

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

**August 5, 2024 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning and Zoning Commission meeting minutes for July 15, 2024.
3. Motion approving a Final Plat of Meissner Addition, being a plat of a 1.072-acre tract 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)**

PUBLIC HEARINGS

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

4. Hold a public hearing and consider a request by Midland County for a zone change from LI, Light Industrial District, to O-1, Office District for Lot 1A, Block 97, Original Town, Section 26, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Baird Street and East Indiana Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
5. Hold a public hearing and consider a request by LCA, Inc., on behalf of YMCA of Midland, for a Specific Use Designation Without Term for a Child-Care: Day-Care Center on Lot 1, Block 1, YMCA Addition, Section 1, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Avalon Drive and Mockingbird

MISCELLANEOUS

6. Motion approving, with staff's recommended conditions, a Preliminary Plat of QuikTrip Store 7911, being a plat of a 9.162-acre tract of land out of the south half of Section 6, Block 38, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located northeast of the intersection of South Fairgrounds and Garden City Highway.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
7. Motion approving, with staff's recommended conditions, a Preliminary Plat of Cavender Addition, being a plat of a 10.72-acre tract of land, located in Section 38, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the northwest corner of Deauville Boulevard and Arlington Road.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Xavier Bauguess
Planning Division Manager
Department of Development Services

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

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES
July 15, 2024
Council Chambers – City Hall**



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at , July 15, 2024.

Commissioners present: Lucy Sisniega, John Burkholder, Steven Villela, Dara Richardson

Commissioners absent: Brennan Berry, Emily Holeva, Adrian Carrasco, Abraham Bejil, Joshua Sparks

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 the Planning and Zoning Commission meeting minutes for July 1, 2024.

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

3. Motion approving, with the condition of all required public improvements having been satisfied by the Engineering department before filing for recording with the County Clerk of Midland, a Final Plat of Mockingbird Ridge Basin, being a plat of a 49.12-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located immediately east of the intersection of Blazing Saddle

Street and Waxwing Drive.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

4. Motion approving, with the condition of all required public improvements having been satisfied by the Engineering department before filing for recording with the County Clerk of Midland, a Final Plat of Mockingbird Ridge, Section 10, being a 14.37-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 on the east side of Waxwing Drive, approximately 2,700 feet south of Arapahoe Road.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

5. Motion approving, with the condition of all required public improvements having been satisfied by the Engineering department before filing for recording with the County Clerk of Midland, a Final Plat of Mockingbird Ridge, Section 11, being a plat of a 14.83-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 approximately 900 feet east of Waxwing Drive, and approximately half a mile south of Arapahoe.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

PUBLIC HEARINGS

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

6. Hold a public hearing and consider a request by Leonard Hight for a Specific Use Designation with Term for the sale of alcoholic beverages sales for on-premises consumption in a bar, on a 6,642-square foot portion of Lot 1A, Block 1, Myatt Addition, Section 2, City and County of Midland, Texas. (Generally located on the northeast corner of

the intersection of N. Garfield Street and W. Wadley Avenue.) **(DISTRICT 3)**
(DEVELOPMENT SERVICES)

Senior Planner Diana Geerts informed the Commissioners that the item had been pulled by the applicant.

The Commissioners voted for the item to be deleted from the agenda.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

7. Hold a public hearing and consider a request by Cavender Real Estate of Midland IV, LLC, for an initial zoning of RR, Regional Retail District for a 10.00-acre tract of land out of Section 38, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas. (Generally located northwest of the intersection of Deauville Boulevard and Arlington Road.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of this project.

Commissioner John Burkholder shared concerns about traffic in the area.

Planner Andrew Meyers deferred to traffic and mentioned there were no comments on traffic review.

Chair Lucy Sisniega asked if this was to review zoning.

Planner Andrew Meyers clarified today's item was for the initial zoning of an annexation.

Commissioner Steven Villela asked when they would see more on infrastructure.

Planner Andrew Meyers responded infrastructure would be with the plat.

Applicant Chase Dunham with Maverick Engineering spoke briefly on traffic concerns.

There were no further questions.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

MISCELLANEOUS

8. Motion approving, with staff's recommended conditions, a Preliminary Plat of Stonebridge Addition, Section 5, being a plat of a 11.49-acre tract of land located in the south half of Section 1, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Cooper Creek Road and Milltown Road.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Senior Planner Diana Geerts gave an overview of this project.

There was conversation between Commissioner John Burkholder about the oil wells in the area and the request for a variance.

There was further conversation including Chair Lucy Sisniega and Commissioner Steven Villela about the staff report and the conditions of approval.

The commission discussed with Planning and Development Officer Elizabeth Triggs about amending the motion to include specifically that a variance must be approved on the final plat.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

9. Motion approving, with staff's recommended conditions, a Preliminary Plat of Circuit Acres, Section 2, being a plat of an 8.496-acre tract of land out of the southeast quarter of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1119, approximately 1,300 feet south of East County Road 62.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of this project.

There were no questions.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

10. Motion approving, with staff's recommended conditions, a Preliminary Plat of Desert Scene Addition, Section 2, being a plat if a 16.30-acre tract of land located in Section 20, Block 39, T-2-S, T&P RR Co. Survey, in part, and a replat of Lots 1 and 2, Block 1, Desert Scene

Addition, in part, Midland County, Texas. (Generally located on the north side of West County Road 140, approximately 1,180 feet west of South County Road 1210.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of this project.

Commissioner Dara Richardson voiced concerns over sufficient water in the area.

Commissioner John Burkholder and applicant John Newton with Newton Engineering joined the conversation.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

11. Motion approving, with staff's recommended conditions, a Preliminary Plat of Olvera Addition being a plat of a 2.32-acre tract of land out of the southwest quarter of Section 26, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located approximately 430 feet east of South County Road 1185, and approximately 1,915 feet north of East County Road 150.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of this project.

There were no questions.

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

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Carrasco, Bejil, Sparks

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

Lucy Sisniega, Chairwoman

Date





Landon Ochoa, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: August 5, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Meissner Addition, being a plat of a 1.072-acre tract 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)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

BP, I-20 Business Park District.

Preliminary Plat Approval:

Piper Surveying Company, Inc., on behalf of Midland – Front G2K, LLC. is requesting to plat a 1.072-acre tract of land located at 1511 East Front Street into one lot to develop a Dollar General.

The preliminary plat was approved at the June 17, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 06/27/2024. [For Applicant's Information Only.]

WATER: 8" water exists in Front, 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: 15" sewer exists in South, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil and Gas issues.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of Meissner Addition.

Attachments:

Application
Proposed Final Plat
Maps
PowerPoint



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Meissner Addition**Legal Description (attached sealed Metes and Bounds):** Being a 1.072 Acre Tract within a 5.9 Acre Tract
1 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, Midland County, Texas**Property Owner**

Printed Name: MIDLAND - FRONT G2K, LLC

Phone (832) 330-6003

Email
ronnye.kettler@g2kpartners.com

Address 33300 Egypt Lane Suite D-200

City Magnolia

State TX

Zip 77354

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Piper Surveying Company, Inc. Firm No. 10155200

Printed Name: J. Stan Piper, RPLS #1974

Phone (432) 550-7810

Email

stan@pipersurveying.com

Address PO Box 60432

City Midland

State TX

Zip 79711

Current Zoning: BP, I-20 Business Park District**Reason for Platting:** New commercial building**Plat Information**

Total Acreage: 1.072

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature] For Midland G2K

Date: 6/18/2024

Property Owner (printed): RONNIE E KETLER

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

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

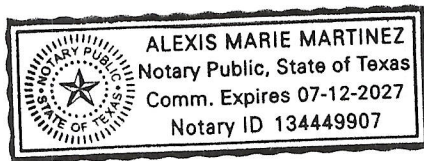
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared J. Stan Piper, who, being by me duly sworn, upon oath says: That (s)he is authorized by Midland G2K, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

[Signature]
Authorized Agent (signature)

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

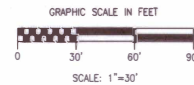
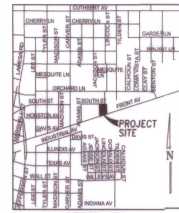
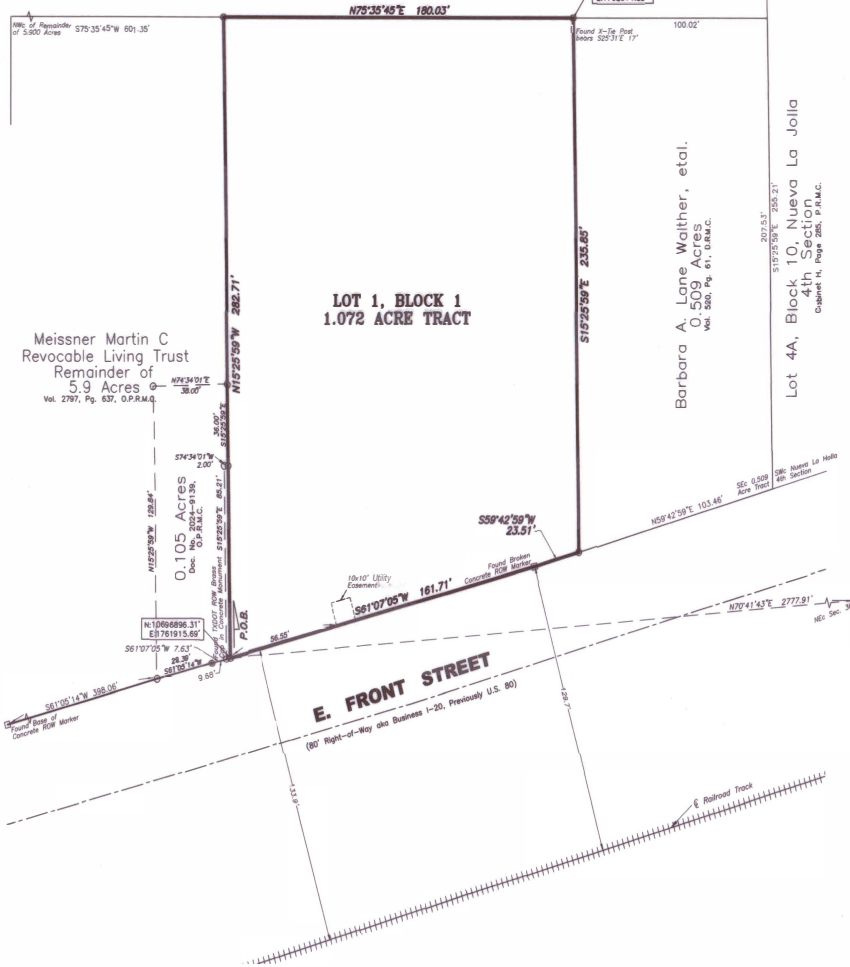
****Application will not be considered for scheduling until reviewed by a planner.****

City of Midland
2.43 Acres
Block 46
East Midland Addition
Volume 235, Page 49, D.R.M.C.

N-LINCOLN STREET
(60' Right-of-Way)
(Block 1, Page 86 & 87, D.R.M.C.)

Lot 5, Block 9,
Nueva La Jolla
Volume 235, Page 49, D.R.M.C.

SOUTH STREET
(40' Right-of-Way Book 1, Page 86 & 87, D.R.M.C.)



- LEGEND**
- = Set 1/2" Iron Rod with Plastic Cap marked "PLS 1974"
 - ⊙ = Found 1/2" Iron Rod
 - = Plot Limits Boundary
 - = Easements

STATE PLANE COORDINATE NOTE

Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System, NAD 1983/06, Central Zone, with a combined grid factor of 0.999991875, and a theta angle equal to -0°33'33.707" at City of Midland GPS station "TAXM" with published values of Y= 10688,413.97 and X= 1,759,286.52 in U.S. Survey Feet.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

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



J. Stan Piper, R.P.L.S. #1974
Piper Surveying Company, Inc., P.O. Box 797111, Midland, Texas 79711

PACKET

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Developed by <i>Jeffrey R. Henderson</i> Orion Electric Delivery Service	PLEASE PRINT Jeffrey R. Henderson
Developed by <i>Jerry Underwood</i> AT&T Texas	PLEASE PRINT Jerry Underwood
Developed by <i>Mark Lieb</i> Almos Energy	PLEASE PRINT Mark Lieb
Developed by <i>Luis Montez</i> CompuLink	PLEASE PRINT Luis Montez
Developed by <i>Ruben Guerra</i> Aetna	PLEASE PRINT Ruben Guerra

CERTIFICATE OF APPROVAL

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

Lucy Saniego	Chairman	Xavier Bouguess	Secretary
PLEASE PRINT		PLEASE PRINT	

FINAL PLAT

MEISSNER ADDITION

Being a plat of a 1.072 ACRE TRACT LOCATED IN SECTION 36, BLOCK 39, T-1-S, T-4-P, RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

GENERAL 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.
- A blanket easement of ingress and egress is hereby granted for MEISSNER ADDITION to the City of Midland for garbage and trash collection and location and maintenance of trash containers, save and except those areas occupied by a building or structure. said easement is conditioned such that no construction shall commence on said lot until exact location of said containers and the easements in connection therewith have been selected and approved by the director of utilities.
- Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 481239, Sheet Number 4832C0093 F, revised September 16, 2005, the surveyed property is not located in a special flood hazard area according to the map. The flood zone classification for the surveyed property is Zone X.
- 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.
- Proposed water, sanitary sewer, and storm sewer pipelines with culverts, bridges, and other appurtenances or structures shown (one-line plans), are required before Preliminary Plat approval.
- The installation of public improvements may be required by the City of Midland as such time as: (1) the 5.9-acre tract is re-platted for subdivision into more than three tracts or (2) the property is rezoned for a more intensive use.

OWNER'S CERTIFICATE

Whereas, MIDLAND - FRONT G2K, LLC is the record owner of a 1.072 ACRES WITHIN A 5.9 ACRE TRACT as described in Volume 1841, Page 3, O.P.R.M.C., LOCATED IN SECTION 36, BLOCK 39, T-1-S, T-4-P, RR. CO. SURVEY, MIDLAND COUNTY, TEXAS and more particularly described herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, MIDLAND - FRONT G2K, LLC, do hereby adopt this plat designating the hereinabove described property as MEISSNER ADDITION to the City of Midland, Texas, and I do hereby dedicated to the public use forever the streets, alleys, and easements (and pathways) shown thereon.

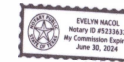
WITNESS our hands at Midland, Texas, this the 18th day of June, 2024.

Ronnve Kettler
RONNVE KETTLER

MANAGING PARTNER

STATE OF TEXAS :
COUNTY OF MIDLAND :
This instrument was acknowledged before me on June 18th, 2024, by RONNVE KETTLER, on behalf of said Trust.

Em
Notary Public Signature



OWNER:

MIDLAND - FRONT G2K, LLC
33300 Egypt Lane
Cleveland, TN 37311
Magnolia, Texas 77354

Contact:
RONNVE KETTLER
(832)330-6003

ENGINEER:

BERRY ENGINEERS, LLC
63 Broad St NW
Cleveland, TN 37311

Contact:
CHRISTOPHER M. BERRY, PE, PTOE
(423) 790-5880

PREPARED BY:

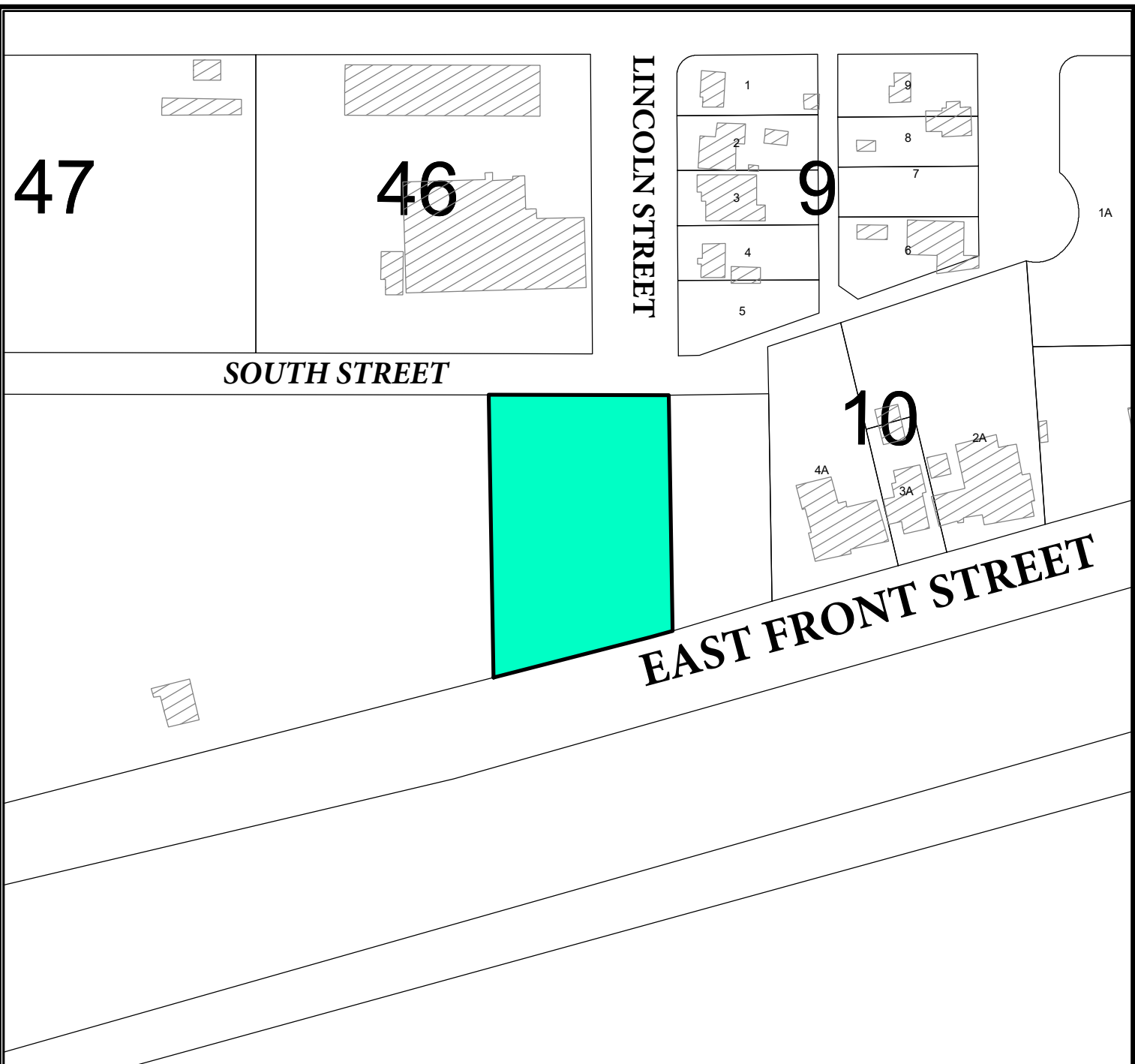
PIPER SURVEYING CO., INC.
FIRM NO. 10155200
P.O. Box 66432
Midland, TX 79711

Contact:
J. STAN PIPER, RPLS #1974
(432)550-7810

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ (ARBITER)
DATE August 5, 2024

MEISSNER ADDITION



Location Map

SUB-24-0732

Scale: 1" = 144'

Motion approving a 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.

(Council District 2)

PACKET

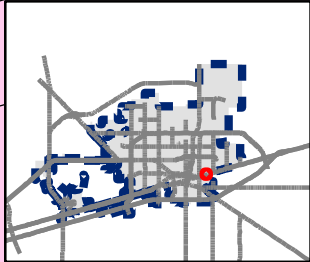
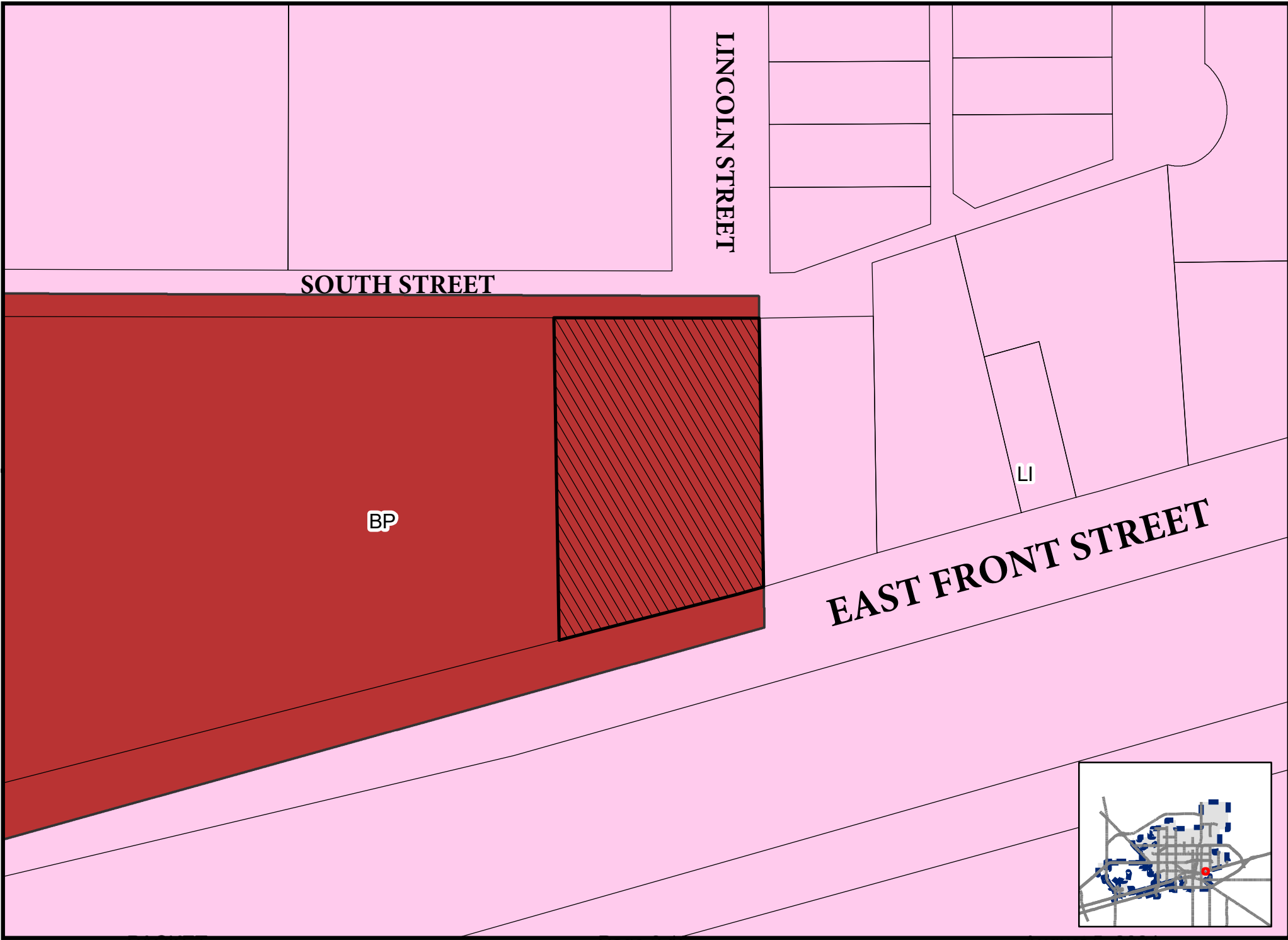
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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10



Item 3

Final Plat

Meissner Addition

August 5, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

PACKET

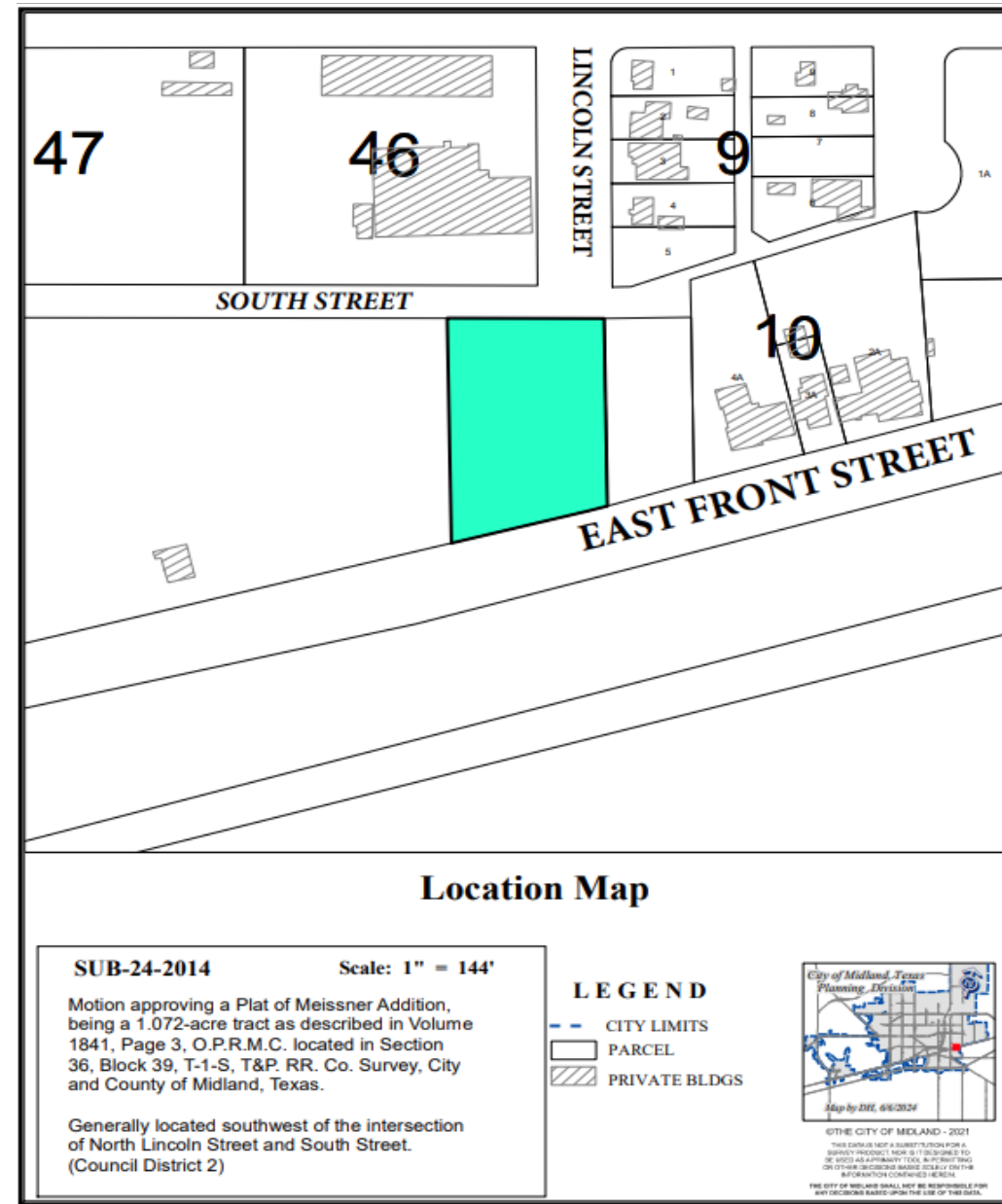
Page 3.18

August 5, 2024



Meissner Addition

- Piper Surveying Company, Inc., on behalf of Midland – Front G2K, LLC
- Final Plat Approval
- Located on South Street

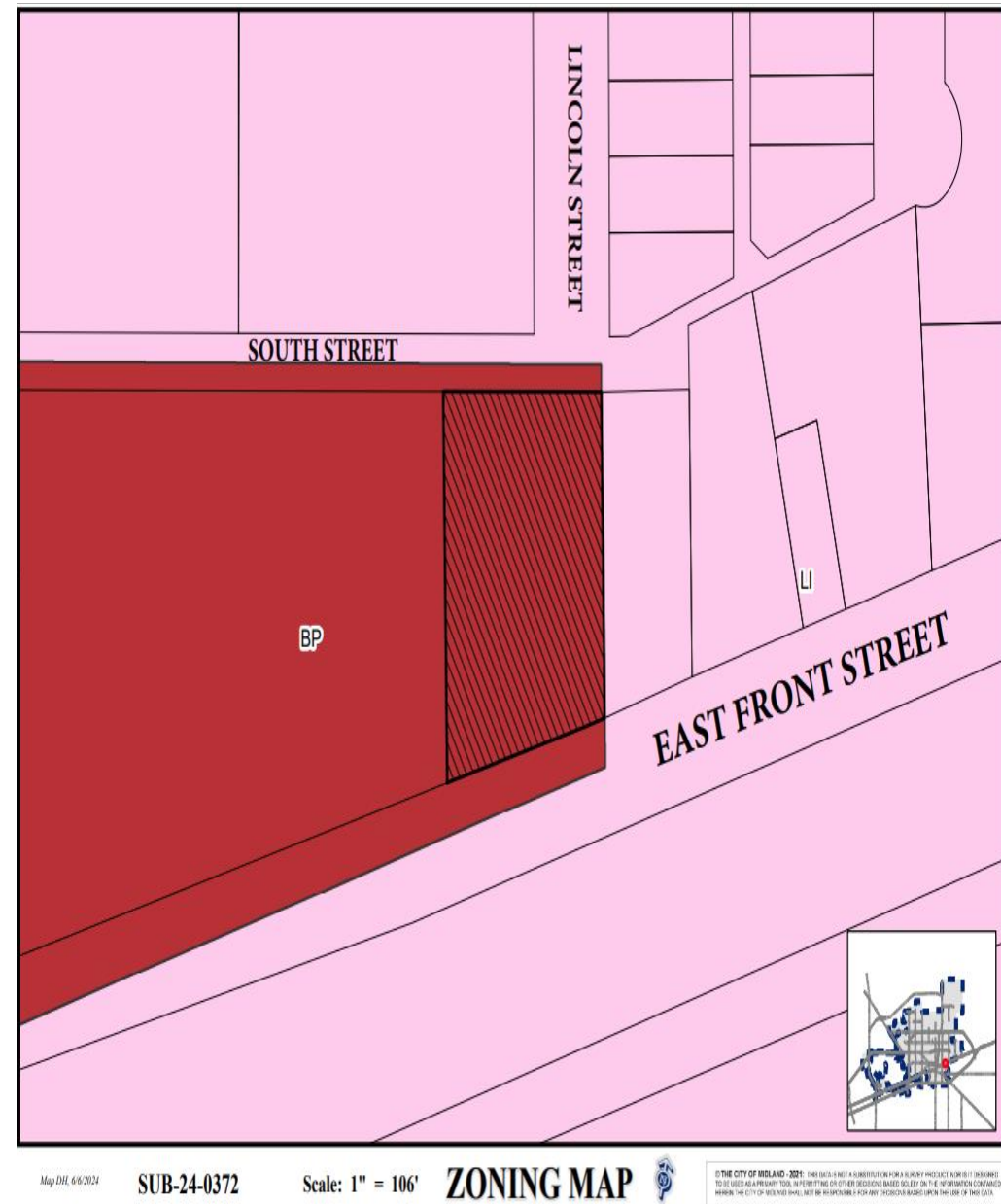


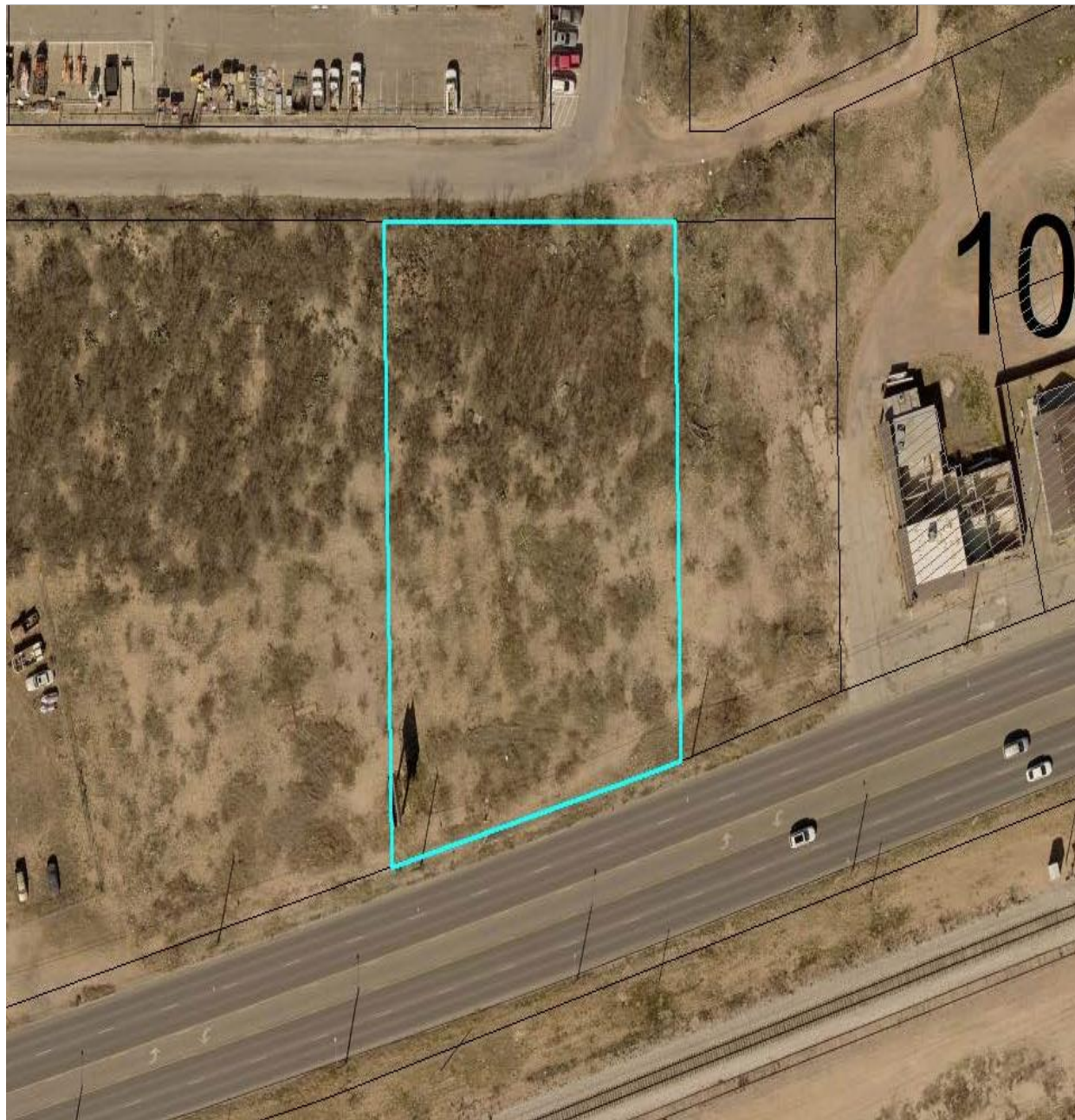
- ### 3 PACKET



Meissner Addition

- Current Zoning: BP, I-20 Business Park District
- Surrounding Zoning:
- North, East, South: LI, Light Industrial District
- West: BP, I-20 Business Park District





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: August 5, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Hold a public hearing and consider a request by Midland County for a zone change from LI, Light Industrial District, to O-1, Office District for Lot 1A, Block 97, Original Town, Section 26, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Baird Street and East Indiana Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Midland County, is requesting to rezone Lot 1A, Block 97, Original Town, Section 26, City and County of Midland, Texas, from LI, Light Industrial District to O-1, Office District to construct the County Annex for the Justice of Peace Courts.

Current Zoning:

LI, Light Industrial District.

Surrounding Zoning and Land Use:

The properties to the north, south, & west are zoned LI, Light Industrial District, and are the location of a jail and homes. The properties to the north are zoned CB, Central Business District and is the location of Front Street.

Analysis:

The applicant is requesting this change from LI, Light Industrial District, to O-1, Office District, in order to construct a new County Annex. This property was recently replatted into one lot as to obtain permits. The Future Land Use Map Chapter 3 of the Tall City

Tomorrow Comprehensive Plan designated this area as Urban-Medium (U-M) which calls for commercial zonings such as Office Districts.

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

Fire: (Approved)

No comments or objections

Building Code: (Approved)

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

Engineering: (Approved)

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

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:

No comments

Staff recommends approval of this request for a zone change.

Letters of Objection:

As of August 2, 2024, Staff has not received any letters of objection.

Attachments:

Application
Location Map

Zoning Map
Aerial
Photo
PowerPoint Presentation



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

Project Number: _____

Case Number: _____

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

Printed Name: Terry Johnson

Phone (432) 742-7370

Email
tjohnson@mcouny.com

Address
500 N. Loraline

City
Midland

State
TX

Zip
79701

Property Owner

Printed Name: Midland County

Phone (432) 742-7370

Email
4327427370

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: Terry Johnson

Phone (432) 742-7370

Email

Address

City

State

Zip

Street Address: 301 S Main, 300 S Baird

Legal Description

Lot: 13-23, 7-12 Block: 97 Subdivision: original town

Current Zoning:

LI

Proposed Zone: O2

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

Reason for Zone Change Request: proposed new county court annex will require zone change per pre development meeting

No negative impact anticipated. In fact, a new law enforcement facility may enhance area.

Present Use of Property: empty lot

Proposed Use of Property: County Court Annex for Justice of the Peace Courts

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

No negative impact anticipated. In fact, a new law enforcement facility may enhance area.

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

No negative impact anticipated. In fact, a new law enforcement facility may enhance area.

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>[Signature]</u>	Date: <u>6/17/24</u>
Applicant (printed): _____	
Property Owner (signature): _____	Date: _____
Property Owner (printed) : _____	
<i>The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.</i> <i>All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.</i>	

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 17 day of JUNE, 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

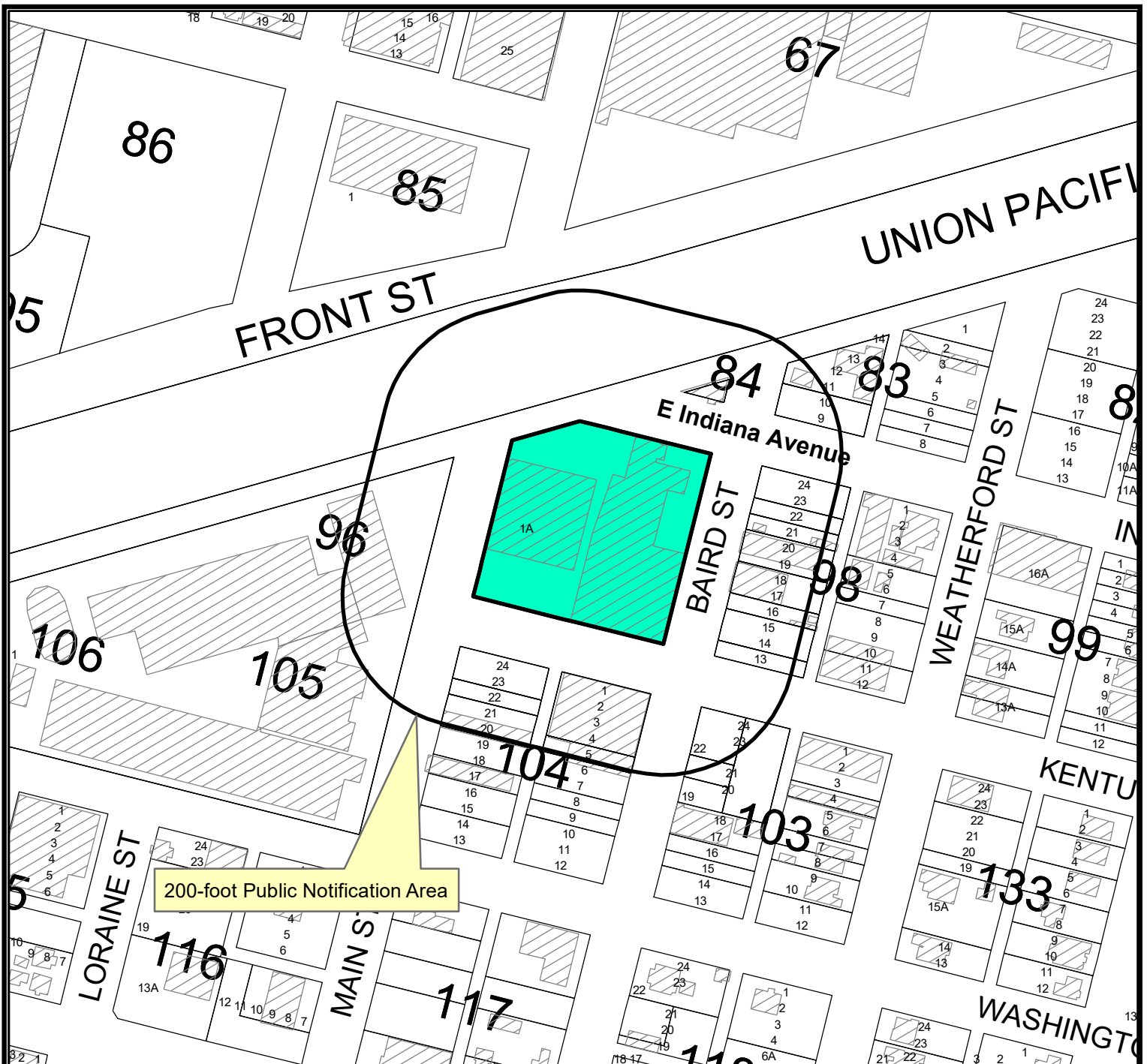
☒ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # 418951

Received By: [Signature]

Date: _____



Location Map

Z-24-0386

Scale: 1" = 220'

A request by Midland County for a zone change from, LI, Light Industrial District, to O-2, Office District, for Lot 1A, Block 97, Original Town, Section 26, City and County of Midland, Texas.

Generally located on the southwest corner of South Baird Street and East Indiana Avenue. (District 2)

PACKET

Page 4.29

LEGEND

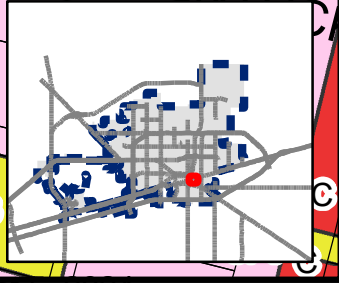
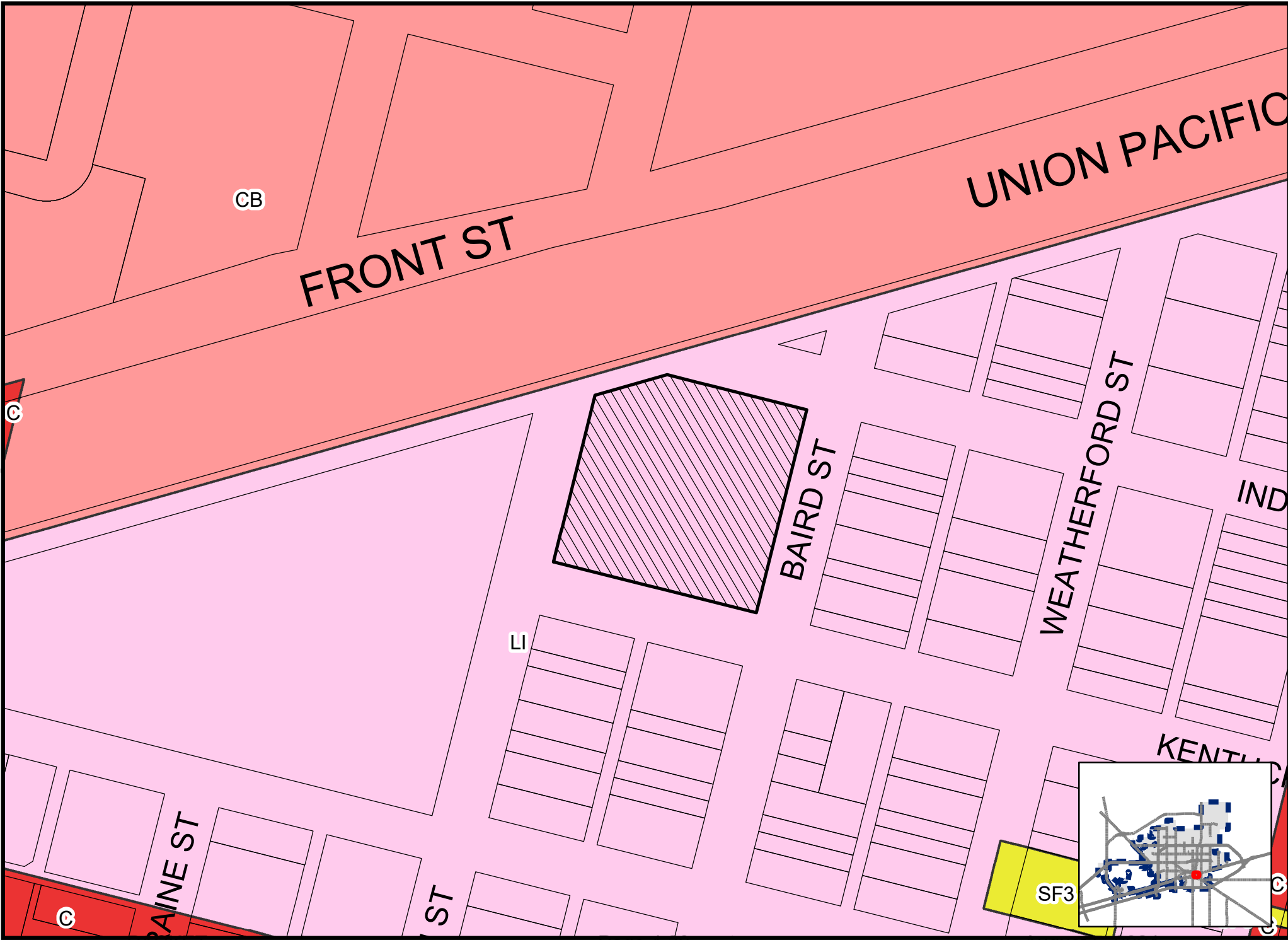
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- PARCEL
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August 5, 2024



FRONT ST

84 83

96

97

BAIRD ST

98

WEATHERFORD ST

105

104





Item 4

Justice of Peace

Zone Change

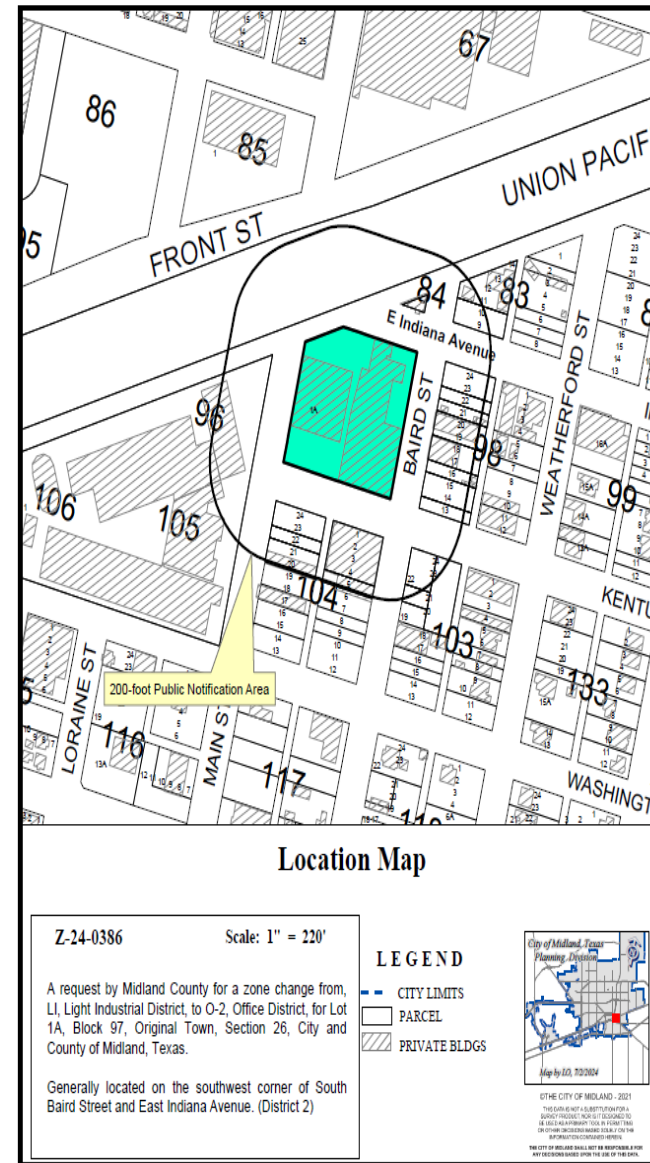
August 5, 2024



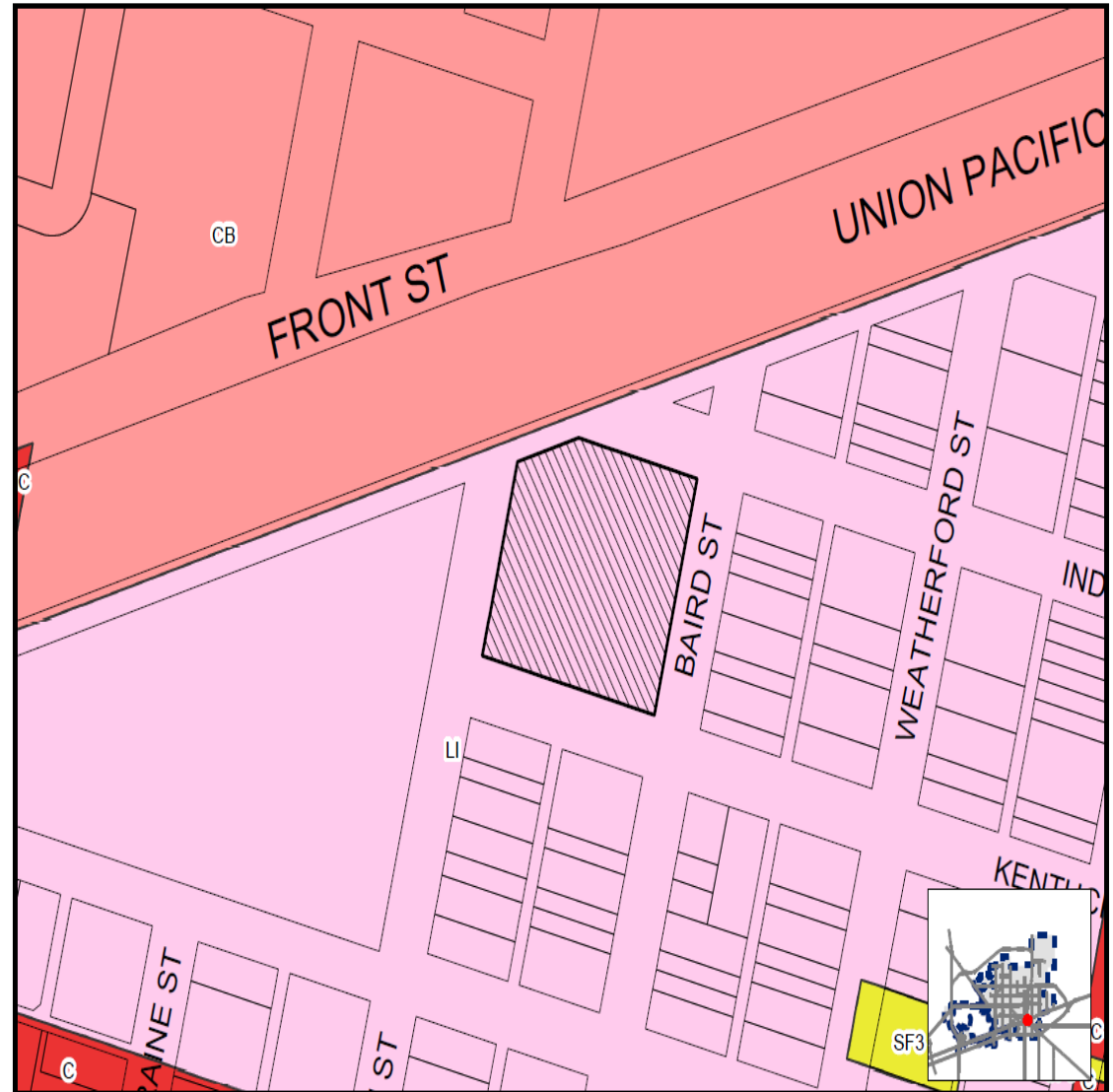
Visit Our Website:
MIDLANDTEXAS.GOV



- Midland County
- Zone Change from LI to O1
- 301 S Main Street
- Approximately 2 acres



- Currently Zoned: LI, Light Industrial District
- Surrounding Zoning of the Property
 - North: CB, Central Business District
 - East, South, and West: LI, Light Industrial District
- Proposed Zoning of the property O-1, Office District.



Map 10, 7/2/2024

Z-24-0386

Scale: 1" = 174'

ZONING MAP

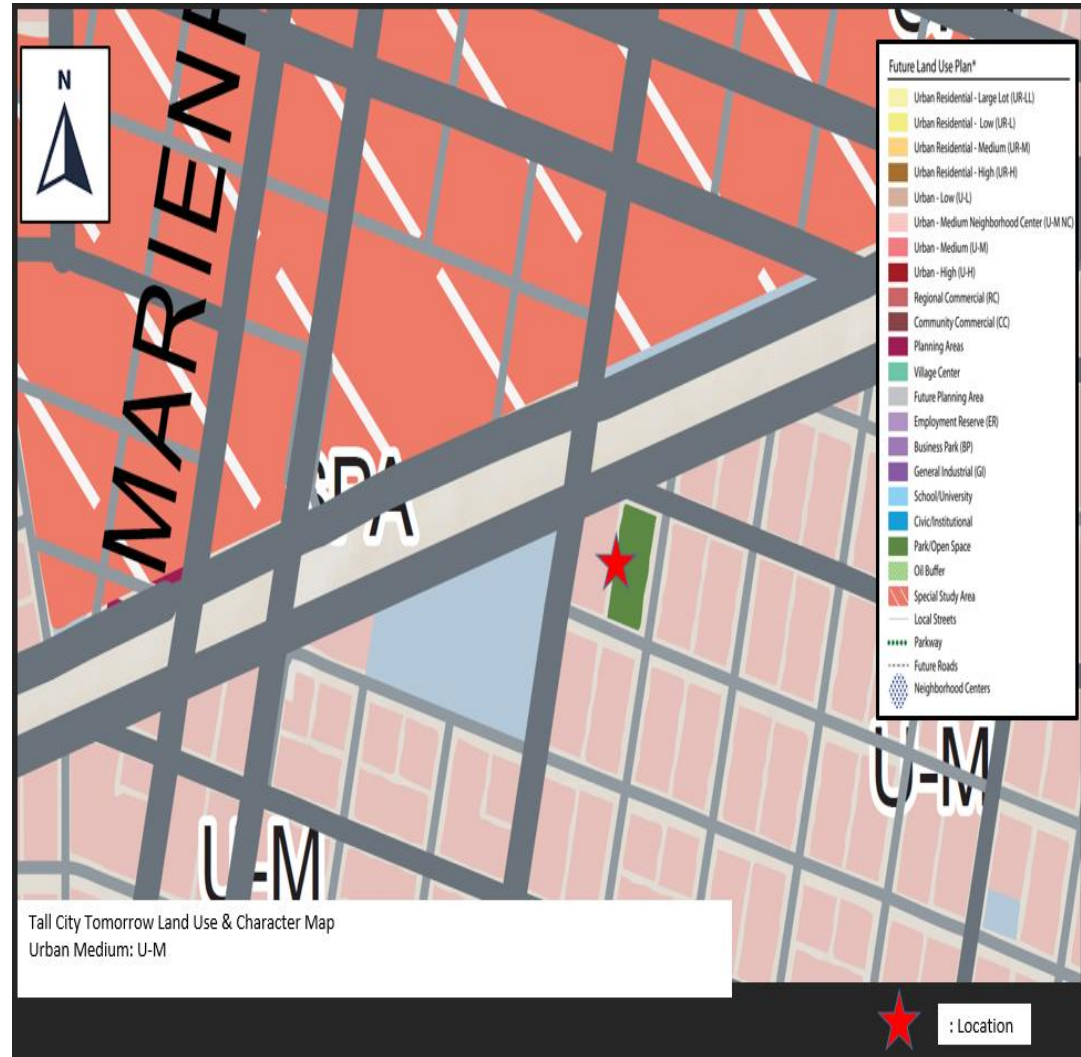


©THE CITY OF MIDLAND 2021. THIS MAP IS NOT A WARRANTY FOR A SURVEY. IT IS NOT TO BE USED AS A SUBSTITUTE FOR A SURVEY. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED ON THE USE OF THIS DATA.

- Current Use: Vacant
- Proposed Use: Midland County Justice of Peace annex



- Designated U-M, Urban Medium, by the Tall City Tomorrow Plan
- U-H, Urban High, accepted uses:
 - Single Family Dwelling District
 - Townhouse District
 - Office District
 - Local Retail District





- This meets all applicable City Code therefore Staff recommends APPROVAL of this zone change.
 - Staff has not received any letters of objection



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: August 5, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Hold a public hearing and consider a request by LCA, Inc., on behalf of YMCA of Midland, for a Specific Use Designation Without Term for a Child-Care: Day-Care Center on Lot 1, Block 1, YMCA Addition, Section 1, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Avalon Drive and Mockingbird Lane.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

LCA, Inc., on behalf of YMCA of Midland, is requesting a Specific Use Designation without Term for a day-care center located at 5549 Avalon Drive.

Current Zoning:

AE, Agricultural Estate District.

Surrounding Zoning and Land Use:

The property to the north is a neighborhood zoned CE, Country Estate District developed with single family-homes.

The properties to the south and west are zoned AE, Agricultural Estate District.

The properties to the east are zoned RR, Regional Retail District and SF-3, Single-Family Dwelling District

Analysis:

The property is located at 5549 Avalon Drive and is currently being developed into a recreational facility. The property is zoned AE, Agricultural Estate District, which allows for the use of *Child-Care: Day-Care Center* with a Specific Use Designation without Term. Per the definition of *Child-Care: Day-Care Center* as defined in Section 11-1-2.01.71:

Per Section 42.002 of the State of Texas Human Resource Code, as may be amended, "day-care center" means a child-care facility that provides care at a location other than the residence of the director, owner, or operator of the child-care facility for seven or more children under 14 years of age for less than 24 hours a day, but at least two hours a day, three or more days a week. [11-1-2.01.71]

The hours of operation for the YMCA are:

Monday through Sunday from 5 a.m. to 9 p.m.

The proposed hours of operation for the Child Care: Day-Care Center are:

Monday through Sunday from 7:30 a.m. to 9:00 p.m.

The request is in compliance with the Tall City Tomorrow Comprehensive Plan as the Tall City Tomorrow Plan designated this area as U-M, Urban-Medium. The U-M designation supports a mix of uses, including single-family residential, multi-family housing, schools, mid-sized parks and churches, commercial and other mixed uses. The YMCA and the Child-Care is a use that is complementary to the surrounding residential development as it provides services that benefit the surrounding property owners.

The request is also in compliance with Chapter 6-Character Plan Goal 4, which is to "Create vibrant multi-use destinations that support activities and residential settings for multiple generations." This day-care center will enhance the quality of life in Midland by alleviating time restrictions for childcare, afterschool programs, and other similar youth outreach programs where current time limitations prohibit and encumber the effectiveness of these services.

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

Fire: (Approved)

No objection

Engineering: (Approved)

No objection.

Transportation: (Approved)

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

Building Code: (Approved)

No objections.

Planning:

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation without Term for a Child Care: Day-Care Center, subject to Conditions A through E.

Conditions:

- A. That the days and hours of operation of the Establishment shall be limited to Monday through Sunday 7:30 a.m. to 9:00 p.m.**
- B. That the Establishment shall be operated in compliance with all applicable state and local laws, ordinances, rules and regulations.**
- C. That the following shall be located along the north side of the Property, approximately five feet (5') south of the Mockingbird Lane right-of-way:**
 - 1. a screening wall or a fence that is three feet six inches (3' 6") to eight feet (8') in height that is constructed of masonry, wrought iron, or a combination thereof; or**
 - 2. a berm with shade trees that are spaced a maximum of 30 feet apart.**
- D. That no vehicular or pedestrian access to or egress from the Property shall be permitted off of Mockingbird Lane except to the extent permitted by Building Permit No. COM24-000002024.**
- E. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to commencing operation of the Establishment to ensure that the conditions of this Specific Use Designation Without Term are satisfied.**

Letters of Objection:

As of August 2, 2024, staff has received one letter of objection.

Attachments:

Application
Maps
Photos
Objection Letter
Powerpoint



**Specific Use Designation
Application (Non-Alcohol)**

LCA Job # 23-014

Case Number: SUD-24-0043

Ord. Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: LCA, Inc. (Agent for property owner)		Phone (432) 332-5058 Email LCA@LCAODESSA.COM	
Address 521 N. Texas Avenue	City Odessa	State TX	Zip 79761

Property Owner Printed Name: YMCA of Midland / Christine Bearden, CEO		Phone (432) 682-2551 Email cthomas@midlandymca.org	
Address 800 North Blg Spring Street PO BOX 954 -79702	City Midland Midland	State TX TX	Zip 79701 79702

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

Type of Permit: SUD without Term	For Office Use Only ☐ with Term ☐ without Term
Is there any Code Enforcement action pending on property? ☐ Yes ☒ No	

Street Address: 6401 Mockingbird Lane	(A new address is pending. GIS is working on assigning an address for the property off of Avalon).
Legal Description Lot: 1 Block: 1 Subdivision: YMCA Addition, Section 1	

Current Zoning: AE	
Maximum Floor Area: 12,405	Maximum Occupancy: 535
Proposed hours and days of use or operation: Hours of operation for SUD services = Monday-Sunday (7 days a week) from 7:30 AM-9:00 PM. YMCA's full operational hours are 5:00 AM to 9:00PM. Monday-Sunday.	
Reason for request: SUD will alleviate time restrictions for childcare, after school programs, and other similar youth outreach programs where current time limitations prohibit and encumber the effectiveness of these services.	
Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: As a 501C3 Nonprofit, the YMCA is dedicated to improving public safety, health, morals, general welfare. As such, this SUD application adds to the YMCA's ability to service the area's increasing and long undeserved need for affordable child care.	

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

Signatures

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

Christine R. Bearden

Date: *6-14-24*

Property Owner (printed):

Christine R. Bearden

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

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

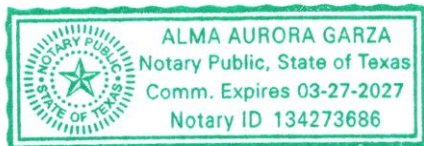
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this *10th* day of *June*, 20 *24*, to certify which witness my hand and seal of office.



Alma Aurora Garza
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☐ Site Plan in Digital Format (PDF/JPEG)

Check # *42381*

Received By: *Linda Olson*

Date:

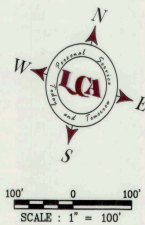
RECEIVED
JUN 25 2024

BY:

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

YMCA ADDITION SECTION 1

BEING A PLAT OF A 7.017-ACRE TRACT OF LAND OUT OF SECTIONS 23 AND 24,
BLOCK 40, T-1-S, T&P R.R. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



STATE OF TEXAS
COUNTY OF MIDLAND

BEING A 7.017 ACRE TRACT OF LAND LOCATED IN SECTIONS 23 AND 24, BLOCK 40, T-1-S, T&P RAILROAD COMPANY SURVEY, MIDLAND COUNTY, TEXAS, BEING A 2.265 ACRE TRACT DESCRIBED IN WARRANTY DEED FROM C.A. ABR, INC. TO THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF MIDLAND, TEXAS, RECORDED IN DOCUMENT NO. 2023-044 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS, AND BEING A 0.992 ACRE TRACT TO THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF MIDLAND, TEXAS, RECORDED IN DOCUMENT NO. 2023-1947, OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (Y=10,709,065.19 & X=1,723,099.63) A 2 INCH IRON PIPE FOUND IN THE SOUTH LINE OF MOCKINGBIRD LANE A 40-FOOT-WIDE PUBLIC RIGHT OF WAY RECORDED IN CABINET 1, PAGE 22, OF THE MIDLAND COUNTY PLAT RECORDS FOR THE NORTHEAST CORNER OF SECTION 23, AND THE NORTHEAST CORNER OF SECTION 24, SAME BEING THE NORTHWEST CORNER OF THE SAID 0.992 ACRE TRACT AND THE NORTHEAST CORNER OF THE SAID 2.265 ACRE TRACT WHENCE A 1/2 INCH IRON ROD FOUND WITH CAP MARKED "HOWELL 200" BEARS S 0°19'38" W, A DISTANCE OF 11.00 FEET;

THENCE S 92°22'17" E, ALONG THE NORTH LINE OF SECTION 24, PASSING A 1/2 INCH IRON ROD FOUND FROM PREVIOUS SURVEY FOR THE COMMON CORNER OF SECTIONS 13 AND 14, SAME BLOCK, AND SURVEY AT 18.32 FEET THEN CONTINUING IN ALL FOR A DISTANCE OF 195.13 FEET TO A 2 INCH ALUMINUM CAP MARKED "CITY OF MIDLAND" FOR THE NORTHWEST CORNER OF A 2.43 ACRE TRACT RECORDED IN DOCUMENT NO. 2012-1807, SAME BEING THE NORTHWEST CORNER OF A 4.03 ACRE TRACT CURRENTLY OWNED BY TEXCOM MOBILE CORPORATION IN CARE OF XTO ENERGY INC. AND RECORDED IN DOCUMENT NO. 2015-080 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY AND BEING THE NORTHEAST CORNER OF THIS PROPERTY DESCRIBED;

THENCE S 14°35'59" E, CALLED (S 14°35'59" E) IN THAT DEED OF THE 2.43 ACRE TRACT ALONG THE NORTHEAST CORNER OF THE SAID 2.43 ACRES AND THE NORTHEAST LINE OF THE SAID 0.97 ACRE TRACT DESCRIBED A DISTANCE OF 58.80 FEET CALLED (S 14°35'59" E) TO A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" FOR THE NORTHEAST CORNER OF A 0.97 ACRE TRACT TO THE CITY OF MIDLAND RECORDED IN VOLUME 701, PAGE 46, OF THE MIDLAND COUNTY DEED RECORDS;

THENCE S 75°24'01" W, CALLED (S 75°24'01" W) ALONG THE NORTH LINE OF THE SAID 0.97 ACRE TRACT A DISTANCE OF 120.00 FEET TO A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) FOR THE NORTHWEST CORNER OF THE 0.97 ACRES AND BEING AN ILL CORNER OF THIS PROPERTY DESCRIBED;

THENCE S 59°35'56" E, CALLED (S 59°35'56" E) A DISTANCE OF 14.14 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) FOR AN ANGLE POINT TO THE RIGHT;

THENCE S 14°35'59" E, CALLED (S 14°35'59" E) CONTINUING ALONG THE WEST LINE OF THE 0.97 ACRES A DISTANCE OF 120.00 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 950.00 FEET, DELTA ANGLE 15°40'19" WITH A CHORD BEARING AND DISTANCE OF S 60°34'00" E 364.80 FEET;

THENCE WITH SAID CURVE TO THE RIGHT AND THE WEST LINE OF THE SAID 0.97 ACRES AN ARC LENGTH OF 261.47 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP MARKED "LCA ODESSA TX" FOR A POINT OF TANGENCY;

THENCE S 0°17'00" W, CONTINUING WITH THE WEST LINE OF THE SAID 0.97 ACRES A DISTANCE OF 27.90 FEET CALLED (S 0°17'00" W) 27.90 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP MARKED "LCA ODESSA TX" ON THE NORTH LINE OF A 31.16 ACRE TRACT TO THE CITY OF MIDLAND RECORDED IN VOLUME 104, PAGE 28, OF THE MIDLAND COUNTY DEED RECORDS FOR THE SOUTHWEST CORNER OF THE SAID 0.97 ACRES;

THENCE S 8°10'28" W, CALLED (S 8°10'28" W) ALONG THE SOUTH LINE OF THE ABOVE SAID 0.97 ACRES AND THE NORTH LINE OF THE SAID 31.16 ACRE TRACT A DISTANCE OF 44.42 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP MARKED "LCA ODESSA TX" IN THE WEST LINE OF SECTION 24, AND THE EAST LINE OF THE SAID 2.43 ACRES FOR THE SOUTHWEST CORNER OF THE SAID 0.97 ACRES;

THENCE S 14°35'59" E, CALLED (S 14°35'59" E) ALONG THE EAST LINE OF SECTION 24, AND THE 2.43 ACRES A DISTANCE OF 346.12 FEET TO A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" FOR THE SOUTHEAST CORNER OF THIS PROPERTY DESCRIBED WHENCE A 1/2 INCH IRON ROD FOUND BEARS S 7°51'03" W, A DISTANCE OF 0.51 FEET ALSO FROM SAID 1/2 INCH IRON ROD SET A 1/2 INCH IRON PIPE FOUND (CONTROL MONUMENT) FOR THE SOUTHEAST CORNER OF A 2.24 ACRE TRACT RECORDED IN VOLUME 711, PAGE 51, OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS BEARS S 14°35'59" E, A DISTANCE OF 4417.00 FEET;

THENCE S 7°51'03" W, CALLED (S 7°51'03" W) ALONG THE SOUTH LINE OF THE 2.24 ACRES AND THE NORTH LINE OF A 40-FOOT-WIDE PUBLIC RIGHT OF WAY RECREATION BY LAND INSTEAD ADDITION SECTION 1, RECORDED IN CABINET 1, PAGE 16, OF THE MIDLAND COUNTY PLAT RECORDS, PASSING A 1/2 INCH IRON ROD FOUND WITH CAP MARKED "SCHMANN" FOR THE NORTHEAST CORNER OF LAND INSTEAD ADDITION SECTION 1, RECORDED IN CABINET 1, PAGE 25, OF THE MIDLAND COUNTY PLAT RECORDS AT 60.14 FEET CONTINUING IN ALL A DISTANCE OF 40.83 FEET TO A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" FOR THE SOUTHWEST CORNER OF THIS PROPERTY DESCRIBED;

THENCE N 14°19'30" W, WITH THE MOST SOUTHWEST LINE OF THIS PROPERTY DESCRIBED A DISTANCE OF 382.03 FEET TO A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" ON THE SOUTH LINE OF 50 PIPELINE EASEMENT (PER NATURAL RESOURCES CODE) TO GULF BROWNS COMPANY RECORDED IN VOLUME 42, PAGE 34, OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS (NO WIDTH STATED) ASSIGNED TO PLAINS PIPELINE L.P.

THENCE N 8°10'28" W, WITH THE SOUTH LINE OF SAID 50 PIPELINE EASEMENT A DISTANCE OF 156.45 FEET TO A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" FOR AN ILL CORNER OF THIS PROPERTY DESCRIBED;

THENCE N 14°19'30" W, A DISTANCE OF 47.64 FEET TO A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" IN THE SOUTH LINE OF SAID MOCKINGBIRD LANE FOR THE NORTHWEST CORNER OF THIS PROPERTY DESCRIBED;

THENCE N 75°23'27" E, CALLED (N 75°23'27" E) ALONG THE SOUTH LINE OF MOCKINGBIRD LANE A DISTANCE OF 249.65 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.017 ACRES OF LAND OF WHICH 6.910 ACRES ARE DEDICATED FOR MOCKINGBIRD LANE AND AVALON AVENUE.

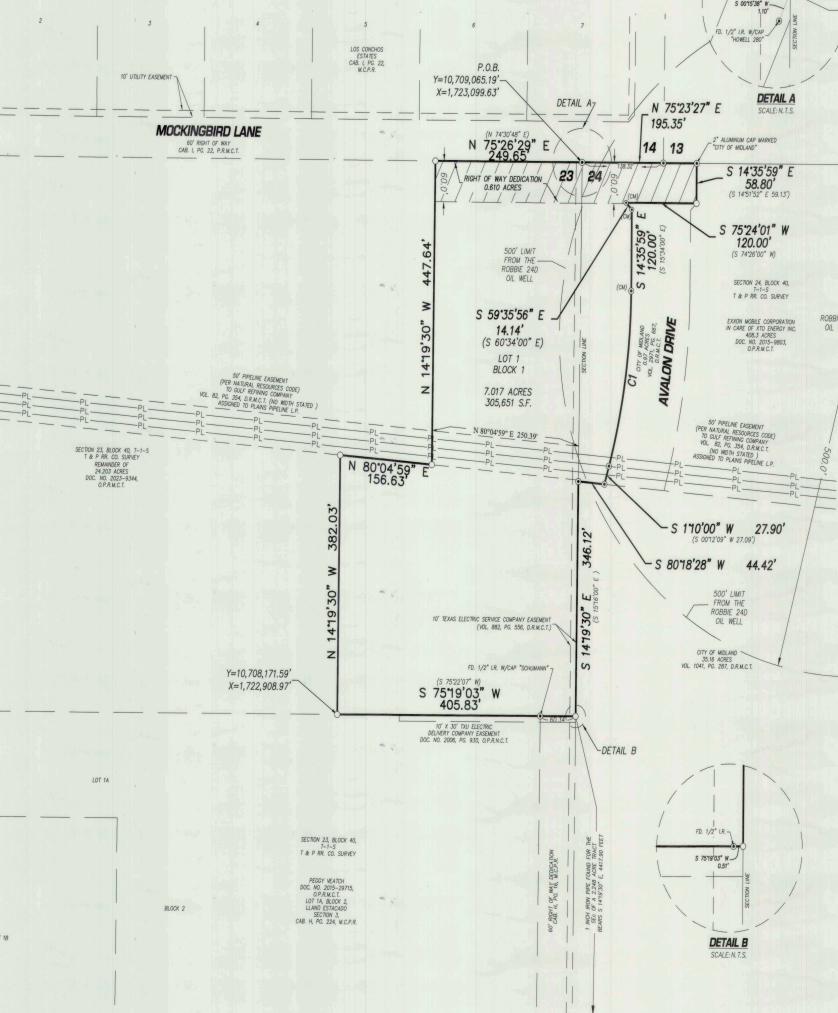
GENERAL NOTES

- Approval of a site plan by the City of Midland may be required before this map may be developed and before a building permit may be obtained.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law subject to fines and withholding of utilities and payments.
- According to the FEMA Flood Insurance Rate Map Numbers 48329C0066F and 48329C0755F Dated September 16, 2005 shows this property not to be in a flood hazard area this property lies in zone "X unshaded".
- Bearings, distances and coordinates are relative to the Texas Coordinate System, 1983 NAD, Central Zone, based on upon the City of Midland, control monument "T17/93" (Y=10,710,209.30 & X=1,728,902.29) Elevation 2861.94 NAVD 88 with a theta angle of 40°56'36.83" and a combined grid factor of 0.99999382.
- All lot corners shall be monumented with a 1/2 inch iron rod with a plastic cap stamped "LCA ODESSA TX" unless otherwise noted.
- Comply with the existing drainage analysis titled "YMCA Addition, Section 1, sealed by Levi Bryant P.E., and approved by the City of Midland on Sept. 13, 2023 by Adrian Acosta, or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland.
- Initial impact fees will be assessed during the final planning process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increase in fees may not be addressed against the unit unless the number of service units to be developed on the tract increases.

LEGEND

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

PACKET



CERTIFICATE OF APPROVAL

For approval by the Commission:
This is to certify that the above and foregoing of YMCA Addition Section 1 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas

on this 15 day of April, 2024.

SIGNED: *[Signature]*
CHAIRMAN OF PLANNING & ZONING COMMISSION
LUCY SINEGA
SIGNED: *[Signature]*
SECRETARY OF PLANNING & ZONING COMMISSION
XAVIER BAUGUES

THE UTILITY COMPANIES CERTIFICATE

This plat has been checked for accessibility of utilities

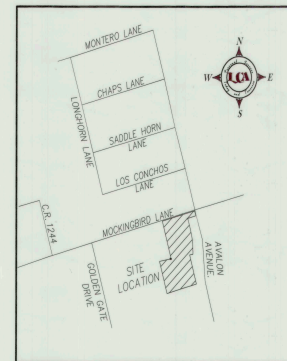
Mark Lebl
ATMOS ENERGY

Jeffrey R. Henderson
ONCOR ELECTRIC

Vicki Byler
ASTOUND BROADBAND

Mark Lebl
AT&T TELEPHONE COMPANY

Luis Montez
OPTIMUM



LOCATION MAP

Lot: N32° 02' 08.61"
Long: W102° 10' 56.10"

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Christine Bearden do hereby adopt this plat designating the herein described property as, YMCA Addition Section 1 being a plat of a 7.017-acre tract of land out of Sections 23 and 24, Block 40, T-1-S, T&P R.R. Co. Survey, an addition to the City of Midland, Midland County, Texas and do hereby dedicate to the public use forever the streets, alley and easements shown thereon for the purpose and consideration therein expressed, and an easement of access and ingress for trash collection, and location and maintenance of trash containers, and as a condition of said easement that no construction shall commence on the said lot or lots until the exact location of said easements shown have been selected and approved by the Director of Utilities.

Christine Bearden
CHRISTINE BEARDEN CEO
YMCA OF MIDLAND

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

Given under my hand and seal of office this 20 day of March, 2024.

My commission expires March 27, 2027

Alma Aurora Slayton
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

That I, Randy A. Anderson, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Midland, Texas.

Randy Anderson
RANDY A. ANDERSON, R.P.L.S. # 5403
3-20-24



OWNER: YMCA OF MIDLAND
CHRISTINE BEARDEN CEO
800 NORTH BIG SPRING STREET
MIDLAND, TX 79701
P.O. BOX 2096 79702
PHONE: (432) 682-2551 EXT 105

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
321 NORTH TEXAS
ODESSA, TEXAS 79764-5131
PHONE: (432) 332-5058

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
No. 2024-8525
DATE 4-17-2024

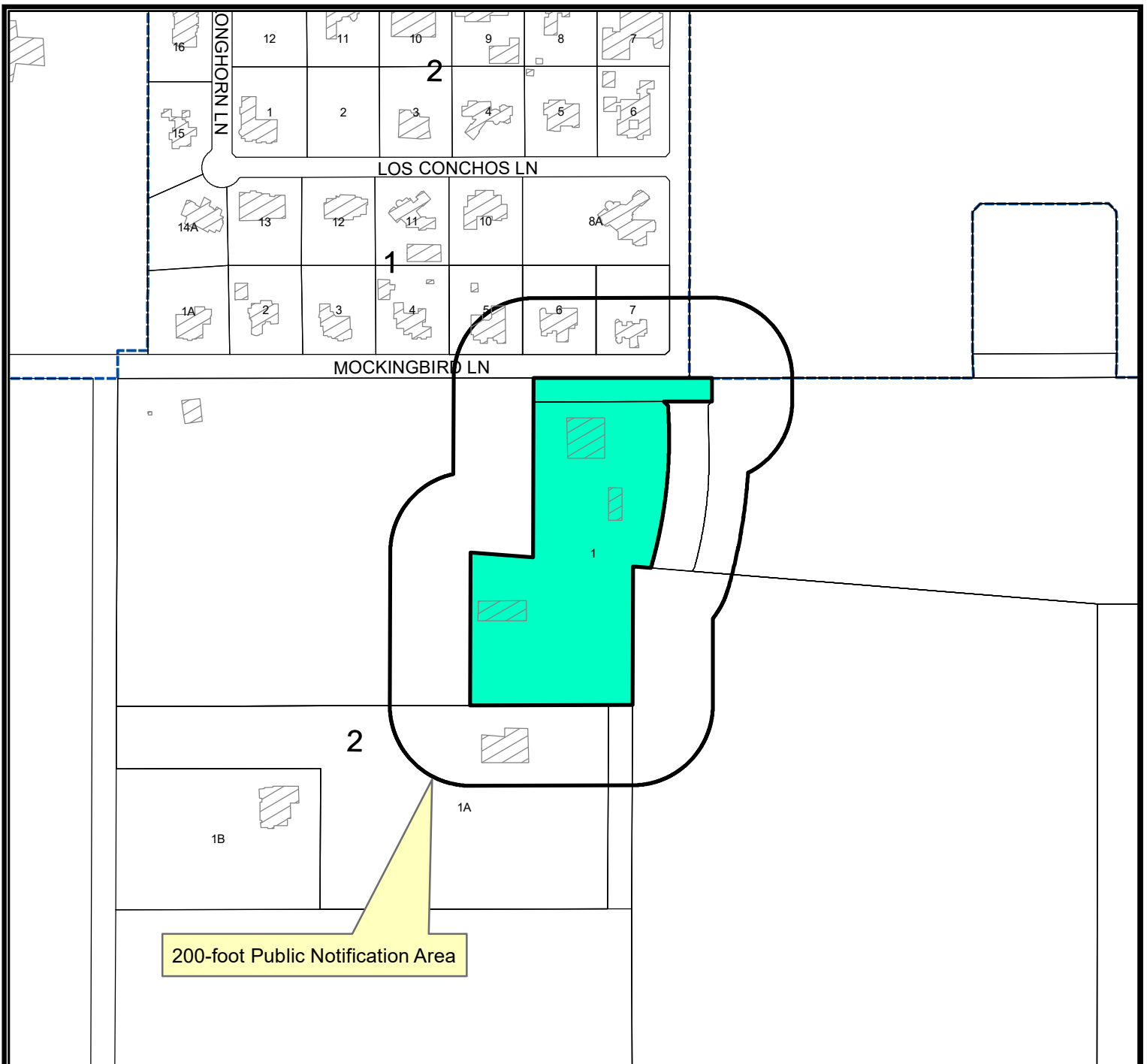


YMCA ADDITION SECTION 1

August 5, 2024

LCA ENVIRONMENTAL AND ENGINEERING AND SURVEYING
521 North Texas, Odessa, TX. 79761 F-001363 F-10034300
Phone # (432) 332-3038 E-Mail: lca@lcaodessa.com

CURVE TABLE				
CD	BEARING	CD	BEARING	CD
CI	75°46'10"	950.00'	261.47'	S 06°42'52" E
				260.64'



Location Map

SUDwo-24-0043

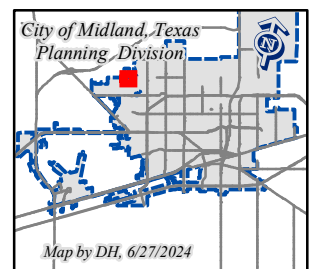
Scale: 1" = 360'

Consider a request by LCA, Inc., on behalf of YMCA of Midland, for a Specific Use Designation Without Term for a Child-Care: Day-Care Center on Lot 1, Block 1, YMCA Addition, Section 1, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Avalon Drive and Mockingbird Lane. (District 4)

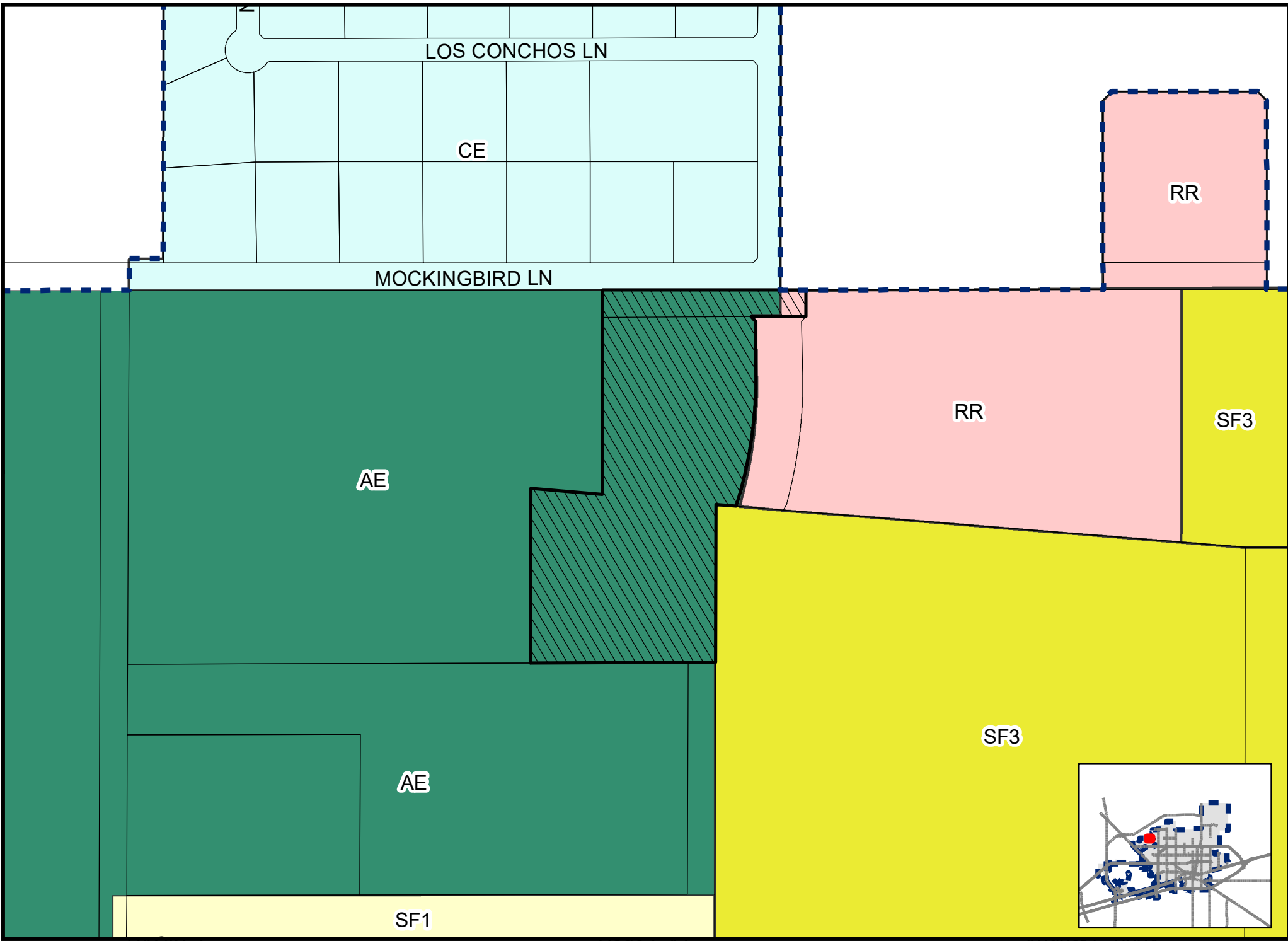
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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MOCKINGBIRD LN

1

2

PACKET





Item 5

Specific Use Designation Without Term for a Child-Care: Day-Care Center

YMCA

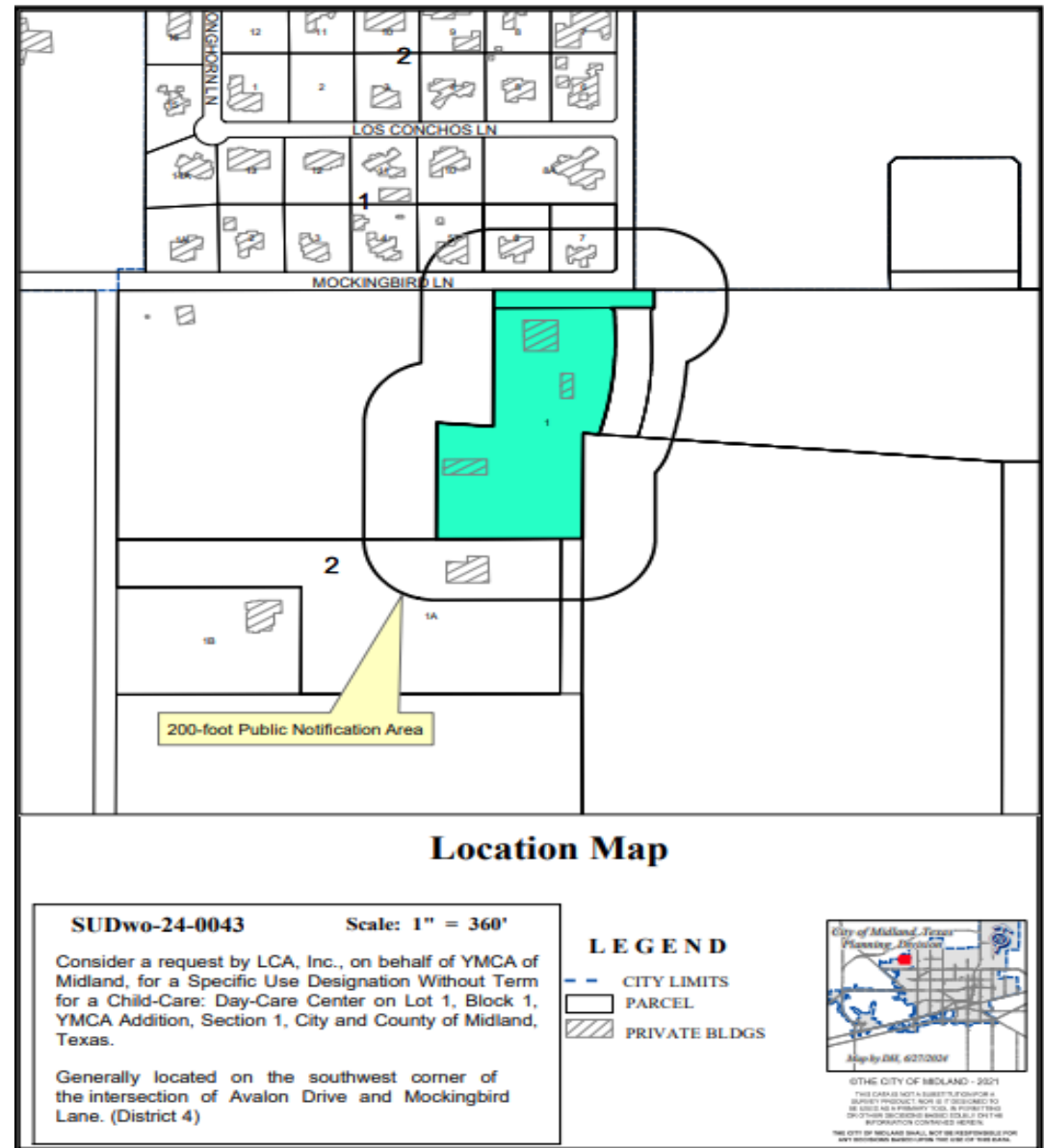
August 5, 2024



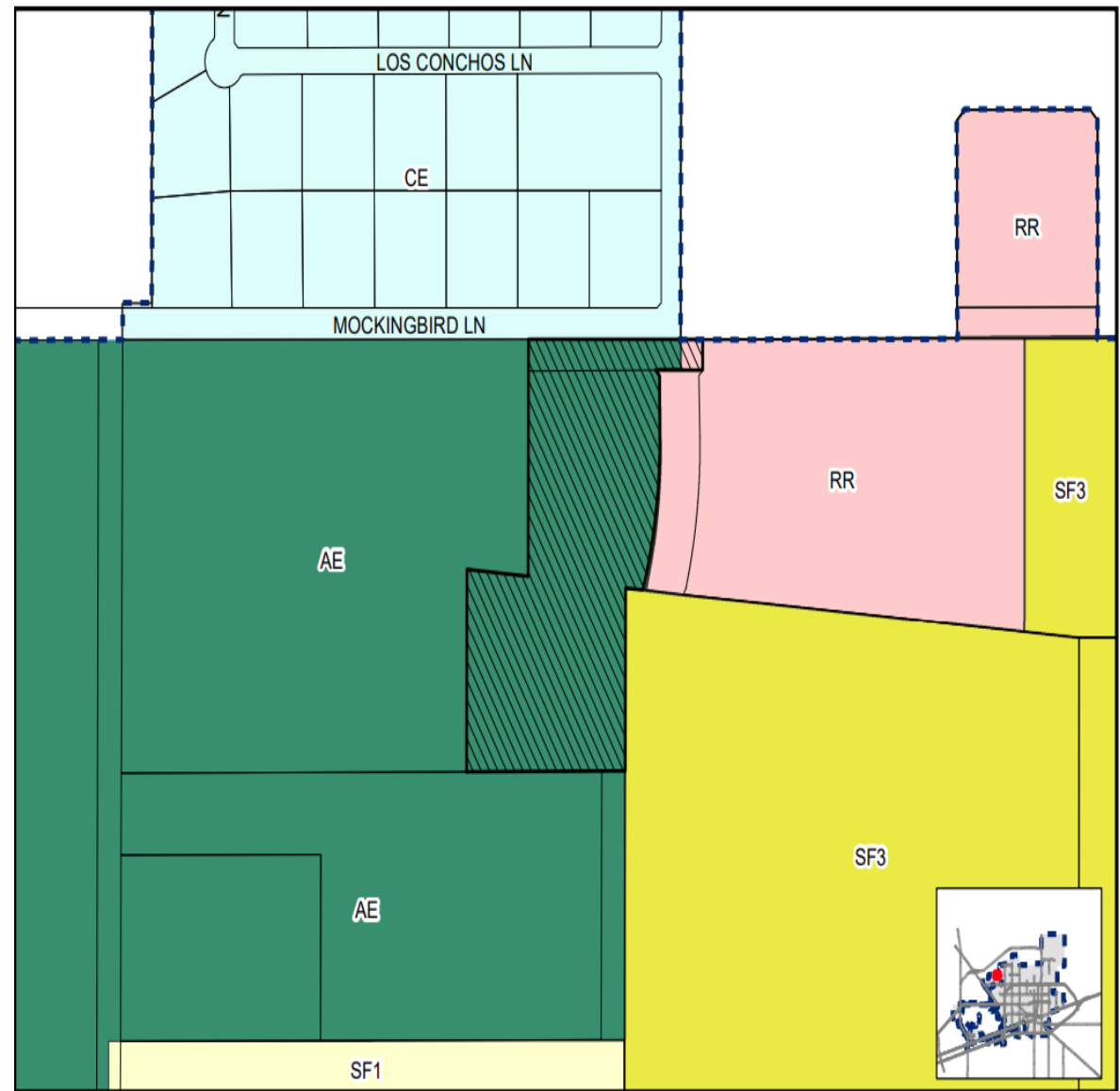
Visit Our Website:
MIDLANDTEXAS.GOV



- YMCA of Midland
- Specific Use Designation with Term for a Child-Care: Day-Care Center
- Located south of Mockingbird Lane



- Current Zoning:
 - AE, Agricultural Estate
- Surrounding Zoning:
 - North: CE, Country Estate District
- South and West:
 - AE, Agricultural Estate
- East:
 - RR, Regional Retail District
 - SF-3, Single-Family Dwelling District



Map DML 7/30/2024

SUD-24-0043

Scale: 1" = 265'

ZONING MAP



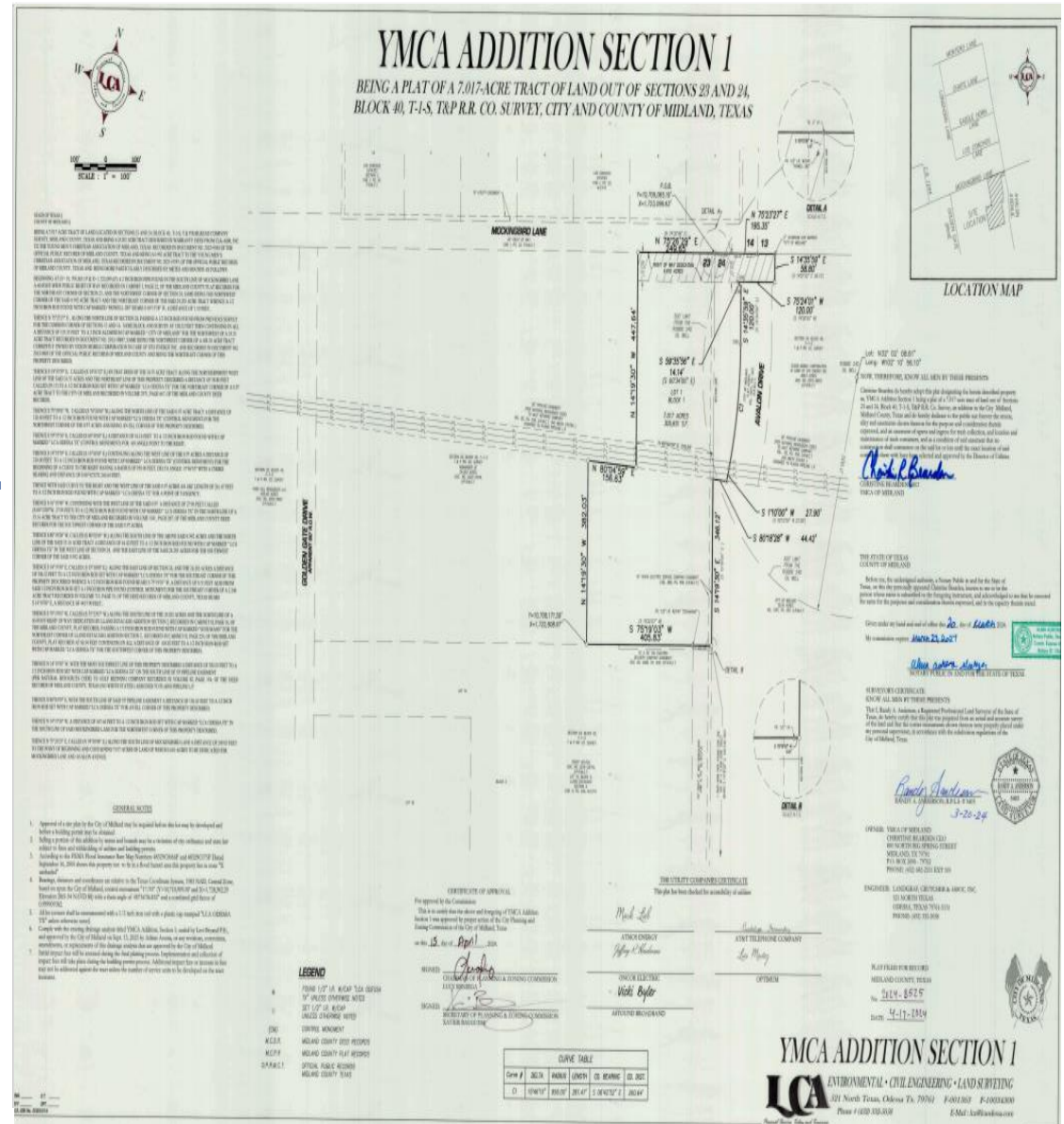
© THE CITY OF MIDLAND, 2021. THIS DATA IS NOT A SUBSTITUTE FOR A SURVEY PROFESSIONAL'S REPORT. IT IS INTENDED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

Proposed Days and Hours of Operation:

- Monday through Sunday, 5 a.m. to 9 p.m.

Proposed Days and Hours of SUD:

- Monday through Sunday,
7:30 a.m. to 9:00 p.m.





- Recommendation
 - Staff has received one letter of objection.
 - Staff recommends approval of the request of the Specific Use Designation without Term for a Child-Care: Day-Care Center, subject to Conditions A through E.

Conditions:

- A. That the days and hours of operation of the Establishment shall be limited to Monday through Sunday 7:30 a.m. to 9:00 p.m.
- B. That the Establishment shall be operated in compliance with all applicable state and local laws, ordinances, rules and regulations.
- C. That the following shall be located along the north side of the Property, approximately five feet (5') south of the Mockingbird Lane right-of-way:
 1. a screening wall or a fence that is three feet six inches (3' 6") to eight feet (8') in height that is constructed of masonry, wrought iron, or a combination thereof; or
 2. a berm with shade trees that are spaced a maximum of 30 feet apart.

- D. That no vehicular or pedestrian access to or egress from the Property shall be permitted off of Mockingbird Lane except to the extent permitted by Building Permit No. COM24-000002024.
- E. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to commencing operation of the Establishment to ensure that the conditions of this Specific Use Designation Without Term are satisfied.



RECEIVED
JUL 30 2024

PEGGY VEATCH
5508 GOLDEN GATE DR
MIDLAND TX 79707-9608

PUBLIC NOTICE

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m.** on **Monday, August 5, 2024**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, TX 79701 on a request by **LCA, Inc., on behalf of YMCA of Midland**, for approval of a **Specific Use Designation without Term** on the following described property:

LEGAL DESCRIPTION: Lot 1, Block 1, YMCA Addition, Section 1, City and County of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of Avalon Drive and Mockingbird Lane. (District 4)

CURRENT ZONING: AE, Agricultural Estate District.

SPECIFIC USE: Child-Care: Day-Care Center.

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ **Comments:** *I DO NOT want my bldgs. or property restricted for any YMCA reason to prevent me from further development on my property. This project is going to create too much traffic and an unacceptable noise level for a residential area.*

Required Information:

Peggy Veatch
Property Owner's Signature

Peggy Veatch
Printed Name

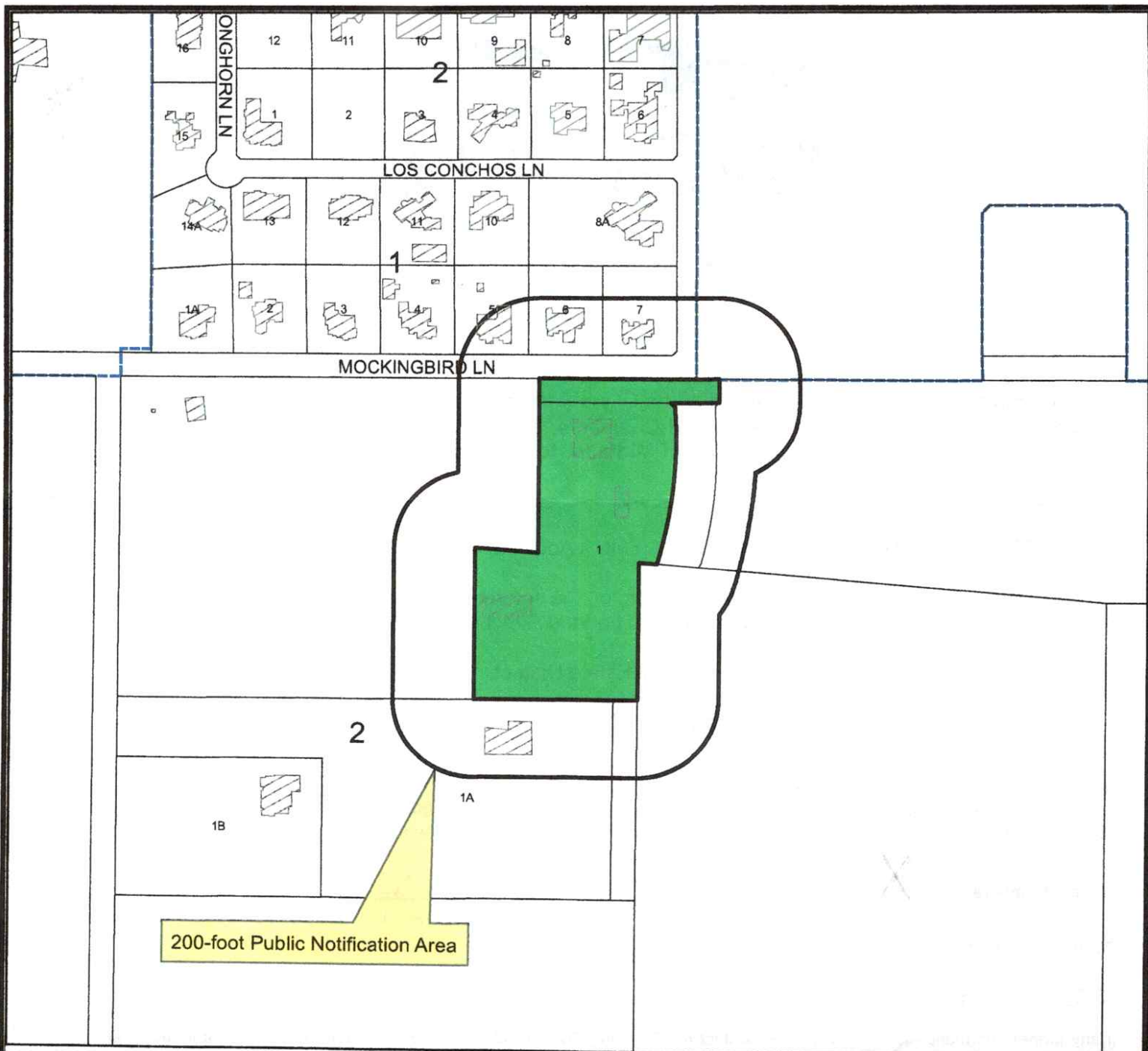
5508 Golden Gate Dr.
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si usted desea más información en Español sobre este caso, llame al: 685-7400

Notices Mailed: 8
Date Mailed: 7/25/2024
Case Number: SUDwo-24-0043
Case Name: YMCA of Midland
Planner's Initials: DH

Landon Ochoa
Landon Ochoa
Planning Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. Video conference information can be found on the City of Midland's website: <http://www.midlandtexas.gov/9671/PrimeGov-Meetings>



Location Map

SUDwo-24-0043

Scale: 1" = 360'

Consider a request by LCA, Inc., on behalf of YMCA of Midland, for a Specific Use Designation Without Term for a Child-Care: Day-Care Center on Lot 1, Block 1, YMCA Addition, Section 1, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Avalon Drive and Mockingbird Lane. (District 4)

LEGEND

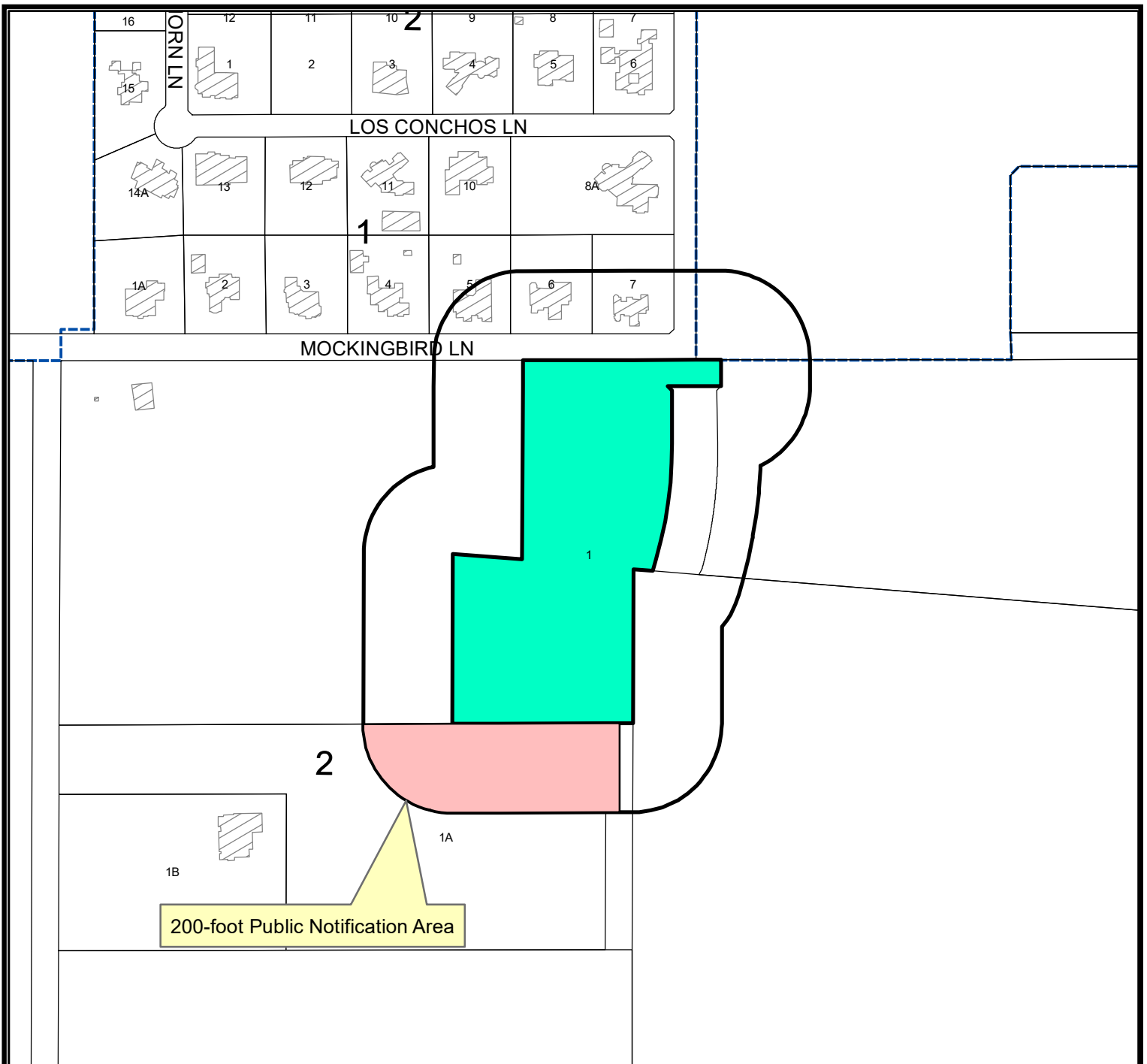
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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17% Objection

SUDwo-24-0043

Scale: 1" = 324'

Consider a request by LCA, Inc., on behalf of YMCA of Midland, for a Specific Use Designation Without Term for a Child-Care: Day-Care Center on Lot 1, Block 1, YMCA Addition, Section 1, City and County of Midland, Texas.

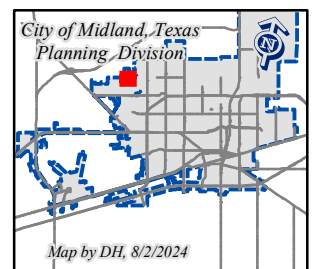
Generally located on the southwest corner of the intersection of Avalon Drive and Mockingbird Lane. (District 4)

PACKET

Page 5.60

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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August 5, 2024



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: August 05, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner and Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of QuikTrip Store 7911, being a plat of a 9.162-acre tract of land out of the south half of Section 6, Block 38, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located northeast of the intersection of South Fairgrounds and Garden City Highway.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

MatkinHoover Engineering, on behalf of QuikTrip Corporation, is requesting to plat a 9.162-acre tract of land into two lots out of the south half of Section 6, Block 38, T-2-S, T&P RR. Co Survey, City and County of Midland, Texas for the development of a QuikTrip gasoline station.

Current Zoning:

RR, Regional Retail District.

Engineering: (Approved with Conditions)

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

ROW: See comments from Transportation, if any. [For Applicant's Information Only.]

PAVING: Fairgrounds Rd. will be widened in the future, no paving improvements needed at this time. State HWY 158 (Garden City HWY) road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 4" water exists in Garden City HWY south of tract, and 12" water exists in S Fairgrounds Rd., okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: None existing. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

GIS: (Approved with Conditions)

Please check both x-y coordinates. These points do not place the plat where it is expected to be. Directionality of L2 in line table needs to be reversed. (currently is SW needs to be NE) Metes and bounds do not close based on plat visual. (Metes and bounds on second sheet seem correct) It is suspected that the issue lies with the western most call on the plat visual. Legal description can be shortened to "Being a X.XX acre-tract of land situated in T&P RR Co Survey, Abstract No. 722, Sec 6, Block 38, T-2-S, City and County of Midland, Texas." (This has been modified to include that plat falls within the city as well.) ROW acreage should be included in the total acreage in the legal description.

Surveyor: (Approved)

No comments.

PUBLIC WORKS: (Approved)

For the Quick trip store 7911 plat, the County recommends requiring a drainage plan, and Proof of adequate water.

HEALTH DEPARTMENT: (Approved)

The QuickTrip Store 7911 show a 6" sewer line proposed on the plat, so no need for a septic system on this plat.

CRMWD: (Approved)

No comments.

Planning: (Approved with Conditions)

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

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

Provide ownership documents at final, MCAD is showing a different owner. [11-2-3(H)3(m)(1)]

Please add a Title Block in the lower right-hand corner as required by City Code [11-2-3(A)1(a)]

The Legal Description should match what is on this document. [Informational]

The current Legal Description and the stated acreage are different, please remediate [Informational]

The Legal Description in the Owners Certificate should be the same as the rest of the Plat. [Informational]

Should read "For approval by the commission:" below CERTIFICATE OF APPROVAL and above following paragraph. [11-2-3(H)3(m)(1)]

Plat name should match in Certificate of Approval. [11-2-3(H)3(m)(1)]

Staff recommends approval of the Preliminary Plat of QuikTrip Store 7911, subject to Conditions A through D.

Condition:

- A. Proof of ownership must be provided at final plat submittal. [11-2-3(H)3(m)(1)]**
- B. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by Final Plat submittal. [11-2-3(H)3(m)(1)]**
- C. All public improvements must be completed prior to final plat submittal. [11-2-3(G)1 & 11-2-4(A)2(a)]**
- D. 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. [11-2]**

Attachments:

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



Preliminary Plat Application

Project Number: SUB-24-0757
Case Number: P-24-2047

Proposed Subdivision Plat Name: QuikTrip Store 7911

Legal Description (attached sealed Metes and Bounds): See attached Survey

Property Owner

Printed Name: QuikTrip Corportation

Phone (816) 929-0173

Email choneywe@quiktrip.com

Address 1120 N Industrial Blvd

City Euless

State TX

Zip 76039

Developer (if different than Owner)

Printed Name:

Phone (816) 929-0173

Email

Address

City

State

Zip

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

Firm: MatkinHoover Engineering

Printed Name: Joshua Valenta and Graham Cook

Phone (816) 929-0173

Email gcook@matkinhoover.com
jvalenta@matkinhoover.com

Address 8 Spencer Road, Suite 100

City Boerne

State TX

Zip 78006

Current Zoning: Regional Retail District

Reason for Platting: Creation of two commercial tracts for future development.

Plat Information

Total Acreage: 9.151

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 2

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature): [Signature] Date: 7/8/2024

Property Owner (printed): Craig Honeywell

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.

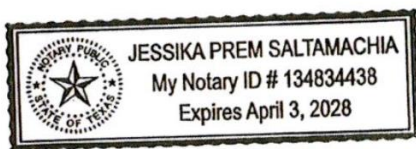
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Graham Cook who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by QuikTrip Corporation 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 8 day of July 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: _____

Date: JUL 10 2024

BY: _____

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

Preliminary Plat Application

2

Revised 07/01/19

MATKIN-HOOVER ENGINEERING & SURVEYING

Transmittal

Date: July 8th, 2024

Company: City of Midland – Development Services

Attention: Preliminary Plat Intake

Address: 300 N. Loraine Street

Midland, Texas 79701

Re: Preliminary Plat Submittal - QuikTrip Store 7911

☒ For Approval ☐ For Review ☐ Please Comment ☐ Please Reply ☐ For Your Information

ITEMS ATTACHED

Qty:	Description:
1	Preliminary Plat Application
1	24"x36" Folded Copy of Preliminary Plat (2 Sheets)
1	24"x36" Folded Copy of Current ALTA Survey
1	11"x17" Copy of Preliminary Plat (2 Sheets)
1	Copy of Prepared Drainage Report for QuikTrip Store 7911
1	24"x36" Copy of Offsite Sanitary Sewer Extension Plans for QuikTrip Store 7911

● Comments:

Please call us here at the office or email Graham Cook if any documents are missing. A digital version of the plat package will be submitted shortly after physical turn-in. Please send a fee for the related Preliminary Plat Review invoice fees and we'll take care of them accordingly via a credit card payment.

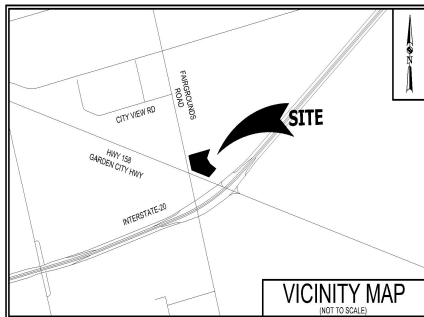
Thanks!

-G

Sent by: Graham Cook

Job No. 7911 .00

8 Spencer Road, Suite 100 Post Office Box 54 Boerne, Texas 78006 Phone 830.249.0600 Fax 830.249.0099



OWNER/DEVELOPER
QT SOUTH, LLC
C/O QUIKTRIP CORPORATION
4705 S 129TH EAST AVE,
TULSA, OK 74134
945-455-6422
JULY 2024

PRELIMINARY PLAT QUIKTRIP STORE 7911

BEING A 1.162 ACRE TRACT OF LAND SITUATED IN THE T&P RR CO SURVEY, ABSTRACT NO. 722, SECTION 6, BLOCK 38, T-5S, MIDLAND COUNTY, TEXAS, AND BEING ALL OF THE CALLED 6.161 ACRE TRACT OF LAND DESCRIBED AS TRACT ONE IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2892, PAGE 629 OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS, AND ALSO BEING ALL OF THE CALLED 2.89 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2892, PAGE 629 OF SAID DEED RECORDS OF MIDLAND COUNTY, TEXAS.

ESTABLISHING LOTS 1 & 2, BLOCK 1

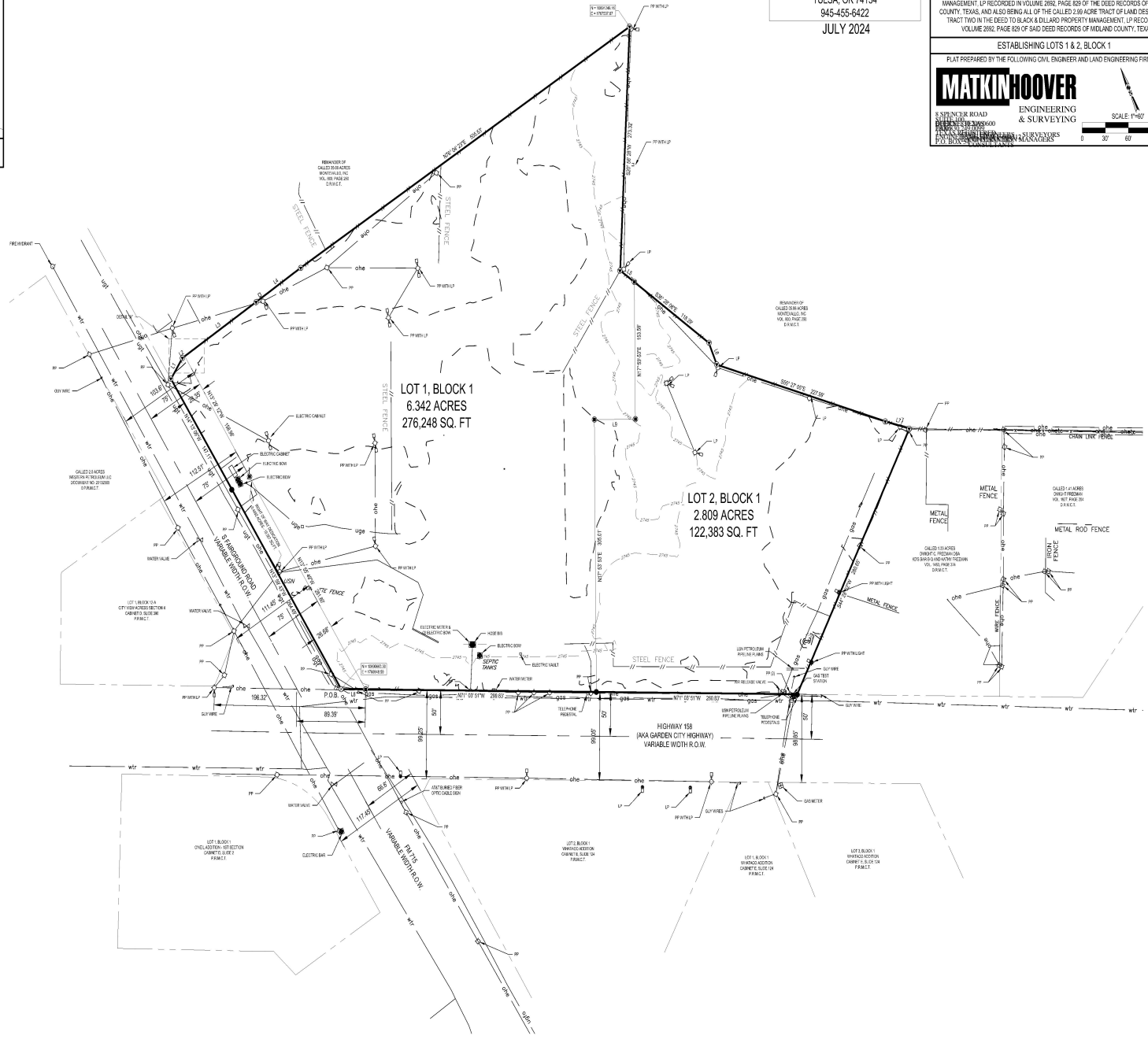
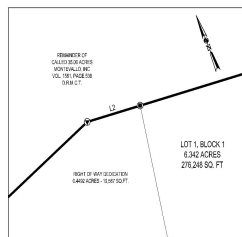
PLAT PREPARED BY THE FOLLOWING CIVIL ENGINEER AND LAND ENGINEERING FIRM:



- LEGEND**
- FIR 1/2"
 - FOUND 2.5" STEEL FENCE POST
 - ⊙ FIR 58" DUNWY ASSOC LP
 - SET CORNER
 - PROPERTY BOUNDARY
 - ohe OVERHEAD ELECTRIC
 - ohehc OVERHEAD ELECTRIC TELECOMMUNICATIONS
 - ughf UNDERGROUND FIBER OPTIC
 - wtr WATER
 - gas GAS
 - ugt UNDERGROUND TELEPHONE
 - CENTER LINE
 - MINOR CONTOUR LINES
 - MAJOR CONTOUR LINES
 - FENCING
 - UTILITY POLE
 - PRE HYDRANT
 - UTILITY PEDESTAL/ISBR
 - UTILITY VALVE
 - SINGLE POST SIGN

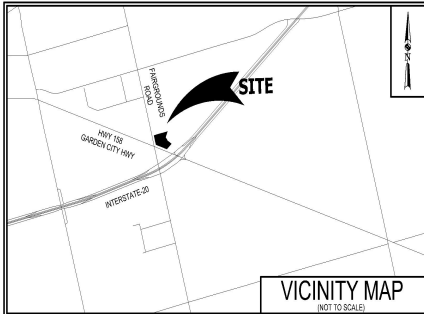
- ABBREVIATIONS**
- R.O.W. RIGHT OF WAY
 - A.C. ACRES
 - VOL. VOLUME
 - SQ.FT. SQUARE FEET
 - TxDOT TEXAS DEPARTMENT OF TRANSPORTATION
 - D.R.M.C.T. DEED RECORDS MIDLAND COUNTY, TEXAS
 - O.P.R.M.C.T. OFFICE PUBLIC RECORDS MIDLAND COUNTY, TEXAS
 - P.R.M.C.T. PLAT RECORDS MIDLAND, TEXAS
 - FIR FOUND IRON ROD
 - LP LIGHT POLE
 - PP POWER POLE
 - P.O.B. POINT OF BEGINNING

DETAIL "A"
(NOT TO SCALE)



LINE	BEARING	DISTANCE
1.1	N 87° 59' 31" E	23.91
1.2	S 75° 04' 47" W	1.57
1.3	S 77° 05' 45" W	19.15
1.4	N 87° 59' 31" E	86.87
1.5	S 89° 30' 00" W	20.00
1.6	S 84° 30' 00" W	30.00
1.7	S 87° 59' 31" E	30.87
1.8	N 87° 59' 31" E	71.83
1.9	N 77° 59' 31" E	16.21

PACKET



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND,

WHEREAS QT SOUTH, LLC IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE T&P RR CO SURVEY, ABSTRACT NO. 722, SECTION 8, BLOCK 38, T-5-S, MIDLAND COUNTY, TEXAS, AND BEING ALL OF THE CALLED 8.161 ACRE TRACT OF LAND DESCRIBED AS TRACT ONE IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2692, PAGE 829 OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS, AND ALSO BEING ALL OF THE CALLED 2.89 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2692, PAGE 829 OF SAID DEED RECORDS OF MIDLAND COUNTY, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT QT SOUTH, LLC, BEING THE OWNERS OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS QUIKTRIP STORE 7911 ADDITION, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DESIGNATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN HEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERE TO, AND CONDITION SAID THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS OUR HANDS AT (MIDLAND, TEXAS), THIS ____ DAY OF _____, 20__.

OF SOUTH, LLC
BY QTR CORPORATION
ITS MANAGING MEMBER

BY: _____
JOSEPH S. FAUST
REGIONAL DIRECTOR OF REAL ESTATE

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JOSEPH S. FAUST KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THAT ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

COMMISSION EXPIRES: _____

SURVEYOR CERTIFICATE

I, KYLE L. PRESSLER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6881, HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM AN ACTUAL ON-THE-GROUND SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE PLATTING RULES AND REGULATIONS OF THE CITY OF MIDLAND, TEXAS.



KYLE L. PRESSLER
SURVEYOR'S SIGNATURE

METES AND BOUNDS

BEING A 8.162 ACRE TRACT OF LAND SITUATED IN THE T&P RR CO SURVEY, ABSTRACT NO. 722, SECTION 8, BLOCK 38, T-5-S, MIDLAND COUNTY, TEXAS, AND BEING ALL OF THE CALLED 8.161 ACRE TRACT OF LAND DESCRIBED AS TRACT ONE IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2692, PAGE 829 OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS, AND ALSO BEING ALL OF THE CALLED 2.89 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2692, PAGE 829 OF SAID DEED RECORDS OF MIDLAND COUNTY, TEXAS, SAID 8.162 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT 1/2 INCH IRON ROD WITH CAP STAMPED 'UNIVERSITY ASSOCI LP' FOUND FOR THE SOUTHWEST CORNER OF SAID TRACT ONE, SAID 1/2 INCH IRON ROD WITH CAP STAMPED 'UNIVERSITY ASSOCI LP' ALSO BEING THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 158 (GARDEN CITY HIGHWAY) (VARIABLE WIDTH RIGHT-OF-WAY) WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF FAIRGROUNDS ROAD (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE NORTH 10 DEGREES 59 MINUTES 41 SECONDS WEST, WITH THE COMMON SOUTHWESTERLY LINE OF SAID TRACT ONE AND NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID FAIRGROUNDS ROAD, A DISTANCE OF 304.48 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER.

THENCE NORTH 14 DEGREES 15 MINUTES 36 SECONDS WEST, WITH THE COMMON SOUTHWESTERLY LINE OF SAID TRACT ONE AND NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID FAIRGROUNDS ROAD, A DISTANCE OF 147.11 FEET TO A 2.5 INCH STEEL FENCE CORNER FOUND FOR THE MOST WESTERLY NORTHWEST CORNER OF SAID TRACT ONE;

THENCE NORTH 90 DEGREES 38 MINUTES 31 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF SAID TRACT ONE, A DISTANCE OF 27.81 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR THE MOST NORTHERLY NORTHWEST CORNER OF SAID TRACT ONE;

THENCE NORTH 75 DEGREES 09 MINUTES 43 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF SAID TRACT ONE, A DISTANCE OF 151.88 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR CORNER;

THENCE NORTH 74 DEGREES 54 MINUTES 34 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF SAID TRACT ONE, A DISTANCE OF 86.52 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR CORNER;

THENCE NORTH 76 DEGREES 04 MINUTES 23 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF SAID TRACT ONE, A DISTANCE OF 300.55 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR THE MOST NORTHERLY NORTHEAST CORNER OF SAID TRACT ONE;

THENCE SOUTH 01 DEGREES 59 MINUTES 28 SECONDS WEST, WITH THE SOUTHEASTERN LINE OF SAID TRACT ONE, A DISTANCE OF 373.32 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR THE MOST EASTERLY SOUTHEAST CORNER OF SAID TRACT ONE, SAID 2.5 INCH STEEL FENCE POST ALSO BEING AN EXTERIOR CORNER OF SAID TRACT TWO;

THENCE SOUTH 01 DEGREES 20 MINUTES 58 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF SAID TRACT TWO, A DISTANCE OF 140.71 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR CORNER;

THENCE SOUTH 04 DEGREES 39 MINUTES 46 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF SAID TRACT TWO, A DISTANCE OF 263.97 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR CORNER;

THENCE SOUTH 05 DEGREES 27 MINUTES 58 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF SAID TRACT TWO, A DISTANCE OF 227.98 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR CORNER;

THENCE SOUTH 07 DEGREES 56 MINUTES 31 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF SAID TRACT TWO, A DISTANCE OF 30.38 FEET TO A 2.5 INCH STEEL FENCE POST FOUND FOR THE COMMON NORTHEAST CORNER OF SAID TRACT TWO AND NORTHWEST CORNER OF A CALLED 1.33 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO DWIGHT L. FREEMAN DBA'S BAR-B-Q AND KATHY FREEMAN RECORDED IN VOLUME 1461, PAGE 374 OF SAID DEED RECORDS OF MIDLAND COUNTY, TEXAS;

THENCE SOUTH 14 DEGREES 28 MINUTES 52 SECONDS WEST, WITH THE COMMON SOUTHEASTERN LINE OF SAID TRACT TWO AND NORTHWESTERLY LINE OF SAID 1.33 ACRE TRACT OF LAND, A DISTANCE OF 332.22 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE COMMON SOUTHEAST CORNER OF SAID TRACT TWO AND SOUTHWEST CORNER OF SAID 1.33 ACRE TRACT OF LAND, SAID 1/2 INCH IRON ROD ALSO BEING IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 158 (GARDEN CITY HIGHWAY);

THENCE NORTH 71 DEGREES 01 MINUTES 51 SECONDS WEST, WITH THE COMMON SOUTHWESTERLY LINE OF SAID TRACT TWO AND NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 158 (GARDEN CITY HIGHWAY), PASSING AT A DISTANCE OF 206.83 FEET, A 1/2 INCH IRON ROD FOUND FOR THE COMMON SOUTHWEST CORNER OF SAID TRACT TWO AND SOUTHWEST CORNER OF SAID TRACT ONE, IN ALL, A DISTANCE OF 552.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 80.8049 ACRES, BEING 0.01162 ACRES OF LAND MORE OR LESS.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCES AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOTS MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH THE AS:
(1) THE REPRESENTED LOT IS REPLANTED FOR SUBSIDIOUS, INTO MORE THAN ONE LOT OR
(2) THE PROPERTY IS RECORDED FOR A MORE EXTENSIVE USE.
4. IMPACT FEES WILL BE ASSESSED DURING THE PLATTING PROCESS. IMP IDENTIFICATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEE MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.

SURVEY NOTES

1. ALL BEARINGS ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83), TEXAS CENTRAL ZONE (43S).
2. UNDERGROUND UTILITIES MARKINGS WERE LOCATED ON THE PROPERTY (SHOWN ON PLAT). THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

FLOOD NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP # 48050Z029F, DATED SEPTEMBER 16TH, 2005, PARCEL 289 OF 291 THIS PROPERTY IS LOCATED IN THE ZONE A (UNPROTECTED) AREA OF 2% CHANCE OF LESS THAN 1'00" OR WITH-OR-DAMAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. 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 MATKIN/HOOVER ENGINEERING.

OWNER/DEVELOPER
QT SOUTH, LLC
C/O QUIKTRIP CORPORATION
4705 S 129TH EAST AVE,
TULSA, OK 74134
945-455-6422
JULY 2024

PRELIMINARY PLAT QUIKTRIP STORE 7911

BEING A 8.162 ACRE TRACT OF LAND SITUATED IN THE T&P RR CO SURVEY, ABSTRACT NO. 722, SECTION 8, BLOCK 38, T-5-S, MIDLAND COUNTY, TEXAS, AND BEING ALL OF THE CALLED 8.161 ACRE TRACT OF LAND DESCRIBED AS TRACT ONE IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2692, PAGE 829 OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS, AND ALSO BEING ALL OF THE CALLED 2.89 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO IN THE DEED TO BLACK & DILLARD PROPERTY MANAGEMENT, LP RECORDED IN VOLUME 2692, PAGE 829 OF SAID DEED RECORDS OF MIDLAND COUNTY, TEXAS.

ESTABLISHING LOTS 1 & 2, BLOCK 1

PLAT PREPARED BY THE FOLLOWING CIVIL ENGINEER AND LAND ENGINEERING FIRM:



CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF QT 7911 ADDITION WAS APPROVED BY THE PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS ____ DAY OF _____, 20__.

SIGNED: _____
CHAIRMAN

ATTEST: _____
SECRETARY

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ATKINS ENERGY

BY: _____

SIGNED: _____
AT&T

BY: _____

SIGNED: _____
OPTIMAI

BY: _____

SIGNED: _____
ASTOUND BROADCAST

BY: _____

SIGNED: _____
ONCOR ELECTRIC DELIVERY

BY: _____

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____

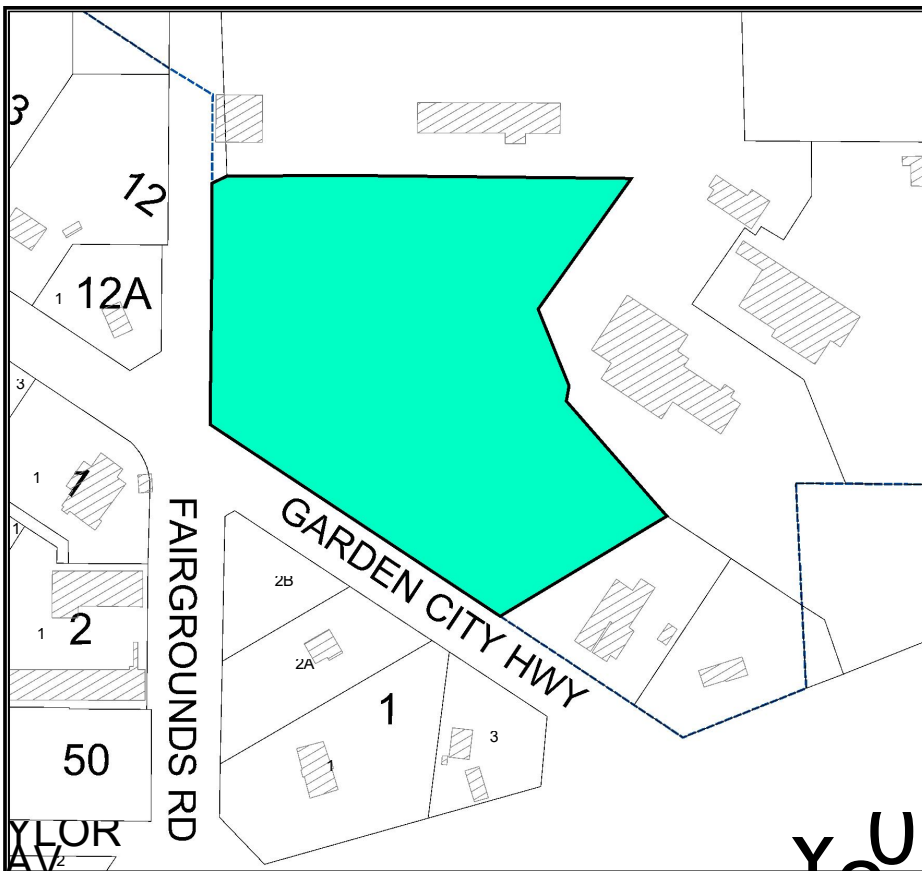
CAB. _____ PG. _____

PACKET

Page 6.69

August 5, 2024

SHEET 2 OF 2



Location Map

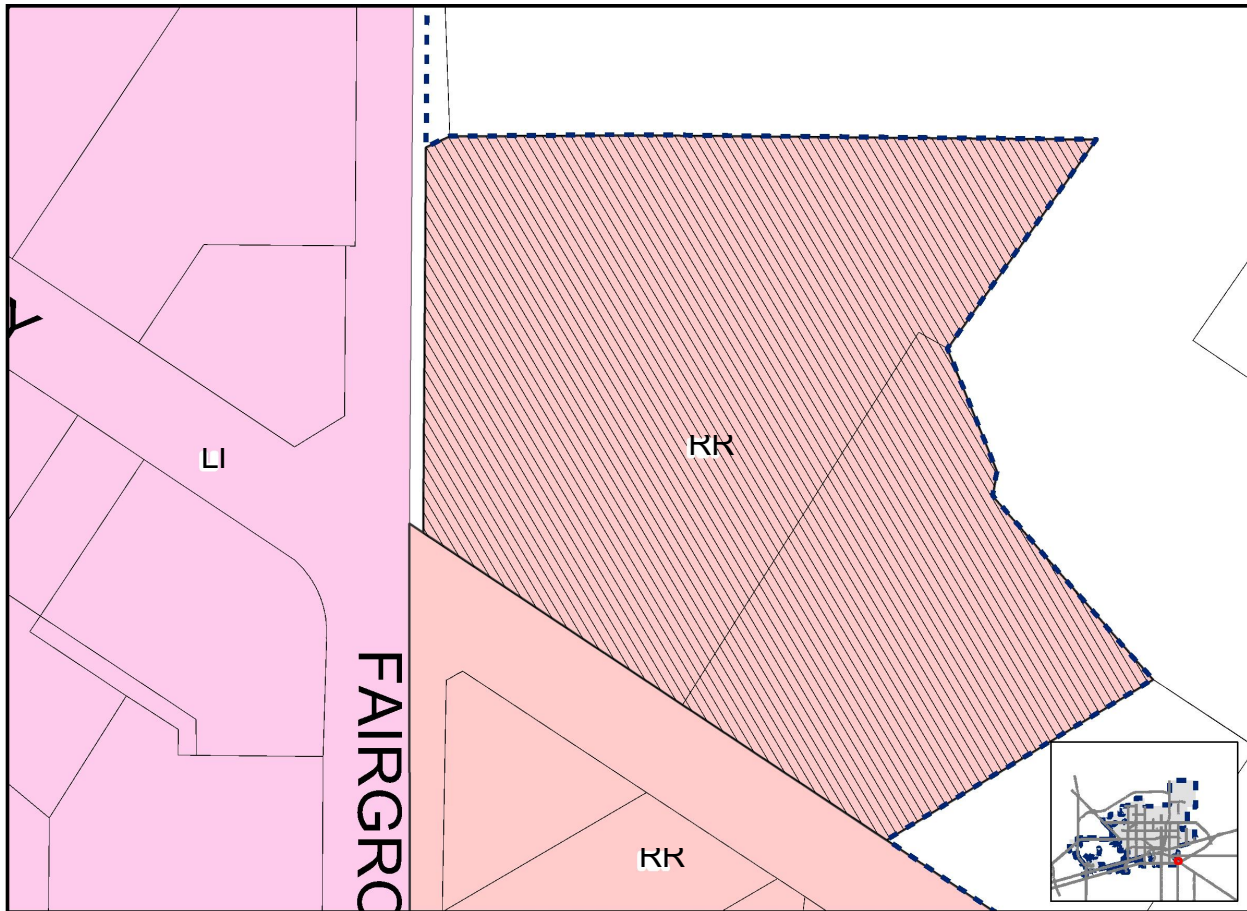
SUB-24-0757
 Proposed Plat of Quik Trip Store 7911, being a plat of a 6.342-acre tract of land out of the South half of Section 6, Block 38, T-2-S, T&P RR Co. Survey, City and County of Scurry, Texas, located east of the intersection of South Fairgrounds and Garden City Highway. (Council District 2)

Scale: 1" = 200'

LEGEND
 CITY LIMITS
 PARCELS
 PRIVATE BLDGS



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 THIS DATA IS NOT A SUBSTITUTE FOR A SURVEY PRODUCT NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN FORMING 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.



Map AM
7/16/2024

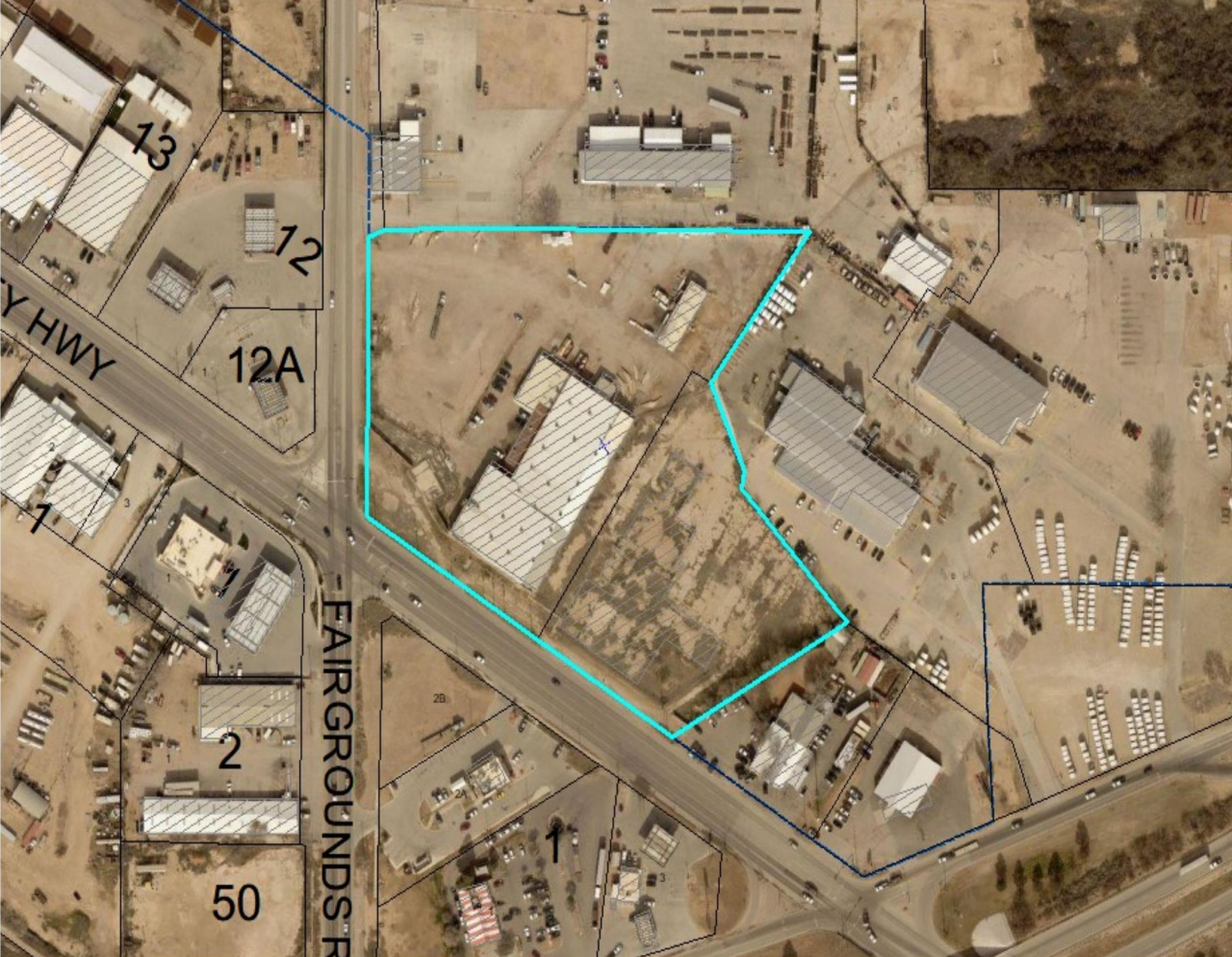
SUB-24-
0757

Scale: 1" = 125'

**ZONING
MAP**



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Item 6

Preliminary Plat

QuikTrip Store 7911

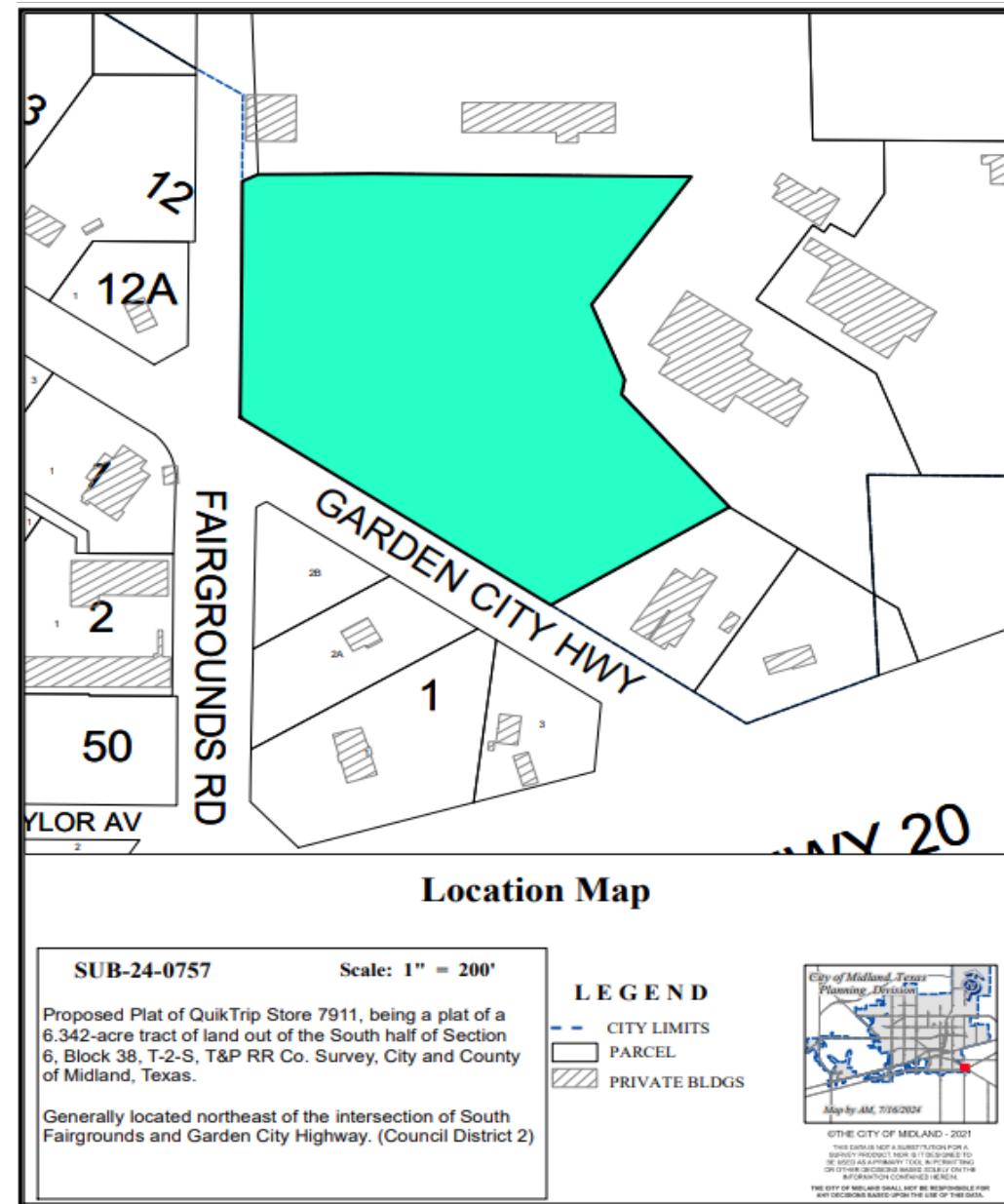
August 5, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

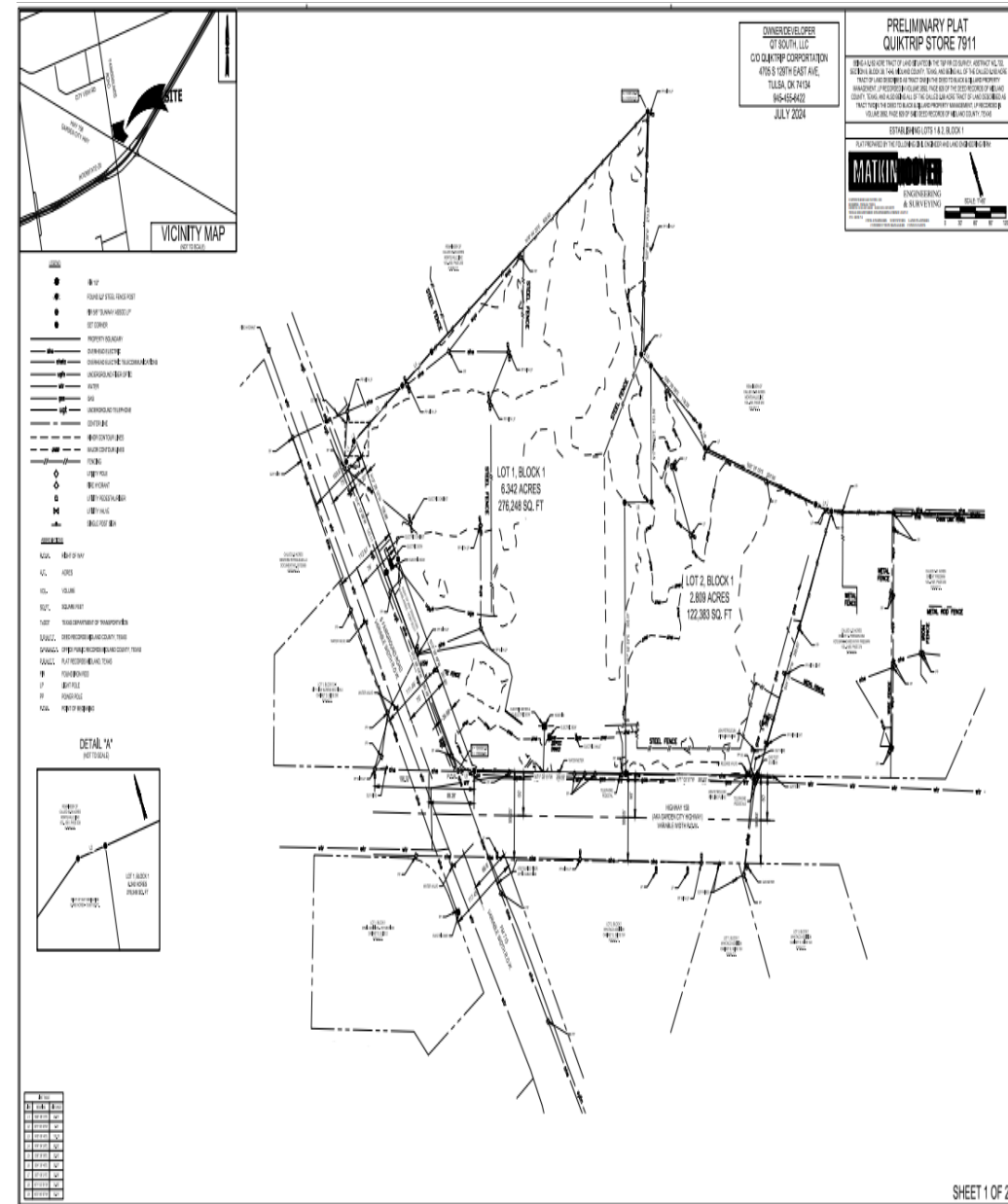


- MatkinHoover Engineering, on behalf of QuikTrip Corporation
- Preliminary Plat Approval
- Located 3101 Garden City Highway



QuickTrip Store 7911

- 9.162 acres
- Requesting to plat to develop a QuikTrip gasoline station
- Consists of 2 lots

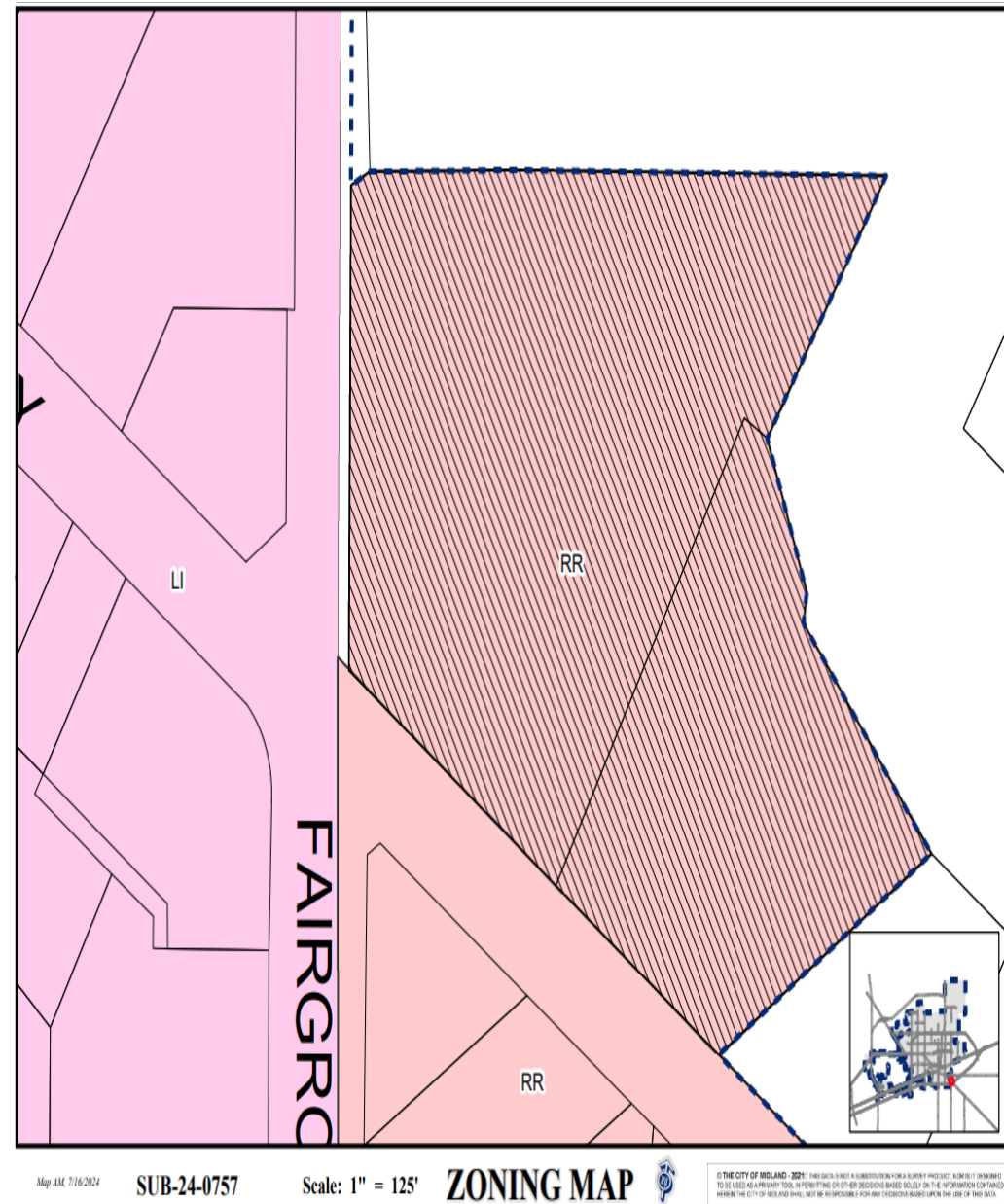


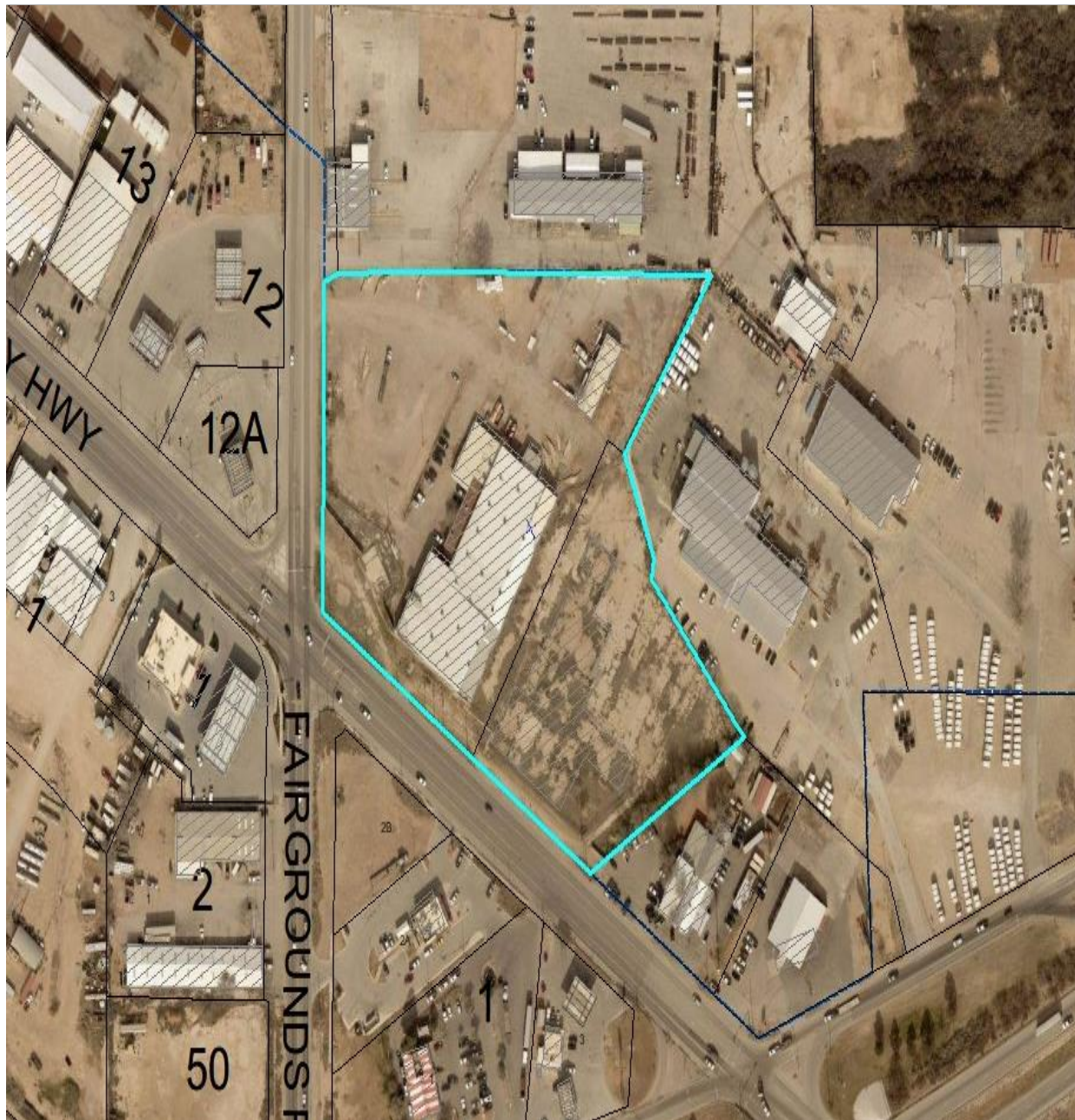
Current Zoning:

- RR, Regional Retail District

Surrounding Zoning:

- South: RR, Regional Retail District
- West: LI, Light Industrial District
- North and East: ETJ, Extraterritorial Jurisdiction





The plat meets all requirements; therefore, staff recommends approval of QuickTrip Store 7911, subject to conditions A through D.

Conditions:

- A. Proof of ownership must be provided at final plat submittal. [11-2-3(H)3(m)(1)]
- B. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by Final Plat submittal. [11-2-3(H)3(m)(1)]
- C. All public improvements must be completed prior to final plat submittal. [11-2-3(G)1 & 11-2-4(A)2(a)]
- D. 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. [11-2]



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: August 05, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner and Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Cavender Addition, being a plat of a 10.72-acre tract of land, located in Section 38, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the northwest corner of Deauville Boulevard and Arlington Road.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Maverick Engineering, on behalf of Cavender Real Estate of Midland IV, LLC, is requesting to plat a 10.72-acre tract of land into one lot out of Section 38, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas, in order to construct an automotive sales and service center.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Engineering: (Approved)

IMPACT FEES: Plat outside designated service areas. Note not required. [For Applicant's Information Only.]

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

PAVING: Highway 191 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. [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: Drainage report has been approved for platting purposes. [For Applicant's Information Only.]

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil & Gas well concern for Zoning. Informational: Future plats will need to identify any Oil or Gas wells and include 500 ft. radius for a city permitted well or the 135 ft. radius for non-permitted well radius on plat. Please note if oil & gas wells are not identified or left off a plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified with comments- No structure shall be built over an abandoned well.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2023 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on the time of new code editions adopted in the City of Midland and date of permit application.

GIS: (Approved with Conditions)

ROW dedication line should be solid.

Surveyor: (Approved)

No comments.

PUBLIC WORKS: (Approved)

The county recommends a Drainage plan and a water availability report or Will-serve agreement.

CRMWD: (Approved)

No comments.

Midland Health Department: (Approved)

Yes, the health department will review application from the 1 proposed lot of Cavender Addition, PLAT OF A 10 ACRE TRACT OF LAND OUT OF SECTION 38, BLOCK 40, T-1-S, T. & P. RR. CO. SURVEY the lot is 9.9 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning: (Approved with Conditions)

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

Provide ownership documents at final, MCAD is showing a different owner. [Informational]

The legal description on the final plat must reflect that it is in the City once the property has been annexed. [Informational]

The location map should include an area not less than 1.5 kilometers (1.0 mile) beyond the plat boundary or such greater area as necessary to show the relationship of the proposed subdivision to existing community facilities which serve or influence it. [11-2-3(C)2(b)(1)]

Should read "For approval by the commission:" below CERTIFICATE OF APPROVAL and above following paragraph. [11-2-3(H)3(m)(1)]

There is an annexation and initial zoning request associated with this plat which are scheduled for the August 13, 2024 City Council meeting. The Planning and Zoning Commission recommended approval of the initial zoning request on July 15, 2024.

Staff recommends approval of the Preliminary Plat of Cavender Addition, subject to Conditions A through D.

Conditions:

- A. Proof of ownership must be provided by final plat submittal. [11-2-3(H)3(m)(1)]**
- B. Public improvements must be completed or a deferral for the improvements requested before final plat submittal. [11-2-3(G)1 & 11-2-4(A)2(a)]**
- C. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by Final Plat submittal. [11-2-3(H)3(m)(1)]**
- D. 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-24-0727Case Number: P-24-2041Proposed Subdivision Plat Name: Cavender Addition**Legal Description (attached sealed Metes and Bounds):**

BEING A 10.72 ACRE TRACT OF LAND, SITUATED IN SECTION 38, BLOCK 40, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TX

Property OwnerPrinted Name: CAVENDER REAL ESTATE OF MIDLAND IV, LLCAddress 5778 STEMMOMS, STE 130City SAN ANTONIOPhone (210) 410 0075

Email

STEPHENC@CAVENDEREASTLIFE.COMState TXZip 78238**Developer (if different than Owner)**

Printed Name:

Address

City

Phone ()

Email

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Maverick EngineeringPrinted Name: Paladin HuckabaAddress 1909 W Wall St. Ste KCity MidlandPhone (432) 202-0999

Email

phuckaba@maverick-eng.comState TXZip 79701Current Zoning: ETJ - PENDING ZONE CHANGE/ANNEXATIONReason for Platting: OWNERSHIP/ COMMERCIAL DEVELOPMENT**Plat Information**Total Acreage: 10.72Type: ☐ Single-Family Residential☐ Multi-Family Residential (Undergoing Annexation)☒ 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) 685-7288

August 5, 2024

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: 7/9/2024

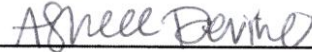
Property Owner (printed): STEPHEN CAVENDER

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.

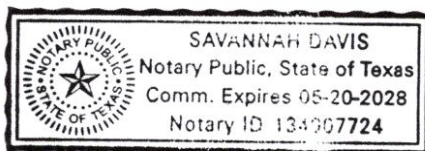
STATE OF TEXAS
COUNTY OF MIDLAND

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



Authorized Agent (signature)

Subscribed and sworn to before me, this 10th day of July, 20 24, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

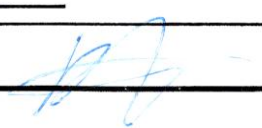
☐ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☐ Application Fee

☐ 1 Copy of Plat (11x17)

Check # 4794

Received By: 

Date:

RECEIVED
JUL 10 2024

BY:

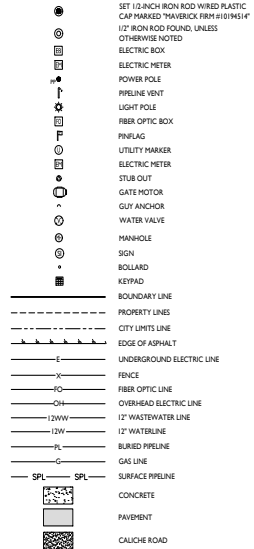
****Application will not be considered for scheduling until reviewed by a planner.****

CAVENDER ADDITION

THAT L. 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 AND THAT THE CORNER MONUMENTS SHOWN THEREIN WERE PROPERLY LOCATED UNDER HIS PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SURVEYING REGULATIONS OF THE STATE OF TEXAS.

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

GREGORY W. SHOULTS'S REFUSAL TO
PRACTICE ENGINEERING (TX-0000000000)
1909 W. WALL STREET
MIDLAND, TX 79701



DATE _____ / _____ / _____



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

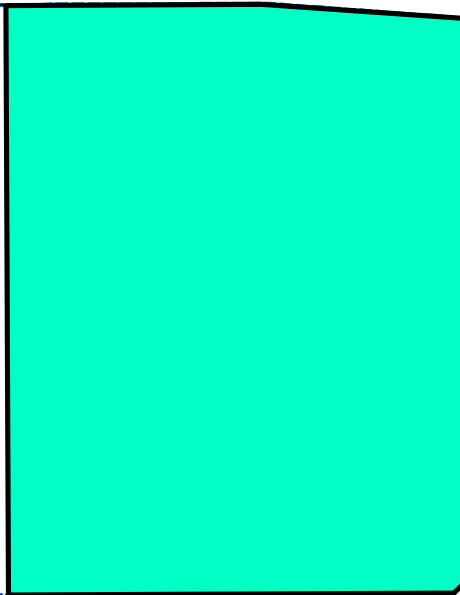
NO. _____

DATE _____

CAVENDER ADDITION
August 5, 2024

VY 191

State Highway 191



Deauville Blvd

Arlington Road

1

1

2

3

Location Map

SUB-24-0727

Scale: 1" = 245'

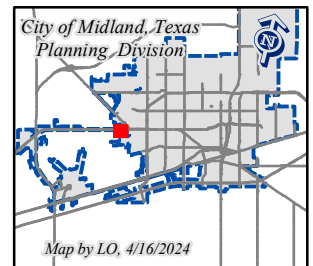
Proposed plat of Cavender Addition, being a plat of a 10-acre tract of land, located in Section 38, Block 40, T-1-S, T&P RR. Co. Survey, County of Midland, Texas.

Generally located on the northwest corner of Deauville Boulevard and Arlington Boulevard.
(Extraterritorial Jurisdiction)

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.





Item 7

Preliminary Plat

Cavender Addition

August 5, 2024



Visit Our Website:
MIDLANDTEXAS.GOV

1

PACKET

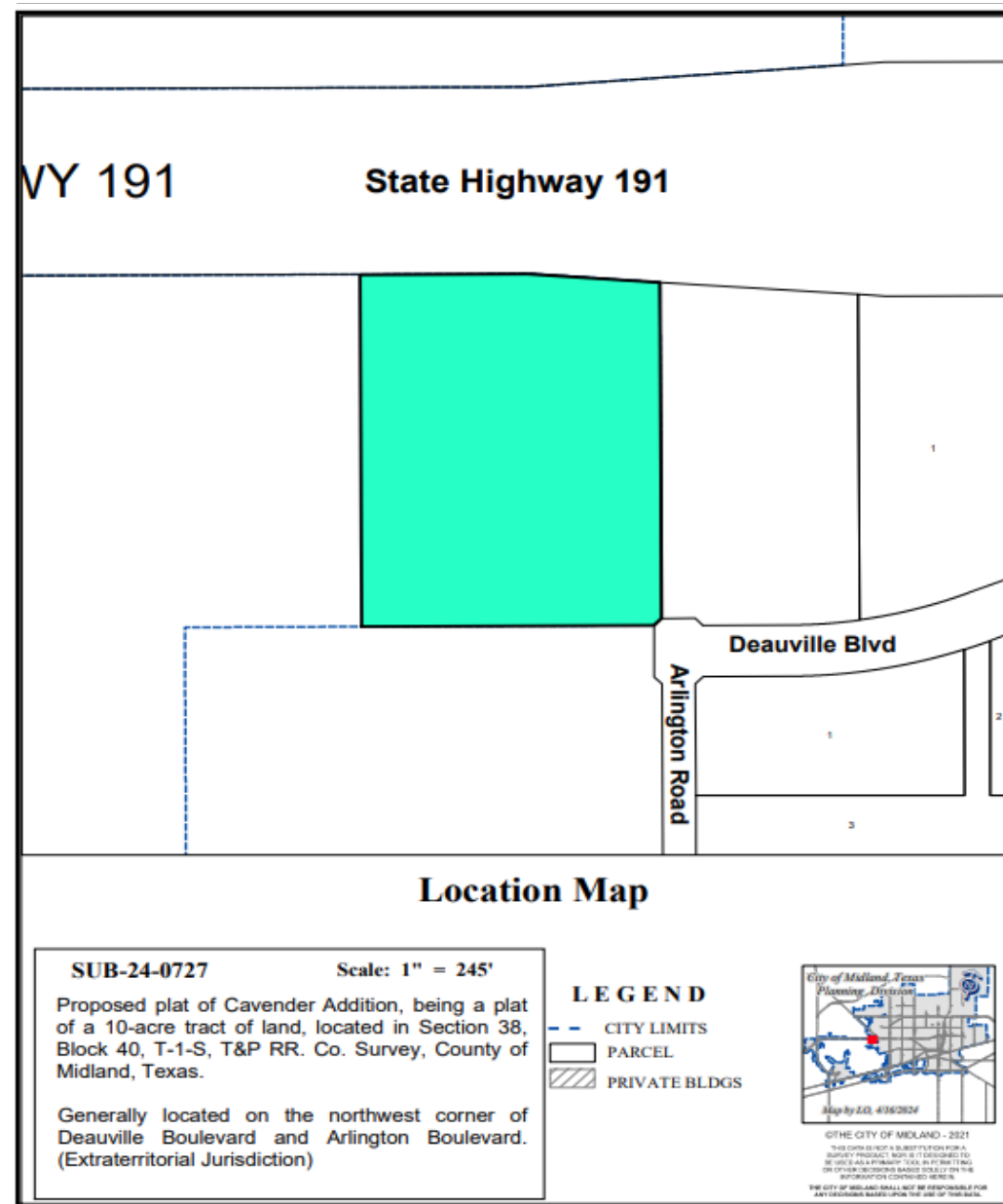
Page 7.89

August 5, 2024



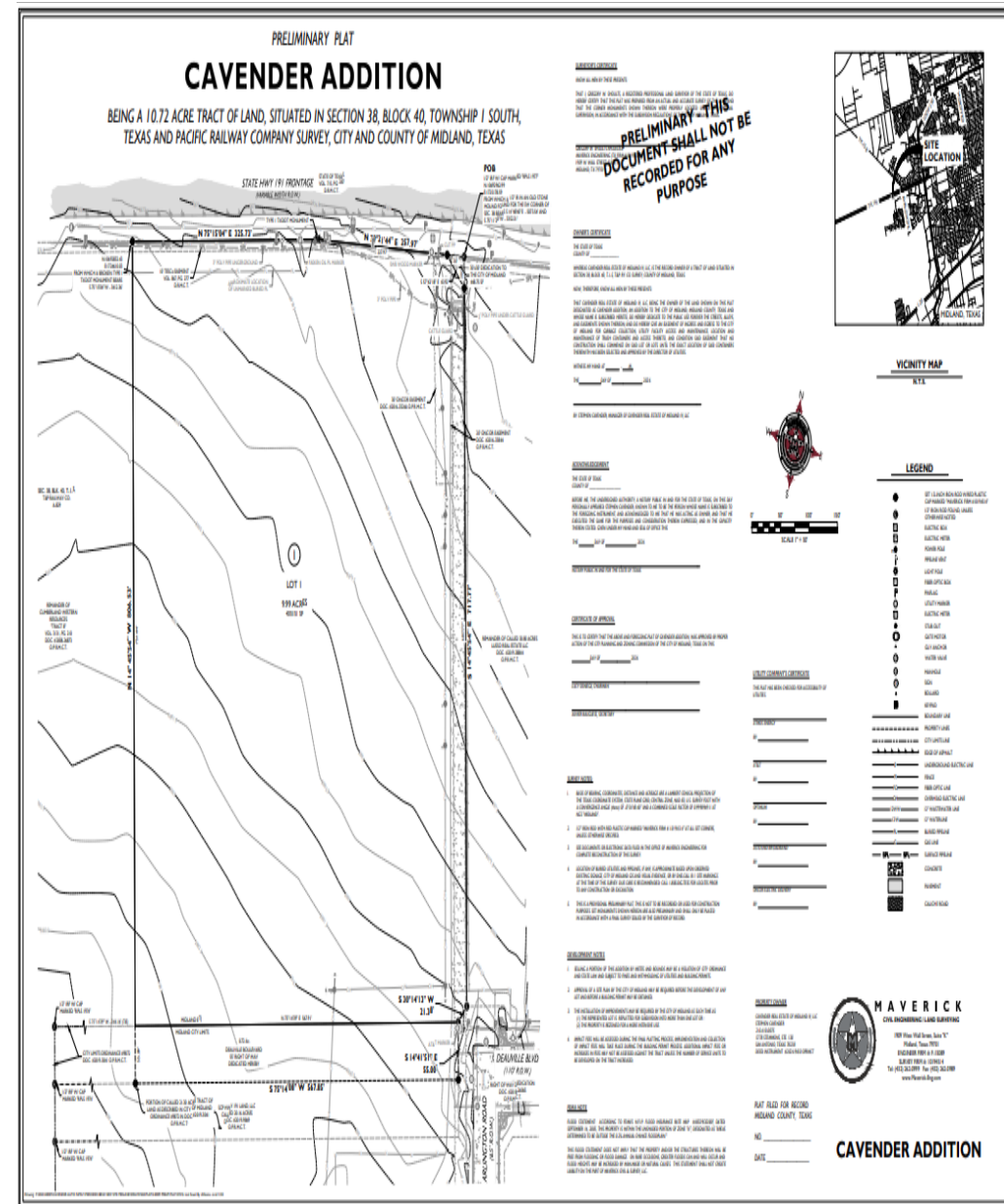
Cavender Addition

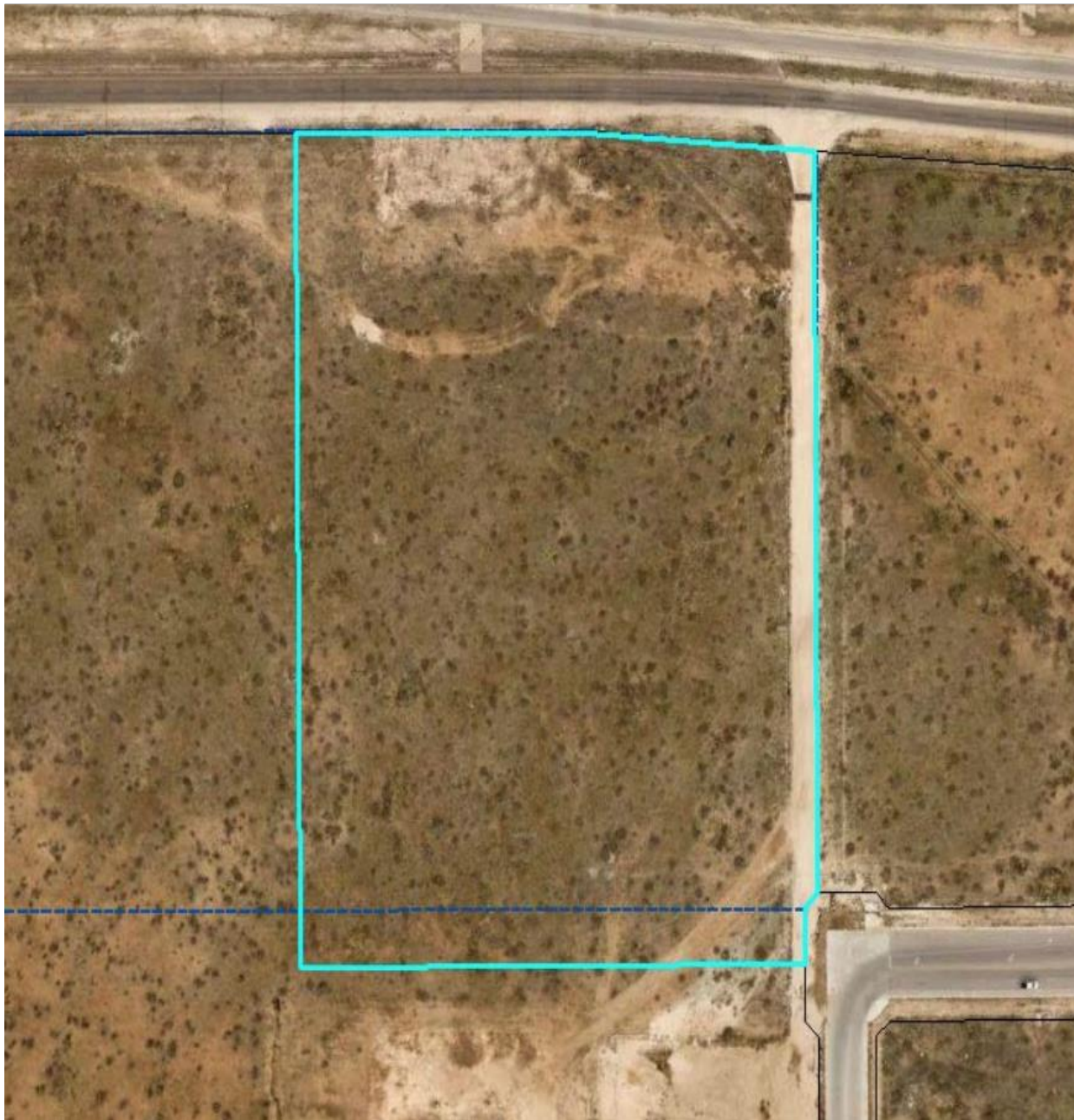
- Maverick Engineering, on behalf of Cavender Real Estate of Midland IV, LLC
- Preliminary Plat Approval
- Located on State Highway 191



Cavender Addition

- 10.72 acres
- Requesting to plat to develop an automotive sales and service center
- Consists of 1 lot





The plat meets all requirements; therefore, staff recommends approval of the preliminary plat of Cavender Addition, subject to conditions A through D.

Conditions:

- A. Proof of ownership must be provided by final plat submittal. [11-2-3(H)3(m)(1)]
- B. Public improvements must be completed or a deferral for the improvements requested before final plat submittal. [11-2-3(G)1 & 11-2-4(A)2(a)]
- C. All certificates must be written as detailed in Section 11-2-3 Platting Procedures by Final Plat submittal. [11-2-3(H)3(m)(1)]
- D. 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.