



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for May 1, 2023.
3. Motion approving a Final Plat of Nova's Paradise, being a 22.69-acre tract out of the northeast quarter of Section 15, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the southwest corner of the intersection of South County Road 1160 and East County Road 130. – Extraterritorial District) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of Dunham Acres, Section 2, being a Plat of a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P RR, Co. Survey, Midland County, Texas. (Generally located on southeast corner of the intersection of West County Road 122 and South County Road 1290. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of West 191 Industrial Park, Section 10, being a Replat of Lots 1 and 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 2,150-feet east of North Farm to Market Road 1788. – Council District 4) (DEVELOPMENT SERVICES)
6. Motion approving a Final plat of Cowden Addition, Section 7, being a Replat of Lots 5 and 6, Block 12, of Cowden Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Hart Avenue and Bryant Street. - Council District

3) (DEVELOPMENT SERVICES)

7. Motion approving a Final Plat of Autumn Estates, Section 2, being a Plat of a 22.88-acre tract of land out of the northeast quarter of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of North County Road 1125, approximately 555-feet south of East County Road 60. – (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
8. Motion approving a Final Plat of Decker Addition, Section 2, being a Plat of an 8.00-acre tract of land out of the southwest quarter of Section 7, Block 39, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located approximately 235-feet south of West County Road 116, approximately 393-feet east of South County Road 1227. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
9. Motion approving a Final Plat of Lone Star Addition, Section 2, being a Replat of Lots 1-10, Block 1, Lone Star Addition and a 9.188-acre tract of land out of the southeast quarter of Section 21, Block 39, T-S-2, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1210, approximately 1,540-feet to the north of West County Road 140. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

10. Consider a request by Schumann Engineering for a proposed Preliminary Plat of University Park Addition, Section 3, being a Residential Replat of Lots 9 and 10 and the west 10-feet of Lot 11, Block 3, University Park Addition, City and County of Midland, Texas. (Generally located on the southeast corner on the intersection of Bedford Drive and North N Street. – Council District 3) (DEVELOPMENT SERVICES)
11. Consider a request by Schumann Engineering for a proposed Preliminary Plat of Morningside Addition, Section 12, being a Residential Replat of a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Main Street and Humble Avenue. - Council District 2) (DEVELOPMENT SERVICES)
12. Consider a request by Ronnie Brewster for a Zone Change from MF-16, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7 and the west 41.5-feet of Lot 8, Block 35, Cowden Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Pecos Street and Watson Street. - Council District 3) (DEVELOPMENT SERVICES)
13. Consider a request by Outkick Investment Partners, LLC for a Zone Change from AE, Agricultural Estates District to MF-16, Multiple-Family Dwelling District on Lot 1, Block 1, Renew Life Church Addition, City and County of Midland, Texas. (Generally located north of Occidental Parkway, approximately 280 feet east of North State Highway 349. - Council District 1) (DEVELOPMENT SERVICES)

14. Consider a request by D. R. Horton – Texas LTD for an Initial Zoning of SF-3, Single-Family Dwelling District, on a 24.897-acre tract of land located in Sections 38 and 47, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway.) (DEVELOPMENT SERVICES)

MISCELLANEOUS

15. Motion approving a request for a 30-Day Extension for a proposed Preliminary Plat of Legacy Addition, Section 11, being a Plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, Midland County, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway. – Extraterritorial Jurisdiction (DEVELOPMENT SERVICES)
16. Motion approving a Final Plat of University Park Addition, Section 3, being a Replat of Lots 9 and 10 and the west 10-feet of Lot 11, Block 3, University Park Addition, City and County of Midland, Texas. (Generally located on the southeast corner on the intersection of Bedford Drive and North N Street. – Council District 3) (DEVELOPMENT SERVICES)
17. Motion approving with Staff's recommended conditions for a proposed Preliminary Plat of Southern Addition, Section 29, being a Replat of Lots 1 and 2, Block 178, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Loraine Street and West California Avenue. - Council District 2) (DEVELOPMENT SERVICES)
18. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Homestead Addition, Section 20, being a Replat of Lots 8-12, Block 6, Homestead Addition, City and County of Midland, Texas. (Generally located on the southeast corner of Mississippi Avenue and North Fort Worth Street. - Council District 2) (DEVELOPMENT SERVICES)
19. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Midkiff Industrial Center, Section 28, being a Replat of Lot 1, Block 3, Midkiff Industrial Center, Section 2, a 4.38-acre tract out of the northwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, and a 2,080-square foot portion of the West Industrial Loop right-of-way, 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)
20. Motion approving with staff's recommended conditions for the reinstatement of a proposed Preliminary Plat of Northwest Passage, being a plat of a 117.035-acres tract of land out of Section 35, Block 40, T-1-S T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 1,000-feet north of State Highway 191. – Council District 4) (DEVELOPMENT SERVICES)
21. Motion approving a Final Plat of Northwest Passage, Section 1, being a Plat of a 31.401-acre tract of land out of Section 35, Block 40, T-1-S T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 1,000-feet

north of State Highway 191. – Council District 4) (DEVELOPMENT SERVICES)

22. Motion approving with staff's recommended conditions for the reinstatement of an approved Preliminary Plat of Country Villa Estates, Section 8, being a Replat of Lot 4, Block 2, Country Villa Estates, Section 7, and the north 5.727-acres of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Brinson Lane and West Wall Street. -(Council District 2) (DEVELOPMENT SERVICES)
23. Motion approving a Final Plat of Country Villa Estates, Section 8, being a Replat of Lot 4, Block 2, Country Villa Estates, Section 7, and the north 5.727-acres of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Brinson Lane and West Wall Street. – Council District 2) (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
May 1, 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., May 1, 2023.

Commissioners present: Lucy Sisniega, Dianne Williams, Zachary Deck, Emily Holeva, Abraham Bejil, Beverly Dillow, Sallie Vega

Commissioners absent: Adrian Carrasco

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

Commissioner Williams moved to approve all Consent Items; seconded by Commissioner Holeva.

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Carrasco

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

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 N Midkiff Rd, approximately 130 ft north of Valley Quail Rd. - Council District 1)

Planning Manager Jeff Fisher gave an overview of the project. One letter of objection was received. Staff recommended approval.

The public hearing was opened at 3:35 p.m.

The applicant, Levi Bryan with LCA, addressed the commissioner and was open for questions.

Bill Howard, Developer for D.R. Horton, spoke in favor of the project.

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

Commissioner Bejil moved to approve this item; seconded by Commissioner Deck.

The motion passed by the following vote: 7 to 0
AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega
NAY: None
ABSTAIN: None
ABSENT: Carrasco

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)

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 3:42 p.m.

The applicant was not present.

The public hearing was closed at 3:43 p.m.

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

The motion passed by the following vote: 7 to 0
AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega
NAY: None
ABSTAIN: None
ABSENT: Carrasco

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)

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

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

The motion passed by the following vote: 7 to 0
AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega
NAY: None
ABSTAIN: None
ABSENT: Carrasco

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, TX. (Generally located on northeast corner of W. Front St and S. K St. – Council Dist 3)

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

The motion passed by the following vote: 7 to 0
AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega
NAY: None
ABSTAIN: None
ABSENT: Carrasco

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)

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Carrasco

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)

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Carrasco

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)

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Carrasco

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)

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Carrasco

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)

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

The motion passed by the following vote: 7 to 0

AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega

NAY: None

ABSTAIN: None

ABSENT: Carrasco

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

The motion passed by the following vote: 7 to 0
AYE: Sisniega, Williams, Deck, Holeva, Bejil, Dillow, Vega
NAY: None
ABSTAIN: None
ABSENT: Carrasco

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:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving a Final Plat of Nova's Paradise, being a 22.69-acre tract out of the northeast quarter of Section 15, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the southwest corner of the intersection of South County Road 1160 and East County Road 130. – Extraterritorial District) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial District.

Preliminary Plat Approval:

The preliminary plat was approved at the March 6, 2023, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved with Conditions)

* * *FEMA Firm data to be on plat face. * * *

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

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

PAVING: Deferral request for paving improvements were administratively approved on 04/06/2023. [For the Applicant's information only.]

WATER: Deferral request for water improvements were administratively approved on 04/06/2023. [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 request for wastewater improvements were administratively approved on 04/06/2023. [For the Applicant's information only.]

DRAINAGE: The drainage report has been approved for platting purposes on 03/20/2023. [For Applicant's Information Only.]

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 04/06/2023. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Code Administration: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of a Final Plat of Nova's Paradise, subject to condition A.

Conditions:

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

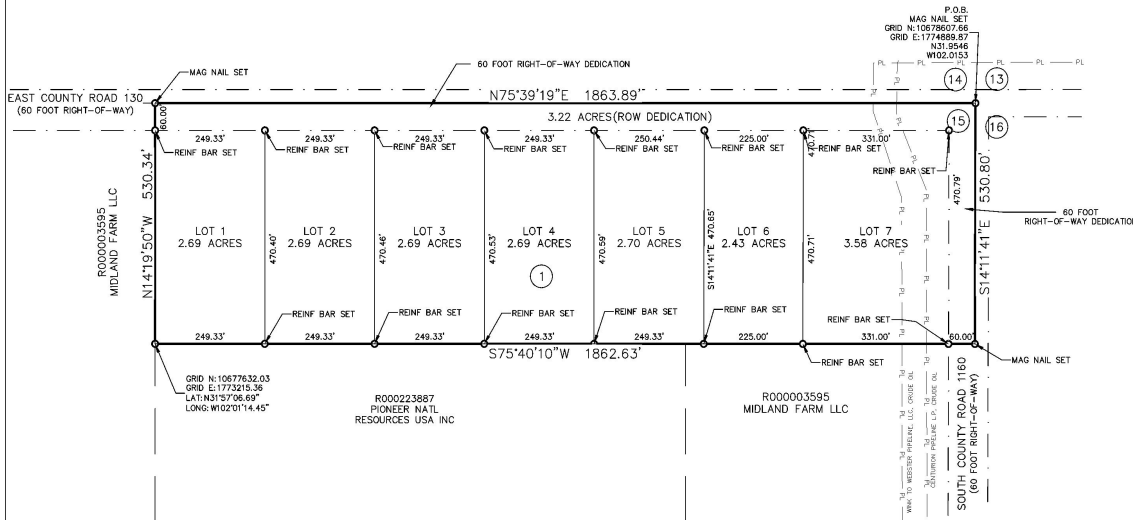
Attachments:

Proposed Final Plat
Application
Maps

NOVA'S PARADISE

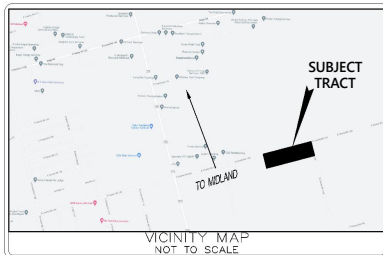
BEING A 22.69--ACRE TRACT OUT OF THE NORTHEAST OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY,

MIDLAND COUNTY, TEXAS.



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 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 PLATING 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. PROPERTY IS IN FEMA FLOODMAP 483290209F, EFFECTIVE DATE 9/16/2005 AND IS IN ZONE X ACCORDING TO MAP.
- 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.



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 SINIEGA

ATTEST: SECRETARY JEFF FISHER

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

STATE OF TEXAS :
COUNTY OF MIDLAND :

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE NORTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

BEING A 22.69 ACRE TRACT OF LAND, OUT OF THE NORTHEAST PART OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS. SAID 22.69 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (N:10677632.03, E:1774889.87) A MAG NAIL IN PAVEMENT SET IN THE INTERSECTION OF EAST COUNTY ROAD 130 AND SOUTH COUNTY ROAD 1160 FOR THE COMMON CORNER OF SAID SECTION 15 AND SECTIONS 16, 14, AND 13 OF SAID BLOCK 38, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY TEXAS, ALSO BEING THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°11'41" EAST 530.80 FEET, ALONG THE CENTERLINE OF SAID SOUTH COUNTY ROAD 1160, TO A MAG NAIL SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°40'10" WEST 1862.63 FEET, ALONG THE SOUTH LINE OF SAID 22.69 ACRE TRACT, TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°19'50" WEST 530.34 FEET, TO THE CENTERLINE OF SAID EAST COUNTY ROAD 130, TO A MAG NAIL SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°39'19" EAST 1863.89 FEET, ALONG SAID CENTERLINE OF EAST COUNTY ROAD 130, TO THE PLACE OF BEGINNING

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS NOVA'S PARADISE A SUBDIVISION OF 22.69 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.

REDNECK METAL BUILDINGS, LLC. - CLARENCE SAUER

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY REDNECK METAL BUILDINGS, LLC.-CLARENCE SAUER

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- - - SECTION LINE
- - - UTILITY EASEMENT

OWNER(S):

REDNECK METAL BUILDINGS, LLC.
PO BOX 53104
MIDLAND, TX 79710
(432) 458-3716

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	DRAWN BY:	DATE:
1	10/04/22	SKETCH PLAN	JG	JG	10/04/2022
				CHECKED BY: ED/RJ	PROJECT NO.: 78631
				JOB NO.: 78,853	SHEET: 1 OF 1

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

SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

May 15 2023

800 N. MARSHFIELD ST., 100
MIDLAND, TEXAS 79701

TEXAS SURVEYING BOARD REG. NO. 10148500
OFFICE (432) 584-5848



Final Plat Application

Project Number:

Case Number:

SUB-22-0569
P-23-1618

Proposed Subdivision Plat Name: NOVA'S PARADISE

Legal Description (attached sealed Metes and Bounds): A 22.69 ACRE TRAC OF LAND OUT OF THE
NORTHEAST OF SECTION 15, BLOCK 38, T-2-S, T7P RR CO SURVEY, MIDLAND COUNTY, TEXAS**Property Owner**

Printed Name: REONECK METAL BUILDINGS

Phone (432) 458-3716

Email
lonestardriller@gmail.com

Address PO BOX 53104

City MIDLAND

State TX

Zip 79710

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Schumann Engineering

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 AND ADDRESS

Plat Information

Total Acreage: 22.69

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

Number of Lots: 7

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

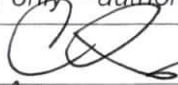
For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):



Date:

4-21-23

Property Owner (printed):

Clarence Jauer

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.

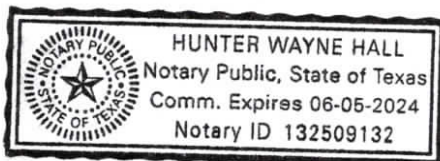
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman 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.

Edmundo J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th 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) |
| ☐ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☐ Title Opinion | ☒ Public Improvement |
| Check # <u>Credit Card \$350</u> | ☒ Tax Certificates | ☒ Recording Fee |

Received By: Alexandra Wailing

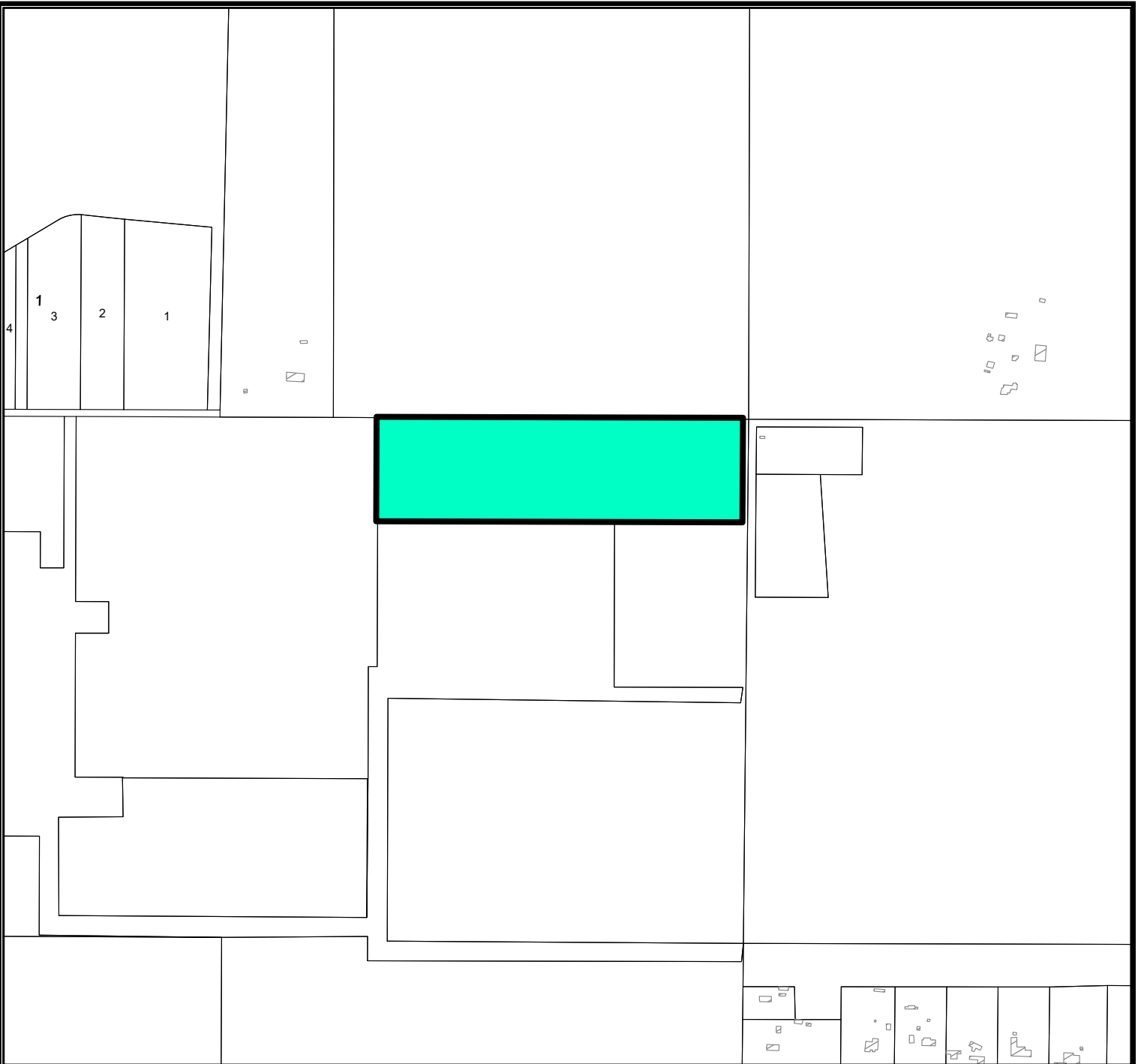
Date:

APR 27 2023

PACKET

Final Plat Application

Revised 7/01/19



LOCATION MAP

SUB-22-0569

Scale: 1" = 200'

Final Plat of Nova's Paradise, being a 22.69-acre tract out of the northeast quarter of Section 15, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas

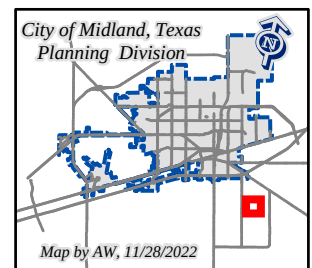
(Generally located on the southwest corner of the intersection of South County Road 1160 and East County Road 130. – Extraterritorial District)

PACKET

Page 3.15

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



May 15, 2023

FOR
TA.



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving a Final Plat of Dunham Acres, Section 2, being a Plat of a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P RR, Co. Survey, Midland County, Texas. (Generally located on southeast corner of the intersection of West County Road 122 and South County Road 1290. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial District.

Preliminary Plat Approval:

The preliminary plat was approved at the Planning and Zoning Commission meeting on March 20, 2023.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

IMPACT FEES: There are no impact fees associated with this plat. Property is outside of the designated service areas. [For the Applicant's information only.]

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

PAVING: Deferral request for paving improvements were administratively approved on 3/31/2023. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 3/31/2023. [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: Deferral request for wastewater improvements were administratively approved on 3/31/2023. [For Applicant's Information Only.]

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

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 3/31/2023. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Code Administration: (Approved)

ETJ, no jurisdiction.

GIS: (Approved)

Please confirm POB. Plat shows POB to be 8' more west compared to survey section line and an iron rod for the property corner. Confirming ROW requirements.

Planning: (Approved)

No comments.

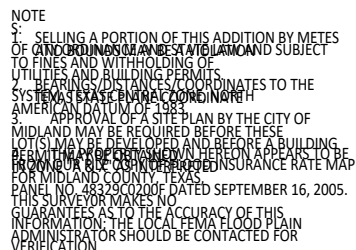
Staff recommends approval of a Final Plat of Dunham Addition, Section 2, subject to condition A.

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.**

Attachments:

Proposed Final Plat
Application
Maps



UTILITY COMPANY CERTIFICATE:
This plat has been check for
accessibility of utilities.

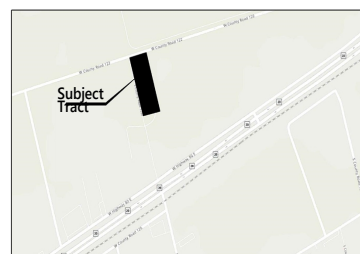
Atmos
Energy

Oncor Electric
Delivery

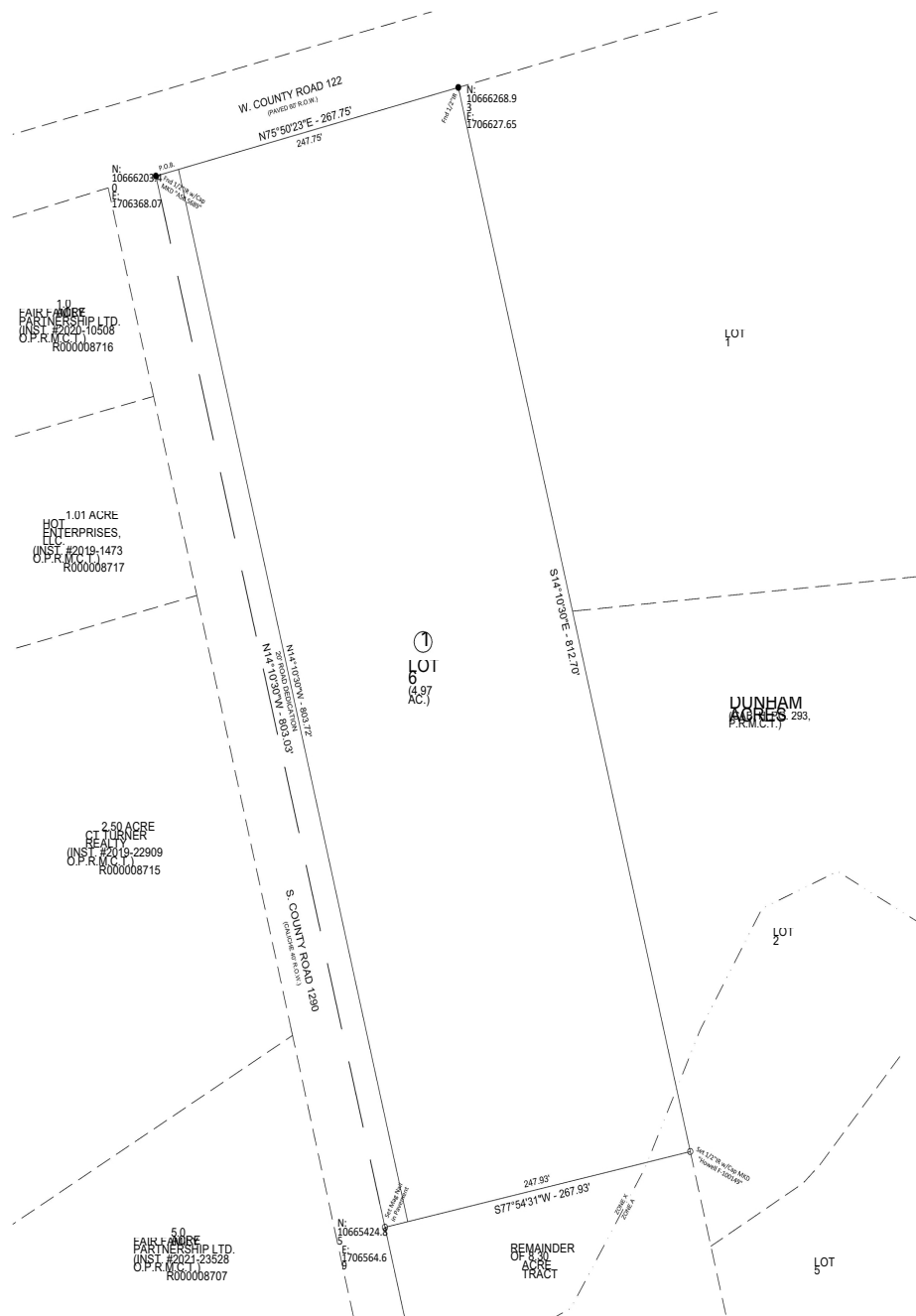
AT&T

Astound
Communications

Optimum
Communications

VICINITY
MAP^{PT}

PACKET

OWNERS
CERTIFICATE

STATE OF TEXAS:
COUNTY OF MIDLAND:
THE FAIR FAMILY PARTNERSHIP LTD. ARE THE RECORD OWNERS OF A TRACT OF LAND SITUATED IN SECTION 18, BLOCK 40, TOWNSHIP 12 SOUTH, T. & P. RAILWAY COMPANY SURVEY, DEKALB ACRES 1.97 ACRES TRACT OF LAND OUT OF A 8.30 ACRE TRACT AND SITUATED IN THE NORTHWEST QUARTER OF SPANISH BUCK 40, DOWNSHIP 12 SOUTH, T. & P. RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS. **RECORDS IN PLAT 212, NON-RECORDING PLAT 212, 212-34801 09893689 PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS**
12.00 Acres, recorded in Instrument Number 2020-32480, of the County of Midland, State of Texas, by the line of said West County Road 122 (0 public R.O.W.), for the northwest corner of a 8.30 acre tract (recorded in Instrument Number 2020-32480, of the County of Midland, State of Texas, by the line of said West County Road 122) was corner of a public right of said 8.30 acre tract, 267.75 feet, to a 1/2" iron rod found for the northwest corner of Dunham Acres, a subdivision of Midland County, Texas, recorded in Cabinet H Page 34. Plat Records of Midland County, Texas 34-00-00-00 measures was said line of said Dunham Acres, 804.03 feet to the northwest corner of said tract.
THENCE S 77° 54.31' W, 267.93 feet, to a Mag Nail in pavement set in the east right of Way line of said South County Road 122 and the west boundary of said tract, for the southwest corner of said tract. W, with the east right of Way line of said South County Road 1220 and the west boundary line of said 8.30 acre tract, 803.03 feet, to the Point of Beginning and containing 4.97

ACKNOWLEDGEMENT

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT WE, FAIR FAMILY PARTNERSHIP LTD., DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN HEREON DESCRIBED PROPERTY AS "DUNHAM ACRES, SECTION 24," BEING A PLAT OF A 4.97 ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 1, OF THE MIDLAND COUNTY, TEXAS, AND DO HEREBY CERTIFY THAT THE PLAT, MAP, AND EASEMENTS AS SHOWN HEREON, DO CORRECTLY REPRESENT THE PLAT, MAP, AND EASEMENTS AS SHOWN HEREON.

FAIR FAMILY
PARTNERSHIP LTD.

ROBERT C. FAIR, PRESIDENT OF B & D FAIR CORP. ITS GENERAL PARTNER

STATE OF
TEXAS;
COUNTY OF
THIS INSTRUMENT WAS
PRESENTED FOR RECORD BY _____, 20____, BY ROBERT
PARTNER, FAIR FAMILY PARTNERSHIP LTD.
C. FAIR,

MY COMMISSION EXPIRES _____

PRINTED NAME OF NOTARY _____

NOTARY PUBLIC, STATE OF TEXAS _____

CERTIFICATE OF

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF "DUNHAM ACRES, SECTION 2" WAS APPROVED BY PROPER ACTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS, ON THIS _____ DAY OF _____, 20____.

LUCY SHIRMAN, CHAIRMAN OF PLANNING AND ZONING COMMISSION

PLAT FILED FOR
RECORD:
MIDLAND
COUNTY, TEXAS: CABIN _____
DAT _____ ET _____
F: _____ PAGE _____
INSTRUMENT _____
NUMBER: _____

SURVEYOR'S CERTIFICATE

STATE OF TEXAS,
COUNTY OF KENDALL,
I, SAM HOWELL II, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.
S. HOWELL,
INC.



SAM HOWELL II
REGISTERED PROFESSIONAL
LAND SURVEYOR #4631

DUNHAM ACRES,
SECTION 2,
4.97 ACRE
TRACT OF LAND
OUT OF
SECTION 18,
COUNTY OF TEXAS
L. & P. BY. CO.
SURVEY.



S.W. HOWELL, INC.
409 East 57th Street
Odessa, Texas 79762
361-5111
TEXAS SALES & SERVICE FIRM
#F-00007-00
May 16 2
Drawn by: GM Date: 00

Name:	Owner Information FAIR FAMILY PARTNERSHIP LTD.
Address S:	S. COUNTY ROAD 1290
23	MIDLAND, T
Phone :	79765 (432) 528

Final Plat ApplicationProject Number: SUB-22-0556Case Number: P-23-1617**Proposed Subdivision Plat Name:** Dunham Acres, Section 2**Legal Description (attached sealed Metes and Bounds):** 4.97 Acres out of Section 18, Block 40, T-2-S
T & P Ry Co Survey, Midland County, Texas**Property Owner**Printed Name: Fair Family Partnership, LtdPhone 432) 528-5790Email bfair@rino-kk.comAddress P. O. Box 60047City MidlandState TXZip 79711**Developer (if different than Owner)**

Printed Name:

Phone 432) 367-5711

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: S. W. Howell, Inc.Printed Name: Janie HowellPhone 432) 367-5711

Email

J.howell@swhowell.comAddress 409 E 57th StreetCity OdessaState TXZip 79762**Current Zoning:****Reason for Platting:** ETJ plat for proposed building**Plat Information**Total Acreage: 4.97Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00
For plats that exceed 24" \$81.00
For related documents, \$26.00 for first page, \$4.00 for each additional page.

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

Property Owner (signature):

Date:

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 Janie Howell who, being by me duly sworn, upon oath says: That (s)he is authorized by Fair Family Partnership 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.

Janie Howell Agent
Authorized Agent (signature)

Janie Howell PE

Subscribed and sworn to before me this 27 day of April, 2023, to certify which witness my hand and seal of office



Sheila Shrestha

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

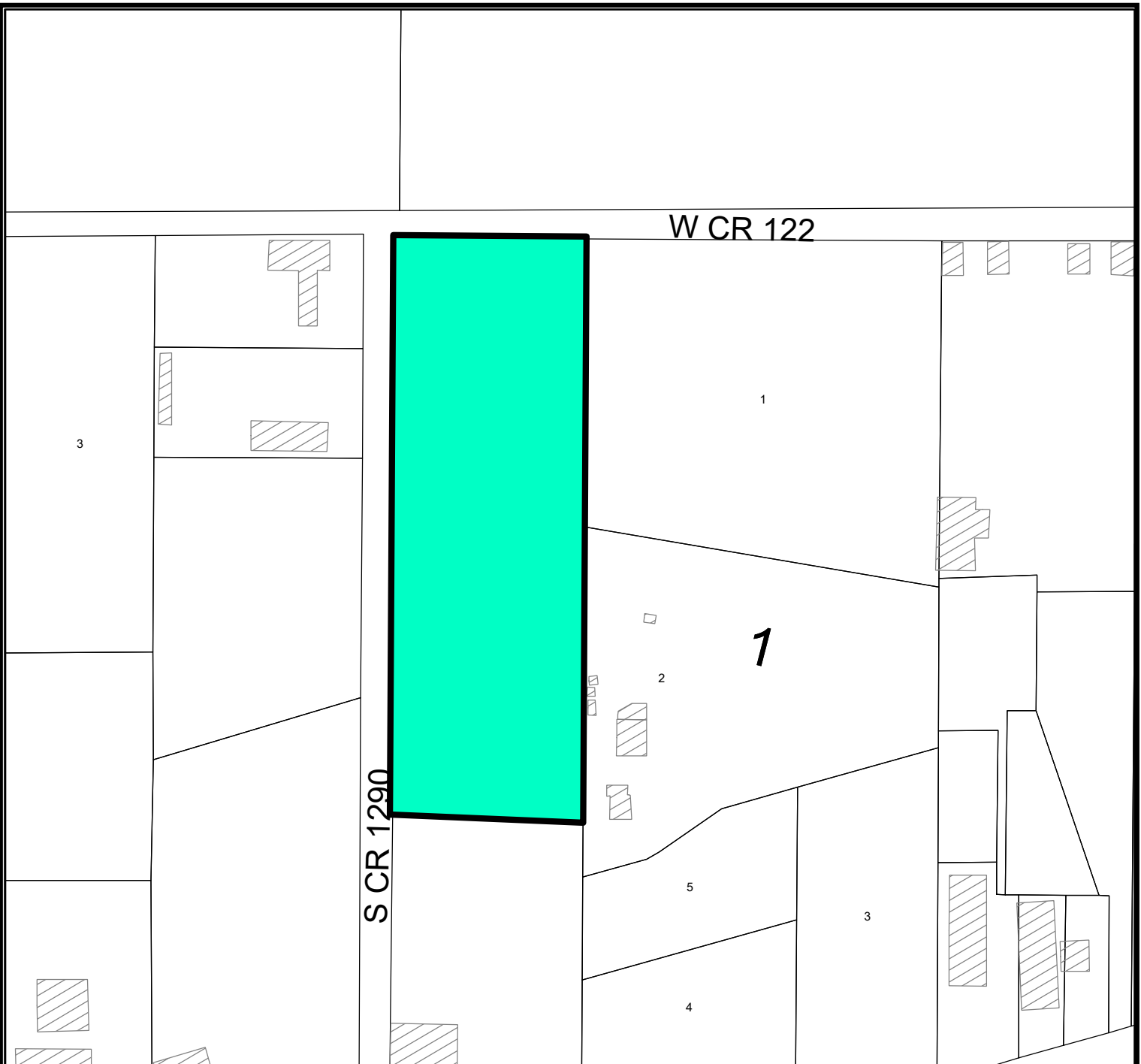
FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>10072</u> | ☒ Tax Certificates | ☒ Recording Fee |

Received By: Alexandra Walling

Date: APR 27 2023

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



LOCATION MAP

SUB-22-0556

Scale: 1" = 200'

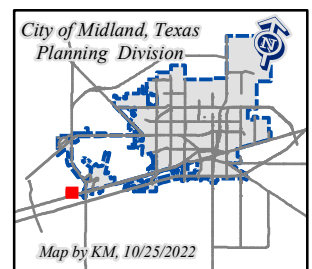
Proposed plat of Dunham Acres, Section 2, being a plat of a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P, RY, Co. Survey, Midland County, Texas.

Generally located on southeast corner of the intersection of W County Road 122 and S County Road 1290.
(Extraterritorial Jurisdiction)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a Final Plat of West 191 Industrial Park, Section 10, being a Replat of Lots 1 and 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 2,150-feet east of North Farm to Market Road 1788. – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

RR, Regional Retail.

Preliminary Plat Approval:

The preliminary plat was approved at the Planning and Zoning Commission meeting on March 20, 2023.

Final Plat Requirements:

The applicant is requesting the replat for future development. 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, 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: Okay as shown. [For Applicant's Information Only.]

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

PAVING: Private paving improvements are part of a public improvement project and were approved by the City on 8/17/2021. [For Applicant's Information Only.]

WATER: Water main improvements were part of a public improvement project and were approved by the City on 8/17/2021. [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: Sewer main improvements were part of a public improvement project and were approved by the City on 8/17/2021. [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)

TxDOT comments, "Access to SH 191 frontage road will need to be coordinated with TxDOT and meet current Access Management Standards. Post development

runoff/drainage should not exceed pre-development conditions. Based on the current exit ramp location, only 1 access appears to be able to be accommodated at the western edge as is shown on the plat.” No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant’s information only.]

FIRE: (Approved)

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

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 comments.

PLANNING: (Approved)

No comments.

Staff recommends approval of the Final Plat for West 191 Industrial Park, Section 10 subject to condition A.

Conditions:

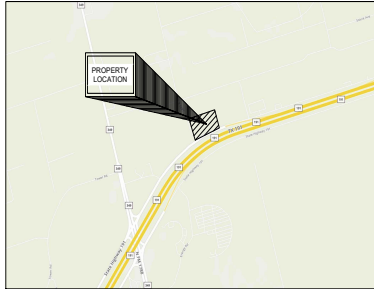
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps

FINAL PLAT
WEST 191 INDUSTRIAL PARK, SECTION 10

BEING A REPLAT OF LOTS 1 & 2, BLOCK 3,
WEST 191 INDUSTRIAL PARK, SECTION 6
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS



LOCATION MAP
N.T.S.

- 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 THESE LOTS(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
 3. COORDINATES, BEARINGS AND DISTANCES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, 1983 NAD, CENTRAL ZONE, WITH A COMBINED GRID FACTOR OF 9.999999999 AND A THETA ANGLE OF -90°59'09".
 4. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 43329C020F DATED DECEMBER 6, 1999.
 5. 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 AC24 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 11-11.4, 11-11.4.8 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.
 6. 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.
 7. DECLARATION OF RESTRICTIVE COVENANTS REGARDING THIS DEVELOPMENT FILED OF RECORD IN INSTRUMENT NO. 2019-17146 DATED 06-12-2019, MIDLAND COUNTY, TEXAS.

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

Signed: _____
Oncor Electric Delivery Company

Signed: _____
Optimum

Signed: _____
A. T. & T.

Signed: _____
Astound Broadband

Signed: _____
Atmos Energy

PACKET

SURVEYOR'S CERTIFICATE:
KNOW BY ALL MEN BY THESE PRESENT THAT I, DOW E KELLY, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

DATED: _____ 20____ DOW E KELLY, R.P.L.S. # 5707



Page 5.26

CERTIFICATE OF APPROVAL:
For approval by the Commission:

This is to certify that the above and foregoing plat of WEST 191 INDUSTRIAL PARK, SECTION 10 was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 2023.

Signed: _____
Lucy Stinegas, Chairman

Signed: _____
Jeffrey Fisher, Secretary

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, PB ANDERSON PROPERTIES, LLC, is the record owner of Lots 1 & 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas as per plat recorded in Cabinet "M", Page 101, Plat Records, Midland County, Texas and being more particularly shown hereon:

Now, therefore, know all men by these presents:

That I, ROBERT ANDERSON, do hereby adopt this plat designating the hereinabove described property as WEST 191 INDUSTRIAL PARK, SECTION 10, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever of the streets and easements shown hereon.

WITNESS my hand at Midland, Texas, this the _____ day of _____, 2023

PB ANDERSON PROPERTIES, LLC
ROBERT ANDERSON, PRESIDENT

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

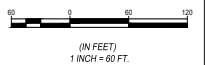
This plat was acknowledged before me on _____, 2023 by ROBERT ANDERSON.

Notary Public, State of Texas

LEGEND

- = SET 1/2" IRON ROD
- = FOUND 1/2" IRON ROD

GRAPHIC SCALE



OWNER:

PB ANDERSON PROPERTIES, LLC
10804 HWY 191
MIDLAND, TEXAS 79707
(432) 561-5880

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
CABINET _____
DATE _____
PAGE _____

WEST 191 INDUSTRIAL PARK, SECTION 10

SCALE: 1" = 60'
DATE: APR 2023
DRAWN BY: CSD
FILE NAME:
NEWTON ENGINEERING, PC
F:\33858
Santa Rosa Dr.
Texas 79707
(432) 770-0499
F:\10194809
2481 E. 2nd St.
Odessa, Texas 79761
(432) 935-0707

FINAL PLAT

PROJECT NUMBER: 23-ME01301



Final Plat Application

Project Number: SUB-22-0547
Case Number: P-23-1609

Proposed Subdivision Plat Name: West 191 Industrial Park, Section 10

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

Property Owner

Printed Name: **PB Anderson Properties, LLC**

Phone (432) 561-5880

Email: robert@andersonhomestx.com

Address 10804 Hwy 191

City Midland

State TX

Zip 79707

Developer (if different than Owner)

Printed Name: **Same as owner**

Phone ()

Email

Address

City

State

Zip

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

Firm: Newton Engineering, PC

Printed Name: Chase Dunnam

Phone (432) 559-5128

Email: chase@newtoncivil.com

Address 4501A Santa Rosa Dr.

City Midland

State TX

Zip 79707

Current Zoning: RR

Reason for Platting: Create lots for regional retail development

Plat Information

Total Acreage: 6.01

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 4

Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 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): Robert Anderson Date: 4-13-23
Property Owner (printed): Robert Anderson

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.

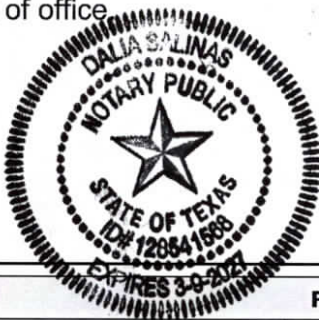
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

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



Chase Dunnam
Authorized Agent (signature)

Dalia Salinas
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

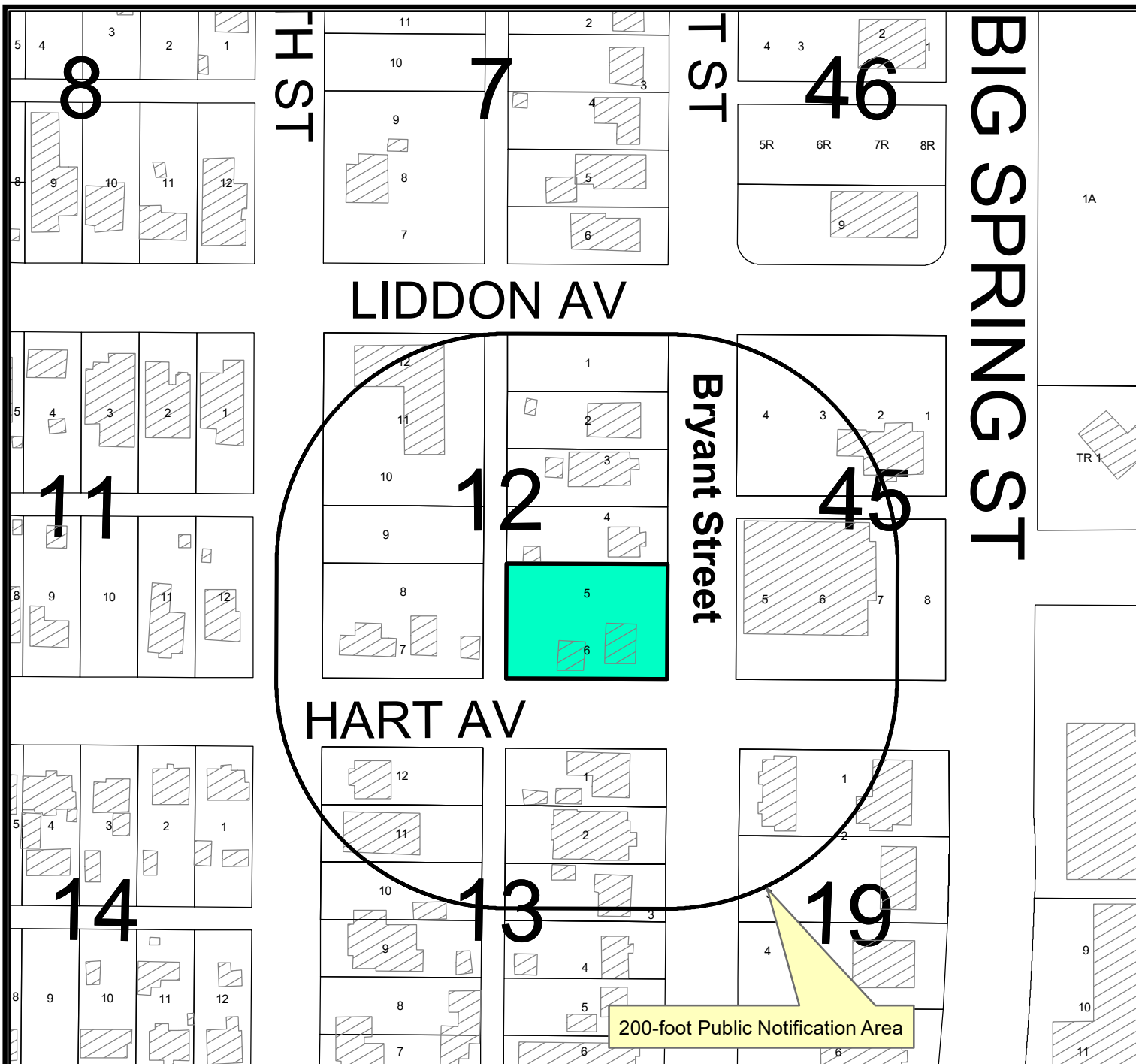
FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ CADD File
☒ Application Fee	☒ Title Opinion	☐ Public Improvement
Check # <u>1522</u>	☒ Tax Certificates	☒ Recording Fee
		Check # <u>1522</u> APR 24 2023

Received By: KM

Date: BY: [Signature]

**Application will not be considered for scheduling until reviewed by a planner. May 15, 2023



LOCATION MAP

SUB-22-0520

Scale: 1" = 1,507'

Proposed Final Plat of Cowden Addition, Section 7,
being a Replat of Lots 5 and 6, Block 12, of
Cowden Addition, City and County of Midland, Texas.

Generally located on the northwest corner
of the intersection of Hart Avenue
and Bryant Street. - (Council District 3)

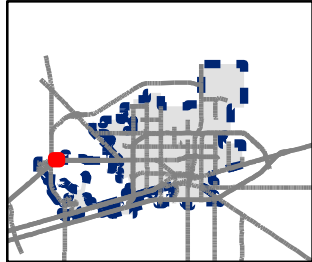
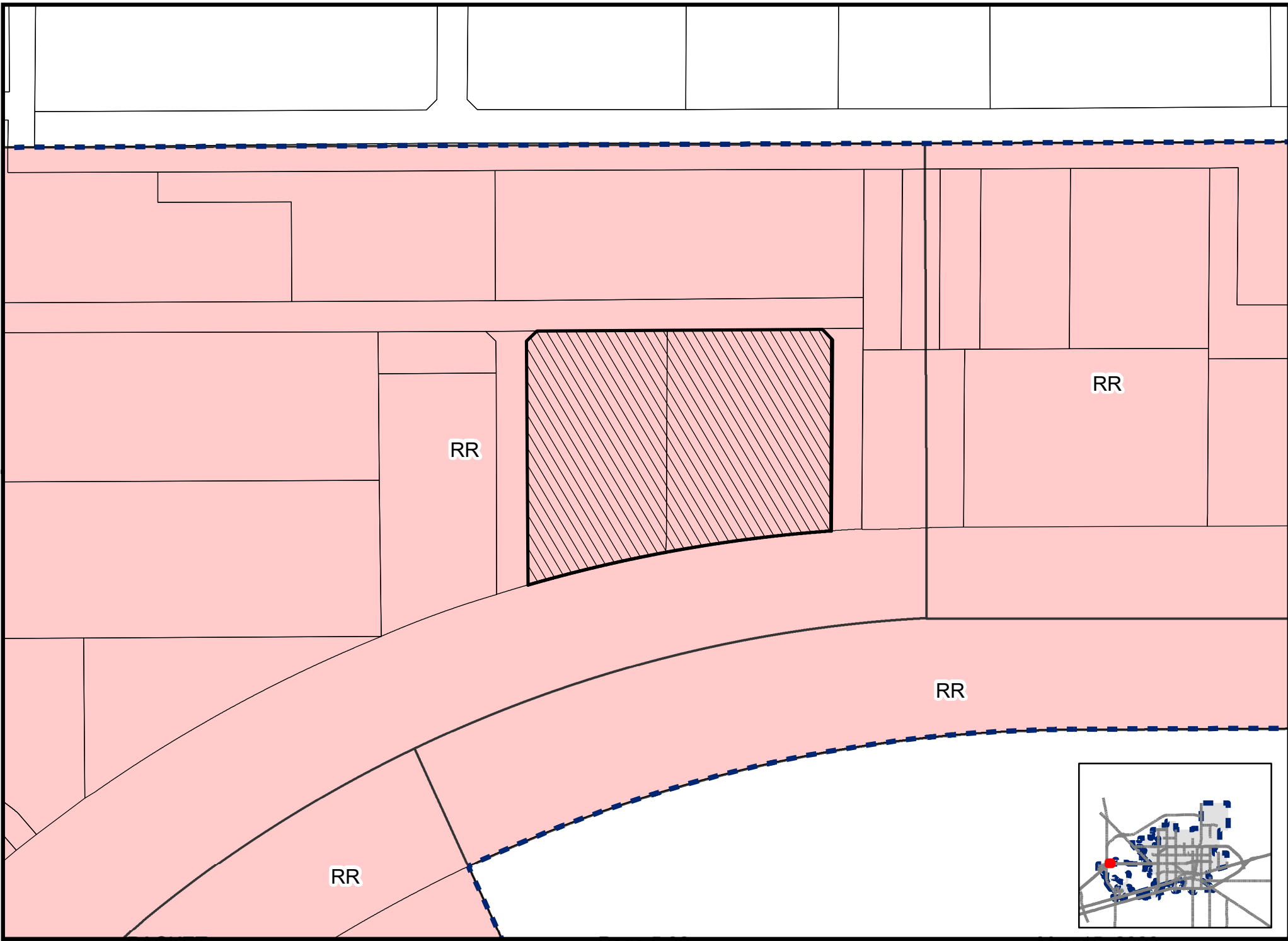
LEGEND

- 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:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a Final Plat of Cowden Addition, Section 7, being a Replat of Lots 5 and 6, Block 12, Cowden Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Hart Avenue and Bryant Street. - Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

O1, Office District.

Preliminary Plat Approval:

The preliminary plat was approved at the August 15, 2022, Planning and Zoning Commission meeting.

Final Plat Requirements:

The applicant is requesting to replat for the purpose of combining two lots into one for ownership purposes. 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, 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: Okay as shown. [For the Applicant's information only.]

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

PAVING: Hart roadway, okay as is. Bryant roadway, okay as is. No public paving improvements required. [For the Applicant's information only.]

WATER: 6" water exists in Bryant Street, okay as is. 6" water exists in Hart Avenue, 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 Bryant Street, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review.

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

No Oil and Gas issues.

GIS: (Approved)

No comments.

PLANNING: (Approved)

No comments.

Staff recommends approval of the Final Plat for Cowden 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
Application
Maps



Final Plat Application

Project Number:

SUB-22-0520-

Case Number:

P-23-1614

Proposed Subdivision Plat Name: Cowden Addition, Section 7**Legal Description (attached sealed Metes and Bounds):** Being a Replat of Lots 5 and 6, Block 12, Cowden Addition, City and County of Midland, Texas**Property Owner**

Printed Name: Susana Maldonado

Phone ()

Email

Address 1801 Bryant

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: O1**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 0.322

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):

Susana Maldonado

Date: 4-12-23

Property Owner (printed):

Susana Maldonado

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 21st day of 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 # 4111

☒ 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: London Johnson

Date:

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

PACKET

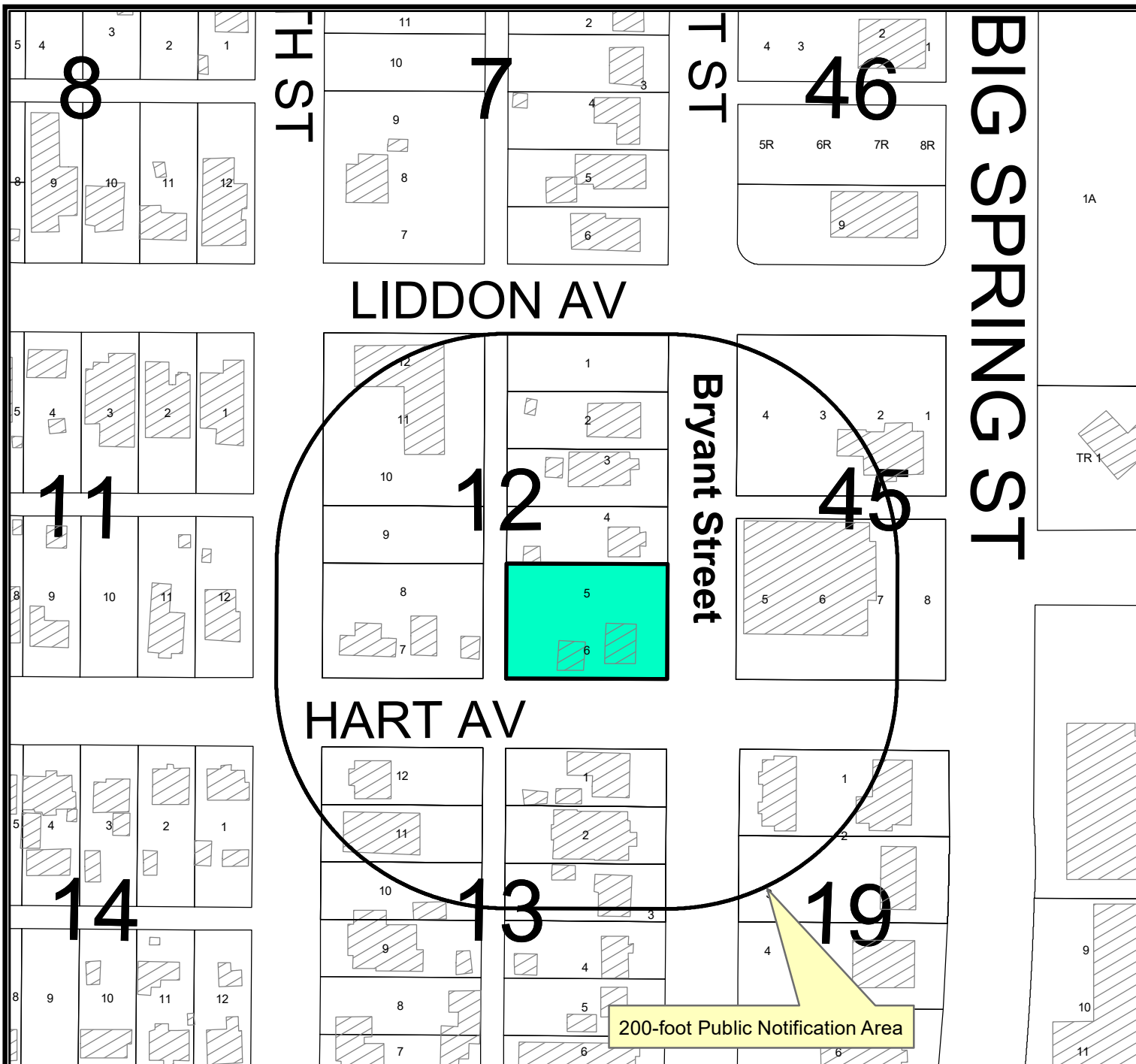
Page 6.35

May 15, 2023

Final Plat Application

2

Revised 7/01/19.....



LOCATION MAP

SUB-22-0520

Scale: 1" = 1,507'

Proposed plat of Cowden Addition, Section 7, being a replat of Lots 5 and 6, Block 12, of Cowden Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Hart Avenue and Bryant Street. (Council District 3)

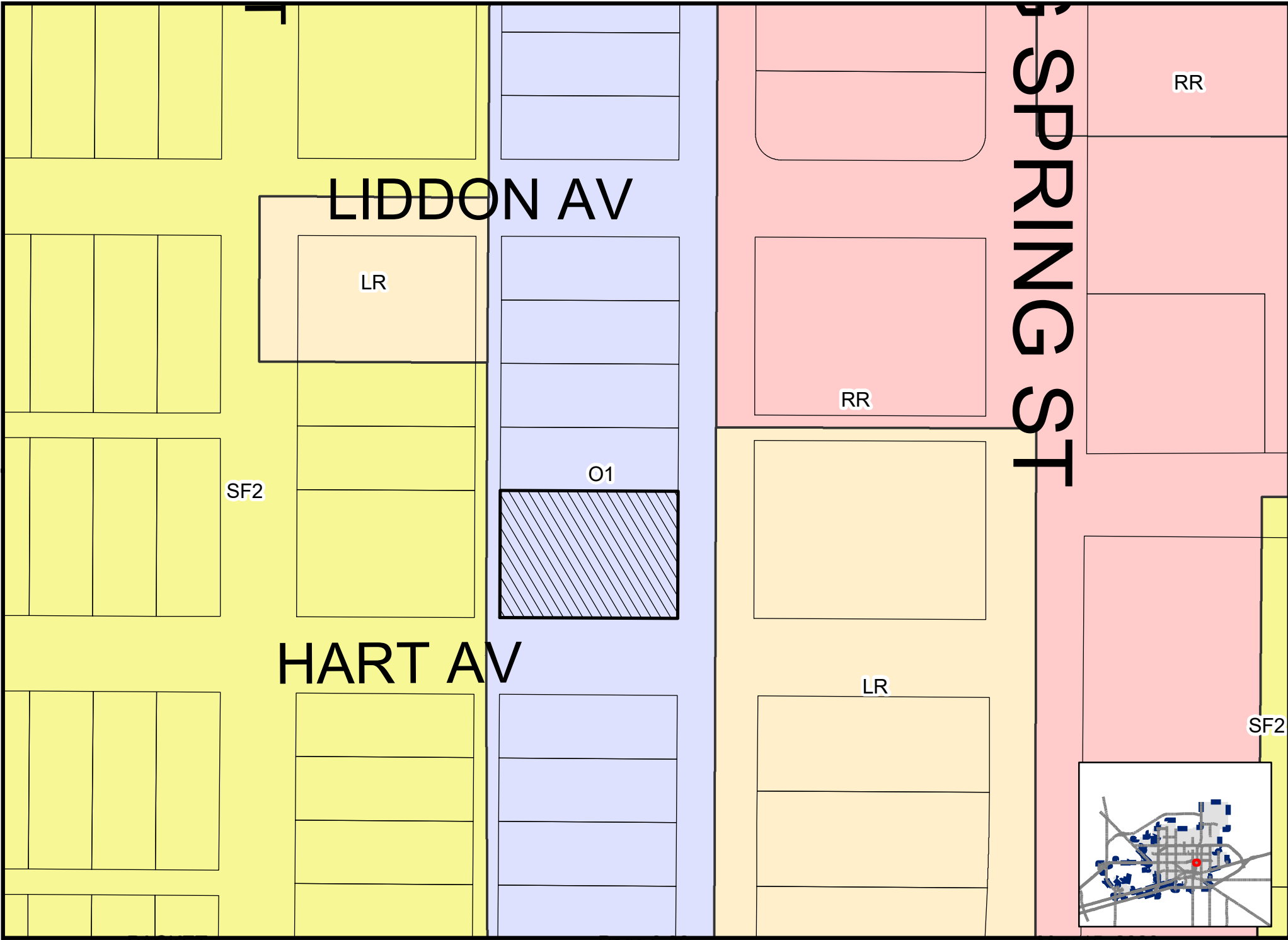
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of Autumn Estates, Section 2, being a Plat of a 22.88-acre tract of land out of the northeast quarter of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of North County Road 1125, approximately 555-feet south of East County Road 60. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

The preliminary plat was approved at the March 6, 2023, Planning and Zoning Commission meeting.

Final Plat Requirements:

The applicant is requesting to plat for the purpose of obtaining septic permits and addressing. 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)

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

ENGINEERING: (Approved)

* * *FEMA Firm data to be on plat face. * * *

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

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

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

WATER: Deferral request for water improvements were administratively approved on 02/23/2023. [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: Deferral request for wastewater improvements were administratively approved on 02/23/2023. [For Applicant's Information Only.]

DRAINAGE: Drainage report has been approved for platting purposes on 2/10/2023. [For Applicant's Information Only.]

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 02/23/2023. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments.

Oil and Gas: (Approved)

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

GIS: (Approved)

No comments.

Midland County:

No comments.

Health Department: (Approved)

Yes, the health department will review applications from the 17 proposed lots of Autumn Estates, PLAT OF A 22.8 ACRE TRACT OF LAND OUT OF THE NORTHEAST OF SECTION 26, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY each lot is 1 acre and above to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning: (Approved)

No comments.

Staff recommends approval of the Final Plat for Autumn Estates, 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.**

Attachments:

Final Plat
Application
Maps

STATE OF TEXAS &
COUNTY OF MIDLAND &

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE NORTHEAST PART OF SECTION 26, BLOCK 38, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

BEING A PLAT OF A 22.88 ACRE TRACT OF LAND, OUT OF THE NORTHEAST QUARTER OF SECTION 26, BLOCK 38, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 22.88 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT REINFORCING BAR SET FOR THE MOST EASTERLY NORTHEAST CORNER OF THIS TRACT FROM WHICH THE NORTH EAST CORNER OF SAID SECTION 26 BEARS NORTH 14°31'38" WEST 793.61 FEET AND NORTH 75°41'29" EAST 750.04 FEET;

THENCE SOUTH 14°31'38" EAST, ALONG THE EAST LINE OF SAID 22.88 ACRE TRACT, 368.82 FEET TO REINFORCING BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°37'10" WEST, ALONG THE SOUTH LINE OF SAID 22.88 ACRE TRACT, 1901.94 FEET TO A REINFORCING BAR FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°29'14" EAST, ALONG THE WEST LINE OF SAID 22.88 ACRE TRACT, 546.18 FEET TO A REINFORCING BAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°37'10" EAST, ALONG THE NORTH LINE OF SAID 22.88 ACRE TRACT, 1665.45 FEET TO A REINFORCING BAR SET FOR THE MOST WESTERLY NORTHEAST CORNER OF THIS TRACT;

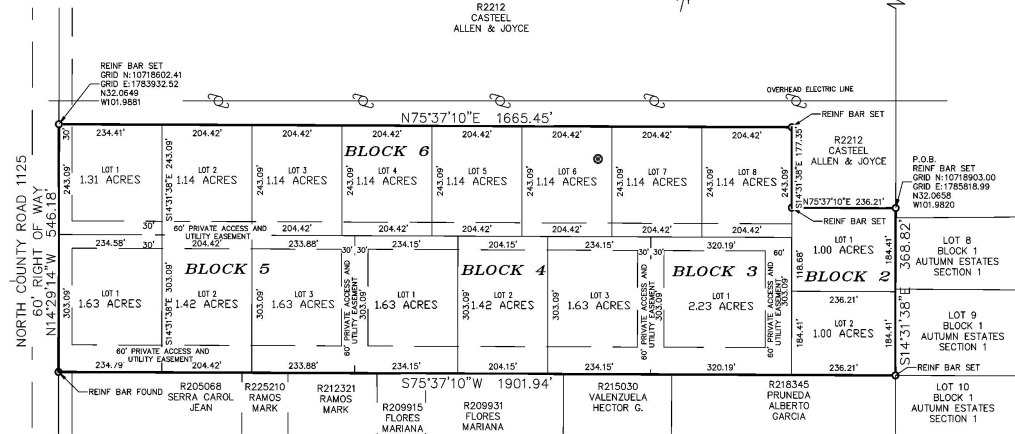
THENCE SOUTH 14°31'38" EAST 177.35 FEET TO AN INTERIOR CORNER OF THIS TRACT;

THENCE NORTH 75°37'10" EAST 236.21 FEET TO THE PLACE OF BEGINNING.

AUTUMN ESTATES, SECTION 2

BEING A PLAT OF 22.88 ACRES OUT OF THE
NORTHEAST QUARTER OF
SECTION 26, BLOCK 38, T-1-S, T & P, RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

GRAPHIC SCALE
0 200 400'
(1 INCH = 200' FEET)



LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- SECTION LINE
- UTILITY EASEMENT
- WATER WELL

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 PLATING 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 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.
- 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.

OWNER(S):

ALLEN CASTEEL
JOYCE CASTEEL

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS AUTUMN ESTATES, SECTION 2, AN ADDITION OF 22.88 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.

JOYCE CASTEEL

STATE OF TEXAS &
COUNTY OF MIDLAND &

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY JOYCE CASTEEL

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2023.

ALLEN CASTEEL

STATE OF TEXAS &
COUNTY OF MIDLAND &

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY ALLEN CASTEEL

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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

RJ DAUM
TEXAS RPLS 4826



Page 7.42

DATE	DESCRIPTION	BY	DRAWN BY	DATE
11/10/2022	PRELIMINARY SKETCH	JG	EA/JG	11/10/2022
12/08/2022	PRELIMINARY SKETCH	JG	ED/RJ	78924
			CHECKED BY:	PROJECT NO.:
			78,924	78924
			SHEET: 1 OF 1	

PLAT FILED FOR RECORD

MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



AUTUMN ESTATES, SECTION 2



Final Plat Application

Project Number: Sub-22-0565
Case Number: P-23-1619

Proposed Subdivision Plat Name: AUTUMN ESTATES, SECTION 2

Legal Description (attached sealed Metes and Bounds): 22.88 ACRES OUT OF THE NE/4 OF SECTION 26, BLOCK 38, T-1-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS.

Property Owner		Phone ()	
Printed Name: YAHIMA VASQUEZ <u>Joyce Casta</u>		Email	
Address	City	State Tx	Zip

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

Representative (if acting as Agent, see affidavit on page 2)		Phone (432) 684-5548	
Firm: <u>Schumann Engineering</u>		Email	
Printed Name: <u>Eduardo L. Aleman</u>		<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:

Reason for Platting: TO OBTAIN SEPTIC PERMITS AND ADDRESS

Plat Information	Total Acreage: 22.88
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 17	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): Joyce Castee Date: 4-21-23

Property Owner (printed): Joyce Castee

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.

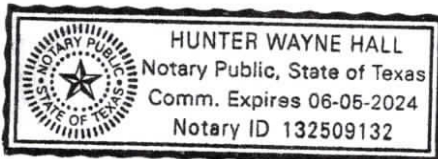
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman 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.

Edmund G. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th 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

☒ 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: 4/26/23

PACKET **Application will not be considered for scheduling until reviewed by a planner** May 15, 2023

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Allen Castoel
Allen Castoel

Date:

4-27-23

Property Owner (printed):

Allen Castoel

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

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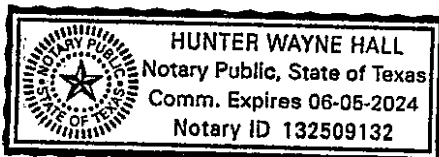
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STATE OF TEXAS
COUNTY OF MIDLAND

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 _____, 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.

Edmundo J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th 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) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # _____ | ☐ Tax Certificates | ☐ Recording Fee |
| | | Check # _____ |

Received By: _____

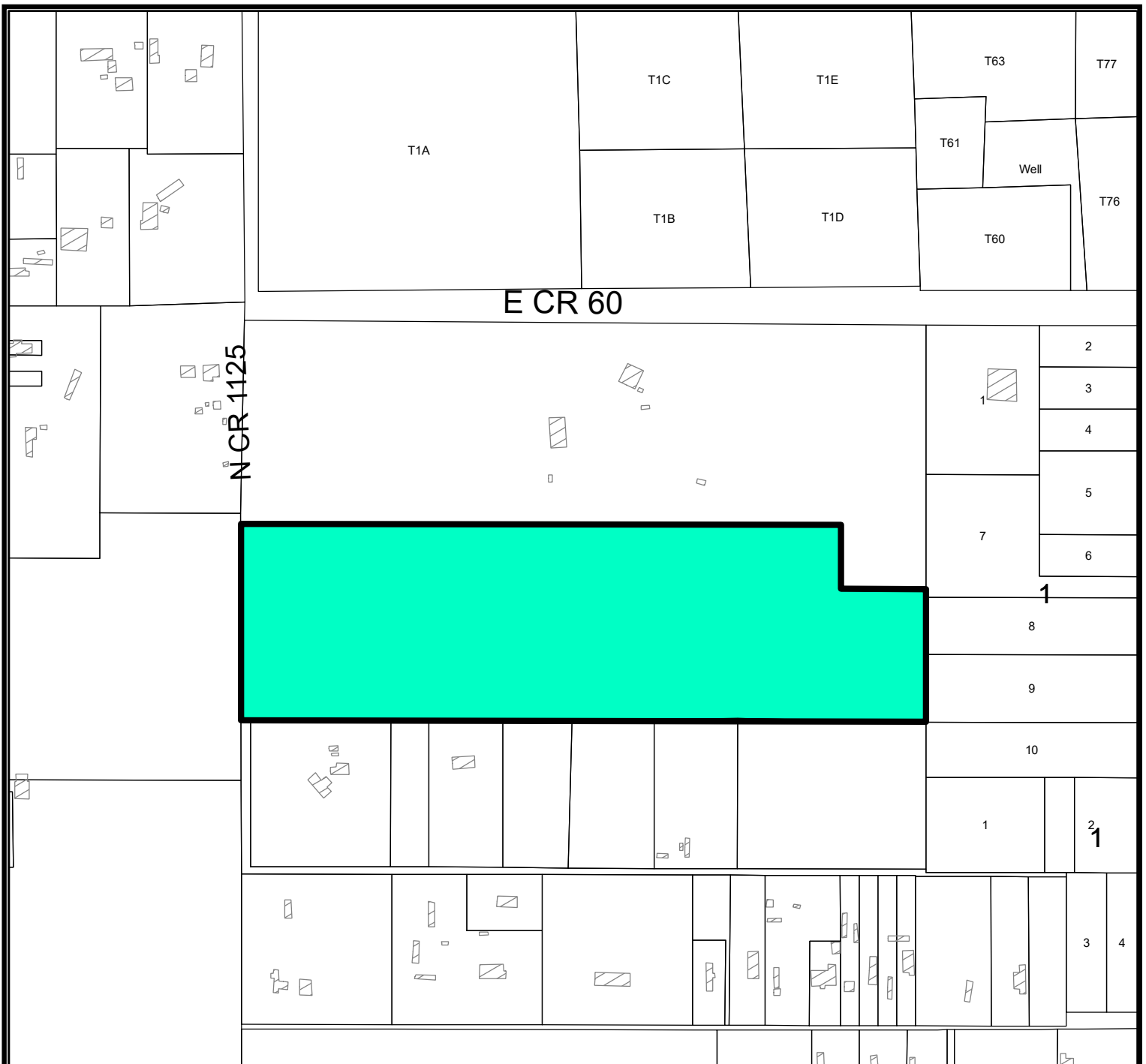
Date: _____

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

PACKET

Page 7.45

May 13, 2023



LOCATION MAP

SUB-22-0565

Scale: 1" = 200'

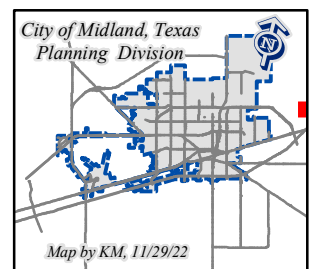
Proposed Final Plat of Autumn Estates, Section 2, being a Plat of a 22.88-acre tract of land out of the northeast quarter of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the east side of North County Road 1125, approximately 555-feet south of East County Road 60. - (Extraterritorial Jurisdiction)

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 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 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of Decker Addition, Section 2, being a plat of an 8.00-acre tract of land out of the southwest quarter of Section 7, Block 39, T-2-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located approximately 235-feet south of West County Road 116, approximately 393-feet east of South County Road 1227. – (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

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.

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved)

IMPACT FEES: Ok as shown. [For applicant's information only.]

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

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

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

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

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

SEWER: No frontage along Public ROW. [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 at building permit. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments.

Oil and Gas: (Approved)

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

GIS: (Approved)

No comments.

Midland County: (Approved)

No comments.

Health Department:

Yes, the health department will review application from the 1 proposed lot of Decker Addition Section 2, PLAT OF A 8 ACRE TRACT OF LAND OUT OF THE SOUTHWEST/4 OF SECTION 7, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY the lot is 8 acre to ensure the proposed plans on the application for the existing structures on the property and new septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning: (Approved)

All comments have been satisfied.

Staff recommends approval of the Final Plat for Decker Addition, 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.**

Attachments:

Final Plat
Application
Maps

BEING A PLAT OF A 8.00 ACRE TRACT
OF LAND OUT OF
THE SW/4 OF SECTION 7,
BLOCK 39, T-2-S
T&P RR CO SURVEY
MIDLAND COUNTY, TEXAS

DECKER ADDITION, SECTION 2



Final Plat Application

Project Number: SUB-22-0568Case Number: P-23-1623Proposed Subdivision Plat Name: **DECKER ADDITION, SECTION 2**Legal Description (attached sealed Metes and Bounds): BEING A PLAT OF A 8.00 ACRE TRACT OF LAND OUT OF THE SW/4 OF SECTION 7, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS**Property Owner**Printed Name: ☐ AVI ☐ WAYNE ☐ DECKER & NANCY ANN ☐ DECKER

Phone (432) 967-2413

Email westtexasreeman@yahoo.comAddress P.O. BOX 1491 P.P.City STANTONState TXZip 797822**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 EngineeringPrinted Name: Eduardo L. Aleman

Phone (432) 684-5548

Email caleman@schumannonline.netAddress 800 N. Marienfeld, Suite 100City MidlandState TXZip 79701**Current Zoning:**Reason for Platting: TO OBTAIN SEPTIC PERMIT AND ADDRESS**Plat Information**Total Acreage: 8.00Type: ☐ 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): Klancy Ann Decker

Date: 4-27-23

Property Owner (printed): Klancy Ann Decker

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.

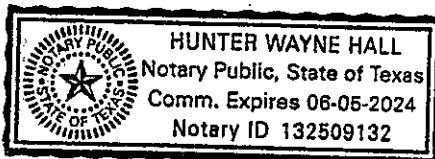
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman 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.

Edmanuel J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th 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) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # _____ | ☐ Tax Certificates | ☐ Recording Fee |
| | | Check # _____ |

Received By: _____

Date: _____

****Application will not be considered for scheduling until reviewed by a planner****
PACKET Page 8.32 May 13, 2023

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

David Decker

Date:

4.27.23

Property Owner (printed):

David Decker

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.

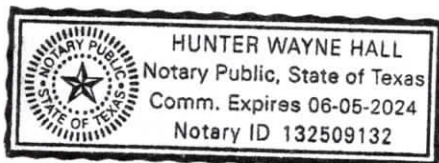
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman 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.

Edmundo J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th 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

☒ Mylar

☒ Application Fee

Check # \$350 credit card

☒ 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:

Date:

APR 27 2023

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

PACKET

Page 8.53

May 15, 2023



LOCATION MAP

SUB-22-0568

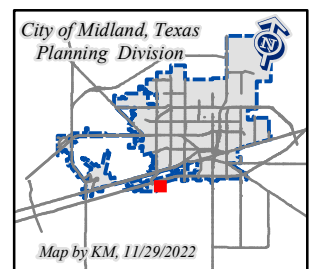
Scale: 1" = 200'

Proposed plat of Decker Addition, Section 2, being a plat of an 8.00-acre tract of land out of the southwest quarter of Section 7, Block 39, T-2-S, T&P, RR. Co. Survey, Midland County, Texas.

Generally located approximately 235-feet south of West County Road 116, approximately 393-feet east of South County Road 1227 (ETJ, Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a Final Plat of Lone Star Addition, Section 2, being a Replat of Lots 1-10, Block 1, Lone Star Addition and a 9.188-acre tract of land out of the southeast quarter of Section 21, Block 39, T-S-2, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of County Road 1210, approximately 1,540-feet north of West County Road 140. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the January 3, 2023, Planning and Zoning Commission meeting.

Final Plat Requirements:

The applicant is requesting to plat for the purpose of obtaining septic permits and addressing. 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)

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

ENGINEERING: (Approved)

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

ROW: See Transportation's comments. [For the Applicant's information only.]

PAVING: A deferral was submitted and in review. [For Applicant's Information Only.]

WATER: A deferral was submitted and in review. [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: A deferral was submitted and in review. [For 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: A deferral was administratively approved on May 9, 2023. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

No comments.

MIDLAND COUNTY (Approved):

They will need a permit from Midland County Public Works to tie into the road.

CRMWD (Approved):

No comments.

HEALTH (Approved):

No comments.

PLANNING: (Approved)

No comments.

Staff recommends approval of the Final Plat for Lone Star Addition, 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.**

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

Sub-22-0522
P-23-1622

Proposed Subdivision Plat Name: **LONE STAR ADDITION, SECTION 2**

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 1-10, BLOCK 1, LONE STAR ADDITION AND A 9.188 ACRE TRACT OF LAND OUT OF THE SOUTHEAST 1/4 OF SECTION 21, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS

Property Owner Printed Name: **LONE STAR INVESTMENTS, LLC**

Phone (559) 930-0817

Email

lonestardriller@gmail.com

Address **1212 WEST PAUL AVE**

City **FRESNO**

State **CA**

Zip **93711**

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 AND ADDRESS**

Plat Information

Total Acreage: **15.63**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **10**

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)
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- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
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- Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Bradley Towers Date: 4-27-23
Property Owner (printed): Brad Towers

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.

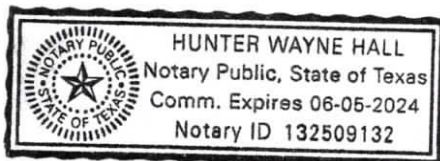
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman 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.

Eduardo J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th 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) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>Credit Card \$350</u> | ☒ Tax Certificates | ☐ Recording Fee |
| Received By: _____ | | Check # <u>1805</u> |

Date: APR 27 2023

PACKET **Application will not be considered for scheduling until reviewed by a planner** May 15, 2023

LONE STAR ADDITION SECTION 2

BEING A REPLAT OF LOT 1-10, BLOCK 1, LONE STAR ADDITION
AND 9.188-ACRES OUT OF THE SE/4 OF SECTION 21,
BLOCK 39, T-2-S,
T&P RR CO SURVEY, ABSTRACT 316
MIDLAND COUNTY, TEXAS.

OWNER:

LONE STAR INVESTMENTS, LLC
BRADLEY TOWERS, MANAGER
1212 WEST PAUL AVENUE
FRESNO, CA 93711
(559) 930-0817
lonestardriller@gmail.com

FIELD NOTE DESCRIPTION OF A REPLAT OF BLOCK 1,
LONESTAR ADDITION AND A 9.188-ACRE TRACT OUT OF THE
SE/4 OF SECTION 21, BLOCK 39, T-2-S, T&P RR CO
SURVEY, MIDLAND COUNTY, TEXAS, SAID TRACT DESCRIBED
MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" REINF BAR FOUND (N:10668406.49,
E:1750201.40) FOR THE SOUTHWEST CORNER OF THIS TRACT
IN THE EAST RIGHT OF WAY LINE OF A 60 FOOT CMS
PIPELINE EASEMENT AND THE CENTERLINE OF SAID PIPELINE
EASEMENT BEARS SOUTH 75°30'39" WEST 30.00 FEET TO A
CENTERLINE OF AN 80 FOOT RIGHT OF WAY OF SOUTH
COUNTY ROAD 1210, FROM WHICH THE SOUTHWEST CORNER
OF SAID SECTION 21 BEARS SOUTH 14°26'20" EAST 1828.68
FEET;

THENCE NORTH 14°26'15" WEST 512.46 FEET ALONG THE
EAST LINE OF SAID CMS PIPELINE EASEMENT TO A 1/2"
REINF BAR FOUND IN THE SOUTH LINE OF LOT 3, BLOCK 1,
SOUTH MIDKIFF ADDITION, SECTION 2, FOR THE
WESTERNMOST NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 74°28'51" EAST 478.98 FEET TO A 1/2"
REINF BAR FOUND FOR AN INTERNAL CORNER OF THIS
TRACT SAME BEING THE SOUTHEAST CORNER OF LOT 3,
BLOCK 1, SOUTH MIDKIFF ADDITION, SECTION 2;

THENCE NORTH 14°14'18" WEST 529.97 FEET ALONG THE
EAST LINE OF SAID LOT 3, BLOCK 1, SOUTH MIDKIFF
ADDITION, SECTION 2, TO A 1/2" REINF BAR SET FOR THE
NORTHERNMOST NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°38'18" EAST 767.92 FEET TO A 1/2"
REINF BAR SET (N:10669735.10, E:1751148.72) FOR THE
NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 13°54'03" EAST 1049.39 FEET TO A 1/2"
REINF BAR SET FOR THE SOUTHEAST CORNER OF THIS
TRACT;

THENCE SOUTH 75°30'39" WEST 669.48 FEET TO THE PLACE
OF BEGINNING.

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

RJ DAUM
RPLS 4826



NO.	DATE	DESCRIPTION	BY	JOB NO.	DRAWN BY: KDS	DATE: 6/14/2022
					CHECKED BY: RJD	DRAWING NO.: 78,353
						SHEET 1 OF 1

Page 9-60



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

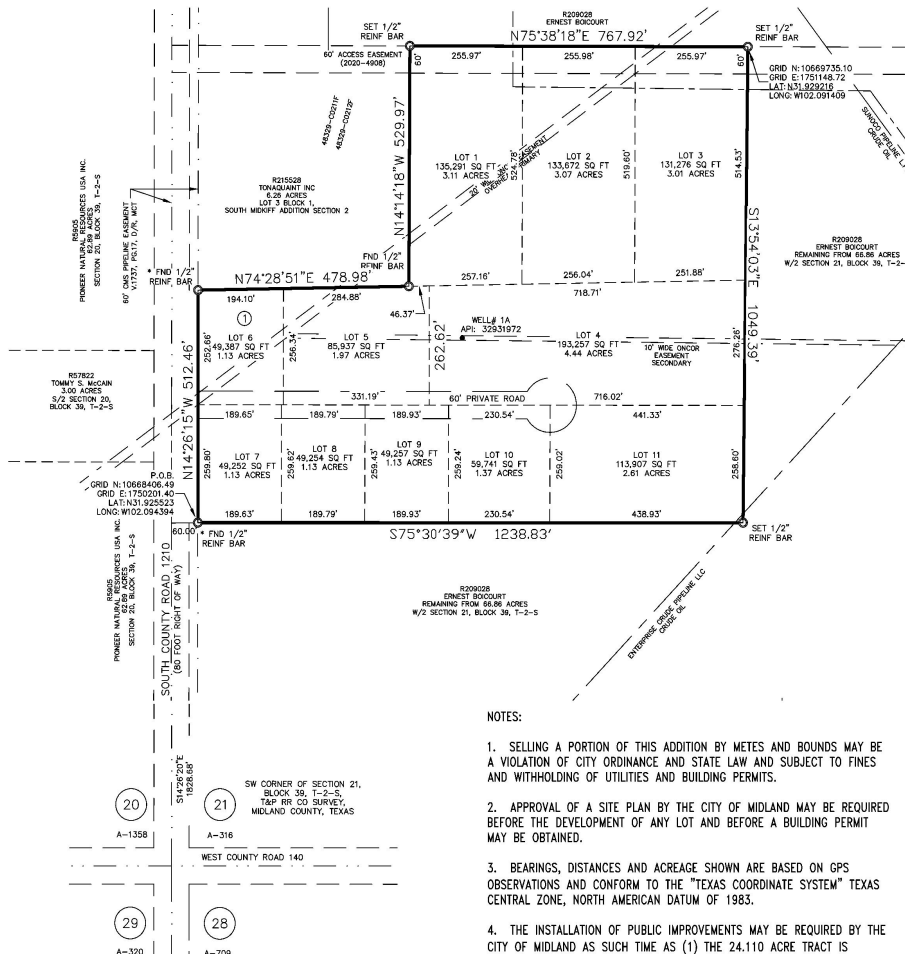


SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

CEYLA K. SCHUMANN - LAND SURVEYOR
REG. NO. 17850, EXPIRATION DATE 12/31/2025, NO. 101496000
400 N. PICO
MIDLAND, TEXAS 79701
OFFICE (432) 694-5548

LONE STAR ADDITION, SECTION 2

LONE STAR ADDITION, SECTION 2



NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) THE 24.110 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN 15 TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. THIS TRACT IS DESIGNATED AS ZONE "X" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBERS 48329-C2011F AND 48329-C0212F WITH THE EFFECTIVE DATE 9/16/2005.

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF LONE STAR ADDITION, SECTION 2 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 _____
JEFF FISHER

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

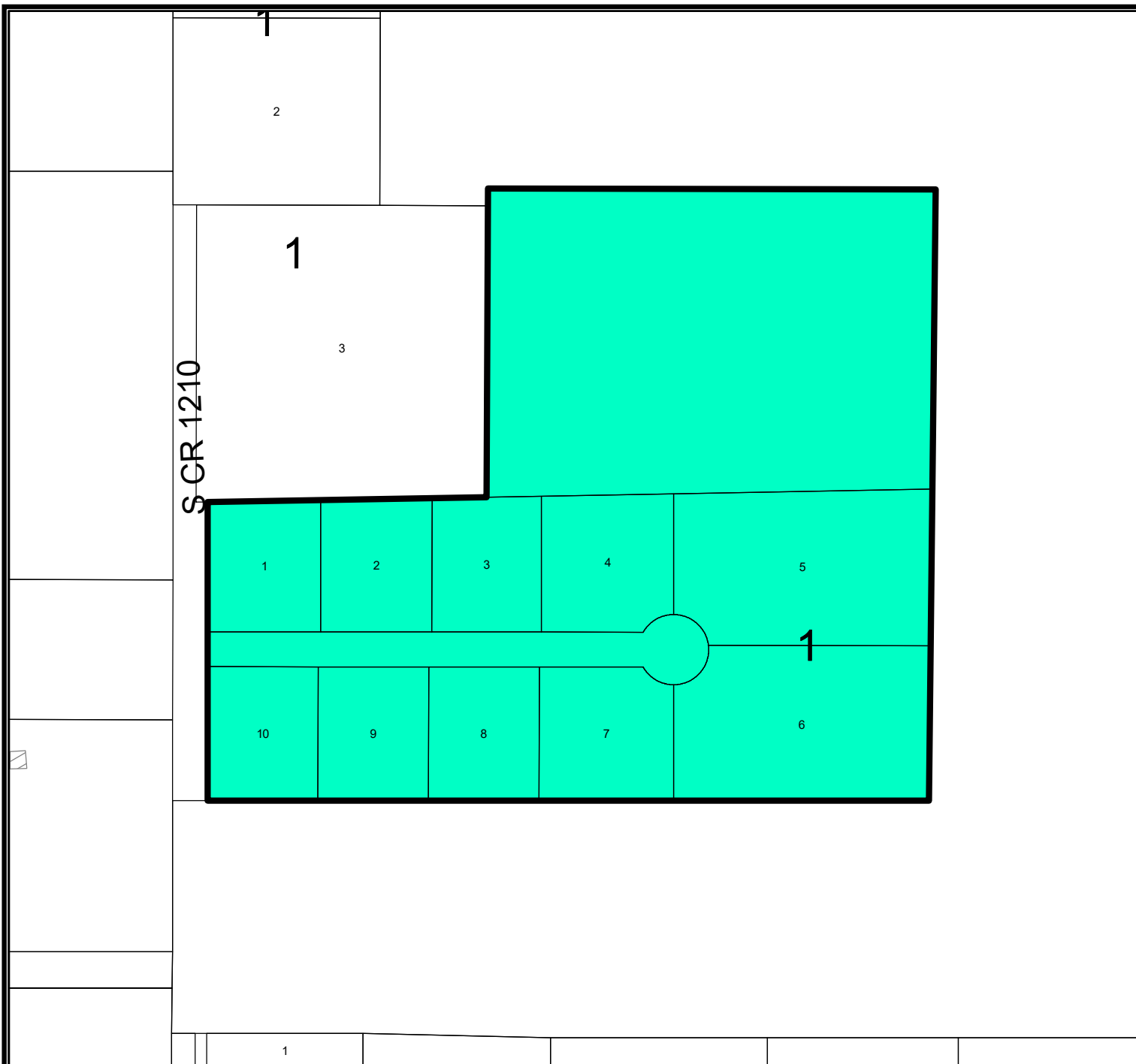
SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET



LOCATION MAP

SUB-22-0522

Scale: 1" = 200'

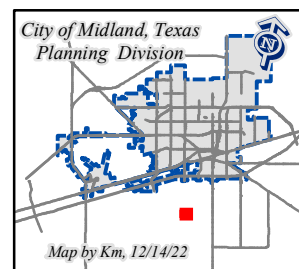
Proposed Final Plat of Lone Star Addition, Section 2, being a Replat of Lots 1-10, Block 1, Lone Star Addition and a 9.188-acre tract of land out of the southeast quarter of Section 21, Block 39, T-S-2, T&P RR Co. Survey, Midland County, Texas.

Generally located on the east side of County Road 1210, approximately 1,540-feet to the north of County Road 140. - Extraterritorial Jurisdiction

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Consider a request by Schumann Engineering for a proposed Preliminary Plat of University Park Addition, Section 3, being a Residential Replat of Lots 9 and 10 and the west 10-feet of Lot 11, Block 3, University Park Addition, City and County of Midland, Texas. (Generally located on the southeast corner on the intersection of Bedford Drive and North N Street. – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Directional/Informational

Details of Request:

The applicant Schumann Engineering is requesting to replat Lots 9 and 10 and the west 10-feet of Lot 11, Block 3, University Park Addition, City and County of Midland, Texas.

Current Zoning:

SF-1, Single-Family Dwelling District.

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

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, 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: Refer to Transportations comments if any. [For Applicant's Information Only.]

PAVING: N. N Street and Bedford Drive are okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Bedford Drive, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

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

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

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

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)

No Oil and Gas Issues.

GIS: (Approved)

Block number should be visible on plat visual. Block is 3.

On metes and bounds, the chord direction for the curve is incorrect. It is correct on the plat visual and should be N28-44-55E.

PLANNING:

Label street name as "Bedford Drive" on plat. [Informational]

Remove the address, "2011 Bedford Dr" from plat. [Informational]

Double check metes and bounds. [Informational]

Under Secretary, change name to Jeff Fisher on plat face. [Informational]

Staff recommends approval of the Preliminary Plat of University Park Addition, Section 3, subject to condition A.

Conditions:

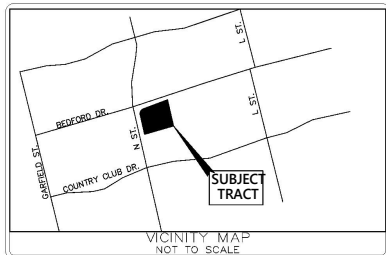
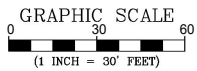
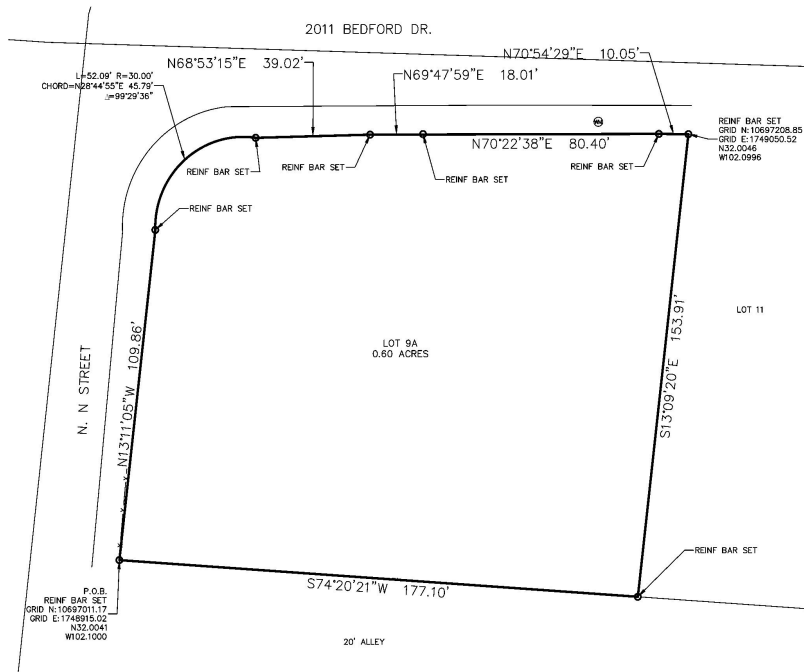
- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY
UNIVERSITY PARK ADDITION, SECTION 3

BEING A REPLAT OF LOTS 9 AND 10 AND THE WEST 10-FEET OF LOT 11,
BLOCK 3,
UNIVERSITY PARK, CITY AND COUNTY OF MIDLAND, TEXAS.



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. 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.
6. 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.
7. 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. NOT IN FLOOD PLAIN ACCORDING TO CITY OF MIDLAND GIS MAP.
8. 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 ADJ-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARDOUS OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR 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



STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2023, BY KRISTINA JOHNSON

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- - - ADJOINING PROPERTIES
- - - SECTION LINE
- - - UTILITY EASEMENT
- ⊙ CLEAN OUT
- ⊙ WATER METER
- ⊙ AIR CONDITIONER
- x - FENCE LINE

OWNER(S):

KRISTINA JOHNSON
ADDRESS
CITY, STATE ZIPCODE
PHONE NUMBER
kristina@kristindaigh.net

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF LOTS 9 AND 10 AND THE WEST 10 FEET OF LOT 11, BLOCK 3, UNIVERSITY PARK, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AS PER THE MAP OR PLAT RECORDED IN CABINET A, PAGE 89, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.60 ACRE TRACT OF LAND, ALSO KNOWN AS LOTS 9 AND 10 AND THE WEST 10 FEET OF LOT 11, BLOCK 3, UNIVERSITY PARK, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AS PER THE MAP OR PLAT RECORDED IN CABINET A, PAGE 89, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, SAID 0.60 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINFORCING BAR SET (N:10697011.17, E:1748915.02) IN THE EAST RIGHT OF WAY OF NORTH N STREET FOR THE SOUTHWEST CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 13°11'05" WEST 109.86 FEET TO A REINFORCING BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE 52.09' ALONG A CURVE WITH A RADIUS OF 30.00' AND A DELTA ANGLE OF 99°29'36", AND A CHORD BEARING OF SOUTH 28°44'55" EAST 45.79 FEET TO A REINFORCING BAR SET IN THE SOUTH RIGHT OF WAY OF BEDFORD DRIVE FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 68°53'15" EAST 39.02 FEET TO A REINFORCING BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 69°47'59" EAST 18.01 FEET TO A REINFORCING BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 70°22'38" EAST 80.40 FEET TO A REINFORCING BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 70°54'29" EAST 10.05 FEET TO A REINFORCING BAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 13°09'20" EAST 153.91 FEET TO A REINFORCING BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 74°20'21" EAST 177.10 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS LOTS 9 & 10 AND THE WEST 10 FEET OF LOT 11, UNIVERSITY PARK, AN ADDITION OF 0.60 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.

KRISTINA JOHNSON

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 SISNEGA

ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY

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	02/14/2023	SKETCH PLAN	JG	JG	02/014/2023
				CHECKED BY:	ED/RJ
				PROJECT NO.:	79166
				JOB NO.:	79,166
				SHEET:	1 OF 1





Preliminary Plat Application

Project Number:

Case Number:

SUB-23-0604
P-23-1602Proposed Subdivision Plat Name: UNIVERSITY PARK ADDITION, SECTION 3Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 9 AND 10 AND THE WEST 10-FEET OF LOT 11, BLOCK 3, UNIVERSITY PARK, CITY AND COUNTY OF MIDLAND, TEXAS.**Property Owner**Printed Name: KRISTINA JOHNSON

Phone ()

Email

kristina@kristinaleigh.net

Address

City

State

Zip

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: _____

Printed Name:

Phone ()

Email

Address

City

State

Zip

Current Zoning: _____

Reason for Platting: _____

Plat Information

Total Acreage:

0.60Type: ☐ 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: 4-19-23

Property Owner (printed): KRISTINA JOHNSON

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.

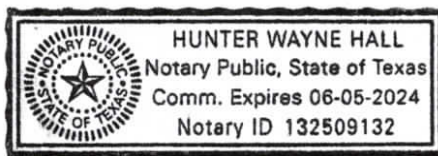
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

Ed Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of April, 20 23, to certify which witness my hand and seal of office.



AW
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 # Credit Card

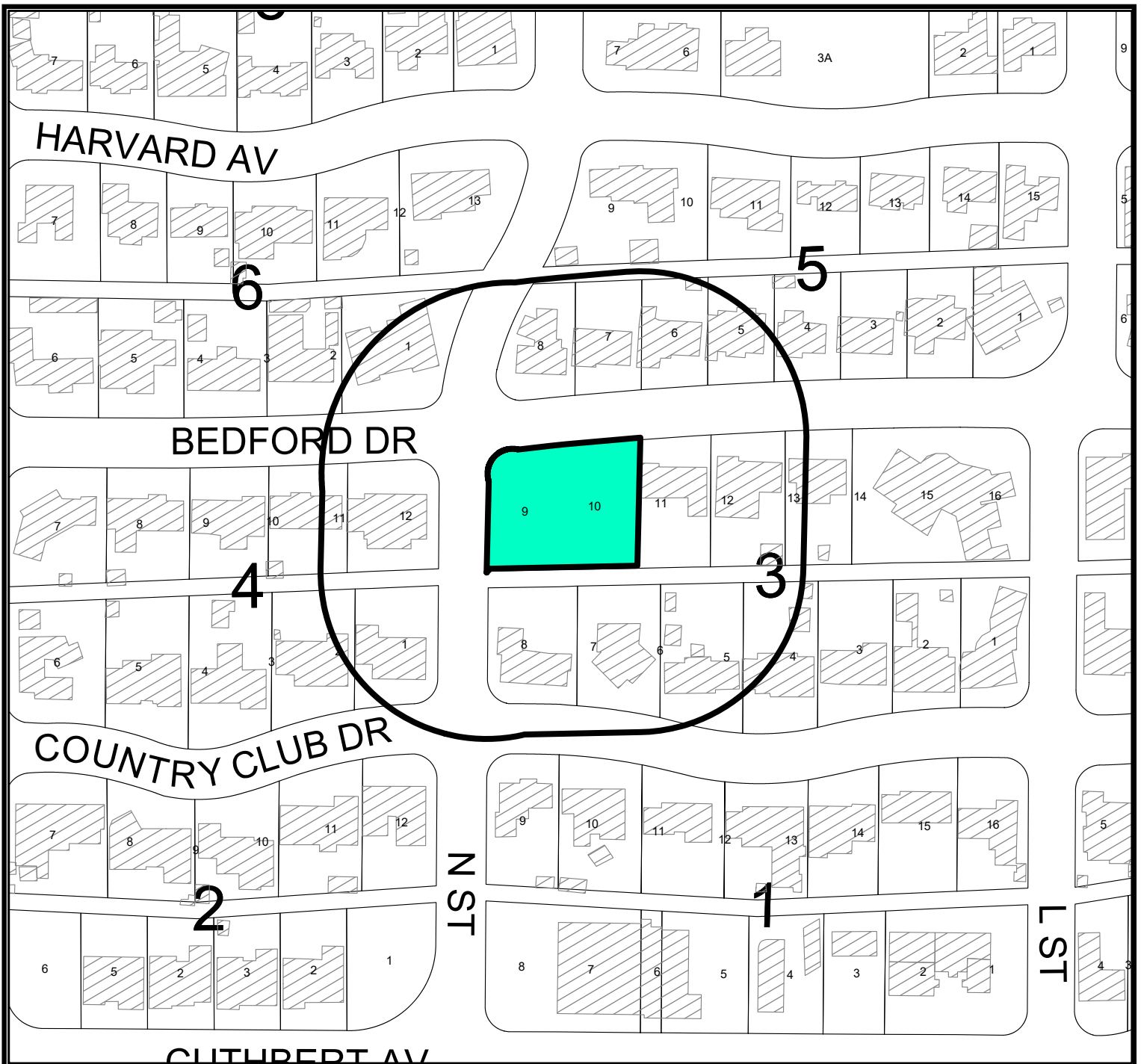
Received By: Alexandra Walling

Date:

RECEIVED
APR 19 2023

BY: AW

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



LOCATION MAP

SUB-23-0604

Scale: 1" = 200'

Proposed Preliminary Plat of University Park Addition, Section 3, being a Residential Replat of Lots 9 and 10 and the west 10-feet of Lot 11, Block 3, University Park, City and County of Midland, Texas.

Generally located on the southeast corner on the intersection of Bedford Drive and North N Street.

- (Council District 3)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



HARVARD AV

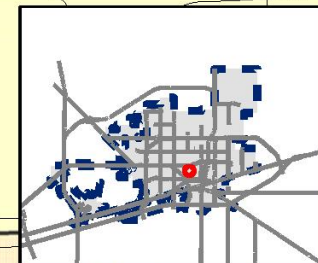
BEDFORD DR

NST

COUNTRY CLUB DR

SF1

LR



PACKET

Page 10.69

May 15, 2023













Planning and Zoning
Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Consider a request by Schumann Engineering for a proposed Preliminary Plat of Morningside Addition, Section 12, being a Residential Replat of a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Main Street and Humble Avenue. - 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 replat a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas.

Current Zoning:

2F, Two-Family Dwelling (Duplex) 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 with conditions)

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

ROW: Humble okay as is. N Main okay as is. [For the Applicant's information only.]

PAVING: N Main roadway okay as is. Paving improvements for Humble roadway have been deferred by Council on 02/28/2023, (Motion 015-2023).

WATER: 8" water exists in Humble Street, okay as is. 8" water exists in N Main Street, 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: 36" sewer exists in Humble Street. No public wastewater improvements required. [For the Applicant's information only.]

DRAINAGE: Drainage study not required for development into single family residences. Development considered infill. [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: FEMA Firm data to be on plat face.

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)

Section number is already in use. Next available section number is 12. Block number should be placed on plat visual. Surrounding subdivisions and blocks should be labeled as well. In legal description, please change block to tract.

PLANNING (Approved with conditions):

The Midland Central Appraisal District shows Suomi LLC as owner. Provide proof of ownership for Gregory B. Stine as shown on the plat.

Use a solid line to show separation of the two new lots.

At final plat stage, plat should be titled: "Morningside Addition, Section 12" followed by correct legal description: "Being a Replat of a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas".

Staff recommends approval of the Preliminary Plat of Morningside Addition, Section 12, 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 filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number: 34B-21-0470
Case Number: P-23-1606

Proposed Subdivision Plat Name: MORNINGSIDE ADDITION SECTION 12

Legal Description (attached sealed Metes and Bounds): BEING A RE-PLAT OF BLOCK 16 LESS THE SOUTH 70.00 FEET AND 0.54 ACRES, MORNINGSIDE ADDITION, A SUBDIVISION IN THE CITY AND COUNTY OF MIDLAND, TEXAS.

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

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>SCHUMANN LAND SURVEYING</u> Printed Name: <u>ED ALEMAN</u>		Phone (<u>432</u>) <u>684-4458</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: _____

Reason for Platting: _____

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

Submittal 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):

Mia Mathewson

Date: 4-19-23

Property Owner (printed): MIA MATHEWSON

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.

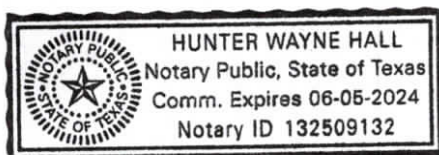
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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 _____ or is authorized by Mia Mathewson 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 Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 19 day of April, 20 23, to certify which witness my hand and seal of office.



HW Hall
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☒ Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ Copy of Plat (11x17)

Check # _____

Received By: *JEFF Fisher*

Date: 4/19/23

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

PRELIMINARY PLAN MORNINGSIDE ADDITION, SECTION 11

BEING A RE-PLAT OF BLOCK 16 LESS
THE SOUTH 70.00 FEET AND 0.54 ACRES,
MORNINGSIDE ADDITION,
A SUBDIVISION IN
THE CITY AND COUNTY OF
MIDLAND, TEXAS.

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF BLOCK 16 LESS THE SOUTH 70.00 FEET AND 0.54 ACRES, MORNINGSIDE ADDITION, A SUBDIVISION IN THE CITY AND COUNTY OF MIDLAND, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS MORNINGSIDE ADDITION, SECTION 8, AN ADDITION TO THE CITY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

GREGORY B. STINE

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF ____, 20__, GREGORY B. STINE.

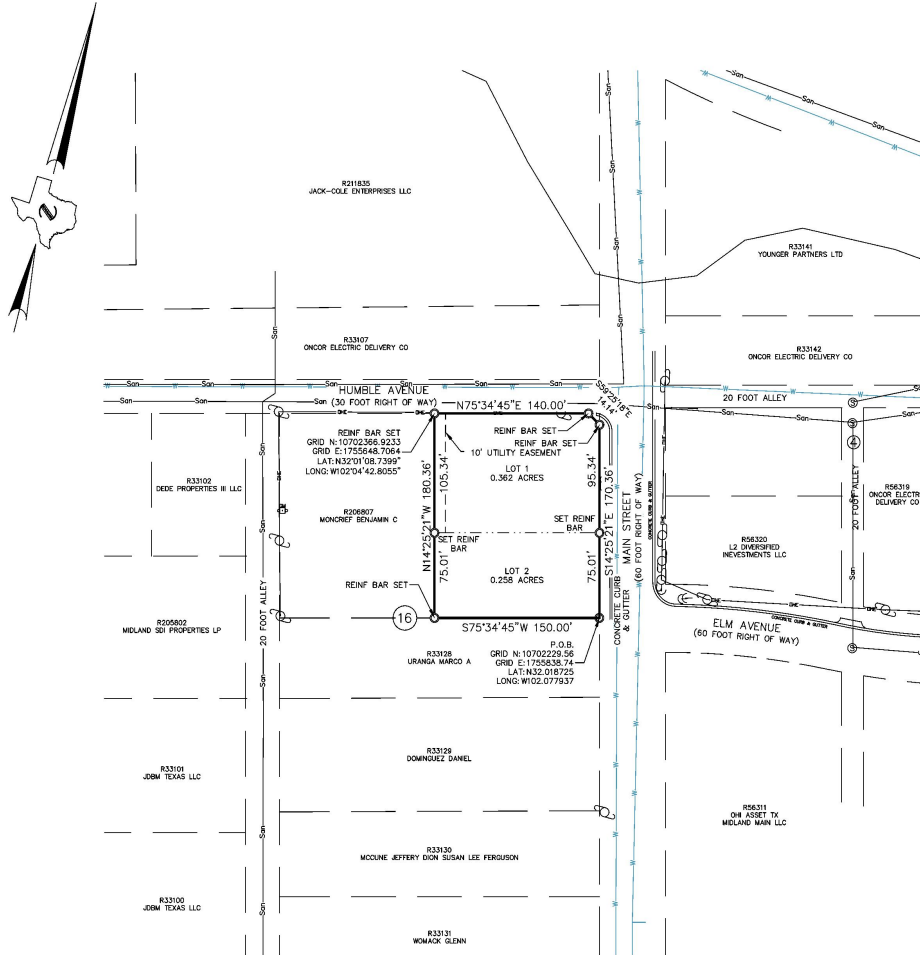
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

GREGORY B. STINE
3507 E COUNTY RD 56
MIDLAND, TX 79705
(541) 892-1360
gstone22@yahoo.com

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE .054 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN TWO TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. 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.
6. THIS PROPERTY IS IN ZONE "X" AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBER 48329-C0089F WITH AN EFFECTIVE DATE OF SEPTEMBER 16, 2005.



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM

SIGNED: _____
ASTOUND

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MORNINGSIDE ADDITION, SECTION 8, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF ____, 20__.

SIGNED: _____
CHAIRMAN LUCY SISNEGA

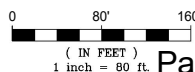
ATTEST: _____
SECRETARY JEFF FISHER

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

RJ DAUM
TEXAS RPLS 4826



GRAPHIC SCALE



DRAWN BY:	KDS	DATE:	10/25/2021
CHECKED BY:	RJD	DRAWING NO.:	78135
JOB NO.:	78,135	SHEET	1 OF 1

SCHUMANN ENGINEERING CO.
A LATERAL LAND COMPANY

CIVIL ENGINEERING - LAND SURVEYING
800 N. WARENE STREET, SUITE 100, MIDLAND, TEXAS 79701
TEL: (409) 684-5548 FAX: (409) 684-5548

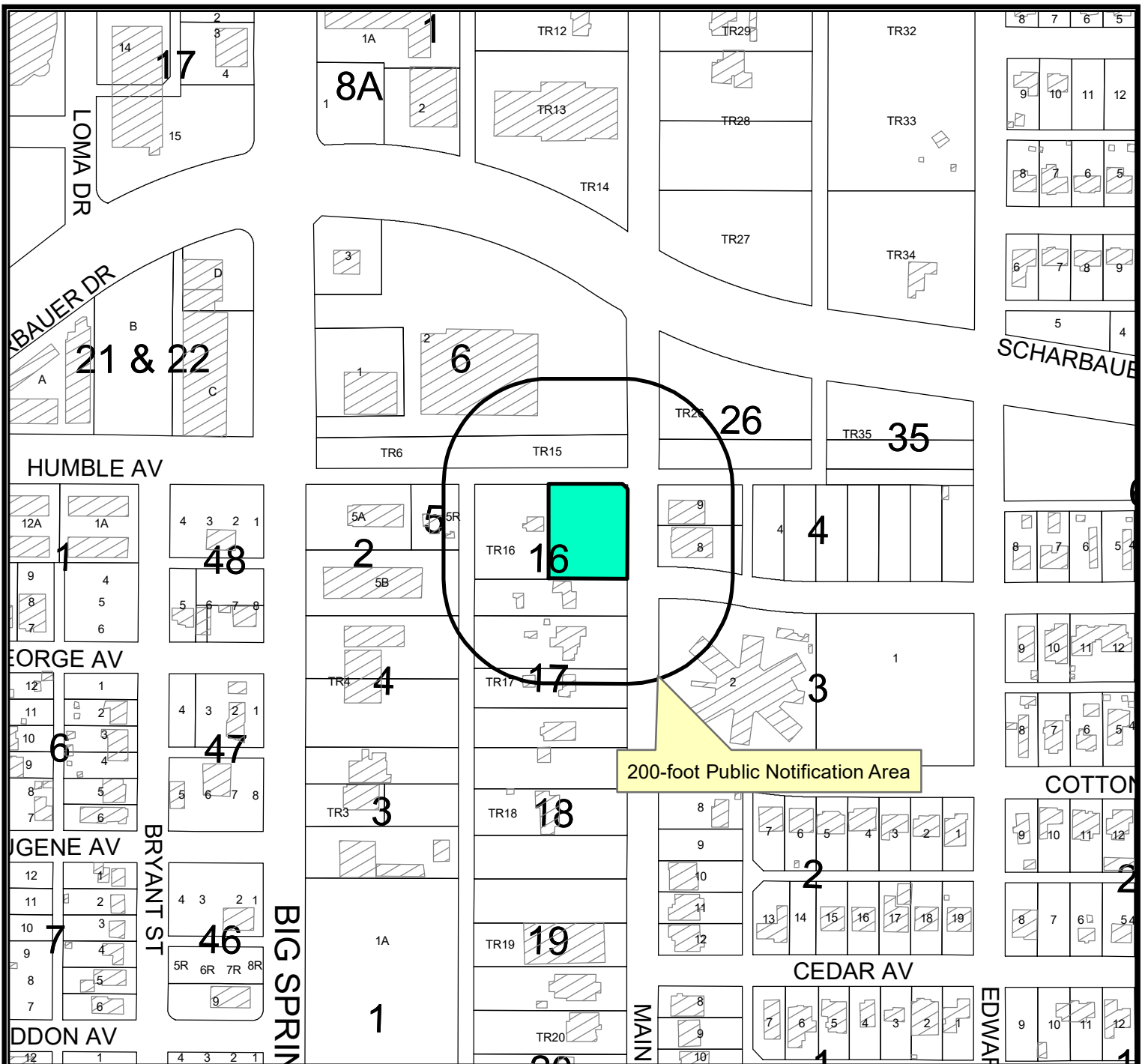
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____

May 15, 2023

PACKET

Page 11-79

MORNINGSIDE ADDITION, SECTION 8



LOCATION MAP

P-23-1606

Scale: 1" = 200'

Proposed preliminary plat of Morningside Addition, Section 12, being a Residential Replat of a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection North Main Street and Humble Avenue - Council District 2.

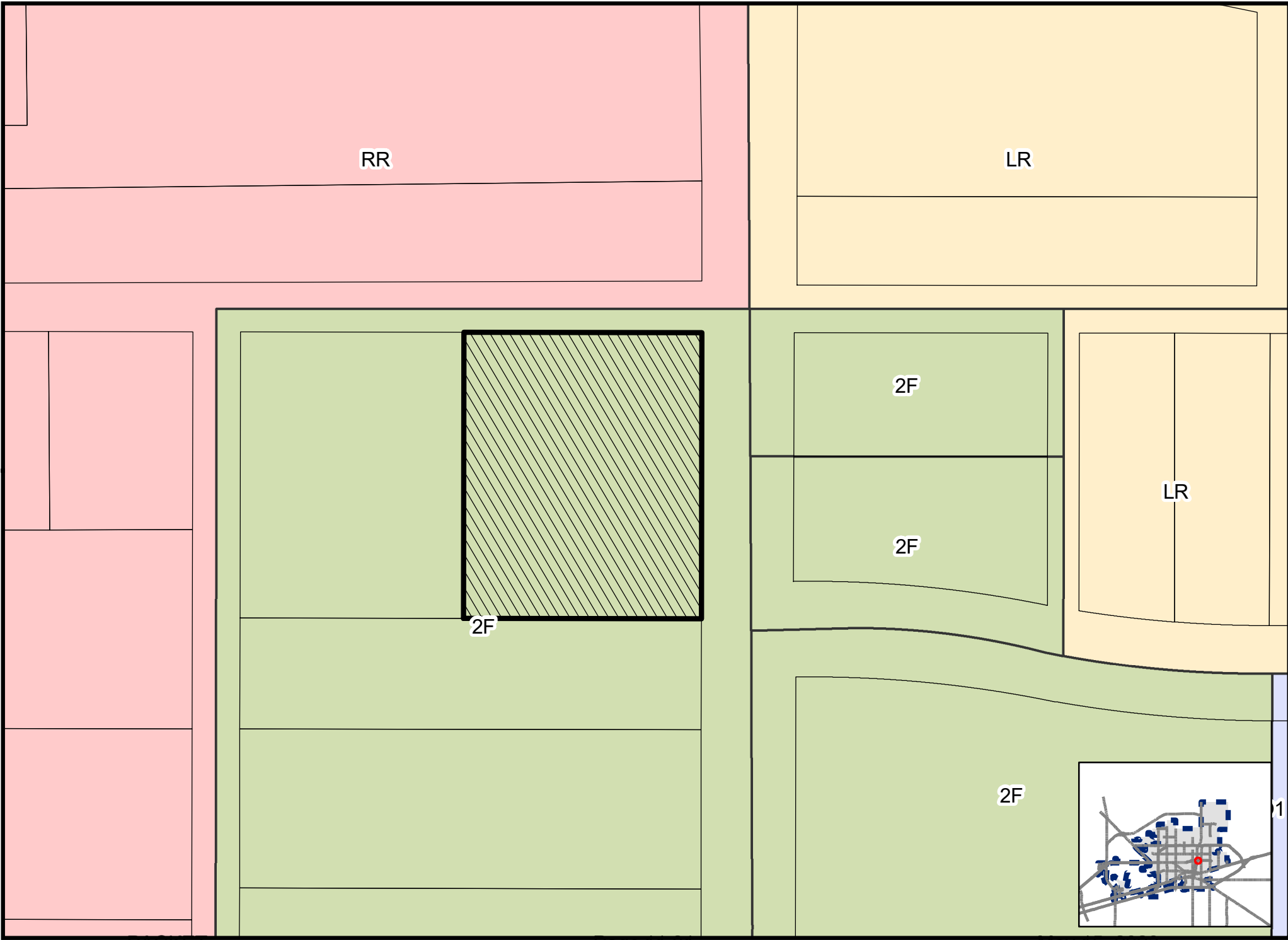
LEGEND

- 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 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Consider a request by Ronnie Brewster for a Zone Change from MF-16, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7 and the west 41.5-feet of Lot 8, Block 35, Cowden Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Pecos Street and Watson Street. - Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Purpose:

The applicant, Ronnie Brewster, is requesting a Zone Change from MF-16, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7 and the west 41.5-feet of Lot 8, Block 35, Cowden Addition, City and County of Midland, Texas.

Current Zoning:

MF-16, Multiple-Family Dwelling District.

Surrounding Zoning and Land Use:

The properties to the north and east are zoned MF-16, Multiple-Family Dwelling District and the location of single-family houses. The properties to the south are zoned SF-2, Single-Family Dwelling District and the location of single-family houses. The properties to the west are zoned MF-16, Multiple-Family Dwelling District and location of single-family houses.

Analysis:

The property located at 510 Watson Street is occupied by an existing detached single-family home. The current zoning is MF-16, Multiple-Family Dwelling District. As of July 1, 2019, the new zoning ordinance does not allow the use of single-family detached dwellings within MF-16, Multiple-Family Dwelling District. Changing the zoning to SF-3, Single-Family Dwelling District would also allow the property to meet the appropriate setbacks and lot dimensions in accordance with the Residential Dimensional Regulations Chart.

The lot is split into two, however the existing house is located on the lot line. Therefore, if in the future, the house is demolished a replat will be required.

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

Fire: (Approved)

No objection.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, 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)

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

Code: (Approved)

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

Transportation: (Approved)

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

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

Planning:

The request fits with the Tall City Tomorrow Comprehensive Plan, Chapter 3-Land Use Vision. The land use map indicates that this area shall be used for U-M NC, Urban-Medium Neighborhood Center. This area is designated to be utilized by small scale businesses surrounded by single-family homes and townhouses.

Therefore, staff recommends approval of this zone change from MF-16, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District. If approved, the property will be subject to condition A.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of May 10, 2023.

Attachments:

Application
Survey (Exhibit A)
Maps

\$1500



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

Project Number: 2-23-0330
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2)		Phone (702) <u>281 2284</u>	
Printed Name: <u>Ronnie Brewster</u>		Email: <u>Ronniebrew@yahoo.com</u>	
Address: <u>6211 Sequoia Dr.</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79707</u>

Property Owner		Phone (702) <u>281 2284</u>	
Printed Name: <u>Ronnie Brewster</u>		Email: <u>Ronniebrew@yahoo.com</u>	
Address: <u>6211 Sequoia Dr.</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79707</u>

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

Street Address: <u>510 Watson St. Midland TX</u>			
Legal Description			
Lot: <u>7,8</u>	Block: <u>35</u>	Subdivision: <u>Cowden Addition</u>	

Current Zoning: <u>MF16</u>	Proposed Zone: <u>SF3</u> (List by tracts if more than one district is requested)
------------------------------------	---

Reason for Zone Change Request: Accommodate for current single family home.

Present Use of Property: Single Family Home

Proposed Use of Property: Single Family Home

How would this zone change affect the public health, safety and welfare? None

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

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>Ronnie Brewster</u>	Date: <u>4/19/23</u>
Applicant (printed): <u>Ronnie Brewster</u>	
Property Owner (signature): <u>Ronnie Brewster</u>	Date: <u>4/19/23</u>
Property Owner (printed): <u>Ronnie Brewster</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

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

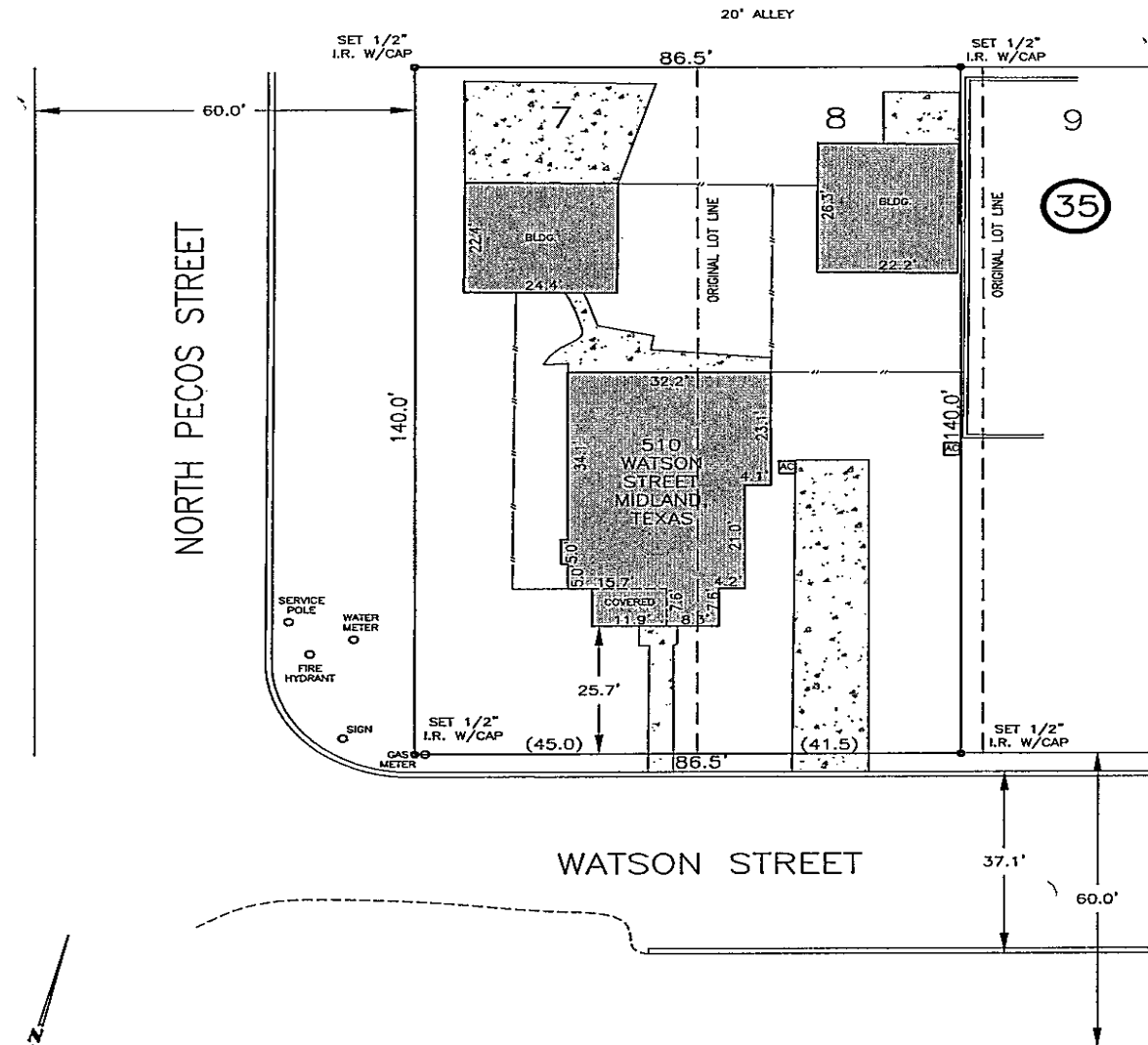
Authorized Agent (signature)

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

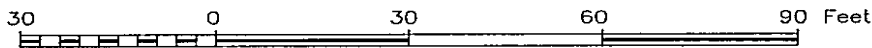
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>1044</u>	
Received By: <u>KM</u>	Date: <u>APR 21 2023</u>
	BY: _____

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



PLAT
 OF
 ALL OF LOT SEVEN (7), AND THE WEST 41.5
 FEET OF LOT EIGHT (8),
 BLOCK THIRTY-FIVE (35), COWDEN ADDITION,
 AN ADDITION TO THE CITY OF MIDLAND,
 MIDLAND COUNTY, TEXAS



SURVEY PLAT FOR: TIMOTHY C. JOHNSON AND TIANA THOMASSON

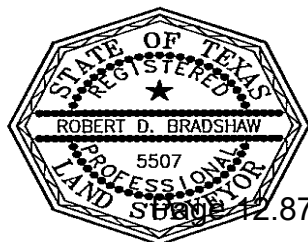
TO LIEN HOLDER ISSUING THE INSURANCE UNDERWRITER
AND PERMAN ABSTRACT AND TITLE COMPANY, MIDLAND, TEXAS

THIS SURVEY PLAT IS PROVIDED SOLELY FOR THIS TRANSACTION
AND G.F. NO. 2303010-MG AS NOTED.

PLAT IS COPYRIGHTED AND SHALL NOT BE USED FOR ANY
OTHER TRANSACTION.

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY
WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY
DESCRIBED HEREON AND IS CORRECT, AND THAT THERE
ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES
IN AREA BOUNDARY LINE CONFLICTS, ENCROACHMENTS,
OVERLAPPING OF IMPROVEMENTS, VISIBLE EASEMENTS OR
RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THIS
SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED
ROADWAY AS SHOWN.

Robert D. Bradshaw
REGISTERED PROFESSIONAL LAND SURVEYOR



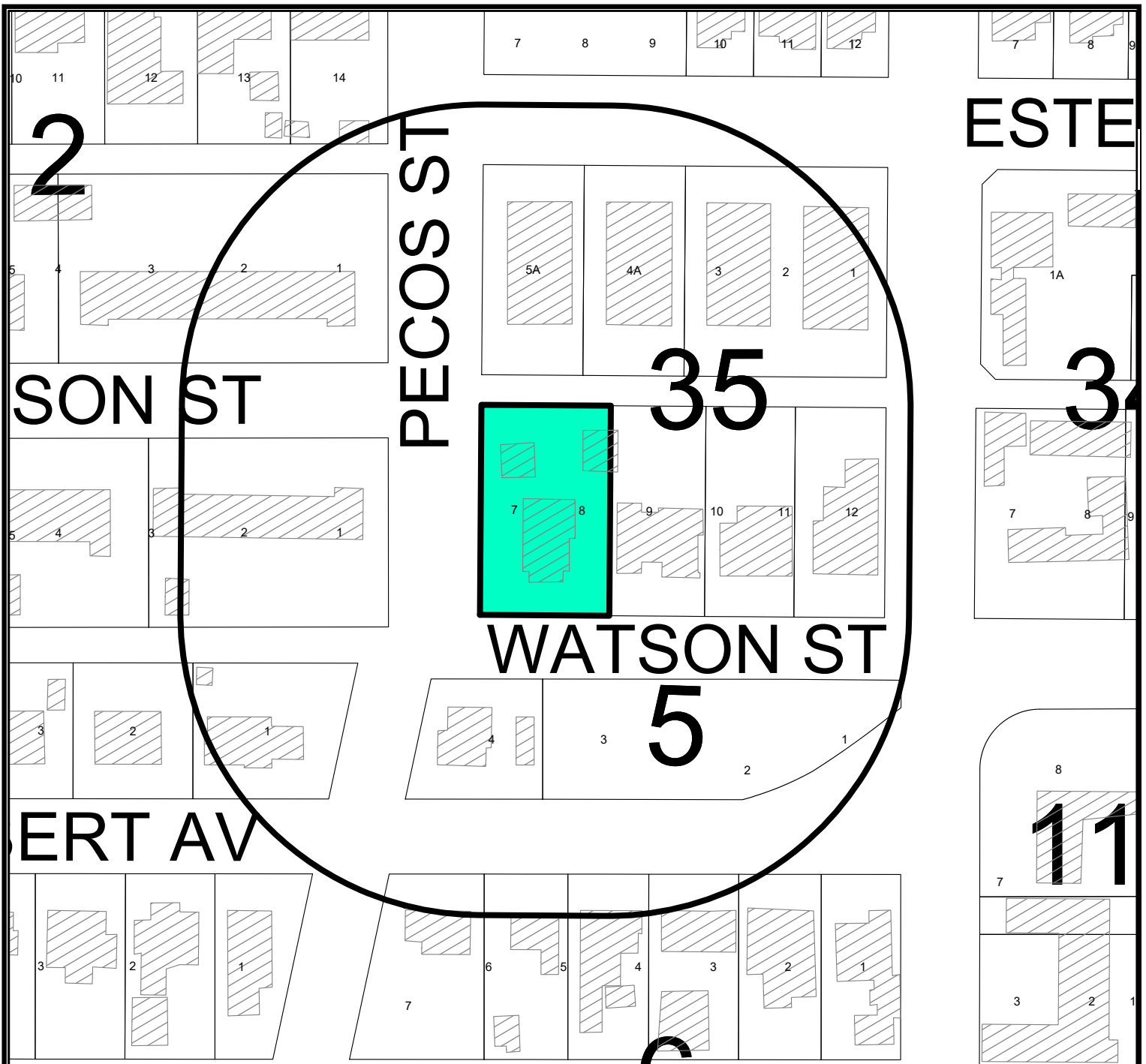
FILED IN CABINET C, PAGE 144, PLAT RECORDS OF MIDLAND COUNTY, TEXAS.

THIS PROPERTY LIES WITHIN ZONE "X" AS SHOWN BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP COMMUNITY
PANELS 48329C0089 F DATED SEPTEMBER 16, 2005.

Stored: 23041429

BRADSHAW AND ASSOCIATES, INC.
CONSULTING ENGINEERS
REGISTERED PROFESSIONAL LAND SURVEYORS
FIRM # 10122900/10122901
4400 N. BIG SPRING SUITE A-8
MIDLAND, TEXAS 79705
PHONE (432)682-4400 FAX (432)682-7997

By	SH	May 15, 2023	Surveyed	CH/KR
Date	4-10-2023	4-10-2023	4-6-2023	



LOCATION MAP

Z-23-0330

Scale: 1" = 200'

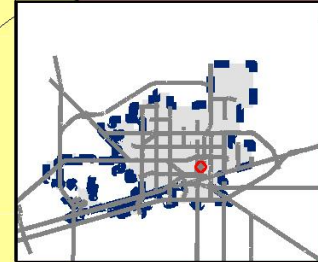
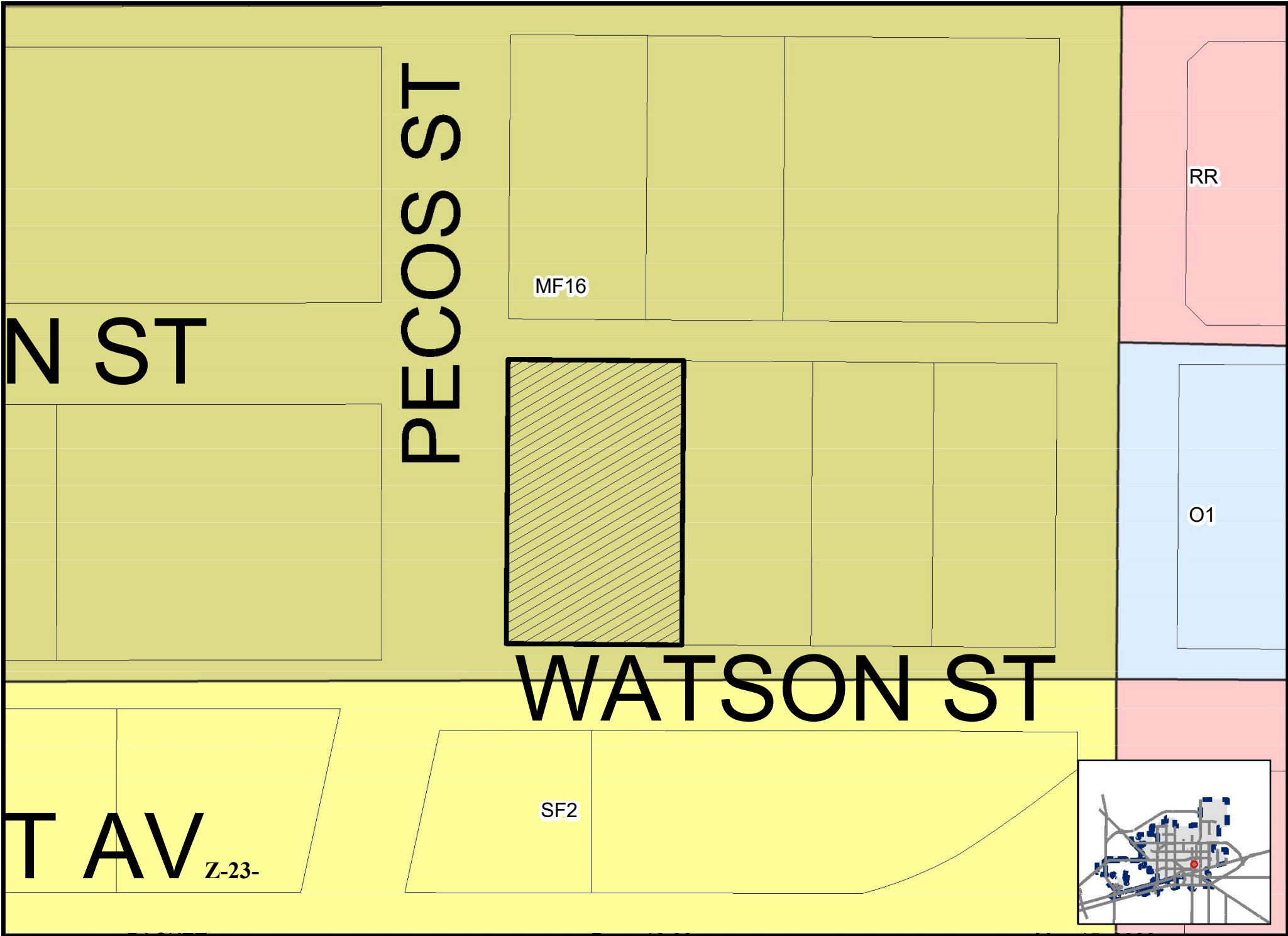
Consider a request by Ronnie Brewster for a zone change from MF-16, Multiple Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 7 and the west 41.5-feet of Lot 8, Block 35, Cowden Addition, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Pecos Street and Watson Street. - (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS















Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Consider a request by Outkick Investment Partners, LLC for a Zone Change from AE, Agricultural Estates District to MF-16, Multiple-Family Dwelling District on Lot 1, Block 1, Renew Life Church Addition, City and County of Midland, Texas. (Generally located north of Occidental Parkway, approximately 280 feet east of North State Highway 349. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Purpose:

The applicant, Outkick Investment Partners LLC, is requesting a Zone Change from AE, Agricultural Estates District to MF-16, Multiple-Family Dwelling District for the construction of a Multiple-Family Dwelling development.

Current Zoning:

AE, Agricultural Estates District.

Surrounding Zoning and Land Use:

The properties to the north are zoned SF-3, Single-Family Dwelling District, and location of detached single-family homes. The property to the east is zoned SF-3, Single-Family Dwelling District, and location of vacant land. The property to the south is zoned PD, Planned Development District for Housing Development, and location of detached single-family homes. The property to the west is zoned SF-3, Single-Family Dwelling District, and location of vacant land.

Analysis:

The property located at 1201 Occidental Parkway is currently zoned AE, Agricultural Estates District and is vacant land. The property has been platted and the applicant is requesting to change the zoning to MF-16, Multiple-Family Dwelling District for the construction of multi-family housing.

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

Fire: (Approved)

No objection.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, 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)

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

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

Our staff has examined the FEMA flood map and it appears that this property lies entirely within Zone AE, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood. [For the Applicant's information only.]

An elevation certificate based off of construction drawings will be required to get a building permit to show compliance to the 1 foot of freeboard above the base flood elevation for residential structures. An elevation certificate based off of finish construction will be required for the Certificate of Occupancy. [For the Applicant's information only.]

Code: (Approved)

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

need to be identified. No construction is allowed on top of P&A wells.

Transportation: (Approved)

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

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

Planning:

The request fits with the Tall City Tomorrow Comprehensive Plan, Chapter 3-Land Use Vision. The future land use for this area is Urban-Medium (U-M), which incorporates a variety of uses such as multi-family and single-family housing, commercial, parks, and mixed use.

Therefore, staff recommends approval of this zone change from AE, Agricultural Estates District to MF-16, Multiple-Family Dwelling District. If approved, the property will be subject to condition A.

Conditions:

- A. That the use and development of the property shall significantly conform to the site plan attached hereto as Exhibit "A".**

Letters of Objection:

Staff has not received any letters of objection as of May 10, 2023.

Attachments:

Application
Site Plan (Exhibit A)
Maps



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

Project Number 223-0328

Case Number: _____

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

Printed Name: Ben Lewis

Phone (806) 741-2300

Email Ben.Lewis@OSD.org

Address
328 E Hwy 62 # 1

City
Wolffoth

State
Texas

Zip
79382

Property Owner

Printed Name: Taylor Tucker

Phone (806) 319-2602

Email taylor.tucker@cblubbock.com

Address
4705 120th Boulevard

City
Lubbock

State
Texas

Zip
79424

Representative (if different from Applicant or Property Owner)

Firm: Outkick Investment Partners, LLC

Printed Name: Taylor Tucker, Managing Member

Phone (806) 319-2602

Email taylor.tucker@cblubbock.com

Address
4705 120th Boulevard

City
Lubbock

State
Texas

Zip
79424

Street Address: N/A

Legal Description

Lot: 1 Block: 1 Subdivision: The Renew Life Church Addition

Current Zoning:

AE

Proposed Zone: MF16

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

Reason for Zone Change Request: To build a Multiple-Family Dwelling.

Present Use of Property: Vacant.

Proposed Use of Property: Multiple-Family Dwelling.

How would this zone change affect the public health, safety and welfare? Open land up to development.

Describe how conditions affecting the property have changed since present zoning designation: Stayed vacant.

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>[Signature]</u>	Date: <u>4-10-23</u>
Applicant (printed): <u>Ben Lewis</u>	
Property Owner (signature): <u>[Signature]</u>	Date: <u>4/11/23</u>
Property Owner (printed): <u>Taylor Tucker</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF ~~MIDLAND~~
Lubbock

Before me, the undersigned authority, on this day personally appear Ben Lewis who, being by me duly sworn, upon oath says: That (s)he is the owner of see attached or authorized by Taylor Tucker, 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 17th day of April, 2023, to certify which witness my hand and seal of office.

[Signature]
Peggy Jo Bailey



PEGGY JO BAILEY
My Notary ID # 130766116
Expires August 4, 2024

NOTARY PUBLIC, ~~MIDLAND~~ COUNTY, TEXAS
Lubbock

FOR OFFICE USE ONLY	
☒ Property Owner Authorization ☒ Application Fee Check # <u>1025</u> \$ <u>500</u>	☒ Dimensioned Site Plan ☒ Plans in Digital Format (PDF/JPEG)
Received By: <u>Alexandra Walling</u>	Date <u>APR 19 2023</u> BY: <u>AW</u>

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

CONCEPT SITE: 334 UNITS

[334 UNITS/20.92 ACRES = 15.97 UNITS PER ACRE]

UNIT BREAKDOWN:

(196) 1 BEDROOM UNITS
(114) 2 BEDROOM UNITS
(24) 3 BEDROOM UNITS
(62) SINGLE CAR GARAGES

PARKING REQUIRED (MF-16):

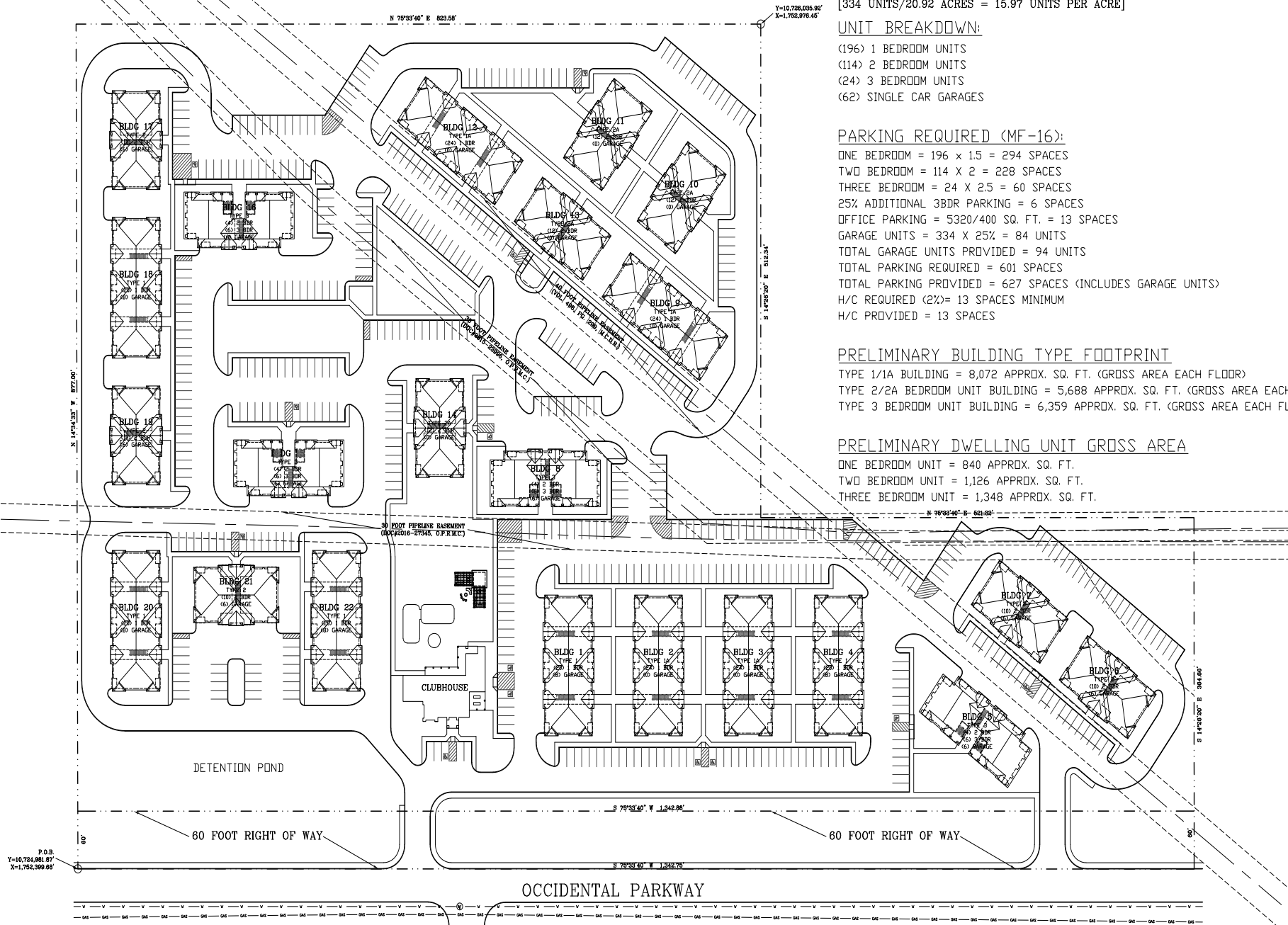
ONE BEDROOM = $196 \times 1.5 = 294$ SPACES
TWO BEDROOM = $114 \times 2 = 228$ SPACES
THREE BEDROOM = $24 \times 2.5 = 60$ SPACES
25% ADDITIONAL 3BDR PARKING = 6 SPACES
OFFICE PARKING = $5320/400$ SQ. FT. = 13 SPACES
GARAGE UNITS = $334 \times 25\% = 84$ UNITS
TOTAL GARAGE UNITS PROVIDED = 94 UNITS
TOTAL PARKING REQUIRED = 601 SPACES (INCLUDES GARAGE UNITS)
H/C REQUIRED (2%) = 13 SPACES MINIMUM
H/C PROVIDED = 13 SPACES

PRELIMINARY BUILDING TYPE FOOTPRINT

TYPE 1/1A BUILDING = 8,072 APPROX. SQ. FT. (GROSS AREA EACH FLOOR)
TYPE 2/2A BEDROOM UNIT BUILDING = 5,688 APPROX. SQ. FT. (GROSS AREA EACH FLOOR)
TYPE 3 BEDROOM UNIT BUILDING = 6,359 APPROX. SQ. FT. (GROSS AREA EACH FLOOR)

PRELIMINARY DWELLING UNIT GROSS AREA

ONE BEDROOM UNIT = 840 APPROX. SQ. FT.
TWO BEDROOM UNIT = 1,126 APPROX. SQ. FT.
THREE BEDROOM UNIT = 1,348 APPROX. SQ. FT.



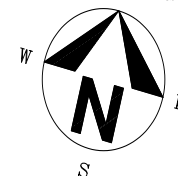
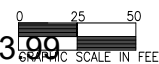
MASTER SITE CONCEPT

SCALE



ARCHITECTS PC
AMERICAN INSTITUTE OF ARCHITECTS
5101 80TH STREET, SUITE 1
LUBBOCK, TEXAS 79424
TEL 806-752-1234 FAX 806-752-1235
WWW.COXDIRKSARCHITECTS.COM

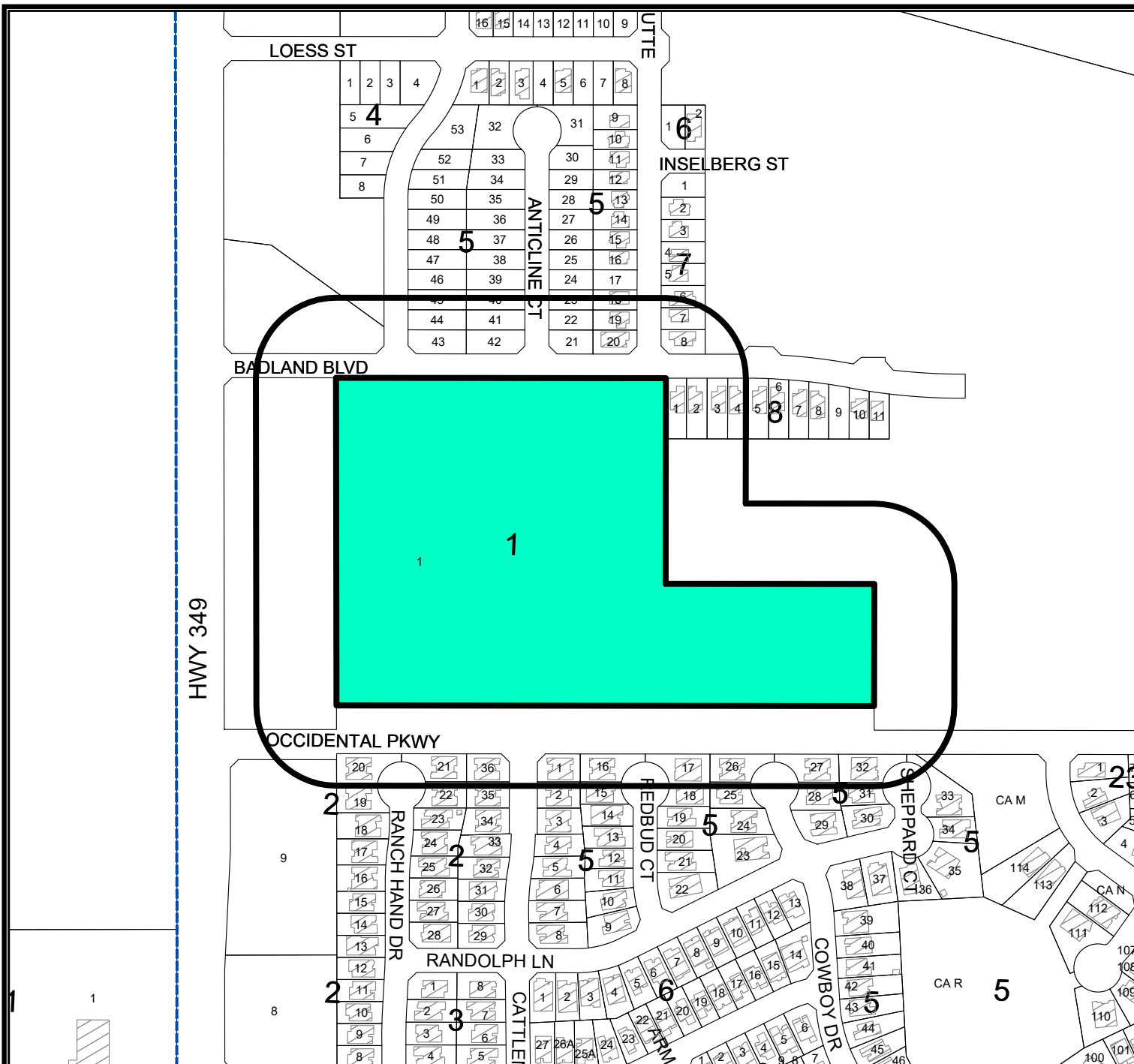
Page 13.00



PACKET

May 15, 2023

04-10-2023



LOCATION MAP

Z-23-0328

Scale: 1" = 200'

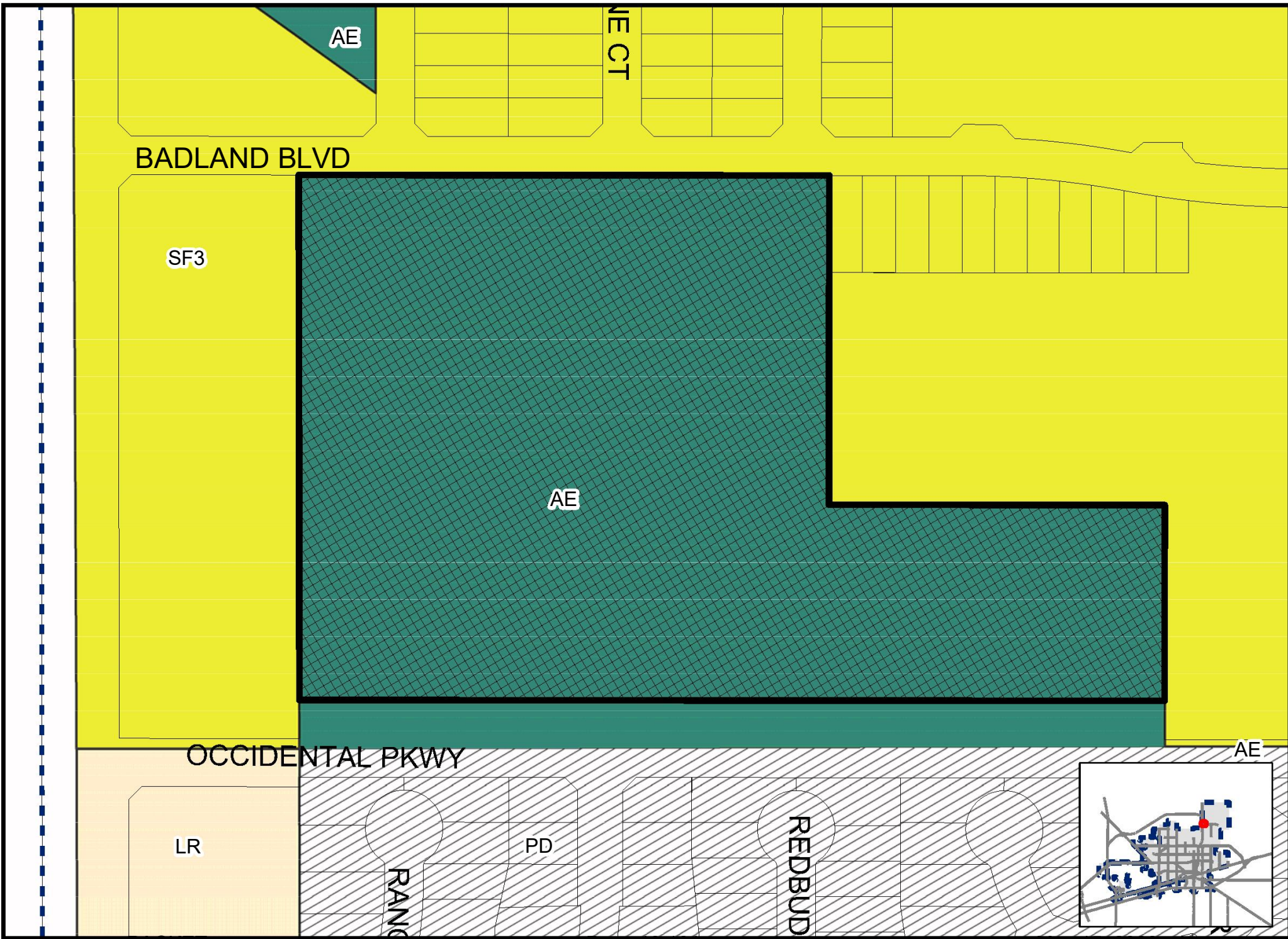
Consider a request by Outkick Investment Partners, LLC for a Zone Change from AE, Agricultural Estates District to MF-16, Multiple-Family Dwelling District on Lot 1, Block 1, Renew Life Church Addition, City and County of Midland, Texas.

Generally located north of Occidental Parkway, approximately 280-feet east of North State Highway 349. - (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS















Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Consider a request by D. R. Horton – Texas LTD for an Initial Zoning of SF-3, Single-Family Dwelling District, on a 24.897-acre tract of land located in Sections 38 and 47, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway.)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant, D.R. Horton Texas - LTD, is requesting the initial zoning of a 24.014-acre tract of land located in Sections 38 and 47, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas., located west of the intersection of Avalon and Musial Way which is currently being annexed to be SF-3, Single-Family Dwelling District. This request was initially denied by the Planning and Zoning Commission on February 6, 2023. This new request has a slight increase in acreage to allow for a road connection through to Avalon Drive.

Current Zoning:

None.

Surrounding Zoning and Land Use:

The properties to the north are zoned SF-3 and PD, Planned District for Housing Development. The properties to east are zoned PD, Planned District for Housing Development. The properties to the south and west are part of the ETJ.

Analysis:

The applicant, D.R. Horton Texas - LTD, is requesting for the initial zoning of annexed land to SF-3, Single Family Dwelling District for future housing development.

The site is currently in the process of being annexed into City Limits as well as in the process of being platted.

This case has been circulated to and reviewed by all pertinent City departments for internal review and has received no objections. Their comments are as follows.

Engineering: (Approved)

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

Transportation: (Approved)

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

Fire: (Approved)

No objection to zone change.

Code Administration: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, 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.

Oil and Gas: (Approved)

No Oil & Gas well concerns. 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.

Planning:

The Future Land Use Map in the Tall City Tomorrow Comprehensive Plan calls for Urban Residential-Large Lot utilization in this area, which emphasizes single-family housing and open spaces on large parcels of land.

As this proposed initial zoning conforms to the Tall City Tomorrow Comprehensive Plan, staff recommends approval of this initial zoning of SF-3, Single-Family Dwelling District subject to condition A.

Conditions:

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

Letters of Objection:

As of May 10, 2023, staff has not received any objection letters.

Attachments:

Application
Petition & Survey (Exhibit A)
Maps



Annexation/Initial Zoning Application

Project Number: _____

Case Number: _____

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

Printed Name: D.R. Horton - Texas LTD

Address 6175 N Freeway

City Fort Worth

Phone ()
Email

State Texas

Zip 76131

Property Owner

Printed Name: Cumberland & Western Resources, LLC

Address 2200 Lapsey Lane

City Bowling Green

Phone ()
Email

State Kentucky

Zip 42103

Representative (if different from Applicant or Property Owner)

Firm: Parkhill

Printed Name: Josh Wallender

Parkhill # 40032.22

Phone ()
Email

jwallender@parkhill.com

Address 1700 West Wall Street, Suite 100

City Midland

State Texas

Zip 79701

Street Address: Please see attached metes and bounds

Legal Description

Lot: Block: Subdivision:

Current Zoning: N/A

Proposed Zone: SF3

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

Reason for Annexation/Zone Change Request: Development of future housing

Present Use of Property: Vacant Land

Proposed Use of Property: Housing Development

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

It would be an improvement to the neighboring community by extending roads and utilities

Describe how this annexation/zone change will affect adjacent properties: _____

There will be no adverse effects for the adjacent properties.

Submittal and Fees

Items to be submitted with this application form:

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

Provisions

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

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

Property Owner (signature): Greg Betterton

Date: April 24, 2023

Property Owner (printed) : Greg Betterton

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

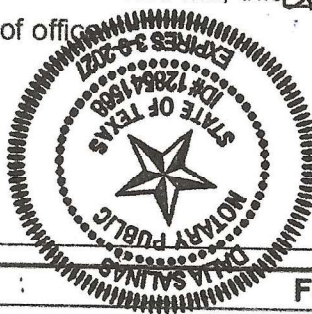
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

Received By: _____

Date: _____

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

PETITION FOR ANNEXATION

Dear City of Midland:

As current owner of the tract(s) of land described in Exhibit(s) A (the "Property"), said Exhibit(s) being attached hereto and incorporated herein, Cumberland + Western, LLC ("Owner") submits this petition for annexation and hereby requests that the Property be added to and annexed to the City of Midland.

[Signature]
Signature of Owner or Owner's Authorized Representative

Josh Wallender
Printed Name

Owner Representative
Title

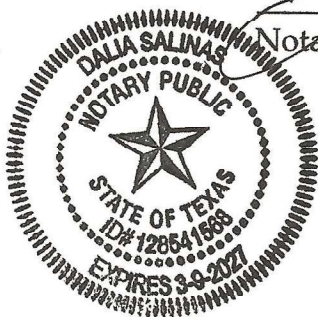
THE STATE OF Texas §
COUNTY OF Midland §

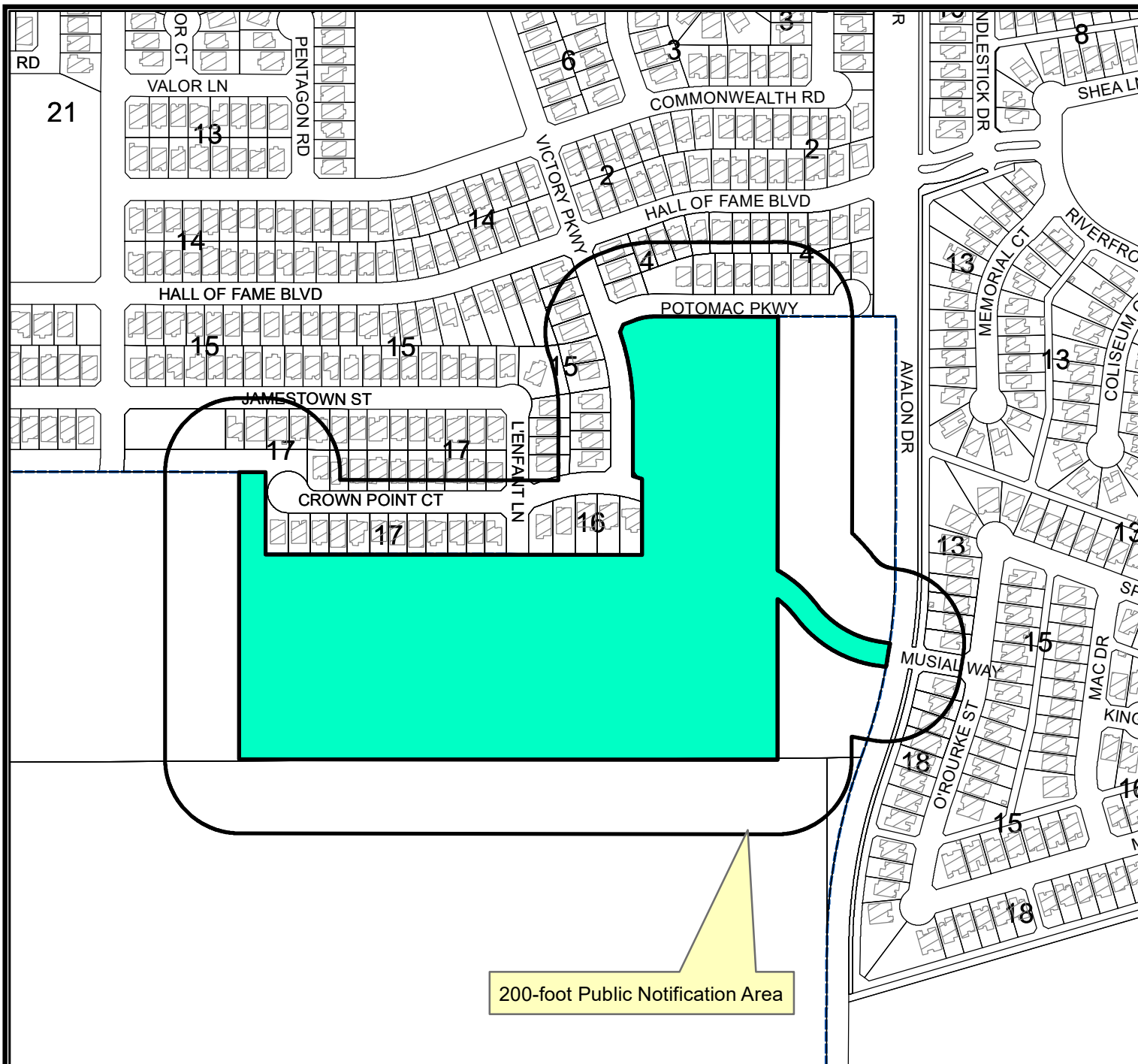
This instrument was acknowledged before me on the 24th day of April, 2023, by Josh Wallender in the capacity herein stated.

MY COMMISSION EXPIRES

3.9.27

[Signature]
Notary Public, State of Texas





LOCATION MAP

Z-23-0332

Scale: 1" = 4,656'

A 24.897-acre tract of land located in Sections 38 and 47, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas.

Generally located on the southeast corner of Potomac Parkway and Victory Parkway.
(Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

**A 24.897-ACRE TRACT OF LAND IN
SECTION 38, BLOCK 40,
T-1-S T&P RR. CO. SURVEY, ABSTRACT NO. 829
AND SECTION 47, BLOCK 40,
T-1-S T&P RR. CO. SURVEY, ABSTRACT NO. 183
MIDLAND COUNTY, TEXAS**

A 24.897-acre tract of land, approximately 24.853-acres in Section 38, Block 40, T-1-S T&P RR. Co. Survey, Abstract No. 829 and approximately 0.044-acres in Section 47, Block 40, T-1-S T&P RR. Co. Survey, Abstract No. 183, Midland County, Texas and being a portion of that certain 634.887-acre tract described in Volume 3131, Page 210 of the Official Public Records of Midland County, Texas and a portion of that certain tract in Section 47 described in said Volume 3131, Page 210; said 24.897-acre tract being more particularly described as follows and as surveyed on-the-ground under the supervision of Parkhill on April 10, 2023:

BEGINNING at a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set in the south line of Potomac Parkway dedicated in the Legacy Addition, Section 4, as shown on the plat recorded in Cabinet J, Page 127 of the Plat Records of Midland County, Texas, for the northeast corner hereof, said beginning point having coordinates of NORTHING: 10,689,663.84, EASTING: 1,727,905.63, Texas State Plane Coordinate System, Central Zone 4203, North American Datum of 1983;

(1) THENCE crossing said 634.887-acre tract, the following 10 courses:

- a. *South 14 degrees 25 minutes 32 seconds East* a distance of 682.81 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set;
- b. Along a non-tangent curve to the right having an arc length of 136.00 feet, a radius of 332.54 feet, and a chord that bears *South 63 degrees 27 minutes 18 seconds East* a distance of 135.05 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set;
- c. *South 53 degrees 05 minutes 20 seconds East* a distance of 14.07 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set;
- d. Along a non-tangent curve to the left having an arc length of 196.43 feet, a radius of 268.02 feet, and a chord that bears *South 75 degrees 36 minutes 26 seconds East* a distance of 192.06 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set;
- e. *North 84 degrees 28 minutes 16 seconds East* a distance of 23.55 feet to a mag nail with a washer marked "PARKHILL RPLS 6889" set in the west line of Avalon Drive as shown on the plat recorded in Plat Cabinet I, Page 189 of the Plat Records of Midland County, Texas;
- f. Along a non-tangent curve to the right having an arc length of 65.01 feet, a radius of 1500.16 feet, and a chord that bears *South 05 degrees 03 minutes 00 seconds East* a distance of 65.01 feet along the west line of said Avalon Drive to a mag nail with a washer marked "PARKHILL RPLS 6889" set;
- g. *South 84 degrees 28 minutes 16 seconds West* a distance of 22.43 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set for a corner hereof;
- h. Along a non-tangent curve to the right having an arc length of 244.34 feet, a radius of 333.02 feet, and a chord that bears *North 75 degrees 28 minutes 25 seconds West* a distance of 238.90 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set for a corner hereof;
- i. *North 53 degrees 05 minutes 20 seconds West* a distance of 15.69 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set for a corner hereof;
- j. Along a non-tangent curve to the left having an arc length of 72.08 feet, a radius of 267.53 feet, and a chord that bears *North 59 degrees 18 minutes 09 seconds West* a distance of 71.86 feet to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set for a corner hereof;

(2) THENCE *South 14 degrees 25 minutes 32 seconds East* a distance of 431.06 feet crossing said 634.887-acre tract and said tract in Section 47 described in Volume 3131, Page 210 to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set for a corner hereof, and from which a 1/2-inch iron pipe found in a rock mound at the northeast corner of Section 47 bears *South 73 degrees 04 minutes 41 seconds West* a distance of 134.55 feet;

(3) THENCE *South 75 degrees 34 minutes 28 seconds West* a distance of 1447.73 feet crossing said tract in Section 47 described in Volume 3131, Page 210 and said 634.887-acre tract to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set for the southwest corner hereof, and from which a 1/2 inch iron rod found at the southwest corner of said Section 38 and the northwest corner of said Section 47 bears *South 75 degrees 07 minutes 49 seconds West* a distance of 3694.57 feet;

(4) THENCE *North 14 degrees 29 minutes 17 seconds West* a distance of 771.10 feet crossing said 634.887-acre tract to a 1/2-inch iron rod with a cap marked "PARKHILL RPLS 6889" set in the south line of a public drainage easement dedicated in the Legacy Addition, Section 5, as shown on the plat recorded in Cabinet L, Page 29 of said Plat Records for a corner

hereof, and from which a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" found in the south line of said Legacy Addition, Section 5, at the southwest corner of said public drainage easement bears *South 75 degrees 34 minutes 28 seconds West* a distance of 312.60 feet;

- (5) *North 75 degrees 34 minutes 28 seconds East* a distance of 70.61 feet along the south line of said public drainage easement to a 1/2-inch iron rod with a plastic cap marked "PSC RPLS 6453" found for a corner hereof;
- (6) THENCE *South 14 degrees 25 minutes 32 seconds East* a distance of 220.02 feet along the west line of said drainage easement and the west line of Lot 12, Block 17, of said Legacy Addition, Section 5, to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set at the southwest corner of said Lot 12, for a corner hereof;
- (7) THENCE *North 75 degrees 34 minutes 28 seconds East* a distance of 1012.64 feet along the south line of said Block 17 to a point at the southeast corner of Lot 1 of said Block 17, for a corner hereof, and from which a 1/2 inch iron rod with a cap marked "PSC RPLS 6453" found bears *South 02 degrees 09 minutes 54 seconds East* a distance of 0.42 feet and another 1/2 inch iron rod with a cap marked "PSC RPLS 6453" found bears *South 89 degrees 58 minutes 49 seconds West* a distance of 4.64 feet;
- (8) THENCE *North 14 degrees 25 minutes 32 seconds West* a distance of 204.33 feet along the east line of said Lot 1 and the east line of Crown Point Court dedicated in said Legacy Addition, Section 5 to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set at a corner of said Crown Point Court, for a corner hereof;
- (9) THENCE *North 89 degrees 23 minutes 32 seconds West* a distance of 25.89 feet along the north line of said Crown Point Court to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set in the east line of Victory Parkway dedicated by said Legacy Addition, Section 5, for a corner hereof;
- (10) THENCE along the east line of said Victory Parkway, the following 4 courses:
 - a. *North 14 degrees 25 minutes 32 seconds West* a distance of 180.56 feet to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set for a corner hereof;
 - b. Along a non-tangent curve to the left having a radius of 630.07 feet, an arc length of 208.90 feet, and a chord that bears *North 23 degrees 55 minutes 26 seconds West* a distance of 207.94 feet to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set for a corner hereof;
 - c. *North 33 degrees 25 minutes 20 seconds West* a distance of 2.04 feet to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set for a corner hereof;
 - d. *North 10 degrees 20 minutes 35 seconds East* a distance of 21.68 feet to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set in the south line of said Potomac Parkway, for a corner hereof;
- (11) THENCE along the south line of said Potomac Parkway, the following 3 courses:
 - a. *North 54 degrees 06 minutes 16 seconds East* a distance of 33.79 feet, to a 1/2-inch iron rod with a cap marked "PSC RPLS 6453" set for a corner hereof;
 - b. Along a non-tangent curve to the right having a radius of 140.01 feet, an arc length of 52.47 feet, and a chord that bears *North 64 degrees 50 minutes 22 seconds East* a distance of 52.17 feet to a 1/2-inch iron rod with a plastic cap marked "RPLS 1974" found for a corner hereof;
 - c. *North 75 degrees 34 minutes 28 seconds East* a distance 333.53 feet to the POINT OF BEGINNING containing 24.897-acres of land, more or less, and as shown on certified plat herewith.

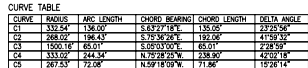
Note: Bearings and coordinates shown hereon are based on the Texas State Plane Coordinate System, Central Zone 4203, North American Datum of 1983. Distances reported hereon are at surface. Areas reported hereon are based on calculations made from surface distances. This survey is subject to any facts which may be disclosed by a full and accurate title search. Record documents other than those described hereon may affect this tract.

Surveyed by

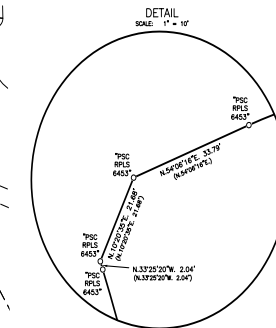


Franklin Leamons
Registered Professional Land Surveyor #6889
Date: April 18, 2023





LINE	BEARING	DISTANCE
L1	S.53°05'20"E.	14.07'
L2	N.84°28'18"E.	23.55'
L3	S.84°28'16"W.	22.43'
L4	N.53°05'20"W.	15.69'



**A 24.897-ACRE TRACT OF LAND IN
SECTION 38, BLOCK 40,
T-1-S T&P RR. CO. SURVEY, ABSTRACT NO. 829
AND SECTION 47, BLOCK 40,
T-1-S T&P RR. CO. SURVEY, ABSTRACT NO. 183
MIDLAND COUNTY, TEXAS**

PARENT TRACT: VOLUME 3131, PAGE 210, DEED RECORDS, MIDLAND COUNTY, TEXAS

DETAIL
E: 1" = 10'

- 10

LEGEND:

○ = SET 1/2" IRON ROD
⊗ = FOUND 1/2" IRON ROD WITH CAP "TIPS RPLS 1453"
⊗ = FOUND 1/2" IRON ROD WITH CAP "TIPS 1974"
⊗ = SET 3" MARK ON CONCRETE
⊗ = FOUND 1/2" IRON PIPE
⊕ = SET MAG WALK WITH A WASHER MARKED "TIPS 6888"
CFPN: COUNTY CLERK FILE NUMBER
(bearing and distance) = RECORD CALL
[text] = ADDITIONAL INFORMATION/NOTE

— — — — — = TRACT LIMITS BOUNDARY LINE
— — — — — = TRACT ADJACENT LINES
— — — — — = SECTION LINE

0° 80° 160°

SCALE: 1" = 80'

SURVEYOR'S REPORT:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83.
CONVERGENCE ANGLE: -0346'45"
COMBINED SCALE FACTOR: 0.99999347.
2. DISTANCES REPORTED HEREON ARE AT SURFACE.
3. AREAS REPORTED HEREON ARE BASED ON CALCULATIONS MADE FROM SURFACE DISTANCES.
4. THIS PLAT IS SUBJECT TO ANY FACTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH. THERE MAY BE EASEMENTS, RESTRICTIONS, AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
5. THIS PLAT IS INVALID UNLESS IT BEARS THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE.
6. A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

PACKET

Page 14.115



I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION AND COMPLETED ON APR. 15, 2023, THIS SURVEY BEING SUBJECT TO ANY ADDITIONAL FIELD DOCUMENTS NOT SHOWN HEREON.

Franklin Leamons
FRANKLIN LEAMONS
R.P.L.S. 6889

DATE

REV. DEC. 22, 1978
REV. APR. 18, 2022

REvised APRIL 18, 2022, FOR A NEW RECORD TITLE COMMITMENT

May 15 2023

Parkhill
Parkhill.com

TRPFLS FIRM REGISTRATION NO. 10194091



Planning and Zoning
Commission

Approved for
Agenda:
Jeffrey Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a request for a 30-Day Extension for a proposed Preliminary Plat of Legacy Addition, Section 11, being a Plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, Midland County, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway. – Extraterritorial Jurisdiction (DEVELOPMENT SERVICES))

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Parkhill, is requesting to plat a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, Midland County, Texas, for 119 single-family residential home lots.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Analysis:

The subject preliminary plat was submitted on April 24, 2023. The applicant is requesting a 30-Day Extension, as permitted under House Bill 3167, to allow for the submission and approval of a drainage report. The Planning & Zoning Commission has the authority to approve or deny a one-time 30-Day Extension request. Should the Planning & Zoning Commission grant the extension, this item will be placed on the June 5, 2023, Planning & Zoning Commission meeting agenda for either approval or disapproval; depending on the applicant's ability to satisfy all of Staff's comments.

Attachments:

30-Extension Request
Application
Maps



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Legacy Addition, Section 11

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

Property OwnerPrinted Name: Cumberland & Western Resources, LLC

Phone ()

Email

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

Phone ()

Email

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

Email

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

Total Acreage:

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

Number of Multi-family Dwelling Units: _____

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature): Greg Betterton

Date: April 24, 2023

Property Owner (printed) : Greg Betterton

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

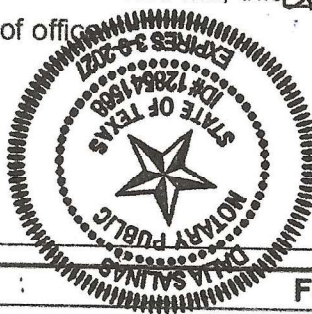
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

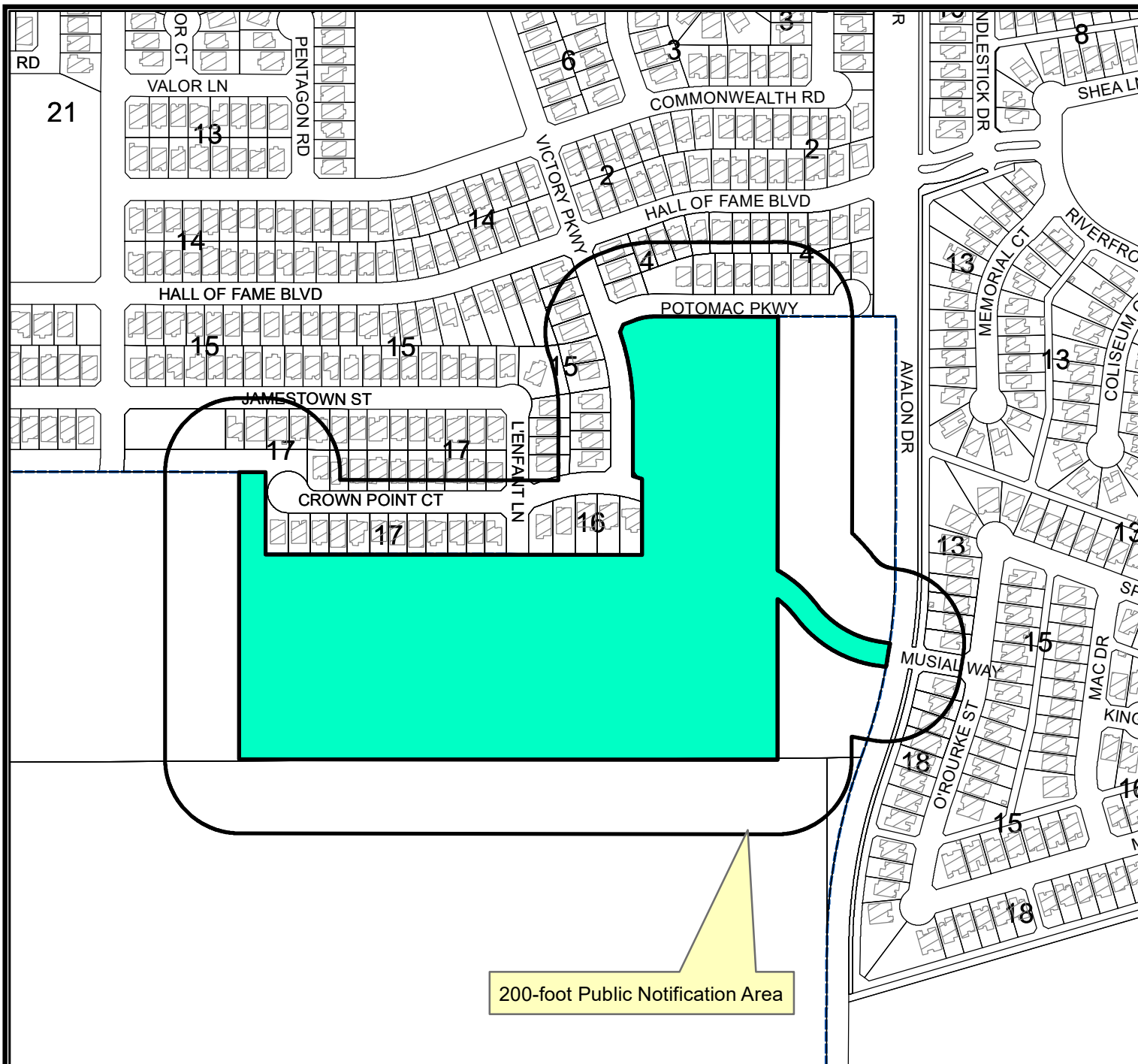
- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Application Fee | ☐ 1 Copy of Plat (11x17) | |

Check # _____

Received By: _____

Date: _____

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



LOCATION MAP

P-23-1623

Scale: 1" = 4,656'

A 24.897-acre tract of land located in Sections 38 and 47, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas.

Generally located on the southeast corner of Potomac Parkway and Victory Parkway.
(Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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



May 10, 2023

City of Midland
Planning Division
300 N. Lorraine
P.O. Box 1152
Midland, TX 79702

RE: 30-Day Extension Request – Legacy Section 11 Preliminary Plat

Planning Division:

As the representative of Legacy Addition, Section 11, Preliminary Plat, I hereby request a 30-Day Extension, as permitted under House Bill 3167, to allow for additional changes to be made to the plat prior to action being taken. The plans will be resubmitted to the Planning Division no later than 14 days prior to the anticipated June 5th Planning and Zoning Commission meeting to provide adequate time for Staff to review and placed on the agenda.

Sincerely,

A handwritten signature in blue ink that reads "Eric L. West".

Eric L. West, PE, F.NSPE
Principal



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of University Park Addition, Section 3, being a Replat of Lots 9 and 10 and the west 10-feet of Lot 11, Block 3, University Park, City and County of Midland, Texas. (Generally located on the southeast corner on the intersection of Bedford Drive and North N Street. – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single-Family Dwelling District

Preliminary Plat Approval:

The preliminary plat is being presented at today's meeting and if approved, will allow this associated final plat to also be approved.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: N. N Street and Bedford Drive are okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Bedford Drive, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

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

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

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

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)

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

Code Administration: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, 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.

GIS: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of the Final Plat of University Park, Section 3, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps

UNIVERSITY PARK ADDITION, SECTION 3

BEING A REPLAT OF LOTS 9 AND 10 AND THE WEST 10-FEET OF LOT 11,
BLOCK 3,

UNIVERSITY PARK, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF LOTS 9 AND 10 AND THE WEST 10 FEET OF LOT 11, BLOCK 3, UNIVERSITY PARK, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AS PER THE MAP OR PLAT RECORDED IN CABINET A, PAGE 89, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.60 ACRE TRACT OF LAND, ALSO KNOWN AS LOTS 9 AND 10 AND THE WEST 10 FEET OF LOT 11, BLOCK 3, UNIVERSITY PARK, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AS PER THE MAP OR PLAT RECORDED IN CABINET A, PAGE 89, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, SAID 0.60 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR SET (N:10697011.17, E:1748915.02) IN THE EAST RIGHT OF WAY OF NORTH N STREET FOR THE SOUTHWEST CORNER ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 13°11'05" WEST 109.86 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE 52.09' ALONG A CURVE WITH A RADIUS OF 30.00' AND A DELTA ANGLE OF 99°29'36", AND A CHORD BEARING OF NORTH 26°44'55" EAST 45.79 FEET TO A REINF BAR SET IN THE SOUTH RIGHT OF WAY OF BEDFORD DRIVE FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 68°53'15" EAST 39.02 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 69°47'59" EAST 18.01 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 70°22'38" EAST 80.40 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 70°54'29" EAST 10.05 FEET TO A REINF BAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 13°09'20" EAST 153.91 FEET TO A REINF BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 74°20'21" EAST 177.10 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS LOTS 9 & 10 AND THE WEST 10 FEET OF LOT 11, UNIVERSITY PARK, AN ADDITION OF 0.60 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.

CARRIE A. STALLINGS

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY CARRIE A. STALLINGS

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2023.

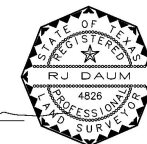
KYLE C. STALLINGS

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY KYLE C. STALLINGS.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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



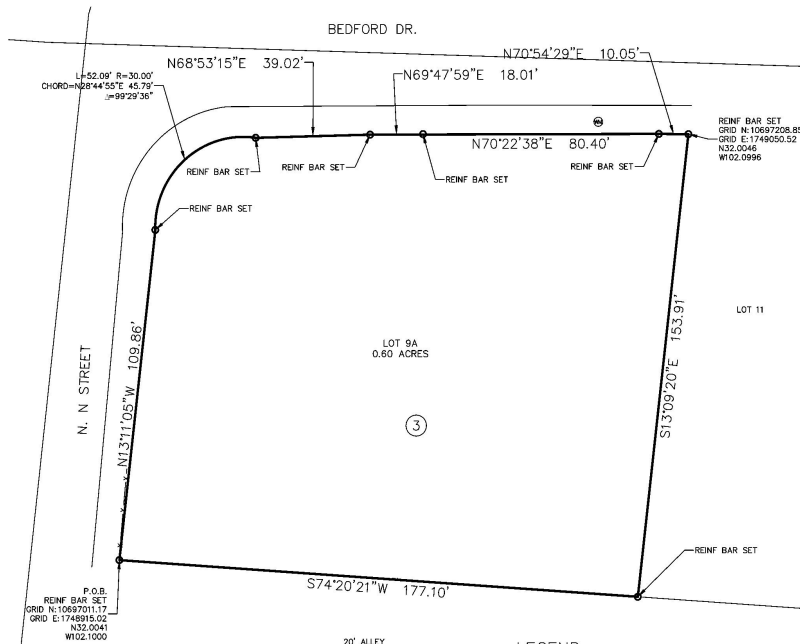
RJ DAUM
TEXAS RPLS 4826

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



NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	02/14/2023	SKETCH PLAN	JG	JG	02/014/2023
				CHECKED BY: ED/RJ	PROJECT NO.: 79166
				JOB NO.: 79,166	SHEET: 1 OF 1

Page 16.125



GRAPHIC SCALE
0 30 60
(1 INCH = 30' FEET)

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- - - ADJOINING PROPERTIES
- - - SECTION LINE
- - - UTILITY EASEMENT
- ⊙ CLEAN OUT
- ⊙ WATER METER
- ⊙ AIR CONDITIONER
- - - FENCE LINE

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. NOT IN FLOOD PLAIN ACCORDING TO CITY OF MIDLAND GIS MAP.
- 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 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 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.

OWNER(S):

KYLE C. STALLINGS
CARRIE A. STALLINGS

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 SISNEGA

ATTEST: _____
SECRETARY JEFF FISHER

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

UNIVERSITY PARK

UNIVERSITY PARK



Final Plat Application

Project Number: SUB-23-0604
Case Number: D-23-1620

Proposed Subdivision Plat Name: UNIVERSITY PARK, Block 3

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 9 AND 10 AND THE WEST 10-FEET OF LOT 11, BLOCK 3, UNIVERSITY PARK, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner <u>Kyle Stallings</u> Printed Name: <u>KRISTINA JOHNSON</u>		Phone () Email <u>kristing@kristingleigh.net</u>	
Address	City	State	Zip

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Schumann Surveying</u> Printed Name: <u>Eduardo L. Aleman</u>		Phone (432) 684-5548 Email <u>ealeman@schumannonline.net</u>	
Address <u>1111 Magnolia</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning:

Reason for Platting:

Plat Information	Total Acreage: 0.60
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>1</u>	Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 4-27-23

Property Owner (printed):

Kyle Stallings

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.

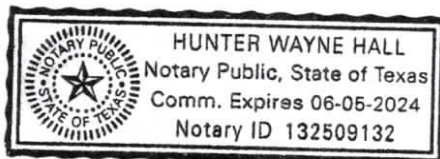
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman 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.

Edurdo Y. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th 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) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>\$350 credit card</u> | ☒ Tax Certificates | ☒ Recording Fee |

Received By: Alexandra Walling

Date: APR 27 2023

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 4-26-23

Property Owner (printed):

Carrie Stallings

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.

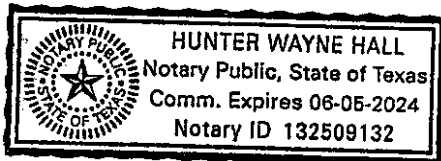
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman 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.

Eduardo J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th day of April, 20 23, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

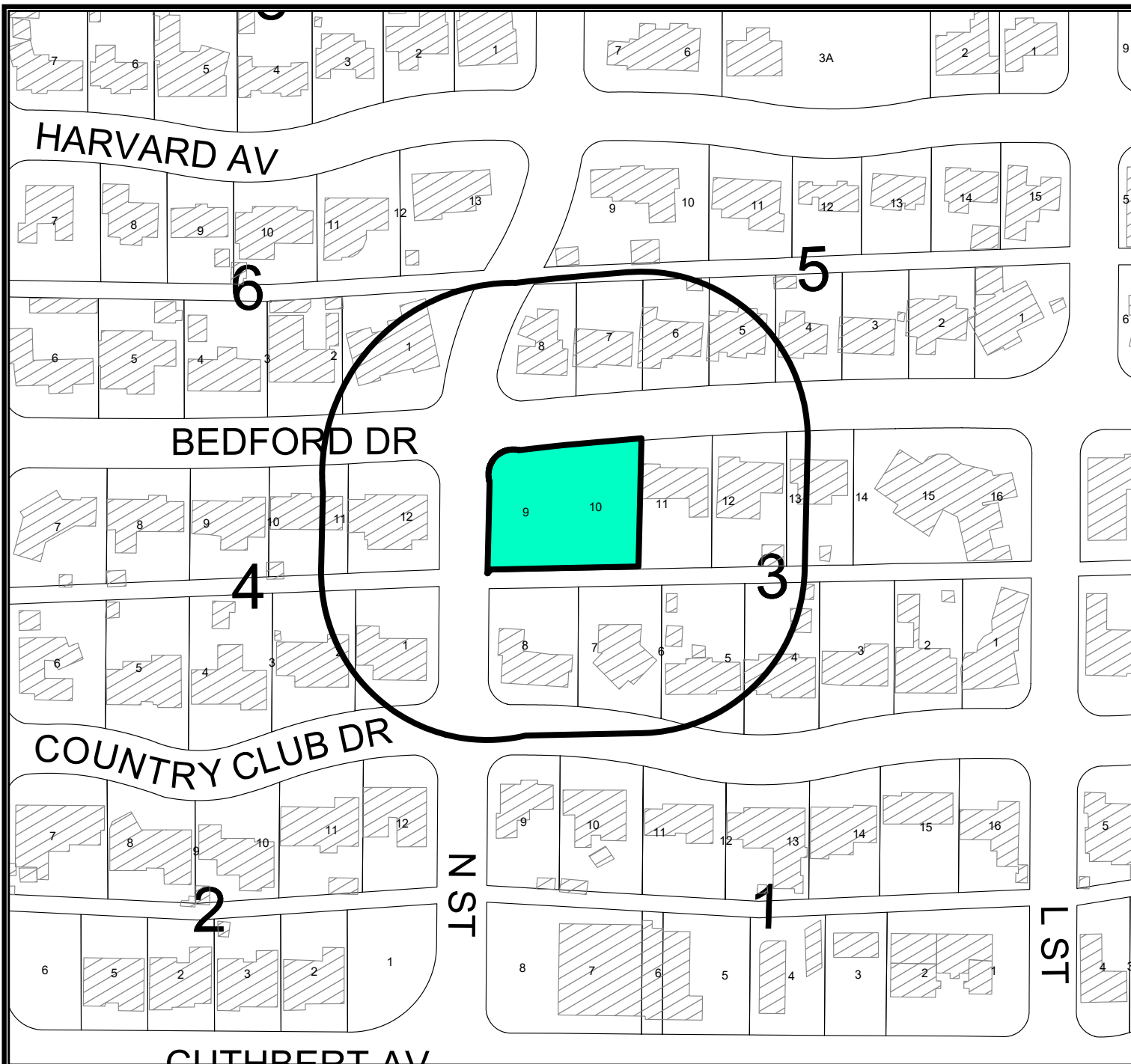
FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

PACKET **Application will not be considered for scheduling until reviewed by a planner**
Page 16 of 28 May 15, 2023



LOCATION MAP

SUB-23-0604

Scale: 1" = 200'

Proposed Final Plat of University Park Addition, Section 3, being a Residential Replat of Lots 9 and 10 and the west 10-feet of Lot 11, Block 3, University Park, City and County of Midland, Texas.

Generally located on the southeast corner on the intersection of Bedford Drive and North N Street.

- (Council District 3)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



HARVARD AV

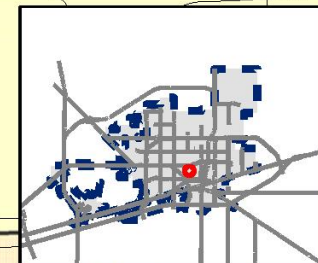
BEDFORD DR

NST

COUNTRY CLUB DR

SF1

LR



PACKET

Map By AW, 3/16/2023

SUB-23-0604

Scale: 1" = 200'

Page 16.130

ZONING MAP



IMI
PRI
OF

May 15, 2023

U.S. MAP IS IT DESIGNED
INFORMATION CONTAINED
THE USE OF THIS DATA.



Planning and Zoning
Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Southern Addition, Section 29, being a Replat of Lots 1 and 2, Block 178, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Loraine Street and West California Avenue. - 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 replat of Lots 1 and 2, Block 178, Southern Addition, City and County of Midland, Texas.

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

PAVING: W California and S Loraine, okay as is. No public paving improvements required. [For the Applicant's information only.]

WATER: 6" water exists in California, okay as is. 8" water exists in Loraine, 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 Applicant's Information Only.]

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

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

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Section number is already in use. Next available section number is 29. Address number is not needed on street east of plat.

PLANNING (Approved with conditions):

Rename plat to: "Southern Addition, Section 29"

Verify metes and bounds.

Add the subdivision name, block number, and lot number for abutting property owners.

Provide names of abutting property owners.

Prior to the final plat stage, obtain building permits to demolish the two existing homes or change occupancies to comply with the RR zoning. Alternatively, rezone the property to a residential district that allows the current uses.

Staff recommends approval of the Preliminary Plat of Southern 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 Preliminary Plat
Application
Maps

SOUTHERN ADDITION

155

156

WEST CALIFORNIA AVENUE
(80 FOOT RIGHT-OF-WAY)

CURB & GUTTER

CURB & GUTTER

N89°27'20"E 140.00'

GRID N:10691789.26
GRID E:1756427.84
LAT:N31°59'24.21"
LONG:W102°04'31.63"

SET
REIN
BAR

SET
REIN
BAR

S00°32'40"E 100.00'

LOT 1A
(0.32 ACRE TRACT)

178

S89°27'20"W 140.00'

P.O.B.
GRID N:10691687.94
GRID E:1756288.80
LAT:N31°59'23.18"
LONG:W102°04'33.43"

SET
REIN
BAR

SET
REIN
BAR

CURB & GUTTER

802 SOUTH LORANE STREET
(80 FOOT RIGHT-OF-WAY)

SOUTHERN ADDITION

LOT 18

LOT 17

177

LOT 16

LOT 15

LOT 14

SOUTHERN ADDITION

SECTION 27

A REPLAT OF LOTS 1 AND 2, BLOCK 178, SOUTHERN
ADDITION, AN ADDITION TO THE
CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, I AM THE RECORD OWNER OF A 0.48 ACRE TRACT OF LAND SITUATED IN THE SOUTH PART OF SECTION 33, BLOCK 39, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, BEING ALL OF LOTS 1 THRU 3, BLOCK 178, SOUTHERN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, RECORDED IN VOLUME 2, PAGE 2, DEED RECORDS OF MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINAFORE DESCRIBED PROPERTY AS SOUTHERN ADDITION SECTION 24, AN ADDITION TO THE CITY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2023.

LUCIA RODRIGUEZ

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY LUCIA RODRIGUEZ.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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. THIS PROPERTY IS IN FEMA'S FLOOD INSURANCE RATE MAP NO. 48329C0202F, EFFECTIVE DATE, SEPTEMBER 16, 2005. ALL OF TRACT IS IN ZONE "X" AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

OWNER(S):

LUCIA RODRIGUEZ,
802 SOUTH LORANE STREET,
MIDLAND, TX 79710 (432) 553-5591

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

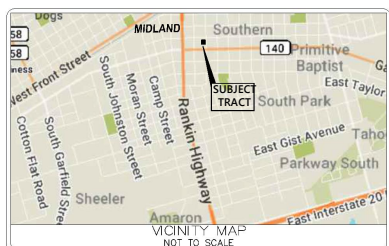
THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SOUTHERN ADDITION, SECTION 27, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SINIEGA

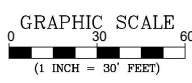
ATTEST: _____
SECRETARY JEFF FISHER

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

SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY
1100 N. WAREFIELD ST., #100
MIDLAND, TEXAS 79701
(432) 684-5548



- LEGEND:**
- MONUMENT AS DESCRIBED
 - PROPERTY LINE
 - SECTION LINE
 - ADJOINING PROPERTIES
 - TEXAS LINE
 - OVERHANG/COVERED
 - WATER LINE
 - SEWER LINE
 - UG GAS LINE MARKER
 - SANITARY SEWER MH
 - CLEAN OUT
 - WATER METER
 - AIR CONDITIONER
 - GAS METER
 - ELECTRIC METER
 - UTILITY POLE
 - CONCRETE



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM

SIGNED: _____
GRANDE COMMUNICATIONS

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

RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	07/20/2022	SKETCH PLAN	JD	JD	7/20/2022
				CHECKED BY: ED/RJ	PROJECT NO.: 40426
				JOB NO.: 78,570	SHEET: 1 OF 1

PACKET



Preliminary Plat Application

Project Number: SUB-22-0506
Case Number: P-23-1608

Proposed Subdivision Plat Name: SOUTHERN ADDITION SECTION 27

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 1 AND 2, BLOCK 178, SOUTHERN ADDITION, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner

Printed Name: LUCIA RODRIGUEZ

Phone ()

Email

Address

City

State

Zip

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Schumann Engineering

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: _____

Plat Information

Total Acreage:

0.32

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: 4-19-23

Property Owner (printed):

Sandra Rodriguez

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.

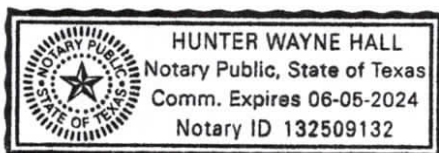
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

Ed Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of April, 20 23, to certify which witness my hand and seal of office.



HWH
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # CC Form

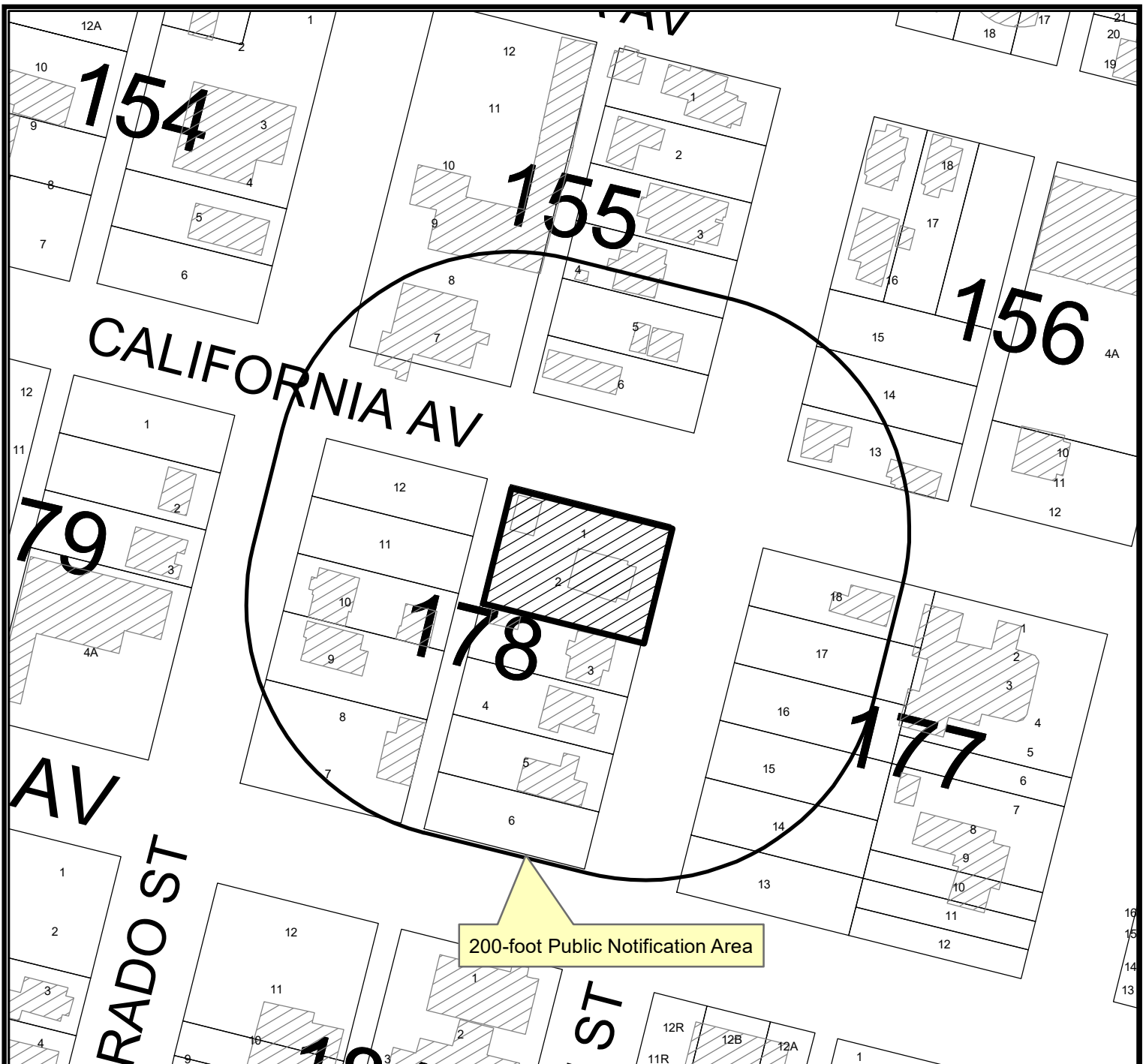
Received By:

James Reber

Date:

4/19/23

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



LOCATION MAP

SUD-22-0126

Scale: 1" = 200'

Proposed Preliminary Plat of Southern Addition, Section 29, being a Replat of Lots 1 and 2, Block 178, Southern Addition, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of South Loraine Street and West California Avenue. (Council District 2)

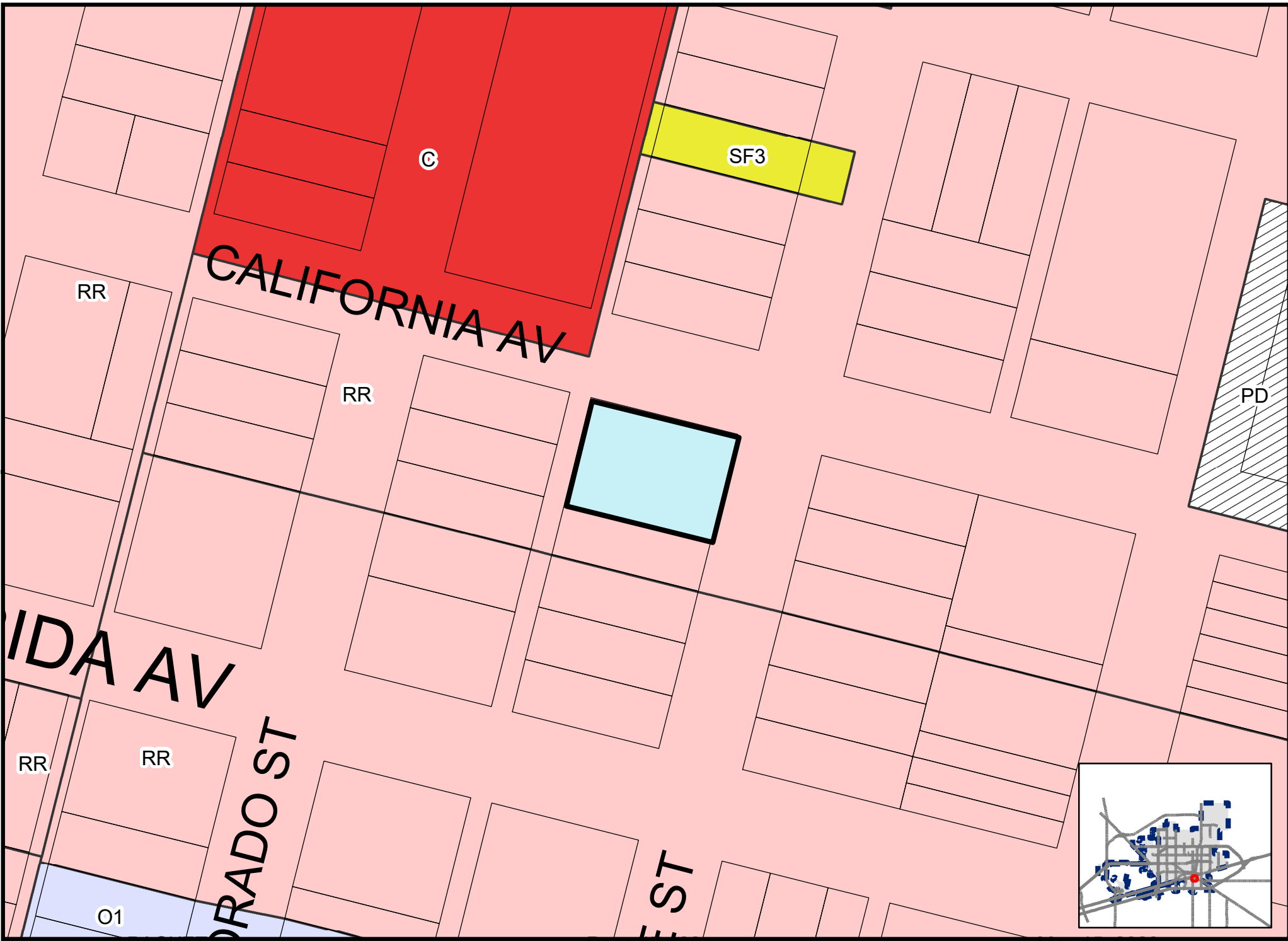
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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





Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Homestead Addition, Section 20, being a Replat of Lots 8-12, Block 6, Homestead Addition, City and County of Midland, Texas. (Generally located on the southeast corner of Mississippi Avenue and North Fort Worth Street. - Council District 2)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

Parkhill is requesting to replat Lots 8-12, Block 6, Homestead 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: Ok as is. [For the Applicant's information only.]

PAVING: Mississippi Avenue are okay as is. N. Fort Worth Street 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: 6" water exists in N. Fort Worth Street, 6" water exists in Mississippi Avenue, and 2" water exists in alley East of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

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

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

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

DIMENSION: * * *

OTHER: PAVING: N. Fort Worth Street 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)].

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 with Conditions)

Legal description should depict how much of Lot 8 is being replatted.

PLANNING: (Approved with Conditions)

Only a portion of Lot 8 is being replatted. The legal description should call out the acreage of Lot 8 that is being replatted.

Under the certificate of approval, change the secretary's name to Jeffrey Fisher. [For Applicant's Information Only]

Staff recommends approval of the Preliminary Plat of Homestead Addition, Section 20, subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. [Midland City Code Sect. 11-2-3(G)1]**
- B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Preliminary Plat
Maps
Application



Preliminary Plat Application

Project Number

Case Number:

34B-23-0609

P-23-1607

Proposed Subdivision Plat Name: Homestead Addition Section 20Legal Description (attached sealed Metes and Bounds): Being a replat of Homestead Addition
Lots 8-12, Section 6, City and County of Midland, Texas**Property Owner**Printed Name: Midland County, Texas

Phone ()

Email

Address 500 N LoraineCity MidlandState TXZip 79701**Developer** (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: ParkhillPrinted Name: Josh WallenderPhone (432) 697-1447

Email

jwallender@parkhill.comAddress 1700 West Wall, Suite 100City MidlandState TXZip 79701Current Zoning: CReason for Platting: Platting for future development**Plat Information**

Total Acreage:

0.79 Ac.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: 4/10/23

Property Owner (printed):

TERRY JOHNSON

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.

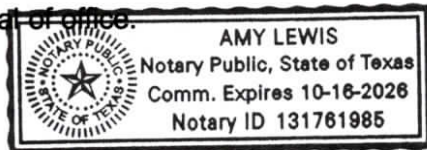
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

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

Shelby Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of April, 2023, to certify which witness my hand and seal of office.



Amy Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

Received By: _____

Date: _____

RECEIVED
APR 19 2023

BY: _____

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

PRELIMINARY PLAT HOMESTEAD ADDITION SECTION 20

Being a Subdivision of Block 6,
Homestead Addition, Section 20,
Midland County, Texas



0 60 120

LEGEND	
ND	Proposed All Limits
---	Proposed Street ROW
---	Proposed 10' Utility Easements
---	Proposed Allot Line
---	Existing Lot
---	Existing Easements
---	Existing Subdivision
---	Existing Allot Line
---	Existing Back of Curb
---	Existing Edge of Asphalt
---	Existing 1' Contours

- NOTE**
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 penalties.
 2. With the exception of sales and building permits, Midland may be required before these lots may be developed or before a building permit.
 3. Each lot shall have a plastic cap set at each corner unless otherwise specified.
 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.

OWNE
R:
Midland County,
Texas
500 North Basine
1901
432-742-7777
ENGINE
ER:
Parkhill
1700 W Wall St.,
#100 Midland,
TX 79701
1447

HOMESTEAD ADDITION SECTION 20 Parkhill

SPECIAL STATE PLANE
The horizontal coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD), with a combined grid factor of 0.9998958 for mean project datum. The theta angle is equal to .00° 54' 48.39" at USCGS station "Midland", with published values of N=10,690,154.70 and E=1,746,696.78 in U.S. Survey Feet.

SURVEYOR'S
KNOW ALL MENBY THESE PRESENTS, Samuel Wyatt, 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.

Samuel Wyatt
R.P.L.S. #6453

FLOOD ZONE
Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 480477, Map Number 4823C0089F, Panel 202 of 525, revised September 16, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X.

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

Onco Electric Delivery Service
(PLEASE PRINT)

AT&T Texas (PLEASE PRINT)

Atmos Energy (PLEASE PRINT)

Optimum (PLEASE PRINT)

Astound Broadband (PLEASE PRINT)

CERTIFICATE OF APPROVAL
This is to certify that the above and foregoing plat of HOMESTEAD ADDITION, SECTION 20, was approved by proper action of the City Planning and Zoning Commission of the City of

Chairman - Lucy Sisnega Secretary - Elizabeth Shaughnessy

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND
I, MICHAEL S. MIDLAND, MIDLAND COUNTY, TEXAS, is the record owner of 0.79 Acres of Land Located in Section 35, Block 40, T-1-S T&P RR Co. Survey, City and County of Midland, Texas and more known as described herein.
I HEREBY PRESENTS
That we, MIDLAND COUNTY, TEXAS do hereby adopt this plat designating the herein above described property as HOMESTEAD ADDITION, SECTION 20 to the City and County of Midland, Texas, and we do hereby dedicate to the public use forever the streets and easements shown thereon.

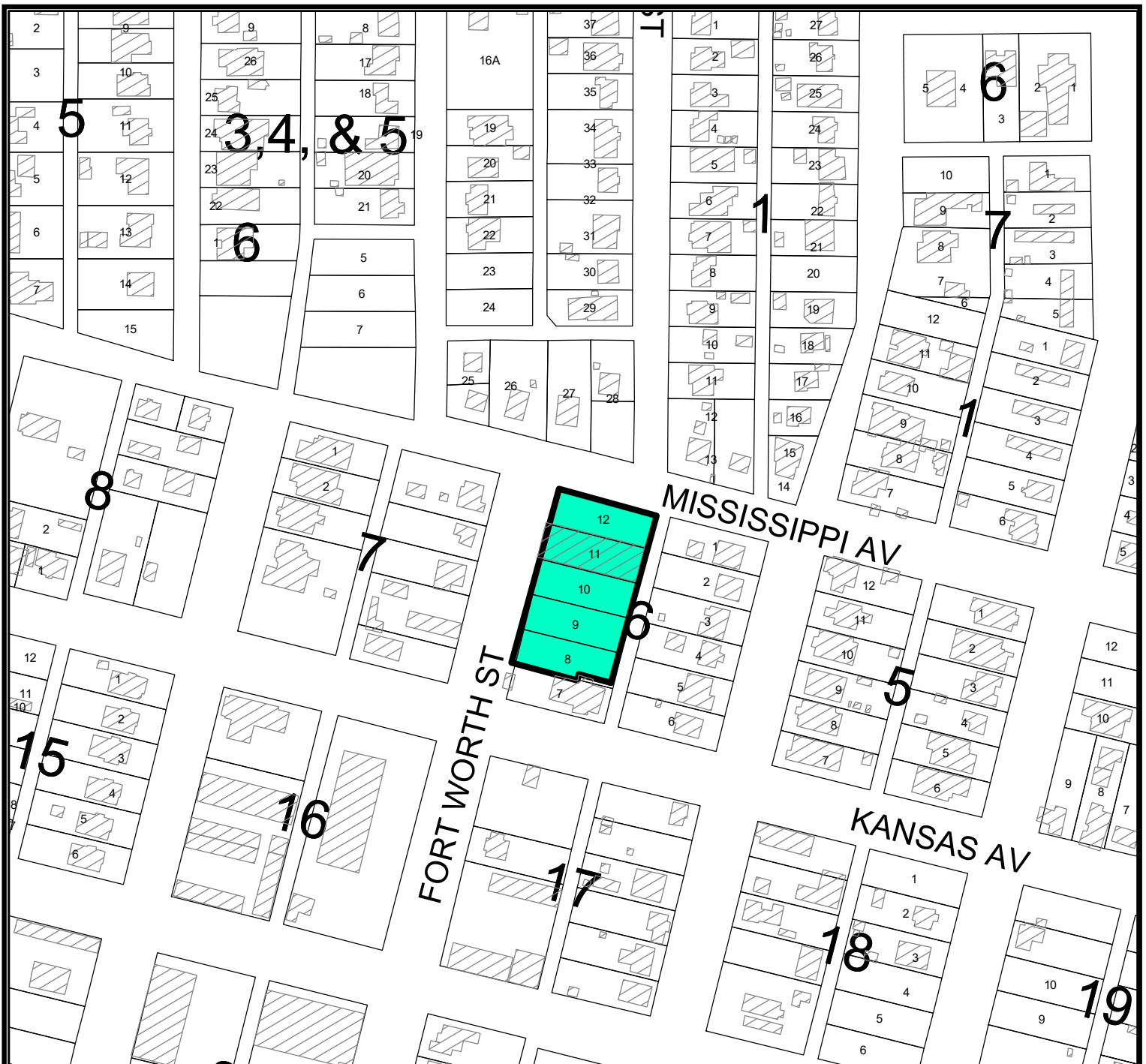
By: Ben Clark Division Vice President

STATE OF TEXAS
COUNTY OF MIDLAND
This instrument was acknowledged on behalf of MIDLAND COUNTY, TEXAS.

Notary Public
Signature



LOCATION MAP



LOCATION MAP

SUB-23-0609

Scale: 1" = 200'

Proposed plat of Homestead Addition, Section 20, Being a Replat of Lots 8-12, Block 6, Homestead Addition, City and County of Midland, Texas.

Generally located on the southeast corner of Mississippi Avenue and North Fort Worth Street. (Council District 2)

PACKET

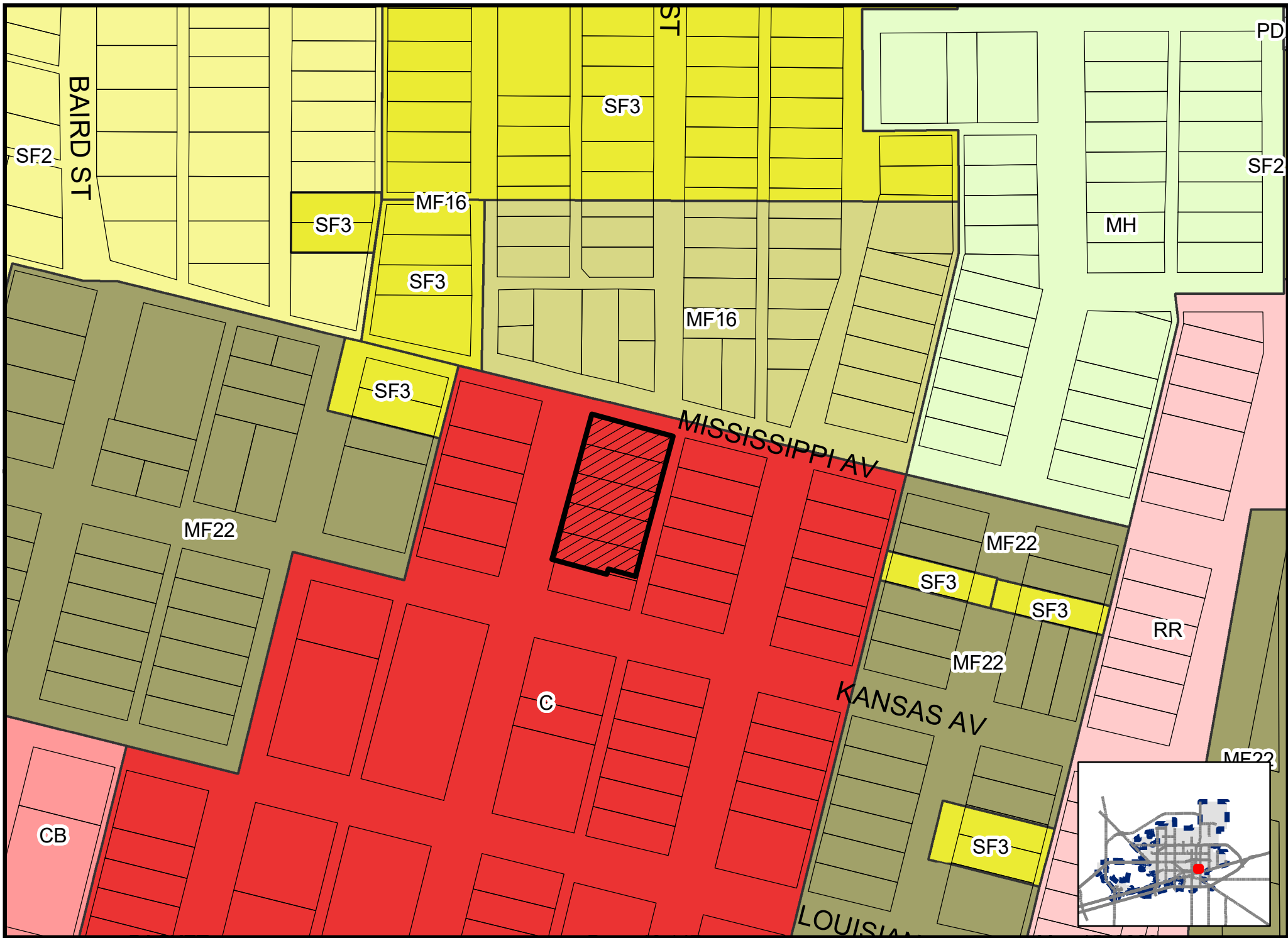
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Midkiff Industrial Center, Section 28, being a Replat of Lot 1, Block 3, Midkiff Industrial Center, Section 2, a 4.38-acre tract out of the northwest quarter of Section 4, Block 39, T-2-S, T & P RR Co. Survey, and a 2,080-square foot portion of the West Industrial Loop right-of-way, 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, HPF Consultants, is requesting to replat Lot 1, Block 3, Midkiff Industrial Center, Section 2, and a 4.38-acre tract out of the northwest quarter of Section 4, Block 39, T-2-S, T & P RR Co. Survey, and a 2,080-square foot portion of the West Industrial Loop right-of-way, 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, 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 additional comments.

ENGINEERING: (Approved with conditions)

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

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

PAVING: S Midkiff roadway okay as is. W Industrial is not built to City Standards, construct to City standards for entire platted frontage or request deferral. [For Applicant's Information Only.]

WATER: 12" water exists in Midkiff Road, okay as is. 6" water exists in Industrial Loop, 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: 15" sewer exists in Midkiff Street, okay as is. 6" sewer exists in alley, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: No Drainage Report required at this time. Existing site is developed; if proposing to re-develop site drainage can be reviewed with building permit. [For Applicant's Information Only.]

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

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

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)

ROW vacation should be mentioned in the legal description. (Vacation acreage as well)

Plat boundary outline should be extended to include ROW dedication.

Block number should be 9 to be consistent with adjacent plat.

PLANNING:

Change "Gist Street" to "Gist Avenue." [Informational]

On the west side of the plat, make the dedication lines dashed. Leave plat boundary as solid line. [Informational]

Under owners' certificate on plat face, the acreage and legal description should match the other information on the plat. See legal description comment. [Informational]

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

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

Legal description should read, "Being a replat of Lot 1, Block 3, Midkiff Industrial Center, Section 2, and a 4.38-acre tract out of the northwest quarter of Section 4, Block 39, T-2-S, T & P RR Co. Survey, and a 2,080-square foot portion of the West Industrial Loop right-of-way, City and County of Midland, Texas." [Informational]

Staff recommends approval of the Preliminary Plat of Midkiff Industrial Center, Section 28, 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: Sub-22-0531
Case Number: P-23-1608

Proposed Subdivision Plat Name: Midkiff Industrial Center, Section 28

Legal Description (attached sealed Metes and Bounds): 7.19 Acres, Section 4, Block 39, T-2-S,
T. & P. R.R. Co. Survey, Midland County, Texas

Property Owner Printed Name: <u>Stan Williamson</u>		Phone <u>432 235 8111</u> Email <u>marcus.hostas@hpfconsultants.com</u>	
Address <u>#2 W. Industrial Loop</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>7701</u>

Developer (if different than Owner) Printed Name: <u>Same</u>		Phone <u>432 235 8111</u> Email	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>HPF Consultants</u> Printed Name: <u>Marcus Hostas</u>		Phone <u>432 235 8111</u> Email	
Address <u>3106 N. Big Spring Street</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79705</u>

Current Zoning: Commercial

Reason for Platting: New Construction

Plat Information	Total Acreage: <u>7.19</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots:	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.

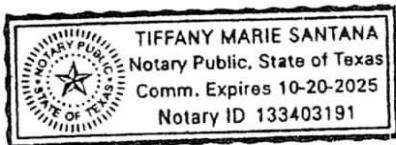
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Marcus Hostas 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.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 20th day of April, 20 22, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY☒ Property Owner Authorization☒ 1 Copy of Dimensioned Plat☒ Plat in Digital Format (PDF/JPEG)☒ Application Fee☒ 1 Copy of Plat (11x17)Check # 2758 \$350Received By: Alexandra WallingDate: APR 19 2023BY: AW

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

Preliminary Plat Application

2

Revised 07/01/19

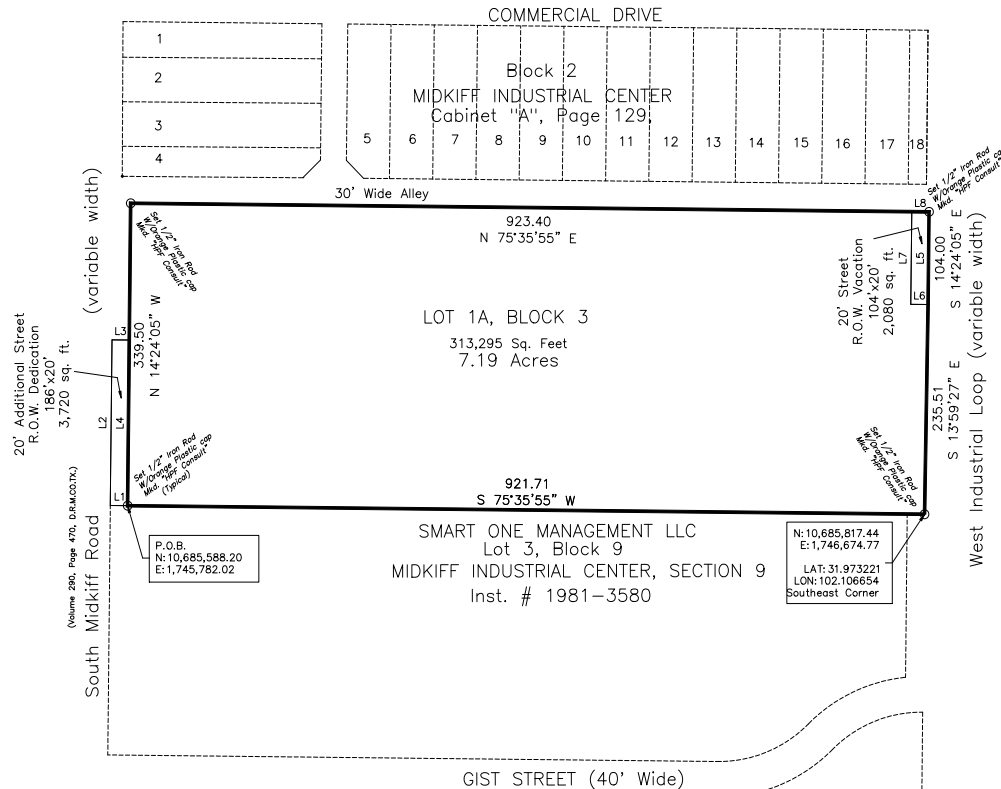
MIDKIFF INDUSTRIAL CENTER, SECTION 28

PRELIMINARY PLAT

BEING A REPLAT OF LOT 1, BLOCK 3, MIDKIFF INDUSTRIAL CENTER, SECTION 2,
AND A 4.04 ACRE TRACT LOCATED IN SECTION 4, BLOCK 39,
T-2-S, T. & P. R.R. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



Not To Scale



LINE	BEARING	DISTANCE
L1	S 75°35'55\"	20.00
L2	N 14°24'05\"	186.00
L3	N 75°35'55\"	20.00
L4	S 14°24'05\"	186.00
L5	S 14°24'05\"	104.00
L6	S 75°35'55\"	20.00
L7	N 14°24'05\"	104.00
L8	N 75°35'55\"	20.00

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS,
UNINCORPORATED AREA, COMMUNITY MAP NUMBER 48329C0201 F, DATED SEPTEMBER 16,
2005, THIS PROPERTY IS SITUATED WITHIN ZONE "X" WHICH IS DEFINED AS AREAS
DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOOD PLAIN.

IMPACT FEES:
INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION
AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS.
ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT
UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

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) ALL BEARINGS, DISTANCE, COORDINATES AND AREAS SHOWN HEREON ARE
BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 TXCZ.
ALL ELEVATIONS ARE BASED UPON NAVD88.

3) THE INSTALLTION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY
OF MIDLAND AS SUCH TIME AS (1) EITHER TRACT IS RE-PLATTED OR (2)
THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

4) Approval of a site plan by the City of Midland may be required before
those lot(s) may be developed and before a building permit may be
obtained.

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES

SURVEYORS CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARCUS L. HOSTAS, A REGISTERED
STATE OF TEXAS, DO HEREBY CERTIFY
AS PREPARED FROM AN
ACTUAL AND ACCURATE SURVEY
SHOWN THEREON WAS PERSONAL SUPERVISION, IN
ACCORDANCE WITH THE CITY OF MIDLAND, TEXAS.

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

PACKET

ATMOS ENERGY
BY: _____

AT&T
BY: _____

OPTIMUM
BY: _____

GRANDE COMMUNICATIONS
BY: _____

ONCOR ELECTRONICS
BY: _____

OWNER:
Stan Williamson
Industrial Oils INC.
#2 West Industrial Loop
Midland, Texas 79701
432-631-1680

OWNERS CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS INDUSTRIAL OILS INC. IS THE RECORD OWNER OF A TRACT OF LAND
DESCRIBED HEREIN AS A 7.23 ACRE TRACT SITUATED IN SECTION 4, BLOCK "39",
T-2-S, T. & P.R.R. CO. SURVEY, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT INDUSTRIAL OILS INC., BEING THE OWNER OF THE AFOREMENTIONED LAND SHOWN
ON THIS PLAT DESIGNATED AS MIDKIFF INDUSTRIAL CENTER, SECTION 28, MIDLAND
COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO
THE PUBLIC USE FOREVER THE STREETS, AND EASEMENTS, SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS

THE _____ DAY OF _____, 2023.

BY: _____

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, STAN WILLIAMSON, KNOWN TO ME TO
BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND
ACKNOWLEDGED TO ME THAT HE WAS ACTING AS THE OWNER, AND THAT HE EXECUTED
THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE
CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS:

CERTIFICATE OF APPROVAL
FOR APPROVAL BY THE COMMISSION:

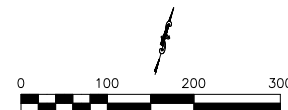
THIS IS TO CERTIFY THAT THE ABOVE FOREGOING PLAT OF "MIDKIFF INDUSTRIAL
CENTER, SECTION 28" WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND
ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS:

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY



ENGINEERING AND DESIGN
TEXAS REGISTERED
TBPELS FIRM 10194683
3106 N. Big Spring Street
Midland, Texas
432-235-8111
MARCUS.HOSTAS@HDPconsultants.com

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

May 15, 2023
MIDKIFF INDUSTRIAL CENTER, SECTION 28

J:\Cody Stroud\Preliminary Plat-20230419\Preliminary Plat Rev 20230419.dwg

MIDKIFF RD

COMMERCIAL DR

TR23
TR22
TR21
TR20
TR19
TR18
TR17
TR16
TR15

W INDUSTRIAL LOOP

GIST AV

LOCATION MAP

SUB-22-0531

Scale: 1" = 200'

Proposed Preliminary Plat of Midkiff Industrial Center, Section 28, being a Replat of Lot 1, Block 3, Midkiff Industrial Center, Section 2, a 4.38-acre tract out of the northwest quarter of Section 4, Block 39, T-2-S, T & P RR Co. Survey, and a 2,080-square foot portion of the West Industrial Loop right-of-way, City and County of Midland, Texas.

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

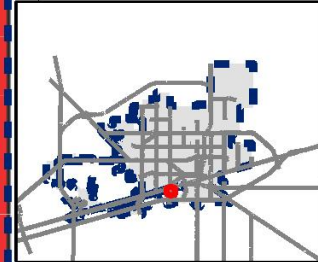
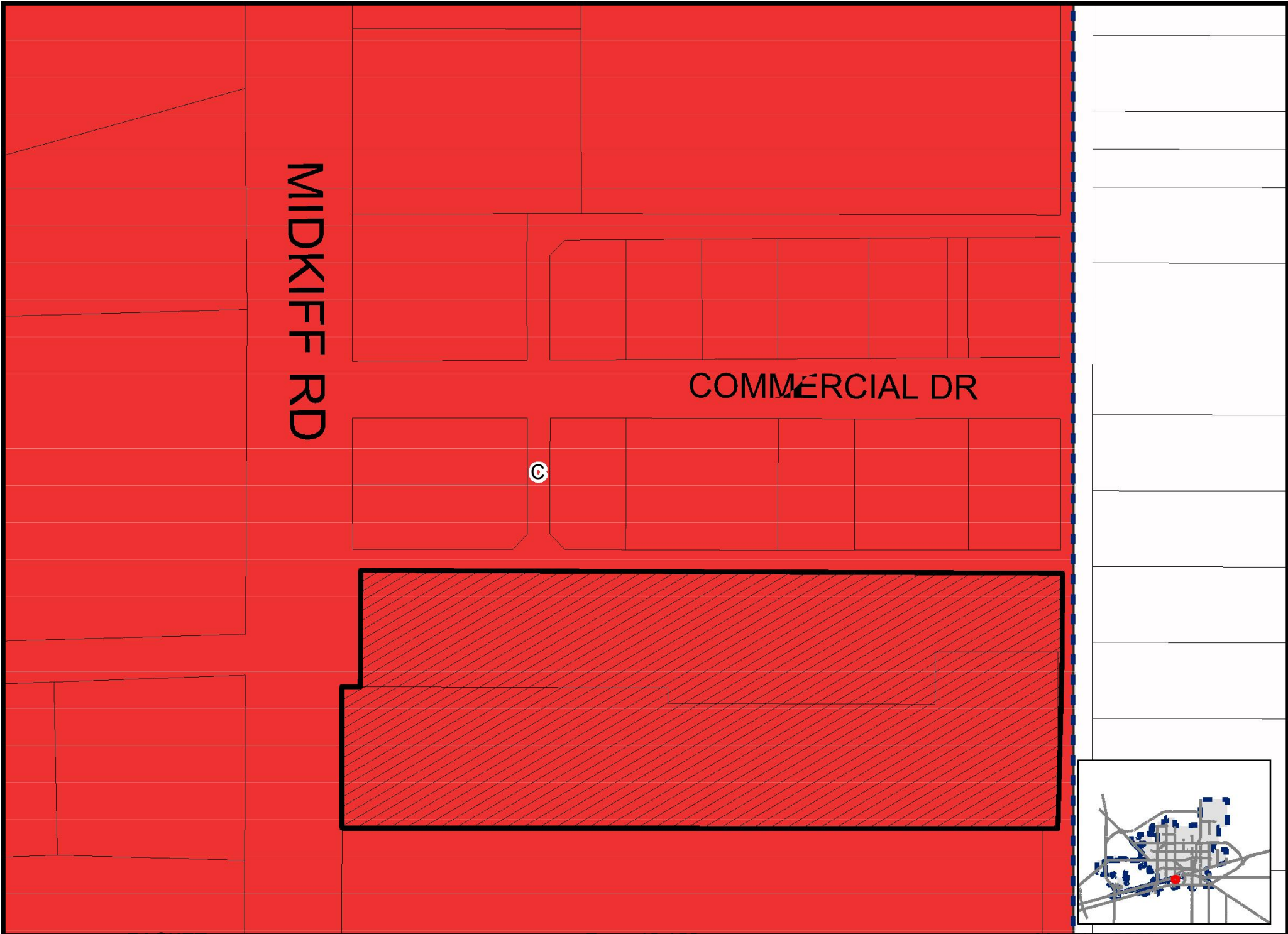
LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



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PACKET

Page 19.156

May 15, 2023

Map By AW, 4/27/23

SUB-22-0531

Scale: 1" = 200'

ZONING MAP



THIS MAP IS NOT A LEGAL INSTRUMENT AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND.

MI
PRI
OF

UCL, NCR IS IT DESIGNED
INFORMATION CONTAINED
THE USE OF THIS DATA.



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving with staff's recommended conditions for the reinstatement of a proposed Preliminary Plat of Northwest Passage, being a Plat of a 117.035-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 1,000-feet north of State Highway 191. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Parkhill, is proposing to plat a 117.035-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, into five hundred and seventy-three (573) lots for a residential subdivision. This Preliminary Plat was previously approved by the Planning and Zoning Commission on September 7, 2021, and subsequently by City Council on September 14, 2021. 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:

SF-3, Single-Family Dwelling District

Departmental Review:

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

Engineering: (Approved with conditions)

IMPACT FEES: Impact Fee statement okay as shown. [For Applicant's Information Only.]

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

PAVING: Internal pavement improvements need to be extended throughout the proposed R.O.W. Only plans for phases 1-3 have not been submitted or approved. A performance bond has been submitted for pavement improvements for phase 1. [Reference City Code Section 11-2-3(G)1]

WATER: Water improvements need to be extended throughout the proposed R.O.W. Only plans for phases 1-3 have not been submitted or approved. Only phase 1 has been installed and inspected by the City. [Reference City Code Section 11-2-3(G)1]

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

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

SEWER: Wastewater improvements need to be extended throughout the proposed R.O.W. Only plans for phases 1-3 have not been submitted or approved. Only phase 1 has been installed and inspected by the City. [Reference City Code Section 11-2-3(G)1]

DRAINAGE: Drainage analysis is under review. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No objections.

Oil & Gas: (Approved with conditions)

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. Per the RRC GIS system, have identified Plugged and Abandoned well that appears to be marked as an inactive well on the plat on the middle of two lots. This P&A well needs to be noted per Oil & Gas review notes of 6-1-21. Needs to be identified as the JOHNNIE #1 API 329-31519 and Plugged and

Abandoned (P&A). Residential/Commercial permits will not be allowed to be issued on top of abandoned well and needs to be noted on the legend and well site. If there are additional Plugged and Abandoned wells they need to be identified. These notes were given in a previous review 6-1-21 and denied under P-21-1103.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, 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.

GIS: (Approved)

No comments.

Fire: (Approved)

No comments.

Planning: (Approved)

All departments comments have been satisfied.

Staff recommends approval of the Preliminary Plat for Northwest Passage, 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 department before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Application
Maps

023 WORK
WEST
PASSAGE
ADDITION



Preliminary Plat Application

Project Number:

Case Number:

SUB-21-0416
D-21-1103**Proposed Subdivision Plat Name:** Northwest Passage**Legal Description (attached sealed Metes and Bounds):** Being a plat of a 117.035 acre tract in Section 35, Block 40, T-1-S, T. & P. Railroad Survey, Midland County, Texas.**Property Owner**

Printed Name: Cumberland and Western Resources, LLC

Phone ()

Email

Address 2200 Lapsey Ln

City Bowling Green

State KY

Zip 42103

Developer (if different than Owner)

Printed Name: DR Horton

Phone ()

Email

Address 6751 N Freeway

City Fort Worth

State TX

Zip 76131

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

Firm: Parkhill

Printed Name: Josh Wallender

(Proj.# 4534.21)

Phone (432) 697-1447

Email

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State Texas

Zip 79701

Current Zoning: Currently in Annexation Process for SF-3 Initial Zoning**Reason for Platting:** Platting for future development**Plat Information**

Total Acreage: 117.035 Ac.

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

Number of Lots: 573

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):

[Signature] MARGARITA

Date: 5/26/21

Property Owner (printed):

MARGARITA BEITERION

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.

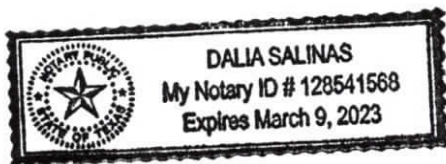
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 26 day of May, 20 21, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 001504

Received By:

V. Sherman

Date:

RECEIVED
MAY 26 2021

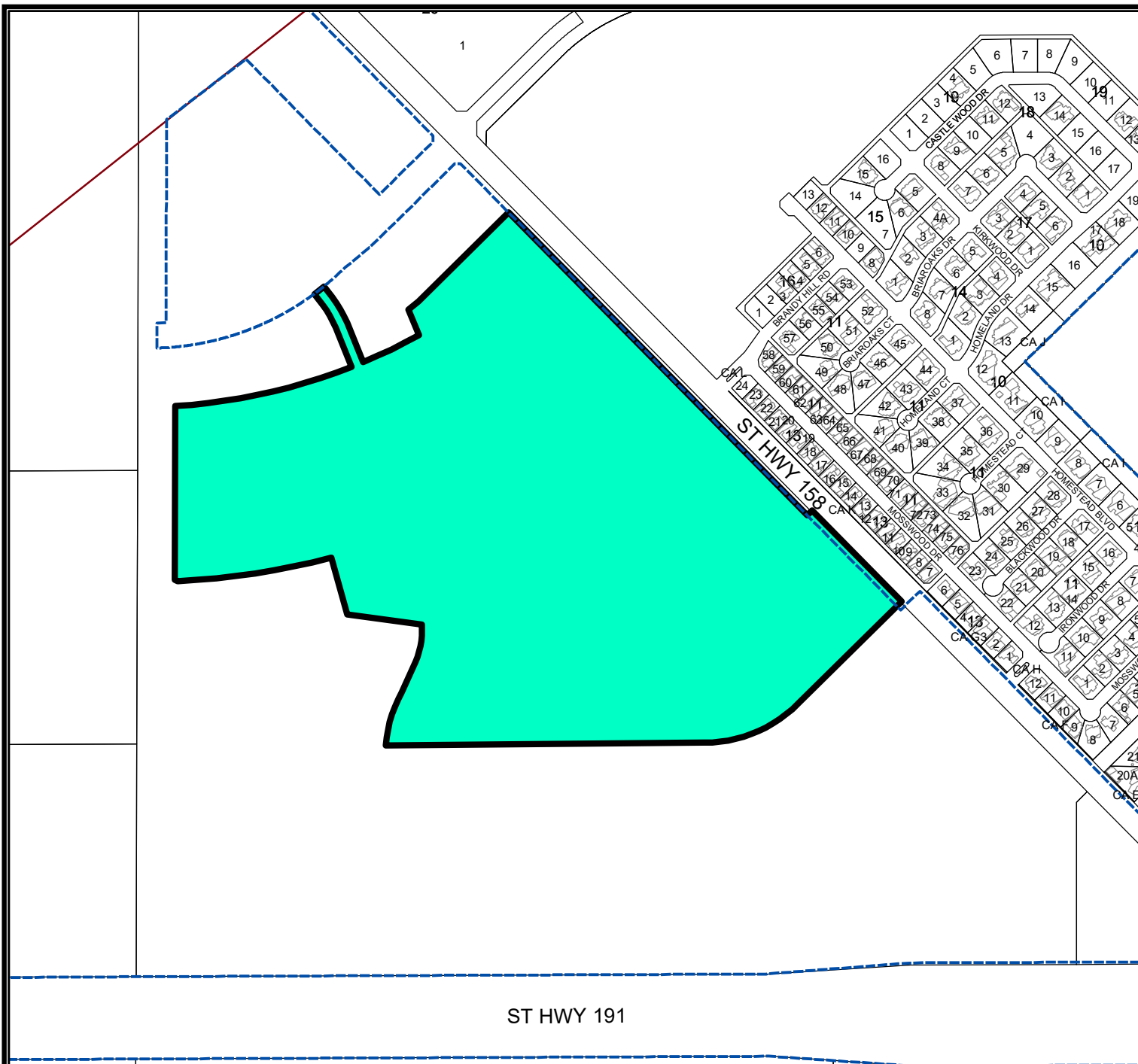
BY: *[Signature]*

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

PACKET

Page 20.162

May 15, 2023



ST HWY 191

LOCATION MAP

SUB-21-0416

Scale: 1" = 700'

Proposed plat of Northwest Passage, being a plat of a 117.035-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the west side of State Highway 158, approximately 1,001 feet north of State Highway 191 (Council District 4)

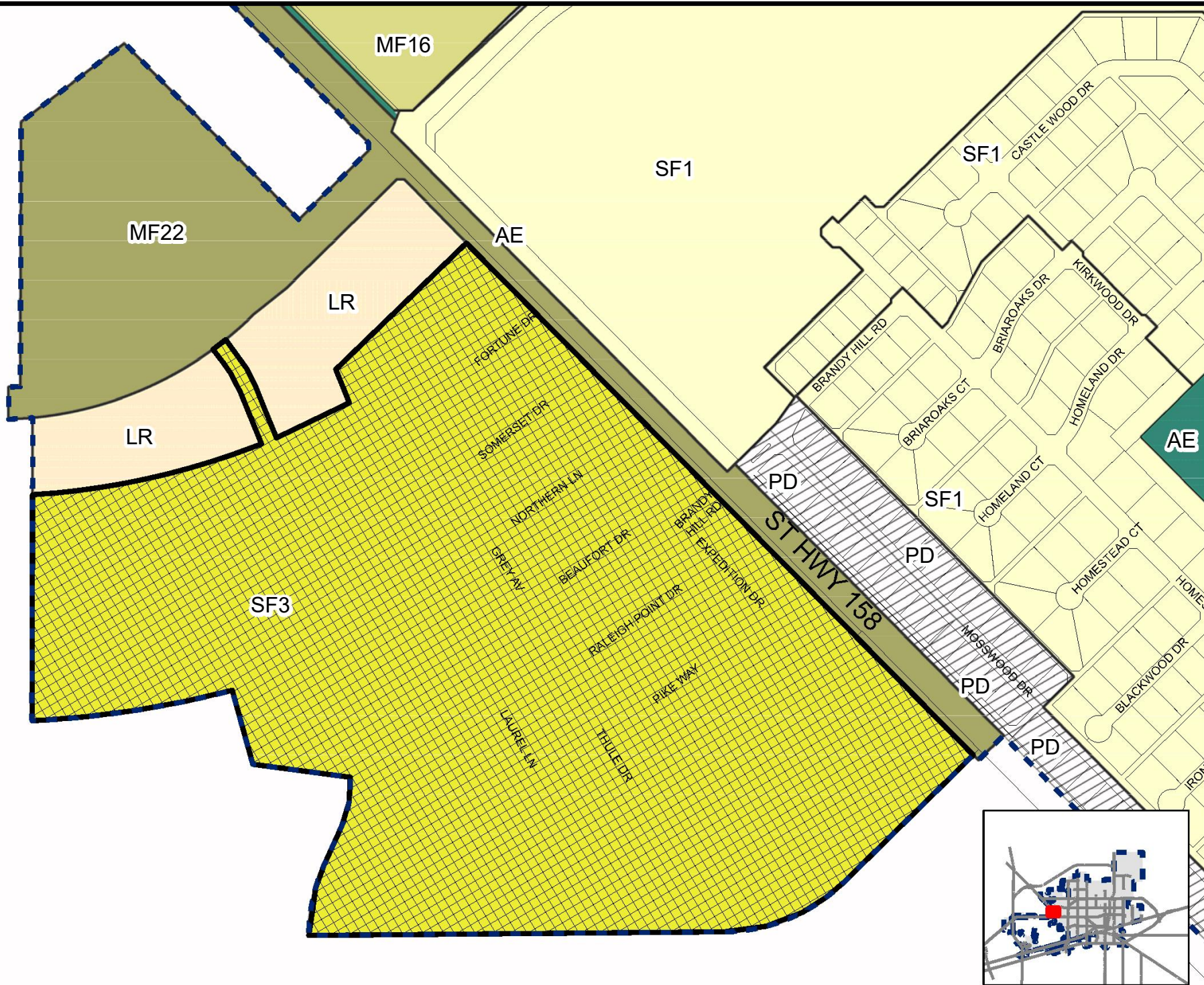
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving a Final Plat of Northwest Passage, Section 1, being a Plat of a 31.401-acre tract of land out of Section 35, Block 40, T-1-S T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 1,000-feet north of State Highway 191. – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single-Family Dwelling District

Preliminary Plat Approval:

The original Preliminary Plat was approved by the Planning and Zoning Commission on September 7, 2021, and subsequently by City Council on September 14, 2021. The preliminary plat is being reinstated at this meeting to allow the 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.

Engineering: (Approved)

IMPACT FEES: Impact Fee statement okay as shown. [For Applicant's Information Only.]

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

PAVING: A performance bond has been put up for the pending paving improvements. [For Applicant's Information Only.]

WATER: Water improvements have been installed and inspected by the City. [For Applicant's Information Only.]

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

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

SEWER: Wastewater improvements have been installed and inspected by the City. [For Applicant's Information Only.]

DRAINAGE: Drainage analysis accepted for platting purposes. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No comments.

Fire: (Approved)

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

Oil and Gas: (Approved)

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. Per the RRC GIS system, have identified Plugged and Abandoned well that appears to be at the construction entrance to the South but not in the plat area. Please verify and identify if falls on the plat. The JOHNNIE #1 permitted 2-13-1986 API 329-31519 and plugged and abandoned. Residential/Commercial permits

will not be allowed to be issued for houses on top of abandoned wells. If there are additional Plugged and Abandoned wells they need to be identified. These notes were given in a previous review 6-1-21 and denied under P-21-1103 but appears the current plat is more defined is not in the P&A well location.

Code Administration: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, 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.

GIS: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of the Final Plat of Northwest Passage, Section 1, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: Sub-21-0416Case Number: P-23-1616**Proposed Subdivision Plat Name:** Northwest Passage, Section 1**Legal Description (attached sealed Metes and Bounds):** Being a plat of a 31.401 acre tract in Section 35, Block 40, T-1-S, T. & P. Railroad Survey, Midland County, Texas.**Property Owner**Printed Name: DR Horton - Texas, LTD

Phone ()

Email

Address 6751 N FreewayCity Fort WorthState TXZip 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: ParkhillPrinted Name: Josh Wallender(Proj. # 4532121)Phone (432) 697-1447

Email

jwallender@parkhill.comAddress 1700 West Wall, Suite 100City MidlandState TexasZip 79701**Current Zoning:** SF-3**Reason for Platting:** Platting for future development**Plat Information**Total Acreage: 31.401 Ac.Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 130

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature] Date: 4-25-23
Property Owner (printed): Todd Horton

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

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

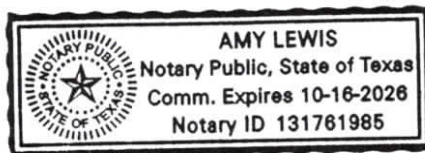
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of April, 20 23, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: JEFF Fisher

Date: 4/27/2023

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

PACKET

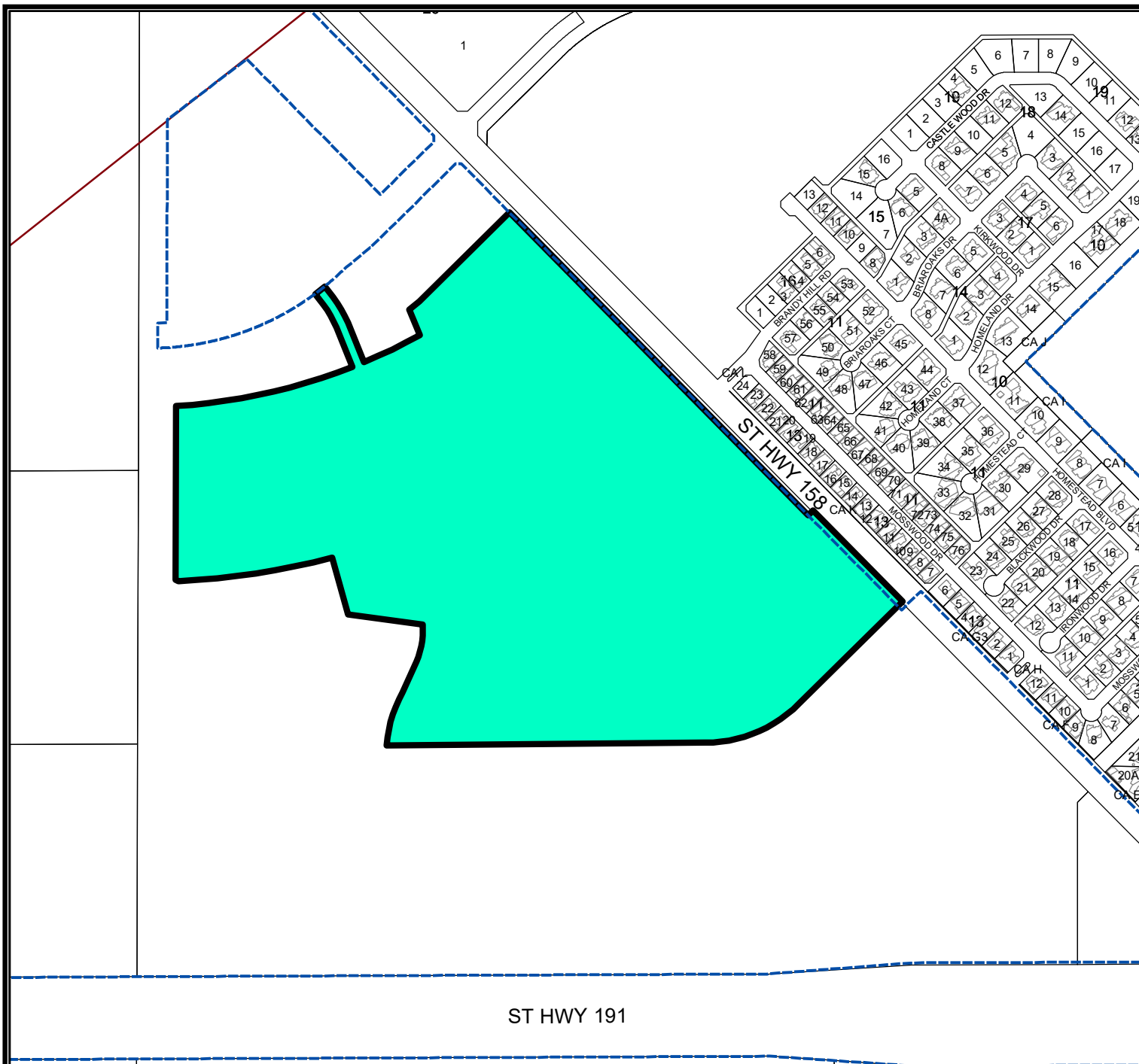
Page 21.171

May 15, 2023

Final Plat Application

2

Revised 7/01/19



ST HWY 191

LOCATION MAP

SUB-21-0416

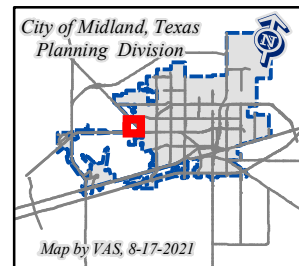
Scale: 1" = 700'

Proposed plat of Northwest Passage, being a plat of a 31.401-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the west side of State Highway 158, approximately 1,001 feet north of State Highway 191 (Extra-territorial Jurisdiction)

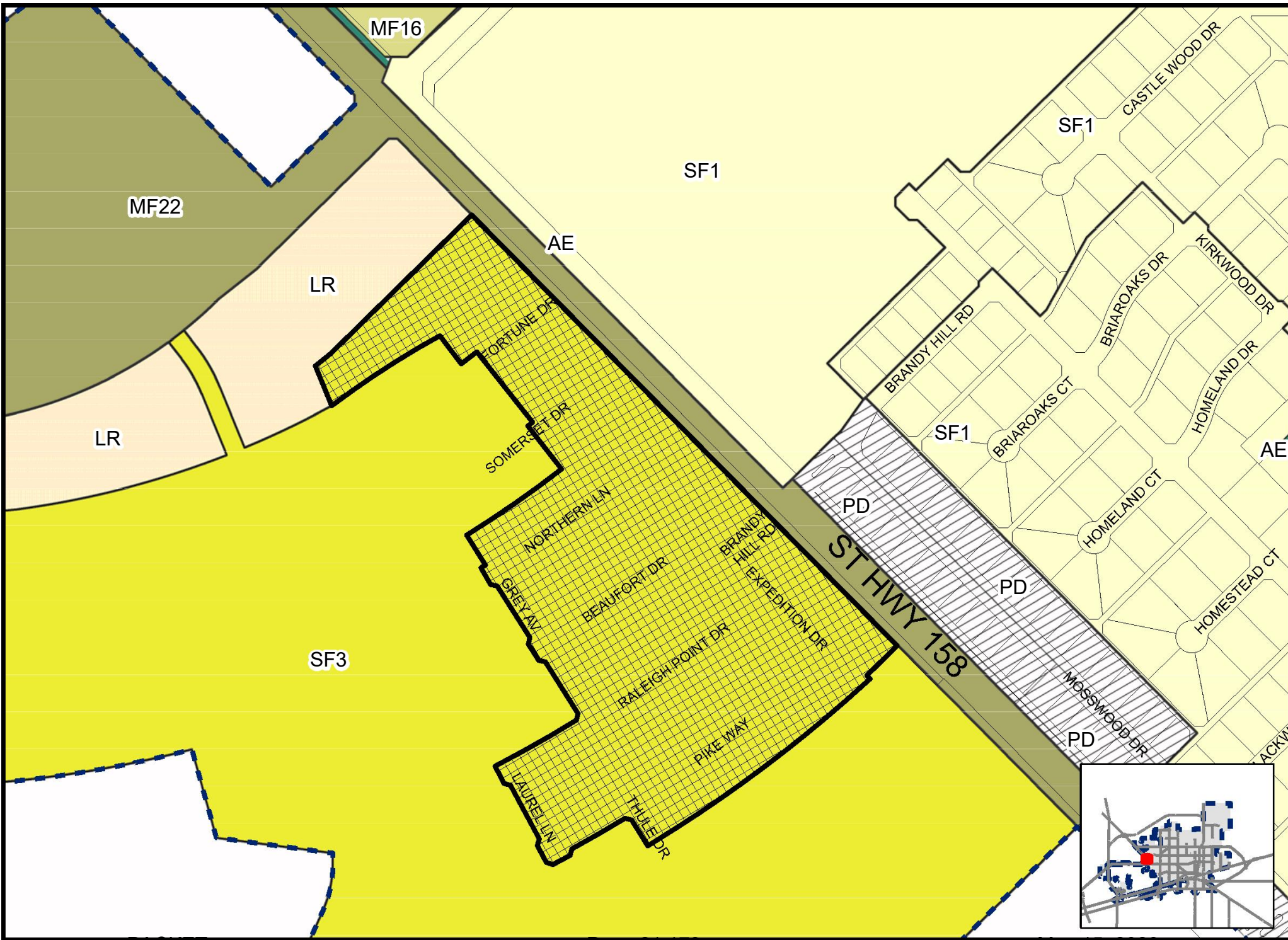
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 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 Country Villa Estates, Section 8, being a Replat of Lot 4, Block 2, Country Villa Estates, Section 7, and the north 5.727-acres of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Brinson Lane and West Wall Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Newton Engineering, is requesting to reinstate an approved preliminary plat of Country Villa Estates, Section 8, being a replat of Lot 4, Block 2, Country Villa Estates, Section 7, and the north 5.727-acres of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas into one lot for future development. This Preliminary Plat was previously approved by the Planning and Zoning Commission on March 2, 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:

C, Commercial, and TP, Technology Park

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

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

PAVING: Brinson Lane roadway okay as is, no improvements are required. Wall Street and Business 20 Service Road is TxDOT facility, built and maintained by TxDOT, no improvements are required. [For Applicant's Information Only.]

WATER: 12" water exists in Wall Street S 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: 12" sewer exists in Wall Street S of tract & 8" sewer exists in alleyway N of the tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Drainage study is approved. [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)

TxDOT comment, "There is a section of undeveloped land on the NE part of this plat. Drainage from this area flows to BI 20 and across the railroad. Post development drainage/runoff should be mitigated." 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. No objections to plat.

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)

No comments.

CRMWD: (Approved)

We do not have any comments on this plat.

PLANNING: (Approved with Conditions)

For the final plat stage:

Provide a title opinion confirming ownership.

Staff recommends approval of a reinstatement of a Preliminary Plat of Country Villa Estates, Section 8, subject to condition A.

Conditions:

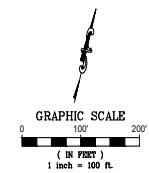
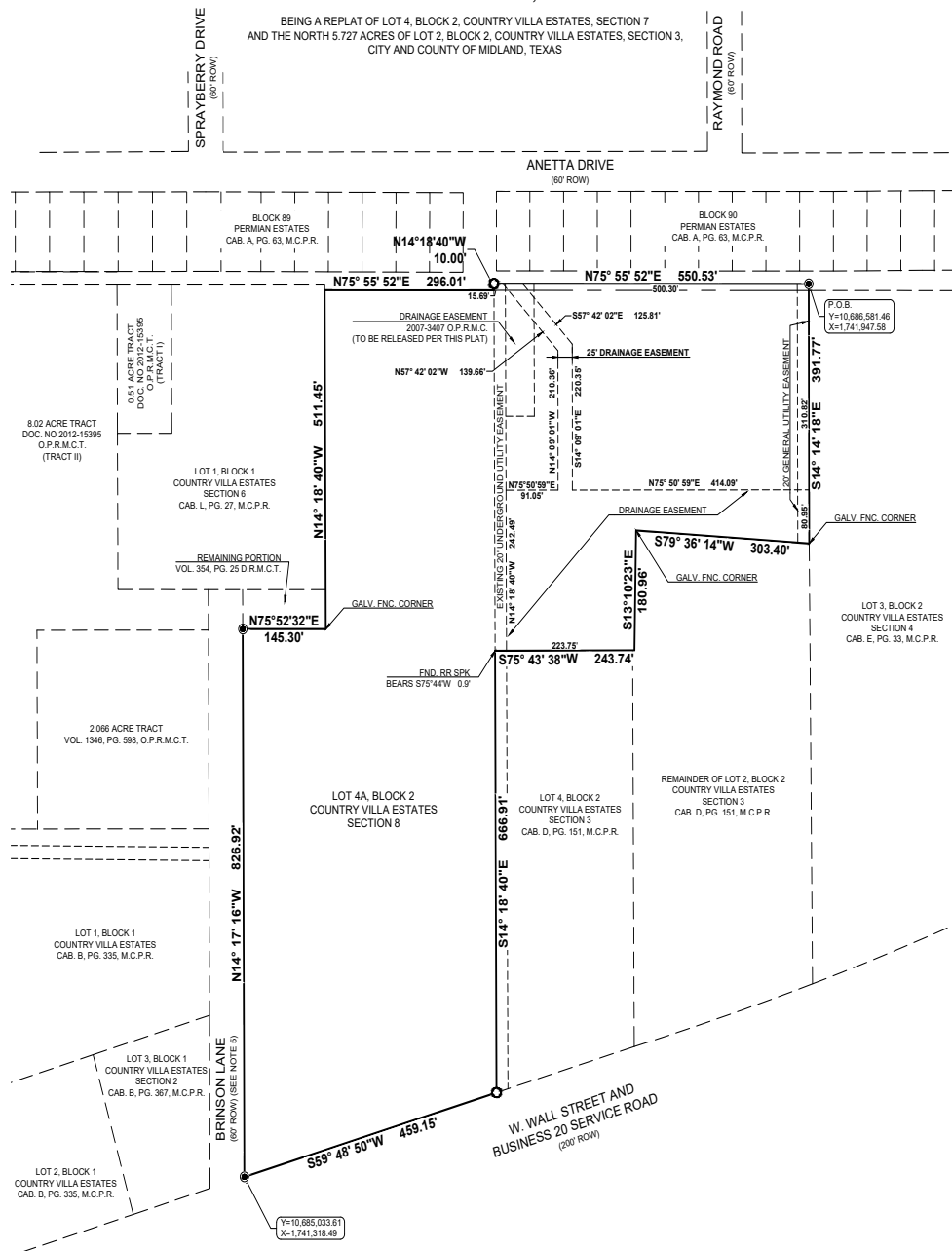
- A. Approval of this Preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

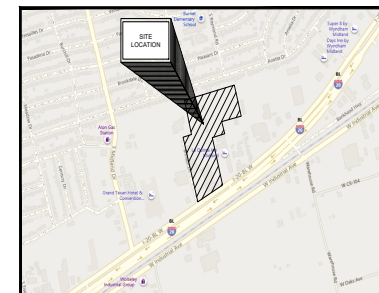
Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT
COUNTRY VILLA ESTATES, SECTION 8

BEING A REPLAT OF LOT 4, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 7
AND THE NORTH 5.727 ACRES OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3,
CITY AND COUNTY OF MIDLAND, TEXAS



- LEGEND**
- 1/2" IRON ROD FOUND WITH CAP
 - 1/2" IRON ROD SET WITH CAP OR X CUT IN CONCRETE
 - BOUNDARY LINE
 - - - ADJACENT PROPERTY
 - - - EASEMENT



LOCATION MAP
N.T.S.

**CERTIFICATE OF APPROVAL:
FOR APPROVAL BY THE COMMISSION:**

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING REPLAT OF LOT 4, BLOCK 2, COUNTRY VILLA ESTATES SECTION 7 AND THE NORTH 5.727 ACRES OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3, WAS APPROVED BY THE PROPER ACTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____ 2023.

Signed: _____
Lucy Stanaga, Chairman

Signed: _____
Jeff Fisher, Secretary

NOTES:

1. THE REFERENCE IN THE PLAT TITLE TO THE 5.727 ACRE TRACT IN THE NORTH PART OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3 IS AS DESCRIBED IN DOCUMENT NUMBER 2019-484, OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS.
2. 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 WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
3. 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.
4. BEARINGS/DISTANCES/COORDINATES REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
5. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE "X" ACCORDING TO FEMA FIRM MAP NUMBER 48202C0197.
6. BRINSON LANE DEDICATION BY VOLUME 456, PAGE 641 M.C.D.R. VOLUME 508, PAGE 620 M.C.D.R.; CABINET B, PAGE 367 M.C.P.R. AND CABINET B, PAGE 335 M.C.P.R.
7. 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.

DRAINAGE EASEMENT, GRANTED WITH THIS PLAT:

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

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, DTS REAL ESTATE LP, WILLIAM ROGERS, OWNER, IS THE RECORD OWNER OF ALL OF THAT CERTAIN LAND SHOWN ON THIS PLAT AND DESIGNATED AS COUNTRY VILLA ESTATES SECTION 8, BEING A REPLAT OF LOT 4, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 7 AND THE NORTH 5.727 ACRES OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3, BEING MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, WILLIAM ROGERS, OWNER, DTS REAL ESTATE LP, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINAFORE DESCRIBED PROPERTY AS COUNTRY VILLA ESTATES, SECTION 8, AN ADDITION TO THE CITY OF MIDLAND, TEXAS, AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER OF THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HANDS AT MIDLAND, TEXAS, THIS _____ DAY OF _____ 2023.

WILLIAM ROGERS, Owner
DTS Real Estate, LP

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON _____, 2023 BY WILLIAM ROGERS.

NOTARY PUBLIC, STATE OF TEXAS

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

Signed: _____ Signed: _____
Onco Electric Delivery Company Optimum

Signed: _____ Signed: _____
A. T. & T. Astound Broadband

Signed: _____ Signed: _____
Atmos Energy

OWNER:

DTS REAL ESTATE LP
WILLIAM ROGERS
P.O. BOX 4577
MIDLAND, TEXAS 79703
(432) 694-8801

NO. _____ CABINET _____
DATE _____ PAGE _____

SURVEYOR'S CERTIFICATE:

THAT I, DOW E. KELLY, 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 WERE FOUND PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: _____, 20____
REGISTERED PROFESSIONAL SURVEYOR

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.

Page 22.178

PACKET

May 15, 2023

COUNTRY VILLA ESTATES, SECTION 8

SCALE: 1" = 100' DRAWN BY: _____
DATE: April 2023 FILE NAME: _____

NEWTON ENGINEERING, PC

1100 Santa Rosa Dr. F-13805 2481 E. 2nd St.
Midland, Texas 79707 F-10194850 Odessa, Texas 79661
(409) 770-5499 (409) 355-0707

PRELIMINARY PLAT PROJECT NUMBER: 19-MED1311



Preliminary Plat Application

Project Number: Sub-19-0240
Case Number: P-23-1604

Proposed Subdivision Plat Name: COUNTRY VILLA ESTATES, SECTION 8

Legal Description (attached sealed Metes and Bounds): _____

Property Owner

Printed Name: DTS REAL ESTATE, LP

Address P.O. BOX 4577

City MIDLAND

Phone (432) 694-8801

Email
JON@ROGERSFORD.COM

State TX

Zip 79703

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()

Email

State

Zip

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

Firm: NEWTON ENGINEERING, PC

Printed Name: KYLE NEWTON, P.E.

Address 2481 E. 2nd STREET

City ODESSA

Phone (432) 935-0707

Email
KYLE@NEWTONCIVIL.COM

State TX

Zip 79761

Current Zoning: C

Reason for Platting: CREATE SINGLE LOT FOR PARKING LOT EXPANSION TO EXISTING ROGERS FORD DEALERSHIP

Plat Information

Total Acreage:

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal 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.

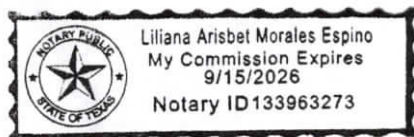
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Kyle Newton who, being by me duly sworn, upon oath says: That (s)he is authorized by Doss Rogers, 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.

Kyle Newton
Authorized Agent (signature)

Subscribed and sworn to before me, this 19 day of April, 2023, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # 1527 \$350

Received By: Alexandra Walling

Date:

RECEIVED
APR 19 2023

BY: AW

**Application will not be considered for scheduling until reviewed by a May 15, 2023



NEWTON ENGINEERING, PC

4501A Santa Rosa Dr.
Midland, Texas 79707
(432) 770-0499

F-13856
F-10194809

2481 E. 2nd St.
Odessa, Texas 79761
(432) 935-0707

April 19, 2023

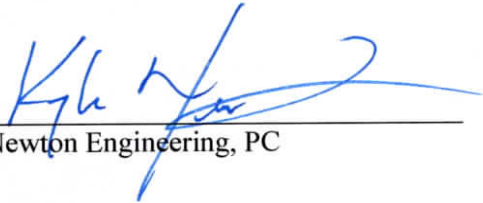
City of Midland
300 N. Loraine
Midland, Texas 79701

RE: Reinstatement of Preliminary Plat for Country Villa Estates, Section 8

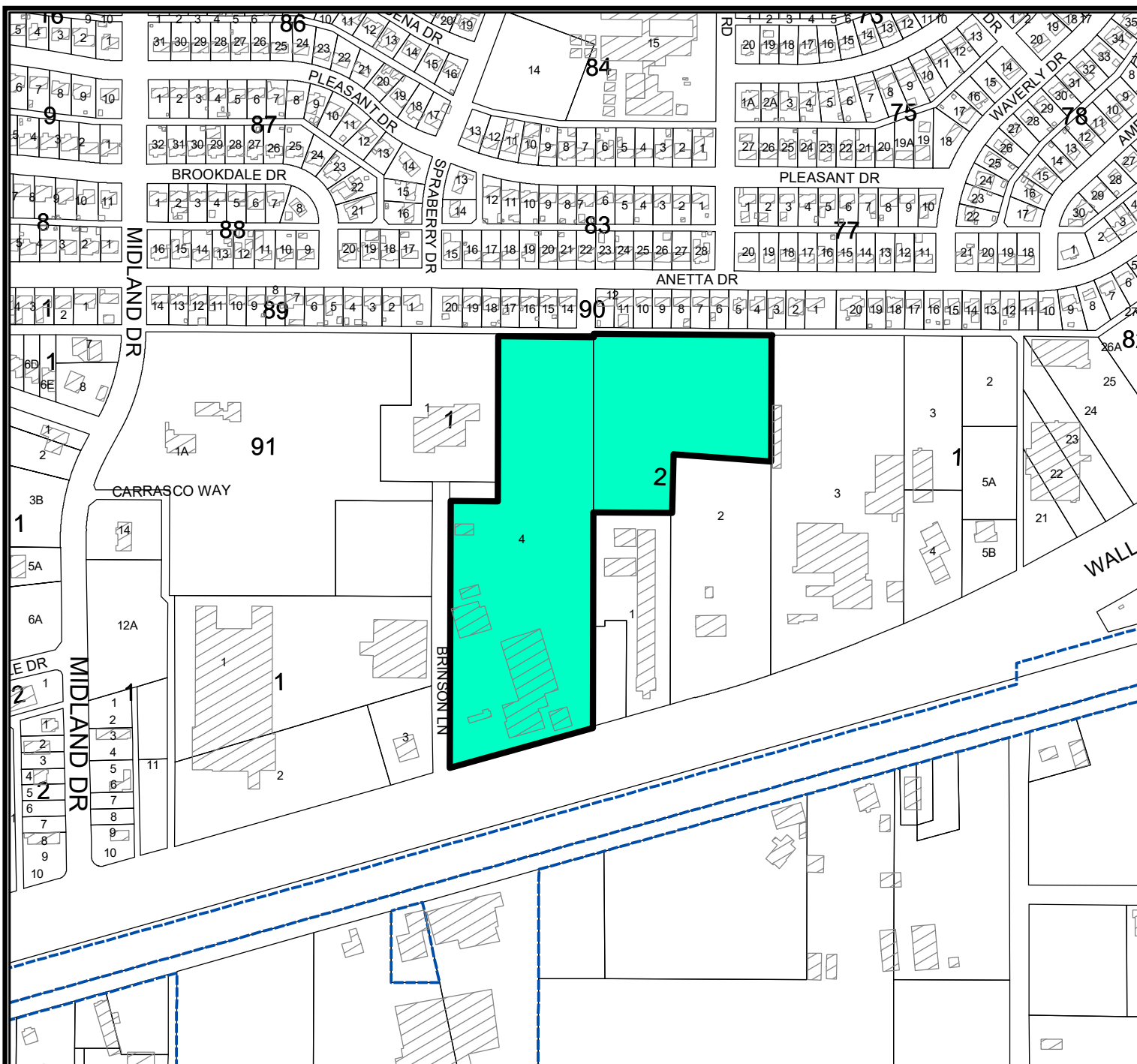
To Whom it May Concern:

On behalf of DTS Real Estate, LP, please accept this letter as our request to reinstate the preliminary plat for Country Villa Estates, Section 8 for the purpose of considering and approving a final plat for said subdivision.

Sincerely,



Newton Engineering, PC



LOCATION MAP

SUB-19-0240

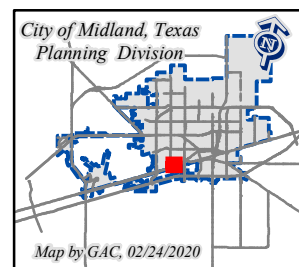
Scale: 1" = 200'

Proposed plat of Country Villa Estates, Section 8, being a re-plat of Lot 4, Block 2, Country Villa Estates, Section 7, and the north 5.72-acres of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas.

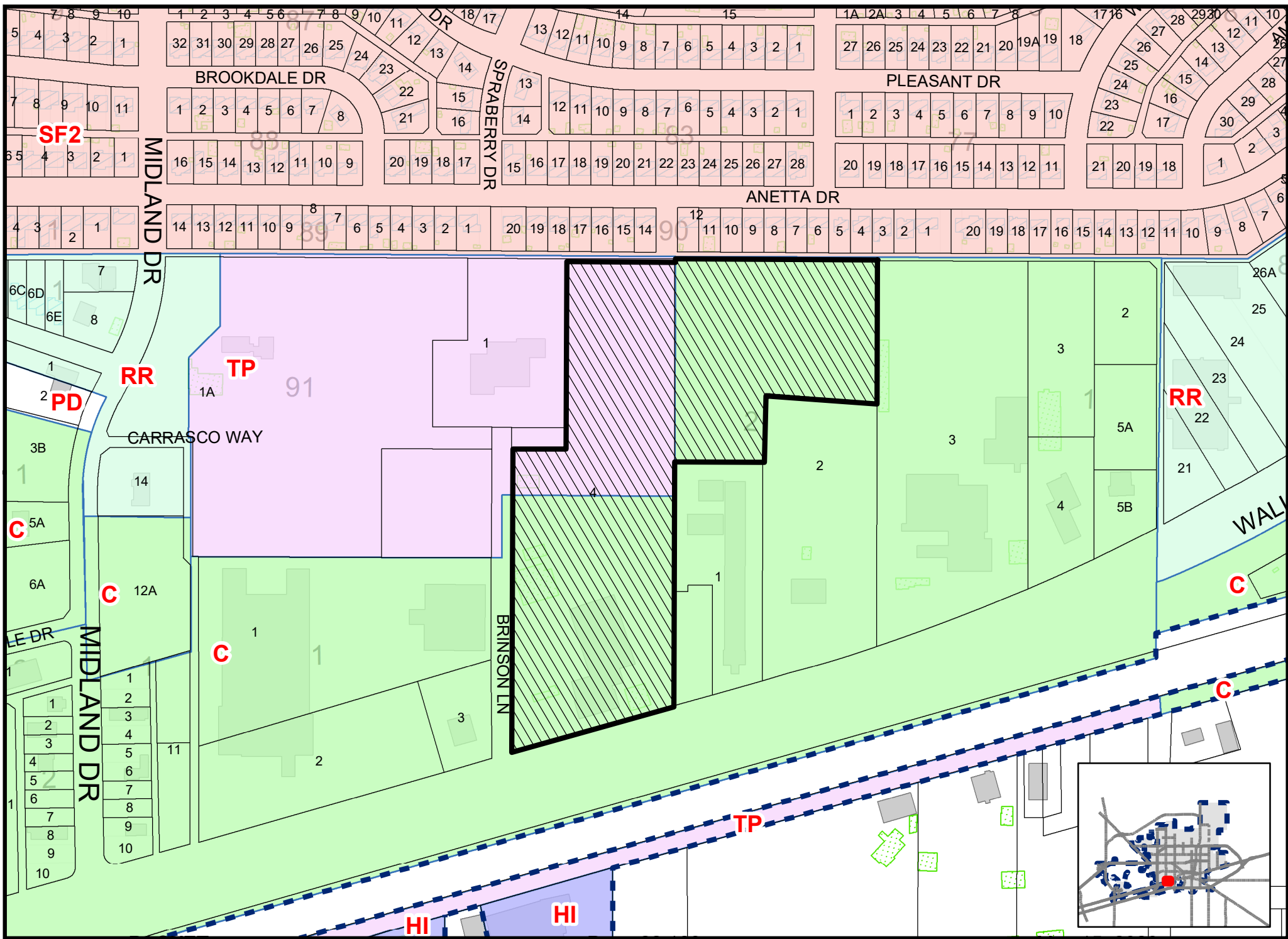
Generally located on the northeast corner of the intersection of Brinson Lane and West Wall Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Page 22.183

May 15, 2023

Map By, GAC, 02/24/2020

SUB-19-0240

Scale: 1" = 200'

ZONING MAP



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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: May 15, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a Final Plat of Country Villa Estates, Section 8, being a Replat of Lot 4, Block 2, Country Villa Estates, Section 7, and the north 5.727-acres of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Brinson Lane and West Wall Street. - Council District 2)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

C, Commercial, and TP, Technology Park

Preliminary Plat Approval:

The original Preliminary Plat was approved at the March 6, 2023, Planning and Zoning Commission meeting and is being reinstated at this meeting to allow the 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: Ok as shown. [For Applicant's Information Only.]

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

PAVING: Brinson Lane roadway okay as is, no improvements are required. Wall Street and Business 20 Service Road is a TxDOT facility, built and maintained by TxDOT, no improvements are required. [For Applicant's Information Only.]

WATER: 12" water exists in Wall Street S 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: 12" sewer exists in Wall Street S of tract & 8" sewer exists in alleyway N of the tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Drainage study is approved. [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.

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)

Staff recommends approval of the Final Plat of Country Villa Estates, Section 8 subject to condition A.

Conditions:

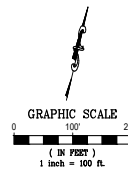
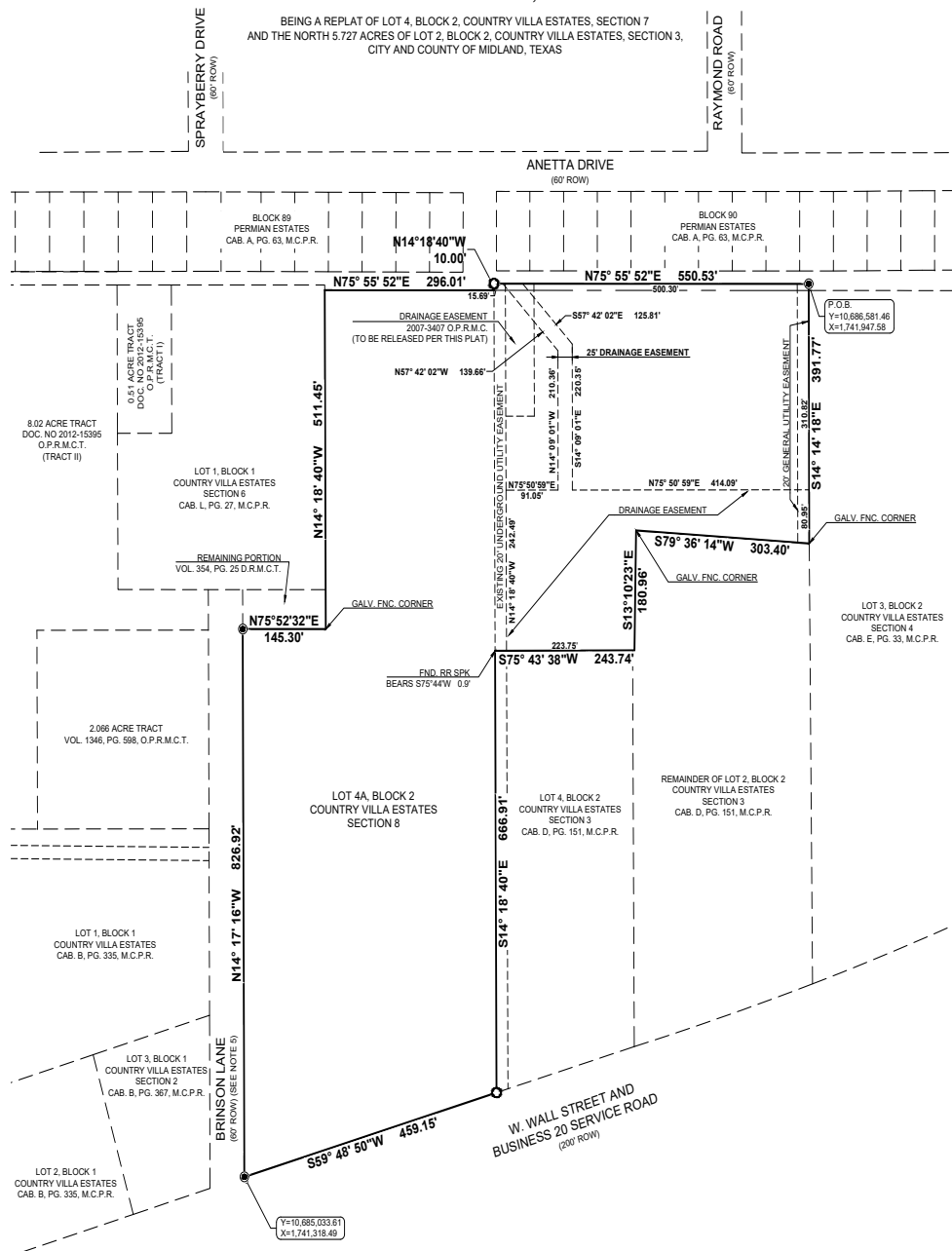
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

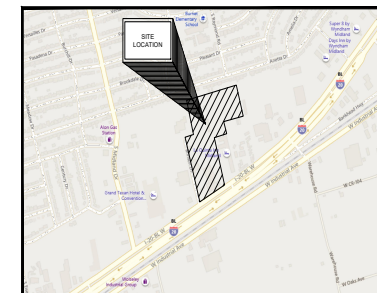
Proposed Final Plat
Application
Maps

FINAL PLAT
COUNTRY VILLA ESTATES, SECTION 8

BEING A REPLAT OF LOT 4, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 7
AND THE NORTH 5.727 ACRES OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3,
CITY AND COUNTY OF MIDLAND, TEXAS



- LEGEND**
- 1/2" IRON ROD FOUND WITH CAP
 - 1/2" IRON ROD SET WITH CAP OR X CUT IN CONCRETE
 - BOUNDARY LINE
 - - - ADJACENT PROPERTY
 - - - EASEMENT



LOCATION MAP
N.T.S.

**CERTIFICATE OF APPROVAL:
FOR APPROVAL BY THE COMMISSION:**

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING REPLAT OF LOT 4, BLOCK 2, COUNTRY VILLA ESTATES SECTION 7 AND THE NORTH 5.727 ACRES OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3, WAS APPROVED BY THE PROPER ACTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____ 2023.

Signed: _____
Lucy Stanaga, Chairman

Signed: _____
Jeff Fisher, Secretary

NOTES:

1. THE REFERENCE IN THE PLAT TITLE TO THE 5.727 ACRE TRACT IN THE NORTH PART OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3 IS AS DESCRIBED IN DOCUMENT NUMBER 2019-484, OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS.
2. 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 WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
3. 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.
4. BEARINGS/DISTANCES/COORDINATES REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
5. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE 'X' ACCORDING TO FEMA FIRM MAP NUMBER 48202C0117.
6. BRINSON LANE DEDICATION BY VOLUME 456, PAGE 641 M.C.D.R. VOLUME 508, PAGE 620 M.C.D.R.; CABINET B, PAGE 367 M.C.P.R. AND CABINET B, PAGE 335 M.C.P.R.
7. 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.

DRAINAGE EASEMENT, GRANTED WITH THIS PLAT:

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

SURVEYOR'S CERTIFICATE:

THAT I, DOW E. KELLY, 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 WERE FOUND PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: _____, 20____
REGISTERED PROFESSIONAL SURVEYOR

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, DTS REAL ESTATE LP, WILLIAM ROGERS, OWNER, IS THE RECORD OWNER OF ALL OF THAT CERTAIN LAND SHOWN ON THIS PLAT AND DESIGNATED AS COUNTRY VILLA ESTATES, SECTION 8, AND A REPLAT OF LOT 4, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 7 AND THE NORTH 5.727 ACRES OF LOT 2, BLOCK 2, COUNTRY VILLA ESTATES, SECTION 3, BEING MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, WILLIAM ROGERS, OWNER, DTS REAL ESTATE LP, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS COUNTRY VILLA ESTATES, SECTION 8, AN ADDITION TO THE CITY OF MIDLAND, TEXAS, AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER OF THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HANDS AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 2023.

WILLIAM ROGERS, Owner
DTS Real Estate, LP

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

THIS PLAT WAS ACKNOWLEDGED BEFORE ME ON _____, 2023 BY WILLIAM ROGERS.

NOTARY PUBLIC, STATE OF TEXAS

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

Signed: _____
Onor Electric Delivery Company

Signed: _____
Optimum

Signed: _____
Vincent Gonzalez
A. T. & T.

Signed: _____
Atsund Broadband

Signed: _____
Almos Energy

OWNER:

DTS REAL ESTATE LP
WILLIAM ROGERS
P.O. BOX 4577
MIDLAND, TEXAS 79703
(432) 694-8801

NO. _____
DATE _____

PACKET

May 15, 2023

COUNTRY VILLA ESTATES, SECTION 8

SCALE: 1" = 100'
DATE: April 2023
DRAWN BY: _____
FILE NAME: _____

NEWTON ENGINEERING, PC

2010 Santa Rosa Dr. F-13805 2481 E. 2nd St.
Midland, Texas 79707 F-10194850 Odessa, Texas 79661
(409) 770-5499 (409) 360-0707

FINAL PLAT PROJECT NUMBER: 19-MED1311



Final Plat Application

Project Number:

Case Number:

SUB-19-0240
P-23-1615**Proposed Subdivision Plat Name:** Country Villa Estates, Section 8**Legal Description (attached sealed Metes and Bounds):** _____**Property Owner**

Printed Name: DTS Real Estate, LP

Phone (432) 694-8801

Email
jon@rogersford.com

Address P.O. Box 4577

City Midland

State Tx

Zip 79703

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Newton Engineering, PC

Printed Name: Kyle Newton, PE

Phone (432) 935-0707

Email

kyle@newtoncivil.com

Address P.O. Box 12287

City Odessa

State Tx

Zip 79768

Current Zoning: O**Reason for Platting:** Create single lot for development purposes**Plat Information**

Total Acreage:

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

William Rogers

Date: 4-25-2023

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.

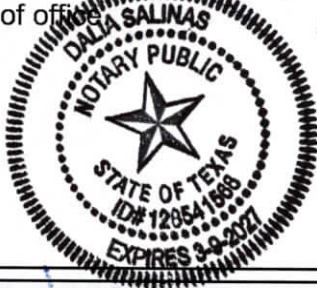
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Kyle Newton who, being by me duly sworn, upon oath says: That (s)he is authorized by William Rogers, 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.

Kyle Newton
Authorized Agent (signature)

Subscribed and sworn to before me, this 27th day of April, 2023, to certify which witness my hand and seal of office.



Dalia Salinas
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

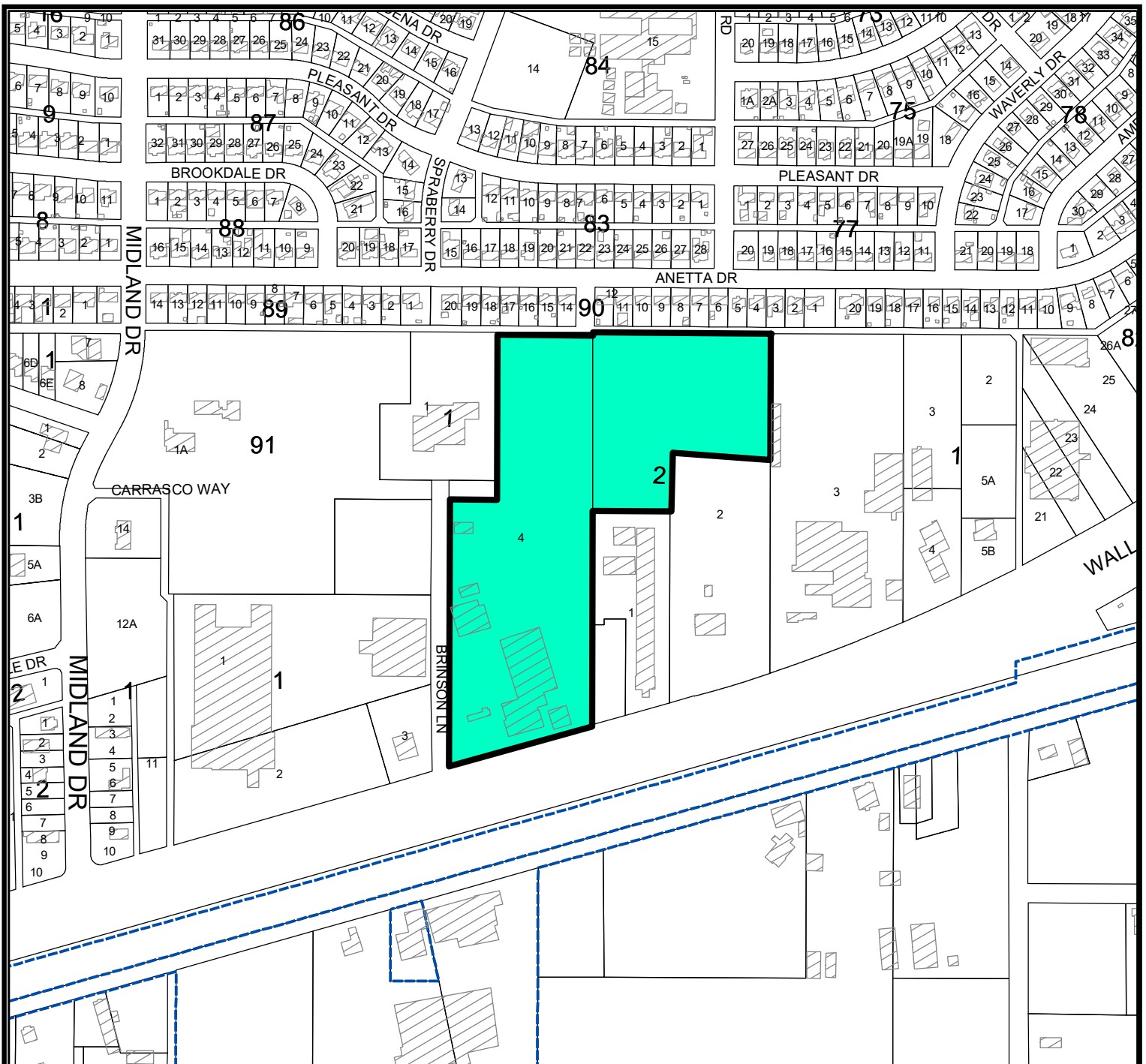
Date: 4/27/2023

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

PACKET

Page 23.189

May 15, 2023



LOCATION MAP

SUB-19-0240

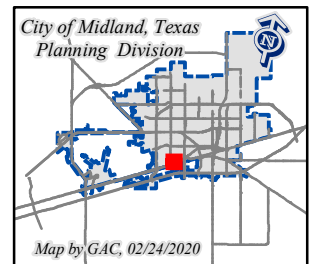
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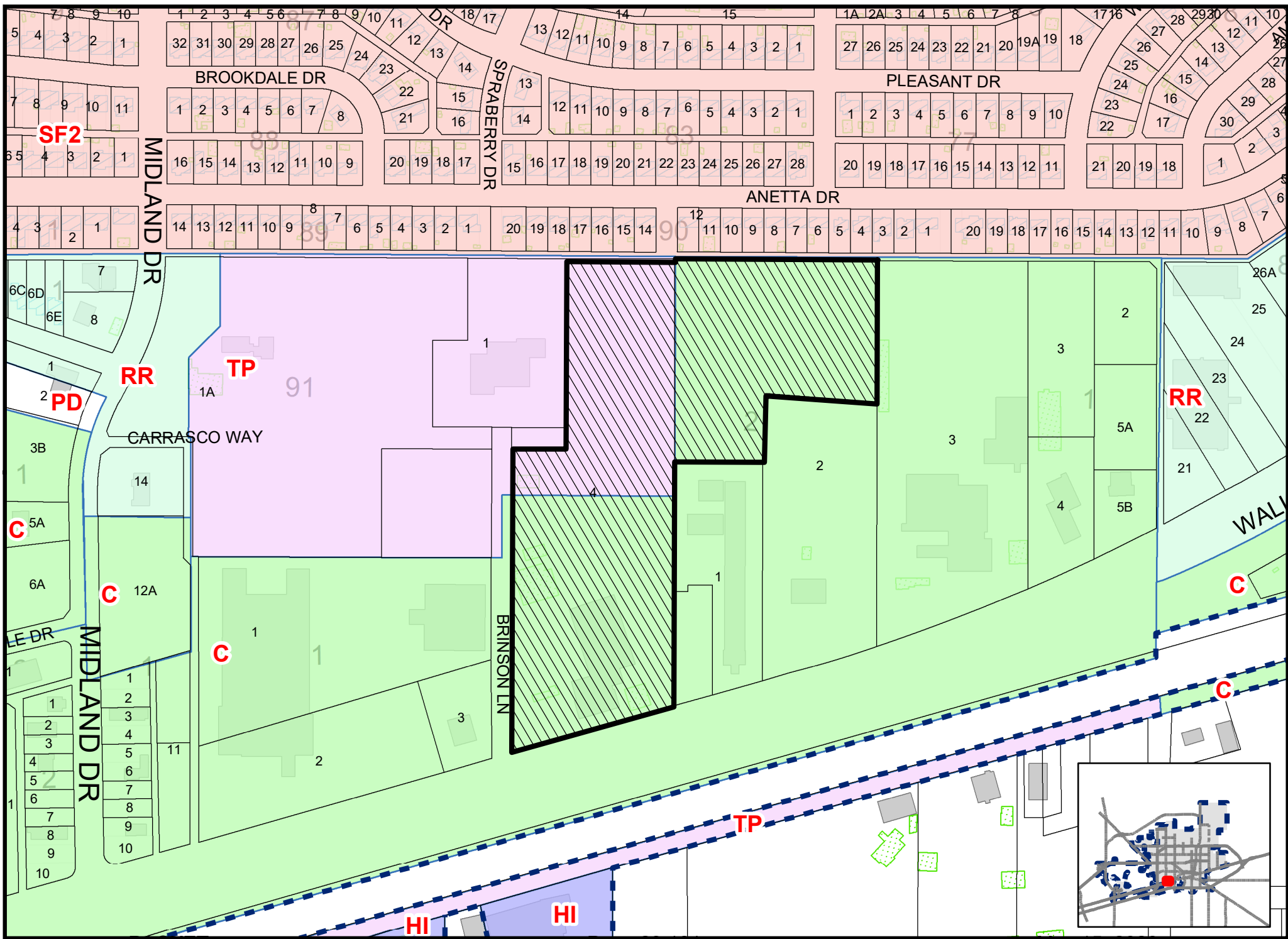
Generally located on the northeast corner of the intersection of Brinson Lane and West Wall Street.
(Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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PACKET

Page 23.191

May 15, 2023

Map By, GAC, 02/24/2020

SUB-19-0240

Scale: 1" = 200'

ZONING MAP



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