

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

**December 16, 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 December 2, 2024.
3. Motion approving a Final Plat of Overstreet Addition, Section 13, being a plat of a 0.908-acre tract of land located in Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection King Street and East Taylor Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
4. Motion approving a Final Plat of West End Addition, Section 35, being a replat of Lots 10, 11, and 12, Block 62, West End Addition, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of West Front Avenue and South G Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
5. Motion approving a Final Plat of Fairgrounds Addition, Section 8, being a replat of Lots 7, 8 and 9, Block 10, Fairgrounds Addition, City and County of Midland, Texas. (Generally located on the west side of Wolfcamp Circle, approximately 500-feet north of Mulberry Lane.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
6. Motion approving a Final Plat of Zoo Midland being a replat of a 51.11-acre portion of Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas. (Generally located north of Homestead Boulevard, approximately 480 feet east of Homeland

Drive.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

7. Motion approving a Final Plat of Church of the Foursquare Gospel Addition, being a replat of Lots 10 through 13, Block 8, Kelview Heights Addition, and Lot 2-A, Block 18, Kelview Heights Addition, Section 2, City and County of Midland, Texas. (Generally located on the south side of Alta Avenue, approximately 66 feet east of North Pecos Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
8. Motion approving a Final Plat of Campgrounds Addition, Section 3 being a replat of Lot 5, Block 1, Campgrounds Addition, Section 2, Midland County, Texas. (Generally located on the north side of West County Road 157, approximately 810-feet west of South County Road 1270.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**
9. Motion approving a Final Plat of GM Industrial Addition, being a plat of a 25.00-acre tract of land out of Block 38, T-2-S, Joe Newcomer Preemption Survey, 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)**

PUBLIC HEARINGS

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

10. Hold a public hearing and consider a request by Newton Engineering, PC, on behalf of Midland Habitat for Humanity, for a Zone Change from AE, Agricultural Estate District, to PD, Planned Development District, for Housing Development for a 17.18-acre tract of land located in Section 31, Block 38, T-1-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of North Fairgrounds Road and East Cynthia Drive.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
11. Hold a public hearing and consider a request by Louis Clay, for a zone change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 7, Block 22, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of South Calhoun Street and East New York Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
12. Hold a public hearing and consider a request by Obsidian Reality, on behalf of Archie Williams Jr., for a zone change from MF-22, Multi-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 9, Block 28, Moody Addition, City and County of Midland, Texas. (Generally located on the east side of North Madison Street, approximately 100 feet north of East Wall Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
13. Hold a public hearing and consider a request by Philly's Golf Club, LLC for a Specific Use Designation with Term for the sale of alcoholic beverages sales for on-premises consumption in a lounge, on Lot 2, Block 1, 349 Retail Addition, City and County of Midland, Texas. (Generally located on the west side of North Highway 349, approximately 330 feet north of Tejas.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

14. Motion approving, with staff's recommended conditions, a Preliminary Plat of New Frontier Addition, being a 17.18-acre tract of land located in the northwest quarter of Section 31, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of North Fairgrounds Road and East Cynthia Drive.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
15. Motion approving, with staff's recommended conditions, a Preliminary Plat of Longview Subdivision, Section 4, being a replat of all of Longview Subdivision, Section 2, Midland County, Texas. (Generally located on the southeast corner of the intersection of West County Road 50 and North County Road 1275.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**

Xavier Bauguess
Planning Division Manager
Department of Development Services

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

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES
December 2, 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 3:30 pm, December 02, 2024.

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

Commissioners absent: Emily Holeva, Adrian Carrasco

Staff members present: Alexis M. Martinez, Elizabeth Triggs, Daniel Humbert, Beatriz Quezada, Britton Murry, Madelim Jaquez, Sophie Smith

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

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

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)**

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

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)**

Planner Beatriz Quesada gave an overview of this project.

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

There was no one wishing to speak on this item.

The public hearing was closed at 3:40 p.m.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

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)**

Item was pulled for further review.

Commissioners did a verbal vote.

Motioned by Joshua Sparks.

Second by Steven Villela.

Motion passed to delete item number five from agenda.

7-0

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)**

Planner Beatriz Quesada gave an overview of this project.

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

Edgar Baldrige of 1611 Shell, expressed concerns regarding drainage.

Applicant Levi Bryand of 521 N Texas Ave, Odessa, Tx. Explained he was tasked with only the abandonment of the alley. Not pursuing any further plans.

Commissioner John Burkholder explained that the utility lines run where a fence would be placed.

The public hearing was closed at 3:53 p.m.

Joshua Sparks moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Carrasco

MISCELLANEOUS

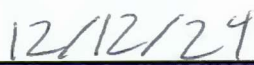
With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 3:54 pm

Lucy Sisniega, Chair

Date



Landon Ochoa, Planning Division Manager
Department of Development Services



Date



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a Final Plat of Overstreet Addition, Section 13, being a plat of a 0.908-acre tract of land located in Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection King Street and East Taylor Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

LI, Light Industrial District

Preliminary Plat Approval:

Maverick Engineering, on behalf of BBKG Investments, is requesting to plat a property located on East Taylor Avenue for ownership and future industrial development.

The preliminary plat was approved at the November 4, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

ROW: Refer to Transportation's Comment's. [For Applicant's Information Only.]

PAVING: Deferral request for paving improvements were administratively approved on 11/05/2024. [For Applicant's Information Only.]

WATER: 6" water exists in King Street W of tract, okay as is. No public water improvements required.

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 11/05/2024. [For Applicant's Information Only.]

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit.

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 11/05/2024. [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)

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 Overstreet Addition, Section 13.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-24-0772Case Number: P-24-2149**Proposed Subdivision Plat Name:** OVERSTREET ADDITION, SECTION 13**Legal Description (attached sealed Metes and Bounds):** A 0.908 ACRE TRACT OF LAND LOCATED IN SECTION 1, BLOCK 39, T-2-S, T&P RAILWAY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS**Property Owner**Printed Name: BBK INVESTMENTS, LLC

Phone (432) 262-0999

Email

Address 1500 RANKIN HIGHWAYCity MIDLANDState TXZip 79701**Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: MAVERICK ENGINEERINGPrinted Name: ASHLEE DEVINE

Phone (432) 262-0999

Email

adevine@maverick-eng.comAddress 1909 W WALL ST, SUITE KCity MIDLANDState TXZip 79701**Current Zoning:** LIGHT INDUSTRIAL DISTRICT**Reason for Platting:** OWNERSHIP - industrial type development**Plat Information**

Total Acreage: 0.908

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
- 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.

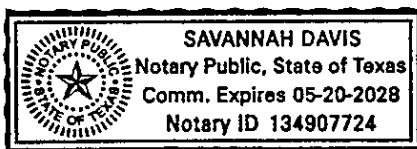
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Greg Williams (BBK6), the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Ashlee Devine
Authorized Agent (signature)

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

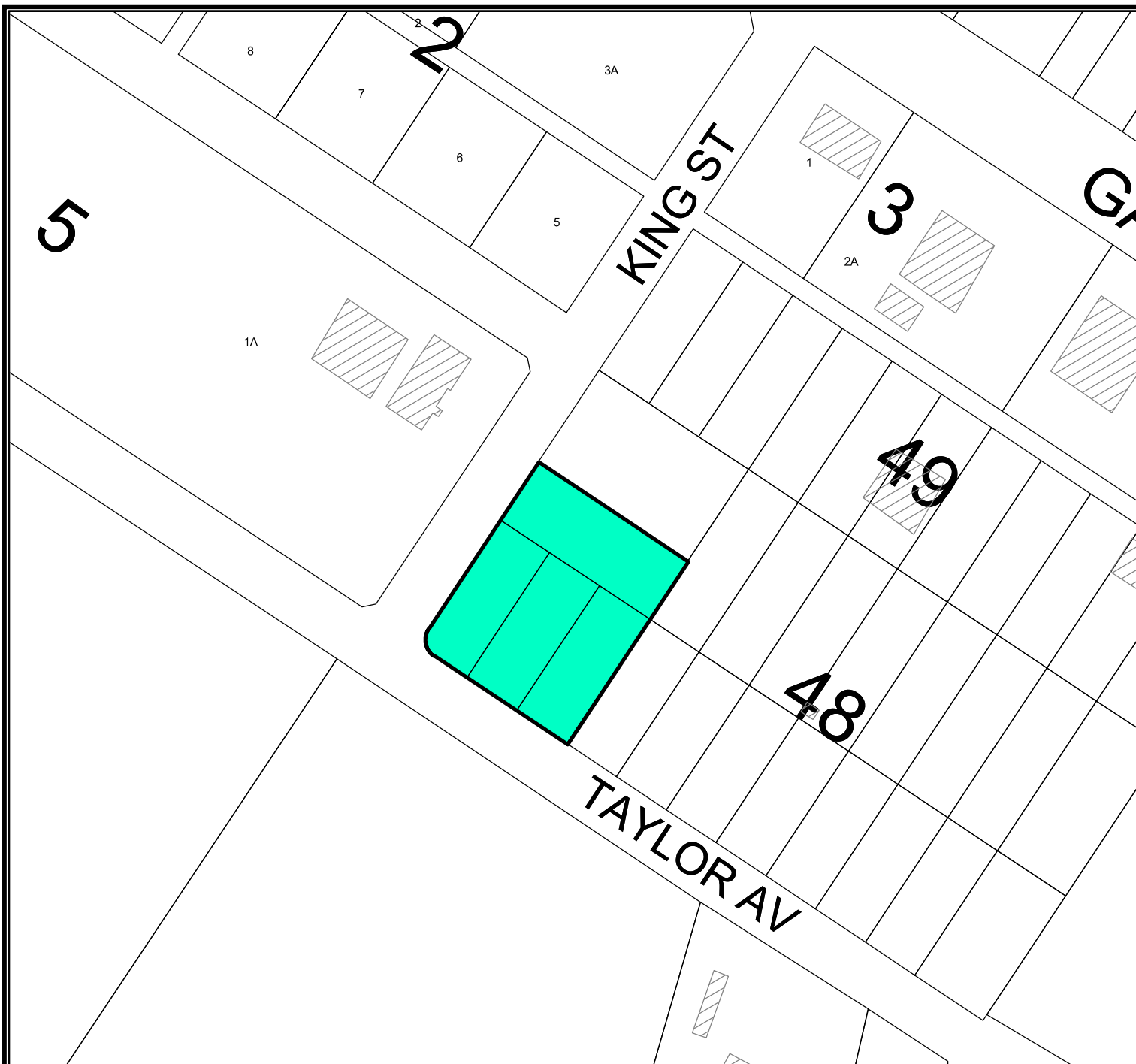
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☒ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>5026</u>	☒ Tax Certificates	Check # <u>5027</u>

Received By: Beth May

Date: **RECEIVED**
NOV 20 2024

BY:

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



Location Map

SUB-24-0772

Scale: 1" = 145'

Proposed plat of Overstreet Addition, Section 13, being a 0.908-acre tract of land located in Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection King Street and East Taylor Avenue. (Council District 2)

LEGEND

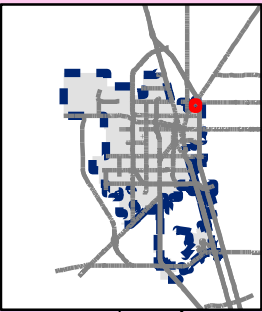
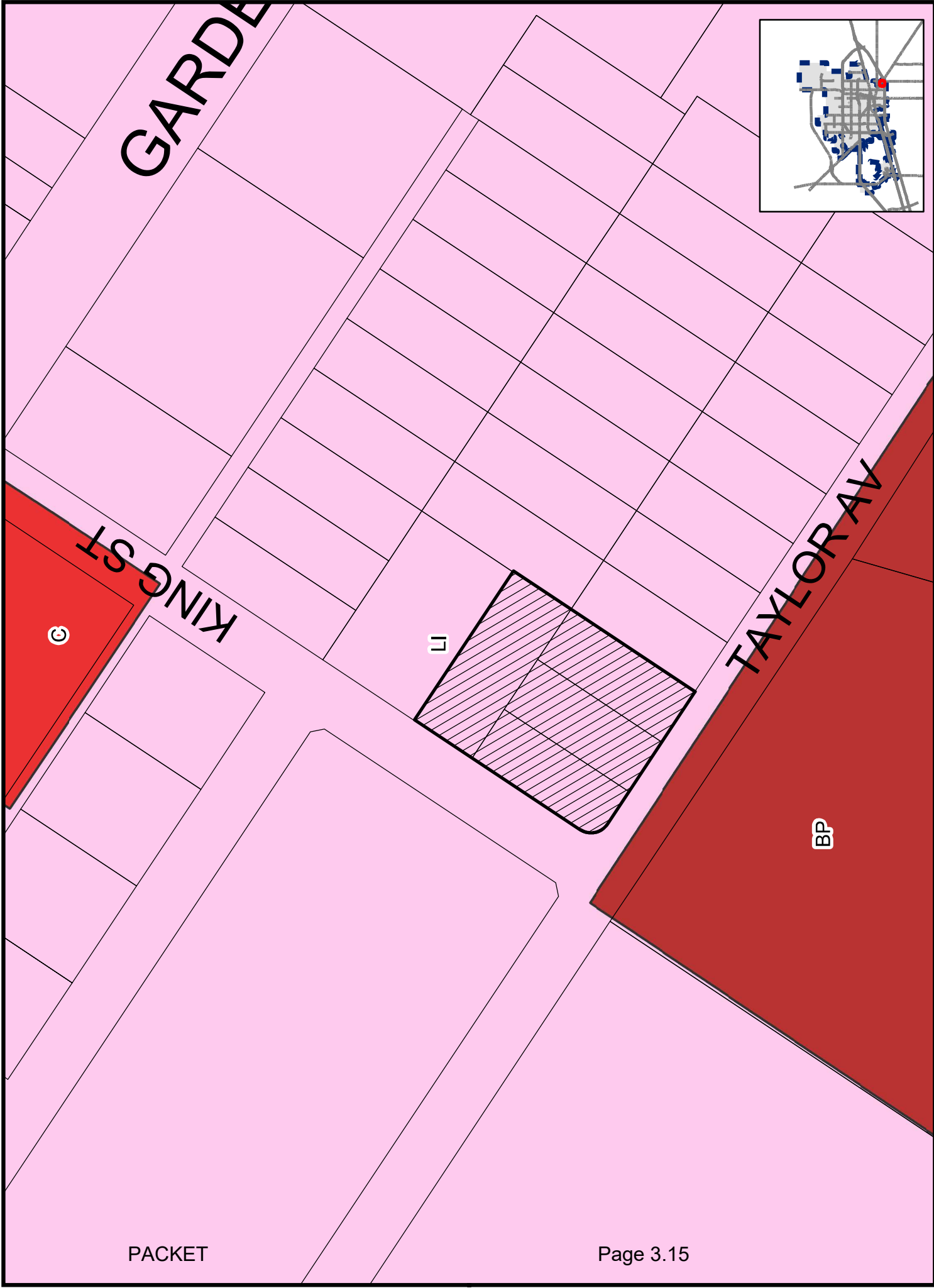
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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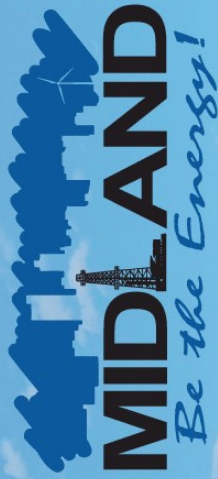
ZONING MAP

Scale: 1" = 121'

SUB-24-0772

Map BM, 8/29/2024





OVERSTREET ADDITION, SECTION 13

FINAL PLAT

December 16, 2024



Visit Our Website

MIDLANDTEXAS.GOV

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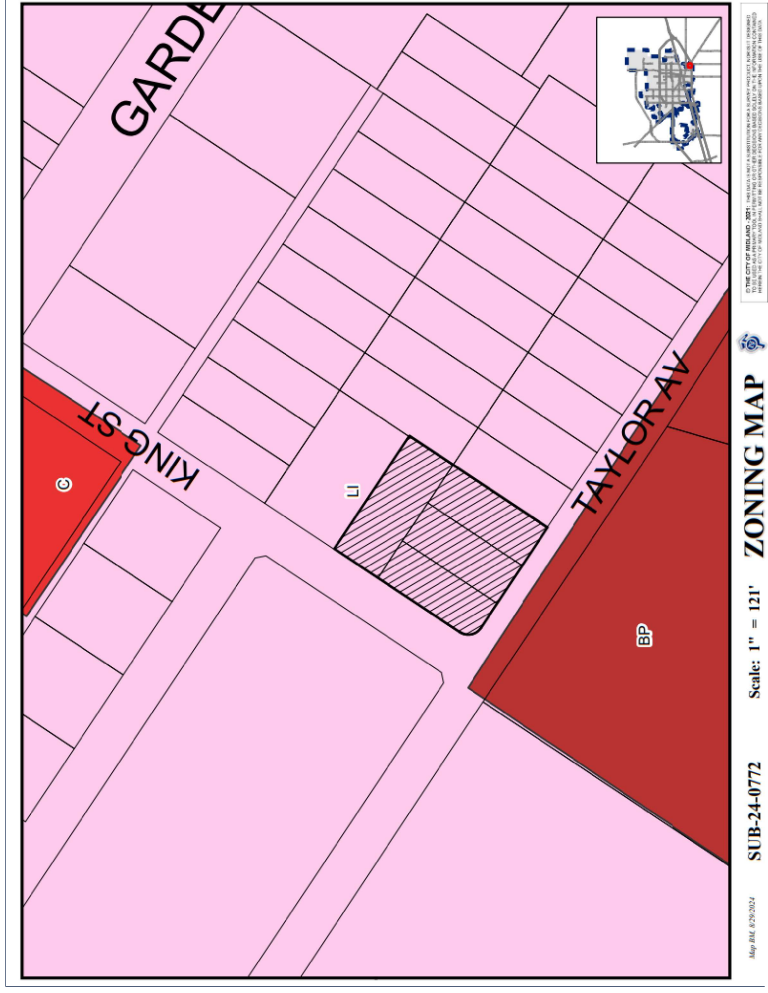


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ZONING

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



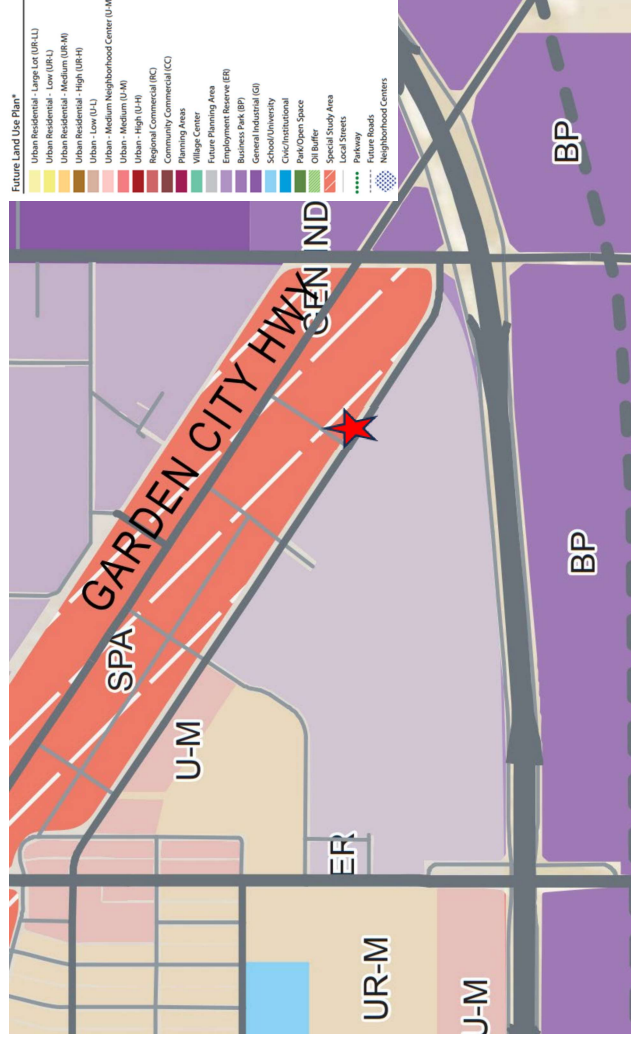
LAND USE

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



COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
SPA, Special Study Area
- **Supported Uses:**
 - This is a special study area and there are no policies established for this location.



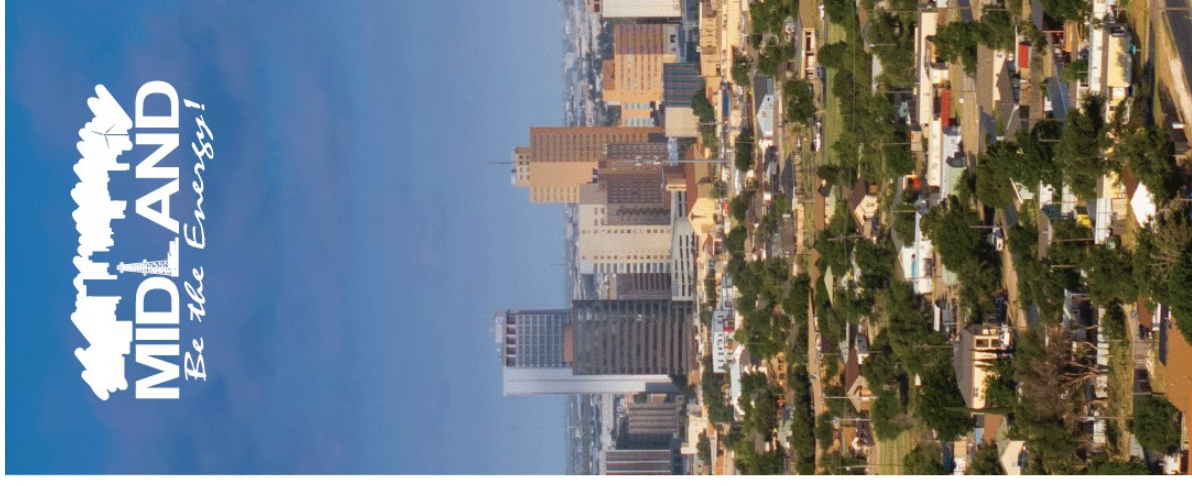
RELATED ITEMS

- The preliminary plat was approved at the November 4, 2024, Planning and Zoning Commission meeting.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of Overstreet Addition, Section 13.



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 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a Final Plat of West End Addition, Section 35, being a replat of Lots 10, 11, and 12, Block 62, West End Addition, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of West Front Avenue and South G Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

C, Commercial District

Preliminary Plat Approval:

Newton Engineering, on behalf of David Harrington, is requesting to replat a property located on West Front Street to combine three lots into one to add an addition to the current commercial development.

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: Front road is TxDOT facility, built and maintained by TxDOT, no improvements required. "G" roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 4" water exists in alley N 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 alley N of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

Transportation: (Approved)

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

Fire: (Approved)

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 West End Addition, Section 35.

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 End Addition, Section 35

Legal Description (attached sealed Metes and Bounds): _____
West End Addition, Section 35, being a replat of a Lots 10-12, Block 62, West End Addition,
City and County of Midland, Texas

Property Owner Printed Name: <u>David Harrington</u>		Phone (<u>432</u>) <u>770-3696</u>	
Address <u>1410 W. Front Street</u>		City <u>Midland</u>	State <u>TX</u>
		Zip <u>79701</u>	

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Newton Engineering, PC</u> Printed Name: <u>Kyle L. Newton, P.E.</u>		Phone (<u>432</u>) <u>935-0707</u>	
Address <u>4501A Santa Rosa Drive</u>		City <u>Midland</u>	State <u>TX</u>
		Zip <u>79707</u>	

Current Zoning: C

Reason for Platting: Create a single lot for development purposes.

Plat Information	Total Acreage: <u>0.41 acres</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>1</u>	Number of Multi-Family Dwelling Units: <u>0</u>

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):

David Harrington
David Harrington

Date: 11-18-2024

Property Owner (printed):

David Harrington

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 # 1896 | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # 1897 |

Received By: *B. JEC*

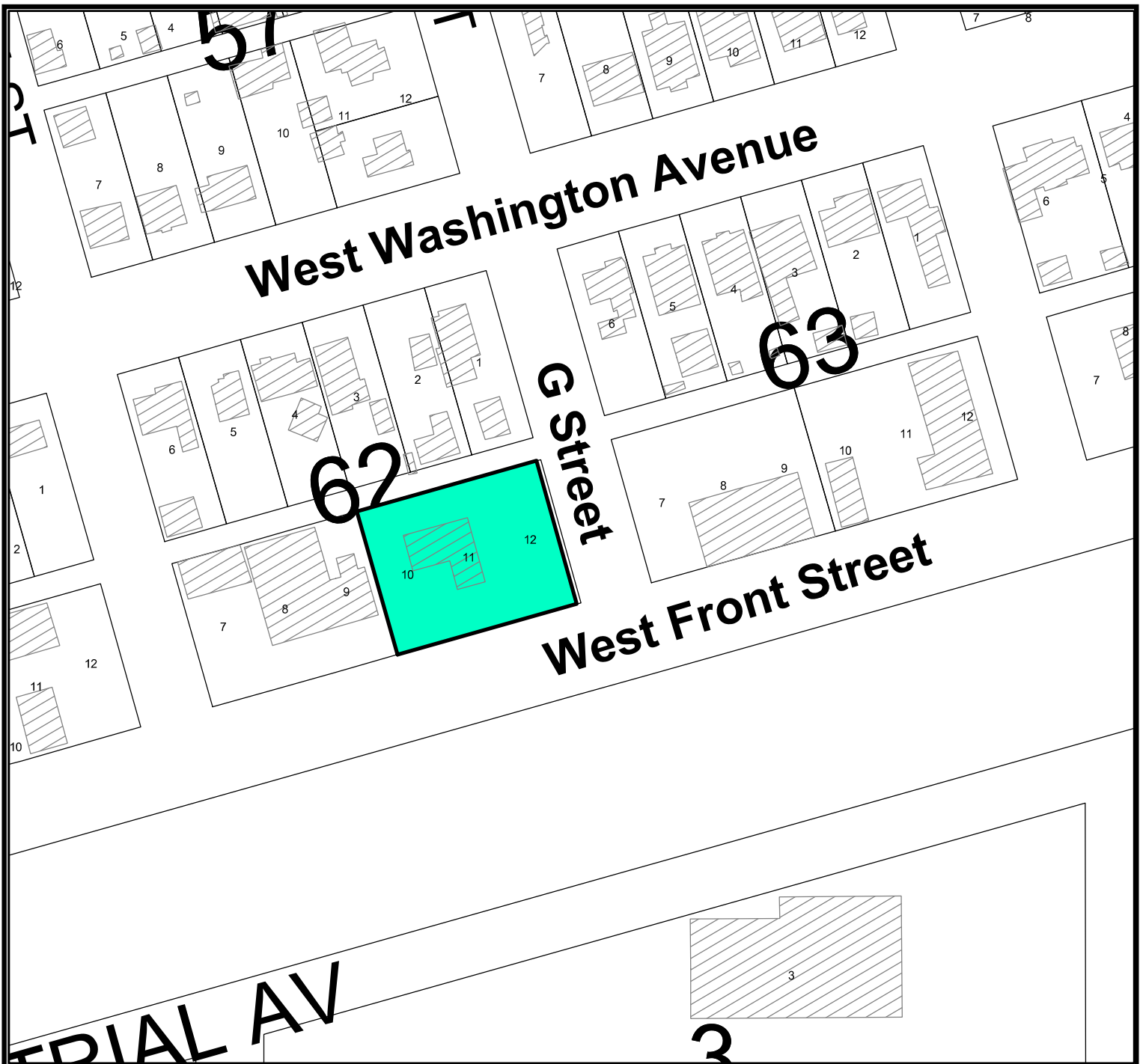
Date: *NOV 20 2024*

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

West Washington Avenue

G Street

West Front Street



Location Map

SUB-24-0767

Scale: 1" = 116'

Proposed plat of West End Addition, Section 33, being a replat of lot 10-12, Block 62, West Ends Addition, City and County of Midland, Texas.

Generally located at the northwest corner of the intersection of West Front Avenue and South G Street. (Council District 3)

LEGEND

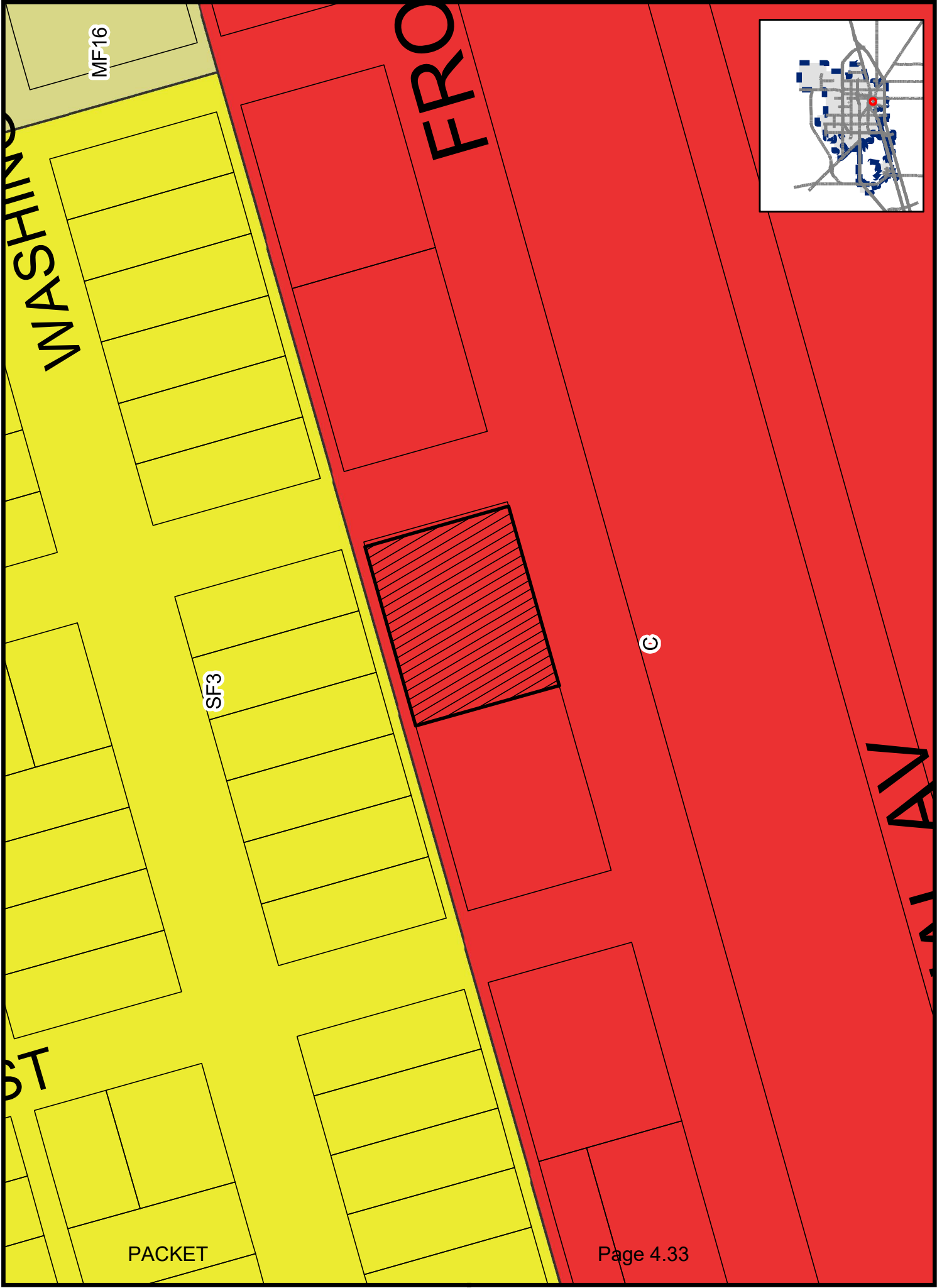
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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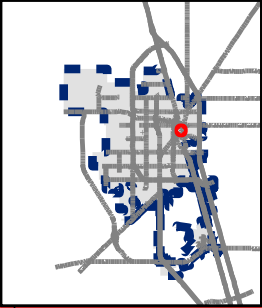
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



MF16

SF3

G



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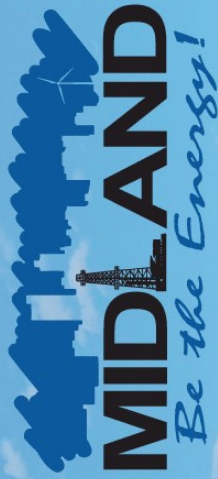
ZONING MAP

Scale: 1" = 97'

SUB-24-0767

Map BM, 8/27/2024





WEST END ADDITION, SECTION 35

FINAL PLAT

December 16, 2024

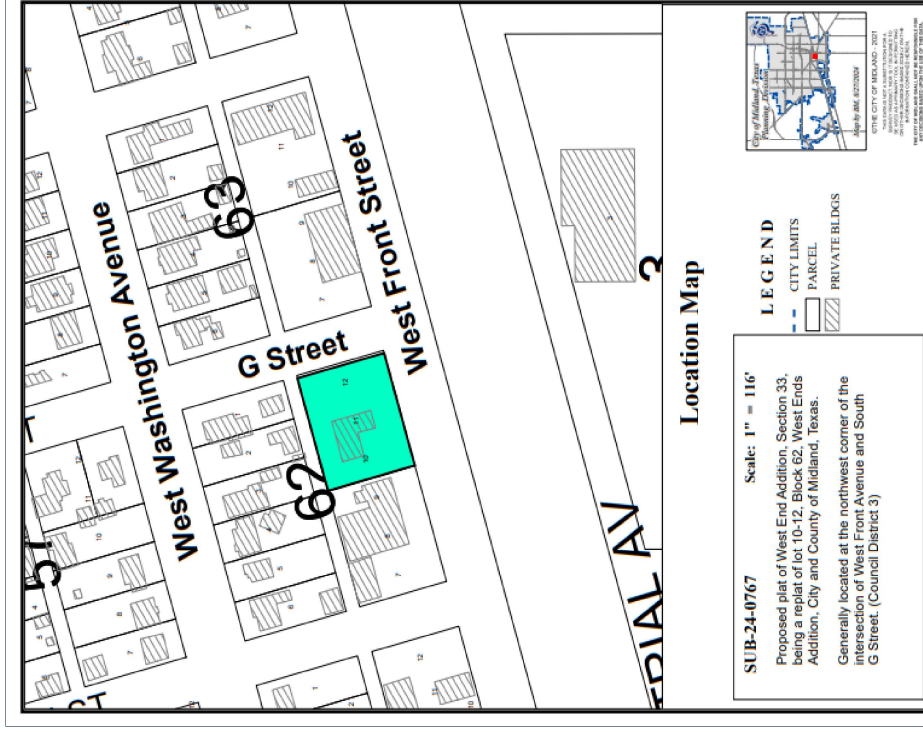


Visit Our Website

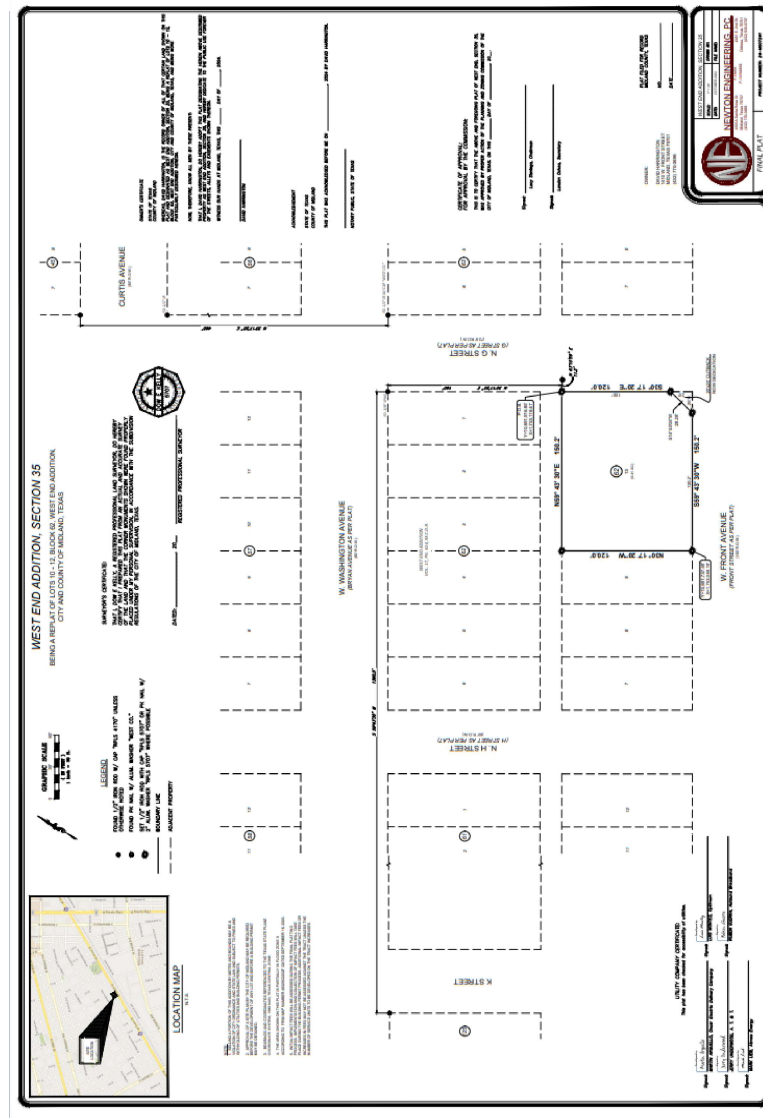
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner & Developer:** David Harrington
- **Representative:** Kyle Newton, with Newton Engineering
- **Application Type:** Final Plat
- **Address:** Generally located at the northwest corner of the intersection of West Front Avenue and South G Street. (Council District 3)

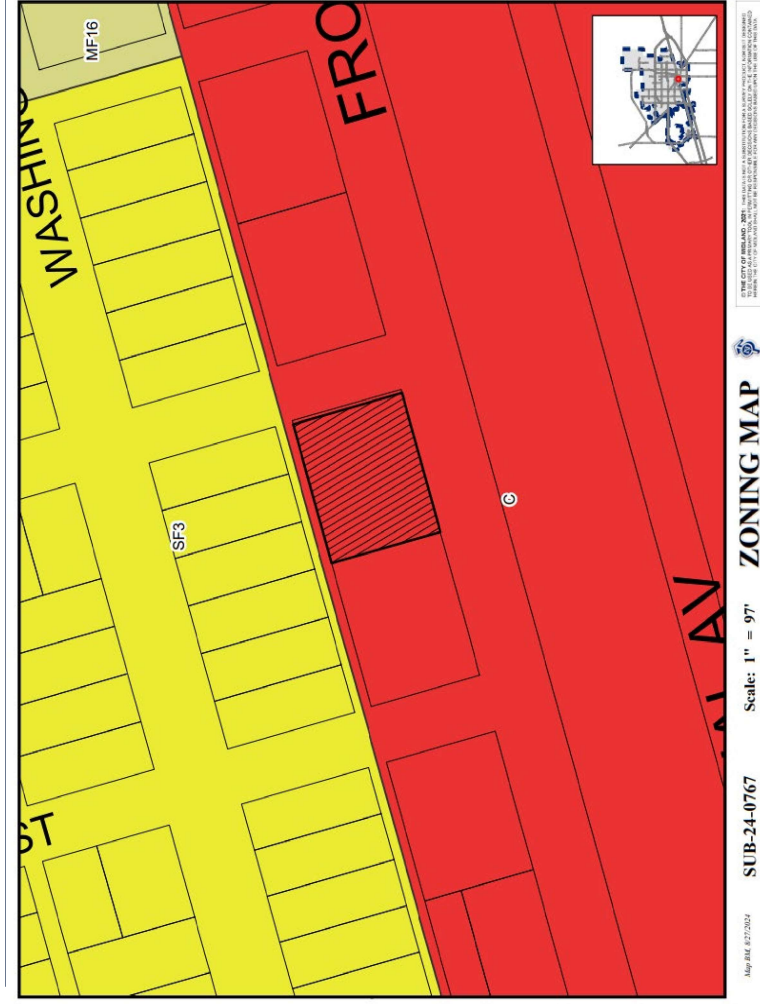


- Page 4.37



ZONING

- **Current Zoning:** C, Commercial District
- **Surrounding Zoning:**
 - **North:** SF-3, Single-Family Dwelling District
 - **South, East, & West:** C, Commercial District



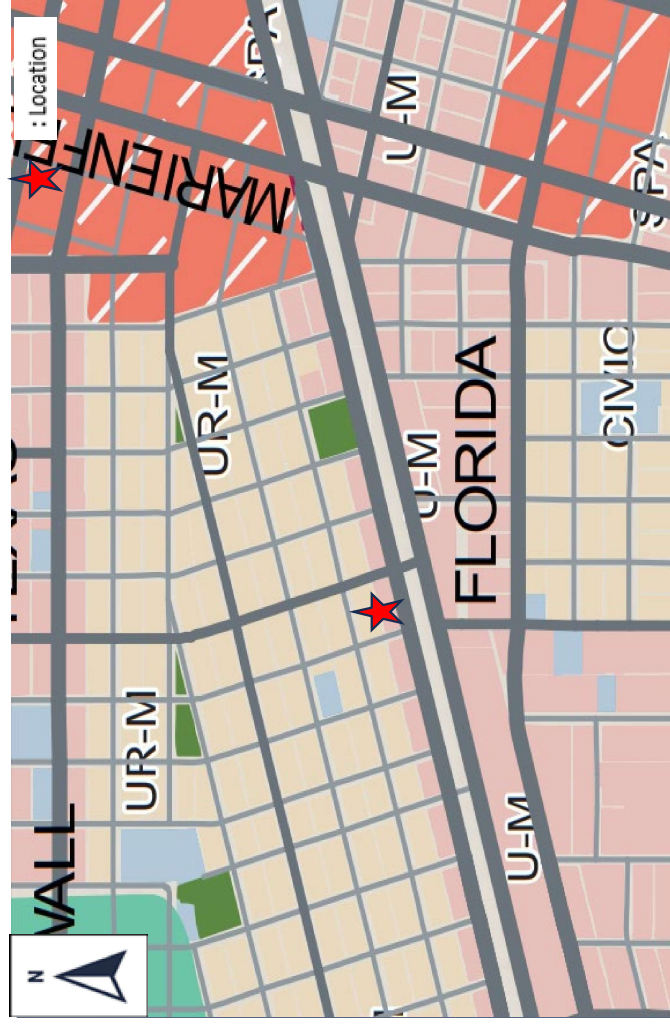
LAND USE

- **Current Use:** Auto Parts Store
- **Proposed Use:** Auto Parts Store
- **Surrounding Uses:**
 - North: Residential
 - South, West, & East: Commercial



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



COMPREHENSIVE PLAN ANALYSIS

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



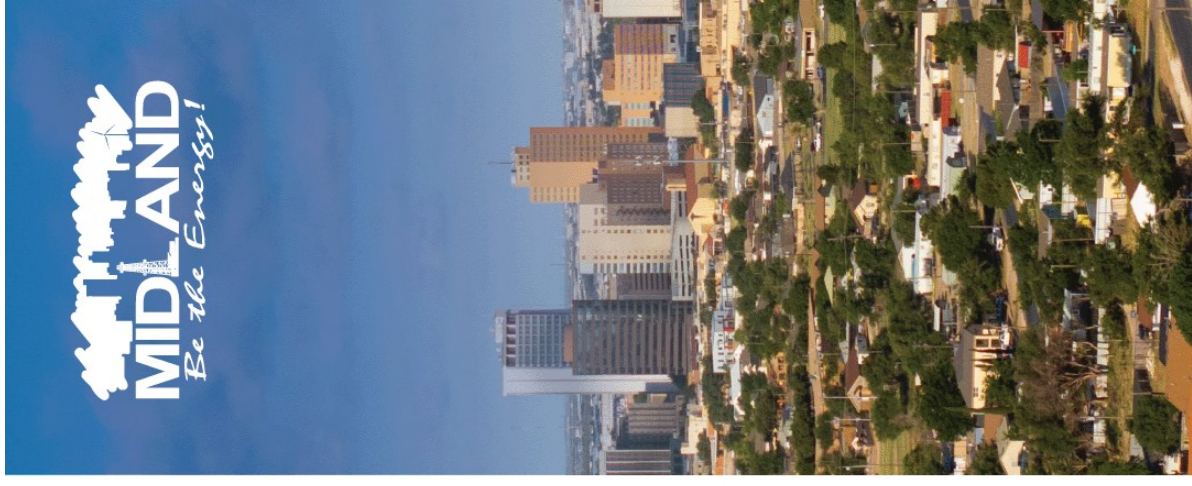
RELATED ITEMS

- 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 West End Addition, Section 35.



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 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a Final Plat of Fairgrounds Addition, Section 8, being a replat of Lots 7, 8 and 9, Block 10, Fairgrounds Addition, City and County of Midland, Texas. (Generally located on the west side of Wolfcamp Circle, approximately 500-feet north of Mulberry Lane.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

PD, Planned Development District for an Industrial District (Ordinance 8513)

Preliminary Plat Approval:

Maverick Engineering, on behalf of BBKG 2261, LLC, is requesting to replat a property located on Wolfcamp Circle to combine three lots into one for ownership purposes and future industrial development.

The preliminary plat was approved at the November 4, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 11/04/2024. [For Applicant's Information Only.]

WATER: Deferral request for water improvement were administratively approved on 11/04/2024. [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 11/04/2024. [For Applicant's Information Only.]

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit.

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 11/04/2024. [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)

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 Fairgrounds Addition, Section 8.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-24-0771Case Number: P-24-2148**Proposed Subdivision Plat Name:** FAIRGROUNDS ADDITION, SECTION 8**Legal Description (attached sealed Metes and Bounds):** BEING ALL OF LOTS 7, 8, AND 9, BLOCK 10, FAIRGROUNDS ADDITION, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS**Property Owner**Printed Name: BBKG 2261, LLC

Phone (432) 262-0999

Email

Address PO BOX 32240City MIDLANDState TXZip 79705**Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: MAVERICK ENGINEERINGPrinted Name: ASHLEE DEVINE

Phone (432) 262-0999

Email

adevine@maverick-eng.comAddress 1909 W WALL ST, SUITE KCity MIDLANDState TXZip 79701**Current Zoning:** PD**Reason for Platting:** OWNERSHIP - Industrial type development**Plat Information**Total Acreage: 1.94Type: ☐ 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
- 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):

Greg Williams

Date: 11/20/24

Property Owner (printed):

Greg Williams

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.

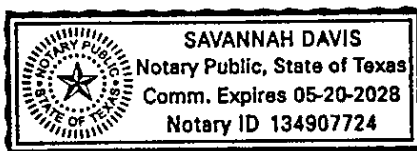
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Ashlee Devine
Authorized Agent (signature)

Subscribed and sworn to before me, this 20th day of November, 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	☒ 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>5022</u>	☒ Tax Certificates	Check # <u>5023</u>

Received By: B. H. M. J.

Date: **RECEIVED**
NOV 20 2024

BY:

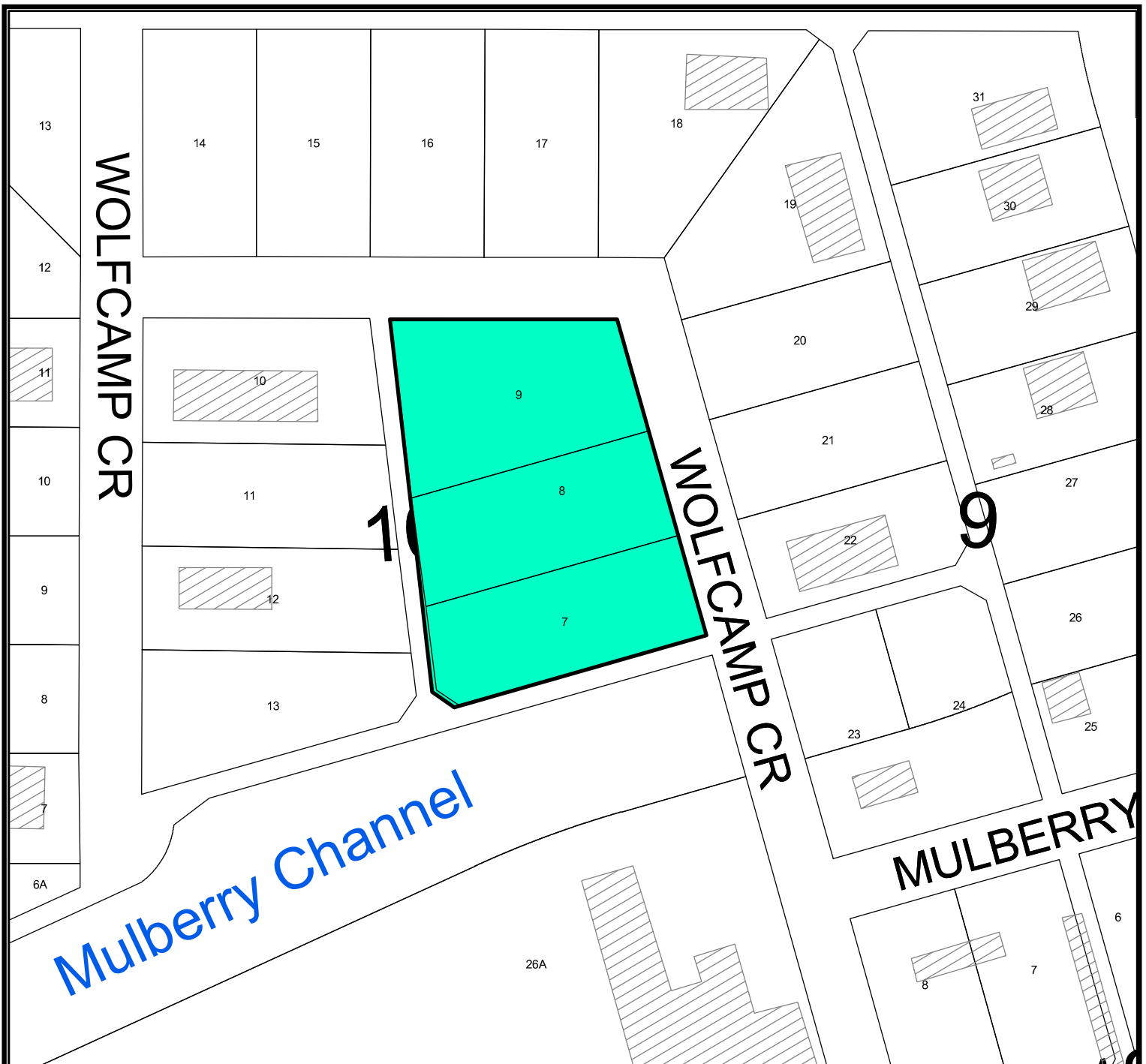
****Application will not be considered for scheduling until reviewed by a planner.****

PACKET

Page 5.51



FAIRGROUNDS ADDITION SECTION 8



Location Map

SUB-24-0771

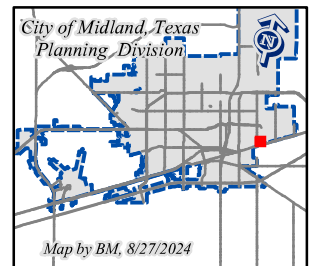
Scale: 1" = 139'

Proposed plat of Fairgrounds Addition, Section 8, being a replat of lots 7-9, Block 10, Fairgrounds Addition, an addition to the City and County of Midland, Texas.

Generally located on the west side of Wolfcamp Circle, approximately 500 feet north of Mulberry Lane.
(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.

SAN ANDRES DR

MULBERRY LN

WOLFCAMP CR

Mulberry Channel

WOLFCAMP CR

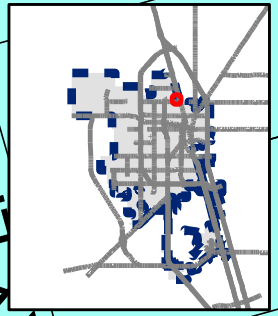
PD

PD

TP

PACKET

Page 5.53



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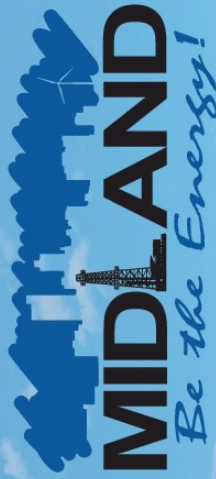
ZONING MAP

Scale: 1" = 121'

SUB-24-0771

Map BM, 8/27/2024





FAIRGROUNDS ADDITION, SECTION 8

FINAL PLAT

December 16, 2024

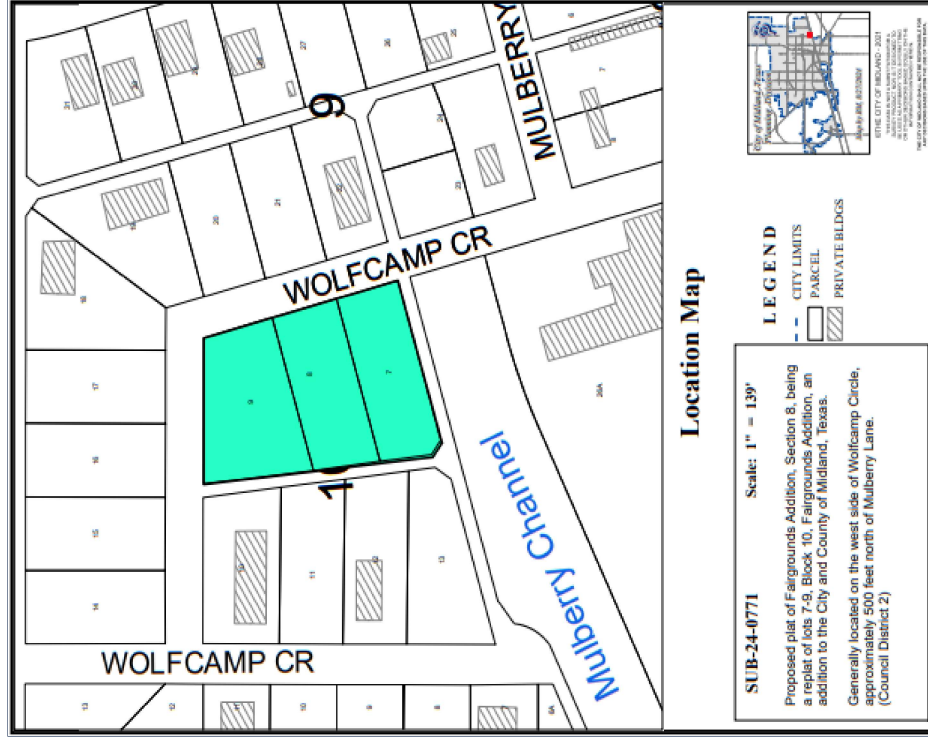


Visit Our Website

MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner & Developer:** BBKG 2261, LLC
- **Representative:** Ashlee Devine, with Maverick Engineering
- **Application Type:** Final Plat
- **Address:** Generally located on the west side of Wolfcamp Circle, approximately 500-feet north of Mulberry Lane. (Council District 2)



- 

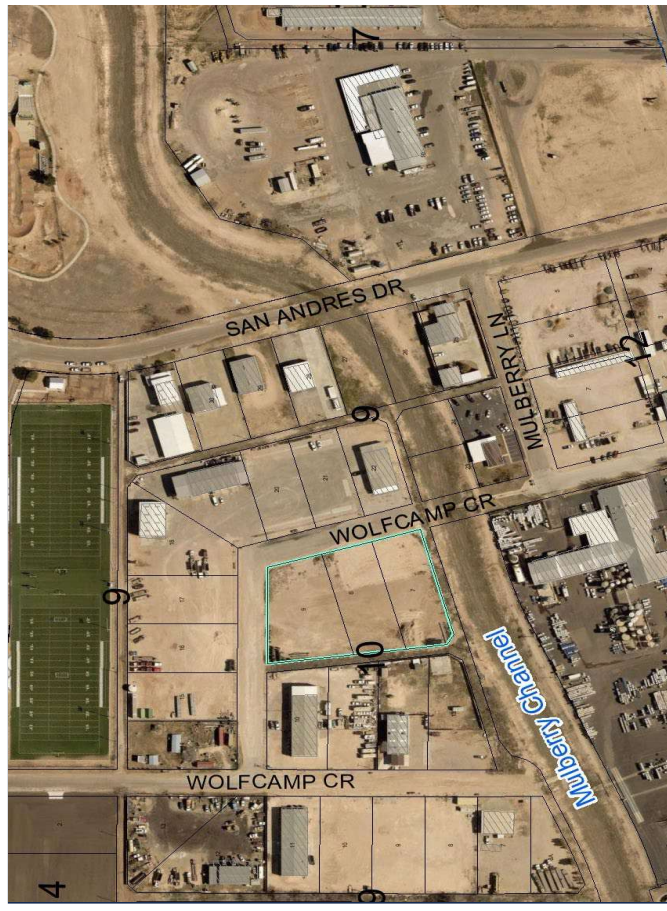


- Page 5.58



LAND USE

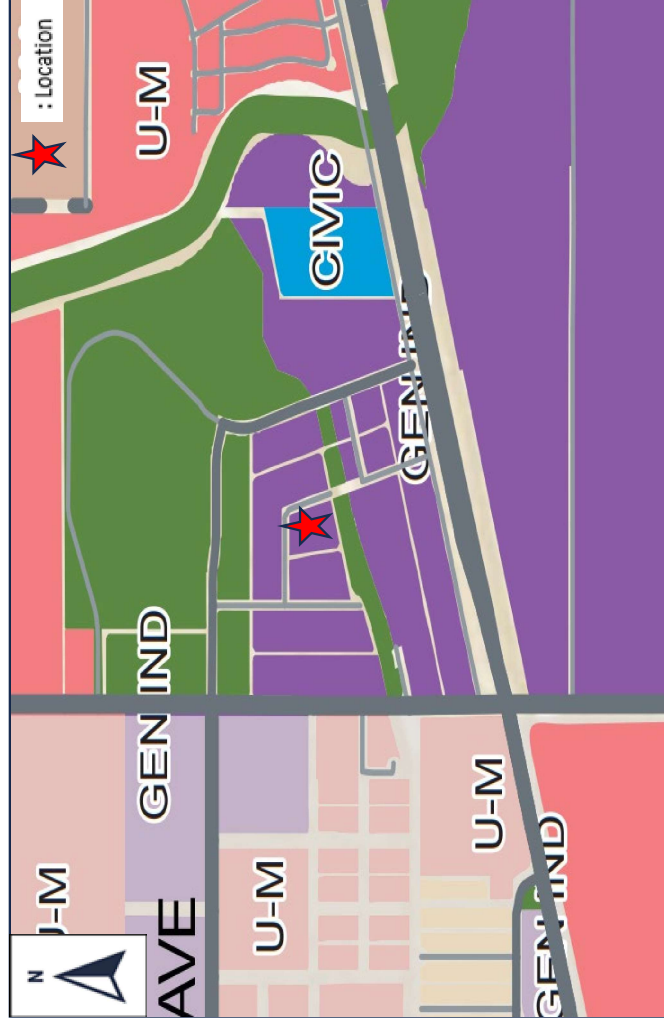
- **Current Use:** Vacant
- **Proposed Use:** Industrial
- **Surrounding Uses:**
 - North, South, East, & West: Industrial



COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
 - General Industrial (GI)
- **Supported Uses:**
 - Supports all types of industrial developments such, manufacturing and warehouse distribution.
- Land use is **compatible** with surrounding area & TCT Plan

6



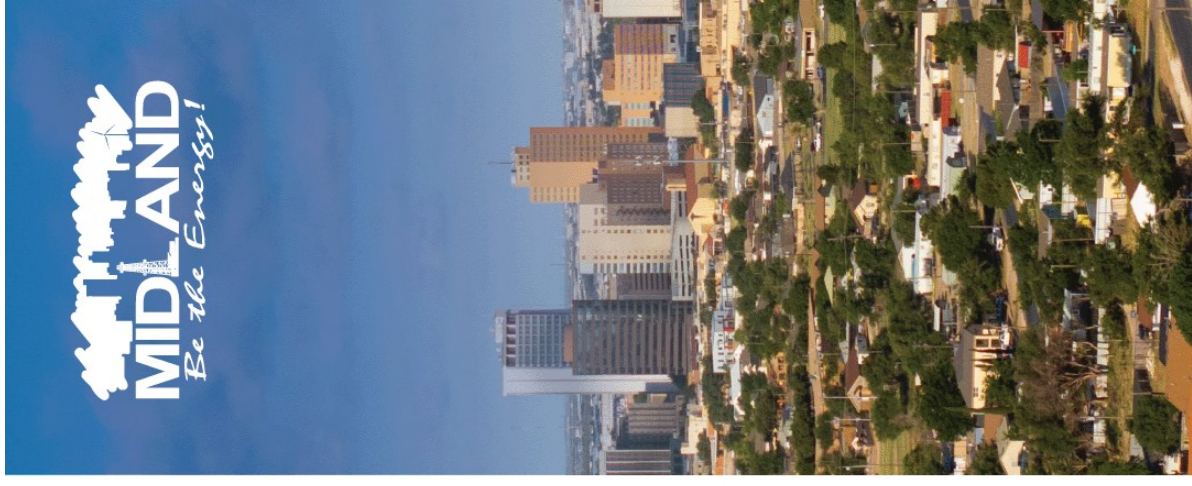
RELATED ITEMS

- The preliminary plat was approved at the November 4, 2024, Planning and Zoning Commission meeting.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of Fairgrounds Addition, Section 8.



MISSION

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

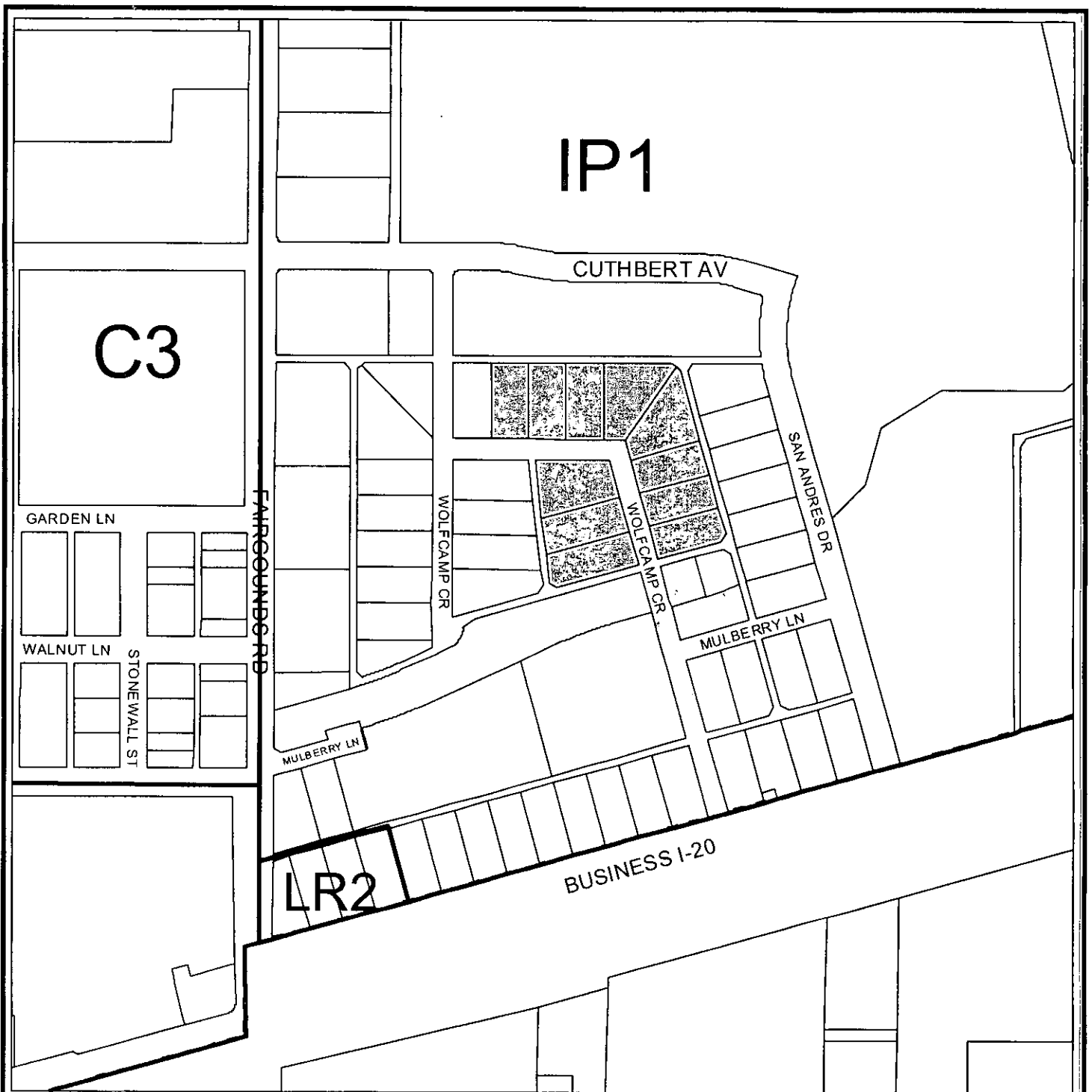
ORDINANCE NO. 8513

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOTS 15 - 22, BLOCK 9, AND LOTS 7 - 9, BLOCK 10, FAIRGROUNDS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS WHICH IS PRESENTLY ZONED IP-1, INDUSTRIAL PARK DISTRICT TO BE USED AS A PD, PLANNED DISTRICT FOR AN INDUSTRIAL DISTRICT; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned IP-1, Industrial Park District, and it shall be used as a PD, Planned District for an Industrial District, subject to the special conditions and restrictions hereinafter set out, said property being described as follows:



ZONING MAP

Z - 07 - 004

Scale: 1" = 400'

Consider a request for a zone change from IP-1, Industrial Park District, to PD, Planned District for an Industrial District on Lots 15 - 22, Block 9 and Lots 7 - 9, Block 10, Fairgrounds Addition, City and County of Midland, Texas.

LEGEND

	ZONING		CITY PARCELS		COUNTY PARCELS
	SPECIFIC USE PERMITS		CITY LIMITS		PUBLIC BLDGS

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, 02	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2, LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP, IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY



Lots 15 - 22, Block 9, and Lots 7 - 9, Block 10, Fairgrounds Addition, City and County of Midland, Texas.

SECTION TWO. That the use of this property shall conform to the IP-1, Industrial Park District, with the exception that this property shall be exempt from the regulations of Title XI, Chapter 10 of the Midland City Code, regarding the prohibition of metal exteriors of buildings.

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

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

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 27th day of February, A.D., 2007; and passed to second reading on motion of Council member Morgan, seconded by Council member Dufford, by the following vote:

Council members voting "AYE": Morgan, Dufford, Perry, Dingus, Canon, Simpson and Hailey

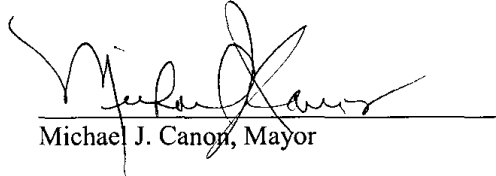
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Morgan, seconded by Council member Hailey, on the 20th day of March, A.D., 2007, at a regular meeting of the City Council:

Council members voting "AYE": Morgan, Hailey, Dingus, Canon, Simpson and Dufford

Council members voting "NAY": None

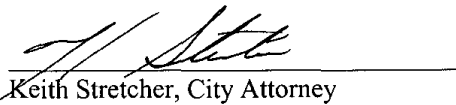
PASSED AND APPROVED THIS 20th day of March, A.D., 2007.


Michael J. Canon, Mayor

ATTEST:


Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:


Keith Stretcher, City Attorney



City Council Agenda

30

Approved for Agenda:

MJohnston

City Manager's Office

MEETING DATE: February 27, 2007

TO: CITY COUNCIL/CITY MANAGER

FROM: Cameron Walker, Planning Division Manager

SUBJECT: Z-07-004; Don Kimbrell

Purpose:

Hold a public hearing at 11:12 a.m. and consider an ordinance on a request by Don Kimbrell for a zone change from IP-1, Industrial Park District to PD, Planned District for an Industrial District.

Recommended City Council Action

☒ Approve

☐ Deny

☐ Direction/Informational

Fiscal Impact:

N/A

Discussion:

This property is zoned IP-1, Industrial Park District, which allows manufacturing and wholesale operations. As is typical for these types of businesses, most of the development in the area has been with metal shops and warehouse-type structures. In June of 2006, the City passed an ordinance regulating the exterior building materials of non-residential buildings in all zoning districts except the C-3, LI, and HI Districts. Since the IP District was not exempted, metal exterior materials are now prohibited.

The purpose of this request is to allow the landowner to construct a metal-exterior building (R-panel) on the property that would be similar to what is located nearby. We find no objection to this request given the character and building style in the area. A recent request for rezoning in this area was supported by both the Commission and the Council.

In order to treat other property owners in the IP-1 District equitably, we believe that the Zoning Code should be amended to make this district exempt from the requirement for alternative building materials, and it is our intent to present such a recommendation in the near future.

CDS

PLANNING AND ZONING COMMISSION

February 20, 2007

CASE: Z-07-004

REQUEST: Hold a public hearing and consider approval of a zone change from IP-1, Industrial Park District to PD, Planned District for an Industrial District.

APPLICANT/OWNER: Mr. Don Kimbrell.

LEGAL DESCRIPTION: Lots 15-22, Block 9, and Lots 7-9, Block 10, Fairgrounds Addition, City and County of Midland, Texas.

LOCATION: Both sides of Wolfcamp Circle, approximately 200 feet south of Cuthbert Avenue.

CURRENT ZONING: IP-1, Industrial Park District.

ASSOCIATED CASE: N/A.

DETAILS OF REQUEST:

1. This property is zoned IP-1, Industrial Park District. The uses allowed in this district include a wide range of manufacturing and wholesale operations. Many of the lots in this area, including property owned by Mr. Kimbrell, have been developed with warehouse type structures and storage yards for oil field and chemical related businesses. The reason for this zone change application is to allow the landowner to construct a metal building (R-panel) on the property similar to what is located nearby. In June of 2006 the City passed an ordinance regulating the exterior building materials of non-residential buildings but excepting certain districts. The IP-1 District is not exempted and; consequently metal exterior materials are not permitted. The remedy for this situation is for the landowner to apply for a PD and thereby be permitted to construct one or more metal exterior buildings. We find no objection to this request given the character and building style in the area. A recent request for rezoning in this area was supported by the Commission and the Council (2/13).

STAFF RECOMMENDATION:

We recommend approval of this request for a Planned District for Industrial District, subject to the following conditions:

- A. Use of this property shall conform to the IP-1, Industrial Park District except as indicated in B, below:
- B. This property is exempted from the regulations of Chapter 11-10 of the City Code regarding the prohibition of metal exteriors on buildings.



Cameron Walker, AICP
Planning Division Manager
Department of Development Services

Attachments:

Application
Maps

Case Number: Z-07-004

CITY OF MIDLAND
Planning Division

APPLICATION TO CHANGE ZONING CLASSIFICATION

Don Kimbrell 432/638-5575
Applicant Name Contact #s
P.O. Box 50187 MIDLAND TEXAS 79710
Address Zip Code

Don Kimbrell & George Humphrey 432/638-5575
Property Owner Name Contact #s
P.O. Box 50187 MIDLAND TEXAS 79710
Address Zip Code

Representative Name Contact #s

Address Zip Code

Street address and Legal Description of property (complete Lot, Block, and Subdivision, or if unplatted, attach a Metes and Bounds description with surveyor's seal). Describe by tracts if more than one zoning district is requested: _____

LOTS 7; 8; 9 Block 10 FAIRGROUNDS ADDN
LOTS 15; 16; 17; 18; 19; 20; 21; 22 Block 9 FAIRGROUNDS ADDN

PRESENT ZONE: 1P-1 REQUESTED ZONE: PD INDUSTRIAL DISTRICT
(List by tracts if more than one district is requested)

Reason for Zone Change or PD Amendment: _____
TO CONSTRUCT SHOP BUILDING - METAL WITH FORMED METAL EXTERIOR

Present Use of Property: ~~STORAGE~~ STORAGE YARD - CALICHE SURFACE

Proposed Use of Property: LIGHT FABRICATION

How will zone change affect the public health, safety and welfare? ADD JOBS;
INCREASE PROPERTY VALUE; INCREASE SALES + SALES TAX REVENUES

Describe how conditions affecting the property have changed since present zoning designation: _____
ALL SURROUNDING BUILDINGS ARE METAL CONSTRUCTION WITH
FORMED METAL EXTERIOR

Will a Specific Use Permit with Term for alcoholic beverages sales be needed: _____ Yes X No

APPLICATION FEES:

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

SITE PLAN SUBMITTALS (if applicable):

16 copies of the PD site plan: _____

Site Plan on a CD in .pdf and .jpg format: _____

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

Property Owner (signature): *[Signature]* Date: 2-8-07

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.

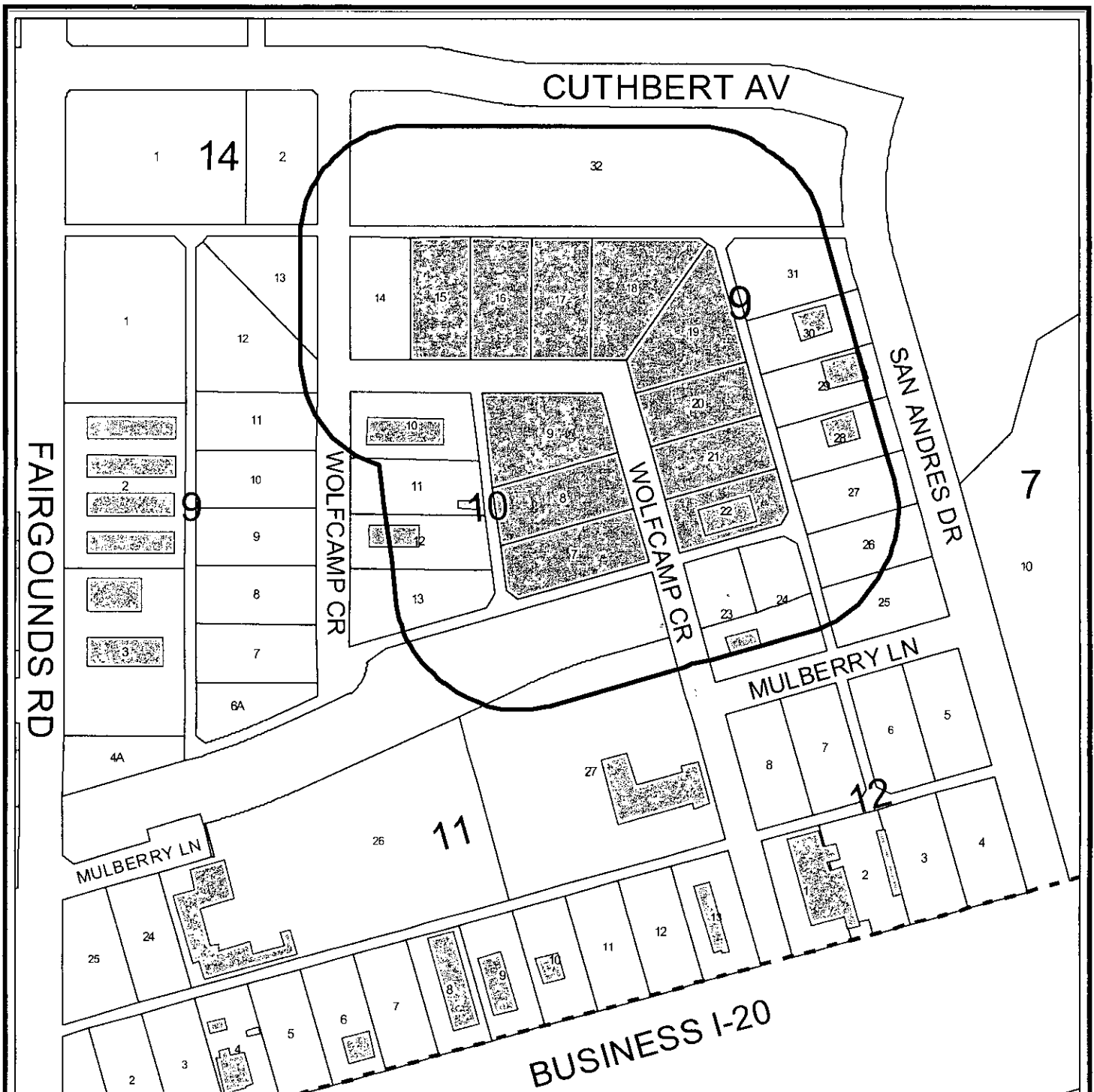
Authorized Agent (signature)

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	
Rec'd By: <u>CW</u>	Date: <u>2/14/07</u>
Assigned: <u>CW</u>	
For: <u>P&Z</u>	On: <u>2/20/07</u>

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



PROPERTY OWNER NOTIFICATION MAP

Z - 07 - 004

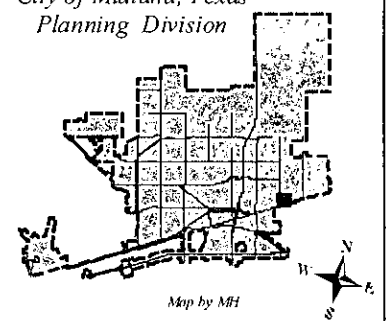
Scale: 1" = 250'

Consider a request for a zone change from IP-1, Industrial Park District, to PD, Planned District for an Industrial District on Lots 15 - 22, Block 9 and Lots 7 - 9, Block 10, Fairgrounds Addition, City and County of Midland, Texas.

LEGEND

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

City of Midland, Texas
Planning Division





Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving a Final Plat of Zoo Midland being a replat of a 51.11-acre portion of Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas. (Generally located north of Homestead Boulevard, approximately 480 feet east of Homeland Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

AE, Agricultural Estate District.

Preliminary Plat Approval:

Dunaway Associates, LLC, on behalf of Zoo Midland, Inc., a Texas not for profit corporation, is requesting to replat a 51.11-acre portion of Lot 1, Block 21, Grassland Estates, Section 16, into one lot for the future development of the Midland Zoo.

The Planning & Zoning Commission approved the preliminary plat for 132.075-acres on June 3, 2024.

Council approved the preliminary plat for 132.075-acres on June 25, 2024.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

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

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

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

PRO RATA: None.

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

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

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

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

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil & 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)

Legal description should say "Being a replat of X.XX acres out of Lot 1...."

Is a detention basin easement needed for eventual pond? (If not, disregard)

Provide documentation for dedication/vacations south/southeast of plat.

Planning: (Approved)

Certificate of Approval –

- "For Approval by the Commission"
- ~~Lot 1, Block 1,~~ Zoo Midland (only plat name)

Staff recommends approval of the Final Plat of Zoo Midland.

Conditions:

- A. Approval of this final plat is subject to all plat comments, conditions, and requirements must being satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]**

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: ZOO MIDLAND

Legal Description (attached sealed Metes and Bounds): Being a Replat of a Portion of Lot 1, Block 21
Grassland Estates Section 16 City and County of Midland, Texas

Property Owner Zoo Midland, Inc., a Texas not for profit corporation
 Printed Name: Contact: Chuck Harrington

Phone (432) 309-8415
 Email charrington@crowquest.com

Address 18 Desta Drive

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: Dunaway Associates, L.L.C. / Contact Melanie Martinez

Printed Name: Dunaway Associates, L.L.C.

Phone (432) 699-4889

Email

mmartinez@dunaway.com

Address 4000 N. Big Spring Street Suite 101

City Midland

State TX

Zip 79705

Current Zoning: AE**Reason for Platting:** To develop unused property, building permits will be required in the future**Plat Information**

Total Acreage: 51.11

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

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Keith N. Uhler

Date: 11-20-24

Property Owner (printed): Keith Uhler

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.

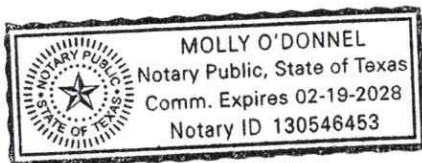
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Keith Uhler 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.

Molly H O'Donnell
Authorized Agent (signature)

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

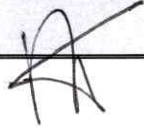


Molly H O'Donnell
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****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>1093</u> | ☐ Tax Certificates | Check # <u>1093</u> |

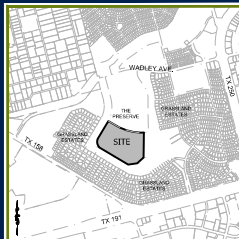
Received By: 

Date:

RECEIVED
NOV 20 2024

BY:

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



VICINITY MAP
NOT TO SCALE

SURVEYOR/ENGINEER NAME AND ADDRESS:

Name: Dunaway Associates
Address: 4000 N. Big Spring Street, Suite 101
Midland, TX 79705 Phone: 432-699-4885

OWNER NAME AND ADDRESS:

Name: Zoo Midland, Inc.
Address: 18 Dosta Drive, Midland, TX 79705
Phone: (432) 300-8415
Contact: Chuck Harrington
Email: charrington@crowquest.com

LEGEND

- Subdivision Boundary Line
- Right-of-Way Line
- Right-of-Way Center Line
- Easement Line
- Property Line
- Existing 100-year floodplain
- Proposed 100-year floodplain
- Set 5/8" iron rod with cap stamped "DUNAWAY ASSOC."
- (unless otherwise noted)

D.R.M.C.T. = Plat Records of Midland County, Texas
P.R.M.C.T. = Plat Records of Midland County, Texas
O.P.M.B.C.T. = Official Public Records of Midland County, Texas

OWNER'S CERTIFICATE

STATE OF TEXAS, COUNTY OF MIDLAND:

WHEREAS Zoo Midland, Inc., is the record owner of a tract of land situated in Section 35, Block 40, Township 1 South, T & P RR Co. Survey, Abstract No. 828, and in Section 35, Block 40, Township 1 South, T & P RR Co. Survey, Abstract No. 378, Midland County, Texas, being all of a called 51.097 acre tract of land described in Gift Deed to Zoo Midland, Inc., as recorded in Document Number 2024-4562, Official Records of Midland County, Texas (O.R.M.C.T.), and being part of Lot 1, Block 21, Grassland Estates Section 16, an addition to the City of Midland, as recorded in Cabinet F, Page 157, Plat Records of Midland County, Texas (P.R.M.C.T.), said 51.11 acre parcel of land being more particularly described by metes and bounds as follows:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Zoo Midland, Inc., do hereby adopt this plat designating the herein above described property as ZOO MIDLAND, to the City of Midland, Texas, and we do hereby dedicate to the public use forever the streets, alleys, and easements shown hereon.

WITNESS our hands at Midland, Texas, this _____ day of _____, 20____

Representative name and title, ZOO MIDLAND, INC.

STATE OF TEXAS, COUNTY OF MIDLAND:

This instrument was acknowledged before me on this _____ day of _____, 20____
by _____ on behalf of Zoo Midland, Inc.

Notary Public Signature

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of Lot 1, Block 21, Zoo Midland was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2024.

Lucy Stuniga, Chairperson

Landon Ochso, Secretary

METES AND BOUNDS DESCRIPTION

BEING A 51.11 acre parcel of land situated in Section 35, Block 40, Township 1 South, T & P RR Co. Survey, Abstract No. 828, and in Section 35, Block 40, Township 1 South, T & P RR Co. Survey, Abstract No. 378, Midland County, Texas, being all of a called 51.097 acre tract of land described in Gift Deed to Zoo Midland, Inc., as recorded in Document Number 2024-4562, Official Records of Midland County, Texas (O.R.M.C.T.), and being part of Lot 1, Block 21, Grassland Estates Section 16, an addition to the City of Midland, as recorded in Cabinet F, Page 157, Plat Records of Midland County, Texas (P.R.M.C.T.), said 51.11 acre parcel of land being more particularly described by metes and bounds as follows:

COMMENCING from a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC." (herein referred to as "set 5/8-inch iron rod") for corner on the southerly right-of-way line of W. Wadley Avenue (100-foot width), being locatable by NAD83 Grid Coordinates N=10,699,648.73, E=1,727,385.43, and from which a found 1/2-inch iron rod with cap stamped "PIPER SURVEYING PLUS 1974" for corner on said southerly right-of-way line bears Southeasterly along a curve to the right, having a radius of 1,926.04 feet and whose chord bears South 80 degrees 27 minutes 10 seconds East, a distance of 417.62 feet, and through a central angle of 12 degrees 26 minutes 35 seconds, an arc length of 418.28 feet;

THENCE departing the southerly right-of-way line of said W. Wadley Avenue and crossing said Lot 1 the following courses and distances:

South 00 degrees 00 minutes 00 seconds East, a distance of 167.44 feet to a set 5/8-inch iron rod for corner at the beginning of a curve to the left, having a radius of 340.03 feet and whose chord bears South 16 degrees 41 minutes 54 seconds East, a distance of 105.41 feet;

Southeasterly, along said curve to the left, through a central angle of 33 degrees 23 minutes 48 seconds and an arc length of 198.20 feet to a set 5/8-inch iron rod for corner at the end of said curve;

South 33 degrees 23 minutes 48 seconds East, a distance of 501.29 feet to a set 5/8-inch iron rod for corner at the beginning of a curve to the right, having a radius of 640.06 feet and whose chord bears South 02 minutes 51 seconds East, a distance of 360.34 feet;

Southeasterly, along said curve to the right, through a central angle of 32 degrees 41 minutes 54 seconds and an arc length of 365.28 feet to a set 5/8-inch iron rod for corner at the end of said curve;

South 00 degrees 41 minutes 53 seconds East, a distance of 1,447.00 feet to a set 5/8-inch iron rod for corner at the beginning of a curve to the right, having a radius of 2,087.03 feet and whose chord bears South 84 degrees 49 minutes 41 seconds East, a distance of 186.44 feet;

THENCE Southwesterly, continuing across said Lot 1 and along said curve to the right, through a central angle of 05 degrees 03 minutes 55 seconds, and an arc length of 184.50 feet to a found 1/2-inch iron rod with cap stamped "ASB 5689" (herein referred to as "found 1/2-inch iron rod") for corner at the end of said curve and the POINT OF BEGINNING, being locatable by NAD83 Grid Coordinates N=10,699,067.84, E=1,727,657.67, and being the northerly corner of said Zoo Midland tract;

THENCE continuing across said Lot 1 along the easterly, southerly, westerly, and northerly lines of said Zoo Midland tract the following courses and distances:

South 00 degrees 25 minutes 39 seconds West, a distance of 1,022.41 feet to a found 1/2-inch iron rod for corner;

South 48 degrees 05 minutes 44 seconds West, a distance of 356.59 feet to a found 1/2-inch iron rod for corner;

South 81 degrees 21 minutes 19 seconds West, a distance of 375.31 feet to a found 1/2-inch iron rod for corner;

North 58 degrees 58 minutes 27 seconds West, a distance of 1,389.90 feet to a found 1/2-inch iron rod for corner at the beginning of a curve to the right, having a radius of 339.46 feet and whose chord bears North 08 degrees 59 minutes 55 seconds West, a distance of 334.58 feet;

Northwesterly, along said curve to the right, through a central angle of 62 degrees 58 minutes 09 seconds and an arc length of 373.07 feet to a found 1/2-inch iron rod for corner at the end of said curve;

North 30 degrees 55 minutes 49 seconds East, a distance of 840.29 feet to a found 1/2-inch iron rod for corner;

South 60 degrees 03 minutes 17 seconds East, a distance of 401.48 feet to a found 1/2-inch iron rod for corner at the beginning of a curve to the left, having a radius of 2,038.88 feet and whose chord bears South 76 degrees 19 minutes 56 seconds East, a distance of 1,142.25 feet;

THENCE Southeasterly, continuing across said Lot 1, along the northerly line of said Zoo Midland tract, and along said curve to the left, through a central angle of 32 degrees 33 minutes 17 seconds and an arc length of 1,158.47 feet to the POINT OF BEGINNING and containing 51.11 acres (or 2,226,252 square feet) of land, more or less.

SURVEYOR CERTIFICATE

STATE OF TEXAS

COUNTY OF MIDLAND

KNOW ALL MEN BY THESE PRESENTS, that I, Mark D. Yale, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this Plat from an actual survey of the land, and that the corner monuments shown hereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

Mark D. Yale
Registered Professional Land Surveyor
State of Texas, No. 5975
myale@dunaway.com



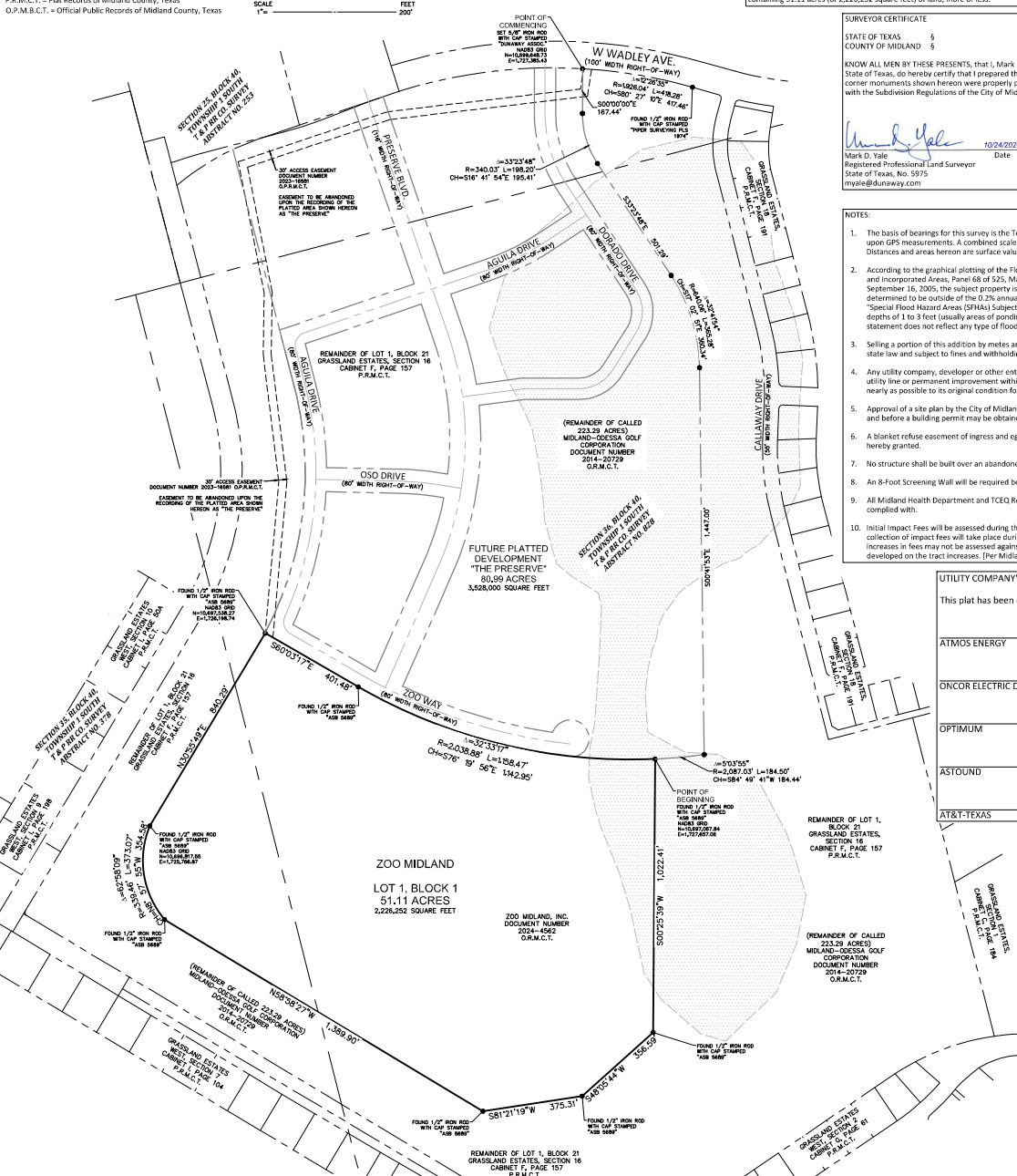
NOTES:

- The basis of bearings for this survey is the Texas State Coordinate System, Central Zone, based upon GPS measurements. A combined scale factor of 0.9999899 was used for this project. Distances and areas hereon are surface values.
- According to the graphical plotting of the Flood Insurance Rate Map for Midland County, Texas and Incorporated Areas, Panel 68 of 525, Map Number 48329C0068F, Map Revised Date: September 16, 2005, the subject property is located in Zone X (no screen), defined as "Areas determined to be outside of the 0.2% annual chance floodplain", and in Zone AH, defined as "Special Flood Hazard Areas (SFHA) Subject to Inundation by the 1% Annual Chance Flood: Flood depths of 1 to 3 feet (usually areas of ponding, Base Flood Elevations determined)." This statement does not reflect any type of flood study by this firm.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
- Any utility company, developer or other entity installing, repairing, maintaining or relocating a utility line or permanent improvement within utility easements must restore the premises as nearly as possible to its original condition following any such work at its sole expense.
- Approval of a site plan by the City of Midland may be required before the development of any lot and before a building permit may be obtained.
- A blanket refuse easement of ingress and egress for garbage and trash collection purposes is hereby granted.
- No structure shall be built over an abandoned well.
- An 8-Foot Screening Wall will be required between Residential and Commercially zoned property.
- 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.

ATMOS ENERGY	Print Name:
ONCOR ELECTRIC DELIVERY	Print Name:
OPTIMUM	Print Name:
ASTOUND	Print Name:
AT&T-TEXAS	Print Name:





CALLAWAY DR

21

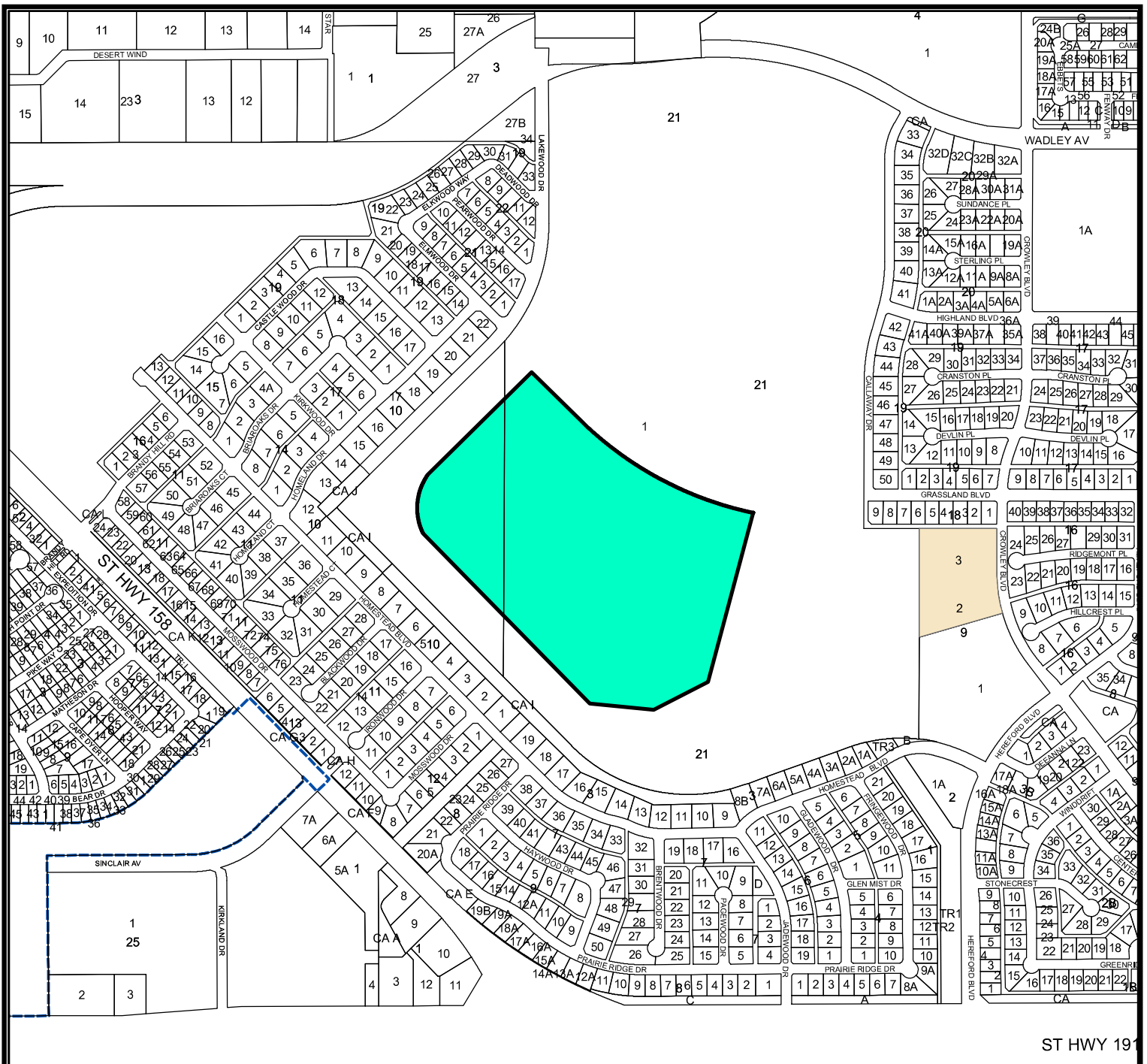
21

21

10

PACKET

Page 6.81



Location Map

P-24-2144

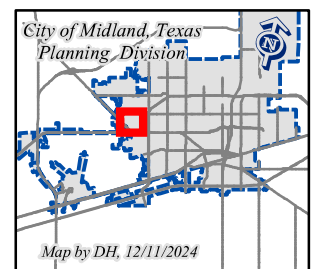
Scale: 1" = 842'

Motion approving a Final Plat of Zoo Midland being a replat of a 51.11-acre portion of Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas.

Generally located north of Homestead Boulevard, approximately 480-feet east of Homeland Drive.
(Council District 4)

LEGEND

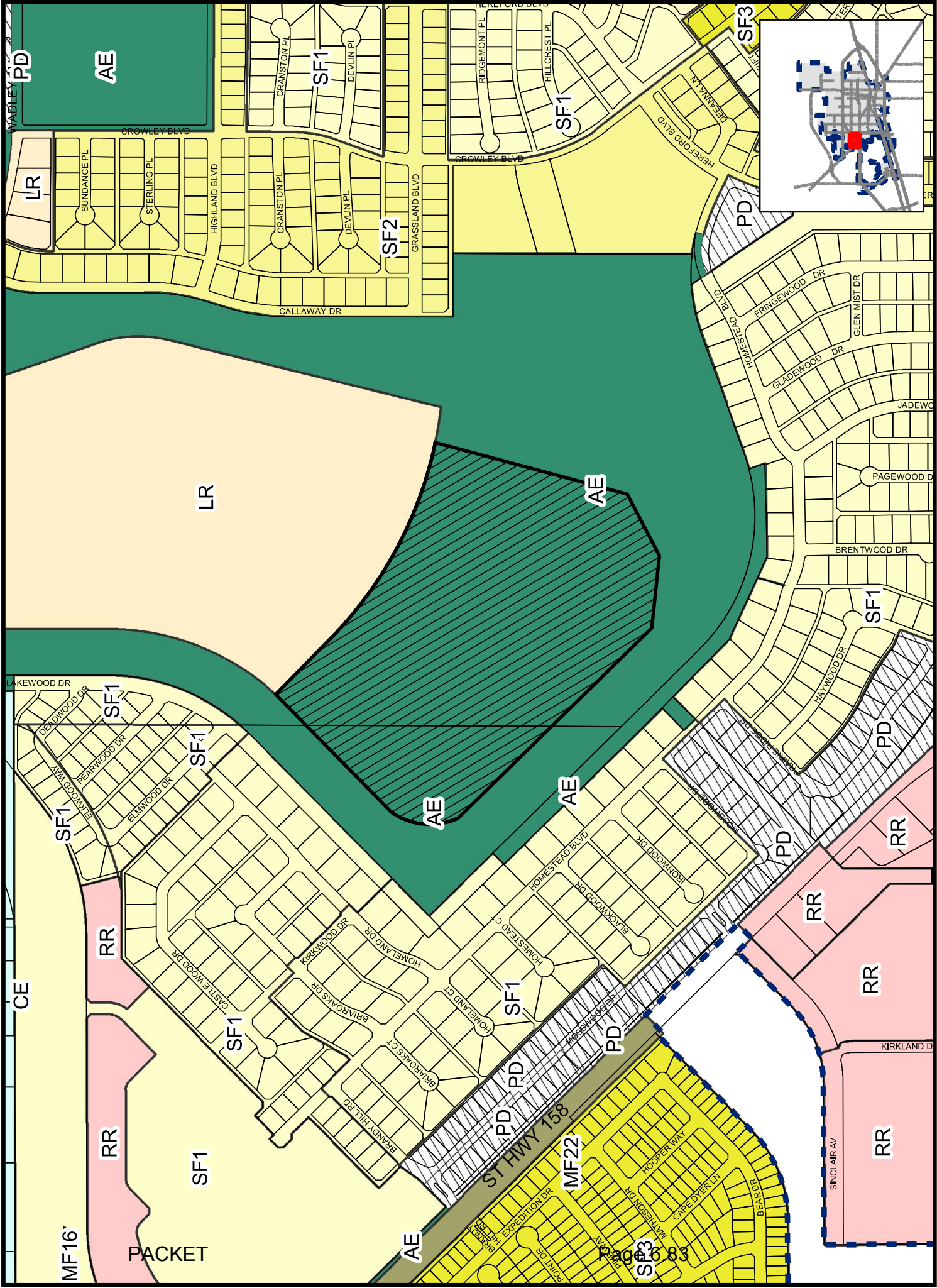
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



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ZONING MAP

Scale: 1" = 620'

P-24-2144

Map D11, 12/11/2024



ZOO MIDLAND

ITEM –
FINAL PLAT

December 16, 2024

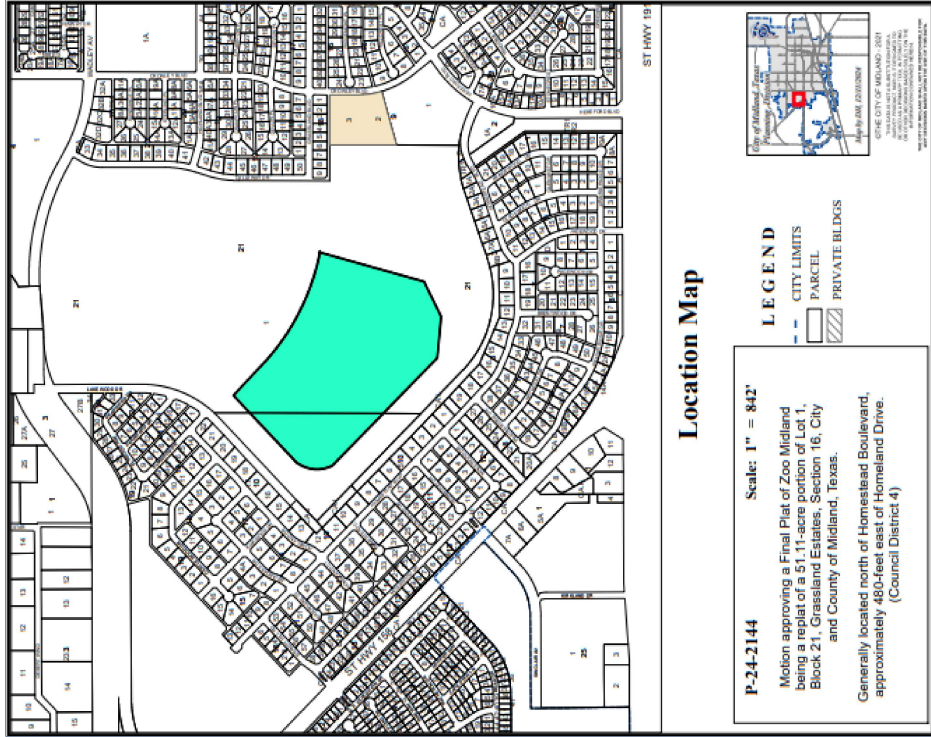


Visit Our Website

MIDLANDTEXAS.GOV

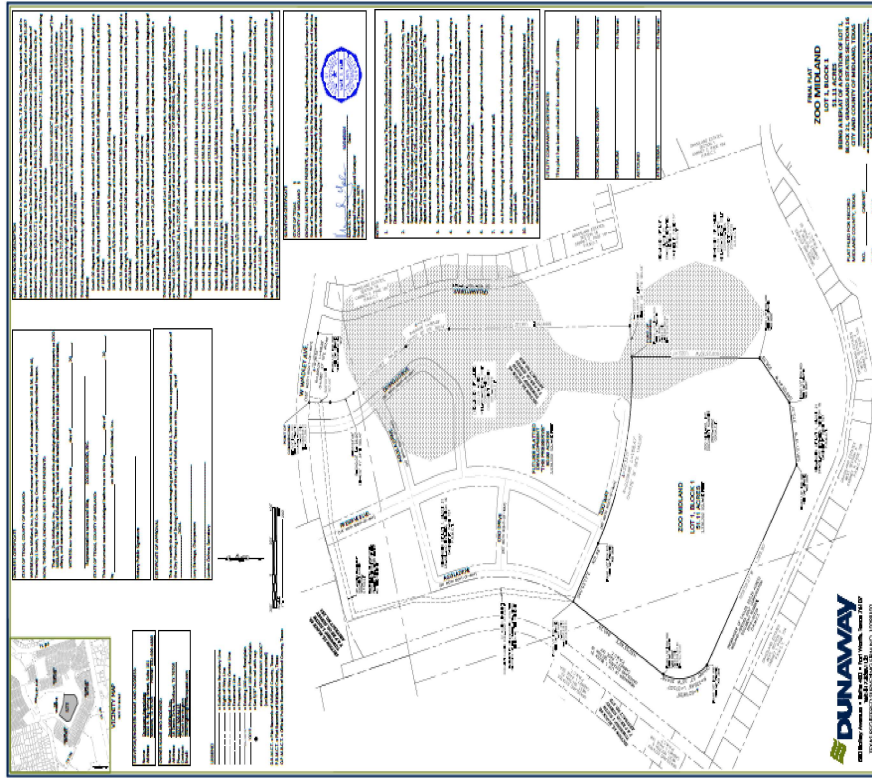
APPLICATION SUMMARY

- **Property Owner & Developer:** Zoo Midland, Inc., a Texas not for profit corporation
- **Representative:** Melanie Martinez, with Dunaway Associates, LLC
- **Application Type:** Final Plat
- **Address:** Generally located north of Homestead Boulevard, approximately 480 feet east of Homeland Drive (District 4)



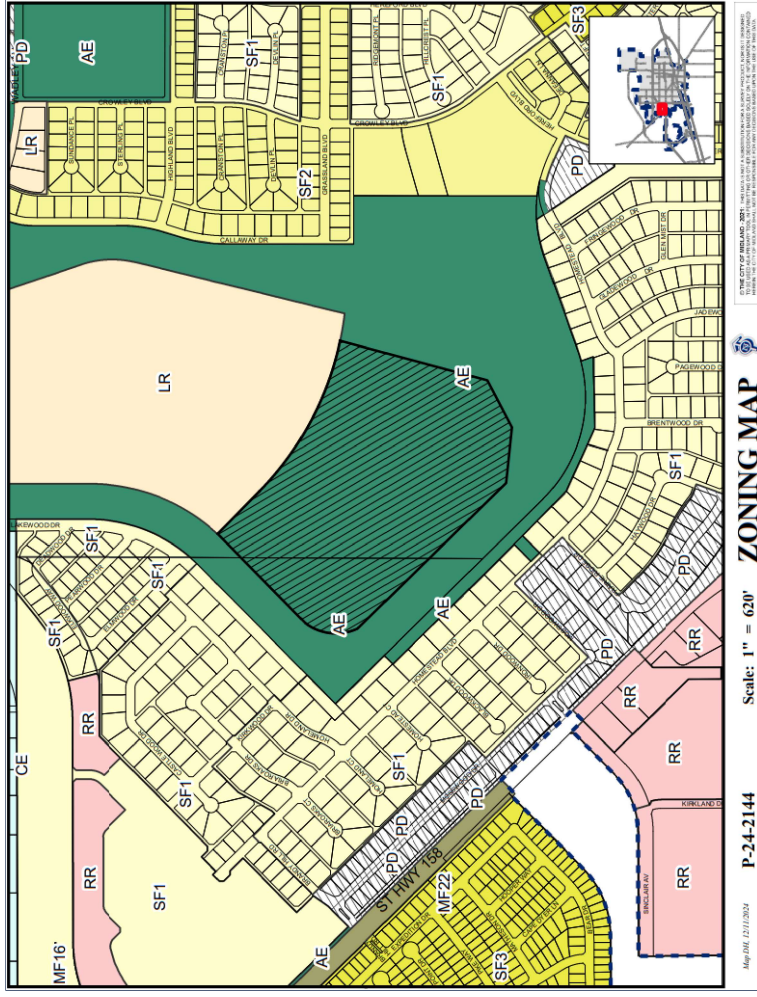
PLAT DETAILS

- **Acresage:** 51.11-acres
- **Number of lots:** 1 lot
- **Reason for Request:** For the future development of the Midland Zoo



ZONING

- **Current Zoning:** AE, Agricultural Estate District
- **Surrounding Zoning:**
 - **North:** LR, Local Retail District
 - **South/East/West:** AE, Agricultural Estate District



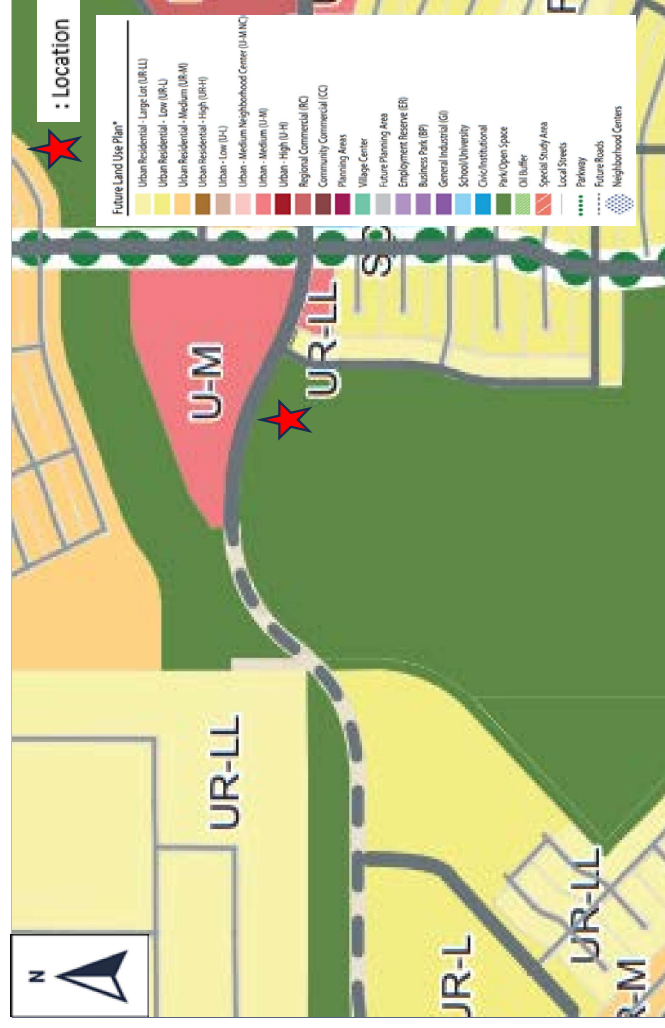
LAND USE

- **Current Use:** Vacant
- **Surrounding Uses:**
 - **North/South/East/West:** Vacant



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



RELATED ITEMS

- The Specific Use Designation (SUD) without Term for a Wildlife Rehabilitation Center to develop a zoo on the property was approved on November 6, 2023, by the Planning & Zoning Commission.
- The Specific Use Designation (SUD) without Term for a Wildlife Rehabilitation Center to develop a zoo on the property was approved by Council on December 12, 2023.



RELATED ITEMS

- The preliminary plat for 132.075-acres associated with this request was approved on June 3, 2024, by the Planning & Zoning Commission.
- The preliminary plat for 132.075-acres associated with this request was approved by Council on June 3, 2024.

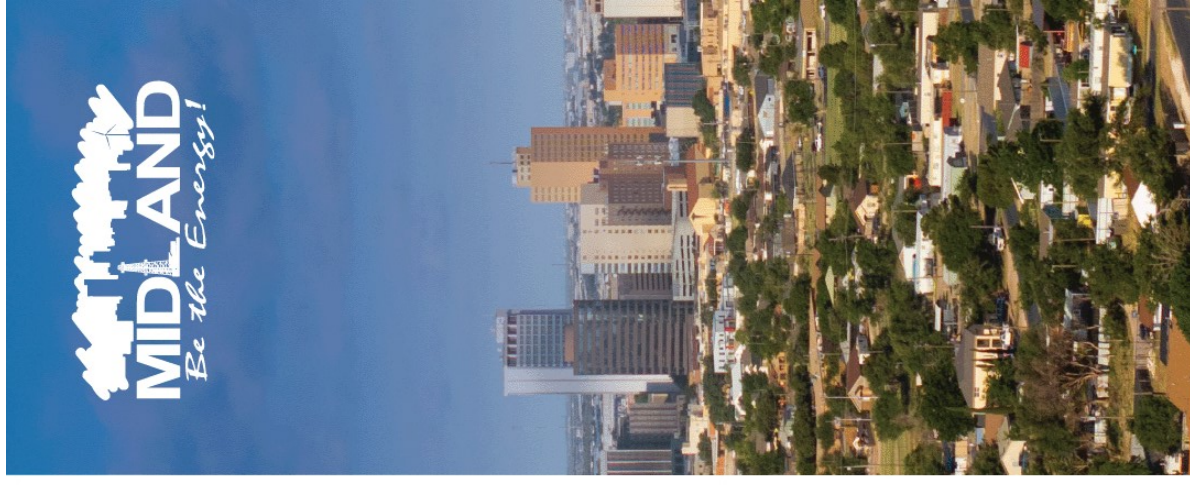


STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Final Plat of Zoo Midland.

Conditions:

- A. Approval of this final plat is subject to 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.



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Madelim Jaquez, Planner

SUBJECT: Motion approving a Final Plat of Church of the Foursquare Gospel Addition, being a replat of Lots 10 through 13, Block 8, Kelview Heights Addition, and Lot 2-A, Block 18, Kelview Heights Addition, Section 2, City and County of Midland, Texas. (Generally located on the south side of Alta Avenue, approximately 66 feet east of North Pecos Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

MF16, Multiple-Family Dwelling District

Preliminary Plat Approval:

Luchini & Mertz Land Surveyors, on behalf of the International Church of the Foursquare Gospel, is requesting to replat five lots into one lot for parking purposes.

The plat qualified for the short form procedure, and therefore was not required to go through the preliminary phase. [11-2-3(l)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: Revert to transportation's comment's. [For Applicant's Information Only.]

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

WATER: 6" water exists in Alta Street N 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 alley 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 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 Church of the Foursquare Gospel Addition.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: SUB-24-0786

Case Number: _____

Proposed Subdivision Plat Name: Church of the Foursquare Gospel Addition**Legal Description (attached sealed Metes and Bounds):** Lots 10-13, Block 18 Kelview Heights Addition Cab. A Pg. 47-48 P.R.M.C.T.
and Lot 2-A, Kelview Heights Addition, Section 2 Cab. D, Pg 329 P.R.M.C.T**Property Owner**

Printed Name: International Church Of The Foursquare Gospel

Phone (432) 683-1750

Email
felicia.stacy@googlemail.com

Address 419 Alta Ave.

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: Luchini and Mertz Land Surveyors

Printed Name: Jimmy Berndt

Phone (432) 684-6728

Email

jimmyb@luchinimertz.com

Address 2805 W. Kentucky

City Midland

State Tx

Zip 79702

Current Zoning: MF-16**Reason for Platting:** _____

Combining Lot 2-A, Kelview Heights Addition, Section and Lots 10-13, Block 18, Kelview Heights Addition, into one lot at the request of the City of Midland for future development purposes.

Plat Information Cab. D Pg. 329 and Cab. A Pg. 47-48 P.R.M.C.T

Total Acreage: 1.74 acres

Type: ☐ 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'

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 11/20/2024

Property Owner (printed): Jonathan Wymore

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

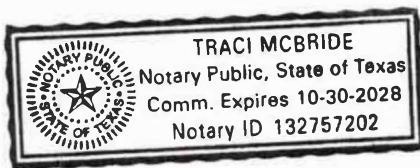
Before me, the undersigned authority, on this day personally appeared Jimmy Bernick who, being by me duly sworn, upon oath says: That (s)he is authorized by Church of the Four Square Gospel the owner of the above described property, to fully represent him/her in this application and that (s)he had the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

[Signature]
Authorized Agent (signature)

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

[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☐ Mylar | ☒ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☐ Public Improvement |
| Check # <u>14614</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u> </u> |

Received By: [Signature]

Date: NOV 20 2024

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

BEING A RE-PLAT OF LOTS 10-13, KELVIEW HEIGHTS ADDITION
AND LOT 2-A, BLOCK 18, KELVIEW HEIGHTS ADDITION, SECTION 2
CITY AND COUNTY OF MIDLAND TEXAS

WHEREAS, International Church of the Foursquare Gospel, are the record owners of Lot 2-A KEL VIEW HEIGHTS ADDITION, SECTION 2, as recorded in Cabinet A, Page 37-48, P.R.M.C.1, being situated in Section 23, Block 39, T-1-S, T & P R R Co. Survey, City of Midland, County of Midland, Texas, and being more particularly described as follows:

BEGINNING at a $\frac{3}{4}$ " Iron rod (N=10,702,908.86', E=1,752,746.62") found at the Northwest corner of said Lot 13, Block 18 of said KELVIEW HEIGHTS ADDITION, from whence a 1" Iron rod found at the intersection of South Right of Way line of ALTA AVENUE and the East Right of Way line of PECOS STREET and being the Northwest corner of said Block 18, KELVIEW HEIGHTS ADDITION bears South 75°31'35" West a distance of 66.00 feet:

THENCE South 14°30'00" East along the East line of said Lot 2-A, KELVIEW HEIGHTS ADDITION, SECTION 2, a distance of 140.00 feet to a $\frac{1}{2}$ " iron rod with cap marked "LUCHINI AND MERTZ" set at the interior corner of said Lot 1-A, KELVIEW HEIGHTS ADDITION SECTION 2;

THENCE South $75^{\circ}3'135''$ West along the North line of a 20-foot Utility Easement as shown in plat Cab. D. Page 329 of said KELVIEW HEIGHTS ADDITION Section 2, a distance of 229.38 feet continuing along the North line of a 20-foot alley as recorded in Cab. A. Pg. 47, of said KELVIEW HEIGHTS ADDITION the Northwest corner of said lot 13, Block 18 of said KELVIEW HEIGHTS ADDITION; a distance of 310.42 feet, for a total distance of 540.00 feet to a 4° from Rod found (bent) at the Southwest corner of said lot 13, Block 18 of said KELVIEW HEIGHTS ADDITION;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

This plot was acknowledged before me on
by Jonathan Wymore

Notary Public, State of Texas

for approval by the commission:
 This is to certify that the above and foregoing plat of CHURCH OF THE FOURSQUARE GOSPEL 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

CHURCH OF THE FOURSQUARE GOSPEL ADDITION

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No.	CABINET	DATE	PAGE
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7	7	7	7
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1419 Alta Ave Midland Texas 79705 Phone: 432-638-1750

uchini & Mertz 2805 W. Kentucky Midland Texas 79702 (432) 684-6778 Firm# 10086500

September 2024 Drawing By: JB OWNEEE

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

SURVEYOR'S CERTIFICATE
KNOWN ALL BY THESE PRESENTS.

THAT I, JEFFREY D. SUITER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT HIS 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 SUPERVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

Page 7.99

LEG

○ = SET $\frac{1}{4}$ " IRON ROD WITH CAP MARKED "LUCHINI & MERTZ"

● = FOUND $\frac{1}{4}$ " IRON ROD

----- = EXISTING BOUNDARY LINE

— = NEW BOUNDARY LINE

—OH— = OVERHEAD ELECTRIC

- = EXISTING POWER POLE

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

1

PROFESSOR

SIGNATURE _____

LAND

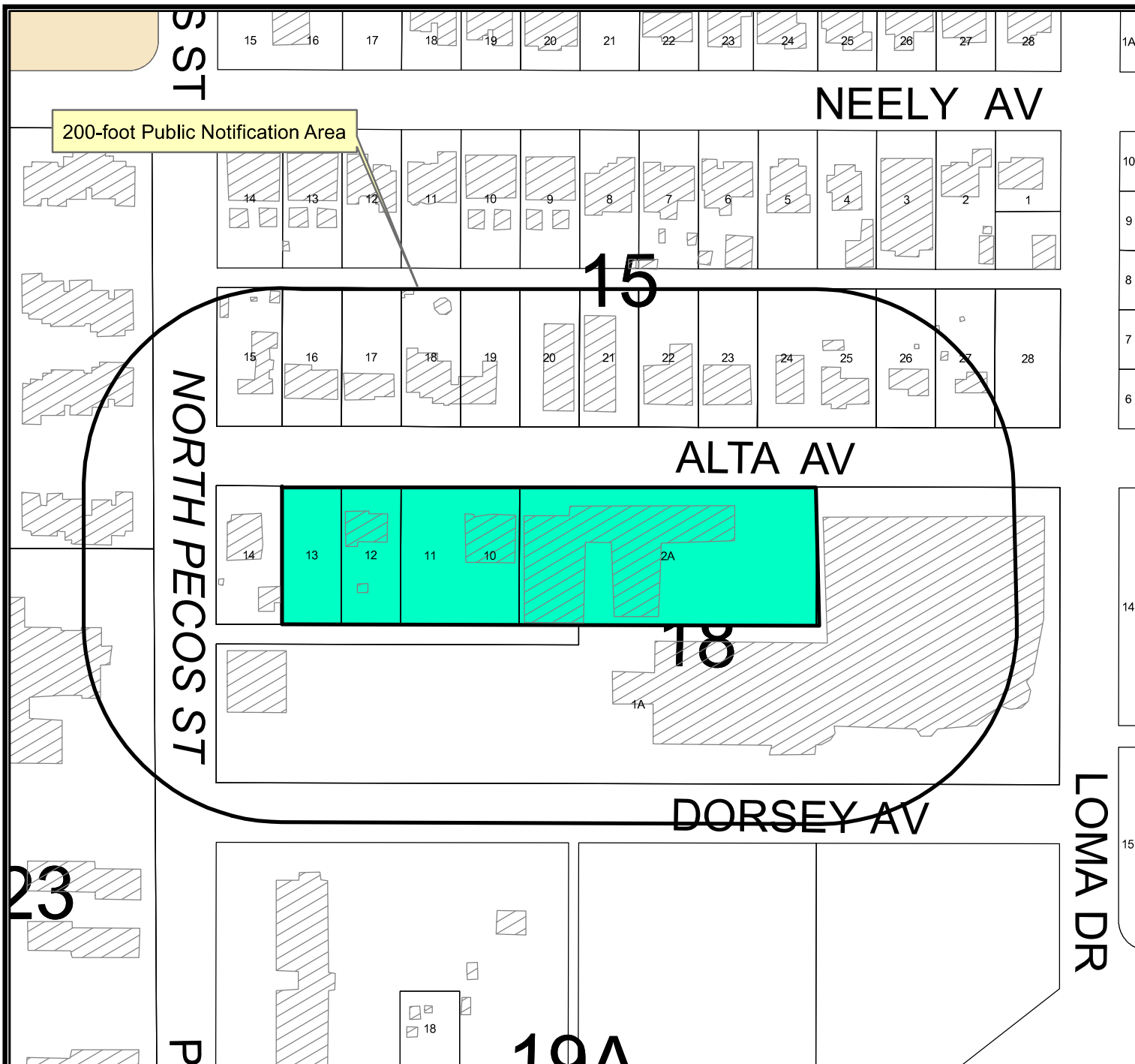
UC-III
IONS
SURVEY

UERTZ
Bellingham, Connecticut

résumé (français)

D

De



Location Map

SUB-24-0786

Scale: 1" = 145'

Proposed plat of Church of the Foursquare Gospel Addition, being a replat of Lots 10-13, Block 8, Kelview Heights Addition, and Lot 2-A, Block 18, Kelview Heights Addition, Section 2, City and County of Midland, Texas.

Generally located on the south side of Alta Avenue, approximately 66 feet east of North Pecos Street.
(Council District 3)

LEGEND

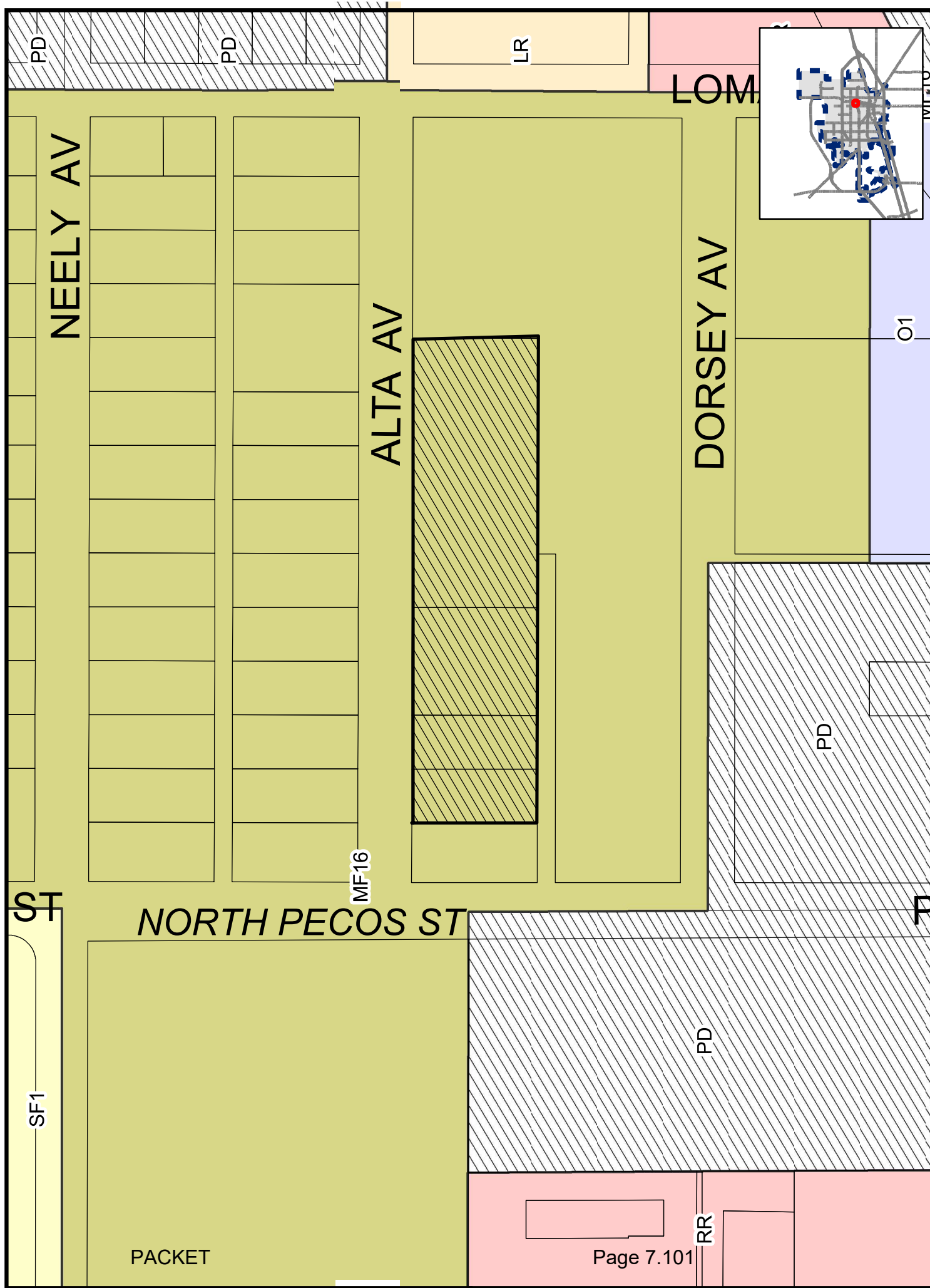
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.







CHURCH OF THE FOURSQUARE GOSPEL ADDITION



Visit Our Website

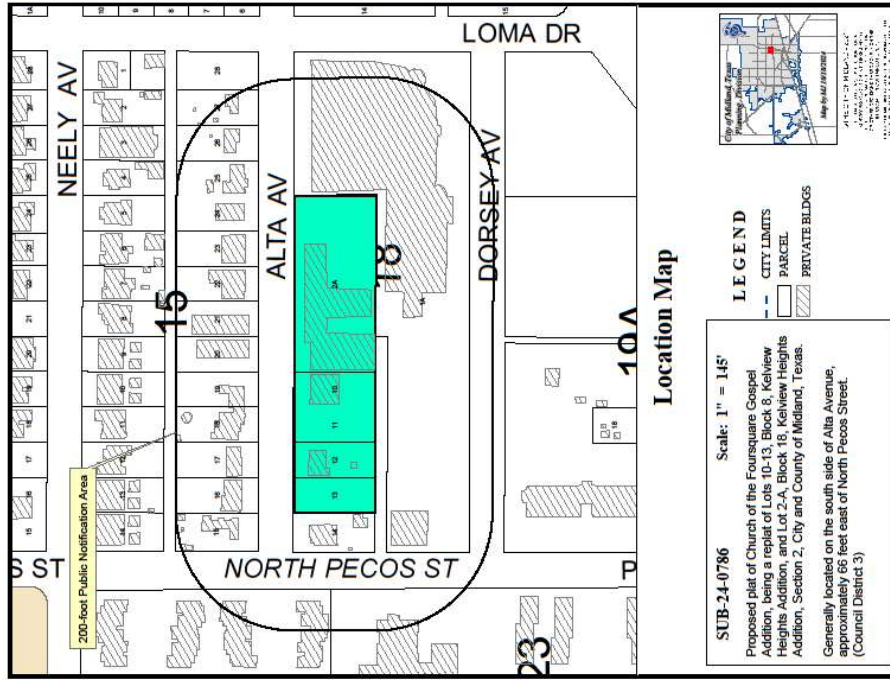
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner:** International Church of the Foursquare Gospel
- **Applicant/Representative:** Luchini & Mertz Land Surveyors

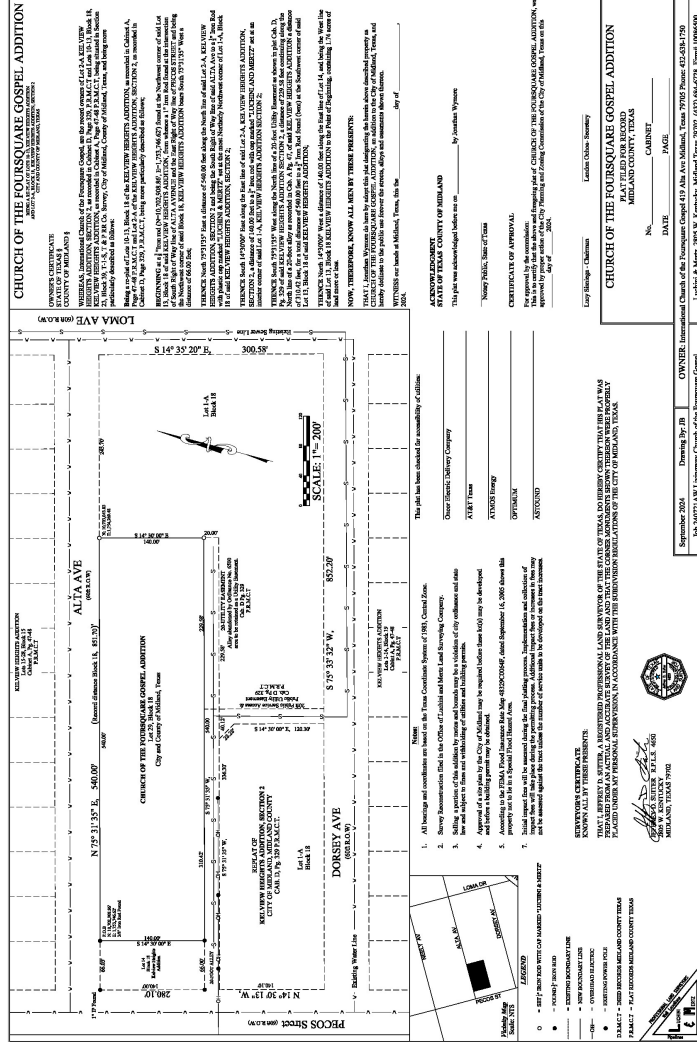
Plat

- **Address:** Generally located on the south side of Alta Avenue, approximately 66 feet east of North Pecos Street.



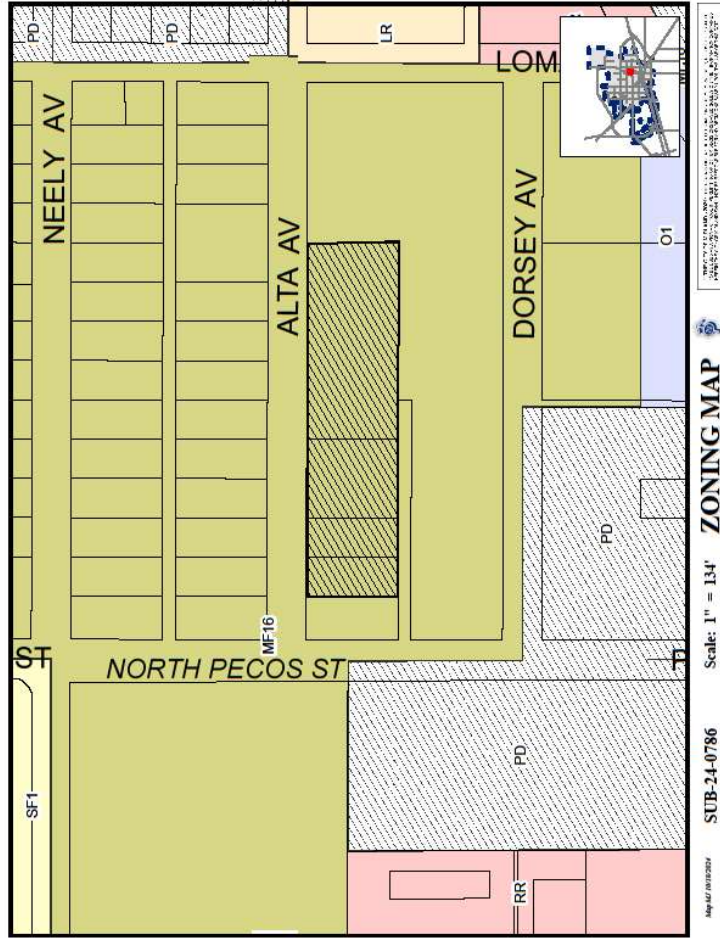
Number of lots: 5 lots

Reason for Request: To combine five lots into one for parking purposes.



ZONING

- **Current Zoning:** MF16, Multiple-Family Dwelling District
- **Surrounding Zoning:**
 - **North:** MF16, Multiple-Family Dwelling District
 - **South:** MF16, Multiple-Family Dwelling District
 - **East:** MF16, Multiple-Family Dwelling District
 - **West:** MF16, Multiple-Family Dwelling District and PD, Planned Development District for Housing Development



LAND USE

- **Current Use of the Property:**
Church
- **Surrounding Uses:**
 - North: Residential
 - South: Church and apartments
 - East: Retail businesses
 - West: Apartments

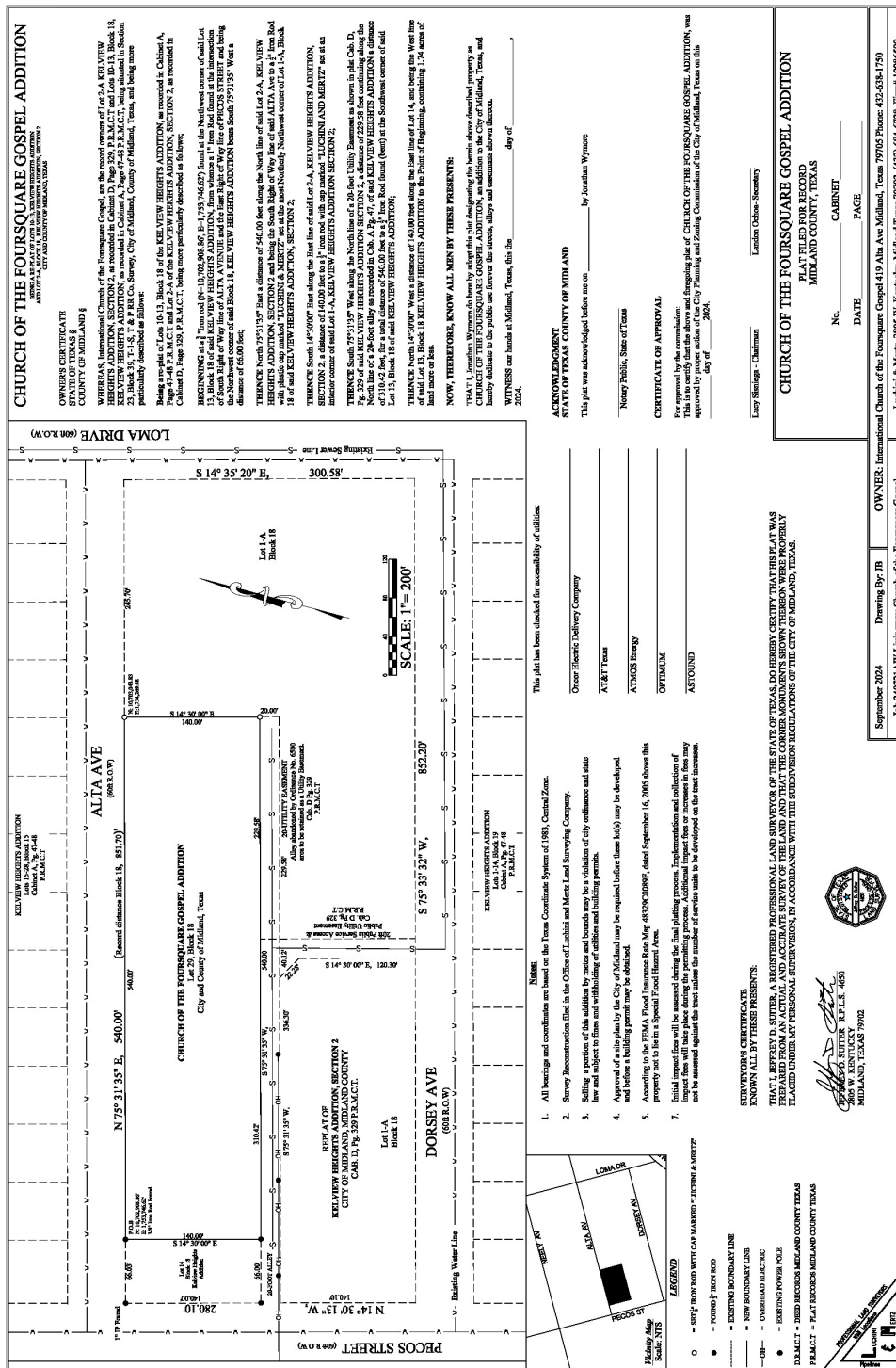


COMPREHENSIVE PLAN

- **TCT Land Use Designation:**
UR-M/ Civic
- **Supported Uses:**
 - Mix of housing styles
 - Civic uses including educational, institution and assembly, and government or non-profit organizations.
- Request is compatible with the surrounding area, and the Tall City Tomorrow Plan.



Plat



STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this Final Plat of Church of the Foursquare Gospel 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: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Madelim Jaquez, Planner

SUBJECT: Motion approving a Final Plat of Campgrounds Addition, Section 3 being a replat of Lot 5, Block 1, Campgrounds Addition, Section 2, Midland County, Texas. (Generally located on the north side of West County Road 157, approximately 810-feet west of South County Road 1270.) (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 SRR Enterprises, LP is requesting to subdivide a lot into two lots to obtain septic permits for development purposes.

The preliminary plat was approved at the November 4, 2024, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

IMPACT FEES: There are no impact fees associated with this plat. Plat outside designated service areas. [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)

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. All septic systems are permitted and regulated by the City of Midland Health Department.

GIS: (Approved)

No comments.

Health Department: (Approved)

Yes, the health department will review application from the 2 proposed lot of Campgrounds Addition, Section 3, RE-PLAT OF LOT 5, BLOCK 1, CAMPGROUNDS ADDITION SECTION 2 TO THE COUNTY OF MIDLAND the lot 5A is 2.7 acre, lot 5B is 1.7 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well and existing structures on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

We do not have any comments on this plat.

Public Works: (Approved)

Nothing to add, looks good.

Planning: (Approved)

Staff recommends approval of the Campgrounds Addition, Section 3.

Attachments:

Final Plat
Application
Location Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number:

SUB 24-0774

Case Number:

Proposed Subdivision Plat Name: CAMPGROUNDS ADDITION, SECTION 3

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOT 5, BLOCK 1, CAMPGROUNDS ADDITION SECTION 2, AN ADDITION TO THE COUNT OF MIDLAND, TEXAS

Property Owner

Printed Name: SPR Enterprises, LP

Phone (432) 262-0999

Email mehtarp3@gmail.com

Address 125 EAST JOHN CARPENTER FREEWAY SUITE 1050

City IRVING

State TX

Zip 75062

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 ST, SUITE K

City MIDLAND

State TX

Zip 79701

Current Zoning: ETJ

Reason for Platting: SEPTIC PERMIT

Plat Information

Total Acreage: 4.551

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)
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Mylar Reproductions

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Signed by: Ravi Menta

Date: 11/15/2024

Property Owner (printed): Ravi Menta

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.

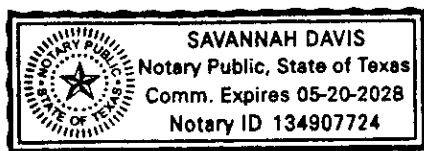
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Ravi Menta, 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 15th day of November, 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	☒ 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>50301</u>	☒ Tax Certificates	Check # <u>5051</u>
Received By: <u>Beate Dyre</u>	Date: 11/15/2024	

RECEIVED
NOV 20 2024

77.

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



Location Map

SUB-24-0776

Scale: 1" = 250'

Proposed plat of Campgrounds Addition, Section 3 being a replat of Lot 5, Block 1, Campgrounds Addition, Section 2, Midland County, Texas.

Generally located on the north side of West County Road 157, approximately 810 feet west of South County Road 1270. (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.

South County road 1270

West County road 157



CAMP GROUNDS ADDITION, SECTION 3

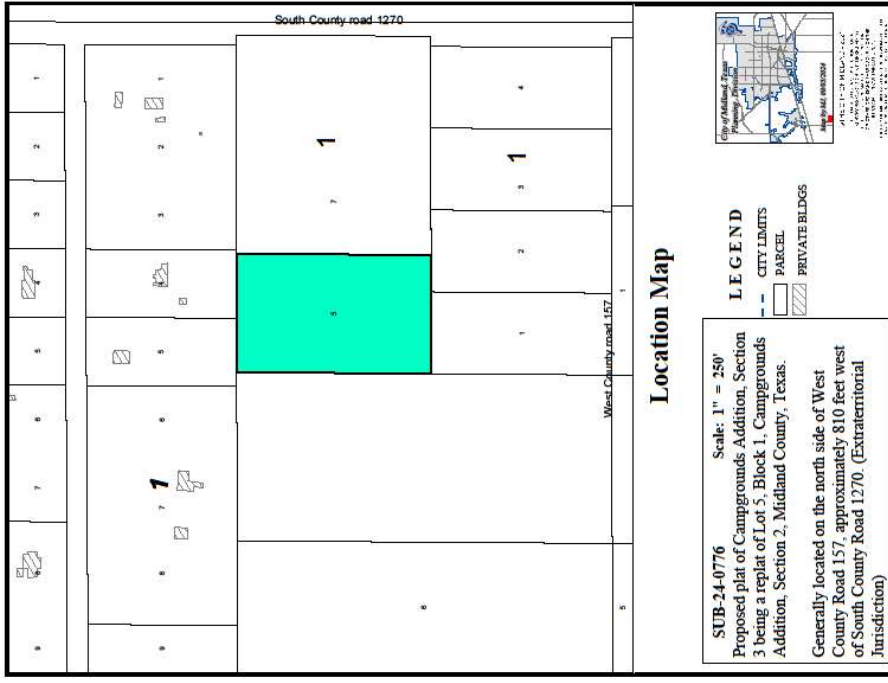


Visit Our Website

MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner & Developer:**
SRR Enterprises , LP
- **Applicant/Representative:**
Maverick Engineering
- **Plat**
- **Address:** 9608 West County road 157. (Extraterritorial Jurisdiction)



- 



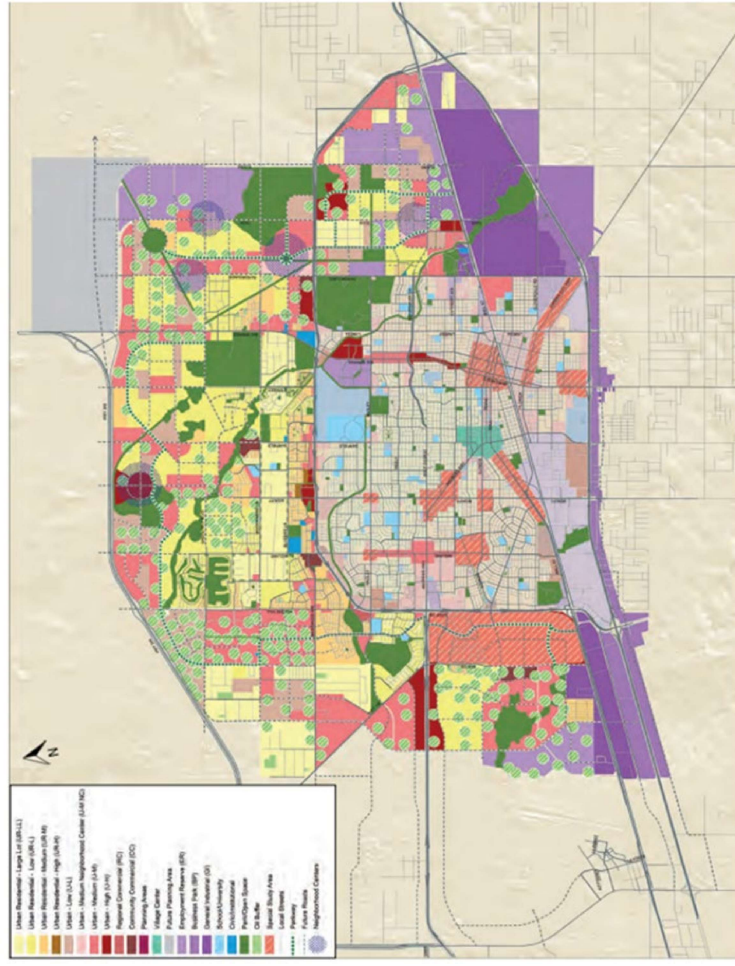
LAND USE

- **Current Use of the Property:**
Mobile-home parking
- **Surrounding Uses:**
 - North: Residential
 - West: Commercial
 - South: Mobile-home parking
 - East: Commercial

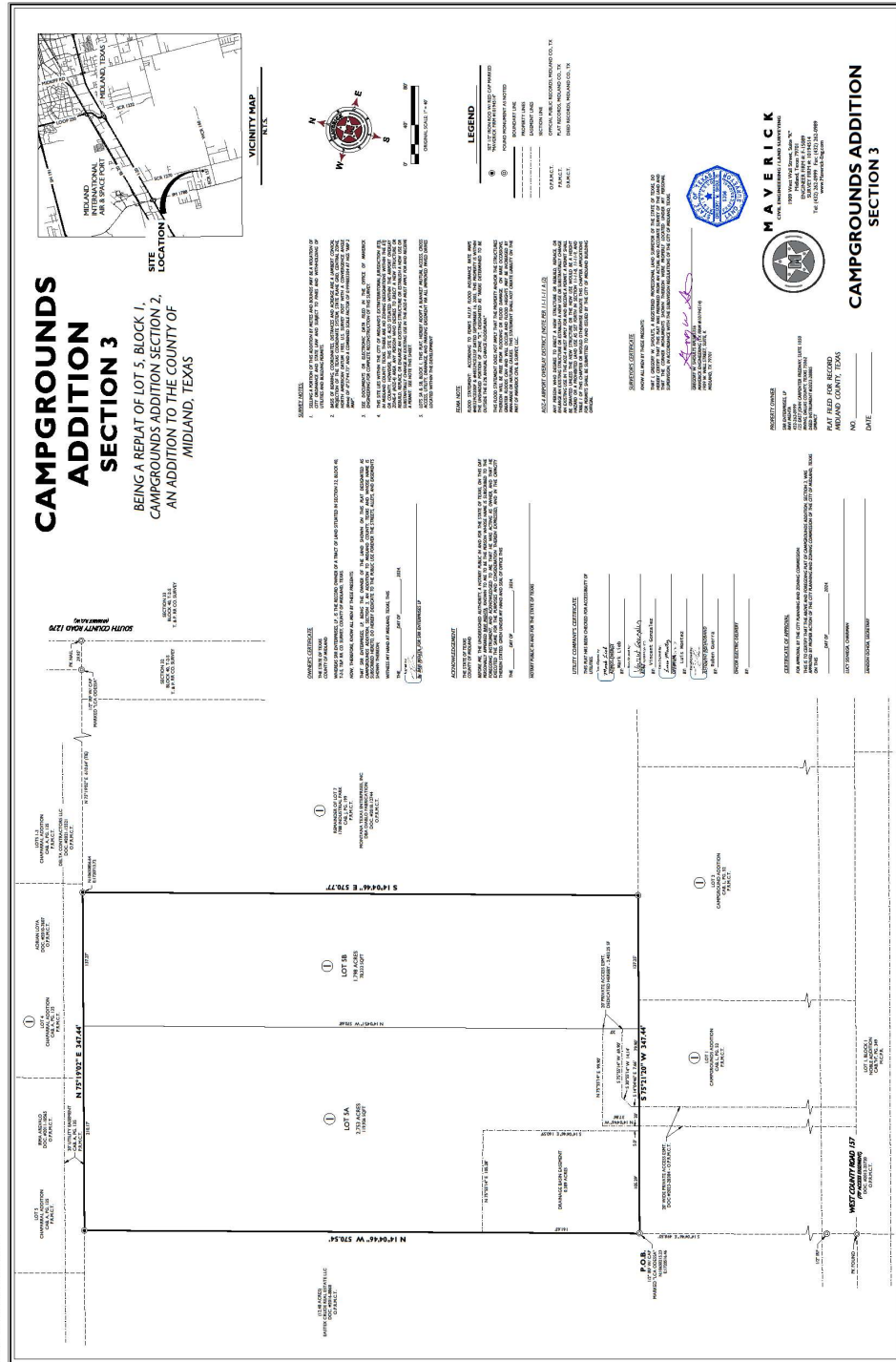


COMPREHENSIVE PLAN

- TCT Land Use Designation:
Not designated



Plat



STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this Final Plat of Campgrounds Addition, Section 3.



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 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Madelim Jaquez, Planner

SUBJECT: Motion approving a Final 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 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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

Maverick Engineering, on behalf of GM Properties & Investments LLC. is requesting to plat a property into five lots for ownership and industrial building development.

The preliminary plat was approved at the October 21, 2024, Planning and Zoning Commission meeting and the November 12, 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: Plat outside designated service areas.[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)

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

Fire: (Approved)

ETJ; No comments

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction

GIS: (Approved)

Access/utility easement may need to have a name for addressing purposes. (Confirm with County)

Public Works: (Approved)

Nothing to add, looks good.

Planning: (Approved)

Staff recommends approval of the GM Industrial Addition.

Attachments:

Final Plat
Application
Location Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number:

SUB-24-0754

Case Number:

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: GM PROPERTIES AND INVESTMENTS LLC

Address PO BOX NO 3

City MIDLAND

Phone (432) 262-0999

Email

george.magallanes@gmpropertiesgroup.com

State TX

Zip 79702

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()

Email

State

Zip

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

Firm: MAVERICK ENGINEERING

Printed Name: ASHLEE DEVINE

Address 1909 W WALL ST, SUITE K

City MIDLAND

Phone (432) 262-0999

Email

adevine@maverick-eng.com

State TX

Zip 79701

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

Total Acreage: 25.00

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

Number of Lots: 5

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: 11/19/2024

Property Owner (printed): George Magallanes

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.

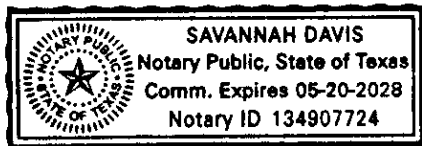
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

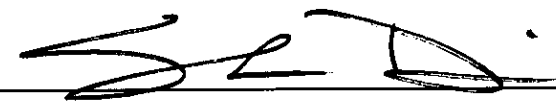
STATE OF TEXAS
 COUNTY OF MIDLAND

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 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 19th day of November, 20 24, 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.****

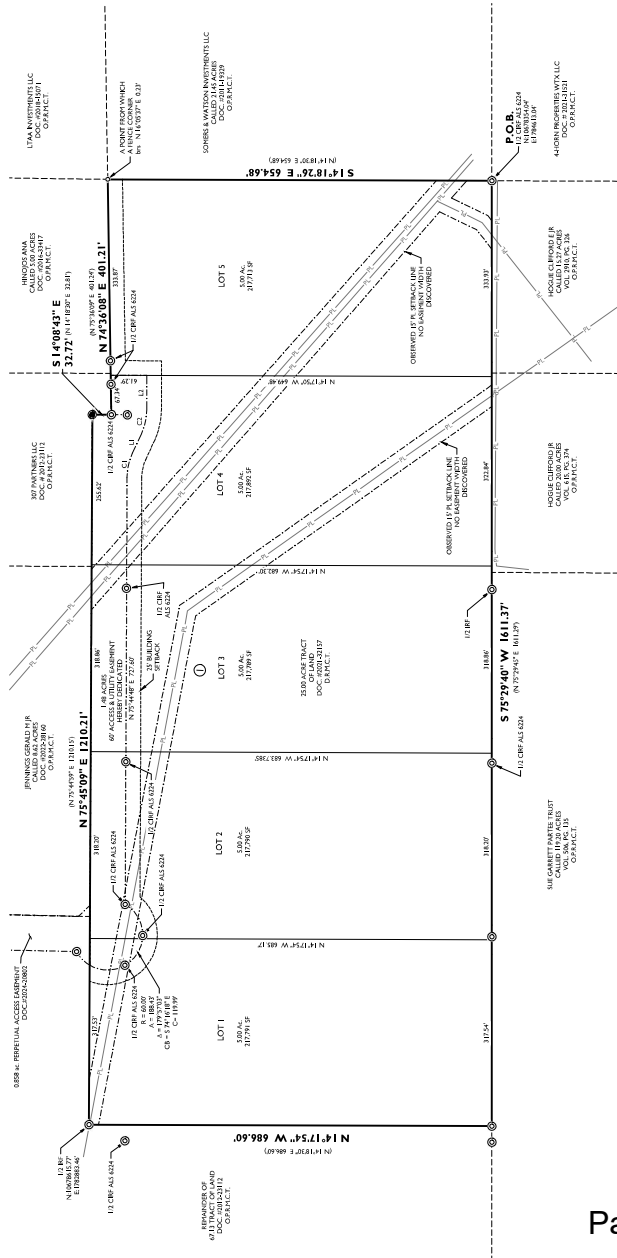
FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☒ Public Improvements
☒ Application Fee	☐ Title Opinion	☒ Recording Fee
Check # <u>5056</u>	☒ Tax Certificates	Check # <u>5051</u>
Received By: <u>Burt</u>	Date:	RECEIVED NOV 20 2024

BY:

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

PACKET

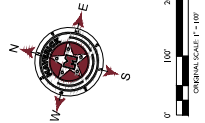
Page 9.135



LEGEND

● SET 1/2-INCH IRON ROD W/RED
PLASTIC CAP MARKED "HAVERICK RRM #101945 14"

○ 1/2" IRON ROD FOUND, UNLESS OTHERWISE NOTED



FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S HELP, FLOOD INSURANCE RATE MAP 14022Z0250R, DATED SEPTEMBER 16, 2003, THIS PROPERTY IS WITHIN THE UNCHARGED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.5% 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 SOME 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 ANYRISKY CIVIL & SURVEY, LLC

NOTES

1. SETTING A PORTION OF THE AREAS AND BOUNDS MAY BE A QUESTION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF TITLES AND BUILDING PERMITS.
2. BASIS OF MEASUREMENTS, CONVEYANCES AND DISTANCES ARE A LANDMART COMPANY, PROJECTOR OF THE TEMPS CONSTRUCTION SYSTEM, STATE PLANNING CENTER, ZONE 4400, NORTH AMERICAN DRIVE # 1683.
3. 1/2 INCH DIA WITH REINFORCED PLASTIC CAP MARKED "AMERICAN INCH = 0.101616" AT ALL SET CORNERS.
4. 1/2 INCH DIA STEEL REINFORCED.
5. CONSTRUCTION OF THE MONUMENTS AND SETTING OF THE 4 MONUMENTS BASES ARE OBSERVED.
6. SETTING MONUMENTS OF CITY OF MINNESOTA AND MINN. VOUCHER, ON THE CALL FOR ALL SET MONUMENTS AT THE TIME OF THIS SURVEY, DATE IS RECOMMENDED CALL 1/20/04 FOR ALL SET MONUMENTS PRIOR

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C-1	100.00'	42.92'	42.50'	N 88° 00' 51" E	24° 32' 10"

LINE	BEARING	DISTANCE
1	S 79° 43' 00" E	35.66'
2		
3		

UTILITY COMPANY'S CERTIFICATE

DocuSign by:

Mark Lich

ATMOS. ENERGY...
Work with us

BY: MARK LITTO _____

James Underwood

www.knfilters.com

BY: _____
Date Signed for: _____

Louis Montez

OPTIMUM
201505306454E2
Julie Montoy

DocSigned by: _____
by: LUIS MORALES

[Signature]

ASTOUNDING RECORDS
Ruben Guerra

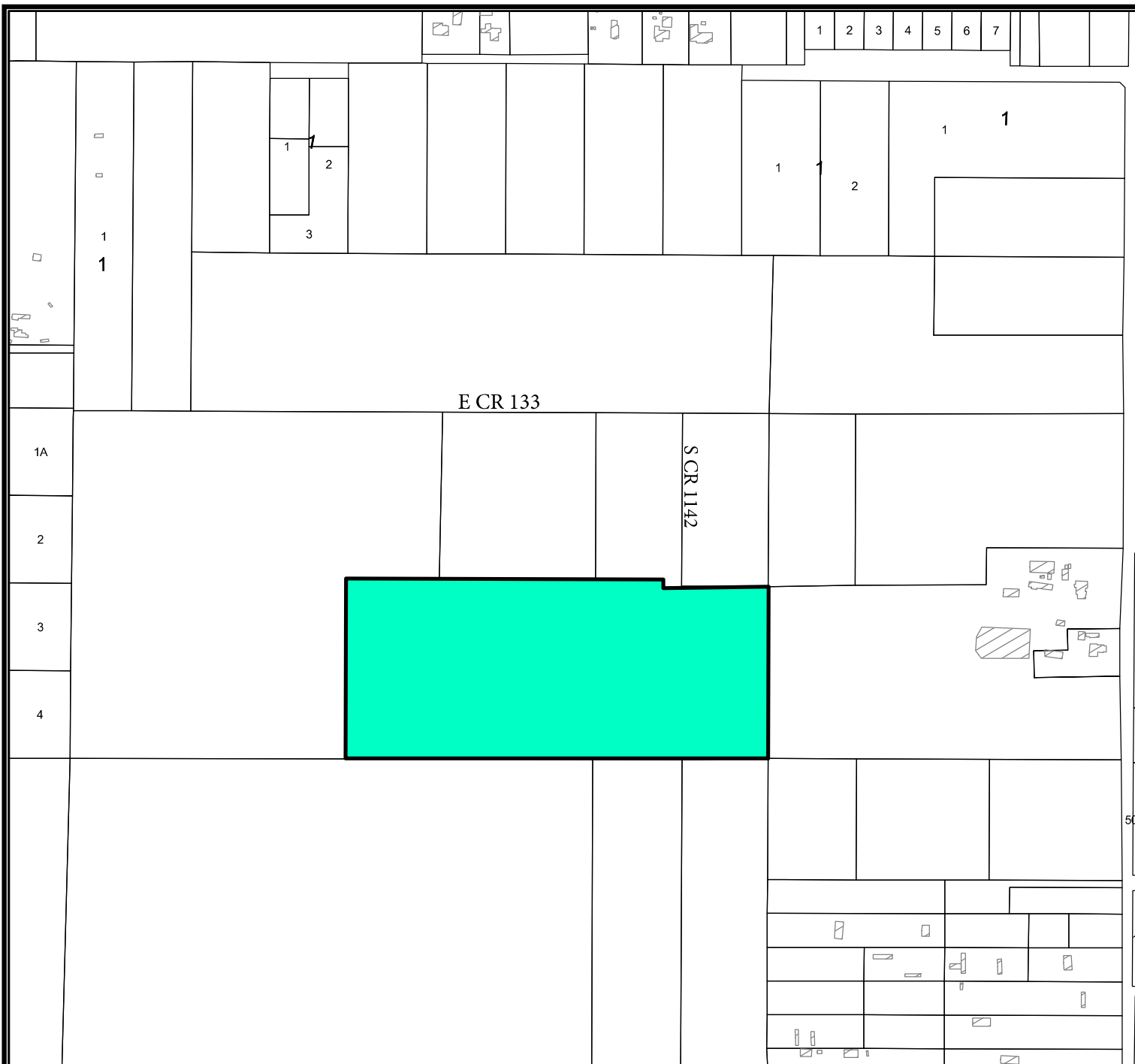
by: _____

MAVERICK



CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite 1000
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 **Fax:** (432) 262-0989
www.Maverick-Eng.com

GM INDUSTRIAL ADDITION



Location Map

SUB-24-0754

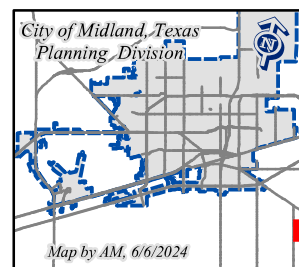
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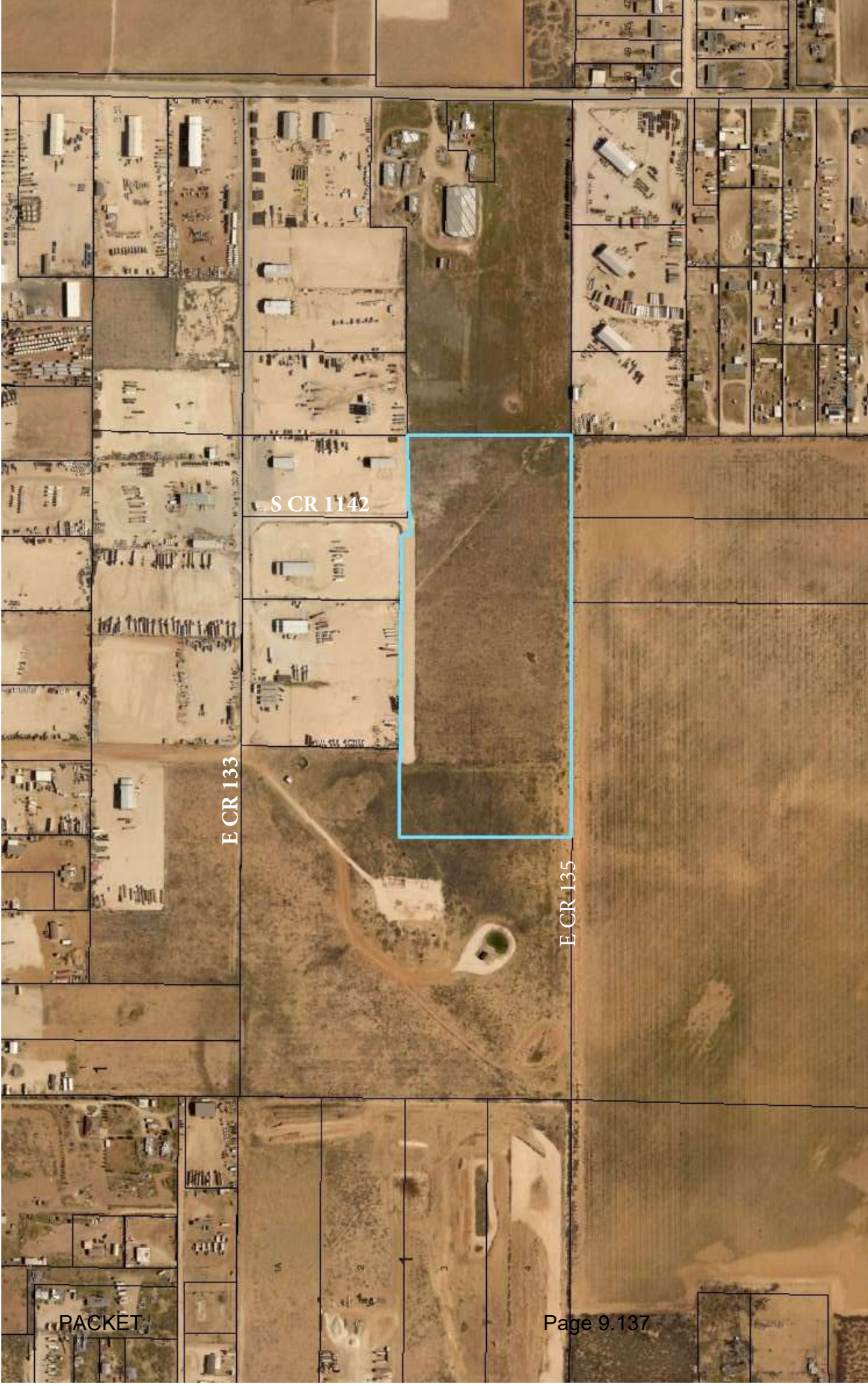
Proposed Plat of GM Industrial Addition, being a plat of a 25.00-acre tract of land out of the Joe Newcomer Preemption Survey, Abstract 635, Block 38, T-2-S, Midland County, Texas.

Generally located at the northwest corner of the intersection of South County Road 1142 and East County Road 135.) (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





S CR 1142

E CR 133

E CR 135

PACKET



GM INDUSTRIAL ADDITION

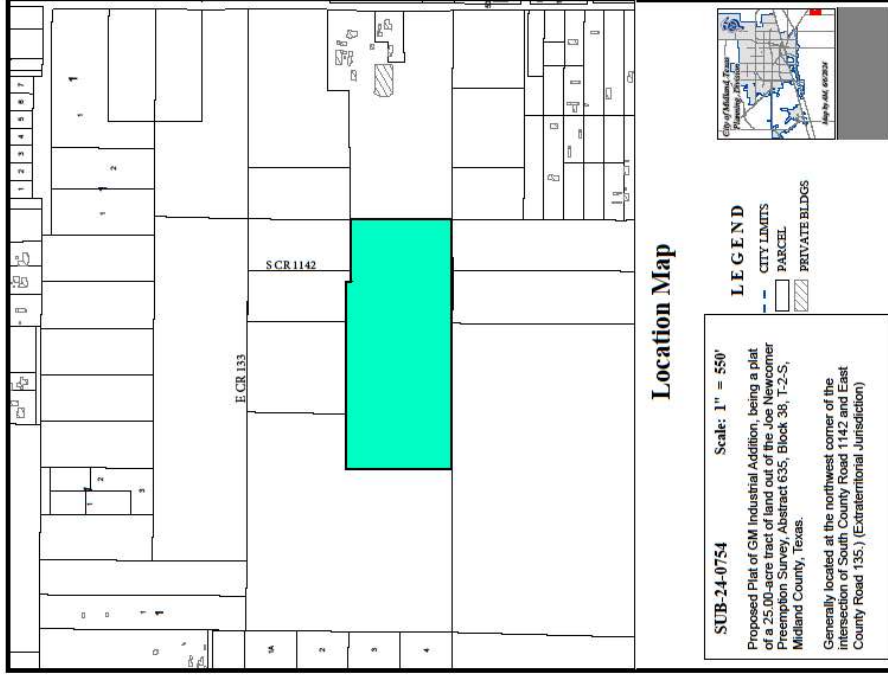


Visit Our Website

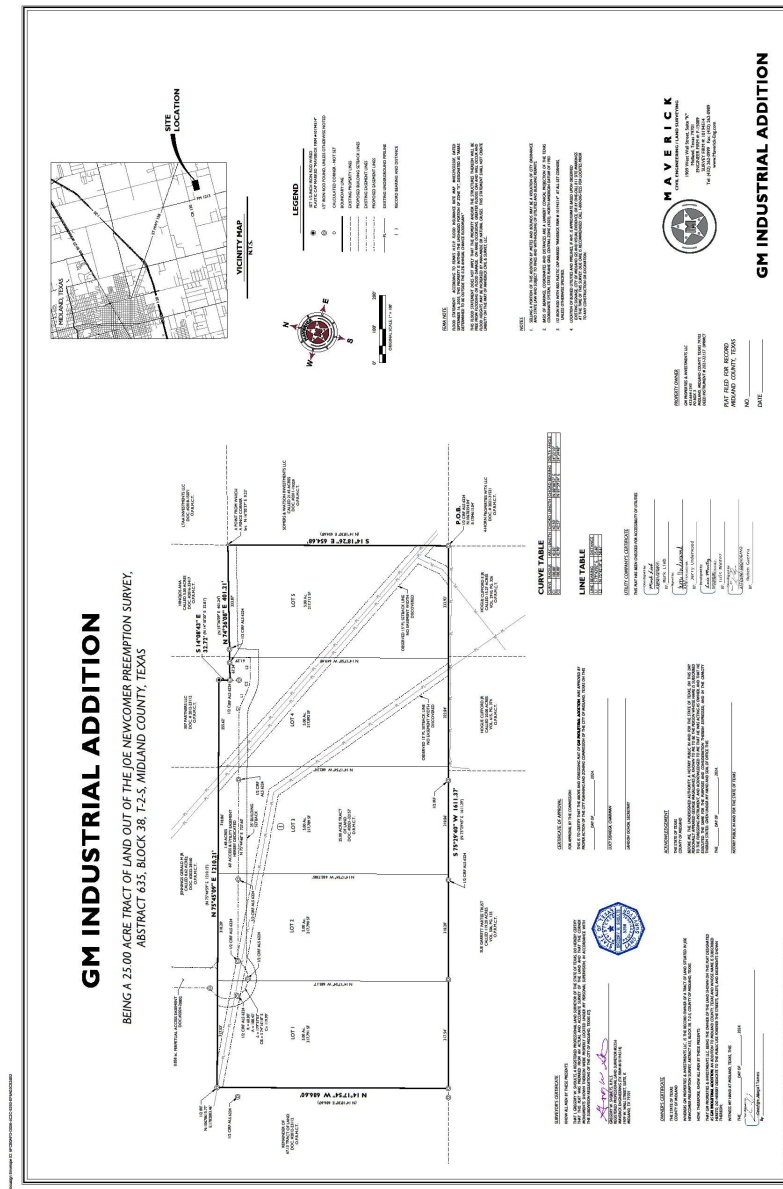
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner & Developer:**
GM Properties & Investments LLC
- **Applicant/Representative:**
Maverick Engineering
- **Plat**
- **Address:** 4514 East County Road 133 (Extraterritorial Jurisdiction)



- **Acreage:** 25-acre tract
- **Number of lots:** 5 lots
- **Reason for Request:**
Ownership and industrial building development



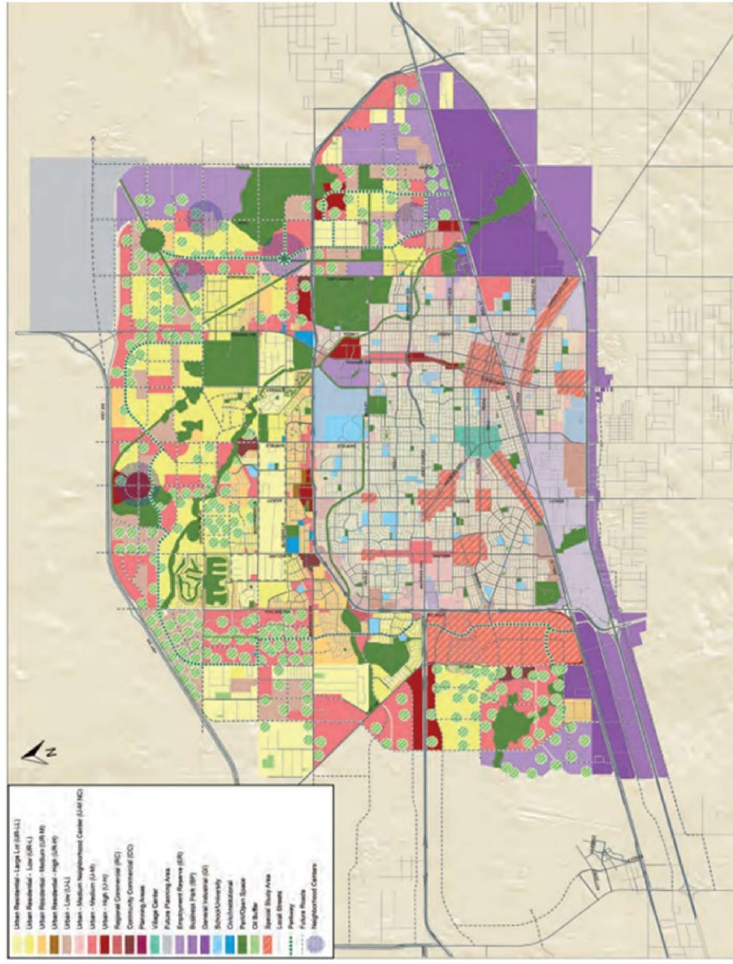
LAND USE

- **Current Use of the Property:**
Vacant
- **Surrounding Uses:**
 - North: Commercial (ETJ)
 - South: Vacant
 - East: Commercial (ETJ)
 - West: Vacant



COMPREHENSIVE PLAN

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



STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this Final Plat of GM Industrial 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: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Madelim Jaquez, Planner

SUBJECT: Hold a public hearing and consider a request by Newton Engineering, PC, on behalf of Midland Habitat for Humanity, for a Zone Change from AE, Agricultural Estate District, to PD, Planned Development District, for Housing Development for a 17.18-acre tract of land located in Section 31, Block 38, T-1-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of North Fairgrounds Road and East Cynthia Drive.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Newton Engineering, PC, on behalf of Midland Habitat for Humanity, is requesting a Zone Change from AE, Agricultural Estate District to PD, Planned Development District, for Housing Development, on a property located at the southeast corner of the intersection of North Fairgrounds Road and East Cynthia Drive to create single-family lots for residential housing development.

Current Zoning:

AE, Agricultural Estate District.

Surrounding Zoning and Land Use:

The properties to the north are zoned SF2, Single-Family Dwelling District, AE, Agricultural Estate District and PD, Planned Development District for housing development and are vacant lots and single-family residential. The properties to the west are zoned PD, Planned Development District for recreation center, with a single-family residential subdivision further west and consist of vacant lots and single-family residential.

The properties to the south are zoned MH, Manufactured Housing District, SF2, Single-Family Dwelling District and AE, Agricultural Estate District, and consist of single-family residential, and manufactured housing. The properties to the east are zoned PD, Planned Development District for housing development and AE, Agricultural Estate District which consist of vacant lots.

Analysis:

The applicant is seeking this zone change from AE, Agricultural Estate District to PD, Planned Development District, for Housing Development, in order to develop a single-family residential subdivision which is not allowed in the AE district. The vacant lot is located in AE, Agricultural Estate District and its surrounded by a single-family residential neighborhood, single-family dwellings, a manufactured housing development and vacant lots. If granted, this PD will allow for smaller lot dimensions while also requiring greenspace/parkland as shown in the site plan (Exhibit B).

This request is consistent with the Tall City Tomorrow Comprehensive Plan, which designated this area as Urban Residential-Low (UR-L). This designation calls for any single-family detached homes, and other single-family attached and small lot single-family homes.

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)

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

Oil and Gas: (Approved)

No Oil and Gas issues

Engineering: (Approved)

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

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

Code: (Approved)

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

Staff recommends approval of this zone change from AE, Agricultural Estate District to PD, Planned Development District, for Housing Development subject to conditions A & B.

Conditions:

- A. That the Property, including the minimum dimensions of each lot, the minimum area of each lot, and the area labeled "playground site" contained therein, shall significantly conform to the site plan attached hereto as Exhibit "B".**
- B. That the only permitted use of the lot described in Exhibit "B" as Lot 18, Block 2, also identified as "PLAYGROUND SITE", shall be "Park, Playground, or Community Center, Public" as such term is defined in Section 11-1-2.01 of the City Code.**

Letters of Objection:

Staff has not received any letters of objection as of December 13, 2024.

Attachments:

Application
Survey (Exhibit A)
Site Plan (Exhibit B)
Maps
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: Midland Habitat for Humanity

Phone (432) 978-2919

Email jhopkins@midlandhabitat.org

Address P.O. Box 2555

City Midland

State Texas

Zip 79701

Property Owner

Printed Name: Midland Habitat for Humanity

Phone (432) 978-2919

Email jhopkins@midlandhabitat.org

Address P.O. Box 2555

City Midland

State Texas

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: Newton Engineering, PC

Printed Name: Kyle L. Newton, PE

Phone (432) 935-0707

Email
kyle@newtoncivil.com

Address 4501A Santa Rosa Drive

City Midland

State Texas

Zip 79707

Street Address:

Legal Description

Lot: _____ Block: _____ Subdivision: _____

Current Zoning:

AE

Proposed Zone: PD-SF-3

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

Reason for Zone Change Request: Create single family lots for affordable housing development.

Present Use of Property: Vacant

Proposed Use of Property: Affordable housing development

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

No negative impact

Describe how conditions affecting the property have changed since present zoning designation: The site is planned to be developed as affordable housing instead of estate lots.

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature):

Date:

Applicant (printed): Joey Hopkins

Property Owner (signature):

Date:

Property Owner (printed):

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Joey Hopkins who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Midland Habitat for Humanity, 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 4th day of November, 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) - will send to Alexis

Check # 1894

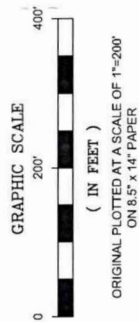
Received By: Michelle Lopez

Date:

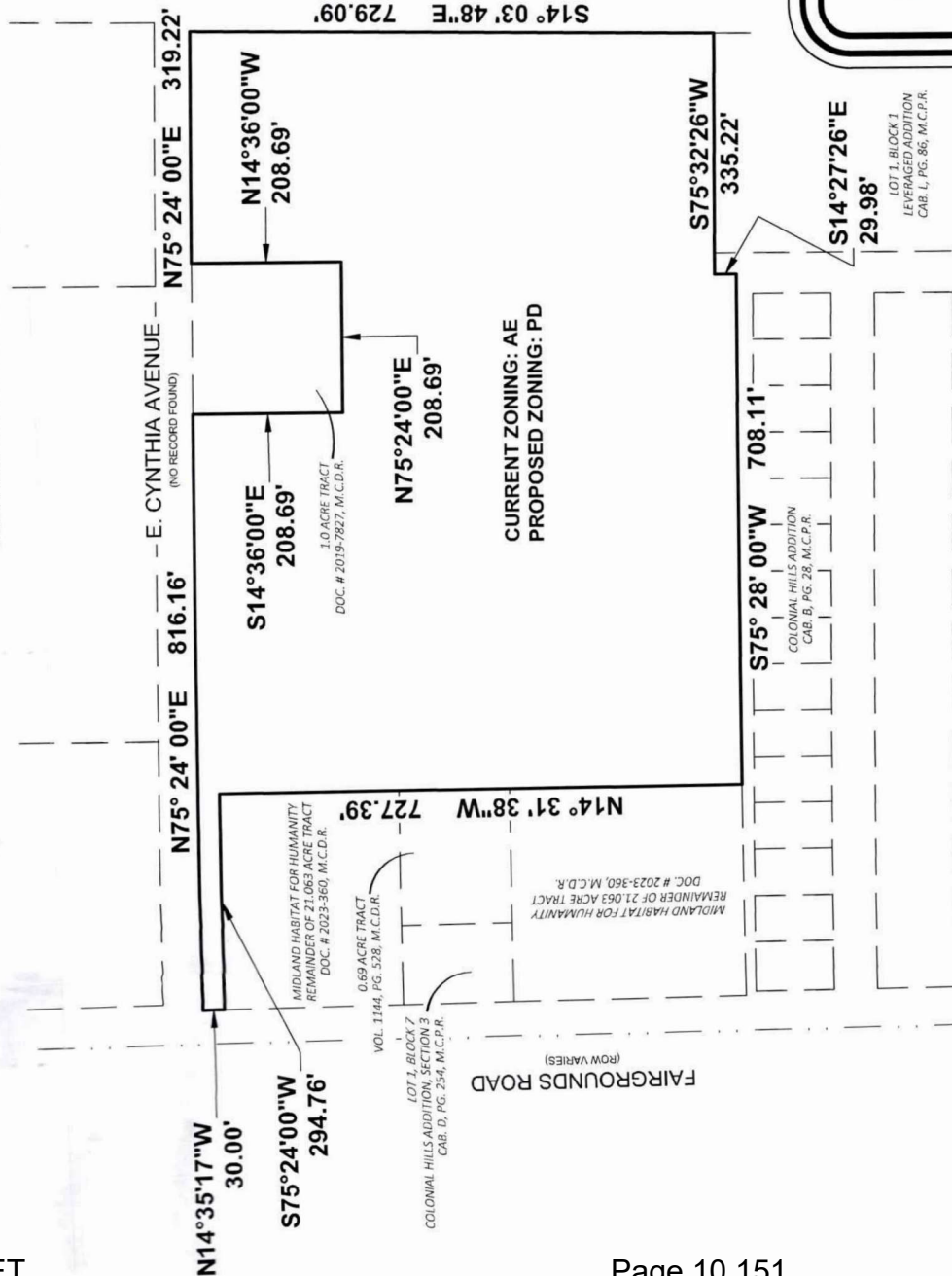
NOV 05 2024

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

LOCATED IN SECTION 31, BLOCK 38, T-1-S, T&P RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS.



HEAVY PLOTTED LINES INDICATE LIMITS OF SURVEY.
EXHIBIT "A" ACCOMPANIES THIS EXHIBIT.



NEWTON ENGINEERING, PC

4501A Santa Rosa Dr. Midland, Texas 79707 (432) 770-0499	F-13856 F-10194809	2481 E. 2nd St. Odessa, Texas 79761 (432) 935-0707
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Prepared For: MIDLAND HABITAT FOR HUMANITY

Job No: 24-ME03041

PACKET

Page 10.152

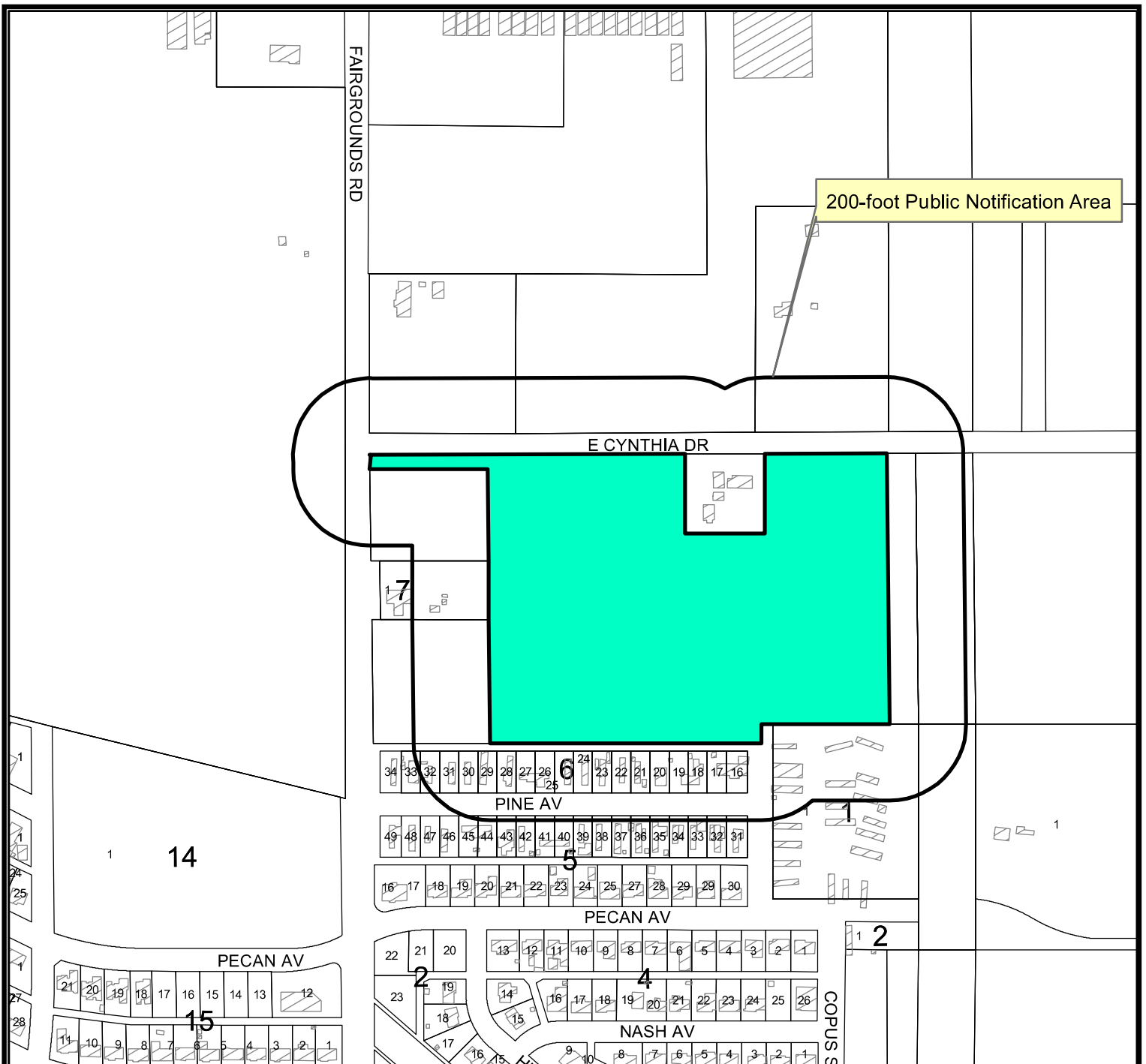


SCALE:	1" = 30'	DRAWN BY:
DATE:	OCTOBER 2024	FILE NAME:

NEWTON ENGINEERING, PC
 45014 Santa Rosa Dr.,
 F-13056
 McAllen, Texas 79707
 F-10194909
 (432) 770-0469
 (432) 895-0707

PD SITE PLAN

PROJECT NUMBER: 24-MEO3041



Location Map

Z-24-0398

Scale: 1" = 377'

Consider a request by Newton Engineering, PC, on behalf of Midland Habitat for Humanity, for a zone change from AE, Agricultural Estate District to PD, Planned Development District, for Housing Development, for a 17.18-acre tract of land located in Section 31, Block 38, T-1-S, T&P RR. CO. Survey, City and County of Midland, Texas.

Generally located at the southeast corner of the intersection of North Fairgrounds Road and East Cynthia Drive. (Council District 2)

LEGEND

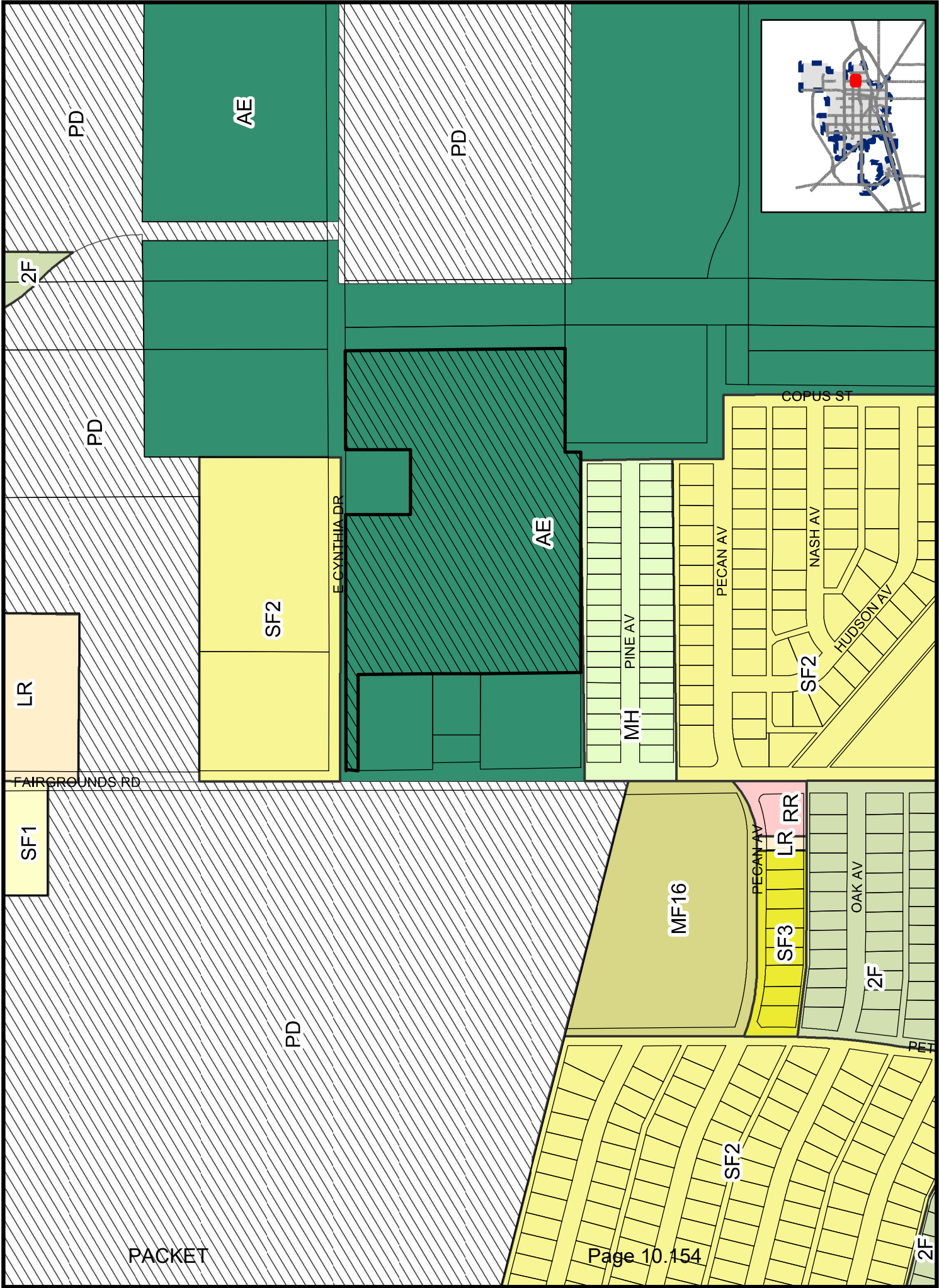
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ZONING MAP

Scale: 1" = 389'

Z-24-0398

Map by MJ 11/21/2024



E CYNTHIA DR

FAIRGROUNDS RD

PINE AV

PECAN AV

COPUS

NASH AV

PACKET





HABITAT FOR HUMANITY



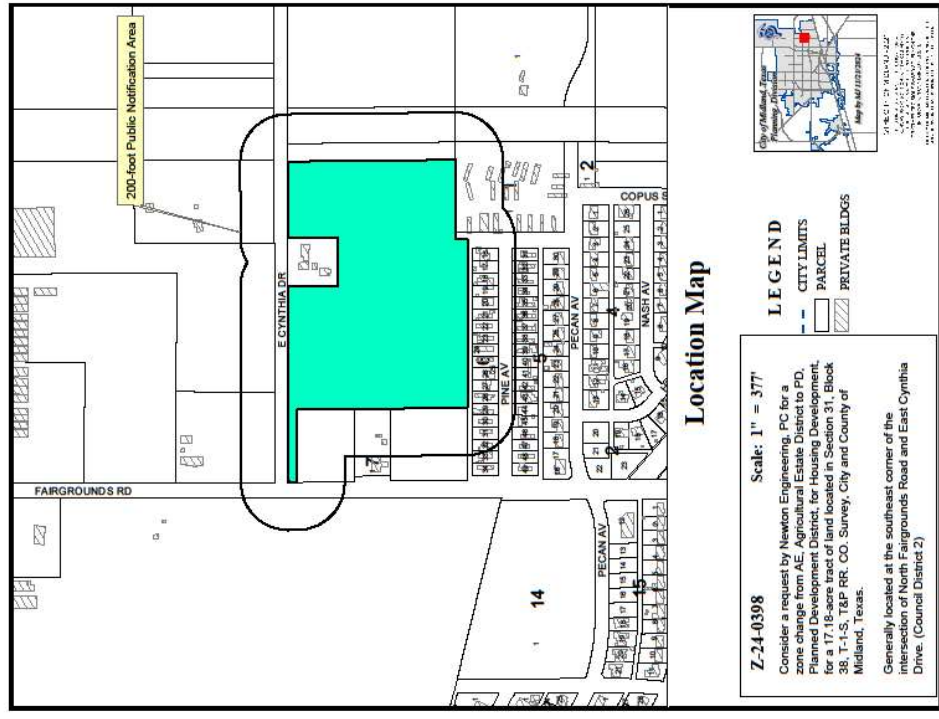
Visit Our Website

MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner:** Midland Habitat for Humanity
- **Applicant/ Representative:** Newton Engineering, PC
- **Zone Change**
- **Address:** Southeast corner of North Fairgrounds Road and East Cynthia Drive (District 2)

Reason for Request: To create single-family lots for affordable housing development.

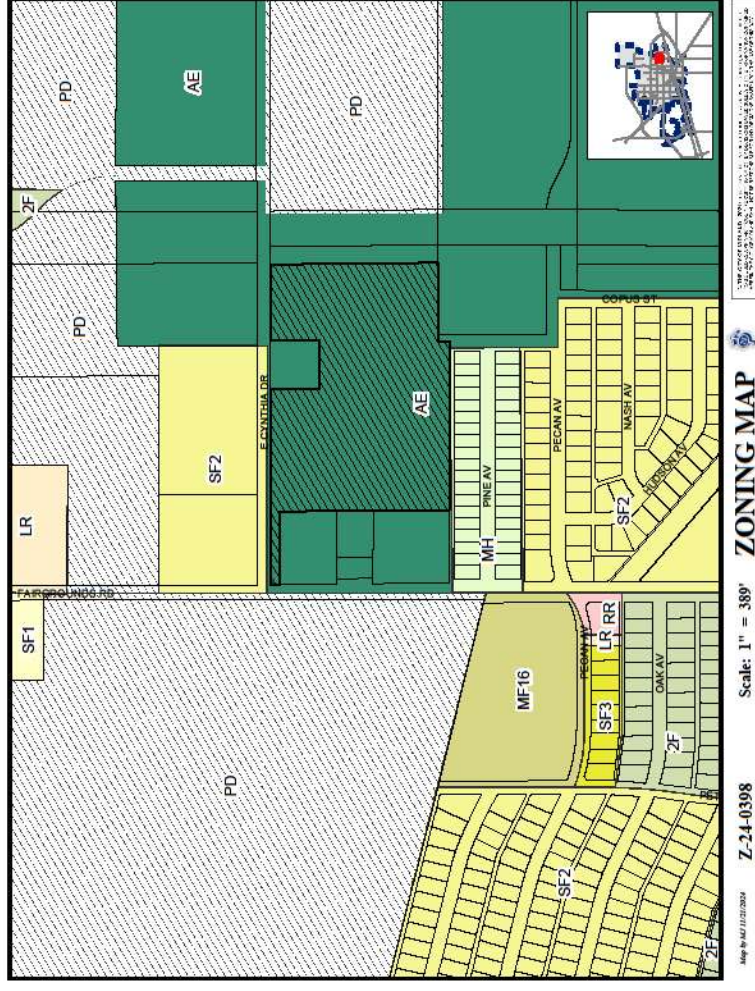


ZONING

PACKET

- **Current Zoning:** AE, Agricultural Estate District
- **Surrounding Zoning:**
 - North: SF2, Single-Family Dwelling District
 - South: MH, Manufactured Housing District
 - East: PD, Planned Development District, for Housing Development
 - West: PD, Planned Development District for recreation center
- **Proposed Zoning:** Planned Development District, for Housing Development

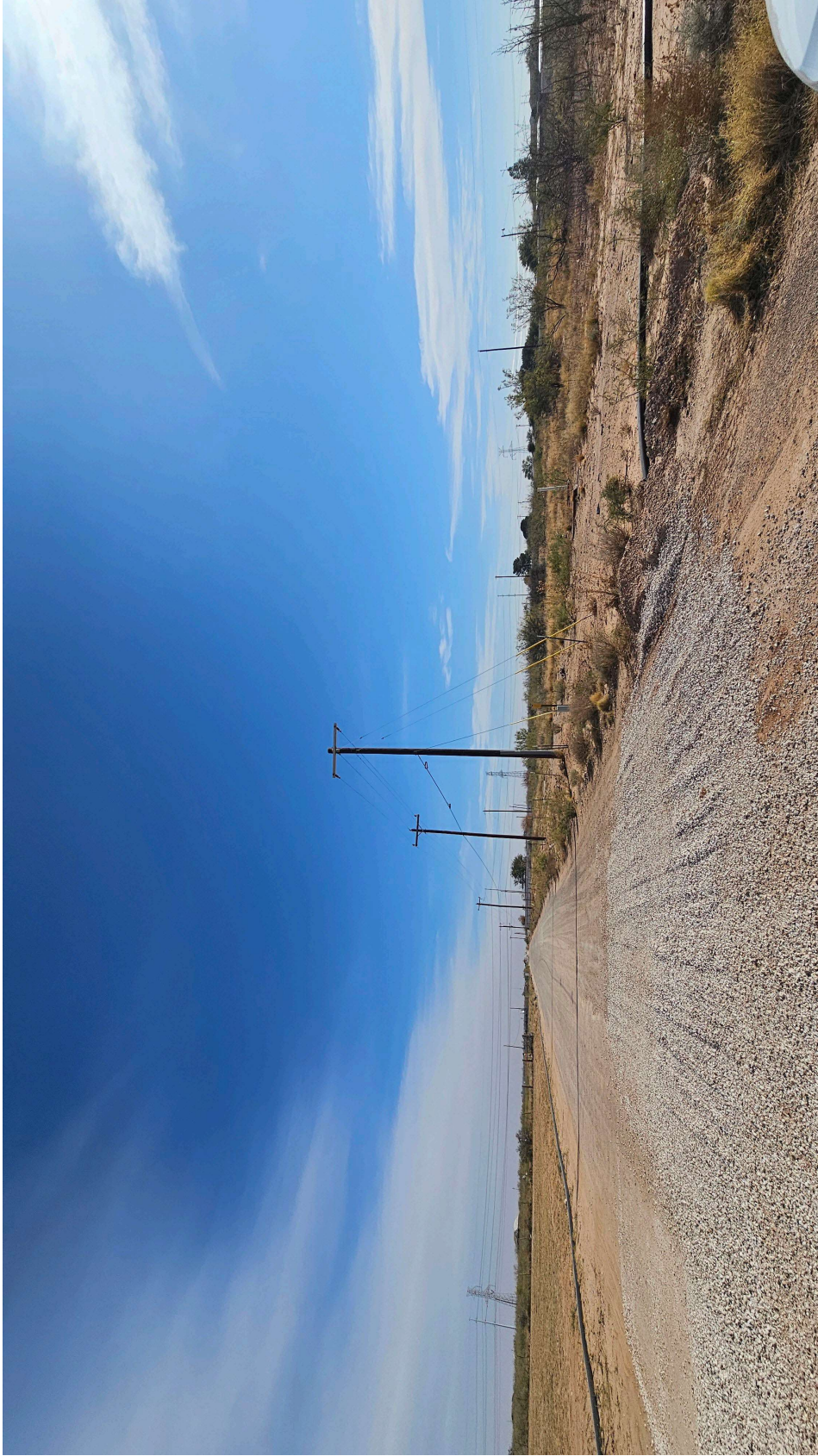
3



LAND USE

- **Current Use of the Property:**
Vacant
- **Proposed Use of the Property:**
Single-Family Dwellings
- **Surrounding Uses:**
 - North: Residential and vacant lots
 - South: Residential
 - East: Vacant lots
 - West: Golf course and residential

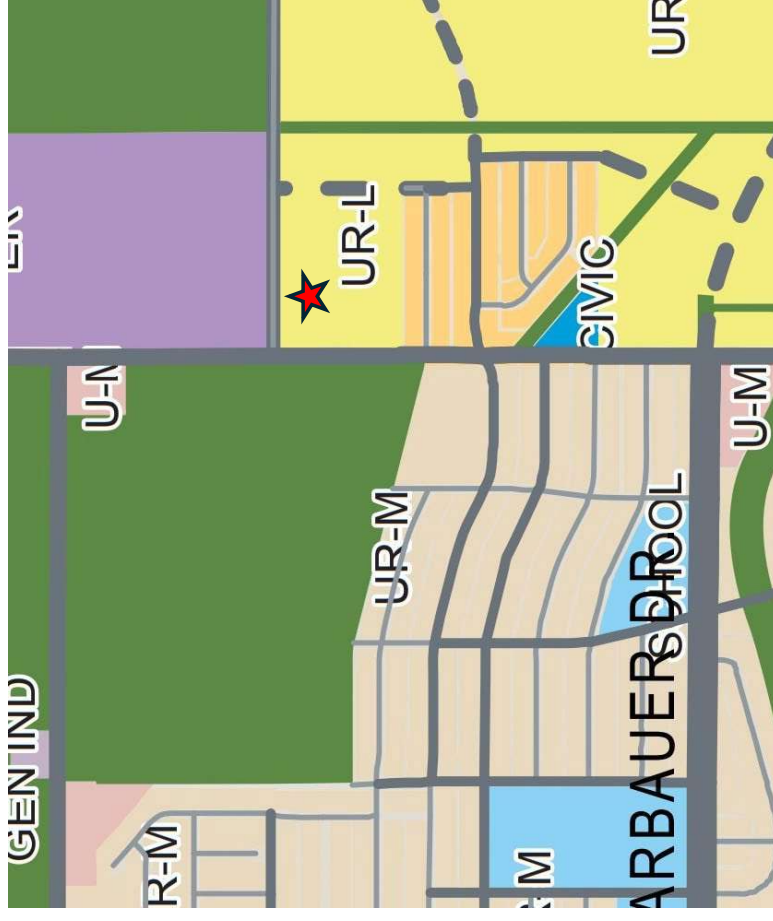




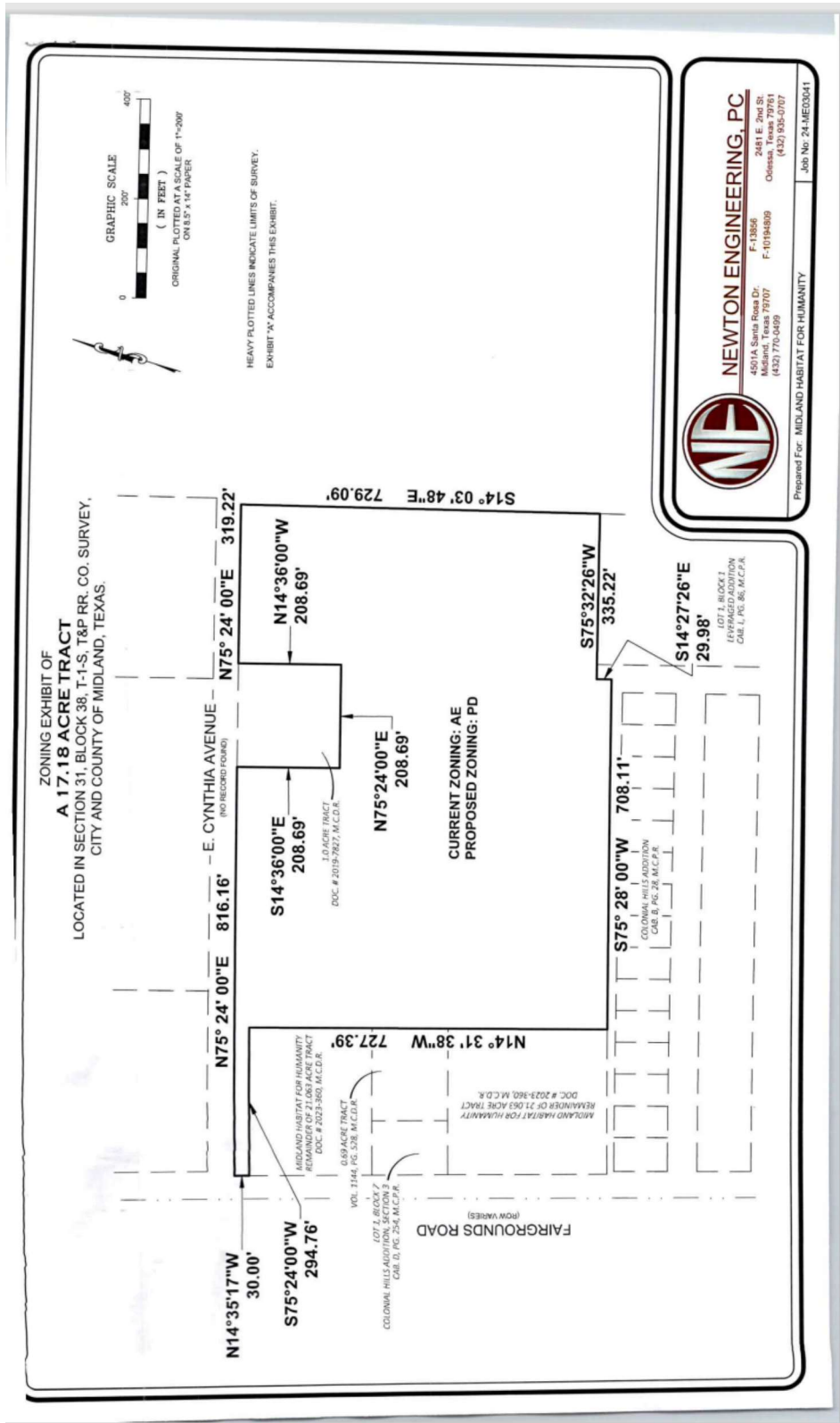
On Cynthia Drive, Looking Southeast.

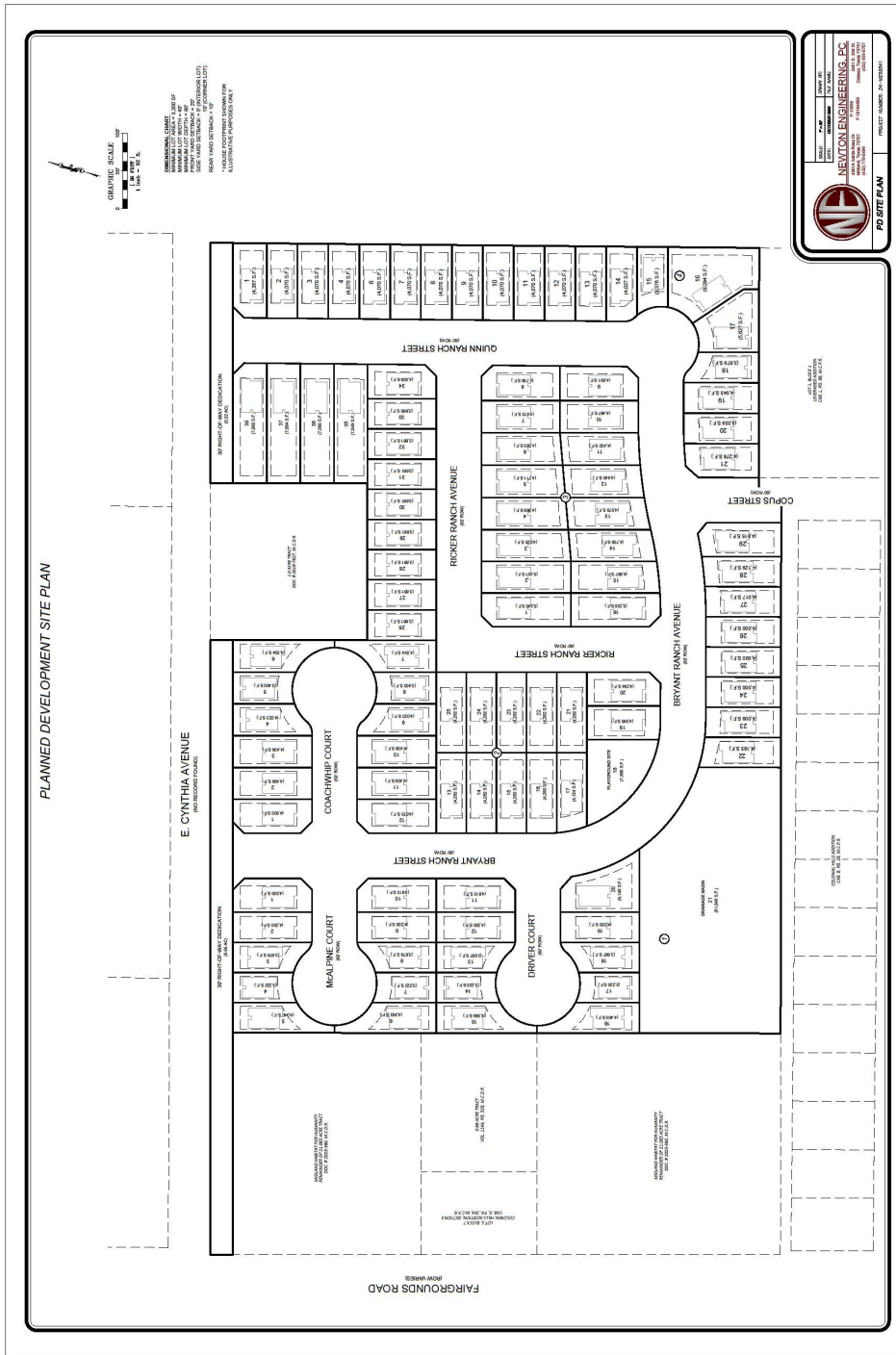
COMPREHENSIVE PLAN

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



Survey (Exhibit A)





Site Plan (Exhibit B)



STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from AE, Agricultural Estate District to PD, Planned Development District, for Housing Development subject to condition A.
- **Conditions:**
 - A. That the property, including the minimum dimensions of each lot, the minimum area of each lot, and the area labeled “playground site” contained therein, shall significantly conform to the site plan attached hereto as Exhibit “B” .**



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 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider a request by Louis Clay, for a zone change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 7, Block 22, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of South Calhoun Street and East New York Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Directional/Informational

Details of Request:

The applicant, Louis Clay, is requesting a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, to develop a single-family dwelling on a property located at 511 South Calhoun Street.

Current Zoning:

MF-22, Multiple-Family Dwelling District.

Surrounding Zoning and Land Use:

All adjacent lots are zoned MF-22, Multiple-Family Dwelling District. Surrounding land use includes single-family dwellings to the north, south and east and a vacant lot to the west.

Analysis:

The subject property is zoned MF-22, Multiple-Family Dwelling District. This district is intended to provide development of attached residential units up to 22 units per acre. Louis Clay is seeking this zone change to build a single-family dwelling on the vacant lot. The property does not meet the minimum lot dimension requirements for the MF-22, Multiple-Family Dwelling District, but does meet all requirements of the SF-3, Single-Family Dwelling District zoning. Approval of this zone change request would provide uniformity to the future residential development of this area.

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

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

Fire: (Approved)

No objection to zoning.

Oil and Gas: (Approved)

No Oil & Gas Issues.

Engineering: (Approved)

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

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

Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 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 MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District.

Letters of Objection:

Staff has not received any letters of objection as of December 13, 2024.

Attachments:

Application
Site Plan (Exhibit A)
Maps
PowerPoint



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

Project Number: _____

Case Number: 2-24-0401

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

Printed Name: Louis Clay

Phone (432) 631-2909
Email talcityboss@yahoo.com

Address 1215 Lynn

City Midland

State TX

Zip 79705

Property Owner

Printed Name: Louis Clay

Phone (432) 631-2909
Email talcityboss@yahoo.com

Address 1215 Lynn

City Midland

State TX

Zip 79705

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone (432) 631-2909
Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 511 S. Calhoun

Legal Description

Lot: _____ Block: _____ Subdivision: Greenwood

Current Zoning: MF 22

Proposed Zone: SF - 2
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Build a single family Home

Present Use of Property: MF 22

Proposed Use of Property: Build a single family home

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)

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

Applicant (signature):

Date: 11-20-2024

Applicant (printed):

Property Owner (signature):

Date: 11-20-2024

Property Owner (printed):

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

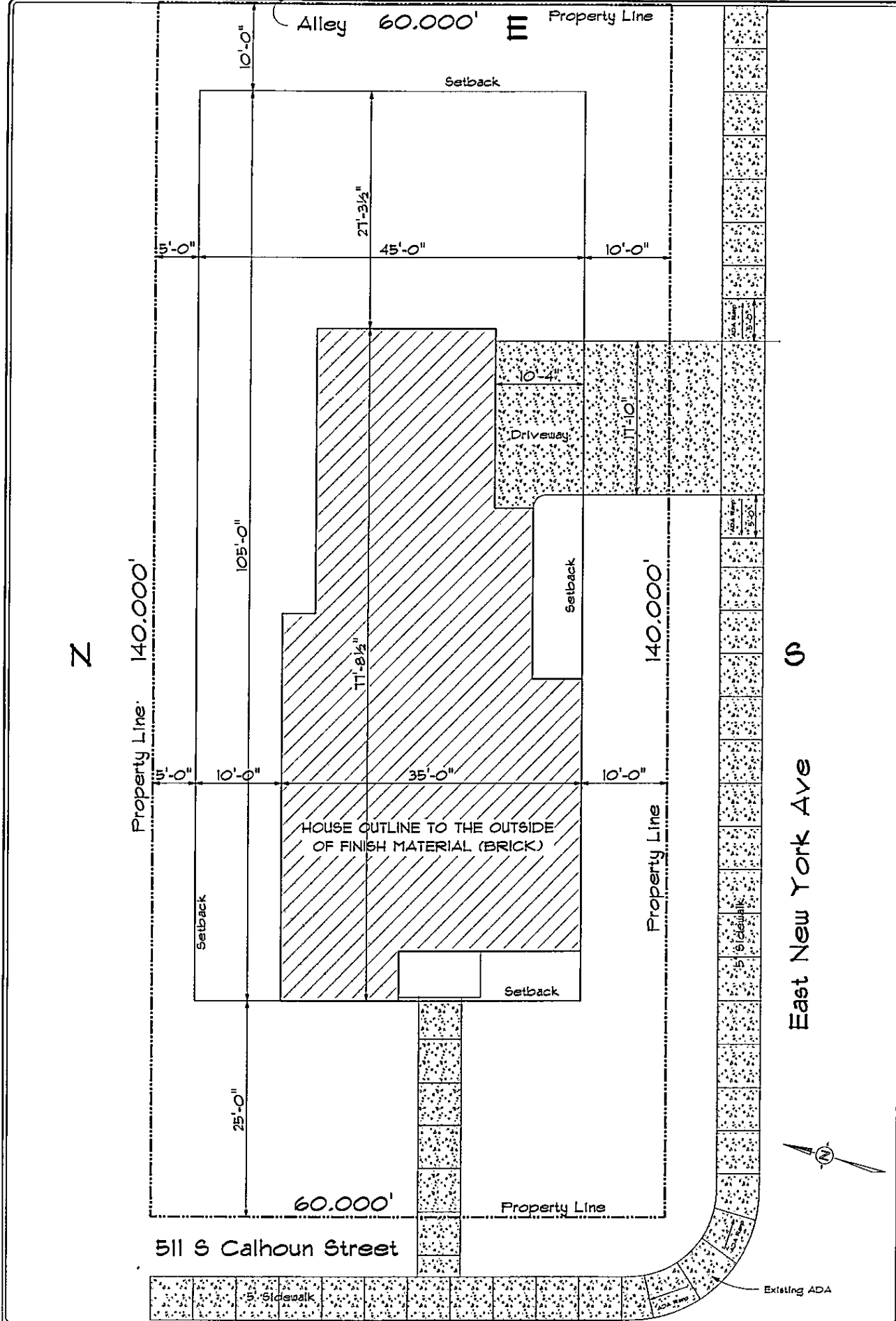
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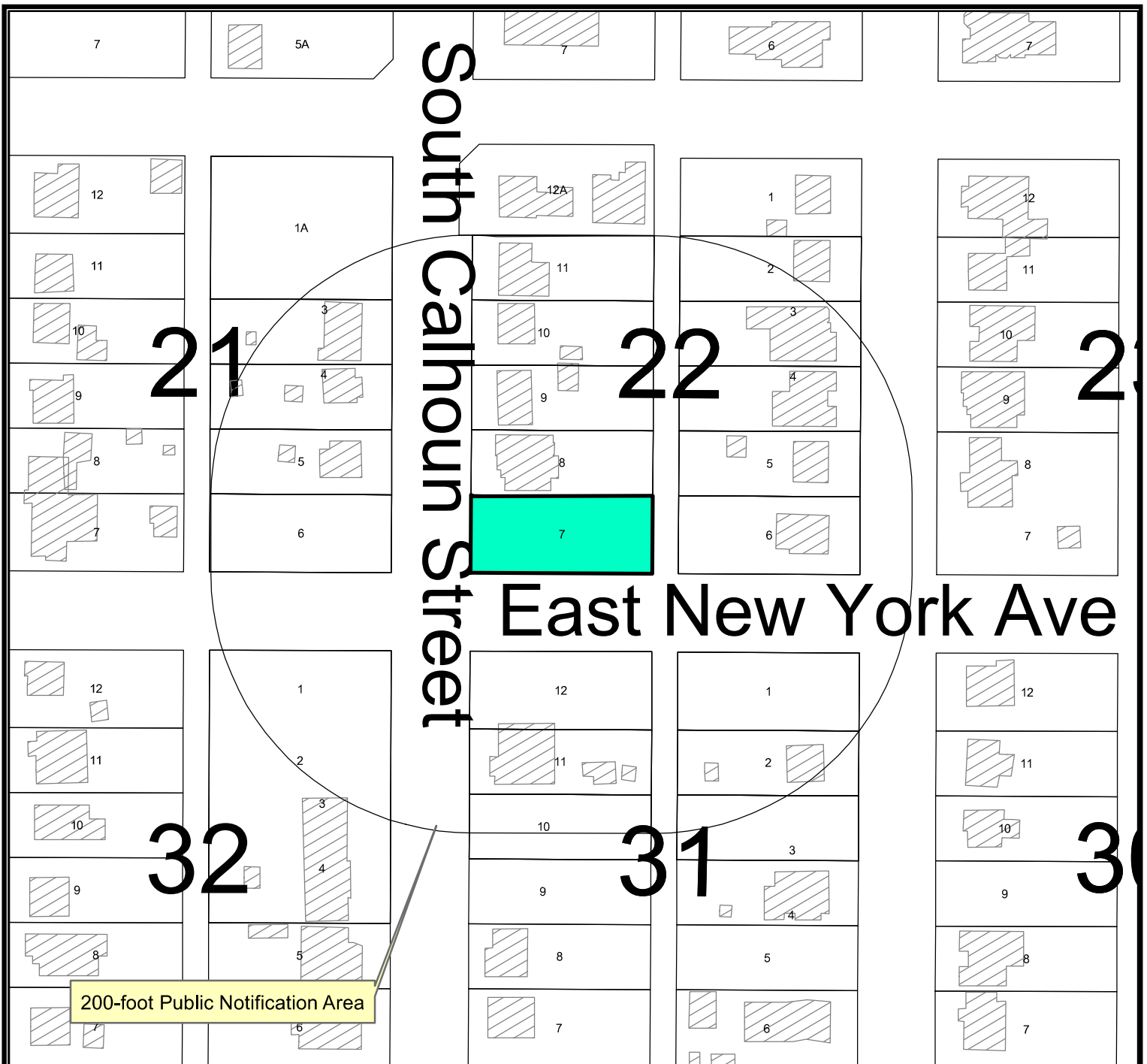
Received By:

Date:

RECEIVED
NOV 20 2024

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





Location Map

Z-24-0401

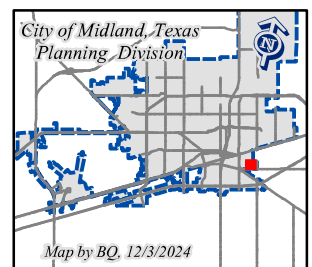
Scale: 1" = 800'

Consider a request by Louis Clay for a zone change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 7, Block 22, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection of South Calhoun Street and East New York Avenue. (Council District 2)

LEGEND

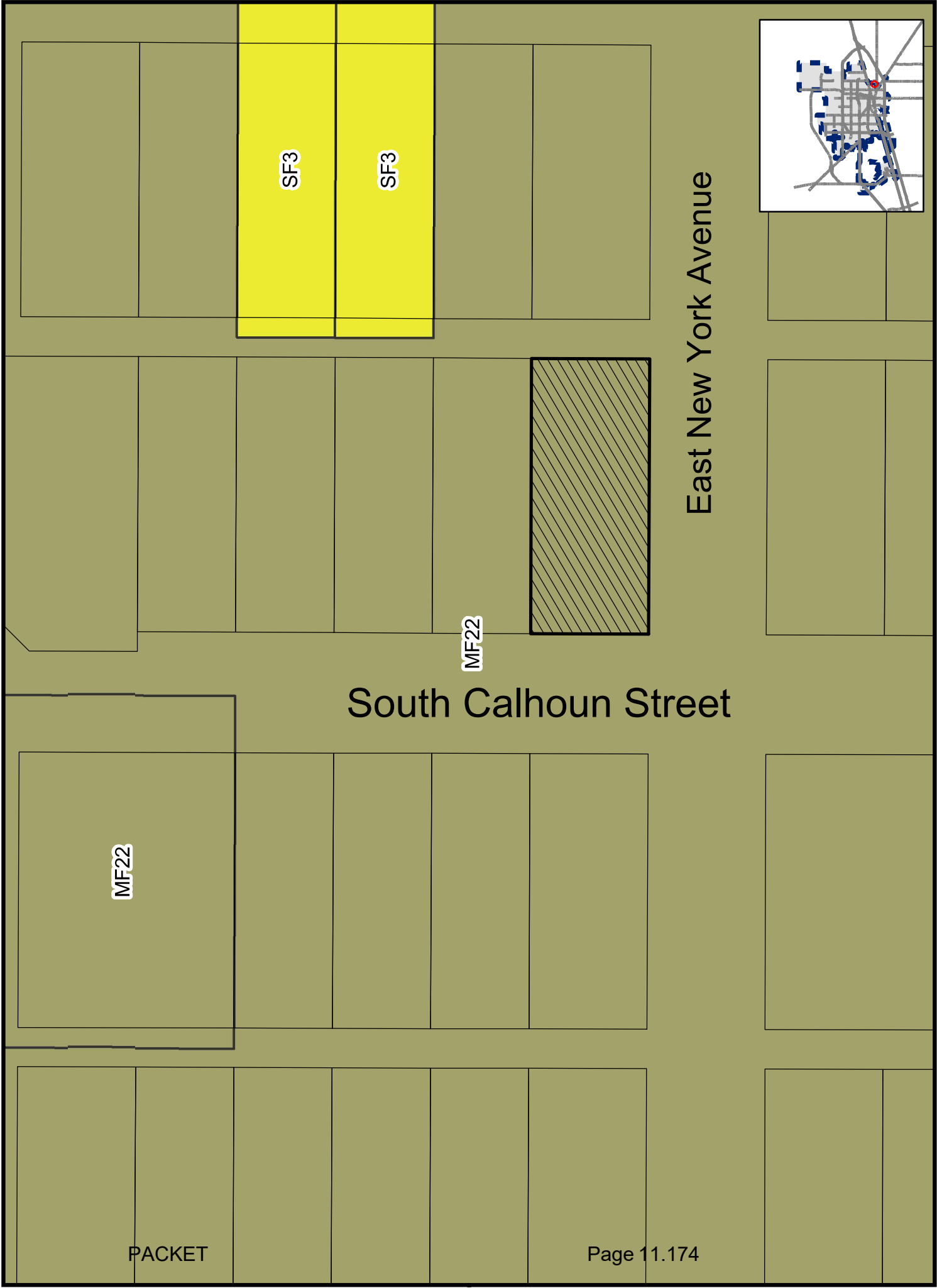
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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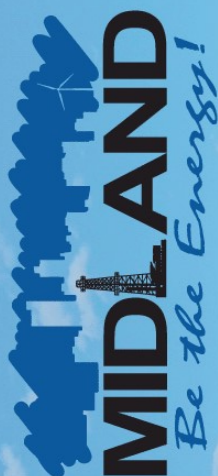
ZONING MAP

Scale: 1" = 600'

Z-24-0401







511 S Calhoun ITEM#

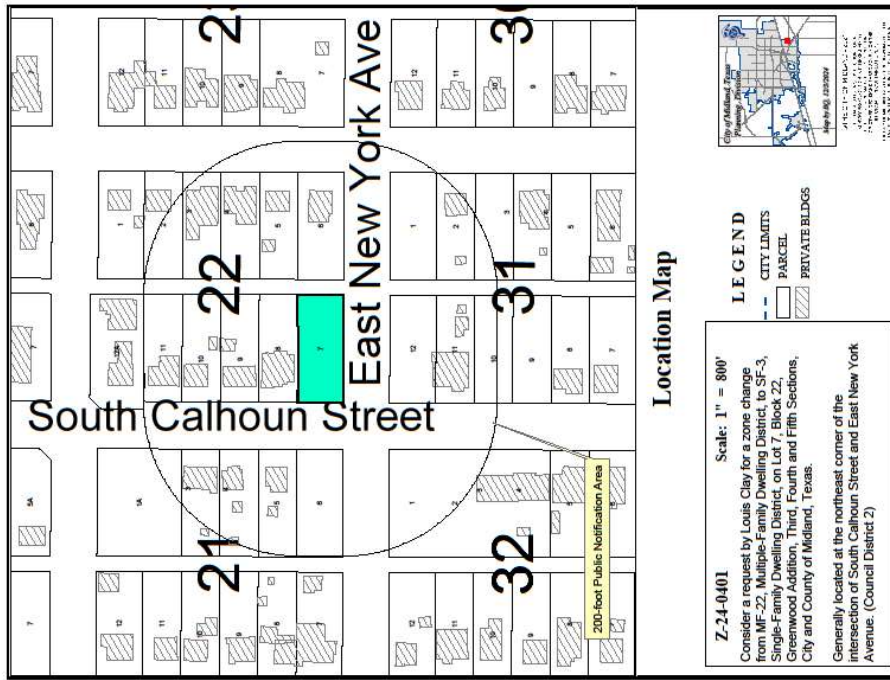


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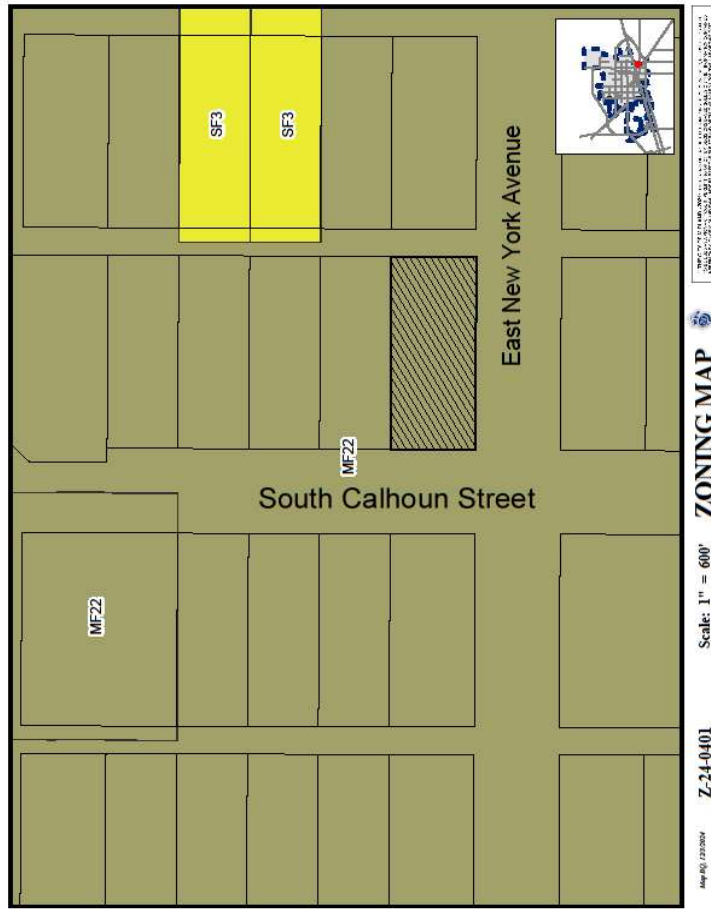
APPLICATION SUMMARY

- **Property Owner/Applicant:**
Louis Clay
- **Zone Change**
- **Address:** 511 S Calhoun



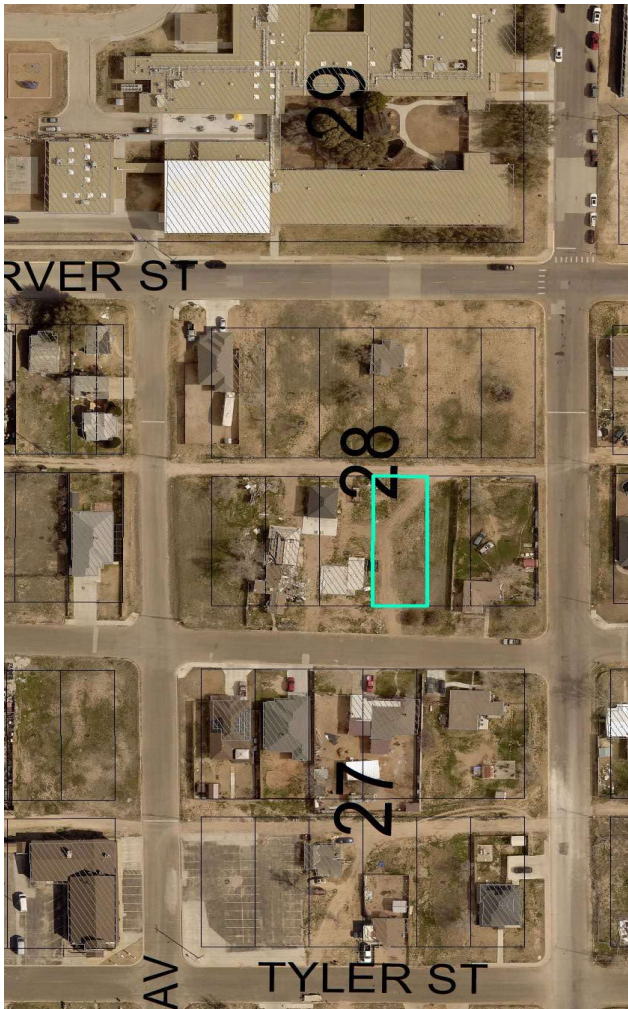
ZONING

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



LAND USE

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



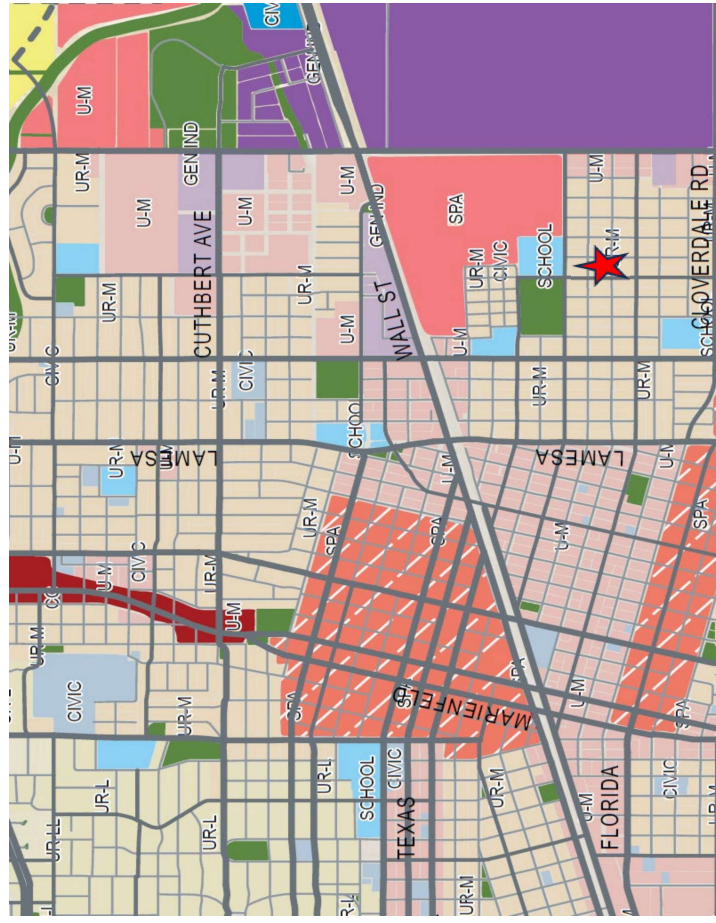


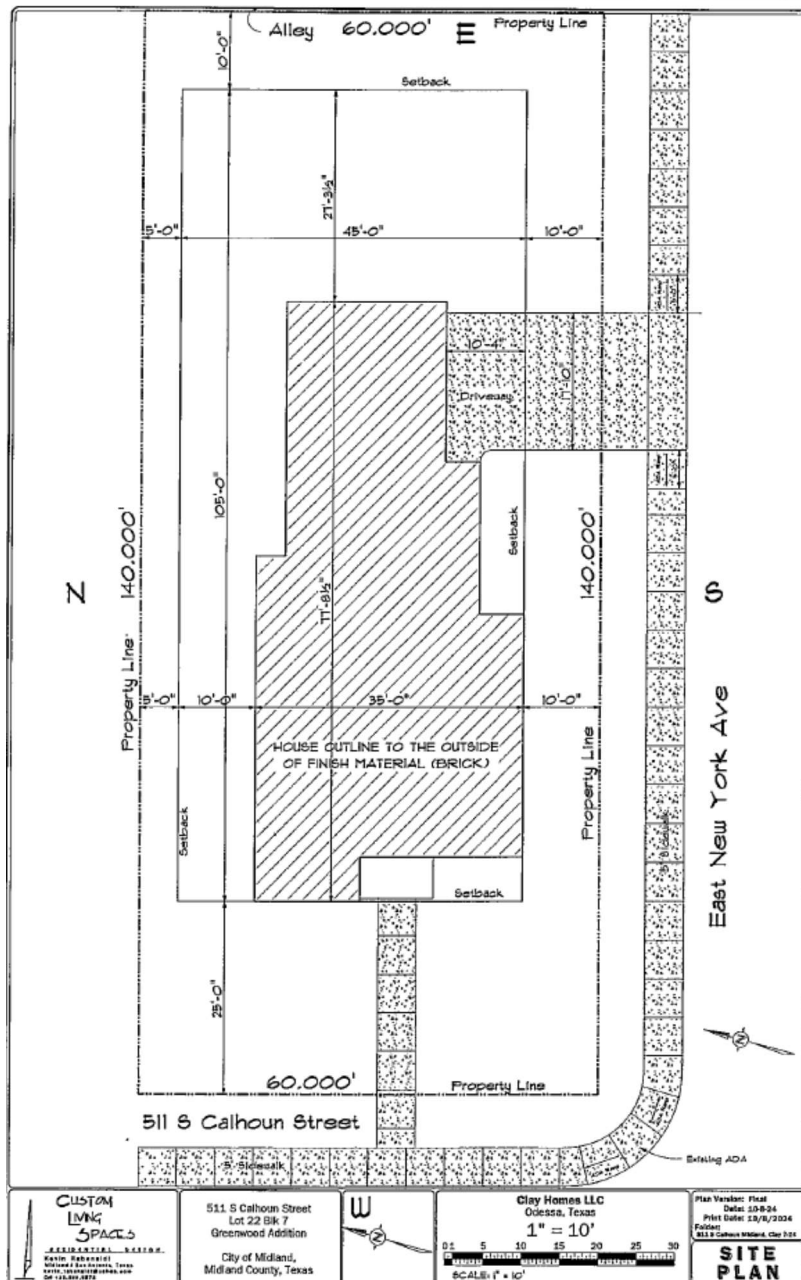
On S Calhoun, Looking east.



COMPREHENSIVE PLAN

- TCT Land Use Designation: Urban Residential- Medium (UR-M)
- Supported Uses:
 - Supports a mix of housing types, including single-family detached, single-family attached and townhomes.
 - Request is compatible with the surrounding area and the Tall City Tomorrow Plan.





Site Plan (Exhibit A)

STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from MF-22, Multi-Family Dwelling District to SF-3, 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 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider a request by Obsidian Reality, on behalf of Archie Williams Jr., for a zone change from MF-22, Multi-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 9, Block 28, Moody Addition, City and County of Midland, Texas. (Generally located on the east side of North Madison Street, approximately 100 feet north of East Wall Street.)(DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Obsidian Reality, on behalf of Archie Williams Jr., is requesting a Zone Change from MF-22, Multi-Family Dwelling District, to SF-3, Single-Family Dwelling District, to build a single-family dwelling on the vacant lot.

Current Zoning:

MF-22, Multi-Family Dwelling District.

Surrounding Zoning and Land Use:

The adjacent lots to the west, north, and south are all zoned MF-22, Multiple-Family Dwelling District. The lots to the east are zone Single-Family Dwelling District. The surrounded land use of the adjacent properties to the north, south, east and west are all residential. The zone change would not change the land use, and it will remain as residential.

Analysis:

The subject property is zoned MF-22, Multiple-Family Dwelling District. This district is intended to provide development of attached residential units up to 22 units per acre.

Archie Williams Jr. with Obsidan Reality is seeking this zone change to build a single-family dwelling on the vacant lot. The property does meet the requirement to build a single-family home in the proposed zone. Changing this zone would help the future residential development of this area.

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

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

Fire: (Approved)

No objections.

Oil and Gas: (Approved)

No Oil & Gas well concern for Zoning.

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

Engineering: (Approved)

No objection to zone change. 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. Our staff has examined the FEMA flood map and it appears that this property lies entirely within Zone AE, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood. An elevation certificate based off of construction drawings will be required to get a building permit to show compliance to the 1 foot of freeboard above the base flood elevation for residential structures. An elevation certificate based off of finish construction will be required for the Certificate of Occupancy.

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:

Staff recommends the approval of this request for an initial zoning of MF-22, Multi-Family Dwelling District, to SF-3, Single-Family Dwelling District.

Letters of Objection:

As of December 13, 2024, Staff has not received any letters of objection.

Attachments:

Application
Location Map
Zoning Map
Aerial
Photo
PowerPoint Presentation



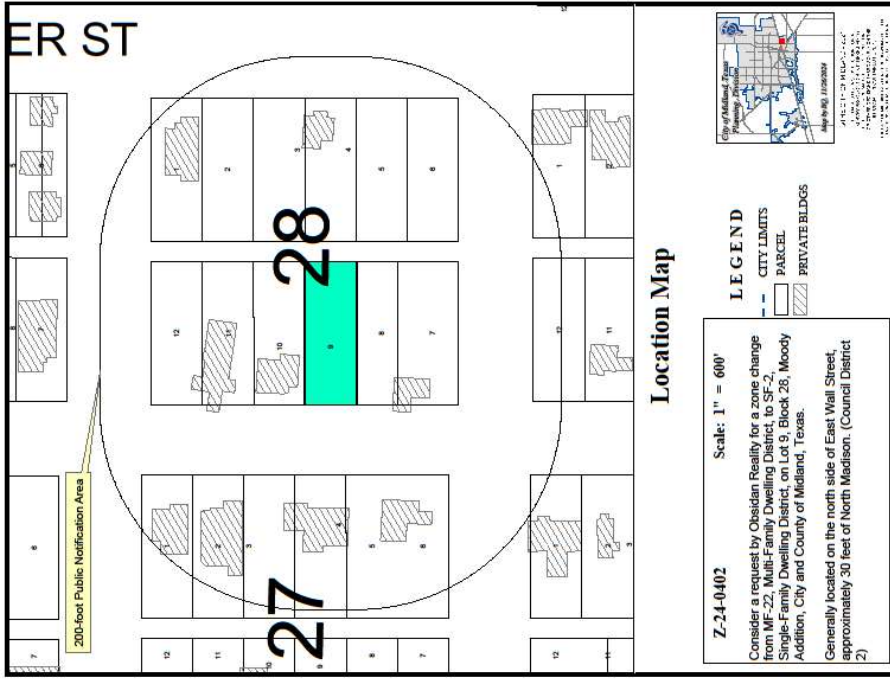
104 N. Madison ITEM#

Visit Our Website
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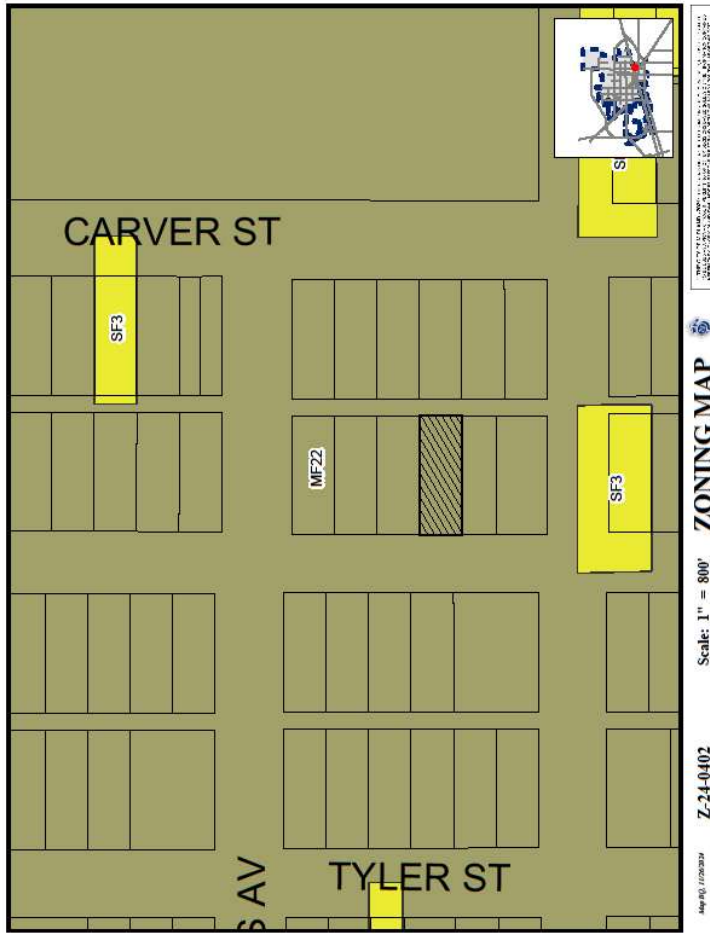
APPLICATION SUMMARY

- **Property Owner/Applicant:**
Archie L Williams
- **Representative:** Obsidian Reality
- **Zone Change**
- **Address:** 104 N Madison Street



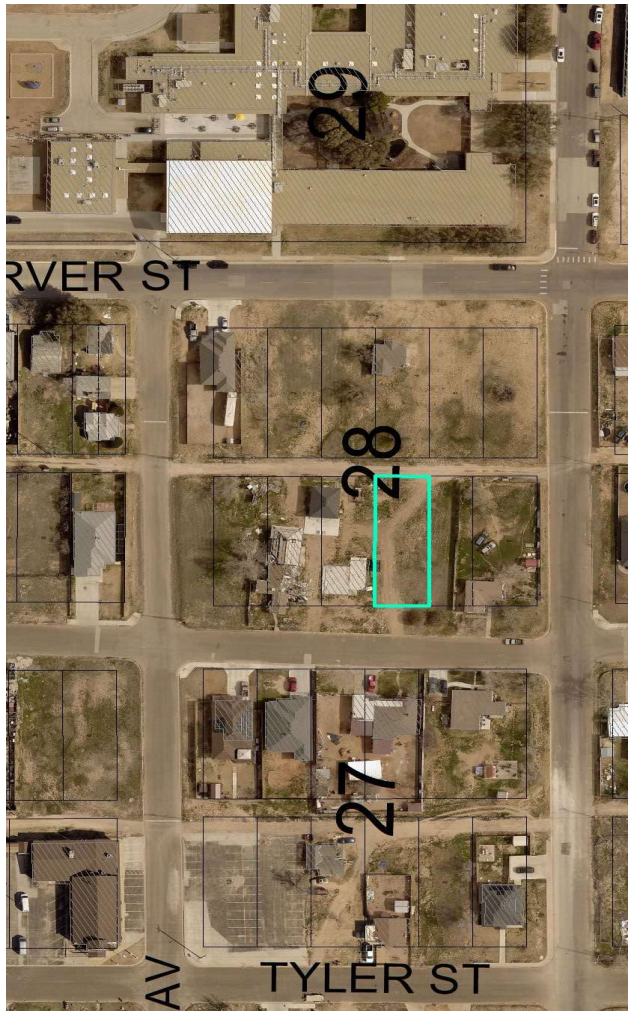
ZONING

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



LAND USE

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

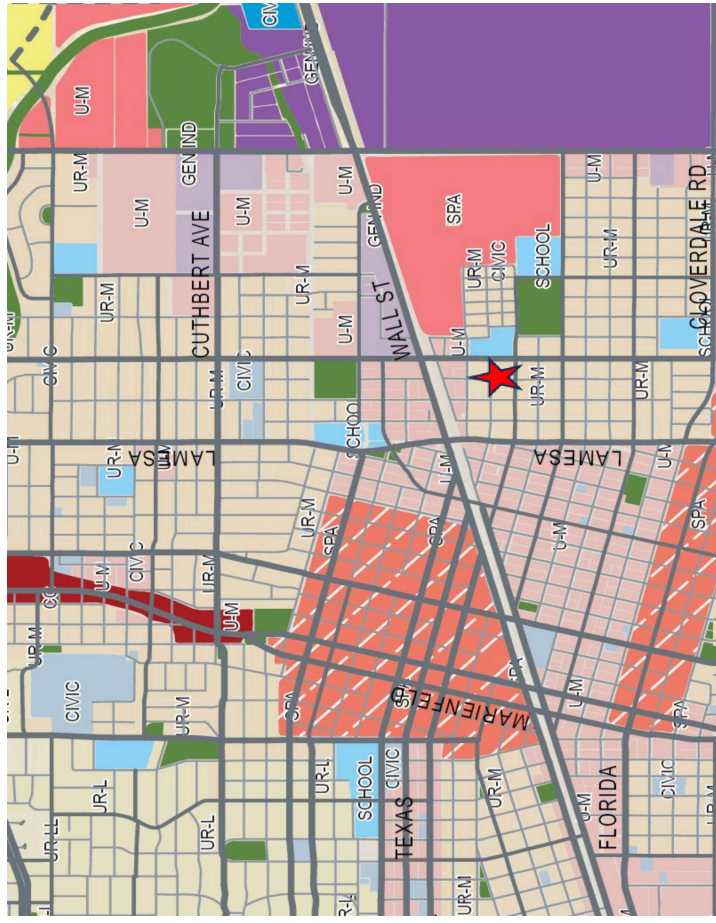


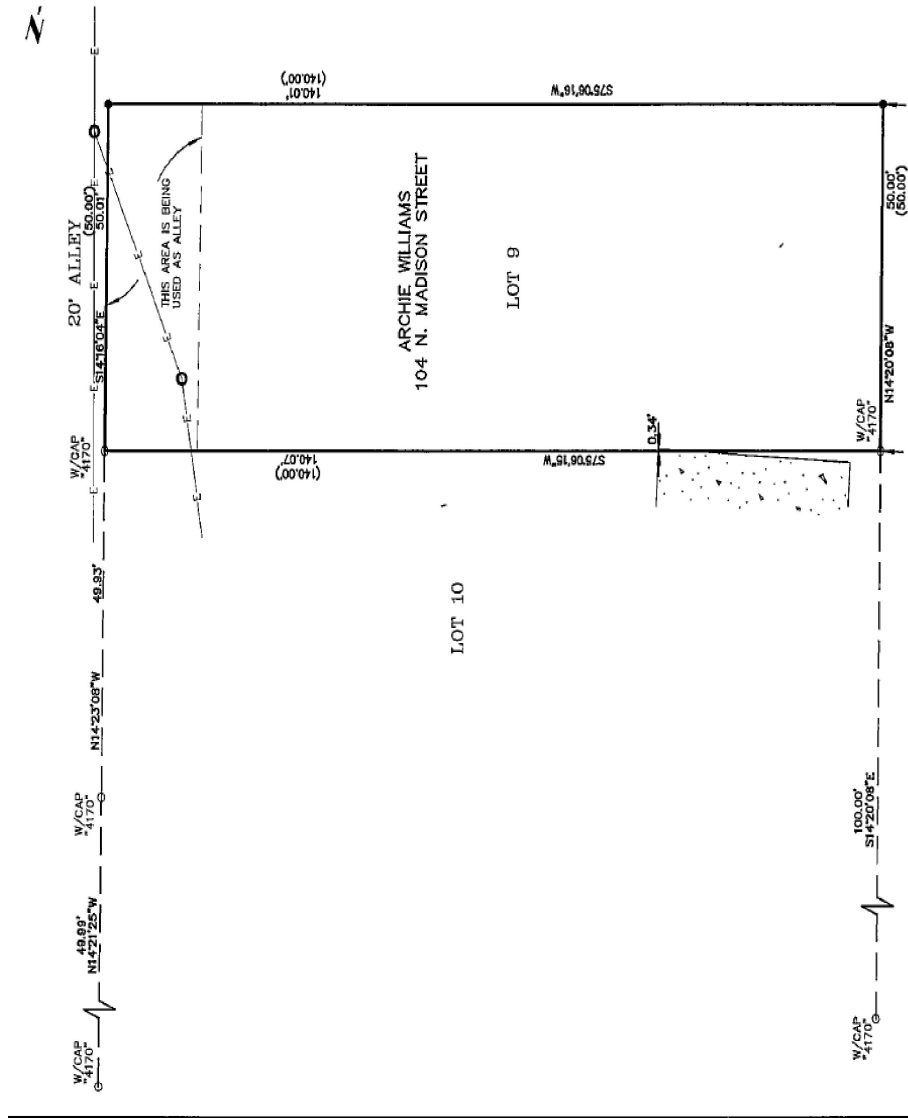


On North Madison, Looking south.

COMPREHENSIVE PLAN

- TCT Land Use Designation: Urban Residential- Medium (UR-M)
- Supported Uses:
 - Supports a mix of housing types, including single-family detached, single-family attached and townhomes.
 - Request is compatible with the surrounding area and the Tall City Tomorrow Plan.





Site Plan (Exhibit A)

STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from MF-22, Multi-Family Dwelling District to SF-3, Single-Family Dwelling District.



MISSION

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



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

Project Number: _____

Case Number: 2-24-0402

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Archie L Williams Jr</u>		Phone (432) <u>889-7437</u> Email: <u>archie.williams204@yahoo.com</u>	
Address: <u>2204 N D ST</u>	City: <u>MIDLAND</u>	State: <u>TEXAS</u>	Zip: <u>79705</u>

Property Owner Printed Name: <u>Archie L Williams Jr</u>		Phone (432) <u>889-7437</u> Email: <u>archie.williams204@yahoo.com</u>	
Address: <u>2204 N D</u>	City: <u>MIDLAND</u>	State: <u>TX</u>	Zip: <u>79705</u>

Representative (if different from Applicant or Property Owner) Firm: <u>OBSIDIAN REALTY</u> Printed Name: _____		Phone () _____ Email _____	
Address: <u>426 W SHANDON</u>	City: <u>MIDLAND</u>	State: <u>TX</u>	Zip: <u>79705</u>

Street Address: _____

Legal Description

Lot: 9 Block: 28 Subdivision: MOODY ADDITION

Current Zoning: 1

Proposed Zone:

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

Reason for Zone Change Request: CITY WILL NOT ALLOW MFR

Present Use of Property: LOT

Proposed Use of Property: RESIDENTIAL HOUSE

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)

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>Archie Williams Jr</u>	Date: <u>11/20/24</u>
Applicant (printed): <u>Archie Williams Jr</u>	
Property Owner (signature): <u>Archie Williams Jr</u>	Date: <u>11/20/24</u>
Property Owner (printed): <u>Archie Williams Jr</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

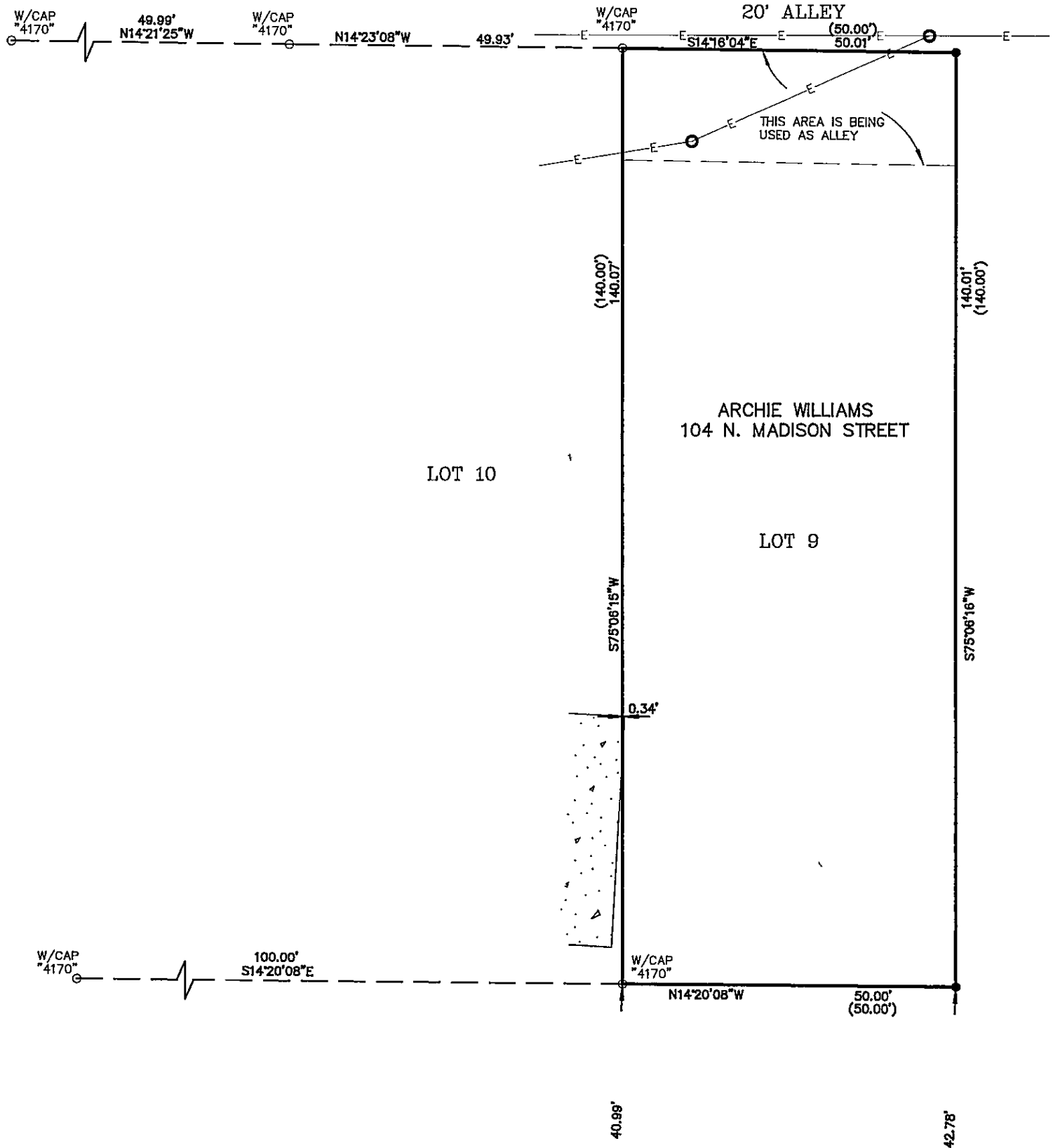
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization ☒ Application Fee Check # <u>Invoice</u>	☒ Dimensioned Site Plan ☒ Plans in Digital Format (PDF/JPEG)
Received By: <u>Bt</u>	Date: <u>NOV 20 2024</u>

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: Archie Williams 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 April 18, 2024, which shall take place within 90 days after the survey was provided.



ER ST

200-foot Public Notification Area

North Madison St

East Wall St

Location Map

Z-24-0402

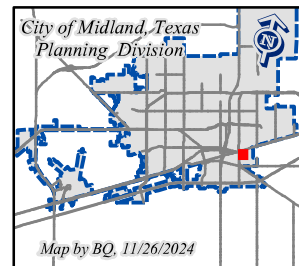
Scale: 1" = 600'

Consider a request by Obsidan Reality for a zone change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 9, Block 28, Moody Addition, City and County of Midland, Texas.

Generally located on the east side of North Madison Street, approximately 100 feet north of East Wall Street.
(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.

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PACKET

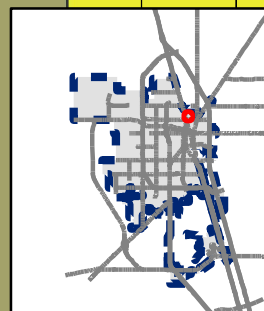
AV

TYLER ST

Page 12.202

East Wall St

5









Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and consider a request by Philly's Golf Club, LLC for a Specific Use Designation with Term for the sale of alcoholic beverages sales for on-premises consumption in a lounge, on Lot 2, Block 1, 349 Retail Addition, City and County of Midland, Texas. (Generally located on the west side of North Highway 349, approximately 330 feet north of Tejas.) (District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Philly's Golf Club, LLC, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a lounge located at 6409 North Highway 349.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north and west are zoned RR, Regional Retail District. The properties to the south are zoned PD, Planned District for shopping center. The properties east, north and west are vacant and the property to the south is the location of a Dollar Tree.

Analysis:

The property is zoned RR, Regional Retail District. The RR zoning allows for alcoholic beverages sales for on-premises consumption in a lounge with the approval of an SUD. The total area of the lounge, Philly's Golf Club, is 8,500-square feet and the proposed alcohol serviceable area is 5,750-square feet.

The proposed hours of operation:

Monday through Sunday from 8 a.m. to 2 a.m.

The proposed hours of alcohol service:

**Monday through Saturday from 8 a.m. to 2 a.m.
Sunday from 10 a.m. to 2 a.m.**

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

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

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

The request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to "Encourage the development of places where Midland residents can gather and socialize to build connections." Philly's Golf Club 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)

The SUD for Philly's Golf Club is acceptable. The property must adhere to the maximum occupant load of 380 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

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

Conditions:

- A. That the serviceable area of the Establishment shall be limited to approximately 5,750 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 the following:**

Monday through Saturday from 8:00 a.m. to 2:00 a.m. of the following day; and Sunday from 10:00 a.m. to 2:00 a.m. of the following day.

- 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 December 13, 2024, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan
Maps



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

Project Number: _____

Case Number: _____

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

Printed Name: RYAN HERNANDEZ PHILLY'S GOLF CLUB, LLC

Address
1908 WASHITA

City MIDLAND

Phone (432) 556-8156

Email
ryan@ovisenergyllc.com

State TX Zip 79705

Property Owner

Printed Name: Fierce Property Investments

Address 4416 Briarwood Ave

City Midland

Phone (432) 413-3072

Email

State TX Zip 79707

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Address _____

City _____

Phone ()

Email

State Zip

Street Address: 6409 N HWY 349 SUITE #1 MIDLAND, TEXAS 79705

Business Name: PHILLY'S GOLF CLUB

Legal Description

Lot: Block: Subdivision:

Current Zoning:

Reason for Request: WE WOULD LIKE TO BE ABLE TO OFFER OUR GUESTS A DRINK.

Type of Business (restaurant, bar, lounge, nightclub, etc.): ENTERTAINMENT/LOUNGE

Proposed/Current Days and Hours of Operation: 11AM - 12AM, Sometimes 12AM - 2AM

Proposed Days and Hours of Alcohol Service: 11AM - 12AM, Sometimes 12AM - 2AM

Total Square Footage of Business: 8500 sqft

Square Footage of Alcohol Serviceable Area: ~5,750

Restroom Fixtures:

Men

Toilets/Urinals: 2 1 2

Bathroom Sinks: 2

Women

Toilets: 4

Bathroom Sinks: 2

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: 10/25/24

Applicant (printed): RYAN HERNANDEZ

Property Owner (signature):

Date: 10/25/24

Property Owner (printed):

Christopher M. Butler

10/25/24

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.

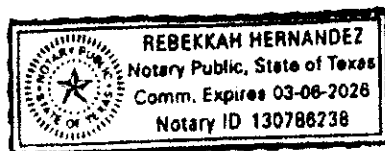
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

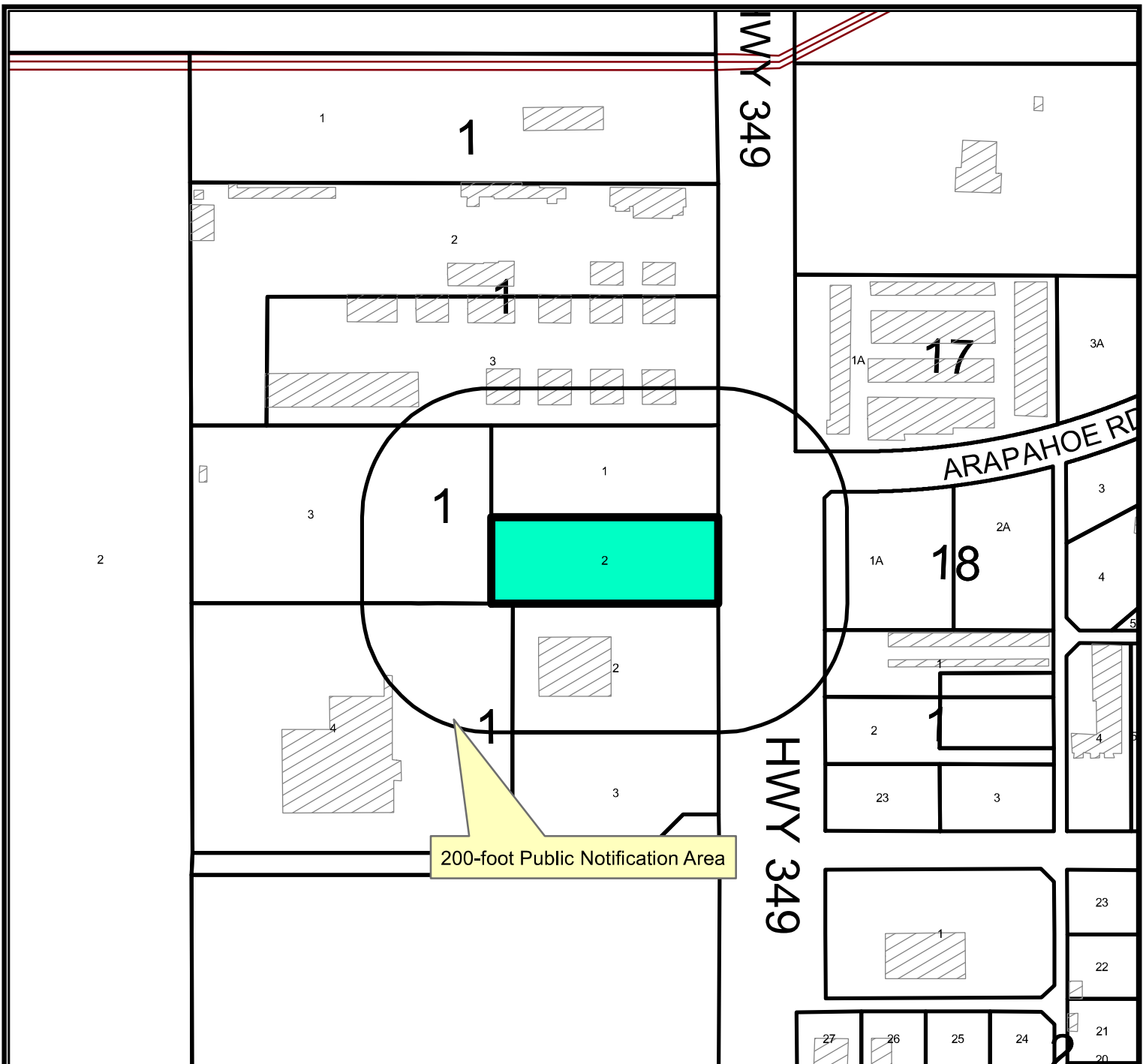
Authorized Agent (signature)

Subscribed and sworn to before me, this 11 day of November 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.****



Location Map

SUD-24-0190

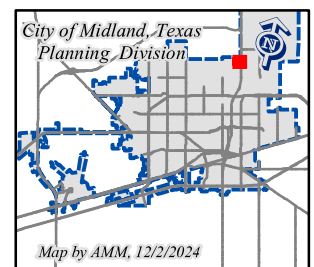
Scale: 1" = 684'

Consider a request by Philly's Golf Club, LLC for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a lounge on Lot 2, Block 1, 349 Retail Addition, City and County of Midland, Texas.

Generally located on the west side of North Highway 349, approximately 330 feet north of Tejas. (Council District 1)

LEGEND

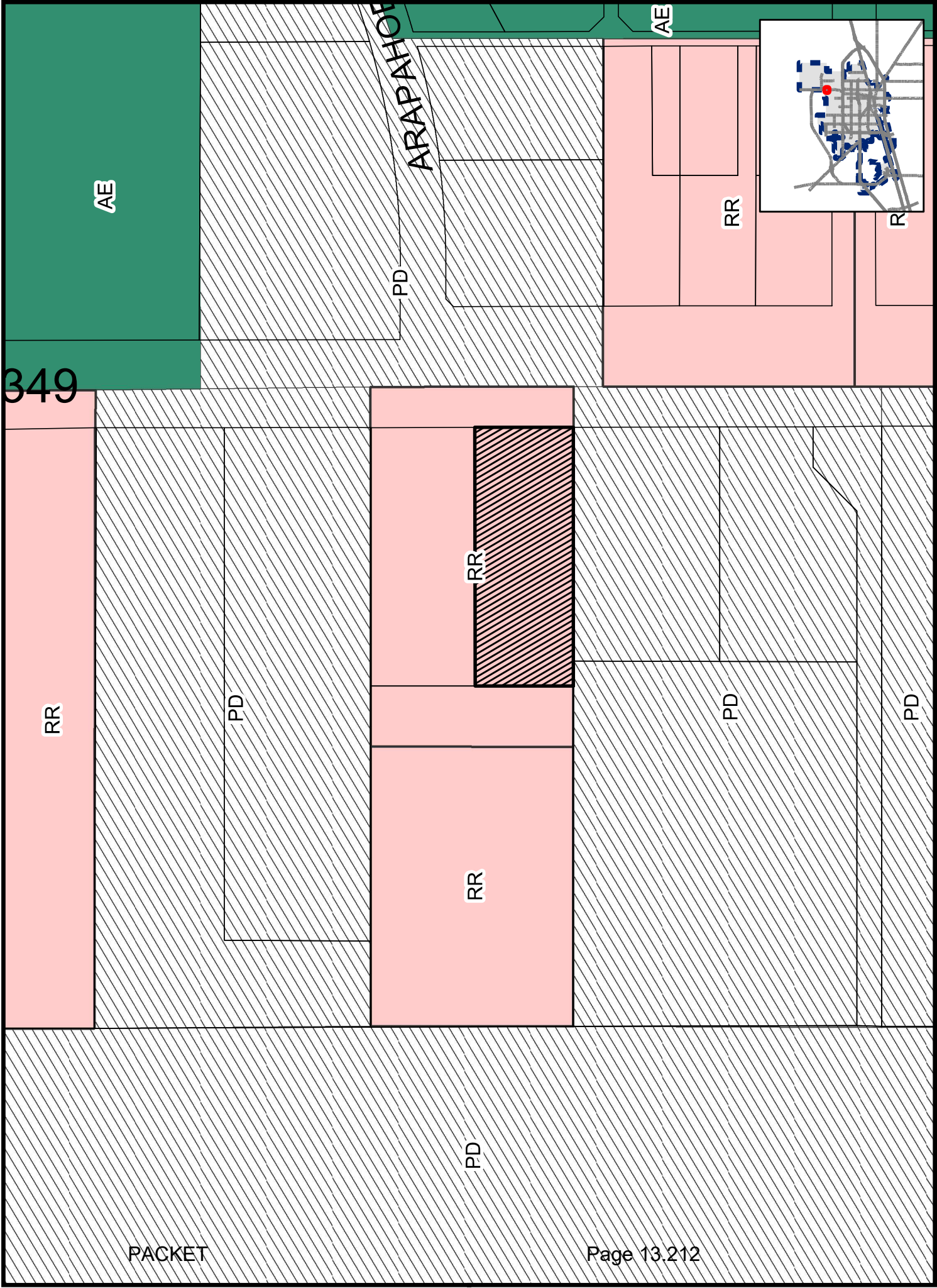
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



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Page 13.212



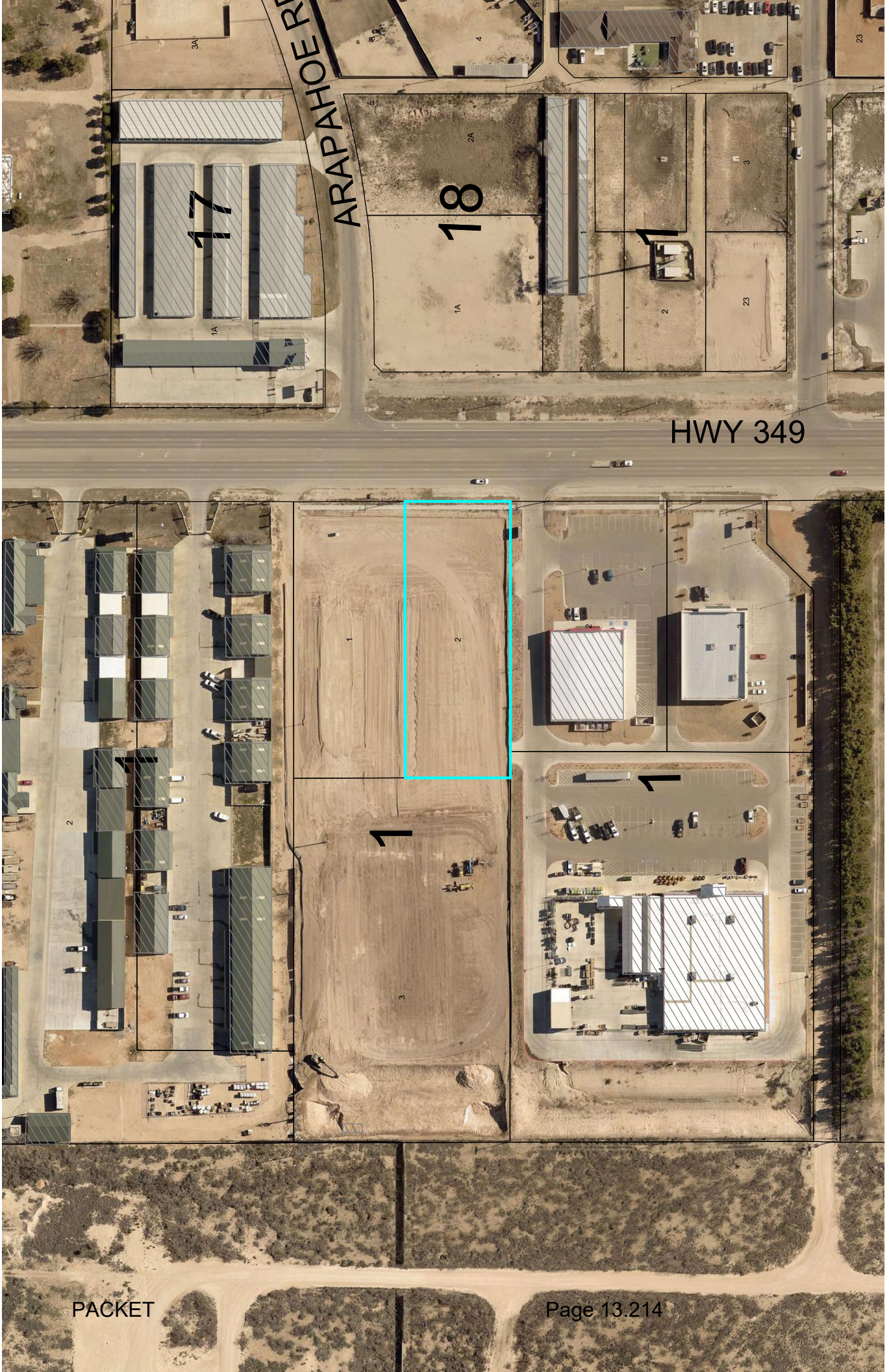
ZONING MAP

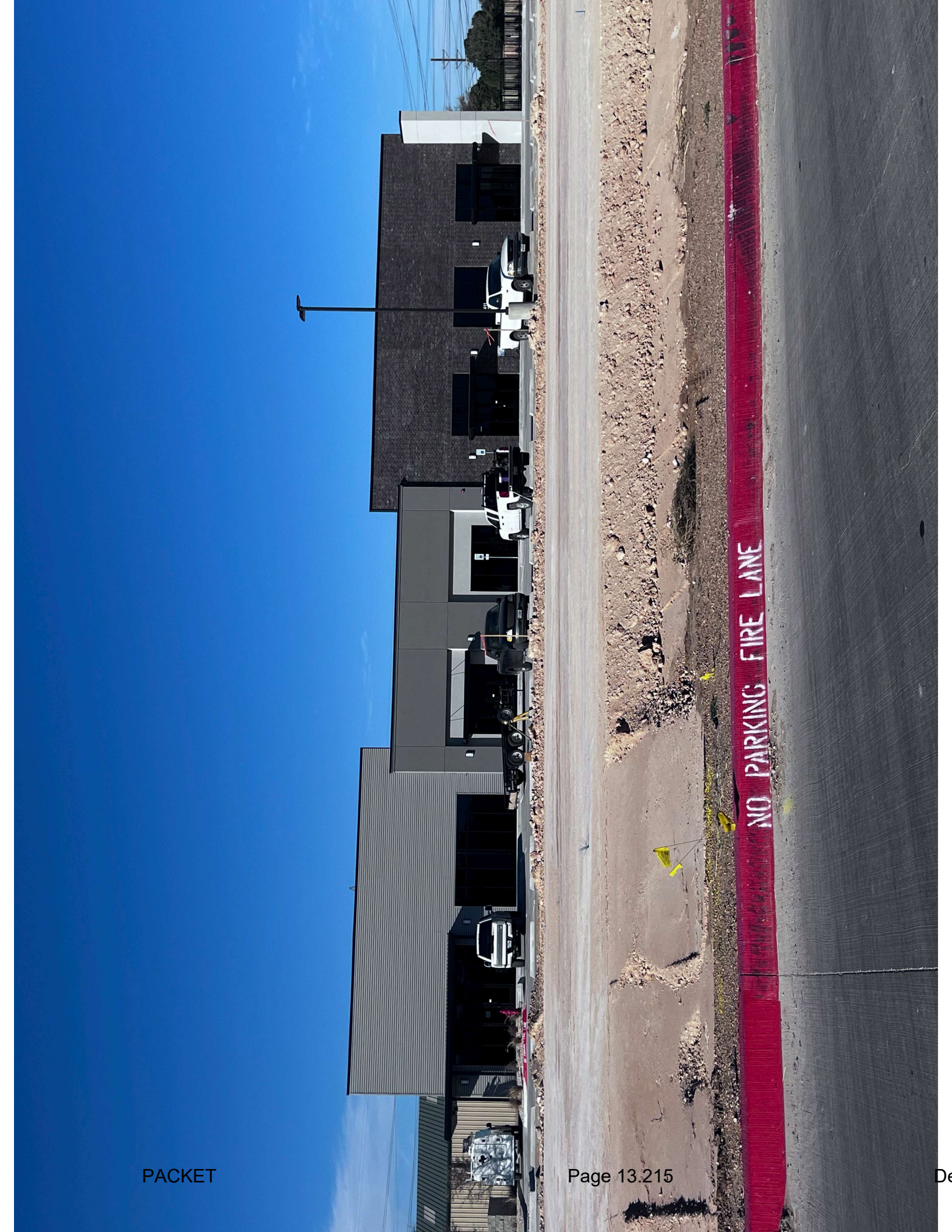
Scale: 1" = 977'

SUD-24-0190

Map AMM, 12/2/2024

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Philly's Golf Club

Item #12

SPECIFIC USE DESIGNATION WITH TERM

December 16, 2024



Visit Our Website

MIDLANDTEXAS.GOV

Application Summary

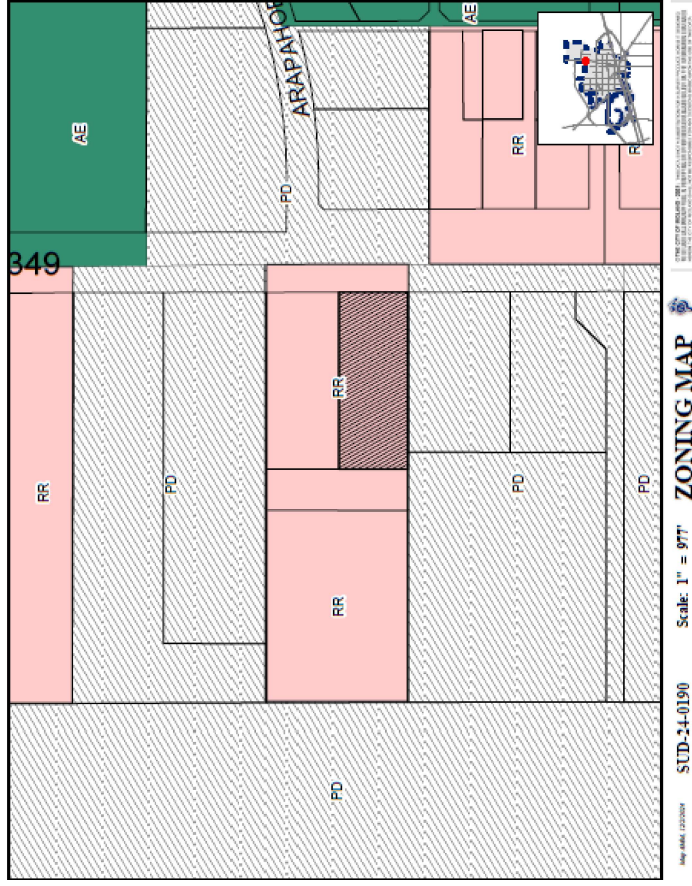
- **Property Owner:** Fierce Property Investments
- **Applicant:** Ryan Hernandez
- Specific Use Designation With Term
- **Address:** 6409 North Highway (District 1)



Zoning

- **Current Zoning:** RR- Regional Retail
- **Surrounding Zoning:**
 - North, East, and South: PD- Planned District for Commercial use.
 - West: RR- Regional Retail and is Vacant

Philly's Golf Club



Land Use

- **Current Use of the Property: Vacant**
- The use of Alcohol is allowed with a Specific Use Designation per the Use Chart in Section 11-1-4.03
- **Surrounding Uses:**
 - North: Vacant
 - South: Commercial use
 - East: Vacant
 - West: Vacant



SUD Details

- **Square Footage of SUD: 5,750 sq ft**
- **Proposed Days and Hours of Operation:**
 - Monday – Saturday, 8 a.m. to 2 a.m.
- **Proposed Days and Hours of SUD:**
 - Monday – Saturday, 8 a.m. to 2 a.m.
 - Sundays, 10 a.m. to 2 a.m





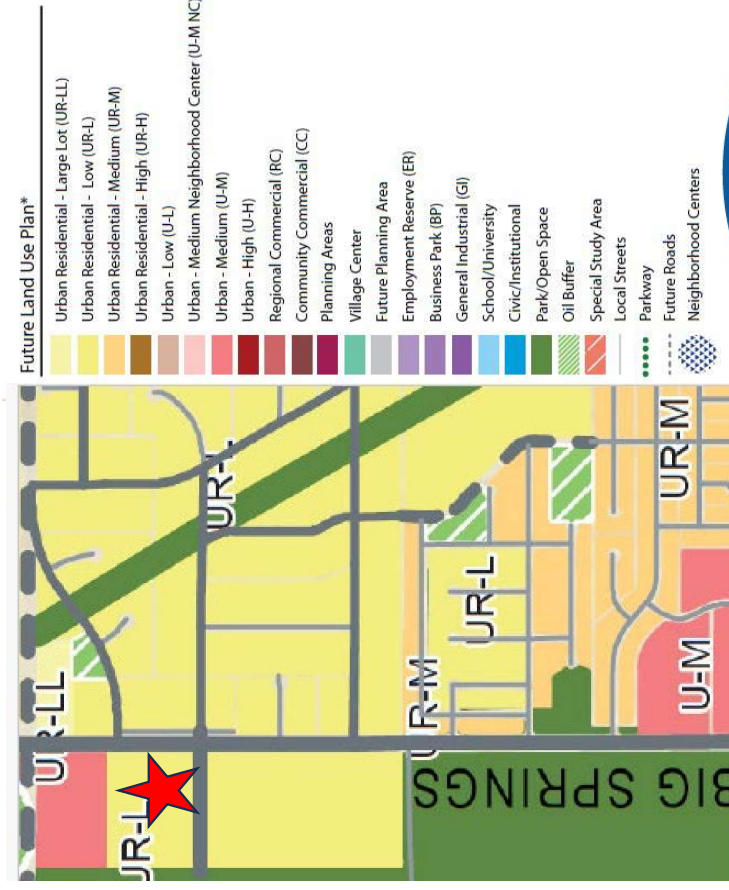
On North Big Spring Street, In Dollar
Tree Parking Lot

Comprehensive Plan

- **TCT Land Use Designation:** UR-L, Urban Residential- Low
- **Supported Uses**
 - Restrictive land use, emphasizing single-family detached development, although innovative single-family forms may be permitted with special review. Civic uses are generally allowed, with special permission for higher intensity uses. Developments will be provided with full city services.

Request is compatible with the surrounding area and the Tall City Tomorrow Plan.

Philly's Golf Club



Staff's Recommendation

- No objections have been received.
- Staff recommends **APPROVAL** of this Specific Use Designation With Term for a restaurant subject to the following conditions.

A. That the serviceable area of the establishment shall be limited to approximately 5,750 square feet as shown in Exhibit "A".

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

PA 13.223

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

Monday through Saturday from 8 a.m. to 2 a.m.

Sunday from 10 p.m. to 2 a.m.



Staff's Recommendation

- 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 City Code, the Establishment 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: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of New Frontier Addition, being a 17.18-acre tract of land located in the northwest quarter of Section 31, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of North Fairgrounds Road and East Cynthia Drive.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Newton Engineering, PC, on behalf of Midland Habitat for Humanity, is requesting to plat a 17.18-acre tract of land into 102 lots and a drainage basin to develop a single-family residential subdivision.

As all proposed lots do not meet the current zoning district's minimum lot dimension requirements, a zone change request from AE, Agricultural Estate District, to PD, Planned Development District, for a Housing Development, in association with this plat has been submitted and is currently scheduled for a public hearing before the Planning and Zoning Commission on December 16, 2024. Approval of this zone change request by City Council will be required prior to final plat submission. [11-2-3(D)9]

Current Zoning:

AE, Agricultural Estate District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments provided.

ENGINEERING: (Approved with Conditions)

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

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

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

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral based on located in the South Midland Utility District. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

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

DRAINAGE: Show compliance with New Frontier Drainage Study, prepared by Newton Engineering and approved by City on 12/12/2024. [Reference City Code Sect. 11-2-3(D)8]

EASEMENTS: Include drainage easement from drainage basin to N fairgrounds to plat face.

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

TRANSPORTATION: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 6 new intersections created at \$500/intersection = \$3000. Fee shall be adjusted based on number of intersections if Final Plat is phased. [Reference City Code Section 11-2-5(C)3(t).] No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil & Gas issues.

GIS: (Approved with Conditions)

Plat appears to encroach into PIN 03810.031.4100's property by ~5'. (cannot confirm, requesting property corners)

Ricker Ranch Av and Ricker Ranch St cannot have the same name. (one must be changed) (i.e Ricker Ranch St "ZZZZ" Av or "ZZZZ" St and Ricker Ranch Av)

Bryant Ranch St and Bryant Ranch Av cannot have the same name either and one must be changed. (similar to Ricker Ranch)

Block 1, Lot 21 should be a Common Area with a drainage basin easement. (change Block1, Lots 22-29 to Lots 21-28 with this change)

"Sunrise" is already in use. Please change Sunrise Ct to a different name.

PLANNING: (Approved)

Lots do not meet minimum lot dimension requirements. A zone change approved by Council will be required prior to final plat submission. [11-2-3(D)9]

Staff recommends approval of the Preliminary Plat of New Frontier Addition, subject to conditions A through C.

Condition:

- A. A Zone Change must be approved by Council prior to final plat submittal. [11-2-3(D)9]**
- B. Public improvements must be completed or a request for a deferral letter must be submitted by Final Plat submittal. [11-2-3(G)1]**

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]**

Attachments:

Preliminary Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: New Frontier Addition

Legal Description (attached sealed Metes and Bounds): _____

Property OwnerPrinted Name: Midland Habitat for Humanity

Phone (432) 978-2919

Email jhopkins@midlandhabitat.orgAddress P.O. Box 2555City MidlandState TexasZip 79701**Developer (if different than Owner)**

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: Newton Engineering, PCPrinted Name: Kyle L. Newton, PE

Phone (432) 935-0707

Email kyle@newtoncivil.comAddress 4501A Santa Rosa DriveCity MidlandState TexasZip 79707Current Zoning: AEReason for Platting: Create single family home subdivision**Plat Information**Total Acreage: 17.18 acType: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 103

Number of Multi-family Dwelling Units: _____

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):



Date: 11/4/24

Property Owner (printed): Joey Hopkins, Executive Directory

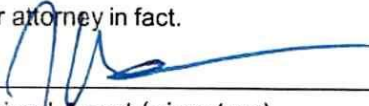
The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the 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 Joey Hopkins who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Midland Habitat for Humanity 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 4th day of November, 2024, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

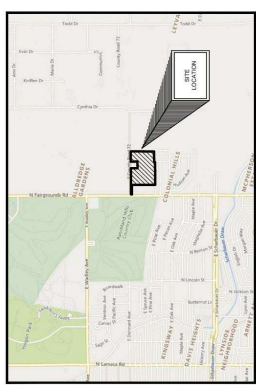
☒ 1 Copy of Plat (11x17)

Check # 1893

Received By: 

Date: 

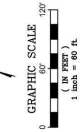
****Application will not be considered for scheduling until reviewed by a planner.****



NEW FRONTIER ADDITION
A PLAT OF A 17.18 ACRE TRACT OF LAND
QUARTER 31, BLOCK 38, T-1-S, T&P RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

UTILITY COMPANY CERTIFICATE:
This plat has been checked for accuracy of utilities.

Signed: MARTIN ARSELO, Owner Electric Delivery Company
Signed: LUIS MONTAZ, Engineer
Signed: JERRY UNDERWOOD, A. T. & T.
Signed: MARK LEO, Atmos Energy



PACKET

LOCATION MAP
N.T.S.

LEGEND

- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- 1 3/4" IRON PIPE FOUND
- 1/2" IRON ROD SET WITH CAP "RPLS 5707" WHERE POSSIBLE
- BOUNDARY LINE
- ADJACENT PROPERTY
- PROPOSED WATER LINE
- SEWER
- PROPOSED SEWER LINE

CITY OF MIDLAND
COUNTY OF MIDLAND

NOTICE: THE RECORD OWNER OF ALL OF THAT CERTAIN LAND SHOWN HEREIN, MIDLAND HABITAT FOR HUMANITY, HAS BEEN ADVISED BY THE CITY OF MIDLAND, TEXAS, THAT THE CITY OF MIDLAND, TEXAS, HAS A RECORDING INTEREST IN THE TRACT DESCRIBED HEREIN.

NOTICE: THE RECORD OWNER OF ALL OF THAT CERTAIN LAND SHOWN HEREIN, MIDLAND HABITAT FOR HUMANITY, HAS BEEN ADVISED BY THE CITY OF MIDLAND, TEXAS, THAT THE CITY OF MIDLAND, TEXAS, HAS A RECORDING INTEREST IN THE TRACT DESCRIBED HEREIN.

WITNESS OUR HANDS AT MIDLAND, TEXAS, THIS DAY OF 2024.

MIDLAND HABITAT FOR HUMANITY
JERRY HOPKINS, EXECUTIVE DIRECTOR

ACKNOWLEDGMENT
STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS KNOWLEDGED BEFORE ME ON 2024 BY JERRY HOPKINS.

NOTARY PUBLIC, STATE OF TEXAS

CERTIFICATE OF APPROVAL:
THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF NEW FRONTIER ADDITION, WAS APPROVED BY PROPER ACTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, ON THIS DAY OF 2024.

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, ON THIS DAY OF 2024.

- 1. THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE PLANNING AND ZONING ORDINANCES OF THE CITY OF MIDLAND, TEXAS.
- 2. THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE PLANNING AND ZONING ORDINANCES OF THE CITY OF MIDLAND, TEXAS.
- 3. THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE PLANNING AND ZONING ORDINANCES OF THE CITY OF MIDLAND, TEXAS.

THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE PLAT AND HAS DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE PLANNING AND ZONING ORDINANCES OF THE CITY OF MIDLAND, TEXAS.

OWNER:
MIDLAND HABITAT FOR HUMANITY
P.O. BOX 2505
MIDLAND, TEXAS 79702
(432) 680-6606

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

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PRELIMINARY PLAT

PROJECT NUMBER: 24-4633487



REGISTERED PROFESSIONAL SURVEYOR

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PRELIMINARY PLAT

PROJECT NUMBER: 24-4633487



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PROJECT NUMBER: 24-4633487



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PRELIMINARY PLAT

PROJECT NUMBER: 24-4633487



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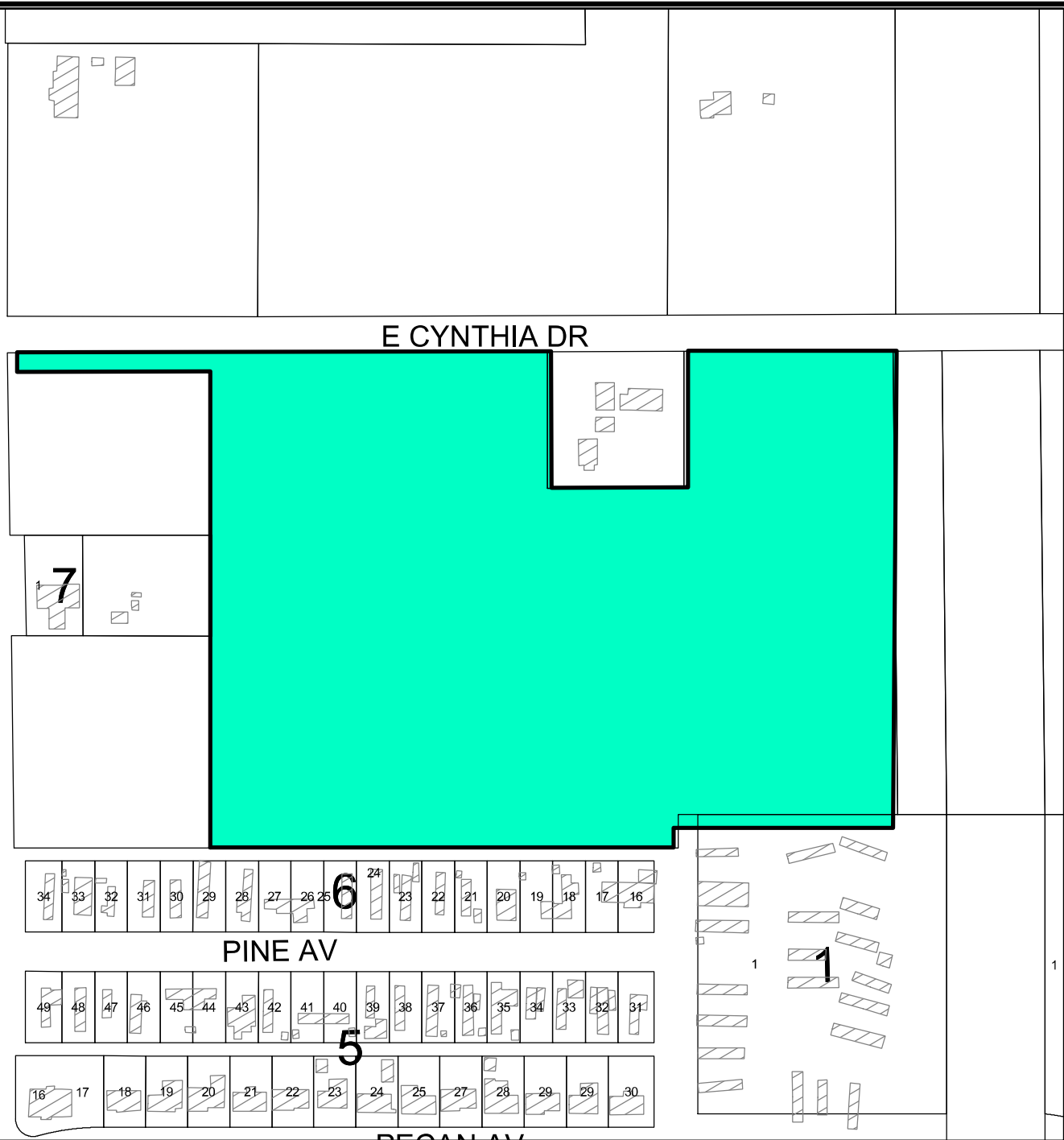
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Location Map

SUB-24-0756

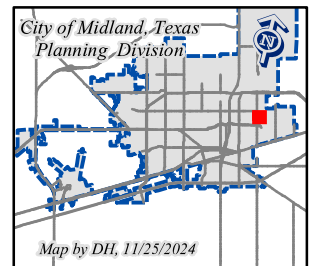
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Proposed Plat of New Frontier Addition, being a 17.18-acre tract of land located in the northwest quarter of Section 31, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas.

Generally located at the southeast corner of the intersection of North Fairgrounds Road and East Cynthia Drive. (Council District 2)

LEGEND

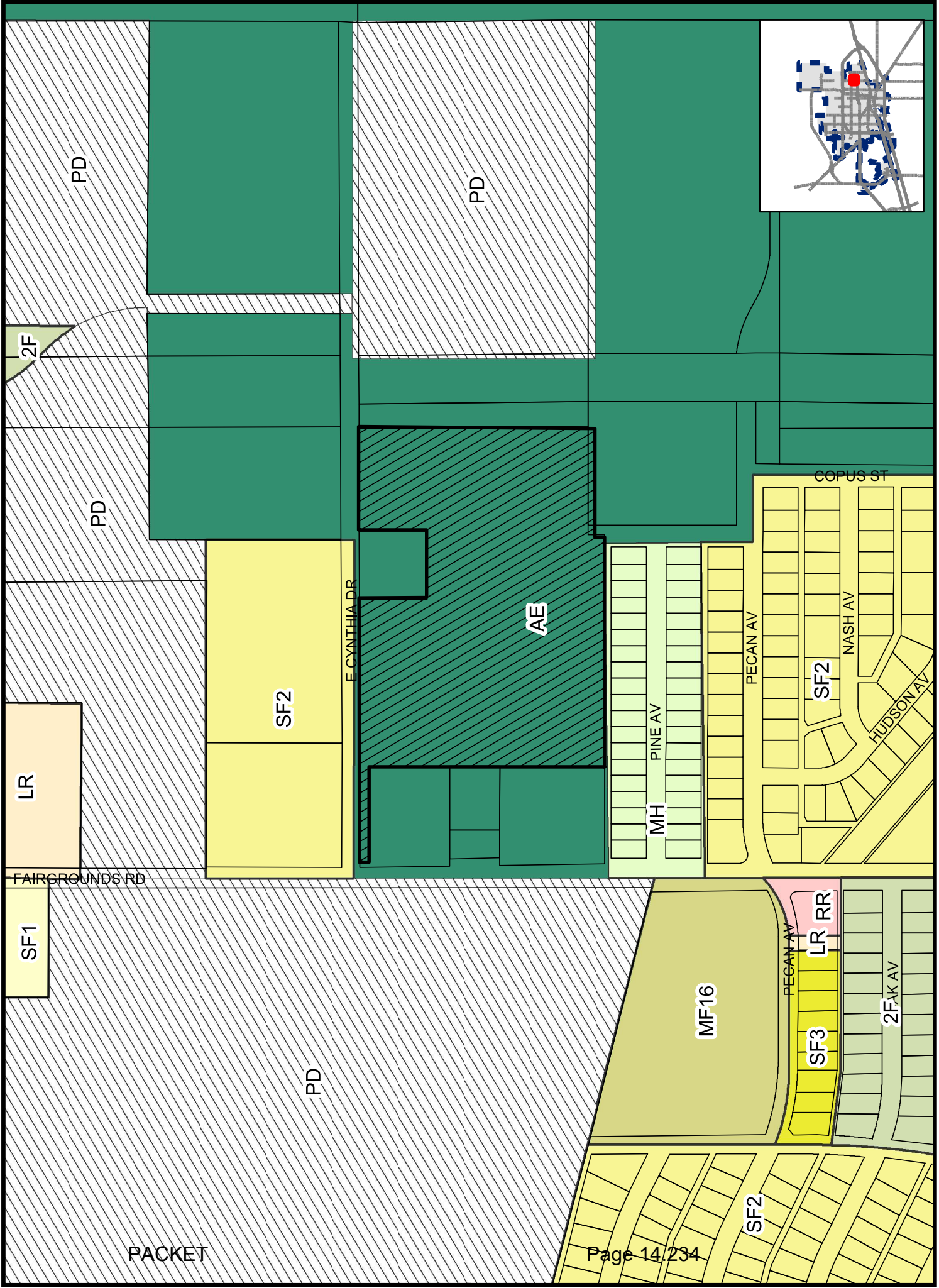
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ZONING MAP

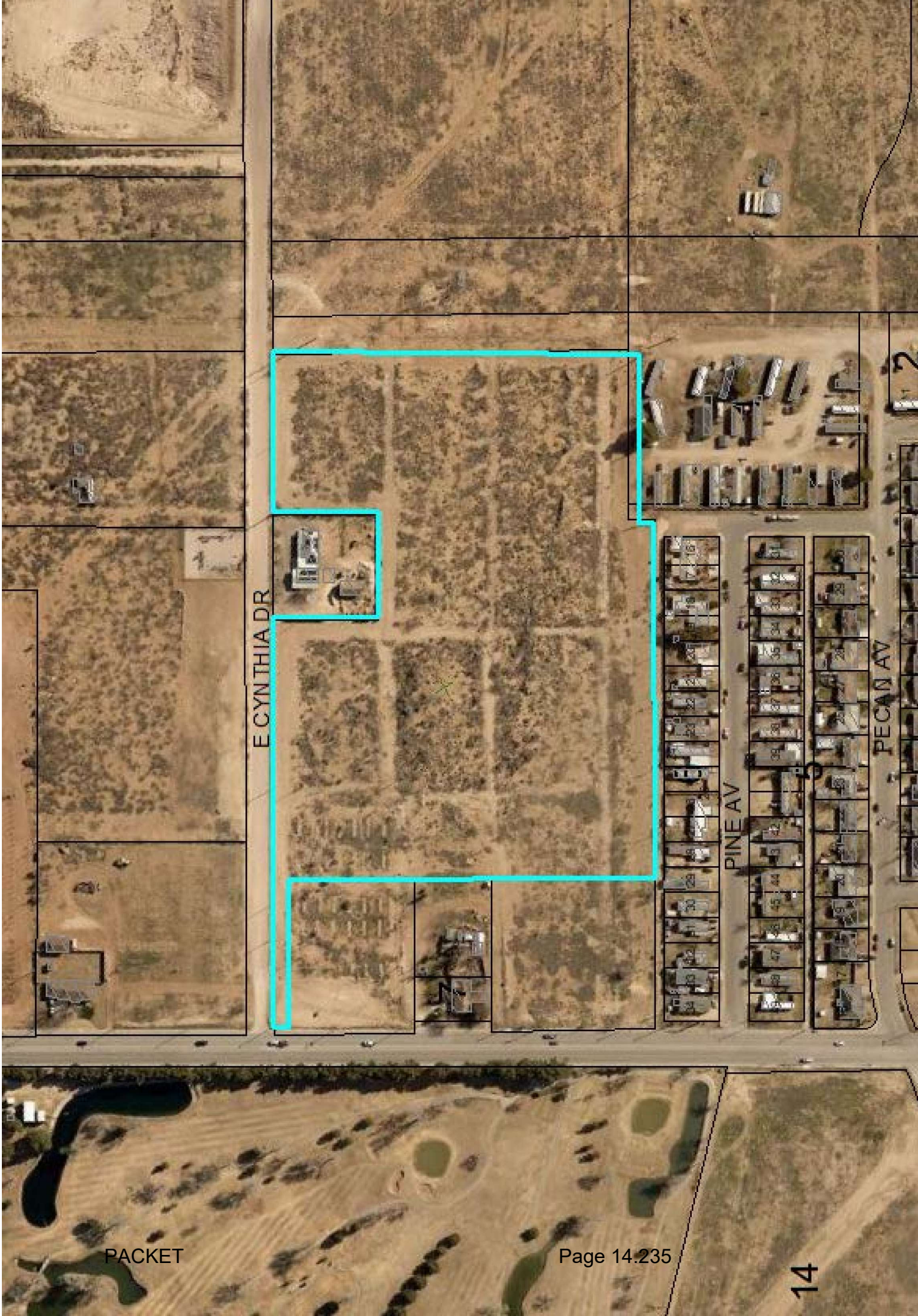
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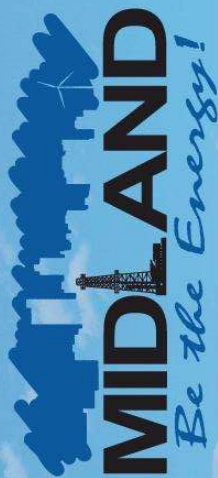
SUB-24-0756

Map DH, 11/25/2024

PACKET

Page 14.234





NEW FRONTIER ADDITION

ITEM —
PRELIMINARY PLAT

December 16, 2024



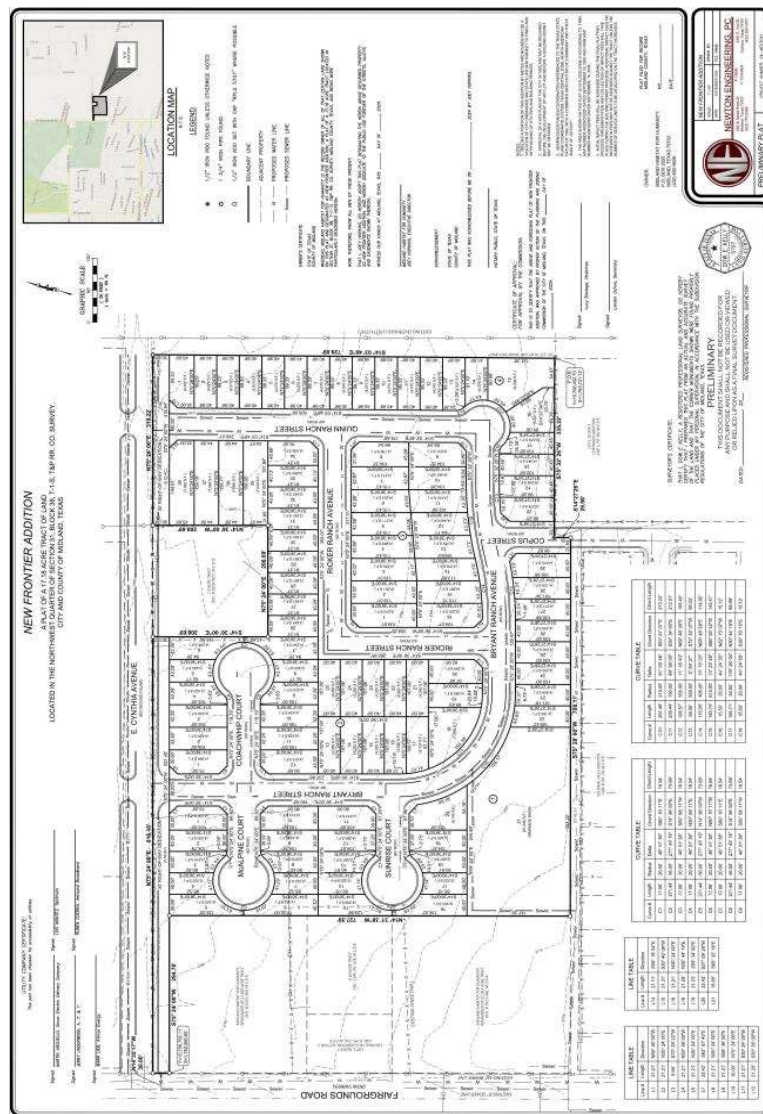
Visit Our Website

MIDLANDTEXAS.GOV

- Page 14.237



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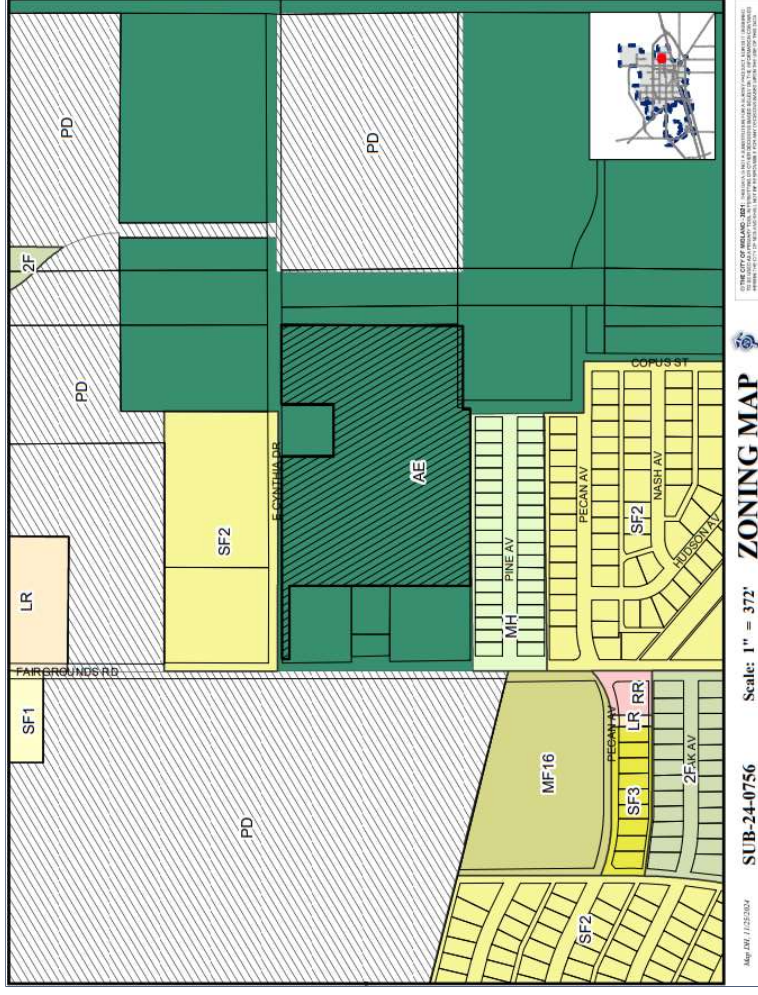


ZONING

Current Zoning: AE, Agricultural Estate District

Surrounding Zoning:

- **North:** SF-2, Single-Family Dwelling District & MH, Manufactured Housing District
- **South:** AE, Agricultural Estate District & MH, Manufactured Housing District
- **East & West:** AE, Agricultural Estate District



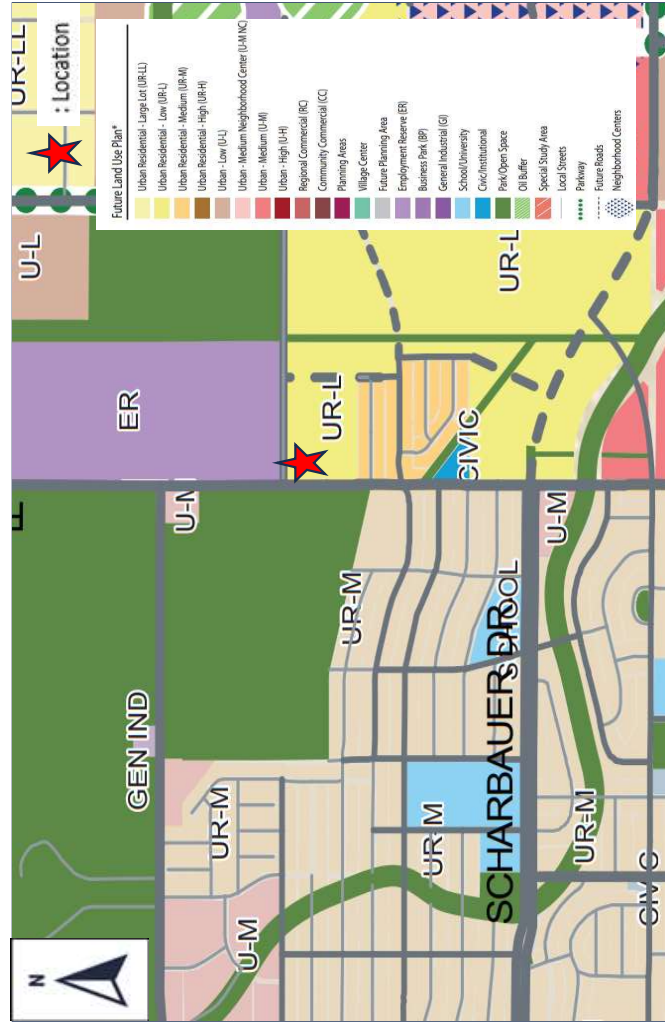
LAND USE

- **Current Use:** Vacant Lots
- **Surrounding Uses:**
 - **North & West:** Vacant Lots & Single-Family Residential
 - **South:** Single-Family Residential, Manufactured Housing & Diesel Engine Repair Service
 - **East:** Vacant Lot



COMPREHENSIVE PLAN ANALYSIS

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



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

6



RELATED ITEMS

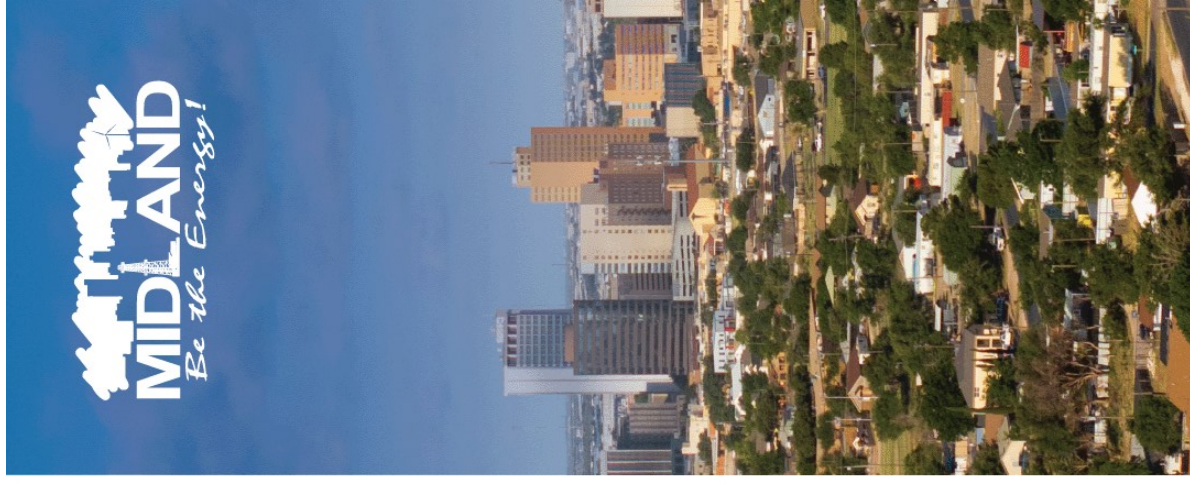
- A zone change request from AE, Agricultural Estate District, to PD, Planned Development District, for a Housing Development, in association with this plat has been submitted and is currently scheduled for a public hearing in front of the Planning and Zoning Commission on December 16, 2024.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Preliminary Plat of New Frontier Addition, subject to the following conditions:

- A Zone Change must be approved by Council prior to final plat submittal. [11-2-3(D)9]
- 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.



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: December 16, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Longview Subdivision, Section 4, being a replat of all of Longview Subdivision, Section 2, Midland County, Texas. (Generally located on the southeast corner of the intersection of West County Road 50 and North County Road 1275.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Landgraf, Crutcher & Associates, on behalf of GF Elite Estate Holdings, Ltd., is requesting to replat Longview Subdivision, Section 2, a tract of 243.31-acres, into 389 lots for ownership purposed and future residential development.

A motion to vacate the Planning and Zoning Commission's approved Longview Subdivision, Section 3 for the purpose of reconfiguring the layout of the subdivision for future residential development was approved by the Commission on October 7, 2024, and by Council on October 22, 2024.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No comments received.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Plat is located outside of service areas. [For the Applicant's information only.]

ROW: Refer to transportation's comments, if any. [For the Applicant's information only.]

PAVING: Deferral for wastewater, paving and sidewalks approved by Council on 2/13/2018, motion 021-2018. [For the Applicant's information only.]

WATER: Water provided by greater Gardendale Water Supply District. [For the Applicant's information only.]

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

PRO RATA: None. [For the Applicant's information only.]

SEWER: Deferral for wastewater, paving and sidewalks approved by Council on 2/13/2018, motion 021-2018. [For the Applicant's information only.]

DRAINAGE: Drainage study has been submitted and is in review. [For the Applicant's information only.]

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

SIDEWALKS: Deferral for wastewater, paving and sidewalks approved by Council on 2/13/2018, motion 021-2018. [For the 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)

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

GIS: (Approved with Conditions)

Please provide two sets of x-y coordinates and label one POB. (these are different than the coordinates given for the section corners)

Based on metes and bounds, the plat does not close.

Should new ROW be separated from lots or are they an easement?

Are these ROW private? Are they being dedicated?

Surrounding plats separated ROW from parcels.

See markup for block and lot numbering. (provided via email)

Please include recording information for 20' waterline and access easement.

Discuss with planning how legal description should be worded. (Since the whole subdivision was vacated previously.)

For the legal, I'm not sure how you want to label it, but since Longview Sec 3 was vacated previously in V-24-0065, you may need to just say it is a plat in X Section number, etc. being a previously vacated plat of a X.XX. acres or something to that effect.)

I don't think much was changed on this versus previously submitted so I'm using the same markup from before the lots and block numbers along with some of the other notes that still stand. (see the attachment)

PUBLIC WORKS: (Approved)

The county recommends a drainage study and a Proof of groundwater certification or a will serve commitment letter from a public water provider.

Since most of these lots are less than one acre, there must be a public water provider or public sewer provider. (or both)

I request that any drainage study requirements be checked for compliance, seeing as how our commissioner has been receiving many complaints about increased flooding in the area.

CRMWD: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the proposed lots of Longview Subdivision, Section 4, REPLAT OF LONGVIEW SUBDIVISION SECTION 3 CABINET L PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T. & P. RR. CO. SURVEY lots are .5 acre with public water system access that all lots must tie into this public water system, property owner cannot drill a water well on their property, septic applications must be designed by an Registered Sanitarian or Professional Engineer and must be installed by a Texas OSSF licensed installer, 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 existing water well and public water lines on the property and the existing water wells on the adjacent properties

PLANNING: (Approved with Conditions)

The Legal Description should read, "... Midland County Texas." and not "City and County of Midland, Texas" [Informational]

Lot numbers cannot be repeated in the same block. Block 14 for instance has repeated lot numbers. If preferable, you can assign letters to the lots along with numbers such as 1A, 2A, 3A, etc. Revise and verify that the numbering follows this rule. [Informational]

Verify that the names of all adjacent subdivisions or additions or the names of record owners of adjoining parcels of unplatted land are being shown on the plat. Westview Addition, Section 14 is labeled on the plat but there is no Section 14. It should be labeled as Section 4. The other abutting subdivisions/property owners should be labeled as well. The properties immediately south of the proposed subdivision are not labeled for instance. [Midland City Code 11-2-3(A)1(d)]

Approval by the Council will be required prior to consideration of a final plat by the commission for any preliminary plat that is ten hectares (25 acres) or more. [Midland City Code 11-2-3(D)11(a)(1)]

Label Owner's Certificate [Informational]

The Owner's Certificate should read [11-2-3(H)3(m)(1)]:

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, _____ is/are the record owner(s) of a tract of land situated in the _____ Survey, County of Midland, and more particularly described (as follows:) (hereon.) [use whichever applies]

BEGINNING ... (if applicable)

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That _____ do(es) hereby adopt this plat designating the hereinabove described property as _____, an addition to the City of Midland, Texas, and, hereby dedicate to the public use forever the streets, alleys and easements (and parks) (and parkways) (and drainage basins) [include all that apply] shown thereon.

WITNESS our hands at (City, State), this the _____ day of _____, 20_____.
(Include a separate statement for each location or date of signature.)

Add Acknowledgement and have it read as follows [11-2-3(H)3(m)(1)]:

ACKNOWLEDGMENT

STATE OF TEXAS COUNTY OF _____

This plat was acknowledged before me on (DATE) by (NAME OF OWNERS SIGNING ABOVE).

(Notary Seal) Notary Public, State of Texas

Staff recommends approval of the Preliminary Plat of Longview Subdivision, Section 4, subject to conditions A through C.

Condition:

- A. 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)]**
- B. 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.**
- 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; Midland City Code 11-2-3(D)11(a)(6).**

Attachments:

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



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **Longview Subdivision, Section 4**Legal Description (attached sealed Metes and Bounds): Being a replat of Longview Subdivision, Section 3, Cabinet L, Page 98, Located in Section 20, Block 40, T-1-S, T&P RR SurveyMidland County, Texas**Property Owner**Printed Name: **GF Elite Estate Holdings, Ltd.**

Phone (432) 563-0663

Email

Address **2909 W. Wall Street**City **Midland**State **TX**Zip **79701****Developer** (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Landgraf, Crutcher & AssociatesPrinted Name: **LCA**

Phone (432) 332-5058

Email **gmr@lcaodessa.com**Address **521 N. Texas Avenue**City **Odessa**State **TX**Zip **79761**Current Zoning: N/A - Property is in the ETJReason for Platting: Ownership purposes, future permit requirements**Plat Information**Total Acreage: **243.31**Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☒ Extraterritorial Jurisdiction (ETJ)Number of Residential Lots: **389**

Number of Multi-Family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature):

Date:

Property Owner (printed) : _____

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

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

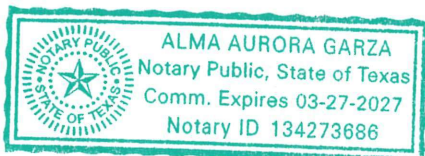
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Rodriguez
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of November, 20 24, to certify which witness my hand and seal of office.



Alma Aurora Garza
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

Received By: _____

Date: _____

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



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

ENG. FIRM# 001363 • SURV. FIRM# 10034300

521 NORTH TEXAS • ODESSA, TEXAS 79761

(432) 332-5058 OR 580-8812 • FAX (432) 332-8812

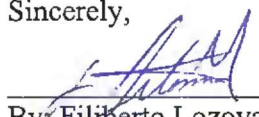
November 18, 2024

City of Midland- Planning Department
Attn: Landon Ochoa
300 N. Loraine
Midland, Texas 79702

To whom it may concern:

I/We, GF Elite Estate Holdings, Ltd., authorize LCA to act as our agent for the platting/zoning purposes regarding Longview Subdivision, Section 4. As Client we consent to LCA signing all applications and/or needed documentation, receiving all comments and/or needed information and representing me/us at any all hearings for the duration of this project.

Sincerely,


By: Filiberto Lozoya
GF Elite Estate Holdings, Ltd.

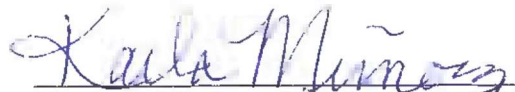
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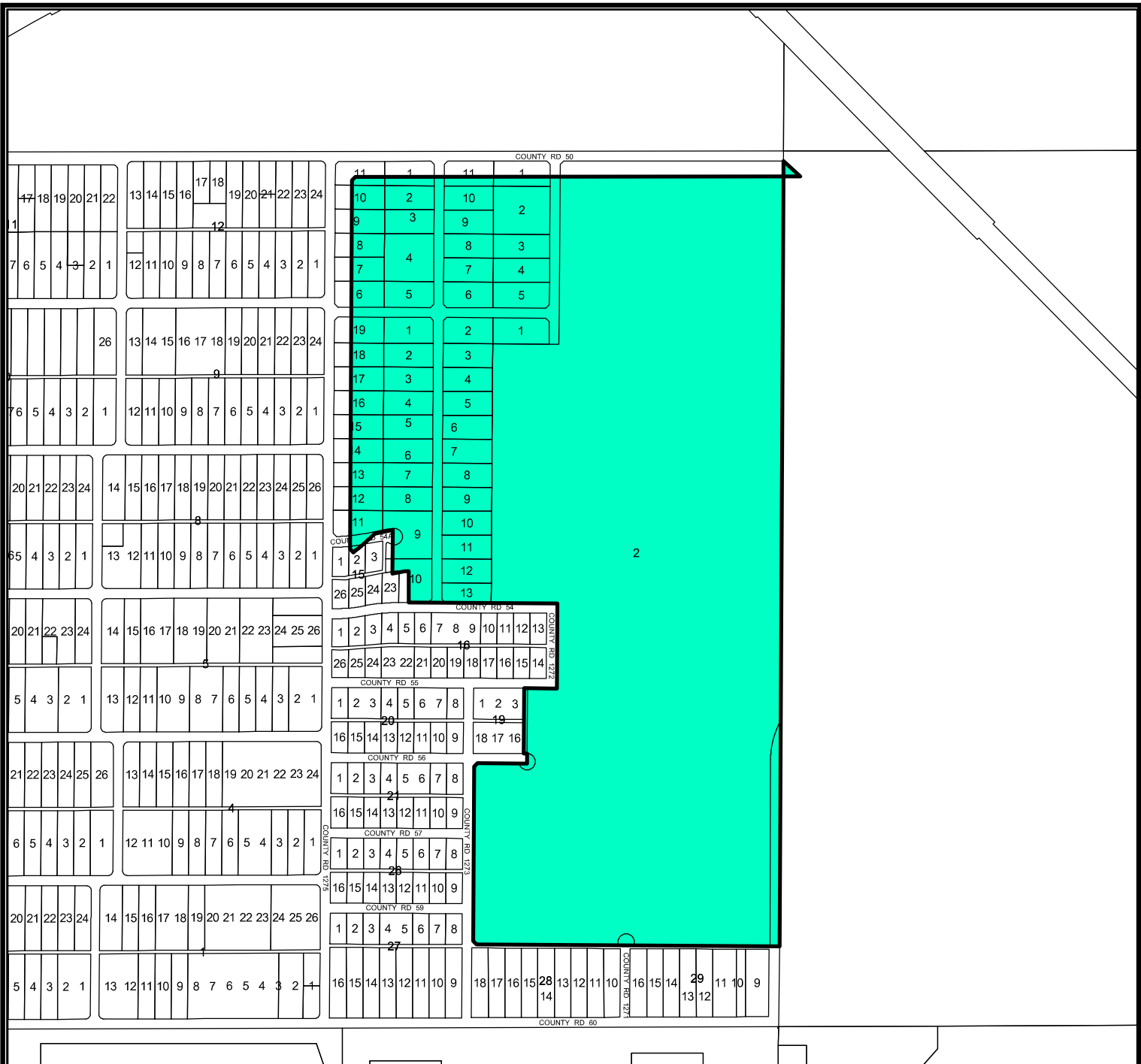
STATE OF TEXAS §
COUNTY OF MIDLAND §

BEFORE ME, the undersigned authority, on this day personally appeared Filiberto Lozoya, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said _____ for the purposes and consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11 day of November, A.D., 2024.




Notary Public in and for the State of Texas
My Commission Expires: 12/2/2027



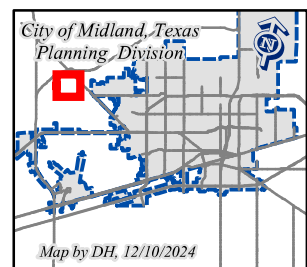
Location Map

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LEGEND

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- PRIVATE BLDGS



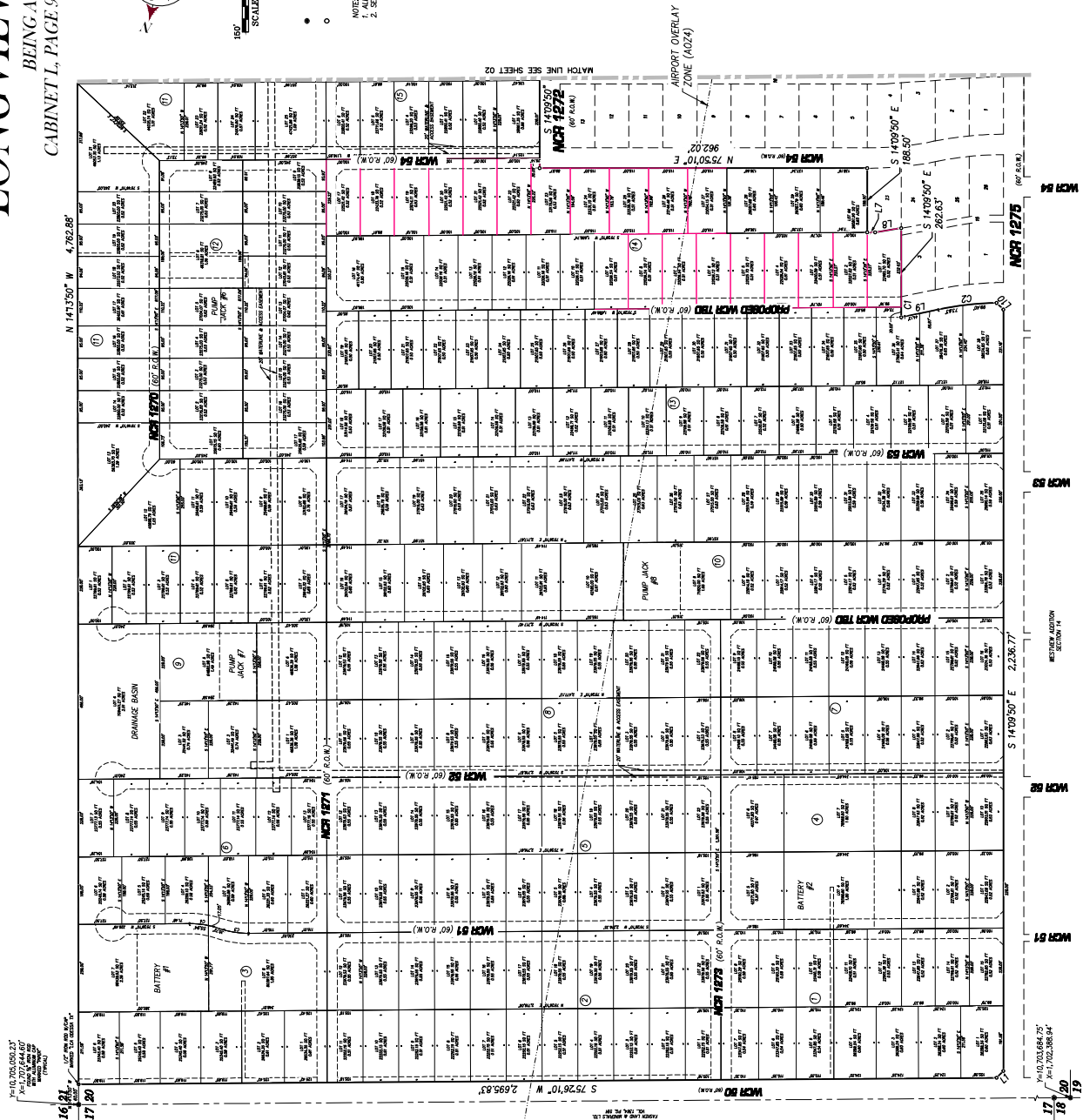
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LONGVIEW SUBDIVISION, SECTION 4

BEING A REPLAT OF LONGVIEW SUBDIVISION, SECTION 3
CABINET L, PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T&P RR SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS



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Page 15.254

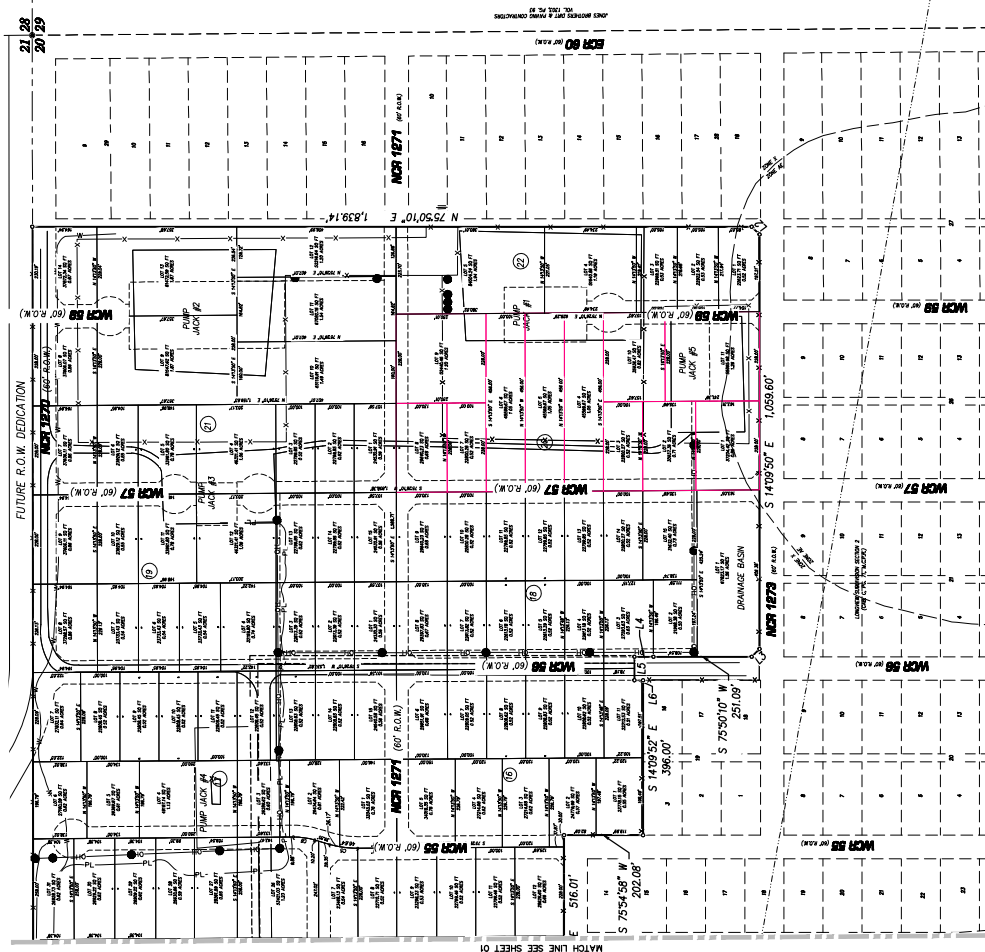
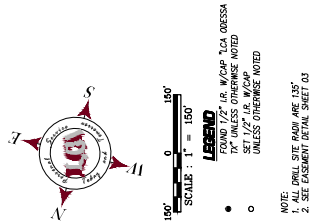
PAGE 1 OF 4
LONGVIEW SUBDIVISION, SECTION 4

ICA
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 521 North Texas, Odessa Tx. 79761 F-401-1363 F-1003-1300
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Proven Service, Ideas and Teamwork

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PRELIMINARY PLAT
LONGVIEW SUBDIVISION, SECTION 4

BEING A REPLAT OF LONGVIEW SUBDIVISION, SECTION 3
CABINET L, PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T&P RR SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS



PAGE 2 OF 4
LONGVIEW SUBDIVISION, SECTION 4

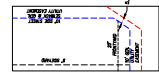
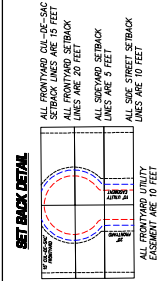
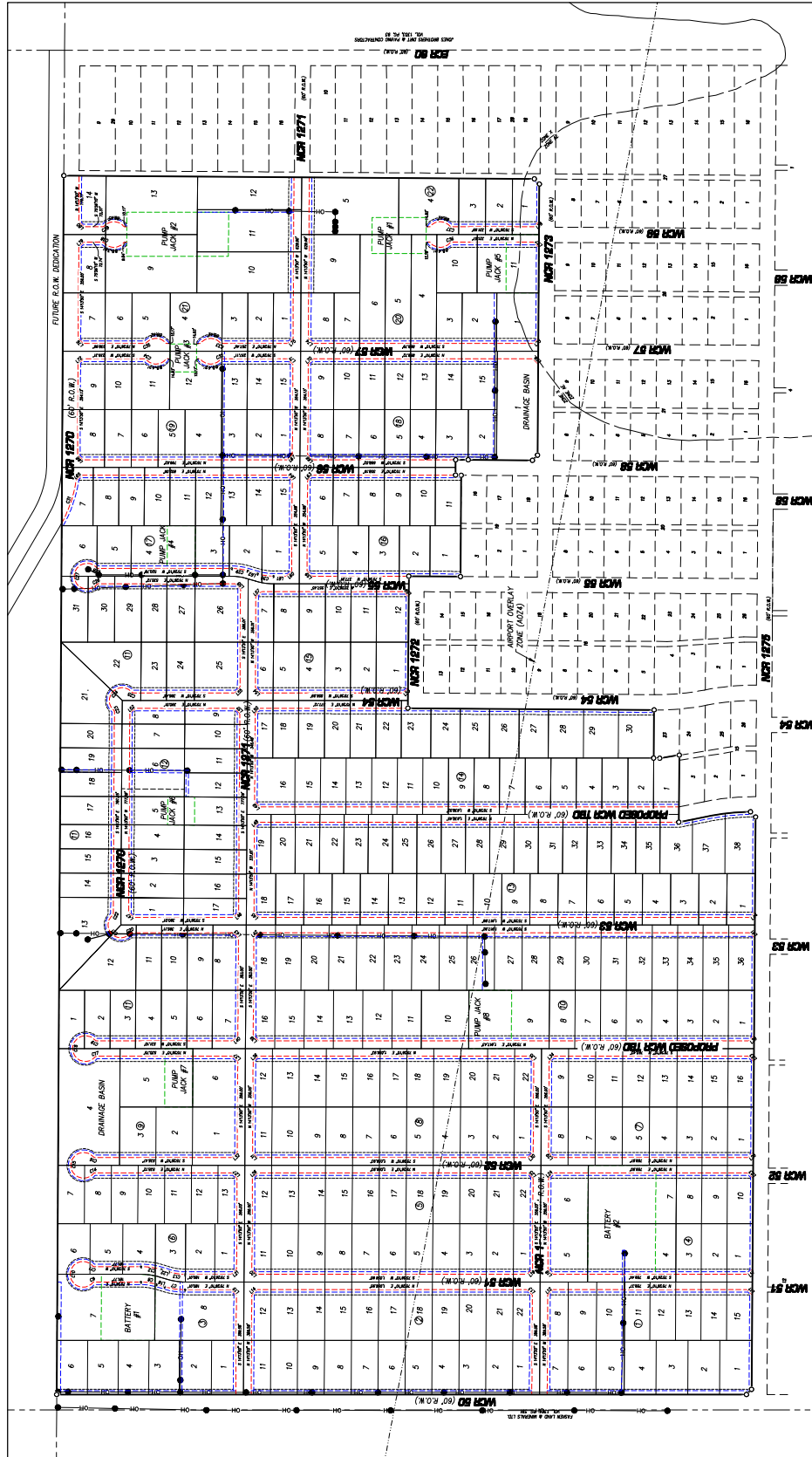
ICA ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
221 North Texas, Odessa TX 79761 P-10091900
E-Mail: icawilliams@icawilliams.com
Phone: (409) 302-3038

Plotted, Surveyed, and Approved

PRELIMINARY PLAT

LONGVIEW SUBDIVISION, SECTION 4

BEING A REPLAT OF LONGVIEW SUBDIVISION, SECTION 3
CABINET L, PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T&P RR SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS



PAGE 3 OF 4
LONGVIEW SUBDIVISION, SECTION 4
ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
221 North Texas, Odessa TX 79761 P-10091900
E-Mail: info@icadallas.com Phone: (409) 302-6008



Phone # (332) 332-5058
E-Mail: lcu@lacodessa.com



DATE _____

DATE _____

PRELIMINARY

KNOW ALL MEN BY THESE

My commission expires _____

GEORGE ESTATE HOLDINGS LTD

WITNESS our hands at Michoud Town this 25th

for trash collection, and location and maintenance

That I, FILLIBERTO LOZOYA, do hereby adopt this plat designating described property as an addition to Midland County, Texas, and do hereby certify that the same is true and correct.

For approval by the Commission:

APPENDIX

◀ ▶ ↺ ↻

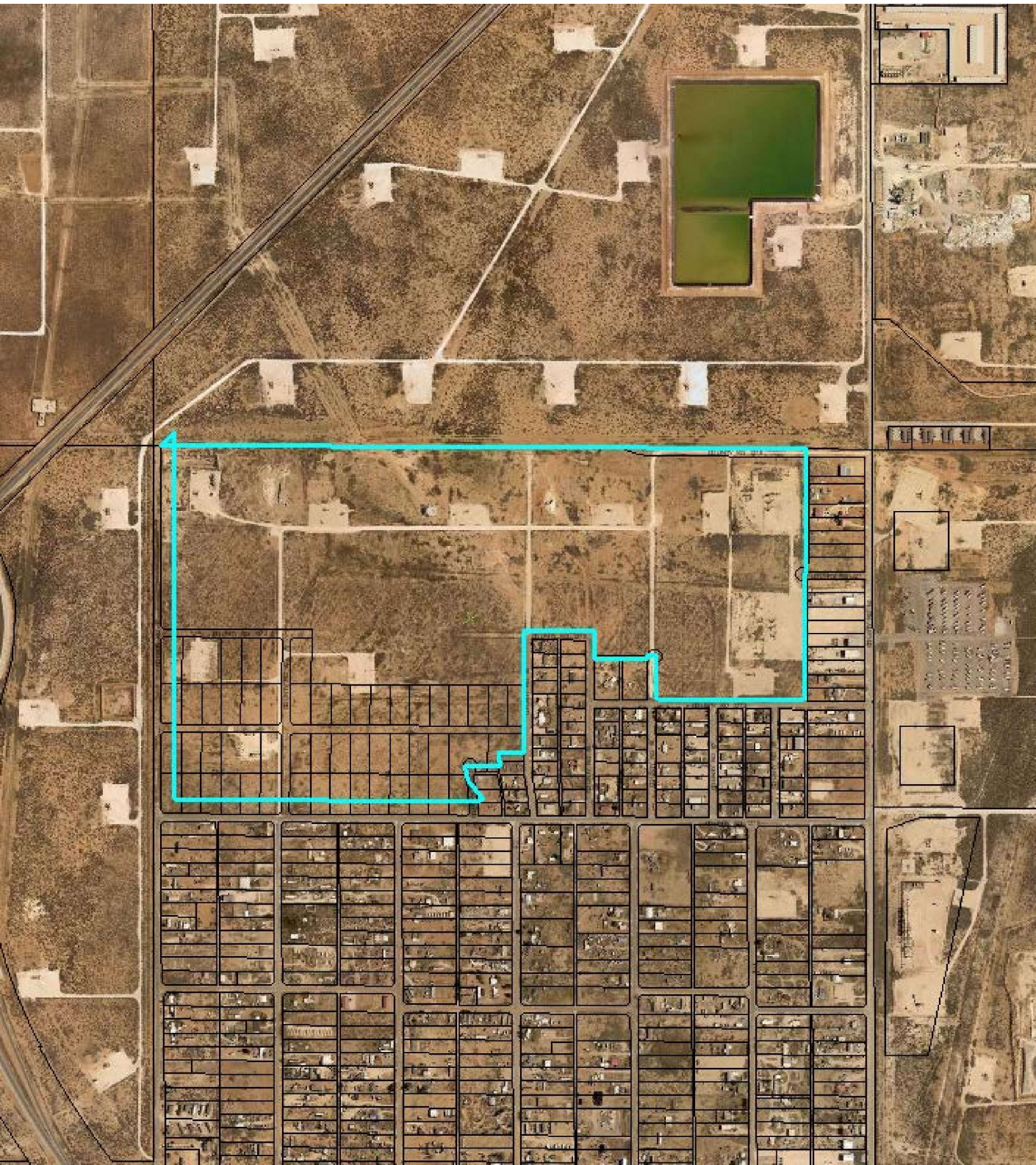
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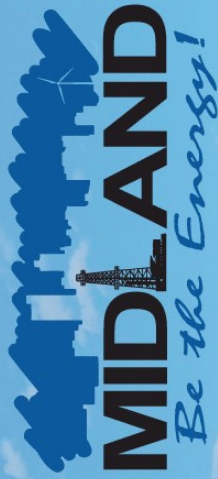
LINE TABLE			LINE TABLE			LINE TABLE		
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	S 30°30'10" W	28.38	L45	S 59°23'50" E	28.20	L71	N 59°23'50" E	28.20
L2	S 30°30'10" E	28.38	L46	S 30°36'10" E	28.37	L72	S 30°36'10" E	28.37
L3	S 30°30'10" E	28.38	L47	S 59°23'50" E	28.20	L73	S 30°36'10" E	28.38
L4	S 30°30'10" E	28.38	L48	N 30°36'10" E	28.37	L74	N 59°23'50" E	28.20
L5	S 30°30'10" E	28.38	L49	N 59°23'50" E	28.20	L75	N 30°36'10" E	28.37
L6	S 30°30'10" E	28.38	L50	N 30°36'10" E	28.37	L76	S 59°23'50" E	28.20
L7	N 75°50'10" E	48.83	L51	S 59°23'50" E	28.20	L77	S 59°23'50" E	28.19
L8	S 43°03'50" E	60.00	L52	S 59°23'50" E	28.20	L78	S 30°36'10" E	28.38
L9	N 75°50'10" E	22.30	L53	S 30°36'10" E	28.37	L79	S 30°36'10" E	28.37
L10	N 75°50'10" E	23.88	L54	S 30°36'10" E	28.37	L80	N 59°23'50" E	28.20
L11	N 75°50'10" E	23.88	L55	S 30°36'10" E	28.37			
L12	S 30°36'10" E	28.37	L56	S 59°23'50" E	28.19			
L13	S 59°23'50" E	28.20	L57	N 30°36'10" E	28.37			
L14	N 30°36'10" E	28.37	L58	S 59°23'50" E	28.20			
L15	S 59°23'50" E	28.20	L59	N 59°23'50" E	28.20			
L16	S 87°50'12" E	30.72	L60	S 30°36'10" E	28.37			
L17	N 75°50'10" E	28.38	L61	S 75°26'10" E	44.76			
L18	N 59°23'50" E	28.20	L62	N 87°50'15" E	30.65			
L19	S 30°36'10" E	28.37	L63	N 30°36'10" E	28.37			
L20	N 59°23'50" E	28.20	L64	S 59°23'50" E	28.20			
L21	S 30°36'10" E	28.37	L65	N 34°03'11" E	30.03			
L22	N 87°50'12" E	30.72	L66	N 59°23'50" E	28.20			

CURVE TABLE				CD DIST.
Curve #	DETA	RAIUS	CD BEARING	
C1	186°42'46"	50.00'	S 39°32'50" E	98.83'
C2	491°23'21"	10.00'	S 09°51'31" E	8.16'
C3	491°23'21"	10.00'	S 8°39'32" E	8.16'
C4	186°42'46"	50.00'	S 39°36'10" E	98.86'
C5	491°23'21"	10.00'	S 8°41'	8.16'
C6	491°23'21"	10.00'	S 1°37'28" E	8.16'
C7	278°22'46"	50.00'	S 14°35'20" E	66.67'
C8	194°13'36"	220.00'	S 8°41'30" E	8.16'
C9	194°13'36"	220.00'	S 8°39'30" E	64.83'
C10	194°13'36"	220.00'	S 8°37'30" E	63.00'
C11	207°04'30"	500.66'	N 40°35'30" E	176.18'
C12	491°23'21"	10.00'	S 1°37'28" E	8.16'
C13	491°23'21"	10.00'	S 8°41'	8.16'
C14	491°23'21"	10.00'	S 8°39'32" E	8.16'
C15	491°23'21"	10.00'	S 1°37'28" E	8.16'
C16	491°23'21"	10.00'	S 8°41'	8.16'
C17	491°23'21"	10.00'	S 8°39'32" E	8.16'
C18	491°23'21"	10.00'	S 1°37'28" E	8.16'
C19	491°23'21"	10.00'	S 8°41'	8.17'

CURVE TABLE			
Curve #	DELTA	CD REMAINING	CD. DIST.
C1	98.6116	10.687	10.687
C2	97.9711	10.687	6.475007 E 10.687
C3	119.049	72.93	6.475007 E 172.76
C4	94.9338	260.07	6.475007 E 72.25
C5	94.9338	260.07	6.475007 E 72.25
C6	94.9338	260.07	6.475007 E 72.25
C7	94.9338	260.07	6.475007 E 72.25
C8	94.9338	260.07	6.475007 E 72.25
C9	94.9338	260.07	6.475007 E 72.25
C10	94.9338	260.07	6.475007 E 72.25
C11	94.9338	260.07	6.475007 E 72.25
C12	94.9338	260.07	6.475007 E 72.25
C13	94.9338	260.07	6.475007 E 72.25
C14	94.9338	260.07	6.475007 E 72.25
C15	94.9338	260.07	6.475007 E 72.25
C16	94.9338	260.07	6.475007 E 72.25
C17	94.9338	260.07	6.475007 E 72.25
C18	94.9338	260.07	6.475007 E 72.25
C19	94.9338	260.07	6.475007 E 72.25
C20	94.9338	260.07	6.475007 E 72.25

[illegible][illegible]





LONGVIEW SUBDIVISION, SECTION 4 ITEM - PRELIMINARY PLAT

December 16, 2024

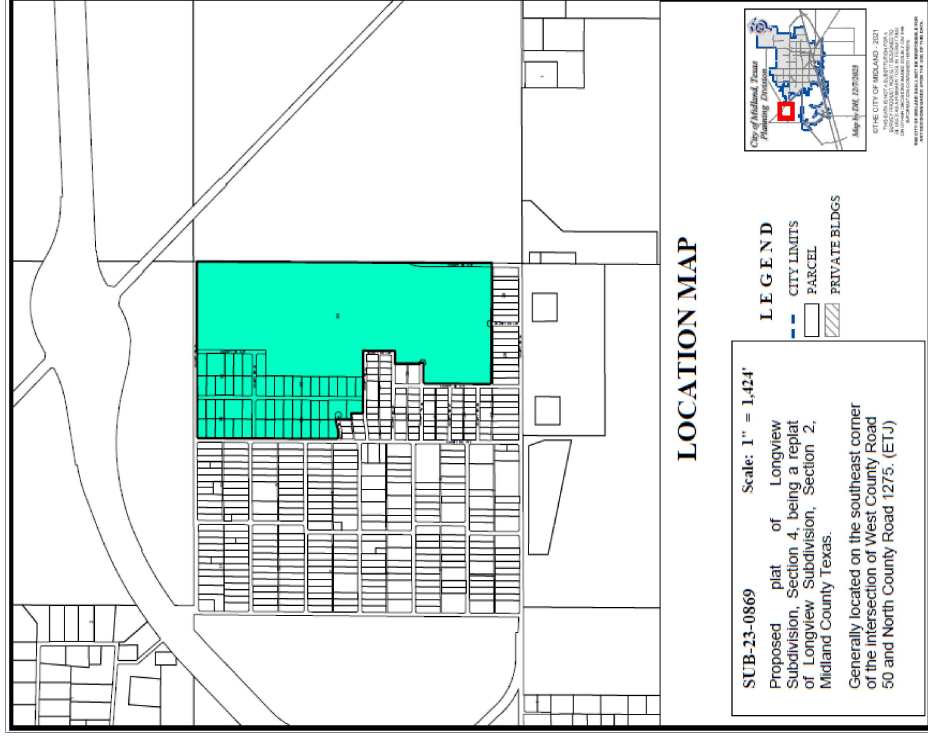


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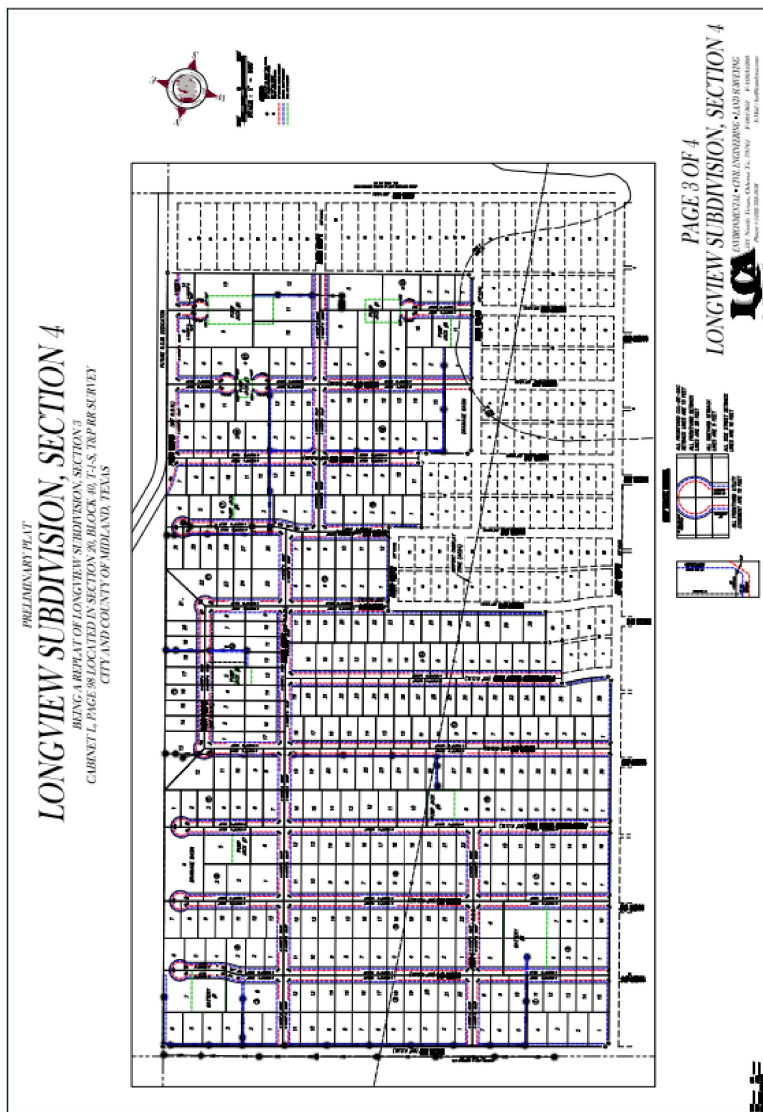
APPLICATION SUMMARY

- **Property Owner & Developer:** GF Elite Estate Holdings, Ltd.
- **Representative:** Landgraf, Crutcher & Associates
- **Application Type:** Preliminary Plat
- **Address:** Generally located on the southeast corner of the intersection of West County Road 50 and North County Road 1275 (ETJ)



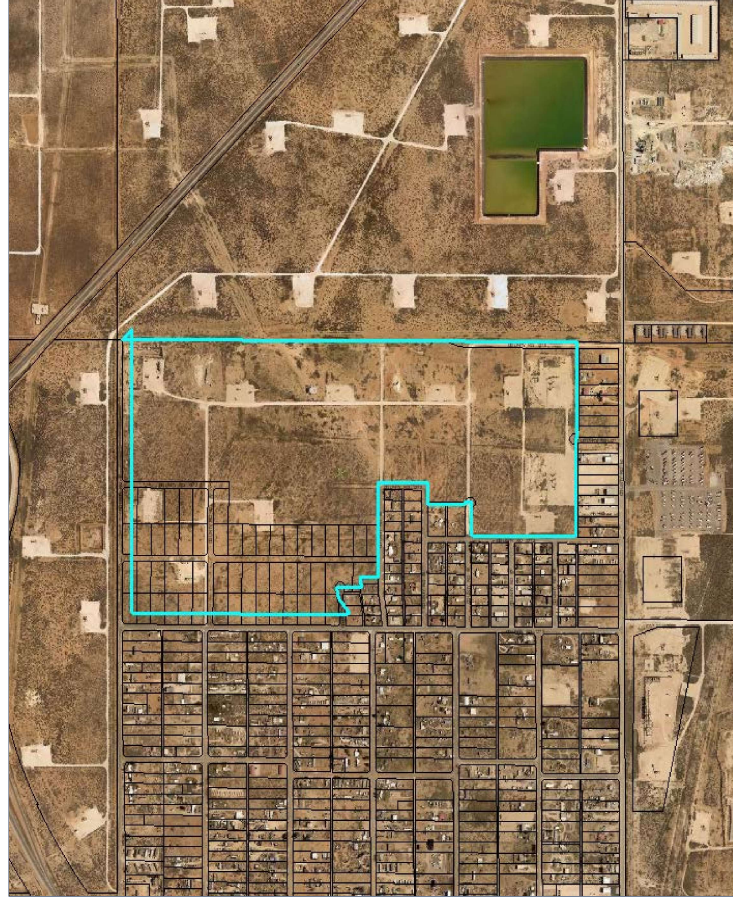
PLAT DETAILS

- **Acreage:** 243.31-acres
- **Number of lots:** 389 lots
- **Reason for Request:** Future residential development



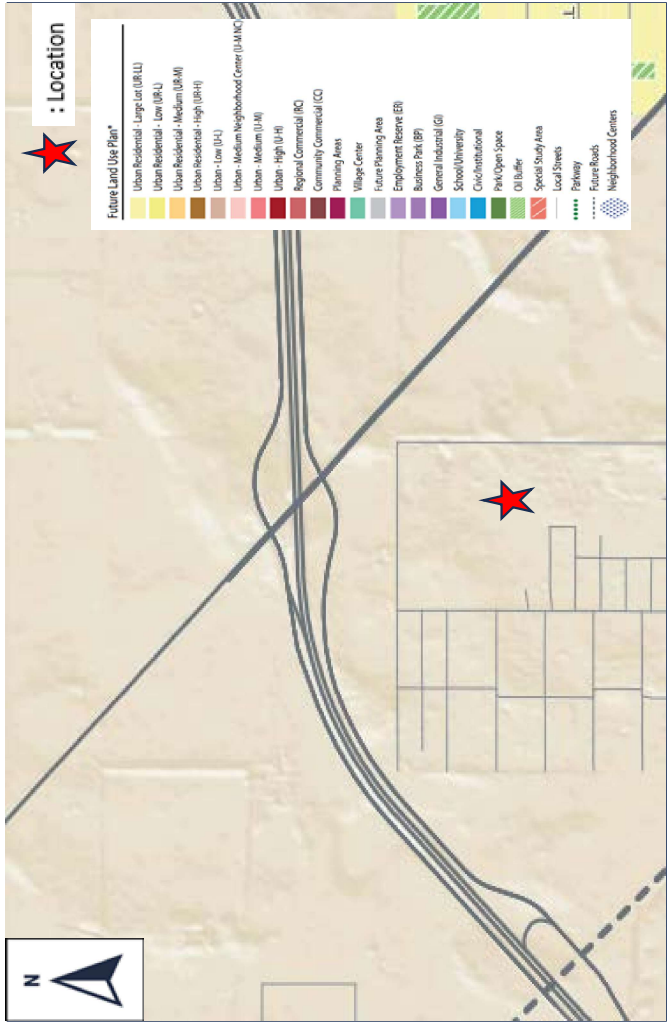
LAND USE

- **Current Use:** Vacant
- **Proposed Use:** Residential
- **Surrounding Uses:**
 - **North/East:** Vacant
 - **West:** Single-Family Residential
 - **South:** Oil and Gas Production & Industrial Services



COMPREHENSIVE PLAN ANALYSIS

- TCT Land Use Designation:
 - None



RELATED ITEMS

- A motion to vacate the Planning and Zoning Commission's approved Longview Subdivision, Section 3 for the purpose of reconfiguring the layout of the subdivision for future residential development was approved by the Commission on October 7, 2024, and by Council on October 22, 2024.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Preliminary Plat of Longview Subdivision, Section 4 subject to the following conditions:

- 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)]
- 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.

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; Midland City Code 11-2-3(D)11(a)(6).



MISSION

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