

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

**May 1, 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 minutes for April 17, 2023, Planning & Zoning Commission Regular Meeting.
3. Motion approving a Final Plat of Witcher Addition, Section 4, being a plat of a 0.597-acre tract of land out of the southwest quarter of Section 8, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland Texas. (Generally located on the south side of Liberator Lane, approximately 650-feet west of La Force Boulevard. - Council District 4) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

4. Consider a request by LCA for a proposed Final Plat of Quail Run, Section 2, being a residential replat of Lots 11-17, Lots 38-45, and Lot 64, Block 4, Quail Run, Section 1, City and County of Midland, Texas. (Generally located on the east side of North Midkiff Road, approximately 130 feet north of Valley Quail Road. - Council District 1) (DEVELOPMENT SERVICES)
5. Consider a request by Strategic Restaurant Enterprises, Inc. for a Specific Use Designation with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant, on Lot 7, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas.

(Generally located on the south side of West Loop 250 North, approximately 220-feet west of North Midkiff Road. - Council District 1) (DEVELOPMENT SERVICES)

6. Consider a request by Karen Rodriguez for a Specific Use Designation with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant on a 2,472-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Longview Avenue, approximately 267-feet east of South Belmont Street. - Council District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

7. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of West End Addition, Section 29, being a Replat of Lots 5, 6, and the west 5-feet of Lot 7, Block 126, West End Addition, City and County of Midland, Texas. (Generally located on the northeast corner of West Front Street and South K Street. – Council District 3) (DEVELOPMENT SERVICES)
8. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Vines Addition, Section 2, being a 1.50-acre tract of land out of the northwest quarter of Section 11, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Rankin Highway, approximately 1,290-feet south of Interstate 20. – Council District 2) (DEVELOPMENT SERVICES)
9. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Vaquero Addition, Section 3, being an 18.88-acre tract of land out of the northwest quarter of Section 35, Block 38, T-1-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the north side of County Road 73, approximately 735-feet east of County Road 1130. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
10. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Front Street/Discount RV Acres, being a Plat of a 5.697-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, City and County of Midland, Texas, and a 16.153-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of South Fairgrounds Road and East Front Street. - Council District 2 and Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
11. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of West 191 Industrial Park, Section 11, being a Replat of Lots 17 and 18, Block 1, West 191 Industrial Park, Section 9, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 1,680-feet east of North Farm to Market Road 1788. - Council District 4) (DEVELOPMENT SERVICES)
12. Motion approving with staff's recommended conditions for the 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, Midland County, Texas. (Generally located on the north side of State Highway 191, approximately 1,140-feet southwest of Jordy Road. - Council District 4) (DEVELOPMENT SERVICES)

13. Motion approving a Final 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, Midland County, Texas. (Generally located on the north side of State Highway 191, approximately 1,140-feet southwest of Jordy Road. - Council District 4) (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 17, 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 3:30 p.m., April 17, 2023.

Commissioners present: Lucy Sisniega, Dianne Williams, Stacy Grosse, Emily Holeva, Adrian Carrasco, Abraham Bejil, Beverly Dillow

Commissioners absent: Zachary Deck

Staff members present: Charles Harrington, Jeff S. Fisher, James Reber, Alexandra Walling, Landon Ochoa, 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.

Commissioner Sisniega opened the public comment period at 3:31 p.m. With no one wishing to speak, the public comment period was closed at 3:32 p.m.

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)
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)

Commissioner Carrasco moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

Senior planner Alexandra Walling gave an overview of the project. No letters of objection were received. Staff recommended approval.

The public hearing was opened 3:36 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:37 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

Planner Landon Ochoa gave an overview of the project. With no letters of objection received, staff recommend approval.

Commissioner Sisniega asked if they resubmitted with smaller lots and how many more lots are they adding.

Planner Landon Ochoa explained that they are adding 31 more lots.

Commissioner Carrasco asked what the changes from the previous application are in comparison to the present application.

Planning Manager Jeff Fisher explained that previously the applicant changes the lots sizes in order to add more homes.

Commissioner Sisniega asked for what is the minimum lot width and depth for the current zoning of this land.

Planning Manager Jeff Fisher explained that the it is a minimum width is 50 feet and the depth is 77 feet with a minimum lot area of 4200 square feet. He explained that some of the lots will come down in size but the overall will be larger.

Commissioner Bejil asked if they are requesting an exception for the small lots. Staff confirmed that yes, they would need an exception for the smaller lots.

Commissioner Bejil stated that his concern is that approving these lots would be increasing the density of the neighborhood. He asked if Mockingbird road would be the main feed road. Staff confirmed that it does look like it would be Mockingbird.

Commissioner Carrasco stated that his concerns are with consistency, He directed the question to Mr. Harrington, Director of Development services.

Director of Development Services, Charles Harrington, addressed the commission to answer Commissioner Carrasco's question and to answer some of the commissioner's questions. He then deferred to the applicant.

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

The applicant, Ronnie Wallace and Chris Berry with Betenbough Homes addressed the commission to present additional information and answers question from the commission.

The public hearing was closed at 4:12 p.m.

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

The motion passed by the following vote: 6 to 1

AYE: Sisniega, Williams, Grosse, Holeva, Bejil, Dillow

NAY: Carrasco

ABSTAIN: None

ABSENT: Deck

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)
Planning Manager Jeff Fisher gave an overview of the project. No letters of objection were received. Staff recommended approval.

The public hearing was opened 4:14 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:15 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

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

The public hearing was opened at 4:17 p.m.

The applicant was not present.

The public hearing was closed at 4:18 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

Planning Manager Jeff Fisher gave an overview of the project. No letters of objection were received. Staff recommended approval.

The public hearing was opened at 4:20 p.m.

The applicant was present but deferred to staff.

The public hearing was closed 4:21 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

Senior Planner Alexandra Walling gave an overview of the project. No letters of objection were received. Staff recommended approval.

The public hearing was opened at 4:23 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:24 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

*Item #11 was pulled from the agenda.

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)

Planning Manager Jeff Fisher gave an overview of the project. No letters of objection were received. Staff recommended approval.

Commissioner Williams asked is the use residential or commercial.

The public hearing was opened at 4:32 p.m.

The applicant, Andrew Mellen with Maverick Engineering, addressed the commission.

The public hearing was closed at 4:33 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

Planner Landon Ochoa gave an overview of the project. No letters of the objection were received. Staff recommended approval.

The public hearing was opened at 4:35 p.m.

The applicant, Josh Wallender with Parkhill, addressed the commission. He gave a summary of the project and was open for questions.

The public hearing was closed at 4:37 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck

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)

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

The motion passed by the following vote: 6 to 1

AYE: Williams, Grosse, Holeva, Carrasco, Bejil, Dillow

NAY: Sisniega

ABSTAIN: None

ABSENT: Deck

With no further items or business to come before the Commission, Chairwoman Sisniega adjourned the meeting at 4:40 p.m.

Lucy Sisniega, Chairwoman

Date

Jeff S. Fisher, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a Final Plat of Witcher Addition, Section 4, being a plat of a 0.597-acre tract of land out of the southwest quarter of Section 8, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland Texas. (Generally located on the south side of Liberator Lane, approximately 650-feet west of La Force Boulevard. - Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

TP, Technology Park District.

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to final plat a 0.597-acre tract of land out of the southwest quarter of Section 8, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland Texas. The preliminary plat was approved at the March 6, 2023, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

Departmental Review:

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, oil and gas considerations, 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: OK as Shown. [For Applicant's Information Only.]

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

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

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

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

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

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

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

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

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

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)

Recording information for Witcher Addition Section 3, 20' and 10' Utility easements is 2023-8094.

Planning: (Approved)

No comments.

Staff recommends approval of the Final Plat for Witcher Addition, Section 4 subject to condition A.

Conditions:

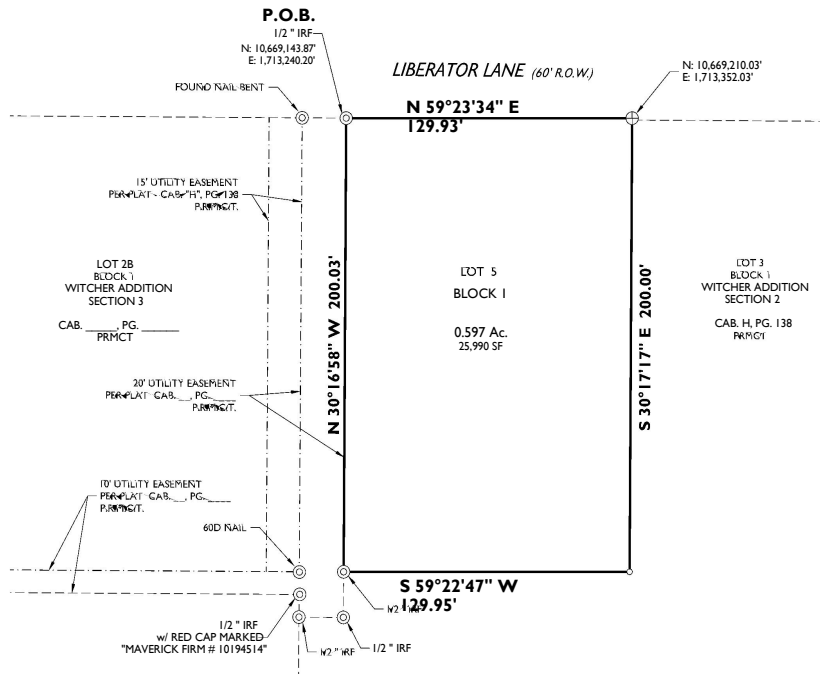
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Final Plat
Application
Maps

WITCHER ADDITION SECTION 4

BEING A 0.597 ACRE TRACT OF LAND
OUT OF THE SOUTHWEST QUARTER OF
SECTION 8,
BLOOMINGTON, MIDLAND COUNTY, TEXAS



SURVEY NOTES:

1. BASIS OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (theta) OF -0°58'06.31\"

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. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS.
4. IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE PROPERTY IS WITHIN THE CITY OF MIDLAND INTERNATIONAL AIR & SPACE PORT AOZ-4 ZONING SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.

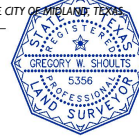
FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0200F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADDED PORTION OF ZONE \"X\", DESIGNATED AS \"AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN\". STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK CIVIL & SURVEY, LLC.

AOZ-4 AIRPORT OVERLAY DISTRICT (NOTE PER 11-11-11 A (2)) ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE AOZ-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTION 11-11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

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 RPLS5356 MAVERICK ENGINEERING (TX FIRM #10194514) 1909 W. WALL STREET, SUITE, K MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS COUNTY OF MIDLAND WHEREAS MAT'S MAINTENANCE CO., LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 8, BLOCK 40, T-2-S, T&P. RY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS. NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT MAT'S MAINTENANCE CO., LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WITCHER ADDITION, SECTION 4, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER 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 AND AT THE TIME OF TRASH CONTAINERS AND ACCESS THERETO, 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. FOR MAT'S MAINTENANCE CO., LLC,

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 EXERCISED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2023. NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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

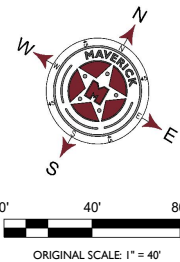
PROPERTY OWNER

MAT'S MAINTENANCE CO., LLC, 2311 ELIZABETH AVENUE, MIDLAND, TEXAS 79701-6840 DEED INSTRUMENT # 2021-13729 OPRMCT



VICINITY MAP

N.T.S.



LEGEND

- CALCULATED CORNER
- ⊙ FOUND MONUMENT AS NOTED
- ⊕ \"*\" FOUND IN CONCRETE
- BOUNDARY LINE
- - - SURROUNDING PROPERTY LINES
- - - EXISTING EASEMENT LINE

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WITCHER ADDITION, SECTION 4, 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



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite \"K\"
ENGINEER, FIRM # 9705089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

**WITCHER
ADDITION**



Final Plat Application

Project Number:

SUB-22-0532

Case Number:

P-23-1600

Proposed Subdivision Plat Name: Witcher Addition, Section 4**Legal Description (attached sealed Metes and Bounds):** Being a 0.597 Acre Tract of Land out of the Southwest Quarter of Section 8, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland, Texas**Property Owner**

Printed Name: Mat's Maintenance Co

Phone ()

Email

Address 2311 Elizabeth Ave

City Midland

State TX

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: 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: TP**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 0.597

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): Morris A. Townsend Date: 4-5-2023

Property Owner (printed): Morris A. Townsend MAT'S MAINTENANCE Co. LLC

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 Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Mat's Maintenance Co., 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 13th day of April, 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

☒ Mylar

☒ Application Fee

Check #

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

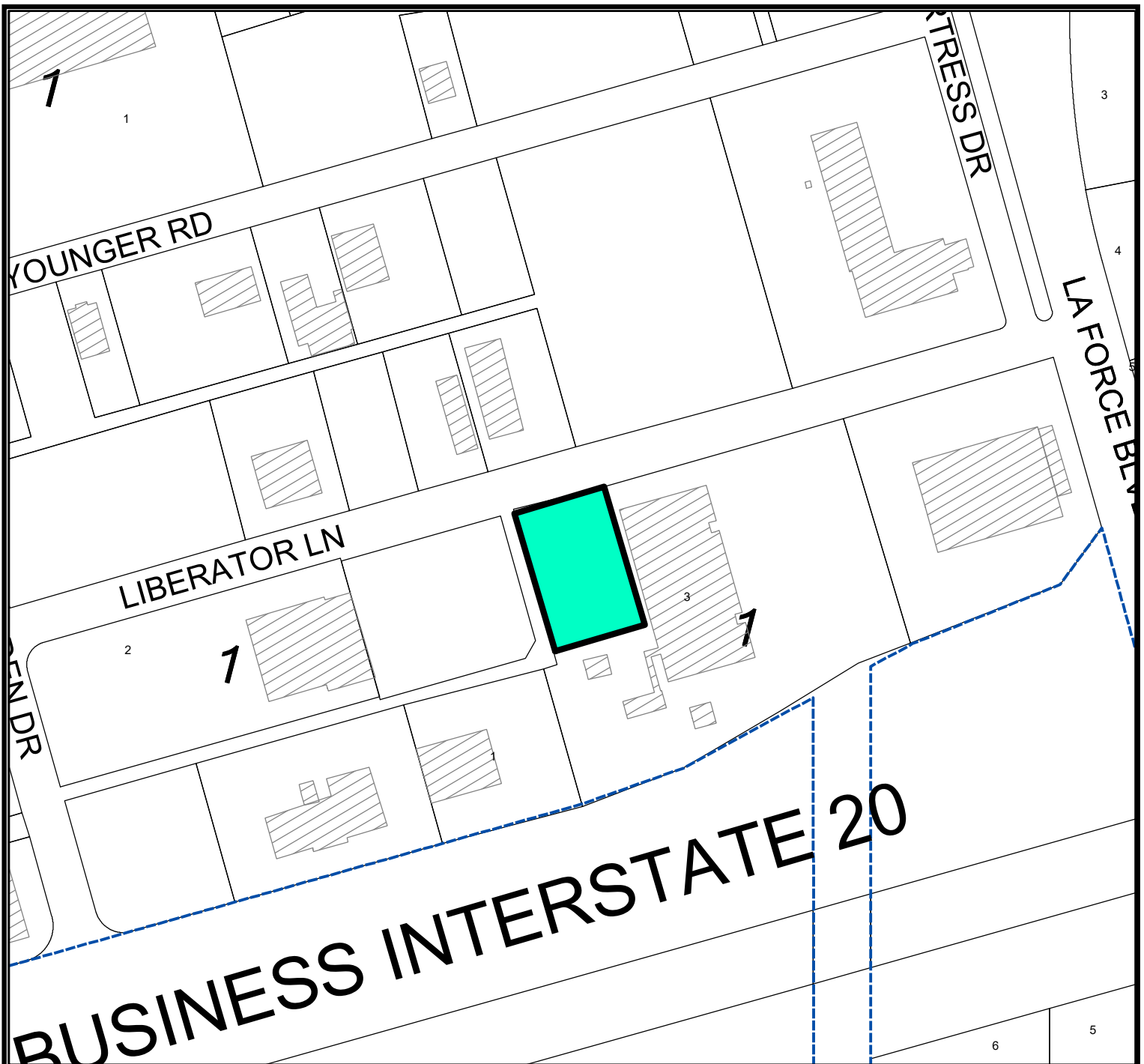
☒ Recording Fee

Check #

Received By: Jeff Fisher

Date: 4/13/2023

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



LOCATION MAP

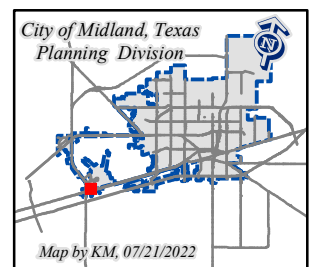
SUB-22-0532

Scale: 1" = 200'

Motion approving a Final Plat of Witcher Addition, Section 4, being a plat of a 0.597-acre tract of land out of the southwest quarter of Section 8, Block 40, T-2-S, T&P RY. Co. Survey, City and County of Midland Texas. (Generally located on the south side of Liberator Lane, approximately 650-feet west of La Force Boulevard. - Council District 4) (DEVELOPMENT SERVICES

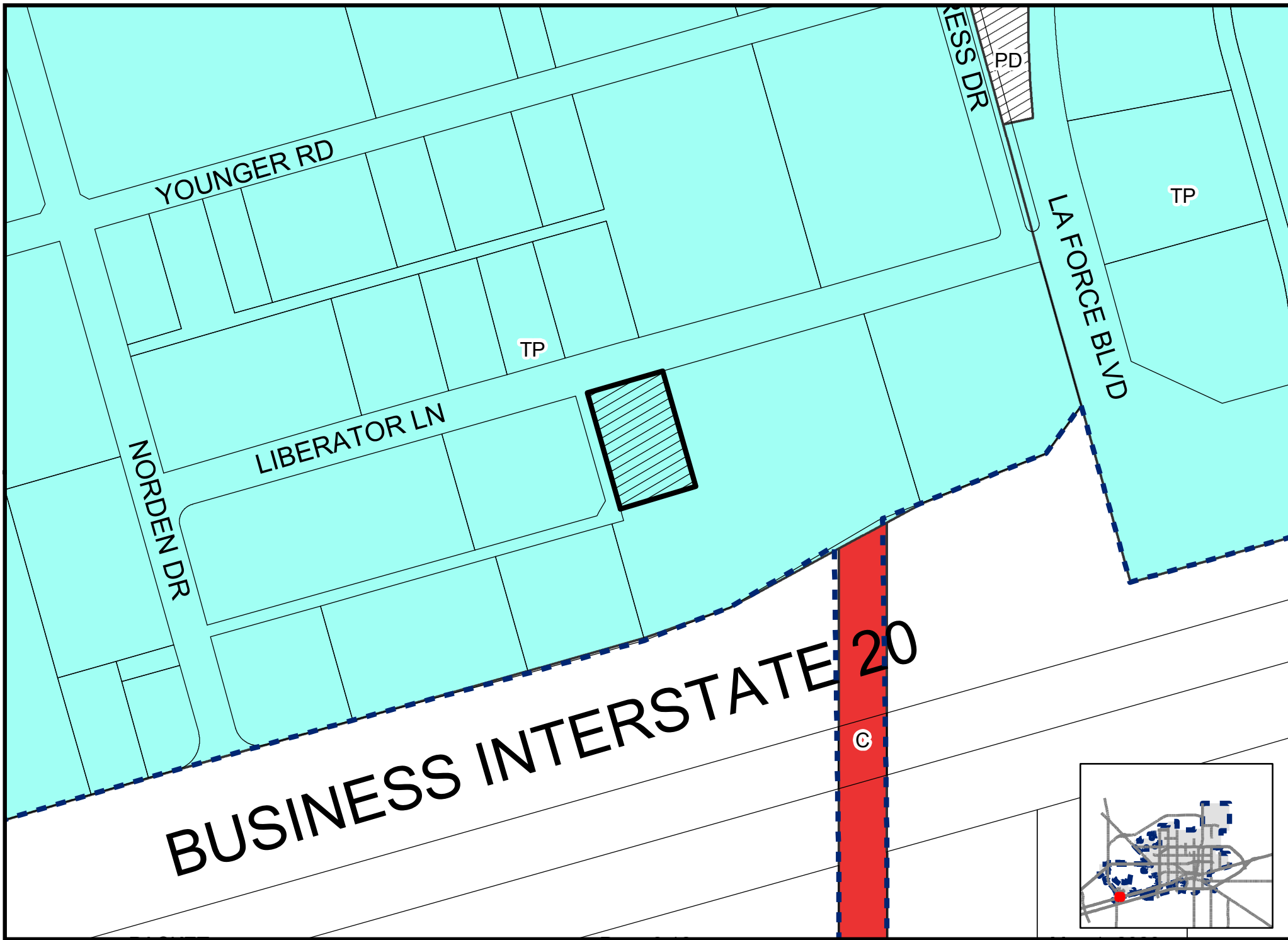
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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





Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Consider a request by LCA for a proposed Final Plat of Quail Run, Section 2, being a residential Replat of Lots 11-17, Lots 38-45, and Lot 64, Block 4, Quail Run, Section 1, City and County of Midland, Texas. (Generally located on the east side of North Midkiff Road, approximately 130 feet north of Valley Quail Road. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single Family Dwelling District.

Preliminary Plat Approval:

The applicant, LCA, is requesting to replat Lots 11-17, Lots 38-45, and Lot 64, Block 4, Quail Run, Section 1, City and County of Midland, Texas. This replat satisfies the conditions and requirements of 11-2-3-I and is being processed using the short form approval procedure. This plat will create a total of 28 residential lots in the subdivision. This plat is a residential replat and a public hearing is required.

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.

Departmental Review:

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 is. [For the Applicant's information only.]

PAVING: Internal paving improvements have been accepted. [For the Applicant's information only.]

WATER: Water improvement have been accepted. [For the Applicant's information only.]

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

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

SEWER: Wastewater improvement plan have been accepted. [For the Applicant's information only.]

DRAINAGE: Drainage study has been approved on 06/23/2022. [For the Applicant's information only.]

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

SIDEWALKS: Sidewalk improvements have been accepted. [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.

Oil and Gas: (Approved)

No Oil and Gas Issues. P&A Chaps #2 well identified in street and noted.

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 well would need to be identified.

GIS: (Approved)

All comments have been satisfied.

Planning: (Approved)

No comments.

Staff recommends approval of the Final Plat for Quail Run, Section 2, 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.**

Objection Letters:

As of April 27, 2023, staff has received one letter of objection.

Attachments:

Final Plat
Application
Maps
Letter



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Quail Run, Section 2

Legal Description (attached sealed Metes and Bounds): Being a replat of Lots 11-17, 38 & 45 & Lot 64, Block 4, Quail Run, Section 1 as described in Cabinet M, Page 126 M.C.P.R. City and County of Midland, Texas

Property Owner DR Horton and
Printed Name: John Paul Rodriguez (3116 Blue Quail Court Midland, TX 79701)

Phone ()
Email

Address 6751 North Freeway

City Ft. Worth

State TX

Zip 76131

Developer (if different than Owner)
Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email
mbo@lcaodessa.com
LCA@lcaodessa.com

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: SF-3

Reason for Platting: Replat existing lots to create more residential lots

Plat Information

Total Acreage: 5.83

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

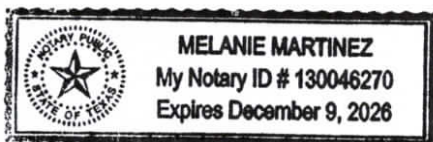
Before me, the undersigned authority, on this day personally appeared George E. Thornley who, being by me duly sworn, upon oath says: That (s)he is authorized by DR Horton & John Paul Rodriguez the owner of the above described property, to fully represent him/her in this application and that (s)he had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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 13th day of April, 20 23, to certify which witness my hand and seal of office.

Melanie Martiny

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) | ☐ Public Improvements |
| ☐ Application Fee | ☐ Title Opinion | ☐ Recording Fee |
| Check # _____ | ☐ Tax Certificates | Check # _____ |

Received By: *hm*

Date

RECEIVED
APR 14 2023

BY:

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

PACKET

Page 4.23

May 1, 2023

18 September 2019

City of Midland- Planning Department
Attn: Cristina Odenborg Burns
300 N. Loraine
Midland, Texas 79702

To whom it may concern:

I/We DR HORTON, authorize LCA to act as our agent for the platting/zoning purposes regarding our project . As Client we consent to LCA signing all applications and/or needed documentation, receiving all comments and/or needed information and representing me/us at any all hearings for the duration of this project.

Sincerely,



Steve Howard
DR Horton

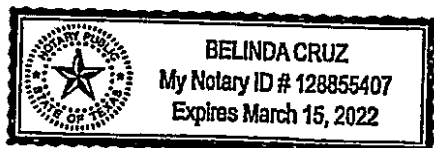
9-18-19

Date

STATE OF TEXAS §
COUNTY OF MIDLAND §

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

September **GIVEN UNDER MY HAND AND SEAL OF OFFICE** this 18th day of September A.D., 2019.



Belinda Cruz
Notary Public in and for the State of Texas

My Commission Expires: March 15, 2022

8 November 2022

City of Midland- Planning Department
Attn: Elizabeth Shaughnessy
300 N. Loraine
Midland, Texas 79702

To whom it may concern:

I/We John Paul Rodriquez, authorize LCA to act as our agent for the platting/zoning purposes regarding our project Quail Run Section 2. As Client we consent to LCA signing all applications and/or needed documentation, receiving all comments and/or needed information and representing me/us at any all hearings for the duration of this project.

Sincerely,

By: [Signature]
Title:
Company:

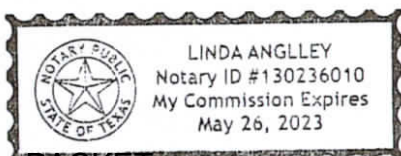
Date: 11/9/22

STATE OF TEXAS §
COUNTY OF MIDLAND §

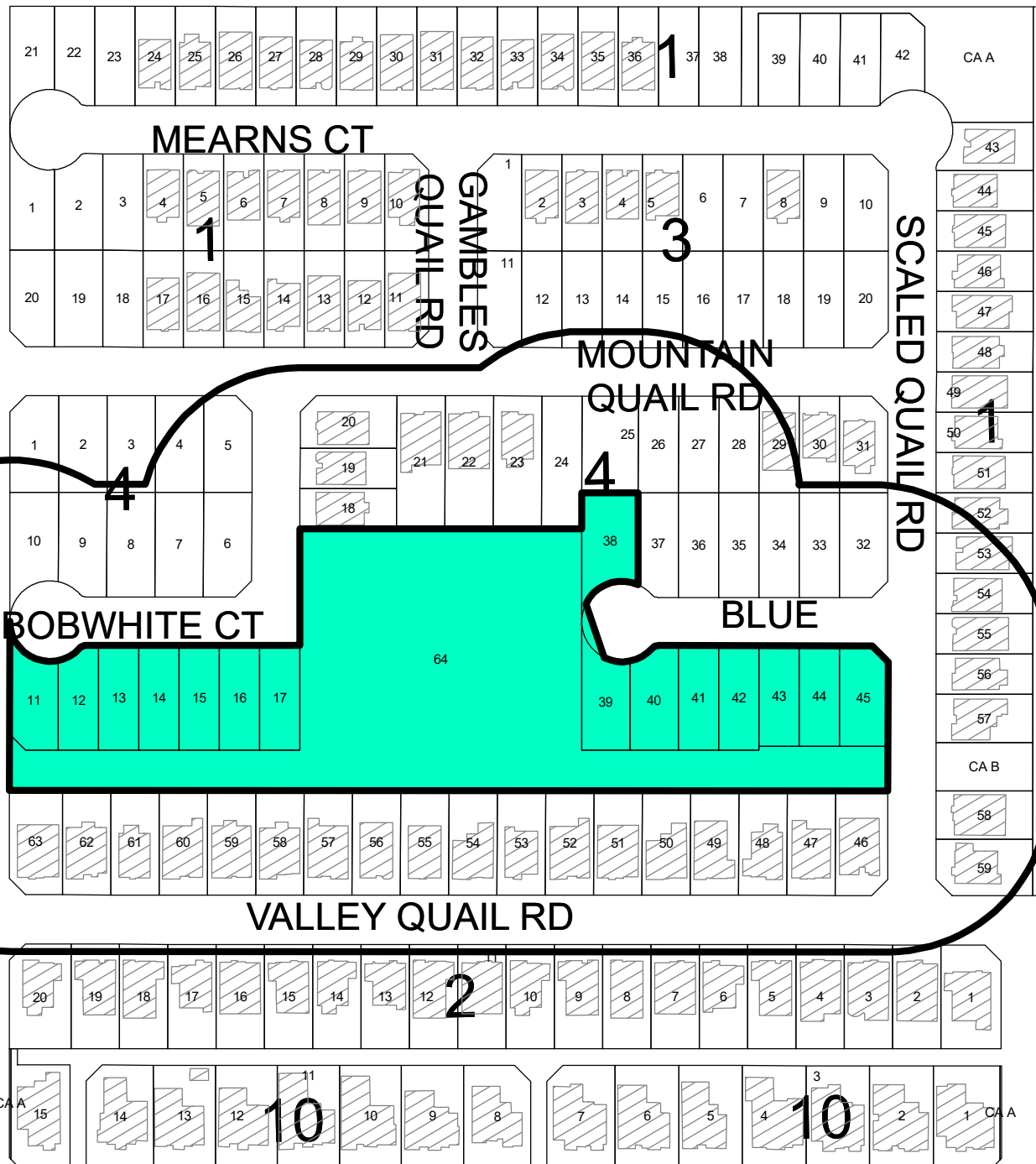
[Signature] **BEFORE ME**, the undersigned authority, on this day personally appeared John Paul Rodriquez, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said individual for the purposes and consideration therein expressed and in the capacity therein stated.

November **GIVEN UNDER MY HAND AND SEAL OF OFFICE** this 9th day of November, A.D., 2022.

[Signature]
Notary Public in and for the State of Texas
My Commission Expires: 5-26-23



PACKET



LOCATION MAP

SUB-22-0485

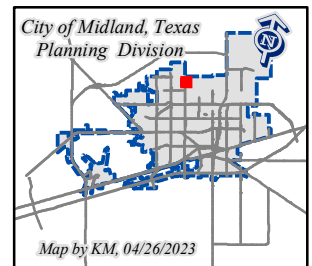
Scale: 1" = 200'

Proposed plat of Lancer Addition, being a 35.51-acre tract out of Block 38, T-2-S, A.M. Cobb Preemption Survey, Midland County, Texas.

Generally located on the east side of F.M. 1213, approximately 2,225 feet north of East County Road 130 - (Extraterritorial Jurisdiction)

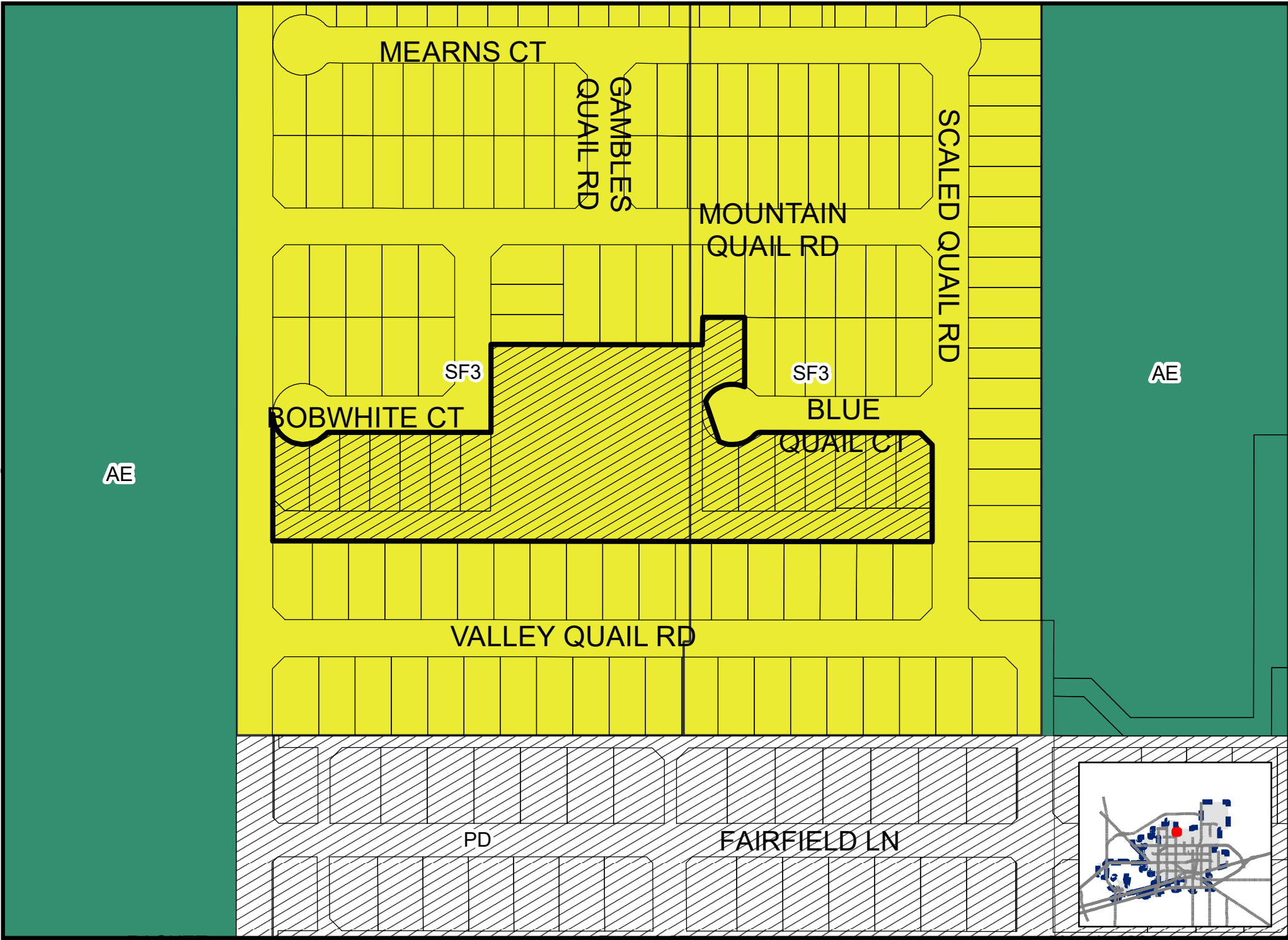
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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AE

MEARNS CT

GAMBLES
QUAIL RD

MOUNTAIN
QUAIL RD

SCALED QUAIL RD

SF3

BOBWHITE CT

SF3

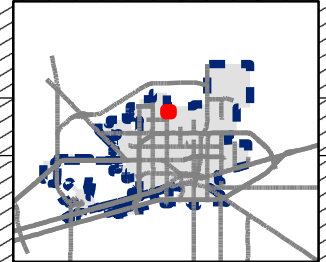
BLUE
QUAIL CT

AE

VALLEY QUAIL RD

PD

FAIRFIELD LN





RECEIVED
APR 24 2023

BY:

PUBLIC NOTICE

LAFF JAMIE
6622 PATRIOT PKWY
MIDLAND TX 79706

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m. on Monday, May 1, 2023**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, TX 79701, and via videoconference, on a request by **LCA** for approval of a **Residential Replat** on the following described property:

LEGAL DESCRIPTION: Lots 11-17, Lots 38-45, and Lot 64, Block 4, and a 55' Pipeline Easement all out of Quail Run, Section 1, City and County of Midland, Texas.

LOCATION: Generally located on the east side of N. Midkiff Road approximately 130 feet north of Valley Quail Road (Council District 1).

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:

This is a change from how neighborhood was presented to us in sales process.

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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: 19

Date Mailed: April 14, 2023

Case Number: SUB-22-0485

Case Name: Quail Run, Section 2

KM Planner's Initials

Jeffrey Fisher

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. Videoconference information can be found on the City of Midland's website: <http://www.midlandtexas.gov/967/PrimeGov-Meetings>











Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Consider a request by Strategic Restaurant Enterprises, Inc. for a Specific Use Designation with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant on Lot 7, Block 17, Skyline Terrace, Unit 7, City and County of Midland, Texas. (Generally located on the south side of West Loop 250 North, approximately 220-feet west of North Midkiff Road. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Strategic Restaurant Enterprises, Inc., is requesting to amend their existing Special Use District (SUD) to extend their hours of operation for the sale of Alcoholic Beverages for On-Premises Consumption in a restaurant. The alcohol serviceable area remains the same as the previous approval of 8,688 sq. ft. which is the same square footage of the restaurant.

Current Zoning:

PD, Planned Development District for a Shopping Center (Ordinance 9878).

Surrounding Zoning and Land Use:

The properties to the north, east, and east are zoned PD, Planned Development District, and the locations of restaurants. The property to the south is zoned PD, Planned Development District for a Shopping Center, and the location of Midland Park Mall.

Analysis:

The subject property is zoned as PD, Planned Development District for a Shopping Center (Ordinance 9878), with an underlying base zoning of RR, Regional Retail District. The RR, Regional Retail District allows Alcoholic Beverages Sales for On-Premises Consumption with the approval of a Specific Use Designation.

The property has an active Specific Use Designation that was approved by City Council on January 22, 2019. The current Specific Use Designation limits Alcoholic Beverages Sales for On-Premises Consumption as follows:

Monday through Thursday from 3:00 p.m. to 12:00 a.m. (midnight)
Friday through Sunday from 11:00 a.m. to 12:00 a.m. (midnight)

The applicant is now requesting the following days and hours for Alcoholic Beverages Sales for On-Premises Consumption as specified below:

Monday through Sunday from 11:00 a.m. to 12:00 a.m. (midnight)

Per Midland City Code Section 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, private schools, public schools, public school grounds, athletic stadiums, or public hospitals within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across the intersection where they occur within this site.

This project 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.]

Transportation: (Approved)

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

Building Code: (Approved)

The SUD request is acceptable based on the current occupant load pending that no changes to the occupancy, seating count, physical structure, and/or the floor layout has taken place when compared to previously approved SUDs. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Code Compliance: (Approved)

No objections.

Planning: (Approved)

The request is in compliance with *Tall City Tomorrow 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). The updated hours will allow Bubba's 33 to continue to create a vibrant atmosphere where residents can socialize and build connections.

Staff recommends approval of the request for a Specific Use Designation with Term for Alcoholic Beverages Sales 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 8,688-square feet as shown on the Floor Plan "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 Sunday from 11:00 a.m. to 12:00 a.m. (midnight)
- 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 26, 2023, staff has received no letters of objection for this request.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan (Exhibit B)
Maps



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

Project Number

340-23-0156

Case Number

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

Printed Name: Strategic Restaurant Enterprises, Inc.

Phone (502) 426-9984

Email katie.mccullum@texasroadhouse.com

Address

6040 Dutchmans Lane

City

Louisville

State

KY

Zip

40205

Property Owner

Printed Name: Mall at Midland Park, LLC c/o SIMON

Phone (432) 694-1664

Email chris.tilleyjr@simon

Address

P.O. Box 643378

City

Pittsburgh

State

PA

Zip

15264

Representative (if different from Applicant or Property Owner)

Firm: N/A

Printed Name: Strategic Restaurant Enterprises, Inc.

Phone (502) 426-9984

Email katie.mccullum@texasroadhouse.com

Address

6040 Dutchmans Lane

City

Louisville

State

KY

Zip

40205

Street Address: 3315 W. Loop 250 North, Midland, TX 79705

Business Name: Bubba's 33

Legal Description

Lot: Seven Block: Seventeen Subdivision: Final Plat Skyline Terrace Unit 7, an addition to the City of Midland, Midland County, Texas, according to the map or plat thereof, recorded in Cabinet J, Page 80, Plat Records, Midland County, Texas.

Current Zoning: Planned District for a Shopping Center (PDSC)

Reason for Request: Revised business hours of alcohol service.

Type of Business (restaurant, bar, lounge, nightclub, etc.): Full-service restaurant with sit-down bar.

Proposed/Current Days and Hours of Operation: This restaurant is currently approved for the following hours of operation (to include alcohol service): Mon-Thurs: 3pm-12am (midnight) and Fri-Sun: 11am-12am (midnight)

Proposed Days and Hours of Alcohol Service: This restaurant is requesting the following hours of operation (to include alcohol service): 11am-12am (midnight) seven days a week.

Total Square Footage of Business: 7738sf + 950 sq ft of patio area

Square Footage of Alcohol Serviceable Area: 7738sf + 950 sq ft of patio area

Restroom Fixtures:

Men

Toilets/Urinals:

1 / 2

Bathroom Sinks: 2

Women

Toilets: 3

Bathroom Sinks: 2

* Additional Unisex Restroom: 1 toilet and 1 bathroom sink*

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: 4/1/2023

Applicant (printed): Strategic Restaurant Enterprises, Inc.
By: Christopher Colson, Secretary

Property Owner (signature):

Date: 4/3/2023

Property Owner (printed): Mall At Midland Park, LLC, By:

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.

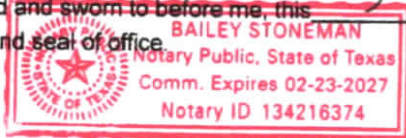
If an agent is authorized by the property owner to file and execute application on behalf of property owner, agent must complete the affidavit below.

**STATE OF TEXAS
COUNTY OF MIDLAND**

Before me, the undersigned authority, on this day personally appeared Natalie Jett who, being by me duly sworn, upon oath says: That (s)he is authorized by Simon Property Group, 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.

Bailey Stoneman

Subscribed and sworn to before me, this 3rd day of April, 2023, to certify which witness my hand and seal of office.

Bailey Stoneman
Notary Public**FOR OFFICE USE ONLY**☒ Property Owner Authorization☒ Dimensioned Floor Plan☒ Application Fee☒ Site Plan

Check #

1129949☐ Plans in Digital Format (PDF/JPEG)

Received By:

TS

Date:

RECEIVED
APR 5 2023

BY:

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

EQUIPMENT LIST

ITEM#	DESCRIPTION	ITEM#	DESCRIPTION
1A	WALK IN COOLER COOLER	86	SNOP IN REFRIGERATED COLD WELL
1B	WALK IN PRODUCTION COOLER	87	S/S WALL SHELF
1C	WALK IN MEAT COOLER	88	S/S POS STATION
1D	WALK IN FREEZER	89	S/S DRINK & TAKEOUT COUNTER (W/ OPEN BASE)
2	COOLER WITH ONLINE SYSTEM	90	ICE2 TEA DISPENSER
3	PLASTIC STICK DISPENSING	91	COFFEE DISPENSER
4	S/S WORK TABLE 72" BACKSPASH B.U.S.	92	SODA DISPENSER
5	MEAT MANDOLIN	93	S/S DRINK COUNTER 30" OPEN BASE
6	S/S WORK TABLE 60" BACKSPASH B.U.S.	94	WARMING CABINET
7	S/S WORK TABLE 60" BACKSPASH B.U.S. & S.	95	BOOSTER HEATER
8	S/S WORK TABLE 60" BACKSPASH B.U.S.	96	CHEF'S DASH TABLE - CUSTOM STAINLESS
9	SNAP RACKS	97	SNOW MACHINE
10	S/S WORK TABLE 60" FLAT TOP B.U.S.	98	CLEAN DASH (HARDWARE) CUMPT SINK COMBO
11	S/S PREP SINK W/ DRAINBOARD	99	FUTURE EQUIPMENT
12	SAVAD SPINNER	100	ICE MACHINE PRE CHILLER (NOT USED HERE)
13	POD PROCESSOR	101	ICE MACHINE HEAD UNIT
14	POD PROCESSOR	102	ICE MACHINE REMOTE CONDENSER
15	DELI SLICER	103	ICE BIN
16	STEAM GREGOLE 40"	104	WATER FILTRATION SYSTEM
17	STEAM GREGOLE 30"	105	BAG IN BOX RACKS
18	REFRIGERATED EQUIPMENT STAND	106	CARWASH/PAINT/PAINT GUN
19	CHINA BREAKER	107	ALUMINUM WALL SHELF - INVERTED DGS
20	BAKE STAND	108	ROLLING SHEET PAN RACKS
21	UNDERCOUNTER REACH IN FREEZER	109	ROLLING SHEET PAN RACKS
22	ICE2 COLD PAN (FREE STANDING)	110	WIRE RACK SHELVING
23	30" DEEP FRYER	111	CUNNAGE RACKS
24	30" DEEP FRYER	112	ALUMINUM WALL SHELF (W/ UNDER RACK)
25	ICE2 BREAKING STATION W/ S/FYER	113	ALUMINUM WALL SHELF - INVERTED DGS
26	REFRIGERATED EQUIPMENT STAND	114	ROLLING SHEET PAN RACKS
27	REFRIGERATED EQUIPMENT STAND	115	ROLLING SHEET PAN RACKS
28	REFRIGERATED COUNTERTOP COLD WELL	116	DOUGH-BOL DOOLY
29	S/S WALL SHELF	117	MEAT LUG DOOLY
30	REACH IN REFRIGERATOR W/ COLD TOP	118	GLASS RACK DOOLY
31	CHEF'S TRAY/STAY TABLE	119	UTURN RACK
32	CHEF'S TRAY/STAY TABLE	120	ICE2 STACKERS
33	CHEF'S TRAY/STAY TABLE	121	ICE2 DOOLIES
34	SNOP IN HOT WELL	122	8 BUTTON TIMER
35	REACH IN REFRIGERATOR W/ RAGGED COLD RAIL	123	4 BUTTON TIMER
36	BUN TOASTER	124	12 BUTTON TIMER
37	BUN TOASTER	125	WARMING DRAWER (SINGLE)
38	WARMING DRAWER (SINGLE)	126	POD/SYR THERMAL
39	BUN Slicer	127	POS THERMAL PRINTER
40	STAINLESS SHEET PAN WALL BRACKET	128	POS CASH DRAWER
41	HEATED SHELF	129	HAND SINK
42	2 DOOR UPRIGHT FREEZER	130	EYE WASH ATTACHMENT
43	PASS THROUGH WINDOW	131	PAINT RACK HAND SINK
44	PASS THROUGH WINDOW CHESSEBREAD	132	ICE2 TANK
45	HEAT LAMPS	133	STRIP CURTAIN
46	WINDOWN OVEN	134	S/S CORNER GUARDS & TRIM
47	CHEESE MELTER 30"	135	S/S FLOOR TROUGH - 30" W/ GRATE (ICE MACH)
48	CHEESE MELTER 40"	136	S/S FLOOR TROUGH - 30" W/ GRATE (DGS)
49	S/S WORKTABLE 72" BACKSPASH OPEN BASE	137	S/S FLOOR TROUGH - 30" W/ GRATE (BRACK)
50	BAKET WASH DISPENSER	138	S/S FLOOR TROUGH - 30" W/ GRATE (SINKS)
51	UNDERCOUNTER SHEET PAN RACKS	139	BRACKET HEATERS & DRAINING WOODLES
52	CONNECTOR OVEN	140	HOT PREP EXHAUST HOOD
53	SMOKER OVEN	141	COOLING EXHAUST HOOD
54	S/S WORK TABLE 60" BACKSPASH OPEN BASE	142	POD EXHAUST HOOD
55	UNDERCOUNTER CASH DRAW	143	POD EXHAUST HOOD
56	REFRIGERATED EQUIPMENT STAND	144	POD EXHAUST HOOD
57	ROTARY CONNECTION OVEN	145	ICE BIN W/ 7 COLD PLATE
58	PROOFER	146	S/S SERVICE BAR TOP W/ DRAIN PAN
59	ROTARY CONNECTION OVEN	147	ICE BIN W/ COLD PLATE
60	ROTARY CONNECTION OVEN	148	BAKING PROOFER 40"
61	S/S WORKTABLE 24" BACKSPASH	149	GLASS REFRIGERATOR
62	S/S WALL SHELF	150	GLASS REFRIGERATOR
63	WIRE - 100"	151	BAR HAND SINK W/ SILE SHAPERS
64	WATER FILTER ASSEMBLY	152	BEER TOWER - 18 FAUCET
65	POT FILLER FAUCET	153	EQUIPMENT STAND - 30" H
66	DOUBLE STAGE PIZZA OVEN	154	BEER TOWER - 18 FAUCET
67	PIZZA SERVING TABLE	155	BEER TOWER - 18 FAUCET
68	HANGING GAST LAMPS	156	BEER TOWER - 18 FAUCET
69	PIZZA MAKEUP STN W/ OVERHEAD COLD RAIL	157	BEER TOWER - 18 FAUCET
70	PIZZA STRETCH TABLE W/ DOUGH-BOL SHELVES	158	BEER TOWER - 18 FAUCET
71	SNOP IN HOT WELL (COLD BOLL SHELVES)	159	BEER TOWER - 18 FAUCET
72	SNOP IN HOT WELL (COLD BOLL SHELVES)	160	BEER TOWER - 18 FAUCET
73	SNOP IN HOT WELL (COLD BOLL SHELVES)	161	BEER TOWER - 18 FAUCET
74	SNOP IN HOT WELL (COLD BOLL SHELVES)	162	BEER TOWER - 18 FAUCET
75	SNOP IN HOT WELL (COLD BOLL SHELVES)	163	BEER TOWER - 18 FAUCET
76	SNOP IN HOT WELL (COLD BOLL SHELVES)	164	BEER TOWER - 18 FAUCET
77	SNOP IN HOT WELL (COLD BOLL SHELVES)	165	BEER TOWER - 18 FAUCET
78	SNOP IN HOT WELL (COLD BOLL SHELVES)	166	BEER TOWER - 18 FAUCET
79	SNOP IN HOT WELL (COLD BOLL SHELVES)	167	BEER TOWER - 18 FAUCET
80	SNOP IN HOT WELL (COLD BOLL SHELVES)	168	BEER TOWER - 18 FAUCET
81	SNOP IN HOT WELL (COLD BOLL SHELVES)	169	BEER TOWER - 18 FAUCET
82	SNOP IN HOT WELL (COLD BOLL SHELVES)	170	BEER TOWER - 18 FAUCET
83	SNOP IN HOT WELL (COLD BOLL SHELVES)	171	BEER TOWER - 18 FAUCET
84	SNOP IN HOT WELL (COLD BOLL SHELVES)	172	BEER TOWER - 18 FAUCET
85	SNOP IN HOT WELL (COLD BOLL SHELVES)	173	BEER TOWER - 18 FAUCET

FIRE PROTECTION NOTE

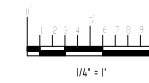
FIRE EXTINGUISHERS TO BE PROVIDED HAVING A RATING OF 2A:10BC FOR EVERY 2000 SQ. FT. OF FLOOR AREA. THESE EXTINGUISHERS NOT TO EXCEED 75 FEET. ALL EXTINGUISHERS SHALL BE CONSPICUOUSLY LOCATED AND EASILY ACCESSIBLE. THE TOP OF EXTINGUISHER SHALL BE NO MORE THAN 5' ABOVE FLOOR AND THE BOTTOM NO LESS THAN 4" ABOVE FLOOR. SPEC. 609.1.1.1. WITH 40

PROVIDE 2" X 4" CLASS FINE EXTINGUISHERS FOR COOKING OPERATION

FIRE EXTINGUISHERS SHALL BE INSPECTED AND TAGGED BY A STATE CERTIFIED FIRE EXTINGUISHER COMPANY. USE 4A-25

SEE FLOOR PLAN FOR SUGGESTED LOCATIONS OF FIRE EXTINGUISHERS

7738 INTERIOR SQUARE FEET
850 PATIO SQUARE FEET
8,688 TOTAL SQUARE FEET



6 IN. 2 TOPS 10 SEATS
30 IN. 4 TOPS 10 SEATS
10 IN. 4 TOPS 10 SEATS
10 IN. 4 TOPS 10 SEATS
10 IN. 4 TOPS 10 SEATS

May 1, 2023

EQ-1.0

XXXXXXX.X

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6040 DUTCHMAN LANE
LOUISVILLE, KY 40205

3315 W. LOOP 250 NORTH
MIDLAND, TX 79707

CONSTRUCTION SET

05.26.2016

DRAWN BY: GJM
CHECKED BY: GJM
REVISIONS: 1 08.03.2016
2 08.18.2016
3 04.24.2023

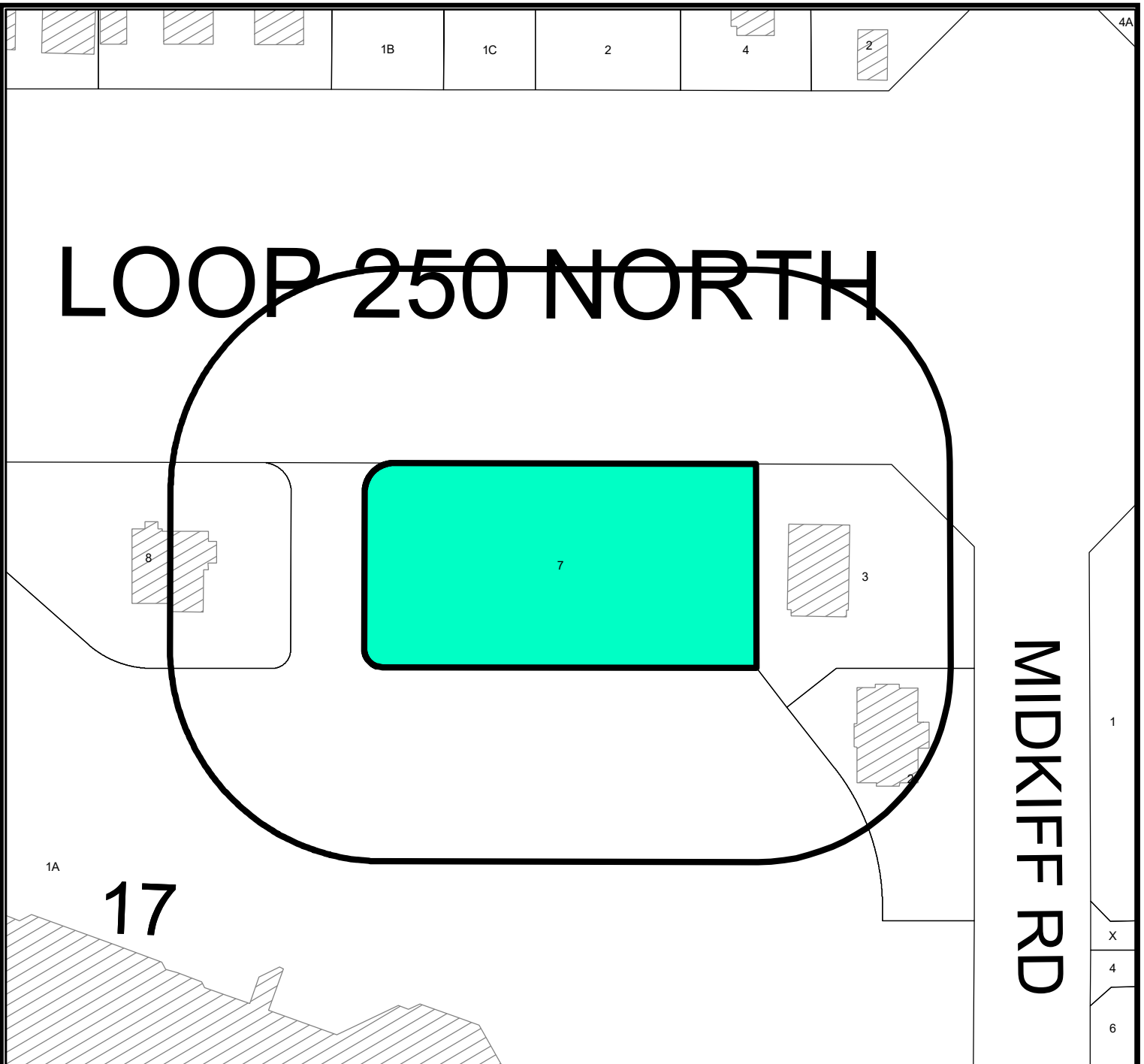
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SHEET TITLE

EQUIPMENT PLAN

SHEET

EQ-1.0



LOCATION MAP

SUD-23-0156

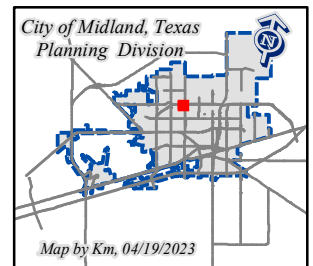
Scale: 1" = 200'

Consider a request by Strategic Restaurant Enterprises, Inc. for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on Lot 7, Block 17, Skyline Terrance, Unit 7, City and County of Midland, Texas.

Generally located on the south side of West Loop 250 North, approximately 220-feet west of North Midkiff Road. (Council District 1)

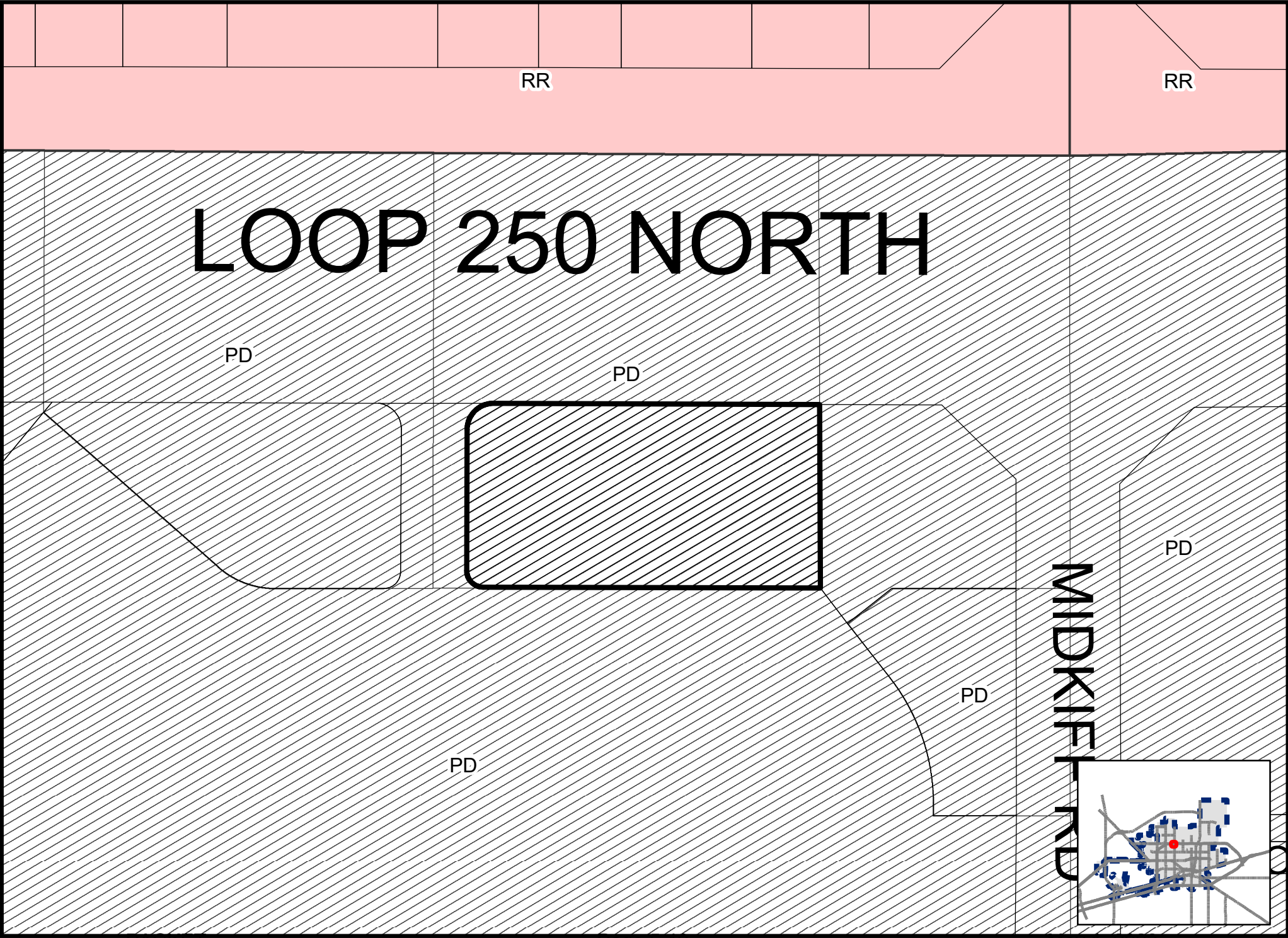
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Consider a request by Karen Rodriguez for a Specific Use Designation with Term for Alcoholic Beverages Sales for On-Premises Consumption in a restaurant on a 2,472-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas. (Generally located on the north side of West Longview Avenue, approximately 267-feet east of South Belmont Street. - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Karen Rodriguez, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption, in a restaurant.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north are zoned O-1, Office District, SF-1, Single-Family Dwelling District, SF-3, Single-Family Dwelling District, and the location of undeveloped property and residences. The property to the east is zoned PD, Planned Development District for a Shopping Center, and the location of a hotel. The property to the south (across Longview Avenue) is zoned PD, Planned Development District for a Shopping Center, and the location of retail. The properties to the west are zoned RR, Regional Retail District and the location of office and retail uses.

Analysis:

The subject property is zoned RR, Regional Retail District. The RR, Regional Retail District allows Alcoholic Beverages Sales for On-Premises Consumption with the approval of a Specific Use Designation. The restaurant is 2,472-square feet and the proposed alcohol serviceable area is 1,029-square feet. The site has adequate parking for a restaurant which requires 16 parking spots which are accounted for in a shared parking agreement for the shopping center.

The proposed hours of operation are:

**Monday through Friday from 7 a.m. to 2 a.m.
Saturday and Sunday from 8 a.m. to 2 a.m.**

The proposed hours of alcohol service are:

Monday through Sunday from 10 a.m. to 2 a.m.

Per Midland City Code Section 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, private schools, public schools, public school grounds, athletic stadiums, or public hospitals within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across the intersection where they occur within this site.

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

Fire: (Approved)

No objection to zone change request.

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 objections. [For the Applicant's information only.]

Building Code: (Approved)

The SUD for Gorditas Don Elver is acceptable. The property must adhere to the maximum occupant load of 68 for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

The request is in compliance with 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) Gorditas Don Elver is an establishment that promotes a positive environment where Midland residents can gather and socialize to build connections.

Staff recommends approval of the request of the Specific Use Designation with Term for Alcoholic Beverages Sale for On-Premises Consumption in a restaurant, subject to Condition A through E.

Conditions:

- A. That the alcohol serviceable area shall be limited to 1,029± 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:**

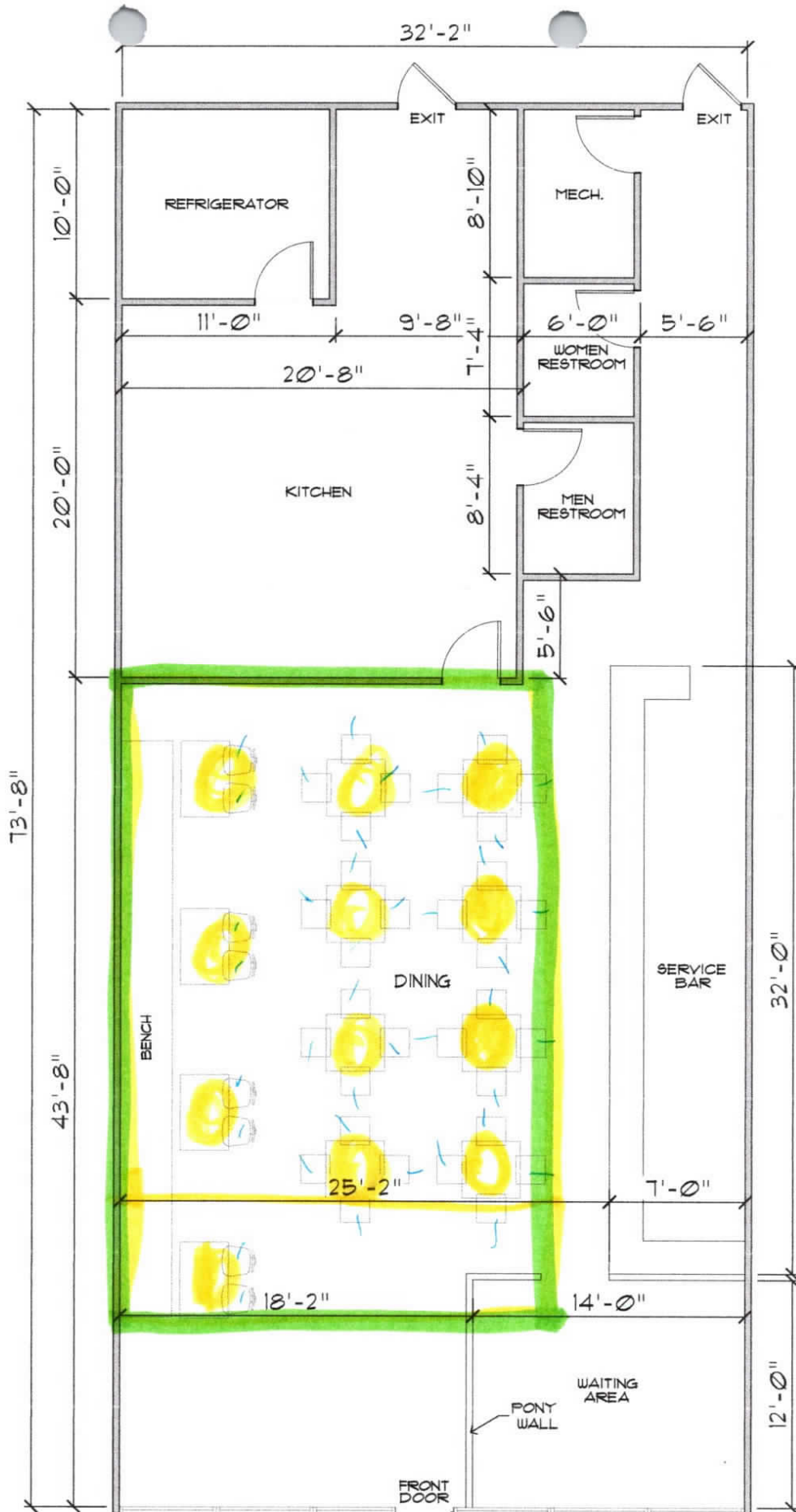
Monday through Sunday from 10:00 a.m. to 2:00 a.m.
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- D. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**

Letters of Objection:

As of April 26, 2023, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan
Maps



40 seats

GORDITAS DON ELVER

ALEX MARTINEZ. CELL: (254) 535-1931

210 W. LONGVIEW AVE. SUITE "G", MIDLAND, TEXAS 79701

FLOOR PLAN

TOTAL: 2,372 SQ. FT.
NOT TO SCALE



May 1, 2023



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

Project Number: 84D-23-0155
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Karen Rodriguez</u>		Phone (915) <u>841-9453</u> Email: <u>Gorditasdonelver@gmail.com</u>	
Address: <u>210 W. Longview ste 6</u>		City: <u>Midland</u>	State: <u>TX</u> Zip: <u>79701</u>
Property Owner Printed Name: <u>Longview Avenue LLC</u>		Phone (918) <u>928-3366</u> Email: <u>midlandcrossing@gmail.com</u>	
Address: <u>10213 S 88th East Ave.</u>		City: <u>Tulsa</u>	State: <u>OK</u> Zip: <u>74133</u>

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

Street Address: <u>210 W. Longview ste 6.</u>	
Business Name: <u>Gorditas Don Elver.</u>	
Legal Description Lot: <u>2B</u> Block: <u>52</u> Subdivision: <u>Belmont Addition</u> <u>Midland Crossing Shopping Center</u>	
Current Zoning: <u>Commercial RR</u>	
Reason for Request: <u>New building</u>	

Type of Business (restaurant, bar, lounge, nightclub, etc.): <u>Restaurant.</u>		
Proposed/Current Days and Hours of Operation: <u>MON-FRI 7am-2am SAT-SUN 8am-2am</u>		
Proposed Days and Hours of Alcohol Service: <u>MON-SUN 10am-2am</u>		
Total Square Footage of Business: <u>2472</u>		
Square Footage of Alcohol Serviceable Area: <u>1029.3 sqf.</u>		
Restroom Fixtures: Men	Toilets/Urinals: <u>1 /</u>	Bathroom Sinks: <u>1</u>
Women	Toilets: <u>1</u>	Bathroom Sinks: <u>1</u>

Submittal and Fees Items to be submitted with this application form:	
• Application Fee – Payable to the 'City of Midland' • Dimensioned Floor Plan showing: • Seati • Exits • Restr • Kitchen (if applicable) • Total Square Footage • Serviceable Square Footage • Dimensioned Site Plan showing: • Parking • Business Footprint	

PACKET

Signatures	
Applicant (signature): <u>Karen Rodriguez</u>	Date: <u>3-22-23</u>
Applicant (printed): <u>Karen Rodriguez</u>	
Property Owner (signature):	Date:
Property Owner (printed):	
<i>The Specific Use Designation with Term for the sale of all alcoholic beverages 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>	

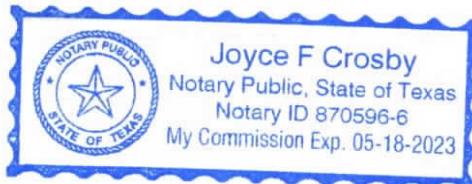
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Karen Rodriguez 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.

Karen Rodriguez
Authorized Agent (signature)

Subscribed and sworn to before me, this 30 day of MARCH, 2023, to certify which witness my hand and seal of office.



Joyce F Crosby
NOTARY PUBLIC, MIDLAND COUNTY, TEXA

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

RECEIVED
MAR 30 2023

BY:

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: 3-27-23

Applicant (printed):

Karen Rodriguez

Property Owner (signature):

Kiran

Date: 3/28/23

Property Owner (printed):

KIRAN DONNAN

The Specific Use Designation on this form is for informational purposes only. It does not constitute a commitment by the City of Midland to approve any application for a specific use. The City of Midland reserves the right to change the designations at any time without notice. The City of Midland is not responsible for the accuracy of the information provided on this form. The City of Midland is not responsible for the accuracy of the information provided on this form.

Applicants must submit a signed and sealed application packet to the City of Midland, 1000 N. Midland Blvd., Midland, TX 79701.

If an agent is authorized by the property owner to file and execute applications 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 _____ 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.

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 # 1280

☐ Plans in Digital Format (PDF/JPEG)

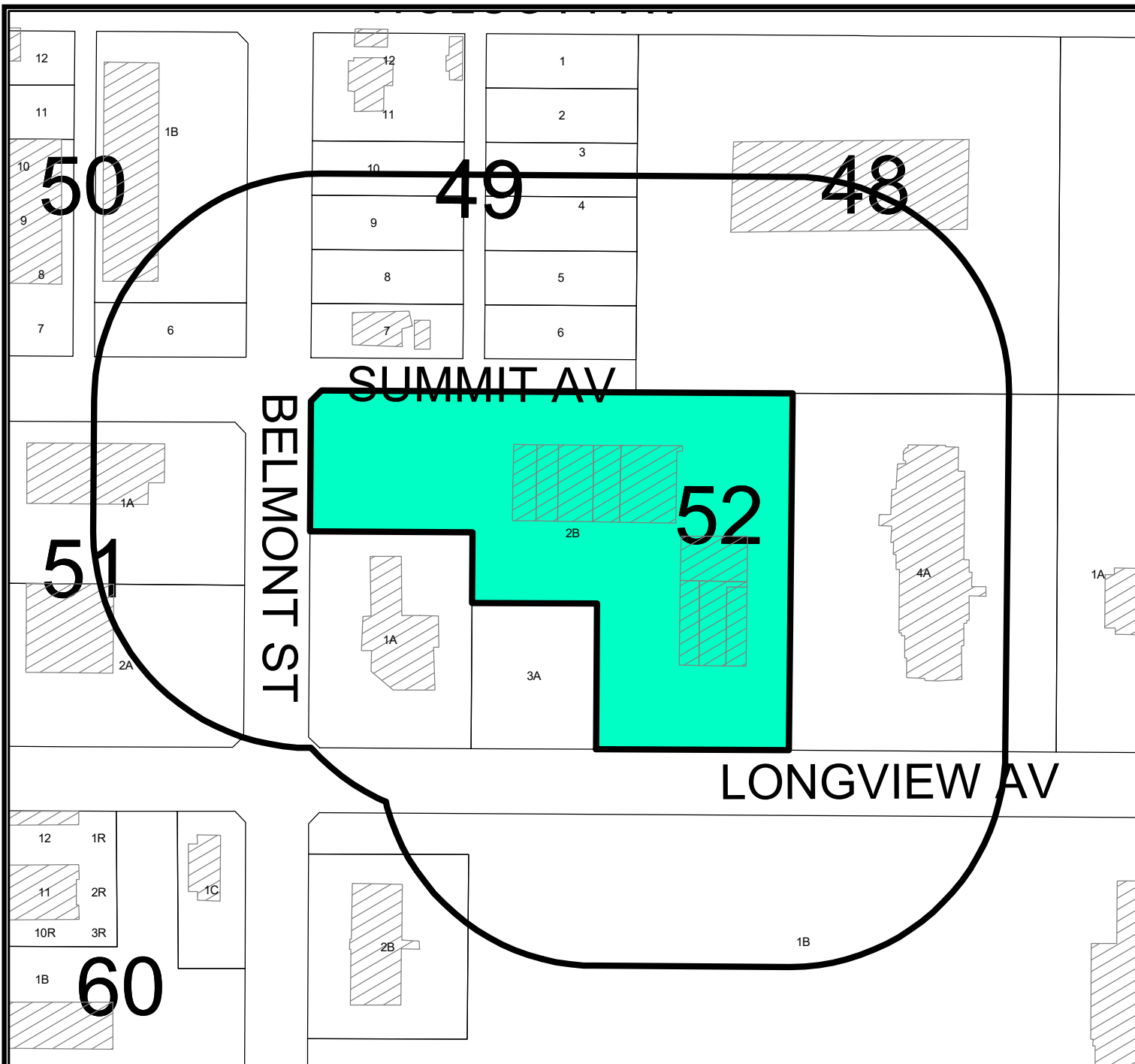
Received By: *DS*

Date:

RECEIVED
MAR 30 2023

BY:

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



LOCATION MAP

SUB-23-0155

Scale: 1" = 200'

Consider a request by Karen Rodriguez for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for On-Premises Consumption in a restaurant on a 2,472-square foot portion of Lot 2B, Block 52, Belmont Addition, Section 21, City and County of Midland, Texas.

Generally located on the north side of West Longview Avenue, approximately 267-feet east of South Belmont Street. - (Council District 2) Page 6.55

LEGEND

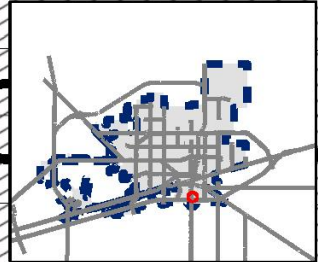
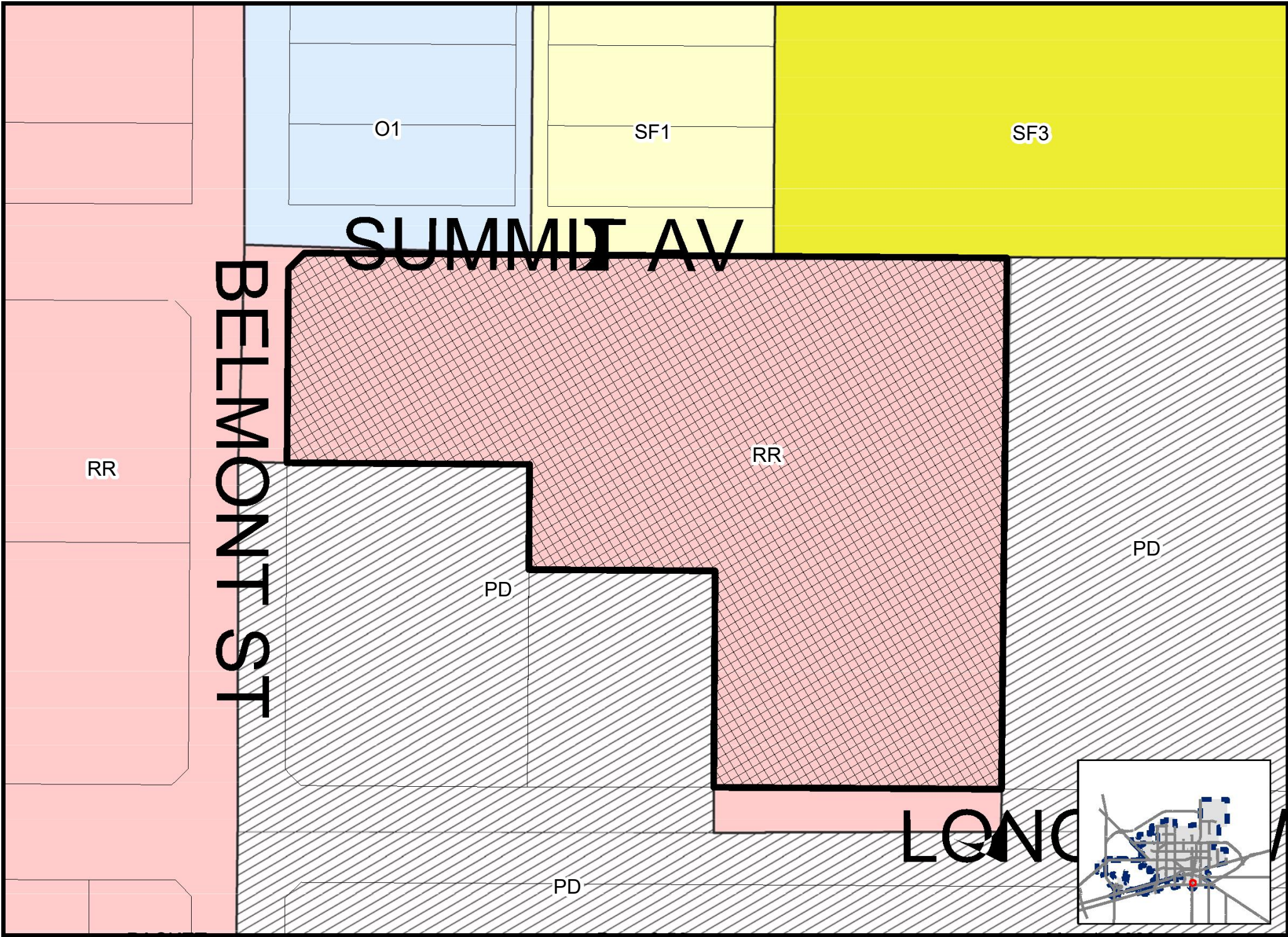
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May 1, 2023













Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions for a proposed Preliminary Plat of West End Addition, Section 29, being a Replat of Lots 5, 6, and the west 5-feet of Lot 7, Block 126, West End Addition, City and County of Midland, Texas. (Generally located on the northeast corner of West Front Street and South K Street. – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Maverick Engineering, is requesting to Replat Lots 5, 6, and the west 5-feet of Lot 7, Block 126, West End Addition, City and County of Midland, Texas.

Current Zoning:

C, Commercial District.

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

BUILDING CODE: (Approved)

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

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

ROW: TxDOT review requested. [For the Applicant's information only.]

PAVING: K roadway okay as is. Frontage of W Front St. is TxDOT facility, built and maintained by TxDOT, no improvements required. [For the Applicant's information only.]

WATER: 6" water exists in alley North of tract, okay as is. No public water improvements required. [For the Applicant's information only.]

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

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

SEWER: 6" sewer exists in alley North of tract, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

DRAINAGE: No Drainage Report required at this time. The existing site is developed; if proposing to re-develop site drainage can be reviewed with building permit. [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.]

FIRE: (Approved)

Future development shall meet IFC 2015 and local ordinances.

CODE COMPLIANCE: (Approved)

No Oil and Gas Issues.

GIS: (Approved)

Block number should be shared by both lots.

PLANNING:

Buildings cannot encroach on lot lines. Remove the metal building prior to the plat being finalized. [Informational]

Provide 20 ft x 20 ft intersection corner clips at property corners adjacent to all public street intersections. [Reference City Code Section 11-2-5(C)3(k).]

The Midland Central Appraisal District shows only Lazy J. Holdings as the owner. Provide proof of ownership for Rachel and Andrew Chandler if you are to include him/her under the 'Owner's Certificate.' [Informational]

Staff recommends approval of the Preliminary Plat of West End Addition, Section 29 subject to condition A.

Conditions:

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

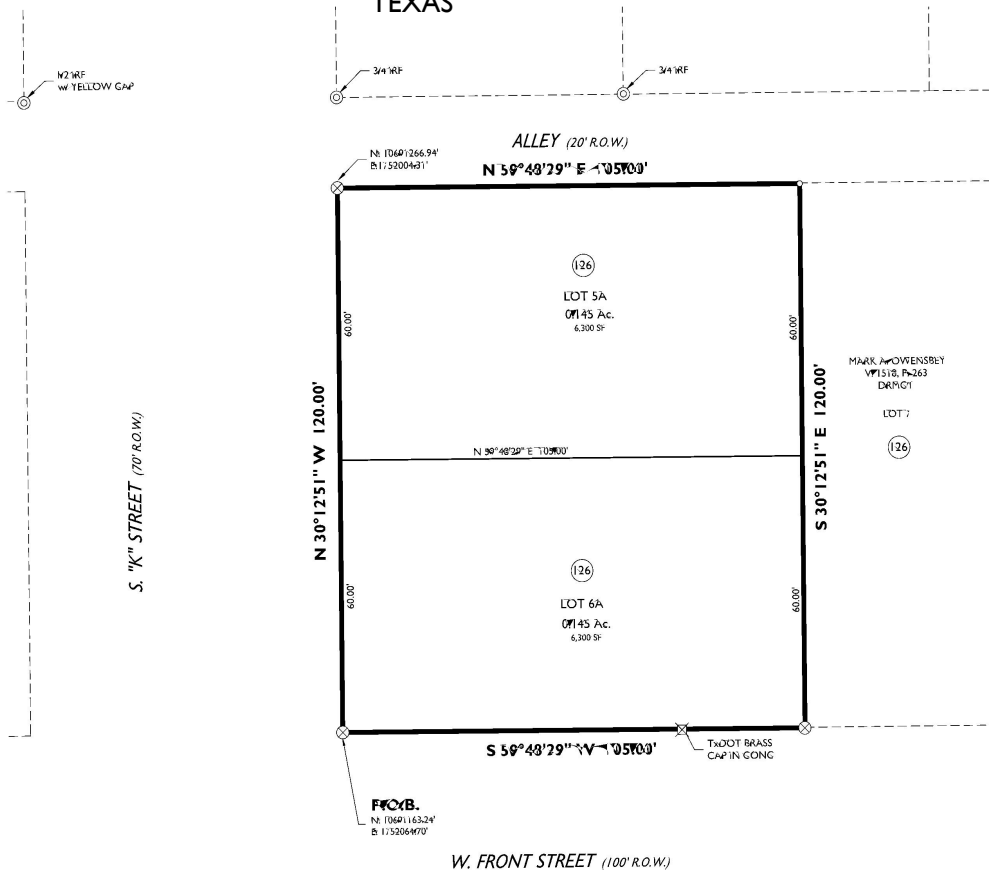
Attachments:

Proposed Plat
Application
Maps

PRELIMINARY
PLAT
WEST END ADDITION, SECTION

BEING A RE-PLAT OF LOTS 5, 6, AND THE WEST 5-FEET OF LOT 7,
BLOCK 126,

WEST END ADDITION, CITY OF MIDLAND,
TEXAS



LEGEND

- ⊗ BENCH MARK
- ⊙ FOUND MONUMENT AS NOTED
- ⊕ CHISELED "X" IN CONCRETE
- CALCULATED CORNER
- BOUNDARY LINE
- - - PROPERTY LINES
- P.R.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- P.R.M.C.T. PLAT RECORDS, MIDLAND CO., TX
- D.R.M.C.T. DEED RECORDS, MIDLAND CO., TX

PROPERTY OWNER

RACHEL & ANDREW CHANDLER
2001 SHELL AVE.
MIDLAND, TX 79705
DEED INSTRUMENT #2022-35023
O.P.R.M.C.T.

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

DATE _____ PAGE _____ Page 7.64

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 PRECISE SURVEY OF THE
SUBDIVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATION ACT, MIDLAND, TEXAS,
AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY LOCATED UNDER
PERSONAL

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

GREGORY W. SHOULTS RPLSH5356
MAVERICK ENGINEERING, P.C.
1909 W. WALL STREET, SUITE 100
MIDLAND, TX 79701

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS RACHEL AND ANDREW CHANDLER, IS THE RECORD OWNER OF A TRACT OF LAND
SITUATED IN
SECTION 34, BLOCK 39, T-1-S, T&P RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.
NOW, THEREFORE, KNOW ALL MEN BY THESE
PRESENTS:
THAT RACHEL AND ANDREW CHANDLER, BEING THE OWNER OF THE LAND SHOWN ON THIS
PLAT
DESIGNATED AS WEST END ADDITION, SECTION 29, AN ADDITION TO THE CITY OF MIDLAND,
MIDLAND
COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE
PUBLIC USE
FOREVER 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 AND CONDITION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO,
AND
SUBJECT TO THE 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 THE CITY OF MIDLAND.

BY: RACHEL CHANDLER

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 RACHEL AND ANDREW CHANDLER, 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

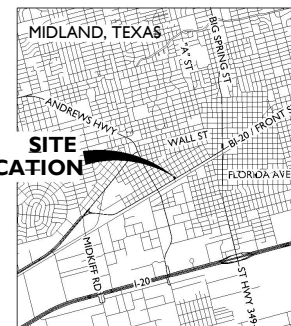
NOTARY PUBLIC IN AND FOR THE STATE OF
TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WEST END ADDITION, SECTION 29,
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



VICINITY MAP

N.T.S.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE
#48329C0202F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE
UNSHADED
PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE
0.2%
ANNUAL FLOOD FLOODPLAIN". THESE NOTES DO NOT IMPLY THAT THE PROPERTY AND/OR THE
STRUCTURES
THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS,
GREATER
FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-
MADE OR
NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF
MAVERICK
CIVIL & SURVEY, LLC.

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
WITH-HOLDING OF
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:
(1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE
LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE
USE
4. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING
PROCESS.
IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING
THE
BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY
NOT
BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS
TO BE
DEVELOPED ON THE TRACT INCREASED.

SURVEY NOTES:

1. BASIS OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT
CONICAL
PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL
ZONE,
NAD 83, U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (theta) OF -0°54'16.00"
2. THE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF
MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.



MAVERICK
CIVIL ENGINEERING / LAND
SURVEYING

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

**WEST END
ADDITION**

29



Preliminary Plat Application

Project Number: Sub-23-0611
Case Number: P-23-1590

Proposed Subdivision Plat Name: West End Addition, Section 29

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 5, 6, and the West 5-Feet of Lot 7, Block 126, West End Addition, City of Midland, Midland County, Texas

Property Owner Printed Name: <u>Rachel and Andrew Chandler</u>		Phone: (432) 262-0999 Email	
Address <u>2001 Shell Ave</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

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: <u>Maverick Engineering</u> Printed Name: <u>Paladin Huckaba</u>		Phone (432) 262-0999 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>

Current Zoning: C

Reason for Platting: ownership purposes

Plat Information	Total Acreage: <u>0.29</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>2</u>	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.

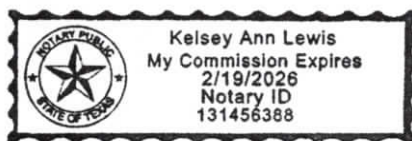
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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 Rachel and Andrew Chandler 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 5th day of April, 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)

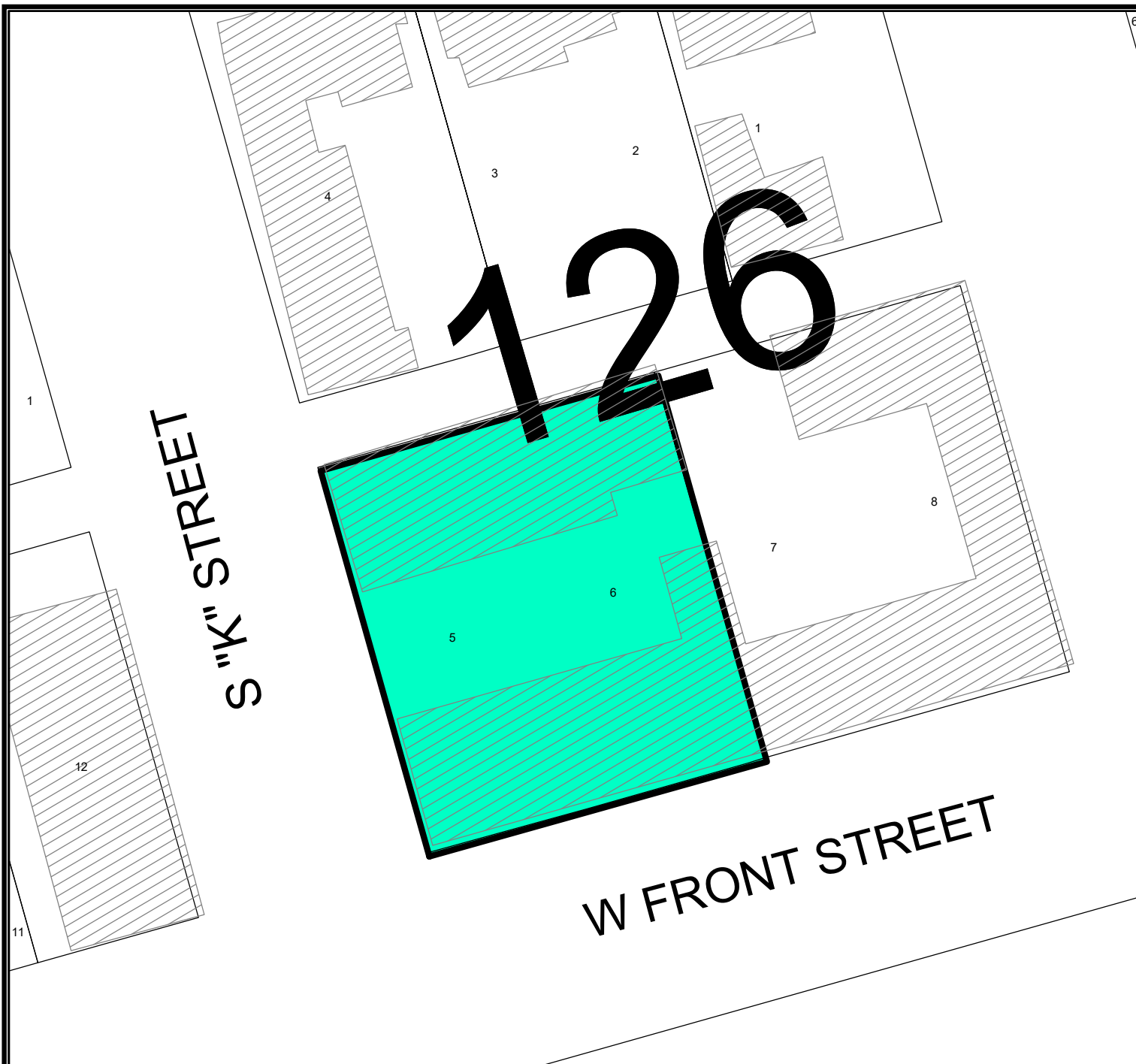
Check # 4107

RECEIVED
APR 05 2023

Received By: Alexandra Walling

Date: April 5, 23 AW

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



LOCATION MAP

SUB-23-0611

Scale: 1" = 200'

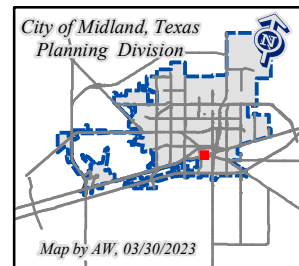
Proposed plat of West End Addition, Section 29, being a Replat of Lots 5, 6, and the west 5-feet of Lot 7, Block 126, West End Addition, City and County of Midland, Texas.

Generally located on the northeast corner of West Front Street and South "K" Street. – (Council District 3)

PACKET

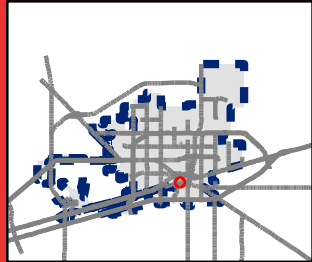
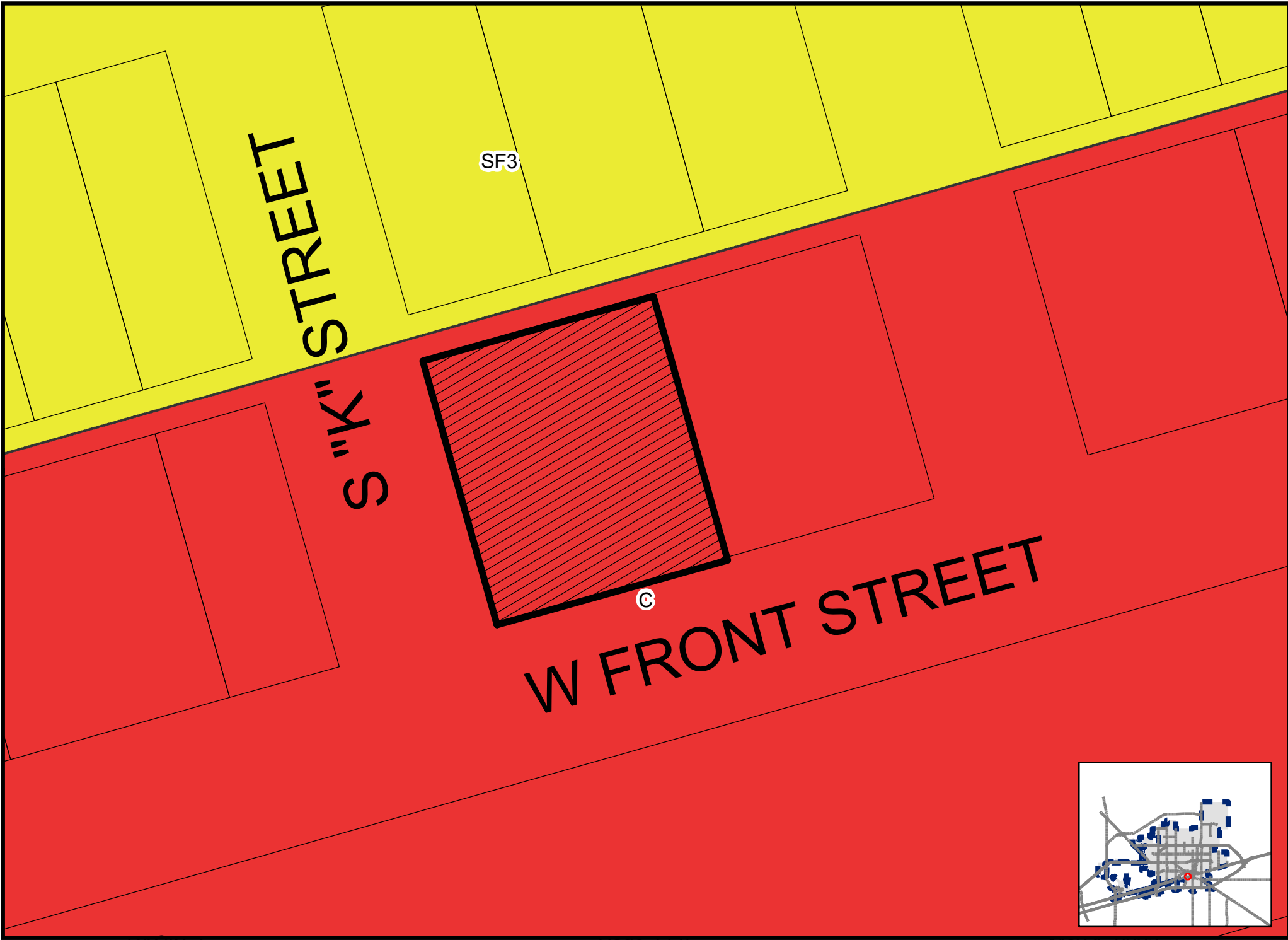
LEGEND

- 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: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Vines Addition, Section 2, being a 1.50-acre tract of land out of the northwest quarter of Section 11, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Rankin Highway, approximately 1,290-feet south of Interstate 20. – Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Engineering, is requesting to plat a 1.50-acre tract of land out of the northwest quarter of Section 11, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, to obtain a septic permit.

Current Zoning:

LI, Light Industrial District.

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

BUILDING CODE: (Approved)

No objections. All septic systems are permitted and regulated by the City of Midland Health Department.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with conditions)

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

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

PAVING: Rankin Highway Road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 8" Waterline exists along frontage of Rankin HWY. 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, or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)1 & 11-2-4(A)2(a)]

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit. FEMA Firm data to be on plat face. [Reference Midland City Code 11-2-3(D)8]

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

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

DIMENSION: * * *

OTHER: FEMA Firm data to be on plat face

TRANSPORTATION: (Approved with conditions)

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

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

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

FIRE: (Approved)

No comments.

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)

Block 1, Lot 1 is taken. Lot should be 2.

Street west of plat needn't include address, only the street name.

PLANNING:

Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit. FEMA Firm data to be on plat face. [Reference Midland City Code 11-2-3(D)8]

Construct wastewater to City standards along entire platted frontage, or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)1 & 11-2-4(A)2(a)]

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

Change Secretary name to Jeff Fisher on plat face. [Informational]

Title Opinion is required at the Final Plat stage. [Informational]

Staff recommends approval of the Preliminary Plat of Vines Addition, Section 2, subject to condition A.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number: Sub-23-2582
Case Number: _____

Proposed Subdivision Plat Name: Vines Addition, Section 2

Legal Description (attached sealed Metes and Bounds): BEING A 1.50-ACRE TRACT OF LAND OUT OF THE NORTHWEST QUARTER OF SECTION 11, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner Printed Name: <u>COVEBOUND INVESTMENTS, LLC</u>		Phone () Email	
Address <u>415 W. WALL STREET, SUITE 326,</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Schumann Engineering Co., Inc.</u> Printed Name: <u>Eduardo L. Aleman</u>		Phone (<u>432</u>) <u>684-5548</u> Email <u>ealeman@schumannonline.net</u>	
Address <u>800 N. Marienfeld Suite 100</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning: LI

Reason for Platting: Obtain Septic Permits

Plat Information	Total Acreage: <u>1.50</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>1</u>	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: 4-5-23

Property Owner (printed): Nick Hannah

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is the owner of Nick Hannah or 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.

Eduardo J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 5th day of April, 20 23 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 # card \$350

Received By:

Alexandra Walling

Date:

RECEIVED
APR 05 2023

BY: AW

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

3 2
10 11

NW CORNER OF SECTION 11,
BLOCK 39, T-2-S,
T&P RR CO SURVEY
MIDLAND COUNTY, TEXAS

P.O.B.
RPLS 4413
GRID N:10684078.23
E:1757194.55
N31.9686
W102.0714

YADON
ADDITION
LOT 1
BLOCK 1

N75°31'30"E 334.47'

REINFORCING BAR FOUND

S75°31'30"W 105.00'

BUSINESS SIGN

2813 RANKIN HIGHWAY

N14°38'42"W 195.03'

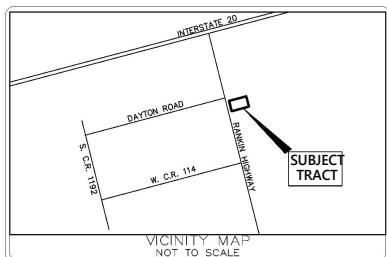
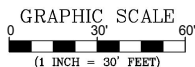
LOT 1, BLOCK 1
1.498 ACRES

REINFORCING BAR FOUND

S75°30'55"W 334.73'

VINES ADDITION
LOT 1
BLOCK 1

R5378
VINES TROY
INC



NOTES:

- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- 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 INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR.
- ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILT, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: ONCOR ELECTRIC DELIVER COMPANY

SIGNED: AT&T TEXAS

SIGNED: ATMOS ENERGY

SIGNED: OPTIMUM COMMUNICATIONS

SIGNED: ASTOUND COMMUNICATIONS

PACKET

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- SECTION LINE
- UTILITY EASEMENT
- FENCE LINE
- OVERHEAD ELECTRIC
- UTILITY POLE
- LIGHT POLE
- ELECTRIC METER
- FIRE HYDRANT
- CLEAN OUT
- MONITORING WELL

OWNER(S): COVEBOUND INVESTMENTS, LLC
415 W. WALL STREET,
SUITE 326,
MIDLAND, TEXAS 79701
nick@shoplease.com

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.

"PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT".

RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY
1	12/12/2022	PRELIMINARY SKETCH	JG
CHECKED BY: ED/RJ			
PROJECT NO.: 79051			
JOB NO.: 79,051			
SHEET: 1 OF 1			

VINES ADDITION SECTION 2

BEING A 1.50-ACRE TRACT OF LAND OUT OF THE NORTHWEST
QUARTER OF SECTION 11, BLOCK 39, T-2-S, T&P RR CO.
SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE NORTHWEST PART OF SECTION 11, BLOCK 39, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON:

BEING A PLAT OF A 1.50 ACRE TRACT OF LAND, OUT OF THE NORTHWEST PART OF SECTION 11, BLOCK 39, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 1.50 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINFORCING BAR FOUND (N:10684078.23, E:1757194.55) MARKED "RPLS 4413" IN THE EAST RIGHT OF WAY OF RANKIN HIGHWAY FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 11 BEARS SOUTH 75°31'30" WEST 105.00 FEET AND NORTH 14°38'42" WEST 924.00 FEET;

THENCE NORTH 75°31'30" EAST 334.47 FEET TO A REINFORCING BAR FOUND FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°43'17" EAST 194.97 FEET TO A REINFORCING BAR FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°30'55" WEST 334.73 FEET TO A REINFORCING BAR FOUND IN SAID EAST RIGHT OF WAY FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°38'42" WEST, ALONG SAID EAST RIGHT OF WAY, 195.03 FEET TO THE PLACE OF BEGINNING.

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS VINES ADDITION AN ADDITION OF 1.50 ACRES IN MIDLAND COUNTY, TEXAS, 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 ____, 2023.

PINNACLE PROPANE DIRECT LLC,

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF ____, 2023, PINNACLE PROPANE DIRECT LLC

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SUBDIVISION NAME 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 SISENEGA

ATTEST: SECRETARY ELIZABETH SHAUGHNESSY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. ____ CABINET ____
DATE ____ PAGE ____

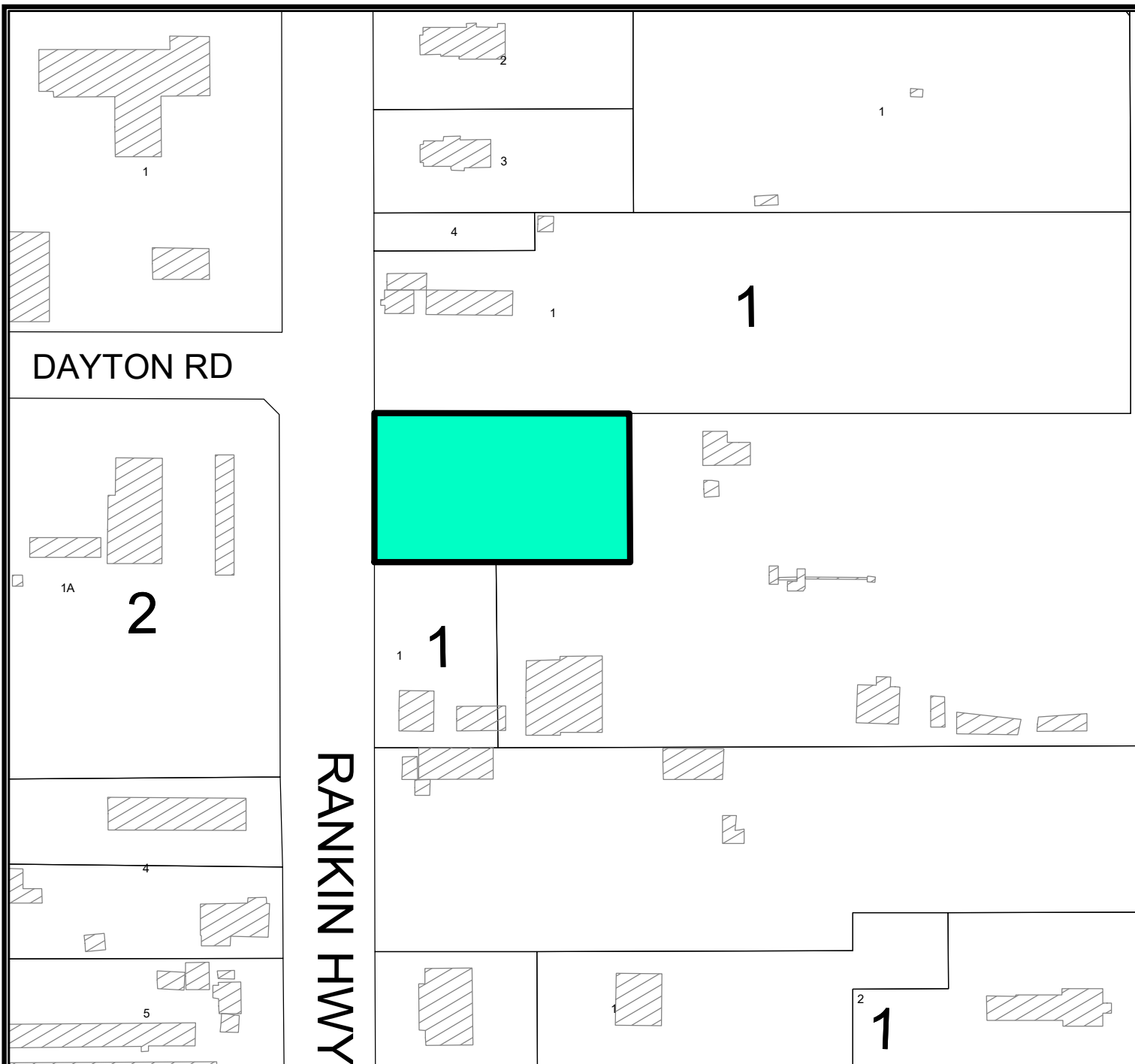


SCHUMANN
A LATERAL LAND COMPANY

10140600

800 N. MARSHFIELD STREET
SUITE 100
MIDLAND, TEXAS 79701

Office (432) 684-5548



LOCATION MAP

SUB-23-0582

Scale: 1" = 200'

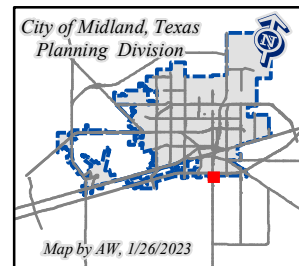
Proposed plat of Vines Addition, Section 2, being a 1.50-acre tract of land out of the northwest quarter of Section 11, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the east side of Rankin Highway, approximately 1,290-feet south of Interstate 20. – (Council District 2)

PACKET

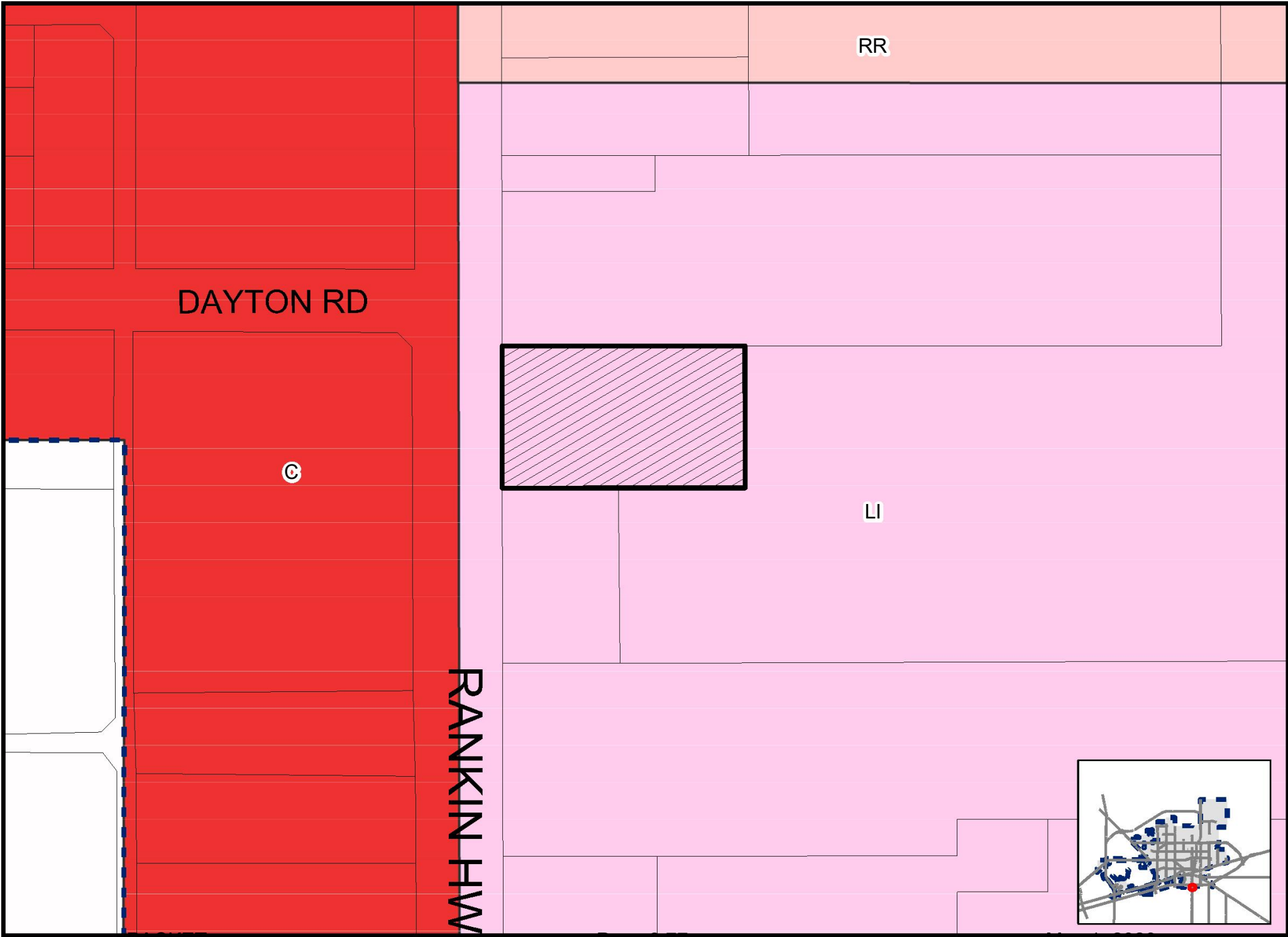
LEGEND

- 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.



PACKET

Page 8.77

May 1, 2023





Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommended conditions for a proposed Preliminary plat of Vaquero Addition, Section 3, being an 18.88-acre tract of land out of the northwest quarter of Section 35, Block 38, T-1-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the north side of County Road 73, approximately 735-feet east of County Road 1130. - Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Schumann Engineering, is requesting to replat an 18.88-acre tract of land out of the northwest quarter of Section 35, Block 38, T-1-S, T&P RR Co. survey, County of Midland, Texas, to obtain a septic permit.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction. All septic systems are permitted and regulated by the City of Midland Health Department.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Plat outside designated service areas. [For Applicant's Information Only.]

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

PAVING: East County Road 73 is private road. No frontage along Public ROW. [For the Applicant's information only.]

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

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

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

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

DRAINAGE: Drainage report was received and in review. [For the Applicant's information only.]

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

SIDEWALKS: Required at 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.]

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

Block and Lot number should be on plat visual. Block is 2 and Lot is 1. There is an access easement in the area, and Vaquero shows that E County Road 73 roadway is a private roadway dedication. It should be denoted whether this is a dedication, easement, or both. Record of ownership for road/easement should be depicted.

Midland County Public Works:

Add the private road comment (Sct 1.17) from our regulations since ECR 73 is a private road:

NOTE: All private roads will be signed in a manner that indicates its' private status. MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.

Health Department:

Yes, the health department will review application from the 1 proposed lot of Vaquero Addition Section 3, PLAT OF A 18.8 ACRE TRACT OF LAND OUT OF THE NORTHWEST/4 OF SECTION 35, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY the lot is 18.8 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

PLANNING: (Approved with Conditions)

This plat needs to be labeled as a preliminary plat.

Remove the period in the word "Block" in the legal description.

Change the Secretary's name. It should be Jeff Fisher.

For the property owner's signature, put the name of the person who is authorized to sign.

Provide a title opinion confirming that they are authorized to sign.

Add the private road comment (Sct 1.17) from Midland County regulations since ECR 73 is a private road.

Label E. County Road 73 as a private road dedication and access easement, with ownership of road/easement depicted.

Staff recommends approval of the preliminary plat of Vaquero Addition, Section 3, subject to condition A.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number

SUB-23-0579

Case Number:

P-23-1595

Proposed Subdivision Plat Name: Vaquero Addition Section 3

Legal Description (attached sealed Metes and Bounds): BEING AN 18.88 ACRE TRACT OF LAND OUT OF THE NORTHWEST QUARTER OF SECTION 35, B.LOCK 38, T-1-S, T&P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS

Property Owner

Printed Name: Vaquero Leasing LLC

Phone 432-644-1229

Email

Address 3500 N CR 1130

City Midland

State TX

Zip 79705

Developer (if different than Owner) Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Schumann Engineering Co., Inc.

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548

Email

ealeman@schumannonline.net

Address 800 N. Marienfeld Suite 100

City Midland

State TX

Zip 79701

Current Zoning:

Reason for Platting: To obtain septic permits

Plat Information

Total Acreage: 18.88

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Date: 4/5/2023

Property Owner (printed):

Robert Dominguez

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 Robert Dominguez 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 _____ day of _____, 20 __, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # CC

Received By: London Ochoa

Date: **BY:**

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

Preliminary Plat Application

2

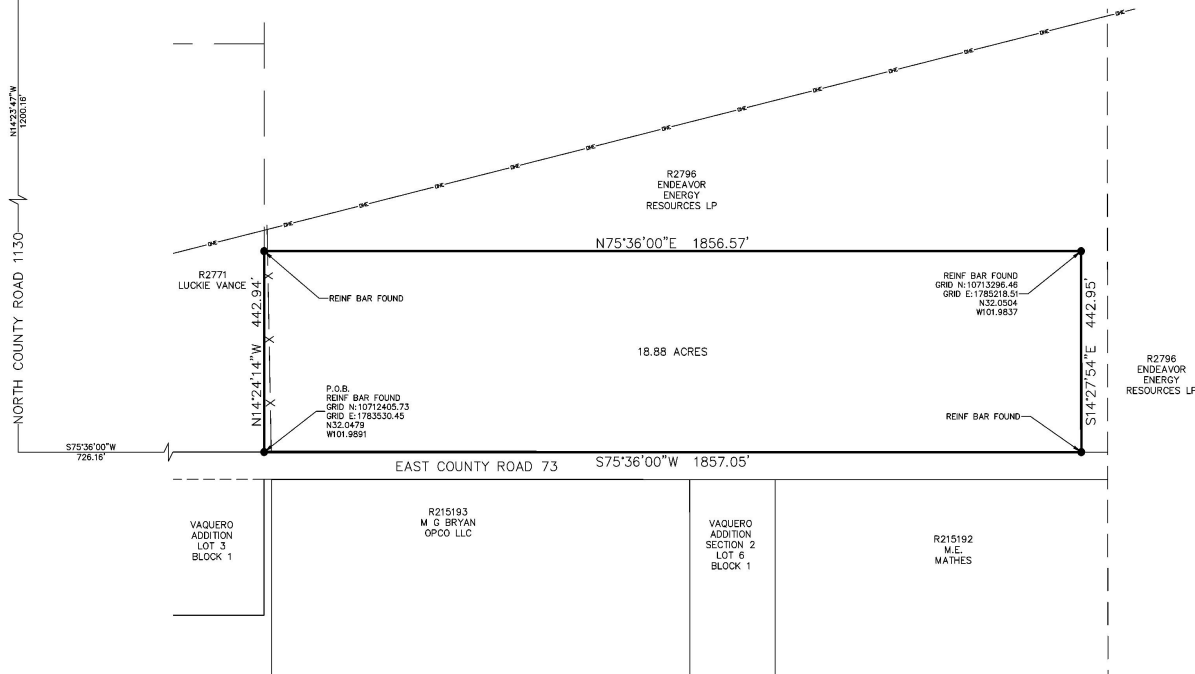
Revised 07/01/19

PACKET

Page 9.83

May 1, 2023

27 26
34 35
SW CORNER OF SECTION 35,
BLOCK 38, T-1-S,
T&P RR CO SURVEY
MIDLAND COUNTY, TEXAS



VAQUERO ADDITION SECTION 3

BEING AN 18.88 ACRE TRACT OF LAND OUT OF THE
NORTHWEST QUARTER OF SECTION 35, BLOCK 38, T-1-S,
T&P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE SOUTHEAST PART OF SECTION 35, BLOCK 38, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

BEING A PLAT OF A 18.88 ACRE TRACT OF LAND, OUT OF THE NORTHWEST PART OF SECTION 35, BLOCK 38, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 18.88 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINFORCED BAR FOUND (N:10712405.73, E:1783530.45) IN THE NORTH RIGHT OF WAY OF EAST COUNTY ROAD 73 FOR THE SOUTHWEST CORNER OF THIS TRACT, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 35 BEARS SOUTH 75°36'00\"/>

THENCE NORTH 14°24'14\"/>

THENCE NORTH 75°36'00\"/>

THENCE SOUTH 14°27'54\"/>

THENCE SOUTH 75°36'00\"/>

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS VAQUERO ADDITION, SECTION 3, AN ADDITION OF 18.88 ACRES IN MIDLAND COUNTY, TEXAS, 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 ____, 2023.

VAQUERO LEASING LLC,

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF ____, 2023, BY VAQUERO LEASING LLC

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SUBDIVISION NAME 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 SISNEGA

ATTEST: SECRETARY ELIZABETH SHAUGHNESSY

OWNER(S):

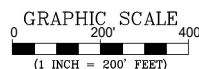
VAQUERO LEASING LLC
3500 N. COUNTY ROAD 1130
MIDLAND, TEXAS 79705
432-644-1229

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.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. ____ CABINET ____

DATE ____ PAGE ____



RJ DAUM
TEXAS RPLS 4826

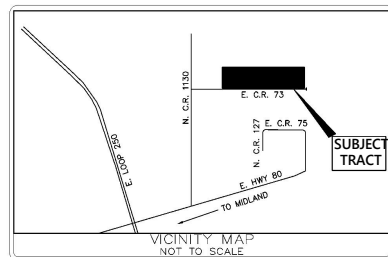
NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	12/14/2022	PRELIMINARY SKETCH	JG	JG	12/14/2022
				CHECKED BY: ED/RJ	PROJECT NO.: 76192
				JOB NO.: 79,059	SHEET: 1 OF 1



SCHUMANN
A LATERAL LAND COMPANY
10140600
800 N. MARSHFIELD STREET
SUITE 100
MIDLAND, TEXAS 79701
Office (432) 684-3548

May 1, 2023

VAQUERO ADDITION SECTION 3



NOTES:

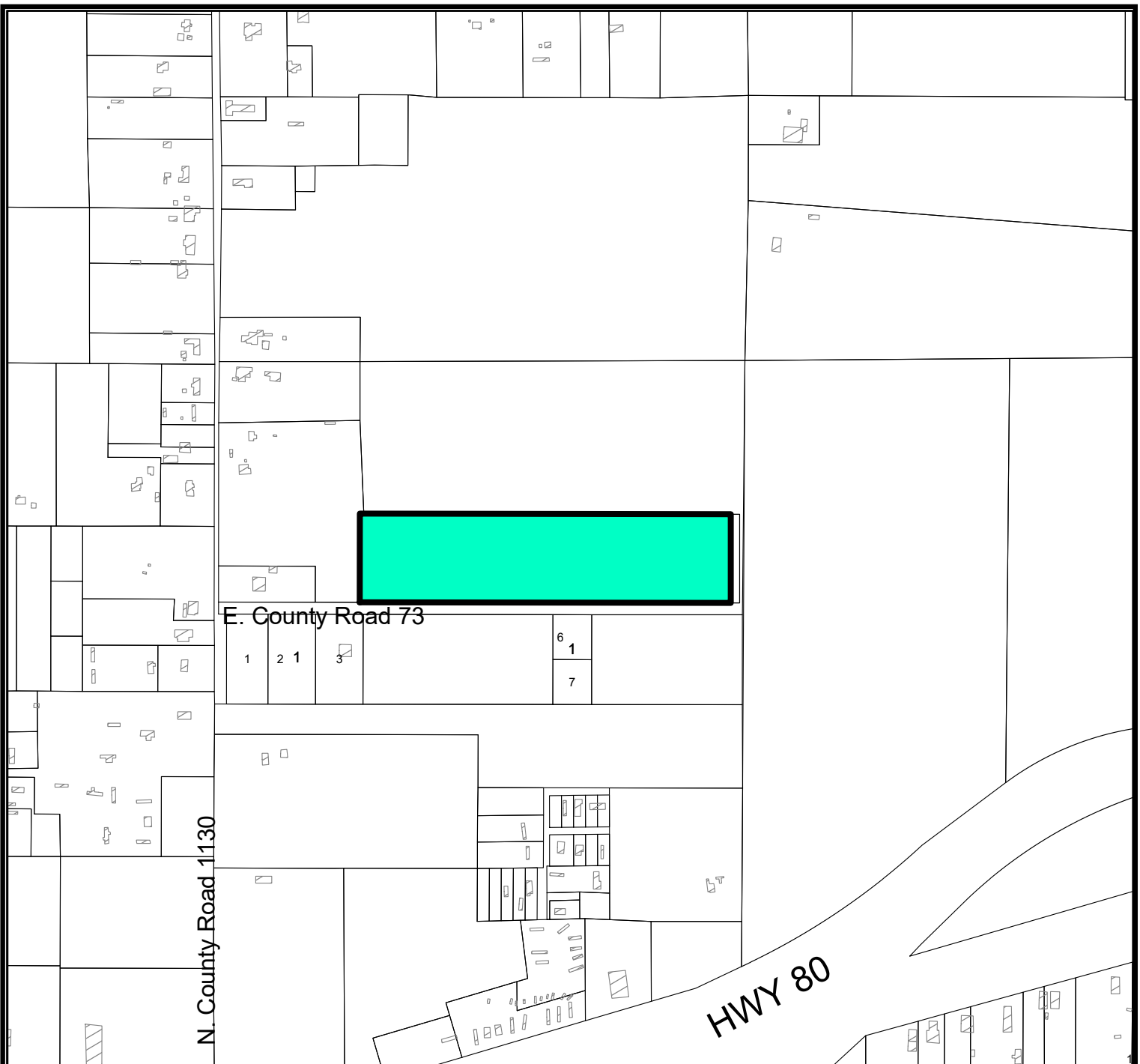
1. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
3. SELLING 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.
4. 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.
5. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
6. REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR.
7. ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: ONCOR ELECTRIC DELIVER COMPANY

SIGNED: AT&T TEXAS

PACKET



LOCATION MAP

SUB-23-0579

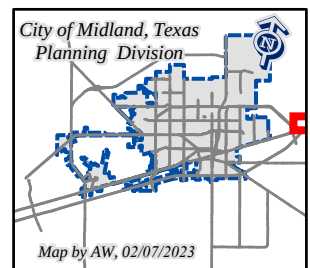
Scale: 1" = 200'

Proposed plat of Vaquero Addition, Section 3, being an 18.88-acre tract of land out of the northwest quarter of Section 35, Block 38, T-1-S, T&P RR Co. survey, City and County of Midland, Texas.

Generally located on the north side of E. County Road 73, approximately 732-feet east of N. County Road 1130 – (Extraterritorial District)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning
Commission

Approved for
Agenda:
Jeffrey Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Front Street/Discount RV Acres, being a Plat of a 5.697-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, City and County of Midland, Texas, and a 16.153-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of South Fairgrounds Road and East Front Street. - Council District 2 and Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, HPF Consultants, is requesting a 5.697-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, City and County of Midland, Texas, and a 16.153-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, Midland County, Texas for future development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction, and LI, Light Industrial 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, oil and gas considerations, 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)

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

ROW: TxDOT review requested. Label all ROW widths on plat face. [For Applicant's Information Only.]

PAVING: BI-20 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required.

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

WATER: Deferral received and in review. [[For the Applicant's information only.]

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

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

SEWER:. Deferral received and in review. [[For the Applicant's information only.]

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

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

SIDEWALKS: Required with building permit. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DIMENSION: * * *

OTHER: See transportation's comments.

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

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

DRAINAGE: Drainage report required during preliminary stage of the platting process.
[For the Applicant's information only.]

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

SIDEWALKS: Required with building permit. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DIMENSION: * * *

OTHER: See transportation's comments.

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 with Conditions)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances. The facility will have an approved access road of asphalt, concrete, or other approved surface capable of supporting a load of at least 75,000 pounds.

CODE COMPLIANCE: (Approved)

Part of this plat is in the City Limits. Concerning the part in the City Limits. 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 well would need to be identified.

GIS: (Approved)

Calls should be added to separate portion of plat within city limits from portion outside city limits. Surrounding properties should not say "grantee." ROW dedication should be included in plat metes and bounds. ROW dedication should not be full 75', a portion of the road is already dedicated. If ROW has already been dedicated, the recorded information should be referenced.

COUNTY: (Approved with Conditions)

Ensure drainage coordination. Change signatures for City personnel. Floodplain permits prior to anything being built or changed within the floodplain.

PLANNING: (Approved with Conditions)

Legal description should read: "Being a Plat of a 5.697-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, City and County of Midland, Texas, and a 16.153-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, Midland County, Texas."

Update all dates to 2023.

"Lucy Sisniega" should be written as the chairman under the "Certificate of Approval."

"Elizabeth Shaughnessy" changed to "Jeffrey Fisher" as the Secretary under the "Certificate of Approval."

Suddenlink Communication now goes by Optimum. Please reflect said change on the plat face.

Consider changing the plat name at Final Plat Stage to remove the "/" and use a "-" or rename.

Staff recommends approval with staff's recommended conditions of the Preliminary Plat of Front Street/Discount RV Acres, subject to condition A:

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT
BEING A PLAT OF 21.88 ACRES OF LAND SITUATED IN
SECTIONS 25 AND 36, BLOCK 39, T-1-S, T.&P. RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS



AREA MAP
NOT TO SCALE

May 1, 2023

PACKET



Preliminary Plat Application

Project Number:

840-22-0544

Case Number:

P-23-1593

Proposed Subdivision Plat Name: FRONT STREET/DISCOUNT RV ACRES**Legal Description (attached sealed Metes and Bounds):** 20.46 ACRES, SECTIONS 25 & 26, BLOCK 39
T-1-S, T.&P.R.R. CO. SURVEY, MIDLAND COUNTY, TEXAS**Property Owner**

Printed Name:

DAVID POSTAR

Phone 432-235-8111

Email

Address 5625 CR 7410

City LUBBOCK

State TX

Zip 79424

Developer (if different than Owner)

Printed Name: SAME

Phone 432-235-8111

Email

Address

City

State

Zip

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

Firm: HPF CONSULTANTS

Printed Name: MARCUS HOSTAS

Phone 432-235-8111

Email MARCUS.HOSTAS@HPFC
CONSULTANTS.COM

Address 3106 N. Big Spring Street

City Midland

State TX

Zip 79705

Current Zoning:**Reason for Platting:** NEW CONSTRUCTION, RV STORAGE AND FACILITIES**Plat Information**

Total Acreage: 20.46

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

Number of Lots: 1

Number of Multi-family Dwelling Units:

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

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

Request for a Development 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: 10-10-2022

Property Owner (printed): DAVID POSTAR

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # _____

BY: _____

Received By: James Reber

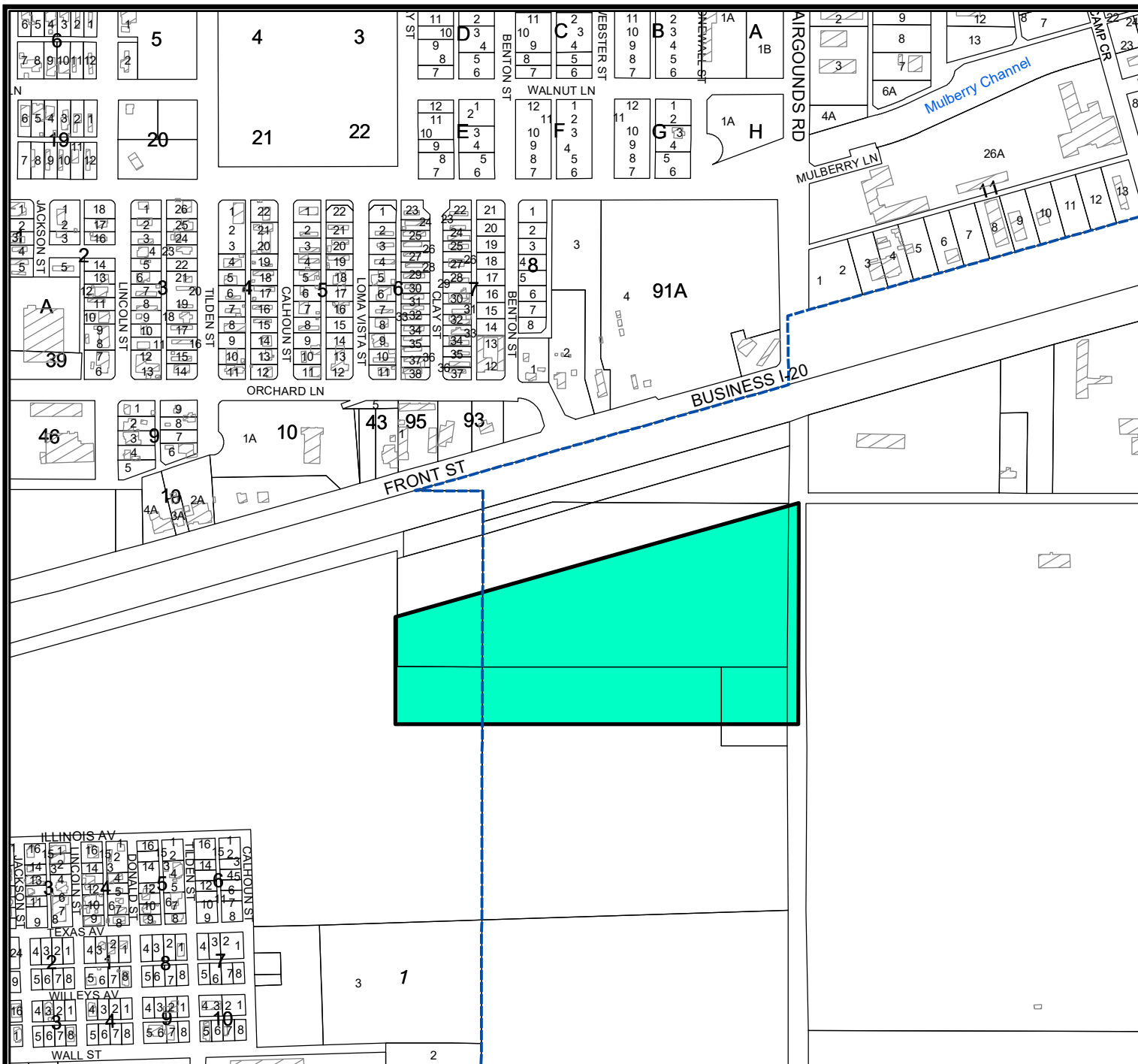
Date: 4/5/23

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

Preliminary Plat Application

2

Revised 07/01/19



LOCATION MAP

P-23-1593

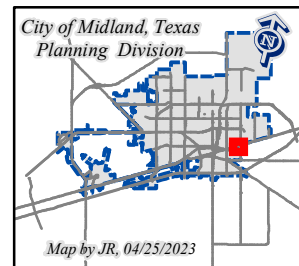
Scale: 1" = 200'

Proposed preliminary plat of Front Street/Discount RV Acres, being a Plat of a 5.697-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, City and County of Midland, Texas, and a 16.153-acre tract of land out of Section 36, Block 39, T-1-S, T. & P. RR Co. Survey, Midland County, Texas.

Generally located on the southwest corner of the intersection of South Fairground Road and East Front Street (City Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

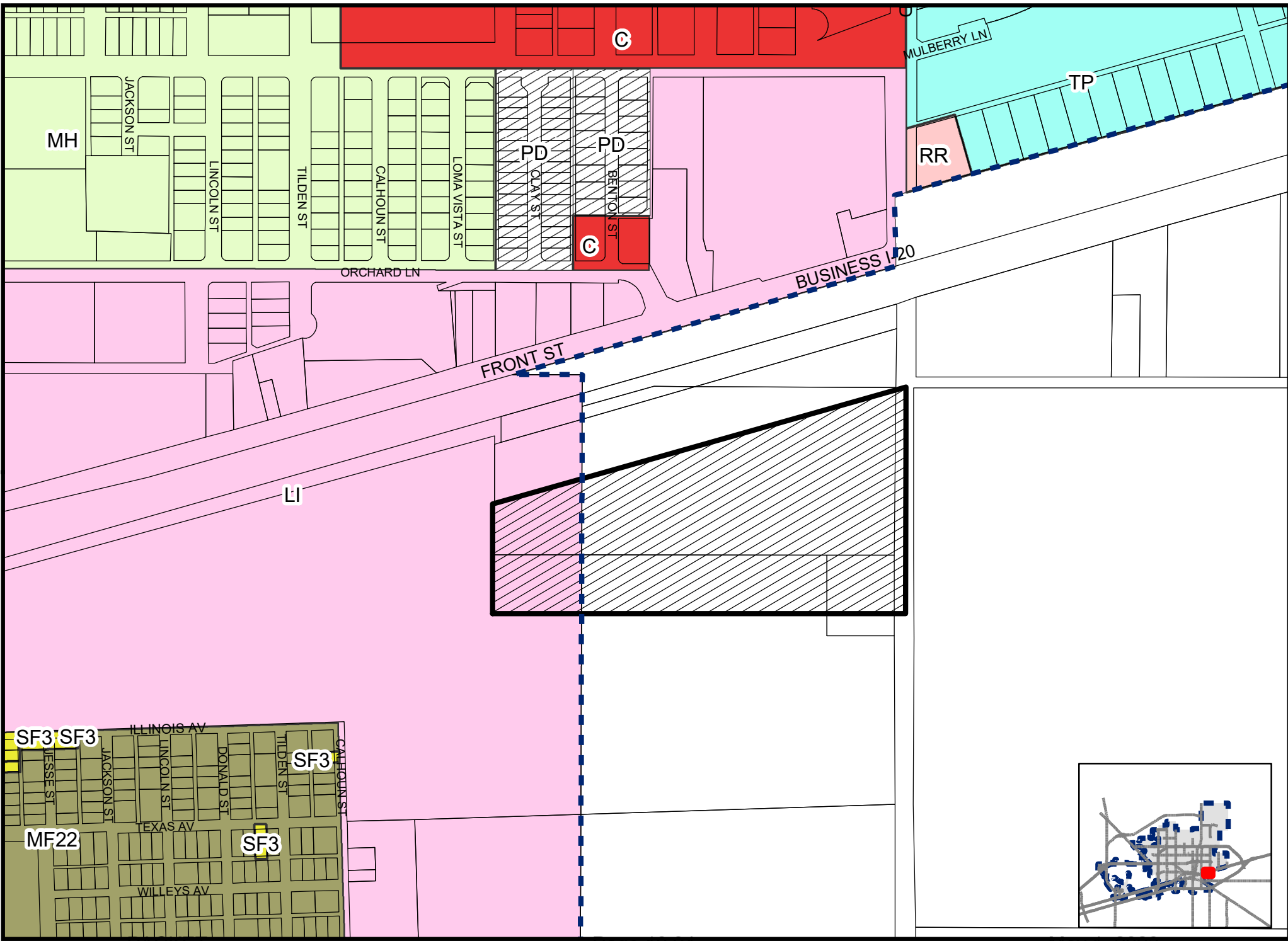


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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS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

May 1, 2023

Page 10.93





Planning and Zoning
Commission

Approved for
Agenda:
Jeffrey Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of West 191 Industrial Park, Section 11, being a Replat of Lots 17 and 18, Block 1, West 191 Industrial Park, Section 9, City and County of Midland, Texas. (Generally located on the south side of West County Road 117, approximately 1,680-feet east of North Farm to Market Road 1788. - Council District 4)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Newton Engineering, is requesting to replat Lots 17 and 18, Block 1, West 191 Industrial Park, Section 9, City and County of Midland, Texas, to create four lots for future development.

Current Zoning:

RR, Regional Retail 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)

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

ROW: No frontage along Public ROW. [For Applicant's Information Only.]

PAVING: No frontage along Public ROW. [For Applicant's Information Only.]

WATER: 8" water exists south of tract, okay as is. 16" water exists west of tract, okay as is. No public wastewater 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: 8" sewer exists south of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Show compliance with West 191 Industrial Section 6 Drainage Report, prepared by Newton Engineering, and approved by City on 11/20/2019. [Reference City Code Sect. 11-2-3(D)8]

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

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

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)

Plugged & Abandoned Well Nobles 3107 identified and matches the RRC map. No construction/ building permits allowed on top of this P&A well. 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)

No comments.

PLANNING: (Approved with Conditions)

Provide square footage of the proposed lot.

Property is currently zoned as "RR," Regional Retail District.

Staff recommends approval of the preliminary plat of West 191 Industrial Park, Section 11, subject to condition A:

Conditions:

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

Attachments:

Application
Proposed Preliminary Plat
Maps



Preliminary Plat Application

Project Number: 34B-23-1600
Case Number: P-23-1591

Proposed Subdivision Plat Name: West 191 Industrial Park, Section 11

Legal Description (attached sealed Metes and Bounds): See attached

Property Owner Printed Name: PB Anderson Properties, LLC		Phone (432) 559-5128 Email: <u>robert@andersonhomestx.com</u>	
Address 10804 Hwy 191	City Midland	State TX	Zip 79707

Developer (if different than Owner) Printed Name: Same as owner		Phone (432) 559-5128 Email:	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Newton Engineering, PC</u> Printed Name: Chase Dunnam		Phone (432) 559-5128 Email: <u>chase@newtoncivil.com</u>	
Address 4501A Santa Rosa Dr.	City Midland	State TX	Zip 79707

Current Zoning: RR

Reason for Platting: Create 4 lots for industrial office/warehouse use.

Plat Information	Total Acreage: 2.93
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 4	Number of Multi-family Dwelling Units: 0

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): Robert Anderson

Date: 03 / 22 / 2023

Property Owner (printed) : Robert Anderson

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

BY: _____

Check # cc form

Received By: James Raker

Date: 4/5/23

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

Preliminary Plat Application

2

Revised 07/01/19

PACKET

Page 11.99

May 1, 2023

Doc ID: a4002b462225dd7eb22495c5c12c2622b4a06



Planning and Zoning
Commission

Approved for
Agenda:
Jeffrey Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of West 191 Industrial Park, Section 11, being a Replat of Lots 17 and 18, Block 1, West 191 Industrial Park, Section 9, City and County of Midland, Texas. (Generally located on the south side of West County Road 117, approximately 1,680-feet east of North Farm to Market Road 1788. - Council District 4)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Newton Engineering, is requesting to replat Lots 17 and 18, Block 1, West 191 Industrial Park, Section 9, City and County of Midland, Texas, to create four lots for future development.

Current Zoning:

RR, Regional Retail 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)

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

ROW: No frontage along Public ROW. [For Applicant's Information Only.]

PAVING: No frontage along Public ROW. [For Applicant's Information Only.]

WATER: 8" water exists south of tract, okay as is. 16" water exists west of tract, okay as is. No public wastewater 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: 8" sewer exists south of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Show compliance with West 191 Industrial Section 6 Drainage Report, prepared by Newton Engineering, and approved by City on 11/20/2019. [Reference City Code Sect. 11-2-3(D)8]

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

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

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)

Plugged & Abandoned Well Nobles 3107 identified and matches the RRC map. No construction/ building permits allowed on top of this P&A well. 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)

No comments.

PLANNING: (Approved with Conditions)

Provide square footage of the proposed lot.

Property is currently zoned as "RR," Regional Retail District.

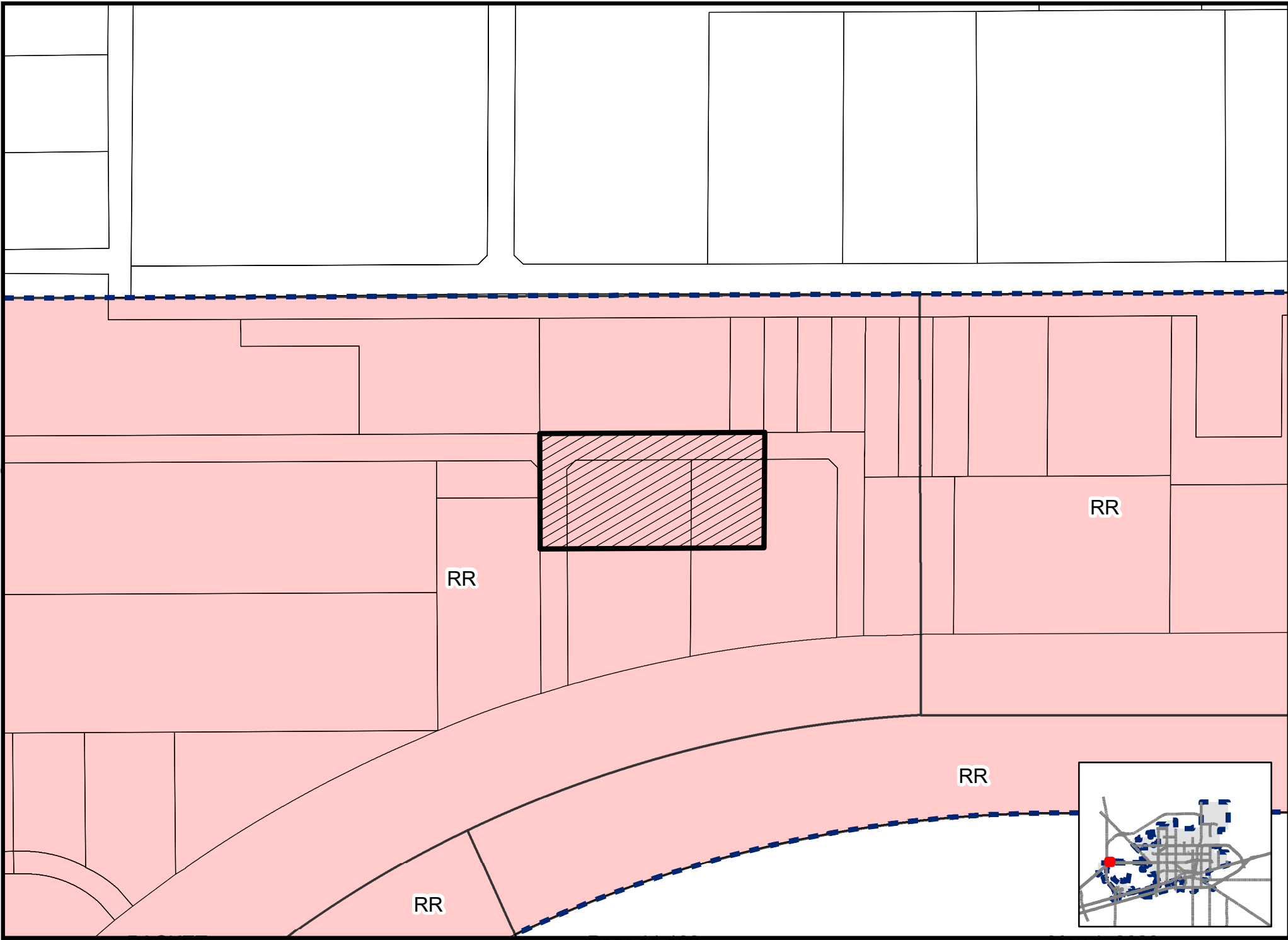
Staff recommends approval of the preliminary plat of West 191 Industrial Park, Section 11, subject to condition A:

Conditions:

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

Attachments:

Application
Proposed Preliminary Plat
Maps



PACKET

Page 11.103

May 1, 2023

Map By JR, 4/25/2023

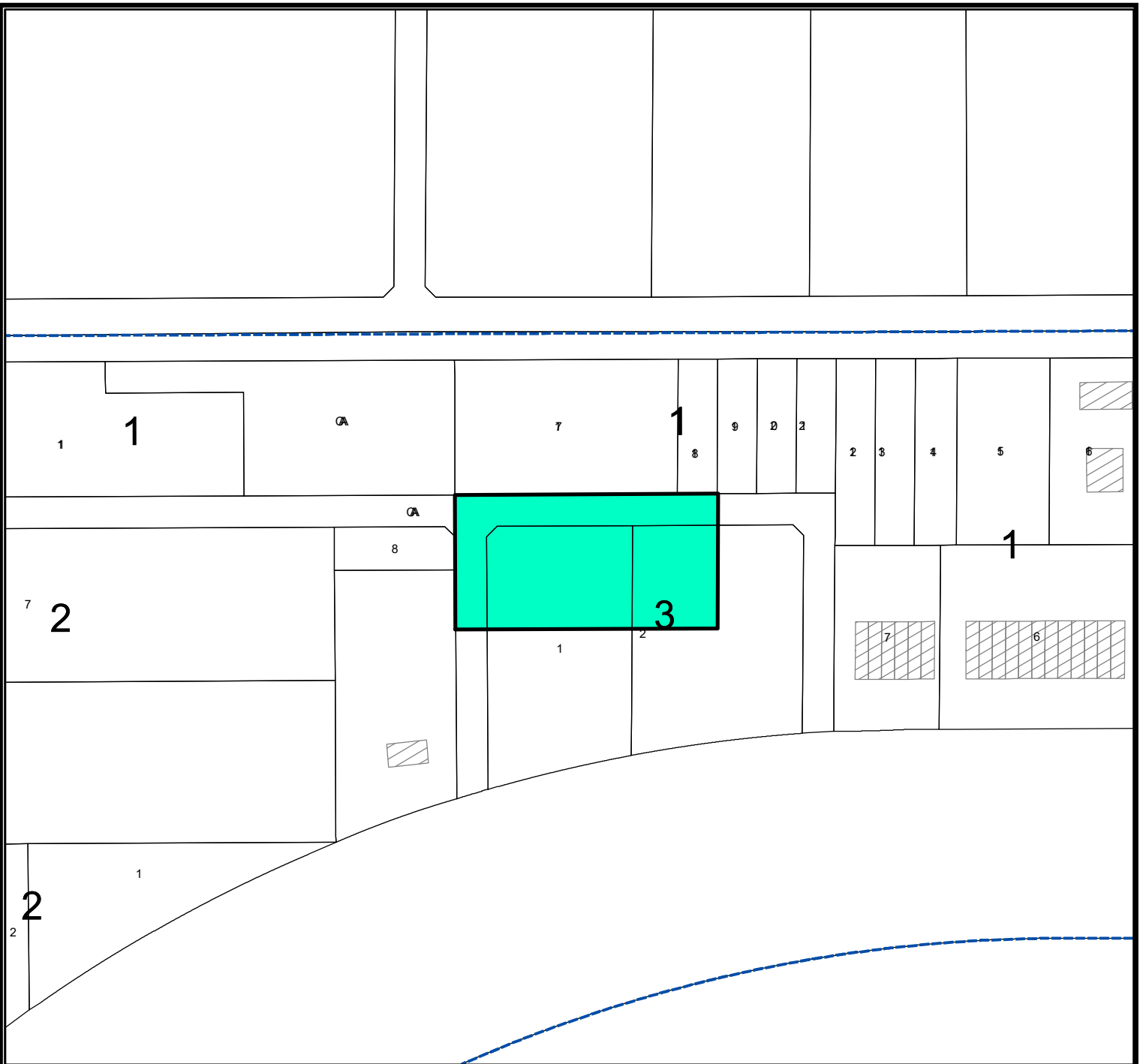
P-23-1591

Scale: 1" = 200'

ZONING MAP



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LOCATION MAP

P-23-1591

Scale: 1" = 200'

Proposed plat of West 191 Industrial Park, Section 11, being a Replat of Lots 17 and 18, Block 1, West 191 Industrial Park, Section 9, City and County of Midland, Texas.

Generally located on the south side of West County Road 117, approximately 1,680-feet east of North Farm to Market Road 1788. - Council District 4

PACKET

Page 11.104

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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May 1, 2023



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 1, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommended conditions for the 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, Midland County, Texas. (Generally located on the north side of State Highway 191, approximately 1,140-feet southwest of Jordy Road. - Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Skyline Civil Group, is requesting to reinstate an approved preliminary plat of a 2.12-acre tract of land in Section 48, Block 41, T-2-S, T&P RR. Co. Survey, Midland County, Texas. This Preliminary Plat was previously approved by the Planning and Zoning Commission on August 3, 2020, however, a Final Plat was not submitted and approved within one year of the Preliminary Plat's approval time. Pursuant to Chapter 2 of Title XI of the Midland City Code, the applicant may request to reinstate the Preliminary Plat with a lapsed approval and the Planning and Zoning Commission may approve this reinstatement at its discretion.

Current Zoning:

RR, Regional Retail 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)

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

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

PAVING: State Highway 191 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. Paving improvements along the west property frontage were administratively approved on 05/14/2021. [For Applicant's Information Only.]

WATER: 8" water existing in an easement to the North of the site. 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 the Applicant's information only.]

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

SEWER: Wastewater improvements along the property frontage were administratively approved on 05/14/2021. [For Applicant's Information Only.]

DRAINAGE: Drainage report will be review with the building permit. [For Applicant's Information Only.]

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

SIDEWALKS: Sidewalk improvements along the property frontage were administratively approved on 05/14/2021. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

Provide 30 ft x 30 ft intersection corner clips at property corners adjacent to all public street intersections. [Reference City Code Section 11-2-5(C)3(k).]

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)

Acreage of lot should be included on the lot on the plat visual.

CRMWD: (Approved)

This one is within 40 to 70 feet of our Pipeline but does not appear to encroach upon us. [For the Applicant's information only.]

PLANNING: (Approved with Conditions)

For the final plat stage:

Provide a title opinion confirming ownership.

Provide the 30 ft x 30 ft intersection corner clips at property corners adjacent to all public street intersections as required by Transportation.

Replace the names of the Chairman and Secretary of the Planning and Zoning Commission with current names and dates under their respective signature blocks.

Staff recommends approval of a reinstatement of a Preliminary Plat of Covington Addition, Section 7, subject to condition A.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number:

Case Number:

SUB-20-0314
P-23-1574

Proposed Subdivision Plat Name: Covington Addition, Section 7

Legal Description (attached sealed Metes and Bounds): Previously Submitted

Property Owner

Printed Name: Bill Avary

Phone (432) 685-1226

Email bilavy@aol.com

Address 926 Grandview

City Odessa

State TX

Zip 79761

Developer (if different than Owner)

Printed Name: Same as Owner

Phone (432) 685-1226

Email

Address

City

State

Zip

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

Firm: Skyline Civil Group

Printed Name: Stephen Marcum

Phone (432) 685-1226

Email smarcum@skylinecivilgroup.com

Address 3323 N. Midland Dr.; STE. 113-166

City Midland

State TX

Zip 79707

Current Zoning: RR

Reason for Platting: To receive a Building Permit

Plat Information

Total Acreage: 1.67

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

Number of Lots: 1

Number of Multi-family Dwelling Units: 0

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): Bill AveryDate: 03/02/23Property Owner (printed): Bill Avery

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.

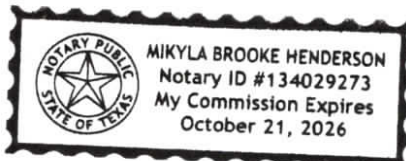
STATE OF TEXAS

COUNTY OF ~~MIDLAND~~ Lubbock MH

Before me, the undersigned authority, on this day personally appeared Stephen Marum who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Bill Avery 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 6th day of March, 2023, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, ~~MIDLAND~~ COUNTY, TEXAS
Lubbock MH

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 # 114Received By: Jeff FisherDate: 3/8/23

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

Preliminary Plat Application

2

Revised 07/01/19

PACKET

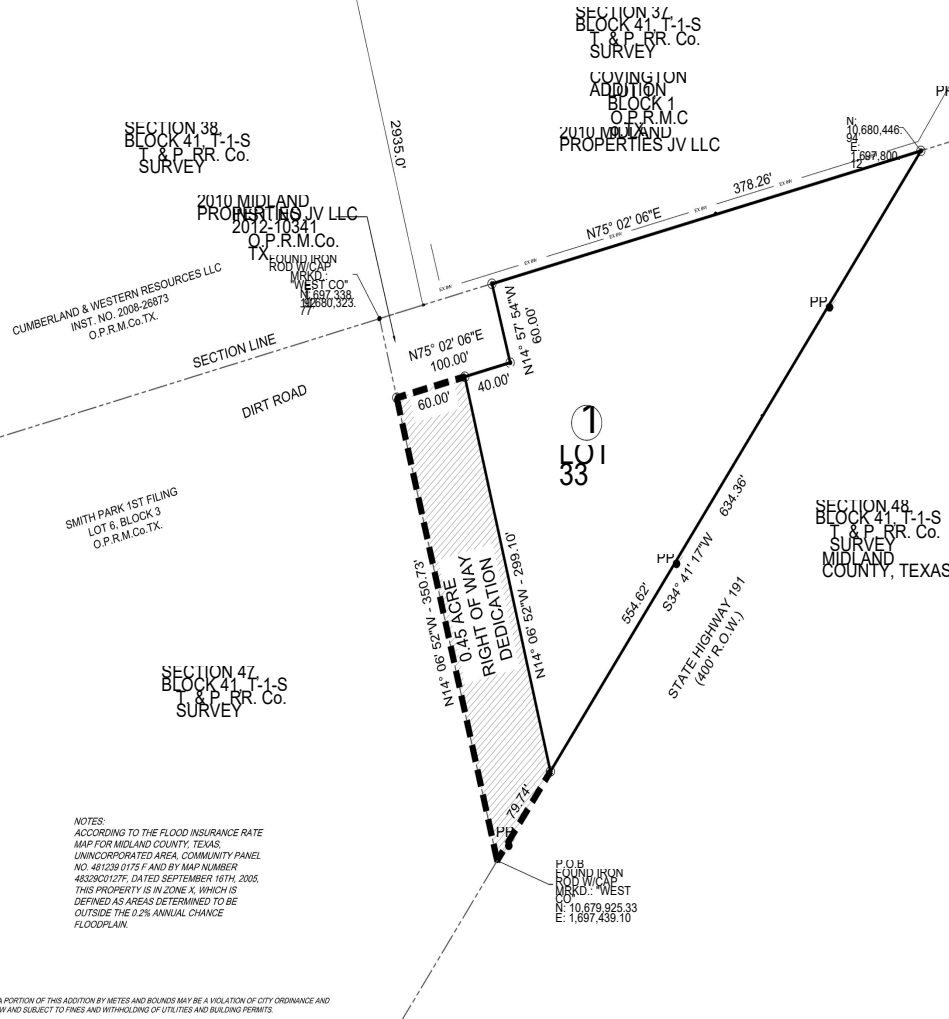
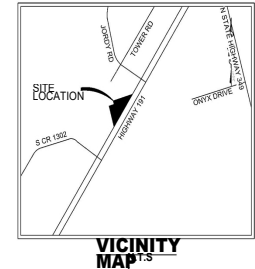
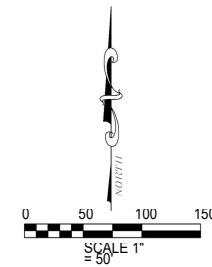
Page 12.110

May 1, 2023

LEGEND
O.P.R.M.C. & TX. OFFICIAL PUBLIC RECORDS
MIDLAND COUNTY TEXAS
BOUNDARY LINE
BOUNDARY LINE
BOUNDARY LINE
BOUNDARY LINE
DENOTES SECTION LINE

COVINGTON ADDITION, SECTION 7

BEING A SUBDIVISION OF 2.12 ACRES OF LAND OUT OF SECTION 48, BLOCK 41, T-1-S, T. & P. RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Billy J. Avery, is the record owner of a tract of land described as BEING A SUBDIVISION OF 2.12 ACRES OF LAND OUT OF SECTION 48, BLOCK 41, T-1-S, T. & P. RR. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Billy J. Avery, being the owner of the land shown on this plat designated as COVINGTON ADDITION, SECTION 7, an Addition to Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

day of _____, 2023.

By: Billy J. Avery, President

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

day of _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Marcus L. Hobbs, 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.

Marcus L. Hobbs, R.P.L.S.
Registration Number - 5943

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

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 HEREON ARE BASED ON LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND GPS BASE STATION.
4. 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.
5. A BLANKET EASEMENT OF INGRESS AND EGRESS WILL BE GRANTED FOR COVINGTON ADDITION, SECTION 7, TO THE CITY OF MIDLAND FOR GARBAGE AND TRASH COLLECTION AND LOCATION OF MAINTENANCE OF TRASH STRUCTURES, SAVE AND EXCEPT THOSE AREAS OCCUPIED BY A BUILDING OR STRUCTURE. SAID EASEMENT IS CONDITIONED SUCH THAT EXACT LOCATION OF SAID CONTAINERS IN CONNECTION THEREWITH HAVE BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.
6. ANY PERSON WHOSE PROPERTY OR INTEREST THEREIN IS AFFECTED BY THIS ADDITION, SECTION 7, TO THE CITY OF MIDLAND FOR GARBAGE AND TRASH COLLECTION AND LOCATION OF MAINTENANCE OF TRASH STRUCTURES, SAVE AND EXCEPT THOSE AREAS OCCUPIED BY A BUILDING OR STRUCTURE, MAY FILE A PETITION WITH THE CITY OF MIDLAND TO REQUEST A PERMIT TO PLACE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW STRUCTURE FOR THE COLLECTION OF TRASH OR GARBAGE. THE PETITION SHALL BE FILED WITH THE CITY OF MIDLAND AND SHALL BE OF THE NEW USE WOULD BE A HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE ADMINISTRATIVE AGENCY. (CITY CODE 11-11-21(a)(2))

PROPERTY OWNER:
BILLY J. AVERY
926 GRANDVIEW
ODESSA, TX 79761

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

AT&T

BY: _____

SUDENLINK COMMUNICATION

BY: _____

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "COVINGTON ADDITION, SECTION 7" was approved by prior action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2023.

LUCY SSINIGA

SIGN _____ CHAIRMAN

SIGN _____ SECRETARY

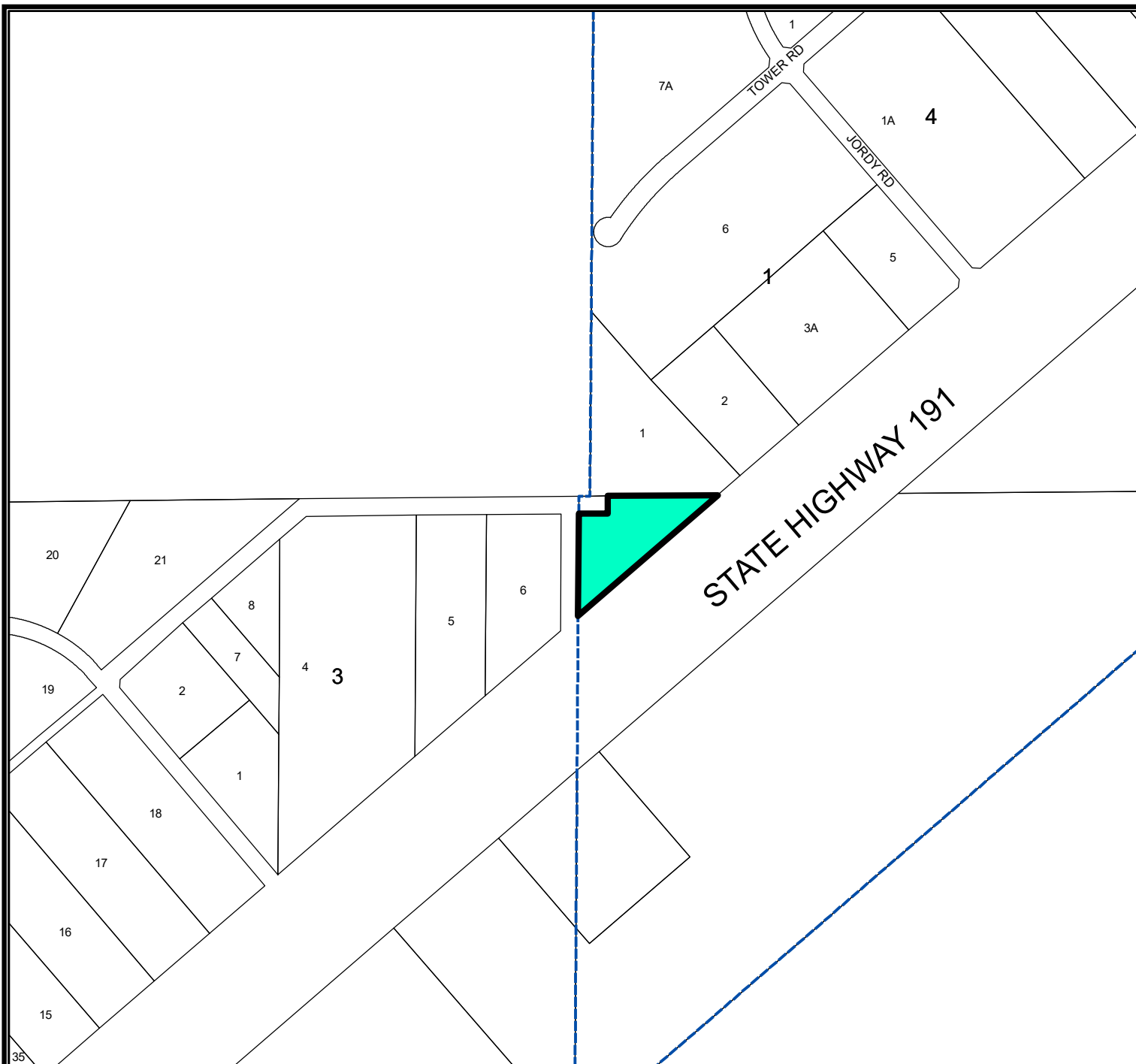
Page 12.111

Skyline
CIVIL GROUP
Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-106 • Midland, Texas 79701
TX PHONE: 1717 • Tel: (432) 685-1226 •
www.skylinecivilgroup.com

HPF
CONSULTANTS, INC.

ENGINEERING AND DESIGN
TEXAS REGISTERED
TPEI'S FIRM 10194683
3106 N. Big Spring Street
Midland, Texas
432.685.4143
HPFconsultants.com

COVINGTON ADDITION, SECTION 7
MAY 1, 2023



LOCATION MAP

SUB-20-0314

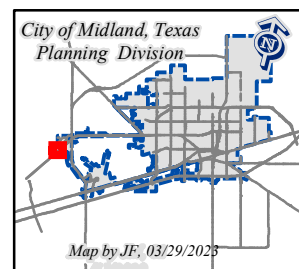
Scale: 1" = 4000'

Proposed plat of Covington Addition, Section 7, being a plat of a 2.12-acre tract of land out of Section 48, Block 41, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas.

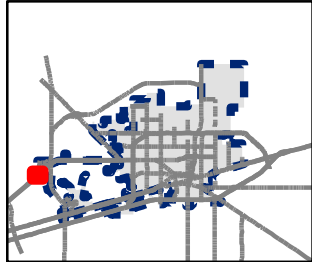
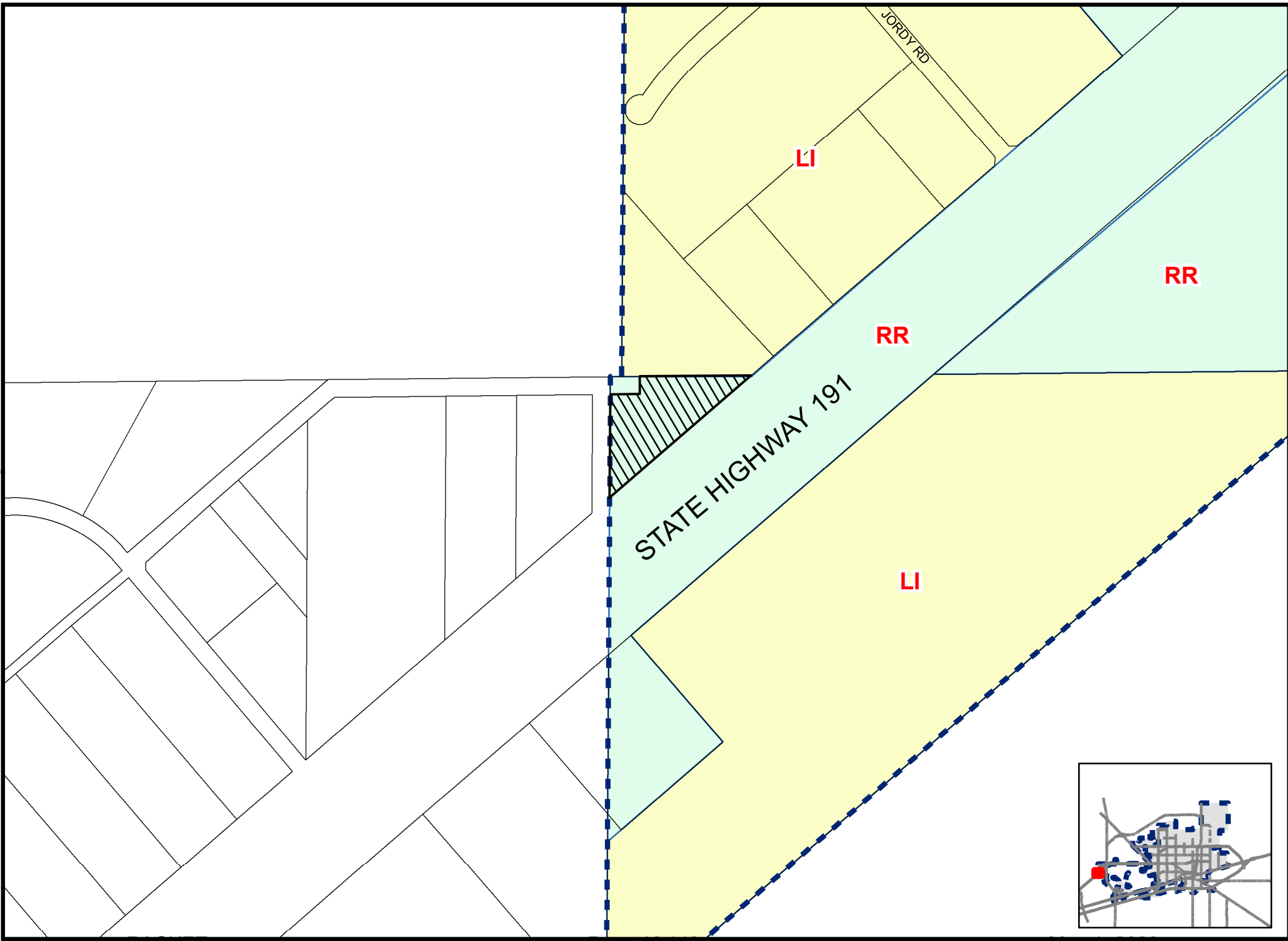
(Generally located on the north side of State Highway 191, approximately 1,140 feet southwest of Jordy Rd). (Council District #) **PACKET**

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION OBTAINED 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: May 1, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a Final 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, Midland County, Texas. (Generally located on the north side of State Highway 191, approximately 1,140-feet southwest of Jordy Road. - Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The applicant, Skyline Civil Group, is requesting to approve a Final 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, Midland County, Texas. The associated preliminary plat is being presented to the Planning and Zoning Commission for reinstatement today to allow this Final Plat to be approved.

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

PAVING: State Highway 191 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. Paving improvements along the west property frontage were administratively approved on 05/14/2021. [For Applicant's Information Only.]

WATER: 8" water existing in an easement to the North of the site. 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 the Applicant's information only.]

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

SEWER: Wastewater improvements along the property frontage were administratively approved on 05/14/2021. [For Applicant's Information Only.]

DRAINAGE: Drainage report will be review with the building permit. [For Applicant's Information Only.]

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

SIDEWALKS: Sidewalk improvements along the property frontage were administratively approved on 05/14/2021. [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.

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)

No comment.

CRMWD: (Approved)

This one is within 40 to 70 feet of our Pipeline but does not appear to encroach upon us.
[For the Applicant's information only.]

PLANNING: (Approved with Conditions)

Change the Certificate of Approval to have signature lines for the Chairman, Lucy Sisniega and for the Secretary, Jeff Fisher.

Change "Suddenlink" to "Optimum".

Staff recommends approval of the Final Plat for Covington Addition, Section 7 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



Final Plat Application

Project Number: 34B-20-0314
Case Number: P-23-1589

Proposed Subdivision Plat Name: Covington Addn., Section 7

Legal Description (attached sealed Metes and Bounds): Previously Submitted

Property Owner
Printed Name: Bill Avary

Phone (432) 685-1226

Email
bilavy@aol.com

Address 926 Grandview

City Odessa

State TX

Zip 79761

Developer (if different than Owner)

Printed Name: Same

Phone ()

Email

Address

City

State

Zip

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

Firm: Skyline Civil Group

Printed Name: Stephen Marcum

Phone (432) 685-1226

Email

smarcum@skylinecivilgroup.com

Address 3323 N. Midland Dr.; STE 113-166

City Midland

State TX

Zip 79707

Current Zoning: RR

Reason for Platting: To receive Bldg. Permit

Plat Information

Total Acreage: 2.12

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units: N/A

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Bill Avery

Date: 8/24/2020

Property Owner (printed): BILL AVERY

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.

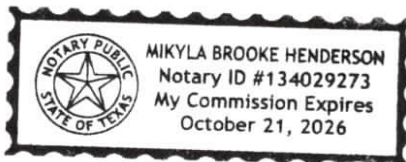
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is authorized by Bill Avery, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Stephen T. Marcum
Authorized Agent (signature)

Subscribed and sworn to before me, this 30th day of March, 2023, to certify which witness my hand and seal of office.

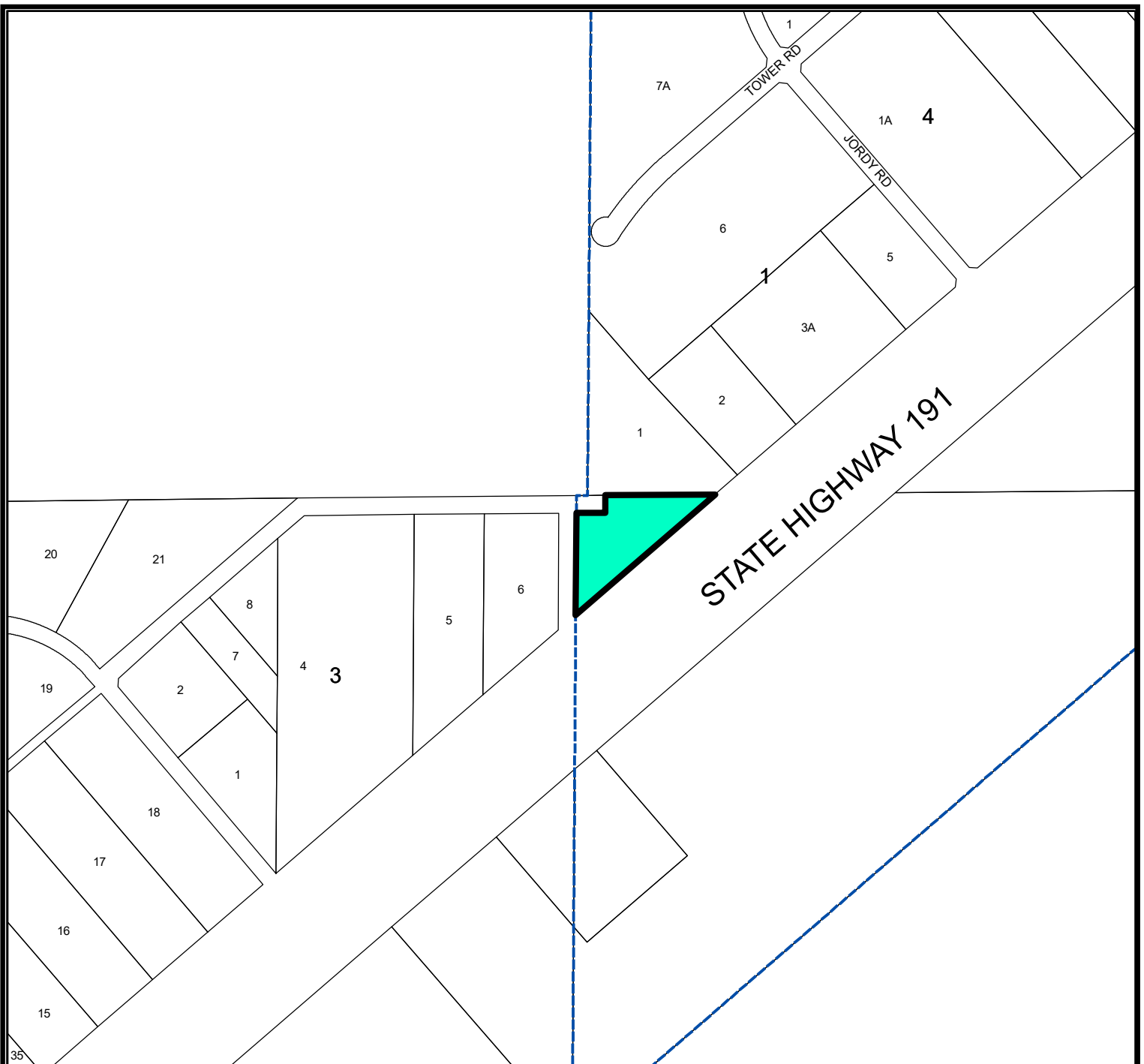


Mikyla Brooke Henderson
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check # _____	☐ Tax Certificates	Check # _____
Received By: <i>JF</i>		Date: <i>3-31-23</i>

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



LOCATION MAP

SUB-20-0314

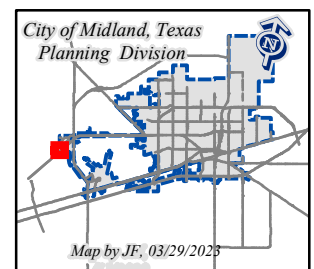
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(Generally located on the north side of State Highway 191, approximately 1,140 feet southwest of Jordy Rd). (Council District #)
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- CITY LIMITS
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