

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

**January 21, 2025 - 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 to approve Planning and Zoning meeting minutes from December 16, 2024.
3. Motion approving a Final Plat of Fuse Industrial Park, Section 3, being a plat of a 15.23-acre tract of land out of the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the west side of South Fairgrounds Road, approximately 395-feet north of East Indiana Avenue.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**
4. Motion approving, with staff's recommended conditions, a Final Plat of Northwest Passage, Section 4, being a 23.751-acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of Fortune Drive and Ascension Drive.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
5. Motion approving, with staff's recommended conditions, a Final Plat of Mockingbird Ridge, Section 12, being plat of a 24.50-acre tract of land located in Section 18, Block 38, T-1-S, A-734, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of Fairgrounds Road and Firewheel Road.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

PUBLIC HEARINGS

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

6. Hold a public hearing and consider a request by Maverick Engineering, on behalf of Fierce Property Investments LLC, for a zone change from RR, Regional Retail District, to C, Commercial District, on Lot 3, Block 1, 349 Retail Addition, City and County of Midland, Texas. (Generally located on the west side of North Highway 349, approximately 1,800 feet north of Country Club Drive.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
7. Hold a public hearing and consider a request by Magrym Consulting for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 7, Block 11, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of East Washington Avenue and South Webster Street.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
8. Hold a public hearing and consider a request by Cinergy 108, LLC, for a Zone Change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District, on Lot 3, Block 45, Fairmont Park Addition, Section 13, City and County of Midland, Texas. (Generally located on the east side of West Loop 250 North, approximately 450 feet south of Henry Koontz Boulevard.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**
9. Hold a public hearing and consider a proposed Final Plat of Holzgraf Addition, Section 3, being a residential replat of the west 40 feet of Lot 1 and the east 40 feet of Lot 2, Block 3, Holzgraf Addition, City and County of Midland, Texas. (Generally located on the south side of Sinclair Avenue, approximately 40 feet west of North A Street.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**
10. 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 Lots 6 and 7, 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)**
11. Hold a public hearing and consider a request by Magrym Consulting for a Zone Change from MH, Manufactured Housing District, and RR, Regional Retail District to SF-3, Single-Family Dwelling District, on Lots 9 and 10, Block 172, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Dallas Street, approximately 125 feet north of East Florida Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**
12. Hold a public hearing and consider, with staff's recommended conditions, a proposed Final Plat of Glen Arden, Section 2, being a residential replat of Lots 2, 3, and 4, Block 1, Glen Arden Replat, and a 13,357 square foot portion of an alley, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of Racquet Club Drive and West Wadley Avenue.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

13. Motion approving a reinstatement of an approved Preliminary Plat of Legacy Addition, Section 11, being a plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, City and County of Midland, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
14. Motion approving, with staff's recommended conditions, a Final Plat of Legacy Addition, Section 11, being a plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, City and County of Midland, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
15. Motion approving, with staff's recommended conditions, a Preliminary Plat of Tres Gringos Uno Addition, being a plat of a 11.14-acre tract of land located in the northwest quarter of Section 32, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1278, approximately 3000 feet north of Hernandez Avenue.) **(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)**
16. Motion approving, with staff's recommended conditions, a Preliminary Plat of Devon Addition, Section 9, being a plat of a 0.92-acre tract of land situated in Section 8, Block 40, T-2-S, RR Co. Survey, City and County of Midland, Texas (Generally located at the southeast corner of the intersection of Younger Road and Norden Drive.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**

Landon J. Ochoa
Planning Division Manager
Department of Development Services

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

CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES
December 16, 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 16, 2024.

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

Commissioners absent: Adrian Carrasco, Abraham Bejil

Staff members present: Landon Ochoa, 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 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)**

John Burkholder moved to approve; seconded by Steven Villela.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Bejil

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)**

Planner Madelim Jaquez, presented this item.

The public hearing was opened at 3:32 pm.

No one wished to speak on this item.

The public hearing was closed at 3:32pm.

Joshua Sparks moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Bejil

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)**

Planner Beatriz Quezada, presented this item.

The public hearing was opened at 3:42 pm.

John Burkholder asked if the property is currently vacant.

Beatriz reported that they began building on the property before finding out they needed a zone change so there is unfinished construction.

The public hearing was closed at 3:42 pm.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Bejil

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)**

Planner Beatriz Quezada, presented this item.

The public hearing was opened at 3:45 pm.

No one wished to speak on this item.

The public hearing was closed at 3:46 pm.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Bejil

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)**

Associate Planner Alexis Martinez, presented this item.

The public hearing was opened at 3:49 pm.

No one wished to speak on this item.

The public hearing; was closed at 3:51 pm.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Bejil

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)**

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Bejil

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)**

Joshua Sparks moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Carrasco, Bejil

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

Lucy Sisniega, Chair

Date



Landon Ochoa, Planning Division Manager
Department of Development Services

1/15/24

Date



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving a Final Plat of Fuse Industrial Park, Section 3, being a plat of a 15.23-acre tract of land out of the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the west side of South Fairgrounds Road, approximately 395-feet north of East Indiana Avenue.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

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

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

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 09/19/2024. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 09/19/2024. [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.

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

SEWER: Deferral request for wastewater improvements were administratively approved on 09/19/2024. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction.

GIS: (Approved)

No comments.

MIDLAND COUNTY PUBLIC WORKS: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 4 proposed lots of Fuse Industrial Park, Section 3, PLAT OF A 16 ACRE TRACT OF LAND OUT OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 36, BLOCK 39, T-1-S, T. & P. RR. CO. SURVEY ABSTRACT 1 lot 1 is 5.2 acre, lot 2 is 3.9 acre, lot 3 is 2.6 acre and lot 4 is 3.3 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Planning: (Approved)

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

Attachments:

Final Plat
Application
Location Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-23-0668

Case Number: D-24-2167

Proposed Subdivision Plat Name: Fuse Industrial Park, Section 3

Legal Description (attached sealed Metes and Bounds): _____

Being a 15.23-acre tract of land out of Section 36, Block 39, T-1-S, T&P RR Co. Survey, County of Midland, Texas.

Property Owner

Printed Name: Fairgrounds Partners, LLC

Phone (432) 349-4348

Email josh@fusedp.com

Address PO Box 52953

City Midland

State TX

Zip 79710

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: ZECO Enterprises LLC

Printed Name: Zeke Saavedra, P.E.

Phone (832) 702-6386

Email

zeke.saavedra@zeco-ent.com

Address 25638 Myrtle Springs

City Spring

State TX

Zip 77373

Current Zoning: ETJ

Reason for Platting: Subdivide property into 4 lots

Plat Information

Total Acreage: 15.23

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 4

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
- 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')

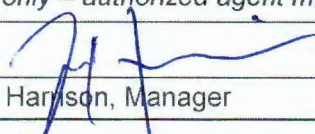
For plats 18" to 24" \$61.00

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: 10-4-2024

Property Owner (printed): Josh Harrison, Manager

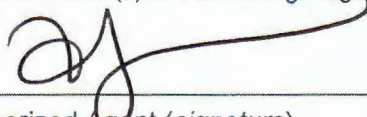
The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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


Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of December, 2024, to certify which witness my hand and seal of office.

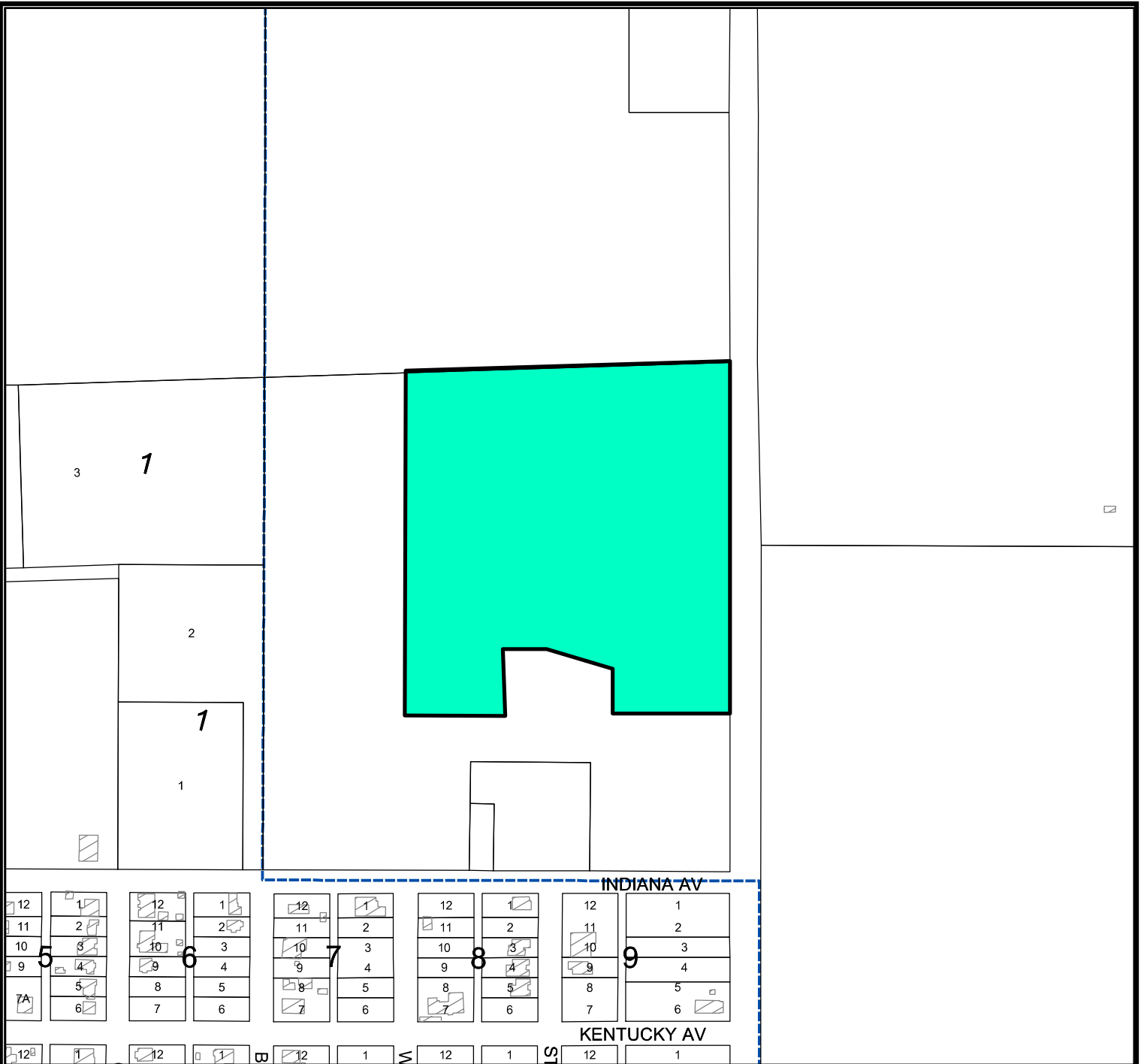


Ana Jordan
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****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>1407</u>	☐ Tax Certificates	Check # <u>1408</u>
Received By:		Date:

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



Location Map

SUB-23-0668

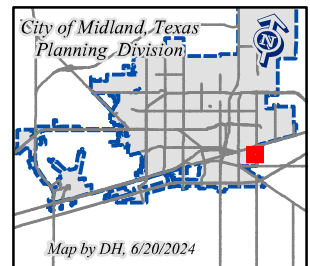
Scale: 1" = 360'

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

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

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

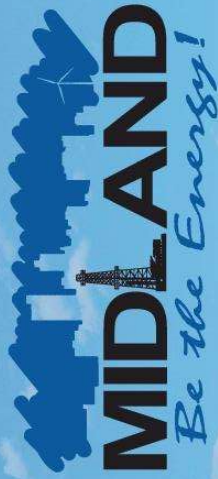


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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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





Fuse Industrial Park, Section 3

ITEM —
FINAL PLAT

January 21, 2025

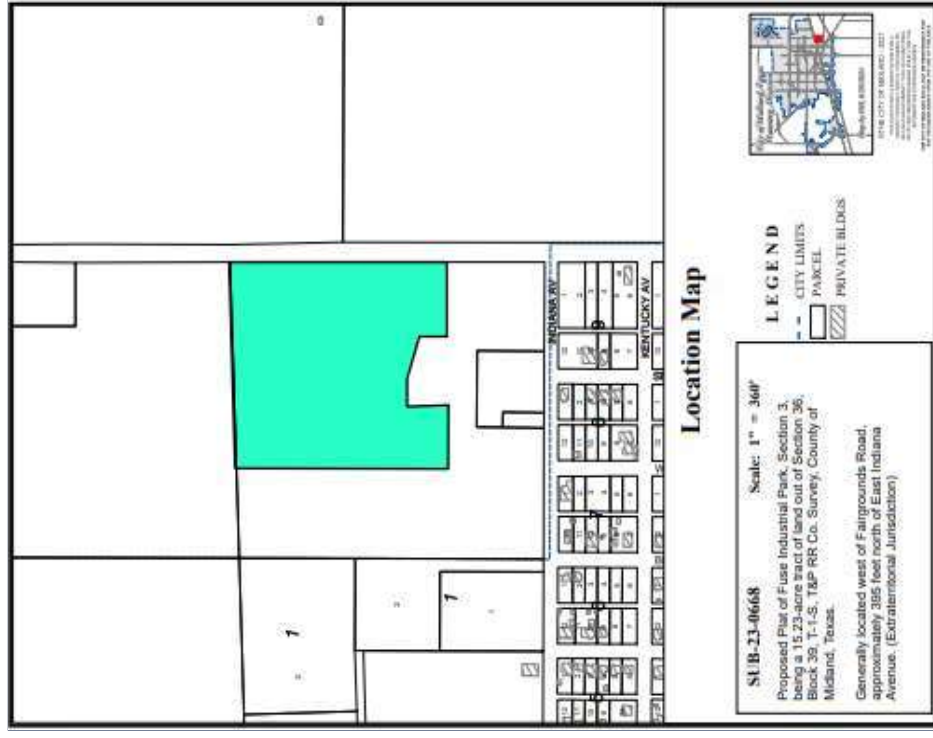


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APPLICATION SUMMARY

- **Property Owner & Developer:**
Fairgrounds Partners, LLC
- **Representative:** Zeke Saavedra, with
ZECO Enterprises, LLC
- **Application Type:** Final Plat
- **Address:** 228 South Fairgrounds Road
(ETJ)



- 



LAND USE

- **Current Use:** Vacant lot
- **Surrounding Uses:**
 - North: Vacant lot
 - West: Midland ISD parking lot
 - South: Church and single-family residential
 - East: Centurion Pipeline



- 



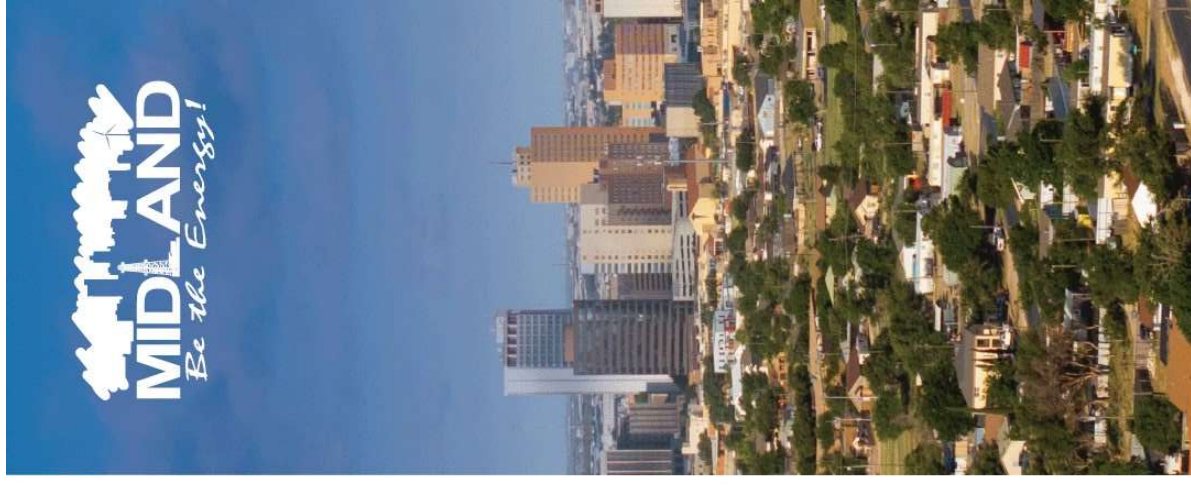
RELATED ITEMS

- The preliminary plat associated with this request was approved on July 1, 2024, by the Planning & Zoning Commission.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Final Plat of Fuse Industrial Park, 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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving, with staffs recommended conditions, a Final Plat of Northwest Passage, Section 4, being a 23.751-acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of Fortune Drive and Ascension Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single-Family Dwelling District

Preliminary Plat Approval:

Parkhill, on behalf of DR Horton – Texas, LTD, is requesting to plat 23.751-acres located west of Laurel Lane into 127 lots for the next phase of the Northwest Passage residential subdivision.

The Preliminary Plat of 117.035-acres into 573 lots was approved by the Planning and Zoning Commission on September 7, 2021, and subsequently by City Council on September 14, 2021.

The preliminary plat was reinstated by the Planning and Zoning Commission on May 15, 2023.

The first phase was approved by the Planning and Zoning Commission on May 15, 2023.

The second phase was approved by the Planning and Zoning Commission on February 5, 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 with Conditions)

IMPACT FEES: Okay as shown. [For the Applicant's information only.]

ROW: Okay as shown. [For the Applicant's information only.]

PAVING: A final walk-through has been conducted and only minor punch list are pending before acceptance of public infrastructure. [For the Applicant's information only]

WATER: A final walk-through has been conducted and only minor punch list are pending before acceptance of public infrastructure. [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.

PRO RATA: None.

SEWER: A final walk-through has been conducted and only minor punch list are pending before acceptance of public infrastructure. [For the Applicant's information only]

DRAINAGE: Drainage study has been approved for platting purposes. [For the Applicant's information only]

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with Conditions)

Street Name and Traffic Control Sign fee will be required before recording. [Reference City Code Section 11-2-5(C)3(t).]

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 with Conditions)

Staff recommends approval of the Final Plat of Northwest Passage, Section 4, subject to conditions A and B.

Condition:

- A. Street Name and Traffic Control Sign fee has been paid to the Transportation department before filing for recording with the County Clerk of Midland County, Texas. [Reference City Code Section 11-2-5(C)3(t).]**
- B. All required public improvements and remaining Engineering comments have been satisfied by the Engineering department before filing for recording with the County Clerk of Midland County, Texas. [Per Midland City Code Sect. 11-2-3(G)1]**

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number:

Case Number:

Sub-21-0416
P-24-2169**Proposed Subdivision Plat Name:** Northwest Passage, Section 4**Legal Description (attached sealed Metes and Bounds):** Being a plat of a 23.751 acres situated in Section 35, Block 40, T-1-S, T. & P. Railroad Survey, City and County of Midland, Texas.**Property Owner**

Printed Name: DR Horton - Texas, LTD

Phone ()
Email

Address 6751 N Freeway

City Fort Worth

State TX

Zip 76131

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Parkhill

Printed Name: Josh Wallender

(Proj. # 40853.23)

Phone (432) 697-1447
Email

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State Texas

Zip 79701

Current Zoning: SF-3**Reason for Platting:** Platting for future development**Plat Information**

Total Acreage: 23.751 Ac.

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

Number of Lots: 127

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

[Signature]

Date: 12-18-27

Property Owner (printed):

James A. Holcomb

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.

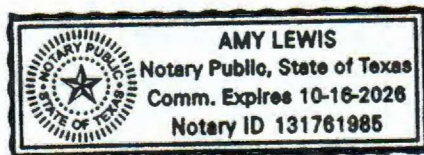
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Shelby Freeman who, being by me duly sworn, upon oath says: That (s)he is authorized by DR Horton - Texas, LTD, 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 18th day of December, 2027, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

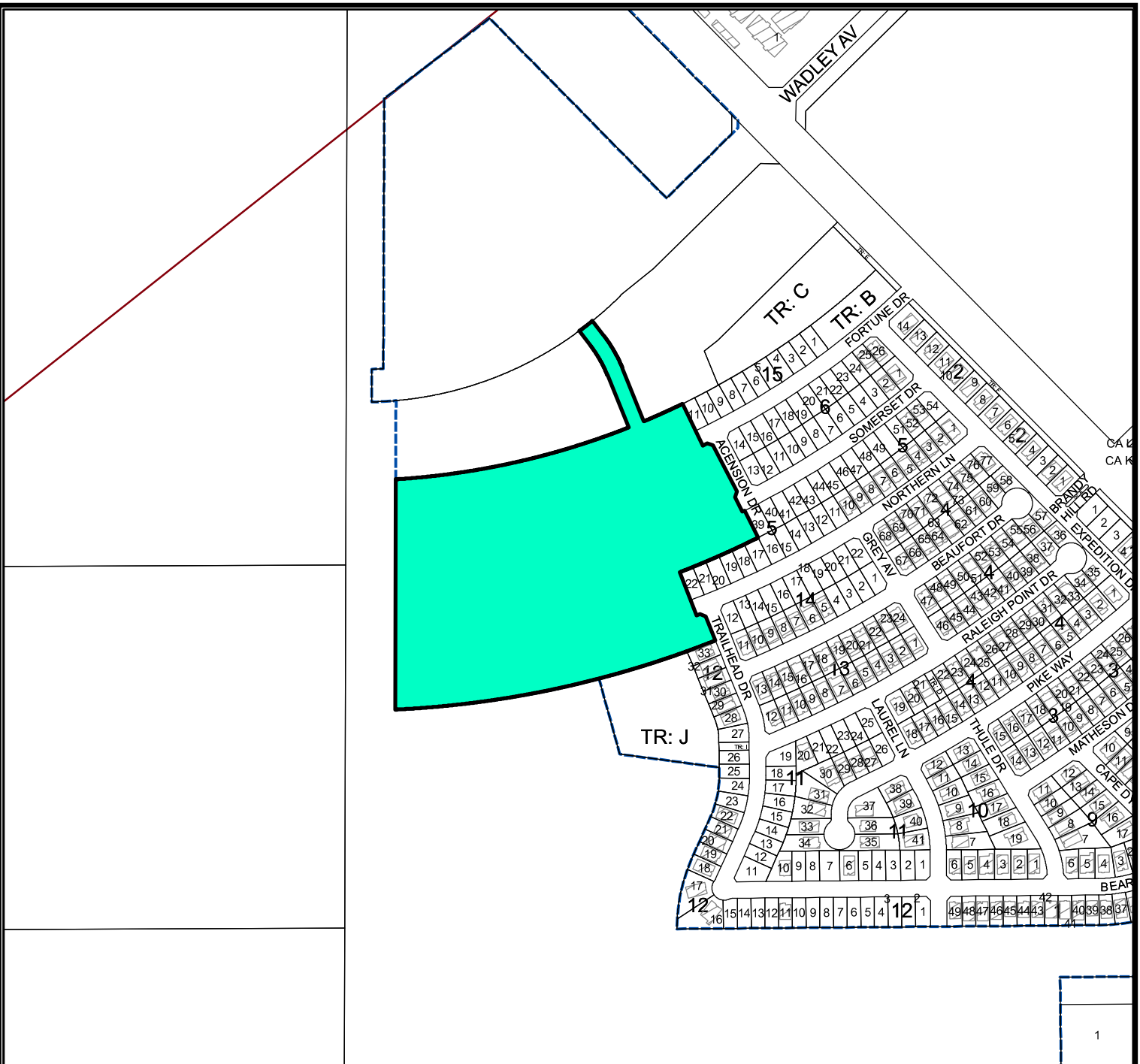
FOR OFFICE USE ONLY

- | | | |
|--|--|--|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # _____ | ☒ Tax Certificates | ☐ Recording Fee |
| | | Check # <u>50771425</u> |

Received By:

Date:

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



Location Map

P-24-2169

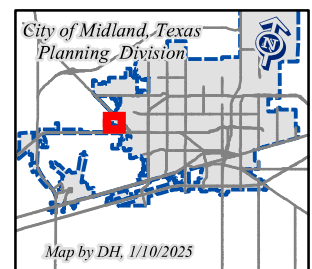
Scale: 1" = 526'

Motion approving a Final Plat of Northwest Passage, Section 4, being a 23.751-acre tract of land located in Section 35, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of Fortune Drive and Ascension Drive. (Council District 4)

LEGEND

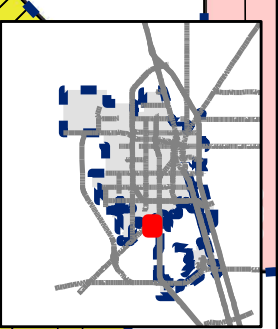
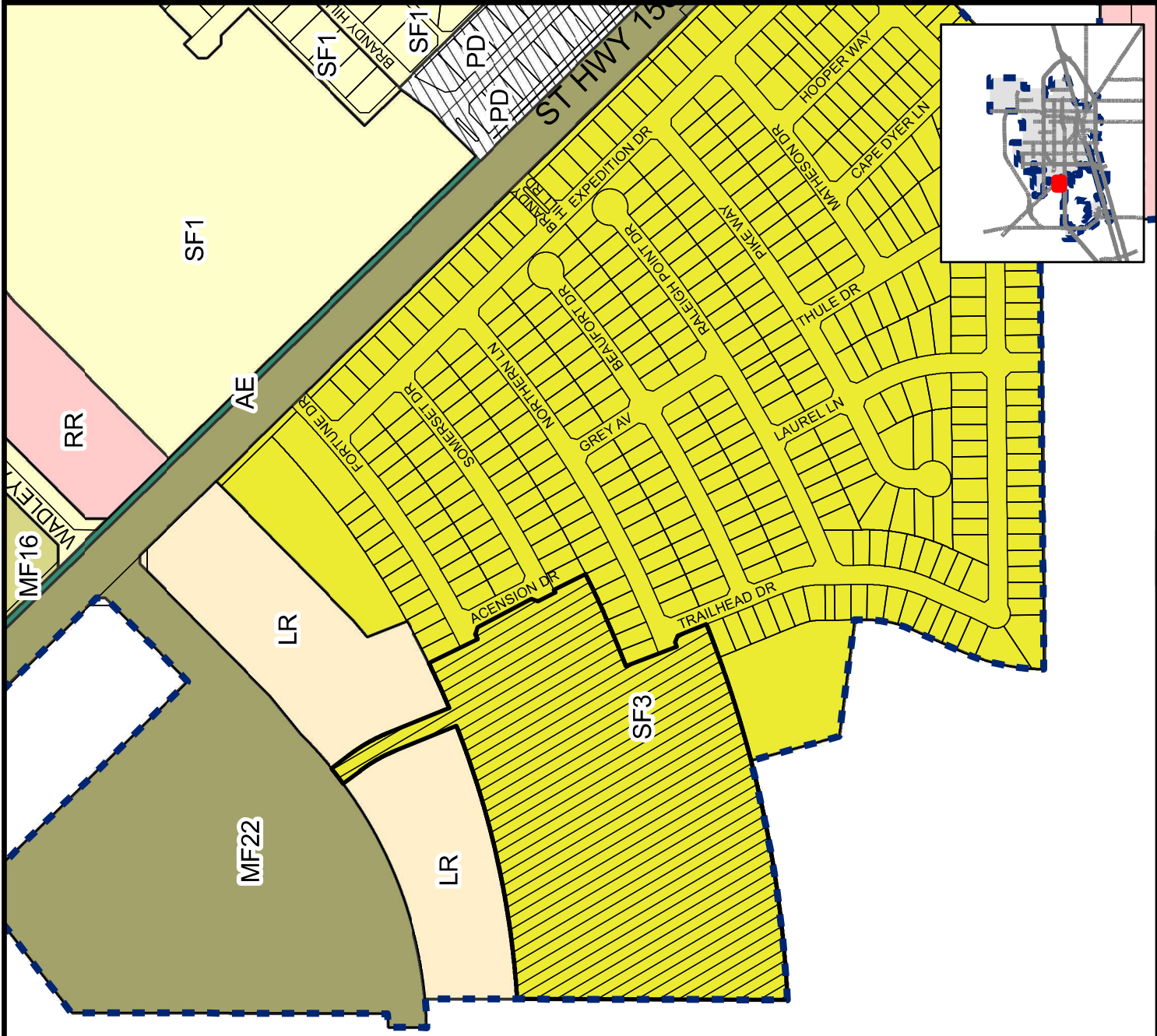
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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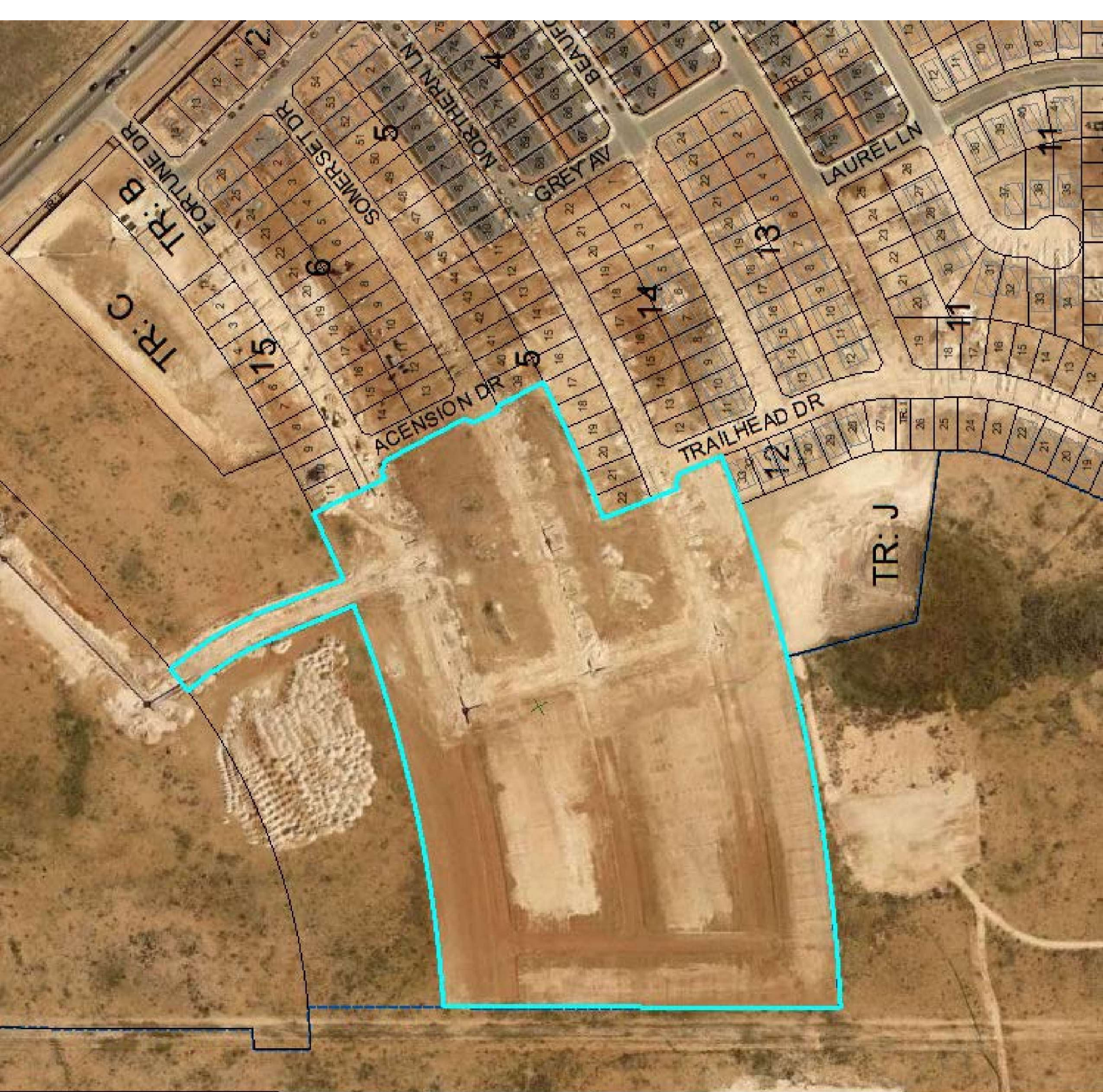


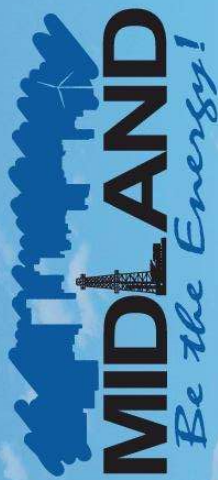
ZONING MAP

Scale: 1" = 465'

P-24-2169

Map Dtl. 1/10/2025





NORTHWEST PASSAGE, SECTION 4

ITEM —
FINAL PLAT

January 21, 2025

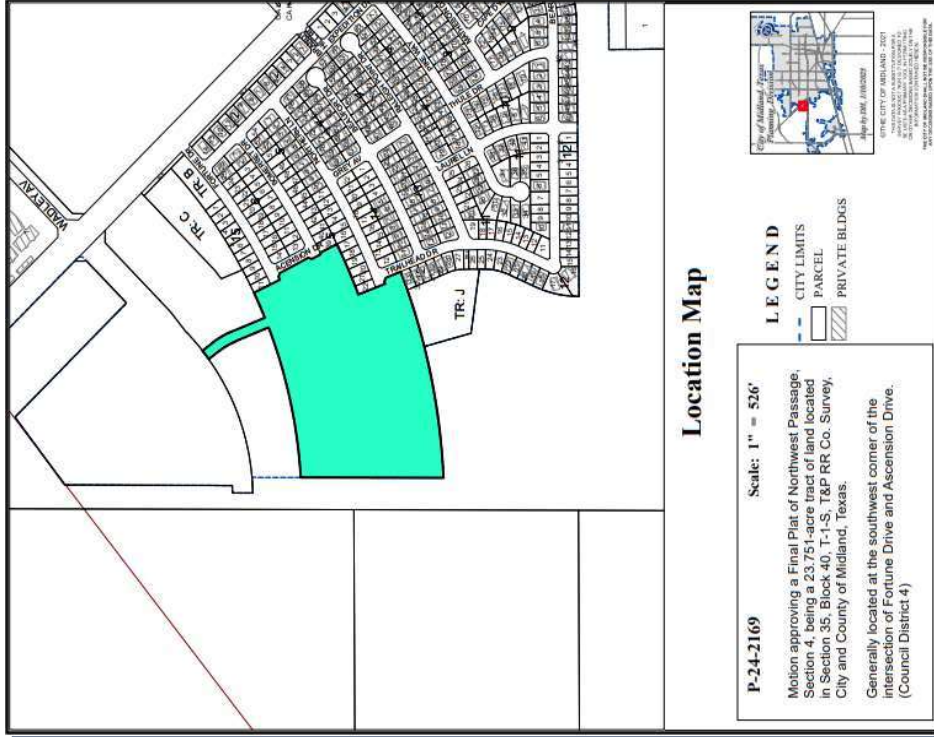


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APPLICATION SUMMARY

- **Property Owner & Developer:**
DR Horton – Texas, LTD
- **Representative:**
Josh Wallender, with Parkhill
- **Application Type:** Final Plat
- **Address:** Generally located at the southwest corner of the intersection of Fortune Drive and Ascension Drive. (District 4)



PLAT DETAILS

- **Acreage: 23.751-acres**
- **Number of lots: 127 lots**
- **Reason for Request: The next phase of the Northwest Passage residential subdivision**



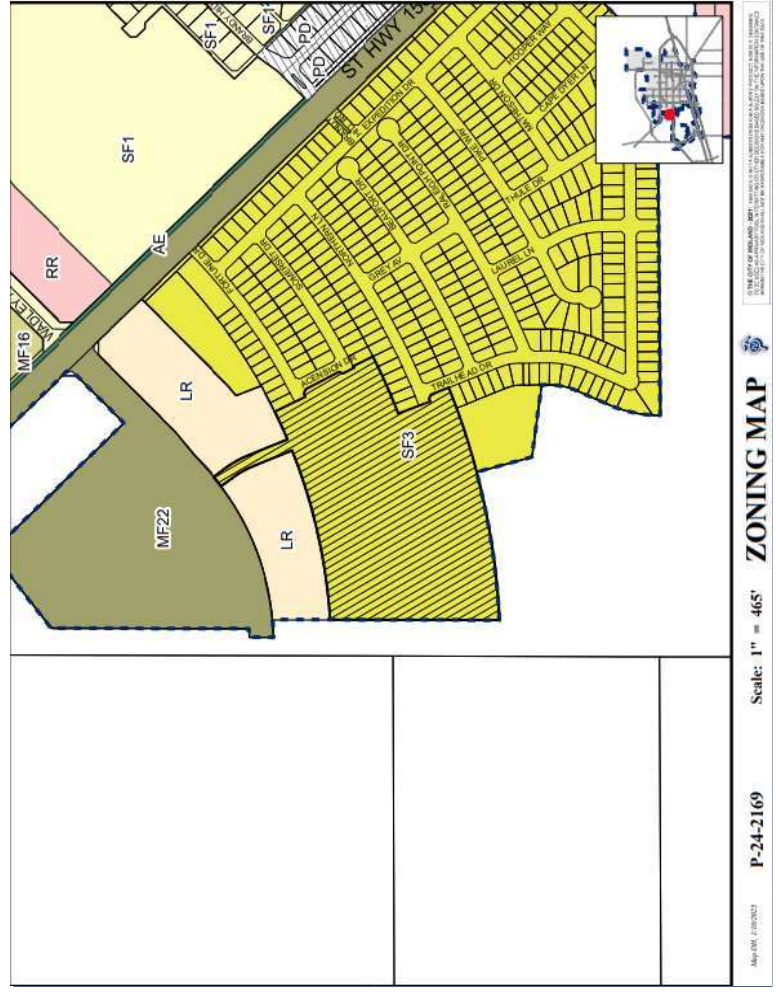
ZONING

- **Current Zoning:** SF-3, Single-Family Dwelling District

Surrounding Zoning:

- **North:** LR, Local Retail District

- **South/West:** SF-3, Single-Family Dwelling District



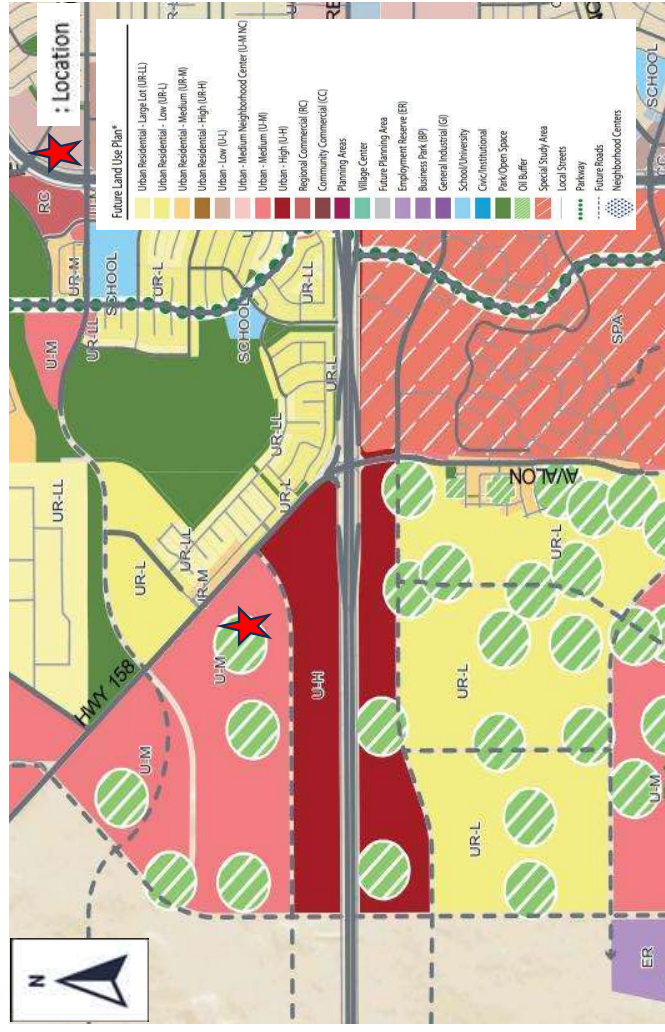
LAND USE

- **Current Use:** Vacant
- **Proposed Use:** Single-family residential
- **Surrounding Uses:**
 - North, South & West: Vacant
 - East: Residential



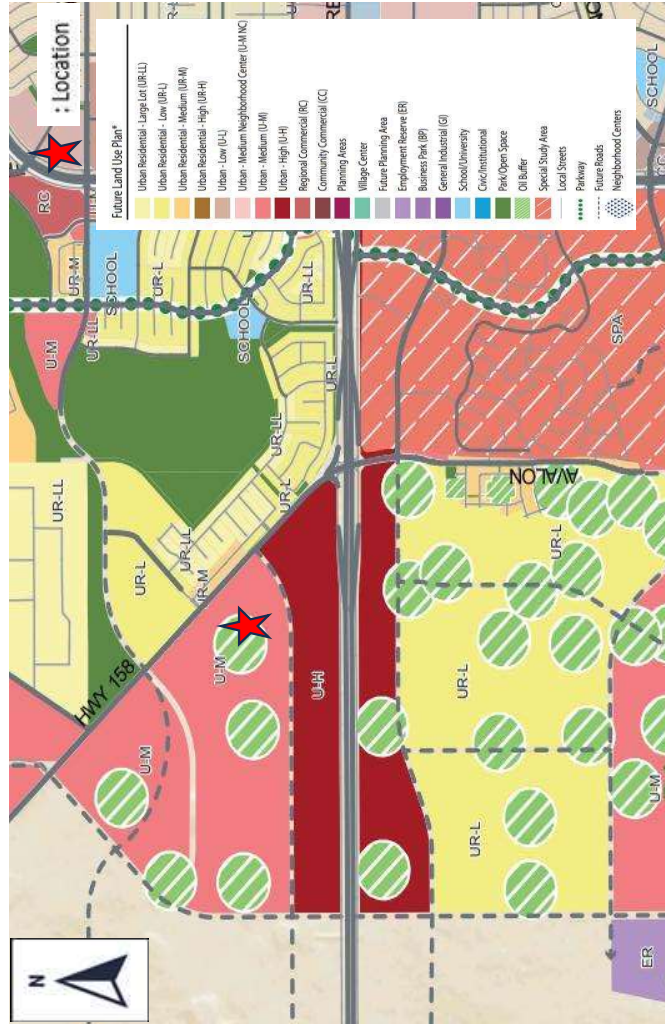
COMPREHENSIVE PLAN ANALYSIS

- **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.



COMPREHENSIVE PLAN ANALYSIS

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



RELATED ITEMS

- The Preliminary Plat of 117.035-acres into 573 lots was approved by the Planning and Zoning Commission on September 7, 2021, and subsequently by City Council on September 14, 2021.
- The preliminary plat was reinstated by the Planning and Zoning Commission on May 15, 2023.



RELATED ITEMS

- The first phase was approved by the Planning and Zoning Commission on May 15, 2023.
- The second phase was approved by the Planning and Zoning Commission on February 5, 2024.
- The third phase was approved by the Planning and Zoning Commission on October 7, 2024

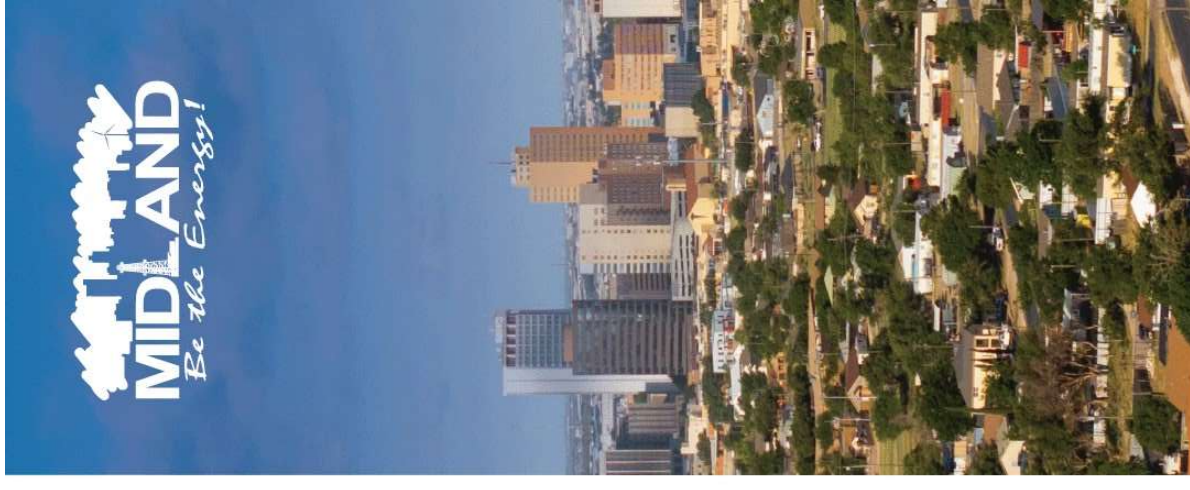
10



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the final plat of Northwest Passage, Section 4, subject to the following condition.

- A. All required public improvements and remaining Engineering comments have been satisfied by the Engineering department before filing for recording with the County Clerk of Midland County, Texas. [Per Midland City Code Sect. 11-2-3(G)1]



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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Final Plat of Mockingbird Ridge, Section 12, being plat of a 24.50-acre tract of land located in Section 18, Block 38, T-1-S, A-734, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of Fairgrounds Road and Firewheel Road.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned Development District for Housing Development.

Preliminary Plat Approval:

Maverick Engineering, on behalf of Betenbough Homes, LLC, is requesting to plat a 302.39-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RR. Co. Survey, City and County of Midland, Texas located east of Fairgrounds Road. The applicant is platting to allow for Housing Development to allow for the development of multi-use site including single family housing, cottage housing, and greenspace/detention.

The preliminary plat was approved at the September 3, 2024, Planning and Zoning Commission meeting and at the September 24, 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 with Conditions)

* * * Approved with Conditions Per Midland City Code Sect. 11-2-3(G)1: "Timing of public improvements. Except as provided otherwise herein, all street, alley, water, sanitary or storm sewer, and other public improvements, as well as lot improvements on the individual lots of the subdivision or addition as required in these regulations, for subdivisions within the City or within 1.5 kilometers (0.93 miles) thereof, shall be installed as required by the public improvement plans, prepared in accordance with Section 11-2-4, offered for dedication and accepted by the City prior to final plat approval. The required improvements shall be those specified and approved by the City in the public improvement plans. As used in this Section, "lot improvements" refers to grading and installation of improvements required for proper drainage and prevention of soil erosion."

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

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

PAVING: Internal paving improvements have not been accepted nor has a final walk-through been requested. Per City code, the developer is required for 1/3 the cost/construction of Fairgrounds and Todd, based on maximum 20-meters (68-foot) width including C & G arterial construction standards. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: Water improvement have not been accepted nor has a final walk-through been requested. Developer's responsibility for Todd Drive improvements has not yet been completed. [Reference City Code Sect. 11-2-3(G)1]

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

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

SEWER: Wastewater improvement has not been accepted nor has a final walk-through been requested. Developer's responsibility for Todd Drive improvements has not yet been completed. [Reference City Code Sect. 11-2-3(G)1]

DRAINAGE: Drainage study has been approved. Comply with Mockingbird Ridge Phase 12-14 Drainage Study, prepared by Maverick Engineering and approved by City on 06/11/2024. [For Applicant's Information Only.]

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

SIDEWALKS: Sidewalk improvement have not been accepted nor has a final walk-through been requested. Developer's responsibility for Fairgrounds and Todd Drive improvements has not yet been completed. [Reference City Code Sect. 11-2-3(G)1]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with Conditions)

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

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil & Gas well concerns. The Stimpson Burley 18 #1, a Non-Permitted well, is identified with 135 ft. well radius of location on plat. Informational: Any oil & gas wells not identified or left off plat, could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

This plat contains 100 residential lots. [Informational]

Staff recommends approval of the Final Plat of Mockingbird Ridge, Section 12, subject to condition A.

Condition(s):

- A. All required public improvements must be completed before filing for recording with the County Clerk of Midland County, Texas. [Per Midland City Code Sect. 11-2-3(G)1]**

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-24-0761
Case Number: P-24-2162

Proposed Subdivision Plat Name: MOCKINGBIRD RIDGE, SECTION 12

Legal Description (attached sealed Metes and Bounds): BEING A 24.50 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNT, TEXAS

Property Owner

Printed Name: BETENBOUGH HOMES LLC

Phone (806) 797-9494

Email

Address 6305 82ND STREET

City LUBBOCK

State TX

Zip 79424

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: PD

Reason for Platting: OWNERSHIP PURPOSES

Plat Information

Total Acreage: 24.50

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 100

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):

Abe Fuentes

Date:

12/19/24

Property Owner (printed):

Abe Fuentes

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.

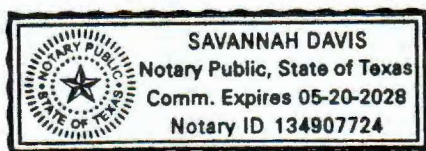
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Betenbough Homes 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.

Ashlee Devine
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of December, 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.****

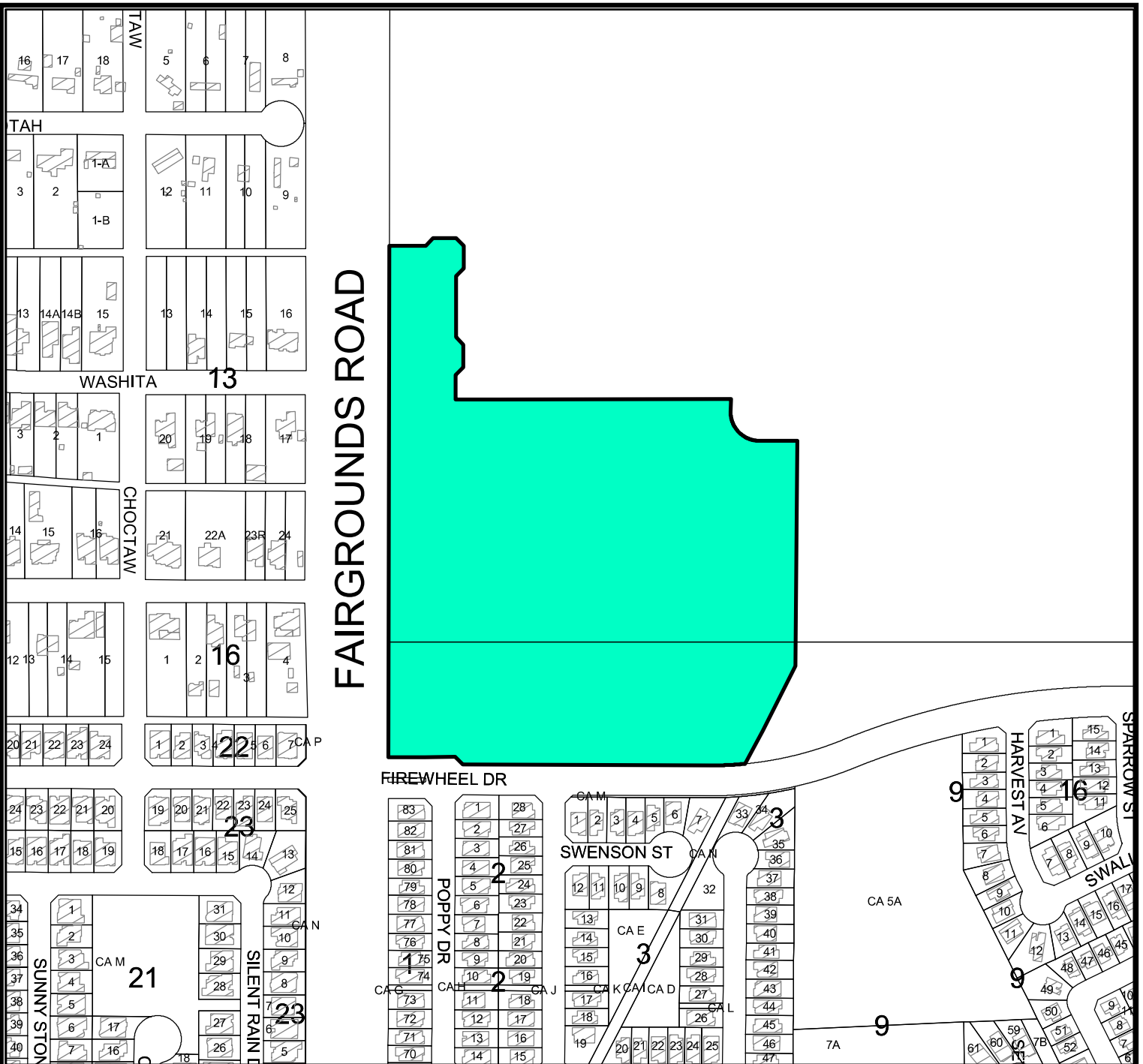
FOR OFFICE USE ONLY

☒ 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>5028</u>	☒ Tax Certificates	Check # <u>5029</u>

Received By: Bette [Signature]

Date: DEC 23 2024

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



Location Map

P-24-2162

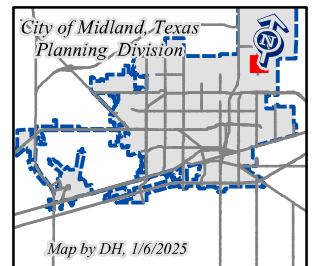
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Motion approving a Final Plat of Mockingbird Ridge, Section 12, being a 24.50-acre tract of land located in Section 18, Block 38, T-1-S, A-734, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection of Fairgrounds Road and Firewheel Road. (Council District 1)

LEGEND

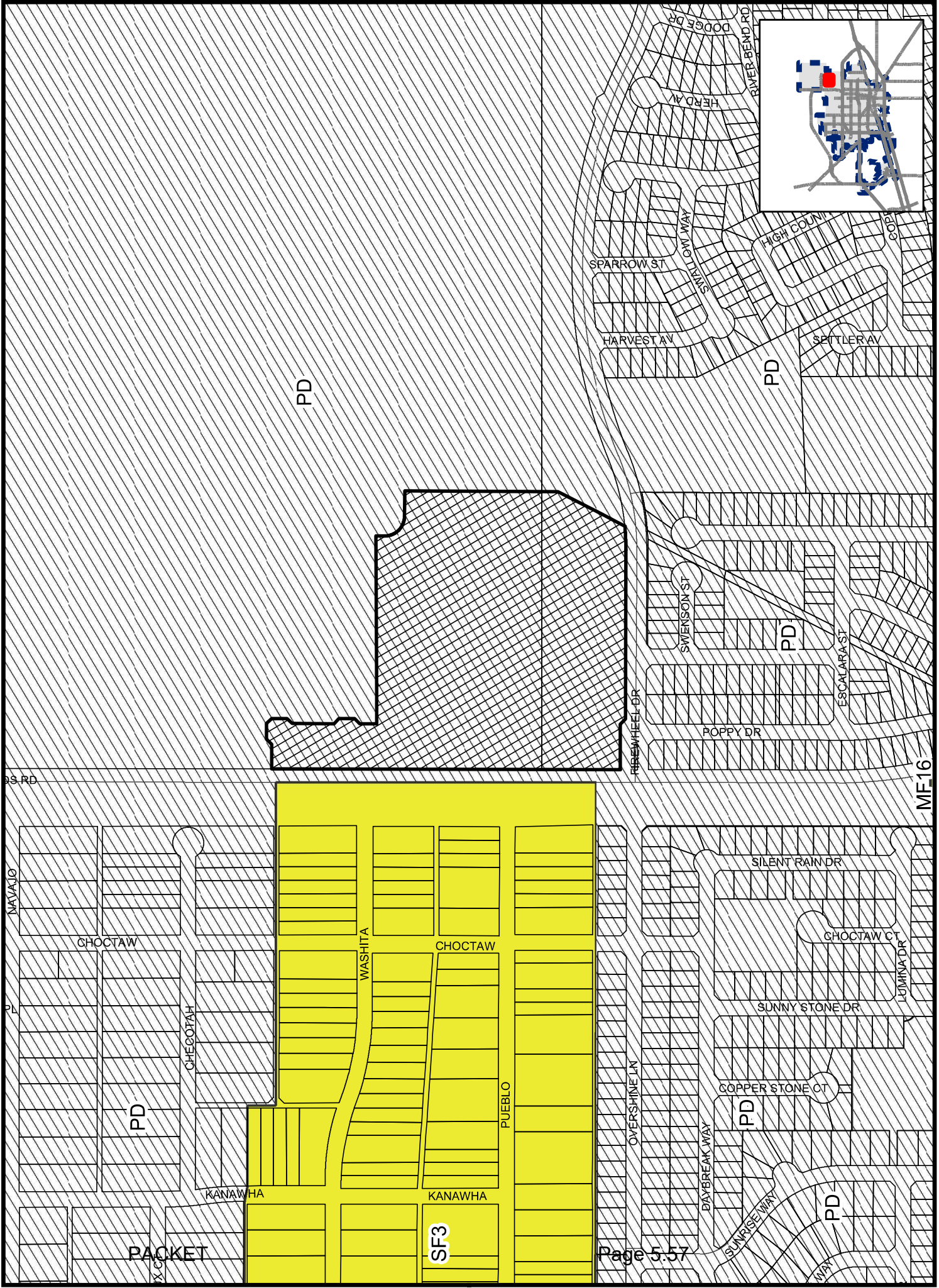
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ZONING MAP

Scale: 1" = 465'

P-24-2162

Map Dtl, 1/6/2025



HARVEST AV

9

16

SWENSON ST

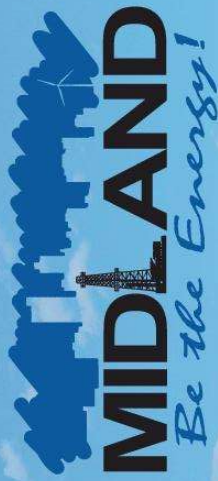
FIREWHEEL DR

POPP

WASHITA 13

CHOCTAW

PACKET



MOCKINGBIRD RIDGE, SECTION 12

ITEM —
FINAL PLAT

January 21, 2025

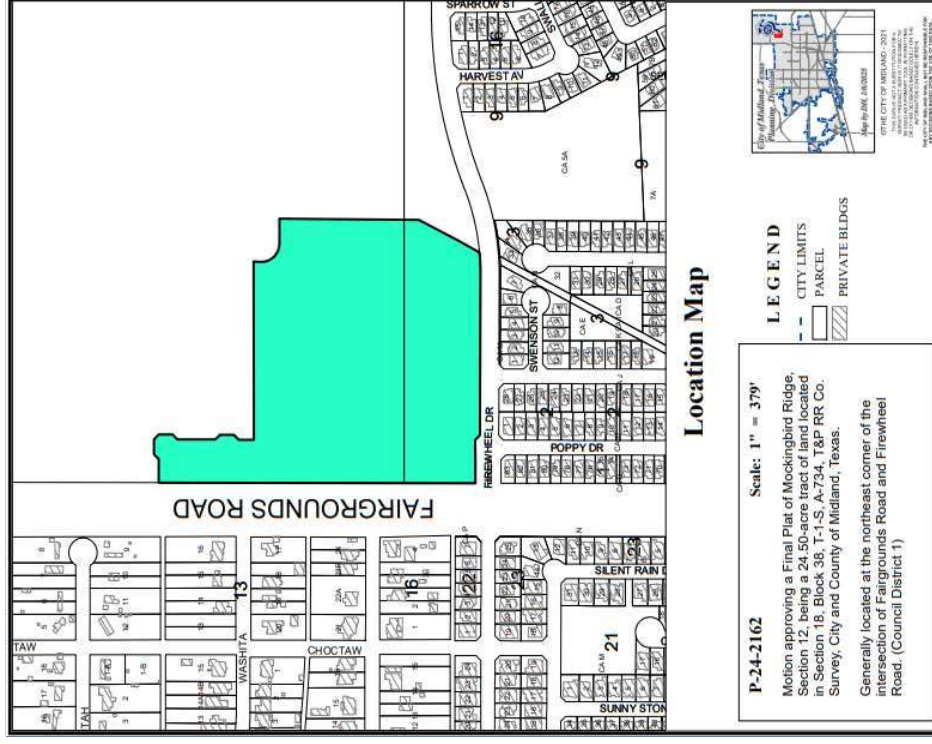


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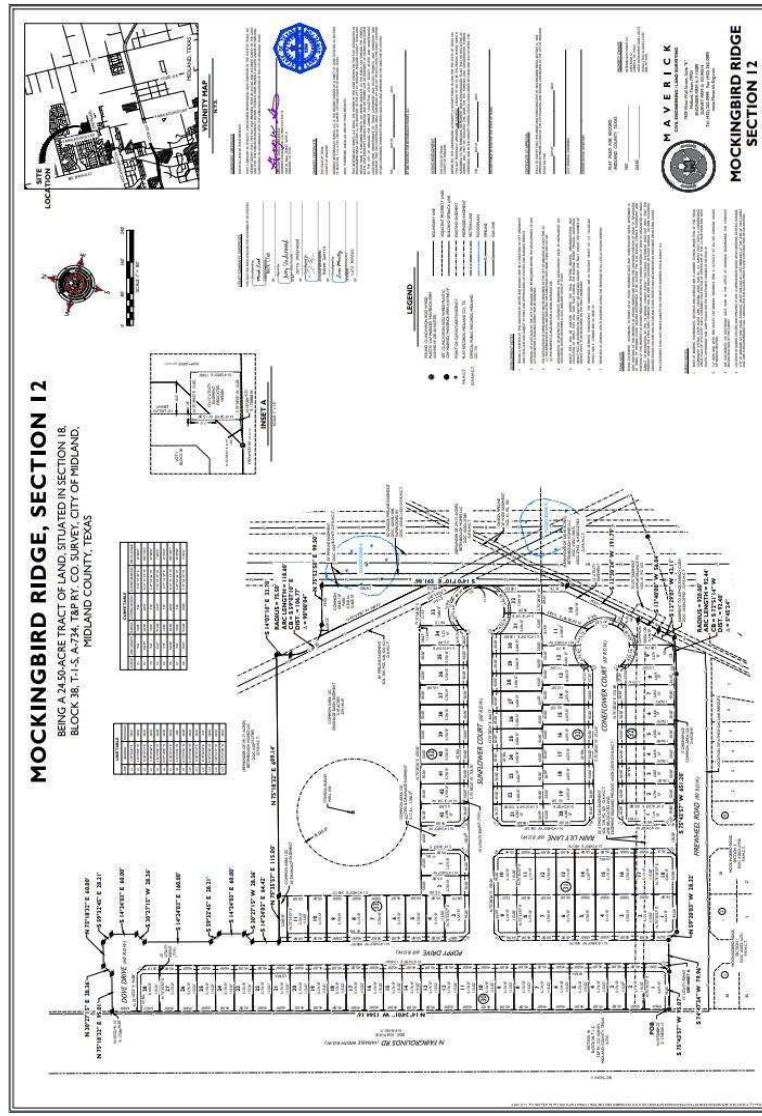
APPLICATION SUMMARY

- **Property Owner & Developer:** Betenbough Homes, LLC
- **Representative:** Ashlee Devine, with Maverick Engineering
- **Application Type:** Final Plat
- **Address:** Generally located at the northeast corner of the intersection of Fairgrounds Road and Firewheel Road (District 1)



PLAT DETAILS

- **Acres:** 24.50-acres
- **Number of lots:** 100 lots
- **Reason for Request:** To allow for Housing Development to allow for the development of multi-use site including single family housing, cottage housing, and greenspace/detention.



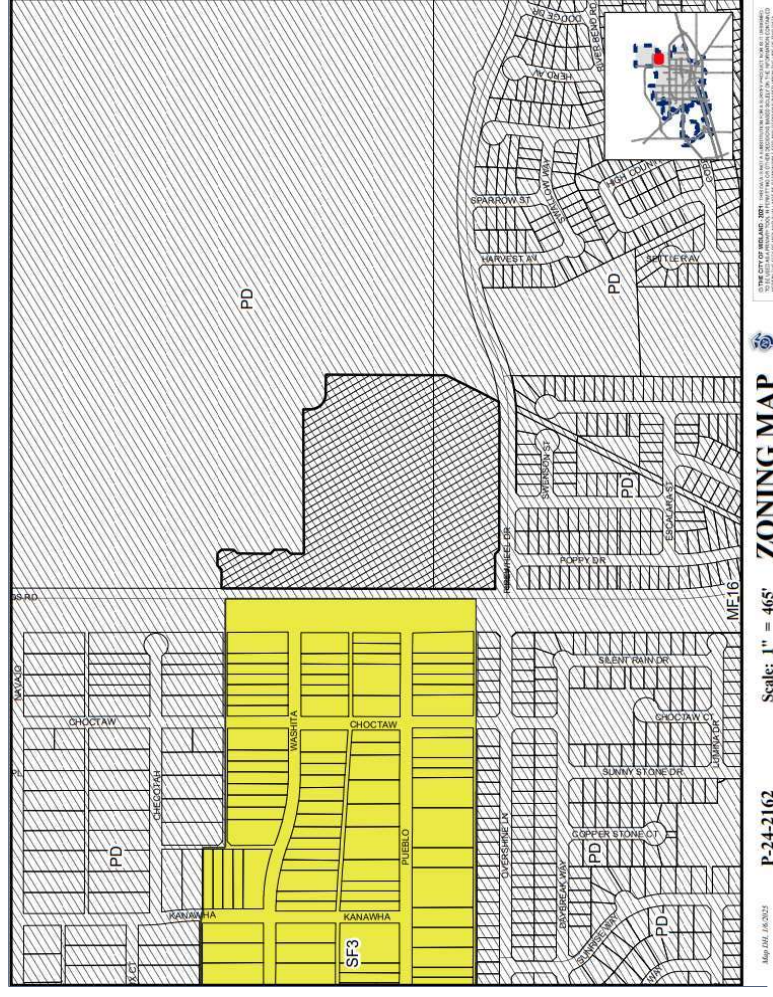
ZONING

Current Zoning: PD, Planned Development District for Housing Development

Surrounding Zoning:

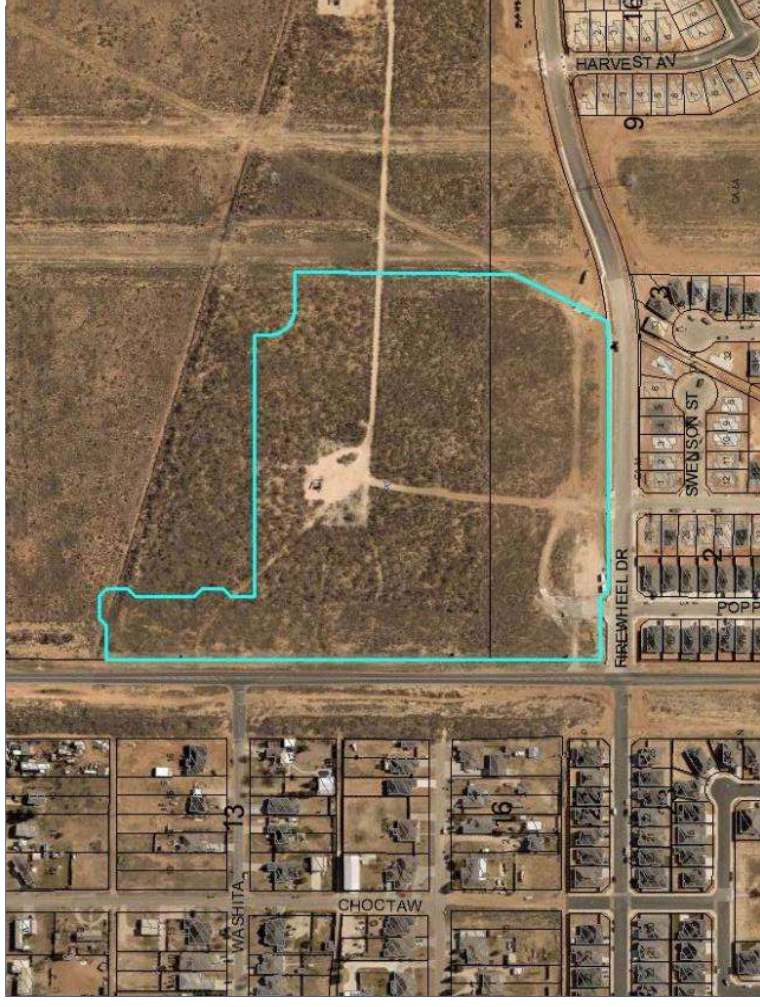
- **North/South/East:** PD, Planned Development District for Housing Development

- **West:** SF-3, Single-family residential



LAND USE

- **Current Use:** Vacant lot
- **Surrounding Uses:**
- **North/East:** Vacant lots
- **South/West:** Single-family residential



- Urban-Medium (U-M)
- Urban Residential-Low (UR-L)

- Single-family housing
- Complementary uses
- Parkway

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



RELATED ITEMS

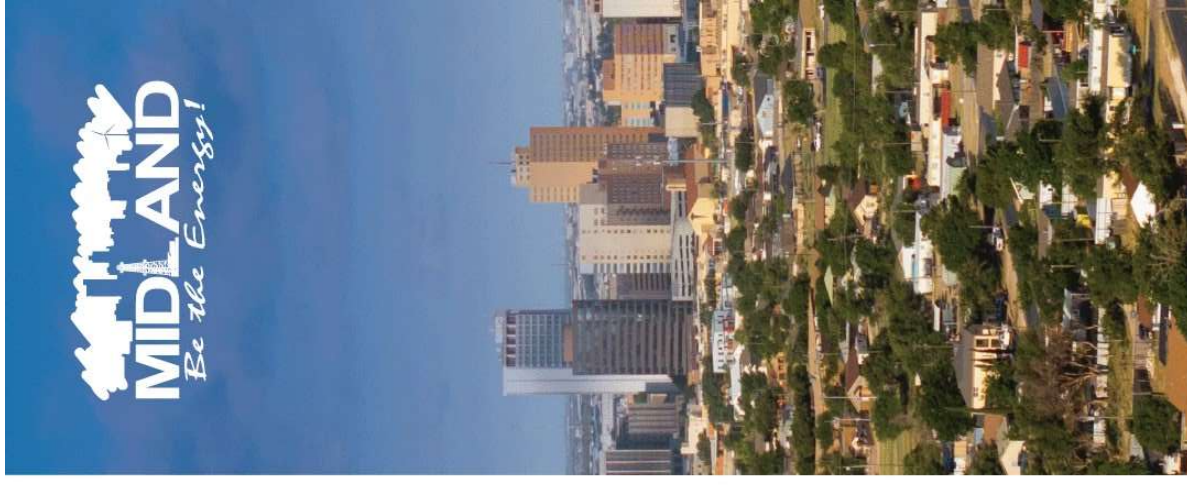
- The preliminary plat was approved at the September 3, 2024, Planning and Zoning Commission meeting and at the September 24, 2024, City Council meeting.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Final Plat of Mockingbird Ridge, Section 12 subject to the following condition:

- A. All required public improvements must be completed before filing for recording with the County Clerk of Midland County, Texas. [Per Midland City Code Sect. 11-2-3(G)1]



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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Maverick Engineering, on behalf of Fierce Property Investments LLC, for a Zone Change from RR, Regional Retail District, to C, Commercial District, on Lot 3, Block 1, 349 Retail Addition, City and County of Midland, Texas. (Generally located on the west side of North Highway 349, approximately 1,800 feet north of Country Club Drive.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Maverick Engineering, on behalf of Fierce Property Investments LLC, for a zone change from RR, Regional Retail District, to C, Commercial District, to develop Mini Storage-Units on property located at 6405 North Highway 349.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

Surrounding zoning consists of PD, Planned Development District, for an Industrial District to the north, PD, Planned Development District, for a Shopping Center to the south, PD, Planned Development District, for a Recreation Center to the west and RR, Regional Retail District, to the east.

Surrounding land uses include industrial services such as air conditioning and heating, oil and gas and electrical repair and maintenance to the north. Adjacent land use to the south is a Tractor Supply and the Midland Country Club to the east. Both lots to the east are vacant and undeveloped.

Analysis:

The subject property is zoned RR, Regional Retail District. Fierce Property Investments LLC is seeking this zone change to permit Mini Storage-Units, which is not an allowed use in the RR, Regional Retail District [Midland City Code 11-1-4.03]. This lot does meet the requirements for the C, Commercial District zoning.

This request is not in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Future Land Use Map" as it designates this area for Urban Residential-low (UR-L). This designation calls for any single-family zoning district with civic uses being generally allowed and special permission for higher intensity uses.

However, given that the zoning to the east and the adjacent property uses to the north, south and west are nonresidential, the proposed use will be compatible with the surrounding area.

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

Fire: (Approved)

No comments or objections.

Oil and Gas: (Approved)

No Oil & Gas issues.

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 partially within Zone AH, 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 or a LOMR-F 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)

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

Planning: (Approved)

Therefore, staff recommends approval of this Zone Change from RR, Regional Retail District, to C, Commercial District.

Letters of Objection:

Staff has not received any letters of objection as of January 17, 2025.

Attachments:

Application
Maps
PowerPoint



Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

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

Printed Name: FIERCE PROPERTY INVESTMENTS LLC

Phone (432) 413-3079

Email
chris@cmbcllc.comAddress
4416 BRIARWOOD, SUITE 110 BOX 23City
MIDLAND

State TX

Zip 79707

Property Owner

Printed Name: SEE APPLICANT

Phone ()

Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: MAVERICK ENGINEERING

Printed Name: ASHLEE DEVINE

Phone (432) 262-0999

Email
adevine@maverick-eng.com

Address 1909 W WALL STREET, SUITE K

City MIDLAND

State TX

Zip 79701

Street Address: 6405 N HWY 349**Legal Description**

Lot: 3 Block: 1 Subdivision: 349 Retail Addition

Current Zoning: RR**Proposed Zone:** C

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

Reason for Zone Change Request: IT IS GOING TO BE A STORAGE FACILITY THAT IS NOT ALLOWED UNDER RR.**Present Use of Property:** VACANT**Proposed Use of Property:** STORAGE FACILITY**How would this zone change affect the public health, safety and welfare?** NO AFFECT**Describe how conditions affecting the property have changed since present zoning designation:** NO CHANGE STILL COMMERCIAL USE.**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>Christopher Butler</u>	Date: 12/3/2024
Applicant (printed): Christopher Butler	
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 <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 Ashlee Danner who, being by me duly sworn, upon oath says: That (s)he is the owner of Fierce property investment or authorized by Chris 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.

Ashlee Danner
Authorized Agent (signature)

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

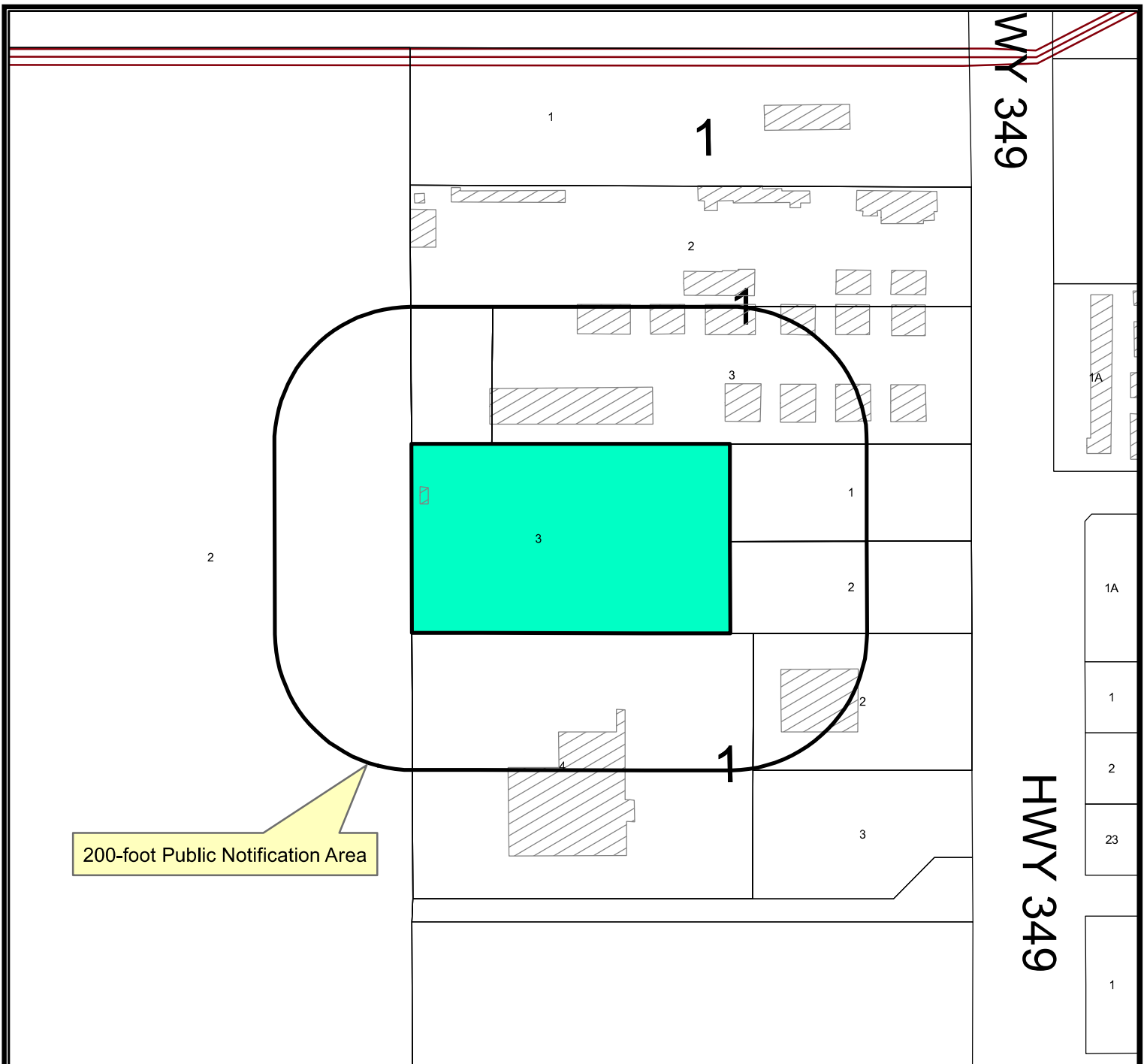


SAVANNAH DAVIS
Notary Public, State of Texas
Comm. Expires 05-20-2028
Notary ID 134907724

[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization ☐ Application Fee Check # <u>5069</u>	☐ Dimensioned Site Plan ☐ Plans in Digital Format (PDF/JPEG)
Received By: <u>[Signature]</u>	Date: <u>DEC 10 2024</u>

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



Location Map

Z-24-0404

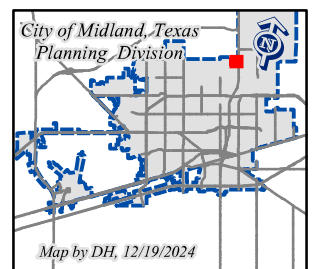
Scale: 1" = 211'

Consider a request by Maverick Engineering, on behalf of Fierce Property Investments LLC, for a zone change from RR, Regional Retail District, to C, Commercial District, on Lot 3, Block 1, 349 Retail Addition, City and County of Midland, Texas.

Generally located west of North Highway 349, approximately 1,800 feet north of Country Club Drive. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

Page 6.74

49

AE

FD

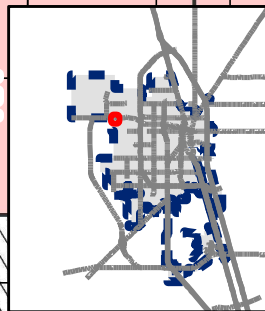
RR

RR-

RR

PD

PD





349

HWY 349

1

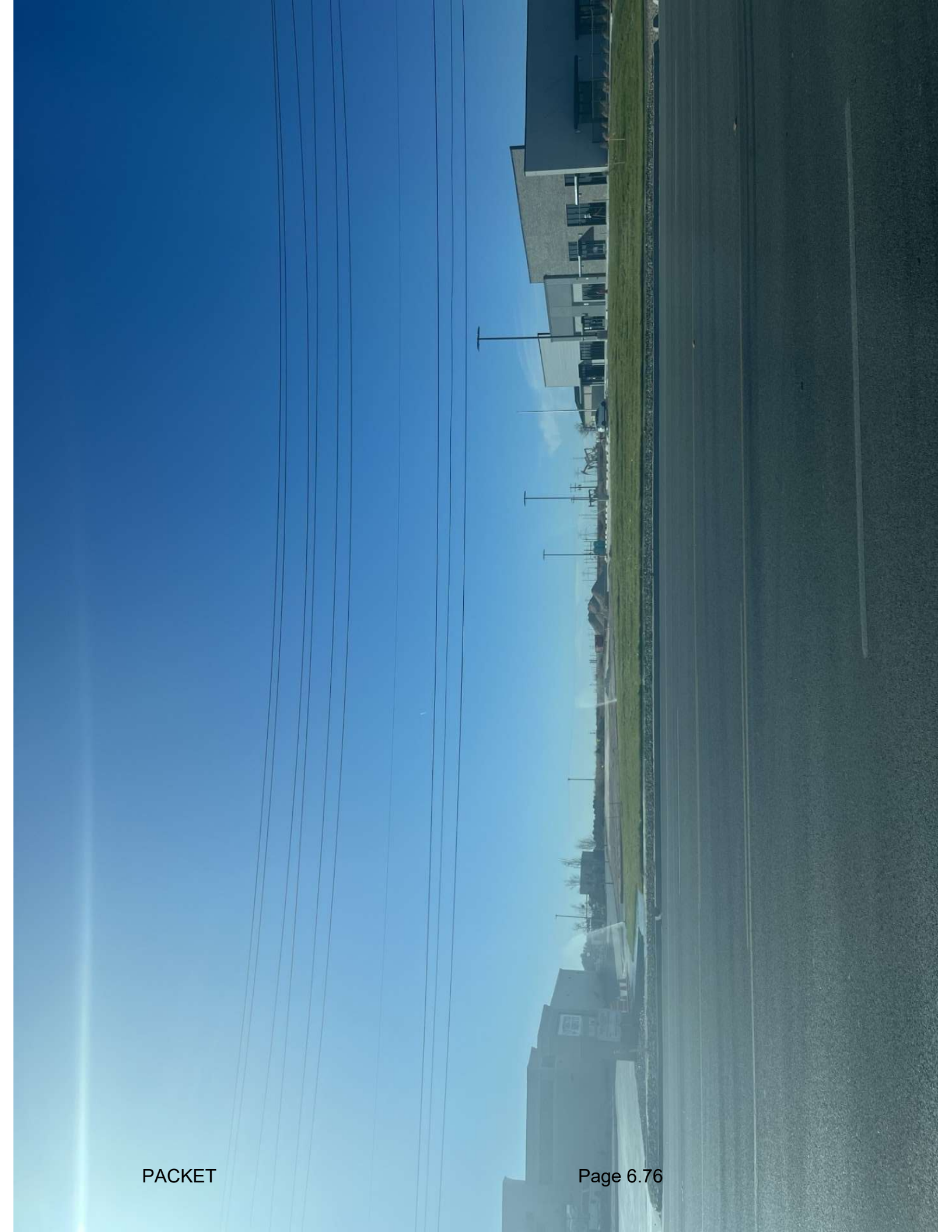
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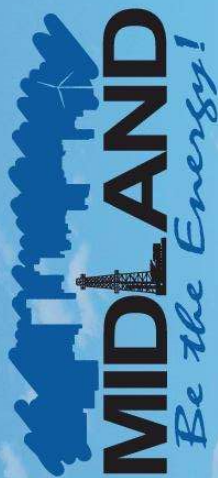
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1

PACKET





349 RETAIL ADDITION ITEM — ZONE CHANGE

January 21, 2025
Page 6.77



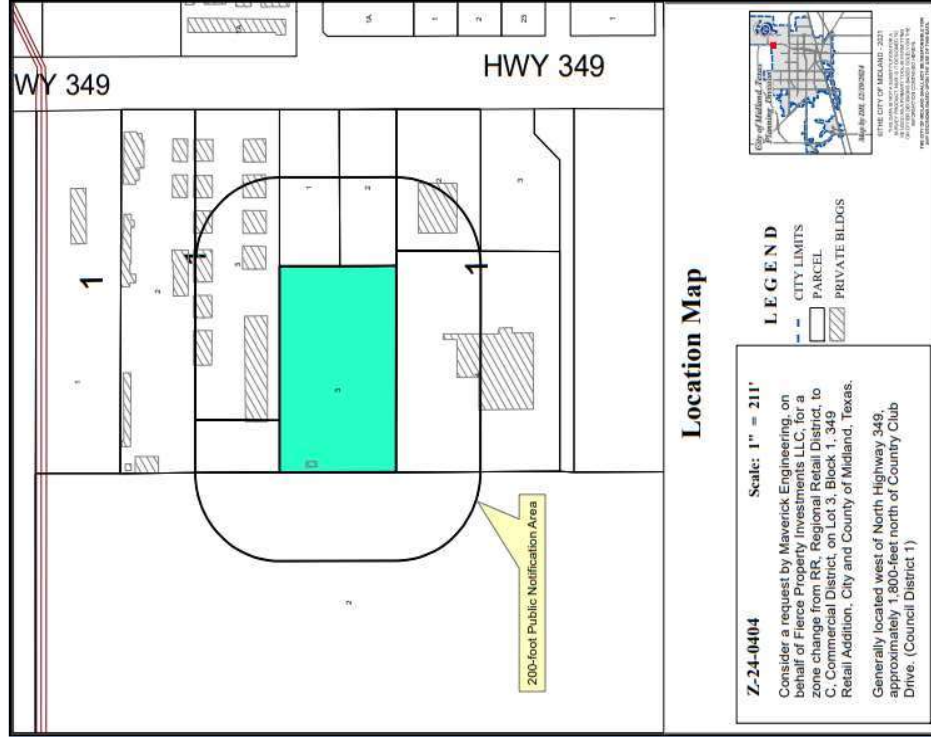
Visit Our Website

MIDLANDTEXAS.GOV

APPLICATION SUMMARY

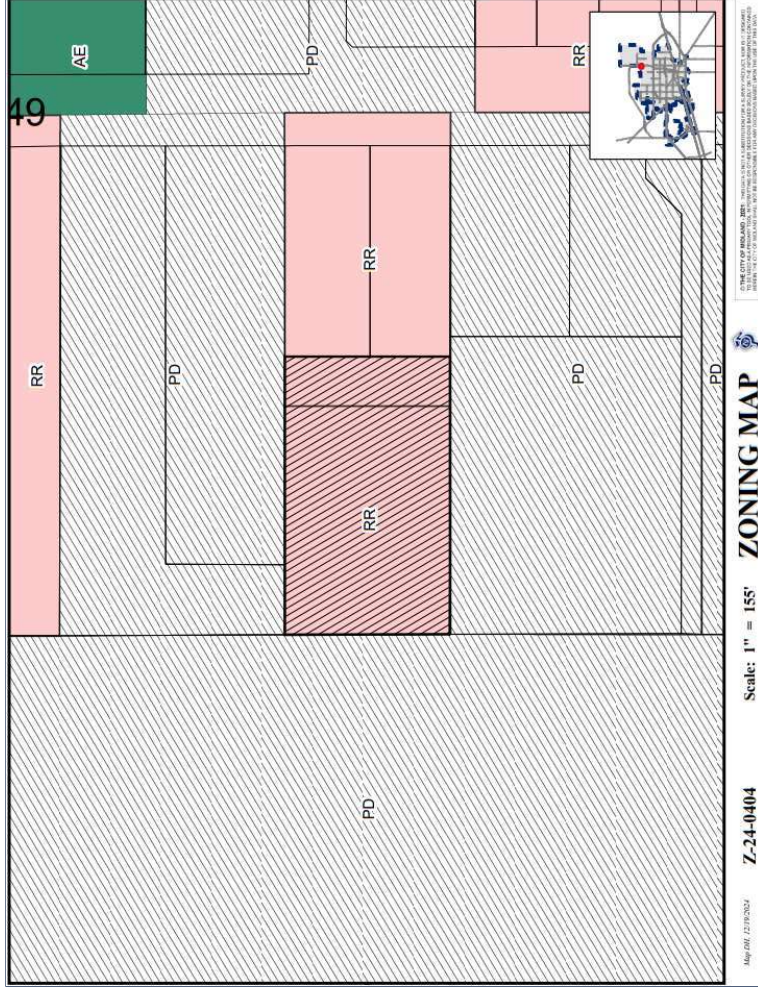
- **Property Owner & Developer:** Fierce Property Investments LLC
- **Representative:** Ashlee Devine, with Maverick Engineering
- **Application Type:** Zone Change
- **Address:** 6405 North Highway 349 (District 1)
- **Reason for Request:** To develop Mini Storage-Units

2



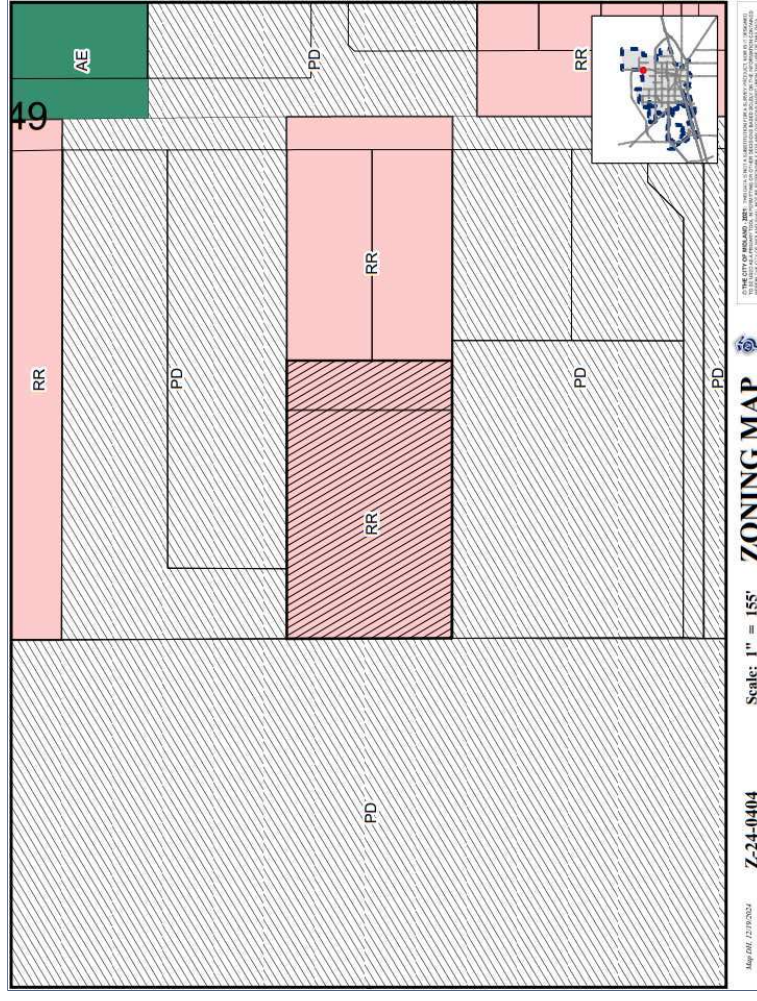
ZONING

- **Current Zoning:** RR, Regional Retail District
- **Surrounding Zoning:**
 - **North:** PD, Planned Development District, for a Industrial District
 - **South:** PD, Planned Development District, for a Shopping Center



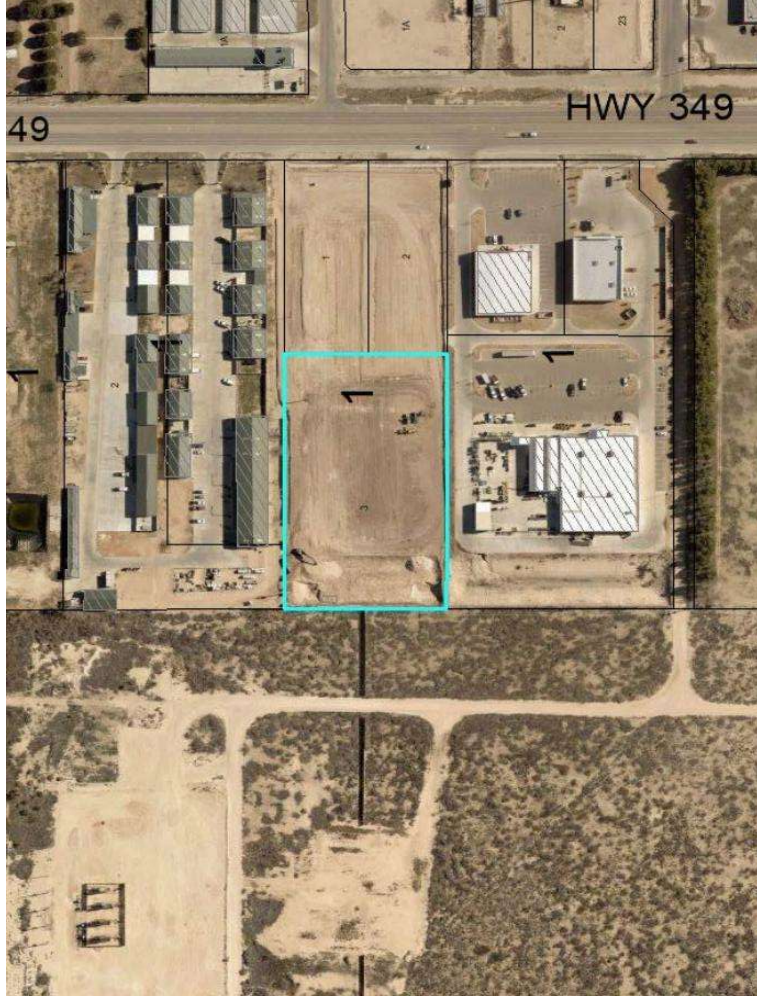
ZONING

- **Surrounding Zoning:**
 - **East:** RR, Regional Retail District
 - **West:** PD, Planned Development District, for a Recreation Center
- **Proposed Zoning:** C, Commercial District



LAND USE

- **Current Use:** Vacant
- **Proposed Use:** Mini Storage-Units
- **Surrounding Uses:**
 - **North:** Industrial services
 - **West:** Midland Country Club
 - **South:** Tractor Supply
 - **East:** Vacant Lots





LAND USE

On North Highway 349, Looking West

COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
Urban Residential-low (UR-L)
- **Supported Uses:**
 - Supports single-family detached, attached and small lot homes.
 - Civic uses are generally allowed, with special permission for higher intensity uses.



COMPREHENSIVE PLAN ANALYSIS

- Request is compatible with the surrounding area but not the Tall City Tomorrow Plan.



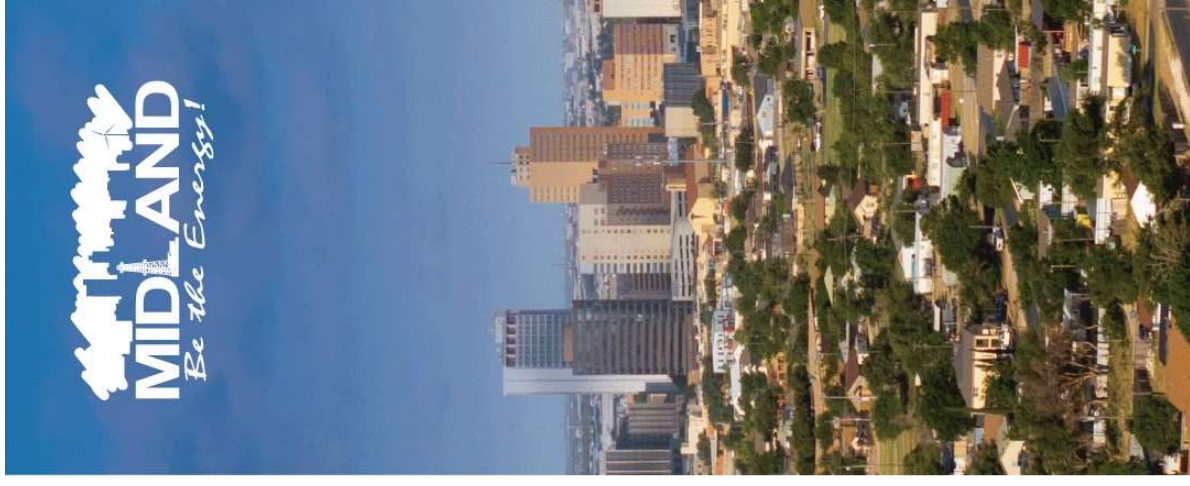
RELATED ITEMS

- A previous zone change from AE, Agricultural Estate District, to RR, Regional Retail District, was approved by Council on July 13, 2021.
- The final plat associated with this request was approved on May 20, 2024, by the Planning & Zoning Commission.



STAFF RECOMMENDATION

Staff recommends **APPROVAL** of this Zone Change from RR, Regional Retail District, to C, Commercial District.



MISSION

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



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Hold a public hearing and consider a request by Magrym Consulting for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 7, Block 11, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of East Washington Avenue and South Webster Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Magrym Consulting is requesting a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District for the construction of a single-family residence on a property located at 411 South Webster Street.

Current Zoning:

MF-22, Multiple-Family Dwelling District

Surrounding Zoning and Land Use:

The properties to the north and south are zoned MF-22, Multiple-Family Dwelling District, and are used for single-family housing. The property to the east is zoned C, Commercial District, and is used for single-family housing. The property to the west is zoned SF-3, Single-Family Dwelling District, and is used for single-family housing.

Analysis:

The applicant is seeking this zone change in order to construct a single-family residence, which is not allowed in the MF-22 district. This vacant lot is located in a residential neighborhood that is developed with single-family homes. Changing this zoning would help the future residential development of this area. This lot does meet the requirements for the SF-3, Single-Family Dwelling District zoning.

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

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

Fire: (Approved)

No comments

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 January 17, 2025.

Attachments:

Application
Site Plan (Exhibit A)
Maps



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

Project Number: _____

Case Number: _____

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

Printed Name: Eduardo L. Aleman

Phone ()

Email

Address

City

State

Zip

Property Owner

Printed Name: Jorge Chavez

Phone (432) 889-7005

Email

jjorgechavez@gmail.com

Address

704 S LORAIN ST

City

MIDLAND

State

TX

Zip

79701

Representative (if different from Applicant or Property Owner)

Firm: MAGRYM Consulting

Printed Name: Eduardo L. Aleman

Phone (432) 254-0327

Email

ed.aleman@magrym.com

Address

800 N. Marienfeld Suite 100

City

Midland

State

TX

Zip

79701

Street Address: 411 s webster

Legal Description

Lot: 7

Block: 11

Subdivision: Greenwood Addition

Current Zoning:

MF22

Proposed Zone: SF3

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

Reason for Zone Change Request: For new home Construction

Present Use of Property: Vacant

Proposed Use of Property: Residential

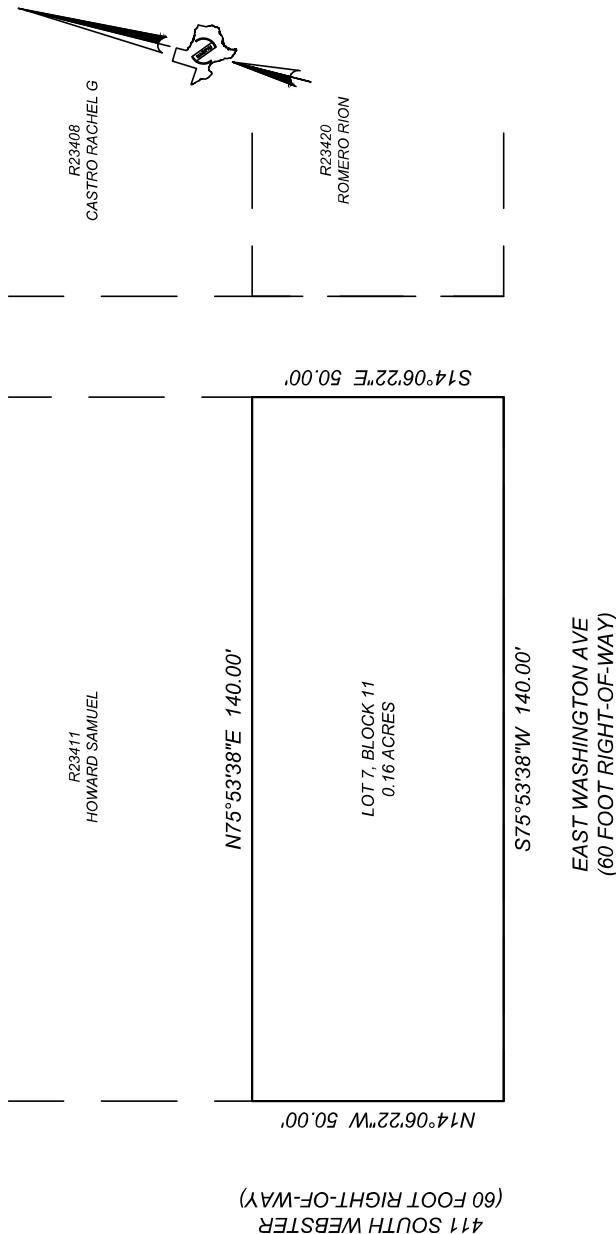
How would this zone change affect the public health, safety and welfare? NA

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

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)



SITE PLAN

LOT 7, BLOCK 11

GREENWOOD ADDITION THIRD,
FOURTH, & FIFTH SECTIONS,

AN ADDITION TO THE CITY OF MIDLAND
AS PER PLAT OF RECORD IN
CABINET B, SLIDE 56, PLAT RECORDS,
MIDLAND COUNTY, TEXAS.

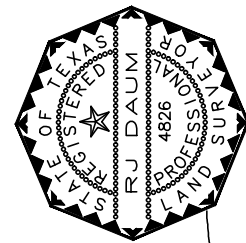
PROJECT: 24-
JOB NO: 24-

SCALE: 1"=30'

MAGGRYM

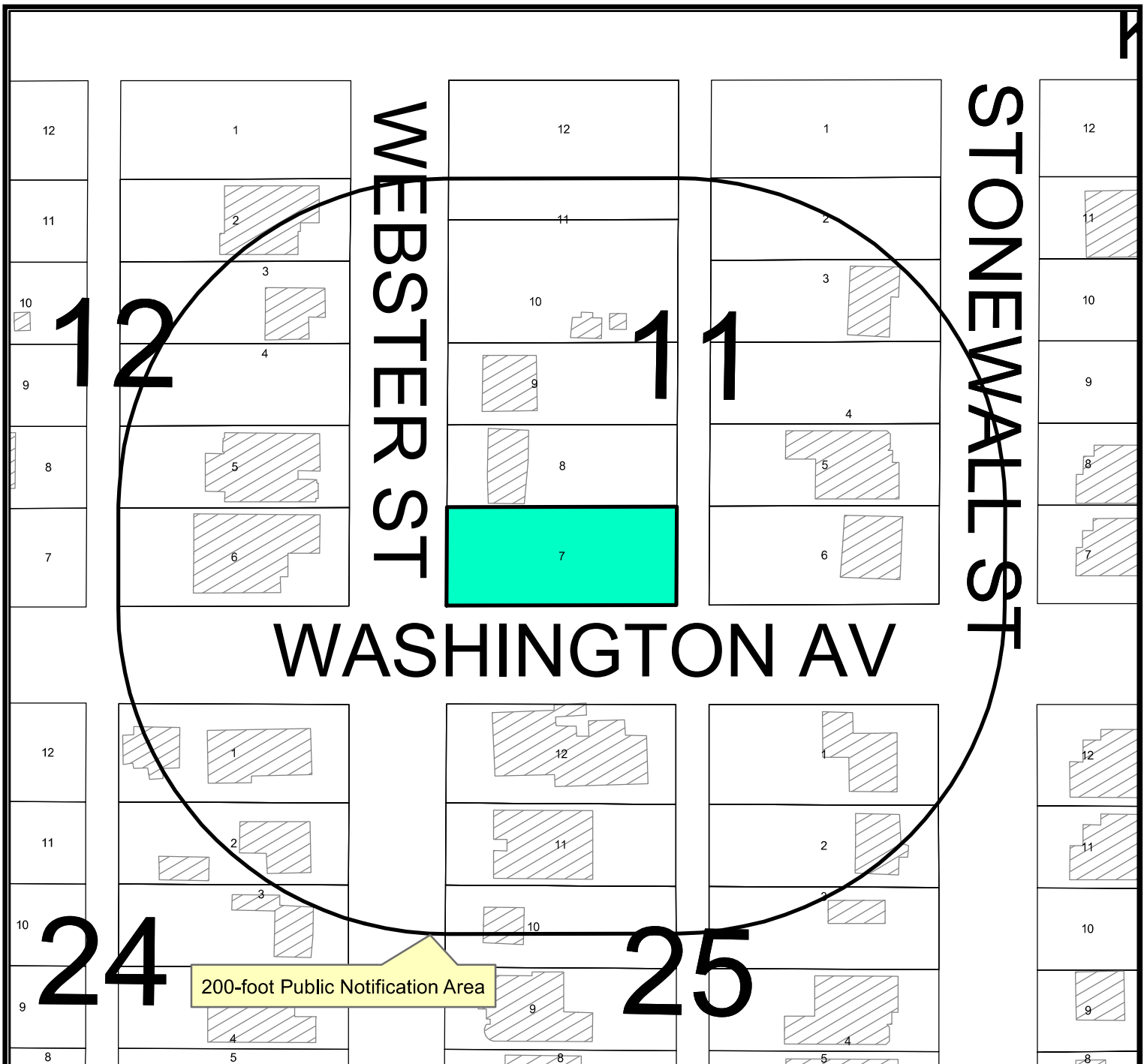
800 N. MARIENFELD STREET
SUITE 100
MIDLAND, TEXAS 79701
Office (432) 684-5548

TEXAS FIRM
No. 10149500



[Signature]

R J DAUM
TEXAS RPLS 4826



WASHINGTON AV

Location Map

Z-24-0407

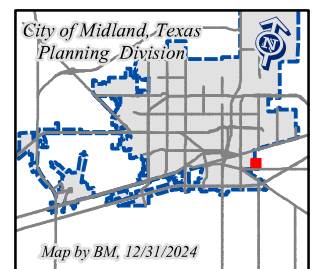
Scale: 1" = 88'

Consider a request by Magrym Consulting for a zone change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 7, Block 11, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland, Texas.

Generally located at the northeast corner of the intersection of East Washington Avenue and South Webster Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ONE WALL ST

WEBSTER ST

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ZONING MAP

Scale: 1" = 65'

Z-24-0407

Map BM, 12/31/2024

NEWALL ST

1

1

5

2

BSTER ST

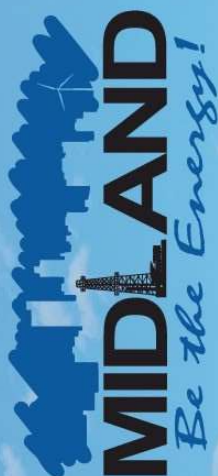
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1

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2





411 SOUTH WEBSTER ST.

January 21, 2025

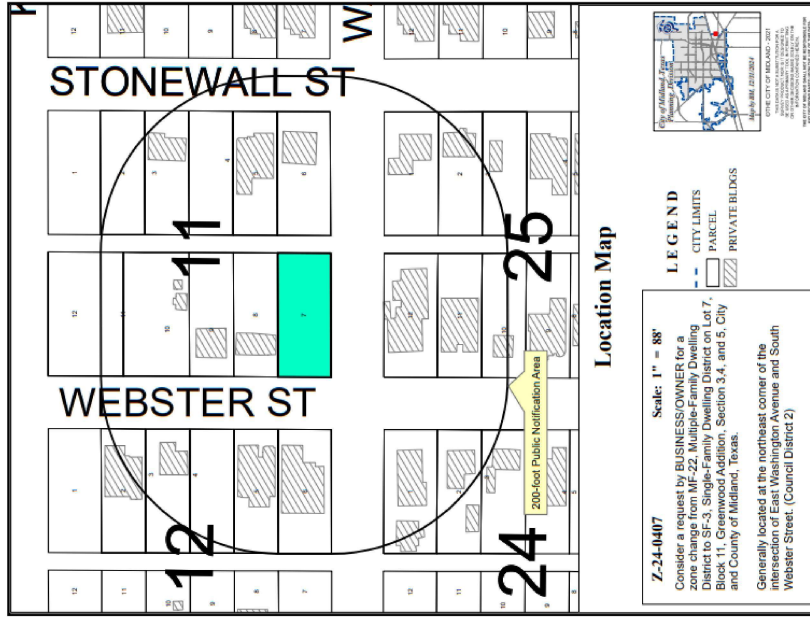


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APPLICATION SUMMARY

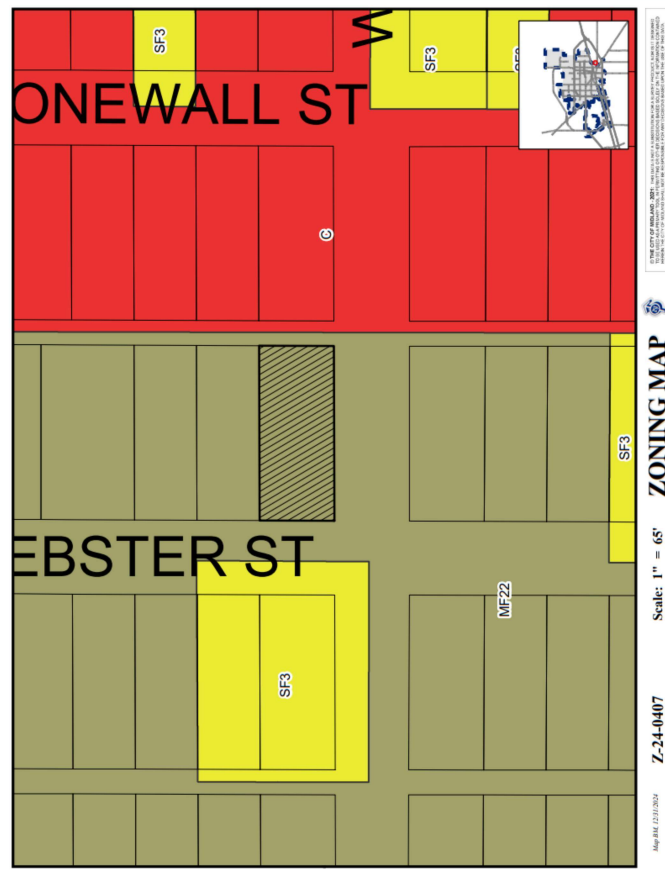
- **Property Owner:** Jorge Chavez
- **Applicant/Representative:** Ed Aleman, with Magrym Consulting
- **Zone Change**
- **Address:** 411 South Webster Street
- **Reason for Request:** For the development of a single-family dwelling unit.



ZONING

- **Current Zoning:** MF-22, Multiple-Family Dwelling District
- **Surrounding Zoning:**
 - North & South: MF-22, Multiple-Family Dwelling District
 - East: C, Commercial District
 - West: SF-3, Single-Family Dwelling District

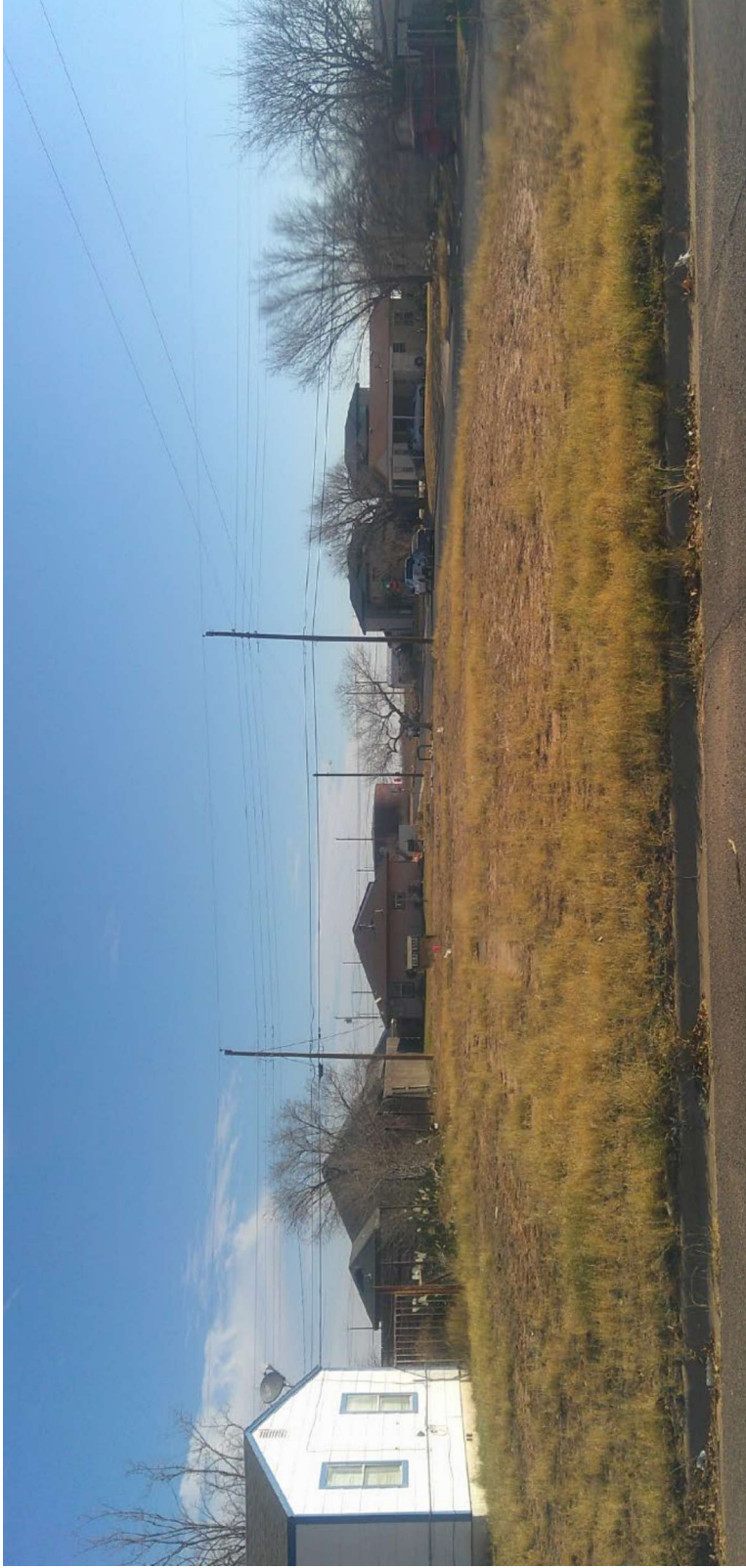
Proposed Zoning: SF-3, Single-Family Dwelling District



LAND USE

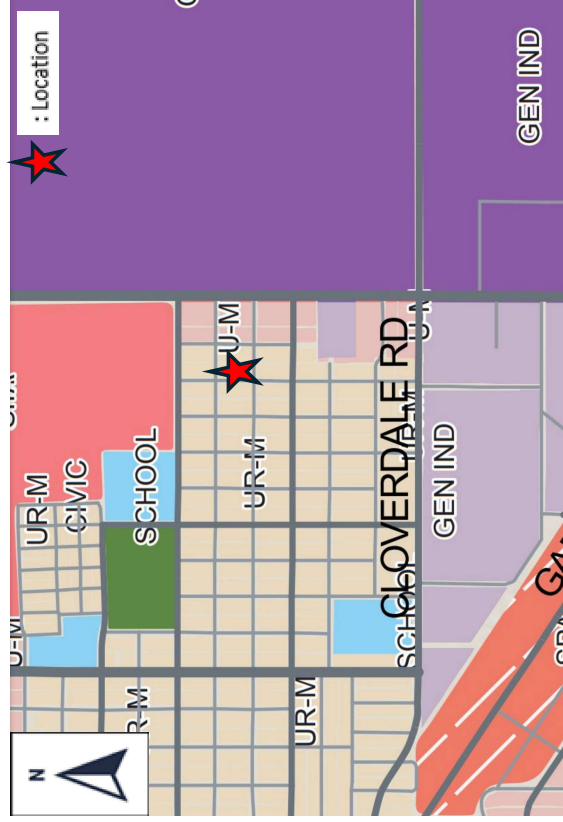
- **Current Use of the Property:**
Vacant
- **Proposed Use of the Property:**
Single-family dwelling
- **Surrounding Uses:**
 - North, South, East, & West: Single-family dwellings

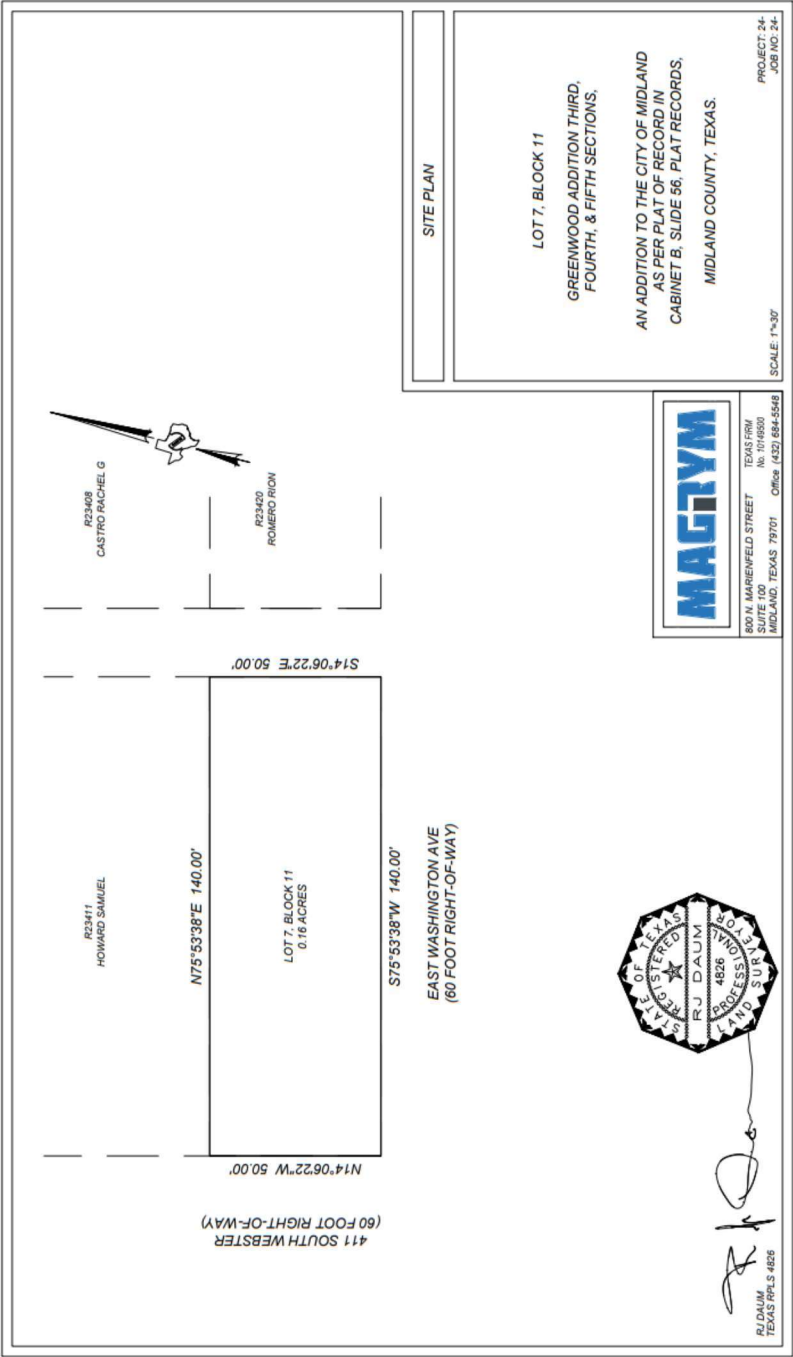




On South Webster Street, Looking East

-





Site Plan (Exhibit A)



STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from MF-22, Multiple-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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Hold a public hearing and consider a request by Cinergy 108, LLC, for a Zone Change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District, on Lot 3, Block 45, Fairmont Park Addition, Section 13, City and County of Midland, Texas. (Generally located on the east side of West Loop 250 North, approximately 450 feet south of Henry Koontz Boulevard.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Cinergy 108, LLC, is requesting a Zone Change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District, to expand an existing vacant movie theater.

Current Zoning:

PD, Planned Development District for a Shopping Center

Surrounding Zoning and Land Use:

The properties to the north are zoned PD, Planned Development District for a Shopping Center, TH, Townhouse Dwelling District, with uses that include a car dealership and townhomes. The zoning to the east and west is PD, Planned Development District for a Shopping Center with a restaurant and a hotel as current uses. Zoning to the south includes PD, Planned Development District for a Shopping Center and SF-2, Single-Family Dwelling District, with storage units and single-family residential dwellings for current uses.

Analysis:

The applicant is seeking this zone change in order to expand a vacant Regal Movie Theater and turn it into a Cinergy Movie Theater. A movie theater is an allowed use in the Regional Retail zoning district per the City of Midland Zoning Ordinance Use Chart. [Midland City Code Section 4.03]

Per Ordinance 7433, a detailed site plan must be submitted and approved in the same manner prescribed for a zone change. This zone change would allow for both the proposed expansion of the current structure and any future development on this lot without having to amend the PD ordinance. Per the Nonresidential Zoning District Dimensional Regulations Chart, this lot meets the requirements for the RR, Regional Retail District zoning. [Midland City Code Section 5.05]

This request is consistent with the Tall City Tomorrow Comprehensive Plan, which designated this area as Regional Commercial (RC). This designation calls for multiple different types of commercial zoning.

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 issues

Engineering: (Approved)

No objection 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.]

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. [For Applicant's Information Only.]

Code: (Approved)

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

Transportation: (Approved)

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

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

Planning: (Approved)

Therefore, staff recommends approval of this Zone Change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District.

Letters of Objection:

Staff has not received any letters of objection as of January 17, 2025.

Attachments:

Application
Site Plan (Exhibit A)
Maps
Ordinance 8538
Ordinance 7433



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

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Polo Padilla		Phone: (ilman@) cinergy.com Email: epadilla@idstudio4.com	
Address 6201 Campus Circle Dr E	City Irving	State TX	Zip 75063

Property Owner Printed Name: Cinergy 108, LLC		Phone: (kgillman@) cinergy.com Email: kgillman@cinergy.com	
Address Corporate office: 5005 LBJ Freeway, Suite 525	City Dallas	State TX	Zip 75244

Representative (if different from Applicant or Property Owner) Firm: IDStudio4, LLC Printed Name: Polo Padilla		Phone: (kgillman@) cinergy.com Email: epadilla@idstudio4.com	
Address 6201 Campus Circle Dr E	City Irving	State TX	Zip 75063

Street Address: 4915 Loop 250 Frontage Rd - Midland, TX 79707	
Legal Description Lot: 3&4 Block: 45 Subdivision: Fairmount Park Addition	

Current Zoning: PD – Planned Development	Proposed Zone: RR-2, Regional Retail (List by tracts if more than one district is requested)
Reason for Zone Change Request: Proposed expansion of a prior Regal Cinemas movie theatre Zone change based off recommendation of City of Midland Planning Zone change to RR-2 should alleviate any issues	
Present Use of Property: A3 - vacant movie theatre	
Proposed Use of Property: A3 - Cinergy Entertainment facility Family Entertainment Center and Cinemas	
How would this zone change affect the public health, safety and welfare? Zone change based off recommendation of City of Midland Planning Zoning change will not negatively affect public health, safety or welfare. Site current zoned as part of base zone RR-2	
Describe how conditions affecting the property have changed since present zoning designation: Site is currently vacant, so working on updating the parking lot to accommodate new tenant and use Zone change based off recommendation of City of Midland Planning	

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: 12.10.2024

Applicant (printed): Polo Padilla

Property Owner (signature): Kathleen Gillman

Date: 12.10.2024

Property Owner (printed): Kathleen Gillman

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.

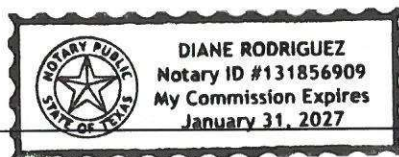
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Polo Padilla who, being by me duly sworn, upon oath says: That (s)he is the owner of Cinergy 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 11th day of December, 2024, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

☐ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # _____

Received By: _____

Date: _____

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



PF SITE PLAN

CINERGY PROPERTIES

LOTS 3 & 4, BLOCK 45, FAIRMONT PARK ADDITION
TO THE CITY OF MIDLAND, TEXAS.
CITY AND COUNTY OF MIDLAND, TEXAS.

Know what's below.



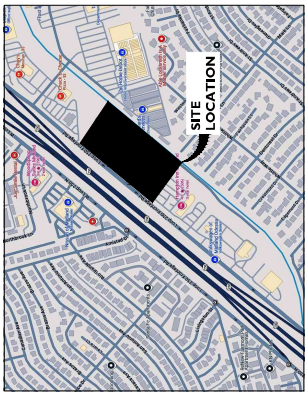
DRAWN BY: TDE	CHECKED BY: CLB	APPROVED BY: CLB	DATE: 12/09/2024	JOB#: 240066	
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*.	.	.		
CASH	ASST.	BV	SINCE	D



MAYERICK
ENGINEERING / SURVEY / WATER RESOURCES
1909 W WALB St, Suite "K", Midland, TX 79701
Tel: (432) 262-0999 Fax: (432) 262-0989
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194452
www.Mayerick-Eng.com

VICINITY MAP



FEMA NOTE:

FLOOD STATEMENT: TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #83392C0069, DATE SEPTEMBER 16TH, 2005, THIS PROPERTY IS WITHIN THE SHADED PORTION OF ZONE "AE," DESIGNATED AS FLOODPLAIN WITH UNDETERMINED FLOOD ELEVATION OF 2827.00.

PARKING CALCULATIONS:

THEATRE, REHEARSAL ROOMS AND PLACES OF PUBLIC ASSEMBLY

TOTAL AMOUNT OF SEATS = 686
TOTAL AMOUNT OF SEATING SPACES PROVIDED = 686
TOTAL PARKING SPACES REQUIRED: 172

DOWNTOWN ALLIANCE

5 PARKING SPACES PER LANE
10 PARKING SPACES PER SIDEWALK LANE = 11
TOTAL PARKING SPACES REQUIRED: 15

RESTAURANT OR CATERING FACILITY

1 SEAT SPACE PER 100 SF OF KITCHEN
TOTAL AMOUNT OF SEATING = 141 + 24 SPACES
TOTAL SF OF KITCHEN = 280 SF = 28 SPACES
TOTAL PARKING SPACES REQUIRED: 34

TOTAL 331 PARKING SPACES REQUIRED

MPI UNCOVERED PARKING SPACES PROVIDED = 290
COVERED PARKING SPACES PROVIDED = 42
TOTAL PARKING SPACES PROVIDED = **332**

DEVELOPMENT NOTES:

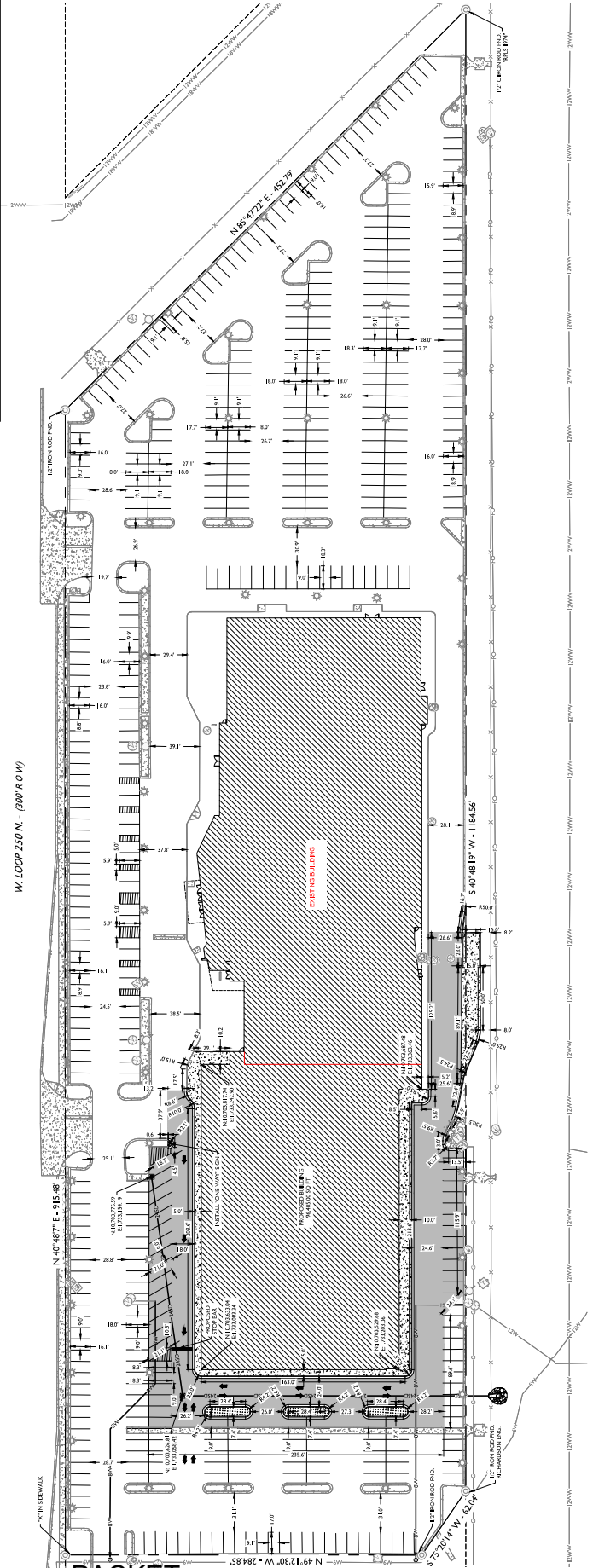
[illegible]

LANDSCAPE NOTES:

- LANDSCAPING ELEMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATIVE PURPOSES ONLY, AND DOES NOT NECESSARILY REFLECT THE FINAL DESIGN LANDSCAPING.
- THE LANDSCAPE PLAN THAT WILL BE SUBMITTED FOR CITY APPROVAL WILL BE IN COMPLIANCE WITH CITY STANDARDS.

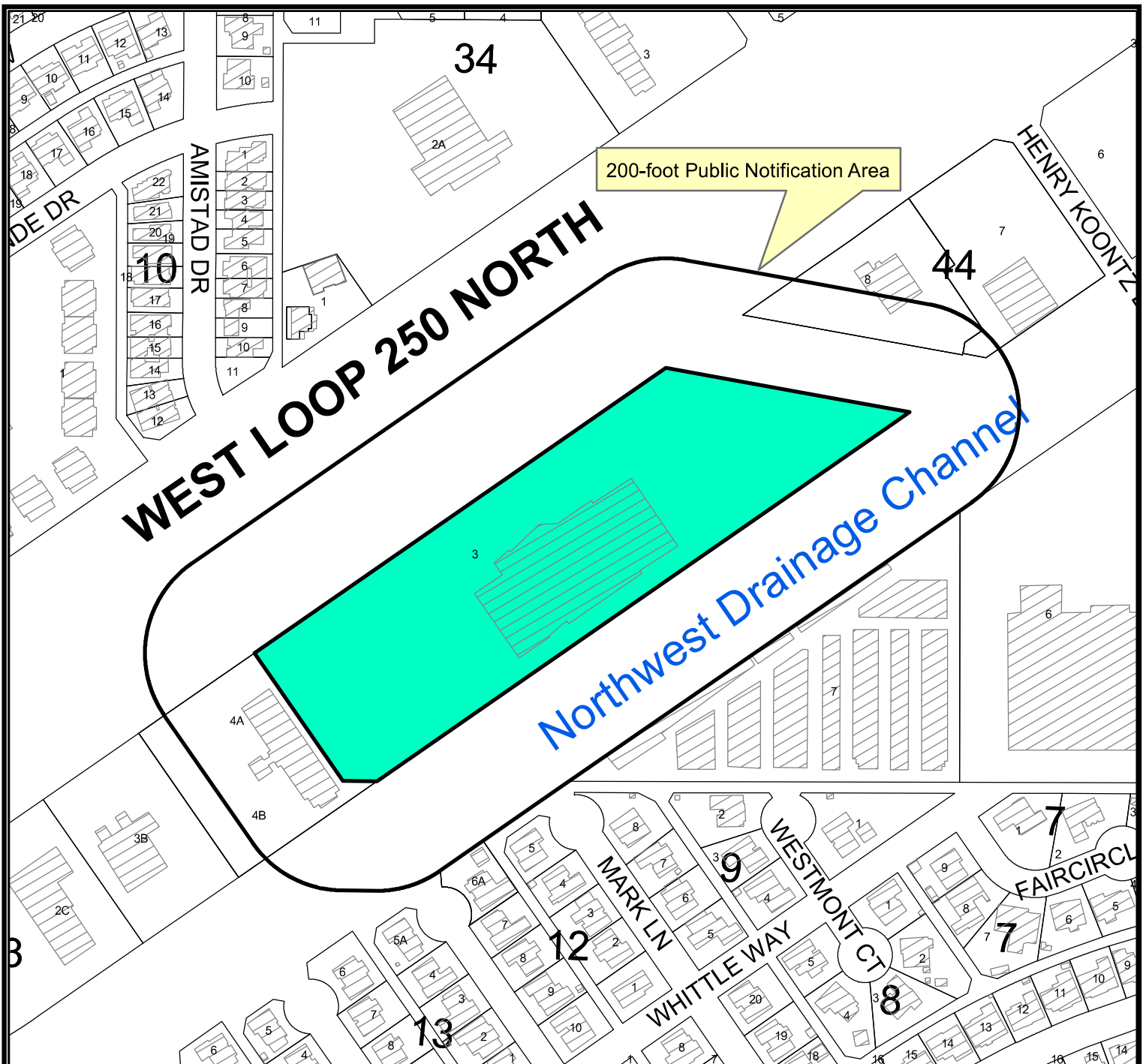
DIMENSIONAL NOTE:

- DIMENSIONS SHOWN ARE TYPICALLY TO BACK OF CURB UNLESS NOTED OTHERWISE.
- SIDEWALKS WILL BE 5 FT. IN WIDTH UNLESS NOTED OTHERWISE.



LEGEND

- [illegible]



Location Map

Z-24-0405

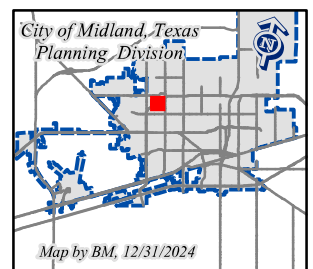
Scale: 1" = 263'

Consider a request by Cinergy 108, LLC, for a zone change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District on Lot 3, Block 45, Fairmont Park Addition, Section 13, City and County of Midland, Texas.

Generally located on the east side of West Loop 250 North, approximately 450 feet south of Henry Koontz Boulevard. (Council District 1)

LEGEND

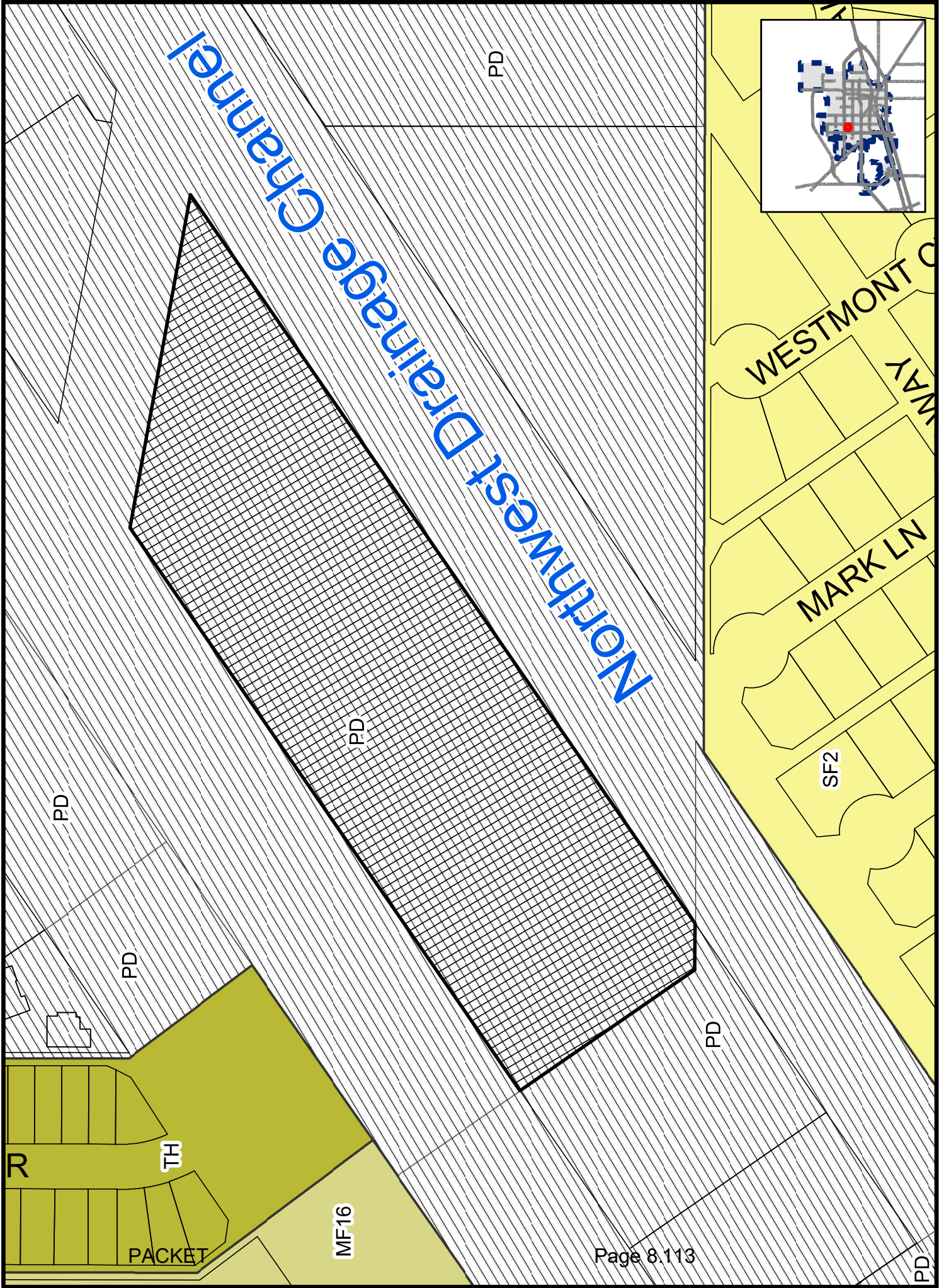
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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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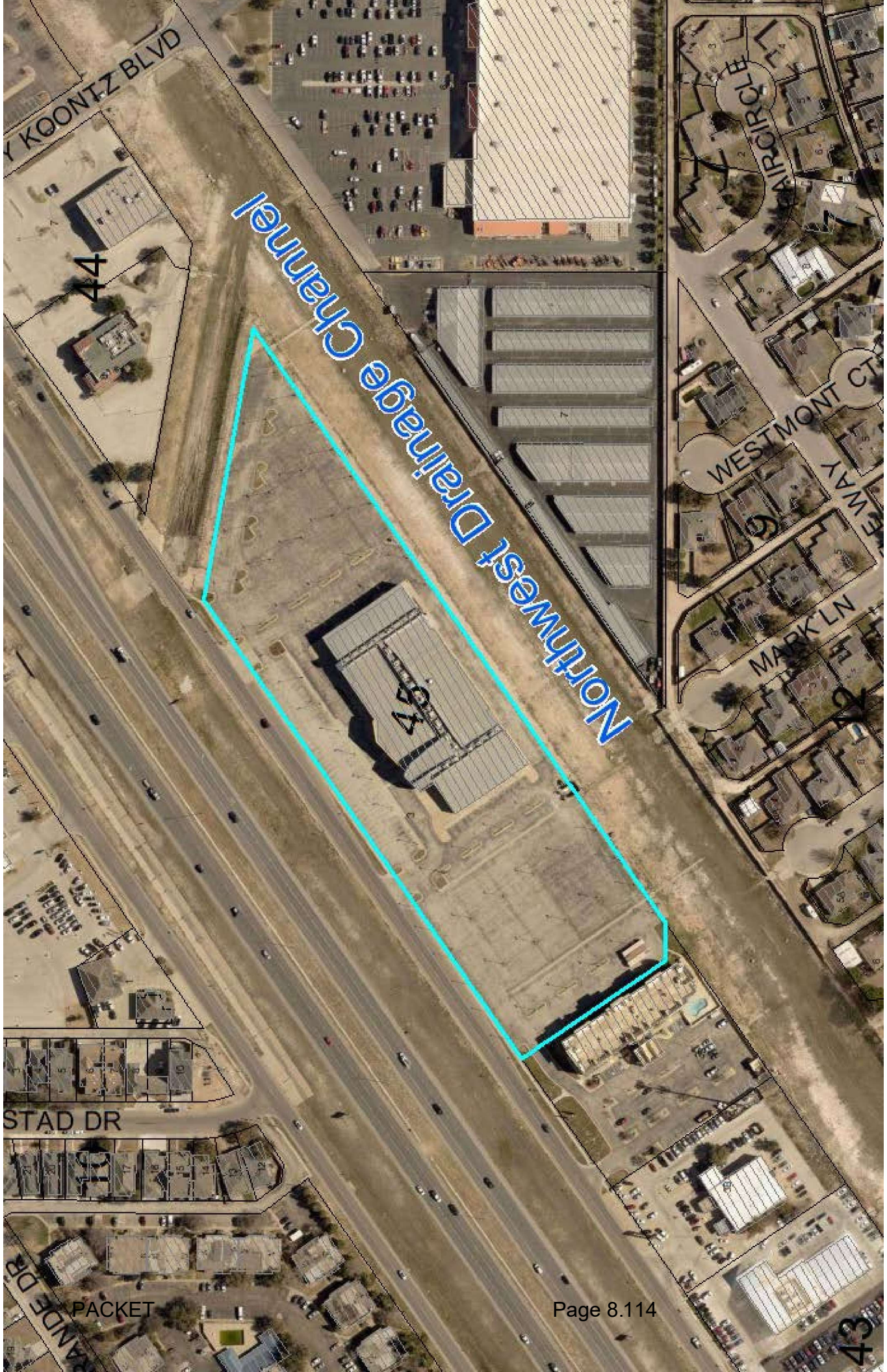


ZONING MAP

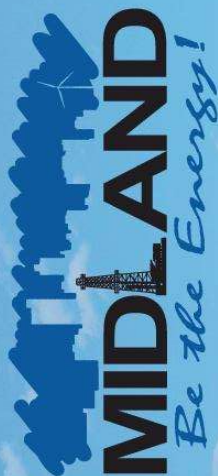
Scale: 1" = 162'

Z-24-0405

Map BM, 12/31/2024







Cinergy 108, LLC

ITEM#

January 21, 2025



Visit Our Website

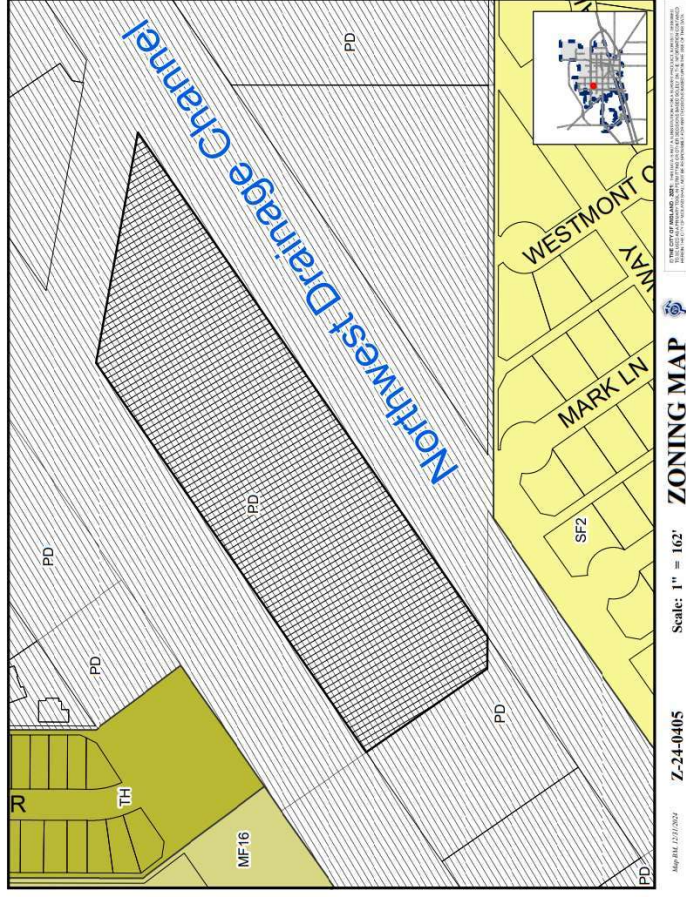
MIDLANDTEXAS.GOV

- Page 8.117



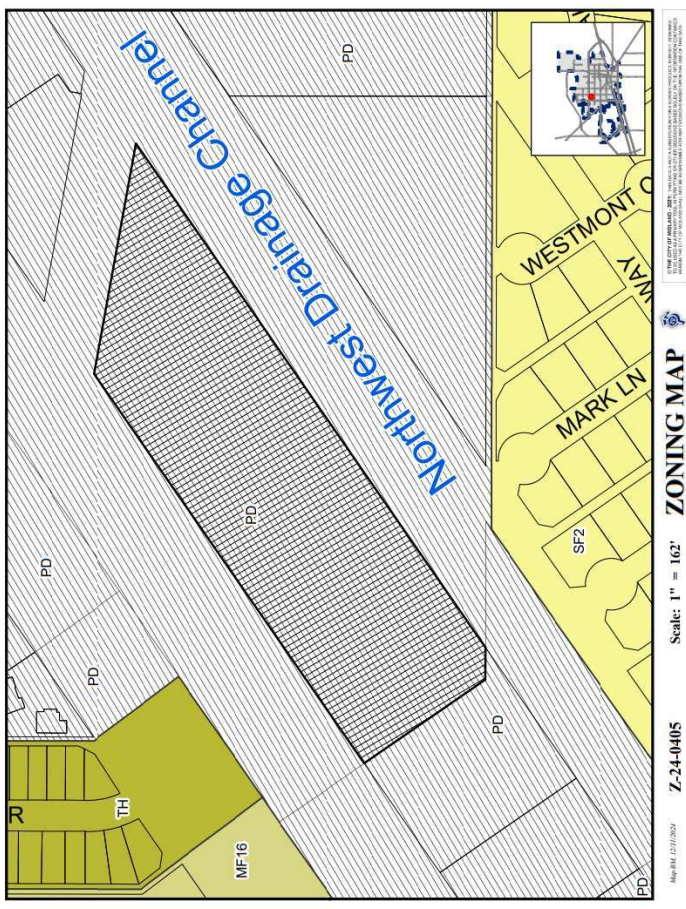
ZONING

- **Current Zoning:** PD, Planned Development District for a Shopping Center (Ordinance 8538)
- **Surrounding Zoning:**
 - North: PD, Planned Development District for a Shopping Center and TH, Townhouse Dwelling District
 - East & West: PD, Planned Development District for a Shopping Center
 - South: PD, Planned District for a Shopping Center and SF-2, Single-Family Dwelling District



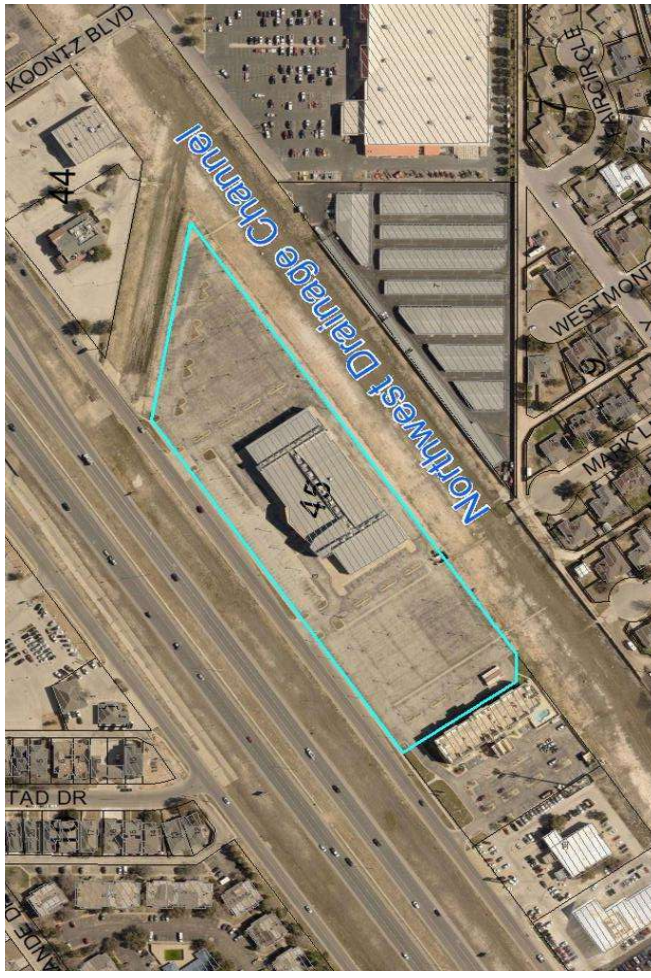
PACKET ZONING

- **Proposed Zoning: RR, Regional Retail District**



LAND USE

- **Current Use of the Property:**
Vacant movie theater
- **Proposed Use of the Property:**
Movie theater
- **Surrounding Uses:**
 - North: Retail and residential
 - East & West: Retail
 - South: Drainage easement, storage units, and residential





On West Loop 250 North, Looking South

COMPREHENSIVE PLAN

- TCT Land Use Designation: Regional Commercial (RC)
- Supported Uses:
 - Supports A broad range of retail services, including large-scale stores and services, auto related services, and large offices. Shopping and commercial uses total at least 150,000sq. ft. Multi-family uses can be mixed in with commercial, but commercial would be the dominate use.

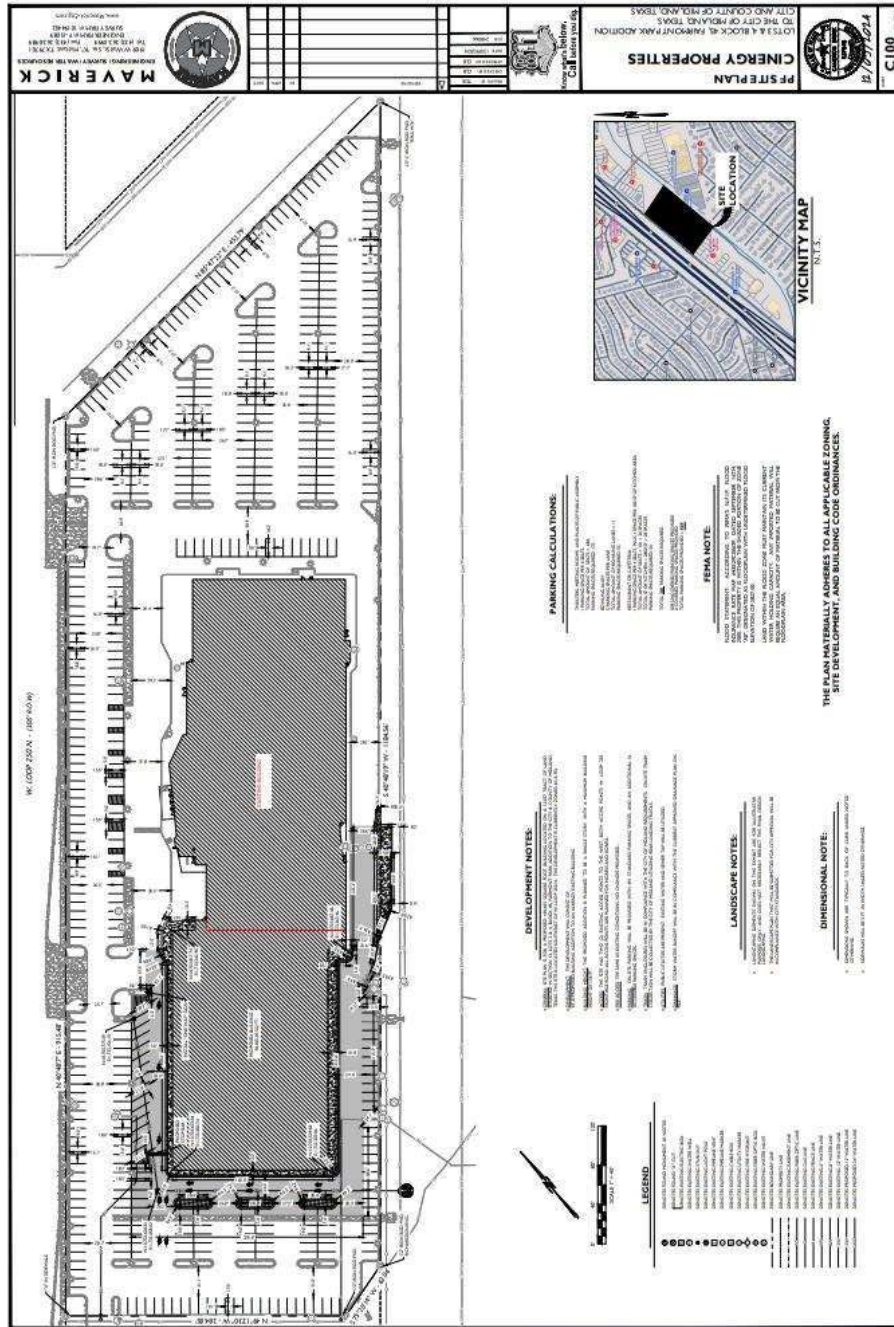


COMPREHENSIVE PLAN

- 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 PD, Planned Development District for a Shopping Center to RR, Regional Retail District.



MISSION

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

ORDINANCE NO. 8538

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 1, BLOCK 45, FAIRMONT PARK ADDITION, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS AN AMENDED PLANNED DISTRICT FOR A SHOPPING CENTER; 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 Amended Planned District for a Shopping Center, 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 PD, Planned District for a Shopping Center, and it shall be used as an Amended Planned District for a Shopping Center, subject to the special conditions and restrictions hereinafter set out, said property being described as follows:

Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland,

PLANNING AND ZONING COMMISSION

May 14, 2007

CASE: Z-07-013

REQUEST: Hold a public hearing and consider a request for a zone change from PD, Planned District for a Shopping Center to an Amended Planned District for a Shopping Center.

APPLICANT: CEI Engineering.

OWNER: Target Corporation.

LEGAL DESCRIPTION: Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland, Texas.

LOCATION: Generally located on the west side of N. Midland Drive, approximately 1,000 feet south of W. Loop 250 North.

CURRENT ZONING: PD, Planned District for a Shopping Center.

DETAILS OF REQUEST:

1. The owners of the local Target store would like to remodel to add over 18,000 square feet of space, including an in-store pharmacy. As the proposal differs from the current site plan, approval of an amended site plan is required.

SITE PLAN:

2. The Target store is currently 101,780 square feet in area. As shown on Exhibit A, the proposed remodel would add 16,024 square feet on the east and northeast side of the store and 2,055 square feet on the north side, at the front entrance. Although the proposed expansion seems minor, the redesign does impact site access and parking.
3. The current site plan requires 60-feet of clearance between the building and the east, west, and south property lines. This design allowed for truck access at the back of the building and two rows of parking on the east and west sides. Under the proposed remodel, the west and south sides would remain unchanged, however, 65 parking spaces on the east side would be lost due to the expansion and for

additional landscaping, as shown on Exhibit B. The loss of parking spaces and the reduction in access to the site was initially a matter of concern. Regarding access, although this section of the parking lot would no longer be accessible, the Fire Marshal has confirmed that this design would be acceptable. Regarding parking, the number of spaces required has been calculated according to the various uses proposed; specifically 1 space per 200 square feet of retail sales, 1 space per 400 square feet of office use, and 1 space per 1000 square feet of office use stockroom. Using these ratios, a minimum of 512 spaces are required and only 486 spaces are proposed, which results in a net loss of 26 spaces. However, a reciprocal access agreement has been established between the Target property and the Home Depot lot to the west. Due to the abundance of parking available on the Home Depot property, we find the proposed parking arrangement to be acceptable.

4. Building elevations are shown on Exhibit C. The front elevation indicates a redesigned glass entrance with a metal canopy, along with a new decorative sidewalk and planters with trees across the front of the building. Exterior building materials are indicated as concrete panels and painted CMU (smooth and split-face). The height of the building is 26-feet, excluding the front parapet. Two wall signs are shown on the front elevation. No change to the current freestanding sign is proposed; however, the overall square footage of signs on the property is needed. The dumpster is shown at the rear of the building inside a concrete screening wall; this location can not be accessed by city trash trucks and is currently served by private refuse collection. Landscaping is shown on the east and north sides of the building, some of which is existing and some is to be added. The existing row of pine trees along the south property as well as the screening fence will remain. There is currently a height limitation on the lights on the rear of the building and along Midland Drive, which should be continued to prevent excess glare.

STAFF RECOMMENDATION:

We recommend approval of the request for an Amended Planned District Site Plan, subject to the following conditions:

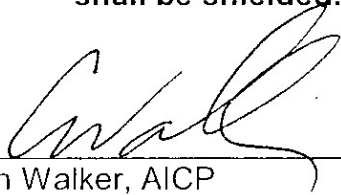
- A. That the development of the property shall adhere to the Exhibits A – Site Plan, Exhibit B – Landscape Plan, and Exhibit C – Elevation Drawings;**
- B. That the details on the proposed and existing signage shall be included;**
- C. Outdoor lighting located on the property must be installed in accordance with the following conditions:**

PLANNING AND ZONING COMMISSION

May 14, 2007

Z-07-013

- a. Light standards located within 100 feet of Midland Drive shall not exceed 30 feet in height and shall be shielded;
- b. Lights located on the south exterior wall shall not exceed 12 feet and shall be shielded.



Cameron Walker, AICP
Planning Division Manager
Department of Development Services



Donna Cervantes, Planner
Department of Development Services

Attachments:

Application
Maps
Exhibit A – Site Plan
Exhibit B – Landscape Plan
Exhibit C – Elevation Drawings

Case Number:

2-07-013

**CITY OF MIDLAND
Planning Division**

APPLICATION TO AMEND A PLANNED DISTRICT

Applicant: CEI Engineering

Address: 3317 SW "I" Street

479-273-9472

Street Address

Bentonville

AR

(Phone)
72712

City

State

Zip Code

Property Owner: Target Corporation FKA Dayton Hudson

Address: 1000 Nicollet Mall TPN-12F

612-761-5201

Street Address

Minneapolis

MN

(Phone)

55403

City

State

Zip Code

Street address and Legal Description of Planned District (complete Lot, Block, and Subdivision Name description below, or, if not in a recorded plat, attach a Metes and Bounds Description. Describe by tracts if more than one zoning district is requested):

See attached Legal Description

Reason for requesting an amendment: Expansion / Remodel to the existing Target store.

Ordinance number and Date approved: _____

Current PD Classification: PDSC

Requested PD Classification: PDSC

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

Applicant has included 16 copies of the PD site plan:

Yes

Applicant has included Site Plan on a CD in .pdf and .jpg format:

Yes

Describe how conditions affecting the property have changed since it was designated its present classification: Conditions are to remain the same as originally approved; however, the amendment will allow the proposed expansion to be performed.

Will a Specific Use Permit with Term for alcoholic beverage sales be needed? Yes ☒ No

NOTE: If property owner is to be represented by an authorized agent, the agent should indicate the property owner's name and his own on the lines provided above and complete the affidavit below.

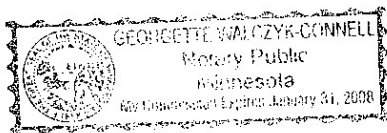
A \$400.00 filing fee shall accompany all requests for a single PD, Planned District amendment request. A multiple PD proposal shall incur an additional \$50.00 fee per additional district. If no public hearing is called, 80% of the fee will be refunded. If needed, a Traffic Impact Analysis may be required and a fee of up to \$500.00 will be assessed.

Property Owner: Jana Bean - Target Corp Date: 4-12-07

By: _____ Date: _____
(If applicable - see note on Page 1)

State of ~~Texas~~ ^{Minnesota}
County of ~~Midland~~ ^{Hennepin}

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

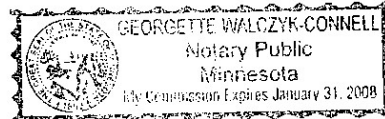


Georgette Walczyk-Connell
(Signature of Affiant)

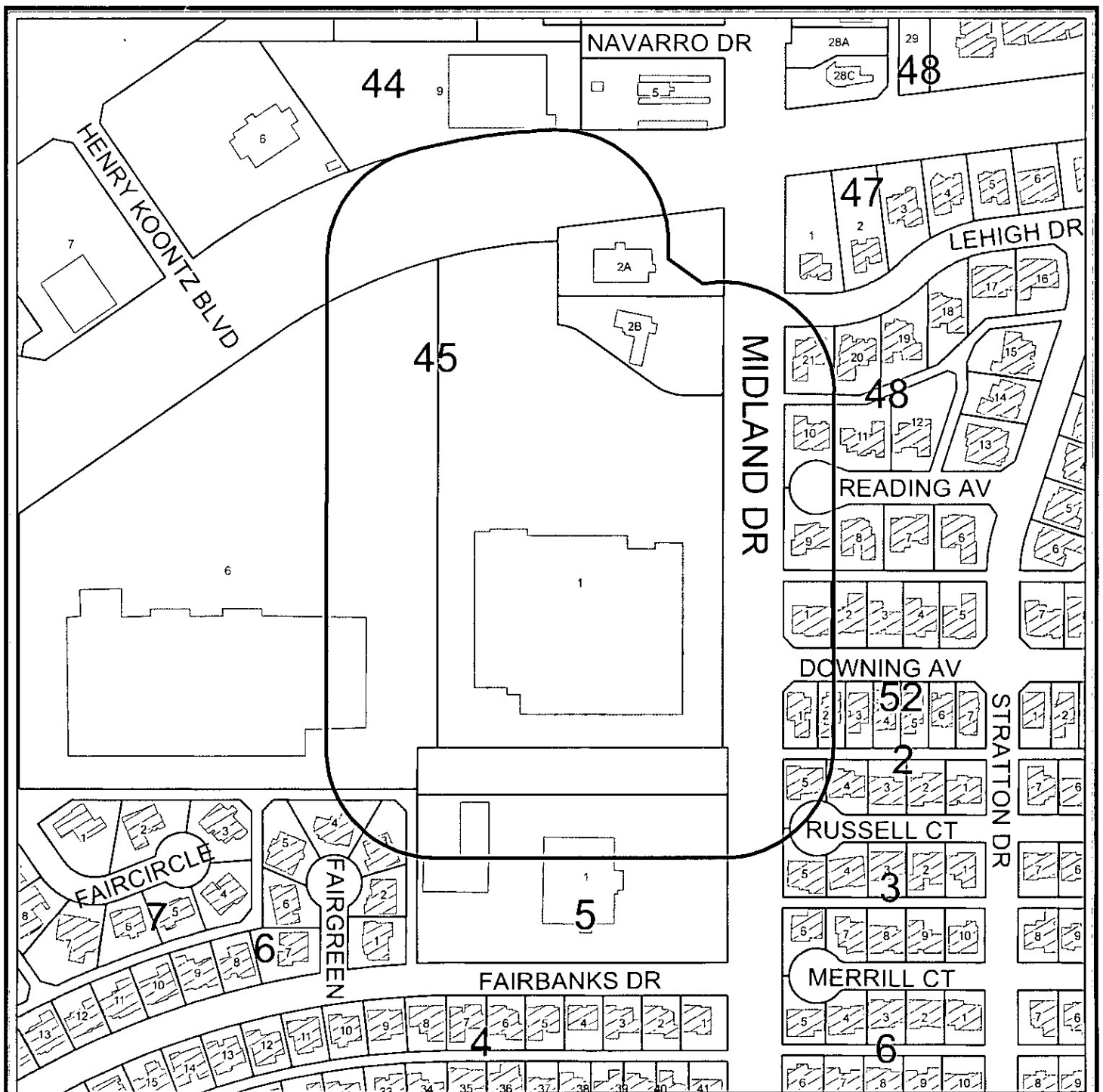
Subscribed and sworn to before me, by the said AFFIANT, JANA BEAN, this 12 day of April, 2007, to certify which witness my hand and seal of office.

FOR OFFICE USE ONLY	
Rec'd By: <u>JC</u>	Date: <u>4-19-07</u>
Assigned: <u>DC</u>	
For: <u>P & Z</u>	On: <u>5-14-07</u>

Georgette Walczyk-Connell
Notary Public, ~~Midland County, Texas~~ Hennepin County MN



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



PROPERTY OWNER NOTIFICATION MAP

Z - 07 - 013

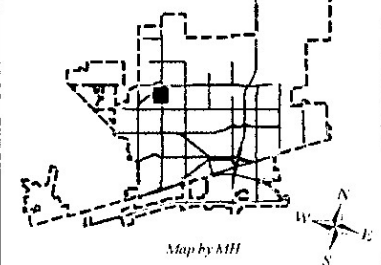
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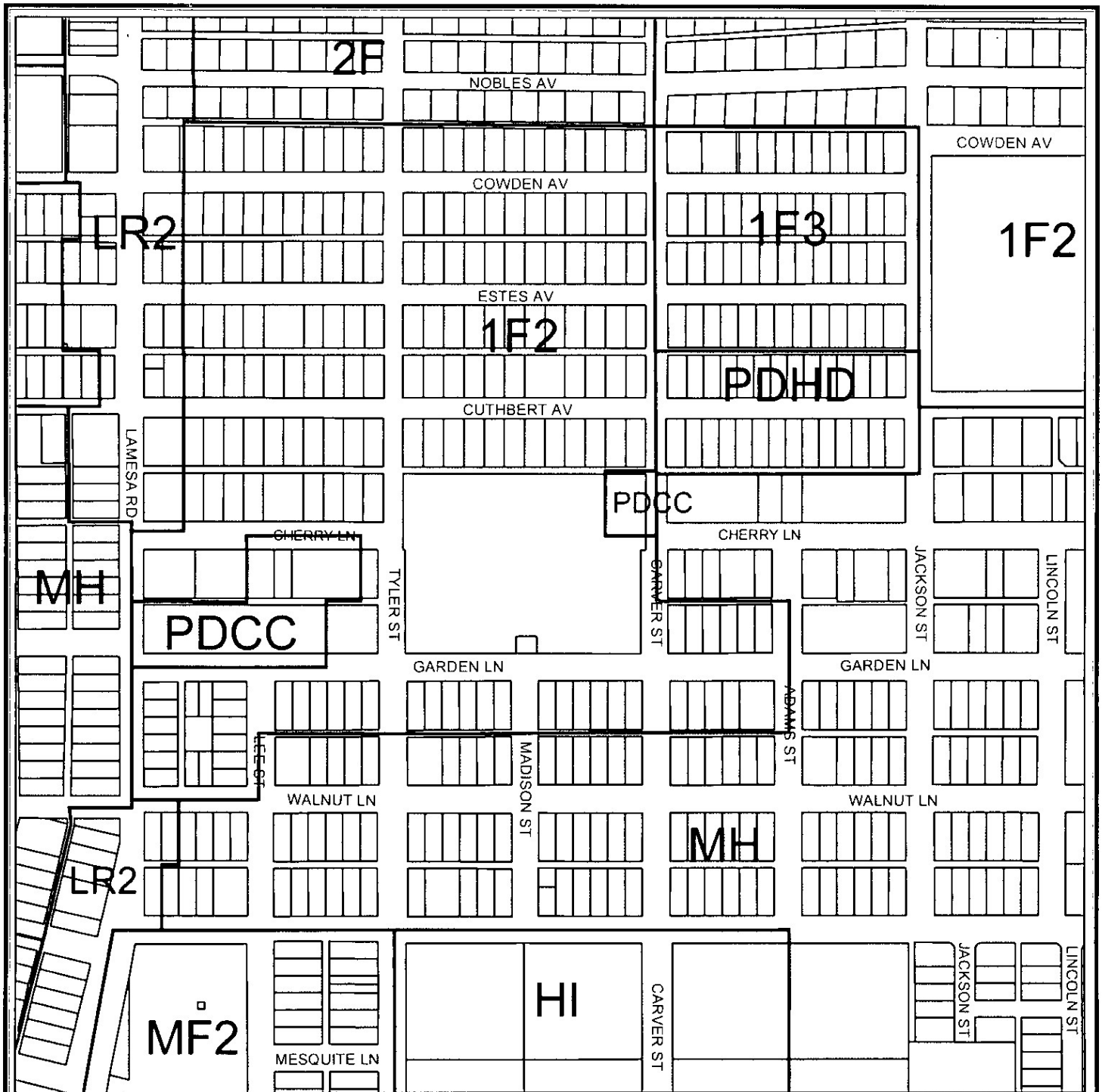
Consider a request for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District for a Shopping Center on Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland, Texas.

LEGEND

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

City of Midland, Texas
Planning Division





ZONING MAP

M - 07 - 013

Scale: 1" = 400'

Consider a request for a Temporary Land Use Permit for a Church Fair on Lots 8 and 13A, Block 7, Glendale, Section 2, City and County of Midland, Texas.

LEGEND

	ZONING		PARCELS		CITY LIMITS
	SPECIFIC USE PERMITS		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



Texas.

SECTION TWO. That the use and development of this property shall adhere to LR-

2, Local Retail District standards, except for the following special conditions and restrictions:

1. That the development must strictly conform in all respects with the site plan, landscape plan, and elevation drawings marked as Exhibits "A", "B" and "C", which are attached hereto and incorporated herein for all purposes.
2. That all outdoor lighting located on the property must be installed in accordance with the following conditions:
 - A. That light standards located within 100 feet of Midland Drive shall not exceed 30 feet in height and shall be shielded; and
 - B. That lights located on the south exterior wall shall not exceed 12 feet and shall be shielded.
3. That all conditions and restrictions described in Ordinance 7433, adopted March 28, 1995, that are not contrary or in conflict with the provisions of this ordinance shall remain in full force and effect for all purposes.

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 12th day of June, A.D., 2007; and passed to second reading on motion of Council member Morgan, seconded by Council member Hailey, by the following vote:

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

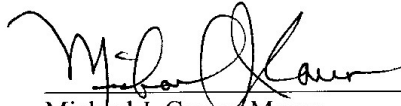
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Hailey, seconded by Council member Morgan, on the 26th day of June, A.D., 2007, at a regular meeting of the City Council:

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

Council members voting "NAY": None

PASSED AND APPROVED THIS 26th day of June, A.D., 2007.



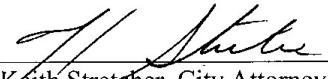
Michael J. Canon, Mayor

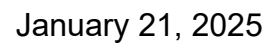
ATTEST:



Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:


Keith Stretcher, City Attorney

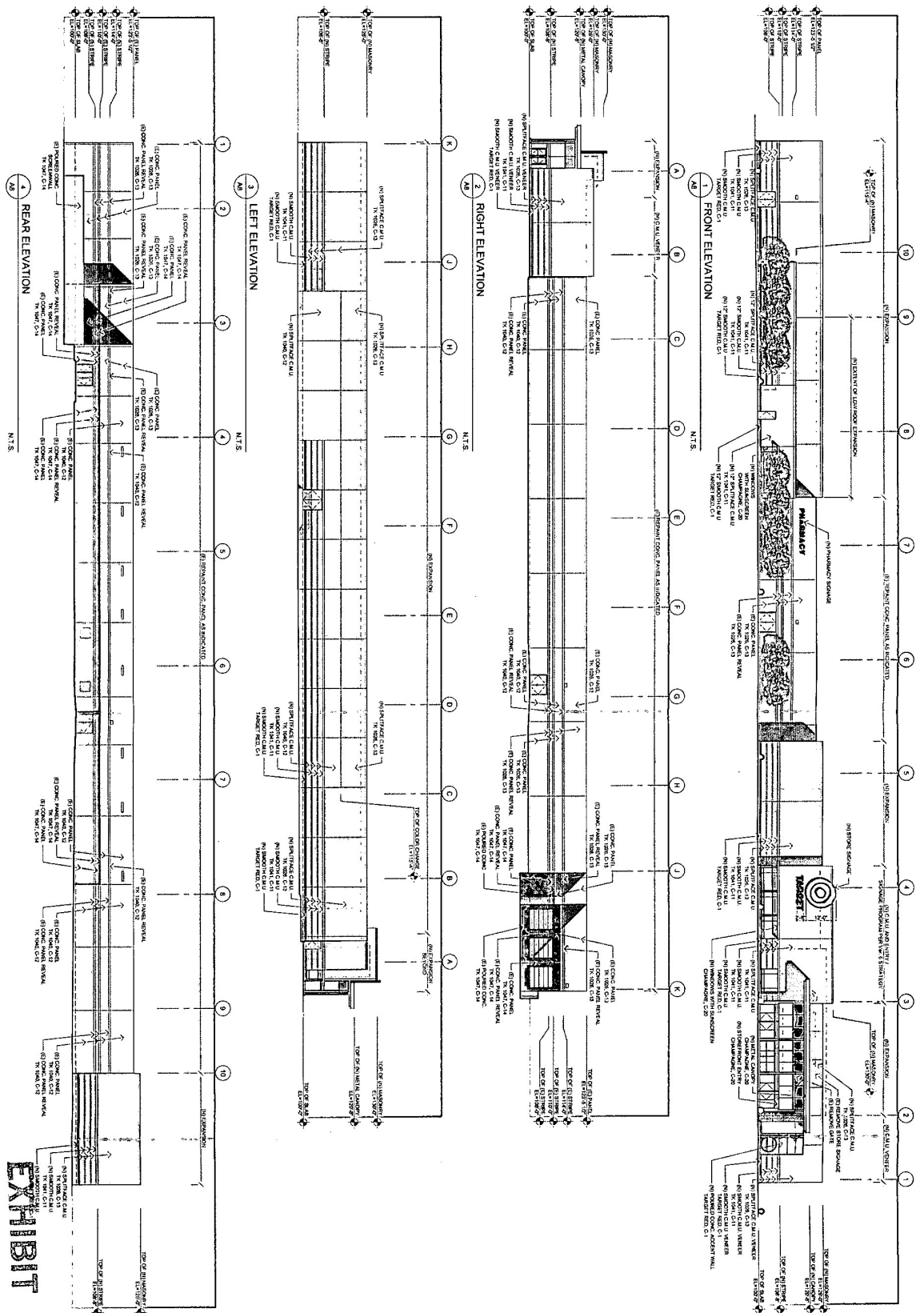


Midland, TX.

T-770

EXHIBIT C

schematic design package
P-2004 adaptation





City Council Agenda

Approved for Agenda:
MJohnston
 City Manager's Office

MEETING DATE: June 12, 2007

TO: CITY COUNCIL/CITY MANAGER

FROM: Cameron Walker, Planning Division Manager

SUBJECT: Z-07-013; CEI Engineering - zone change

Purpose:

Hold a public hearing at 11:00 a.m. to consider an ordinance on a request by CEI Engineering for a zone change from PD, Planned District for a Shopping Center to an Amended Planned District.

Recommended City Council Action

☒ Approve

☐ Deny

☐ Direction/Informational

Fiscal Impact:

N/A

Discussion:

The owners of the local Target store would like to add nearly 18,000 square feet of space, including an in-store pharmacy. The store is currently 116,500 square feet in area. The remodel would add 16,024 square feet on the east and northeast side of the store and 2,055 square feet at the front entrance. Expansion of the building and additional landscaping would prohibit access around the store on the east side; however, this design has been approved by the Fire Marshal. In addition, although the redesign would result in the loss of 26 parking spaces, the total parking in the shopping center remains adequate.

The redesign includes a glass entrance with a metal canopy, decorative sidewalk, and trees across the building front. The building height is 26 feet, which meets the Code regulations. No change to their pylon sign is proposed and two wall signs are shown for a total of 349 square feet, which is within regulations. With the additional proposed landscaping, the total landscaped area will exceed the minimum requirement.

Attachments: Ex. A – Site Plan, Ex. B – Landscape Plan, Ex. C – Elevation Drawing

CDS

Planning and Zoning Commission Meeting
Minutes from May 14, 2007

Z-07-013 - Hold a public hearing and consider a request by **CEI Engineering** for a *zone change* from PD, Planned District for a Shopping Center, to an Amended Planned District for a Shopping Center on Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland, Texas. (Generally located on the west side of N. Midland Drive, approximately 1,000 feet south of W. Loop 250 North.)

Mr. Joshua Knott, CEI Engineering, 3317 S.W. I Street, Bentonville, AR, spoke as the representative of the applicant. He stated the request is for a zone change to allow the local Target Store an expansion of 18,000 square feet to include a new store front and interior remodel.

Mr. Cervantes presented the staff report. She stated the request is for a remodel and expansion of the local Target Store to include an in-store pharmacy. The proposed remodel would add 16,024 square feet on the east and northeast side of the store and 2,055 square feet on the north side, at the front entrance. She continued by stating the redesign does impact access and parking. Approximately 65 parking spaces will be eliminated on the east side due to the expansion and additional landscaping. The drive isle on the northeast side of the property will be eliminated as well. The Fire Marshal confirmed that the redesign would be acceptable. Ms. Cervantes also commented that the reciprocal access agreement established between Target property and Home Depot provides additional parking to be acceptable. The height of the building is 26 feet tall, with two signs shown on the front elevation. All signage is in compliance with the City of Midland Sign Code, and the landscaping will conform to the City of Midland Landscaping Ordinance. The Staff recommends approval of the request subject to Conditions A – C of the staff report.

Chairman Hotchkiss asked if anyone in the audience wished to speak in favor or in opposition of the request. There being none, the public hearing was closed. . . .

Chairman Hotchkiss called for a motion. Mr. Davis made a motion to approve the request as submitted subject to Conditions A – C of the Staff Recommendation. Mr. Woodruff seconded the motion and the motion passed unanimously.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF THE AREA SET OUT AND DESCRIBED IN SECTION ONE HEREOF FROM "1F-1" ONE FAMILY DWELLING DISTRICT TO "PLANNED DISTRICT" FOR A SHOPPING CENTER; APPROVING A DETAILED SITE PLAN FOR THE PROPERTY DESCRIBED IN SECTIONS TWO, THREE AND FOUR HEREOF; ADDING THE PROPERTY DESCRIBED IN SECTIONS ONE HEREOF TO THE FIRE DISTRICT; 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, notice has been given to all parties in interest and citizens by publication in the official newspaper and otherwise, of a hearing to be held before the City Council on March 7, 1995, to consider an amendment to the zoning regulations and map changing the zoning classification of the property described in Section One hereof from "1F-1" One Family Dwelling District, to "Planned District" for a Shopping Center as set out in Section 11-1-6 of the City Code of Midland, Texas; and

WHEREAS, such public hearing was held in the Council Chambers beginning at 1:00 p.m. on said March 7, 1995, as advertised; and

WHEREAS, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after receiving and considering the recommendations of the Planning and Zoning Commission; and after considering among other things, the character of the property involved and the surrounding area and its peculiar suitability for particular uses; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality, the Council finds it to be in the best interest of the health, safety, morals and general welfare of the City of Midland to amend the zoning regulations accordingly; and

WHEREAS, the Council by Ordinance No. 4531, created a Fire District within the City limits of Midland, Texas, and adopted a Fire District Map, appropriately shaded; and

PACKET

8mm WHITE POLYCARBONATE PANELS AT ROOF AND WALLS ~
MAX HEIGHT 25'-6"
8mm CLEAR POLYCARBONATE PANELS AT ROOF AND WALLS ~



- ALL TRACTS WITHIN THIS SITE PLAN SHALL HAVE SUFFICIENT ACCESS TO ALL ADJACENT SITES OF THE TRACTS.
- ALL TRACTS SHALL HAVE ACCESS AND PARKING BETWEEN TRACTS, NO PHYSICAL BARRIERS OR OBSTACLES THAT WOULD RESTRICT VEHICULAR ACCESS BETWEEN TRACTS.
- SHADDED AREAS DENOTED BY  TO BE LANDSCAPED & IRRIGATED.
- SHADDED AREAS DENOTED BY  TO BE PAVED.
- SPACING FOR LOTS 1-8 TO CONFORM TO LR-2 ZONING EXCEPT AS NOTED.
- LIMITS OF SECTION 10 _____
- SECURITY LIGHTS ON SOUTH SIDES OF BLDGS TO BE 12' MIN. ABOVE PAVEMENT AND WILL BE SHROUDED.

PREPARED BY:

EXHIBIT "A"

Page 8.144

WHEREAS, because of the less restrictive zoning being established for the property involved herein, the Council finds it to be in the public interest to amend the Fire District so as to add thereto the premises set out and described in Sections One hereof;

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

SECTION ONE. That the zoning classification of the below described property be, and it is, hereby changed from "1F-1", One Family Dwelling District, to "Planned District" for a Shopping Center:

A 57.87 ACRE TRACT LOCATED IN THE NORTHEAST PART OF SECTION 18, BLOCK 39, T-1-S, T&P RY. CO. SURVEY, MIDLAND COUNTY, TEXAS, and being more particularly described by metes and bounds as follows:

BEGINNING at (Y=10,705,310.54 X= 1,735,109.58) a 5/8" iron rod with a cap marked "PLS 1974" set at the Southeast corner of Lot 1, Block 44, Fairmont Park Addition, as recorded in Cabinet E, Page 39, Plat Records, Midland County, Texas, being the Northeast corner of this tract, from whence the Northeast corner of Section 18, Block 39, T-1-S, T&P RY. CO. Survey, as established by D. H. Jenkins, Registered Public Surveyor, in June of 1960, bears N 75° 33' 38" E, a distance of 72.54 feet (previously called in Vol. 1245, Page 534, Deed Records = N 75° 34' 09" E, 72.16 feet) and N 14° 21' 29" W a distance of 1345.40 feet (call = N 14° 20' 14" W, 1346.50 feet), also from said PLACE OF BEGINNING a 1" bent rebar bears N 32° 23' W a distance of 0.36 feet;

THENCE S 14° 22' 05" E (call = S 14° 22' 52" E) with the West boundary line of Midland Drive (FM Road No. 868) being the West boundary line of a 10 foot Dedication Deed recorded in Volume 1188, Page 345, Deed Records of Midland County, a distance of 155.51 feet (call = 155.69 feet) to a 5/8" iron rod with a cap marked "PLS 1974" set in the North boundary line of a 120 foot wide Drainage Channel and Utility Easement as recorded in various Volumes and Pages, the first being Volume 668, Page 125, Deed Records, at an interior corner of this tract;

THENCE N 67° 01' 47" E (call = N 67° 00' 26" E) with the North boundary line of said Drainage Channel and Utility Easement, at 9.48 feet pass a standard concrete right of way monument, continuing for a total distance of 10.11 feet (call = 9.26 feet) to a 5/8" iron rod with a cap marked "PLS 1974" set at an exterior corner of this tract and the Northeast

corner of said Drainage Easement and Utility Easement;

THENCE S 14° 22' 05" E (call = S 14° 22' 52" E) with the West boundary line of Midland Drive (FM Road No. 868) as described in Right-of-Way Deed recorded in Volume 119, Page 116, Deed Records, at 121.36 feet pass the most Easterly Southeast corner of said Drainage Channel and Utility Easement, continuing with said West boundary line of Midland Drive for a total distance of 1120.84 feet (call = 1120.78 feet) to a 1/2" iron rod with a plastic cap marked "WEST ENGR" found at the Northeast corner of a 0.96 acre tract of land recorded in Volume 1245, Page 538, Official Records, being the Southeast corner of this tract, from whence a 1" iron rod bears S 14° 22' 05" E a distance of 75.00 feet, found at the Southeast corner of said 0.96 acre tract being the same monument as that set in reference on the West right of way line of Midland Drive and the South boundary line of the Northeast part of said Section 18 by D. H. Jenkins in 1960 as recorded in Boundary Agreement in Volume 340, Page 519, Deed Records;

THENCE S 75° 35' 36" W (call = S 75° 36' 37" W) with the North boundary line of said 0.96 Acre Tract, a distance of 556.41 feet (call = 556.41 feet) to a 1/2" iron rod with plastic cap marked "WEST ENGR" found at the Northwest corner of said 0.96 Acre Tract and an interior corner of this tract;

THENCE S 14° 22' 05" E (call = S 14° 22' 52" E) with the West boundary line of said 0.96 Acre Tract, a distance of 75.00 feet (call = 75.00 feet) to a 1/2" iron rod with a plastic cap marked "WEST ENGR" found at the Southwest corner of said 0.96 Acre Tract and an exterior corner of this tract;

THENCE S 75° 35' 36" W (call = S 75° 36' 37" W) with the South boundary line of the Northeast Part of Section 18 as surveyed by D. H. Jenkins in 1960 in said Boundary Agreement and the North boundary line of Fairmont Park, Section 2, as recorded in Cabinet "C", Page 51, Plat Records, at 1440.95 feet pass an exterior corner of said Drainage Channel and Utility Easement, at 1651.26 feet pass the Southwest corner of said Drainage Channel and Utility Easement, continuing for a total distance of 1966.65 feet (call = 1966.86 feet) to a 1" iron rod set by D. H. Jenkins in said Boundary Agreement, found at the Southwest Corner of said Northeast Part and the Southwest corner of this tract;

THENCE N 14° 21' 20" W (call= N 14° 22' 52" W) with the West boundary of said Boundary Agreement, a distance of 268.10 feet (call = 267.76 feet) to a 5/8" iron rod with a cap marked "PLS 1974" set at the most Westerly Northwest corner of this tract, from whence a standard brass cap in a concrete right-of-way monument bears S 40° 47' 55" W, a distance of 59.46 feet, also from said most Westerly Northwest corner of this tract a 1/2" iron rod with plastic cap marked "WEST ENGR" bears S 18° W, a distance of 0.36 feet;

THENCE N 40° 47' 55" E (call = N 40° 49' 00" E) with the Southeasterly right of way line of Loop 250 as described in Deed recorded in Volume 668, Page 129, Deed Records, at 855.00 feet pass an exterior corner of said Drainage Channel and Utility Easement, at 1024.71 feet pass a second exterior corner of said Drainage Channel and Utility Easement, continuing for a total distance of 1894.71 feet (call = 1895.54 feet) to a 5/8" iron rod with cap marked "PLS 1974" set in the North boundary line of Deed from W. A. Smith et ux to Mamie Carol Atchinson, dated November 23, 1946, recorded in Volume 92, Page 291, Deed Records, and at the Southwest corner of a 3.89 Acre Tract recorded in Volume 1172, Page 111, Deed Records, being the most Northerly Northwest corner of this tract, from whence a 1/2" iron rod found on said boundary line at the most Southerly Southeast corner of Northgate Addition, Section 5, as recorded in Cabinet "C", Page 54, bears S 75° 33' 38" W, a distance of 701.39 feet, also from said most Northerly Northwest corner of this tract a 1/2" iron rod with plastic cap marked "WEST ENGR" bears N 68° E, a distance of 0.36 feet;

THENCE N 75° 33' 38" E (call = N 75° 34' 09" E) with said North boundary line of said Deed recorded in Volume 92, Page 291 and the South boundary line of said 3.89 Acre Tract, at 698.68 feet pass a 1" iron pipe extending 2 feet above the ground at the Southeast Corner of said 3.89 Acre Tract and the Southwest corner of a 1.10 Acre Tract recorded in Volume 1230, Page 636, Official Records, continuing with the South boundary line of said 1.10 Acre Tract a total distance of 957.79 feet (call = 957.63 feet) to the Place of Beginning;

Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD), with a combined Grid Factor of 0.9999088 for Mean Project Datum. The Theta Angle is equal to -0° 54' 48.39" at USC&GS Station "MIDLAND" with the published values of Y = 10,690,154.70 and X = 1,746,696.78 in U.S. Survey Feet;

said "Planned District" for a Shopping Center being subject to the use and development regulations of the "LR-2", "Local Retail" District and the following additional conditions:

A. In addition to the detailed site plan elements described in Sections Two, Three, and Four, below, the use and development of this property shall conform to the requirements of the general site plan, Exhibit "A", in all respects;

B. Prior to any development or the issuance of any building permit for the areas identified as Lots 2, 4, 6, 7 and 8 as shown on Exhibit "A", a detailed site plan must be submitted and approved in the same manner prescribed for a zone change;

C. Prior to the issuance of a building permit for any portion of the property described in this Section One, a preliminary plat shall be approved by the Planning and Zoning Commission for the entire property;

D. Prior to approval of a final plat for any portion of the property described in this Section One, a drainage plan encompassing the development of the entire property described in this Section One must be approved by the City Engineer;

E. Outdoor lighting located on the property must be installed in accordance with the following conditions:

1. Outdoor lighting fixtures shall be designed or shielded so as to prevent light emanating directly from the light source from being visible anywhere beyond the boundary of the Planned District created by this ordinance;

2. Light standards located within 100 feet of Midland Drive shall not exceed a height of 30 feet and be installed with baffling;

3. The maximum height of lights located on the southern exterior walls of buildings on the property identified on Exhibit "A" as Lots 1, 3 and 4 shall not exceed 12 feet;

F. Prior to the issuance of a Certificate of Occupancy for any building constructed on "Lot 4", the sixty foot (60') right-of-way with channel crossing from "Lot 3" to Loop 250, as shown on Exhibit "A", and paved access from "Lot 4" across "Lot 3" to said channel crossing, along with a reciprocal private access easement benefitting and burdening "Lot 4" and "Lot 3", must be in place;

G. Refuse containers shall be installed only at the locations shown on Exhibit "A";

H. All indicated landscaping shall be irrigated and maintained in a healthy, growing condition.

SECTION TWO. That the development of a 8.59 acre portion of the property described in Section One, above, and identified on Exhibit "A" as "Lot 1" shall be developed in accordance with the details set forth in Exhibit "A", provided, however, the parking plans shown for "Lot 1" shall be considered for illustrative purposes only, with the actual number of spaces to be determined at the time that building permits are obtained; and provided, further, said "Lot 1" shall be developed in accordance with conditions set forth above in Section One, as well as the following conditions:

A. The size of the building on "Lot 1" shall not exceed the size indicated on Exhibit "A" as the "Maximum Building Envelope";

B. Upon the initial development of "Lot 1", the developer must construct across the entire south line of "Lot 1", "Lot 3", and "Lot 4" the eight-foot fence indicated on Exhibit "A" if such fence has not already been constructed in association with the development of "Lot 3", which fence must be in place prior to the issuance of a Certificate of Occupancy for any building to be constructed on the property;

C. Prior to the issuance of a Certificate of Occupancy for any building constructed on "Lot 1", the sixty foot (60') right-of-way with channel crossing from "Lot 3" to Loop 250, as shown on Exhibit "A", and paved access from "Lot 1" across "Lot 3" to said channel crossing, along with a reciprocal private access easement benefitting and burdening "Lot 1" and "Lot 3", must be in place;

D. Prior to the issuance of a Certificate of Occupancy for any building on "Lot 1", a traffic signal shall be installed in accordance with City specifications at the intersection of the driveway curb-cut on the east boundary of "Lot 1" and Midland Drive at the location shown on Exhibit "A", unless such signal has been previously installed with the development of "Lot 3" as set forth in Section Three, below;

SECTION THREE. That the development of a 13.73 acre portion of the property described in Section One, above, and identified on Exhibit "A" as "Lot 3" shall be developed in accordance with the details set forth in Exhibit "A", provided, however, the parking plans shown for "Lot 3" shall be considered for illustrative purposes only, with the actual number of spaces to be determined at the time that building permits are obtained; and provided, further, said "Lot 3" shall be developed in accordance with the conditions set forth in Section One, above as well as the following conditions:

A. The size of the building on "Lot 3" shall not exceed the size indicated on Exhibit "A" as the "Maximum Building Envelope";

B. Upon the initial development of "Lot 3", the developer must construct across the entire south line of "Lot 1", "Lot 3", and the area designated on Exhibit "A" as "Lot 4" the eight-foot fence indicated on Exhibit "A" to the extent such fence or any portion thereof has not already been constructed in association with the development of "Lot 1" or "Lot 4", which fence must be in place prior to the issuance of a Certificate of Occupancy for any building to be constructed on "Lot 3";

C. Prior to the issuance of a Certificate of Occupancy for any building constructed on "Lot 3", the sixty foot (60') right-of-way with channel crossing, as shown on Exhibit "A", and paved access to Loop 250 across "Lot 3" to "Lot 1" and "Lot 4", along with a reciprocal private access easement dedicated benefitting and burdening "Lot 1", "Lot 3", and "Lot 4" must be in place;

D. Prior to the issuance of a Certificate of Occupancy for any building on "Lot 3", a traffic signal shall be installed in accordance with City specifications at the intersection of the driveway curb-cut on the east boundary of "Lot 1" and Midland Drive at the location shown on Exhibit "A", unless such signal has been previously installed with the development of "Lot 1" as set forth in Section Two, above.

SECTION FOUR. That the development of a 0.77 acre portion of the property described in Section One, above, and identified on Exhibit "A" as "Lot 5" shall be developed in accordance with the details set forth in Exhibit "A", provided, however, the parking plans shown for "Lot 5" shall be considered for illustrative purposes only, with the actual number of spaces to be determined at the time that building permits are obtained and installation of the driveway on the north side of Lot 5 being at the owner's option; and provided, further, said "Lot 5" shall be developed in accordance with the conditions set forth in Section One, above.

SECTION FIVE. That the Fire District be amended so as to add thereto the property described in Section One hereof and the Director of Engineering and Development is authorized and directed to add to the Fire District map said premises.

SECTION SIX. 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 SEVEN. 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 EIGHT. 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).

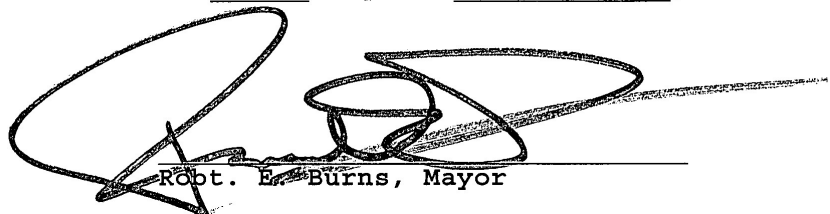
The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 7th day of March, A.D., 1995; and passed to second reading on motion of Council member Cuevas, seconded by Council member Brooks, by the following vote:

Council members voting "AYE":	Cuevas, Brooks, Burns, Egan and Webb
Council members "ABSTAINING":	Morrow
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 Schneider, seconded by Council member Egan, on the 28th day of March, A.D., 1995, at a regular meeting of the City Council:

Council members voting "AYE":	Schneider, Egan, Cuevas, Burns, Brooks and Webb
Council members "ABSTAINING":	Morrow
Council members voting "NAY":	None

PASSED AND APPROVED THIS 28th day of March, A.D., 1995.



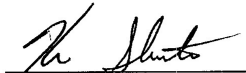
Robert E. Burns, Mayor

ATTEST:



B. C. Clanton, City Secretary

APPROVED AS TO FORM:



Keith Stretcher, City Attorney

PLANNING\ORD\Z-95-004.PD (KBL)



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider a proposed Final Plat of Holzgraf Addition, Section 3, being a residential replat of the west 40 feet of Lot 1 and the east 40 feet of Lot 2, Block 3, Holzgraf Addition, City and County of Midland, Texas. (Generally located on the south side of Sinclair Avenue, approximately 40 feet west of North A Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single Family Dwelling District

Preliminary Plat Approval:

Durn Henington with Pennell Land Surveying, LLC on behalf of MTB Permian Properties, LLC is requesting to replat 803 Sinclair Avenue to obtain a building permit for the remodel the current structure.

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

PAVING: Sinclair roadway okay as is. No public paving improvements required. [For Applicant's Information Only.] WATER: 4" water exists in Sinclair, 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 south of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

DIMENSION: * * * OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil & Gas 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 Holzgraf Addition, Section 3.

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: Sub-24-0790
Case Number: P-24-2463

Proposed Subdivision Plat Name: HOLZGRAF ADDITION, SECTION 3

Legal Description (attached sealed Metes and Bounds): _____

Property Owner

Printed Name: MTB Permian Properties, LLC

Address 3404 Rosemont Dr

City Midland

Phone (432) 853-8338

Email mtbpermianproperties@gmail.com

State TX

Zip 79707

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()

Email

State

Zip

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

Firm: Pennell Land Surveying, LLC

Printed Name: Dwain Henington

Address 2030 W. Cutnbert, Suite 4

City Midland

Phone (432) 570-6256

Email dhenington.pennellsurvey@gmail.com

State TX

Zip 79701

Current Zoning:

Reason for Platting: to obtain building permit

Plat Information

Total Acreage:

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

[Signature]

Date: 12/13/2024

Property Owner (printed): MICHAŁ BITNEROWSKI

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 Michał Bitnerowski who, being by me duly sworn, upon oath says: That (s)he is authorized by MTB Permian Properties 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 13th day of December, 2024, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

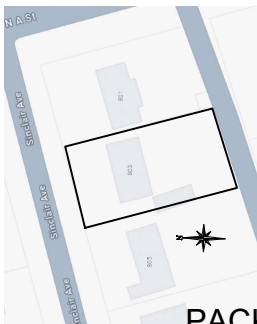
FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ 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>invoice</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>2185</u> |

Received By:

Date:

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



PACKET
VIT
(NOT TO SCALE)

FINAL PLAT HOLZGRAF ADDITION, SECTION 3

BEING A RE-PLAT OF THE WEST 40' OF LOT 1 &
THE EAST 40' OF LOT 2, BLOCK 3,
HOLZGRAF ADDITION, AN ADDITION TO THE
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

LOT 10, BLOCK 2
HOLZGRAF ADDITION
(CAB. D, PLS. 182)

LOT 11, BLOCK 2
HOLZGRAF ADDITION
(CAB. D, PLS. 182)

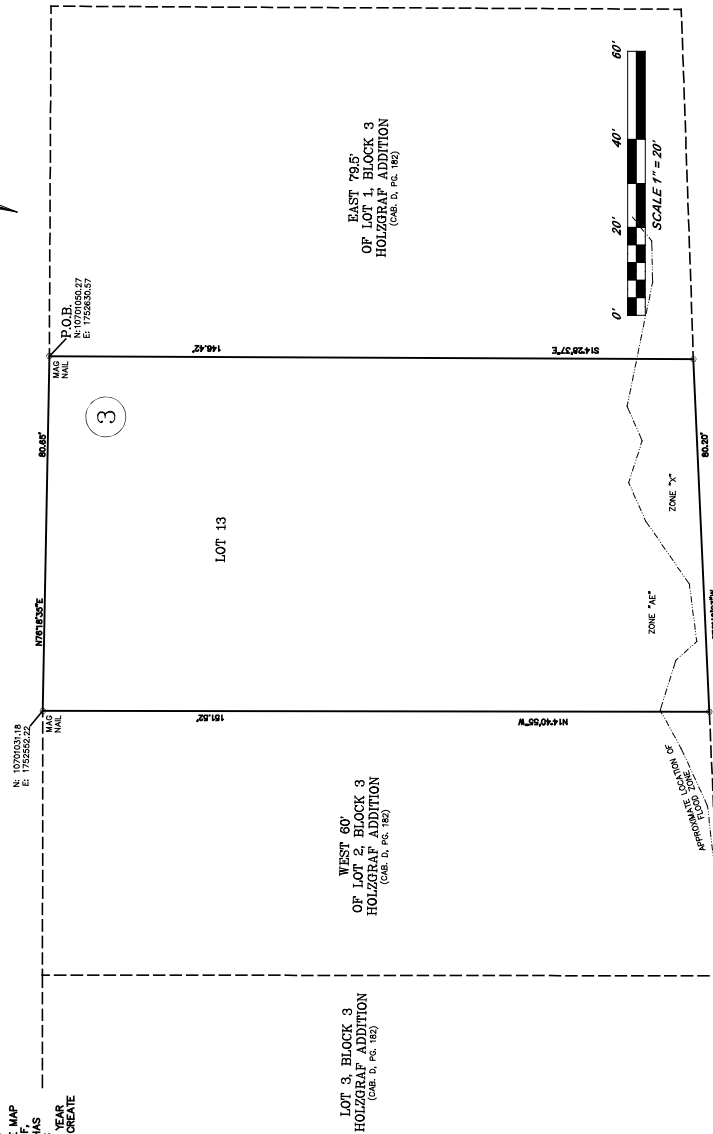
LOT 12, BLOCK 2
HOLZGRAF ADDITION
(CAB. D, PLS. 182)

NOTICE:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND IMPRISONMENT FOR VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND IMPRISONMENT FOR VIOLATION OF CITY ORDINANCE AND STATE LAW.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND AND THE CITY ENGINEER IS REQUIRED BEFORE ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS/DISTANCES/COORDINATES SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOODPLAIN MAP FOR MIDLAND COUNTY, MAP NO. 43390C0081 F, EFFECTIVE DATE: 09/16/05, THIS SURVEYOR HAS DETERMINED THAT PART OF THIS PROPERTY IS YEAR 1 FLOODPLAIN. THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.

NORTH "A" STREET

SINCLAIR AVENUE (60' ROW)



UTILITY COMPANY'S CERTIFICATE
This plat has been checked for accessibility of utilities.

AT&T ENERGY
Print Name _____

ONCOR ELECTRIC DELIVERY
Print Name _____

OPTIMUM
Print Name _____

ASTOUND
Print Name _____

AT&T-TEXAS
Print Name _____

INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING 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.

PENNELL LAND SURVEYING, LLC
SURVEYING FIRM #: 10193978
2030 W. Cuthbert, Midland, Texas 79701
(432)570-6256, brucepennell@pnlso.com

**HOLZGRAF ADDITION,
SECTION 3**
DECEMBER 2024

OWNER:
MTB PERMIAN
PROPERTIES LLC
3404 ROSEMONT DR.
MIDLAND, TX 79707
(432) 853-8338

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, MTB PERMIAN PROPERTIES LLC, is/are the record owner of a tract of land situated in the City of Midland, Texas, and the East 40' of Lot 1, Block 3, Holzgraf Addition, and the East 40' of Lot 2, Block 3, Holzgraf Addition, in addition to the City of Midland, Midland County, Texas, according to the plat recorded in Plat Cabinet D, Page 182, of the Plat Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, MICHAEL T. BITNEROWSKI (SIGNOR FOR MTB PERMIAN PROPERTIES LLC), do hereby adopt this plat and the same shall be a part of the public record of the City of Midland, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS my hand at Midland, Texas, this the _____ day of _____, 2025.

By: MICHAEL T. BITNEROWSKI SIGNOR

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

This plat was acknowledged before me on the _____ day of _____, 2025,
by _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DUYN HENNINGTON, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that I am a duly Licensed Professional Land Surveyor of the State of Texas, and that the corner monuments shown thereon were properly located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

DUYN HENNINGTON, R.P.L.S. 6832
2030 W. CUTHBERT, STE. 4
MIDLAND, TX 79701
432.570.6256

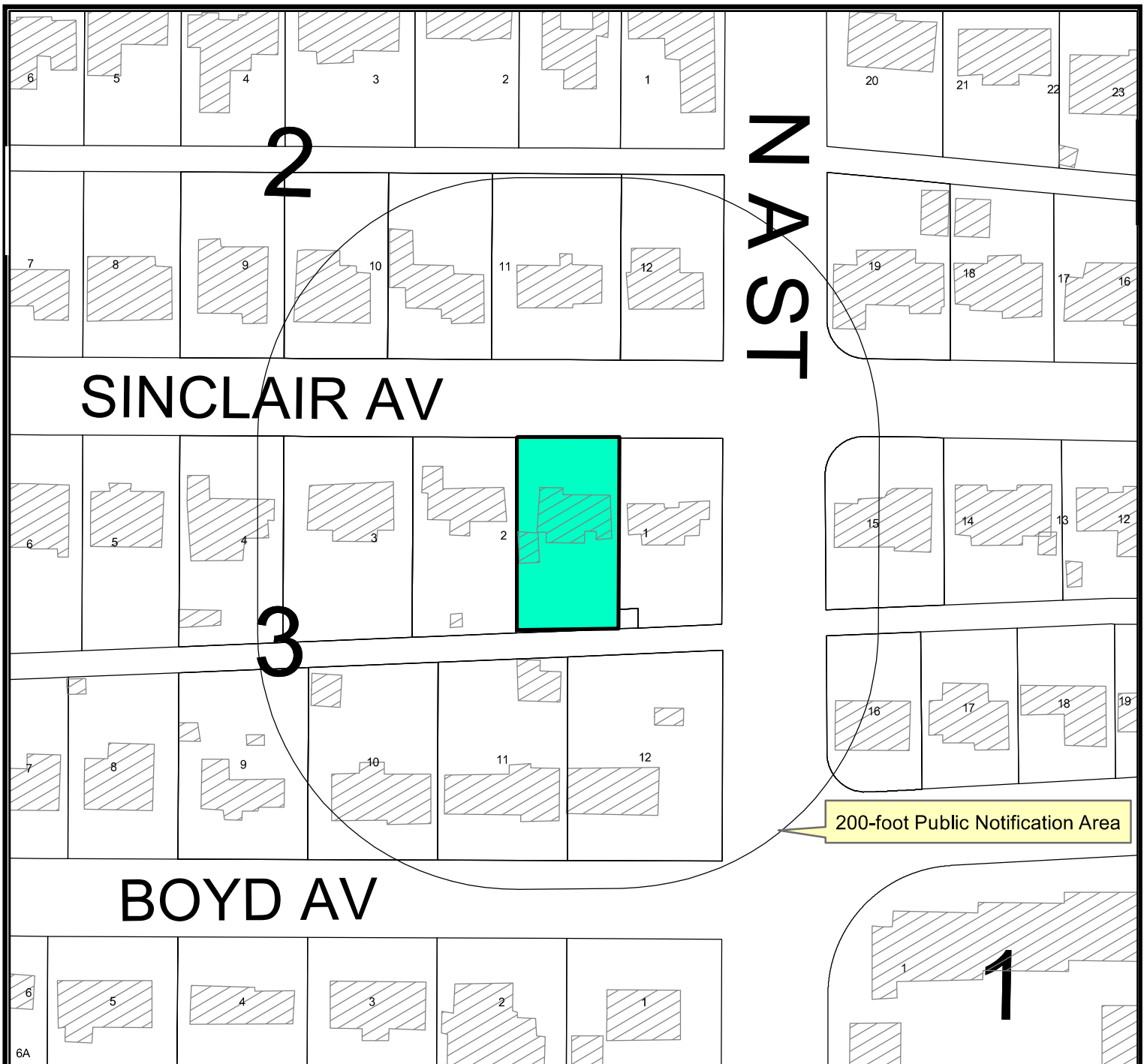
CERTIFICATE OF APPROVAL

For approval by the commission:

This is to certify that the above and foregoing plat of "HOLZGRAF ADDITION, SECTION 3" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2025.

LUCY SIBNEGA, CHAIRMAN

LANDON OCHOA, SECRETARY



SINCLAIR AV

N A S T

BOYD AV

200-foot Public Notification Area

Location Map

SUB-24-0790

Scale: 1" = 800'

Proposed plat of Holzgraf Addition, Section 3, being a replat of the west 40 feet of Lot 1 and the east 40 feet of Lot 2, Block 3, Holzgraf Addition, City and County of Midland, Texas.

Generally located on the south side of Sinclair Avenue approximately 40 feet west of North A Street. (Council District 3)

LEGEND

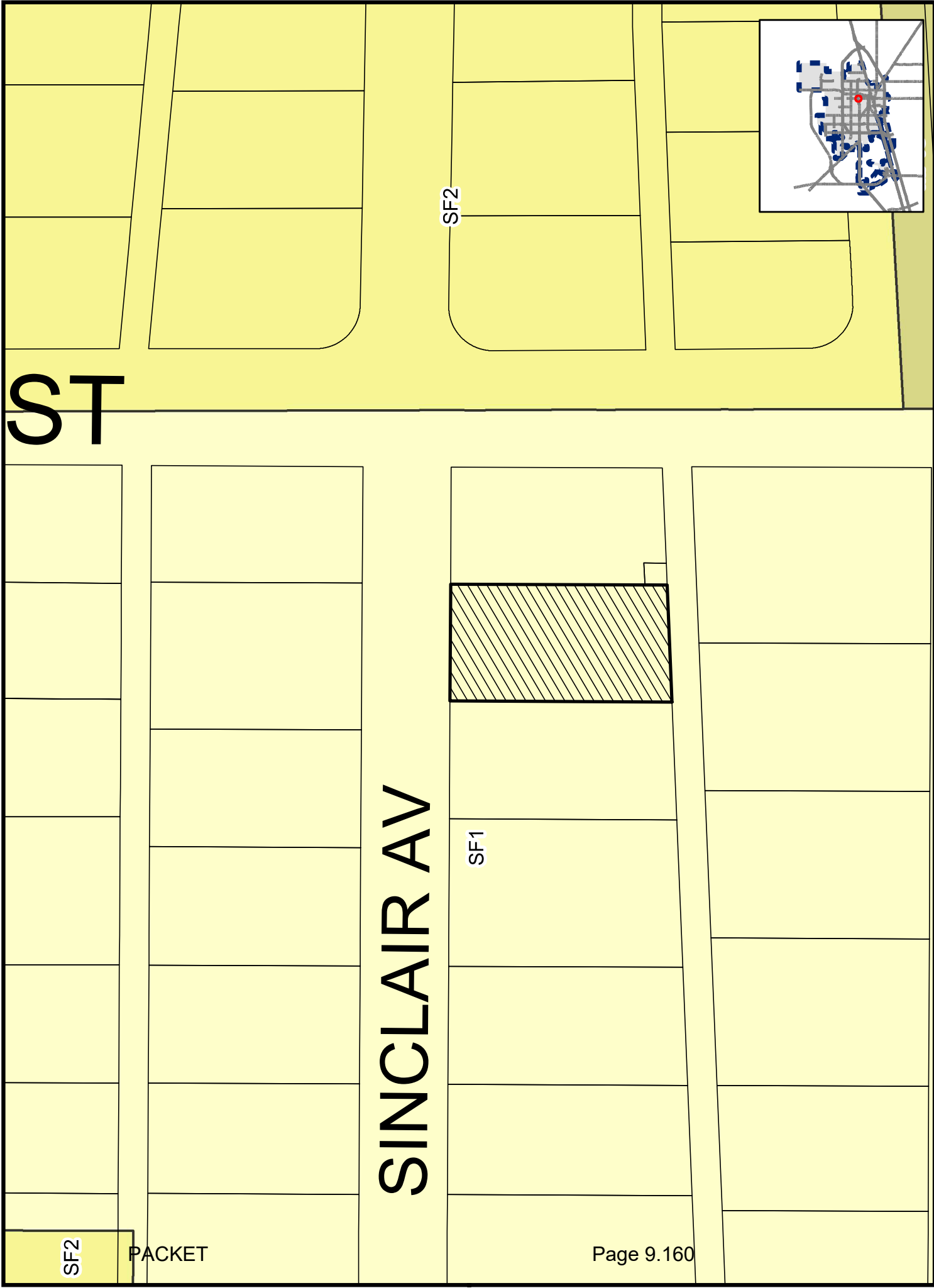
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



ST

SINCLAIR AV

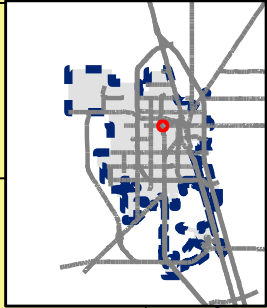
SF2

SF1

SF2

PACKET

Page 9.160



ZONING MAP

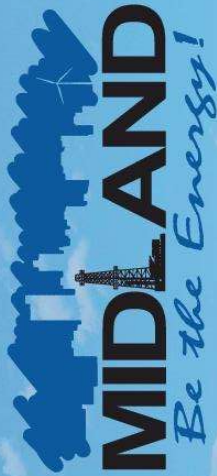
1" = 800'

SUB-24-0790

Map BQ 11/08/24

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HOLZGRAF ADDITION, SECTION 3

ITEM

FINAL PLATFORM



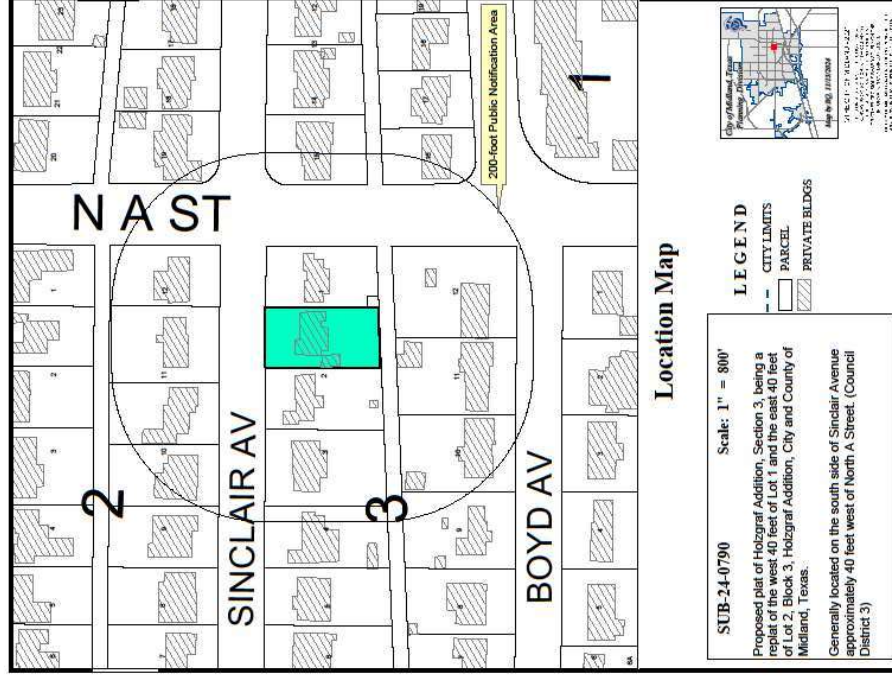
Visit Our Website

MIDLANDTEXAS.GOV

August 19, 2024

Application Summary

- **Property Owner:** MTB Permian Properties, LLC
- **Representative:** Duryan Henington with Pennell Land Surveying, LLC (acting on property owners' behalf)
- **Address:** Generally located on the south side of Sinclair Avenue, approximately 40 feet west of North A Street. (District 3)



- 



- 

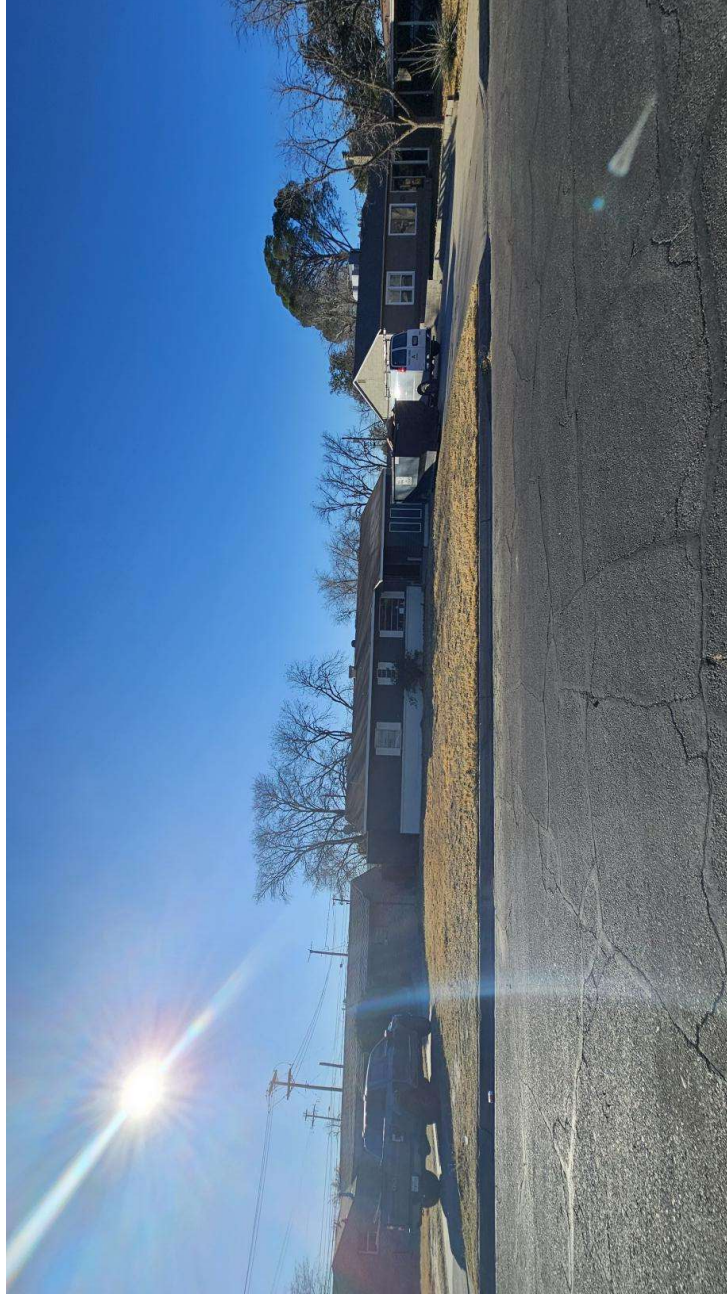


Land Use

- **Current Use of the Property:**
Residential
- **Surrounding Uses:**
 - **North/South/West/East:**
Residential



Site Photo



On Sinclair Avenue, Looking
south.

- Page 9 of 68



Staff's Recommendation

- No objection letters have been received.
- Staff recommends APPROVAL of the final plat of Holzgraf 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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider a request by Alonzo Talamantes for a zone change from C, Commercial District, to SF-1, Single-Family Dwelling District, on Lots 6 and 7, Block 1, Snively Resubdivision, City and County of Midland, Texas. (Generally located on the south side of West Francis Avenue, approximately 85 feet east of Clark Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Alonzo Talamantes, is requesting a Zone Change from C, Commercial District, to SF-1, Single-Family Dwelling District, to develop a single-family dwelling at 2409 West Francis Avenue and correct the zoning designation of 2411 West Francis to accurately reflect its current and intended use.

Current Zoning:

C, Commercial District.

Surrounding Zoning and Land Use:

All adjacent properties to the north, south, east, and west are zoned C, Commercial District, with uses that include single-family residential to the south and east and a real estate agency to the north. The adjacent property to the west is part of the ETJ, Extraterritorial Jurisdiction, and is currently a fenced-in vacant lot.

Analysis:

The subject properties are zoned C, Commercial District. Alonzo Talamantes is seeking this zone change to construct a single-family home on the eastern vacant lot. A single-

family dwelling is not allowed in the C, Commercial District. The request to rezone both properties is for land use uniformity.

Both lots meet the minimum lot dimension requirements for the SF-1, Single-Family Dwelling District zone. The western subject property at 2411 West Francis has a single-family dwelling developed in 1958. The adjacent lots south, east and west of the lot on which the applicant intends to develop a single-family dwelling are also used for single-family residential purposes, making this request compatible with the surrounding area.

This request is inconsistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3, which designated this area as ER, Employment Reserve. This designation calls for major office, business, and multi-family uses.

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

Fire: (Approved)

No objections

Oil and Gas: (Approved)

No Oil & Gas well concern for Zoning.

Engineering: (Approved)

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

Code: (Approved)

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

Transportation: (Approved)

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

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

Planning: (Approved)

Therefore, staff recommends approval of this Zone Change from C, Commercial District, to SF-1, Single-Family Dwelling District.

Letters of Objection:

Therefore, staff has not received any letters of objection as of January 17, 2024.

Attachments:

Application
Site Plan
Maps
Power Point



2409 & 2411 W Francis ITEM#

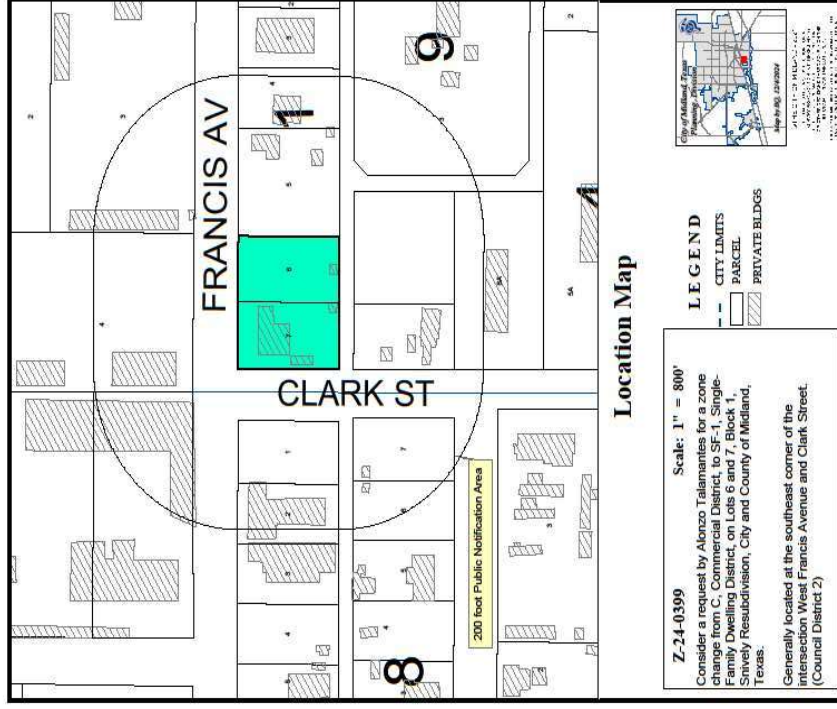


Visit Our Website

MIDLANDTEXAS.GOV

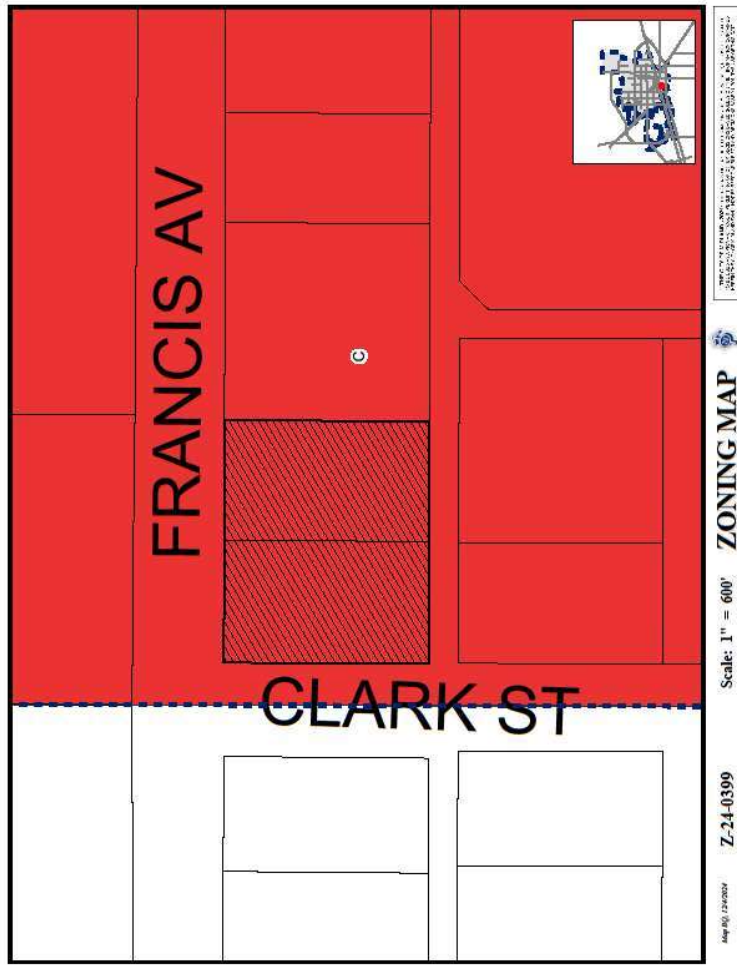
APPLICATION SUMMARY

- **Property Owner:** Yvonne Talamantes
- **Applicant:** Alonzo Talamantes
- **Zone Change**
- **Address:** 2409 & 2411 West Francis
- **Reason for request:** To build a single-family dwelling unit on the vacant lot of 2409 W Francis.



ZONING

- **Current Zoning:** C, Commercial District.
- **Surrounding Zoning:**
 - **North/South/East:** C, Commercial District
 - **West:** Not Designated, ETJ
 - **Proposed Zoning:** SF-1, Single Family Dwelling



LAND USE

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



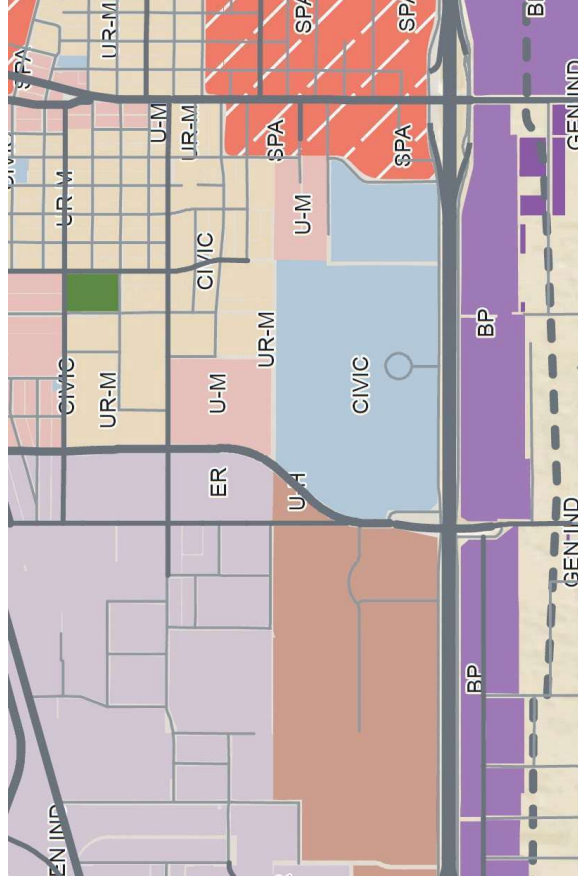


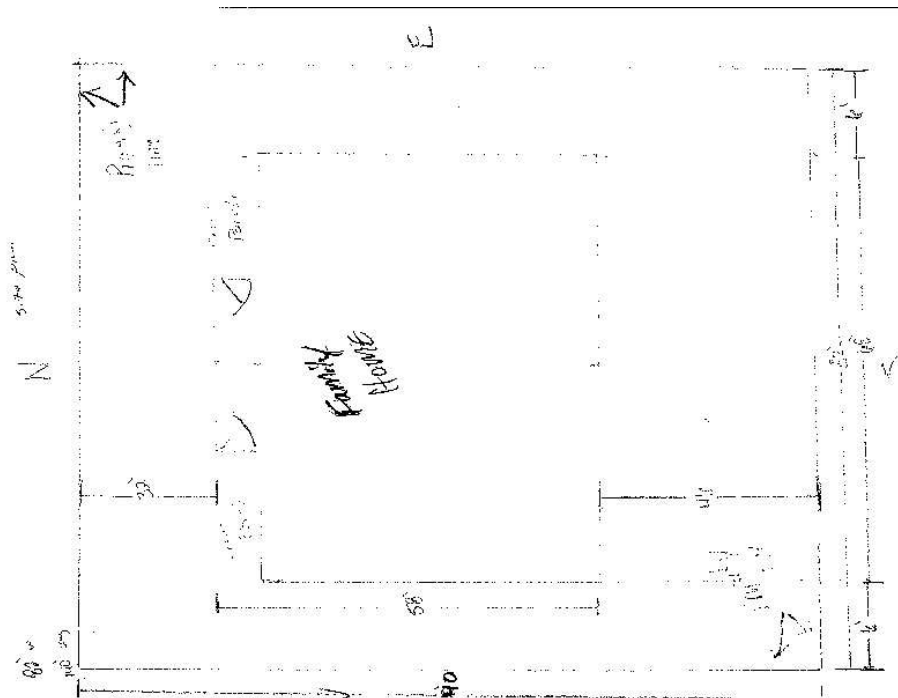
On West Francis, Looking south.

COMPREHENSIVE PLAN

- **TCT Land Use Designation:** ER, Employment Reserve
- **Supported Uses:** Area preserved for larger business this includes centers with major offices, technology and research centers. Multi-family may be appropriate when intergrade as part of a holistic development.

Request is not compatible with the Tall City Tomorrow Plan, but compatible with the surrounding area.





Site Plan (Exhibit A)

STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from C, Commercial District to SF-1 Single-Family Dwelling District.



MISSION

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



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

Project Number: _____

Case Number: _____

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

Printed Name: Alonzo Talamantes

Phone (432) 557-7410

Email alonzo.talamantes@gmail.com

Address 1521 S. Marshall

City Midland

State TX

Zip 79701

Property Owner

Printed Name: Alonzo Talamantes

Phone (432) 557-7410

Email

Address 2411 W. Francis Ave

City Midland

State TX

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()

Email

Address

City

State

Zip

Street Address: 2411 W. Francis Ave

Legal Description

Lot: _____ Block: _____ Subdivision: _____

Current Zoning:

Commercial

Proposed Zone:

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

Reason for Zone Change Request: I want to turn the zoning into residential to build

Present Use of Property: Home on one side empty lot on the other

Proposed Use of Property: Build residential home

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

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

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>Alonzo Talamantes</u>	Date: <u>12-11-24</u>
Applicant (printed): <u>Alonzo Talamantes</u>	
Property Owner (signature): <u>Alonzo Talamantes</u>	Date: <u>12-11-24</u>
Property Owner (printed) : <u>Alonzo Talamantes</u>	
<i>The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.</i> <i>All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.</i>	

STATE OF TEXAS COUNTY OF MIDLAND Before me, the undersigned authority, on this day personally appear _____ 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 # _____	☐ Dimensioned Site Plan ☐ Plans in Digital Format (PDF/JPEG)
Received By: _____	Date: _____

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



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

Project Number: _____

Case Number: _____

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

Printed Name: ALONZO TALAMANTES

Phone (432) 551-7410
Email

Address 1521 S. Marshall

City Midland

State TX

Zip 79701

Property Owner

Printed Name: ALONZO TALAMANTES

Phone ()
Email

Address 1521 S. Marshall

City Midland

State TX

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()
Email

Address _____

City _____

State _____

Zip _____

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

Legal Description

Lot: 000 Block: 001 Subdivision: Snively Resub

Current Zoning: C

Proposed Zone: SF-1

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

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

Present Use of Property: vacant lot

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

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

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

Submittal and Fees

Items to be submitted with this application form:

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

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

82' w

140' w

N

Site plan

Property line



32'

Front Porch

Front Porch

Family Home

58'

E

140'

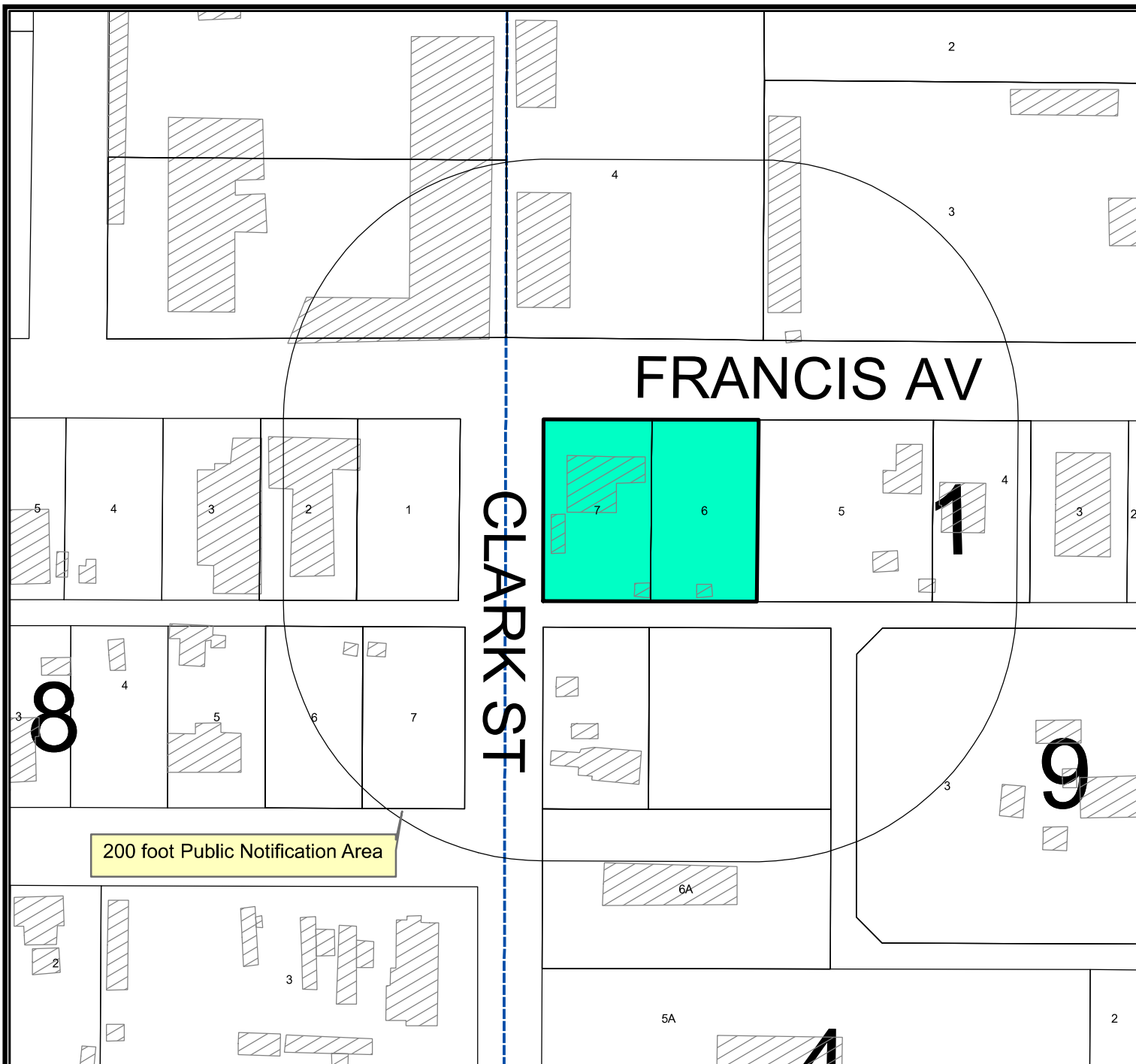
46'

8/10/2011

82'

46'

PACKET



Location Map

Z-24-0399

Scale: 1" = 800'

Consider a request by Alonzo Talamantes for a zone change from C, Commercial District, to SF-1, Single-Family Dwelling District, on Lots 6 and 7, Block 1, Snively Resubdivision, City and County of Midland, Texas.

Generally located at the southeast corner of the intersection of West Francis Avenue and Clark Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



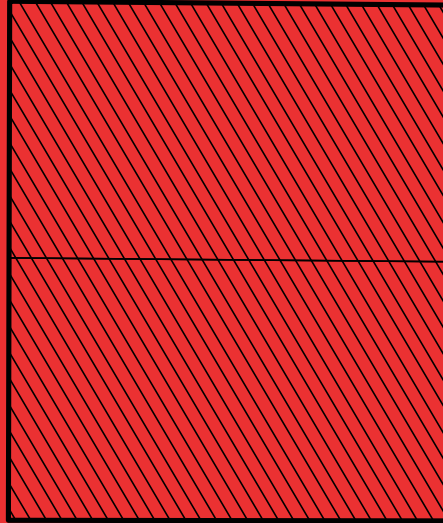
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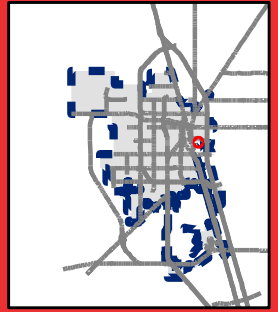
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

FRANCIS AV

6



CLARK ST





FRANCIS AV





Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: January 21, 2025

TO: Planning and Zoning Commission

FROM: Madelim Jaquez, Planner

SUBJECT: Hold a public hearing and consider a request by Magrym Consulting for a Zone Change from MH, Manufactured Housing District, and RR, Regional Retail District, to SF-3, Single-Family Dwelling District, on Lots 9 and 10, Block 172, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Dallas Street, approximately 125 feet north of East Florida Avenue.) (DISTRICT 2) (DVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant, Magrym Consulting is requesting a Zone Change from MH, Manufactured Housing District, and RR, Regional Retail District, to SF-3, Single-Family Dwelling District, for the construction of a house on two properties located on South Dallas Street.

Current Zoning:

MH, Manufactured Housing District, and RR, Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north are zoned MH, Manufactured Housing District, and the land is currently used with houses. The properties to the east are zoned RR, Regional Retail District, with O-2, Office District, further east and are currently a meat market, vacant buildings, and a bank. The properties to the west are zoned MH, Manufactured Housing District, and RR, Regional Retail District, and are currently houses, vacant lots, and a boutique. The properties to the south are zoned RR, Regional Retail District, and consist of a liquor store, vacant lots, and a welding equipment center.

Analysis:

The applicant is seeking this zone change from MH, Manufactured Housing District and RR, Regional Retail District, to SF-3, Single-Family Dwelling District, in order to construct a single-family home, which is not allowed in the MH, Manufactured Housing District. This vacant lot is located in a residential neighborhood that is developed with single-family homes. Changing this zoning would help the future residential development of this area. This lot does meet the requirements for the SF-3, Single-Family Dwelling District zoning.

This request is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3; which designated this area as Special Study Area.

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

Fire: (Approved)

No objections

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 MH, Manufactured Housing District, and RR, Regional Retail District, to SF3, Single-Family Dwelling District.

Letters of Objection:

Staff has not received any letters of objection as of January 17, 2025.

Attachments:

Application
Site Plan (Exhibit A)
Maps



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

Project Number: 2-24-0406

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Eduardo L. Aleman</u>		Phone (432) 254-0327 Email	
Address	City	State	Zip

Property Owner Printed Name: <u>Javier Soto</u>		Phone (432) 254-0327 Email 432 254-0327	
Address	City	State	Zip

Representative (if different from Applicant or Property Owner) Firm: <u>Magrym Consulting</u> Printed Name: <u>Eduardo L. Aleman</u>		Phone (432) 254-0327 Email	
Address <u>800 N. Marienfeld, Suite 100</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Street Address: <u>805 S. Dallas Street.</u>	
Legal Description Lot: <u>9 and 10</u> Block: <u>172</u> Subdivision: <u>Southern Addition</u>	

Current Zoning: <u>RR and MH</u>	Proposed Zone: <u>SF3</u> (List by tracts if more than one district is requested)
--	---

Reason for Zone Change Request: To build a house

Present Use of Property: Vacant

Proposed Use of Property: Residential

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

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

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: 12/18/2024

Applicant (printed): **Eduardo L. Aleman**

Property Owner (signature):

Signed by
Javier Soto
110004747100047

Date: 12/18/2024

Property Owner (printed): **Javier Soto**

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.

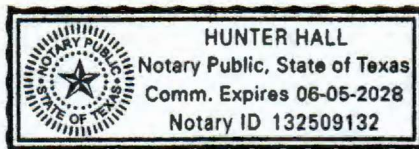
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

**STATE OF TEXAS
COUNTY OF MIDLAND**

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

Eduardo L. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of December, 2024, to certify which witness my hand and seal of office.



HL

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

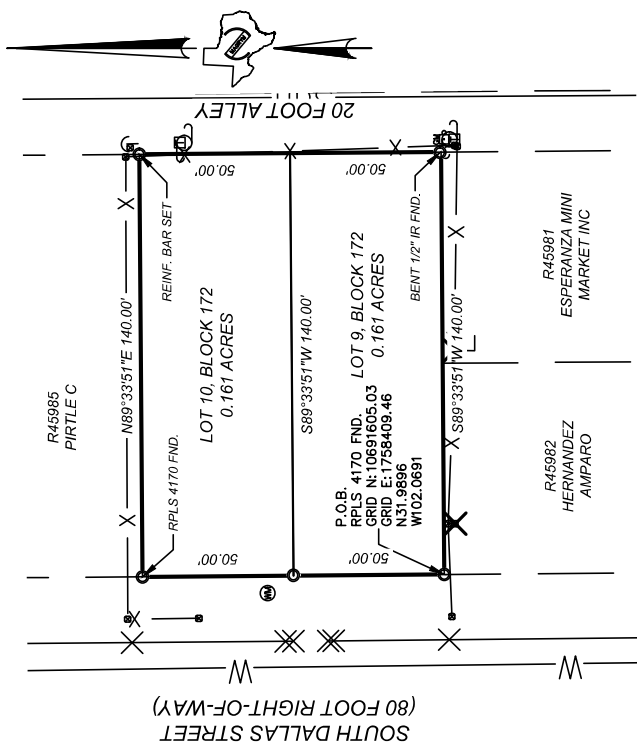
☐ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # invoice

Received By:

Date:



FIELD NOTE DESCRIPTION OF A 0.32 ACRE TRACT OF LAND, BEING SAID LOTS 9 & 10, BLOCK 172, SOUTHERN ADDITION, AN ADDITION TO THE CITY OF MIDLAND AS PER PLAT OF RECORD IN VOLUME 2, PAGE 2, PLAT RECORDS, MIDLAND COUNTY, TEXAS. SAID 0.32 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR FOUND (N: 10691605.03, E: 1758409.46) IN THE EAST RIGHT-OF-WAY LINE FOR SOUTH DALLAS STREET FOR THE SOUTHWEST CORNER OF THIS TRACT, ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 00°26'08" WEST 100 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH DALLAS STREET TO A REINF BAR FOUND FOR THE NORTHWEST CORNER OF THIS TRACT, ALSO BEING THE NORTHWEST CORNER OF SAID LOT 10;

THENCE NORTH 89°33'51" EAST 140.00 FEET TO A REINF BAR SET FOR THE NORTHEAST CORNER OF THIS TRACT, ALSO BEING THE NORTHEAST CORNER OF SAID LOT 10;

THENCE SOUTH 00°26'08" EAST 100.00 FEET TO A REINF BAR FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT, ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 9;

THENCE SOUTH 89°33'51" WEST 140.00 FEET TO THE PLACE OF BEGINNING.

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

NOTES:

SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF THE COUNTY ORDINANCE AND STATE LAW AND MAY BE SUBJECT TO FINES AND WITHHOLDINGS OF UTILITIES AND BUILDING PERMITS.

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

MONUMENTS ARE A REINFORCING BAR SET WITH PLASTIC CAP STAMPED "MAGRYM" UNLESS OTHERWISE NOTED.

THIS SURVEY DOES NOT GUARANTEE OWNERSHIP.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF TITLE COMMITMENT.

NOT ALL EASEMENTS OR MATTERS OF TITLE MAY BE SHOWN.

SURVEY

LOTS 9 & 10, BLOCK 172,
SOUTHERN ADDITION,

AN ADDITION TO THE CITY OF MIDLAND
AS PER PLAT OF RECORD IN VOLUME 2, PAGE 2,
PLAT RECORDS, MIDLAND COUNTY, TEXAS



800 N. MARIENFELD STREET
SUITE 100
MIDLAND, TEXAS 79701
Office (432) 684-5548

PROJECT: 24-693
JOB NO: 24-693

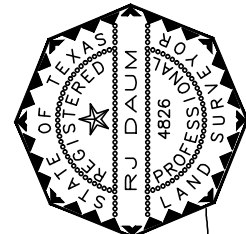
SCALE: 1" = 50'

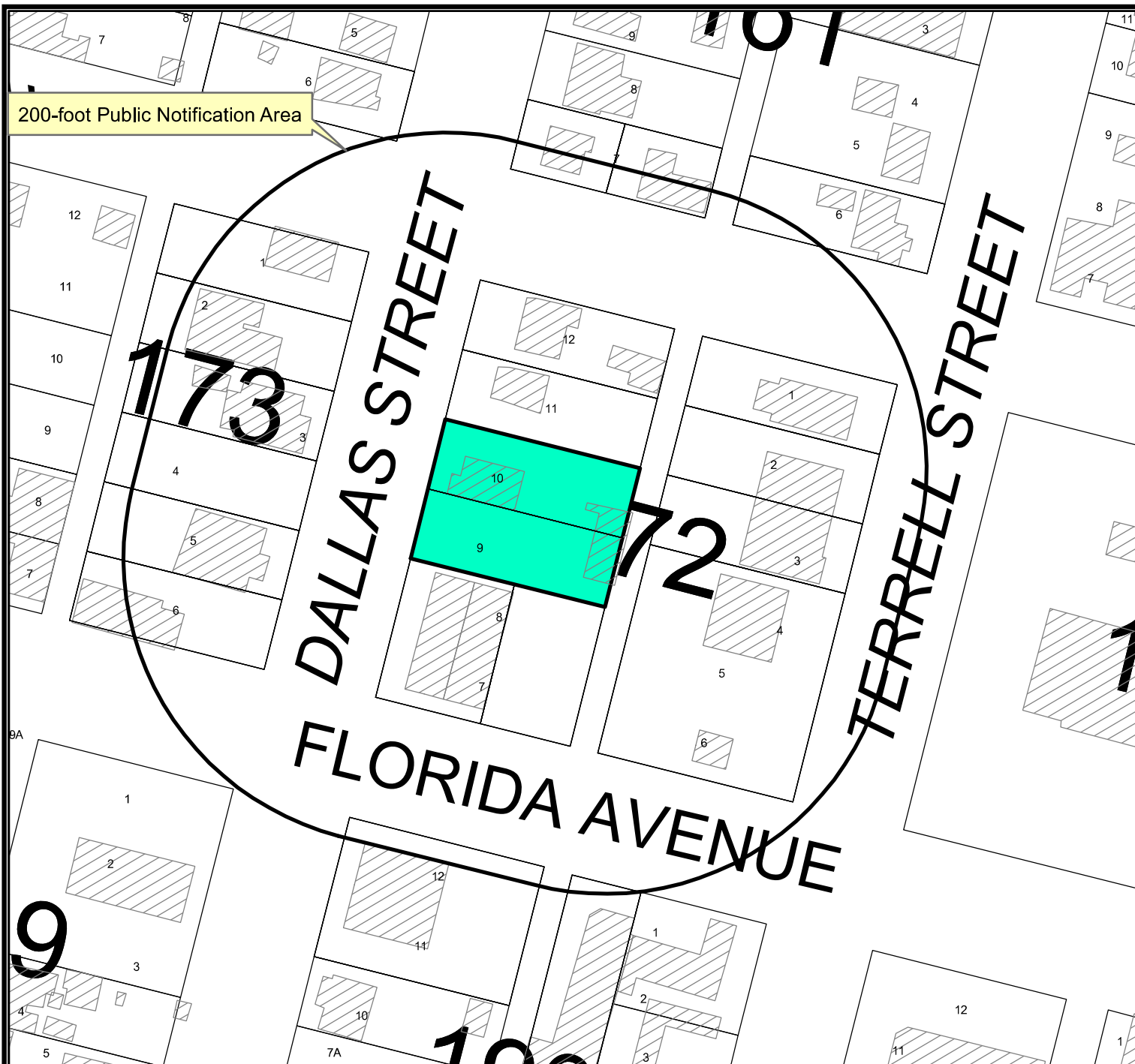
Owner Certification
TO THE LIENHOLDERS, NAME _____

(OWNER) OF THE PREMISES AND TO THE ISSUING TITLE INSURANCE UNDERWRITER:
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND
THE PROPERTY LEGALLY DESCRIBED HEREON
AND THAT THERE ARE NO KNOWN DISCREPANCIES,
CONFLICTS, SHORTAGES IN AREA, BOUNDARY
LINE CONFLICTS, ENCROACHMENTS,
OVERLAPPING OF IMPROVEMENTS,
EASEMENTS OR RIGHTS-OF-WAY,
EXCEPT AS SHOWN HEREON.

DATED THIS 18th DAY OF DECEMBER, 2024

RJ DAUM
TEXAS RPLS 4826





Location Map

Z-24-0406

Scale: 1" = 100'

Consider a request by Magrym Consulting for a zone change from MH, Manufactured Housing District and RR, Regional Retail District to SF3, Single-Family Dwelling District on Lots 9 and 10, Block 172, Southern Addition, City and County of Midland, Texas.

Generally located on the east side of South Dallas Street, approximately 125 feet north of East Florida Avenue.
(Council District 2)

LEGEND

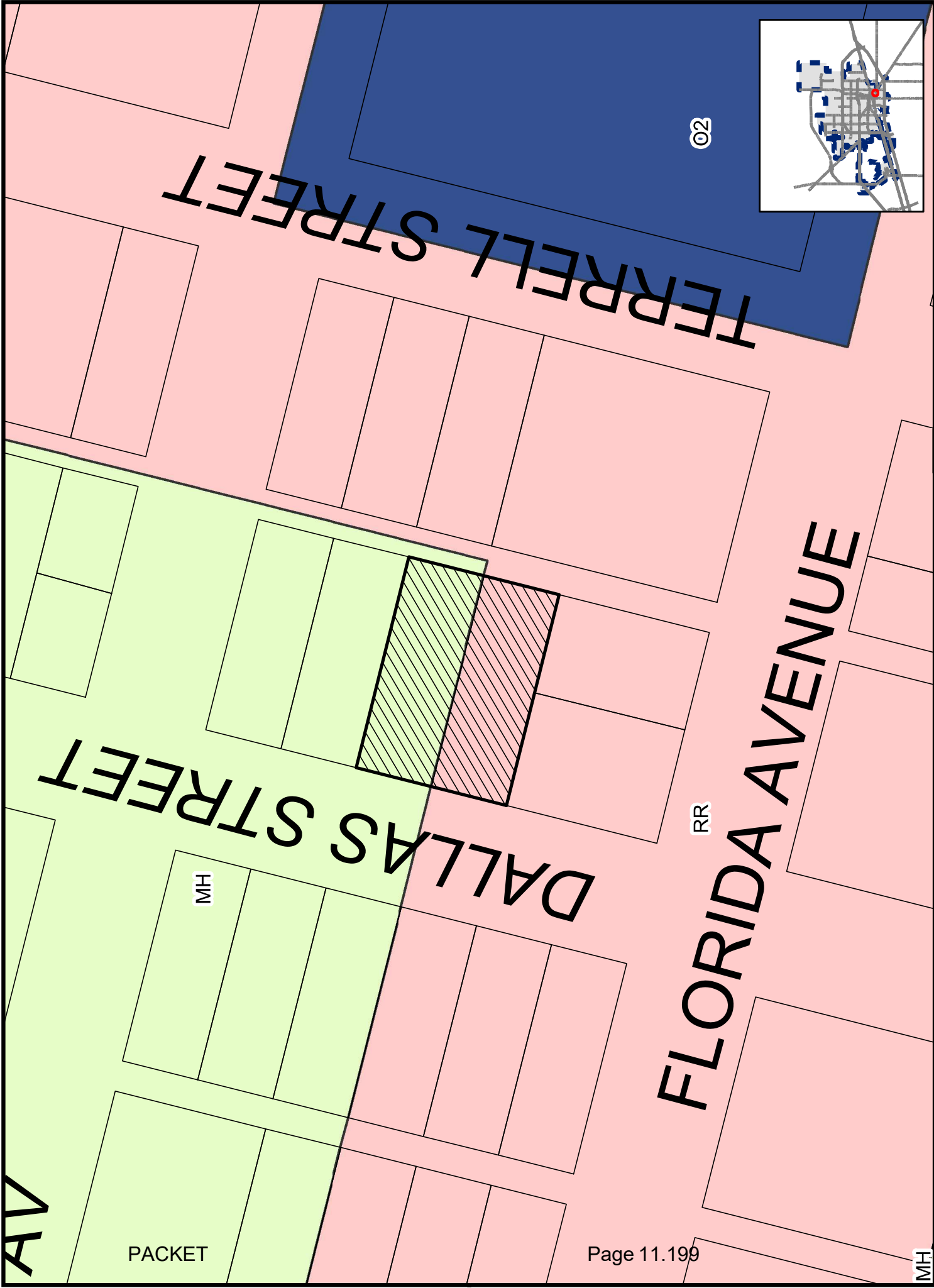
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ZONING MAP

Scale: 1" = 78'

Z-24-0406

Map by MJ 01/10/2023



TERRRELL ST

FLORIDA AV

DALLAS ST

ST





805 SOUTH DALLAS



Visit Our Website

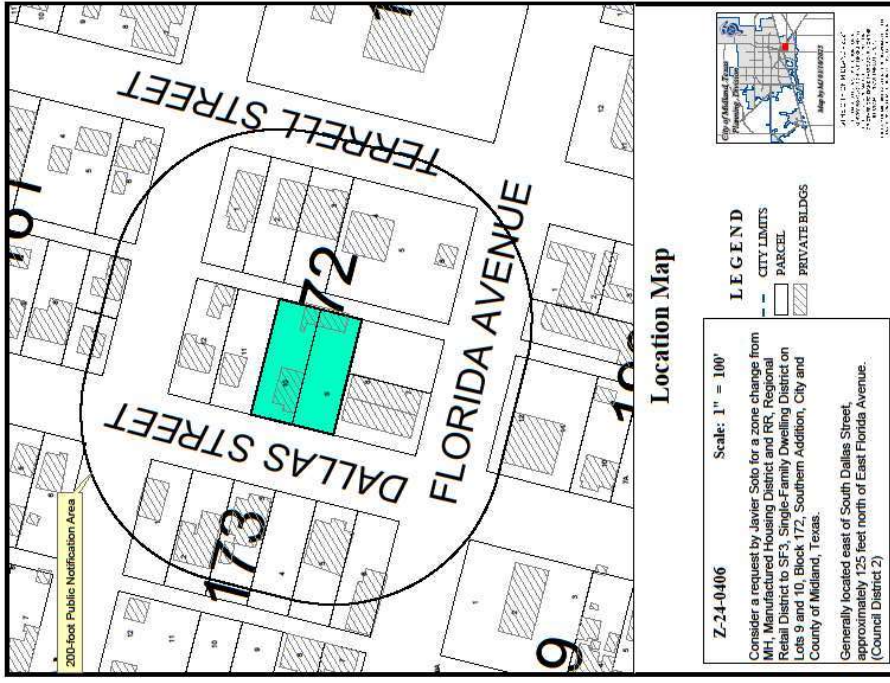
MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner:** Javier Soto
- **Applicant:** Eduardo L. Aleman
- **Representative:** Magrym Consulting
- **Zone Change**

- **Address:** Generally located on the east side of South Dallas Street, approximately 125 feet north of East Florida Avenue.

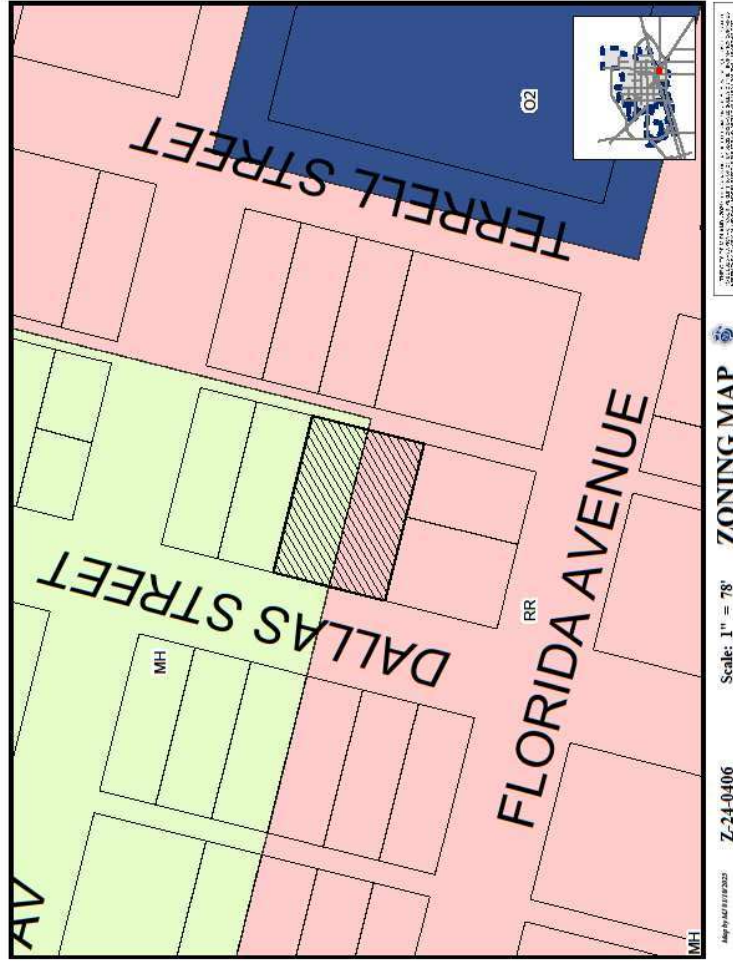
2



ZONING

- **Current Zoning:** MH, Manufactured Housing District and RR, Regional Retail District
- **Surrounding Zoning:**
 - **North:** MH, Manufactured Housing District
 - **South:** RR, Regional Retail District
 - **East:** RR, Regional Retail and O2, Office District
 - **West:** MH, Manufactured Housing District and RR, Regional Retail District
- **Proposed Zoning:** SF-3, Single-Family Dwelling District

3



LAND USE

- **Current Use of the Property:**
Vacant
- **Proposed Use of the Property:**
Single-Family Dwelling
- **Surrounding Uses:**
 - **North:** Houses
 - **South:** Liquor store, vacant lots, and a welding equipment center
 - **East:** Meat market, bank, and vacant buildings
 - **West:** Houses, vacant lots, and a boutique





On Dallas Street, Looking East

COMPREHENSIVE PLAN



- **TCT Land Use Designation:**
Special Study Area
- **Supported Uses:**
 - Not designated
 - Request is compatible with the surrounding area and the Tall City Tomorrow Plan.

STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from MH, Manufactured Housing District and RR, Regional Retail 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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Hold a public hearing and consider, with staff's recommended conditions, a Final Plat of Glen Arden, Section 2, being a residential replat of Lots 2, 3, and 4, Block 1, Glen Arden Replat, and a 13,357 square foot portion of an alley, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of Racquet Club Drive and West Wadley Avenue.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single Family Dwelling District

Preliminary Plat Approval:

Gracie Medina Rodriguez, with Landgraf, Crutcher & Associates, on behalf of Brandon Gaynor, Wesley Ware, and P. Nick Maxwell is requesting to replat Glen Arden, Section 2, being a residential replat of Lots 2, 3, and 4, Block 1, Glen Arden Replat, and a 13,357 square foot portion of an alley to be in compliance with Section Two, Part B, of City Ordinance 10546.

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

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Wadley roadway okay as is. Racquet Club roadway okay as is. No public paving improvements required. [For Applicant's Information Only.] WATER: 6" water exists in Racquet Club Street, 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: 33" sewer exists in Wadley Street. 6" sewer exists in Racquet Club Street. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

DIMENSION: * * * OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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)

Remove northern call.

Planning: (Approved with Conditions)

Staff recommends approval of the Final Plat of Glen Arden, Section 2, subject to condition A.

Condition:

- A. Access easement and recording information and required by the Engineering department is depicted on final mylar prior to recording. [11-14-6]**

Attachments:

Final Plat
Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: **Glen Arden, Section 2**

Legal Description (attached sealed Metes and Bounds): Being a replat of Lots 2, 3, & 4, Block 1, and a 13,357 square foot of an abandoned alley, Replat of all of Glen Arden, Cabinet B, Page 187, Midland County Plat Records
Located in Section 22, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas

Property Owner **Brandon Gaynor, Wesley Ware, & P. Nick Maxwell**
 Printed Name:

Phone ()
 Email

Address

City

State

Zip

Developer (if different than Owner)
 Printed Name:

Phone ()
 Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & AssociatesPrinted Name: LCA

Phone (432) 332-5058

Email gmr@lcaodessa.comAddress 521 N. Texas AvenueCity OdessaState TXZip 79761

Current Zoning:

Reason for Platting: _____

Plat Information **SF-1**Total Acreage: **1.596**Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Residential Lots: **3**

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.

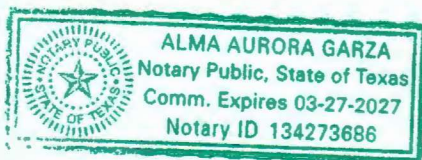
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Gracie Rodriguez
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of November, 20 21, to certify which witness my hand and seal of office.



Alma Aurora Garza
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

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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.

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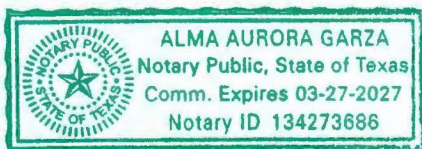
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Gracie Rodriguez
Authorized Agent (signature)

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



Alma Aurora Garza
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

Mylar Reproductions

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

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☐ 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.

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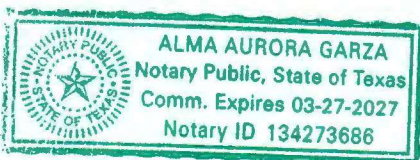
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Gracie Rodriguez
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of November, 2024, to certify which witness my hand and seal of office.



Alma Aurora Garza
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)

☐ CADD File

☒ Application Fee

☒ Title Opinion

☐ Public Improvement

Check #

42708

☒ Tax Certificates

☐ Recording Fee

Check #

42709

Received By:

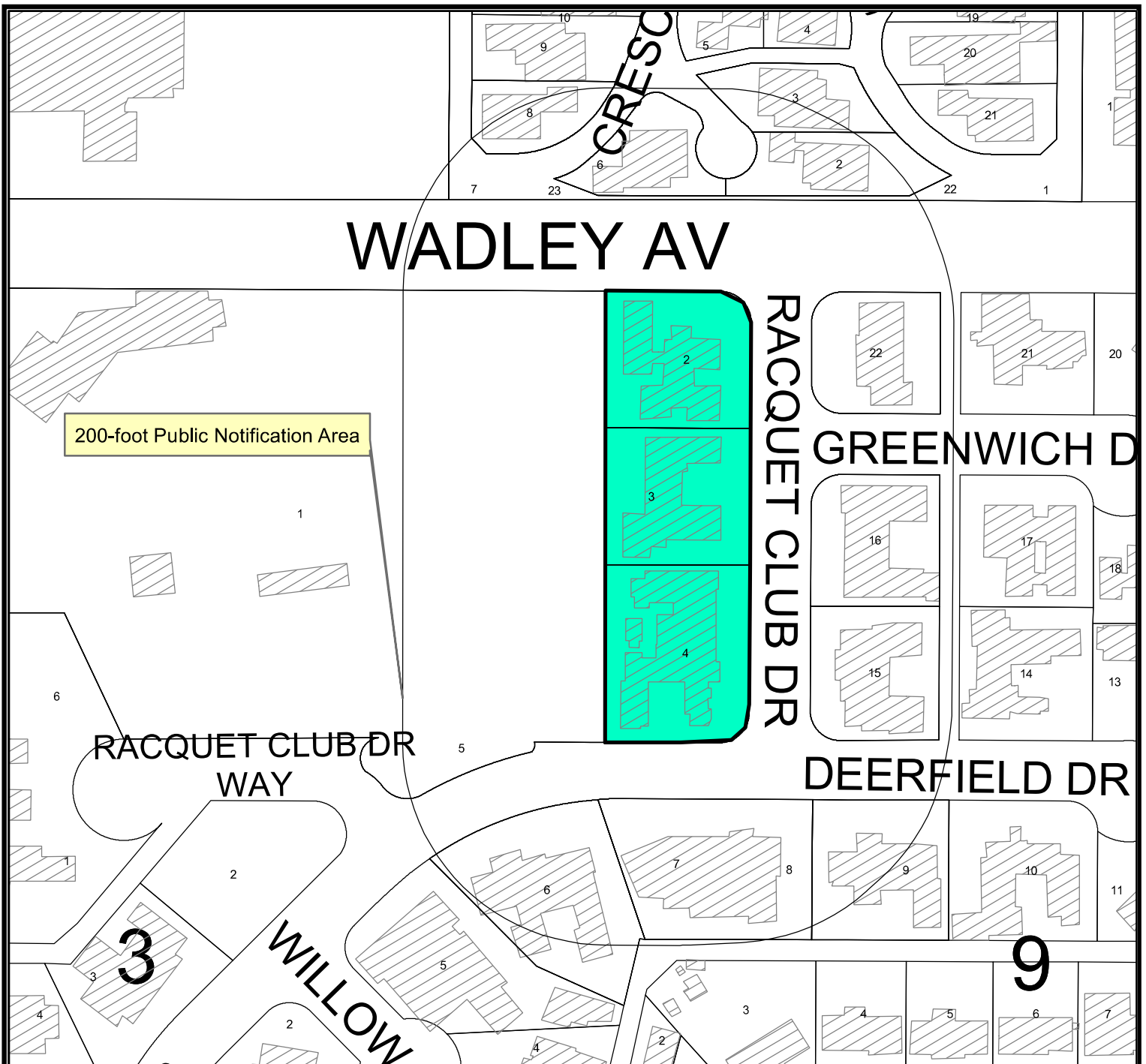
[Signature]

Date:

RECEIVED
DEC 23 2024

BY:

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



Location Map

SUD-24-0785

Scale: 1" = 1,706'

Proposed plat of Glen Arden, Section 2 being a replat of Lots 2, 3, and 4 Block 1, Glen Arden Replat, and a 13, 357 square foot portion of an alley, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of Racquet Club Drive and West Wadley Avenue. (Council District 3)

LEGEND

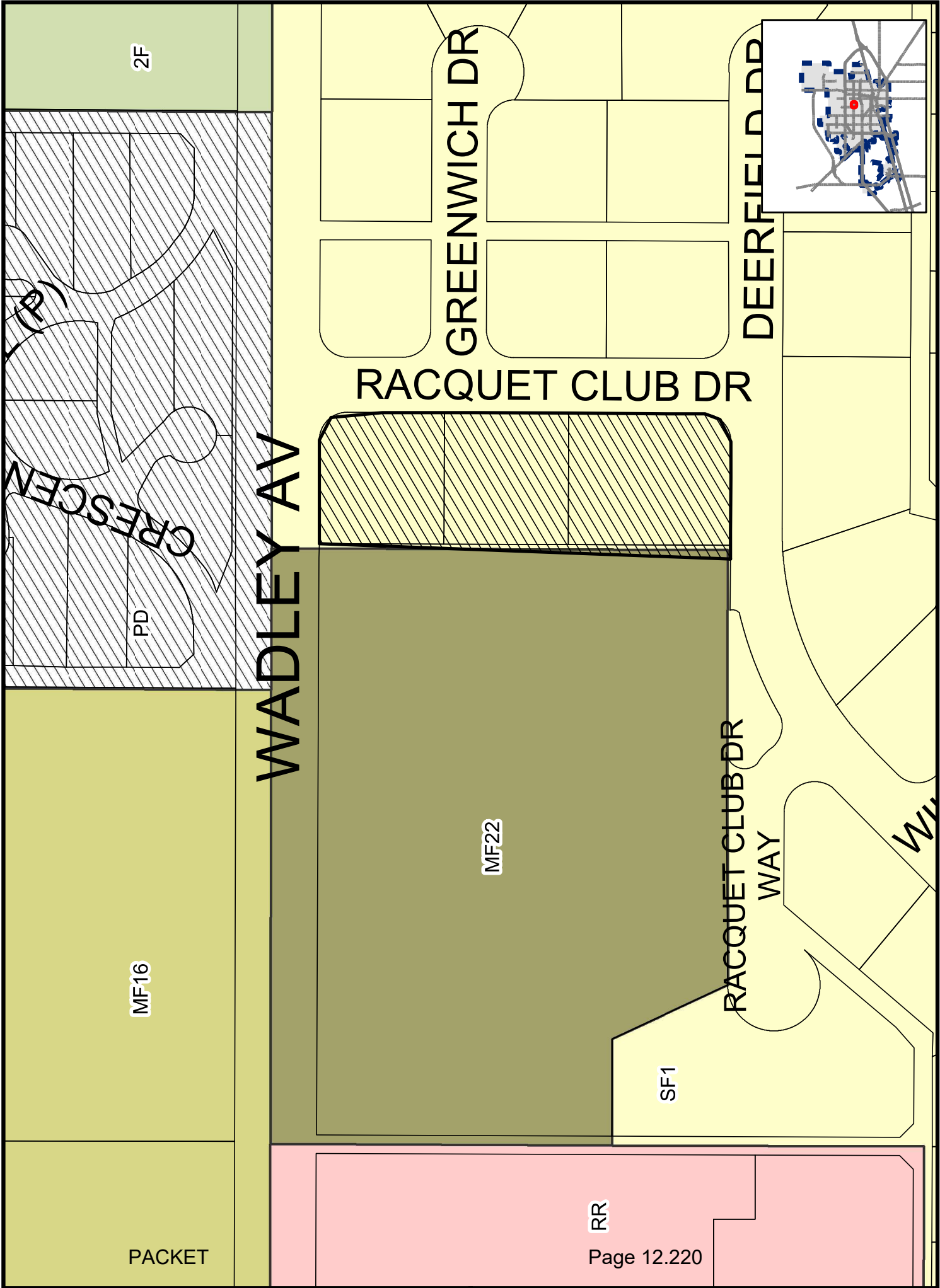
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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2F

PD

MF16

PACKET

WADLEY AV

RACQUET CLUB DR

GREENWICH DR

DEERFIELD DR

MF22

SF1

RR

Page 12.220





WADLEY AV

GREENWICH DR

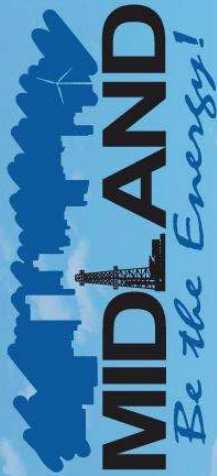
DEERFIELD DR

RACQUET CLUB DR

CLUB DR

WADLEY WAY





Glen Arden, Section 2

ITEM # FINAL PLAT



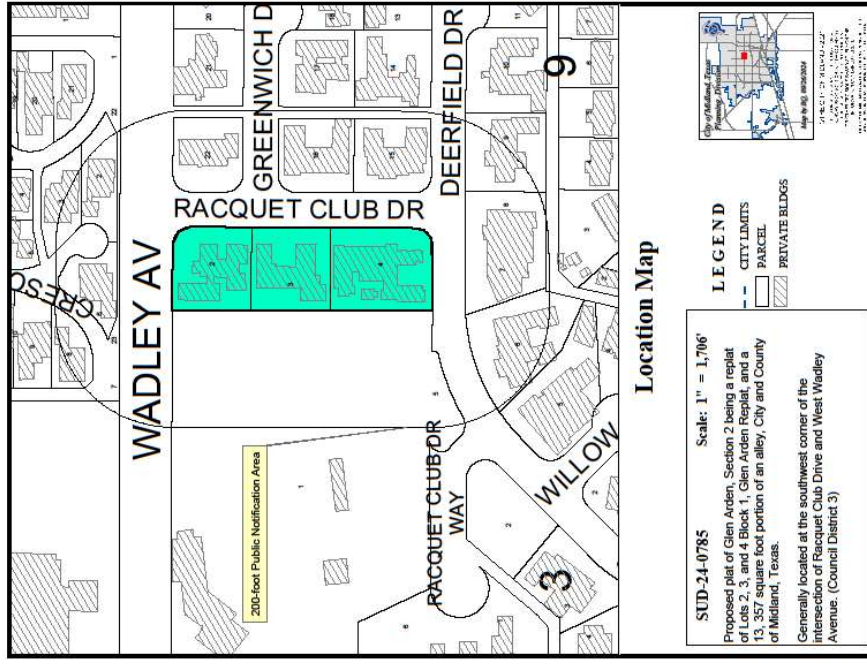
Visit Our Website

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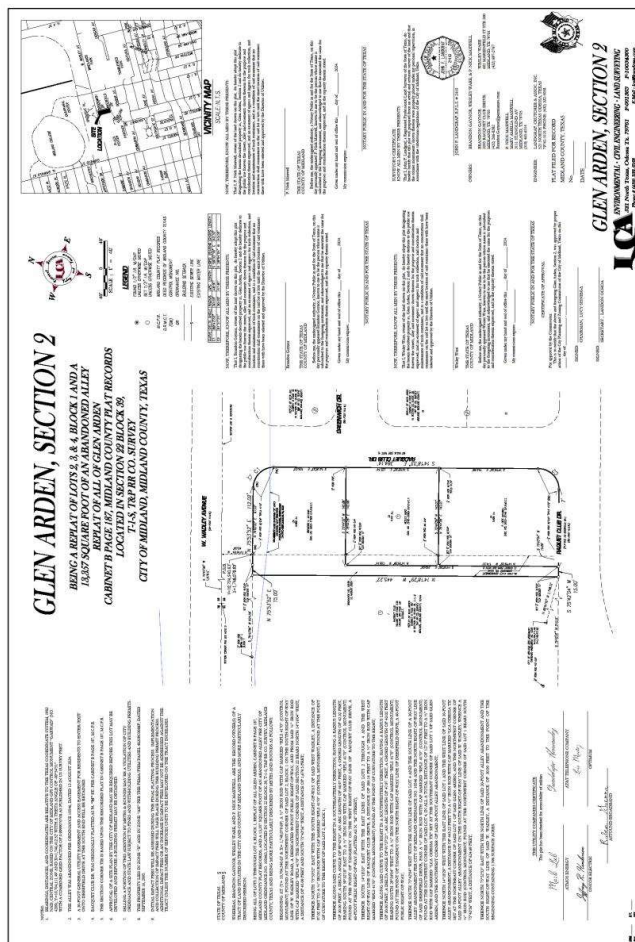
August 19, 2024

Application Summary

- **Property Owner:** Brandon K Gaynor, Wesley Ware & P. Nick Maxwell
- **Representative:** Gracie Rodriguez with Landgraf, Crutcher & Associates (acting on property owners' behalf)
- **Address:** Generally located at the southwest corner of the intersection of Racquet Club Drive and West Wadley Avenue. (District 3)

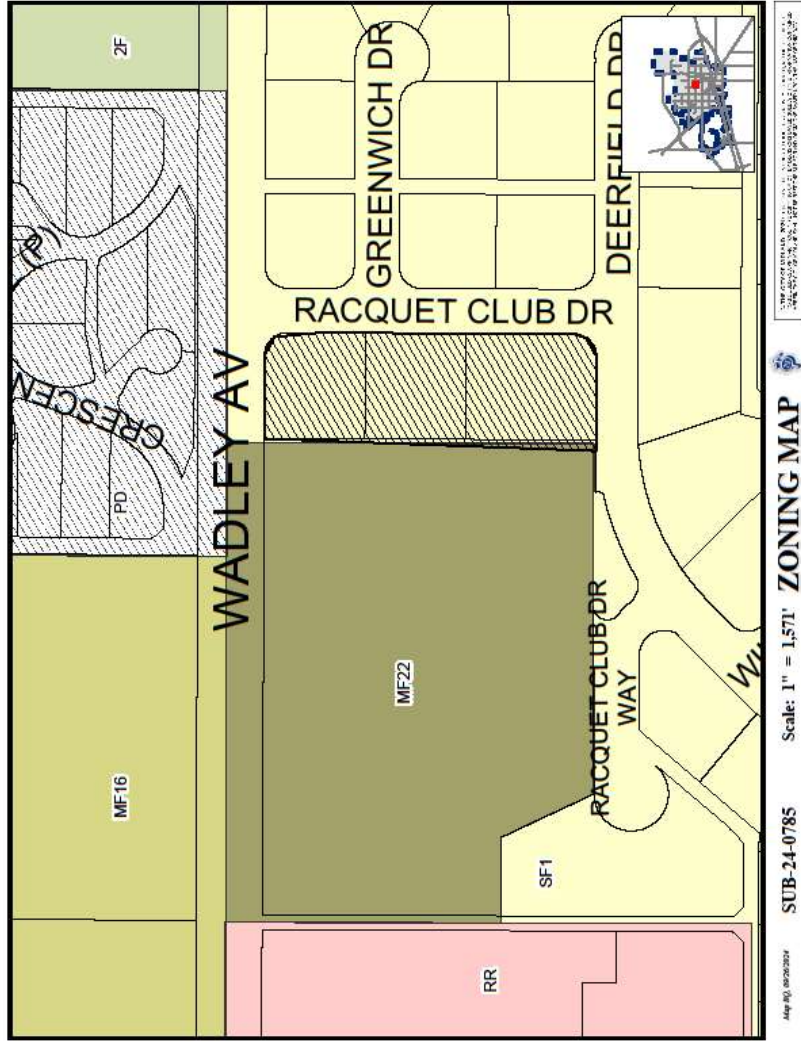


- **Acreage:** 1.596
- **Number of lots:** Platting 3 lots to incorporate vacated alley
- **Reason for Request:** Platting block after alley vacation (Ordinance No. 10546



Zoning

- **Current Zoning:** SF-1, Single-Family Dwelling District
- **Surrounding Zoning:**
 - **North:** PD, Planned Development District (Housing Development)
 - **South & East:** SF-1, Single-Family Dwelling District
 - **West:** MF-22, Multiple-Family Dwelling District

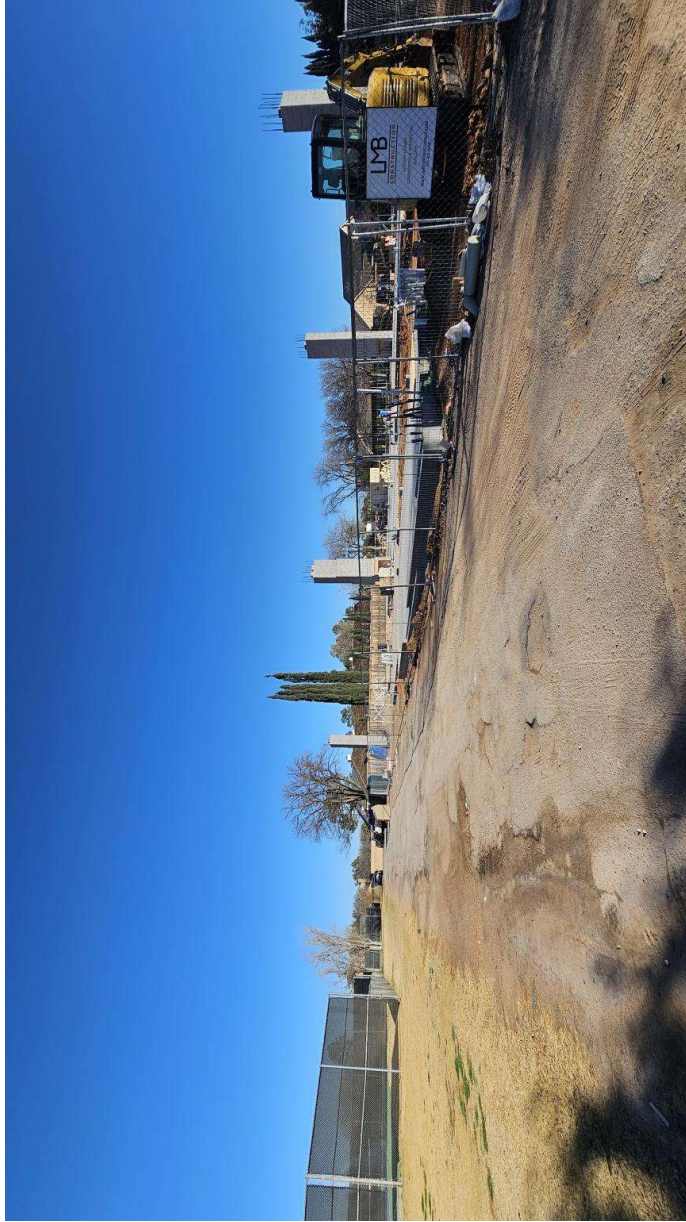


Land Use

- **Current Use of the Property:**
Residential
- **Surrounding Uses:**
 - North: Residential
 - South: Residential
 - East: Residential
 - West: Tennis Courts



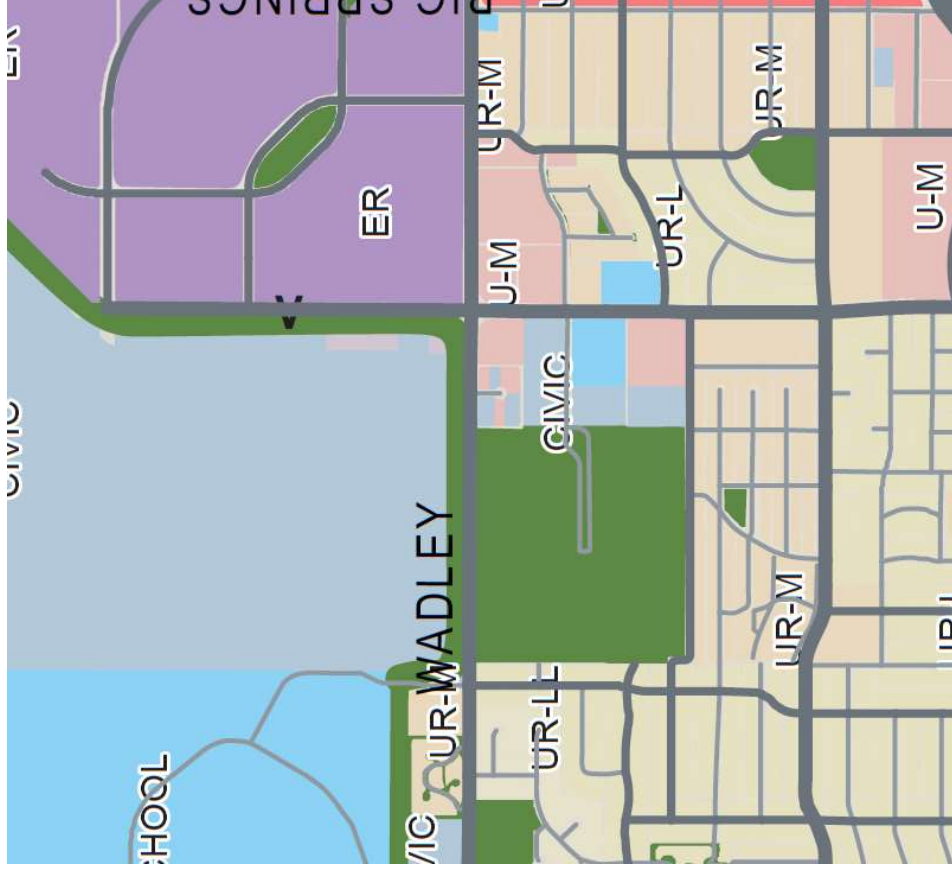
Site Photo



On Racquet Club Drive, Looking
north.

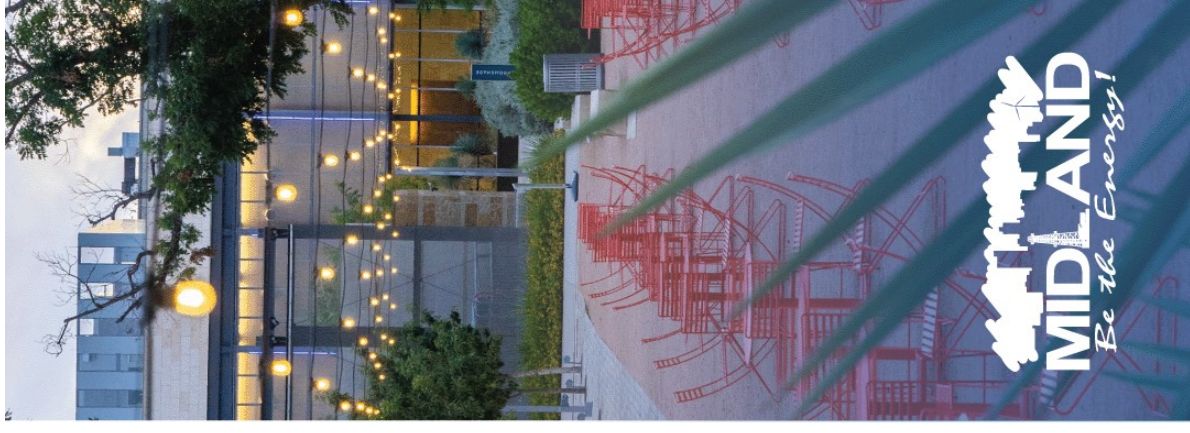
Comprehensive Plan

- **TCT Land Use Designation:**
Urban Residential – Large Lot (UR-LL)
- **Supported Uses:**
 - Compatible with most-single family detached housing in neighborhoods with very large lots that are typically withing the existing city development area.
- Request is compatible with both Tall City Tomorrow plan and surrounding area.



Staff's Recommendation

- No objection letters have been received.
 - Staff recommends APPROVAL of the final plat of Glen Arden, Section 2.
- A. Access easement and recording information and required by the Engineering department is depicted on final mylar prior to recording. [11-14-6]



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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving a reinstatement of an approved Preliminary Plat of Legacy Addition, Section 11, being a plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, City and County of Midland, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Parkhill, is requesting to plat a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, Midland County, Texas. The Planning and Zoning Commission granted a 30-day waiver of this plat at their May 15, 2023, to allow time for the applicant to submit a revised preliminary drainage study. Engineering has now received and approved this drainage study.

Current Zoning:

SF-3, Single-Family Dwelling District

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

BUILDING CODE: (Approved)

No objection.

ENGINEERING: (Approved with Conditions)

*** Updated 05.15.2023.***

IMPACT FEES: Okay as shown. [For the Applicant's information only.]

ROW: ROW okay as shown. [For the Applicant's information only.]

PAVING: Internal paving improvements have not been submitted/accepted. Construct roads shown to City Standards for entire platted frontage. [Reference City Code Sect. 11-2-3(G)1]

WATER: Internal water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots with looped system. [Reference City Code Sect. 11-2-3(G)1]

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

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

SEWER: Internal water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. [Reference City Code Sect. 11-2-3(G)1]

DRAINAGE: Preliminary Drainage Study has been approved for platting purposes. The Community Number in the Flood Zone Information note is incorrect. Also, this plat is only located within the 48329C0200F panel and not the 48329C0182F panel. Revise accordingly. [For the Applicant's information only.]

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

SIDEWALKS: Sidewalks required on collector/arterial roadway, along common areas and ADA ramps required at corners before public infrastructure is accepted. [Reference City Code Sect. 11-2-3(G)1]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 11 new intersections created at \$500/intersection = \$5500. Fee shall be adjusted based on number of intersections if Final Plat is phased. [Reference City Code

Section 11-2-5(C)3(t).]

FIRE: (Approved)

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

OIL AND GAS: (Approved)

Notation needed on the plat in the notes: P&A well identified Spanish Trail #3812 located on Crown Point Court. P&A Spanish Trail #3804 located between lots 2 & 3 on Tract 3. No structure shall be built over an abandoned well.

GIS: (Approved)

Plat needs two sets of x-y coordinates. One of these coordinates should be labeled as POB. Once a POB is provided, corners can be validated. Block 34 is missing from block numbering. Streets should be named instead of numbered. Drainage easement recording information should be included on plat visual.

PLANNING: (Approved)

Staff recommends approval of the Preliminary Plat of Legacy Addition, Section 11 subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**
- B. The preliminary plat and any subsequent final plat are conditional on the associated Annexation and Initial Zoning being approved by City Council.**

Attachments:

Application
Preliminary Plat
Location Map
Zoning Map
Aerial
Reinstatement Letter



January 13, 2025

Mr. Landon Ochoa
Planning Division Manager
City of Midland
Post Office Box 1152
Midland, Texas 79702

Re: Legacy Addition, Section 11 – Preliminary Plat Reinstatement
Parkhill Project No. 40032.22

Dear Mr. Ochoa:

As you are aware, the Preliminary Plat for Legacy addition Section 11 was approved on June 5th, 2023.

In order to continue development of this area, we are requesting reinstatement of the now expired Preliminary Plat for this area by the Commission. No conditions exist or have changed that we are aware of that would make this reinstatement undesirable. Please consider putting this matter before the Planning and Zoning Commission at your earliest convenience.

If you have any questions at all about this request, please let me know. Thank you.

Sincerely,

PARKHILL

By _____
Josh Wallender



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Legacy Addition, Section 11

Legal Description (attached sealed Metes and Bounds): A 24.897-acre tract of land, approximately 24.853-acres in Section 38, Block 40, T-1-S T&P RR. Co. Survey, Abstract No. 829 and approximately 0.044-acres in Section 47, Block 40, T-1-S T&P RR. Co. Survey, Abstract No. 183, Midland County, Texas

Property OwnerPrinted Name: Cumberland & Western Resources, LLC

Phone ()

Email

Address 2200 Lapsey LaneCity Bowling GreenState KYZip 42103**Developer (if different than Owner)**Printed Name: D.R. Horton - Texas LTD

Phone ()

Email

Address 6175 N FreewayCity Ft WorthState TxZip 76131**Representative (if acting as Agent, see affidavit on page 2)**Firm: ParkhillPrinted Name: Josh Wallender (PSC PROJ # 40032.22)Phone (432) 697-1447

Email

jwallender@Parkhill.comAddress 1700 West Wall, Suite 100City MidlandState TexasZip 79701**Current Zoning:** in process of obtaining SF-3 / Annexation**Reason for Platting:** Development into Residential use**Plat Information**

Total Acreage:

24.897 Ac.Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 24.897 Ac.

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): Greg Betterton

Date: April 24, 2023

Property Owner (printed) : Greg Betterton

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

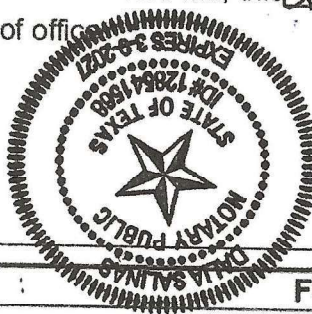
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wallender who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Cumberland and Western Resources 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.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of April, 2023, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

Received By: _____

Date: _____

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

Preliminary Plat
LEGACY ADDITION
SECTION 11
BENEVOLENT ORDER OF ELKS LODGE TRACT IN
SECTION 38, BLOCK 40, and SECTION 47, BLOCK
40, T-1-S, T-AP, RAILROAD SURVEY, MIDLAND
COUNTY, TEXAS

UTILITY COMPANIES CERTIFICATE
This plat has been checked for accessibility of
utilities.

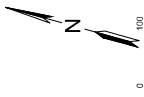
Oscar Electric Delivery Service (PLEASE PRINT)

A/V&T Texas (PLEASE PRINT)

Arcore Energy (PLEASE PRINT)

Arcore Broadband (PLEASE PRINT)

Optimum (PLEASE PRINT)



LEGEND

- PROPOSED PLAT LIMITS
- PROPOSED PLATTED LOT LINES
- PROPOSED UTILITY EASEMENTS
- PROPOSED DRAINAGE EASEMENTS
- PROPOSED CENTERLINE ROAD
- OPEN SPACE DEFINED IN COTS
- EXISTING LOT LINES
- EXISTING EASEMENTS
- EXISTING LOT LINES
- EXISTING WATER LINE
- CITY LIMITS

NOTES:

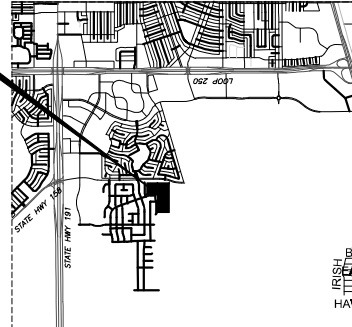
- RELATIVE TO THE ADDITION OF LOTS AND BOUNDARY MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- BEFORE THESE LOTS MAY BE DEVELOPED OR BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- UTILITY COMPANIES SPECIFIED.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING OF THIS ADDITION. THE CITY OF MIDLAND WILL BE RESPONSIBLE FOR THE PAYMENT OF THESE FEES. THE CITY OF MIDLAND WILL BE RESPONSIBLE FOR THE PAYMENT OF THESE FEES. THE CITY OF MIDLAND WILL BE RESPONSIBLE FOR THE PAYMENT OF THESE FEES.
- BASED ON THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, COMMUNITY NUMBER 483477, SHEET NUMBER 483477-000000, REVERED AERIAL PHOTOGRAPHIC SURVEY OF THE CITY OF MIDLAND, TEXAS, DATED 1994, AERIAL PHOTOGRAPHIC SURVEY OF THE CITY OF MIDLAND, TEXAS, DATED 1994, AERIAL PHOTOGRAPHIC SURVEY OF THE CITY OF MIDLAND, TEXAS, DATED 1994.
- RELATIVE TO THE EXISTING DRAINAGE EASEMENTS, THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE EXISTING DRAINAGE EASEMENTS AND HAS DETERMINED THAT THE EXISTING DRAINAGE EASEMENTS ARE SUFFICIENT TO DRAIN THE ADDITION. THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE EXISTING DRAINAGE EASEMENTS AND HAS DETERMINED THAT THE EXISTING DRAINAGE EASEMENTS ARE SUFFICIENT TO DRAIN THE ADDITION.
- RELATIVE TO THE EXISTING DRAINAGE EASEMENTS, THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE EXISTING DRAINAGE EASEMENTS AND HAS DETERMINED THAT THE EXISTING DRAINAGE EASEMENTS ARE SUFFICIENT TO DRAIN THE ADDITION. THE CITY OF MIDLAND, TEXAS, HAS REVIEWED THE EXISTING DRAINAGE EASEMENTS AND HAS DETERMINED THAT THE EXISTING DRAINAGE EASEMENTS ARE SUFFICIENT TO DRAIN THE ADDITION.

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of LEGACY ADDITION, SECTION 11 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this the _____ day of _____, 20__.

Chairman - Lucy Savage
Secretary - Jeff Fisher

LEGACY ADDITION SECTION 11



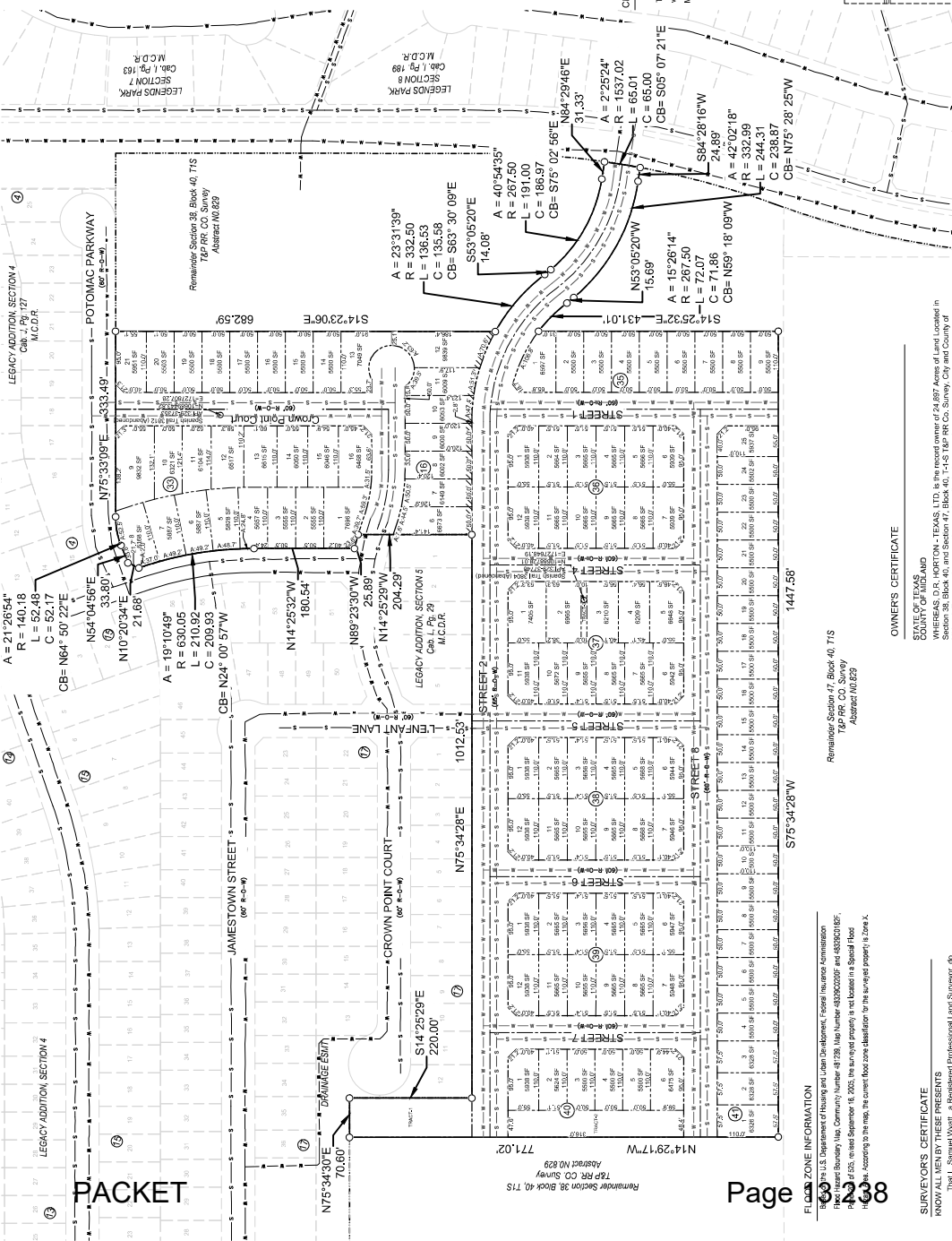
DEVELOPER:

D.R. HORTON - TEXAS, LTD
Fort Worth, Texas 76131
817-230-0800

ENGINEER:

Parkhill
1700 W. Wall St., #100
Midland, Texas 79701
432-697-1447

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
DATE _____



OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND
WHEREAS, D.R. HORTON - TEXAS, LTD. is the record owner of 24.897 Acres of Land located in Section 11, Block 40, T-1-S, T-AP, RAILROAD SURVEY, MIDLAND COUNTY, TEXAS, and more particularly described, shown on the plat herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

That, D.R. HORTON - TEXAS, LTD. do hereby designate the herein above described property as LEGACY ADDITION, SECTION 11 to the City and County of Midland, Texas, and we do hereby dedicate to the public use forever the streets, and easements shown thereon.

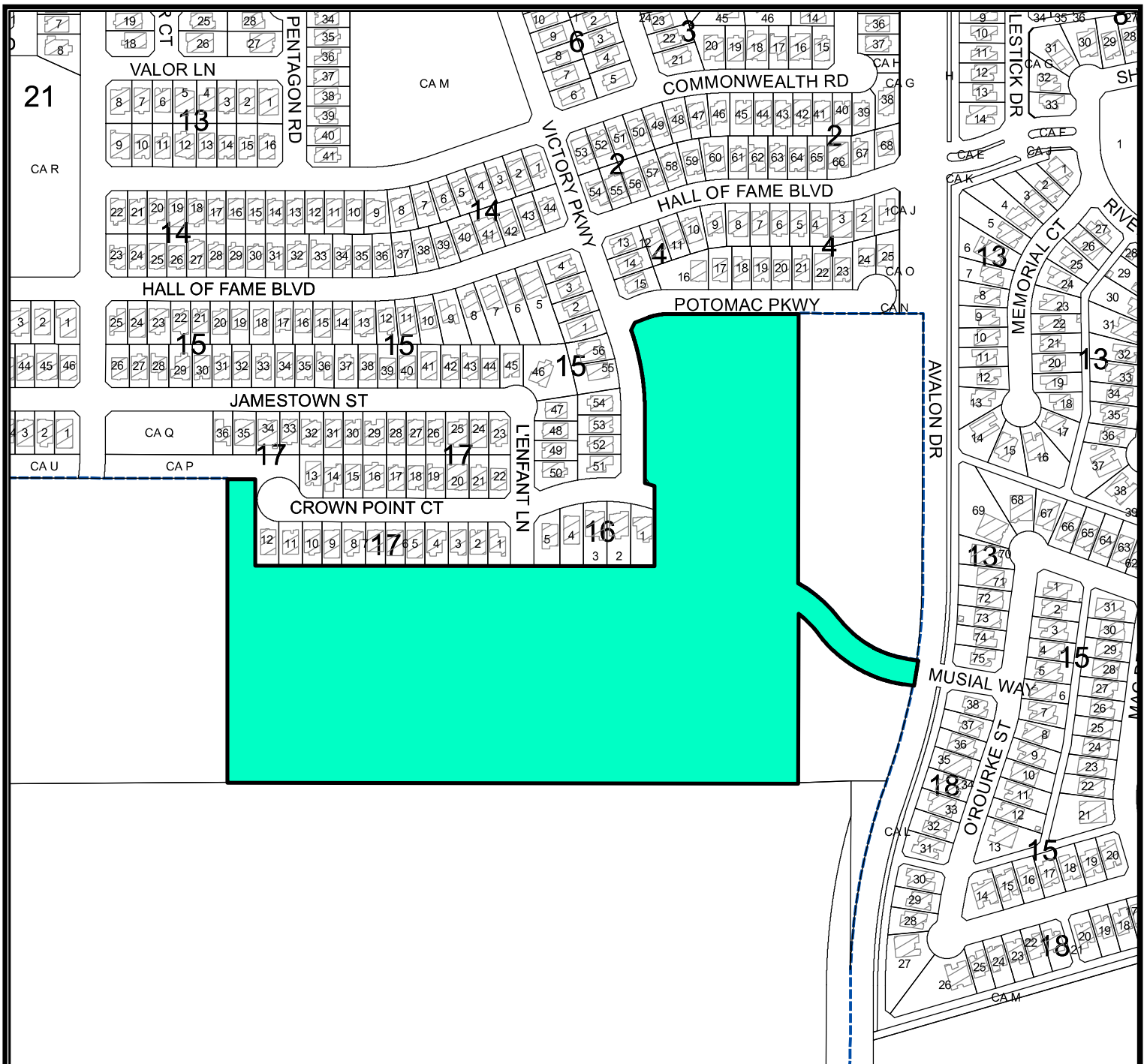
WITNESS our hands at Fort Worth, Texas, this the _____ day of _____, 20__.

By: Ben Clark Division Vice President

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on _____, 20__, by Ben Clark on behalf of D.R. HORTON - TEXAS, LTD.

Notary Public Signature



Location Map

SUB-22-0555

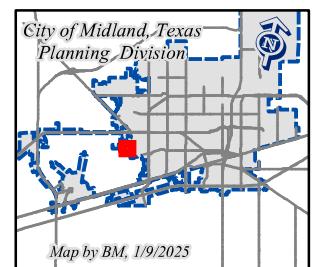
Scale: 1" = 366'

Proposed Plat of Legacy Addition, Section 11, being a plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, City and County of Midland, Texas.

Generally located on the southeast corner of Potomac Parkway and Victory Parkway. (District 4)

LEGEND

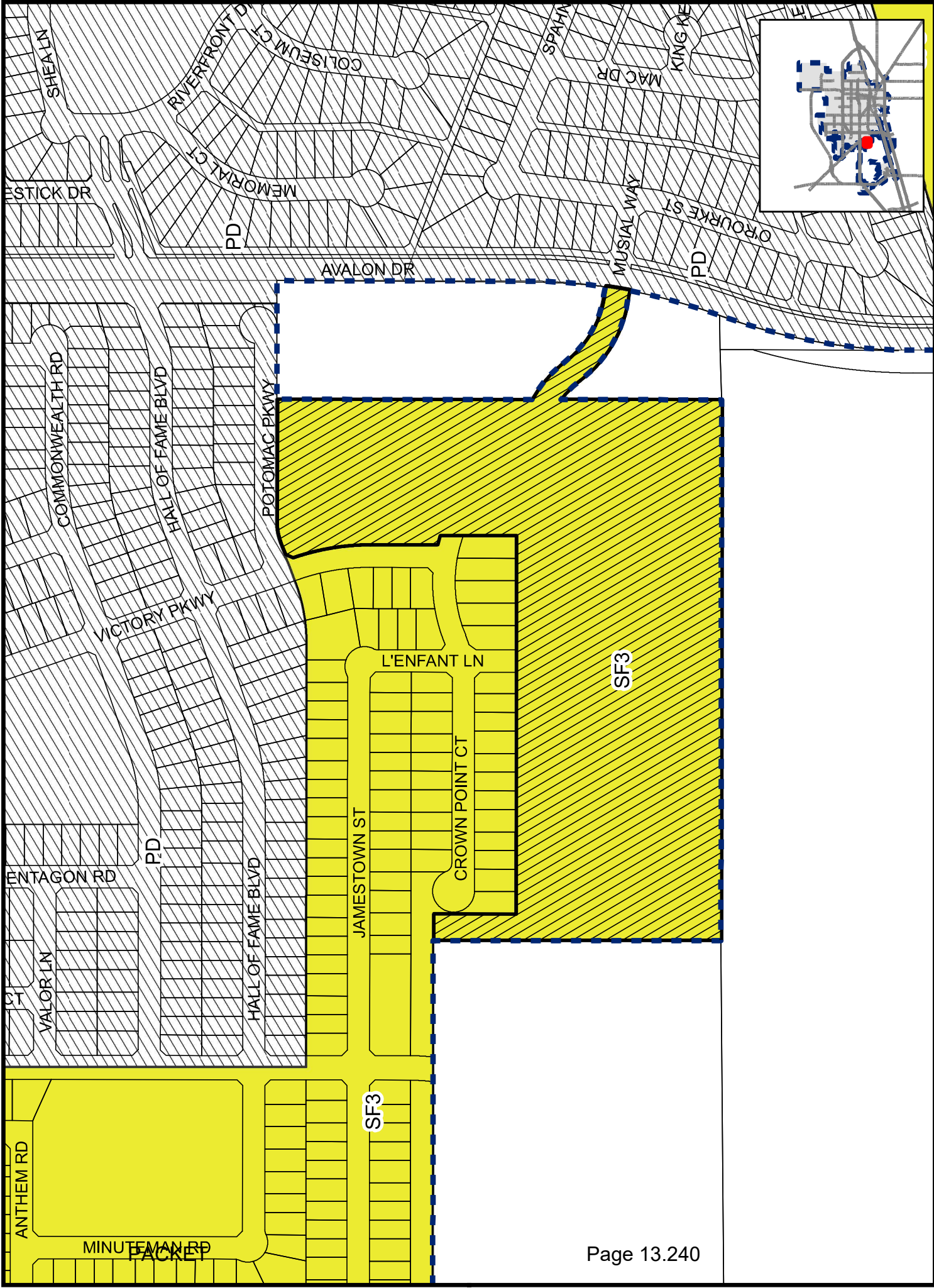
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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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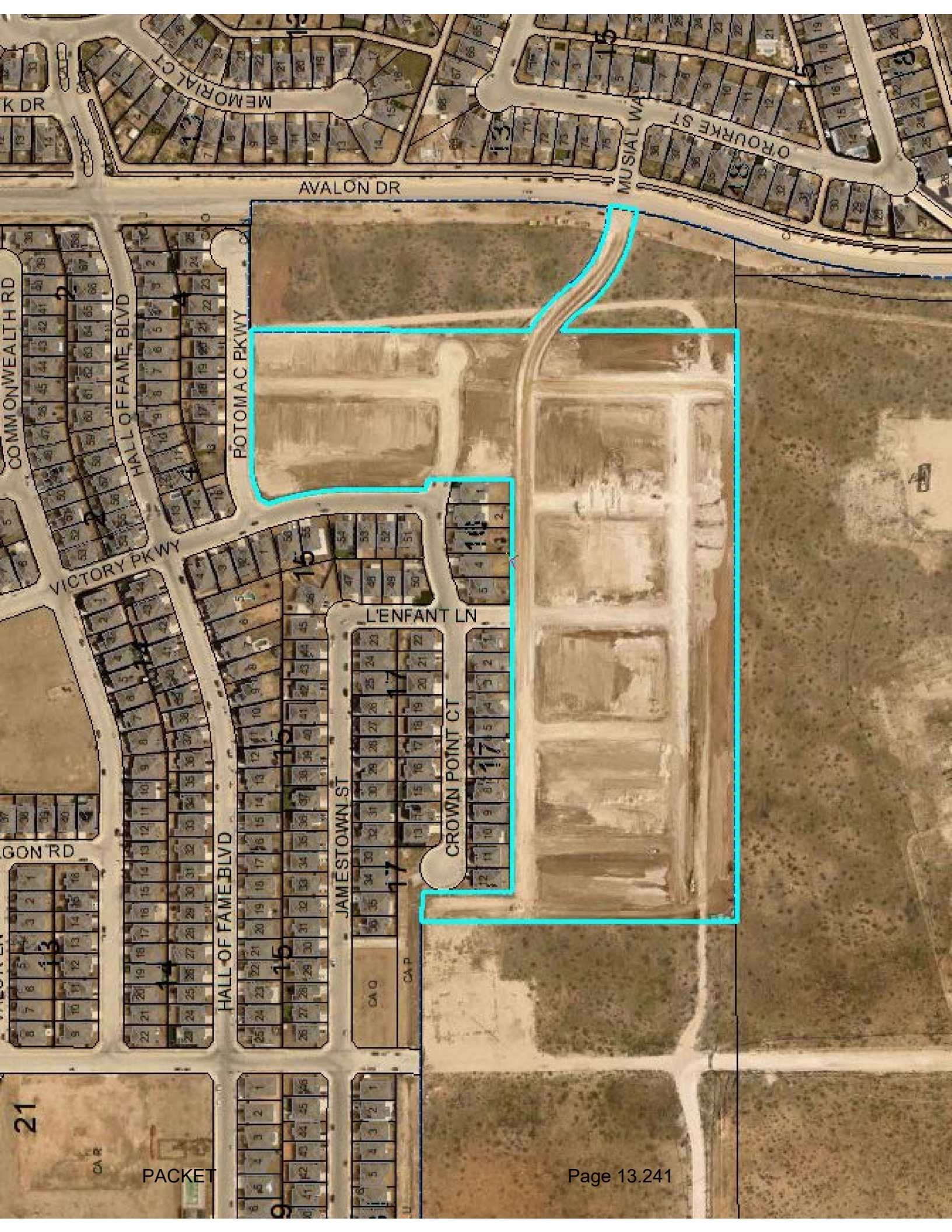


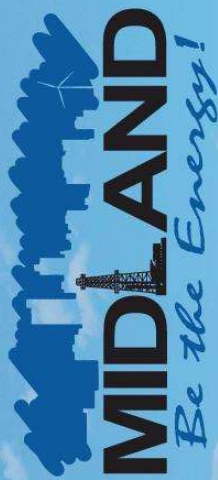
ZONING MAP

Scale: 1" = 323'

SUB-22-0555

Map BM, 1/9/2025





LEGACY ADDITION, SECTION 11 ITEM — PRELIMINARY PLAT REINSTATEMENT

January 21, 2025

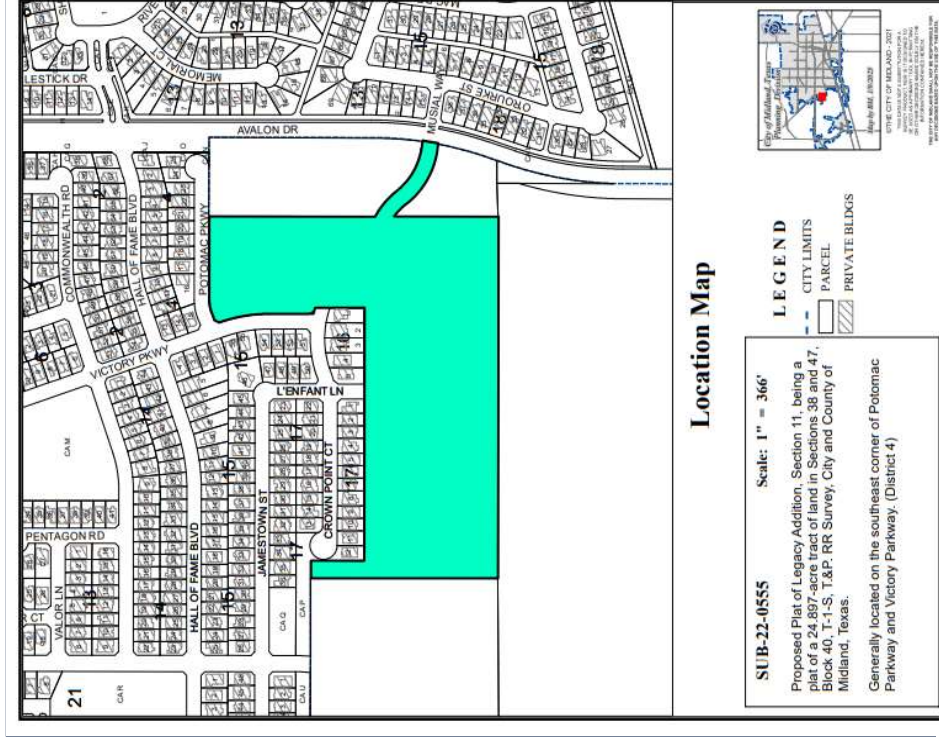


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MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner & Developer:** DR Horton-Texas, LTD
- **Representative:** Josh Wallender, with Parkhill
- **Application Type:** Preliminary Plat Reinstatement
- **Address:** Generally located on the southeast corner of Potomac Parkway and Victory Parkway (District 4)

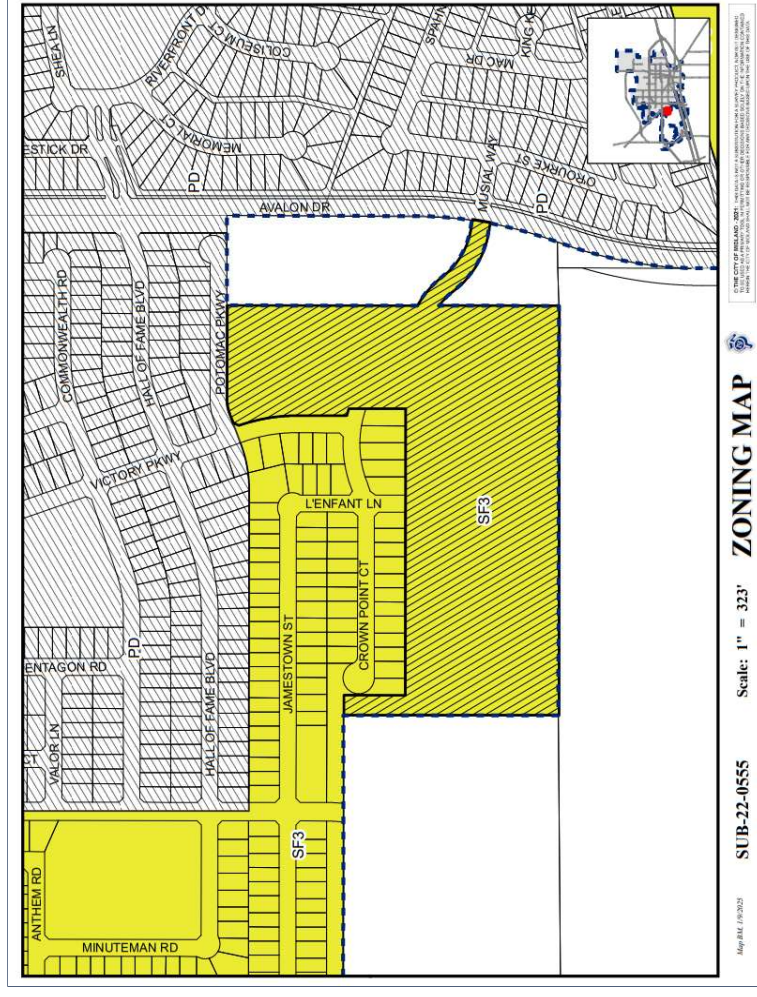


- ## Platting for future residential development



ZONING

- **Current Zoning:** SF-3, Single-Family Dwelling District
- **Surrounding Zoning:**
 - **North:** SF-3, Single-Family Dwelling District and PD, Planned Development District for a Housing Development
 - **South, East, & West:** ETJ, Extraterritorial Jurisdiction



LAND USE

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



COMPREHENSIVE PLAN ANALYSIS

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



COMPREHENSIVE PLAN ANALYSIS

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



RELATED ITEMS

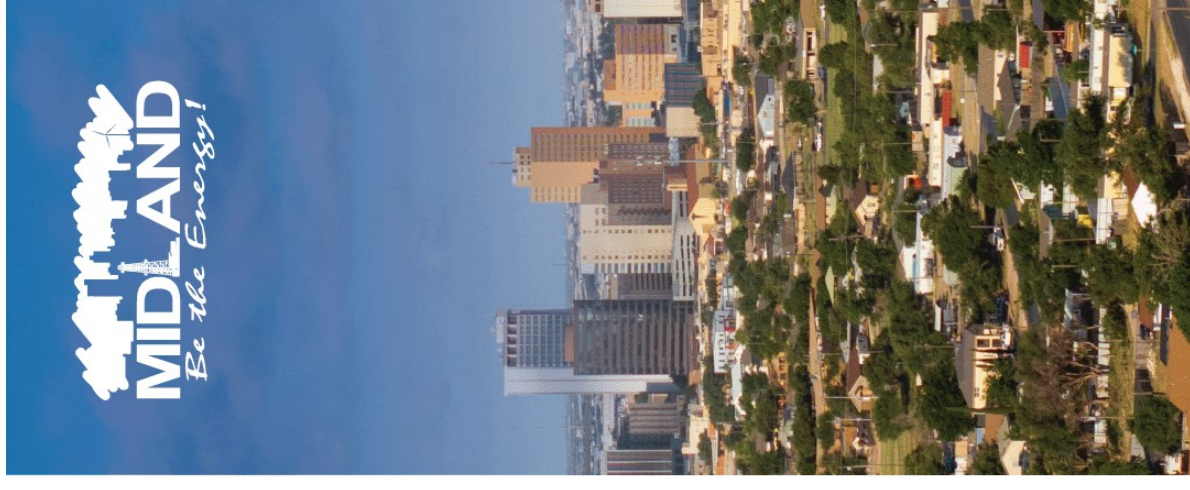
- The preliminary plat was originally approved at the June 5, 2023, Planning and Zoning Commission meeting.



STAFF RECOMMENDATION

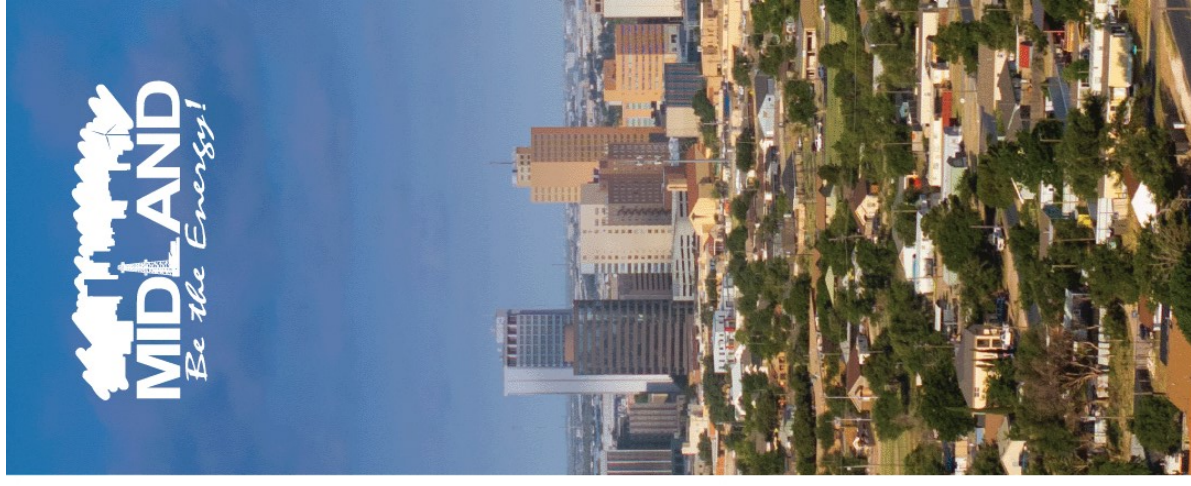
Staff recommends **APPROVAL** of the Preliminary Plat of Legacy Addition, Section 11 subject to conditions A and B.

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.



STAFF RECOMMENDATION

B. The preliminary plat and any subsequent final plat are conditional on the associated Annexation and Initial Zoning being approved by City Council.



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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Final Plat of Legacy Addition, Section 11, being a plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, City and County of Midland, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single-Family Dwelling District.

Preliminary Plat Approval:

Parkhill, on behalf of DR Horton-Texas, LTD, is requesting to plat a 24.897-acre tract located south of Potomac Parkway of land into 121 lots for future residential development.

The preliminary plat was approved at the June 5, 2023, Planning and Zoning Commission meeting and is being proposed to be reinstated at the January 21, 2025, 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 with Conditions)

* * * Approved with Conditions Per Midland City Code Sect. 11-2-3(G)1: "Timing of public improvements. Except as provided otherwise herein, all street, alley, water, sanitary or storm sewer, and other public improvements, as well as lot improvements on the individual lots of the subdivision or addition as required in these regulations, for subdivisions within the City or within 1.5 kilometers (0.93 miles) thereof, shall be installed as required by the public improvement plans, prepared in accordance with Section 11-2-4, offered for dedication and accepted by the City prior to final plat approval. The required improvements shall be those specified and approved by the City in the public improvement plans. As used in this Section, "lot improvements" refers to grading and installation of improvements required for proper drainage and prevention of soil erosion."

IMPACT FEES: Okay as shown. [For the Applicant's information only.]

ROW: ROW okay as shown. [For the Applicant's information only.]

PAVING: Internal paving improvements have not been accepted nor has a final walk-through been requested. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: Water improvement have not been accepted nor has a final walk-through been requested. [Reference City Code Sect. 11-2-3(G)1]

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

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

SEWER: Wastewater improvement has not been accepted nor has a final walk-through been requested. [Reference City Code Sect. 11-2-3(G)1]

DRAINAGE: Drainage study has been approved. Comply with Legacy Addition, Section 11 Drainage Study, prepared by Parkhill and approved by City on 11/16/2023. [For Applicant's Information Only.]

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

SIDEWALKS: Sidewalk improvement have not been accepted nor has a final walk-through been requested. [Reference City Code Sect. 11-2-3(G)1]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with Conditions)

Street Name and Traffic Control Sign fee will be required before recording. [Reference City Code Section 11-2-5(C)3(t).]

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)

Dash diagonal of corner clip or legs of corner clip. Provide another set of x-y coordinates. For 20'x20' corner clip, please change area to sq ft instead of acres.

Planning: (Approved with Conditions)

Staff recommends approval of the Final Plat of Legacy Addition, Section 11, subject to conditions A and B.

Condition:

- A. Street Name and Traffic Control Sign fee has been paid to the Transportation department before filing for recording with the County Clerk of Midland County, Texas. [Reference City Code Section 11-2-5(C)3(t).]**
- B. All required public improvements must be completed before filing for recording with the County Clerk of Midland County, Texas. [Per Midland City Code Sect. 11-2-3(G)1]**

Attachments:

Final Plat
Application
Location Map
Zoning Map

Aerial Photo
PowerPoint Presentation



Final Plat Application

Project Number:

Sub-24-0555

Case Number:

P-24-2164

Proposed Subdivision Plat Name: Legacy Addition, Section 11

Legal Description (attached sealed Metes and Bounds): Being a plat of a 24.897-acre tract in Section 38, Block 40, and Section 47, Block 40, T-1-S, T. & P. Railroad Survey, City and County of Midland, Texas; said 24.897-acre tract being conveyed to D.R. Horton - Texas, LTD. described in a special warranty deed recorded in Document No. 2023-16614. Official Public Records. Midland County, Texas.

Property Owner

Printed Name: DR Horton - Texas, LTD

Phone ()
Email

Address 6751 N Freeway

City Fort Worth

State TX

Zip 76131

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Parkhill

Printed Name: Josh Wallender

(Proj. # 40032.22)

Phone (432) 697-1447
Email

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State Texas

Zip 79701

Current Zoning: SF-3**Reason for Platting:** Platting for future development**Plat Information**

Total Acreage: 24.897 Ac.

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

Number of Lots: 121

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 12-18-27

Property Owner (printed):

James A. Hollands

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.

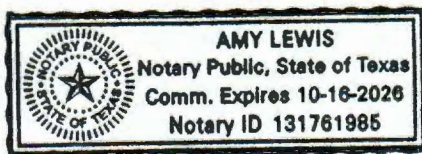
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Shelby Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 18th day of December, 20 24, to certify which witness my hand and seal of office.



Amy Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

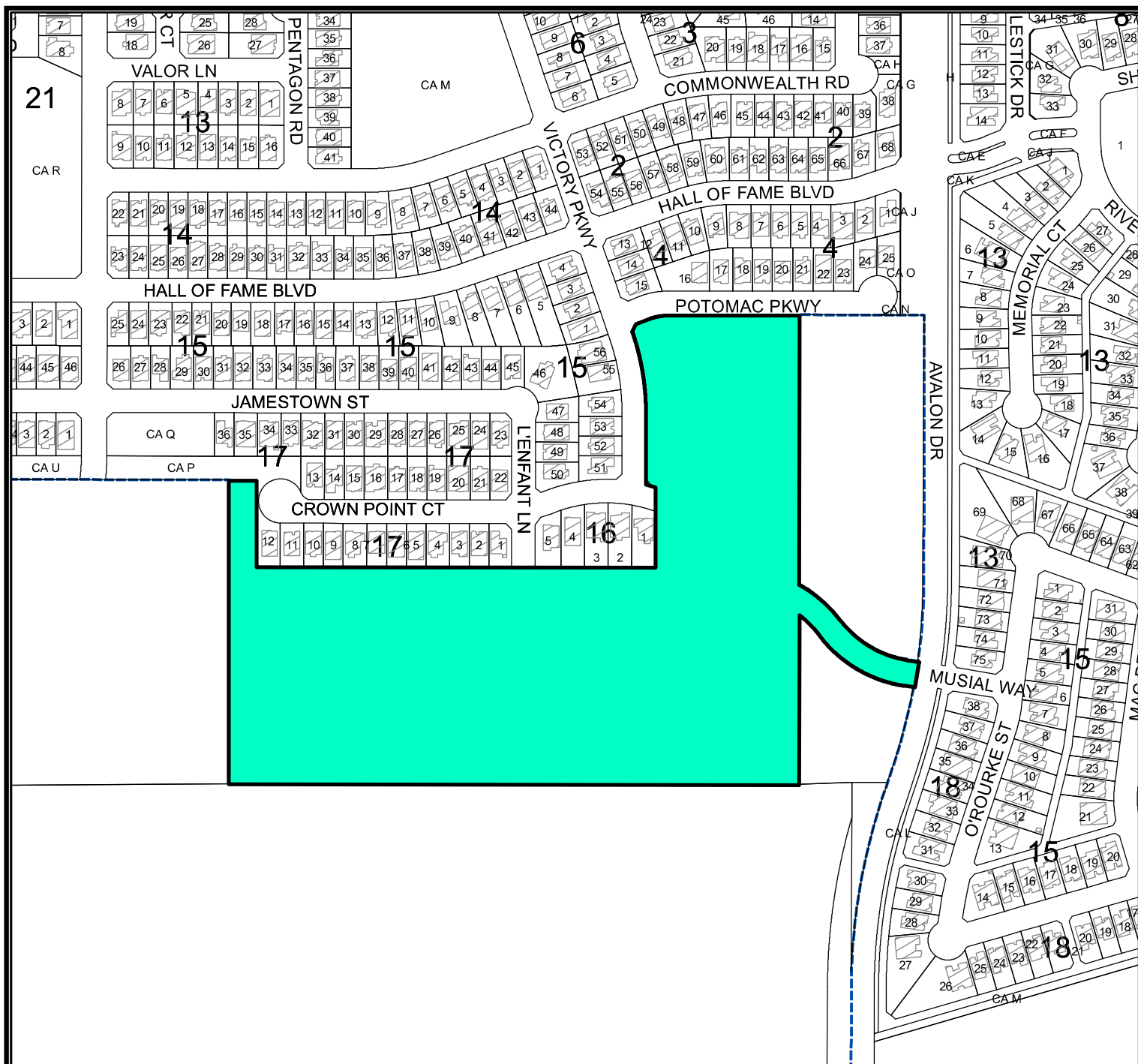
FOR OFFICE USE ONLY

- | | | |
|--|--|--|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☐ Public Improvement |
| Check # <u>Invoice</u> | ☒ Tax Certificates | ☐ Recording Fee |
| | | Check # <u>00 1624</u> |

Received By:

Date: DEC 23 2024

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



Location Map

SUB-22-0555

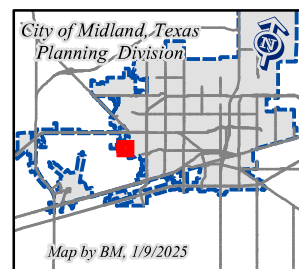
Scale: 1" = 366'

Proposed Plat of Legacy Addition, Section 11, being a plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, City and County of Midland, Texas.

Generally located on the southeast corner of Potomac Parkway and Victory Parkway. (District 4)

LEGEND

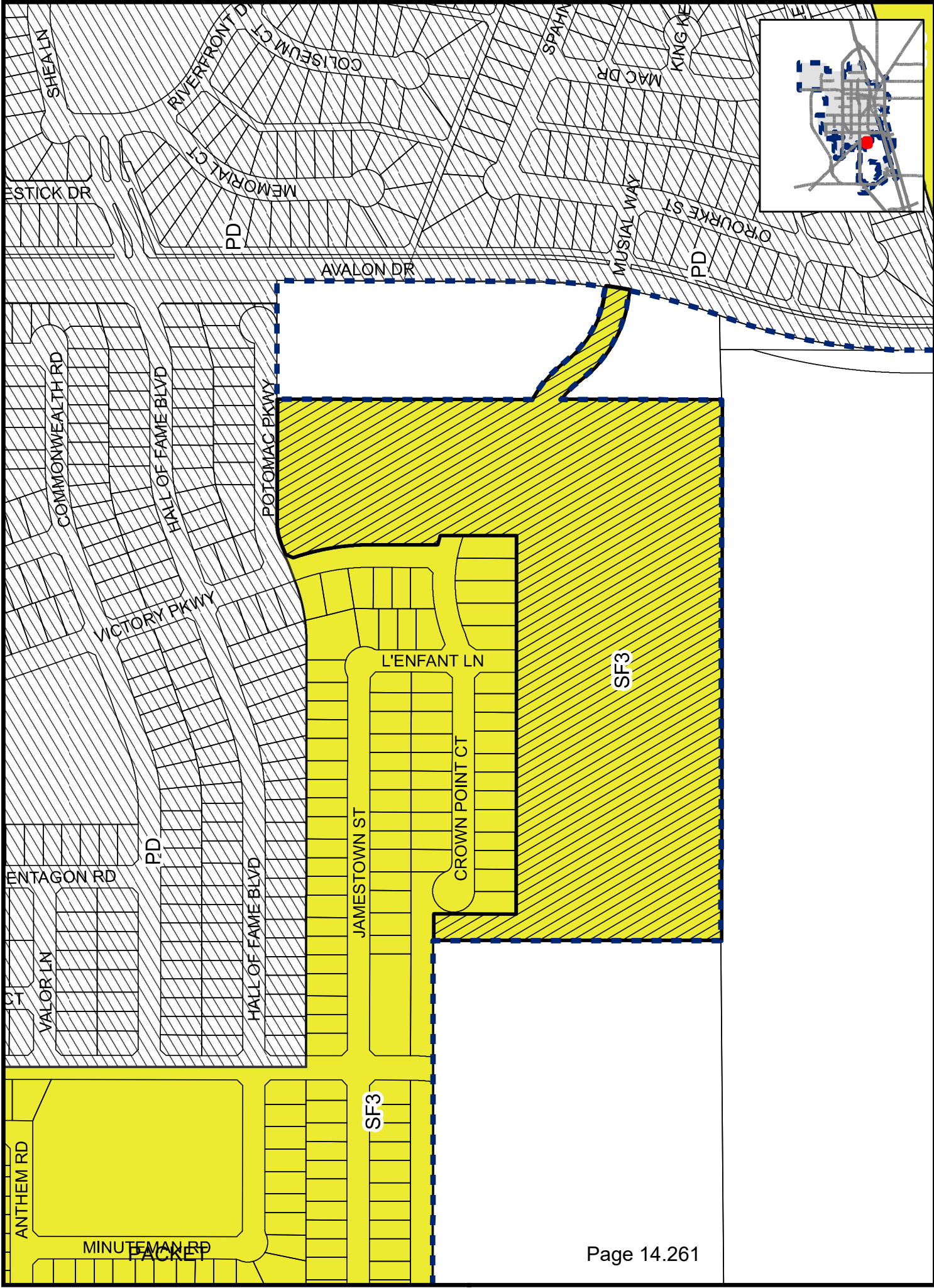
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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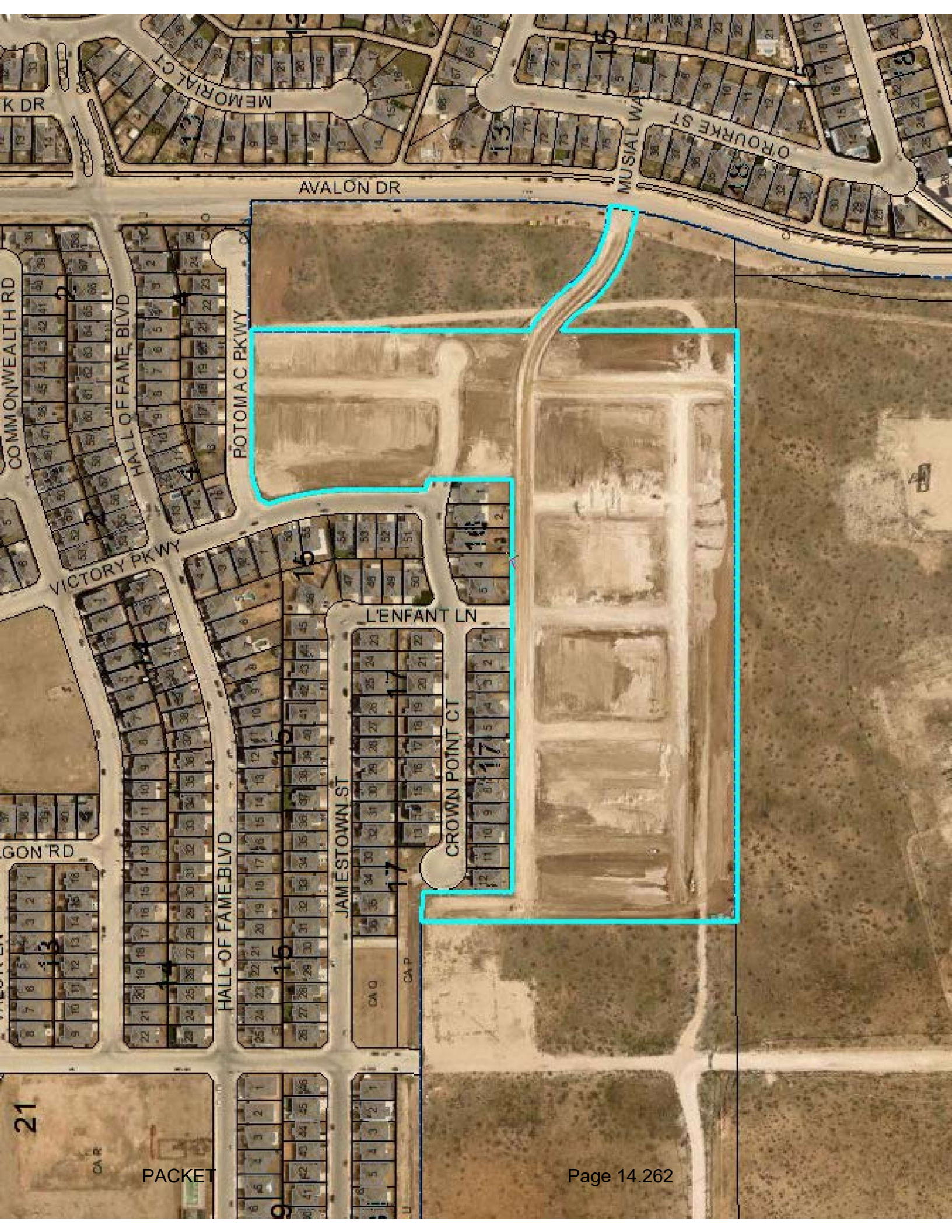


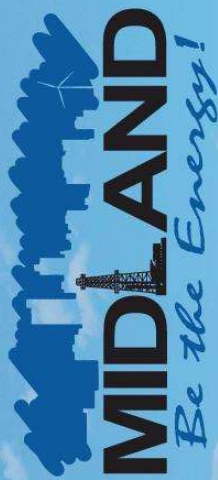
ZONING MAP

Scale: 1" = 323'

SUB-22-0555

Map BM, 1/9/2025





LEGACY ADDITION, SECTION 11

ITEM —
FINAL PLAT

January 21, 2025

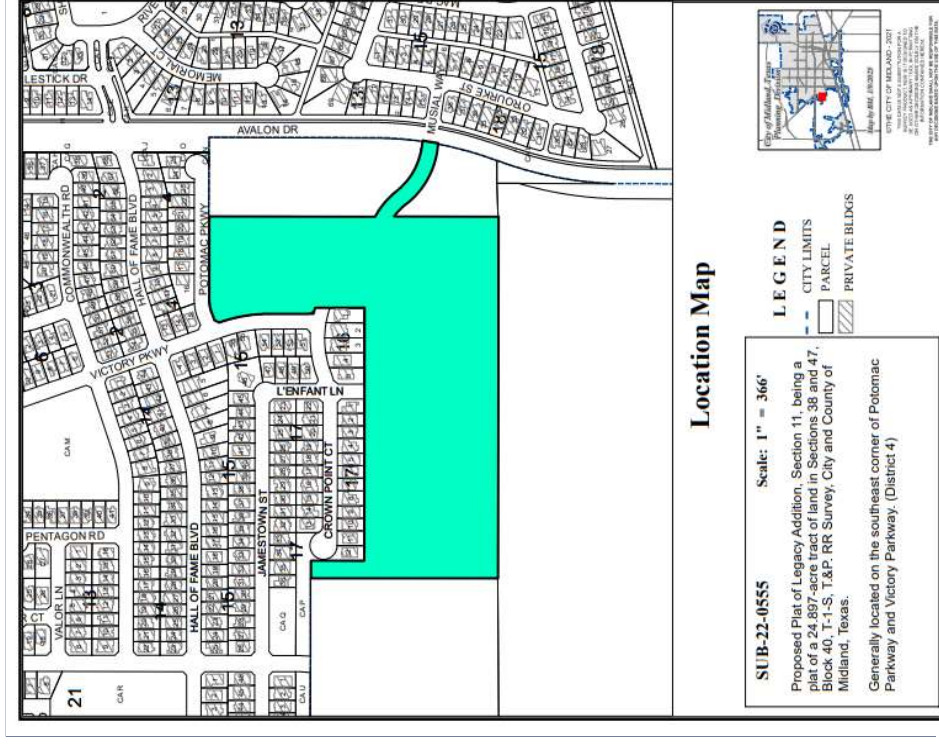


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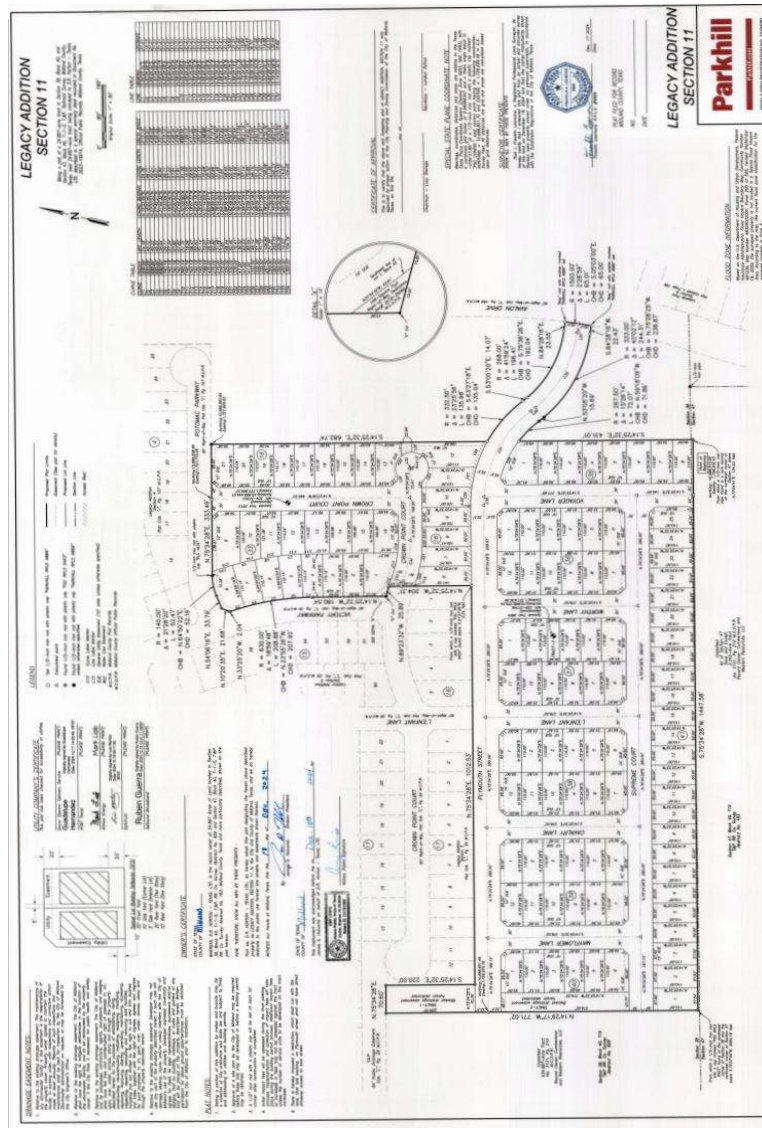
APPLICATION SUMMARY

- **Property Owner & Developer:** DR Horton-Texas, LTD
- **Representative:** Josh Wallender, with Parkhill
- **Application Type:** Final Plat
- **Address:** Generally located on the southeast corner of Potomac Parkway and Victory Parkway (District 4)



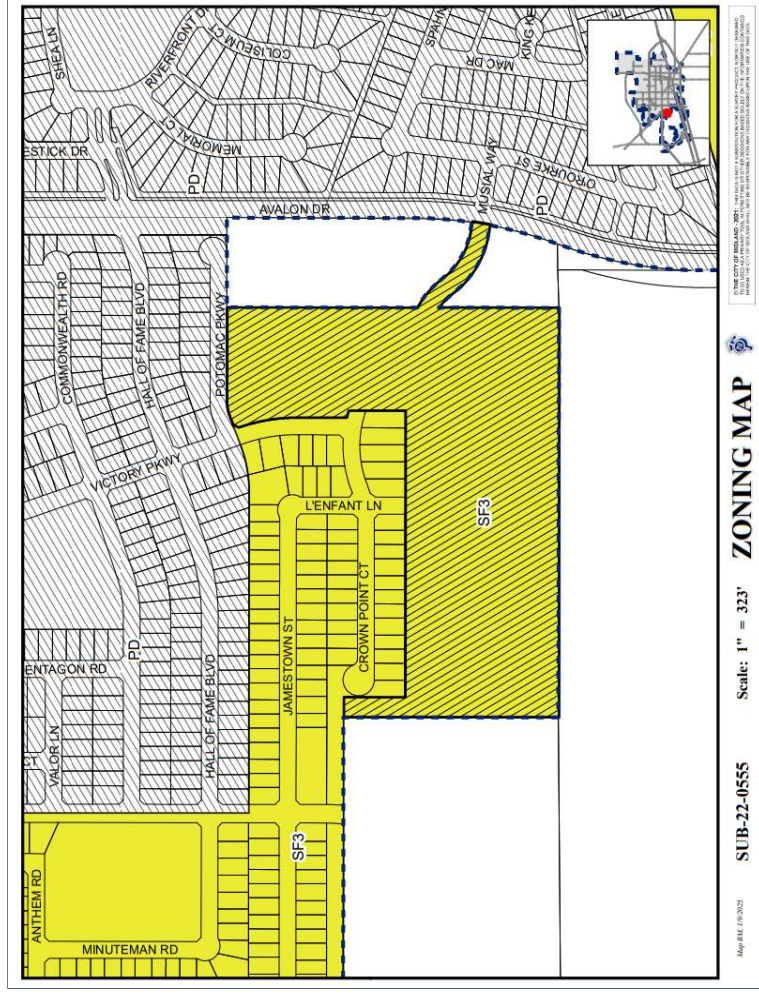
PLAT DETAILS

- **Acresage:** 24.897-acres
- **Number of lots:** 121 lots
- **Reason for Request:**
Platting for future residential development



ZONING

- **Current Zoning:** SF-3, Single-Family Dwelling District
- **Surrounding Zoning:**
 - **North:** SF-3, Single-Family Dwelling District and PD, Planned Development District for a Housing Development
 - **South, East, & West:** ETJ, Extraterritorial Jurisdiction



LAND USE

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



COMPREHENSIVE PLAN ANALYSIS

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



COMPREHENSIVE PLAN ANALYSIS

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



RELATED ITEMS

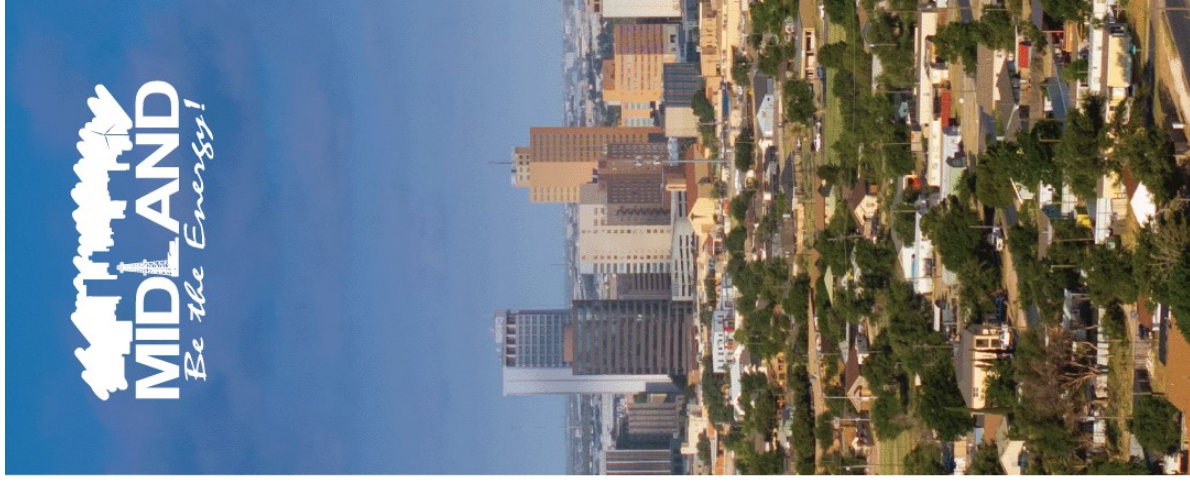
- The preliminary plat was approved at the June 5, 2023, Planning and Zoning Commission meeting.
- The preliminary plat reinstatement must be approved before the final plat may be approved.



STAFF RECOMMENDATION

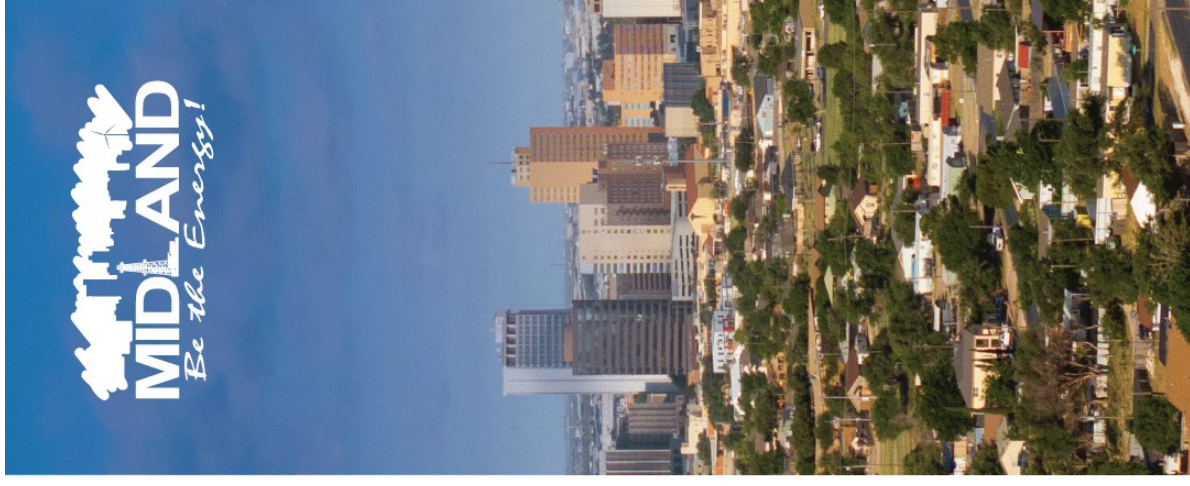
Staff recommends approval of the Final Plat of Legacy Addition, Section 11, subject to conditions A and B.

A. Street Name and Traffic Control Sign fee has been paid to the Transportation department before filing for recording with the County Clerk of Midland County, Texas. [Reference City Code Section 11-2-5(C)3(t).]



STAFF RECOMMENDATION

B. All required public improvements must be completed before filing for recording with the County Clerk of Midland County, Texas. [Per Midland City Code Sect. 11-2-3(G)1]



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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Tres Gringos Uno Addition, being a plat of a 11.14-acre tract of land located in the northwest quarter of Section 32, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1278, approximately 3000 feet north of Hernandez Avenue.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Details of Request:

Ashlee Devine with Maverick Engineering on behalf of Resource Enterprises Associates, LLC, is requesting to plat all of 11.14- acre tract of land located in the northwest quarter of Section 32, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. Generally located on the west side of North County Road 1278, approximately 3000 feet north of Hernandez Avenue for industrial development.

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

Engineering: (Approved with Conditions)

FEMA Firm data is incorrect.

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

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

PAVING: 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 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: FEMA Firm data is incorrect.

Transportation: (Approved)

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)

Please ensure that plat has access. Is easement to be done by separate instrument sufficient or must it be done prior to plat? Can N C R 1278(Private) serve as access to plat?

Planning: (Approved with Conditions)

Therefore, staff recommends approval of the Preliminary Plat of Tres Gringos Uno Addition subject to conditions A, B and C.

- A. Provide proof of ownership at final submittal. [11-2-3(H)3]**
- B. The volume and page or filing references of recorded instruments in the county records of each existing public dedication and public and private easement which encumbers the area of the plat. 11-2-3(H)3(b)(11)**
- C. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]**

Attachments:

Application
Location Map
Aerial Photo
PowerPoint Presentation



Preliminary Plat Application

Project Number: Sub-24-0804Case Number: P-24-2168Proposed Subdivision Plat Name: TRES GRINGOS UNO ADDITIONLegal Description (attached sealed Metes and Bounds): PLAT OF 11.14 ACRES IN SECTION 32, BLOCK 40, T-1-S Rwy CO. SURVEY, MIDLAND COUNTY, TEXAS

Property Owner

Printed Name: RESOURCE ENTERPRISES ASSOCIATES LLC

Phone (432) 296-1787

Email resource11@live.comAddress PO BOX 60509City MIDLANDState TXZip 79711

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 79701Current Zoning: ETJReason for Platting: INDUSTRIAL DEVELOPMENT

Plat Information

Total Acreage:

11.14Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☒ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

DocuSigned by:
Justin Rowe
533924E0816A444...

Date: 12/20/2024

Property Owner (printed): Justin Rowe

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

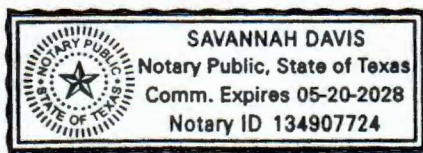
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ashlee Devine who, being by me duly sworn, upon oath says: That (s)he is the owner of Resource Enterprises Assoc. LLC or is authorized by Justin Rowe 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 December, 2024, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY☐ Property Owner Authorization☐ 1 Copy of Dimensioned Plat☐ Plat in Digital Format (PDF/JPEG)☐ Application Fee☐ 1 Copy of Plat (11x17)

Check #

5081

Received By:

[Signature]

Date:

DEC 27 2024

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

BY:

Preliminary Plat Application

2

Revised 07/01/19

TRES GRINGOS UNO ADDITION

PRELIMINARY PLAT

PLAT OF 11.14 ACRES IN SECTION 32, BLOCK 40, T-1-S,
T&P RMY CO. SURVEY, MIDLAND COUNTY, TEXAS

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed surveyor in the State of Texas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Texas.

PRELIMINARY - THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

DEEDS TO PROPERTY 1538333

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OWNER'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed surveyor in the State of Texas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Texas.

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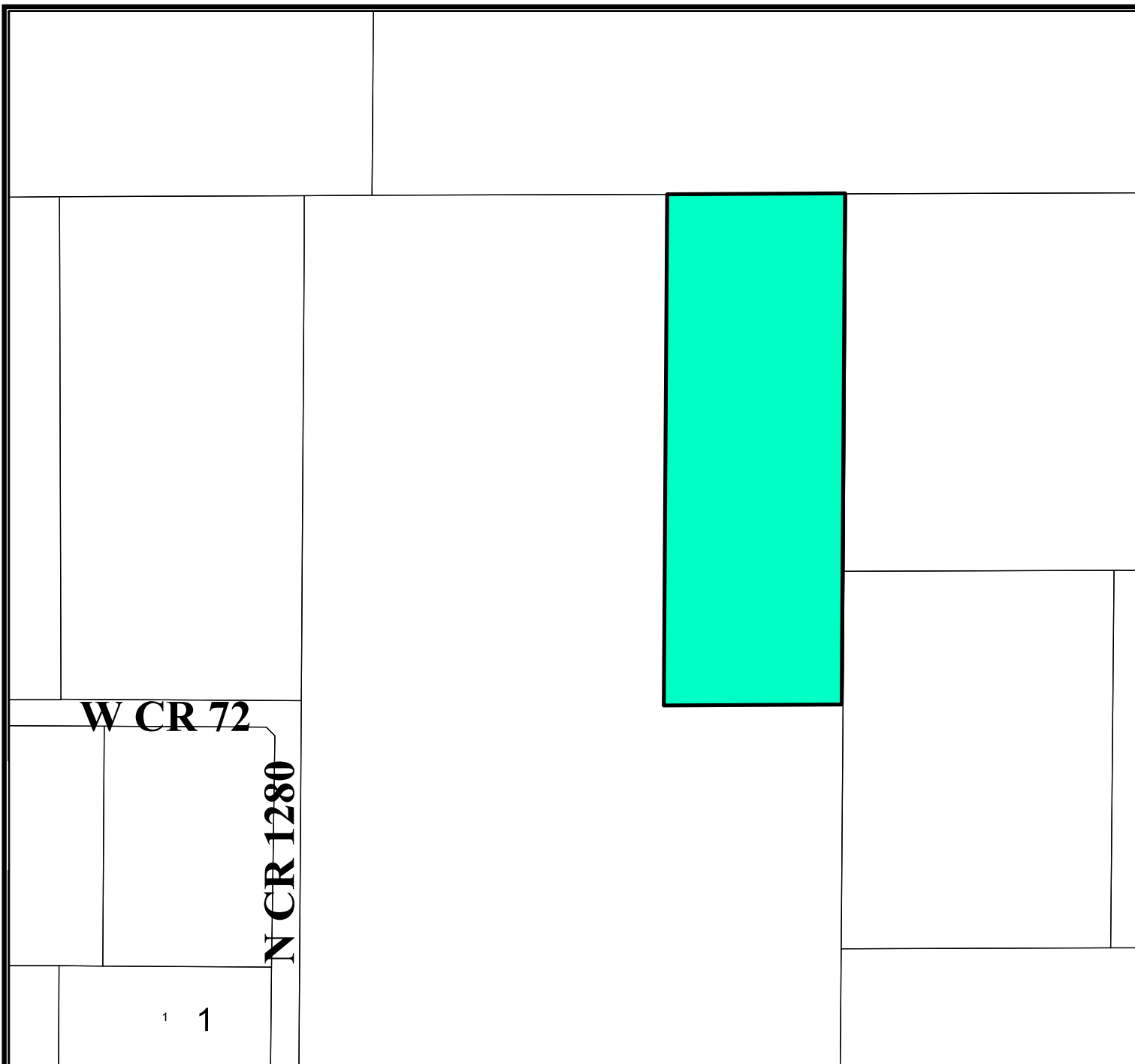
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Location Map

SUB-24-0804

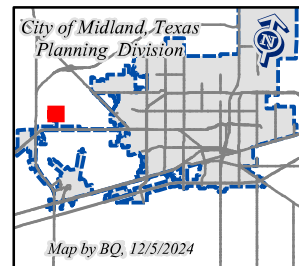
Scale: 1" = 2,400'

Proposed plat of Tres Gringos Uno Addition, being a plat of all of 11.14-acre in Section 32, Block 40, T-1-S, T&P RWY Co. Survey, Midland County, Texas.

Generally located on the west side of North County Road 1278, approximately 3000 feet north of Hernandez Avenue. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

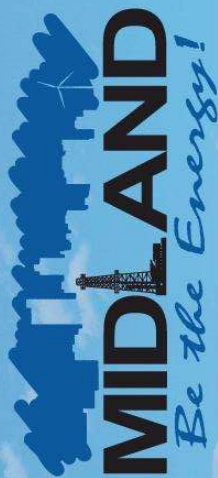


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Tres Gringos Uno Addition ITEM # PRELIMINARY PLAT



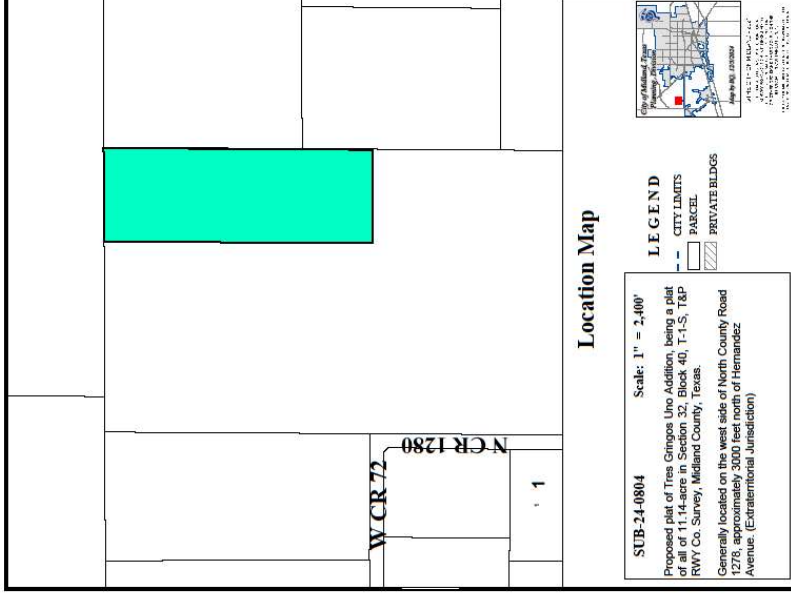
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August 19, 2024

Application Summary

- **Property Owner:** Resource Enterprises Associates LLC
- **Representative:** Ashlee Devine with Maverick Engineering (action on behalf of owner)
- **Preliminary Plat**
- **Address:** Generally located at the west side of North County Road 1278, approximately 3,000 feet north of Hernandez Avenue. (Extraterritorial Jurisdiction)



- 



Zoning

- **Current Zoning:** ETJ,
Extraterritorial Jurisdiction



Land Use

- **Current Use of the Property:**
Vacant Lot
- **Surrounding Uses:**
 - **North/East/West/South:**
Industrial



Comprehensive Plan

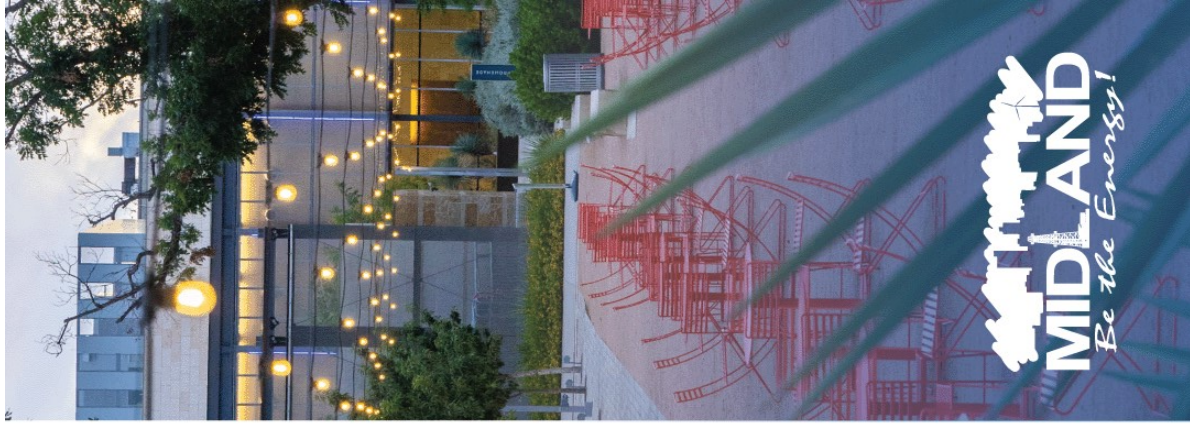
- TCT Land Use Designation: Not designated



Staff's Recommendation

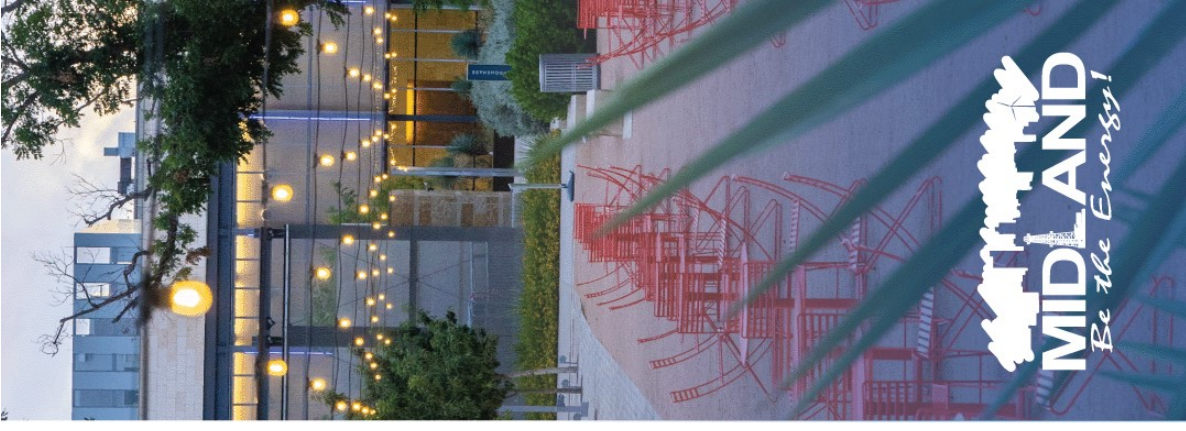
Staff recommends APPROVAL of the preliminary plat of Tres Gringos Uno Addition subject to the below conditions.

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.
- B. Provide proof of ownership at final submittal. [11-2-3(H)3]



Staff's Recommendation

C. The volume and page or filing references of recorded instruments in the county records of each existing public dedication and public and private easement which encumbers the area of the plat. 11-2-3(H)3(b)(11)



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: January 21, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Beatriz Quezada, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Devon Addition, Section 9, being a plat of a 0.92-acre tract of land situated in Section 8, Block 40, T-2-S, RR Co. Survey, City and County of Midland, Texas (Generally located at the southeast corner of the intersection of Younger Road and Norden Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

TP, Technology Park District

Details of Request:

Eduardo L. Aleman, with Magrym Consulting, on behalf of Tyler Kubala, is requesting to plat 0.92-acre tract of land situated in Section 8, Block 40, T-2-S, RR Co. Survey, City and County of Midland with intention to build a new workshop.

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

WATER: 6" water exists in Younger Street N of tract, okay as is. No public water improvements required. 10" water exists in Norden Street W of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

DRAINAGE: Show compliance with Devon Addition, Section 9 Drainage Study, prepared by Magrym Consulting and approved by City on 12/23/2024. [Reference City Code Sect. 11-2-3(D)8]

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

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

Transportation: (Approved with Conditions)

Provide this project's share of a 60 ft total right-of-way (30 ft half-street right-of-way) on Younger road. [Reference City Code Section 11-2-5(C)2.]

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 with Conditions)

Dash diagonal of corner clip or legs of corner clip. Provide another set of x-y coordinates. For 20'x20' corner clip, please change area to sq ft instead of acres.

Planning: (Approved with Conditions)

Therefore, staff recommends approval of the Preliminary Plat of Devon Addition, Section 9, subject to conditions A, B and C.

Conditions:

- A. Shared right-of-way required by the Transportation department is depicted on plat prior to final submission. [Reference City Code Section 11-2-5(C)2.]**
- B. Drainage report must be complied with by Final Plat submittal. [11-2-3(D)8]**
- C. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]**

Attachments:

Application
Location Map
Zoning Map
Aerial Photo
PowerPoint Presentation



Preliminary Plat Application

Project Number: Sub-24-0787

Case Number: P-24-2165

Proposed Subdivision Plat Name: Devon Addition Sec 9

Legal Description (attached sealed Metes and Bounds): _____

Property Owner

Printed Name: Tyler KUBALA

Phone (713) 715-8334

Email

Address 4511 Meadowkirk Lane

City MIDLAND

State TX

Zip 79707

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Magnus Consulting

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548

Email

ed.aleman@magnusm

Address 800 N. Marient St 100

City Midland

State TX

Zip 79701

Current Zoning: TP

Reason for Platting: Build A new shop

Plat Information

Total Acreage:

.92

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 2

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Date: 12-13-24

Property Owner (printed): Tyler KUBALA

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.

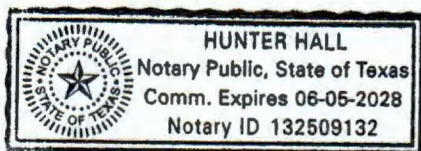
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Heman who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Tyler Kubala 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.

Ed Heman
Authorized Agent (signature)

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



HL
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 # invoice



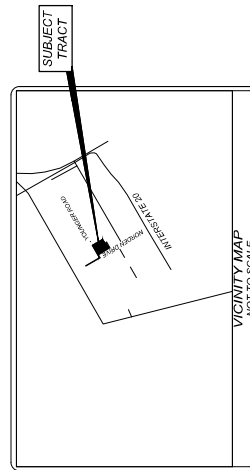
Received By: Bent Og

Date: 12-13-24

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

PACKET

Page 16.296



G & C HOLDINGS CO.
4511 NEADOWLARK LANE
MIDLAND TEXAS 79707

ATTEST: _____
SECRETARY: LANDON OCHOA

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

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____

TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

7. PROPERTY IS IN ZONE X ACCORDING TO FEMA MAP PANEL 48329C0200F WITH AN EFFECTIVE DATE OF 9/16/2005.

8. ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE 402-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARDOUS OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND USED BY THE CITY OF MOJAVE AND OFFICIAL.

BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF DEVON ADDITION, SECTION 9 WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 20__.

ATTEST: _____
SECRETARY: LANDON OCHOA

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

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

[Signature]
RJ DAUM
TEXAS PPL'S 4626

PROPERTY OF TEXAS PUBLIC POWER SERVICE COMPANY
4826
PROCESSED BY SURVEY
NO. 33-34-35

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



NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1.	9/5/2024	SKETCH PLAN	ELA	X-X	00/00/0000
2.	12/12/2024	PRELIMINARY PLAN	ELA	ED/RJ	PROJECT NO.: 80525
				CHECKED BY:	SHEET: 1 OF 1
				JOB NO.: 24-517	

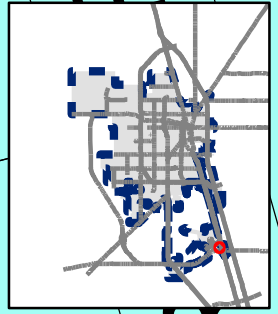
600 N. MARIENFELD STREET
SUITE 100
MIDLAND, TEXAS 79701

TEXAS FIRM
No. 101-65500
Office (432) 684-5548

YOUNGER RD

NORDEN DR

TP



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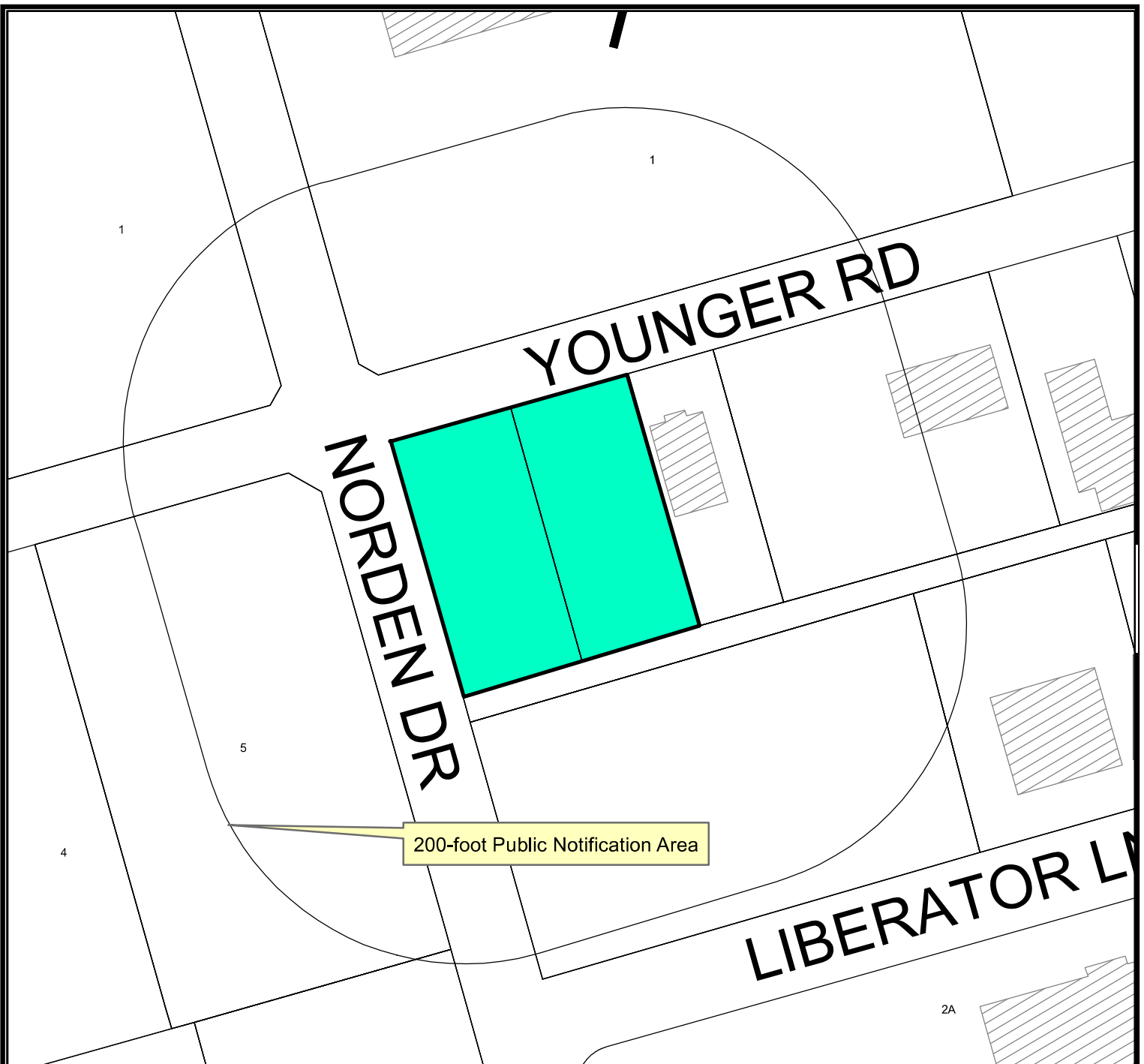


ZONING MAP

Scale: 1" = 835'

SUB-24-0787

Map BQ, 10/14/2024



Location Map

SUD-24-0787

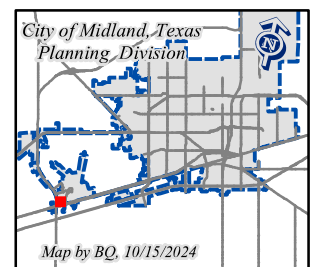
Scale: 1" = 800'

Proposed plat of Devon Addition, Section 9 being a 0.92-acre tract of land located in the southeast quarter of Section 8, Block, T-2-S, RR Co. Survey, City and County of Midland, Texas.

Generally located southeast at the intersection of Younger Road and Norden Drive. (Council District 4)

LEGEND

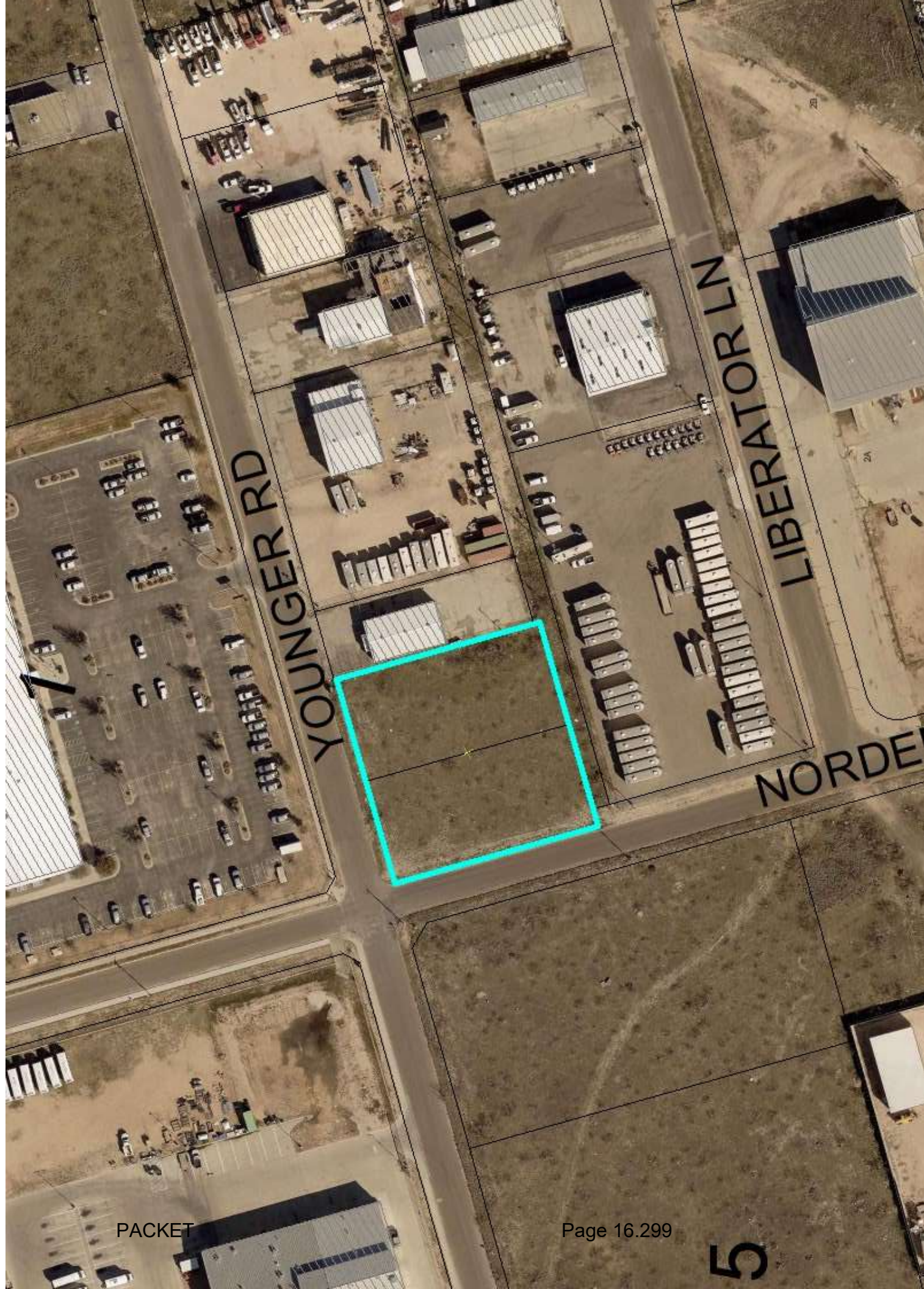
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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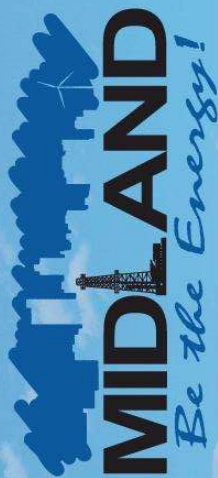
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



YOUNGER RD

LIBERATOR LN

NORDE



DEVON ADDITION, SECTION 9 ITEM # PRELIMINARY PLAT



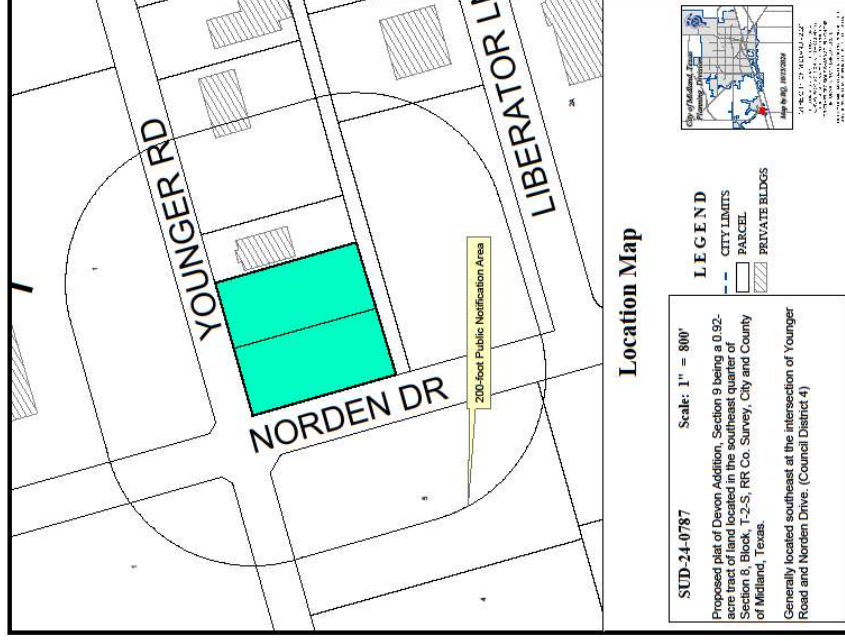
Visit Our Website

MIDLANDTEXAS.GOV

August 19, 2024

Application Summary

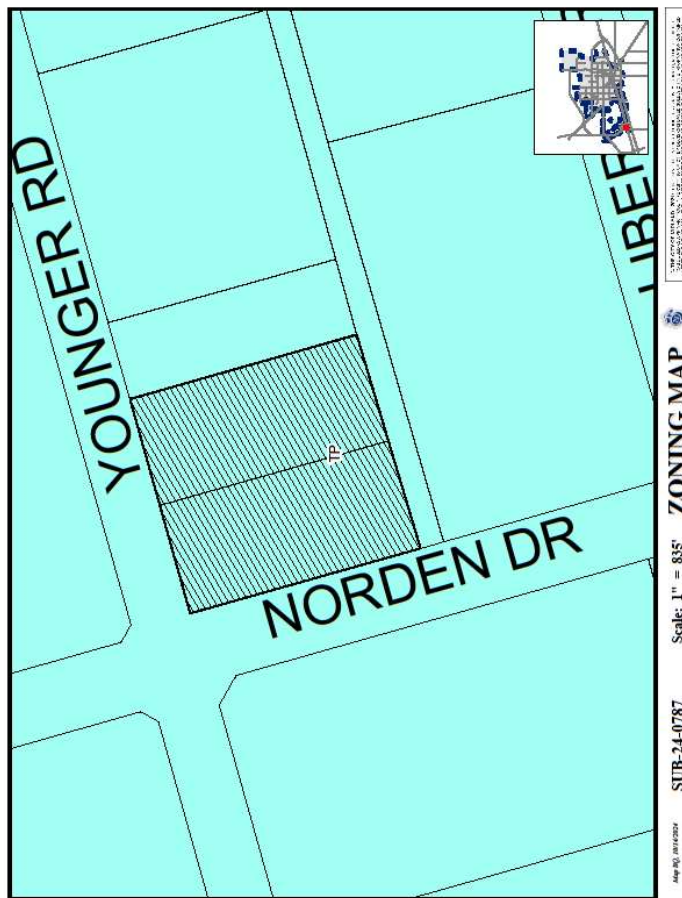
- **Property Owner:** Tyler Kuala
- **Representative:** Eduardo L. Aleman with Magrym Consulting (action on behalf of owner)
- Preliminary Plat
- **Address:** Generally located at the southeast corner of the intersection of Younger Road and Norden Drive. (District 4)



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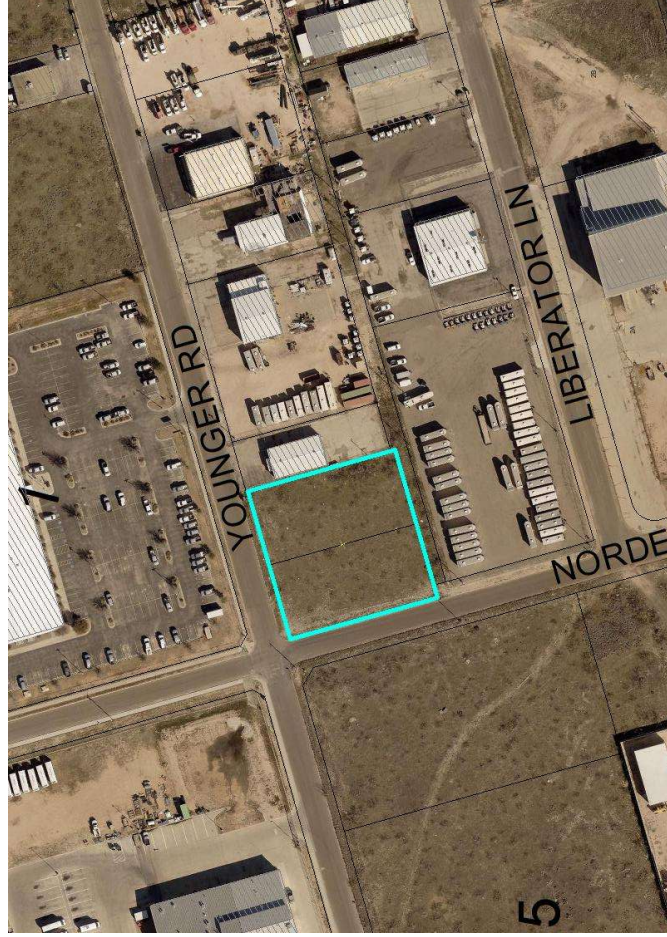
Zoning

- **Current Zoning:** TP,
Technology Park District
- **Surrounding Zoning:**
 - **North/South:** TP,
Technology Park District
 - **West/East:** TP,
Technology Park District



Land Use

- **Current Use of the Property:**
Vacant Lot
- **Surrounding Uses:**
 - North/South: Parking Lots
 - East: Consulting Offices
 - West: Vacant Lot



Comprehensive Plan

- TCT Land Use Designation: Not designated

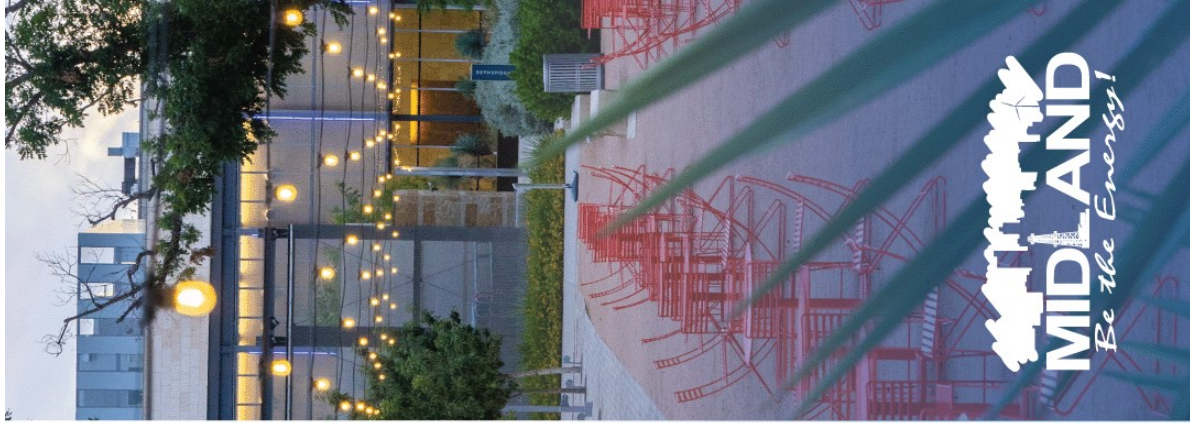


Staff's Recommendation

Therefore, staff recommends **APPROVAL** of the Preliminary Plat of Devon Addition, Section 9, subject to conditions A, B and C.

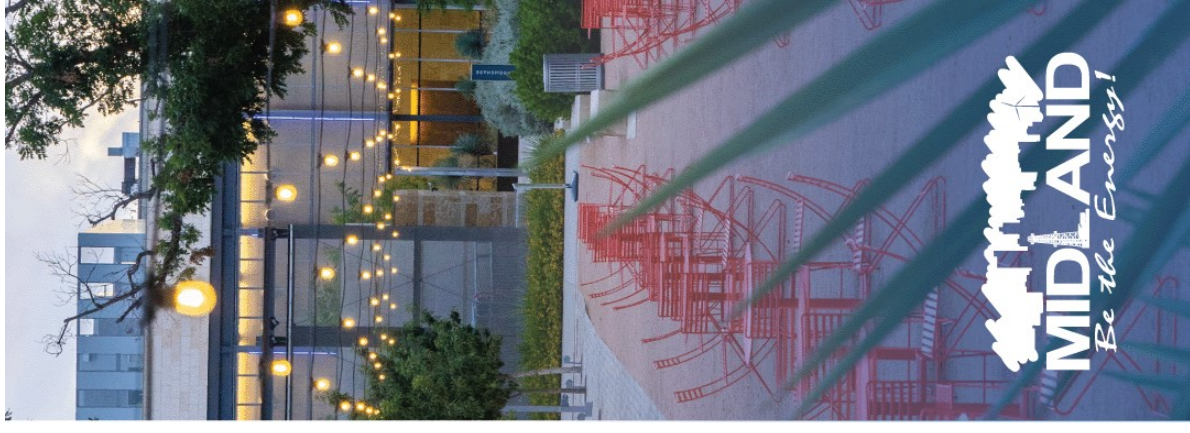
Conditions:

- A. Shared right-of-way required by the Transportation department is depicted on plat prior to final submission. [Reference City Code Section 11-2-5(C)2.]



Staff's Recommendation

- B. Drainage report must be complied with by Final Plat submittal. [11-2-3(D)8]
- C. 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.