

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

**April 17, 2023 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for March 3, 2023.
3. Motion approving a Final Plat of ABCO West Industrial Park, Section 5 being a Replat of Lots 1 and 2, and the North 25.21 feet of Lot 3, Block 2, ABCO West Industrial Park, Section 2, County of Midland, Texas. (Generally located on the southeast corner of the intersection of Industrial Avenue and Trade Drive. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of Sturgis Addition, being a plat of a 10.10-acre tract of land out of the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of W. County Road 130, approximately 1,055-feet west of S. County Road 1200. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

5. Consider a request by Scott A. Mommer Consulting C/O Cassie Permenter for a Zone Change from PD, Planned Development District for a Shopping Center to an amended PD, Planned Development District for a Shopping Center, on Lot 6, Block 45, Fairmont Park Addition, Section 15, City and County of Midland, Texas. (Generally located approximately

520-feet south of West Loop 250 North and approximately 515-feet west of North Midland Drive. - Council District 1) (DEVELOPMENT SERVICES)

6. Consider a request by Betenbough Homes for a Zone Change from PD, Planned Development District for Housing Development to an amended PD, Planned Development District for Housing Development on a 258.87-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas. (Generally located north of Mockingbird Lane, approximately 900-feet east of North Fairgrounds Road. - Council District 1) (DEVELOPMENT SERVICES)
7. Consider a request by Maverick Engineering for a Zone Change from O-1, Office District to RR, Regional Retail District, on Lot 1 and the east half of Lot 2, Block 76, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of West Texas Avenue and North N Street. - Council District 3) (DEVELOPMENT SERVICES)
8. Consider a request by Jorge Chavez for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, on Lot 4, Block 22, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland, Texas. (Generally located on the west side of South Clay Street, approximately 200-feet south of East Washington Avenue. - Council District 2) (DEVELOPMENT SERVICES)
9. Consider a request by Alejandro Dominguez for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant on a 5,200-square foot portion of Lot 2, Block 1, W.P. Knight Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of South Powell Street and West Wall Street. - Council District 2) (DEVELOPMENT SERVICES)
10. Consider a request by Broadus Services for a Specific Use Designation without Term for Wireless Communication Systems including a monopole antenna structure on a 1,600-square foot portion of Lot 8, Block 2, Pavilion Park, Section 7, City and County of Midland, Texas. (Generally located on the west side of North Fairgrounds Road, approximately 310-feet southeast of San Felipe Drive. - Council District 1) (DEVELOPMENT SERVICES)
11. Consider a request by Maverick Engineering for a proposed Preliminary Plat of Shenandoah Ridge, Section 2, being a residential replat of Lot 32, Block 5, Shenandoah Ridge, Section 1, City of Midland, Midland and Martin Counties, Texas. (Generally located west side of Anticline Court, approximately 625-feet north of Badland Boulevard. - Council District 1) (DEVELOPMENT SERVICES)
12. Consider a request by Maverick Engineering for a proposed Preliminary Plat of Country Sky Addition, Section 28, being a residential replat of Lot 16, Block 3, Country Sky Addition, Section 3, and a plat of a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, RR Co. Survey, and City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North County Road 1247 and West State Highway 158. - Council District 4) (DEVELOPMENT SERVICES)

13. Consider a request by Parkhill for a Final Plat of Grandridge Estates, Section 3, being a residential replat of Lot 19, Block 1, Grandridge Estates Addition, Section 2, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Navasota Drive and Garrett Drive. – Council District 4) (DEVELOPMENT SERVICES)

MISCELLANEOUS

14. Motion to approve with staff's recommended conditions for a revised Preliminary Plat of Mockingbird Ridge, being a plat of a 258.87-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. CO. Survey, City of Midland, Midland County, Texas. (Generally located north of East Mockingbird Lane, approximately 900 feet east of North Fairgrounds Road. - Council District 1) (DEVELOPMENT SERVICES)

Elizabeth Shaughnessy
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
April 3, 2023
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 3:47 p.m., April 03, 2023.

Commissioners present: Lucy Sisniega, Dianne Williams, Adrian Carrasco, Abraham Bejil, Beverly Dillow, Sallie Vega

Commissioners absent: Stacy Grosse, Zachary Deck, Emily Holeva

Staff members present: Jeff S. Fisher, James Reber, Landon Ochoa, Alexandra Walling, Rolandrea Russell, Dalia Salinas

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.)

Chairwoman Sisniega opened the public comment period at 3:47 p.m. With no one wishing to speak, the public comment period was closed at 3:48 p.m.

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for March 20, 2023.
3. Motion approving a Final Plat of Witcher Addition, Section 3, being a replat of Lot 2, Block 1, Witcher Addition, Section 2, and a plat of a 2.25-acre tract of land and a 0.372-acre portion of a previously vacated alley right-of-way located in Section 8, Block 40, T-2-S, T&P, RR. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Norden Drive and West State Highway 80. - Council District 4).
4. Motion approving a Final Plat of Kelview Heights, Section 13, being a replat of Lots 5-13, Block 17, and a 0.067-acre portion of previously vacated alley right of way, Block 17. Kelview Heights, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of North Big Spring Street and West Scharbauer Drive. - Council District 3)

Commissioner Carrasco moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Carrasco, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Grosse, Deck, Holeva

PUBLIC HEARINGS

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

5. Consider a request by Miguel Hernandez, d/b/a Casa Real LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption in a restaurant on a 2,379-square foot portion of Lot 1A, Block 11, Kimber-Lea Addition, Section 11, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Midkiff Road and Maxwell Drive. - Council District 3)

Planner James Reber gave an overview of the project. Staff received no letters of objection and recommended approval.

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

The applicant was not present

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

Commissioner Bejil moved to approve this request; seconded by Commissioner Carrasco.

The motion passed by the following vote: 5 to 0, 1 Abstention

AYE: Williams, Carrasco, Bejil, Dillow, Vega

NAY: None

ABSTAIN: Sisniega

ABSENT: Grosse, Deck, Holeva

MISCELLANEOUS

Staff presented the following miscellaneous items to the Planning & Zoning Commission.

6. Motion approving with staff's recommended conditions, for a proposed Preliminary Plat of Elmwood Addition, Section 8, being a replat of Lot 1 and the north 18.44-feet of Lot 2, Block 15, Elmwood Addition, Section 2, and Lots 1-3 and the south 25-feet of Lot 7, Block 11, Elmwood Extension, Section 2, City and County of Midland, Texas. (Generally located on the west side of North Big Spring Street, approximately 140-feet south of West Cuthbert Avenue. – Council District 3)

Commissioner Carrasco moved to approve this request; seconded by Commissioner Bejil.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Carrasco, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Grosse, Deck, Holeva

7. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Nolte Addition, being a plat of a 10.99-acre tract of land in Section 15, Block 38, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Farm-to-Market Road 715, approximately 1,520-feet south of East County Road 130. - Extraterritorial Jurisdiction)

Commissioner Williams moved to approve this request; seconded by Commissioner Carrasco.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Carrasco, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Grosse, Deck, Holeva

8. Motion approving with staff's recommended conditions for a reinstatement of an approved Preliminary Plat of Covington Addition, Section 7, being a plat of a 2.12-acre tract of land in Section 48, Block 41, T-2-S, T&P RR. Co. Survey, City and County of Midland County, Texas. (Generally located on the north side of State Highway 191, approximately 1,140-feet southwest of Jordy Road. - Council District 4)

*Deferred to the May 1, 2023 Meeting

9. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Palermo Crest Addition, Section 3, being a plat of a 0.302-acre tract of land in Section 1, Block 30, T-2-S T&P RR CO Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Wayside Drive and East Gist Avenue. - Council District 2)

Commissioner Bejil moved to approve this request; seconded by Commissioner Carrasco.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Carrasco, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Grosse, Deck, Holeva

10. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Westridge Park Addition, Section 47, being a plat of a 37.62-acre tract of land out of the Northeast Quarter of Section 48, Block

40, T-1-S, T & P. R.R. Co. Survey, City and County Midland, Texas. (Generally located at the northwest corner of the intersection of Leisure Drive and South Loop 250 West. - Council District 4)

Commissioner Carrasco moved to approve this request; seconded by Commissioner Bejil.

The motion passed by the following vote: 5 to 0, 1 Abstention

AYE: Williams, Carrasco, Bejil, Dillow, Vega

NAY: None

ABSTAIN: Sisniega

ABSENT: Grosse, Deck, Holeva

With no further items or business to come before the Commission, Chairwoman Sisniega adjourned the meeting at 4:03 p.m.

Lucy Sisniega, Chairwoman

Date

Jeff Fisher Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

MEETING DATE: April 17, 2023

TO: Planning and Zoning Commission

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of ABCO West Industrial Park, Section 5, being a replat of Lots 1 and 2, and the north 25.21 feet of Lot 3, Block 2, ABCO West Industrial Park, Section 2, County of Midland, Texas. (Generally located on the southeast corner of the intersection of Industrial Avenue and Trade Drive - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant, Schumann Engineering, is requesting to replat Lots 1 and 2, and the north 25.21 feet of Lot 3, Block 2, ABCO West Industrial Park Section 2, County of Midland, Texas, for ownership purposes. This replat satisfies the conditions and requirements of Section 11-2-3-I and is being processed using the short form approval procedure.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Paving improvements were administratively approved on 02/23/2023 [For Applicant's Information Only.]

WATER: 8" water exists in Trade Dr west of tract, okay as is. 8" water exists in W Industrial Ave, 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.][For Applicant's Information Only.]

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

SEWER: 24" sewer exists in alley east of tract, okay as is. 6" sewer exists on the tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

EASEMENTS: Show existing and proposed. Please show existing utility easement in alley east of tract. [For Applicant's Information Only.]

SIDEWALKS: Sidewalk improvements were administratively approved on 02/23/2023 [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 and Gas Issues. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No construction is allowed on top of P&A wells.

Code Administration: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

GIS: (Approved)

20' easement mentioned (Vol 659, pg 485) should be drawn on plat visual. Lot 3A should stay as Lot 3. (only the top 25' is being re-platted) Block 2 should be visible on plat visual.

County: (Approved)

New driveways will require permits for county roads.

Planning: Approved

All departments' comments have been satisfied.

Staff recommends approval once all comments have been met of the Final Plat of ABCO West Industrial Park, Section 5, subject to condition A.

Conditions:

- A. 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.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

SUB-22-0551
P-23-1587

Proposed Subdivision Plat Name: ABCO West Industrial Park Sec. 5

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 1 & 2, & North 25.21 Feet of Lot 3, Block 2, ABCO West Industrial Park, Section 2, City & County of Midland, TX

Property Owner

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: Schumann

Printed Name: Ed Aleman

Phone ()

Email

Address 800 N Marientfeld, Suite 100 City Midland

State TX

Zip 79701

Current Zoning:

Reason for Platting:

Plat Information

Total Acreage:

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots:

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 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): Laura D. Klauss

Date: 03/17/23

Property Owner (printed): Laura D. Klauss

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.

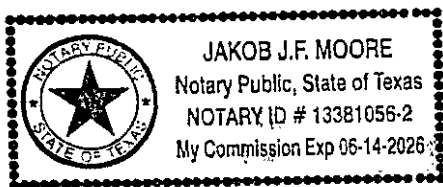
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Laura P. Klauss
Authorized Agent (signature)

Subscribed and sworn to before me, this 17 day of March, 20 23, to certify which witness my hand and seal of office.



Jakob Moore
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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

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: 3/17/2023

Property Owner (printed): Richard A. Michaels

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.

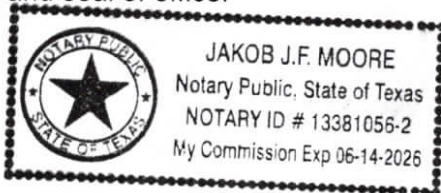
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Richard A. Michaels who, being by me duly sworn, upon oath says: That (s)he is authorized by TanRic Investments LP, 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 17th day of March, 20 23, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

RECEIVED
MAR 29 2023

FOR OFFICE USE ONLY

- ☒ Property Owner Authorization
☒ Mylar
☒ Application Fee

- ☒ 1 Copy of Dimensioned Plat
☒ 1 Copy of Plat (11x17)
☒ Title Opinion
☒ Tax Certificates

- BY: James Riber
☒ Plat in Digital Format (PDF/JPEG)
☒ CADD File
☒ Public Improvement
☒ Recording Fee
Check # 1917

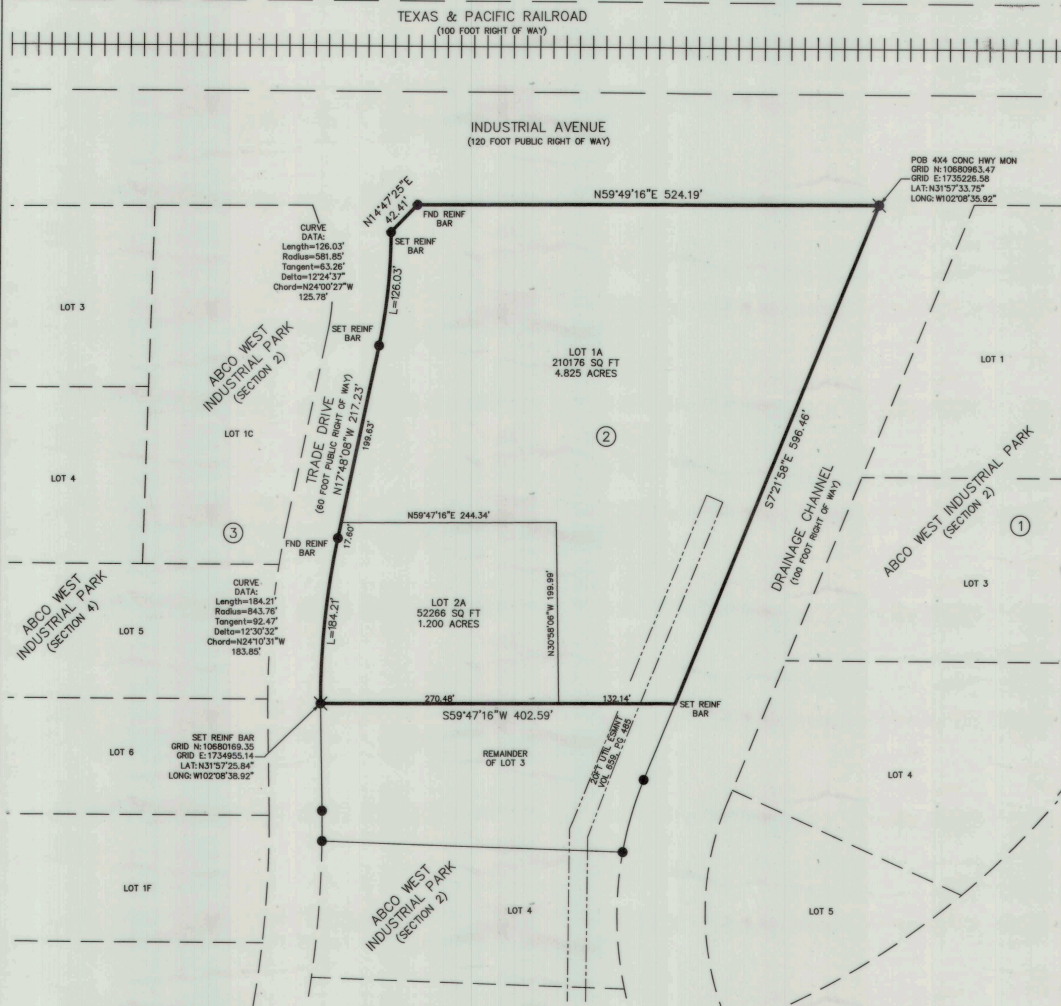
Received By: James Riber

Date: 3/24/23

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

ABCO WEST INDUSTRIAL PARK SECTION 5

BEING A REPLAT OF LOTS 1 AND 2, AND
THE NORTH 25.21 FEET OF LOT 3, BLOCK 2,
ABCO WEST INDUSTRIAL PARK SECTION 2,
MIDLAND COUNTY, TEXAS.



STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN ABCO WEST INDUSTRIAL PARK SECTION 2, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 6.025 ACRE TRACT OF LAND, BEING ALL OF LOTS 1 AND 2 AND THE NORTH 25.21 FEET OF LOT 3, BLOCK 2, A SUBDIVISION OF MIDLAND COUNTY, TEXAS, AS RECORDED IN CABINET "C", PAGE 130 PLAT RECORDS OF MIDLAND COUNTY, TEXAS. SAID 6.025 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (N-1080963.47, E-1735226.58) A 4X4 TADOT CONC. MONUMENT FOUND IN THE SOUTH RIGHT OF WAY OF INDUSTRIAL AVENUE FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 07°21'58" EAST, 596.46 FEET TO A REINFORCED BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 59°47'16" WEST, 402.59 FEET TO A REINFORCED BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT 184.21 FEET (CURVE DATA AS FOLLOWS: DELTA ANGLE = 12°30'32"; RADIUS = 843.76 FEET; CHORD BEARING AND DISTANCE = NORTH 24°10'31" WEST, 183.85 FEET) TO A REINFORCED BAR FOUND FOR A POINT OF TANGENCY IN THE WEST BOUNDARY LINE OF THIS TRACT;

THENCE NORTH 17°48'08" WEST, 217.23 FEET TO A REINFORCED BAR SET FOR A POINT OF CURVATURE IN THE WEST BOUNDARY LINE OF THIS TRACT;

THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT 126.03 FEET (CURVE DATA AS FOLLOWS: DELTA ANGLE = 12°24'37"; RADIUS = 581.85 FEET; CHORD BEARING AND DISTANCE = NORTH 24°10'27" WEST, 125.78 FEET) TO A REINFORCED BAR SET FOR THE MOST WESTERLY NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°47'25" EAST, 42.41 FEET TO A REINFORCED BAR FOUND IN THE SOUTH RIGHT OF WAY OF INDUSTRIAL AVENUE FOR THE MOST NORTHERLY NORTHWEST CORNER OF THIS TRACT;

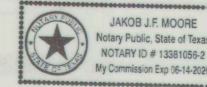
THENCE NORTH 59°49'16" EAST, 524.19 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREBY DESCRIBED PROPERTY AS ABCO WEST INDUSTRIAL PARK, SECTION 5, AN ADDITION TO COUNTY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC: USE FOR THE STREETS, ALLEYS AND EASEMENTS (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS 17 DAY OF March, 2023.

Jacob J. Moore
J&P INVESTMENTS, A TEXAS GENERAL PARTNERSHIP
LAURA KLAUSS
EXECUTOR FOR THE ESTATE OF PEGGY MASON - OWNER

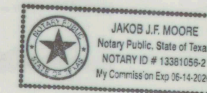


STATE OF TEXAS
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 17 DAY OF March, 2023, J&P INVESTMENTS, A TEXAS GENERAL PARTNERSHIP.

Jacob J. Moore
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

Richard A. Michaels
TANRIC INVESTMENTS LP, A TEXAS LIMITED PARTNERSHIP
RICHARD A. MICHAELS
TITLE: PARTNER



STATE OF TEXAS
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 17 DAY OF March, 2023, TANRIC INVESTMENTS LP, A TEXAS LIMITED PARTNERSHIP.

Jacob J. Moore
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

- J & P INVESTMENTS, A TEXAS GENERAL PARTNERSHIP
- TANRIC INVESTMENTS LP, A TEXAS LIMITED PARTNERSHIP

SYMBOLS LEGEND

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- SECTION LINE
- ADJOINING PROPERTIES
- UTILITY EASEMENT
- OVERHEAD ELECTRIC
- UTILITY POLE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: *David Hutchison*
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: *Vincent Gonzalez*
AT&T TEXAS

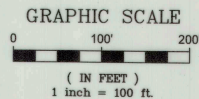
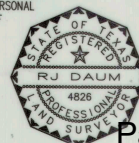
SIGNED: *Mark Lieb*
ATMOS ENERGY

SIGNED: *Luis Montez*
OPTIMUM

SIGNED: *Ruben Guerra*
ASTOUND

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

RJ Daum
RJ DAUM
TEXAS RPLS 4826



CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF ABCO WEST INDUSTRIAL PARK, SECTION 5, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS 17 DAY OF March, 2023.

SIGNED: CHAIRMAN LUCY SISENEGA

ATTEST: SECRETARY JEFF FISHER



PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

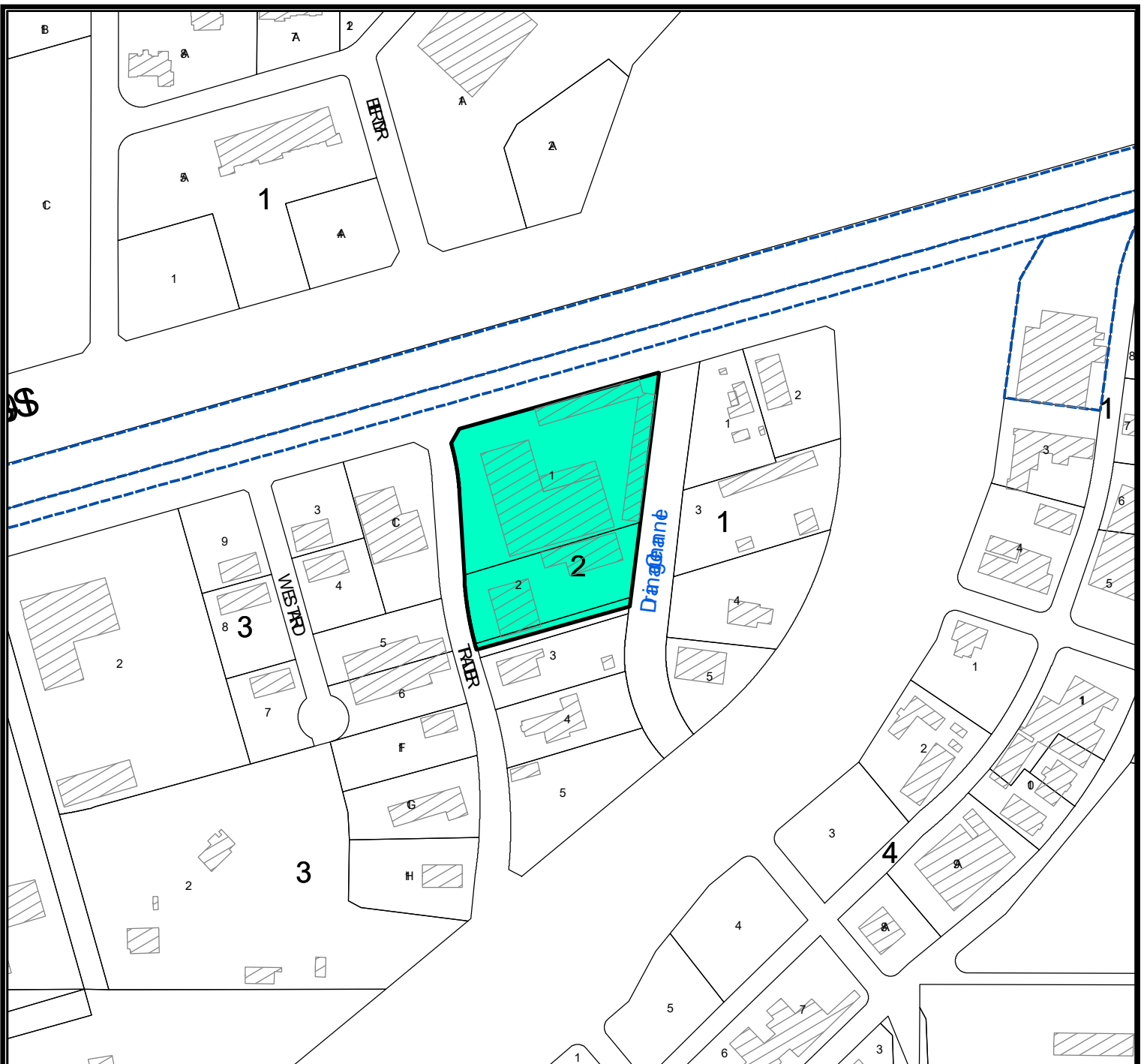
NO. _____ CABINET _____
DATE _____ PAGE _____

SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

400 N. WARDEN ROAD
SUITE 100
MIDLAND, TEXAS 79701
Office (432) 684-5548
Fax (432) 684-6975

ABCO WEST INDUSTRIAL PARK SECTION 5

NO.	DATE	DESCRIPTION	BY	DRAWN BY	DATE
1	07/19/2022	PRELIMINARY PLAT	JD	CAK	07/19/2022
				CHECKED BY: ED/RJ	PROJECT NO.: 76764
				JOB NO.: 76,764	SHEET: 1 OF 1



LOCATION MAP

P-23-1587

Scale: 1" = 200'

Proposed replat of Lots 1 and 2, and the North 25.21 feet of Lot 3, Block 2, ABCO West Industrial Park Section 2, County of Midland, Texas.

Generally located on the southeast corner of the intersection of Industrial Ave and Trade Dr. - Extraterritorial Jurisdiction

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: April 17, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a Final Plat of Sturgis Addition, being a plat of a 10.10-acre tract of land located the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side on West County Road 130, approximately 1,055-feet west of South County Road 1200. - Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ **Approve**

☐ **Deny**

☐ **Direction/Informational**

Current Zoning:

Extraterritorial Jurisdiction

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

Preliminary Plat Approval:

The applicant, Schumann Engineering Co., Inc., is requesting to plat a 10.10 acres tract of land located the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County to subdivide into 8 lots for future property owners to obtain septic permits.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

ENGINEERING: (Approved)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for sewer improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

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

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

SIDEWALK: Deferral request for sidewalk improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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.

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

All comments have been satisfied.

MIDLAND COUNTY: (Approved with Conditions)

We would typically expect a full 60' ROW and road dedication due to the number of lots. This would be for emergency access. If emergency services is ok with the dedicated driveway for the lots, then the county would be fine with it. I would like to see two things – 1) the developer ensure the dedication is in the deeds and 2) 911 does not name it a road.

HEALTH:

Yes, the health department will review applications from the 8 proposed lots of Sturgis Addition , PLAT OF A 10.1 ACRE TRACT OF LAND OUT OF THE NORTHEAST ¼ OF SECTION 21, BLOCK 39,T-2-S, T. & P. RR. CO. SURVEY lot 1 is 1.3 acre, lot 2 is 1.5 acre, lot 3 is 1.2 acre, lot 4 is 1.6 acre, lot 5 is 1.1 acre, lot 6 is 1 acre, lot 7 is 1 acre, lot 8 is 1 acre property owners 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.

PLANNING: (Approved)

Staff recommends approval of the Final Plat for Sturgis Addition subject to condition A.

Conditions:

- A. 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.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: SUB-21-0397
Case Number: P-23-1588

Proposed Subdivision Plat Name: Sturgis Addition

Legal Description (attached sealed Metes and Bounds): BEING A PLAT OF 10.10 ACRES OUT OF THE NE/4 OF SECTION 21, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS

Property Owner

Printed Name: GLEN WOOTEN

Phone (432) 528-1304
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: Schumann Surveying

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548
Email

ealeman@schumannonline.net

Address

1111 Magnolia

City

Midland

State

TX

Zip

79701

Current Zoning:

Reason for Platting: _____

Plat Information

Total Acreage: 10.10

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 8

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'

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): X Ruben Esperza

Date: 10-14-21

Property Owner (printed): Ruben Esperza

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

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

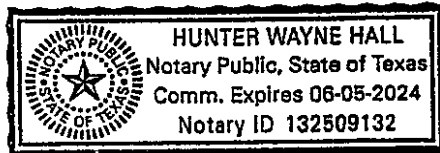
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Ruben Esperza, 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 Roman
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of October, 20 21, to certify which witness my hand and seal of office.



HWH

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: JF

Date: 3-30-23

Provisions

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

Property Owner (signature):

Date: 10-14-21

Property Owner (printed):

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

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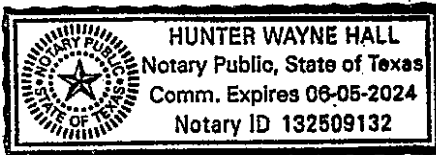
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Senaida Mendoza 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 J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of October, 20 21, 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 # _____

Received By: _____

Date: _____

****Application will not be considered for scheduling until reviewed by a planner 10/23/2023**

Provisions

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

Property Owner (signature):

Office Glenn Wooten

Date:

10-14-21

Property Owner (printed):

Office Glenn Wooten

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.

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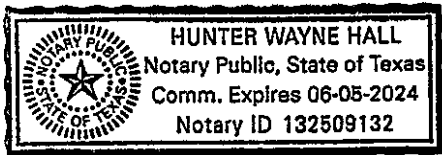
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Edardo Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of October, 20 21, to certify which witness my hand and seal of office.



HWH

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****
PACKET Page 4.22 April 17, 2023

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): X Merardo Alvarez

Date: _____

Property Owner (printed): Merardo

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Guillermo Y. Alvarado
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

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

PACKET

Page 4.23

April 17, 2023

Final Plat Application

2

Revised 7/01/19

Provisions

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

Property Owner (signature): *Fermin Olivas Hernandez* Date: 10-14-21

Property Owner (printed): Fermin Olivas Hernandez

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.

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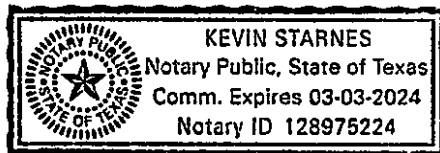
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Fermin Olivas Hernandez, 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 J Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of October, 20 21, 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 # _____

Received By: _____

Date: _____

Provisions

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

Property Owner (signature): X *Santos Hernandez*

Date: 10-14-21

Property Owner (printed): Santos Hernandez

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.

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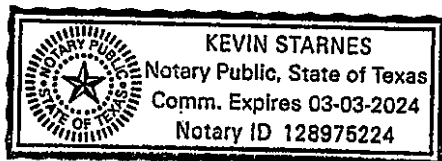
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Santos Hernandez, 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 J Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of October, 20 21, to certify which witness my hand and seal of office.



Kevin Starnes
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.****

PACKET
Preliminary Plat Application

Page 4.25
2

April 17, 2023
Revised 07/01/19

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) *Bianca Teller* Date: 8/2/21

Property Owner (printed): Bianca Teller

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.

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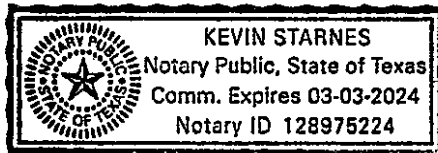
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Bianca Teller, 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 J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 2nd day of August, 20 21, 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 # _____

Received By: _____

Date: _____

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

Provisions

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

Property Owner (signature):

Date: 07-06-21

Property Owner (printed):

Rosenda Ramirez

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

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

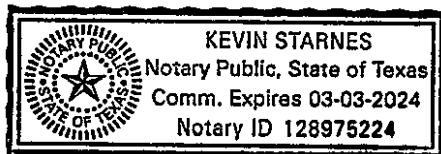
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Rosenda Ramirez, 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 J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of July, 20 21, to certify which witness my hand and seal of office.



Kevin Starnes

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.****
PACKET Page 4.27 April 17, 2023

Provisions

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

Property Owner (signature):

Date: 7-6-21

Property Owner (printed): Jaime Ramirez

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

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

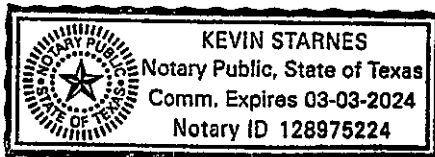
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Jaime Ramirez, 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 J. Roman
Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of July, 20 21, to certify which witness my hand and seal of office.



Kevin Starnes

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:

STURGIS ADDITION

BEING A PLAT OF 10.10 ACRES OUT OF
THE NE/4 OF SECTION 21,
BLOCK 39, T-2-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE NE/4 OF SECTION 21, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS STURGIS ADDITION, AN ADDITION TO THE COUNTY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

OWNERS:

OTTICE GLEN WOOTEN
P.O. BOX 741
PROCTOR, TX 76468
(432) 528-1304

MERARDO NEVAREZ
P.O. BOX 2874
MIDLAND, TX 79702

FERMIN OLIVAS HERNANDEZ
AND SANTOS HERNANDEZ
420 W MESCALERO
ODESSA, TX 79766

BIANCA TELLEZ
7902 WCR 116 UNIT E
MIDLAND, TX 79706

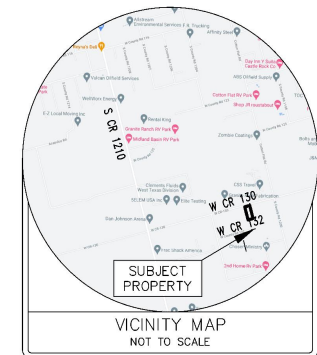
SENAIDA MENDOZA AND
RUBEN ESPARZA
923 S MAPLE
PECOS, TX 79772

ROSEDA RAMIREZ AND
JAIME RAMIREZ
4401 SCR 1200
MIDLAND, TX 79706

ALFREDO TARANGO AND
MARIA TARANGO

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 10.10 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN 8 TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. THIS PROPERTY LIES WITHIN ZONE "X" AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 48329-C0204F AND 48329-C212F WITH THE REVISION DATES OF SEPTEMBER 16, 2005.



VICINITY MAP
NOT TO SCALE

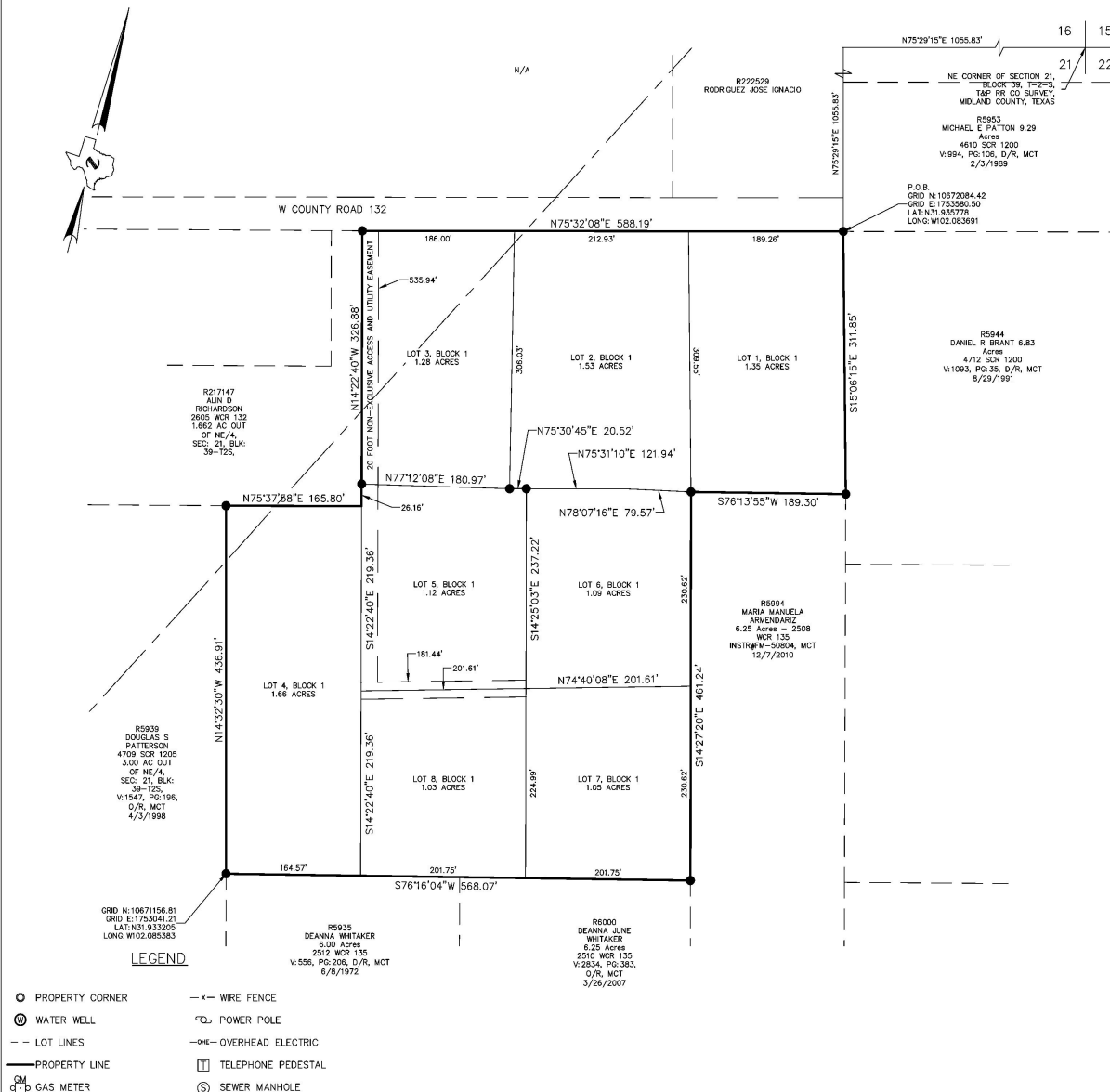
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____

SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

100 N. WARDEN STREET, SUITE 100, MIDLAND, TEXAS 79701
OFFICE (432) 684-1548

STURGIS ADDITION

STURGIS ADDITION



LEGEND

- PROPERTY CORNER
- X— WIRE FENCE
- ⊙ WATER WELL
- ⊕ POWER POLE
- LOT LINES
- OVERHEAD ELECTRIC
- PROPERTY LINE
- ⊕ TELEPHONE PEDESTAL
- ⊕ GAS METER
- ⊕ SEWER MANHOLE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM

SIGNED: _____
ASTOUND

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF STURGIS ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY JEFF FISHER

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

RJ DAUM
TEXAS RPLS 4826



GRAPHIC SCALE

0 200' 400'
(IN FEET)
1 inch = 200 ft.

NO.	DATE	DESCRIPTION	BY	JOB NO.	CHECKED BY	DRAWING NO.	SHEET	OF
4	04/25/22	PREPARED FINAL PLAT	EA/KS		KDS	776.34	1	2
2	10/4/21	PREPARED PRELIMINARY PLAT	EA/KS		RJD	776.34	1	2
1	4/26/23	PREPARED PRELIMINARY PLAT	EA/KS			776.34	1	2

PACKET

Page 4-29

APR 17, 2023

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE NE/4 OF SECTION 21, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS STURGIS ADDITION, AN ADDITION TO THE COUNTY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

OTTICE GLEN WOOTEN

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, OTTICE GLEN WOOTEN.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

MERARDO NEVAREZ

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, MERARDO NEVAREZ

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

FERMIN OLIVAS HERNANDEZ

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, FERMIN OLIVAS HERNANDEZ

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

SANTOS HERNANDEZ

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, SANTOS HERNANDEZ

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

BIANCA TELLEZ

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, BIANCA TELLEZ

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

SENAIDA MENDOZA

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, SENAIIDA MENDOZA.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

RUBEN ESPARZA

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, RUBEN ESPARZA

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

ROSENDA RAMIREZ

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, ROSENDA RAMIREZ

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

JAIME RAMIREZ

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, JAIME RAMIREZ.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

STURGIS ADDITION

BEING A PLAT OF 14.654 ACRES OUT OF
THE NE/4 OF SECTION 21,
BLOCK 39, T-2-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

ALFREDO TARANGO

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, ALFREDO TARANGO

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

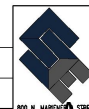
MARIA TARANGO

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, MARIA TARANGO.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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



SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

808 N. WARDEN AVE. SUITE 100
MIDLAND, TEXAS 79701
CIVIL ENGINEERING - LAND SURVEYING
PHONE 432-7180 FAX 432-7182
10148000

April 17, 2023

Office (432) 884-3548

DRAWN BY:	KDS	DATE:	2/3/2021
CHECKED BY:	RJD	DRAWING NO.:	776.34
JOB NO.:	77,634	SHEET	2 OF 2

PACKET

Page 4.30

STURGIS ADDITION

STURGIS ADDITION



LOCATION MAP

SUB-21-0397

Scale: 1" = 4,656'

Proposed Plat of Sturgis Addition, being a plat of a 14.654 acres tract of land located in the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

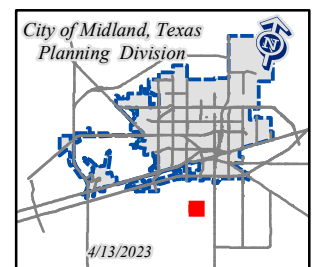
Generally located on the south side on West County Road 132, approximately 1,055-feet west of South County Road 1200. (Extraterritorial Jurisdiction).

PACKET

Page 4.31

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

April 17, 2023
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Consider a request by Scott A. Mommer Consulting C/O Cassie Permenter for a Zone Change from PD, Planned Development District for a Shopping Center to an amended PD, Planned Development District for a Shopping Center on Lot 6, Block 45, Fairmont Park Addition, Section 15, City and County of Midland, Texas. (Generally located approximately 520-feet south of Loop 250 North and approximately 515-feet west of Midland Drive. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Purpose:

The applicant, Scott A. Mommer Consulting C/O Cassie Permenter, is requesting a Zone Change from PD, Planned Development District for a Shopping Center to an amended PD, Planned Development District for a Shopping Center to amend the adopted site plan to allow outside storage and display of merchandise.

Current Zoning:

PD, Planned Development District for a Shopping Center with a base zoning RR, Regional Retail District. (Ordinance No. 10154)

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for a Shopping Center, and the location of restaurants. The property to the east is zoned PD, Planned District for a Shopping Center, and the location of retail use. The properties to the south are zoned SF-2, Single-Family Dwelling District, and the location of residences. The property to the west is zoned PD, Planned District for a Shopping Center, and the location of a storage facility.

Analysis:

The subject property is located at 4009 North Midland Drive, the applicant is requesting to amend the site plan for the property to designate an outdoor staging area as well as an area for outdoor sales and display.

The staging area will be enclosed by a six-foot tall wood vinyl screening fence on the east side of the property as illustrated in Exhibit A which will be used to store new products, mainly garden supplies, and will remain there for no longer than 72 hours until taken into the main garden center and/or store. The staging area will be 2,900± square feet.

The outdoor sales and display area will be 5,639± square feet along the north side of the building as shown in Exhibit A. This outdoor sales and display area will be used to store seasonal items such as barbeques, patio furniture, material displays, fencing displays, and landscape products including live plants, blocks, and sand.

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

Fire: (Approved)

No objection to zone change.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved)

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

Code: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

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

Planning:

This request conforms with the Tall City Tomorrow Comprehensive Plan, Chapter 3-Land Use Vision. The future land use map designates this area to be used for RC, Regional Commercial developments. These areas are characterized by major community and regional commercial development that are both large in scale and have high traffic impact and are typically located at intersections of arterial streets.

This requested zone change will allow for alterations to the previously adopted Site Plan, which includes the proposed outdoor sales area and staging area.

Staff recommends approval of this zone change from PD, Planned Development District for a Shopping Center, to Amended PD, Planned Development District for a Shopping Center subject to conditions A and B.

Conditions:

- A. That the use and development of the property shall significantly conform to the site plan and elevation drawings attached hereto as Exhibit "A".**
- B. That outside displays in the areas shown as "Proposed Outdoor Sales & Display Area" in Exhibit "A" are permitted at all times.**

Letters of Objection:

As of April 12, 2023, staff has received no letters of objection for this request.

Attachments:

Exhibit A: Site Plan
Application
Maps

THE HOME DEPOT MIDLAND #0561

4009 N MIDLAND DR.
MIDLAND, TX 79707



PROJECT INFORMATION

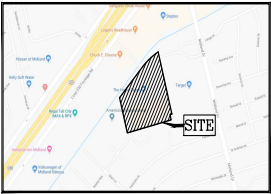
SITE ADDRESS:	4009 N MIDLAND DR. MIDLAND, TX 79707
APN:	R0000-19-018
ZONING DISTRICT:	U-M NC (URBAN-MEDIUM NEIGHBORHOOD CENTER)
SCOPE OF WORK:	DESIGNATED AREAS INTENDED FOR HOME DEPOT OUTDOOR DISPLAY AND STORAGE AREA.
LOT AREA :	12.96 AC (564,534 SF)
BUILDING AREA:	129,500 SF
COVERAGE AREA:	132,970 SF
TOTAL PARKING:	561 STALLS

LEGEND

---	EXISTING LIMITS OF SUBJECT BOUNDARY
♿	EXISTING HANDICAP STALLS
⚡	EXISTING FIRE HYDRANT
⚙	EXISTING WATER VALVE
☀	EXISTING LIGHT POLE
⌋	EXISTING DOOR/EMERGENCY EXIT
°	EXISTING BOLLARD
⌋⌋⌋	EXISTING CART CORRAL
=====	EXISTING CURB
=====	EXISTING FENCE
—+—	EXISTING WALL
▨	EXISTING STRIPING

SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	OUTDOOR DISPLAY AND STORAGE – SITE PLAN
SHEET 3	OUTDOOR DISPLAY AND STORAGE – ELEVATIONS



VICINITY MAP
NOT TO SCALE

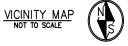
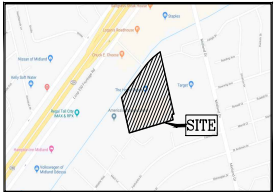
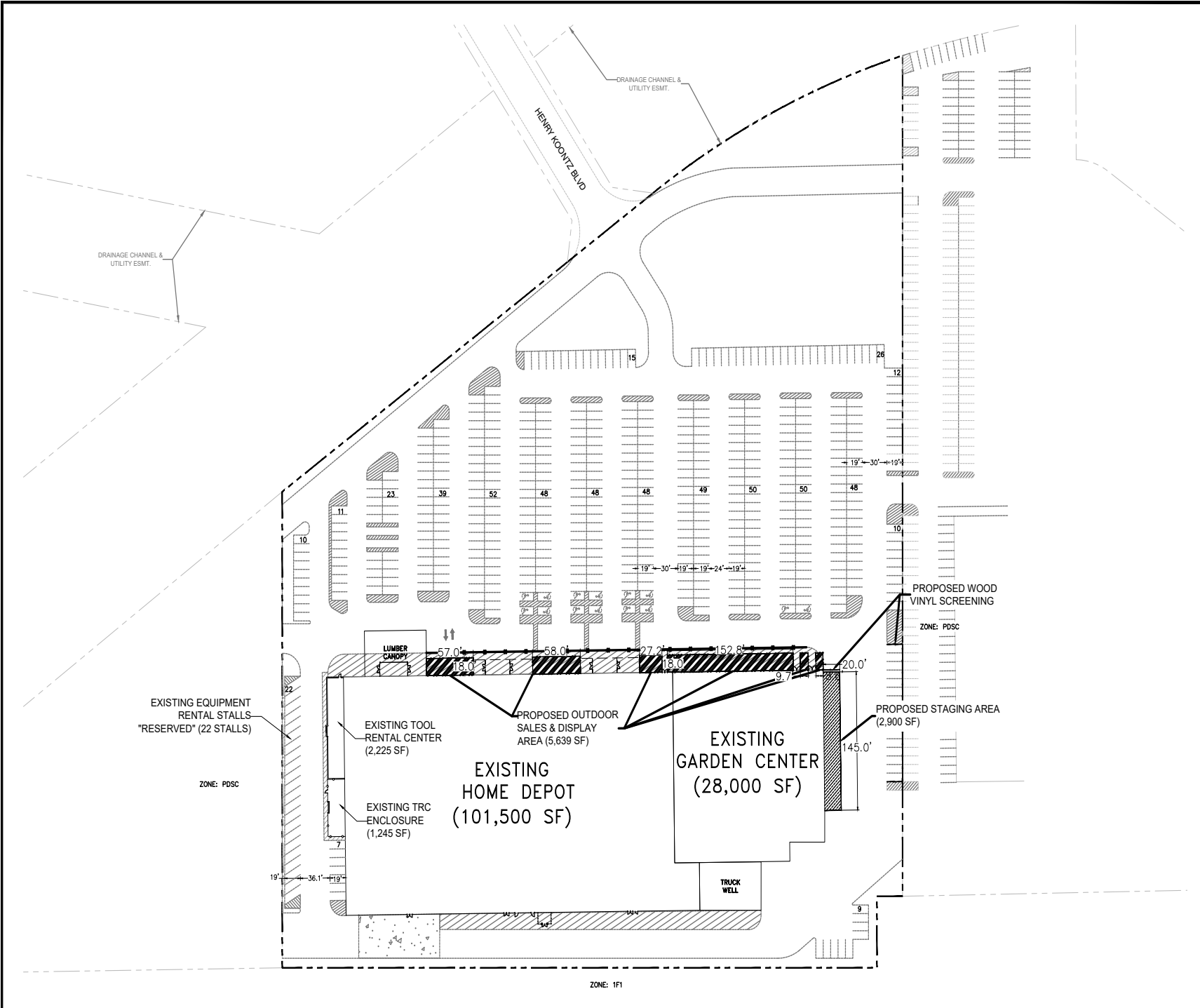
OUTDOOR DISPLAY
AND STORAGE

DATE:	9/22/2022
REVISION DATES:	2/24/2023
SITE PLANNER	DAVID GOMEZ
SITE DEV. COORDINATOR	CASSIE PERMENTER



TX - MIDLAND
STORE #0561

ADDRESS:	4009 N MIDLAND DR. MIDLAND, TX 79707
LA PROJECT NUMBER	SM 343.22



PROJECT INFORMATION

ZONING INFORMATION	
APN:	R0000-19-018
ZONING:	PDSC
LAND USE:	U-M NC (URBAN-MEDIUM NEIGHBORHOOD CENTER)
JURISDICTION:	CITY OF MIDLAND, TX
HOME DEPOT SITE DATA	
HOME DEPOT AREA	12.96 AC
HOME DEPOT BUILDING AREAS	
EXISTING HOME DEPOT BUILDING	101,500 SF
EXISTING GARDEN CENTER	28,000 SF
EXISTING TOOL RENTAL CENTER	+ 2,225 SF
TOTAL HD BUILDING AREA	131,725 SF
PARKING REQUIRED PER CITY CODE	
HOME DEPOT (@ 3.7 PER 1,000 SF)	
PER ORDINANCE NO. 8893	
(INCLUDING GARDEN CENTER & TRC)	487 STALLS
PARKING PROVIDED	
FRONT FIELD PARKING	529 STALLS
SIDE FIELD PARKING	23 STALLS
REAR FIELD PARKING	+ 9 STALLS
TOTAL PARKING PROVIDED	561 STALLS
INCLUDED WITHIN PARKING PROVIDED	
ACCESSIBLE PARKING	14 STALLS
NOT INCLUDED WITHIN PARKING PROVIDED	
TRC EQUIPMENT RENTAL	22 STALLS
STAGING AREA	(2,900 SF)

NOTE: GREEN STRIPING TO BE INCORPORATED IN PROPOSED STAGING AREA.

OUTDOOR DISPLAY AND STORAGE

DATE:	9/22/2022
REVISION DATES:	2/24/2023
SITE PLANNER	DAVID GOMEZ
SITE DEV. COORDINATOR	CASSIE PERMENTER

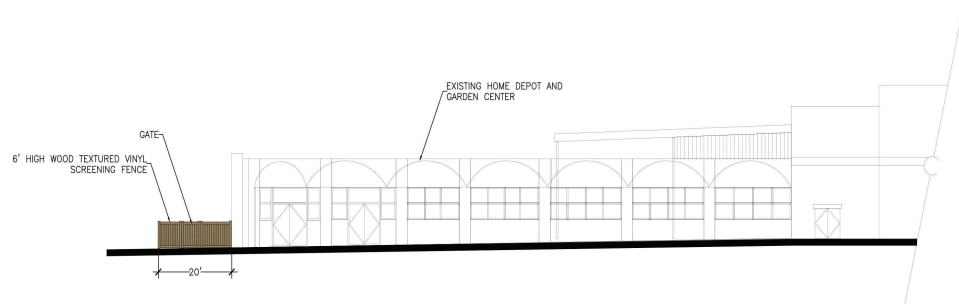


**TX - MIDLAND
STORE #0561**

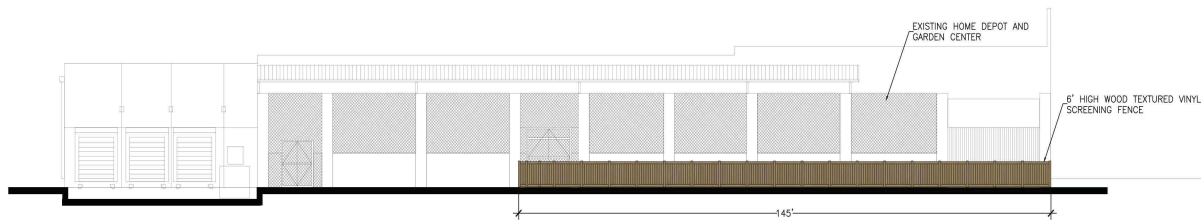
ADDRESS: 4009 N MIDLAND DR.
MIDLAND, TX 79707

LA PROJECT NUMBER SM 343.22

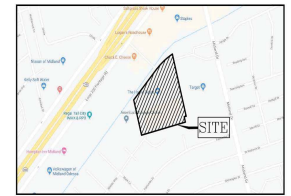




1 PARTIAL NORTH ELEVATION
Scale: 1/16" = 1'-0"



2 EAST ELEVATION
Scale: 1/16" = 1'-0"



PROJECT INFORMATION

ZONING INFORMATION	
APN:	R0000-19-018
ZONING:	PD/SC
LAND USE:	U-M NC (URBAN-MEDIUM NEIGHBORHOOD CENTER)
JURISDICTION:	CITY OF MIDLAND, TX
HOME DEPOT SITE DATA	
HOME DEPOT AREA	12.96 AC
HOME DEPOT BUILDING AREAS	
EXISTING HOME DEPOT BUILDING	101,500 SF
EXISTING GARDEN CENTER	28,000 SF
EXISTING TOOL RENTAL CENTER	+ 2,225 SF
TOTAL HD BUILDING AREA	131,725 SF
PARKING REQUIRED PER CITY CODE	
HOME DEPOT (@ 9.7 PER 1,000 SF PER ORDINANCE NO. 8893)	
(INCLUDING GARDEN CENTER & TRC)	487 STALLS
PARKING PROVIDED	
FRONT FIELD PARKING	529 STALLS
SIDE FIELD PARKING	23 STALLS
REAR FIELD PARKING	+ 9 STALLS
TOTAL PARKING PROVIDED	561 STALLS
INCLUDED WITHIN PARKING PROVIDED	
ACCESSIBLE PARKING	14 STALLS
NOT INCLUDED WITHIN PARKING PROVIDED	
THD EQUIPMENT RENTAL STAGING AREA	22 STALLS (2,900 SF)

NOTE: GREEN STRIPING TO BE INCORPORATED IN PROPOSED STAGING AREA.

OUTDOOR DISPLAY AND STORAGE

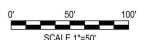
DATE:	9/22/2022
REVISION DATES:	2/24/2023
SITE PLANNER	DAVID GOMEZ
SITE DEV. COORDINATOR	CASSIE PERMENTER



**TX - MIDLAND
STORE #0561**

ADDRESS: 4009 N MIDLAND DR.
MIDLAND, TX 79707

LA PROJECT NUMBER SM 343.22





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

Project Number: _____

Case Number: _____

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

Printed Name: Scott A Mommer Consulting C/O Cassie Permenter

Phone (623) 250-3810 ext 103

Email CPermenter@larsandersen.com

Address
28827 N 91st Avenue

City
Peoria

State
AZ

Zip
85383

Property Owner

Printed Name: HD Development Properties LB C/O Suzanne Russo

Phone (770) 384-2406

Email suzanne_russo@homedepot.com

Address
2455 Paces Ferry Rd C-20

City
Atlanta

State
GA

Zip
3 30339

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 4009 N Midland Drive TX 79707

Legal Description

Lot: _____ Block: _____ Subdivision: _____

Current Zoning: PDSC

Proposed Zone: SC
(List by tracts if more than one district is requested)

Reason for Zone Change Request: To utilize outdoor storage areas, front sidewalk sales and seasonal sales during specific times through the year.

Present Use of Property: Home Depot

Proposed Use of Property: Home Depot with Seasonal Sales, Front Sidewalk Sales and Outdoor Storage Areas

How would this zone change affect the public health, safety and welfare? It would make it easier for customers to purchase big ticket items. Additionally, having designated areas would promote safety throughout the parking lot.

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

Submittal and Fees

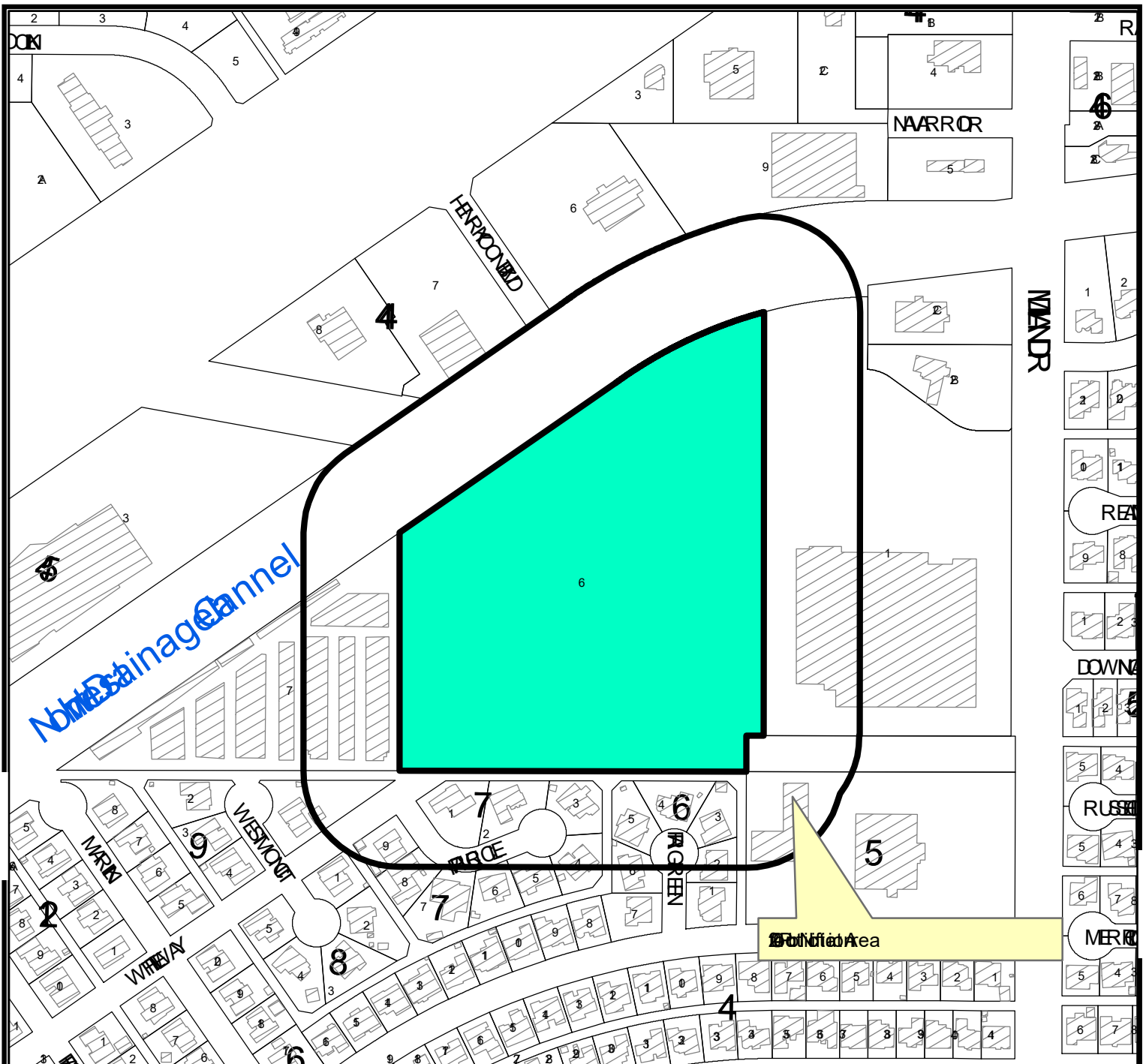
Items to be submitted with this application form:

- 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>Cassandra Permenter</u>	Date: <u>8/22/2022</u>
Applicant (printed): <u>Cassandra Permenter</u>	
Property Owner (signature): <u>Suzanne Russo</u>	Date: <u>8-23-22</u>
Property Owner (printed): <u>SUZANNE RUSSO</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

<u>GA</u> STATE OF TEXAS COUNTY OF <u>MIDLAND</u> <u>cobb</u>	
Before me, the undersigned authority, on this day personally appear <u>Suzanne Russo</u> who, being by me duly sworn, upon oath says: That (s)he is the owner of <u>Property</u> 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 <u>23</u> day of <u>August</u>, 20<u>22</u>, to certify which witness my hand and seal of office.	
Barbara Turner NOTARY PUBLIC Fulton County, GEORGIA My Commission Expires 09/10/2022	
<u>Barbara Turner</u> Fulton <u>GA</u> NOTARY PUBLIC, <u>MIDLAND</u> COUNTY, TEXAS	

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



LOCATION MAP

Z-22-0320

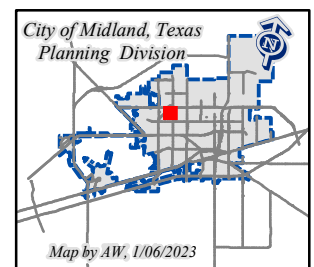
Scale: 1" = 300'

Consider a request by Scott A Mommer Consulting C/O Cassie Permenter for a zone change from PD, Planned Development District for a Shopping Center to PD, Planned Development District for a Shopping Center, on Lot 6, Block 45, Fairmont Park Addition, Section 15, City and County of Midland, Texas.

Generally located approximately 520-feet south of West Loop 250 North and approximately 515-feet west of North Midland Drive. (County Packet 1)

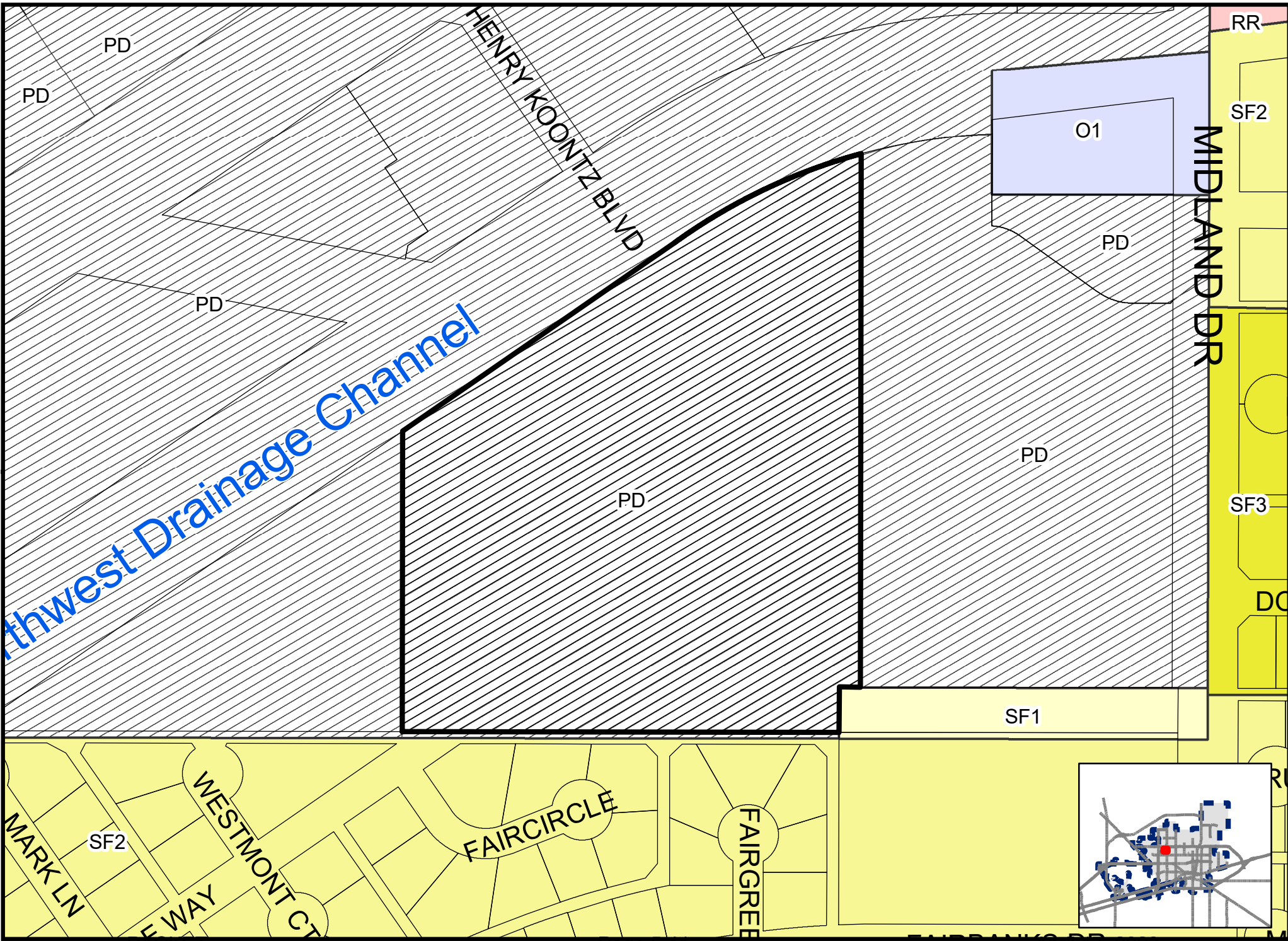
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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MEMORANDUM

DATE: November 3rd 2022

TO: Planning Department
City of Midland

FROM: Cassie Permenter
Scott A Mommer Consulting

SUBJECT: Parking Analysis for the proposed Home Depot Outdoor Display &
Storage : 4009 N Midland Drive Midland, TX 79707

This memorandum documents the parking analysis for the proposed Outdoor Display & Storage at the above address. The purpose of the memo is to request approval of the proposed parking supply to accommodate the project. This parking analysis includes a project description and parking supply summary, documentation of minimum code required parking, and estimated peak parking demand forecasts based on parking demand studies conducted at existing Home Depot sites.

Project Description

The Home Depot Outdoor Sales & Display Project is at the existing Home Depot located at 4009 N Midland Drive Midland, TX 79707. The proposed project is to convert a portion of the existing Parking Lot stalls into Outdoor Display & Storage. The Home Depot store proposes to display along the front of the store a number of items such as barbeques, patio furniture, material displays, fencing displays, and landscape products including living plants, sand, and blocks. The purpose for the staging area is to allow for product to be brought in and taken off the flat-bed trucks to be brought into the store or garden center within 72 hours. This is to allow for available merchandise during heavy sale periods to keep product on-site and avoid additional trucking, which helps on the carbon footprint. The height is typically 3 stacked pallets.

Parking Supply

A total of 545 parking stalls will be provided with the approval of the attached Site Plan. This number does not include the parking stalls utilized for Equipment Rental and Staging Areas.

City of Midland Required Parking

The City of Midland evaluates parking required based on "Sales Floor Area". The Town has determined that the Sales Floor Area is 131,715 SF and required to be parked at 3.7/1000SF. This requires 487 parking stalls.

Table 1
Summary of Parking Requirements based on Town of Lexington Evaluation

HOME DEPOT BUILDING AREAS	
EXISTING HOME DEPOT BUILDING	101,500 SF
EXISTING GARDEN CENTER	28,000 SF
EXISTING TOOL RENTAL CENTER	+ 2,225 SF
TOTAL HO BUILDING AREA	131,725 SF
PARKING REQUIRED PER CITY CODE	
HOME DEPOT (@ 3.7 PER 1,000 SF	
PER ORDINANCE NO. 8893)	
(INCLUDING GARDEN CENTER & TRC)	487 STALLS

Future Parking Demand Estimate

To estimate the future parking demand of the Home Depot Midland site, parking demand studies conducted at four comparable existing Home Depot sites and the resulting peak parking demand ratios were used.

Existing Home Depot Parking Demand

Data from recent parking demand studies conducted at four existing Home Depot sites in Arizona, Texas, and California were provided by the project applicant. The parking demand studies at the four existing sites were conducted on a Saturday and a Sunday since parking demand for home improvement stores is higher on weekend days than weekdays.

Table 3 summarizes the results of the parking demand studies at the four existing Home Depot sites.

Table 3
Summary of Home Depot Parking Demand Studies

Parking Supply Site Location	Size				Observed Peak Parking Demand			
	(stalls)	Building	Outdoor Areas	Rate Total	Saturday		Sunday	
					Occ. per 1,000 SF	(occ. stalls per 1,000 SF)	Occ. per 1,000 SF	Rate (occ. stalls per 1,000 SF)
Moreno Valley, CA	436	102,314	19,242	121,556	206	1.69	160	1.32
Granbury, TX	688	114,000	25,944	139,944	132	0.94	144	1.03
Phoenix, AZ	496	113,319	23,413	136,732	201	1.47	147	1.08
Phoenix, AZ	509	104,398	33,391	137,789	212	1.54	163	1.18
Average	1.41							1.15

As shown in Table 3, the average peak parking demand of the four existing Home Depot sites was 1.41 stalls per 1,000 SF on a Saturday and 1.15 stalls per 1,000 SF on a Sunday.

Based on the existing Home Depot parking demand data in Table 3, the estimated peak parking demand for the Home Depot Midland site is 186 stalls (131,715 SF X 1.41 stalls per 1,000 SF) on a Saturday. The estimated peak parking demand of 186 stalls on a Saturday would be accommodated by the proposed 545 stall parking supply.

Conclusion

Based on results of the analysis, the total proposed on-site parking supply of 545 stalls at the Home Depot Midland site would accommodate the estimated peak parking demand of 186 stalls.

Retail requirements for Parking has changed over the years due to further evaluation by the Institute of Engineers and the common practice by the Retailer. The other Retailers do not have the large-retail format, in which there is more building area in a Home Depot to create a greater customer experience. In addition, the Use of "Home Improvement" does not impose as high of a parking demand as standard "Retail".











Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: April 17, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Consider a request by Betenbough Homes for a Zone Change from PD, Planned Development District for Housing Development to an amended PD, Planned Development District for Housing Development on a 258.87-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas. (Generally located north of Mockingbird Lane, approximately 900-feet east of North Fairgrounds Road. - Council District 1) (Development Services)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting a Zone Change from PD, Planned Development District for Housing Development (Ordinance No. 10344) to an amended PD, Planned Development District for Housing Development to modify the lot sizes of proposed housing development and revise the previously approved preliminary plat.

Current Zoning:

PD, Planned Development District for Housing Development (Ordinance No. 10344)

Surrounding Zoning and Land Use:

The property to the north is zoned SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in

part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and LR, Local Retail District, in part. The property to the east and south is zoned AE, Agricultural Estate District. The properties to the west are zoned MF-16, Multiple-Family Dwelling District, in part, and RR, Regional Retail District in part.

Analysis:

The applicant, Betenbough Homes, is requesting approval of a Zone Change for the development of a multi-use site, including a mix of residential and greenspace uses. This proposed subdivision will have a total of six hundred ninety-five (695) residential lots, approximately 102.42-acres of greenspace/detention pond that is composed of common areas and drainage ponds.

The applicant is proposing this section of the development to be executed in eight phases (4-11). Phases 1-3 are remaining the same from the first zone change related to this project and are not included in this request. The lot width will vary from either 45, 50, 60, 75, or 85 feet and the minimum depth would be 115 feet as summarized in the table below.

Product Class		Phase #								Percent of Total
		4	5	6	7	8	9	10	11	
Core	45'		27	18	23		20	24	12	17.8%
	50'		59	33	80		55	70	27	46.6%
Reserve	50'	26				19				6.5%
	60'	42				52				13.5%
	75'					8				1.2%
	85'					2				0.3%
Cottages	50'		33				23		42	14.1%
PHASE TOTAL		68	119	51	103	81	98	94	81	100%
OVERALL TOTAL			695							

These lots will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendments. The minimum dimensions are as follows:

Core Product Class: 448 lots

1. Minimum lot width - 40 feet.
2. Minimum lot depth - 85 feet.
3. Minimum lot area - 4,400 square feet.

Reserve Product Class: 149 lots

1. Minimum lot width - 45 feet.
2. Minimum lot depth - 95 feet.
3. Minimum lot area - 5,700 square feet.

Cottages Product Class: 98 lots

1. Minimum lot width - 40 feet.
2. Minimum lot depth - 65 feet.
3. Minimum lot area - 4,000 square feet.

The proposed density for each product class is as followed:

- Core (SF-3): 7.9 units per acre
- Cottage (SF-3): 8.8 units per acre
- Reserve (SF-3): 5.6 units per acre

The appropriate setbacks and maximum height of future development will comply with the regulations as described in Section 5.04 Residential Zoning District Dimensional Regulations chart. Not all the proposed lots meet the minimum lot depth, minimum lot width, and minimum lot area requirements of the SF-3 Single-Family Dwelling District. However, the new PD Ordinance will allow reduced depth, width, and areas as outlined above.

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.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved with Conditions)

No objection to zone change. [For the 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 the Applicant's information only.] Our staff has examined the FEMA flood map and it appears that several property lies entirely within Zone AH, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood. [For the Applicant's information only.] If a LOMR is not proposed to remove these properties from the floodplain, 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 the Applicant's information only.]

Code: (Approved)

Phase 6 page 2 – (High Country Ct.) the Stinson-Burley B #2 API 329-31044 is identified but missing the 135 ft radius as previously requested for a non-City permitted well. Previous preliminary plat had it included correctly. Noted it will be Plugged and Abandoned (No building permits inside 135 ft. radius till P&A completed). Phase 11 Page 3- the non-city permitted Stinson Burley #1M API 329-31751 is identified with radius but needs to be identified as a 135 ft radius as required. Previous preliminary plat had it correctly. Noted to be P&A well (No building permits inside 135 ft. radius till P&A). Phase 11, page 3 -the non-City permitted Stinson Burley B #3 API 32--31045 is identified on plat with radius but needs to be identified as a 135 ft. radius as required. Previous preliminary plat had it correctly. Noted to be P&A well. No building permits are allowed in the 135 ft radius of existing well until it is actually P&A with a W-3 permit per RRC. In addition, the City permitted Endeavor operated Willow Lakes 19 #191 (located south of Mockingbird Lane) is identified with a 500 ft. radius that is located below Mockingbird Lane. Any occupied residential/commercial building permits inside the 500 ft. radius will require a variance to a permitted well from the City Council. For information: Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures.

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:

The area is classified as Urban Residential-Low, in part, which calls for restrictive land use, emphasizing single-family detached development. The area is also classified as Urban Medium which calls for a mix of complementary uses, including single-family housing, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use. The plan also calls for a parkway that would run through the property which is identified on the site plan. All of these uses are compatible with the Low and Medium designations.

The Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the "Current Development Area" which seeks to address the compatibility of uses, "specifically

between different housing intensities,” As shown in the proposed site plan, the applicant is planning to create a gradual transition from existing housing developments at the western edge of the property in question which is consistent with this statement.

Principle 4 of Chapter 3 of the Tall City Tomorrow Plan seeks to increase the diversity of the housing stock in Midland specifically including the need for smaller lot homes. This proposal works in compliance since the development will be introducing a neighborhood with a mix of housing intensities to include smaller townhouse-sized lots as well as larger single-family lots. Additionally, Principle 8 of the Chapter 3 requests that land use policies and regulations support the creation of more balanced neighborhoods, which include “a variety of housing options, access to open space, and contain activity centers such as parks...” The applicant is proposing to develop more specifically delineated park space and trails in the development which will help give the residents a diversity of recreation allowing for a more balanced feel.

Principle 5 of Chapter 3 requests planning for community amenities such as parks and open space to support “community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community.” The applicant is proposing to include a park, greenspace, and trails all of which will contribute to creating a sense of place for new residents.

Staff recommends approval of this request subject to conditions A through C.

Conditions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “A”.**
- B. That the use and development of the property shall conform to the regulations of the SF-3, Single-Family Dwelling District, except for the minimum lot dimensions which shall conform to the requirements listed below.**

Product Class		Phase #								Percent of Total
		4	5	6	7	8	9	10	11	
Core	45'		27	18	23		20	24	12	17.8%
	50'		59	33	80		55	70	27	46.6%
Reserve	50'	26				19				6.5%
	60'	42				52				13.5%
	75'					8				1.2%
	85'					2				0.3%
Cottages	50'		33				23		42	14.1%
PHASE TOTAL		68	119	51	103	81	98	94	81	100%
OVERALL TOTAL				695						

- C. That each lot identified as Exhibit “A” is subject to the following conditions and regulations:**

Letters of Objection:

As of April 12, 2023, staff has received no letters of objection for this request.

Attachments:

Site Plan (Exhibit A)

Application

Maps



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

Project Number: 2-23-0326
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Betenbough Homes</u>		Phone () Email	
Address <u>6305 82nd St</u>	City <u>Lubbock</u>	State <u>TX</u>	Zip <u>79424</u>

Property Owner Printed Name: <u>See Applicant</u>		Phone () Email	
Address	City	State	Zip

Representative (if different from Applicant or Property Owner) Firm: <u>Maverick Engineering</u> Printed Name: <u>Paladin Huckaba</u>		Phone (<u>432</u>) <u>262-0999</u> Email <u>phuckaba@maverick-eng.com</u>	
Address <u>1909 W Wall St Ste K</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Street Address: <u>NA County Rd 40</u>	
Legal Description Lot: Block: <u>38 T-1-S</u> Subdivision:	

Current Zoning: <u>In Part: SF3, TH, SF2, MF16, SF1, 2F, RR</u>	Proposed Zone: <u>PDHD</u> (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>To advance the proposed housing development associated with this request</u>	
Present Use of Property: <u>vacant</u>	
Proposed Use of Property: <u>residential</u>	
How would this zone change affect the public health, safety and welfare? <u>This development will contribute to the housing inventory of the City of Midland, adding needed options to the housing makeup of the community</u>	
Describe how conditions affecting the property have changed since present zoning designation: <u>No change since original zoning</u>	

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:

3/21/23

Applicant (printed):

RONNIE WALLACE

Property Owner (signature): See Applicant

Date:

3/21/23

Property Owner (printed):

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

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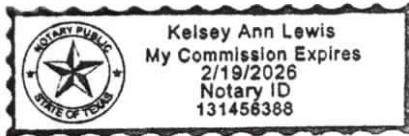
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Bettenbaugh Homes, 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 21st day of March, 2023, 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 #

4105

BY:

MAR 22 2023

Received By:

James Rebo

Date:

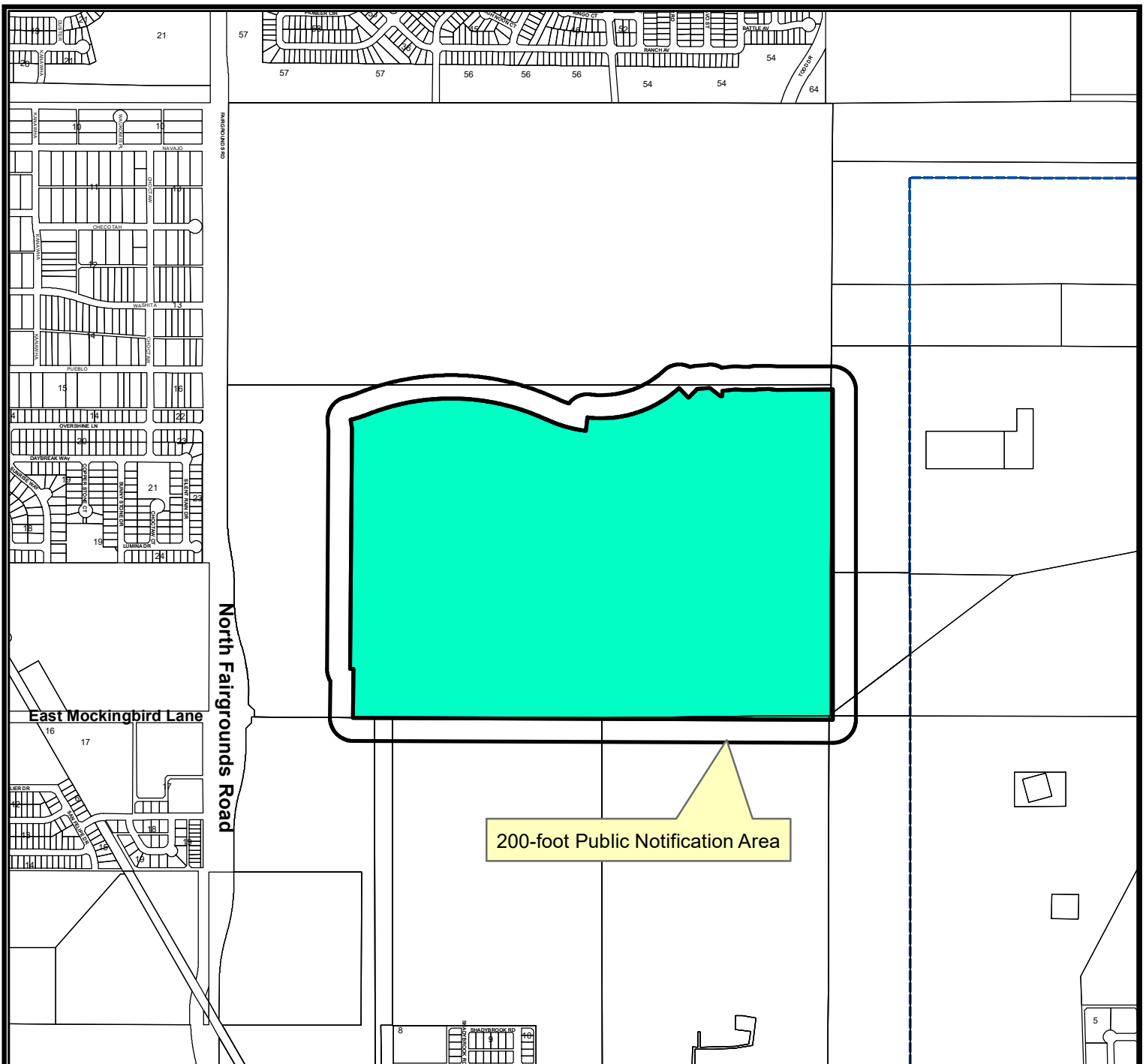
3/22/23

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

PACKET
Special Exception Application

Page 6.57
2

April 17, 2023
Revised 12/6/16



LOCATION MAP

Z-23-0326

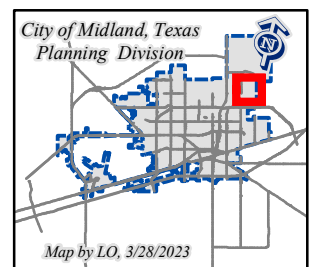
Scale: 1" = 14,899'

Consider a request by Betenbough Homes for a zone change from, PD, Planned Development District for Housing Development to PD, Planned Development District for Housing Development out of a 258.87-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Fairgrounds and East Mockingbird Road (Council District 1)

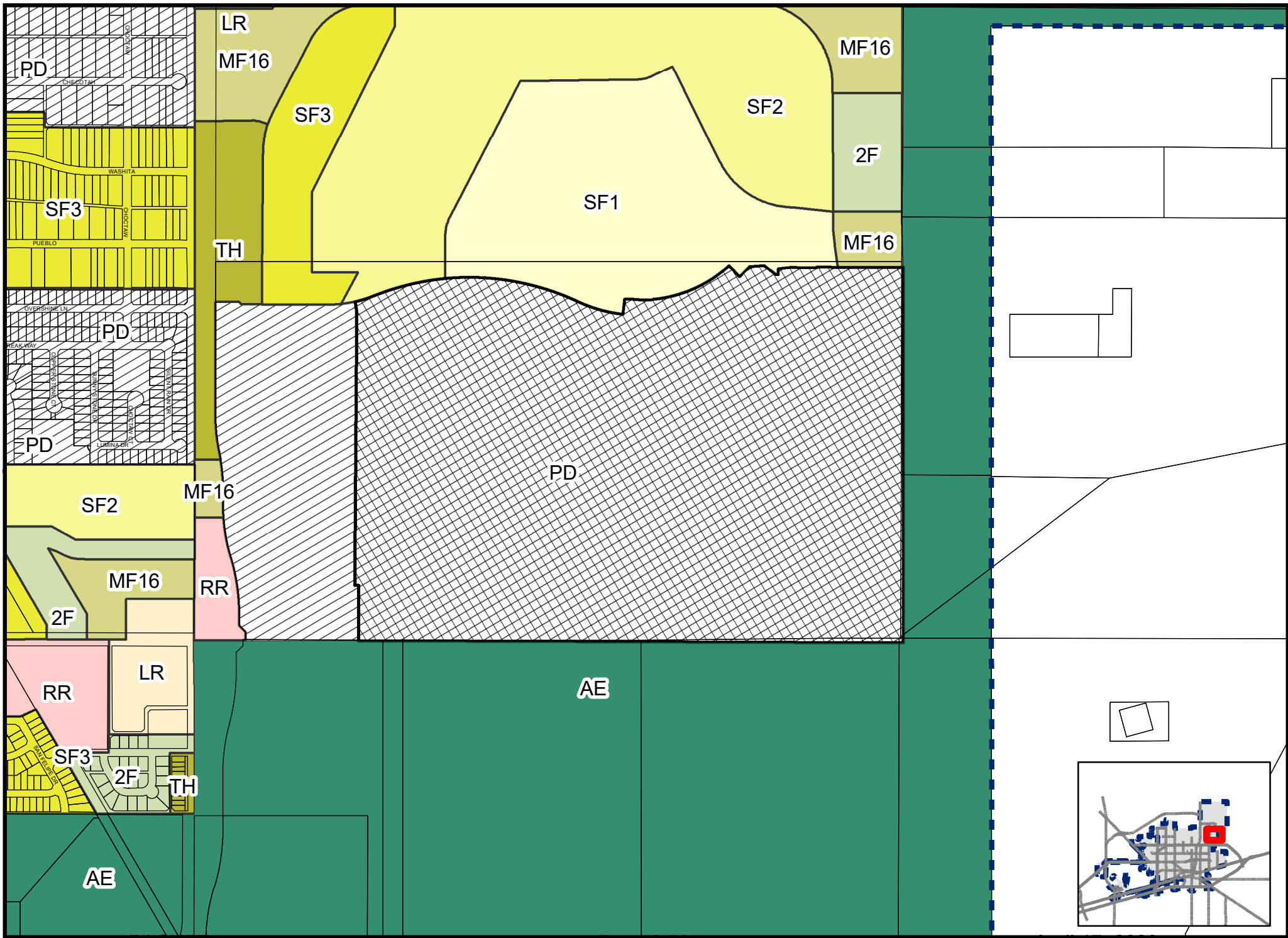
LEGEND

- CITY LIMITS
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Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Consider a request by Maverick Engineering for a Zone Change from O-1, Office District to RR, Regional Retail District, on Lot 1 and the east half of Lot 2, Block 76, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of West Texas Avenue and North N Street. - Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

O-1, Office District.

Detail of Request:

The applicant, Maverick Engineering, is requesting a Zone Change from O-1, Office District to RR, Regional Retail District, for the development of a UPS center.

Surrounding Zoning and Land Use:

The property to the west is zoned O-1, Office District, and the location of a barbershop. The properties to the north and east are zoned O-1, Office District and the location of St. Ann's School and St. Ann's youth activity center. The property to the south is zoned LR, Local Retail District and the location of Jack and Jill Donuts.

Analysis:

The subject property is located at 2101 W. Texas Avenue and is currently the location of a chiropractor's office. The current zoning allows for low intensity office and professional uses. The property must change the zoning district from O-1, Office District to RR, Regional Retail District to allow a UPS store.

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

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved)

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

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

Oil and Gas: (Approved)

No Oil and Gas Issues.

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):

The City of Midland Planning Department supports this rezone because of the existing surrounding zoning and uses. There are many retail shops in this area with a few offices and a school. The UPS store will not disrupt the nature of this neighborhood. This is consistent with the Tall City Tomorrow Comprehensive Plan, Chapter 3-Land Use which identifies this property as within the Village Area of extensive retail uses.

Staff recommends approval of this zone change from O-1, Office District, to RR, Regional Retail District, subject to condition A.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the RR, Regional Retail District.**

Letters of Objection:

As of April 12, 2023, Staff has received no letters of objection.

Attachments:

Application
Maps
Field Notes



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

Project Number: 2-23-0324
Case Number: _____

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

Printed Name: Mike Canon

Phone ()
Email

Address 25 Oaklawn Park

City Midland

State TX

Zip 79705

Property Owner

Printed Name: Clint Hurt

Phone ()
Email

Address PO Box 1973

City Midland

State TX

Zip 79702

Representative (if different from Applicant or Property Owner)

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email
phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Street Address: 2101 W Texas Ave

Legal Description

Lot: 1 Block: 2 Subdivision: West End Addn

Current Zoning: O1

Proposed Zone: RR

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

Reason for Zone Change Request: In order to tenant improve the Building Allowing a UPS Center to commence Business endeavors.

Present Use of Property: The Present use is O1 & and a Chiropractor office is located there

Proposed Use of Property: RR

How would this zone change affect the public health, safety and welfare? No affect that is adverse.

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

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:

3/10/2023

Applicant (printed):

Michael Canon

Property Owner (signature):

Clint Hurt

Date:

3/10/2023

Property Owner (printed):

Clint Hurt

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.

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

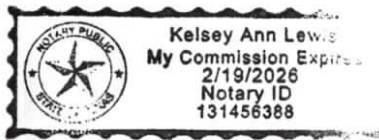
Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Clint Hurt, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 10th day of March, 2023, to certify which witness my hand and seal of office.

Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check #

3984

Received By:

KM

Date:

RECEIVED
MAR 10 2023

BY: _____

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

PACKET

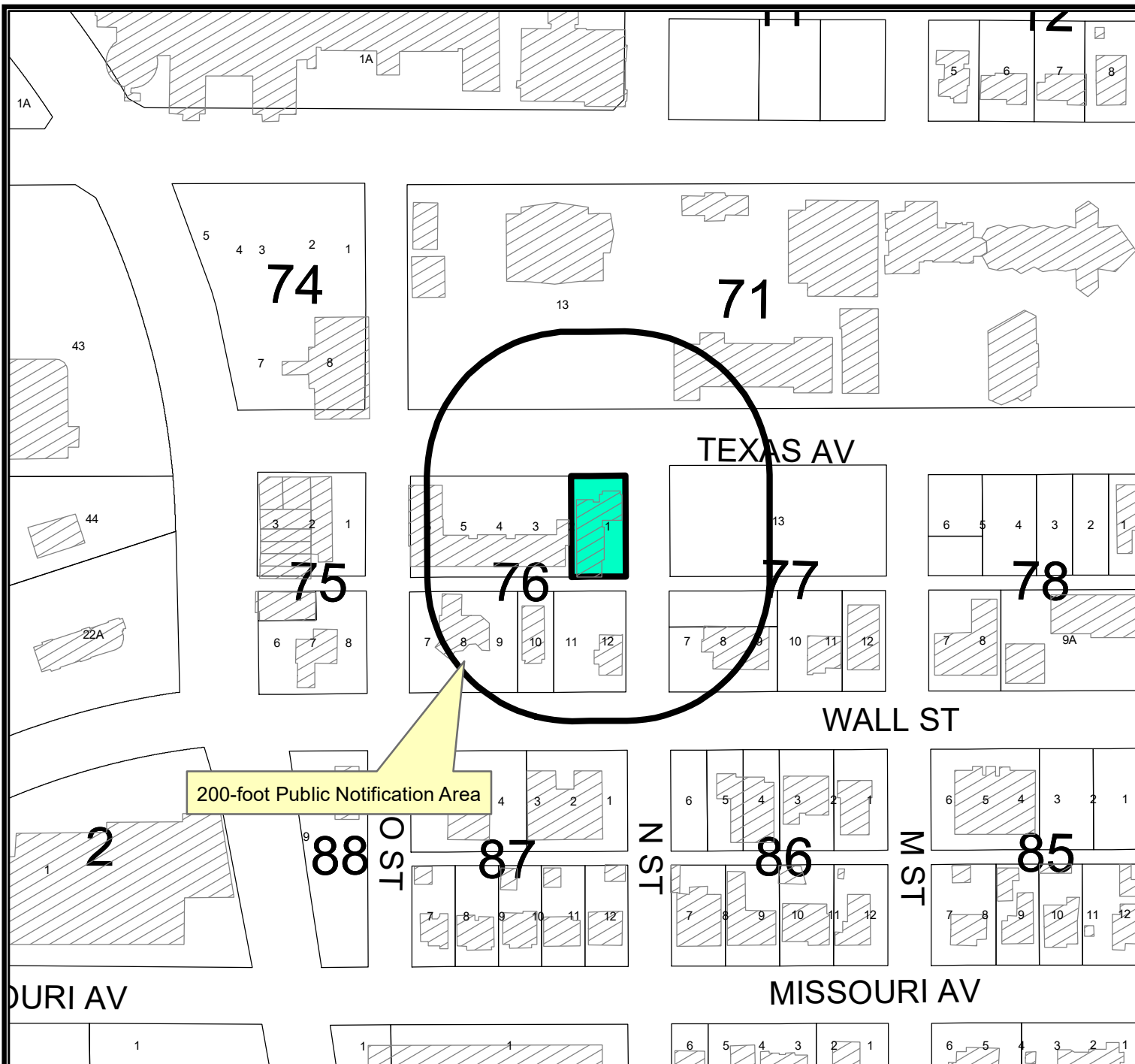
Page 7.68

April 17, 2023

Special Exception Application

2

Revised 12/6/16



LOCATION MAP

Z-23-0324

Scale: 1" = 200'

Consider a request by Maverick Engineering for a zone change from O-1, Office District, to RR, Regional Retail District, on Lot 1 and the east half of Lot 2, Block 76, West End Addition, City and County of Midland, Texas.

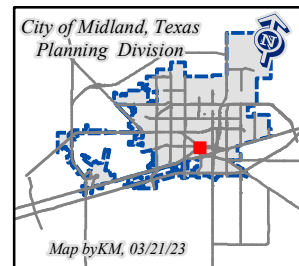
Generally located on the southwest corner of West Texas Avenue and North N Street (Council District

3) **PACKET**

Page 7.69

LEGEND

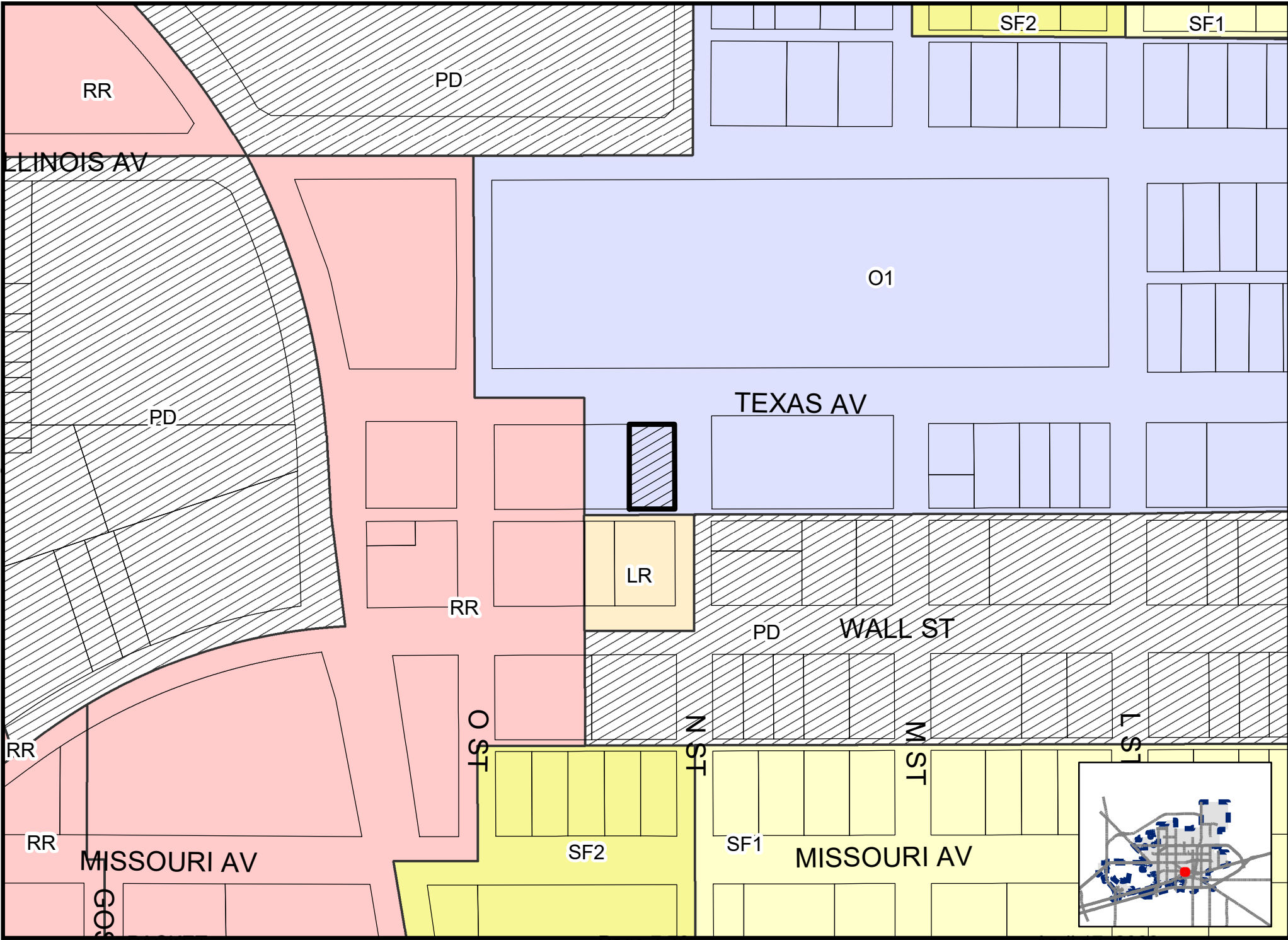
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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April 17, 2023



PACKET

Page 7.70

April 17, 2023



DESCRIPTION OF A 0.24 ACRE TRACT OF LAND FOR THE PROPOSED LOT 1A, BLOCK 76, WEST END ADDITION, SECTION 28, BEING FULLY AND COMPLETELY DESCRIBED AS LOT 1 AND THE EAST HALF OF LOT 2, BLOCK 76, WEST END ADDITION, AS DEPICTED IN A PLAT RECORDED IN PLAT CABINET E ON PAGE 52 OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS AND BEING DESCRIBED BY METES AND BOUNDS FOR REFERENCE ONLY AS FOLLOWS;

BEGINNING AT N.(y):10693580.23, E.(x):1749647.71, A ONE HALF INCH IRON ROD FOUND FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°17'17"E., 75.05 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" SET FOR THE NORTHEAST CORNER HEREOF;

THENCE S.14°33'48"E., 139.81 FEET TO A ONE INCH IRON PIPE FOR THE SOUTHEAST CORNER HEREOF;

THENCE S.75°17'17"W., 75.05 FEET TO A BENT ONE HALF INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°33'48"W., 139.81 FEET TO THE POINT OF BEGINNING, CONTAINING 0.24 ACRES OF LAND.











Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Consider a request by Jorge Chavez for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, on Lot 4, Block 22, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland, Texas. (Generally located on the west side of South Clay Street, approximately 200-feet south of East Washington Avenue. - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Jorge Chavez, is requesting a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, for the construction of a new house.

Current Zoning:

MF-22, Multiple-Family Dwelling District.

Surrounding Zoning and Land Use:

The property to the north is zoned SF-3, Single-Family Dwelling District, and is the location of residences. Properties to the east, south, and west, are zoned MF-22, Multi-Family Dwelling District, and are the locations of residences.

Analysis:

The property is located at 506 South Clay Street and is currently underdeveloped. The applicant is requesting a zone change for the purpose of constructing a single-family residence on the property. In the previous zoning ordinance, single-family detached dwellings were allowed within this zoning district. As of July 1, 2019, the zoning ordinance does not allow the use of single-family detached dwellings within the MF-22, Multiple-Family Dwelling District. The property meets the minimum lot size requirements for the SF-3, Single Family Dwelling District.

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

Fire: (Approved)

No objections.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

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 Oil and Gas Issues. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No construction is allowed on top of P&A wells.

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):

The Tall City Tomorrow Comprehensive Plan identifies this area as (UR-M) Urban Residential-Medium which incorporates an array of housing styles such as single-family housing, two-family housing, townhouses, and manufactured housing.

The intent of the UR-M land use is to provide a sense of neighborhood. MF-22, Multiple-Family District is not included under the potential zoning for this UR-M land use, the zoning to SF-3, Single-Family Dwelling District complies with the future land use.

Staff recommends approval of this zone change from MF-22, Multi-Family Dwelling District to SF-3, Single-Family Dwelling District, subject to condition A.

Condition:

- A. That the use and development of this property shall conform to the regulations of the SF-3, Single-Family Dwelling District.**

Letters of Objection:

As of April 12, 2023, staff has received no letters of objection for this request.

Attachments:

Exhibit A
Application
Maps



RECEIVED
MAR 13 2023
BY:



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

Project Number: 2-23-0325
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>George Chavez</u>		Phone (432) 889-7005 Email: <u>Jorgecchavez@gmail.com</u>	
Address: <u>714 N. Calhoun St.</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79701</u>

Property Owner Printed Name: <u>George Chavez</u>		Phone (432) 889-7005 Email: <u>Jorgecchavez@gmail.com</u>	
Address: <u>714 N. Calhoun St.</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79701</u>

Representative (if different from Applicant or Property Owner) Firm: _____ Printed Name: _____		Phone (432) 889-7005 Email: <u>Jorgecchavez@gmail.com</u>	
Address: _____	City: _____	State: _____	Zip: _____

Street Address: <u>506 S. Clay Midland TX 79701</u>		
Legal Description Lot: <u>4</u> Block: <u>22</u> Subdivision: <u>Greenwood Addition</u>		

Current Zoning: <u>MF 22</u>	Proposed Zone: <u>SF 3</u> (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>New House Build</u>	
Present Use of Property: <u>Vacant</u>	
Proposed Use of Property: <u>New house</u>	
How would this zone change affect the public health, safety and welfare? <u>None</u>	
Describe how conditions affecting the property have changed since present zoning designation: <u>Good</u>	

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>Jorge Chavez</u>	Date: <u>03-13-2023</u>
Applicant (printed): <u>Jorge Chavez</u>	
Property Owner (signature): <u>Jorge Chavez</u>	Date: <u>03-13-2023</u>
Property Owner (printed): <u>Jorge Chavez</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # 1542

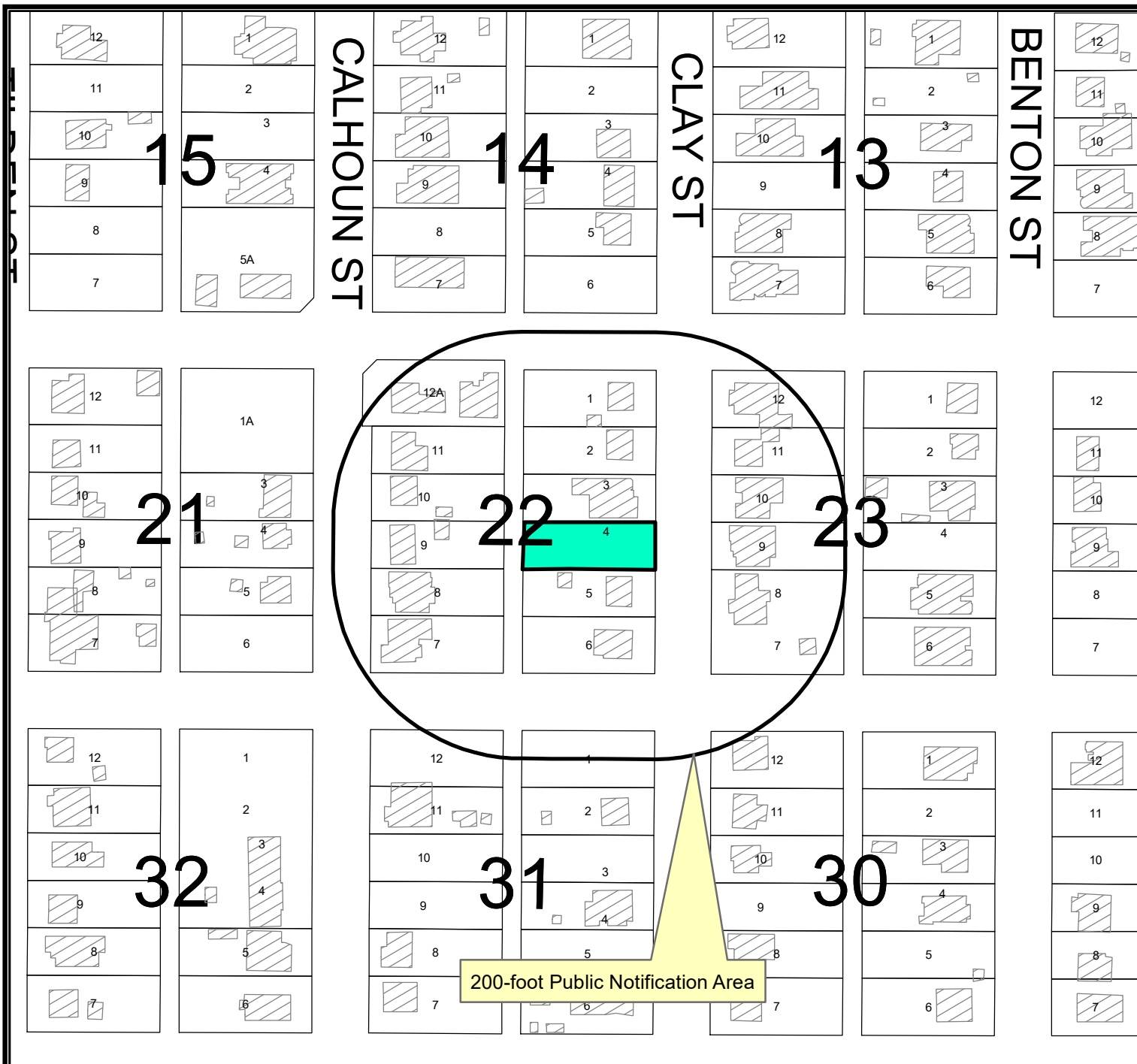
Received By: Don

Date:

RECEIVED
MAR 13 2023

BY:

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



LOCATION MAP

Z-23-0325

Scale: 1" = 200'

Consider a request by Jorge Chavez for a zone change from MF-22, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District, on Lot 4, Block 22, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland, Texas.

Generally located on the west side of South Clay Street, approximately 200 feet south of West Washington Avenue. (Council District 2)

LEGEND

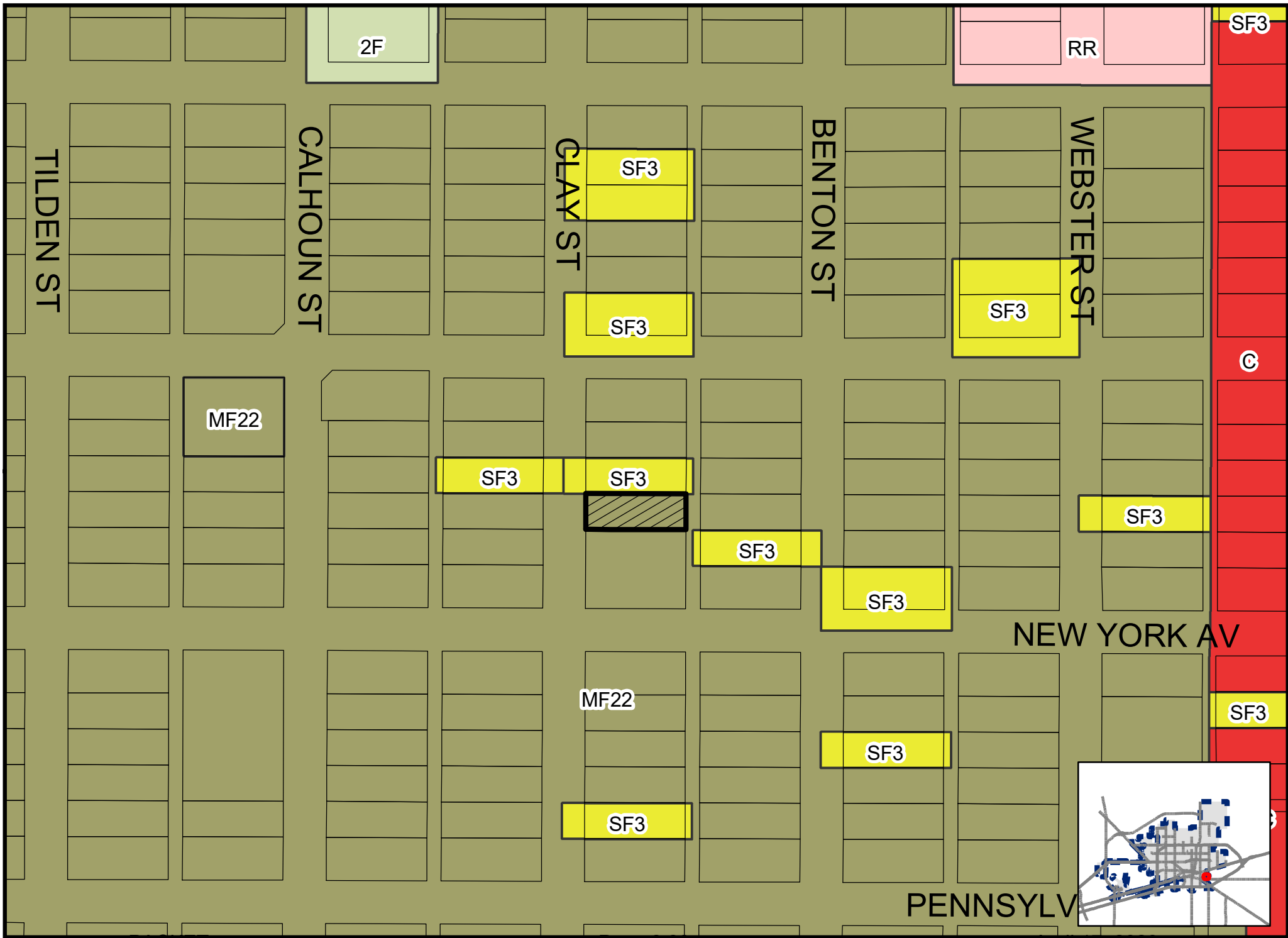
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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April 17, 2023













Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Consider a request by Alejandro Dominguez for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant on a 5,200-square foot portion of Lot 2, Block 1, W.P. Knight Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of South Powell Street and West Wall Street. - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Alejandro Dominguez, is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant.

Current Zoning:

PD, Planned Development District for an Office Center (Proposed zoning Planned Development for a Shopping Center with a base zoning of RR, Regional Retail).

Surrounding Zoning and Land Use:

The property to the north is zoned MF-16, Multiple Family District, and the location of residential homes. The properties to the east are zoned TH, Townhouse Dwelling District, C, Commercial District and RR, Regional Retail District, and the location of undeveloped property, residences, and an auto upholstery center. The property to the south is zoned C, Commercial District, and the location of a warehouse/storage facility. The property to the West is zoned RR, Regional Retail District, and the location of an auto dealership.

Analysis:

The applicant is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant operating as Ocho 80 is located inside the Wyndham Hotel. The restaurant is currently in operation however, per City ordinance is required to have a Specific Use Designation to serve alcohol for on-premises consumption.

The property undergoing a zone change to facilitate the increase in the floor area of the existing hotel and restaurant use on site. The restaurant is 5,200± square feet, and 3,744± square feet of floor area will be used for the alcohol serviceable area. A parking agreement is in place to allow customers of the restaurant to use the same parking lot as the hotel.

The proposed hours of operation and alcohol serviceable hours are:

Monday through Thursday from 11:00 a.m. to 11:00 p.m., Friday and Saturday from 11:00 a.m. to 12:00 a.m. (midnight), and Sunday from 11:00 a.m. to 11:00 p.m.

Per Midland City Code 5.4.4. – Prohibited place 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 or schools within 300 feet of the property.

This request has been circulated to all City departments for review. Below are the departments' comments.

Fire: (Approved)

No objections.

Engineering: (Approved)

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

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

Transportation: (Approved)

No objection to zone change.

Building Code: (Approved)

The SUD for OCHO 80 is acceptable. The property must adhere to the maximum occupant load of 249 for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved)

The request follows the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4*, "Encourage the development of places where Midland residents can gather and socialize to build connections." (Tall City Tomorrow page 137) Ocho 80 will continue to create a vibrant atmosphere where residents can socialize and enjoy drinks.

Staff recommends approval of the request for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant, subject to Conditions A through E.

Conditions:

A. That the alcohol serviceable area of the restaurant shall be limited to approximately 3,744 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.

B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:

***Monday through Thursday from 11:00 a.m. to 11:00 p.m.,
Friday and Saturday from 11:00 a.m. to 12:00 a.m. (midnight),
and Sunday from 11:00 a.m. to 11:00 p.m.***

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

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

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

Letters of Objection:

As of April 12, 2023, staff has received no letters of objection.

Attachments:

Floor Plan (Exhibit A)
Application
Maps



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

Project Number: _____

Case Number: _____

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

Printed Name: Alejandro Dominguez

Phone (432) 741 0121

Email ochobotexas@gmail.com

Address 3601 Andrews Hwy Apt 502 City Midland

State TX Zip 79703

Property Owner

Printed Name: Nazim Enterprises, Inc. Nazim Butt

Phone (432) 699 4149

Email Nazim61@gmail.com

Address 3100 W Wall St 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: 3100 W Wall St Midland TX 79701

Business Name: OCHO 80 LLC

Legal Description

Lot: 20 Block: 1 Subdivision: WPK NIGHT SEC2

Current Zoning:

Reason for Request: Create jobs, contribute to my state of Texas,
own progress and that of employees

Type of Business (restaurant, bar, lounge, nightclub, etc.): Restaurant - Bar

Proposed/Current Days and Hours of Operation: Monday - Thursday: 11:00 AM - 11:00 PM
FRIDAY AND SATURDAY: 11:00 AM - 12:00 AM / SUNDAY: 11:00 AM - 11:00 PM

Proposed Days and Hours of Alcohol Service: Monday - Thursday: 11:00 AM - 11:00 PM
FRIDAY AND SATURDAY: 11:00 AM - 12:00 AM / SUNDAY: 11:00 AM - 11:00 PM

Total Square Footage of Business:

Square Footage of Alcohol Serviceable Area:

Restroom Fixtures:	Men	Toilets/Urinals: <u>3 / 3</u>	Bathroom Sinks: <u>2</u>
	Women	Toilets: <u>3</u>	Bathroom Sinks: <u>3</u>

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):

Date: 03/23/2023

Applicant (printed):

Alejandro Dominguez

Property Owner (signature):

Date: 03/23/2023

Property Owner (printed):

Nazim Bhatt

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

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

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

STATE OF TEXAS COUNTY OF MIDLAND

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

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

Notary Public

FOR OFFICE USE ONLY

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

Received By: _____

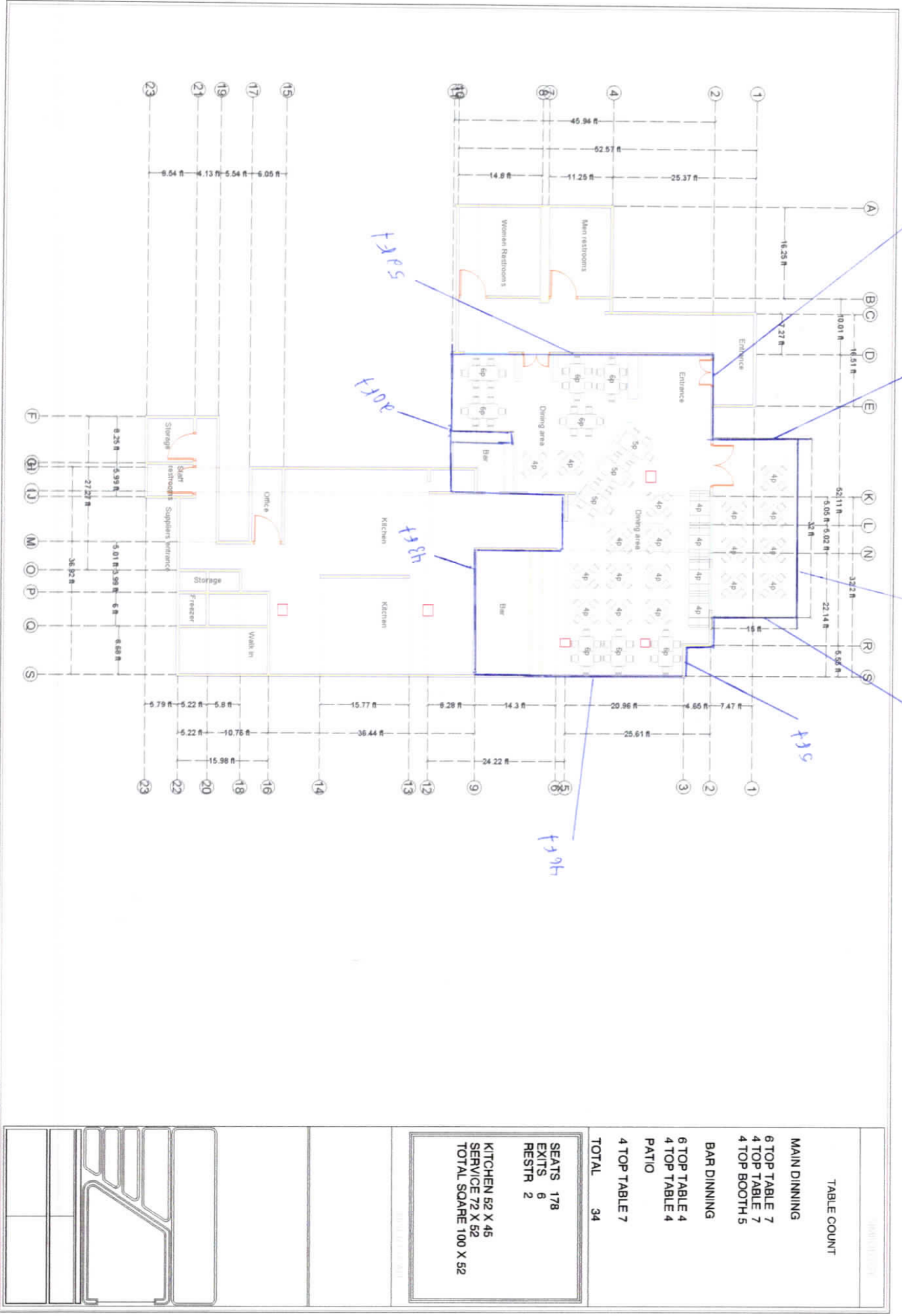
Date: _____

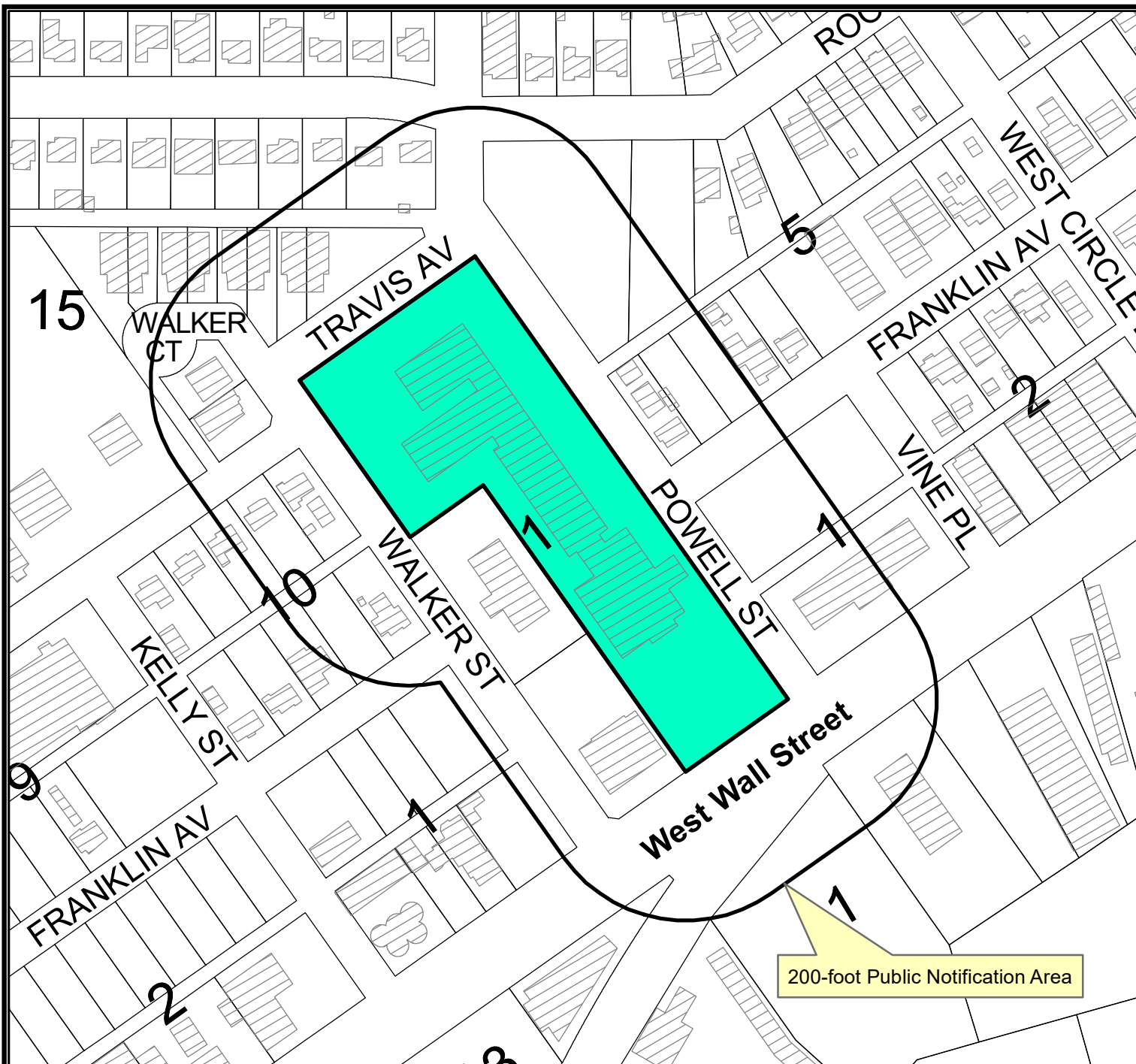
****Application will not be considered for scheduling until reviewed by a planner.****

PACKET

Page 9.93

April 17, 2023





LOCATION MAP

Z-23-0323

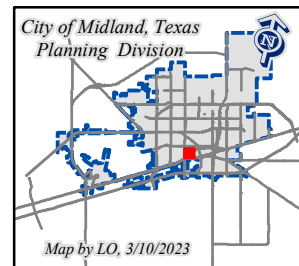
Scale: 1" = 2,328'

Consider a request by Alejandro Dominguez for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 5,200 square foot portion of Lot 2, Block 1, W.P. Knight Addition, Section 2, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of West Wall Street and South Powell Street. (Council District 2)

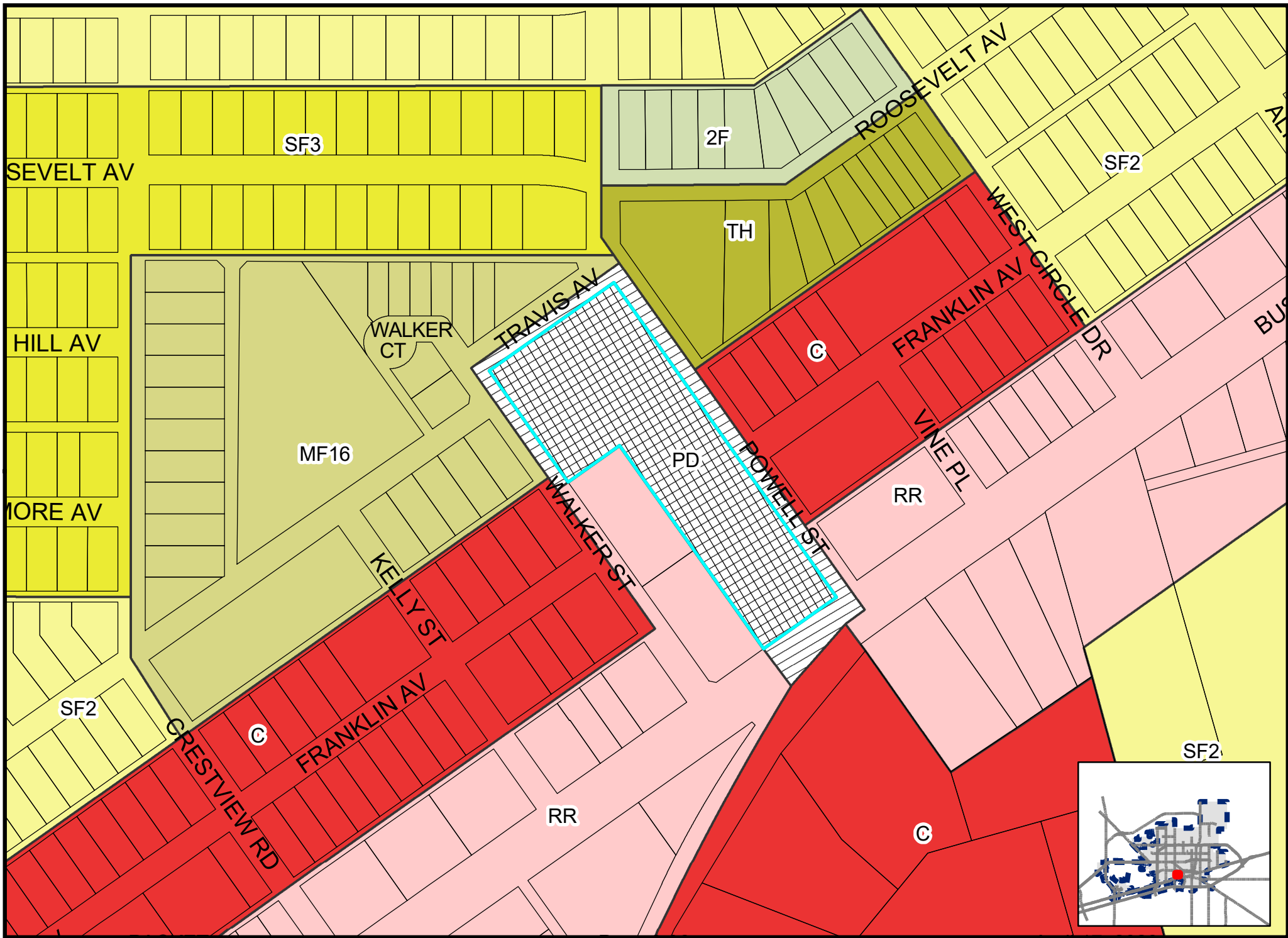
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Consider a request by Broadus Services for a Specific Use Designation without Term for Wireless Communication Systems including a monopole antenna structure on a 1,600-square foot portion of Lot 8, Block 2, Pavilion Park, Section 7, City and County of Midland, Texas. (Generally located on the west side of North Fairgrounds Road, approximately 310-feet southeast of San Felipe Drive. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Broadus Services, is requesting a Specific Use Designation without Term for Wireless Communication Systems including a monopole antenna structure.

Current Zoning:

AE, Agricultural Estate District.

Surrounding Zoning and Land Use:

The properties to the north are zoned SF-3, Single-Family Dwelling District, 2F, Two-Family Dwelling District, and TH, Townhouse (Attached) Dwelling District and the location of residences. The properties to the east and south are zoned AE, Agricultural Estate District, and are undeveloped. The properties to the west are zoned SF-2, Single-Family Dwelling District, and undeveloped.

Analysis:

The applicant, Broadus Services, is requesting a Specific Use Designation for Wireless Communication Systems to install and operate a 140-foot tall monopole antenna structure and related equipment at 1801 Solomon Lane. The monopole antenna structure is 135 feet plus a 5-foot lightning rod with a total height of 140 feet. The pole will sit on a 1,600 square feet concrete pad that will be enclosed by an eight-foot-tall chain link fence. The fence will have a gate for access that will be locked.

Wireless Communication Systems are allowed in the AE, Agricultural Estate District with the approval of a Specific Use Designation however, per Section (4.04) (20)(a)(i)(a) the location of towers in residential areas is to be discouraged. The proposed structure will be adjacent to a residential area however, the required fall radius is approximately 140 feet with a total setback of 150 feet. The nearest lot line is approximately 310 ft. away from the base of the wireless communication system and is compliant with the setback of the Midland City Code (4.04)(20)(c)(i)(a).

The tower will be required to have a stealth design per (4.04)(20)(c)(iii) of the City Code in residential zones. This may include the same color scheme as adjacent land uses, and towers to not look like towers, such as light poles, power poles, or trees. The tower must also be landscaped to screen as much as possible (trees, shrubs, or decorative fencing), in this case along the northwest, north, and northeast of the fenced area facing residential uses per (c)(iv) of the City Code.

The proposed location of the monopole is within the flight path of the Midland Executive Airpark. The Airport staff has approved the height clearance and does not have any objections to the proposed location of the pole. The applicant also submitted a Federal Aviation Administration study, which was reviewed and shared with Airport staff.

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

Fire: (Approved)

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

Engineering: (Approved)

No objections.

Transportation: (Approved)

No objections.

Building Code: (Approved)

No objections.

Oil and Gas: (Approved)

No objections.

Planning:

The request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3, An Integrated Land Use Vision, which classifies this area as Urban Residential-Low (UR-L). This land use incorporates detached single-family homes and some attached single-family homes. UR-L is identified as a "Restrictive land use." While discouraged in residential areas, Wireless Communications Systems can be allowed provided that the location of the antenna structure is spaced a minimum of 200 feet from the nearest residential zoning districts.

Staff recommends approval of this Specific Use Designation without Term for Wireless Communication Systems including a monopole structure, subject to conditions A through C.

Conditions:

- A. That the site shall significantly conform to the site plan, which is attached hereto as Exhibit "A" and incorporated herein for all purposes.**
- B. That at the time of permitting, the applicant shall provide details of stealth design and landscaped screening in front of the fenced area at a minimum of 8 feet in height to be approved upon review by the Planning Division.**
- C. That the site shall conform to all applicable City ordinances, state and federal laws, rules, and regulations.**

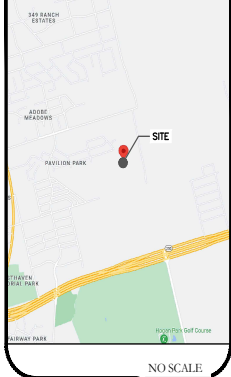
Letters of Objection:

As of April 12, 2023, staff has received no letters of objection.

Attachments:

Exhibit A
Application
Maps
FAA Summary Report
1-A Certification
Necessity Case

MAP



PROPOSED SITE REVISIONS

INCLUDE SYMBOLS OR ABBREVIATIONS USED ON THE DRAWING.

- PROPOSED CONSTRUCTION OF A NEW CELL SITE W/ 135' MONOPOLE WITH CONCRETE PADS FOR GROUND EQUIPMENT & GENERATOR
- PROPOSED INSTALLATION OF PANEL ANTENNAS AND ASSOCIATED RADIO EQUIPMENT MOUNTED ON THE NEW MONOPOLE TOWER.

LEGEND

- = 5/8" REBAR SET
- = FOUND PROPERTY MARKER
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POE = POINT OF ENDING
- ▲ = CALCULATED POINT
- ⊕ = POWER POLE
- ⊕ = GUY ANCHOR
- ⊕ = POWER BOX
- ⊕ = TELEPHONE PEDESTAL
- ⊕ = SERVICE POLE
- ⊕ = FIRE HYDRANT
- ⊕ = WATER VALVE
- ⊕ = GAS METER
- ⊕ = SEWER MANHOLE
- ⊕ = FLOOD LINE MARKER
- ⊕ = TEMPORARY BENCHMARK
- 5/8" REBAR SET
- ELEVATION: 2819.31'
- FENCE LINE
- POWER LINE

SITE DATA SUMMARY TABLE	
USE: CELL SITE AS PART OF A WIRELESS COMMUNICATIONS NETWORK.	
ZONING.....	AE - AGRICULTURAL ESTATE
IMPERVIOUS SURFACE.....	106 SQ. FT.
LOT AREA.....	1,600 SQ. FT.
ACCESS EASEMENT.....	59,668 SQ. FT.
HEIGHT.....	135'
TOTAL PARKING REQUIRED.....	N/A
INTERIOR LANDSCAPE RORD.....	N/A

OVERALL SITE PLAN
SCALE: 1" = 100'-0" (FULL SIZE)
1" = 200'-0" (1:1117)

OWNER
TONI ISBELL
1801 E. SOLOMON LANE
MIDLAND, TX 79705

APPLICANT
VERIZON WIRELESS
600 HIDDEN RIDGE
IRVING, TX

ENGINEER
CAA SOLUTIONS, PLLC
170 BOULEVARD SE, UNIT E108
ATLANTA, GA 30312
PH: (404) 614-2666
CONTACT: J. W. ANDERSON, P.E.

ACTION	
APPROVED	☐ DEXIED
STAFF	Date _____ Initials _____
P&Z	Date _____ Initials _____
Neighborhood # _____	
See the Staff Approval Letter or P&Z Result Memo for any conditions associated with the approval of the project.	

THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT A NEW CELL SITE WITH MONOPOLE TOWER, ANTENNAS, HYBRID CABLES INSIDE THE TOWER, AND CONCRETE PADS FOR GROUND EQUIPMENT & GENERATOR.

ZONING CASE NO. ---- CELL SITE CARRIER ADDITION PLAN

1801 "U" SOLOMON LANE
MIDLAND, TX 79705

TONI ISBELL
PARCEL NUMBER: R000209726
DOC. NO. 2013-10249

April 17, 2023

verizon

600 HIDDEN RIDGE
IRVING, TX

B BROADUS
SERVICES

4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS
TEXAS 76016

VERIZON SITE NAME:
MIRA VISTA

VERIZON LOCATION CODE:
496585

FUZE ID:
16879284

1801 "U" SOLOMON LANE
MIDLAND, TX 79705

NEW MONOPOLE TOWER

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/CHK
A	06/13/2022	WTS	ZONING	SN

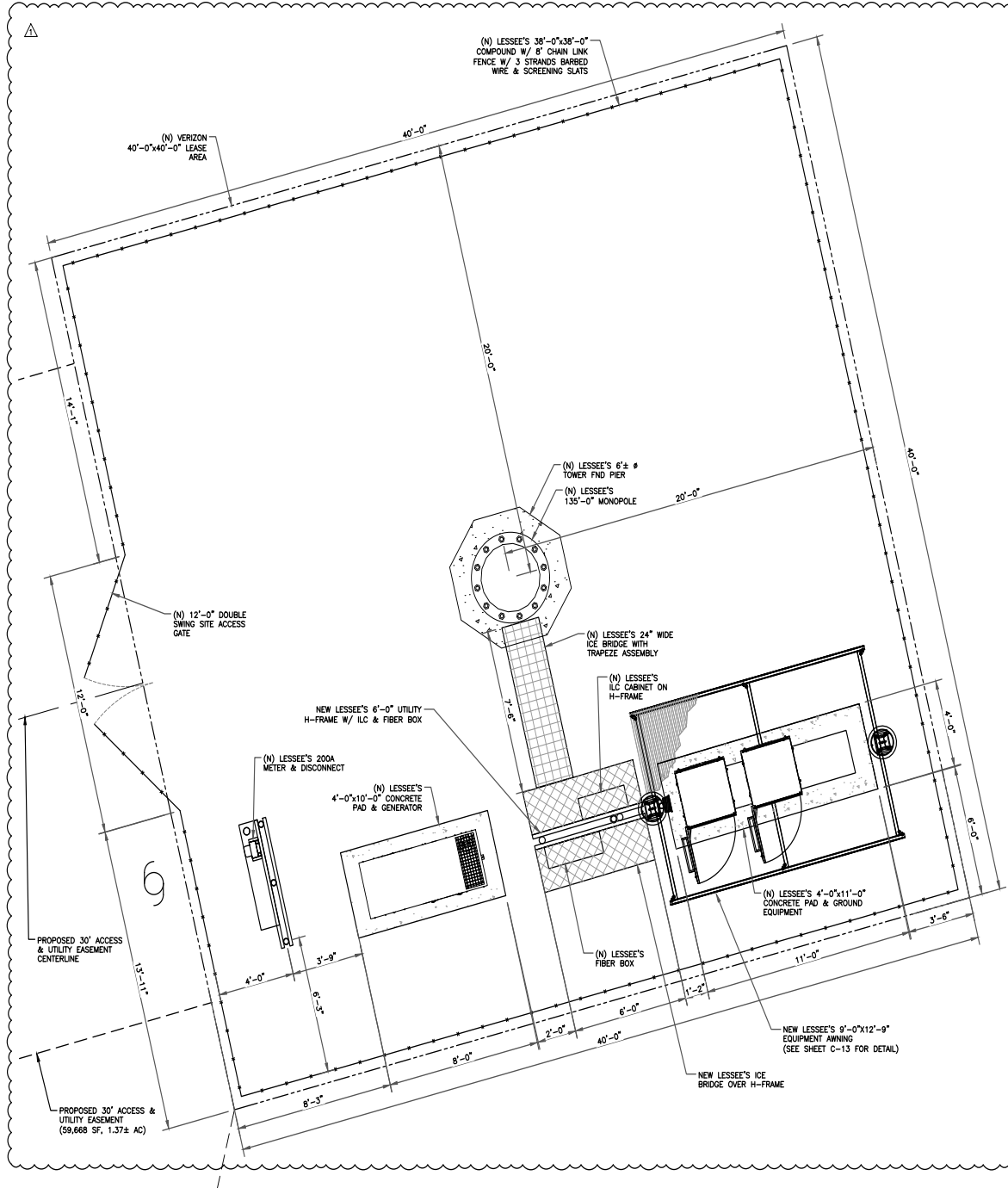
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SHEET NUMBER:

REVISION:

A-1

A

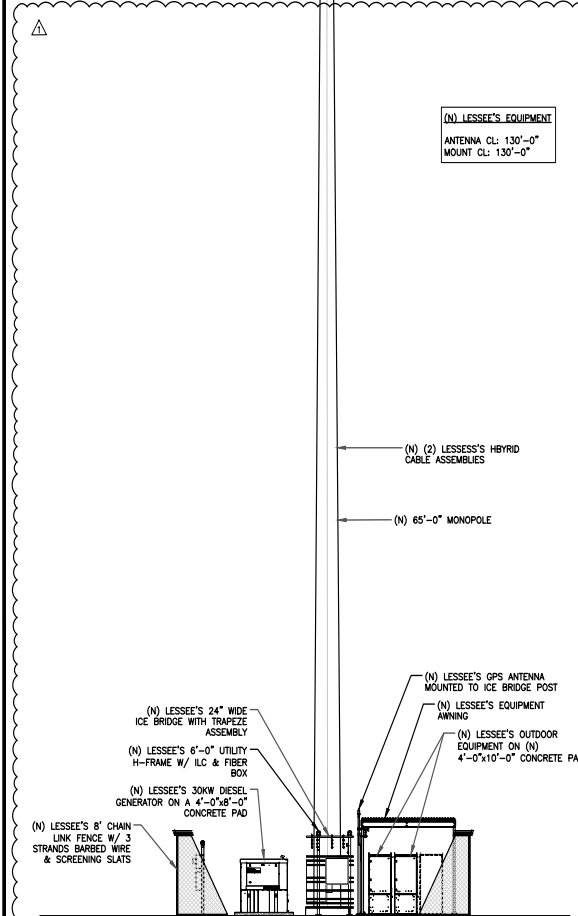
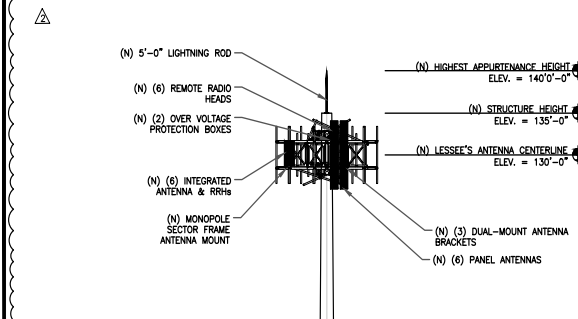


PACKET

1 EQUIPMENT PLAN
SCALE: 3/8"=1'-0" (FULL SIZE)
3/16"=1'-0" (11x17)



Page 10.105



2 TOWER ELEVATION
SCALE: NOT TO SCALE

THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT A NEW CELL SITE WITH MONOPOLE TOWER, ANTENNAS, HYBRID CABLES INSIDE THE TOWER, AND CONCRETE PADS FOR GROUND EQUIPMENT & GENERATOR.

ZONING CASE NO. ----
CELL SITE CARRIER ADDITION PLAN
1801 "U" SOLOMON LANE
MIDLAND, TX 79705

April 17, 2023

verizon

600 HIDDEN RIDGE
IRVING, TX

B BROADUS
SERVICES
4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS
TEXAS 76016

VERIZON SITE NAME:
MIRA VISTA

VERIZON LOCATION CODE:
496585

FUZE ID:
16879284

1801 "U" SOLOMON LANE
MIDLAND, TX 79705

NEW MONOPOLE TOWER

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES./QS
A	06/13/2022	WTS	ZONING	SN

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SHEET NUMBER:

REVISION:

A-2

A



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

Case Number SUDwo-22-0031

Ord. Number: _____

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

Printed Name: Alec Broadus-Agent for owner

Phone (432) 557-0719 682-2331

Email
jennifer@gobroadus.com

Address 4 Country Place Cir

City Arlington

State TX

Zip 76016

Property Owner

Printed Name: Toni Isbell

Phone (432) 557-0719 682-2331

Email
jennifer@gobroadus.com

Address 1801 E SOLOMON LANE

City MIDLAND

State TX

Zip 79705

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: Alec Broadus-Agent for owner

Phone (432) 557-0719 682-2331

Email
jennifer@gobroadus.com

Address

City

State

Zip

Type of Permit: Specific Use

For Office Use Only

☐ with Term

☐ without Term

Is there any Code Enforcement action pending on property? ☐ Yes ☒ No

Street Address: 1801 SOLOMON LANE

Legal Description

Lot: 0081

Block: 002

Subdivision: 24.8 AC PAVILION PARK

Current Zoning: AE, Agricultural Estate District

Maximum Floor Area: N/A

Maximum Occupancy: N/A

Proposed hours and days of use or operation: Unmanned Utility so only automated operation 24/7

Reason for request: Improve cellular and data coverage in the area.

Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: Cell towers have not had any adverse affects in the many locations they occupy.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan showing
 - Parking (if applicable)
 - Building Footprint
- Digital Copies of Site Plan (PDF/JPEG)

Signatures	
Applicant (signature): <u>Alec Broadus</u>	Date: 9/19/22
Applicant (printed): Alec Broadus	
Property Owner (signature): <u>Toni Isbell</u>	Date: 9/19/22
Property Owner (printed): TONI ISBELL/PETREE ISBELL INC	
<i>The Specific Use Designation 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>	

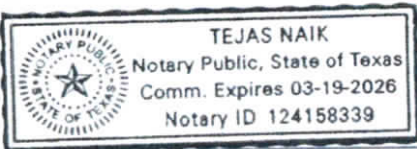
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND Tarrant

Before me, the undersigned authority, on this day personally appeared Alec Broadus who, being by me duly sworn, upon oath says: That (s)he is authorized by Toni Isbell/Petree Isbell Inc, 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.

Alec Broadus
Authorized Agent (signature)

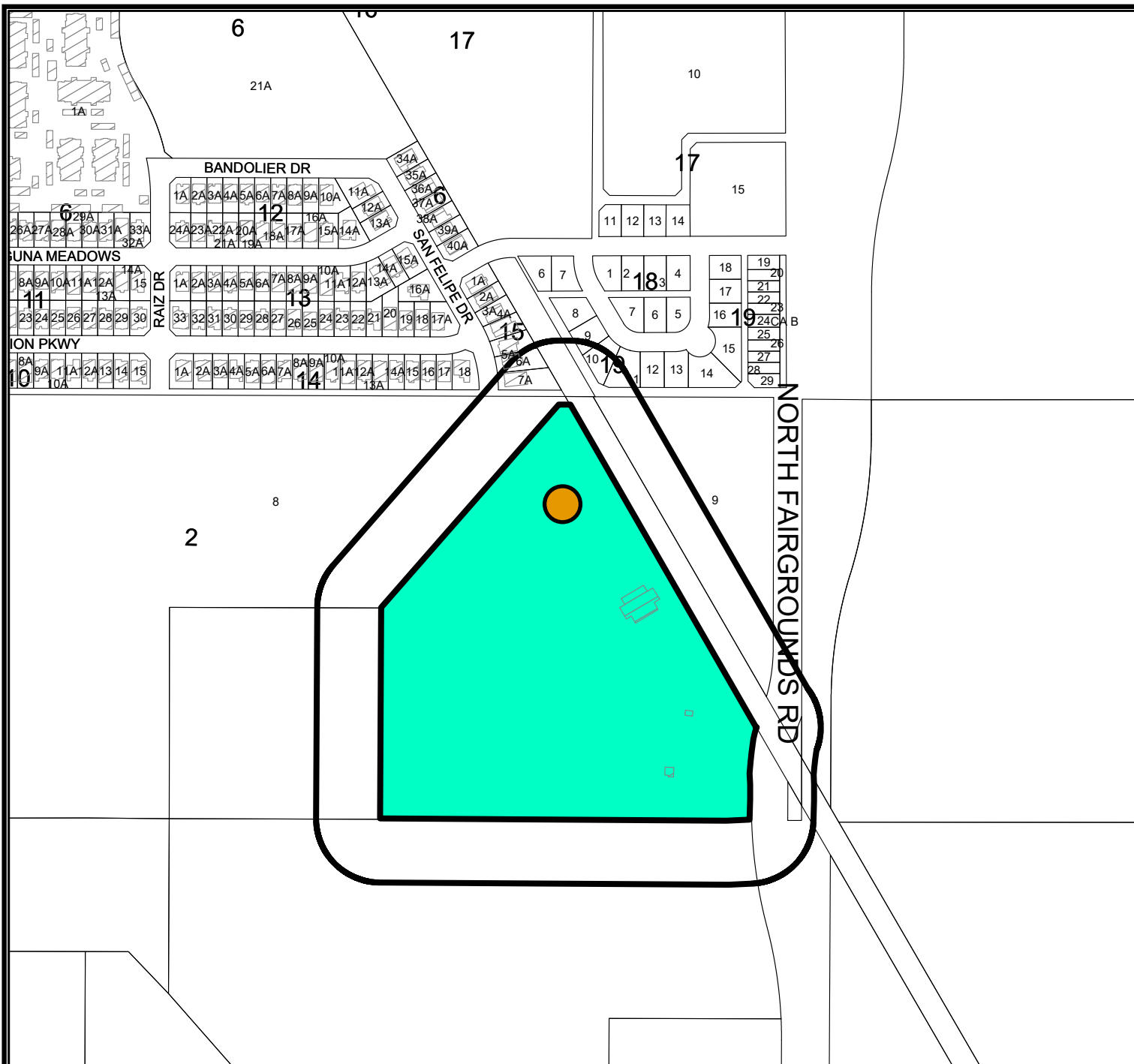
Subscribed and sworn to before me, this 19 day of Sept., 2022, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

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



LOCATION MAP

SUDwo-22-0031

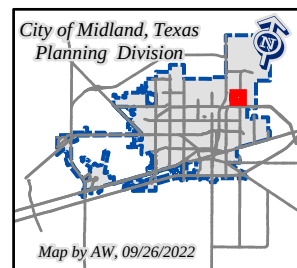
Scale: 1" = 200'

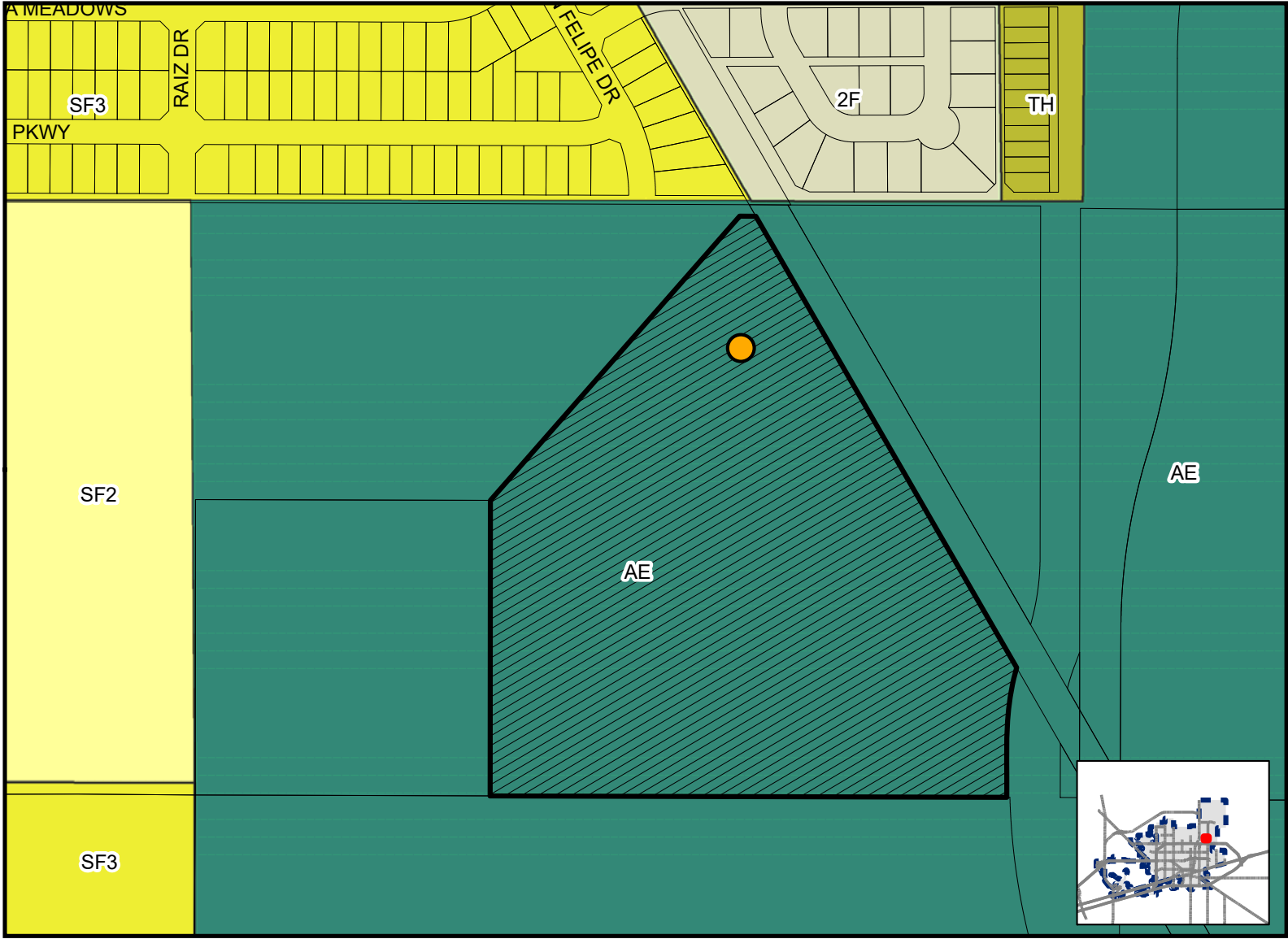
Consider a request by Broadus Services for a Specific Use Designation without Term for Wireless Communication Systems, including a monopole antenna structure on a 1,600-square foot portion of Lot 8, Block 2, Pavilion Park, Section 7, City and County of Midland, Texas.

(Generally located on the west side of North Fairgrounds Road, approximately 310-feet southeast of San Felipe Drive - Council District 1)
(DEVELOPMENT SERVICES)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By AW, 9/26/2022

SUDwo-22-0031

Scale: 1" = 200'

ZONING MAP



© THE CITY OF MI
TO BE USED AS A PFI
HEREIN THE CITY OF

UCL, WORKSHEET DESIGNATED
INFORMATION CONTAINED
THE USE OF THIS DATA

* Federal Airways & Airspace
*
* Summary Report: New Construction
*
* Antenna Structure
*

Airspace User: Susan Davis

File: MIRA_VISTA

Location: Midland, TX

Latitude: 32°-3'-29.91" Longitude: 102°-
4'-7.27"

SITE ELEVATION AMSL.....2819 ft.
STRUCTURE HEIGHT.....140 ft.
OVERALL HEIGHT AMSL.....2959 ft.

NOTICE CRITERIA

FAR 77.9(a): NNR (DNE 200 ft AGL)
FAR 77.9(b): NR (Exceeds Notice Slope, Maximum: 2888 ft.)
FAR 77.9(c): NNR (Not a Traverse Way)
FAR 77.9: NNR FAR 77.9 IFR Straight-In Notice Criteria for
MDD
FAR 77.9: NNR FAR 77.9 IFR Straight-In Notice Criteria for
MAF
FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required
NNR = Notice Not Required
PNR = Possible Notice Required (depends upon actual IFR
procedure)
For new construction review Air Navigation Facilities at
bottom
of this report.

Notice to the FAA is required because height exceeds Notice
Slope criteria.

The maximum height to avoid notice is 2888 ft AMSL.

OBSTRUCTION STANDARDS

FAR 77.17(a)(1): DNE 499 ft AGL
FAR 77.17(a)(2): DNE - Airport Surface
FAR 77.19(a): DNE - Horizontal Surface
FAR 77.19(b): DNE - Conical Surface
FAR 77.19(c): DNE - Primary Surface

FAR 77.19(d): DNE - Approach Surface
 FAR 77.19(e): DNE - Approach Transitional Surface
 FAR 77.19(e): DNE - Abeam Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: MDD: MIDLAND AIRPARK

Type: A RD: 9891.576 RE: 2789.9

FAR 77.17(a)(1): DNE
 FAR 77.17(a)(2): DNE - Height No Greater Than 200 feet

AGL.

VFR Horizontal Surface: DNE
 VFR Conical Surface: DNE
 VFR Primary Surface: DNE
 VFR Approach Surface: DNE
 VFR Transitional Surface: DNE

The structure is within VFR - Traffic Pattern Airspace
 Climb/Descent Area.

Structures exceeding the greater of 350' AAE, 77.17(a)(2), or
 VFR horizontal

and conical surfaces will receive a hazard determination from
 the FAA.

Maximum AMSL of Climb/Descent Area is 3155 feet.

VFR TRAFFIC PATTERN AIRSPACE FOR: MAF: MIDLAND INTL AIR AND SPACE

P

Type: A RD: 55621.14 RE: 2872.5

FAR 77.17(a)(1): DNE
 FAR 77.17(a)(2): DNE - Greater Than 5.99 NM.
 VFR Horizontal Surface: DNE
 VFR Conical Surface: DNE
 VFR Primary Surface: DNE
 VFR Approach Surface: DNE
 VFR Transitional Surface: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)

FAR 77.17(a)(3) Departure Surface Criteria (40:1)

DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)

FAR 77.17(a)(4) MOCA Altitude Enroute Criteria

The Maximum Height Permitted is 3400 ft AMSL

PRIVATE LANDING FACILITIES

FACIL	BEARING	RANGE	DELTA
IDENT TYP NAME	To FACIL	IN NM	
ELEVATION IFR			
7TX7 AIR RYAN AERODROME	73.12	2.3	

+219

Possible Impact to Private Landing Facility.

Possible Exceeds VFR Transitional Surface (N/A Private Airport).

03TA HEL MIDLAND MEML HOSPITAL 203.95 4.04
+145

No Impact to Private Landing Facility
Structure is beyond notice limit by 19547 feet.

AIR NAVIGATION ELECTRONIC FACILITIES

GRND	FAC	ST	DIST	DELTA	
ANGLE	IDNT	TYPE	AT	FREQ	VECTOR (ft)
BEAR					ELEVA ST LOCATION

.14	MAF	VORTAC	R	114.8	244.68 41705 +99 TX MIDLAND
Predict	Alert! IFR Notice is not Required for this structure. Predict within Final Segment of Approach plus Fix Error Area. within FAR 77.9 IFR Notice Requirement Area for MDD: VOR/DME				
RWY 25	The maximum IFR No Notice Height for new construction is: 3100'				
AMSL.					
.03	KMAF	RADAR WXL	Y	221.77	56071 +33 TX MIDLAND WXL
AIRP	MAF	RADAR	I	2805.	232.07 58555 +14 TX MIDLAND INTL
EMI.	.01	No Impact. This structure does not require Notice based upon			
	The studied location is within 20 NM of a Radar facility. The calculated Radar Line-Of-Sight (LOS) distance is: 133 NM. This location and height is within the Radar Line-Of-Sight.				
MIDLAND IN	MAF	LOM	I	252.09	83475 +4 TX RWY 10
	0.00	No Impact. Does Not Exceed NDB Notice Height Criteria.			
0.00	MA	NDB	I	32	252.11 83490 +2 TX FARLY
	No Impact. Does Not Exceed NDB Notice Height Criteria.				
-.05	QXS	RADAR ARSR	Y	1250.4	328.5 211800 -181 TX Odessa

CFR Title 47, §1.30000-§1.30004

AM STUDY NOT REQUIRED: Structure is not near a FCC licensed AM station.

Movement Method Proof as specified in §73.151(c) is not required.

Please review 'AM Station Report' for details.

Nearest AM Station: KCRS @ 3881 meters.

Airspace® Summary Version 22.7.647

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08-17-2022

07:32:17

Verizon Wireless Communication Facility

Engineering Necessity Case – MIRA_VISTA

Prepared by Chia Chang
September 2022



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Project Need Overview

The primary objective for this project is to improve service quality on the northeast side of downtown Midland and in the residential and commercial area along Hwy 349 and E Loop 250 N. This new site will provide increased coverage and capacity which will allow for greater throughput and reliability in the area.

Our engineering data shows that this area is trending toward data capacity limits. The existing site, TXMI_MIDLANDCC and TXMI_GREENWOOD need to have some of the area it covers moved onto another site to allow it to keep performing well. This new site, MIRA_VISTA, does an good job of moving traffic onto a more localized site, better able to serve this area.

Additional details and explanations follow in this presentation.



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2

Introduction:

Coverage and/or capacity deficiencies are the two main drivers that prompt the need for a new wireless communications facility (WCF). Most WCF provide a mixture of both capacity and coverage for the benefit of the end user.

Coverage describes the existence or lack of wireless service in an area. The request for improved service often comes from our customers or emergency services personnel that have no service or poor service. Coverage used to refer to the ability to make or place a call in vehicles, however, as usage patterns have shifted, coverage is now determined based on whether or not sufficient WCF exist to provide a reliable signal inside of buildings and residential areas, as well. Historically, when wireless was still in its infancy, coverage was the primary means to measure the effectiveness of the network in a given area.

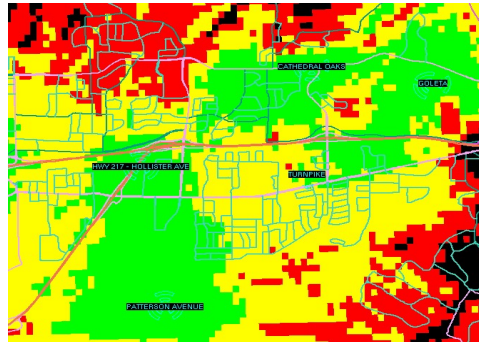
Capacity is the metric used to determine if sufficient wireless resources exist and is now the primary means to measure how a community's wireless needs are being addressed. "Five bars" no longer means guaranteed coverage and capacity because each WCF has a limited amount of resources to handle voice calls, data connections and data volume. When these limits are reached and the WCF becomes overloaded (meaning there is more demand than signal to service it), the user experience quickly degrades preventing customers from making/receiving calls or getting applications to run. A WCF short on capacity could also make internet connections time out or delay information to emergency response personnel



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Explanation of Wireless Coverage



Coverage is best shown via coverage maps. RF engineers use tools that take into account terrain, vegetation, building types, and WCF specifics to model the existing coverage and prediction what we expect to see with the addition of a proposed WCF.



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4

Explanation of Wireless Capacity



Capacity is the amount of resources that a WCF has to service customer demand. Verizon utilizes sophisticated programs and customer feedback to monitor current usage trends and to forecast future needs. Because it takes an average of 2-3 years to complete a WCF, we have to start the process of adding a new WCF several years in advance of when the WCF will be needed.

Location, Location, Location. A good capacity WCF needs to be in the center of a user population which insures that traffic is evenly distributed around the WCF. A typical WCF is configured into three sectors (like a pie cut into three pieces), with each slice (sector) having 33% of the WCF resources. If one sector is under-utilized, it's resources can not necessarily be diverted to another sector. Therefore, optimal performance is only obtained when all three sectors have an even traffic distribution.



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5

Wireless Data Growth

Each year Verizon sees large increases in how much data its customers need. As the resolution of the pictures we send increases, the quality of the video we watch improves and the complexity of the applications grow, we commonly see tremendous growth year-over-year

Machine to Machine communications will also increase the data burden on wireless networks, as over the next five (5) years more and more services that improve our safety and make our lives easier will be available over the wireless infrastructure , such as:

- Cars that notify 911 when an airbag deploys.
- “Driverless” cars needing traffic data and maps to reach your destination as quickly as possible.
- Medical monitors that will alert us should a loved one neglect taking their prescription drugs.
- Home alarms that notify you when your child arrives home from school.
- Smart street lights that notify the city when they are not working.
- City garbage cans that let people know when they need to be emptied.
- Tracking watches will aid in finding lost Alzheimer patients.



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6

Radio Emission Safety

A common question received is “Are the radio emissions safe?”

Verizon goes to great effort to ensure that all of its projects meet the standards established by the FCC to ensure safety of the public and its employees. The links below are to three reputable organizations that have performed extensive reviews of the science available on this subject and have good educational articles on the results of their research.

World Health Organization

<http://www.who.int/peh-emf/about/WhatisEMF/en/index1.html>

American Cancer Society

<https://www.cancer.org/cancer/cancer-causes/radiation-exposure/cellular-phone-towers.html>

FCC Radio Frequency Safety

<https://www.fcc.gov/general/radio-frequency-safety-0>

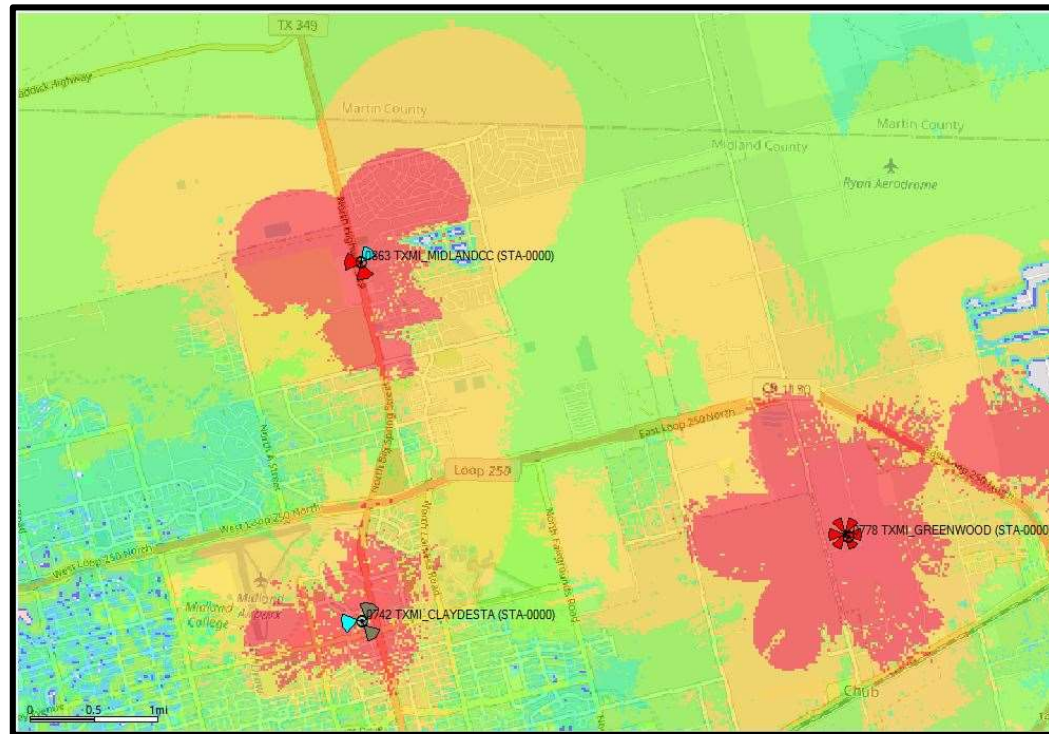


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7

Current Coverage

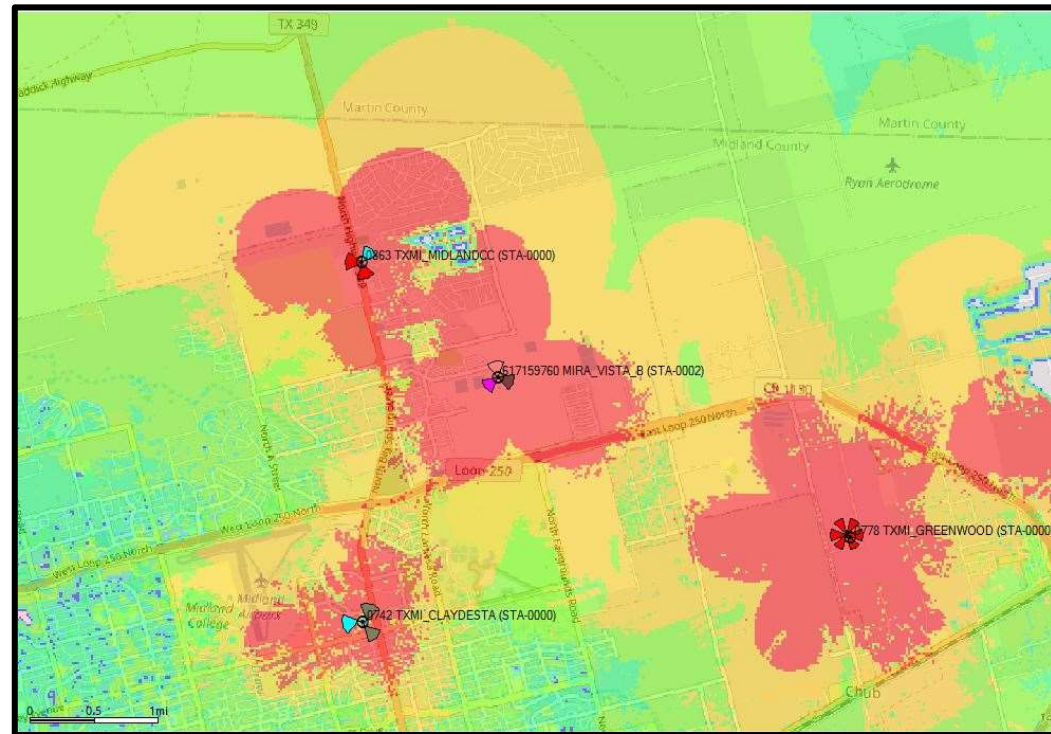
Current coverage near the proposed MIRA_VISTA site



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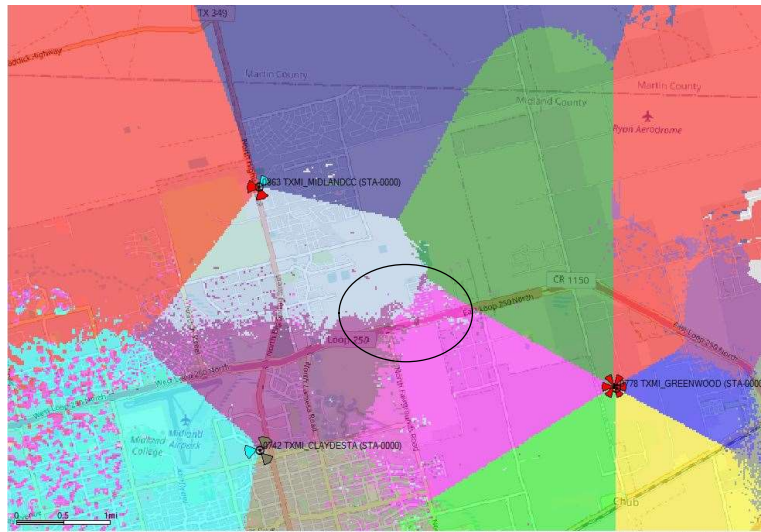
Proposed Coverage

Although this site is proposed primarily to offload capacity from the TXMI_MIDLANDCC site, an added benefit is improved coverage in the area around the proposed MIRA_VISTA site, improving data throughput.



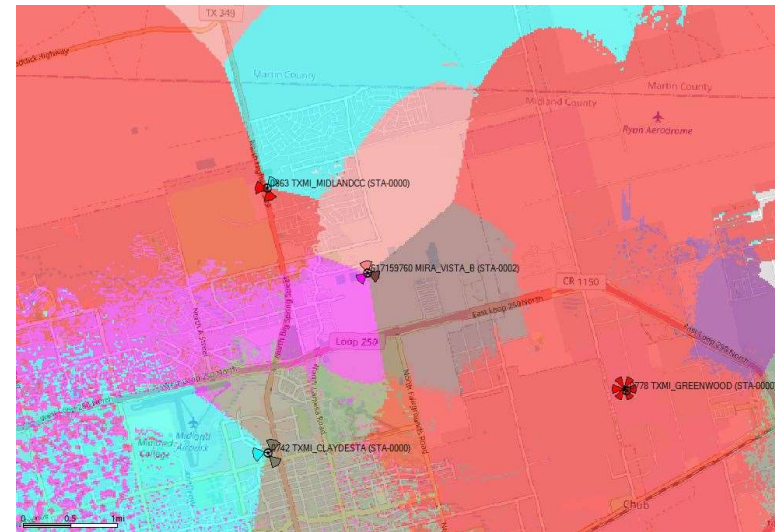
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Serving Sector Maps



Best Server without MIRA_VISTA Site

The proposed site footprint on the right will improve both capacity and coverage in the highlighted area. The plots above show the best servers or sectors that cover this area with each sector shown in a different color. The left map shows what sectors currently cover this area with the projected overloaded sectors circled. The right map shows the area this new site will cover. This project will improve service by providing necessary capacity to support the growth we are seeing in 4G data traffic. The area around the proposed site will see much better service. If the site is not built the area circled on the left map will see data speeds and new 4G voice service start to degrade as the site overloads.



Best Server with MIRA_VISTA Site



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Verizon Wireless

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your community.
Because we live
and work there too.**

We believe technology can help solve
our biggest social problems.

We're working with innovators,
community leaders, non-profits,
universities and our peers to
address some of the unmet
challenges in education, healthcare
and energy management.

Learn more about our corporate social
responsibility at www.verizon.com.



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SMW Engineering Group, Inc.
158 Business Center Drive
Birmingham, Alabama 35244
Telephone: (205) 252-6985
Fax: (205) 320-1504

1-A CERTIFICATION

Date: April 25, 2022

RE: Site Name: Mira Vista
Project Number: 2608053
Location Code: 20181810702
Ground Elevation: 2818.5' (AMSL)

City Name: Midland **County:** Midland **State:** Texas

I certify that the Latitude of 32 Degrees 03 Min. 29.919 Sec. North and the longitude of 102 Degrees 04 Min. 07.279 Sec. West is accurate to within +/- 20 feet horizontally; and is accurate to within +/- 3 feet vertically. The horizontal datum (coordinates) is in terms of the North America Datum of 1983 (NAD83) and is expressed in degrees, minutes and seconds. The vertical datum (heights) is in terms of the North American Vertical Datum of 1988 (NAVD88).

Decimal Format

32.058311 Latitude
-102.068689 Longitude

State of Texas

Date: 4/25/22

William H. Sommerville III
Texas Registered No. 6094
SMW Job No. 22-10258
Prepared By: BB













Planning and Zoning
Commission

Approved for
Agenda:
Jeffrey Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Consider a request by Maverick Engineering for a proposed Preliminary Plat of Shenandoah Ridge, Section 2, being a residential replat of Lot 32, Block 5, Shenandoah Ridge, Section 1, City of Midland, Midland and Martin Counties, Texas. (Generally located on the west side of Anticline Court, approximately 625 feet north of Badland Boulevard. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to replat Lot 32, Block 5, Shenandoah Ridge, Section 1, City of Midland, Midland and Martin Counties, Texas, into two lots for ownership purposes. This is a residential replat which requires public notice and notices were mailed accordingly.

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 issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee language is missing from plat face. [Per Midland City Code Sect. 11-14-6]

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

PAVING: Internal paving improvements have been accepted by the City. [For Applicant's Information Only.]

WATER: Water improvement have been accepted by the City. [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: Wastewater improvement have been accepted by the City.. [For Applicant's Information Only.]

DRAINAGE: Drainage study has been approved on 07/12/2021. [For Applicant's Information Only.]

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

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

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.]

CODE COMPLIANCE: (Approved)

No Oil and Gas Issues. Affects lots 32 only. No well in radius from main plat for Shenandoah Ridge Section 1 which final plat addresses everything in 500 ft radius would need a council approved variance and radius exist for agreed upon distance.

Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No construction is allowed on top of P&A wells.

FIRE: (Approved)

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

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Rename plat to "Shenandoah Ridge, Section 2," , remove "an addition to the" in the legal description, and update plat face accordingly.

MCAD lists the owner as "SHENANDOAH BAR M RANCH LLC." Please verify and update the plat face accordingly.

Property is zoned SF-3 Single-Family Dwelling District.

This is a residential replat; therefore, a public hearing is required at the preliminary phase. [Midland City Code 11-2-7(A)2(b)]

Staff recommends approval of this Residential Replat, subject condition A.

Condition:

- A. 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.**

Letters of Objection:

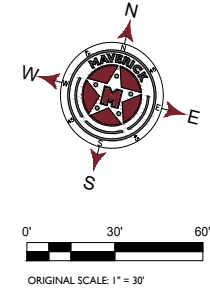
As of April 12, 2023, staff has received no letters of objection.

Attachments:

Proposed Preliminary Plat
Application
Maps

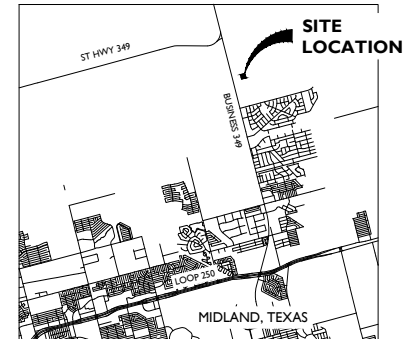
PRELIMINARY PLAT SHENANDOAH RIDGE SECTION 3

BEING A REPLAT OF LOT 32, BLOCK 5,
SHENANDOAH RIDGE, SECTION I,
AN ADDITION TO THE CITY OF MIDLAND,
MIDLAND AND MARTIN COUNTIES, TEXAS



LEGEND

⊙	1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514"
—	BOUNDARY LINE
- - -	EXISTING PROPERTY LINES
- - -	EXISTING EASEMENT LINE
- - -	EXISTING BUILDING SETBACK LINE
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DEED RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX



VICINITY MAP

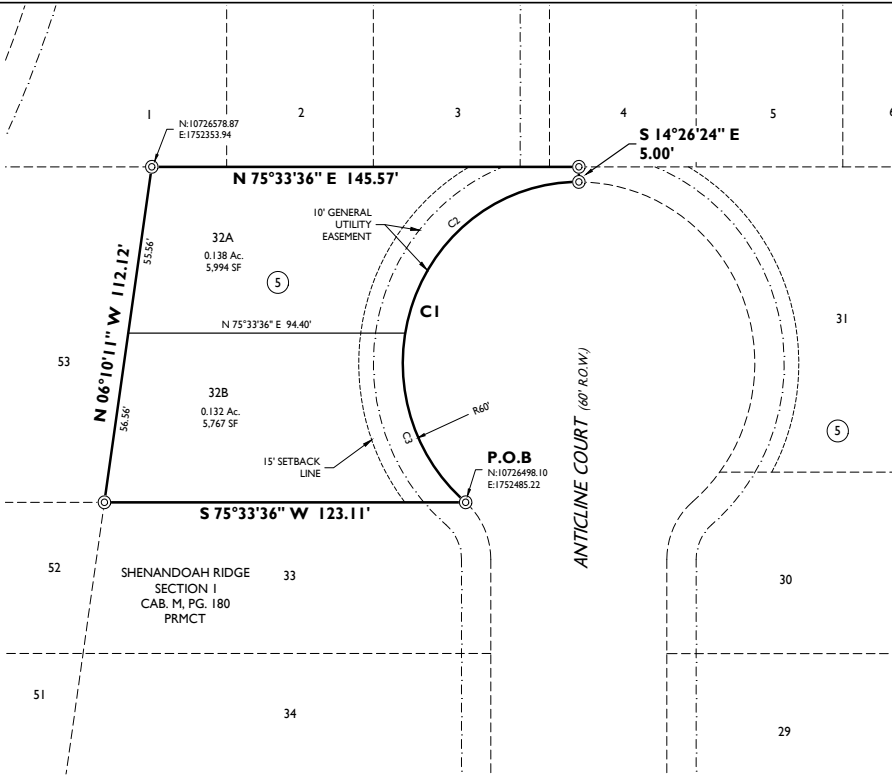
N.T.S.



MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

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

SHENANDOAH RIDGE
SECTION 3
April 17, 2023



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS RPLSH5356
MAVERICK ENGINEERING (TX FIRM # 10194514)
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701

**PRELIMINARY - THIS DOCUMENT
SHALL NOT BE RECORDED FOR
ANY PURPOSE**

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SHENANDOAH RIDGE, SECTION 3, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2023.

LUCY SISNIEGA, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	60.00'	146.59'	112.76'	S 05°34'14" W	139°58'33"
C2	60.00'	84.18'	77.44'	S 35°23'01" W	86°23'01"
C3	60.00'	62.41'	59.63'	S 34°37'28" E	59°36'26"

PROPERTY OWNER

BETENBOUGH HOMES, LLC
6305 82ND STREET
LUBBOCK, TEXAS 79424
DEED INSTRUMENT # 2022-3446

Page 11.135

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

OPTIMUM

BY: _____

ASTOUND BROADBAND

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

PACKET



Preliminary Plat Application

Project Number Sub-23-0587
Case Number: P-23-1582

Proposed Subdivision Plat Name: Shenandoah Ridge, Section 3

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 32, Block 5, Shenandoah Ridge, Section 1, an Addition to the City of Midland, Midland and Martin Counties, Texas

Property Owner

Printed Name: **Betenbough Homes LLC**

Phone (432) 262-0999
Email

Address **6305 82nd St**

City **Lubbock**

State **TX**

Zip **79424**

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999
Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: **Paladin Huckaba**

Phone (432) 262-0999
Email

phuckaba@maverick-eng.com

Address **1909 W Wall St Ste K**

City **Midland**

State **TX**

Zip **79701**

Current Zoning: SF3

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage: **0.27**

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: _____

Property Owner (printed) : _____

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or 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.

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 21st day of March, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
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

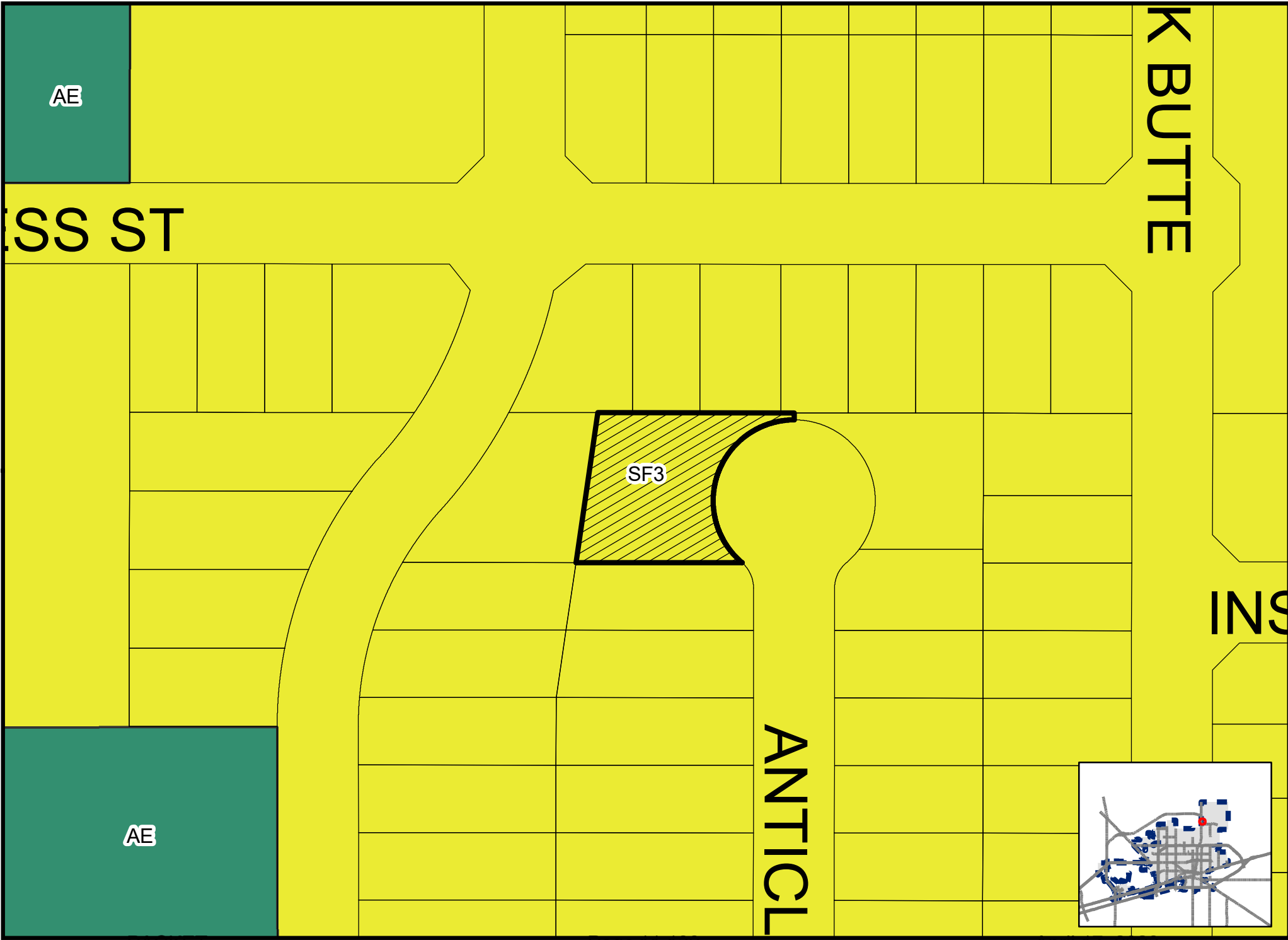
☒ 1 Copy of Plat (11x17)

Check # 4104

Received By: James Reber

Date: 3/22/23

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













Planning and Zoning Commission

Approved for
Agenda:
Jeffrey Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Consider a request by Maverick Engineering for a proposed Preliminary Plat of Country Sky Addition, Section 28, being a residential replat of Lot 16, Block 3, Country Sky Addition, Section 3, and a plat of a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North County Road 1247 and West State Highway 158. - Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X **Approve** **Deny** **Directional/Informational**

Details of Request:

Maverick Engineering is requesting to replat Lot 16, Block 3, Country Sky Addition, Section 3, and plat a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, RR Co. Survey, and City and County of Midland, Texas. The property will be subdivided into four lots. This proposed subdivision is partially residential replat, which requires a public hearing.

Current Zoning:

CE, Country Estate District.

Departmental Review:

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 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments

ENGINEERING: (Approved with Conditions)

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

ROW: Ok as is.[For Applicant's Information Only.]

PAVING: N CR 1247 road and a portion of Wind Chase, and Desert Wind is sub-standard, construct to City Standards for entire platted frontage. Deferral request has been submitted and is in review. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: 12" water line exists in N C R 1247 West of tract. There is an 8" water line in Desert Wind and Wind Chase East 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: None existing. Construct wastewater to City standards along entire platted frontage. Deferral request has been submitted and is in review. [Reference Midland City Code Sect. 11-2-3(G)1 & 11-2-4(A)2(a)]

Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (A) Areas served by public water systems shall have lots of at least ½ acre.

Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (B) Areas NOT served by public water systems shall have lots of at least 1 acre.

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

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

SIDEWALKS: Required at building permit. Deferral request has been submitted and is in review. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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 and Gas Issues. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No construction is allowed on top of P&A wells.

GIS: (Approved)

30' ROW on NE of plat should be removed and plat outline should be adjusted. That ROW has already been dedicated on Country Sky Addition 3. Block 3, lot 27 already in use. Next available lot number is 31.

CRMWD: (Approved with Conditions)

See attachment.

PLANNING: (Approved with Conditions)

Verify the acreage for the legal description. [For Applicant's Information Only]

Remove ROW dedication NE of this plat. The 30 ft ROW dedication has already been dedicated in Country Sky Addition, Section 3. (See attachment) [For Applicant's Information Only].

Lot 27 already exists. The lot should be Lot 31. [For Applicant's Information Only].

This is zoned CE, Country Estate District. All development and lot dimensions must conform to the zoning district. The minimum lot width is 100 feet, and the minimum lot depth is 120 feet. [For Applicant's Information Only].

Staff recommends approval of the Preliminary Plat for Country Sky Addition, Section 28, subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-4(A)2(a).**
- B. 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.**

Letters of Objection:

As of April 12, 2023, staff has received two letters of objection.

Attachments:

Preliminary Plat
CRMWD Letter
Application
Maps
Objection Letters



Colorado River Municipal Water District

February 27, 2023

Kelly Martinez- Senior Planner
Development Services Department
City of Midland
300 N. Loraine
Midland, TX 79702

RE: Case File: Country Sky Addition Section 28

Dear Kelly,

The District has reviewed the sketch plat for Country Sky Addition Section 28. As noted by Maverick, the plat shows our 33" water transmission pipeline running through the eastern side of this plat. **Prior to finalizing the plat, the developer shall determine the locations of the CRMWD pipelines. If needed, the existing CRMWD easement shall be adjusted on the new plat so that the existing pipelines are within the easement.** District personnel shall be notified prior to excavation of pipelines.

Our pipelines and easements carry certain restrictions prohibiting the construction of habitable structures as well as other features designed to protect the pipelines. It is also worth noting that the pipelines may be relatively shallow, which may impact streets, drainage ways, pipelines or other improvements planned to cross the District's line. The developer shall determine the amount of cover existing over the pipelines to determine their potential impact on planned improvements. All proposed crossing utilities must cross under the pipeline with a minimum clearance of two feet and be encased throughout the easement. District personnel shall be notified prior to excavation of pipelines or any work on the easement.

In order to help ensure the integrity of these pipelines, CRMWD requests that a copy of the proposed construction plans be provided for review. This review will allow CRMWD the opportunity to provide comments prior to issuance of the final construction plans and will help to make the construction process go smoother. Electronic copies of the plans can be provided via e-mail.

Feel free to contact me at 432-267-6341 or at astrube@crmwd.org if you have any questions regarding this matter.

Sincerely,

Allison Strube, P.E.
Engineering Services Manager
CRMWD



Country Sky Addition Sect 28

Sect: 26 40 11S



Preliminary Plat Application

Project Number:

Case Number:

SUB-23-0597
P-23-1584**Proposed Subdivision Plat Name:** Country Sky Addition, Section 28**Legal Description (attached sealed Metes and Bounds):** Being a 12.05-Acre Tract of Land Situated in Section 26, Block 40, T-1-S, Texas & Pacific Railway Co. Survey, Midland, Texas and also being a Replat of Lot 16, Block 3, Country Sky Addition, Section 3, an Addition to the City of Midland, Texas**Property Owner**

Printed Name: City of Midland/Harry Douglass Hartman and Wife

Phone (432) 262-0999

Email

Address 300 N Loraine/708 Mogford St

City Midland

State TX

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: CE**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage:

12.05

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

Number of Lots: 4

Number of Multi-family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature): _____

Date: _____

Property Owner (printed) : _____

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

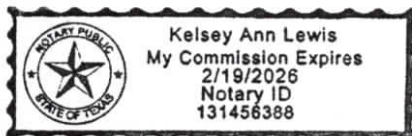
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by COM/Harry D. Hoffman 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.

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of March, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat ^{missing}

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)"

Check # 4102

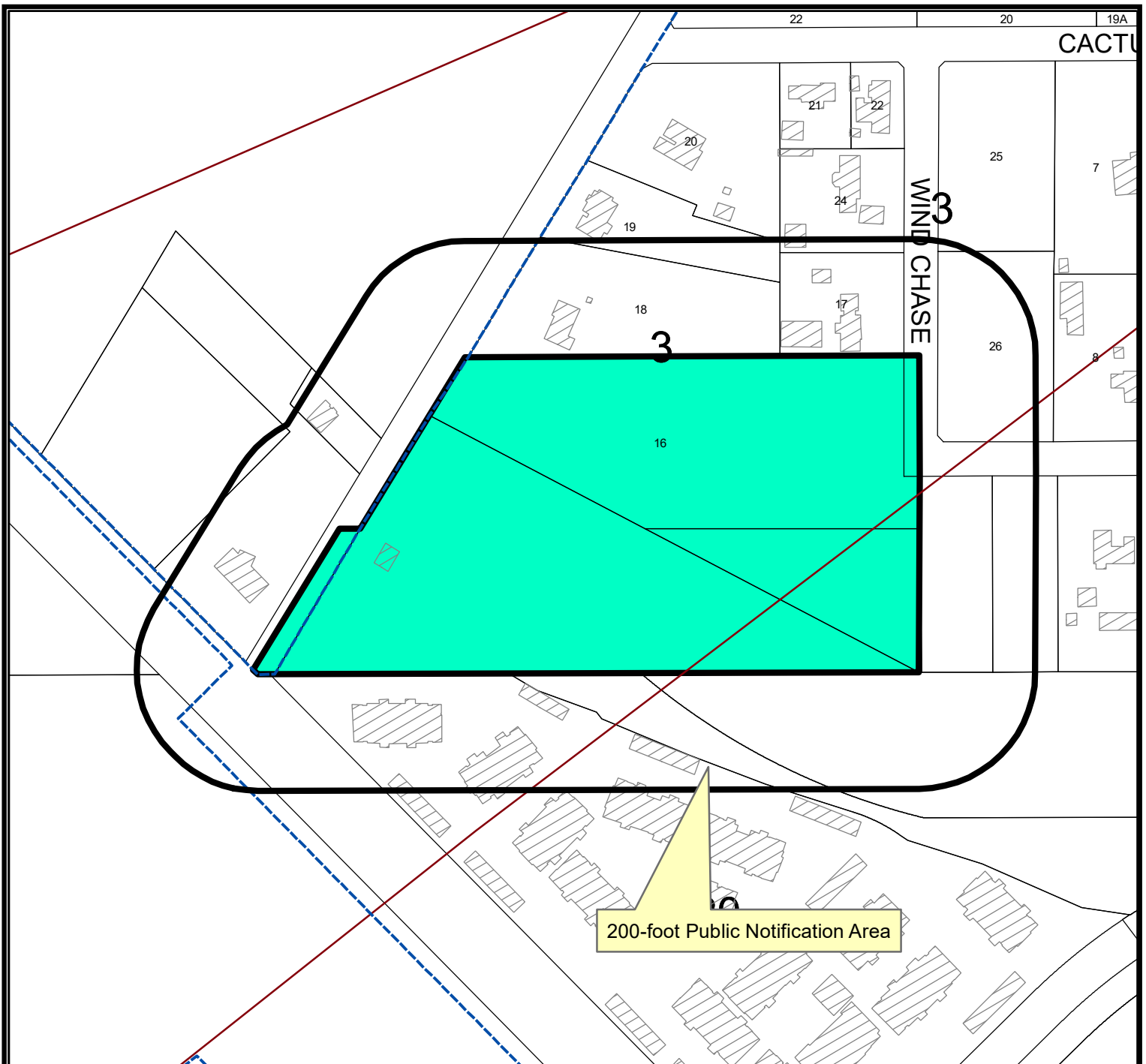
Received By: KM

Date: _____

BY: _____

RECEIVED
MAR 22 2023

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



LOCATION MAP

SUB-23-0597

Scale: 1" = 200'

Proposed plat of Country Sky Addition, Section 28, being a replat of Lot 16, Block 3, Country Sky Addition, Section 3, and a plat of a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, Ry Co. Survey, and City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of N County Road 1247 and W State Highway 158 (Council District 4)

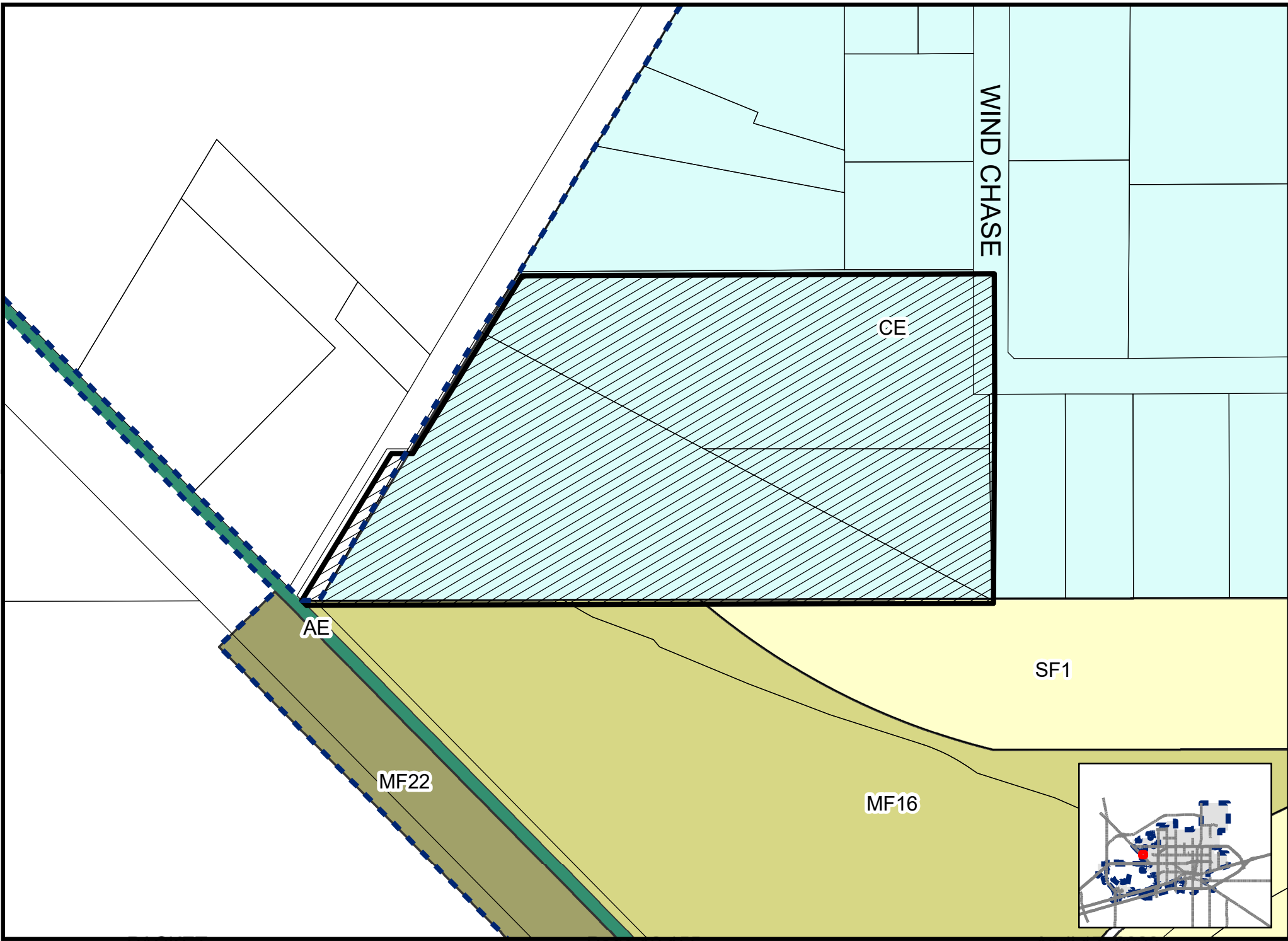
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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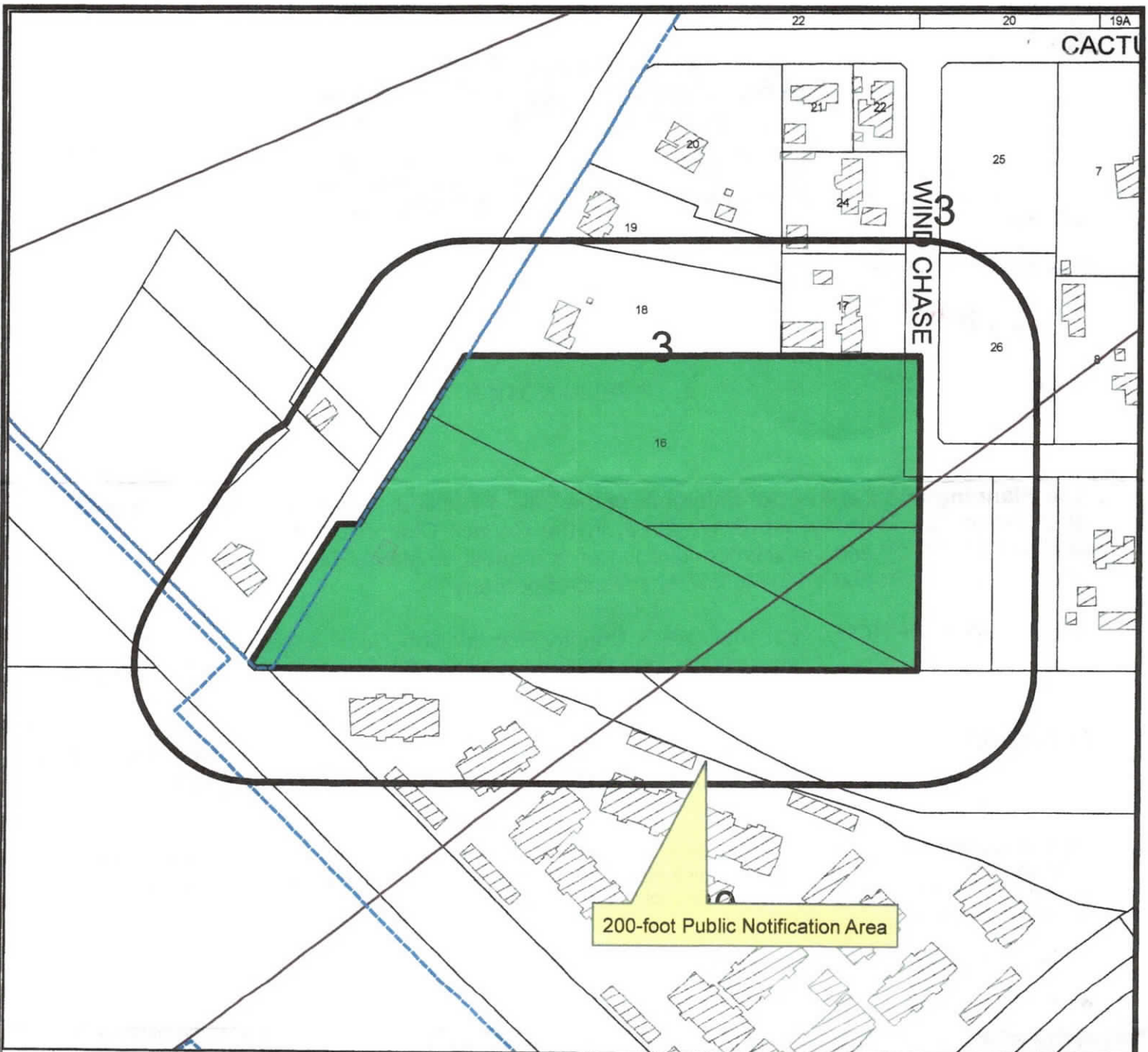












LOCATION MAP

SUB-23-0597

Scale: 1" = 200'

Proposed plat of Country Sky Addition, Section 28, being a replat of Lot 16, Block 3, Country Sky Addition, Section 3, and a plat of a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, Ry Co. Survey, and City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of N County Road 1247 and W State Highway 158 (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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RECEIVED
APR 13 2023
BY:

VINES SHAWNDA
3513 N COUNTY RD 1247
MIDLAND TX 79706

PUBLIC NOTICE

The **Planning and Zoning Commission**, of the City of Midland, Texas, will hold a public hearing at 3:30 p.m. on **Monday, April 17, 2023**, in the Council Chamber, City Hall, 300 N. Loraine, Midland, TX 79701 and via videoconference on a request by **Maverick Engineering** for approval of a **Residential Replat** on the following described property:

LEGAL DESCRIPTION: Lot 16, Block 3, Country Sky Addition, Section 3, and a plat of a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, Ry Co. Survey, City and County of Midland, Texas.

LOCATION: Generally located on the northeast corner of the intersection of N County Road 1247 and W State Highway 158 (Council District 4)

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒

Comments: Description is vague as to what the city is planning. My home has been outside the city limits and I do not wish to live within the city limits. Another addition ruins the country atmosphere of my home. If I wanted neighbors this close I would have bought a home within the city limits.
Shawnnda Vines 3513 N. Co Rd. 1247
Printed Name Property Address (No P. O. Boxes)

Required Information:

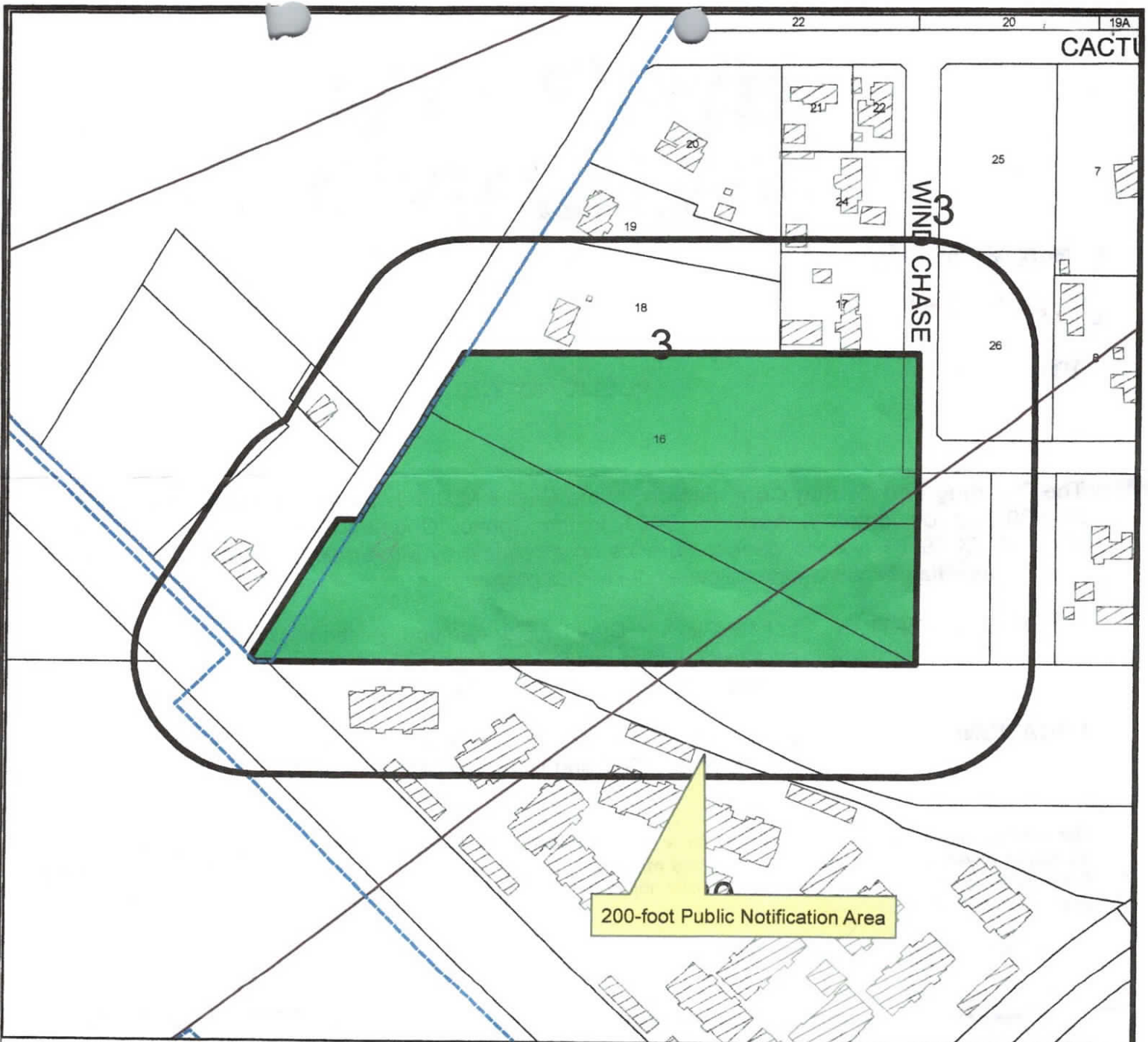
Shawnnda Vines
Property Owner's Signature

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 15
Date Mailed: March 31, 2023
Case Number: P-23-1584
Case Name: Country Estates, Section 28
KM: Planner's Initials

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing-impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland, at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov>



LOCATION MAP

SUB-23-0597

Scale: 1" = 200'

Proposed plat of Country Sky Addition, Section 28, being a replat of Lot 16, Block 3, Country Sky Addition, Section 3, and a plat of a 12.05-acre tract of land located in Section 26, Block 40, T-1-S, T&P, Ry Co. Survey, and City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of N County Road 1247 and W State Highway 158 (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 SOLELY ON THE USE OF THIS DATA.



APR 05 2023

BY:

FINCHER LAYTON
3711 WIND CHASE
MIDLAND TX 79707

PUBLIC NOTICE

The **Planning and Zoning Commission**, of the City of Midland, Texas, will hold a public hearing at 3:30 p.m. on **Monday, April 17, 2023**, in the Council Chamber, City Hall, 300 N. Loraine, Midland, TX 79701 and via videoconference on a request by **Maverick Engineering** for approval of a **Residential Replat** on the following described property:

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature: [Signature] Printed Name: Leyton Fincher Property Address (No P. O. Boxes): 3711 Wind Chase

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 15
Date Mailed: March 31, 2023
Case Number: P-23-1584
Case Name: Country Estates, Section 28
KM: Planner's Initials

[Signature]
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing-impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland, at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov>



Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: April 17, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Consider a request by Parkhill for a Final Plat of Grandridge Estates, Section 3, being a residential replat of Lot 19, Block 1, Grandridge Estates, Section 2, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Navasota Drive and Garrett Drive. - Council District 4) (DEVELOPMENT SERVICE)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned District for Housing Development (Ordinance No. 8951)

Preliminary Plat Approval:

The applicant, Parkhill, is requesting a replat of Lot 19, Block 1, Grandridge Estates, Section 2, City and County of Midland, Texas, for correcting the alignment of the common area. This replat satisfies the conditions and requirements of Section 11-2-3-I and is being processed using the short form approval procedure.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

ENGINEERING: (Approved)

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

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

PAVING: Megan roadway okay as is. Garrett roadway okay as is. Navasota roadway okay as is. No public paving improvements required. [For the Applicant's information only.]

WATER: 6" water exists in Megan roadway, okay as is. 6" water exists in Garrett roadway, okay as is. 6" water exists in Navasota roadway, okay as is. 6" water exists South of tract, okay as is. No public water improvements required.

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

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

SEWER: 6" sewer exists in Megan roadway, okay as is. 8" sewer exists in Garrett roadway, okay as is. 10" sewer exists in Navasota roadway, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

DRAINAGE: Comply with existing Grandridge Estates Phase 2 drainage report. [For the Applicant's information only.]

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

SIDEWALKS: Required with building permit. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

No Oil and Gas Issues. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No construction is allowed on top of P&A wells.

GIS: (Approved)

The new common area piece should be changed to CA: V.

PLANNING: (Approved)

No comments.

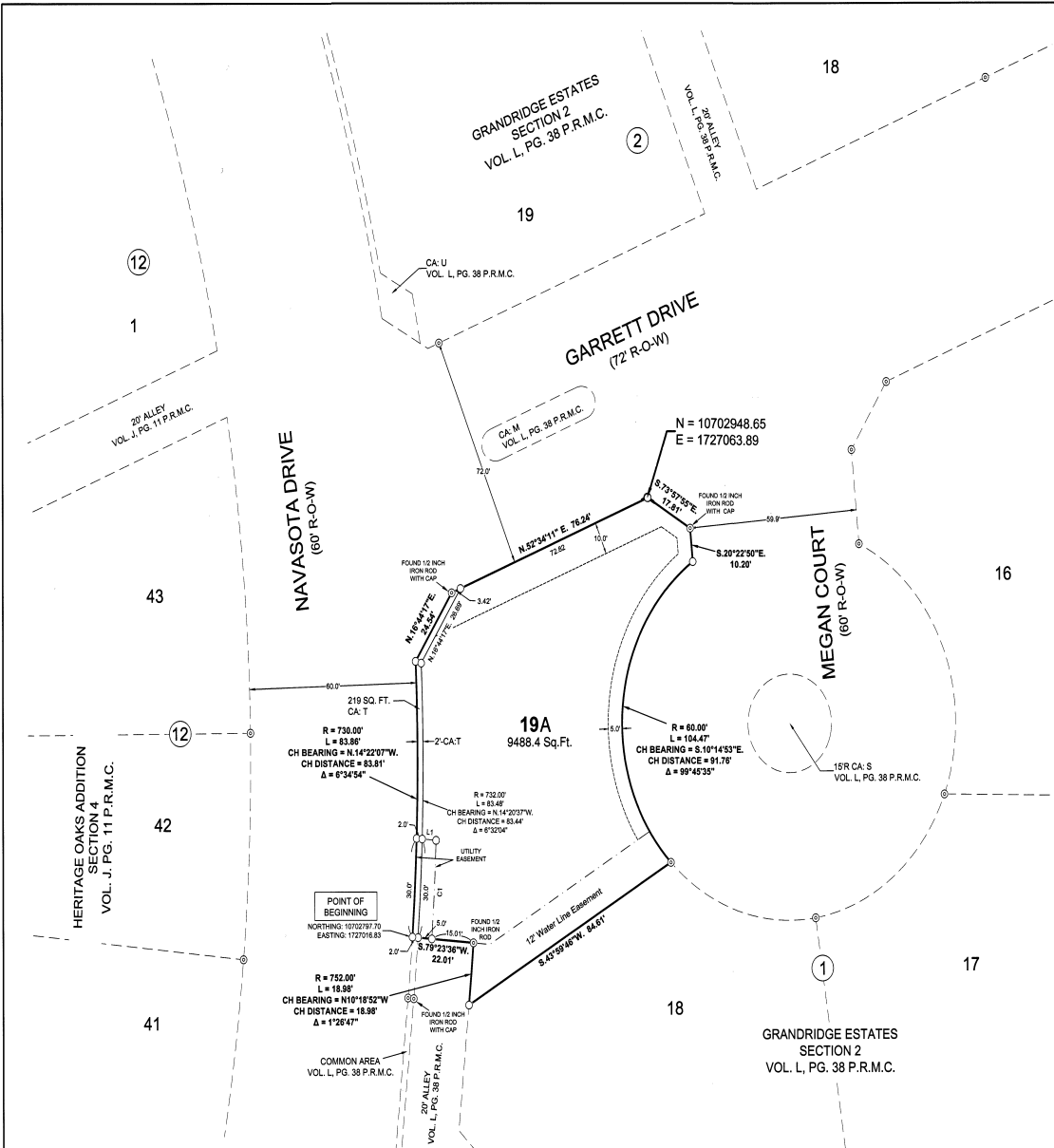
Staff recommends approval of the Final Plat for Grandridge Estates, Section 3, subject to condition A.

Condition:

- A. 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.**

Attachments:

Proposed Final Plat
Application
Maps



UTILITY COMPANY'S CERTIFICATE
 This plot has been checked for accessibility of utilities.
 Martin Arguello

On record in the Public Survey (PLEASE PRINT)
 Arthur J. Rangel, Notary Public, State of Texas
 Date: 2022.12.20 11:48:41 -0800
 AT&T Texas (PLEASE PRINT)

Mark Led, Mark Lieb, Ruben Guerra, Ruben Guerra
 Atty in Law, Digitally signed by Ruben Guerra
 Date: 2022.12.20 11:48:41 -0800
 (PLEASE PRINT)
 PACKET

LINE TABLE

LINE	BEARING	DISTANCE
L1	S. 79° 23' 30" W.	5.91'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	737.00'	30.00'	N. 1° 14' 29" W.	30.00'	219.58°

CERTIFICATE OF APPROVAL
 This is to certify that the above and foregoing plat of GRANDRIDGE ESTATES, SECTION 3 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 20____.

Chairman - Lucy Sianego Secretary - JEFF FISHER

PLAT FILED FOR RECORD
 MIDLAND COUNTY, TEXAS
 NO. _____
 Page 13-167

SURVEYOR'S CERTIFICATE
 KNOW ALL MEN BY THESE PRESENTS
 That I, Franklin A. Leamon, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

Franklin A. Leamon, R.P.L.S. #6889



SPECIAL STATE PLANE COORDINATE NOTE
 Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System, Central Zone 4203, NAD83, U.S. Survey Feet, with a convergence angle (theta) of -0° 56' 48.0" and a combined scale factor of 0.99999886 at a 1000-foot iron rod with a plastic cap marked "TRANSILL CONTROL" set having coordinates of Northing: 10,703,057.07 and Easting: 1,727,145.37.

OWNER'S CERTIFICATE
 STATE OF TEXAS
 COUNTY OF MIDLAND:
 WHEREAS, SAENZ SIGNATURE HOMES LLC, in the record owner of LOT 19, BLOCK 1 GRANDRIDGE ADDITION, SECTION 2, City and County of Midland, Texas and more particularly described herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
 That we, SAENZ SIGNATURE HOMES LLC, do hereby adopt this plat designating the hereinabove described property as GRANDRIDGE ESTATES, SECTION 3 to the City of Midland, Texas, and we do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS our hands at Midland, Texas, this the 13 day of February, 2023

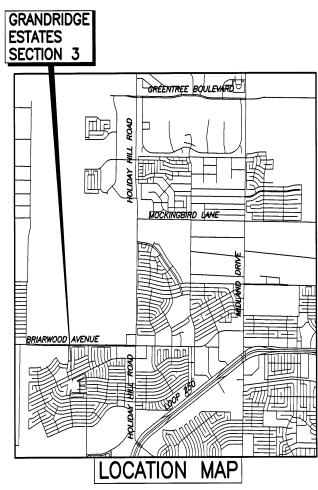
SAENZ SIGNATURE HOMES LLC
 By: GILBERT SAENZ, JR.
 DIRECTOR / PRESIDENT

By: GILBERT SAENZ, JR.
 GILBERT SAENZ, JR., DIRECTOR / PRESIDENT

STATE OF TEXAS
 COUNTY OF MIDLAND:
 This instrument was acknowledged before me on February 13, 2023 by GILBERT SAENZ, JR. on behalf of SAENZ SIGNATURE HOMES LLC.

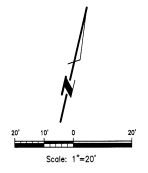
AMY LEWIS
 Notary Public, State of Texas
 Comm. Expires 10-18-2028
 Notary ID 131761885

SITE PLAN APPROVAL
 APPROVAL OF A SITE PLAN MAY BE REQUIRED BEFORE THESE LOTS MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.



GRANDRIDGE ESTATES SECTION 3

BEING A REPLAT OF LOT 19, BLOCK 1,
 GRANDRIDGE ESTATES ADDITION, SECTION 2
 CITY AND COUNTY OF MIDLAND, TEXAS



- LEGEND**
- PLAT LIMITS
 - NEW LOT LINES
 - EASEMENT LINE
 - BUILDING SETBACK LINES
 - EXISTING PLATTED LOTS & STREET R.O.W.
 - CA: COMMON AREA
 - SET 1/2" IRON ROD WITH PLASTIC CAP MARKED "TSC RPLS 8453"
 - ⊙ FOUND 1/2" IRON ROD WITH PLASTIC CAP MARKED "PLS 1974" UNLESS NOTED OTHERWISE
 - P.R.M.C. PLAT RECORDS OF MIDLAND COUNTY
 - # BLOCK NO.

- NOTES:**
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
 - Declaration of restrictive covenants regarding this development filed of record in Instrument No. 2015-14146, date 06/16/2015 and Instrument No. 2015-20796, date 12/02/2015, Midland County, Texas.
 - Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 481238, Map Number 481238C02068F revised September 18, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X.
 - Initial impact fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.

OWNER: SAENZ SIGNATURE HOMES LLC
 P.O. BOX 80598
 MIDLAND, TEXAS 79708
 ENGINEER: PARKHILL
 1700 W. WALL
 MIDLAND, TEXAS 79701

GRANDRIDGE ESTATES SECTION 3



TBPELS FIRM REGISTRATION NO. 10194091

April 17, 2023

MIDLAND**Final Plat Application**Project Number: SUB-22-0534Case Number: P-23-1548**Proposed Subdivision Plat Name:** GRANDRIDGE ADDITION SECTION 3**Legal Description (attached sealed Metes and Bounds):**

BEING A REPLAT OF LOT 19, BLOCK 1, GRANDRIDGE ESTATES ADDITION, SECTION 2 CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner

Printed Name: Saenz Signature Homes LLC

Phone (432) 238-6331

Email

Address P.O. Box 80598

City Midland

State Texas

Zip 79708

Developer / Property Owner

Printed Name: Los Conchos Ventures LLC

Phone ()
Email

Address P.O. Box 52587

City Midland

State Texas

Zip 79710

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

Firm: PARKHILL

Printed Name: Josh Wallender

Proj # 5674.22

Phone (432) 697-1447

Email

jwallender@parkhill.com

Address 1700 W Wall Street, Ste 100

City Midland

State Texas

Zip 79701

Current Zoning: PD**Reason for Platting:** TO CORRECT THE ALIGNMENT OF THE COMMON AREA**Plat Information**

Total Acreage: 0.21 Ac

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 3/28/23

Property Owner (printed): VICENTE CARRASCO

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.

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

Property Owner (signature):

Date: 3/28/23

Property Owner (printed): Gilbert Saenz

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.

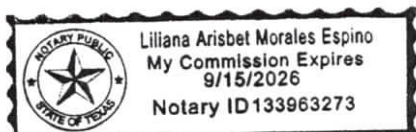
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

Subscribed and sworn to before me, this 28 day of March, 20 23, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

PACKET

Page 13.169

April 17, 2023

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 Wallender who, being by me duly sworn, upon oath says: That (s)he is authorized by Los Conchos Ventures 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 28 day of March, 20 23, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

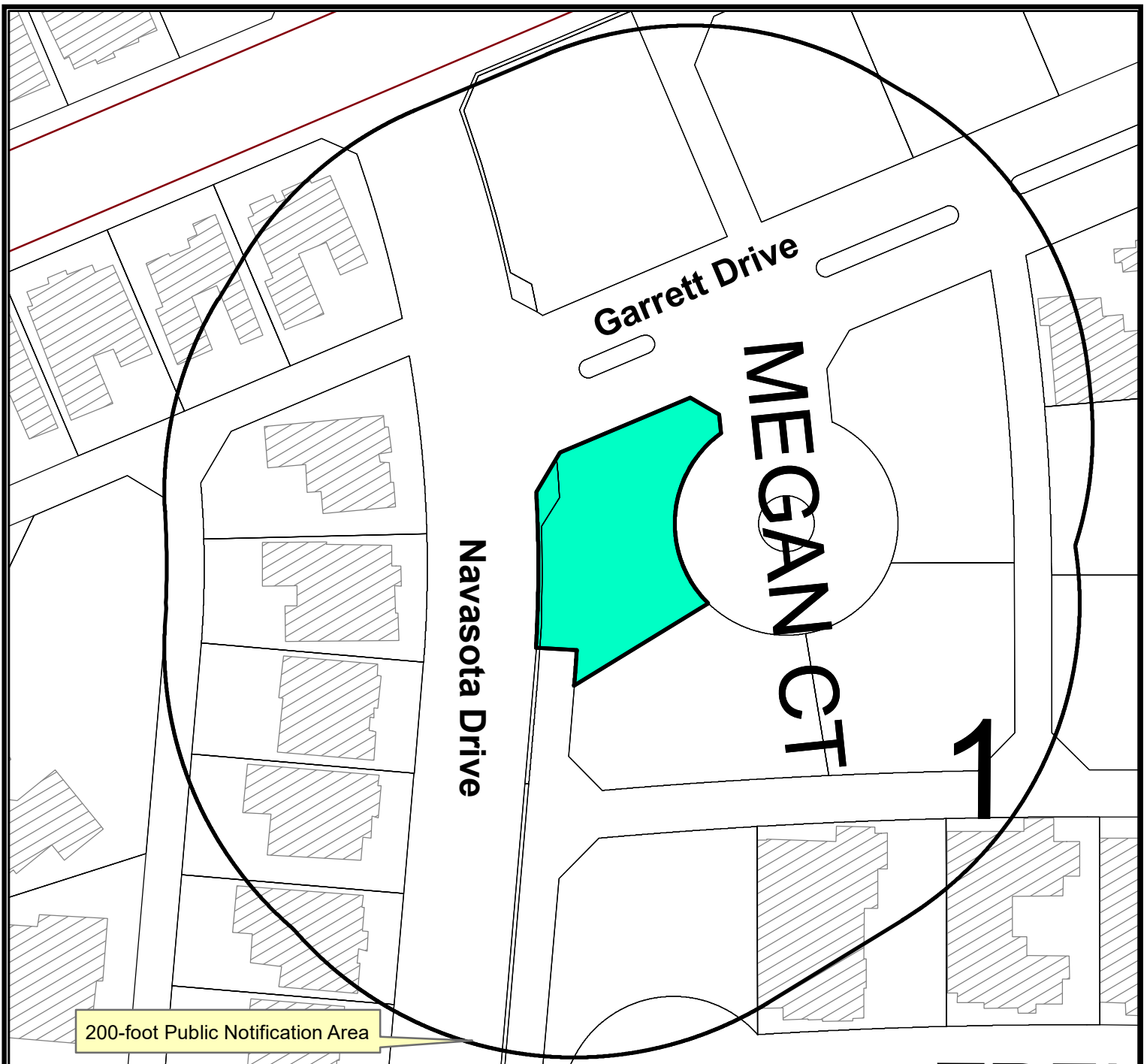
FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ 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 # _____ |

Received By: London Silva

Date: 3/29/2023

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



LOCATION MAP

SUB-22-0534

Scale: 1" = 931'

Proposed plat of Grandridge Addition, Section 3, being a replat of Lot 19 and CA:T, Block 1, Grandridge Estates, Section 2, City and County of Midland, Texas.

Generally located at the southeast corner of the intersection of Navasota Drive and Garrett Drive. (Council District 4)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.













Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: April 17, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion to approve with staff's recommended conditions, a proposed Revised Preliminary Plat of Mockingbird Ridge, being a 258.87-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas. (Generally located north of East Mockingbird Lane, approximately 900 feet east of North Fairgrounds Road. - Council District 1)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Direction/Informational**

Details of Request:

The applicant, Maverick Engineering, is requesting a 258.87-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. CO. Survey, City of Midland, Midland County, Texas. The applicant is platting to allow for the development of multiple uses including single-family housing, townhomes, cottage housing, retail, and greenspace/detention. On October 3, 2022, the Planning and Zoning Commission approved a preliminary plat for 317.56 acres. The subject preliminary plat is for the east 258.87 acres identified as Phases 4-11 on the submitted plat.

Current Zoning:

PD, Planned Development District for a Housing Development (Ordinance No. 10344)

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 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

ROW: Ok 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. Per City code, the developer is required for 1/3 the cost/construction of Fairgrounds, 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 improvements have not been submitted/accepted. Construct to City standards along the entire platted frontage, serving all lots with a looped system.
[Reference City Code Section 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.

PRO RATA: None.

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

DRAINAGE: Amend the Mockingbird Ridge preliminary drainage report to show the phase and locations of the basin locations. [For Applicant's Information Only.]
For Drainage Easements granted with this plat, provide the following language to the plat face:

1. The maintenance of any stormwater facility in this easement is the responsibility of the property owner. Property owner agrees to maintain the facility in working order, with inspections and corrective action made at least annually. Reports of such inspections and maintenance shall be kept for inspection by the City of Midland Stormwater Administrator on request, or may be forwarded to the City Engineer's office.
2. The City of Midland shall have the right to mitigate deficiencies in the function of the stormwater facility, and to be reimbursed by the property owner, if the City finds it necessary for public health and safety.
3. The City of Midland and its employees, contractors, agents, successors, and assigns, shall have the free and uninterrupted right of passage in, on, upon, over, under, across, along and through the property described herein for the purpose of establishing, laying, constructing, reconstructing, installing, realigning, modifying, replacing, improving, altering, operating, maintaining, accessing, inspecting, repairing, relocating and removing said facilities, including but not limited to, the right to cut and trim bushes and trees, together with the right of ingress, egress and regress for such purposes in, on, upon, over, under, across, along and through the property described herein.
4. Developer may not use any part of the property described herein if such use will damage, destroy, injure, and/or unduly interfere with the City of Midland's use of the property. Developer expressly covenants and agrees for itself, its legal representatives, successors and/or assigns, that no building, roadways, or curbs and gutters of any kind will be placed on the property described herein. Written permission for above ground appurtenances must be obtained from the City of Midland, prior to installation.

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Fees shall be assessed based on the number of intersections at Final Plat. [Reference City Code Section 11-2-5(C)3(t).]

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

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.

CODE COMPLIANCE: (Approved)

Phase I, page1 -The Plugged and Abandoned (P&A) well Stimson Burley #18 #2- API 329-31184 was identified being in the street. Phase 6 page 2 – (High Country Ct.) the Stinson-Burley B #2 API 329-31044 is identified with a 135 ft radius as requested for a non-City permitted well notes it will be P&A (No building permits inside 135 ft. radius till P&A). Phase 11 Page 3- the non-city permitted Stimson Burley #1M API 329-31751 is identified and has the required 135 ft radius as requested. Phase 11, page 3 -the non-City permitted Stimson Burley B #3 API 32--31045 is identified on plat with the required 135 ft. radius and noted to be P&A well (No building permits inside 135 ft. radius till P&A). No building permits are allowed in the 135 ft radius of existing well until it is actually P&A with a W-3 permit per RRC. In addition, the City permitted Endeavor operated Willow Lakes 19 #191 (located south of Mockingbird Lane) is identified with a 500 ft. radius that is located below Mockingbird Lane. The occupied residential/commercial building permits inside the 500 ft. radius will require a variance to the permitted well from the City Council. The variance request would need to be made thru the Building Official. For information: Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures.

GIS: (Approved)

Steve's Comments:

On this plat Lone Ranger Rd, existing street Lone Ranger Ln map index C-43 in Lone Star Trails 2 11.

On this plat High Noon Ln, existing street High Noon Ct map index D-41 in Lone Star Trails 2 6.

On this plat Sundance St, existing street Sundance Ct map index Q-14 in Grassland 11.

On this plat Sundance Pl, existing street Sundance Pl map index q-12 in Grassland 7.

General Comments:

Issues with interior calls of subdivision. (Marked up PDF will be provided.)

PLANNING: (Approved with Conditions)

Plat description should read, "Being a 258.87-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas."

Plat exceeds 25-acres and will need to appear before City Council. [Informational]

Staff recommends approval of the Preliminary Plat of Mockingbird Ridge subject to conditions A through C.

Conditions:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-3(G)1 & 11-2-4(A)2(a).**
- B. Prior to final platting, the associated zone change to allow these lot dimensions must be approved.**
- C. 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.**

Attachments:

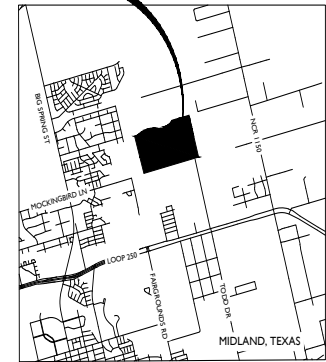
Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

MOCKINGBIRD RIDGE

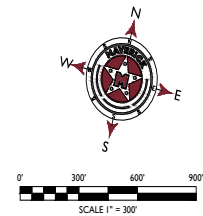
BEING A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18,
BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS.

SITE LOCATION



VICINITY MAP

N.T.S.



OWNER'S CERTIFICATE

THE STATE OF TEXAS,
COUNTY OF MIDLAND

WHEREAS BETENBOUGH HOMES, L.L.C. IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 18,
BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT BETENBOUGH HOMES, L.L.C., BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS
MOCKINGBIRD RIDGE, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS
SUBSCRIBED HERETO, DO HEREBY ASSIGNS TO THE PUBLIC USE, UNDER THE STREETS, ALLEYS, AND EASEMENTS
SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR
GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH
CONTAINERS AND ACCESS THERE TO, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL
COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN
SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____ M.
THE _____ DAY OF _____, 2023.

BY: BETENBOUGH HOMES, L.L.C.

ACKNOWLEDGEMENT

THE STATE OF TEXAS,
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MOCKINGBIRD RIDGE, WAS APPROVED BY PROPER
ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS
_____ DAY OF _____, 2023.

LUCKY SORRELLA, CHAIRMAN

ELIZABETH SHALCHUNSKY, SECRETARY

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48329C100F DATED
SEPTEMBER 16, 2005.

PORTIONS OF THIS PROPERTY AS SHOWN HEREON ARE WITHIN ZONE "X" AREA WITHIN A 1% ANNUAL CHANCE
OF SHALLOW FLOODING, USUALLY IN THE FORM OF A FLOOD, WITH AN AVERAGE DEPTH RANGING FROM 1 TO 3
FEET. THESE AREAS HAVE A 26% CHANCE OF FLOODING OVER THE LIFE OF A 30-YEAR MORTGAGE. BASE FLOOD
ELEVATIONS DETERMINED FROM DETAILED ANALYSES ARE SHOWN AT SELECTED INTERVALS WITHIN THESE ZONES.
REFER TO FEMA LOAN CASE NO. 1740-3884P ISSUED AUGUST 14, 2020 FOR DETENTION BASIN (M134) FILL
IN THE NW CORNER OF THIS PROPERTY.

THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK ENGINEERING.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE
AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY
LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS
(1) THE REPRESENTED LOTS ARE REPAIRED FOR SUBSIDENCE MORE THAN ONE (1) OF OR
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. DECLARATION OF RESTRICTIVE COVENANTS REGARDING THIS DEVELOPMENT FILED IN INSTRUMENT NO. _____
DATED _____, MIDLAND COUNTY, TEXAS.
5. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION
OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR
INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO
BE DEVELOPED ON THE TRACT INCREASED.
6. PHASES PROPOSED ARE PROVISIONAL OR FOR PLANNING PURPOSES AND MAY BE SUBJECT TO CHANGE.
7. PROPOSED STREETS THROUGHOUT THE SUBDIVISION ARE AS FOLLOWS: FRONT 20' (CUL-DE-SAC) 15' SIDE
5' CORNER SIDE 10' REAR 10'

DRAINAGE EASEMENT DEDICATED WITH THIS PLAT

1. THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS, SHALL
HAVE THE FREE AND UNINTERFERED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG
AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING,
CONSTRUCTING, RECONSTRUCTING, INSTALLING, MAINTAINING, IMPROVING, REPAIRING, REPAIRING,
ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, REPAIRING, REPAIRING, REPAIRING,
DRAINAGE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO THE RIGHT TO CUT AND TRIM TREES AND
TREES, TOGETHER WITH THE RIGHT OF INGRESS, EGRESS AND EGRESS FOR SUCH PURPOSES IN, ON, UPON,
OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN.
2. DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IN SUCH A MANNER AS TO
DESTROY, INJURE, AND/OR UNLAWFULLY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY.
DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR ITSELF, ITS LEGAL REPRESENTATIVES, SUCCESSORS
AND/OR ASSIGNS, THAT NO BUILDING, ROADWAYS, OR CREEKS AND CREEKS OF ANY KIND WILL BE PLACED
ON THE PROPERTY DESCRIBED HEREIN. WRITTEN PERMISSION FOR ABOVE-GROUND APPEARANCES
MUST BE OBTAINED FROM THE CITY OF MIDLAND PRIOR TO INSTALLATION.
3. THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFICIENCIES IN THE FUNCTION OF THE
STORMWATER FACILITY, AND TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE CITY FINDS IT
NECESSARY FOR PUBLIC HEALTH AND SAFETY.
4. THE MAINTENANCE OF ANY STORMWATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE
PROPERTY OWNER. PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH
INSTRUCTIONS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY. REPORTS OF SUCH INSPECTIONS AND
MAINTENANCE SHALL BE KEPT FOR RECORD BY THE CITY OF MIDLAND STORMWATER ADMINISTRATOR
ON REQUEST OR MAY BE FORWARDED TO THE CITY ENGINEER'S OFFICE.

PROPERTY OWNER

BETENBOUGH HOMES L.L.C.
6301 82ND ST
LUBBOCK, TX 79424
DEED INSTRUMENT #2021-35675

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # S-104514
Tel: (432) 262-8999 Fax: (432) 262-0989
www.Maverick-Eng.com

MOCKINGBIRD RIDGE
April 17, 2023

LEGEND

- DENOTES BOUNDARY LINE
- DENOTES EXISTING ADJACENT PROPERTY LINES
- DENOTES EXISTING EASEMENT
- DENOTES PROPOSED EASEMENT
- DENOTES EXISTING BURIED PIPELINE
- DENOTES SECTION LINE
- DENOTES FLOOD ZONES
- DENOTES PLAT RECORDS, MIDLAND CO., TX
- DENOTES OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- DENOTES DEED RECORDS, MIDLAND CO., TX

#

- DENOTES SECTION NUMBER
- DENOTES SET 1/2-INCH IRON ROD W/RED
PLASTIC CAP MARKED "MAVERICK RRM #1019-4514"
- DENOTES 1/2" IRB, UNLESS OTHERWISE NOTED
- DENOTES POINT OF CURVATURE/INTERSECTION
- DENOTES MAG NAIL FOUND
- DENOTES EXISTING OIL WELL (PRODUCING)
- DENOTES EXISTING OIL WELL
(PLUGGED AND ABANDONED)

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

AT&T ENERGY

BY: _____

AT&T

BY: _____

OPTIONUM

BY: _____

REJOUND BROADCAST

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

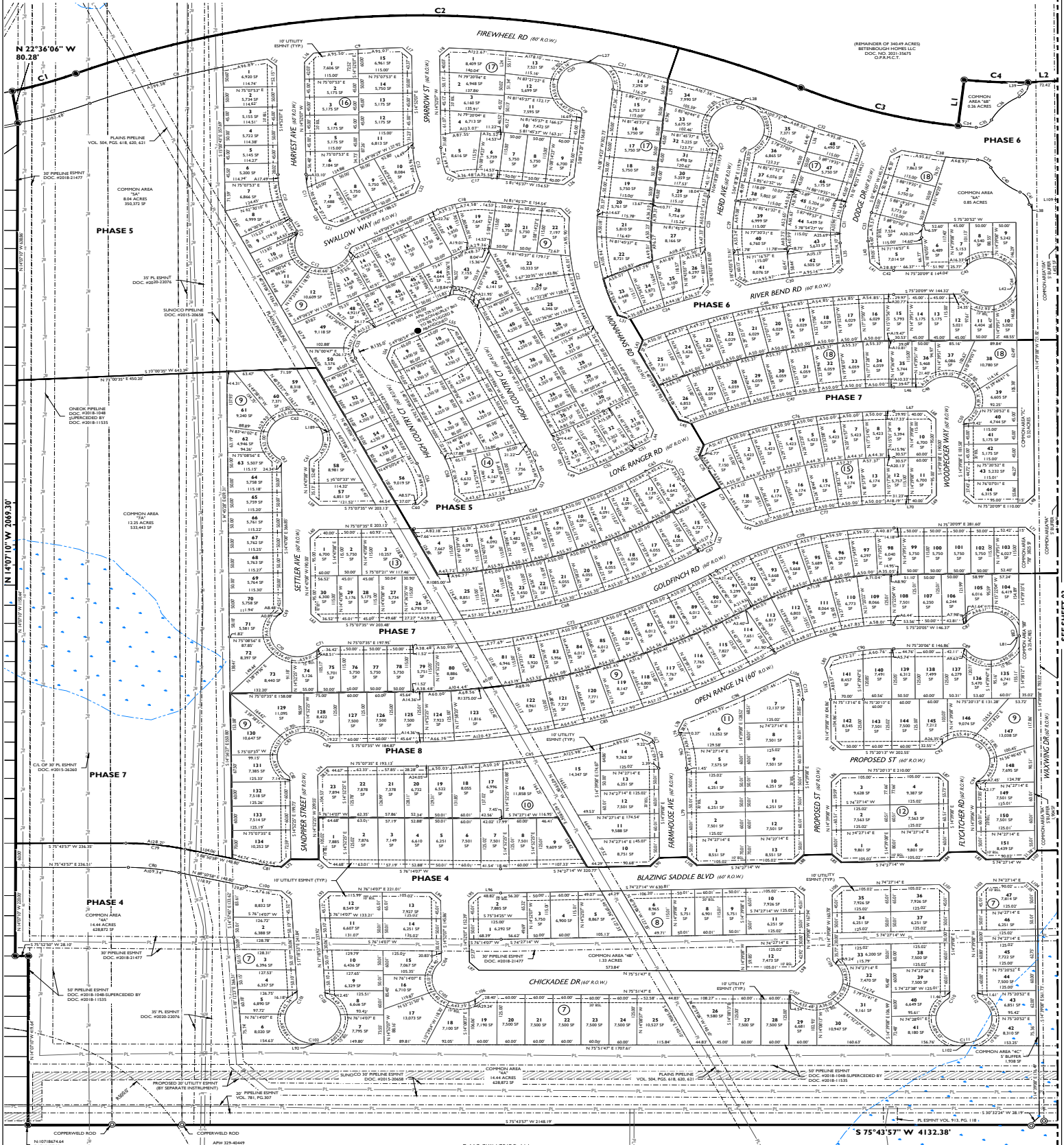
THAT I, GREGORY W. SHOLTS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO
HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND
THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER MY PERSONAL
SUPERVISION, IN ACCORDANCE WITH THE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

GREGORY W. SHOLTS REG.#36354
MAVERICK ENGINEERING, TX RRM #1019-4514
1909 W WALL STREET, SUITE 100
MIDLAND, TX 79701

**PRELIMINARY - THIS
DOCUMENT SHALL NOT BE
RECORDED FOR ANY
PURPOSE**
2023 14.182

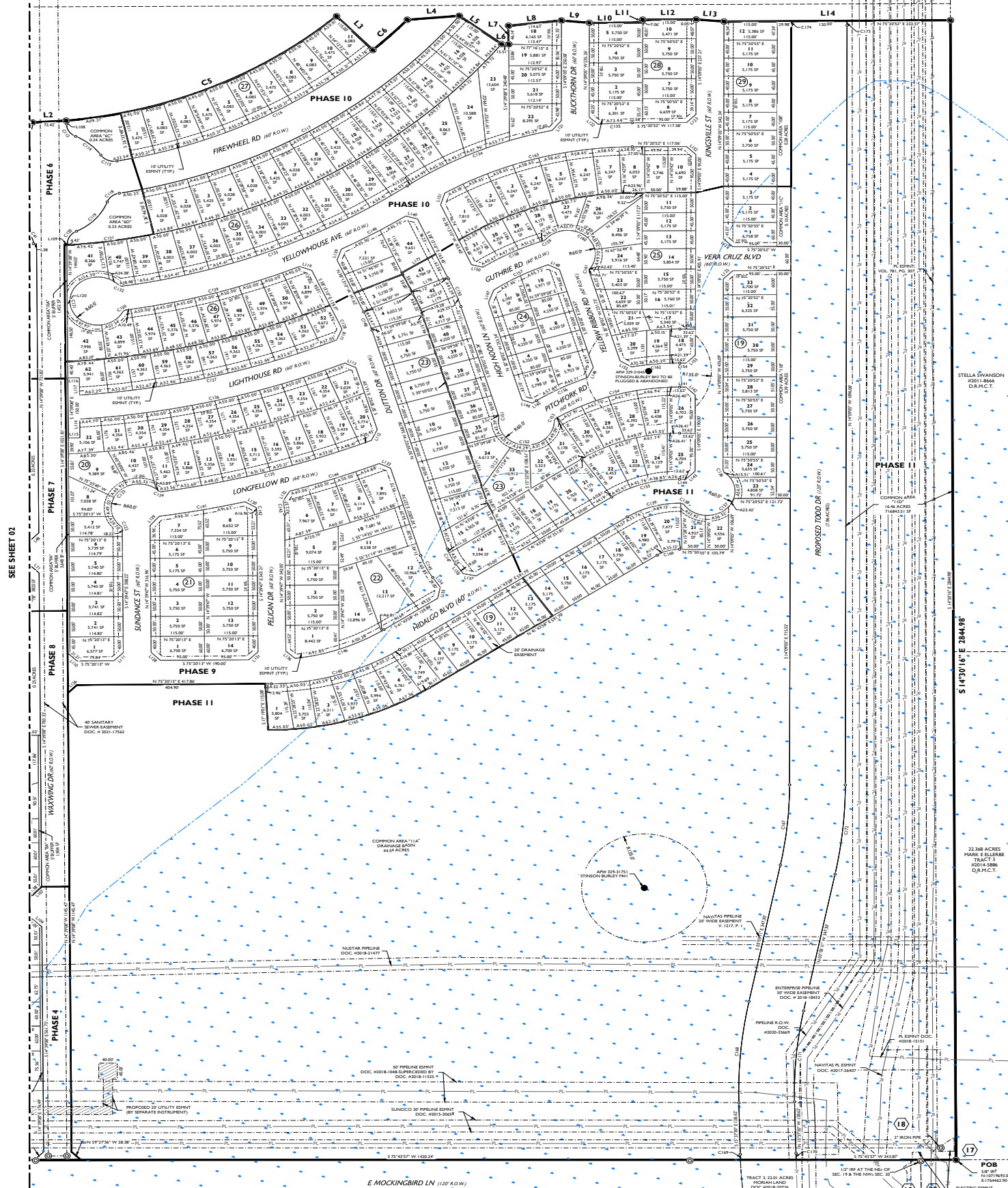
PACKET

PRELIMINARY PLAT
MOCKINGBIRD RIDGE
 BEING A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18,
 BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY OF MIDLAND,
 MIDLAND COUNTY, TEXAS.



SEE SHEET 03

PRELIMINARY PLAT
MOCKINGBIRD RIDGE



PRELIMINARY PLAT
MOCKINGBIRD RIDGE
BEING A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18,
BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS.

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD BEARING	DELTA ANGLE
C7	162.48	1000.00	N 162° 00' 00" E	9° 18' 34"
C8	396.47	1870.00	N 59° 36' 28" E	12° 08' 52"
C9	190.56	1870.00	N 71° 40' 58" E	5° 50' 19"
C10	185.51	260.00	S 75° 55' 36" E	26° 06' 58"
C11	91.16	260.00	N 27° 45' 36" W	26° 06' 58"
C12	200.49	40.00	N 19° 40' 25" E	19° 32' 22"
C13	8.89	10.00	S 15° 41' 25" E	50° 35' 21"
C14	8.90	10.00	N 33° 39' 11" E	51° 00' 35"
C15	85.96	260.00	S 24° 20' 24" E	18° 56' 33"
C16	64.74	200.00	N 24° 08' 32" W	18° 32' 48"
C17	73.06	200.00	S 73° 49' 14" W	15° 52' 46"
C18	113.80	200.00	N 65° 27' 33" E	32° 36' 08"
C19	14.37	10.00	S 49° 05' 45" E	81° 00' 17"
C20	274.14	40.00	S 40° 52' 00" W	261° 49' 12"
C21	760.80	1870.00	N 89° 05' 31" E	22° 15' 03"
C22	296.80	560.00	S 55° 48' 05" E	30° 32' 01"
C23	266.42	500.00	N 23° 30' 16" W	30° 31' 46"
C24	160.18	1359.96	S 54° 45' 12" W	6° 44' 55"
C25	138.32	550.00	N 17° 30' 45" W	14° 24' 35"
C26	9.43	10.00	N 31° 52' 58" W	55° 09' 00"
C27	304.00	60.00	N 85° 41' 32" E	290° 18' 01"
C28	9.43	10.00	S 17° 41' 59" W	64° 41' 52"
C29	123.33	490.00	S 11° 38' 45" E	14° 43' 31"
C30	191.11	1359.96	N 84° 24' 51" E	8° 09' 06"
C31	92.53	260.00	N 08° 31' 19" W	20° 32' 22"
C32	163.58	1190.00	N 83° 25' 23" W	7° 52' 51"
C33	71.18	200.00	S 08° 31' 19" E	20° 32' 22"
C34	38.89	1110.00	S 81° 22' 29" W	2° 06' 24"
C35	39.89	34.00	S 46° 45' 44" W	67° 13' 02"
C36	84.35	131.00	S 51° 38' 01" W	36° 53' 38"
C37	36.39	34.00	S 17° 41' 59" W	64° 41' 52"
C38	164.59	1190.00	S 82° 51' 20" W	7° 52' 58"
C39	35.51	34.00	N 70° 10' 53" W	59° 50' 45"
C40	89.40	131.00	S 59° 48' 29" W	39° 05' 59"
C41	38.40	34.00	N 40° 06' 16" W	64° 42' 25"
C42	28.89	1359.96	N 75° 15' 45" E	1° 17' 02"
C43	9.43	10.00	N 47° 45' 39" E	55° 09' 00"
C44	304.00	60.00	S 14° 39' 51" E	290° 18' 01"
C45	9.43	10.00	N 75° 05' 20" W	55° 09' 00"
C46	553.49	1296.96	S 42° 41' 09" W	247° 32' 57"
C47	446.68	1069.96	N 43° 58' 47" E	23° 55' 09"
C48	8.87	10.00	N 49° 54' 50" E	50° 50' 39"
C49	200.60	60.00	S 59° 42' 09" E	191° 36' 43"
C50	8.86	10.00	S 10° 42' 38" E	50° 45' 21"
C51	45.43	1069.96	S 45° 26' 53" W	2° 52' 58"
C52	126.58	910.00	S 48° 13' 28" W	7° 58' 11"
C53	37.33	260.00	N 36° 52' 19" W	81° 13' 34"
C54	78.54	50.00	N 85° 59' 06" W	90° 00' 00"
C55	78.54	50.00	S 60° 00' 54" W	90° 00' 00"
C56	84.61	200.00	S 38° 51' 55" E	24° 14' 21"
C57	28.71	200.00	N 36° 52' 19" W	81° 13' 34"
C58	108.09	200.00	S 29° 04' 30" E	23° 49' 11"
C59	155.44	910.00	N 63° 23' 38" E	9° 47' 13"
C60	8.57	910.00	S 74° 51' 23" W	0° 32' 23"
C61	9.43	10.00	N 12° 47' 22" E	55° 09' 00"
C62	304.00	60.00	S 75° 12' 52" W	290° 18' 01"
C63	9.43	10.00	S 42° 41' 09" W	247° 32' 57"
C64	523.04	970.00	S 14° 22' 16" W	30° 52' 46"
C65	40.42	1009.96	N 45° 22' 42" E	2° 17' 35"
C66	150.32	490.00	S 43° 38' 18" E	1° 44' 37"
C67	29.76	779.96	S 45° 19' 30" W	2° 11' 11"
C68	647.05	1200.00	S 59° 40' 45" W	30° 53' 40"
C69	9.37	10.00	S 12° 03' 03" W	53° 40' 23"
C70	206.56	60.00	S 58° 18' 15" E	194° 22' 58"
C71	8.84	10.00	S 49° 46' 55" E	50° 37' 19"
C72	679.41	1260.00	N 59° 40' 45" E	30° 53' 40"
C73	155.14	500.00	S 15° 41' 25" E	1° 46' 40"
C74	39.70	530.00	S 49° 42' 52" E	47° 17' 30"
C75	28.92	470.00	N 40° 44' 04" W	31° 31' 31"
C76	418.79	1009.96	N 44° 04' 04" W	23° 45' 30"
C77	303.20	779.96	S 64° 54' 22" W	22° 18' 05"
C78	400.09	719.96	N 60° 09' 04" E	31° 02' 23"
C79	128.21	560.00	S 82° 17' 27" W	13° 02' 02"
C80	144.47	500.00	N 82° 17' 27" E	13° 02' 02"
C81	42.44	400.00	S 84° 46' 15" W	81° 00' 17"
C82	9.00	10.00	S 75° 40' 13" E	51° 15' 35"
C83	202.20	40.00	S 30° 04' 33" W	193° 03' 00"
C84	8.99	10.00	N 75° 07' 39" E	51° 29' 32"
C85	808.82	1500.00	S 59° 40' 45" W	30° 53' 40"
C86	264.10	479.96	S 64° 54' 22" W	22° 18' 05"
C87	9.43	10.00	S 47° 45' 39" W	55° 09' 00"
C88	304.00	60.00	N 14° 39' 51" W	290° 18' 01"
C89	9.43	10.00	S 77° 05' 20" E	55° 09' 00"
C90	138.77	419.96	N 64° 45' 57" E	18° 55' 58"

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C91	80.57	260.00	80.34	N 23° 31' 46" W	17° 48' 15"
C92	9.43	10.00	9.26	S 47° 45' 49" W	55° 09' 00"
C93	209.77	60.00	118.12	N 59° 39' 38" W	200° 18' 00"
C94	9.43	10.00	9.26	N 12° 55' 22" E	55° 09' 00"
C95	486.99	1560.00	484.92	N 64° 01' 06" E	17° 52' 58"
C96	85.49	260.00	85.10	N 24° 04' 36" W	18° 50' 20"
C97	250.39	1560.00	250.12	N 48° 58' 19" E	9° 11' 47"
C98	65.76	200.00	65.46	S 24° 04' 18" E	18° 50' 20"
C99	76.16	500.00	76.09	N 84° 29' 08" E	8° 43' 39"
C100	9.43	10.00	9.26	S 10° 15' 37" W	55° 09' 00"
C101	304.00	60.00	68.57	N 72° 41' 07" E	290° 18' 01"
C102	304.00	60.00	68.57	N 72° 41' 07" E	290° 18' 01"
C103	9.43	10.00	9.26	N 44° 53' 33" W	55° 09' 00"
C104	7.88	10.00	7.68	S 68° 42' 31" W	64° 42' 47"
C105	189.96	60.00	119.99	S 62° 33' 34" E	181° 34' 01"
C106	8.20	10.00	7.97	S 52° 53' 03" E	46° 57' 28"
C107	8.20	10.00	7.97	S 58° 39' 29" E	46° 57' 28"
C108	192.33	60.00	119.94	N 30° 59' 29" E	183° 39' 32"
C109	8.06	10.00	7.84	N 37° 44' 43" W	46° 11' 09"
C110	9.43	10.00	9.26	S 12° 55' 22" W	55° 09' 00"
C111	304.00	60.00	68.57	N 75° 20' 52" E	290° 18' 01"
C112	9.43	10.00	9.26	N 42° 13' 38" W	55° 09' 00"
C113	38.40	34.00	36.39	S 59° 02' 27" E	48° 09' 10"
C114	73.59	131.00	71.47	S 62° 39' 21" E	31° 44' 57"
C115	39.89	34.00	37.14	S 81° 13' 24" E	64° 42' 47"
C116	730.84	1110.00	717.71	N 44° 48' 20" E	37° 43' 28"
C117	875.31	1190.00	855.71	N 44° 34' 18" E	42° 08' 39"
C118	35.51	34.00	33.92	S 35° 43' 12" W	59° 50' 45"
C119	101.19	131.00	96.49	S 62° 39' 21" E	31° 44' 57"
C120	38.40	34.00	36.39	S 62° 39' 21" E	31° 44' 57"
C121	194.36	1305.00	194.19	S 67° 29' 25" W	6° 32' 01"
C122	8.40	10.00	8.21	S 59° 54' 22" E	48° 09' 10"
C123	190.91	60.00	119.98	S 10° 07' 17" W	182° 18' 28"
C124	9.14	10.00	8.87	N 87° 00' 47" W	52° 30' 36"
C125	469.53	1940.00	468.38	S 59° 52' 54" W	13° 52' 01"
C126	500.21	1760.00	587.44	N 61° 56' 52" E	19° 36' 12"
C127	573.24	1680.00	570.47	S 61° 45' 53" W	19° 33' 01"
C128	20.30	500.00	20.30	S 30° 53' 23" E	2° 19' 34"
C129	390.50	1680.00	389.37	N 59° 30' 27" E	15° 00' 04"
C130	9.43	10.00	9.09	N 49° 02' 51" E	54° 05' 17"
C131	303.99	480.00	294.16	S 21° 49' 45" E	290° 17' 04"
C132	9.43	10.00	9.09	N 84° 50' 30" W	56° 15' 33"
C133	668.00	1420.00	661.86	S 53° 31' 38" W	26° 57' 12"
C134	344.68	840.00	341.68	S 51° 47' 07" W	23° 28' 01"
C135	72.60	840.00	72.64	S 72° 52' 10" W	4° 57' 22"
C136	8.91	10.00	8.62	N 39° 40' 44" W	51° 09' 19"
C137	205.46	60.00	118.80	N 18° 31' 54" W	196° 12' 00"
C138	9.00	10.00	8.70	N 54° 47' 05" E	51° 32' 22"
C139	121.89	200.00	120.00	N 59° 41' 07" W	34° 55' 05"
C140	293.35	500.00	289.07	N 49° 32' 54" E	33° 14' 15"
C141	188.13	300.00	188.06	N 64° 34' 01" E	5° 32' 22"
C142	16.90	10.00	16.94	S 19° 31' 22" E	9° 43' 10"
C143	32.57	160.00	32.51	N 20° 29' 39" W	11° 39' 44"
C144	204.95	200.00	204.86	N 54° 04' 12" E	5° 52' 17"
C145	60.85	200.00	60.62	S 39° 33' 02" E	17° 25' 59"
C146	206.04	440.00	204.16	S 55° 08' 57" W	26° 49' 49"
C147	42.60	140.00	42.43	N 39° 33' 02" W	17° 25' 59"
C148	45.24	500.00	45.10	N 30° 41' 07" W	5° 04' 50"
C149	161.20	1480.00	161.12	N 44° 57' 21" E	61° 42' 36"
C150	74.44	460.34	74.55	S 35° 38' 46" E	9° 17' 22"
C151	4.25	10.00	4.27	S 18° 39' 22" E	24° 31' 20"
C152	195.63	60.00	119.79	N 80° 06' 57" E	18° 48' 42"
C153	9.83	10.00	9.44	N 14° 54' 12" E	56° 20' 34"
C154	280.48	490.00	276.66	N 59° 27' 02" E	32° 47' 46"
C155	154.81	260.00	152.54	S 58° 47' 22" E	34° 06' 37"
C156	123.60	550.00	123.34	S 48° 10' 16" W	12° 52' 35"
C157	132.88	550.00	132.34	N 42° 33' 55" E	4° 41' 40"
C158	146.92	578.97	146.53	S 48° 50' 21" W	17° 25' 24"
C159	5.49	10.00	5.47	S 42° 10' 22" W	31° 26' 21"
C160	185.37	60.00	119.96	N 66° 59' 32" W	176° 55' 53"
C161	9.13	10.00	8.82	N 04° 40' 43" W	52° 19' 39"
C162	103.85	550.00	103.69	S 70° 26' 32" W	10° 40' 06"
C163	425.16	780.00	419.92	N 59° 43' 56" E	31° 11' 51"
C164	43.91	37.26	43.91	N 36° 58' 38" W	6° 42' 18"
C165	368.33	415.00	362.80	N 54° 53' 26" E	34° 19' 55"
C166	50.61	85.00	49.87	N 52° 47' 27" E	34° 06' 37"
C167	201.45	1040.00	201.14	S 10° 36' 08" E	11° 05' 54"
C168	254.53	1160.00	254.02	S 09° 30' 20" E	12° 34' 20"
C169	13.71	1160.00	13.71	S 15° 57' 49" E	0° 40' 38"
C170	16.55	1040.00	16.55	N 16° 04' 52" W	0° 54' 43"
C171	228.20	1040.00	222.74	N 09° 20' 50" W	12° 34' 20"
C172	224.70	1160.00	223.14	N 08° 36' 08" W	11° 05' 54"
C173	11.44	224.70	11.44	N 14° 16' 46" W	0° 16' 33"
C174	10.39	2440.00	10.39	S 12° 16' 16" E	01° 41' 38"
C175	54.58	200.00	54.41	S 22° 28' 11" W	15° 39' 08"

LINE TABLE		
LINE	BEARING	DISTANCE
L15	S 64°26'25" E	25.94
L16	N 26°47'39" E	29.88
L17	S 59°58'48" E	28.37
L18	N 31°14'44" E	27.73
L19	S 49°05'45" E	29.54
L20	N 40°59'06" W	37.75
L21	N 85°54'49" W	28.32
L22	S 50°34'17" W	29.45
L23	N 76°18'09" W	30.63
L24	S 12°23'27" E	60.14
L25	S 53°53'02" E	28.62
L26	S 59°54'03" W	38.50
L27	N 40°05'37" E	38.06
L28	N 30°30'42" E	38.29
L29	N 08°14'33" W	61.06
L30	N 43°05'09" W	28.40
L31	N 84°28'41" W	29.45
L32	S 19°54'57" W	31.35
L33	S 68°22'30" E	25.89
L34	N 26°04'19" E	28.39
L35	N 18°49'39" W	52.32
L36	N 61°04'05" E	61.86
L37	S 74°14'00" E	29.10
L38	S 44°59'14" E	29.87
L39	S 75°20'51" E	6.50
L39.1	S 31°13'22" E	4.39
L40	S 18°49'33" E	53.65
L41	S 67°47'19" E	29.47
L42	S 67°47'19" E	29.47
L43	S 67°47'19" E	29.47
L44	S 67°47'19" E	29.47
L45	S 67°47'19" E	29.47
L46	S 67°47'19" E	29.47
L47	S 67°47'19" E	29.47
L48	S 67°47'19" E	29.47
L49	S 67°47'19" E	29.47
L50	S 67°47'19" E	29.47
L51	S 67°47'19" E	29.47
L52	S 67°47'19" E	29.47
L53	S 67°47'19" E	29.47
L54	S 67°47'19" E	29.47
L55	S 67°47'19" E	29.47
L56	S 67°47'19" E	29.47
L57	S 67°47'19" E	29.47
L58	S 67°47'19" E	29.47
L59	S 67°47'19" E	29.47
L60	S 67°47'19" E	29.47
L61	S 67°47'19" E	29.47
L62	S 67°47'19" E	29.47
L63	S 67°47'19" E	29.47
L64	S 67°47'19" E	29.47
L65	S 67°47'19" E	29.47
L66	S 67°47'19" E	29.47
L67	S 67°47'19" E	29.47
L68	S 67°47'19" E	29.47
L69	S 67°47'19" E	29.47
L70	S 67°47'19" E	29.47
L71	S 67°47'19" E	29.47
L72	S 67°47'19" E	29.47



Preliminary Plat Application

Project Number:

SUB-22-0537

Case Number:

P-23-1585

Proposed Subdivision Plat Name: Mockingbird Ridge**Legal Description (attached sealed Metes and Bounds):** Being a 258.87 Acre Tract of Land, Situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City of Midland, Midland County, Texas**Property Owner**

Printed Name: Betenbough Homes

Phone (432) 262-0999

Email

Address 6305 82nd St

City Lubbock

State TX

Zip 79424

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: SF3, TH, SF2, MF16, SF1, 2F, RR**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage:

258.87

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

Number of Lots: 695

Number of Multi-family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature): _____

Date: _____

Property Owner (printed) : _____

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

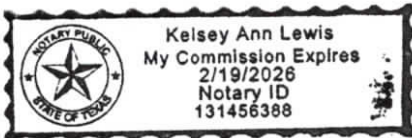
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Betenbough Homes 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.

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 21st day of March, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
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)

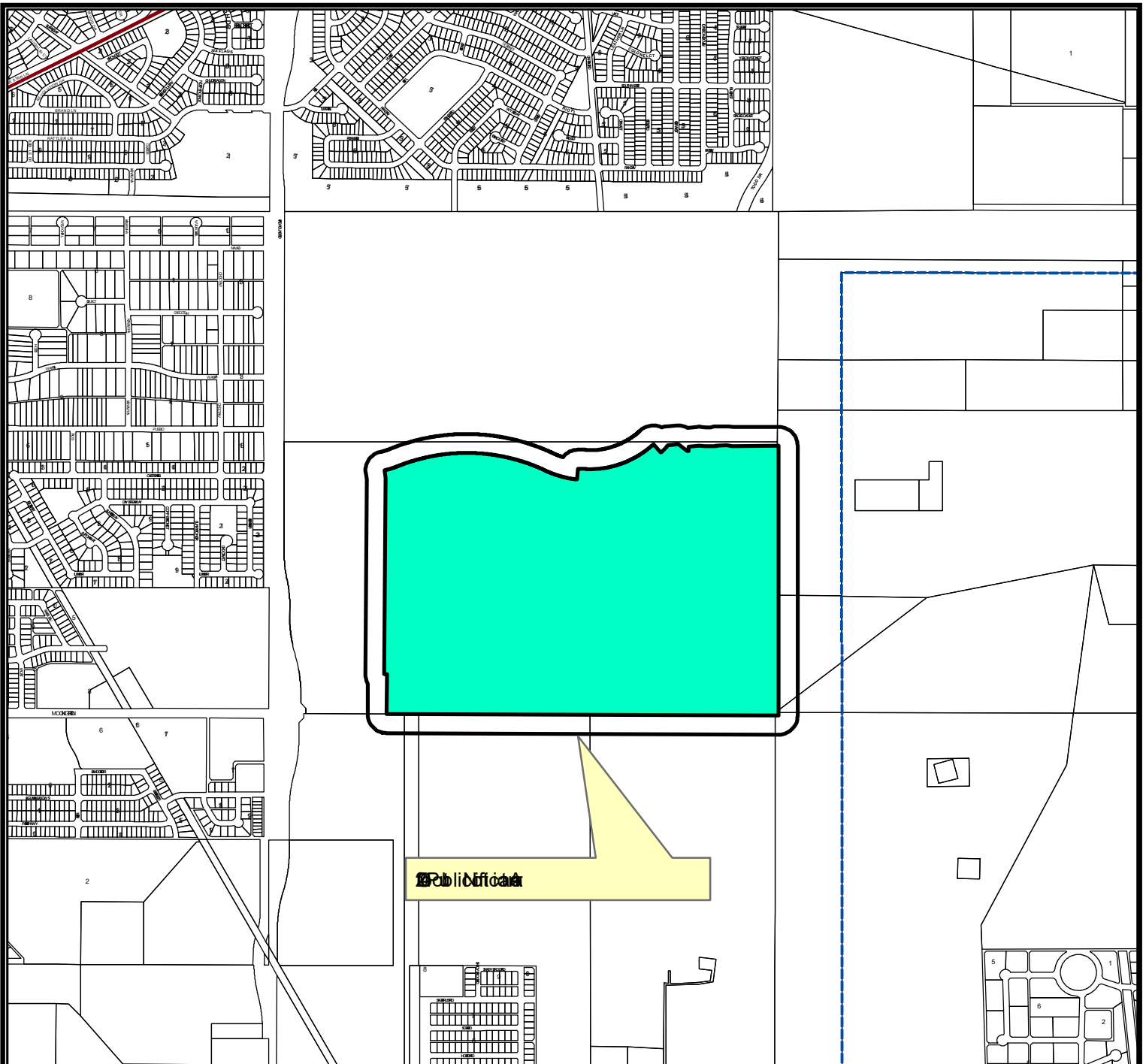
Check # 4103

BY: _____

Received By: James Rhee

Date: 4/22

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



LOCATION MAP

P-23-1585

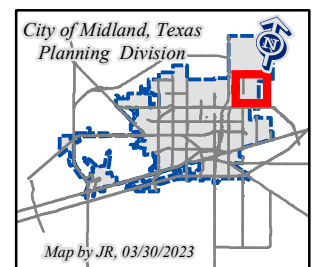
Scale: 1" = 200'

Proposed preliminary plat of Mockingbird Ridge, being a plat of a 258.87-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY Co. Survey, City of Midland, Midland County, Texas.

Generally located north of East Mockingbird Lane, approximately 850 feet east of North Fairgrounds Road. (Council District 1)

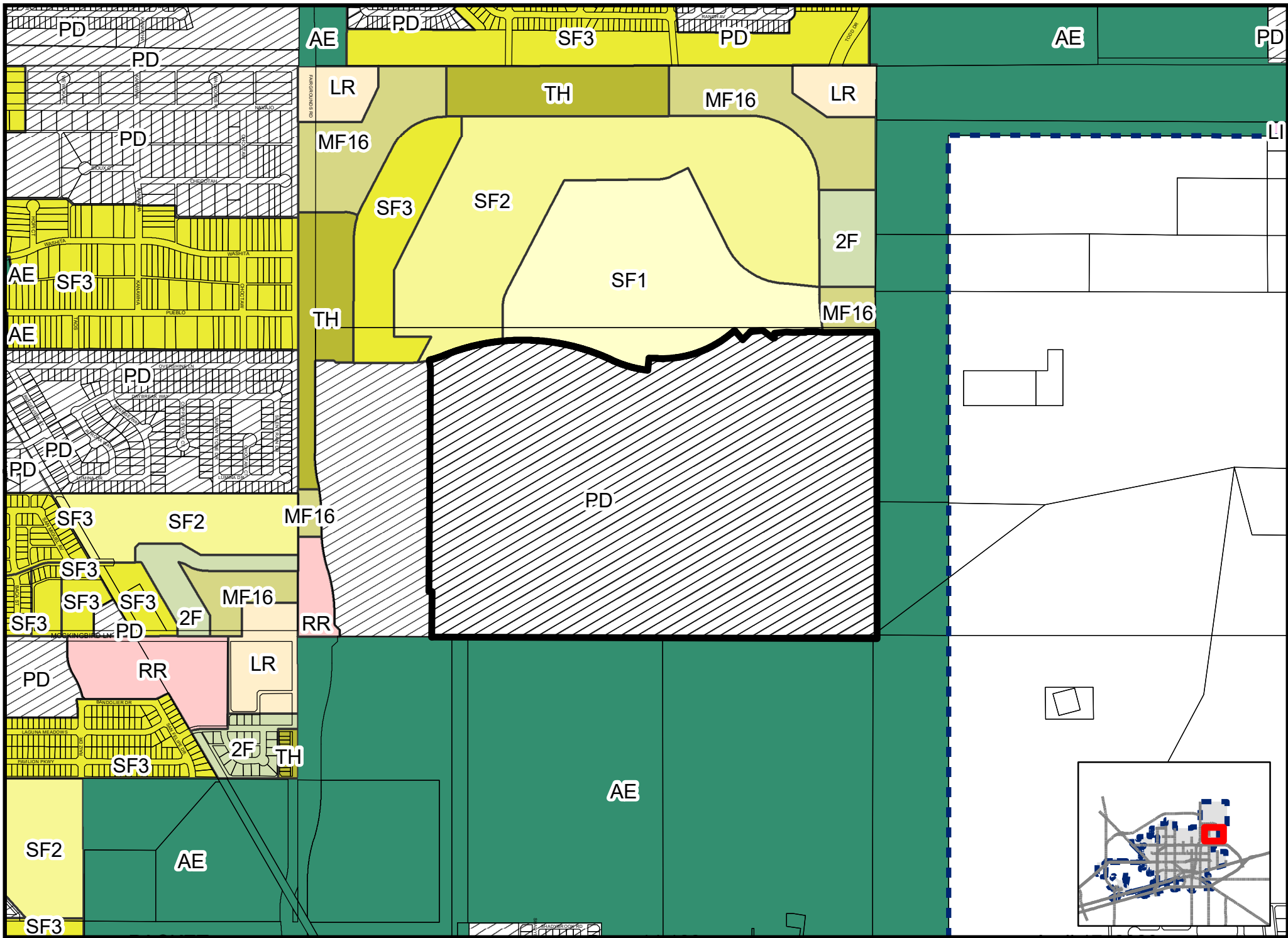
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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PACKET

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April 17, 2023

Map By JR, 4/10/2023

P-23-1585

Scale: 1" = 1,150'

ZONING MAP



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