

Effective March 16, 2020, Governor Greg Abbott authorized the temporary suspension of certain statutory provisions of the Texas Open Meetings Act. This Meeting of the Planning and Zoning Commission of the City of Midland is being held pursuant to such authorization and will limit face-to-face interactions for the purpose of slowing the spread of the Corona Virus (COVID19).

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

**August 2, 2021 - 3:30 PM
Council Chambers – City Hall**



Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, and via videoconference using the following information:

VIDEOCONFERENCE INFORMATION

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89637458082>

Or One tap mobile :

US: +13462487799,,89637458082# or +12532158782,,89637458082#

Or Telephone:

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

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

Webinar ID: 896 3745 8082

International numbers available: <https://us02web.zoom.us/j/89637458082>

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. Consider a motion approving the Planning and Zoning Commission meeting minutes for July 19, 2021.

3. Consider a proposed Preliminary Plat of Southwest Crossing, Section 14, being an 8.134 acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the southwest corner of the intersection of West County Road 123 and South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
4. Consider a proposed Preliminary Plat of Southwest Crossing, Section 15, being a plat of a 3.3-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the south side of West County Road 122, approximately 800 feet west of South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
5. Consider a proposed Preliminary Plat of Southwest Crossing, Section 16, being a plat of a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the northwest corner of the intersection of West County Road 122 and South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
6. Consider a proposed Preliminary Plat of Southwest Crossing, Section 17, being a plat of a 9.563 acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas. (Generally located at the southeast corner of the intersection of South County Road 1235 and West County Road 123. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
7. Consider a proposed Preliminary Plat of Patriot Leap, being a plat of a 19.929-acre tract of land located in Section 20, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the north side of West County Road 140, approximately 1,246 feet west of South County Road 1210. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

8. Hold a public hearing and consider a proposed Preliminary Plat of Hillcrest Acres, Section 15, being a residential replat of a 19.67 acre portion of tracts 22, 23, 24, 25, 26, 27, and 28, Hillcrest Acres Addition, City and County of Midland, Texas (Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. Council District 4) (DEVELOPMENT SERVICES) (DEVELOPMENT SERVICES)
9. Hold a public hearing and consider a proposed Preliminary Plat of Country Sky Addition, Section 27, being a residential replat of the northern 2.19 acres of Lot 2, Block 4, Country Sky Addition, Section 3, and a plat of a 2.32 acre tract of land located in Section 26, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of Briarwood Avenue and Tumbleweed Trail. Council District 4) (DEVELOPMENT SERVICES)
10. Hold a public hearing and consider a request by Manor Park, Inc., for a zone change from

PD, Planned District for a Housing Development to Amended PD, Planned Development District for a Housing Development on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas. (Generally located on the south side of Sinclair Avenue, approximately 290 feet east of N. Loop 250 West. Council District 4)

11. Hold a public hearing and consider a request by Manor Park, Inc. for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a community center/restaurant, on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas. (Generally located on the south side of Sinclair Avenue, approximately 290 feet east of N. Loop 250 West. Council District 4) (DEVELOPMENT SERVICES)
12. Hold a public hearing and consider a request by Bertha Ramirez for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 4,977 square foot portion of Lot 1, Block 11, Westridge Park Addition, Section 27 City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Road and Tradewinds Boulevard. Council District 4) (DEVELOPMENT SERVICES)
13. Hold a public hearing and consider a request by Aaron Burrell for a zone change from BP, I-20 Business Park District, in part; RR, Regional Retail District, in part; and LI, Light Industrial District in part, to BP, I-20 Business Park on a 15 acre tract of land located in Section 12, Block 40, T-2-S, T&P RR Co. City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Lote Bush Drive and West Interstate 20. Council District 2)(DEVELOPMENT SERVICES)
14. Hold a public hearing and consider a request by Jose Chavez for a zone change from LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 3, Block 3, Moody Addition, City and County of Midland, Texas. (Generally located on the west side of N. Madison Street, approximately 146-feet south of South Street. Council District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

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
July 19, 2021
Council Chambers – City Hall**



The Planning & Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., July 19, 2021.

Commissioners present: Karmen Bryant, Dianne Williams, Emily Holeva, Adrian Carrasco

Commissioners absent: Stacy Grosse, Reggie Lawrence, Lucy Sisniega, Chase Gardaphe, Zachary Deck

Staff members present: Charles Harrington, Elizabeth Shaughnessy, Charles Valerie Sherman, Joseph Marynak, Dalia Salinas, Kelly Martinez

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.)

Resident Joseph Hung, 2501 Castleford, Midland, Texas addressed the commission with his concerns about a dilapidated condition of his building. Commissioner Williams thanked him for bring the issue to them and recommended he address his issues to the City Council at the next meeting.

CONSENT ITEMS

Commissioner Bryant moved to approve; seconded by Commissioner Carrasco.

The motion passed by the following vote: 4 to 0

AYE: Bryant, Williams, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Lawrence, Sisniega, Gardaphe, Deck

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for July 6, 2021.
3. Consider a proposed Preliminary Plat of Proposed plat of Moody Addition, Section 14, being a re-plat of Lots 1 through 4, Lots 9 through 12, and a 0.69-acre portion of alley right-of-way located adjacent to said lots, all out of Block 2, Moody Addition; and Lot 1A, Block 9 Moody addition, Section 10; City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of E Front St and North Carver St. Council Dist. 2)
4. Consider a proposed Preliminary Plat of Shenandoah Bar M Ranch, Section 2 being a replat of Tract 16, Shenandoah Bar M Ranch, Midland County, Texas. (Generally located northwest of the intersection of N. County Road 1123 and E. County Road 59. Extraterritorial Jurisdiction)
5. Consider a Proposed Final Plat of Chase Five Addition, Section 3, being 6.756-acres out of the north part of Block 38, T-2-S, C.A. Miller Survey, A-633, Midland County Texas. (Generally located on the south side of East County Road 130, approximately 1,447-feet east of Farm to Market Road 1213. Extraterritorial Jurisdiction)

PUBLIC HEARINGS

6. Hold a public hearing and consider a request by Betenbough for a Zone Change from AE, Agricultural Estate District to TH, Townhouse Dwelling District on a 9.70-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast intersection of Occidental Parkway and Fairgrounds Road. Council District 1)

Planning Manager Elizabeth Shaughnessy gave an overview of the project. With no letters of objection received, staff recommended approval.

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

The applicant, Ronnie Wallace with Betenbough Homes, gave a summary of the project and was open for questions.

Commissioner Williams asked if the units would be available to both potential homeowners and rental investors. Mr. Wallace confirmed that they would be open for purchase by both.

Commissioner Carrasco asked how many units would be townhomes. Mr. Wallace explained that there would a total of 40 townhome units.

Commissioner Williams asked if the units would be 2 stories like traditional townhomes. Mr. Wallace explained that these are defined as townhomes but they will only be one story.

Commissioner Williams asked if the units would be under there communities HOA or under its own. Mr. Wallace explained that more than likely it would be under the Lone Star Trails HOA.

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

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

The motion passed by the following vote: 4 to 0

AYE: Bryant, Williams, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Lawrence, Sisniega, Gardaphe, Deck

7. Hold a public hearing and consider a proposed Preliminary Plat of West End Addition, Section 26, being a residential replat of Lots 1 & 2, Block 37, West End Addition, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of West Indiana Avenue and South E St. Council District 3)

Planning Manager Elizabeth Shaughnessy gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:51 p.m.

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 4 to 0

AYE: Bryant, Williams, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Lawrence, Sisniega, Gardaphe, Deck

8. Hold a public hearing and consider a request by FP Westridge Energy Plaza, LP, for a zone change from O-2, Office District to RR, Regional Retail District, on the east 3.093 acres of Lot 3, Block 6, Westridge Park Addition, Section 31, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Champions Drive and N. Loop 250 West Frontage Road. Council District 4)

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

The public hearing was opened at 3:54 p.m.

Commissioner Carrasco asked the applicant what the future plans for the site are.

Ben Sanchez with Parkhill Smith & Copper, spoke on behalf of the applicant. He confirmed that the site would be developed for commercial use.

The public hearing was closed at 3:55 p.m.

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

The motion passed by the following vote: 4 to 0

AYE: Bryant, Williams, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Lawrence, Sisniega, Gardaphe, Deck

9. Hold a public hearing and consider a proposed Preliminary Plat of Southern Addition, Section 24, being a residential re-plat of Lots 7, 8 and 9, Block 190, Southern Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of E. Dakota Ave and S. Dallas St. Council Dist. 2)

Senior planner Valerie Sherman gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:57 p.m.

The applicant was not present.

The public hearing was closed at 3:58 p.m.

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

The motion passed by the following vote: 4 to 0

AYE: Bryant, Williams, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Lawrence, Sisniega, Gardaphe, Deck

10. Hold a public hearing and consider a request by Joann Cervantes for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a vendor market, on a 5,790 square foot portion of a 0.4-acre tract of land out of the SW/4 of Section 33, Block 39, T-1-S, T&P RR Co Survey, City and County of Midland, Texas. (Generally located on the southwest side of the intersection of West Wall Street and Bankhead Highway. Council District 2)

Planner Joseph Marynak gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:00 p.m.

The applicant, Joann Cervantes, 3201 W. Wall, Midland, Texas, spoke on behalf of her project and was open to questions.

Commissioner Carrasco asked if the location was an existing restaurant. Mrs. Cervantes addressed the commission to explain that it will have multiple vendors in one location and it is being advertised as a "Sip and Shop".

The public hearing was closed at 4:04 p.m.

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

The motion passed by the following vote: 4 to 0

AYE: Bryant, Williams, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Lawrence, Sisniega, Gardaphe, Deck

11. Hold a public hearing and consider a request by Jamie Bowers for a zone change from C, Commercial District to TH, Townhouse Dwelling District on Lot 9, Block 10, Greenwood Addition 3rd, 4th, 5th Section, City and County

of Midland, Texas. (Generally located on the east side of S. Stonewall Street, approximately 140-feet north of E. Washington Avenue. Council District 2)

Senior Planner Valerie Sherman gave an overview of the project. No letters of objection were received, however due to zoning incompatibility staff recommended denial.

Commissioner Williams asked if the area around the addressed is zoned commercial. Planning staff confirmed that it was zoned single family housing.

The public hearing was opened at 4:08 p.m.

The applicant, Jamie Bowers, 407 S Stonewall, Midland, Texas, spoke on behalf of the project and was open for questions.

Commissioner Carrasco asked Mrs. Bowers what her plans were for the land. She explained that it would be a duplex that she would live in one side and rent the other.

Mrs. Bowers asked if for her contractor would address the rest of the commission's questions.

Contractor Arlene Love, 40602 Ft. Worth, Midland, Texas, spoke on behalf of the applicant. She provided more information in regards to the site plan and building plans, she referenced other location in the city that they have built similar properties for, and she and was open for questions.

Commissioner Carrasco asked if those other properties were similar situations. Planning Manager Elizabeth Shaughnessy explained that the other properties were approved because they were in the proper zoning. She also explained that the old zoning code would allow for mixed uses but the new zoning is more specific now and it classifies things into different levels.

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

Commissioner Carrasco asked for clarification about the zoning and why it was changed. Chuck Harrington, Director of Development Service, addressed the commission to explain the zoning of the area and why this particular property was covered under its current zoning. Mr. Harrington explained what cumulative zoning is. Commissioner Carrasco asked Mr. Harrington to explain why the city is denying the applicants request. Mr. Harrington explained that staff has reviewed the area and determined that because it is mostly single-family homes, it would serve the area better to keep it at single family development only.

Mrs. Love readdressed the commission and asked that they take the Tall City Tomorrow plan into consideration when making their decision.

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

The motion to deny passed by the following vote: 4 to 0

AYE: Bryant, Williams, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Lawrence, Sisniega, Gardaphe, Deck

MISCELLANEOUS

With no further items or business, Commissioner Williams adjourned the meeting at 4:22 p.m.

Reggie Lawrence, Chairman

Date

Elizabeth Shaughnessy, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Joseph Marynak, Planner

SUBJECT: Consider a proposed Preliminary Plat of Southwest Crossing, Section 14, being an 8.134 acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, County of Midland, Texas. (Generally located on the southwest corner of the intersection of West County Road 123 and South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Watson Professional Group Inc., is requesting to plat an 8.134-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co Survey, into two (2) lots for development and to obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

IMPACT FEES: The plat is located outside of Service Areas no Impact Fee note required.

ROW: Fine as shown.

PAVING: Fine as shown.

WATER: Administratively deferred 7/19/21.

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

PRO RATA: None.

SEWER: Administratively deferred 7/19/21.

DRAINAGE: Approved 7/19/21.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Fine as shown.

DIMENSION: * * *

OTHER: * * *

TRAFFIC: (Approved with Conditions)

Development in this area along and west of CR 1235 is generating traffic that is utilizing the CR 1235 alignment to/from the north. However, once CR 1235 leaves this subdivision, there is no public right-of-way or improved roadway. Traffic is currently using an unpaved roadway across private property to access the I-20 South Service Rd at an illegal driveway access point. Since development continues occurring in this area and traffic volumes continue to increase, the access situation needs to be formalized and brought into compliance with all applicable city and state regulations in order for additional platting of new parcels to proceed.

FIRE: (Approved)

No comments

CODE COMPLIANCE: (Approved)

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

PLANNING:

Please add the following notes on the face of the plat:

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

Under the certificate of approval, the secretary should be Elizabeth Shaughnessy.

Staff recommends approval of the preliminary plat of Southwest Crossing, Section 14 subject to conditions A and B.

Conditions:

- A. That the technical items listed above are addressed.
- B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number:

Case Number:

SUB-21-0408
P-21-1134**Proposed Subdivision Plat Name:** SOUTHWEST CROSSING ADDITION, SECTION 14**Legal Description (attached sealed Metes and Bounds):** Being A 8.134-acre tract out of Section 13, Block 40,
T-2-S, T&P RR CO Survey, County Of Midland, Texas**Property Owner** Shepard Commercial Properties

Printed Name: Ty Shepard

Phone (719) 240-4979

Email tylshepard@gmail.com

Address 455 Mackenzie Ave

City Canon City

State CO

Zip 81212

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: WATSON PROFESSIONAL GROUP INC

Printed Name: Ashlee Johnson

Phone (432) 520-9200

Email

ajohnson@wpg-us.com

Address PO Drawer 11186

City Midland

State TX

Zip 79702

Current Zoning: ETJ**Reason for Platting:** Ownership/Development/Septic Permit**Plat Information**

Total Acreage: 8.134

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 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: 7-6-21

Property Owner (printed): Ty Shepard

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 Ashlee Johnson who, being by me duly sworn, upon oath says: That (s)he is authorized by Ty Shepard, 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.

Ashlee Johnson
Authorized Agent (signature)

Subscribed and sworn to before me, this 7 day of July, 20 21, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch

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 # 10723

Received By:

Date:

RECEIVED
JUL 07 2021

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

SOUTHWEST CROSSING, SECTION 14

BEING AN 8.134-ACRE TRACT OF LAND OUT OF THE
SECTION 13, BLOCK 40, T-2-S, T&P RR. CO SURVEY, IN MIDLAND COUNTY, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, SHEPARD COMMERCIAL PROPERTIES LLC is the record owner of an 8.134 acre tract of land, being out of Section 13, Block 40, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, SHEPARD COMMERCIAL PROPERTIES LLC, TY SHEPARD, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 14", 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 hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

SHEPARD COMMERCIAL PROPERTIES LLC
TY SHEPARD

Date

CERTIFICATE OF APPROVAL
STATE OF TEXAS }
COUNTY OF MIDLAND }

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 14" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of ____ 2021, A.D.

REGGIE LAWRENCE, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

ACKNOWLEDGEMENT
STATE OF TEXAS }
COUNTY OF MIDLAND }

Before me, the undersigned authority, 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 executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2021, A.D.

Notary Public in and for the State of Texas

Printed name of Notary
My commission expires:

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

OWNER: SHEPARD COMMERCIAL PROPERTIES LLC
TY SHEPARD
455 MACKENZIE AVE
CANON CITY, CO 81212

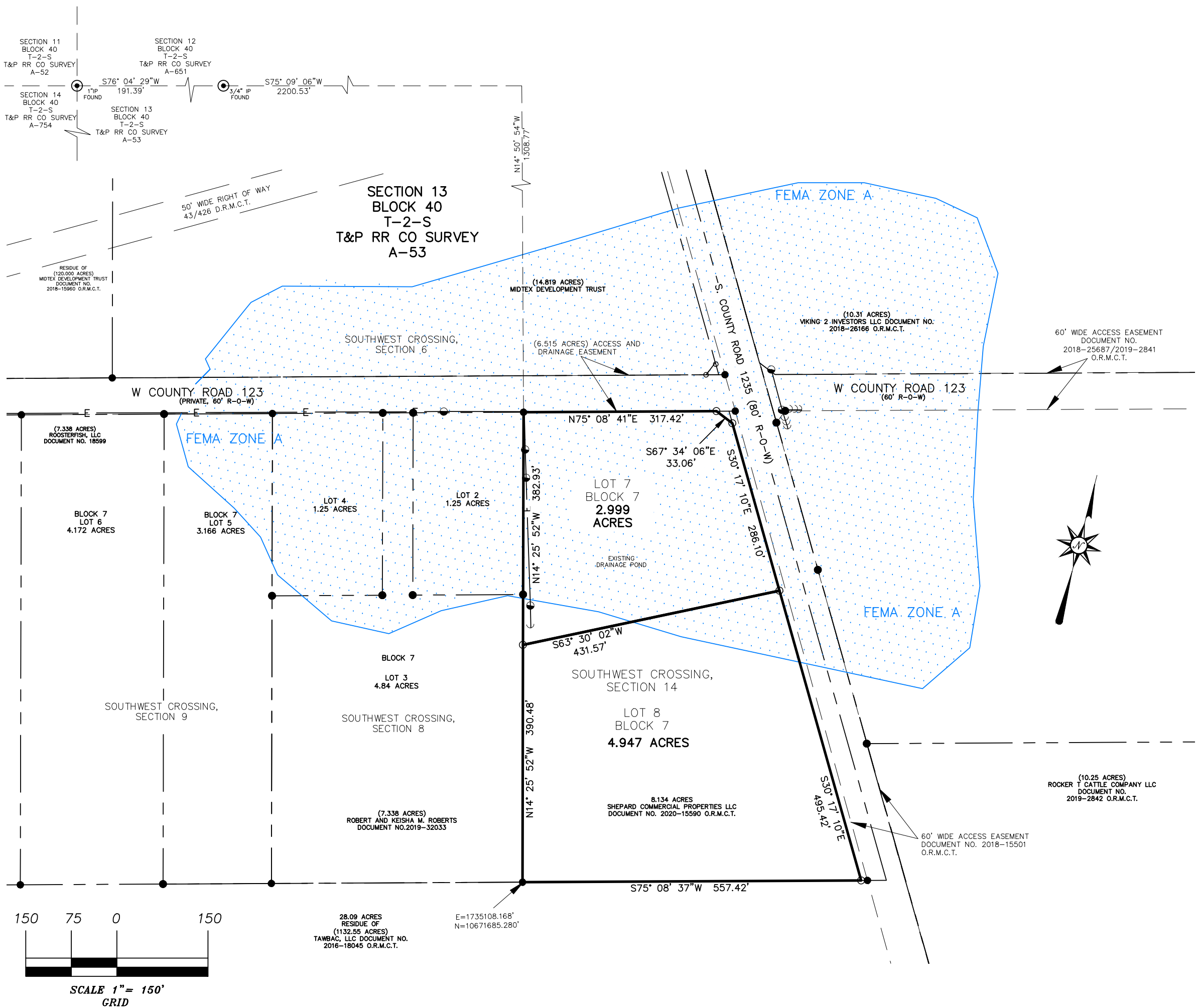
PRELIMINARY,
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE
AND SHALL NOT BE USED OR
VIEWED OR RELIED UPON AS A
FINAL SURVEY DOCUMENT.

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED DOES 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 THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: _____, 2021

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989



LEGEND

- ☆ IRON PIPE FOUND
- IRON ROD WITH BLUE CAP MARKED "JFW FIRM #101173-00"

————— DENOTES PROPOSED SUBDIVISION LINE
————— DENOTES ADJACENT PROPERTIES
————— DENOTES EXISTING ROAD
————— DENOTES EXISTING EASEMENT
————— DENOTES EXISTING FENCE

D.R.M.C. DEED RECORDS OF MIDLAND COUNTY
O.R.M.C.T. OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS



CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 20-1097 DRAFT AJ REV. 0

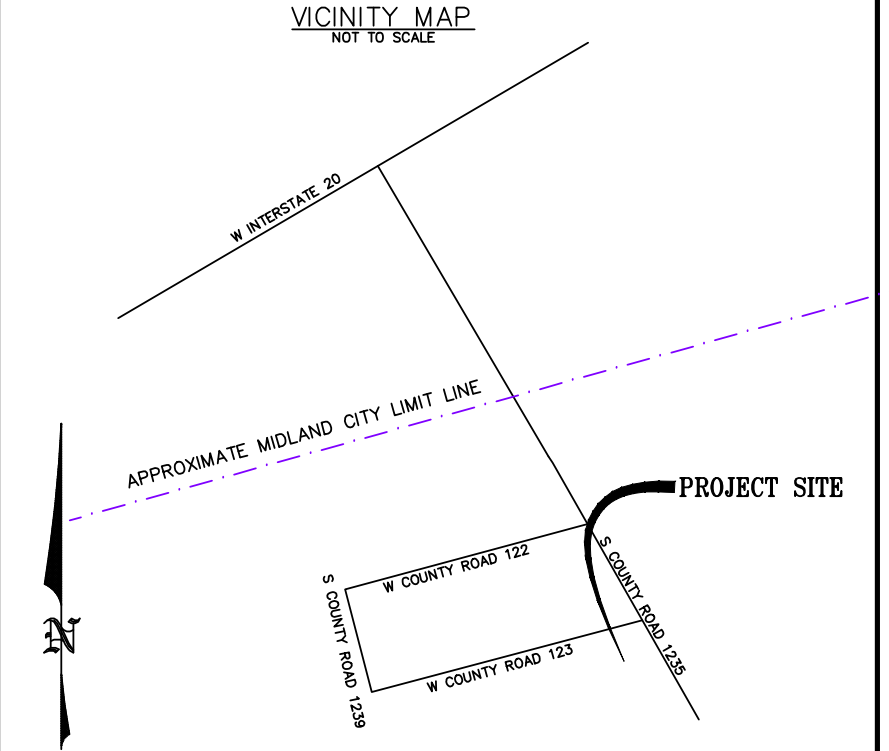
FILE: S: MIDLAND/15 ACRE SUB/ SW CROSSING.DWG

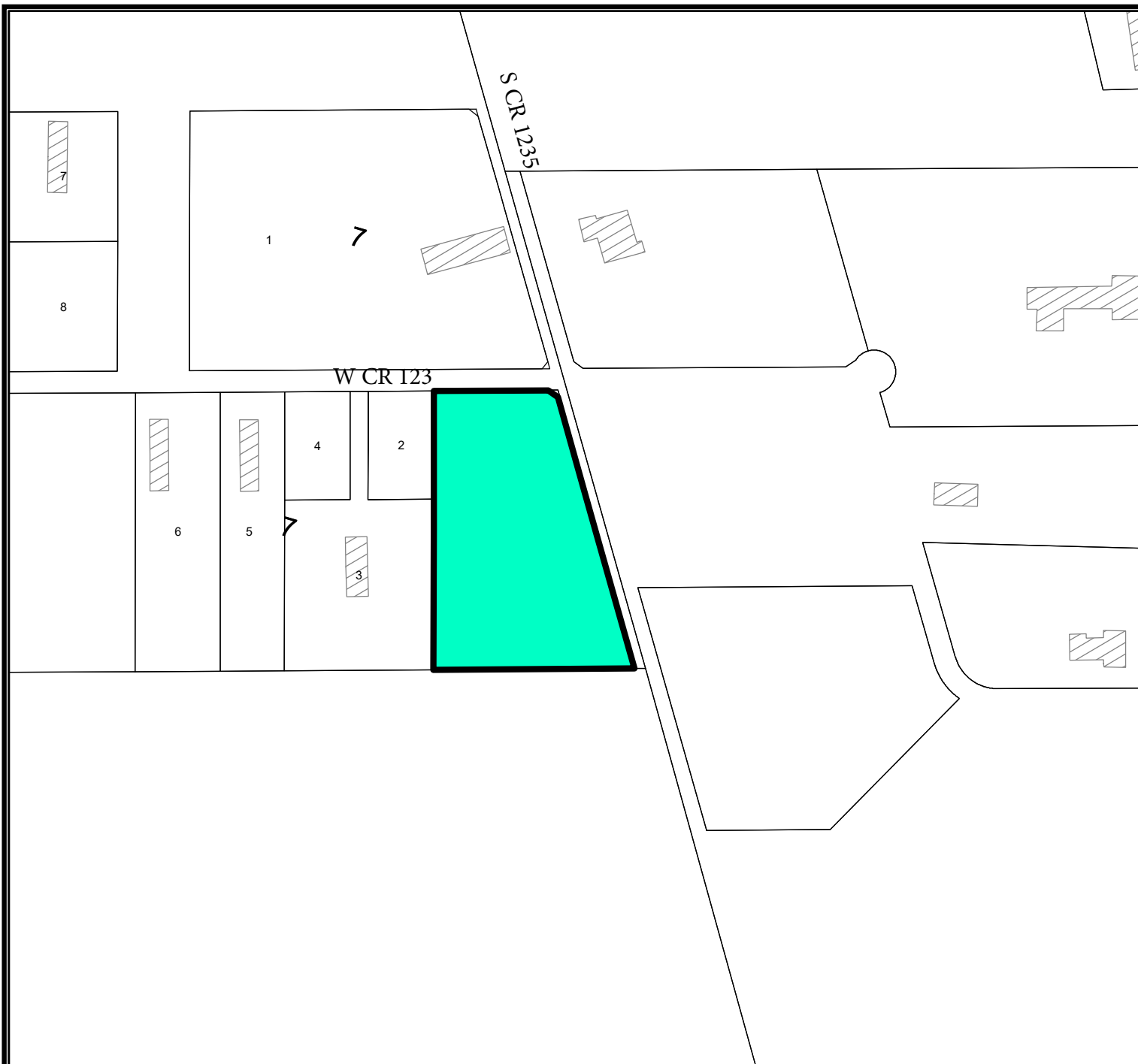
P.O. DRAWER 11186
MIDLAND, TEXAS 79702
(432) 520-9200
FAX (432) 520-9212
FIRM#10146900
wdwatson@wpg-us.com

NOTE:

- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE"
- 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.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN PART IN ZONE A AND IS WITHIN A 100-YEAR FLOOD HAZARD AREA OF WHICH A BASE FLOOD ELEVATION OF 2832 FEET HAS BEEN DETERMINED AND IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329C0200F WITH A REVISED DATE OF SEPTEMBER 16, 2005.
- 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.
- MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.

VICINITY MAP
NOT TO SCALE





LOCATION MAP

SUB-21-0408

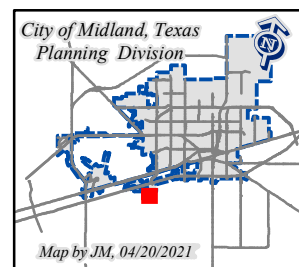
Scale: 1" = 200'

Plat of Southwest Crossing, Section 14, being an 8.134 acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, County of Midland, Texas.

Generally located on the southwest corner of the intersection of West County Road 123 and South County Road 1235. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Joseph Marynak, Planner

SUBJECT: Consider a proposed Preliminary Plat of Southwest Crossing, Section 15, being a plat of a 3.3-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the south side of West County Road 122, approximately 800 feet west of South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Watson Professional Group Inc., is requesting to plat a 3.3-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co Survey, into two (2) lot for development and to obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no Jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

IMPACT FEES: The plat is located outside of Service Areas no Impact Fee note required.

ROW: Fine As shown.

PAVING: No frontage along Public ROW.

WATER: No frontage along Public ROW.

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

PRO RATA: None.

SEWER: No frontage along Public ROW.

DRAINAGE: Drainage Study Approved 7/19/21.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Fine as shown.

DIMENSION: * * *

OTHER: See Transportation Comments * * *

TRAFFIC: (Approved with Conditions)

Development in this area along and west of CR 1235 is generating traffic that is utilizing the CR 1235 alignment to/from the north. However, once CR 1235 leaves this subdivision, there is no public right-of-way or improved roadway. Traffic is currently using an unpaved roadway across private property to access the I-20 South Service Rd at an illegal driveway access point. Since development continues occurring in this area and traffic volumes continue to increase, the access situation needs to be formalized and brought into compliance with all applicable city and state regulations in order for additional platting of new parcels to proceed.

FIRE: (Approved)

No comments

CODE COMPLIANCE: (Approved)

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

PLANNING:

Under the certificate of approval, the secretary should be Elizabeth Shaughnessy.

Staff recommends approval of the preliminary plat of Southwest Crossing, Section 15 subject to condition A and B.

Conditions:

A. That the technical items listed above are addressed.

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number:

SUB-21-0409

Case Number:

21-1133

Proposed Subdivision Plat Name: SOUTHWEST CROSSING ADDITION, SECTION 15**Legal Description (attached sealed Metes and Bounds):** Being A 3.300-acre tract out of Section 13, Block 40,

T-2-S, T&P RR CO Survey, County Of Midland, Texas

Property Owner Midtex Development Trust

Printed Name: Ty Shepard

Phone (719) 240-4979

Email tylshepard@gmail.com

Address 455 Mackenzie Ave

City Canon City

State CO

Zip 81212

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: WATSON PROFESSIONAL GROUP INC

Printed Name: Ashlee Johnson

Phone (432) 520-9200

Email

ajohnson@wpg-us.com

Address PO Drawer 11186

City Midland

State TX

Zip 79702

Current Zoning: ETJ**Reason for Platting:** Ownership/Development/Septic Permit**Plat Information**

Total Acreage: 3.300

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 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: 7-6-21

Property Owner (printed): Ty Shepard

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.

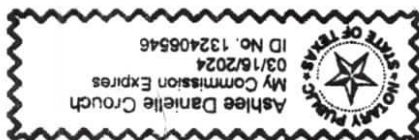
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ashlee Johnson who, being by me duly sworn, upon oath says: That (s)he is authorized by Ty Shepard, 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.

Ashlee Johnson
Authorized Agent (signature)

Subscribed and sworn to before me, this 7 day of July, 20 21, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch
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 # 10725

Received By: Joseph Margrath

Date: JUL 07 2021

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

SOUTHWEST CROSSING, SECTION 15

BEING A 3.300-ACRE TRACT OF LAND OUT OF THE
SECTION 13, BLOCK 40, T-2-S, T&P R.R. CO SURVEY, IN MIDLAND COUNTY, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, MIDTEX DEVELOPMENT TRUST is the record owner of a 3.300 acre tract of land, being out of Section 13, Block 40, T-2-S, T & P R.R. CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, MIDTEX DEVELOPMENT TRUST, TY SHEPARD, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 15", 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 hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash containers, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

MIDTEX DEVELOPMENT TRUST
TY SHEPARD

Date

CERTIFICATE OF APPROVAL
STATE OF TEXAS }
COUNTY OF MIDLAND }

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 15" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of ____ 2021, A.D.

REGGIE LAWRENCE, CHAIRMAN

CIRSTINA ODENBORG BURNS, SECRETARY

ACKNOWLEDGEMENT
STATE OF TEXAS }
COUNTY OF MIDLAND }

Before me, the undersigned authority, 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 executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2021, A.D.

Notary Public in and for the State of Texas

Printed name of Notary
My commission expires: _____

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T

BY: _____

SUDDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

OWNER: MIDTEX DEVELOPMENT TRUST
TY SHEPARD
455 MACKENZIE AVE
CANON CITY, CO 81212

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

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

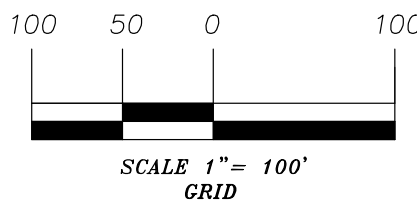
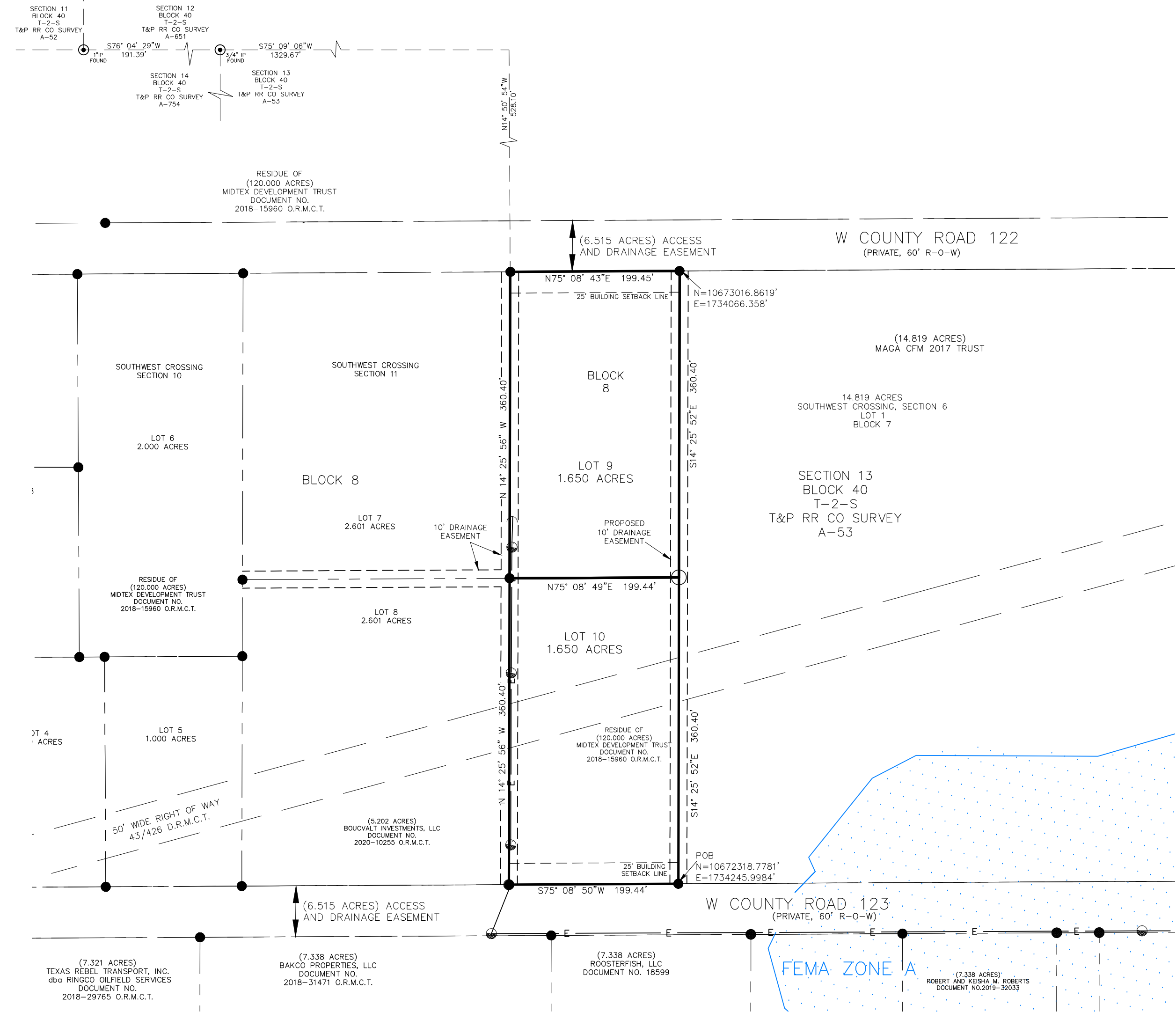
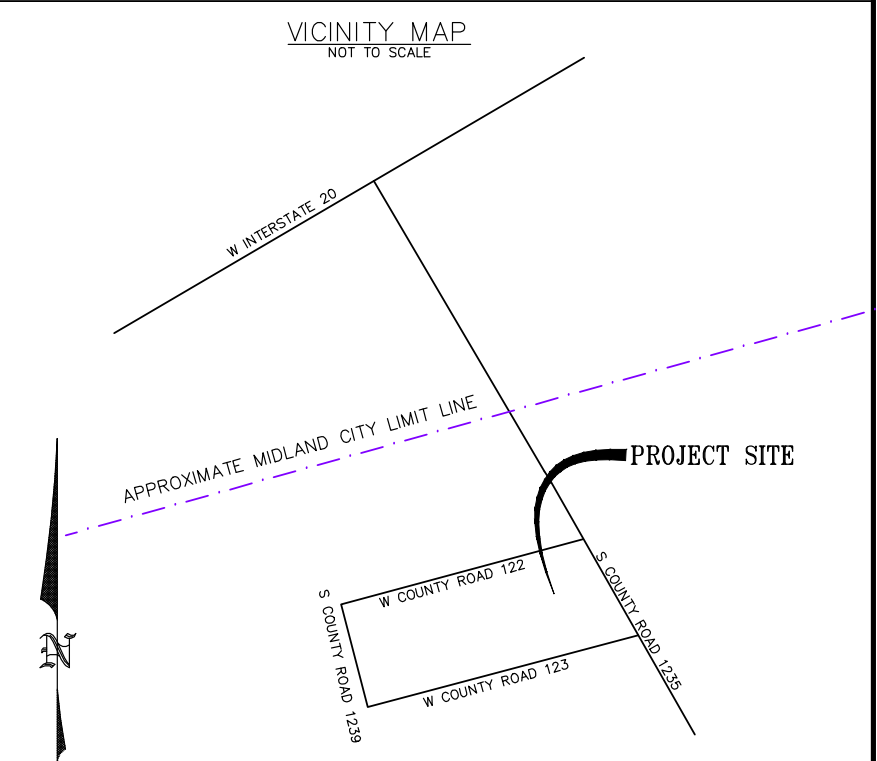
SURVEYOR'S CERTIFICATE

THE UNDERSIGNED DOES 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 THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: _____, 2021

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989

VICINITY MAP
NOT TO SCALE



- LEGEND**
- ★ IRON PIPE FOUND
 - IRON ROD WITH BLUE CAP MARKED "JFW FIRM #101173-00"
 - DENOTES PROPOSED SUBDIVISION LINE
 - DENOTES PROPOSED LOT BOUNDARY
 - DENOTES EXISTING ROAD
 - DENOTES EXISTING EASEMENT
 - DENOTES EXISTING FENCE
 - DENOTES EXISTING OVERHEAD ELECTRIC
 - DENOTES EXISTING POWER POLE
 - D.R.M.C. DEED RECORDS OF MIDLAND COUNTY
 - O.R.M.C.T. OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS

NOTE:

- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND CONTROL MONUMENT "44/93"
- 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.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329C0200F WITH A REVISED DATE OF SEPTEMBER 16, 2005.
- 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.
- MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.



CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 20-1097-00 DRAFT PW REV. 0

FILE: S: MIDLAND/15 ACRE SUB/ SW CROSSING

P.O. DRAWER 11186
MIDLAND, TEXAS 79702
(432) 520-9200
FAX (432) 520-9212
FIRM#10146900
wdwatson@wpg-us.com



LOCATION MAP

SUB-21-0409

Scale: 1" = 400'

A plat of a 3.3-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas.

Generally located on the south side of West County Road 122, approximately 800 feet west of South County Road 1235. Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Joseph Marynak, Planner

SUBJECT: Consider a proposed Preliminary Plat of Southwest Crossing, Section 16, being a plat of a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the northwest corner of the intersection of West County Road 122 and South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Watson Professional Group Inc., is requesting to plat a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co Survey, into five (5) lot for development and to acquire septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no Jurisdiction.

SURVEYOR: (Approved)

This is a suggestion. Where the south line of lot 4 is following a cul-de-sac, consider making this

1 curve instead of 2 curves as shown.

ENGINEERING: (Approved)

IMPACT FEES: The plat is located outside of Service Areas no Impact Fee note required.

ROW: Fine as shown.

PAVING: Fine as shown.

WATER: Administratively Deferred.

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

PRO RATA: None.

SEWER: Administratively Deferred.

DRAINAGE: Drainage study required Approved 7/19/21.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Fine as shown.

DIMENSION: * * *

OTHER: See Transportation comments * * *

TRAFFIC: (Approved with Conditions)

Development in this area along CR 1235 is generating traffic that is utilizing the CR 1235 alignment to/from the north. However, once CR 1235 leaves this subdivision, there is no public right-of-way or improved roadway. Traffic is currently using an unpaved roadway across private property to access the I-20 South Service Rd at an illegal driveway access point. Since development continues occurring in this area and traffic volumes continue to increase, the access situation needs to be formalized and brought into compliance with all applicable city and state regulations in order for additional platting of new parcels to proceed.

FIRE: (Approved)

No comments

CODE COMPLIANCE: (Approved)

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

HEALTH:

Yes, the health department will review applications from the 5 proposed lots of Southwest Crossing, Section 16, PLAT OF A 24 ACRE TRACT OF SECTION 13, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 4.8 acre, lot 2 is 5 acre, lot 3 is 5 acre, lot 4 is 4.6 acre, lot 5 is 4.6 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.

PLANNING:

Under the certificate of approval, the secretary should be Elizabeth Shaughnessy.

Staff recommends approval of the preliminary plat of Southwest Crossing, Section 16 subject to conditions A and B.

Conditions:

A. That the technical items listed above are addressed.

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number:

SUB-21-0407

Case Number:

P-21-1135

Proposed Subdivision Plat Name: SOUTHWEST CROSSING ADDITION, SECTION 16**Legal Description (attached sealed Metes and Bounds):** Being A 24.186 acre tract out of Section 13, Block 40,

T-2-S, T&P RR CO Survey, County Of Midland, Texas

Property Owner Midtex Development Trust

Printed Name: Ty Shepard

Address 455 Mackenzie Ave

City Canon City

Phone (719) 240-4979

Email tylshepard@gmail.com

State CO

Zip 81212

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()

Email

State

Zip

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

Firm: WATSON PROFESSIONAL GROUP INC

Printed Name: Ashlee Johnson

Address PO Drawer 11186

City Midland

Phone (432) 520-9200

Email

ajohnson@wpg-us.com

State TX

Zip 79702

Current Zoning: ETJ**Reason for Platting:** Ownership/Development**Plat Information**

Total Acreage: 24.186

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

Number of Lots: 5

Number of Multi-Family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature):

Date: 7-21

Property Owner (printed): Ty Shepard

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 Ashlee Johnson who, being by me duly sworn, upon oath says: That (s)he is authorized by Ty Shepard, 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.

Ashlee Johnson
Authorized Agent (signature)

Subscribed and sworn to before me, this 7 day of July, 2021, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch

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 # 10724

Received By:

Date:

RECEIVED
JUL 07 2021

BY: [Signature]

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

SOUTHWEST CROSSING, SECTION 16

BEING 24.186 ACRES OF LAND OUT OF THE SECTION 13, BLOCK 40, T-2-S, T&P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS

NOTE:

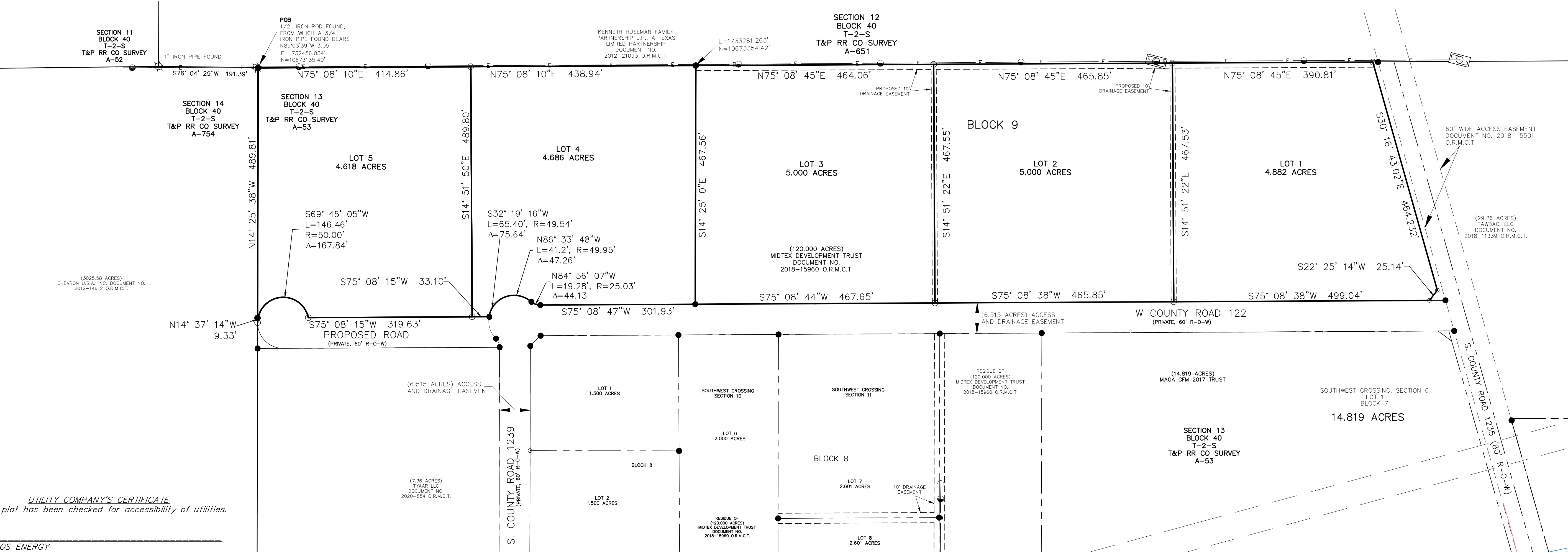
- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE".
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES 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.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANELS NO. 48329C0200F AND 48329C0184F BOTH WITH A REVISED DATE OF SEPTEMBER 16, 2003.

LEGEND

☆ IRON PIPE FOUND
● IRON ROD WITH BLUE CAP MARKED "JFW FIRM #101173-00"

— DENOTES PROPOSED BOUNDARY
- - - DENOTES ADJOINING PROPERTIES
— DENOTES EXISTING PIPELINE
- - - DENOTES PROPOSED EASEMENT
— DENOTES EXISTING FENCE
- - - DENOTES APPROXIMATE MIDLAND CITY LIMITS LINE
— DENOTES EXISTING CALICHE ROAD

D.R.M.C. DEED RECORDS OF MIDLAND COUNTY
O.R.M.C.T. OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS



UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

CERTIFICATE OF APPROVAL

STATE OF TEXAS

COUNTY OF MIDLAND

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 16" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of _____, 2021, A.D.

REGGIE LAWRENCE, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

OWNER'S CERTIFICATE

THE STATE OF TEXAS

COUNTY OF MIDLAND

Whereas, MIDTEX DEVELOPMENT TRUST is the record owner of a 24.186 acre tract of land, being out of Section 13, Block 40, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, MIDTEX DEVELOPMENT TRUST do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 16", 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 hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

MIDTEX DEVELOPMENT TRUST

Date

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED DOES 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 THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: _____, 2021

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989

ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF MIDLAND

Before me, the undersigned authority, 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 executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2021, A.D.

Notary Public in and for the State of Texas

Printed name of Notary

My commission expires: _____

100 0 100 200

SCALE: 1" = 100'

BEARINGS, DISTANCES, COORDINATES AND ACREAGE SHOWN HEREON ARE GRID, NAD83, TEXAS CENTRAL ZONE (4203), US FEET.

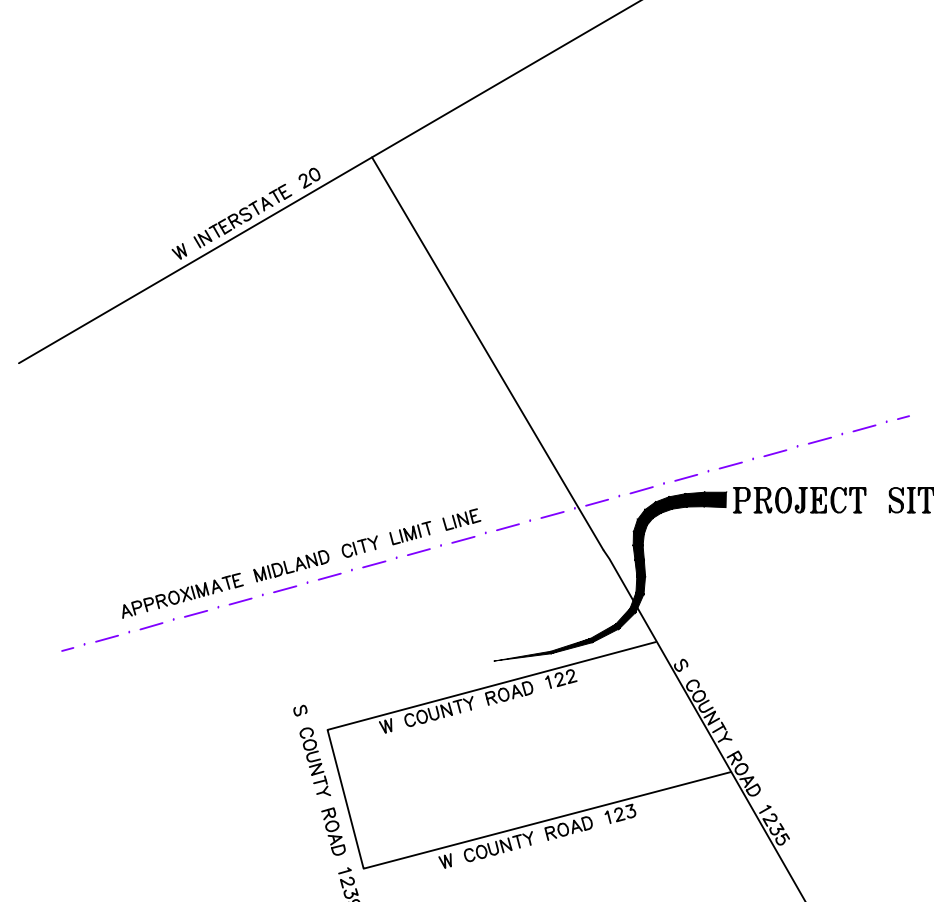
OWNER: MIDTEX DEVELOPMENT TRUST
TY SHEPARD
455 MADKENZIE AVE
CANYON CITY, CO 81212

PRELIMINARY

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

VICINITY MAP

NOT TO SCALE

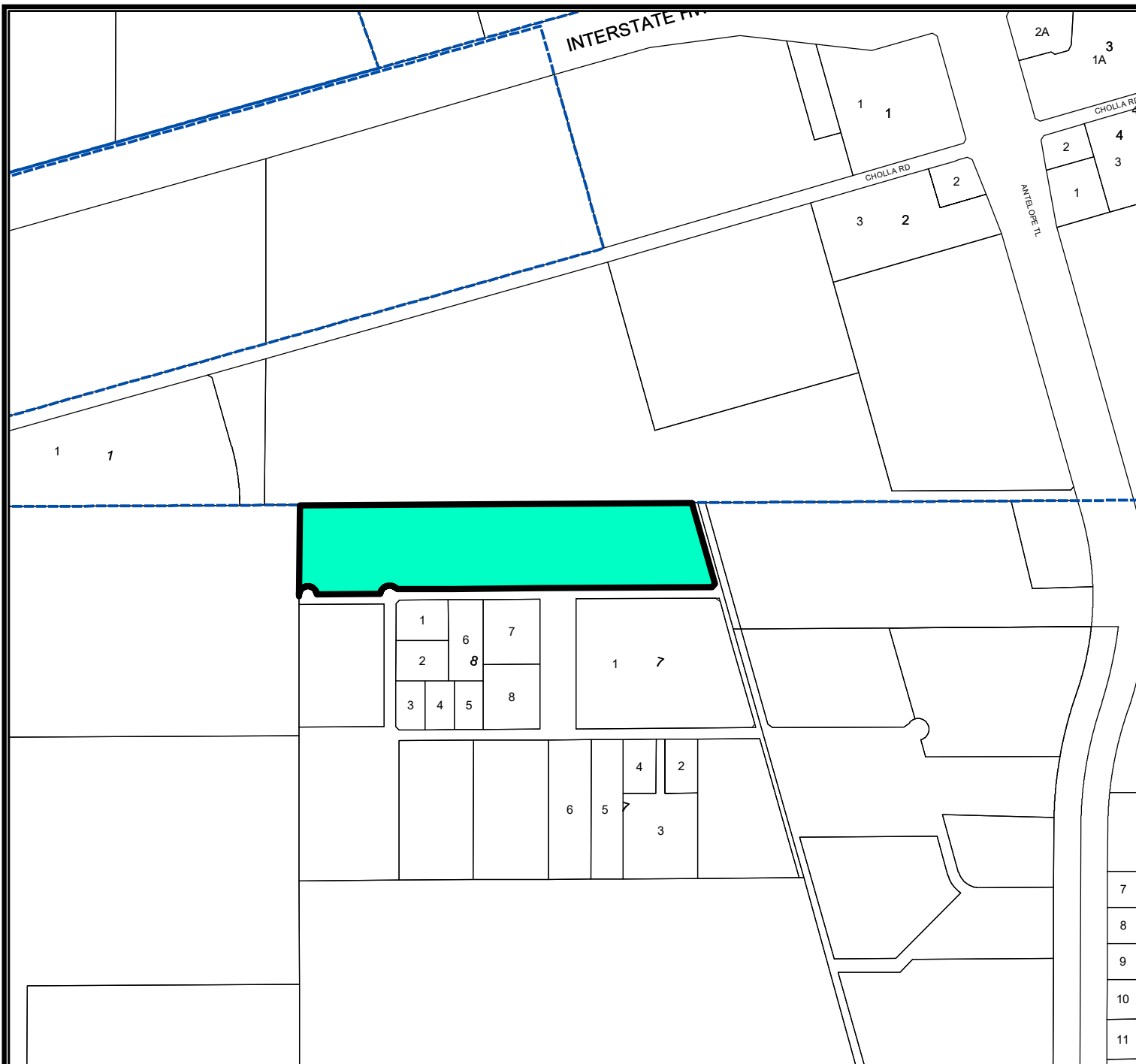


P.O. DRAWER 11186
MIDLAND, TEXAS 79702
(432) 530-9200
FAX (432) 530-9212
FIRM#10146900
wd@watsongroup.com

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 20-1097-00 DRAFT A/J REV. 0

FILE: S: MIDLAND/15 ACRE SUB/SW CROSSING



LOCATION MAP

SUB-21-0407

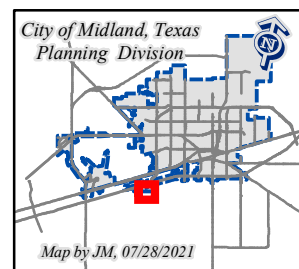
Scale: 1" = 800'

Proposed plat of Southwest Crossing, Section 16, being a plat of a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas.

Generally located on the northwest corner of the intersection of West County Road 122 and South County Road 1235. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Joseph Marynak

SUBJECT: Consider a proposed Preliminary Plat of Southwest Crossing, Section 17, being a plat of a 9.563 acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas. (Generally located at the southeast corner of the intersection of South County Road 1235 and West County Road 123. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Watson Professional Group Inc., is requesting to plat a 9.563-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co Survey, into four (4) lot for development and to obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no Jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

IMPACT FEES: The plat is located outside of Service Areas no Impact Fee note required.

ROW: Fine as shown.

PAVING: Fine as shown.

WATER: Administratively Deferred.

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

PRO RATA: None.

SEWER: Administratively Deferred.

DRAINAGE: Drainage study Approved 7/19/21.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Fine as shown.

DIMENSION: * * *

OTHER: See Transportation comments * * *

TRANSPORTATION: (Approved with Conditions)

Development in this area along CR 1235 is generating traffic that is utilizing the CR 1235 alignment to/from the north. However, once CR 1235 leaves this subdivision, there is no public right-of-way or improved roadway. Traffic is currently using an unpaved roadway across private property to access the I-20 South Service Rd at an illegal driveway access point. Since development continues occurring in this area and traffic volumes continue to increase, the access situation needs to be formalized and brought into compliance with all applicable city and state regulations in order for additional platting of new parcels to proceed.

FIRE: (Approved)

No comments

CODE COMPLIANCE: (Approved)

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

HEALTH:

Yes, the health department will review applications from the 2 proposed lots of Southwest Crossing, Section 14, PLAT OF A 8 ACRE TRACT OF SECTION 13, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY lot 7 is 2.9 acre, and lot 8 is 4.9 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.

PLANNING:

Show existing, and proposed easements.

Please add the following note to the face of the plat:

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

Under the certificate of approval, the secretary should be Elizabeth Shaughnessy.

Staff recommends approval of the preliminary plat of Southwest Crossing, Section 17 subject to conditions A and B.

Conditions:

A. That the technical items listed above are addressed.

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number: SUB-21-0431
Case Number: P-21-1132

Proposed Subdivision Plat Name: SOUTHWEST CROSSING ADDITION, SECTION 17

Legal Description (attached sealed Metes and Bounds): Being A 9.563-acre tract out of Section 13, Block 40,
T-2-S, T&P RR CO Survey, County Of Midland, Texas

Property Owner Texas Pelican Properties 5, LLC

Printed Name: Rusty Leblanc

Phone (985) 209-8344

Email RUSTYLEB@GMAIL.COM

Address 2912 QUIET OAK PLACE

City SCHRIEVER, TERREBONNE PARISH

State LA

Zip 70395

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: WATSON PROFESSIONAL GROUP INC

Printed Name: Ashlee Johnson

Phone (432) 520-9200

Email

ajohnson@wpg-us.com

Address PO Drawer 11186

City Midland

State TX

Zip 79702

Current Zoning: ETJ

Reason for Platting: Ownership/Development/Septic Permit

Plat Information

Total Acreage: 9.563

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 4

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development 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: 7/6/2021

Property Owner (printed): Rusty LeBlanc

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 Ashlee Johnson who, being by me duly sworn, upon oath says: That (s)he is authorized by Rusty LeBlanc, 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.

Ashlee Johnson
Authorized Agent (signature)

Subscribed and sworn to before me, this 7 day of July, 20 21, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch
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 # 10726

Received By: [Signature]

Date: _____

RECEIVED
JUL 07 2021

BY: _____

SOUTHWEST CROSSING, SECTION 17

BEING A 9.563-ACRE TRACT OF LAND OUT OF THE
SECTION 13, BLOCK 40, T-2-S, T&P RR CO SURVEY, IN MIDLAND COUNTY, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, SHEPARD COMMERCIAL PROPERTIES LLC is the record owner of 9.563 acre tract of land, being out of Section 13, Block 40, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, RUSTY LEBLANC AND DAVID SMITH, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 17", 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 hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

RUSTY LEBLANC _____ Date _____

DAVID SMITH _____ Date _____

CERTIFICATE OF APPROVAL

STATE OF TEXAS }
COUNTY OF MIDLAND }

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 17" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the _____ day of _____, 2021, A.D.

REGGIE LAWRENCE, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

ACKNOWLEDGEMENT

STATE OF TEXAS }
COUNTY OF MIDLAND }

Before me, the undersigned authority, 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 executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the _____ day of _____, 2021, A.D.

Notary Public in and for the State of Texas

Printed name of Notary _____
My commission expires: _____

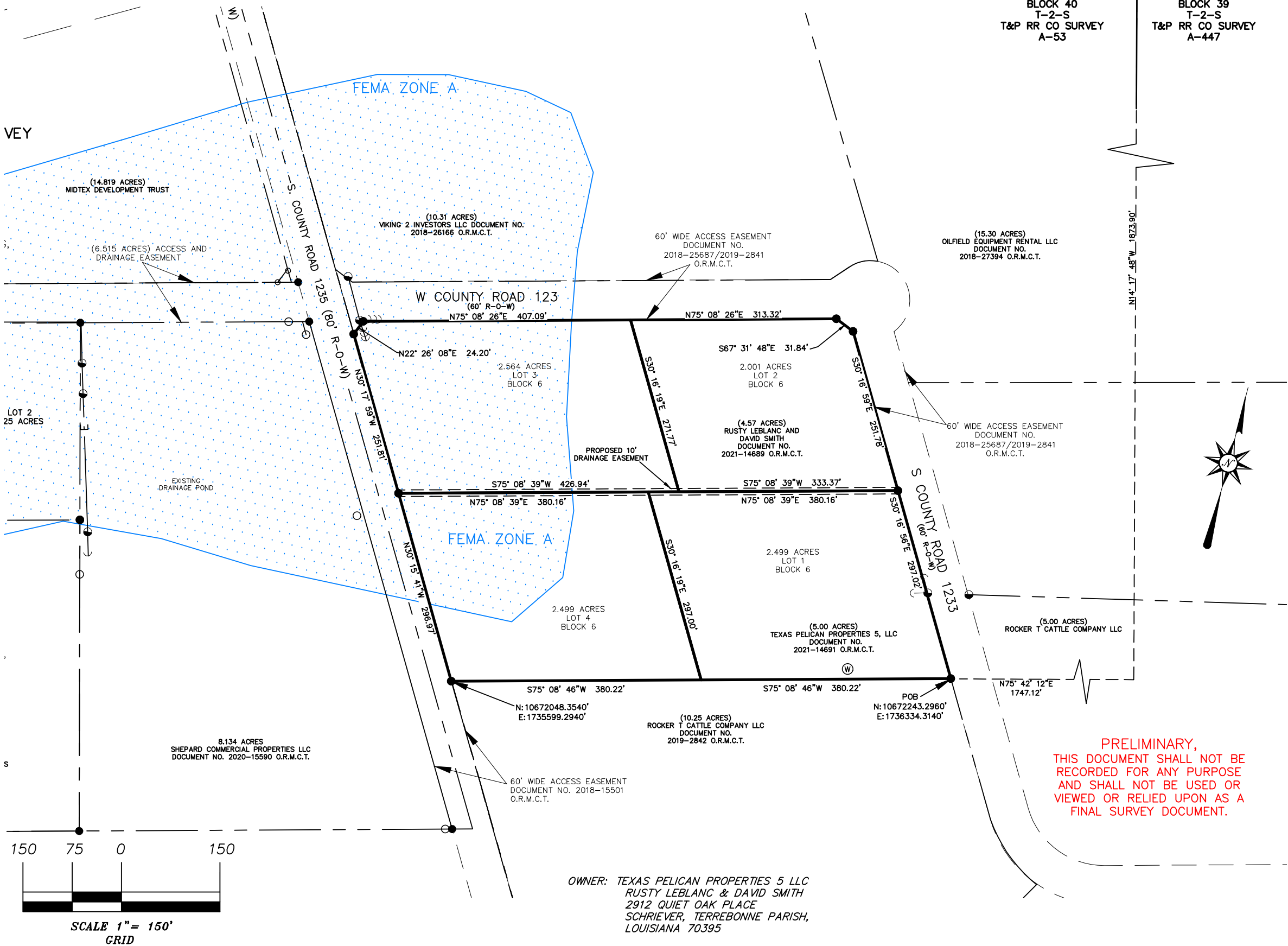
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED DOES 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 THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: -----, 2021

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989



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

OWNER: TEXAS PELICAN PROPERTIES 5, LLC
RUSTY LEBLANC & DAVID SMITH
2912 QUIET OAK PLACE
SCHRIEVER, TERREBONNE PARISH,
LOUISIANA 70395

NOTE:

- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE".
- 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.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN PART IN ZONE A AND IS WITHIN A 100-YEAR FLOOD HAZARD AREA OF WHICH A BASE FLOOD ELEVATION OF 2832 FEET HAS BEEN DETERMINED AND IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329C0200F WITH A REVISED DATE OF SEPTEMBER 16, 2005.
- 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.

LEGEND

- ☆ IRON PIPE FOUND
- IRON ROD FOUND
- DENOTES PROPOSED SUBDIVISION LINE
- DENOTES ADJACENT PROPERTIES
- DENOTES EXISTING ROAD
- DENOTES EXISTING EASEMENT
- x DENOTES EXISTING FENCE
- D.R.M.C. DEED RECORDS OF MIDLAND COUNTY
- O.R.M.C.T. OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS

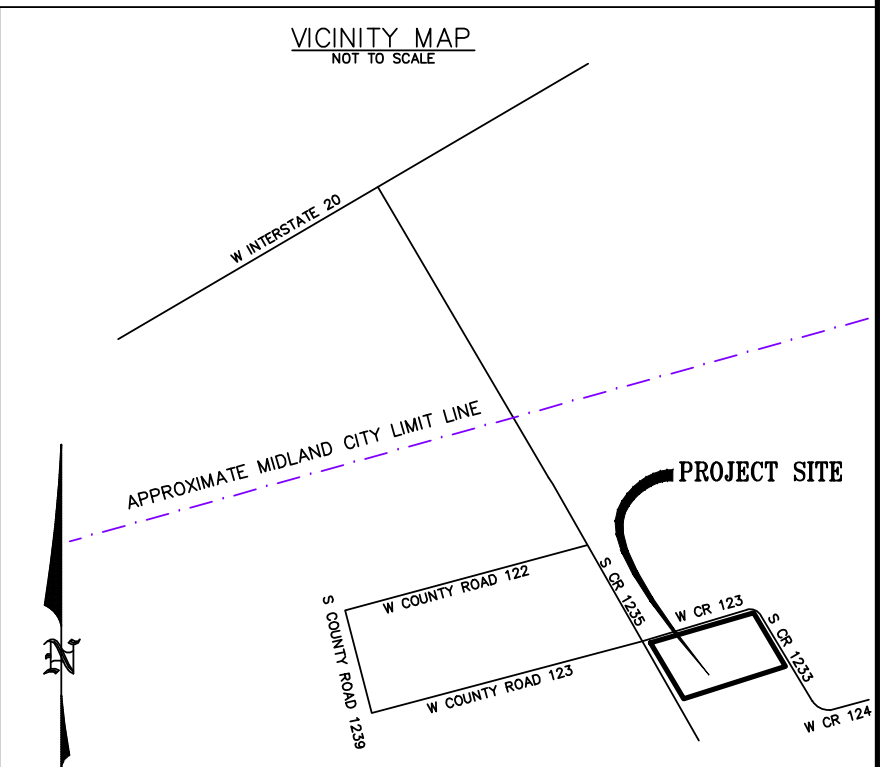


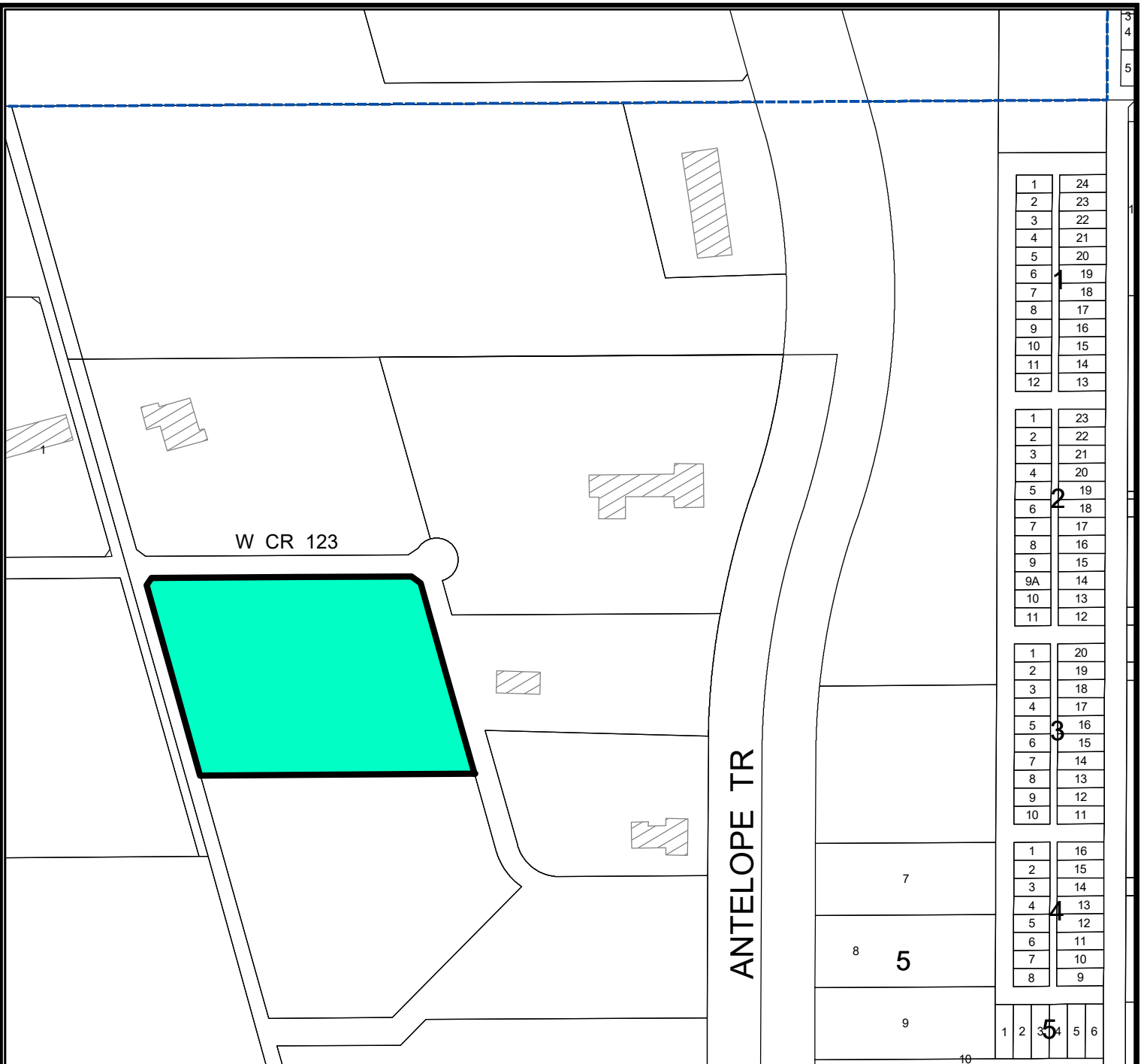
P.O. DRAWER 11186
MIDLAND, TEXAS 79702
(432) 520-9200
FAX (432) 520-9212
FIRM#10146900

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 21-1026-00 DRAFT AJ REV. 0

FILE: S: MIDLAND/15 ACRE SUB/ SW CROSSING.DWG





LOCATION MAP

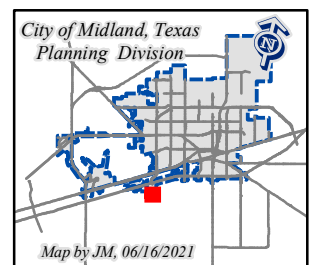
SUB-21-0431

Scale: 1" = 400'

Consider a proposed Preliminary Plat of Southwest Crossing, Section 17, being a plat of a 9.562 acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas.
Generally located at the southeast corner of the intersection of South County Road 1235 and West County Road 123. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez, Planner

SUBJECT: Consider a proposed Preliminary Plat of Patriot Leap, being a plat of a 19.929-acre tract of land located in Section 20, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the north side of West County Road 140, approximately 1,246 feet west of South County Road 1210. Extraterritorial Jurisdiction) (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 19.929-acre tract of land located in Section 20, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas, into seventeen lots.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Property is located outside of service areas at this time no impact fees required.

ROW: The additional 27.5' to the existing 32.5' of ROW dedication for a total of 60' ROW dedication is fine as shown.

PAVING: County Road 140 appears to be paved to county standards. If County Road 140 is sub-standard, construct to City Standards for entire platted frontage or request a deferral.

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral based on located in the South Midland Utility District.

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

PRO RATA: None.

SEWER: None existing. Construct wastewater to City standards along entire platted frontage, or request a deferral. For areas not served by wastewater that are platting for a septic permit make sure the following requirements are met:

-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 required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required at building permit. However, subdivision located in county so request a deferral.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No objection to plat.

FIRE: (Approved)

No comments

CODE COMPLIANCE: (Approved)

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

Midland County: (Approved with Conditions)

The Cul de Sac is too long – 600LF max

The Cul de Sac access road, even though it is designated as “private” must be per Section 3 in regulations – 60’ ROW and 32’ wide road

Only one access in and out is not acceptable

They will need to obtain a permit to tie into WCR 140 from road & bridge.

Health:

Yes, the health department will review applications from the 17 proposed lots of Patriot Leap Addition , PLAT OF A 19.9 ACRE TRACT OF LAND SECTION 20, BLOCK 39,T-2-S, T. & P. RR. CO. SURVEY TRACT 1 through 12 is 1 acre TRACT 13 and 15 are 1 acre and have existing residential structures, TRACTS 14 through 17 are 1 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.

PLANNING:

Under Certificate of Approval, change the secretary name to Elizabeth Shaughnessy.

The planning department supports approval of the preliminary plat subject to conditions A through D.

Conditions:

- A. That the technical items listed above are addressed.
- B. That a drainage study is approved
- C. That all public improvements required are addressed.
- D. 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



Preliminary Plat Application

Project Number:

Case Number:

SUB-21-0434
P-21-1127

Proposed Subdivision Plat Name: *Patriot Leap*

Legal Description (attached sealed Metes and Bounds): *BEING A PLAT OF 19.929 ACRE TRACT OF LAND IN SECTION 20, Block 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS.*

Property Owner

Printed Name: *Bob Callender*

Phone *(806) 674-7961*

Email *barry@bobcallenderfineart.com*

Address *3608 W CR 140*

City *Midland*

State *TX*

Zip *79706*

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: *asdf*

Plat Information

Total Acreage: *19.929*

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: *17*

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) *will send this afternoon*
- 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:

6-25-21

Property Owner (printed): Bob Callender

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.

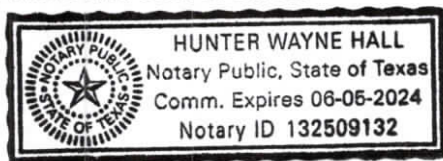
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Eduardo L. Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Bob Callender, 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 25th day of June, 20 21, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 1671

Received By:

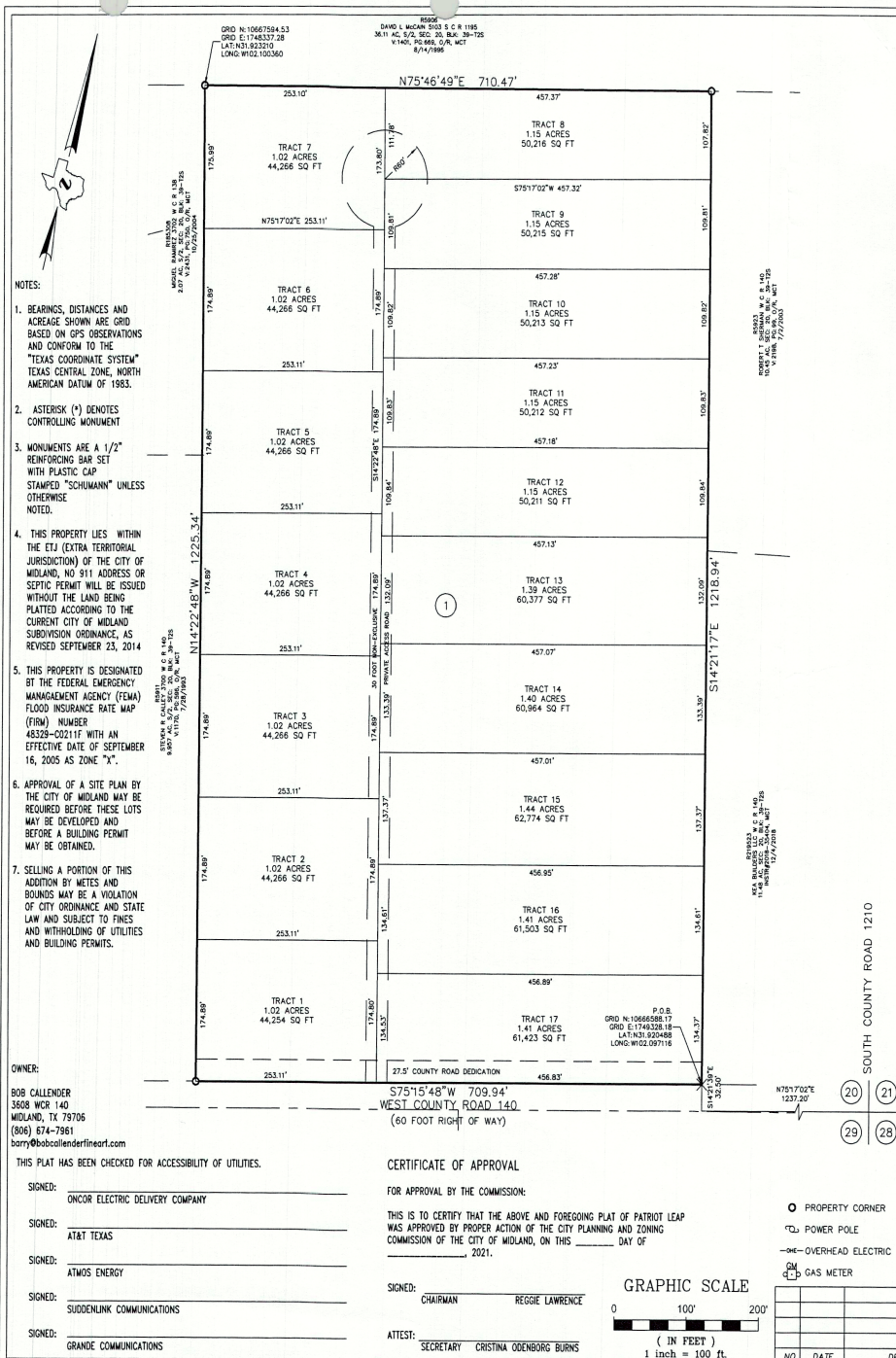
V. Sherman

Date:

RECEIVED
JUN 28 2021

BY: *[Signature]*

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



PRELIMINARY PLAN PATRIOT LEAP

BEING A PLAT OF A 19.929 ACRE TRACT OF
LAND LOCATED IN SECTION 20, BLOCK 39,
T-2-S,
T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A 19.929 ACRE TRACT OF LAND SITUATED IN THE SE/4 OF SECTION 20, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

BOB CALLENDER

STATE OF TEXAS:
COUNTY OF MIDLAND:

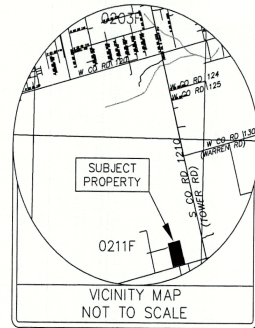
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, BOB CALLENDER.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS



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

RJ DAUM
RPLS 4826



RECEIVED
JUN 28 2021

SYMBOLS LEGEND

- PROPERTY CORNER
- x— WIRE FENCE
- ⊙ WATER WELL
- ⊞ POWER POLE
- RETIRED BREAKER BOX
- — LOT LINES
- o— OVERHEAD ELECTRIC
- — PROPERTY LINE
- ⊞ TELEPHONE PEDESTAL
- ⊞ GAS METER
- ⊞ GAS RISER
- ⊞ SEWER MANHOLE

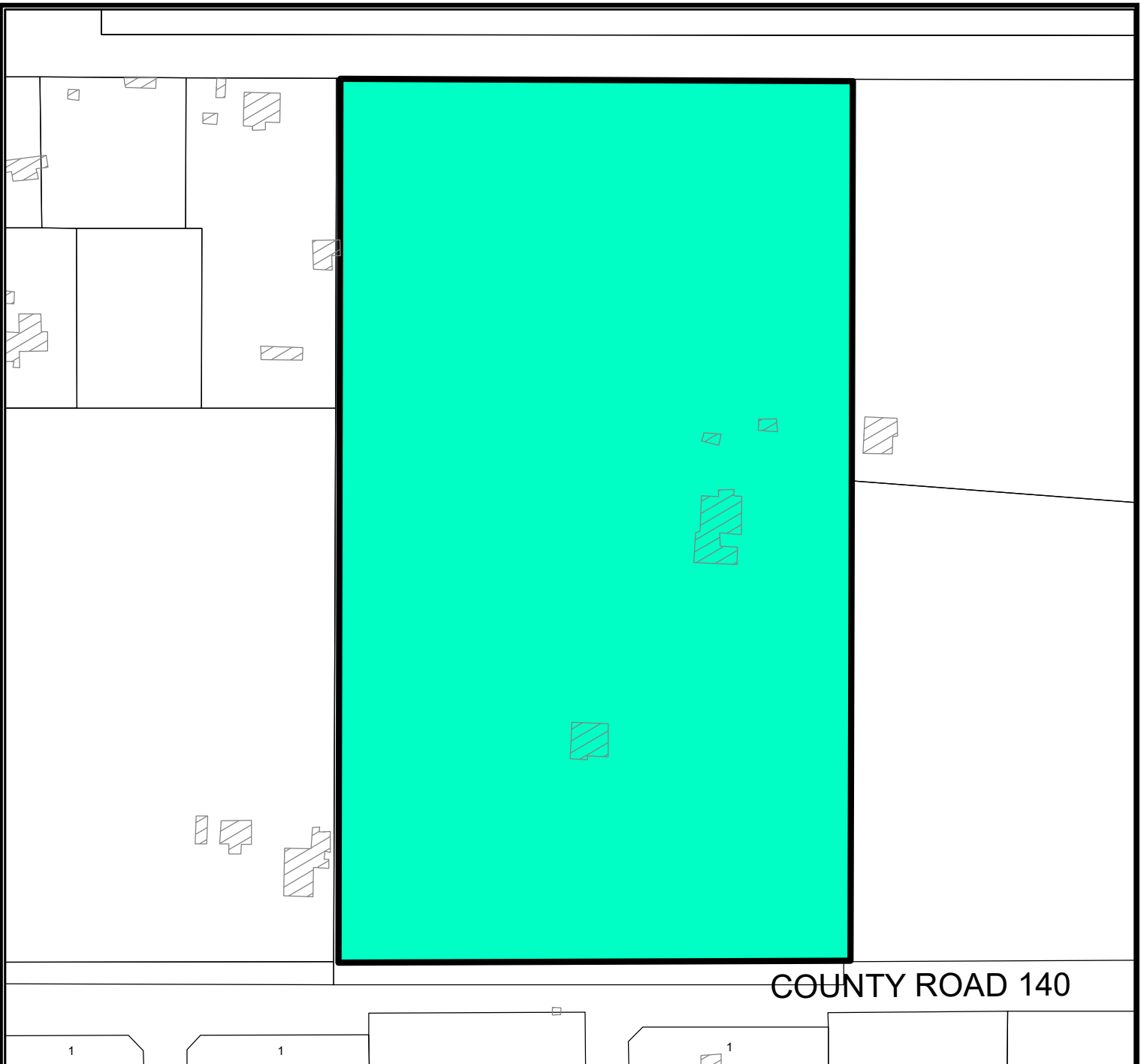
NO.	DATE	DESCRIPTION	BY	JOB NO.	77,885	SHEET	1	OF	1
DRAWN BY: KDS					DATE: 5/11/2021				
CHECKED BY: RJD					DRAWING NO.: 77885				

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

SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

CIVIL ENGINEERING - LAND SURVEYING
800 N. WARENE STREET
MIDLAND, TEXAS 79701
TEXAS REG. NO. 71880 - TEXAS REG. NO. 10146500
Office (432) 684-1544

BY: _____
PATRIOT LEAP



COUNTY ROAD 140

LOCATION MAP

SUB-21-0434

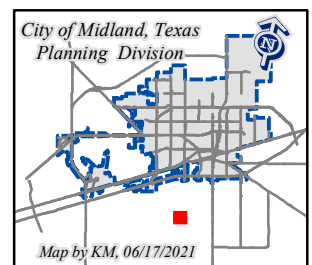
Scale: 1" = 200'

Proposed plat of Patriot Leap, being a plat of a 19.929-acre tract of land located in Section 20, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas.

Generally located on the north side of West County Road 140, approximately 1,246-feet west of South County Road 1210. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Elizabeth Shaughnessy, Planning Division Manger

SUBJECT: Hold a public hearing and consider a proposed Preliminary Plat of Hillcrest Acres, Section 15, being a residential replat of a 19.67 acre portion of tracts 22, 23, 24, 25, 26, 27, and 28, Hillcrest Acres Addition, City and County of Midland, Texas (Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. Council District 4) (DEVELOPMENT SERVICES) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The property owner, Midland Community Development Corporation, is proposing to replat a residential replat of a 19.67-acre portion of tracts 22, 23, 24, 25, 26, 27, and 28, Hillcrest Acres Addition, City and County of Midland, Texas into forty-seven (47) lots for residential development and one (1) common area that will be use as a detention basin, which requires a public hearing.

Current Zoning:

PD, Planned Development District. (Ordinance No. 10130)

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

Departmental Review:

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Okay as shown

ROW: Okay as shown

PAVING: Paving improvements for internal streets have not been accepted; there has not been a request for a final walk-through. W. Cuthbert Avenue and Princeton Avenue okay as is, no public improvements required for these streets.

WATER: Water improvements for internal infrastructure have not been accepted; there has not been a request for a final walk-through. Existing 8-inch water main in W. Cuthbert Ave., Existing 6-inch water main on Princeton Ave., No public improvements required on these streets.

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

PRO RATA: None.

SEWER: Sewer improvements have not been accepted; there has not been a request for a final walk-through.

DRAINAGE: Drainage study has not been approved.

EASEMENTS: Show existing and proposed. Drainage easement is needed along west boundary of subdivision per plan review comments.

SIDEWALKS: Sidewalks required on collector/arterial roadways, along common areas and ADA ramps required at corners before public infrastructure is accepted.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 7 new intersections created at \$500/intersection = \$3500. Fee shall be adjusted based on number of intersections if Final Plat is phased.

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.

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-

permitted well radius of location on plat.

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.

SURVEYOR: (Approved)

No comments.

Colorado River Municipal Water District:

No comments.

PLANNING: (Approved with Conditions)

The secretary under the certificate of approval should be Elizabeth Shaughnessy.

All department's comments must be addressed as a condition of final plat approval. Staff recommends approval of the preliminary plat of Hillcrest Acres, Section 15, subject to conditions A through D.

Conditions:

- A. That the required public improvements are adequately met.
- B. That the technical items listed above are addressed.
- C. That a drainage study is approved.
- D. 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
Map



Preliminary Plat Application

Project Number:

Case Number:

SUB-21-0406
P-21-1129

Proposed Subdivision Plat Name: Hillcrest Acres, Section 15

Legal Description (attached sealed Metes and Bounds): Being a Replat of a 19.70-Acre Portion of Tracts 22, 23, 24, 25, 26, 27 and 28, Hillcrest Acres Addition, City and County of Midland, Texas

Property Owner

Printed Name:

Midland Community Development Corp

Phone (432) 262-0999

Email

Address

208 S Marienfeld Ste 100

City

Midland

State

TX

Zip

79701

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name:

Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address

1909 W Wall St Ste K

City

Midland

State

TX

Zip

79701

Current Zoning: PD

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage:

19.70

Type:

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

Number of Lots: 90

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Date: _____

Property Owner (printed) : David Diaz - MCDC

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Midland Community Development Corp 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 28th day of June, 2021, to certify which witness my hand and seal of office.



Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

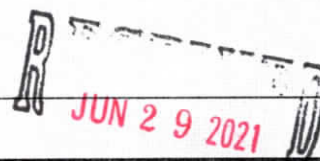
☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 3502

Received By: KM

Date:



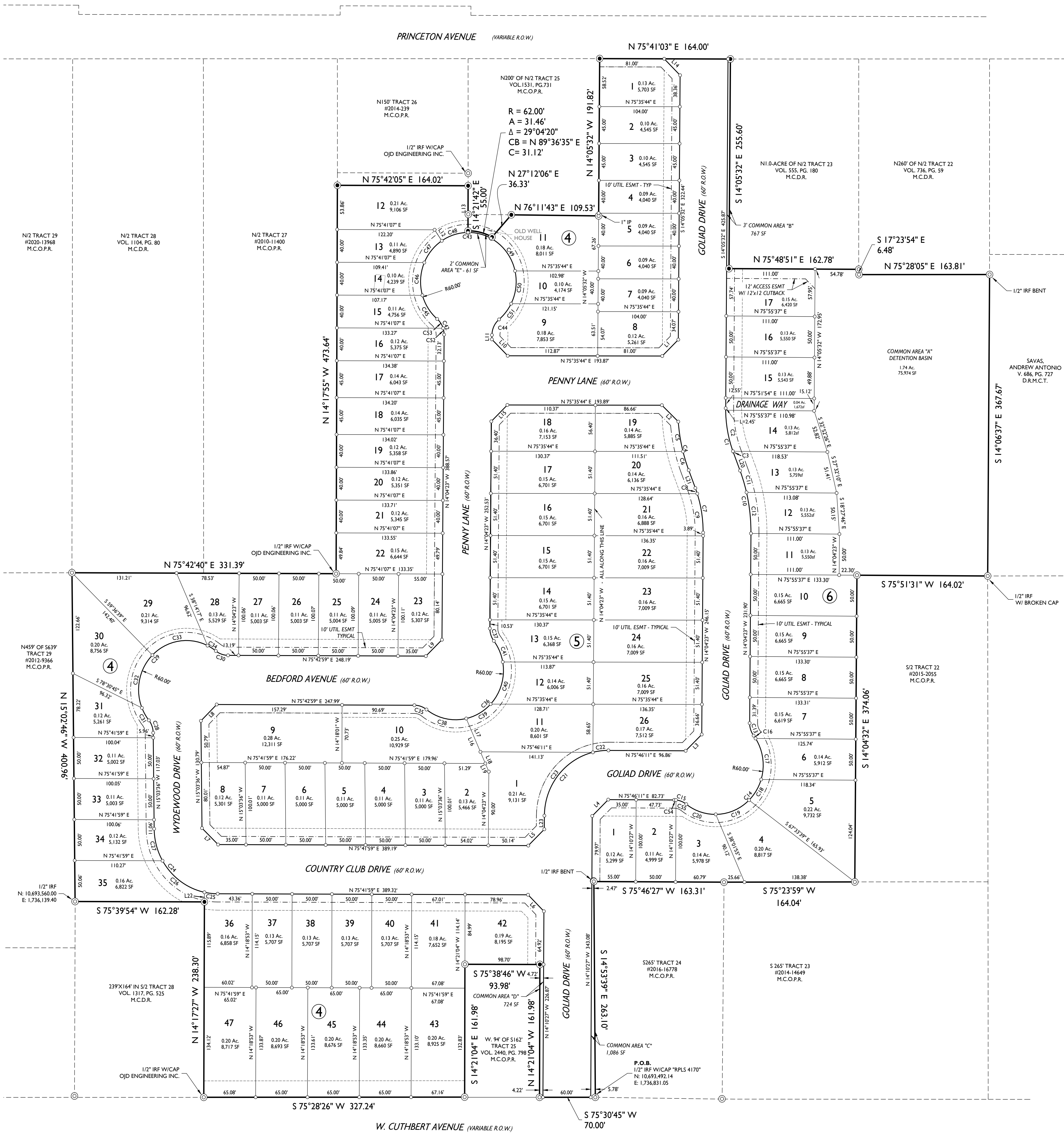
BY: KM

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

PRELIMINARY PLAT

HILLCREST ACRES, SECTION 15

BEING A REPLAT OF A 19.70-ACRE PORTION OF TRACTS 22, 23, 24, 25, 26, 27 AND 28, HILLCREST ACRES ADDITION, CITY AND COUNTY OF MIDLAND TEXAS



CURVE TABLE

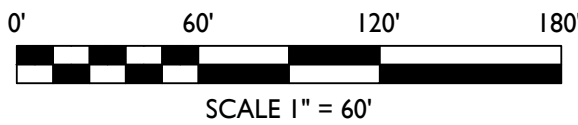
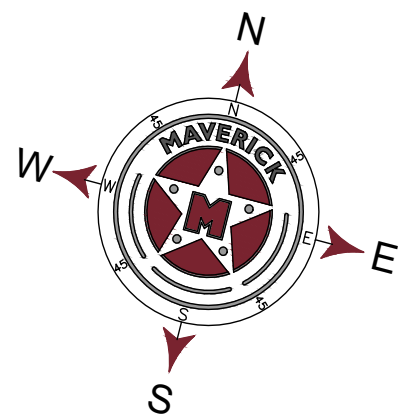
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	150.00	55.50	65.18	S 24°41'03" E	19°31'53"
C2	150.00	51.14	50.89	S 24°41'03" E	19°31'53"
C3	150.00	1.91	1.91	S 34°55'35" E	0°43'48"
C4	121.00	60.89	60.68	S 26°59'04" E	16°16'48"
C5	210.00	36.94	36.89	S 23°43'02" E	10°04'45"
C6	210.00	23.95	23.94	S 32°01'27" E	8°32'04"
C7	150.00	55.50	65.18	S 24°41'03" E	19°31'53"
C8	150.00	7.75	7.75	S 33°54'24" E	2°46'09"
C9	150.00	48.30	48.09	S 27°17'51" E	18°26'57"
C10	210.00	77.77	77.33	S 24°40'56" E	21°13'05"
C11	210.00	27.80	27.78	S 31°29'53" E	7°35'10"
C12	210.00	49.96	49.85	S 30°02'54" E	13°57'55"
C13	25.00	16.30	16.02	S 32°45'17" E	37°21'48"
C14	60.00	172.77	118.80	S 30°48'53" W	164°30'09"
C15	25.00	16.37	15.99	S 85°34'55" W	37°17'42"
C16	60.00	4.77	4.77	S 49°25'23" E	4°01'37"
C17	60.00	52.17	50.55	S 22°29'54" E	49°49'20"
C18	60.00	29.73	29.43	S 16°26'36" E	28°32'11"
C19	60.00	46.34	45.20	S 52°55'59" W	44°15'04"
C20	60.00	39.80	39.08	N 85°36'16" W	38°00'27"
C21	80.00	115.59	113.08	S 30°47'52" W	89°56'38"
C22	80.00	19.69	19.64	S 68°43'06" W	14°06'11"
C23	80.00	105.89	98.33	S 23°44'47" E	75°30'27"
C24	80.00	114.60	112.38	N 59°40'59" W	89°14'25"
C25	80.00	16.74	16.71	S 81°41'43" W	11°59'29"
C26	80.00	67.03	65.09	N 68°18'17" W	48°00'33"
C27	80.00	40.81	40.33	N 70°40'48" W	79°14'25"
C28	25.00	16.51	16.21	N 33°58'26" W	37°49'40"
C29	60.00	174.29	119.16	N 30°19'41" E	168°25'54"
C30	25.00	16.51	15.99	S 85°22'11" E	37°49'40"
C31	60.00	17.53	17.46	S 44°31'11" E	16°44'10"
C32	60.00	69.51	65.68	N 02°57'53" W	68°32'25"
C33	60.00	74.95	70.17	N 66°00'36" E	71°54'33"
C34	60.00	17.30	17.28	S 77°19'44" E	11°44'46"
C35	25.00	16.33	16.04	S 85°34'19" E	37°17'42"
C36	60.00	172.41	118.92	N 30°49'18" E	164°38'09"
C37	25.00	16.33	16.04	N 32°47'05" W	37°25'23"
C38	60.00	59.76	51.08	N 67°56'47" E	50°21'11"
C39	60.00	33.85	33.32	N 45°38'13" E	34°13'59"
C40	60.00	55.54	53.38	N 02°00'02" E	53°02'25"
C41	60.00	28.35	27.99	N 38°00'28" W	26°58'37"
C42	25.00	21.68	21.00	N 38°54'47" W	49°40'47"
C43	60.00	292.54	176.51	N 75°55'37" E	229°21'34"
C44	25.00	21.68	21.00	S 10°46'01" W	49°40'47"
C45	60.00	34.73	34.25	N 47°10'15" W	33°09'51"
C46	60.00	40.85	40.06	N 11°05'07" W	39°00'27"
C47	60.00	34.89	34.40	N 25°04'38" E	33°19'06"
C48	60.00	34.89	34.40	N 58°23'44" E	33°19'06"
C49	60.00	51.48	49.92	S 51°43'00" E	49°09'41"
C50	60.00	41.09	40.29	S 07°31'03" E	39°14'13"
C51	60.00	24.62	24.44	S 23°51'14" W	23°30'21"
C52	25.00	20.64	20.08	S 40°04'12" E	47°10'56"
C53	25.00	1.02	1.02	S 15°14'18" E	2°19'52"
C54	25.00	2.27	2.27	N 78°22'13" E	8°17'02"
C55	25.00	14.00	13.82	S 82°38'54" E	32°18'44"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 30°45'08" W	28.36
L2	S 60°12'41" E	28.68
L3	S 30°02'54" W	28.32
L4	S 30°47'52" W	28.30
L5	S 30°45'46" W	28.32
L6	N 59°14'14" W	28.25
L7	N 59°40'48" W	28.47
L8	N 30°19'42" E	28.09
L9	N 38°07'24" E	28.34
L10	S 59°14'26" E	28.20
L11	S 30°02'54" E	5.31
L12	S 48°15'49" E	16.17
L13	N 14°01'42" W	51.00
L14	S 59°17'15" E	26.33
L15	N 30°45'40" E	28.37
L16	S 38°07'24" E	59.81
L17	S 38°07'24" E	44.33
L18	S 38°07'24" E	26.41
L19	S 38°07'24" E	10.93
L20	S 35°17'28" E	23.28
L21	S 35°17'28" E	23.28
L22	N 14°17'27" W	11.71
L23	N 14°10'27" W	16.55

LEGEND

- DENOTES SET 1/2-INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- DENOTES FOUND 1/2" IR FOUND UNLESS NOTED
- DENOTES PROPOSED LOT CORNER
- DENOTES BOUNDARY LINE
- DENOTES EXISTING PROPERTY LINES
- DENOTES BUILDING SETBACK LINE
- DENOTES EXISTING EASEMENT LINE
- DENOTES PROPOSED EASEMENT LINE
- DENOTES OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- DENOTES DEED RECORDS, MIDLAND CO., TX
- DENOTES PLAT RECORDS, MIDLAND CO., TX



BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT.



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

HILLCREST ACRES, SECTION 15

PRELIMINARY PLAT

HILLCREST ACRES, SECTION 15

BEING A REPLAT OF A 19.70-ACRE PORTION OF TRACTS
22, 23, 24, 25, 26, 27 AND 28, HILLCREST ACRES ADDITION,
CITY AND COUNTY OF MIDLAND TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS MIDLAND COMMUNITY DEVELOPMENT CORPORATION, is the record owner of a tract of land situated in Section 30, Block 39, T-1-S, T&P, RR. Co. Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That MIDLAND COMMUNITY DEVELOPMENT CORPORATION, being the owner of the land shown on this plat designated as HILLCREST ACRES, SECTION 15, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage collection, utility facility access and maintenance, location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith has been selected and approved by the Director of Utilities.

WITNESS my hand at _____, M.

the _____ day of _____, 2021.

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 purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of HILLCREST ACRES, SECTION 15, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

_____ day of _____, 2021.

REGGIE LAWRENCE, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, GREGORY W. SHOULTS, a Registered Professional Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and correct survey, and that the corners and monuments shown thereon were properly located under the supervision and in accordance with the Subdivision Regulations of the City of Midland, Texas.

GREGORY W. SHOULTS, P.S. 53356

Midland Engineering, L.P.

1909 W. Wall Street, Suite 100

Midland, TX 79701

DRAINAGE EASEMENT DEDICATED WITH THIS PLAT

1. THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS, SHALL HAVE THE FREE AND UNINTERRUPTED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING, CONSTRUCTING, RECONSTRUCTING, INSTALLING, REALIGNING, MODIFYING, REPLACING, IMPROVING, ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, RELOCATING AND REMOVING DRAINAGE IMPROVEMENTS, 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.

2. DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, INJURE, AND/OR UNDULY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY. DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR ITSELF, ITS LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS, THAT NO BUILDING, ROADWAYS, OR CURBS AND GUTTERS OF ANY KIND WILL BE PLACED ON THE PROPERTY DESCRIBED HEREIN. WRITTEN PERMISSION FOR ABOVE GROUND APPURTENANCES MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.

3. THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFICIENCIES IN THE FUNCTION OF THE STORMWATER FACILITY, AND TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE CITY FINDS IT NECESSARY FOR PUBLIC HEALTH AND SAFETY.

4. THE MAINTENANCE OF ANY STORMWATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH 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.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.P. FLOOD INSURANCE RATE MAP #48329C0182F, 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 CHANCE FLOODPLAIN."

THIS FLOOD STATEMENT 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.

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. BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT.
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOTS ARE REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.
6. COMPLY WITH THE EXISTING DRAINAGE ANALYSIS TITLED "HILLCREST ACRES DRAINAGE ANALYSIS, REV. 2", SEALED BY CHAD THOMAS, P.E. AND APPROVED BY THE CITY OF MIDLAND ON 5.25.21, OR ANY REVISIONS, CORRECTIONS, AMENDMENTS, OR REPLACEMENTS OF THIS DRAINAGE ANALYSIS THAT ARE APPROVED BY THE CITY OF MIDLAND.
7. COMMON AREAS "A, B, C, D" TO SERVE DUALY AS PUBLIC BLANKET ACCESS AND UTILITY EASEMENTS

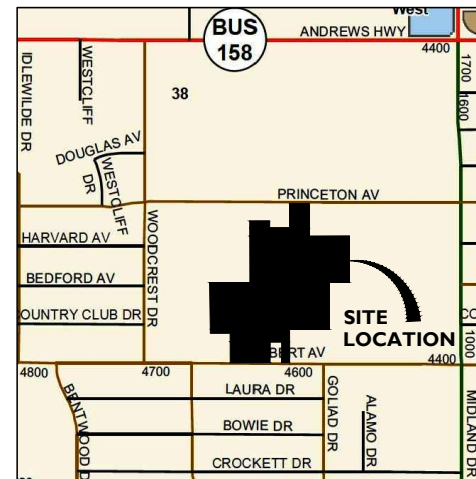
PROPERTY OWNER

MIDLAND COMMUNITY DEVELOPMENT CORP
208 S MARIENFELD ST # 100
MIDLAND, TX 79701-5113
DEED INSTR# 2016-2719

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



VICINITY MAP

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

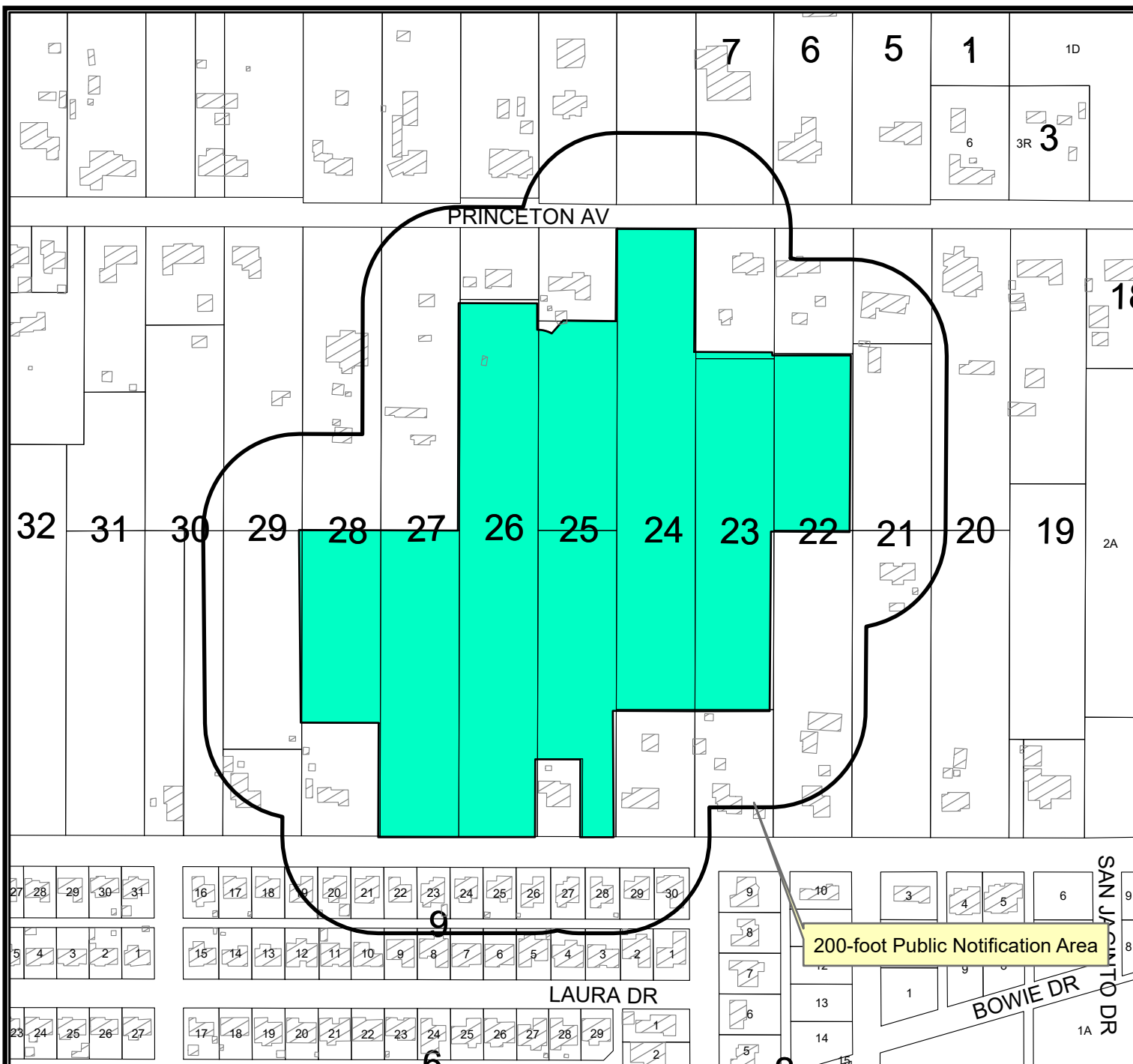


MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

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

HILLCREST ACRES SECTION 15

SHEET 2 OF 2



LOCATION MAP

SUB-21-0406

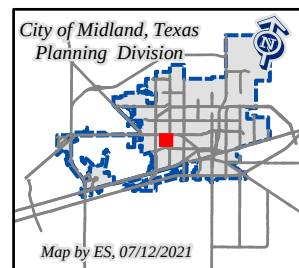
Scale: 1" = 200'

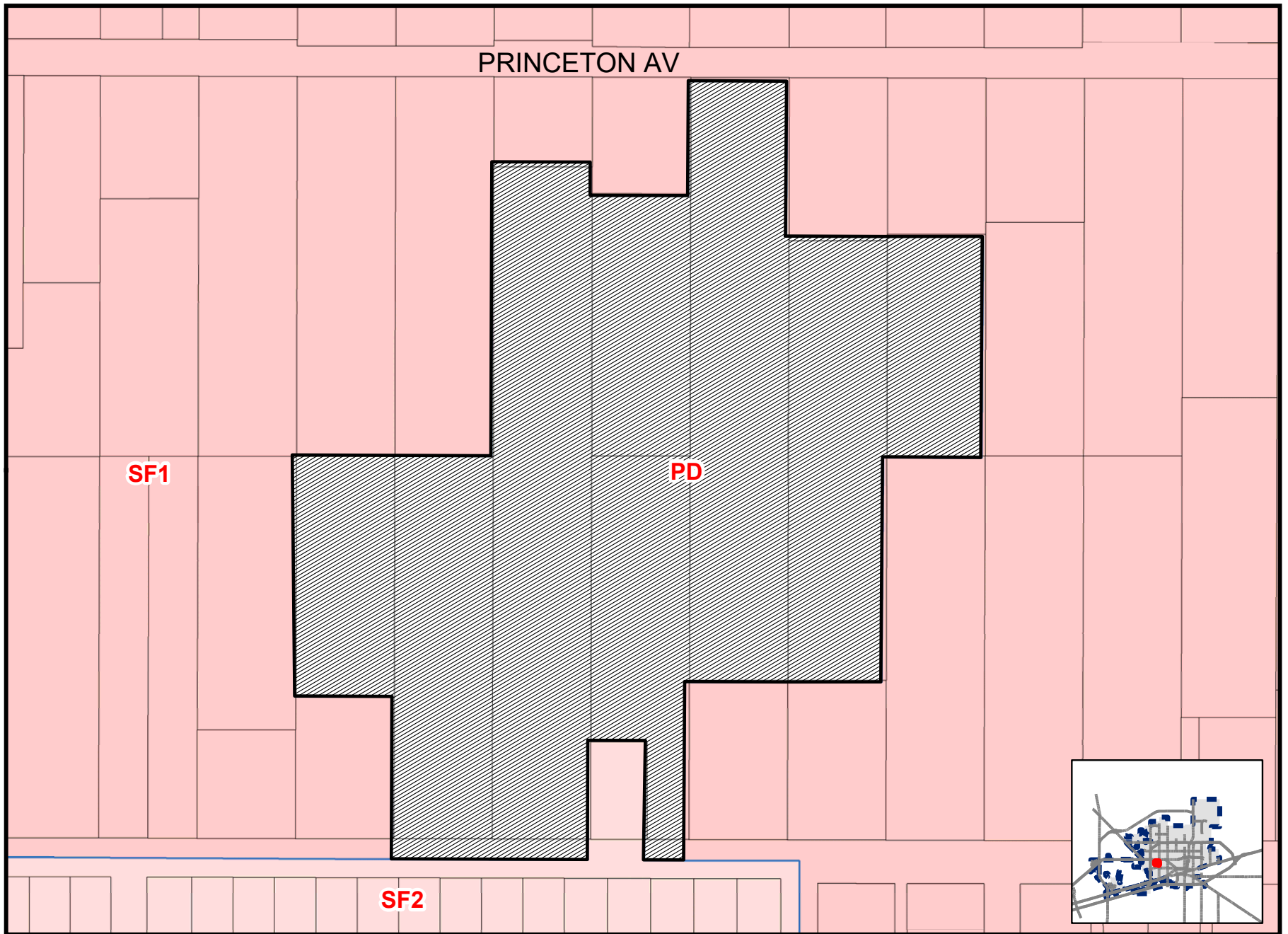
Proposed Plat of Hillcrest Acres, Section 15, being a replat of a 19.67 acre portion of tracts 22, 23, 24, 25, 26, 27 and 28, Hillcrest Acres Addition, City and County of Midland, Texas.

Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS















Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Hold a public hearing and consider a proposed Preliminary Plat of Country Sky Addition, Section 27, being a residential replat of the northern 2.19 acres of Lot 2, Block 4, Country Sky Addition, Section 3, and a plat of a 2.32 acre tract of land located in Section 26, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of Briarwood Avenue and Tumbleweed Trail. Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The property owner, Henderco, LLC, is proposing to replat the northern 2.19 acres of Lot 2, Block 4, Country Sky Addition, Section 3, and a plat of a 2.32 acre tract of land located in Section 26, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas into four (4) residential lots for ownership purposes, which requires a public hearing.

Current Zoning:

CE, Country Estate District.

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

Departmental Review:

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: Briarwood and Tumbleweed are currently paved to County standards. These roadways are within City Limits. Pave Briarwood and Tumbleweed according to City Standards along the platted frontage or request a deferral.

WATER: Public water mains already in place in Briarwood and Tumbleweed. No public water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 1, 2019 - Fire hydrants shall be spaced no more than 400' apart, color coded rings shall be installed on the fire hydrant to indicate flow rate per NFPA (less than 500gpm RED, 500-999gpm YELLOW, 1000-1499gpm GREEN, Greater than 1500GPM BLUE)

PRO RATA: None

SEWER: No sewer existing. Install Sewer lines according to City Standards along the entire platted frontage, or request a deferral.

DRAINAGE: Drainage report required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

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.

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat.

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.

SURVEYOR: (Approved)

distance along the south line of plat includes dedication strip while distance on the west line does not.

HEALTH:

Yes, the health department will review applications from the 4 proposed lots of Country Sky Addition, Section 27, REPLAT OF NORTHERN 2.19 ACRE OF LOT 2, BLOCK 4, COUNTRY SKY ADDITION, SECTION 3, AND A CALLED 2.3 ACRE TRACT LOCATED IN SECTION 26, BLOCK 40, T-1-S T&P RR CO SURVEY CITY AND COUNTY OF MIDLAND TEXAS lot 24,25,26,27 are .98 acre these four lots must tie into the public utility water supply line to ensure the proposed plans on the application for the septic systems will meet the setbacks to the public water lines and water wells on the adjacent properties.

Colorado River Municipal Water District:

No comments.

GIS:

The POB and end point do not meet (Please see image below)



PLANNING: (Approved with Conditions)

The property is zoned CE, Country Estates District. The minimum lot size of this zoning district is 43,560 SF. The proposed lots do not meet this requirement, however, due to the road dedication it is recommended for approval.

The acreage information does not match with what is on record at the Midland Central Appraisal District.

Verify lot dimensions.

All department's comments must be addressed as a condition of final plat approval. Staff recommends approval of the preliminary plat of Country Sky Addition, Section 27, subject to conditions A through D.

Conditions:

- A. That the required Public Improvements are adequately met.**
- B. That the technical items listed above are addressed.**
- C. That a drainage study is approved.**
- D. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Application
Map



Preliminary Plat Application

Project Number:

Case Number:

SUB-21-0427
P-21-1130**Proposed Subdivision Plat Name:** Country Sky Addition, Section 27**Legal Description (attached sealed Metes and Bounds):** Being a Replat of the Northern 2.19 Acres of Lot 2, Block 4, Country Sky Addition, Section 3, and a Plat of a 2.32 Acre Tract of Land Located in Section 26, Block 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas**Property Owner**

Printed Name: Henderco LLC, James C Henderson

Phone (432) 262-0999

Email

Address PO Box 1712

City Midland

State TX

Zip 79702

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.c
om

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: CE**Reason for Platting:** Ownership Purposes**Plat Information**

Total Acreage:

3.936

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

Number of Lots: 4

Number of Multi-family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature):

Date: _____

Property Owner (printed) : James C Henderson

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by James C Henderson 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 28th day of June, 2021, to certify which witness my hand and seal of office.



Kelsey Ann Stine
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 # 3501

Received By: KM

Date: _____

RECEIVED
JUN 29 2021
BY: KM

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

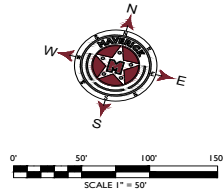
COUNTRY SKY ADDITION SECTION 27

SITE LOCATION

1500 UNIT APARTMENT COMPLEX

Map showing the location of the proposed 1500-unit apartment complex in the Westfield area. The map includes surrounding streets (E. 15th Avenue, E. 16th Avenue, E. 17th Avenue, E. 18th Avenue, E. 19th Avenue, E. 20th Avenue, E. 21st Avenue, E. 22nd Avenue, E. 23rd Avenue) and the project site (shaded in light blue). The map also shows the location of the proposed 1500-unit apartment complex relative to the existing 1500-unit apartment complex and the 1500-unit apartment complex.

N.T.S.



DENOTES SET 1/2-INCH IRON ROD W/RED
 PLASTIC CAP MARKED "MAY 1981 R#1194514"
 DENOTES FOUND MONUMENT AS NOTED
 DENOTES PROPOSED LOT CORNER
 DENOTES OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
 O.P.R.M.C.T.
 DENOTES DEED RECORDS, MIDLAND CO., TX
 D.R.H.C.T.
 DENOTES PLAT RECORDS, MIDLAND CO., TX
 P.R.M.C.T.
 DENOTES BOUNDARY LINE

 DENOTES EXISTING SECTION LINE

 DENOTES EXISTING EASEMENT LINE

 DENOTES PROPOSED EASEMENT LINE

 DENOTES EXISTING LOTS

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C004AF, AND #48329C006AF, BOTH 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 CHANCE FLOODPLAIN".

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS, GREATER FLOODING 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.

This plot has been checked for accessibility of utilities.

HENDERCO, LLC
PO BOX 1712
MIDLAND, TX 79702
DEED INSTRUMENT:
#2006-25618
#2017-17966

JAMES C. HENDERSON
PO BOX 1712
MIDLAND, TX 79702
DEED INSTRUMENT: #2008-18647

NO. _____ CABINET _____
DATE _____ PAGE _____

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY MEANS AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF THE PERMIT.

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

3. BASIS OF BEARING, COORDINATES AND DISTANCES ARE A LAMBERT CONIC PROJECTION, NORTH ARIZONA ZONE, 11N 108E 30.00N, 666,000.00E, CENTRAL ZONE (+430), NORTH AMERICAN DATUM OF 1983, US SURVEY FOOT.

4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AT SUCH A TIME AS THE CITY DETERMINES THAT:

(a) THE REPRESENTED LOTS ARE REPARATED FOR SUBDIVISION INTO MORE THAN ONE LOT AND;

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

LOT 27 SHALL NOT UTILIZE DIRECT VEHICLE ACCESS TO BARNHARDT AVENUE (WEST SIDE OF LOT 27).

IMPACT FEES WILL BE ASSSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. IMPACT FEES OR INCREASES IN FEES MAY BE ASSSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT IS LESS THAN THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT.

KNOW ALL MEN BY THESE PRESENTS:

That I, GREGORY W. SHULTS, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this was prepared by me or under my direct supervision and I am a duly sworn and licensed surveyor as shown thereon; and I further certify that no person other than myself or persons acting under my supervision were employed in the preparation of this instrument.

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

GREGORY W. SHULTS
Surveyor's Office
Mowbray Engineering Firm #10197
1409 W. Ward Street, Suite R
Midland, TX 79701

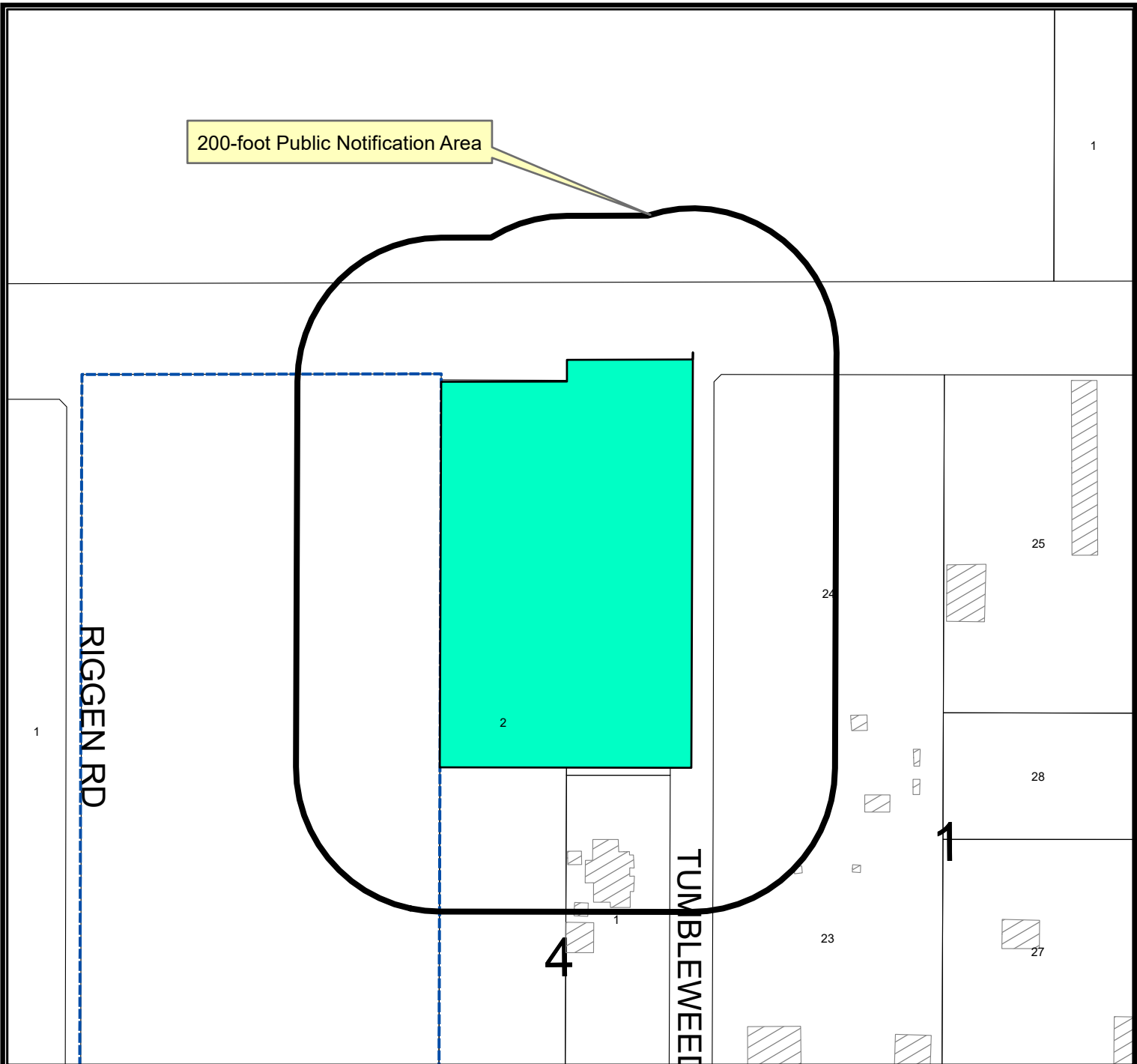


MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

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

COUNTRY SKY ADDITION, SECTION 27

August 2, 2021



LOCATION MAP

SUB-21-0427

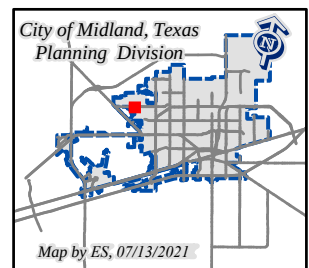
Scale: 1" = 200'

Proposed Plat of Country Sky Addition, Section 27, being a replat of the northern 2.19 acres of Lot 2, Block 4, Country Sky Addition, Section 3, and a plat of a 2.32 acre tract of land located in Section 26, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Briarwood Avenue and Tumbleweed Trail.
(Council District 4).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS













Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 2, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Valerie A. Sherman, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Manor Park, Inc., for a zone change from PD, Planned District for a Housing Development to Amended PD, Planned Development District for a Housing Development on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas. (Generally located on the south side of Sinclair Avenue, approximately 290 feet east of N. Loop 250 West. Council District 4)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Manor Park Inc., is requesting an amendment to their approved site plan on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas.

Current Zoning:

PD, Planned Development District for a Housing Development (Ordinance No. 10177).

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for a Housing Development. The properties to the east are zoned SF-1, Single-Family Dwelling District and O1, Office District. The properties to the south across Andrews Highway are zoned RR, Regional Retail District, and LR Local Retail District. The properties to the west are zoned RR, Regional Retail District and PD, Planned District for a Transitional District.

Analysis:

The applicant, Manor Park, Inc., is requesting to amend their site plan to allow a community center/restaurant with an SUD at 5323 Sinclair Avenue in Manor Park

South. The site plan, attached hereto as Exhibit A, shows a planned development of sixty-seven (67) single-family residences and a community center/restaurant building of approximately 7,701 square feet. The community center/restaurant located at 5323 Sinclair Avenue, will dedicate 4,774 square feet to the restaurant, bistro, serving kitchen, activity rooms, art studio, games/cards room, lobby, and north and south patios, and will be used as the alcohol serviceable area. Additionally, the remaining square footage will be used as office space, main kitchen, and storage rooms.

A total of 41 shared parking spaces are proposed, of which 4 will be accessible spaces.

In conclusion, other than the new use of community center/restaurant, the proposed development has remained the same.

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

Building: (Approved)

No Objections. Existing building being used for Alcohol sales inside the Manor Park complex.

Engineering: (Approved)

No objection to zone change.

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

No objection to zone change.

Fire: (Approved)

No objections.

Oil and Gas: (Approved)

No Oil and Gas issues.

Planning:

Staff recommends approval of the zone change from a PD, Planned District for a Housing Development to amended PD, Planned Development District for a Housing Development, subject to conditions A and F.

Conditions:

- A. That the property shall significantly conform to the site plan attached hereto as Exhibit "A".**
- B. That the use and development of this property shall conform to the regulations of the MF-16, Multiple Family Dwelling District, except as stated below.**
- C. That this property is allowed a community center/restaurant with an SUD and shall conform to the site plan, which is attached hereto and incorporated herein as Exhibit "A".**
- D. That the landscaping shown in Exhibit "A" shall be considered illustrative. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- E. That the minimum number of required parking spaces shall be shown on Exhibit "A".**
- F. That the fencing shall significantly conform to Exhibit "A".**

Letters of Objection:

As of July 28, 2021, staff has not received any letters of objection.

Attachments:

Site Plan (Exhibit A)
Application
Maps
Ordinance No. 10177



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

Project Number: _____

Case Number: _____

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

Printed Name: Jay Hobbs

Phone (325) 668-8097

Email
JHOBBS@MANORPARKINC.ORG

Address
2208 N Loop 250 West

City
Midland

State
TX

Zip
79707

Property Owner

Printed Name: Alan Hale, Executive Director

Phone (432) 967-3905

Email
ahale@manorparkinc.org

Address
2208 N. Loop 250 W

City
Midland

State
TX

Zip
79707

Representative (if different from Applicant or Property Owner)

Firm: Manor Park Inc

Printed Name: Jay Hobbs

Phone ()
Email

Address
208 N Loop 250 West

City
Midland

State
TX

Zip
79707

Street Address: 5323 SINCLAIR AVE

Legal Description

Lot: 2 Block: 2 Subdivision: WALLACE HEIGHTS ADDITION, SECTION 9

Current Zoning:

PD-HD

Proposed Zone: PD-HD

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

Reason for Zone Change Request: TO MODIFY ZONING TO ALLOW A COMMUNITY CENTER/RESTURANT FOR AN SUD IN MANOR PARK SOUTH.

Present Use of Property: UNDER-DEVELOPMENT (SENIOR & ASSISTED HOUSING)

Proposed Use of Property: SENIOR & ASSISTANT HOUSING

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

Describe how conditions affecting the property have changed since present zoning designation: NO CHANGE. PROJECT UNDER CONSTRUCTION

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>[Signature]</u>	Date: July 21, 2021
Applicant (printed): Jay Hobbs	
Property Owner (signature): <u>[Signature]</u>	Date: July 21, 2021
Property Owner (printed): Alan Hale	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Jay Hobbs who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Alan Hale, 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.

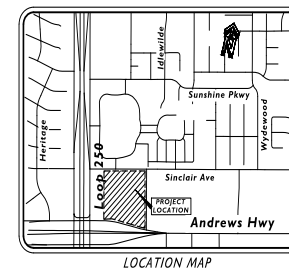
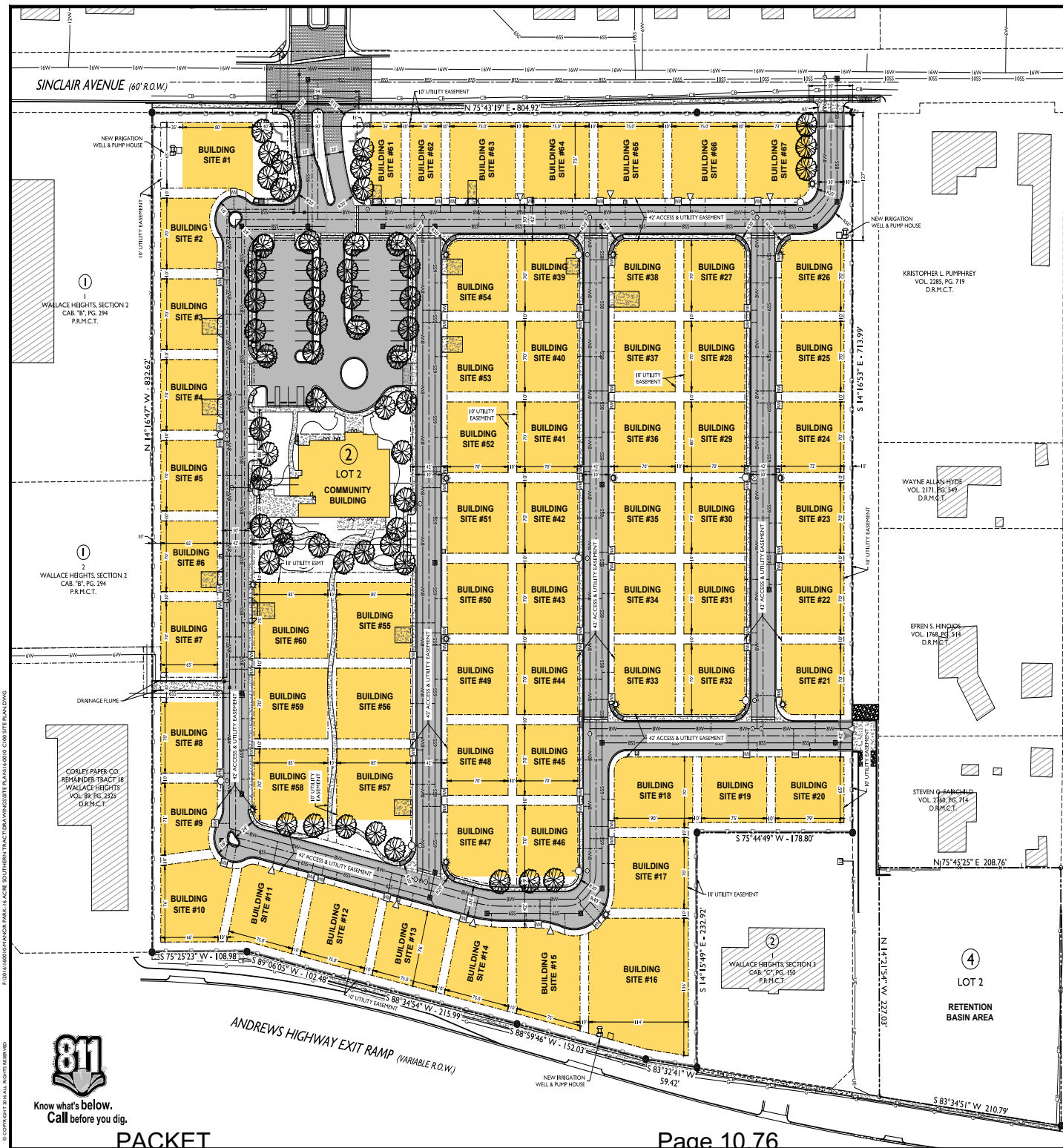
[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 21 day of July, 2021, to certify which witness my hand and seal of office.



Nancy Angela Ervin
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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



LEGEND

- DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" IRON ROD
- DENOTES FIRE HYDRANT
- DENOTES WATER VALVE
- DENOTES MANHOLE
- DENOTES PROPERTY BOUNDARY LINE
- DENOTES EASEMENT LINE
- DENOTES EXISTING LOT LINE
- DENOTES PROPOSED FENCE
- DENOTES 6" SEWER LINE
- DENOTES 8" SEWER LINE
- DENOTES 10" SEWER LINE
- DENOTES 8" WATER LINE
- DENOTES 10" WATER LINE

GENERAL:

- THE 15-ACRE SITE CONSISTS OF PROPOSED LOT 2, BLOCK 2, WALLACE HEIGHTS, SECTION 9. THE SITE IS CURRENTLY ZONED PD FOR A PLANNED DISTRICT.
- THE DEVELOPMENT WILL BE DEVELOPED AS AN EXPANSION OF MANOR PARK, WITH 67 NEW SINGLE FAMILY RESIDENCES AND A COMMUNITY BUILDING OF APPROXIMATELY 7,000 S.F.

ACCESS:

- TWO GATED DRIVEWAYS INTO THE SITE AS SHOWN.
- INTERNAL SITE CIRCULATION THROUGH 30-WIDE PRIVATE ACCESS ROADS.

UTILITIES:

- PUBLIC WATER AND SEWER LINES WILL BE ROUTED THROUGH THE SITE AS SHOWN, WITHIN THE WIDER 42' ACCESS & UTILITY EASEMENT.

DENSITY:

- THE 15-ACRE DEVELOPMENT WILL CONTAIN 67 DWELLING UNITS, WITH A DENSITY OF 4.3 UNITS/ACRE.

LANDSCAPE:

- LANDSCAPING SHOWN ON THIS PLAN SHALL BE CONSIDERED ILLUSTRATIVE. LANDSCAPING AND TREES AROUND THE COMMUNITY BUILDING AND MAIN ENTRANCE WILL BE PROVIDED IN ACCORDANCE WITH THE CITY OF MIDLAND LANDSCAPE ORDINANCE.
- THE REMAINDER OF THE DEVELOPMENT WILL BE CONSIDERED RESIDENTIAL LANDSCAPING WILL BE INSTALLED AT EACH RESIDENCE AT THE TIME OF CONSTRUCTION.

PARKING:

- EACH UNIT WILL HAVE A 2-CAR GARAGE.
- UNITS WILL HAVE ADDITIONAL PARKING IN THEIR DRIVEWAYS.
- COMMUNITY BUILDING WILL HAVE 41 PARKING SPACES, INCLUDING 4 ACCESSIBLE SPACES.

TRASH:

- ON-SITE WASTE COLLECTION WILL BE PERFORMED BY MANOR PARK STAFF. ENCLOSED TRASH CONTAINERS ARE PROVIDED IN THE SERVICE AREA OF THE COMMUNITY BUILDING.

FIRE LANES:

- PAVED ACCESS ROADS WILL BE PROVIDED AS SHOWN. ROADS WILL BE 30' WIDE TO ALLOW FOR ON-STREET PARKING ON ONE SIDE OF THE ROAD, WHILE STILL PROVIDING A MINIMUM 20' WIDE FIRE LANE.

FENCING:

- ALONG SOUTHERN AND WESTERN PROPERTY LINES, AN 8-FOOT HIGH SOLID MASONRY FENCE TO BE CONSTRUCTED OF BRICK OR SIMILARLY PAINTED AND PATTERNED CONCRETE PANELS.
- ALONG NORTHERN AND EASTERN BOUNDARIES, FENCING TO BE BRICK COLUMNS SPACED AT 30' APART, WITH 10' OF THE OPENINGS TO BE BRICK WALLS, AND THE REMAINDER TO BE WOODEN SLATS. THIS FENCING WILL MATCH THE EXISTING FENCE AROUND THE MAIN MANOR PARK CAMPUS.

DRAINAGE:

- OFF-SITE DRAINAGE BASIN WILL BE CONSTRUCTED ON LOT 2, BLOCK 4, WILSHIRE PARK, SECTION 9 TO COMPENSATE FROM INCREASED RUNOFF POST-DEVELOPMENT.
- AN AGREEMENT IS IN PLACE WITH THE DEVELOPERS OF THE CORLEY PAPER TRACT AND LOT 2, BLOCK 1, WALLACE HEIGHTS 2. A CONCRETE FLUME WILL BE CONSTRUCTED AS SHOWN TO ROUTE RUNOFF FROM THOSE TWO TRACTS INTO THE ROADS.

MAVERICK ENGINEERING
1909 West Wall Street, Suite 100
Midland, TX 79701
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

MAVERICK ENGINEERING

SITE PLAN

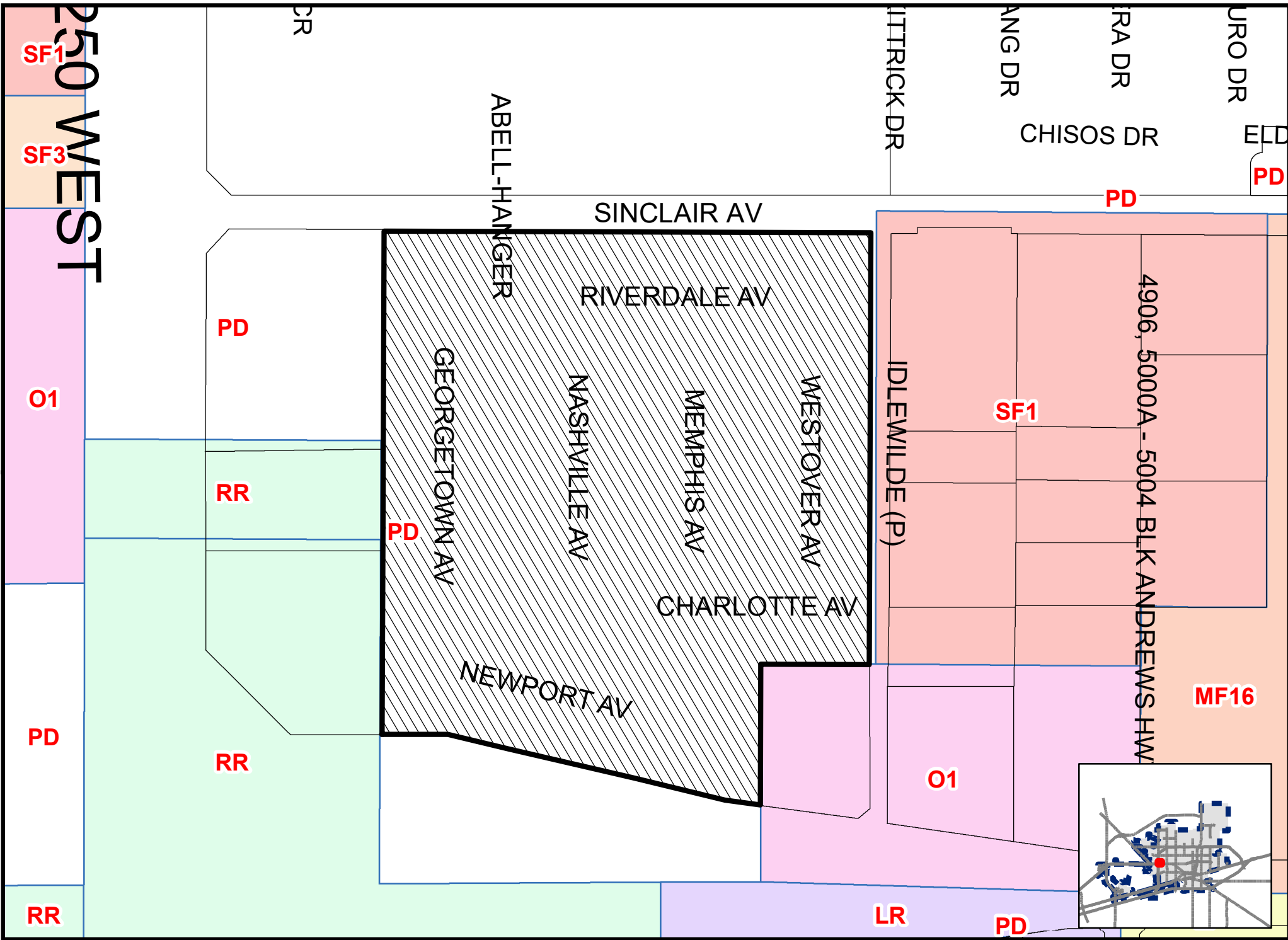
MANOR PARK SOUTH
LOT 2, BLOCK 2, WALLACE HEIGHTS, SECTION 9
CITY AND COUNTY OF MIDLAND, TEXAS

DATE: 8/2/2021
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]
DATE: 8/2/2021
JOB: 16-0010



Map showing the Public Notification Area for 4906, 5000A - 5004 BLK ANDREWS HWY (P). The area is highlighted in cyan and labeled with the number 2. The map includes surrounding streets and lots, with labels for SINCLAIR AV, ABELL-HAN, IDLEWILDE (P), and 4906, 5000A - 5004 BLK ANDREWS HWY (P). A yellow callout points to the cyan area with the text "Public Notification Area".

~~August 2, 2021~~



ORDINANCE NO. 10177

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 2, WALLACE HEIGHTS ADDITION, SECTION 9, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF SINCLAIR AVENUE, APPROXIMATELY 290 FEET EAST OF NORTH LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas (the "Property") to an amended PD, Planned Development District for a Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for a Housing Development to an amended PD, Planned Development District for a Housing Development.

SECTION TWO. That the base zoning district to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, is the MF-16, Multiple-Family Dwelling District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit “A” and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “A”.
- B. That the landscaping shown in Exhibit “A” shall be considered illustrative. The landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- C. That the minimum number of required parking spaces shall be as shown in Exhibit “A”.
- D. That the fencing shall significantly conform to Exhibit “A”.

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

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

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

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

SECTION EIGHT. The City Secretary is hereby authorized and directed to publish

the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 27th day of April, A.D., 2021; and passed to second reading on motion of Council member Trost, seconded by Council member Dufford, by the following vote:

Council members voting "AYE": Blong, Trost, Robnett, Dufford, Ladd, Norman

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Norman, seconded by Council member Blong, on the 11th day of May, A.D., 2021, at a regular meeting of the City Council:

Council members voting "AYE": Blong, Robnett, Payton, Dufford, Ladd, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 11th day of May, A.D., 2021.



Patrick N. Payton, Mayor

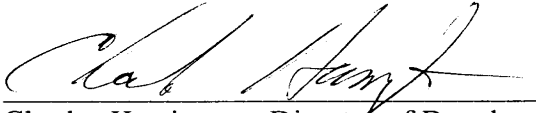
ATTEST:



Amy M. Turner, City Secretary

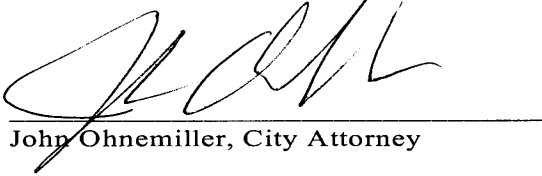


APPROVED AS TO CONTENT
AND COMPLETENESS:

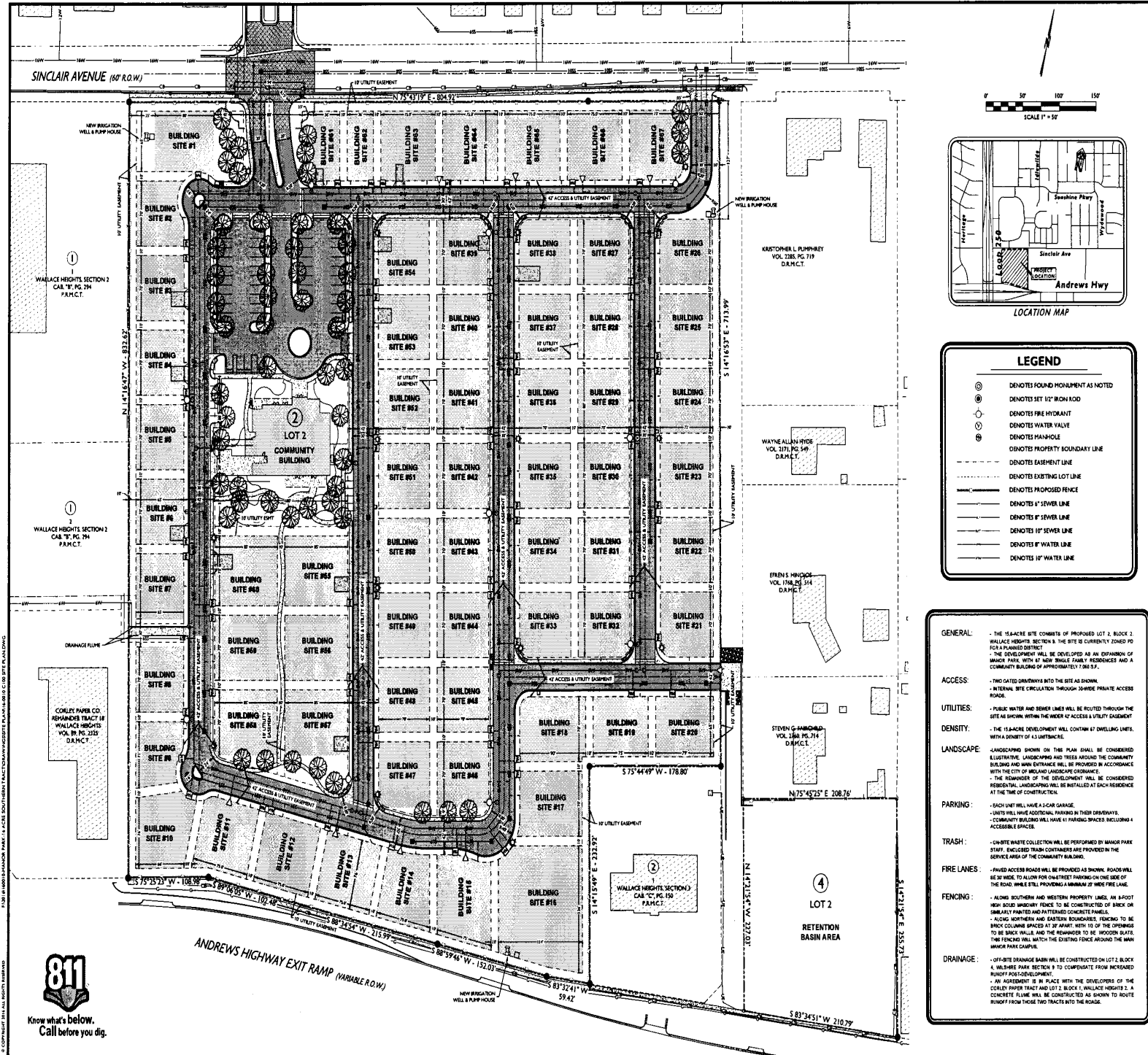


Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney



MAVERICK ENGINEERING
1009 West Wall Street, Suite 700
Midland, Texas 79701
Phone: (432) 682-0989
www.maverick-eng.com

SITE PLAN

MANOR PARK SOUTH
LOT 2, BLOCK 2, WALLACE HEIGHTS SECTION 9
CITY AND COUNTY OF MIDLAND, TEXAS

C100



City Council Meeting

Item Number: 11
Meeting Date: April 27, 2021
To: City Council / City Manager
From: Valerie A. Sherman, Senior Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 2, WALLACE HEIGHTS ADDITION, SECTION 9, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF SINCLAIR AVENUE, APPROXIMATELY 290 FEET EAST OF NORTH LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES)

Purpose:

The applicant, Manor Park, Inc., is requesting to amend their site plan to modify the building area site along Sinclair Avenue and Andrews Highway frontage. The property is located at 5323 Sinclair Avenue and is the location of Manor Park South.

Recommended City Council Action:

Approve

Fiscal Impact:

This proposal does not have a significant financial impact to the city.

Discussion:

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for a Housing Development. The properties to the east are zoned SF-1, Single-Family Dwelling District and O1, Office District. The properties to the south across Andrews Highway are zoned RR, Regional Retail District, and LR Local Retail District. The properties to the west are zoned RR, Regional Retail District and PD, Planned District for a Transitional District.

Analysis:

The site plan, attached hereto as Exhibit A, shows a modification of the lot area for Building Sites #63 through # 67 along Sinclair Avenue, from 36 feet to 75 feet to make seven lots; and to modify the lot area for Building Sites #11 through # 15 along Andrews Highway, from 35 feet to 75 feet to make five lots. No additional changes or modifications of the property are being proposed.

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

Fire: (Approved)

No objections.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

Code: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

No objection to zone change.

Planning:

Per the Future Land Use map, this location is designated as Urban Medium; which calls for a mix of housing types including single-family housings, multi-family housing, commercial, and mixed-use; therefore, this zone change complies with the Future Land Use plan.

This request has been recommended for approval by a unanimous vote at the April 5, 2021 Planning and Zoning Commission meeting.

Staff recommends approval of the zone change from a PD, Planned District for a Housing Development to amended PD, Planned Development District for a Housing Development, subject to conditions A and E.

Conditions:

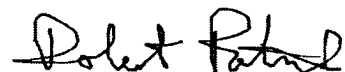
- A. That the use and development of this property shall conform to the regulations of the MF-16, Multiple Family Dwelling District.**
- B. That this property shall conform to the site plan, which is attached hereto and incorporated herein as Exhibit A.**
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- D. That the minimum number of required parking spaces shall be shown on Exhibit "A."**
- E. That the fencing shall significantly conform to Exhibit "A."**

Letters of Objection:

Staff has not received any objections as of April 23, 2021.

Attachments:

Site Plan (Exhibit A)
Application
Maps
Ordinance No. 9586





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

Project Number: _____
Case Number: 7-21-0292

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Manor Park, Inc.		Phone () Email	
Address 2208 N. Loop 250 West	City Midland	State TX	Zip 79707

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

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

Street Address: 5323 Sinclair Avenue			
Legal Description Lot: 2 Block: 2 Subdivision: Wallace Heights Addition, Section 9			

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

Reason for Zone Change Request: Modify area of building sites along Sinclair Ave. & Andrews Hwy frontages

Present Use of Property: Under-development (senior & assisted housing)

Proposed Use of Property: Senior & assisted housing

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

Describe how conditions affecting the property have changed since present zoning designation: No change. Project under construction.

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature):

Date:

Applicant (printed):

Manor Park, Inc.

Property Owner (signature):

Date: 2-24-21

Property Owner (printed):

ALAN HALE

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen, PE who, being by me duly sworn, upon oath says: That (s)he is authorized by Manor Park, 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.

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of February, 2021, to certify which witness my hand and seal of office.



Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # 3363

Received By:

Joseph Mampak

Date:

RECEIVED
FEB 24 2021

BY: [Signature]

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

PACKET
Special Exception Application

11.11
2

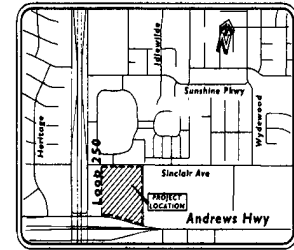
Page 10.89

May 11, 2021
Revised 12/6/16

August 2, 2021

SINCLAIR AVENUE (60' R.O.W.)

SCALE 1" = 50'



LOCATION MAP

LEGEND

- ⊙ DENOTES FOUND MONUMENT AS NOTED
- ⊙ DENOTES SET 1/2" IRON ROD
- ⊙ DENOTES FIRE HYDRANT
- ⊙ DENOTES WATER VALVE
- ⊙ DENOTES MANHOLE
- DENOTES PROPERTY BOUNDARY LINE
- DENOTES EASEMENT LINE
- DENOTES EXISTING LOT LINE
- DENOTES PROPOSED FENCE
- DENOTES 4" SEWER LINE
- DENOTES 8" SEWER LINE
- DENOTES 12" SEWER LINE
- DENOTES 6" WATER LINE
- DENOTES 10" WATER LINE

GENERAL:

- THE 18.4-ACRE SITE CONSISTS OF LOT 2, BLOCK 2, WALLACE HEIGHTS, SECTION 3, CAR 78, PG. 294, P.M.C.T. FOR A PLANNED DISTRICT.
- THE DEVELOPMENT WILL BE DEVELOPED AS AN EXPANSION OF MANOR PARK, WITH 61 NEW SINGLE FAMILY RESIDENCES AND A COMMUNITY BUILDING OF APPROXIMATELY 7,000 S.F.

ACCESS:

- TWO GATED DRIVEWAYS INTO THE SITE AS SHOWN.
- INTERNAL SITE CIRCULATION THROUGH 30-WIDE PRIVATE ACCESS ROADS.

UTILITIES:

- PUBLIC WATER AND SEWER LINES WILL BE ROUTED THROUGH THE SITE AS SHOWN WITHIN THE WIDE 47' ACCESS & UTILITY EASEMENT.

DENSITY:

- THE 18.4-ACRE DEVELOPMENT WILL CONTAIN 61 DWELLING UNITS, WITH A DENSITY OF 4.3 UNITS/ACRE.

LANDSCAPE:

- LANDSCAPING SHOWN ON THE PLAN SHALL BE CONSIDERED ILLUSTRATIVE. LANDSCAPING AND TREES AROUND THE COMMUNITY BUILDING AND MAIN ENTRANCE WILL BE PROVIDED IN ACCORDANCE WITH THE CITY OF MIDLAND LANDSCAPE ORDINANCE.
- THE REMAINDER OF THE DEVELOPMENT WILL BE CONSIDERED RESIDENTIAL LANDSCAPING AND SHALL BE INSTALLED AT EACH RESIDENCE AT THE TIME OF CONSTRUCTION.

PARKING:

- EACH UNIT WILL HAVE 2-CAR GARAGE.
- UNITS WILL HAVE ADDITIONAL PARKING IN THEIR DRIVEWAYS.
- COMMUNITY BUILDING WILL HAVE 41 PARKING SPACES, INCLUDING 4 ACCESSIBLE SPACES.

TRASH:

- ON-SITE WASTE COLLECTION WILL BE PERFORMED BY MANOR PARK STAFF. ENCLOSED TRASH CONTAINERS ARE PROVIDED IN THE SERVICE AREA OF THE COMMUNITY BUILDING.

FIRE LANES:

- PAVED ACCESS ROADS WILL BE PROVIDED AS SHOWN. ROADS WILL BE 20' WIDE, TO ALLOW FOR ON-STREET PARKING ON ONE SIDE OF THE ROAD, WHILE STILL PROVIDING A MINIMUM 20' WIDE FIRE LANE.

FENCING:

- ALONG SOUTHERN AND WESTERN PROPERTY LINES, AN 8'-FOOT HIGH SOLID MAINTAINANCE FENCE TO BE CONSTRUCTED OF BRICK OR SIMILARLY PATTERNED AND PATTERNED CONCRETE PANELS.
- ALONG NORTHERN AND EASTERN BOUNDARIES, FENCING TO BE BRICK COLUMNS SPACED AT 30' APART, WITH 10% OF THE CHAINLINK TO BE BRICK WALLS AND THE REMAINDER TO BE WOODEN SLATS. THIS FENCING WILL MATCH THE EXISTING FENCE AROUND THE MANOR PARK CAMPS.

DRAINAGE:

- OFF-SITE DRAINAGE BASIN WILL BE CONSTRUCTED ON LOT 2, BLOCK 4, WILSHIRE PARK, SECTION 9 TO COMPENSATE FROM INCREASED RUNOFF POST DEVELOPMENT.
- AN AGREEMENT IS IN PLACE WITH THE DEVELOPERS OF THE CORLEY PAPER TRACT AND LOT 2, BLOCK 1, WALLACE HEIGHTS 2, A COMMUNITY BUILDING WILL BE CONSTRUCTED TO ROUTE THE TRAFFIC THROUGH THE TRACTS INTO THE TRACTS.

SITE PLAN

MANOR PARK SOUTH
LOT 2, BLOCK 2, WALLACE HEIGHTS, SECTION 9
CITY AND COUNTY OF MIDLAND, TEXAS

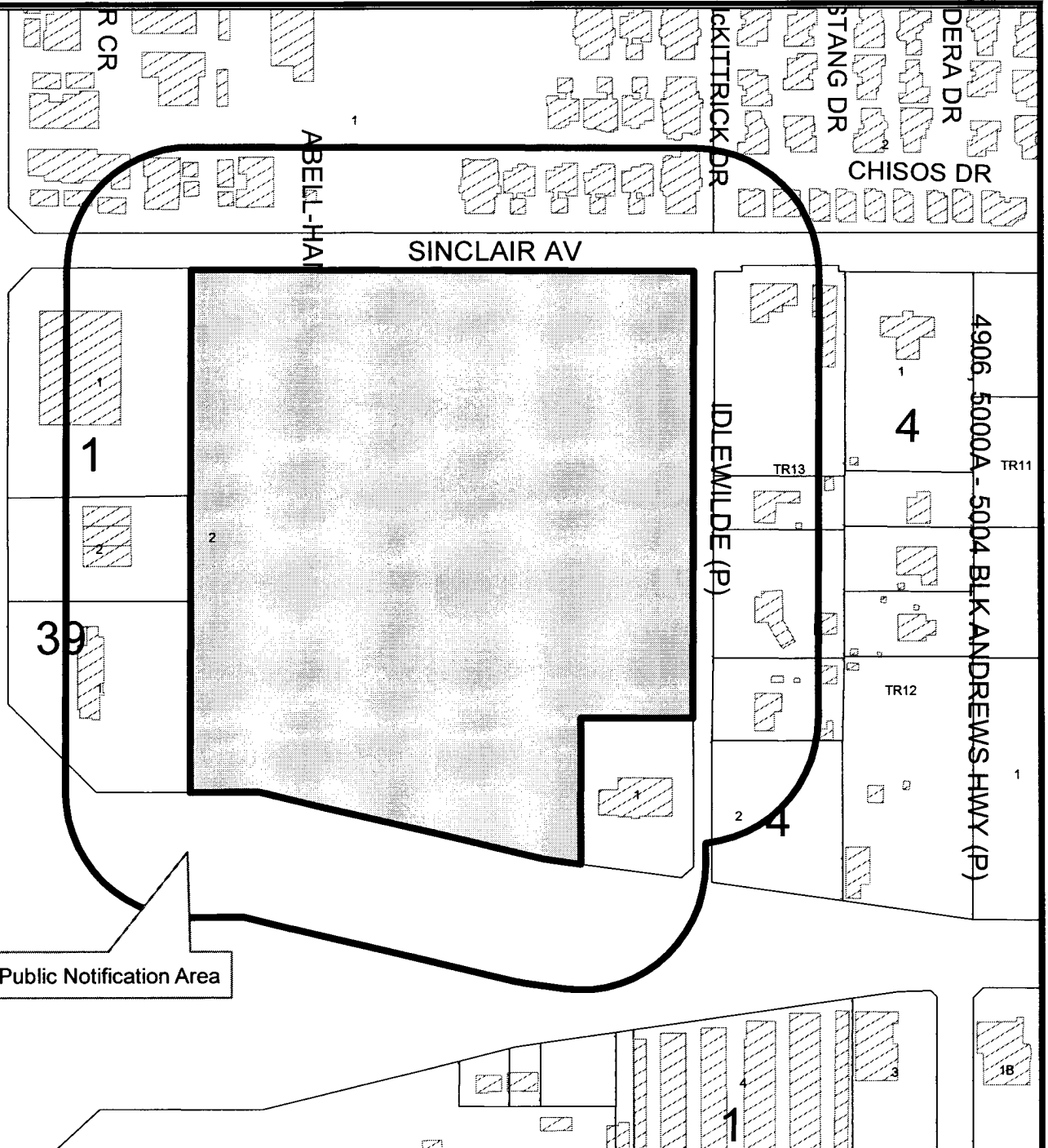
C100



Know what's below.
Call before you dig.

PACKET

250 WEST



200-foot Public Notification Area

LOCATION MAP

Z-21-0222

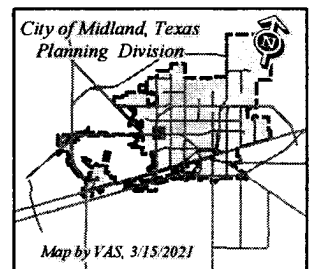
Scale: 1" = 250'

Consider a request by Manor Park, Inc., for a zone change from PD, Planned District for a Housing Development to Amended PD, Planned Development District for a Housing Development on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas.

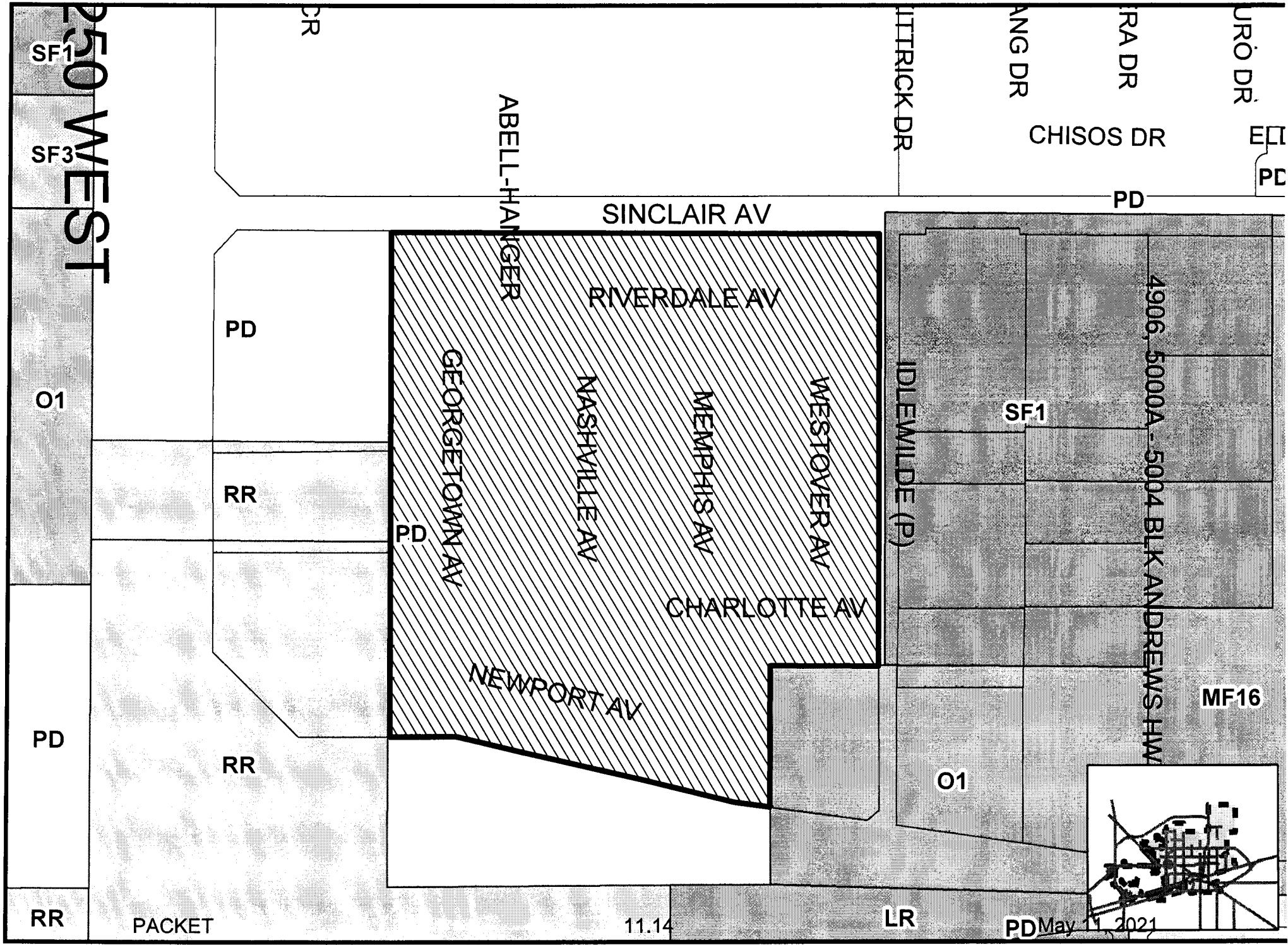
Generally located on the south side of Sinclair Avenue, approximately 200 feet east of N. Loop 250 West. (Council District 4)

LEGEND

- - CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



May 11, 2021



AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING TRACTS 14, 15, 16, AND 17, WALLACE HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH ARE PRESENTLY ZONED 1F-1, ONE-FAMILY DWELLING DISTRICT, IN PART, MF-1, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, MF-2, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND TH, TOWNHOUSE DWELLING DISTRICT, IN PART, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF SINCLAIR AVENUE, APPROXIMATELY 290 FEET EAST OF NORTH LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, MF-2, Multiple-Family Dwelling District, in part, and TH, Townhouse Dwelling District, in part,

and it shall be used as a PD, Planned District for a Housing Development, said property being described as follows:

Tracts 14, 15, 16, and 17, Wallace Heights Addition, City and County of Midland, Texas.

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

- A. That the use and development of the property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.
- B. That the use and development of the property shall significantly conform to the site plan, which is attached hereto and incorporated herein as Exhibit "A".
- C. That the landscaping of the property shall significantly conform to the landscape notes in Exhibit "A".
- D. That the internal landscaping of the property may be installed in phases as construction progresses.
- E. That the fencing shall significantly conform to Exhibit "A"
- F. That there shall be no fewer parking spaces on the property than the number of parking spaces shown in Exhibit "A".
- G. That all lighting shall significantly conform to the standards set forth in the City Code.

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

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

SECTION FIVE. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of

Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 26th day of July, A.D., 2016; and passed to second reading on motion of Council member Love, seconded by Council member Lacy, by the following vote:

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

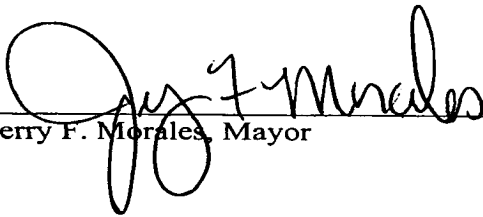
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Hotchkiss, seconded by Council member Lacy, on the 9th day of August, A.D., 2016, at a regular meeting of the City Council:

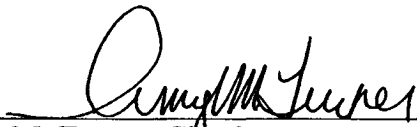
Council members voting "AYE": Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett

Council members voting "NAY": None

PASSED AND APPROVED THIS 9th day of August, A.D., 2016.

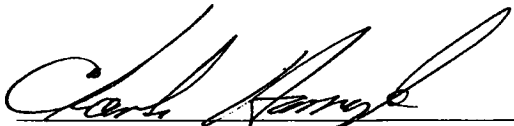

Jerry F. Morales, Mayor

ATTEST:

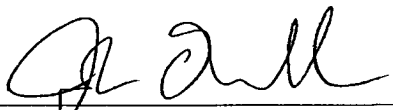

Amy M. Turner, City Secretary

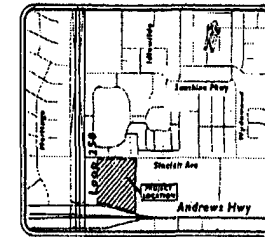
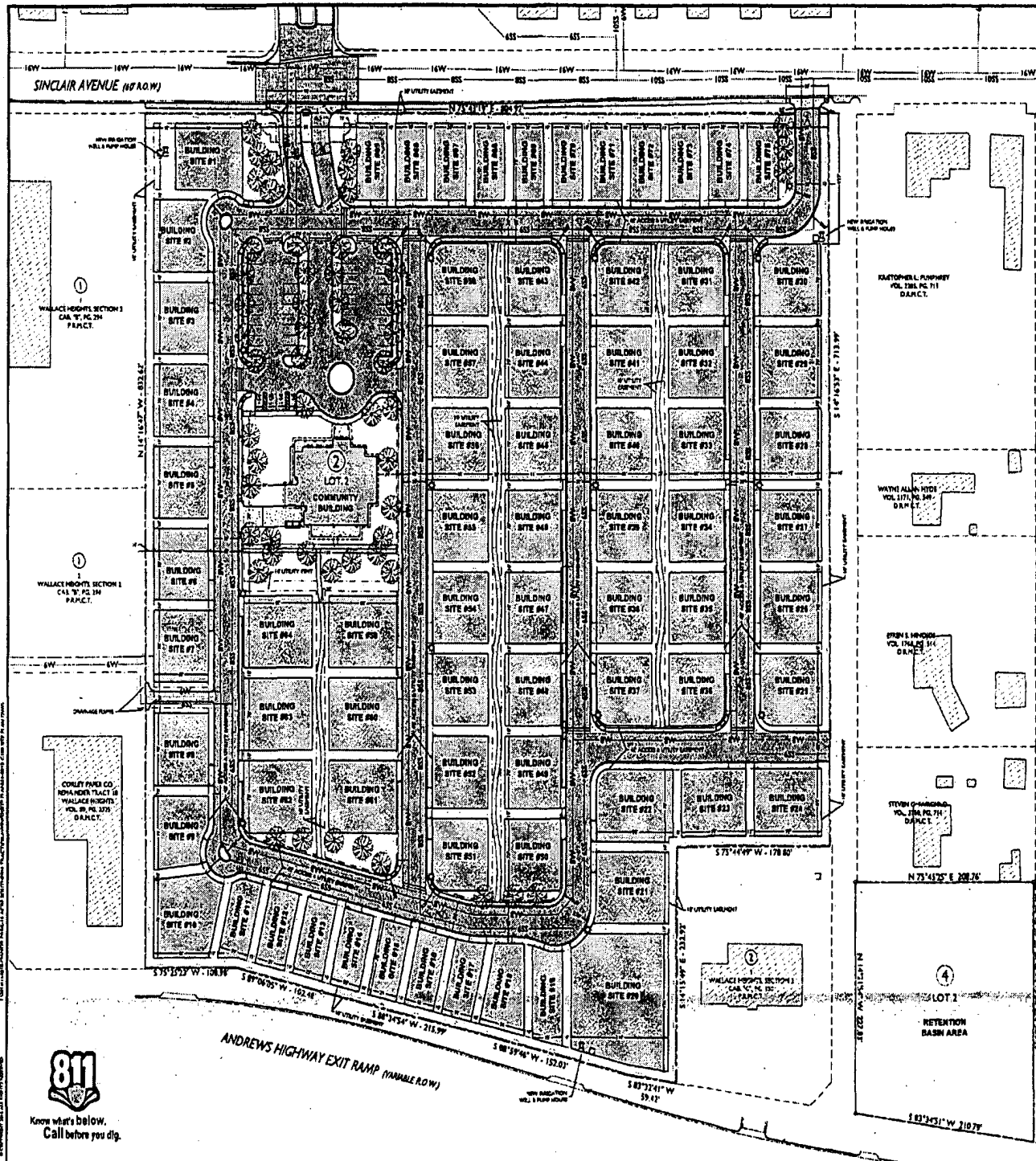
APPROVED AS TO CONTENT
AND COMPLETENESS:


Frank Salvato, Assistant City Manager


Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:


John Ohnemiller, City Attorney

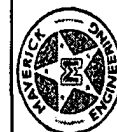


LEGEND

- ⊙ DENOTES ROUND HYDRANT AS NOTED
- ⊙ DENOTES 6" (1" BORN) AOD
- ⊙ DENOTES FIRE HYDRANT
- ⊙ DENOTES WATER VALVE
- ⊙ DENOTES MANHOLE
- DENOTES PROPERTY BOUNDARY LINE
- DENOTES BARRETT LINE
- DENOTES EXISTING LOT LINE
- DENOTES PROPOSED FENCE
- DENOTES 4" SEWER LINE
- DENOTES 6" SEWER LINE
- DENOTES 8" SEWER LINE
- DENOTES 12" WATER LINE
- DENOTES 18" WATER LINE

- GENERAL:**
- THE 11.19-Acre SITE COMBINES OF PROPOSED LOT 1, BLOCK 1, WALLACE HEIGHTS, SECTION 1, CAR. 11, PG. 204 PARCEL.
 - THE DEVELOPMENT WILL BE DEVELOPED AS AN EXHIBIT OF MANOR PARK, WITH THE NEW BUILDING FOOTPRINTS AND A COMMUNITY BUILDING OF APPROXIMATELY 7,000 S.F.
- ACCESS:**
- TWO GATED DRIVEWAYS INTO THE SITE AS SHOWN.
 - INTERNAL ROAD CIRCULATION THROUGHOUT THE SITE AS SHOWN.
- UTILITIES:**
- PUBLIC WATER AND SEWER LINES WILL BE ROUTED THROUGH THE SITE AS SHOWN.
- DENSITY:**
- THE 11.19-Acre DEVELOPMENT WILL CONTAIN 100 BUILDING UNITS, WITH A DENSITY OF 14.5 UNITS/ACRE.
- LANDSCAPE:**
- LANDSCAPING SHALL BE PROVIDED AS SHOWN ON THE PLAN. ALL PLANTING SHALL BE CONSIDERED AS A PART OF THE DEVELOPMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPING. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPING.
- PARKING:**
- 200 SPOTS WILL BE PROVIDED AS SHOWN ON THE PLAN. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PARKING AREA.
- TRASH:**
- ON-SITE TRASH COLLECTION SHALL BE PROVIDED AS SHOWN ON THE PLAN. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE TRASH COLLECTION AREA.
- FIRE LAYERS:**
- FIRE LAYERS SHALL BE PROVIDED AS SHOWN ON THE PLAN. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE FIRE LAYERS.
- FENCING:**
- FENCING SHALL BE PROVIDED AS SHOWN ON THE PLAN. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE FENCING.
- DRAINAGE:**
- OFF-SITE DRAINAGE SHALL BE PROVIDED AS SHOWN ON THE PLAN. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE DRAINAGE.

MAVERICK ENGINEERING
 1000 West 14th Street, Suite 100
 Fort Worth, Texas 76101
 Tel: (817) 343-0999 Fax: (817) 343-0999
 www.maverick-engineering.com



NO.	DATE	DESCRIPTION
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SITE PLAN
MANOR PARK SOUTH
 LOT 1, BLOCK 1, WALLACE HEIGHTS, SECTION 1
 CITY AND COUNTY OF MIDLAND, TEXAS

C100

9586



City Council Agenda

APPROVED

Approved for Agenda:
fsalvato
City Manager's Office

MEETING DATE: August 9, 2016

TO: City Council / City Manager

FROM: Geoff Solomonson, Planner

SUBJECT: Consider an ordinance on second reading on a request by Manor Park for a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned District for a Housing Development, on Tracts 14, 15, 16, and 17, Wallace Heights Addition, City and County of Midland, Texas. (Generally located on Sinclair Avenue, approximately 290-feet east of N. Loop 250 West. – Council District 4)

Purpose:

Consider an ordinance on second reading on a request by Manor Park for a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned District for a Housing Development, to allow for a future expansion of the Manor Park Retirement Community.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

No City funds are required to process this request.

Discussion:

Current Zoning:

1F-1, One-Family Dwelling District, in part, MF-1, Multiple Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple Family Dwelling District, in part.

Surrounding Zoning and Land Use:

The property is located near the intersection of N. Loop 250 West and Andrews Highway and is currently undeveloped. The zoning to the north, across Sinclair Avenue, is a PD, Planned District for a Housing Development (Ordinance No. 8126), with an underlying zoning of MF-1, Multiple-Family Dwelling District, and is the location of Manor Park Retirement Community. The properties to the east are zoned 1F-1, One-Family Dwelling District, and O1, Office District, and contain single-family residences within the 1F-1, One-Family Dwelling District, and an office building within the O1, Office District.

To the south are properties zoned LR-1, Local Retail District, and LR-2, Local Retail District, which are mainly undeveloped with a few single-family residences. Zoning to the west is LR-2, Local Retail District, in part, and a PD, Planned District for a Transition District (Ordinance No. 6739). Tracker Boat Center is located in the PD, Planned District for a Transition District.

Analysis:

The parcels proposed for rezoning were originally platted as Wallace Heights Addition in 1946, with the intent of 1F-1, One-Family Dwelling District, for single-family residential. In 1980, the properties were rezoned to MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, by Ordinance No. 5613.

PD, Planned District for a Housing Development, with an underlying zoning of MF-1, Multiple-Family Dwelling District, is an appropriate application of a zone change to match the current Manor Park Retirement Community campus, as the expansion is a large housing development. This Zone Change is in process along with the re-platting of the property as Wallace Heights, Section 9.

Exhibit A, provided by the applicant, shows the proposed site plan for an expansion of the Manor Park Retirement Community. Seventy Five (75) building sites are proposed as an expansion to the south from the adjacent Manor Park Retirement Community campus. Each site can have up to 2 units for a maximum density of 4.8 dwelling units per acre. The PD, Planned District for a Housing Development, with an underlying zoning of MF-1, Multiple-Family Dwelling District, allows for a maximum of 16 dwelling units per acre according to the Midland City Zoning Ordinance Chapter 11-6, Zoning district classification; use and development regulations.

This proposed development would generate approximately 15 morning peak hour (7 a.m. to 9 a.m.) trips and 20 evening peak hour (4 p.m. to 6 p.m.) trips based on Senior Adult Housing from the Trip Generation Manual by the Institute of Transportation Engineers.

Landscaping on the site meets Midland City Zoning Ordinance Chapter 11-9, Landscape Regulations of 1 tree per 30 feet of street frontage and 1 tree per 15 parking spaces. Landscaping around the community building and main entrance will be provided in accordance with the City of Midland Landscape Ordinance. The remainder of the landscaping of the development will be considered residential and will be installed at each residence at the time of construction.

The site will have a primary access point and another emergency access point with gates both along Sinclair Avenue.

Staff recommends approval of a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned District for a Housing Development, subject to conditions A through G.

Conditions:

A. That the use and development of this property shall significantly conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.

B. That the use and development of the property shall significantly conform to the attached site plan, Exhibit "A."

C. That the landscaping shall significantly conform to the Exhibit "A" Landscaping Notes.

D. That the landscaping internal to the site may be installed in phases as construction progresses.

E. That the fencing shall significantly conform to Exhibit "A."

F. That the minimum number of required parking spaces shall be shown on Exhibit "A."

G. That all lighting shall significantly conform to the standards set forth in the Midland City Code.

Letters of Objection:

As of July 22, 2016, staff has received no letters of objection.

Attachments:

Application

Maps

Proposed Site Plan (Exhibit A)

Ordinance No. 8126

Case Number: Z-16-0016



APPLICATION TO CHANGE ZONING CLASSIFICATION

I. APPLICATION

Applicant:

<u>Manor Park Inc, Alan Hale, Executive Director</u>	<u>432-689-9898</u>
(Name)	(Phone)
<u>2208 N Loop 250 West, Midland, TX 79707</u>	<u>ahale@manorparkinc.org</u>
(Address)	(Email)

Property Owner:

_____	_____
(Name)	(Phone)
_____	_____
(Address)	(Email)

Representative (please see affidavit on page 2):

<u>Andrew Hobby, P.E. - Maverick Engineering</u>	<u>432-262-0999</u>
(Name)	(Phone)
<u>1909 West Wall St. Ste K, Midland, TX 79701</u>	<u>ahobby@maverick-eng.com</u>
(Address)	(Email)

Street address: _____

Legal Description of property (complete Lot, Block, and Subdivision Name or if unplatted, attach a Metes and Bounds description with surveyor's seal, each district must be described separately):

Tracts 17, 16, 15, and the North 4 Acres of Tract 14, Wallace Heights Addition, City and County of
Midland, Texas.

Present Zone: MF-1, MF-2, TH **Proposed Zone:** PD-HD
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Development of site for future phase of Manor Park.

Present Use of Property: Undeveloped

Proposed Use of Property: Senior housing community

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

NA

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

NA

II. APPLICATION FEES:

Single, standard zone change: **\$400**, Multiple, standard zone change: add **\$100** per additional district.
Single PD zone change: **\$550**, Multiple PD proposal: add **\$100** per district.

Total: \$ 550.00

III. SITE PLAN SUBMITTALS (if applicable):

5 FOLDED copies of the PD site plan: x
Site Plan in digital format (PDF & JPEG): x

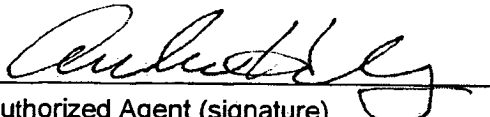
VI. Signature

Property Owner (signature): _____ Date: _____

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

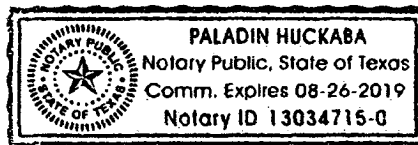
Before me, the undersigned authority, on this day personally appeared Andrew Hobby who, being by me duly sworn, upon oath says: That (s)he is authorized by Alan Hale, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and 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 June, 20 16, to certify which witness my hand and seal of office.

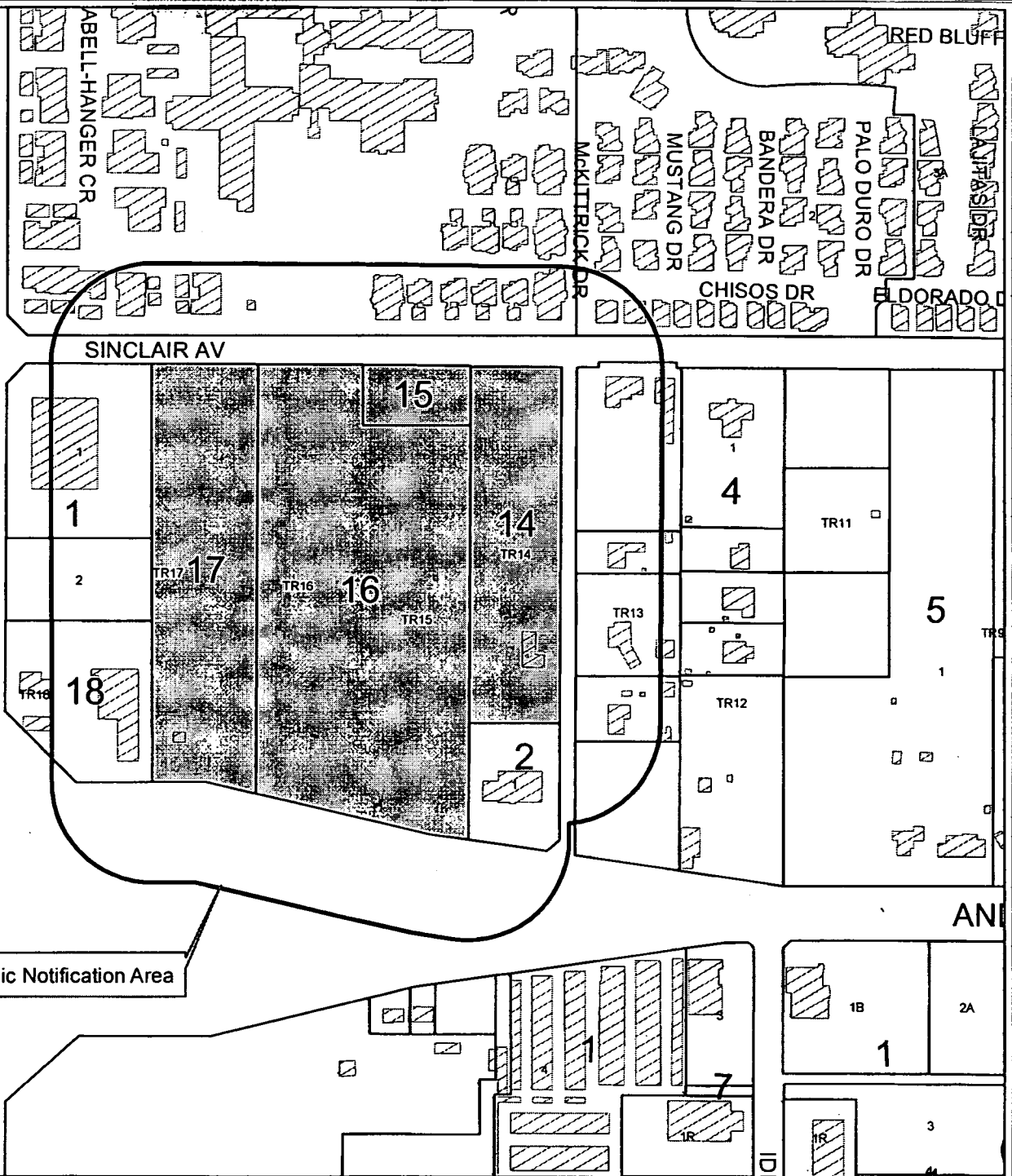

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
Rec'd By: _____	Date: _____
Assigned: _____	
For: _____	On: _____



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

LOOP 250 WEST



LOCATION MAP

Z - 16 - 0016

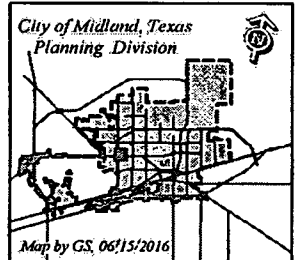
Scale: 1" = 300'

Consider a request for a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned Development for a Housing Development on Tracts 14, 15, 16, and 17, Wallace Heights Addition, City and County of Midland, Texas.

Generally located on Sinclair Avenue approximately 290-feet east of N. Loop 250 W. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



© CITY OF MIDLAND - 2016
THIS DATA IS NOT A SUBSTITUTE 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.

11.25

May

22.11

ORDINANCE NO. 8126

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 1, BLOCK 1, TRINITY TOWERS MANOR, SECTION 1; AND A 25.71-ACRE TRACT OUT OF SECTION 19, BLOCK 39, T-1-S, T & P RAILROAD COMPANY SURVEY, MIDLAND COUNTY, TEXAS WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT AND 1F-3, ONE-FAMILY DWELLING DISTRICT TO BE USED AS PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; AND EXPRESSLY REPEALING ORDINANCE NO. 6213; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned PD, Planned District for a Housing Development and 1F-3, One-Family Dwelling District, and it shall be used as a PD, Planned District for a Housing Development, subject to the special conditions and

restrictions hereinafter set out, said property being described as follows:

Lot 1, Block 1, Trinity Towers Manor, Section 1; and a 25.71-acre tract out of Section 19, Block 39, T-1-S, T & P Railroad Company Survey, Midland County, Texas. (As further described on the attached metes and bounds description, Exhibit "A", incorporated herein by reference.)

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

- A. That the use and development of this property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.
- B. That the use and development of this property shall conform to the conditions shown on the attached site plan, Exhibit "B", in all respects.
- C. That the maximum building height for Lot 1, Block 1, Trinity Towers Manor, Section 1 shall not exceed 65 feet or four stories. The maximum building height for Lot 2, Block 2 shall be 80 feet, or five stories.
- D. That the indicated six-foot tall screening fence around the east 25 acres of this property may be installed in phases. The landscaping indicated along Sinclair Avenue may also be installed in phases, concurrently with the fence construction.
- E. That the landscaping internal to the site may be installed in phases as construction progresses, provided that a minimum of 15 percent of each developing area is landscaped, and that the total landscaping once all construction is complete is 15 percent. All landscaping shall be irrigated with an automatic sprinkler system, and shall be maintained in a healthy, growing condition.
- F. That the minimum number of required parking spaces shall be as shown on Exhibit "B."
- G. That all fixtures for security lighting within the eastern 25 acres shall not be mounted higher than 20 feet above natural grade.
- H. That Ordinance 6213 is repealed.

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

SECTION FOUR. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that

covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict, and Ordinance no. 6213 is hereby expressly repealed..

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 27th day of August, A.D., 2002; and passed to second reading on motion of Council member Simpson, seconded by Council member Bradford, by the following vote:

Council members voting "AYE":	Simpson, Bradford, Perry, Morgan, Dingus, Canon and Dufford
-------------------------------	---

Council members voting "NAY":	None
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The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Simpson, seconded by Council member Dufford, on the 10th day of September, A.D., 2002, at a regular

meeting of the City Council:

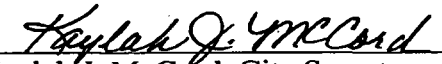
Council members voting "AYE": Simpson, Dufford, Perry,
Morgan, Dingus, Canon
and Bradford

Council members voting "NAY": None

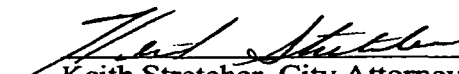
PASSED AND APPROVED THIS 10th day of September, A.D., 2002.


Michael J. Canon, Mayor

ATTEST:


Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:


Keith Stretcher, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

00C 23786 VOL 2077 PG 755

ify

co

ZONING FOR TRINTY TOWER MANOR, SECTION 2

LEGAL DESCRIPTION FOR A 25.71 ACRE TRACT LOCATED IN SECTION 19, BLOCK 39, T-1-S, T. & P. RR. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

Boundary being further described by metes and bounds as follows:

BEGINNING at the Southwest corner of this tract in the center of Sinclair Avenue, from whence a 5/8" iron rod found, as set by the City of Midland, Engineering Department, at the Southeast corner of Lot 1, Block 1, Trinity Tower Manor, as recorded in Cabinet D, Page 76, Plat Records of Midland County, Texas and the Northwest corner of said 0.271 Acre right of way dedication in Volume 1185, Page 543, bears N15°15'02"W, a distance of 34.18 feet, also from said point of beginning, the Southwest corner of said Section 19, Block 39, T-1-S, based on calls of the 10.0 Acre Tract recorded in Volume 961, Page 1, bears S74°45'W, a distance of 1202.3 feet and S15°15'E, a distance of 1113.00 feet;

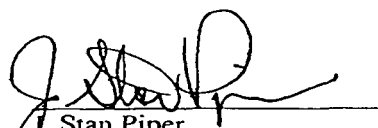
THENCE N15°15'02"W with and projections of the East line of said Lot 1, Block 1, and the West boundary line of said 10.0 Acre tract, at 1062.94 feet pass the Northwest corner of said 10.0 Acre Tract, continuing for a total distance of 1072.94 feet to the Northwest corner of this tract in the center of an existing alley, from whence a 1/2" iron rod found at the Northeast corner of said Lot 1, Block 1, bears N15°15'02"W a distance of 472.87 feet;

THENCE N74°48'58"E with the center of an existing alley, a distance of 1044.56 feet to the Northeast corner of this tract, from whence the Northeast corner of a 5.0 Acre Tract as described in Volume 649, Page 288, Deed Records bears S15°11'17"E, a distance of 10.00 feet;

THENCE S15°11'17"E with and projections of the West boundary line of Wydeewood Estates, Section 4, as recorded in Cabinet C, Page 47, Plat Records of Midland County, at 1042.64 feet pass a 5/8" iron rod found at the Northeast corner of said 0.058 Acre dedicated for right of way as described in Volume 1221, Page 485, Official Records of Midland County, continuing for a total distance of 1072.70 feet to the Southeast corner of this tract, in the center of Sinclair Avenue;

THENCE S74° 48'10"W with the center of Sinclair Avenue, a distance 1043.40 feet to the Place of Beginning.

I, J. Stan Piper, Professional Land Surveyor, do hereby certify that this legal description is based on an actual survey made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief as surveyed on the ground at various dates through June 5, 2002.


J. Stan Piper
Professional Land Surveyor

Prepared for:

Parkhill, Smith, and Cooper, Inc.
Attn.: Mr. Jay Edwards
5214 Thomason
Midland, TX 79703
(915) 697-1447

PIPER SURVEYING CO., BOX 60432, MIDLAND, TX 79711, (915) 550-7810

PACKET

11.31
Exhibit "A"

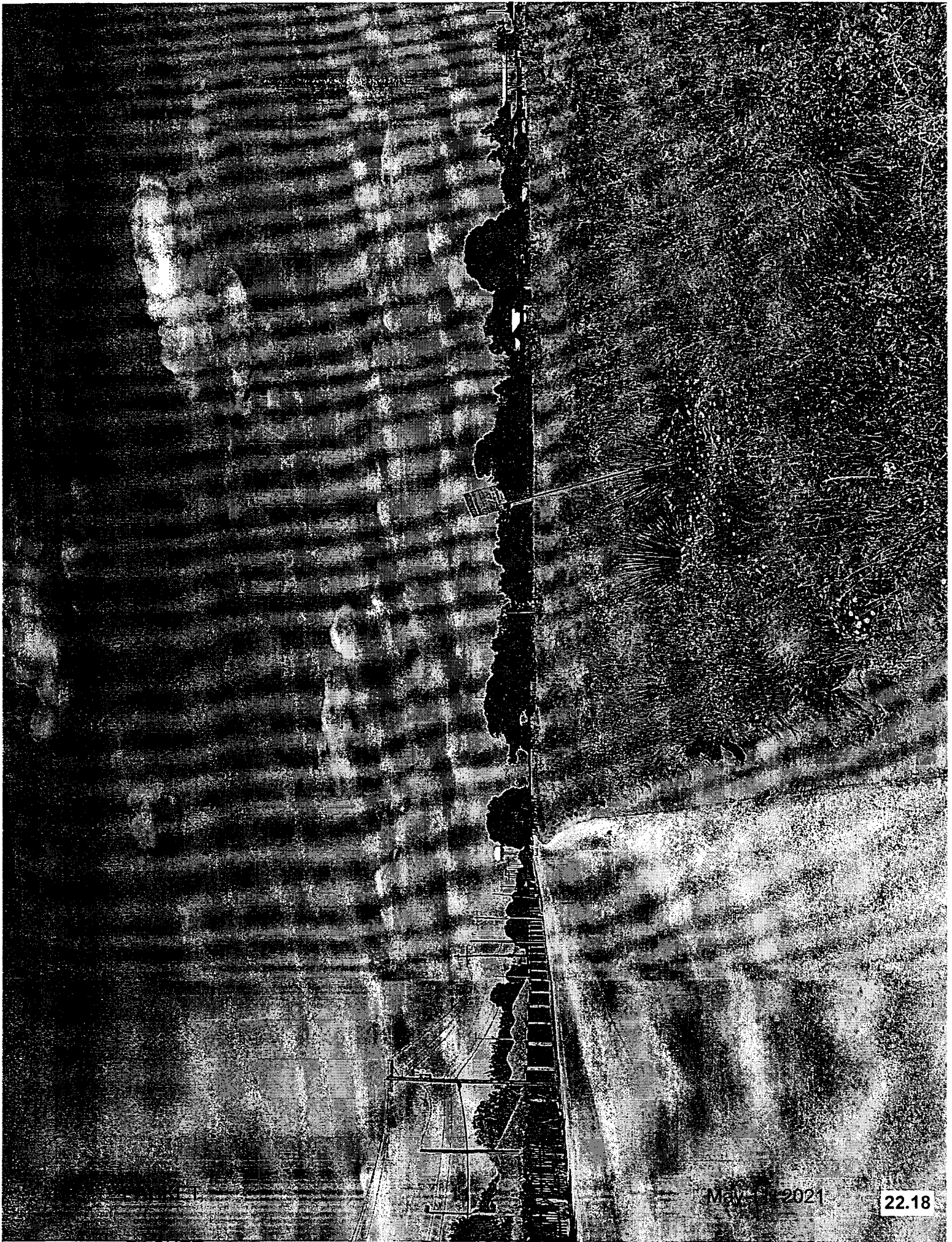
May 11, 2021

22.17

PACKET

Page 10.109

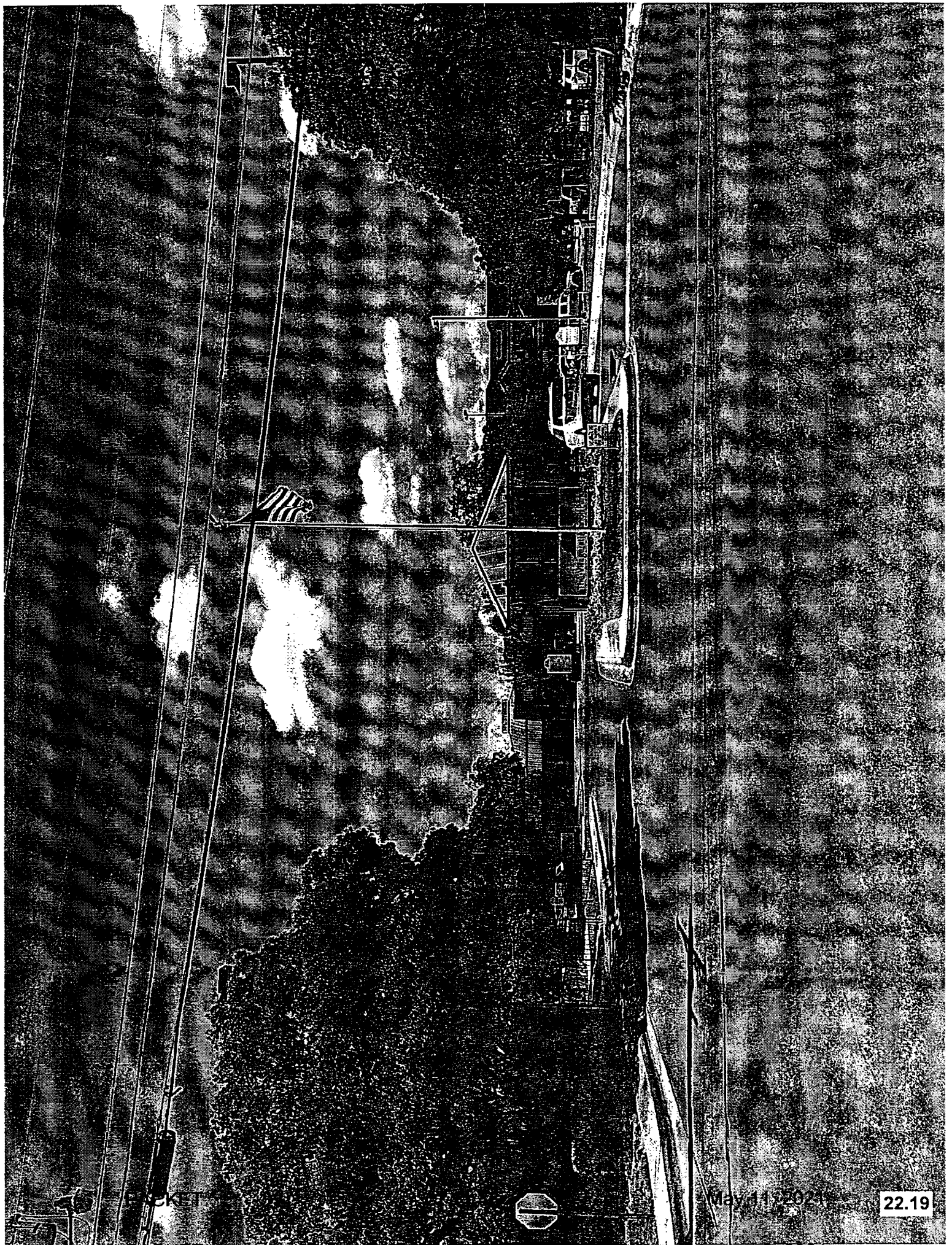
August 2, 2021



PACKET

May 11, 2021

22.18

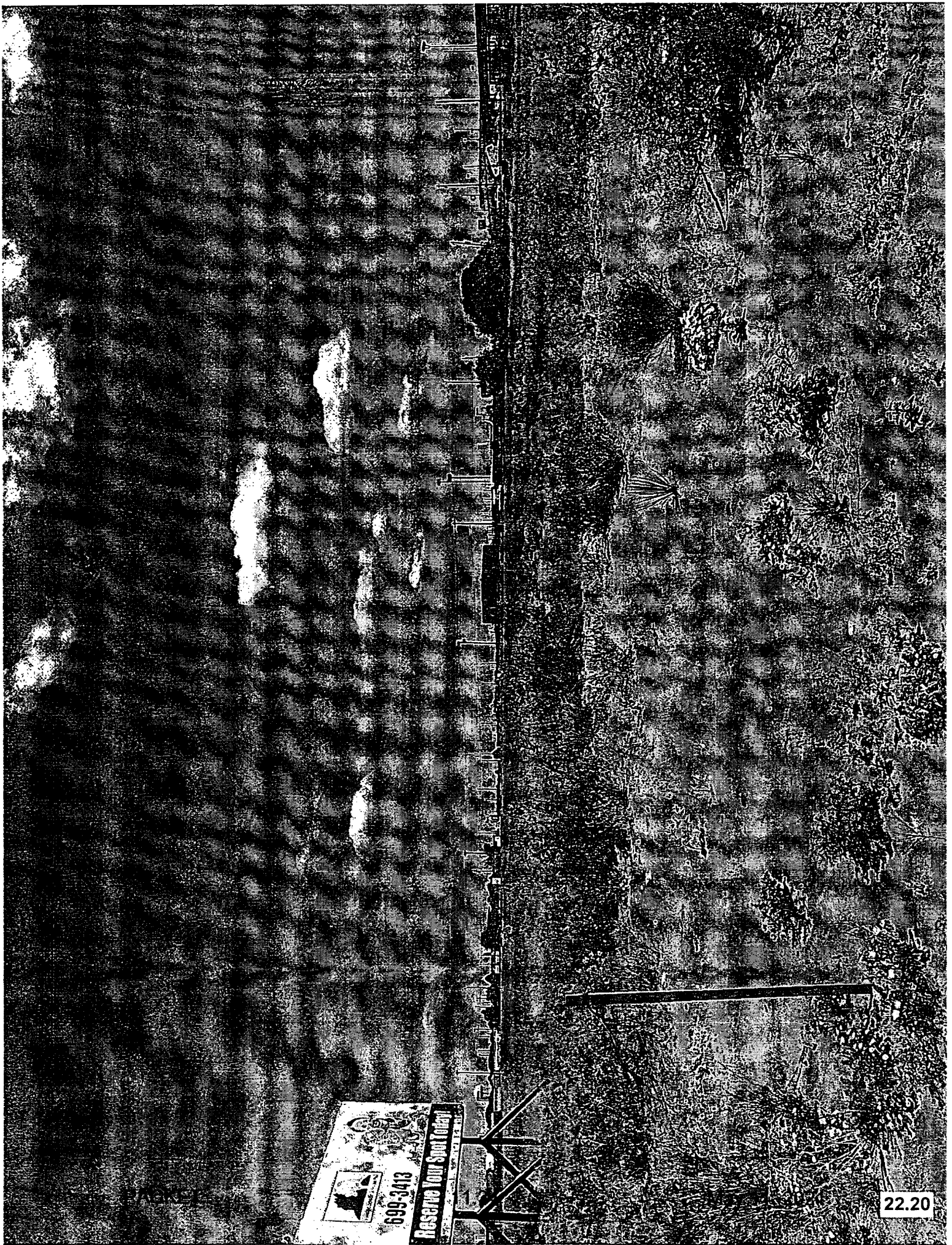


PACKET



May 11, 2021

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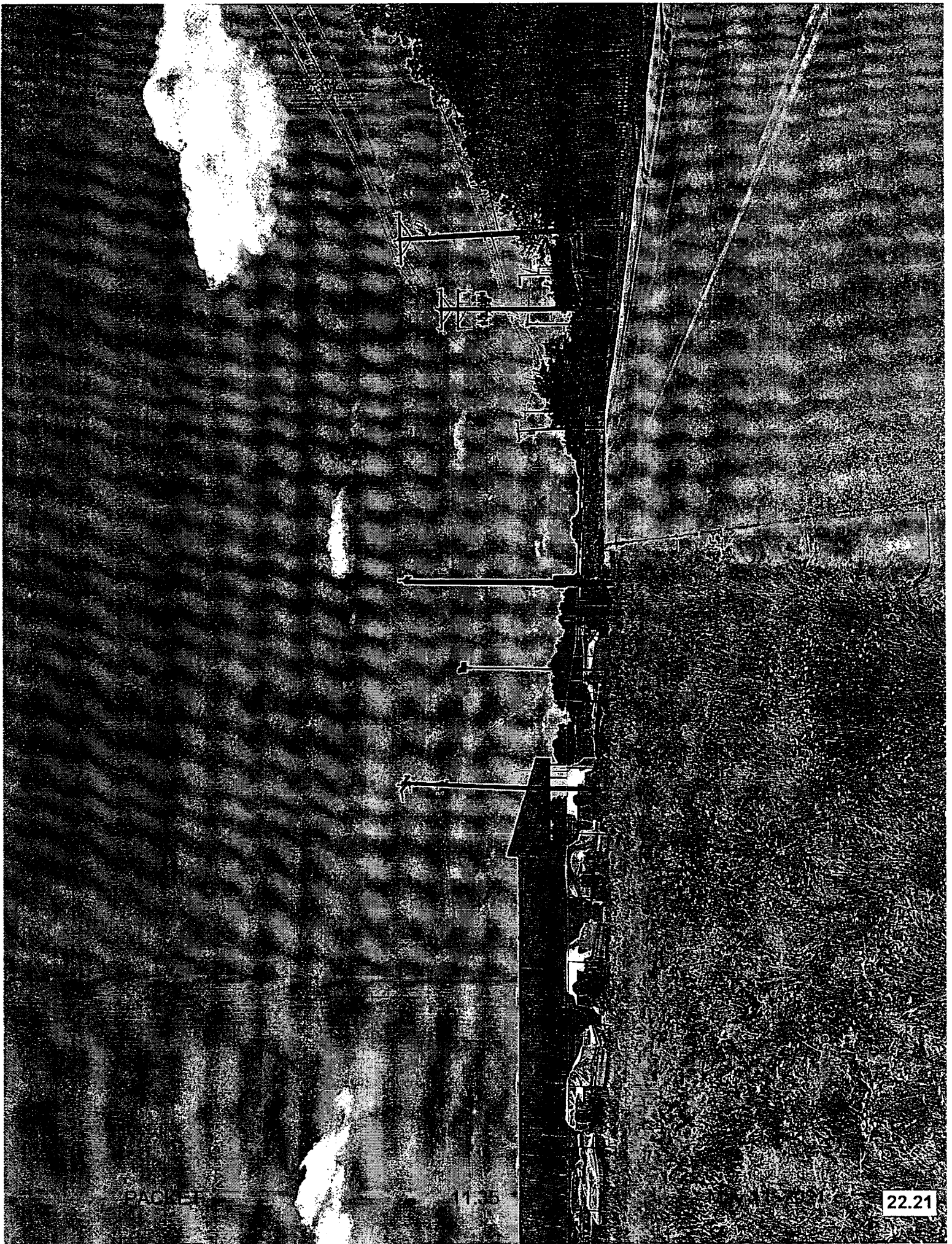


PACKET

PACKET



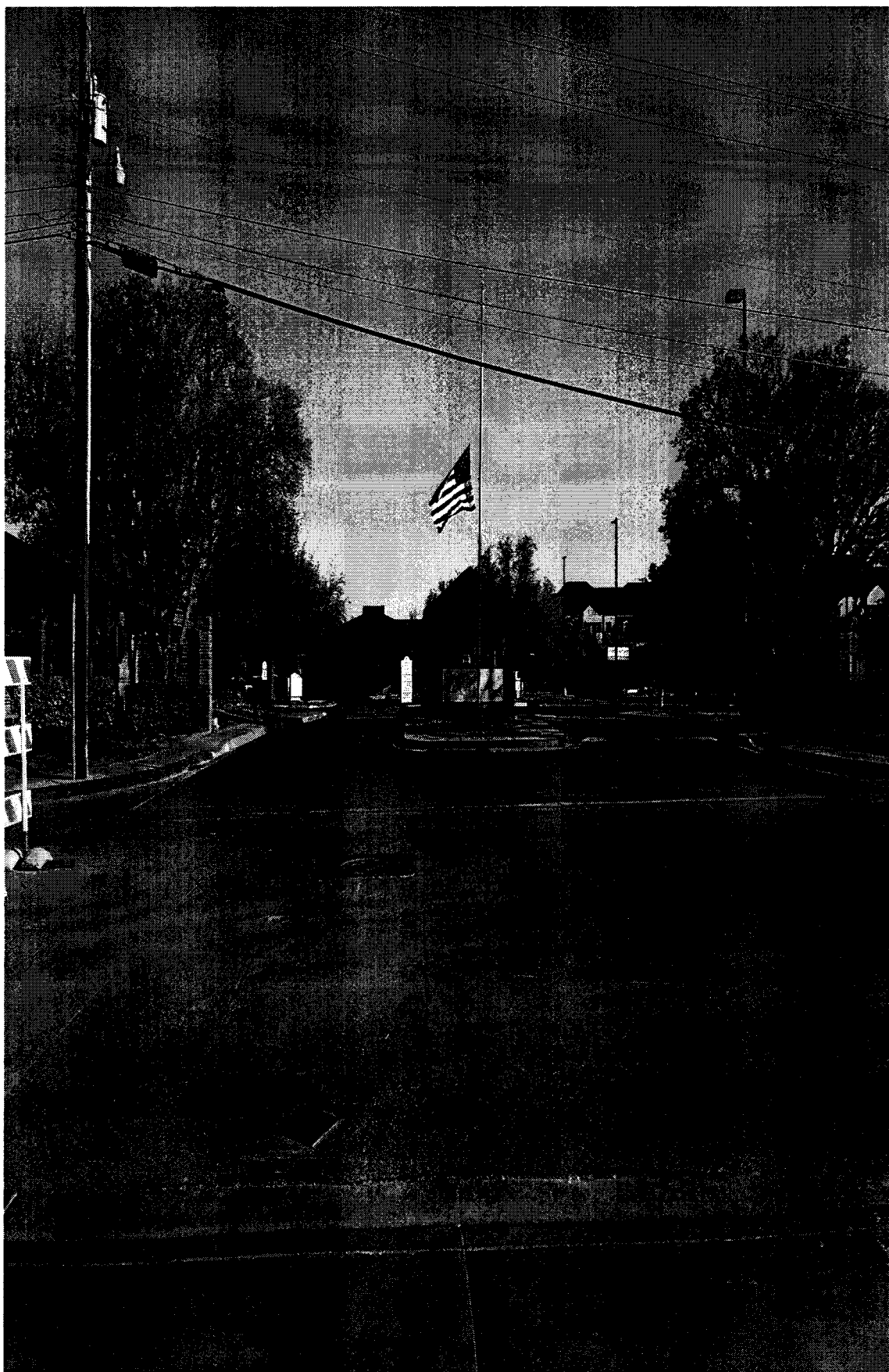
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PACKET

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PACKET

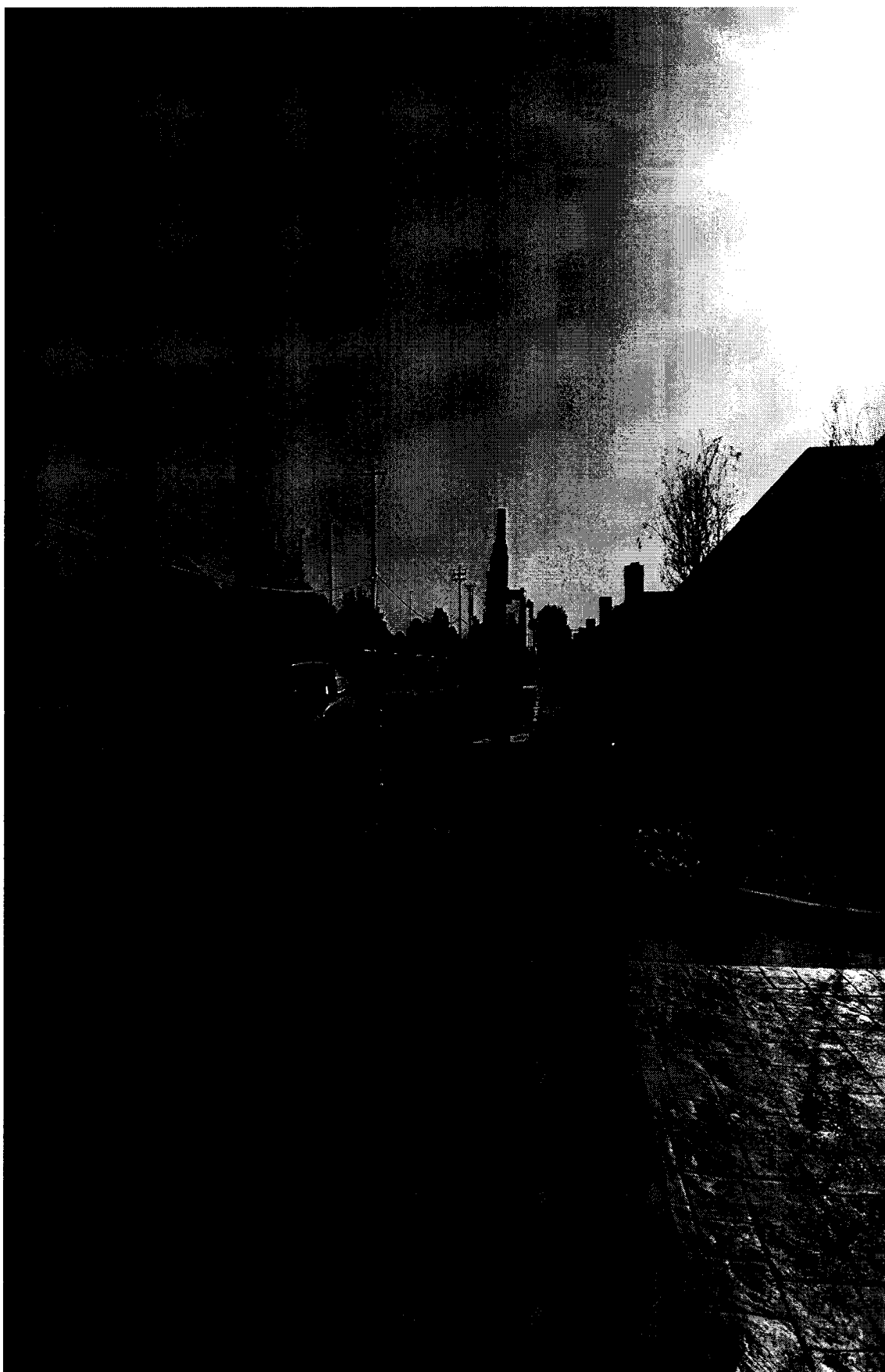
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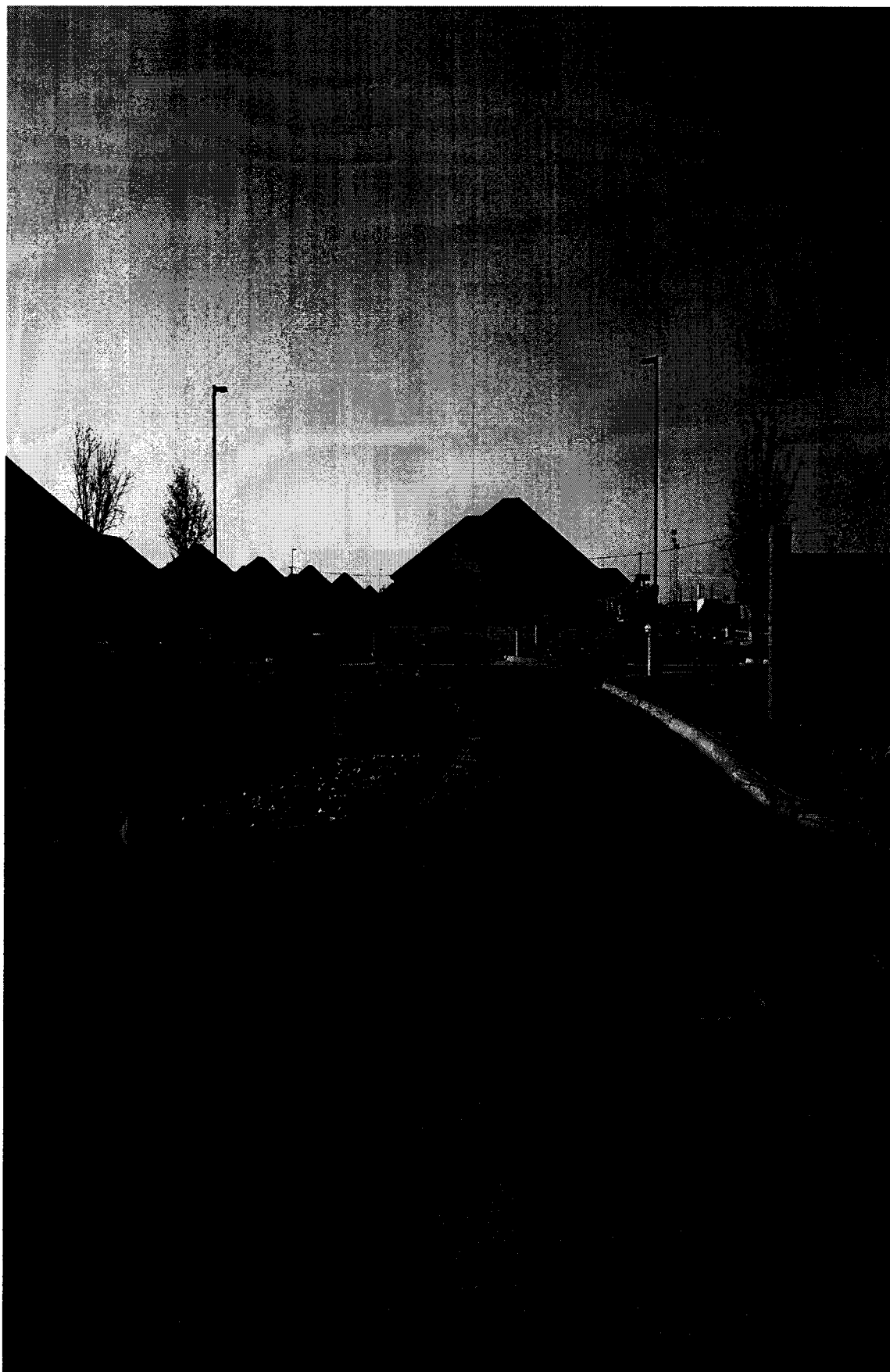
May 11, 2021

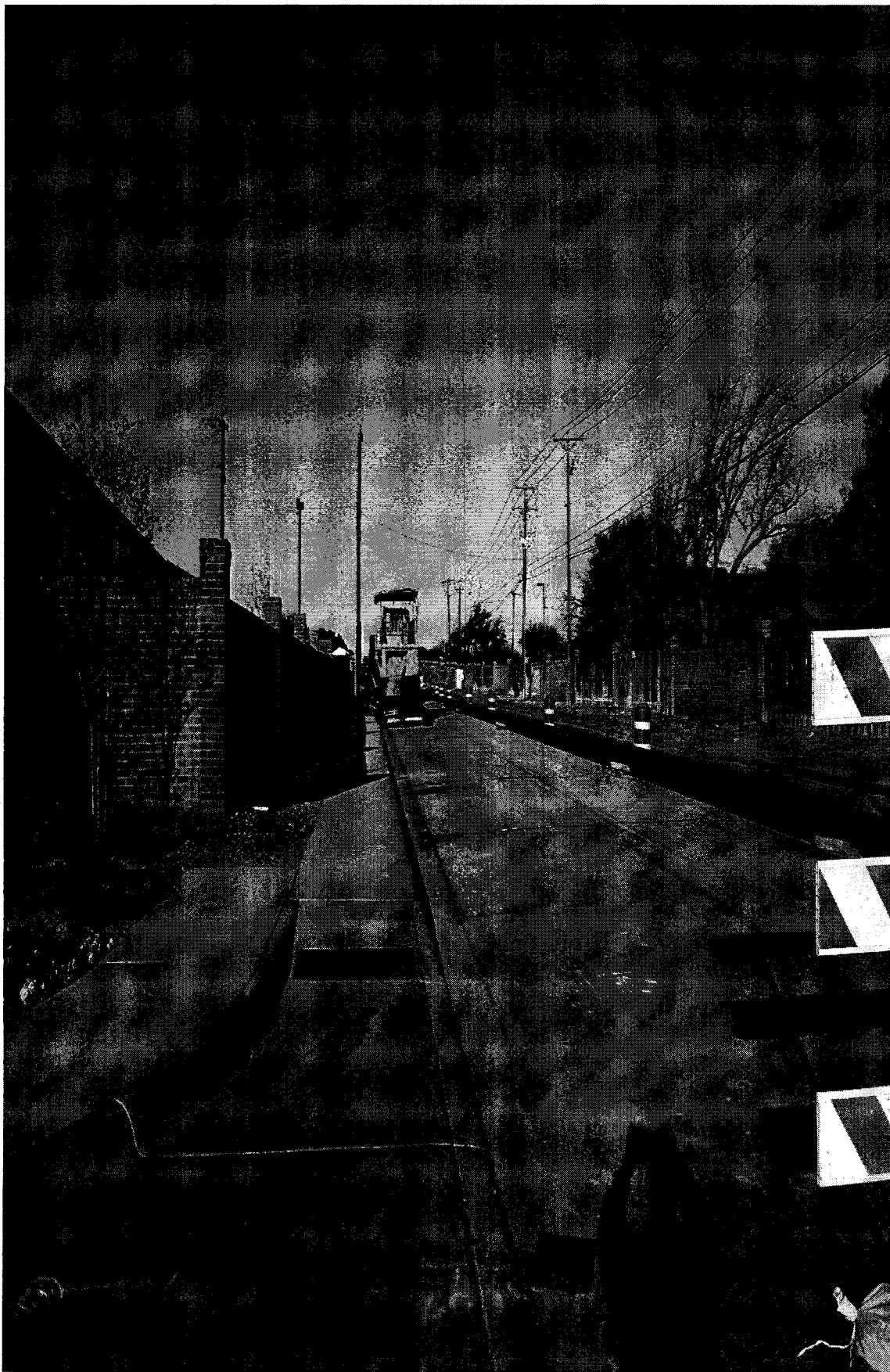
PACKET

Page 10.114

August 2, 2021







PACKET

11.39

May 11, 2021

PACKET

Page 10.117

August 2, 2021











Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaugnessy

MEETING DATE: August 02, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Valerie A. Sherman, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Manor Park, Inc. for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a community center/restaurant, on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas. (Generally located on the south side of Sinclair Avenue, approximately 290 feet east of N. Loop 250 West. Council District 4)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Manor Park, Inc., is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a community center/restaurant for Manor Park South at 5323 Sinclair Avenue, Midland, Texas 79707.

Current Zoning:

PD, Planned Development District for a Housing Development (Ordinance No. 10177).

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for a Housing Development. The properties to the east are zoned SF-1, Single-Family Dwelling District and O1, Office District. The properties to the south across Andrews Highway are zoned RR, Regional Retail District, and LR Local Retail District. The properties to the west are zoned RR, Regional Retail District and PD, Planned District for a Transitional District.

Analysis:

The property is zoned PD, Planned Development District for a Housing Development, with an underlying zoning of MF-16, Multiple-Family Dwelling District. The property is in the process of amending its PD, Planned Development District for a Housing Development, to allow for a community center/restaurant with a Specific Use Designation Permit to sell all alcoholic beverages on premises. The applicant is proposing a Community Center/restaurant, located at 5323 Sinclair Avenue, and will have a total square footage of 7,701, of which 4,774 square feet (see Exhibit A) will be dedicated to the alcohol serviceable area.

The proposed site plan provides adequate access and internal circulation.

A total of 41 shared parking spaces are proposed, of which 4 will be accessible spaces. Which is in conformance with the minimum number of parking spaces shown on Exhibit "A".

The community center/restaurant is proposing the following hours of operation and alcohol service:

Sunday through Saturday from 10:00 a.m. to 8:00 p.m.

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

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

There are no schools or churches within 300 feet of the property.

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

Engineering: (Approved)

No objection.

Building Code: (Approved)

No objections. Occupant load provided with the Building Permit is required to be posted.

Fire: (Approved)

No objections.

Transportation: (Approved)

No objection to zone change.

Code Administration: (Approved)

No comments.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive plan, Chapter 6 Character Plan - Goal 4, "Encourage the development of places where Midland residents can gather and socialize to build connections" (Tall City tomorrow, page 137). Manor Park, Inc. will create a vibrant atmosphere where residents can socialize and be entertained with a diversity of activities while enjoying alcoholic beverages.

This request meets all requirements; therefore, staff recommends approval of the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a community center/restaurant, subject to Conditions A through F.

Conditions:

- A. That the serviceable area of the community center/restaurant shall be limited to approximately 4,774 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**
- B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:**
 - Sunday through Saturday from 10:00 a.m. to 8:00 p.m.**
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- D. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- E. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**
- F. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**

Letters of Objection:

As of July 28, 2021, staff has not received any letters of objections.

Attachments:

Floor Plan (Exhibit A)
Application
Maps



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

Project Number: 840-21-0109
Case Number: _____

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

Printed Name: MANOR PARK, INC.

Phone (436) 689 9898

Email jhobbs@manorparkinc.com

Address 2208 N LOOP 250 W

City MIDLAND

State TX

Zip 79707

Property Owner

Printed Name: MANOR PARK, INC.

Phone ()

Email

Address 2208 N LOOP 250 W

City MIDLAND

State TX

Zip 79707

Representative (if different from Applicant or Property Owner)

Firm: MANOR PARK, INC.

Printed Name: JAY HOBBS, COO

Phone (325) 468 8097

Email jhobbs@manorparkinc.com

Address 2208 N LOOP 250 W

City MIDLAND

State TX

Zip 79707

VILLAGE SOUTH COMMUNITY CENTER
Street Address: 220 5323 SINCLAIR AVE. MIDLAND TX

Business Name: MANOR PARK INC.

Legal Description

Lot: 2 Block: 2 Subdivision: Wallace Hights, Sec. 9

Current Zoning: COMBINATION of MF-1, MF-2, and TH

Reason for Request: Beer and Wine for the residents at Manor Park. CO

Type of Business (restaurant, bar, lounge, nightclub, etc.): BISTRO/RESTAURANT.

Proposed/Current Days and Hours of Operation: SUNDAY - Thursday

Proposed Days and Hours of Alcohol Service: 12-8pm

Total Square Footage of Business: 7,701 sqft.

Square Footage of Alcohol Serviceable Area:

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

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):

JT
Jay K. Hobbs, COO

Date:

5/26/2021

Applicant (printed):

JAY K. Hobbs

Property Owner (signature):

MANOR PARK, INC.

Date:

Property Owner (printed):

NOT FOR PROFIT

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

All materials, 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 Jay Hobbs who, being by me duly sworn, upon oath says: That (s)he is authorized by Manor Park, 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.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 26 day of May, 2021, to certify which witness my hand and seal of office.



Nancy Angela Ervin
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Floor Plan

☒ Application Fee

☒ Site Plan

Check # Credit Card

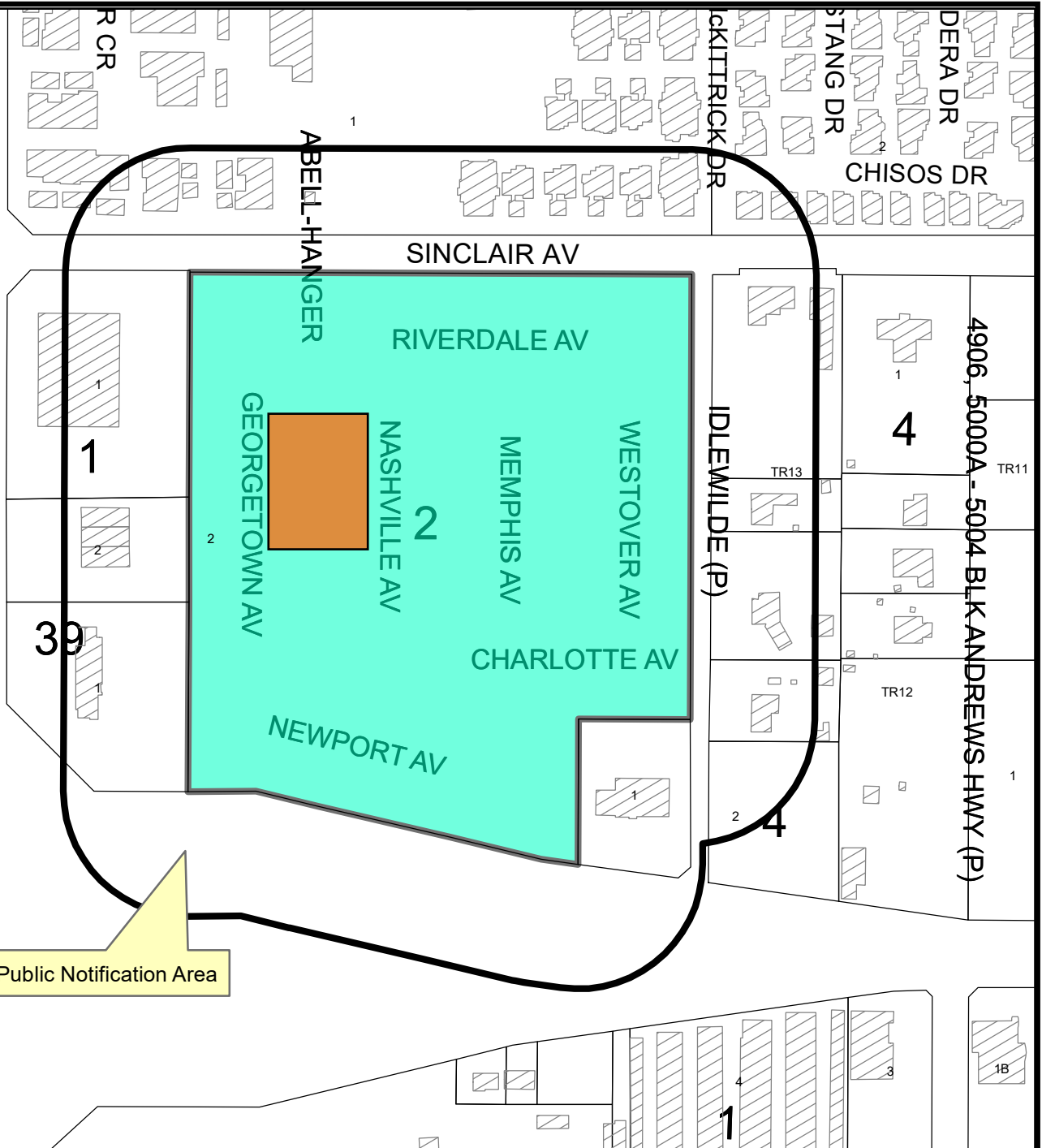
☒ Plans in Digital Format (PDF/JPEG)

Received By: Enailed

Date: 6/30/21

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

250 WEST



200-foot Public Notification Area

LOCATION MAP

SUD-21-0109

Scale: 1" = 250'

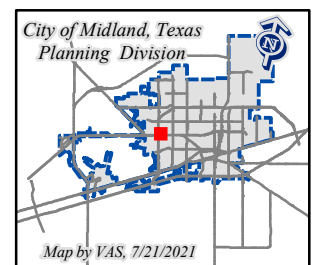
Consider a request by Manor Park, Inc. for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a community center/restaurant, on a 4,774 square feet portion of Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas.

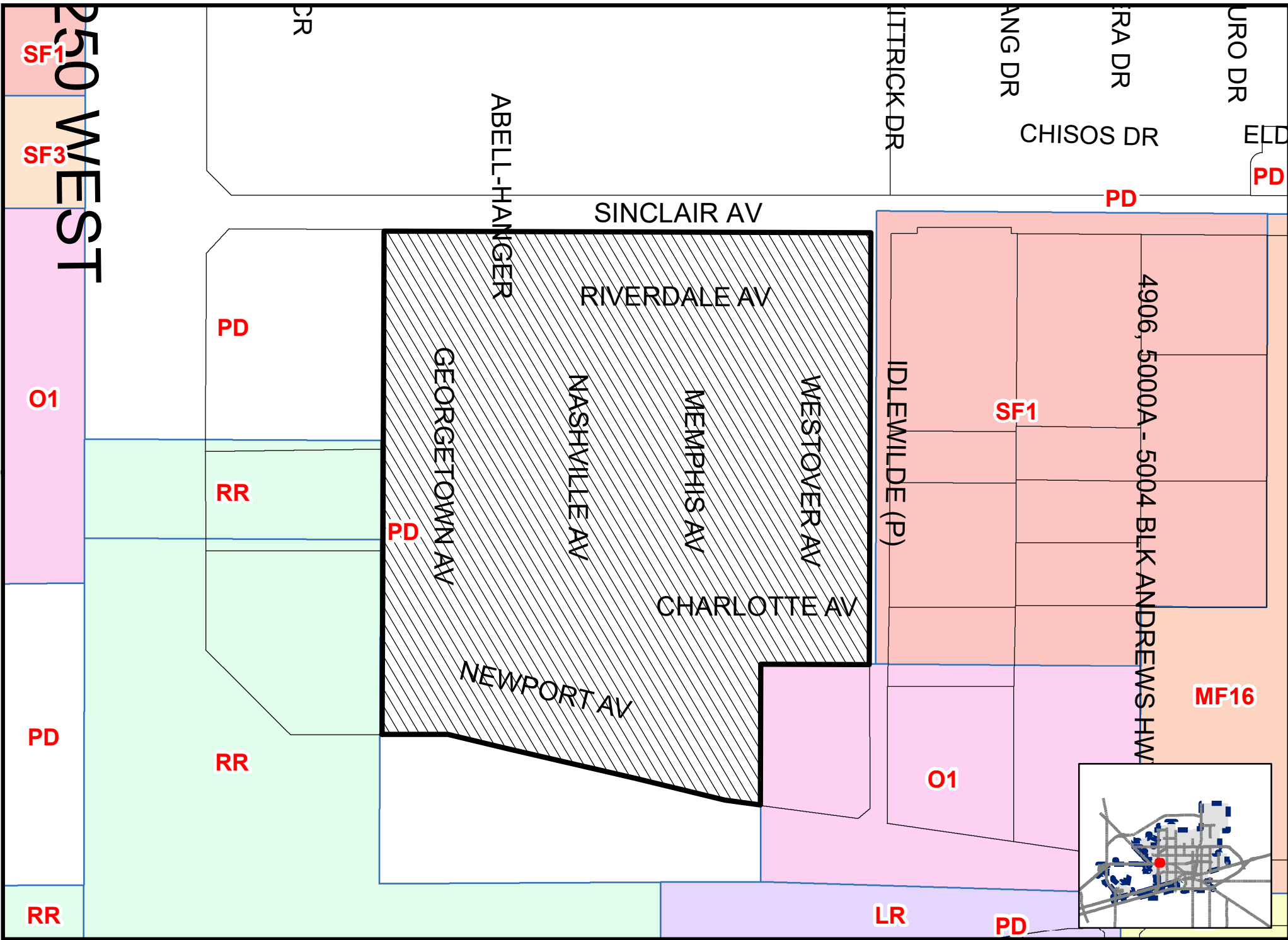
Generally located on the south side of Sinclair Avenue, approximately 290 feet east of N. Loop 250 West.

(Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





ORDINANCE NO. 10177

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 2, WALLACE HEIGHTS ADDITION, SECTION 9, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF SINCLAIR AVENUE, APPROXIMATELY 290 FEET EAST OF NORTH LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas (the "Property") to an amended PD, Planned Development District for a Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for a Housing Development to an amended PD, Planned Development District for a Housing Development.

SECTION TWO. That the base zoning district to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, is the MF-16, Multiple-Family Dwelling District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit “A” and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “A”.
- B. That the landscaping shown in Exhibit “A” shall be considered illustrative. The landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- C. That the minimum number of required parking spaces shall be as shown in Exhibit “A”.
- D. That the fencing shall significantly conform to Exhibit “A”.

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

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

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

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

SECTION EIGHT. The City Secretary is hereby authorized and directed to publish

the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 27th day of April, A.D., 2021; and passed to second reading on motion of Council member Trost, seconded by Council member Dufford, by the following vote:

Council members voting "AYE": Blong, Trost, Robnett, Dufford, Ladd, Norman

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Norman, seconded by Council member Blong, on the 11th day of May, A.D., 2021, at a regular meeting of the City Council:

Council members voting "AYE": Blong, Robnett, Payton, Dufford, Ladd, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 11th day of May, A.D., 2021.

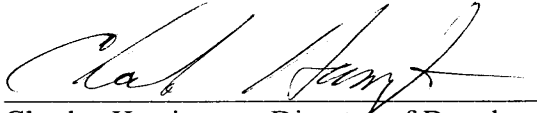


Patrick N. Payton, Mayor

ATTEST:

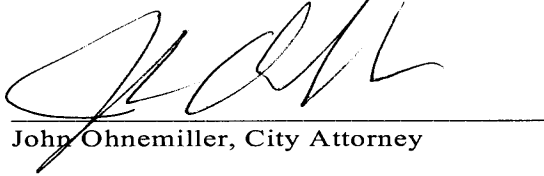

Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney

SITE PLAN
MANOR PARK SOUTH
LOT 2, BLOCK 2, WALLACE HEIGHTS, SECTION 9
CITY AND COUNTY OF MIDLAND, TEXAS

C100



City Council Meeting

Item Number: 11
Meeting Date: April 27, 2021
To: City Council / City Manager
From: Valerie A. Sherman, Senior Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOT 2, BLOCK 2, WALLACE HEIGHTS ADDITION, SECTION 9, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF SINCLAIR AVENUE, APPROXIMATELY 290 FEET EAST OF NORTH LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION (DEVELOPMENT SERVICES)

Purpose:

The applicant, Manor Park, Inc., is requesting to amend their site plan to modify the building area site along Sinclair Avenue and Andrews Highway frontage. The property is located at 5323 Sinclair Avenue and is the location of Manor Park South.

Recommended City Council Action:

Approve

Fiscal Impact:

This proposal does not have a significant financial impact to the city.

Discussion:

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for a Housing Development. The properties to the east are zoned SF-1, Single-Family Dwelling District and O1, Office District. The properties to the south across Andrews Highway are zoned RR, Regional Retail District, and LR Local Retail District. The properties to the west are zoned RR, Regional Retail District and PD, Planned District for a Transitional District.

Analysis:

The site plan, attached hereto as Exhibit A, shows a modification of the lot area for Building Sites #63 through # 67 along Sinclair Avenue, from 36 feet to 75 feet to make seven lots; and to modify the lot area for Building Sites #11 through # 15 along Andrews Highway, from 35 feet to 75 feet to make five lots. No additional changes or modifications of the property are being proposed.

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

Fire: (Approved)

No objections.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

Code: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

No objection to zone change.

Planning:

Per the Future Land Use map, this location is designated as Urban Medium; which calls for a mix of housing types including single-family housings, multi-family housing, commercial, and mixed-use; therefore, this zone change complies with the Future Land Use plan.

This request has been recommended for approval by a unanimous vote at the April 5, 2021 Planning and Zoning Commission meeting.

Staff recommends approval of the zone change from a PD, Planned District for a Housing Development to amended PD, Planned Development District for a Housing Development, subject to conditions A and E.

Conditions:

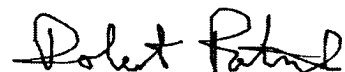
- A. That the use and development of this property shall conform to the regulations of the MF-16, Multiple Family Dwelling District.**
- B. That this property shall conform to the site plan, which is attached hereto and incorporated herein as Exhibit A.**
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- D. That the minimum number of required parking spaces shall be shown on Exhibit "A."**
- E. That the fencing shall significantly conform to Exhibit "A."**

Letters of Objection:

Staff has not received any objections as of April 23, 2021.

Attachments:

Site Plan (Exhibit A)
Application
Maps
Ordinance No. 9586





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

Project Number: _____
Case Number: 2-21-0292

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Manor Park, Inc.		Phone () Email	
Address 2208 N. Loop 250 West	City Midland	State TX	Zip 79707

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

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

Street Address: 5323 Sinclair Avenue			
Legal Description Lot: 2 Block: 2 Subdivision: Wallace Heights Addition, Section 9			

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

Reason for Zone Change Request: Modify area of building sites along Sinclair Ave. & Andrews Hwy frontages

Present Use of Property: Under-development (senior & assisted housing)

Proposed Use of Property: Senior & assisted housing

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

Describe how conditions affecting the property have changed since present zoning designation: No change. Project under construction.

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature):

Date:

Applicant (printed):

Manor Park, Inc.

Property Owner (signature):

Date: 2-24-21

Property Owner (printed):

ALAN HALE

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen, PE who, being by me duly sworn, upon oath says: That (s)he is authorized by Manor Park, 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.

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 24th day of February, 2021, to certify which witness my hand and seal of office.



Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # 3363

Received By:

Joseph Mampak

Date:

RECEIVED
FEB 24 2021

BY:

[Signature]

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

PACKET
Special Exception Application

11.11
2

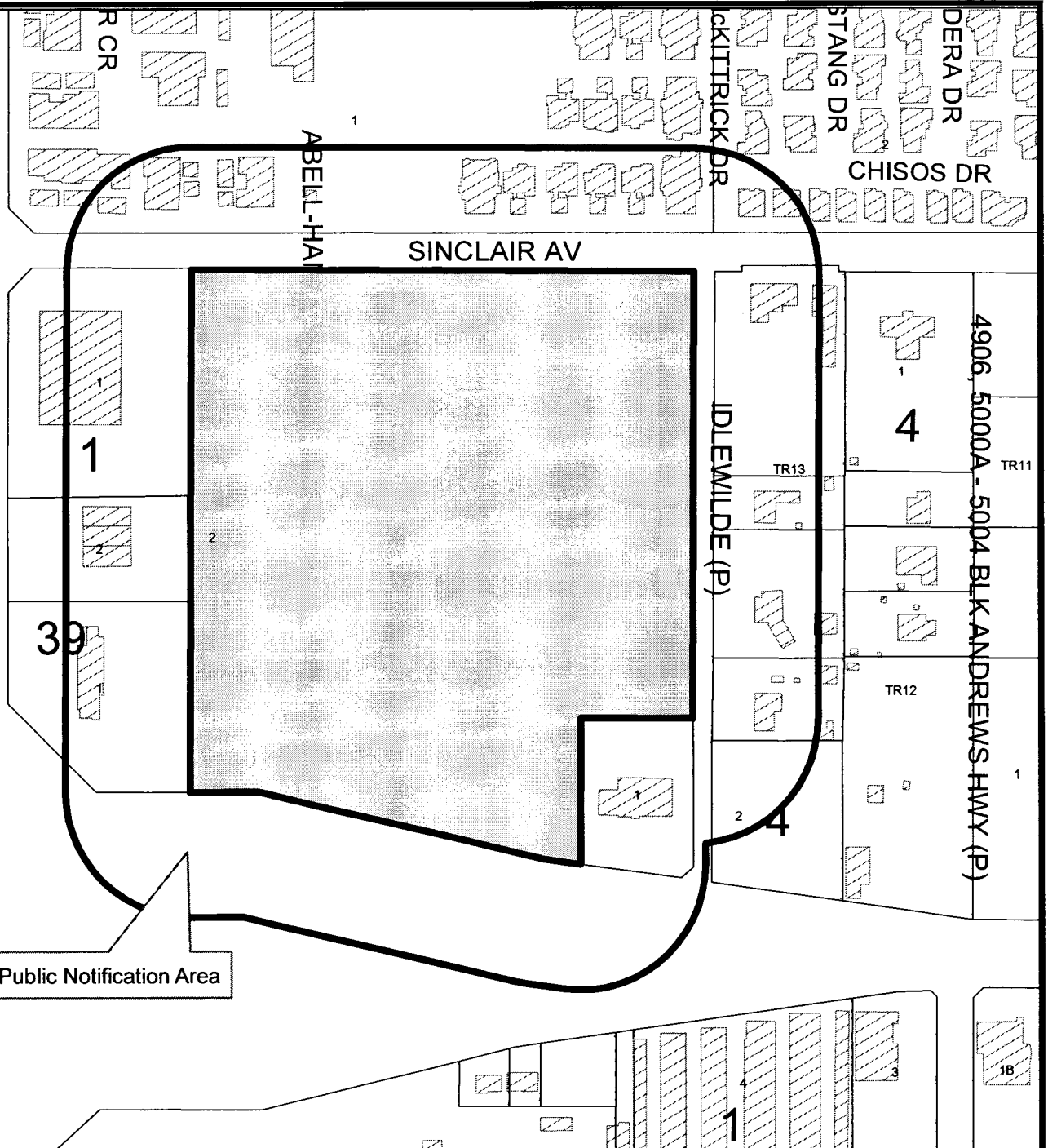
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Page 11.142

May 11, 2021
Revised 12/6/16

August 2, 2021

250 WEST



LOCATION MAP

Z-21-0222

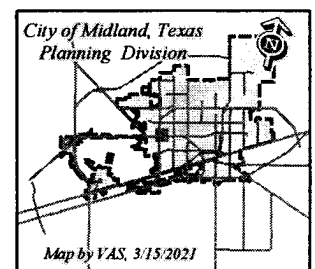
Scale: 1" = 250'

Consider a request by Manor Park, Inc., for a zone change from PD, Planned District for a Housing Development to Amended PD, Planned Development District for a Housing Development on Lot 2, Block 2, Wallace Heights Addition, Section 9, City and County of Midland, Texas.

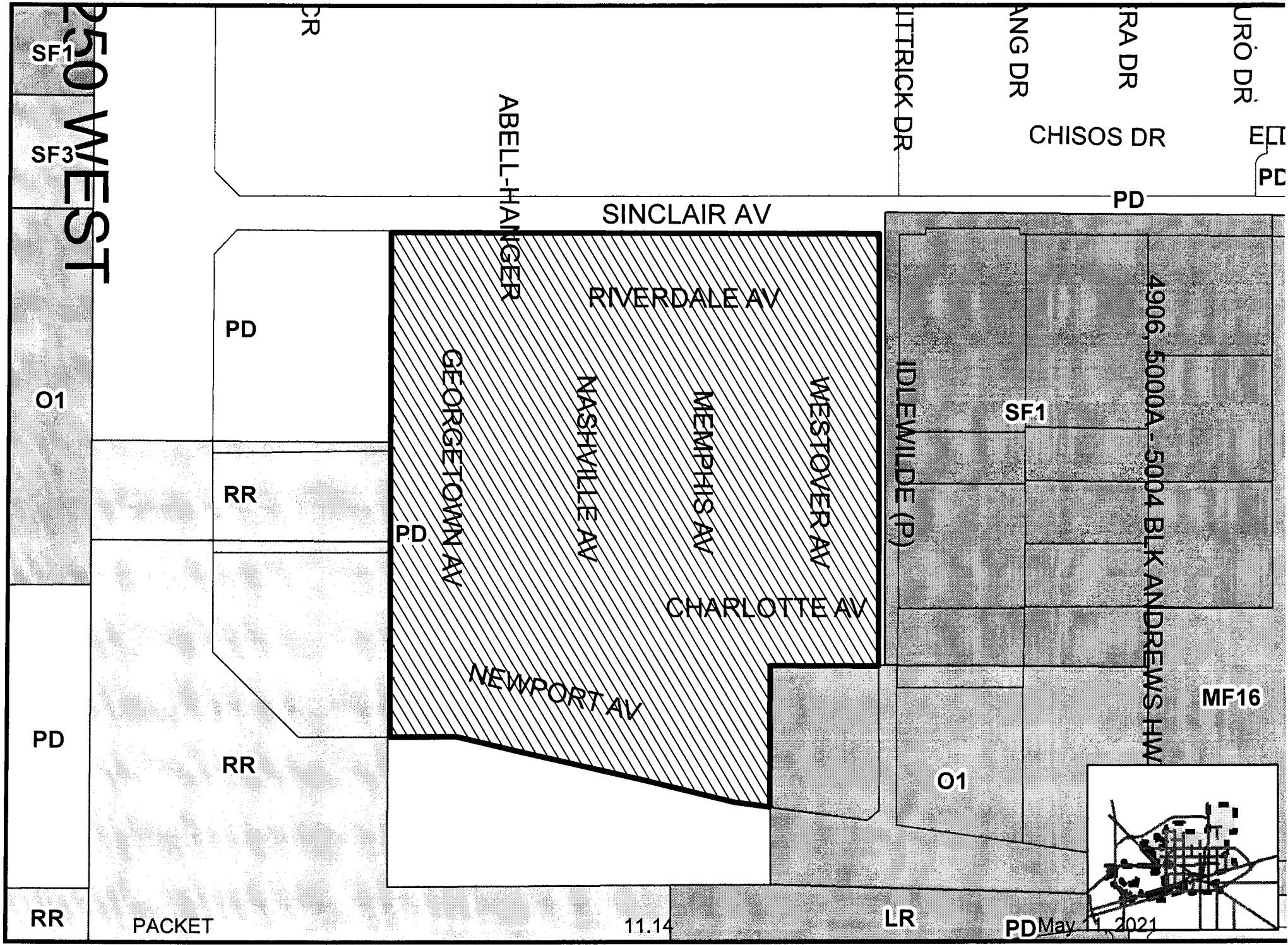
Generally located on the south side of Sinclair Avenue, approximately 200 feet east of N. Loop 250 West. (Council District 4)

LEGEND

- - CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



May 11, 2021



AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING TRACTS 14, 15, 16, AND 17, WALLACE HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH ARE PRESENTLY ZONED 1F-1, ONE-FAMILY DWELLING DISTRICT, IN PART, MF-1, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, MF-2, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND TH, TOWNHOUSE DWELLING DISTRICT, IN PART, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF SINCLAIR AVENUE, APPROXIMATELY 290 FEET EAST OF NORTH LOOP 250 WEST); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, MF-2, Multiple-Family Dwelling District, in part, and TH, Townhouse Dwelling District, in part,

and it shall be used as a PD, Planned District for a Housing Development, said property being described as follows:

Tracts 14, 15, 16, and 17, Wallace Heights Addition, City and County of Midland, Texas.

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

- A. That the use and development of the property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.
- B. That the use and development of the property shall significantly conform to the site plan, which is attached hereto and incorporated herein as Exhibit "A".
- C. That the landscaping of the property shall significantly conform to the landscape notes in Exhibit "A".
- D. That the internal landscaping of the property may be installed in phases as construction progresses.
- E. That the fencing shall significantly conform to Exhibit "A"
- F. That there shall be no fewer parking spaces on the property than the number of parking spaces shown in Exhibit "A".
- G. That all lighting shall significantly conform to the standards set forth in the City Code.

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

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

SECTION FIVE. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of

Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 26th day of July, A.D., 2016; and passed to second reading on motion of Council member Love, seconded by Council member Lacy, by the following vote:

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

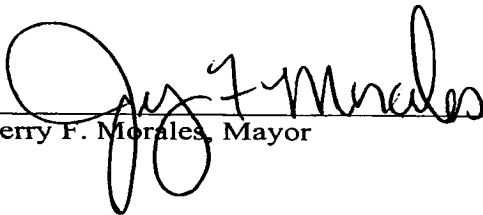
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Hotchkiss, seconded by Council member Lacy, on the 9th day of August, A.D., 2016, at a regular meeting of the City Council:

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

Council members voting "NAY": None

PASSED AND APPROVED THIS 9th day of August, A.D., 2016.

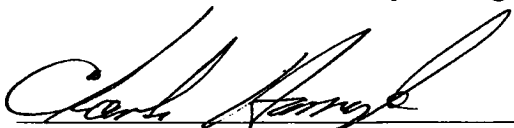

Jerry F. Morales, Mayor

ATTEST:


Amy M. Turner, City Secretary

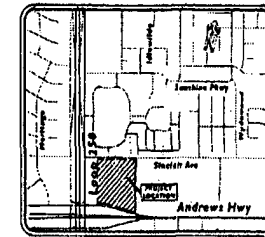
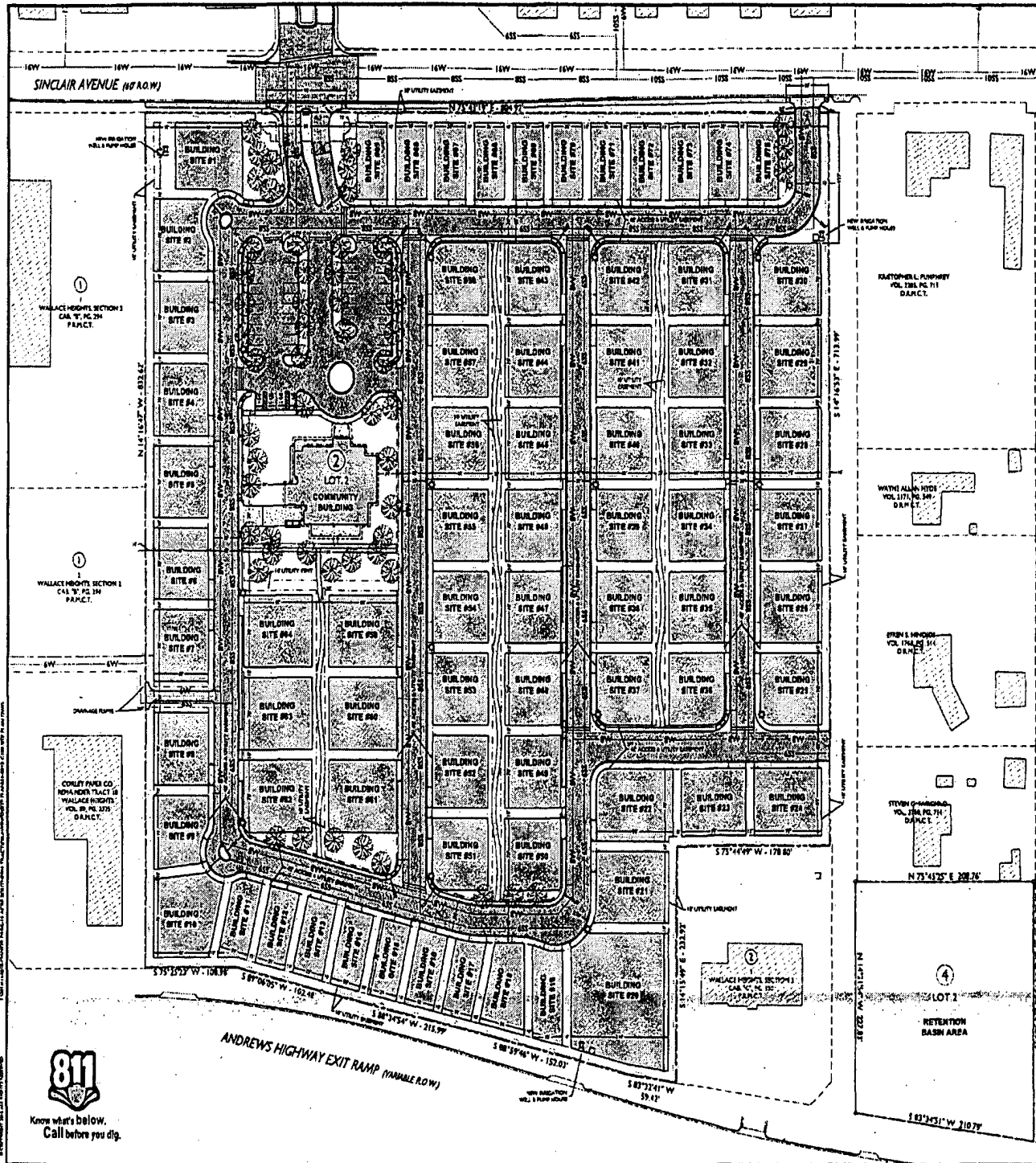
APPROVED AS TO CONTENT
AND COMPLETENESS:


Frank Salvato, Assistant City Manager


Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:


John Ohnemiller, City Attorney



LEGEND

- ⊙ DENOTES ROUND HYDRANT AS NOTED
- ⊙ DENOTES 6" (1" BORN) AOD
- ⊙ DENOTES FIRE HYDRANT
- ⊙ DENOTES WATER VALVE
- ⊙ DENOTES MANHOLE
- DENOTES PROPERTY BOUNDARY LINE
- DENOTES BARRETT LINE
- DENOTES EXISTING LOT LINE
- DENOTES PROPOSED FENCE
- DENOTES 4" SEWER LINE
- DENOTES 6" SEWER LINE
- DENOTES 8" SEWER LINE
- DENOTES 12" WATER LINE
- DENOTES 18" WATER LINE

- GENERAL:**
- THE 11.19-Acre SITE CONSISTS OF PROPOSED LOT 1, BLOCK 1, WALLACE HEIGHTS, SECTION 1, CAR. 11, PG. 204, D.A.P.C.T.
 - THE DEVELOPMENT WILL BE SUBMITTED AS AN APPLICATION FOR A SUBDIVISION MAP, WITH THE NEIGHBORHOOD MAP, AND A COMMUNITY DEVELOPMENT OF APPROXIMATELY 170 A.C.
- ACCESS:**
- TWO GATED DRIVEWAYS INTO THE SITE AS SHOWN.
 - INTERNAL ROAD CIRCULATION THROUGHOUT THE SITE AS SHOWN.
- UTILITIES:**
- PUBLIC WATER AND SEWER LINES WILL BE PROVIDED THROUGH THE SITE AS SHOWN.
- DENSITY:**
- THE 11.19-Acre DEVELOPMENT WILL CONTAIN 100 SINGLE-UNIT HOMES.
- LANDSCAPE:**
- LANDSCAPING SHALL BE PROVIDED AS SHOWN.
 - THE DEVELOPMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF AUSTIN LANDSCAPE GUIDELINES.
 - THE DEVELOPMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF AUSTIN LANDSCAPE GUIDELINES.
- PARKING:**
- 200 SPACES WILL BE PROVIDED AS SHOWN.
 - SPACES WILL BE PROVIDED IN ACCORDANCE WITH THE CITY OF AUSTIN PARKING GUIDELINES.
- TRASH:**
- TRASH COLLECTION SHALL BE PROVIDED AS SHOWN.
 - TRASH COLLECTION SHALL BE PROVIDED AS SHOWN.
- FIRE LAYERS:**
- FIRE LAYERS SHALL BE PROVIDED AS SHOWN.
 - FIRE LAYERS SHALL BE PROVIDED AS SHOWN.
- FENCING:**
- FENCING SHALL BE PROVIDED AS SHOWN.
 - FENCING SHALL BE PROVIDED AS SHOWN.
- DRAINAGE:**
- DRAINAGE SHALL BE PROVIDED AS SHOWN.
 - DRAINAGE SHALL BE PROVIDED AS SHOWN.

MAVERICK ENGINEERING
 1000 West 14th Street, Suite 100
 Fort Worth, Texas 76101
 Tel: (817) 343-0999 Fax: (817) 343-0999
 www.maverick-engineering.com



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SITE PLAN
MANOR PARK SOUTH
 LOT 1, BLOCK 1, WALLACE HEIGHTS, SECTION 1
 CITY AND COUNTY OF MIDLAND, TEXAS

C100

9586



City Council Agenda

APPROVED

Approved for Agenda:
fsalvato
City Manager's Office

MEETING DATE: August 9, 2016

TO: City Council / City Manager

FROM: Geoff Solomonson, Planner

SUBJECT: Consider an ordinance on second reading on a request by Manor Park for a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned District for a Housing Development, on Tracts 14, 15, 16, and 17, Wallace Heights Addition, City and County of Midland, Texas. (Generally located on Sinclair Avenue, approximately 290-feet east of N. Loop 250 West. – Council District 4)

Purpose:

Consider an ordinance on second reading on a request by Manor Park for a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned District for a Housing Development, to allow for a future expansion of the Manor Park Retirement Community.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

No City funds are required to process this request.

Discussion:

Current Zoning:

1F-1, One-Family Dwelling District, in part, MF-1, Multiple Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple Family Dwelling District, in part.

Surrounding Zoning and Land Use:

The property is located near the intersection of N. Loop 250 West and Andrews Highway and is currently undeveloped. The zoning to the north, across Sinclair Avenue, is a PD, Planned District for a Housing Development (Ordinance No. 8126), with an underlying zoning of MF-1, Multiple-Family Dwelling District, and is the location of Manor Park Retirement Community. The properties to the east are zoned 1F-1, One-Family Dwelling District, and O1, Office District, and contain single-family residences within the 1F-1, One-Family Dwelling District, and an office building within the O1, Office District.

To the south are properties zoned LR-1, Local Retail District, and LR-2, Local Retail District, which are mainly undeveloped with a few single-family residences. Zoning to the west is LR-2, Local Retail District, in part, and a PD, Planned District for a Transition District (Ordinance No. 6739). Tracker Boat Center is located in the PD, Planned District for a Transition District.

Analysis:

The parcels proposed for rezoning were originally platted as Wallace Heights Addition in 1946, with the intent of 1F-1, One-Family Dwelling District, for single-family residential. In 1980, the properties were rezoned to MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, by Ordinance No. 5613.

PD, Planned District for a Housing Development, with an underlying zoning of MF-1, Multiple-Family Dwelling District, is an appropriate application of a zone change to match the current Manor Park Retirement Community campus, as the expansion is a large housing development. This Zone Change is in process along with the re-platting of the property as Wallace Heights, Section 9.

Exhibit A, provided by the applicant, shows the proposed site plan for an expansion of the Manor Park Retirement Community. Seventy Five (75) building sites are proposed as an expansion to the south from the adjacent Manor Park Retirement Community campus. Each site can have up to 2 units for a maximum density of 4.8 dwelling units per acre. The PD, Planned District for a Housing Development, with an underlying zoning of MF-1, Multiple-Family Dwelling District, allows for a maximum of 16 dwelling units per acre according to the Midland City Zoning Ordinance Chapter 11-6, Zoning district classification; use and development regulations.

This proposed development would generate approximately 15 morning peak hour (7 a.m. to 9 a.m.) trips and 20 evening peak hour (4 p.m. to 6 p.m.) trips based on Senior Adult Housing from the Trip Generation Manual by the Institute of Transportation Engineers.

Landscaping on the site meets Midland City Zoning Ordinance Chapter 11-9, Landscape Regulations of 1 tree per 30 feet of street frontage and 1 tree per 15 parking spaces. Landscaping around the community building and main entrance will be provided in accordance with the City of Midland Landscape Ordinance. The remainder of the landscaping of the development will be considered residential and will be installed at each residence at the time of construction.

The site will have a primary access point and another emergency access point with gates both along Sinclair Avenue.

Staff recommends approval of a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned District for a Housing Development, subject to conditions A through G.

Conditions:

A. That the use and development of this property shall significantly conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.

B. That the use and development of the property shall significantly conform to the attached site plan, Exhibit "A."

C. That the landscaping shall significantly conform to the Exhibit "A" Landscaping Notes.

D. That the landscaping internal to the site may be installed in phases as construction progresses.

E. That the fencing shall significantly conform to Exhibit "A."

F. That the minimum number of required parking spaces shall be shown on Exhibit "A."

G. That all lighting shall significantly conform to the standards set forth in the Midland City Code.

Letters of Objection:

As of July 22, 2016, staff has received no letters of objection.

Attachments:

Application

Maps

Proposed Site Plan (Exhibit A)

Ordinance No. 8126

Case Number: Z-16-0016



APPLICATION TO CHANGE ZONING CLASSIFICATION

I. APPLICATION

Applicant:

<u>Manor Park Inc, Alan Hale, Executive Director</u>	<u>432-689-9898</u>
(Name)	(Phone)
<u>2208 N Loop 250 West, Midland, TX 79707</u>	<u>ahale@manorparkinc.org</u>
(Address)	(Email)

Property Owner:

_____	_____
(Name)	(Phone)
_____	_____
(Address)	(Email)

Representative (please see affidavit on page 2):

<u>Andrew Hobby, P.E. - Maverick Engineering</u>	<u>432-262-0999</u>
(Name)	(Phone)
<u>1909 West Wall St. Ste K, Midland, TX 79701</u>	<u>ahobby@maverick-eng.com</u>
(Address)	(Email)

Street address: _____

Legal Description of property (complete Lot, Block, and Subdivision Name or if unplatted, attach a Metes and Bounds description with surveyor's seal, each district must be described separately):

Tracts 17, 16, 15, and the North 4 Acres of Tract 14, Wallace Heights Addition, City and County of
Midland, Texas.

Present Zone: MF-1, MF-2, TH **Proposed Zone:** PD-HD
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Development of site for future phase of Manor Park.

Present Use of Property: Undeveloped

Proposed Use of Property: Senior housing community

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

NA

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

NA

II. APPLICATION FEES:

Single, standard zone change: **\$400**, Multiple, standard zone change: add **\$100** per additional district.
Single PD zone change: **\$550**, Multiple PD proposal: add **\$100** per district.

Total: \$ 550.00

III. SITE PLAN SUBMITTALS (if applicable):

5 FOLDED copies of the PD site plan: x
Site Plan in digital format (PDF & JPEG): x

VI. Signature

Property Owner (signature): _____ Date: _____

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

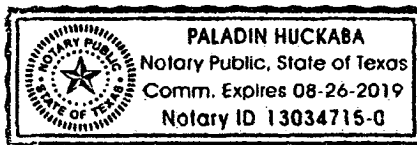
Before me, the undersigned authority, on this day personally appeared Andrew Hobby who, being by me duly sworn, upon oath says: That (s)he is authorized by Alan Hale, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and 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 June, 20 16, to certify which witness my hand and seal of office.

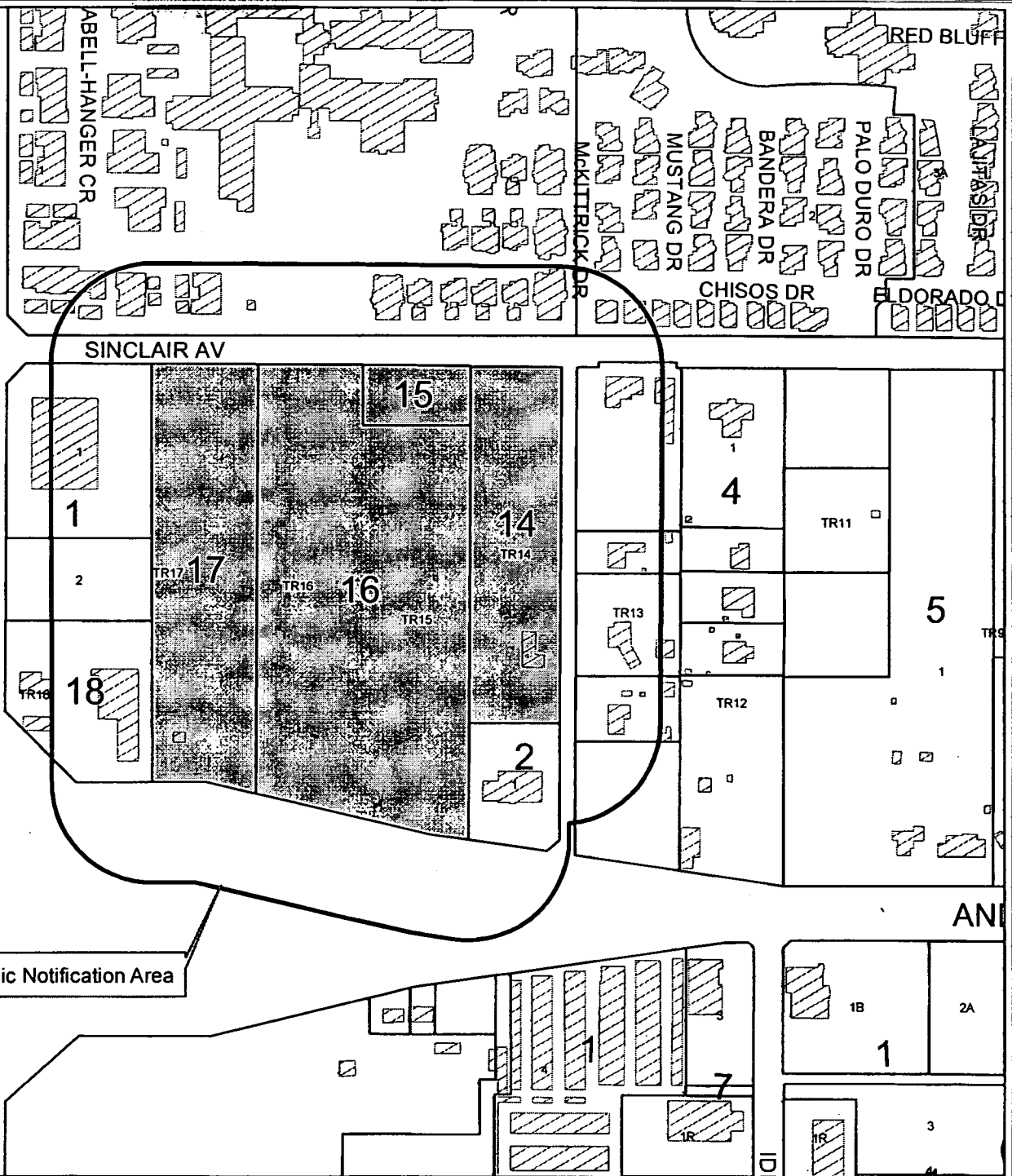

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
Rec'd By: _____	Date: _____
Assigned: _____	
For: _____	On: _____



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

LOOP 250 WEST



LOCATION MAP

Z - 16 - 0016

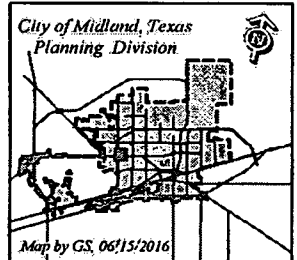
Scale: 1" = 300'

Consider a request for a Zone Change from 1F-1, One-Family Dwelling District, in part, MF-1, Multiple-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, and MF-2, Multiple-Family Dwelling District, in part, to PD, Planned Development for a Housing Development on Tracts 14, 15, 16, and 17, Wallace Heights Addition, City and County of Midland, Texas.

Generally located on Sinclair Avenue approximately 290-feet east of N. Loop 250 W. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



© CITY OF MIDLAND - 2016
THIS DATA IS NOT A SUBSTITUTE 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.

11.25

May 14, 2020 22.11

ORDINANCE NO. 8126

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 1, BLOCK 1, TRINITY TOWERS MANOR, SECTION 1; AND A 25.71-ACRE TRACT OUT OF SECTION 19, BLOCK 39, T-1-S, T & P RAILROAD COMPANY SURVEY, MIDLAND COUNTY, TEXAS WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT AND 1F-3, ONE-FAMILY DWELLING DISTRICT TO BE USED AS PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; AND EXPRESSLY REPEALING ORDINANCE NO. 6213; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned PD, Planned District for a Housing Development and 1F-3, One-Family Dwelling District, and it shall be used as a PD, Planned District for a Housing Development, subject to the special conditions and

restrictions hereinafter set out, said property being described as follows:

Lot 1, Block 1, Trinity Towers Manor, Section 1; and a 25.71-acre tract out of Section 19, Block 39, T-1-S, T & P Railroad Company Survey, Midland County, Texas. (As further described on the attached metes and bounds description, Exhibit "A", incorporated herein by reference.)

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

- A. That the use and development of this property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.
- B. That the use and development of this property shall conform to the conditions shown on the attached site plan, Exhibit "B", in all respects.
- C. That the maximum building height for Lot 1, Block 1, Trinity Towers Manor, Section 1 shall not exceed 65 feet or four stories. The maximum building height for Lot 2, Block 2 shall be 80 feet, or five stories.
- D. That the indicated six-foot tall screening fence around the east 25 acres of this property may be installed in phases. The landscaping indicated along Sinclair Avenue may also be installed in phases, concurrently with the fence construction.
- E. That the landscaping internal to the site may be installed in phases as construction progresses, provided that a minimum of 15 percent of each developing area is landscaped, and that the total landscaping once all construction is complete is 15 percent. All landscaping shall be irrigated with an automatic sprinkler system, and shall be maintained in a healthy, growing condition.
- F. That the minimum number of required parking spaces shall be as shown on Exhibit "B."
- G. That all fixtures for security lighting within the eastern 25 acres shall not be mounted higher than 20 feet above natural grade.
- H. That Ordinance 6213 is repealed.

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

SECTION FOUR. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that

covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict, and Ordinance no. 6213 is hereby expressly repealed..

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 27th day of August, A.D., 2002; and passed to second reading on motion of Council member Simpson, seconded by Council member Bradford, by the following vote:

Council members voting "AYE":	Simpson, Bradford, Perry, Morgan, Dingus, Canon and Dufford
-------------------------------	---

Council members voting "NAY":	None
-------------------------------	------

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Simpson, seconded by Council member Dufford, on the 10th day of September, A.D., 2002, at a regular

meeting of the City Council:

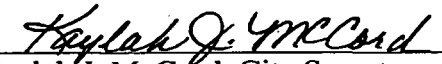
Council members voting "AYE": Simpson, Dufford, Perry,
Morgan, Dingus, Canon
and Bradford

Council members voting "NAY": None

PASSED AND APPROVED THIS 10th day of September, A.D., 2002.


Michael J. Canon, Mayor

ATTEST:


Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:


Keith Stretcher, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

00C 23786 VOL 2077 PG 755

ify

CO

ZONING FOR TRINTY TOWER MANOR, SECTION 2

LEGAL DESCRIPTION FOR A 25.71 ACRE TRACT LOCATED IN SECTION 19, BLOCK 39, T-1-S, T. & P. RR. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

Boundary being further described by metes and bounds as follows:

BEGINNING at the Southwest corner of this tract in the center of Sinclair Avenue, from whence a 5/8" iron rod found, as set by the City of Midland, Engineering Department, at the Southeast corner of Lot 1, Block 1, Trinity Tower Manor, as recorded in Cabinet D, Page 76, Plat Records of Midland County, Texas and the Northwest corner of said 0.271 Acre right of way dedication in Volume 1185, Page 543, bears N15°15'02"W, a distance of 34.18 feet, also from said point of beginning, the Southwest corner of said Section 19, Block 39, T-1-S, based on calls of the 10.0 Acre Tract recorded in Volume 961, Page 1, bears S74°45'W, a distance of 1202.3 feet and S15°15'E, a distance of 1113.00 feet;

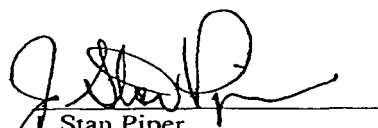
THENCE N15°15'02"W with and projections of the East line of said Lot 1, Block 1, and the West boundary line of said 10.0 Acre tract, at 1062.94 feet pass the Northwest corner of said 10.0 Acre Tract, continuing for a total distance of 1072.94 feet to the Northwest corner of this tract in the center of an existing alley, from whence a 1/2" iron rod found at the Northeast corner of said Lot 1, Block 1, bears N15°15'02"W a distance of 472.87 feet;

THENCE N74°48'58"E with the center of an existing alley, a distance of 1044.56 feet to the Northeast corner of this tract, from whence the Northeast corner of a 5.0 Acre Tract as described in Volume 649, Page 288, Deed Records bears S15°11'17"E, a distance of 10.00 feet;

THENCE S15°11'17"E with and projections of the West boundary line of Wydeewood Estates, Section 4, as recorded in Cabinet C, Page 47, Plat Records of Midland County, at 1042.64 feet pass a 5/8" iron rod found at the Northeast corner of said 0.058 Acre dedicated for right of way as described in Volume 1221, Page 485, Official Records of Midland County, continuing for a total distance of 1072.70 feet to the Southeast corner of this tract, in the center of Sinclair Avenue;

THENCE S74° 48'10"W with the center of Sinclair Avenue, a distance 1043.40 feet to the Place of Beginning.

I, J. Stan Piper, Professional Land Surveyor, do hereby certify that this legal description is based on an actual survey made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief as surveyed on the ground at various dates through June 5, 2002.


J. Stan Piper
Professional Land Surveyor

Prepared for:

Parkhill, Smith, and Cooper, Inc.
Attn.: Mr. Jay Edwards
5214 Thomason
Midland, TX 79703
(915) 697-1447

PIPER SURVEYING CO., BOX 60432, MIDLAND, TX 79711, (915) 550-7810

PACKET

11.31
Exhibit "A"

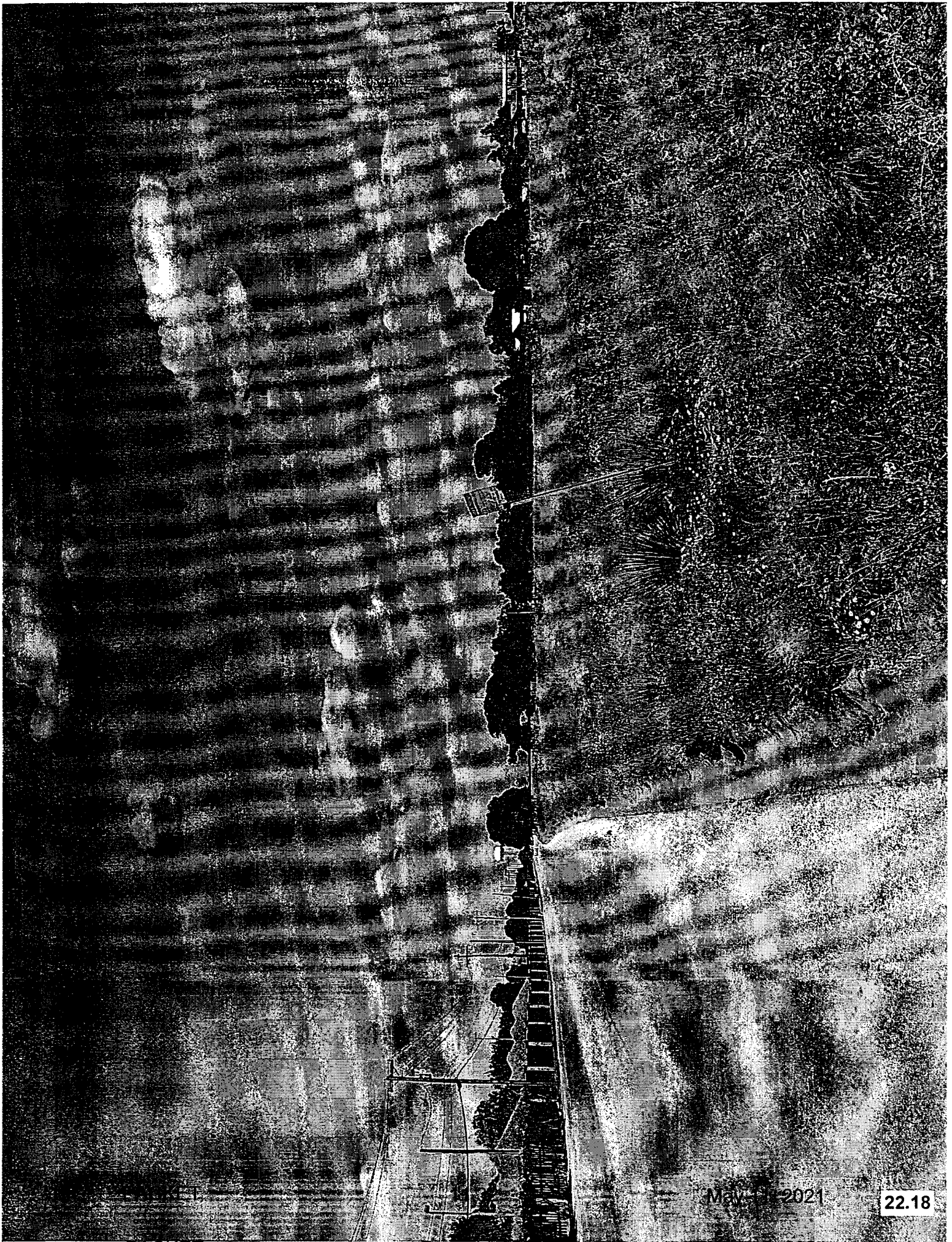
May 11, 2021

22.17

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Page 11.162

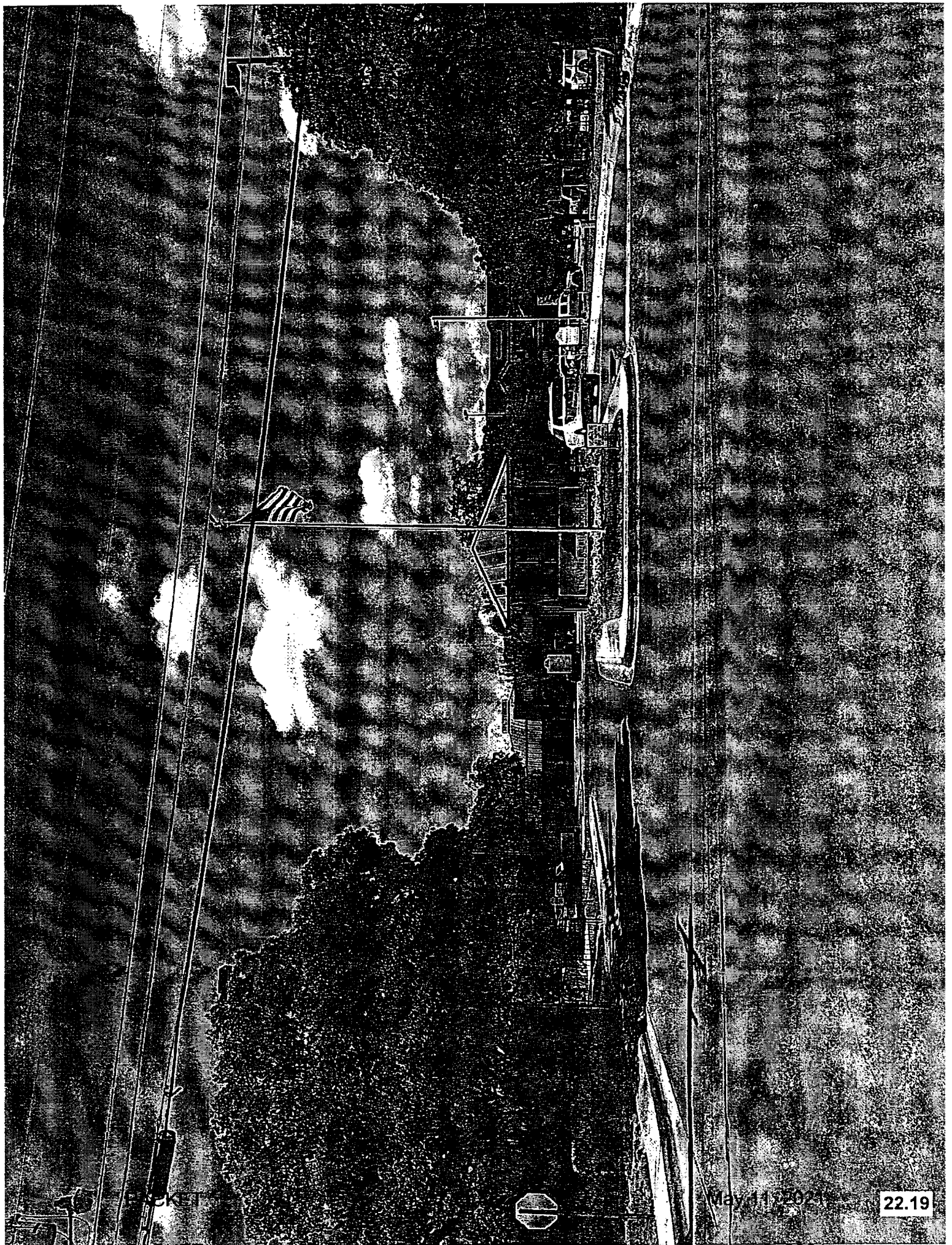
August 2, 2021



PACKET 1

May 11, 2021

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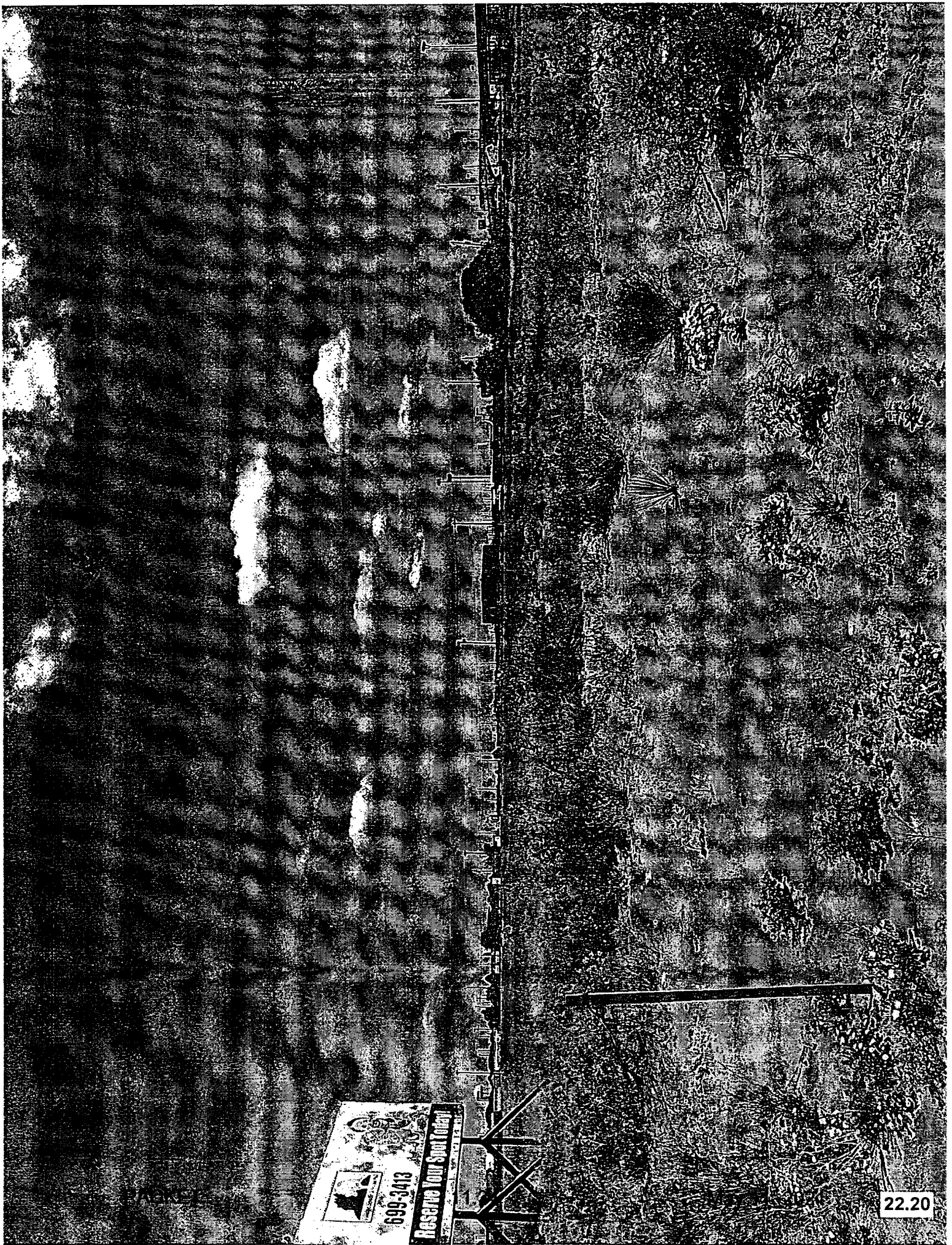


PACKET



May 11, 2021

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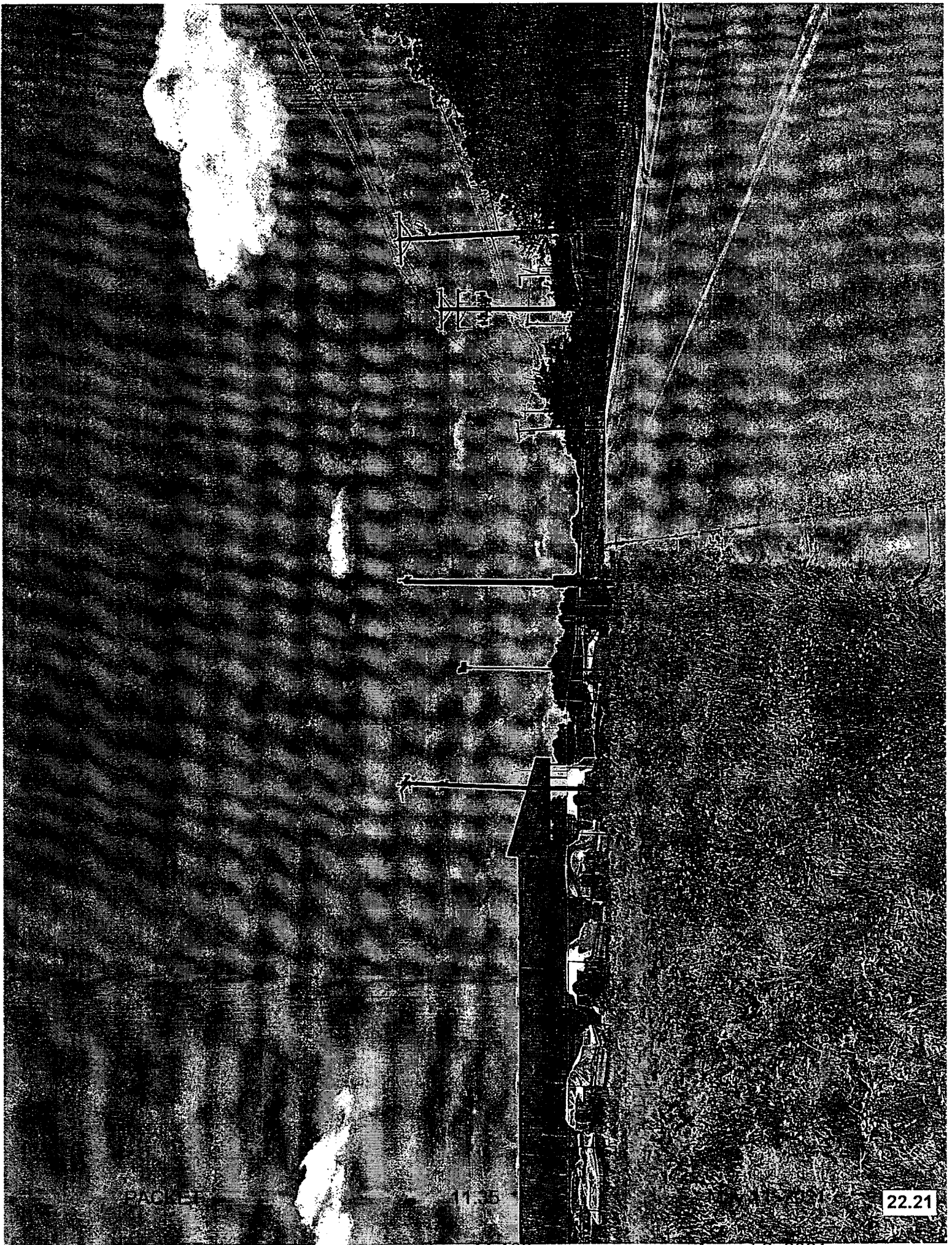


PACKET

PACKET



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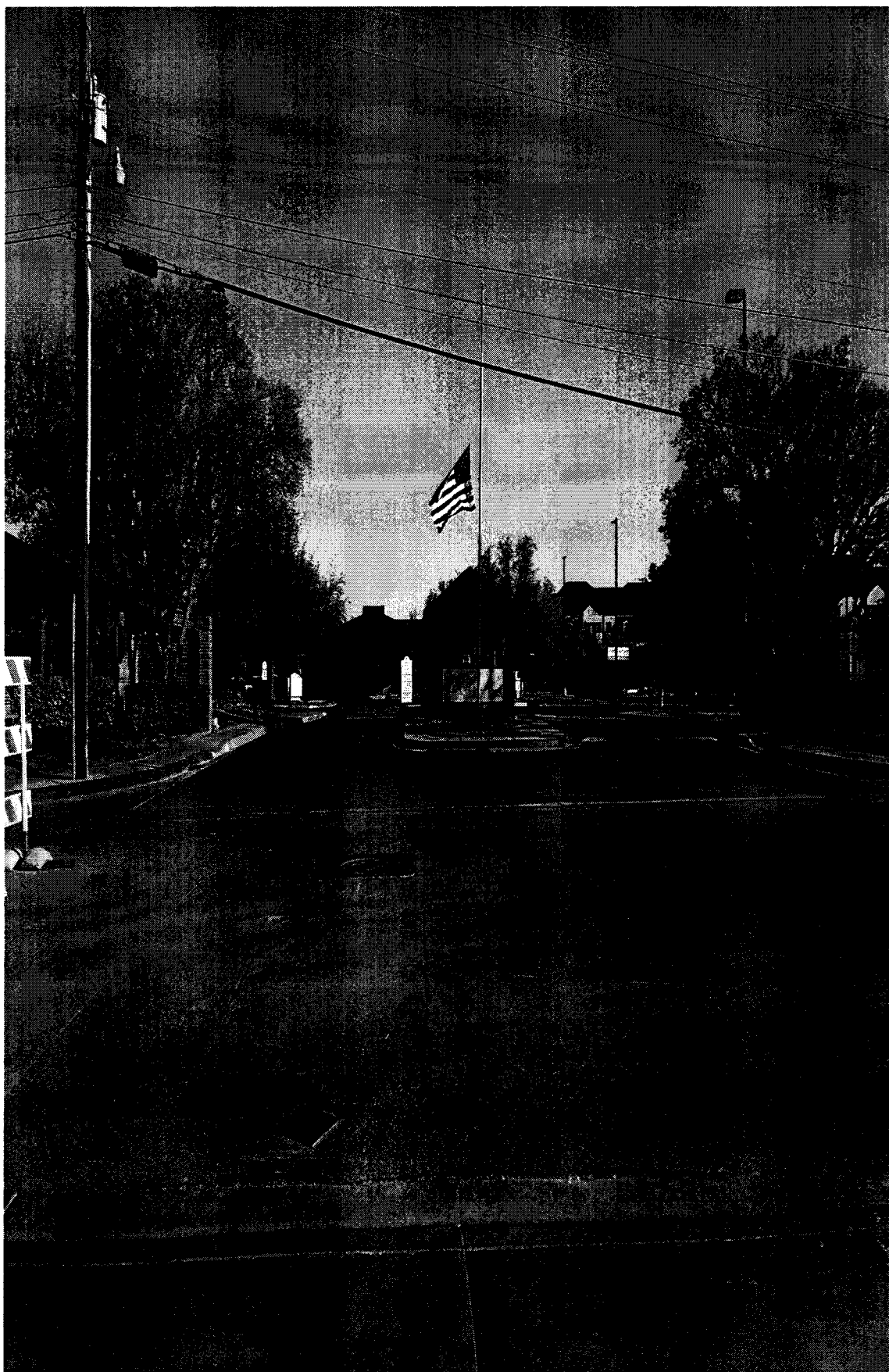


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PACKET



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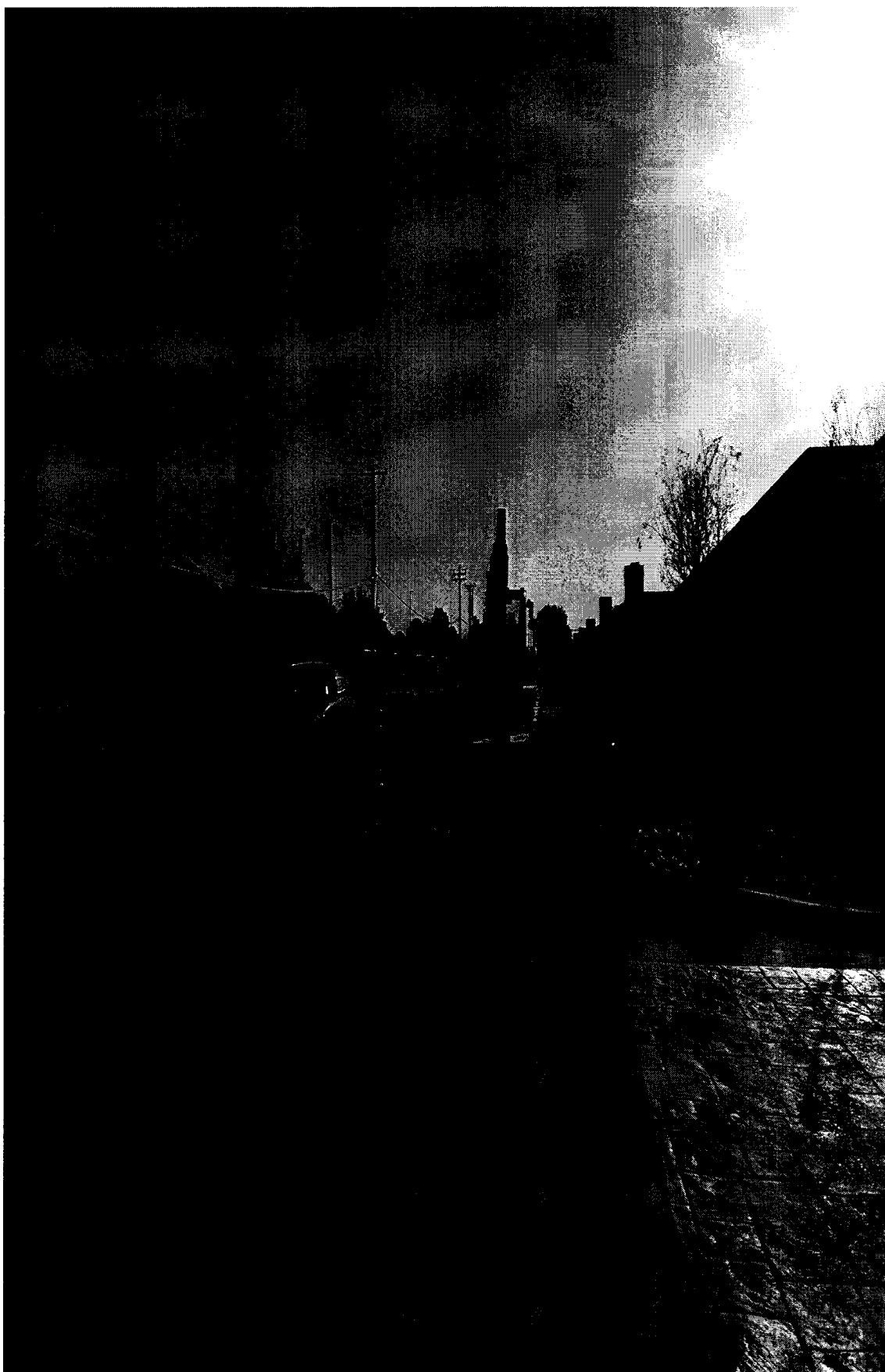
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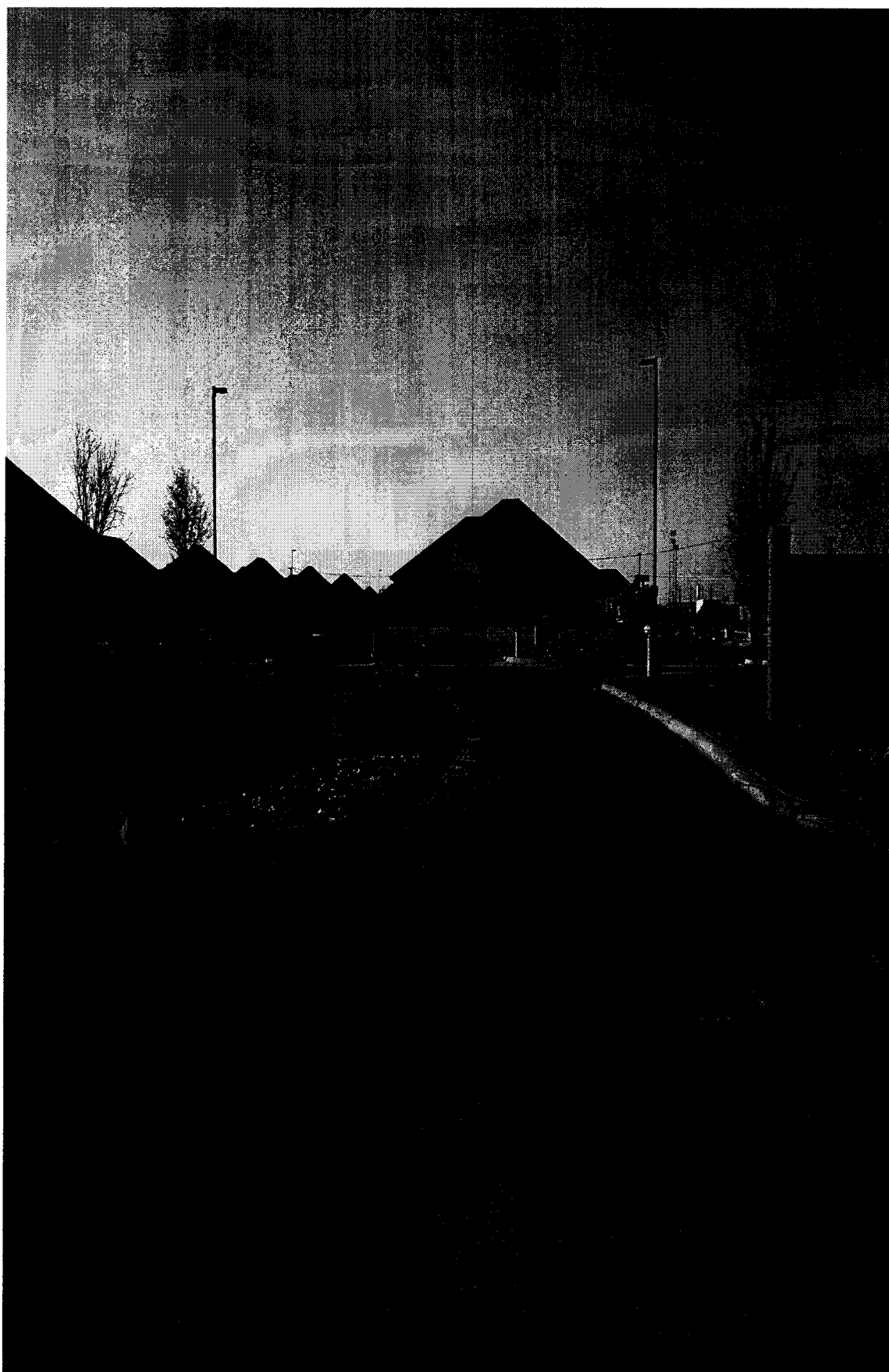
May 11, 2021

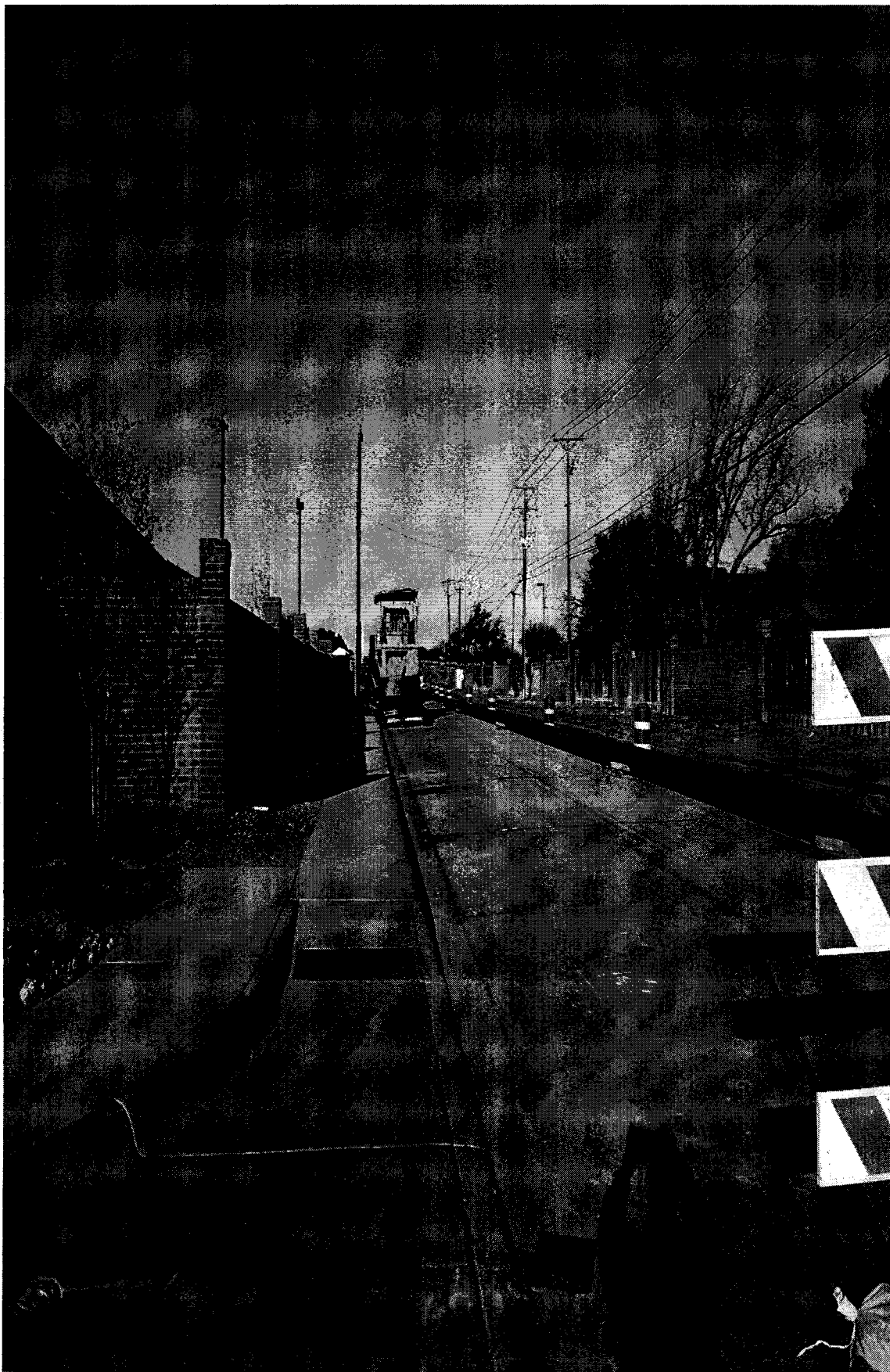
PACKET

Page 11.167

August 2, 2021







PACKET

11.39

May 11, 2021

PACKET

Page 11.170

August 2, 2021











Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Joseph Marynak, Planner

SUBJECT: Hold a public hearing and consider a request by Bertha Ramirez for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 4,977 square foot portion of Lot 1, Block 11, Westridge Park Addition, Section 27 City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Road and Tradewinds Boulevard. Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

RR, Regional Retail District

Details of Request:

The applicant, Bertha Ramirez, is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages, for on premises consumption, in a restaurant at 1119 Tradewinds Boulevard.

Surrounding Zoning and Land Use:

The property to the north, south, and west are zoned RR, Regional Retail District, and the location of vacant land. The property to the south is zoned O2, Office District and the location of medical offices.

Analysis:

The property is located in the RR, Regional Retail District. This zoning district permits the sale and on premises consumption of alcoholic beverages in a restaurant, with the approval of a

Specific Use Designation with Term.

The site is located at 1119 Tradewinds Boulevard, and has an expired Specific Use Designation for sale and on premises consumption of alcoholic beverages. The serviceable area will have a maximum indoor floor area of 4,977 square feet which includes a bar, dining room, and patio. The site currently has 95 parking spots which is adequate for the proposed use. The applicant is requesting alcohol service hours as the following:

Monday through Sunday, 9:00 a.m. to 2:00 a.m.

The proposed hours of operation are the following:

Monday through Sunday, 6:00 a.m. to 2:00 a.m.

Per Midland City Code 5.4.4. –Prohibited place of business

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

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

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

Fire: (Approved)

No objections.

Engineering: (Approved)

No objections.

Traffic: (Approved)

No objection to zone change.

Building Code: (Approved)

No Objection. Occupant load is 413 and shall be posted.

Planning:

The request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 6-

Character Plan Goal 4, “Encourage the development of places where Midland residents can gather and socialize to build connections” (Tall City Tomorrow page 137). The SUD for La Mission will give Midlanders an opportunity to socialize will enjoying a long time community staple in a new location.

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, subject to Condition A through G.

Conditions:

A. That the serviceable area of the restaurant shall be limited to approximately 4,977 square feet as shown in Exhibit “A”, which is attached hereto and incorporated herein for all purposes.

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

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

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

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

Monday through Sunday, 9:00 a.m. to 2:00 a.m.

F. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.

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

Letters of Objection:

As of July 28, 2021, staff has not received any letters of objection.

Attachments:

Floor Plan (Exhibit A)
Application
Maps



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

Project Number: SUD-21-0110
Case Number: _____

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

Printed Name: Bertha Ramirez

Phone (432) 559-5096

Email: r.jordan21@hotmail.com

Address: 1407 W Co Rd 130

City: Midland

State: TX

Zip: 79706

Property Owner

Printed Name: BBKG 1119T, LLC

Phone (432) 682-1671

Email: brandon@bbkginvestments.com

Address: PO Box 1772

City: MIDLAND

State: TX

Zip: 79702

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()

Email: _____

Address: _____

City: _____

State: _____

Zip: _____

Street Address: 1119 Tradewinds Blvd.

Business Name: La Mision Restaurante and Cantina

Legal Description

Lot: 1 Block: 11 Subdivision: WESTRIDGE PARK ADDITION SECTION 27
PARCEL 10: R211572

Current Zoning: _____

Reason for Request: New Location

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

Proposed/Current Days and Hours of Operation: Mon - Sunday 6am - 2am.

Proposed Days and Hours of Alcohol Service: Mon - Sunday 9am - 2 a.m.

Total Square Footage of Business: _____

Square Footage of Alcohol Serviceable Area: _____

Restroom Fixtures: Men

Toilets/Urinals: 2 / 2

Bathroom Sinks: 2

Women

Toilets: 3

Bathroom Sinks: 2

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):

Date: 7-8-2021

Applicant (printed): Bertha Ramirez

Property Owner (signature): BBKG 1119 T, LLC / BRANDIN WILLIAMS

Date: 7-8-2021

Property Owner (printed): M. B. Williams

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

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

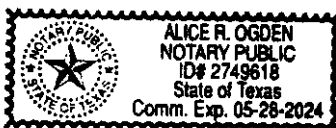
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Bertha Ramirez
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of July, 2021, to certify which witness my hand and seal of office.



Alice R. Ogden
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Floor Plan

☒ Application Fee

☒ Site Plan

Check # 17709

☐ Plans in Digital Format (PDF/JPEG)

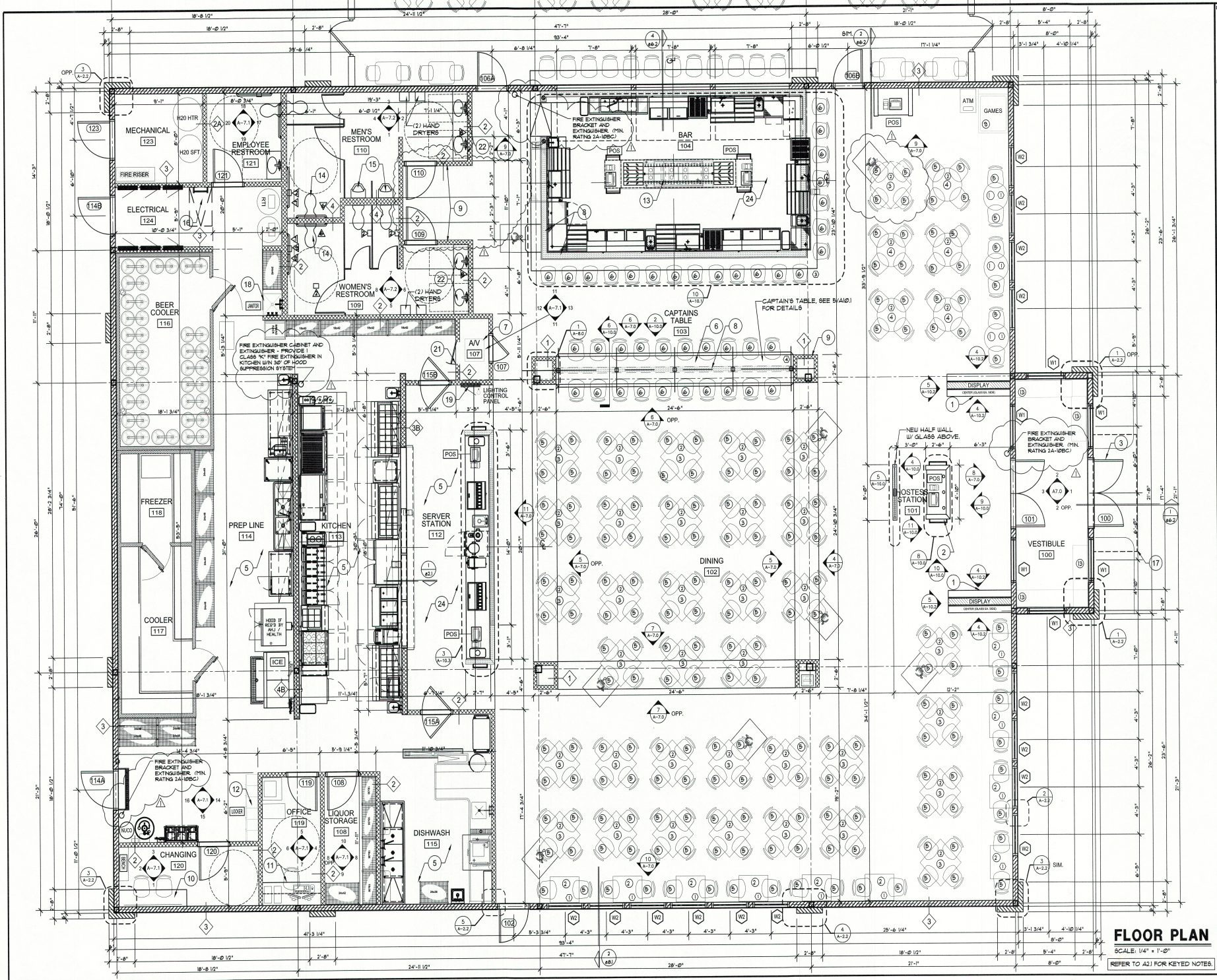
Received By: *Joseph W. [Signature]*

Date: _____

RECEIVED
JUL 08 2021

BY: *[Signature]*

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



FLOOR PLAN

SCALE: 1/4" = 1'-0"
REFER TO A21 FOR KEYED NOTES.

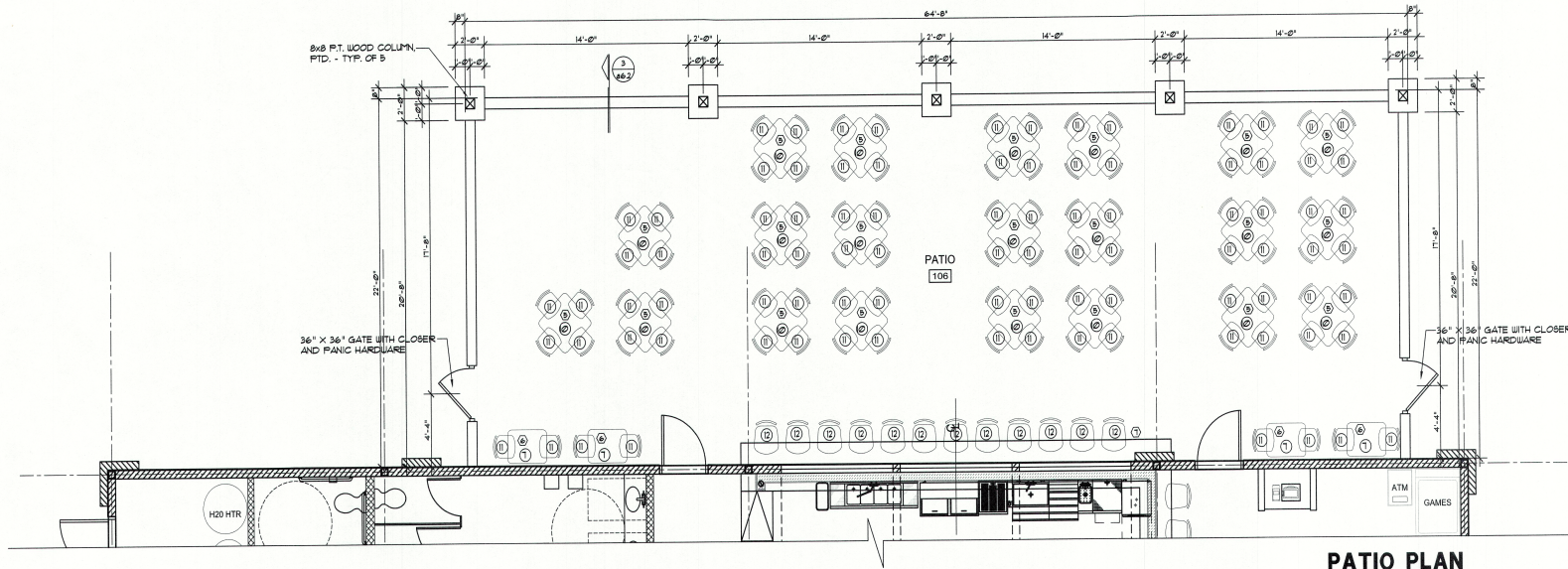
rchitectonics Studio
 10000 AA-0003947 St. Petersburg, FL 33701
 2416 6th Ave N
 Tel 727-323-6676
 info@architectonicsstudio.com www.architectonicsstudio.com

Tilted Bilt
 NEW CONSTRUCTION
 Midland, Texas

Floor Plan
 Project No. 10000 AA-0003947
 Date: April 26, 2014

6/5/14
 MICHAEL JARRIGO
 LIC NO. 18741

a2.0



PATIO PLAN

SCALE: 1/4" = 1'-0"

WALL LEGEND

	FULL HEIGHT EXTERIOR WALL
	FULL HEIGHT INTERIOR WALL
	HALF WALL
	COOLER WALL

SEATING LEGEND

	QUANTITY	SEATING
DINING		
TWO TOPS	13	26 (1)
FOUR TOPS	40	160 (2)
DINING TOTAL	53	186
BAR		
BARSTOOLS	20	20 (3)
CAPTAIN TABLE	1	20 (4)
BAR TOTAL	21	40
DINING + BAR TOTAL		226
PATIO		
FOUR TOPS	21	84 (5)
TWO TOPS	4	8 (6)
BARSTOOLS	12	12 (7)
PATIO TOTAL	31	104
GRAND TOTAL		330

GENERAL NOTES

- OWNER'S VENDOR TO SUPPLY ALL FREESTANDING TABLES, CHAIRS AND BARSTOOLS. GC TO UNPACK AND INSTALL.
- INSTALL ALL ACCESSORIES WITH SCREWS OR BOLTS EXTENDING AT LEAST 1" INTO SOLID BLOCKING.
- ALL ACCESSORIES MOUNTING HEIGHTS TO MEET ANSI A117.1-1998.

EQUIPMENT/ACCESSORIES SCHEDULE

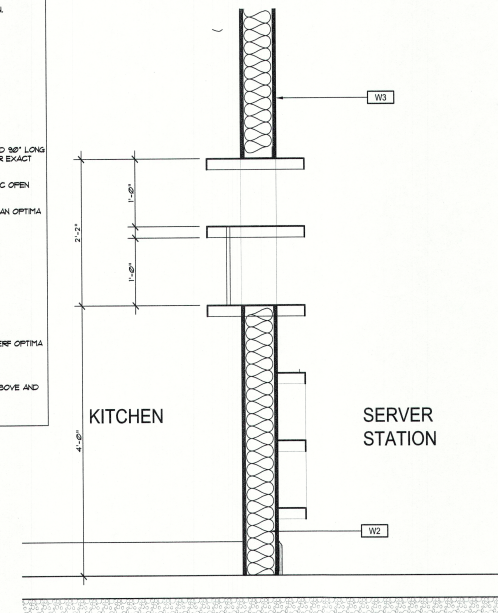
DESCRIPTION	QTY AND MODEL NO.
(1) TWO TOP TABLES (ROUND) - 3	FURNISHED BY OWNER'S VENDOR
(2) TWO TOP TABLES (SQUARE) - 10	FURNISHED BY OWNER'S VENDOR
(3) FOUR TOP TABLES (SQUARE) - 35	FURNISHED BY OWNER'S VENDOR
(4) FOUR TOP TABLES (ROUND) - 5	FURNISHED BY OWNER'S VENDOR
(5) CHAIR - 186	FURNISHED BY OWNER'S VENDOR
(6) BARSTOOL - 40	FURNISHED BY OWNER'S VENDOR
(7) TWO TOP PATIO TABLE (SQUARE) - 4	
(8) NOT USED	
(9) VIDEO GAME	FURNISHED BY OWNER'S VENDOR
(10) FOUR TOP PATIO TABLE (SQUARE) - 21	FURNISHED BY OWNER'S VENDOR
(11) PATIO CHAIR - 92	FURNISHED BY OWNER'S VENDOR
(12) BARSTOOL PATIO - 12	
(13) BENCH	FURNISHED BY OWNER'S VENDOR
(14) TRASH/ASH CAN	FURNISHED BY OWNER'S VENDOR

SYMBOLS

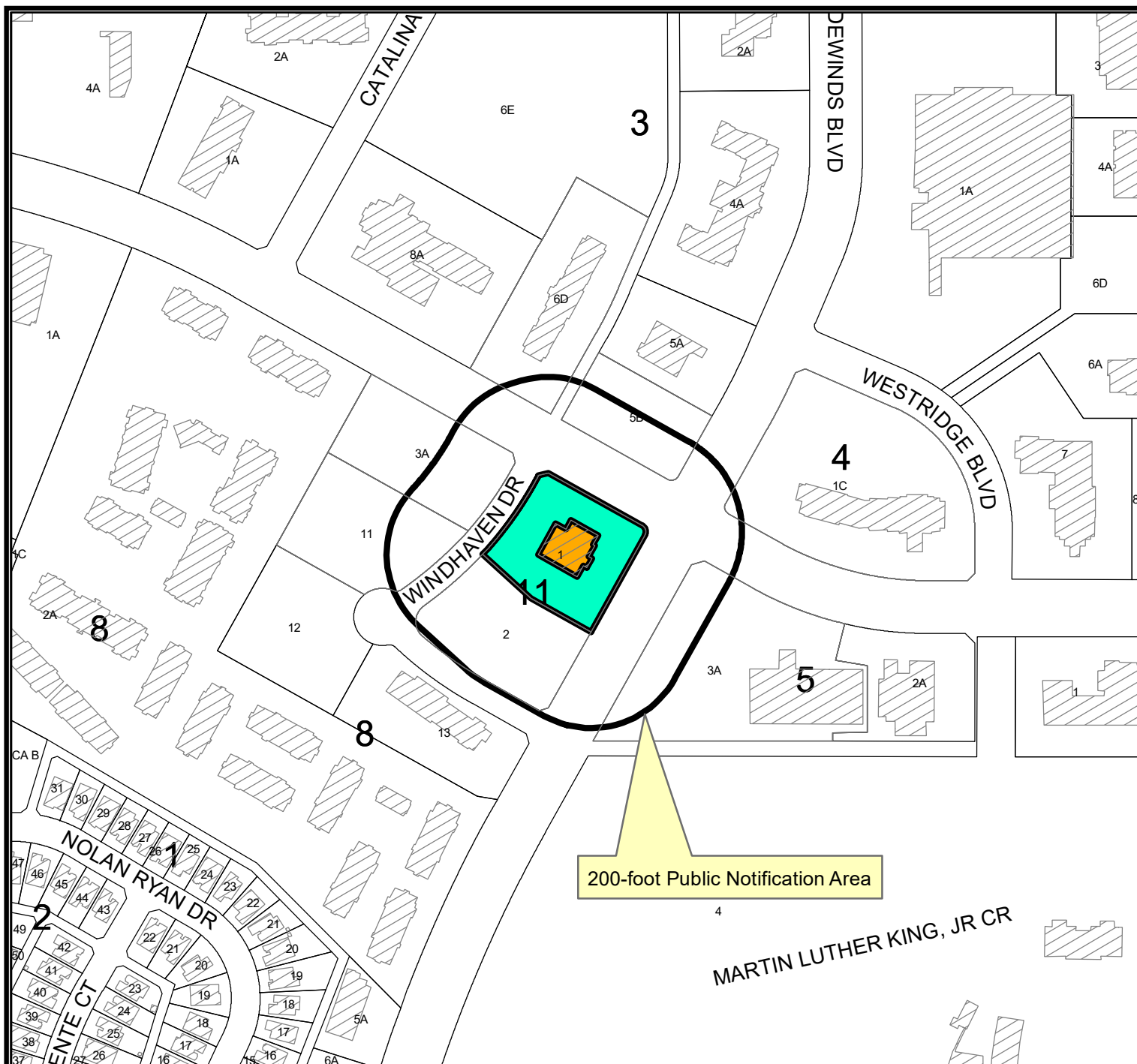
	ROOM NUMBER
	INTERIOR PARTITION - REFER WALL LEGEND ON A-01
	HALF WALL
	EXTERIOR WALL
	KEYED NOTES - REFER TO FLOOR PLAN NOTES
	ELEVATION TAG
	DOOR TAG
	WALL TYPE

FLOOR PLAN NOTES

- DISPLAY CASE PROVIDED BY OWNER.
- NEW HOSTESS / WAIT STATION. REFER TO DETAILS SHEETS FOR ADDITIONAL INFO.
- NEW PAIR OF CUSTOM FIBERGLASS ENTRY DOORS. REFER TO DOOR SCHEDULE FOR ADDITIONAL INFORMATION.
- NOT USED.
- EQUIPMENT AREA. REFERENCE FOOD SERVICE EQUIPMENT DRAWINGS FOR ADDITIONAL INFORMATION.
- NEW CAPTAIN'S TABLE. REFER TO DETAILS SHEETS FOR ADDITIONAL INFO.
- A/V EQUIPMENT. PROVIDE ACCESS DOOR PANEL IN REAR.
- NEW 6" LOW WALL.
- NEW FULL HEIGHT WALL.
- NEW VANITY COUNTER TOP AND NEW MIRROR BY MILLWORK VENDOR. INSTALLED BY G.C.
- ALL OFFICE MILLWORK AND CABINETS BY MILLWORK VENDOR. INSTALLED BY G.C.
- NEW LOCKERS PROVIDED BY OWNER AND INSTALLED BY G.C. QTY 42 TYP. UNO.
- PROVIDE (4) 8" CONDUIT FOR BEER SYSTEM. ALL CONDUIT SHALL HAVE GRADUAL TRANSITIONS AND 90° LONG SLEEVES FOR ALL TURN-INDICATORS. GC (SEE CONTACT KITCHEN VENDOR AND/OR BEER SUPPLIER FOR EXACT SIZE, QUANTITY AND LOCATION).
- NEW ADA COMPLIANT WATER CLOSET FIXTURE - KOHLER HIGHCLIFF K4568-B WITH LUSTRA K-4670-C OPEN FRONT SEAT AND SLOAN OPTIMA PLUS MODEL 811 WATER CLOSET FLUSHMETER.
- NEW ADA COMPLIANT URINAL FIXTURE - KOHLER DEXTER ELONGATED URINAL K-5016-ER WITH SLOAN OPTIMA PLUS MODEL 810A URINAL FLUSHMETER.
- ROOF ACCESS. REFER TO A-33 FOR DETAILS.
- LINE OF CANOPY ABOVE. REFER TO EXTERIOR ELEVATIONS FOR ADDITIONAL INFORMATION.
- NEW HOP SINK.
- LIGHTING CONTROL PANEL.
- NOT USED.
- A/V ACCESS PANEL - COORDINATE WITH A/V CONSULTANT.
- NEW ADA COMPLIANT SINK - AMERICAN STANDARD OVALYN UNDERCOUNTER 0495321 WITH SLOAN ENF OPTIMA PLUS ENF-615 FAUCET.
- NOT USED.
- SERVICE AREA 12 AND BAR 104 TO HAVE 12" (BLACK FRP) - PASS THRU WALL SHOULD HAVE 12" ABOVE AND 12" BELOW.



1 SERVING STATION WALL SECTION
SCALE: 1" = 1'-0" DTL NAME



LOCATION MAP

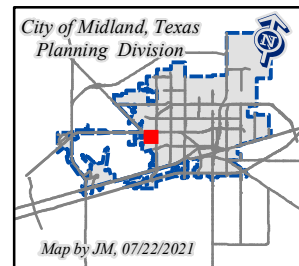
SUD-21-0110

Scale: 1" = 300'

A request by Bertha Ramirez for a Specific Use Designation with term for the sale of all alcoholic beverages on a 4,977 square foot portion of Lot 1, Block 11, Westridge Park Addition, Section 27, City and County of Midland, Texas. Generally located on the southwest corner of the intersection of Deauville Road and Tradewinds Boulevard. (Council District 4)

LEGEND

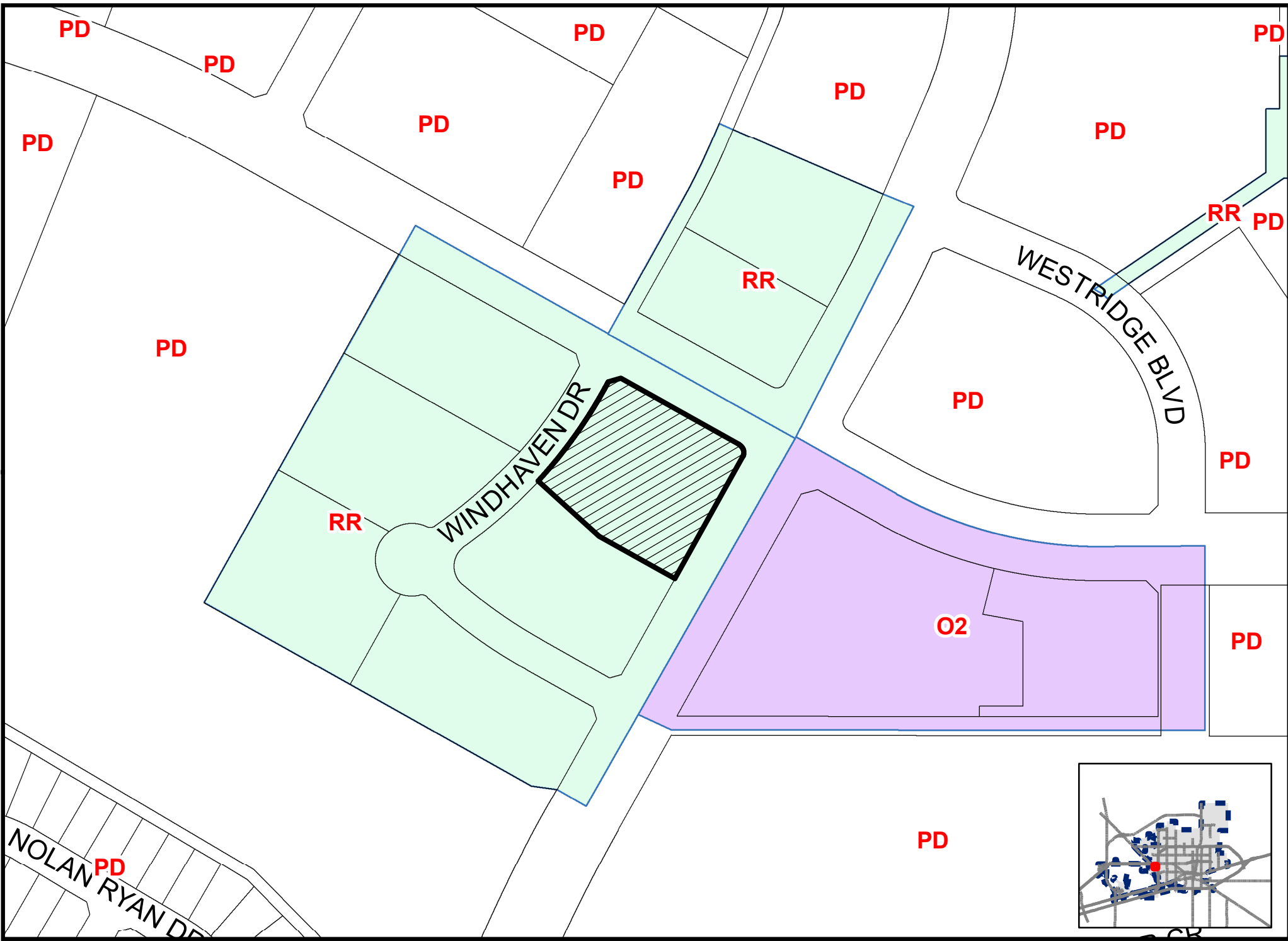
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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:
Cristina Odenborg Burns

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez

SUBJECT: Hold a public hearing and consider a request by Aaron Burrell for a zone change from BP, I-20 Business Park District, in part; RR, Regional Retail District, in part; and LI, Light Industrial District in part, to BP, I-20 Business Park on a 15 acre tract of land located in Section 12, Block 40, T-2-S, T&P RR Co. City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Lote Bush Drive and West Interstate 20. Council District 2)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

BP, I-20 Business Park District, in part; RR, Regional Retail District, in part; and LI, Light Industrial District in part.

Departmental Review:

Details of the Request:

The applicant, Aaron Burrell, is requesting a zone change on a 15 acre tract of land located in Section 12, Block 40, T-2S, T&P RR Co. for the purpose of consolidating voting into one district for the entire lot to construct an automotive mechanic's shop.

Surrounding Zoning and Land Use:

The properties to the west is zoned BP, I-20 Business Park District and LI, Light Industrial District and the locations of truck stop and a storage facility, respectively. The properties to the south is zoned LI, Light industrial District and the location of vacant land and dispersed single family housing. The properties to the west are zoned BP, I-20 Business Park District and reside

outside of the City limits, respectively, and the locations of vacant land.

Analysis:

The applicant is proposing to construct an automotive mechanic's shop. This use is allowed in the BP, I-20 Business Park district.

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

Fire: (Approved)

No objections.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Engineering: (Approved)

No objection to zone change.

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

Our staff has examined the FEMA flood map and it appears that this property lies partially within Zone A, which is a Special Flood Hazard Area subject where no base flood elevations has been determined.

For any property/structure within this floodplain, the base flood elevation will need to be determined through a detailed study or by a FEMA approved method.

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

Code: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during

construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

No objection to zone change.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, “Future Land Use Map” as it designates this area for Business Park I-20 which specifically calls for the BP, I-20 Business Park zoning district.

Therefore, staff recommends approval of this zone change from BP, I-20 Business Park District, in part; RR, Regional Retail District, in part; and LI, Light Industrial District in part, to BP, I-20 Business Park, subject to condition A.

Conditions:

A. That the use and development of this property shall conform to the regulations of the BP, I-20 Business Park District.

Letters of Objection:

Staff has not received any letters of objection as of November 11, 2020.

Attachments:

Application
Maps

ZONING EXHIBIT

Legal Description for Zoning:

Being a 15.00 Acre Tract of Land recorded in Document No. 2020-29364, Official Public Records, in Section 12, Block 40, T-2-S, T&P RR Co Survey, City of Midland, Midland County, Texas.

Beginning at (N:10675664.50', E:1737265.39') a 1/2" iron rod with cap marked "ASB 5689" set in the east line of said Section 12, the west line of Section 7, Block 39, T-2-S, and the west right of way line of South County Road 1230 for the southeast corner of this tract, whence a 1/2" iron rod found at the southeast corner of said Section 12 bears South 14°17'41" East, a distance of 1211.19 feet;

Thence South 75°10'59" West, a distance of 300.01 feet to a 1/2" iron rod set in the east line of a 79.91 acre remainder tract in said Section 12, being the southwest corner of this tract;

Thence North 14°17'41" West with the east line of said 79.91 acre remainder tract, passing the northeast corner of said 79.91 acre remainder tract and the southeast corner of Lot 4, Block 4, Southwest Crossing, Section 4, then passing the northeast corner of said Lot 4, Block 4 and the southeast corner of the intersection of Cholla Road and Lote Bush Drive, continuing with the east right of way line of said Lote Bush Drive for a total distance of 2112.23 feet to a 1/2" iron rod found in the south right of way line of Interstate 20 for the northwest corner of this tract;

Thence North 51°35'39" East with the south right of way line of said Interstate 20, a distance of 328.68 feet to a 1/2" iron rod found in the east line of said Section 12 and the west line of said Section 7 for the northeast corner of this tract;

Thence South 14°17'41" East with the east line of said Section 12 and the west line of said Section 7, passing the north end of said South County Road 1230, continuing with the west right of way line of said South County Road 1230 for a total distance of 2243.77 feet to the Point of Beginning.

Containing 15.00 acres of land.

Bearings, distances, and coordinates are relative to the Texas Coordinate System, NAD 83, Central Zone (CORS).

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

This Exhibit & Description were prepared from record information for a political subdivision (zoning) and do not represent an actual on the ground survey.

20 October 2020



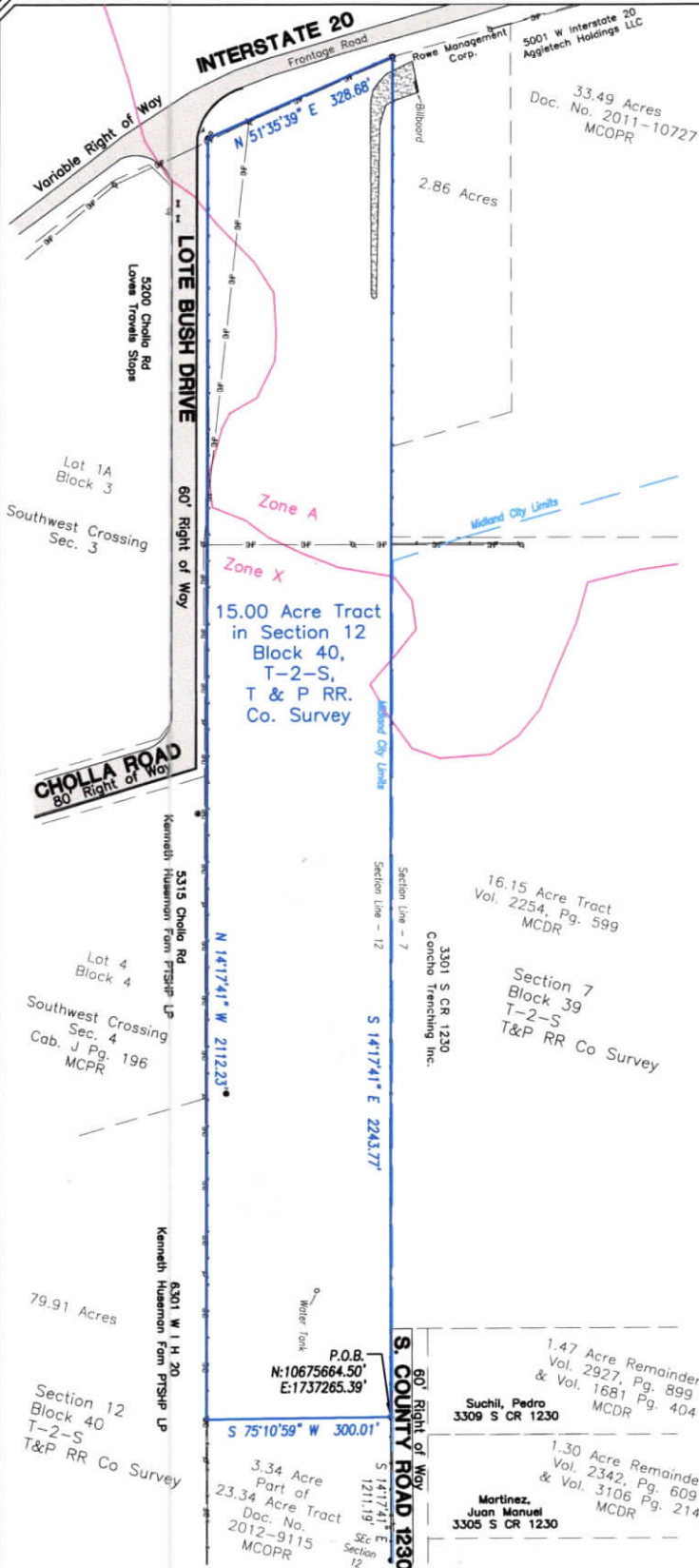
Aaron S. Burrell
Registered Professional Land Surveyor
Texas No. 5689

Professional Land Surveying & Mapping
Aaron Burrell Land Surveyors, LLC
TBPLS Firm No. 10194217

415 W. Wall St., Suite 204 P.O. Box 81041
Midland, Texas 79701 Midland, Texas 79708

432-848-4439
www.asbsurveyors.com

Page 1 of 1
2020-752 zoning



**15.00 ACRE TRACT IN
SECTION 12,
BLOCK 40, T-2-S,
T&P RR Co SURVEY,
CITY & COUNTY OF
MIDLAND, TEXAS.**



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

Project Number: 2-20-0200
Case Number: _____

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

Property Owner Printed Name: <u>Ramon & Marina Villa Lobos</u>		Phone <u>(432) 230-6018</u> Email _____	
Address <u>4504 Pasadena Dr.</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79703</u>

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

Street Address: <u>South Frontage Interstate 20</u>			
Legal Description Lot: <u>N/A</u> Block: _____ Subdivision: <u>15.00 Acres in Section 12, Block 46, T-2 S.</u>			

Current Zoning: <u>Mixed BP/RR/LI</u>	Proposed Zone: <u>BP</u> (List by tracts if more than one district is requested)
--	--

Reason for Zone Change Request: <u>To have only one zone.</u>
--

Present Use of Property: <u>Vacant</u>

Proposed Use of Property: <u>Auto Mechanic</u>

How would this zone change affect the public health, safety and welfare? <u>it would not</u>

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

Submittal and Fees Items to be submitted with this application form: • Application Fee – Payable to the 'City of Midland' • Dimensioned Site Plan • Digital Copies of Site Plan (PDF/JPEG)	RECEIVED OCT 20 2020 BY:
---	---

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>Aaron Burrell</u>	Date: <u>10-20-20</u>
Applicant (printed): <u>Aaron Burrell</u>	
Property Owner (signature): <u>Ramon Villalobos</u>	Date: <u>10-12-20</u>
Property Owner (printed): <u>Ramon Villalobos</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

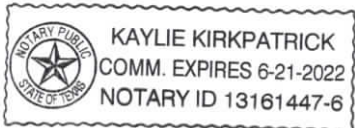
STATE OF TEXAS
COUNTY OF MIDLAND

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

Aaron Burrell
Authorized Agent (signature)

Subscribed and sworn to before me, this 20 day of October, 2020, to certify which witness my hand and seal of office.

Kaylie Kirkpatrick
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>1014</u>	
Received By: <u>ES</u>	Date: <u>RECEIVED</u>

OCT 20 2020

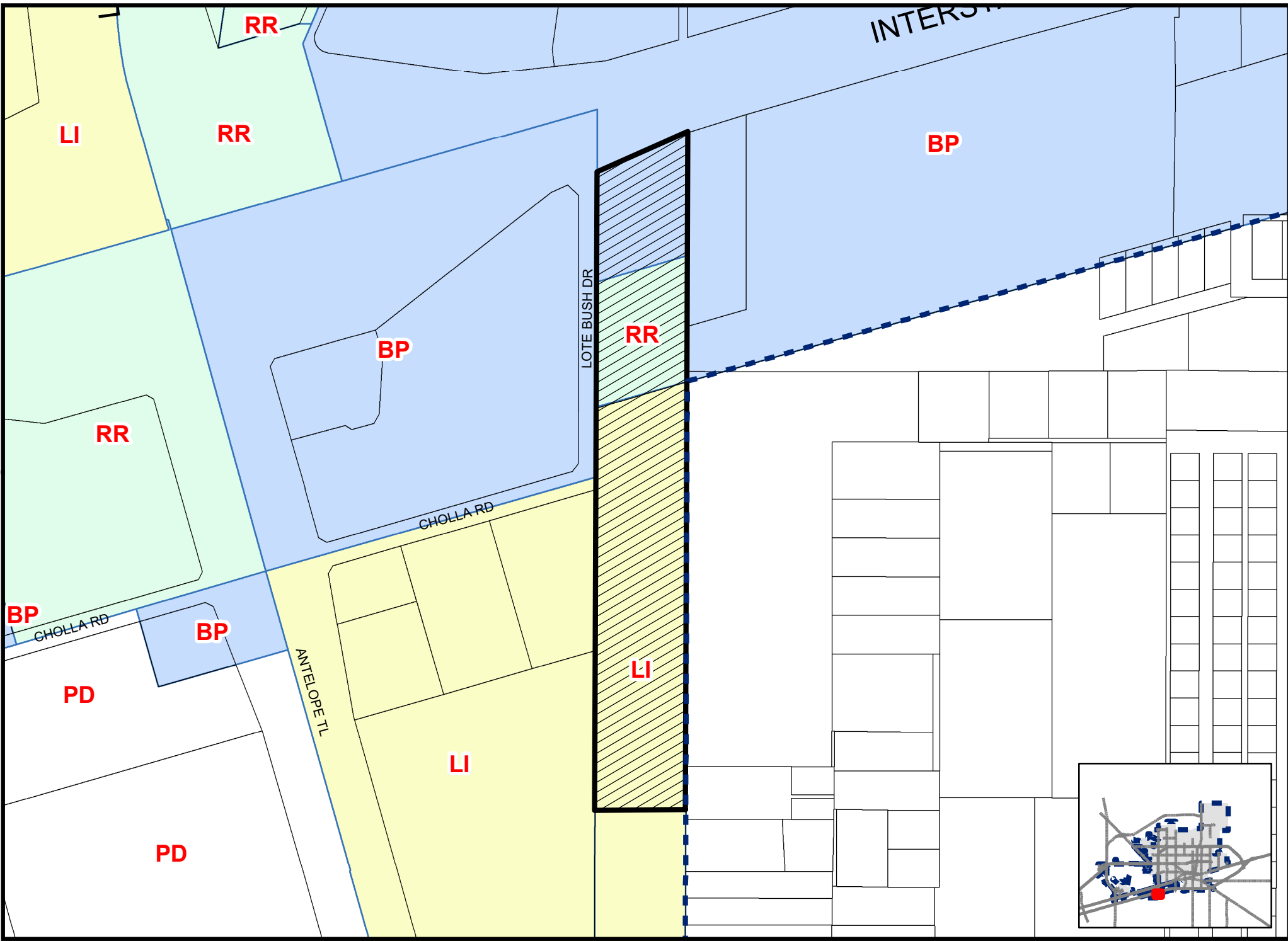
BY:

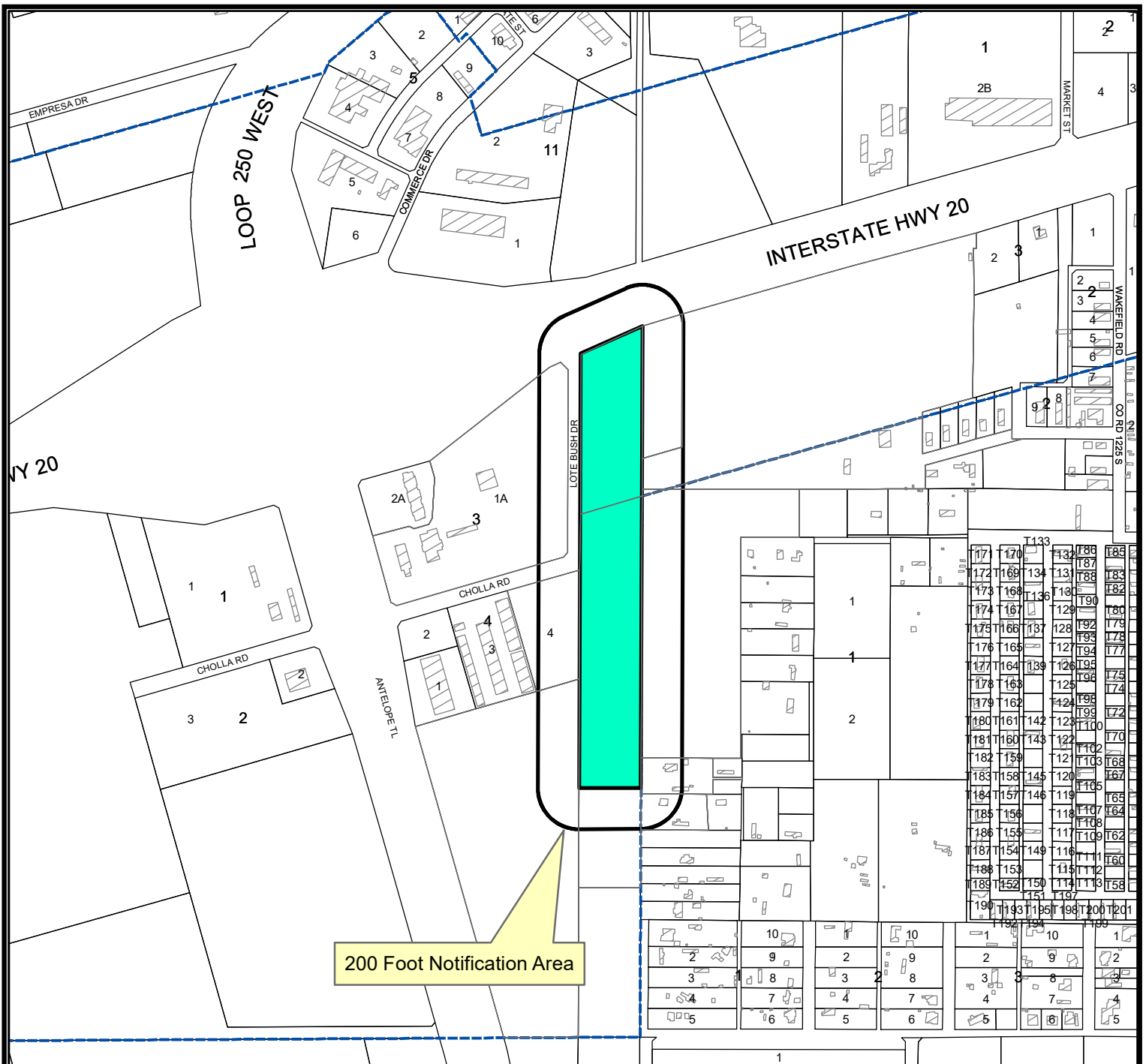
****Application will not be considered for scheduling until reviewed by a planner.****

PACKET

Page 13.194

August 2, 2021





LOCATION MAP

Z-20-0200

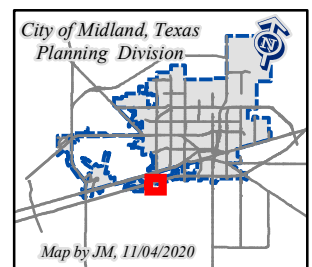
Scale: 1" = 700'

Consider a request by Aaron Burrell for a zone change from BP, I-20 Business Park District, in part; RR, Regional Retail District, in part; and LI, Light Industrial District, in part; to BP, I-20 Business Park on a 15-acre tract of land located in Section 12, Block 40, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of Lote Bush Drive and West Interstate 20. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 02, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez, Planner

SUBJECT: Hold a public hearing and consider a request by Jose Chavez for a zone change from LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lot 3, Block 3, Moody Addition, City and County of Midland, Texas. (Generally located on the west side of N. Madison Street, approximately 146-feet south of South Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

LI, Light Industrial District

Purpose:

The applicant, Jose Chavez, is requesting to rezone the property located at 507 N. Madison Street to allow for the construction of a residential home.

Surrounding Zoning and Land Use:

The properties to the north, east, and west are zoned LI, Light Industrial District, and the locations of vacant land, the City's fuel station, and a residential home. The property to the south is zoned SF-3, Single-Family Dwelling District and the location of a residential home.

Analysis:

The applicant, Jose Chavez, is requesting to rezone the property from LI, Light Industrial District to SF-3, Single-Family Dwelling District, to allow for the construction of a residential home. Under the previous zoning code, the current zoning district would have allowed for the construction of single-family homes. Under the new Zoning Code adopted in 2019, residential uses became more specific to single-family zoning districts. The

property meets the minimum lot size requirements for the SF-3, Single-Family Dwelling District.

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

Fire: (Approved)

No objections.

Building: (Approved)

No issues. A demolition permit will be required for the removal of existing structure. 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.

Engineering: (Approved)

No objection to zone change.

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

Code: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location.

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.

No objection to zone change.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Future Land Use Map" as it designates this area for urban-medium. This designation calls for a mix of uses that include single-family homes and neighborhood and community commercial. This request also fits with the characteristics of the surrounding area.

Therefore, staff recommends approval of this zone change from LI, Light Industrial District to SF-3, Single-Family Dwelling District, subject to condition A.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of July 28, 2021.

Attachments:

Application
Maps



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

Project Number: 2-21-0249

Case Number: _____

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

Printed Name: Jose Chavez

Phone (575) 694-3413

Email: ferre-chavez@ymail.com

Address 507 N Madison

City Midland

State TX

Zip 79701

Property Owner

Printed Name: Jose Chavez

Phone (575) 694-3413

Email: ferre-chavez@ymail.com

Address 1611 La mesa Rd

City Midland

State TX

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 507 N Madison

Legal Description

Lot: _____

Block: _____

Subdivision: _____

Current Zoning:

L1

Proposed Zone:

SF-3

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

Reason for Zone Change Request: Casa nueva

Present Use of Property: Nacino

Proposed Use of Property: Casa nueva

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

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

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature): [Signature] Date: 6-30-21

Applicant (printed):

Property Owner (signature): [Signature] Date: 6-30-21

Property Owner (printed): _____

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Dimensioned Site Plan N/A

☒ Application Fee

☐ Plans in Digital Format (PDF/JPEG) N/A

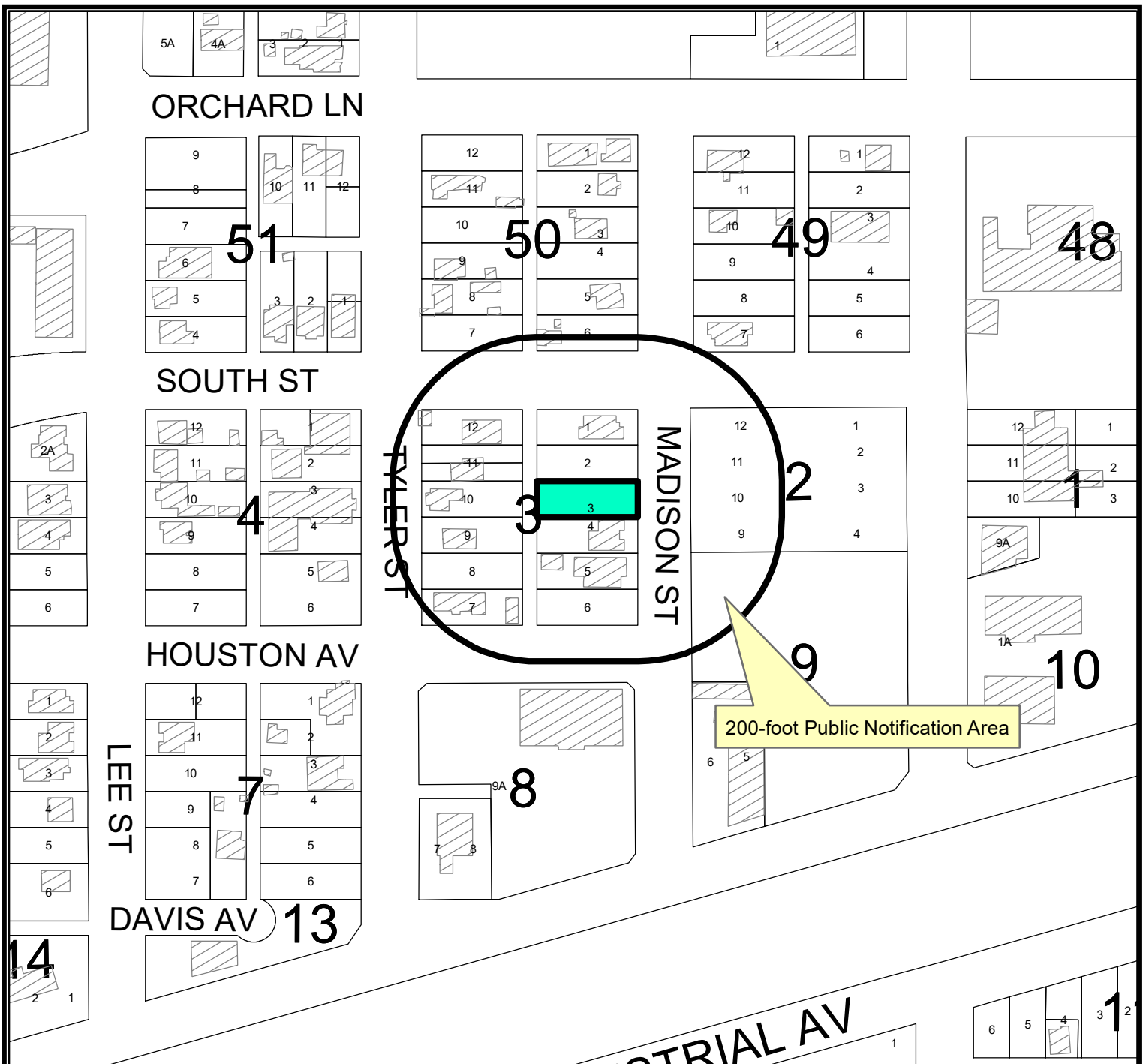
Check # Credit

Received By: [Signature]

Date: 6-30-21

JUN 30 2021

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



LOCATION MAP

Z-21-0249

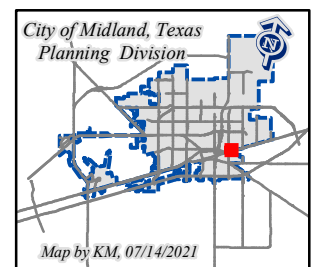
Scale: 1" = 200'

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