

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

**December 2, 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 November 18, 2024
3. Motion approving a Final Plat of East Midland Addition, Section 25, being a replat of a 9.94-acre tract of land being all of Blocks 29, 30, 35 and a portion of Block 36, excepting Lot 1, Block 36, East Midland Addition, Section 3, along with the unopened roads between said Blocks, East Midland Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of North Tyler Street and Orchard Lane.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

PUBLIC HEARINGS

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

4. Hold a public hearing and consider a request by Newton Engineering, PC, for a zone change from RR, Regional Retail District, to C, Commercial District, on Lots 1A, 2A, 3, and 4, Block 3, West 191 Industrial Park, Section 10, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 1,600-feet east of Farm to Market 1788.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
5. Hold a public hearing and consider a request by Alonzo Talamantes for a zone change from C, Commercial District, to SF-1, Single-Family Dwelling District, on Lot 6, Block 1, Snively Resubdivision, City and County of Midland, Texas. (Generally located on the south side of

West Francis Avenue, approximately 85 feet east of Clark Street.) **(DISTRICT 2)**
(DEVELOPMENT SERVICES)

6. Hold a public hearing and consider a proposed Final Plat of Kingwick Place Addition, Section 3, being a residential replat of Lot 1, Block 1, Kingwick Place Addition, Section 2, a 5,036 square foot portion of a vacated alley and Lot 1, Block 1, Warwick Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of North L Street and West Scharbauer Drive.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

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
November 18, 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 3:30pm, November 18, 2024.

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

Commissioners absent: Adrian Carrasco, Joshua Sparks

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

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 21, 2024
3. Motion approving Planning & Zoning meeting minutes from November 4, 2024
4. Motion approving a Final Plat of West End Addition, Section 36, being a replat of Lots 3 through 6, Block 19, West End Addition, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of West Wall Street and South F Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
5. Motion approving a Final 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)**

6. Motion approving a Final Plat of New Generation Addition, being a 13.75-acre tract of land out of Section 29, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 140, approximately 300 feet west of South County Road 1214.) **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**
7. Motion to review and consider the Declaration of Restrictive Covenants for the proposed Mockingbird Ridge subdivision, being a 632.196-acre tract of land located in Section 18, Block 38, T-1-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection North Fairgrounds Road and East Mockingbird Lane.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

Steven Villela moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Sparks

PUBLIC HEARINGS

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

8. Hold a public hearing and consider a request by Woda Cooper Companies, Inc. for a zone change from RR, Regional Retail, to MF-22, Multiple-Family Dwelling District, on a 6.949-acre remainder of Lot 1, Block 1, Amaron Addition, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of Wolcott Avenue and Camp Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Planner Madelim Jaquez gave an overview of this project.

The public hearing was opened at 3:39 p.m.

Applicant Woda Cooper expressed there will be 148 units with 350 parking spaces.

The public hearing was closed at 3:41 p.m.

Abraham Bejil moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Sparks

9. Hold a public hearing and consider a request by Debra Dudley Pearce for a zone change from, AE, Agricultural Estate District to PD, Planned Development District for a Transition District, on Lots 18 and 19, Block 1, Skyview Development, City and County of Midland,

Texas. (DISTRICT 1) (DEVELOPMENT SERVICES)

Planner Madelim Jaquez gave an overview of this project.

The public hearing was opened at 3:49 p. m.

Applicant Debbie Dudley Peirce expressed the reasoning on why the zone change will work for this business.

The public hearing was closed at 3:52 p.m.

Abraham Bejil moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Sparks

10. Hold a public hearing and consider a request by Sam Allen Powell Jr. for a Specific Use Designation with Term for the sale of all alcoholic beverages sales for on-premises consumption in a lounge, on a 4,500-square foot portion of Block 21 and 22, Kelview Heights, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Big Spring Street and West Scharbauer Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

Associate Planner Alexis Martinez gave an overview of this project,

The public hearing was opened at 3:56 p.m.

There was no one wishing to speak on this item.

The public hearing was closed at 3:56 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Sparks

MISCELLANEOUS

11. Motion approving with staff's recommended conditions, a Preliminary Plat of Olivo Addition, being a 13.58-acre tract of land, located in the northeast quarter of Section 30, Block 40, T-2-S, T&P R.R. Co. Survey, Midland County, Texas. (Generally located at the southeast corner of the intersection of South County Road 1285, and West County Road 142.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

John Burkholder moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Sparks

12. Motion approving, with staff's recommended conditions, a Preliminary plat of Ingage Addition being a 8.41-acre tract of land situated in Section 12, Block 39, T-2-S, T&P RY. CO. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1180, approximately 1300 feet north of East County Road 117.)

(DISTRICT: 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, Bejil, Villela, Richardson

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Sparks

13. Motion approving the Planning & Zoning Commission meeting dates for 2025. **(DISTRICT: NONE) (DEVELOPMENT SERVICES)**

Abraham Bejil moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Sparks

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 4:04pm

Lucy Sisniega, Chair

Date



Landon Ochoa, Planning Division Manager
Department of Development Services

11/26/24

Date



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: December 02, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a Final Plat of East Midland Addition, Section 25, being a replat of a 9.94-acre tract of land being all of Blocks 29, 30, 35 and a portion of Block 36, excepting Lot 1, Block 36, East Midland Addition, Section 3, along with the unopened roads between said Blocks, East Midland Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of North Tyler Street and Orchard Lane.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

HI, Heavy Industrial District.

Preliminary Plat Approval:

Maverick Engineering, on behalf of the City of Midland, is requesting to replat property north of Orchard Lane to allow for the City of Midland to transfer ownership to the Midland Soup Kitchen Ministry.

This plat qualified for the short form procedure, and therefore was not required to go through the preliminary phase. [Midland City Code 11-2-3(I)1(b)]

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: Orchard roadway okay as is. No public paving improvements required. Tyler roadway okay as is. No public paving improvements required. Carver roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Orchard Street S of tract, okay as is. No public water improvements required. 6" water exists in Tyler Street W of tract, okay as is. No public water improvements required. 6" water exists in Middle of parcel going NS of tract, okay as is. No public water improvements required. 4" water exists in half of parcel going W to E of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

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

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

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

Transportation: (Approved)

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

Fire: (Approved)

No comments

Oil and Gas: (Approved)

No Oil & Gas issues

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of East Midland Addition, Section 25.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-24-1769
Case Number: P-24-2136

Proposed Subdivision Plat Name: EAST MIDLAND ADDTION SECTION 25

Legal Description (attached sealed Metes and Bounds): REPLAT OF A 9.94 ACRE TRACT OF LAND BEING ALL OF BLOCKS 29, 30, 35 AND A PORTION OF BLOCK 36, EXECPTING LOT 1, BLOCK 36, EAST MIDLAND ADDTION SECTION 3, ALONG WITH THE UNOPENED ROADS BETWEEN SAID BLOCKS EAST MIDLAND ADDTION, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner

Printed Name: CITY OF MIDLAND

Phone (432) 685-7200
Email

Address 300 N LORAIN

City MIDLAND

State TX

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: MAVERICK ENGINEERING

Printed Name: ASHLEE DEVINE

Phone (432) 262-0999
Email

adevine@maverick-eng.com

Address 1909 W WALL STREET, SUITE K

City MIDLAND

State TX

Zip 79701

Current Zoning: HI- HEAVY INDUSTRIAL DISTRICT

Reason for Platting: REAL ESTATE TRANSACTION/OWNERSHIP

Plat Information

Total Acreage: 9.94

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 2

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

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.

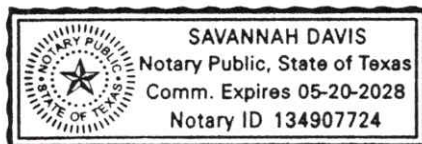
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 the COM, 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 6th day of November, 20 24, 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	☒ 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>5014</u>	☒ Tax Certificates	Check # <u>5015</u>
Received By: <u>Betha May</u>		Date: <u>NOV 06 2011</u>

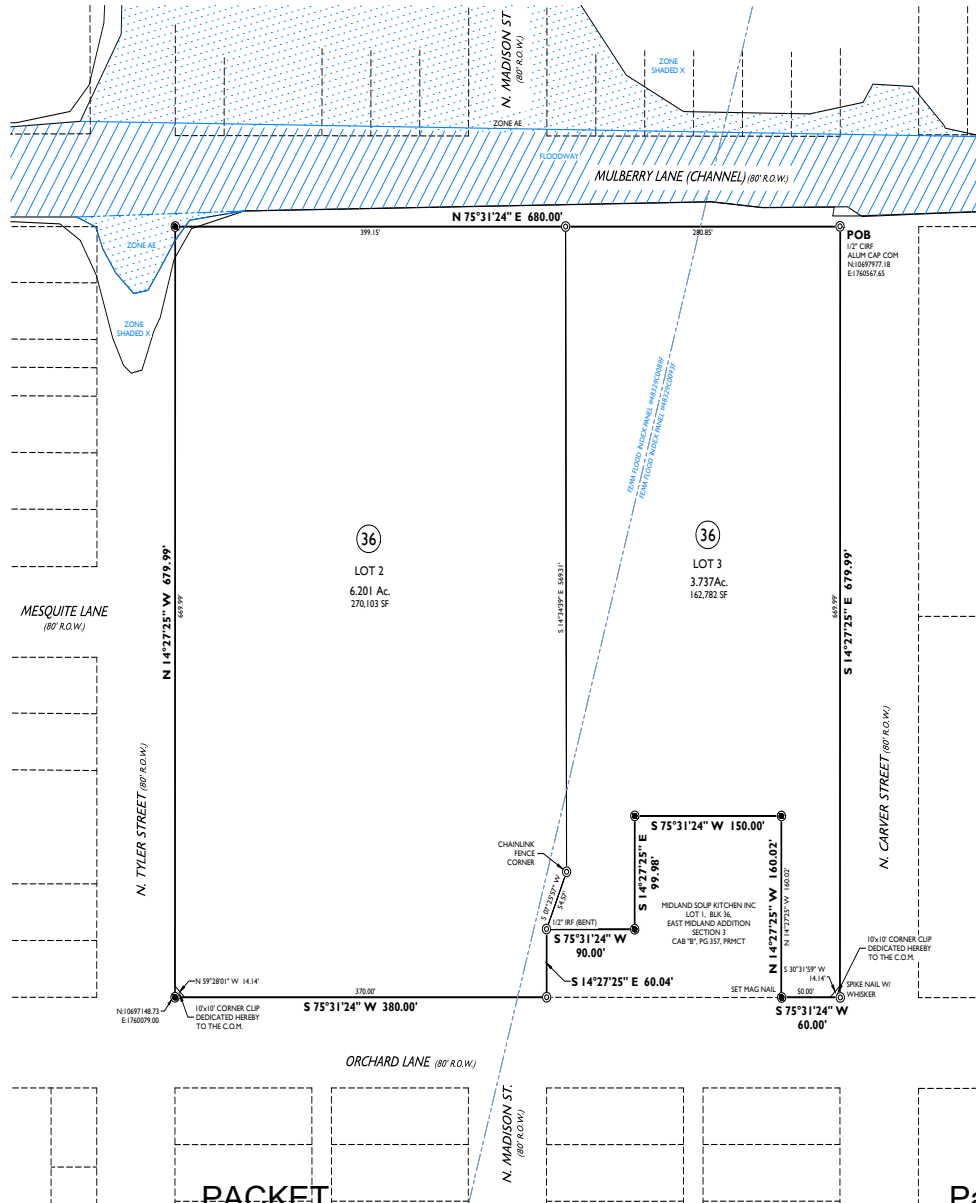
RECEIVED
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****Application will not be considered for scheduling until reviewed by a planner.****

EAST MIDLAND ADDITION

SECTION 25

REPLAT OF A 9.94 ACRE TRACT OF LAND BEING ALL OF BLOCKS 29, 30, 35 AND A PORTION OF BLOCK 36, EXCEPTING LOT 1, BLOCK 36, EAST MIDLAND ADDITION SECTION 3, ALONG WITH THE UNOPENED ROADS BETWEEN SAID BLOCKS EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

GREGORY W. SHOULTS, SURVEYOR
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE 4
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THE CITY OF MIDLAND IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 25, BLOCK 36, 7.5-1.5, T&M R&Y CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS EAST MIDLAND ADDITION, SECTION 25, IN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBMITTED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INTEREST AND ACCESS TO THE CITY OF MIDLAND FOR GARAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRAIL CONTAINERS AND ACCESS THEREON, AND CONSENT AND AGREE 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: MORRIS WILLIAMS, CITY MANAGER DISCLOSE

ACKNOWLEDGMENT

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 MORRIS WILLIAMS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF EAST MIDLAND ADDITION, SECTION 25, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

THIS _____ DAY OF _____, 2024.

LUCKY SORRELL, CHAIRMAN

JANOSCH OCHOA, SECRETARY

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOT IS REPARATED 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

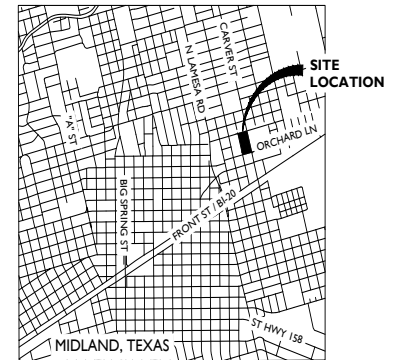
- BASE OF BEARING, COORDINATES, DISTANCE AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERSION ANGLE (RND) OF -0.984844" AND A CONVERSION SCALE FACTOR OF 0.999998111 AT NAD 83 "MIDLAND".
- 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
- LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SURFACE, 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-DIG-TELL FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

PROPERTY OWNER

CITY OF MIDLAND
380 N. LOHME
CITY HALL
P.O. BOX 1152
MIDLAND, TEXAS 79701
409-480-7200
DEED INSTRUMENT - VOL. 730, PG. 77, DANCY

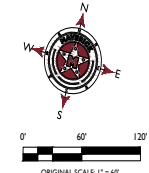
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____



VICINITY MAP

N.T.S.



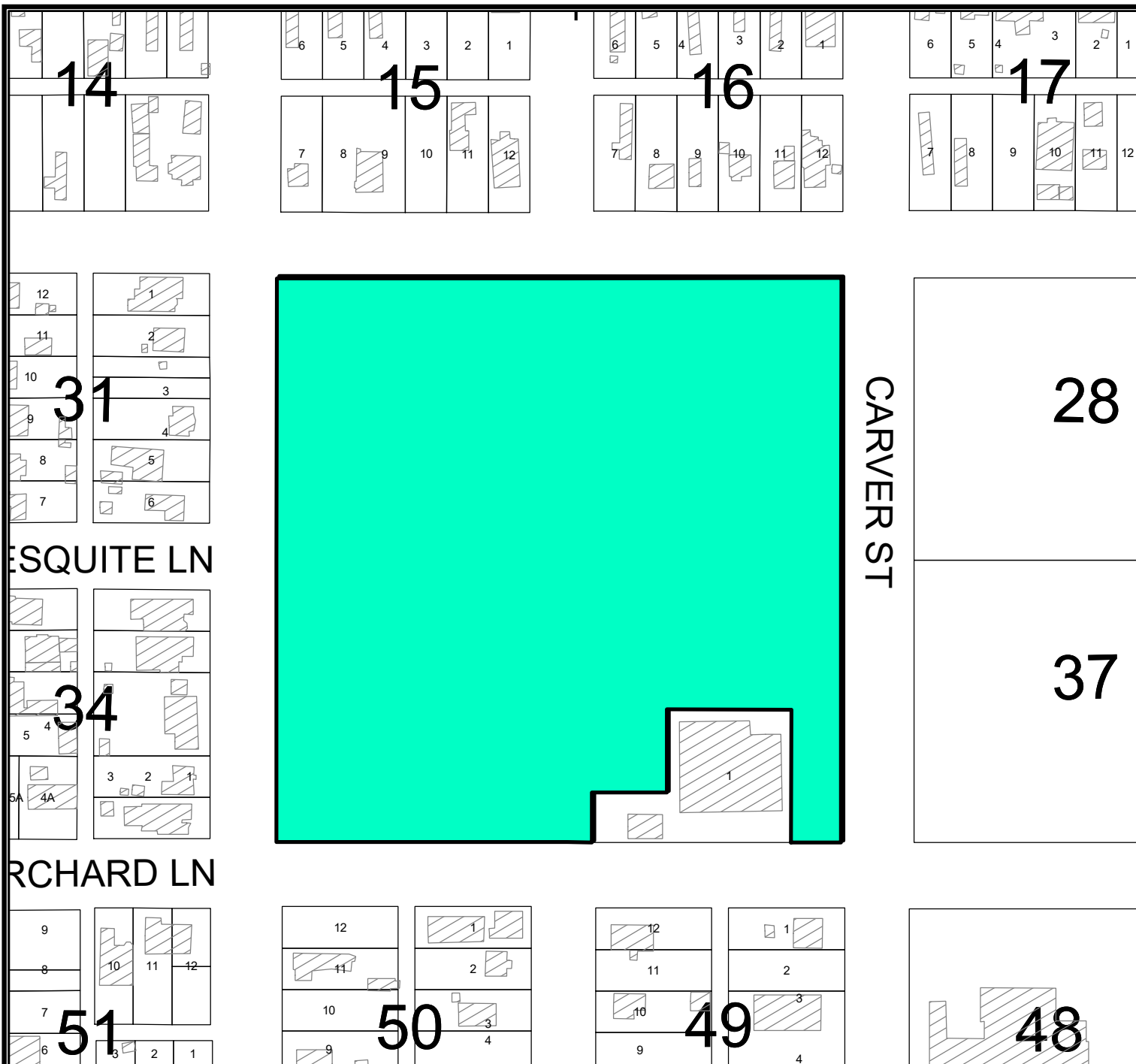
LEGEND

- FOUND MONUMENT AS NOTED
- SET 1/2-INCH IRON ROD W/ RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- BOUNDARY LINE
- PROPERTY LINES



MAVERICK
CIVIL ENGINEERING & LAND SURVEYING
1909 West Wall Street, Suite 404
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # F-10194514
Tel: (432) 262-0989 Fax: (432) 262-0989
www.Maverick-Eng.com

EAST MIDLAND ADDITION
December 2, 2024
SECTION 25



Location Map

SUB-24-0769

Scale: 1" = 174'

Replat of a 9.94-acre tract of land being all of blocks 29, 30, 35 and a portion of block 36, excepting lot 1, block 36, East Midland Addition Section 3, along with the unopened roads between said blocks East Midland Addition, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection of North Tyler Street and Orchard Lane.
(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.

MH

MESQUITE LN

MF22

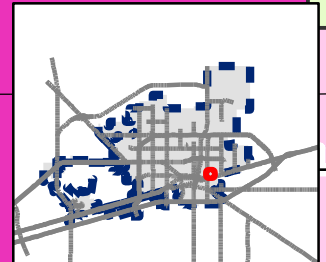
ORCHARD LN

CARVER ST

HI

SF3

SF3



PACKET

Page 3.15

December 2, 2024







EAST MIDLAND ADDITION, SECTION 25

FINAL PLAT

December 2, 2024



Visit Our Website

MIDLANDTEXAS.GOV

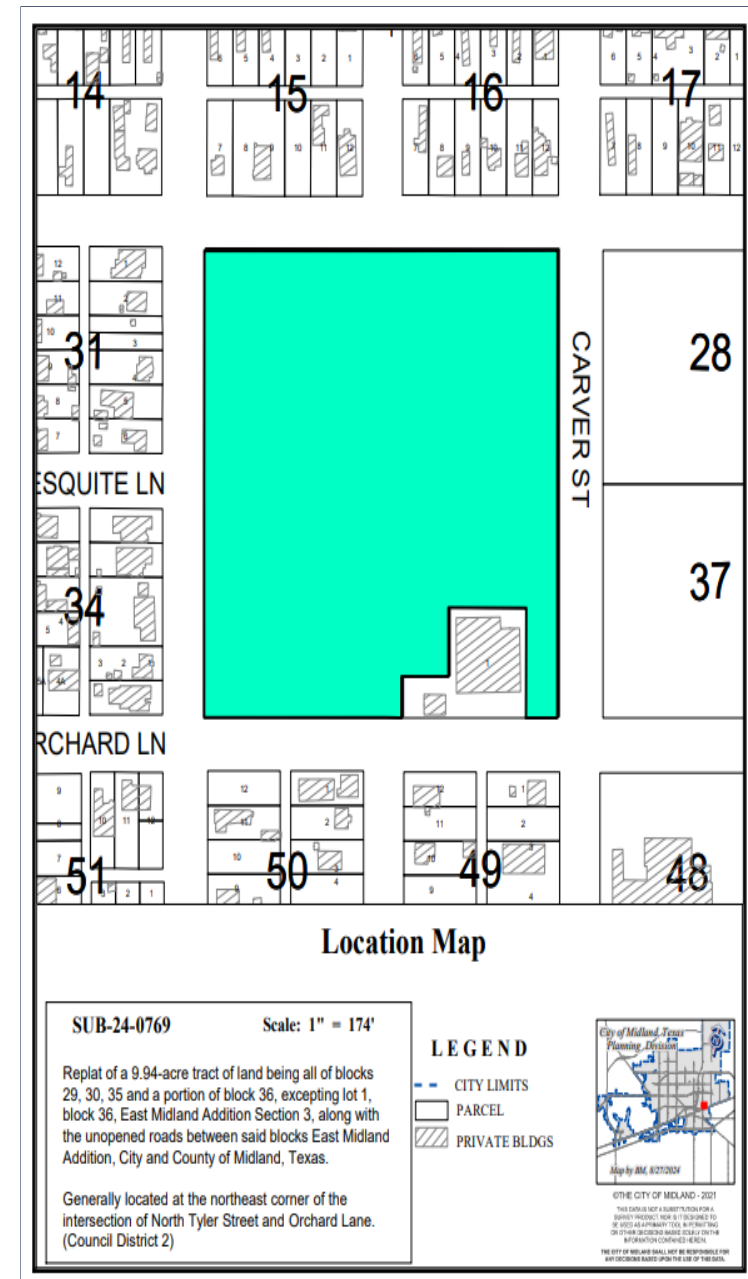
PACKET

Page 3.17

December 2, 2024

APPLICATION SUMMARY

- **Property Owner & Developer:** City of Midland
- **Representative:** Ashlee Devine, with Maverick Engineering
- **Application Type:** Final Plat
- **Address:** Generally located at the northeast corner of the intersection of North Tyler Street and Orchard Lane.
(Council District 2)



3

- # PACKET

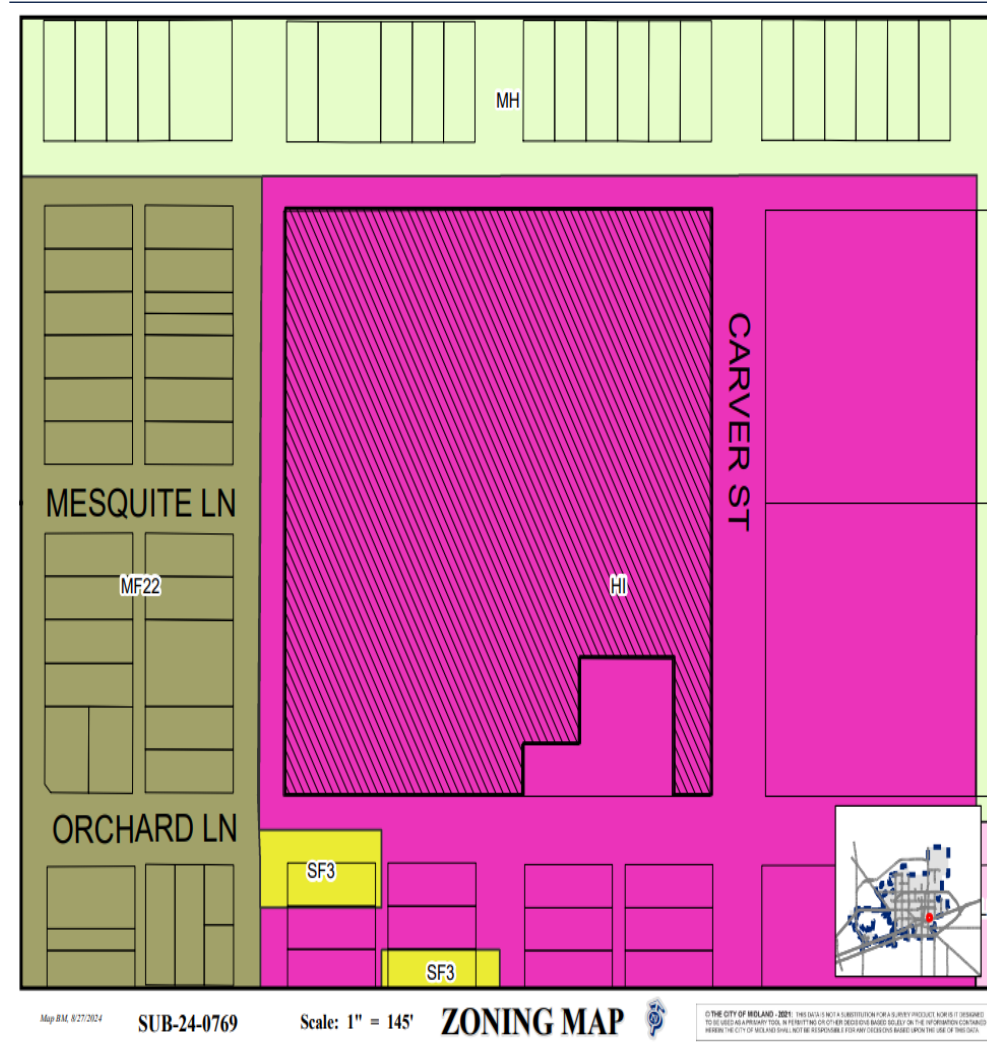


ZONING

- **Current Zoning:** HI, Heavy Industrial District

Surrounding Zoning:

- **North:** MH, Manufactured Housing District
- **East:** HI, Heavy Industrial District
- **South:** HI, Heavy Industrial District & SF-3 Single-Family Dwelling District
- **West:** MF-22, Multiple-Family Dwelling District



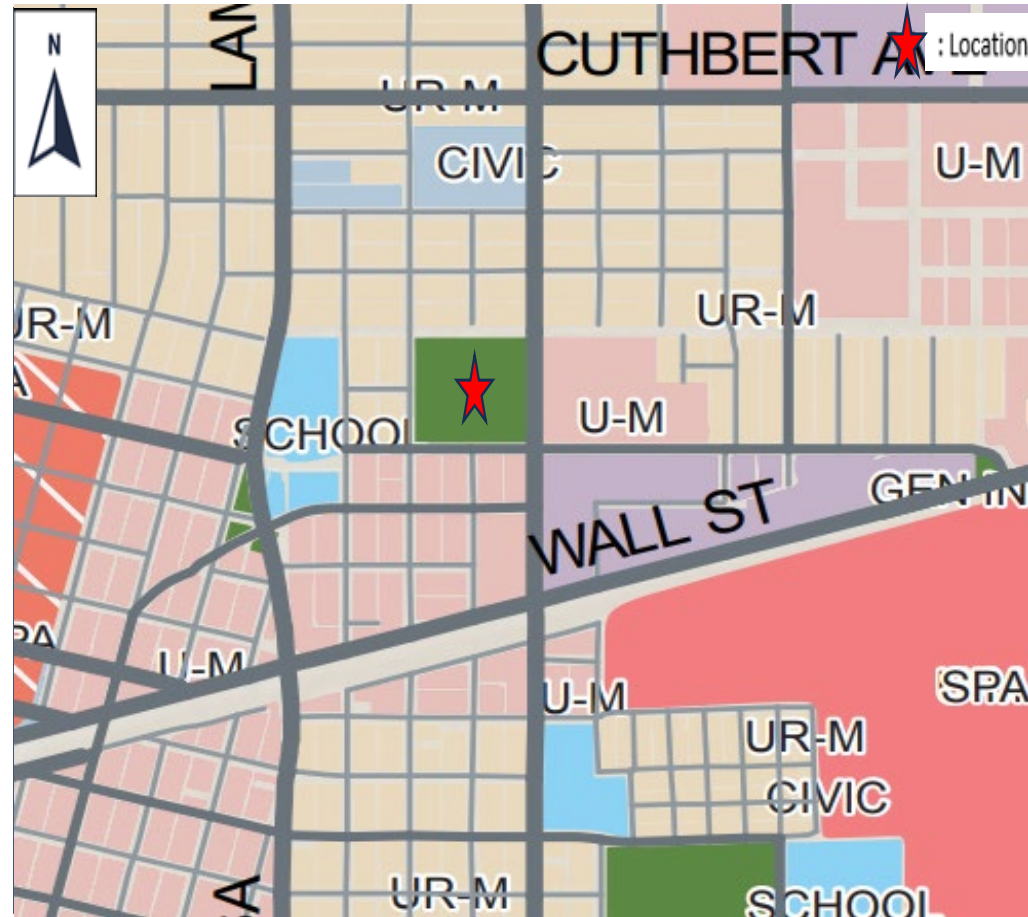
LAND USE

- **Current Use:** Hidalgo Park
- **Proposed Use:** Hidalgo Park and an expansion of the Midland Soup Kitchen
- **Surrounding Uses:**
 - North, South, & West: Residential
 - East: Industrial Use



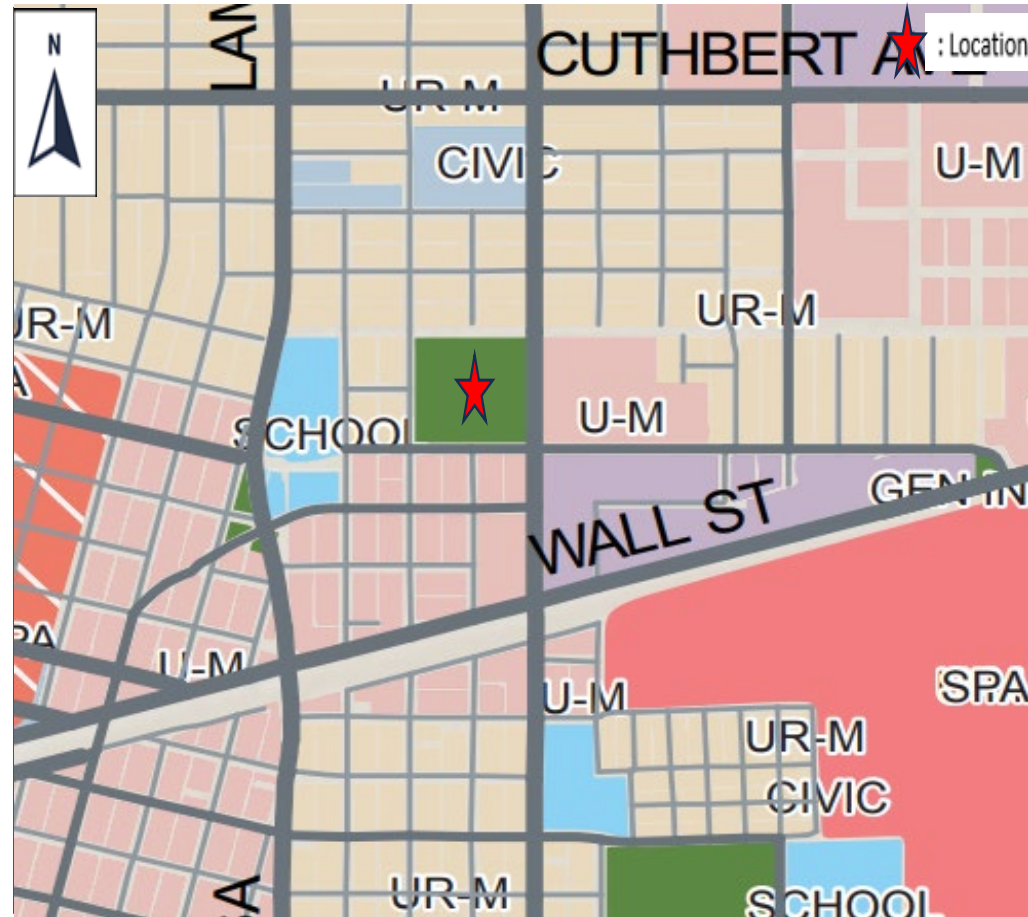
COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
 - Park/Open Space
- **Supported Uses:**
 - Limited, primarily natural. Any development is recreational and low impact in nature (such as park shelters or ball fields), while complementary to the purpose of the wider area as open natural space.



COMPREHENSIVE PLAN ANALYSIS

- Land use is **compatible** with surrounding area & TCT Plan



RELATED ITEMS

- This plat qualified for the short form procedure, and therefore was not required to go through the preliminary phase.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of East Midland Addition Addition, Section 25.



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: December 2, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider a request by Newton Engineering, PC, for a zone change from RR, Regional Retail District, to C, Commercial District, on Lots 1A, 2A, 3, and 4, Block 3, West 191 Industrial Park, Section 10, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 1,600-foot east of Farm to Market 1788.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, John M. Newton, with Newton Engineering, PC, is requesting a zone change from RR, Regional Retail District, to C, Commercial District, for the properties located at 10910, 10912, 10916, and 10918 State Highway 191 to develop offices with a workshop and restaurants with a drive through window.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north, east, south and west are all zoned RR, Regional Retail District. Surrounding uses include vacant lots to the west and south and commercial offices to the north and east.

Analysis:

The subject properties are currently vacant, undeveloped lots zoned RR, Regional Retail District. Newton Engineering, PC, is seeking this zone change to conform to the development of new offices with a detached secondary structure to use as workshops along with restaurants with a drive through window. The surrounding properties adjacent to the lots have similar developments that fit the plans of the property owner. The property owners are also planning to enhance the area by developing restaurant options with drive-through windows. This addition is designed to serve the local workforce, providing convenient meal options for employees and promoting ease of access for the community.

The Tall City Tomorrow Comprehensive Plan has no designation for this area.

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

Fire: (Approved)

No comments or objections.

Building Code: (Approved)

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

Engineering: (Approved)

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

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

Oil & Gas: (Approved)

No Oil & Gas well concern for Zoning.

Transportation: (Approved)

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

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

Planning:

Staff recommends approval of this zone change from of RR, Regional Retail District, to C, Commercial District.

Letters of Objection:

As of November 29, 2024, Staff has not received any letters of objection.

Attachments:

Application
Location Map
Zoning Map
Aerial
Photo
PowerPoint Presentation



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

Project Number: _____

Case Number: _____

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

Printed Name: PB Anderson Properties, LLC

Phone (432) 967-1535

Email
robert@andersonhomestx.com

Address 10804 HWY 191

City Midland

State TX

Zip 79707

Property Owner SAME AS APPLICANT

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: Newton Engineering, PC

Printed Name: John M. Newton

Phone (432) 770-0499

Email
john@newtoncivil.com

Address 4501 A Santa Rosa Dr.

City Midland

State TX

Zip 79707

Street Address: 10910, 10912, 10916, 10918 HWY 191, Midland, Tx 79707

Legal Description

Lot: Block: Subdivision: Lot 1A, 2A, 3, and 4, Block 3 West 191 Industrial Section 10

Current Zoning: Regional Retail-RR

Proposed Zone: Commercial-C

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

Reason for Zone Change Request: To conform to the development

Present Use of Property: Undeveloped

Proposed Use of Property: Office, Retail, and Office with yard and garage

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

This project would provide much needed office and retail space for the community

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

The property is being developed to what the staff determined to be commercial instead of Regional Retail.

Submittal and Fees

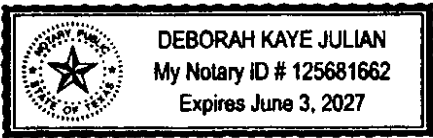
Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>Robert Anderson</u>	Date: <u>9-12-24</u>
Applicant (printed): <u>Robert Anderson - PB Anderson Properties LLC</u>	
Property Owner (signature): <u>Robert Anderson</u>	Date: <u>9-12-24</u>
Property Owner (printed): <u>ROBERT ANDERSON</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in full <u>compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

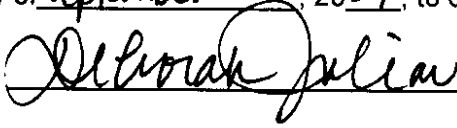
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Robert Anderson who, being by me duly sworn, upon oath says: That (s)he is the owner of PB Anderson Properties authorized by Robert Anderson, 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)

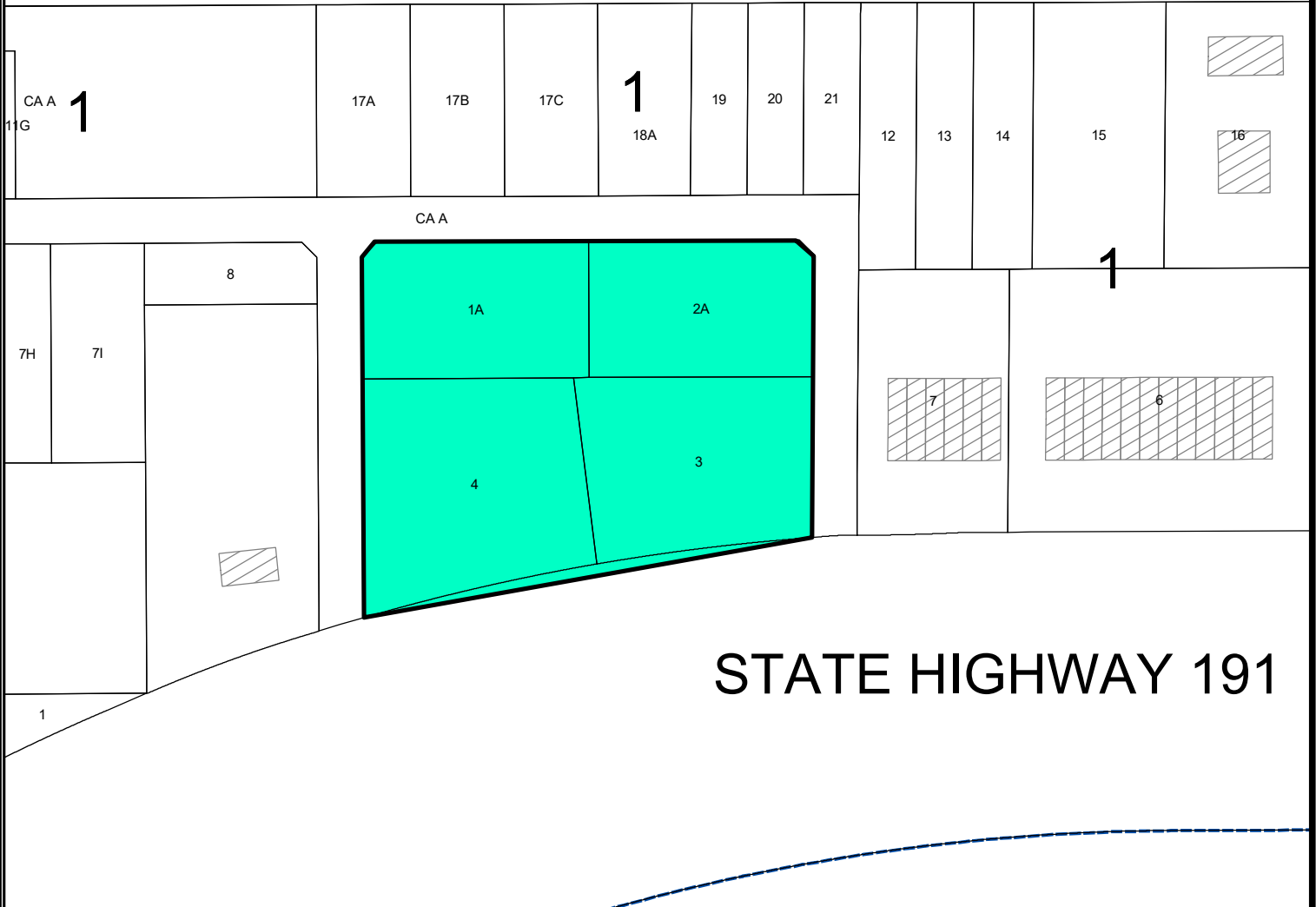
Subscribed and sworn to before me, this 12 day of September, 2024, to certify which witness my hand and seal of office.


 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☐ Property Owner Authorization ☐ Application Fee Check # <u>1718</u>	☐ Dimensioned Site Plan ☐ Plans in Digital Format (PDF/JPEG)
Received By: 	Date:

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

West County Road 77



STATE HIGHWAY 191

Location Map

Z-24-0397

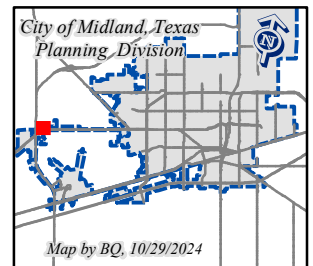
Scale: 1" = 1,500

Consider a request by Newton Engineering, PC, for a zone change from RR, Regional Retail District to C, Commercial District on Lots 1A, 2A, 3, and 4, Block 3, West 191 Industrial Park Section 10, City and County of Midland, Texas.

Generally located on the north side of State Highway 191, approximately 1,750-feet northeast of the intersection of Farm to Market 1788 and State Highway 191. (Council District 4)

LEGEND

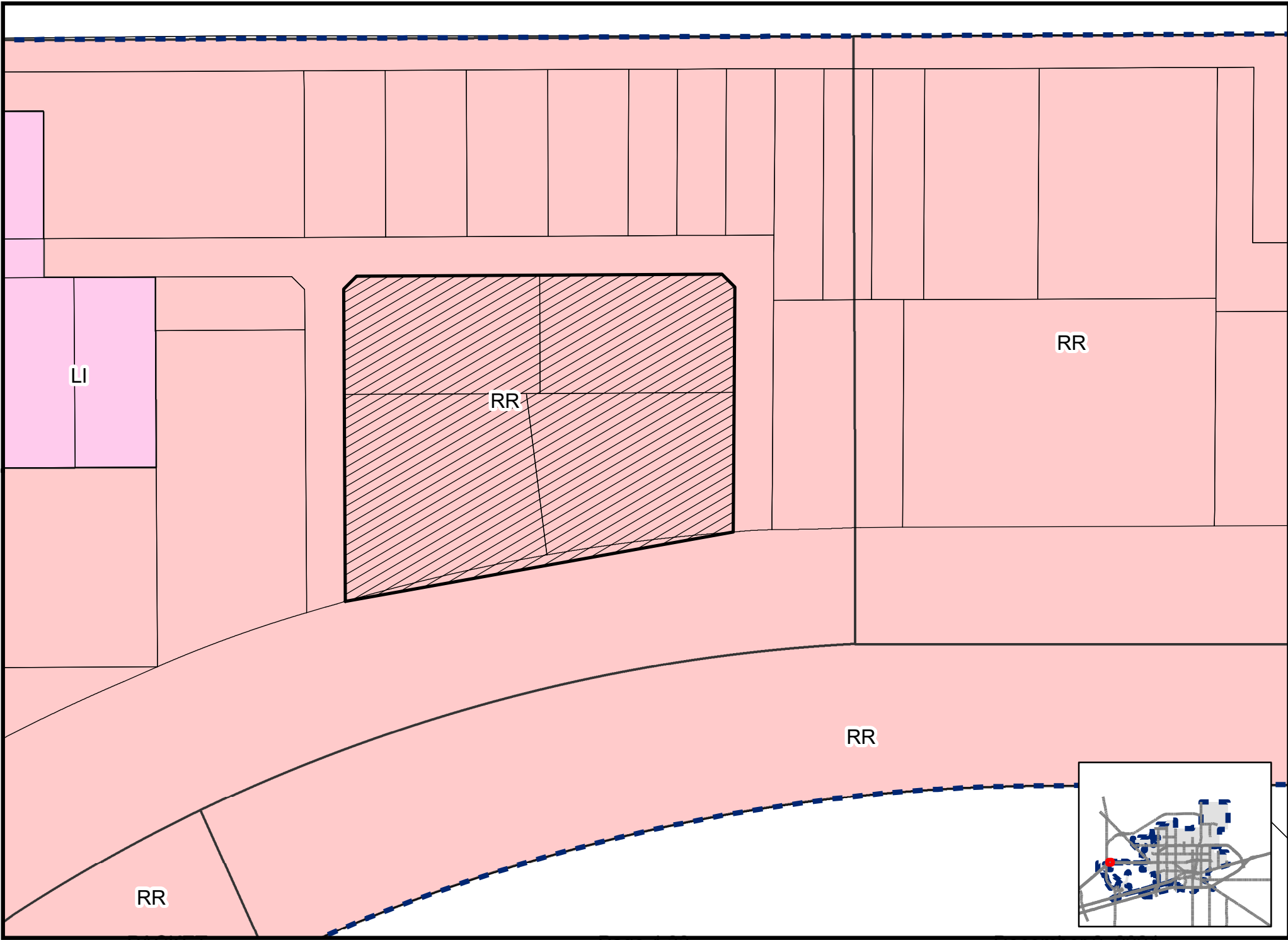
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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









HWY 191 PB ANDERSON PROPERTIES

ITEM_ ZONE CHANGE

December 2, 2024



Visit Our Website

MIDLANDTEXAS.GOV

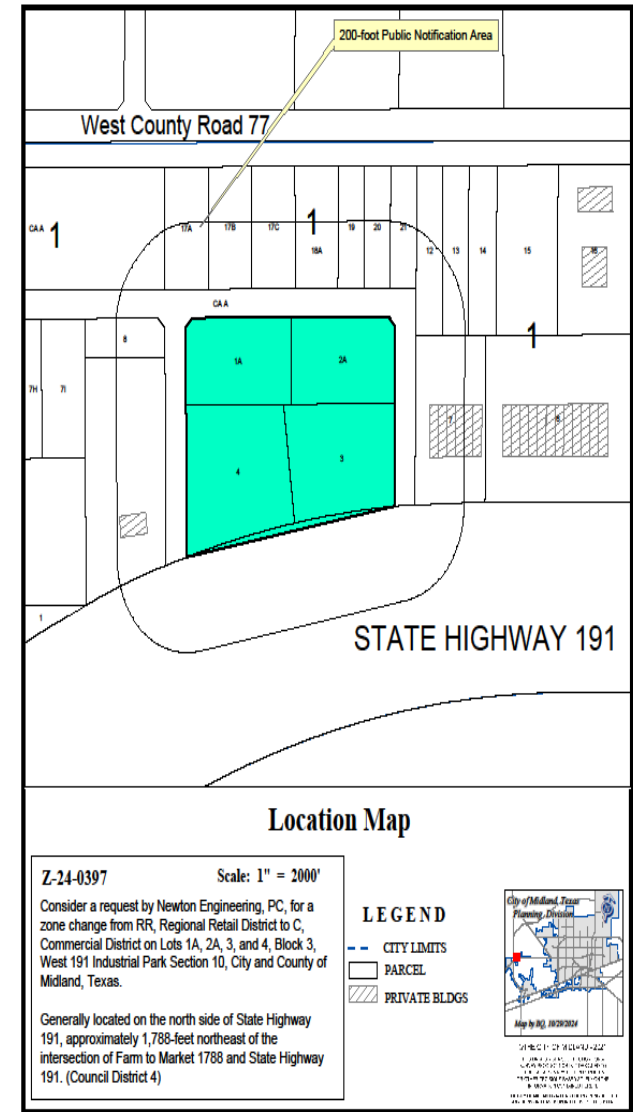
PACKET

Page 4.36

December 2, 2024

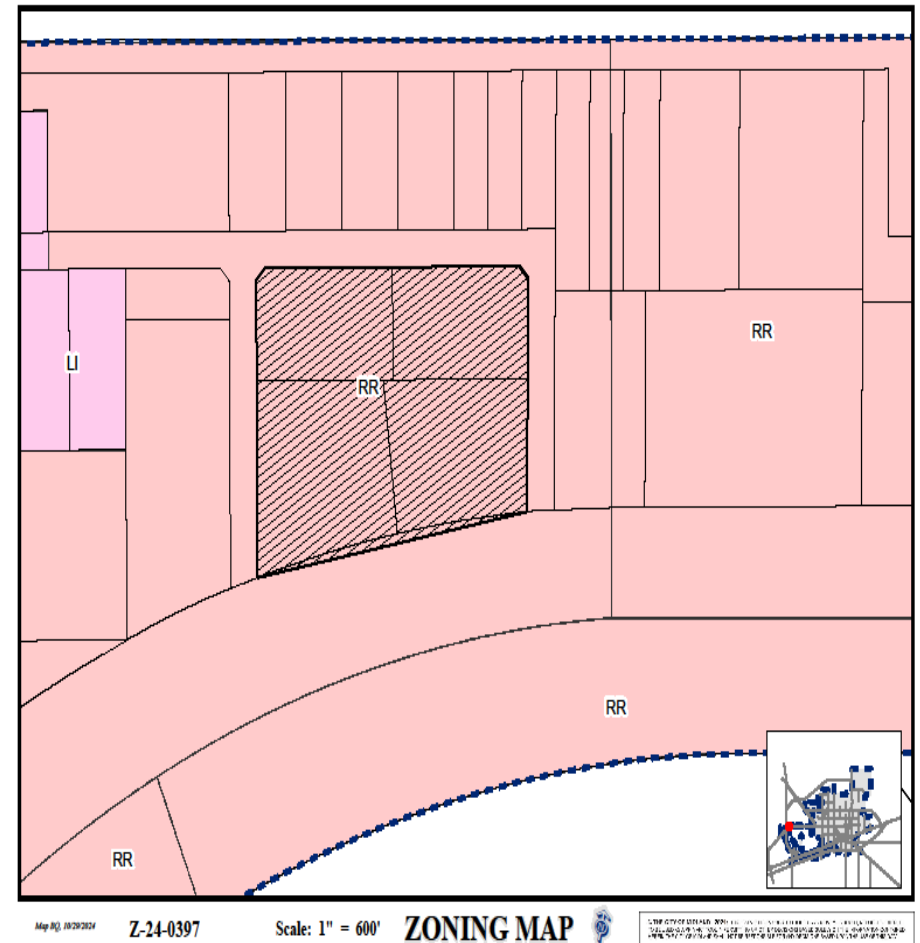
APPLICATION SUMMARY

- **Property Owner:** PB Anderson Properties, LLC
- **Applicant:** John Newton, with Newton Engineering, PC (acting on property owners' behalf)
- **Zone Change**
- **Address:** 10910, 10912, 10916 & 10918 HWY 191



ZONING

- **Current Zoning:** RR, Regional Retail
- **Surrounding Zoning:**
 - North/South/East/West: RR, Regional Retail
- **Proposed Zoning:** C, Commercial District



LAND USE

- **Current Use of the Property:**
Vacant
- **Proposed Use of the Property:** Office space with yard and garage along with restaurants with a drive through window
- **Surrounding Uses:**
 - **North/East:** Office Use
 - **South:** Vacant
 - **West:** Vacant and Office Use

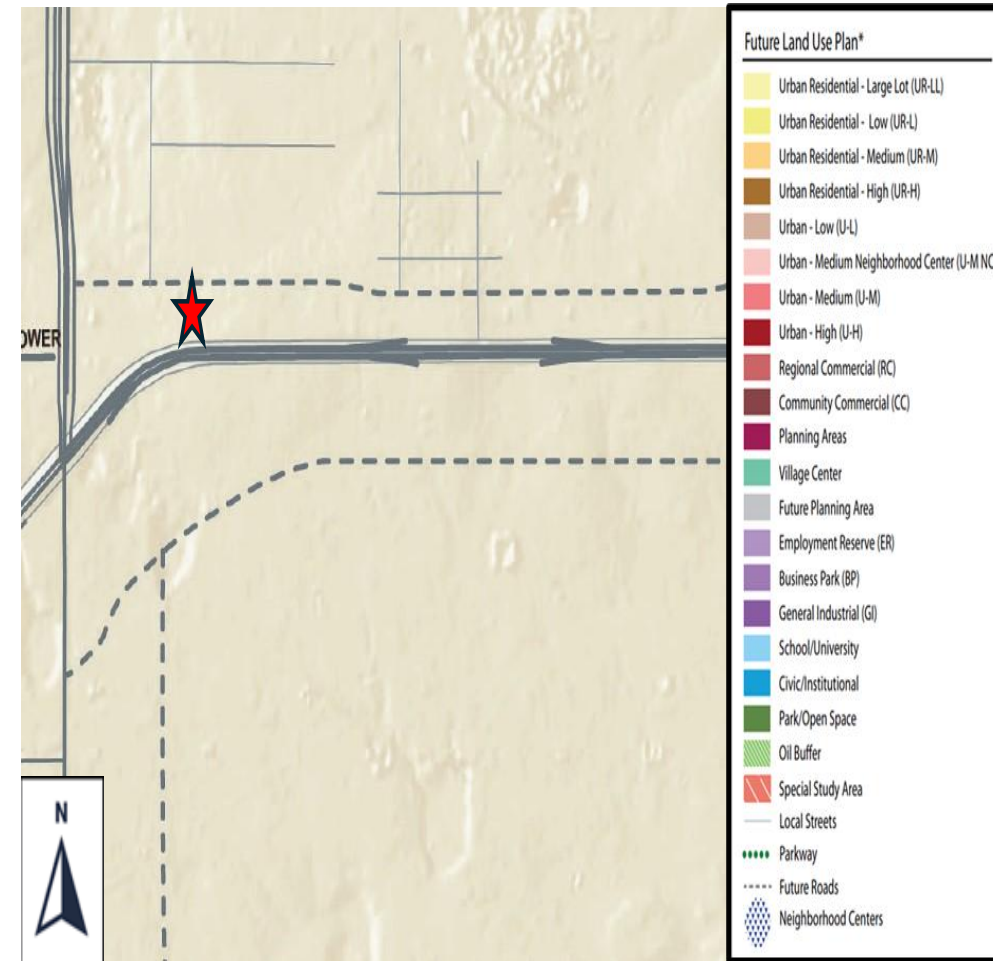




On an easement, Looking East.

COMPREHENSIVE PLAN

- TCT Land Use Designation: Not designated



STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from RR, Regional Retail District, to C, Commercial 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: December 02, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider a request by Alonzo Talamantes for a Zone Change from C, Commercial District, to SF-1, Single-Family Dwelling District, on Lot 6, Block 1, Snively Resubdivision, City and County of Midland, Texas. (Generally located on the south side of West Francis Avenue, approximately 85 feet east of Clark Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 Approve X Deny Directional/Informational

Details of Request:

The applicant, Alonzo Talamantes, is requesting a zone change from C, Commercial District, to SF-1, Single-Family Dwelling District, to develop a single-family dwelling at 2409 West Francis Avenue.

Current Zoning:

C, Commercial District.

Surrounding Zoning and Land Use:

All adjacent properties to the north, south, east and west are zoned C, Commercial District. Surrounding land uses include single-family residential to the south, east and west and a real-estate agency to the north.

Analysis:

The subject property is zoned C, Commercial District. Alonzo Talamantes is seeking this zone change to construct a single-family home, which is not allowed in the C, Commercial District. This property currently is a vacant lot.

This lot does meet the dimensions for the SF-1, Single-Family Dwelling District zoning. However, being that the surrounding zoning and the majority of the surrounding land use is zoned C, Commercial District, this would be considered spot zoning and therefore would not be compatible with the area.

Additionally, this request is not consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; which designates this area as ER, Employment Reserve. This designation calls for major office, business, and in some instances, multi-family uses.

Due to the above issues, staff cannot support this request.

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 & Gas well concern for Zoning.

Engineering: (Approved)

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

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

Code: (Approved)

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

Staff recommends denial of this zone change from C, Commercial District, to SF-1, Single-Family Dwelling District.

Letters of Objection:

Staff has not received any letters of objection as of November 27, 2024.

Attachments:

Application
Site Plan
Maps
Power Point



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

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2)		Phone (432) 551-7410	
Printed Name: <u>ALONZO TALAMANTES</u>		Email	
Address <u>1521 S. Marshall</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Property Owner		Phone ()	
Printed Name: <u>ALONZO TALAMANTES</u>		Email	
Address <u>1521 S. Marshall</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

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

Street Address: 2409 W. Francis Ave. Midland TX 79701

Legal Description
Lot: 006 Block: 001 Subdivision: Snively Resub

Current Zoning: <u>C</u>	Proposed Zone: <u>SF-1</u> (List by tracts if more than one district is requested)
---------------------------------	--

Reason for Zone Change Request: would like to build a home on this property.

Present Use of Property: Vacant lot

Proposed Use of Property: would like to build a home on this lot.

How would this zone change affect the public health, safety and welfare? It won't.

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

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>[Signature]</u>	Date: <u>11/06/24</u>
Applicant (printed): <u>ALONZO TALAMANTES</u>	
Property Owner (signature): <u>ALONZO TALAMANTES</u>	Date: <u>11/06/24</u>
Property Owner (printed): _____	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization ☒ Application Fee - <u>Invoice</u>	☒ Dimensioned Site Plan ☒ Plans in Digital Format (PDF/JPEG)
Check # _____	
Received By: <u>[Signature]</u>	Date: <u>NOV 06 2024</u>

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

82' w

N

Site plan

140' long

Property line



32'

Front Porch

Front Porch

Family Home

58'

E

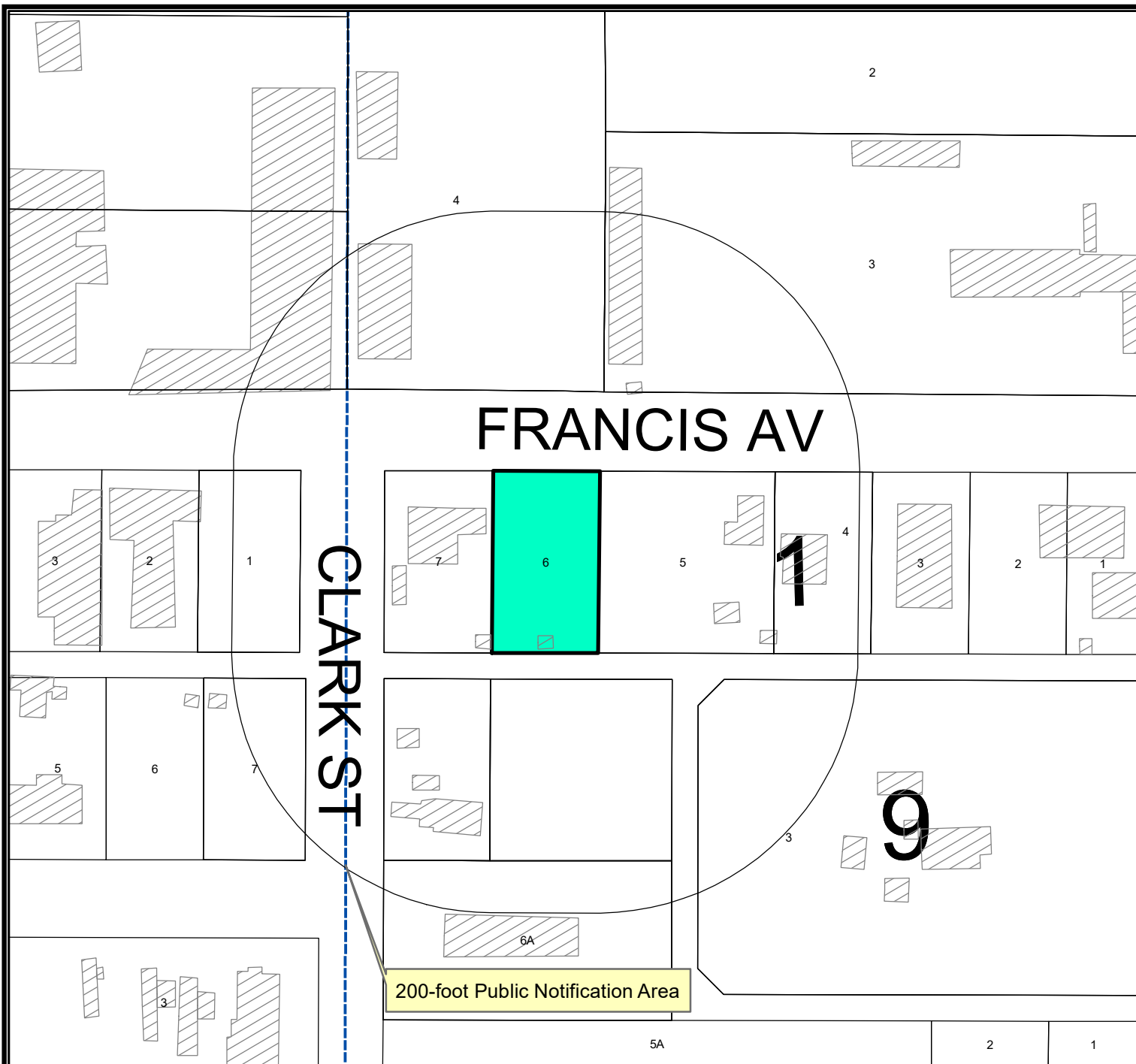
140'

46'

PACKET

Page 5.49

December 2, 2024



Location Map

Z-24-0399

Scale: 1" = 800'

Consider a request by Alonzo Talamantes for a zone change from C, Commercial District, to SF-1, Single-Family Dwelling District, on Lot 6, Block 1, Snively Resubdivision, City and County of Midland, Texas.

Generally located on the south side of West Francis Avenue, approximately 85 feet east of Clark Street.
(District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



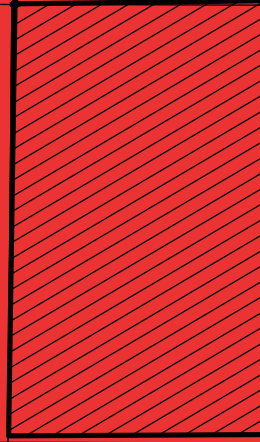
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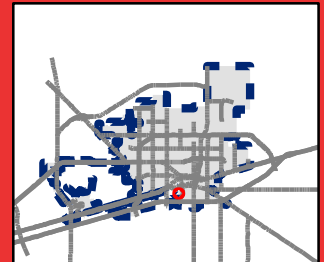
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

FRANCIS AV

CLARK ST



©





FRANCIS AV

This is an aerial photograph of a residential and commercial area. A horizontal road, labeled 'FRANCIS AV', runs across the middle of the image. Above the road, there are several large commercial buildings with corrugated metal roofs and a large open lot filled with construction equipment and materials. Below the road, the area is divided into several property lots. A specific lot, located south of Francis Av and west of a large residential building, is highlighted with a red rectangular border. This highlighted lot contains some trees and a small structure. Other lots around it contain various buildings, some with corrugated roofs, and some are mostly empty or have sparse vegetation. The overall scene appears to be a mix of residential and commercial development.





2409 W Francis

ITEM#

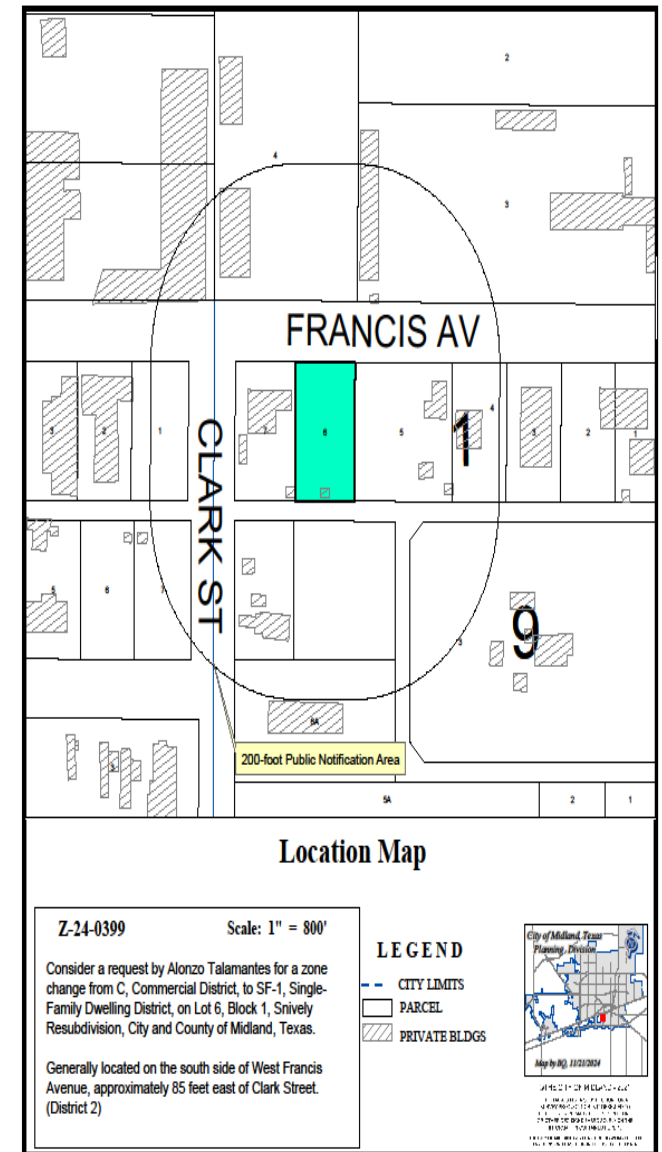


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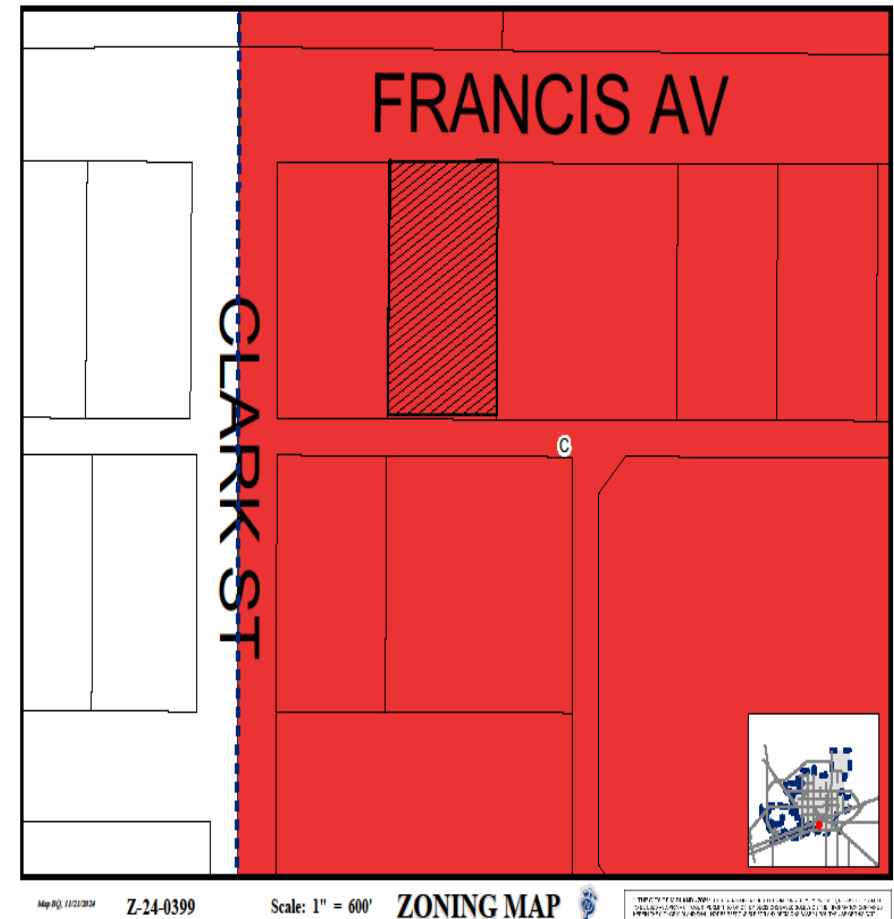
APPLICATION SUMMARY

- **Property Owner/Applicant:**
Alonzo Talamantes
- **Zone Change**
- **Address:** 2409 W Francis



ZONING

- **Current Zoning:** C, Commercial District.
- **Surrounding Zoning:** C, Commercial District
 - **Proposed Zoning:** SF-1 Single Family Dwelling



LAND USE

- Current Use of the Property:
Vacant
- Proposed Use of the Property:
Residential
- Surrounding Uses:
- North/South/East:
Commercial/Industrial
- West: Residential

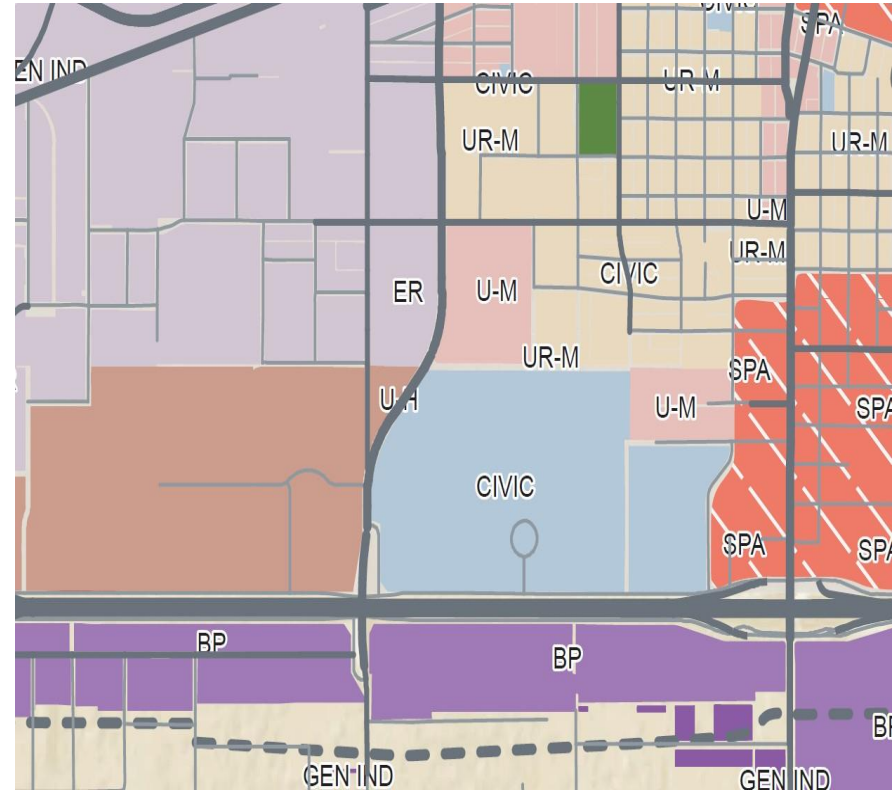


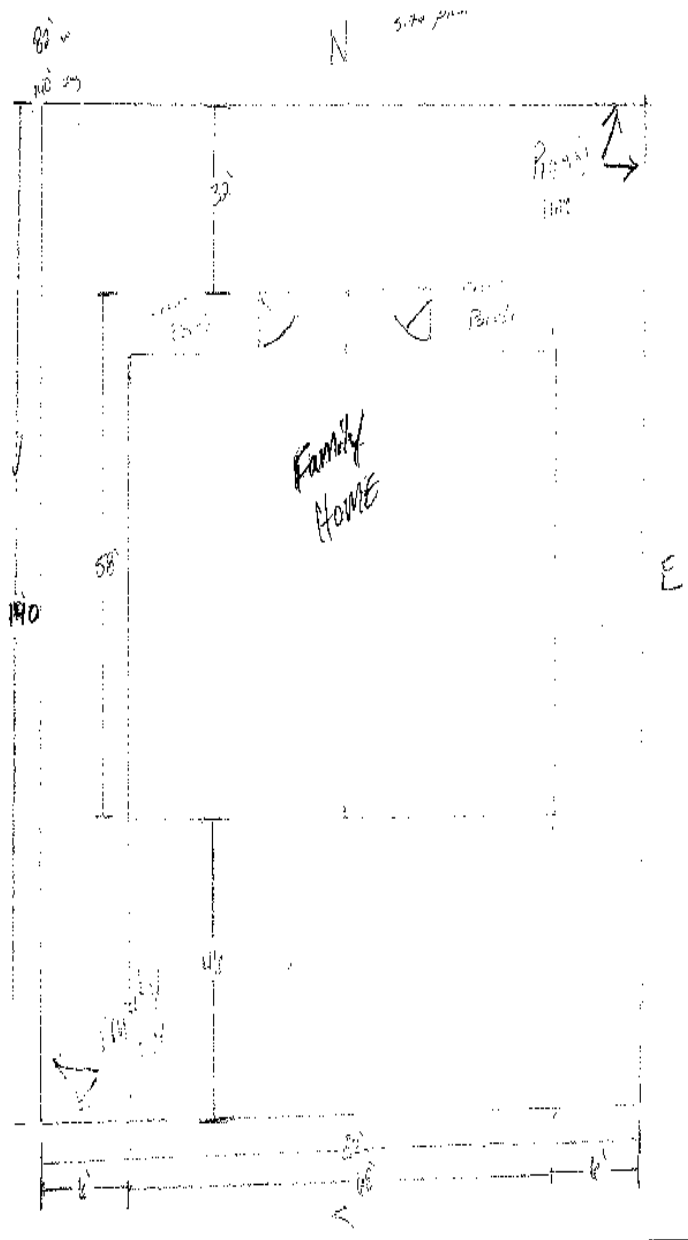


On West Francis, Looking south.

COMPREHENSIVE PLAN

- **TCT Land Use Designation:** ER, Employment Reserve
- **Supported Uses:** Area preserved for larger business this includes centers with major office, technology and research center. Multi-family may be appropriate when intergrade as part of a holistic development.
- Request is not compatible with the Tall City Tomorrow Plan.





Site Plan

STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends DENIAL of this zone change from C, Commercial District to SF-1 Single-Family Dwelling 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: December 2, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider a proposed Final Plat of Kingwick Place Addition, Section 3, being a residential replat of Lot 1, Block 1, Kingwick Place Addition, Section 2, a 5,036 square foot portion of a vacated alley and Lot 1, Block 1, Warwick Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of North L Street and West Scharbauer Drive.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single-Family District.

Preliminary Plat Approval:

Landgraf, Crutcher & Associates, on behalf of Kevin L. Weiberg, Trustee of The 2 Warwick Trust, is requesting to replat property located northeast corner of the intersection of North L Street and West Scharbauer Drive into two lots to combined properties after vacating an alley and retained a 20 foot general utility easement.

This plat qualified for the short form procedure, and therefore was not required to go through the preliminary phase. [Midland City Code 11-2-3(l)1(b)]

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: Scharbauer roadway okay as is. Warwick Place roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

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

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

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

SEWER: 21" sewer exists in alley W of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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)

No comments.

Oil and Gas: (Approved)

No Oil and Gas issues.

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

Staff recommends approval of the Final Plat of Kingwick Place Addition, Section 3.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Kingwick Place Addition, Section 3**Legal Description (attached sealed Metes and Bounds):** Replat of Lot 1, Block 1, Kingwick Place Addition,

Section 2, Cabinet D, Page 207, M.C.P.R. & Tract "B", Block 1, Subdivision of Block 1, Warwick Addition, Cab: A, Page 118, M.C.P.R. and a 5,036 sq ft Alley Abandonment located in Section 22, Block 39, T-1-S, T&P RR CO. Survey, City of Midland, Midland County, Texas

Property Owner

Printed Name: Kevin L. Weiberg

Phone (432) 682-1252

Email
lca@lcaodessa.com

Address 2 Warwick Place

City Midland

State TX

Zip 79705

Developer (if different than Owner)

Printed Name:

Phone (432) 682-1252

Email
lca@lcaodessa.com

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name:

Phone (432) 682-1252

Email
lca@lcaodessa.com

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: SF-1**Reason for Platting:** To combine tract 13, Subdivision of Block 1 Warwick Addition and Lot 1, Block 1, Kingwick Plat Addition,

Section 2 and retain as a 20-foot General Utility Easement.

Plat Information

Total Acreage: 1.271

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

Number of Lots: 1

Number of Multi-Family Dwelling Units: 0

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

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.

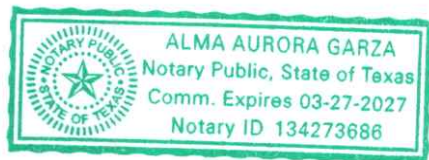
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Gracie Rodriguez
Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of November, 2024, to certify which witness my hand and seal of office.



Alma Aurora Garza

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 42710

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☒ Public Improvement

☒ Recording Fee

Check # 42711

NOV 07 2024

Received By:

Date:

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

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, KEVIN LYNN WEILBERG, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE SURVEY, COUNTY OF MIDLAND, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEING ALL OF LOT 1, BLOCK 1, KINGWICK PLACE ADDITION, SECTION 2 CABINET D, PAGE 207, MIDLAND COUNTY PLAT RECORDS & TRACT "B", BLOCK 1, SUBDIVISION OF BLOCK 1, WARWICK ADDITION CABINET A, PAGE 118, MIDLAND COUNTY PLAT RECORDS AND A 5,036 SQUARE FOOT ALLEY ABANDONMENT LOCATED IN SECTION 22, BLOCK 39, T-45 TAP RR CO. SURVEY CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES & BOUNDS AS FOLLOWS:

BEGINNING AT (Y=10,699,732.18' & X=1,740,314.24') A 1/2" IRON ROD (CONTROL MONUMENT) FOUND AT THE SOUTHERNMOST CORNER OF SAID LOT 1, BLOCK 1, OF SAID KINGWICK PLACE ADDITION ON THE NORTHERN RIGHT-OF-WAY OF W. SCHARBAUER DRIVE, A DEDICATED PUBLIC RIGHT-OF-WAY AND THE SOUTHEAST CORNER OF A 30-FOOT ALLEY ABANDONMENT PER CITY OF MIDLAND ORDINANCE NO. 10547;

THENCE SOUTH 32°57'08" WEST WITH SAID W. SCHARBAUER DRIVE, A DISTANCE OF 40.88 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTH CORNER OF SAID TRACT "B";

THENCE SOUTH 30°41'32" WEST WITH THE SOUTHERN LINE OF SAID TRACT "B", BLOCK 1, AND THE NORTHERN RIGHT-OF-WAY LINE OF SAID W. SCHARBAUER DRIVE, A DISTANCE OF 99.43 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE COMMON SOUTH CORNER OF SAID TRACT "B" AND THE EAST CORNER OF TRACT "C", BLOCK 1 OF SAID SUBDIVISION OF BLOCK 1 WARWICK ADDITION;

THENCE NORTH 6°55'59" WEST WITH THE COMMON LINE OF SAID TRACTS "B" AND "C", A DISTANCE OF 186.55 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE COMMON SOUTHWEST CORNER OF SAID TRACT "A" AND THE NORTHEAST CORNER OF SAID TRACT "B" BEING ON A CURVE TO THE LEFT WITH THE WEST LINE OF SAID TRACT "B" BLOCK 1 OF SAID SUBDIVISION OF BLOCK 1 WARWICK ADDITION;

THENCE ALONG SAID CURVE TO THE LEFT IN A NORTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 50.00 FEET, A DELTA ANGLE OF 126°29'16", AN ARC LENGTH OF 110.38 FEET, A CHORD LENGTH OF 89.29 FEET BEARING NORTH 08°17'00" EAST TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF INTERSECTION AT THE COMMON NORTHWEST CORNER OF SAID TRACT "B" AND THE SOUTHEAST CORNER OF TRACT "A" BLOCK 1 OF SAID SUBDIVISION OF BLOCK 1 WARWICK ADDITION;

THENCE NORTH 65°02'51" EAST WITH THE COMMON LINE OF SAID TRACTS A AND B, A DISTANCE OF 174.68 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE COMMON NORTHEAST CORNER OF SAID TRACT "B" AND THE SOUTHEAST CORNER OF SAID TRACT "A" ON THE WEST LINE OF SAID 30-FOOT ALLEY ABANDONMENT;

THENCE NORTH 14°15'28" WEST WITH THE EAST LINE OF SAID TRACT "A" AND THE WEST LINE OF SAID 30-FOOT ALLEY ABANDONMENT, A DISTANCE OF 9.12 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTHWEST CORNER OF SAID 30-FOOT ALLEY ABANDONMENT;

THENCE NORTH 75°44'32" EAST ALONG THE NORTH LINE OF SAID 30-FOOT ALLEY ABANDONMENT, A DISTANCE OF 30.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "ASB 5689" (CONTROL MONUMENT) FOUND AT A CUT-BACK CORNER OF SAID LOT 1, BLOCK 1 KINGWICK PLACE ADDITION;

THENCE NORTH 30°42'17" EAST WITH SAID CUTBACK, A DISTANCE OF 28.42 FEET TO A 1/2" IRON ROD WITH CAP MARKED "ASB 5689" (CONTROL MONUMENT) FOUND AT A CUT-BACK CORNER OF SAID LOT 1 BLOCK 1 AND A 30-FOOT ALLEY;

THENCE NORTH 75°33'08" EAST WITH THE NORTH LINE OF SAID LOT 1, BLOCK 1 AND THE SOUTH LINE OF SAID 30-FOOT ALLEY, A DISTANCE OF 205.82 FEET TO A 1/2" IRON ROD WITH CAP MARKED "ASB 5689" (CONTROL MONUMENT) FOUND AT THE NORTH CORNER OF SAID LOT 1, BLOCK 1;

THENCE SOUTH 13°48'05" EAST WITH THE EAST LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 14.09 FEET TO A 3/8" SPIKE FOUND AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1 ON THE NORTHERN RIGHT-OF-WAY OF SAID W. SCHARBAUER DRIVE;

THENCE SOUTH 48°14'49" WEST WITH SOUTHERN LINES OF SAID LOT 1, BLOCK 1 AND THE NORTHERN RIGHT-OF-WAY OF SAID SCHARBAUER DRIVE, A DISTANCE OF 99.02 FEET TO A 5/8" IRON ROD FOUND AT A POINT OF DEFLECTION;

THENCE SOUTH 49°53'19" WEST WITH SOUTHERN LINES OF SAID LOT 1, BLOCK 1 AND THE NORTHERN RIGHT-OF-WAY OF SAID SCHARBAUER DRIVE, A DISTANCE OF 78.36 FEET TO A 5/8" IRON ROD FOUND AT A POINT OF DEFLECTION;

THENCE SOUTH 32°08'09" WEST WITH SOUTHERN LINES OF SAID LOT 1, BLOCK 1 AND THE NORTHERN RIGHT-OF-WAY OF SAID SCHARBAUER DRIVE, A DISTANCE OF 101.72 FEET TO THE POINT OF THE BEGINNING CONTAINING 1.271 SURFACE ACRES.

NOTES:

- Bearings, distances and coordinates are relative to the Texas Coordinate System, 1983 NAD, Central Zone, based on the City of Midland GPS Control Monument #4210" (Y=10,698,976.990' & X=1,747,475.907', Elevation = 2800.07 NAVD 29) with a theta angle of -0°54'45" with a combined grid factor of 0.999902307 as published in US Survey feet.
- Approval of a Site Plan by the City of Midland may be required before this lot may be developed and before a building permit may be obtained.
- Selling a portion of this addition by metes & bounds may be a violation of City Ordinance and State Law subject to fines and withholding utilities and building permits.
- This property is located in KINGWICK ADDITION, SECTION 2 and Tract "B" of Block 1, SUBDIVISION OF BLOCK 1, WARWICK ADDITION.
- The 20-foot Alley between KINGWICK PLACE ADDITION, SECTION 3 and TRACT "B", SUBDIVISION OF BLOCK 1, WARWICK ADDITION was vacated and abandoned per City of Midland Ordinance No. 10547. The vacated and abandoned 20-foot alley shall be retained as a 20-foot GENERAL UTILITY EASEMENT.
- The property lies in Zone "X" per the FEMA/FIRM Panel 4832C0088F, dated September 16, 2005.

LEGEND

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

THE UTILITY COMPANIES CERTIFICATE

This plat has been checked for accessibility of utilities

Mark Lieb

ATMOS ENERGY

Jaffrey R. Henderson

ONCOR ENERGY

Ruben Kuehna

Guadalupe Hernandez

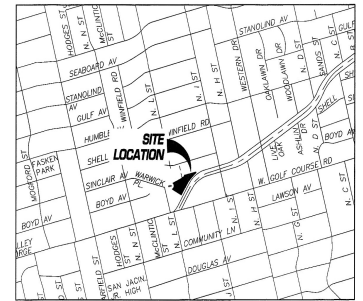
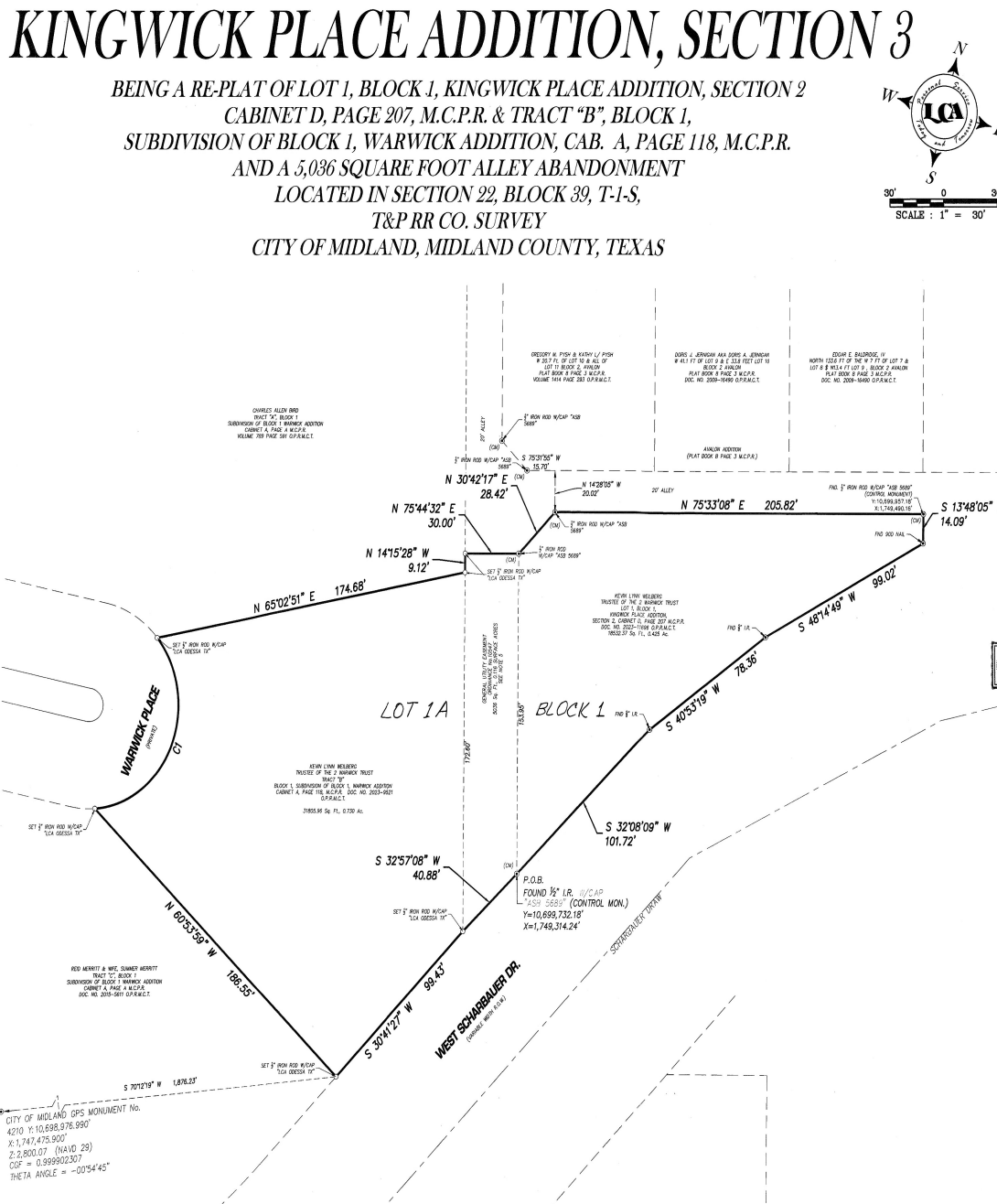
AT&T TELEPHONE COMPANY

Levi Montez

OPTIMUM

ASTOUND BROADBAND

CURVE DELTA ANGLE RADIUS ARC LENGTH CHORD BEARING CHORD LENGTH
C1 126°29'16" 50.00' 110.38' N 08°17'00" E 89.29'



VICINITY MAP

SCALE: N.T.S.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Kevin Lynn Weilberg, owner of the land shown on this plat, do hereby adopt this plat designating the herein-described property as, Kingwick Addition, Section 3 and do hereby dedicate to the public use forever the streets, alleys and easements shown thereon for the purposes and consideration therein expressed, and an easement of ingress and egress for trash collection, and location and maintenance of trash containers, and as a condition of said easement that no construction shall commence on the said lot or lots until the exact location of said containers there with have been selected and approved by the Director of Utilities.

Kevin Lynn Weilberg
Kevin Lynn Weilberg

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

Given under my hand and seal of office this 1st day of November, 2024.

My commission expires: 5/3/2027



Blair Conling
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

For approval by the Commission:
This is to certify that the above and foregoing Plat Kingwick Place Addition, Section 3 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas

on this _____ day of _____, 2024.

SIGNED: CHAIRMAN OF PLANNING & ZONING
LUCY SINIEGA

SIGNED: SECRETARY OF PLANNING & ZONING
LONDON OCHOA

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

John F. Landgraf
JOHN F. LANDGRAF, S.S. # 241

OWNER: Kevin Lynn Weilberg
2 Warwick Place
Midland, Texas 79705
PHONE: 315-288-7944

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
521 NORTH TEXAS
ODESSA, TEXAS 79661-5131
PHONE: (432) 332-5058

PLAT FILED FOR RECORD

MIDLAND COUNTY, TEXAS

No. _____

DATE _____



KINGWICK PLACE ADDITION, SECTION 3

December 2, 2024

521 North Texas, Odessa Tx. 79761 F-001363 F-10034300
Phone # (432) 332-5058 E-Mail : lca@lcaodessa.com

PACKET

BKG _____ E.T. _____
REV. _____ OFF. _____
LCA JOB NO. 2024-008

Page 6.68

SHELL AV

Scharbauer

WARWICK
PL (P)

SF1

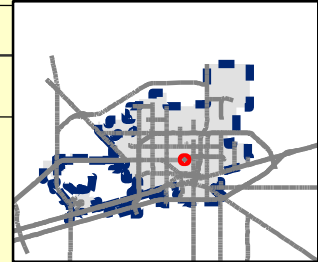
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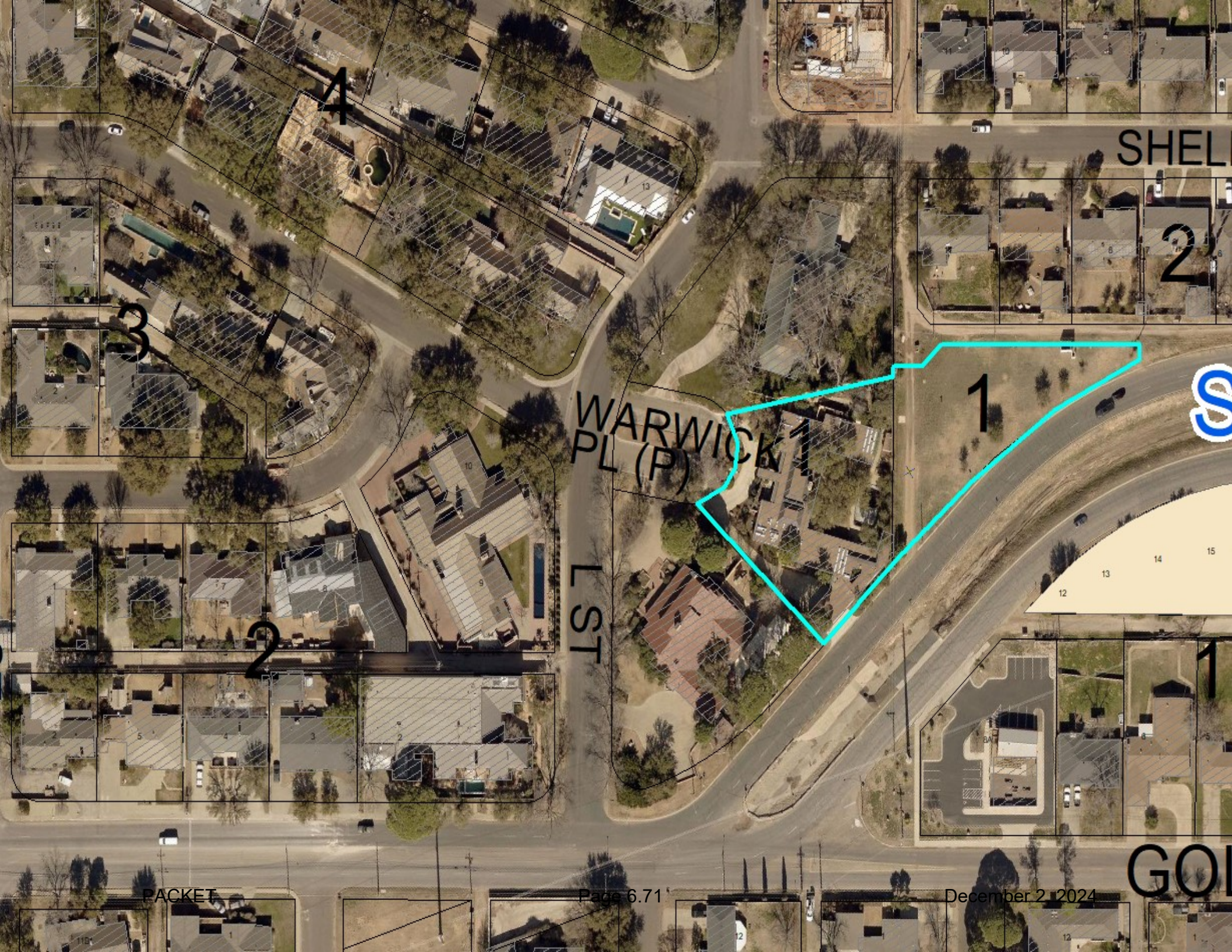
W SCHARBAUER

I ST

GOLF COURSE RD

SF1





SHELLY ST

2

1

WARWICK PL (P)

LST

S

1

GOLD





Kingwick Place Addition, Section 3

ITEM
FINAL PLAT

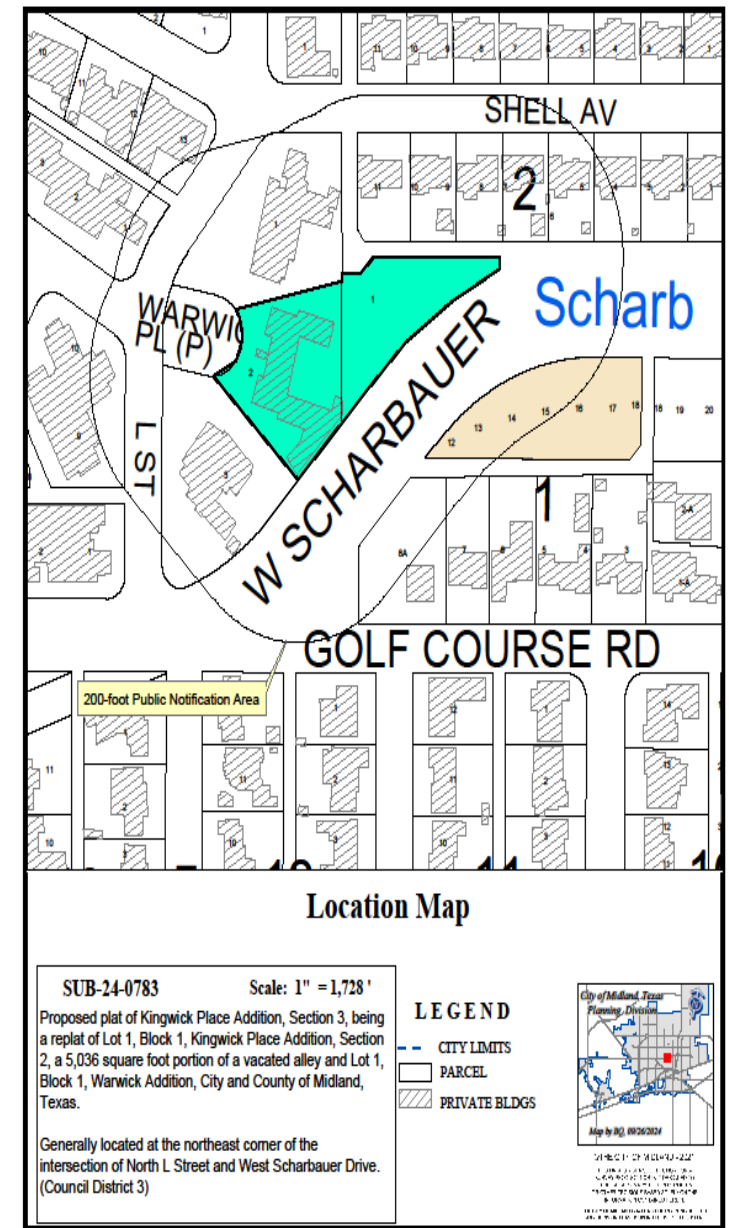


Visit Our Website

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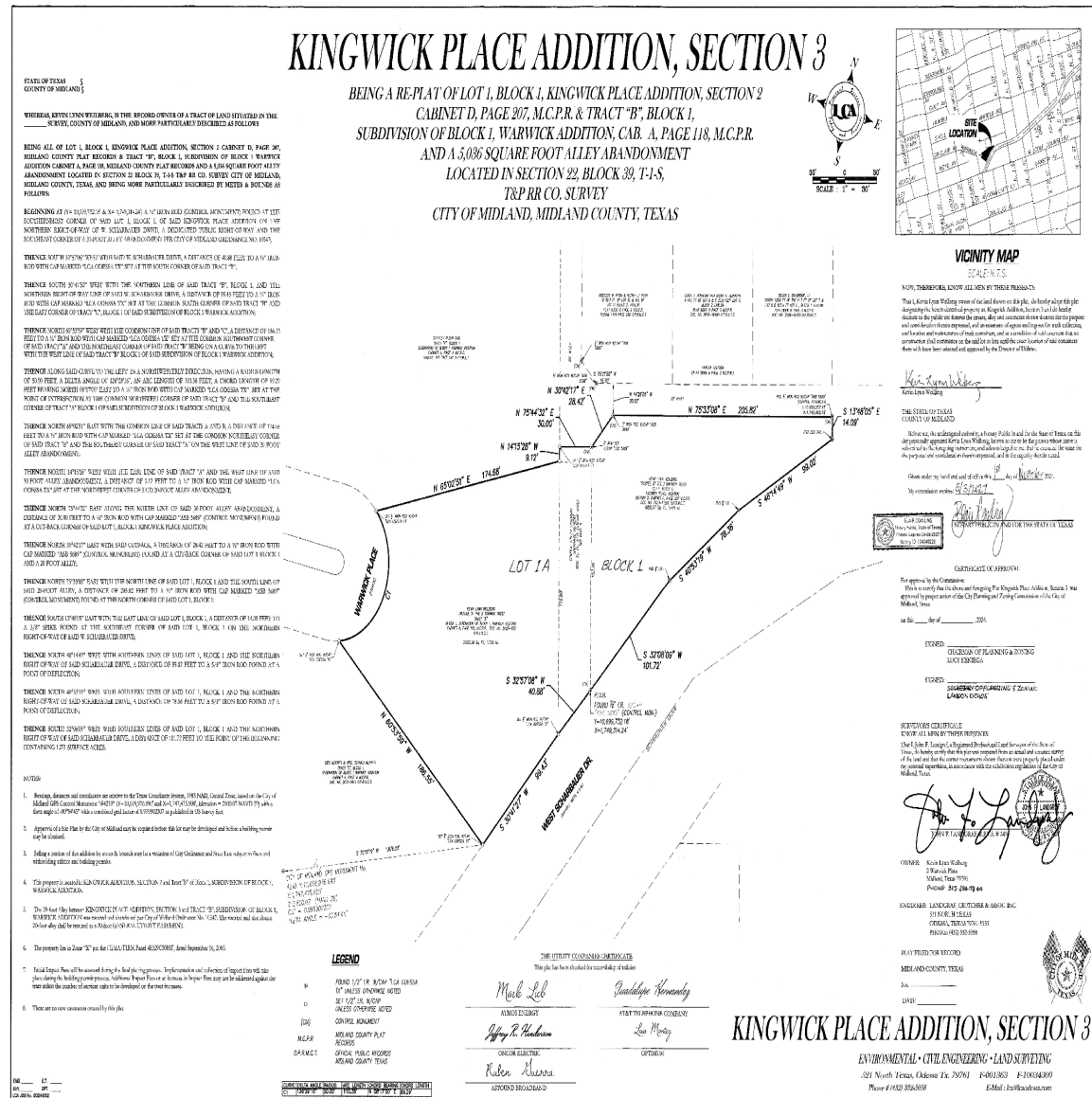
APPLICATION SUMMARY

- **Property Owner:** Kevin L. Weiberg
- **Representative:** Landgraf, Crutcher & Associates
- **Application Type:** Final Plat
- **Address:** Generally located at the northeast corner of the intersection of North L Street and West Scharbauer Drive. (Council District 3)



PLAT DETAILS

- Acreage: 1.271-acres
- Number of lots: 1 lot
- Reason for Request: To combined properties after vacating alley.

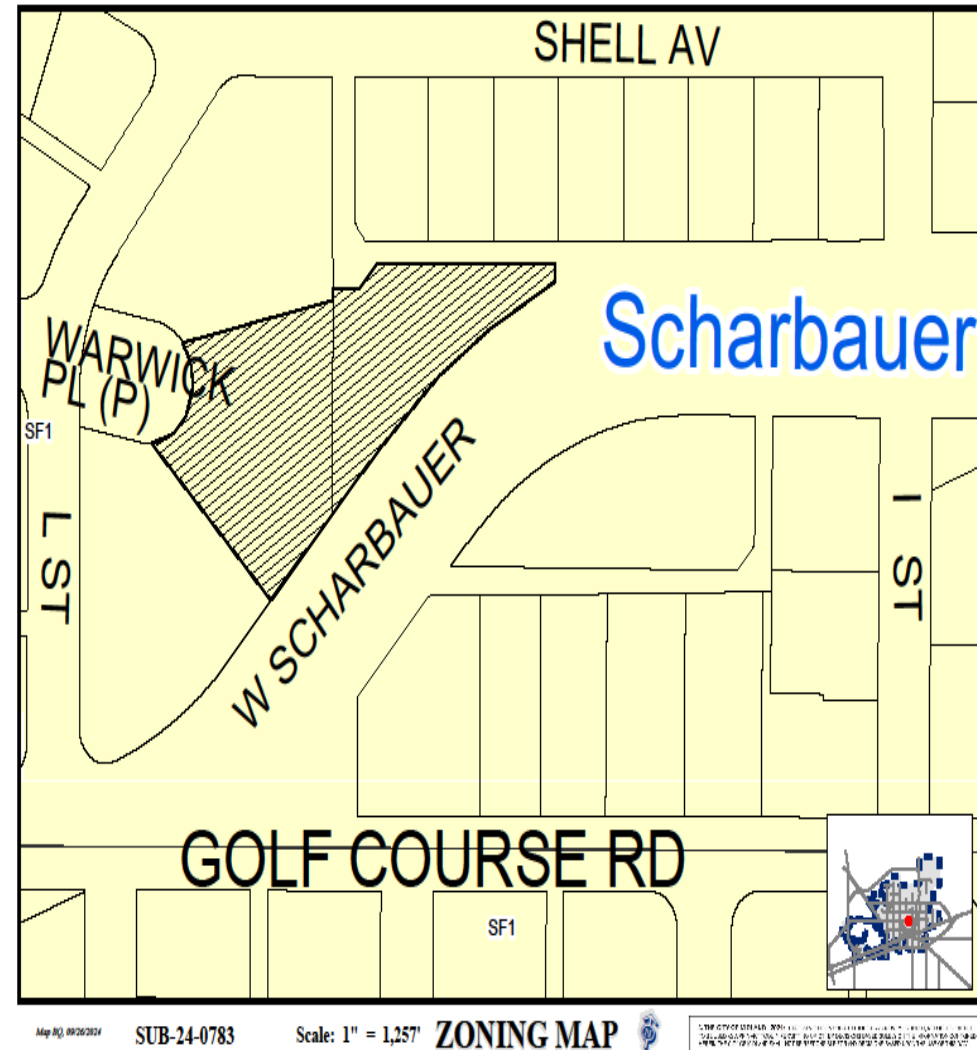


ZONING

Current Zoning: SF-1 Single Family Dwelling District

Surrounding Zoning:

- **North/South:** SF-1, Single-Family Dwelling District
- **East/West:** SF-1, Single-Family Dwelling District



LAND USE

- **Current Use:** Residential
- **Proposed Use:** Residential
- **Surrounding Uses:**
 - North: Residential
 - South: Residential
 - East: Residential
 - West: Residential



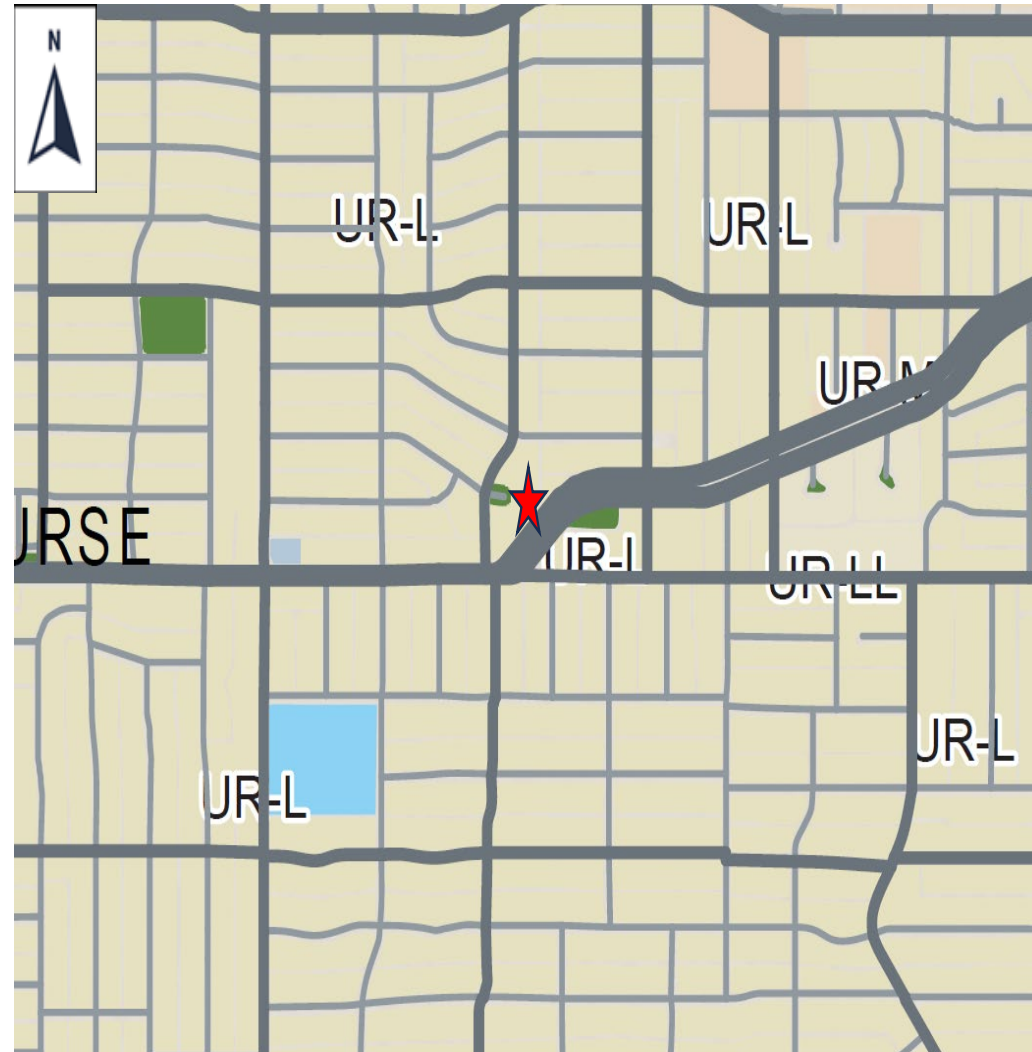
LAND USE



On alley, Looking south.

COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
 - Urban Residential–Low (UR-L)
- **Supported Uses:**
 - Supports single-family detached homes, and small lot single-family homes may be permitted.
- Request is compatible with the surrounding area and the Tall City Tomorrow Plan.



OBJECTIONS SUMMARY

- Objections: 1
- Reason for Objections:
 - Concerns for drainage from northside of draw and access to the alley.
- Supermajority vote: Is not required.



STAFF RECOMMENDATION

Staff recommends **Approval** of the Final plat of **Kingwick Place Addition, Section 3.**



MISSION

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