

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

**October 21, 2024 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving Planning & Zoning meeting minutes from October 7, 2024
3. Motion approving a Final Plat of Repman Addition, being a plat of a 14.07-acre tract located in the north half of Section 26, Block 40, T-1- S, T&P, RR Co. Survey, Midland County, Texas. (Generally located at the southeast corner of the intersection of North County Road 1250 and West County Road 62.) **(EXTRATERRITORIAL JURISDICTION)**
(DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of Shenandoah Industrial Park, being a plat of a 25.67-acre tract of land situated in Section 16, Block 38, T-1-S, T&P Co. RR Survey, Midland County, Texas. (Generally located on the east side of North County Road 1150, approximately 800 feet north of East County Road 50.) **(EXTRATERRITORIAL JURISDICTION)**
(DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of 349 Ranch Estates, Section 26, being a replat of the west 178 feet of Lot 3, Block 1, 349 Ranch Estates, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of State Highway 349 and Tejas.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
6. Motion approving a Final Plat of Ranchero Park, Section 8, being a plat of a 4.057-acre

tract of land out of the southwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Interstate 20 Service Road, approximately 215 feet east of South Midkiff Road.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

7. Motion approving a Final Plat of West Fork Addition, Section 4, being a replat of Lots 5, 6, and 7, Block 1, West Fork Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of State Highway 158, approximately 1,150 feet north of State Highway 191.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
8. Motion approving a Final Plat of Zoo Midland Offsite, being a replat of a 4.352-acre tract of land out of Tract 4, Parker Acres, City and County of Midland, Texas. (Generally located on the west side of Todd Drive, approximately 420 feet south of East Golf Course Road) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

PUBLIC HEARINGS

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

9. Hold a public hearing and consider a Final Plat of Homestead Addition, Section 23, being a residential replat of a .016-acre tract of land, being the middle 50 feet of the southeast quarter of Block 21, Homestead Addition, City and County of Midland, Texas. (Generally located on the west side of North Mineola Street, approximately 50 feet north of East Michigan Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
10. Hold a public hearing and consider a request by JMR Dental Services for a zone change from PD, Planned Development District for a Shopping Center to 2F, Two-Family Dwelling (Duplex) District on Lot 5, Block 34, Northgate Addition, Section 19, City and County of Midland, Texas. (Generally located on the south side of Northbrook Lane, approximately 720 feet northwest of West Loop 250 North.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
11. Hold a public hearing and consider a request by Michael Loya on behalf of Tall City Meat Market for a Specific Use Designation with Term for the sale of all alcoholic beverages sales for on-premises consumption in a restaurant, for Lots 1 & 2, Block 8, Kelview Heights, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Big Spring Street and West Dormard Avenue.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
12. Hold a public hearing and consider a request by Brian Choi for a Specific Use Designation with Term for the sale of alcoholic beverages Sales for on-premises consumption in a restaurant, on a 2,100-square foot portion of Lot 1, Block 1, Imperial Heights, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Wadley and North Midkiff Road.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

13. Motion approving, with staff's recommended conditions, a Preliminary Plat of GM Industrial Addition, being a 25.00-acre tract of land out of the Joe Newcomer Preemption Survey, Abstract 635, Block 38, T-2-S, Midland County, Texas. (Generally located at the northwest corner of the intersection of South County Road 1142 and East County Road 135.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Landon Ochoa
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**

October 7, 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 3:36 p.m., October 07, 2024.

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

Commissioners absent: Joshua Sparks, Dara Richardson

Staff members present: Landon Ochoa, Alexis M. Martinez, Daniel Humbert, Beatriz Quezada, Madelim Jaquez, Britton Murry

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving Planning & Zoning meeting minutes from September 16, 2024
3. Motion approving a Final 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, City and County of Midland, Texas. (Generally located on the northwest corner of Deauville Boulevard and Arlington Road) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
4. Motion approving, with staffs recommended conditions, a Final Plat of Northwest Passage, Section 3, being a plat of a 34.104-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR. Co Survey, City and County of Midland, Texas. (Generally located on the west side of Laurel Lane, approximately 1,120 feet north of State Highway 191) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Adrian Carrasco moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

PUBLIC HEARINGS

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

5. Hold a public hearing and consider a request by Serafin Lopez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 6, Block 62, Park Avenue Heights Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of South Madison Street, approximately 200 feet north of Cloverdale Road.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Britt Murry gave an overview on this item.

Commissioner John Burkholder and Development Services Officer Elizabeth Triggs exchanged comments on why it was zoned incorrectly.

The public hearing was opened at 3:42 p.m.

There was no one wishing to speak on this item.

The public hearing was closed at 3:43 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

6. Hold a public hearing and consider a request by George A. Bell for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 3, Block 61, Park Avenue Heights Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of South Tyler Street, approximately 120 feet south of East California Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Britt Murry gave an overview on this item.

The public hearing was opened at 3:45 p.m.

There was no one wishing to speak on this item.

The public hearing was closed at 3:45 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

7. Hold a public hearing and consider a request by Michael Loya on behalf of Tall City Meat Market for a Specific Use Designation with Term for the sale of all alcoholic beverages sales for on-premises consumption in a restaurant, for Lots 1 & 2, Block 8, Kelview Heights, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Big Spring Street and West Dormard Avenue.) **(DISTRICT 3)**
(DEVELOPMENT SERVICES)

Associate Planner Alexis Martinez gave an overview on this item.

Commissioner John Burkholder asked if there has been any complaints on file for this property. If there is adequate parking for this property to hold a restaurant.

This item got deferred to the October 21, 2024 meeting.

The public hearing was opened at 3:50 p.m.

There was no one wishing to speak on this item.

The public hearing was closed at 3:51 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sisniega, Sparks, Richardson

8. Hold a public hearing and consider a request by George A. Bell for a zone change from MF22, Multiple-Family Dwelling District to SF3, Single-Family Dwelling District on Lot 18, Block 61, Park Avenue Heights Addition, Section 2, City and County of Midland, Texas. (Generally located on the east side of South Lee Street, approximately 171 feet south of East California Avenue.) **(DISTRICT 2)** **(DEVELOPMENT SERVICES)**

Planner Madelim Jaquez gave an overview on this item.

The public hearing was opened at 3:55 p.m.

There was no one wishing to speak on this item.

The public hearing was closed at 3:55 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

9. Hold a public hearing to consider a request by Legado Construction Group LP, for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 3, Block 20, Greenwood Addition, Sections 3, 4 and 5, City and County of Midland, Texas. (Generally located on the west side of South Tilden Street, approximately 110 feet south of East Washington Avenue) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Beatriz Quezada gave an overview on this item.

The public hearing was opened at 3:59 p.m.

There was no one wishing to speak on this item.

The public hearing was closed at 4:01 p.m.

Adrian Carrasco moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

MISCELLANEOUS

10. Motion approving, with staff's recommended conditions, a preliminary plat of Grassland Estate West, Section 15, being a plat of 22.119-acre tract of land out of the south part of Section 35, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas. (Generally located on the north side of State Highway 191, approximately 1,550 feet west of West State Highway 158.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

11. Motion approving, with staff's recommended conditions, a Preliminary Plat of Entrada

Business Park Addition, Section 4, being a plat of a 152.788-acre tract of land located in the southwest quarter of Sections 17 and 20, Block 40, T-2-S, T&P RR. Co. Survey, in part, and a replat of Lot 2, Block 3, Entrada Business Park Addition, Section 3, County of Midland, Texas. (Generally located on the southeast corner of the intersection of South FM 1788 and West Interstate 20.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

12. Motion approving with staff's recommended conditions, a Preliminary Plat of Gold Sands Addition, being a 125.04-acre tract located in the southeast part of Section 24, Block 40, T-2-S, T&P. RR. Co. Survey, County of Midland, Texas. (Generally located on the east side of South County Road 1232, approximately half a mile north of West County Road 140.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

13. Motion approving a reinstatement of an approved Preliminary plat of Tahoe Lakes Addition, Section 4, being a replat of Lot 2, Block 1, Tahoe Lakes Addition, Section 2, in part, and a plat of an 8.915-acre tract of land out of Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of Albert Avenue, approximately 385 feet east of South Lamesa Road) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

14. Motion approving an instrument vacating the plat of Longview Subdivision, Section 3, Midland County, Texas. (Generally located at the southeast corner of the intersection of North County Road 1275 and West County Road 50.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

place

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Sparks, Richardson

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 4:27 p.m.

Lucy Sisniega, Chair

Date



Landon Ochoa,
Planning Division Manager
Department of Development Services

10/18/24
Date



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a Final Plat of Repman Addition, being a 14.07-acre tract located in the north half of Section 26, Block 40, T-1- S, T&P, RR Co. Survey, Midland County, Texas. (Generally located at the southeast corner of the intersection of North County Road 1250 and West County Road 62.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

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

The preliminary plat was approved at the July 1, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 10/11/2024. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 10/11/2024. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements were administratively approved on 10/11/2024. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: ***

Transportation: (Approved)

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

Fire: (Approved)

No comments ETJ

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction

GIS: (Approved)

No comments.

MIDLAND COUNTY PUBLIC WORKS: (Approved)

No new comments.

HEALTH DEPARTMENT: (Approved)

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

CRMWD: (Approved)

We do not have any comments on this plat.

Planning: (Approved)

Staff recommends approval of the Final Plat of Repman Addition.

Attachments:

Final Plat
Application
Location Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-24-0740

Case Number: _____

Proposed Subdivision Plat Name: **Repman Addition**Legal Description (attached sealed Metes and Bounds): _____
_____**Property Owner**Printed Name: **Chris Repman**

Phone (432) 684-6728

Email

Jimmyb@luchinimertz.comAddress **4202 N, Co. Rd. 1250**City **Midland**State **Tx**Zip **79705****Developer (if different than Owner)**

Printed Name: _____

Phone (432) 684-6728

Email

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: ~~Jimenez & Associates~~ Luchini & MertzPrinted Name: Jimmy Berndt

Phone (432) 684-6728

Email

Jimmyb@luchinimertz.comAddress **2805 W, Kentucky**City **Midland**State **Tx**Zip **79702****Current Zoning:** none**Reason for Platting:** _____

Platting 2 tracts together a 4.07 ac tract and a 10 ac tract and splitting them into 5 separate lots for future developers.

Plat Information Doc 2002-13654 & 1995-4653 Total Acreage: 14.07Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 5

Number of Multi-Family Dwelling Units: 0

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

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

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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): Chris Repman

Date: 9-24-2024

Property Owner (printed): _____

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

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

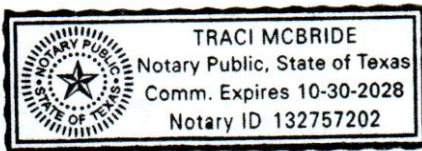
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Jimmy Berndt
Authorized Agent (signature)

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



Traci McBride
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: Traci McBride

Date: _____

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

REPMAN ADDITION

BEING A 12.08 ACRE TRACT
LOCATED IN SECTION 26,
BLOCK 40 T-1-S,
T&P RR Co. SURVEY
MIDLAND COUNTY TEXAS

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, CHRIS and CARLA REPMAN, the record owners of a 4.06 acre tract and a 10.00 acre tract of land situated in Section 26, Block 40, T-1-S, T & P RR Co. Survey, County of Midland, and more particularly described as follows:

Being a 4.06 acre tract to CHRIS and CARLA REPMAN as described Doc. 2002-13654 D.R.M.C.T and a 10.00 acre tract to Chris and Carla Repman as recorded in Doc. 1995-4653 D.R.M.C.T. Located in Section 26, Block 40, T-1-S, T&P R.R. Co. Survey and being more particularly described as follows;

Beginning at a $\frac{1}{2}$ " iron rod with cap marked "LUCHINI & MERTZ"(N=10,701,637.86, E=1,720,065.30) set at the Northeast corner of this tract and being on the South Right of Way line of West County Road 62, from whence a spike nail found in the centerline of said West County Road 62 bears North 14°14'56" West a distance of 30-feet;

THENCE South 14°14'56" East a distance of 1,195.10 feet to a $\frac{1}{2}$ " iron rod with cap marked "LUCHINI & MERTZ" found at the Southeast corner of said 10 acre tract;

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

THENCE North 14°14'59" West with the East Right of Way line of said North County Road 1250 distance of 1,050.77 feet to a $\frac{1}{2}$ " iron rod with cap marked "LUCHINI & MERTZ" set at a point of curvature to the left and being on the East Right of Way line of said North County Road. 1250;

THENCE in a northwest direction along said curve to the left having a central angle of 7°29'18", a radius of 1,106.43 feet, an arch length of 144.61 feet, a chord distance of 144.50 feet and a chord bearing of North 18°10'53" West, to a $\frac{1}{2}$ " iron rod with plastic marked "LUCHINI & MERTZ" set at northwest corner of this, and being the intersection of the East Right of Way line of said North County Road 1250 and the South Right of Way line of said West County Road 62;

THENCE North 75°12'48" East along the South Right of Way line of said West County Road 62 a distance of 449.91 to the Point of Beginning containing 12.08 acres of land after the dedication of 1.98 acres to Midland County, Texas for roadway purposes.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

CHRIS REPMAN

CARLA REPMAN

ACKNOWLEDGMENT

STATE OF TEXAS COUNTY OF MIDLAND

This plat was acknowledged before me on _____ by CHRIS REPMAN

Notary Public, State of Texas

REPMAN ADDITION

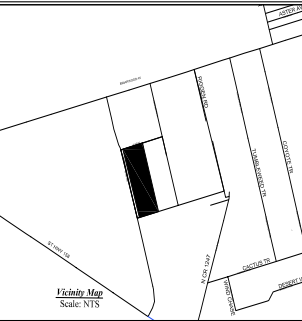
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CABINET _____

DATE _____ PAGE _____

October 21, 2024

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



CERTIFICATE OF APPROVAL

For approval by the commission:
This is to certify that the above and foregoing plat of REPMAN 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 Sisniega - Chairman

Landon Ochoa - Secretary

This plat has been checked for
accessibility of utilities:

Oncor Electric Delivery Company

AT&T Texas

ATMOS Energy

OPTIMUM

ASTOUND

SURVEYOR'S CERTIFICATE

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

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



OWNER:

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

Chris Repman

Page 3.16 2024

Notes:

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

CUMBERLAND & WESTERN
RESOURCES LLC
Section 27, Block 40
T-1-S, T&P R.R. Co. Survey
Vol. 3131 pg. 232 D.R.M.C.T.
Midland Co. Texas

Jesus Martinez
Section 26 Block 40
Subdivision 10"
T-1-S T&P RR. Co. Survey
Doc 2002-12929
D.R.M.C.T.

Kevin and Leigh Ann Macconelli
Section 26 Block 40
Subdivision 10"
T-1-S T&P RR. Co. Survey
Doc 2005-28347
D.R.M.C.T.

West County Road 62 (or R.O.W.)
Vol. 892 Pg. 187 D.R.M.C.T.

Michael and Kathy Cowan
Tract 16 Section 26 Subdivision
Section 26 Block 40
T-1-S T&P RR. Co. Survey
Doc 2000-3394
D.R.M.C.T.

LEGEND

- 60°-7° BOUNDARY WITH CAP MARKED "LUCHINI & MERTZ"
- 60°-7° BOUNDARY
- EXISTING BOUNDARY LINE
- NEW BOUNDARY LINE
- D.R.M.C.T. • DEED RECORD MIDLAND COUNTY TEXAS
- P.R.M.C.T. • PLAT RECORD MIDLAND COUNTY TEXAS
- 20' BUILDING SET BACK LINE

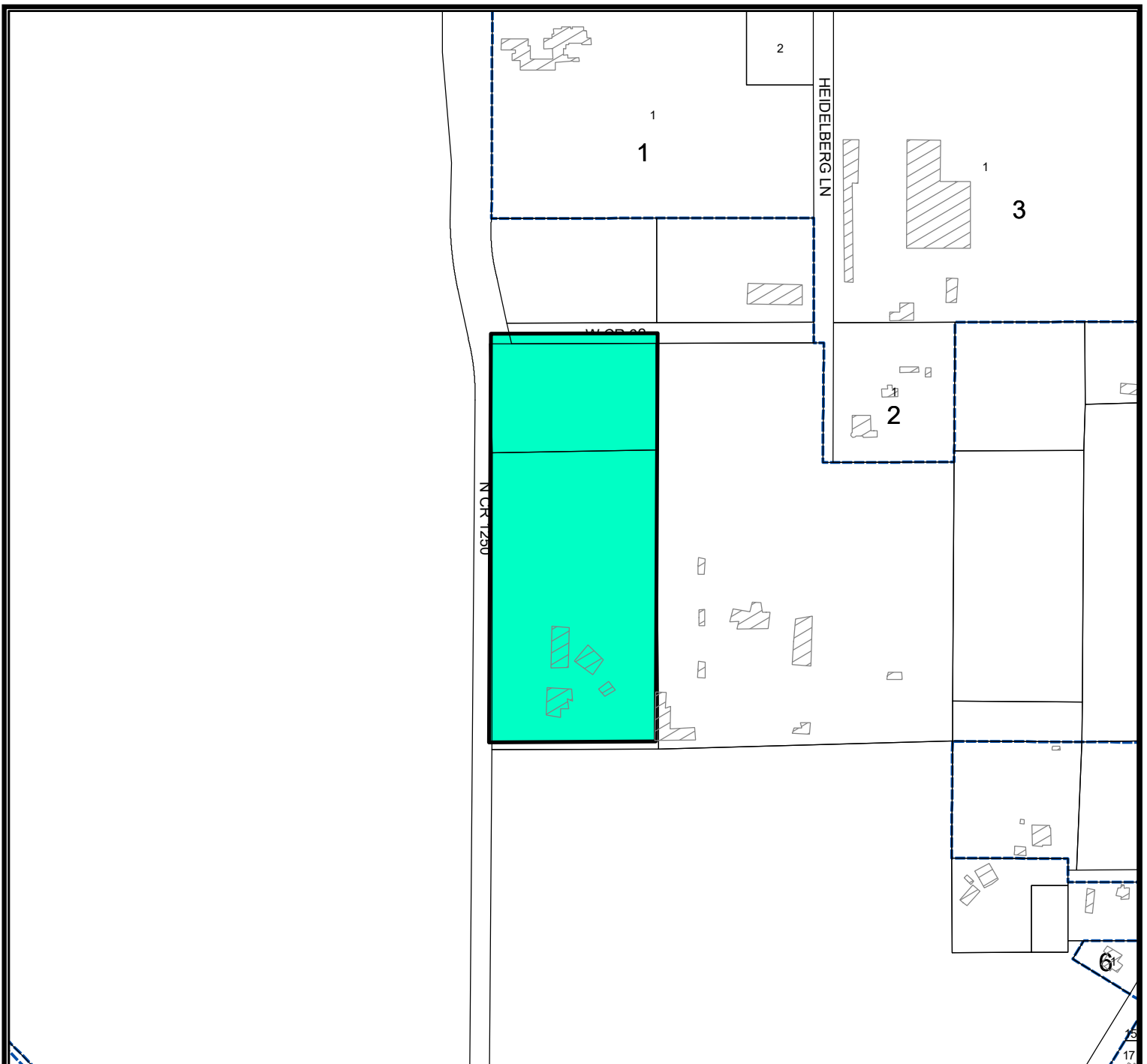


SCALE: 1"= 100'

U.S.A.
Dec 1994-1975 D.R.M.C.T.
Section 26, Block 40 T-1-S,
T&P RR. Co. Survey
Midland County, Texas



PACKET



Location Map

SUB-24-0740

Scale: 1" = 432'

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

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

LEGEND

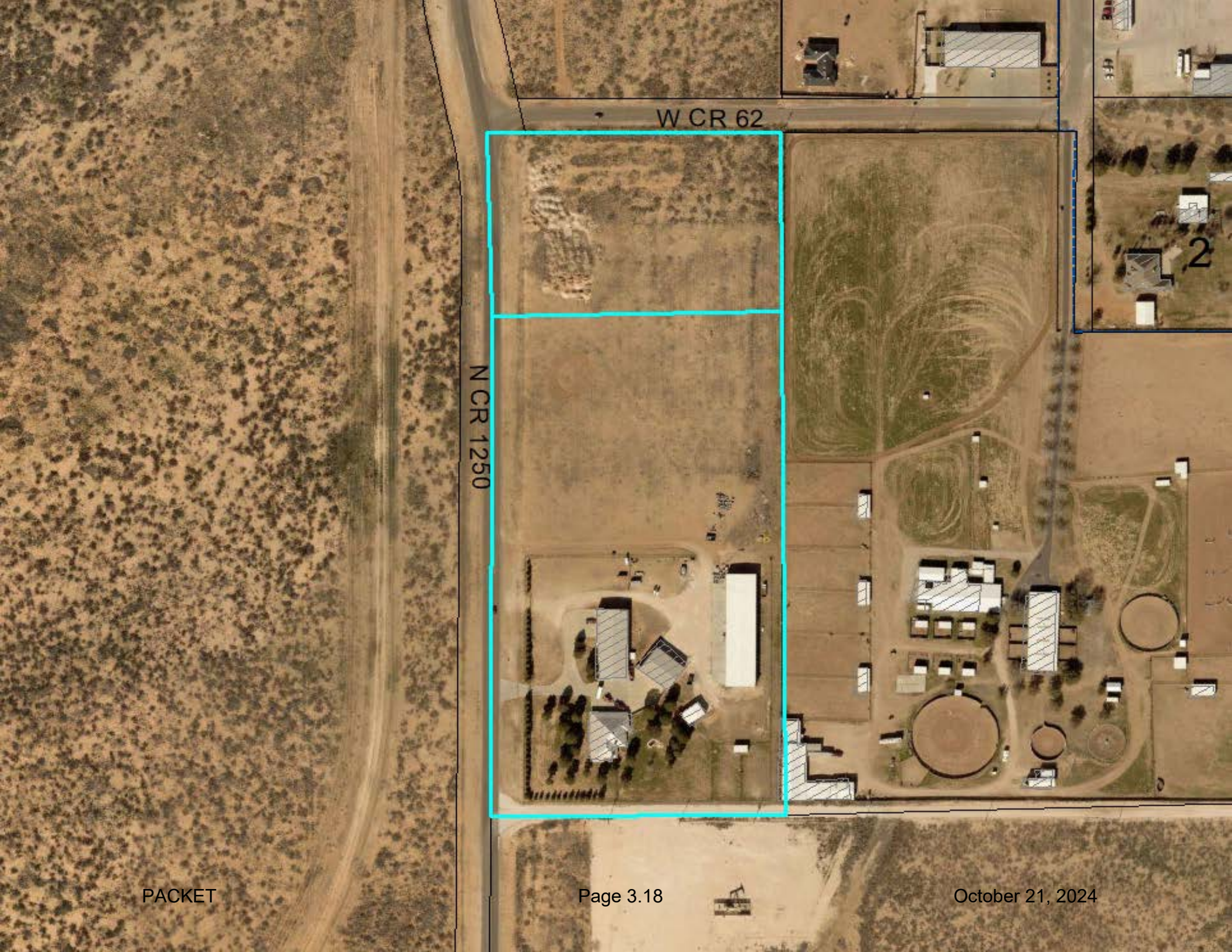
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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



W CR 62

N CR 1250

2





REPMAN ADDITION

FINAL PLAT

October 21, 2024



Visit Our Website

MIDLANDTEXAS.GOV

PACKET

Page 3.20

October 21, 2024

- **Property Owner & Developer:** Chris Repman
- **Representative:** Luchini and Mertz
- **Application Type:** Plat
- **Address:** Generally located southeast of the intersection of North County Road 1250 and W. County Road 62. (Extraterritorial Jurisdiction)



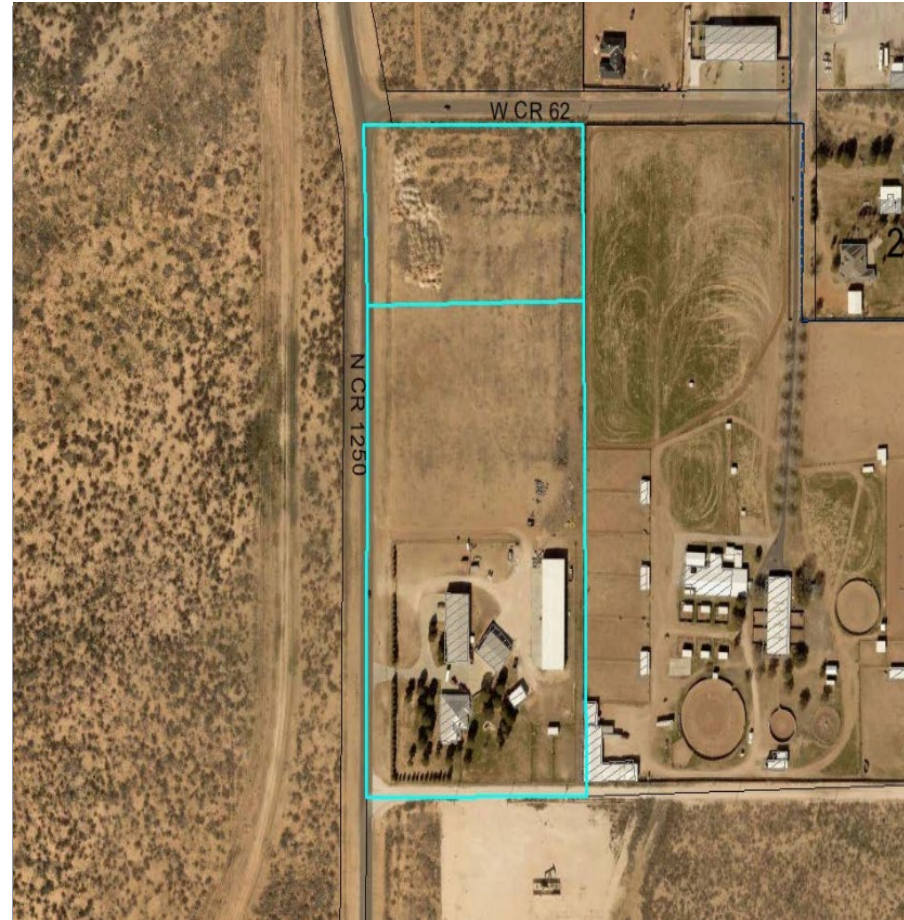
PLAT DETAILS

- **Acreage:** 14.07-acres
- **Number of lots:** 5 lots
- **Reason for Request:**
Platting 2 tracts of land into 5 lots for future development.

		REPMAN ADDITION BEING A 12.08 ACRE TRACT LOCATED IN SECTION 26, BLOCK 40 T-1-S, T&P RR Co. SURVEY MIDLAND COUNTY TEXAS
OWNERS CERTIFICATE STATE OF TEXAS () COUNTY OF MIDLAND () WHEREAS, CHRIS and CARLA REPMAN, the record owners of a 4.06 acre tract and a 10.00 acre tract of land situated in Section 26, Block 40, T-1-S, T&P RR Co. Survey, County of Midland, and more particularly described as follows: <u>Being</u> a 4.06 acre tract to CHRIS and CARLA REPMAN as described Doc. 2002-43654 D.R.M.C.T. and a 10.00 acre tract to Chris and Carla Repman as recorded in Doc. 1995-4655 D.R.M.C.T. Located in Section 26, Block 40, T-1-S, T&P RR Co. Survey and being more particularly described as follows; <u>Beginning</u> at a 4" iron rod with cap marked "LUCHINI & MERTZ" (N 10° 16' 37.86" E 1720.065.30) set at the Northeast corner of this tract and being on the South Right of Way line of West County Road 62, from whence a spike nail found in the centerline of said West County Road 62 bears North 14° 14' 56" West a distance of 30-feet; <u>THENCE</u> South 14° 14' 56" East a distance of 1,195.10 feet to a 4" iron rod with cap marked "LUCHINI & MERTZ" found at the Southeast corner of said 10-acre tract; <u>THENCE</u> South 75° 13' 22" West along the South line of said 10.00 acre tract a distance of 440.00 feet to a 4" iron rod with cap marked "LUCHINI & MERTZ" set on the East Right of Way line of said North County Road 1250 from whence a 4" spike nail found in the centerline of said North County Road 1250 bears South 75° 13' 22" West a distance of 66-feet; <u>THENCE</u> North 14° 14' 56" West with the East Right of Way line of said North County Road 1250 a distance of 1,850.77 feet to a 4" iron rod with cap marked "LUCHINI & MERTZ" set at a point of curvature to the left and being on the East Right of Way line of said North County Road 1250; <u>THENCE</u> in a northwest direction along said curve to the left having a central angle of 7° 29' 18", a radius of 1,106.43 feet, an arc length of 144.61 feet, a chord distance of 144.50 feet and a chord bearing of North 18° 19' 53" West, to a 4" iron rod with plastic marked "LUCHINI & MERTZ" set at northwest corner of this, and being the intersection of the East Right of Way line of said North County Road 1250 and the South Right of Way line of said West County Road 62; <u>THENCE</u> North 75° 12' 48" East along the South Right of Way line of said West County Road 62 a distance of 449.91 to the Point of Beginning containing 12.08 acres of land after the dedication of 1.98 acres to Midland County, Texas for roadway purposes. NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT, CHRIS and CARLA REPMAN do hereby adopt this plat designating the herein above described property as REPMAN ADDITION, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon. WITNESS our hands at Midland, Texas, this _____ day of _____, 2024. CHRIS REPMAN _____ CARLA REPMAN _____		
Notes: - All bearings and coordinates are based on the Texas Coordinate System of 1983, Central Zone. - Survey Reconstruction filed in the Office of Luchini and Metz Land Surveying Company. - Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits. - Approval of a site plan by the City of Midland may be required before these lots may be developed and before a building permit may be obtained. - According to the FEMA Flood Insurance Rate Map (483080464), dated September 16, 2015 shows this property not to be in a Special Flood Hazard Area.		CERTIFICATE OF APPROVAL For approval by the commission: This is to certify that the above and foregoing plat of REPMAN ADDITION, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2024. Luz Santiago - Chairman _____ London Ochoa - Secretary _____ This plat has been checked for accuracy of utilities: Cheer Electric Delivery Company _____ AT&T Texas _____ AT&M Energy _____ OPTIMEM _____ ASTOUND _____
SURVEYORS CERTIFICATE KNOWN ALL BY THESE PRESENTS: THAT I, JEFFREY SUTER, 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 JEFFREY SUTER, R.L.S., 4630 2805 W. KENTUCKY MIDLAND, TEXAS 79702		OWNER: Chris Repman, 4202 N. Co. Rd 1250 Midland, Texas 79705 Phone: 432-770-8792 May 2024 Chris Repman
ACKNOWLEDGMENT STATE OF TEXAS COUNTY OF MIDLAND This plat was acknowledged before me on _____ by CHRIS REPMAN _____ Notary Public, State of Texas		REPMAN ADDITION PLAT FILED FOR RECORD MIDLAND COUNTY, TEXAS No. _____ CABINET _____ DATE _____ PAGE _____ Luchini & Metz, 2805 W. Kentucky, Midland, Texas (432) 684-6728 Firm# 10086500

LAND USE

- **Current Use:** Residential and Vacant
- **Proposed Use:** Commercial and Industrial use
- **Surrounding Uses:**
 - North, South, & West: Vacant
 - East: Industrial



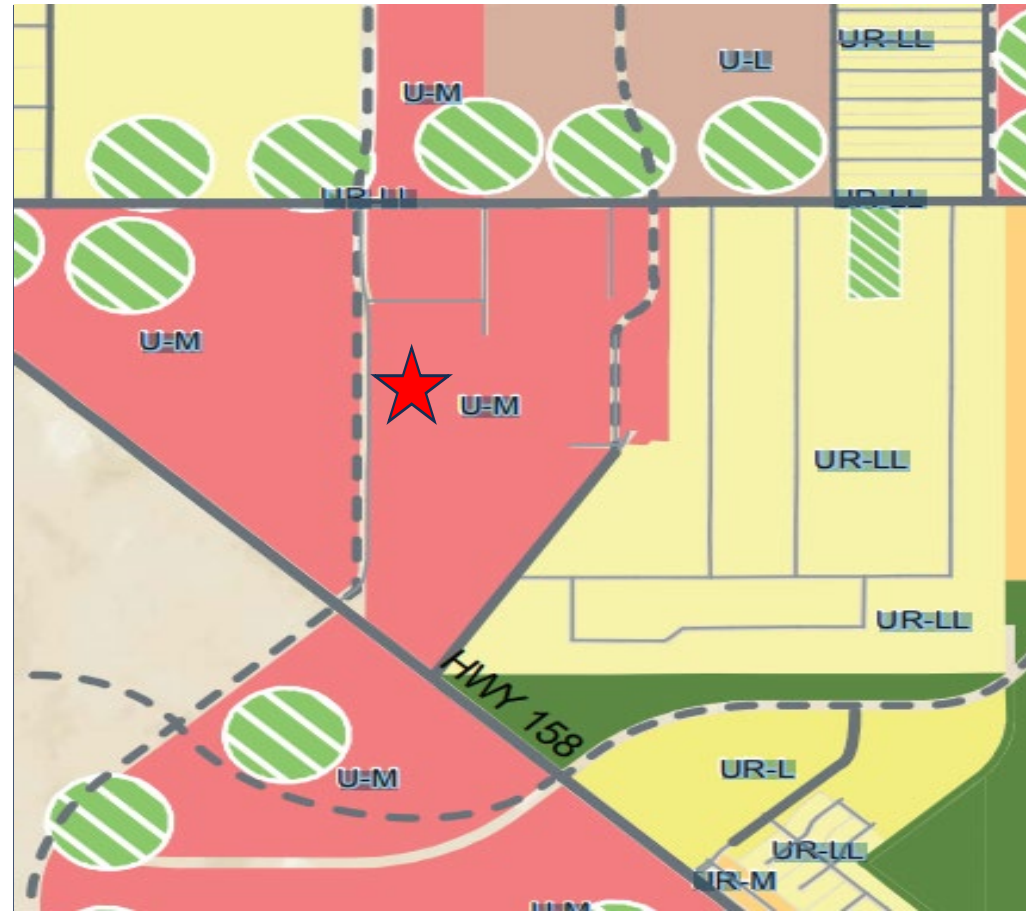
LAND USE



On West County Road 62, Looking South

COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:** Urban-Medium (U-M)
- **Supported Uses:**
 - A mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use. Amenities such as parks, plazas and quality streetscapes should be more prevalent than in U-L areas.
- Land use is **compatible** with surrounding area & TCT Plan



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of Repman Addition.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



PLANNING AND ZONING Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a Final Plat of Shenandoah Industrial Park, being a 25.67-acre tract of land situated in Section 16, Block 38, T-1-S, T&P Co. RR Survey, Midland County, Texas. (Generally located on the east side of North County Road 1150, approximately 800 feet north of East County Road 50.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

Maverick Engineering, on behalf of Shenandoah Bar M Ranch, LLC, is requesting to plat a 25.67-acre tract of land located on North County Road 1150 into four lots for the purpose of selling the property.

The preliminary plat was approved at the August 19, 2024, Planning and Zoning Commission meeting and at the September 10, 2024 City Council meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 09/4/2024. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 09/4/2024. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for sewer improvements were administratively approved on 09/4/2024. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction

GIS: (Approved)

No comments.

MIDLAND COUNTY PUBLIC WORKS: (Approved)

No additional comments

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 4 proposed lots of Shenandoah Industrial Park Addition, PLAT OF A 25.6 ACRE TRACT OF LAND OUT OF SECTION 16, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY ,Block 1 lot 1 is 5 acres, 1 lot 2 is 5 acre, Block 2 lot 1 is 6.8 acre, 2 lot 2 is 6.5 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

We do not have any comments on this plat.

Planning: (Approved)

Staff recommends approval of the Final Plat of Shenandoah Industrial Park.

Attachments:

Final Plat
Application
Location Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: 50B-24-0749
Case Number: P-24-2107

Proposed Subdivision Plat Name: SHENANDOAH INDUSTRIAL PARK

Legal Description (attached sealed Metes and Bounds): BEING A 25.67 ACRE TRACT OF LAND SITUATED IN SECTION 16, BLOCK 38, TOWNSHIP I SOUTH, TEXAS AND PACIFIC RAILWAY SURVEY, MIDLAND COUNTY, TEXAS

Property Owner SHENANDOAH BAR M RANCH, LLC and Printed Name: REDTAIL INVESTMENT PARTNERS LLC		Phone (432) 685-1964 Email: troymjr@shenpetro.com	
Address 24 SMITH ROAD, STE. 601	City MIDLAND	State TX	Zip 79705

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

Representative (if acting as Agent, see affidavit on page 2) Firm: MAVERICK ENGINEERING Printed Name: GREG SHOULTS		Phone (432) 262-0999 Email: gshoults@maverick-eng.com	
Address 1909 W WALL ST, SUITE K	City MIDLAND	State TX	Zip 79701

Current Zoning: ETJ

Reason for Platting: OWNERSHIP - industrial lot development

Plat Information	Total Acreage: 25.67
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 4	Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

[Handwritten Signature]
TROY MARTIN JR

Date:

9/25/24

Property Owner (printed):

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

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

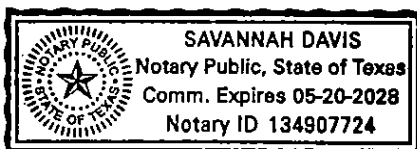
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ashlee Devine who, being by me duly sworn, upon oath says: That (s)he is authorized by Troy Martin Jr, 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.

[Handwritten Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 25th day of September, 20 24, to certify which witness my hand and seal of office.



[Handwritten Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 9/25/24

Property Owner (printed):

Matthew Weatherly - manager

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

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

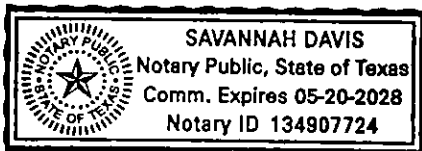
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared ASHLEE Devine who, being by me duly sworn, upon oath says: That (s)he is authorized by Matt Weatherly, 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 25th day of September, 2024, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>4959</u>	☒ Tax Certificates	Check # <u>4690</u>

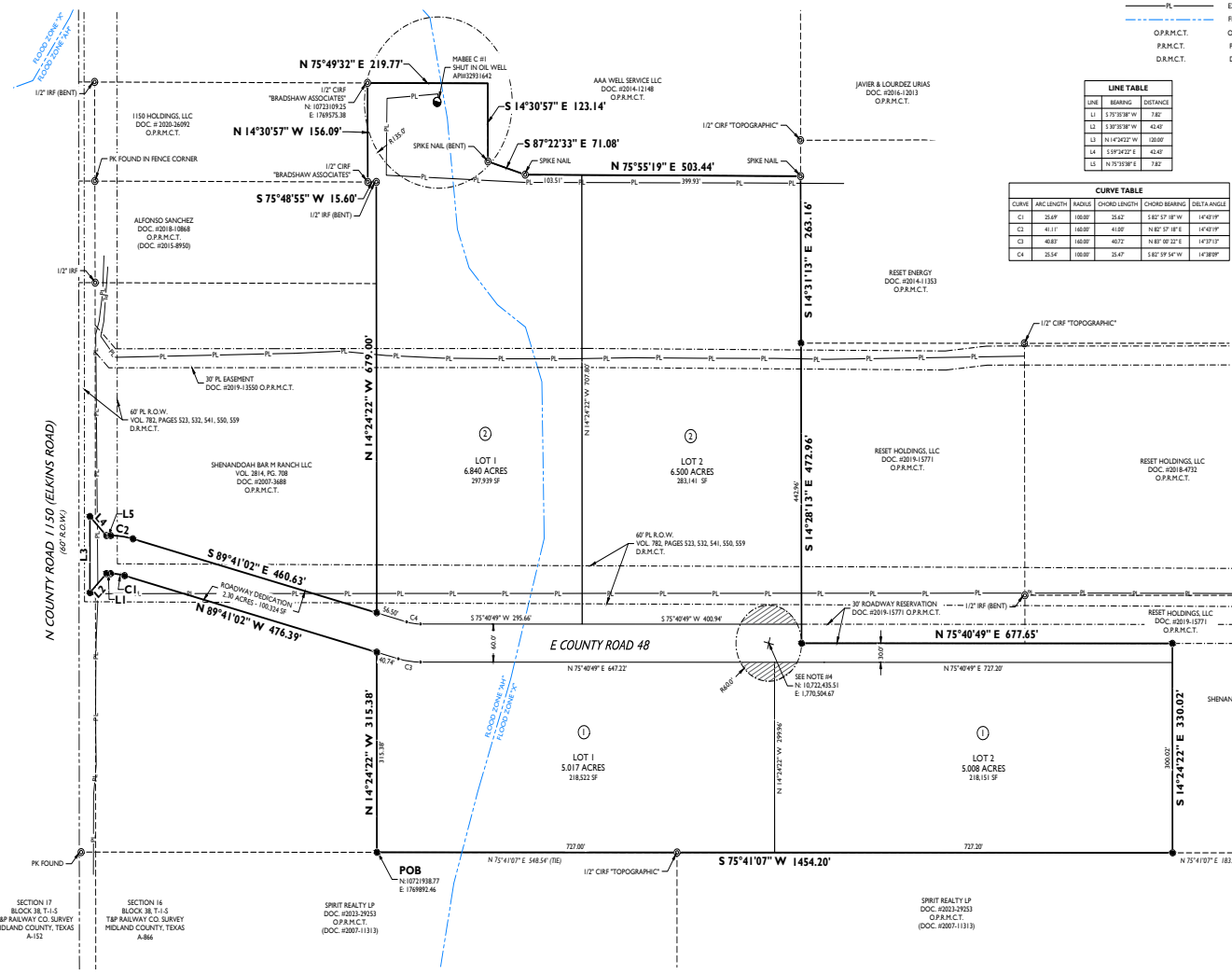
Received By: Benton May

Date:

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

SHENANDOAH INDUSTRIAL PARK

BEING A 25.67-ACRE TRACT OF LAND SITUATED IN SECTION 16, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY SURVEY, MIDLAND COUNTY, TEXAS

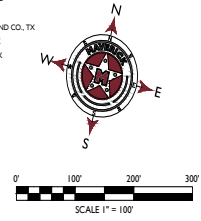


LEGEND

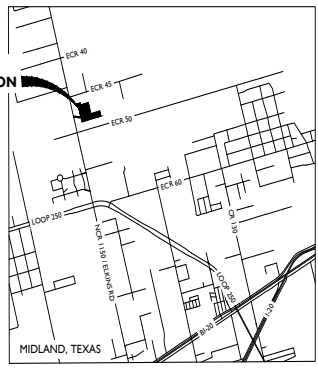
- SET 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK BARR M 10194514"
- FOUND MONUMENT AS NOTED
- EXISTING SHUT IN OIL WELL
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING SECTION LINE
- EXISTING EASEMENT LINE
- EXISTING UNDERGROUND PIPELINE
- FLOODPLAIN
- OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- PLAT RECORDS, MIDLAND CO., TX
- DEED RECORDS, MIDLAND CO., TX

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 75°35'38" W	7.82'
L2	S 30°35'38" W	42.43'
L3	N 14°24'22" W	120.00'
L4	S 59°24'22" E	42.43'
L5	N 75°35'38" E	7.82'

CURVE	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	26.69	100.00	25.42	5.82° 37' 48\"/>
C2	41.17	100.00	41.00	9.82° 37' 48\"/>
C3	40.87	100.00	40.72	9.82° 37' 48\"/>
C4	35.54	100.00	35.47	5.82° 37' 48\"/>



SITE LOCATION



VICINITY MAP

N.T.S.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, REITAL INVESTMENT PARTNERS, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 16, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY SURVEY, MIDLAND COUNTY, TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT REITAL INVESTMENT PARTNERS, LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS SHENANDOAH INDUSTRIAL PARK, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STRAITS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSTRUCTION AND EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

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

AT: REITAL INVESTMENT PARTNERS, LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, SHENANDOAH BAR M RANCH, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 16, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY SURVEY, MIDLAND COUNTY, TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT SHENANDOAH BAR M RANCH, LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS SHENANDOAH INDUSTRIAL PARK, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STRAITS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSTRUCTION AND EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

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

BY: SHENANDOAH BAR M RANCH, LLC

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES

By: _____
Mark Lieb
Mark Lieb
By: _____
Jerry Underwood
Jerry Underwood
By: _____
Luis Montez
Luis Montez
By: _____
Ruben Guerra
Ruben Guerra
By: _____
Martin Arguello
Martin Arguello

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCE AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERSION ANGLE (MAD) OF 0.00000000 AND A CONVERSION SCALE FACTOR OF 0.999999991 AT NGS "MIDLAND".
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK BARR M 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. LOCATION OF BURIED UTILITIES AND PIPES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SURVEY, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811 SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED. CALL 1-800-GO-DEEP FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) THE REPRESENTED LOTS ARE REPARATED FOR SUBDIVISION INTO MORE THAN ONE LOT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. DONATES CENTER POINT FOR A TEMPORARY 40' TURNING EASEMENT DEDICATED HEREBY. EASEMENT TO BE ABANDONED BY EXTENSION OF PUBLIC RIGHT-OF-WAY TO THE EAST.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO REMS NF-18 FLOOD INSURANCE RATE MAP #48320100F, DATED SEPTEMBER 16, 2005, PORTIONS OF THIS PROPERTY ARE WITHIN ZONE "X", AREAS WITH A 1% ANNUAL CHANCE OF SHALLOW FLOODING, USUALLY IN THE FORM OF A POND, WITH AN AVERAGE DEPTH RANGING FROM 1 TO 3 FEET, WITH A BASE FLOOD ELEVATION OF 2792.

OTHER PORTIONS OF THIS PROPERTY ALSO LIE WITHIN THE UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

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

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS
MAVERICK ENGINEERING, LLC (MIDLAND) (MIDLAND) (MIDLAND)
1909 W. WALL STREET, SUITE "K"
MIDLAND, TX 79701



PROPERTY OWNER

SHENANDOAH BAR M RANCH, LLC
TROY MARTIN 432-485-1964
24 SMITH ROAD, STE. 401
MIDLAND, TX 79705
DEED INSTRUMENT #2007-3488 O.P.A.M.C.T.
REITAL INVESTMENT PARTNERS, LLC
432-363-0999
4416 BARWOOD AVE., SUITE 110-93
MIDLAND, TEXAS 79707
DEED INSTRUMENT #2014-1742 O.P.A.M.C.T.

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

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

LUCY SERRA, CHAIRMAN

LINDA OCHOA, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

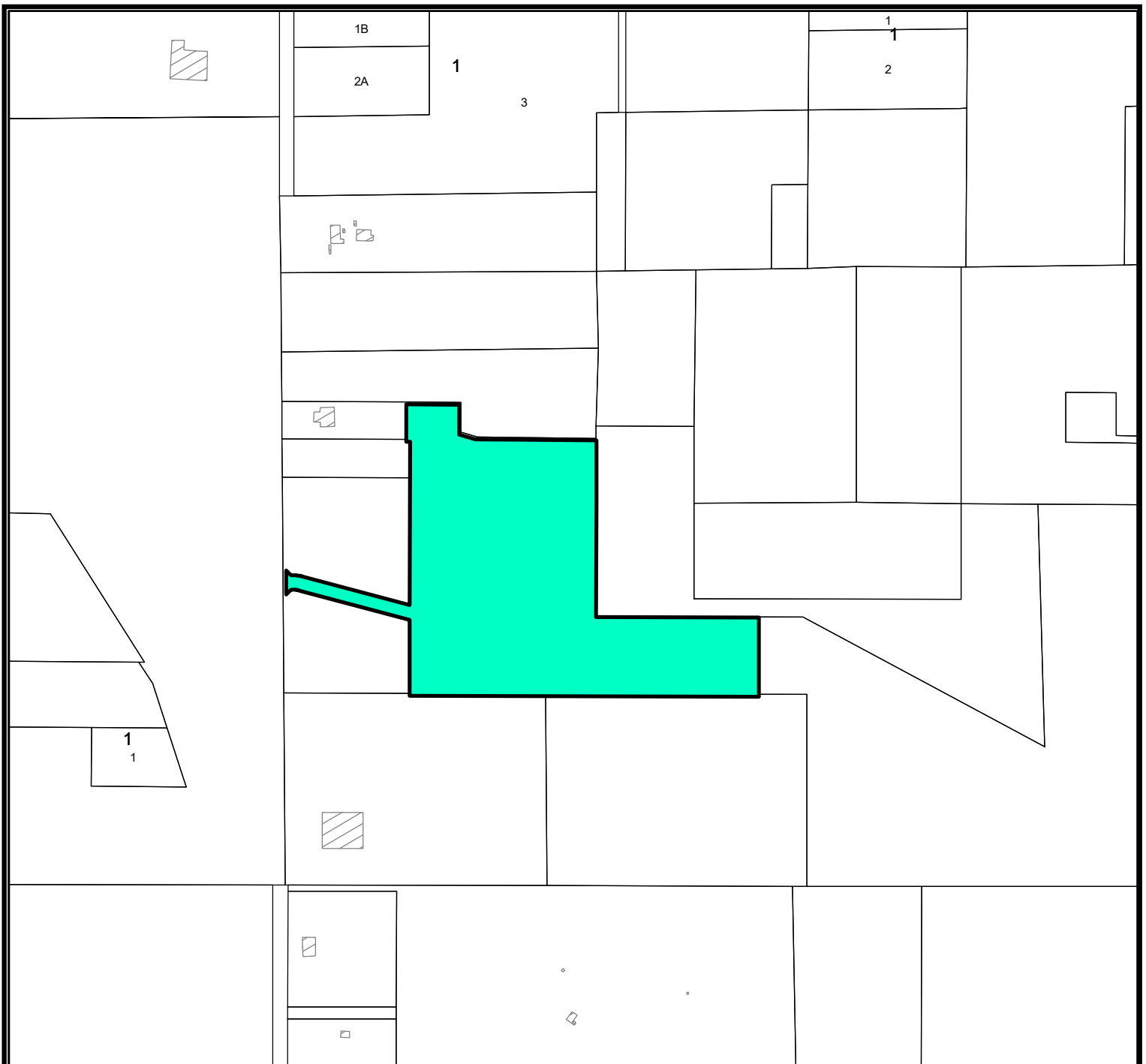
NO. _____
DATE _____



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

October 21, 2024
SHENANDOAH INDUSTRIAL PARK

PACKET



Location Map

SUB-24-0749

Scale: 1" = 600'

Proposed Plat of Shenandoah Industrial Park, being a plat of a 25.64-acre tract of land situated in Section 16, Block 38, T-1-S, T&P Co. RR Survey, Midland County, Texas.

Generally located on the east side of North County Road 1150, approximately 800 feet north of East County road 50. (Extraterritorial Jurisdiction)

LEGEND

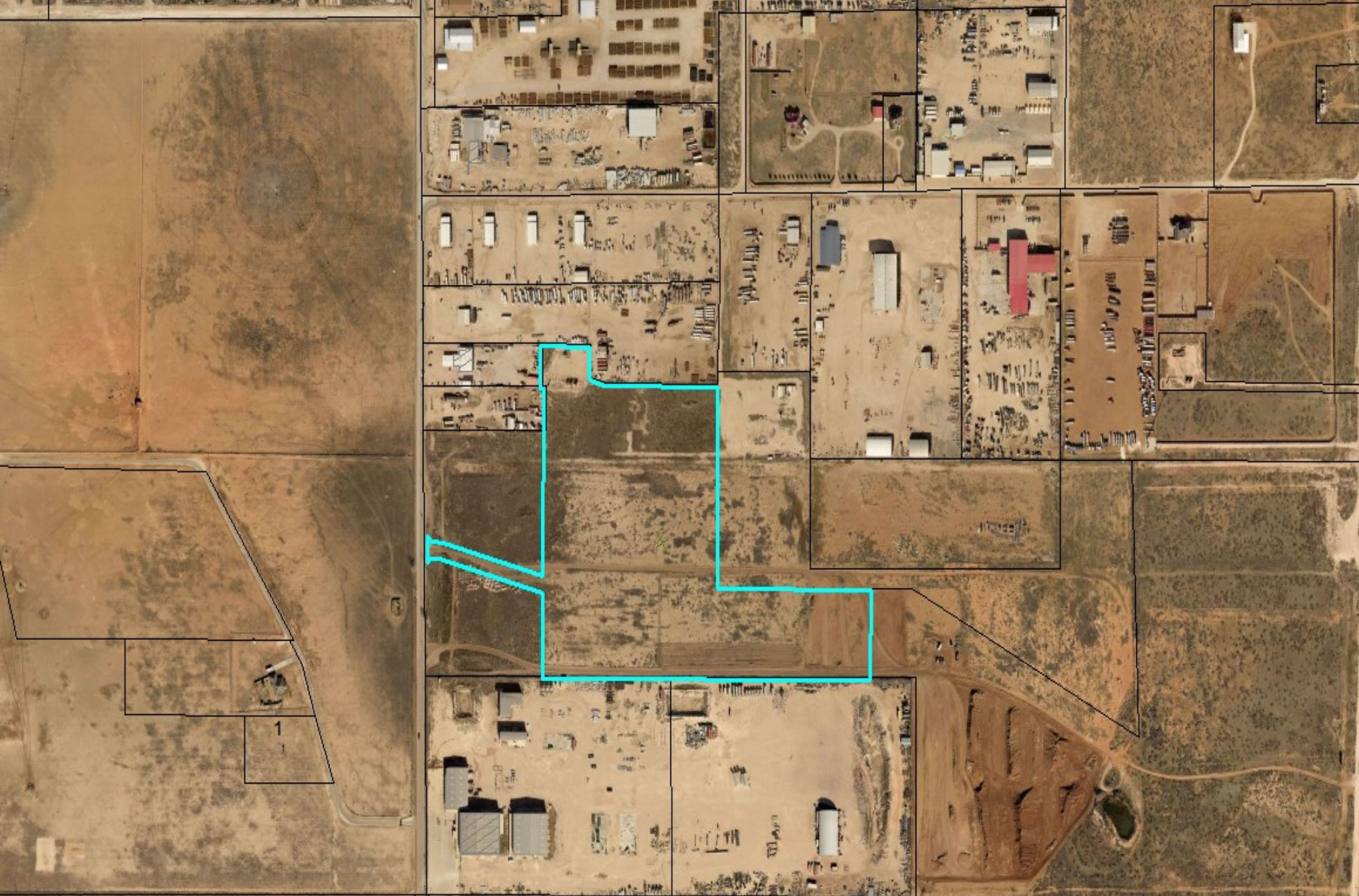
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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.







SHENANDOAH INDUSTRIAL PARK

FINAL PLAT

October 21, 2024

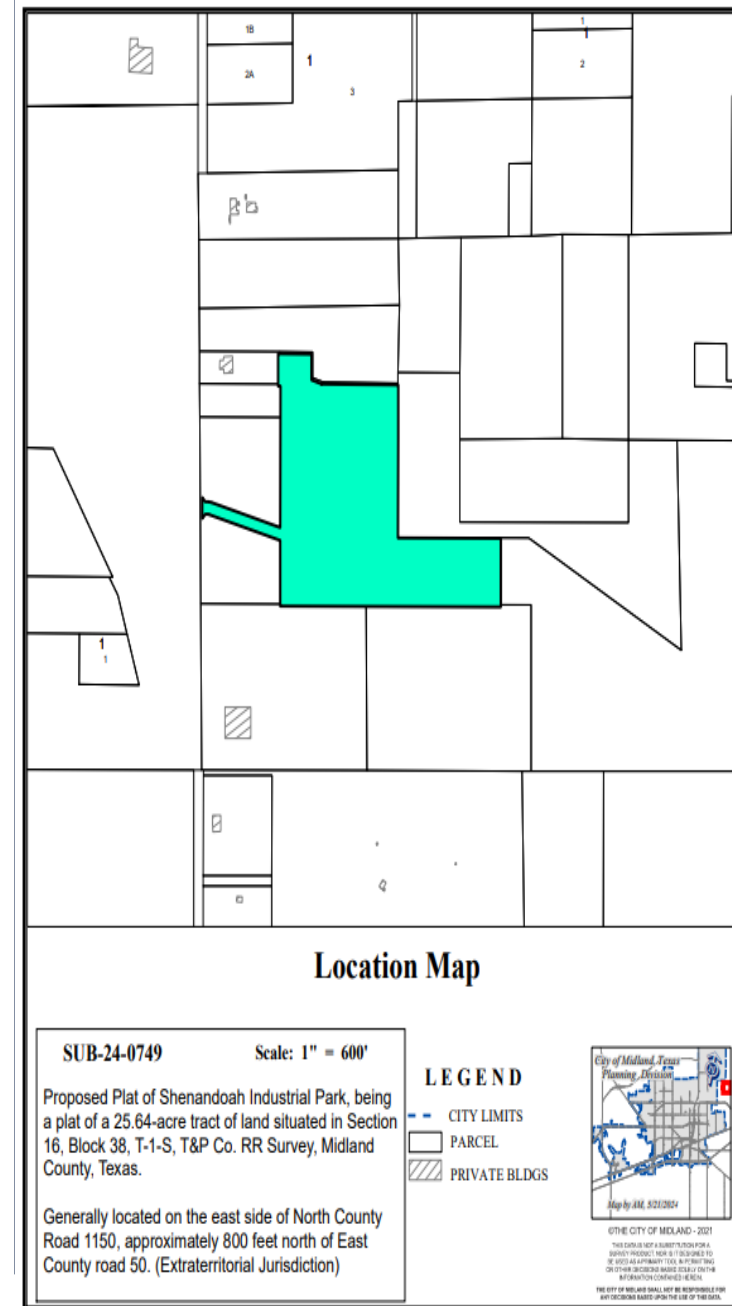


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APPLICATION SUMMARY

- **Property Owner & Developer:** Shenandoah Bar M Ranch, LLC, and Redtail Investment Partners, LLC
- **Representative:** Maverick Engineering
- **Application Type:** Plat
- **Address:** Generally located on the east side of North County Road 1150, approximately 800 feet north of East County Road 50. (Extraterritorial Jurisdiction)



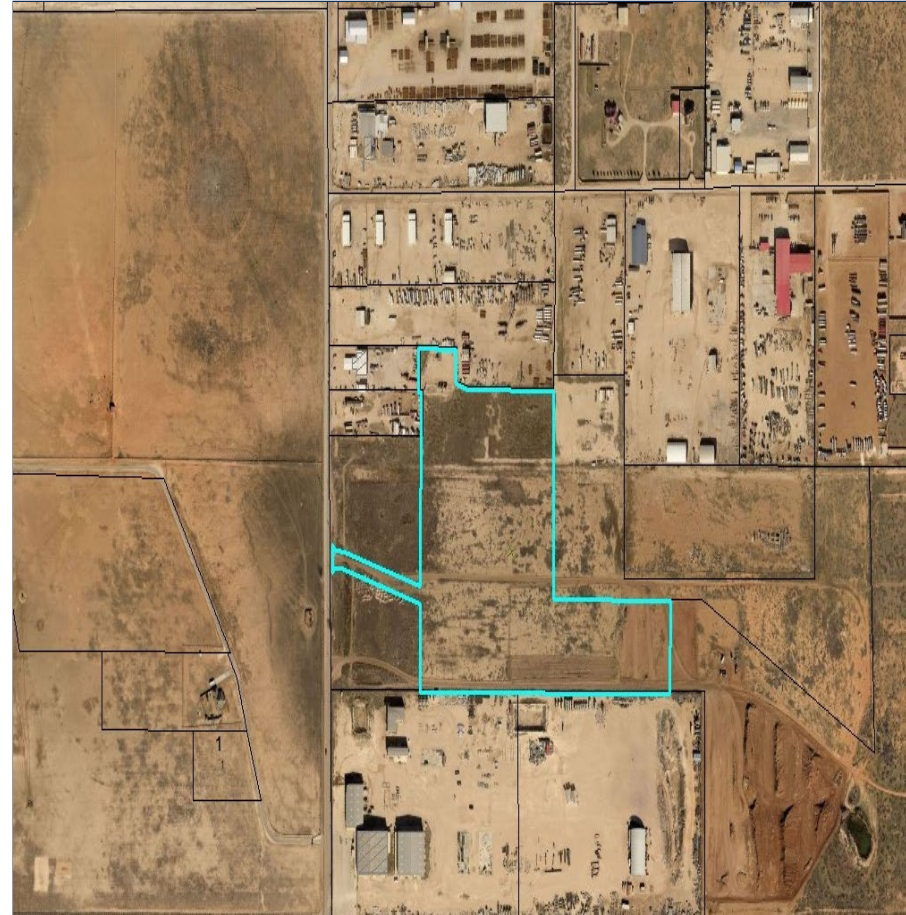
3

- # PACKET



LAND USE

- **Current Use:** Vacant
- **Proposed Use:** Industrial
- **Surrounding Uses:**
 - North & South: Industrial
 - West & East: Vacant



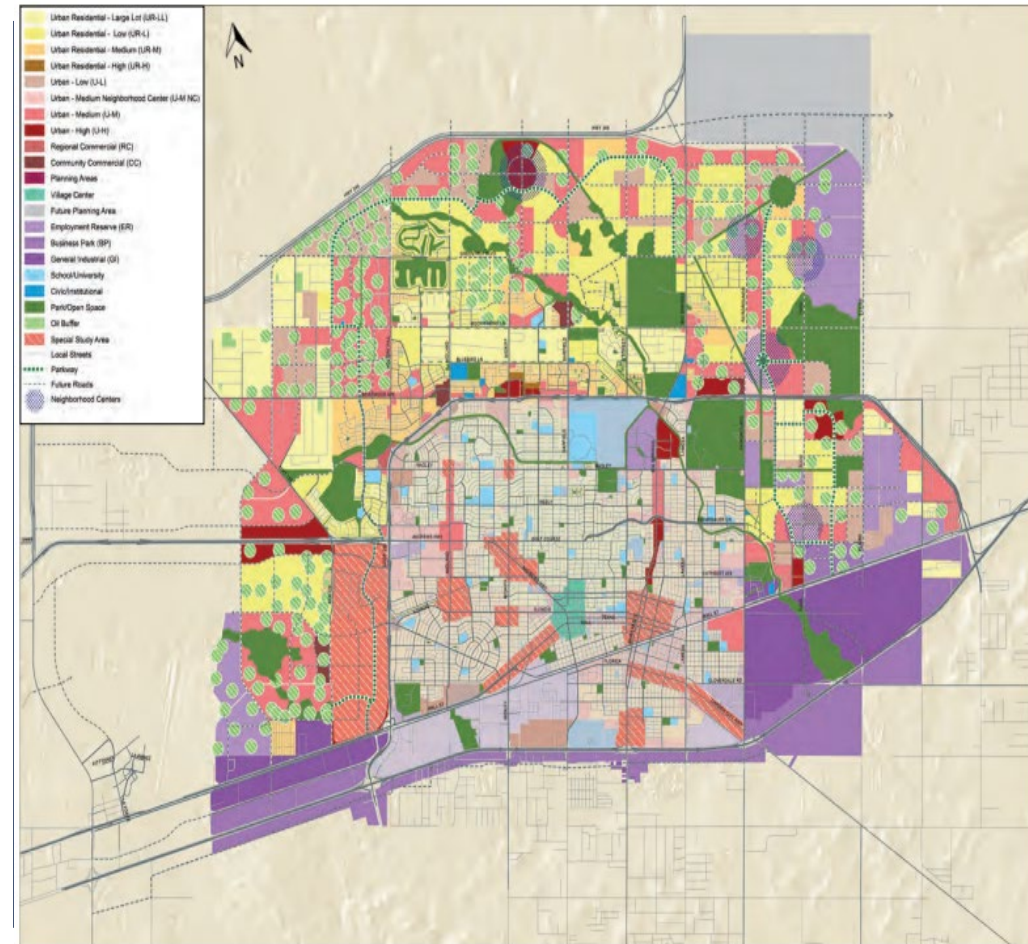
LAND USE



On North County Road 1150, Looking East

COMPREHENSIVE PLAN ANALYSIS

- TCT Land Use Designation:
 - Not designated



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of Shenandoah Industrial Park.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a Final Plat of 349 Ranch Estates, Section 26, being a replat of the west 178 feet of Lot 3, Block 1, 349 Ranch Estates, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of State Highway 349 and Tejas.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

RR, Regional Retail

Preliminary Plat Approval:

Westward Environmental, Inc., on behalf of Sweet Commercial Properties, LLC, is requesting to replat a property located at 6400 North Highway 349 into 1 lot and leaving a remainder to develop a Domino's Pizza restaurant.

The preliminary plat was approved at the August 19, 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)

MPACT FEES: Okay as Shown. [For Applicant's Information Only.]

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

PAVING: N SH 349 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. Tejas roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Tejas Street S of tract, okay as is. No public water improvements required. 12" water exists in N SH 349 Street W of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 15" sewer exists in N SH 349 Street W of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Show compliance with Dominos-Midland drainage Study, prepared by Westward Engineering and approved by City on 09/16/2024. [Reference City Code Sect. 11-2-3(D)8]

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

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

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil & 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 349 Ranch Estates, Section 26.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Domino's Midland

Legal Description (attached sealed Metes and Bounds): _____
0.424, BLK: 001, LOT: 003, ADDN: 349 RANCH ESTATES

Property Owner

Printed Name: SWEET COMMERCIAL PROPERTIES, LLC

Phone (432) 967-2234

Email

Address 606 N. WEATHERFORD STREET

City Midland

State Texas

Zip

Developer (if different than Owner)

Printed Name: Fehr's Metal Building Construction, LLC

Phone (432) 967-2234

Email

Address 377 County Road 307

City Seminole

State Texas

Zip 79360

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

Firm: Westward Environmental, Inc.

Printed Name: Vance Houy, P.E.

Phone (432) 967-2234

Email

Address 4 Shooting Club Rd.

City Boerne

State Texas

Zip 78006

Current Zoning: RR, Regional Retail District

Reason for Platting: New construction of Domino's restaurant

Plat Information

Total Acreage: 0.42ac

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: One(1)

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed) : _____

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 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.****

FINAL PLAT

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, _____ is the record owner of a tract of land situated in the 349 RANCH ESTATES Subdivision, County of Midland, and more particularly described as follows:

BEING A PORTION OF LOT 3, BLOCK 1, 349 RANCH ESTATES, A SUBDIVISION LOCATED IN THE CITY OF MIDLAND, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET B, PAGE 287, OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS (PRMCT); BEING THE SAME TEAS 349, LLC CALLED 0.425 ACRE TRACT RECORDED IN DOCUMENT NO. 2023-24223 OF THE OFFICIAL RECORDS OF MIDLAND COUNTY, TEXAS (DMCT); SAID 0.425 ACRES BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a found 1/2" rebar with red cap stamped "SAM CONTROL" for the northwest corner of the herein described tract, being the northwest corner of said LOT 3, BLOCK 1, being the southwest corner of LOT 2, BLOCK 1 of said 349 RANCH ESTATES, and being on the southwestern boundary of a 45' WIDE ACCESS ROAD DEDICATION as shown on said plat of 349 RANCH ESTATES, from which a found 1/2" rebar with no identification for the northwest corner of LOT 1, BLOCK 1 of said 349 RANCH ESTATES bears North 14°40'24" West a distance of 208.08 feet for reference;

THENCE, North 75°34'49" East a distance of 178.08 feet, along the northwestern boundary of this tract, being the northwestern boundary of said LOT 3, BLOCK 1, and being the southwestern boundary of said LOT 2, BLOCK 1, to a found 1/2" rebar with red cap stamped "SAM CONTROL" for the northeast corner of this tract, being the northeast corner of the CITY OF MIDLAND called 0.423 acre tract recorded in Document No. 2017-22396, DMCT, from which a found 1/2" rebar with an illegible yellow cap for the northeast corner of said LOT 3, BLOCK 1 bears North 75°34'49" East a distance of 178.61 feet for reference;

THENCE, South 14°39'31" East a distance of 103.99 feet, through the interior of said LOT 3, BLOCK 1, along the northeastern boundary of this tract, being the southwestern boundary of said CITY OF MIDLAND called 0.423 acre tract to a found 1/2" rebar with red cap stamped "SAM CONTROL" for the southwest corner of this tract, being the southwest corner of said CITY OF MIDLAND called 0.423 acre tract, being on the southeastern boundary of said LOT 3, BLOCK 1, and being on the northeastern Right-of-Way of TEXAS STREET (60' Wide Public R.O.W.);

THENCE, South 75°36'16" West a distance of 178.05 feet, along the southwestern boundary of this tract, being the southwestern boundary of said LOT 3, BLOCK 1, and being the northeastern Right-of-Way of TEXAS STREET (60' Wide Public R.O.W.) to a found 1/2" rebar with red cap stamped "SAM CONTROL" for the southwest corner of this tract, being the southwest corner of said LOT 3, BLOCK 1, and being on the southeastern boundary of said 45' WIDE ACCESS ROAD DEDICATION;

THENCE, North 14°40'24" West a distance of 103.92 feet, along the southwestern boundary of this tract, being the southwestern boundary of said LOT 3, BLOCK 1, and being along the southwestern boundary of said 45' WIDE ACCESS ROAD DEDICATION to the POINT OF BEGINNING;

CONTAINING: 0.425 acres (18,510 SQ.FT.) of land.
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That _____ does hereby certify this plat designating the hereinabove described property as 349 RANCH ESTATES, SECTION 28, an addition to the CITY AND COUNTY OF MIDLAND, Texas, and, hereby dedicate to the public use forever the streets, alleys and easements shown thereon.

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

SIGNATURE _____

PRINT NAME HERE _____ ACKNOWLEDGMENT

STATE OF TEXAS: _____
COUNTY OF _____:

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON _____, 2024, BY _____

NOTARY PUBLIC, _____ COUNTY, TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: That I, W. ANDREW MCLAUGHLIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE LOCATED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

W. ANDREW MCLAUGHLIN, RPLS
TEXAS REGISTRATION NO. 6473

DATED _____

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF 349 RANCH ESTATES, SECTION 28, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____, 2024.

SIGNED: _____
LUCY SISNEGA, CHAIRMAN

ATTEST: _____
LONDON OCHOA, SECRETARY

349 RANCH ESTATES, SEC 26

BEING A REPLAT OF 0.425 ACRES OUT OF LOT 3, BLOCK 1, 349 RANCH ESTATES, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS



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

BASIS OF BEARINGS AND COORDINATES are relative to State Plane Coordinate System, NAD 1983, Texas Central Zone (4203). Distances and acreages shown are grid values. Distances can be converted to surface using a combined adjustment factor of 1.000120.

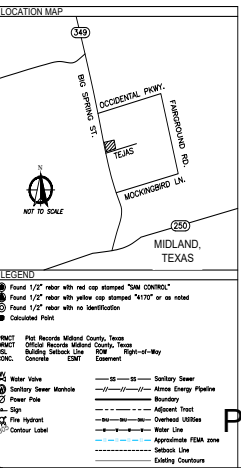
THETA ANGLE: +00° 54' 12"

Contours shown hereon were provided by the client and are relative to the North American Vertical Datum of 1988.

OWNER:
SHEET COMMERCIAL PROPERTIES, LLC
606 N. WEATHERFORD STREET
MIDLAND, TEXAS 79701
ATTENTION: JAMES C. GERETY
830.249.2234

ENGINEER:
VANCE-KOBY, P.E. 107401
WESTWARD ENVIRONMENTAL, INC.
4 SHOOTING CLUB ROAD
P.O. BOX 2206
BOERNE, TEXAS 78006
TBPB REG. NO. F-4524
830.249.8281

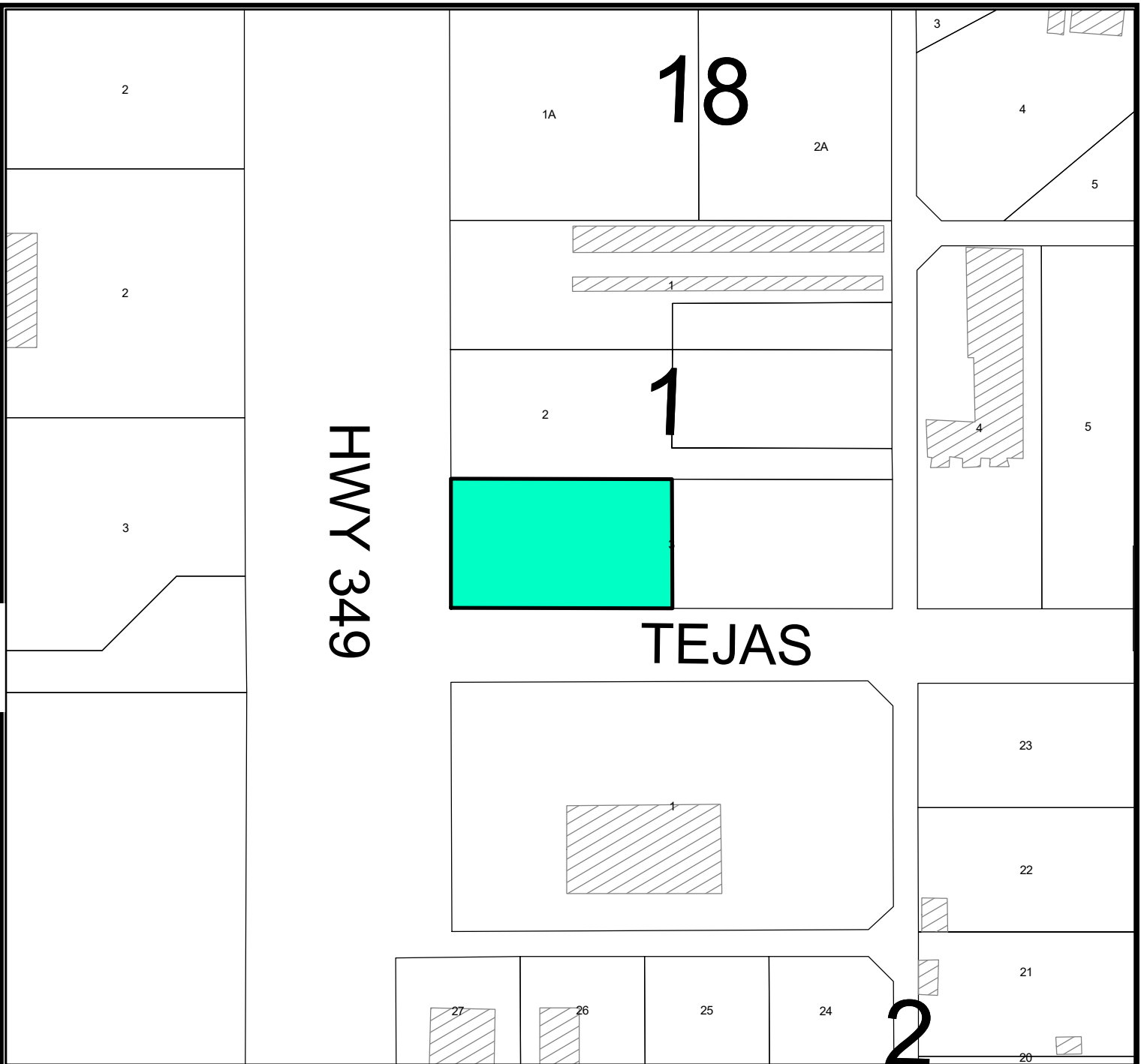
SURVEYOR:
W. ANDREW MCLAUGHLIN, RPLS 6473
OPEN RANGE FIELD SERVICES, LLC
30350 H-10 WEST, SUITE 100
BOERNE, TEXAS 78009
TBPB REG. NO. 10194069
830.428.0290



IMPACT FEE NOTE:
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.

FINAL FIRM NOTE:
ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) FOR MIDLAND COUNTY, TEXAS, MAP NUMBER 483620100F, EFFECTIVE DATE SEPTEMBER 16, 2005, THIS PROPERTY LIES WITHIN ZONE AH, AN AREA OF SPECIAL FLOOD HAZARD (SFHA).

- ADDITIONAL NOTES:**
1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
 3. 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.
 4. THIS LOT SHALL NOT HAVE ANY DIRECT ACCESS VEHICLE ACCESS TO STATE HIGHWAY 349 OR ACCESS ROAD.
 5. THERE IS A CROSS-ACCESS EASEMENT PROVIDED TO LOT 2, BLOCK 1, 349 RANCH ESTATES WHERE PERMITTED BUILDINGS ARE NOT EXISTING OR PROPOSED.
 6. THIS PLAT IS IN COMPLIANCE WITH THE DOMINOS-MIDLAND DRAINAGE STUDY, PREPARED BY WESTWARD ENVIRONMENTAL, INC. AND APPROVED BY THE CITY OF MIDLAND ON 09/16/2024.



Location Map

SUB-24-0755

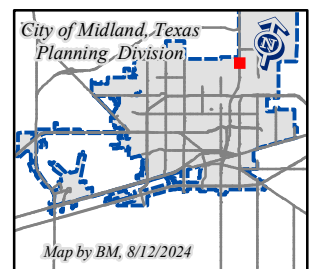
Scale: 1" = 116'

Proposed plat of 349 Ranch Estates, Section 26, being a replat of the west 178 feet of Lot 3, Block 1, 349 Ranch Estates, City and County of Midland, Texas.

Generally located northeast of the intersection of State Highway 349 and Tejas. (Council District 1)

LEGEND

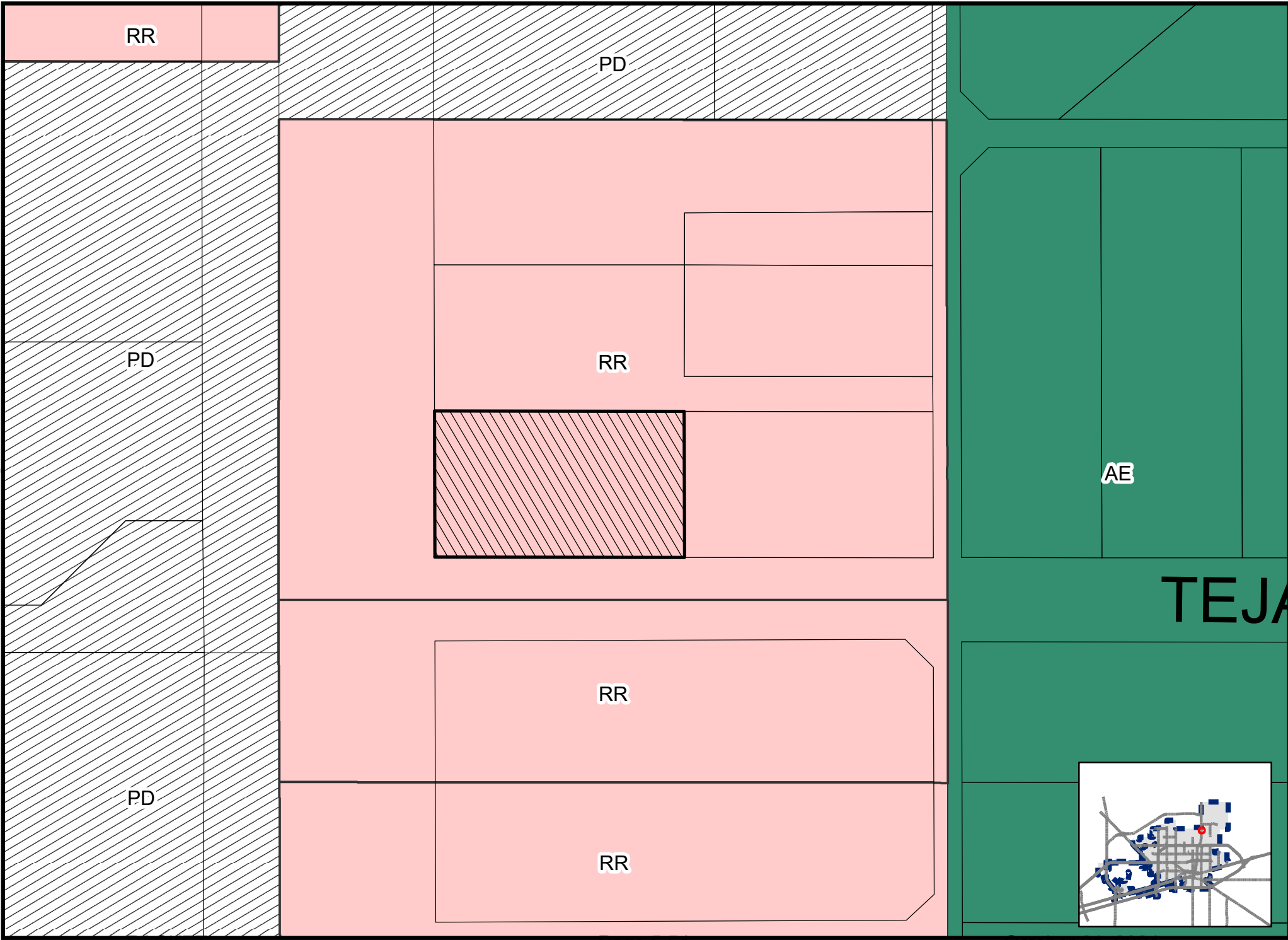
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



RR

PD

PD

RR

AE

TEJA

RR

PD

RR

PACKET

Page 5.54

October 21, 2024









349 RANCH ESTATES, SECTION 26

FINAL PLAT

October 21, 2024



Visit Our Website

MIDLANDTEXAS.GOV

PACKET

Page 5.57

October 21, 2024

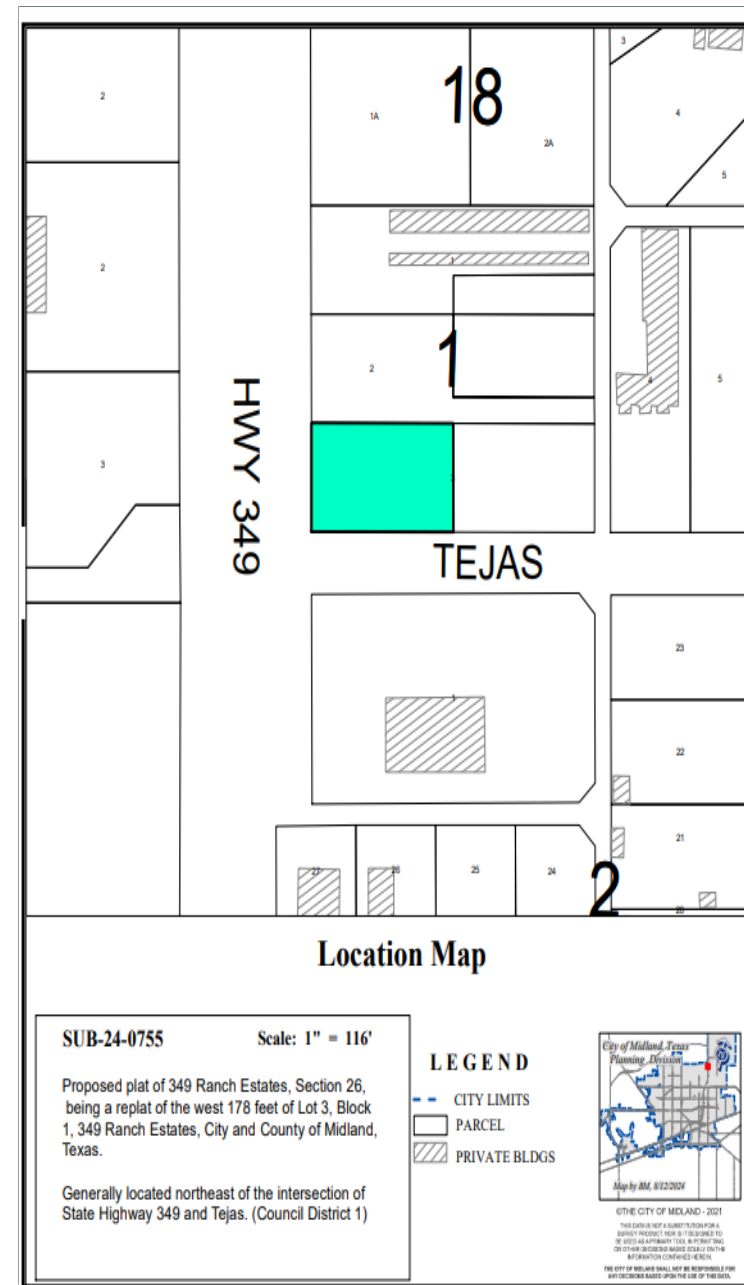
APPLICATION SUMMARY

- **Property Owner:** Sweet Commercial Properties, LLC
- **Developer:** Fehr's Metal Building Construction, LLC
- **Representative:** Vance Huoy with Westward Environmental, Inc
- **Application Type:** Final Plat
- **Address:** Generally located northeast of the intersection of State Highway 349 and Tejas. (Council District 1)

2

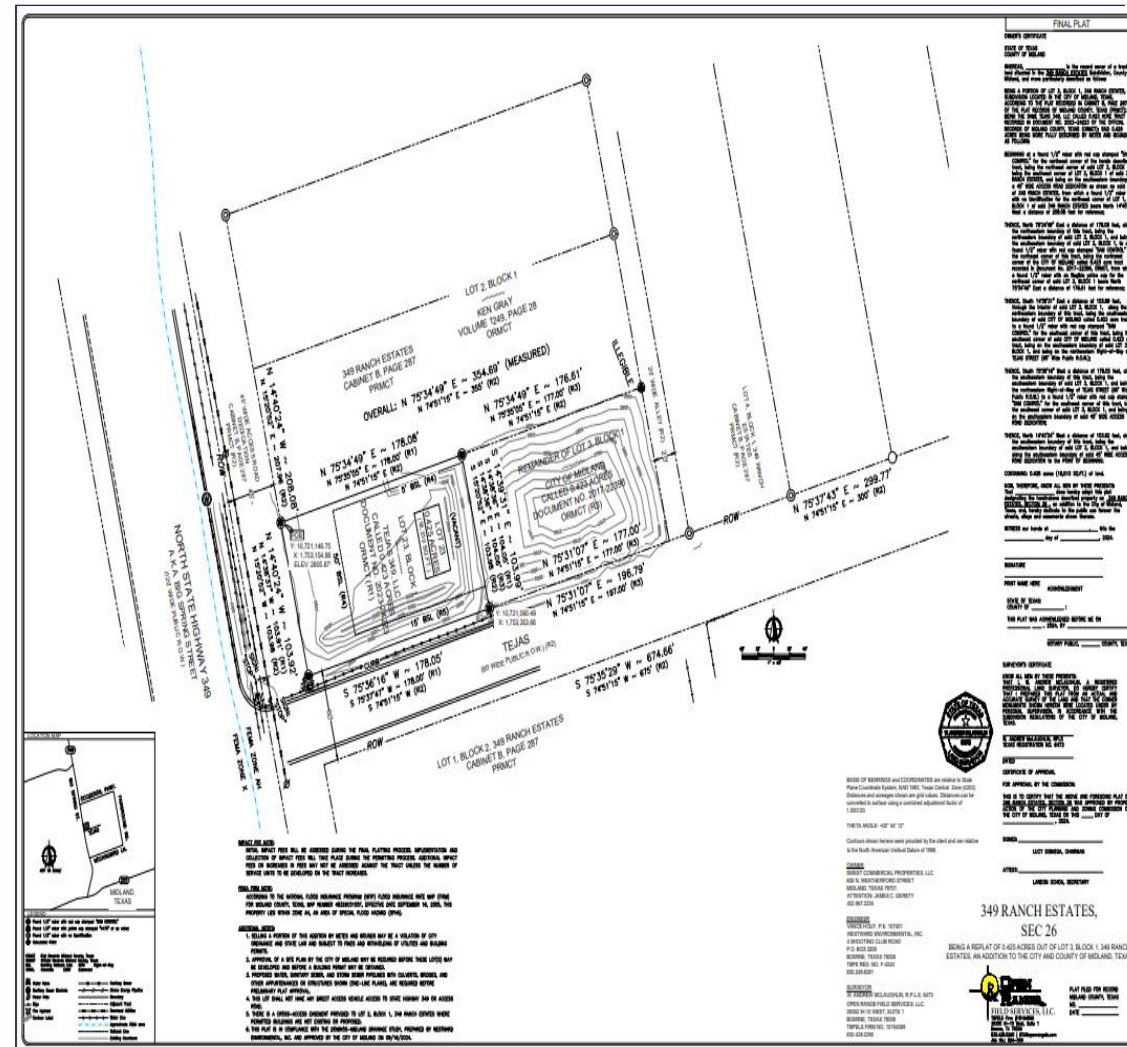
PACKET

Page 5.58



PLAT DETAILS

- Acreage: 0.425-acres
- Number of lots: 1 lot
- Reason for Request: To obtain permits for future development

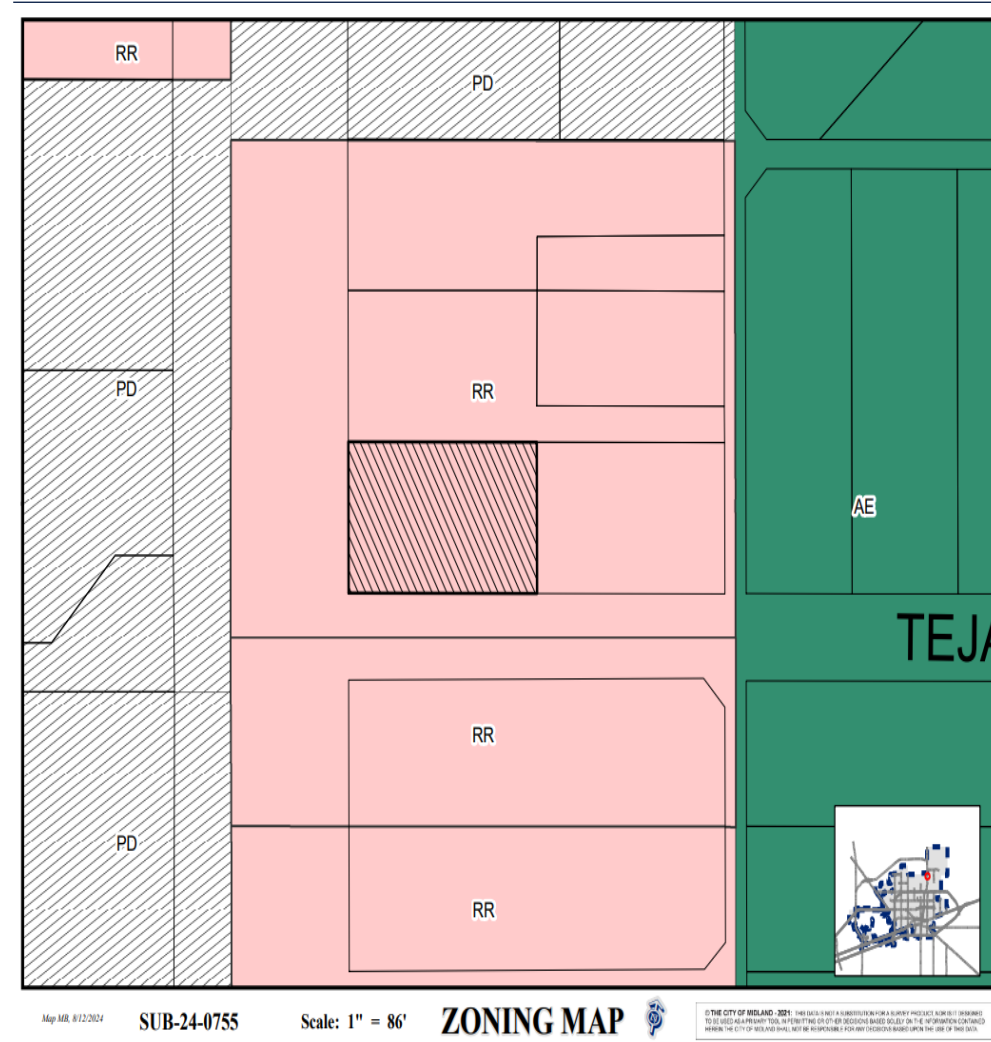


ZONING

Current Zoning: Regional Retail (RR)

Surrounding Zoning:

- **North, South, West & East:**
Regional Retail (RR)



LAND USE

- **Current Use:** Vacant
- **Proposed Use:** Domino's Pizza
- **Surrounding Uses:**
 - North: Utility Structures
 - West & South: Retail
 - East: Vacant



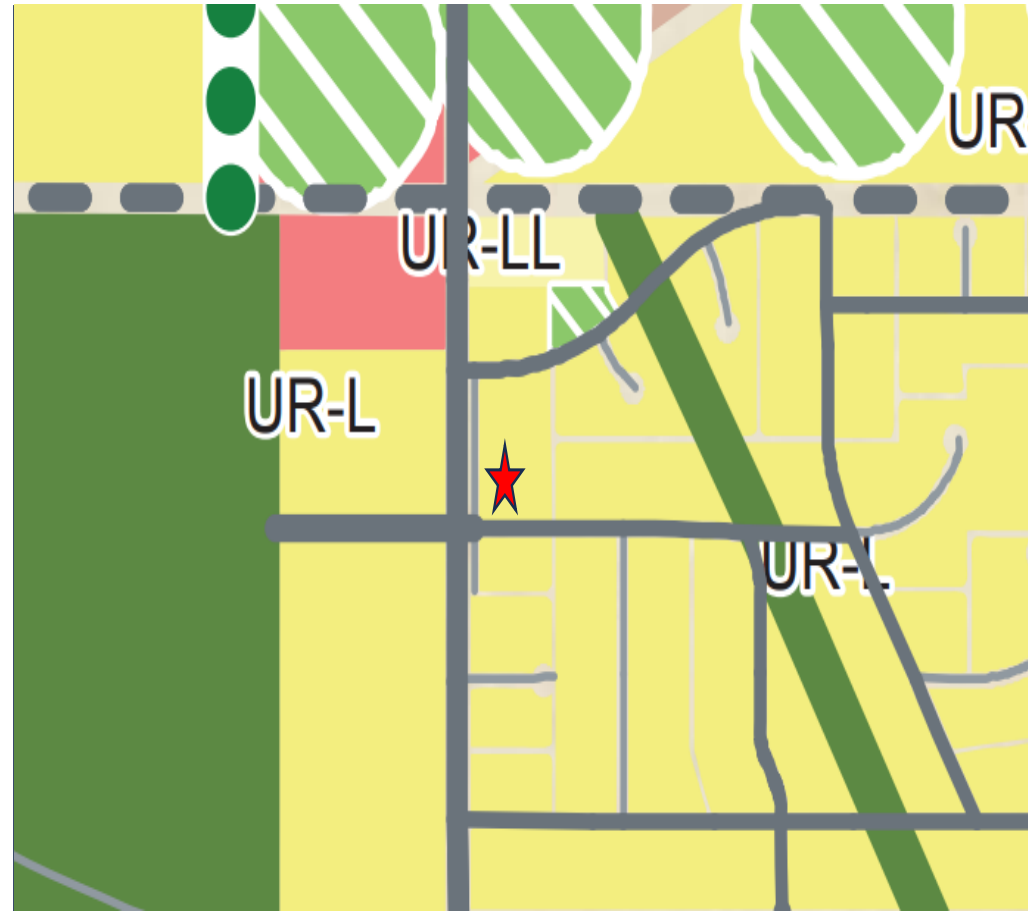
LAND USE



On Tejas Road, Looking North

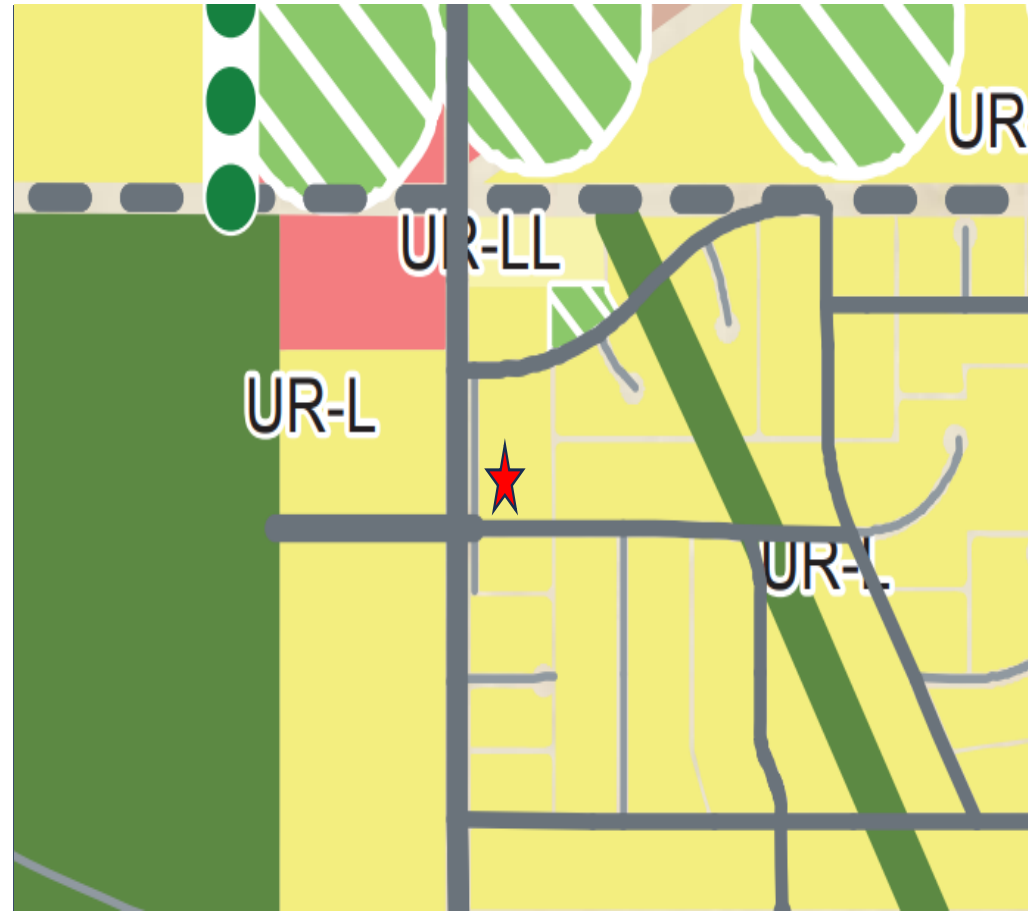
COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
 - Urban Residential-Low (UR-L)
- **Supported Uses:**
 - Restrictive land use, emphasizing single-family detached development, although innovative single-family forms may be permitted with special review.



COMPREHENSIVE PLAN ANALYSIS

- Civic uses are generally allowed, with special permission for higher intensity uses. Developments will be provided with full city services.
- Land use is **compatible** with surrounding area & but not compatible with the TCT Plan



RELATED ITEMS

- The preliminary plat associated with this request was approved on August 19, 2024, by the Planning & Zoning Commission.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of 349 Ranch Estates, Section 26.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving a Final Plat of Ranchero Park, Section 8, being a 4.057-acre tract of land out of the southwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Interstate 20 Service Road, approximately 215 feet east of South Midkiff Road.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

Maverick Engineering is requesting to plat a property located on West Interstate 20 Service Road to construct a convenience store and gas station.

The preliminary plat was approved at the February 20, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Interstate 20 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. W Sunglo roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: Deferral request for water improvement were administratively approved on 02/26/2024. [For Applicant's Information Only.]

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

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

SEWER: 36" sewer exists in Sunglo Street N of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Show compliance with Ranchero Park, Section 8 Drainage Study, prepared by Maverick Engineering and approved by City on 01/25/2024. [Reference City Code Sect. 11-2-3(D)8]

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 02/26/2024. [For Applicant's Information Only.]

Transportation: (Approved with Conditions)

Driveway permitting within city limits on I-20, LP 250, SH 191, and FM 1788 is under the jurisdiction of TxDOT. A copy of an approved TxDOT driveway permit must be provided to the City with the building permit application before a City building permit can be issued. No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil & Gas Issues.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 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 Ranchero Park, Section 8.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-23-0704
Case Number: Rebecca
P-24-2102

Proposed Subdivision Plat Name: RANCHERO PARK, SECTION 8

Legal Description (attached sealed Metes and Bounds): BEING A 4.057 ACRE TRACT OF LAND OUT OF THE SOUTHWEST QUARTER OF SECTION 4, BLOCK 39, T-2-S, T&P RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner

Printed Name: PERRY L RIGGS

Phone (432) 262-0999

Email
perry@slashguitars.com

Address 2222 QUARTERPASH DR

City RICHMOND

State TX

Zip 77469

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: GREG SHOULTS

Phone (432) 262-0999

Email
gshoults@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: RR

Reason for Platting: OWNERSHIP

Plat Information

Total Acreage: 4.057

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): Perry Riggs Date: 9/24/2024
 Property Owner (printed): Perry Riggs

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

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

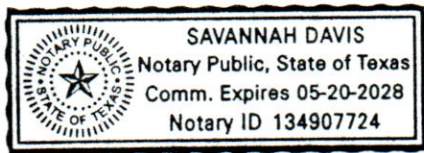
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
 COUNTY OF MIDLAND

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

Ashlee Devine
 Authorized Agent (signature)

Subscribed and sworn to before me, this 25th day of September, 20 24, to certify which witness my hand and seal of office.



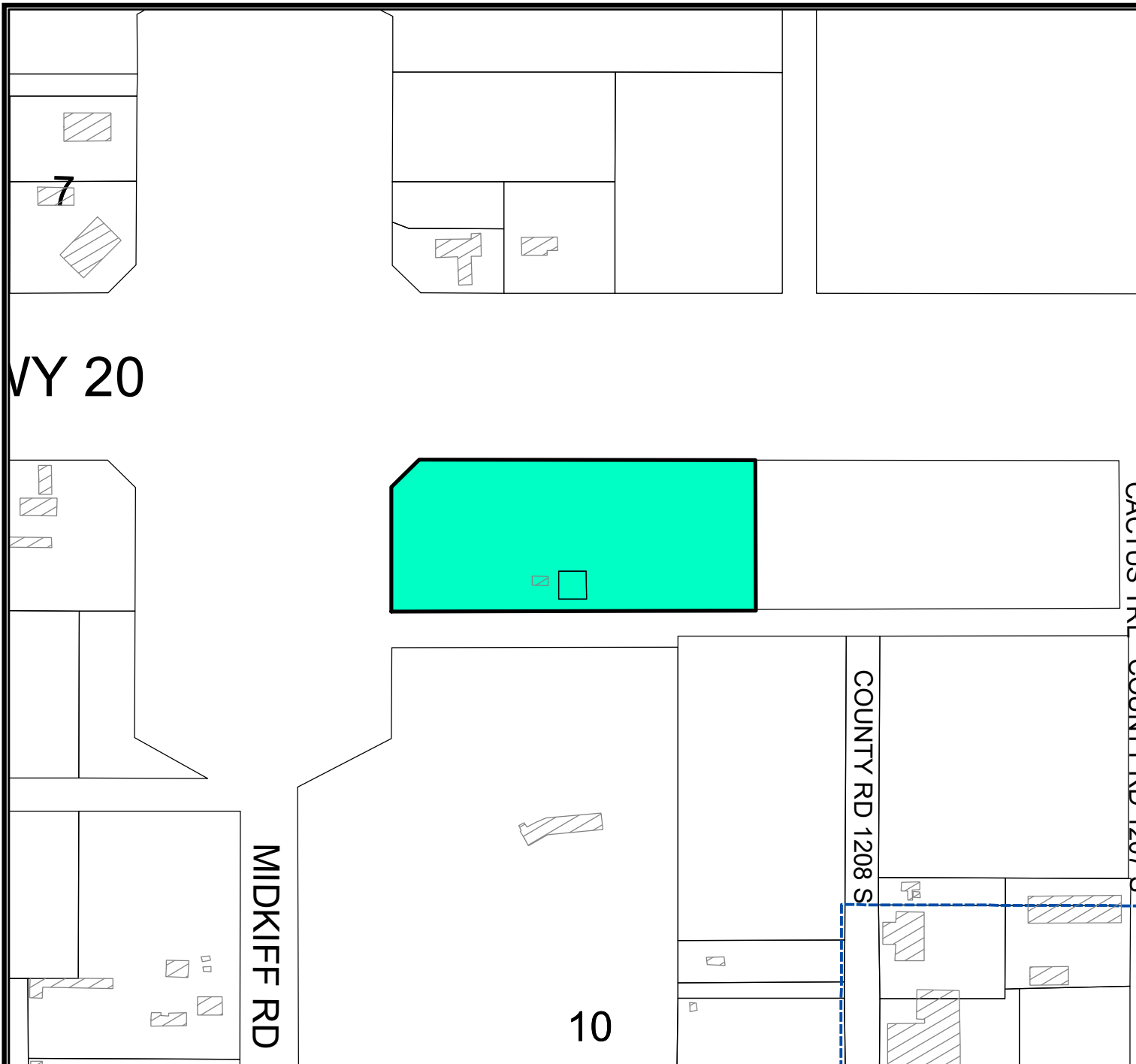
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|---|--|---|
| ☐ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☐ Public Improvement |
| Check # <u>4966</u> | ☒ Tax Certificates | ☐ Recording Fee |

Received By: Macklin Pappas Date: SEP 25 2024

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



LOCATION MAP

SUB-23-0704

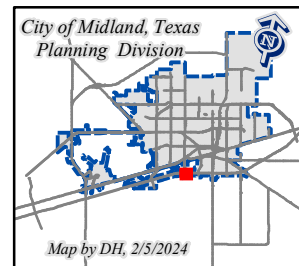
Scale: 1" = 259'

Proposed plat of Ranchero Park, Section 8, being a 4.057-acre tract of land out of the southwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the south side of W. Interstate 20 Service Road, approximately 215 feet east of S. Midkiff Road. (Council District 2)

LEGEND

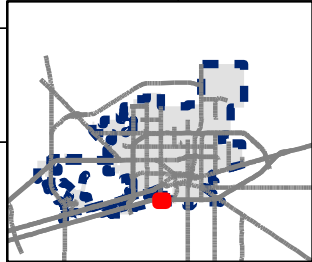
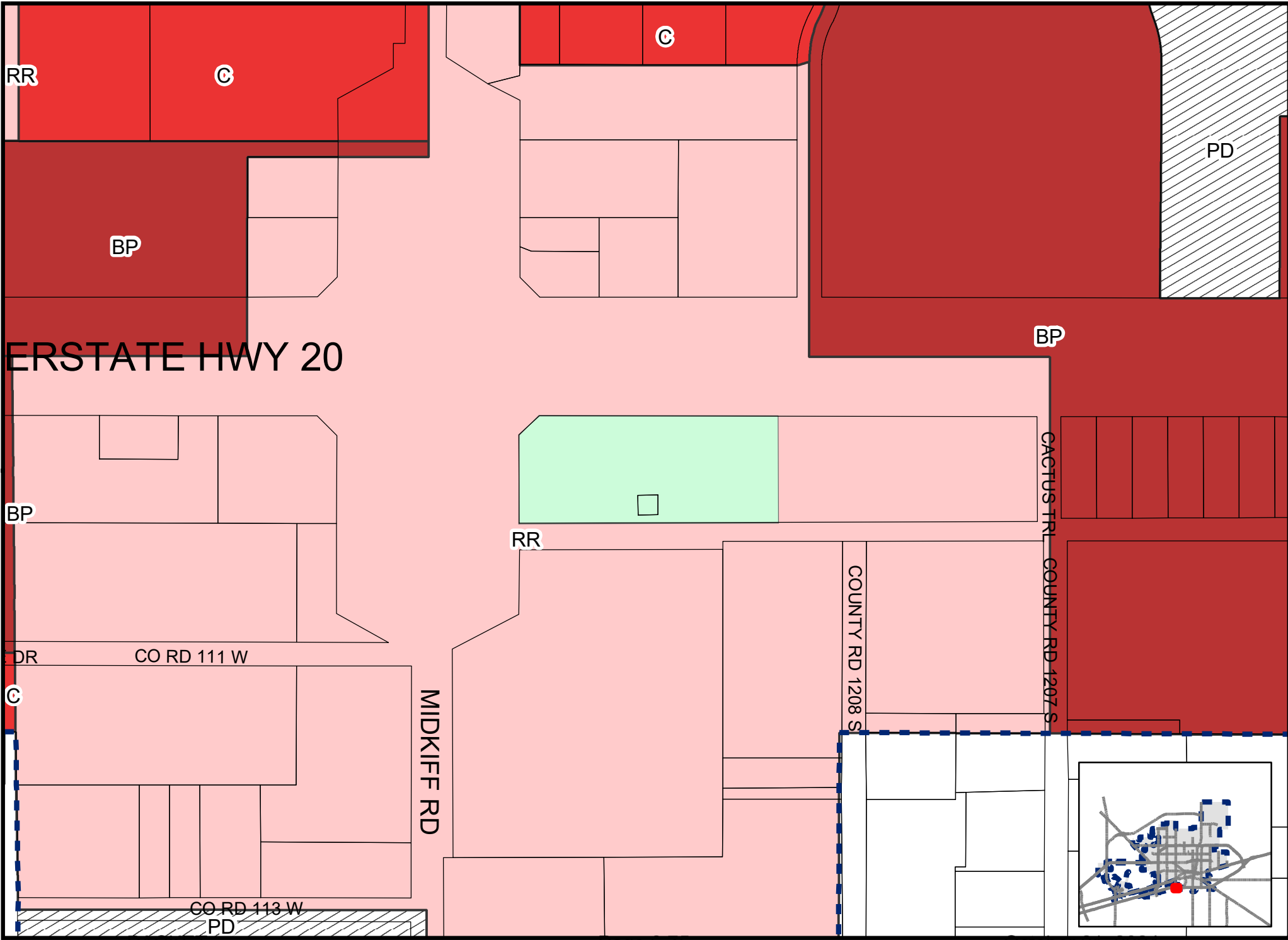
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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









RANCHERO PARK, SECTION 8

ITEM —
FINAL PLAT

October 21, 2024



Visit Our Website

MIDLANDTEXAS.GOV

PACKET

Page 6.78

October 21, 2024

- **Property Owner & Developer:** Perry Riggs
- **Representative:** Greg Shoults with Maverick Engineering
- **Application Type:** Final Plat
- **Address:** Generally located on West Interstate 20. (District 2)



3

- # PACKET

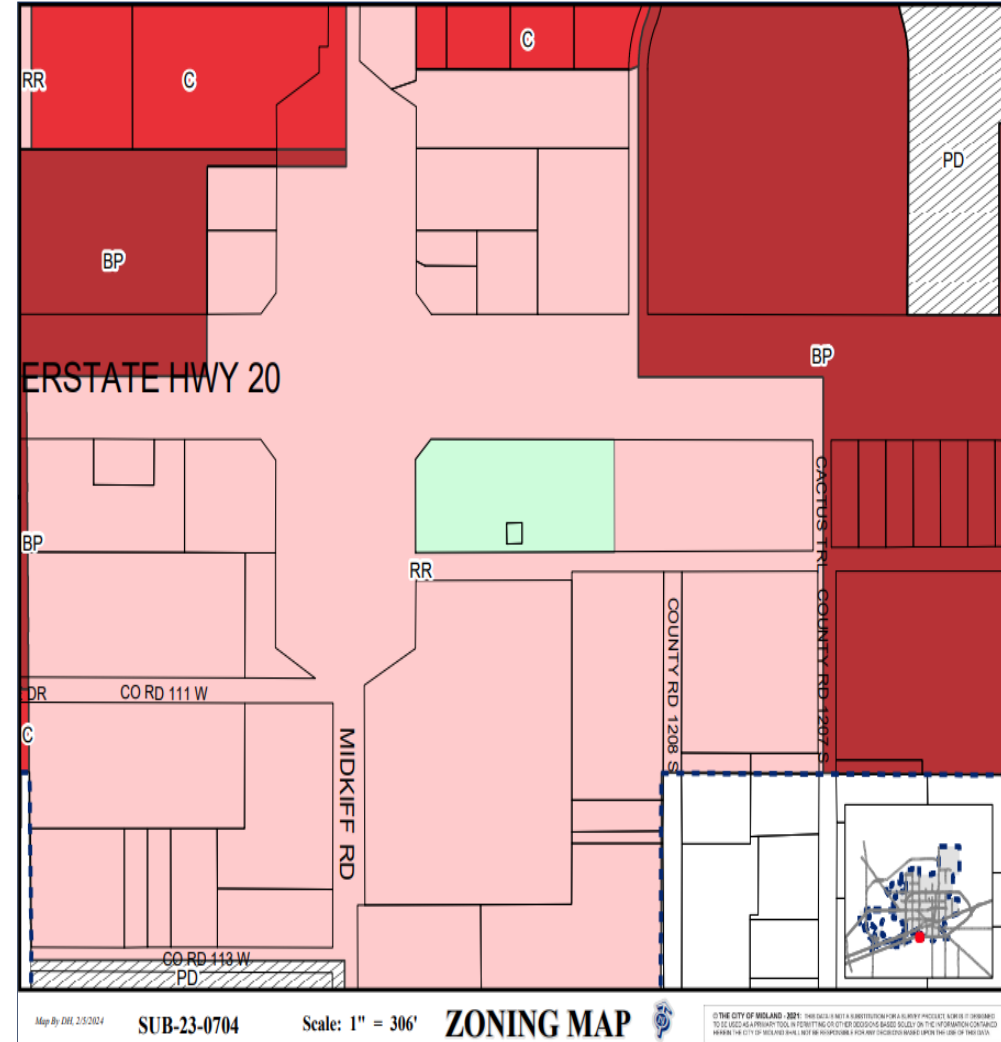


ZONING

Current Zoning: Retail (RR)

Surrounding Zoning:

- North, South, East & West:
Retail (RR)



LAND USE

- **Current Use:** Vacant lot
- **Surrounding Uses:**
 - North: Restaurant
 - West & East: Vacant lots
 - South: Telecommunication towers



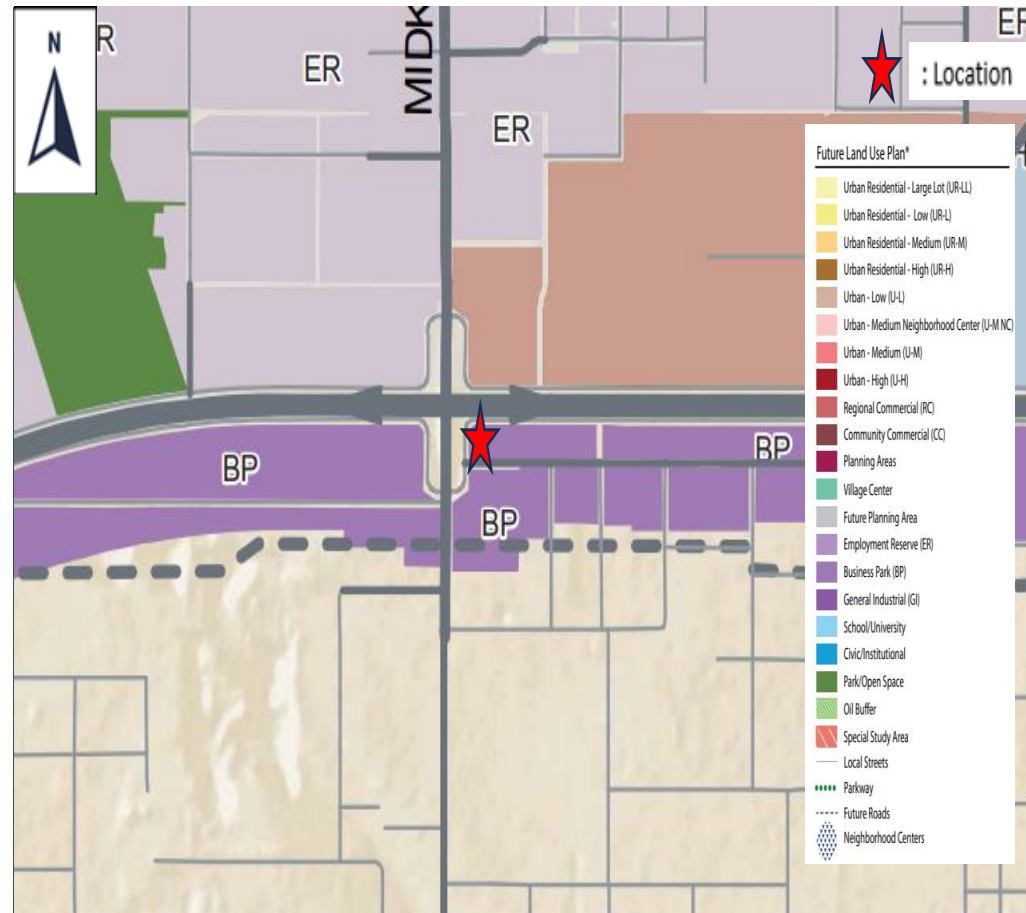
LAND USE



On Sunglo Avenue, looking north

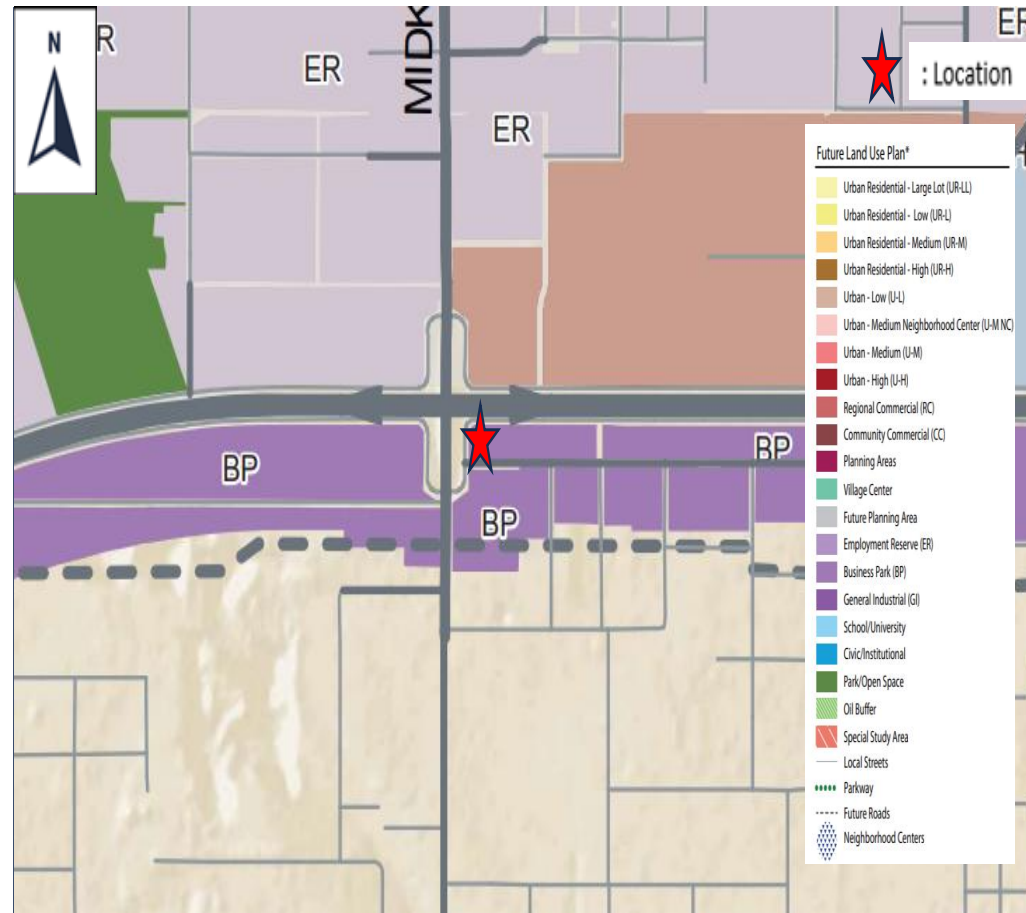
COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
 - Business Park I-20 (BP)
- **Supported Uses:**
 - Much of the corridor will focus on warehousing and distribution with larger scale visitor services located at the major intersections, such as Big Spring.



COMPREHENSIVE PLAN ANALYSIS

- Multifamily may be appropriate when integrated as part of a holistic development that incorporates retail and office uses.
- Land use is **compatible** with surrounding area & TCT Plan



RELATED ITEMS

- The preliminary plat associated with this request was approved on February 20, 2024, by the Planning & Zoning Commission.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of Ranchero Park, Section 8.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



PLANNING AND ZONING Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving a Final Plat of West Fork Addition, Section 4, being a replat of Lots 5, 6, and 7, Block 1, West Fork Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of State Highway 158, approximately 1,150 feet north of State Highway 191.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

Maverick Engineering, on behalf of Coy Hanes, is requesting to replat three properties located on State Highway 158 into three new lots to construct a fast-food restaurant, AutoZone, and oil change.

The preliminary plat was approved at the September 3, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: State Highway 158 is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 30" water exists North of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: The SH 158 Wastewater Plans that will extend the wastewater along the frontage of the plat has been approved; these wastewater improvements will be installed with the development within West Fork Addition, Section 1. [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)

No additional comments.

Oil and Gas: (Approved)

No Oil & Gas Issues.

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of West Fork Addition, Section 4.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-24-0767

Case Number: _____

Proposed Subdivision Plat Name: WEST FORK ADDITION, SECTION 4

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 5, 6, AND 7 BLOCK 1, WEST FORK SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, TEXAS

Property Owner

Printed Name: COY HAYNES

Phone (432) 262-0999

Email
chaynes@haymesdevco.com

Address 1901 N. AKARD STREET

City DALLAS

State TX

Zip 75201

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: MAVERICK ENGINEERING

Phone (432) 262-0999

Email
gshoults@maverick-eng.com

Printed Name: GREG SHOULTS

Address 1909 W WALL STREET SUITE K

City MIDLAND

State TX

Zip 79704

Current Zoning: RRReason for Platting: OWNERSHIP**Plat Information**

Total Acreage:

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

Number of Lots:

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')For plats 18" to 24" \$61.00For plats that exceed 24" \$81.00For related documents, \$26.00 for first page, \$4.00 for each additional page.**Signature (by property owner only – authorized agent must sign affidavit below)**

Property Owner (signature): [Signature] Date: 9-25
 Property Owner (printed): 03189E91C5954BB... Coy Haynes

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

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

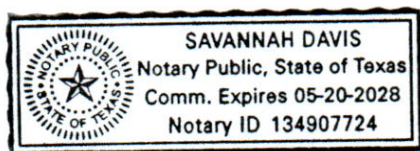
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
 COUNTY OF MIDLAND

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

Ashlee Devine
 Authorized Agent (signature)

Subscribed and sworn to before me, this 25th day of September, 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 4952☐ Title Opinion☐ Public Improvement

Check #

☐ Tax Certificates☐ Recording FeeReceived By: [Signature]Date: SEP 25 2024

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

FOR OFFICE USE ONLY

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

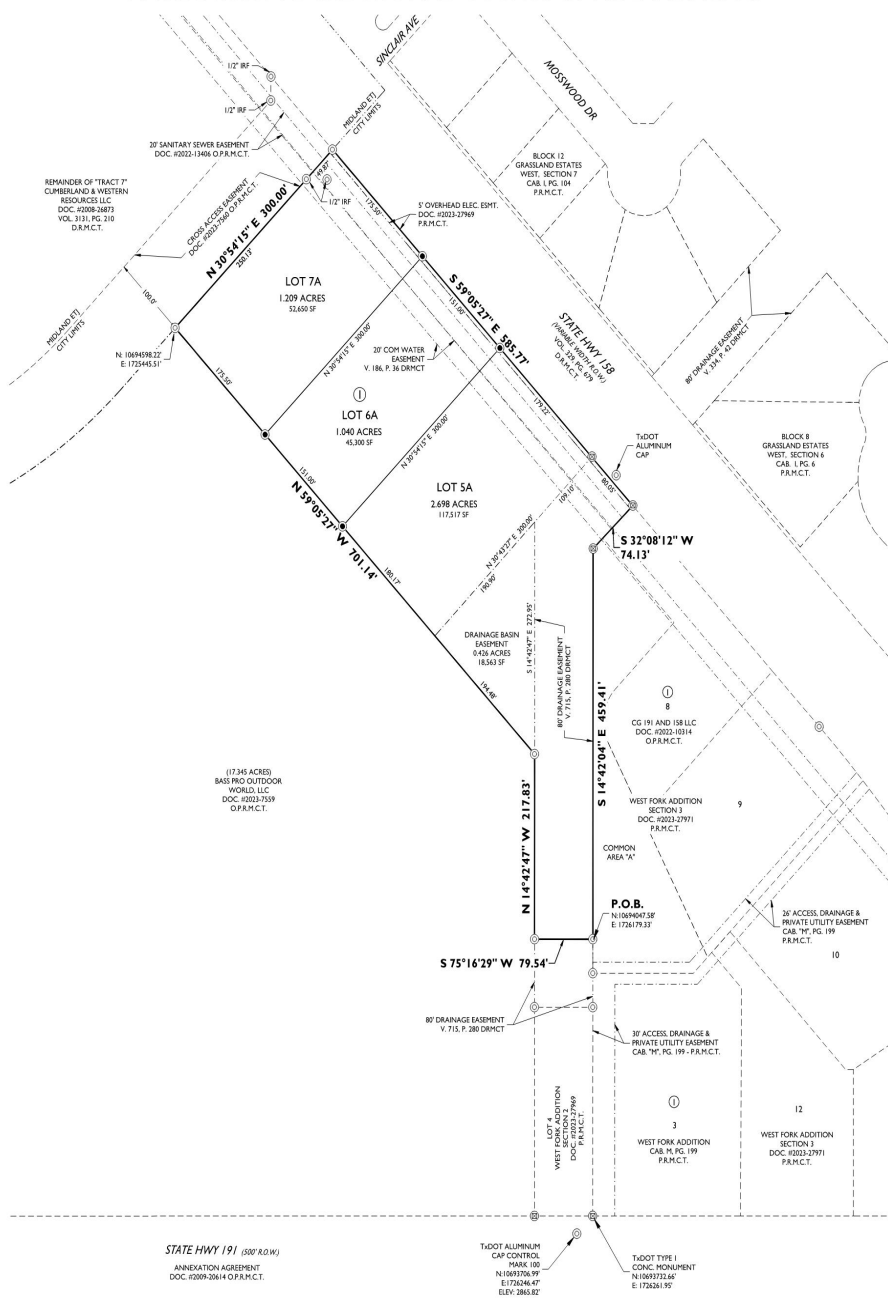
Received By: _____

Date: _____

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

WEST FORK ADDITION, SECTION 4

BEING A REPLAT OF LOTS 5, 6, AND 7, BLOCK 1, WEST FORK ADDITION SECTION 2,
AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS



FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA NFIP FLOOD INSURANCE RATE MAP #1822C0200E DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, MIDLAND 158, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 35, BLOCK 40, F.I.S. TAP, RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT MIDLAND 158, LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WEST FORK ADDITION, SECTION 4, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AND WHEREAS, SECTION 4, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND TO 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 TRUNK CONDUITS AND ACCESS THEREIN, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONDUITS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

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

BY: COT HINNEL, MANAGER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

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

_____ DAY OF _____, 2024.

LOU SEMEGA, CHAIRMAN

LONDON OCHOA, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHULTZ, 01035333
MAVERICK ENGINEERING, L.L.C. FIRM #10194514
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701



DEVELOPMENT NOTES

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

SURVEY NOTES

- BASE OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, AND IS U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (RMS) OF 47.5831 02" AND A CSF OF 0.999998341 AT A TADOT ALUMINUM CAP CONTROL MARK LOCATED AS SHOWN HEREON.
- 12" NON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS ON ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
- LOTS 5A, 6A & 7A, BLOCK 1, THIS PLAT, HEREBY ADOPT A BLANKET MUTUAL ACCESS, CROSS ACCESS, UTILITY DRAINAGE AND PARKING EASEMENT IN ALL IMPROVED PAVED DRIVES LOCATED WITHIN THE DEVELOPMENT.
- NO LOTS SHALL HAVE DIRECT VEHICLE ACCESS TO HWY 158

DRAINAGE EASEMENT DEDICATED WITH THIS PLAT

1. THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS AND ASSIGNS, SHALL HAVE THE FREE AND UNINTERFERED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING, CONSTRUCTING, RECONSTRUCTING, INSTALLING, RELOCATING, MODIFYING, REPLACING, IMPROVING, ALTERING, OPERATING, MAINTAINING, ACCESSING, REPORTING, REPAIRING, RELOCATING AND REMOVING DRAINAGE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, THE RIGHT TO CUT AND TRIM BUSHES AND TREES, TOGETHER WITH THE RIGHT OF INGRESS, EGRESS AND REGRESS FOR SUCH PURPOSES IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREON.

2. DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, INJURE, AND/OR UNLAWFULLY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY. DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR ITSELF, ITS LEGAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS, THAT NO BUILDING, ROADS, OR CURBS OR GUTTERS OF ANY KIND WILL BE PLACED ON THE PROPERTY DESCRIBED HEREON, WITHOUT WRITTEN PERMISSION FOR ABOVE GROUND APPEARANCES MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.

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

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

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY
BY: _____
XTAT
BY: _____
OPTIMAX
BY: _____
ASTOUND BROADBAND
BY: _____
ONCOR ELECTRIC DELIVERY
BY: _____

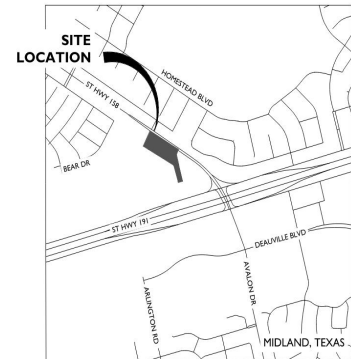
PROPERTY OWNER

MIDLAND 158, LLC
COT HINNEL (214) 335-4702
1901 N. MOORE STREET
DALLAS, TEXAS 75201
DEED INSTRUMENT #2023-7552
D.A.M.C.T.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

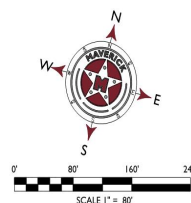
NO. _____
DATE _____

WEST FORK ADDITION, SECTION 4
October 21, 2024



VICINITY MAP

N.T.S.



LEGEND

- TADOT "TYPE I" CONCRETE MONUMENT
- SET 12-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- FOUND 12-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" UNLESS OTHERWISE NOTED
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING EASEMENT LINE
- O.P.A.M.C.T.
- P.A.M.C.T.
- D.A.M.C.T.
- EXISTING PUBLIC RECORDS, MIDLAND CO., TX
- PLAT RECORDS, MIDLAND CO., TX
- DEED RECORDS, MIDLAND CO., TX

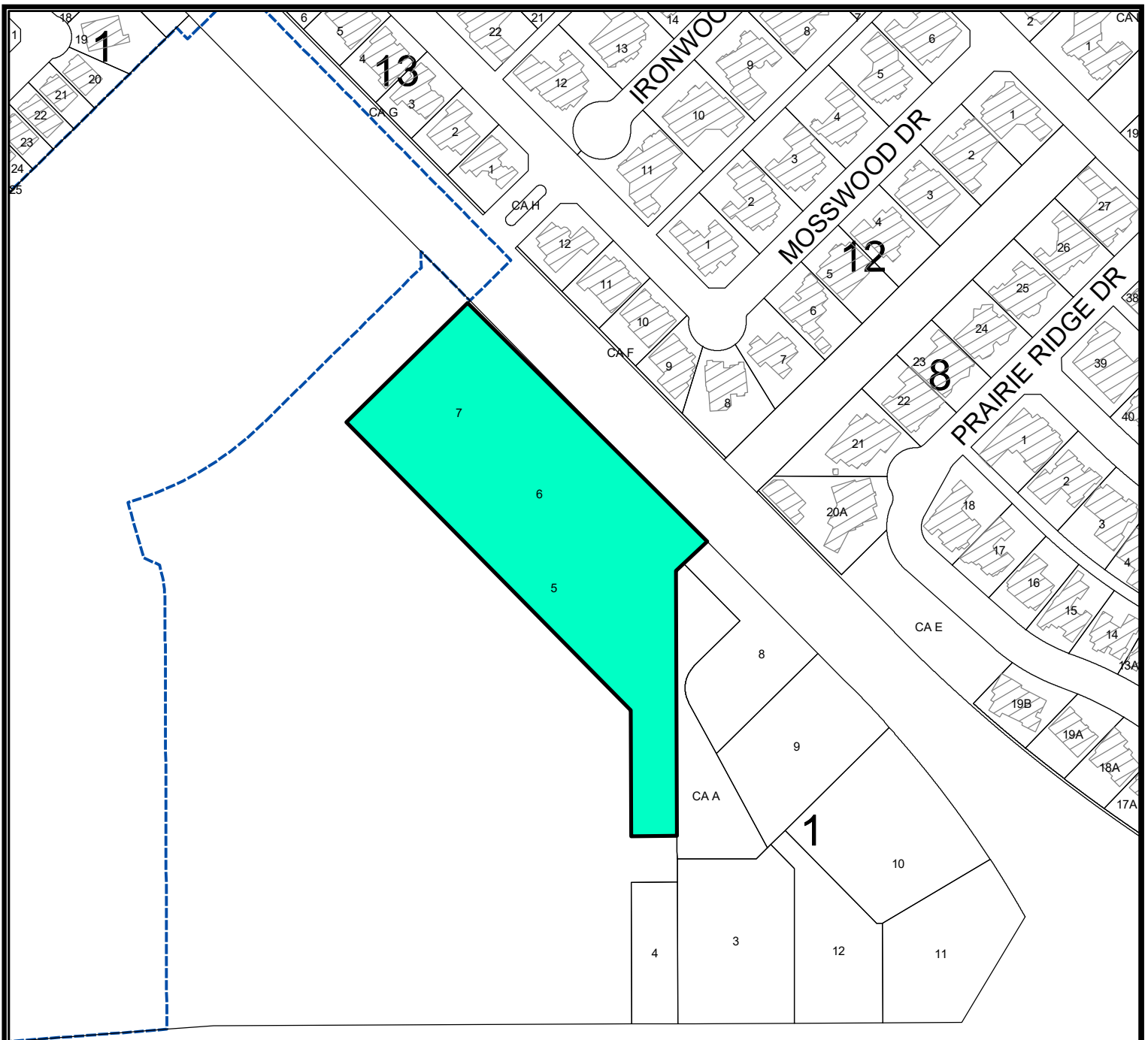


MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

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

PACKET

Page 7.95



Location Map

SUB-24-0747

Scale: 1" = 250'

Proposed Plat of West Fork Addition, Section 4, being areplat of Lots 5, 6, and 7, Block 1, West Fork Addition, Section 2, City and County of Midland, Texas.

Generally located on the west side of State Highway 158, approximately 1,150 feet north of State Highway 191. (Council District 4)

LEGEND

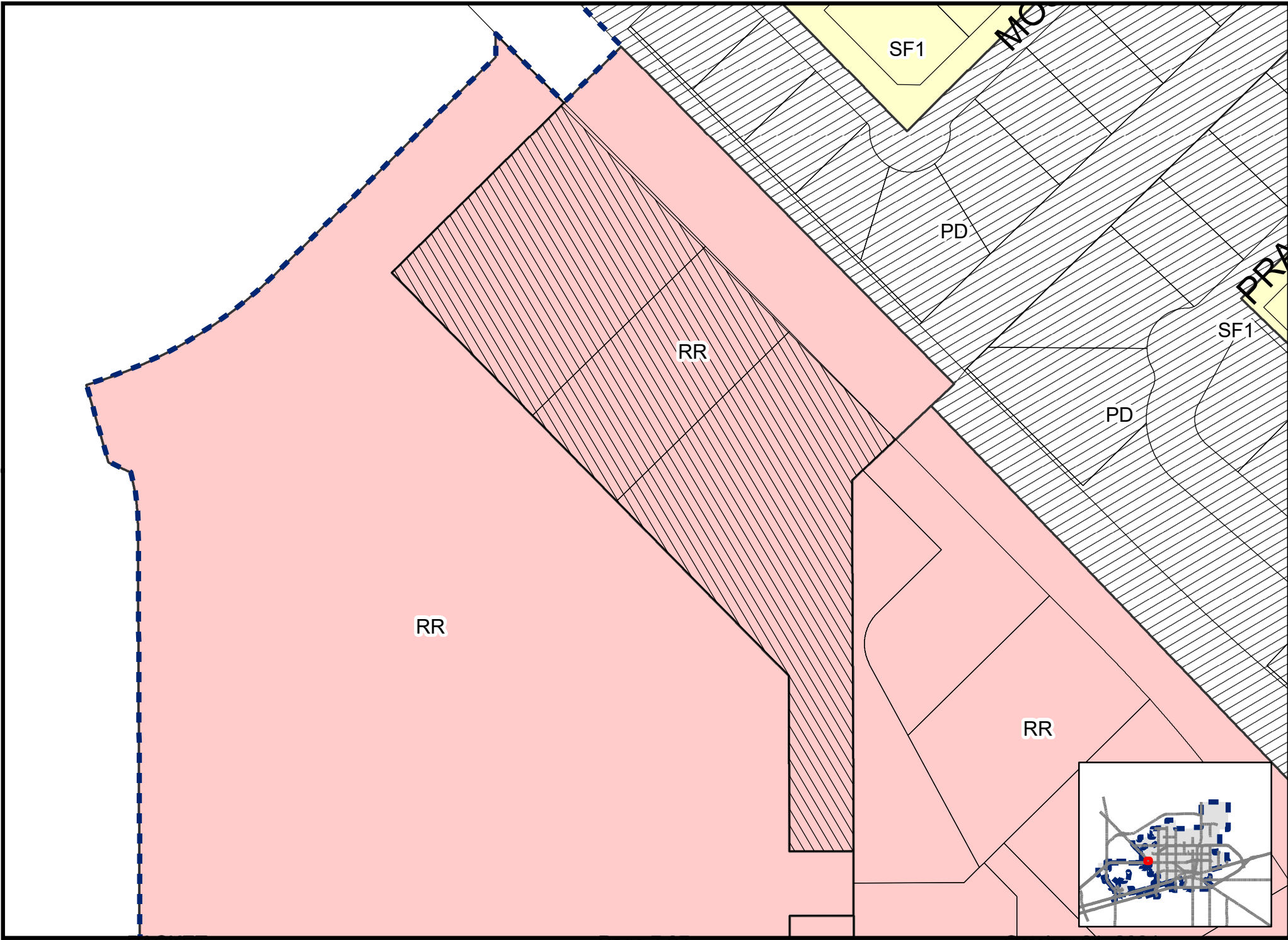
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

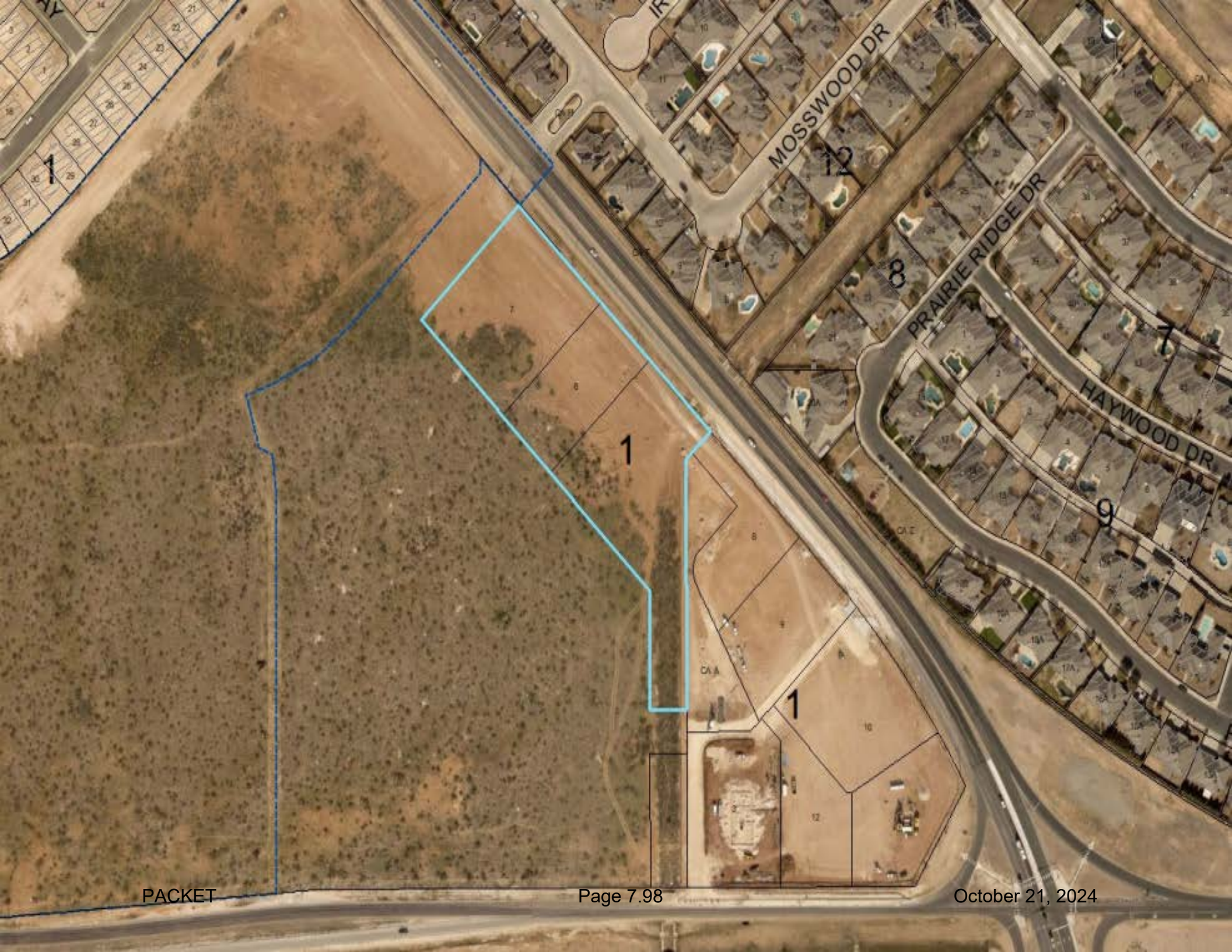


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WEST FORK ADDITION, SECTION 4

ITEM _
FINAL PLAT

October 21, 2024



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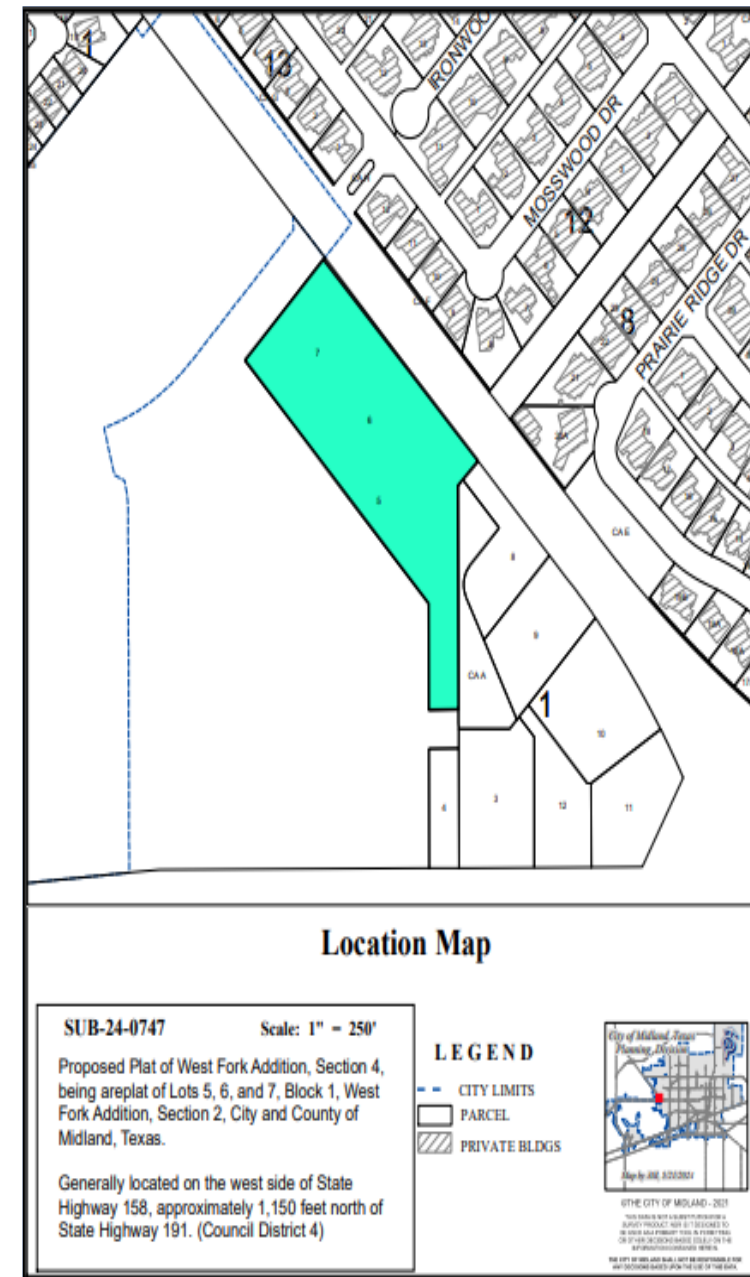
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Page 7.100

October 21, 2024

APPLICATION SUMMARY

- **Property Owner & Developer:** Coy Hanes
- **Representative:** Greg Shoults with Maverick Engineering
- **Application Type:** Final Plat
- **Address:** Generally located on State Highway 158. (District 4)



3

- # PACKET

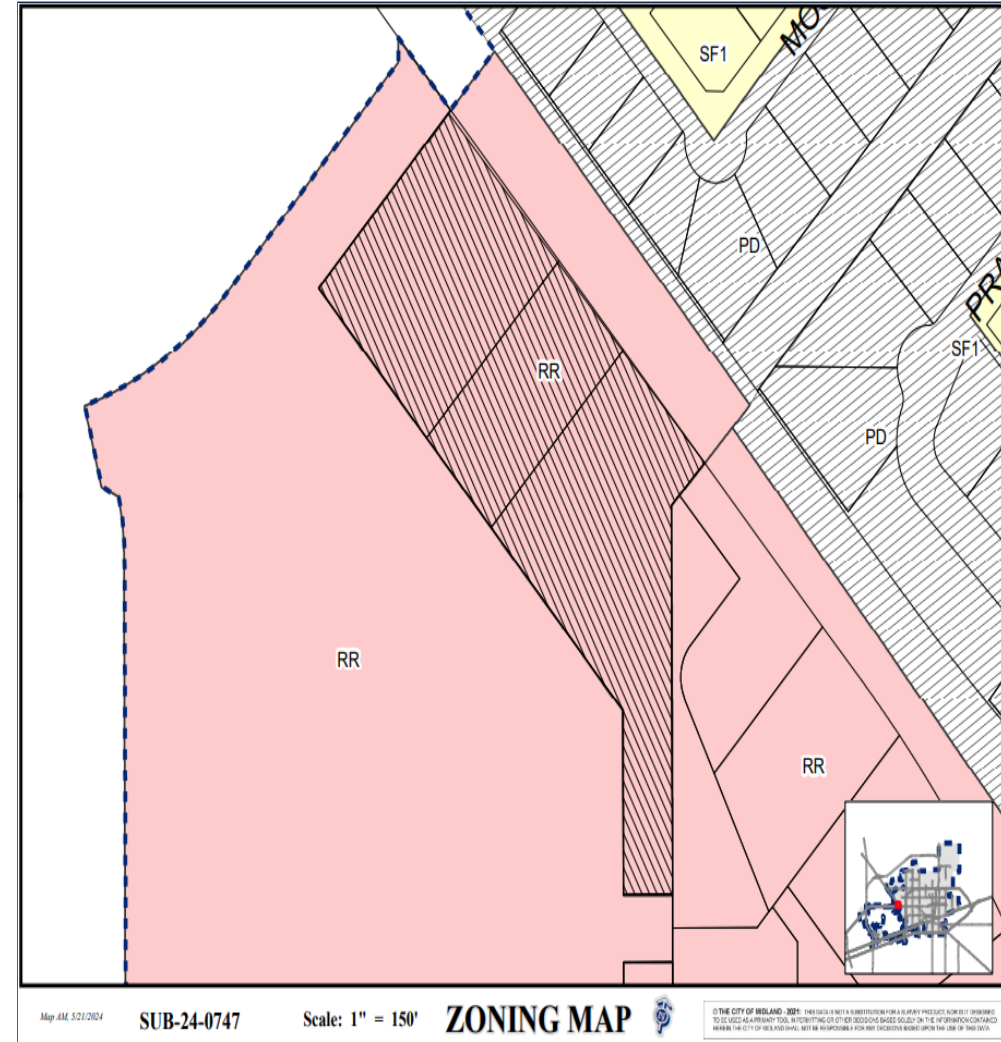
MIDLAND
Be the Energy!

ZONING

Current Zoning: Retail (RR)

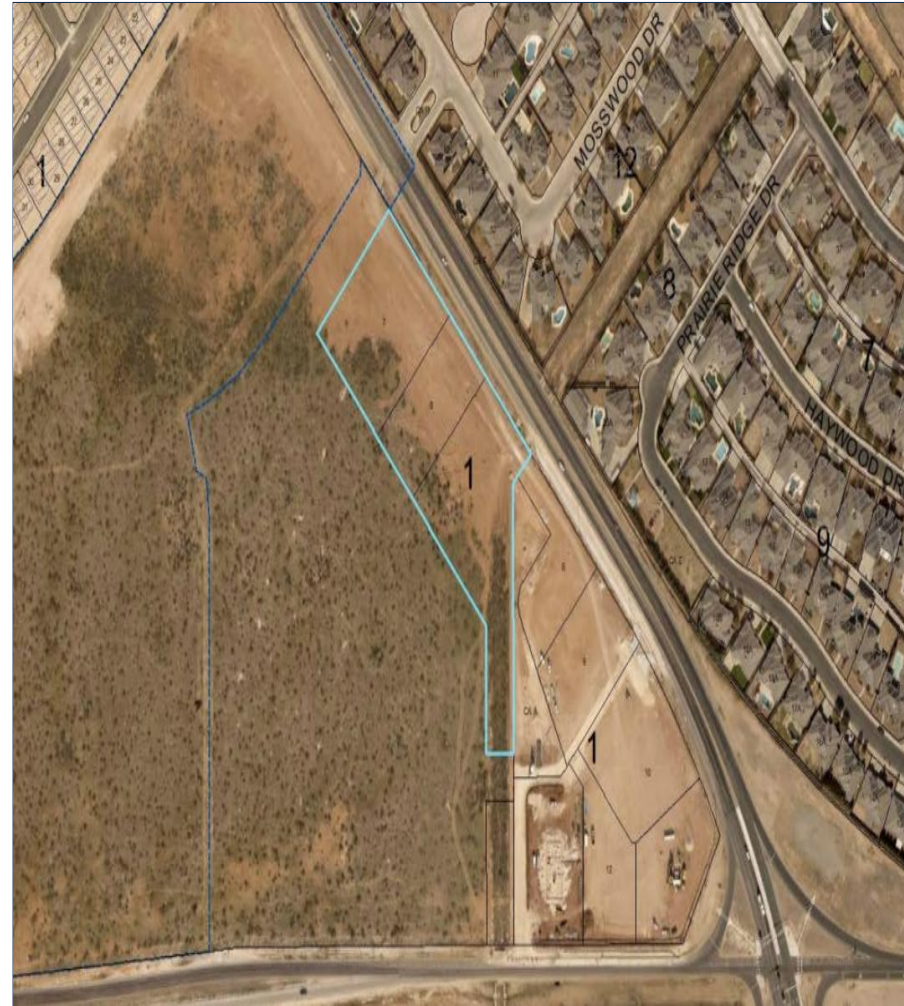
Surrounding Zoning:

- North, South, East & West:
Retail (RR)



LAND USE

- **Current Use:** Vacant lots
- **Surrounding Uses:**
 - North: Single-family neighborhood
 - South, East & West: Vacant lots



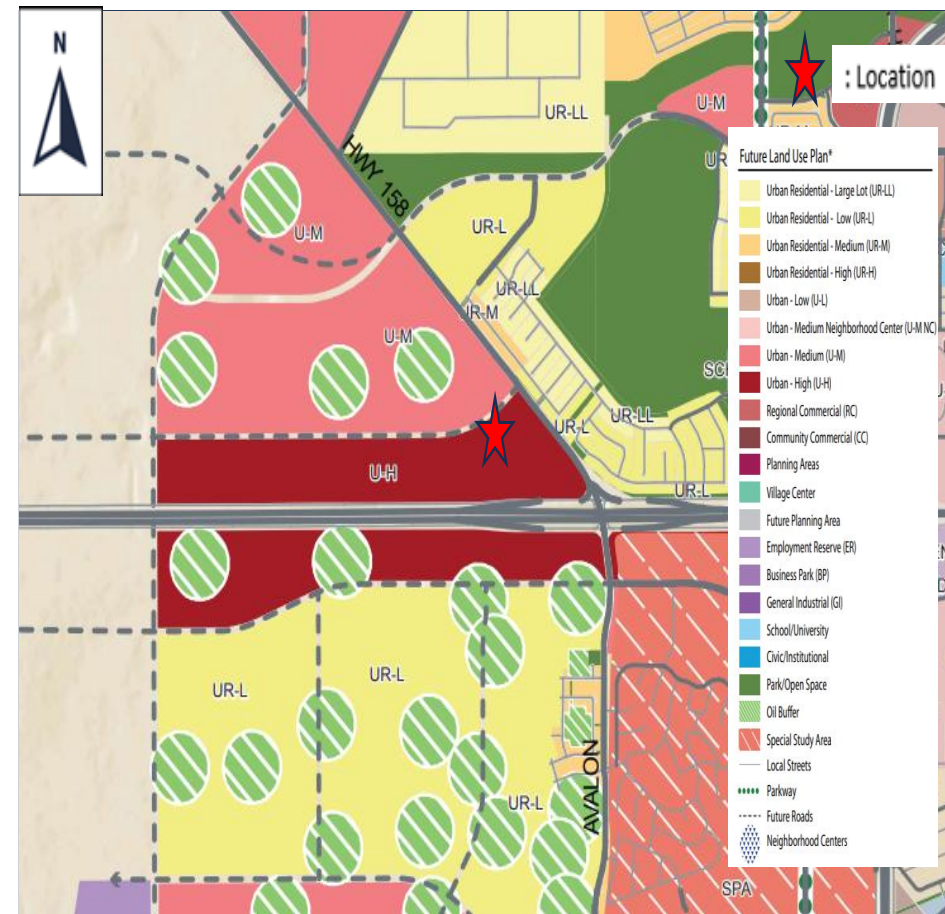
LAND USE



On State Highway 158, looking west

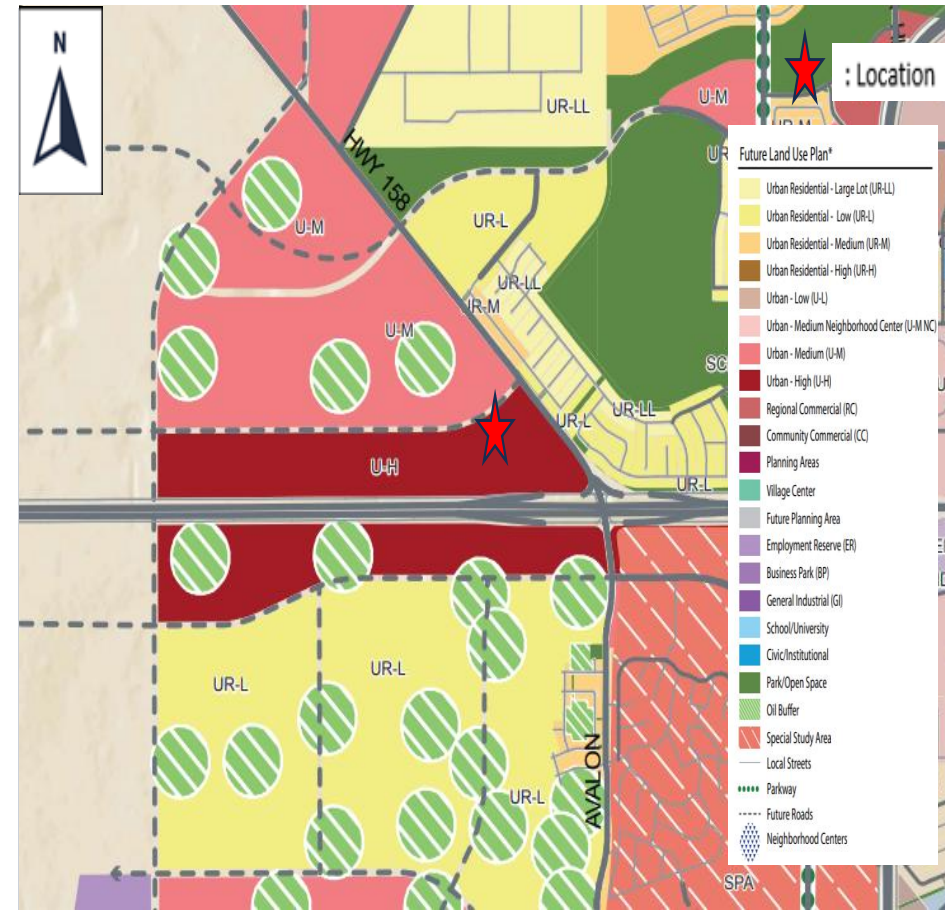
COMPREHENSIVE PLAN ANALYSIS

- TCT Land Use Designation:
 - U-H
- Supported Uses:
 - A mix of complementary uses, including multi-family residential, large offices, medical buildings, regional commercial, limited industrial, institutional uses such as churches, schools, or hospitals, and other regional attractors.



COMPREHENSIVE PLAN ANALYSIS

- Residential uses range from townhomes/ rowhouses up to apartment towers.
- Parking garages or public parking lots may be found in these areas.
- Higher levels of urban amenities are used to offset the area's intensity level.
- Land use is **compatible** with surrounding area & TCT Plan



RELATED ITEMS

- The preliminary plat associated with this request was approved on September 3, 2024, by the Planning & Zoning Commission.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of West Fork Addition, Section 4



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

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

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

AE, Agricultural Estate District.

Preliminary Plat Approval:

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

The preliminary plat was approved at the July 1, 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. [For Applicant's Information Only.]

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

WATER: Deferral request for water improvements to be built in conjunction with the construction of Zoo Midland Off-Site were administratively approved on 10/10/2024. [For Applicant's Information Only.]

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

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

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

DRAINAGE: Show compliance with Zoo Midland-Green Acres Drainage Study, prepared by Dunaway Associates and approved by City on 06/11/2024. [Reference City Code Sect. 11-2-3(D)8]

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

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

Transportation: (Approved)

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

Fire: (Approved)

No additional comments.

Oil and Gas: (Approved)

No Oil & Gas Issues.

Building Code: (Approved)

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

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation
Ordinance 10519



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Block 1, Lot 1 Zoo Midland Offsite**Legal Description (attached sealed Metes and Bounds):** _____**Property Owner**Printed Name: **Zoo Midland**Phone **832 23-1415**Email **zoomidland.org**Address **P.O. Box 50742**City **Midland**State **TX**Zip **79706****Developer (if different than Owner)**

Printed Name:

Phone

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: **Zoo Midland**Printed Name: **Charles Harrington**Phone **832) 423-1415**Email
charles.harrington@zoomidland.orgAddress **P.O. Box 50742**City **Midland**State **Tx**Zip **79706****Current Zoning: AE with SUD for Wildlife Rehab****Reason for Platting:** Never been platted before**Plat Information**

Total Acreage: 4.352

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 10/04/2024

Property Owner (printed): Jeff Beard

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ 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.****

OWNER CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, Zoo Midland, Inc. is the record owner of tract of land situated in Section 42, Block 38, T-1-S, E-C. Knepley Survey, Abstract No. 541, City of Midland, Midland County, Texas, and more particularly described as follows:

METES AND BOUNDS DESCRIPTION:

BEING a 4.352 acre parcel of land situated in Section 42, Block 38, Township 1 South, E. C. Knepley Survey, Abstract No. 541, Midland County, Texas, and being a tract of land described in GRI Deed to Zoo Midland, Inc., as recorded in Instrument Number 2024-7684, Official Public Records of Midland County, Texas (O.P.R.M.C.T.), and being a portion of Tract 4, Parker Acres, an addition to the City of Midland, as recorded in Volume 87, Page 569, Plat Records of Midland County, Texas (P.R.M.C.T.), said 4.352 acre parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2-inch iron rod for the common northeast corner of said Zoo Midland tract and the southeast corner of a tract of land described in General Warranty Deed with Vendor's Lien in favor of Third Party to Sigfredo Arballo Jr., as recorded in Instrument Number 2020-9531, O.P.R.M.C.T., and being on the westerly line of a 30-foot roadway dedication under the use of the public of Todd Road (in County Road 1160), as recorded in Volume 87, Page 571, Deed Records of Midland County, Texas (D.R.M.C.T.), said point being locatable by NAD83 Grid Coordinate N=30,703,891.49, E=1,768,507.04, and from which a found 1/2-inch iron rod with cap stamped "BRADSHAW ASSOC." for the northeast corner of said Sigfredo Arballo Jr. tract bears North 14 degrees 21 minutes 55 seconds West, a distance of 362.18 feet;
THENCE South 14 degrees 21 minutes 55 seconds East, along the westerly line of said 30-foot roadway dedication of Todd Road, a distance of 360.65 feet to a found 1/2-inch iron rod for the common southeast corner of said Zoo Midland tract and the northeast corner of a 50-foot Right-of-Way to Texas Electric Service Company, as recorded in Volume 107, Page 574, D.R.M.C.T., and from which a found 1-inch iron rod for the southeast corner of said 50-foot Right-of-Way bears South 14 degrees 21 minutes 55 seconds East, a distance of 50.00 feet;
THENCE South 75 degrees 44 minutes 41 seconds West, departing the westerly line of said 30-foot roadway dedication of Todd Road, along the common southerly line of said Zoo Midland tract and the northerly line of said 50-foot Right-of-Way, a distance of 525.68 feet to a found 3-inch iron pipe for the common southwest corner of said Zoo Midland tract and the southeast corner of Lot 4, Block 2, Parker Acres Section 3, an addition to the City of Midland, as recorded in Cabinet E, Page 210, P.R.M.C.T.;
THENCE North 14 degrees 21 minutes 55 seconds West, departing the northerly line of said 50-foot Right-of-Way, along the common westerly line of said Zoo Midland tract and the easterly line of said Lot 4 and Lot 1, Block 2, of said Parker Acres Section 3, a distance of 360.65 feet to a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC." for the common northwest corner of said Zoo Midland tract and the southwest corner of said Sigfredo Arballo Jr. tract;
THENCE North 75 degrees 44 minutes 41 seconds East, departing the easterly line of said Lot 1, along the common northerly line of said Zoo Midland tract and the southerly line of said Sigfredo Arballo Jr. tract, a distance of 525.68 feet to the POINT OF BEGINNING and containing 4.352 acres (or 189,584 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Zoo Midland, Inc. does hereby adopt this plat designating the hereinabove described property as Zoo Midland Offsite, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon.

WITNESS my hand at Midland County, Texas, this 16th day of October, 2024.

By: [Signature]
Zoo Midland, Inc. - Owner

ACKNOWLEDGE

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 Zoo Midland, Inc. - Owner, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was acting as owner, and that he executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 16th day of October, 2024.

[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Mark D. Yule, 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 located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

[Signature] 10/22/2024
MARK D. YULE
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5975



CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of Block 1, Lot 1, Zoo Midland Offsite 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 Sotgiu, Chairperson

Landon Ochoa, Secretary

GENERAL NOTES:

- The basis of bearings for this survey is the Texas State Coordinate System (NAD83), Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.999899 was used for this project.
- 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 building permits.
- All property corners are 5/8-inch iron rods with yellow caps stamped "DUNAWAY ASSOC." unless otherwise noted herein.
- According to the graphical plotting of the Flood Insurance Rate Map for Midland County, Texas and Incorporated Areas, Panel 93 of 525, Map Number 48329C0093 I, Map Revised September 16, 2005, the subject property is located in Zone X. This statement does not reflect any type of flood study by this firm.
- 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.
- Any utility company, developer or other entity installing, repairing, maintaining or relocating a utility line or permanent improvement within utility easements must restore the premises as nearly as possible to its original condition following any such work at its sole expense.
- A blanket refuse easement of ingress and egress for garbage and trash collection purposes is hereby granted.
- All Midland Health Department and TCEQ Requirements for On-Site Sewer Facilities must be complied with.
- Initial Impact Fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the permitting process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases. (Per Midland City Code Sect. 11-14-6)

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Developed by: Mark Lieb Print Name: Mark Lieb

ATMOS ENERGY Print Name: Trevon Thomas

CONCRETE ELECTRIC DELIVERY Print Name: Luis Montez

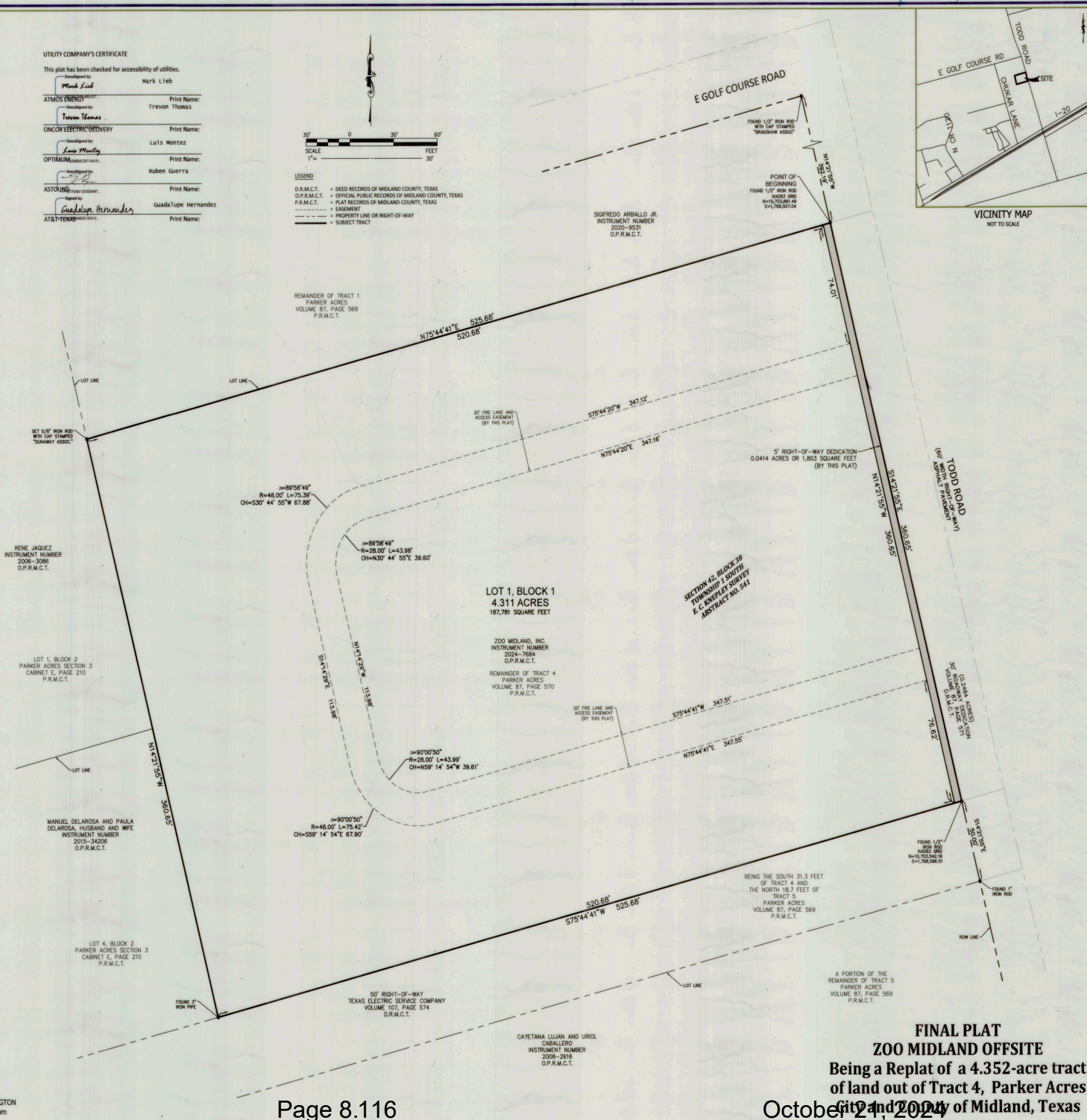
OPTIMUM Print Name: Ruben Guerra

ASTOUND Print Name: Guadalupe Hernandez

AT&T TEXAS Print Name: Guadalupe Hernandez

LEGEND
D.R.M.C.T. = DEED RECORDS OF MIDLAND COUNTY, TEXAS
O.P.R.M.C.T. = OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS
P.R.M.C.T. = PLAT RECORDS OF MIDLAND COUNTY, TEXAS
--- = EASEMENT
--- = PROPERTY LINE OR RIGHT-OF-WAY
--- = SUBJECT TRACT

REMAINDER OF TRACT 1
PARKER ACRES
VOLUME 87, PAGE 569
P.R.M.C.T.

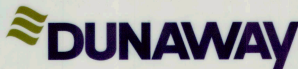


FINAL PLAT
ZOO MIDLAND OFFSITE

Being a Replat of a 4.352-acre tract
of land out of Tract 4, Parker Acres
City of Midland, Texas

DUNAWAY JOB NO. 8011415.002

PAGE 1 OF 1



550 Bailey Avenue • Suite 400 • Fort Worth, TX 76102

Tel: 817.335.1121

TEXAS REGISTERED SURVEYING FIRM NO. 10098100

ENGINEER/SURVEYOR:

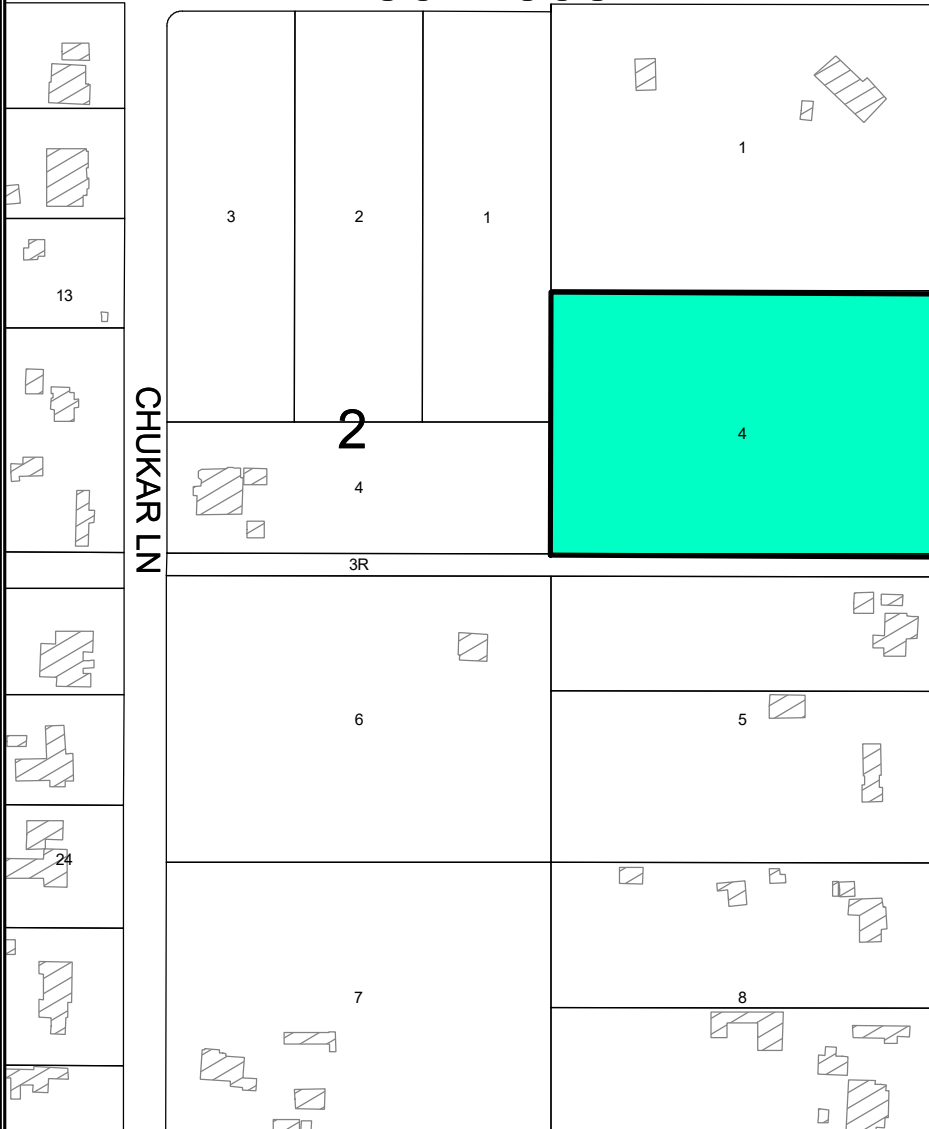
DUNAWAY ASSOCIATES, L.L.C.
4000 BIG SPRING STREET
SUITE 101
MIDLAND, TX 79705
(32) 699-4889 OFFICE
(32) 682-7722 FAX
CONTACT: MEGAN CASTLEMAN
mcastlawa@dunaway.com

OWNER:

ZOO MIDLAND, INC.
18 DESTA DRIVE
MIDLAND, TX 79705
(432) 309-8415 OFFICE
CONTACT: CHUCK HARRINGTON
charrington@crowquest.com

GOLF COURSE RD

CHUKAR LN



Location Map

P-24-2084

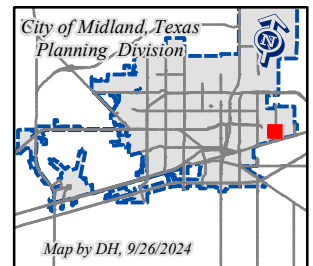
Scale: 1" = 316'

Proposed Final Plat of Zoo Midland Offsite, being a replat of a 4.352-acre tract of land out of Tract 4, Parker Acres, City and County of Midland, Texas.

(Generally located on the west side of Todd Drive, approximately 420 feet south of East Golf Course Road)
(Council District 2)

LEGEND

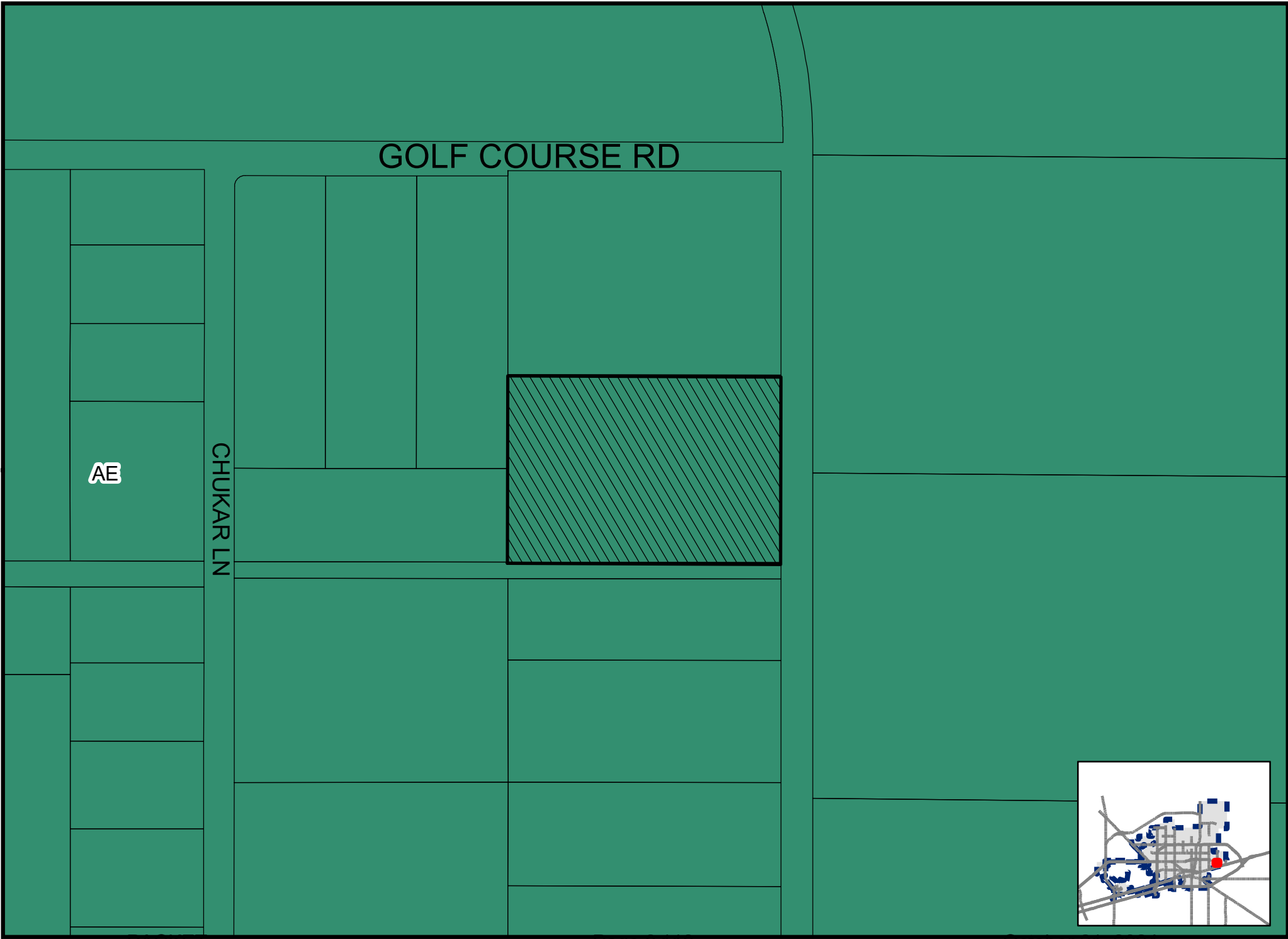
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



GOLF COURSE RD

CHUKAR LN

2

3R

PACKET

Page 8.119

October 21, 2024





Zoo Midland Offsite

ITEM
Final PLAT

October 21, 2024

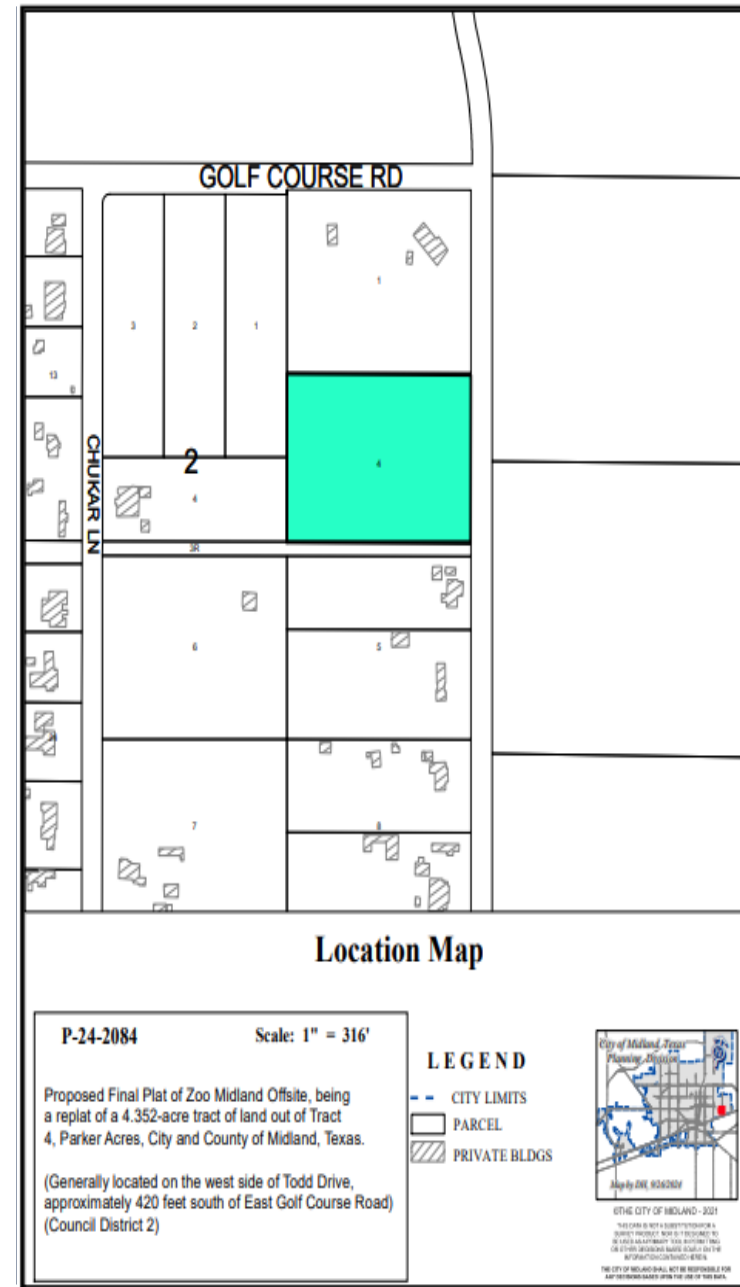


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MIDLANDTEXAS.GOV

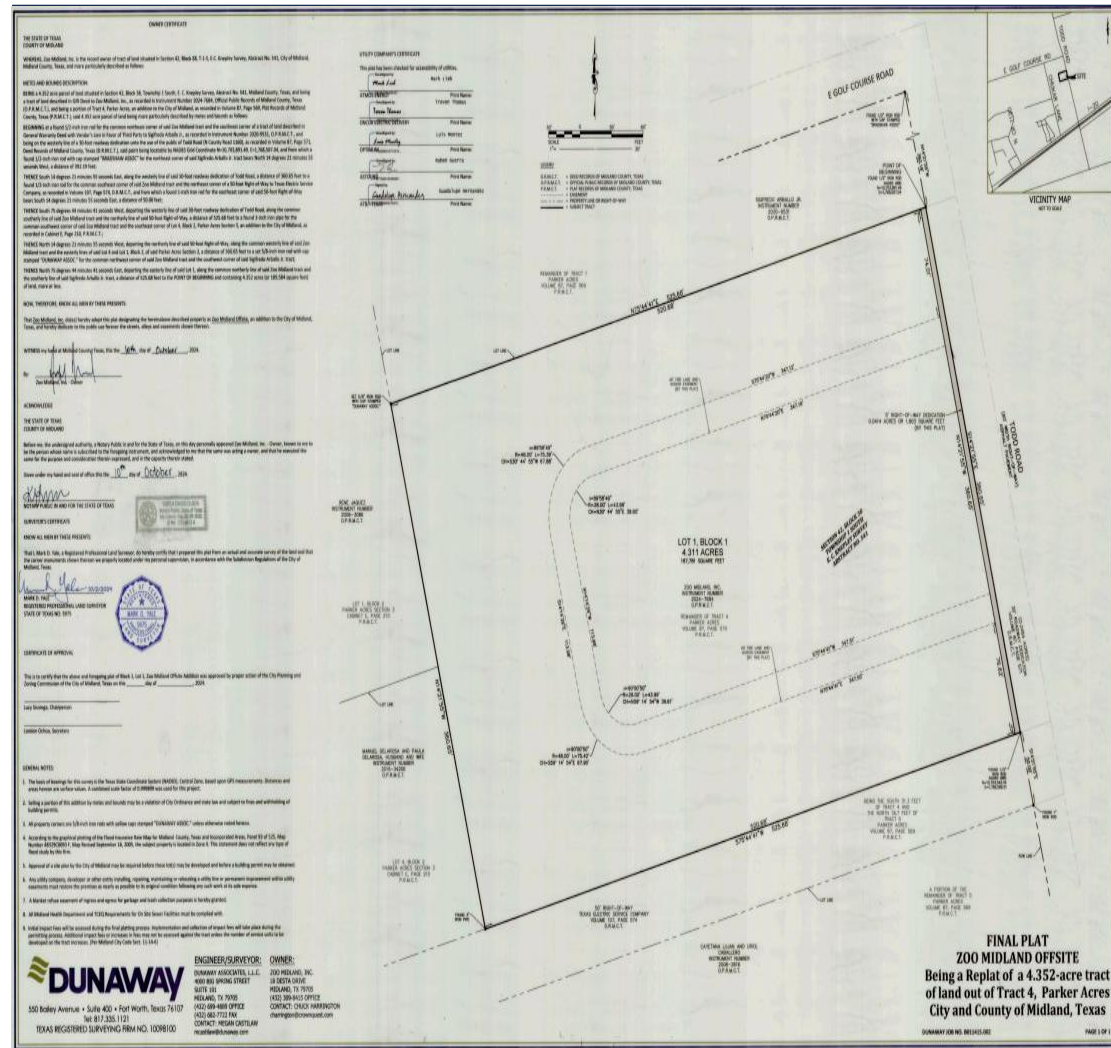
APPLICATION SUMMARY

- **Property Owner & Developer:** Zoo Midland
- **Representative:** Dunaway Associates
- **Application Type:** Final Plat
- **Address:** 1507 Todd Drive (District 2)



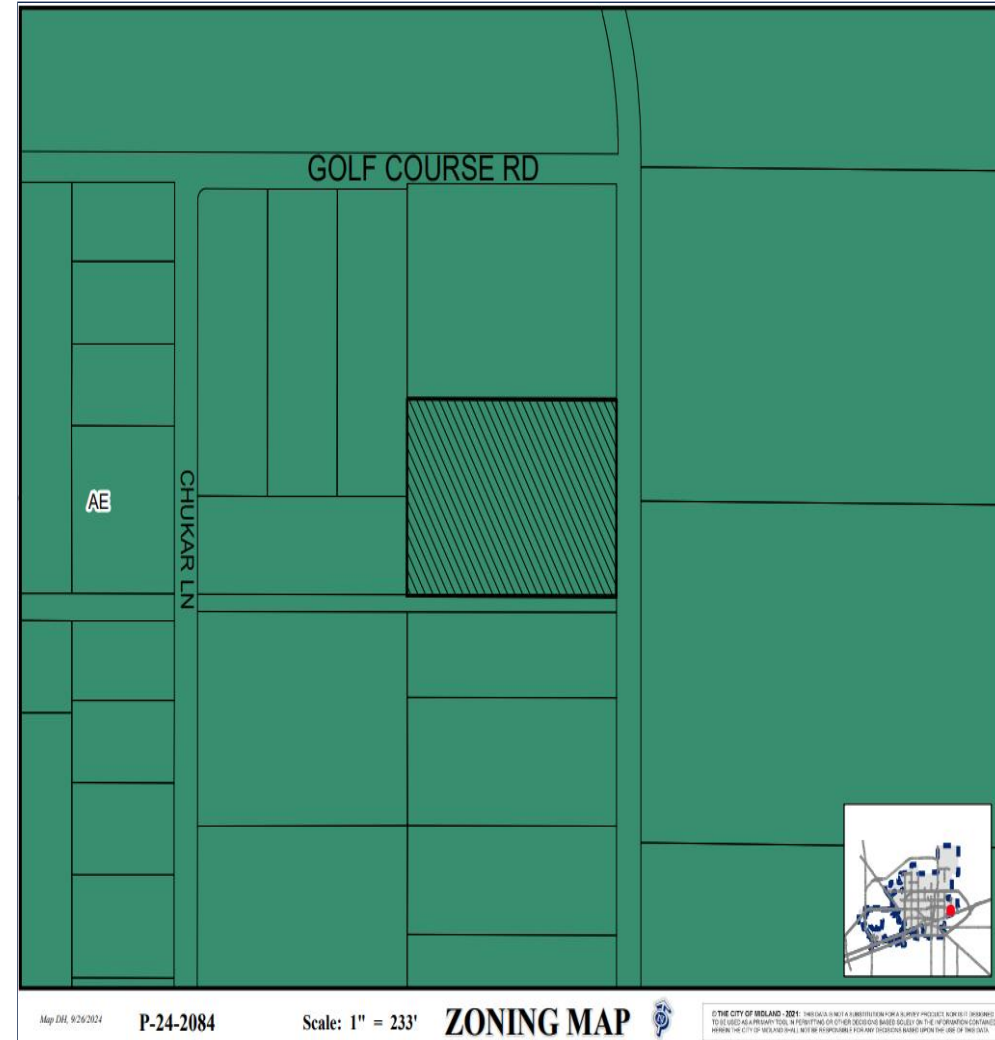
PLAT DETAILS

- **Acreage:** 4.352-acres
- **Number of lots:** 1 lot
- **Reason for Request:** To develop a wildlife rehabilitation center



ZONING

- **Current Zoning:** Residential (AE)
- **Surrounding Zoning:**
- **North, South, East & West:** Residential (AE)



LAND USE

- **Current Use:** Vacant lot
- **Surrounding Uses:**
 - **North, South & West:** Residential
 - **East:** Vacant lot



LAND USE



On North County Road 1160, Looking West

RELATED ITEMS

- The Specific Use Designation to allow this property to be used as a wildlife rehabilitation center was approved on May 28, 2024, by Council.
- The preliminary plat associated with this request was approved on February 20, 2024, by the Planning & Zoning Commission.



- **TCT Land Use Designation:**
 - Oil Buffer



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of Zoo Midland Offsite.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.

ORDINANCE NO. 10519

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 4.352-ACRE TRACT OF LAND OUT OF TRACT 4, PARKER ACRES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF TODD DRIVE, APPROXIMATELY 420 FEET SOUTH OF EAST GOLF COURSE ROAD), WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A WILDLIFE REHABILITATION CENTER; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by granting a Specific Use Designation Without Term for a 4.352-acre tract of land out of Tract 4, Parker Acres Addition, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property"), as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to grant the Property a Specific Use Designation Without Term for a wildlife rehabilitation center (the "Establishment"), together with the uses permitted in the present AE, Agricultural Estate District.

SECTION TWO. That the Property shall be subject to the following conditions and

restrictions:

- A. That the use and development of the Property for the Establishment shall significantly conform to the site plan, which is attached hereto as Exhibit "B".
- B. That the Establishment may be a wildlife rehabilitation center in which wild animals, poisonous snakes, and other animals (collectively, the "Animals") may be harbored, had, kept or possessed.
- C. That the Animals shall be kept in secure enclosures; provided, however, that Animals may be removed from their enclosures while being handled by trained experts.
- D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.
- E. That the Establishment shall satisfy all requirements of the Fire Department and the Code Administration Division.
- F. 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 are satisfied.

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

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

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

SECTION SIX. The City Secretary is hereby authorized and directed to publish the

descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 14th day of May, A.D., 2024; and passed to second reading on motion of Council member Stretcher Burkes, seconded by Council member Norman, by the following vote:

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

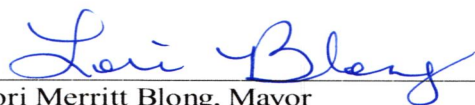
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Ladd, seconded by Council member Norman, on the 28th day of May, A.D., 2024, at a regular meeting of the City Council:

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

Council members voting "NAY": None

PASSED AND APPROVED THIS 28th day of May, A.D., 2024.


Lori Merritt Blong, Mayor

ATTEST:


Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:


Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

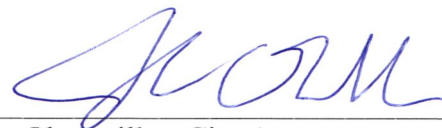

John Ohnemiller, City Attorney

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

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

BEGINNING at a found 1/2-inch iron rod for the common northeast corner of said Green Acres Golf tract and the southeast corner of a tract of land described in General Warranty Deed with Vendor's Lien in Favor of Third Party to Sigifredo Arballo Jr., as recorded in Instrument Number 2020-9531, O.P.R.M.C.T., and being on the westerly line of a 30-foot roadway dedication unto the use of the public of Todd Road (N County Road 1160), as recorded in Volume 87, Page 571, Deed Records of Midland County, Texas (D.R.M.C.T.), said point being locatable by NAD83 Grid Coordinate N=10,703,891.49, E=1,768,507.04, and from which a found 1/2-inch iron rod with cap stamped "BRADSHAW ASSOC" for the northeast corner of said Sigifredo Arballo Jr. tract bears North 14 degrees 21 minutes 55 seconds West, a distance of 392.19 feet;

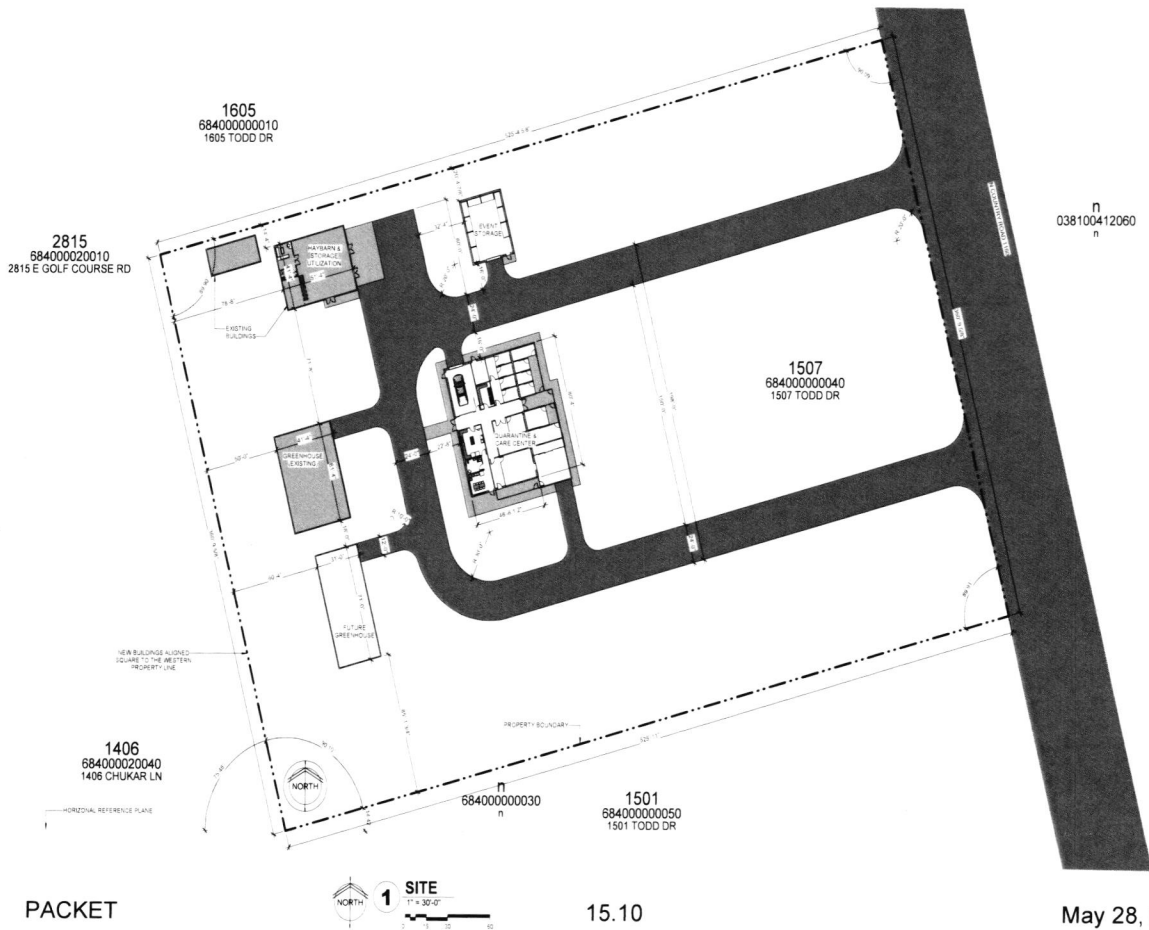
THENCE South 14 degrees 21 minutes 55 seconds East, along the westerly line of said 30-foot roadway dedication of Todd Road, a distance of 360.65 feet to a found 1/2-inch iron rod for the common southeast corner of said Green Acres Golf tract and the northeast corner of a 50-foot Right-of-Way to Texas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

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

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

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

EXHIBIT "B"



PACKET

15.10

May 28, 2024

GA

**PROGRESS
PRINT**
NOT FOR
CONSTRUCTION

**wdm
ARCHITECTS**

WDM Architects P.A.
105 North Washington
Winston-Salem, NC 27102-2815
P: 318.262.4700
F: 318.262.0002
wdmarchitects.com

**ZOO MIDLAND
PHASE 00: GREEN ACRES PACKAGE**
1507 N. County Rd. 1100, Midland, TX 79701

PRINTS ISSUED
2024-05-28 - 04:45 PM, 2024

REVIS
NO. DATE DESC.

ACTN NO. 21029
21029
GREEN ACRES PACKAGE
SITE PLAN

**PHASE: 00
GREEN ACRES
L.101**



City Council Meeting

Item Number: 15
Meeting Date: May 14, 2024, May 28, 2024
To: City Council / City Manager
From: Andrew Meyers, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO GRANT A SPECIFIC USE DESIGNATION WITHOUT TERM FOR A 4.352-ACRE TRACT OF LAND OUT OF TRACT 4, PARKER ACRES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF TODD DRIVE, APPROXIMATELY 420 FEET SOUTH OF EAST GOLF COURSE ROAD), WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, ALLOWING SAID PROPERTY TO BE USED FOR A WILDLIFE REHABILITATION CENTER; MAKING SAID DESIGNATION SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DISTRICT 2) (DEVELOPMENT SERVICES) (QUALITY OF LIFE AND PLACE)

Purpose:

The applicant, Zoo Midland, on behalf of Green Acres Golf Course, LLC, is requesting a Specific Use Designation (SUD) without Term for a Wildlife Rehabilitation Center to develop a zoo intake center at 1507 Todd Drive.

Recommended City Council Action:

Approve

Fiscal Impact:

This proposal does not have a significant financial impact to the City.

APPROVED



Strategic Priority:

Quality of Life and Place

Surrounding Zoning and Land Use:

This property is currently zoned AE, Agricultural Estate District. All of the surrounding properties are zoned AE, Agricultural Estate District.

Analysis:

The property is located at 1507 Todd Drive and has 3 vacant buildings on the property. The proposed use of the property is a zoo intake center; however, the most similar use in the Zoning Ordinance is a Wildlife Rehabilitation Center. Zoo Midland plans to build a 4,331 square-foot Wildlife Rehabilitation Center, a 1,946 square-foot outdoor pen area, a greenhouse to grow food, and a small storage building for equipment, which satisfies this requirement. The Wildlife Rehabilitation Center will serve as an intake center for Zoo Midland, which will have limited animal occupancy for short periods before they are transported to their permanent destination. The Wildlife Rehabilitation Center will operate Monday-Sunday from 8:00 a.m. to 8:00 p.m.

The property is zoned AE, Agricultural Estate District, which allows for the use of a Wildlife Rehabilitation Center with a Specific Use Designation without Term. Per the Zoning Ordinance, a Wildlife Rehabilitation Center shall be on tracts of land of not less than two acres, and animals located on the property should also always be kept in enclosures. This property is 4.352 acres, which satisfies this requirement.

The property has an existing 5' fence along the North, East, and West property lines and an existing 6' fence along the South property line that will remain. In addition to the existing fence along the property line, Zoo Midland will have to meet the fencing requirements of the United States Department of Agriculture (USDA) Animal Welfare Act and Animal Welfare Regulations. USDA Animal Welfare Act and Animal Welfare Regulations Section 3.127 – Facilities, Outdoor, Subsection D – Perimeter Fences requires all outdoor housing facilities to be enclosed by a perimeter fence that is sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high must be approved in writing by the administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the facility. Fences less than 3 feet in distance from the primary enclosure must be approved in writing by the Administrator. Zoo Midland is proposing an 8' chain link fence around the main building which satisfies the USDA perimeter fence requirement.

The request is in compliance with the Tall City Tomorrow Comprehensive Plan as the Tall City Tomorrow Plan designated this area as U-H, Urban-High. The U-H designation supports a mix of uses, including multi-family residential, large offices, medical buildings, regional commercial, limited industrial, institutional uses and other regional attractors. Zoo Midland is a regional attractor which makes the Wildlife Rehabilitation Center a supported use.

The request is also in compliance with Chapter 6-Character Plan Goal 4, which is to “Encourage the development of places where Midland residents can gather and socialize to build connections.” This Wildlife Rehabilitation Center will enhance the quality of life in Midland through assisting Zoo Midland in maintaining the health and wellbeing of the animals.

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

Fire: (Approved)

No comments or objections.

Engineering: (Approved)

No objections. [For Applicant’s Information Only.]

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

Transportation: (Approved)

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

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.

Planning: (Approved with Conditions)

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation without Term for the Wildlife Rehabilitation Center, subject to Conditions A through E.

Conditions:

A. That the use and development of the property shall significantly conform to the site plan, Exhibit “B.”

B. That the property may be a wildlife rehabilitation center in which wild animals, poisonous snakes, and other animals may be kept.

C. That animals shall be always kept in enclosures unless being handled by a trained

expert.

C. That the occupancy of the Wildlife Rehabilitation Center shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

D. That the establishment shall meet all requirements of the Fire Department and Code Administration.

E. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of Wildlife Rehabilitation Facility to ensure that the conditions of this permit are satisfied.

Letters of Objection:

As of May 8th, 2024, staff has not received any letters of objection.

Attachments:

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

For & Out

City Manager's Office



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

Case Number: _____

Ord. Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Charles Harrington		Phone (832) 423-1415 Email charrington@zoomidland.org	
Address 18 Desta Dr	City Midland	State TX	Zip 79705

Property Owner Printed Name: Green Acres Golf, LLC		Phone (832) 423-1415 Email charrington@zoomidland.org	
Address P.O. Box 52268	City Midland	State TX	Zip 79710

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: 1507 Todd Dr			
Legal Description Lot: _____ Block: _____ Subdivision: _____ See attached fieldnotes			

Current Zoning: AE	
Maximum Floor Area: Total new buildings 4500 sq. ft.	Maximum Occupancy: 4-5 people
Proposed hours and days of use or operation: <u>Operated 7</u> days a <u>week</u> between the hours of 8:00 a.m. to 8:00 p.m. except for emergencies.	
Reason for request: To provide an off-site area from the actual zoo to receive animals in transport and necessary zoo equipment. Also, to provide an area for food preparation for the actual zoo.	
Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: There should be no effect on the public health, safety and welfare. There will be limited animal occupancy and for short periods of time.	

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)		15.11	May 28, 2024
---	--	-------	--------------

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u><i>Charles Harrington</i></u>	Date: 3/19/2024
Applicant (printed): Charles Harrington	
Property Owner (signature): <u><i>Jeff Beard</i></u>	Date: 3/19/2024
Property Owner (printed): Jeff Beard	

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

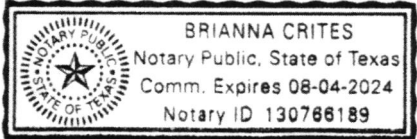
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Jeff Beard, who, being by me duly sworn, upon oath says: That (s)he is the owner of Green Acres Golf, LLC or authorized by the Board of Directors, 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.

Jeff Beard
Authorized Agent (signature)

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



Brianna Crites
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>1024</u>	RECEIVED
Received By: <u><i>[Signature]</i></u>	Date: <u>MAR 20 2024</u>

PACKET

15.12

May 28, 2024

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

PACKET

Page 8.144

October 21, 2024

METES AND BOUNDS DESCRIPTION

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

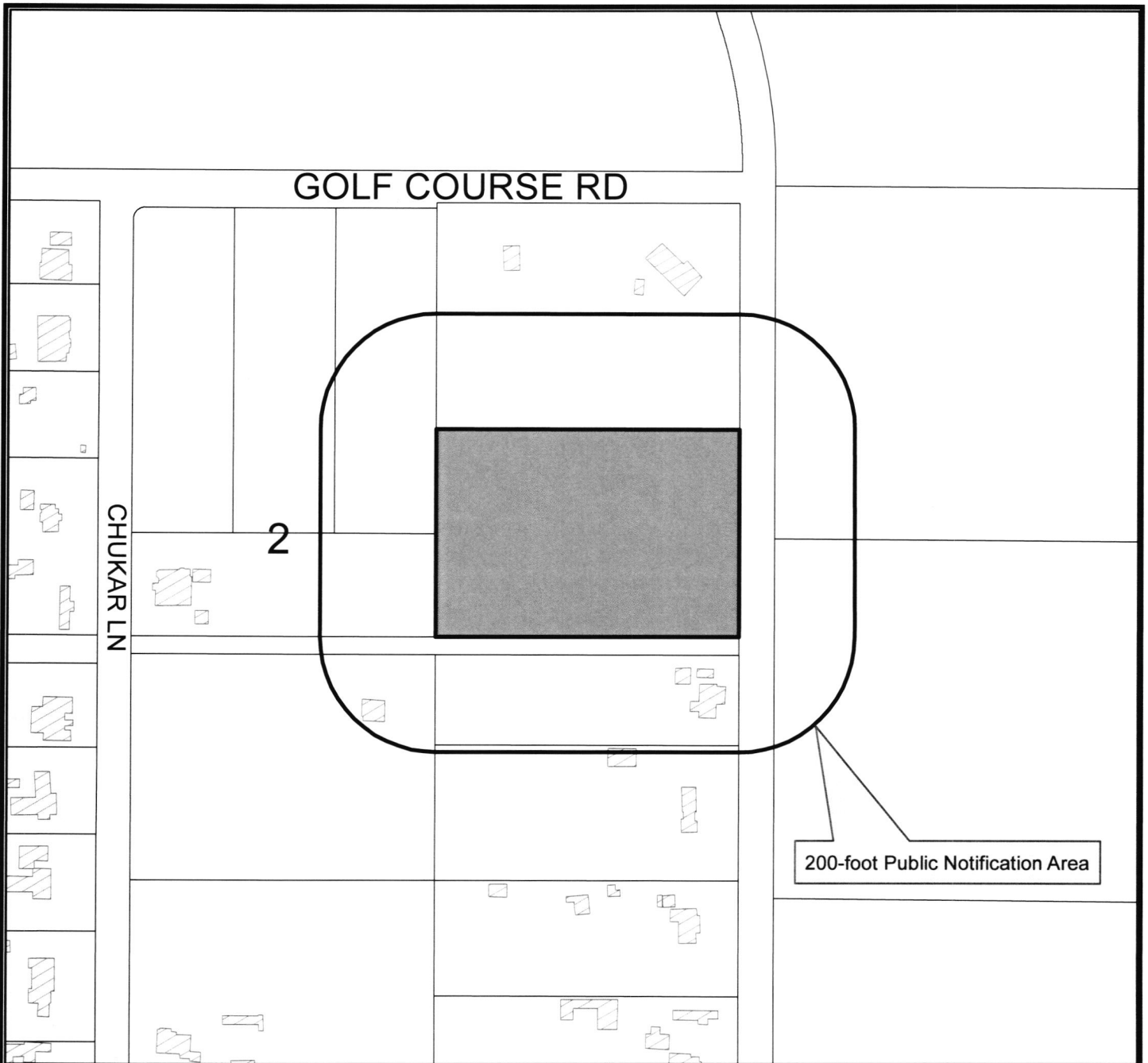
BEGINNING at a found 1/2-inch iron rod for the common northeast corner of said Green Acres Golf tract and the southeast corner of a tract of land described in General Warranty Deed with Vendor's Lien in Favor of Third Party to Sigifredo Arballo Jr., as recorded in Instrument Number 2020-9531, O.P.R.M.C.T., and being on the westerly line of a 30-foot roadway dedication unto the use of the public of Todd Road (N County Road 1160), as recorded in Volume 87, Page 571, Deed Records of Midland County, Texas (D.R.M.C.T.), said point being locatable by NAD83 Grid Coordinate N=10,703,891.49, E=1,768,507.04, and from which a found 1/2-inch iron rod with cap stamped "BRADSHAW ASSOC" for the northeast corner of said Sigifredo Arballo Jr. tract bears North 14 degrees 21 minutes 55 seconds West, a distance of 392.19 feet;

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

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

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

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



Location Map

SUDwo-24-0041

Scale: 1" = 250'

Consider a request by Zoo Midland, on behalf of Green Acres Golf Course, LLC, for a Specific Use Designation without Term for a Wildlife Rehabilitation Center on a 4.352-acre tract of land out of Tract 4, Parker Acres, City and County of Midland, Texas

Generally located on the west side of Todd Drive, approximately 420 feet south of East Gold Course Road.
(Council District 2)

LEGEND

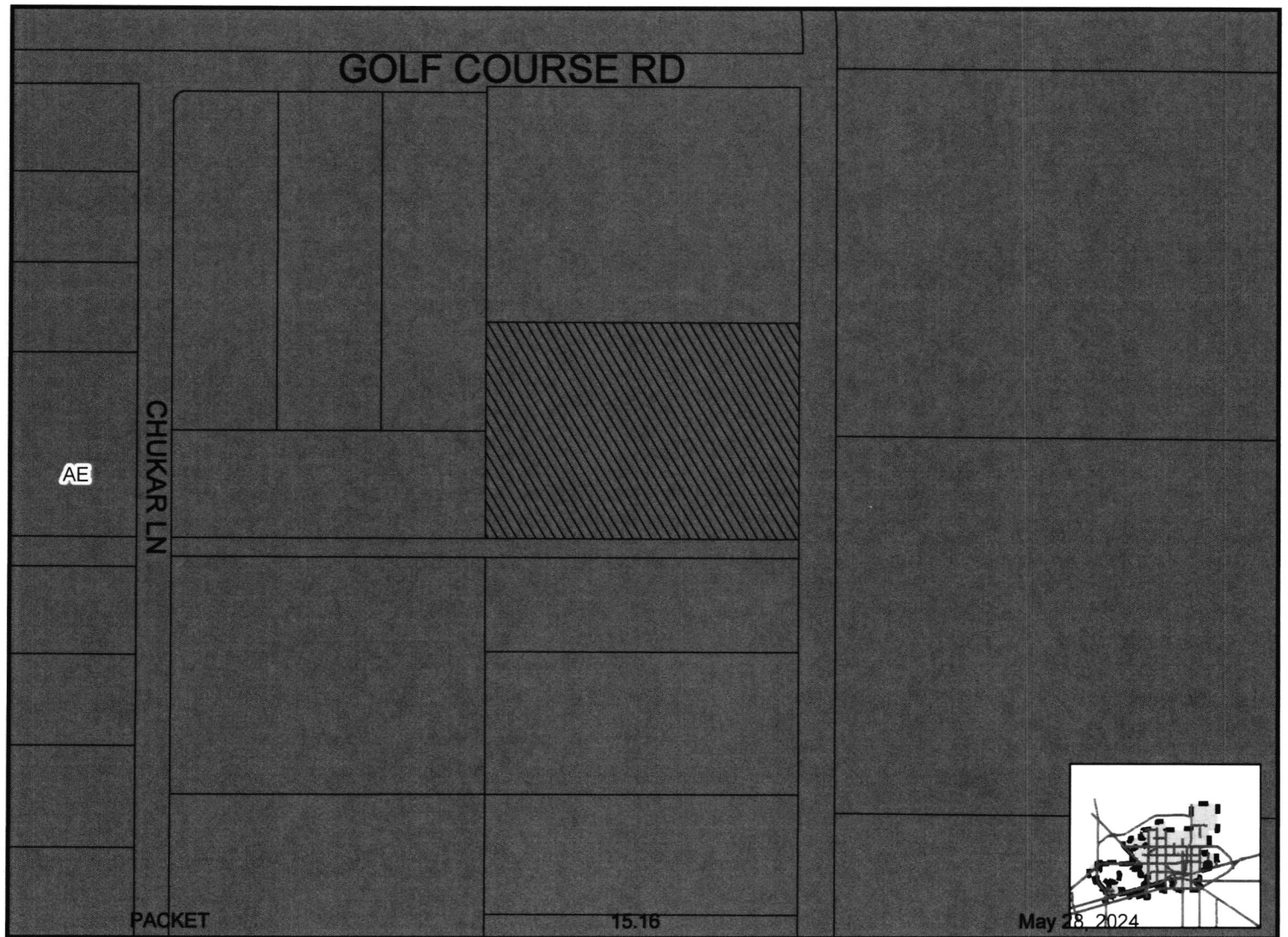
- - CITY LIMITS
- ▭ PARCEL
- ▨ PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

May 28, 2024

THIS DATA IS NOT A SUBSTITUTION FOR A PROFESSIONAL ENGINEER'S DESIGN OR A PROFESSIONAL SURVEYOR'S FIELD NOTES. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map By: AM, 4/1/2024

SUDwo-24-0041

Scale: 1" = 200'

ZONING MAP



© THE CITY OF MIDLAND - 2021. THIS MAP IS NOT A SUBSTITUTE FOR A SURVEY. THE CITY OF MIDLAND IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. TO BE USED AS A PRELIMINARY TOOL. INFORMATION IS BASED ON THE BEST AVAILABLE INFORMATION. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.



PACKET

15.17

May 28, 2024

PACKET

Page 8.149

October 21, 2024



PACKET

15.18

May 28, 2024

PACKET

Page 8.150

October 21, 2024



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Hold a public hearing and consider a Final Plat of Homestead Addition, Section 23, being a residential replat of a .016-acre tract of land, being the middle 50 feet of the southeast quarter of Block 21, Homestead Addition, City and County of Midland, Texas. (Generally located on the west side of North Mineola Street, approximately 50 feet north of East Michigan Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single-Family Dwelling District.

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

Preliminary Plat Approval:

Magrym Consulting is requesting to replat a property located on North Mineola Street to construct a single-family dwelling.

This plat qualified for the short form procedure and therefor did not require a preliminary phase.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved)

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

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

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

WATER: 6" water exists in Mineola, 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 the Applicant's information only.]

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

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No objections.

OIL AND GAS: (Approved)

No Oil & Gas Issues.

GIS: (Approved)

No comments.

PLANNING: (Approved).

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

Letters of Objection:

Staff has not received any letters of objection as of October 18, 2024.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: SUB-24-0752

Case Number: P-24-2016

Proposed Subdivision Plat Name: **HOMESTEAD ADDITION, SECTION 16**

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF A 0.16 ACRE TRACT OF LAND, BEING THE MIDDLE 50 FEET OF THE SOUTHEAST QUARTER OF BLOCK 21, HOMESTEAD ADDITION, MIDLAND COUNTY, TEXAS

Property Owner

Printed Name: Oscar Cisneros & Itzel Leyva

Phone (432) 222-1489

Email ed.aleman@magrym.com

Address

City

State

TX

Zip

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Magrym Consulting

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548

Email ed.aleman@magrym.com

Address 800 N. Marienfeld, Suite 100

City Midland

State TX

Zip 79701

Current Zoning: **SF3**

Reason for Platting: Home Construction
TO OBTAIN BUILDING PERMITS

Plat Information

Total Acreage: 0.61

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):

Itzel Serna

Oscar Cisneros

Property Owner (printed):

Itzel Serna

Oscar Cisneros

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

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

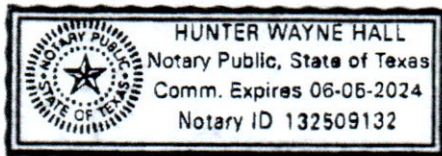
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Charles J. Almaraz
Authorized Agent (signature)

Subscribed and sworn to before me, this 11th day of September, 2024, to certify which witness my hand and seal of office.



H. Hall
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 # <u>8</u> |

Received By: [Signature]

Date: SEP 25 2024

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

HOMESTEAD ADDITION SECTION 23

BEING A REPLAT OF A 0.16 ACRE TRACT OF LAND, BEING THE MIDDLE
50 FEET OF THE SOUTHEAST QUARTER OF BLOCK 21, HOMESTEAD
ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, ITZEL LEYVA IS THE RECORD OWNER(S) OF A TRACT OF LAND BEING THE MIDDLE 50 FEET OF THE SOUTHEAST QUARTER OF
BLOCK 21, HOMESTEAD ADDITION MIDLAND COUNTY, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.16 ACRE TRACT OF LAND, BEING THE MIDDLE 50 FEET OF THE
SOUTHEAST QUARTER OF BLOCK 21, HOMESTEAD ADDITION MIDLAND COUNTY, TEXAS, SAID 0.16 ACRE
TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" REINF BAR FOUND/SET (N:10696510.27, E:1759046.95) FOR THE SOUTHEAST
CORNER OF THIS TRACT, FROM WHICH THE SOUTHEAST CORNER OF SAID BLOCK 21 BEARS SOUTH 0°43'52"
EAST 50 FEET;

THENCE SOUTH 89°16'08" WEST 140 FEET TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS
TRACT;

THENCE NORTH 0°43'52" WEST 50 FEET TO A REINF BAR SET FOR THE NORTHWEST CORNER OF THIS
TRACT;

THENCE NORTH 89°16'08" EAST 140 FEET TO A REINF BAR SET FOR THE NORTHEAST CORNER OF THIS
TRACT;

THENCE SOUTH 0°43'52" EAST 50 FEET TO THE PLACE OF BEGINNING.

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HERENAFOVE DESCRIBED PROPERTY AS HOMESTEAD ADDITION, SECTION 23, AN
ADDITION OF 0.16 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND
EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

ITZEL LEYVA

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY ITZEL LEYVA.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HERENAFOVE DESCRIBED PROPERTY AS HOMESTEAD ADDITION, SECTION 23, AN
ADDITION OF 0.16 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND
EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

OSCAR CISNEROS

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY OSCAR CISNEROS.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

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

2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED
"SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.

3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF
CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND
BUILDING PERMITS.

4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND
AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE
TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

5. PROPERTY IS IN ZONE X ACCORDING TO FEMA MAP PANEL 48329C0089F WITH AN
EFFECTIVE DATE OF 9/16/2005.

6. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE
LOT(S) MAY BE DEVELOPED AN BEFORE A BUILDING PERMIT MAY BE OBTAINED.

7. 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.

8. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS.
IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING
PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST
THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT
INCREASES. [PER MIDLAND CITY CODE SECT. 11-14-6]

LEGEND:

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

GRAPHIC SCALE
0 60 120
(1 INCH = 60' FEET)

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HOMESTEAD ADDITION,
SECTION 23, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING
COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 20__.

SIGNED: _____
CHAIRMAN: LUCY SISNEGA

ATTEST: _____
SECRETARY: LANDON OCHOA

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



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

OWNER(S):

OSCAR CISNEROS & ITZEL LEYVA
1201 S. COLORADO
MIDLAND, TX 79701
432-222-1489

RJ DAUM
TEXAS RPLS 4826

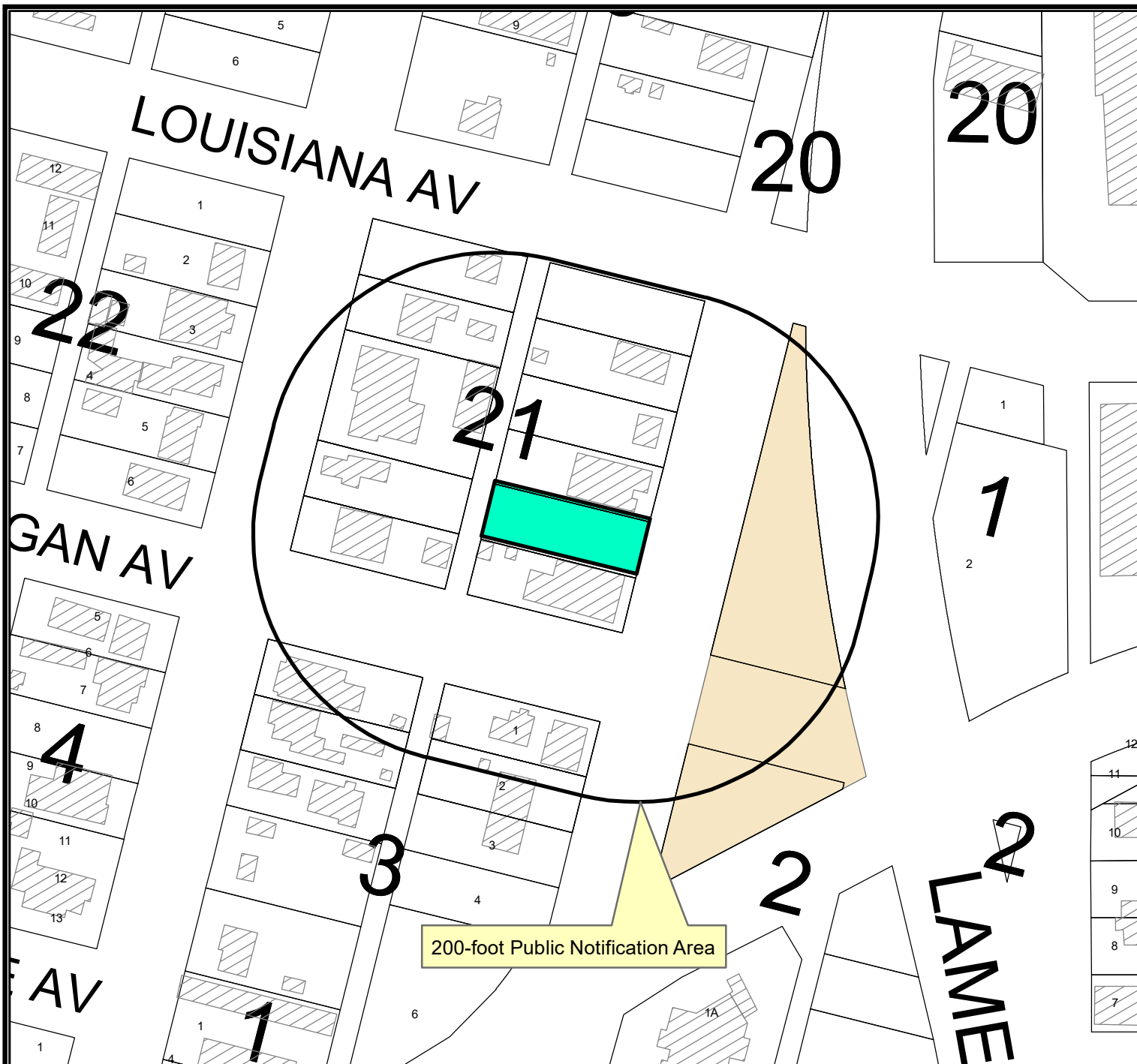
NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	9/8/2024	FINAL PLAT PREP	ELA	JG	05/8/2024
				CHECKED BY: ED/RJ	PROJECT NO.: 78571
				JOB NO. 80,251	SHEET: 1 OF 1



PACKET

Page 9.156

October 21, 2024



Location Map

SUB-24-0752

Scale: 1" = 126'

Proposed plat of Homestead Addition, Section 23 being a replat of a 0.16-acre tract of land, being the middle 50 feet of the southeast quarter of block 21, Homestead Addition, City and County of Midland, Texas.

Generally located on the west side of North Mineola Street, approximately 50 feet north of East Michigan Avenue. (Council District 2)

LEGEND

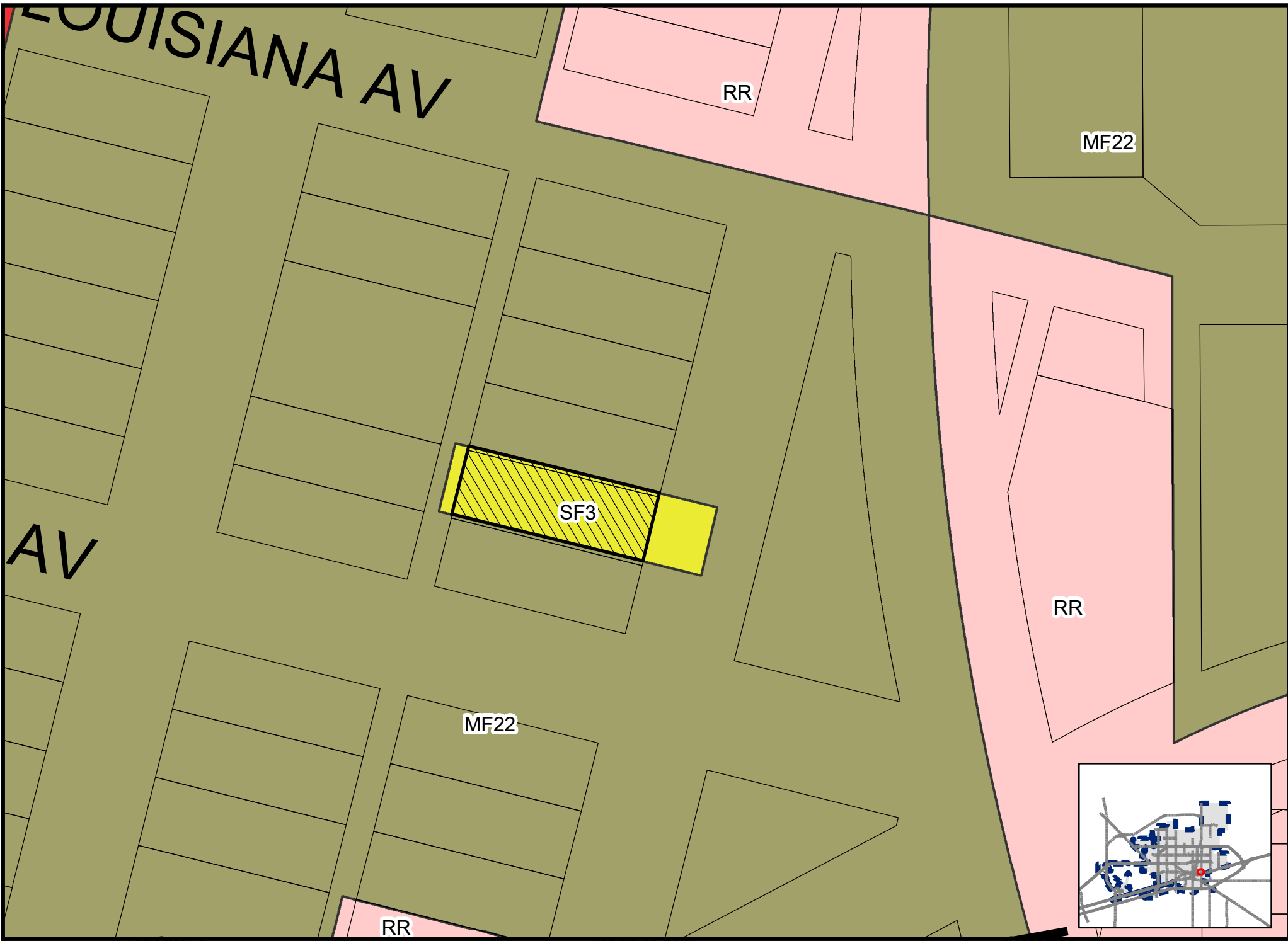
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



PACKET

SUB-24-0752

Scale: 1" = 86'

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ZONING MAP



October 21, 2024

Map BM, 10/14/2024

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21





HOMESTEAD ADDITION, SECTION 23

ITEM — FINAL PLAT

October 21, 2024



Visit Our Website

MIDLANDTEXAS.GOV

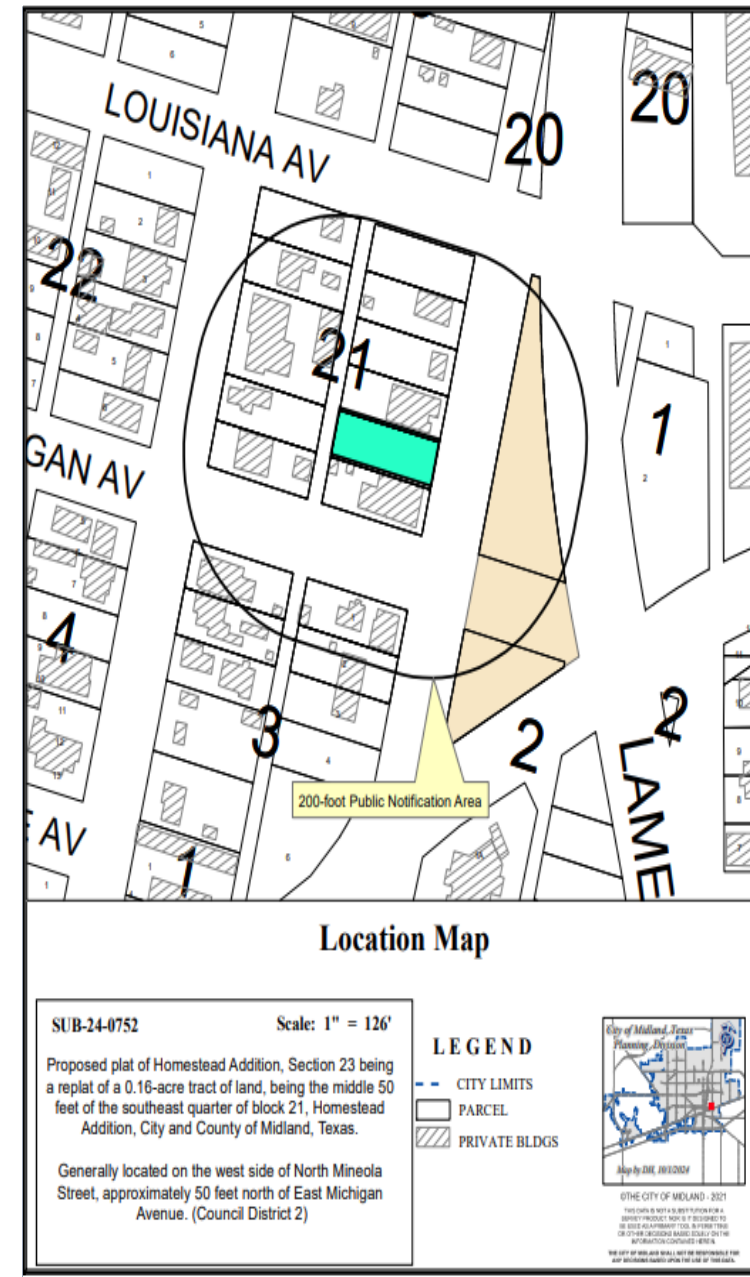
PACKET

Page 9.161

October 21, 2024

APPLICATION SUMMARY

- **Property Owner & Developer:** Oscar Cisneros and Itzel Levya
- **Representative:** Eduardo Aleman with Magrym Consulting
- **Application Type:** Final Plat
- **Address:** Generally located on North Mineola Street (District 2)



3

- # PACKET



MIDLAND
October 21, 2024
Be the Energy!

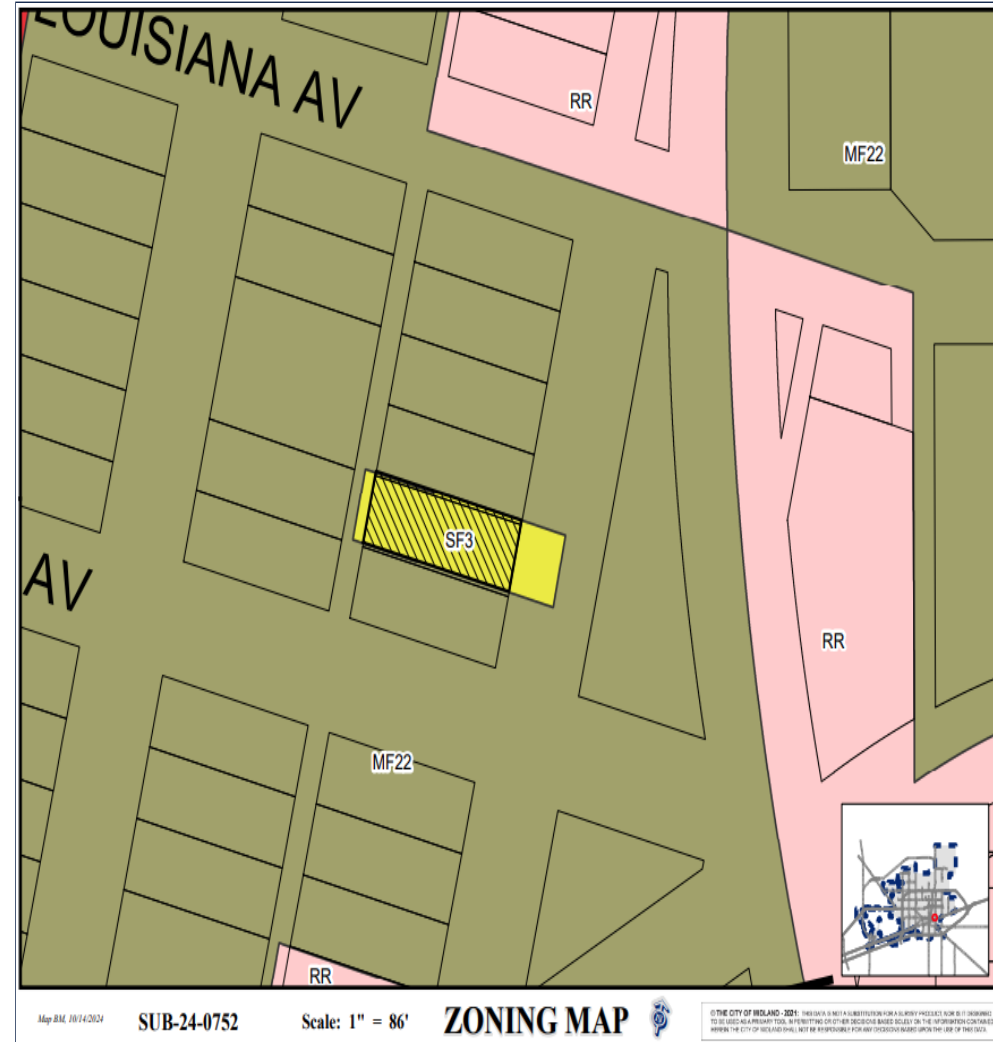
ZONING

Current Zoning:

- Residential (SF-3)

Surrounding Zoning:

- North, South, East & West:
Residential (MF22)



LAND USE

- **Current Use:** Vacant lot
- **Proposed Use:** Single-family dwelling
- **Surrounding Uses:**
 - North, South, East & West: Single-family dwellings



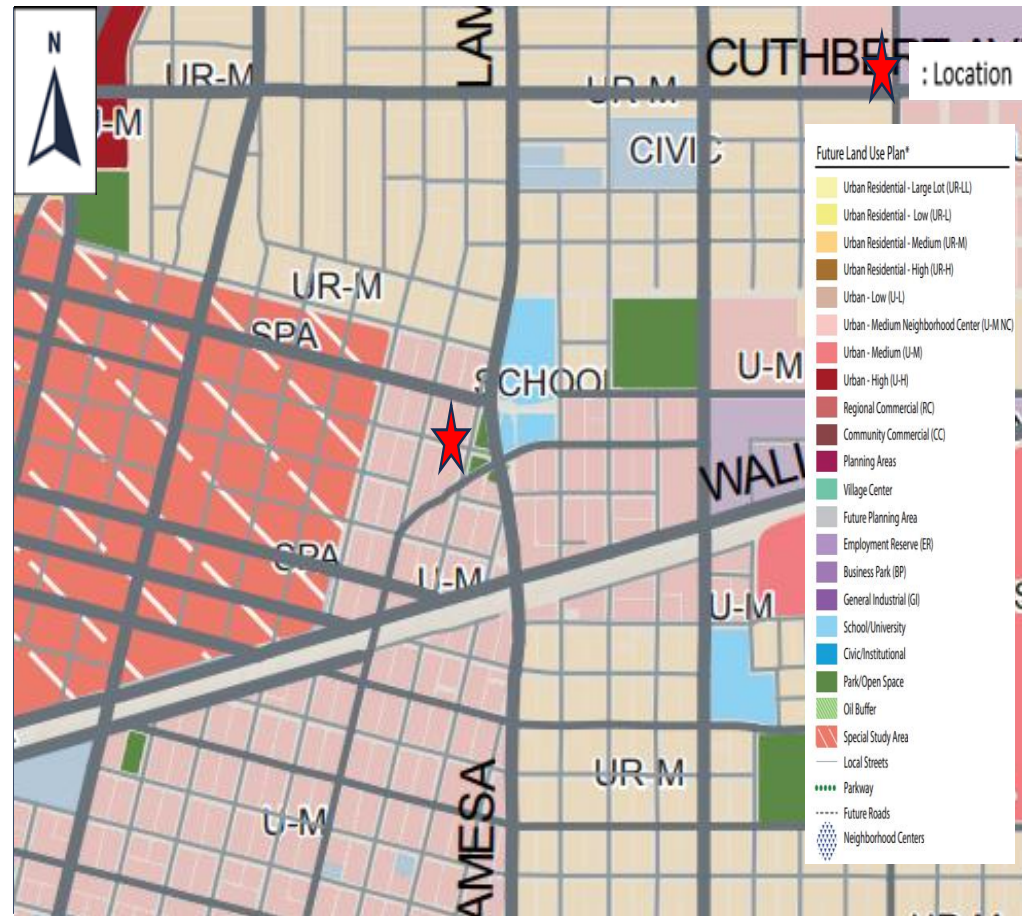
LAND USE



On North Mineola Street, looking west

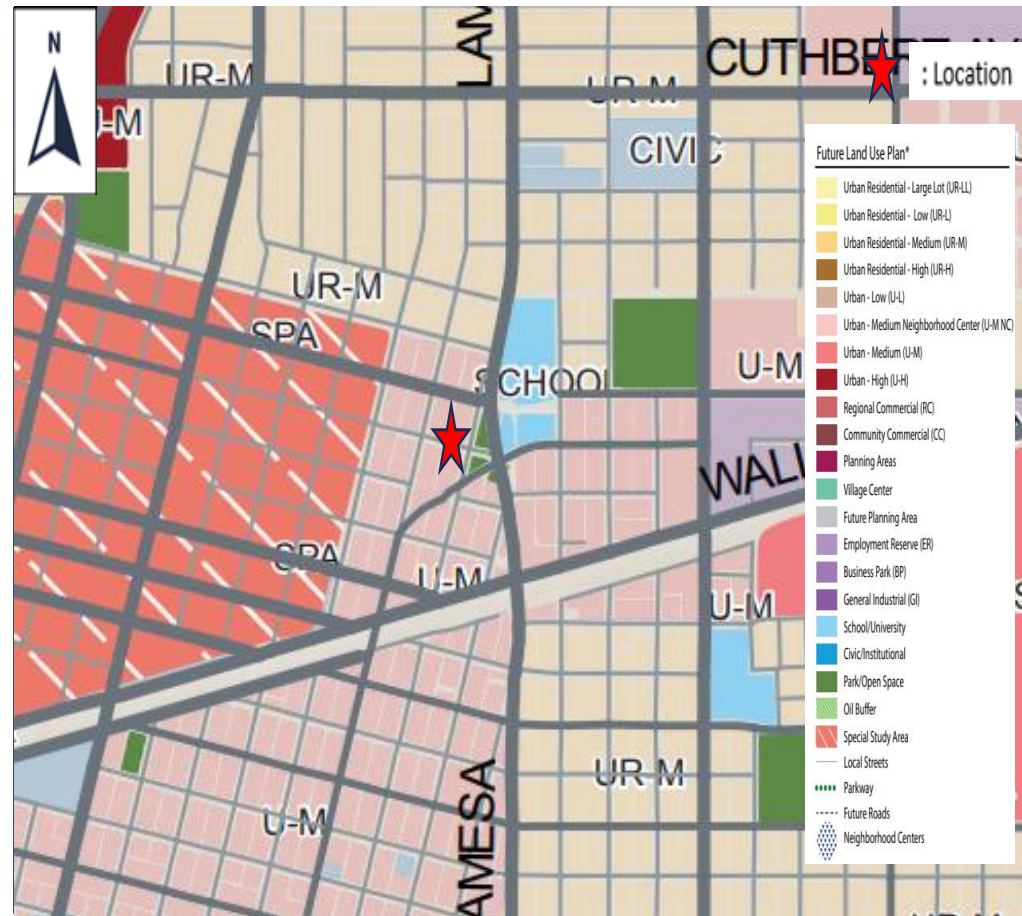
COMPREHENSIVE PLAN ANALYSIS

- TCT Land Use Designation:
 - U-M
- Supported Uses:
 - A mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use.



COMPREHENSIVE PLAN ANALYSIS

- **Supported Uses:**
 - Amenities such as parks, plazas and quality streetscapes should be more prevalent than in U-L areas.
- Land use is **compatible** with surrounding area & TCT Plan



RELATED ITEMS

- This plat qualified for the short form procedure and therefor did not require a preliminary phase.



STAFF RECOMMENDATION

Staff has not received any letters of objection as of October 18, 2024, and recommends **APPROVAL** of the final plat of Homestead Addition, Section 23.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Madelim Jaquez, Planner

SUBJECT: Hold a public hearing and consider a request by JMR Dental Services for a zone change from PD, Planned Development District for Housing Development for a Shopping Center to 2F, Two-Family Dwelling (Duplex) District on Lot 5, Block 34, Northgate Addition, Section 19, City and County of Midland, Texas. (Generally located on the south side of Northbrook Lane, approximately 720 feet northwest of West Loop 250 North.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, JMR Dental Services, is requesting a zone change from PD, Planned Development District Shopping Center to 2F, Two-Family Dwelling (Duplex) District for to build a duplex.

Current Zoning:

PD, Planned Development District Shopping Center.

Surrounding Zoning and Land Use:

The properties to the north are PD, Planned Development District Shopping Center and PD, Planned Development District Housing development, and are currently physical therapy centers and apartments. The properties to the east are PD, planned Development District Shopping Center, and are currently hotels and vacant lots. The properties to the south are PD, Planned Development District Shopping Center, and is the location currently a car dealership. The properties to the west are PD, Planned Development District Shopping Center and SF2, Single-Family Dwelling District which currently includes vacant lots and houses.

Analysis:

The applicant is seeking this zone change in order to construct a duplex, which is not allowed in the properties current zoning. This vacant lot is located in a PD, Planned Development District Shopping center that is developed with different types of businesses. Changing this zoning would not affect the development of this area. This lot does meet the requirements for the 2F, Two-Family Dwelling (Duplex) District zoning.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; which designated this area as Urban-Medium. This designation calls for a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use.

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

Fire: (Approved)

No objections

Oil and Gas: (Approved)

No Oil and Gas Issues

Engineering: (Approved)

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

Code: (Approved)

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

Transportation: (Approved)

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

Planning: (Approved)

Therefore, staff recommends approval of this Zone Change from PD, Planned Development District Shopping Center to 2F, Two-Family Dwelling (Duplex) District.

Letters of Objection:

Staff has not received any letters of objection as of October 18, 2024.

Attachments:

Application

survey

Maps

PowerPoint Presentation



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: _____

Case Number: Z-24-0394

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

Printed Name: KALPESH M PATEL

Phone (203) 535-3337

Email KALPESH-074@hotmail.com

Address 4800 Northbrook Lane

City MIDLAND

State Tx

Zip 79707

Property Owner

Printed Name: JMR DENTAL SERVICES

Phone (203) 535-6766

Email JMRSPATEL25@gmail.com

Address 4700 Northbrook Lane

City MIDLAND

State Tx

Zip 79707

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 4807 Northbrook Lane, Midland, Tx 79707

Legal Description

Lot: 5 Block: 34 Subdivision: NORTHGATE ADDITION SECTION 19

Current Zoning:

PD

Proposed Zone:

2F

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

Reason for Zone Change Request: To BUILD THE RESIDENCE FOR
EMPLOYEE WORKING AT JUST SMILE DENTAL (DOING BUSINESS FOR)
JMR DENTAL SERVICES PLLC

Present Use of Property: VACANT

Proposed Use of Property: ACCOMMODATION TO EMPLOYEE

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

— NONE —

Describe how conditions affecting the property have changed since present zoning designation: — NONE —

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)

Applicant (signature):

Kalpesh

Date: 9/12/24

Applicant (printed):

KAUSHI M PATIL

Property Owner (signature):

R. / Clafel

Date: 9/12/24

Property Owner (printed) :

REEMA KALPESH PATEL

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Kapresh Mumbhai Patel who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Breana Kapresh Patel 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.

Kalpesh

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 14 day of September, 2024, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee☒ Plans in Digital Format (PDF/JPEG)

Check # 1623

Received By:

Date _____

RECEIVED
SEP 23 1954

BY:

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

*COPYRIGHT 2024

This survey plat is being provided solely for the use of: JMR Dental Service PLLC and that no license has been created, express or implied, to copy the survey plat except as is necessary in conjunction with the original transaction dated August 29, 2024, which shall take place within 90 days after the survey was provided.



PUBLIC DRAINAGE
RIGHT-OF-WAY

This survey was prepared without benefit of a title commitment.
Not all easements or matters of title may be shown.

Census Tract: 101.06

This tract is in Flood Zone "X" as shown on the Flood Insurance Rate Map, Dated September 16, 2005 provided by the Federal Emergency Management Agency Flood Map Number: 48329C0069 F

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights-of-way, except as shown hereon, and that said property has access to and from a dedicated roadway.

Dated this the 29th day of August 2024.

Duryn Henington

Registered Professional Land Surveyor No. 6832

Date: 08/29/2024

IF SURVEYORS SIGNATURE IS NOT SIGNED IN RED INK, THIS IS NOT AN ORIGINAL DOCUMENT

PENNELL LAND SURVEYING

PROFESSIONAL LAND SURVEYING

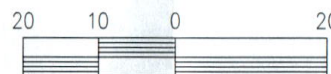
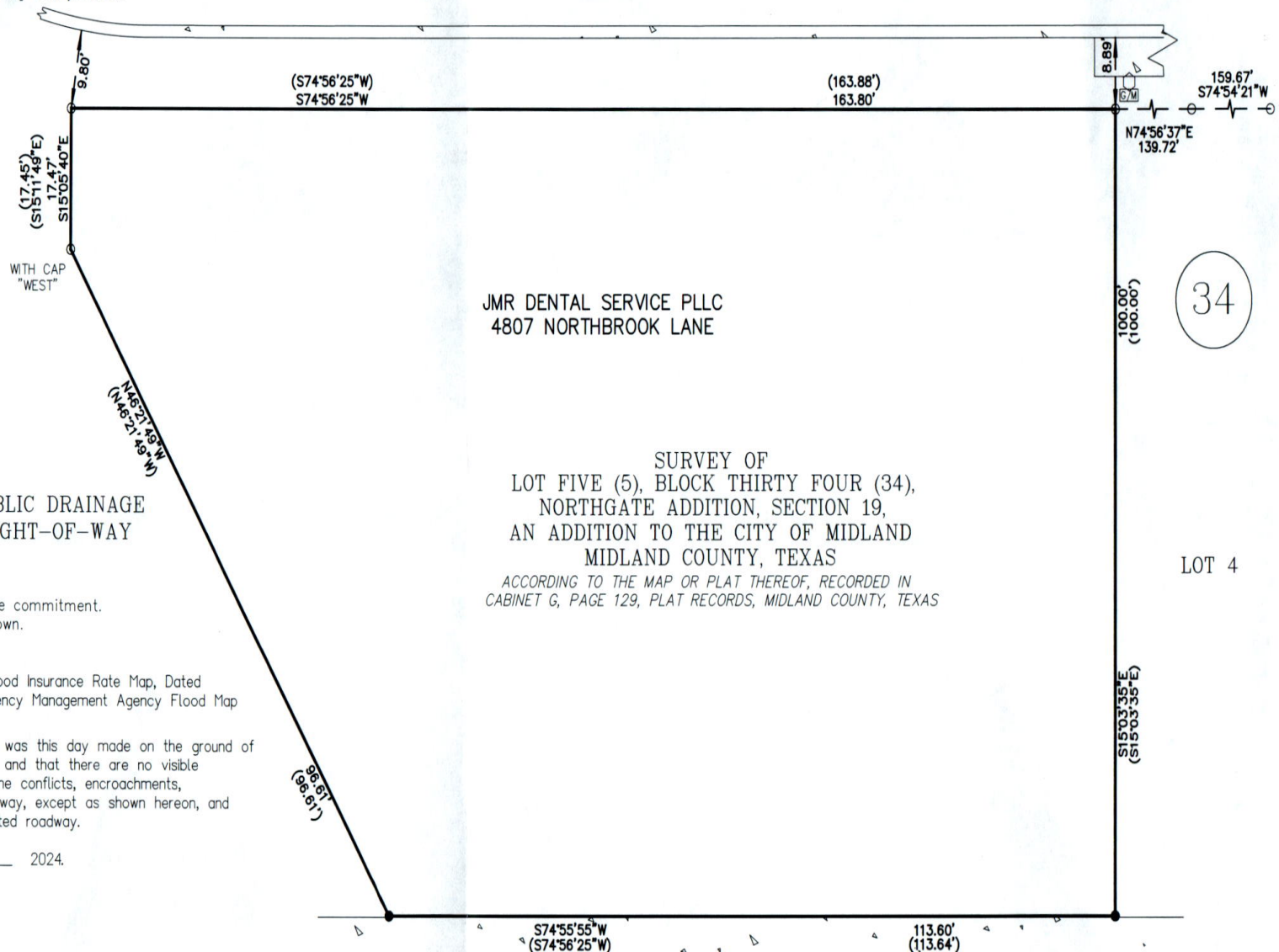
P.O. BOX 51622, MIDLAND, TEXAS 79710

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

ABSTRACT OFFICE: N/A G.F. #: N/A COMMITMENT EFFECTIVE DATE: N/A

CAD FILE: BRP21095 PACKAGE: 107NORTHBROOK DRAWN BY: MARCY N. FIRM NO.: 10193978

NORTHBROOK LANE (60' WIDE)



SCALE: 1" = 20'
Page 10.177

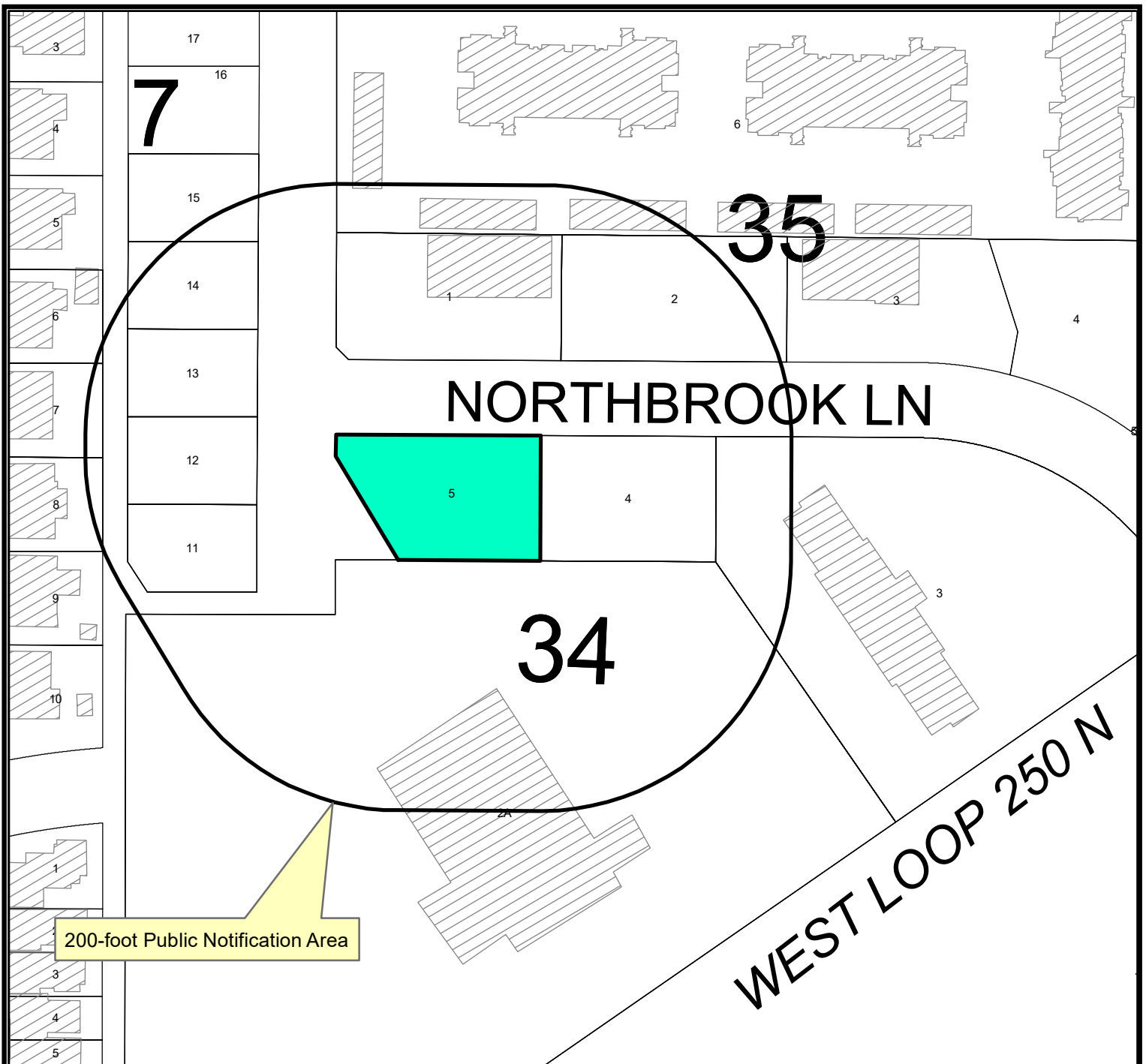
Basis of Bearings:
NORTH Line of this Lot

Bearings and Distances Shown
Inside () Indicate Record Information

LEGEND

- Set 1/2" I.R.
W/Cap "RPLS 4170"
- Fnd. 1/2" I.R.
- ⊞ Gas Meter
- Gas Line Marker

October 21, 2024



Location Map

Z-24-0394

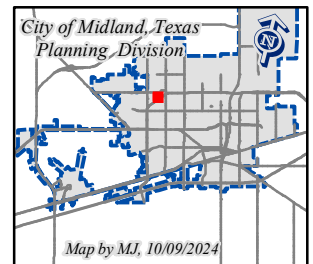
Scale: 1" = 55.60'

Consider a request by JMR Dental Services for a zone change from PD, Planned Development District to 2F, Two-Family Dwelling (Duplex) District on Lot 5, Block 34, Northgate Addition, Section 19, City and County of Midland, Texas.

Generally located on the south side of Northbrook Lane, approximately 720 feet northwest of West Loop 250 North. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

CANADIAN AV

PD

MF16

SF2

PD

NORTHBROOK LN

PD

PD

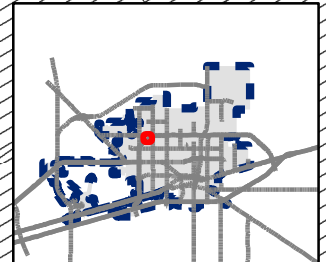
PD

2F

TH

AMIST

MF16



PACKET

Page 10.179

October 21, 2024



35

NORTHBROOK LN



34



16,212 Sq. Ft.
Call: 800-525-3337
Phone: 800-525-3337



4807 NORTHBROOK LN

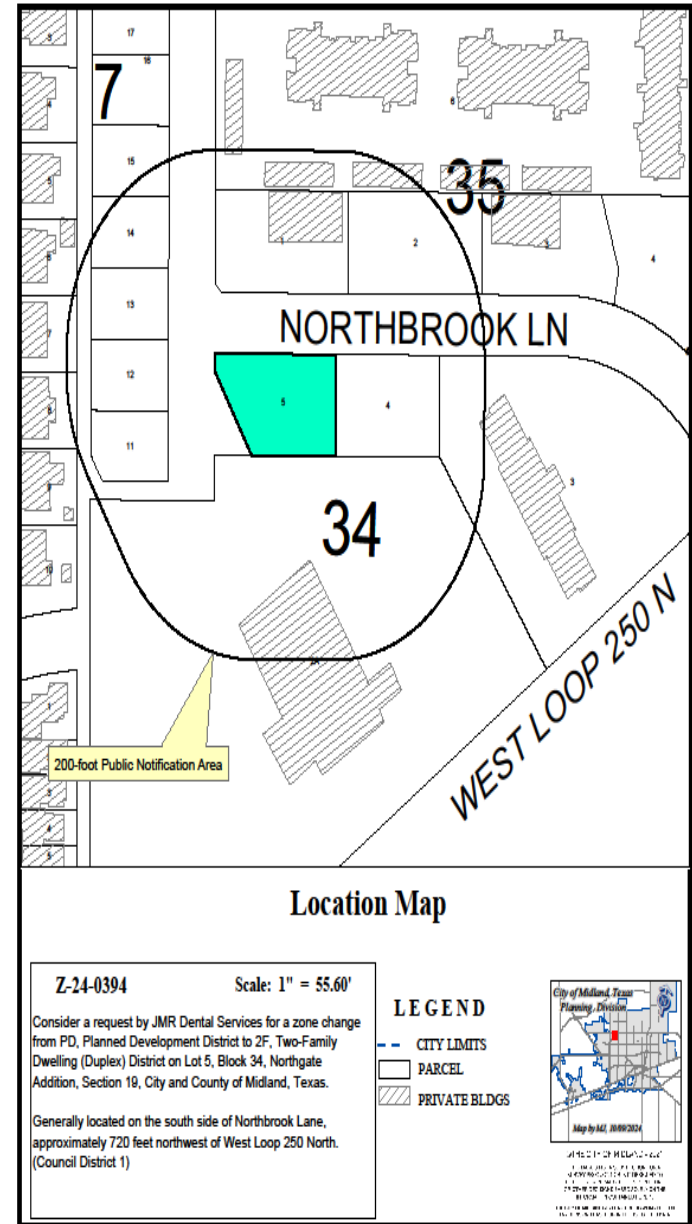


Visit Our Website

MIDLANDTEXAS.GOV

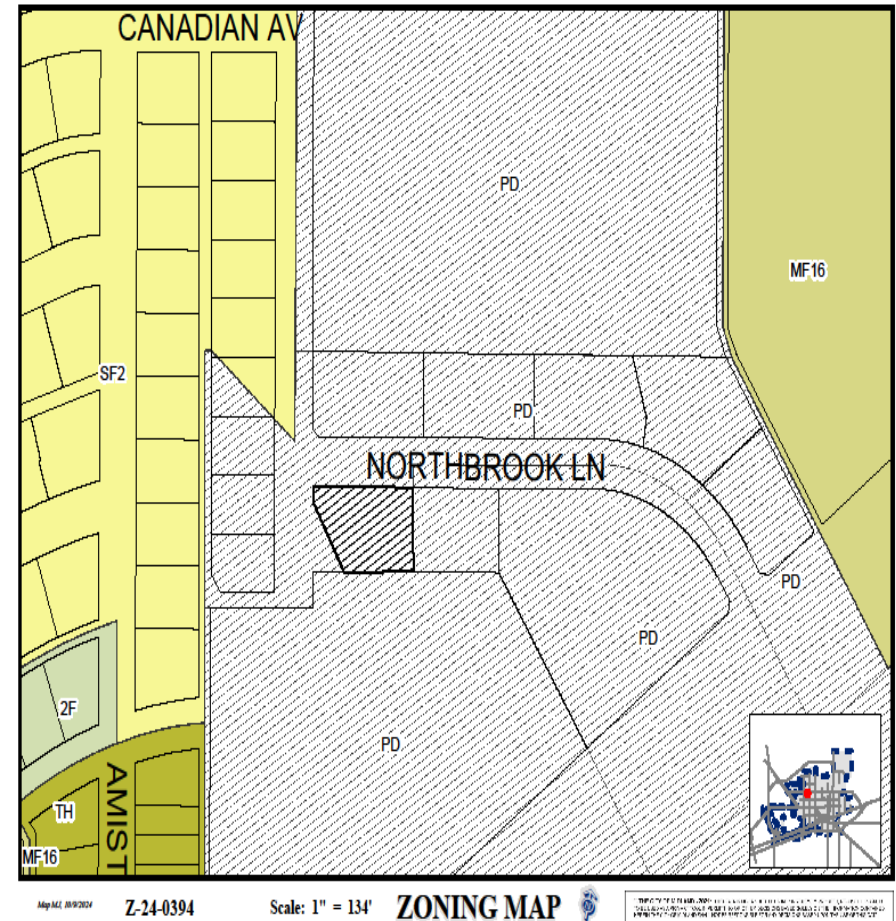
APPLICATION SUMMARY

- **Property Owner:** JMR Dental Services
- **Applicant:** Kalpesh M Patel
- **Zone Change**
- **Address:** 4807 Northbrook Lane (District 1)
- **Reason for Request:** To build a duplex



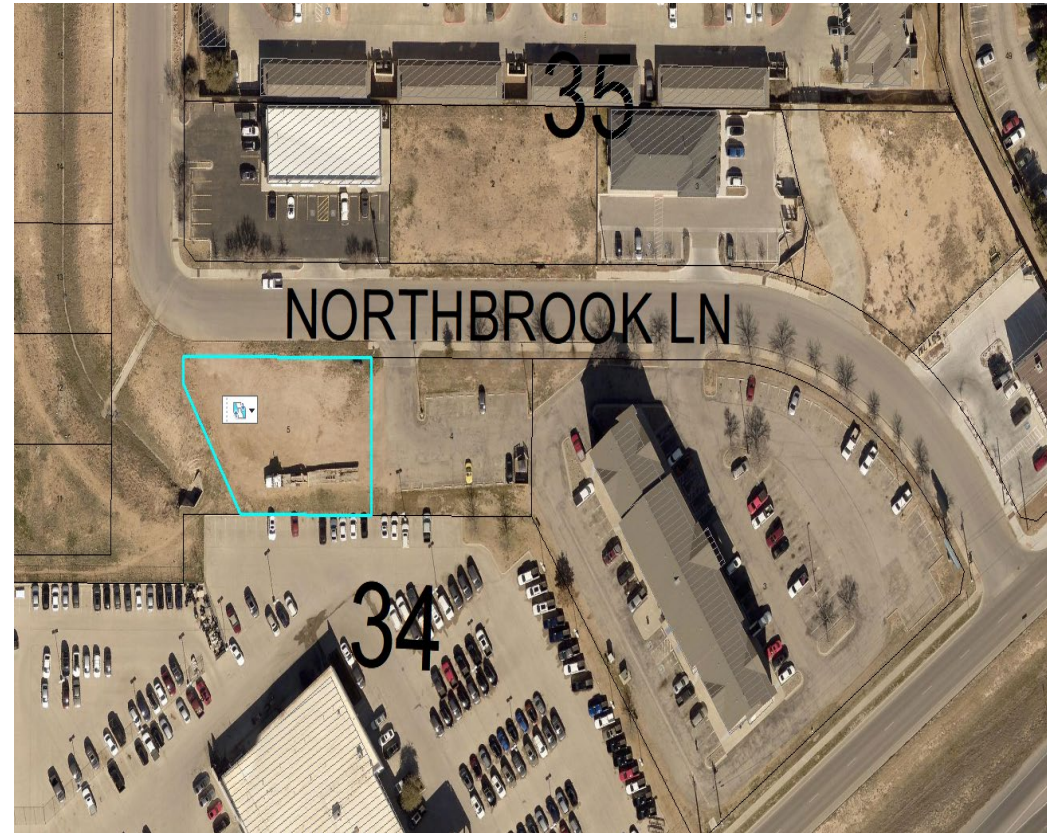
ZONING

- **Current Zoning:** PD, Planned Development District Shopping Center.
- **Surrounding Zoning:**
 - North: PD, Planned Development District Shopping Center.
 - East: PD, Planned Development District Shopping Center.
 - South: PD, Planned Development District Shopping Center.
 - West: PD, Planned Development District Shopping Center.
- **Proposed Zoning:** 2F, Two-Family Dwelling (Duplex) District



LAND USE

- **Current Use of the Property:**
Vacant
- **Proposed Use of the Property:**
2F, Two-Family Dwelling
- **Surrounding Uses:**
 - North: Commercial
 - South: Commercial
 - East: Vacant
 - West: Vacant

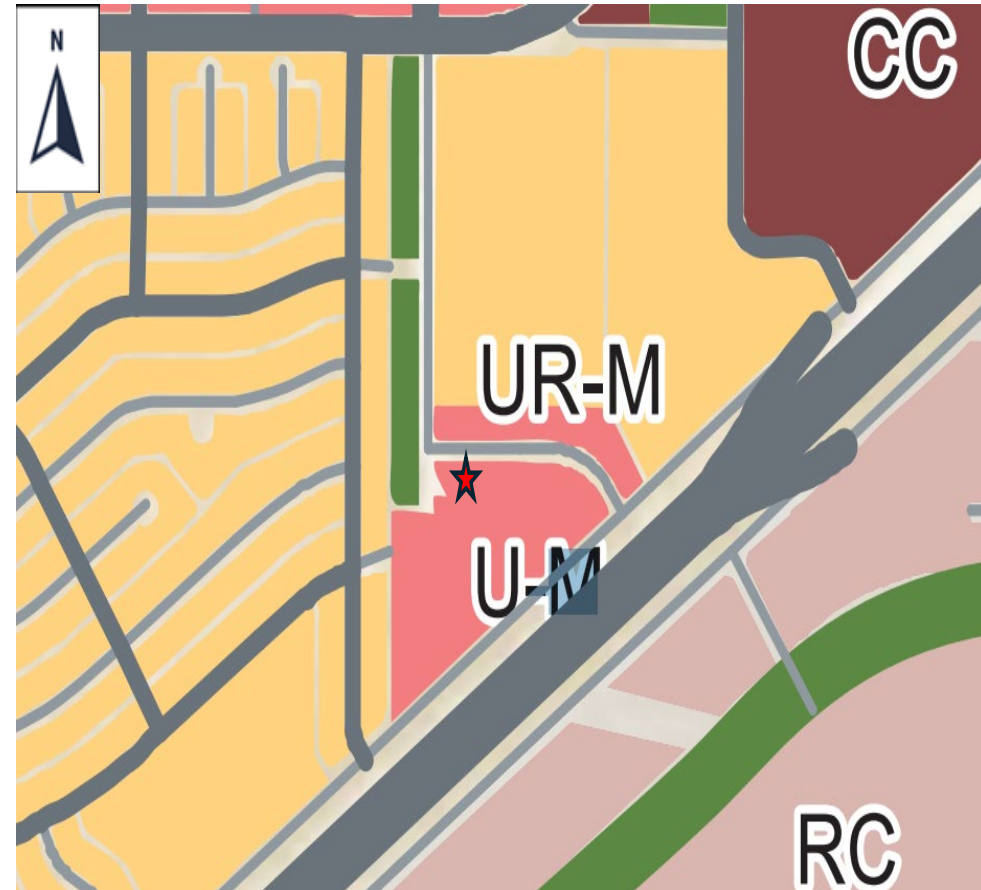




On Northbrook Lane, Looking South.

COMPREHENSIVE PLAN

- **TCT Land Use Designation:**
Urban-Medium (U-M)
- **Supported Uses:**
 - Supports a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use.
- Request is compatible with the surrounding area and the Tall City Tomorrow Plan.



*COPYRIGHT 2024

This survey plat is being provided solely for the use of JMR Dental Service PLLC and that no license has been created, express or implied, to copy the survey plat except as is necessary in conjunction with the original transaction dated August 29, 2024, which shall take place within 90 days after the survey was provided.



PUBLIC DRAINAGE
RIGHT-OF-WAY

JMR DENTAL SERVICE PLLC
4807 NORTHBROOK LANE

SURVEY OF
LOT FIVE (5), BLOCK THIRTY FOUR (34),
NORTHGATE ADDITION, SECTION 19,
AN ADDITION TO THE CITY OF MIDLAND
MIDLAND COUNTY, TEXAS
ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN
CARROLL G, PAGE 120, PLAT RECORDS, MIDLAND COUNTY, TEXAS

LOT 4

This survey was prepared without benefit of a title commitment.
Not all easements or matters of title may be shown.

Census Tract: 303.08

This tract is in Flood Zone "X" as shown on the Flood Insurance Rate Map, Dated September 16, 2023 provided by the Federal Emergency Management Agency Flood Map Number: 48329C0069 F

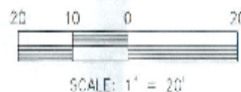
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described herein and is correct, and that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights-of-way, exact as shown herein, and that said property has access to and from a dedicated roadway.

Dated this 29th day of August 2024.

Darryn Henington
Registered Professional Land Surveyor No. 6832
Date: 08/29/2024

IF SURVEYORS SIGNATURE IS NOT SIGNED IN RED INK, THIS IS NOT AN ORIGINAL DOCUMENT

PENNELL LAND SURVEYING PROFESSIONAL LAND SURVEYING P.O. BOX 51822, MIDLAND, TEXAS 79710 VOICE: (432) 670-6256 brucepennell@yahoo.com		
ABSTRACT OFFICE: N/A	CR. # N/A	COMMITMENT EFFECTIVE DATE: N/A
DAO FILE: BRP1005	DATA FILE: 4807NORTHBROOK	DRAWN BY: WARDY K. FIRM NO.: 10193975



Basis of Bearings:
NORTH Line of this Lot
Bearings and Distances Shown
Inside () Indicate Record Information

- LEGEND
- Set 1/2" I.R.
 - W/Cap "RFLS 4170"
 - Find 1/2" I.R.
 - ⊞ Gas Meter
 - Gas Line Marker

Survey

STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from PD, Planned Development District Shopping Center to 2F, Two-Family Dwelling (Duplex) District.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and consider a request by Michael Loya on behalf of Tall City Meat Market for a Specific Use Designation with Term for the sale of all alcoholic beverages sales for on-premises consumption in a restaurant, for Lots 1 & 2, Block 8, Kelview Heights, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Big Spring Street and West Dormard Avenue.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Michael Loya on behalf of Tall City Meat Market, is requesting a Specific Use Designation (SUD) with Term for the sale of all alcoholic beverages sales for on-premises consumption in a restaurant located at 2909 N. Big Spring.

Current Zoning:

RR- Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north and west are zoned PD- Planned District and are the location of houses and offices. The properties to the south and east are zoned RR, Regional Retail District and are the locations of businesses and a gas station.

Analysis:

The property is zoned RR, Regional Retail. The RR zoning allows for alcoholic beverages sales for on-premises consumption in a restaurant with the approval of an SUD. The total

area of the restaurant, Tall City Meat Market, is 5,562-square feet and the proposed alcohol serviceable area is 3,012-square feet.

The proposed hours of operation:

Monday through Saturday from 8 a.m. to 12 a.m.

The proposed hours of alcohol service:

Monday through Saturday from 10 a.m. to 12 a.m.

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

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

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

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

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

Fire: (Approved)

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

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

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.

Planning: (Approved with Conditions)

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

Conditions:

- A. That the serviceable area of the Establishment shall be limited to approximately 3,012 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**
- B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.**
- C. That the days and hours of alcoholic beverage sales and consumption shall be limited to Monday through Saturday from 10:00 a.m. to 12:00 a.m. (midnight).**
- D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.**
- F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.**
- G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

As of October 1, 2024 we have received three letters of objections being a 12.3%.

Attachments:

Application
Floor Plan (Exhibit A)
Maps



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

Project Number: _____

Case Number: _____

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

Printed Name: MICHAEL LOYA /TALL CITY MEAT MARKET LLC

Phone (830) 581-9282

Email
tallcitymeatmarket@yahoo.com

Address 4445 E GOLDENROD DR

City GARDENDALE

State TX

Zip 79758

Property Owner

Printed Name: BROKEN EAR HOLDINGS, LLC/RUBEN VARGAS

Phone (432) 934-4408

Email

Address 2909 N Big Spring St.

City MIDLAND

State TX

Zip 79705

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()

Email

Address _____

City _____

State _____

Zip _____

Street Address: 2909 N BIG SPRING ST

Business Name: TALL CITY MEAT MARKET

Legal Description

Lot: _____ Block: _____ Subdivision: KELVIEW HEIGHTS

Current Zoning:

Reason for Request: WE WANT TO PROVIDE OUR CUSTOMERS WITH A DRINK WITH THEIR MEAL.

Type of Business (restaurant, bar, lounge, nightclub, etc.): RESTAURANT/MEAT MARKET

Proposed/Current Days and Hours of Operation: MONDAY - SATURDAY 8AM-12AM

Proposed Days and Hours of Alcohol Service: MONDAY - SATURDAY 10AM-12AM

Total Square Footage of Business: 5562 SQF

Square Footage of Alcohol Serviceable Area: 3,012

Restroom Fixtures:	Men	Toilets/Urinals: 1 /	Bathroom Sinks: 1
	Women	Toilets: 1	Bathroom Sinks: 1

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):

Michael Loya

Date:

09-4-24

Applicant (printed): MICHAEL LOYA

Property Owner (signature):

Ruben Vargas

Date:

Sept 4 2024

Property Owner (printed): RUBEN VARGAS

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

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

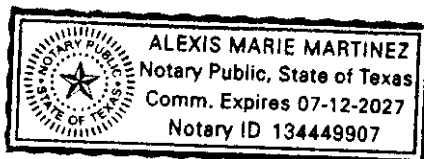
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared *Michael Loya* who, being by me duly sworn, upon oath says: That (s)he is authorized by *Ruben Vargas*, 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 11th day of September, 2024, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Floor Plan

☒ Application Fee

☒ Site Plan

Check # 3091

☒ Plans in Digital Format (PDF/JPEG)

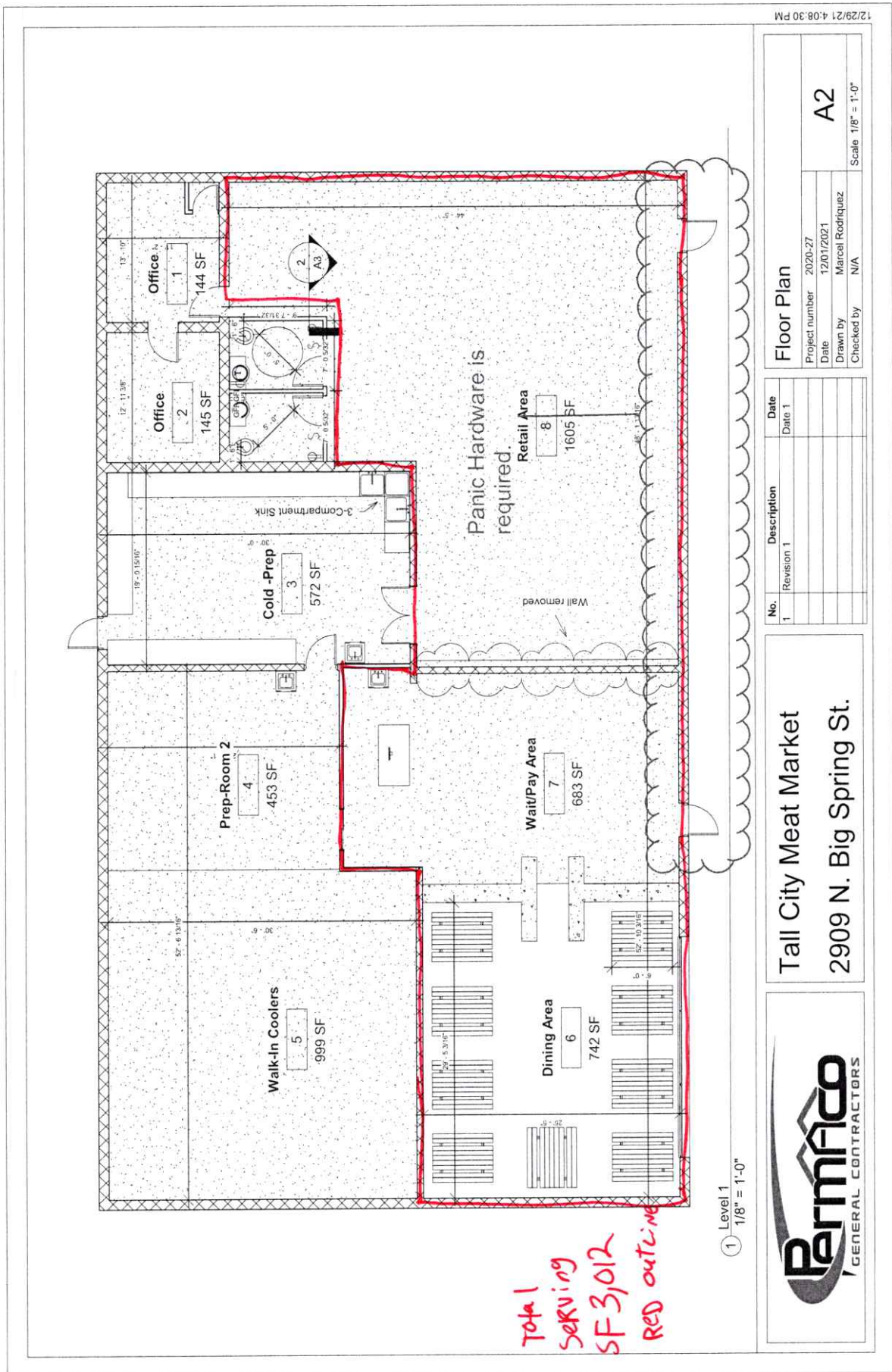
Received By: [Signature]

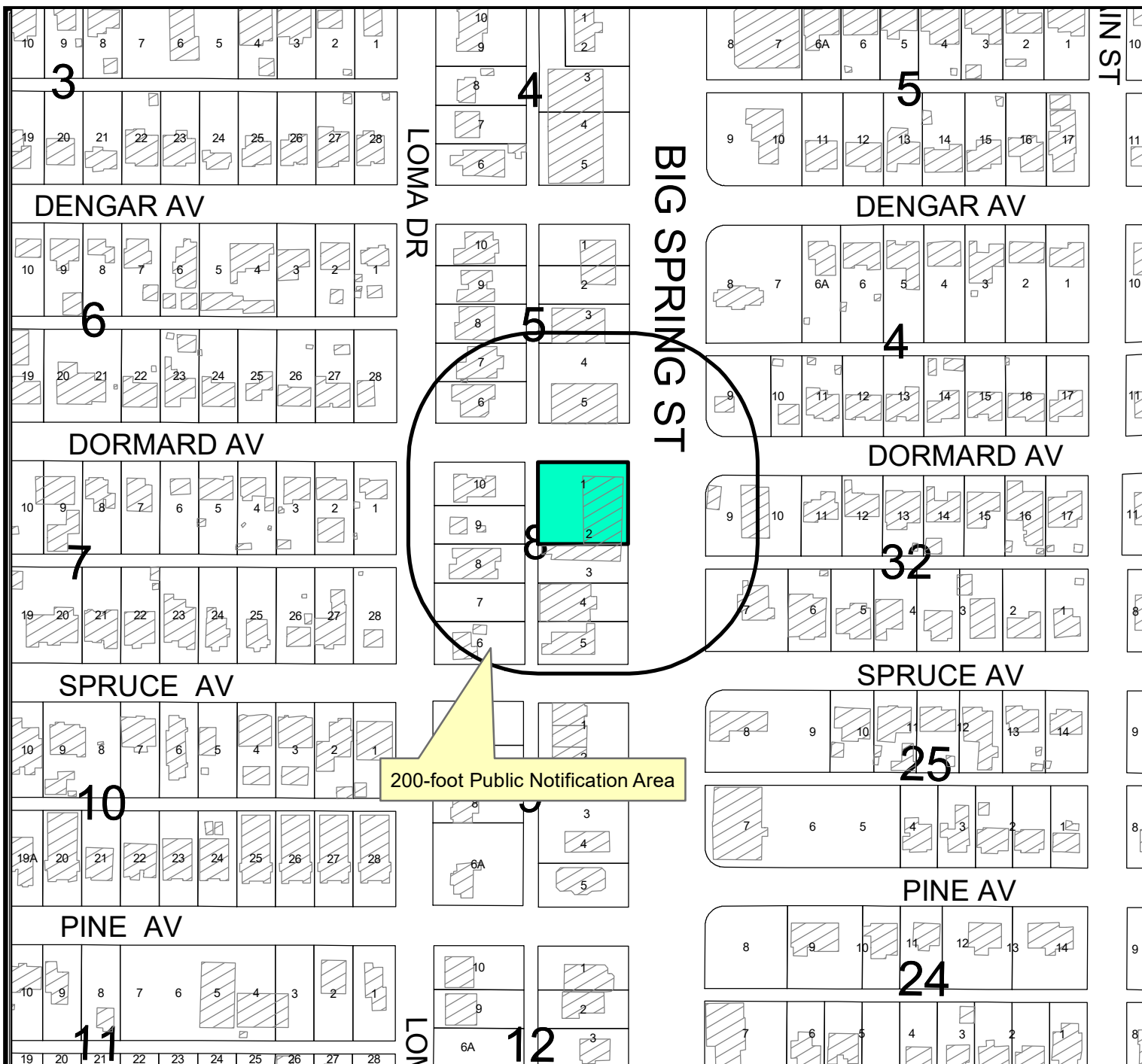
Date: Sept. 11th 24

RECEIVED

SEP 11 2024

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





Location Map

SUD-24-0187

Scale: 1" = 600'

Consider a request by Michael Loya on behalf of Tall City Meat Market for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a Restaurant on a 5,562 square foot portion of Lots 1 & 2, Block 8, Kelview Heights, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of North Big Spring Street and West Dormard Avenue. (Council District 3)

LEGEND

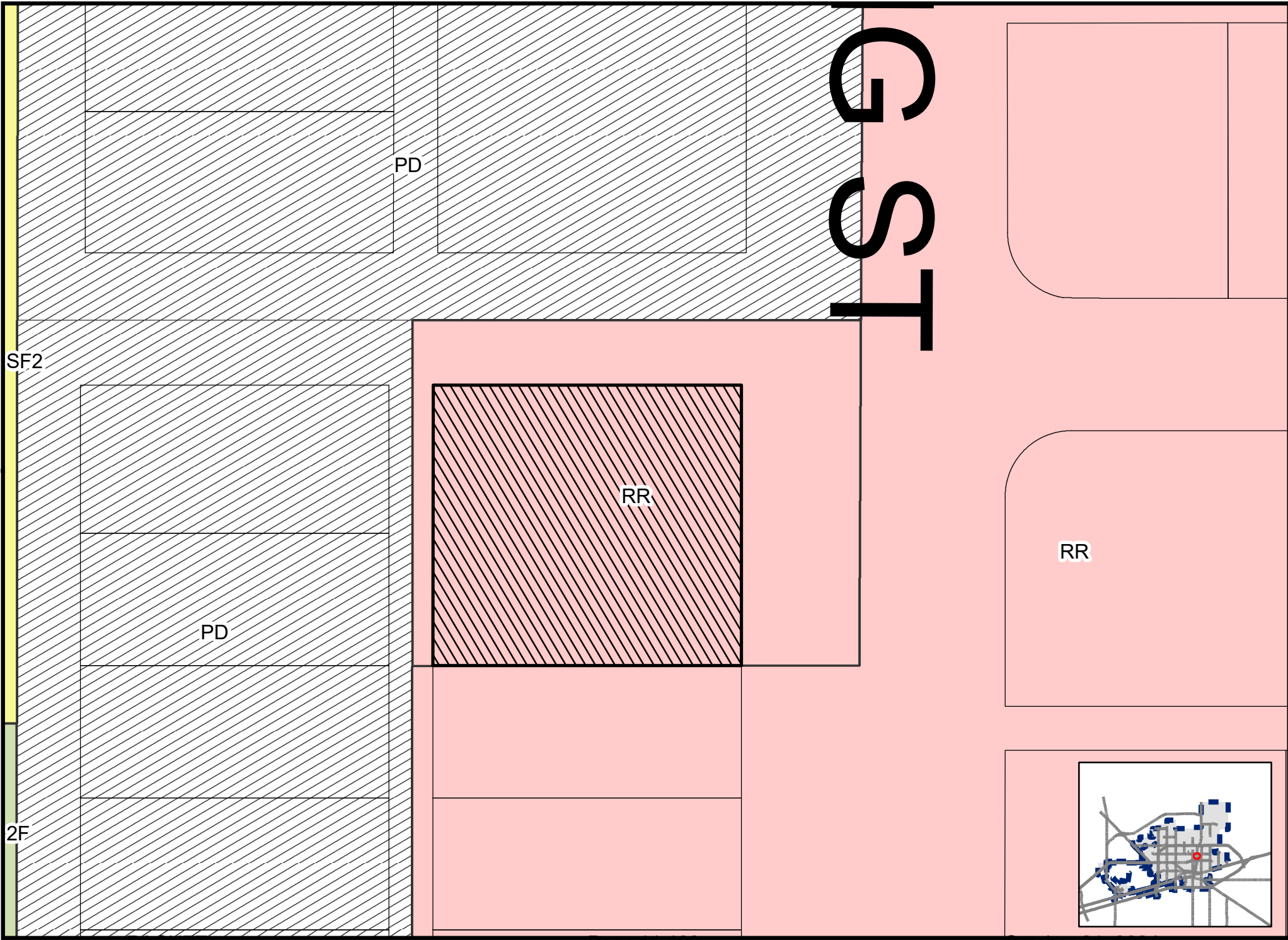
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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

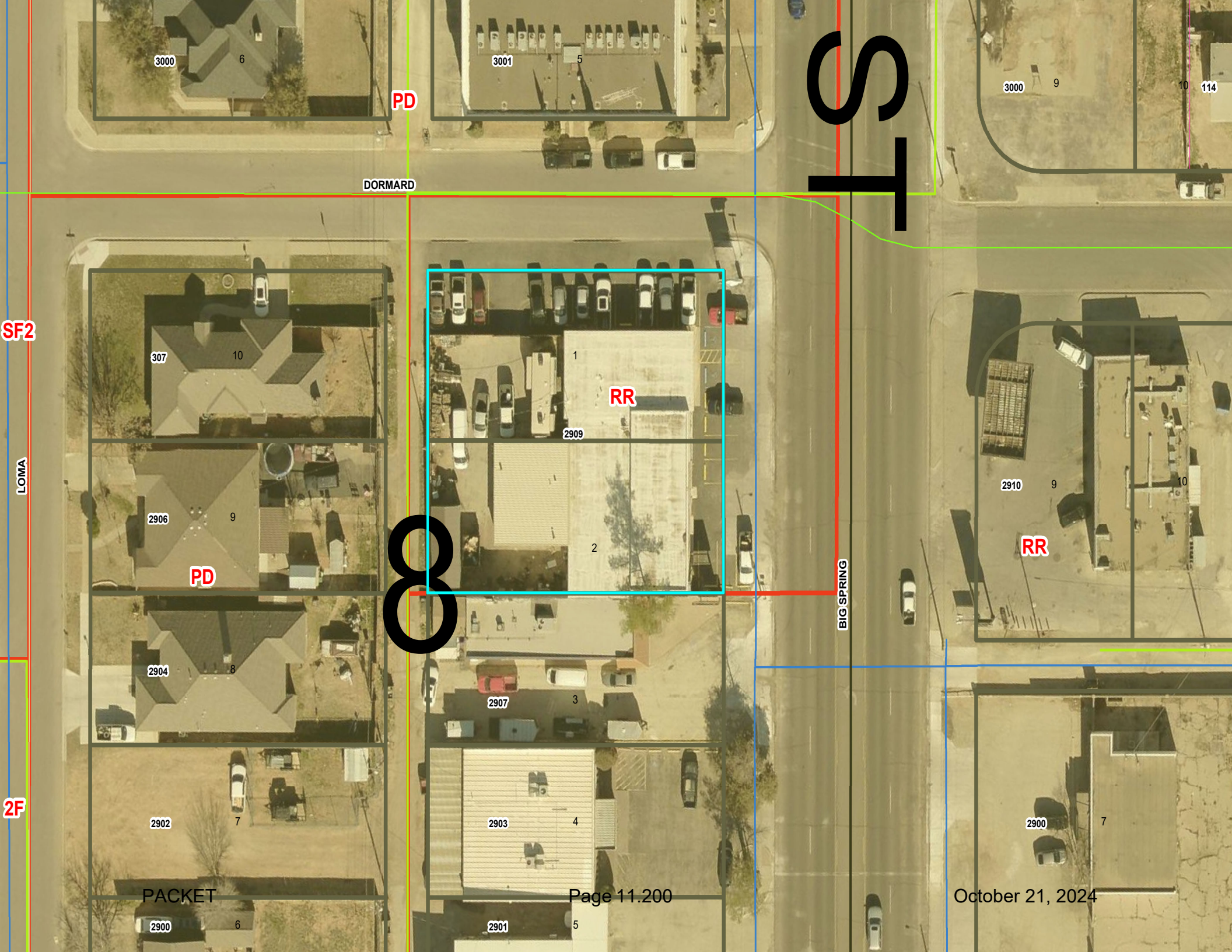


PACKET

Page 11.199

October 21, 2024





3000

6

PD

3001

5

DORMARD

3000

9

10

114

SF2

307

10

RR

2909

2906

9

PD

2

2904

8

2907

3

BIG SPRING

RR

2910

9

10

2F

2902

7

2903

4

2900

7

PACKET

2900

6

2901

5

Page 11.200

October 21, 2024





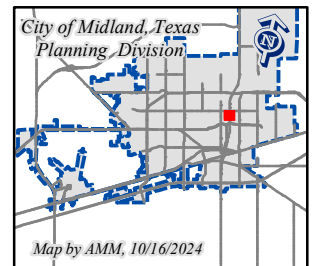
12.3% Objection

SUD-24-0187

Scale: 1" = 1,231'

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.



Tall City Meat Market

ITEM

SPECIFIC USE DESIGNATION WITH TERM

October 21, 2024

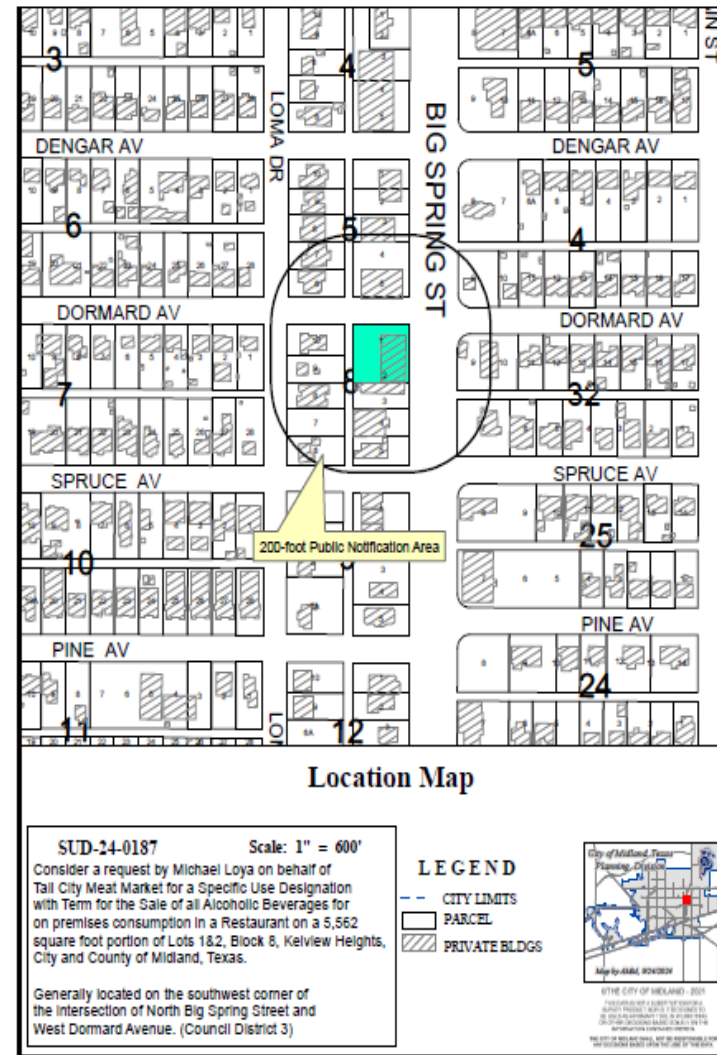


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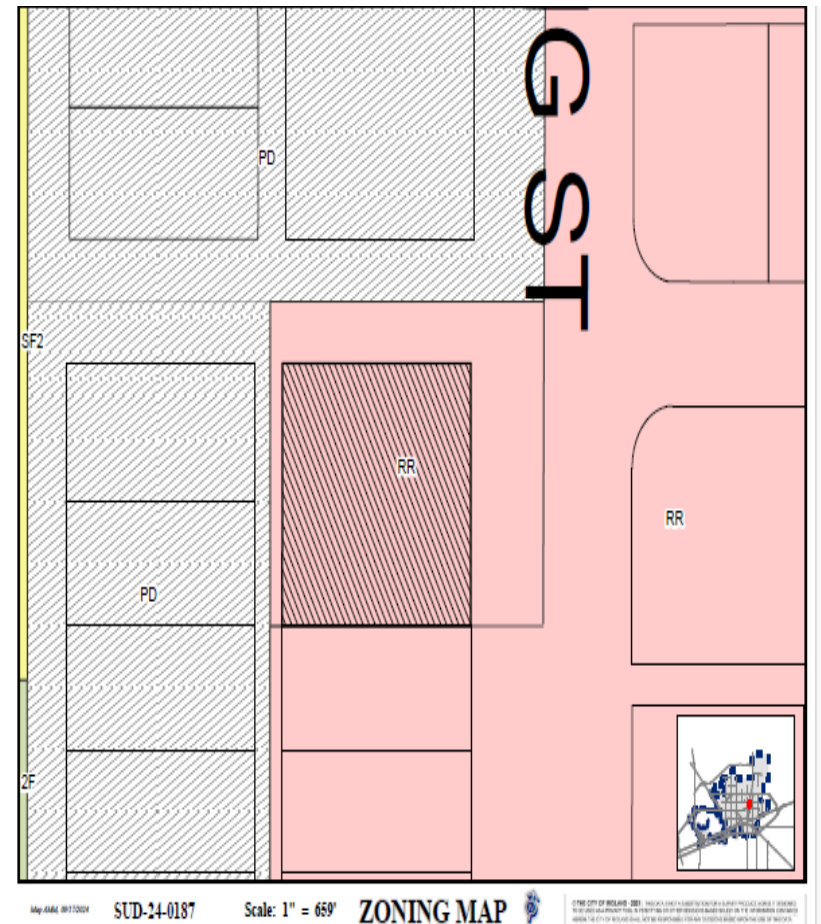
Application Summary

- **Property Owner:** Ruben Vargas
- **Applicant:** Michael Loya
- Specific Use Designation With Term
- **Address:** 2909 N. Big Spring Street (District 3)



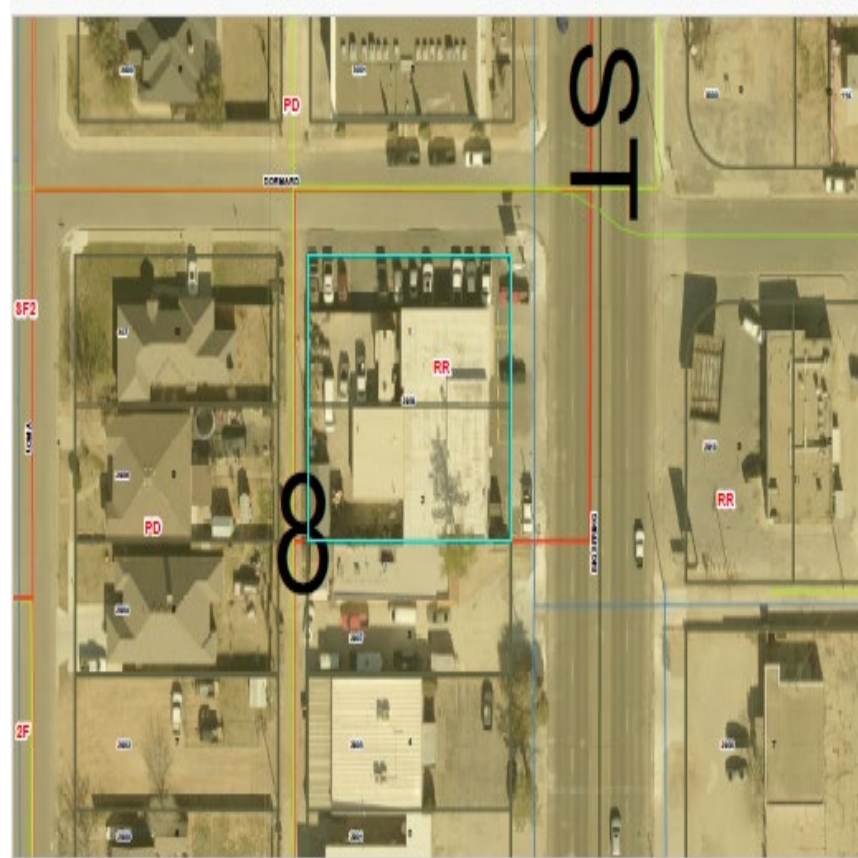
Zoning

- **Current Zoning:** RR- Regional Retail
- **Surrounding Zoning:**
 - North and West: PD- Planned District for Office Center
 - South and East: RR- Regional Retail



Land Use

- **Current Use of the Property: Meat Market**
- The use of Alcohol is allowed with a Specific Use Designation per the Use Chart in Section 11-1-4.03
- **Surrounding Uses:**
 - North: Insurance Business
 - South: Surveyor Business
 - East: Gas station
 - West: Residential



SUD Details

- **Square Footage of SUD:** 3,012 sq ft
- **Proposed Days and Hours of Operation:**
 - Monday – Saturday, 8 a.m. to 12 a.m.
- **Proposed Days and Hours of SUD:**
 - Monday – Saturday, 10 a.m. to 12 a.m.

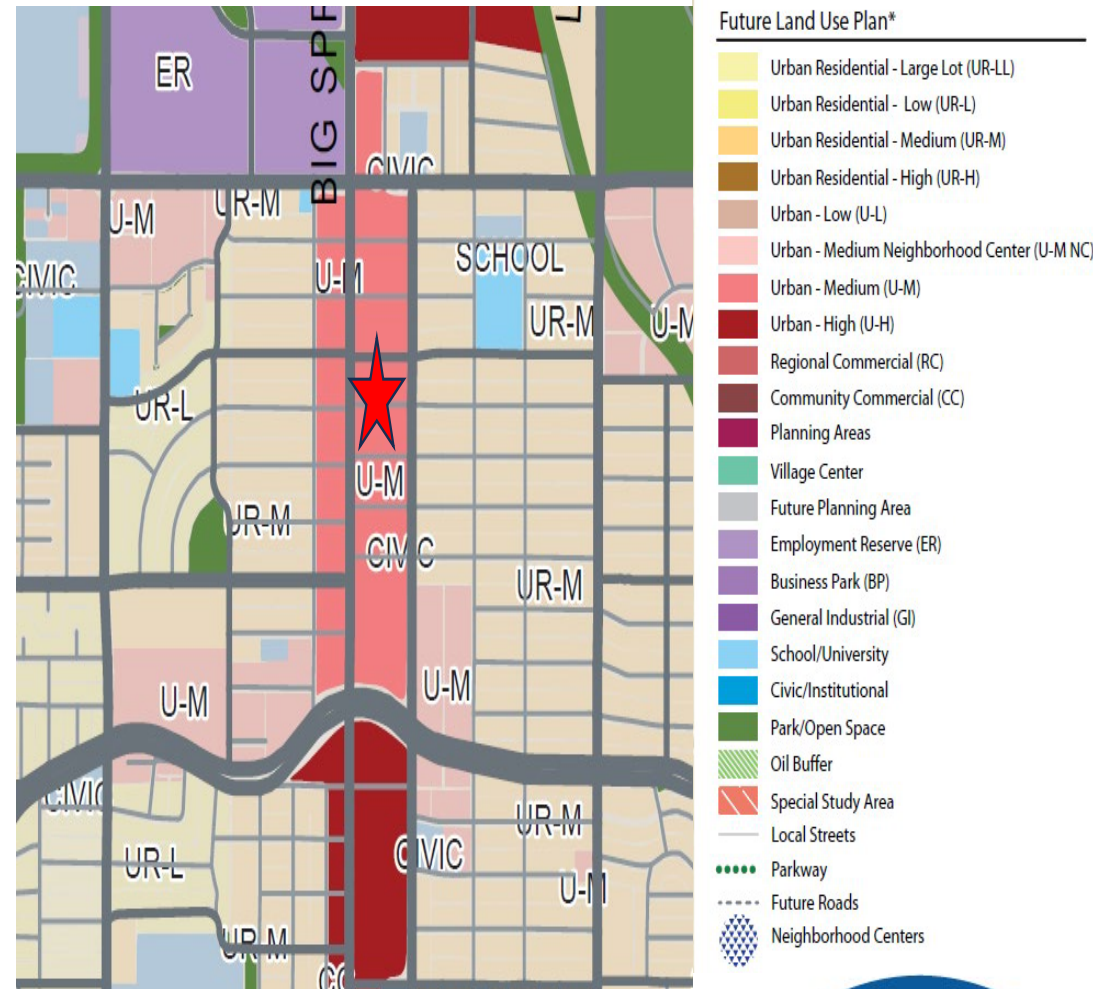




On North Big Spring Street, Looking East

Comprehensive Plan

- **TCT Land Use Designation:** U-M, Urban- Medium
- **Supported Uses**
 - Supports a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches and commercial.
- **Request is compatible with the surrounding area and the Tall City Tomorrow Plan.**



Staff's Recommendation

- Staff recommends **APPROVAL** of this Specific Use Designation With Term for a restaurant subject to the following conditions.
- That the serviceable area of the establishment shall be limited to approximately 3,012 square feet as shown in Exhibit "A".
- That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.
- That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:
 - Monday through Saturday from 10 a.m. to 12 a.m.

Staff's Recommendation

- That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.
- That the establishment shall meet all requirements of the Fire Department and Code Administration.
- That the operator of the establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this Specific Use Designation with Term are satisfied.
- That in accordance with Section 11-1-9.07. E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.

MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and consider a request by Brian Choi for a Specific Use Designation with Term for the sale of alcoholic beverages Sales for on-premises consumption in a restaurant, on a 2,100-square foot portion of Lot 1, Block 1, Imperial Heights, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Wadley and North Midkiff Road.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Brian Choi, is requesting a Specific Use Designation (SUD) with Term for the sale of all alcoholic beverages for on-premises Consumption in a restaurant located at 3211 W Wadley Avenue.

Current Zoning:

RR- Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north are RR, Regional Retail and are the locations of businesses such as Walgreens, and various restaurants. The properties to the east are PD, Planned District, for housing development and are the locations of residences. The properties to the west are PD- planned district, for shopping center and RR, Regional Retail and are the locations of a grocery store and a fueling station. The properties to the south are SF2, a Single-Family Dwelling District and are the locations of residences.

Analysis:

The property is zoned RR, Regional Retail. The RR zoning allows for alcoholic beverages sales for on-premises consumption in a restaurant with the approval of an SUD. The property currently does not have an SUD. The total area of the restaurant, Tokyo 1, is 2,100-square feet and the proposed alcohol serviceable area is 1,100 square feet.

The proposed hours of operation:

Monday through Saturday from 11:30 a.m. to 9 p.m.

The proposed hours of alcohol service:

Monday through Saturday from 11:30 a.m. to 9 p.m.

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

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

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

The request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to “Encourage the development of places where Midland residents can gather and socialize to build connections.” Tokyo 1 is a destination where Midland residents will gather and socialize.

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

Fire: (Approved)

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

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

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.

Planning: (Approved with Conditions)

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

Conditions:

A. That the serviceable area of the establishment shall be limited to approximately 1,100 square feet as shown in Exhibit “A” which is attached hereto and incorporated herein for all purposes

B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:

Monday through Saturday from 11:30 a.m. to 9 p.m.

D. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.

E. That the establishment shall meet all requirements of the Fire Department and Code Administration.

F. That the operator of the establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this Specific Use Designation with Term are satisfied.

G. That in accordance with Section 11-1-9.07. E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.

Letters of Objection:

As of October 19, 2024 staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Maps
PowerPoint Presentation



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

Project Number: SUD-24-0188
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Brian Choi (fio Lim)</u>		Phone (804) 710-2733 Email: <u>tokyo1midland@gmail.com</u>	
Address <u>3211 W. Wadley Ave Ste 3A</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>
Property Owner Printed Name: <u>Imperial Shopping Center I, LTD</u>		Phone (432) 697-6401 Email: <u>Cassidy@imperialshoppingcenter.com</u>	
Address <u>3211 W. Wadley Ave</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

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

Street Address: <u>3211 W. Wadley Ave Ste. 3A Midland, TX 79705</u>			
Business Name: <u>Tokyo I</u>			
Legal Description Lot: <u>A0.20</u> Block: <u>1</u> Subdivision: <u>Imperial Heights</u>			
Current Zoning: _____			
Reason for Request: _____			

Type of Business (restaurant, bar, lounge, nightclub, etc.): <u>restaurant</u>			
Proposed/Current Days and Hours of Operation: <u>11:30 AM to 9 PM</u> <u>Monday to Saturday</u>			
Proposed Days and Hours of Alcohol Service: <u>As above</u>			
Total Square Footage of Business: <u>2,100</u>			
Square Footage of Alcohol Serviceable Area: <u>2,000</u> <u>1100 SF</u>			
Restroom Fixtures:	Men	Toilets/Urinals:	Bathroom Sinks:
	Women	Toilets:	Bathroom Sinks:
		<u>1</u>	<u>1</u>
		<u>1</u>	<u>1</u>

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):

Date: Sep. 14, 2023

Applicant (printed): Brian Choi (HOLIM)

Property Owner (signature): Cassidy Remley

Date: 9-14-23

Property Owner (printed): Cassidy Remley

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

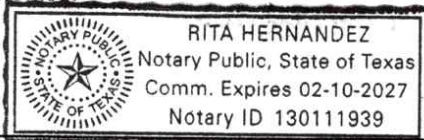
All materials, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Brian Choi who, being by me duly sworn, upon oath says: That (s)he is authorized by Cassidy Remley, 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.

Subscribed and sworn to before me, this 14 day of Sept., 20 23 to certify which witness my hand and seal of office.



Notary Public

FOR OFFICE USE ONLY

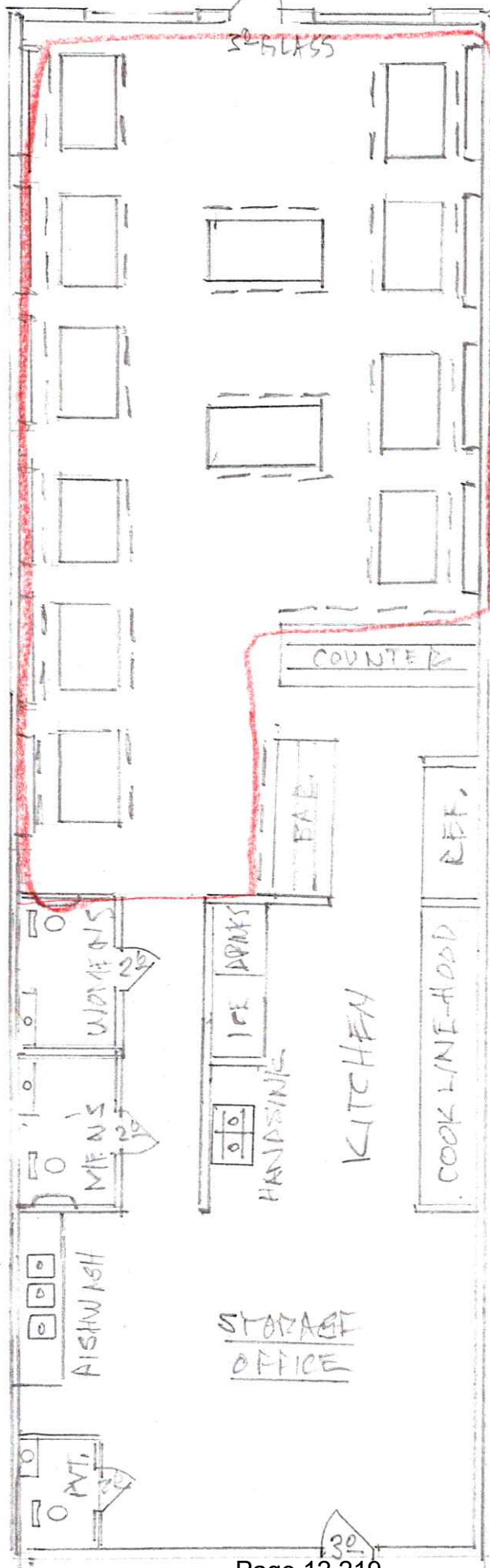
- ☒ Property Owner Authorization ☒ Dimensioned Floor Plan
- ☒ Application Fee ☒ Site Plan
- Check # 1950 ☒ Plans in Digital Format (PDF/JPEG)

Received By: [Signature]

Date: 9/25/24

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

FRONT ENTRY

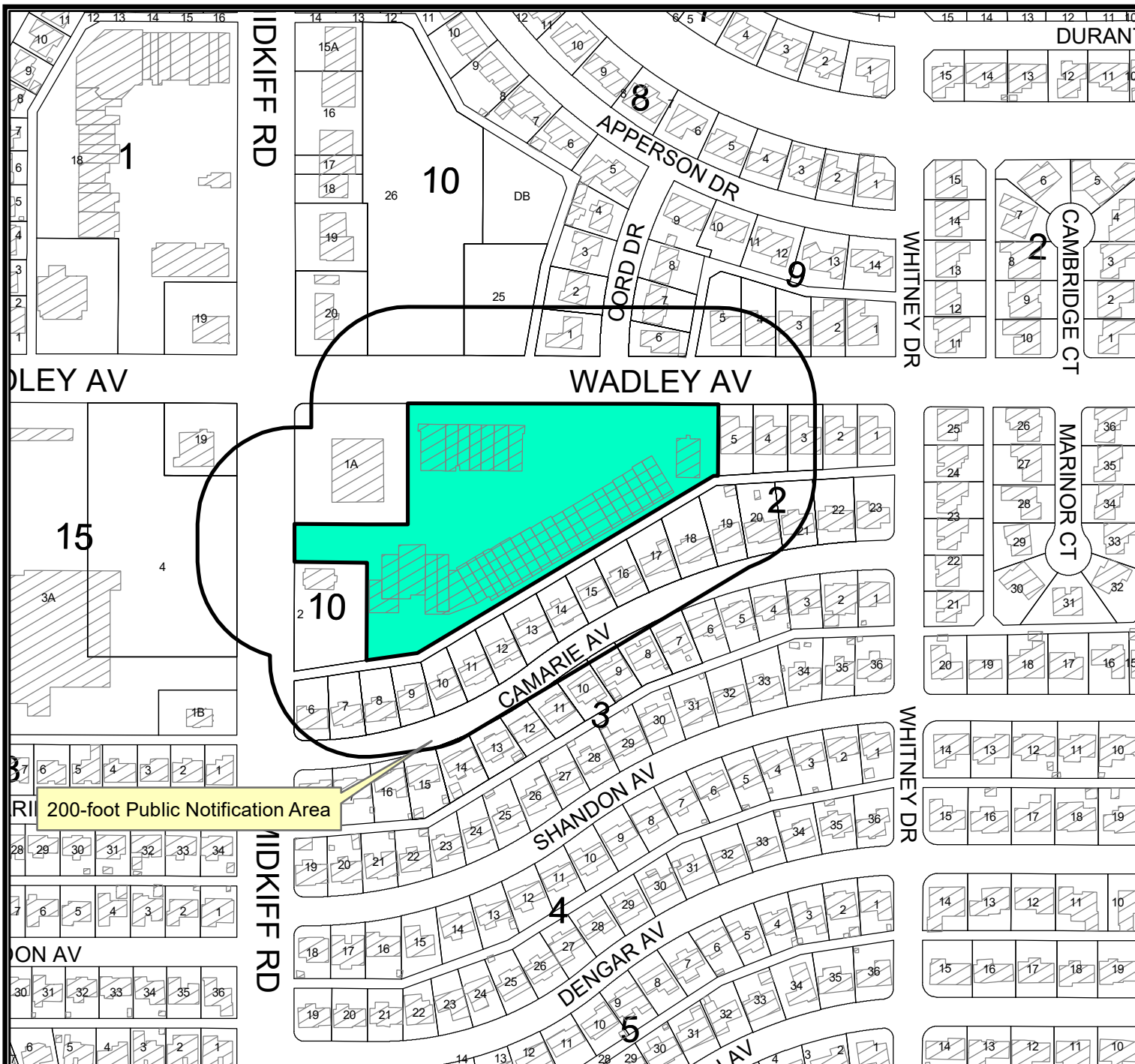


- FLOOR PLAN
- TOKYO 1
- SCALE $\frac{1}{8}'' = 1'$
- 24' x 84'
- 50 SEATS.

NOTES:

- HVAC- ROOF MNT.
- 9' DROPPED
ACCOUSTICAL CEILING
- ATTCH. SITE PLAN

~~Service~~
1100 SGT
10-11-24



Location Map

SUD-24-0188

Scale: 1" = 600'

Consider a request by Brian Choi Lim, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a Restaurant on Lot 1, Block 1, Imperial Heights, Suite 3A City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of W. Wadley and N. Midkiff.
(Council District 3)

LEGEND

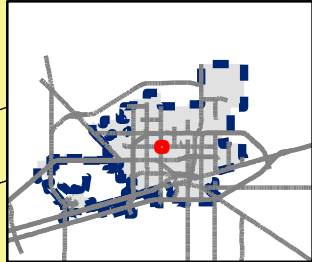
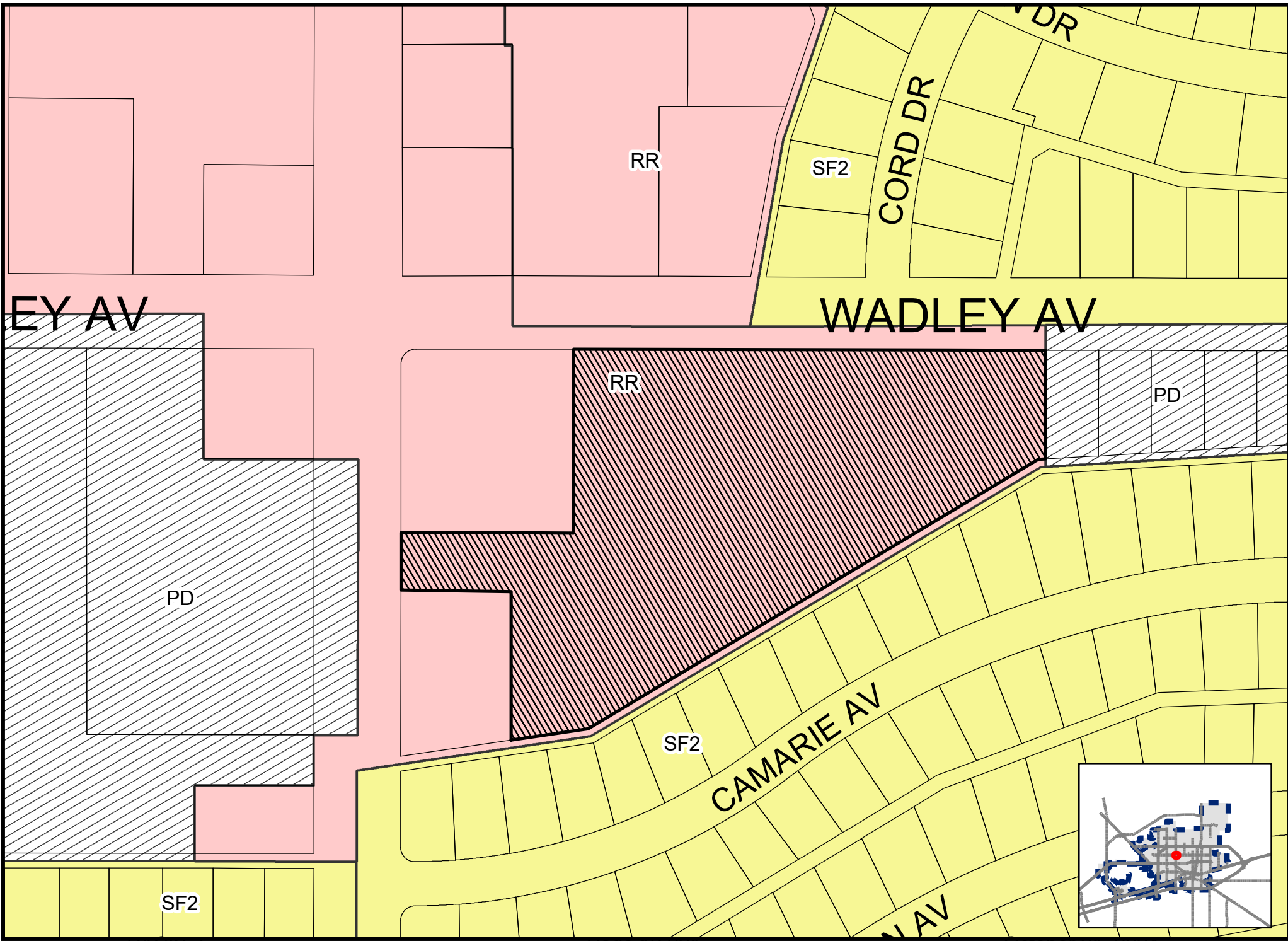
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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





AV

WADLEY AV

5

1

1A

10

2

CAMARIE AV

3

PACKET

Page 12.222

October 21, 2024

ON AV





Tokyo 1 ITEM

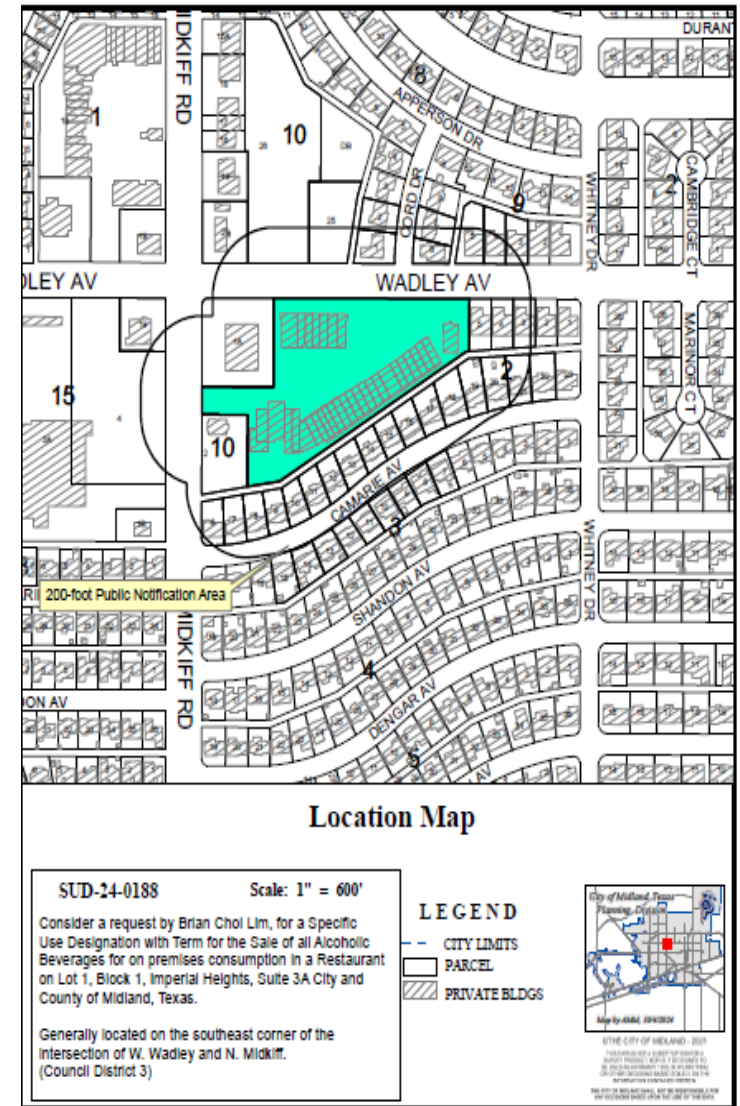


Visit Our Website

MIDLANDTEXAS.GOV

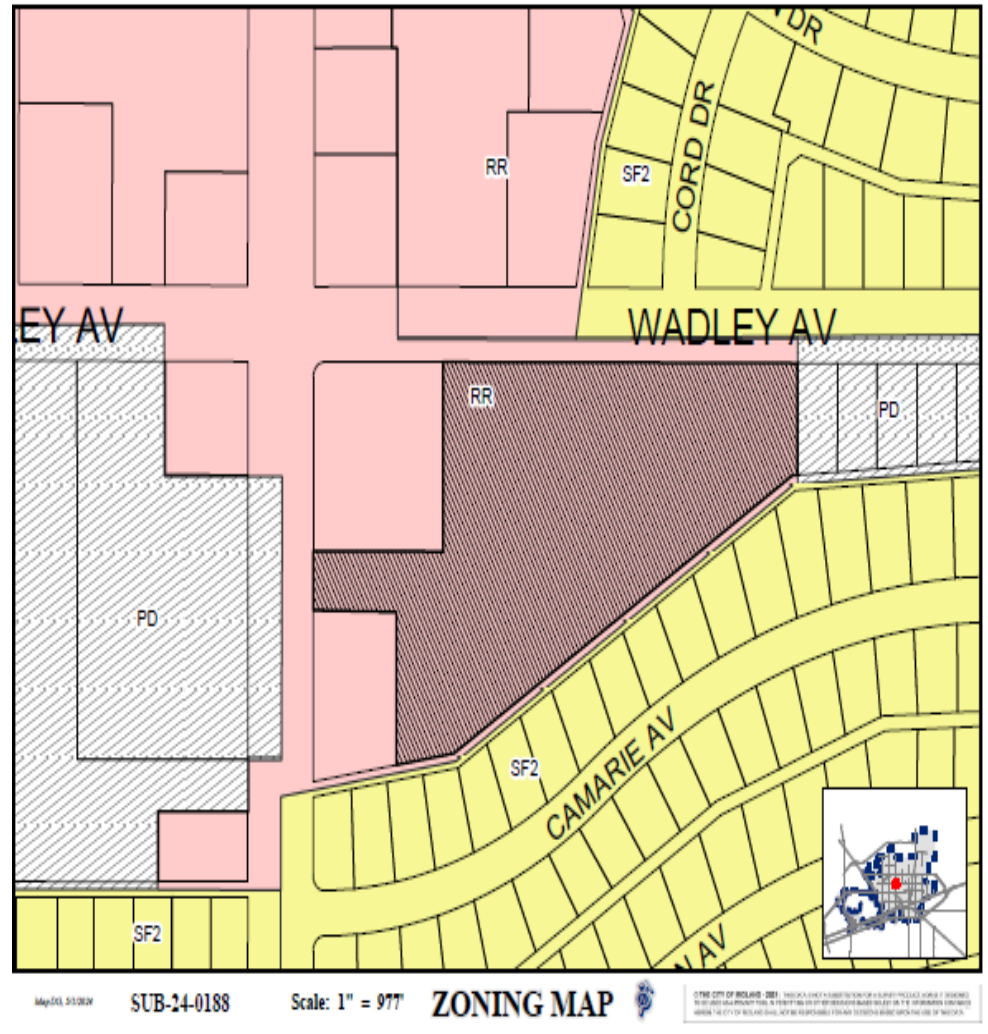
APPLICATION SUMMARY

- **Property Owner:** Imperial Shopping Center
- **Applicant:** Brian Choi
- **Type:** Specific Use Designation
- **Address:** 3211 W. Wadley Avenue (District 3)
- **Reason for Request:** Serve Alcohol on premises



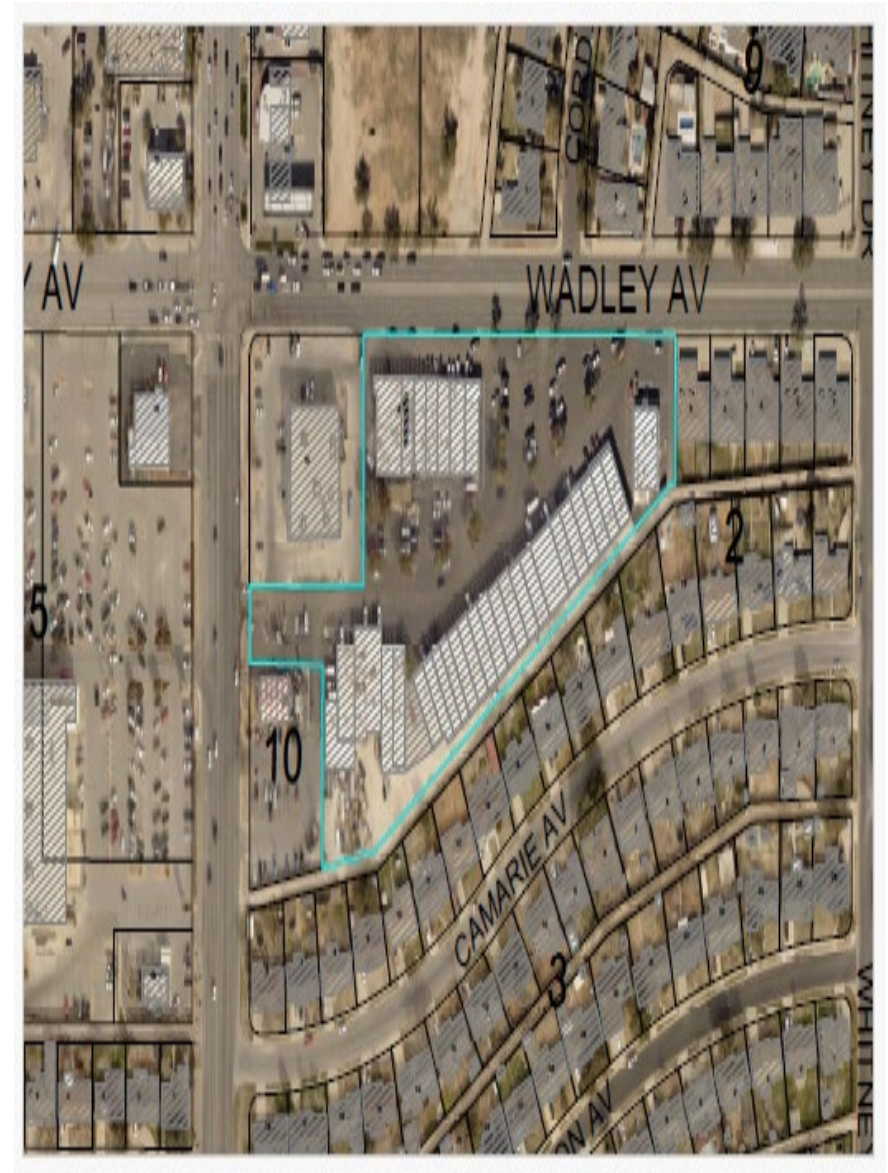
ZONING

- **Current Zoning:** RR, Regional Retail
- **Surrounding Zoning:**
 - North: RR, Regional Retail
 - South: SF2, Single-Family Dwelling
 - East: PD, Planned District for housing development
 - West: PD, Planned District for shopping center.



LAND USE

- Current Use of the Property:
Shopping Center
- Surrounding Uses:
North: Residences & fueling station
East & South: Residences
West: Grocery store & fueling station





On Wadley, Looking South

COMPREHENSIVE PLAN

- TCT Land Use Designation: U-M, Urban-Medium
- Supported Uses:
 - Supports a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches and commercial
- Request is compatible with the surrounding area and the Tall City Tomorrow Plan.

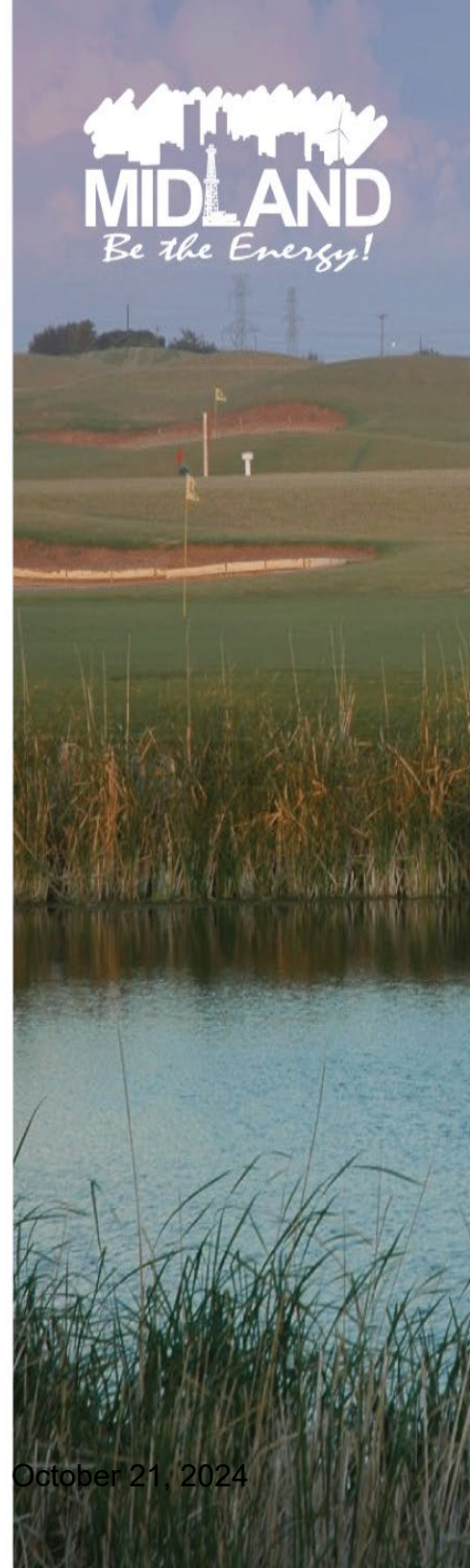


STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this SUD subject to the below conditions.
- Conditions:
 - A. That the serviceable area of the establishment shall be limited to approximately 1,100 square feet as shown in Exhibit "A" which is attached hereto and incorporated herein for all purposes.



STAFF'S RECOMMENDATION



B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to

Monday through Saturday from 11:30 a.m. to 9 p.m.

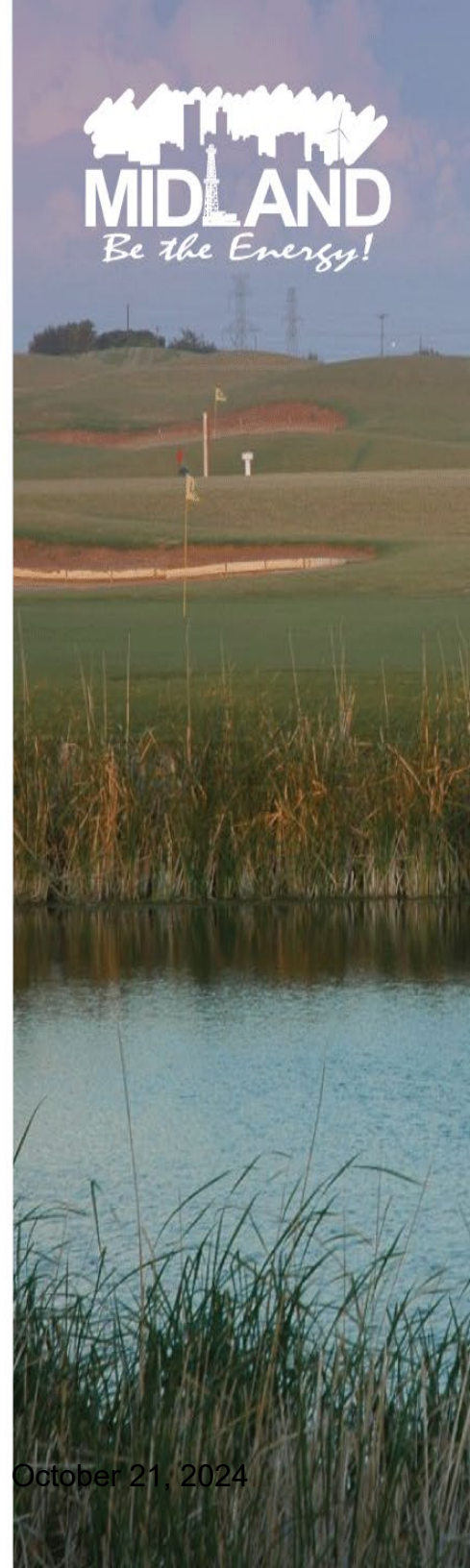
D. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.

E. That the establishment shall meet all requirements of the Fire Department and Code Administration.

STAFF'S RECOMMENDATION

F. That the operator of the establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this Specific Use Designation with Term are satisfied.

G. That in accordance with Section 11-1-9.07. E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: October 21, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Madelim Jaquez, Planner

SUBJECT: Motion approving, with Staff's Recommended Conditions, a Preliminary Plat of GM Industrial Addition, being a 25.00-acre tract of land out of the Joe Newcomer Preemption Survey, Abstract 635, Block 38, T-2-S, Midland County, Texas. (Generally located at the northwest corner of the intersection of South County Road 1142 and East County Road 135.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Maverick Engineering, on behalf of GM Properties & Investments LLC. is requesting to replat a portion of 4514 East County Road 133 for ownership and industrial building development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction

ENGINEERING: (Approved)

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

ROW: No frontage along Public ROW. [For Applicant's Information Only.]

PAVING: No frontage along Public ROW. [For Applicant's Information Only.]

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

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

SEWER: No frontage along Public ROW. [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 with Conditions)

All surrounding roads are private and the city has no easement data.

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

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

GIS: (Approved with Conditions)

Please check northern calls. (Does not conform with 2016-33417) Provide recording information for pipeline easements.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 5 proposed lots of GM Industrial Addition, PLAT OF A 25 ACRE TRACT OF LAND OUT OF JOE NEWCOMER PREEMPTION SURVEY, ABSTRACT 635, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY each lots 1-5 are 5 acre, property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

We do not have any comments on this plat.

PLANNING: (Approved with conditions)

Plat is over 25 acres and will therefore need to go City Council after the Planning and Zoning Commission at the preliminary phase. [11-2-3(D)11]

Add "For approval by the commission" under Certificate of Approval. [11-2- 3(H)3(m)]

Reference on plat: All subdivision plats submitted for final approval after October 1, 2006 shall include on the face of the plat the following note: "Approval of a site plan by the City of Midland may be required before these lot(s) may be developed and before a building permit may be obtained." [11-2-5(B)8(b)]

Staff recommends approval of the Preliminary Plat of GM Industrial Addition, subject to conditions A through D.

- A. Provide ownership documents, owners name on plat does not match Appraisal District. [Midland City Code 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. Approval by the City Council shall be required prior to consideration of a final plat by the Commission on which any preliminary plat is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; [11-2-3(D)11(a)(6)]**
- 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:

Application
Preliminary Plat
Maps
PowerPoint Presentation



Preliminary Plat Application

Project Number: Sub-24-0754
Case Number: P-24-2103

Proposed Subdivision Plat Name: GM INDUSTRIAL ADDITION

Legal Description (attached sealed Metes and Bounds): BEING A 25.00 ACRE TRACT OF LAND OUT OF THE JOE MEWCOMER PREEMPTION SURVEY, ABSTRACT 635, BLOCK 38, T-2-S, MIDLAND COUNTY, TEXAS

Property Owner Printed Name: <u>GM PROPERTIES & INVESTMENTS LLC</u>		Phone (432) 262-0999 Email	
Address <u>PO BOX NO 3</u>	City <u>MIDLAND</u>	State <u>TX</u>	Zip <u>79702</u>

Developer (if different than Owner) Printed Name:		Phone (432) 262-0999 Email	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>MAVERICK ENGINEERING</u> Printed Name: <u>GREG SHOULTS</u>		Phone (432) 262-0999 Email <u>gshoults@maverick-eng.com</u>	
Address <u>1909 W WALL ST, SUITE K</u>	City <u>MIDLAND</u>	State <u>TX</u>	Zip <u>79704</u>

Current Zoning: ETJ

Reason for Platting: OWNERSHIP | industrial type building development

Plat Information	Total Acreage: <u>25.00</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>5</u>	Number of Multi-family Dwelling Units:

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

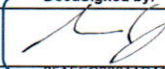
- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

Request for a Development Agreement
Do you expect to request a development agreement with the City? ☐ Yes ☐ No
If yes, contact the City Engineer at (432) 685-7286

Provisions

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

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

Property Owner (signature):  Date: 9/24/2024

Property Owner (printed): George Magallanes

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.

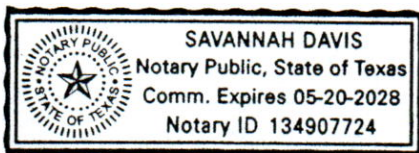
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ashlee Danner who, being by me duly sworn, upon oath says: That (s)he is the owner of GM Industrial Add. or is authorized by George Magallanes 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 25th day of September, 20 24, to certify which witness my hand and seal of office.

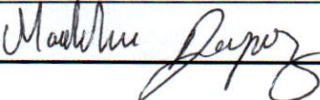



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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 # 4965

Received By: 

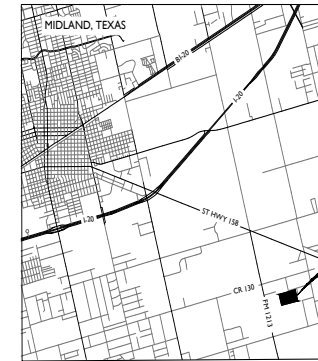
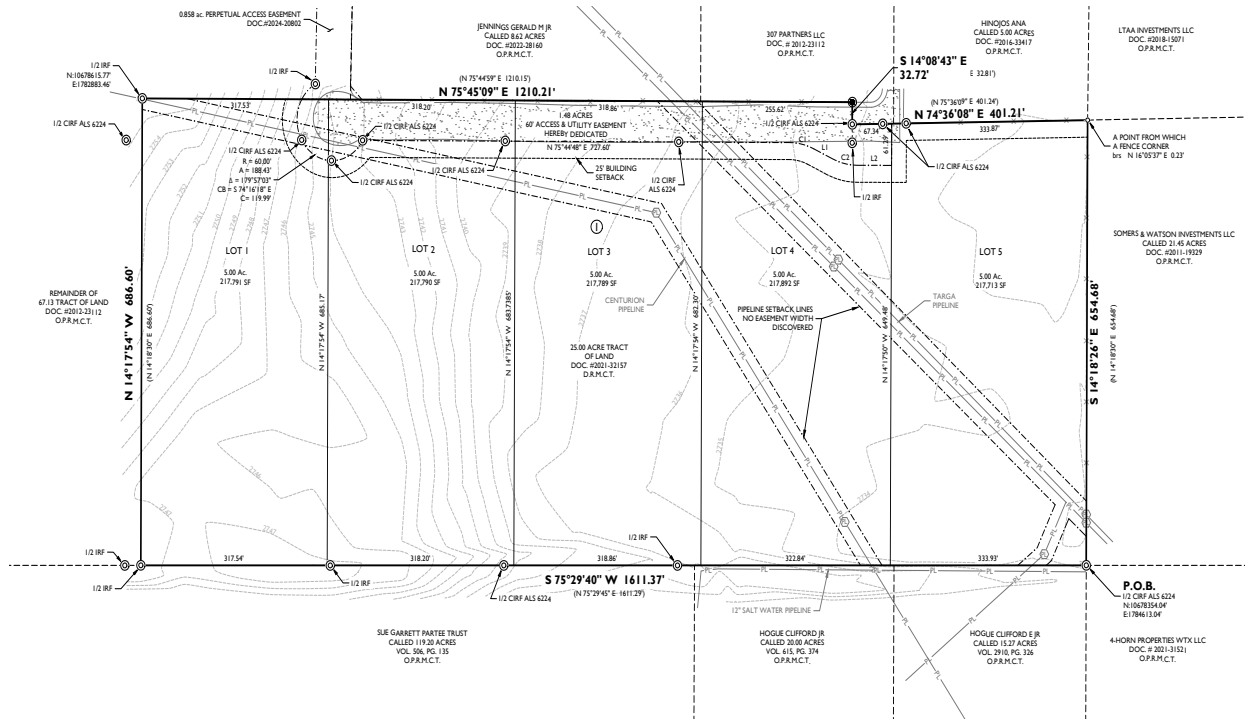
Date: SEP 25 2024

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

PRELIMINARY PLAT

GM INDUSTRIAL ADDITION

BEING A 25.00 ACRE TRACT OF LAND OUT OF THE JOE NEWCOMER PREEMPTION SURVEY, ABSTRACT 635, BLOCK 38, T-2-S, MIDLAND COUNTY, TEXAS



VICINITY MAP
N.T.S.



LEGEND

- SET 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- FOUND MONUMENT AS NOTED
- ⊙ CALCULATED CORNER - NOT SET
- ⊙ EXISTING PIPELINE MARKER
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- PROPOSED BUILDING SETBACK LINES
- EXISTING EASEMENT LINES
- PROPOSED EASEMENT LINES
- EXISTING UNDERGROUND PIPELINE
- () RECORD BEARING AND DISTANCE

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #4829C02350F, DATED SEPTEMBER 14, 2005, THIS PROPERTY IS WITHIN THE UNSHADOWED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODWAY".

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

NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE, GCS, CENTRAL, ZONE 14031, NORTH AMERICAN DATUM OF 1983.
3. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
4. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SCENAL, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE CALL 811. SITE MARKINGS AT THE TIME OF THIS SURVEY, ONE CALL IS RECOMMENDED. CALL 1-800-4-A-UTILITY FOR MORE TO ANY CONSTRUCTION OR EXCAVATION.
5. THIS IS A PRELIMINARY PLAT. THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS (SHOWING HEREON) ARE ALSO RECOMMENDED AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY SCALED BY THE SURVEYOR OF RECORD.

CURVE TABLE

CURVE	BEARING	CHORD	LENGTH	CHORD BEARING	CHORD BEARING
1	N 14°08'43" E	32.72'	32.72'	N 14°08'43" E	32.72'
2	N 74°36'08" E	401.21'	401.21'	N 74°36'08" E	401.21'

LINE TABLE

LINE	BEARING	DISTANCE
1	N 14°08'43" E	32.72'
2	N 74°36'08" E	401.21'

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

OPTIMUM

BY: _____

ASTOUND BROADCAST

BY: _____

PROPERTY OWNER

GM PROPERTIES & INVESTMENTS LLC
PO BOX 3
MIDLAND, MIDLAND COUNTY, TEXAS 79702
DEED INSTRUMENT # 2021-31157, 09/06/21

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

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

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHAW, 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 MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER MY PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

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

GREGORY W. SHAW

REGISTERED PROFESSIONAL LAND SURVEYOR
MAVERICK ENGINEERING & LAND SURVEYING
1909 WEST WALL STREET
MIDLAND, TX 79701

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS GM PROPERTIES & INVESTMENTS LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN JOE NEWCOMER PREEMPTION SURVEY, ABSTRACT 635, BLOCK 38, T-2-S, COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT GM PROPERTIES & INVESTMENTS LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS GM INDUSTRIAL ADDITION, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HEREIN, DO HEREBY DEDICATE TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS

THE _____ DAY OF _____, 2024.

By: _____

PACKET

CERTIFICATE OF APPROVAL

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

DAY OF _____, 2024.

TEJES SORREGA, CHAIRMAN

LANDON OCHOA, SECRETARY

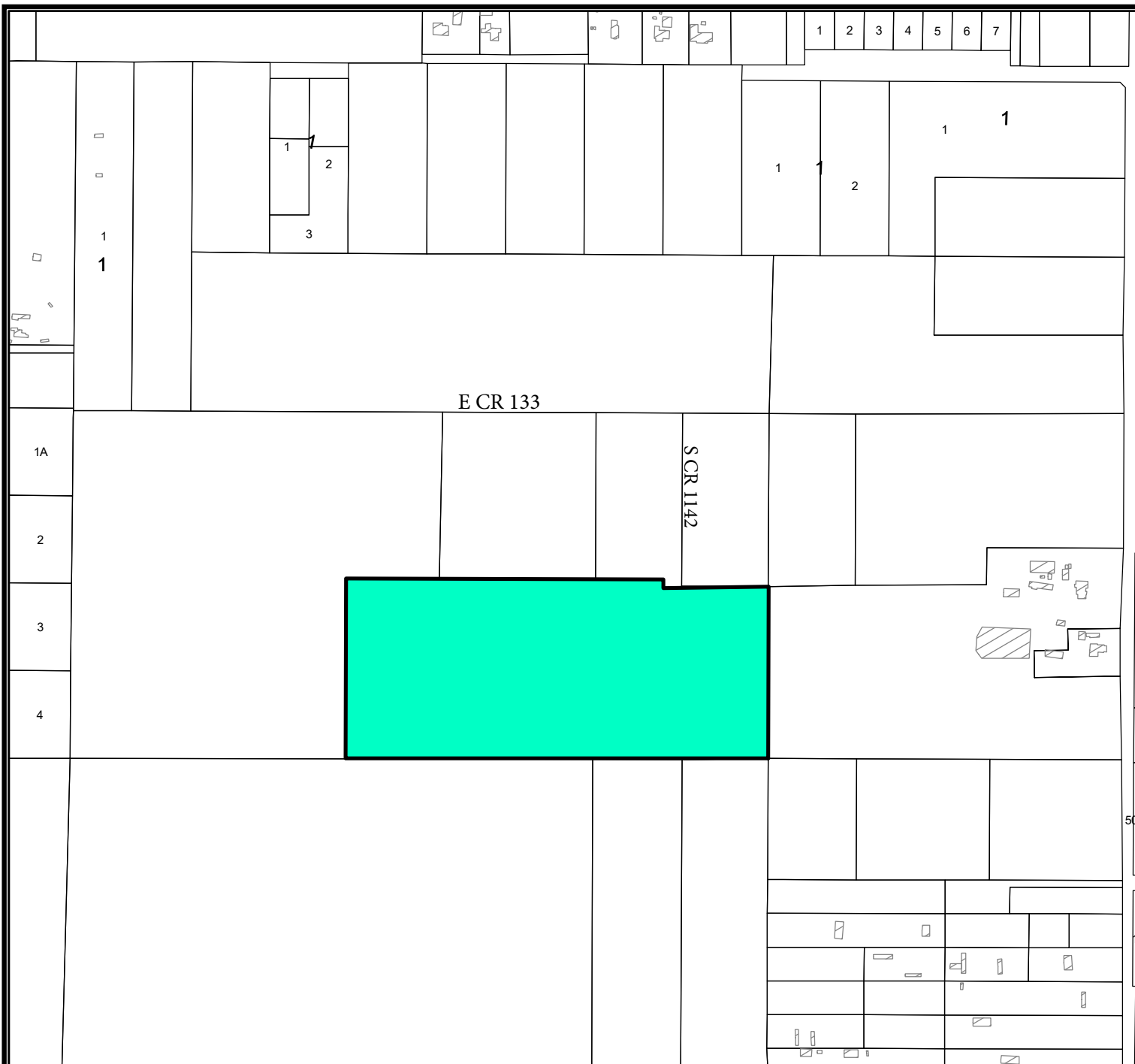
ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



Location Map

SUB-24-0754

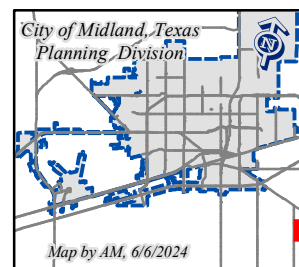
Scale: 1" = 550'

Proposed Plat of GM Industrial Addition, being a plat of a 25.00-acre tract of land out of the Joe Newcomer Preemption Survey, Abstract 635, Block 38, T-2-S, Midland County, Texas.

Generally located on the south side of East County Road 133, approximately 1,400 feet east of Farm to Market Road 1213. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





E CR 133

S CR 1142





GM INDUSTRIAL ADDITION



Visit Our Website

MIDLANDTEXAS.GOV

APPLICATION SUMMARY

Property Owner & Developer:
GM Properties & Investments LLC

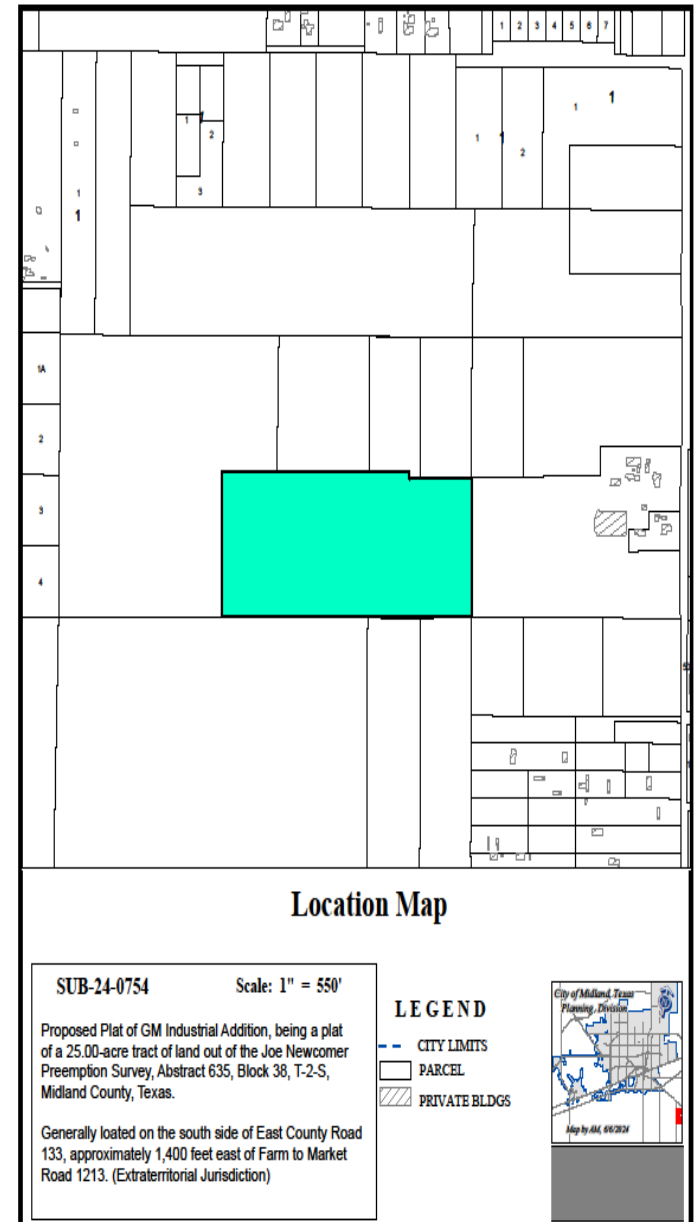
Representative: Maverick
Engineering

Plat

Address: 4514 East County Road
133 (ETJ)



Page 13.245



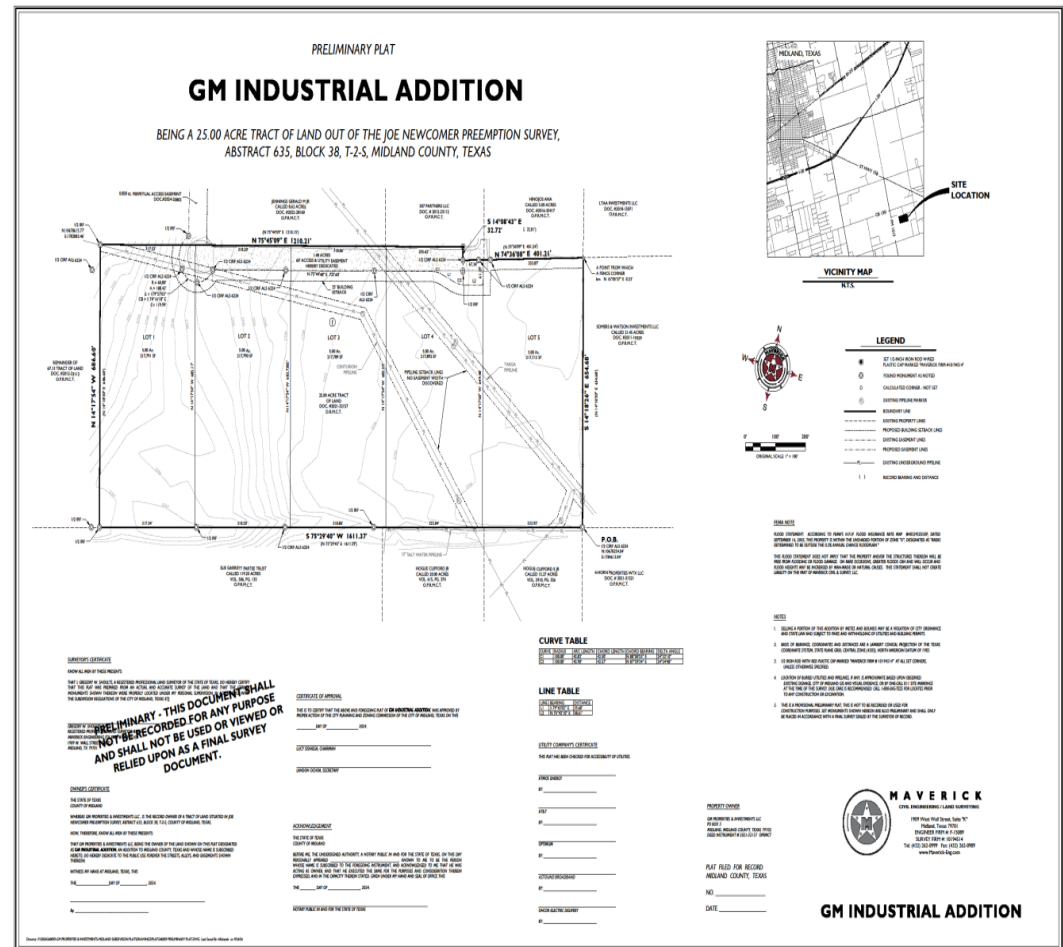
October 21, 2024

PLAT DETAILS

Acreage: 25-acre tract

Number of lots: 5 lots

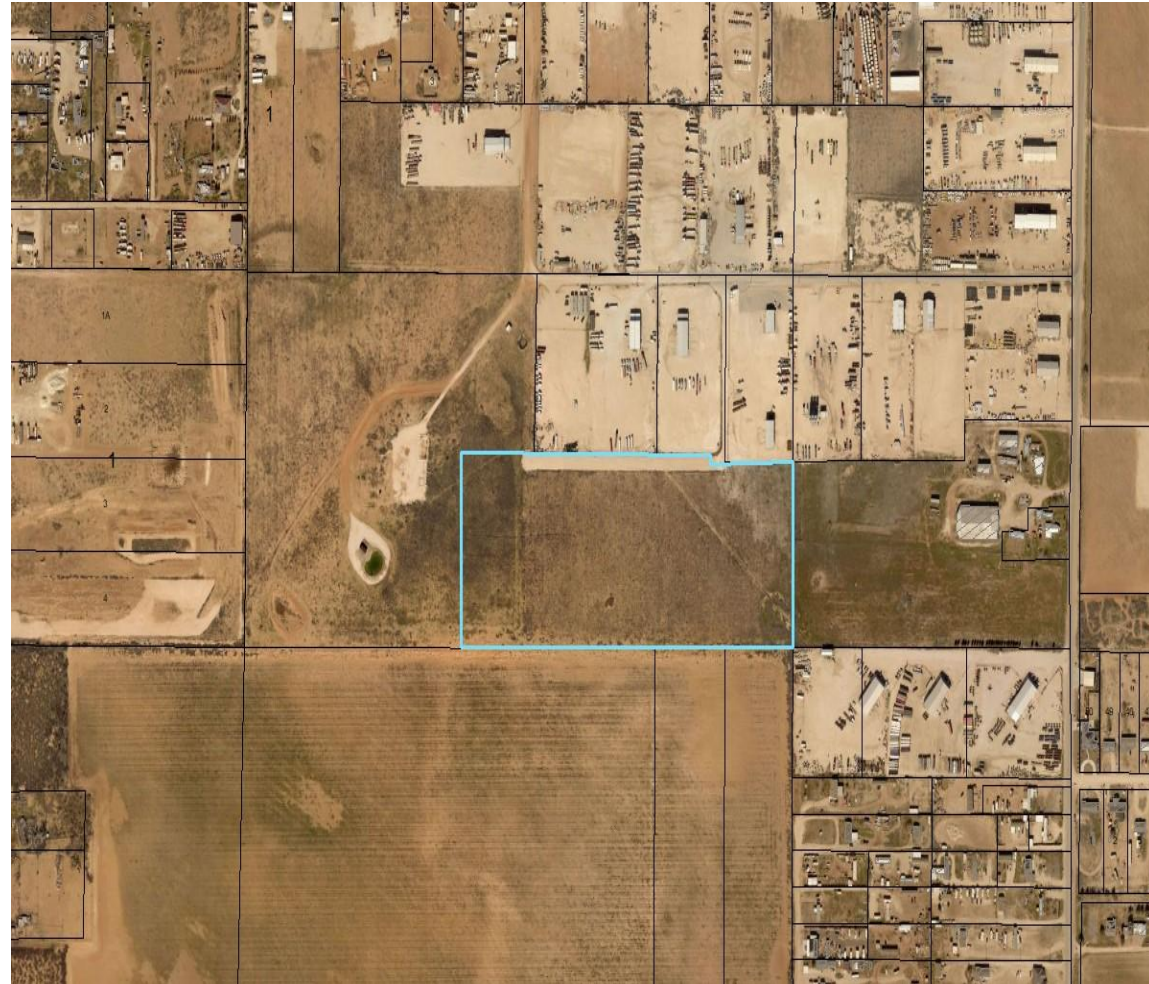
Reason for Request: For industrial development



LAND USE

Current Use of the Property:
Vacant

Surrounding Uses:
North: Commercial (ETJ)
South: Vacant
East: Commercial (ETJ)
West: Vacant



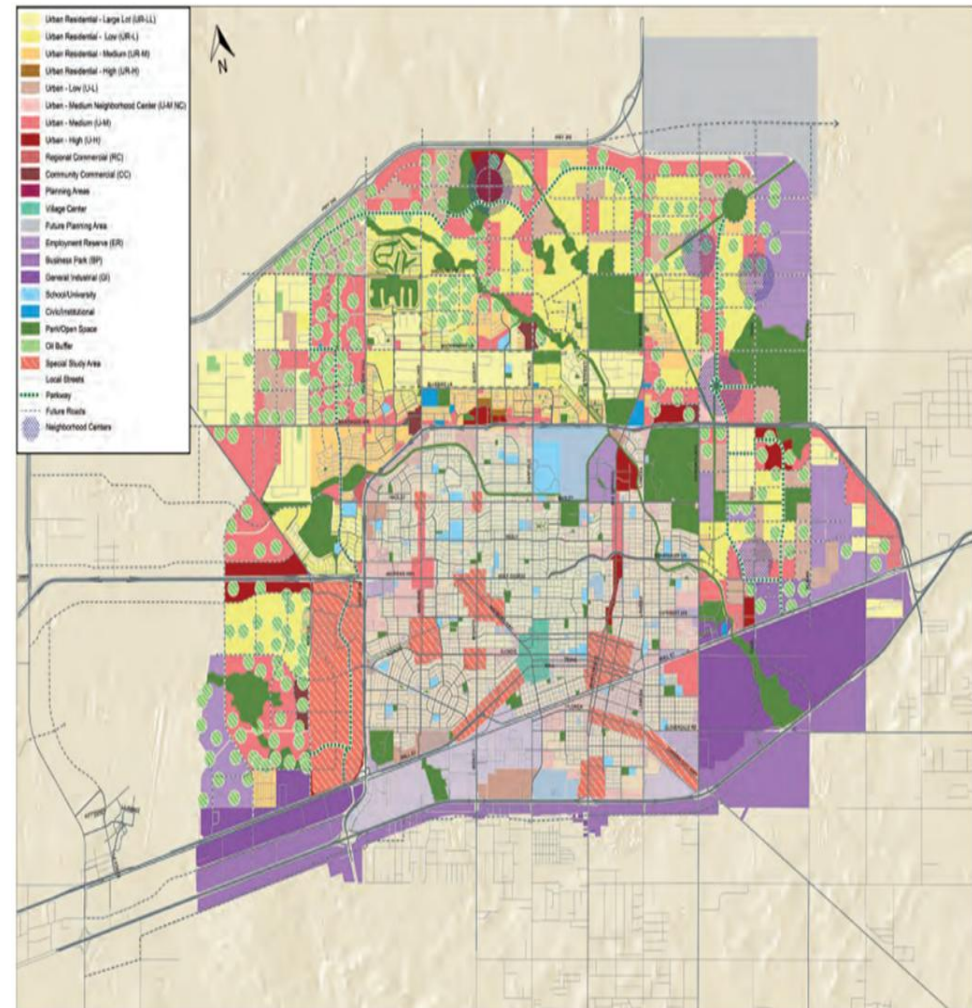
SITE PHOTO



On South County Road 1142, Looking South.

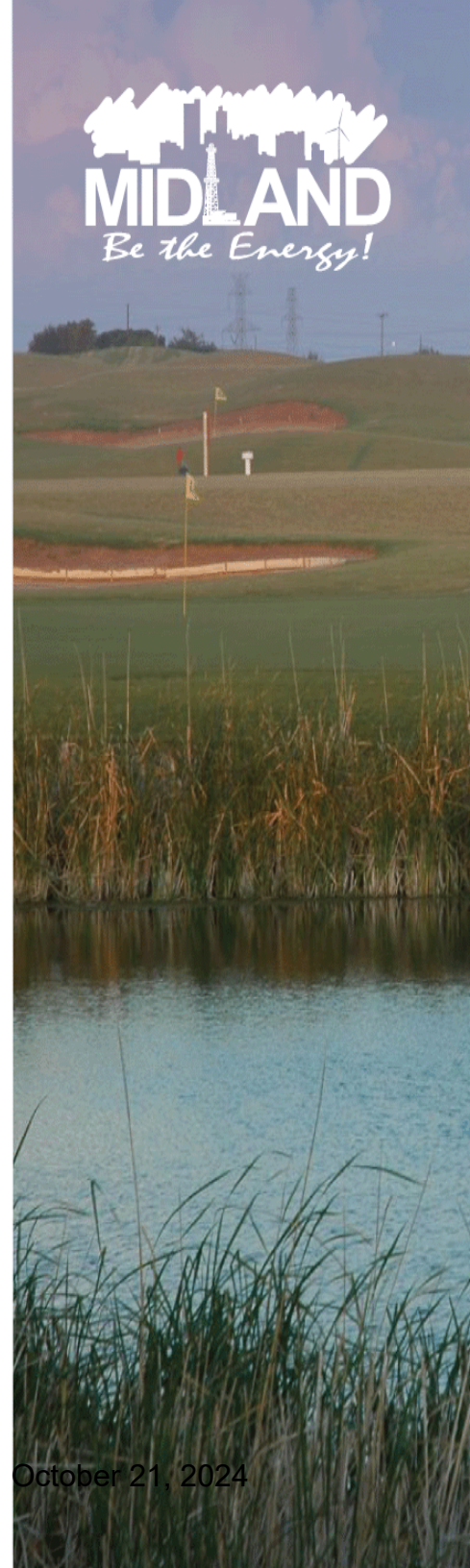
COMPREHENSIVE PLAN

- **TCT Land Use Designation:**
Not designated



STAFF'S RECOMMENDATION

Staff recommends approval of the Preliminary Plat of GM Industrial Addition, subject to conditions A through D.



STAFF'S RECOMMENDATION

- Conditions:
 - A. Provide ownership documents, owners name on plat does not match Appraisal District. [Midland City Code 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)]

STAFF'S RECOMMENDATION

C. Approval by the City Council shall be required prior to consideration of a final plat by the Commission on which any preliminary plat is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; [11-2-3(D)11(a)(6)]



STAFF'S RECOMMENDATION

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]



MISSION

Deliver exceptional services and promote a high quality of life and place for ALL our citizens.