

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

**September 6, 2022 - 3:30 PM
Council Chambers – City Hall**



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

VIDEOCONFERENCE INFORMATION

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84736542999>

Or One tap mobile :

US: +13462487799,,84736542999# or +16694449171,,84736542999#

Or Telephone:

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

US: +1 346 248 7799 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 215 8782 or +1 564 217 2000 or +1 646 931 3860 or +1 929 436 2866 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 386 347 5053

Webinar ID: 847 3654 2999

International numbers available: <https://us02web.zoom.us/j/84736542999>

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning and Zoning Commission Meeting minutes for August 15, 2022.
3. Motion approving a Final Plat of Heritage Oaks, Section 8, being a 33.428-acre tract of

land located in Section 25, Block 40, T-1-S, T&P, RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Briarwood Avenue, approximately 450-feet east of Roadrunner Trail – Council District 4) (DEVELOPMENT SERVICES)

4. Motion approving a Final Plat of Greenwood Addition, Section 15, being a re-plat of Lots 4 and 5, Block 42, Greenwood Addition Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Webster Street and Cloverdale Road – Council District 3) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Veteran Development, Section 2, being a 6.00-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Antelope Trail, approximately 130-feet south of W. County Road 120 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
6. Motion approving a Final Plat of Veteran Development, Section 3, being a 6.70-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the west side of Antelope Trail, approximately 910-feet south of West County Road 120 – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
7. Motion approving a Final Plat of Saddleback Estates, Section 2 being a replat of Lots 3, 5-9, and 12-14, Block 3, and Lots 2-19, Block 1, Saddleback Estates Addition, Midland County, Texas. (Generally located on the north side of E. County Road 95m, approximately 520 – feet east of S. County Road 1130. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

8. Motion approving with staff's recommended conditions a proposed Preliminary Plat of West End Addition, Section 27, being a residential re-plat of Lots 7-12, Block 93, Lots 1-12, Block 94, the abandoned alley in Block 94, a 0.263-acre portion of Block 96, the North 40-feet of the west 175-feet of Block 104, Lots 1-5, Block 105, the abandoned portions of Brunson Avenue, the abandoned portions of W. Indiana Avenue and S. K Street, all out of the West End Addition, Vol. 17 Pages 614 & 615, Midland County Deed Records, City and County of Midland, Texas. Generally located on the southwest corner of the intersection of West Missouri Avenue and South J Street - Council District 3)(DEVELOPMENT SERVICES)
9. Motion to approve with staff's recommended conditions, a proposed Preliminary Plat of Green Tree North Addition, Section 23, being a residential replat of Lots 12 & 13, Block 5, Correction Plat Green Tree North, City and County of Midland, Texas. Generally located on the southeast corner of the intersection of Island Dr and Rustic Trail (Council District 1). (DEVELOPMENT SERVICES)
10. Motion approving a request by Jose Chavez for a zone change from MF-22, Multi-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 17, Block 59, Park Avenue Heights Addition, City and County of Midland, Texas. (Generally located on the north side of

East California Avenue, approximately 480-feet east of South Lamesa Road - Council District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

11. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Carrollwood Addition, being a 31.29 - acre tract of land out of the northeast quarter of Section 24, Block 40, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the west side of Antelope Trail, approximately 3,000-feet north of west County Road 140 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The City of Midland Planning and Zoning Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the Planning Division at 432-685-7400 or write to us at P.O. Box 1152, Midland, Texas 79702, at least 48 hours in advance of the meeting.

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
August 15, 2022
Council Chambers – City Hall**



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., August 15, 2022.

Commissioners present: Lucy Sisniega, Dianne Williams, Chase Gardaphe, Stacey Grosse, Emily Holeva

Commissioners absent: Karmen Bryant, Zachary Deck, Adrian Carrasco

Staff members present: Charles Harrington, Elizabeth Shaughnessy, Kelly Martinez, James Reber, Landon Ochoa, Alexandra Walling, Dalia Salinas

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

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

CONSENT ITEMS

Commissioner Gardaphe moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

2. Motion approving the Planning and Zoning Commission Meeting for August 1.
3. Motion approving a Final Plat of Kimber-Lea Addition, Section 14, being a 4.67-acre tract of land out of Lot 15, Block 10, Kimber-Lea Second Section, Blocks 8,9,10, & 11, an addition to the City and County of Midland, Texas. Generally located on the north side of Wadley Avenue, approximately 170 feet to the east of Midkiff Road – Council District 3)
4. Motion approving a Final Plat of Lone Star Trails II, Section 16, being 50.91 acres of land in Section 7, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Fairgrounds Road & Arapahoe - Council District 1)
5. Motion approving a Final Plat of Lone Star Trails II, Section 14, being a plat of a 9.69-acre tract of land located in Section 7, Block 38, T-1-S, T. & P., R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Occidental Parkway, approximately 1, 335 - feet east of Carriage Road. Council District 1)
6. Motion approving a Final Plat of Voltagrid Addition, being a plat of a 1.8-acre tract of land out of Section 17 and 7.2-acre tract of land out of Section 20, Block 40, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located 2,800 feet east of S Farm to Market Rd 1788 & 2,100 feet south of W I-20 Frontage Road - Extraterritorial Jurisdiction)
7. Motion approving a Final Plat of Southern Addition, Section 26, being a replat of Lots 5, 6, and 7, Block 194, Southern Addition, City and County of Midland Texas. (Generally located on the southeast corner of the intersection of E. Florida Avenue and S. Jefferson Street - Council District 2)

PUBLIC HEARINGS

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

8. Motion approving a request by LCA for a zone change from SF-1, Single-Family Dwelling District in part and 2F-Two-Family Dwelling District in part to PD, Planned Development District for a Civic

Center, and Community Center on Lots 7-9, Block 93, a 0.263-acre portion of Block 96, the North 40-Feet of the West 175-feet of Block 104, the abandoned portions of Brunson Street, a 14, 408 square foot portion W. Indiana Street, a 2,650 square foot portion of the abandoned Brunson Avenue recorded in volume 2933, page 275, all in West End Addition, volume 17, pages 614 & 615, Midland County Deed Records City of Midland and County of Midland, Texas. (Generally located on the east of South "L" Street, approximately 150 - ft south of W. Missouri Avenue - Council District 3).

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

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

The applicant was present but deferred to staff.

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

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

Commissioner Gardaphe moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

9. Motion approving a request by Maverick Engineering for a zone change from, SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned District for Housing Development out of a 317.56-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Fairgrounds and East Mockingbird Road – Council District 1)

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

Commissioner Williams asked about the unidentified oil wells that are addressed in the comments.

Commissioner Sisniega asked what common areas would be provided. Staff explained that they are not providing common areas that instead they are providing amenities, staff then deferred to the applicant for further explanation.

The public hearing was opened at 3:46 p.m.

The applicants, Chris Berry and Ronnie Wallace with Betenbough, addressed the commission and provided a presentation of the project.

Commissioner Sisniega asked if the project plans on using the 20% for the planned amenities.

Mr. Berry explained it is what they are planning on but they have to get it all worked out with the utility companies. He also stated that the green spaces and the roundabout are the only 2 amenities that will not change.

Commissioner Sisniega also asked if any schools are being planned in the area. Mr. Berry explained that they have spoken to MISD about proposed school sites.

Commissioner Sisniega asked what is the target audience for the new housing area.

The public hearing was closed at 4:01 p.m.

Commissioner Gardaphe moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

10. Motion approving with staff's recommended conditions, a proposed preliminary plat of United Addition, being 4.90 acres of land out of Section 16, Block 40, T-2-S T&P Railway Co. Survey, Midland County, Texas. (Generally located on the south side of West I-20, approximately 4,047-feet east of South County Road 1270 - Extraterritorial Jurisdiction)

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

The public hearing was opened at 4:03 p.m.

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

11. Motion approving with staff's recommended conditions, a proposed plat of Cowden Addition, Section 7, being a replat of Lots 5 and 6, Block 12, of Cowden Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Hart Avenue and Bryant Street - Council District 3)

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

The public hearing was opened at 4:05 p.m.

The applicant present but deferred to staff.

The public hearing was closed at 4:06 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

12. Motion approving a request by Jazmin Sandoval Hernandez, El Capitan Mexican Restaurant Marisco's and Bar Corp, for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 7,592 square foot portion of the west 5-feet of Lot 5, all of Lots 6-13 and 19-21, Block A, Garrett Place, City and County of Midland, Texas. (Generally located on the northeast corner of Carlton Street and W. Wall Street, approximately 125-feet east of Carlton Street - Council District 2)

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

The public hearing was opened at 4:10 p.m.

The applicant was not present.

The public hearing was closed at 4:11 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

MISCELLANEOUS

13. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Desert Scene Addition, being a plat of 11.480-acre tract of land out of Section 20, Block 39, T-2-S, T&P RR CO. Survey, Midland County, Texas. (Generally located on the south side of West County Road 140, approximately 460-feet west of South County Road 1210 - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

14. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Covington Addition, Section 8, being a replat of Lots 2, 3, 4, and 5, Block 3, Covington Addition, City and County of Midland, Texas. (Generally located on the east of Jordy Rd, approximately 790-feet northwest of Tower Rd - Council District 4)

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

15. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of West 191 Industrial Park, Section 9, being a replat of Lot 10, Block 1, West 191 Industrial Park, Section 6, City and County of Midland Texas. (Generally located on the south side of West County Road 77, approximately 1,716-feet from North Farm to Market 1788 - Council District 4)

Commissioner Grosse moved to approve; seconded by Commissioner Holeva.

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva

NAY: None

ABSTAIN: None

ABSENT: Bryant, Deck, Carrasco

16. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Cox Addition, Section 2, being a replat of Lot 1, Block 1, Cox Addition, and 2.009-acre tract of land located in Section

8, Block 40, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas. Generally located on the northeast corner of the intersection of Pilot Avenue and Norden Street. (Council District 4)

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

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Gardaphe, Grosse, Holeva
NAY: None
ABSTAIN: None
ABSENT: Bryant, Deck, Carrasco

With no further items or business to come before the Commission, Chairman Sisniega adjourned the meeting at 4:18 p.m.

Lucy Sisniega, Chairwomen	Date
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Elizabeth Shaughnessy, Planning Division Manager Department of Development Services	Date
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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 06, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving Final Plat of Heritage Oaks, Section 8 being a 33.428-acre tract of land located in Section 25, Block 40, T-1-S, T & P, RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Briarwood Avenue, approximately 450-feet east of Roadrunner Trail – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single-Family Dwelling District.

Preliminary Plat Approval:

The applicant, Parkhill, Smith, Cooper, Inc., is requesting to plat the property located at Briarwood and Roadrunner Trail into 125 lots for future housing development. The Preliminary Plat was approved at the September 29, 2014, Planning and Zoning Commission Meeting

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

Engineering: Approved

*** Updated: Public improvements have been accepted by the City on August 16th, 2022

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

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

PAVING: Paving improvements have been accepted by the City on August 16th, 2022.
[For Applicant's Information Only.]

WATER: Water improvements have been accepted by the City on August 16th, 2022.
[For Applicant's Information Only.]

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

PRO RATA: Section 395.081 applies only to a city that has not adopted impact fees; the impact fee ordinance superseded this ordinance thus pro-rata is null for this area. [For Applicant's Information Only.]

SEWER: Sewer improvements have been accepted by the City on August 16th, 2022.
[For Applicant's Information Only.]

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

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

SIDEWALKS: Sidewalk improvements have been accepted by the City on August 16th, 2022. [For Applicant's Information Only.]

DIMENSION: ***

OTHER: ***

Transportation: Approved

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

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

Fire: Approved

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

Oil and Gas: Approved

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

Code Administration: Approved

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

GIS: Approved

No comments.

Planning:

All departments' comments have been satisfied.

Staff recommends approval once all comments have been met of the Final Plat of Heritage Oaks, Section 8 subject to condition A.

Conditions:

- A. 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 Final Plat
Application
Maps



Final Plat Application

Project Number: _____

Case Number: P-22-1391Proposed Subdivision Plat Name: Heritage Oaks, Section 8Legal Description (attached sealed Metes and Bounds): Being 33.428 Acres of Land Located in Section 25, Block 40, T-1-S, T. & P. RR. Co. Survey, Midland County, Texas**Property Owner**Printed Name: Heritage Oaks, Inc.Phone (432) 520-0000

Email _____

Address
1603 IdlewildeCity
MidlandState
TXZip
79703**Developer** (if different than Owner)

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: ParkhillPrinted Name: Josh Wallender (PSC Job # 01.9828.17 / 1PLT)Phone (432) 697-1447

Email _____

jwallender@team-psc.comAddress
1700 West Wall, Suite 100City
MidlandState
TexasZip
79701Current Zoning: SF-3Reason for Platting: Development of Residential Lots**Plat Information**Total Acreage: 33.428 Ac.Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Residential Lots: 125Number of Multi-Family Dwelling Units: N/A

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own **2 EXTRA PROVIDED**

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Mark A. Payne Date: 7-21-22
Property Owner (printed): Mark A. Payne

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

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

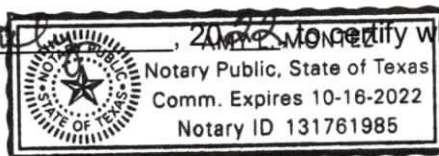
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wallender who, being by me duly sworn, upon oath says: That (s)he is authorized by Heritage Oaks, 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.

Amy H. Montez
Authorized Agent (signature)

Subscribed and sworn to before me, this 21st day of July, 2022, at Midland, Texas, I, Amy H. Montez, do hereby certify which witness my hand and seal of office.

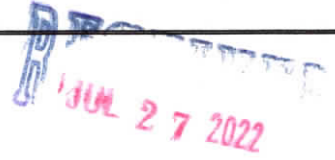


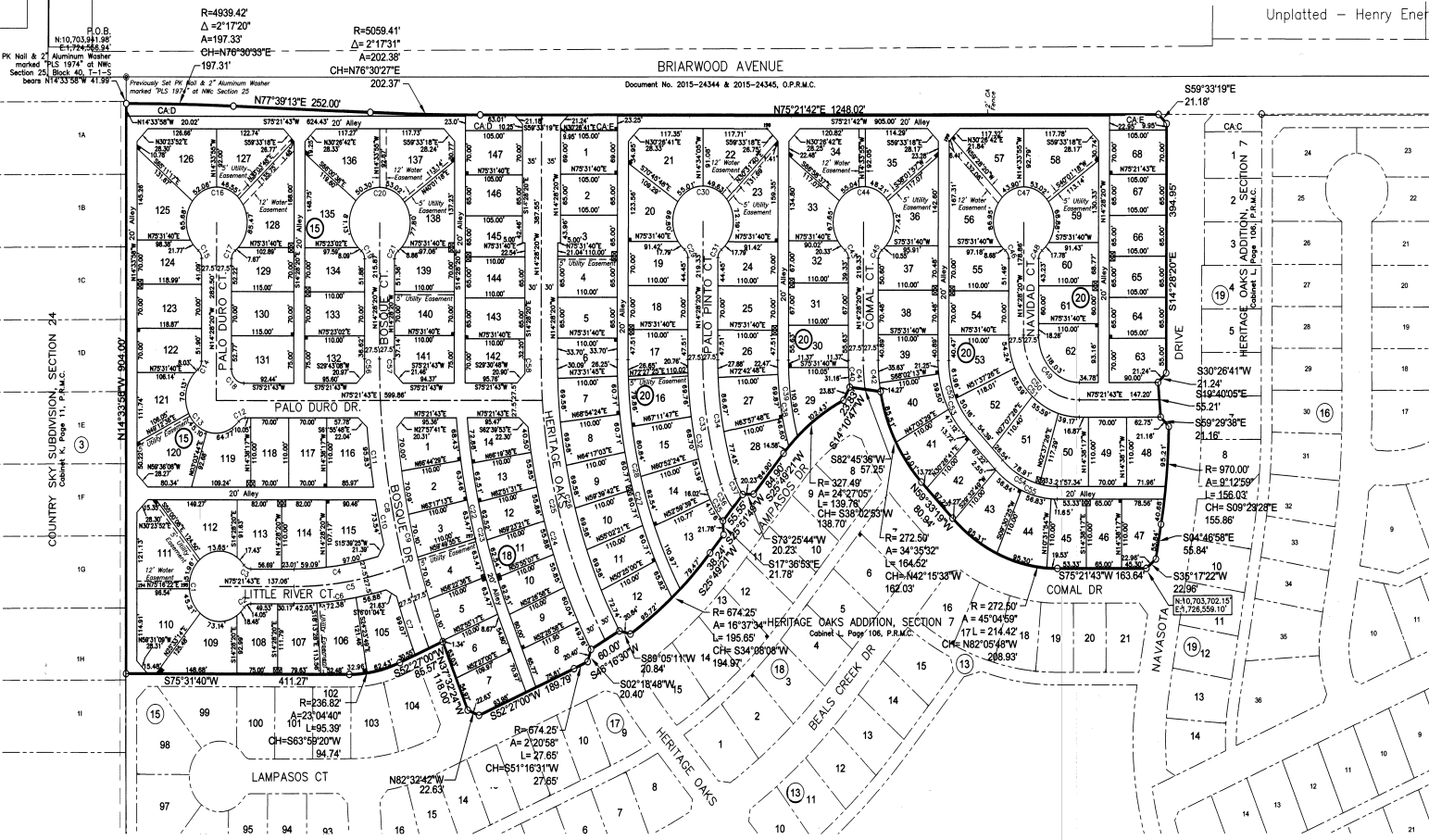
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY☒ Property Owner Authorization☒ 1 Copy of Dimensioned Plat☒ Plat in Digital Format (PDF/JPEG)☒ Mylar☒ 1 Copy of Plat (11x17)☐ Public Improvements☒ Application Fee☒ Title Opinion☒ Recording FeeCheck # 001553☒ Tax CertificatesCheck # 001554Received By: KM

Date:

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



HERITAGE OAKS ADDITION
SECTION 8

Being 33.428 Acres of Land
located in Section 25, Block 40, T-1-S,
T.&P. RR. Co. Survey, Midland County, Texas

LEGEND

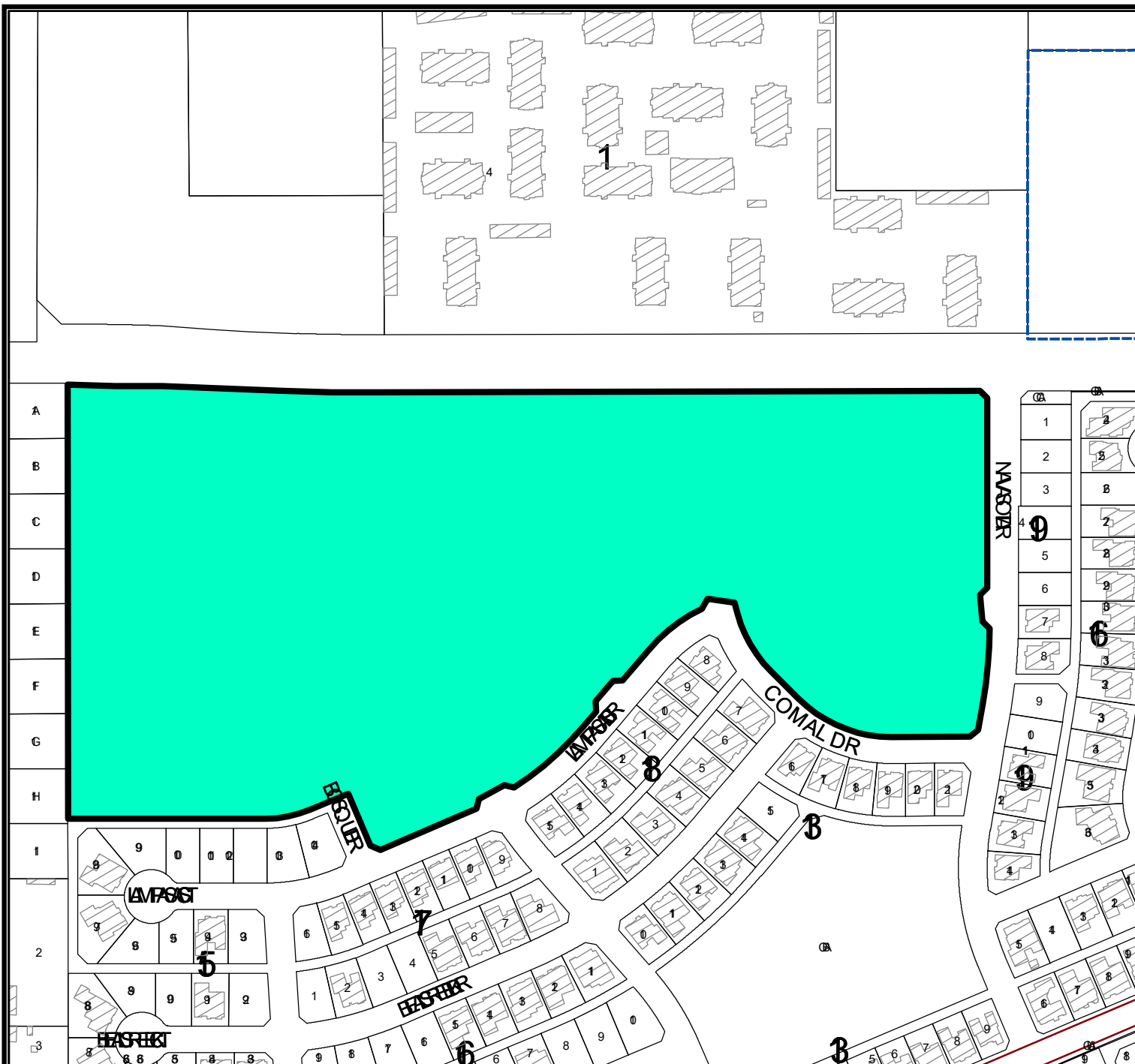
- PLAT LIMITS
- EXISTING PLATTED LOTS & STREET R/W
- EXISTING EASEMENTS
- PROPOSED STREET ROW
- PROPOSED PLATTED LOT LINES
- PROPOSED EASEMENTS
- PROPOSED CENTERLINE ROAD
- 5x5' UTILITY EASEMENT
- 5x7' UTILITY EASEMENT
- PROPOSED COMMON AREA

NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND METHODOLOGY 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.
- DECLARATION OF RESTRICTIVE COVENANTS REGARDING THIS DEVELOPMENT FILED FOR RECORD IN INSTRUMENT 10-14236 DATE 7-20-10, MIDLAND COUNTY, TEXAS.
- RELATIVE TO COMMON AREA B: 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, RELOCATING, MODIFYING, REPLACING, IMPROVING, ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, REPAIRING, RELOCATING AND REMOVING SAID FACILITIES, INCLUDING BUT NOT LIMITED TO, THE RIGHT TO CUT AND TRIM BUSHES AND TREES, TOGETHER WITH THE RIGHT OF INGRESS, EGRESS AND REGRESS FOR SUCH PURPOSES IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN.
- RELATIVE TO COMMON AREA B: DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, INJURE, AND/OR UNDOULY 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, ROADS, OR CURBS AND OUTLETS 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.

CURVE TABLE

CURVE	BEARING	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
01	N 16.00° E	16.00°	14.66	S 69.17° E	13.60
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03	N 16.00° E	16.00°	14.66	S 69.17° E	13.60
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14	N 16.00° E	16.00°	14.66	S 69.17° E	13.60
15	N 16.00° E	16.00°	14.66	S 69.17° E	13.60
16	N 16.00° E	16.00°	14.66	S 69.17° E	13.60
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166	N 16.00° E	16.00°	14.66	S 69.17° E	13.60
167	N 16.00° E	16.00°	14.66	S 69.17° E	13.60



LOCATION MAP

P-22-1391

Scale: 1" = 300'

Proposed plat of Heritage Oaks, Section 8, being a plat of a 33.428-acre tract of land located in Section 25, Block 40, T-1-S, T & P, RR. Co. Survey, City and County of Midland, Texas.

(Generally located on the south side of Briarwood Avenue, approximately 450-feet east of Roadrunner Trail. Council District 4)

LEGEND

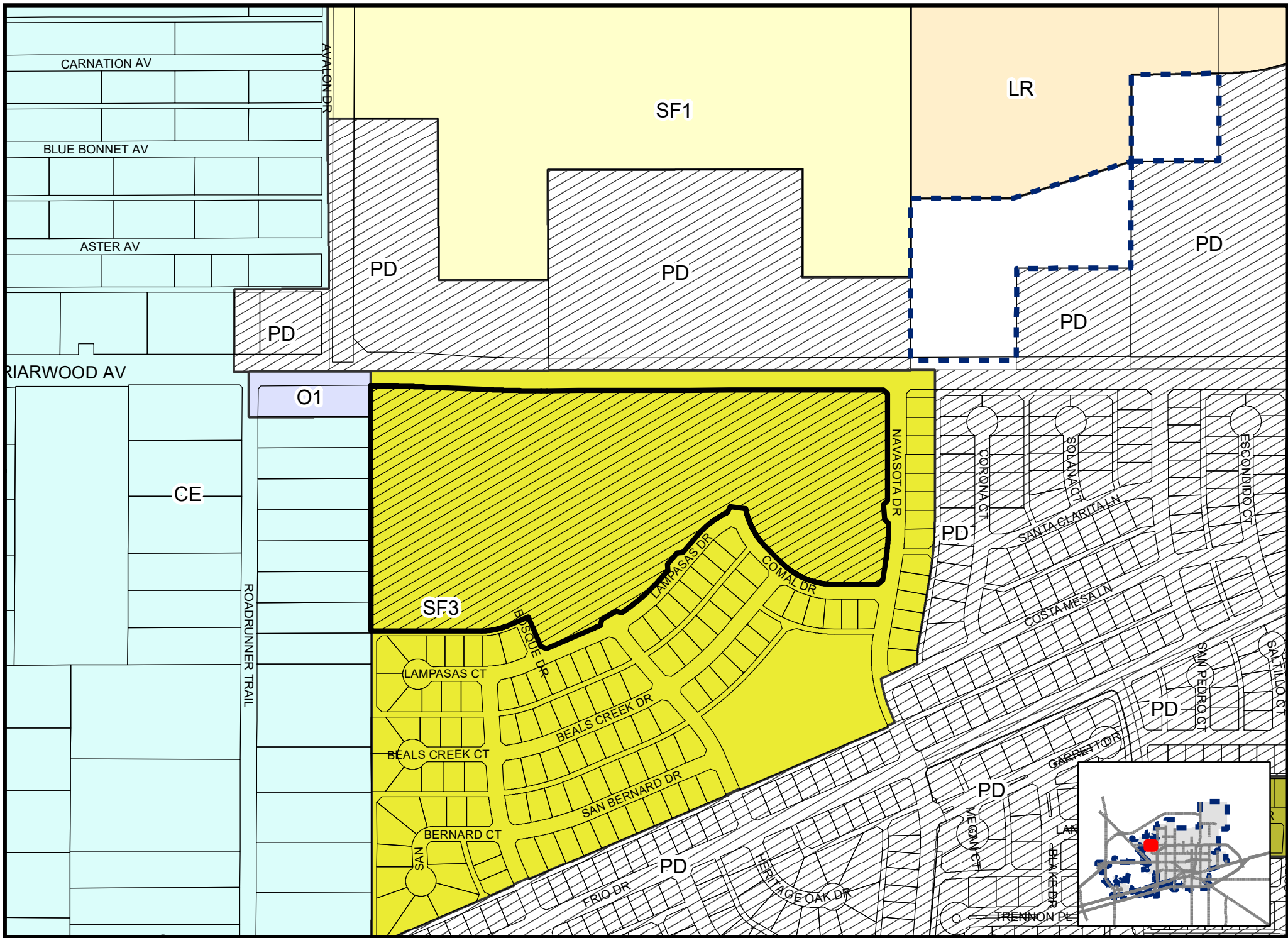
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



PACKET

Page 3.17

September 6, 2022





Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 06, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of Greenwood Addition, Section 15, being a re-plat of Lots 4 and 5, Block 42, Greenwood Addition Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Webster Street and Cloverdale Road – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

Th, Townhouse Dwelling District.

Preliminary Plat Approval:

The applicant, Schuman Engineering, is seeking to re-plat Lots 4 and 5, Block 42, Greenwood Addition Third, Fourth, and Fifth Sections, City and County of Midland, Texas for the purposed of developing affordable housing. The Preliminary Plat was approved on the May 5, 2022, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

Engineering: (Approved)

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

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

PAVING: South Webster St pavement improvements will be done as part of a Citywide project. [For the Applicant's information only.]

WATER: 6" water main exists in S Webster St west of tract, okay as is. The City recommends that the 6" water main on the north side of Cloverdale be extended along the platted frontage so that the two lots to the east will have access to public water. [For the Applicant's information only.]

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

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

SEWER: 8" sewer exists in S Webster St west of tract, okay as is. 6" sewer exists in the alley north of tract, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

DRAINAGE: Drainage study not required for infill development of residential lots. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

TxDOT comment, "Access should only be accommodated for the lots to South Webster Street."

Cloverdale Rd is a state HWY and as per the City agreement with TxDOT, City approved driveway permit on Cloverdale Rd but we have to follow the TxDOT access management manual, and as per TxDOT access management manual driveway spacing is 425 ft. Combining two eastern lots will create access problems in future for western lots. It is recommended to combine all 4 lots and have access from Webster St.

GIS: (Approved with Conditions)

No comments.

Fire: (Approved)

Future development shall meet IFC 2015 ed. and local ordinances

Code Compliance: (Approved)

No Oil and Gas Issues.

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

Building: (Approved)

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

Planning: (Approved)

All staff departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Greenwood Addition, Section 15 subject to condition A:

Conditions:

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

Attachments:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number:

Case Number:

SUB-22-0491
P-22-1402Proposed Subdivision Plat Name: **Greenwood Addition, Section 15**Legal Description (attached sealed Metes and Bounds): **BEING A RE-PLAT OF LOTS 4 AND 5, GREENWOOD ADDITION THIRD, FOURTH AND FIFTH SECTIONS, CITY AND COUNTY OF MIDLAND, TEXAS.****Property Owner**Printed Name: **Midland Visions 2000**Phone (**432**)-978-1622Email **carylove@sbcglobal.net**

Address

112 SOUTH LORAIN STREET SUITE 555

City

MIDLAND

State

TX

Zip

79701**Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: **Schumann Engineering Co., Inc.**Printed Name: **Eduardo L. Aleman**Phone (**432**) **684-5548**

Email

ealeman@schumannonline.net

Address

800 N. Marienfeld Suite 100

City

Midland

State

TX

Zip

79701**Current Zoning:**Reason for Platting: **To change orientation of the lots.****Plat Information**Total Acreage: **0.44**Type: ☐ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: **6**

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Cary Love

Date: 8/16/2022

Property Owner (printed): Midland Visions 2000 - Cary Love

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

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

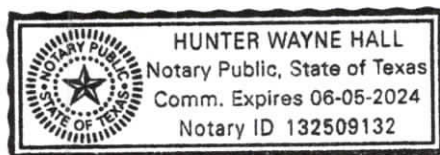
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo Y. Roman
Authorized Agent (signature)

Subscribed and sworn to before me, this 16th day of August, 20 22, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

RECEIVED
AUG 17 2022

James Riber

BY:

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # Credit Card

Received By: James Riber

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

☒ Recording Fee

Check # 1876

Date: 8/17/22

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

BEING A RE-PLAT OF LOTS 4 AND 5,
GREENWOOD ADDITION THIRD, FOURTH AND
FIFTH SECTIONS, CITY AND COUNTY OF
MIDLAND, TEXAS."

GREENWOOD ADDITION SECTION 15

					DRAWN BY: KDS	DATE: 1/21/2022
					CHECKED BY: RJD	DRAWING NO.: 78227
NO.	DATE	DESCRIPTION	BY	78,227	SHEET 1 OF 1	

(IN FEET)
1 inch = 60 ft.

ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY

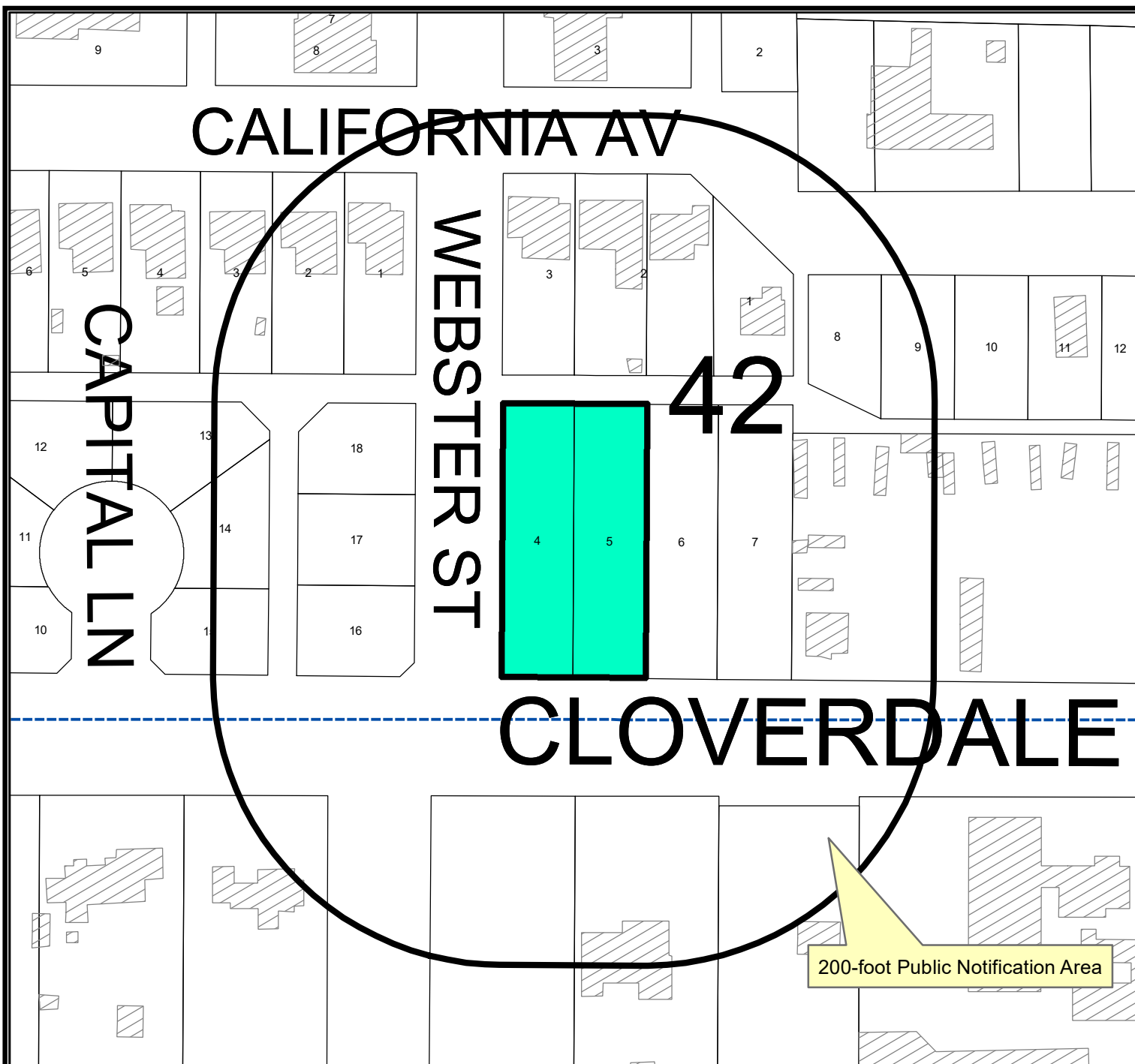
SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS



LOCATION MAP

SUB-22-0491

Scale: 1" = 1200'

Proposed plat of Greenwood Addition, Section 14 being a re-plat of Lots 4 and 5, Block 42, Greenwood Addition Third, Fourth and Fifth Sections, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of Webster Street and Cloverdale Road.(Council District 2)

LEGEND

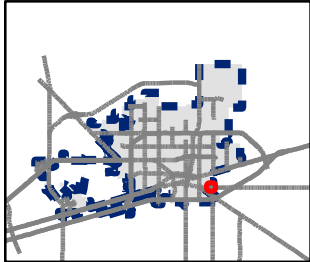
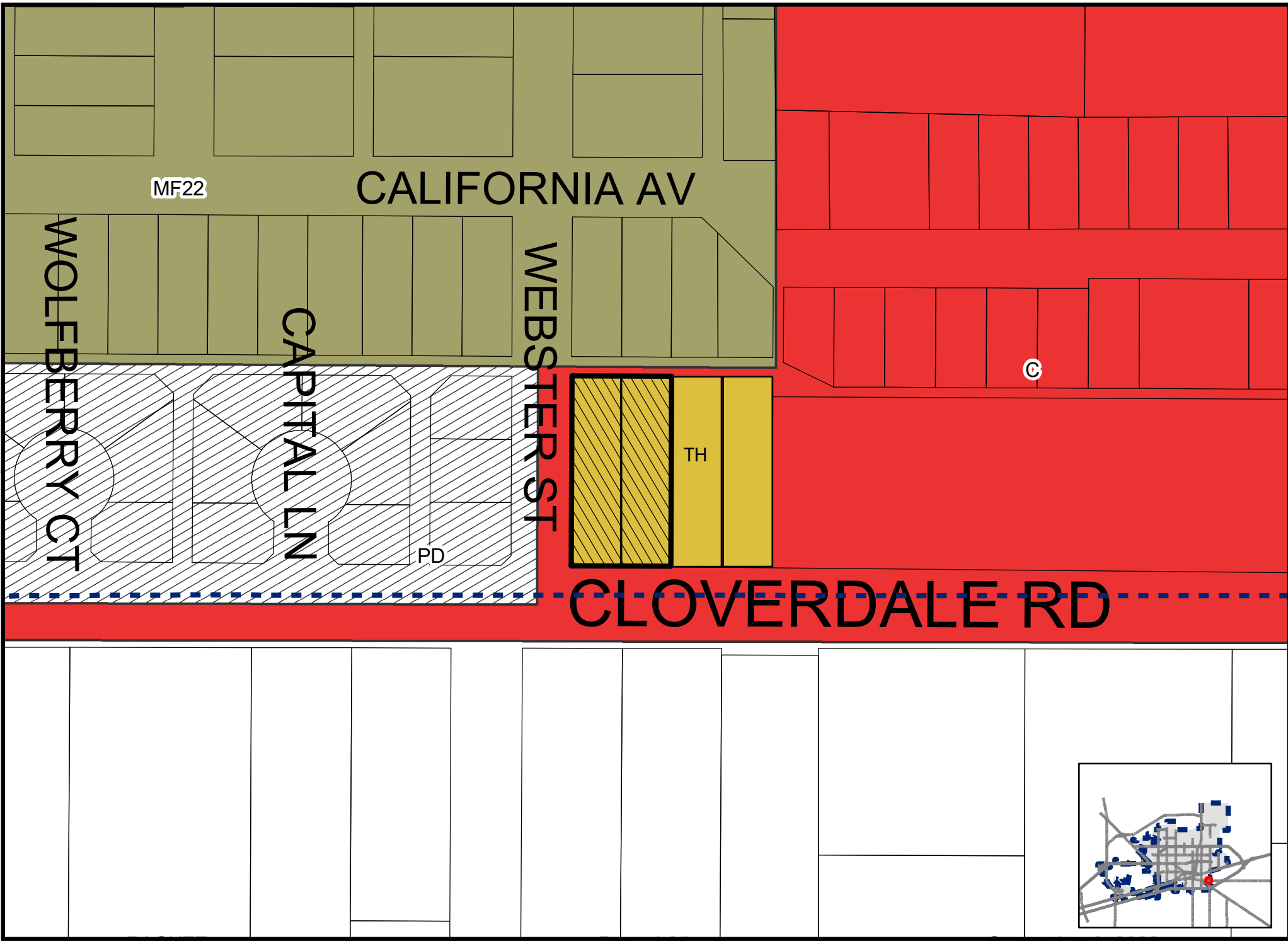
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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: September 6, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of Veteran Development, Section 2, being a 6.00-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Antelope Trail, approximately 130-feet south of W. County Road 120 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting a 6.00-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. The applicant is subdividing the lot into three equal lots of two acres each for commercial development. The Preliminary Plat was approved at the June 21, 2022, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

BUILDING CODE: (Approved)

ETJ, no jurisdiction

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

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

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

PAVING: Deferral for public improvements has been prepared by Maverick Engineering and Approved administratively on June 17, 2022. [For the Applicant's information only.]

WATER: None existing. Deferral for public improvements has been prepared by Maverick Engineering and Approved administratively on June 17, 2022. [For the Applicant's information only.]

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

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

SEWER: None existing. Deferral for public improvements has been prepared by Maverick Engineering and Approved administratively on June 17, 2022 [For the Applicant's information only.]

DRAINAGE: Drainage report prepared by Maverick Engineering has been approved for platting purposes on June 1, 2022. [For the Applicant's information only.]

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

SIDEWALKS: Required at building permit. Deferral was submitted by Maverick Engineering was approved on June 17, 2022. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

Future development shall meet IFC 2015 ed. and local ordinances

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

No comments.

Health: (Approved)

Yes, the health department will review application from the 3 proposed lot of Veteran Development, PLAT OF A 6 ACRE TRACT OF LAND OF SECTION 13, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY the lot is 6 acre since the lot is 150 ft to a public sewer line and the city of midland would not allow tie in to the public line the review of septic plans lot 17 is 2 acre, lot 18 is 2 acre and lot 19 is 2 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.

COUNTY: (Approved)

No Comments

PLANNING: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Veteran Development, Section 2, subject to condition A:

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

Attachments:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number:

SUB-22-0488

Case Number:

P-22-1405

Proposed Subdivision Plat Name: Veteran Development Addition, Section 2**Legal Description (attached sealed Metes and Bounds):** Being a 6.00 Acre Tract of Land Located in Section 13, Block 40, T-2-S, T&P RY. Co. Survey, Midland County, Texas**Property Owner**

Printed Name: Veteran Fabrication Inc

Phone ()

Email

Address PO Box 50822

City Midland

State TX

Zip 79710

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: ETJ**Reason for Platting:** Ownership purposes**Plat Information**

Total Acreage: 6.00

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

Number of Lots: 3

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 8/16/22

Property Owner (printed): Gerald Fuentes

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

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

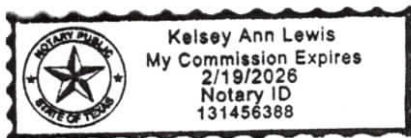
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Veteran Fabrication, 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 16th day of August, 2022, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

REC'D
AUG 17 2022
[Signature]

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 3892

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

☐ Recording Fee

Check # 3893

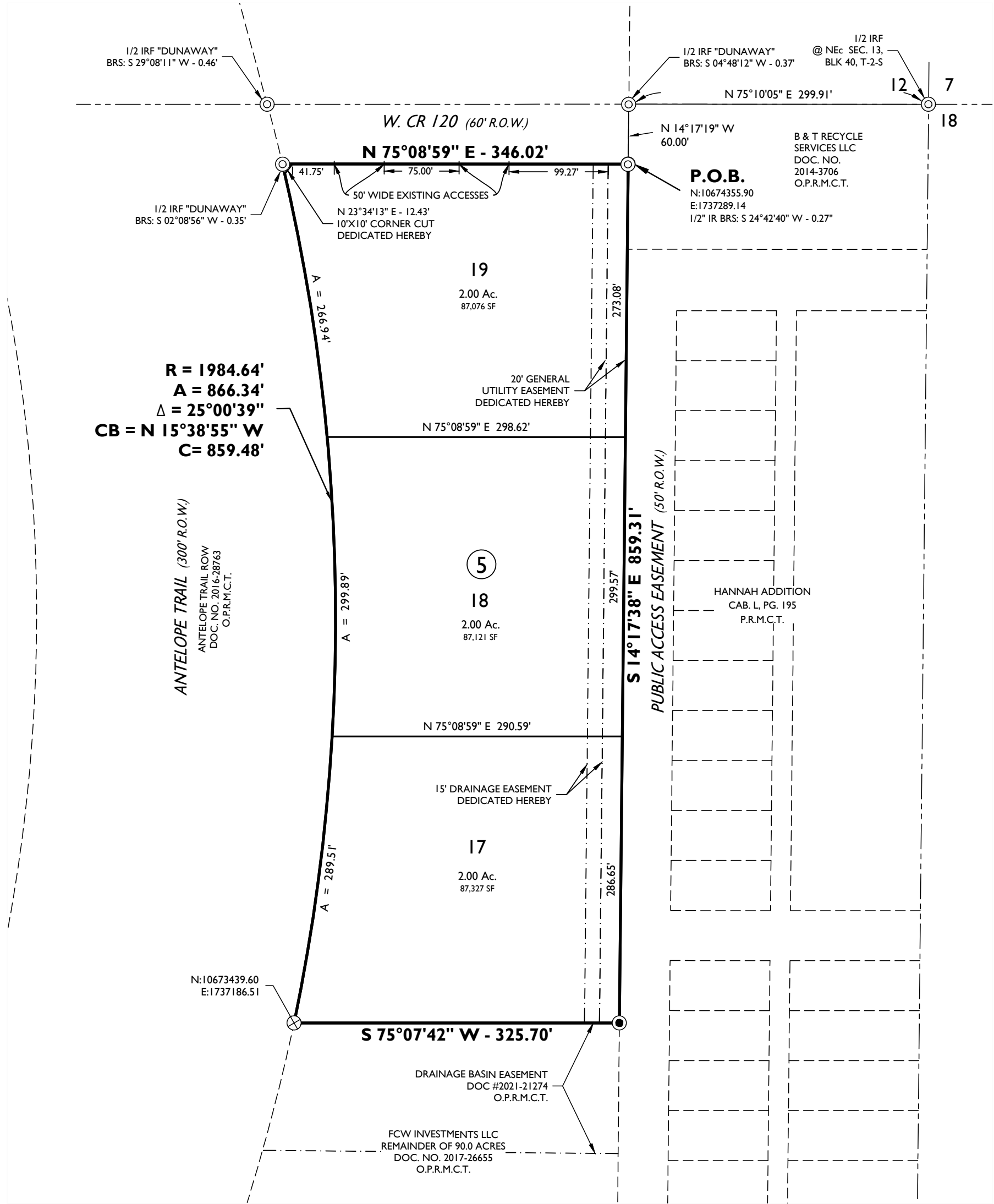
Received By: [Signature]

Date: 8/17/22

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

VETERAN DEVELOPMENT ADDITION
SECTION 2

BEING A 6.00 ACRE TRACT OF LAND LOCATED IN SECTION 13, BLOCK 40, T-2-S,
T&P RY. Co. SURVEY, MIDLAND COUNTY, TEXAS



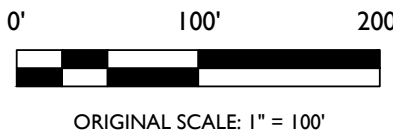
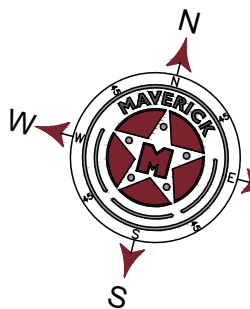
PROPERTY OWNER

VETERAN FABRICATION, INC.
JERRY FUENTES
PO BOX 50822
MIDLAND, TX 79710
DEED INSTRUMENT #2021-26452

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR #5356
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS VETERAN FABRICATION, INC. IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 13, BLOCK 40, T-2-S, T&P. RR. CO. SURVEY, COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT VETERAN FABRICATION, INC. BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS VETERAN DEVELOPMENT ADDITION, SECTION 2, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON;

WITNESS MY HAND AT MIDLAND, TEXAS, THIS

THE _____ DAY OF _____, 2022.

BY: VETERAN FABRICATION, INC., JERRY FUENTES

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 JERRY FUENTES, 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 _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF VETERAN DEVELOPMENT ADDITION, SECTION 2, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2022.

LUCY SISNIEGA, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

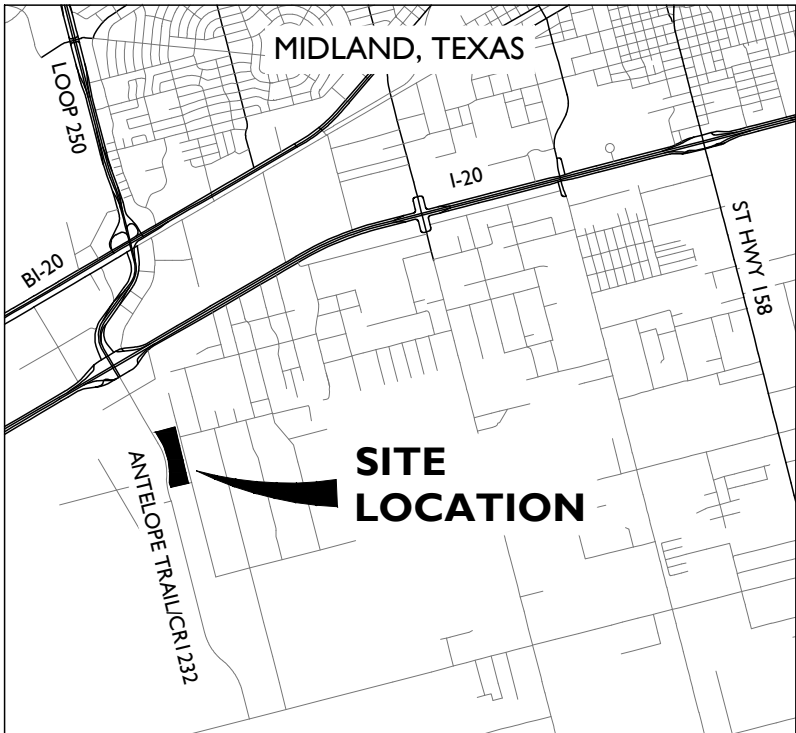
FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0200F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE 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, DISTANCES AND COORDINATES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM 1983, U. S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE OF -0°55'39.98", A COMBINED SCALE FACTOR OF 0.999882907 AT THE POINT OF BEGINNING.
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.



VICINITY MAP

N.T.S.

LEGEND

- DENOTES SET 1/2-INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- DENOTES FOUND MONUMENT AS NOTED
- ⊗ DENOTES X IN CONCRETE
- DENOTES BOUNDARY LINE
- - - DENOTES EXISTING PROPERTY LINE
- - - DENOTES SECTION LINE
- P.R.M.C.T. PLAT RECORDS MIDLAND CO. TX
- O.P.R.M.C.T. OFFICIAL PUBLIC RECORDS MIDLAND CO. TX

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

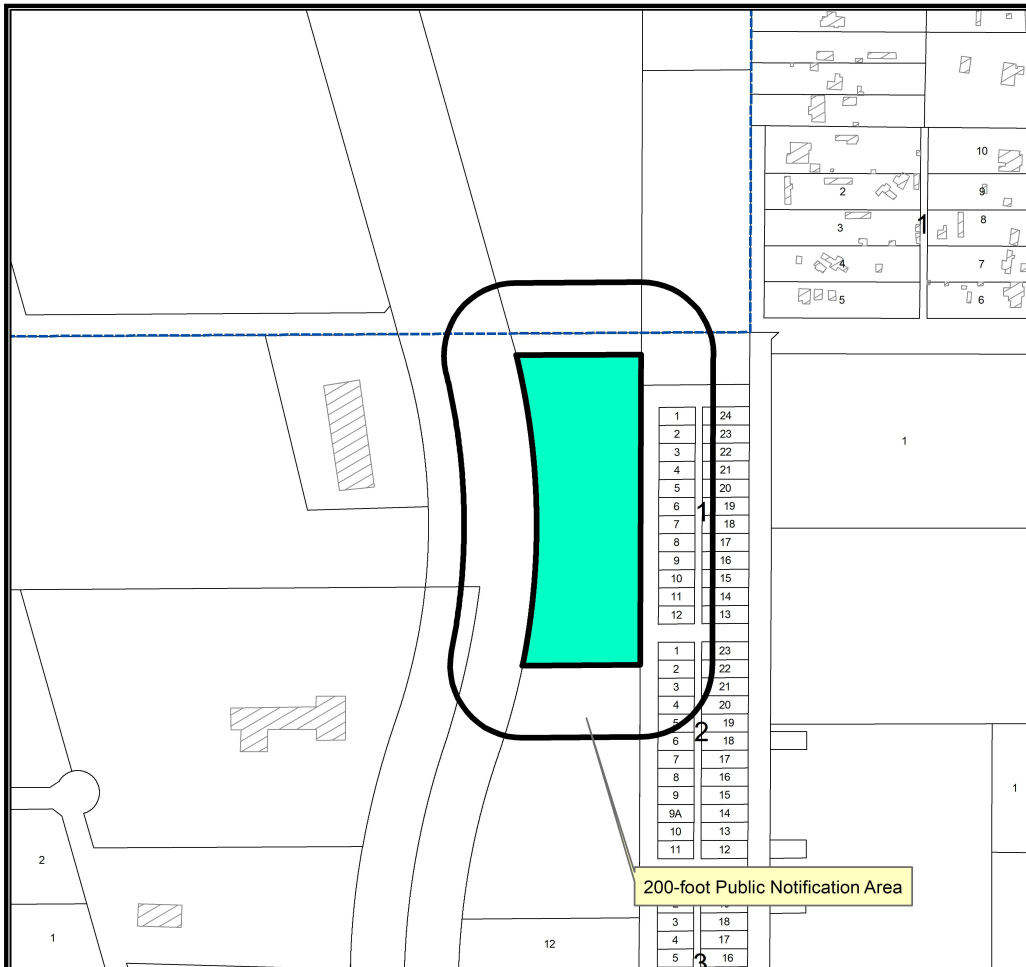
BY: _____



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

VETERAN DEVELOPMENT
ADDITION SECTION 2



LOCATION MAP

SUB-22-0488

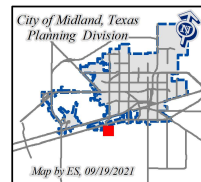
Scale: 1" = 4000'

Proposed Plat of Veteran Development Addition, Section 2 being a plat of a 6.0 acre tract of land in Section 13, Block 40, T-2-S T&P RY CO Survey, Midland County, Texas.

Generally located at the southeast corner of the intersection of Antelope Trail and W.C.R. 120-(Extraterritorial jurisdiction).

LEGEND

- - - CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



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



Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 06, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of Veteran Development, Section 3, being a 6.70-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the west side of Antelope Trail, approximately 910-feet south of West County Road 120 – Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting a 6.70-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. The applicant is subdividing the lot into four lots for a business park. The Preliminary Plat was approved on the June 21, 2022, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

BUILDING CODE: (Approved)

ETJ, no jurisdiction

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

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

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

PAVING: Deferral was submitted by Maverick Engineering was approved on June 17, 2022. [For the Applicant's information only.]

WATER: Deferral was submitted by Maverick Engineering was approved on June 17, 2022. [For the Applicant's information only.]

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

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

SEWER: Deferral was submitted by Maverick Engineering was approved on June 17, 2022. [For the Applicant's information only.]

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 report has been approved for platting purposes. [For the Applicant's information only.]

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

SIDEWALKS: Required at building permit. Deferral was submitted by Maverick Engineering was approved on June 17, 2022. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No additional comments.

CODE COMPLIANCE: (Approved)

No Oil and Gas Issues.

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

GIS: (Approved)

No comments.

Health: (Approved)

Yes, the health department will review application from the 4 proposed lot of Veteran Development SECTION 3, PLAT OF A 6.7 ACRE TRACT OF LAND OF SECTION 13, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY the lot 13 is 1.2-acre, lot 14 is 1.2-acre, lot 15 is 1.1 acre, and lot 16 is 1.2 acre, the review of septic plans 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.

COUNTY: (Approved)

Ensure driveway permits when tying into the county road. [For the Applicant's information only.]

SURVEYOR: (Approved)

No comments.

PLANNING: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the preliminary plat of Veteran Development, Section 3, subject to condition A.

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

Attachments:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number:

Sub-22-0499

Case Number:

P-22-1404

Proposed Subdivision Plat Name: Veteran Development Addition, Section 3**Legal Description (attached sealed Metes and Bounds):** Being a 6.70 Acre Tract of Land Located in Section 13, Block 40, T-2-S, T&P Railway Co. Survey, Midland County, Texas

Property Owner Printed Name: Willa Villa LLC Antelope Trail 1031 LLC	Phone () Email
Address 4511 Cardinal Ln 13355 Noel Rd, Ste 1100	City Midland Dallas
State TX	Zip 79707 75240

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

Representative (if acting as Agent, see affidavit on page 2) Firm: Maverick Engineering Printed Name: Paladin Huckaba	Phone (432) 262-0999 Email phuckaba@maverick-eng.com
Address 1909 W Wall St Ste K	City Midland
State TX	Zip 79701

Current Zoning: ETJ**Reason for Platting:** Ownership purposes

Plat Information	Total Acreage: 6.70
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 5	Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 8/16/22

Property Owner (printed): Gerald Fuentes

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Antelope Trail 1031, 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 11th day of August, 2022, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

James R. [Signature]
AUG 17 2022

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 3902

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

☒ Recording Fee

Check # 3903

Received By: [Signature]

Date: 8/17/22

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature) Jared D. Booker Date: 8-15-2022

Property Owner (printed): Jared D. Booker

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

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

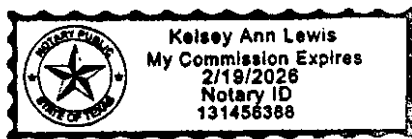
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 11th day of August, 2022, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

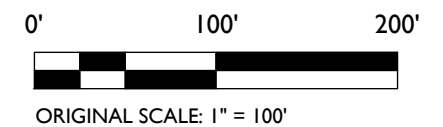
Date: _____

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

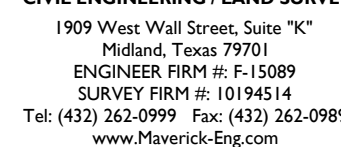
BEING A 6.70 ACRE TRACT OF LAND LOCATED IN SECTION 13, BLOCK 40, T-2-S,
T&P RAILWAY. Co. SURVEY, MIDLAND COUNTY, TEXAS

The seal is a circular emblem with a decorative border. Inside the border, the words "STATE OF TEXAS" are at the top and "PROFESSIONAL LAND SURVEYOR" are at the bottom. In the center, a five-pointed star is positioned above the name "GREGORY W. SHOULTZ". Below the name is the number "5356".

ELIZABETH SHAUGHNESSY, SECRETARY



BY



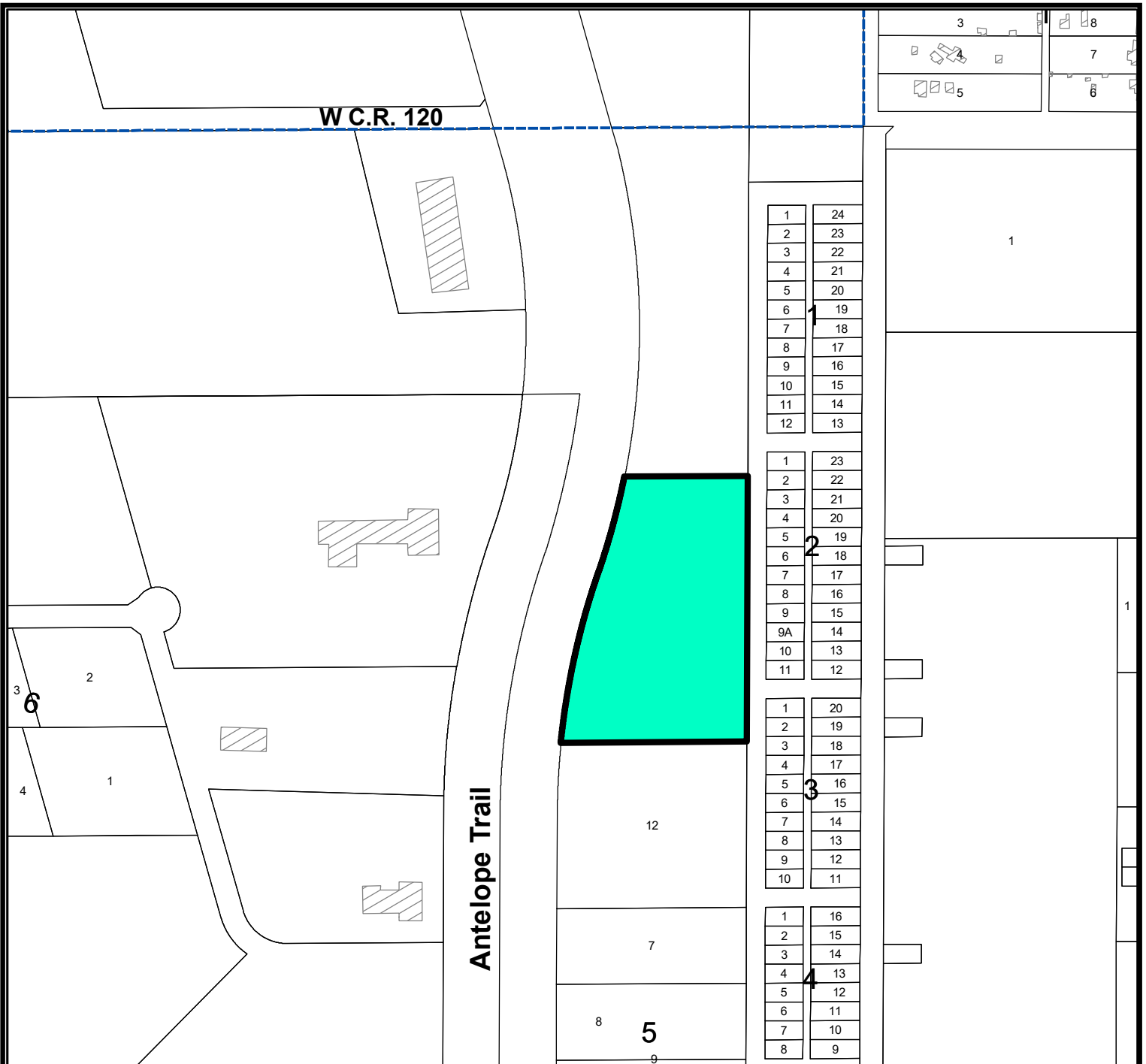
- FINAL PLAT.DWG

DATE _____ PAGE _____

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.

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, DISTANCES AND COORDINATES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM 1983, U. S. SURVEY FOOT WITH A CONVERGENCE ANGLE (theta) OF -0° 55'40.66" AND A CSF OF 0.999983438 AT THE POINT OF BEGINNING.
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AT SUCH TIME AS:
 - (1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR :
 - (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

PACKET
 Page 6.41
 September 6, 2022



LOCATION MAP

SUB-22-0499

Scale: 1" = 200'

Proposed Plat of Veteran Development Addition, Section 3 being a plat of a 6.7 acres tract of land in Section 13, Block 40, T-2-S T&P RR CO Survey, Midland County, Texas.

Generally located on the west side of Antelope Trail, approxitmatly 910-feet south of West County Road 120 - (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: September 06, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving a Final Plat of Saddleback Estates, Section 2 being a replat of Lots 3, 5-9, and 12-14, Block 3, and Lots 2-19, Block 1, Saddleback Estates Addition, Midland County, Texas. (Generally located on the north side of E. County Road 95m, approximately 520 – feet east of S. County Road 1130. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ-Extraterritorial Jurisdiction

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to replat of Lots 3, 5-9, and 12-14, Block 3, and Lots 2-19, Block 1, Saddleback Estates Addition, Midland County, Texas for ownership purposes. The Preliminary Plat was approved on the July 5, 2022, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

Engineering: (Approved)

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

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

PAVING: Replatted lots are not fronting off public

R.O.W. Previous deferral was approved administratively on 5/8/2020.

WATER: Replatted lots are not fronting off public

R.O.W. Previous deferral was approved administratively on 5/8/2020.

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

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

SEWER: Replatted lots are not fronting off public

R.O.W. Previous deferral was approved administratively on 5/8/2020.

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

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

SIDEWALKS: Replatted lots are not fronting off public R.O.W. Previous deferral was approved administratively on 5/8/2020.

DIMENSION: * * * OTHER: * * *

Building Code: (Approved)

ETJ, no jurisdiction

Code Compliance: (Approved)

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

Transportation: (Approved)

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

Fire: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final plat of Saddleback Estates, Section 2, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Map



Final Plat Application

Project Number:

Case Number:

SUB-22-0511
P-22-1403**Proposed Subdivision Plat Name:** Saddleback Estates Addition, Section 2**Legal Description (attached sealed Metes and Bounds):** Re-Plat of Lots 3-9, and 12-14, Block 3, and Lots 2-19, Block 1, Saddleback Estates Addition, an Addition to Midland County, Texas**Property Owner** Kingdom Developers LLC

Printed Name: Custom Homes and Windows by Green Machine LLC

Phone ()

Email

Address 45842 FM 2481
13117 ECR 116City Midland
Hico

State TX

Zip 79706
76457**Developer (if different than Owner)**

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

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

Total Acreage: 16.465

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

Number of Lots: 24

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Samuel Jones

Date: 8/8/2022

Property Owner (printed): Samuel Jones - Kingdom Developers

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

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

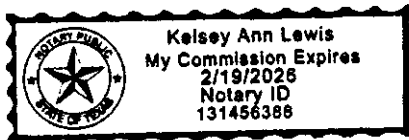
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Kingdom Developers, 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 8th day of August, 2022, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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

Mylar Reproductions

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

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For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 8-8-22

Property Owner (printed): Carlos Ramirez - Custom Homes and Windows by Green Machine

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

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

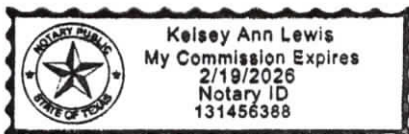
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 9th day of August, 2022, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

BY: [Signature]

FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☐ Public Improvement |
| Check # <u>3897</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>3898</u> |

Received By: [Signature]

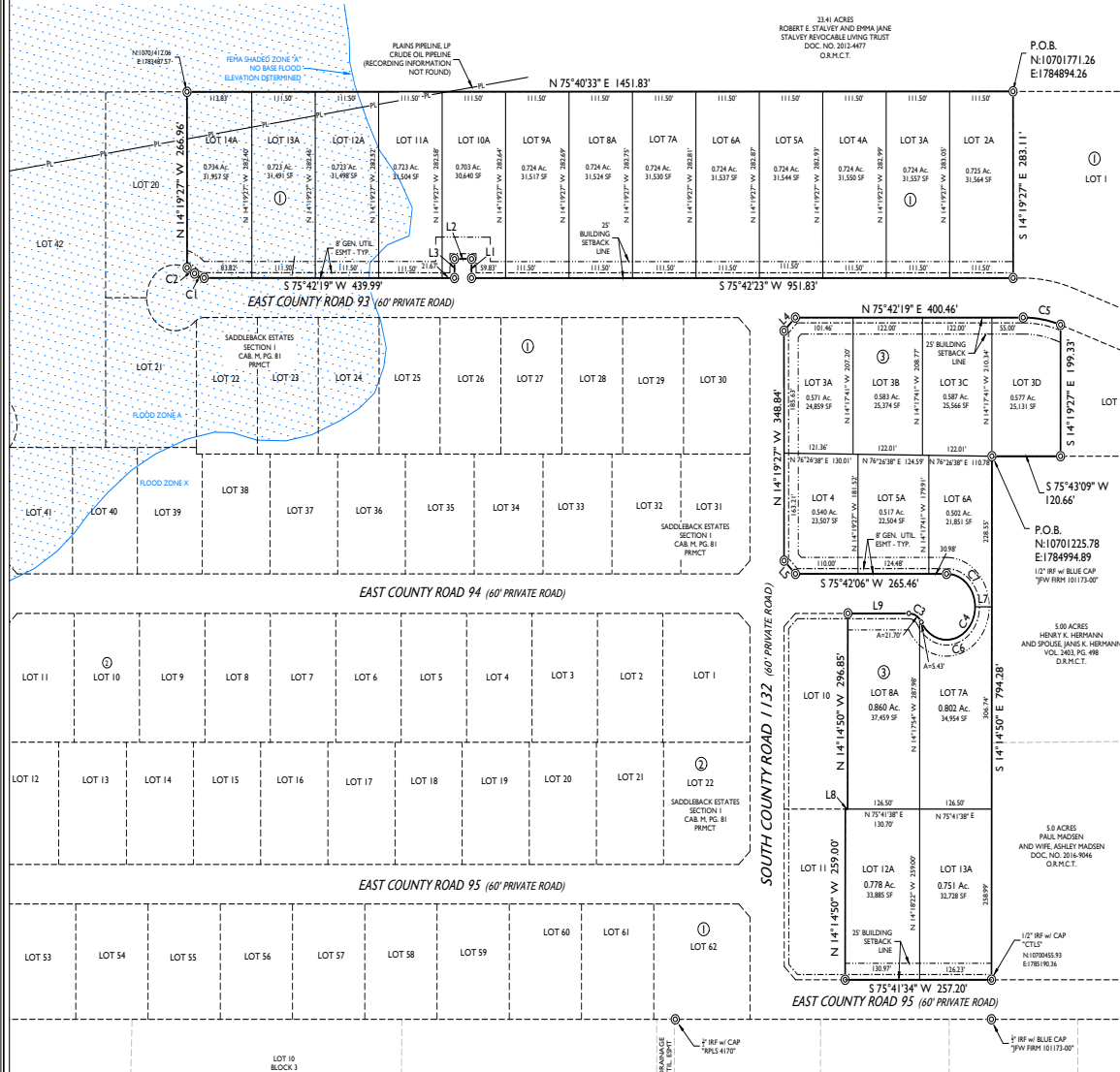
Date:

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

SADDLEBACK ESTATES ADDITION

SECTION 2

RE-PLAT OF LOTS 3-9, AND 12-14, BLOCK 3, AND LOTS 2-19, BLOCK 1,
SADDLEBACK ESTATES ADDITION,
AN ADDITION TO MIDLAND COUNTY, TEXAS



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	75.00'	18.69'	18.26'	N 89°54'41\"	47°49'55\"
C2	75.00'	15.74'	15.49'	N 70°28'41\"	18°03'38\"
C3	75.00'	27.13'	25.82'	S 73°12'39\"	47°49'55\"
C4	50.00'	21.42'	18.60'	N 16°44'57\"	24°13'07\"
C5	50.00'	66.72'	64.47'	N 85°10'31\"	97°03'55\"
C6	50.00'	132.16'	97.96'	N 61°49'05\"	152°07'50\"
C7	50.00'	78.66'	70.80'	N 59°18'58\"	90°08'18\"

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHULTZ, R.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR #1535
MAVERICK ENGINEERING (TX REG #1535) 1909 N. WALL STREET, SUITE K, MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF ECTOR

WHEREAS KINGDOM DEVELOPERS LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 4A, BLOCK 38, T-1-S, T-1-P, AR. CO. SURVEY, COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT KINGDOM DEVELOPERS LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT, DESIGNATED AS SADDLEBACK ESTATES ADDITION, SECTION 2, AN ADDITION TO MIDLAND COUNTY, TEXAS, EXCEPTING LOT 4, BLOCK 3, AND WHOLE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS

THE _____ DAY OF _____, 2022.

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF ECTOR

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 _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF ECTOR

WHEREAS CUSTOM HOMES AND WINDOWS BY GREEN MACHINE LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 4A, BLOCK 38, T-1-S, T-1-P, AR. CO. SURVEY, COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CUSTOM HOMES AND WINDOWS BY GREEN MACHINE LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS LOT 4, BLOCK 3, SADDLEBACK ESTATES ADDITION, SECTION 2, AN ADDITION TO MIDLAND COUNTY, TEXAS, AND WHOLE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS

THE _____ DAY OF _____, 2022.

FOR CUSTOM HOMES AND WINDOWS BY GREEN MACHINE LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF ECTOR

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 _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES

ATMOS ENERGY

BY: _____

AT&T

BY: _____

SUBSEQUENT COMMUNICATION

BY: _____

GRANDE COMMUNICATION

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

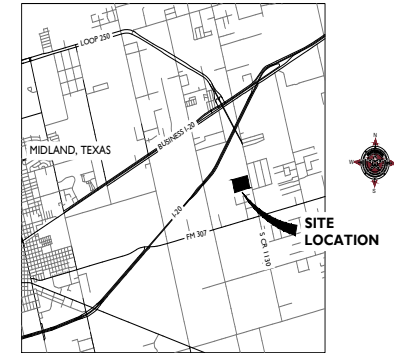
CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SADDLEBACK ESTATES ADDITION, SECTION 2, WAS APPROVED BY THE BOARD OF ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

THE _____ DAY OF _____, 2022.

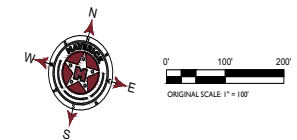
LUCY SOROCKA, CHAIRMAN

ELIZABETH THOMPSON, SECRETARY



VICINITY MAP

N.T.S.



LEGEND

- DENOTES SET 1/2 INCH IRON ROD W/ WIDED PLASTIC CAP MARKED "10194514"
- DENOTES 1/2 INCH IRON ROD ROUNDED W/ WIDED PLASTIC CAP MARKED "10194514" UNLESS OTHERWISE SPECIFIED
- DENOTES BOUNDARY LINE
- - - DENOTES ADJOINING EXISTING LOT LINE
- - - DENOTES SETBACK LINE
- - - DENOTES EXISTING EASEMENT LINE
- - - DENOTES EXISTING FLOOD PLAIN EDGE
- DENOTES FLOOD PLAIN

NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHELDING 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.
- BASES OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE COGS, CENTRAL ZONE (4303), NORTH AMERICAN DATUM OF 1983.
- 1/2 INCH IRON ROD W/ WIDED PLASTIC CAP MARKED "10194514" SET AT ALL CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA N1P FLOOD INSURANCE RATE MAP #483290125I, DATED SEPTEMBER 14, 2005, THE PROPERTY IS MOSTLY WITHIN THE UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND A PORTION OF THIS PROPERTY IS WITHIN ZONE "X" DESIGNATED AS "AREAS WITH A 1% ANNUAL CHANCE OF FLOODING AND A 1% CHANCE OF FLOODING OVER THE LIFE OF A 30 YEAR MORTGAGE BECAUSE DETAILED ANALYSES ARE NOT PERFORMED FOR SUCH AREAS; NO DEPTHS OR BASE FLOOD ELEVATIONS ARE SHOWN WITHIN THESE ZONES".

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON BASE FLOODINGS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MINORAS OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK ENGINEERING COMPANY.

PROPERTY OWNERS

KINGDOM DEVELOPERS LLC
45815 FM 1481
MIDLAND, TX 79701
DEED INSTRUMENT # 2021-191310



MAVERICK
CIVIL ENGINEERING & LAND SURVEY

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # S-10194514
Tel: (432) 362-0999 Fax: (432) 362-0989
www.Maverick-Eng.com

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET
DATE _____ FILED

**SADDLEBACK ESTATES
ADDITION**
Section 2



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 06, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of West End Addition, Section 27, being a residential replat of Lots 7-12, Block 93, Lots 1- 12, Block 94, the abandoned alley in Block 94, a 0.263-acre portion of Block 96, the North 40-feet of the west 175-feet of Block 104, Lots 1-5, Block 105, the abandoned portions of Brunson Avenue, the abandoned portions of W. Indiana Avenue and S. K Street, all out of the West End Addition, Vol. 17 Pages 614 & 615, Midland County Deed Records, City and County of Midland, Texas. Generally located on the southwest corner of the intersection of West Missouri Avenue and South J Street - Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, LCA, is proposing to replat Lots 7-12, Block 93, Lots 1- 12, Block 94, the abandoned alley in Block 94, a 0.263-acre portion of Block 96, the North 40-feet of the west 175-feet of Block 104, Lots 1-5, Block 105, the abandoned portions of Brunson Avenue, the abandoned portions of W. Indiana Avenue and S. K Street, all out of the West End Addition, Vol. 17 Pages 614 & 615, Midland County Deed Records, City and County of Midland, Texas. This is a residential replat; therefore, a public hearing is required (Midland City Code 11-2-7 (A)).

Current Zoning:

The property is zoned SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling District, in part, and PD, Planned Development District, in part.

Departmental Review:

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

ENGINEERING: (Approved with Conditions)

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

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

PAVING: South L Street, West Indiana Avenue, Brunson Avenue, South K Street, and South J Street okay as is. [For the Applicant's information only.]

WATER: 6" water main exists in South L Street., 6" water main exists in South K Street, 4" water main existing in north alley, and 16" water main exists in West Indiana Avenue, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 6" wastewater main exists in South L Street., 8" wastewater main exists in South K Street, 6" wastewater main existing in north alley, and 6" wastewater main exists in West Indiana Avenue, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

EASEMENTS: Applicant shall be responsible for relocating any utilities within the abandoned K street R.O.W. or providing Public Infrastructure Easements as needed.

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

Provide public access easement along vacated K St and Indiana Ave.

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

No oil and gas issues.

CODE ADMINISTRATION: (Approved)

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

GIS: (Approved)

No comments.

SURVEYOR: (Approved)

No comments.

PLANNING: (Approved)

All planning comments have been satisfied.

This is a residential replat; therefore, a public hearing is required at the preliminary phase. [Midland City Code 11-2-7(A)2(b)] [For the Applicant's information only.]

The planning department supports approval of the Preliminary Plat of West End Addition, Section 27 subject to condition A.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Map



Preliminary Plat Application

LCA Job # 20-027; 028; 029Project Number: SUB-22-0516Case Number: P-22-1384**Proposed Subdivision Plat Name:** West End Addition, Section 27**Legal Description (attached sealed Metes and Bounds):** Being a replat of Lots 7-12, Block 93, Lots 1-12, Block 94

The abandoned Alley in Block 94, a 0.263-ac portion of Block 96, N 40 ft of the W 175 ft of Block 104, Lots 1-5 Block 105 the abandoned portion of Brunson Avenue, The abandoned portion of W. Indiana Avenue & S. K. Street all in West End Addition, Volume 17 Pages 614 & 615 Midland County Deed Records City of Midland County, Texas.

Property Owner

Printed Name: Nita Stewart Haley Memorial Library & Museum of the Southwest

Phone ()

Email

Address 1705 W. Missouri Avenue

City Midland

State TX

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email lca@lcaodessa.com

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: SF-1; 2F; PD**Reason for Platting:** Ownership purposes, future building permits will be required**Plat Information**

Total Acreage:

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

Number of Residential Lots: 0

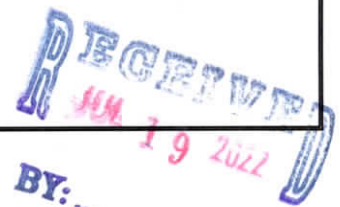
Number of Multi-Family Dwelling Units: 0

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

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

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

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



Provisions

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

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

Property Owner (signature):

Date:

Property Owner (printed) : _____

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 21st day of June, 20 22, to certify which witness my hand and seal of office.



Melanie Martinez

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # Card

Received By: Paul Rodriguez

Date: 7/19/22

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



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

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

LETTER OF TRANSMITTAL

TO: City of Midland- Planning 300 N. Loraine Midland, Texas 79701	DATE: 6/22/22	JOB NO. 20-029
	ATTENTION: Elizabeth Shaughnessy	
	RE: West End Addition Section 2 (The Museum of the Southwest) Preliminary plat	
	☒ Delivered ☐ Picked Up ☐ Mailed	

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Specifications ☐ Samples ☐ SWPPP

☐ Copy of letter ☐ Change Order ☐ Electronic File (☐ Read Only ☐ Dwg)

COPIES	DATE	NO.	DESCRIPTION
1			Preliminary Plat Application & Fee
1			Authorization letter
1			Folded Copy of Plat
1			11X17 Copy of Plat
1			Digital File via Email

THESE ARE TRANSMITTED as checked below:

- | | | |
|---|---|--|
| ☐ For approval | ☐ Approved as submitted | ☐ Electronic File accompanied with signed hard copy.
Hard copy rules in ALL conflicts. |
| ☒ For your use | ☐ Approved as noted | |
| ☐ As requested | ☐ Returned for corrections | |
| ☐ Review and comment | | |
| ☐ FOR BIDS USE _____, 20__ | | |

REMARKS:

COPY TO: File

SIGNED: 
Melanie Martinez

PRELIMINARY PLAT

WEST END ADDITION, SECTION 27

BEING A REPLAT OF LOTS 7 THRU 12 BLOCK 93, LOTS 1 THRU 12 BLOCK 94
THE ABANDONED ALLEY IN BLOCK 94, A 0.263-ACRE PORTION OF BLOCK 96

N 40 FEET OF THE W 175 FEET OF BLOCK 104, LOTS 1 THRU 5 BLOCK 105

THE ABANDONED PORTIONS OF BRUNSON AVENUE

THE ABANDONED PORTIONS OF W. INDIANA AVENUE & S. K STREET

ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615

MIDLAND COUNTY DEED RECORDS CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS



VICINITY MAP
SCALE: N.T.S.

LEGEND

- FOUND CORNER AS DESCRIBED
- SET 1/2" I.R. W/CAP "LCA ODESSA TX"
- M.C.P.R. MIDLAND COUNTY PLAT RECORDS
- D.R.M.C.T. DEED RECORDS OF MIDLAND COUNTY TEXAS
- (CM) CONTROL MONUMENT
- OR ORDINANCE NO.

60' 0 60'
SCALE: 1" = 60'

STATE OF TEXAS
COUNTY OF MIDLAND

FIELD NOTE DESCRIPTION OF LOTS 7 THRU 12 BLOCK 93, LOTS 1 THRU 12 BLOCK 94

THE ABANDONED ALLEY IN BLOCK 94, A 0.263-ACRE PORTION OF BLOCK 96, N 40 FEET OF THE W 175 FEET OF BLOCK 104, LOTS 1 THRU 5 BLOCK 105, THE ABANDONED PORTIONS OF BRUNSON AVENUE, THE ABANDONED PORTIONS OF W. INDIANA & S. K STREET, DESCRIBED IN ORDINANCE NUMBER 6159, ALL IN WEST END ADDITION, VOLUME 17 PAGES 614 & 615, DEED RECORDS OF MIDLAND COUNTY, TEXAS, CITY OF MIDLAND & COUNTY OF MIDLAND, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (Y=10,693,227.53° & X=-1,751,365.90°) A 1/2" IRON ROD IN A 2" IRON PIPE (CONTROL MONUMENT) FOUND ON THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF W. MISSOURI AVENUE, A 60-FOOT PUBLIC RIGHT-OF-WAY, AND THE WEST RIGHT-OF-WAY LINE OF S. J STREET, A 60-FOOT PUBLIC RIGHT-OF-WAY, AND THE NORTHEAST CORNER OF LOT 1, BLOCK 94 OF SAID WEST END ADDITION.

THENCE SOUTH 14°32'02" EAST WITH EAST LINE OF SAID LOT 1 AND THE WEST RIGHT-OF-WAY LINE OF SAID S. J STREET, A DISTANCE OF 140.02 FEET TO A 1/2" IRON PIPE (CONTROL MONUMENT) FOUND AT THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 14°55'15" EAST WITH THE EAST LINE OF LOT 12 OF SAID BLOCK 94 AND THE WEST RIGHT-OF-WAY LINE OF SAID S. J STREET, A DISTANCE OF 160.36 FEET TO A 1" IRON PIPE (CONTROL MONUMENT) FOUND AT THE SOUTHEAST CORNER OF SAID LOT 12;

THENCE SOUTH 14°39'41" EAST WITH THE EAST LINE OF THE ABANDONED PORTION OF W. INDIANA AVENUE AS DESCRIBED IN CITY OF MIDLAND ORDINANCE NO. 6159, THE EAST LINE OF LOT 1 BLOCK 105 OF SAID WEST END ADDITION, A DISTANCE OF 284.48 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHEAST CORNER OF SAID LOT 1 ON THE NORTH LINE OF A 20-FOOT ALLEY, WHENCE A 1/2" IRON ROD (CONTROL MONUMENT) FOUND AT THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 105 ON THE WEST RIGHT-OF-WAY LINE OF SAID S. J STREET BEARS SOUTH 14°30'14" EAST, A DISTANCE OF 20.34 FEET;

THENCE SOUTH 59°42'01" WEST WITH THE SOUTH LINE OF LOTS 1 THRU 5 OF SAID BLOCK 105 AND THE NORTH LINE OF SAID 20-FOOT ALLEY, A DISTANCE OF 346.61 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHWEST CORNER OF SAID LOT 5 ON THE WEST LINE OF THE ABANDONED PORTION OF S. K STREET IN CITY OF MIDLAND ORDINANCE NO. 6159, WHENCE A 1/2" IRON ROD BEARS SOUTH 86° EAST, A DISTANCE OF 2.2 FEET AND A 1/2" IRON ROD WITH CAP MARKED RPLS 4178 (CONTROL MONUMENT) FOUND AT THE SOUTHWEST CORNER OF LOT 4 OF SAID BLOCK 105 BEARS SOUTH 30°17'59" EAST, A DISTANCE OF 159.99 FEET;

THENCE NORTH 30°17'59" WEST, ALONG THE WEST LINE OF SAID LOT 5 AND THE EAST LINE OF THE ABANDONED PORTION OF BRUNSON AVENUE, A DISTANCE OF 199.48 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET ON THE SOUTH RIGHT OF THE ABANDONED PORTION OF W. INDIANA AVENUE, CITY OF MIDLAND NO. 6159;

THENCE SOUTH 75°22'02" WEST WITH THE SOUTH RIGHT-OF-WAY OF SAID W. INDIANA AVENUE, PASS THE SOUTHWEST CORNER OF SAID W. INDIANA AVENUE ABANDONMENT AT A DISTANCE OF 5.56 FEET, CONTINUING WITH THE SOUTH RIGHT-OF-WAY OF SAID W. INDIANA AVENUE, AN 80-FOOT PUBLIC RIGHT-OF-WAY, AND BLOCK 96 OF SAID WEST END ADDITION, A DISTANCE OF 186.77 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTHWEST CORNER OF A 127,500-SQUARE-FOOT PORTION OF SAID BLOCK 96 AND THE NORTHWEST CORNER OF THAT CERTAIN 2,650-SQUARE-FOOT TRACT AS DESCRIBED IN VOLUME 2933 PAGE 281 OF THE DEED RECORDS OF MIDLAND COUNTY, TEXAS;

THENCE SOUTH 14°42'21" EAST WITH THE WEST LINE OF SAID 2,650-SQUARE-FOOT TRACT, A DISTANCE OF 19.36 TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF INTERSECTION OF SAID 2,650-SQUARE-FOOT TRACT;

THENCE SOUTH 59°34'10" WEST WITH A NORTH LINE OF SAID 2,650-SQUARE-FOOT TRACT, A DISTANCE OF 29.11 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF INTERSECTION OF SAID 2,650-SQUARE-FOOT TRACT;

THENCE SOUTH 71°23'07" EAST, WITH A WEST LINE OF SAID 2,650-SQUARE-FOOT TRACT, PASS THE COMMON SOUTHWEST CORNER OF SAID 2,650-SQUARE-FOOT TRACT AND THE NORTHEAST CORNER OF THAT CERTAIN 2,650-SQUARE-FOOT TRACT AS DESCRIBED IN VOLUME 2933 PAGE 275 OF SAID DEED RECORDS OF MIDLAND COUNTY, TEXAS AT 38.62 FEET CONTINUING WITH THE EAST LINE OF SAID 2,650-SQUARE-FOOT TRACT AS DESCRIBED IN VOLUME 2933 PAGE 275, A TOTAL DISTANCE OF 84.27 FEET TO A 1" ALUMINUM CAP STAMPED "CITY OF MIDLAND" (CONTROL MONUMENT) FOUND AT THE NORTHEAST CORNER OF SAID 2,650-SQUARE-FOOT TRACT AS DESCRIBED IN VOLUME 2933 PAGE 275;

THENCE SOUTH 71°23'07" WEST, WITH THE SOUTH LINE OF SAID AS DESCRIBED IN VOLUME 2933 PAGE 275, A DISTANCE OF 26.34 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET ON THE EAST LINE OF THE W 75-FEET OF THE W 175-FEET OF BLOCK 104 OF SAID WEST END ADDITION;

THENCE SOUTH 30°22'40" EAST WITH THE EAST LINE OF SAID S 70-FOET OF THE W 175-FEET OF BLOCK 104, A DISTANCE OF 26.48 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET FOR THE SOUTHEAST CORNER OF SAID S 70-FOET OF THE W 175-FEET OF BLOCK 104;

THENCE SOUTH 59°42'01" WEST WITH THE SOUTH LINE OF SAID S 70-FOET OF THE W 175-FEET OF BLOCK 104, A DISTANCE OF 175.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHWEST CORNER OF SAID S 70-FOET OF THE W 175-FEET OF BLOCK 104, ON THE EAST RIGHT-OF-WAY LINE OF S. L STREET, A 60-FOOT PUBLIC RIGHT-OF-WAY;

THENCE NORTH 30°22'31" WEST WITH THE WEST LINE OF SAID BLOCK 104, THE ABANDONED PORTION OF BRUNSON AVENUE, AS DESCRIBED IN VOLUME 68 PAGE 612 AND VOLUME 578 PAGE 459 OF SAID MIDLAND COUNTY DEED RECORDS AND THE EAST RIGHT-OF-WAY OF SAID S. L STREET, PASS A 1/2" IRON ROD IN A 2" IRON PIPE (CONTROL MONUMENT) FOUND AT THE NORTHWEST CORNER OF LOT 6 OF SAID BLOCK 104 AT A DISTANCE OF 40.36, CONTINUING FOR A TOTAL DISTANCE OF 120.86 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTHWEST CORNER OF SAID BRUNSON AVENUE ABANDONMENT ON THE SOUTH LINE OF SAID BLOCK 96;

THENCE SOUTH 59°42'01" WEST WITH THE SOUTH LINE OF SAID BLOCK 96, A DISTANCE OF 3.28 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHWEST CORNER OF SAID BLOCK 96 ON THE EAST RIGHT-OF-WAY LINE OF SAID S. L STREET;

THENCE NORTH 14°36'57" WEST WITH THE WEST LINE OF SAID BLOCK 96 AND THE EAST RIGHT-OF-WAY OF S. L STREET AND CROSSING W. INDIANA AVENUE, A DISTANCE OF 160.60 FEET TO A 3/8" SPIKE IN A 2" IRON PIPE (CONTROL MONUMENT) FOUND AT THE SOUTHWEST CORNER OF LOT 7 OF BLOCK 93 OF SAID WEST END ADDITION;

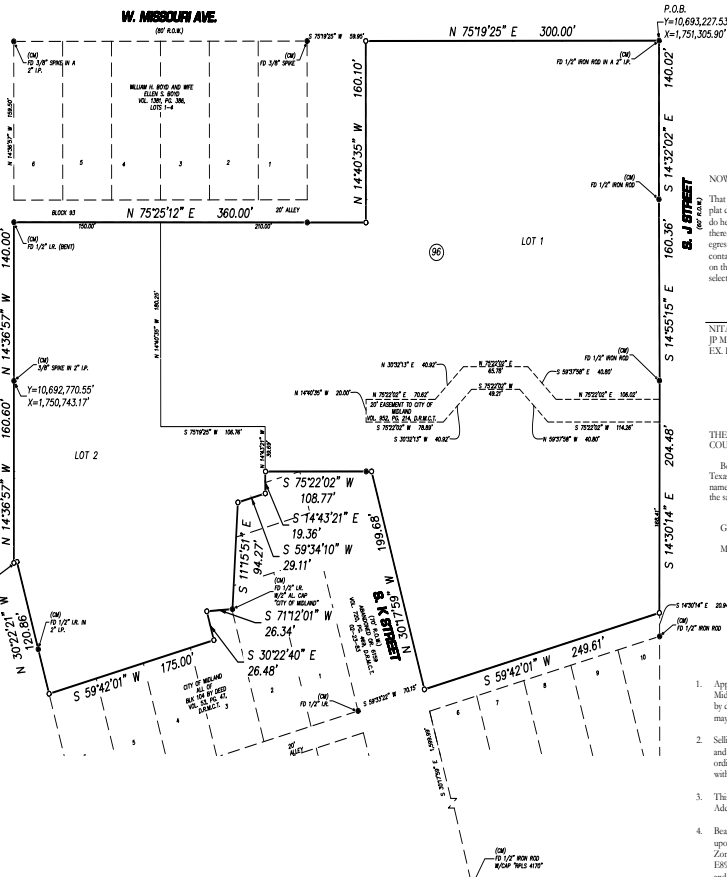
THENCE NORTH 14°36'57" WEST WITH THE WEST LINE OF SAID LOT 7, AND THE EAST RIGHT-OF-WAY OF S. L STREET, A DISTANCE OF 140.00 FEET TO A 1/2" BENT IRON ROD (CONTROL MONUMENT) FOUND AT THE NORTHWEST CORNER OF SAID LOT 7 ON THE SOUTH LINE OF A 20-FOOT ALLEY, WHENCE A 3/8" SPIKE IN A 2" IRON PIPE (CONTROL MONUMENT) FOUND AT THE NORTHWEST CORNER OF LOT 6 OF SAID BLOCK 93 BEARS NORTH 14°36'57" WEST, A DISTANCE OF 15.50 FEET;

THENCE NORTH 75°25'12" WEST WITH THE NORTH LINE OF LOTS 7 THRU 12 OF SAID BLOCK 93, THE SOUTH LINE OF SAID ALLEY, AND CROSSING S. K STREET, A DISTANCE OF 360.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTHWEST CORNER OF LOT 7 OF SAID BLOCK 94 ON THE EAST RIGHT-OF-WAY LINE OF S. K STREET;

THENCE NORTH 14°40'25" WEST CROSSING A 20-FOOT ALLEY AND WITH THE WEST LINE OF LOT 6 OF SAID BLOCK 94 AND THE EAST RIGHT-OF-WAY OF S. K STREET, A DISTANCE OF 160.10 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTHWEST CORNER OF SAID LOT 6 ON THE SOUTH RIGHT-OF-WAY LINE OF W. MISSOURI AVENUE, WHENCE A 3/8" SPIKE (CONTROL MONUMENT) FOUND AT THE NORTHEAST CORNER OF LOT 1 OF SAID BLOCK 93 BEARS SOUTH 75°25'12" WEST, A DISTANCE OF 36.00 FEET;

THENCE NORTH 75°25'12" EAST WITH THE NORTH LINE OF LOT 1 THRU 4 OF SAID BLOCK 94 AND SOUTH RIGHT-OF-WAY OF SAID W. MISSOURI AVENUE, A DISTANCE OF 160.10 FEET TO THE POINT OF THE BEGINNING CONTAINING 6.281 SURFACE AREA.

PACKET



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, the undersigned owner of the land shown on this plat, do hereby adopt this plat designating the herein described property as West End Addition, Section 27, and do hereby dedicate to the public use forever the streets, alley and easements shown thereon for the purpose and consideration therein expressed, and an easement of egress and ingress for trash collection, and location and maintenance of trash containers, and as a condition of said easement that no construction shall commence on the said lot or lots until the exact location of said containers there have been selected and approved by the Director of Utilities.

NITA STEWART HALEY MEMORIAL LIBRARY
JP MCDANIEL
EX. DIRECTOR HALEY LIBRARY

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 JP McDaniel, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of ____, 2022.

My commission expires: _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

GENERAL NOTES

- Approval of a site plan by the City of Midland may be required before this lot may be developed and before a building permit may be obtained.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law subject to fines and withholding of utilities and building permits.
- This property is located in West End Addition, in addition to the City of Midland.
- Bearings, distances and coordinates are based upon the Texas Coordinate System, Central Zone, city of Midland GPS monument E28-0405, with a theta angle of -08°54'55" and a combined grid factor of 0.9999991017.
- The property lies in Zone X per the FEMA/FIRM Panel 48329C102F, dated September 16, 2005.
- Initial impact fees will be assessed during the final planning process. Implementation and

collection of impact fees will take place during the building permit process. Additional impact fees or increase in fees may not be addressed against the tract unless the number of acre units to be developed on the tract increases.

- Comply with the existing drainage analysis titled West End Addition, Section 27, dated by XXXXXXXXXX, and approved by the City of Midland on XXXXXX, 2022 by XXXXXXXX, or any revision, correction, amendments, or replacements of this drainage analysis that are approved by the City of Midland.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, the undersigned owner of the land shown on this plat, do hereby adopt this plat designating the herein described property as West End Addition, Section 27, and do hereby dedicate to the public use forever the streets, alley and easements shown thereon for the purpose and consideration therein expressed, and an easement of egress and ingress for trash collection, and location and maintenance of trash containers, and as a condition of said easement that no construction shall commence on the said lot or lots until the exact location of said containers there have been selected and approved by the Director of Utilities.

MUSEUM OF THE SOUTHWEST
LORI WESLEY
EX. DIRECTOR MUSEUM OF THE SOUTHWEST

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 Lori Wesley, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of ____, 2022.

My commission expires: _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYORS CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

That I, John F. Landgraf, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Midland, Texas.

PRELIMINARY

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

JOHN F. LANDGRAF, R.P.L.S. # 2410

OWNER: NITA STEWART HALEY
1065 W. INDIANA AVE
MIDLAND, TX 79701
OWNER: MUSEUM OF THE SOUTHWEST
716 W. MISSOURI AVE
MIDLAND, TX 79701

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
521 NORTH TEXAS
ODESSA, TEXAS 79616-5131
PHONE: (432) 332-5058

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CARNET _____

DATE: _____ PAGE: _____



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

ATMOS ENERGY

AT&T TELEPHONE COMPANY

ONCOR ELECTRIC

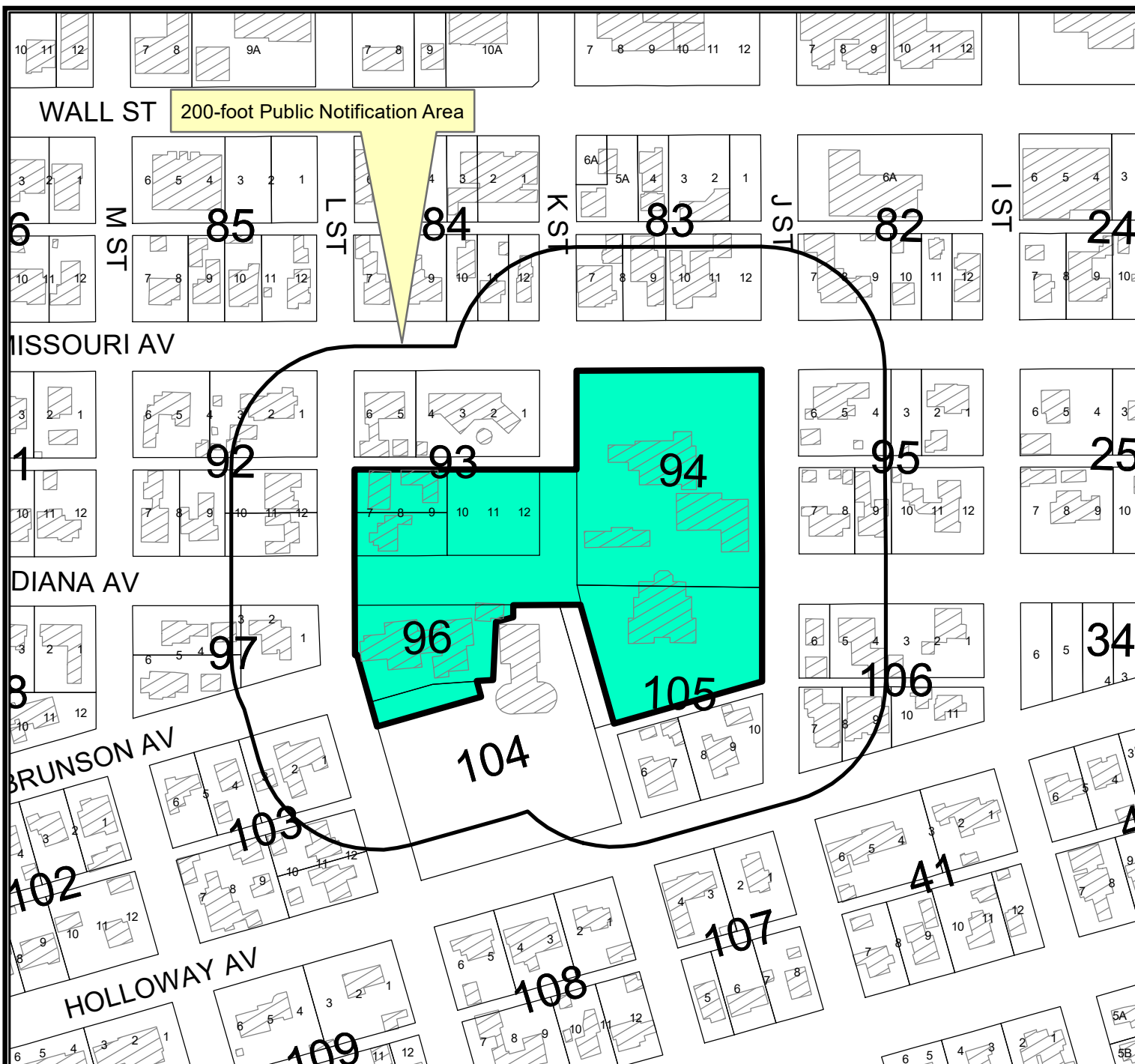
SUDDENLINK COMMUNICATIONS

GRANDE COMMUNICATIONS

Page 8.57

WEST END, SECTION 27
September 6, 2022 - LAND SURVEYING
521 North Texas, Odessa Tx. 79761 F-001363 F-10034300
Phone # (432) 332-5058 E-Mail: la@lcaodessa.com





LOCATION MAP

SUD-22-0516

Scale: 1" = 200'

Proposed plat of West End Addition, Section 27 being a replat of Lots 7-12, Block 93, Lots 1- 12, Block 94, the abandoned alley in Block 94, a 0.263-acre portion of Block 96, the North 40-feet of the west 175-feet of Block 104, Lots 1-5, Block 105, the abandoned portions of Brunson Avenue, the abandoned portions of W. Indiana Avenue and S. K Street, all in the West End Addition, Vol. 17 Pages 614 & 615, Midland County Deed Records, City and County of Midland, Texas.

Generally located on the southwest corner if the intersection of West Missouri Avenue and South J Street. (Council District 3).

LEGEND

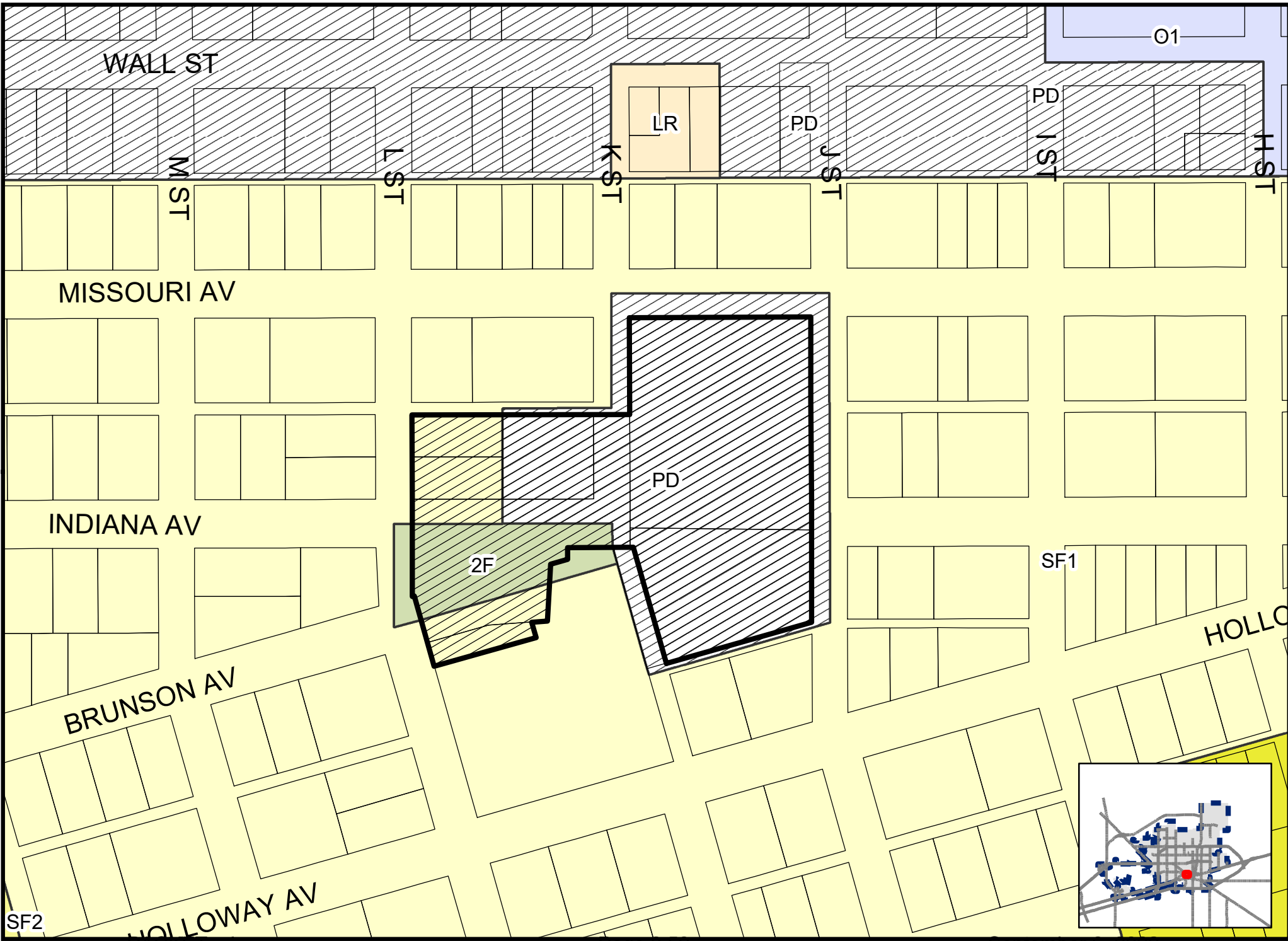
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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

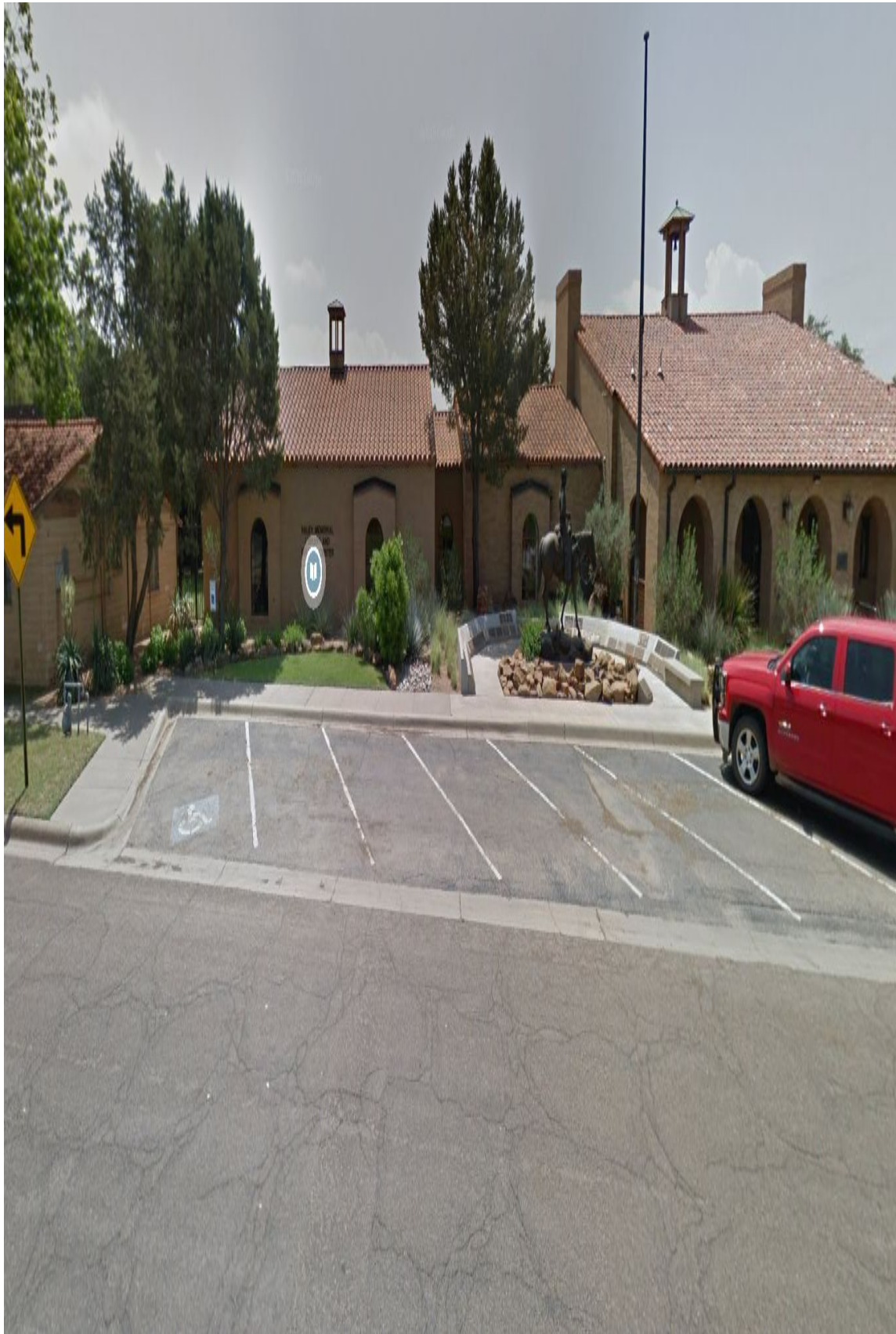


PACKET













Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 6, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion to approve with staff's recommended conditions, a proposed Preliminary Plat of Green Tree North Addition, Section 23, being a residential replat of Lots 12 & 13, Block 5, Correction Plat Green Tree North, City and County of Midland, Texas. Generally located on the southeast corner of the intersection of Island Dr and Rustic Trail. (Council District 1)(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant, Landpoint, is requesting to replat Lots 12 and 13, Block 5, Correction Plat Green Tree North, City and County of Midland, Texas, for ownership purposes. This is a residential replat; therefore, a public hearing is required (Midland City Code 11-2-7 (A)).

Current Zoning:

SF1, Single Family Dwelling District.

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

BUILDING CODE: (Approved)

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

requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

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

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

PAVING: Rustic Trail and Island Drive are okay as is. [For the Applicant's information only.]

WATER: 6" water exists in Island Drive and 6" water in Rustic Trail and Island Drive, okay as is. No public water improvements are required. [For the Applicant's information only.]

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

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

SEWER: 8" sewer exists in Rustic Trail and a 6" in Island Drive, okay as is. No public wastewater improvements are required. [For the Applicant's information only.]

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

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

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

DIMENSION: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

Future development shall meet the requirements of IFC 2015 ed. and local ordinances.
[For the Applicant's information only.]

CODE COMPLIANCE: (Approved)

No Oil and Gas issues. [For the Applicant's information only.]

PLANNING: (Approved)

Show utility poles. [For the Applicant's information only.]

This property is zoned SF-1, Single-Family Dwelling District, which meets the minimum lot dimension requirements of 80-feet in width by 100-feet in depth. This is considered a residential replat and requires a public hearing at the preliminary plat phase. [Midland City Code [11-2-7(A)2(b)]]

MCAD shows Brent D. Hillard as the owner; if you will be adding the Hilliard Companies, LLC, proof of name needs to be provided and the LLC name must be consistent throughout the plat face. [For the Applicant's information only.]

The planning department supports approval of the Preliminary Plat of Green Tree North Addition, Section 23, subject to condition A.

Condition:

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

Attachments:

Application
Proposed Preliminary Plat
Maps



Preliminary Plat Application

Project Number:

SUB-22-0528

Case Number:

P-22-1394

Proposed Subdivision Plat Name: GREEN TREE NORTH ADDITION, SECTION 23

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 12 & 13, BLOCK 5, CORRECTION
PLAT GREEN TREE NORTH, CITY AND COUNTY OF MIDLAND, TEXAS.**Property Owner**

Printed Name: Brent D. Hilliard, President

Phone (432) 683-9100

Email hilliard@mmbo.com

Address P.O. Box 52510

City Midland

State TX

Zip 79701

Developer (if different than Owner)

Printed Name: The Hilliard Companies, LLC

Phone (432) 683-9100

Email hilliard@mmbo.com

Address P. O. Box 52510

City Midland

State TX

Zip 79701

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

Firm: LANDPOINT

Phone (432) 528-3159

Email lwalker@team-west.com

Printed Name: Larry H. Walker, PE

Address 110 W. Louisiana Street Suite 110

City Midland

State TX

Zip 79701

Current Zoning: SF1

Reason for Platting: REPLATTING SAID PROPERTY

Plat Information

Total Acreage: 1.52 acres

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

Number of Lots: 2

Number of Multi-family Dwelling Units: 0

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

Signature (by property owner only – authorized agent must sign affidavit below)Property Owner (signature): Brent HilliardDate: 8/3/2022Property Owner (printed): BRENT D. HILLIARD

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.

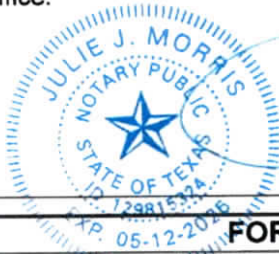
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Brent Hilliard who, being by me duly sworn, upon oath says: That (s)he is the owner of 4800 Island Drive or is authorized by _____ the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this 3rd day of August, 20 22, to certify which witness my hand and seal of office.

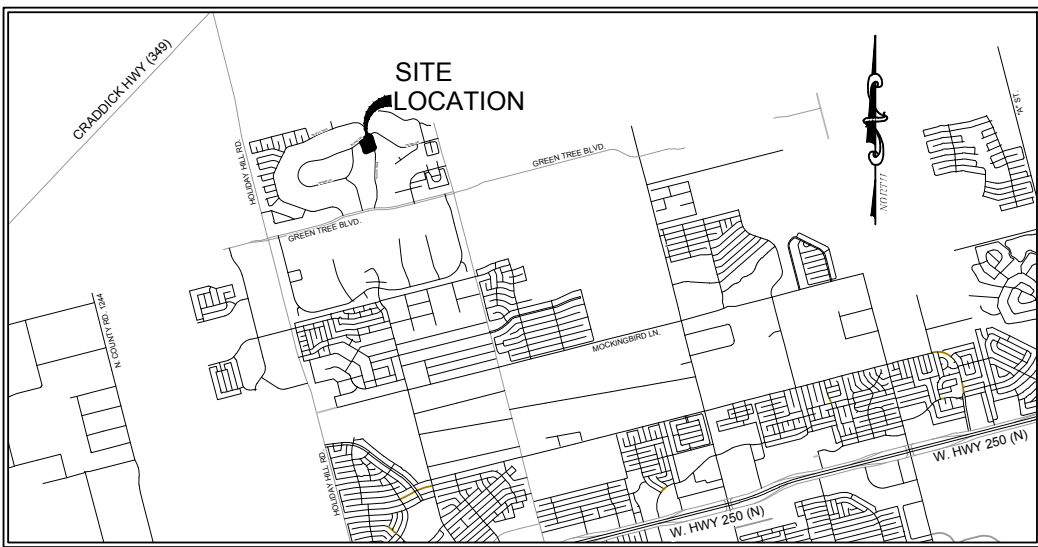
Julie Morris
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS**FOR OFFICE USE ONLY**☒ Property Owner Authorization☒ 1 Copy of Dimensioned Plat☒ Plat in Digital Format (PDF/JPEG)☒ Application Fee☒ 1 Copy of Plat (11x17)Check # 26243James Perez
AUG 03 2022Received By: James PerezDate: 8/3/22****Application will not be considered for scheduling until reviewed by a planner.****

Preliminary Plat Application

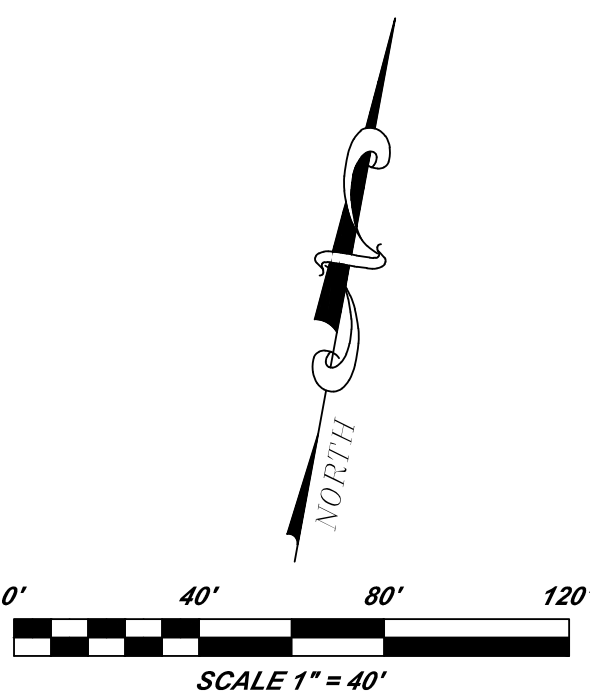
2

Revised 07/01/19

PRELIMINARY PLAT
GREEN TREE NORTH ADDITION, SECTION 23
BEING A REPLAT OF LOTS 12 & 13, BLOCK 5, CORRECTION
PLAT GREEN TREE NORTH, CITY AND COUNTY OF MIDLAND, TEXAS.



VICINITY MAP
(NOT TO SCALE)



LEGEND

- DENOTES SET 1/2" IRON ROD w/ RED PLASTIC CAP MARKED "WEST CO. MIDLAND"
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES BOUNDARY LINE
- DENOTES PROPOSED LOT LINE
- DENOTES EXISTING LOT LINE, ADJACENT DEED, OR PROPERTY LINE
- - - DENOTES EXISTING EASEMENT
- D.R.M.C.T. DEED RECORD, MIDLAND COUNTY, TEXAS
- O.P.R.M.C.T. OFFICIAL PLAT RECORDS, MIDLAND COUNTY, TEXAS

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	TAN.
C1	S 01°02'47" E	825.89'	15.08'	7.54'
C2	S 12°02'22" E	281.29'	59.11'	29.66'
C3	S 99°25'41" E	25.62'	44.46'	30.22'

(RECORDED: CURVE DATA)

CURVE	DELTA	RADIUS	LENGTH	TAN.
C1	S 19°41'09" E	870.00'	15.00'	150.95'
C2	S 08°03'37" E	419.03'	58.95'	29.52'
C3	S 101°09'36" E	25.00'	44.14'	30.41'

NOTICE:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
- WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0066E, EFFECTIVE DATE: 12/07/89, THIS SURVEYOR HAS DETERMINED THAT PART OF THIS PROPERTY IS LOCATED IN ZONE "X" WITH THE 100 YEAR FLOODPLAIN. THIS DETERMINATION SHALL NOT CREATE A LIABILITY UPON SAID SURVEYOR.
- THE FOLLOWING BLANKET EASEMENTS ENCUMBER THIS PROPERTY:
A. TO MAGNOLIA PIPE LINE COMPANY, RECORDED IN VOLUME 67, PAGE 531, DEED RECORDS MIDLAND COUNTY, TEXAS.
B. TO CAP ROCK ELECTRIC COOPERATIVE, INC., RECORDED IN VOLUME 751, PAGE 278, DEED RECORDS MIDLAND COUNTY, TEXAS.
C. TO TEXAS ELECTRIC SERVICE COMPANY, RECORDED IN VOLUME 774, PAGE 155, DEED RECORDS MIDLAND COUNTY, TEXAS.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

SUDDENLINK Print Name:

GRANDE COMMUNICATIONS Print Name:

AT&T-TEXAS Print Name:

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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, BRENT D. HILLIARD, is the record owner of a 10.8 Acre Tract of land being a re-plat of all of Lots 12 & 13, Block 5, correction Plat Green Tree North, Section 23 an addition to to the City of Midland, Midland County, Texas, according to the plat recorded in Plat Cabinet "C", on page 149 of the Plat Records of Midland County, Texas,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, BRENT D. HILLIARD, being the owner of the land shown on this plat designated as GREEN TREE NORTH ADDITION, SECTION 23, 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 and trash collection, and 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 have been selected and approved by the Director of Utilities.
WITNESS my hand at Midland, Texas, this

the _____ day of _____, 2022.

By: BRENT D. HILLIARD

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, BRENT D. HILLIARD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as the authorized agent, 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 _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DURYN HENINGTON, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

PRELIMINARY. NOT TO BE FILED OF RECORD FOR ANY PURPOSE.

DURYN HENINGTON, R.P.L.S. 6832
110 W. LOUISIANA AVE., SUITE 110
MIDLAND, TX 79701
432.687.0865

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "GREEN TREE NORTH ADDITION, SECTION 23", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2022.

LUCY SISNIEGA, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

OWNER:

Brent D. Hilliard
P.O. Box 52510
Midland, Texas 79710



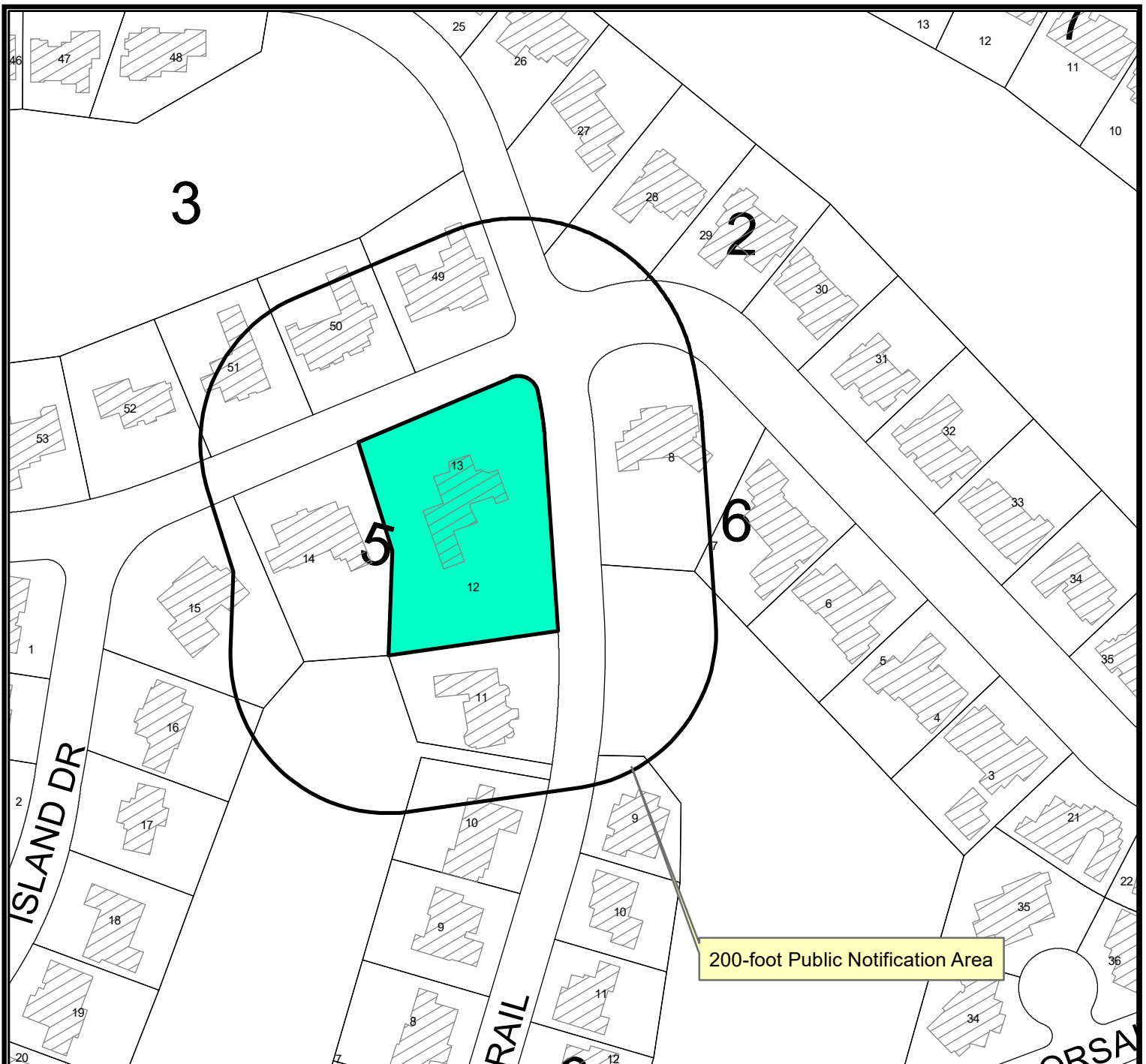
SURVEYORS - ENGINEERS - PLANNERS ,
ENGINEER REGISTRATION: FIRM 2184
SURVEYOR REGISTRATION: FIRM 100682-00
110 W. LOUISIANA AVE., SUITE 110,
MIDLAND, TEXAS 79701
(432) 687-0865 - FAX (432) 687-0868

AUGUST 2022

GREEN TREE NORTH ADDITION, SECTION 23

© COPYRIGHT 2022 - LAND POINT dba WEST COMPANY of MIDLAND, LLC. - ALL RIGHTS RESERVED

D:\CIVIL DRAWINGS\2022\2022-0076\EXTERNAL REFERENCES\DWG\2022-0076 S.DWG



LOCATION MAP

P-22-1394

Scale: 1" = 200'

Proposed re-plat of Green Tree North Addition, Section 23, being a residential replat of Lots 12 & 13, Block 5, Green Tree North Correction Plat, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of Island Dr and Rustic Trail. (Council District 1)

LEGEND

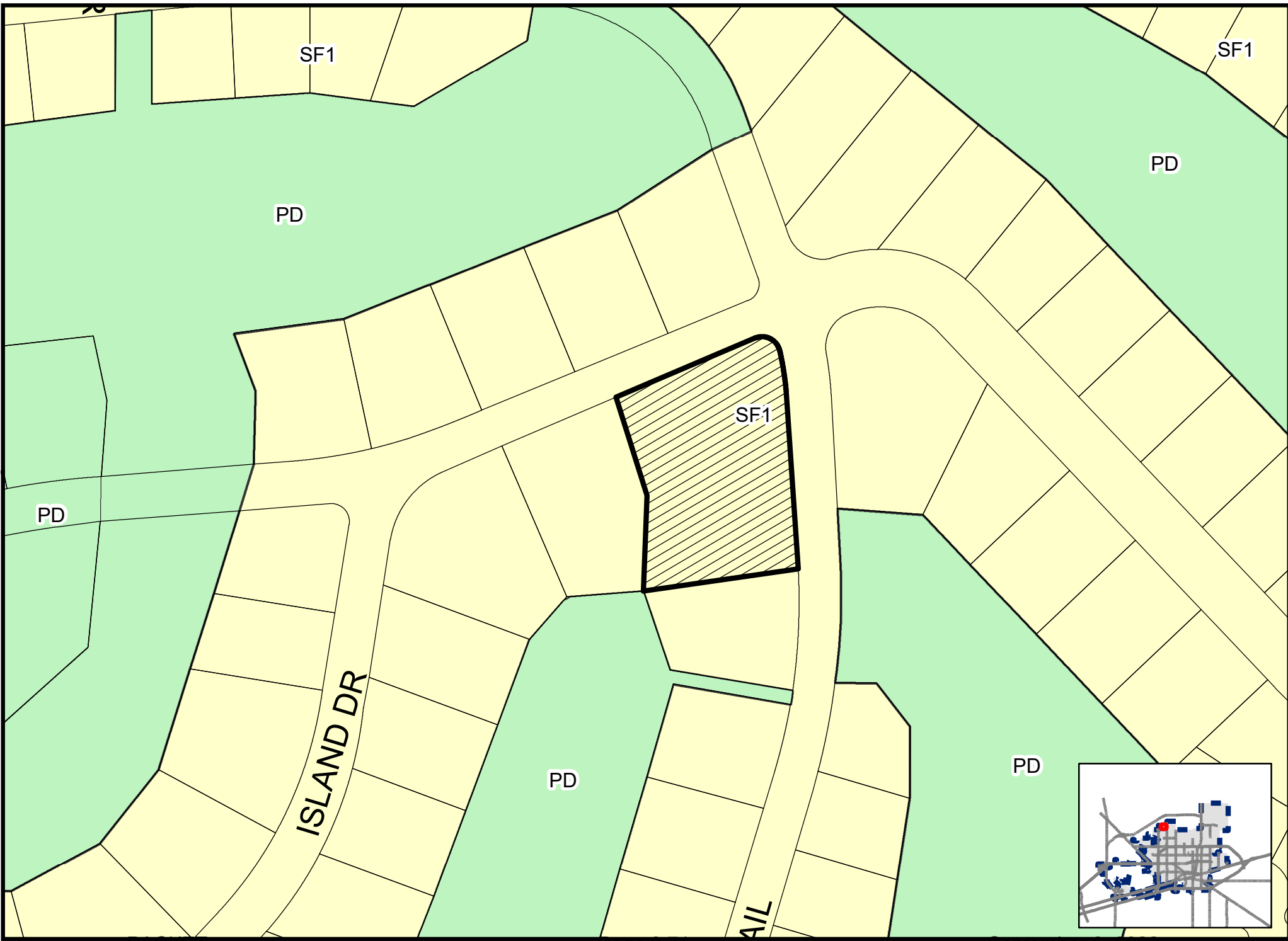
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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







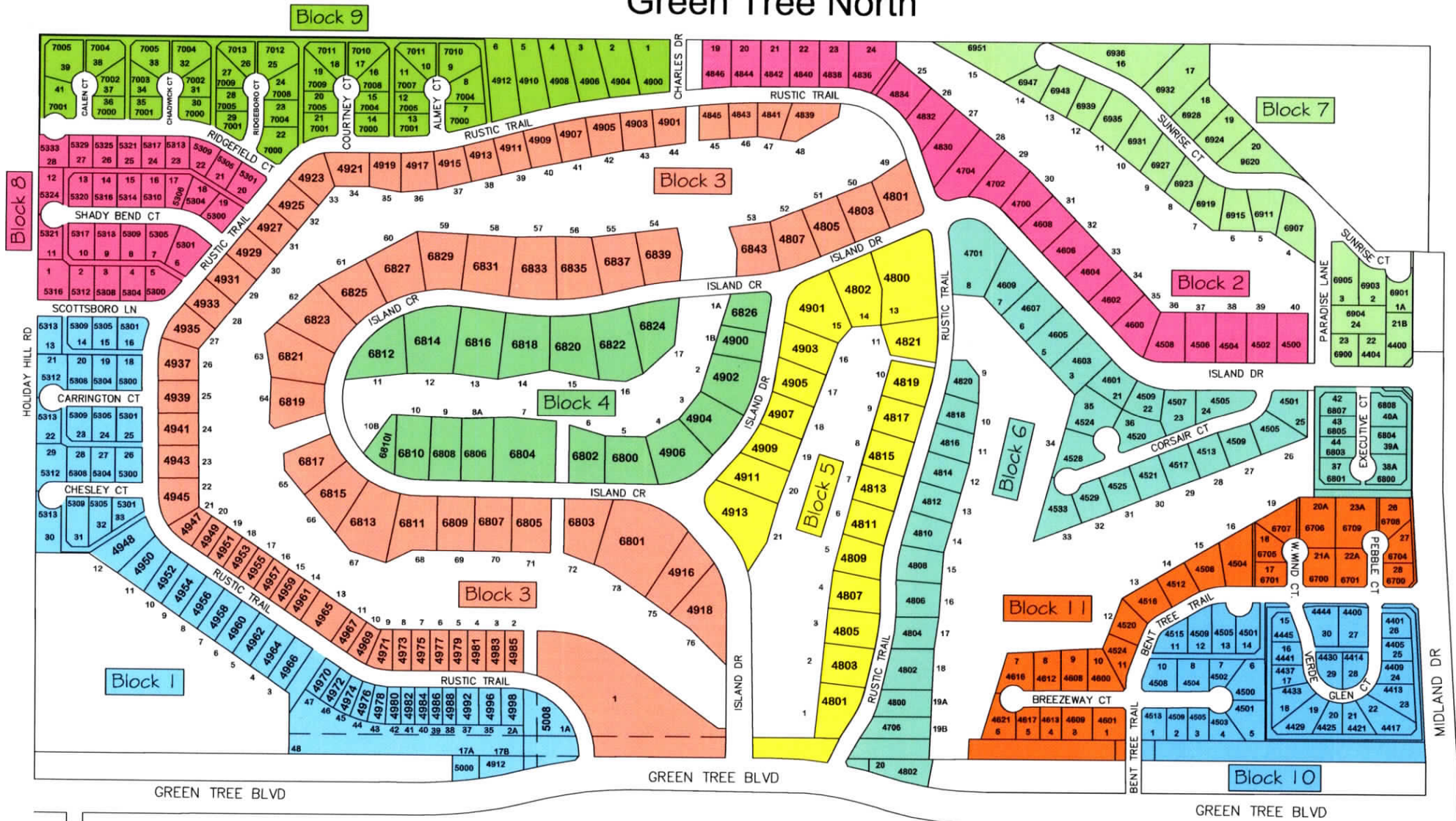








Green Tree North

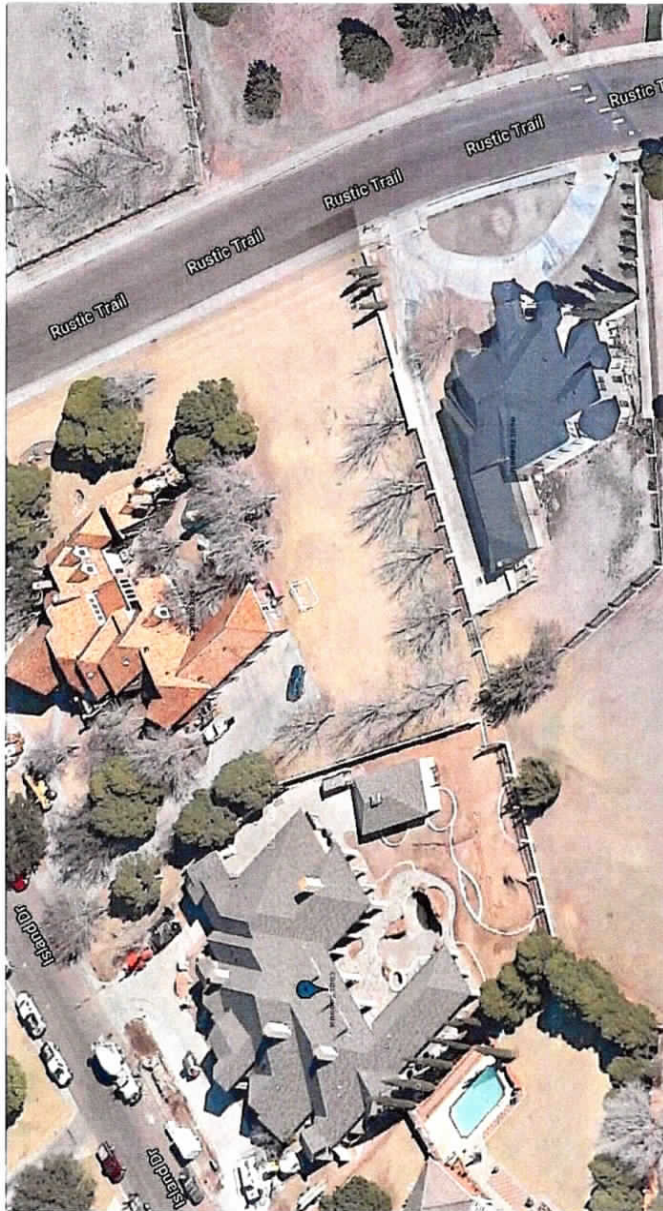


10-14-08











Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 06, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving a request by Jose Chavez for a zone change from MF-22, Multi-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 17, Block 59, Park Avenue Heights Addition, City and County of Midland, Texas. (Generally located on the north side of East California Avenue, approximately 480-feet east of South Lamesa Road - Council District 2)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Jose Chavez, is requesting a Zone Change from MF-22, Multi-Family Dwelling District to SF-3, Single-Family Dwelling District, for a future development of a house located at 1205 E. California Avenue.

Current Zoning:

MF22, Multi-Family Dwelling District.

Surrounding Zoning and Land Use:

The properties to the north, east, south, and west are zoned MF-22, Multi-Family Dwelling District, with the exception of three lots to the North and East who's zoning has been corrected to SF-3, Single-Family Dwelling District, and is the location of single-family homes and vacant land.

Analysis:

The applicant is requesting to rezone the property from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, to allow for the construction of a residential home. The property meets the minimum lot size requirements for the SF-3,

Single Family Dwelling District. Under the previous zoning code, the current zoning district would have allowed for construction of single-family homes, which allowed for the proliferation of their construction in this area. Under the new Zoning Code adopted in 2019, residential uses became more specified to single family zoning district.

The applicant will be required to adhere to the site plan review standards outline within the City of Midland Zoning Ordinance Section 5.04: - Residential Zoning District Dimensional Regulations Chart.

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

Departmental Review:

Fire: (Approved)

No objections.

Building: (Approved)

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

Engineering: (Approved)

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

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

Code: (Approved)

No Oil and Gas Issues.

Transportation: (Approved)

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

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

Planning (Approved):

The City of Midland Planning Department supports this rezone because of the existing surrounding uses. The surrounding use is comprised of single-family and multi-family residences. According to the Tall City Tomorrow Comprehensive Plan, Urban Residential-Medium (UR-M) land use intends to blend a mix of housing types, especially in older neighborhoods. Potential zoning for UR-M land use includes Single-Family Dwelling District, however does not list MF-22, Multi-Family Dwelling District. Therefore, changing 1205 E California Ave to SF-3, Single Family Dwelling District would fit in the intended land use appropriately.

Staff recommends approval of this zone change from MF-22, Multi-Family Dwelling 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 August 31, 2022.

Attachments:

Application
Maps
Survey (Exhibit A)



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: 2-22-0300
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Schumann Engineering</u>		Phone (432) <u>684-5548</u> Email: <u>caleman@schumannonline.net</u>	
Address: <u>800 N. Marientfeld, Suite 800</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79701</u>

Property Owner Printed Name: <u>Jose Chavez</u>		Phone () _____ Email: _____	
Address: <u>1611 N. Lamesa</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79701</u>

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

Street Address: <u>1205 E. California Ave.</u>		
Legal Description Lot: <u>17</u> Block: <u>59</u> Subdivision: <u>Park Avenue Heights</u>		

Current Zoning: <u>MF 22</u>	Proposed Zone: <u>SF 3</u> (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>To comply with Residential Zoning SF3</u>	

Present Use of Property: <u>Vacant.</u>
Proposed Use of Property: <u>Residence</u>
How would this zone change affect the public health, safety and welfare? <u>N/A</u>
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): <u>Ed Aleman</u>	Date: <u>8-9-22</u>
Applicant (printed): <u>Ed Aleman</u>	
Property Owner (signature): <u>Jose Chavez</u>	Date: <u>8-9-22</u>
Property Owner (printed): <u>Jose Chavez</u>	

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

Ed Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 9th day of August, 2022, to certify which witness my hand and seal of office.



KEVIN STARNES
Notary Public, State of Texas
Comm. Expires 03-03-2024
Notary ID 128975224

Kevin Starnes
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>N/A Cash</u>	
Received By: _____	Date: _____


 AUG 09 2022
 LO

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



PARK AVENUE HEIGHTS ADDITION

A REPLAT OF
BLOCKS 52,53,56,57,58, & 59, MOODY ADDITION AND
A PART OF TRACTS 1 & 2 OF HOMESTEAD ACRE LOTS OF MOODY'S ADDITION,
SECOND SECTION, TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

SCALE 1"=100 FEET

APPROVED AND ACCEPTED BY PROPER ACTION OF
THE CITY COUNCIL OF MIDLAND, TEXAS ON
JAN. 28, 1953

Perry Pickett
MAYOR
J. C. Hedman
CITY SECRETARY

I, T. O. WALLIS, REGISTERED PROFESSIONAL
ENGINEER, CERTIFY HEREBY THAT THIS
PLAT REPRESENTS CORRECTLY A SUB-
DIVISION BY ME OF THE ABOVE LAND
AS SHOWN HEREON, AND THAT IT IS
BASED UPON A GROUND SURVEY.

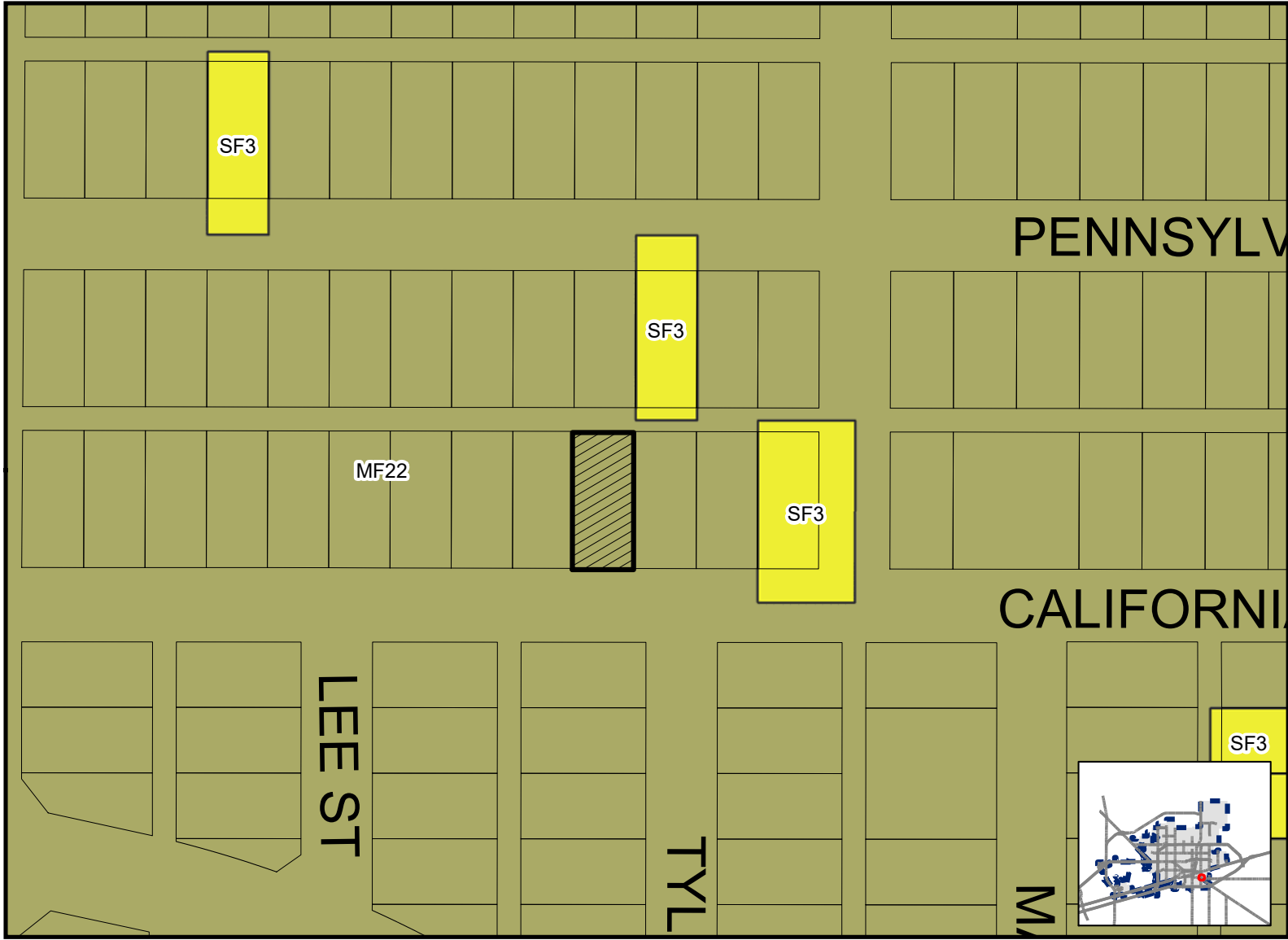
T. O. Wallis
REG. PROF. ENGR. - STATE OF TEXAS
JAN. 10, 1953

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. 7 CABINET B
DATE 2-3-53 PAGE 46

September 6, 2022

PARK AVENUE HGTS.



Map By AW, 8/12/2022

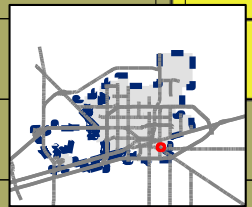
Z-22-0300

Scale: 1" = 200'

ZONING MAP



© THE CITY OF MI
TO BE USED AS A P
HEREIN THE CITY OF



UCL - WORKSIT DESIGNED
INFORMATION CONTAINED
THE USE OF THIS DATA











Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 06, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of Carrollwood Addition, being a 31.29 - acre tract of land out of the northeast quarter of Section 24, Block 40, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the west side of Antelope Trail, approximately 3,000-feet north of west County Road 140 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Engineering, is requesting to plat a subdivision of 31.29 - acre tract of land out of the northeast quarter of Section 24, Block 40, T-2-S, T&P, RR Co. Survey, Midland County, Texas, to divide tract into six (6) smaller lots and to obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction

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

Departmental Review:

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: South County Road 1232 is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)2]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)2]

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

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

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

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 report approved for platting purposes in 8/10/22. [Reference Midland City Code 11-2-3(D)8]

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

SIDEWALKS: Required at building permit. However, subdivision located in county so request a deferral. [Reference Midland City Code Sect. 11-2-3(G)2]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

No comments.

CRMWD: (Approved)

No comments.

Health:

Each lot 1 is 4.9-acre, lot 2 is 5.1 acre, lot 3 is 5.2 acre, lot 4 is 5.1 acre, lot 5 is 5.1 acre, and lot 6 is 5.6 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. [For the Applicant's information only.]

Martin County:

They will need to apply for a permit to tie into SCR 1232. [For the Applicant's information only.]

PLANNING: (Approved with Conditions)

This plat is greater than 25 acres. Therefore, approval by City Council is required at preliminary. [11-2-3(D)11(a)6] [For the Applicant's information only.]

Legal description on the plat face should read, "Being, a plat of a 31.29 - acre tract of land out of the northeast quarter of Section 24, Block 40, T-2-S, T&P, RR Co. Survey, Midland County, Texas." [For the Applicant's information only.]

Remove topographic details form plat. [For the Applicant's information only.]

The planning department supports approval of the Preliminary Plat of Carrollwood Addition subject to condition A.

Condition:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-3(G)2.**

Attachments:

Application
Proposed Preliminary Plat
Map



Preliminary Plat Application

Project Number: SUB-22-0530
Case Number: D-22-1399

Proposed Subdivision Plat Name: Carrollwood Addition

Legal Description (attached sealed Metes and Bounds): Being a 31.29 acre tract of land in the NE part of Section 24, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Property Owner

Printed Name: Danny Carroll - Danny's Asphalt

Address 12820 E. HIGHWAY 191

City Midland

Phone 432-563-1240

Email
dannyt@dannyspaving.com

State TX

Zip 79707

Developer (if different than
Owner) Printed Name:

Address

City

Phone ()

Email

State

Zip

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

Firm: Schumann Engineering Co., Inc.

Printed Name: Eduardo L. Aleman

Address 800 N. Marienfeld Suite 100

City Midland

Phone (432) 684-5548

Email
ealeman@schumannonline.net

State TX

Zip 79701

Current Zoning:

Reason for Platting: To divide tract into smaller lots and obtain septic permits

Plat Information

Total Acreage: 31.29

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 6

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): [Signature]

Date: 8-10-22

Property Owner (printed) : Danny Carroll

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

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

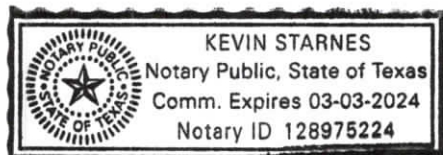
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Danny Carroll, 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 10th day of August, 20 22, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

Received By: _____

Date: _____

RECEIVED
AUG 10 2022
LO

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

CARROLLWOOD ADDITION

A SUBDIVISION OF 31.29 ACRES
IN THE NORTHEAST PART OF
SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE NORTHEAST PART OF SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 31.29 ACRE TRACT OF LAND, OUT OF THE NORTHEAST PART OF SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS. SAID 31.29 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH REINF BAR FOUND (N:#####, E:#####) IN THE CURVED WEST RIGHT OF WAY LINE OF SOUTH COUNTY ROAD 1223, ALSO KNOWN AS ANTELOPE TRAIL, FOR THE SOUTHEAST CORNER OF THIS TRACT FROM WHICH THE SOUTHEAST CORNER OF SECTION 24, BLOCK 40, T-2-S, T & P RR CO SURVEY, MIDLAND COUNTY, TEXAS, BEARS NORTH 75°14'23" EAST, 945.41 FEET AND SOUTH 14°22'36" EAST, 2657.06 FEET;

THENCE SOUTH 75°14'23" WEST, 1776.84 FEET TO A 1/2 INCH REINF BAR FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 16°47'31" WEST, 812.54 FEET TO A 1/2 INCH REINF BAR FOUND FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°37'01" EAST, 1656.48 FEET TO A 1/2 INCH REINF BAR FOUND IN THE CURVED WEST RIGHT OF WAY LINE OF SAID SOUTH COUNTY ROAD 1223 FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE IN A SOUTHEASTERLY DIRECTION WITH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 819.86 FEET, RADIUS OF 2150.00 FEET, CENTRAL ANGLE OF 21°50'55", CHORD DIRECTION OF SOUTH 25°18'37" EAST, AND A CHORD DISTANCE OF 814.90 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS CARROLLWOOD ADDITION A SUBDIVISION OF 31.29 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 2022.

DANNY CARROLL
DANNY'S ASPHALT PAVING, INC.

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2022, BY DANNY CARROLL OF DANNY'S ASPHALT PAVING, INC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER(S):

DANNY'S ASPHALT PAVING, INC.,
12820 E. HIGHWAY 191,
MIDLAND, TX 79707
(432) 563-1240
dannyt@dannypaving.com

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF CARROLLWOOD ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2022.

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY

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

"THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW AND MARK-UP UNDER THE AUTHORITY OF RJ DAUM, RPLS 4826, ON JUNE 21ST, 2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, PERMIT OR RECORDING PURPOSES."

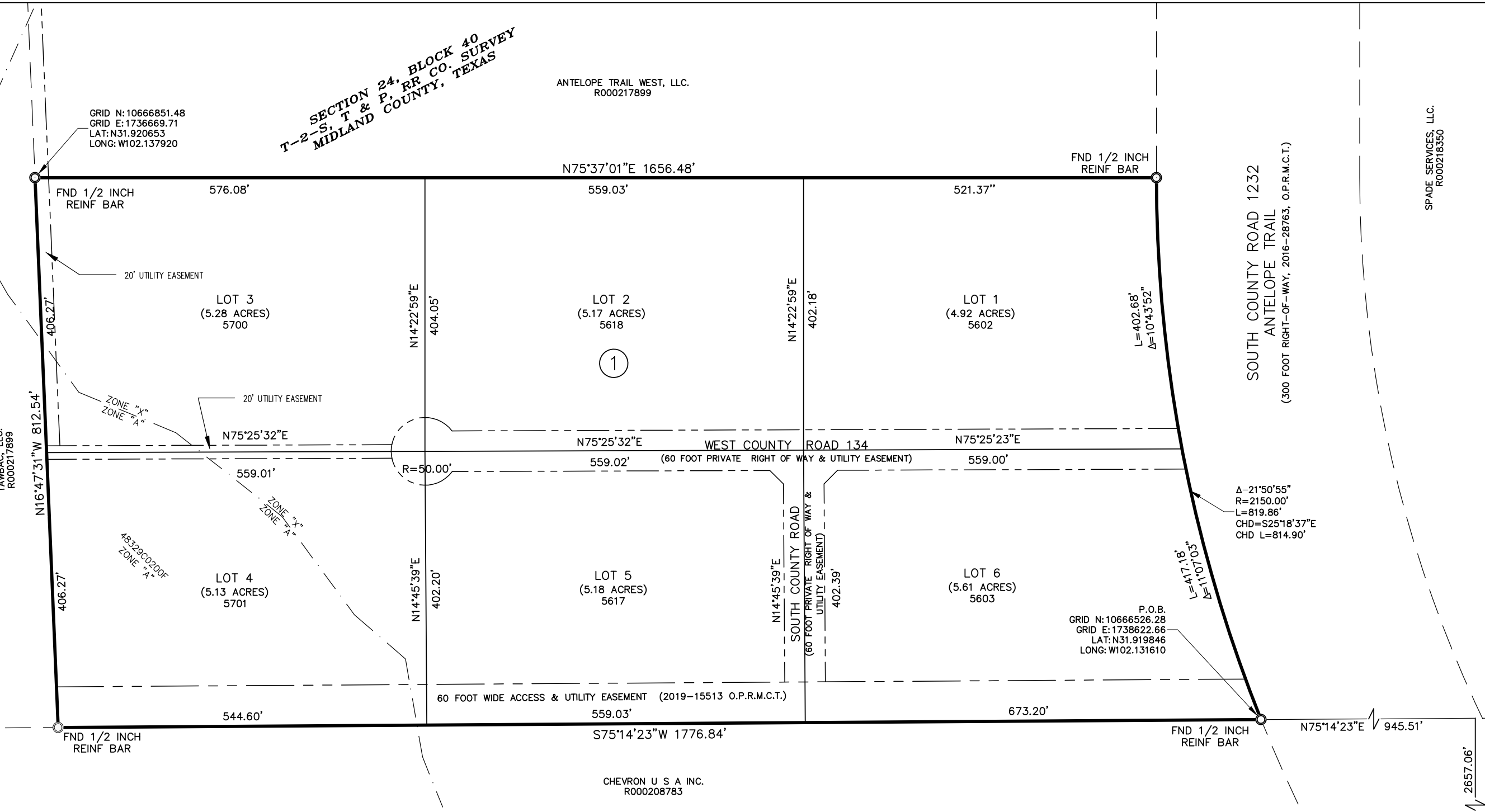
RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	06/21/2022	SKETCH PLAN	JD	JD	06/21/2022
2	07/27/2022	PRELIMINARY	JD	ED/RJ	78426
				78,663	1 OF 1

PROFESSIONAL LAND SURVEYOR

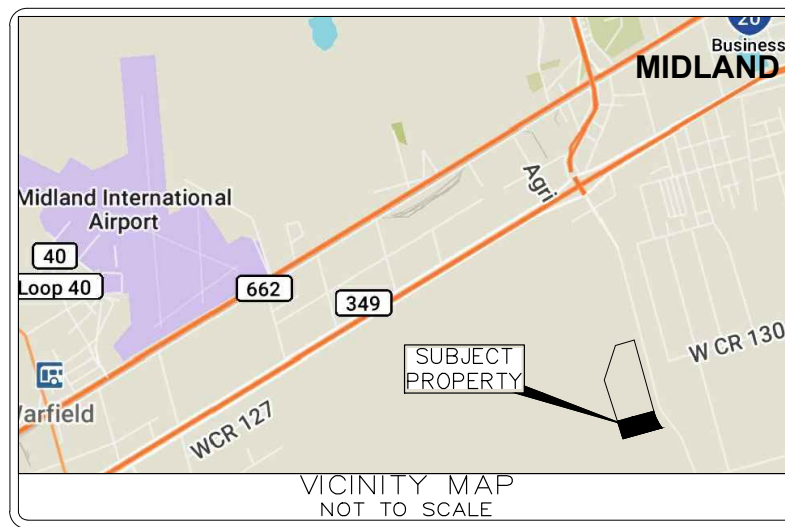
800 N. MARSHFIELD ST. #100
MIDLAND, TEXAS 79701

(432) 684-5548



LEGEND:

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



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS

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

CARROLLWOOD ADDITION

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

SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM No. 71880 - TEXAS FIRM No. 10149500

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

(432) 684-5548

CARROLLWOOD ADDITION



LOCATION MAP

SUB-22-0530 **Scale: 1" = 7,227'**

Proposed plat of Carrollwood Addition, a 31.29 - acres tract of land out of the northeast quarter of Section 24, Block 40, T-2-S, T&P, RR Co. Survey, Midland County, Texas.

Generally located on the west side of Antelope Trail, approximately 3,000-feet north of west County Road 140 - Extraterritorial Jurisdiction

- LEGEND**
- CITY LIMITS
 - PARCEL
 - ▨ PRIVATE BLDGS



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

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