

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

**February 3, 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

PUBLIC HEARINGS

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

2. Motion to approve Planning & Zoning meeting minutes from January 21, 2025.
3. Hold a public hearing and consider a request by Maverick Engineering, on behalf of MM&E Holdings, LLC, for a Zone Change from RR, Regional Retail District, to LI, Light Industrial District, for a 15.44-acre tract of land located in the southeast quarter of Section 31, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 220 feet west of Holdridge Road.) **(DISTRICT 4) (DEVELOPMENT SERVICES)**
4. Hold a public hearing and consider a request by Shop Co., on behalf of Stephen Hall, for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Bar, on a 4,523 square-foot portion of Lot 18, Block 1, Providence Park 2nd Section, City and County of Midland, Texas. (Generally located at the west side of North Midkiff Road approximately 120 feet south of Maxwell Drive.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

5. Motion approving, with staff's recommended conditions, a Preliminary Plat of East Midland Addition, Section 26, being a replat of all of Block 88, East Midland Addition, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of East Cuthbert Avenue and North Fairgrounds Road.) **(DISTRICT 2) (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
January 21, 2025
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, January 21, 2025.

Commissioners present: Brennan Berry, Lucy Sisniega, Joshua Garza, Abraham Bejil, Brandon Ofield, Joshua Sparks, Dara Richardson

Commissioners absent: J. Brian Martin, Aaron Hunter

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

Abraham Bejil moved to approve; seconded by Joshua Sparks.

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Senior Planner Daniel Humbert, Presented this item.

The public hearing was opened at 3:38 pm.

No one wished to speak on this item.

The public hearing was closed at 3:39 pm.

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Planner Britton Murry, presented this item.

The public hearing was opened at 3:42 pm.

No one wished to speak on this item.

The public hearing was closed at 3:43 pm.

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Planner Britton Murry, presented this item.

The public hearing was opened at 3:47 pm.

No one wished to speak on this item.

The public hearing was closed at 3:48 pm.

moved to approve this request; seconded by .

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Planner Beatriz Quezada, presented this item.

The public hearing was opened at 3:50 pm.

No one wished to speak on this item.

The public hearing was opened at 3:51 pm.

moved to approve this request; seconded by .

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Planner Beatriz Quezada, presented this item.

The public hearing was opened at 3:54 pm.

No one wished to speak on the item.

The public hearing was closed at 3:54 pm.

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Planning manager Landon Ochoa, presented this item.

The public hearing was opened at 3:57 pm.

No one wished to speak on this item.

The public hearing was closed at 3:57 pm.

Joshua Sparks moved to approve this request; seconded by Brennan Berry.

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None
ABSTAIN: None
ABSENT: Martin, Hunter

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)**

Planner Beatriz Quezada, presented this item.

The public hearing was opened at 4:00 pm.

Dara Richards asked Planner Beatriz if this is the same request that wanted to remove the fence.

Beatriz Quezada clarified that this is not the same case.

The public hearing was closed at 4:01 pm.

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Joshua Sparks moved to approve this request; seconded by Joshua Garza.

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

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)**

Brennan Berry moved to approve this request; seconded by Joshua Sparks.

The motion passed by the following vote:

AYE: Berry, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: Sisniega

ABSENT: Martin, Hunter

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)**

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

The motion passed by the following vote:

AYE: Berry, Sisniega, Garza, Bejil, Ofield, Sparks, Richardson

NAY: None

ABSTAIN: None

ABSENT: Martin, Hunter

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 4:16 pm

Lucy Sisniega, Chair

Date

Landon J. Ochoa, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: February 03, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Hold a public hearing and consider a request by Maverick Engineering, on behalf of MM&E Holdings, LLC, for a Zone Change from RR, Regional Retail District, to LI, Light Industrial District, for a 15.44-acre tract of land located in the southeast quarter of Section 31, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 220 feet west of Holdridge Road.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Maverick Engineering, on behalf of MM&E Holdings, LLC, is requesting a Zone Change from RR, Regional Retail District, to LI, Light Industrial District, to develop industrial warehouse buildings on two properties located on West County Road 77.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The properties to the north are located in the ETJ, Extraterritorial Jurisdiction, and are being used for industrial warehouses. The properties to the south are also in the ETJ and are currently vacant lots. The property to the west is zoned RR, Regional Retail District, and the current land use is for a refrigeration company. The property to the east is zoned PD, Planned Development District for a Shopping Center, and the current land use is a storage facility.

Analysis:

The applicant is seeking this zone change in order to develop industrial warehouse buildings. These vacant tracts of land are currently zoned RR, Regional Retail District, which does not allow for the use of industrial warehouses. A zone change to LI, Light Industrial District, would allow for the development of industrial warehouse structures per the City of Midland Zoning Ordinance Use Chart. [Midland City Code Section 4.03]

These tracts of land are concurrently going through the platting process in addition to this zone change request. This tract of land will be developed into three lots that would all fall under the proposed LI, Light Industrial District zoning regulations. LI, Light Industrial District zoning does not have an established minimum lot area, lot width, or lot depth per the Nonresidential Zoning District Dimensional Regulations Chart. [Midland City Code Section 5.05.]

While this property does not directly abut any LI zones, the surrounding land use is similar in nature to what would typically be found in LI, Light Industrial zoning. Furthermore, just to the east of this tract of land, there are several lots that are zoned LI, Light Industrial District, and reflect the same characteristics of this proposed use.

The Tall City Tomorrow Comprehensive Plan does not have an established designation for this property.

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. All future structures must adhere to the IFC 2015.

Oil and Gas: (Approved)

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

Engineering: (Approved)

No 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)

Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway. [Reference City Code Section 9-4-5(D).]

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 RR, Regional Retail District to LI, Light Industrial District.

Letters of Objection:

Staff has not received any letters of objection as of January 31, 2025.

Attachments:

Application
Site Plan (Exhibit A)
Maps



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

Project Number: _____

Case Number: 2-25-0408

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

Printed Name: MM&E HOLDINGS LLC

Phone (432) 813-2969

Email
isai@rexoilfield.com

Address PO BOX 60261

City MIDLAND

State TX

Zip 79711

Property Owner

Printed Name:

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: NOT AVAILABLE

Legal Description

Lot: Block: Subdivision: SEE ATTACHED M&B

Current Zoning: RR

Proposed Zone: LIGHT INDUSTRIAL

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

Reason for Zone Change Request: TO DEVELOP LIGHT INDUSTRIAL WAREHOUSE BUILDINGS

Present Use of Property: VACANT

Proposed Use of Property: LIGHT INDUSTRIAL BUSINESS TYPE DEVELOPMENT

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

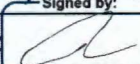
NO CHANGE

Describe how conditions affecting the property have changed since present zoning designation: NO CHANGE, PROPOSED USE WILL CONFORM TO SURROUNDING BUSINESSES

Submittal and Fees

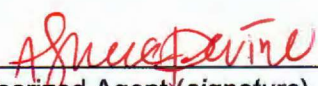
Items to be submitted with this application form:

- 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></u>	Date: 1/7/2025
Applicant (printed): Isai Bracamontes	
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.	

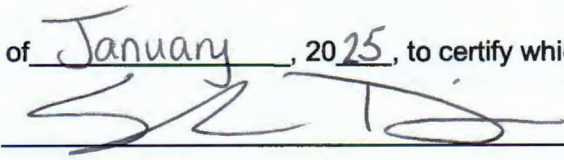
STATE OF TEXAS
COUNTY OF MIDLAND

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


Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of January, 2025, 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


NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>5087</u>	
Received By: <u></u>	Date: <u>Jan 8 2025</u>

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

PACKET



0' 100' 200'

ORIGINAL SCALE 1" = 100'

LEGEND

- 1/2" IRON ROD FOUND W/ RED PLASTIC CAP MARKED "HAYBICK FIRM # 0104314" MONUMENTS FOUND AS NOTED
- SIGN
- UTILITY MARKER
- POWER POLE
- WELL LOCATION
- BOLLARD
- BOUNDARY LINE
- PRIORITY LINE
- CHAINLINK FENCE
- FENCE AS NOTED
- OVERHEAD ELECTRIC LINE
- 1" WATER MAIN
- CAULKE
- PAVEMENT

KEY NOTE

- [illegible]

FIELD NOTES

[illegible]

M A V E R I C K
CIVIL ENGINEERING / LAND SURVEYING

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



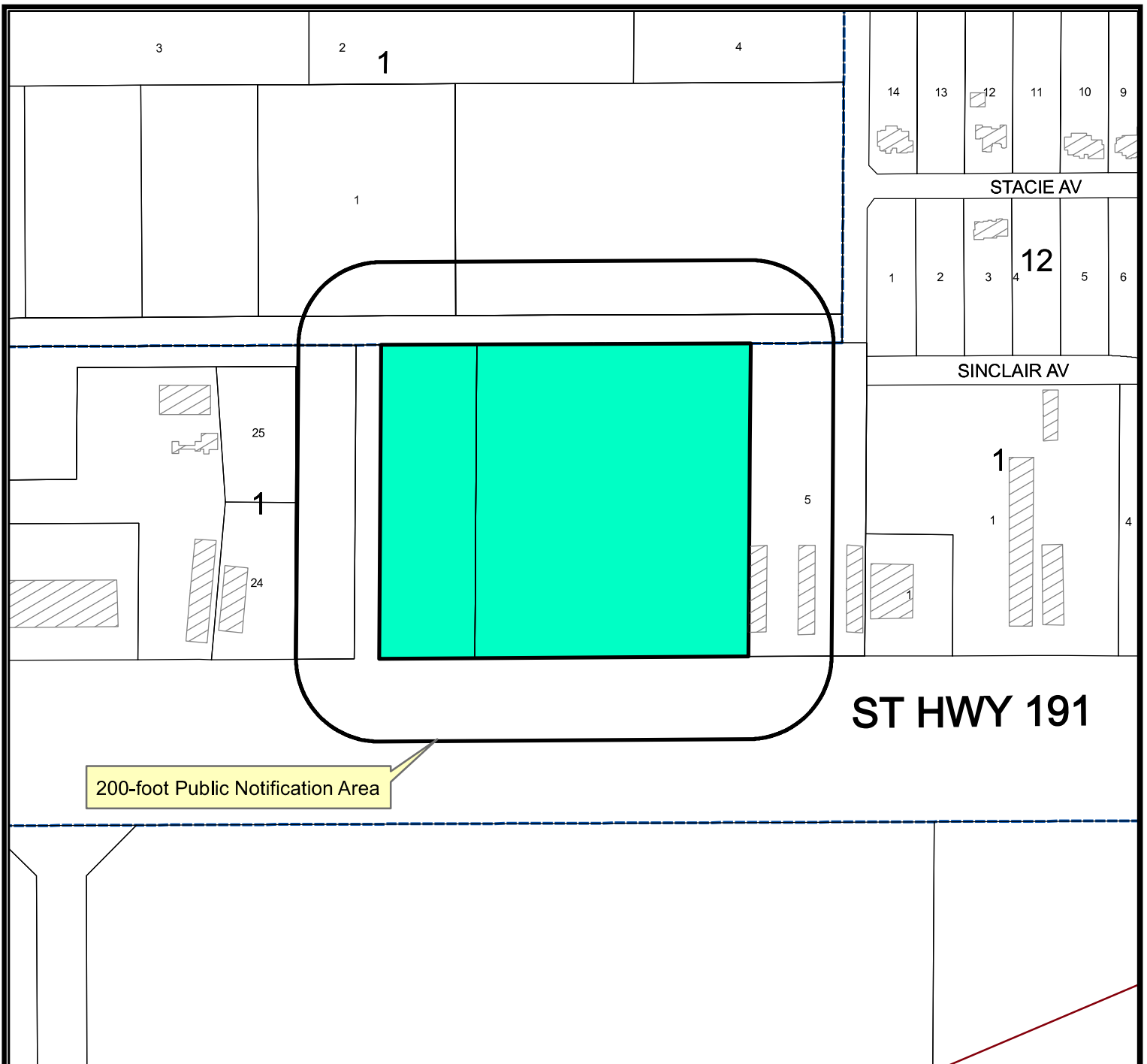
REX OILFIELD SERVICES, LP

BOUNDARY SURVEY WITH IMPROVEMENTS
FOR A 1.544 ACRES TRACT OF LAND, SITUATED IN SECTION 31, BLOCK
40, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY
SURVEY, MIDLAND COUNTY, TEXAS

E:\2024\340165-REX OIL FIELD SERVICES I.P.-20 INDUSTRIAL DRAWINGS\BOUNDARY SURVEY\240165 BOUNDARY SURVEY.DWG Last Save for: AX.solidworks 10/16/24

SURVEYOR: GWS	SCALE: 1" = 100'	APPROVAL DATE:
DRAWN BY: AK	JOB NO.: 240165	REV 1:
APPROVED:	FIELD WORK DATE: 10.09.24	REV 2:

DOCTOBER 16, 2024



Location Map

Z-25-0408

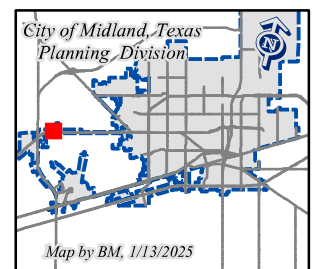
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Consider a request by Maverick Engineering, on behalf of MM&E Holdings, LLC, for a Zone Change from RR, Regional Retail District, to LI, Light Industrial District, for a 15.44-acre tract of land located in the southeast quarter of Section 31, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the north side of State Highway 191, approximately 220 feet west of Holdridge Road. (Council District 4)

LEGEND

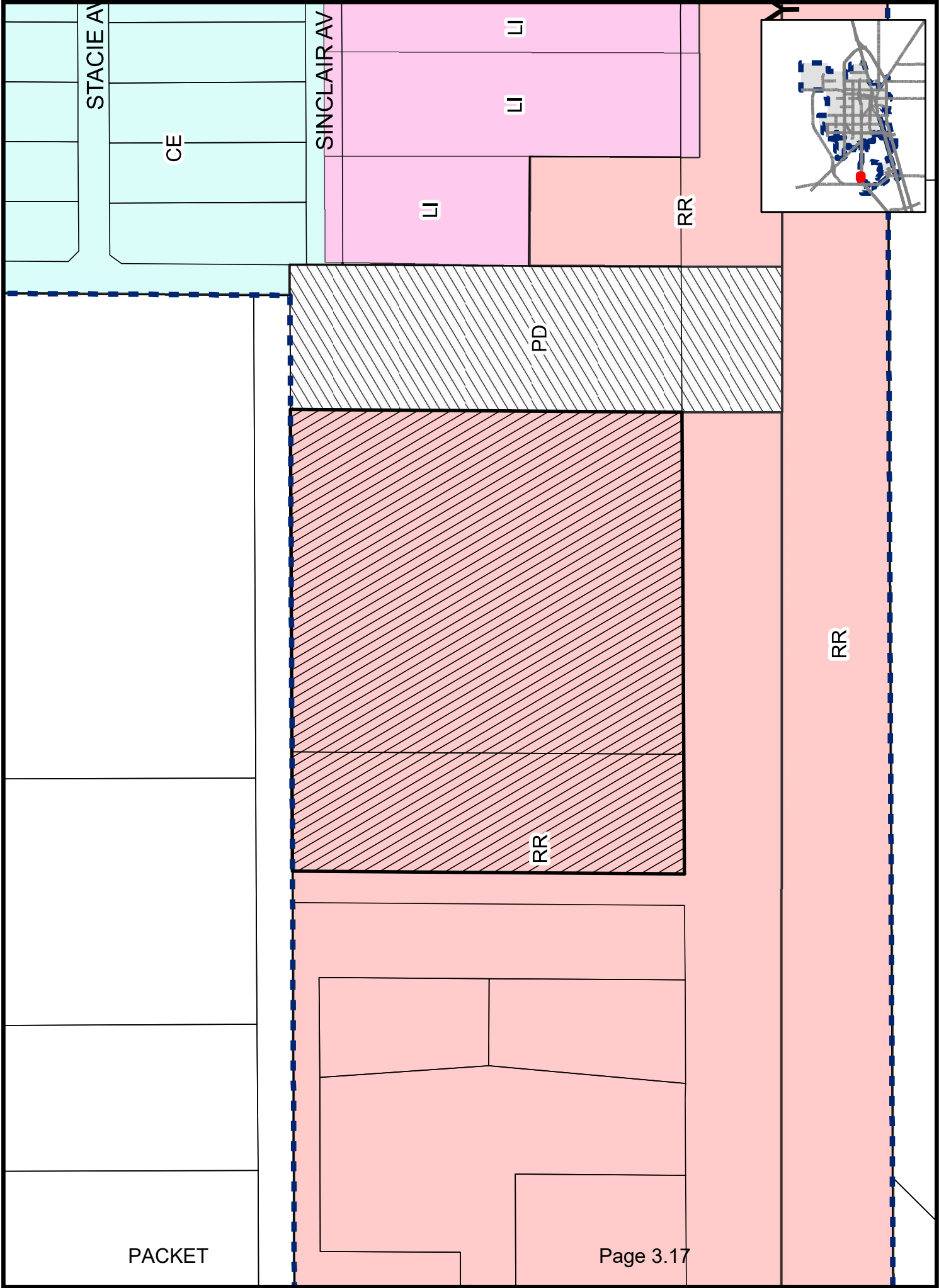
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



PACKET

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ZONING MAP

Scale: 1" = 233'

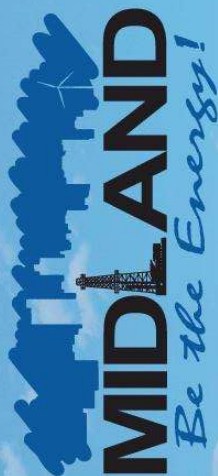
Z-25-0408

Map BM, 1/13/2025

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WEST 191 INDUSTRIAL PARK, SECTION 16

ITEM#

January 21, 2025
Page 3.20

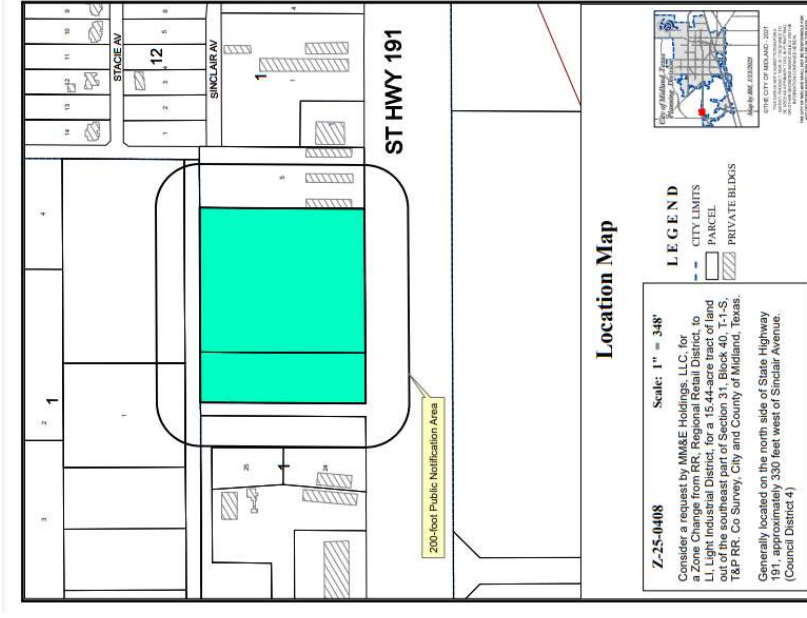


Visit Our Website

MIDLANDTEXAS.GOV

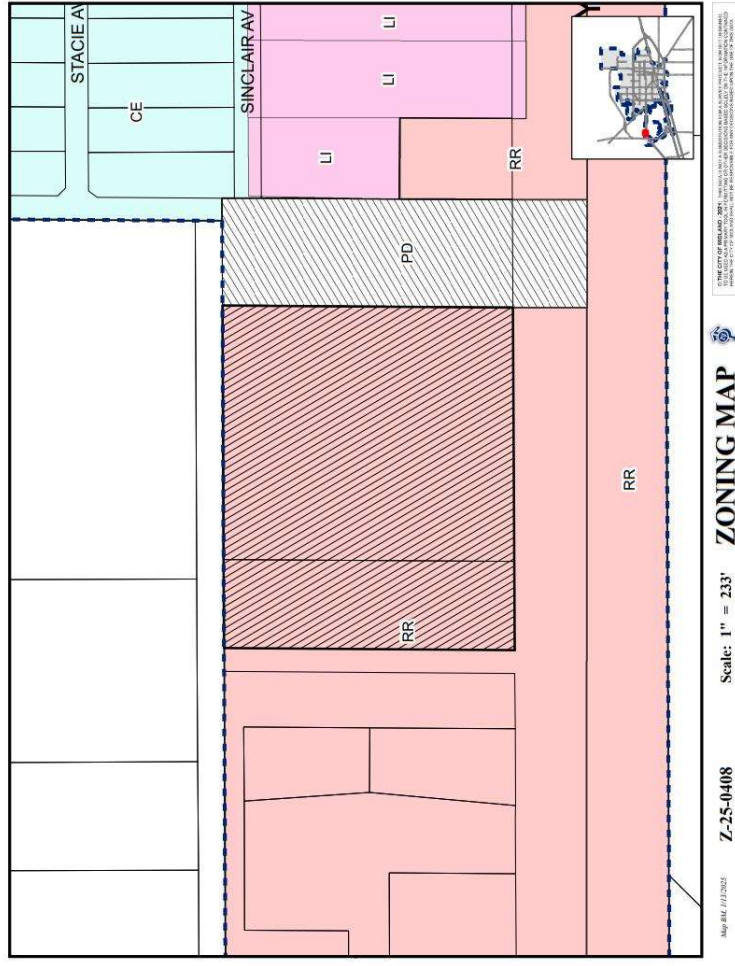
APPLICATION SUMMARY

- **Property Owner/Applicant:** MM&E Holdings, LLC
- **Representative:** Ashlee Devine, with Maverick Engineering
- **Zone Change**
- **Address:** Generally located on the north side of State Highway 191, approximately 220 feet west of Holdridge Road. (Council District 4)



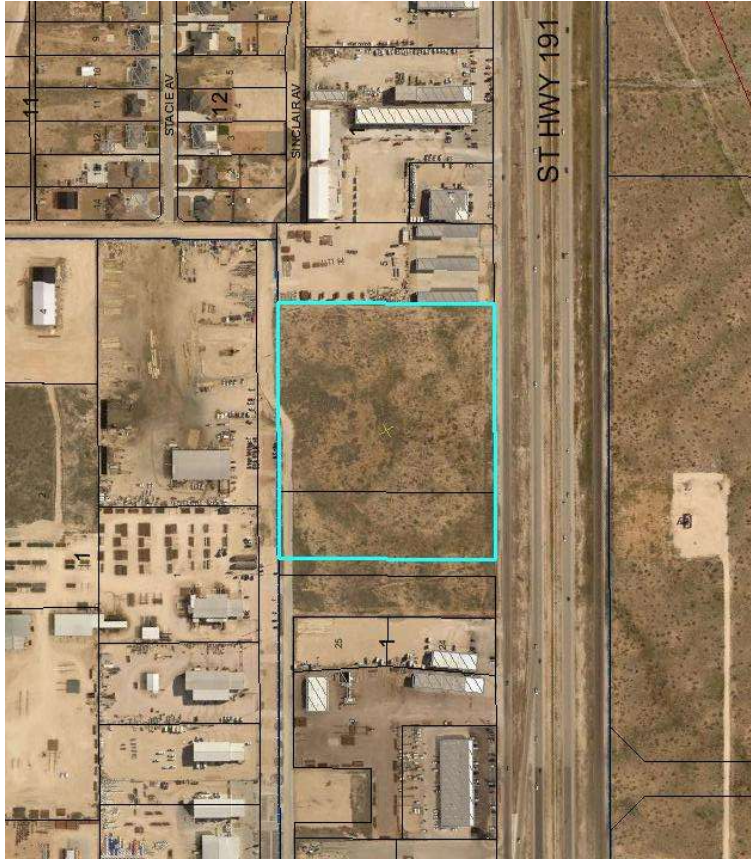
ZONING

- **Current Zoning:** RR, Regional Retail District
- **Surrounding Zoning:**
 - **North:** ETJ, Extraterritorial Jurisdiction
 - **East:** PD, Planned Development District for a Shopping Center, and LI, Light Industrial District
 - **South/West:** RR, Regional Retail District
- **Proposed Zoning:** LI, Light Industrial District



LAND USE

- **Current Use of the Property:**
Vacant
- **Proposed Use of the Property:**
Industrial Warehouse Buildings
- **Surrounding Uses:**
 - North: Industrial Buildings
 - West: Refrigeration Company
 - East: Storage Facility
 - South: Vacant

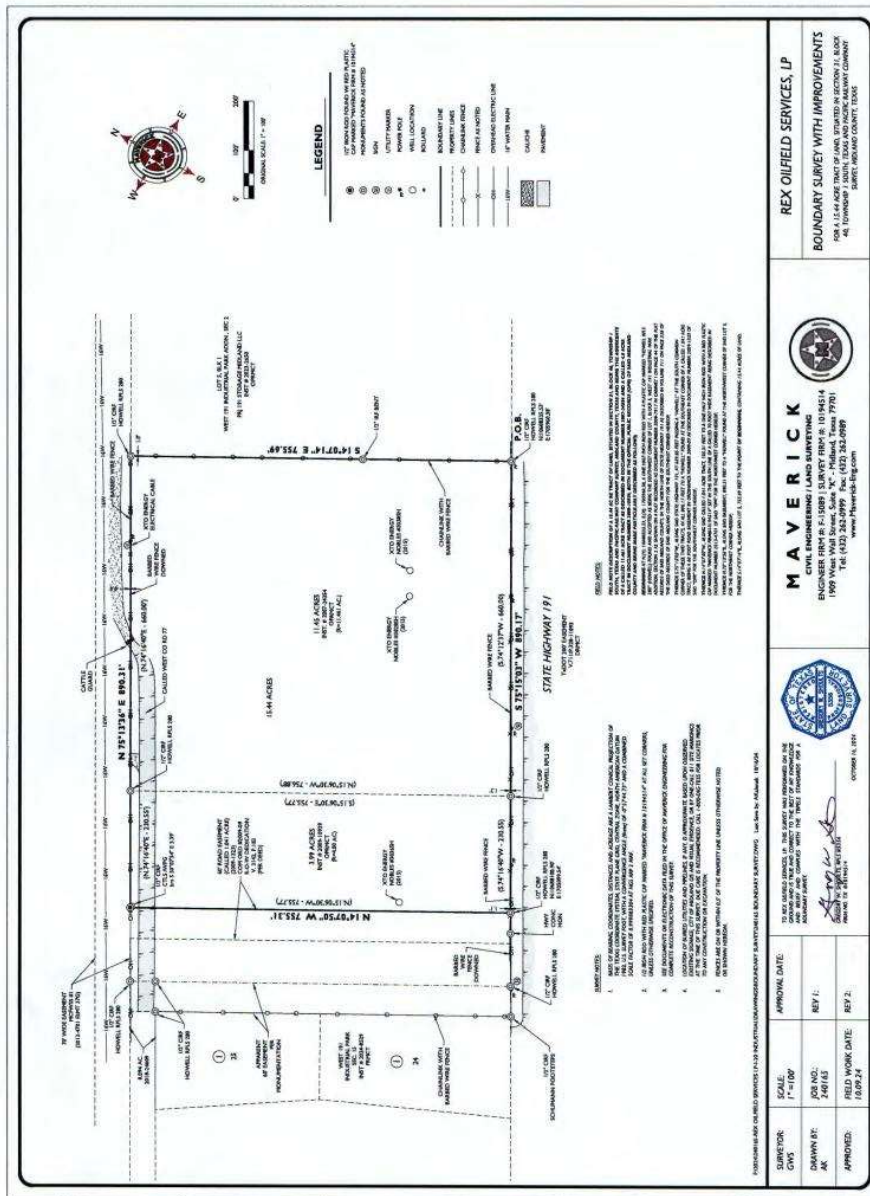




On State Highway 191, Looking North

- TCT Land Use Designation: Not designated





STAFF'S RECOMMENDATION

- No objections received.
- Staff recommends APPROVAL of this zone change from RR, Regional Retail District to LI, Light Industrial 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: February 3, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and consider a request by Shop Co., on behalf of Stephen Hall, for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Bar, on a 4,523 square-foot portion of Lot 18, Block 1, Providence Park 2nd Section, City and County of Midland, Texas. (Generally located on the east side of North Midkiff Road approximately 120 feet south of Maxwell Drive.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Shop Co, on behalf of Stephan Hall, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a bar on a property located at 3303 North Midkiff Road.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north and west are zoned SF-2 Single Family Dwelling District. The properties to the south are zoned PD, Planned Development District for a Shopping Center and RR, Regional Retail District, for a U.S Postal Office, retail store and shopping center. The properties to the east are zoned RR, Regional Retail District, with uses that include a shopping center and gas station.

Analysis:

The property is zoned RR, Regional Retail District. RR zoning allows for Alcoholic Beverages Sales for On-Premises Consumption in a bar with the approval of an SUD. The total area of the bar, Rhythm and Booze, is 4,523 square feet and the proposed alcohol serviceable area is 2,581-square feet.

The proposed hours of operation:

Wednesday through Sunday from 2 p.m. to 2 a.m.

The proposed hours of alcohol service:

Wednesday through Sunday from 2 p.m. to 2 a.m.

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

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

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

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

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

Fire: (Approved)

A fire inspection must be conducted by the fire marshal's office before a certificate of occupancy is issued

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

The SUD for Rhythm and Booze is acceptable. The property must adhere to the maximum occupant load of 173 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

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

Conditions:

- A. That the serviceable area of the Establishment shall be limited to approximately 2,581 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.
- B. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.
- C. That the days and hours of alcoholic beverage sales and consumption shall be limited to

Wednesday through Sunday from 2:00 p.m. to 2:00 a.m. of the following day.
- D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.
- E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.
- F. That the operator of the Establishment shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this Specific Use Designation With Term are satisfied.
- G. That in accordance with Section 11-1-9.07.E.3 of the City Code, the Establishment shall be in operation within 120 days from the final adoption date of this ordinance.

Letters of Objection:

As of February 2, 2025, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan
Maps



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

Project Number:

Case Number: SMU-25-0191

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

Printed Name: Stephen Hall

Address 1815 Overshine Lane

City Midland

Phone (432) 260-0029

Email blackhorselegacy@gmail.com

State TX Zip 79705

Property Owner

Printed Name: San Miguel Midland Partners LLC

Address 4809 Cole Ave Suite 330

City Dallas

Phone (972) 559-915

Email

State TX Zip 75205

Representative (if different from Applicant or Property Owner)

Firm: Shop Co

Printed Name: Daniel Fuller

Address 4809 Cole Ave Suite 330

City Dallas

Phone (214) 794-5742

Email deniel@shopcompanies.com

State TX Zip 75205

Street Address: 3303 N Midkiff Rd Suite 160

Business Name: Rhythm & Booze

Legal Description

Lot: 18 Block: 1 Subdivision: Providence Park

Current Zoning:

Reason for Request: Reopening old Rockstar Bar

Type of Business (restaurant, bar, lounge, nightclub, etc.): Bar/Lounge

Proposed/Current Days and Hours of Operation: 2:00pm to 2:00am

Proposed Days and Hours of Alcohol Service: 2:00pm to 2:00am Wednesday to Sunday

Total Square Footage of Business: 4523 sq/Ft

Square Footage of Alcohol Serviceable Area: 2584 sq/Ft

Restroom Fixtures:

Men

Toilets/Urinals: 1/2

Bathroom Sinks: 2

Women

Toilets: 2

Bathroom Sinks: 2

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature): Stephen Hall Date: 1-7-25

Applicant (printed): Stephen Hall

Property Owner (signature): D. A. [Signature] Date: 1-7-25

Property Owner (printed): Daniel A. Geller, Jr.

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

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

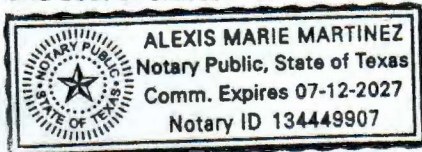
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Stephen Hall who, being by me duly sworn, upon oath says: That (s)he is authorized by San Miguel Midland Super 7-25 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.

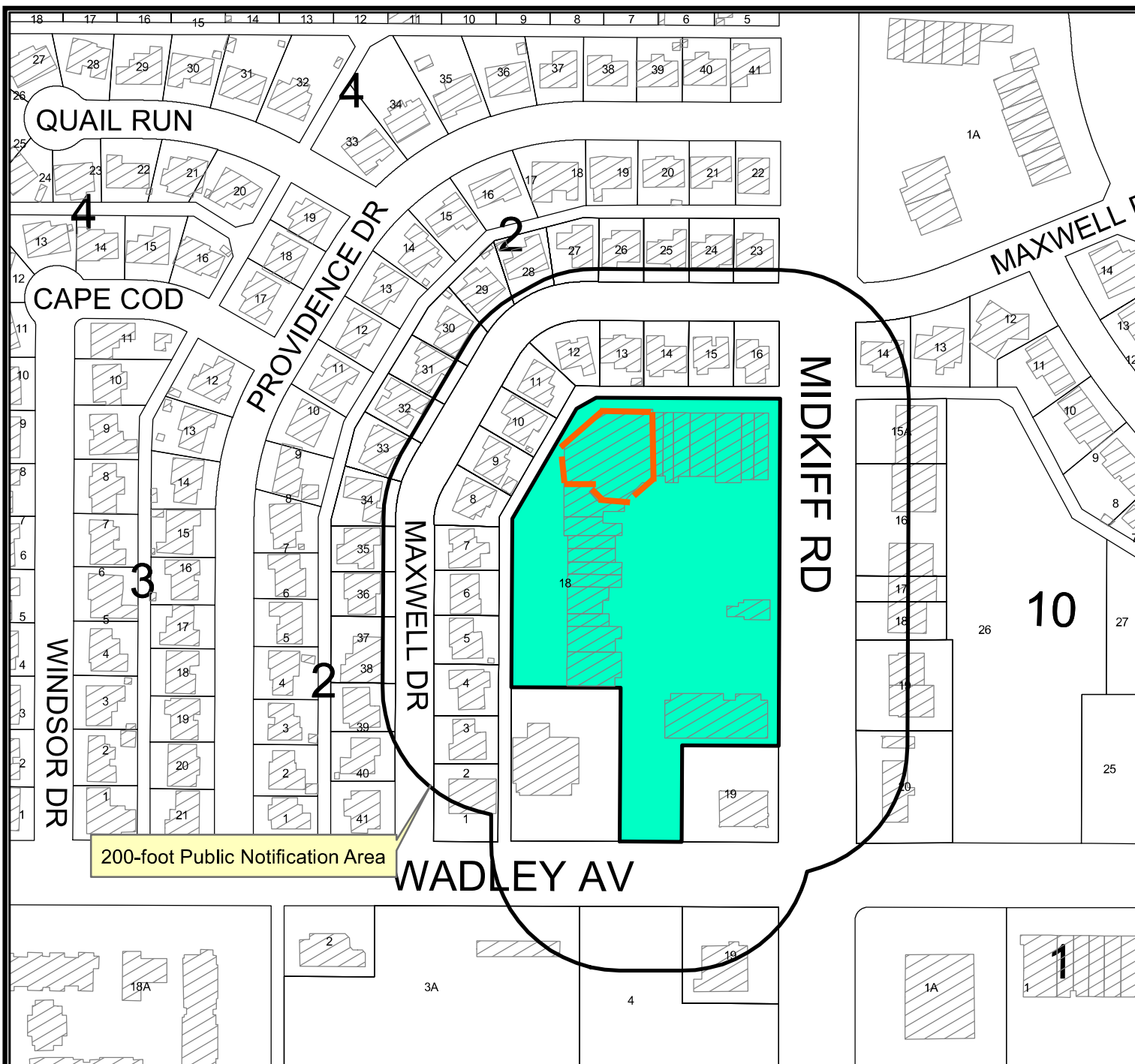
Stephen Hall
Authorized Agent (signature)

Subscribed and sworn to before me, this 16th day of January, 2025, 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.****



Location Map

SUD-25-0191

Scale: 1" = 684'

Consider a request by Shop Co, on behalf of Stephen Hall, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on premises consumption in a Bar, on a 4,523 square-foot portion of Lot 18, Block 1, Providence Park, 2nd Section, City and County of Midland, Texas.

Generally located on the west side of North Midkiff Road, approximately 120 feet south of Maxwell Drive.
(Council District 1)

LEGEND

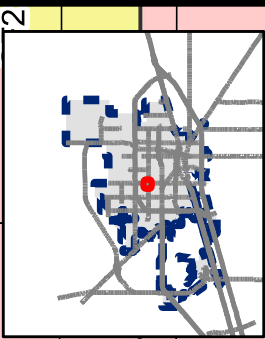
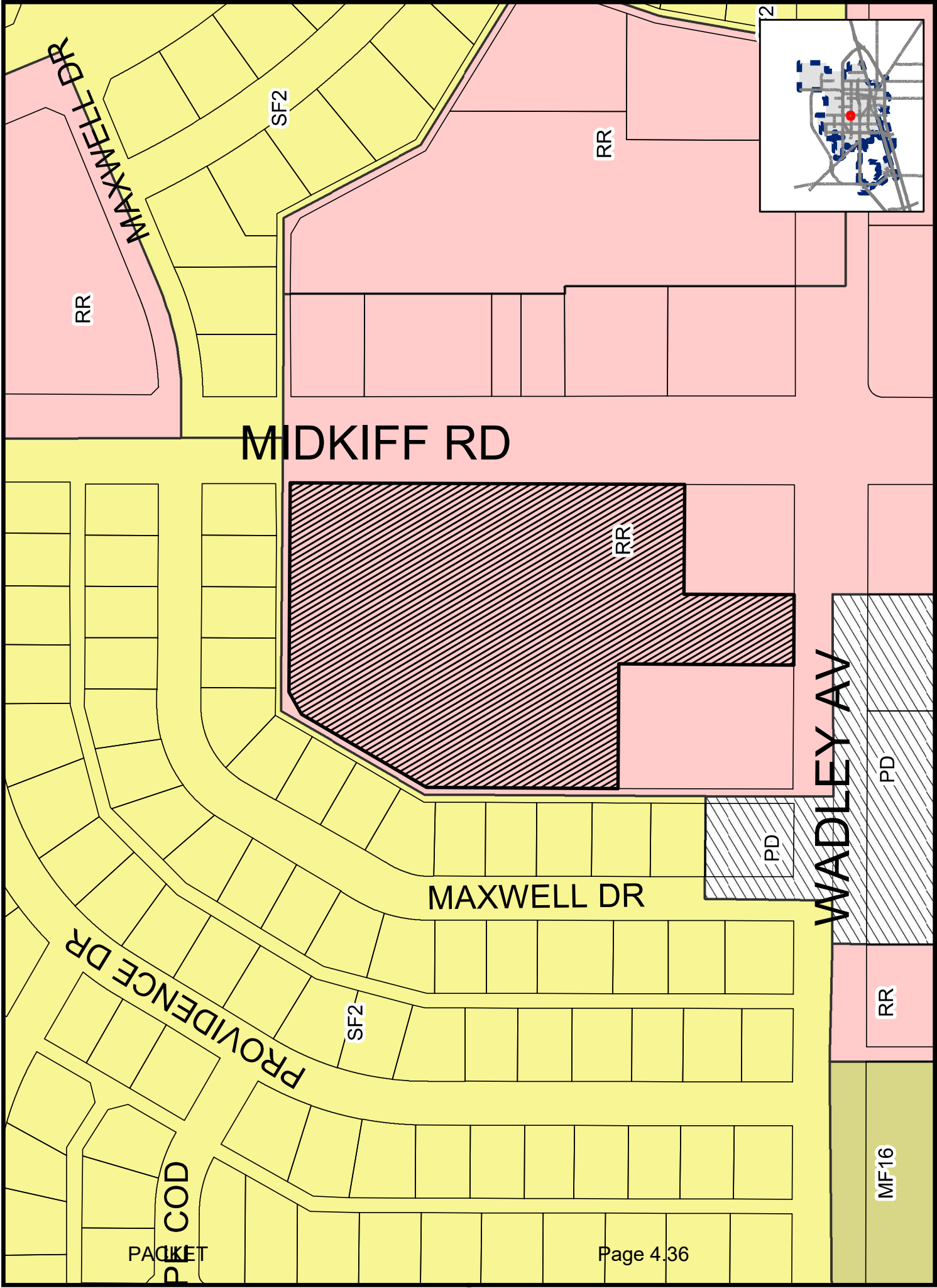
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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.

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ZONING MAP

Scale: 1" = 977'

SUD-25-0191

Map AMM, 1/13/2025

PACKET

BUILDING CODE SUMMARY

[illegible]

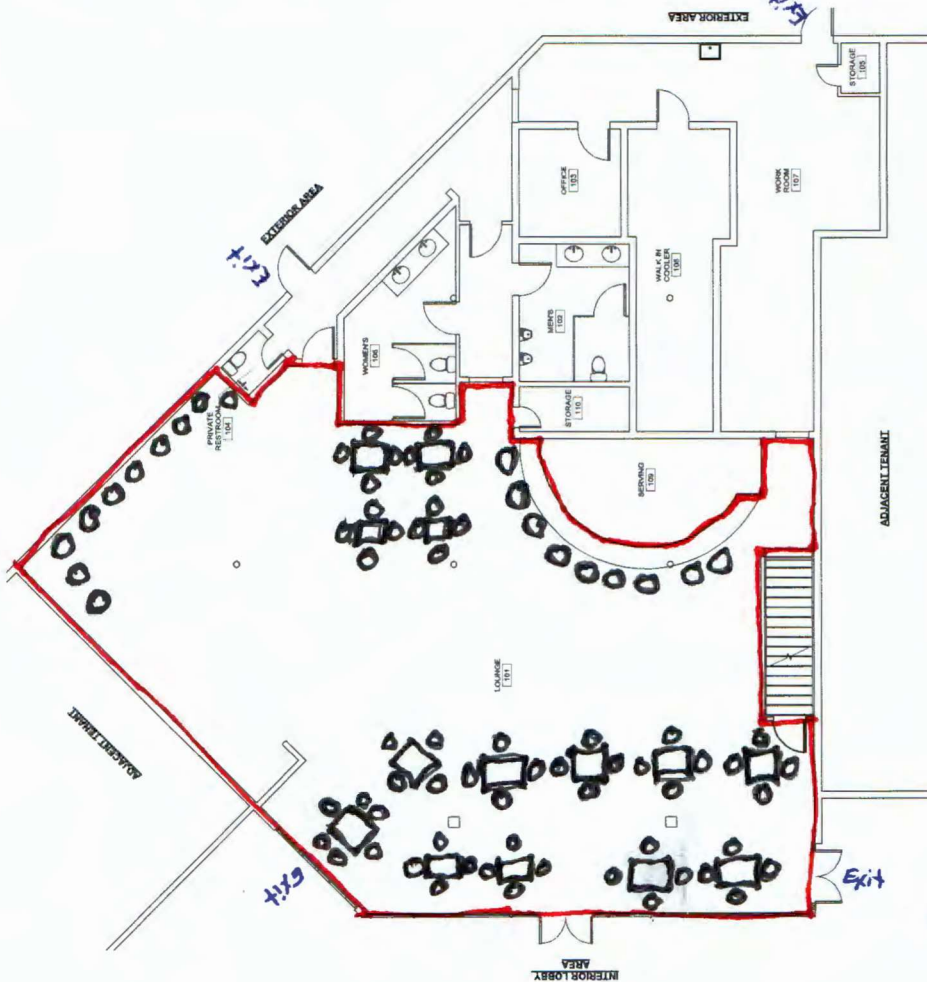
CLIENT
RHYTHM AND
BOOZE

NEW SPACE
3306 N. MIDKIFF ROAD
SUITE 160
MIDLAND, TEXAS

CODE INFORMATION

Project no. H3C24001
scale: As indicated
date: 3.11.24

PERMIT
A-000



FLOOR PLAN
3/16" = 1'-0"

OCCUPANT AND FIXTURE LOAD SCHEDULE

Layer	Number	Name	Room Cycles		Prestressing Loads		Prestressing		Prestressing		Prestressing Reinforced Concrete Mass Load	Prestressing Reinforced Concrete Mass Load
			Area	Recess Depth or Stair Pitch	Dead Weight Mass (kN)	Weight Factor	Reinforced Concrete Mass (kN)	Reinforced Concrete Mass (kN)	Reinforced Concrete Mass (kN)	Reinforced Concrete Mass (kN)		
LEVEL 1	197	LOUNGE	254	15	75	1.15	75	1.15	209	0.43	209	0.43
LEVEL 1	198	LOUNGE	190	15	25	0.02	25	0.02	50	0.01	50	0.01
LEVEL 1	199	OFFICE	19	15	1	0.02	1	0.02	50	0.01	50	0.01
LEVEL 1	194	PRIVATE BEDROOM	19	15	1	0.02	1	0.02	50	0.01	50	0.01
LEVEL 1	195	PRIVATE BEDROOM	19	15	1	0.02	1	0.02	50	0.01	50	0.01
LEVEL 1	196	LOUNGE	117	35	1	0.06	1	0.06	100	0.08	100	0.08
LEVEL 1	197	LOUNGE	525	190	4	0.08	26	0.08	50	0.04	50	0.04
LEVEL 1	198	LOUNGE	525	190	4	0.08	26	0.08	50	0.04	50	0.04
LEVEL 1	199	LOUNGE	525	190	4	0.08	26	0.08	50	0.04	50	0.04
LEVEL 1	194	STORAGE	18	15	1	0.02	1	0.02	50	0.01	50	0.01
LEVEL 1	195	STORAGE	18	15	1	0.02	1	0.02	50	0.01	50	0.01
LEVEL 1	119	STORAGE	42	15	1	0.02	1	0.02	50	0.01	50	0.01

Total Square Footage of Business- 4523'
Square Footage of Alcohol Serviceable Area- 2581'

GENERAL FLOOR PLAN NOTES

[illegible]

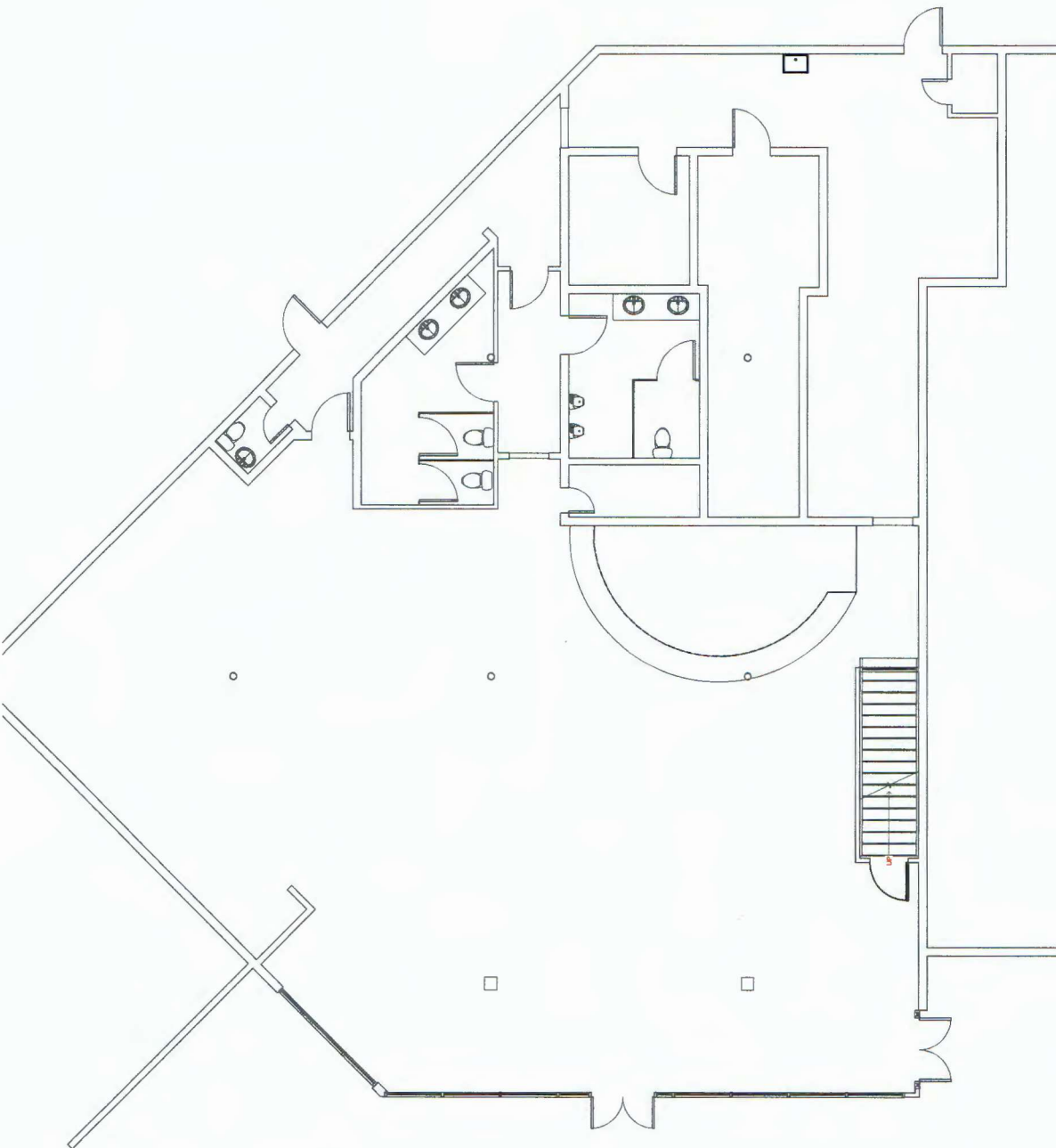
Wall Types			
TYPE MARK	Description	Width	FIRE RATING
RAVAL			

DOOR TYPE SCHEDULE			
DOOR	WIDTH	HEIGHT	Color

FLOOR PLAN NOTES

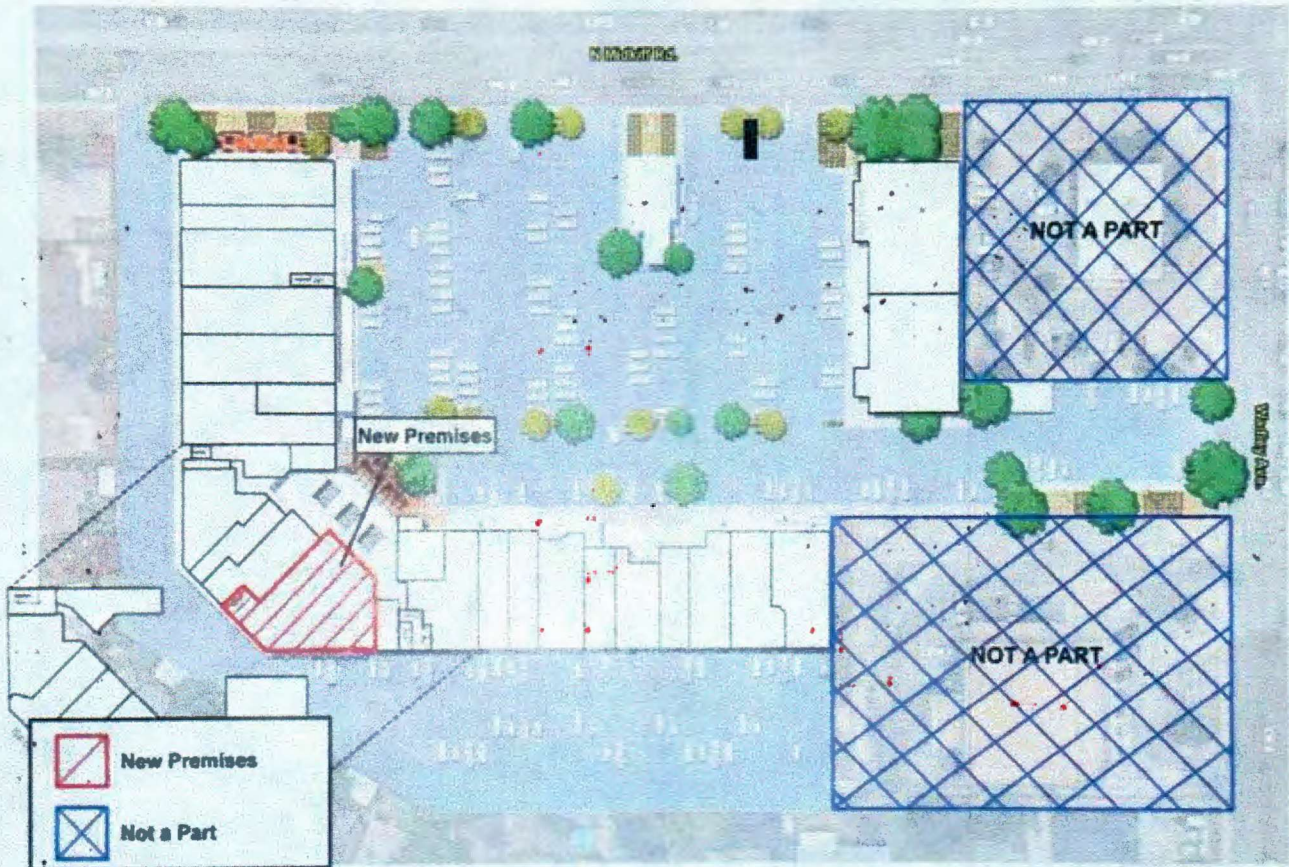
LANDLORD'S NOTE:

IF REPLACING FISHES, PROVIDE WATERPROOFING MEMBRANE AT ALL WEI LOCATIONS (MINIMALLY ALONG LEASE LINE/DEMISING WALLS). 8" A.F.F. AND 8" AWAY FROM WALL. PROVIDE PROTECTIVE FISHES (MAFEL, RED GARD, OR SIMILAR) INCLUDING BEHIND WATER RESISTANT FISHES. SEE RED LINES TO RIGHT. PROVIDE PHOTOGRAPHIC EVIDENCE OF INSTALLATION.



LEVEL 1 OVERALL FLOOR PLAN
1/4" = 1'-0"

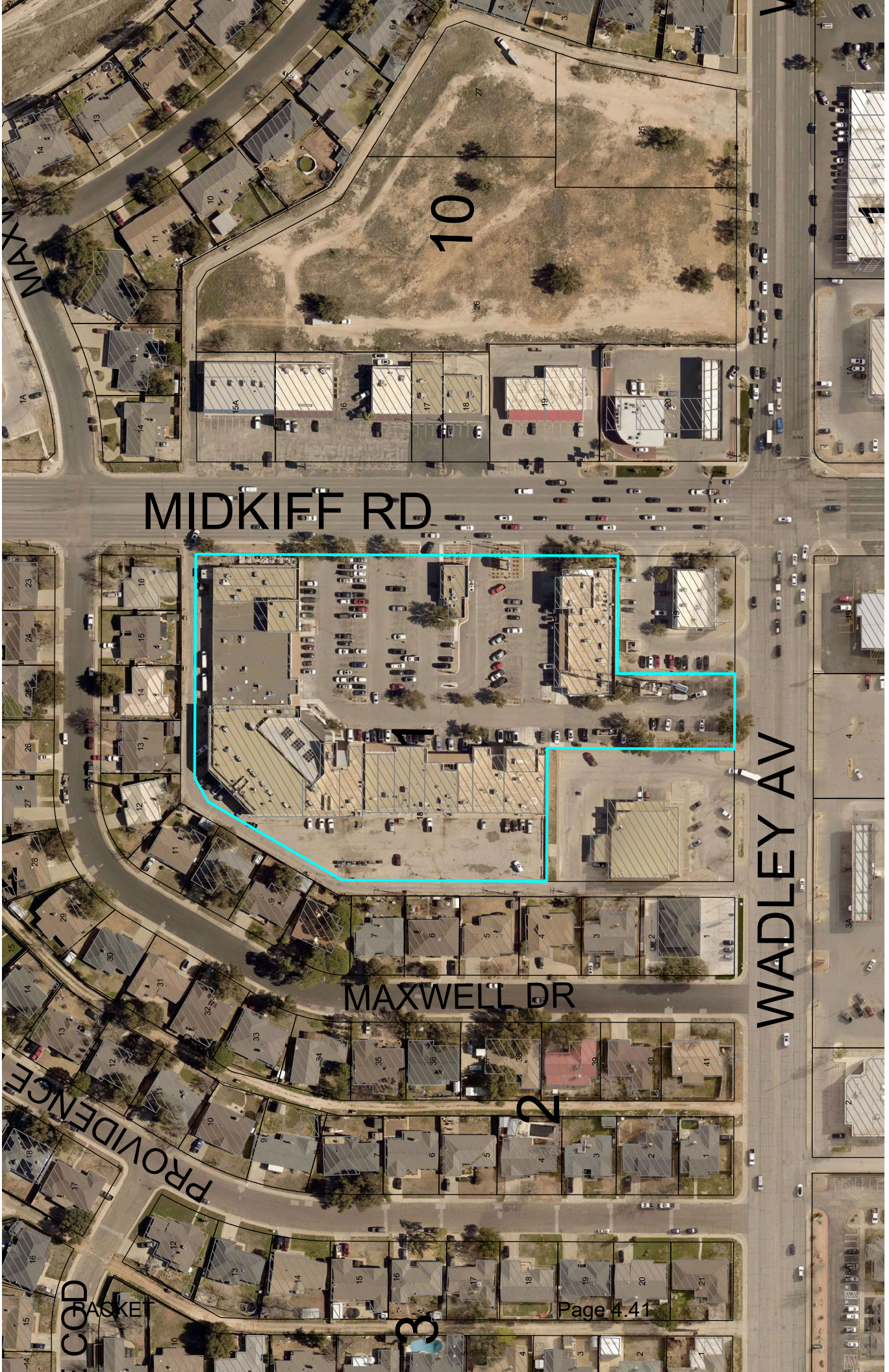
EXHIBIT A



Addendum A

7234609 v1 (79755 00029.010)

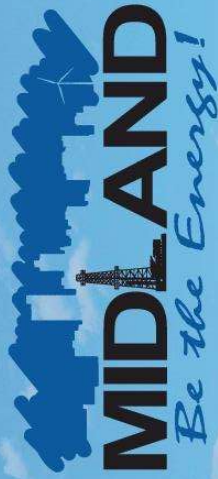




MIDKIFF RD

WADLEY AV

MAXWELL DR



ITEM — RHYTHM AND BOOZE SPECIFIC USE DESIGNATION WITH TERM

February 3, 2025

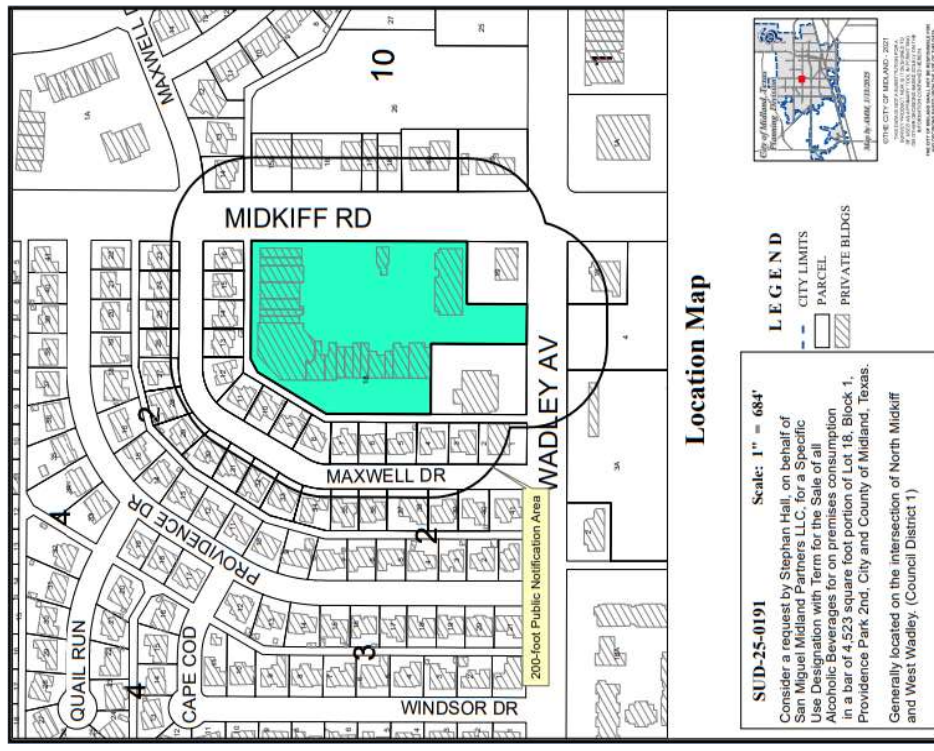


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MIDLANDTEXAS.GOV

APPLICATION SUMMARY

- **Property Owner & Developer:** San Miguel Midland Partners LLC
- **Representative:** Daniel Fuller, with Shop Co.
- **Application Type:** Specific Use Designation With Term
- **Address:** 3303 North Midkiff Road. (District 1)



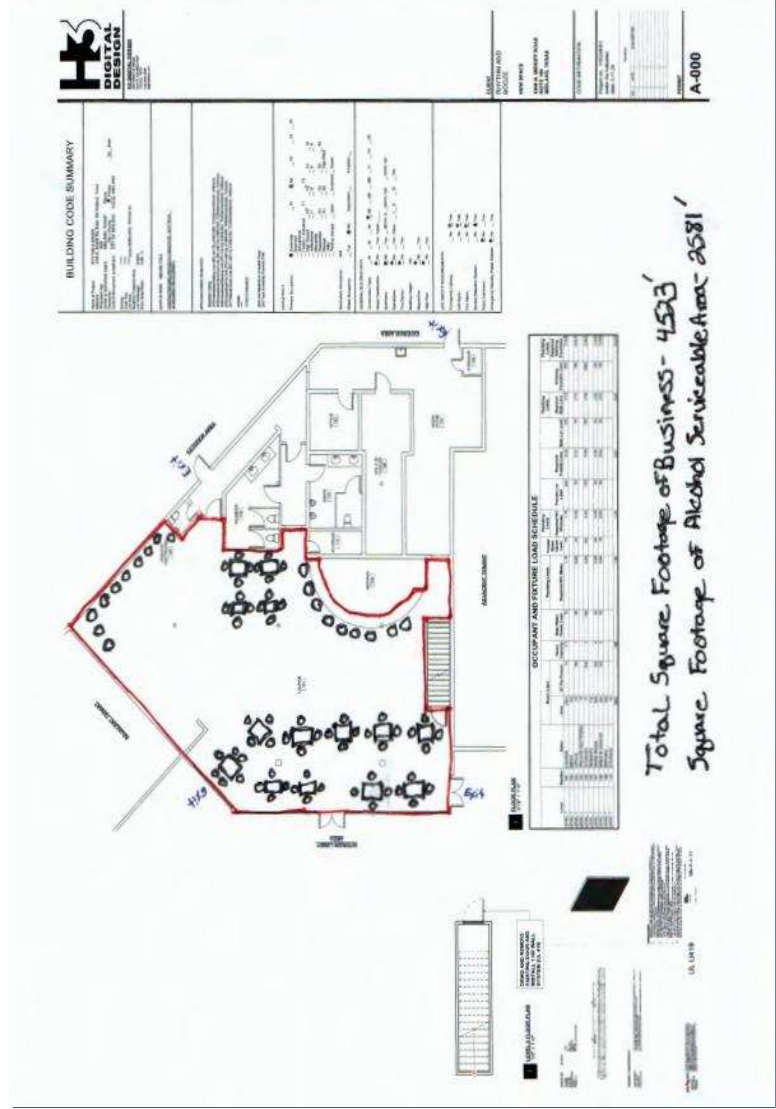
SUD DETAILS

- **Business Area:** 4,523 sq ft
- **Alcohol Serviceable Area:** 2,581 sq ft
- **Proposed Days and Hours of Operation:**
 - Monday - Sunday, Wednesday – Sunday, 2 p.m. to 2 a.m.

Proposed Days and Hours of SUD:

- Wednesday – Sunday, 2 p.m. to 2 a.m.

3



SUD DETAILS

- **Section 5-4-4 Compliance:** There is no church, public school, public school ground, athletic stadium used by any public school, or public hospital within 300 ft of the building of the subject property.



PACKET

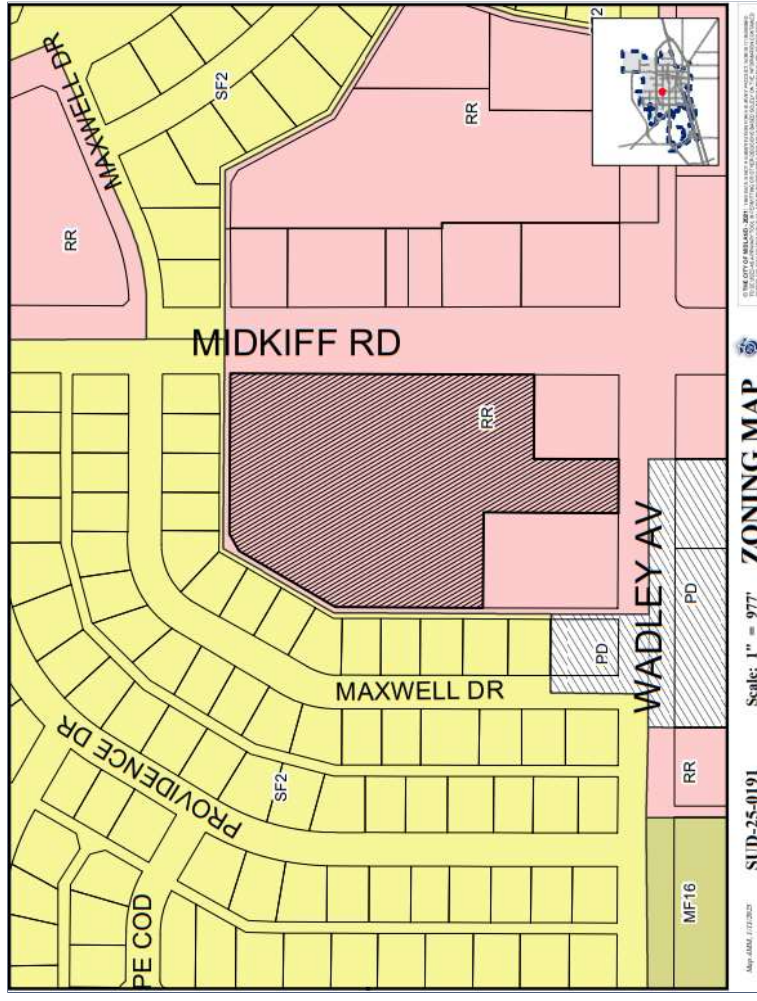


SITE PLAN



ZONING

- **Current Zoning:** RR, Regional Retail District
- **Surrounding Zoning:**
 - **North and West:** SF-2, Single Family Dwelling District.
 - **South and East:** RR, Regional Retail District



LAND USE

- **Current Use of the Property:**
Existing Bar: The use of Alcohol is allowed with a Specific Use Designation per the Use Chart in Section 11-1-4.03

- **Surrounding Uses:**

North/West: Single Family Homes

South: Commercial use, AT&T, USPS.

East: Commercial Uses





SITE PHOTO

On North Midkiff Road, Looking West

Comprehensive Plan

TCT Land Use Designation: UR-L, Urban Residential- Low Supported Uses

Restrictive land use, emphasizing single-family detached development, although innovative single-family forms may be permitted with special review. Civic uses are generally allowed, with special permission for higher intensity uses. Developments will be provided with full city services.



COMPREHENSIVE PLAN ANALYSIS

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

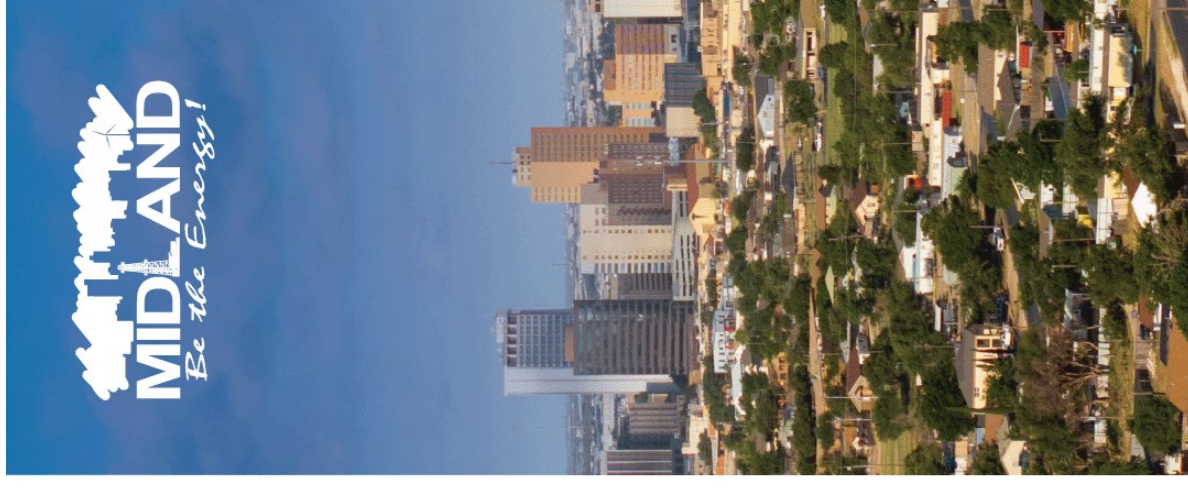


STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a bar, subject to the following conditions:

A. That the serviceable area of the Establishment shall be limited to approximately 2,581 square feet as shown in Exhibit “A”, which is attached hereto and incorporated herein for all purposes.

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

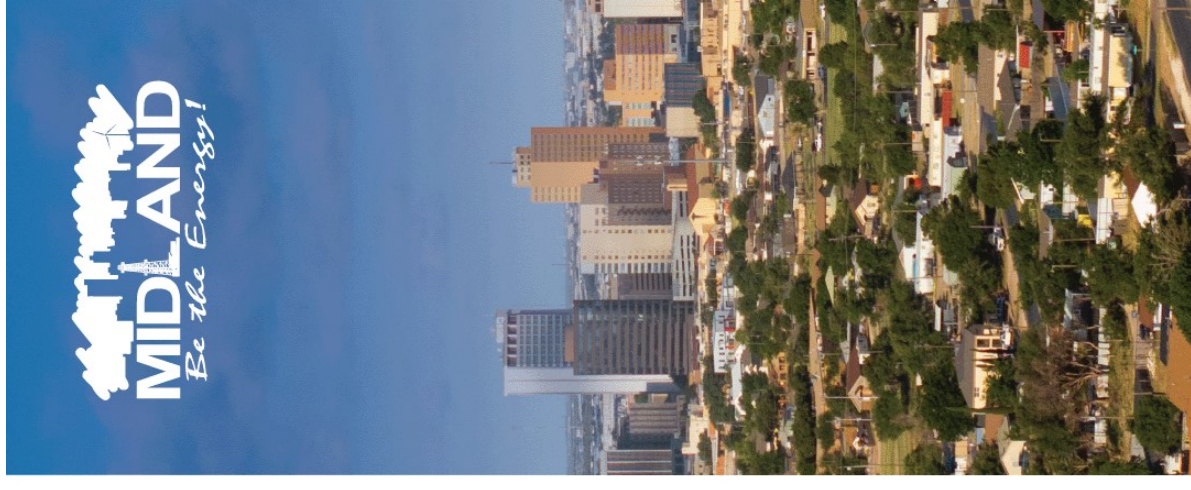


STAFF RECOMMENDATION

C. That the days and hours of alcoholic beverage sales and consumption shall be limited to Wednesday through Sunday from 2:00 p.m. to 2:00 a.m. of the following day.

D. That the occupancy of the Establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

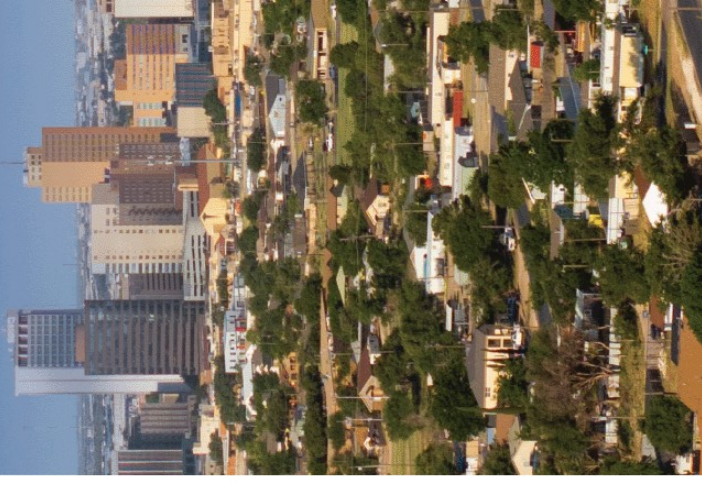
E. That the Establishment shall meet the requirements of the Fire Department and the Code Administration Division.



STAFF RECOMMENDATION

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

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



MISSION

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



Planning and Zoning Commission

Approved for Agenda:
Landon Ochoa

MEETING DATE: February 3, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Alexis M. Martinez, Associate Planner

SUBJECT: Hold a public hearing and consider a request by Shop Co., on behalf of Stephen Hall for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Bar, on a 4,523 square-foot portion of Lot 18, Block 1, Providence Park 2nd Section, City and County of Midland, Texas. (Generally located at the west side of North Midkiff Road approximately 120 feet south of Maxwell Drive.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Shop Co, on behalf of Stephan Hall, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a bar on a property located at 3303 North Midkiff Road.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north and west are zoned SF-2 Single Family Dwelling District. The property to the south is zoned PD- Planned District for a U.S Postal Office and Retail store. The properties to the east are zoned RR- Regional Retail District for the uses that include a shopping center and gas station.

Analysis:

The property is zoned RR, Regional Retail District. RR zoning allows for Alcoholic Beverages Sales for On-Premises Consumption in a bar with the approval of an SUD. The total area of the bar, Rhythm and Booze, is 4,523 square feet and the proposed alcohol serviceable area is 2,581-square feet.

The proposed hours of operation:

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The proposed hours of alcohol service:

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

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

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

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

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

Fire: (Approved)

A fire inspection must be conducted by the fire marshal's office before a certificate of occupancy is issued

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

The SUD for Rhythm and Booze is acceptable. The property must adhere to the maximum occupant load of 173 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

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

Conditions:

A. That the serviceable area of the establishment shall be limited to approximately 2,581 square feet as shown in Exhibit "A".

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

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

Wednesday through Sunday from 2 p.m. to 2 a.m.

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

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

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

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

Letters of Objection:

As of February 2, 2025, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan
Maps
PowerPoint



Planning and Zoning Commission

Approved for
Agenda:
Landon Ochoa

MEETING DATE: February 03, 2025

TO: PLANNING AND ZONING COMMISSION

FROM: Britt Murry, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of East Midland Addition, Section 26, being a replat of all of Block 88, East Midland Addition, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of East Cuthbert Avenue and North Fairgrounds Road.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Maverick Engineering, on behalf of JDCOM Midland TX Realty Fairgrounds, LLC, is requesting to replat a property located at 921 North Fairgrounds Road into 2 lots for future commercial development.

Current Zoning:

C, Commercial District

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

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Garden roadway is not built to City Standards, construct to City standards for entire platted frontage. Webster roadway is not built to City Standards, construct to City standards for entire platted frontage. Fairgrounds roadway okay as is. Cuthbert roadway okay as is. [For Applicant's Information Only.]

WATER: 16" water exists in Cuthbert Street, okay as is. 16" water exists in Fairgrounds Street, okay as is. 6" water exists in Garden 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: 12" sewer exists in Cuthbert Street, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No objections: all future structures must adhere to the International Fire Code 2015.

OIL AND GAS: (Approved)

No Oil & Gas issues

GIS: (Approved with Conditions)

Please make ROW dedication line solid.

PLANNING: (Approved)

Staff recommends approval of the Preliminary Plat of East Midland Addition, Section 26, subject to conditions A and B.

Conditions:

- A. Public improvements must be completed or a request for a deferral letter must be submitted by Final Plat submittal. [11-2-3(G)1]**
- B. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas. [11-2]**

Attachments:

Application
Preliminary Plat
Location Map
Zoning Map



Preliminary Plat Application

Project Number:

Sub-24-0807

Case Number:

P-25-2173

Proposed Subdivision Plat Name: EAST MIDLAND ADDITION SECTION 26

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF ALL OF BLOCK 88 EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner Printed Name: JDCOM MIDLAND TX REALTY FAIRGROUNDS LLC		Phone (432) 684-8005 Email luis@cdgmidland.com	
Address 15718 BARDENIA WAY	City LOS GATOS	State CA	Zip 95032

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 () Email adevine@maverick-eng.com	
Address 1909 W WALL ST, SUITE K	City MIDLAND	State TX	Zip 79701

Current Zoning: COMMERCIAL

Reason for Platting: SUBDIVIDING TO DEVELOP THE SOUTH LOT

Plat Information	Total Acreage:	10.30
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'

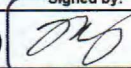
Request for a Development AgreementDo you expect to request a development agreement with the City? ☐ Yes ☐ No

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

Provisions

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

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

Property Owner (signature)  Date: 1/7/2025

Property Owner (printed): Dr. Mauro Ruffy

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.

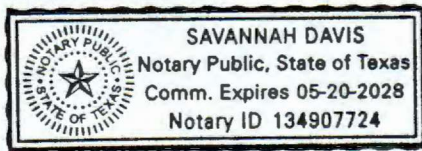
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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 East Midland add sec. 20 or is authorized by Dr. Mauro Ruffy 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 8th day of January, 20 25, to certify which witness my hand and seal of office.

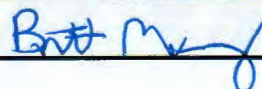



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # 5083

Received By: 

Date: 

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

PRELIMINARY PLAT
EAST MIDLAND ADDITION
SECTION 26
BEING A REPLAT OF ALL OF BLOCK 88
EAST MIDLAND ADDITION
CITY AND COUNTY OF MIDLAND, TEXAS

PACKET

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

OWNER'S CERTIFICATE
I, the undersigned, being the owner of the land described herein, do hereby certify that the facts stated herein are true and correct to the best of my knowledge and belief.

WITNESSED BY ME AT _____, TEXAS, this _____ day of _____, 2021.

FOR RECORD BY REALTY ENGINEERING, L.L.C.

THE STATE OF TEXAS

COUNTY OF MIDLAND

SECTION 26

BLOCK 88

EAST MIDLAND ADDITION

CITY AND COUNTY OF MIDLAND, TEXAS

BEING A REPLAT OF ALL OF BLOCK 88

EAST MIDLAND ADDITION

CITY AND COUNTY OF MIDLAND, TEXAS

SECTION 26

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

LOT 10

LOT 11

LOT 12

LOT 13

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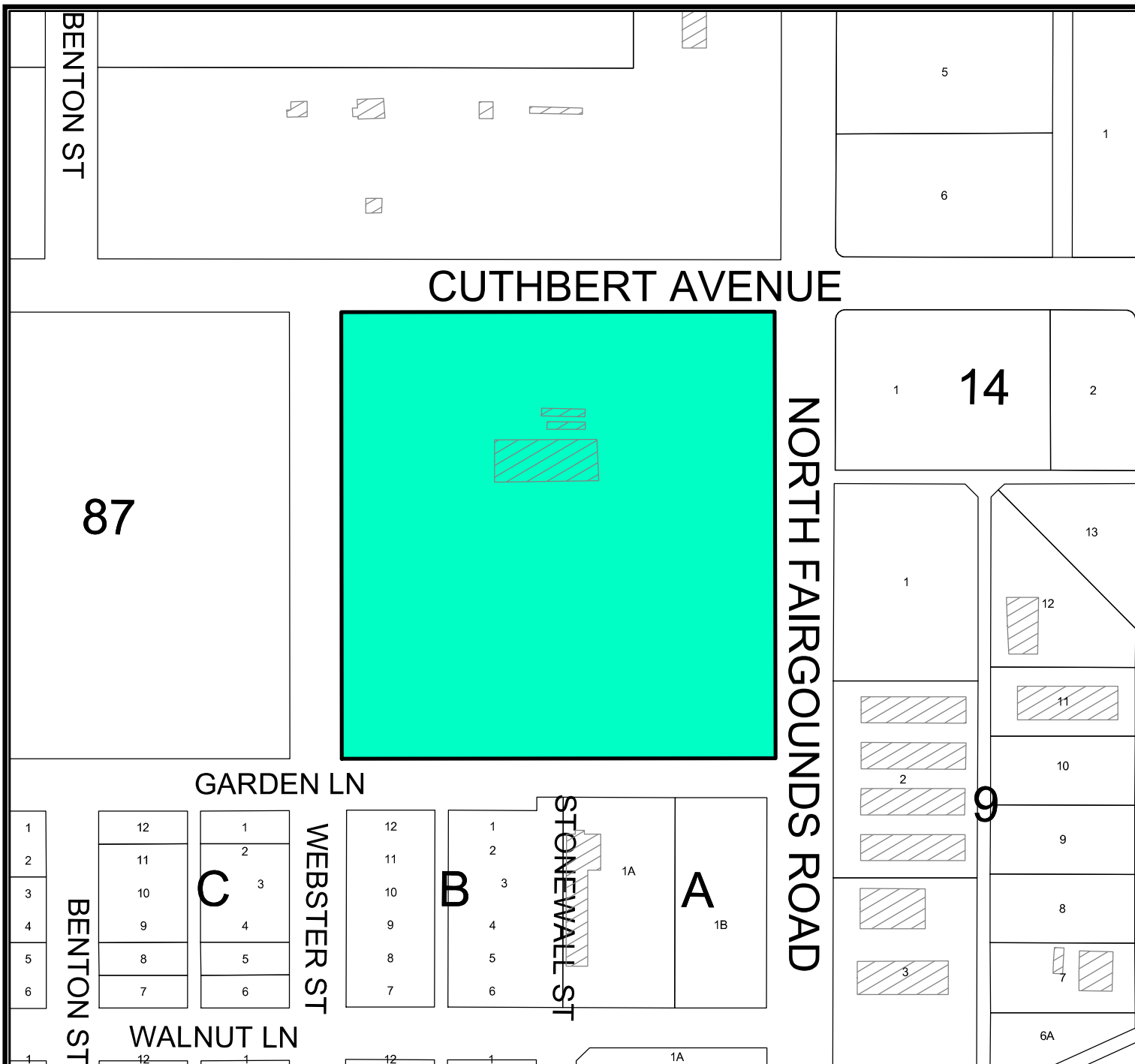
LOT 301

LOT 302

LOT 303

LOT 304

LOT 305



Location Map

SUB-24-0807

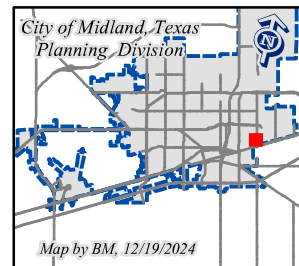
Scale: 1" = 219'

Proposed plat of East Midland Addition, Section 26, being a replat of all of Block 88, East Midland Addition, City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of East Cuthbert Avenue and North Fairgrounds Road. (Council District 2)

LEGEND

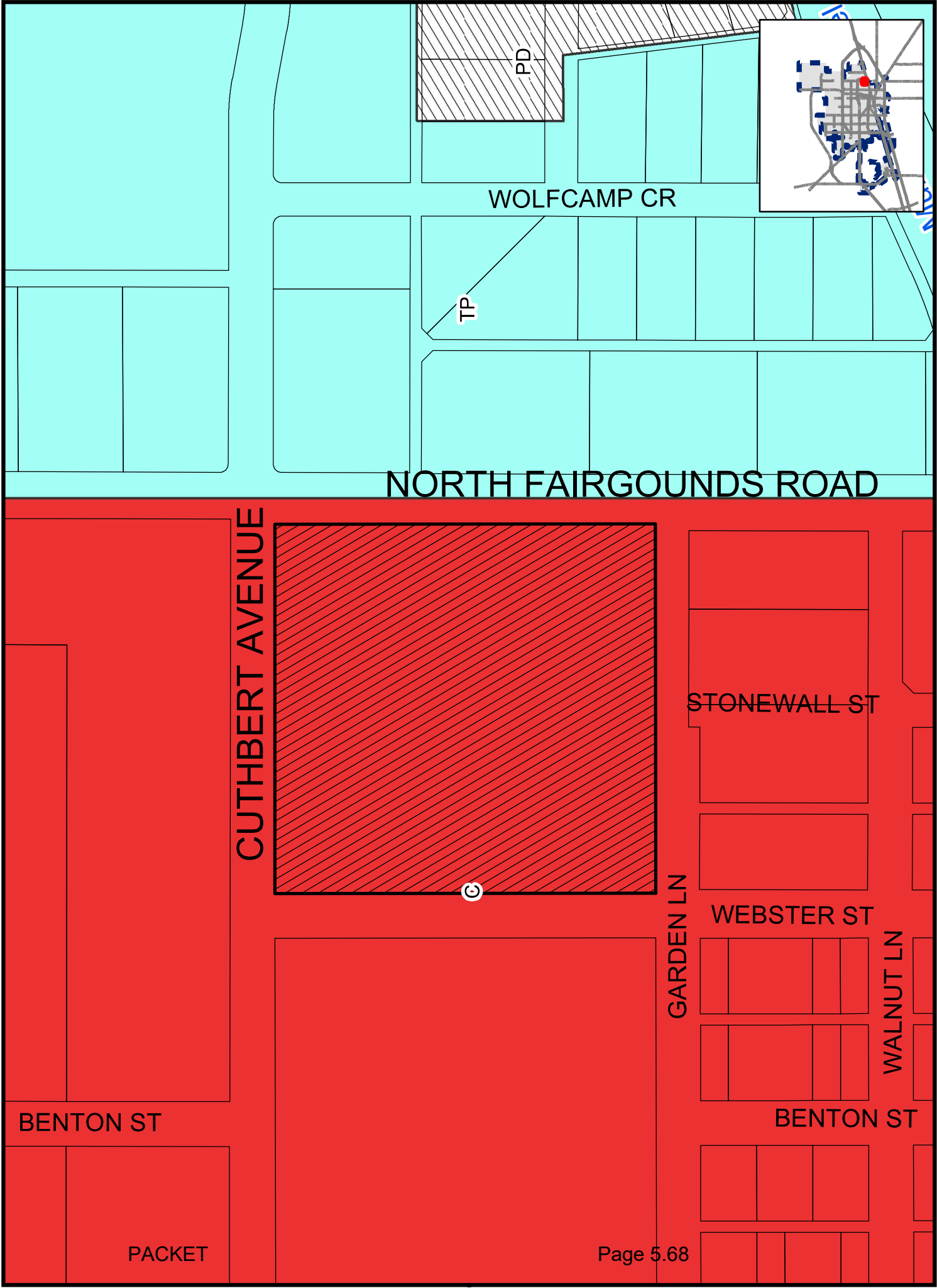
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ZONING MAP

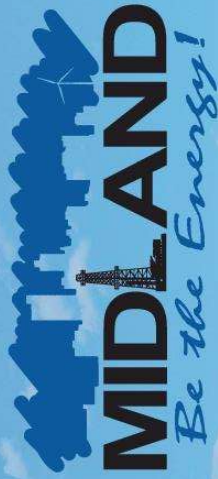
Scale: 1" = 215'

SUB-24-0807

Map BM, 12/19/2024

PACKET





EAST MIDLAND ADDITION, SECTION

26

ITEM – PRELIMINARY PLAT

February 3, 2025



Visit Our Website

MIDLANDTEXAS.GOV

- Page 5.71

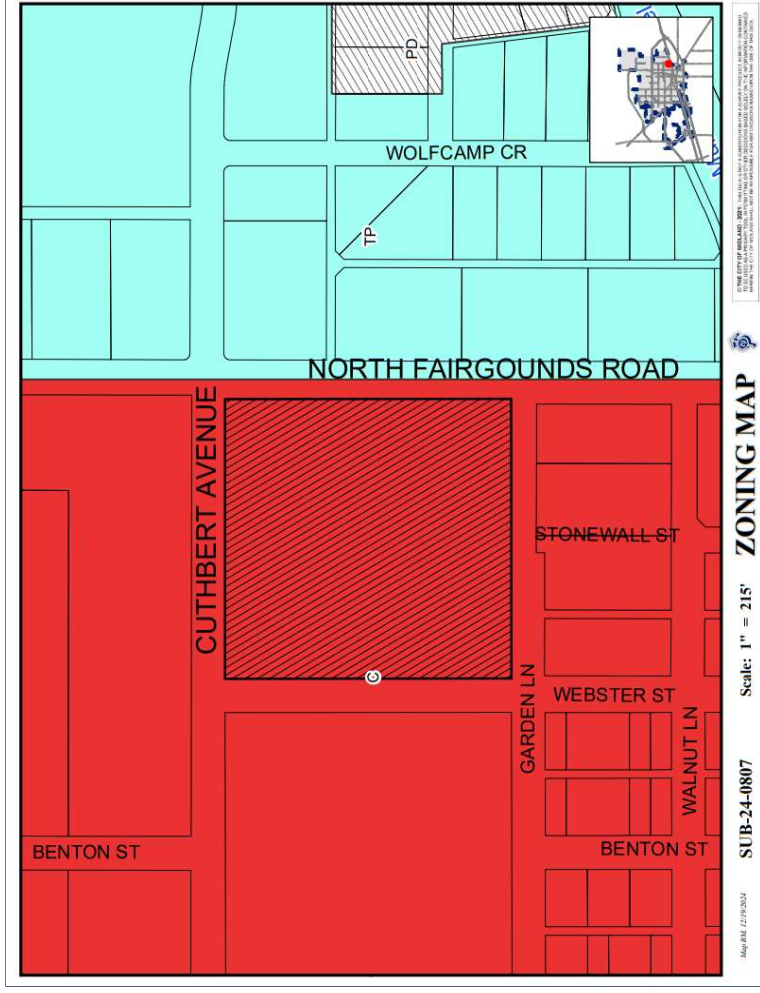


- 



ZONING

- **Current Zoning:** C, Commercial District
- **Surrounding Zoning:**
 - **North, South, & West:** C, Commercial District
 - **East:** TP, Technology Park District



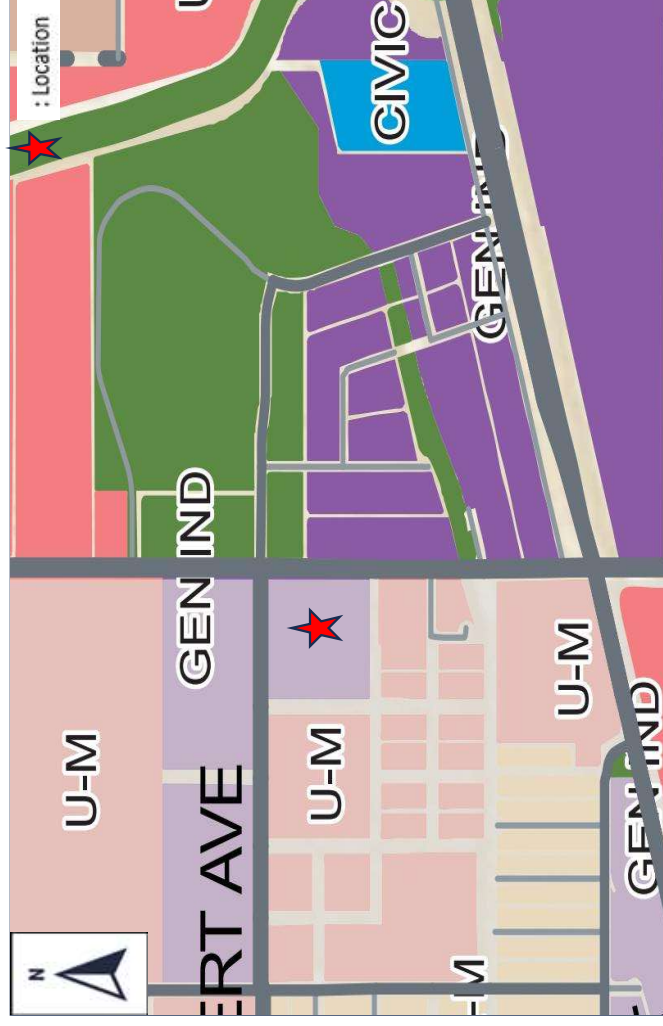
LAND USE

- **Current Use:** Commercial Buildings
- **Proposed Use:** Commercial Buildings
- **Surrounding Uses:**
 - North: Commercial Buildings
 - West: Vacant
 - South & East: Commercial buildings and vacant



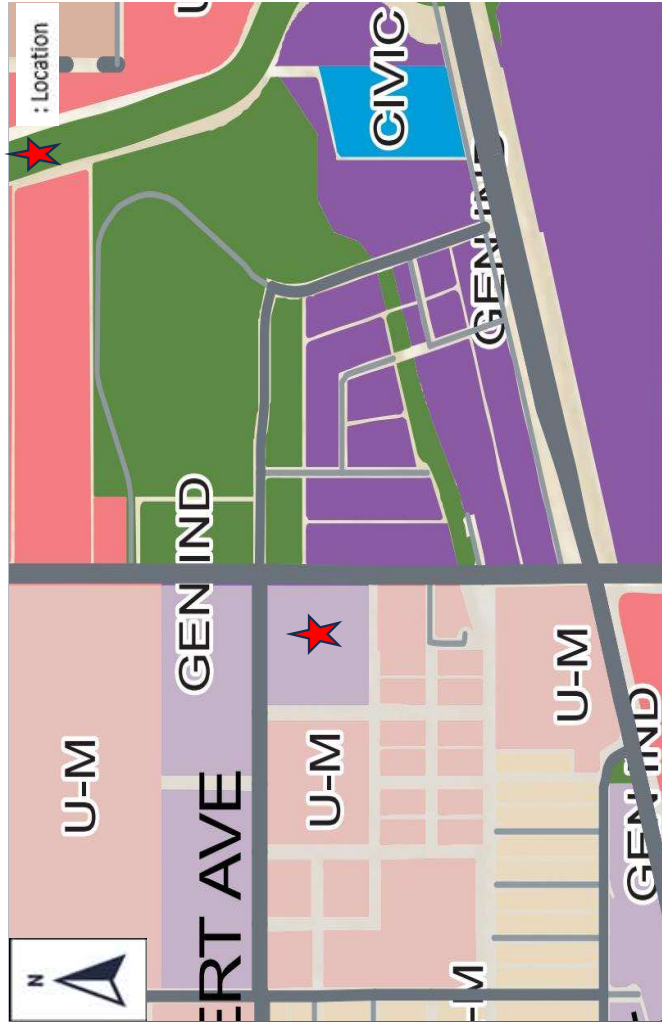
COMPREHENSIVE PLAN ANALYSIS

- **TCT Land Use Designation:**
 - General Industrial (GI)
- **Supported Uses:**
 - All types of industrial: manufacturing, warehousing, distribution, and office/industrial flex space. Uses in this area can be smaller in size than in the Business Park areas and aesthetic standards are less stringent.



COMPREHENSIVE PLAN ANALYSIS

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

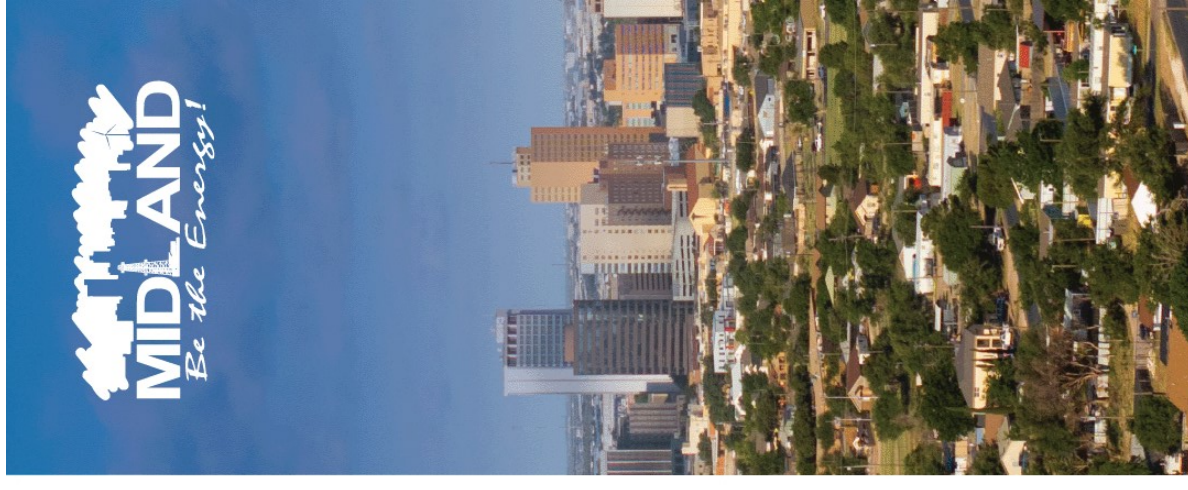


STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the preliminary plat of East Midland Addition, Section 26 subject to condition A and B.

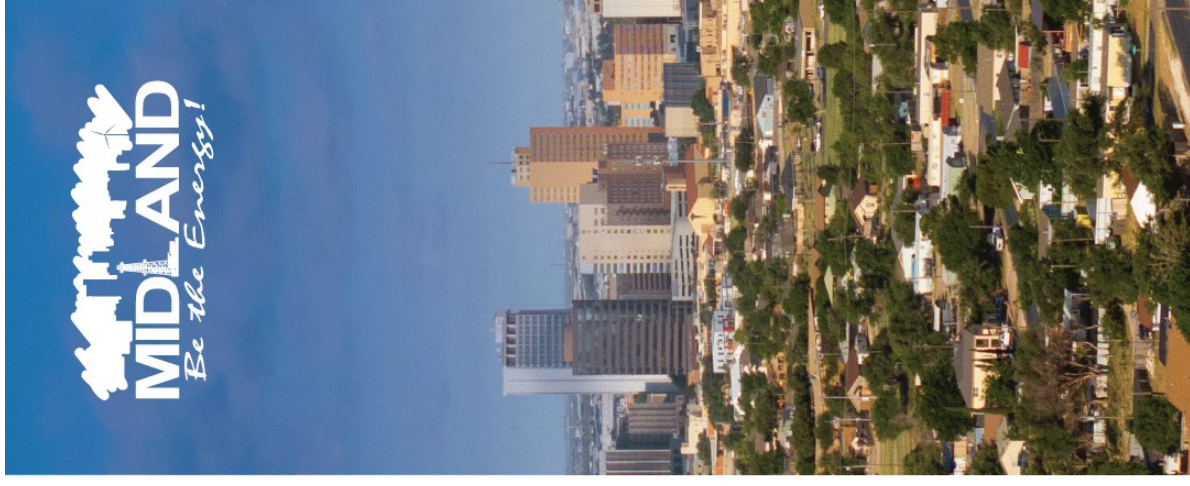
Conditions:

A. Public improvements must be completed or a request for a deferral letter must be submitted by Final Plat submittal. [11-2-3(G)1]



STAFF RECOMMENDATION

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



MISSION

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