

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

**May 16, 2022 - 3:30 PM
Council Chambers – City Hall**



Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas and via videoconference. A quorum of the Planning and Zoning Commission intends to be physically present at the aforementioned location.

VIDEOCONFERENCE INFORMATION

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87344094893>

Or One tap mobile :

US: +13462487799,,87344094893# or +16699006833,,87344094893#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592

Webinar ID: 873 4409 4893

International numbers available: <https://us02web.zoom.us/j/kjTZ9pGf6>

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 and Zoning Commission Meeting minutes for May 2, 2022.
3. Motion approving a Final Plat of Stonebridge Addition, Section 4, being a 49.512-acre tract of land out Section 1, Block X, H.P. Hilliard Survey, City of Midland, Midland County, Texas. Generally located on the northeast corner of the intersection of Loop 250 North and Lamesa Road - (Council District 1) (DEVELOPMENT SERVICES)

4. Motion approving a Final Plat of Lone Star Trails II, Section 13, being a plat of a 14.53-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Occidental Parkway, approximately 1, 335 - feet east of Carriage Road - District 1) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Park Avenue Heights, Section 3, being a residential replat of Lots 19 & 20, Block 64, Park Avenue Heights, Section 2, City and County of Midland Texas. (Generally located on the northeast corner of the intersection of Bunche Street & E. California Avenue – District 2) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

6. Motion approving a request by Joshua Hernandez for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption in a Bar, on a 4,399-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Garfield Street and W. Loop 250 North - Council District 1) (DEVELOPMENT SERVICES)
7. Motion approving a request by David Powlen for a zone change from PD, Planned Development District for a Shopping Center to Amended PD, Planned Development District for a Shopping Center on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of N. Loop 250 W. and Wadley Avenue - District 4) (DEVELOPMENT SERVICES)
8. Consider a request by Frank Mendoza for a zone change from SF-1, Single-Family Dwelling District to BP, Business Park District on a 3.570 -acres tract of land out of Section 9, Block 39, T-2-S, RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 110, approximately 150-ft east of South County Road 1205 - District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

9. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Hawk View Addition, Section 5 being a replat of Lots 18 and 19, Block 1, and Lot 11, Block 2, Hawk View Addition, Lots 29A, 29B, 30, and 31, Block 1, and Lots 1A, 8B, 12A, and 15C, Block 2, Hawk View Addition, Section 4, all out of Midland County, Texas. Generally located on the northwest corner of the intersection of S. County Road 1270 and W. County Road 150 - (Extraterritorial Jurisdiction) (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 2, 2022
Council Chambers – City Hall**



The City Council convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., May 02, 2022.

Commissioners present: Karmen Bryant, Dianne Williams, Lucy Sisniega, Zachary Deck, Emily Holeva, Adrian Carrasco

Commissioners absent: Stacy Grosse, Beverly Dillow, Chase Gardaphe

Staff members present: Elizabeth Shaughnessy, Cole Furqueron, Paul Rodriguez, James Reber

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.)

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; seconded by Commissioner Carrasco.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Dillow, Gardaphe

2. Motion approving the Planning and Zoning Commission Meeting minutes for April 18, 2022.

PUBLIC HEARINGS

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

3. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Lindsay Acres, Section 11, being a replat of a 1.494-acre tract of land out of the west half of Tract 5, and a 0.14-acre tract of land out of the west half of Tract 6, Lindsay Acres Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W. Montgomery Avenue and Moran Street - District 2)

Senior Planner Kelly Martinez gave an overview of the project. With no letters of objection received, staff recommended approval.

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

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Gardaphe

MISCELLANEOUS

4. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Greenwood Addition, Section 15 being a re-plat of Lots 4 and 5, Block 42, Greenwood Addition Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Webster Street and Cloverdale Road – Council District 2)

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco
NAY: None
ABSTAIN: None
ABSENT: Grosse, Gardaphe

5. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Sundial East, Section 2, being a 2.25-acre tract of land out of 280.272 acres located in Section 27, Block 38, T-1-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 60, approximately 270-feet west of North County Road 1135 - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco
NAY: None
ABSTAIN: None
ABSENT: Grosse, Gardaphe

6. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of 349 Ranch Estates, Section 24 being a replat of Lots 11-14, Block 2, 349 Ranch Estates, Lots 24-27, 30 and 31, Block 2, 349 Ranch Estates, Section 2, and Lot 28A, Block 2, 349 Ranch Estates, Section 14, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North State Highway 349 and Pueblo Street – District 1)

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco
NAY: None
ABSTAIN: None
ABSENT: Grosse, Gardaphe

7. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Greathouse Addition, Section 19, being a replat of Lots 30F and 30G, Block 5, Greathouse Addition, Section 17, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Briarwood Avenue and Spence Drive - District 1)

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco
NAY: None
ABSTAIN: None
ABSENT: Grosse, Gardaphe

8. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Empire Heights, Section 3, being a plat of 3.00-acres out of Section 47, Block 38, T-1-S, T&P RR. CO. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1123, approximately 500-feet west of East County Road 94 - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco
NAY: None
ABSTAIN: None
ABSENT: Grosse, Gardaphe

9. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Voltagrid Addition, being a plat of a 1.8-acre tract of land out of Section 17 and 7.2-acre tract of land out of Section 20, Block 40, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located 2,800 feet east of S Farm to Market Rd 1788 & 2,100 feet south of W I-20 Frontage Road - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco
NAY: None
ABSTAIN: None
ABSENT: Grosse, Gardaphe

10. Motion to approve with staff's recommended conditions, a proposed Preliminary Plat of Veteran Development, Section 3, being a 6.70-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Antelope Trail, approximately 910-feet south of West County Road 120 - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Bryant, Holeva, Deck, Carrasco
NAY: None
ABSTAIN: None
ABSENT: Grosse, Gardaphe

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 3:51 p.m.

Lucy Sisniega, Chairman

Date

Elizabeth Shaughnessy, Planning Division Manager
Department of Development Services

Date



Planning and Zoning
Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: April 18, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving a Final Plat of Stonebridge Addition, Section 4, being a 49.512-acre tract of land out Section 1, Block X, H.P. Hilliard Survey, City of Midland, Midland County, Texas. Generally located on the northeast corner of the intersection of Loop 250 North and Lamesa Road - (Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Parkhill, is requesting a plat of a 49.512-acre tract of land out of Section 1, Block X, H.P. Hilliard Survey, City and County of Midland Texas, for the purpose of a commercial development.

Current Zoning:

RR, Regional Retail District in part and O-1 Office District in part.

Preliminary Plat Approval:

The plat was approved for the short-form platting process, so no Preliminary plat was submitted.

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.

Departmental Review:

ENGINEERING: (Approved)

IMPACT FEES: Please add this note to the plat face: 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. [Per Midland City Code Sect. 11-14-6]

ROW: Label width of rights-of-way adjacent to subject property. [Reference City Code Section 11-2-3(C), Section 11-2-3(D), or Section 11-2-3(H).]

PAVING: Stoney Creek Road okay as is. Cooper Creek Road okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: Public Improvements will be accepted upon final plat 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 Applicant's Information Only.]

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

SEWER: Public Improvements will be accepted upon final plat review. [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)

Label width of rights-of-way adjacent to subject property. [Reference City Code Section 11-2-3(C), Section 11-2-3(D), or Section 11-2-3(H).]

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

Fire: Approved

Future development must meet the requirements of IFC 2015 ed.

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 of plat, this could prevent receiving city permits for structures. Any plugged and abandoned well would need to be identified.

Code Administration: (Approved)

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

GIS: (Approved with conditions)

The survey does not meet with existing recorded Stonebridge plat. There is 9.8 feet gap. We have several property corners where the survey doesn't match. The southwest corner closer to Loop 250 is 9.8 feet away from a property corner that is marked as the right of way marker for Loop 250.

Planning:

All departments' comments have been satisfied.

Staff recommends approval once all comments have been met of the Final Plat of Stonebridge Addition, Section 4, subject to condition A.

Conditions:

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

Attachments:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number: 34B-22-0501
Case Number: P-22-1310

Proposed Subdivision Plat Name: Stonebridge Addition, Section 4

Legal Description (attached sealed Metes and Bounds): Being a 49.512 Acre Tract of Land Located in
Section 1, Block X, H.P. Hilliard Survey, City of Midland, Midland County, Texas

Property Owner

Printed Name: Midland Stonebridge Properties, LP. (Mark Payne)

Phone (432) 697-1049

Email

Address
1603 Idlewilde

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: Parkhill

Printed Name: Josh Wallender (# 01.9830.17)

Phone (432) 697-1447

Email

jwallender@team-psc.com

Address
1700 West Wall, Suite 100

City
Midland

State
Texas

Zip
79701

Current Zoning: O1 and RR

Reason for Platting: Development of Commercial lots

Plat Information

Total Acreage: 49.512 Ac.

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Residential Lots: XX

Number of Multi-Family Dwelling Units: N/A

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

Items to be submitted with this application form:

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

MAR 30 2022

BY:

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☐ 1 Copy of Plat (11x17)

☐ Public Improvements

☒ Application Fee

☐ Title Opinion

☐ Recording Fee

Check # 001539

☐ Tax Certificates

Check # 001540

Received By: KM

Date: 3/2/22

RECEIVED
MAR 30 2022

BY:

****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 2 EXTRA PROVIDED

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): Mark Payne Date: 8-11-21
Property Owner (printed): Mark Payne

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

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

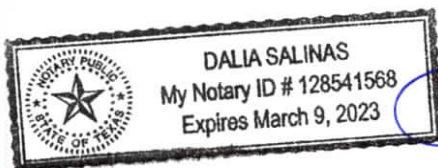
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wallender who, being by me duly sworn, upon oath says: That (s)he is authorized by Mark Payne, 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 2nd day of March, 2022, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

Being a 49.512 Acre Tract of Land
Located in Section 1, Block X
H.P. Hilliard Survey
City of Midland, Midland County, Texas

[illegible]

	PLAT BOUNDARY
	NEW STREET ROW
	NEW EASEMENTS
	EXISTING LOTS OR TRACTS
	EXISTING STREET ROW
	SET OR PREVIOUSLY SET 1/2" IRON ROD WITH PLASTIC CAP MARKED "PLS 1974"
	FOUND 1/2" IRON ROD WITH PLASTIC CAP MARKED "PLS 1974"
	FOUND TXDOT PEDESTAL ROW MARKER

This plot has been checked for accessibility of utilities

	EJ Owens	2/17/2022
Oncor Electric Delivery Service		PLEASE SIGN
	AT&T Texas	PLEASE SIGN
	Ruben Guerra	PLEASE SIGN
Grande Communications		PLEASE SIGN
	Atmos Energy	PLEASE SIGN
	Luis Montez	PLEASE SIGN
SubmitLink Communications		PLEASE SIGN
	Digitally signed by Luis Montez Date: 2022.02.14 12:48:21 -0600	

This is to certify that the above and foregoing plat of STONEBRIDGE ADDITION, SECTION 4, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this _____th day of _____, 2022.

Chairman : PLEASE SIGN _____ Secretary : PLEASE SIGN _____

Whereas, MIDLAND STONEBRIDGE PROPERTIES, LP, is the record owner of a 49.512 Acre platted tract of land in Section 1, Block "X", H.P. Hilliard Survey, Midland County, Texas and more particularly described herein

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS

That we, MIDLAND STONEBRIDGE PROPERTIES, LP, do hereby adopt this plat designating the hereinabove described property as STONEBRIDGE ADDITION, SECTION 4 to the City of Midland, Texas, and we do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS our hands at Midland, Texas, this the 16 day of February, 2022.

MIDLAND STONEBRIDGE PROPERTIES, L.P.
By: Andrew Investment Management Company
Its General Partner

Mark Payne
MARK PAYNE, PRESIDENT

STATE OF TEXAS :
COUNTY OF MIDLAND :

This instrument was acknowledged before me on February 16, 2022, 2022
by Mark Payne, President, for MIDLAND STONEBRIDGE PROPERTIES, LP, on behalf of
said corporation.

OWNERS:

MIDLAND STONEBRIDGE PROPERTIES, LP.
1603 Idlewild
MIDLAND, TEXAS 79703
(432) 520-0000

MARK PAYNE
1603 Idlewild
MIDLAND, TEXAS 79702

ENGINEER

PARKHILL
1700 W. WALL ST., SUITE 100
MIDLAND, TEXAS 79701
(432) 697-1447

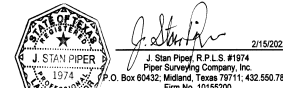
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	151.21	470.00	16.25 59'	N08°40'40" E	150.18'
C2	145.28	145.28	90.00 00'	N00°02'35" E	71.55'
C3	81.30	118.00	11°08 40'	N00°16'50" W	81.18'
C4	30.98	159.50	10°17 41'	N00°17°19" E	30.93'
C5	40.32	106.10	22°45 15'	N00°22°24" W	40.32'
C6	165.00	90.50	104°27 42'	N86°19'13" W	143.08'
C7	65.87	510.00	7.24 01'	N13°47'19" W	65.82'
C8	452.84	470.00	55°12 15'	N10°06'49" E	433.53'
C9	32.73	10.00	90.00 00'	N04°38'42" E	31.55'
C10	324.63	352.00	59°50 28'	N10°02'40" E	315.25'
C11	169.60	1000.00	0°43 03'	N07°52'00" E	169.40'
C12	285.64	470.00	54°38 13'	N07°52'00" E	274.97'
C13	265.68	265.68	46°24 50'	S81°39'45" E	265.68'
C14	319.20	429.99	42°32 01'	N03°46 42" E	311.92'
C15	164.52	976.99	0°43 03'	N07°52'00" E	164.32'
C16	103.00	103.00	90.00 00'	N07°52'00" E	103.00'
C17	314.21	330.00	54°33 13'	S86°42'55" E	302.47'
C18	257.08	270.00	54°33 13'	S86°42'55" E	247.48'
C19	295.12	320.00	52°30 28'	N12°02'20" E	284.74'
C20	184.10	184.10	90.00 00'	N04°17'14" E	184.10'
C21	162.85	225.71	41°20 28'	S83°40'05" E	159.77'
C22	210.41	285.71	42°11 43'	S83°16'22" E	205.68'
C23	18.62	510.00	2°05 29'	S34°40'10" E	18.62'

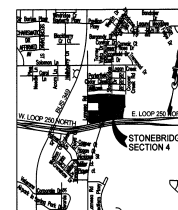
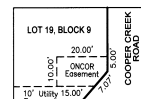
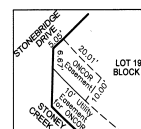
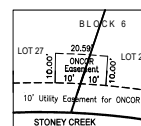
KNOW ALL MEN BY THESE PRESENTS

That I, J. Stan Piper, 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.



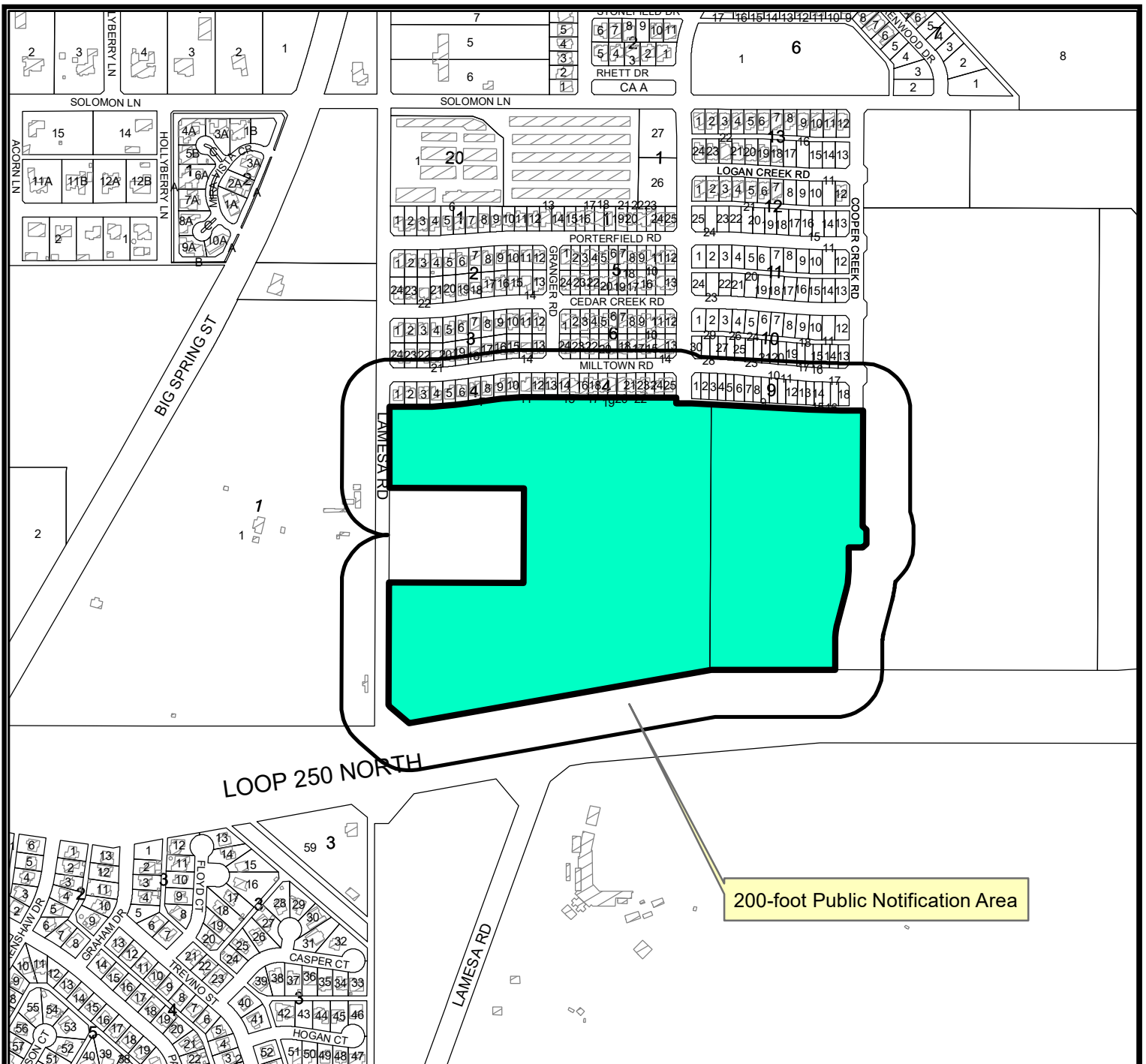
STATE PLANE COORDINATE NOTE

Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983/86 NAD), with a combined Grid Factor of 0.99991858 for Mean Project Datum. The Theta Angle is to -00°54'07.92" at GNSS bench mark "N-1126" with published values of Y=10,717,633.15 and X=1,753,899.27 in U.S. Survey Feet based on City of Midland GPS Control Survey. To obtain horizontal surface distances multiply the grid distance by 1.0000814.



STONEY CREEK
Page 3.14

STONEBRIDGE ADDITION
2022 SECTION 4



LOCATION MAP

SUD-22-0126

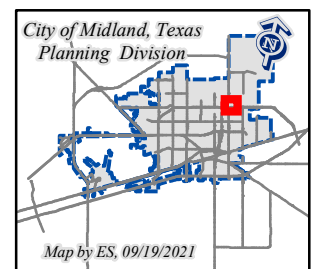
Scale: 1" = 200'

Proposed plat of Stonebridge Addition, Section 4, being a 49.512-acre tract of land out Section 1, Block X, H.P. Hilliard Survey, City of Midland, Midland County, Texas

Generally located on the northeast corner of the intersection of Loop 250 North and Lamesa Road - (Council District 1)

LEGEND

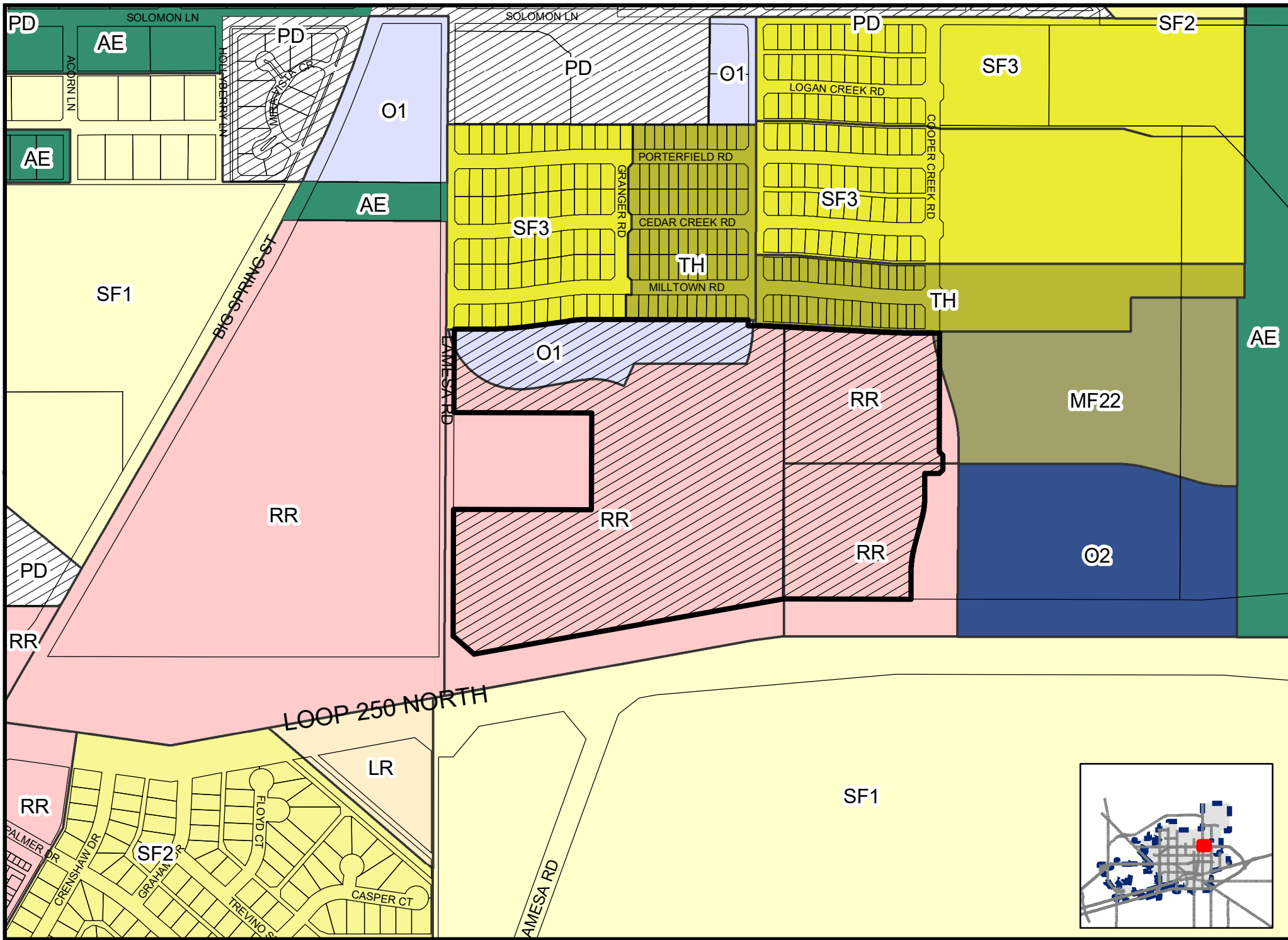
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: May 16, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Paul Rodriguez, Planner

SUBJECT: Motion approving a Final Plat of Lone Star Trails II, Section 13, being a plat of a 14.53-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Occidental Parkway, approximately 1, 335 - feet east of Carriage Road - District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

PD, Planned Development for Housing Development with an underlying of SF-3, Single Family Dwelling District.

Preliminary Plat Approval:

The Preliminary Plat was approved at the November 1, 2021, Planning & 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 not been satisfied.

Departmental Review:

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.

GIS: (Approved)

No comments.

ENGINEERING: (Approved)

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

PAVING: Pavement improvements have been installed and is in the process of being accepted. [For the Applicant's information only.]

WATER: Water improvements have been installed and is in the process of being accepted. [For the Applicant's information only.]

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

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

SEWER: Wastewater improvements have been installed and is in the process of being accepted [For the Applicant's information only.]

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

EASEMENTS: Drainage easement will be required for all basins within Lone Star Trails II subdivision prior to recording of the final section of Lone Star Trails II. [For the Applicant's information only.]

SIDEWALKS: Sidewalk improvements have been installed and is in the process of being accepted [For the Applicant's information only.]

DIMENSION: * * *

OTHER: There are several basins throughout Lone Star Trails II that sit on non-platted land. This will need to be resolved before the recording of the final section of Lone Star Trails II per Midland City Code Sect. 11-2-5(D)2(d)

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)

Development of this area shall meet all requirements of IFC 2015 ed. and local ordinances

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius. The Pioneer Lease Stimson Burley A #1 is identified on the plat as a plugged well at corner of Battle Avenue and Lonesome Dove Ave. in front of 54 #1. No building permits are allowed over plugged and abandoned well bores. There is a tank battery to the South at Todd Rd. Ext. off the plat and appears to be maintaining the 135 ft. radius concerning building permits and roads. Non-permitted tank battery is 135 ft same as a non-permitted well.

PLANNING: (Approved)

All department's comments have been satisfied.

Staff recommends approval of the Final Plat of Lone Star Trails II, Section 13, 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. (Informational)

Attachments:

Proposed Final Plat
Application
Map



Final Plat Application

Project Number:

Case Number:

SUB-21-0410
P-22-1382**Proposed Subdivision Plat Name:** Lone Star Trails II, Section 13**Legal Description (attached sealed Metes and Bounds):** Being a 14.53 Acre Tract of Land in Section 7, Block 38,

T-1-S, T. & P. RR. Co. Survey, City and County of Midland, Texas

Property OwnerPrinted Name: **Betenbough Homes**

Phone (806) 412 6611

Email
Ronnie@betenbough.com

Address 6305 82nd Street

City Lubbock

State TX

Zip 70424

Developer (if different than Owner)Printed Name: **N/A**

Phone (806) 412 6611

Email
Ronnie@betenbough.com

Address

City

State

Zip

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

Firm: Betenbough Homes

Printed Name: Ronnie Wallace, Land Planner

Phone (806) 412 6611

Email
Ronnie@betenbough.com

Address 6305 82nd Street

City Lubbock

State TX

Zip 79424

Current Zoning: 1F-3**Reason for Platting:** Development for Residential , Single Family New Homes**Plat Information**

Total Acreage: 14.53

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

Number of Lots: 57

Number of Multi-Family Dwelling Units: None

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')

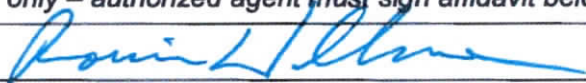
For plats 18" to 24" \$61.00

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: 5/5/22

Property Owner (printed): Ronnie Wallace

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

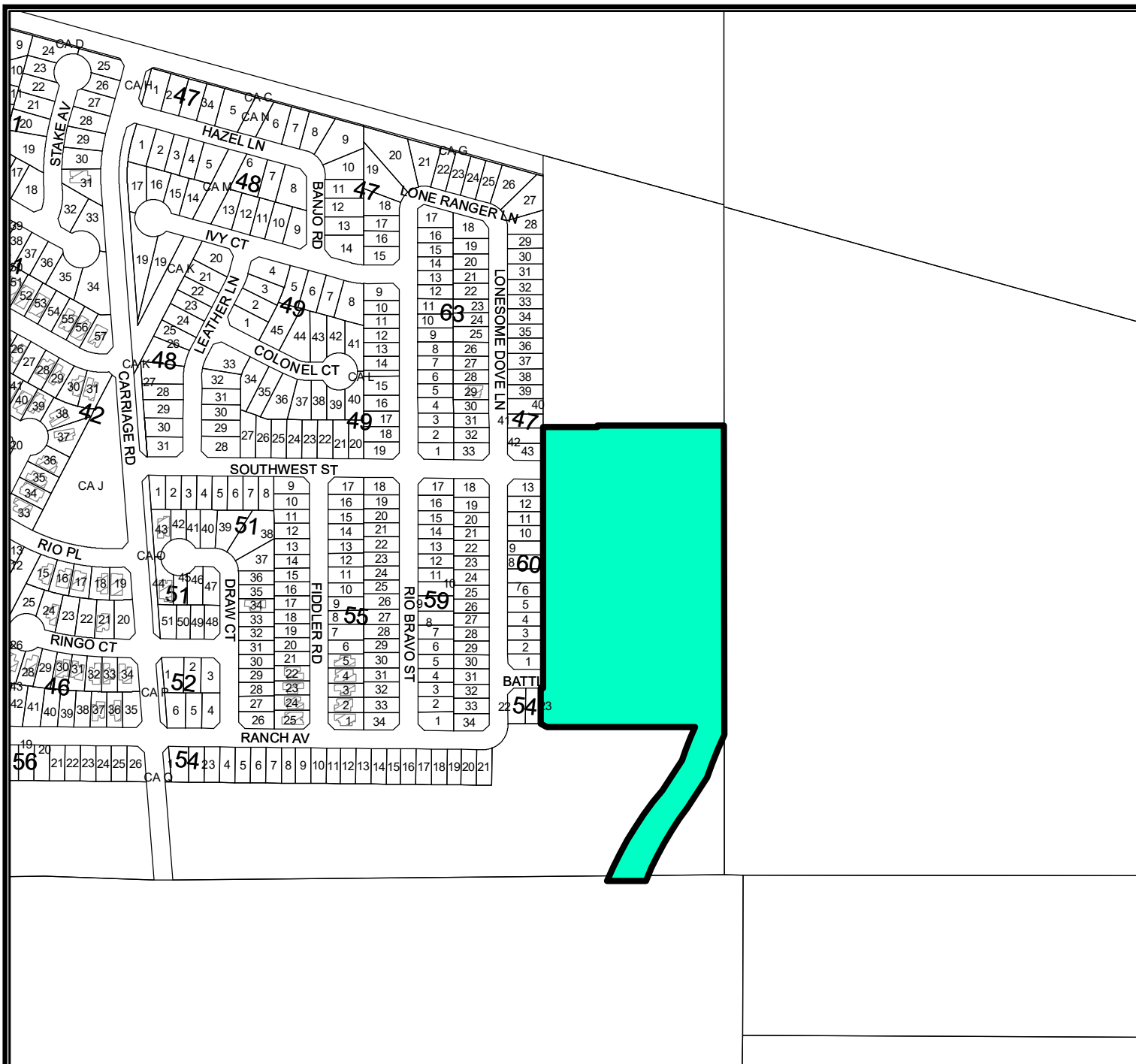
FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ 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.****



LOCATION MAP

SUB-21-0410

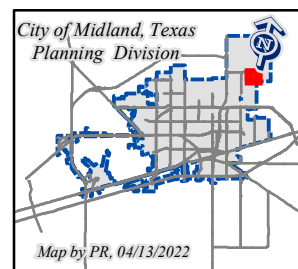
Scale: 1" = 200'

Consider a final plat Lone Star Trails II, Section 13, being a plat of a 14.53-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas.

Generally located on the south side of Occidental Parkway, approximately 1,335 - feet east of Carriage Road. Council District 1

LEGEND

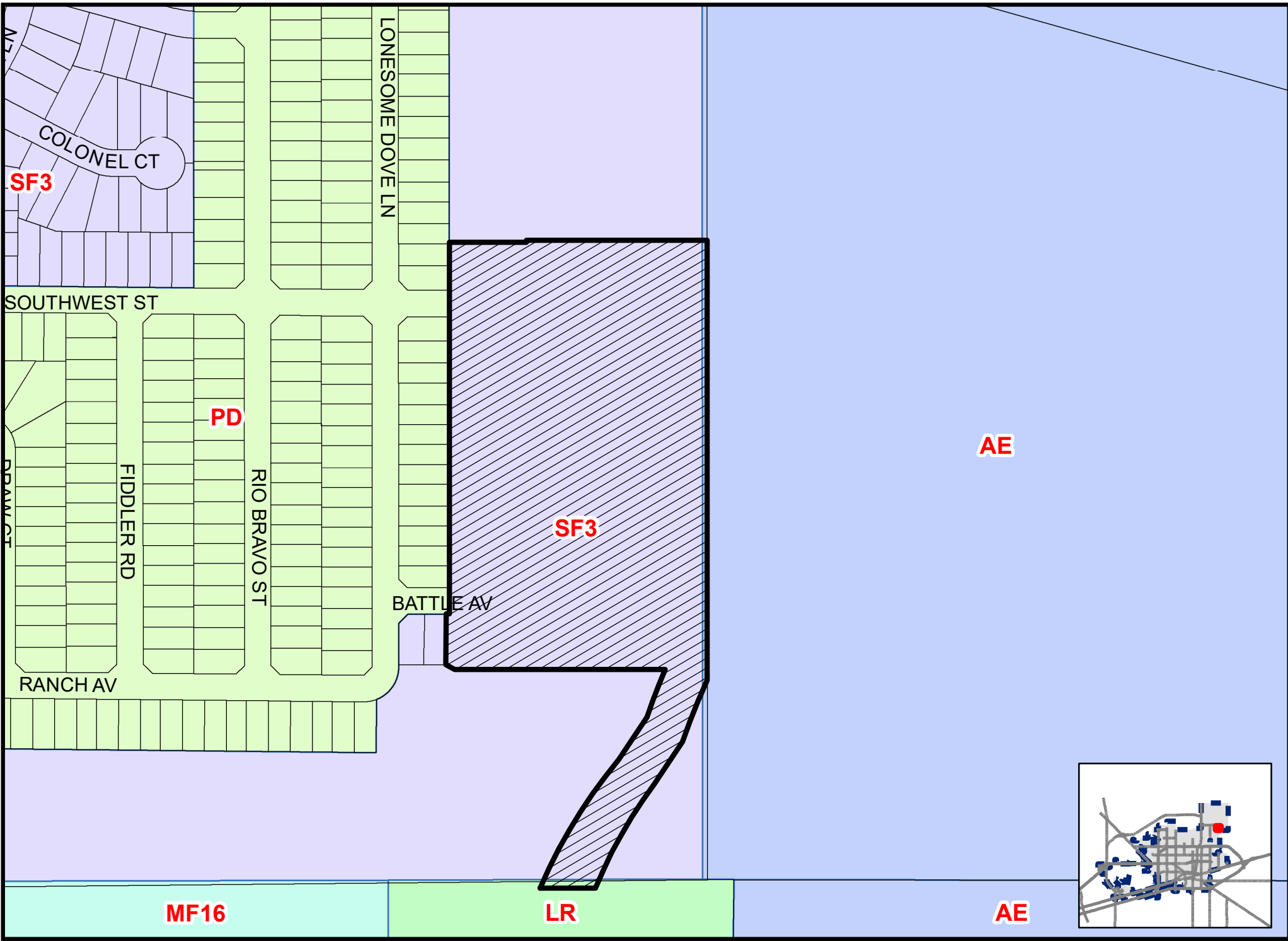
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: May 16, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Paul Rodriguez, Planner

SUBJECT: Motion approving a Final Plat of Park Avenue Heights, Section 3, being a residential replat of Lots 19 & 20, Block 64, Park Avenue Heights, Section 2, City and County of Midland Texas. (Generally located on the northeast corner of the intersection of Bunche Street & E. California Avenue (Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

The property is zoned SF-3, Single-Family Dwelling District

Preliminary Plat Approval:

The preliminary plat was approved on April 18, 2022.

Final Plat Requirements:

None

Departmental Review:

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: Both South Bunche Street and East California Avenue to be paved by the City of Midland as part of a City project. No public paving improvements required. [For the

Applicant's information only.]

WATER: 6" water exists in South Bunche Street west of tract, okay as is. 12" water exists in East California Avenue north of tract, okay as is. No public water improvements required. [For the Applicant's information only.]

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

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

SEWER: 6" sewer exists in alley east of tract, 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)

No additional comments.

GIS: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

No Oil and Gas Issues. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off of plat, this could prevent

receiving city permits for structures. Any plugged and abandoned well would need to be identified.

CODE ADMINISTRATION: (Approved)

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

PLANNING: (Approved)

All departments' comments have been satisfied.

Therefore, staff recommends approval of the Final Plat of Park Avenue Heights, Section 3 subject to conditions 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. (Informational)

Attachments:

Proposed Final Plat
Application
Map



Final Plat Application

Project Number: SUB-22-00483

Case Number:

P-22-1329

Proposed Subdivision Plat Name: PARK AVENUE HEIGHTS, SECTION 3

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

Property Owner

Printed Name: Marc D. Colvin

Phone (281) 235-5794

Email Marc363b@hotmail.com

Address 6504 Acorn Court

City Pearland

State Texas

Zip 77584

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Dunaway Associates, LLC

Printed Name: Steve Glosup

Phone (817) 632-4718

Email srg@dunaway.com

Address 4000 N. Big Spring Street, Suite 101

City Midland

State Texas

Zip 79705

Current Zoning: Zoned SF-3, Single-Family Dwelling District (Per City Ordinance 1028)

Reason for Platting: Combining Lots 19 & 20, Block 64, Park Avenue Heights into One Lot

Plat Information

Total Acreage: 0.277 Acre

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: One

Number of Multi-Family Dwelling Units: None

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'

RECEIVED
APR 27 2022

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 3/24/2022

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.

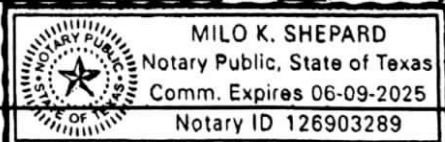
STATE OF TEXAS

COUNTY OF ~~MIDLAND~~ BRAZORIA

Before me, the undersigned authority, on this day personally appeared MARC OLIVIERO 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.

Milo K. Shepard
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of MARCH, 2022, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

BRAZORIA

RECEIVED
APR 27 2022

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 # Waived per ES

☐ Tax Certificates

☐ Recording Fee

Check # On file

Received By: Paul Rodriguez

Date: 4/27/22

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



VICINITY MAP
NOT TO SCALE

OWNER/DEVELOPER

MARC D. COLVIN
6504 ACORN COURT
PEARLAND, TEXAS 77584
CONTACT: MARC D. COLVIN
EMAIL: Marc363b@hotmail.com

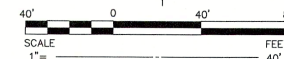
FINAL PLAT OF

PARK AVENUE HEIGHTS SECTION 3

BEING A REPLAT OF LOTS 19 AND 20, BLOCK 64, PARK AVENUE
HEIGHTS (SECOND SECTION)
CITY AND COUNTY OF MIDLAND, TEXAS

SURVEYOR

DUNAWAY ASSOCIATES, L.L.C.
550 BAILEY AVENUE, SUITE 400
FT. WORTH, TEXAS 76107
(817) 335-1121 (PHONE)
CONTACT: STEPHEN GLOSUP, R.P.L.S.
EMAIL: SRG@dunaway.com



CERTIFICATION:

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this map is an accurate representation of an actual survey made on the ground under my direction and supervision in the month of December, 2021.

Stephen R. Glosup
Stephen R. Glosup, RPLS
Registered Professional Land Surveyor
arg@dunaway.com
Texas Registration No. 5570

April 12, 2022
Date



NOTES:

- The basis of the bearings shown hereon is the Texas State Plane Coordinate System of 1983, Central Zone, (NAD 83). All bearings and distances shown hereon are NAD 83 Surface values using a scale factor of 0.999899.
- 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.
- Any utility company, developer or other entity installing, repairing, maintaining or relocating a utility line or permanent improvement within utility easements must restore the premises as nearly as possible to its original condition following any such work at its sole expense.
- 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 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.
- = found 1/2-inch iron rod unless otherwise noted.

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of Park Avenue Heights Section 3, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____ 2022.

LUCY SISNIEGA, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

DATE: DECEMBER 16, 2021 JOB NO. B008007.001

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

DocuSigned by: <i>Mark Lieb</i> ATMOS ENERGY	Mark Lieb
DocuSigned by: <i>Martin Arguello</i> ONCOR ELECTRIC DELIVERY	Martin Arguello
DocuSigned by: <i>Luis Montez</i> SUDDENLINK	Luis Montez
DocuSigned by: <i>Ruben Guerra</i> ASTOUND BROADBAND	Ruben Guerra
DocuSigned by: <i>Jerry Underwood</i> AT&T-TEXAS	Jerry Underwood

OWNER'S CERTIFICATE

STATE OF TEXAS, COUNTY OF MIDLAND:

WHEREAS Marc D. Colvin, is the record owner of Lots 19 & 20, Block 64, Park Avenue Heights, Second Section, an Addition to the City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Marc D. Colvin, do hereby adopt this plat designating the herein above described property as Park Avenue Heights, Section 3, to the City of Midland, Texas, and we do hereby dedicate to the public use forever the streets, alleys, and easements shown hereon.

WITNESS my hand at Pearland, Texas, this the 21st day of April, 2022.

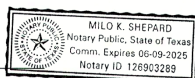
Marc D. Colvin
Owner: Marc D. Colvin

STATE OF TEXAS, COUNTY OF BRAZORIA:

This instrument was acknowledged before me on 21st April, 2022,

by *Milo K. Shepard*

Milo K. Shepard
Notary Public Signature



PROPERTY DESCRIPTION

BEING a tract of land situated in Section 36, Block 39, Township 1 South, T. & P. RR. Co. Survey, J.M. Moody Survey, Abstract No. 1, City of Midland, Midland County, Texas, being all of Lots 19 and 20, Block 64, Park Avenue Heights (Second Section), a subdivision of the south 645.5 feet of Blocks 1 & 2, Homestead Acres of Moody's Second Addition, an Addition to the City of Midland according to the plat recorded in Cabinet B, Slide 114, Plat Records, Midland County, Texas, and being all of that certain tract of land described by deed to Marc D. Colvin, recorded in Document Number 2013-27310, Deed Records, Midland County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the south right-of-way line of East California Avenue (a 60' width right-of-way) the west line of a 20' alley as shown on said Park Avenue Heights (Second Section), the northeast corner of said Lot 20, Park Avenue Heights (Second Section), from which found 1/2" iron rod with orange cap stamped "BRADSHAW" bears South 51°29'54" East, a distance of 0.23 feet;

THENCE South 13°9'41" East, with the east line of said Lots 20 and 19 and the west line of said 20' alley, a distance of 110.00 feet to a found 1/2" iron rod for the southeast corner of said Lot 19;

THENCE South 75°6'19" West, departing the east line of said Lot 19 and the west line of said 20' alley, with the south line of said Lot 19, a distance of 110.00 feet to a found 1/2" iron rod the southwest corner of said Lot 19, the east right-of-way line of South Bunchee Street (a 60' width right-of-way);

THENCE North 03°9'41" West, departing the south line of said Lot 19, with the east right-of-way line of said South Bunchee Street and the west lines of said Lots 19 and 20, a distance of 110.00 feet to a found 1/2" iron rod in the south right-of-way line of said East California Avenue;

THENCE North 75°6'19" East, departing the east right-of-way line of said South Bunchee Street, the west line of said Lot 20, with the south right-of-way line of said East California Avenue, a distance of 110.00 feet to the POINT OF BEGINNING and containing a calculated area of 12,099 square feet or 0.277 acre of land.

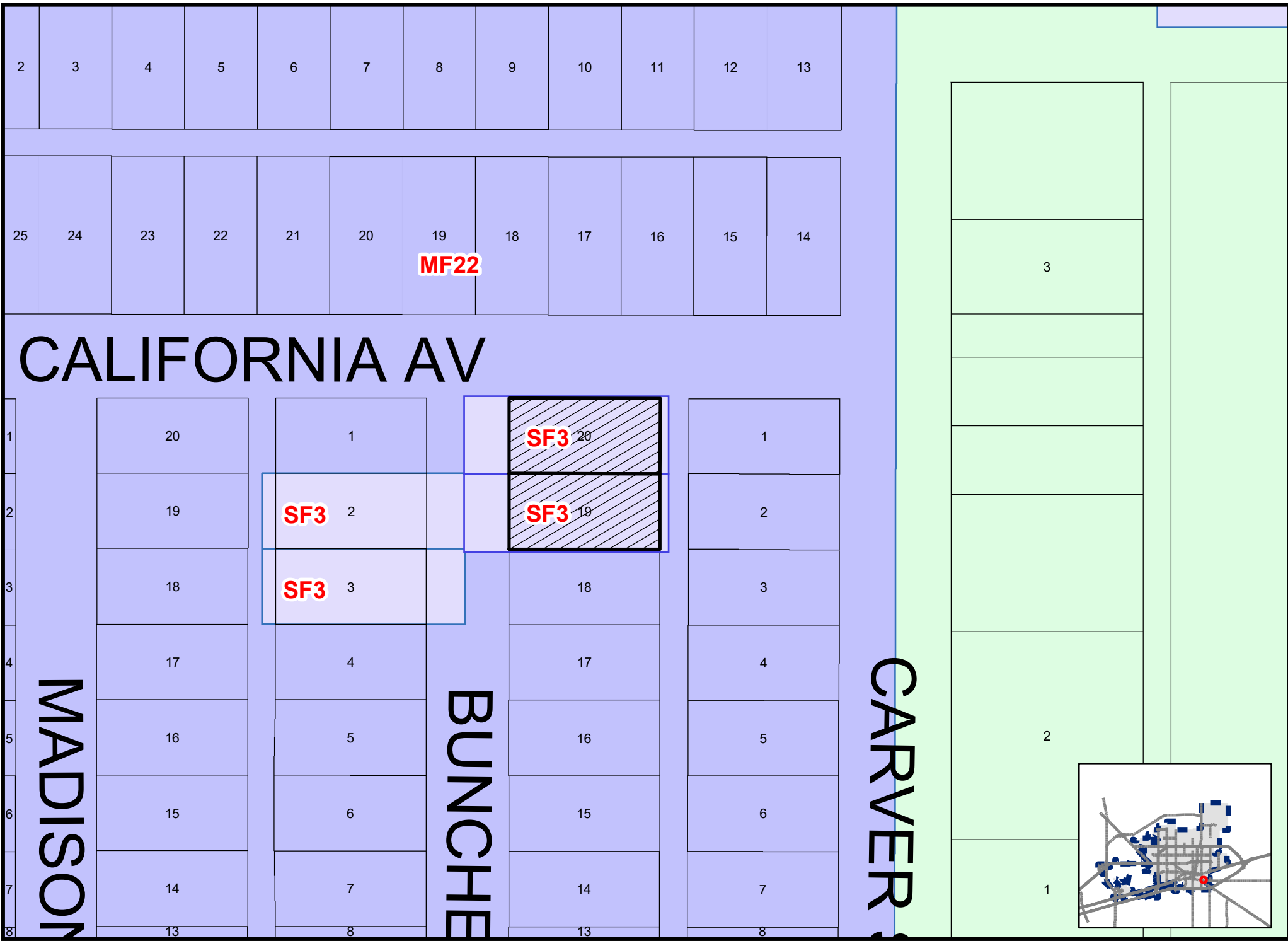


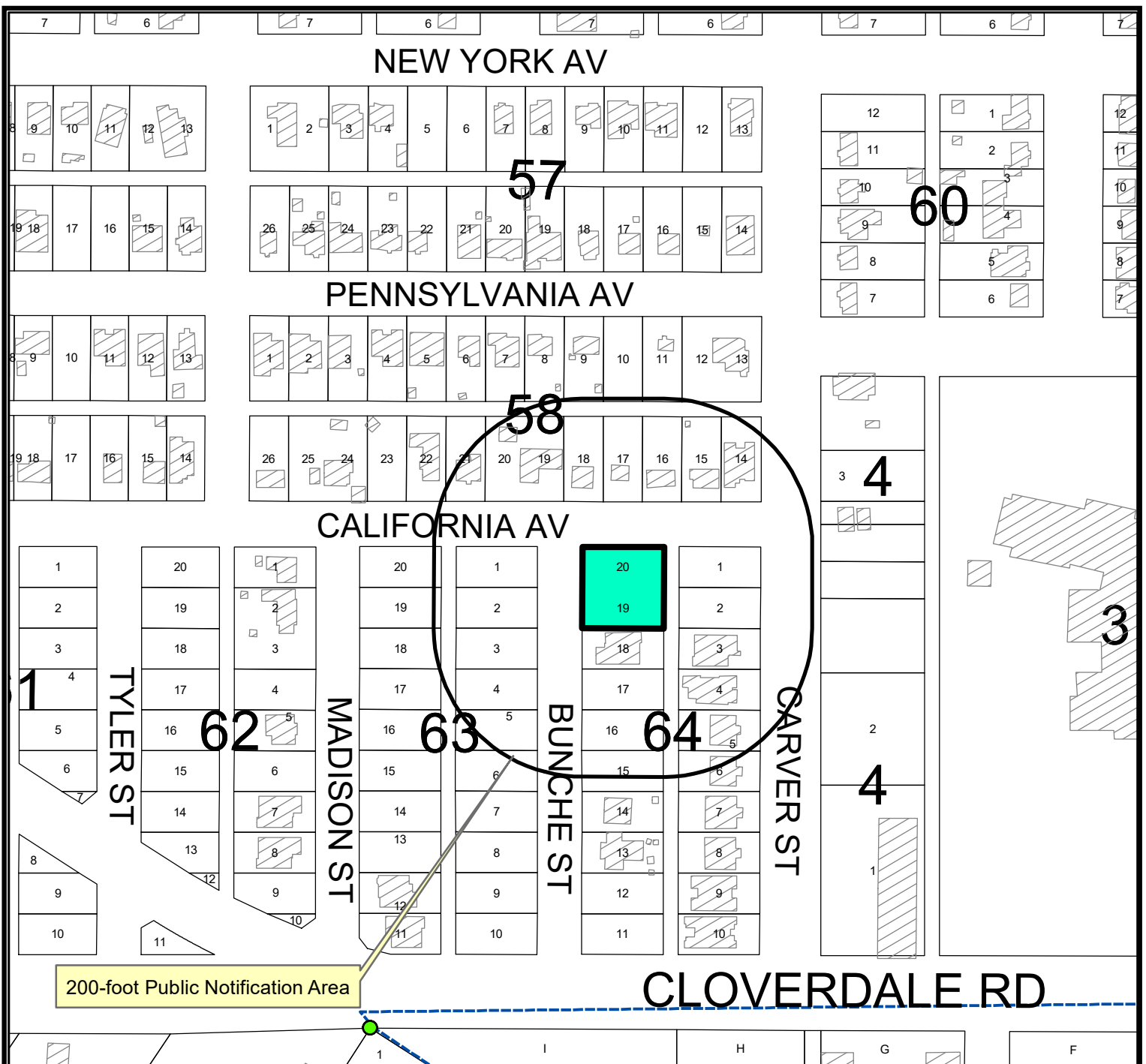
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

PACKET

Page 5.31

May 16, 2022





LOCATION MAP

SUB-22-0483

Scale: 1" = 200'

Proposed plat of Park Avenue Heights Section 3, being a residential replat of Lots 19 & 20, Block 64, Park Avenue Heights, Section 2, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of Bunche Street & E. California Ave. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: May 16, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a request by Joshua Hernandez for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption in a Bar, on a 4,399-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Garfield Street and W. Loop 250 North - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Joshua Hernandez, is requesting a Specific Use Designation (SUD) for the sale of all alcoholic beverages, for on-premises consumption, in a bar, located at 4610 N. Garfield Street, Suite C3.

Current Zoning:

PD, Planned Development District for a Shopping Center. (Ordinance 7771)

Surrounding Zoning and Land Use:

The properties to north are zoned O-1, Office District, and PD, Planned District for a Housing Development, and are the locations of Quality Suites and Polo Park Retirement Center. The properties to the east are zoned SF-2, Single- Family Dwelling District, and PD, Planned District for a Shopping Center, and the location of single-family houses and Extra Space Storage. The property to the south is zoned SF-1, Single Family Dwelling District, and the location of the Midland Airpark. The properties to the west across Garfield Street are zoned LR, Local Retail District and PD, Planned District for a Shopping Center, and the residences, Fairfield Inn & Suites by Marriot Midland, and Talbots.

Analysis:

The property is located at 4610 N. Garfield Street, Suite C3, in a PD, Planned District for a Shopping Center, which is regulated by Ordinance No. 7771. This zoning district permits the sale of all alcoholic beverages, for on-premises consumption, in a bar with the approval of a Specific Use Designation with Term.

The bar is currently not in operation and does not have a specific use designation for the sale of all alcoholic beverages. The floor plan attached hereto as "Exhibit A" illustrates that the establishment, will have a total square footage of 4,399 square feet, with an alcohol serviceable area of 3,200 square feet. The site currently has adequate parking, access, and internal circulation.

The proposed days and hours of operation including alcohol sales are the following:

Monday through Sunday from 11:00 a.m. to 2:00 a.m. (the following day)

Furthermore, there are six other existing Specific Use Designation (SUD) for on premises consumption of alcohol in this shopping center, two for a bar (The Blue Door and The Ox) and four for a restaurant (Tkilaz Mexican Restaurant, Labrado, Sapporo Ramen & Grill, and Brew Street Brew and Food).

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

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

There are no schools or churches within 300 feet of the property using the front door to door distance measurement.

Department Review:

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

Engineering: (Approved)

No objections

Transportation: (Approved)

No objections.

Fire: (Approved)

No objections

Building Code: (Approved)

The SUD for Element 14 is acceptable. The property must adhere to the maximum occupant load of 78 for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

The request follows the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to* “Encourage the development of places where Midland residents can gather and socialize to build connections.” (Tall City Tomorrow page 137) Element 14 is an establishment that will provide Midland residents with a unique social gathering experience.

Staff recommends approval of this Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a bar, subject to the following conditions A through G.

Conditions:

- A. That the alcohol serviceable area of the bar shall be limited to approximately 3,200 square feet, as shown in Exhibit “A”, which is attached hereto and incorporated herein for all purposes.**
- B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:**
 - Monday through Sunday from 11:00 a.m. to 2:00 a.m. (the following day)***
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- D. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- F. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**

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

Letters of Objection:

As of May 11, 2022, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan (Exhibit B)
Maps
Ordinance 7771



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

Project Number:

Case Number:

340-22-0131

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

Printed Name: Joshua Hernandez

Phone (432) 528-9692

Email c14.Josh@gmail.com

Address

1412 Mockingbird Lane

City

Midland

State

TX

Zip

79705

Property Owner

Printed Name: See Attached Woodcrest LP

Phone ()

Email 817 927-0050

Address

3113 Sunnyside Drive

City

Ft Worth

State

TX

Zip

76109

Representative (if different from Applicant or Property Owner)

Firm:

Printed Name:

Phone ()

Email

Address

City

State

Zip

Street Address: 4610 N. Garfield Street #C.3

Business Name: Element 14

Legal Description

Lot: 10

Block: 8

Subdivision:

Polo Park Sec. 3

Current Zoning:

Reason for Request: Applying for a Mixed Beverage Permit

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

Proposed/Current Days and Hours of Operation: Monday - Sunday

Proposed Days and Hours of Alcohol Service: 11:00 AM - 12:00 AM to 2 AM

Total Square Footage of Business: 4,399

Square Footage of Alcohol Serviceable Area: 3,200

Restroom Fixtures:

Men

Toilets/Urinals:

1 / 1

Bathroom Sinks: /

Women

Toilets:

1

Bathroom Sinks: /

APR 13 2022

BY: DR

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):

Date: 4-12-22

Applicant (printed):

Joshua Hernandez

Property Owner (signature):

Date: 4.14.22

Property Owner (printed):

James A. Ryffel

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

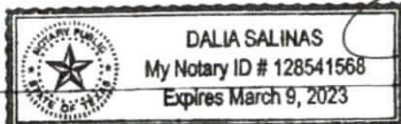
All materials, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

**STATE OF TEXAS
COUNTY OF MIDLAND**

Before me, the undersigned authority, on this day personally appeared Joshua Hernandez who, being by me duly sworn, upon oath says: That (s)he is authorized by James A. Ryffel, 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 13th day of April, 2022, to certify which witness my hand and seal of office.



Notary Public

FOR OFFICE USE ONLY

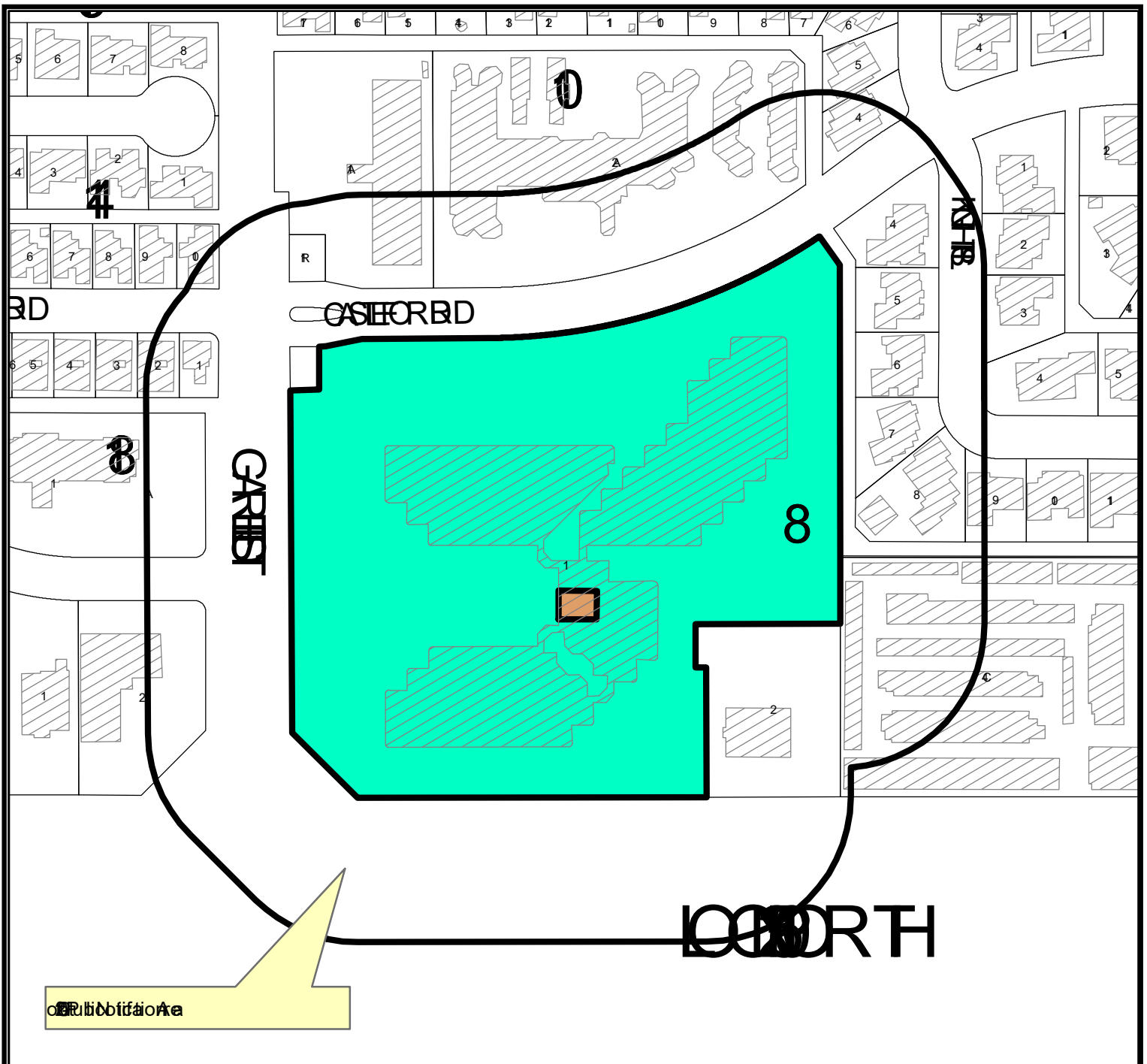
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|--|--|
| ☒ Property Owner Authorization | ☒ Dimensioned Floor Plan |
| ☒ Application Fee | ☒ Site Plan |
| Check # <u>1154</u> | ☒ Plans in Digital Format (PDF/JPEG) |

Received By: _____

Date: _____

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





LOCATION MAP

SUD-22-0131

Scale: 1" = 200'

Consider a request by Joshua Hernandez, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a bar, on Lots 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of N. Garfield Street and W. Loop 250 North. (Council District 1)

LEGEND

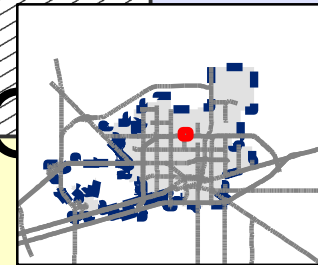
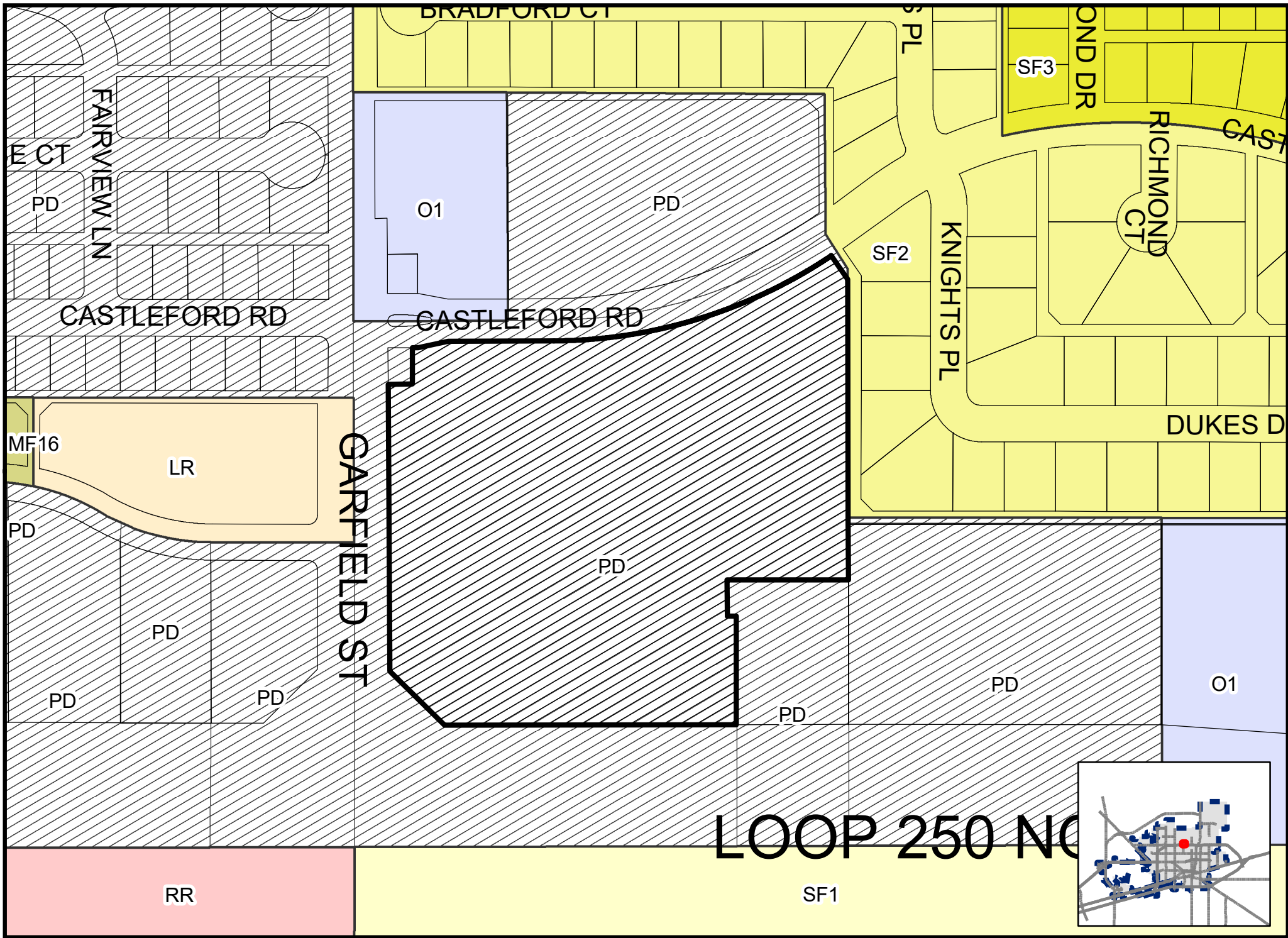
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.









ORDINANCE NO. 7771

AN ORDINANCE AMENDING ORDINANCE NO. 7324, WHICH ADOPTED A SITE PLAN FOR A "PLANNED DISTRICT" FOR A SHOPPING CENTER SO AS TO ADOPT AN AMENDED SITE PLAN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter and the State law with reference to the creation of "Planned Districts" under the zoning ordinance regulations and zoning map, have given the requisite notices by United States Mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof; the Governing Body finds that the public health, safety and general welfare will be best served by amending the site plan for a "Planned District" for a Shopping Center by amending Ordinance No. 7324; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to amend the site plan adopted by Ordinance No. 7324;

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

SECTION ONE. That the "Planned District" site plan adopted for the property described in Section One of

Ordinance No. 7324, specifically Lot 1, Block 8, Polo Park, Section III, City and County of Midland, Texas, shall be amended in its entirety as set forth in Exhibit "A", attached hereto and incorporated herein by reference subject to the following conditions:

- A. That the maximum sign area for all free standing signs for this development not exceed 640 square feet.
- B. That no future free standing sign associated with this development be allowed on the Loop 250 frontage.
- C. That the Site Plan (Exhibits A & B) be adhered to in regard to the locations and types of signs proposed for this development.

SECTION TWO. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION THREE. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared

unconstitutional or invalid.

SECTION FOUR. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars (\$2,000.00).

SECTION FIVE. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 8th day of September, A.D., 1998; and passed to second reading on motion of Council member Brooks, seconded by Council member Cuevas, by the following vote:

Council members voting "AYE":	Brooks, Cuevas, Wood, Brown, Burns, Simpson and Washburn
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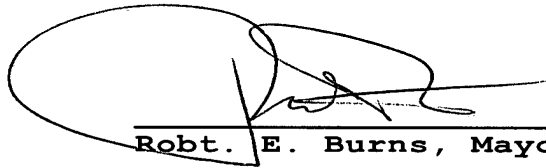
Council members voting "NAY":	None
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The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Brooks, seconded by Council member Cuevas, on the 22nd day of September, A.D., 1998, at a regular meeting of the City Council:

Council members voting "AYE":	Brooks, Cuevas, Wood, Brown, Burns, Simpson and Washburn
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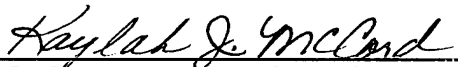
Council members voting "NAY":	None
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PASSED AND APPROVED THIS 22nd day of September,
A.D., 1998.



Robt. E. Burns, Mayor

ATTEST:



Kaylah J. McCord, City Secretary

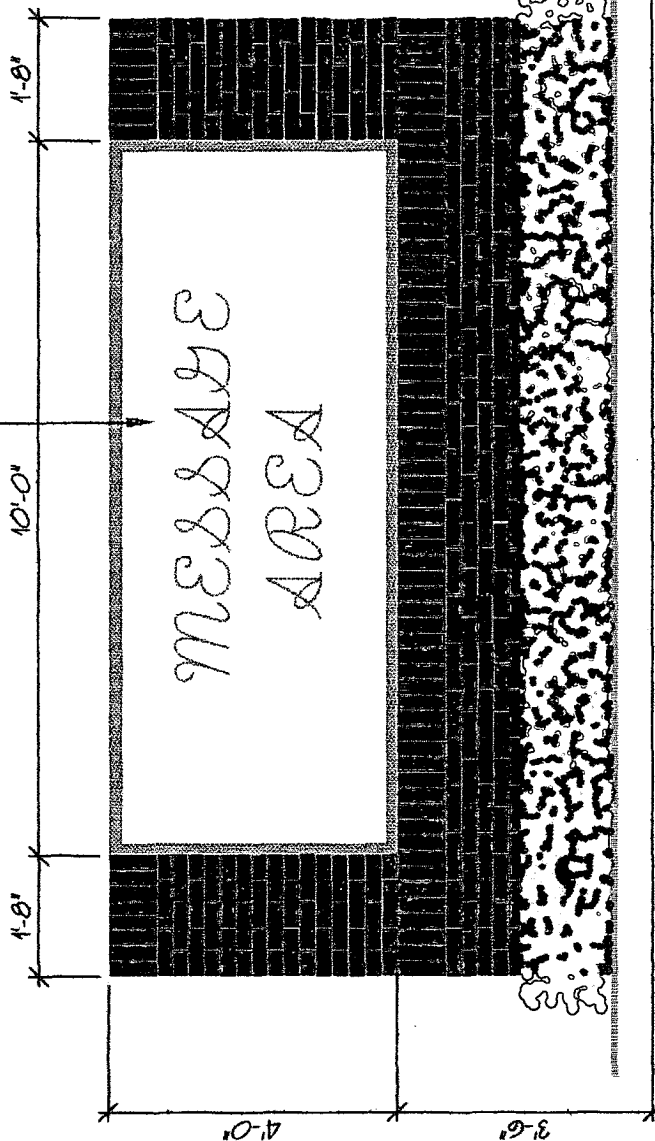
APPROVED AS TO FORM:



Keith Stretcher, City Attorney

ord\planning\plndist\Z-98-022 Red Oak

COLORED OR WHITE BACKGROUND
WITH BLACK LITE BOX &
CONTRASTING MESSAGE.



RECEIVED

AUG 25 1998

PLANNING & DEVELOPMENT
CITY OF MIDLAND



VANDERGRIFF GROUP
ARCHITECTS • PLANNERS
92 N. 835 STREET, SUITE 200 • MIDLAND, TEXAS 79701
MEMBER AMERICAN INSTITUTE OF ARCHITECTS

8-11-98

MONUMENT SIGN PROPOSAL

COLOHADE SHOPPING CENTER
MIDLAND, TEXAS

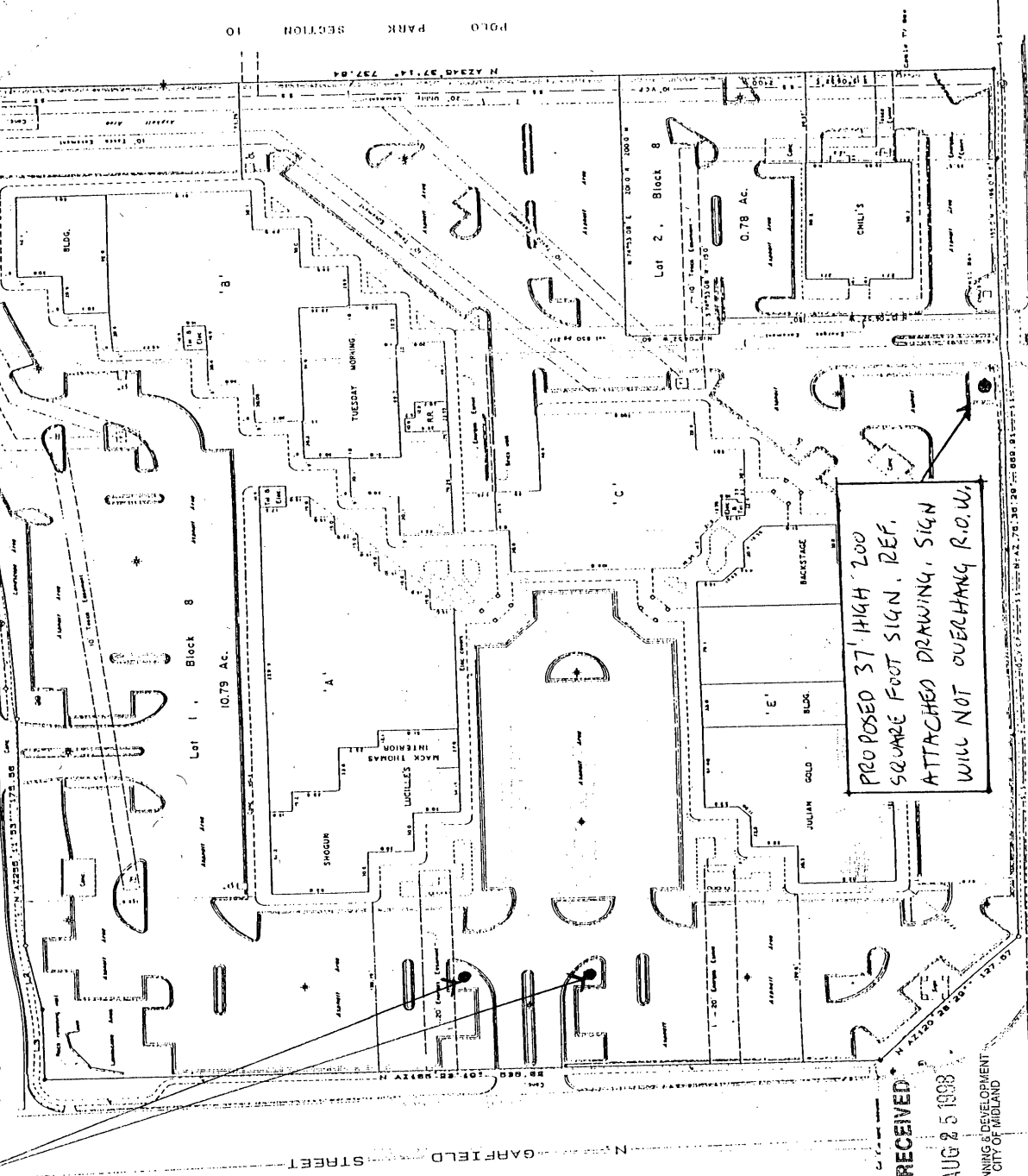
EXHIBIT B

CASE NO. Z-98-022

This area is spec in a Special Flood Hazard Area Zone A as shown on Panel #40477-000-8 of the 1978 Flood Hazard Boundary Map of Midland issued by the Federal Insurance Administration. It is in Census Tract #101.03.

CASTLEFORD—ROAD—

Proposed Locations for
Two Monument Signs Along Garfield



PROPOSED 37' HIGH 200
SQUARE FOOT SIGN, REF.
ATTACHED DRAWING, SIGN
WILL NOT OVERHANG R.O.W.,

RECEIVED

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PLANNING & DEVELOPMENT
CITY OF MIDLAND

250-00P

No.	Direction	Length
1	N 42° 10' E 8.02	47.87
2	N 42° 44' E 13.3	50.95
3	N 42° 25' E 11.32	48.88

LEGEND

- [illegible]

SURVIVOR'S CERTIFICATE

[illegible]

The surveyor expressly understands and agrees that (a) this certificate is made for the benefit of Federal Deposit Insurance Corporation as assignee of title insurance company and for the benefit of assign title insurance company (title company) to issue a policy of title insurance insuring the validity and priority of such deed to trust lien; (b) both FIDIC and title company are deemed to rely on this plat of survey as being true and accurate in all respects and upon this certificate as being true and accurate.

Discussed this 11st day of March, 1991.

John Walling

E. L. L. L. L. L.
Registered Professional Land
Surveyor No. 1172

CASE NO. Z-98-022



Leaseholdship Name: First Gibraltar
 Asset Number: 1602-000008-00-1
 Asset Name: Colonnade & Polo Park
 Property Description: SEC Carfield
 John Wallis Tel ID: 75-1928020

WALL'S LAND SURVEYORS
P.O. Box 4111
Midland, Texas 79704-1111
817/367-4790

15-02-E0-D	DATE	TIME
15-02-E0-D	DATE	TIME



Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: May 16, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving a request by David Powlen for a zone change from PD, Planned Development District for a Shopping Center to Amended PD, Planned Development District for a Shopping Center on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of N. Loop 250 W. and Wadley Avenue - District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Purpose:

The applicant, David Powlen, is requesting a zone change from PD, Planned Development District for a Shopping Center to Amended PD, Planned Development District for Shopping Center on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas for an addition of a garden center.

Current Zoning:

PD, Planned Development District for a Shopping Center

Surrounding Zoning and Land Use:

The properties to the north is zoned PD, Planned development District and the location of a shopping center and SF-1 Single-family Dwelling and the location of C.J. Kelly Park. The property to the east is zoned RR, Regional Retail District, and the location of a shopping center. The property to the south, is zoned PD, Planned Development District, and the location of office buildings. The property the west is zoned PD, Planned Development District, and the location of a housing development.

Analysis:

The applicant, David Powlen, is requesting a zone change from PD, Planned

Development District of a Shopping Center to Amended PD, Planned Development District of a Shopping Center, for the expansion of their Garden Center located at 3315 N. Loop 250 W. Midland TX.

The site plan provided, hereto shown as Exhibit A, illustrates the proposed addition that will be located on the southwest side of the existing Garden Center building. The proposed new design will be approximately 19,237 square feet. Although 99 parking spaces were removed, they are still exceeding the parking requirements by 229 spaces, providing a total of 709 parking spaces.

The applicant will be required to adhere to the site plan review standards outline within the City of Midland Zoning Ordinance Section 5.05: - Nonresidential Zoning District Dimensional Regulations Chart as well as Chapter 9, Landscape Regulations for future landscaping.

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

Fire: (Approved)

No objections.

Building: (Approved)

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

Engineering: (Approved)

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

Site drainage, utilities, driveway access and traffic circulation may be adjusted during the construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [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 and left off of plat, this could prevent receiving city permits for structures. Any plugged and abandoned well would need to be identified.

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 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 RC, Regional Commercial developments. These areas are designed to be utilized by major community and regional commercial developments that are both large in scale and have high traffic impact. The reason for this proposed zone change is to allow for alterations to the previously adopted Site Plan, which could not be changed without an amendment to the PD. Additionally, the Garden Center expansion will not change the overall use of the property and will have minimal impact on traffic in the area.

Therefore, staff recommends approval of this zone change from PD, Planned Development District for a Shopping Center, to Amended PD, Planned Development District for a Shopping Center to condition A.

Conditions:

- A. That the development of this property shall significantly conform to the site plan and elevations attached hereto and incorporated herein as Exhibits "A".**
- B. In addition to the uses allowed in an "RR", Regional Retail District, the property may be used for outdoor commercial amusements such as driving ranges, skating rinks, or miniature golf.**
- C. All landscaping shall be irrigated with an automatic sprinkler system, and be maintained in a healthy, growing condition.**
- D. That the use and development of this property shall conform to the regulations and the RR, Regional Retail District, except as stated below.**
- E. That a 26-foot fire lane shall be striped in the outdoor storage area and kept clear at all times.**
- F. That the gates to the outdoor storage area shall have emergency overrides for emergency services.**
- G. That the covered outdoor storage area shall be fire sprinkled.**

Letters of Objection:

Staff has not received any letters of objection as of May 11, 2022.

Attachments:

Application
Site Plan (Exhibit A)
Maps
Exhibit



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

Project Number: 2-22-0293
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: David Powlen, Little Diversified Architectural Consulting		Phone (704) 561-3472 Email david.powlen@littleonline.com	
Address 615 S. College Street, Suite 1600	City Charlotte	State NC	Zip 28202

Property Owner Printed Name: Lowe's #63 (Lowe's Home Centers, LLC)		Phone (704) 632-5849 Email Tom.cross@lowes.com	
Address 1000 Lowe's Boulevard	City Mooresville	State NC	Zip 28117

Representative (if different from Applicant or Property Owner) Firm: <u>howe's</u> Printed Name: <u>Thomas M. Cross</u>		Phone <u>(704) 632-5849</u> Email <u>tom.cross@howes.com</u>	
Address <u>1000 howes Blvd</u>	City <u>Mooresville</u>	State <u>NC</u>	Zip <u>28117</u>

Street Address: 3315 N. Loop 250 W	
Legal Description Lot: 0020 Block: 002 Subdivision: 41500	

Current Zoning: PD	Proposed Zone: PD (List by tracts if more than one district is requested)
---------------------------	---

Reason for Zone Change Request: No change

Present Use of Property: Retail

Proposed Use of Property: Retail

How would this zone change affect the public health, safety and welfare? No change

Describe how conditions affecting the property have changed since present zoning designation: No change

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)	RECEIVED APR 21 2022 BY: CF
---	--

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

Date:

Property Owner (printed):

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

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

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.

David Lowen

Authorized Agent (signature)

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

JUDITH M. YARBOROUGH
NOTARY PUBLIC
Iredell County
North Carolina
My Commission Expires July 4, 2026

Judith M. Yarbrough

NOTARY PUBLIC

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check #

184062

Received By:

W. E. Fryer

Date:

4-21-22

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

PACKET

Page 7.59

May 16, 2022

LOWES #0063 - MIDLAND

3315 N. LOOP 250 W
MIDLAND, TX 79707

INDEX OF DRAWINGS

- C000COVER SHEET
- C100EXISTING CONDITIONS
- C200DEMOLITION PLAN
- C300LAYOUT AND MATERIALS PLAN
- C301SITE ENLARGEMENTS
- C400GRADING AND DRAINAGE PLAN
- C500SITE DETAILS
- A5.2PLAN, SECTIONS & DETAILS
GARDEN CENTER (FOR REFERENCE)

SITE INFORMATION

PROJECT TEAM

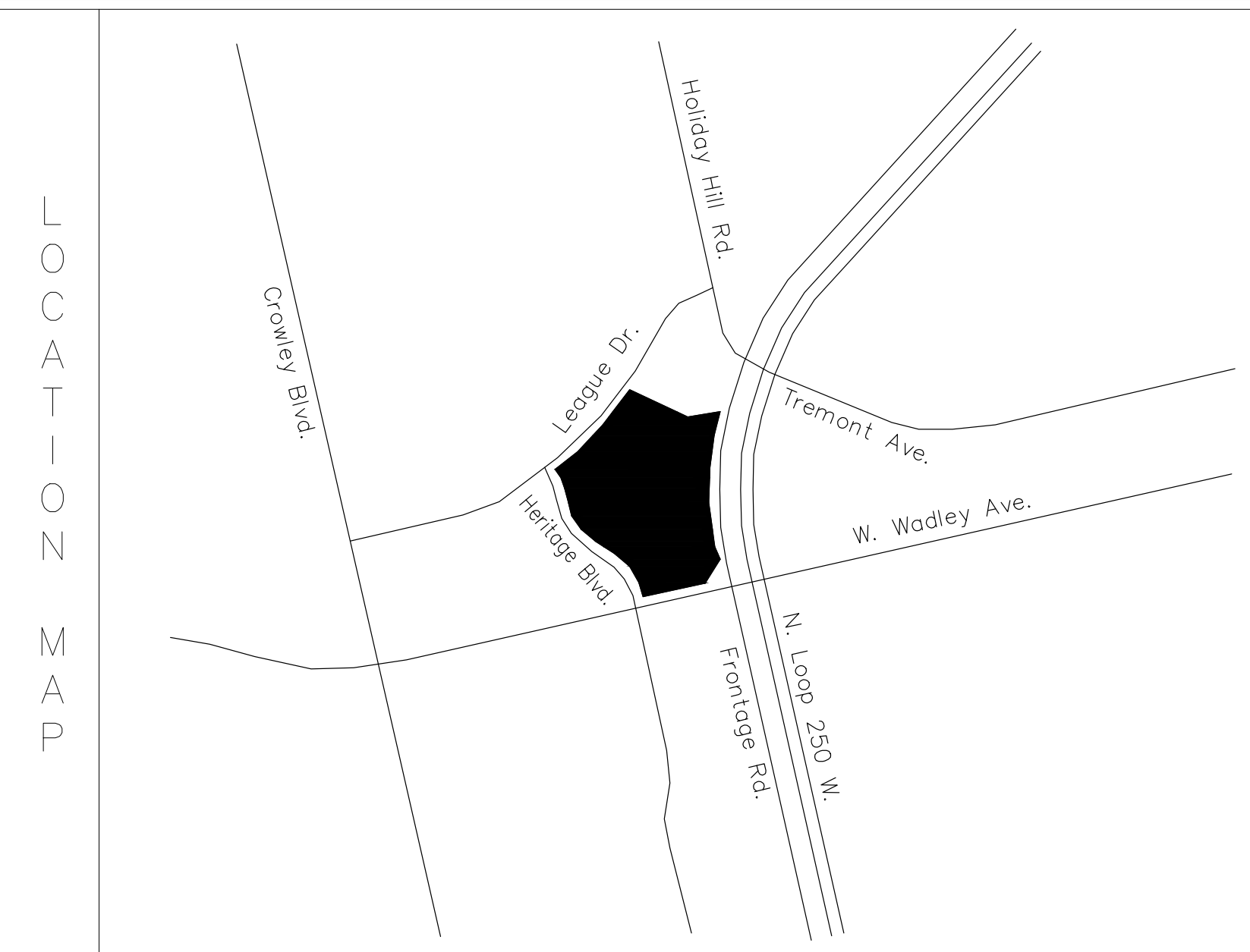
OWNER
LOWE'S HOME CENTERS, LLC
1000 LOWE'S BLVD
MOORESVILLE, NC 28117-8520
(704)-758-1000

LAND PLANNING
LITTLE DIVERSIFIED ARCHITECTURAL CONSULTING
615 SOUTH COLLEGE STREET, SUITE 1600
CHARLOTTE, NORTH CAROLINA 28202
(704)-525-6350

ARCHITECT
LITTLE DIVERSIFIED ARCHITECTURAL CONSULTING
615 SOUTH COLLEGE STREET, SUITE 1600
CHARLOTTE, NORTH CAROLINA 28202
(704)-525-6350

SURVEYOR
FREELAND-CLINKSCALES & ASSOCIATES INC. OF NC
201 2ND AVE EAST
HENDERSONVILLE, NC 28792
(828)697-6539

VICINITY MAP



NOT TO SCALE

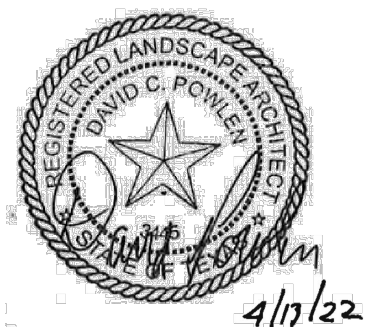
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PRE-BID SET DATE	POST-BID SET ISSUE DATE

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615 S COLLEGE ST, SUITE 1600 Charlotte, NC 28202
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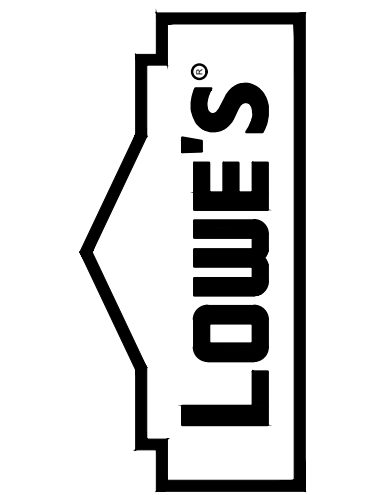
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COVER

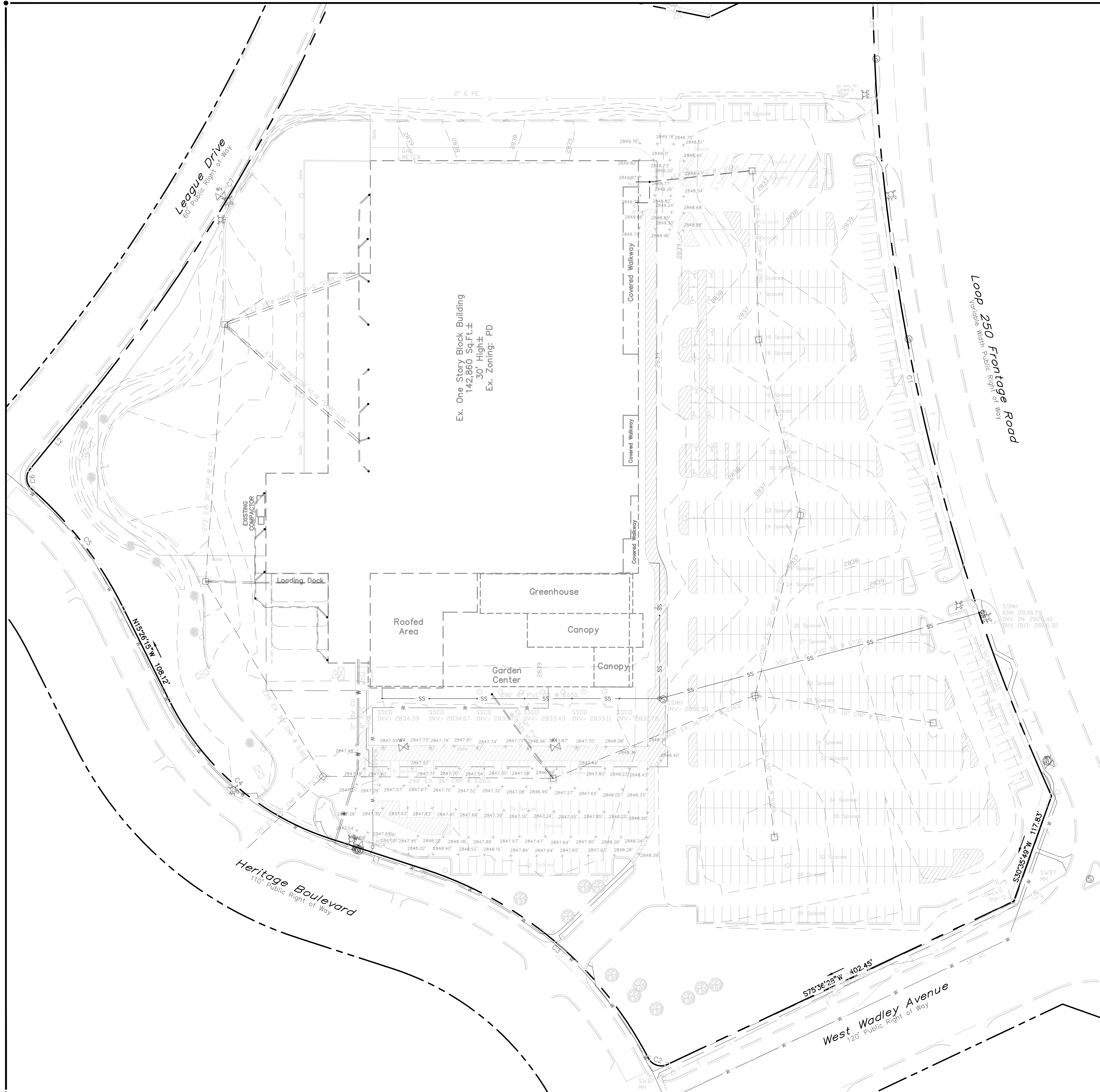
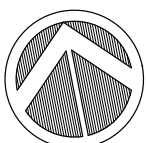
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3315 N. LOOP 250 W
MIDLAND, TEXAS 79707

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DATE: 04/13/22
DRAWING NUMBER:

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SECOND	
FINAL	


$$1'' = 50'-0''$$
[illegible]

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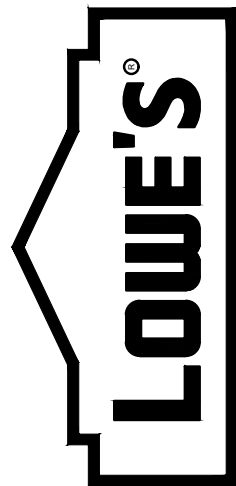
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EXISTING CONDITIONS PLAN

LOWE'S #0063 - MIDLAND
3315 N. LOOP 250 W
MIDLAND, TEXAS 79707

PROJECT No: 121.17282.00	DRAWN BY:	CHECKED BY:
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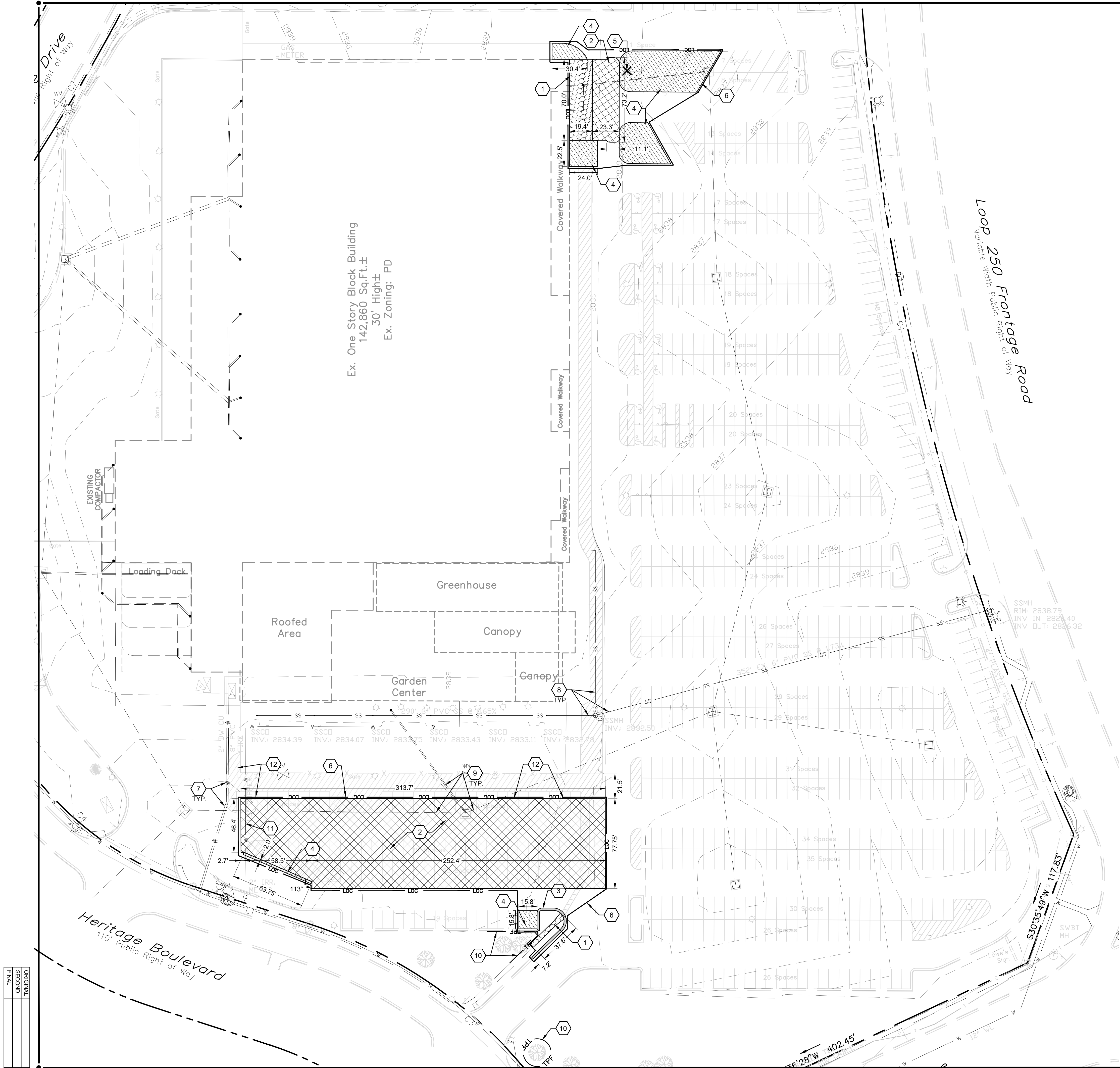
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PLANNING ISSUE DATE:	04/13/22
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DRAFTING NUMBER

C100

PACKET
Page 7.61
May 16, 2022



Ex. One Story Block Building
142,860 Sq.Ft.±
30' High±
Ex. Zoning: PD

DEMOLITION NOTES

- A. PARTIAL BOUNDARY AND TOPOGRAPHICAL SURVEY INFORMATION IS TAKEN FROM A SURVEY BY FREELAND-CLINKSCALES & ASSOCIATES INC. OF NC, 201 2ND AVE EAST, HENDERSONVILLE, NC 28792 (828)697-6539 AND ENTITLED "PLAT OF BOUNDARY SURVEY LOWE'S HOME IMPROVEMENT 3315 NORTH LOOP 250 WEST, MIDLAND, MIDLAND COUNTY, TEXAS" AND ORIGINAL DESIGN DRAWINGS BY ASG INCORPORATED, DATED 07-12-1995.
- B. THE CONTRACTOR SHALL NOTIFY A PRIVATE UTILITY LOCATOR SERVICE AND RESEARCH EXISTING DRAWINGS AND OTHER DOCUMENTATION PRIOR TO BEGINNING CONSTRUCTION. ANY BELOW GRADE APPURTENANCES NOT CHARTED BY THE SURVEYOR ARE TO BE REPORTED TO THE DESIGNER OF RECORD. ALL REPAIRS/REPLACEMENTS MUST BE APPROVED BY DESIGNER OF RECORD.
- C. THE UTILITIES AND THE LOCATION SHOWN ON THE PLANS REPRESENT THE DESIGNER'S UNDERSTANDING OF EXISTING UTILITIES LOCATED WITHIN THE LIMITS OF CONSTRUCTION. PRIOR TO ANY EXCAVATION, CONTRACTOR IS TO FIELD VERIFY THE LOCATION, DEPTH, AND EXISTENCE OF ALL UTILITIES (ELECTRICAL, MECHANICAL, WATER, TELEPHONE, GAS, STORM, ETC.) WITH THE OWNER AND/OR THE APPROPRIATE UTILITY COMPANY. THE OMISSION OF, NONEXISTENCE OF, OR INCLUSION OF UTILITY LOCATIONS ON THE PLANS IS NOT TO BE CONSIDERED AS ABSOLUTE. DAMAGED UTILITIES SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE. CONTRACTOR TO COORDINATE ANY FIELD CONDITIONS THAT MAY REVISE THE DESIGN WITH THE DESIGNER OF RECORD PRIOR TO PROCEEDING.
- D. CONTRACTOR SHALL MAINTAIN WATER, SEWER, ELECTRICAL AND OTHER UTILITY SERVICE TO EXISTING BUILDING AT ALL TIMES. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION. THE DESIGNER OF RECORD SHALL BE NOTIFIED OF ALL UNDERGROUND UTILITIES EXPOSED DURING CONSTRUCTION OR THOSE LEFT WITH LESS THAN ACCEPTABLE EARTH COVER. THE DESIGNER OF RECORD SHALL DETERMINE THE RESOLUTION OF THE UTILITY AND DETERMINE IF A CHANGE ORDER IS REQUIRED OR THE CONTRACTOR IS RESPONSIBLE FOR ALL COSTS INVOLVED.
- E. INSTALL ALL EROSION CONTROL MEASURES PRIOR TO BEGINNING CONSTRUCTION.
- F. INSTALL INLET PROTECTION AS NOTED ON EROSION CONTROL PLANS AT ALL EXISTING STORM DRAINAGE STRUCTURES ADJACENT TO OR DOWNSTREAM OF DEMOLITION AREAS TO PREVENT FLOW OF SEDIMENT AND DEBRIS INTO EXISTING STORM DRAINAGE SYSTEMS.
- G. NO SOIL DISTURBANCE, SOIL COMPACTION, CONSTRUCTION MATERIALS, OR CONSTRUCTION TRAFFIC IS ALLOWED BEYOND THE LIMITS OF CONSTRUCTION SHOWN.
- H. TREE PROTECTION BARRICADES MUST BE INSTALLED PRIOR TO ANY GRADING, DEMOLITION, OR CONSTRUCTION AND SHALL NOT BE REMOVED UNTIL PROJECT IS COMPLETED.
- I. ALL EXISTING TREES AND SHRUBS SHALL REMAIN AND BE PROTECTED.

DEMOLITION LEGEND

- 1. SAWCUT AND REMOVE EXISTING CONCRETE
- 2. SAWCUT AND REMOVE EXISTING ASPHALT
- 3. SAWCUT AND REMOVE EXISTING CURB AND GUTTER
- 4. EXISTING PAVEMENT TO BE CLEANED IN PREPARATION FOR SEAL COATING
- 5. EXISTING LIGHT POLE AND UNDERGROUND ELECTRICAL SERVICE TO BE REMOVED.
- 6. LIMITS OF CONSTRUCTION (0.85 AC.).
- 7. EXISTING DOMESTIC AND FIRE WATER LINE TO REMAIN AND BE PROTECTED DURING CONSTRUCTION. COORDINATE WITH UTILITY PLANS.
- 8. EXISTING SANITARY SEWER LINE TO REMAIN AND BE PROTECTED DURING CONSTRUCTION - COORDINATE WITH UTILITY PLANS.
- 9. EXISTING STORM PIPES AND STRUCTURES TO REMAIN AND BE PROTECTED DURING CONSTRUCTION - COORDINATE WITH GRADING PLANS.
- 10. PROPOSED TREE PROTECTION FENCE - SEE DETAIL 11/C500
- 11. VERIFY LOCATION & DEPTH OF EXISTING IRRIGATION LINE AND RELOCATE AS NECESSARY IF LOCATION CONFLICTS WITH PROPOSED WALL.
- 12. EXISTING CONCRETE TO REMAIN AND BE PROTECTED.



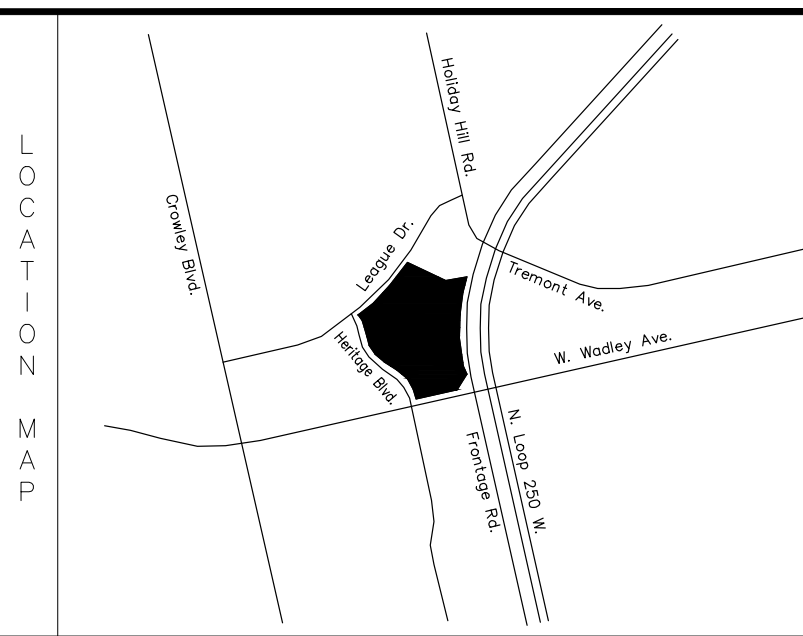
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GRAPHIC SCALE



1" = 40'-0"



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DATE	DESCRIPTION

LITTLE
DIVERSIFIED ARCHITECTURAL CONSULTING

85 S COLLEGE ST, SUITE 1000 Charlotte, NC 28202
T: 704.525.6350 F: 704.561.8700

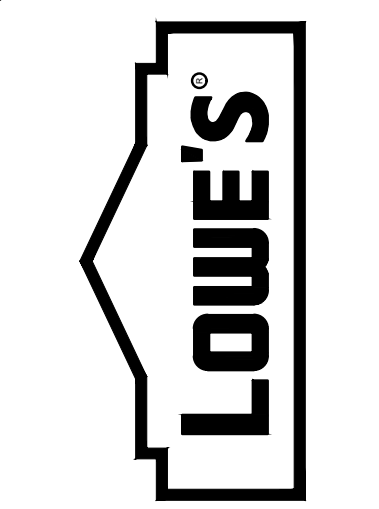
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DEMOLITION PLAN

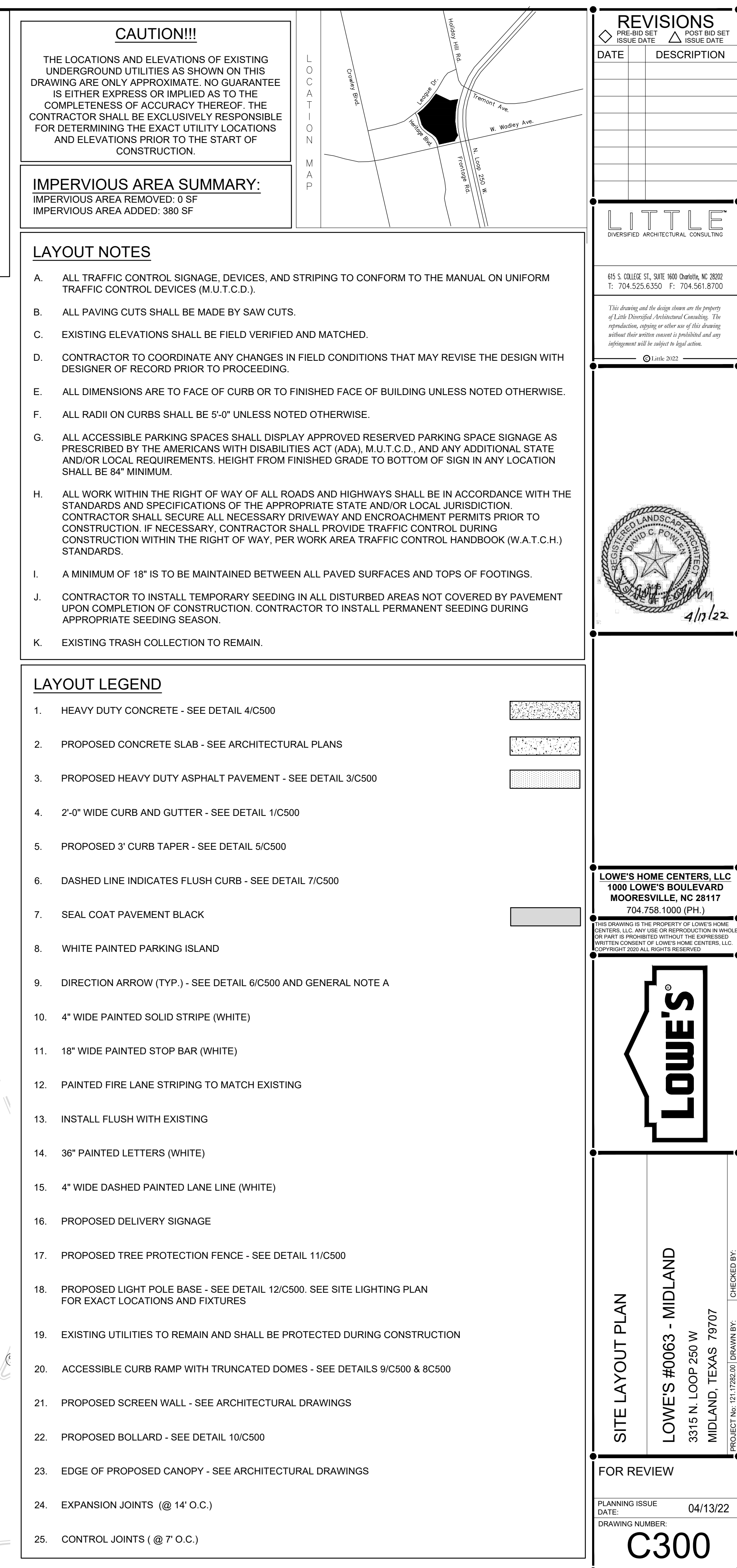
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MIDLAND, TEXAS 79707

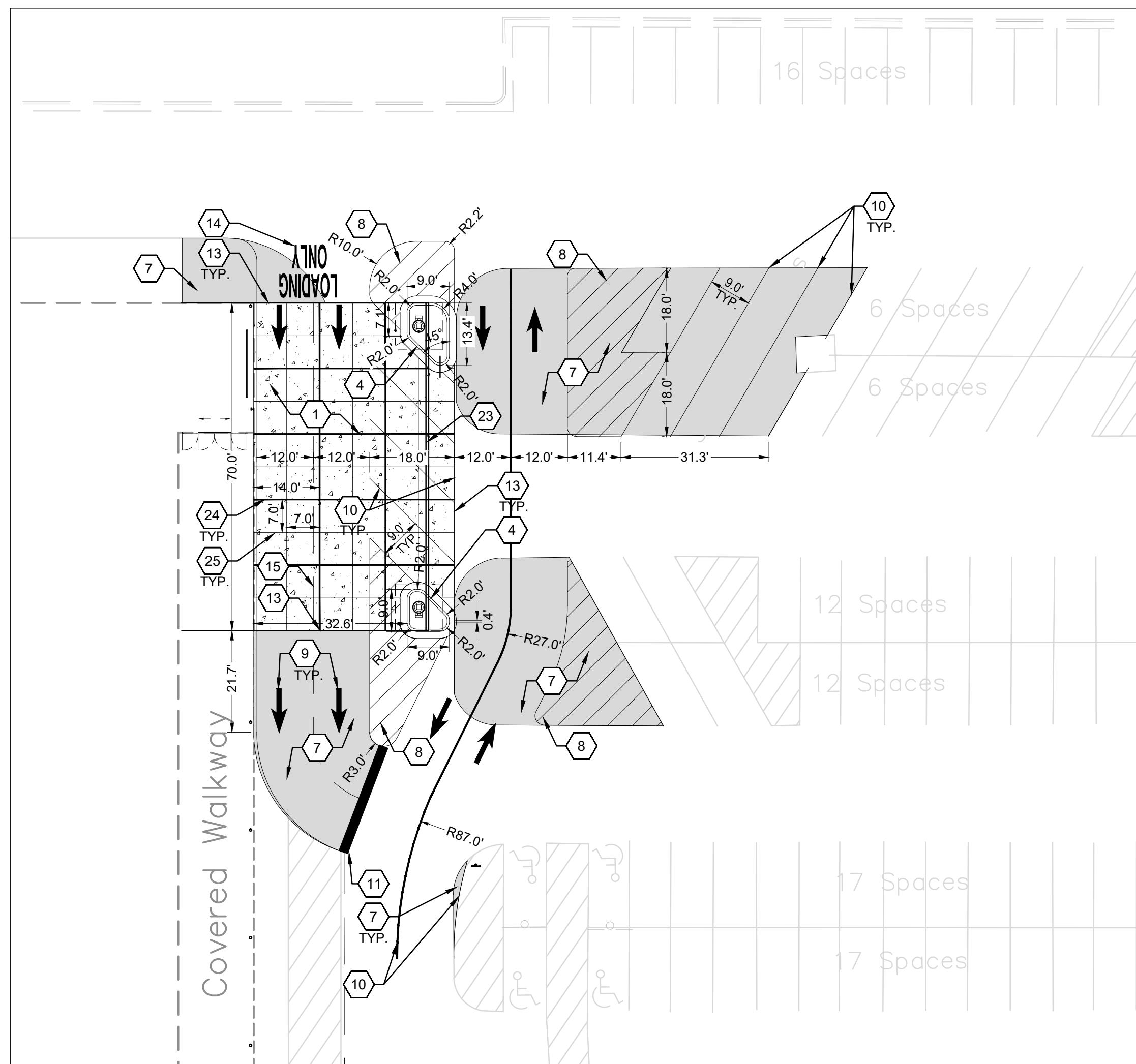
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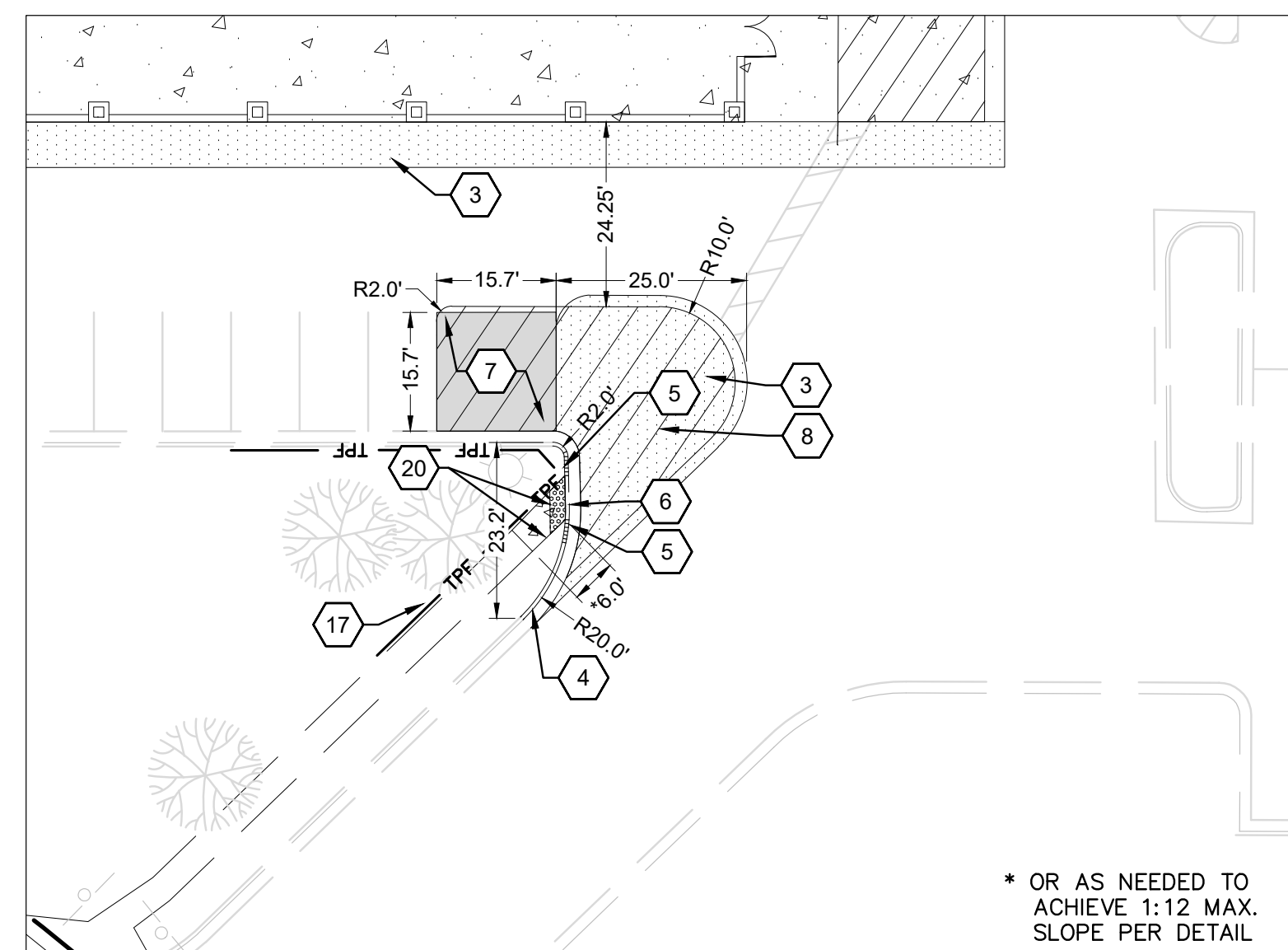
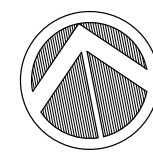
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Page 7 of 7
May 16, 2022





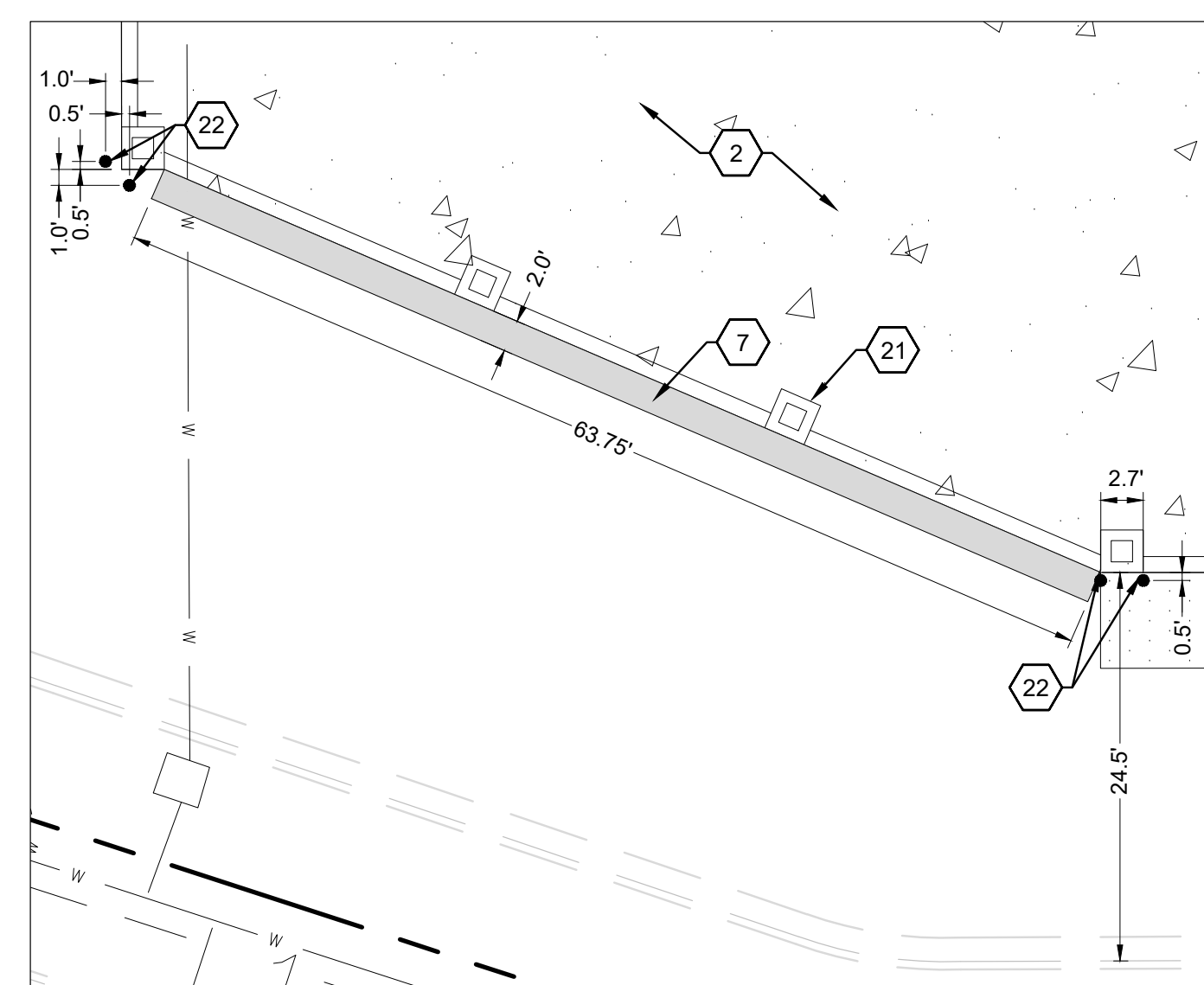
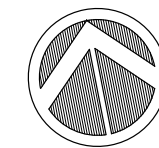
ENLARGEMENT A

SCALE: 1"=20'



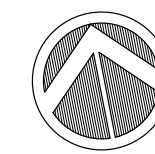
ENLARGEMENT B

SCALE: 1"=20'



ENLARGEMENT C

SCALE: 1"=10'



- ## LAYOUT LEGEND

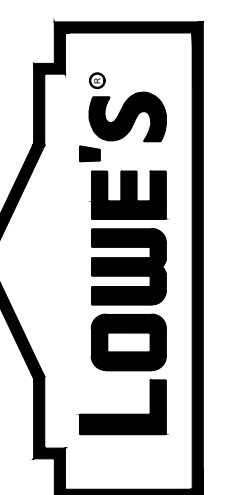
1. HEAVY DUTY CONCRETE - SEE DETAIL 4/C500
2. PROPOSED CONCRETE SLAB - SEE ARCHITECTURAL PLANS
3. PROPOSED HEAVY DUTY ASPHALT PAVEMENT - SEE DETAIL 3/C500
4. 2'-0" WIDE CURB AND GUTTER - SEE DETAIL 1/C500
5. PROPOSED 3' CURB TAPER - SEE DETAIL 5/C500
6. DASHED LINE INDICATES FLUSH CURB - SEE DETAIL 7/C500
7. SEAL COAT PAVEMENT BLACK
8. WHITE PAINTED PARKING ISLAND
9. DIRECTION ARROW (TYP.) - SEE DETAIL 6/C500 AND GENERAL NOTE A
10. 4" WIDE PAINTED SOLID STRIPE (WHITE)
11. 18" WIDE PAINTED STOP BAR (WHITE)
12. PAINTED FIRE LANE STRIPING TO MATCH EXISTING
13. INSTALL FLUSH WITH EXISTING
14. 36" PAINTED LETTERS (WHITE)
15. 4" WIDE DASHED PAINTED LANE LINE (WHITE)
16. PROPOSED DELIVERY SIGNAGE
17. PROPOSED TREE PROTECTION FENCE - SEE DETAIL 11/C500
18. PROPOSED LIGHT POLE BASE - SEE DETAIL 12/C500. SEE SITE LIGHTING PLAN FOR EXACT LOCATIONS AND FIXTURES
19. EXISTING UTILITIES TO REMAIN AND SHALL BE PROTECTED DURING CONSTRUCTION
20. ACCESSIBLE CURB RAMP WITH TRUNCATED DOMES - SEE DETAILS 9/C500 & 8C500
21. PROPOSED SCREEN WALL - SEE ARCHITECTURAL DRAWINGS
22. PROPOSED BOLLARD - SEE DETAIL 10/C500
23. EDGE OF PROPOSED CANOPY - SEE ARCHITECTURAL DRAWINGS
24. EXPANSION JOINTS (@ 14' O.C.)
25. CONTROL JOINTS (@ 7' O.C.)

[illegible]

1/13/22

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1000 LOWE'S BOULEVARD
MOORESVILLE, NC 28117
704.758.1000 (PH.)

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SITE LAYOUT PLAN ENLARGEMENTS

LOWE'S #0063 - MIDLAND
3315 N. LOOP 250 W
MIDLAND, TEXAS 79707

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Call before you dig.**

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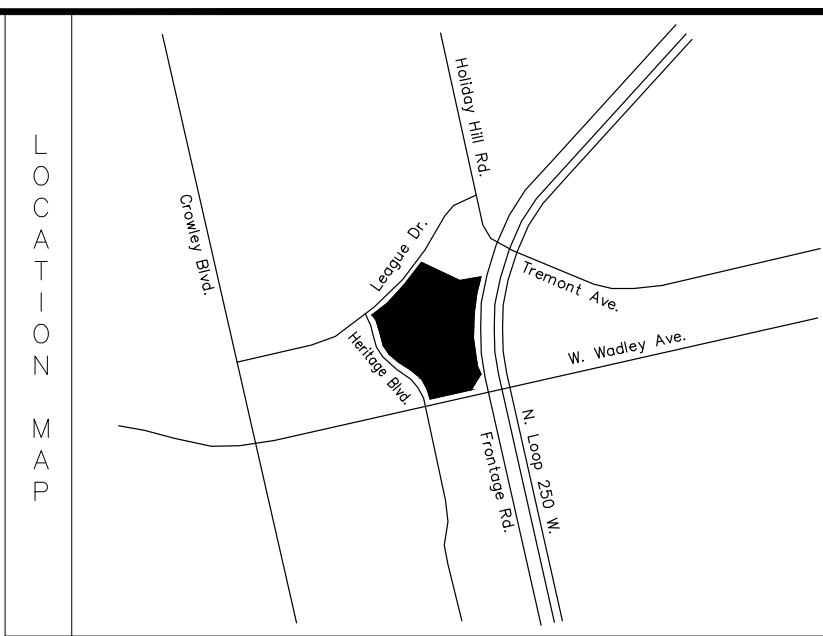
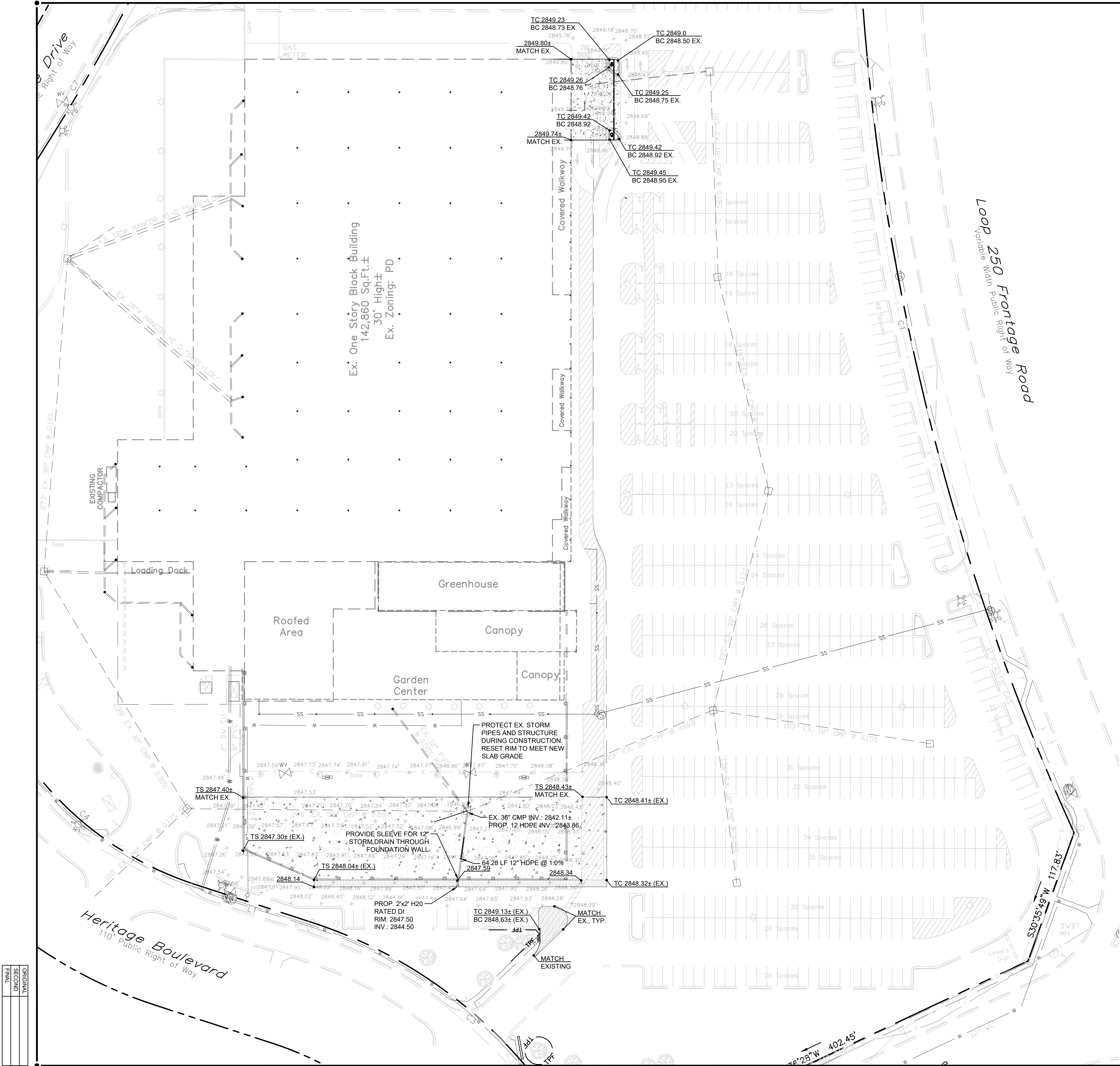


1" = 20'-0"

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ORIGINAL	
SECOND	
FINAL	



GRADING NOTES

- VERIFY ALL EXISTING GRADES AND REPORT ANY DISCREPANCIES TO DESIGNER OF RECORD.
- ALL NEW CONTOURS AND SPOT ELEVATIONS ARE SHOWN AS FINISHED GRADES. THE GRADING CONTRACTOR MUST MAKE ALLOWANCES FOR THICKNESS OF PAVING SECTIONS, CONCRETE SLABS, ETC.
- THE ENTIRE SITE WITHIN THE LIMITS OF CONSTRUCTION SHALL BE GRADED TO DRAIN FREELY. ALL DISTURBED AREAS SHALL BE FINE GRADED AND SEEDED TO ESTABLISH A PERMANENT LAWN, WHETHER INSIDE OR OUTSIDE THE LIMITS OF CONSTRUCTION.
- NO SLOPES SHALL BE GRADED STEEPER THAN 3:1, UNLESS INDICATED OTHERWISE.
- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. ANY GRADING BEYOND THE PROPERTY LINE INDICATED ON THE CONSTRUCTION DOCUMENTS IS A VIOLATION AND IS SUBJECT TO A FINE. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.
- NO SLOPES SHALL BE GRADED STEEPER THAN 3:1, UNLESS INDICATED OTHERWISE.
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- ANY UNSUITABLE MATERIAL ON SITE IS TO BE QUANTIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO REMOVING. CONTRACTOR MUST NOTIFY OWNER OR OWNER'S REPRESENTATIVE IF UNSUITABLE MATERIAL IS ENCOUNTERED.
- CONTRACTOR MUST COORDINATE ALL DRAINAGE STRUCTURE GRATES SHOWN WITH FIELD CONDITIONS TO ENSURE THAT GRATES ARE FLUSH WITH FINISHED GRADE.
- IF UNDERGROUND ROOF DRAINS ARE ENCOUNTERED OR IF EXISTING ROOF DRAINS INTERFERE WITH APPROVED DESIGN, NOTIFY DESIGNER OF RECORD.
- 90 DAYS PRIOR TO OBTAINING A CERTIFICATE OF OCCUPANCY, THE CONTRACTOR IS TO PROVIDE DESIGNER OF RECORD WITH A PDF AND AUTOCAD AS-BUILT SURVEY (SEALED BY REGISTERED SURVEYOR) OF ALL STORMWATER CONTROL AND MANAGEMENT DEVICES SHOWING THE FIELD LOCATION, SIZE, DEPTH, AND PLANTED VEGETATION OF ALL MEASURES AND DEVICES AS INSTALLED. SURVEY TO INCLUDE ALL STORM INVERTS, OUTLET CONTROL WEIRS & ORIFICE DIAMETER, ORIFICE SIZE AND BMP CONTOURS AND SPILLWAY ELEVATION & DIMENSIONS TO SUBMIT AS A CONDITION OF STORMWATER APPROVAL.
- A 24" VERTICAL SEPARATION MUST BE PROVIDED BETWEEN STORM SEWER AND SANITARY SEWER PIPES UNLESS OTHERWISE NOTED.
- BENCHMARK LOCATIONS AND ELEVATIONS ARE TO BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- UPON COMPLETION OF CONSTRUCTION OPERATIONS AND PRIOR TO USE OF FACILITIES, THE CONTRACTOR IS TO FULLY FLUSH ALL SUBSURFACE STORMWATER CONDUITS USING FIRE HOSES OR OTHER WATER SOURCES OF EQUIVALENT MAGNITUDE. THE CONTRACTOR SHALL TAKE CARE NOT TO DAMAGE ANY OF THE SITE DURING THIS PROCEDURE.

ACCESSIBILITY NOTES

- AMERICANS WITH DISABILITIES ACT (ADA) REGULATIONS MANDATE A MAXIMUM OF 2% SLOPE IN ANY DIRECTION IN ACCESSIBLE PARKING SPACES AND ACCESS AISLES.
- ADA REGULATIONS MANDATE REQUIRED EGRESS SIDEWALKS FROM PARKING TO THE BUILDING ENTRANCE AND PUBLIC RIGHT OF WAY CANNOT EXCEED 2% CROSS SLOPE AND 5% RUNNING SLOPE.
- ALL GRADES IN THESE AREAS WILL BE VERIFIED BY DESIGNER OF RECORD (USING A 2" DIGITAL LEVEL) PRIOR TO FINAL APPROVAL.



CAUTION!!!

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESS OR IMPLIED AS TO THE COMPLETENESS OF ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

GRAPHIC SCALE



1" = 40'-0"

REVISIONS	
DATE	DESCRIPTION

LITTLE
DIVERSIFIED ARCHITECTURAL CONSULTING

895 S. COLLEGE ST., SUITE 1000 CHARLOTTE, NC 28202
T: 704.525.6350 F: 704.561.8700

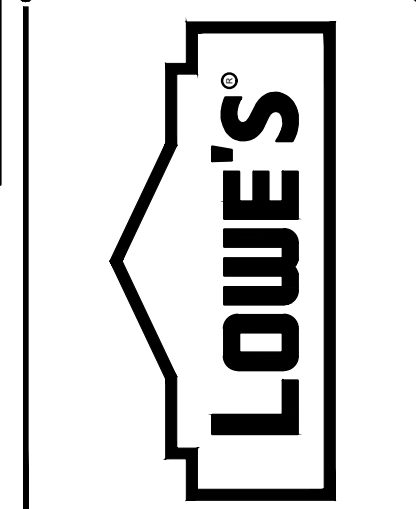
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1000 LOWE'S BOULEVARD
MOORESVILLE, NC 28117
704.758.1000 (PH.)

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GRADING AND DRAINAGE PLAN

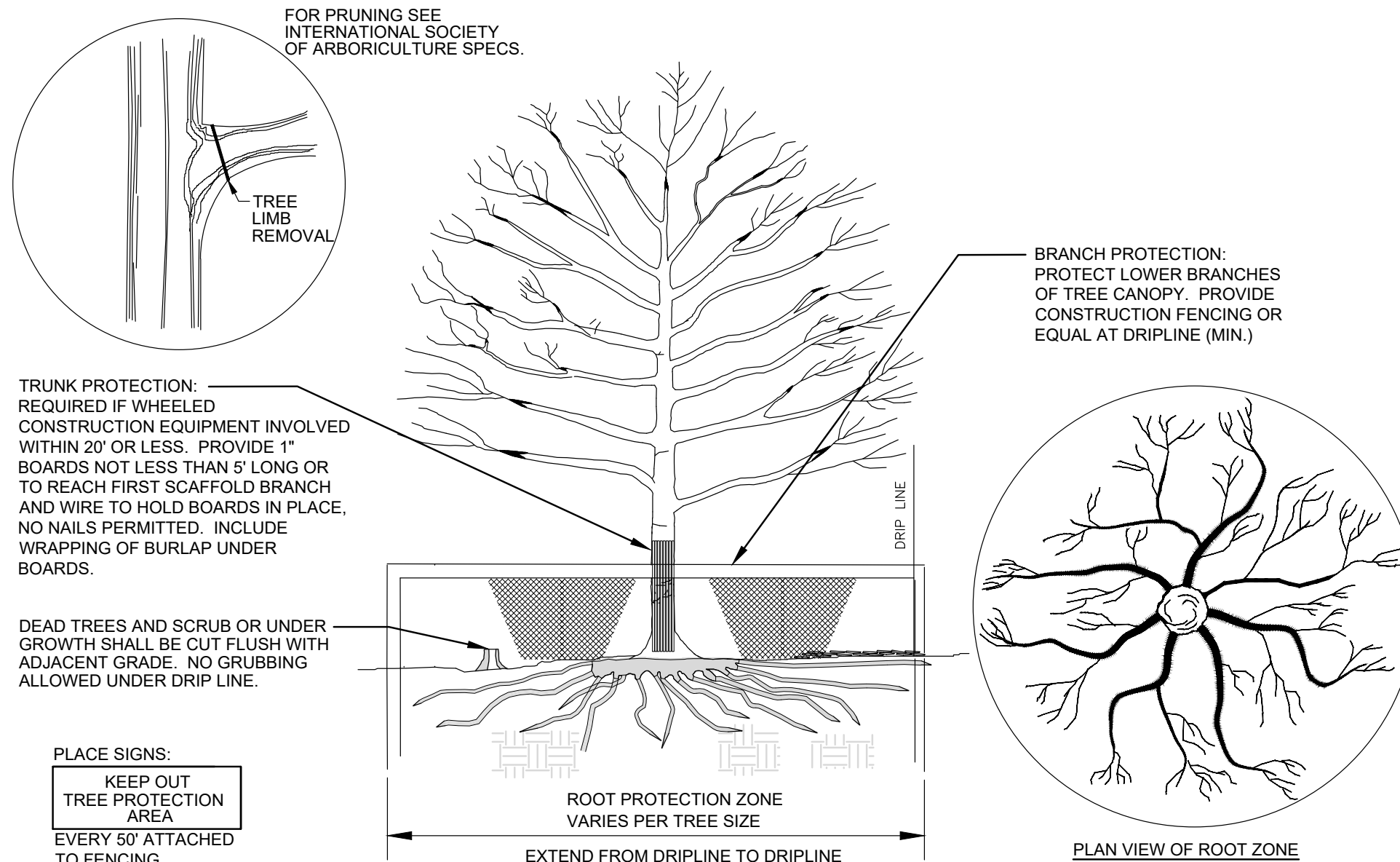
LOWE'S #0063 - MIDLAND
3315 N. LOOP 250 W
MIDLAND, TEXAS 79707

FOR REVIEW

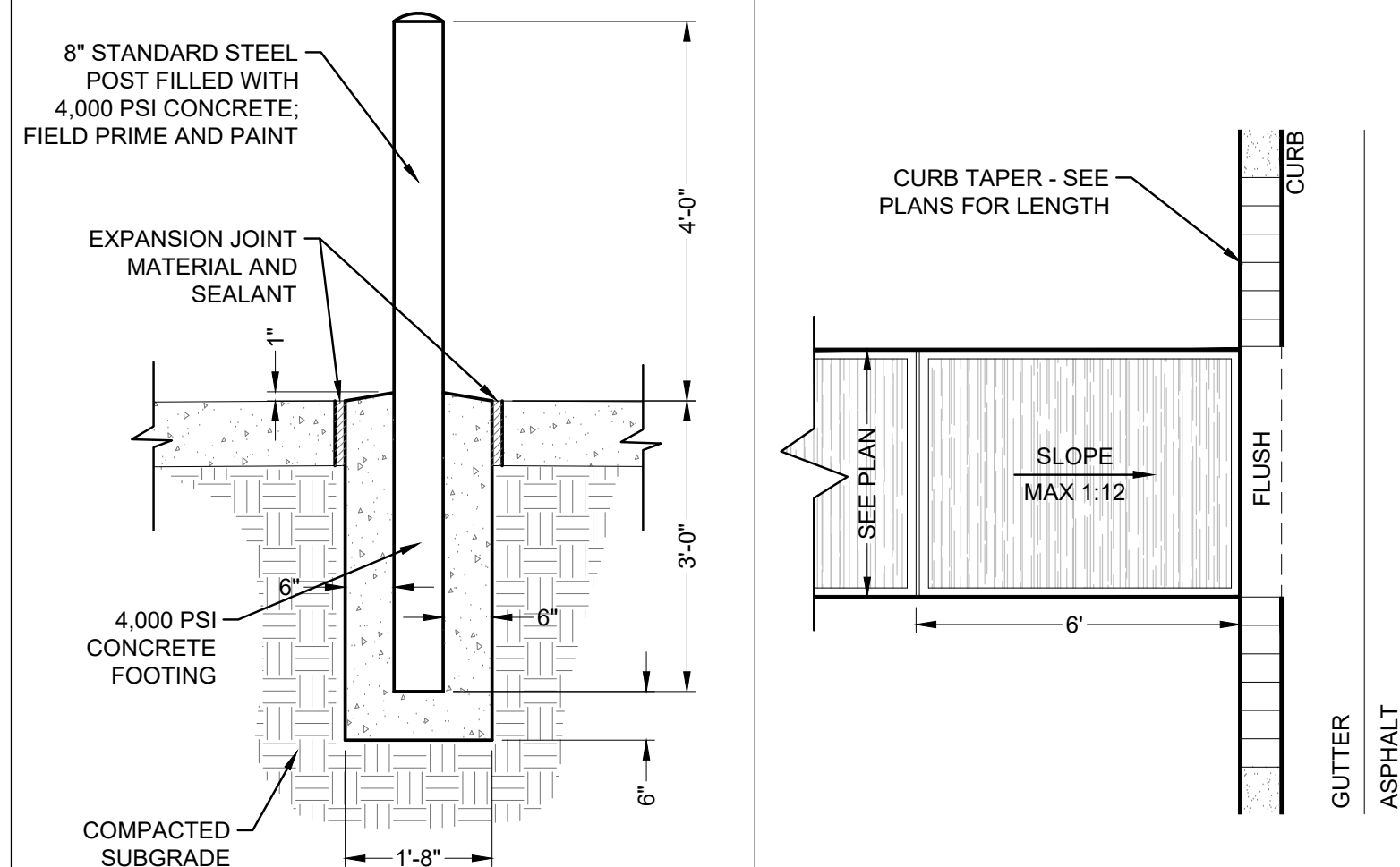
PLANNING ISSUE DATE: 04/13/22
DRAWING NUMBER:

C400

PACKET
Page 7 of 7
May 16, 2022



1. ALL TREES AND SHRUBS TO BE PROTECTED AND PRESERVED SHALL BE PER DETAIL.
2. TREES AND SHRUBS TO BE PROTECTED AND PRESERVED SHALL BE IDENTIFIED ON THE TRUNK WITH WHITE SURFACING TAPE.
3. ANY EXISTING ROOT SMOOTHED OR CUT BY SOIL ROCKPILES, SUPPLIES, EQUIPMENT OR ANY OTHER MATERIAL SHALL NOT BE PLACED OR STORED WITHIN THE DRIP LINE OR WITHIN 15' OF A TREE OR SHRUB TRUNK, WHICHEVER IS GREATER
4. ANY ROOT AND SHRUB ROOTS SHALL NOT BE CUT UNLESS CUTTING IS UNAVOIDABLE
5. TRENCHES SHALL BE HAND DUG WITHIN THE DRIP LINE IN AREAS WHERE ROOTS TWO INCHES IN DIAMETER AND GREATER ARE PRESENT, OR WHEN IN CLOSE PROXIMITY TO LOW BRANCHING TREES. WHENEVER POSSIBLE, TRENCHES SHALL BE NO MORE THAN 12 INCHES DEEP, AND SHALL BE OPEN OR BORED UNDER AND SHALL BE COVERED TO PREVENT DEHYDRATION.
6. WHEN ROOT CUTTING IS UNAVOIDABLE, A CLEAN SHARP CUT SHALL BE MADE TO AVOID SHREDDING OR SMASHING. ROOT CUTS SHOULD BE MADE BY A 45° LATERAL CUT. WHENEVER POSSIBLE, ROOTS SHOULD BE CUT BETWEEN LATE FALL AND BUD OPENING, WHEN ROOT ENERGY SUPPLIES ARE HIGH AND CONDITIONS ARE LEAST FAVORABLE FOR DISEASE CAUSING AGENTS. EXPOSED ROOTS SHALL BE COVERED WITH SOIL OR BURLAP TO PREVENT DEHYDRATION. ROOTS SHALL BE COVERED WITH OIL OR BURLAP AND KEPT MOIST.
7. WATERING OF PROTECTED TREES IN WHICH ROOTS WERE CUT SHALL BE PROVIDED BY THE CONTRACTOR.
8. AUGER TUNNELING RATHER THAN TRENCHING SHOULD BE USED FOR UTILITY PLACEMENT WITHIN THE DRIP LINE.
9. FENCING MATERIAL, SUCH AS CORNCLARE ANY TREE OR SHRUB WHOSE OUTER DRIP LINE EDGE IS WITHIN 20 FEET OF ANY CONSTRUCTION ACTIVITIES, FENCING MATERIAL SHALL BE BRIGHT, CONTRASTING COLOR, DURABLE AND A MINIMUM OF FOUR FEET IN HEIGHT.
10. FENCING MATERIAL SHALL BE PLACED AT THE DRIP LINE OR 15 FEET FROM TREE TRUNK, WHICHEVER IS GREATER, AND MAINTAINED IN AN UPRIGHT POSITION THROUGHOUT THE DURATION OF CONSTRUCTION ACTIVITIES.
11. ANY GRADE CHANGES (SUCH AS THE REMOVAL OF TOPSOIL, OR ADDITION OF FILL MATERIAL) WITHIN THE DRIP LINE SHOULD BE AVOIDED FOR ALL TREES. TREES TO BE REMOVED SHALL BE MAINTAINED UNTIL THEY ARE ACCEPTABLE ALLY WHEN CONSTRUCTED PRIOR TO GRADE CHANGE.

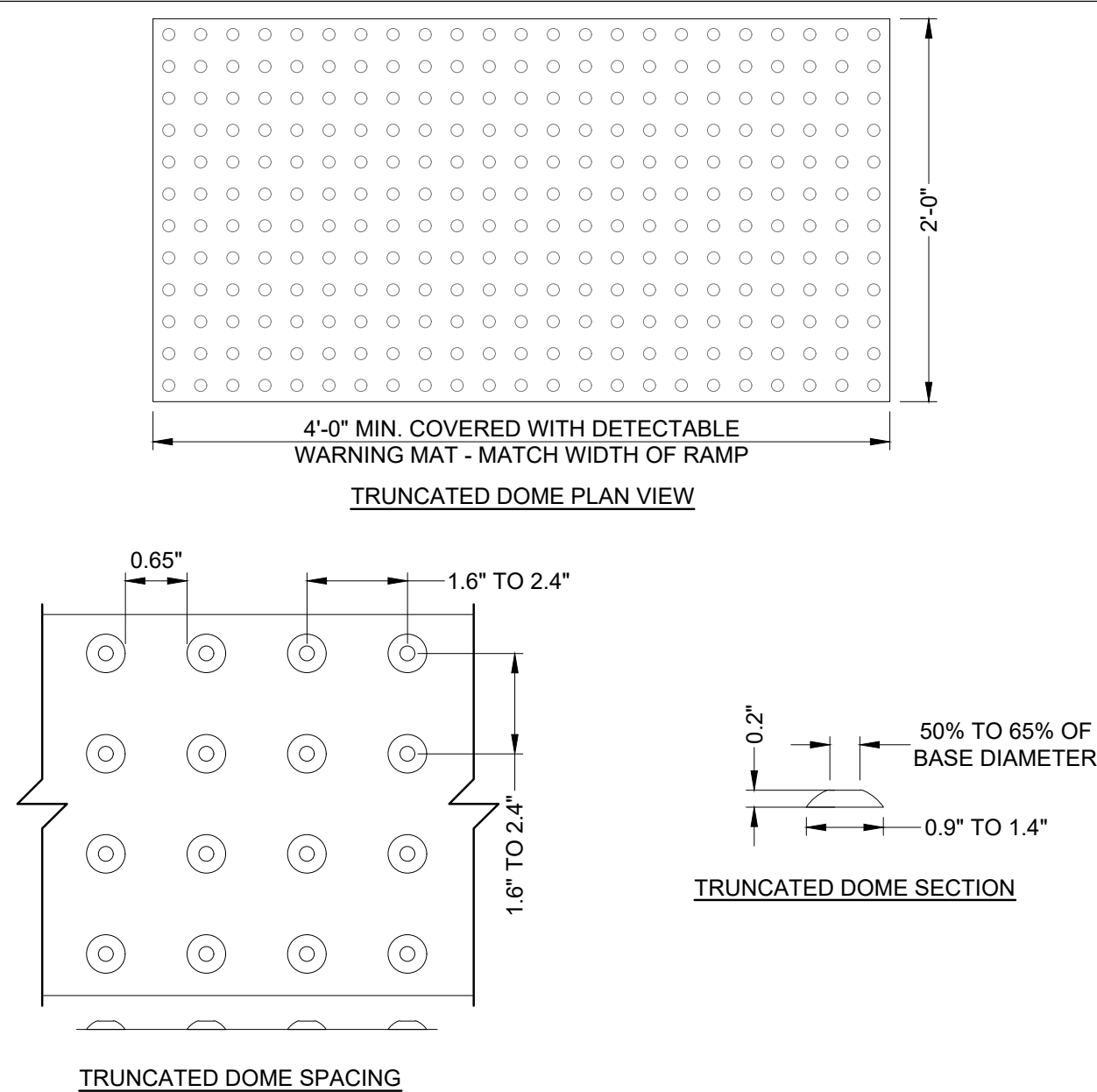


NOTE: CURB TAPER TO BE PAINTED YELLOW

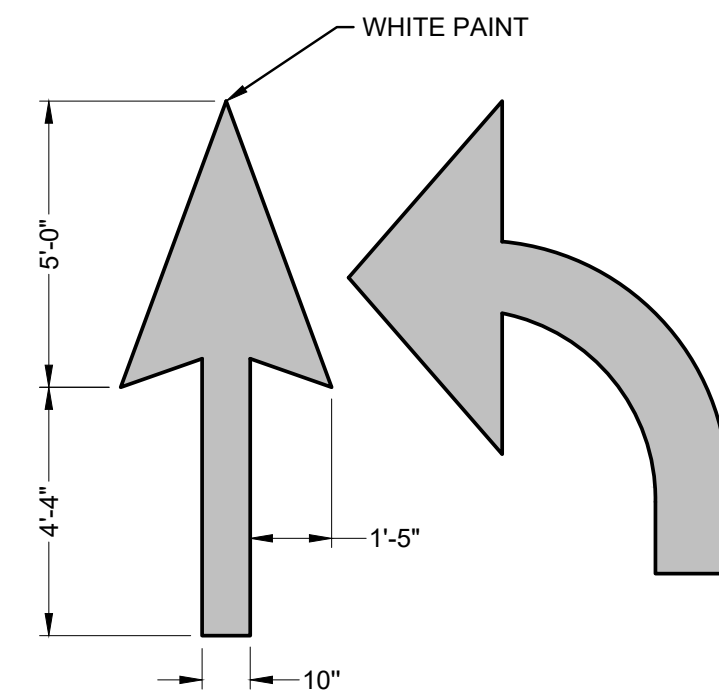
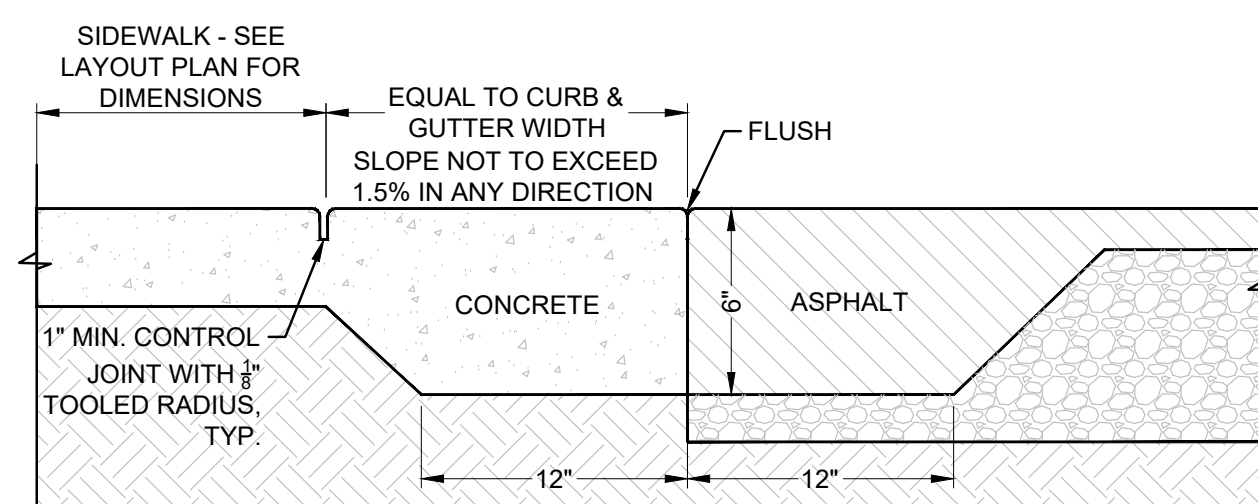
11 TREE PROTECTION BARRICADE
NOT TO SCALE

- 9 SIDEWALK RAMP
NOT TO SCALE

- A. ALL DETECTABLE WARNING DEVICES USED IN NEW CONSTRUCTION SHALL BE OF A RIGID PRECAST OR EMBEDDED PRODUCT APPROVED BY THE DESIGNER OF RECORD. RETRO FIT MATS WILL ONLY BE ALLOWED ON EXISTING RAMPS WITH PRIOR APPROVAL OF THE CITY ENGINEER FOR MATERIAL TYPE AND INSTALLATION (I.E. RESURFACING).
- B. RAMP AND DETECTABLE WARNING AREA SHALL BE A MIN. OF 4'-0" IN WIDTH, BUT NOT LESS THAN THE WIDTH OF SIDEWALK LEADING TO BACK OF RAMP.
- C. DETECTABLE WARNING SURFACES SHALL EXTEND 2'-0" MIN. IN THE DIRECTION OF PEDESTRIAN TRAVEL.
- D. DETECTABLE WARNING AREA CAN BE PLACED SQUARE WHERE USED IN A CURB RADIUS.
- E. THE ROWS OF TRUNCATED DOMES IN DETECTABLE WARNING SURFACES SHOULD BE ALIGNED PERPENDICULAR TO THE GRADE BREAK BETWEEN THE RAMP RUN AND THE STREET. WHERE DETECTABLE WARNING SURFACES ARE PROVIDED ON A SURFACE WITH A SLOPE THAT IS LESS THAN 5%, DOME ORIENTATION IS LESS CRITICAL.
- F. DETECTABLE WARNING AREA SHALL CONTRAST VISUALLY WITH ADJACENT GUTTER, STREET OR HIGHWAY, OR PEDESTRIAN ACCESS ROUTE SURFACE, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT.
- G. IF PAVERS ARE TO BE USED, PAVERS SHOULD BE MINIMUM 8000 PSI CONCRETE WITH A 2" MIN. THICKNESS, SET ON A THIN-SET MORTAR ON TOP OF 4" THICK 3600 PSI CONCRETE BASE.
- H. MATS ARE TO BE RIGID WITH TURNED-DOWN EDGES EMBEDDED IN CONCRETE TO ELIMINATE TRIP HAZARD.

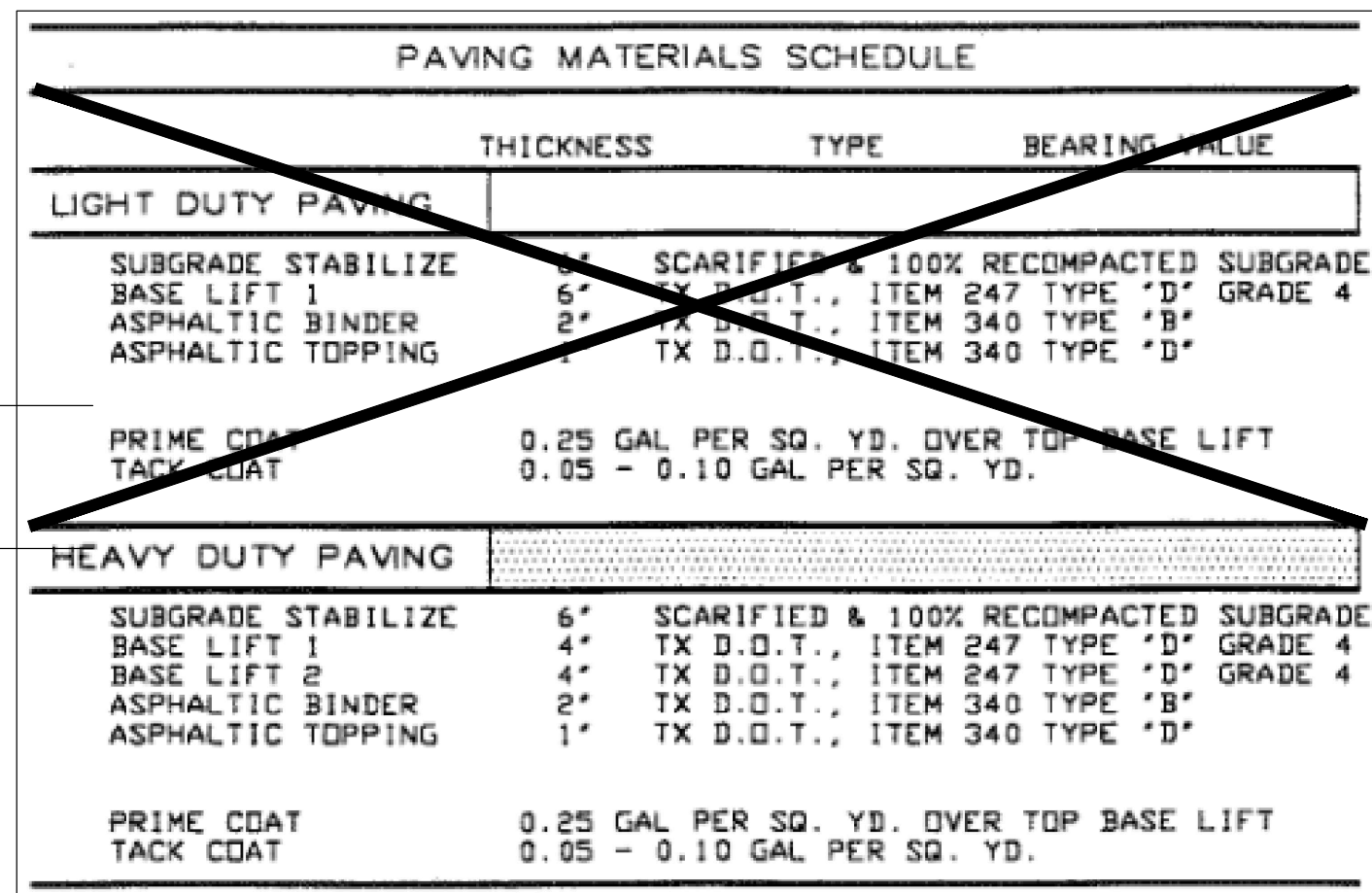


NOTE: ALL NEW CONCRETE SURFACES TO MEET FLUSH WITH ALL NEW AND EXISTING ASPHALT OR CONCRETE SURFACES.



7 ACCESSIBLE FLUSH CURB
NOT TO SCALE

6 PAINTED ARROWS
NOT TO SCALE



A. UNLESS NOTED OTHERWISE, ALL CONCRETE SHALL ATTAIN A MIN. COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS.

B. AGGREGATES SHALL BE NATURAL SAND AND ROCK CONFORMING TO ASTM C33.

C. CEMENT SHALL BE PORTLAND CEMENT CONFORMING TO ASTM C-150, TYPE I OR II, LOW ALKALI OR AS REQUIRED TO SATISFY SITE SOIL CONDITIONS AS DETERMINED BY THE PROJECT SOILS ENGINEER.

D. WATER SHALL BE POTABLE, CLEAN AND FREE FROM INJURIOUS AMOUNTS OF OIL, ACIDS, ALKALIS, SALTS, ORGANIC MATERIALS, OR OTHER SUBSTANCES THAT MAY BE DELETERIOUS TO CONCRETE OR REINFORCEMENT.

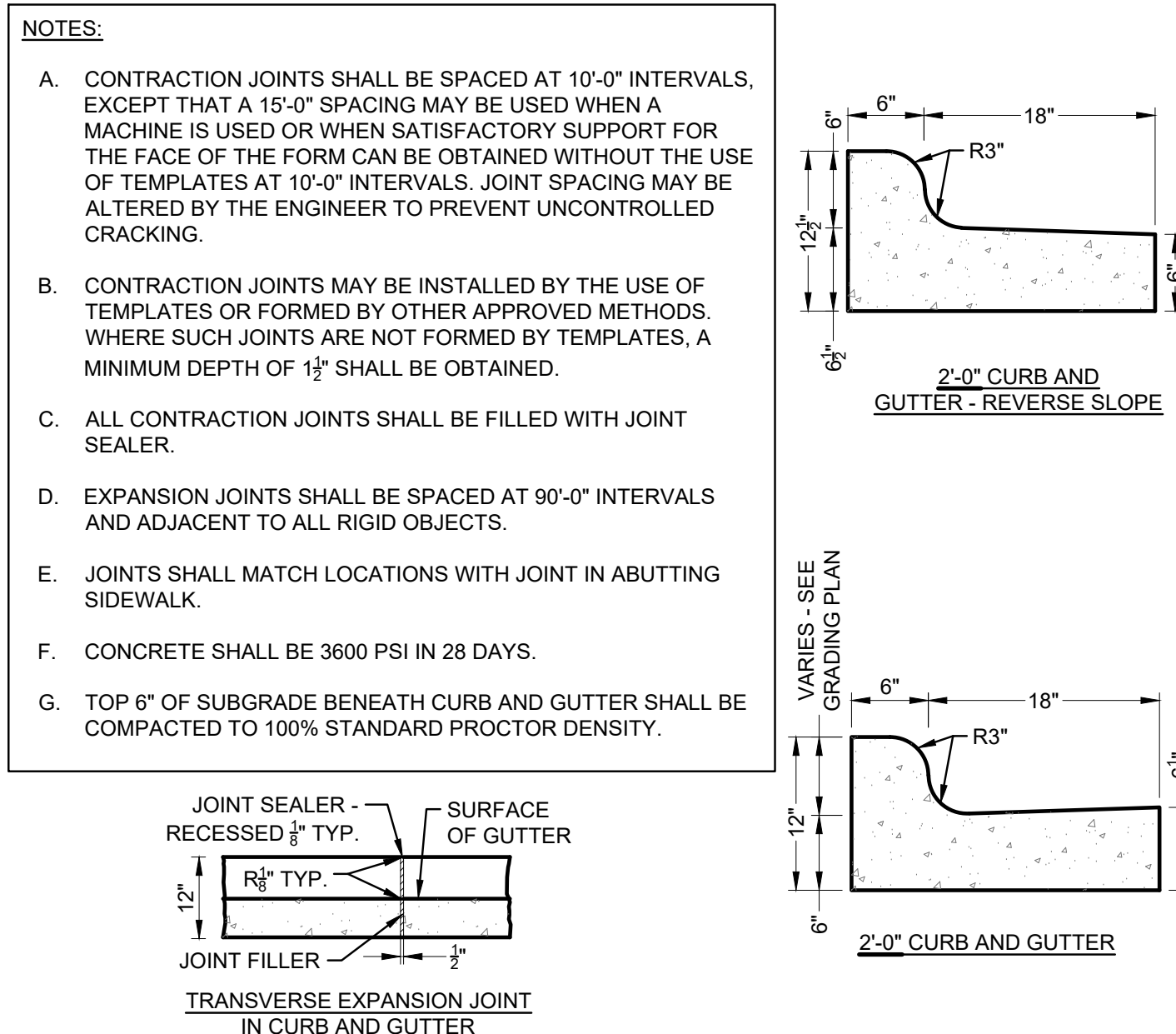
E. ADMIXTURES TO BE USED IN CONCRETE SHALL BE SUBJECT TO PRIOR APPROVAL BY THE ENGINEER.

F. MAX. PERMISSIBLE WATER-CEMENT RATIOS FOR CONCRETE WHEN STRENGTH DATA FROM TRIAL BATCHES ARE NOT AVAILABLE SHALL CONFORM TO TABLE 4.5 OF ACI STANDARD 318-77 OR BASED ON SULFATE CONTENT OF THE SITE SOILS, AS DETERMINED BY THE SOILS ENGINEER. THE LOWER WATER-CEMENT RATIO SHALL GOVERN.

G. CONCRETE SHALL BE CURED WHILE IN A MOIST CONDITION FOR AT LEAST THE FIRST 7 DAYS AFTER PLACEMENT. METHODS FOR ACCELERATED CURING SHALL HAVE PRIOR APPROVAL OF THE ENGINEER.

H. THE FOLLOWING MINIMUM CLEAR DISTANCES BETWEEN REINFORCING STEEL AND FACE OF CONCRETE SHALL BE MAINTAINED UNLESS NOTED OTHERWISE:

SLABS ON GRADE.....	CENTER OF SLAB
CONCRETE BELOW GRADE, FORMED.....	2"
CONCRETE BELOW GRADE, UNFORMED (POURED AGAINST EARTH).....	3"
CONCRETE EXPOSED TO WEATHER.....	1-1/2"



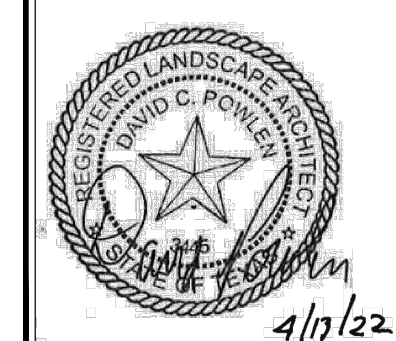
3 ASPHALT PAVEMENT
NOT TO SCALE

2 CONCRETE NOTES
NOT TO SCALE

1 CURB AND GUTTER

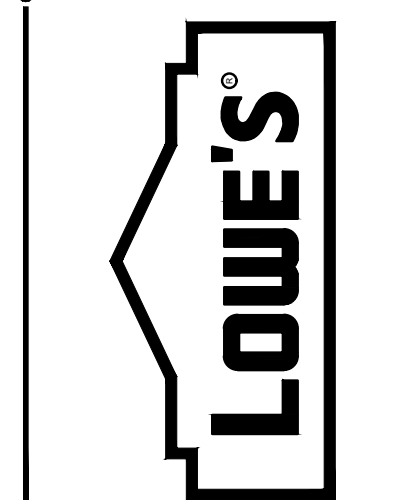
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SITE DETAILS

LOWE'S #0063 - MIDLAND
3315 N. LOOP 250 W
MIDLAND, TEXAS 79707

PROJECT No: 121.17282.00	DRAWN BY:	CHECKED BY:
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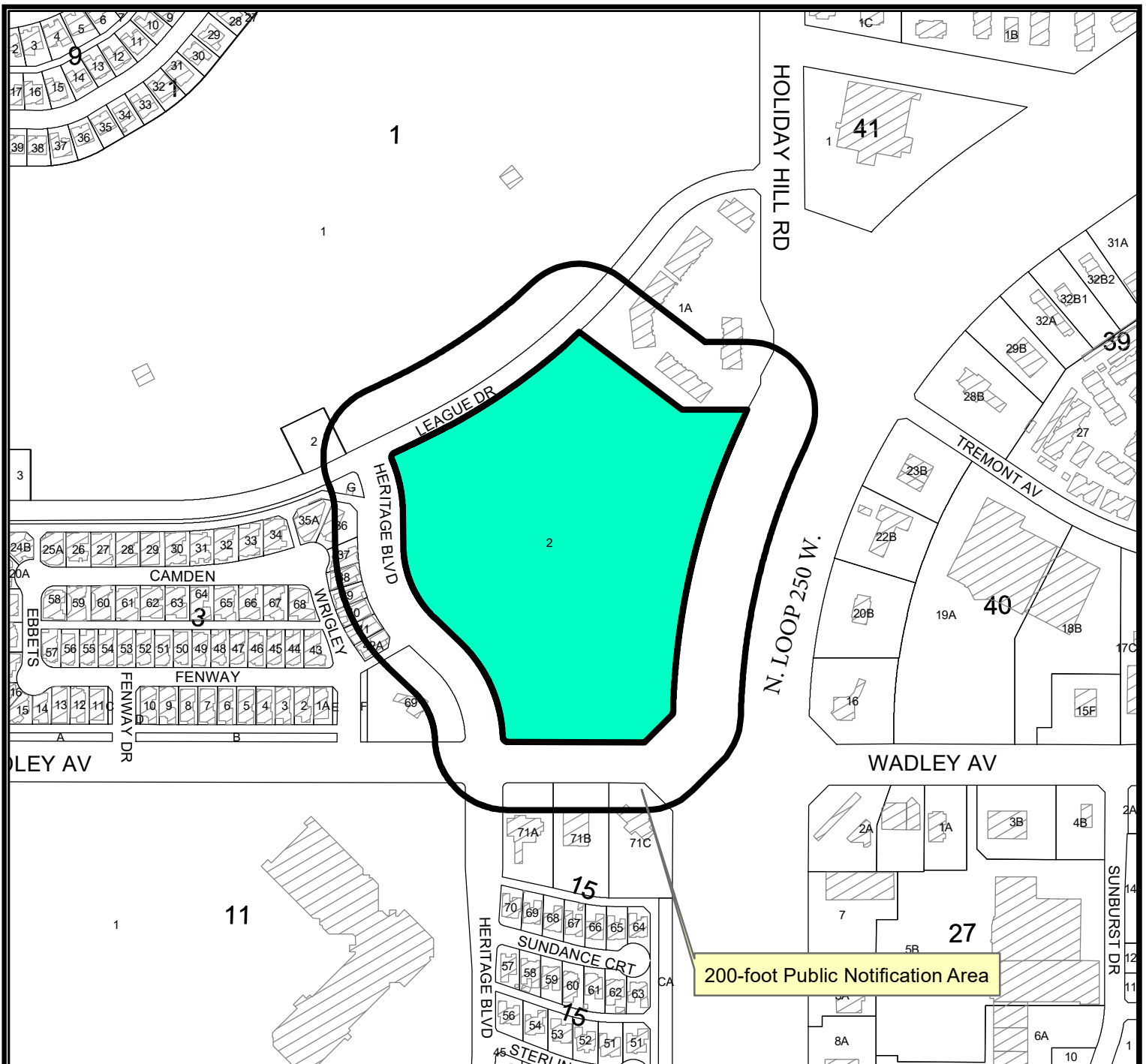
FOR REVIEW

PLANNING ISSUE DATE:	04/13/22
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DATE: _____
DRAWING NUMBER: _____

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PACKET
Page 7.66
May 16, 2022



LOCATION MAP

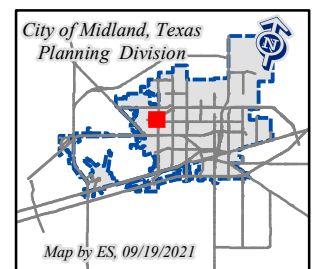
SUD-22-0126

Scale: 1" = 200'

Request by David Powlen, for a Zone Change From a PD, Planned Development District for a Shopping Center to an Amended PD, Planned Development District for a Shopping Center on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland Texas. Generally located on the northwest corner fo the intersection of N. Loop 250 W. and Wadley Avenue- (Council District 4)

LEGEND

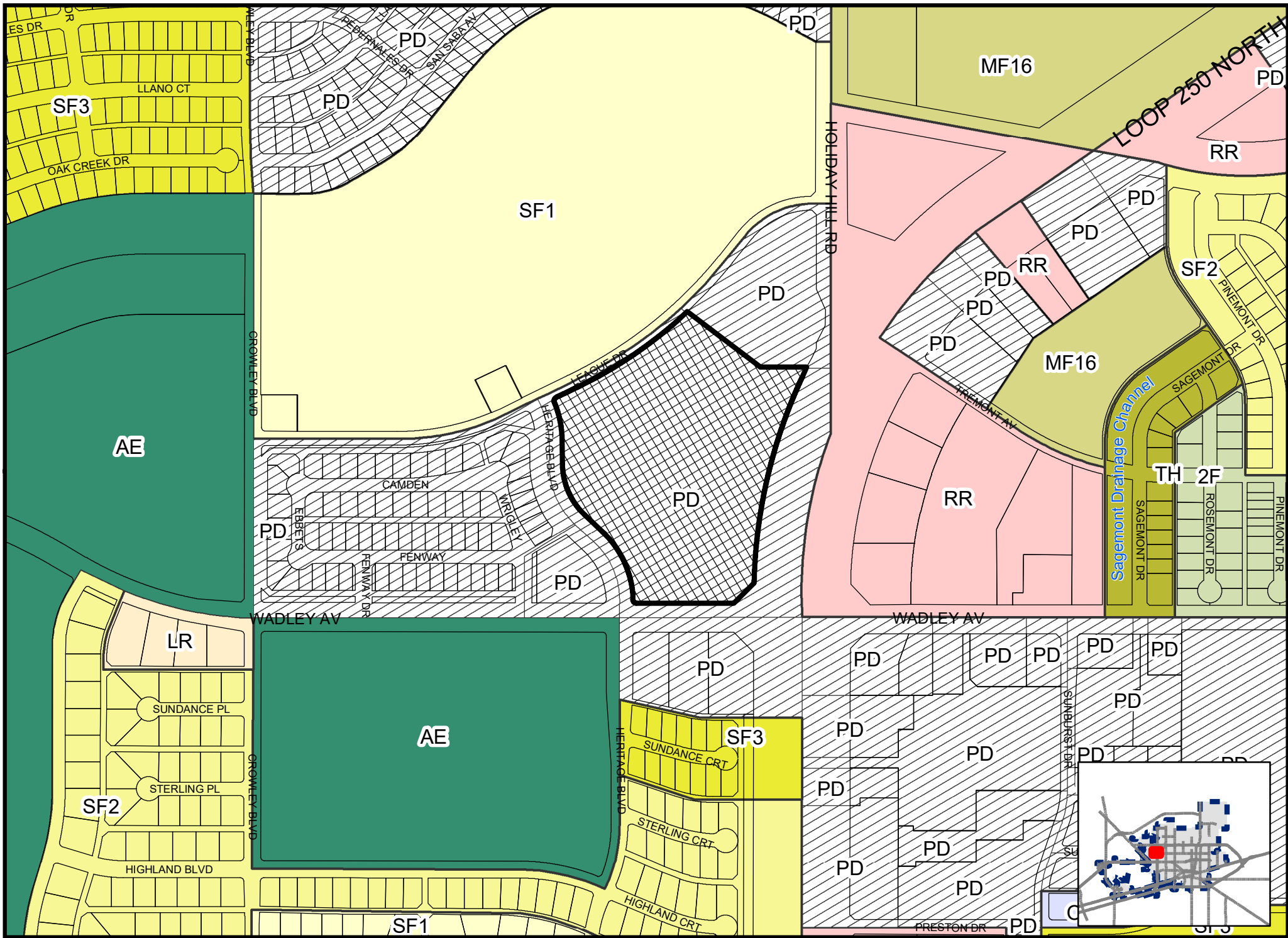
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ORDINANCE NO. 9333

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 2, BLOCK 2, GRANDRIDGE PARK ADDITION, SECTION 1, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS AN AMENDED PLANNED DISTRICT (GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF NORTH LOOP 250 WEST AND WEST WADLEY AVENUE); PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter and the State law with reference to the creation of "Planned Districts" under the zoning ordinance regulations and zoning map, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by the creation of an Amended Planned District, set out hereinafter and subject to the conditions and restrictions set out hereinafter;

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned PD, Planned District for a Shopping Center, and it shall be used as an Amended Planned District, subject to the special conditions and restrictions hereinafter set out, said property being described as follows:

Case Number:

Z-14-042

CITY OF MIDLAND
Planning Division

APPLICATION TO AMEND A PLANNED DISTRICT

Applicant: LOWE'S HOME CENTERS, LLC

Address: 3315 N LOOP 250 W

Street Address

MIDLAND

TX

City

State

79707

(Phone/e-mail)

Zip Code

Property Owner: LOWE'S HOME CENTERS, LLC

Address: 1605 CURTIS BRIDGE ROAD

Street Address

WILKESBORO, NC

City

State

28697

(Phone/e-mail)

Zip Code

Street address and Legal Description of Planned District (complete Lot, Block, and Subdivision Name description below, or, if not in a recorded plat, attach a sealed Metes and Bounds Description:

LOT 2, BLOCK 2 GRANDRIDGE PARK ADDITION SECTION 1

Current PD Classification: PLANNED DISTRICT FOR A SHOPPING CENTER

Requested PD Classification:

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

Reason for amendment request: TO ALLOW STORAGE OF PRODUCT IN STRATEGIC LOCATIONS AROUND THE BUILDING

Describe how conditions affecting the property have changed since it was designated its present zone: ENTRANCE VESTIBULES WERE ADDED IN APRIL 2001
GARDEN CENTER WAS EXPANDED IN SEPTEMBER 2009

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

FEES:

Single, Planned District amendment: \$550. Multiple, PD proposal: add \$75 per district.

SUBMITTALS:

16 copies of the PD site plan (FOLDED): ✓

Site Plan in digital format .pdf and .jpg: ✓

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

Property Owner (signature): [Signature] Date: 8/14/2014

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

STATE of TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared

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

Authorized Agent (signature)

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

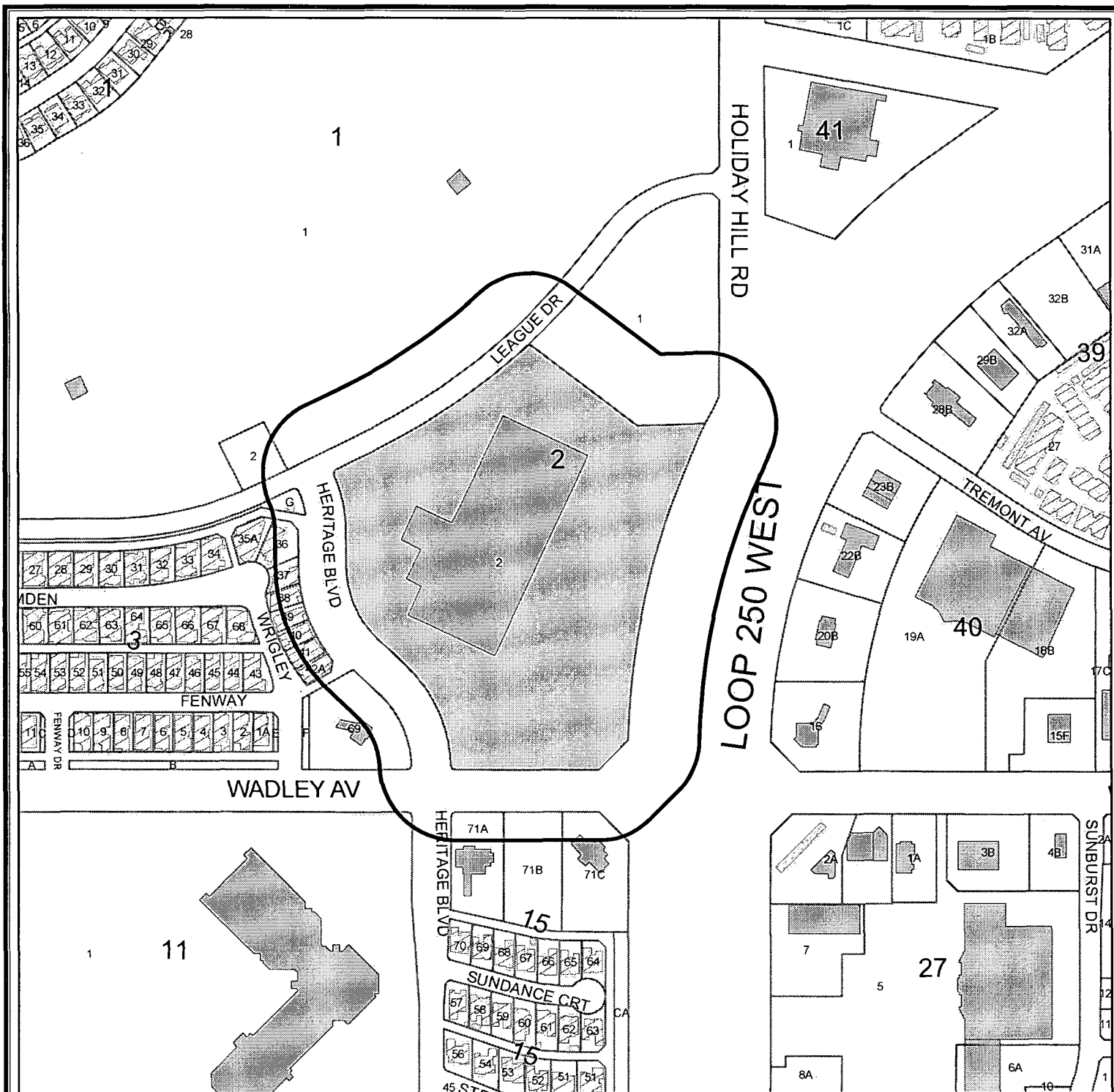
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
Rec'd By: <u>✓</u>	Date: <u>8/15/14</u>
Assigned: <u>KC</u>	
For: <u>P+2</u>	On: <u>9/15/14</u>

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

Amended PD App-2011.doc

Revised 5/2/11



LOCATION MAP

Z - 14 - 042

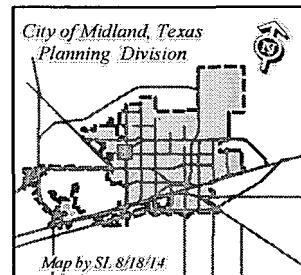
Scale: 1" = 400'

Consider a request for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District for a Shopping Center, on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas.

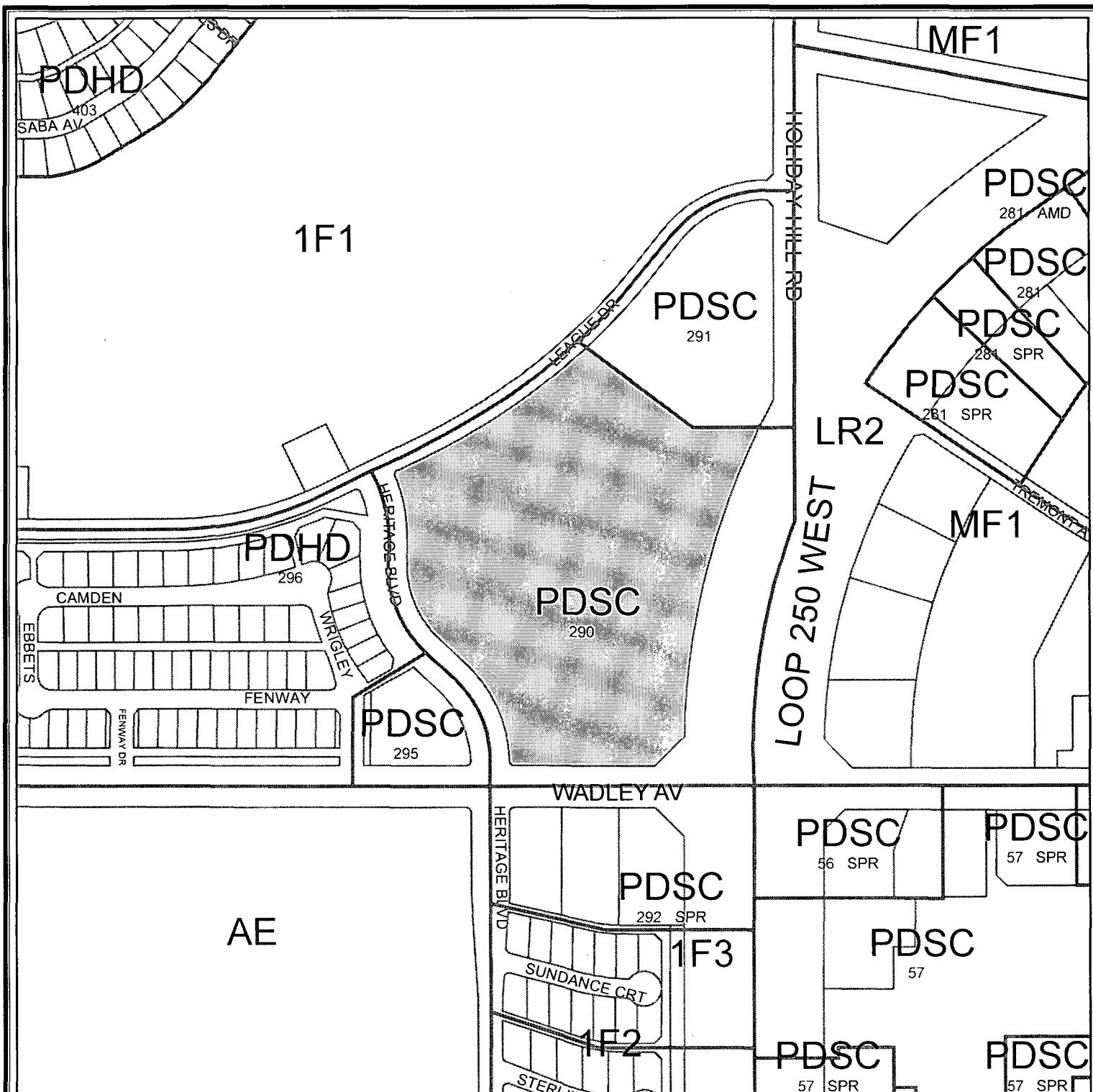
Generally located northwest of the intersection of W. Loop 250 West and W. Wadley Avenue.
(Council-District-4)

LEGEND

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



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ZONING MAP

Map by SL 8/18/14

Z - 14 - 042

Scale: 1" = 400'

Consider a request for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District for a Shopping Center, on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas.

Generally located northwest of the intersection of W. Loop 250 West and W. Wadley Avenue.
(Council-District-4)

LEGEND



ZONING

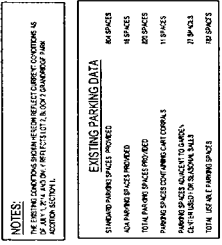


PARCELS

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, 02	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2, LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP, JP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

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Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas.

SECTION TWO. That said property shall be subject to the following special conditions and restrictions:

1. That City of Midland Ordinance No. 7463 shall remain in full force and effect except as otherwise stated below.
2. That the use and development of this property shall conform to the regulations of the LR-2, Local Retail District, except as otherwise stated below.
3. That the development shall significantly conform to the conditions shown on Exhibits "A" and "B", which are attached hereto and incorporated herein.
4. That a 26 foot fire lane shall be striped in the outdoor storage area and kept clear at all times.
5. That the gates to the outdoor storage area shall have emergency overrides for emergency services.
6. That the covered outdoor storage area shall be fire sprinkled.

SECTION THREE. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

SECTION FOUR. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FIVE. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SIX. The penalty for violation of this ordinance shall be in accordance

with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars (\$2,000.00).

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 7th day of October, A.D., 2014; and passed to second reading on motion of Council member Lacy, seconded by Council member Hotchkiss, by the following vote:

Council members voting "AYE": Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett

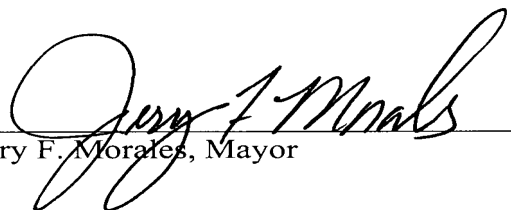
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Lacy, seconded by Council member Sparks, on the 21st day of October, A.D., 2014, at a regular meeting of the City Council:

Council members voting "AYE": Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett

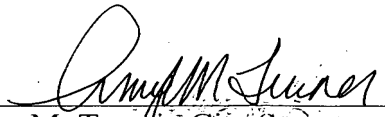
Council members voting "NAY": None

PASSED AND APPROVED THIS 21st day of October, A.D., 2014.



Jerry F. Morales, Mayor

ATTEST:



Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



Keith Stretcher, City Attorney



City Council Agenda

Approved for Agenda:
FSalvato
 City Manager's Office

MEETING DATE: October 21, 2014

TO: CITY COUNCIL/CITY MANAGER

FROM: Robert Baronti, Jr., AICP, Planning Division Manager

SUBJECT: Consider an ordinance on second reading on a request by Lowe's Home Centers, LLC for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas. (Generally located northwest of the intersection of N. Loop 250 West and W. Wadley Avenue) – District 4.

Purpose:

Consider an ordinance on second reading on a request by Lowe's Home Centers, LLC for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Direction/Informational

Fiscal Impact:

There is no cost to the City to process this application.

Discussion:

The property is currently zoned PD, Planned District for a Shopping Center. The Lowe's at this location has a need for additional outdoor storage and as such has chosen to pursue changing their site plan in order to incorporate a large screened outside storage area at the back of the property. A small screened storage area will be added to the front of the property as well. The fence is proposed to be 15 feet in height. A gate with overrides for Emergency Services will be provided at both ends, and a 26 foot striped fire lane will be provided and kept clear at all times. No product storage will be permitted to be visible above the fence. The proposed covered area will also need to be fire sprinkled. City Council approved this request on first reading on October 7, 2014. This ordinance is now ready to be considered for second and final reading.

PLANNING AND ZONING COMMISSION

September 15, 2014

CASE: Z-14-042, Lowe's Home Centers, LLC

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

APPLICANT/OWNER: Lowe's Home Centers, LLC

LEGAL DESCRIPTION: Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas.

LOCATION: Generally located northwest of the intersection of W. Loop 250 West and W. Wadley Avenue.

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

DETAILS OF REQUEST:

1. The property is currently zoned PD, Planned District for a Shopping Center. The Lowe's at this location has a need for additional outdoor storage and as such has chosen to pursue changing their site plan in order to incorporate a large screened outside storage area at the back of the property. A small screened storage area will be added to the front of the property as well.

SURROUNDING ZONING AND LAND USE:

2. This property is located northwest of the intersection of W. Wadley Avenue and N. Loop 250 West. The property is bounded on the west by a PD, Planned District for a Housing Development. To the south is a PD, Planned District for a Shopping Center. To the northwest is a 1F-1, One-Family Dwelling District that is a park. To the north is a PDSC that will be a shopping center.

ANALYSIS:

3. The applicant's proposed site plan adds a large outdoor storage area behind a screening fence to the rear of the property. Exhibit A shows the proposed site plan as well as the elevation for the screening fence. The fence will be 15 feet in height. A gate with overrides for Emergency Services will be provided at both ends, and a 26 foot striped fire lane will be provided and kept clear at all times. No product storage will be permitted to be visible above the fence. Exhibit B shows the front elevation of the building including the screened area for storage on the front of the building. The proposed covered area will also need to be fire sprinkled. Exhibit C shows the current conditions for reference.

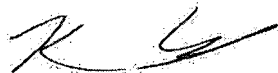
STAFF RECOMMENDATION:

Staff recommends approval of this request for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District subject to the following conditions:

- A. That ordinance 7463 will remain in effect except for the conditions stated below.
- B. That the use and development of this property shall conform to the regulations of the LR-2, Local Retail District, except as stated below:
- C. That the development shall significantly conform to the attached Exhibits A and B.
- D. That a 26 foot Fire Lane shall be striped in the proposed outdoor storage area and kept clear at all times
- E. That the gates to the outdoor storage area shall have emergency overrides (Knox Box) for Emergency Services.
- F. That the proposed covered outdoor storage area shall be Fire Sprinkled.



Robert Baronti, Jr., AICP
Planning Division Manager
Department of Development Services



Kevin Crosby, Senior Planner
Department of Development Services

Attachments:

Application
Maps
Exhibits A – B
Illustrative Exhibit C



Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: May 16, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Paul Rodriguez, Planner

SUBJECT: Consider a request by Frank Mendoza for a zone change from SF-1, Single-Family Dwelling District to BP, Business Park District on a 3.570 -acres tract of land out of Section 9, Block 39, T-2-S, RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 110, approximately 150-ft east of South County Road 1205 - District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 Approve X Deny Directional/Informational

Purpose:

The applicant, Frank Mendoza, is requesting to rezone the property located at 2605 West County Road 110 to allow for the development of a truck yard and a facility.

Current Zoning:

SF-1, Single Family Dwelling District

Surrounding Zoning and Land Use:

The properties to the north are zoned BP, Business Park District and are the locations of Highway I-20 and vacant land. The properties to the east are zoned, SF-1, Single-Family Dwelling District, and are the locations of single-family dwellings. The properties to the south are in the ETJ, Extraterritorial Jurisdiction, and the location of commercial businesses. The properties to the west are zoned SF-1, Single-Family Dwelling District, and are the locations of a commercial business.

Analysis:

The property located at 2605 West County Road is currently in the process of replating a lot into two. One lot will keep an existing house that is on the lot, while the other parcel

will become a vacant lot. The applicant is requesting a zone change from SF-1, Single-Family Dwelling District to BP, Business Park District for the purposes creating a truck yard and facility. While the property meets the minimum lot requirements in the BP, Business Park District, it is inconsistent with the character of the area. The majority of the existing homes around the area are single-family homes. In addition, the surrounding area is zoned SF-1. Single Family Dwelling District which does not allow vacant land to be developed as commercial or industrial uses. Due to the established neighborhood if this zone change is allowed it would be considered spot zoning.

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

Departmental Review:

Fire: (Approved)

No objections.

Building: (Approved)

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

Engineering: (Approved)

No objections to zone change. [For 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.]

Oil & Gas Review: (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 of plat, this could prevent receiving city permits for structures. Any plugged and abandoned well would need to be identified.

GIS: (Approved)

No comments.

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: (Denied)

The proposed development falls under a mix of circumstances surrounding the comprehensive plan. In some regards, the proposed development will propagate the goals and ideas of the plan, but in others, it stands in stark opposition. This request is a mixed bag when it comes to compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision.

The Tall City of Tomorrow Comprehensive Plan, Chapter 3, An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the 'Southside'. In where it is defined as a scattered development area that represents a mixture of residential and light industrial. Its goal is to represent a well-established long-term plan, minimum building standards that assist improving life safety in the area and create a more consistent land use pattern. This development will not be consistent to the established neighborhood pattern.

This proposed development fits with the Tall City Tomorrow Comprehensive Plan, Chapter 3, An Integrated Land Use Vision, Future Land Use Map as this area calls for Business Park I-20. This designation calls for development area along the I-20 corridor where special consideration should be given to the image travelers have as they pass through Midland. This area would include sites suitable for industrial and business development adjacent to railroad and interstate access, important to the economic development of the region. However, by allowing this proposed development of a Truck Yard and Facility, it would represent a misfit of its already existing housing development and it would not represent that holistic development that incorporates retail and office uses that our travelers on I-20 would be able to benefit from.

Therefore, staff recommends denial of this zone change from SF-1, Single-Family Dwelling District to BP, Business Park District, however if approved; staff recommends that it should be subject to condition A.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the BP, Business Park District.**

Letters of Objection:

Staff has received (1) letter of objection as of May 13, 2022.

Attachments:

Application

Maps
Plat



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

Project Number: 2-22-0292
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Frank H Mendoza		Phone () Email	
Address 4606 W Illinois Ave	City Midland	State TX	Zip 79703

Property Owner Printed Name: see applicant		Phone () Email	
Address	City	State	Zip

Representative (if different from Applicant or Property Owner) Firm: <u>Maverick Engineering</u> Printed Name: <u>Paladin Huckaba</u>		Phone (432) 262.0999 Email <u>phuckaba@maverick-eng.com</u>	
Address 1909 W wall st ste k	City midland	State tx	Zip 79701

Street Address: 2605 W CR 110

Legal Description

Lot: 2 Block: 1 Subdivision: (Proposed) Stallion Park Addition

Current Zoning: SF1	Proposed Zone: BP (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>Change zoning to conform with adjacent BP zoning and proposed use for a trucking yard.</u>	

Present Use of Property: Vacant

Proposed Use of Property: Trucking yard and facility

How would this zone change affect the public health, safety and welfare? Advance development of currently vacant property within the City of Midland

Describe how conditions affecting the property have changed since present zoning designation: Increased industrial and commercial development adjacent/proximate this location.

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)

RECEIVED
APR 08 2022
BY: CF

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

Applicant (signature): [Signature]

Date: 04/07/22

Applicant (printed): FRANK MENDOZA

Property Owner (signature): [Signature]

Date: 04/07/22

Property Owner (printed): _____

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

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of April, 2022, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

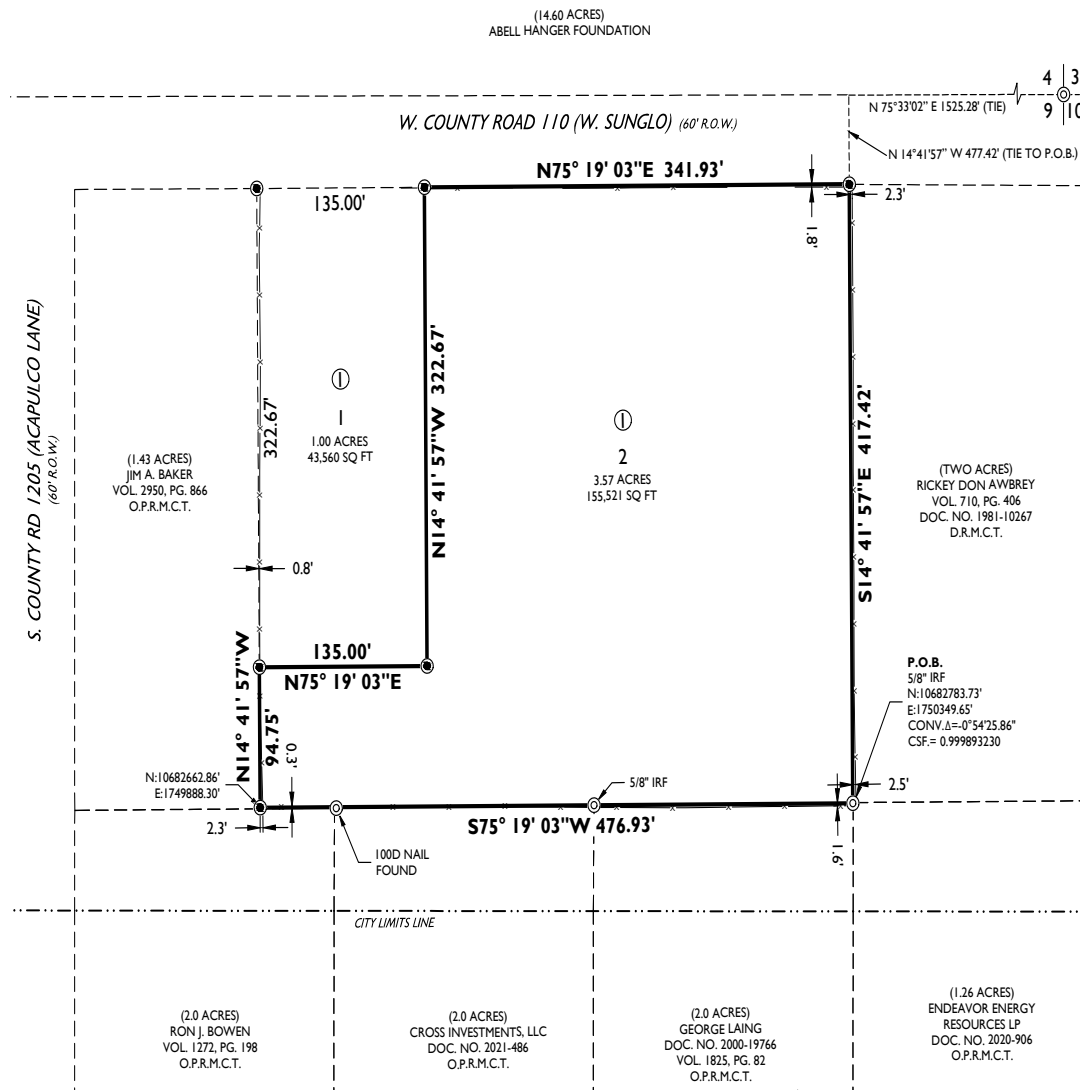
☒ Plans in Digital Format (PDF/JPEG)

Check # 3710

Received By: [Signature]

Date: 4-8-22

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



FIELD NOTE DESCRIPTION OF A 3.57 ACRE TRACT OF LAND, BEING FULLY AND COMPLETELY DESCRIBED AS LOT 2, BLOCK 1, STALLION PARK ADDITION, BEING A PROPOSED SUBDIVISION SITUATED IN SECTION 9, BLOCK 39, TOWNSHIP 2 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, AND BEING PORTIONS OF THE THREE TRACTS OF LAND AS DESCRIBED IN DOCUMENT NUMBER 24248, IN VOLUME 2764 ON PAGE 575, OF THE OFFICIAL PUBLIC RECORDS (OPR) OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N. (y): 10682783.73, E. (x): 1750349.65, A FIVE EIGHTHS INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF A CALLED 2.0 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 19766 IN VOLUME 1825 ON PAGE 82 OF SAID "OPR", FROM WHICH A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" (RPC) FOUND FOR THE NORTHEAST CORNER OF SAID SECTION 9 BEARS N.14°41'57"W., 477.42 FEET AND N.75°33'02"E., 1525.28 FEET AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°19'03"W., ALONG THE NORTH LINE OF SAID CALLED 2.0 ACRE TRACT, AT 208.23 FEET, PASSING A FIVE EIGHTHS INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID CALLED 2.0 ACRE TRACT, AT 415.66 FEET PASSING A CALLED 1000' NAIL FOR THE NORTHWEST CORNER OF A CALLED 2.0 ACRE TRACT DESCRIBED IN DOCUMENT NUMBER 2021-486 OF SAID "OPR", IN ALL 476.93 FEET TO AN "RPC" SET FOR THE SOUTHWEST CORNER OF A CALLED 1.43 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 25331 IN VOLUME 2950 ON PAGE 866, OF SAID "OPR" FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°41'57"W., ALONG THE EAST LINE OF SAID CALLED 1.43 ACRE TRACT, 94.75 FEET TO AN "RPC" SET FOR THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, THIS SUBDIVISION FOR THE WEST NORTHWEST CORNER HEREOF;

THENCE N.75°19'03"E., ALONG THE SOUTH LINE OF SAID LOT 1, 135.00 FEET TO AN "RPC" SET FOR THE SOUTHEAST CORNER OF SAID LOT 1 AND BEING AN INTERIOR CORNER HEREOF;

THENCE N.14°41'57"W., ALONG THE EAST LINE OF SAID CALLED LOT 1, 322.67 FEET TO AN "RPC" SET IN THE SOUTH RIGHT-OF-WAY LINE OF A CALLED 60 FOOT WIDE STREET (SUNGLO) FOR THE NORTH NORTHWEST CORNER HEREOF;

THENCE N.75°19'03"E., ALONG SAID SOUTH RIGHT-OF-WAY LINE, 341.93 FEET TO AN "RPC" SET FOR THE NORTHWEST CORNER OF A CALLED TWO ACRE TRACT OF LAND, DESCRIBED IN DOCUMENT NUMBER 10267 IN VOLUME 710 ON PAGE 406 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, FOR THE NORTHEAST CORNER HEREOF;

THENCE S.14°41'57"E., ALONG THE WEST LINE OF SAID CALLED TWO ACRE TRACT, 417.42 FEET TO THE POINT OF BEGINNING, CONTAINING 3.57 ACRES OF LAND.

LEGEND

●	DENOTES SET 1/2-INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
⊙	DENOTES FOUND MONUMENT AS NOTED
—	DENOTES BOUNDARY LINE
- - -	DENOTES EXISTING LOTS
- X -	DENOTES EXISTING FENCE
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DEED RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE SURVEY INFORMATION FOUND ON THIS PLAT WAS DERIVED FROM FIELD NOTES AND/OR ELECTRONIC DATA OF AN ACTUAL ON-THE-GROUND SURVEY MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

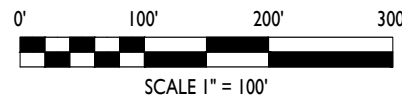
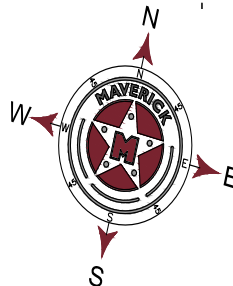
Gregory W. Shoultz
GREGORY W. SHOULTS R.P.L.S.#5356

REVISED: MARCH 29, 2022
FEBRUARY 2, 2022
DATE



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

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



BEARING BASIS

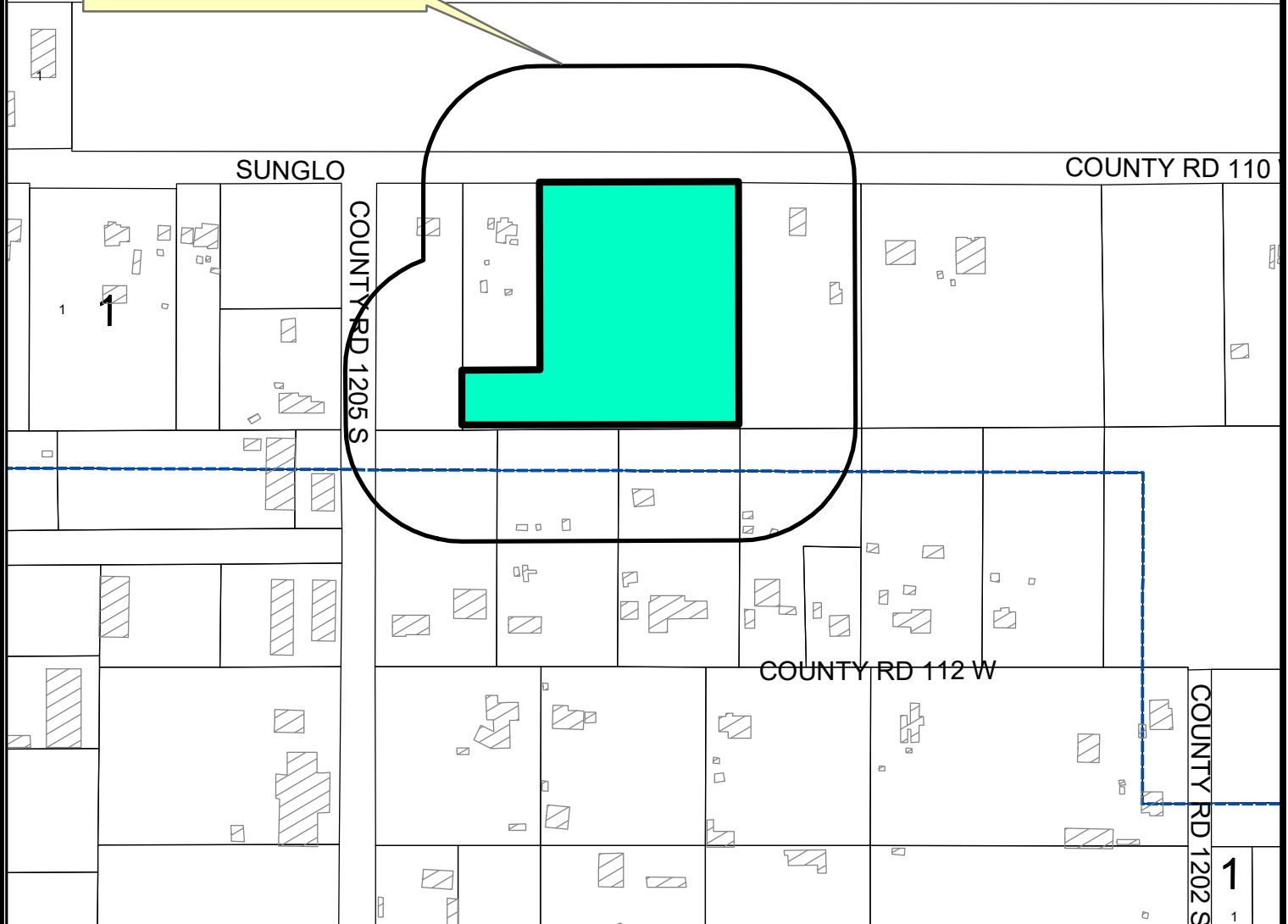
BASIS OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83 WITH A CONVERGENCE ANGLE (theta) OF -0° 54' 25.86" WITH A CSF OF 0.999893230 AT THE POINT OF BEGINNING.

BOUNDARY SURVEY

A 3.57 ACRE TRACT OF LAND, BEING FULLY AND COMPLETELY DESCRIBED AS LOT 2, BLOCK 1, STALLION PARK ADDITION, BEING A PROPOSED SUBDIVISION SITUATED IN SECTION 9, BLOCK 39, TOWNSHIP 2 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

INTERSTATE HWY

200-foot Public Notification Area



LOCATION MAP

Z-22-0292

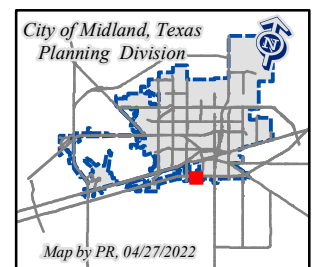
Scale: 1" = 200'

Consider a request by Frank Mendoza for a zone change from SF-1, Single-Family Dwelling District to BP, Business Park District on a 3.570 -acres tract of land out of Section 9, Block 39, T-2-S, RR. Co. Survey, Midland County, Texas.

Generally located on the south side of West County Road 110, approximately 150-ft east of South County Road 1205. (Council District 2)

LEGEND

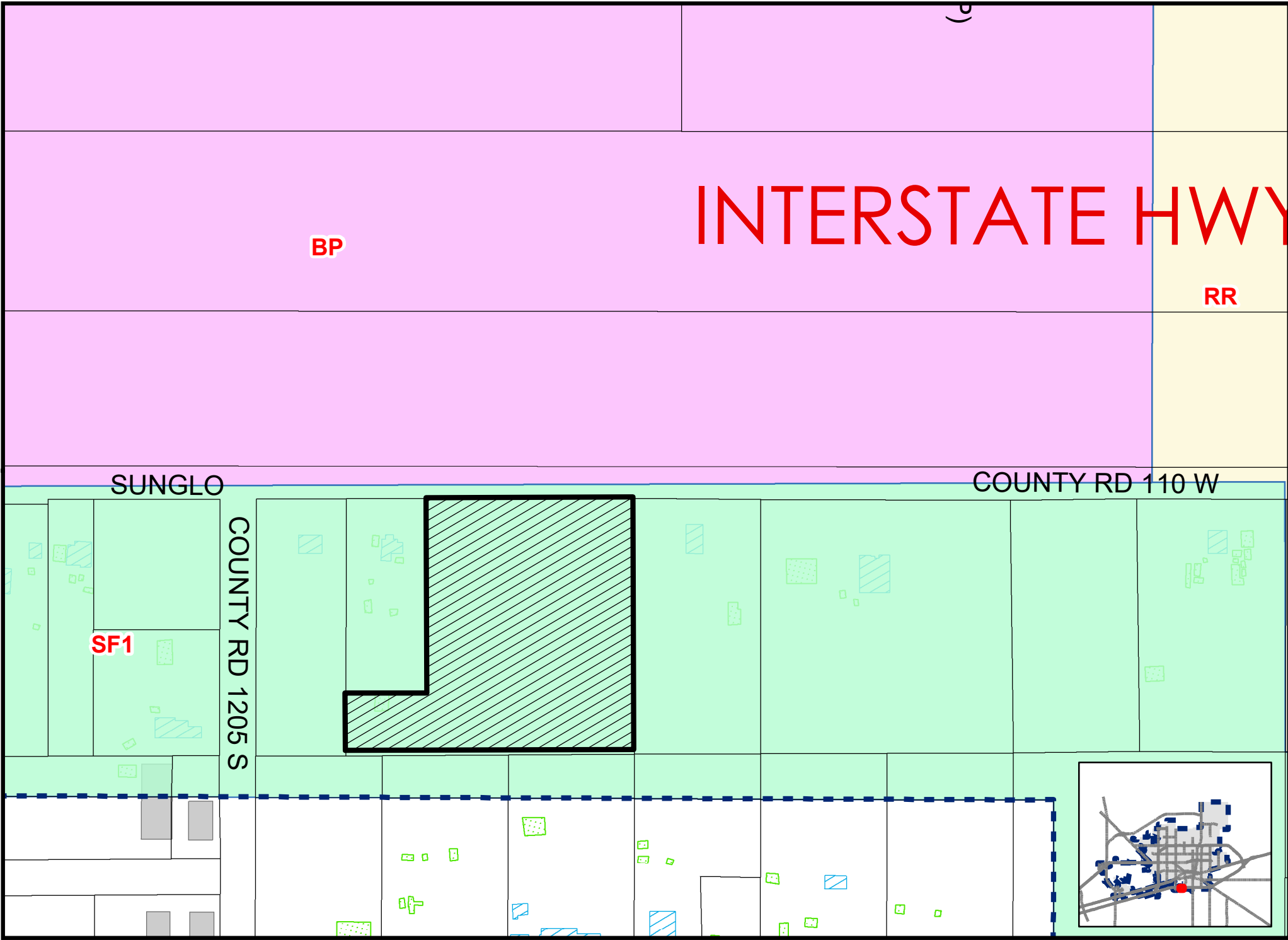
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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













BAKER JIM A
2609 W COUNTY ROAD 110
MIDLAND TX 79706-3701

BY:

RECEIVED
MAY 12 2022

PUBLIC NOTICE

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m.** on **Monday, May 16, 2022**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, Texas 79701 and via videoconference, on a request by **Frank Mendoza** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: A 3.570 -acres tract of land out of Section 9, Block 39, T-2-S, RR. Co. Survey, City and County of Midland, Texas.

LOCATION: Generally located on the south side of W Sunglo, approximately 150-ft east of South County Road 1205. (Council District 2)

PROPOSED ZONING: From: SF-1, Single Family Dwelling District

To: BP, Business Park District

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

I object to this request ☒

Comments:

noise, to many people, dirt

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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

Notices Mailed: 8

Date Mailed: May 6, 2022

Case Number: Z-22-0292

Case Name: 2605 Sunglo Street

PR Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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

Videoconference information will be available by accessing the meeting agenda at <https://www.midlandtexas.gov/967/primegov-meeting>

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: May 16, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of Hawk View Addition, Section 5 being a replat of Lots 18 and 19, Block 1, and Lot 11, Block 2, Hawk View Addition, Lots 29A, 29B, 30, and 31, Block 1, and Lots 1A, 8B, 12A, and 15C, Block 2, Hawk View Addition, Section 4, all out of Midland County, Texas. Generally located on the northwest corner of the intersection of S. County Road 1270 and W. County Road 150 - (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to replat Lots 18 and 19, Block 1, and Lot 11, Block 2, Hawk View Addition, Lots 29A, 29B, 30, and 31, Block 1, and Lots 1A, 8B, 12A, and 15C, Block 2, Hawk View Addition, Section 4, all out of Midland County, Texas for ownership purposes.

Current Zoning:

Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No Comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Property is outside of the designated service areas. Impact fee note not required. [For the Applicant's information only.]

ROW: Refer to Transportation's comments.

PAVING: S C R 1270, W C R 143, and W C R 150 are 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: None existing. Construct water to City standards along entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

SEWER: Construct wastewater distribution line to City standards along entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DRAINAGE: Show compliance with Hawk View Addition, Section 4 Drainage Study, prepared by Maverick Engineering and approved by the City on 08/14/2018. [For the Applicant's information only.]

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

SIDEWALKS: Required at building permit. However, subdivision located in county so request a deferral [For the Applicant's information only.]

DIMENSION: * * *

OTHER:

1. Include in deferral request that public improvements (water, paving & sidewalks) were deferred by Administrative deferral for Hawk View Section 4 on October 2, 2018; and Hawk View Industrial Park received a deferral from Council on June 23, 2015 for

water, wastewater, paving & sidewalk improvements (060-2015).

TRANSPORTATION: (Approved with Conditions)

City GIS shows 85 ft of ROW on CR 1270.

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)

No comments: ETJ.

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

The section containing lots 18, 19, 30, and 31 is 2 feet off from existing survey.

Health: (Approved)

Yes, the health department will review applications from the 27 proposed lots of HAWK VIEW Addition SECTION 6, BEING A REPLAT OF LOTS 18 & 19 BLOCK I AND LOT 11 BLOCK 2 HAWK VIEW ADDITION LOTS 29A 29B 30 31 BLOCK I AND LOTS 1A, 8B, 12A & 15C BLOCK 2 HAWK VIEW ADDITION SECTION 4 ALL OUT OF SECTION 29 BLOCK 40 T-2-S T&P RR CO SURVEY MIDLAND COUNTY TEXAS THE 27 LOTS ARE each lot is 1 acre and above the property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Midland County: (Approved)

Ensure Driveway permits through the county for any tie ins.

PLANNING: (Approved with Conditions)

The legal description should be, "being a replat of Lots 18 and 19, Block 1, and Lot 11, Block 2, Hawk View Addition, Lots 29A, 29B, 30, and 31, Block 1, and Lots 1A, 8B, 12A, and 15C, Block 2, Hawk View Addition, Section 4, all out of Midland County, Texas."
[For Applicant's Information Only]

The point of beginning is off by 2 feet for Lots 18,19,30, and 31. [Midland City Code 11-2-3(D)4]

The plat name should be Hawk View Addition, Section 5. [Midland City Code 11-2-5(A)4]

The plat is over 25 acres; therefore, approval from City Council is required at preliminary. Midland City Code 11-2-3-(D)11(6)

Staff recommends approval of this preliminary plat for Hawk View Addition, Section 5 subject to conditions A through D.

Conditions:

- A. Approval of this preliminary plat is subject to the final plat including a drawing of the boundary description which has been prepared by a registered surveyor and shall bear his seal, signature and date on each sheet and a statement that the boundary description shown thereon accurately describes the survey of the tract boundary conducted by said surveyor. [Midland City Code 11-2-3(D)4.]
- B. Approval of this preliminary plat is subject to the final plat containing the correct subdivision name. [Midland City Code 11-2-5(A)4]
- C. Approval of this preliminary plat is subject to approval by the Council. [Midland City Code 11-2-3(D)11(6)]
- D. Approval of this preliminary plat is subject to the final plat containing the correct ROW width for CR 1270. [Midland City Code 11-2-3(C)2(b)1]

Attachments:

Proposed Preliminary Plat
Maps
Application



Preliminary Plat Application

Project Number: SUB-22-0504
Case Number: P-22-1326

Proposed Subdivision Plat Name: Hawk View Addition, Section 6

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 18 & 19, Block 1 and Lot 11, Block 2, Hawk View Addition, Lots 29A, 29B, 30, 31, Block 1, and Lots 1A, 8B, 12A, and 15C, Block 2 Hawk View Addition, Section 4, All Out of Section 29, Block 40, T-2-S, T&P, RR. Co. Survey, Midland County, Texas

Property Owner
Printed Name: Hawk View Investment Partners

Phone (432) 262-0999
Email

Address 18301 Von Karman Ave Ste 510

City Irvine

State CA

Zip 92612

Developer (if different than Owner)
Printed Name:

Phone (432) 262-0999
Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999
Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: ETJ

Reason for Platting: ownership purposes

Plat Information

Total Acreage:

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 26

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

RECEIVED
APR 20 2022
Paul Rodriguez

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) : Thomas Reiter, President

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

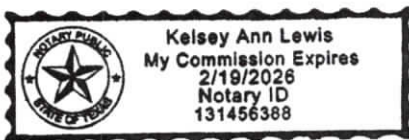
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Hawk View Investment Partners 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 20th day of April, 2022, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 3717

Received By: Paul Rodriguez

Date: 04/20/22

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

Preliminary Plat Application

2

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APR 20 2022

Revised 07/01/19



LOCATION MAP

SUB-22-0504

Scale: 1" = 200'

Proposed plat of Hawk View Addition, Section 5 being a replat of Lots 18 and 19, Block 1, and Lot 11, Block 2, Hawk View Addition, Lots 29A, 29B, 30, 31, Block 1, and Lots 1A, 8B, 12A, 15C, Block 2, Hawk View Addition, Section 4, all out of Midland County, Texas.

Generally located on the northwest corner of the intersection of S. County Road 1270 and W. County Road 150. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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