

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

**June 5, 2023 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for May 15, 2023.
3. Motion approving a Final Plat of Wild West Addition, being a Plat of a 16.14-acre tract of land in Section 24, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1232, immediately southwest of West County Road 130. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of Nolte Addition, being a Plat of a 10.99-acre tract of land in Section 15, Block 38, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Farm to Market Road 715, approximately 1,520-feet south of East County Road 130. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Morningside Addition, Section 12, being a Residential Replat of a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Main Street and Humble Avenue. - Council District 2) (DEVELOPMENT SERVICES)
6. Motion approving a Final Plat of Elmwood Addition, Section 8, being a Replat of Lot 1 and the north 18.44-feet of Lot 2, Block 15, Elmwood Addition, Section 2, Lots 1-3 and the south 25-feet of Lot 7, Block 11, Elmwood Extension, Section 2, and a 0.042-acre portion of vacated alley right-of-way, located adjacent to Lots 1-3, Block 11, Elmwood Addition, and

Lot 1, Block 15, Elmwood Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of North Big Spring Street, approximately 140-feet south of West Cuthbert Avenue. – Council District 3) (DEVELOPMENT SERVICES)

7. Motion approving a Final Plat of West 191 Industrial Park, Section 11, being a Replat of Lots 17 and 18, Block 1, West 191 Industrial Park, Section 9, City and County of Midland, Texas. (Generally located on the south side of West County Road 117, approximately 1,680-feet east of North Farm-to-Market Road 1788. - Council District 4) (DEVELOPMENT SERVICES)
8. Motion approving a Final Plat of West End Addition, Section 28, being a Replat of Lot 1 and the east half of Lot 2, Block 76, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Texas Avenue and North N Street. - Council District 3) (DEVELOPMENT SERVICES)
9. Motion approving a Final Plat of Seymour Addition, Section 15, being a Plat of a 10-acre tract of land in Block 40, Section 31, T-1-S T&P RR. Co Survey, County of Midland, Texas. (Generally located on the north side of West County Road 72, approximately 785 feet east of Farm-to-Market Road 1788. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

10. Consider a request by Schumann Engineering for a proposed Preliminary Plat of Country Sky Addition, Section 29, being a Residential Replat of Lot 18, Block 1, Country Sky Addition, Section 3, City and County of Midland, Texas. (Generally located on the east side of Tumbleweed Trail, approximately 1,270-feet south of Briarwood Avenue. – Council District 4) (DEVELOPMENT SERVICES)
11. Consider a request by Leovardo Leon for a Specific Use Designation with Term for Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on Lots 1 and 2, Block 182, City and County of Midland, Texas. (Generally located on the southwest corner of South Big Spring Street and Florida Avenue. - Council District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

12. Motion approving with staff's recommendations a proposed Preliminary Plat of Midland Community Theatre, being a Plat of a 4.677-acre tract of land out of Section 15, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West Wadley Avenue, approximately 1,000-feet west of North I Street. – Council District 3) (DEVELOPMENT SERVICES)
13. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Stoneridge, Section 3, being a Replat of Lot 1, Block 4, Stoneridge, Midland County, Texas. (Generally located northwest of the intersection of South County Road 1130 and Farm-to-

Market Road 307. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

14. Motion approving with staff's recommended conditions a Preliminary Plat of TGPC Holdings Addition, being a Plat of a 2.00-acre tract out of Section 27, Block 38, T-1-S, T & P, RR. Co. Survey, Midland County, Texas. (Generally located on the northeast side of Loop 250, approximately 1826-feet southeast of North CR 1140. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
15. Motion approving with staff's recommendations a proposed Preliminary Plat of Legacy Addition, Section 11, being a Plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, Midland County, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
16. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Whataco Addition, Section 2, being a Replat of Lot 2, Block 1, Whataco Addition, City and County of Midland, Texas. (Generally located on the southeast corner of South Fairgrounds Road and State Highway 158. – Council District 2) (DEVELOPMENT SERVICES)
17. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Redneck Retreat, Section 2, being a Plat of a 13.44-acre tract of land out of the west half of Section 15, Block 38, T-2-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Farm-to-Market Road 715, approximately 790-feet south of East County Road 130. – Extraterritorial District) (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 15, 2023
Council Chambers – City Hall**



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., May 15, 2023.

Commissioners present: Lucy Sisniega, Dianne Williams, Emily Holeva, Adrian Carrasco, Abraham Bejil

Commissioners absent: Zachary Deck, Sallie Vega

Staff members present: Charles Harrington, Alexandra Walling, Rolandrea Russell, Jeffrey S. Fisher, Landon Ochoa, Dalia Salinas

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (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 Carrasco moved to approve; seconded by Commissioner Williams.

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

ASENT: Deck

2. Motion approving the Planning & Zoning meeting minutes for May 1, 2023.
3. Motion approving a Final Plat of Nova's Paradise, being a 22.69-acre tract out of the northeast quarter of Section 15, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the southwest corner of the intersection of South County Road 1160 and East County Road 130. – Extraterritorial District)
4. Motion approving a Final Plat of Dunham Acres, Section 2, being a Plat of a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P RR, Co. Survey, Midland County, Texas. (Generally located on southeast corner of the intersection of West County Road 122 and South County Road 1290. - Extraterritorial Jurisdiction)
5. Motion approving a Final Plat of West 191 Industrial Park, Section 10, being a Replat of Lots 1 and 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 2,150-feet east of North Farm to Market Road 1788. – Council District 4)
6. Motion approving a Final plat of Cowden Addition, Section 7, being a Replat of Lots 5 and 6, Block 12, of Cowden Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Hart Avenue and Bryant Street. - Council District 3)
7. Motion approving a Final Plat of Autumn Estates, Section 2, being a Plat of a 22.88-acre tract of land out of the northeast quarter of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of North County Road 1125, approximately 555-feet south of East County Road 60. – (Extraterritorial Jurisdiction)
8. Motion approving a Final Plat of Decker Addition, Section 2, being a Plat of an 8.00-acre tract of land out of the southwest quarter of Section 7, Block 39, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located approximately 235-feet south of West County Road 116, approximately 393-feet east of South County Road 1227. – Extraterritorial Jurisdiction)
9. Motion approving a Final Plat of Lone Star Addition, Section 2, being a Replat of Lots 1-10, Block 1, Lone Star Addition and a 9.188-acre tract of land out of the southeast quarter of Section 21, Block 39, T-S-2, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1210, approximately 1,540-feet to the north of West County Road 140. - Extraterritorial Jurisdiction)

PUBLIC HEARINGS

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

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

Senior Planner Alexandra Walling gave an over view of the project. No letters of objection were received, staff recommended approval.

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

The applicant was not present.

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

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

ASENT: Deck

11. Consider a request by Schumann Engineering for a proposed Preliminary Plat of Morningside Addition, Section 12, being a Residential Replat of a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Main Street and Humble Avenue. - Council District 2)

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

The public hearing was opened at 3:38 p.m.

The applicant was not present.

The public hearing was closed at 3:39 p.m.

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

ASENT: Deck

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

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

The public hearing was opened at 3:40 p.m.

The applicant as present but deferred to staff.

The public hearing was closed at 3:41 p.m.

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

The motion by the following vote: 5 to 0
AYE: Sisniega, Williams, Holeva, Carrasco, Bejil
NAY: None
ABSTAIN: None
ASENT: Deck

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

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

The public hearing was open at 3:50 p.m.

The applicant was not present.

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

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

The motion by the following vote: 5 to 0
AYE: Sisniega, Williams, Holeva, Carrasco, Bejil
NAY: None
ABSTAIN: None
ASENT: Deck

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

Planner Landon Ochoa gave an overview of this project. 12 letters of objection were received, staff recommend approval.

Commissioner Williams asked about the access roads for this area. Taha form traffic spoke on behalf of the City, he explained that the city has been working with the developer and the issues with the arterial roads has been addressed.

Commissioner Williams also voiced her concerns on the potential issues that may arise with traffic.

The public hearing was opened at 3:56 p.m.

The applicant, Eric West with Parkhill, spoke on behalf of the applicant. He gave a summary of the project and was open for questions.

Developer Steve Howard, 6751 North Freeway, Fort Worth, Texas spoke to the commission to address some of the traffic issues.

Resided, Mark Kohler, 6817 Hall of Fame, Midland, Texas, spoke against the project due to the traffic issues the development would bring to the area.

Resident, Erin Bowen, 6513 Crown point CT, Midland Texas, spoke in opposition to the project due to the potential issues it would cause to her property.

Applicant Eric West readdressed the commission to answer some of the questions made by the residents.

Commissioner Sisniega asked staff if any of the recent develop come up with major traffic issues. Planning Manager Jeff Fisher addressed the question.

Commissioner Williams asked staff if there is a time line for when the area will be annexed. Mr. Fisher stated that it is expected to come to the agenda in June.

Commissioner Sisniega asked if any concerns have been brought up from any other city departments. Mr. Fisher confirmed that no other concerns have been stated.

The public hearing was closed at 4:19 p.m.

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

ASENT: Deck

MISCELLANEOUS

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

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

ASENT: Deck

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

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

ASENT: Deck

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

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

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

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None
ABSTAIN: None
ASENT: Deck

19. Motion approving with staff's recommended conditions for a proposed Preliminary Plat of Midkiff Industrial Center, Section 28, being a Replat of Lot 1, Block 3, Midkiff Industrial Center, Section 2, a 4.38-acre tract out of the northwest quarter of Section 4, Block 39, T-2-S, T&P RR Co. Survey, and a 2,080-square foot portion of the West Industrial Loop right-of-way, City and County of Midland, Texas. (Generally located on the east side of Rankin Highway, approximately 1,290-feet south of Interstate 20. – Council District 2)

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

The motion by the following vote: 5 to 0
AYE: Sisniega, Williams, Holeva, Carrasco, Bejil
NAY: None
ABSTAIN: None
ASENT: Deck

20. Motion approving with staff's recommended conditions for the reinstatement of a proposed Preliminary Plat of Northwest Passage, being a plat of a 117.035-acres tract of land out of Section 35, Block 40, T-1-S T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 1,000-feet north of State Highway 191. – Council District 4)

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

The motion passed by the following vote: 4 to 0, 1 Abstention
AYE: Sisniega, Williams, Holeva, Carrasco
NAY: None
ABSTAIN: Bejil
ABSENT: Deck

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

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

The motion passed by the following vote: 4 to 0, 1 Abstention
AYE: Sisniega, Williams, Holeva, Carrasco
NAY: None
ABSTAIN: Bejil
ABSENT: Deck

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

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

The motion by the following vote: 5 to 0
AYE: Sisniega, Williams, Holeva, Carrasco, Bejil
NAY: None
ABSTAIN: None
ASENT: Deck

23. Motion approving a Final Plat of Country Villa Estates, Section 8, being a Replat of Lot 4, Block 2, Country Villa Estates, Section 7, and the north 5.727-acres of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Brinson Lane and West Wall Street. – Council District 2

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

The motion by the following vote: 5 to 0

AYE: Sisniega, Williams, Holeva, Carrasco, Bejil

NAY: None

ABSTAIN: None

ASENT: Deck

With no further items or business to come before the Commission, Chairwoman Sisniega adjourned the meeting at 4:43 p.m.

Lucy Sisniega, Chairwoman

Date

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

Date



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: June 05, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of Wild West Addition, being a Plat of a 16.14-acre tract of land in Section 24, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1232, immediately southwest of West County Road 130. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the March 6, 2023, Planning and Zoning Commission Meeting. The property owner is platting for ownership purposes to obtain septic permits and is proposing to plat the property into four lots.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

PAVING: Deferral request for paving improvements were administratively approved on 4/17/2023. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 4/17/2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements were administratively approved on 4/17/2023. [For Applicant's Information Only.]

DRAINAGE: Drainage study has been approved for platting purposes. [For Applicant's Information Only.]

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 4/17/2023. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Code Administration: (Approved)

ETJ, no jurisdiction.

GIS: (Approved)

No comments.

Midland County Public Works: (Approved)

No comments.

Midland County Health Department: (Approved)

Yes, the health department will review applications from the 4 proposed lots of Wild West Addition, PLAT OF A 16.14 ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 3.6-acre, lot 2 is 3.6, lot 3 is 4.4 acre and lot 4 is 4.4 acre, 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. The applicant may apply to the County Health Department for these approvals only after the final plat is recorded, per Section 11-2-1(E)(9) of the City's Subdivision Ordinance.

CRMWD: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of a Final Plat of Wild West Addition, subject to condition A.

Condition:

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

Attachments:

Proposed Final Plat
Application
Maps

WILD WEST ADDITION

BEING A 16.14 ACRE TRACT OF LAND, SITUATED IN SECTION 24, BLOCK 40, TOWNSHIP 2
SOUTH, TEXAS AND PACIFIC RAILWAY Co. SURVEY, MIDLAND COUNTY, TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULDERS
MAVERICK ENGINEERING, LTD. (FIRM #0194514)
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS WILD WEST TRUCKING, LLC IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 24, BLOCK 40, T-2-S, T-2-P, RY. CO. SURVEY, COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT _____, TX,
THIS _____ DAY OF _____, 2023.

BY: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WILD WEST ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

DAY OF _____, 2023.

LUCY SONEGA, CHAIRMAN

LIZABETH BAUGHNEISS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

AT&T ENERGY
BY: _____

AT&T
BY: _____

OPTIMUM
BY: _____

ASTOUND BROADBAND
BY: _____

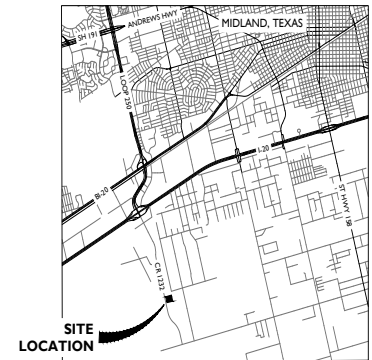
ONCOR ELECTRIC DELIVERY
BY: _____

PROPERTY OWNER

WILD WEST TRUCKING, LLC
903 N HICKORY ST
MIDLAND, TEXAS 79705
DEED INSTRUMENT #0021-31182

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____



VICINITY MAP

N.T.S.



0' 100' 200'
ORIGINAL SCALE: 1" = 100'

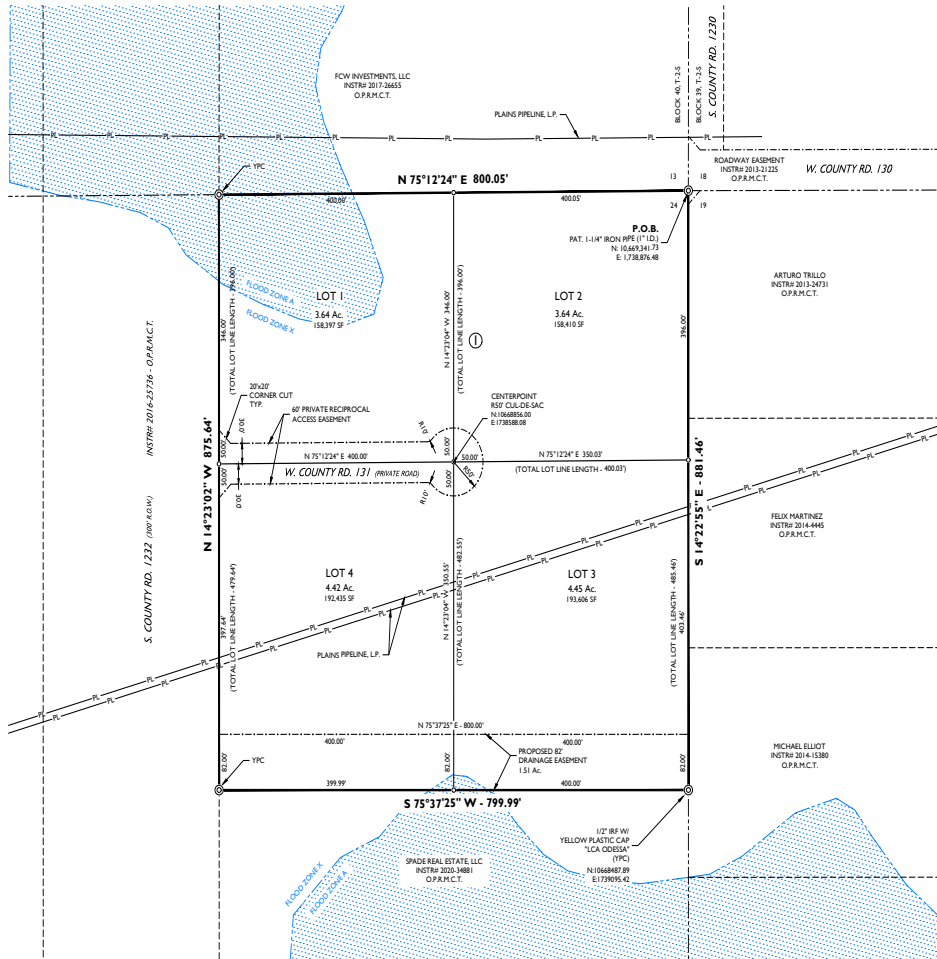
LEGEND

- FOUND MONUMENT AS NOTED
- LOT CORNER
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- EXISTING SECTION LINE
- UNDERGROUND PIPELINE
- FLOOD ZONE



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
SURVEY FIRM #: 0194514
Tel: (432) 343-0999 Fax: (432) 262-0999
www.Maverick-Eng.com

WILD WEST ADDITION
June 5, 2023



PER SECTION 1.17 OF MIDLAND COUNTY SUBDIVISION REGULATIONS

MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND HOLD HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS MANIFESTA.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S FLOOD INSURANCE RATE MAP #48329C02085, DATED SEPTEMBER 14, 2005, MOST OF THIS PROPERTY IS WITHIN THE UNSHOED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" PORTIONS OF THIS PROPERTY, AS SHOWN HEREBY, ARE IN ZONE "X", DESIGNATED AS AREAS WITH A 1% ANNUAL CHANCE OF FLOODING AND A 26% CHANCE OF FLOODING OVER THE LIFE OF A 30-YEAR MORTGAGE, BECAUSE DETAILED ANALYSES ARE NOT PERFORMED FOR SUCH AREAS. NO SHADING OR BASE FLOOD ELEVATIONS ARE SHOWN WITHIN THESE ZONES.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY INSIDE THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK ENGINEERING & LAND SURVEYING, LLC.

SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLUMB GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (Bearing) OF -0°53'11.14" WITH A CSF OF 0.99980847 AT THE POINT OF BEGINNING.
2. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
3. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED SONAR, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811 SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED CALL 1-800-DIG-TELE FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOTS ARE REPARCELS FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. 1.51 ACRE DRAINAGE EASEMENT DEDICATED HEREBY IS RESERVED FOR A PRIVATE RETENTION BASIN FOR STORM WATER RUNOFF ORIGINATING FROM LOTS 1-4, BLOCK 1 HEREON.
5. DEVELOPERS/OWNERS TO COORDINATE WITH ALL OIL AND GAS OPERATORS PRIOR TO CONSTRUCTION NEAR AFFECTED FACILITIES AND CONFORM WITH DEVELOPMENT SPECIFICATIONS THEREON. IT IS RECOMMENDED TO OBSERVE A MINIMUM 20' CONSTRUCTION SETBACK FROM ALL PIPELINES NOT WITHIN DIMENSIONED EASEMENTS.

PACKET

Page 3.13



Final Plat Application

Project Number:

SUB-23-0577

Case Number:

P-23-1634

Proposed Subdivision Plat Name: Wild West Addition

Legal Description (attached sealed Metes and Bounds): Being a 16.14 Acre Tract of Land, Situated in Section 24, Block 40, Township 2 South, Texas and Pacific Railway Co. Survey, Midland County, Texas

Property Owner

Printed Name: Wild West Trucking LLC

Phone ()

Email

Address 903 N Hickory St

City Midland

State TX

Zip 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: 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: 16.14

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

Number of Lots: 4

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 4/27/23

Property Owner (printed): Robert Turner - Wild West Trucking

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

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

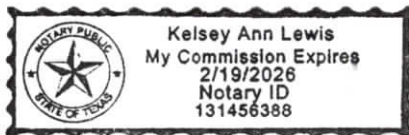
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Wild West Trucking, 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 3rd day of May, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☒ CADD File
☒ Application Fee	☒ Title Opinion	☒ Public Improvement
Check # <u>446</u>	☒ Tax Certificates	☒ Recording Fee
Received By: <u>AW</u>	Date: <u>MAY 10 2023</u>	

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

PACKET

Page 3.15

BY: June 5, 2023

Final Plat Application

2

Revised 7/01/19



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a Final Plat of Nolte Addition, being a Plat of a 10.99-acre tract of land in Section 15, Block 38, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Farm to Market Road 715, approximately 1,520-feet south of East County Road 130. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the April 3, 2023, Planning and Zoning Commission meeting. The property owner is platting to obtain a septic permit and is proposing to plat the property as one lot.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

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

Engineering: (Approved)

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

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

PAVING: FM 715 is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 03/21/2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for sewer improvements were administratively approved on 03/21/2023. [For Applicant's Information Only.]

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

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved on 03/21/2023. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

No comments.

Code Compliance (Approved)

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

GIS: (Approved)

No comments.

Midland County Public Works: (Approved)

No comments.

Midland County Health Department: (Approved)

Yes, the health department will review application from the 1 proposed lot of Nolte Addition, Section 1, PLAT OF A 10.9 ACRE TRACT OF LAND OF SECTION 15, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY the lot is 10.9 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of a Final Plat of Nolte Addition, subject to condition A.

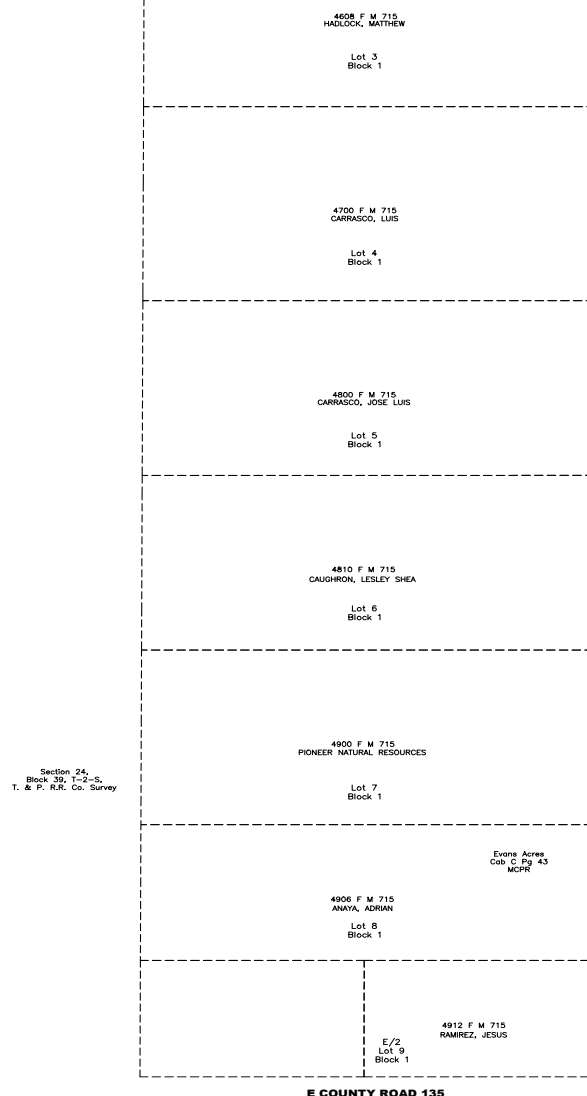
Condition:

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

Attachments:

Proposed Final Plat
Application
Maps

NOLTE ADDITION
BEING A PLAT OF A 10.99-ACRE TRACT OF LAND IN
SECTION 15, BLOCK 38, T-2-S, T&P RR. CO. SURVEY,
MIDLAND COUNTY, TEXAS.





Final Plat Application

Project Number: Sub-23-0575
Case Number: P-23-1639

Proposed Subdivision Plat Name: Nolte Addition

Legal Description (attached sealed Metes and Bounds): Being 10.99 Acres in Section 15, Block 38
T-2-S, T&P R.R. Co. Survey, County of Midland, Texas

Property Owner
Printed Name: **Travis Nolte**

Phone (254) 223-0311
Email travis@noltekruss.com

Address **1100 County Road 316**

City **Gatesville**

State **TX**

Zip **76528**

Developer (if different than Owner)
Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Aaron Burrell Land Surveyors, LLC

Printed Name: **Aaron Burrell**

Phone (432) 848-4439
Email aaron@asbsurveyors.com

Address **415 W Wall St, Suite 204**

City **Midland**

State **TX**

Zip **79701**

Current Zoning: **ETJ**

Reason for Platting: Septic Permit

Plat Information

Total Acreage: **10.99 Acres**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **1 Lot**

Number of Multi-Family Dwelling Units: **0**

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & CADD File
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland' **\$350**
- Recording Fee – Payable to 'Midland County Clerk' **\$81.00**

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): Travis Nolte

Date: 5-8-23

Property Owner (printed): Travis Nolte

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.

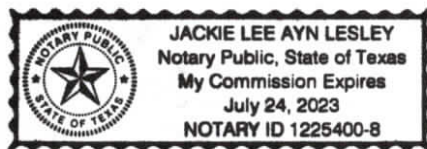
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Aaron S. Burrell who, being by me duly sworn, upon oath says: That (s)he is authorized by Travis Nolte, 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.

ASB
Authorized Agent (signature)

Subscribed and sworn to before me, this 8TH day of May, 2023, to certify which witness my hand and seal of office.



Jackie Lee Ayn Lesley
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 2228

☐ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☐ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☒ Public Improvement

☒ Recording Fee

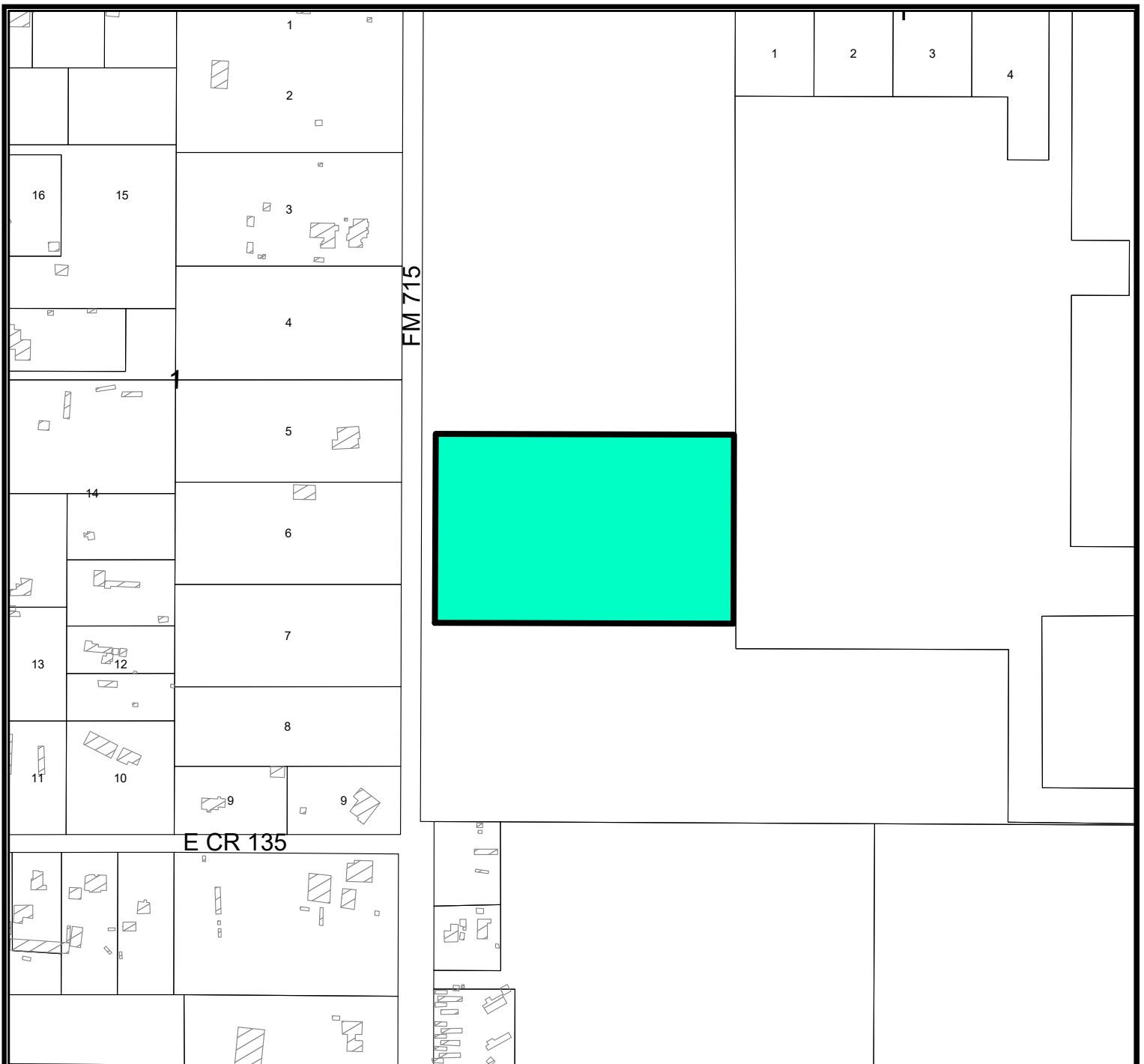
Check # 1346

Received By: Janet Kelly

Date: 5/8/23

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

Final Plat Application
PACKET



LOCATION MAP

SUB-23-0575

Scale: 1" = 200'

Proposed Preliminary Plat of Nolte Addition, being a Plat of a 10.99-acre tract of land in Section 15, Block 38, T-2-S, T&P, RR. Co. Survey, Midland County, Texas.

Generally located on the east side of Farm to Market Road 715, approximately 1,520-feet south of East County Road 130. -
(Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



June 5, 2023

Page 4.23

PACKET

FOR
TA.



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of Morningside Addition, Section 12, being a Residential Replat of a 0.62-acre portion of Tract 16, Morningside Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Main Street and Humble Avenue. - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

2F, Two-Family Dwelling (Duplex) District.

Preliminary Plat Approval:

The Preliminary Plat was approved at the May 15, 2023, Planning and Zoning Commission meeting. The property owner is replatting the subject property into two lots to obtain addresses and building permits.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

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

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

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

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

SEWER: 36" sewer exists in Humble Street. No public wastewater improvements required. [For the Applicant's information only.]

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

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

SIDEWALKS: Deferral request for sidewalk improvements were administratively approved. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil and Gas issues.

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of a Final Plat of Morningside Addition, Section 12, subject to condition A.

Condition(s):

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

Attachments:

Proposed Final Plat
Application
Maps

MORNINGSIDE ADDITION, SECTION 12

BEING A REPLAT OF A 0.62-ACRE PORTION
OF TRACT 16, MORNINGSIDE ADDITION, CITY
AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS

COUNTY OF MIDLAND

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS MORNINGSIDE ADDITION, SECTION 12, AN ADDITION TO THE CITY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

SUOMI, LLC

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF ____, 20 ____, SUOMI, LLC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE .062 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN TWO TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
6. THIS PROPERTY IS IN ZONE "X" AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBER 48329-00089F WITH AN EFFECTIVE DATE OF SEPTEMBER 16, 2005.

OWNER:

SUOMI, LLC.



VICINITY MAP
NOT TO SCALE

R211835
JACK-COLE
ENTERPRISES LLC.
BLK: 006, LOT: 002,
ADDN:
MORNINGSIDE, SEC
8

R53141
YOUNGER
PARTNERS LTD
BLK: 026, ALL
LESS S.56, ADDN:
MORNINGSIDE

R33107
ONCOR ELECTRIC DELIVERY CO.
BLK: 006, S.57.3, ADDN:
MORNINGSIDE

R33142
ONCOR ELECTRIC DELIVERY CO

HUMBLE AVENUE
(30 FOOT RIGHT OF WAY)

REINF BAR SET
GRID N:10702366.9233
GRID E:1755646.7064
LAT:N32°01'08.7389"
LONG:W102°04'42.8055"

R206807
MONCRIEF BENJAMIN C
0.545, (0.54 AC OUT
OF),BLK: 016, ADDN:
MORNINGSIDE

REINF BAR SET

16

R33128
URANGA MARCO A
0.468, BLK: 016,
S.70, ADDN:
MORNINGSIDE

R33129
DOMINGUEZ DANIEL
0.668, BLK: 017,
N.100, ADDN:
MORNINGSIDE

R56321
GREG STINE
BLK: 004, LOT:
009, ADDN:
WINDWOOD PARK

R56320
L2 DIVERSIFIED
INVESTMENTS LLC
BLK: 004, LOT:
008, ADDN:
WINDWOOD PARK

R56311
OHI ASSET TX
MIDLAND MAIN LLC.
BLK: 003, LOT: 002,
ADDN: WINDWOOD
PARK, REPLAT

MAIN STREET
(60 FOOT RIGHT OF WAY)

ELM AVENUE
(60 FOOT RIGHT OF WAY)

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM

SIGNED: _____
ASTOUND

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MORNINGSIDE ADDITION, SECTION 12, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF ____, 2023.

SIGNED: _____
CHAIRMAN LUCY SISNEGA

ATTEST: _____
SECRETARY JEFF FISHER

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

RJ DAUM
TEXAS RPLS 4826



GRAPHIC SCALE

0 80' 160'
(IN FEET)
1 inch = 80 ft

Page 5.27

DESCRIPTION BY JOB NO. 78,135 SHEET 1 OF 1

DRAWN BY: KDS DATE: 10/25/2021

CHECKED BY: RJD DRAWING NO.: 78135

DATE: 10/25/2021

SCHUMANN ENGINEERING CO.
A LATERAL LAND COMPANY

CIVIL ENGINEERING - LAND SURVEYING
800 N. WARENELD STREET, SUITE 100, MIDLAND, TEXAS 79701
TEL: 409.690.1000 FAX: 409.690.1014
June 5, 2023

PACKET

MORNINGSIDE ADDITION, SECTION 12



Final Plat Application

Project Number:

Case Number:

SUB-21-0470
P-23-1645**Proposed Subdivision Plat Name:** MORNINGSIDE ADDITION SECTION 12**Legal Description (attached sealed Metes and Bounds):** BEING A RE-PLAT OF BLOCK 16 LESS THE SOUTH 70.00 FEET AND 0.54 ACRES, MORNINGSIDE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.**Property Owner**

Printed Name: SUOMI, LLC

Phone ()

Email

Address

City

State

Zip

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: SCHUMANN SURVEYING

Printed Name: ED ALEMAN

Phone (432) 624-5548

Email

EALEMAN@SCHUMANNONLINE.NET

Address

City

State

Zip

Current Zoning: 2F**Reason for Platting:** OBTAIN ADDRESSES AND CONSTRUCTION PERMITS**Plat Information**

Total Acreage: 0.62

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

Number of Lots: 2

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 5/17/2023

Property Owner (printed): SUOMI, LLC (MIA MATHEWSON)

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

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

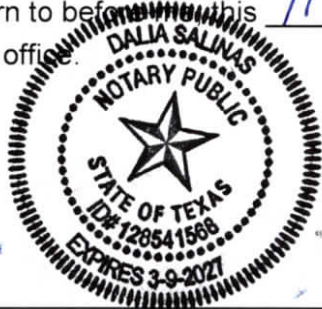
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Guadalupe Roman
Authorized Agent (signature)

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



Dalia Salinas
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

MAY 17 2023

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Mylar

☒ Application Fee

Check # 1995

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☒ Public Improvement

☒ Recording Fee

Check # 1994

Received By:

Date:

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

PACKET

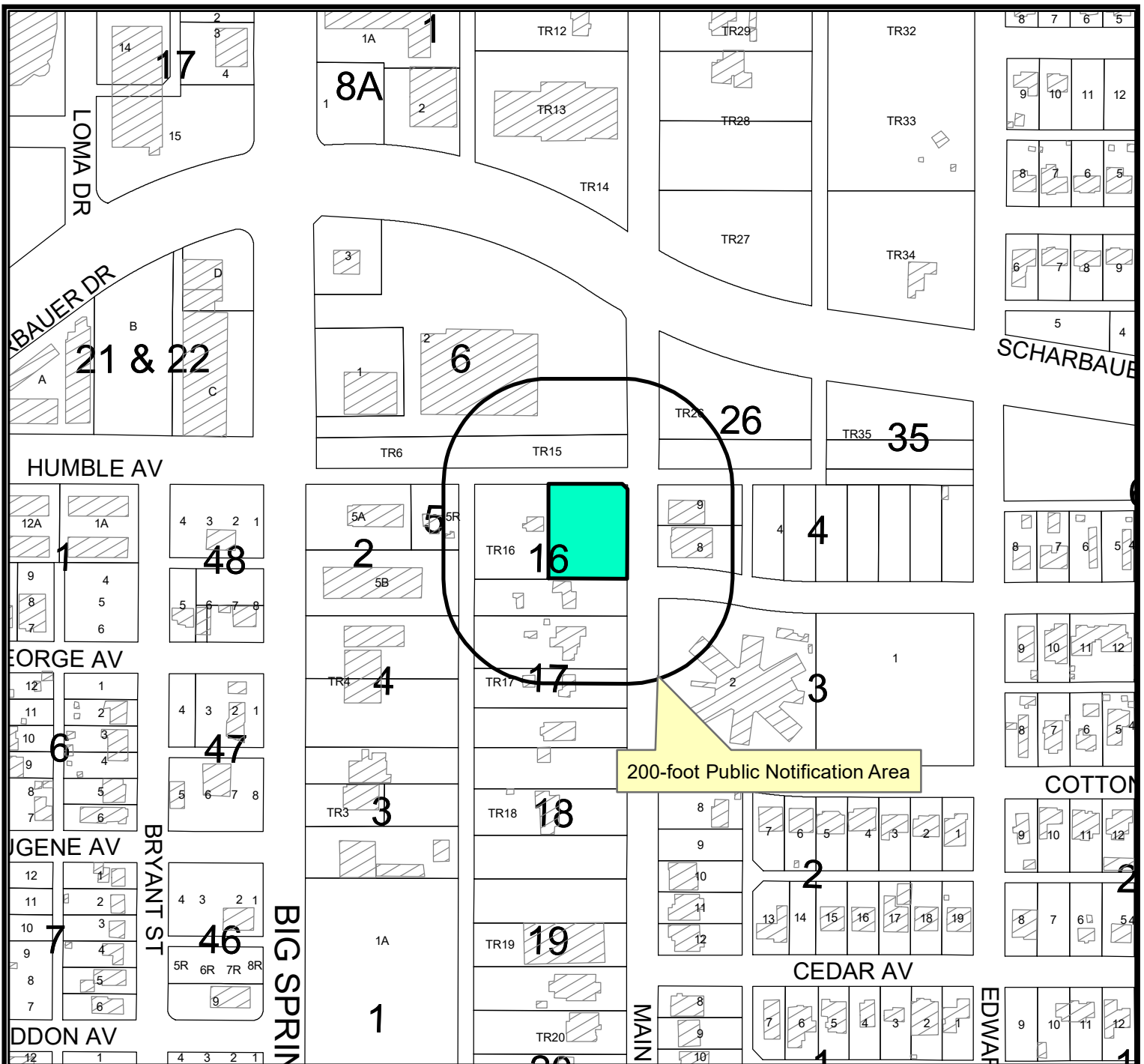
Page 5.29

June 5, 2023

Final Plat Application

2

Revised 7/01/19



LOCATION MAP

P-23-1645

Scale: 1" = 200'

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

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

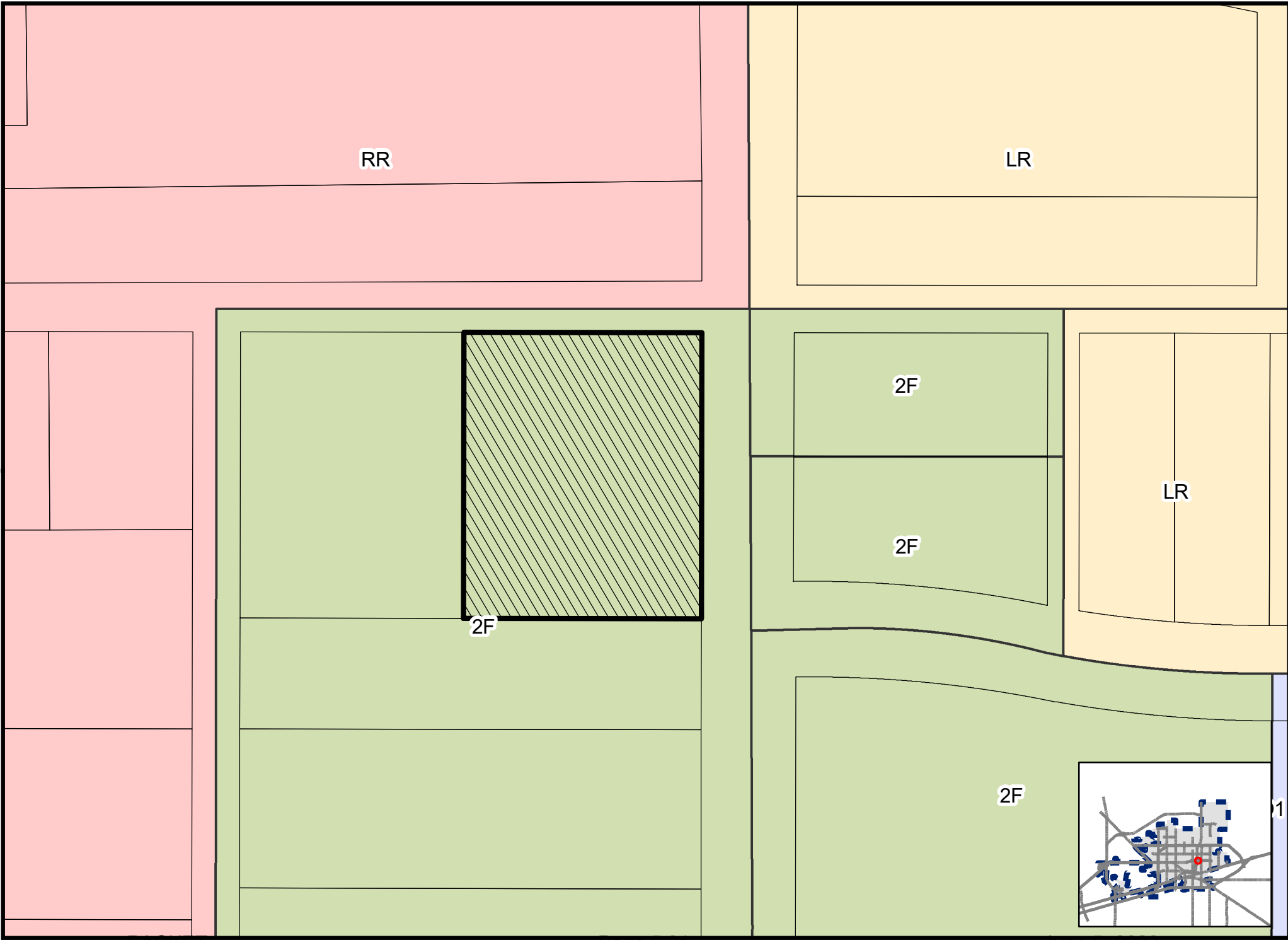
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: Planning and Zoning Commission

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of Elmwood Addition, Section 8, being a Replat of Lot 1 and the north 18.44-feet of Lot 2, Block 15, Elmwood Addition, Section 2, Lots 1-3 and the south 25-feet of Lot 7, Block 11, Elmwood Extension, Section 2, and a 0.042-acre portion of vacated alley right-of-way, located adjacent to Lots 1-3, Block 11, Elmwood Addition, and Lot 1, Block 15, Elmwood Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of North Big Spring Street, approximately 140-feet south of West Cuthbert Avenue. – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The preliminary plat was approved at the April 3, 2023, Planning and Zoning Commission meeting. The property owner is replatting the subject property into one lot and reflecting the recently vacated alley.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: N. Marienfeld Road is okay as is. N. Big Spring Street road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in N. Marienfeld Street, 6" water line on Big Spring Street, and a 6" Water line that runs through the vacated alley South of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 6" sewer line exists in N Marienfeld Street, a 6" sewer line exists in N Big Spring Street, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

DIMENSION: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil or Gas Issues.

Building Code: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

The vacation of the alley was approved by City Council on March 28, 2023, and all conditions have been satisfied.

Staff recommends approval of the Final Plat of Elmwood Addition, Section 8, subject to condition A.

Condition:

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

Attachments:

Proposed Final Plat
Application
Maps

ELMWOOD ADDITION SECTION 8

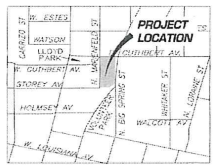
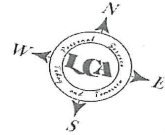
BEING A REPLAT OF LOTS 1 AND 2, BLOCK 15, ELMWOOD ADDITION, SECTION 2, AND LOTS 1-3, BLOCK 11, ELMWOOD EXTENSION, SECTION 2, AND THE SOUTH 25-FEET OF LOT 7, BLOCK 11, REPLAT OF BLOCK C, COWDEN ADDITION AND BLOCKS 11 AND 12, ELMWOOD EXTENSION, CITY AND COUNTY OF MIDLAND, TEXAS

CUTHBERT AVENUE
(DIT #144)

NORTH MARSHFIELD STREET
(DIT #144)

STOREY AVENUE
(DIT #124)

MARSHFIELD STREET
(DIT #144)



VICINITY MAP
SCALE 1" = 1/4"

STATE OF TEXAS
COUNTY OF MIDLAND

BEING ALL OF LOT 1, AND PART OF LOT 2, BLOCK 15, OF ELMWOOD ADDITION SECTION 2, RECORDED IN CABBINET D, PAGE 117, ALL OF LOTS 1, 2 AND 3, BLOCK 11, OF ELMWOOD EXTENSION SECTION 2, RECORDED IN CABBINET B, PAGE 118, OF THE MIDLAND COUNTY PLAT RECORDS AND THE SOUTH 25 FEET OF LOT 7, BLOCK 11, REPLAT OF BLOCK C, COWDEN ADDITION AND BLOCKS 11 AND 12, ELMWOOD EXTENSION, RECORDED IN VOLUME 2, PAGE 388, OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS. THAT PORTION OF SAID LOT 2, BEING DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 2018-32359, OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS, BEING LOCATED IN SECTION 26, BLOCK 39, TOWNSHIP 1 SOUTH OF THE T&P RAILROAD COMPANY SURVEY MIDLAND COUNTY, TEXAS ABSTRACT NO. 438 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT (Y) - 10, 697.757, 97' & X = 1,755.335, 24' A 60" NAIL FOUND AT THE SOUTHWEST CORNER OF THAT PORTION OF SAID LOT 2, DESCRIBED IN DEED RECORDED IN DOCUMENT NO. 2018-32359, ON THE EAST RIGHT-OF-WAY LINE OF NORTH MARSHFIELD STREET, A 49.50-FOOT-WIDE PUBLIC RIGHT-OF-WAY;

THENCE N 75°10'14" E, ALONG THE SOUTH LINE OF THE SAID PORTION OF LOT 2, A DISTANCE OF 794.03 FEET TO A 60" NAIL FOUND FOR CORNER IN THE WEST LINE OF (NEW) MARSHFIELD STREET, A 60-FOOT-WIDE PUBLIC RIGHT-OF-WAY;

THENCE WITH THE WEST LINE OF (NEW) MARSHFIELD STREET, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 482.19 FEET, DELTA ANGLE 27°00', CHORD BEARING AND DISTANCE OF S 86°33'53" E, 19.56 FEET WITH AN ARC LENGTH OF 19.35 FEET TO A 90" NAIL FOUND IN THE NORTH LINE OF LOT 2, AND THE SOUTH LINE OF LOT 1, BLOCK 15, OF SAID ELMWOOD ADDITION SECTION 2;

THENCE N 75°12'25" E, ALONG THE COMMON LINE OF SAID LOTS 1 AND 2, A DISTANCE OF 14.21 FEET TO A POINT IN (NEW) MARSHFIELD STREET FOR THE NORTHEAST CORNER OF LOT 2, BLOCK 15, SAME BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 15, OF SAID ELMWOOD ADDITION SECTION 2;

THENCE N 20°09'00" E, A DISTANCE OF 35.39 FEET TO A POINT IN THE EXISTING WEST LINE OF STATE HIGHWAY 349 (COMMONLY KNOWN AS N. BIG SPRING STREET) A 80-FOOT-WIDE PUBLIC RIGHT-OF-WAY AND THE EAST LINE OF LOT 1, BLOCK 15;

THENCE N 14°20'39" W, ALONG THE EAST LINE OF LOT 1, BLOCK 15, AND THE EXISTING WEST LINE OF N. BIG SPRING STREET, A DISTANCE OF 114.70 FEET TO A 5/8" INCH BOLT FOUND AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS 1677.02 FEET, DELTA ANGLE 0°18'00", CHORD BEARING AND DISTANCE OF N 14°13'58" W, 8.80 FEET;

THENCE ALONG THE WEST LINE OF N. BIG SPRING STREET WITH SAID CURVE TO THE RIGHT WITH AN ARC LENGTH OF 880.70, A 1/2" INCH IRON ROD WITH CAP MARKED "SCHUMANN" FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 15;

THENCE CONTINUING ALONG THE WEST LINE OF N. BIG SPRING STREET WITH A CURVE TO THE RIGHT HAVING A RADIUS 1677.02 FEET, DELTA ANGLE 4°27'47", CHORD BEARING AND DISTANCE OF N 1°04'07" W, 139.69 FEET WITH AN ARC LENGTH OF 156.3 FEET TO A 90" NAIL FOUND FOR THE NORTHEAST CORNER OF THE PROPERTY DEED TO GEORGE O. SOSA RECORDED IN DOCUMENT NO. 2011-25641, OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS;

THENCE S 75°30'14" E, A DISTANCE OF 126.30 FEET TO A 1" ALUMINUM DISK MARKED "PIPER 1974" IN THE EAST LINE OF NORTH MARSHFIELD STREET, A 60-FOOT-WIDE PUBLIC RIGHT-OF-WAY FOR THE SOUTHWEST CORNER OF THE SAID GEORGE O. SOSA PROPERTY;

THENCE S 14°21'25" E, ALONG THE EAST LINE OF NORTH MARSHFIELD STREET PASSING A 1/2" INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 1, SAME BEING THE NORTHWEST CORNER OF LOT 2, BLOCK 15, OF SAID ELMWOOD ADDITION SECTION 2 AT 282.27 FEET THEN CONTINUING FOR A TOTAL DISTANCE OF 50.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.66 ACRES OF LAND OF WHICH 6.037 ACRES TO BE DEDICATED FOR (NEW) MARSHFIELD STREET.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Mark L. Brannum do hereby adopt this plat designating the herein described property as, Elmwood Addition Section 8, an addition to the City of Midland, Midland County, Texas and do hereby dedicate to the public use forever the streets, alley and easements shown thereon for the purpose and consideration therein expressed, and an easement of egress and ingress for trash collection, and location and maintenance of trash containers, and as a condition of said easement that no construction shall commence on the said lot or lots until the exact location of said containers there with have been selected and approved by the Director of Utilities.

Mark L. Brannum
Owner

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark L. Brannum, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 2023.

My commission expires:

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

That I, Randy A. Anderson, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from a correct and accurate survey of the land and that the center monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Midland, Texas.

RANDY A. ANDERSON, R.P.L.S. # 5403

CERTIFICATE OF APPROVAL

For approval by the Commission:
This is to certify that the above and foregoing Plat of was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas,
on this ____ day of _____, 2023.

SIGNED: CHAIRMAN OF PLANNING & ZONING
LUCY SINIEGA

SIGNED: SECRETARY OF PLANNING & ZONING
JEFF FISHER

OWNER: MARK L. BRANNUM & PAMELA M. BRANNUM
1003 BIG SPRING STREET
MIDLAND, TEXAS 79701
P.O. BOX 2606-79702
PHONE: (432) 686-8900

ENGINEER: LANDGRAAF, CRUTCHER & ASSOC., INC.
521 NORTH TEXAS
ODessa, TEXAS 79704-5131
PHONE: (432) 332-5058

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____
DATE _____



ELMWOOD ADDITION SECTION 8

ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
521 North Texas, Odessa TX, 79761 F-1001363 F-10034300
Phone 8 (432) 332-5058 E-Mail: lca@lcaodessa.com



PACKET

Page 6.35

June 5, 2023

- LEGEND
- PAVED 1/2" IR. UNLESS OTHERWISE NOTED
 - SET 1/2" IR. W/ CAP
 - MARKED "CA" OR "SSA" OR "D"
 - OFFICIAL PUBLIC RECORDS
 - MIDLAND COUNTY, TEXAS
 - MIDLAND COUNTY PLAT RECORD
 - DEED RECORDS MIDLAND COUNTY, TEXAS
 - CONTROL MONUMENT

Curve #	DELTA	RADIUS	LENGTH	CD BEARING	CD DIST.
C1	2°18'01"	482.19	19.36	N 06°33'53" E	19.36
C2	11°40'58"	765.35	156.05	N 03°07'38" W	155.79
C3	0°18'02"	1,677.02	8.80	N 14°13'58" W	8.80
C4	4°27'47"	1,677.02	130.63	N 11°46'43" W	130.69

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Mark L. Brannum do hereby adopt this plat designating the herein described property as, Elmwood Addition Section 8, an addition to the City of Midland, Midland County, Texas and do hereby dedicate to the public use forever the streets, alley and easements shown thereon for the purpose and consideration therein expressed, and an easement of egress and ingress for trash collection, and location and maintenance of trash containers, and as a condition of said easement that no construction shall commence on the said lot or lots until the exact location of said containers there with have been selected and approved by the Director of Utilities.

Pamela M. Brannum
Owner

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Pamela M. Brannum, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 2023.

My commission expires:

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THE UTILITY COMPANIES CERTIFICATE
This plat has been checked for accessibility of utilities

Mark L. Loh

ATMOS ENERGY

Martin Anguilla

OWNER'S REPRESENTATIVE

Vicki Byler

ASTOUND BROADBAND

Landgraff, Crutcher & Associates

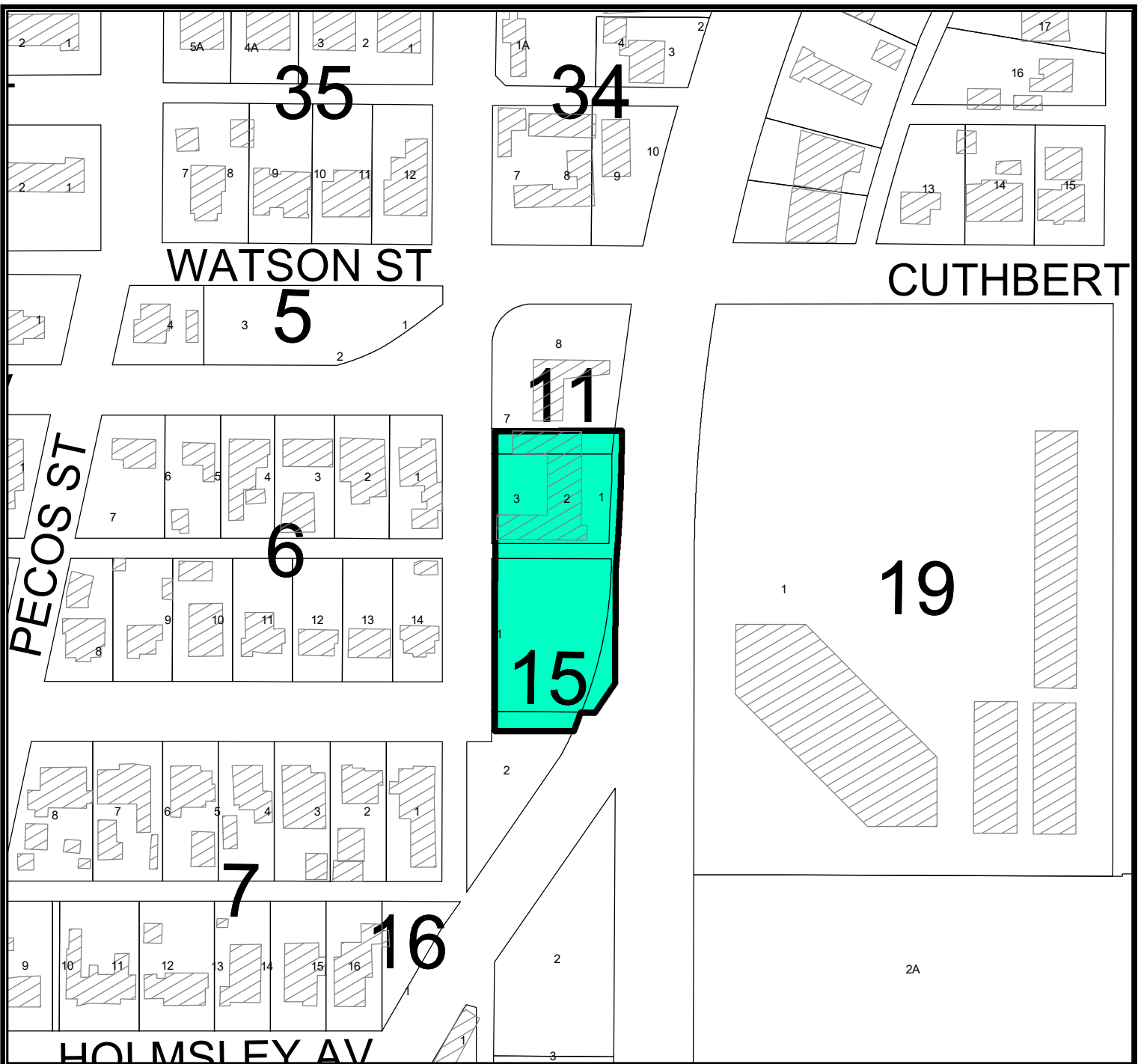
AT&T TELEPHONE COMPANY

Lisa Montez

OPTIMUM

- GENERAL NOTES
- Approval of a site plan by the City of Midland may be required before this lot may be developed and before a building permit may be obtained.
 - Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law subject to fines and withholding of utilities and building permits.
 - According to the FEMA Flood Insurance Rate Map Numbers 48329C089F Dated September 16, 2005 shows this property not to be in a flood hazard area this property lies in zone "X" unshaded.
 - Bearings, distances and coordinates are relative to the Texas Coordinate System, 1983 NAD, Central Zone, based on upon the City of Midland, control monument "899-6405" (Y=10,695,261.89' and X=1,754,276.95' Elevation 2782.04 NAVD 29) with a theta angle of 00°54'05.51" and a combined grid factor of 0.999990197.
 - All lot corners shall be monumented with a 1/2" inch iron rod with a plastic cap stamped "LCA ODIESA TX" unless otherwise noted.
 - This property is subject to the TRS&CO underground electric service agreement recorded in Vol. 643, Pg. 64, of the Deed Records of Midland County, Texas.
 - Initial impact fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increase in fees may not be addressed against the tract unless the number of service units to be developed on the tract increases.

ENG. _____ K.C. _____
S.V. _____ D.T. _____



LOCATION MAP

SUB-23-0588

Scale: 1" = 200'

Proposed Final Plat of Elmwood Addition, Section 8, being a Replat of Lot 1 and the north 18.44-feet of Lot 2, Block 15, Elmwood Addition, Section 2, and Lots 1-3 and the south 25-feet of Lot 7, Block 11, Elmwood Extension, Section 2, City and County of Midland, Texas.

Generally located on the west side of North Big Spring Street, approximately 140-feet south of West Cuthbert Avenue (Council District 3)

LEGEND

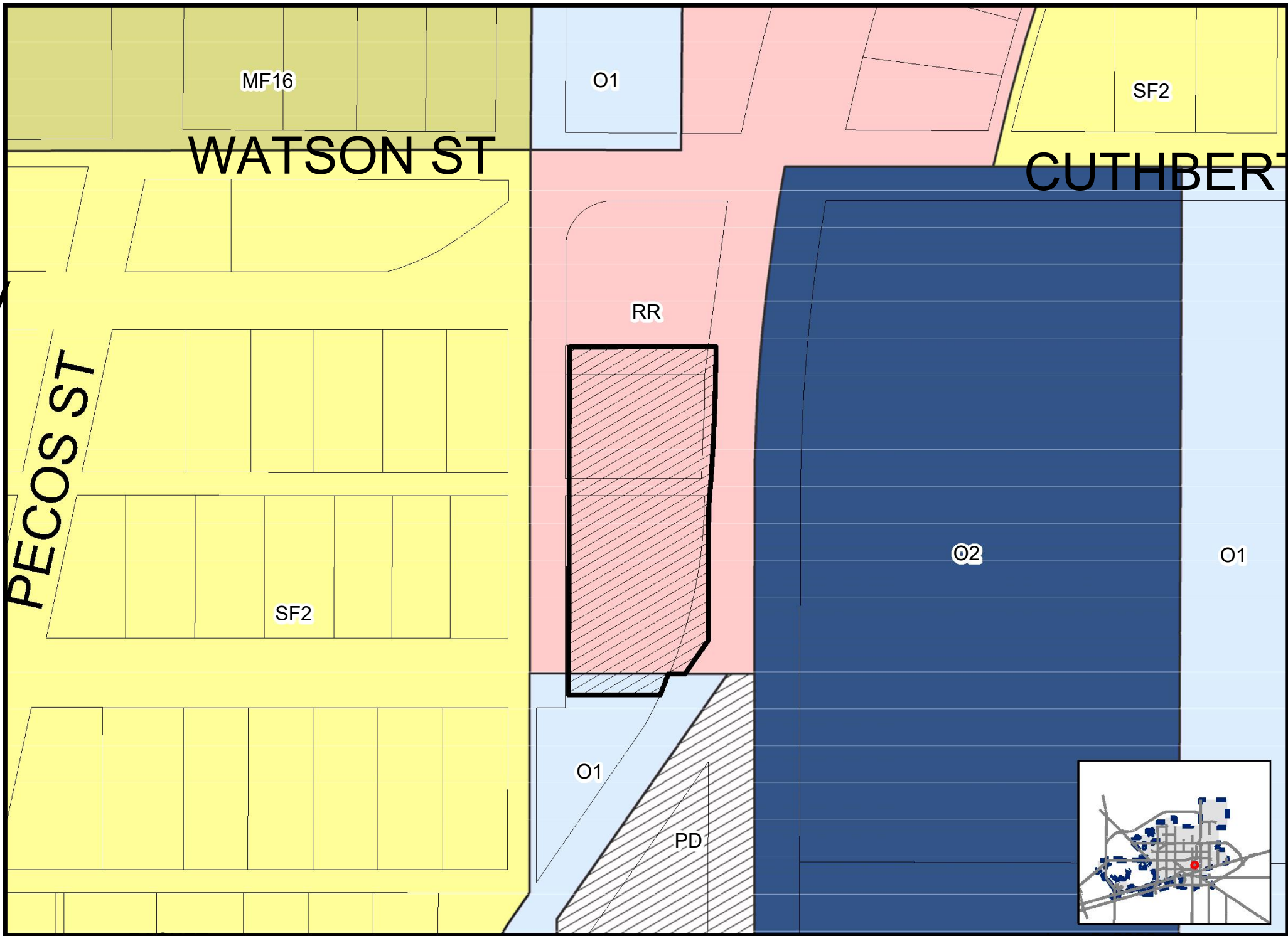
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June 5, 2023





Final Plat Application

Project Number:

Case Number:

 313-22-0588
 P-23-1644

Proposed Subdivision Plat Name: Elmwood Addition Section 8

Legal Description (attached sealed Metes and Bounds): Being a replat of Lots 1 and 2, Block 15 Elmwood Addition Section 2 and Lots 1-3, Block 11, Elmwood Extension, Section 2 and the south 25-feet of Lot 17, Block 11, Replat of Block C, Cowden Addition and Blocks 11 and 12, Elmwood Extension, City and County of Midland, Texas.

Property Owner

Printed Name: Mark L. & Pamela M. Branum

Phone ()

Email

Address PO Box 2686

City Midland

State TX

Zip 79702

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: RR**Reason for Platting:** Ownership purposes, future permits may be required.**Plat Information**

Total Acreage: 0.816

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

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

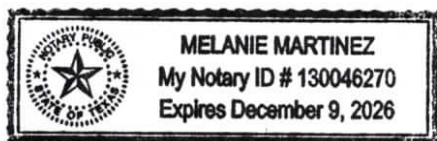
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornely
Authorized Agent (signature)

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



Melanie Martinez
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☒ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>41308</u>	☒ Tax Certificates	Check # <u>RECEIVE</u>
Received By: <u>AW</u>		Date: <u>MAY 17 2023</u>

BY: AW



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

521 North Texas
Odessa, Texas 79761
(432) 332-5058 • 580-8812
FAX (432) 332-8812

LETTER OF TRANSMITTAL

DATE:	5/17/23	JOB NO.	22-076
-------	---------	---------	--------

ATTENTION:	Mr. Jeff Fisher
------------	-----------------

TO: City of Midland- Planning

300 N. Loraine

Midland, Texas 79701

RE: Elmwood Addition Section 8- Final submittal

☒ Delivered

☐ Picked Up

☐ Mailed

WE ARE SENDING YOU

☒ Attached

☐ Under separate cover via _____ the following items:

☐ Shop drawings

☐ Prints

☐ Plans

☐ Specifications

☐ Samples

☐ SWPPP

☐ Copy of letter

☐ Change Order

☐ Electronic File (☐ Read Only ☐ Dwg)

COPIES	DATE	NO.	DESCRIPTION
1			Final application & Fee
1			Authorization Letter
2			Folded Copy of Plat
1			11X17 copy of plat
1			Title Opinion
3			Tax Certificates
1			Digital Files sent via email

THESE ARE TRANSMITTED as checked below:

☐ For approval

☐ Approved as submitted

☐ Electronic File accompanied with signed hard copy.

☒ For your use

☐ Approved as noted

Hard copy rules in ALL conflicts.

☐ As requested

☐ Returned for corrections

☐ Review and comment

☐ FOR BIDS USE _____, 20____

REMARKS:

COPY TO: File

SIGNED:

Melanie Martinez



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Planner

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

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The preliminary plat was approved at the May 1, 2023, Planning and Zoning Commission meeting. The property owner is replatting the subject property into four lots to allow for future development.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

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

Engineering: (Approved)

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

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

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

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

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

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

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

DRAINAGE: FEMA Firm date on Note 4 is incorrect, it should be September 16, 2005. Show compliance with West 191 Industrial Section 6 Drainage Report, prepared by Newton Engineering, and approved by City on 11/20/2019. [Reference City Code Sect. 11-2-3(D)8]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

[For the Applicant's information only.]

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

Fire: (Approved)

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

Code Compliance: (Approved)

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

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

GIS: (Approved)

No comment.

PLANNING: (Approved)

No comments.

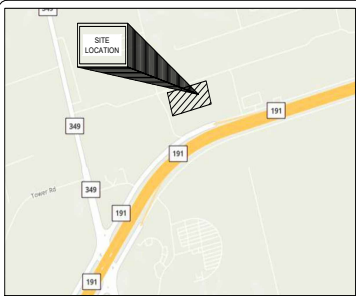
Staff recommends approval of the Final Plat of West 191 Industrial Park, Section 11, subject to condition A.

Condition(s):

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

Attachments:

Proposed Final Plat
Application
Maps



LOCATION MAP
N.T.S.

FINAL PLAT
WEST 191 INDUSTRIAL PARK, SECTION 11

BEING A REPLAT OF LOT 17 AND LOT 18, BLOCK 1,
WEST 191 INDUSTRIAL PARK, SECTION 9
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

LIDH LLC
22.58 AC.
2016-4066
(2014-27979)

AREC 11002 CR 77
3.82 AC.
2021-34539
(2018-22709)

AREC 10616 CR 75
6.664 AC.
2021-34542
(2019-39809)

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, PB ANDERSON PROPERTIES, LLC, is the record owner of Lot 17 and Lot 18, Block 1, WEST 191 INDUSTRIAL PARK, SECTION 9, an addition to the City of Midland, as per plat recorded in Cabinet "M", Page 181, Plat Records, Midland County, Texas and being more particularly shown hereon.

Now, therefore, know all men by these presents:

That I, ROBERT ANDERSON, do hereby adopt this plat designating the hereinabove described property as WEST 191 INDUSTRIAL PARK, SECTION 11, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever of the streets and easements shown hereon.

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

PB ANDERSON PROPERTIES, LLC
ROBERT ANDERSON, PRESIDENT

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF MIDLAND

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

Notary Public, State of Texas

LEGEND

- = SET 1/2" IR W/ CAP
- = FOUND 1/2" IRON ROD W/ CAP

GRAPHIC SCALE



(IN FEET)
1 INCH = 40 FT.

NOTE:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- COORDINATES, BEARINGS, AND DISTANCES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM 1983 NAD 83, CENTRAL ZONE, WITH A COMBINED GRID FACTOR OF 0.99980065 AND A THETA ANGLE OF 40° 59'09".
- THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 43020205P DATED SEPTEMBER 16, 2005.
- ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN A ZONE MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11A, 11-11B, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- PER THE CITY OF MIDLAND, WCR 77 IS NOT A PUBLIC R.O.W.

OWNER:

PB ANDERSON PROPERTIES, LLC
10804 HWY 191
MIDLAND, TEXAS 79705
(432)561-5880

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

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

Signed: _____
Oscar Electric Delivery Company

Signed: _____
Optimum

Signed: _____
A. T. & T.

Signed: _____
AT&T Broadband

Signed: _____
Altice Energy

PACKET

SURVEYOR'S CERTIFICATE:

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

DATED: _____ 20____
DOW E KELLY, R.P.L.S. No. 5707



Page 7.45

CERTIFICATE OF APPROVAL:
For approval by the Commission:

This is to certify that the above and foregoing plat of WEST 191 INDUSTRIAL PARK, SECTION 11 was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 2023.

Signed: _____
Lucy Stangela, Chairman

Signed: _____
Jeffrey Fisher, Secretary

WEST 191 INDUSTRIAL PARK, SECTION 11

SCALE: 1" = 40' DRAWN BY: CSD

DATE: MAY 2023 FILE NAME:

NEWTON ENGINEERING, P.C.

110804 HWY 191
MIDLAND, TEXAS 79705
(432) 770-0489

F-13888
F-10194809
F-13888
F-10194809
2481 E. 2nd St.
Midland, Texas 79701
(432) 935-0707

FINAL PLAT

PROJECT NUMBER: 23-ME01302



Final Plat Application

Project Number:

Case Number:

Sub-23-0600
P-23-1646**Proposed Subdivision Plat Name:** West 191 Industrial Park, Section 11**Legal Description (attached sealed Metes and Bounds):** See attached**Property Owner**

Printed Name: PB Anderson Properties, LLC

Phone (432) 561-5880

Email
robert@andersonhomestx.com

Address 10804 Hwy 191

City Midland

State TX

Zip 79707

Developer (if different than Owner)

Printed Name: Same as owner

Phone ()

Email

Address

City

State

Zip

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

Firm: Newton Engineering, PC

Printed Name: Chase Dunnam

Phone (432) 559-5128

Email

chase@newtoncivil.com

Address 4501A Santa Rosa Dr.

City Midland

State TX

Zip 79707

Current Zoning: RR**Reason for Platting:** Create lots for office/warehouse use**Plat Information**

Total Acreage: 2.93

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

Number of Lots: 4

Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Robert Anderson

Date: 5-16-23

Property Owner (printed): Robert Anderson

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

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

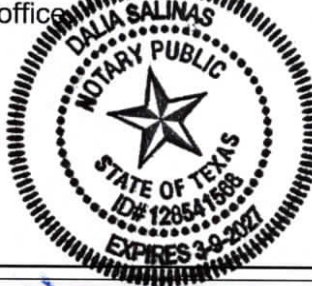
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Chase Dunnam who, being by me duly sworn, upon oath says: That (s)he is authorized by Robert Anderson, 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.

Chase Dunnam
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of May, 2023, to certify which witness my hand and seal of office.



Dalia Salinas
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 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 # 1534

☒ Tax Certificates

☒ Recording Fee

Received By: Alexandra Walling

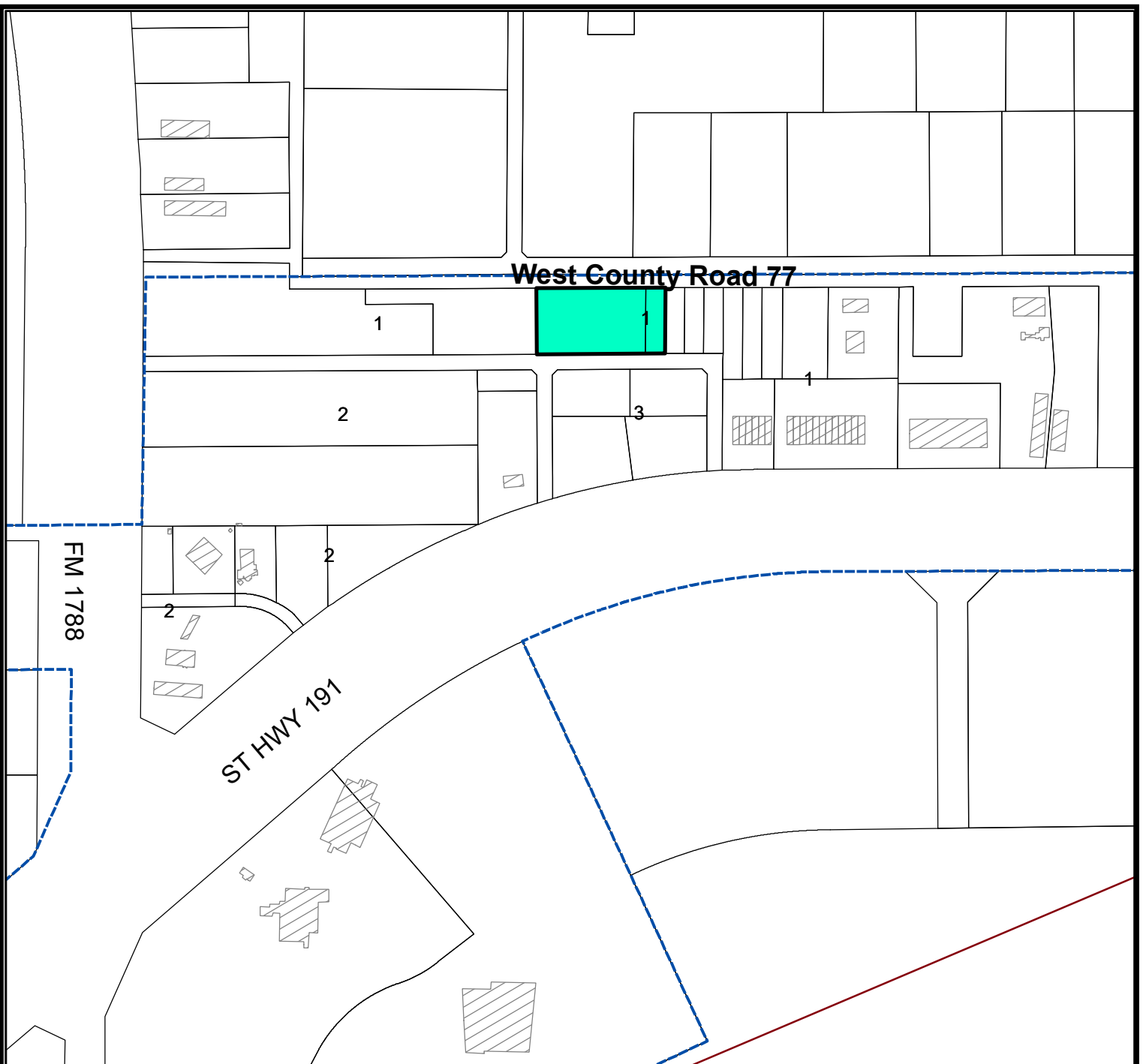
Date: MAY 17 2023

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

PACKET

Page 7.47

BY: June 5, 2023



LOCATION MAP

SUB-23-0600

Scale: 1" = 6,704'

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

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

PACKET

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LEGEND

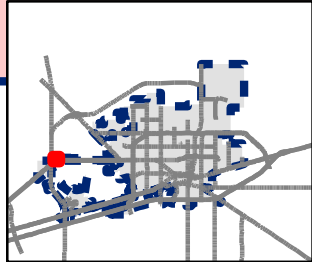
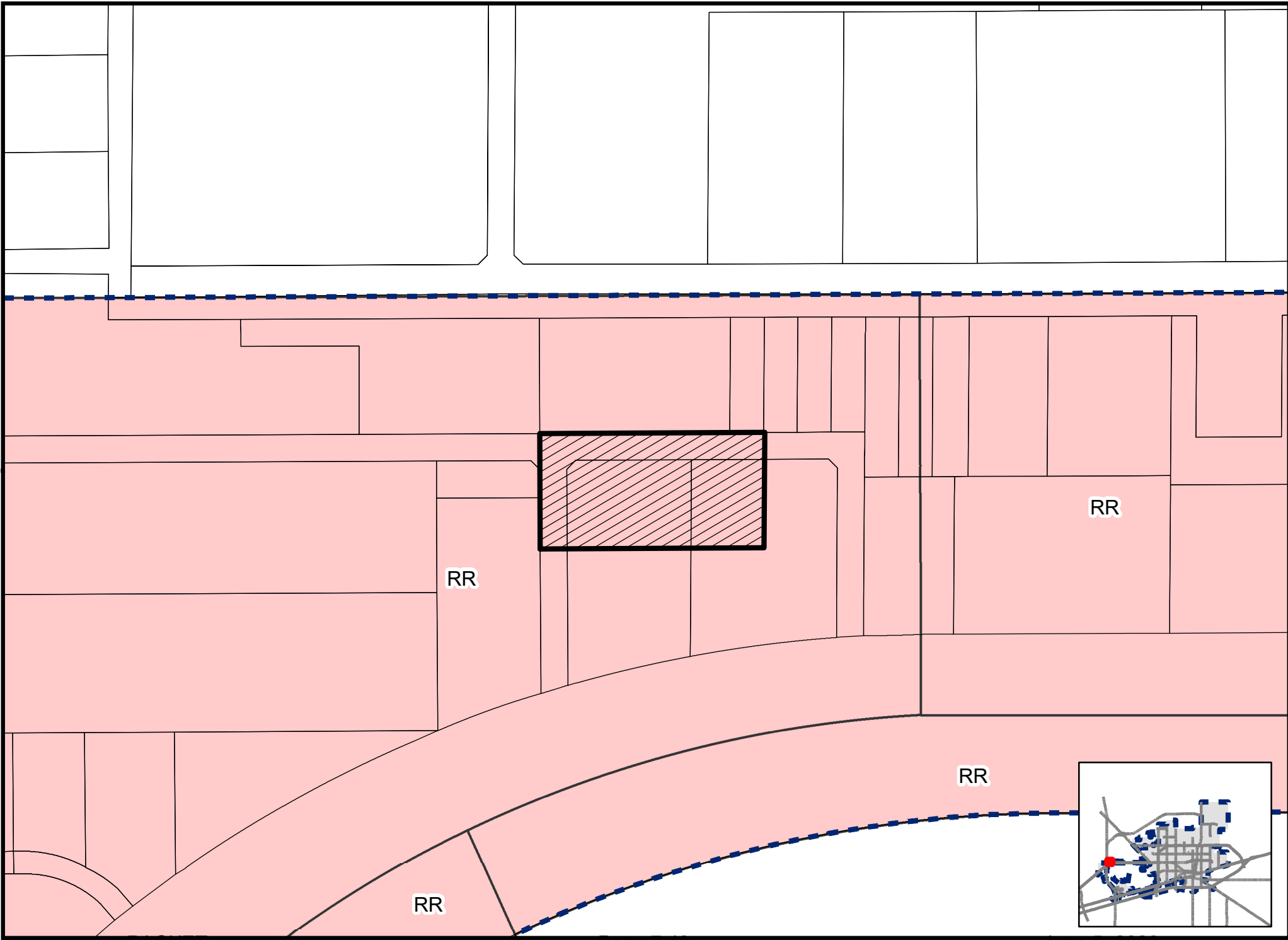
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.

June 5, 2023





Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: Planning and Zoning Commission

FROM: Jeff Fisher, Planning Manager

SUBJECT: Motion approving a proposed Final Plat of West End Addition, Section 28, being a Replat of Lot 1 and the east half of Lot 2, Block 76, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Texas Avenue and North N Street. - Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

O1, Office District

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to replat the subject property for ownership purposes. This replat satisfies the conditions and requirements of Section 11-2-3-I of the City of Midland Ordinance and is being process using the short form approval procedure.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

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

Engineering: (Approved)

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

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

PAVING: W Texas roadway and N roadway are okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 4" water exists in alley North of tract, okay as is. 8" water exists in alley North of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 8" sewer exists alley North of tract, okay as is. 12" sewer exists in N Street, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

DIMENSION: * * *

OTHER: * *

TRANSPORTATION: (Approved)

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

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

Fire: (Approved)

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

Oil and Gas: (Approved)

No oil or gas issues.

GIS: (Approved)

No comments.

PLANNING: (Approved)

No comments.

Staff recommends approval of the Final Plat of West End Addition, Section 28, subject to condition A.

Condition(s):

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

Attachments:

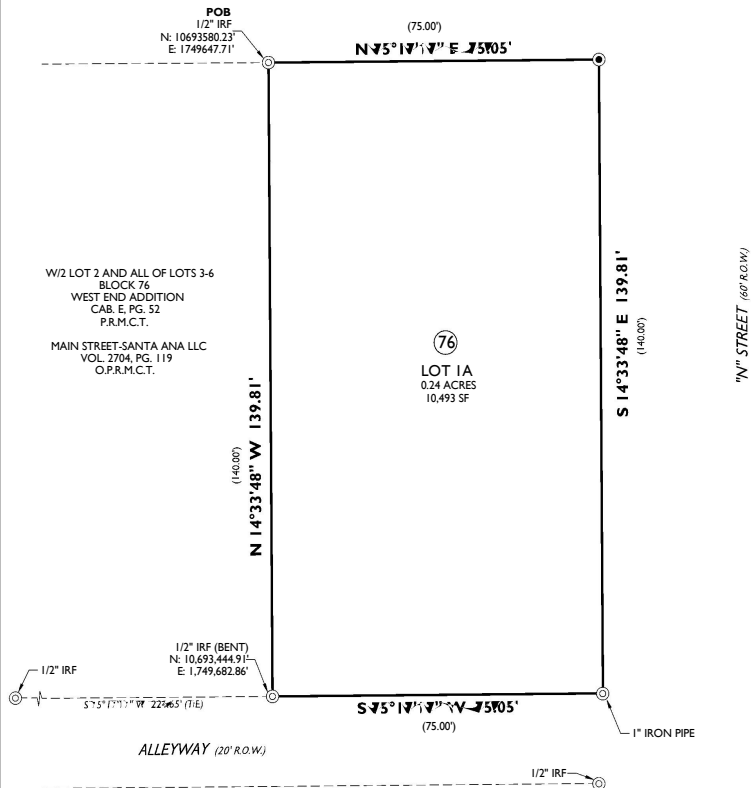
Proposed Final Plat
Application
Maps

WEST END ADDITION, SECTION 28

BEING A REPLAT OF LOT 1 AND THE EAST HALF OF LOT 2, BLOCK 76, WEST END ADDITION,

AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS

W TEXAS AVE (80' R.O.W.)



FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0201F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOOD FLOODPLAIN". THIS DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK ENGINEERING.

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE

2. LAW AND SUBJECT TO FINES AND WITH-HOLDING OF UTILITIES AND BUILDING PERMITS.

3. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND

BEFORE A BUILDING PERMIT MAY BE OBTAINED.

4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH

TIME AS

(1) THE REPRESENTED LOT IS REPLATED FOR SUBDIVISION INTO MORE THAN ONE LOT OR:

(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF

IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN

FEES MAY

NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE

TRACT

Drawing: 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Final Plat Application

Project Number:

Sub-23-0596

Case Number:

11-23-1633

Proposed Subdivision Plat Name: West End Addition, Section 28**Legal Description (attached sealed Metes and Bounds):** Being a Replat of Lot 1 and the East Half of Lot 2, Block 76, West End Addition, an Addition to the City and County of Midland, Texas**Property Owner**

Printed Name: MJ3JA LLC

Phone ()

Email

Address 25 Oaklawn Dr

City Midland

State TX

Zip 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

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

Total Acreage: 0.24

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Michael J. Canon

Date: 5/2/2023

Property Owner (printed):

MJ3 JA, LLC - MICHAEL J. CANON, PRESIDENT

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

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

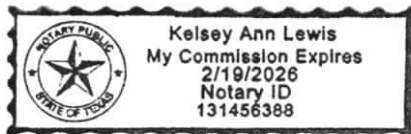
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by MJ3 JA LLC, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L. Mellen
Authorized Agent (signature)

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



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 4114

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☒ Public Improvement

☒ Recording Fee

Check #

Received By: AW

Date: MAY 10 2023

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

PACKET

Page 8.55

June 5, 2023

Final Plat Application

2

BY: AW Revised 7/01/19



LOCATION MAP

P-23-1633

Scale: 1" = 200'

Proposed Final Plat of West End Addition, Section 28, being a Replat of Lot 1 and the east half of Lot 2, Block 76, West End Addition, an addition to the City and County of Midland, Texas.

Generally located southwest of the intersection of West Texas Avenue and North N Street.

(Council District 3)

PACKET

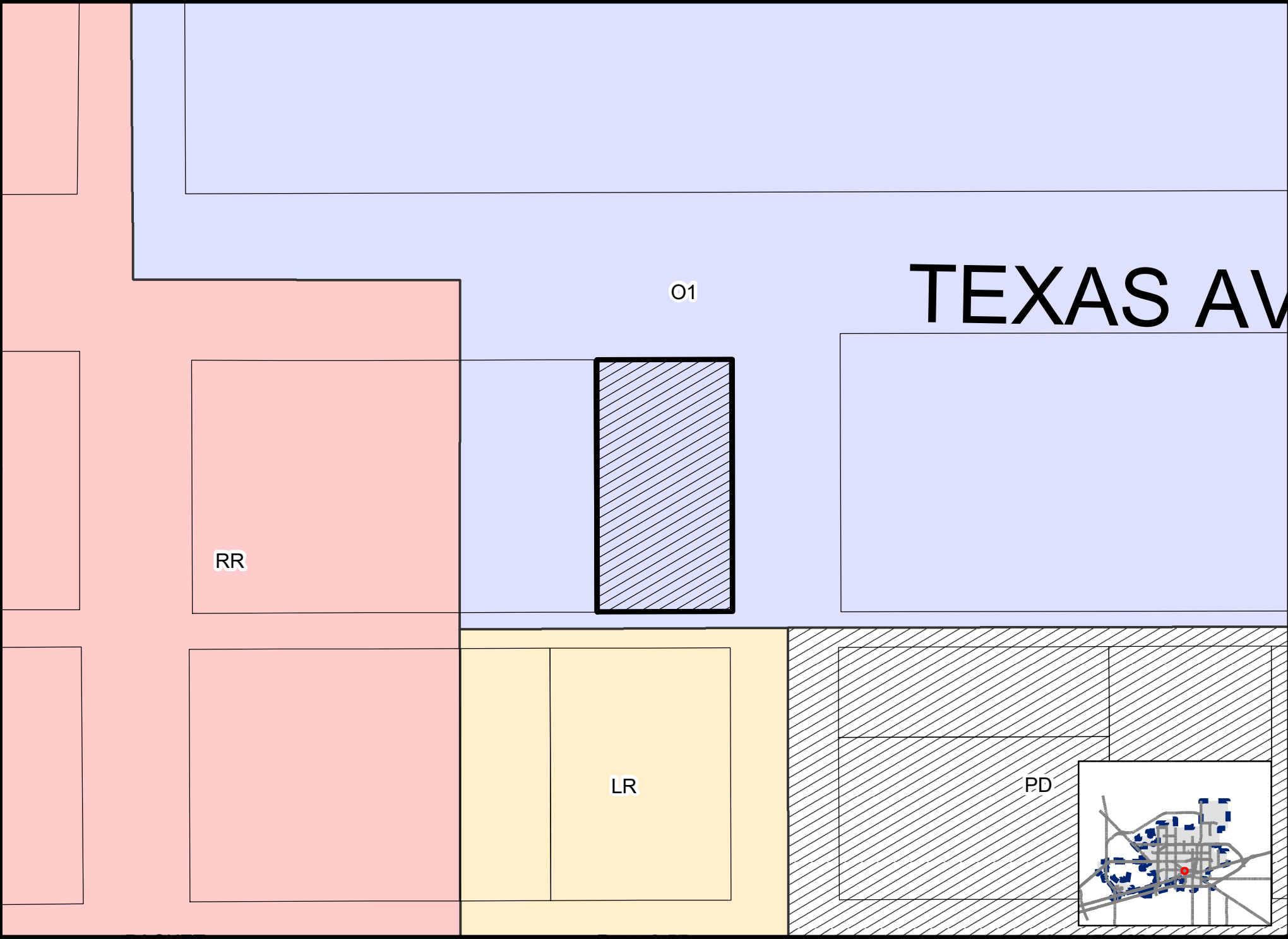
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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





Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving a Final Plat of Seymour Addition, Section 15, being a Plat of a 10-acre tract of land in Block 40, Section 31, T-1-S T&P RR Co Survey, County of Midland, Texas. (Generally located on the north side of West County Road 72, approximately 785 feet east of Farm-to-Market Road 1788 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The Preliminary Plat was approved at the September 19, 2022, Planning and Zoning Commission meeting. The applicant is proposing to plat the subject property into two lots.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

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

WATER: 16" water main runs down the west side of the property, okay as is. 48" water main runs through the north side of the property, okay as is. [For the Applicant's information only.]

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

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

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

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

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

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

DIMENSION: * * *

Transportation: (Approved)

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

Fire: (Approved)

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

Oil and Gas: (Approved)

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

Code Administration: (Approved)

ETJ, no jurisdiction.

GIS: (Approved)

No comments.

Midland County Public Works: (Approved)

No comments.

Midland County Health Department: (Approved)

No comments.

CRMWD: (Approved)

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Seymour Addition, Section 15, subject to condition A.

Condition(s):

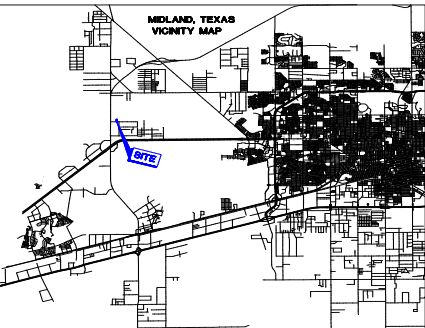
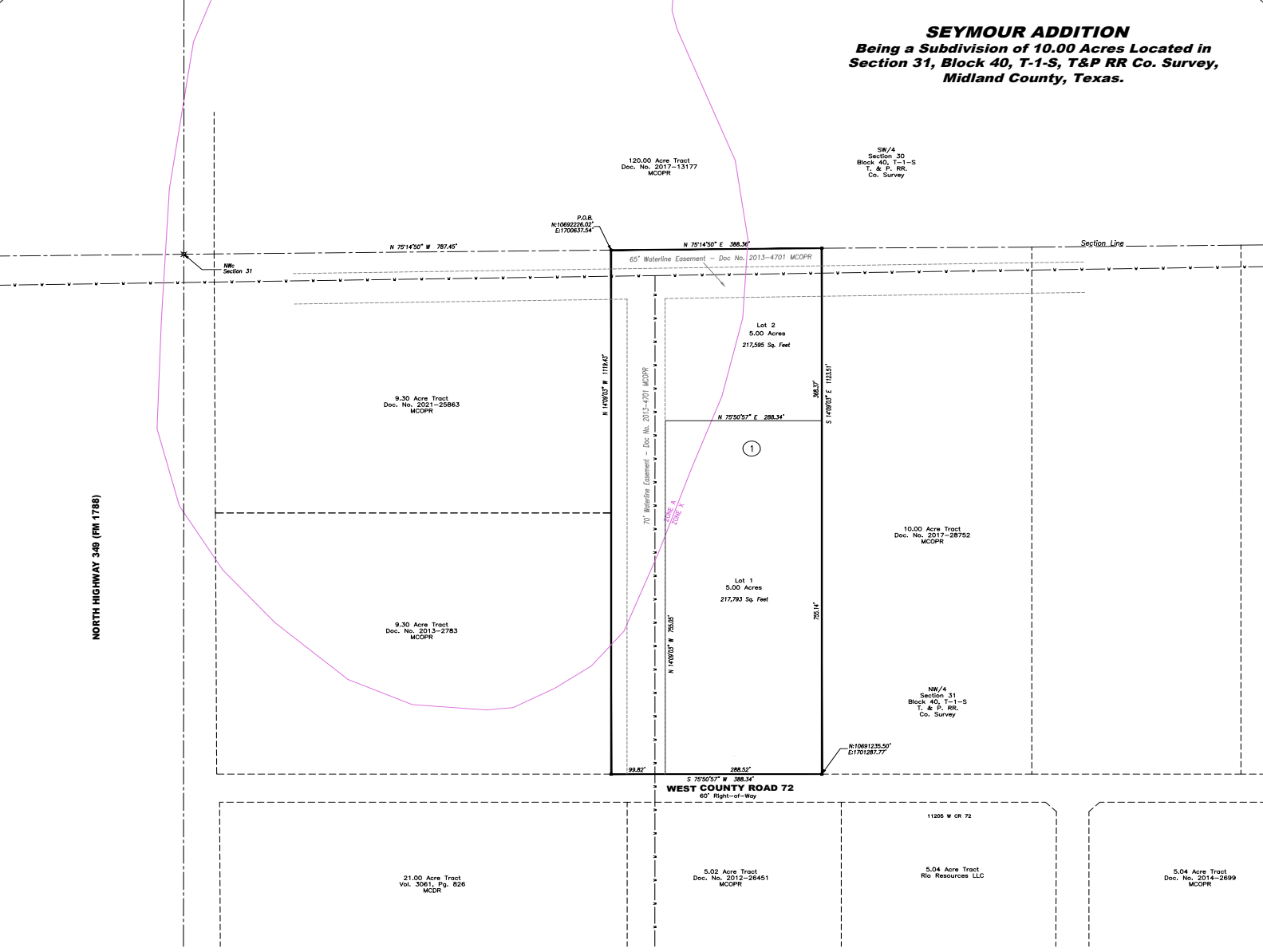
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps

SEYMOUR ADDITION
Being a Subdivision of 10.00 Acres Located in
Section 31, Block 40, T-1-S, T&P RR Co. Survey,
Midland County, Texas.

NORTH HIGHWAY 340 (FM 1788)



CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "SEYMOUR ADDITION," was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on this _____ day of _____, 2023.

SIGNED: _____
PRINT: _____
Chairman

ATTEST: _____
PRINT: _____
Secretary

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ATMOS ENERGY PRINT NAME

SIGNED: _____
ONCOR ELECTRIC DELIVERY PRINT NAME

SIGNED: _____
AT&T TEXAS PRINT NAME

SIGNED: _____
OPTIMUM PRINT NAME

SIGNED: _____
ASTOUND BROADBAND PRINT NAME

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. LOCATED IN ETJ.
4. BEARING & COORDINATES SHOWN ON THIS SURVEY ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, NAD 1983, CENTRAL ZONE (CORS).
5. THIS PROPERTY IS IN ZONE A AND DOES LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO FEMA MAP NO. 483200175F, DATED SEPTEMBER 16, 2005, PREPARED FOR MIDLAND COUNTY, TEXAS.
6. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

OWNER:

RUSSELL DAVIS
13907 JOHNSON ROAD
BAKERSFIELD, CALIFORNIA 93314
(661)979-9757

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, RUSSELL DAVIS as the recorded owner of a 10.00 Acre Tract located in Section 31, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, recorded in Doc. No. 2018-18431, Midland County Official Plat Records, County of Midland, Texas, and more particularly shown herein:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, RUSSELL DAVIS, do hereby adopt this plat designating the herein above described property as "SEYMOUR ADDITION," an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS our hands at Midland, Texas, this the _____ day of _____, 2023.

RUSSELL DAVIS

ACKNOWLEDGMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared RUSSELL DAVIS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of owner, and that he executed the same as the act for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LEGEND

- 1/2" Iron Rod
- Power Pole
- Water Well
- Hvy. Valve
- Air Conditioner
- Sewer Cleanout
- Sewer Manhole
- Bollard
- Pipeline Sign
- Fence
- Overhead Powerline
- Water Line

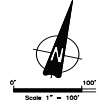
Professional Land Surveying & Mapping
Aaron Burrell Land Surveyors, LLC
415 W. Wall St., Suite 204
Midland, Texas 79701
409-848-4439
aaronburrell.com
P.O. Box 80441
Midland, Texas 79708
TBLPS Form No. 1009-0217 Page 1 of 1 2021-1-28 RP

PAGE 1

01 June 2023
DATE

Page 9.61

AARON SCOTT BURRELL TX RPLS 5689



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

June 5, 2023

FINAL PLAT
SEYMOUR ADDITION



Final Plat Application

Project Number: SUB-21-0476Case Number: P-23-1583**Proposed Subdivision Plat Name:** Seymour Addition**Legal Description (attached sealed Metes and Bounds):** Being a 10-Acre tract of land out of Section 31 Block 40, T-1-S T&P RR CO. Survey, Midland County, Texas**Property Owner**

Printed Name:

Russell Davis

Phone (661) 979-9757

Email rsseymour37@gmail.comAddress 13907 Johnson RoadCity BakersfieldState CAZip 93314**Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Aaron Burrell Land Surveyors, LLCPrinted Name: Aaron Burrell

Phone (432) 848-4439

Email aaron@asbsurveyors.comAddress 415 W Wall St, Suite 204City MidlandState TXZip 79701**Current Zoning:****Reason for Platting:** Make 1 Lot into 2 Lots**Plat Information**Total Acreage: 10.00 AcresType: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots:

Number of Multi-Family Dwelling Units: 0**Submittal Information:** Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Russell Davis

Date: 5-8-23

Property Owner (printed): Russell Davis

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.

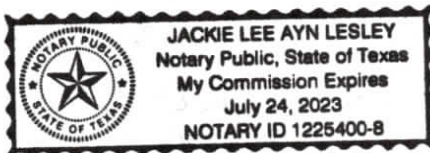
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Aaron S. Burrell who, being by me duly sworn, upon oath says: That (s)he is authorized by Russell Davis, 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.

ASB
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of May, 2023, to certify which witness my hand and seal of office.



W. Lesley
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: Alexandra Walling

Date: MAY 08 2023

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

PACKET

Page 9.63

June 5, 2023

Final Plat Application

2

BY: AW Revised 7/01/10



LOCATION MAP

SUB-22-0476

Scale: 1" = 500'

A proposed Preliminary Plat of Seymour Addition, Section 15, being a subdivision of a 10-acre tract of land in Block 40, Section 31, T-1-S T&P RR Co. Survey, County of Midland, Texas.

Generally located on the north side of West County Road 72, approximately 785 feet east of F.M. 1788 - (Extraterritorial Jurisdiction)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Consider a request by Schumann Engineering for a proposed Preliminary Plat of Country Sky Addition, Section 29, being a Residential Replat of Lot 18, Block 1, Country Sky Addition, Section 3, City and County of Midland, Texas. (Generally located on the east side of Tumbleweed Trail, approximately 1,270-feet south of Briarwood Avenue. – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Engineering, is requesting to replat Lot 18, Block 1, Country Sky Addition, Section 3, City and County of Midland, Texas into two lots.

Current Zoning:

CE, Country Estates District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with conditions)

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

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

PAVING: Tumbleweed Trail is not built to City Standards, construct to City standards for entire platted frontage or request a deferral. [For Applicant's Information Only.]

WATER: 12" water exists in Tumbleweed Trail West of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: None existing. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. Or request a deferral [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)] Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (A) Areas served by public water systems shall have lots of at least ½ acre. Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (B) Areas NOT served by public water systems shall have lots of at least 1 acre.

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

Lots should be 18A and 18B. (no dash). Plat extends into previously dedicated ROW. (dedicated in Country Sky Addition, Sec 3). Please clean up southern call. Please, label surrounding subdivisions.

PLANNING (Approved with Conditions):

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

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

Condition:

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

Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY
COUNTRY SKY ADDITION
SECTION 29,

BEING A REPLAT OF LOT 18, BLOCK 1,
COUNTRY SKY ADDITION, SECTION 3,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN LOT 18, BLOCK 1, COUNTRY SKY ADDITION, SECTION 3, AN ADDITION TO THE CITY OF MIDLAND, TEXAS, MIDLAND COUNTY, TEXAS AS PER THE MAP OF PLAT RECORDED IN CABINET 1, PAGE 25, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 2.11 ACRE TRACT OF LAND, KNOWN AS ALL OF LOT 18, BLOCK 1, COUNTRY SKY ADDITION, SECTION 3, AN ADDITION TO THE CITY OF MIDLAND, TEXAS, MIDLAND COUNTY, TEXAS AS PER THE MAP OF PLAT RECORDED IN CABINET 1, PAGE 25, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, SAID 2.11 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A MAG NAIL SET (N:10702114.99, E:1722447.01) IN THE CENTERLINE OF TUMBLEWEED TRAIL FOR THE NORTHWEST CORNER OF THIS TRACT, BEING THE NORTHWEST CORNER OF SAID LOT 18, OF SAID BLOCK 1, OF SAID COUNTRY SKY ADDITION, SECTION 3;

THENCE NORTH 75°36'50" EAST, AT 30.00 FEET PASS A REINF BAR FOUND IN THE EAST RIGHT OF WAY OF TUMBLEWEED TRAIL, IN ALL 253.09 FEET TO A REINF BAR FOUND MARKED "LCA" FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°04'49" EAST 363.37 FEET TO A REINF BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°21'00" WEST, AT 221.78 PASS A REINF BAR FOUND MARKED "LCA", IN ALL 251.78 FEET TO A MAG NAIL SET IN SAID CENTERLINE OF SAID TUMBLEWEED TRAIL FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°17'13" WEST, ALONG SAID CENTERLINE OF SAID TUMBLEWEED TRAIL, 364.52 FEET TO THE PLACE OF BEGINNING.

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS LOT 18, BLOCK 1, COUNTRY SKY ADDITION, SECTION 3, AN ADDITION OF 2.11 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

MARK HOWARD ELLIOTT

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY MARK HOWARD ELLIOTT

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

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

SIGNED: _____
CHAIRMAN LUCY SIGNEGA

ATTEST: _____
SECRETARY JEFF FISHER

LEGEND:

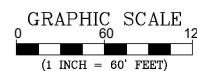
- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- - - SECTION LINE
- - - UTILITY EASEMENT
- - - FENCE LINE
- x - FIRE HYDRANT

OWNER(S):

MARK HOWARD ELLIOTT
4300 TUMBLEWEED TRL
MIDLAND, TX 79707
(432) 683-2787
hemark246@gmail.com

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

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



RJ DAUM
TEXAS RPLS 4826

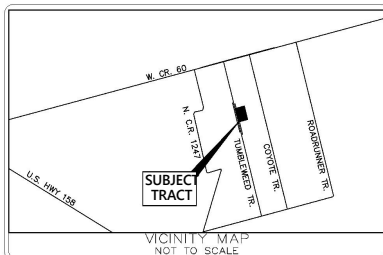
NO.	DATE	DESCRIPTION	BY	DRAWN BY	DATE
1	04/03/2023	SKETCH PLAN	JG	JG	04/03/2023
				ED/RJ	79251
				79,251	1 OF 1

Page 10.68

PACKET

NOTES:

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



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

COUNTRY SKY, SECTION 3.

COUNTRY SKY, SECTION 3.



Preliminary Plat Application

Project Number: 346-23-06617
Case Number: P-23-1638

Proposed Subdivision Plat Name: COUNTRY SKY ADDITION, SECTION 29

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOT 18, BLOCK 1, COUNTRY SKY ADDITION, SECTION 3, MIDLAND COUNTY, TEXAS.

Property Owner Printed Name: MARK HOWARD ELLIOTT		Phone () Email hemark246@gmail.com	
Address 4300 TUMBLEWEED TRL.	City MIDLAND	State TX	Zip 79707

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

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

Current Zoning: COUNTRY ESTATES DISTRICT

Reason for Platting: To split Lot 18, Block 1, in half (East-West), Obtain septic permit and Address.

Plat Information	Total Acreage: 2.11 ACRES
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 2	Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

Do you expect to request a development agreement with the City? ☐ Yes ☐ No
If yes, contact the City Engineer at (432) 685-7286

Provisions

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

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

Property Owner (signature):

Date:

5.10.23

Property Owner (printed):

MARK ELLIOT

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

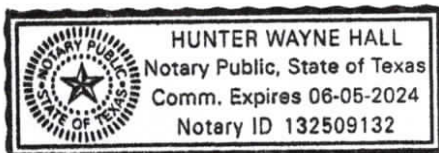
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Mark Elliot, 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 10th day of May, 20 23, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # 1988

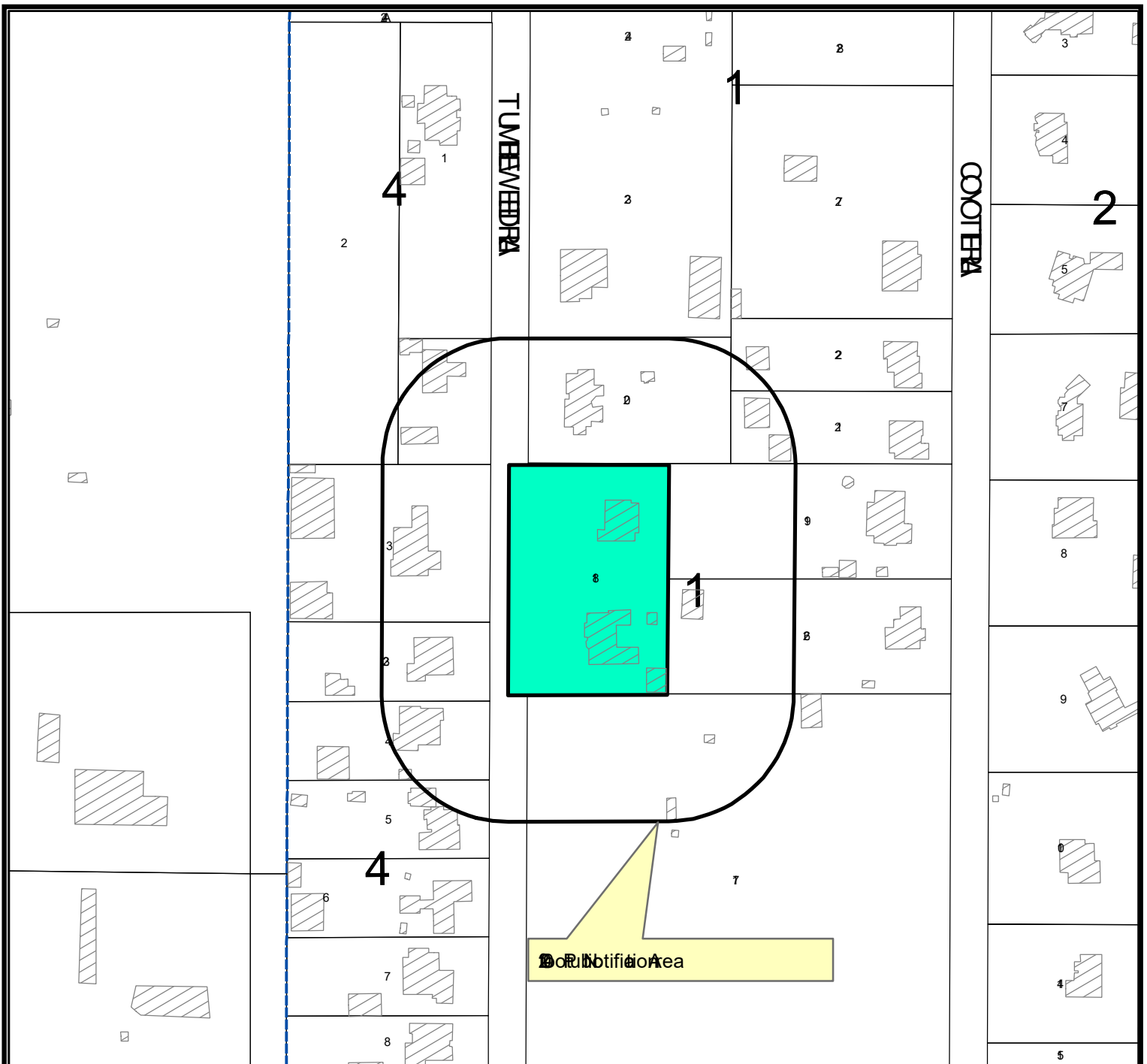
Received By: AW

Date:

RECEIVED
MAY 10 2023

BY: AW

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



LOCATION MAP

P-23-1638

Scale: 1" = 200'

A plat of Country Sky Addition, Section 29, being a replat of Lot 18, Block 1, Country Sky Addition, Section 3, City and County of Midland, Texas.

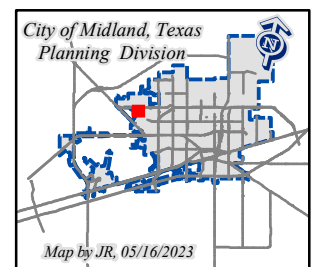
Generally located on the east side of Tumbleweed Trail, approximately 1,270 feet south of Briarwood Avenue. (Council District 4)

PACKET

Page 10.71

LEGEND

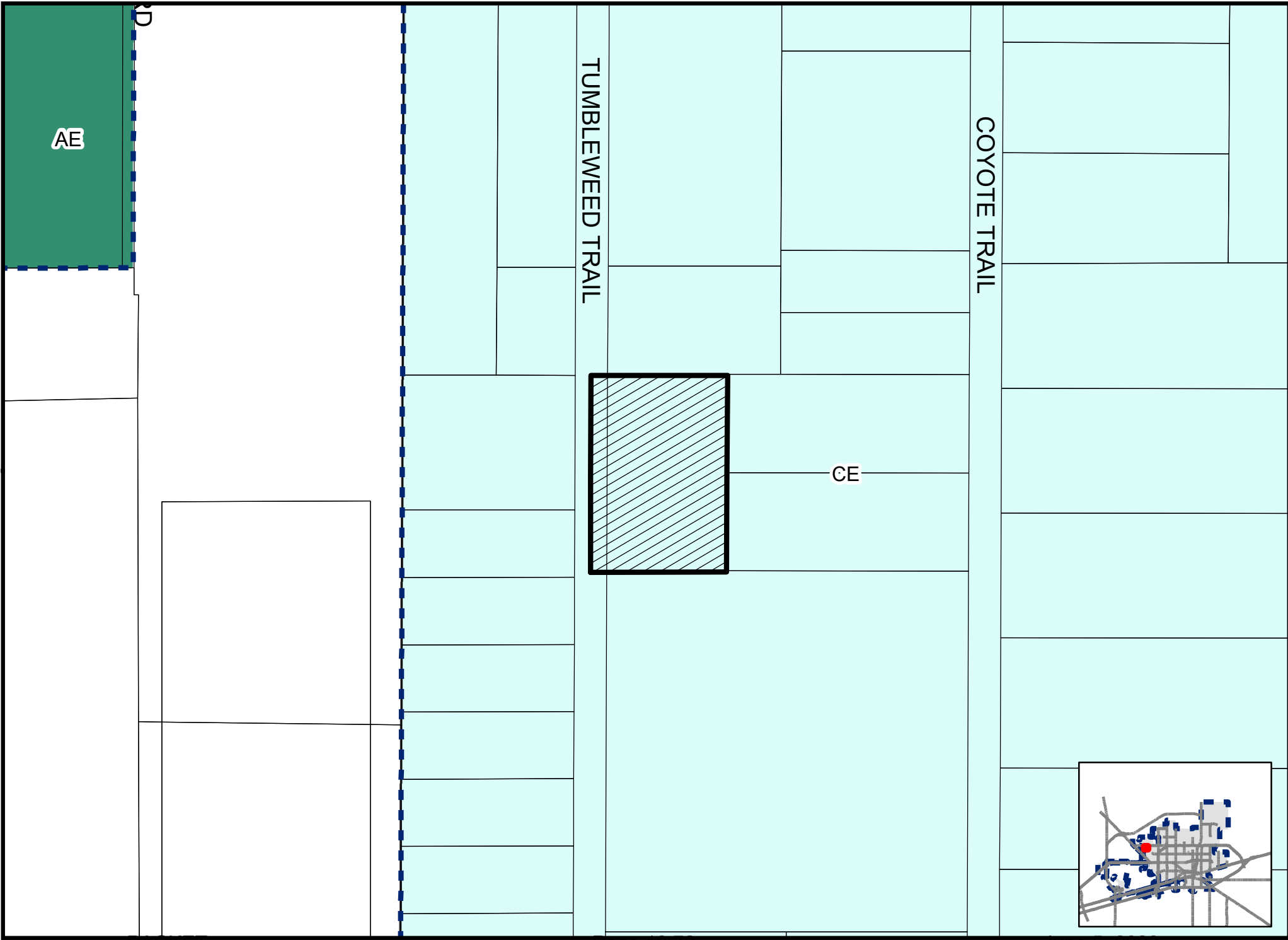
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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June 5, 2023















Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Planning Manager

SUBJECT: Consider a request by Leovardo Leon for a Specific Use Designation with Term for Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on Lots 1 and 2, Block 182, City and County of Midland, Texas. (Generally located on the southwest corner of South Big Spring Street and Florida Avenue. - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Leovardo Leon, is requesting a Special Use Designation (SUD) for the sale of Alcoholic Beverages for On-Premises Consumption in a restaurant.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The property to the north is zoned RR, Regional Retail District, and the location of a gas station. The properties to the east are zoned RR, Regional Retail District, and the location of a restaurant and automotive dealership. The property to the south is zoned RR, Regional Retail District and the location of retail uses. The property to the west is zoned C, Commercial, and the location of retail uses.

Analysis:

The subject property is zoned RR, Regional Retail District, which allows Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant with the approval of a Specific Use Designation. The total restaurant area is 2,790- square feet with an alcohol serviceable area of 987-square feet.

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

Monday through Sunday from 10:30 a.m. to 12:00 a.m. (midnight)

Per Midland City Code Section 5.4.4. – Prohibited place of business

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

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

Adequate parking has been provided on the site.

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

Fire: (Approved)

No objections.

Engineering: (Approved)

No objections. [For Applicant's Information Only.]

Transportation: (Approved)

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

Building Code: (Approved)

The SUD for Tacos Wey is acceptable. The property must adhere to the maximum occupant load of 65 for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Code Compliance: (Approved)

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

Planning: (Approved)

The request is in compliance with *Tall City Tomorrow Plan, Chapter 6-Character Plan Goal 4*, "Encourage the development of places where Midland residents can gather and socialize to build connections." (Tall City Tomorrow page 137). The approval this Specific Use Designation will provide a place to gather and socialize to build connections.

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

Conditions:

- A. That the alcohol serviceable area of the restaurant shall be limited to approximately 987-square feet as shown on the Floor Plan "Exhibit A", which is attached hereto and incorporated herein for all purposes.**
- B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:**
 - Monday through Sunday from 10:30 a.m. to 12:00 a.m. (midnight)***
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- D. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**

Letters of Objection:

As of May 31, 2023, staff have received no letters of objection for this request.

Attachments:

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



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

Project Number:

SW-23-0157

Case Number:

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

Printed Name: Leovaldo Leon

Phone (281) 830-1286

Email leo@leon777@gmail.com

Address 3611 Shell Ave

City Midland

State
TX

Zip
79705

Property Owner

Printed Name: George O. Sosa

Phone (432)

Email 2625763

Address 1206 Storey Ave.

City Midland

State
TX

Zip

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()

Email

Address

City

State

Zip

Street Address: 900 S. Big Spring Midland TX 79701

Business Name: Tacos Wer

Legal Description

Lot: 182 Block: 182 Subdivision: Southern Addition

Current Zoning: RR

Reason for Request: Restaurant

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

Proposed/Current Days and Hours of Operation: 7 Days 10:30 AM to 12 AM

Proposed Days and Hours of Alcohol Service: 7 Days 10:30 AM to 12 AM

Total Square Footage of Business: 2790

Square Footage of Alcohol Serviceable Area: 987

Restroom Fixtures:

Men

Toilets/Urinals: 1 1 2

Bathroom Sinks: 1

Women

Toilets: 2

Bathroom Sinks: 1

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

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Floor Plan showing:
 - Seati
 - Exits
 - Restr
 - Kitchen (if applicable)
 - Total Square Footage
 - Serviceable Square Footage
- Dimensioned Site Plan showing:
 - Parking
 - Business Footprint

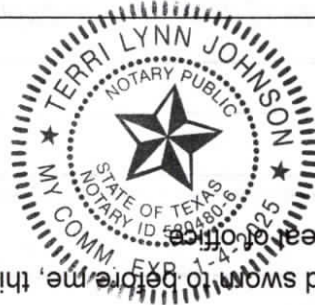
PACKET

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

BY:

Received By: <u>LT</u>	
Check # <u>CA</u>	☐ Plans in Digital Format (PDF/JPEG)
☒ Application Fee	☒ Site Plan
☒ Property Owner Authorization	☒ Dimensioned Floor Plan
FOR OFFICE USE ONLY	

NOTARY PUBLIC, MIDLAND COUNTY, TEXA



Subscribed and sworn to before me, this 18 day of April, 2023, to certify which witness my hand and seal of office.

Authorized Agent (signature)

George R. Sosa

sign said owner's name hereto as his/her attorney in fact.

described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to

me duly sworn, upon oath says: That (s)he is authorized by George Sosa, the owner of the above

Before me, the undersigned authority, on this day personally appeared Leovardo Leon who, being by

STATE OF TEXAS
COUNTY 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.

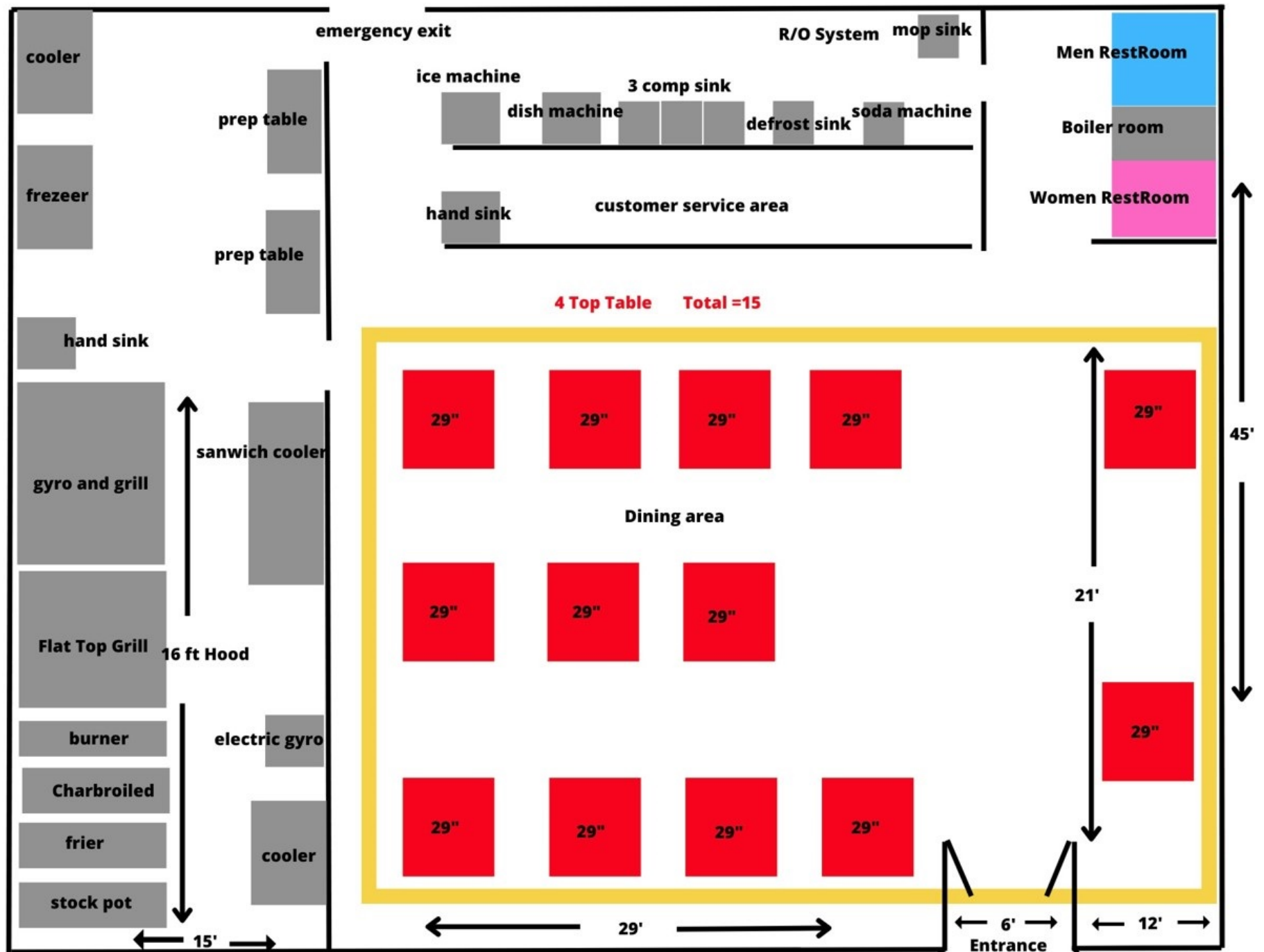
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

the application are also received.

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

Property Owner (printed): <u>George R. Sosa</u>	Property Owner (signature): <u>George R. Sosa</u>	Date: <u>4/13/23</u>
Applicant (printed): <u>Leovardo Leon</u>	Applicant (signature): <u>Leovardo Leon</u>	Date: <u>4-18-23</u>

Signatures



Emergency Exit

Existing Building: 2790 sf

Parking Spaces: 21

Entrance

← 9' → ← 8' → ← 9' → ← 9' → ← 9' → ← 9' → ← 9' →



← 20' →

← 20' →

← 20' →

← 20' →

← 20' →

← 20' →

→
←

← 9' → ← 9' → ← 9' → ← 9' → ← 9' →

← 20' →

← 20' →

← 20' →

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← 9' →

← 20' →

← 9' →

↓ ↑

→
←

← 20' →

← 6' →

← 20' →

← 6' →

← 20' →

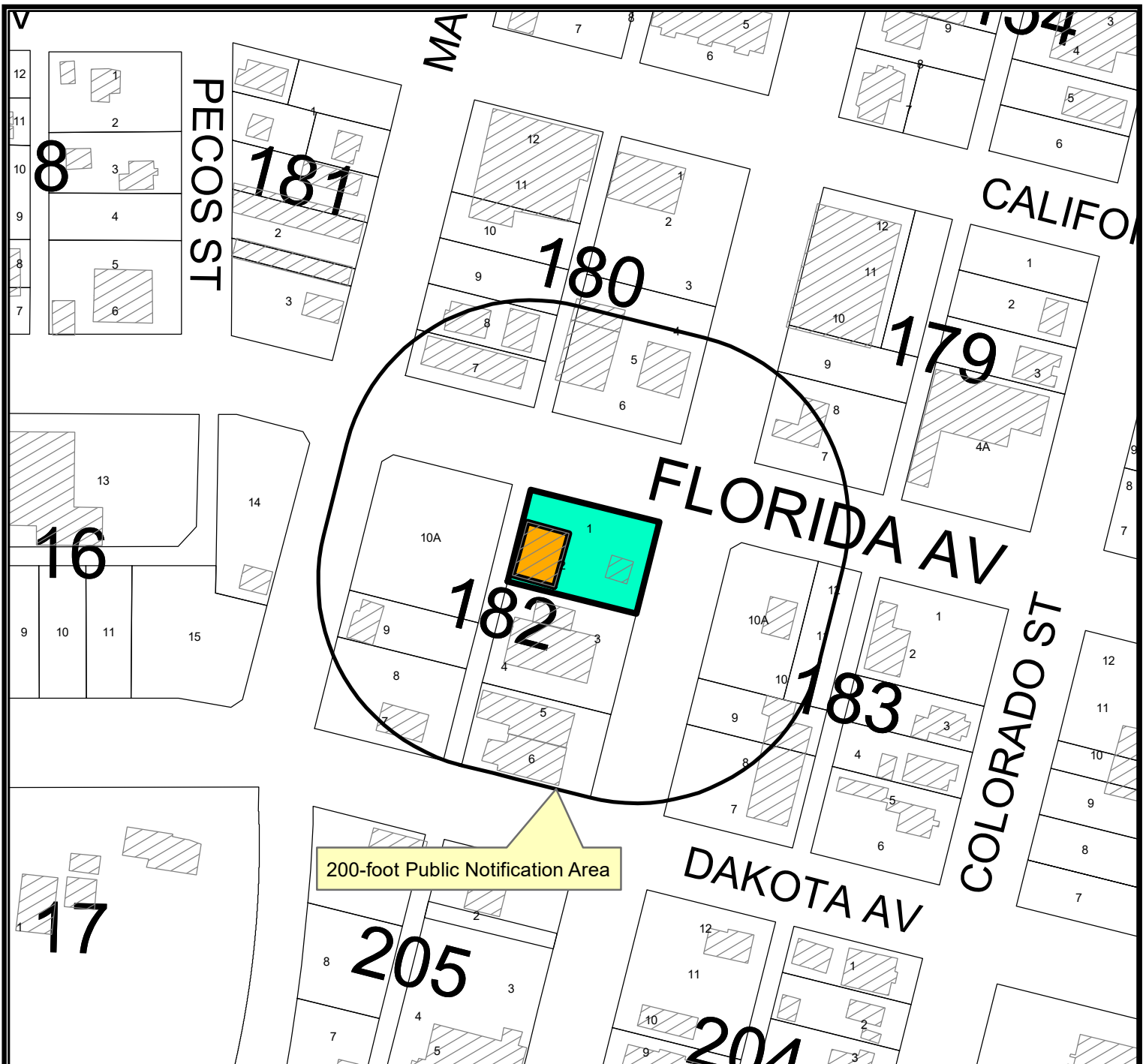
← 6' →

← 20' →

← 6' →

← 20' →

← 6' →



LOCATION MAP

SUD-23-0157

Scale: 1" = 200'

Request by Leovardo Leon for a Specific Use Designation with Term for Alcoholic Beverages Sales for On-Premises Consumption, on Lots 1 and 2, Block 182, Southern Addition, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of South Big Spring Street and West Florida Avenue. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving with staff's recommendations a proposed Preliminary Plat of Midland Community Theatre, being a Plat of a 4.677-acre tract of land out of Section 15, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West Wadley Avenue, approximately 1,000-feet west of North I Street. – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Parkhill, is requesting to plat a 4.677-acre tract of land out of Section 15, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas.

Current Zoning:

MF-16, Multiple-Family Dwelling District.

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

Building Code: (Approved)

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

Surveyor: (Approved)

Check ROW width of Wadley Ave. as shown by plat. Based on shown POB coordinates the west line of plat appears to encroach on property to the west.

Engineering: (Approved)

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

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

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

WATER: 20" and a 10" waterline exists in W. Wadley Ave. South of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

SEWER: 18" sewer exists in Wadley Ave. South of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Fire: (Approved)

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

Code Compliance: (Approved)

No Oil and Gas Issues.

GIS: (Approved)

Using this POB, there is a 10' overlap with the property west of the plat based on aerial. Check Wadley width, please.

Planning (Approved with Conditions):

Double check metes and bounds. [Informational]

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

The legal description should read, "Being a 4.677-acre tract of land out of Section 15, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas." [Informational]

Staff recommends approval of the Preliminary Plat of Midland Community Theater, subject to condition A.

Condition(s):

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

Attachments:

Proposed Preliminary Plat
Application
Maps

MIDLAND COLLEGE
ADDITION
CABOT 1
PG. 117

SPECIAL STATE PLANE
COORDINATE NOTE
The above described coordinates are relative to
the Texas State Plane
Coordinate System (Central Zone 1983 NAD), with
a combined grid factor of
0.9998958 for mean project datum. The theta angle
is equal to .00544839
at USC&GS station "Midland", with published
values of N=10,600,154.70 and
E=1,746,696.78 in U.S. Survey Feet.

FLOOD ZONE
Based on the U.S. Department of Housing and Urban
Development, Federal
Insurance Administration Flood Hazard Boundary Map,
Community Number 481239
Map Number 48323C0058F, Panel 200 of 525, revised
September 16, 2005, the
surveyed property is not located in a Special Flood
Hazard Area. According to the
map, the current flood zone classification for the
surveyed property is Zone X.

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

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

CERTIFICATE OF
APPROVAL
This is to certify that the above and foregoing plat of
MIDLAND COMMUNITY THEATRE, was
approved by proper action of the City Planning and Zoning
Commission of the City of Midland,

Chairman - Lucy
Sisnega Secretary - Jeff
Fisher

OWNER'S
CERTIFICATE
STATE OF
TEXAS
COUNTY OF
MIDLAND, MIDLAND COMMUNITY THEATRE, is the record
owner being a 4.677-acre tract of
land out of the of Section 15, Block 39, T-1-S, T&P RR Co.
Survey, City and County of Midland,
Texas, and being the known and shown on the plat
therein PRESENTS:
That I, Timothy J. Jensen, do hereby adopt this plat designating the
herein above described property
as MIDLAND COMMUNITY THEATRE to the City and County of
Midland, Texas, and we do
hereby dedicate to the public use, forever, the streets, and
easements shown thereon.

STATE OF
TEXAS
COUNTY OF
MIDLAND was
known and shown on the plat
therein as MIDLAND
COMMUNITY THEATRE.

Notary Public
Signature

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

Onco Electric Delivery Service
(PLEASE PRINT)

AT&T
Texas (PLEASE
PRINT)

Atmos
Energy (PLEASE
PRINT)

Optimum
(PLEASE
PRINT)

Astound
Broadband (PLEASE
PRINT)

PLAT FILED FOR
RECORD
MIDLAND
COUNTY, TEXAS
DATE
PAGE

Preliminary Plat
MIDLAND
COMMUNITY
THEATRE
Being a portion of the tract of land out of
the of Section
15, Block 39, T-1-S, T&P RR Co.
Survey, City and County of
Midland, Texas.

0 60 120

LEG
ND
Proposed All Limits
Existing Lot
Existing Flood
Zone
Proposed Sewer Line
Existing Water Line
Existing Electrical Overhead
Existing 3' Contours

NOTE
1. Selling a portion of this addition by metes
and bounds may be a
violation of city ordinance and state law
and subject to lines and
2. with proper title and building permits.
Midland may be required
before these lots may be developed or
before a building permit
by 3. 1/2" iron rod with plastic cap set at each
corner, less than 12" in
4. Initial impact fees will be assessed during
the final platting and collection of
process. Implementation and collection of
impact fees will take
place during the building permit process.
Additional impact fees or
increases in fees may not be assessed
5. against the easement ingress and
egress to be developed
on this plat. MIDLAND COMMUNITY THEATRE, to the
City of Midland for
garbage and trash collection and location
and maintenance of
trash containers, save and except those
areas occupied by a
building or structure, said easement is
conditioned such that no
construction shall commence on said lot
until exact location of
said easements and the easements in
connection therewith have
been shown and approved by the
directors of the
Community
Theatre
2000 W. Wadley
Avenue
Midland, Texas 79705
Tel: 682-2544
Parkhill
1700 W. Wall St.,
Midland, Texas 79701
1447

MIDLAND COMMUNITY
THEATRE
Parkhill

TBPEL'S FIRM REGISTRATION
NO. 10194091

PACKET

Page 12.93

LOCATION MAP

June 5, 2023



Preliminary Plat Application

Project Number:

Case Number:

Sub-23-0614
P-23-1635

Proposed Subdivision Plat Name: Midland Community Theatre

Legal Description (attached sealed Metes and Bounds): Being a 4.677-acre tract of land out of Section 15, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Property Owner

Printed Name: Midland Community Theatre, Inc

Phone ()

Email

Address 2000 W. Wadley Ave

City Midland

State Texas

Zip 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Parkhill

Printed Name: Josh Wallender

Proj. # 8847.20

Phone (432) 697-1447

Email

jwallender@parkhill.com

Address 1700 W. Wall Street STE 100

City Midland

State Texas

Zip 79705

Current Zoning: MF-16

Reason for Platting: Acquire Building Permits

Plat Information

Total Acreage:

4.677

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1 Lot

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

Signature (by property owner only – authorized agent must sign affidavit below)Property Owner (signature): Tim JensenDate: 5/10/2023Property Owner (printed): Midland Community Theatre, Inc.

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

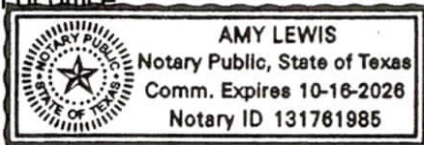
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Shelby Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 9th day of May, 20 23, to certify which witness my hand and seal of office



Amy Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

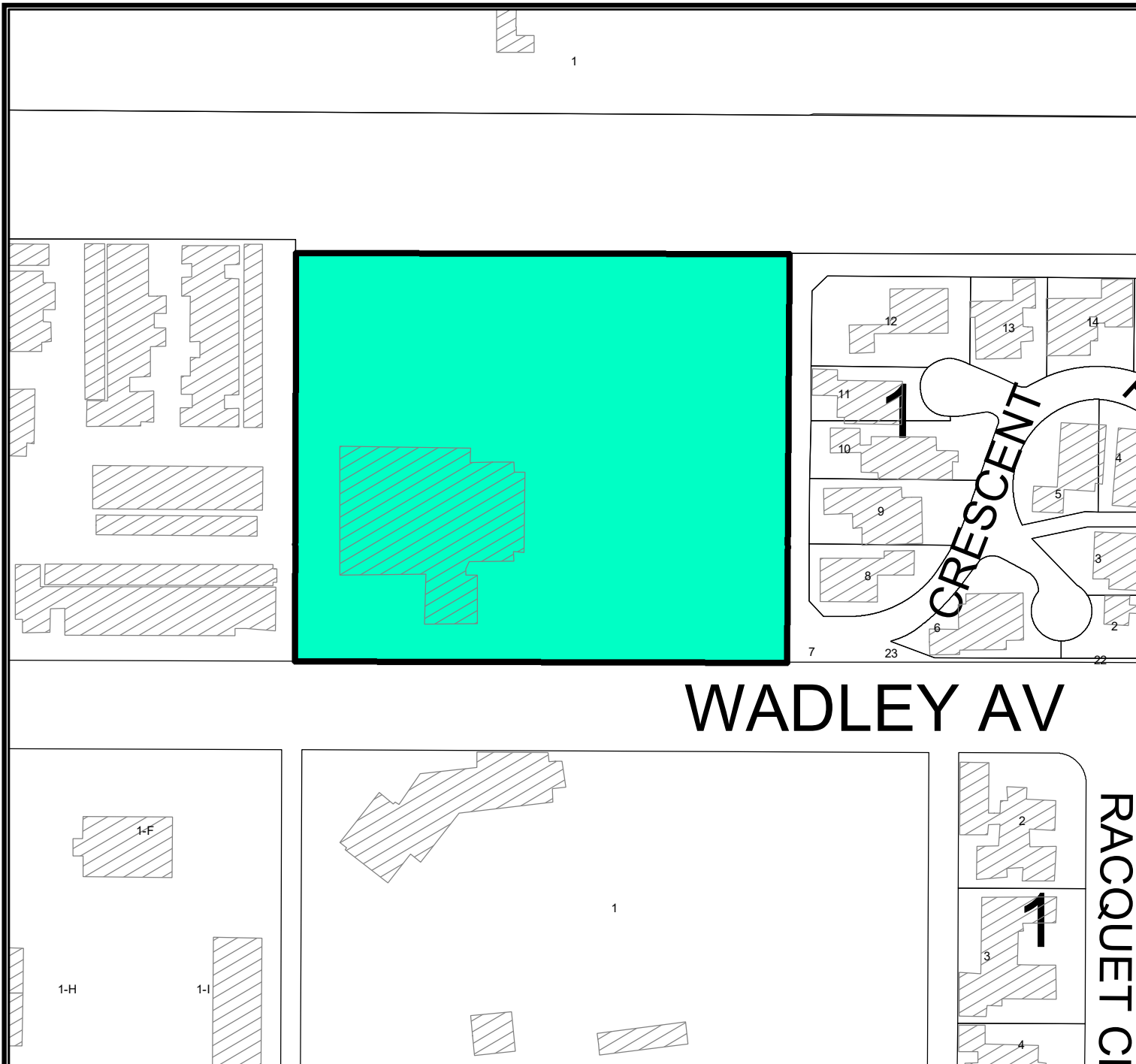
Check # 001578Received By: AW

Date:

RECEIVED
MAY 10 2023

BY: AW

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



LOCATION MAP

SUB-23-0614

Scale: 1" = 200'

Proposed plat of Midland Community Theater, being a 4.677-acre tract of land out of Section 15, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

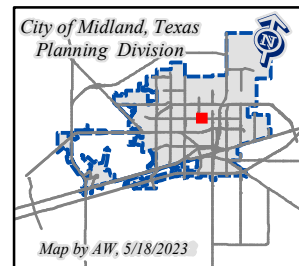
Generally located on the north side of West Wadley Avenue, approximately 1,004-feet west of North I Street. – (Council District 3)

PACKET

Page 12.96

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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June 5, 2023

SF1

MF16

PD

CRESCENT

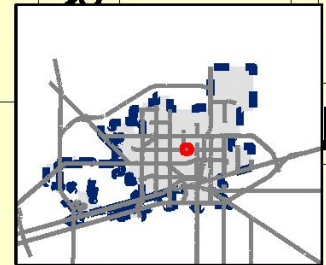
PL(P)

WADLEY AV

RR

MF22

SF1





Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Stoneridge, Section 3 being a Replat of Lot 1, Block 4, Stoneridge, Midland County, Texas. (Generally located at the northwest corner of the intersection of South County Road 1130 and Farm-to-Market Road 307. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 x Approve Deny Directional/Informational

Details of Request:

The applicant, Aaron Burrell, is requesting to replat Lot 1, Block 4, Stoneridge, Midland County, Texas.

Current Zoning:

Extraterritorial Jurisdiction.

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)

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

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

PAVING: FM 307 is a TxDOT facility, built and maintained by TxDOT, no improvements are required. [For Applicant's Information Only.]

Deferral Request received and administratively approved May 12, 2023. [For Applicant's Information Only.]

WATER: Deferral Request received and administratively approved May 12, 2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral Request received and administratively approved May 12, 2023. [For Applicant's Information Only.]

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

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

SIDEWALKS: Deferral Request received and administratively approved May 12, 2023. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

Fire: (Approved)

No comments.

Code Compliance: (Approved)

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

GIS: (Approved)

Parcels surrounding this plat in Stoneridge are Block 1. Legal description should say "Being a Replat of Lot 1, Block 4, Stoneridge, Midland County, Texas."

Midland County Public Works (Approved):

If they plan on attaching a driveway or an entrance to South County Road 1130, they will need to contact Jessica Buchanan with Public Works Department and get a permit.

Midland County Health (Approved):

Yes, the health department will review applications from the proposed lots of Stonebridge, Section 3, PLAT OF A 10.4 ACRE TRACT LOT 1, BLOCK 4, STONERIDGE, COUNTY OF MIDLAND, lots 1B,1D,1F is 1 acre, lot 1A is 1.3 acre, lot 1C is 2.5 acre, lot 1E IS 1.4 acre, lot 1G is 2 acre property owners must contact the pipeline company to get the setback to their pipeline before any excavation can occur to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD (Approved):

No comments.

Planning: (Approved with Conditions):

Provide a title opinion at final plat stage.

Staff recommends approval of the preliminary plat of Stoneridge, Section 3 subject to conditions A.

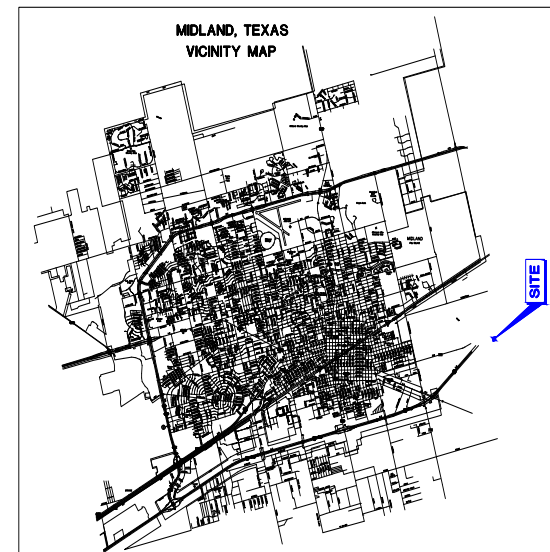
Condition:

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

Attachments:

Proposed Preliminary Plat
Application
Maps

STONERIDGE SECTION 3
10.484 ACRES BEING LOT 1,
BLOCK 4, STONERIDGE,
COUNTY OF MIDLAND, TEXAS.



NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. A BLANKET EASEMENT OF INGRESS AND EGRESS WILL BE GRANTED FOR STONERIDGE SECTION 3, TO THE CITY OF MIDLAND FOR GARBAGE AND TRASH COLLECTION AND LOCATION AND MAINTENANCE OF TRASH STRUCTURES, AND EXCEPT THOSE AREAS OCCUPIED BY A BUILDING OF STRUCTURE. SAID EASEMENT IS CONDITIONED SUCH THAT EXACT LOCATION OF SAID CONTAINERS AND THE EASEMENTS IN CONNECTION THEREWITH HAVE BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.
4. BEARING & COORDINATES SHOWN ON THIS SURVEY ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, NAD 1983, CENTRAL ZONE (CORS).
5. THIS PROPERTY IS IN ZONE X AND DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO FEMA MAP NO. 483290125F, DATED SEPTEMBER 16, 2005, PREPARED FOR MIDLAND COUNTY, TEXAS.
6. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, _____, for MAYTA RENOS LLC as the recorded owner of a Lot 1, Block 4, Stoneridge, Midland County Texas, recorded in Doc. No. 2019-33861, Midland County Official Public Records, County of Midland Texas, and more particularly shown herein:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, _____, does hereby adopt this plat designating the herein above described property as "STONERIDGE SECTION 3" an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS our hands at Midland, Texas,
this _____ day of _____, 2023.

By: _____

ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of owner, and that he executed the same as the act for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

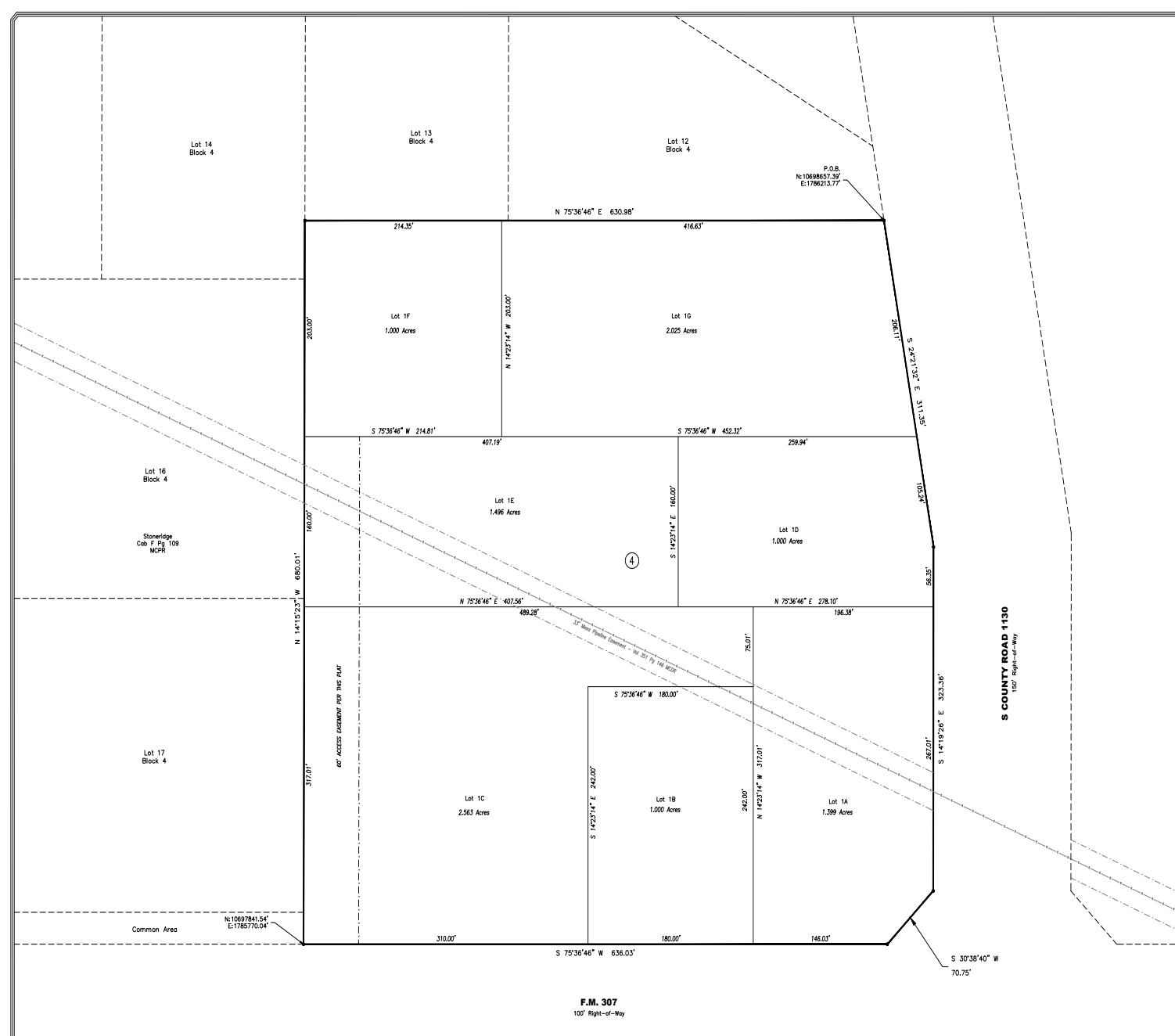
UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

OWNER: MAYTA RENOS LLC
610 N FORT WORTH ST
MIDLAND, TX 79701
(708) 262-7828

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

June 5, 2023 PRELIMINARY PLAT
STONERIDGE
SECTION 3



CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "STONERIDGE SECTION 3" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on this _____ day of _____, 2023.

SIGNED: _____
Chairman
LUCY SINEGA
ATTEST: _____
Secretary
ELIZABETH SHAUGHNESSY

Page 13.102

PACKET

21 March 2023

DATE

ARON SCOTT BURRELL TX RPLS 5689



LEGEND
o Set 1/2" Iron Rod
x/cap marked "GB 5689"
• Rod 1/2" Iron Rod



Professional Land Surveying & Mapping
Aaron Burrell Land Surveyors, LLC
435 W. Wall St., Suite 204
Midland, Texas 79701
432-848-4439
aaronburrell.com
P.O. Box 8049
Midland, Texas 79708
TXRPLS Firm No. 50992571
Page 1 of 1
2022-947 pp



Preliminary Plat Application

Project Number: Sub-23-0598
Case Number: _____

Proposed Subdivision Plat Name: Stoneridge Section 3

Legal Description (attached sealed Metes and Bounds): 10.484 acres being lot 1, Block 4, Stoneridge, County of Midland, Texas

Property Owner

Printed Name: Mayta Renos LLC Phone (708) 262-7828
Email: Sotorakati@gmail.com
Address: 110 N Fort Worth Street City: Midland State: TX Zip: 79701

Developer (if different than Owner)

Printed Name: _____ Phone () _____
Email: _____
Address: _____ City: _____ State: _____ Zip: _____

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

Firm: Aaron Burrell Land Surveyors LLC Phone (432) 848-4439
Printed Name: Aaron S. Burrell Email: Aaron@asbsurveyors.com
Address: 415 W. Wall Street #204 City: Midland State: TX Zip: 79701

Current Zoning: _____

Reason for Platting: Divide one lot into seven lots

Plat Information

Total Acreage: 10.484

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

Number of Lots: 7 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' \$350

Request for a Development Agreement

Do you expect to request a development agreement with the City? ☐ Yes ☐ No
If yes, contact the City Engineer at (432) 685-7286

Provisions

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

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

Property Owner (signature):

Date: 3-22-23

Property Owner (printed):

Setor Akati

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.

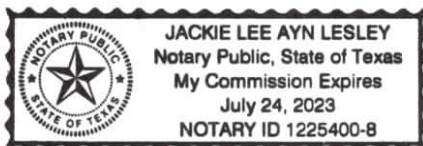
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Aaron Burrell who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Setor Akati 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.

A Burrell
Authorized Agent (signature)

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



J. Lee Lesley
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 # 1147

Received By:

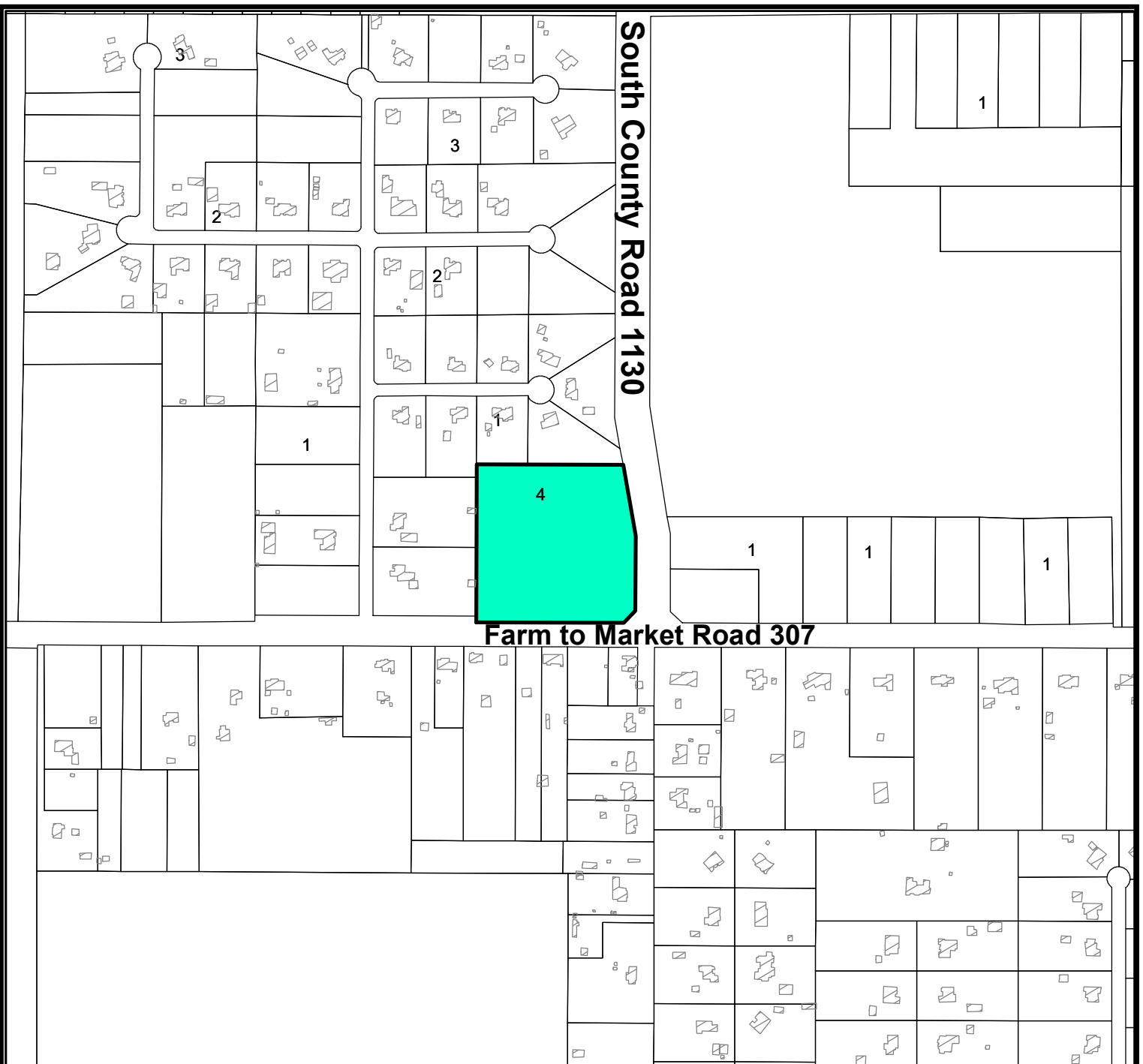
Alexandra Walling

Date:

RECEIVED
MAY 08 2023

BY: AW

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



LOCATION MAP

SUB-23-0598

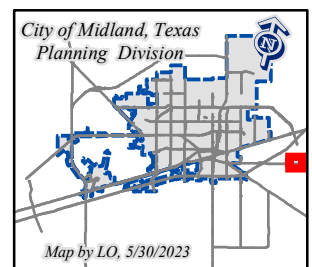
Scale: 1" = 7,449'

Proposed plat of Stoneridge, Section 3, being a plat of a 10.484-acre tract of land Lot 1, Block 4, Stoneridge Addition, Midland County, Texas.

Generally located northwest of the intersection of South County Road 1130 and Farm to Market Road 307. (ETJ)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a Preliminary Plat of TGPC Holdings Addition, being a Plat of a 2.00-acre tract out of Section 27, Block 38, T-1-S, T & P, RR Co. Survey, Midland County, Texas. (Generally located on the northeast side of Loop 250, approximately 1826-feet southeast of North County Road 1140. - (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Aaron Burrell Land Surveyors, is requesting to plat a 2.00-acre tract out of Section 27, Block 38, T-1-S, T & P, RR Co. Survey, Midland County, Texas.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

Building Code: (Approved)

ETJ, no jurisdiction.

Surveyor: (Approved)

The plat should be shown as only being in Midland County as GIS shows it outside of City Limits.

Engineering: (Approved)

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

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

PAVING: W. LOOP 250 Frontage Road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: Deferral request for water improvement were administratively approved on 5/15/2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for sewer improvement were administratively approved on 5/15/2023. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No comments.

Fire: (Approved)

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

Oil and Gas: (Approved)

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

GIS: (Approved)

Plat is not in city limits. Legal description should say "Midland County, Texas."

Midland County Public Works: (Approved)

No comments.

Midland County Health Department: (Approved)

Yes, the health department will review application from the 1 proposed lot of TGPC Holdings Addition, PLAT OF A 2 ACRE TRACT OF LAND OUT OF SECTION 27, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY the lot is 2 acre 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.

CRMWD: (Approved)

No comments.

Planning: (Approved with Conditions)

Provide a title opinion confirming ownership at the final plat stage.

Legal description should read, "being a 2.00-acre tract out of Section 27, Block 38, T-1-S, T & P, RR. Co. Survey, Midland County, Texas." [Informational]

Staff recommends approval of the Preliminary Plat of TGPC Holdings, subject to Condition A.

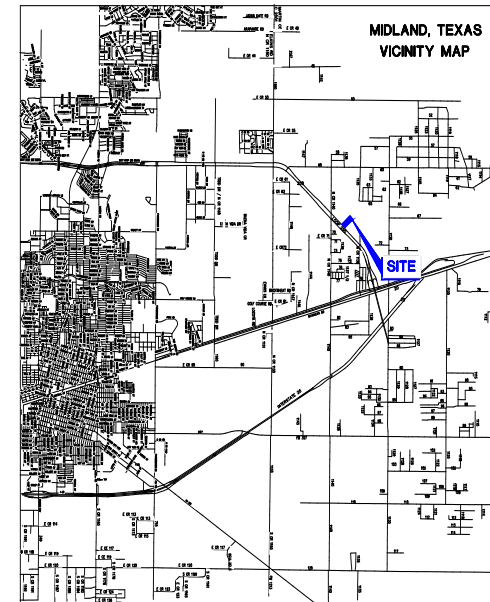
Condition:

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

Attachments:

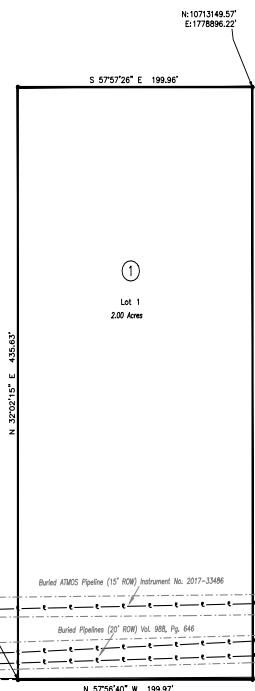
Preliminary Plat
Maps
Application

**TGPC HOLDINGS ADDITION
BEING A 2.00 ACRE TRACT IN
SECTION 27, BLOCK 38, T-1-S,
T&P RR Co SURVEY,
CITY & COUNTY OF MIDLAND, TEXAS.**



**MIDLAND, TEXAS
VICINITY MAP**

Section 27,
Block 38, T-1-S,
T&P RR Co. Survey



278.02 Acres
Vol. 594, Pg. 261
MCDR

P.O.B.
N:10712886.38
E:1778495.64
SW Corner of Sec. 27
bears S 53°39'54\"/>

Buried ATMOS Pipeline (15' ROW) Instrument No. 2017-33486

Buried Pipeline (20' ROW) Vol. 888, Pg. 646

N 57°56'40\"/>

LOOP 250

Variable Right-of-Way

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.

3. A BLANKET EASEMENT OF INGRESS AND EGRESS WILL BE GRANTED FOR TGPC HOLDINGS ADDITION, TO THE CITY OF MIDLAND FOR GARBAGE AND TRASH COLLECTION AND LOCATION AND MAINTENANCE OF TRASH STRUCTURES, SAME AND EXCEPT THOSE AREAS OCCUPIED BY A BUILDING OF STRUCTURE. SAID EASEMENT IS CONDITIONED SUCH THAT EXACT LOCATION OF SAID CONTAINERS AND THE EASEMENTS IN CONNECTION THEREWITH HAVE BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

4. BEARING & COORDINATES SHOWN ON THIS SURVEY ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, NAD 1983, CENTRAL ZONE (CZ08).

5. THIS PROPERTY IS IN ZONE X AND DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO FEMA MAP NO. 48329C100F, DATED SEPTEMBER 16, 2005, PREPARED FOR MIDLAND COUNTY, TEXAS.

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

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



LEGEND
● 1/4 5/8\"/>



OWNER:
TGPC HOLDINGS, LLC
18300 STRACK DRIVE, SUITE 300
SPRING, TEXAS 77379
(432) _____

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ATMOS ENERGY PRINT NAME

SIGNED: _____
ONCOR ELECTRIC DELIVERY PRINT NAME

SIGNED: _____
AT&T TEXAS PRINT NAME

SIGNED: _____
OPTIMUS PRINT NAME

SIGNED: _____
GRANDE COMMUNICATIONS PRINT NAME

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, TGPC HOLDINGS, LLC, as the recorded owner of a 2.00 Acre Tract of land, Section 27, Block 38, T-1-S, T&P RR Co. Survey, Midland County Texas, recorded in Document No. 2022-31995, Midland County Official Public Records, County of Midland Texas, and more particularly shown hereon:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, TGPC HOLDINGS, LLC, does hereby adopt this plat designating the herein above described property as "TGPC HOLDINGS ADDITION" an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS our hands at Midland, Texas,
this the _____ day of _____, 2023.

TGPC HOLDINGS, LLC

ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared TGPC HOLDINGS, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act as owner, and that he executed the same as the act for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "TGPC HOLDINGS ADDITION" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on this _____ day of _____, 2023.

SIGNED: _____
Chairman
LUCY SISNEGA

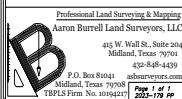
ATTEST: _____
Secretary
ELIZABETH SHAUGHNESSY

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

PACKET
22 March 2023

Page 14.109

June 5, 2023
**PRELIMINARY PLAT
TGPC HOLDINGS ADDITION**



ARNON SCOTT BURRELL TX RPLS 5689



Preliminary Plat Application

Project Number: SUB-23-0599
Case Number: P-23-1640

Proposed Subdivision Plat Name: TGPC Holdings Addition

Legal Description (attached sealed Metes and Bounds): Being a 2.00-acre tract out of Section 27, Block 38, T-1-S, T & P, RR Co. Survey, Midland County, Texas

Property Owner Printed Name: <u>TGPC Holdings LLC</u>		Phone <u>(713) 248-4305</u> Email <u>deanda@att.net</u>	
Address <u>18300 Strack Drive Suite 900</u>	City <u>Spring</u>	State <u>TX</u>	Zip <u>77379</u>

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Aaron Burrell Land Surveyors</u> Printed Name: <u>Aaron Burrell</u>		Phone <u>(432) 848-4439</u> Email <u>aaron@asbsurveyors.com</u>	
Address <u>415 W. Wall St #204</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning: _____

Reason for Platting: Permits

Plat Information	Total Acreage: <u>2.00</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>1</u>	Number of Multi-family Dwelling Units: <u>0</u>

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

Do you expect to request a development agreement with the City? ☐ Yes ☐ No
If yes, contact the City Engineer at (432) 685-7286

Provisions

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

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

Property Owner (signature):

[Signature]

Date:

3-20-23

Property Owner (printed): CHANDLER JANCA

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.

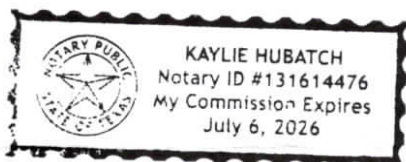
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Aaron Burrell who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Chandler Janca 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 20 day of march, 2023, to certify which witness my hand and seal of office.



Kaylie Hubatch
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 # 1019

RECEIVED
MAY 08 2023

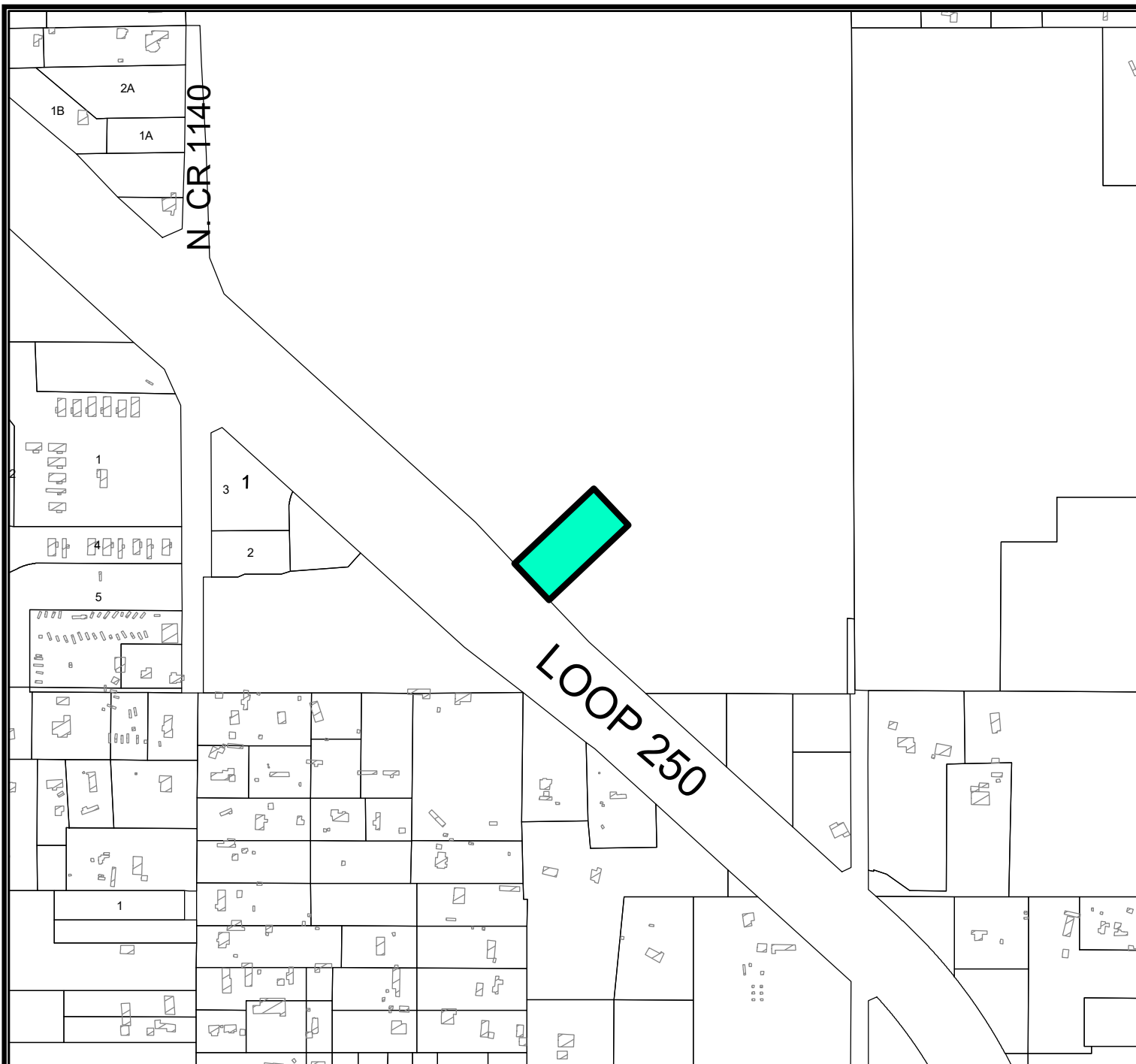
Received By:

Alexandra Walling

Date:

BY: AW

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



LOCATION MAP

SUD-23-0599

Scale: 1" = 200'

A plat of TGPC Holdings Addition, being a 2.00-acre tract out of Section 27, Block 38, T-1-S, T & P, RR Co. Survey, Midland County, Texas.

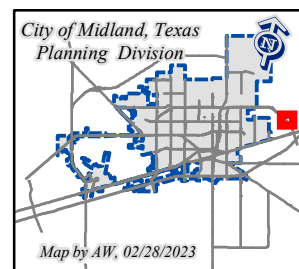
Generally located on the northeast side of Loop 250, approximately 1826-feet southeast of North CR 1140. - (Extraterritorial Jurisdiction)

PACKET

Page 14.112

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.

June 5, 2023

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



Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommendations a proposed Preliminary Plat of Legacy Addition, Section 11, being a Plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR. Survey, Midland County, Texas. (Generally located on the southeast corner of Potomac Parkway and Victory Parkway. – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Parkhill, is requesting to plat a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR Survey, Midland County, Texas. The Planning and Zoning Commission approved the request for a 30-Day extension of the review period. The plat is associated with an annexation that is currently in process. This proposed subdivision consists of 119 residential lots.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

No objection.

Engineering: (Approved with Conditions)

*** Updated 05.15.2023.***

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

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

PAVING: Internal paving improvements have not been submitted/accepted. Construct roads shown to City Standards for entire platted frontage. [Reference City Code Sect. 11-2-3(G)1]

WATER: Internal water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots with looped system. [Reference City Code Sect. 11-2-3(G)1]

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

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

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

DRAINAGE: Preliminary Drainage Study has been approved for platting purposes. The Community Number in the Flood Zone Information note is incorrect. Also, this plat is only located within the 48329C0200F panel and not the 48329C0182F panel. Revise accordingly. [For the Applicant's information only.]

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

SIDEWALKS: Sidewalks required on collector/arterial roadway, along common areas and ADA ramps required at corners before public infrastructure is accepted. [Reference City Code Sect. 11-2-3(G)1]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 11 new intersections created at \$500/intersection = \$5500. Fee shall be adjusted based on number of intersections if Final Plat is phased. [Reference City Code Section 11-2-5(C)3(t).]

FIRE: (Approved)

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

Code Compliance: (Approved)

Notation needed on the plat in the notes: P&A well identified Spanish Trail #3812 located on Crown Point Court. P&A Spanish Trail #3804 located between lots 2 & 3 on Tract 3. No structure shall be built over an abandoned well.

GIS: (Approved)

Plat needs two sets of x-y coordinates. One of these coordinates should be labeled as POB. Once a POB is provided, corners can be validated. Block 34 is missing from block numbering. Streets should be named instead of numbered. Drainage easement recording information should be included on plat visual.

Planning: (Approved)

No comments.

Staff recommends approval of the Preliminary Plat of Legacy Addition, Section 11 subject to conditions A and B.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Legacy Addition, Section 11

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

Property OwnerPrinted Name: Cumberland & Western Resources, LLC

Phone ()

Email

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

Phone ()

Email

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

Email

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

Total Acreage:

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

Number of Multi-family Dwelling Units: _____

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature): Greg Betterton

Date: April 24, 2023

Property Owner (printed) : Greg Betterton

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

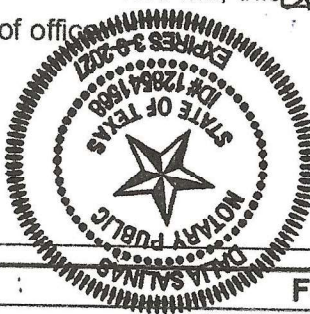
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

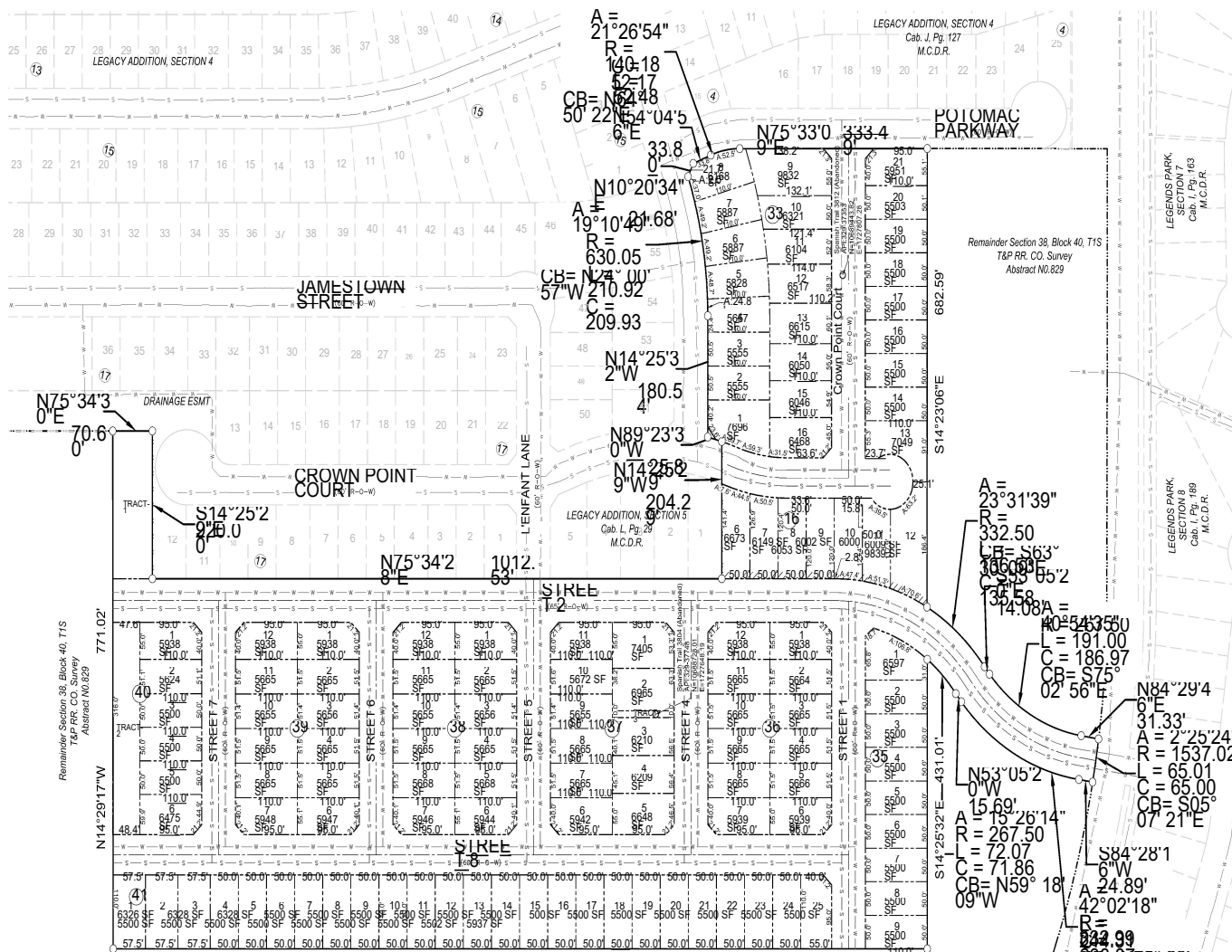
- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Application Fee | ☐ 1 Copy of Plat (11x17) | |

Check # _____

Received By: _____

Date: _____

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



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

Onco Electric Delivery Service (PLEASE PRINT)

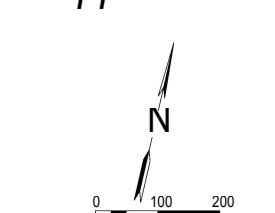
AT&T Texas (PLEASE PRINT)

Almos Energy (PLEASE PRINT)

Asound Broadband (PLEASE PRINT)

Optimum (PLEASE PRINT)

Preliminary Plat LEGACY ADDITION SECTION 11



- ### LEGEND
- PROPOSED PLAT
 - PROPOSED SURVEY
 - PROPOSED UTILITY EASEMENTS
 - PROPOSED DRAINAGE
 - OPEN SPACE
 - DESIGN LUCR'S
 - EXISTING
 - EXISTING WATERLINE
 - CITY LIMITS

- ### NOTES:
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
 - APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOTS MAY BE DEVELOPED OR BEFORE A BUILDING PERMIT MAY BE OBTAINED.
 - 1/2" IRON ROD WITH PLASTIC CAP SET AT EACH CORNER UNLESS OTHERWISE SPECIFIED.
 - INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF ADDITIONAL FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
 - BASED ON THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, COMMUNITY NUMBER 481238, SHEET NUMBER 48320020F, REVISED SEPTEMBER 16, 2005, THE SURVEYED PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE MAP. THE CURRENT FLOOD ZONE CLASSIFICATION FOR THE SURVEYED PROPERTY IS ZONE X.
 - RELATIVE TO THE EXISTING DRAINAGE EASEMENT: THE MAINTENANCE OF ANY STORMWATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH INSPECTIONS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY. REPORTS OF SUCH INSPECTIONS AND MAINTENANCE SHALL BE KEPT FOR INSPECTION BY THE CITY OF MIDLAND STORMWATER ADMINISTRATOR ON REQUEST OR MAY BE FORWARDED TO THE CITY ENGINEER'S OFFICE.
 - RELATIVE TO THE EXISTING DRAINAGE EASEMENT: THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFICIENCIES IN THE FUNCTION OF THE STORMWATER FACILITY, AND TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE CITY FINDS IT NECESSARY FOR PUBLIC HEALTH AND SAFETY.
 - RELATIVE TO THE EXISTING DRAINAGE EASEMENT: THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS, SHALL HAVE THE FREE AND UNINTERFERED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING, CONSTRUCTING, RECONSTRUCTING, INSTALLING, REALIGNING, MODIFYING, REPLACING, IMPROVING, ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, REPAIRING, RELOCATING AND REMOVING SAID FACILITIES, INCLUDING BUT NOT LIMITED TO, THE RIGHT TO CUT AND TRIM BUSHES AND TREES, TOGETHER WITH THE RIGHT OF INGRESS, EGRESS AND REGRESS FOR SUCH PURPOSES IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN.
 - RELATIVE TO THE EXISTING DRAINAGE EASEMENT: DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, HARM, AND/OR UNLAWFULLY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY. DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR ITSELF, ITS LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS, THAT NO BUILDING, ROADWAYS, OR CURBS AND OUTCUTS OF ANY KIND WILL BE PLACED ON THE PROPERTY DESCRIBED HEREIN, WRITTEN PERMISSION FOR ABOVE-GROUND APPEARANCES MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.
 - THERE IS HEREBY IMPOSED A RESTRICTION, WHICH SHALL RUN WITH THE LAND, THAT LOTS BACKING (INSERT CORRECT TERM) ON STREET SHALL NOT HAVE DIRECT DRIVEWAY ACCESS TO SAID STREET.

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of LEGACY ADDITION, SECTION 11 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, this the _____ day of _____, 20__.

Chairman - Lucy Sineage
Secretary - Jeff Fisher

FLOOD ZONE INFORMATION

Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 481238, Map Number 48320020F and 48320182F, Parcel 206 of 525, revised September 16, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X.

Remainder Section 47, Block 40, T1S
T&P RR. CO. Survey
Abstract NO.829

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND
WHEREAS, D.R. HORTON - TEXAS, L.L.C. is the record owner of 24.87 Acres of land located in Section 38, Block 40, and Section 47, Block 40, T-1-S T&P RR. CO. Survey, City and County of Midland, Texas, and more particularly described, shown on the Plat of D.R. HORTON - TEXAS, L.L.C. do hereby adopt this plat designating the herein above described property as LEGACY ADDITION, SECTION 11 to the City and County of Midland, Texas, and we do hereby dedicate to the public use forever the streets, and easements thereon, this the _____ day of _____, 20__.

By: Ben Clark Division Vice President

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on _____, 20__, by Ben Clark on behalf of D.R. HORTON - TEXAS, L.L.C.

Notary Public Signature

DEVELOPER:

D.R. HORTON - TEXAS, LTD
6751 N. Freeway
Fort Worth, Texas 76131
817-230-0800

ENGINEER:

Parkhill
1700 W Wall St., #100
Midland, Texas 79701
432-697-1447

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

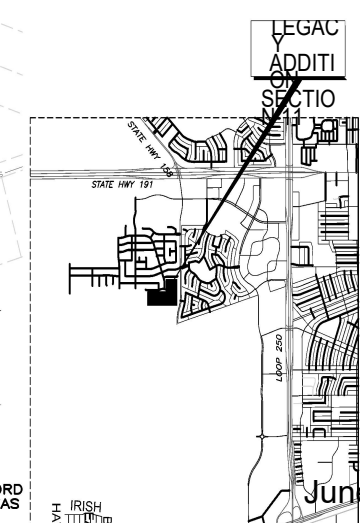
SURVEYOR'S CERTIFICATE

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

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

PACKET

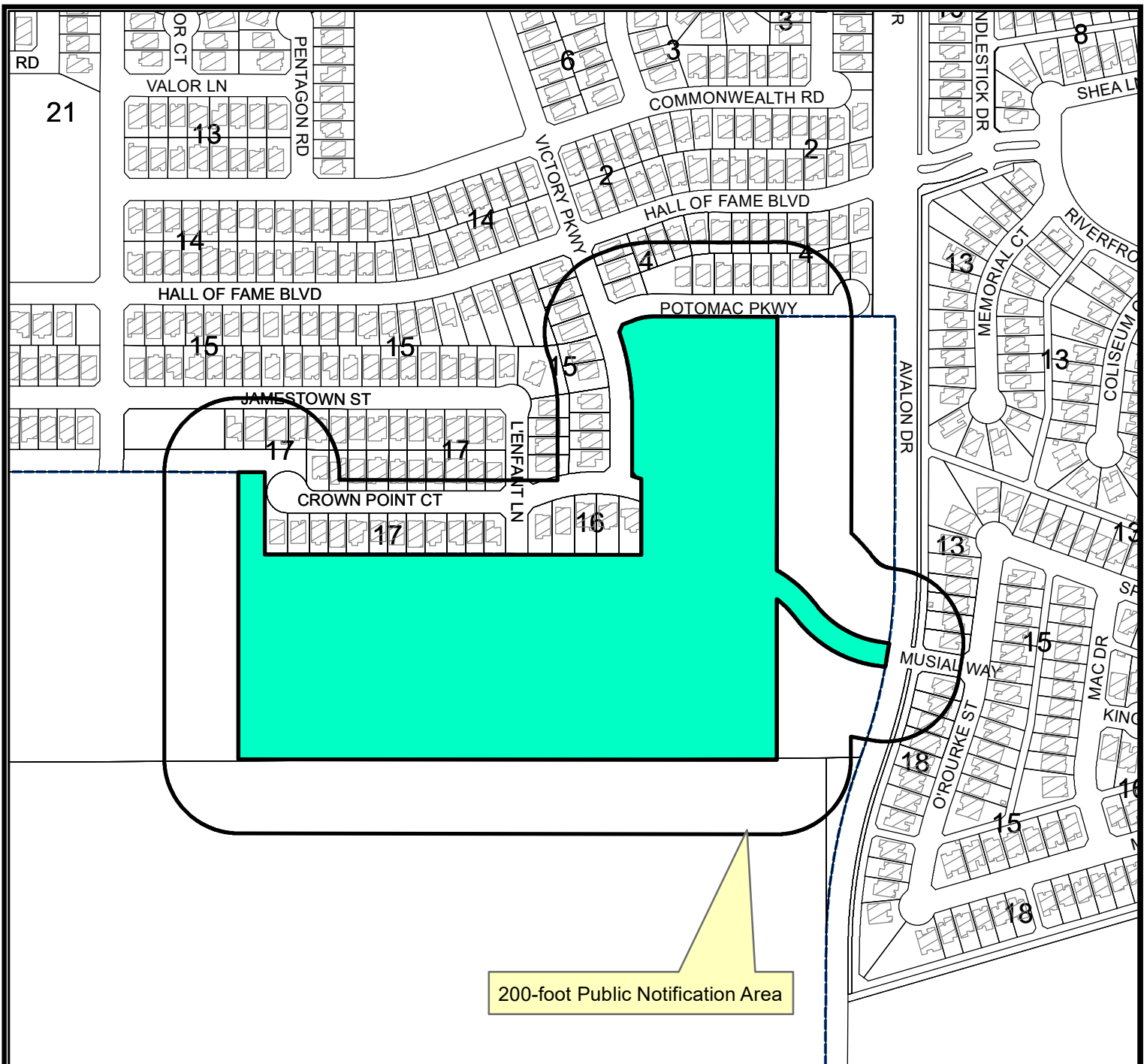
9. The bearings and distances are relative to the Texas State Plane Coordinate System (Central Zone 14NAD), with a combined grid factor of 0.9998023 for mean project datum. The theta angle is equal to -00° 54' 48.39" at USCGS station "Midland" with published values of N=10,600.1470 and E=1,746,696.78 in U.S. Survey Feet.



LEGACY ADDITION SECTION 11 Parkhill

June 5, 2023

TBPEL'S FIRM REGISTRATION
NO. 10194091



LOCATION MAP

SUB-22-0555

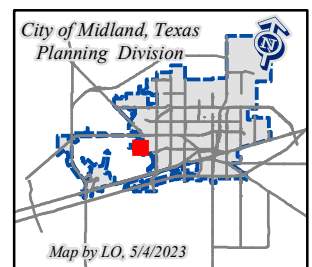
Scale: 1" = 4,656'

A Preliminary Plat of Legacy Addition, Section 11, being a Plat of a 24.897-acre tract of land in Sections 38 and 47, Block 40, T-1-S, T.&P. RR. Survey, Midland County, Texas.

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

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Whataco Addition, Section 2, being a Replat of Lot 2, Block 1, Whataco Addition, City and County of Midland, Texas. (Generally located on the southeast corner of South Fairgrounds Road and State Highway 158. – Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, LCA, is requesting to replat Lot 2, Block 1, Whataco Addition, City and County of Midland, Texas.

Current Zoning:

RR, Regional Retail.

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

Building Code: (Approved)

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

Surveyor: (Approved)

No comments.

Engineering: (Approved with Conditions)

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

ROW: Street lighting is required with the building permit along public street frontages. [Reference City Code Section 11-2-5(C)3(u).] Provide 10 ft x 10 ft intersection corner clips at property corners adjacent to all public street intersections. [Reference City Code Section 11-2-5(C)3(k).] 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.]

PAVING: Woodcrest Dr. and Douglas Ave. 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)]

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: 8" sewer exists in Woodcrest Dr., 8" sewer exists in Douglas Ave. and a 6" inch through lot in an easement, okay as is. No public wastewater improvements are required. [For the Applicant's information only.]

DRAINAGE: Drainage report received and is in review [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)

Add a legal description on the plat of shared access between both lots.

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

Fire: (Approved)

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

Code Compliance: (Approved)

No Oil and Gas Issues.

GIS: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of a Preliminary Plat of Whataco Addition, Section 2, subject to condition A.

Condition:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number:

Case Number:

 SUB-23-0610
 P-23-1641

Proposed Subdivision Plat Name: Whataco Addition, Section 2

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 2, Block 1, Whataco Addition, as decribed in Cabinet E, Page 124, M.C.P.R. City and County of Midland, Texas
Property Owner

Printed Name: Keith Bush

Phone ()

Email

Address

PO Box 335

City

Hewitt

State TX

Zip

76643

Developer (if different than Owner)

Printed Name: Dos Churros, LLC

Phone ()

Email

Address

PO BOX 3503

City

Midland

State TX

Zip

79702

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email

lca@lcaodessa.com

mbo@lcaodess.com

Address

521 N. Texas Avenue

City

Odessa

State TX

Zip

79761

Current Zoning: RR

Reason for Platting: Ownership purposes, future building permits will be required

Plat Information

Total Acreage: 1.81

Type:

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Date:

Property Owner (printed) : _____

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

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

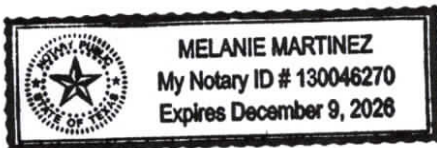
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 10th day of May, 20 23, to certify which witness my hand and seal of office.



Melanie Martinez

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization ☐ 1 Copy of Dimensioned Plat ☐ Plat in Digital Format (PDF/JPEG)

☐ Application Fee ☐ 1 Copy of Plat (11x17)

Check # _____

Received By:

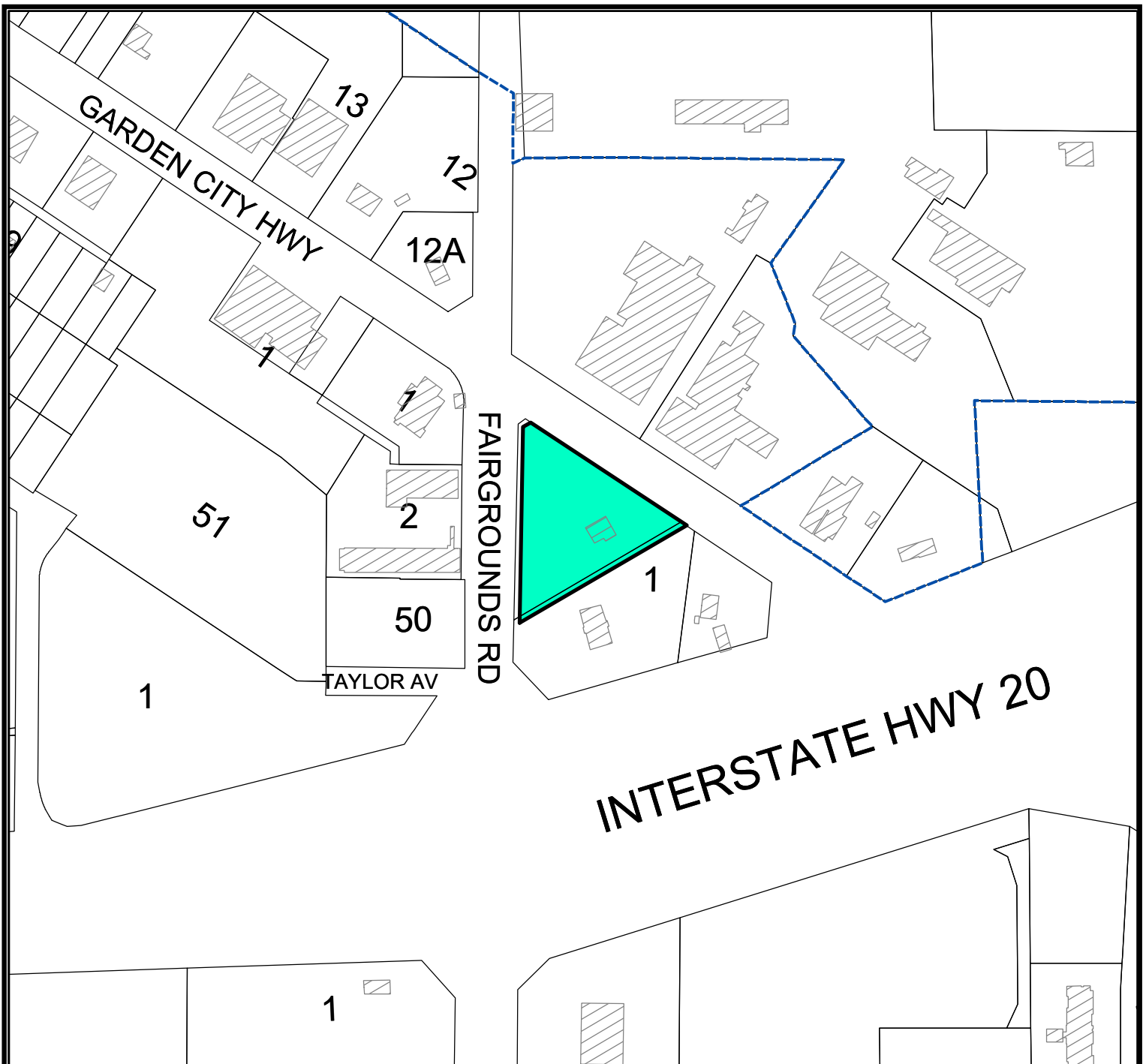
Date:

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

PACKET

Page 16.125

June 3, 2023



LOCATION MAP

SUB-23-0610

Scale: 1" = 3,725'

Proposed Plat of Whataco Addition, Section 2, being a replat of Lot 2, Block 1, Whataco Addition, City and County of Midland, Texas.

Generally located on the southeast corner of south Fairgrounds Road and State Highway 158. (Council District 2)

PACKET

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: June 5, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Redneck Retreat, Section 2, being a Plat of a 13.44-acre tract of land out of the west half of Section 15, Block 38, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the east side of Farm-to-Market Road 715, approximately 790-feet south of East County Road 130. – Extraterritorial District) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Engineering, is requesting to plat a 13.44-acre tract of land out of the west half of Section 15, Block 38, T-2-S, T&P, RR. Co. Survey, Midland County, Texas.

Current Zoning:

ETJ, Extraterritorial District.

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

Building Code: (Approved)

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

Surveyor: (Approved)

No comments.

Engineering: (Approved with conditions)

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

ROW: Plat does show a 120 ft ROW dedication as requested but the bearings are the same as the sketch plat. Also, half street right of way is still 50 ft instead of 60 ft. Provide this project's share of a 120 ft total right-of-way (60 ft half-street right-of-way) on major arterial road frontages. [Reference City Code Section 11-2-5(C)2.]

PAVING: FM 715 frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: Deferral received and approved administratively on Tuesday, April 4, 2023 [For Applicant's Information Only.]

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

PRO RATA: None.

SEWER: Deferral received and approved administratively on Tuesday, April 4, 2023 [For Applicant's Information Only.]

DRAINAGE: Drainage report was approved for platting purposes. FEMA Firm data to be on plat face. [For Applicant's Information Only.]

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

SIDEWALKS: Deferral received and approved administratively on Tuesday, April 4, 2023 [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: Provide FEMA FIRM Data to be on plat face. [For Applicant's Information Only.]

Transportation: (Approved)

No objections to plat. [For applicants information only.]

Fire: (Approved)

No comments.

Code Compliance: (Approved)

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

GIS: (Approved with Conditions)

10' ROW dedication should be included on plat and ROW acreage should also be depicted. 60' easement to the east of plat should be depicted with recording information. Please dedicate pipeline easement with plat. Recording information for state ROW should be included on plat visual. Boundary calls and metes and bounds may need to be updated as well.

Planning: (Approved with Conditions)

The Midland Central Appraisal District shows only Midland Farm LLC as owner. Include Midland Farm LLC under the 'Owner's Certificate'. Alternatively, provide proof of ownership for Eddic Villa if you are to include him under the 'Owner's Certificate'. [Informational]

Title Opinion required at final plat stage. [Informational]

Provide this project's share of a 120 ft total right-of-way (60 ft half-street right-of-way) on major arterial road frontages. [Reference City Code Section 11-2-5(C)2.]

Final plat description should read: "Preliminary Plat of Redneck Retreat, Section 2, being a 13.44-acre tract of land out of the west half of Section 15, Block 38, T-2-S, T&P, RR. Co. Survey, Midland County, Texas."

Staff recommends approval of the Preliminary Plat of Redneck Retreat, Section 2 subject to condition A.

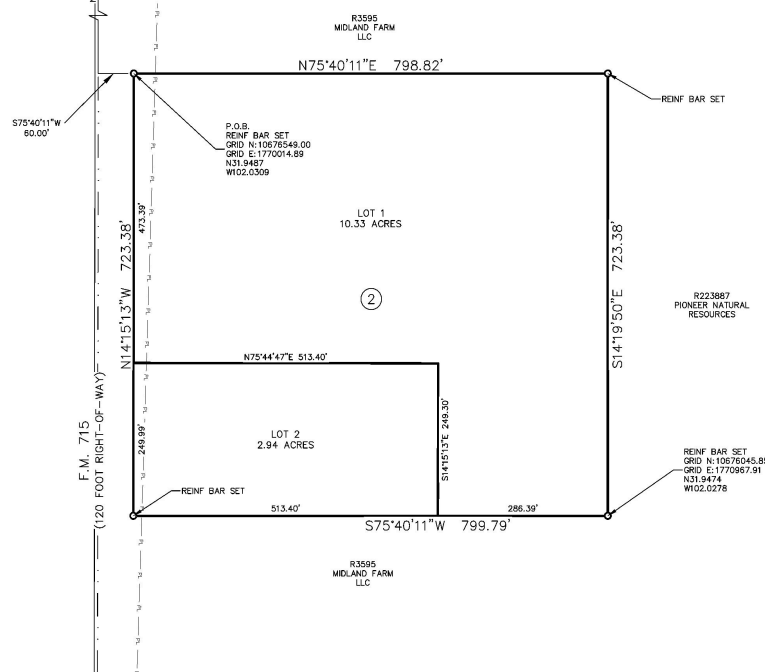
Condition(s):

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

Attachments:

Proposed Preliminary Plat
Application
Maps

13 14
24 15
NW CORNER OF SECTION 15,
BLOCK 38, T-2-S,
T&P RR CO. SURVEY
MIDLAND COUNTY, TEXAS



PRELIMINARY REDNECK RETREAT SECTION 2

BEING A PLAT OF 13.44 ACRES
IN THE WEST/2 OF
SECTION 15, BLOCK 38, T-2-S,
T & P, RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

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

FIELD NOTE DESCRIPTION OF A 13.27 ACRE TRACT OF LAND, OUT OF THE WEST/2 OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 13.27 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

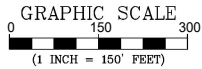
BEGINNING AT A REINFORCING BAR SET (N:10676549.00, E:1770014.89) IN THE EAST RIGHT OF WAY OF F.M. 715 FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 15 BEARS SOUTH 75°41'41\"

THENCE NORTH 75°40'11\"

THENCE SOUTH 14°19'50\"

THENCE SOUTH 75°40'11\"

THENCE NORTH 14°15'13\"



LEGEND:

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

OWNER(S):

RESILIENT HOMES LLC
PO BOX 52636
MIDLAND, TX 79710
432-284-9169
eddic@resilientfield.com

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS REDNECK RETREAT SECTION 2, AN ADDITION OF 13.44 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

RESILIENT HOMES LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY RESILIENT HOMES LLC

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

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

SIGNED: _____
CHAIRMAN LUCY SINIEGA

ATTEST: _____
SECRETARY JEFF FISHER

NOTES:

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

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

RJ DAUM
TEXAS RPLS 4826

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET

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NO.	DATE	DESCRIPTION	BY
01/09/2023		SKETCH	JG
05/10/2023		PRELIMINARY	JG
CHECKED BY: ED/RJ			
PROJECT NO.: 789.38			
JOB NO.: 79,102			
SHEET: 1 OF 1			

DRAWN BY: JG
DATE: 01/09/2023
PROJECT NO.: 789.38
JOB NO.: 79,102
SHEET: 1 OF 1



Preliminary Plat Application

Project Number: **SUB-23-0583**
Case Number: **P-23-1836**

Proposed Subdivision Plat Name: **REDNECK RETREAT SECTION 2**

Legal Description (attached sealed Metes and Bounds): **BEING A 13.44-ACRE TRACT OF LAND OUT OF THE WEST HALF OF SECTION 15, BLOCK 38, T-2-S, T&P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS.**

Property Owner

Printed Name: **EDDIC VILLA**

Phone **(432) 284-9169**

Email **eddic@resilientoilfield.com**

Address

City

State

Zip

Developer (if different than Owner) Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: **Schumann Engineering Co., Inc.**

Printed Name: **Eduardo L. Aleman**

Phone **(432) 684-5548**

Email

ealeman@schumannonline.net

Address

800 N. Marienfeld Suite 100

City **Midland**

State **TX**

Zip **79701**

Current Zoning:

Reason for Platting: **TO OBTAIN SEPTIC PERMITS AND ADDRESSES.**

Plat Information

Total Acreage: **13.44**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **2**

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Eddie Villa

Date: 4/05/2023

Property Owner (printed): Eddie Villa

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

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

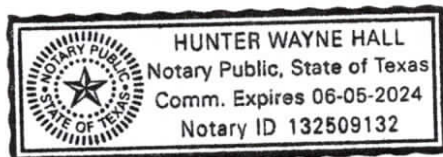
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo Y. Alvarez
Authorized Agent (signature)

Subscribed and sworn to before me, this 5th day of April, 20 23, to certify which witness my hand and seal of office.



HWH
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 1923

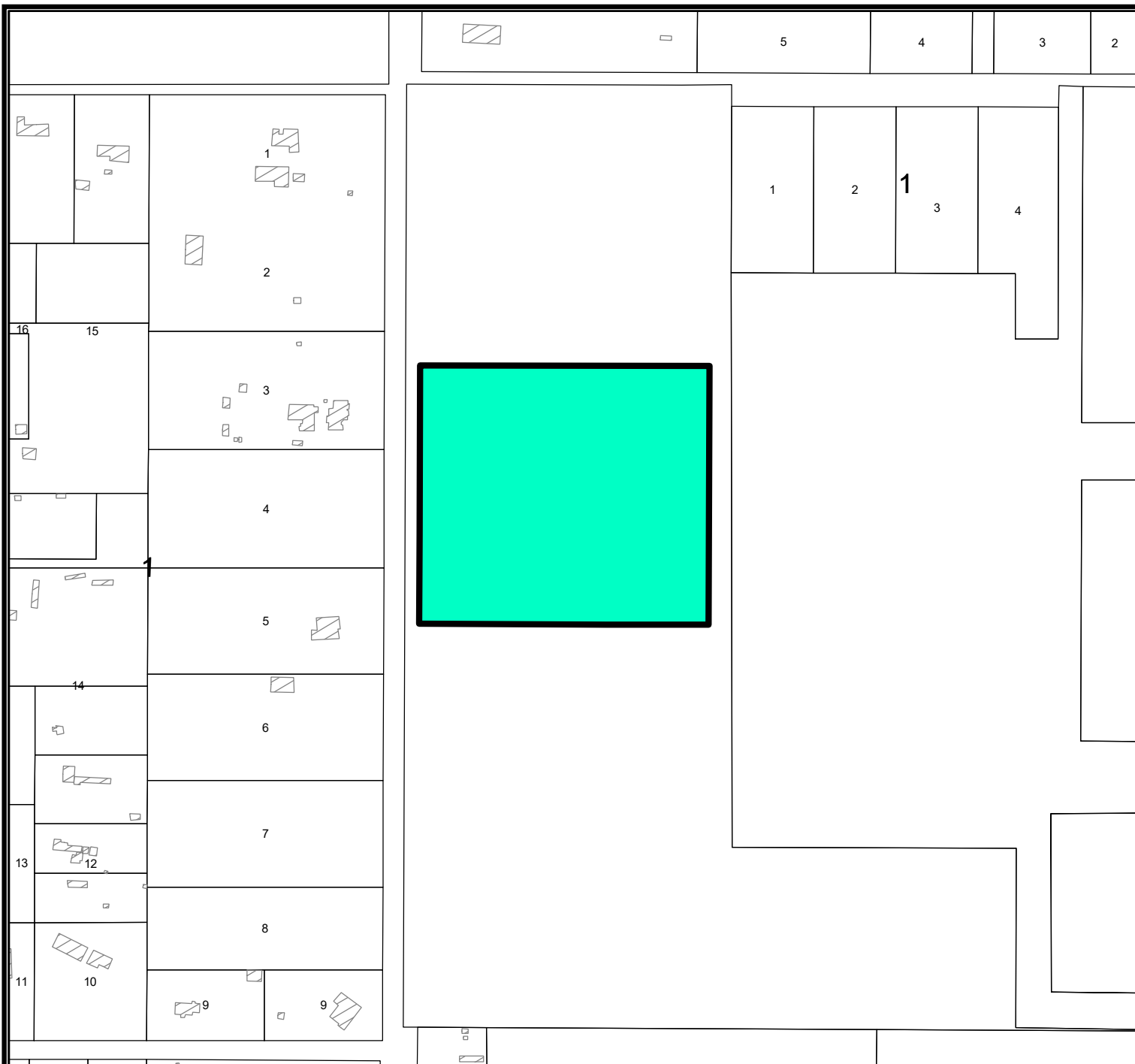
Received By: AW

Date:

RECEIVED
MAY 10 2023

BY: AW

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



LOCATION MAP

SUB-23-0583

Scale: 1" = 200'

A plat of Redneck Retreat, Section 2, being a 13.44-acre tract of land out of the west half of Section 15, Block 38, T-2-S, T&P, RR Co. Survey, Midland County, Texas.

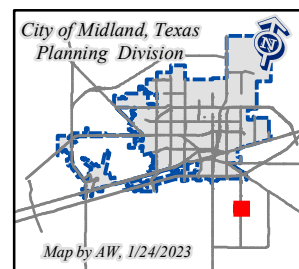
Generally located on the east side of Farm-to-Market Road 715, approximately 790-feet south of East County Road 130. (Extraterritorial District)

PACKET

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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.

June 5, 2023