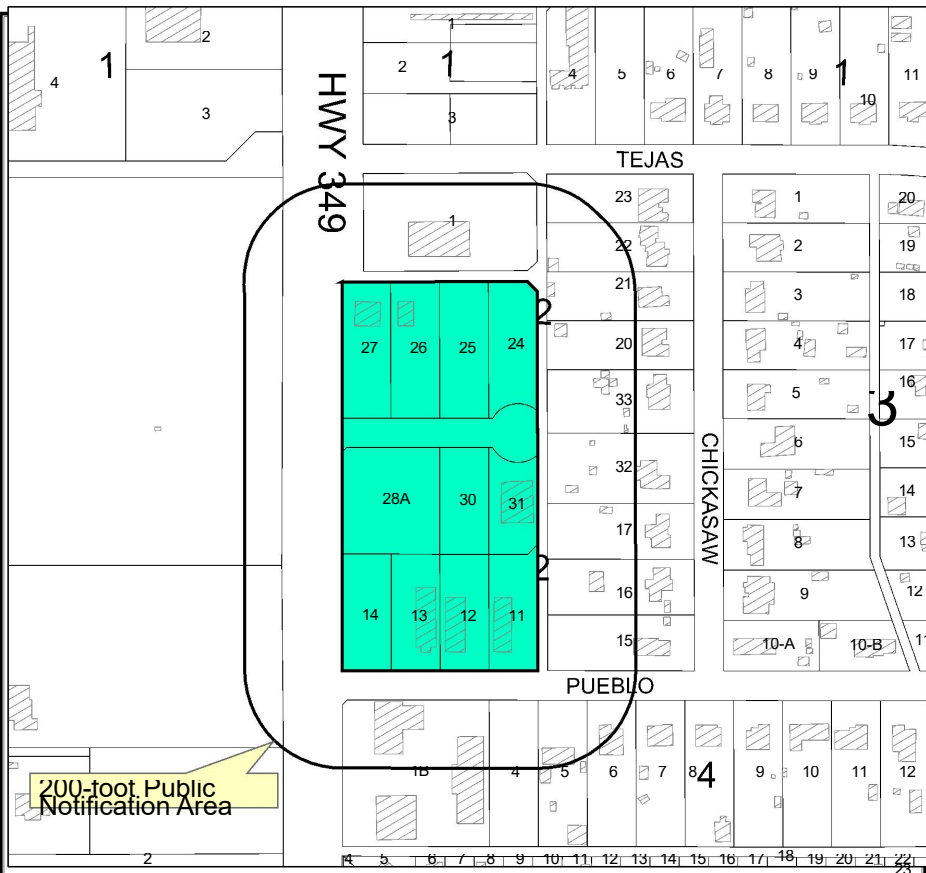
BY:

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

Preliminary Plat Application

2

Revised 07/01/19



Location Map

SUB-22-0500 Scale: 1" = 600'

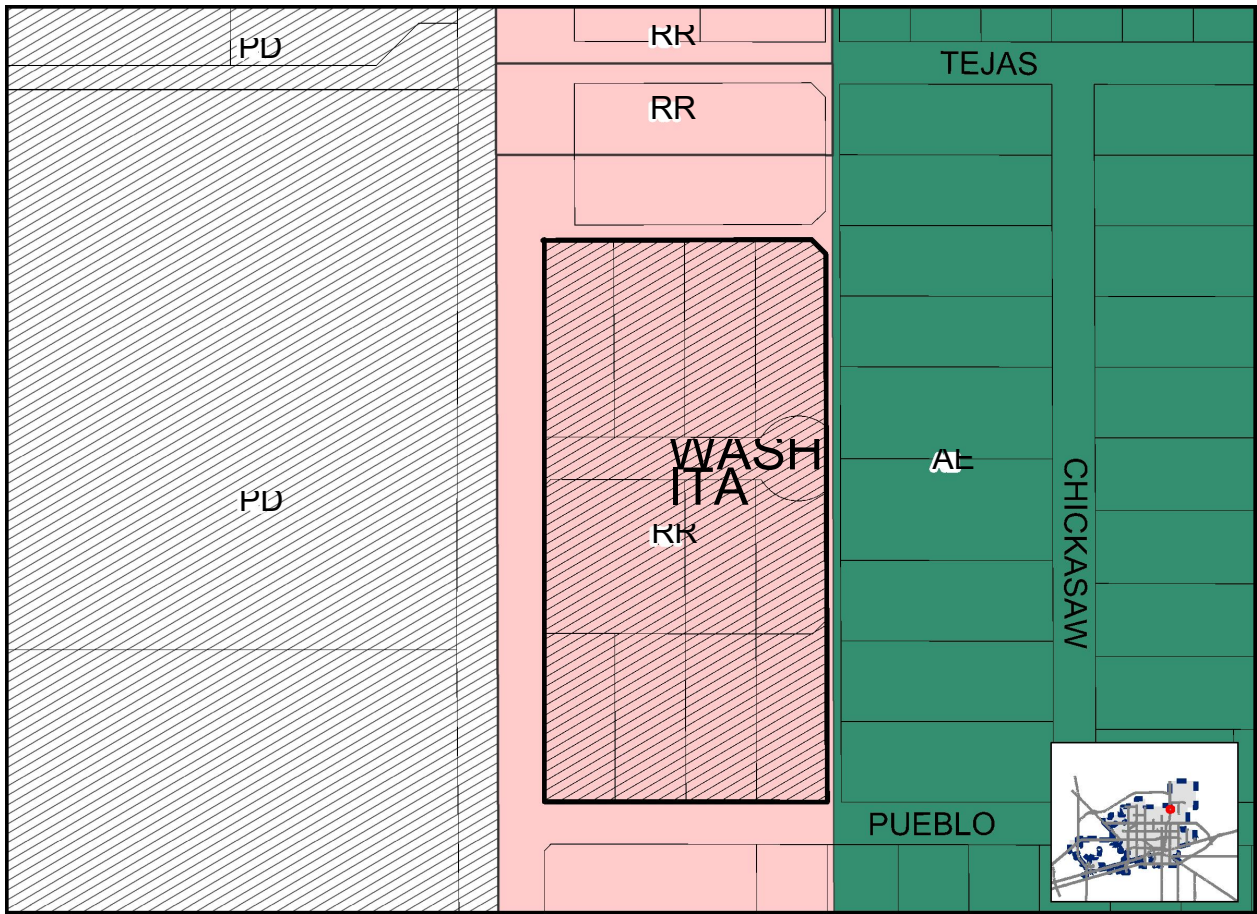
Proposed plat of 349 Ranch Estates, Section 24 being a replat of Lots 11-14, Block 2, 349 Ranch Estates, Lots 24-27, 30 and 31, Block 2, 349 Ranch Estates, Section 2, and Lot 28A, Block 2, 349 Ranch Estates, Section 14, and a previously vacated portion of the late section public highway (now vacated and re-platted as a County Road) of Midland, Texas.

LEGEND

— CITY LIMITS
 ▨ PARCEL
 ▨ PRIVATE BLDGS



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



Map DKG
6/26/2024

SUB-24-0500

Scale: 1" = 600'

**ZONING
MAP**



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349 Ranch Estates, Section 24

Preliminary Plat

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

PACKET

Page 12.194

July 1, 2024



349 Ranch Estates, Section 24

- Maverick Engineering, on behalf of Five Figure Five LLC
- Replat
- 1101 Pueblo



Location Map

SUB-22-0500 Scale: 1" = 600'

Proposed plat of 349 Ranch Estates, Section 24 being a replat of Lots 11-14, Block 2, 349 Ranch Estates, Lots 24-27, 30 and 31, Block 2, 349 Ranch Estates, Section 2, and Lot 28A, Block 2, 349 Ranch Estates, Section 14, and a previously vacated .0192-acre portion of the alley right-of-way located adjacent to said lots, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North State Highway 349 and Pueblo Street.(District 1)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



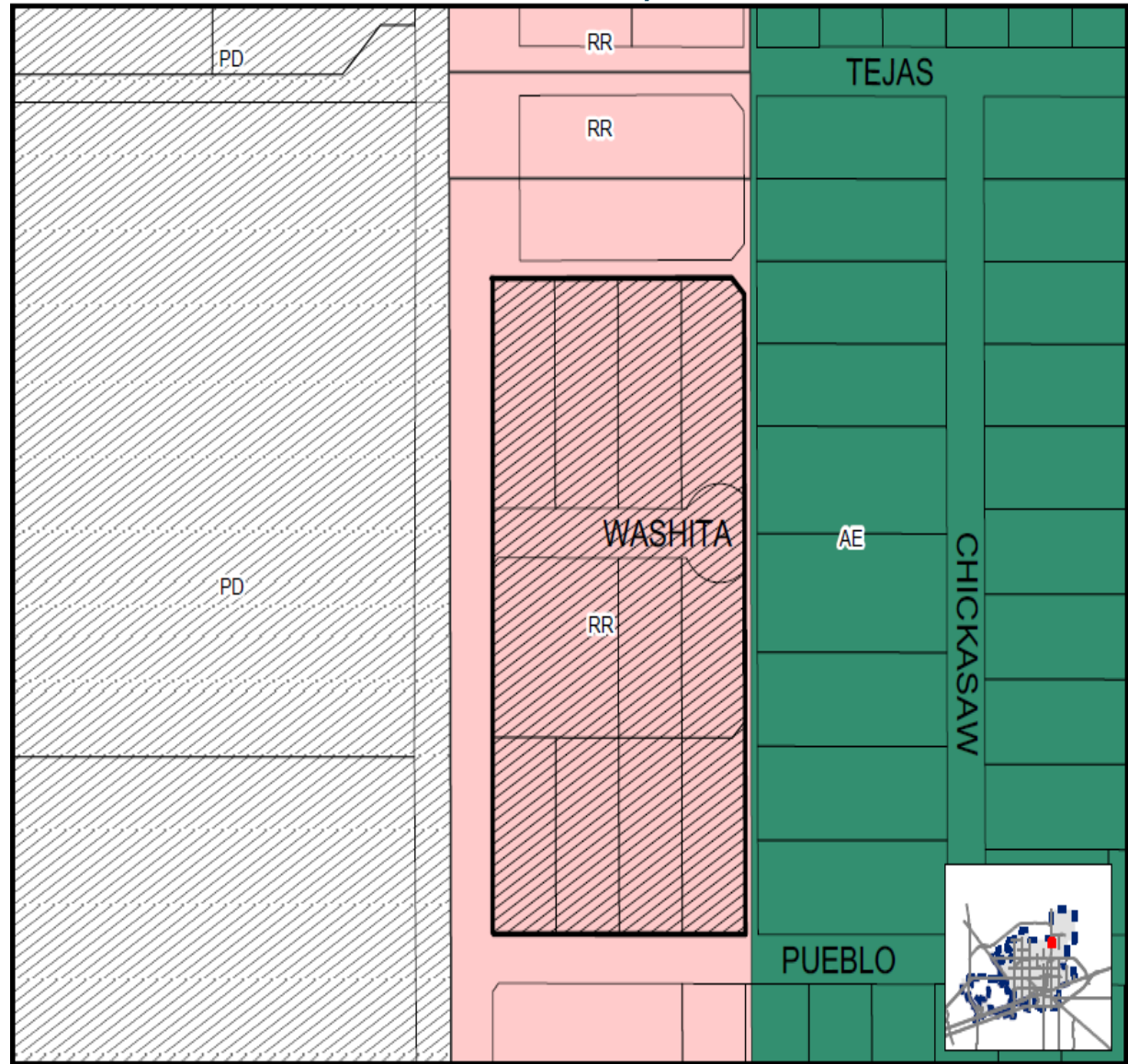
City of Midland, Texas
Planning Division
Map by DGI, 6/26/2024

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SURVEY PRODUCT. NOR IS IT DESIGNED TO
BE USED AS A PRESENTATION OF THE CITY'S
OR OTHER DECISIONS MADE. IT IS ONLY FOR THE
INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR
ANY DECISIONS BASED UPON THE USE OF THIS DATA.

[illegible]

349 Ranch Estates, Section 24

- **Current Zoning: RR, Regional Retail District**
- **Surrounding Zoning:**
 - North and South: RR, Regional Retail District
 - East: AE, Agricultural Estates District
 - West: PD, Planned Development District



Map DCI, 6/26/2024

SUB-24-0500

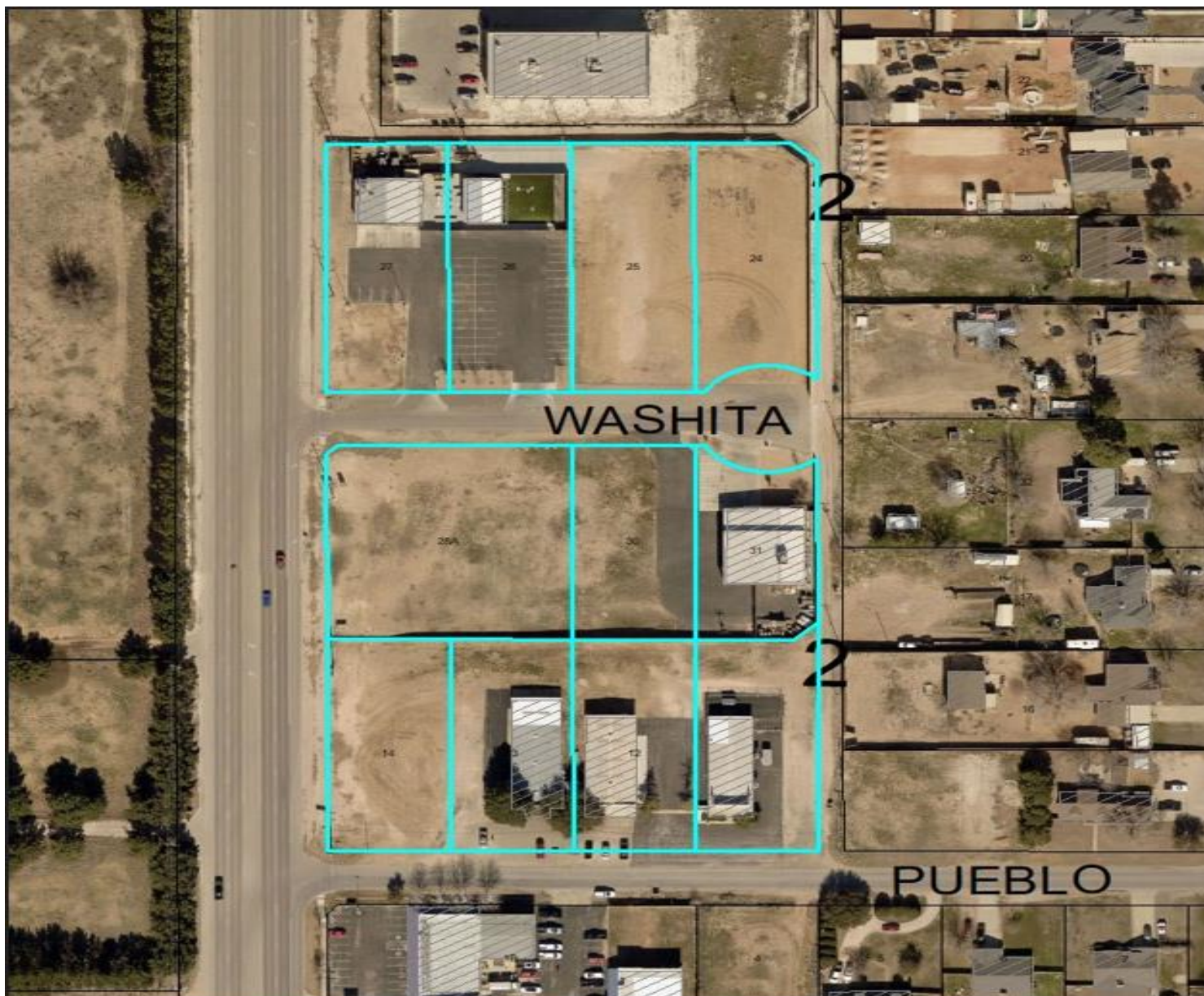
Scale: 1" = 600'

ZONING MAP



©THE CITY OF MIDLAND, 2024. THIS MAP IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. ANYONE DESIGNEE TO BE USED AS A PRIMARY TOOL FOR DETERMINING 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.

- Aerial Photo



No objection letters were received, and the plat meets all City of Midland Zoning Code requirements

Staff recommends approval of the Preliminary Plat of 349 Ranch Estates, Section 24



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Diana Geerts, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of City View Acres, Section 6, being a replat of a 9.36-acre tract of land out of Tract 5, City View Acres Addition, City and County of Midland, Texas. (Generally located southeast of the intersection of S Jackson Street and City View Road.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Maverick Engineering, on behalf of Midland Community Healthcare, is requesting to replat a 9.36-acre tract of land out of Tract 5, City View Acres Addition, City and County of Midland, Texas, into one lot for ownership purposes. The property is located at 1009 S. Jackson Street.

Current Zoning:

LR, Local Retail 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 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.

SURVEYOR: (Approved)

No comment.

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 Transportations comments. [For Applicant's Information Only.]

PAVING: S Jackson road is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

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

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

DRAINAGE: Show compliance with City View Acres Drainage Study, prepared by Maverick Engineering and approved by City on 06/11/2024. [Reference City Code Sect. 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)

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

List Landon Ochoa as Secretary. [Informational

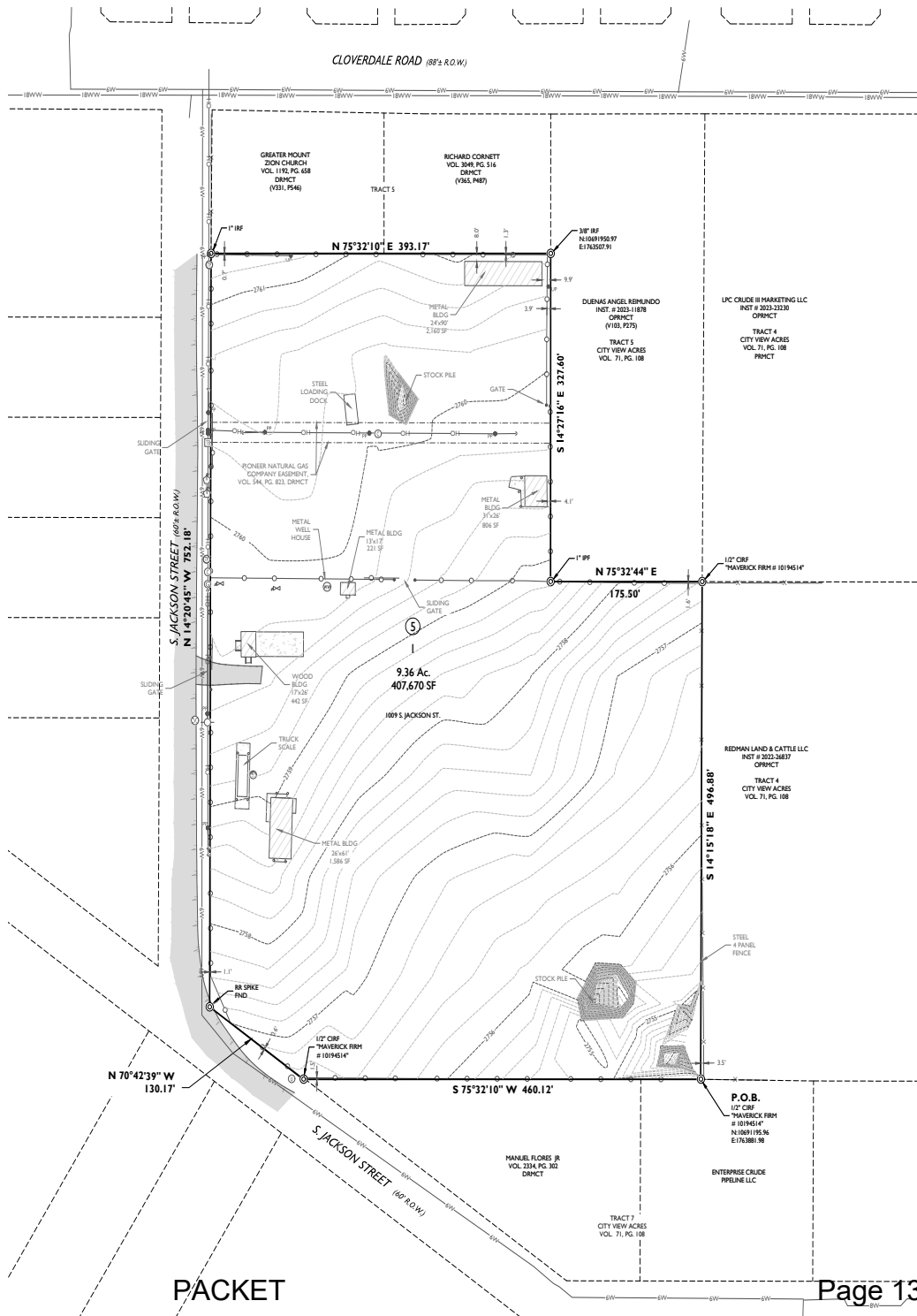
Staff recommends approval of the Preliminary Plat City View Acres, Section 6, subject to condition A.

Condition:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

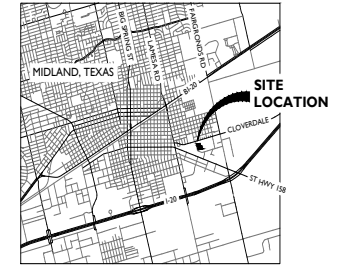
Proposed Preliminary Plat
Application
Location Map
Zoning Map
Aerial
Powerpoint



PRELIMINARY PLAT

CITY VIEW ACRES, SECTION 6

BEING A REPLAT OF A 9.36 ACRE TRACT OF LAND
OUT OF TRACT 5, CITY VIEW ACRES ADDITION
CITY AND COUNTY OF MIDLAND, TEXAS



VICINITY MAP
N.T.S.



SURVEYOR'S CERTIFICATE

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 shown thereon, and that the corner monuments shown thereon were properly set and located in accordance with the survey laws of the State of Texas.

GREGORY W. SHOULTS, RLS, SLS
MAVERICK ENGINEERING, P.C.
1909 W. WALL STREET, SUITE "K"
MIDLAND, TX 79701

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS MIDLAND COMMUNITY HEALTHCARE, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 1, BLOCK 39, T.3 S, R.4 E, CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT MIDLAND COMMUNITY HEALTHCARE, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS CITY VIEW ACRES, SECTION 6, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HEREIN, DO HEREBY DISSESS TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARAGE COLLECTION UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSIDERATION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT ON LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, TX,

THIS _____ DAY OF _____, 2024.

BY _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE 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 CITY VIEW ACRES, SECTION 6, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____, 2024.

LUCKY SONNEGA, CHAIRMAN

XAVIER BAUGHNESS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATTEST:

ATTEST:

ATTEST:

ATTEST:

ATTEST:

ATTEST:

ATTEST:

ATTEST:

ATTEST:

PROPERTY OWNER

MIDLAND COMMUNITY HEALTHCARE
PO BOX 5376
MIDLAND, TX 79704
DEED INSTRUMENT # 2023-34141

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO _____

DATE _____

LEGEND

- SET 10-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514"
 - FOUND MONUMENT AS NOTED
 - EXISTING CABLE PRESTAL
 - EXISTING FIBRE HYDANT
 - EXISTING GAS RISER
 - EXISTING GUY ANCHOR
 - EXISTING POWER POLE
 - EXISTING UTILITY POLE
 - EXISTING TELEPHONE BOX
 - EXISTING TELEPHONE PRESTAL
 - EXISTING WATER SPIGOT
 - EXISTING WATER VALVE
 - EXISTING WATER WELL
 - EXISTING UTILITY MARKER
 - EXISTING MAIL BOX
 - EXISTING SCALE
- BOUNDARY LINE
 - EXISTING PROPERTY LINES
 - EDGE OF ASPHALT
 - EXISTING FENCE
 - EXISTING CHAINLINK FENCE
 - EXISTING OVERHEAD ELECTRIC LINE
 - EXISTING WATER LINE
 - EXISTING WATER LINE
 - CONCRETE
 - PAVEMENT
 - BUILDING
 - O.P.M.C.T.
 - P.A.M.C.T.
 - D.A.M.C.T.
 - ()

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.P. FLOOD INSURANCE RATE MAP #48020C0206, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNDESIGNED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
 - (1) THE REPRESENTED LOT IS ADAPTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR
 - (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

SURVEY NOTES

- BACKS OF BEARING, COORDINATES, DISTANCE AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, AND U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (theta) OF -0°54'48.40" AND A COMBINED SCALE FACTOR OF 0.999999911 AT N2S "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 PRELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CAL 811 SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED CALL 1-800-GO-TEST FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
- THIS IS A PROFESSIONAL PRELIMINARY PLAT. THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS SHOWN HEREON ARE ALSO PRELIMINARY AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY SEALED BY THE SURVEYOR OF RECORD.



MAVERICK
ENGINEERING & LAND SURVEYING

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

CITY VIEW ACRES
SECTION 6

PACKET

Page 13.203



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: City View Acres, Section 6**Legal Description (attached sealed Metes and Bounds):** Being a Replat of a 9.36 Acre Tract of Land out of Tract 5, City View Acres Addition, City and County of Midland, Texas**Property Owner**Printed Name: **Midland Community Healthcare**

Phone (432) 262-0999

Email michael.austin@midlandchs.orgAddress **1009 S Jackson**City **Midland**State **TX**Zip **79710****Developer (if different than Owner)**

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

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

Phone (432) 262-0999

Email phuckaba@maverick-eng.comAddress **1909 W Wall St Ste K**City **Midland**State **TX**Zip **79701****Current Zoning:** LR Local Retail**Reason for Platting:** Ownership**Plat Information**Total Acreage: **9.36**Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: **1**

Number of Multi-family Dwelling Units: _____

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

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

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

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

Provisions

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

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

Property Owner (signature):

Date: 6-4-24

Property Owner (printed): Michael Austin (for Midland Community Healthcare Services)

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.

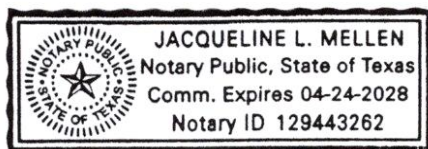
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared ASHLEE DENNE who, being by me duly sworn, upon oath says: That (s)he is the owner of CITY VIEW ADDRESS or is authorized by MCHS 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 DENNE
Authorized Agent (signature)

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



Jacqueline L. Mellen
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 # 4837

Received By: DA

Date: JUN 05 2024

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

Preliminary Plat Application

2

RECEIVED
JUN 05 2024

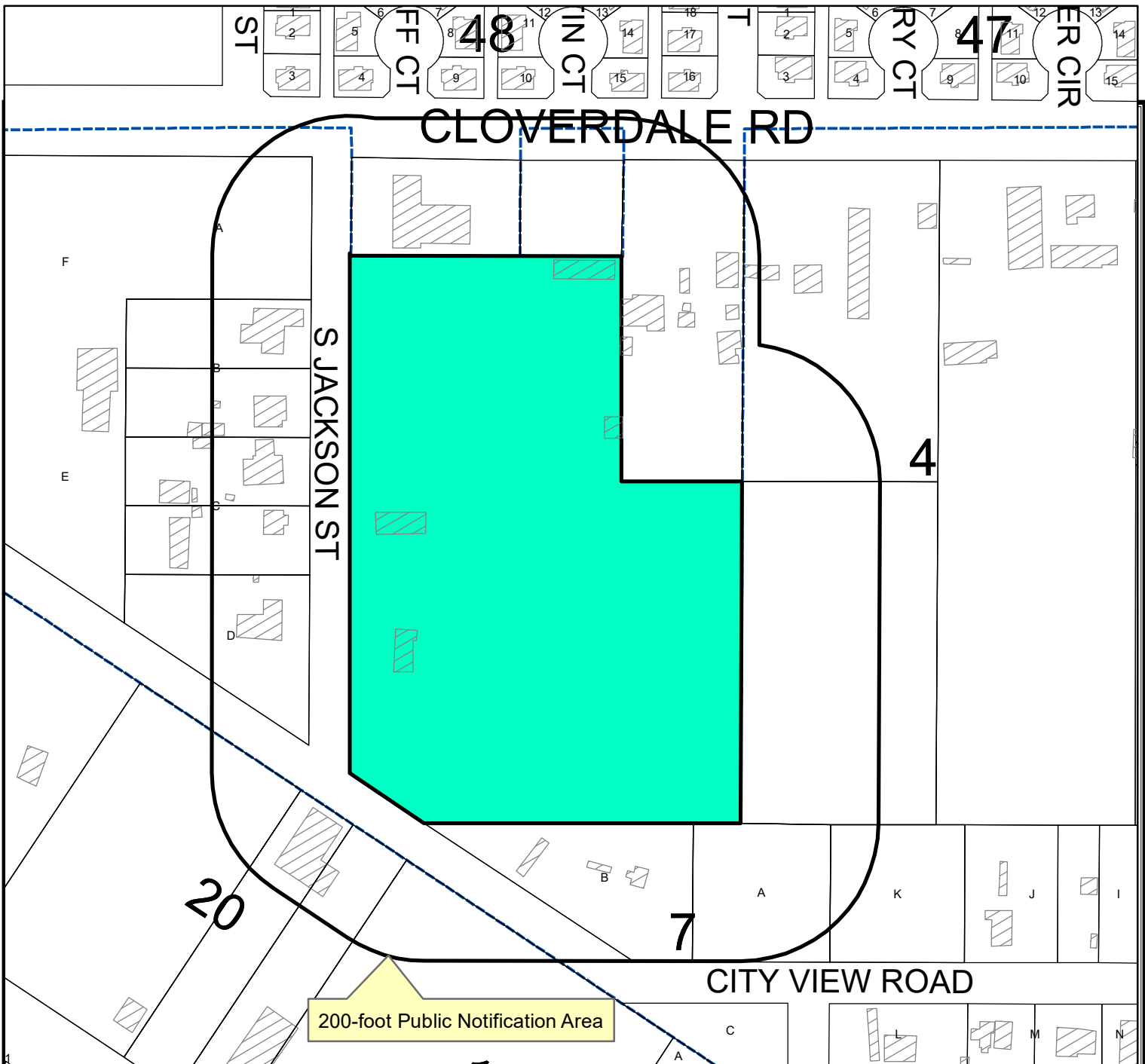
Revised 07/01/19

PACKET

Page 13.205

July 1, 2024

BY:



Location Map

SUB-24-0744

Scale: 1" = 600'

Proposed Plat of City View Acres, Section 6, being a Replat of a 9.36-acre tract of land out of Tract 5, City View Acres Addition, City and County of Midland, Texas.

Generally located southeast of the intersection of S Jackson Street and City View Road. (District 2)

PACKET

Page 13.206

LEGEND

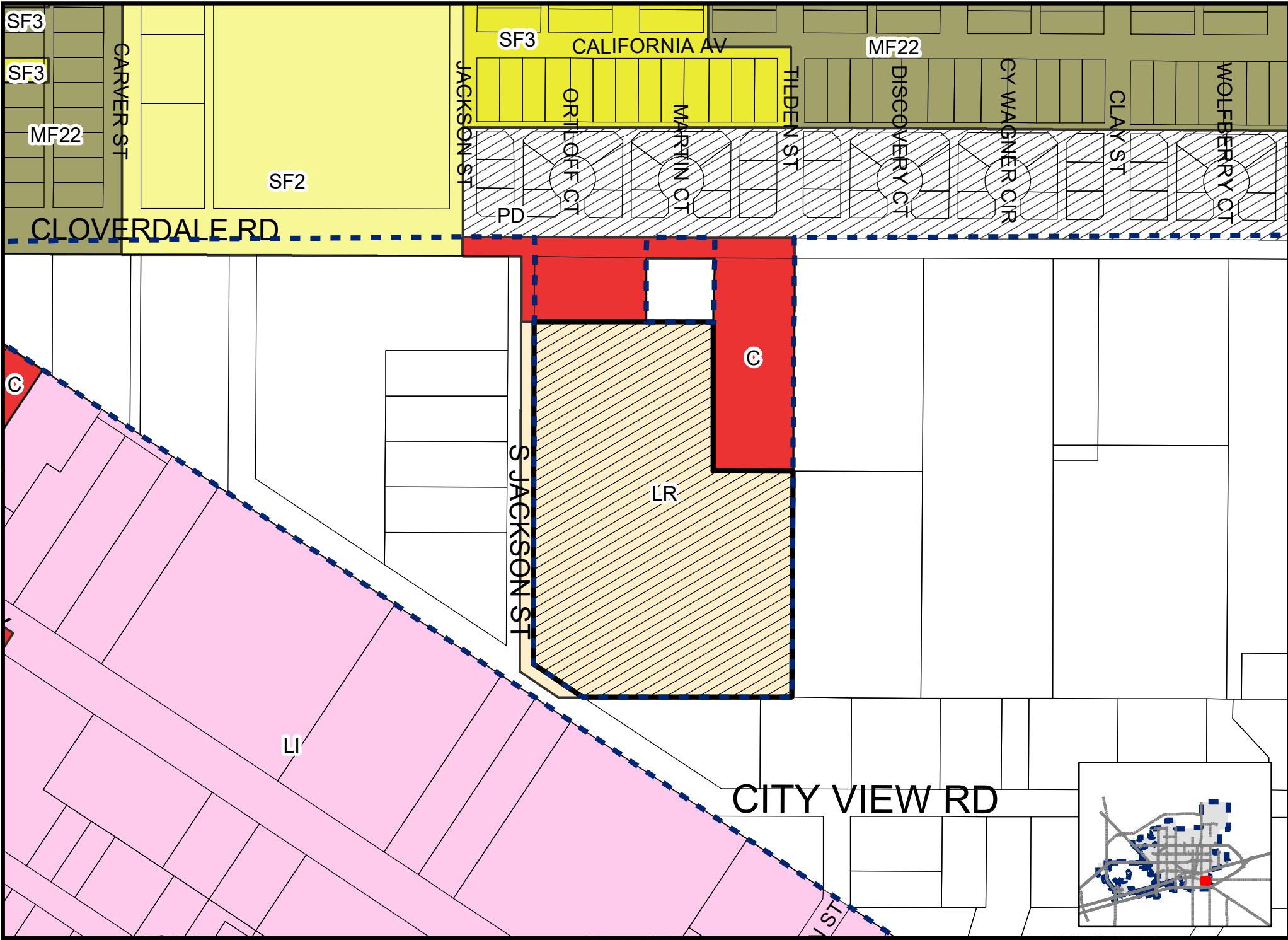
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

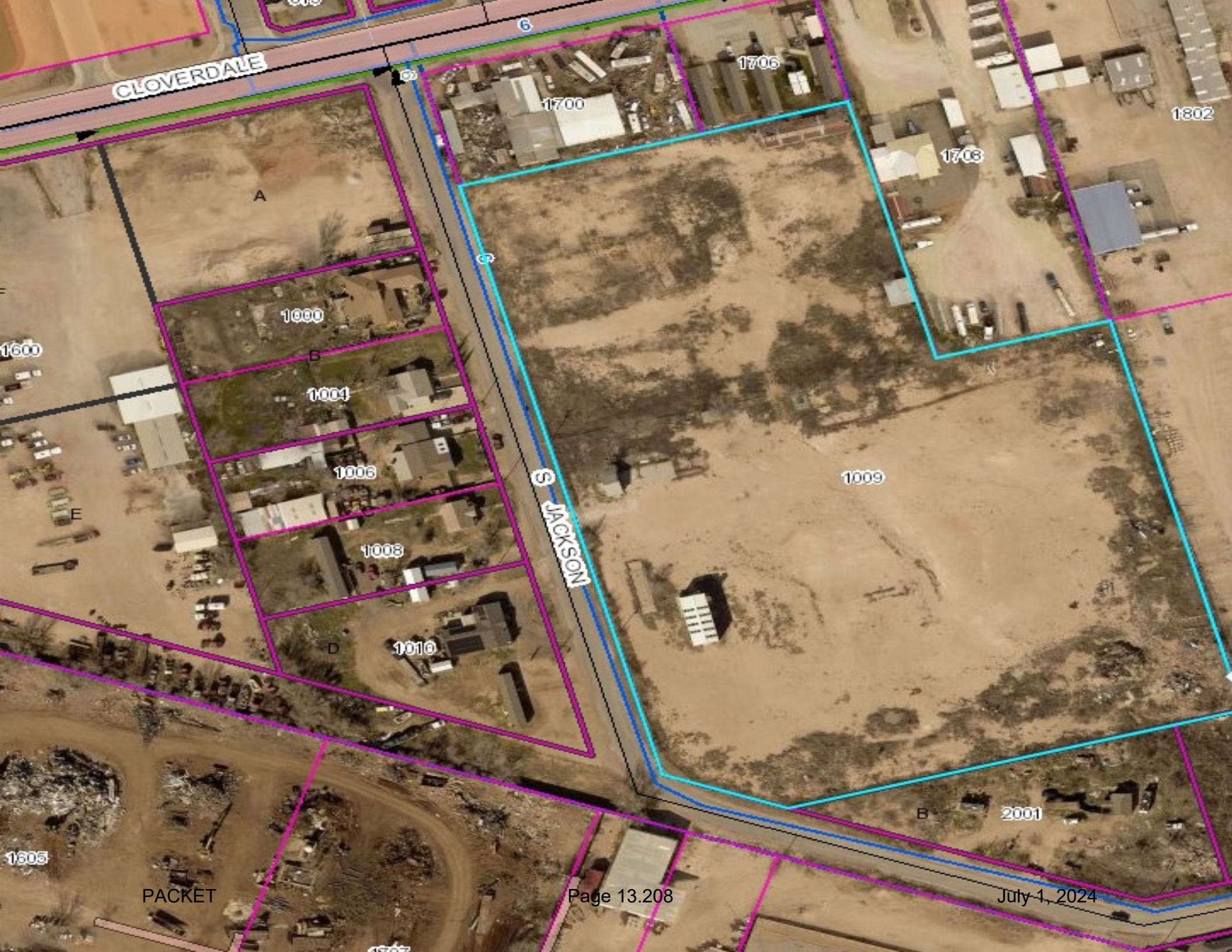


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July 1, 2024





CLOVERDALE

6

1706

1700

1706

1802

A

1000

B

1004

1006

1008

D

1010

S JACKSON

1009

B

2001

1600

E

1605

PACKET



City View Acres, Section 6

Preliminary Plat

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

PACKET

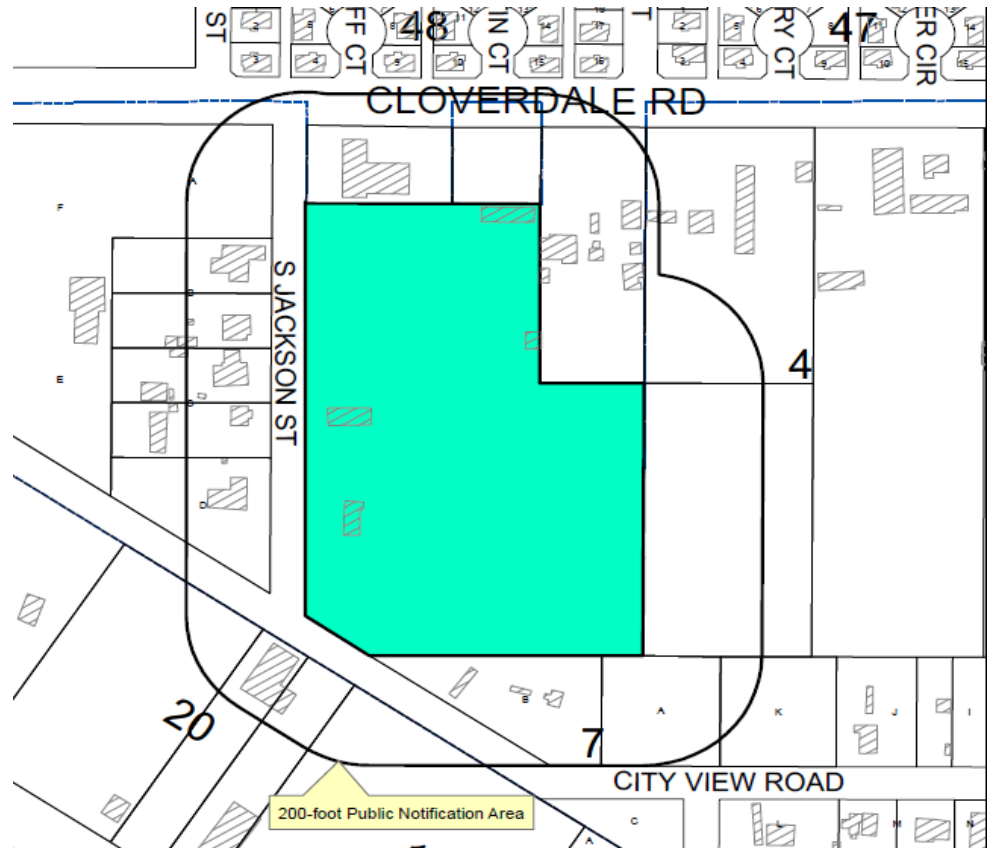
Page 13.209

July 1, 2024



City View Acres, Section 6

- Maverick Engineering, on behalf of Midland Community Healthcare
- Replat
- 1009 S Jackson



Location Map

SUB-24-0744 Scale: 1" = 600'

Proposed Plat of City View Acres, Section 6, being a Replat of a 9.36-acre tract of land out of Tract 5, City View Acres Addition, City and County of Midland, Texas.

Generally located southeast of the intersection of S Jackson Street and City View Road. (District 2)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS

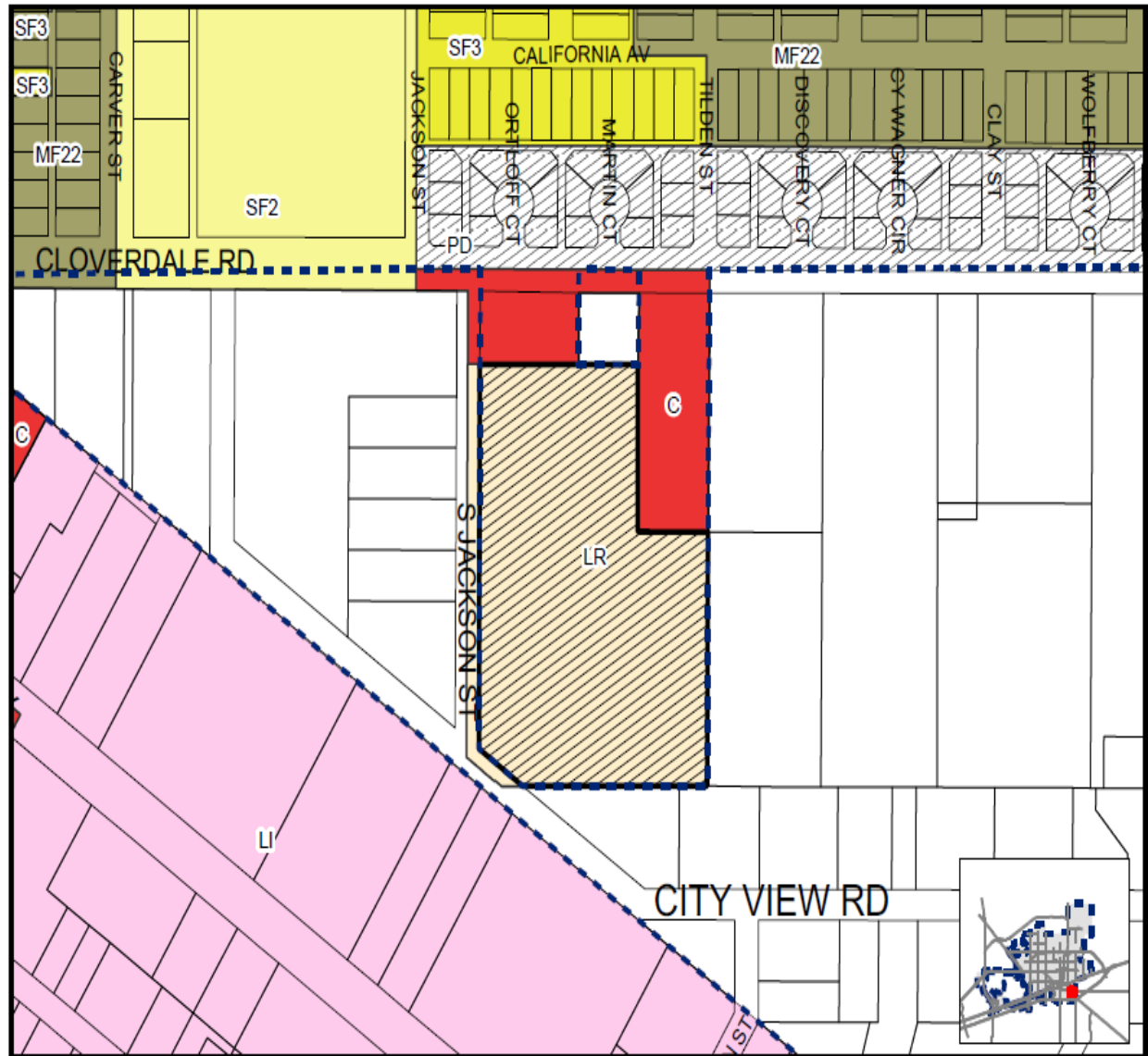


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THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS MADE BY THE USER OF THIS DATA.

[illegible]

City View Acres, Section 6

- **Current Zoning: LR, Local Retail District**
- **Surrounding Zoning:**
 - North: C, Commercial District
 - East: C, Commercial District and ETJ
 - South and West: ETJ and LI, Light Industrial District



Map DG, 5/1/2024

SUB-24-0744

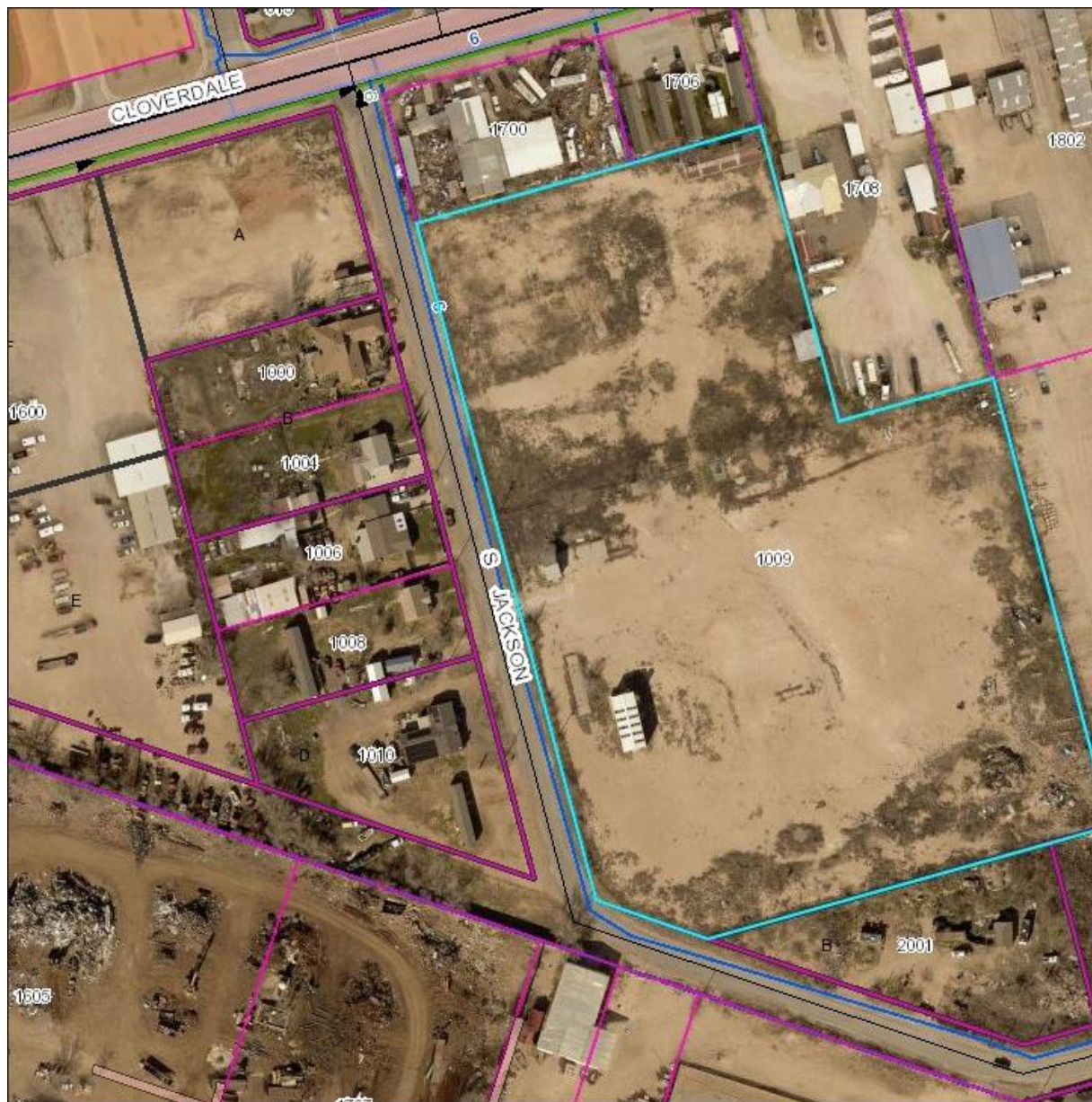
Scale: 1" = 600'

ZONING MAP



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- Aerial Photo



The plat meets all City of Midland Zoning Code. Therefore, staff recommends approval of the Preliminary Plat of City View Acres, Section 6.



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Moody Addition, Section 17 being a replat of Lot 1A and Lot 9A, Block 10, Moody Addition, Section 6, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Carver Street and East Front Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Maverick, on behalf of Foundation for Mental Health/PermianBasin Community Center for MHMR, is requesting to replat two lots for ownership purposes at a property located 400 N Carver Street.

Current Zoning:

LI, Light Industrial District

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 0312/2024. [For Applicant's Information Only.]

E. Front St. is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 8" Water Main on E. Front St., 6" Water Main along N. Carver St., No public water improvements required at this time. [For Applicant's Information Only.]

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

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

SEWER: 6" Waste water line on N Carver. No public wastewater improvements required at this time.[For Applicant's Information Only.]

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

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

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.

Surveyor:

No comments.

Optimum:

Optimum has aerial fiber on the poles SW off of, Bus 20 & N Carver, I am attaching the route notated on the plat. This is a 240 Ct fiber.

Planning: (Approved)

Please update the Secretary to "Landon Ochoa" [Informational]

Staff recommends approval of the Preliminary Plat of Moody Addition, Section 17, subject to Condition A.

Condition:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Preliminary Plat Application

Project Number: SUB-24-0718

Case Number: P-24-2025

Proposed Subdivision Plat Name: Moody Addition, Section 17

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 1A and Lot 9A, Block 10, Moody Addition, Section 8, City and County of Midland, Texas

Property Owner

Printed Name: Foundation for Mental Health & Mental Retardation of the Permian Basin

Phone (432) 262-0999

Email wfp.ala@patearchitects.com

Address 401 E Illinois Avenue Ste 401 City Midland

State TX Zip 79701

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Phone (432) 262-0999

Email phuckaba@maverick-eng.com

Printed Name: Paladin Huckaba

Address 1909 W Wall St Ste K City Midland

State TX Zip 79701

Current Zoning: U

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 2.107

Type: ☐ Single-Family Residential
☒ Commercial

☐ Multi-Family Residential
☐ 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):

Dana P. Englestad PRES

Date: 5/20/24

Property Owner (printed): DANA P. ENGELSTAD

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.

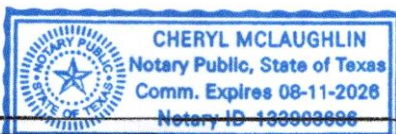
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared ASHLEE DEVINE who, being by me duly sworn, upon oath says: That (s)he is the owner of MOODY ADDN. SEC 17 or is authorized by Dana Englestad (president) 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 20th day of May, 20 24 to certify which witness my hand and seal of office.



Cheryl McLaughlin
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 #

4820

Received By:

[Signature]

Date:

RECEIVED
JUN 15 2024

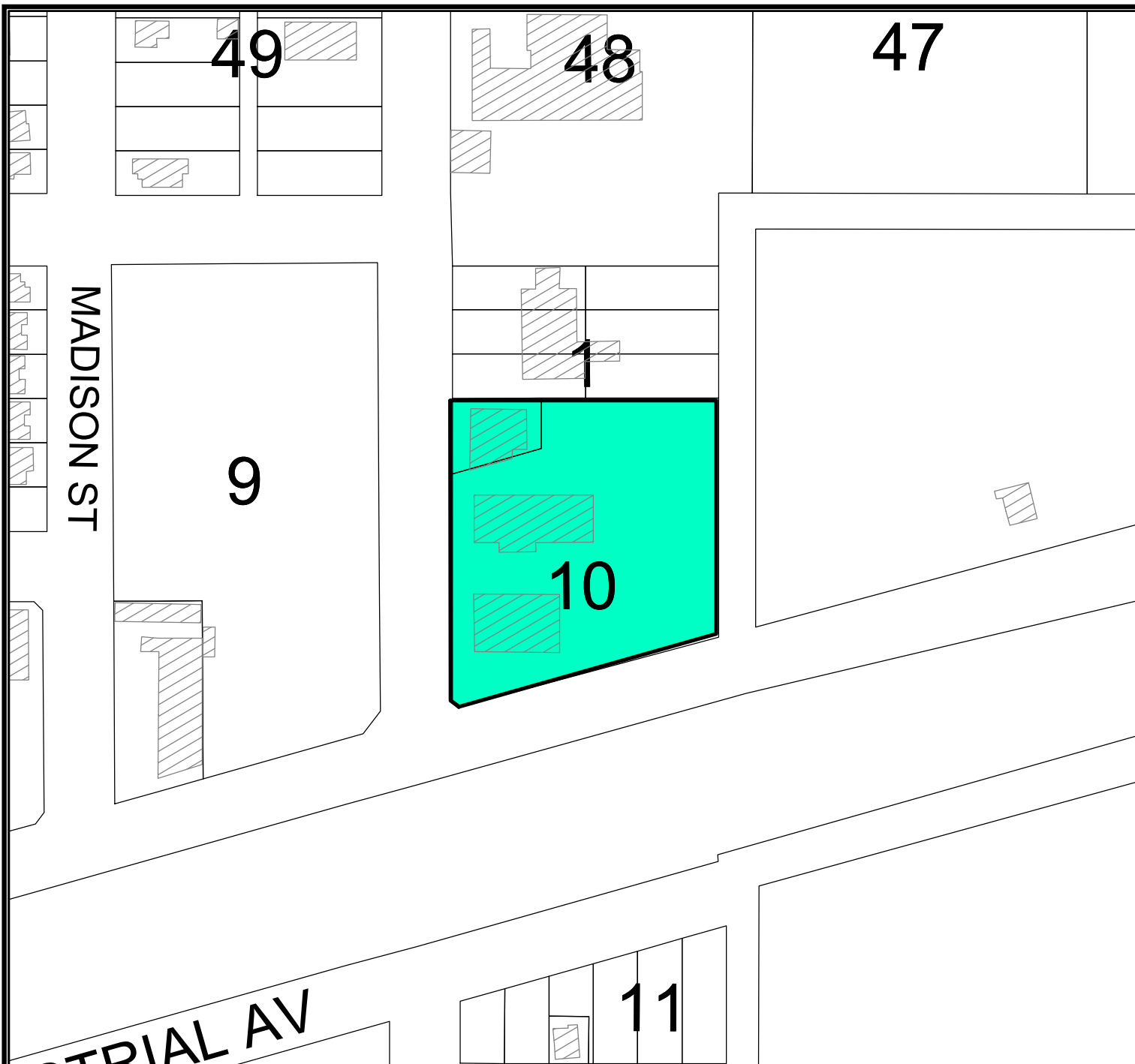
BY:

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

Preliminary Plat Application

2

Revised 07/01/19



LOCATION MAP

SUB-24-0718

Scale: 1" = 163'

Proposed plat of Moody Addition, Section 17, being a replat of Lot 1A and Lot 9A, Block 10, Moody Addition, Section 6, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Carver Street and East Front Street. (Council District 2)

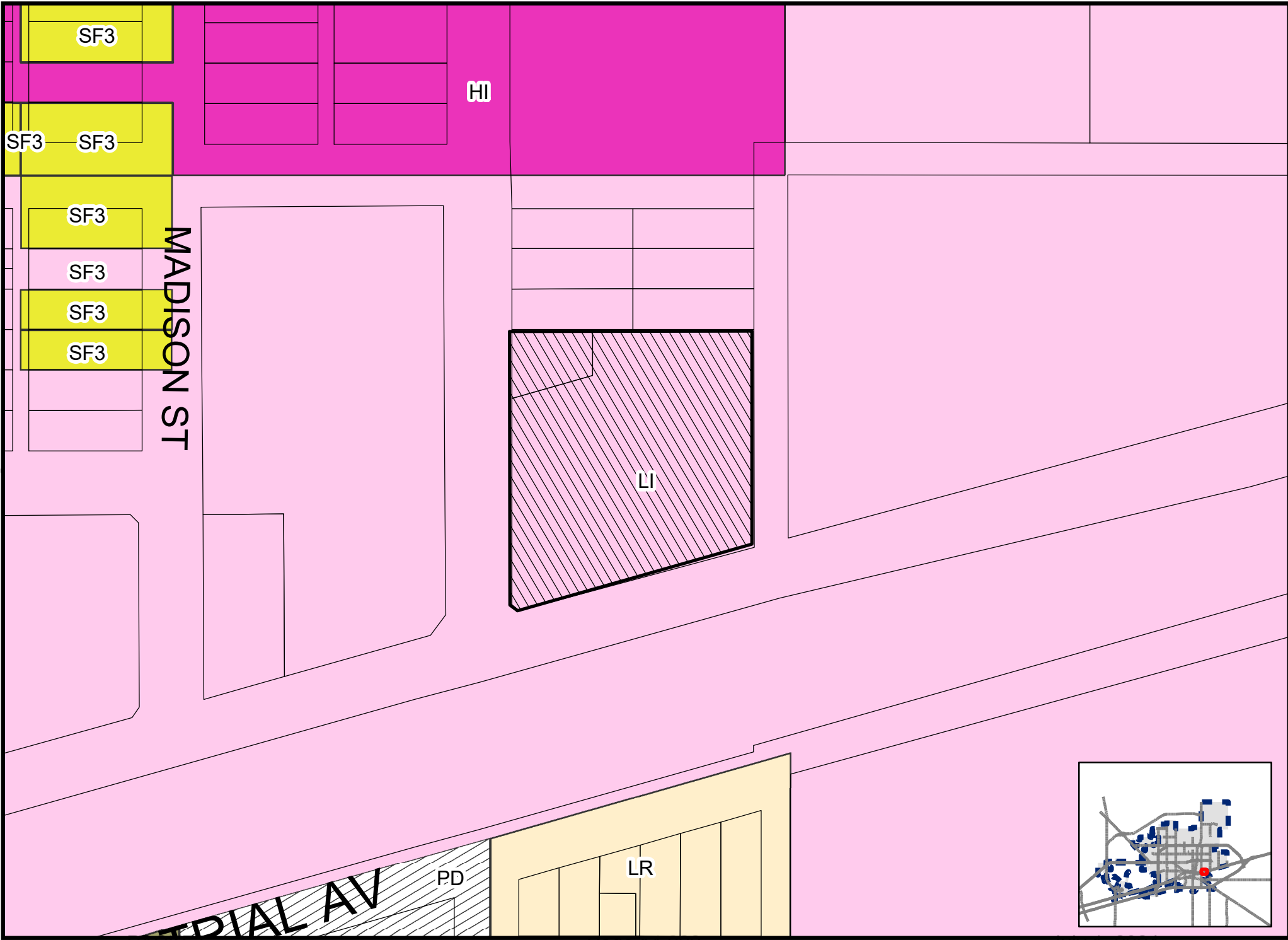
LEGEND

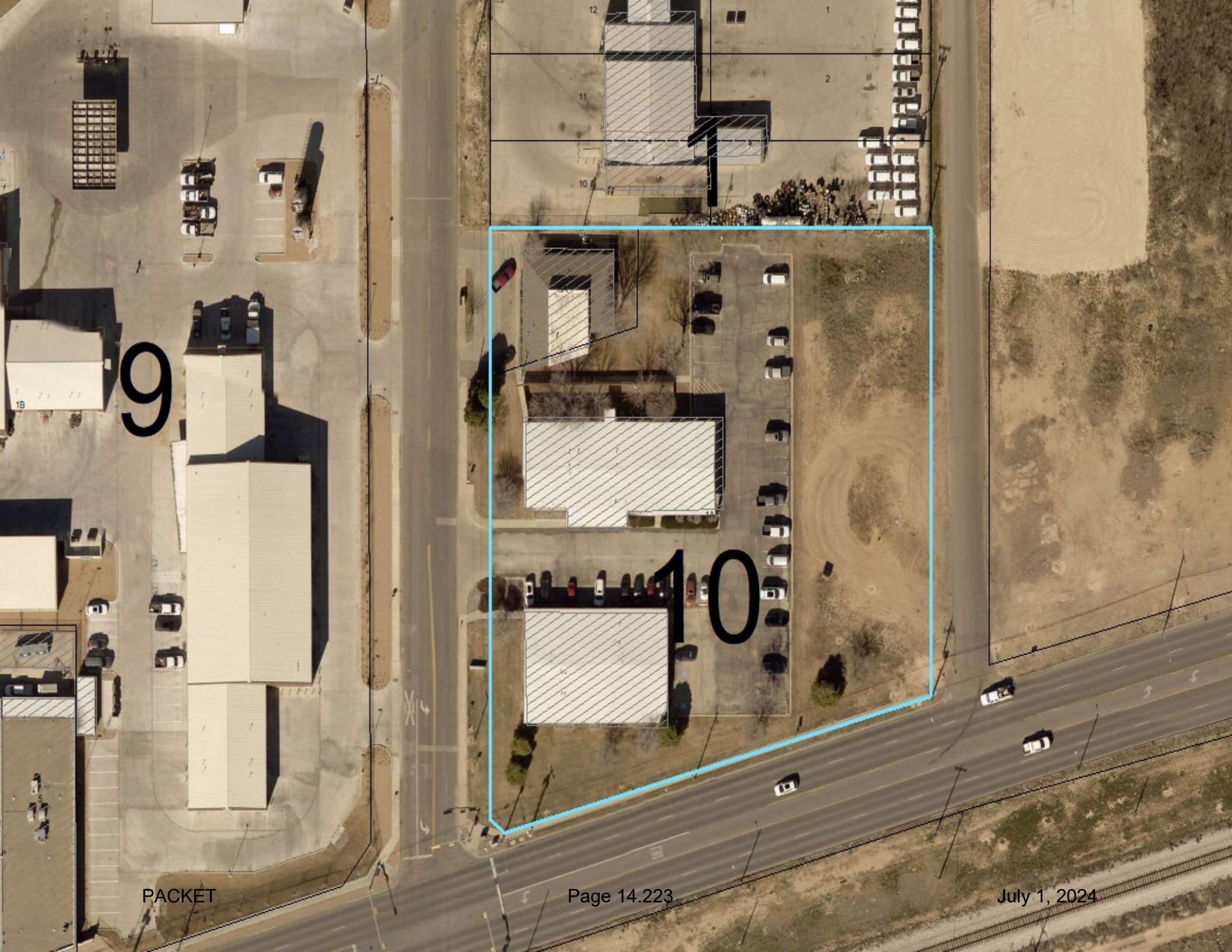
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Moody Addition, Section 17 Preliminary Plat

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

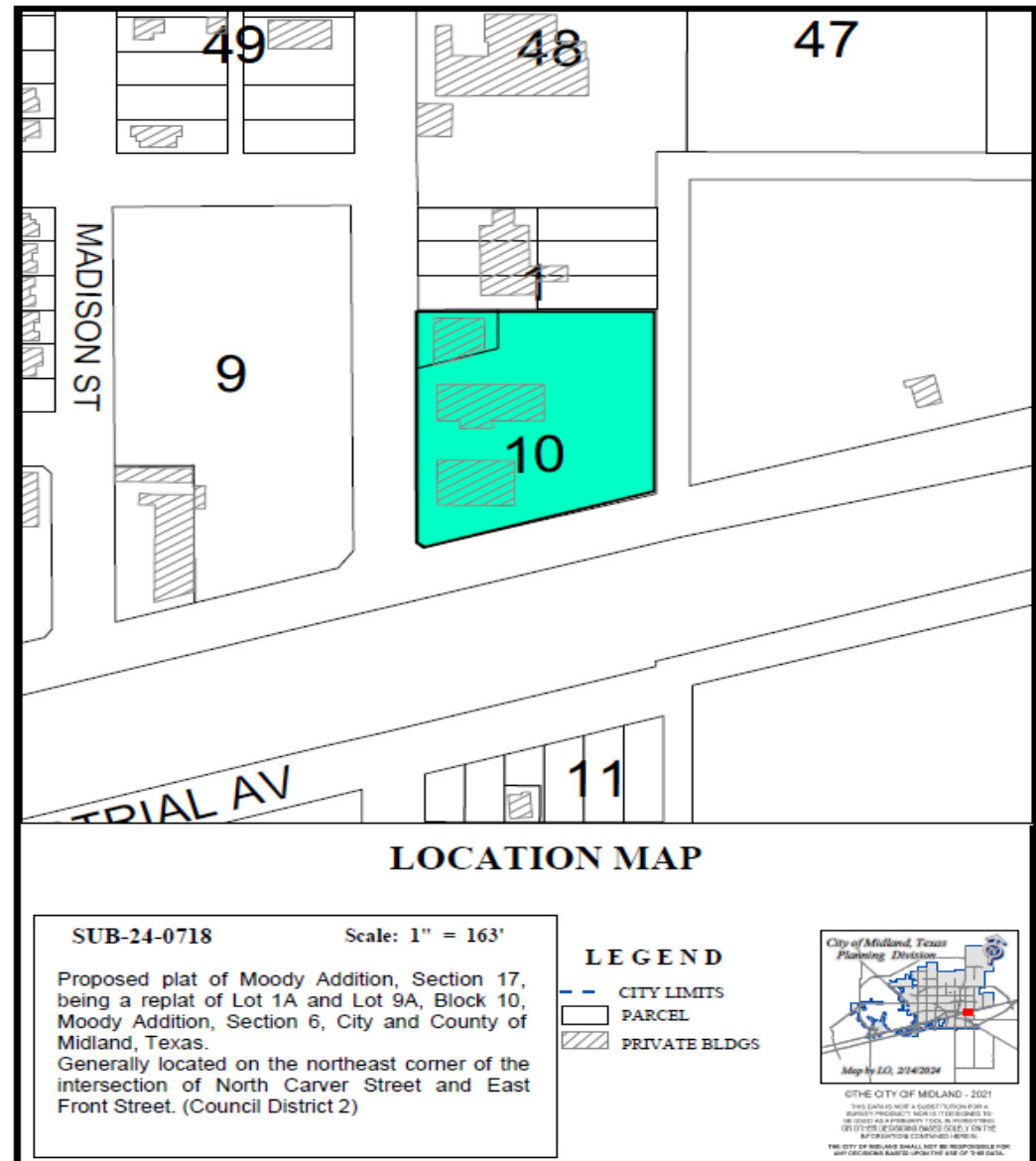
PACKET

Page 14.224

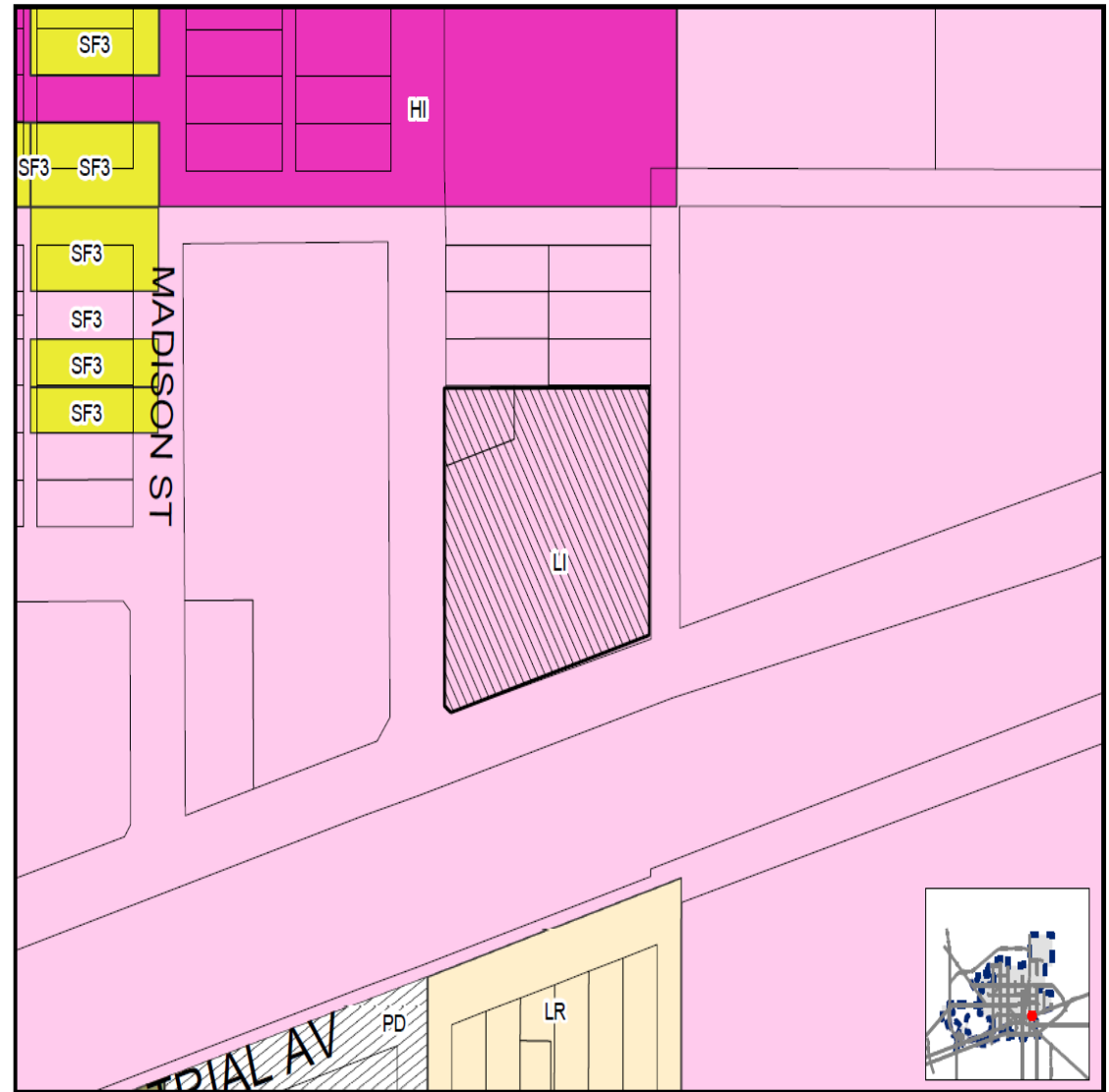
July 1, 2024



- Maverick Engineering, on behalf of Foundation for Mental Health/Permian Basin Community Center for MHMR
- Preliminary Plat approval
- 400 North Carver



- **Current Zoning: LI, Light Industrial District**
- **Surrounding Zoning:**
 - North, South, East, and West: LI, Light Industrial District



Map By L.O. 1/14/2024

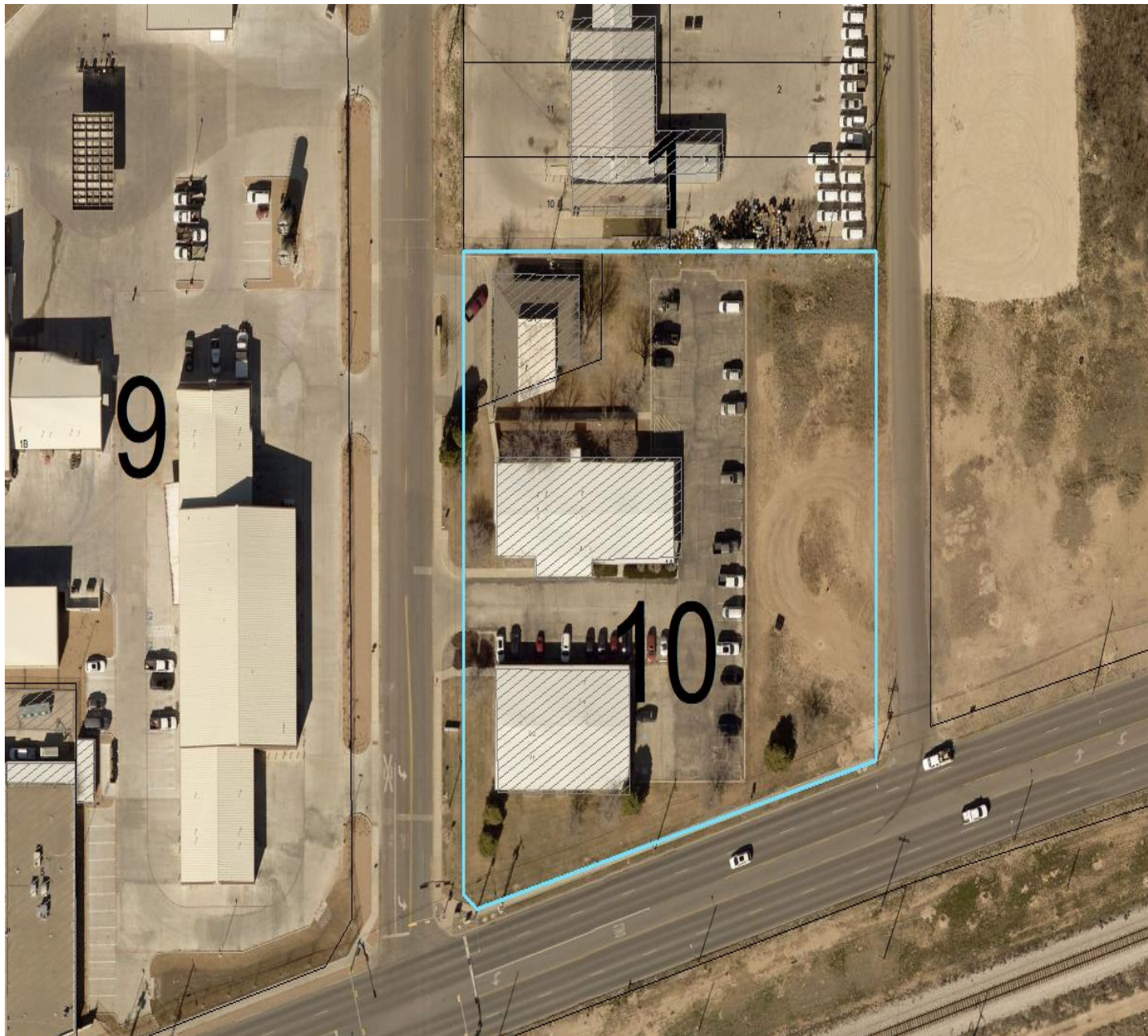
SUB-24-0718

Scale: 1" = 150'

ZONING MAP



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- The plat meets all requirements; therefore, staff recommends approval of the Preliminary Plat of Moody Addition, Section 17



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of White Addition, Section 2, being a replat of a Lots 1 through 4, Block 1, White Addition, Midland County, Texas. (Generally located on the west side of South County Road 1207, approximately 370 feet north of West County Road 116.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Luchini and Mertz, on behalf of Whitehouse Realty Group, LLC, is requesting to replat White Addition from four (4) lots into three (3) lots at 3004 South County Road 1207.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

Engineering: (Approved)

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

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

PAVING: Provide an updated deferral being that the layout for White Addition, Section 2 has changed since the approval of White Addition, Section 1 on 8/17/2018. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: Provide an updated deferral being that the layout for White Addition, Section 2 has changed since the approval of White Addition, Section 1 on 8/17/2018. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

SEWER: Provide an updated deferral being that the layout for White Addition, Section 2 has changed since the approval of White Addition, Section 1 on 8/17/2018. [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. [For Applicant's Information Only.]

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Surveyor: (Approved)

No comments.

Fire: (Approved)

No comments.

Building Inspection: (Approved)

ETJ, no jurisdiction

Oil and Gas: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Is the 50' Access Easement replacing the 50' Private Road Easement from White Addition? If not, please provide recording information for existing easement. Legal description can say "Being a re-plat of Lots 1-4, Block 1, White Addition, Midland County, Texas."

Midland County Health Department: (Approved)

Yes, the health department will review applications from the proposed lots of White Addition SECTION 2, RE-PLAT OF WHITE ADDITION LOCATED IN SECTION 9, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY, lots 5,6,7 are 1 acre and above to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well and existing structures on the properties and the water wells on the adjacent properties.

Planning: (Approved with Conditions)

Since this is not going to be approved administratively, please remove the certificate of approval by director. The certificate of approval by the commission is only needed [Informational].

Please update the Secretary to 'Landon Ochoa' [Informational]

Please move the L and M logo to the bottom right with the title block. This information should be together. [Informational]

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

On the west side of the plat there seems to be two properties, the plat only shows one. Please remediate this and provide legal for extra property. [Informational]

Please add an area for all utility companies to sign and have a print section for names of signatory. There should be five (5) total signature lines [Informational]

Staff Recommends approval of the Preliminary Plat of White Addition, Section 2, subject to Condition A

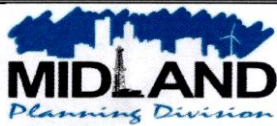
Conditions:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Proposed Preliminary Plat

Maps
Aerial Photo
PowerPoint Presentation



Preliminary Plat Application

Project Number: SUB-24-0741

Case Number: P-24-20216

Proposed Subdivision Plat Name: White Addition, Section 2

Legal Description (attached sealed Metes and Bounds): _____

Property Owner

Printed Name: Whitehouse Realty Group LLC

Phone (432) 684-6728

Email swhite@bjmotor.com

Address 2900 W. Francis Street

City Midland

State Texas

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone (432) 684-6728

Email

Address

City

State

Zip

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

Firm: Luchini & Mertz

Printed Name: Jimmy Berndt

Phone (432) 684-6728

Email jimmyb@luchinimertz.com

Address 2805 W. Kentucky

City Midland

State Texas

Zip 79705

Current Zoning: none

Reason for Platting: platting existing 4 lots of the White Addition, into 3 lots

Plat Information Cab. K Pg. 36

Total Acreage: 6.44

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 3

Number of Multi-family Dwelling Units: 0

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development 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):

Shannon White

Date:

6.3.24

Property Owner (printed): Whitehouse Realty Group

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.

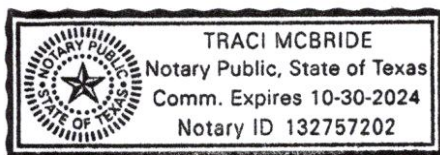
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Jimmy Bernick
Authorized Agent (signature)

Subscribed and sworn to before me, this 3rd day of June, 2024, to certify which witness my hand and seal of office.



Traci McBride

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 # 14526

Received By: [Signature]

Date:

RECEIVED
JUN 05 2024

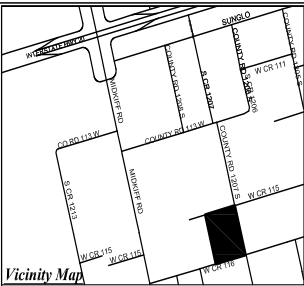
BY:

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

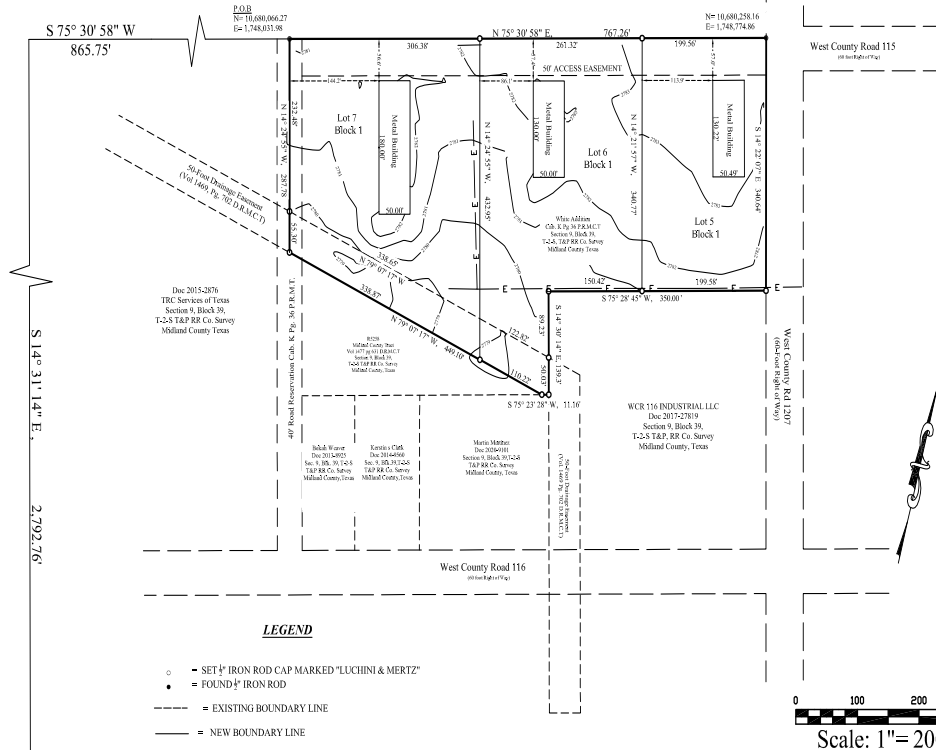
WHITE ADDITION, SECTION 2

BEING A RE-PLAT OF
WHITE ADDITION, LOCATED IN
SECTION 9, BLOCK 39,
T-2-S, T&P RR Co. SURVEY
MIDLAND COUNTY, TEXAS

Vicinity Map
Scale: NTS



Joel Valenzuela
Doc 2006-217.21
Section 9, Block 39,
T-2-S T&P RR Co. Survey
Midland County Texas



LEGEND

- SET-1/2 IRON ROD CAP MARKED "LUCHINI & MERTZ"
- FOUND-1/2 IRON ROD
- EXISTING BOUNDARY LINE
- NEW BOUNDARY LINE

D.R.M.C.T. = DEED RECORDS MIDLAND COUNTY TEXAS

P.R.M.C.T. = PLAT RECORDS MIDLAND COUNTY TEXAS

Notes:

- All bearings and coordinates are based on the Texas Coordinate System of 1983, Central Zone.
- Survey Reconstruction filed in the Office of Luchini and Mertz Land Surveying Company.
- 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 these lot(s) may be developed and before a building permit may be obtained.

5. According to the FEMA Flood Insurance Rate Map 48329C0203F, dated September 16, 2005 shows this property not to lie in a Special Flood Hazard Area.

6. The installation of public improvements may be required by the City of Midland as such time as: the 6.44 acre tract is re-platted into more than four tract or the property is rezoned for a more intensive use.

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

SURVEYOR'S CERTIFICATE

KNOWN ALL BY THESE PRESENTS:
THAT I, JEFFREY SUITER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, 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

Jeffrey D. Suiter
JEFFREY SUITER R.P.L.S. 4650
2805 W. KENTUCKY
MIDLAND, TEXAS 79702



Page 15.236

June 2024

240125AW Shannon White

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WHITEHOUSE REALTY GROUP LLC ARE THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 9, BLOCK 39, T-2-S, T & P RR CO. SURVEY, COUNTY OF MIDLAND, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Being a re-plat of White Addition, a 6.44 acre tract as recorded in Cab. K Pg. 36 Plat Records Midland County Texas. Located in the Southwest quarter Section 9, Block 39, T-2-S, T&P R.R. Co. Survey and being more particularly described as follows;

Beginning at a 1/2" iron rod (X=10,680,066.27, Y=1,748,031.98) found at the Northwest corner of said White Addition, and being on the centerline of 40-foot road reservation as shown on the recorded plat of said White Addition, from whence the Southwest corner of Section 9, Block 39 bears South 75°31'23" West a distance of 865.75 feet and South 14°31'14" East a distance of 2792.76 feet;

THENCE North 75°30'58" East along the North line of a 50-foot Access Easement and the North line of said White Addition a distance of 767.26 feet to a 1/2" iron rod (bent) (X=10,680,258.16, Y=1,748,744.86) found at the Northeast corner of said White addition and being in the West Right of Way of County Road 1207;

THENCE South 14°22'07" East along the West Right of Way of said County Road 1207 a distance of 340.64 feet to a 1/2" iron rod marked "LUCHINI & MERTZ" set the Southeast corner of said White Addition;

THENCE South 75°28'45" West along the North line of a 2.76 acre tract to T2X Investments as recorded in Doc. 2017-27819 D.R.M.C.T a distance of 350.00 feet to a 1/2" iron rod marked "LUCHINI & MERTZ" set at an interior corner of said White Addition;

THENCE South 14°30'14" East crossing the North line of a 50-foot Drainage Easement to the City of Midland Texas as recorded in said Cab. K Pg. 36 WHITE ADDITION at a distance of 89.23 feet for a total distance of 139.26 feet to a 1/2" iron rod marked "LUCHINI & MERTZ" set at an point of deflection of said Drainage Easement and being the Northeast corner of that certain tract to Martin Martinez as recorded in Doc. 2020-9101 D.R.M.C.T

THENCE South 75°23'28" West a distance of 11.16 feet to a 1/2" iron rod marked "LUCHINI & MERTZ" set on the South line of said Drainage Easement and being a point of deflection of the herein described tract;

THENCE North 79°07'17" West along the South line of said Drainage Easement and being the South line of said White Addition a distance of 449.09 feet to a 1/2" iron rod marked "LUCHINI & MERTZ" set in the centerline of said 40-foot road reservation and being the Southwest corner of said White Addition;

THENCE North 14°24'55" West with the centerline of said 40-foot road reservation crossing the North line of said Drainage Easement at a distance of 55.30 feet continuing for a total distance of 287.78 feet to the Point of Beginning containing 6.44 acres of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, WHITEHOUSE REALTY GROUP LLC does here by adopt this plat designating the herein above described property as WHITE ADDITION SECTION 2, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon.

WITNESS our hands at Midland, Texas, this _____ day of _____, 2024.

Shannon White (CEO)-WHITEHOUSE REALTY GROUP LLC

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF MIDLAND
This plat was acknowledged before me on _____

by Shannon White (CEO) WHITEHOUSE REALTY GROUP LLC

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

For approval by the commission:

This is to certify that the above and foregoing plat of WHITE ADDITION, SECTION 2 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____ 2024.

Lucy Sisiniega - Head Chair

Xavier Bauguess- Secretary

CERTIFICATE OF APPROVAL

For approval by the director:

This is to certify that the above and fore going plat of WHITE ADDITION, SECTION 2 was approved by proper action of the Director of Engineering and Development of the City of Midland, Texas on this _____ day of _____ 2024.

- Director of Engineering & Development

WHITE ADDITION, SECTION 2

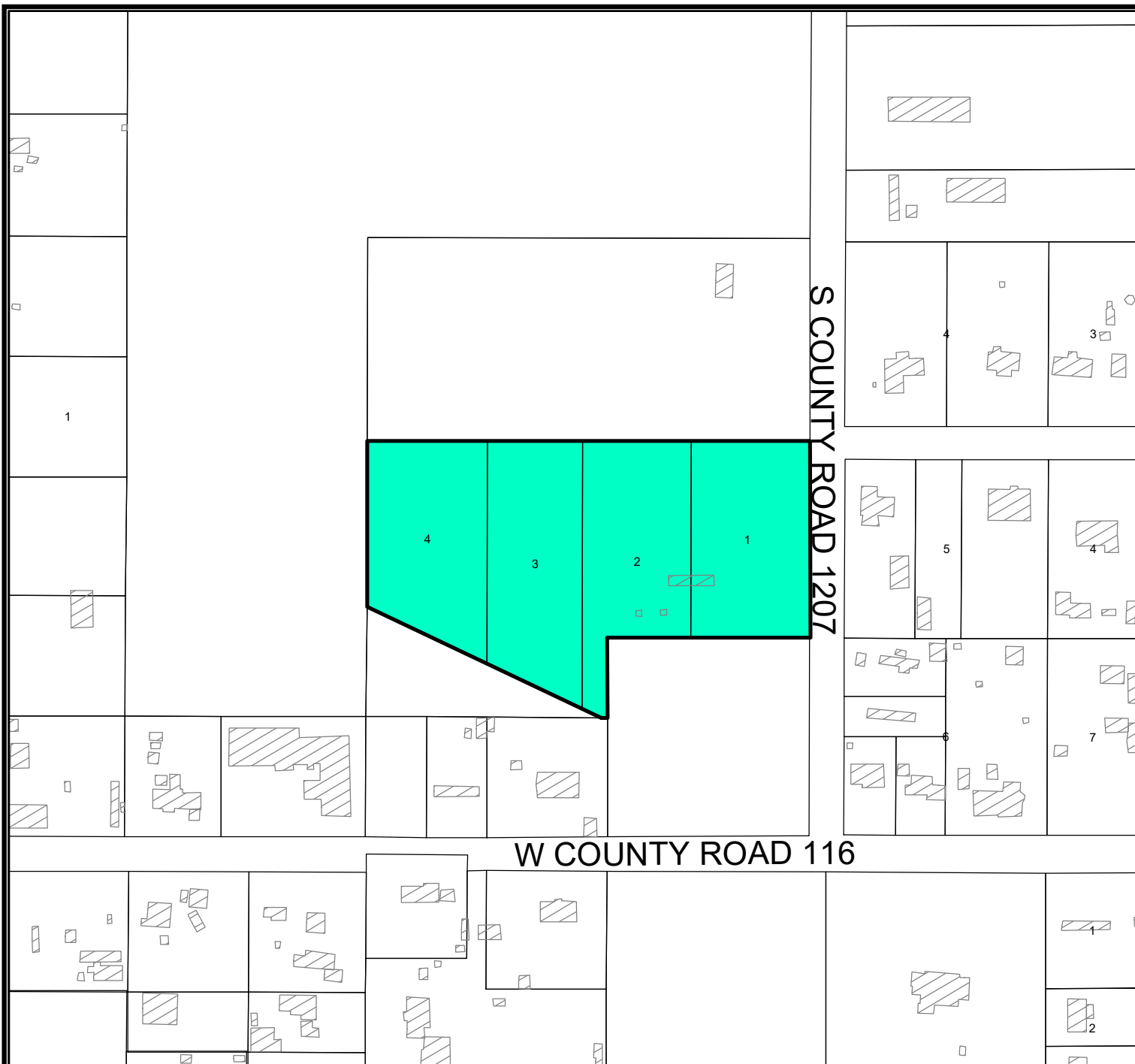
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CABINET _____

DATE _____ PAGE _____ July 1, 2024

Luchini & Mertz 2805 W. Kentucky Midland, Texas (432) 684-6728 Firm# 10086500

OWNER:
Whitehouse Realty Group
2900 W. Francis St,
Midland Co, Texas 79701
(432) 687-1941
swhite@bjmotors.com



Location Map

SUB-24-0741

Scale: 1" = 250'

Proposed Plat of White Addition, being a replat of Lots 1-4, being a 6.44-acre tract of land out of the southwest/4 of Section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the west side of South County Road 1207, approximately 370 feet north of West County Road 116 (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

July 1, 2024

PACKET

Page 15.237





Miscellaneous White Addition, Section 2 Preliminary Plat

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

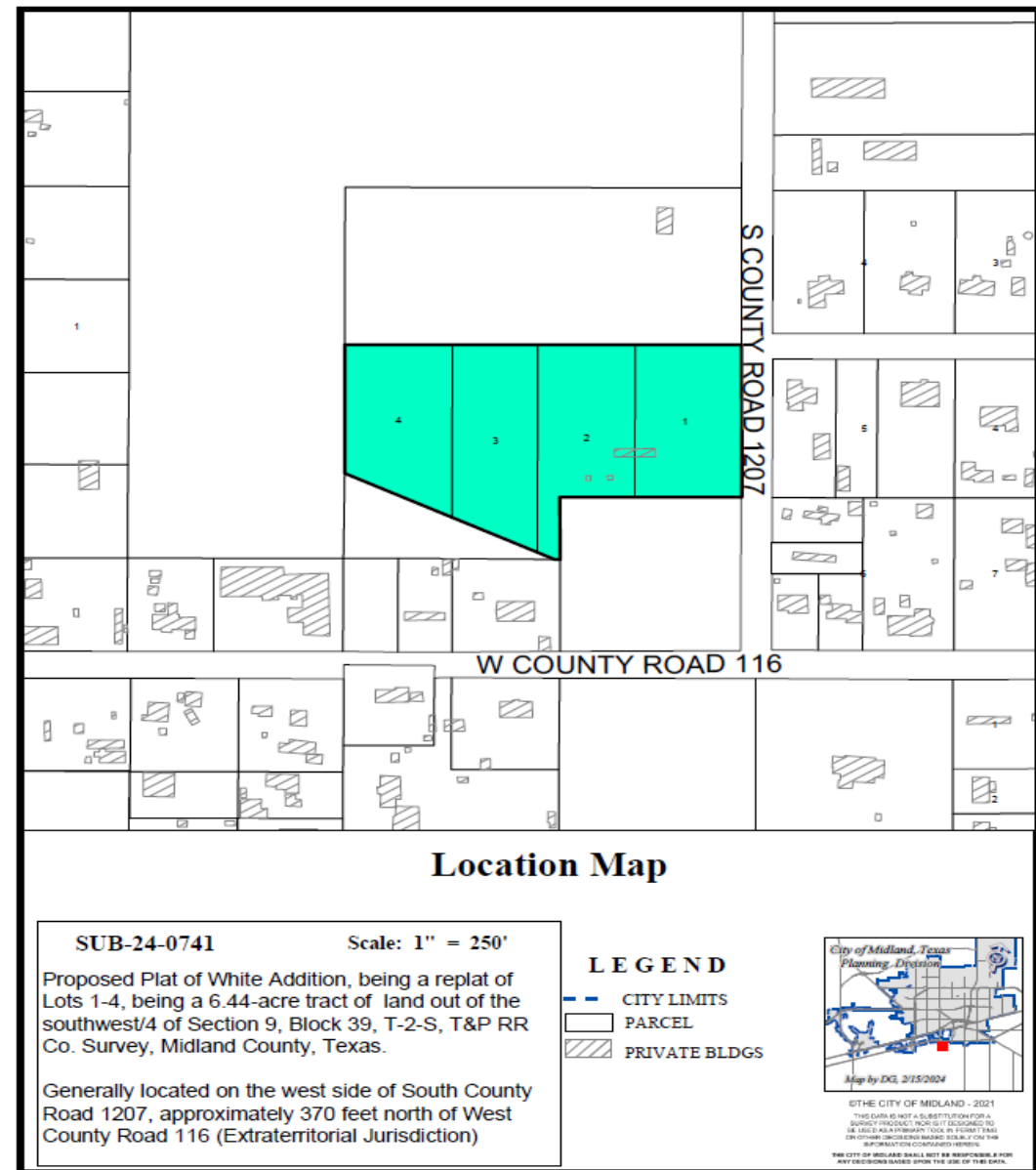
PACKET

Page 15.239

July 1, 2024



- Luchini and Mertz, on behalf of White House Realty Group, LLC
- Preliminary Plat approval
- 3004 South County Road 1207



- 6.44 acres
- Requesting to re-plat property to combine into 3 lots
- Consists of three (3) Lots

WHITE ADDITION, SECTION 2
BEING A RE-PLAT OF
WHITE ADDITION, LOCATED IN
SECTION 9, BLOCK 39,
T-2-S, T&P RR Co. SURVEY
MIDLAND COUNTY, TEXAS

*Jeff Suter
Date 08/01/23
Section 9, Block 39
T-2-S, T&P RR Co. Survey
Midland County Texas*

Vicinity Map
Scale: NTS

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS WHITEHOUSE REALTY GROUP LLC ARE THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 9, BLOCK 39, T-2-S, T & P RR CO. SURVEY, COUNTY OF MIDLAND, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Being a replat of White Addition, a 6.44 acre tract as recorded in Cals. K. Pg. 36 Plat Records Midland County Texas, 1. Located in the Southwest quarter Section 9, Block 39, T-2-S, T&P R.R. Co. Survey and being more particularly described as follows;

Beginning at a 1/2" iron rod (Nad66, 680,066.27, Y=1,748,031.98) found at the Northwest corner of said White Addition, and being on the centerline of 40-foot road reservation as shown on the recorded plat of said White Addition, from whence the Southwest corner of Section 9, Block 39 bears South 79°13'23" West a distance of 865.75 feet and South 14°31'14" East a distance of 2792.76 feet;

THENCE North 79°50'58" East along the North line of a 50-foot Access Easement and the North line of said White Addition a distance of 767.26 feet to a 1/2" iron rod (best) (Nad66, 680,238.16, Y=1,748,344.86) found at the Northeast corner of said White Addition and being in the West Right of Way of County Road 1207;

THENCE South 14°22'07" East along the West Right of Way of said County Road 1207 a distance of 340.64 feet to a 1/2" iron rod marked "LUCINI & MERTZ" set the Southeast corner of said White Addition;

THENCE South 75°28'45" West along the North line of a 2.76 acre tract to TTX Investments as recorded in Dec. 201247819 D.R.M.C.T. a distance of 350.00 feet to a 1/2" iron rod marked "LUCINI & MERTZ" set at an interior corner of said White Addition;

THENCE South 14°30'14" East crossing the North line of a 50-foot Drainage Easement to the City of Midland Texas as recorded in said Cals. K. Pg. 36 WHITE ADDITION at a distance of 89.23 feet for a total distance of 139.26 feet to a 1/2" iron rod marked "LUCINI & MERTZ" set at an point of deflection of said Drainage Easement and being the Northeast corner of that certain tract to Martin Martinez as recorded in Dec. 202040101 D.R.M.C.T.

THENCE South 79°23'28" West a distance of 11.16 feet to a 1/2" iron rod marked "LUCINI & MERTZ" set on the South line of said Drainage Easement and being a point of deflection of the herein described tract;

THENCE North 79°07'17" West along the South line of said Drainage Easement and being the South line of said White Addition a distance of 449.05 feet to a 1/2" iron rod marked "LUCINI & MERTZ" set in the centerline of said 40-foot road reservation and being the Southwest corner of said White Addition;

THENCE North 14°24'55" West with the centerline of said 40-foot road reservation crossing the North line of said Drainage Easement at a distance of 55.30 feet continuing for a total distance of 287.78 feet to the Point of Beginning containing 6.44 acres of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, WHITEHOUSE REALTY GROUP LLC does hereby adopt this plat designating the herein above described property as WHITE ADDITION SECTION 2, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon.

WITNESS our hands at Midland, Texas, this _____ day of _____, 2024.

Shannon White (CEO) WHITEHOUSE REALTY GROUP LLC

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF MIDLAND
This plat was acknowledged before me on _____

by Shannon White (CEO) WHITEHOUSE REALTY GROUP LLC

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

For approval by the commission:

This is to certify that the above and foregoing plat of WHITE ADDITION, SECTION 2 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2024.

Lucy Simings • Head Chair Xavier Beagans • Secretary

CERTIFICATE OF APPROVAL

For approval by the director:

This is to certify that the above and foregoing plat of WHITE ADDITION, SECTION 2 was approved by proper action of the Director of Engineering and Development of the City of Midland, Texas on this _____ day of _____, 2024.

Director of Engineering & Development

LEGEND

- 1/2" IRON ROD CAP MARKED "LUCINI & MERTZ"
- FOOTING IRON ROD
- EXISTING BOUNDARY LINE
- NEW BOUNDARY LINE
- D.R.M.C.T. = DEED RECORDS MIDLAND COUNTY TEXAS
- P.A.M.C.T. = PLAT RECORDS MIDLAND COUNTY TEXAS

Notes:

- All bearings and coordinates are based on the Texas Coordinate System of 1983, Central Zone.
- Survey Reconstruction filed in the Office of Lucini and Mertz Land Surveying Company.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
- Approval of a site plan by the City of Midland may be required before these lot(s) may be developed and before a building permit may be obtained.
- According to the FEMA Flood Insurance Rate Map 48329C0203F, dated September 16, 2005 shows this property not to be in a Special Flood Hazard Area.
- The installation of public improvements may be required by the City of Midland as such time as the 6.44 acre tract is replatted into more than four tract or the property is rezoned for a more intensive use.

SURVEYOR'S CERTIFICATE

KNOWN ALL BY THESE PRESENTS:

THAT I, JEFFREY SUTER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, 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

Jeffrey Suter
JEFFREY SUTER R.P.L.S. 4650
2805 W. KENTUCKY
MIDLAND, TEXAS 79702

June 2024
240125AW Shannon White

WHITE ADDITION, SECTION 2

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CABINET _____

DATE _____ PAGE _____

Lucini & Mertz 2805 W. Kentucky Midland, Texas (432) 684-6728 Firm# 10086500

OWNER:

Whitehouse Realty Group
2900 W. Francis St,
Midland Co, Texas 79701
(432) 684-1941
swwhite@bjmotors.com

NOTICE TO THE PUBLIC

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



- The plat meets all requirements; therefore, staff recommends approval of the Preliminary Plat of White Addition, Section 2
 - No objections



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: July 1, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Heritage Oaks Addition, Section 9, being a plat of a 16.92-acre tract of land located in Section 25, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located east of the intersection of Barton Creek and Oak Creek.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Parkhill, on behalf of Heritage Oaks, Inc., is requesting to plat a 16.92-acre tract of land for residential development on Barton Creek.

Current Zoning:

PD, Planned District for Housing Development (Ordinance 8933)

Engineering: (Approved with Conditions)

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

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

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

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: Show compliance with Heritage Oaks, Section 5 Drainage Study, prepared by Park Hill Consultant and approved by City on March, 2014. correct FEMA Firm data to be on plat face. [Reference City Code Sect. 11-2-3(D)8]

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

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: Plat font is not legible. Correct font on plat face.

Transportation: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 3 new intersections created at \$500/intersection = \$1500. Fee shall be adjusted based on number of intersections if Final Plat is phased. [Reference City Code Section 11-2-5(C)3(t).]

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

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

No Oil and Gas issues.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 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)

Road A needs a different name. Please say that the Drainage ROW is a dedication. Curve data needed for drainage ROW, culdesac, and lots. Label alleys.

Planning: (Approved)

Please change the Secretary's name to Landon Ochoa. [Informational]

Staff recommends approval of the Preliminary Plat of Heritage Oaks, Section 9 subject to condition A.

- 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 Final Plat
Application
Location Map
Zoning Map
Aerial



Preliminary Plat Application

Project Number: SUB-24-0745

Case Number: P-24-2024

Proposed Subdivision Plat Name: Heritage Oaks Addition, Section 9

Legal Description (attached sealed Metes and Bounds): Being a Plat of 16.92 Ac. of Land located in Section 25, Block 40 T-1-S, T&P RR Co. Survey, City and County of Midland, Texas

Property Owner

Printed Name: Midland Heritage Oaks Inc

Phone ()

Email

Address 1603 Idlewilde Dr.

City Midland

State Tx

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Parkhill

Printed Name: Josh Wallender

(PROJ # 9832.20)

Phone (432) 697-1447

Email

jwallender@Parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State Texas

Zip 79701

Current Zoning: SF3

Reason for Platting: Development of land for residential use.

Plat Information

Total Acreage:

16.92 Ac.

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 67

Number of Multi-family Dwelling Units: N/A

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):

Mark Payne

Date: 5-31-24

Property Owner (printed):

Mark Payne

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

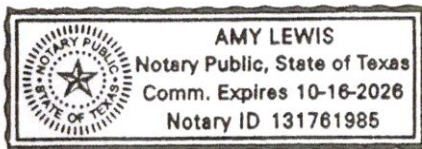
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Shelby Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 31st day of May, 2024, to certify which witness my hand and seal of office.



Amy Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # Paying online

BY:

Received By:

[Signature]

Date:

2024 JUN 06 10:27
RECEIVED

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

Preliminary Plat Application

2

RECEIVED
2024 JUN 06 10:27

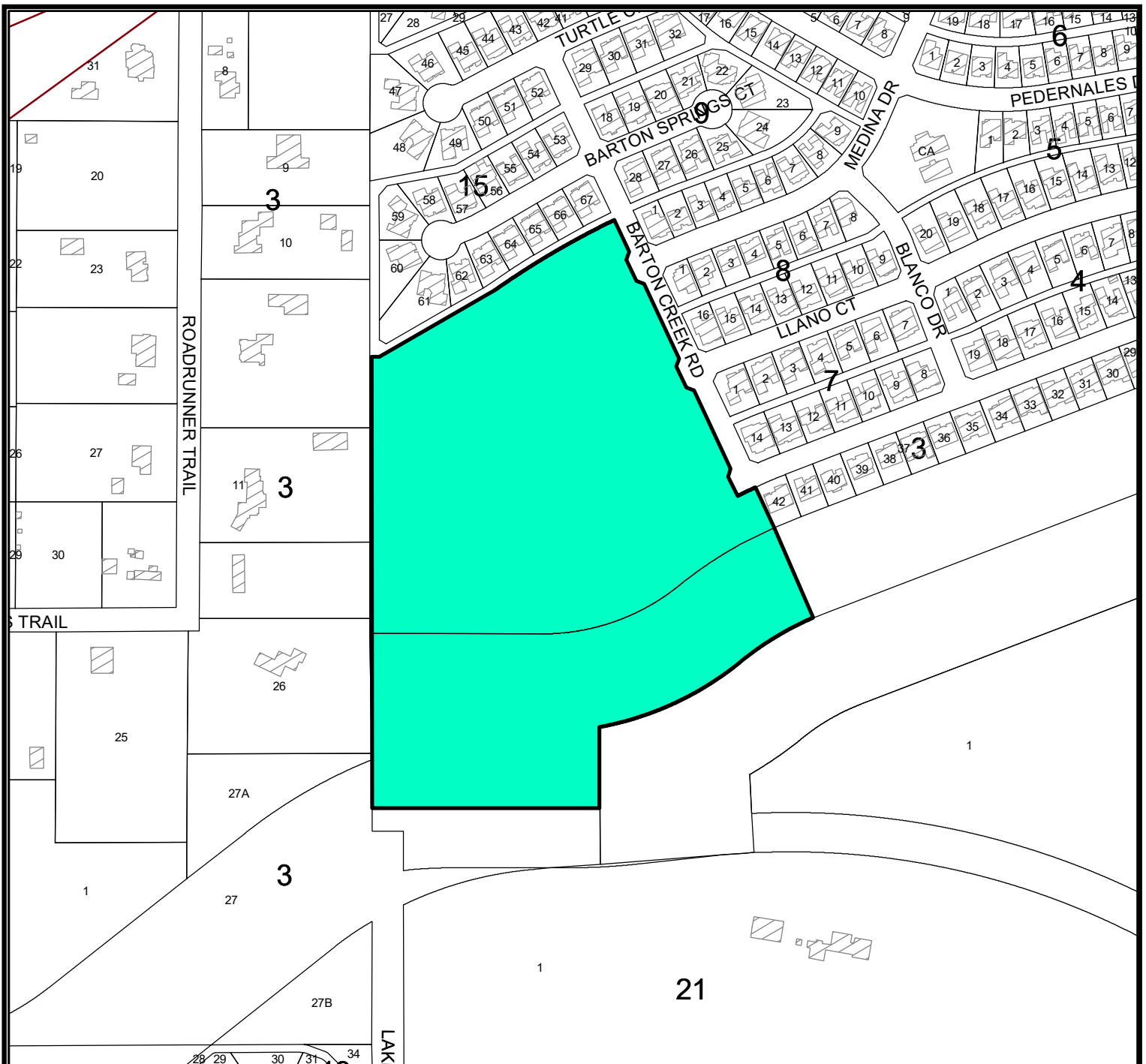
Revised 07/01/19

PACKET

Page 16.248

July 1, 2024

PP.



Location Map

SUB-24-0745

Scale: 1" = 367'

Proposed plat of Heritage Oaks Addition, Section 9, being a plat of a 16.92-acre tract of land located in Section 25, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located east of the intersection of Barton Creek and Oak Creek. (District 4)

LEGEND

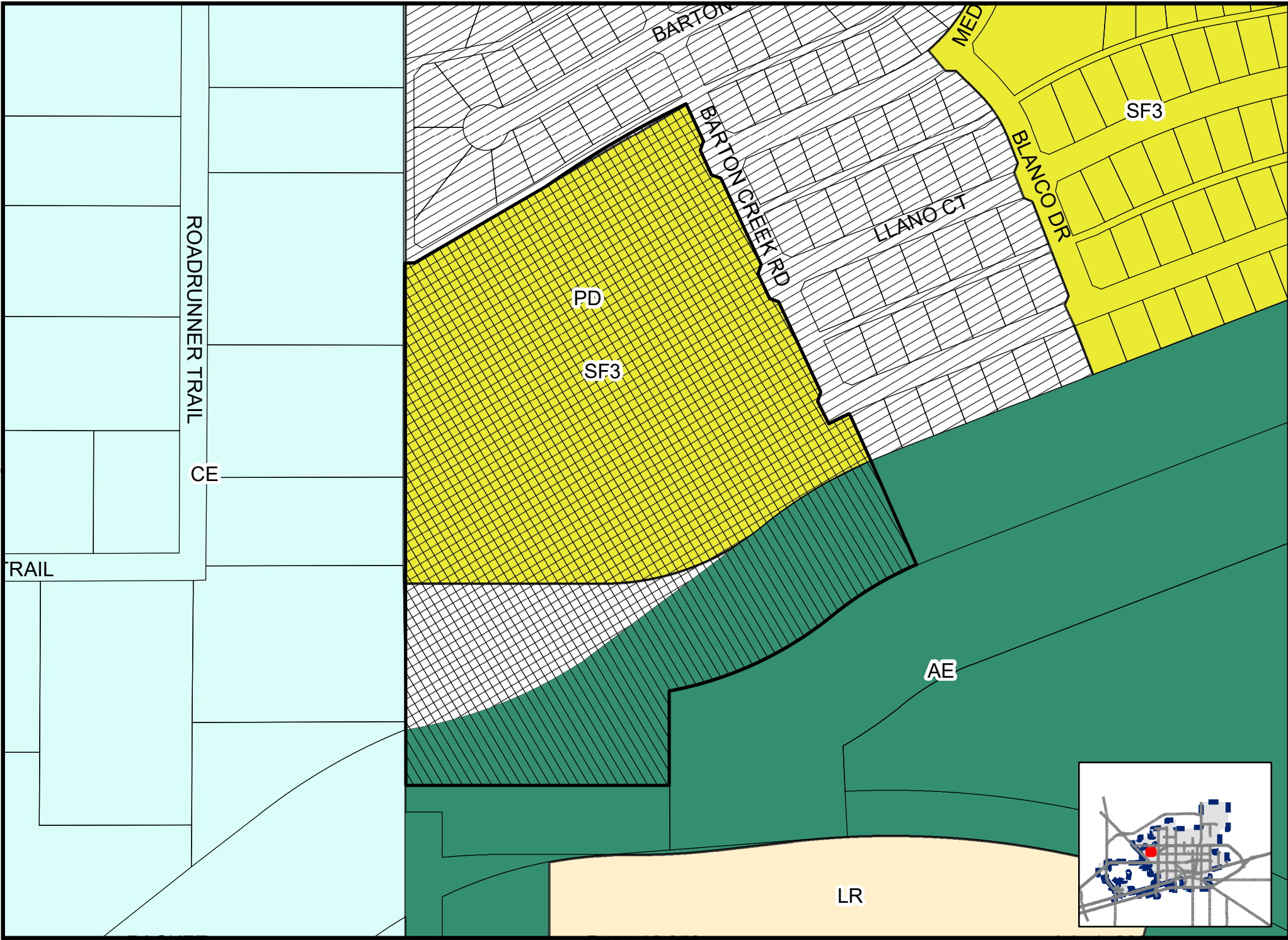
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ORDINANCE NO. 8933

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 12.40-ACRE TRACT OF LAND ("TRACT 1") OUT OF SECTION 25, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED 1F-3, ONE-FAMILY DWELLING DISTRICT, A 2.87-ACRE TRACT OF LAND ("TRACT 2") OUT OF SECTION 25, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED AE, AGRICULTURE ESTATE DISTRICT, AND A 87.99-ACRE TRACT OF LAND ("TRACT 3") OUT OF SECTION 25, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED FD, FUTURE DEVELOPMENT DISTRICT, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED NORTH OF WEST WADLEY AVENUE, WEST OF CROWLEY BOULEVARD); PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE

APPLICATION FEES:

- Single, standard zone change: **\$400**. Multiple, standard zone change: add **\$100** per district.
- Single PD, Planned District zone change: **\$550**. Multiple PD proposal: add **\$100** per district.
80% of fee will be refunded if no P&Z public hearing is called; if no City Council public hearing is called, then 30% of fee will be refunded.
- If a Traffic Impact Analysis is required, a fee of up to \$500.00 will be assessed.

SITE PLAN SUBMITTALS (if applicable):

16 copies of the PD site plan: N/A
Site Plan on a CD in .pdf and .jpg format: N/A

SIGNATURE (by property owner only - authorized agent must sign affidavit below)

Property Owner (signature): _____ Date: _____

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 Eric L. West, P.E.
who, being by me duly sworn, upon oath says: That (s)he is authorized by SBC, L.P. 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.

Eric L. West

Authorized Agent (signature)

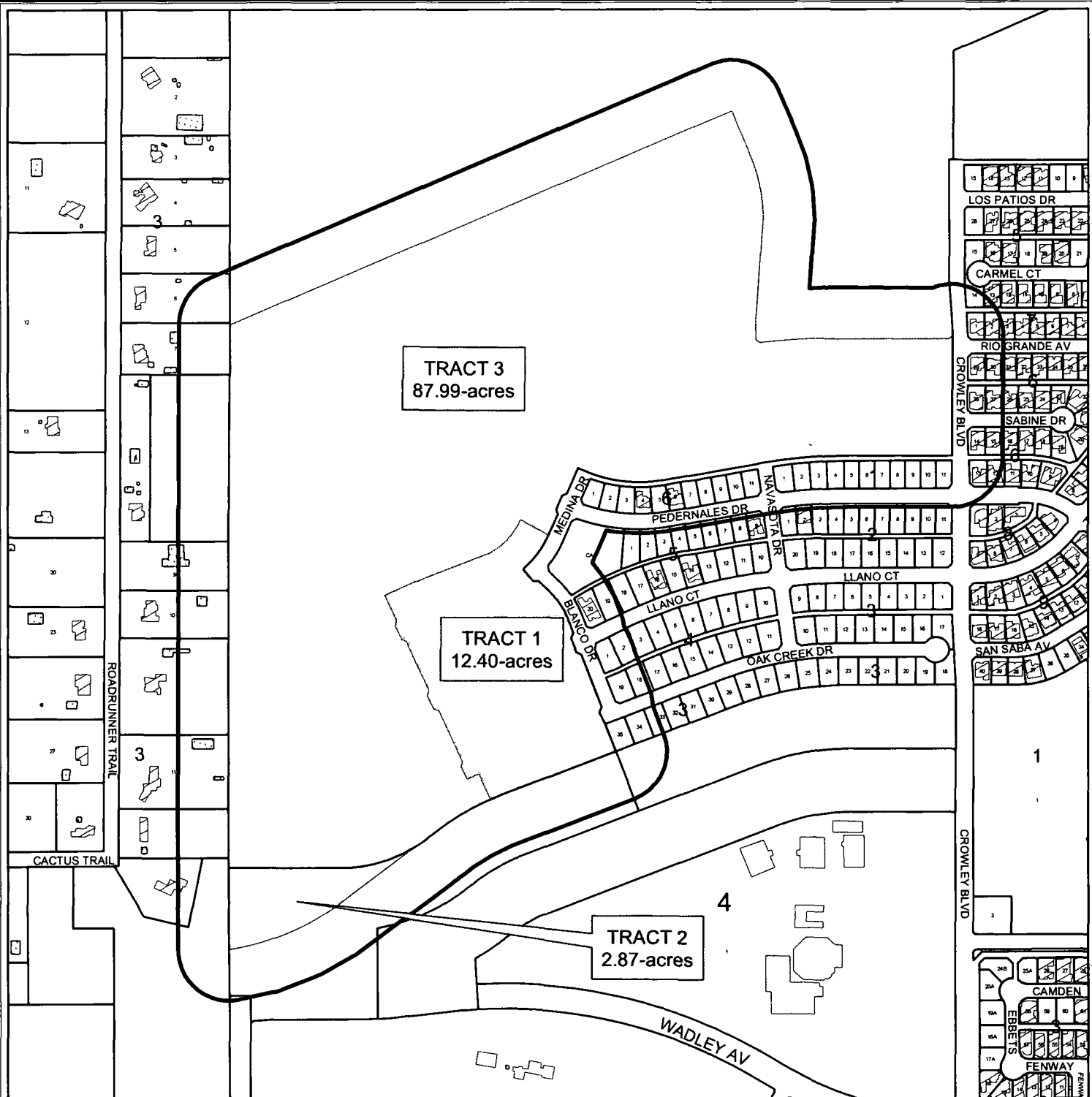
Subscribed and sworn to before me, this 20th day of May, 20 11, to certify which witness my
hand and seal of office.

Darcy Y. Knight
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
Rec'd By: <u>KP</u>	Date: <u>5/20/11</u>
Assigned: _____	
For: _____	On: _____



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



PROPERTY OWNER NOTIFICATION MAP

Z - 11 - 022

Scale: 1" = 550'

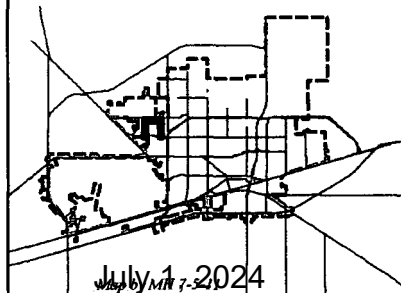
Consider a request for a zone change from 1F-3, One Family Dwelling District, on a 12.40-acre tract of land (Tract 1); from AE, Agriculture Estate District, on a 2.87-acre tract of land (Tract 2); and from FD, Future Development on a 87.99-acre tract of land (Tract 3); to PD, Planned District for a Housing Development all out of Section 25, Block 40, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas.

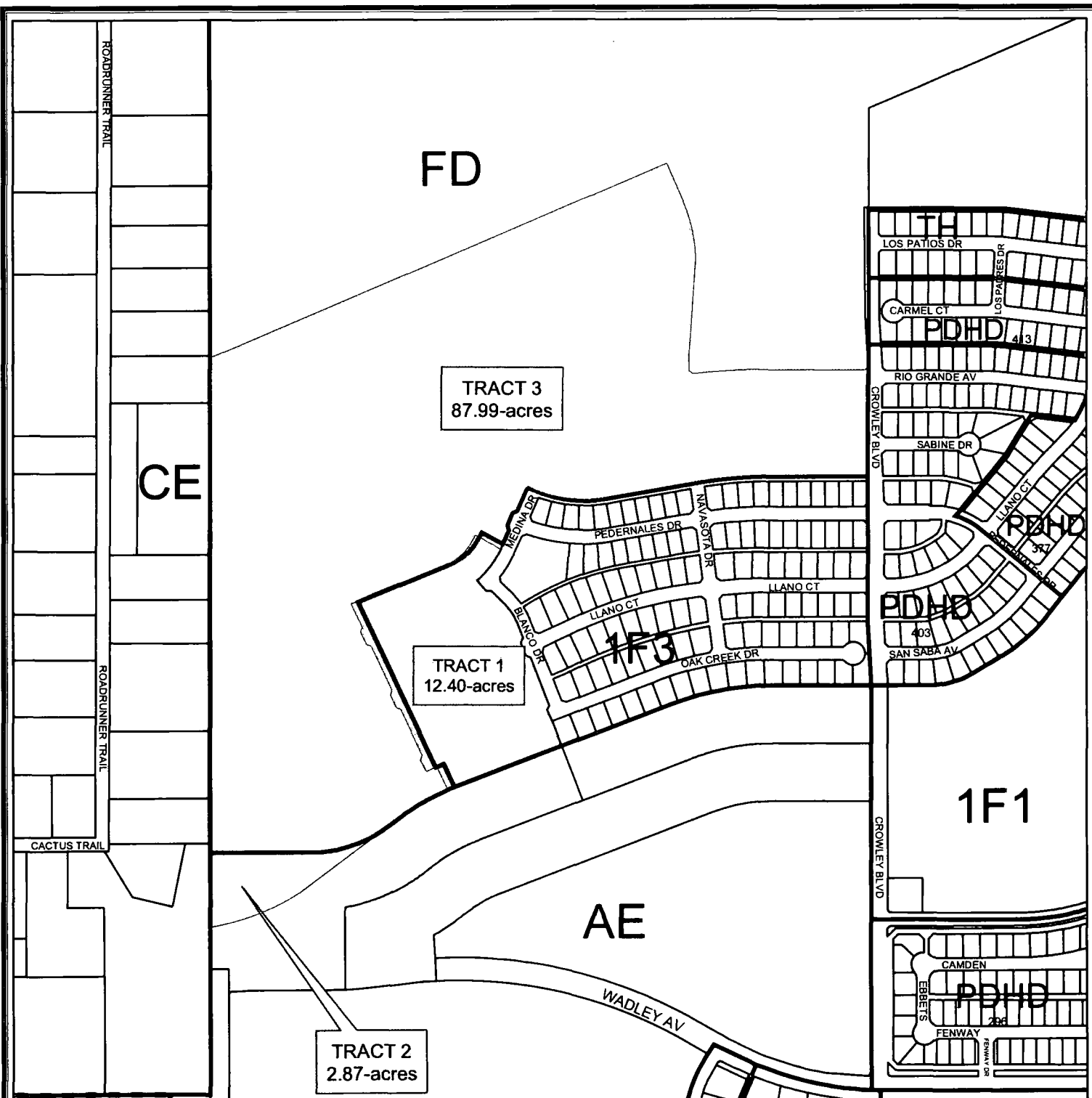
LEGEND

- CITY LIMITS
- 200 FT. LEGAL NOTICE LIMIT
- PARCEL
- PUBLIC BLDGS
- PRIVATE BLDGS
- ACCESSORY BLDGS

Page 16 of 255

City of Midland, Texas
Planning Division





ZONING MAP

Z - 11 - 022

Scale: 1" = 600'

Consider a request for a zone change from 1F-3, One Family Dwelling District, on a 12.40-acre tract of land (Tract 1); from AE, Agriculture Estate District, on a 2.87-acre tract of land (Tract 2); and from FD, Future Development on a 87.99-acre tract of land (Tract 3); to PD, Planned District for a Housing Development all out of Section 25, Block 40, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas.

LEGEND

-- CITY LIMITS

▬ ZONING

▭ PARCELS

ZONING DISTRICTS:

FD FUTURE DEVELOPMENT
PD PLANNED DISTRICT
AE AGRICULTURE ESTATE
CE COUNTRY ESTATE
1F1, 1F2, 1F3 ONE-FAMILY DWELLING
MH MOBILE HOME DWELLING
TH TOWNHOUSE DWELLING
2F TWO-FAMILY DWELLING
MF MULTIPLE FAMILY DWELLING

BP
P
01, 02
NS
LR1, LR2, LR3
C1, C2, C3
IP, JP1, IP2, IP3
LI
HI

BUSINESS PARK
PARKING
OFFICE
NEIGHBORHOOD SERVICE
LOCAL RETAIL
COMMERCIAL
INDUSTRIAL PARK
LIGHT INDUSTRY
HEAVY INDUSTRY



**PDHD ZONING DESCRIPTIONS FOR
HERITAGE OAKS, SECTION 2,
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS**

Legal Description of Three Tracts for a Proposed Zone Change to PDHD
Located in Section 25, Block 40, T-1-S, T. & P. RR. Co. Survey,
City of Midland, Midland County, Texas

Each boundary being further described by metes and bounds as follows:

TRACT 1 (Proposed 1F-3 to PDHD)

BEGINNING at (N=10,700,778.28', E=1,726,902.79') the intersection of the South right-of-way of Oak Creek Drive and on the West boundary of Heritage Oaks Addition from whence the Southwest corner of Section 25, Block 40, T-1-S, T. & P. RR. Co. Survey, bears S14°36'26"E, a distance of 1611.17 feet and S75°23'34"W a distance of 1476.02 feet;

THENCE S35°28'43"E, a distance of 114.93 feet to a corner of this tract;

THENCE S54°30'46"W, a distance of 479.43 feet to a corner of this tract;

THENCE around a non-tangent curve to the left, with a radius of 1292.08 feet, a delta angle of 02°02'29", an arc length of 46.04 feet, and a chord length of 46.04 feet which bears S52°11'02"W to a corner of this tract;

THENCE N39°18'14"W, a distance of 114.18 feet to a corner of this tract;

THENCE S49°47'45"W, a distance of 50.44 feet to a corner of this tract;

THENCE N41°13'52"W, a distance of 55.00 feet to a corner of this tract;

THENCE N4°44'55"E, a distance of 21.47 feet to a corner of this tract;

THENCE N39°33'56"W, a distance of 220.04 feet to a corner of this tract;

THENCE N85°09'04"W, a distance of 21.00 feet to a corner of this tract;

THENCE N39°33'57"W, a distance of 60.02 feet to a corner of this tract;

THENCE N4°52'07"E, a distance of 21.42 feet to a corner of this tract;

THENCE N39°33'56" W, a distance of 210.03 feet to a corner of this tract;

THENCE N85°03'50"W, a distance of 21.03 feet to a corner of this tract;

THENCE N39°33'56"W, a distance of 60.01 feet to a corner of this tract;

THENCE N04°57'02"E, a distance of 21.39 feet to a corner of this tract;

THENCE N39°26'02"W, a distance of 110.01 feet to a corner of this tract;

THENCE around a non-tangent curve to the right, with a radius of 2197.02 feet, a delta angle of 04°47'51", an arc length of 183.96 feet, and a chord length of 183.90 feet which bears N52°07'21"E to a corner of this tract;

RECEIVED

JUL 5 2011

**CITY OF MIDLAND
PLANNING DIVISION OFFICE**

THENCE N54°31'17"E, a distance of 235.45 feet to a point of curvature of this tract;

THENCE around a tangent curve to the left, with a radius of 250.00 feet, a delta angle of 40°05'43", an arc length of 174.95 feet, and a chord of 171.40 feet which bears N34°28'25"E to a corner of this tract;

THENCE N14°25'34" E, a distance of 31.31 feet to a corner of this tract;

THENCE S74°24'25"E, a distance of 59.38 feet to a corner of this tract;

THENCE around a non-tangent curve to the left, a radius of 807.56 feet, a delta angle of 04°35'28", an arc length of 64.71 feet and a chord length of 64.69 feet which bears of S76°40'55"E to a point of reverse curve and corner of this tract;

THENCE around a reverse curve to the right, with a radius of 375.28 feet, and a delta angle of 25°33'14", an arc length of 167.37 feet, and a chord length of 165.99 feet which bears S22°29'25"W to a corner of this tract;

THENCE S54°43'58"E, a distance of 60.00 feet to a corner of this tract;

THENCE N76°58'30"E, a distance of 22.05 feet to a corner of this tract;

THENCE S60°19'47"E, a distance of 69.06 feet to a corner of this tract;

THENCE around a tangent curve to the right, with a radius of 272.50 feet, a delta angle of 24°51'04", an arc length of 118.19 feet, and a chord length of 117.27 feet which bears of S47°54'15"E, to a corner of this tract;

THENCE S35°28'43"E, a distance of 63.74 feet to a corner of this tract;

THENCE S09°31'17"W, a distance of 21.21 feet to a corner of this tract;

THENCE S35°28'43"E, a distance of 60.00 feet to a corner of this tract;

THENCE S80°28'43"E, a distance of 21.21 feet to a corner of this tract;

THENCE S35°29'32"E, a distance of 220.07 feet to a corner of this tract;

THENCE S09°44'56"W, a distance of 21.20 feet to a corner of this tract;

THENCE S38°50'52"E, a distance of 55.16 feet to the Place of Beginning, having an area of 540,000 square feet or 12.40 acres.

TRACT 2 (Proposed AE to PDHD)

BEGINNING at (N=10,699,552.58', E=1,725,695.68') a the Southwest corner of this tract being the intersection of the North Right-of-Way of a Drainage Channel and the West line of said Section 25, from whence the Southwest corner of said Section 25, Block 40, T-1-S, T. & P. RR. CO. Survey bears S14°42'00"E, distance of 729.51 feet;

THENCE N 14°33'58" W, with the West boundary line of said Section 25, a distance of 318.55 feet to the Northwest corner of this tract;

THENCE N 75°43'12" E, a distance of 433.06 feet to a point of curvature of this tract;

THENCE around a tangent curve turning to the left in a Northeasterly direction with a radius of 550.00 feet, a delta angle of 39°17'19", an arc length of 361.88 feet, and a chord length of 355.38 feet which bears N 56°04'32" E to the Northeast corner of this tract;

THENCE S38°16'02"W, a distance of 402.56 feet to a point of curvature;

THENCE around a tangent curve to the right with a radius of 1000.00 feet, and a delta angle of 29°00'48", an arc length of 508.19 feet, and a chord length of 502.73 feet which bears of S52°25'52"W to the Place of Beginning, having an area of 2.87 acres or 125,047 square feet.

TRACT 3 (Proposed FD to PDHD)

BEGINNING at (N=10,699,861.60', E=1,725,617.22') from whence the Southwest corner of Section 25, Block 40, T-1-S, T. & P. RR. CO. Survey, bears S14°33'58" E a distance of 1048.01';

THENCE N14°33'58"W, with the West line of said Section 25 a distance of 2137.05 feet to the Northwest corner of this tract;

THENCE N52°27'00" E, a distance of 2141.54 feet to the most Northerly corner of this tract;

THENCE S37°33'00" E, a distance of 166.79 feet to a point of curvature of this tract;

THENCE around a tangent curve to the right in a Southeasterly direction, with a radius of 730.00 feet, and a delta angle of 27°55'53", an arc length of 355.87 feet, and a chord length of 352.36 feet which bears S23°35'04"E, to a point of tangency of this tract;

THENCE S09°37'08"E, a distance of 288.98 feet to a point of curvature;

THENCE around a tangent curve to the left in a Southerly direction, with a radius of 735.26 feet, a delta angle of 08°20'04", an arc length of 106.95 feet, and a chord length of 106.86 feet which bears S13°47'10"E to a corner of this tract;

THENCE S65°02'09"E, a distance of 20.28 feet to a corner of this tract;

THENCE around a non-tangent curve to the right in a Northeasterly direction, with a radius of 2625.00 feet, and a delta angle of 06°58'32", an arc length of 319.58 feet, and a chord length of 319.38 feet which bears N72°21'06"E to a corner of this tract;

THENCE N75°50'21" E, a distance of 419.62 feet to a corner of this tract;

THENCE N29°17'40" E, a distance of 20.46 feet to a corner of this tract;

THENCE S17°25'53"E, a distance of 17.86 feet to a corner of this tract;

THENCE S14°20'26"E, a distance of 455.03 feet to a corner of this tract;

THENCE S75°40'06"W, a distance of 382.45 feet to a corner of this tract;

THENCE around a tangent curve turning to the left with a radius of 2155.00 feet, a delta angle of 10°03'58", an arc length of 378.61 feet, and a chord length of 378.12 feet which bears of S70°38'07"W, to a corner of this tract;

THENCE S65°36'08"W, a distance of 378.15 feet to a corner of this tract;

THENCE around a tangent curve to the right in a Westerly direction, with a radius of 531.88 feet, a delta angle of 33°23'54", an arc length of 310.04 feet, and a chord length of 305.67 feet which bears of S82°18'05"W to a corner of this tract;

THENCE N80°59'58"W, a distance of 31.35 feet to a corner of this tract;

THENCE S09°00'30"W, a distance of 110.16 feet to a corner of this tract;

THENCE S55°38'40"W, a distance of 20.60 feet to a corner of this tract;

THENCE S09°00'44"W, a distance of 60.13 feet to a corner of this tract;

THENCE S34°29'34"E, a distance of 21.76 feet to a corner of this tract;

THENCE S09°01'31"W, a distance of 90.08 feet to a corner of this tract;

THENCE around a non-tangent curve to the right in a Westerly direction, with a radius of 816.19 feet, a delta angle of 4°31'53", an arc length of 64.55 feet, and a chord length of 64.53 feet which bears N76°38'28"W to a corner of this tract;

THENCE N74°24'52"W, a distance of 59.38 feet to a corner of this tract;

THENCE S14°25'34"W, a distance of 31.31 feet;

THENCE around a tangent curve to the right in a Southwesterly direction, with a radius of 250.00 feet, a delta angle of 40°05'43", an arc length of 174.95 feet, and a chord length of 171.40 feet which bears S34°28'25"W to a corner of this tract;

THENCE S54°31'17"W, a distance of 235.45 feet to a corner of this tract;

THENCE around a tangent curve to the left in a Southwesterly direction, with a radius of 2197.00 feet, a delta angle of 4°48'38", an arc length of 184.46 feet, and a chord length of 184.41 feet which bears S52°06'58"W to a corner of this tract;

THENCE S39°33'56"E, a distance of 110.01 feet to a corner of this tract;

THENCE S04°57'02"W, a distance of 21.39 feet to a corner of this tract;

THENCE S39°33'56"E, a distance of 60.01 feet to a corner of this tract;

THENCE S85°03'50"E, a distance of 21.03 feet to a corner of this tract;

THENCE S39°33'56"E, a distance of 210.03 feet to a corner of this tract;

THENCE S04°52'07"W, a distance of 21.42 feet to a corner of this tract;

THENCE S39°33'57"E, a distance of 60.02 feet to a corner of this tract;

THENCE S85°09'04"E, a distance of 21.00 feet to a corner of this tract;

THENCE S39°33'56"E a distance of 220.04 feet to a corner of this tract;

THENCE S04°44'55"W a distance of 21.47 feet to a corner of this tract;

THENCE S41°13'52"E a distance of 55.00 feet to a corner of this tract;

THENCE N 49°47'45"E a distance of 50.44 feet to a corner of this tract;

THENCE S39°10'38"E a distance of 114.51 feet to a corner of this tract;

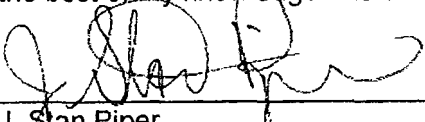
THENCE around a non-tangent curve turning to the left in a Southwesterly direction, with a radius of 1300.05 feet, a delta angle of 13°19'00", an arc length of 302.15 feet, and a chord length of 301.48 feet bears S44°31'32" W to a corner of this tract;

THENCE around a non-tangent curve to the right in a Southwesterly direction, a radius of 550.00 feet, a delta angle of 37°41'54", an arc length of 361.88 feet, and a chord length of 355.38 feet which bears S56°46'25"W to a corner of this tract;

THENCE S75°43'12"W a distance of 433.06 feet to the Point of Beginning, having an area of 87.99 acres or 3,832,756 square feet.

Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System, NAD 1983/86, Central Zone, with a combine grid factor of 0.9998995, and a theta angle equal to -0°54'48.39" at U.S.C. & G. station "MIDLAND" with published values of Y= 10,690,154.70 and X= 1,746,696.78 in U.S. Survey Feet.

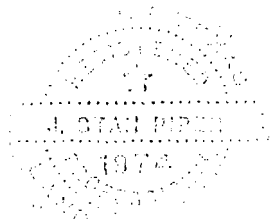
I, J. Stan Piper, Registered Professional Land Surveyor, do hereby certify that this legal description is based on an actual survey made by me or under my supervision, and that the same is true and correct to the best of my knowledge and ability as surveyed on the ground on various dates thru July 1, 2011.

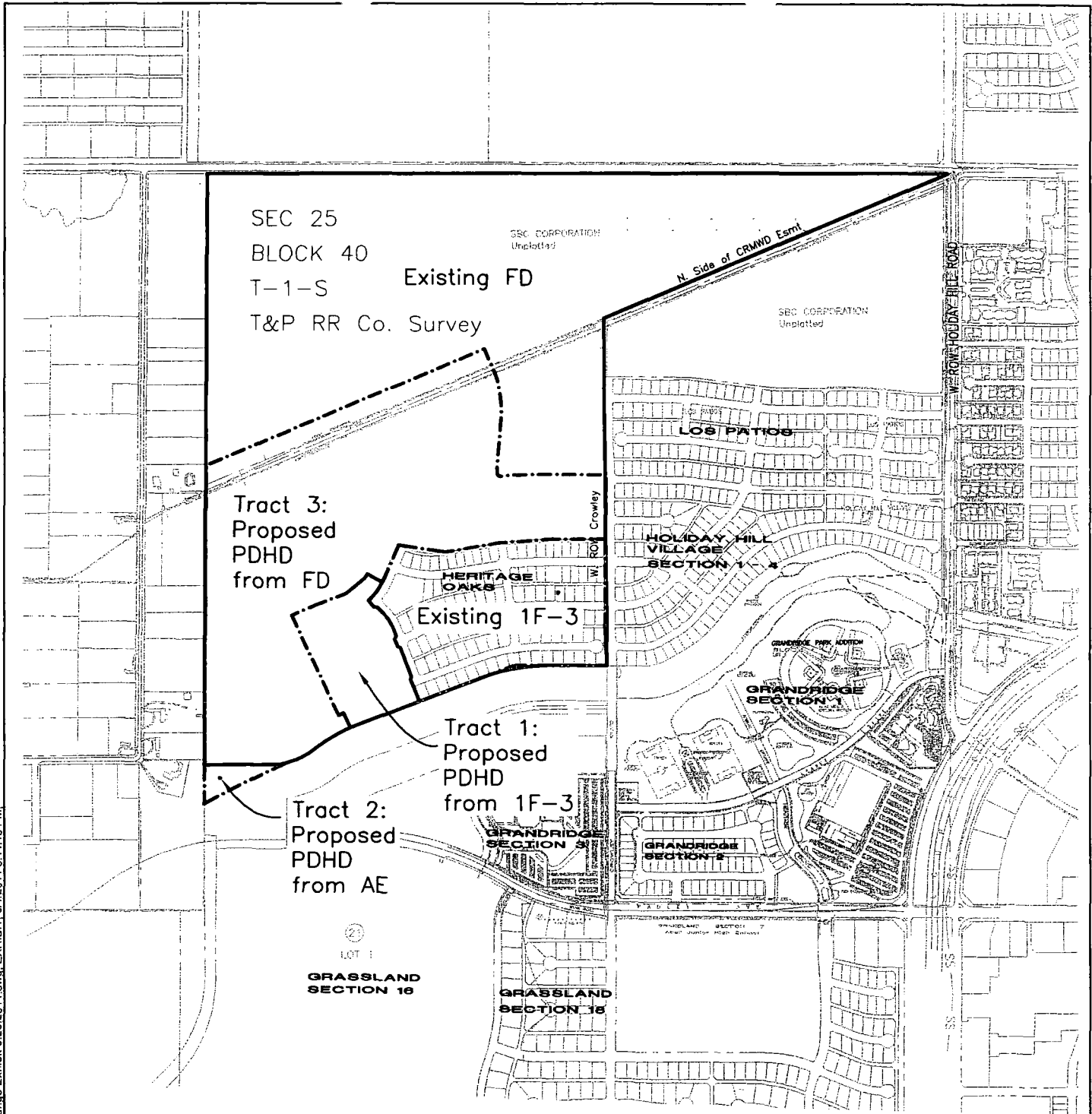


J. Stan Piper
Registered Professional Land Surveyor #1974

Prepared for:
Parkhill, Smith, and Cooper, Inc.
1700 West Wall Street
Midland, TX 79701

PIPER SURVEYING COMPANY, BOX 60432, MIDLAND, TX 79711, (432) 550-7810





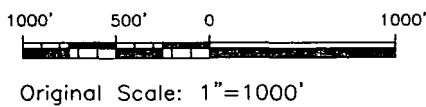
----- Zoning Boundary

NOTE:
PDHD for Tracts 1, 2 & 3
is underlying Zoning of 1F-3
with a 15' FY Setback

EXHIBIT "A"

Proposed Zone Changes

May 2011



Legal Description
For Proposed Zoning of Tract 4
LI, Light Industrial District

For a 336.70 acre tract located in the City of Midland, Texas and being a portion of the following T & P RR Co. Surveys located in Midland County, Texas; Section 43, Block 40, T-1-S, Section 6, Block 40, T-2-S, Section 48, Block 41, T-1-S and Section 1, Block 41, T-2-S and being more fully described as follows,

Beginning at a found iron rod for the east corner of a tract to TXU Electric Delivery Co. and having a coordinate of X= 1,708,515.00 ft., Y= 10,672,738.66 ft., in the southwest right-of-way of FM 1788,

Thence S 38° 06' 00" W along the southeast line of said TXU tract a distance of 210.09 ft. to a found iron rod for the south corner of same,

Thence N 51° 51' 37" W along the southwest line of the said TXU tract a distance of 211.55 ft. to a found 5/8" diameter iron rod in the said southwest line,

Thence S 56° 55' 25" W along the south line of a tract to Rock The Desert Ministries a distance of 834.70 ft. to a point in same and also in the west line of the herein described tract,

Thence N 51° 54' 01" W along the west line of the herein described tract a distance of 4233.90 ft. to a point in the west line of said Section 6,

Thence N 13° 52' 42" W along said west line of Section 6 a distance of 1369.79 ft to a found ½" diameter iron rod for the southeast corner of a so called 91.7 acre tract to Colorado River Municipal Waster District (CRMWD) as recorded in Vol. 1090, Pg. 456 of the Midland County Deed Records and having a coordinate of X= 1,703,859.17 ft., Y= 10,676,190.69 ft.,

Thence along the said westerly line of the herein described tract as follows;

S 55° 44' 14" W a distance of 1320.60 ft. to a found ½" iron rod for the south corner of said CRMWD tract,

N 34° 38' 54" W a distance of 488.95 ft. to a found ½" iron rod for a corner in the west line of said CRMWD tract,

N 55° 35' 07" E a distance of 99.34 ft. to a found ½" iron rod for a corner in the west line of the said CRMWD tract,

N 34° 20' 26" W a distance of 1961.41 ft. to a found ½" iron rod for the west corner of the said CRMWD tract,

N 56° 01' 33" E a distance of 1220.30 ft. to an angle point in the north line of the said CRMWD tract,

N 75° 35' 59" E along the north line of the said CRMWD tract a distance of 791.11 ft. to a found ½" diameter iron rod at the northeast corner of same in the west line of said FM 1788,

N 14° 06' 18" W along said west right-of-way a distance of 875.47 ft. to a point,

S 75° 00' 20" W a distance of 1445.18 ft. to a found ½" diameter iron rod,

N 14° 05' 23" W a distance of 301.42 ft. to a point for the southwest corner of Lot 4, Block 2, West 1788 Industrial Park, Section 5,

N 74° 59' 54" E along the south line of said Lot 4 a distance of 1445.25 ft. to a found ½" diameter iron rod for the southeast corner of same,

N 14° 05' 55" W along the east line of said Lot 4 a distance of 301.37 ft. to a found ½" diameter iron rod for the northeast corner of same,

S 75° 00' 01" W along the north line of said Lot 4 a distance of 1445.20 ft. to a point for the northwest corner of same,

N 14° 05' 23" W a distance of 904.52 ft. to a found ½" diameter iron rod for the northwest corner of Lot 1, Block 2, West 1788 Industrial Park, Section 2,

S 74° 58' 49" W a distance of 733.73 ft. to a point,

N 14° 05' 06" W a distance of 999.71 ft. to a found ½" iron for the northwest corner of a so called 38.52 acre tract,

N 74° 59' 30" E a distance of 2297.67 ft. crossing said FM 1788 to a point in the east line of FM 1788,

Thence along the east right-of-way of FM 1788 as follows;

S 14° 06' 26" E a distance of 3368.29 ft. to a point at the beginning of a curve to the

CITY OF MIDLAND, TEXAS:

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned 1F-3, One-Family Dwelling District, in part, AE, Agriculture Estate District, in part, and FD, Future Development District, in part, and it shall be used as a Planned District for a Housing Development, subject to the special conditions and restrictions hereinafter set out, said property being described as follows:

A 12.40-acre tract of land ("Tract 1"), a 2.87-acre tract of land ("Tract 2"), and a 87.99-acre tract of land ("Tract 3"), all of said tracts being out of Section 25, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, and said tracts being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein.

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

1. That the use and development of the land in this planned district shall conform to the regulations of the 1F-3, One-Family Dwelling District, except as otherwise stated below.
2. That the minimum front yard setback for all lots shall be 15 feet.
3. That garages that are entered from the front lot line shall be required to observe a minimum 20-foot front yard setback, unless the garage door is perpendicular to the front lot line.

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

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

Along said curve to the left with a radius of 5672.83 ft., an arc length of 3741.89 ft. and a chord bearing of S 33° 00' 14" E a chord distance of 3674.42 ft. to a point at the end of this curve,

S 51° 54' 02" E a distance of 4107.12 ft. to a point in the easterly right-of-way of said FM 1788,

Thence S 38° 06' 00" W crossing said FM 1788 a distance of 120.00 ft. to the place of beginning and containing 336.70 acres.

Bearings, distances and coordinates are based on the Texas State Coordinate System, Central Zone, NAD 83.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Richard A. Shelton 8.5.11

Richard A. Shelton, RPLS 4356
City of Midland, Texas
432-685-7290

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 23rd day of August, A.D., 2011; and passed to second reading on motion of Council member Morales, seconded by Council member Sparks, by the following vote:

Council members voting "AYE": Morales, Trost, Hailey, Perry, Dufford, James and Sparks

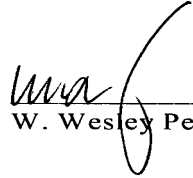
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Morales, seconded by Council member James, on the 13th day of September, A.D., 2011, at a regular meeting of the City Council:

Council members voting "AYE": Morales, Trost, Hailey, Perry, James and Sparks

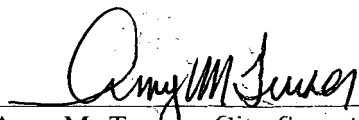
Council members voting "NAY": None

PASSED AND APPROVED THIS 13th day of September, A.D., 2011.



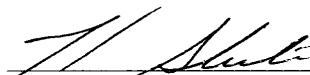
W. Wesley Perry, Mayor

ATTEST:



Amy M. Turner, City Secretary

APPROVED AS TO FORM:



Keith Stretcher, City Attorney



City Council Agenda

Ordinance-Zoning-2011
Plan. 8933

Approved for Agenda:
JNichols
City Manager's Office

MEETING DATE: September 13, 2011

TO: CITY COUNCIL/CITY MANAGER

FROM: Cameron Walker, Planning Division Manager

SUBJECT: Z-11-022, Integrity Land Development

Purpose:

Consider an ordinance on second reading on a request by Integrity Land Development for approval of a zone change from FD, Future Development District, AE, Agriculture Estate District and 1F-1, One-Family Development District to PD, Planned District for a Housing Development.

Recommended City Council Action

☒ Approve

☐ Deny

☐ Direction/Informational

Fiscal Impact:

There is no cost to the City to process this application.

Discussion:

Integrity Land Development wishes to develop a 103-acre tract with single family homes that generally comply with 1F-3 District regulations. The single exception is a request to reduce the minimum front yard setback from 20 feet to 15 feet. Following a unanimous recommendation from the Planning and Zoning Commission on August 1, 2011, the City Council approved the ordinance on first reading on August 23, 2011. It is now appropriate for the City Council to consider this ordinance on second and final reading.



City Council Agenda

Approved for Agenda:
JNichols
 City Manager's Office

MEETING DATE: August 23, 2011

TO: CITY COUNCIL/CITY MANAGER

FROM: Cameron Walker, Planning Division Manager

SUBJECT: Z-11-022, Integrity Land Development

Purpose:

Hold a public hearing at approximately 10:33 a.m. and consider an ordinance on a request by Integrity Land Development for a zone change from FD District, AE District and 1F-3 District to PD, Planned District for a Housing Development.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Direction/Informational

Fiscal Impact:

There is no cost to the City to process this application.

Discussion:

Integrity Land Development purchased a 103-acre tract intended for residential development. The current FD District prohibits residential development and the AE District requires lots at least two acres in area. This proposal is to subdivide lots meeting the size and area requirements of the 1F-3 District, but to reduce the minimum front yard setback from 20 to 15 feet. The developer cites opportunity for larger back yards, and reduced irrigation and maintenance costs to justify the reduction. The Council has previously approved 15-foot setbacks for residential subdivisions, and we are not aware of any negative issues resulting from the reduced setback. The Planning and Zoning Commission voted unanimously to approve this request, and staff concurs.

Attachments:

August 1, 2011 P&Z Staff Report
 Proposed Ordinance

PLANNING AND ZONING COMMISSION

August 1, 2011

CASE: Z-11-022.

REQUEST: Consider a request for a zone change from FD, Future Development District, AE, Agriculture Estate District and 1F-3, One-Family Dwelling District to PD, Planned District for a Housing Development.

APPLICANT: Integrity Land Development

OWNER: SBC L.P.

REPRESENTATIVE: Parkhill, Smith and Cooper.

LEGAL DESCRIPTION: A 103.28-acre tract out of Section 25, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas.

LOCATION: North of Wadley Avenue and west of Crowley Boulevard.

ASSOCIATED CASE: P-11-017, Heritage Oaks, Section 2.

DETAILS OF REQUEST:

1. Integrity Land Development has submitted a preliminary plat for the second phase of its Heritage Oaks subdivision. The lot sizes meet the minimum requirements of the 1F-3 District. However, as in the first phase, the applicant is requesting a reduction in front yard setback from 20 feet to 15 feet. This can only be accomplished through a planned district.

SURROUNDING ZONING AND LAND USE:

2. This property is bounded on the south by Wadley Avenue and the Northwest Drainage Channel, on the east by Crowley Boulevard and on the west by Country Sky Addition, a low density rural neighborhood. This land was annexed in 2009 in anticipation of future development, and was zoned FD, Future Development District and 1F-3 District at that time. The first phase of Heritage Oaks occupied about three-fourths of the 1F-3 District.

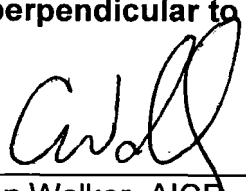
ANALYSIS:

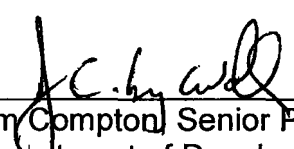
3. As stated above, the first section of the Heritage Oaks subdivision, which is currently under development, is zoned 1F-3 District, which has a 20-foot front yard requirement. East of Crowley Boulevard, much of this area is zoned Planned District for a Housing Development which allows a 15-foot front yard setback. In visiting these neighborhoods with a reduced setback, one does not perceive a sense of overcrowding. The development actually presents an image of a more compact, closely knit neighborhood. Other factors contributing to this image include smaller lots and slightly narrow streets that are relatively short. Fifteen foot front yards have been used successfully in other neighborhoods, especially on shorter streets. The developer cites that a smaller front yard reduces maintenance and watering costs and increases the size of rear yards where families tend to spend more time outdoors. For these reasons, we believe that this request is reasonable.

STAFF RECOMMENDATION:

We recommend approval of this request for a zone change from FD, Future Development District, AE, Agriculture Estate District and 1F-3, One-Family District to PD, Planned District for a Housing District, subject to the following conditions:

- A. The development of this property shall conform to all applicable regulations of the 1F-3, One-Family Dwelling District, except as otherwise stated below.
- B. The minimum front yard setback shall be 15 feet.
- C. Garages that are entered from the front lot line and observe less than a 20-foot front yard setback shall be prohibited, unless the garage door is perpendicular to the front lot line.


Cameron Walker, AICP
Planning Division Manager
Department of Development Services


Jim Compton, Senior Planner
Department of Development Services

Attachments:

Application
Maps

Case Number: 2-11-622

CITY OF MIDLAND
Planning Division

APPLICATION TO CHANGE ZONING CLASSIFICATION

Integrity Land Development, L.P. (432) 520-0000
Applicant Name Contact #s
1603 Idlewilde, Midland, Texas 79703
Address Zip Code

SBC, L.P. (432) 522-2040
Property Owner Name Contact #s
1811 Heritage Boulevard, Suite 100, Midland, Texas 79707
Address Zip Code

Parkhill, Smith & Cooper, Inc. (432) 697-1447
Representative Name Contact #s
1700 W. Wall, Ste 100, Midland, Texas 79701
Address Zip Code

Street address and Legal Description of property (complete Lot, Block, and Subdivision, or if unplatted, attach a Metes and Bounds description with surveyor's seal). Describe by tracts if more than one zoning district is requested: See attached

PRESENT ZONE: FD REQUESTED ZONE: PD-HD & PD-HD
(List by tracts if more than one district is requested)

Reason for Zone Change or PD Amendment: To develop the property into a residential subdivision.

Present Use of Property: Pasture

Proposed Use of Property: Residential Subdivision

How will zone change affect the public health, safety and welfare? It will have no effect

Describe how conditions affecting the property have changed since present zoning designation:
Property is ready for development

Will a Specific Use Permit with Term for alcoholic beverages sales be needed: Yes X No



Heritage Oaks, Section 9 Preliminary Plat

July 1, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

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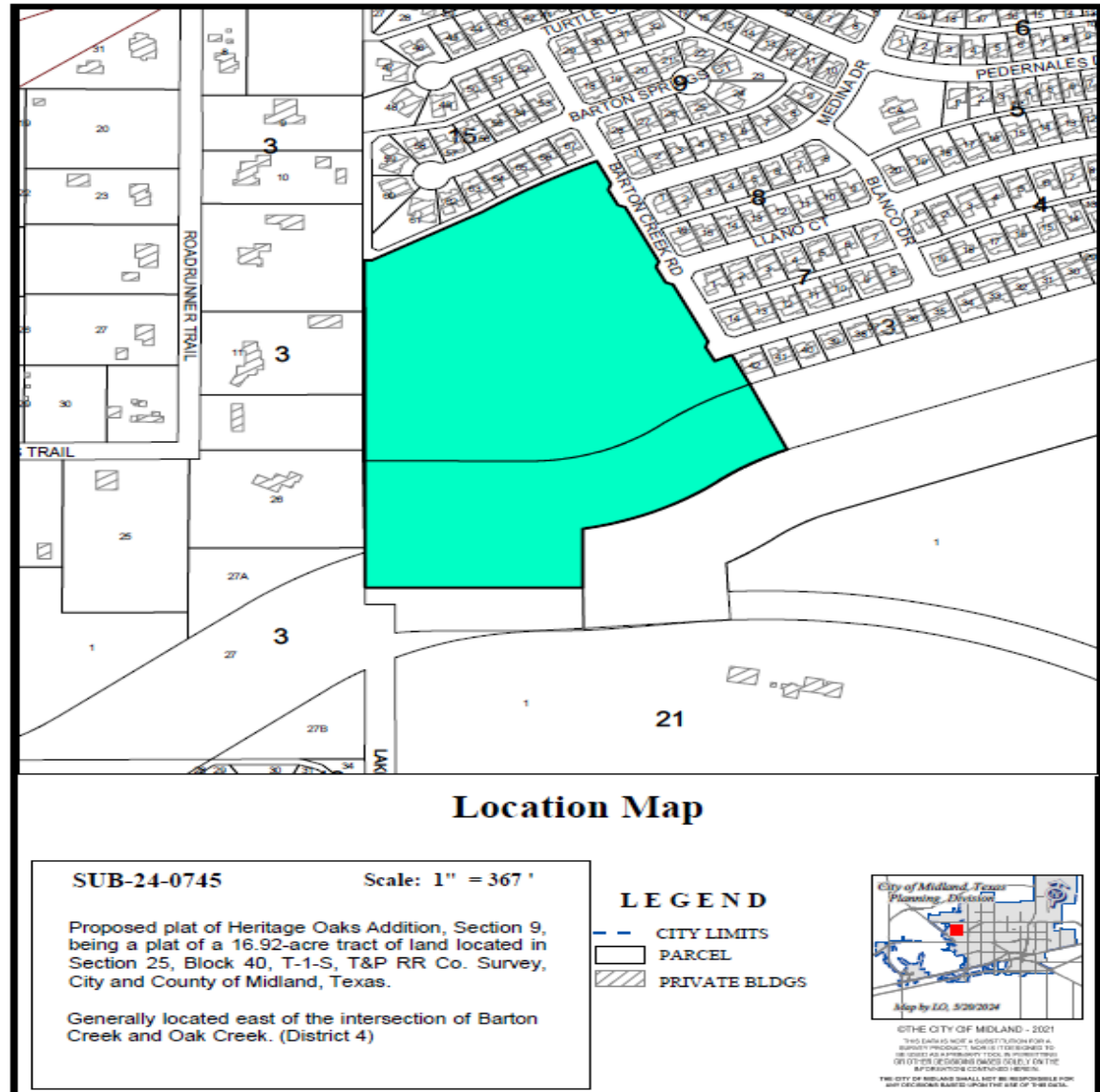
PACKET

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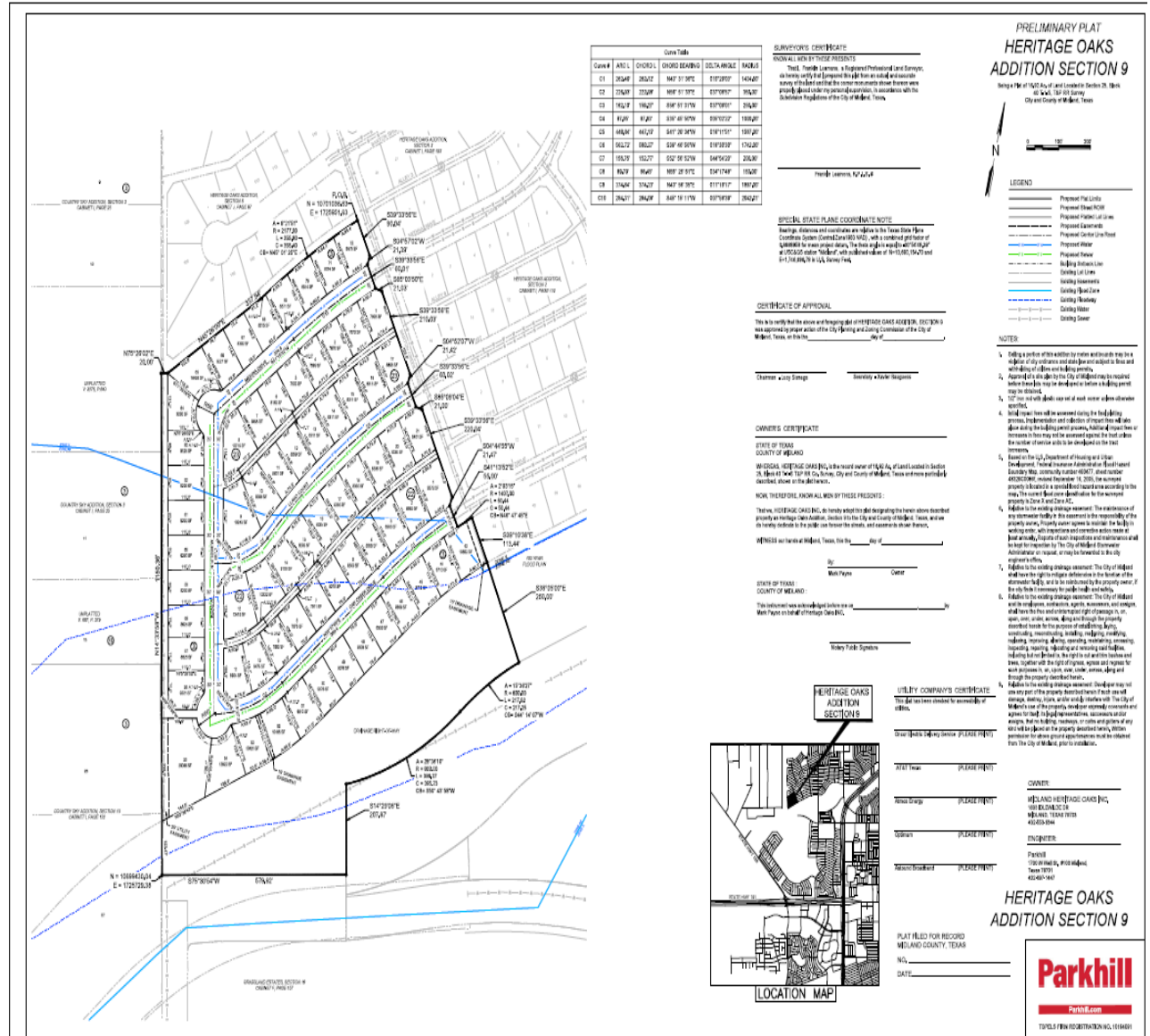
July 1, 2024



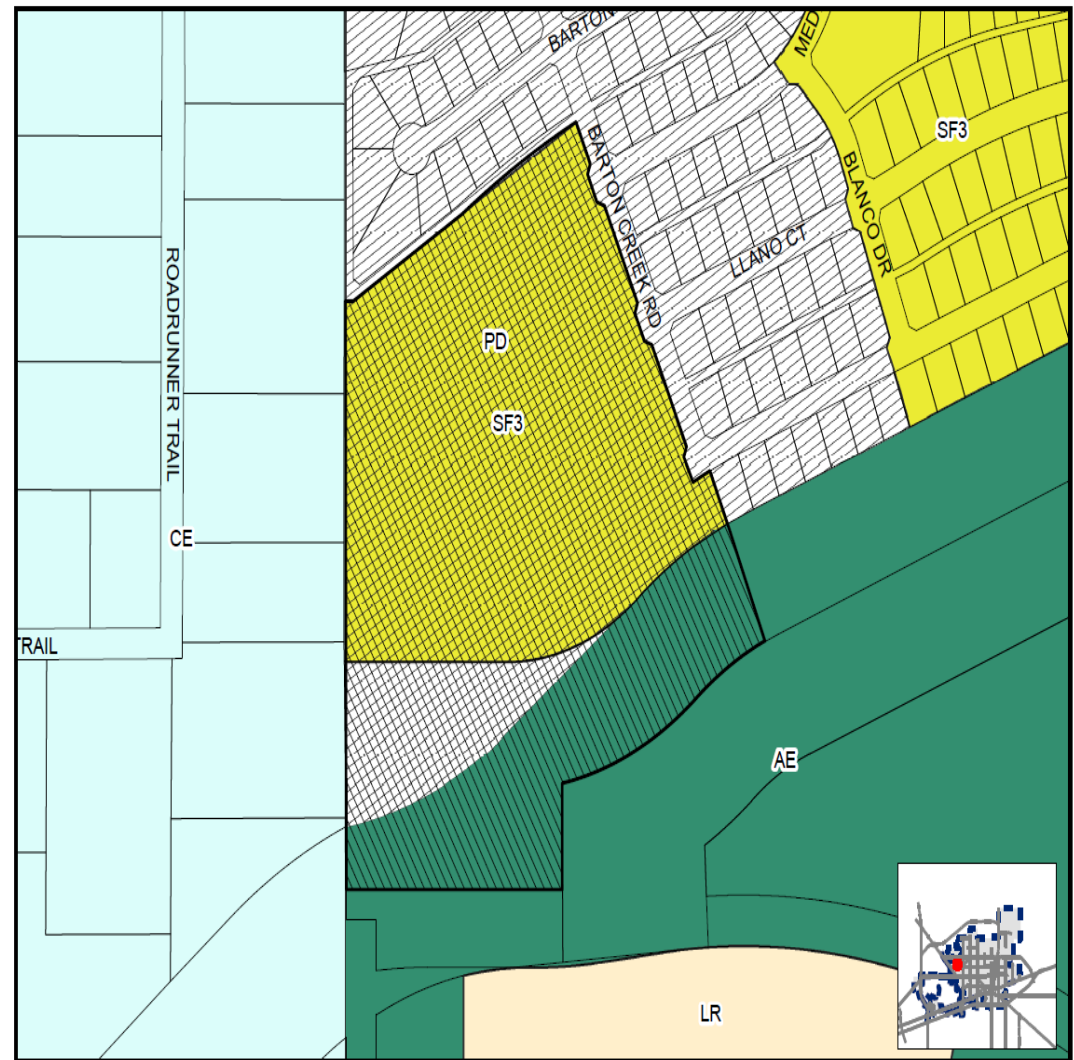
- Parkhill, on behalf of Heritage Oaks, Inc
- Preliminary Plat approval
- Barton Creek



- 16.92 acres
- Requesting to plat property for residential development
- Consists of sixty-seven (67) Lots



- **Current Zoning: PD, Planned Development District for a Housing Development (Ord. 8933)**
- **Surrounding Zoning:**
 - North and East: PD, Planned Development District
 - South: AE, Agricultural Estate District
 - West: CE, Country Estate District



Map LO, 3/20/2024

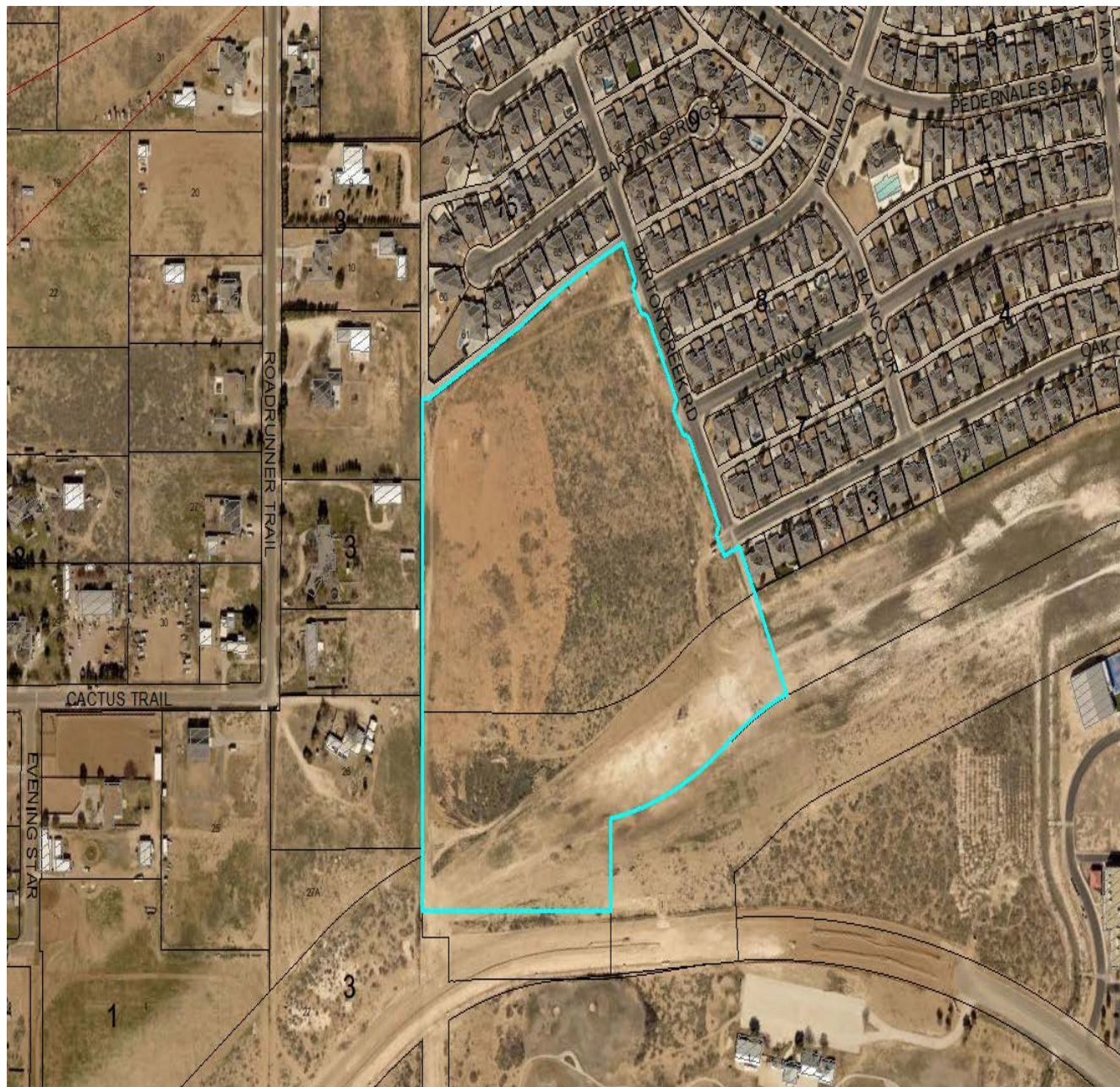
SUB-24-0745

Scale: 1" = 265'

ZONING MAP



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- The plat meets all requirements; therefore, staff recommends approval of the Preliminary Plat of Heritage Oaks, Section 9