

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

**September 7, 2021 - 3:30 PM
Council Chambers – City Hall**



Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas and via videoconference. 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/81344633933>

Or One tap mobile :

US: +13462487799,,81344633933# or +16699006833,,81344633933#

Or Telephone:

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

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

Webinar ID: 813 4463 3933

International numbers available: <https://us02web.zoom.us/j/81344633933>

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for August 16, 2021.
3. Consider a proposed Final Plat of Melody Acres, Section 15 being a residential replat of a 2.814 acres portion out of Lot 5A, Block 1, Melody Acres, Section 10, City and County of

Midland, Texas. (Generally located on the north side of Meadowlark Lane, approximately 826-feet east of Oriole Drive. Council District 1) (DEVELOPMENT SERVICES)

4. Consider a proposed Preliminary Plat of Mockingbird Heights, Section 14, being a plat of a 4.14-acre tract of land out of the west part of a 39.93 acres tract all being out of the West/2 of Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas. (Generally located on the east side on Valwood Drive, approximately 500 feet north of Tanforan Drive. Council District 1) (DEVELOPMENT SERVICES)
5. Consider a proposed Preliminary Plat of Fuse Industrial Park, Section 2, being a plat of a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located approximately 289 feet east of N. Calhoun Street and approximately 771 feet north of E. Indiana Street. Council District 2) (DEVELOPMENT SERVICES)
6. Consider a proposed Final Plat of Lone Star Trails II, Section 10, being a plat of a 12.22-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 southeast corner of the intersection of Carriage Road and Occidental Parkway. Council District 1) (DEVELOPMENT SERVICES)
7. Consider a proposed Preliminary Plat of Northwest Passage Addition, being a plat of a 117.035-acres tract of land out of Section 35, Block 40, T-1-S T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 1,001 feet north of State Highway 191. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
8. Consider a proposed Final Plat of Southern Addition, Section 24, being a re-plat of Lots 7, 8 and 9, Block 190, Southern Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of E. Dakota Avenue and S. Dallas Street. Council District 2) (DEVELOPMENT SERVICES)
9. Consider a proposed Preliminary Plat of Big Horn Addition, being a plat of a 10.00-acre tract of land out of Section 17, Block 40, T-2-S, T&P RR Co. Survey, Midland County Texas. (Generally located on the south side of W. Industrial Avenue, approximately 450 feet west of S. County Road 1276. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
10. Consider a proposed Final Plat of Westridge Park Addition, Section 44, being a re-plat of Lot 3, Block 6, Westridge Park Addition, Section 31, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Champions Drive and N. Loop 250 West Frontage Road. Council District 4) (DEVELOPMENT SERVICES)
11. Consider a proposed Plat of Tower Addition, Section 1, being a plat of a 1.00-acre tract of land located in the southwest quarter of Section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of S. County Road 1210, approximately 53 feet north of W. County Road 118. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

12. Consider a proposed Preliminary Plat of West 191 Industrial Park, Section 8 being a replat of 1.742-acres of the north half of Lot 1, Lot 2, and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas. (Generally located north of State Highway 191, approximately 2,205-feet west of Westlake Road. (Council District 4) (DEVELOPMENT SERVICES)
13. Consider a proposed Final Plat of Southwest Crossing, Section 13, being a plat of a 7.359-acre tract of land out of the Northwest quarter of Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of West County Road 123, approximately 2000 feet west of South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

14. Hold a public hearing and consider a proposed Preliminary Plat of Ruckus Addition Section 2 being a plat of a 2.489-acre tract of land located in Section 30, Block 38, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Fairgrounds Road, approximately 1,582-feet south of E. Loop 250 North. Council District 2) (DEVELOPMENT SERVICES)
15. Hold a public hearing and consider a request by Joval, LLC for a zone change from RR, Regional Retail District to LI, Light Industrial District on 1.742-acre tract of land out of Lot 1 and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas. (Generally located north of State Highway 191, approximately 2,205-feet west of Westlake Road. Council District 4) (DEVELOPMENT SERVICES)
16. Hold a public hearing and consider a request by Maverick Engineering for a zone change from PD, Planned Development District for a Housing Development to RR, Regional Retail District on Lot 11, Block 3, Gateway Plaza, Section 3, City and County of Midland, Texas. (Generally located on the north side of Starboard Drive, approximately 612-feet east of S. Tradewinds Boulevard. Council District 4) (DEVELOPMENT SERVICES)
17. Hold a public hearing and consider a request by Stephen T. Marcum for a zone change from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center on a 2.273-acre tract of land located in Section 20, Block 39, T-1-S, T&P RR Co Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of N. Midkiff Road and Sinclair Avenue. Council District 3) (DEVELOPMENT SERVICES)
18. Hold a public hearing and consider a request by Cruz Marquez for a zone change from, MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 9, Block 25, Greenwood 3rd, 4th, & 5th, City and County of Midland, Texas. (Generally located on the East side of S. Webster Street, approximately 192-feet south of E. Washington Ave. Council (District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
August 16, 2021
Council Chambers – City Hall**



The City Council convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30, August 16, 2021.

Commissioners present: Reggie Lawrence, Lucy Sisniega, Zachary Deck, Emily Holeva, Adrian Carrasco

Commissioners absent: Stacy Grosse, Karmen Bryant, Dianne Williams, Chase Gardaphe

Staff members present: Elizabeth Shaughnessy, Valerie Sherman, Dalia Salinas, Kelly Martinez

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held.

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

CONSENT ITEMS

Commissioner Carrasco moved to approve; seconded by Commissioner Sisniega.

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for August 2, 2021
3. Consider a proposed preliminary plat of Cycles Addition, Section 3, being a re-plat of Lot 1A, Block 1, Cycles Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Tradewinds Boulevard and West Business Interstate 20. Council District 4)
4. Consider a proposed Preliminary plat of Midkiff Industrial Center, Section 27, being a plat of a 0.629-acre tract of land located in the SE/4 of Section 5, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located south of West Stokes Ave, approximately 390 ft west of South Midkiff Rd. (Council District 2)
5. Consider a proposed Preliminary Plat of Crestview Heights, Section 5 being a replat of the north 14.92-feet of Lot 19, and all of Lots 20, 21, and 22, Block 26, Crestview Heights Addition, City and County of Midland, Texas. (Generally located on the southeast corner of intersection of W. Illinois Ave and N. Midkiff Rd. Council Dist 2)
6. Consider a proposed Final Plat of Shenandoah Bar M Ranch, Section 2 being a replat of Tract 16, Shenandoah Bar M Ranch, Midland County, Texas. (Generally located northwest of the intersection of N. County Road 1123 and E. County Road 59. Extraterritorial Jurisdiction)

PUBLIC HEARINGS

7. Hold a public hearing and consider a request by Christopher Sean Elphick for a Specific Use Designation without Term for a Mobile Food Vendor Park, on Lot 1, Block 1, Claydesta Plaza North, Section 4, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Big Spring St and West 250 Loop North. Council District 3)

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

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

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

8. Hold a public hearing and consider a request by Christopher Sean Elphick for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a mobile food vendor park, on Lot 1, Block 1, Claydesta Plaza North, Section 4, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of North Big Spring Street and West 250 Loop North. Council District 3)

Planning Manager Elizabeth Shaughnessy gave an overview of the project. With 2 letters of objection received, staff recommended approval.

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

The applicant present but deferred to staff.

The public hearing was closed at 3:42 p.m.

Commissioner Carrasco asked for clarification on the hours of operation and if security will be provided.

The applicant, Christopher Sean Elphick, addressed the commission. He explained the need for the extended hours is to have the option for special events to run till midnight.

Commissioner Sisniega asked if each vendor will have a TABC license. Mr. Elphick explained that the park owner will be the only one selling alcohol, therefor he will be the only one with a TABC license.

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

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

9. Hold a public hearing and consider a request by Leyda Medina for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 16, Block 2, Eastover Addition, Section 2, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Jesse Street and East Illinois Ave. Council District 2)

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

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

The applicant was not present.

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

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

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

10. Hold a public hearing and consider a request by Barbara French, for a zone change from TH, Townhouse (Attached) Dwelling District in part; SF-2, Single-Family Dwelling District in part; SF-3, Single-Family Dwelling District in part; MF-16, Multiple-Family Dwelling District in part; and PD, Planned District for a Housing Development in part; to RR, Regional Retail District, on Lot 1, Block 1, Ruckus Addition, City and County of Midland, Texas. (Generally located on the east side of Fairgrounds Road, approximately 1,899-feet south of E. Loop 250 North. Council District 2)

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

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

Commissioner Carrasco asked what the zoning was on the property located to the west. Staff explained the zoning and the ownership of the property.

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

11. Hold a public hearing and consider a request by Barbara French for a Specific Use Designation without Term for a Kennel, on Lot 1, Block 1, Ruckus Addition, City and County of Midland, Texas. (Generally located on the east side of Fairgrounds Road, approximately 1,899-feet south of E. Loop 250 North. Council District 2)

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

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

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

12. Hold a public hearing and consider a request by Guadalupe Zarate for a zone change from MF-22, Multi-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 5, Block 39, Greenwood Addition, City and

County of Midland, Texas. (Generally located on the west side of S. Benton Street, approximately 162 feet north of E. California Avenue. (Council District 2)

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

The public hearing was opened at 4:07 p.m.

The applicant was not present.

The public hearing was closed at 4:07

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

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

13. Hold a public hearing and consider a request by Lee Sanchez, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a cocktail lounge, on a 1,081 square foot portion of all Block 64, Original Town, City and County of Midland, Texas. (Generally located on the southwest corner of W. Wall Street and S. Colorado Street. Council District 2)

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

Commissioner Lawrence asked if this building would have an issue with the public consuming alcohol in the lobby. Staff explained that this building did not have a lobby and they do not foresee this being an issue.

The public hearing was opened at 4:12 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:13 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Lawrence, Sisniega, Deck, Holeva, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Williams, Gardaphe

14. Hold a public hearing and consider a request by Hook and Reel Midland LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 4,774 square foot portion of Lot 1, Block 1, Mesa Verde, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Neely Avenue and N. Midland Drive. Council District 4)

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

The public hearing was opened at 4:16 p.m.

The applicant was not present.

The public hearing was closed at 4:17 p.m.

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

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

15. Hold a public hearing and consider a request by Jorge Chavez for a zone change from C, Commercial District to SF-3, Single-Family Dwelling District on Lot 5, Block 8, Greenwood Addition, Section 2, City and County of Midland, Texas. (Generally located on the west side of S. Stonewall Street, approximately 90-feet north of Kentucky Avenue. Council District 2)

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

The public hearing was opened at 4:20 p.m.

The applicant was not present.

The public hearing was closed at 4:20 p.m.

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

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

MISCELLANEOUS

With no further items or business to come before the Commission, Chairman LLawrence adjourned the meeting at 4:22 p.m.

Reggie Lawrence, Chairman	Date
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Elizabeth Shaughnessy, Planning Division Manager	
Department of Development Services	Date



Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Elizabeth Shaughnessy, Senior Planner

SUBJECT: Consider a proposed Final Plat of Melody Acres, Section 15 being a residential replat of a 2.814 acres portion out of Lot 5A, Block 1, Melody Acres, Section 10, City and County of Midland, Texas. (Generally located on the north side of Meadowlark Lane, approximately 826-feet east of Oriole Drive. Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

AE, Agricultural Estate District.

Preliminary Plat Approval:

The property owner, Jim Bob Whatley, is proposing to replat 2.814 acres portion out of Lot 5A, Block 1, Melody Acres, Section 10, to obtain a septic permit and address. The preliminary plat was approved at the June 21st 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: Impact Fee Statement okay as shown.

ROW: ROW okay as shown.

PAVING: Administratively Deferred on 08/23/21.

WATER: Water Existing in Meadowlark. No public water improvements required.

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

PRO RATA: None

SEWER: Administratively Deferred on 08/23/21.

DRAINAGE: Since this is a residential site, Engineering services would accept a drainage letter from the developer indicating the stormwater impact would be negligible, for this site.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Administratively Deferred on 08/23/21.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No additional comments.

Oil and Gas: (Approved)

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

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. All septic systems are regulated and permitted by the City of Midland Health Department.

Colorado River Municipal Water District:

No comments.

Planning: Approved with Condition

Under owner, please include both owner's information on the face of the plat.

Staff recommends approval of the Final Plat of Melody Acres, Section 15, 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:

Sub-21-0396
P-21-1162

Proposed Subdivision Plat Name: **Melody Acres, Section 15**

Legal Description (attached sealed Metes and Bounds): **Being a residential replat of a 2.814 acres portion out of Lot 5A, Block 1, Melody Acres, Section 10, City and County of Midland, Texas.**

Property Owner

Printed Name: **Jim Bob Whatley**

Phone **(432)559-4315** Email **jbwhatley@gmail.com**

Address **PO Box 53**

City **Midland**

State **TX**

Zip **78759**

Developer (if different than Owner) Printed Name:

Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: **Schumann Engineering Co., Inc.**

Printed Name: **Eduardo L. Aleman**

Phone **(432) 684-5548**

Email **ealeman@schumannonline.net**

Address **800 N. Marienfeld Suite 100**

City **Midland**

State **TX**

Zip **79701**

Current Zoning:

Reason for Platting: **To obtain Septic Permits and an address.**

Plat Information

Total Acreage: **2.814**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **1**

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

RECEIVED
AUG 13 2021

BY:

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):

Jim Bob Whatley

Date: 8/13/2021

Property Owner (printed): Jim Bob Whatley

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.

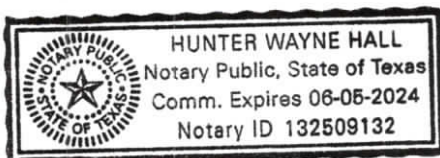
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Eduardo L. Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Jim Bob Whatley, 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 L. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 13th day of August, 20 21, to certify which witness my hand and seal of office.



H. H.

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 <i>missing</i>	☒ 1 Copy of Plat (11x17)	☐ Public Improvements <i>none</i>
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <i>1675</i>	☒ Tax Certificates	Check # <i>1676</i>
Received By: <i>ES</i>		Date: <i>AUG 13 2021</i>

BY:

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

MELODY ACRES, SECTION 15

BEING A RE-PLAT OF 2.814 ACRES OUT
OF LOT 5A,
BLOCK 1, MELODY ACRES, SECTION 10,
CITY AND COUNTY OF
MIDLAND, TEXAS

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, AM THE RECORD OWNER OF 2.814 ACRES OUT OF LOT 5A, BLOCK 1, MELODY ACRES, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, A TRACT OF LAND SITUATED IN MELODY ACRES, BLOCK 1, HILARIO STREET, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADAPT THIS PLAT DESIGNATING THE HEREBY DESCRIBED PROPERTY AS MELODY ACRES, SECTION 15, IN ADDITION TO THE CITY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

JIM BOB WHITLEY
STATE OF TEXAS
COUNTY OF MIDLAND:

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

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:
JIM BOB AND AUDREY WHITLEY
P.O. BOX 53
GARDENHOLE TX 79738
(432) 559-4315
jwhitley@gmail.com

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, AUDREY WHITLEY.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS



SYMBOLS LEGEND

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

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MELODY ACRES, SECTION 15, CITY AND COUNTY OF MIDLAND, TEXAS, IS IN ACCORDANCE WITH THE ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN REGIE LAMANCE

SIGNED: _____
SECRETARY ELIZABETH SHAUGHNESSY

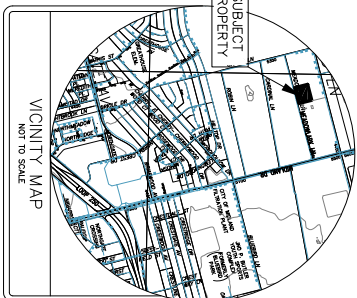
SIGNED: _____
GRANDE COMMUNICATIONS

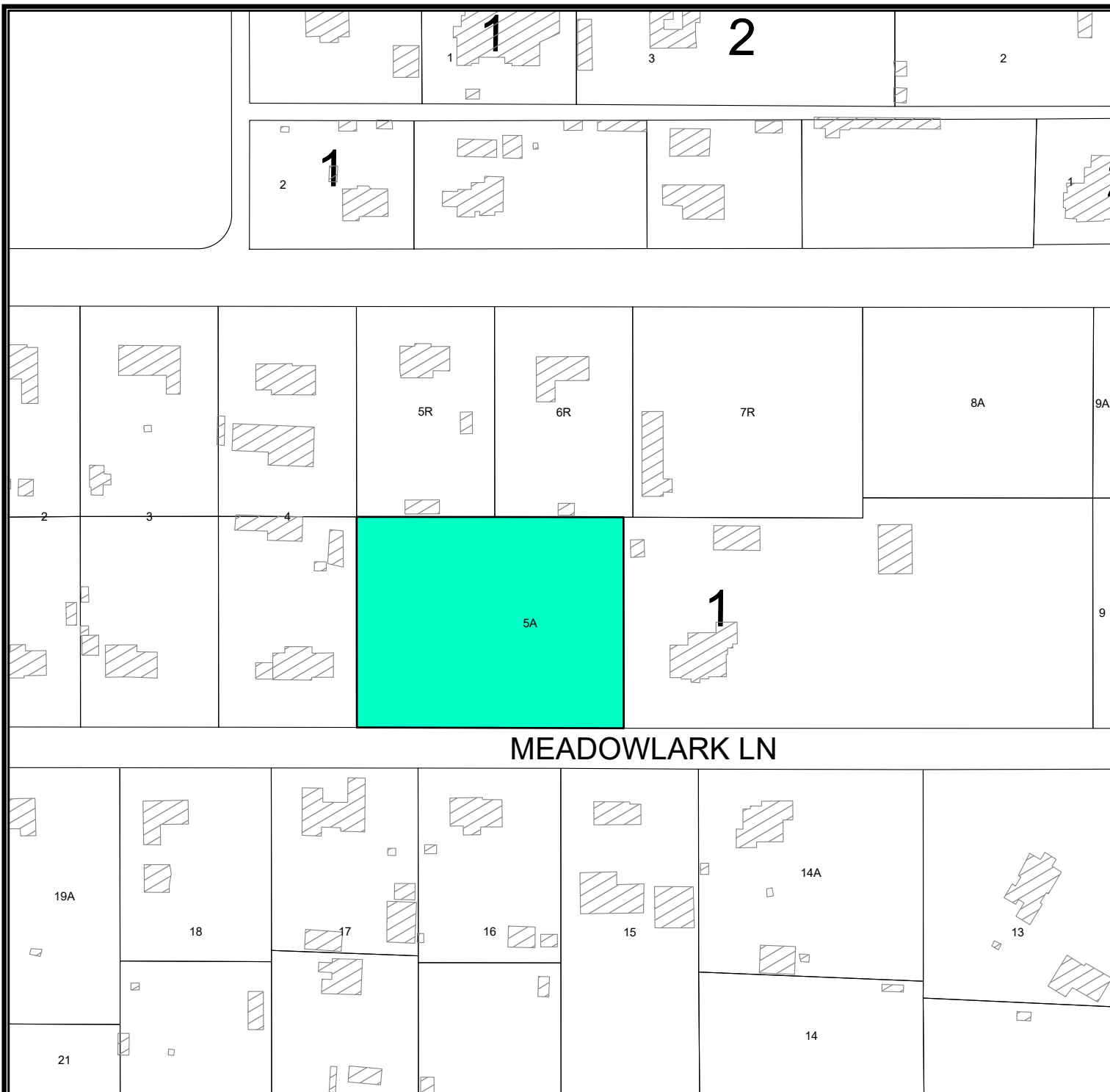
GRAPHIC SCALE



NO.	DATE	DESCRIPTION	BY	DATE	DATE
1	4/12/21	PRELIMINARY PLAN	KOS	6/27/2021	
2	6/13/21	FINAL PLAN	EJA		

SCHUMANN ENGINEERING CO.
A LANDFALL LAND COMPANY
CIVIL ENGINEERING - LAND SURVEYING
TEXAS REG. NO. 77101 - TEXAS REG. NO. 101000
PHONE (409) 844-0446





MEADOWLARK LN

LOCATION MAP

SUB-21-0396

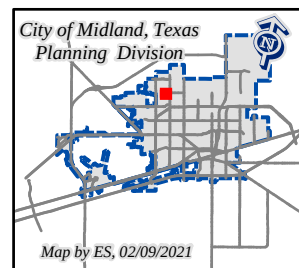
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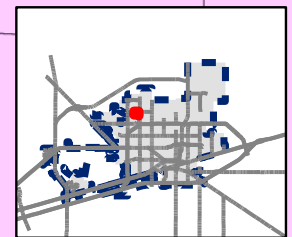
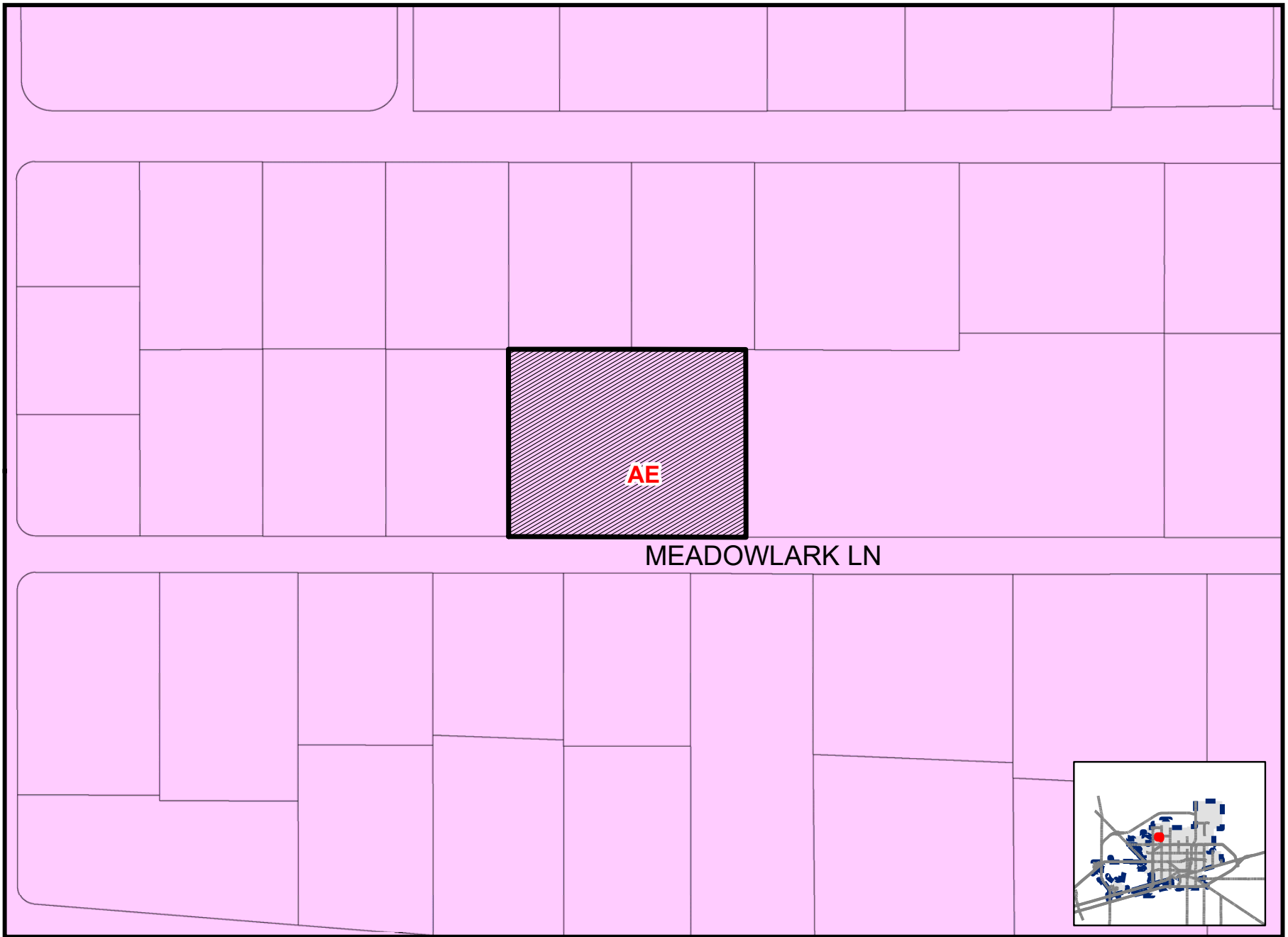
Proposed Plat of Melody Acres, Section 14, being a Re-Plat of a 2.81 acres portion of Lot 5A, Block 1, Melody Acres, Section 10, City and County of Midland, Texas.

Generally located on the north side of Meadowlark Lane, approximately 826-feet east of Oriole Drive. (Council District 1).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Consider a proposed Preliminary Plat of Mockingbird Heights, Section 14, being a plat of a 4.14-acre tract of land out of the west part of a 39.93 acres tract all being out of the West/2 of Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas.
(Generally located on the east side on Valwood Drive, approximately 500 feet north of Tanforan Drive. Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The property owner, M Jackson Construction, is proposing to plat a 4.14-acre tract of land out of the west part of a 39.93-acres tract all being out of the West/2 of Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas into 10 lots for a residential development.

Current Zoning:

PD, Plan Development District.

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

Departmental Review:

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact Fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: Internal paving improvement plans have been submitted and are currently in review. Construct roads shown to City Standards for entire platted frontage. Public infrastructure much be installed and accepted prior to Final Plat

WATER: 6" water exists in Valwood Dr. west of tract, okay as is. Internal water improvement plans have been submitted and are currently in review. Construct roads shown to City Standards for entire platted frontage. Public infrastructure much be installed and accepted prior to Final Plat

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

PRO RATA: 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.

SEWER: None existing. Internal water improvement plans have been submitted and are currently in review. Construct roads shown to City Standards for entire platted frontage. Public infrastructure much be installed and accepted prior to Final Plat

DRAINAGE: Drainage study has been submitted and is in review.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

No objections to plat.

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

There is a permitted well to the east operated by Diamondback Energy. The well is the Evans K #1 permitted on 7-22-14 and is identified. A 500 ft. radius is included around the well. No variance needed since it does not come across the plat. Any occupied residential/commercial building permits inside the 500 ft. radius would require a variance to the permitted well from the City Council.

CRMWD:

No Comments.

PLANNING:

The Midland Central Appraisal District shows only AEGIS Chemical Solutions LLC as owner. Include Evens I Development LTD under the 'Owner's Certificate'. Provide proof of ownership for M Jackson Construction Inc., Mike Jackson and Milton Lary if you are to include them under the 'Owner's Certificate'.

Provide a legal description on the plat face. It should read, "Being a plat of a 4.14-acre tract of land out of the west part of a 39.93 acres tract all being out of the West/2 of Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas."

All department's comments must be addressed as a condition of final plat approval. Staff recommends approval of the preliminary plat of Mockingbird Heights, Section 14, subject to conditions A through C.

Conditions:

- A. That a drainage letter is approved.
- B. That all public improvements required are addressed.
- C. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Maps
Application



Preliminary Plat Application

Project Number:

SIB-21-0447

Case Number:

P-21-1166

Proposed Subdivision Plat Name: Mockingbird Heights, Section 14

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

Property Owner

Printed Name: M Jackson Construction

Phone (432) 559-5128

Email

Address 3209 Caldera Blvd.

City Midland

State TX

Zip 79707

Developer (if different than Owner)

Printed Name: Same as owner

Phone (432) 559-5128

Email

Address

City

State

Zip

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

Firm: Newton Engineering, PC

Printed Name: Chase Dunnam

Phone (432) 559-5128

Email

chase@newtoncivil.com

Address 4501A Santa Rosa Dr.

City Midland

State TX

Zip 79707

Current Zoning: PD

Reason for Platting: Single family homes

Plat Information

Total Acreage:

4.14

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

Number of Lots: 10

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): Mike Jackson Date: 8-18-21

Property Owner (printed): Mike Jackson

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization ☒ 1 Copy of Dimensioned Plat ☐ Plat in Digital Format (PDF/JPEG)
☐ Application Fee ☒ 1 Copy of Plat (11x17) *will send*

Check # _____

Received By: _____

Date: _____

RECEIVED
AUG 19 2021

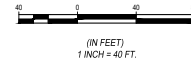
****Application will not be considered for scheduling until reviewed by a planner....**

PRELIMINARY PLAT
MOCKINGBIRD HEIGHTS, SECTION 14

BEING A PLAT OF A 4.14 ACRES TRACT OF LAND OUT OF THE WEST PART OF A 39.93 ACRES TRACT ALL BEING OUT OF THE WEST 1/2 OF SECTION 8, BLOCK "X", H.P. HILLIARD SURVEY MIDLAND COUNTY, TEXAS

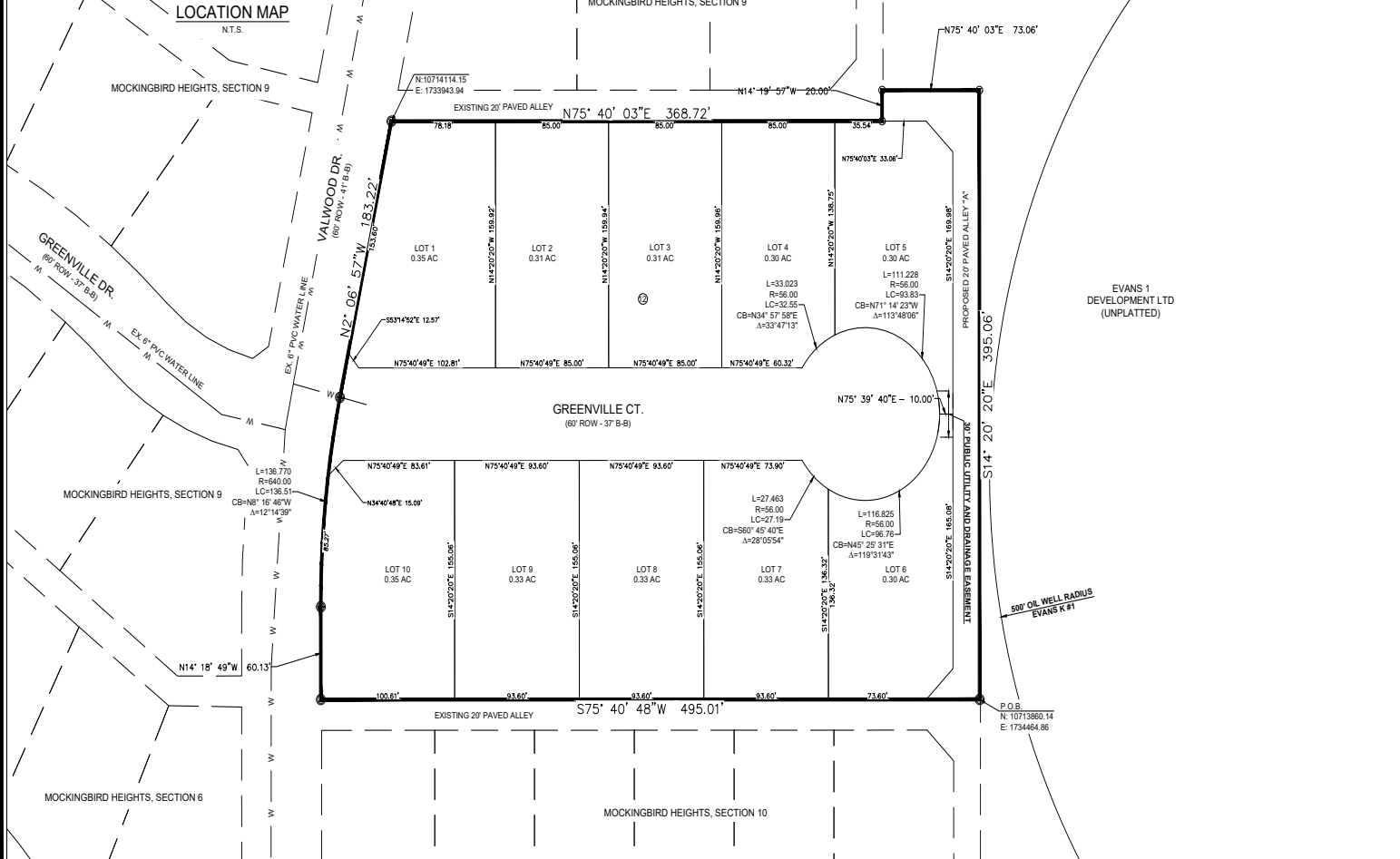
- LEGEND
○ PROPERTY CORNER FOUND (SEE DESCRIPTION)
○ 1/2" Iron rod set

GRAPHIC SCALE



LOCATION MAP

N.T.S.



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, MIKE JACKSON and MILTON LARY, are the record owners of a 4.14 acres tract of land out the west part of a 39.93 acres tract all being out of the West half of Section 8, Block "X", H.P. HILLIARD SURVEY, Midland County, Texas and being more particularly shown hereon:

Now, therefore, know all men by these presents:

That we, Mike Jackson and Milton Lary, do hereby adopt this plat designating the hereinabove described property as MOCKINGBIRD HEIGHTS, SECTION 14, on addition to the City of Midland, Texas, and hereby dedicate to the public use forever of the streets and easements shown hereon.

WITNESS our hands at Midland, Texas, this _____ day of _____, 2021

XX, LLC
MIKE JACKSON, MANAGING MEMBER

XX, LLC
MILTON LARY, MANAGING MEMBER

OWNER:
M. JACKSON CONSTRUCTION INC.
3208 CALDERA BLVD.
MIDLAND, TEXAS 79705
(432) 699-6908

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

This plat was acknowledged before me on _____, 2021 by Mike Jackson.

Notary Public, State of Texas

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

This plat was acknowledged before me on _____, 2021 by Milton Lary.

Notary Public, State of Texas

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

Signed: Oscar Electric Delivery Company
Signed: A. T. & T.
Signed: Atmos Energy
Signed: Suddenlink
Signed: Grande Communications

SURVEYOR'S CERTIFICATE:
Know all Men by these Presents:
That I, Bruce R. Pannell, 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 and County of Midland, Texas.

Bruce R. Pannell, R.P.L.S. No. 4170 DATE



CERTIFICATE OF APPROVAL:

For approval by the Commission:

This is to certify that the above and foregoing plat of MOCKINGBIRD HEIGHTS, SECTION 14 was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 2021.

Signed: Reggie Lawrence, Chairman
Signed: Elizabeth Shaughnessy, Secretary

- NOTE:
1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS/DISTANCES/COORDINATES REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 43320C007 DATED SEPTEMBER 16, 2005.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE PLANNING AND ZONING COMMISSION APPROVES INCREASES.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

CABINET

PAGE

MOCKINGBIRD HEIGHTS, SECTION 14

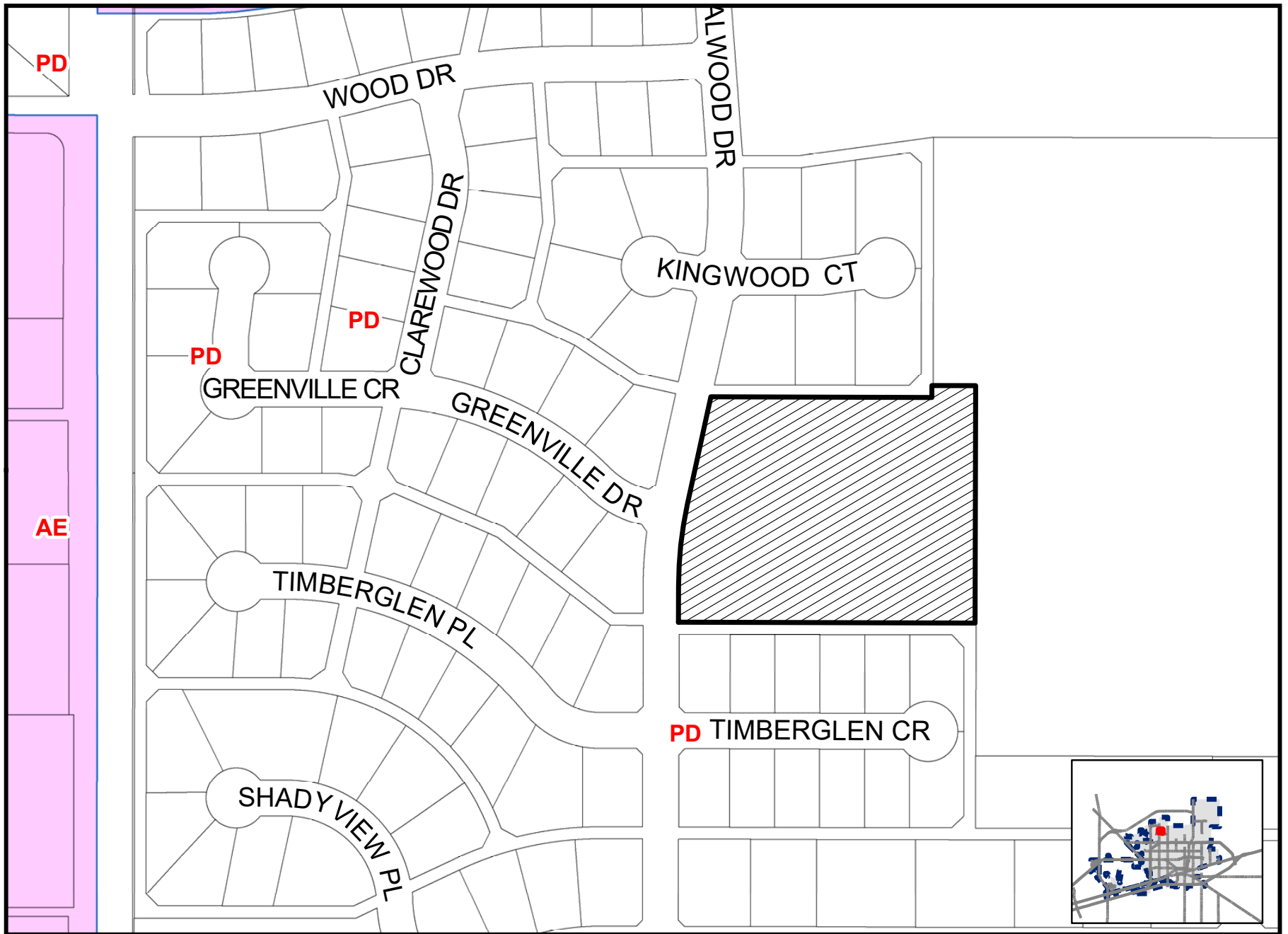
SCALE: 1" = 40' DRAWN BY: CND
DATE: August 2021 FILE NAME:



PRELIMINARY PLAT PROJECT NUMBER 19-MEN-001

PACKET

September 7, 2021





Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Planning Division Manager**

SUBJECT: Consider a proposed Preliminary Plat of Fuse Industrial Park, Section 2, being a plat of a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located approximately 289 feet east of N. Calhoun Street and approximately 771 feet north of E. Indiana Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The property owner, Fairgrounds Partners, LLC, is proposing to plat a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, Texas into one (1) lot for commercial development.

Current Zoning:

LI, Light Industrial District.

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

Departmental Review:

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Okay as shown

ROW: Plat does not have frontage on public ROW.

PAVING: Plat does not have frontage on public ROW.

WATER: Existing 6" on Indiana, 6" on Benton, 6" on Tilden, 4" on Wall, 4" on Calhoun, 12" within Utility Easement that runs through the proposed plat are ok as is. Pressure and volume studies are required for all developments over 5 acres, serving 20 residences or more or multi-family sites, per Policy Statement.

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

PRO RATA: NONE

SEWER: Existing 6" sewer in Calhoun and 8" within Utility Easement that runs through the proposed plat. Sewer capacity studies are required for all developments over 5 acres, serving 20 residences or more or multi-family sites, per Policy Statement.

DRAINAGE: Drainage study is approved for platting purposes. A more detailed study will be required during the building permit review.

EASEMENTS: Show existing and proposed. Per phone conversation, extend the north/south 50' wide access & utility easement north to the end of the property line.

SIDEWALKS: Required with building permit

DIMENSION: * * *

OTHER: . * * *

TRANSPORTATION: (Approved with Conditions)

Sketch plat had north/south access and utility easement called out. Preliminary does not label it within the boundaries of the new plat. Please clarify labels.

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

No objections to plat.

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat inside the City Limits. The closest wells are approx. 300 ft. outside the City limits and no jurisdiction.

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

Show state plane coordinates on two plat corners.

Colorado River Municipal Water District:

No comments

PLANNING:

Provide two northings and eastings. Label one of them the point of beginning.

Show existing, and proposed easements.

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

All department's comments must be addressed as a condition of final plat approval. Staff recommends approval of the preliminary plat of Fuse Industrial Park, Section 2, subject to conditions A through C.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Map



Preliminary Plat Application

Project Number:

SUB-21-0428

Case Number:

P-21-1151

Proposed Subdivision Plat Name: Fuse Industrial Park, Section 2**Legal Description (attached sealed Metes and Bounds):** Being a plat of a 6.412 acres tract of land located in the northeast quarter of Section 36, Block 39, Township 1 South, Texas and Pacific Railroad Company Survey, City and County of Midland, Texas.**Property Owner**

Printed Name: Fairgrounds Partners, LLC

Phone (432) 349-4348

Email
josh@fuseresourcesinc.com

Address 508 W. Wall Street, Suite 1200

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: ZECO Enterprises, LLC

Printed Name: Ezequiel Saavedra

Phone (832) 702-6386

Email
zeke.saavedra@zeco-ent.com

Address 25514 Myrtle Springs

City Spring

State TX

Zip 77373

Current Zoning: Light Industrial**Reason for Platting:** Commercial Development**Plat Information**

Total Acreage:

6.412

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

Number of Lots: 1

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): [Signature]

Date: 8/4/2021

Property Owner (printed) : Josh Harrison, Manager

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.

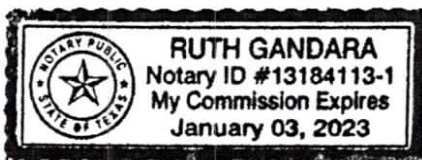
STATE OF TEXAS

COUNTY OF ~~MIDLAND~~ Harris

Before me, the undersigned authority, on this day personally appeared Ezequiel Saavedra who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Josh Harrison 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 5 day of August, 20 21, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, ~~MIDLAND~~ COUNTY, TEXAS
Harris

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: KM

Date: 8/6/21

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

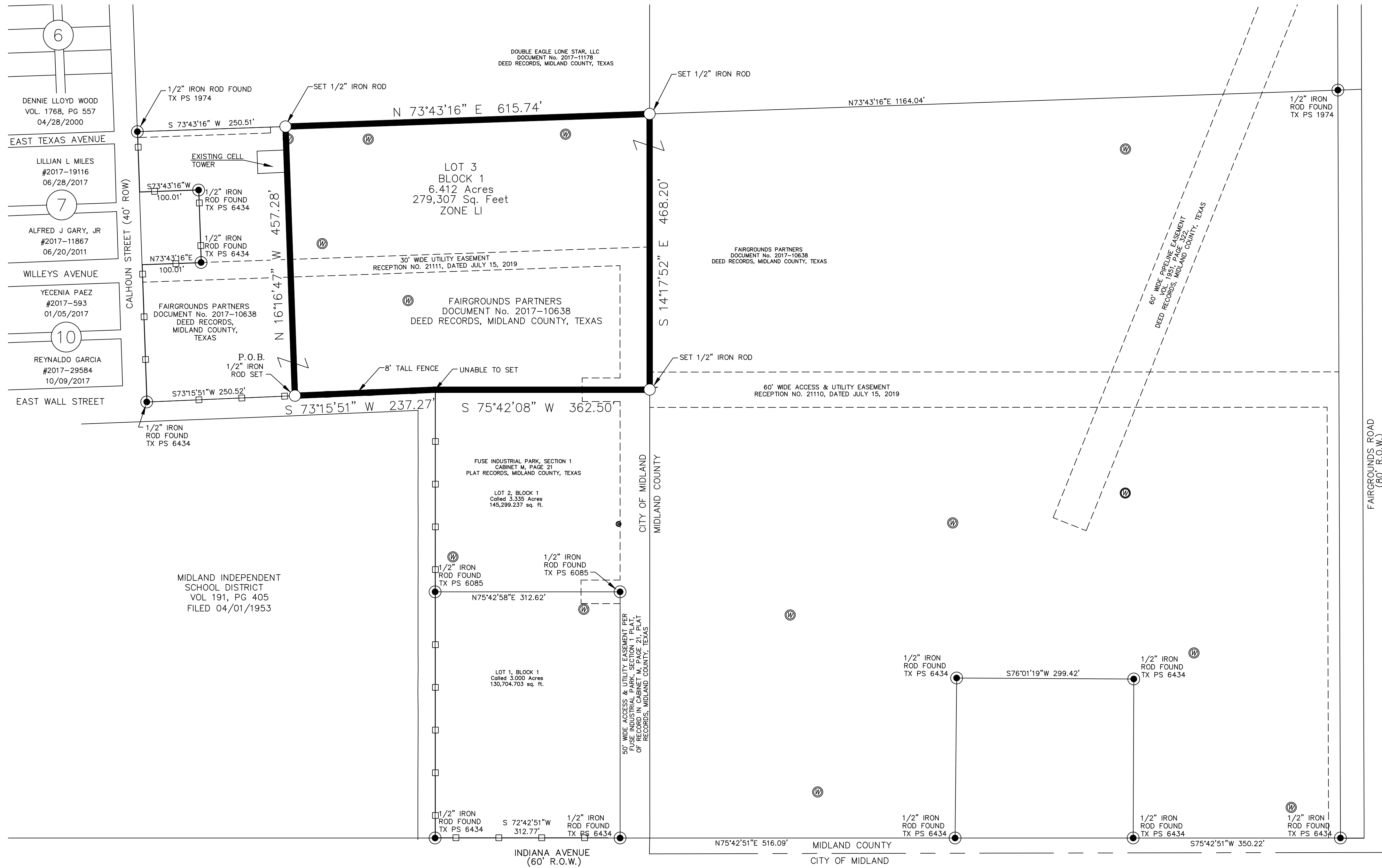
Preliminary Plat Application

2

RECEIVED
AUG 06 2021
Revised 07/01/19
BY: KM

FUSE INDUSTRIAL PARK SECTION 2

BEING A PLAT OF A 6.412 ACRES TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILROAD COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.



VICINITY MAP

NOT TO SCALE

DEDICATION

STATE OF TEXAS)
COUNTY OF MIDLAND)

KNOW ALL MEN BY THESE PRESENTS THAT FAIRGROUNDS PARTNERS, LLC IS THE OWNER AND PROPRIETOR OF A 6.412 ACRES PART OF A CALLED 117.89 ACRES TRACT OF LAND OF RECORD IN DOCUMENT NO. 2017-10638, DEED RECORDS, MIDLAND COUNTY, TEXAS, FILED ON APRIL 30, 2017, SITUATED IN SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILROAD COMPANY SURVEY, MIDLAND COUNTY, TEXAS.

SAID OWNER IN ACCORDANCE WITH HIS FREE WILL, AND DESIRE DOES HEREBY CAUSE SAID TRACT TO BE SUBDIVIDED AND PLATTED, TO BE DESIGNATED AS "FUSE INDUSTRIAL PARK, SECTION 2", CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS SHOWN ON THE FOREGOING PLAT, AND IN RECORDING THIS PLAT DOES CAUSE ALL OF THE STREETS AND EASEMENTS WITHIN THE BOUNDS OF THE TRACT OF LAND TO BE DEDICATED TO THE USE AND BENEFIT OF THE PUBLIC.

FAIRGROUNDS PARTNERS, LLC
BY: _____
PARTNER

CORPORATE ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF MIDLAND)

ON THIS _____ DAY OF _____, 2021, BEFORE ME PERSONALLY APPEARED _____ OWNER, FAIRGROUNDS PARTNERS, LLC, ON BEHALF OF SAID LLC, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND HE ACKNOWLEDGED THAT HE EXECUTED SAID INSTRUMENT AS HIS FREE ACT AND DEED.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

MY COMMISSION EXPIRES: _____
_____, NOTARY PUBLIC

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FORGOING PLAT OF FUSE INDUSTRIAL PARK, SECTION 2, AS APPROVED BY PROPER ACTION OF THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, ON THIS _____ DAY OF _____, 2021.

SIGNED: _____
CHAIRMAN JOSHUA SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

PLAT FILED FOR RECORD

MIDLAND COUNTY, TEXAS

NO. _____, CABINET _____
DATE _____, PAGE _____

LEGEND

- BOUNDARY
- PROPOSED LOT LINE
- PROPOSED EASEMENT
- CITY LIMITS
- EXISTING PIPELINE
- EXISTING FENCE
- FOUND MONUMENT
- SET 1/2" IRON ROD WITH CAP
- STAMPED "APEX LAND SURVEYING"
- EXISTING WATER WELL
- PROPERTY HOOK

APEX Land Surveying
TBPLS Firm Registration
No. 101941-30
214 Wopiti Drive
Azle, TX 76020
(817) 565-6681

5313 50th St. Ste. D-8
Lubbock, TX. 79414

I, Rodric R. Reese, Registered Professional Land Surveyor No. 5883, do hereby certify that the map shown hereon was prepared under my direct supervision from a survey made on the ground, and that such map is an accurate representation of the subject property.

Rodric R. Reese 8/3/2021
Rodric R. Reese, R.P.L.S. No. 5883 Date

REV	DATE	BY	DESCRIPTION	PROJECT 2019.003-FUSE INDUSTRIAL PARK
1	8/3/21	AP	CHANGED NOTE 2	DRAWN BY: AP DATE: 07/06/2021
				FIELD CREW: AP DATE: 07/01/2021
				SCALE: 1"=100' PAGE: 1 OF 1

1 OF 1

NOTES:

- BEARINGS/DISTANCES/COORDINATES ARE TO THE TEXAS SITE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, NAD83(2011).
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE DEVELOPER IS RESPONSIBLE FOR (A) ALL EASEMENTS, MAIN LINE EXTENSIONS, AND STUB OUTS NECESSARY TO PROVIDE SEPARATE UTILITY SERVICES TO EACH LOT, AND (B) COMPLIANCE WITH ALL APPLICABLE CITY UTILITY STANDARDS.
- PROPOSED LOT LIES WITHIN A "NON-SHADED-X" DESIGNATED ZONE(S) AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. FM453200000R, EFFECTIVE SEPTEMBER 15, 2005, AND PANEL NO. FM453200000R, EFFECTIVE SEPTEMBER 15, 2005.
- 1/2-INCH IRON ROD WITH CAP STAMPED "APEX LAND SURVEYING" TO BE SET AT ALL LOT CORNERS UPON FILING OF THIS PLAT. ALL FOUND PROPERTY MONUMENTS ARE SHOWN ON THE DRAWING.
- THE BASIS OF BEARINGS FOR THIS PLAT ARE THE FOLLOWING:
DERIVED FROM TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983, CENTRAL ZONE, CONVERTED TO GROUND FROM THE ORIGIN OF AN NOS BENCH MARK 1903 LOCATED AT MIDLAND AIRPORT WITH A LATITUDE: 32°02'00.31769"(N) LONGITUDE: 102°05'54.47856(W) AND MATCHED THE MONUMENTS FOUND AS DESCRIBED BY A SPECIAL WARRANTY DEED INSTRUMENT #2017-10638, FILED ON APRIL 13, 2017.
- THE CONVERSION FACTOR TO GRID IS 0.999916316. DISTANCES ARE CONVERTED TO GROUND DISTANCES.
- PROJECT IS ZONED AS LIGHT INDUSTRIAL DISTRICT (LI).
- EXISTING WATER, SEWER, ADJACENT PARCELS/STRUCTURES OBTAINED FROM THE CITY OF MIDLAND.
- SELLING A PORTION OF THIS PLAT 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 THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

METES AND BOUNDS DESCRIPTION:

BEING A 6.412 ACRES (279,307 SQUARE FEET) TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE/4) OF SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILROAD COMPANY SURVEY (T. & P. RR. CO. SURVEY) MIDLAND COUNTY, TEXAS; BEING A PORTION OF THAT CALLED 117.911 ACRES TRACT OF RECORD IN DOCUMENT NO. 2017-10638, DEED RECORDS, MIDLAND COUNTY, TEXAS (D.R.M.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2-INCH IRON ROD WITH CAP STAMPED "TX PS 6434" FOUND MARKING THE WESTERMOST SOUTHWEST CORNER OF THAT SAID 117.911 ACRES TRACT BEARS SOUTH 73°15'51" WEST, 250.52 FEET;

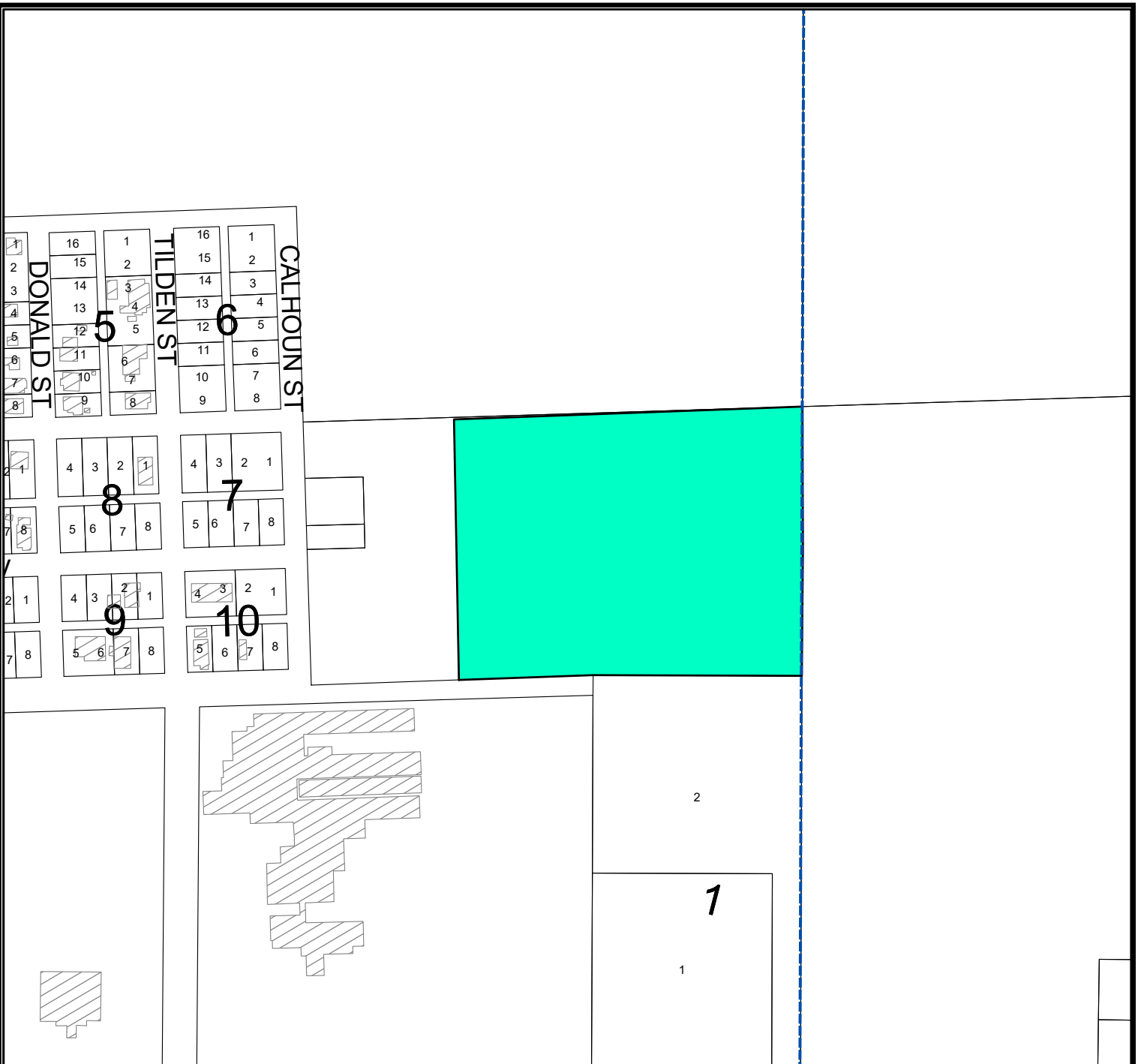
THENCE, NORTH 16°16'47" WEST, 457.28 FEET TO A 1/2-INCH IRON ROD SET MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH THE NORTHWEST CORNER OF THE SAID 117.911 ACRES TRACT BEARS SOUTH 73°43'16" WEST, 250.51 FEET;

THENCE, NORTH 73°43'16" EAST, 615.74 FEET WITH THE NORTH LINE OF THE SAID 117.911 ACRES TRACT, TO A 1/2-INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 14°17'52" EAST, 468.20 FEET TO AN 1/2-INCH IRON ROD SET MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 75°42'08" WEST, 362.50 FEET TO A 1/2-INCH IRON ROD W/CAP STAMPED "WEST CO. MIDLAND" FOUND MARKING A P.I. POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 73°15'51" WEST, 237.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.412 ACRES (279,307 SQ. FT.) OF LAND.



LOCATION MAP

SUB-21-0428

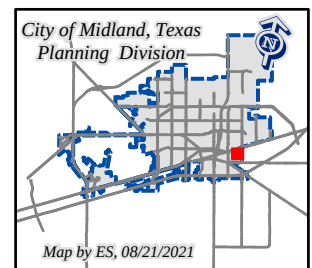
Scale: 1" = 3,000'

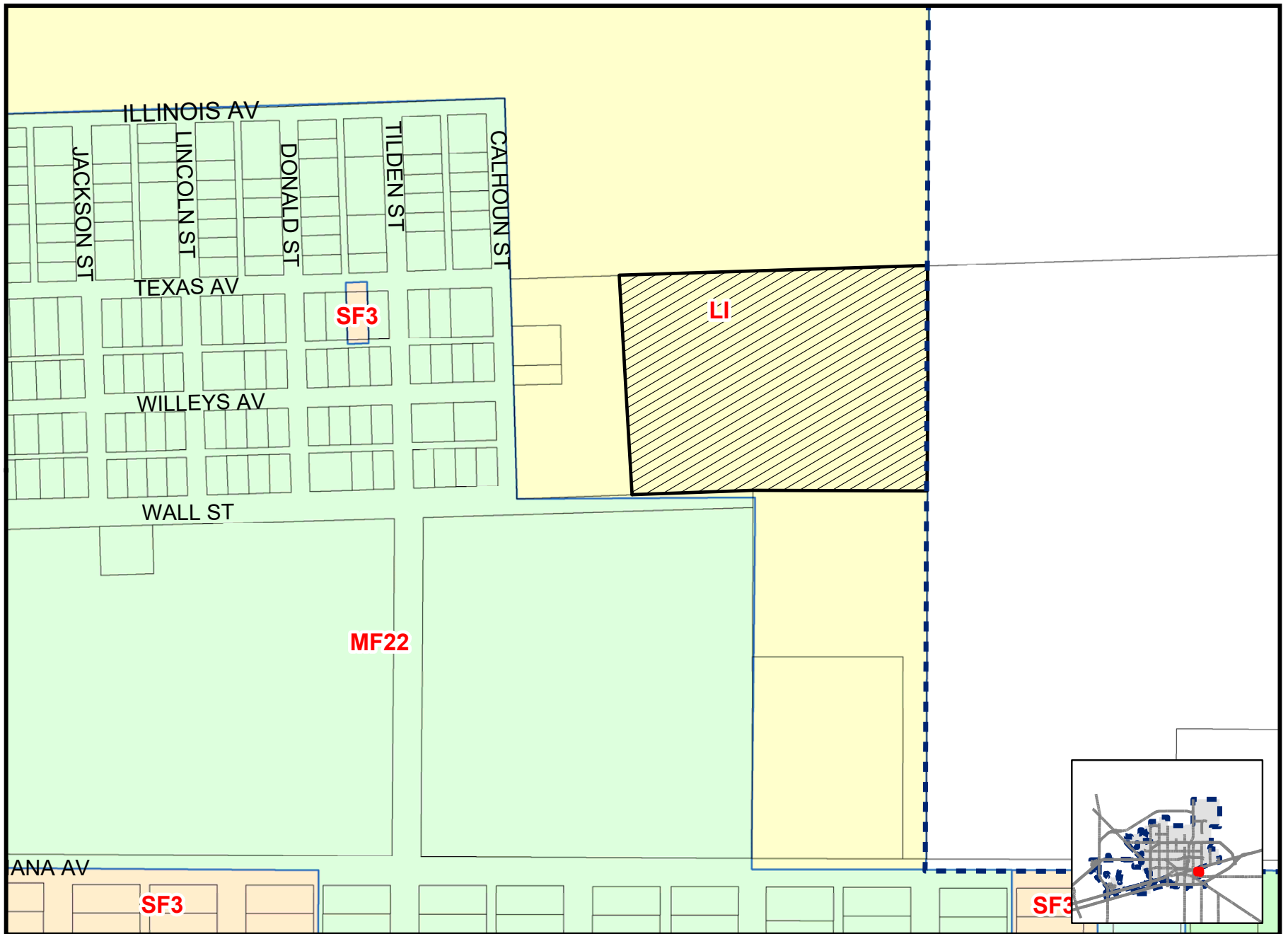
Proposed Plat of Fuse Industrial Park, Section 2, being a plat of a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located approximately 289 feet east of N. Calhoun Street and approximately 771 feet north of north of E. Indiana Street.
(Council District 2).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Consider a proposed Final Plat of Lone Star Trails II, Section 10, being a plat of a 12.22-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 southeast corner of the intersection of Carriage Road and Occidental Parkway. Council District 1) (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, Betenbough Homes, is requesting to plat a 12.22-acre tract of land located in Section 10, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, into thirty-seven (37) residential lots and five (5) common areas. The Preliminary Plat was approved at the December 7, 2020, 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 installed and accepted. * * *

ROW: ROW is fine as shown.

PAVING: Pavement improvements have been installed and accepted.

WATER: Water improvements have been installed and accepted.

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

PRO RATA: None.

SEWER: Wastewater improvements have been installed and accepted

DRAINAGE: Drainage study has been approved.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Sidewalks required on collector/arterial roadways, along common areas and ADA ramps have been installed and accepted

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.

Fire: Approved

No additional comments.

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

Oil and Gas: Approved with conditions

No Oil or Gas wells identified within 500 ft. permitted well radius. The Pioneer "J" Lease Stimson Burley Well #1 is identified as plugged and abandoned. No building permits are allowed over plugged and abandoned well bores. No 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.

Planning: Approved

Staff recommends approval of the Final Plat of Lone Star Trails II, Section 10, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

P-21-1148

Proposed Subdivision Plat Name: Lone Star Trails II, Section 10**Legal Description (attached sealed Metes and Bounds):** Being a 12.22 Acre Tract of Land in Section 7, Block 38,

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

Property OwnerPrinted Name: **Betenbough Homes**

Phone (806) 412 6611

Email: **Ronniew@betenbough.com**Address **6305 82nd Street**City **Lubbock**State **TX**Zip **70424****Developer (if different than Owner)**Printed Name: **N/A**

Phone (806) 412 6611

Email: **Ronniew@betenbough.com**

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: **Betenbough Homes**Printed Name: **Ronnie Wallace, Land Planner**

Phone (806) 412 6611

Email: **Ronniew@betenbough.com**Address **6305 82nd Street**City **Lubbock**State **TX**Zip **79424****Current Zoning:** 1F-3**Reason for Platting:** Development for Residential , Single Family New Homes**Plat Information**

Total Acreage: 25.21

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

Number of Lots: 137

Number of Multi-Family Dwelling Units: None

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

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

RECEIVED
JUL 27 2021

BY:

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):



Date: 7 / 20 /2021

Property Owner (printed) : Ronnie Wallace

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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

**LONE STAR TRAILS II, SECTION 10
BEING A 12.22 ACRE TRACT OF LAND IN
SECTION 7, BLOCK 38, T-1-S,
T. & P. RR. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS**

Legal Description for Lone Star Trails II, Section 10.

Being an 12.22 Acre Tract of Land in a 354.08 Acre Tract recorded in Document No. 2017-36824, Official Public Records, located in Section 7, Block 38, T-1-S, T&P RR Co Survey, City of Midland, Midland County, Texas.

Boundary more fully described by metes and bounds as follows:

Beginning at (N:10726966.22', E:1760629.74') a 1/4" iron rod found in the east right of way line of Carriage Road, the common line between Midland and Martin Counties, and the end of the north right of way line of Occidental Boulevard for the northwest corner of this tract, whence a 1/2" iron rod found at the southeast corner of said Section 7 and said 354.08 acre tract bears South 48°45'37" East, a distance of 3249.70 feet;

Thence South 89°06'49" East with said Midland-Martin County Line, a distance of 687.43 feet to a 1/2" iron rod found for the northeast corner of this tract;

Thence through said 354.08 acre tract the following ten (10) courses and distances:

1. South 14°32'16" East, a distance of 710.60 feet to a 1/2" iron rod found at the southeast corner of this tract;
2. North 89°06'49" West, a distance of 285.16 feet to a 1/2" iron rod found for a point of curvature in the south line of this tract;
3. With a curve to the left in a northeasterly direction, said curve having a radius length of 325.00 feet, an arc length of 57.71 feet, a delta angle of 10°10'24", and a chord length of 57.63 feet bearing North 05°58'23" East to a 1/2" iron rod found for a point of tangency in the south line of this tract;
4. North 00°53'11" East, a distance of 67.60 feet to a 1/2" iron rod found for a point of deflection in the south line of this tract;
5. North 89°06'49" West, a distance of 105.00 feet to a 1/2" iron rod found for a point of deflection in the south line of this tract;
6. South 45°53'11" West, a distance of 28.28 feet to a 1/2" iron rod found for a point of deflection in the south line of this tract;
7. North 89°06'49" West, a distance of 60.00 feet to a 1/2" iron rod found for a point of deflection in the south line of this tract;
8. North 44°06'48" West, a distance of 28.28 feet to a 1/2" iron rod found for a point of deflection in the south line of this tract;
9. North 89°06'49" West, a distance of 90.56 feet to a 1/2" iron rod found for a point of deflection in the south line of this tract;
10. South 12°40'53" West, a distance of 483.35 feet to a 1/2" iron rod found in the east right of way line of said Carriage Road for the southwest corner of this tract;

Thence with the east right of way line of said Carriage Road the following ten (10) courses and distances:

1. North 18°52'38" West, a distance of 606.30 feet to a 1/2" iron rod found for a point of curvature in the west line of this tract;
2. With a curve to the right in a northwesterly direction, said curve having a radius length of 500.00 feet, an arc length of 172.47 feet, a delta angle of 19°45'49", and a chord length of 171.62 feet bearing North 08°59'43" West to a 1/2" iron rod found for a point of deflection in the west line of this tract;
3. North 00°53'11" East, a distance of 23.49 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;
4. North 45°53'11" East, a distance of 28.28 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;
5. South 89°06'49" East, a distance of 12.46 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;
6. North 00°53'11" East, a distance of 60.00 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;
7. North 44°06'48" West, a distance of 28.28 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;
8. North 00°53'11" East, a distance of 90.00 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;
9. North 45°53'11" East, a distance of 28.28 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;
10. North 00°53'11" East, a distance of 60.01 feet to the Point of Beginning.

Containing 12.22 surface acres of land.

Bearings, distances, and coordinates are based on the Texas Coordinate System, NAD 1983, Central Zone (CORS).

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____ PRINT NAME
ATMOS ENERGY

SIGNED: _____ PRINT NAME
ONCOR ELECTRIC DELIVERY

SIGNED: _____ PRINT NAME
AT&T TEXAS

SIGNED: _____ PRINT NAME
SUDDENLINK COMMUNICATIONS

SIGNED: _____ PRINT NAME
GRANDE COMMUNICATIONS

LINE	BEARING	DISTANCE
L1	S 00°30'27" W	43.30'
L2	S 89°06'49" E	20.00'
L3	S 51°49'33" E	31.82'
L4	S 36°10'27" W	24.23'
L5	N 89°06'49" W	66.05'
L6	N 51°49'33" W	31.82'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	422.07'	163.49'	162.50'	S 08°22'32" E	21°56'02"
C2	60.00'	314.16'	60.00'	S 00°53'11" W	300°00'00"
C3	200.00'	42.69'	42.61'	N 84°46'18" E	12°13'46"
C4	80.00'	104.13'	96.93'	N 51°49'33" W	74°34'33"
C5	60.00'	31.84'	31.47'	S 46°05'19" W	30°24'16"
C6	60.00'	125.77'	103.97'	S 58°39'36" E	120°05'55"
C7	60.00'	54.93'	53.03'	N 27°36'57" E	152°27'10"
C8	60.00'	25.34'	24.22'	N 80°44'32" E	25°48'01"
C9	60.00'	45.28'	44.22'	S 50°44'08" E	43°14'38"
C10	80.00'	34.16'	33.91'	N 26°46'19" W	24°28'06"
C11	60.00'	43.86'	43.32'	N 54°29'51" W	37°24'58"
C12	80.00'	26.10'	25.98'	N 79°46'05" W	18°41'29"
C13	427.07'	81.48'	81.36'	N 13°57'36" W	10°55'53"
C14	422.07'	82.01'	81.88'	N 02°59'35" W	11°00'09"
C15	260.00'	58.84'	58.72'	N 84°24'10" E	12°58'02"

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "LONE STAR TRAILS II, SECTION 10" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on this _____ day of _____, 2021.

SIGNED: _____
Chairman

ATTEST: _____
Secretary

**ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND**

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

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

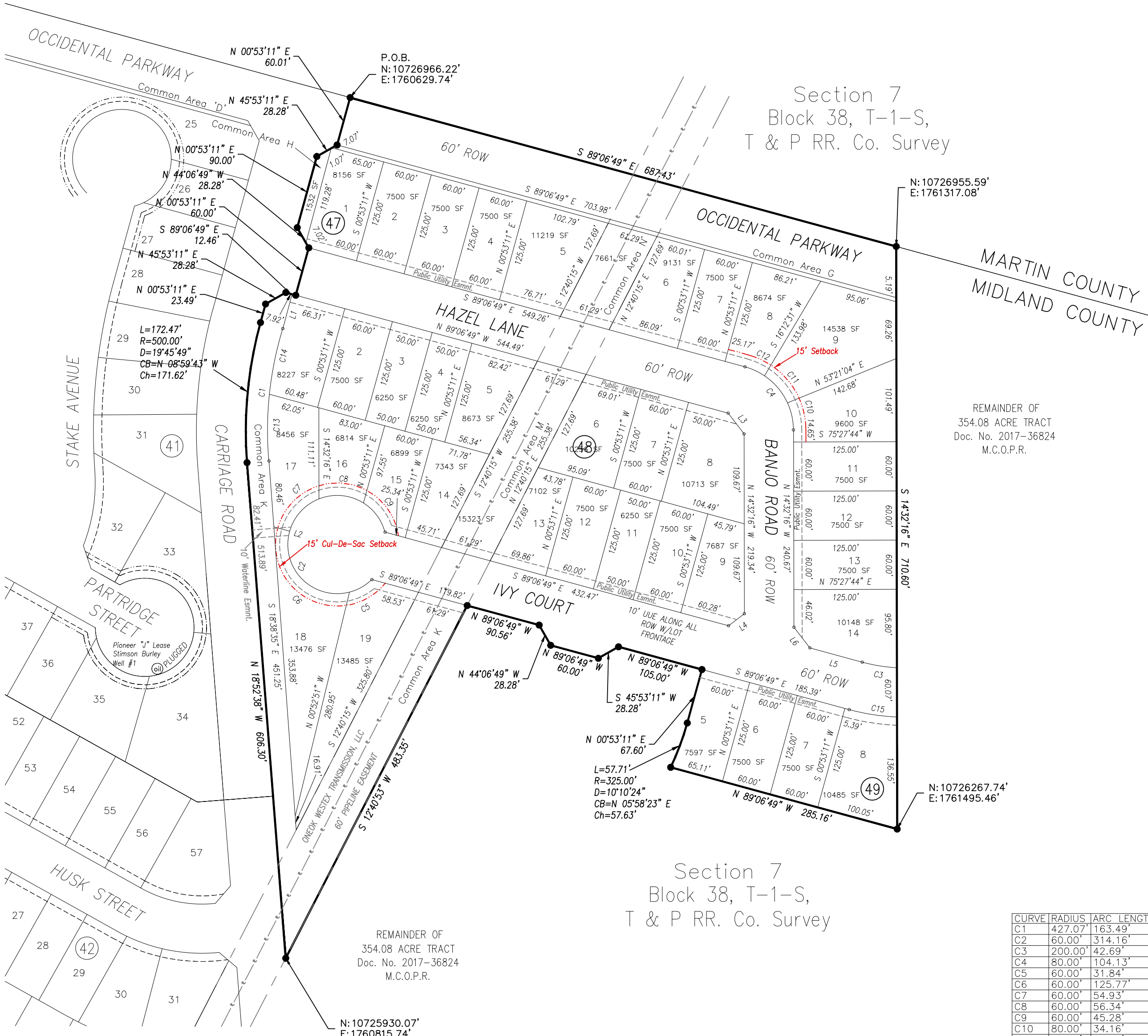
WHEREAS, I, _____, Agent of Betenbough Homes Inc., as the recorded owner of a 12.22 Acre Tract of Land, out of a 354.00 Acre Tract of Land, as recorded in Instrument No. 2017-36824, Official Public Records, Midland County, Texas, located in Section 7, Block 38, T-1-S, T. & P. RR. Co. Survey, Midland County, Texas, and more particularly shown and described hereon:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, _____, Agent of Betenbough Homes Inc., do hereby adopt this plat designating the herein above described property as "LONE STAR TRAILS II, SECTION 10" an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

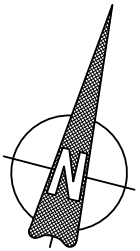
WITNESS our hands at Midland, Texas, this the _____ day of _____, 2021.

By: _____
Agent of Betenbough Homes Inc.



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.



LEGEND
● Fd 1/2" Iron Rod
○ Set 1/2" Iron Rod
----- Utility Easement
Scale 1" = 100'

Bearings shown on this survey are relative to the Texas Coordinate System, NAD 1983, Central Zone (CORS).

OWNER:
BETENBOUGH HOMES INC.
6305 82nd STREET
LUBBOCK, TEXAS 79424
806-797-9494

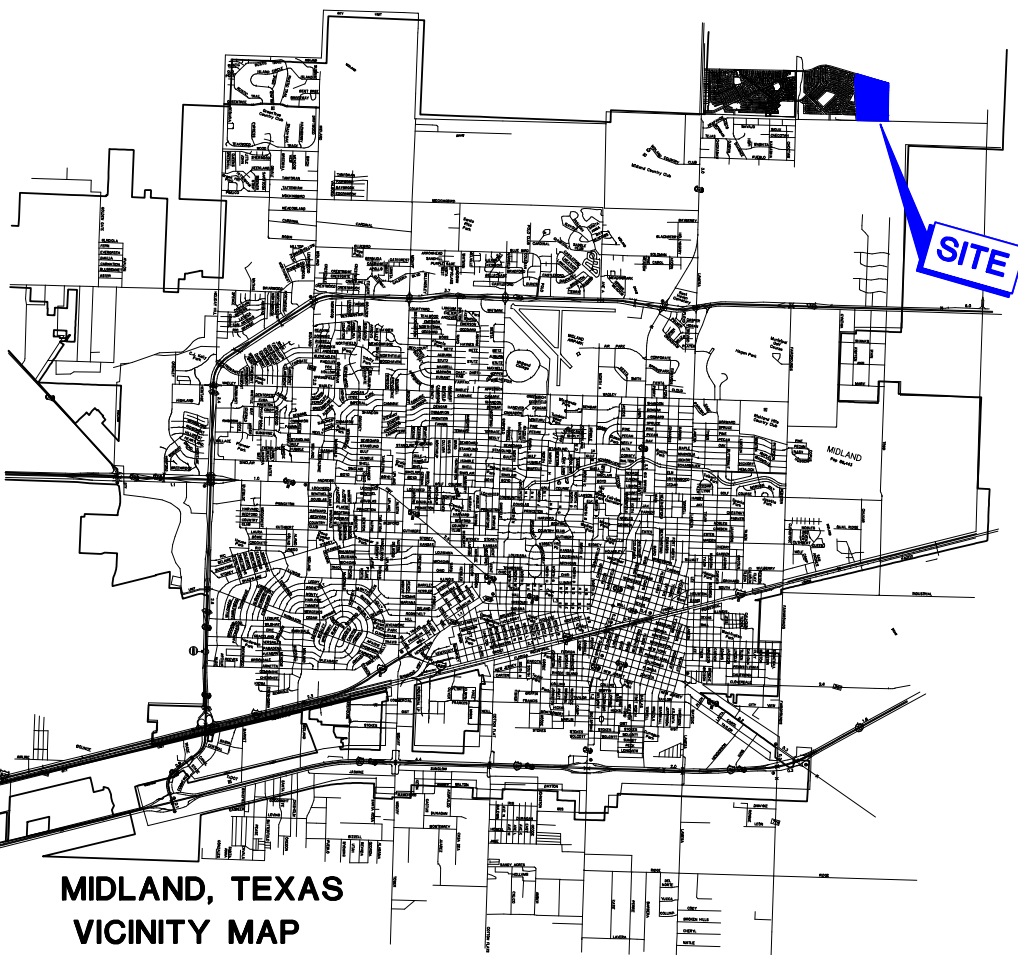
THAT I, AARON S. BURRELL, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION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



17 August 2021
DATE

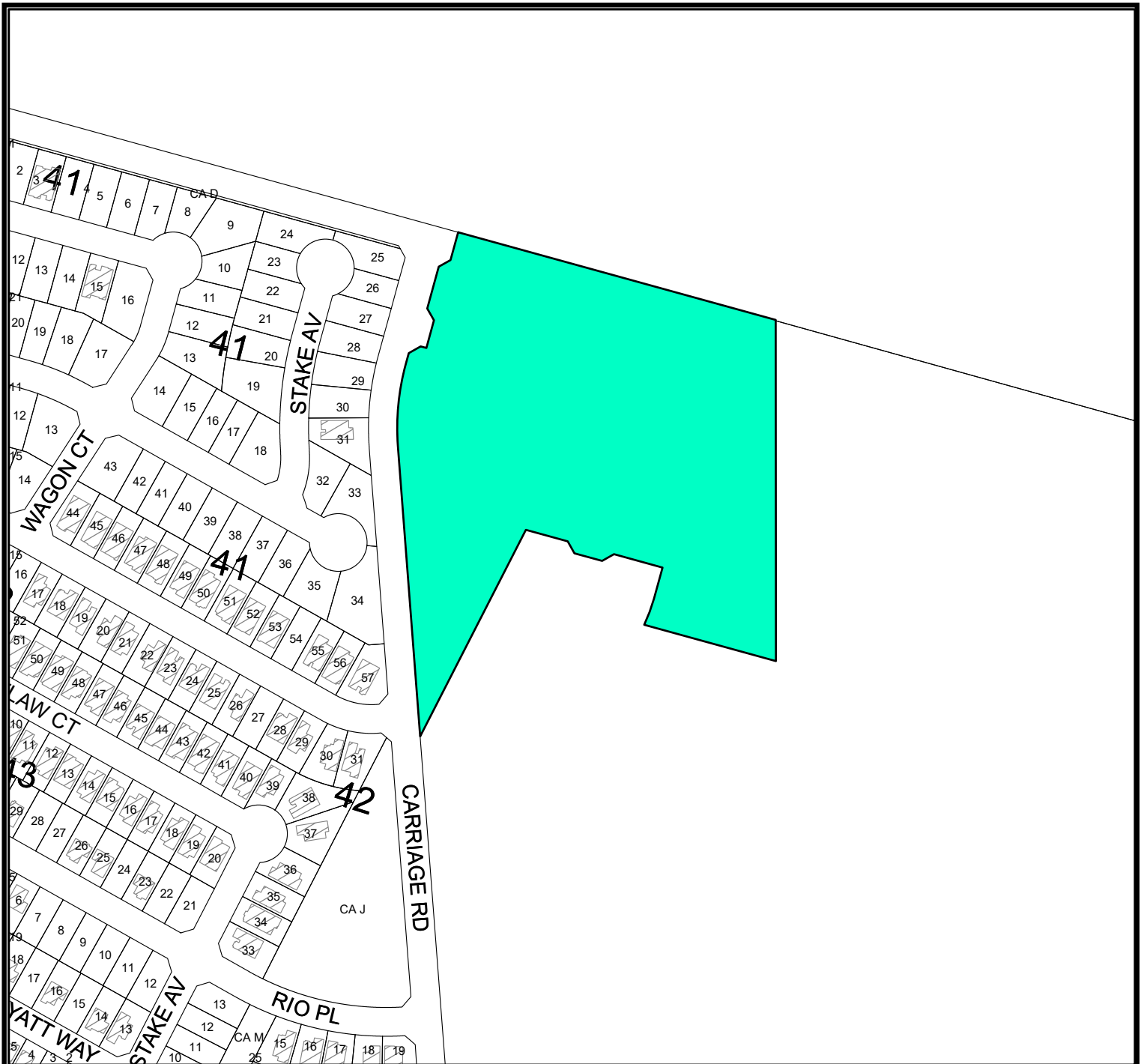
AARON SCOTT BURRELL TX RPLS 5689

Professional Land Surveying & Mapping
Aaron Burrell Land Surveys, LLC
415 W. Wall St., Suite 204
Midland, Texas 79701
432-848-4439
P.O. Box 81041 asbsurveys.com
Midland, Texas 79708
TBPLS Firm No. 10194217 Page 1 of 1
LS11-10 PL



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

**FINAL PLAT
LONE STAR TRAILS II, SECTION 10**



LOCATION MAP

P-21-1148

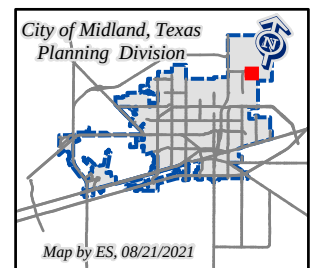
Scale: 1" = 3,600'

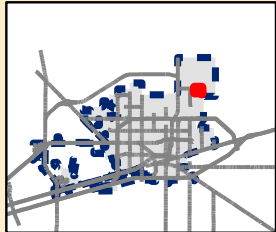
Proposed plat of Lone Star Trails II, Section 10, being a plat of a 12.22-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of Carriage Road and Occidental Parkway. (Council District 1).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Valerie A. Sherman, Senior Planner

SUBJECT: Consider a proposed Preliminary Plat of Northwest Passage Addition, being a plat of a 117.035-acres tract of land out of Section 35, Block 40, T-1-S T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of State Highway 158, approximately 1,001 feet north of State Highway 191. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The property owner, Cumberland & Western Resources, LLC, is proposing to plat a 117.035-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, into five hundred and seventy-three (573) lots for a residential subdivision.

Current Zoning:

Extraterritorial Jurisdiction.

Departmental Review:

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

BUILDING CODE: (Approved)

No objection.

SURVEYOR: (Approved)

The back line of the lots running along SH 158 seem to be falling approx. 5 to 6 feet inside of a city of midland water line easement. Please talk to the director of utilities about any concerns he

may have.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact Fee statement okay as shown.

ROW: Indicate the ROW width of the internal roadways.

PAVING: Utilities need to be extended throughout the proposed R.O.W. Plans have not been submitted or approved. No infrastructure has been accepted.

WATER: Utilities need to be extended throughout the proposed R.O.W. Plans have not been submitted or approved. No infrastructure has been accepted.

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

PRO RATA: None

SEWER: Utilities need to be extended throughout the proposed R.O.W. Plans have not been submitted or approved. No infrastructure has been accepted.

DRAINAGE: Drainage analysis required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

TxDOT comments, "This is a major development that will be a traffic generator for SH 158 and improvements are recommended to SH 158 to mitigate the traffic generation. These could be lanes, widening, medians, etc. to safely accommodate access points on SH 158. The southern access shown on the layout is approximately 150' from an existing access and does not meet current Access Management Standards. Post development drainage/runoff should not be increased from pre-existing conditions."

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 34 new intersections created at \$500/intersection = \$17,000. Fee shall be adjusted based on number of intersections if Final Plat is phased.

Street lighting is required along public street frontages.

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

No objection.

CITY OF MIDLAND UTILITIES:

It looks like the backyard line is over the waterline easement that parallels 158. Fences cannot be placed in this easement. For clarification, to protect the 33" shallow water line, the back lot line needs to be outside the water easement.

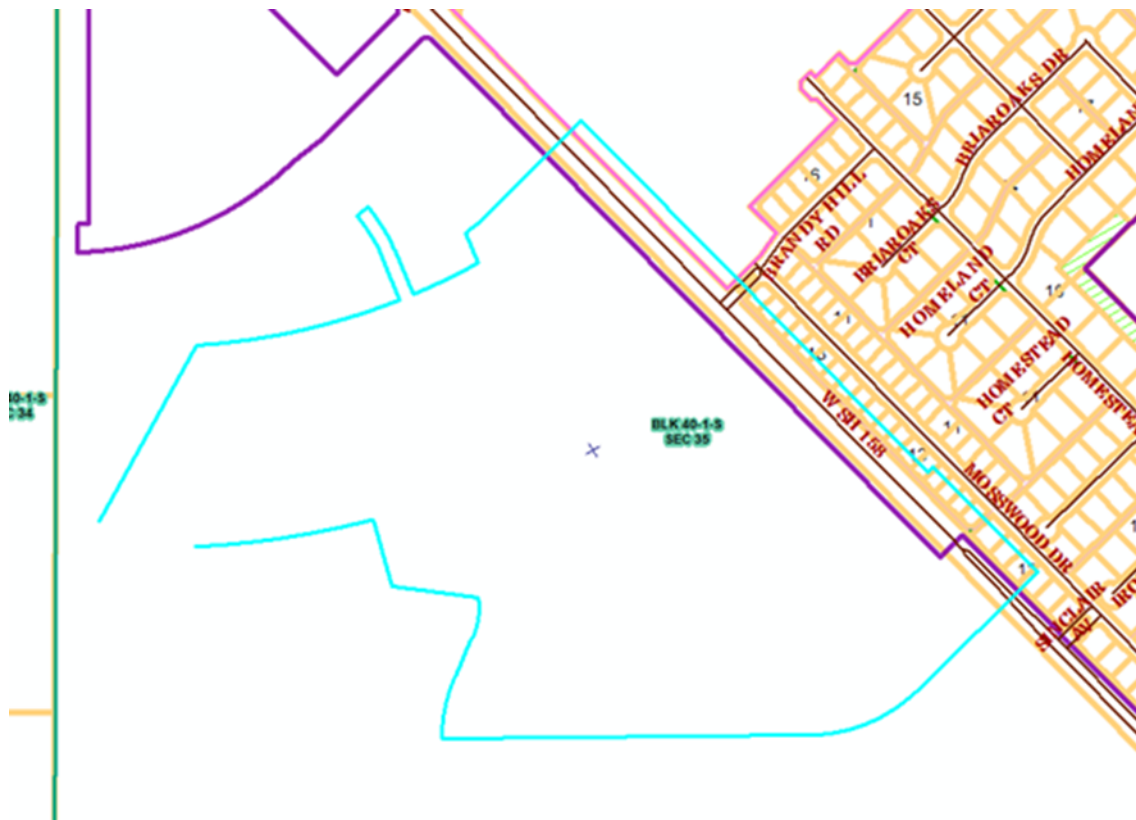
GIS:

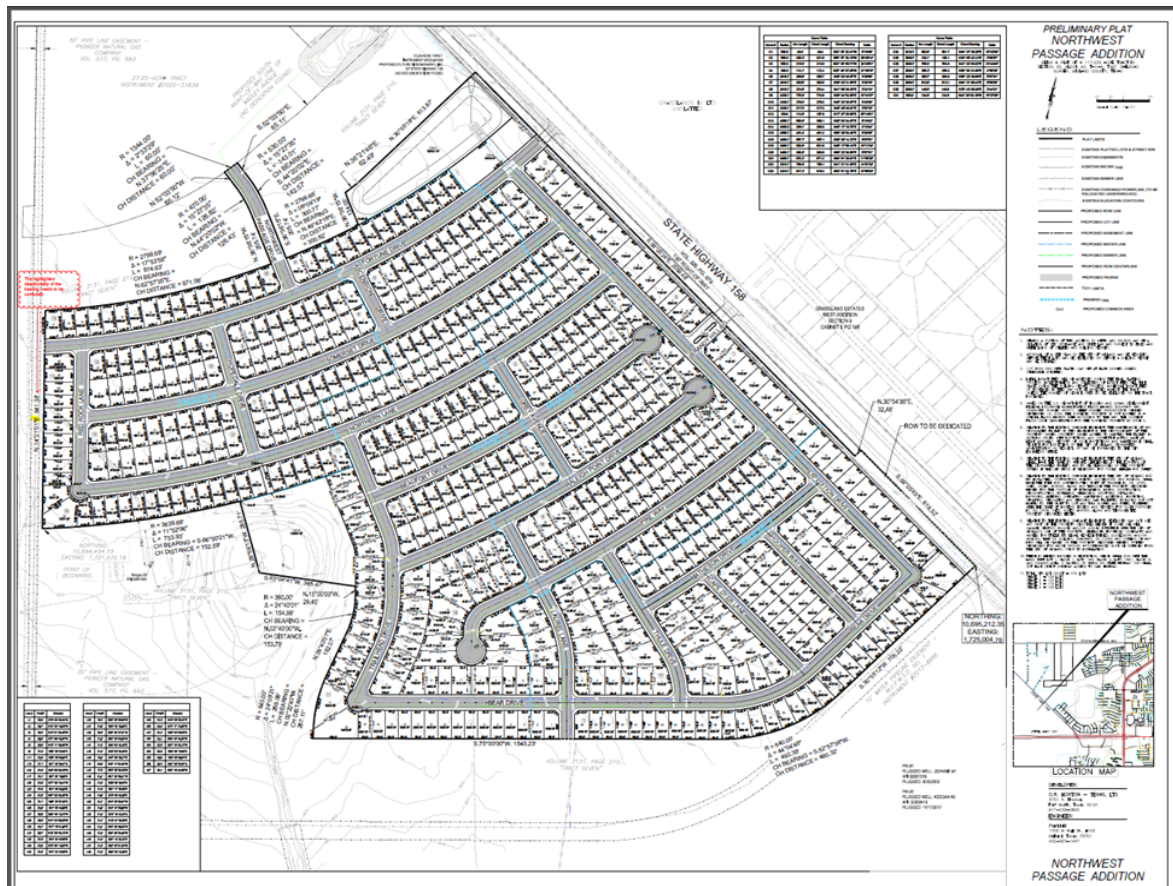
The boundary to the east doesn't meet with the city limit boundary. It is almost 3 feet apart, closer to 2.5 feet.





The first call needs correcting based on the directionality, because when I use the information (metes and bounds) they have this is what I get (please see below). There is only one change needed on my end. I have attached the following markups for more details.





PLANNING: (Approved with Conditions)

Include the "Owners Certificate", "Acknowledgement", "Certificate of Approval", "Surveyor's Certificate", Utility Company's Certificate", and plat recording section to the final plat.

Provide names of abutting property owners.

The block number are not in sequence.

Staff recommends approval of the Preliminary Plat of Northwest Passage Addition, subject to conditions A through C.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



Preliminary Plat Application

Project Number:

Case Number:

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

Printed Name: Cumberland and Western Resources, LLC

Phone ()

Email

Address 2200 Lapsey Ln

City Bowling Green

State KY

Zip 42103

Developer (if different than Owner)

Printed Name: DR Horton

Phone ()

Email

Address 6751 N Freeway

City Fort Worth

State TX

Zip 76131

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

Firm: Parkhill

Printed Name: Josh Wallender

(Proj.# 4534.21)

Phone (432) 697-1447

Email

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State Texas

Zip 79701

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

Total Acreage: 117.035 Ac.

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

Number of Lots: 573

Number of Multi-Family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature):

[Signature] MARGARITA

Date: 5/26/21

Property Owner (printed):

MARGARITA BEITERION

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

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

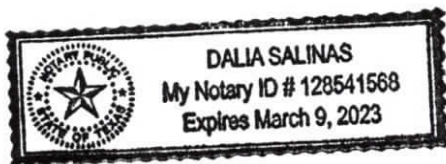
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 001504

Received By:

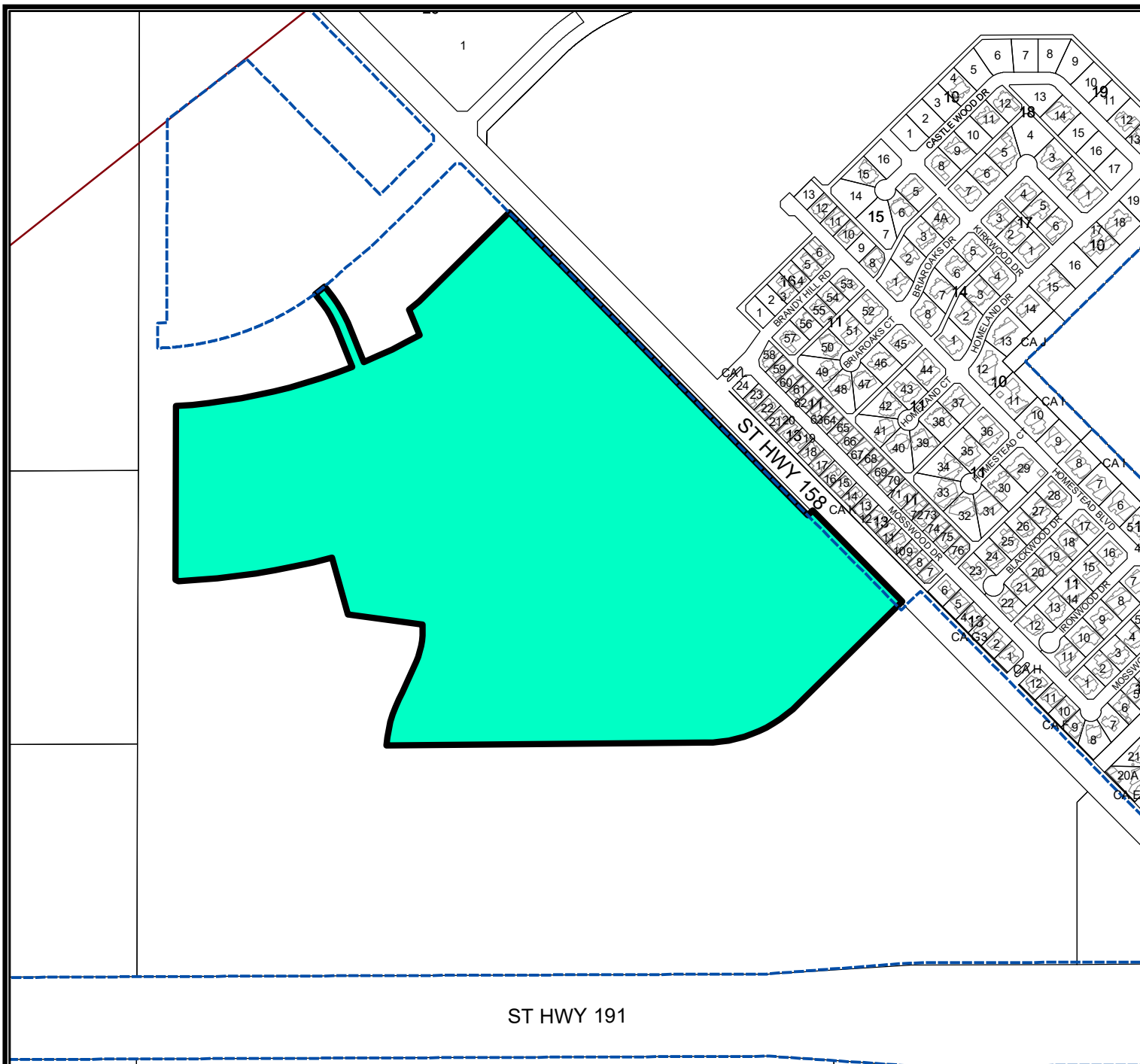
V. Sherman

Date:

RECEIVED
MAY 26 2021

BY: *[Signature]*

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



ST HWY 191

LOCATION MAP

SUB-21-0416

Scale: 1" = 700'

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

Generally located on the west side of State Highway 158, approximately 1,001 feet north of State Highway 191. (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 Shaugnessy

MEETING DATE: September 07, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Valerie A. Sherman, Senior Planner

SUBJECT: Consider a proposed Final Plat of Southern Addition, Section 24, being a re-plat of Lots 7, 8 and 9, Block 190, Southern Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of E. Dakota Avenue and S. Dallas Street. Council District 2)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

MH, Manufactured Housing District

Preliminary Plat Approval:

The property owner, Javier Soto, is proposing to replat Lots 7, 8 and 9, Block 190, Southern Addition, City and County of Midland Texas, into one (1) lot for future development. The preliminary plat was approved at the July 19, 2021, 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 the final approval have been met.

Departmental Review:

The proposed Final Plat of Southern Addition, Section 24, has been circulated to all City departments for their review. The comments are below.

Engineering: (Approved)

IMPACT FEES: Impact fee statement okay as shown.

ROW: Okay as shown.

PAVING: Dallas Street and Dakota Ave are paved to City of Midland Standards. No paving improvements are required.

WATER: Water existing in Dallas Street and Dakota Ave. No water improvements are required.

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

PRO RATA: None

SEWER: Sewer existing in the alley to the East of the site. No wastewater improvements required.

DRAINAGE: No Drainage Report required at this time. Existing site is developed; if proposing to re-develop site drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No additional comments.

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

Code Compliance: (Approved)

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

Building: (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.

Planning: (Approved)

All department's comments must be addressed as a condition of Final Plat approval.

Staff recommends approval of the Final Plat of Southern Addition, Section 24, 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-21-0426
P-21-1165

Proposed Subdivision Plat Name:

Southern Addition, Section 24

Legal Description (attached sealed Metes and Bounds): Being a replat of Lots 7, 8, & 9, Block 190, Southern Addition, City & County of Midland, Texas.

Property Owner

Printed Name:

Javier Soto

Phone (806) 240-1646

Email

Address

911 S Dallas ST

City

Midland

State

TX

Zip

79701

Developer (if different than Owner)

Printed Name:

NONE

Phone ()

Email

Address

City

State

Zip

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

Firm: Aaron Burrell Land Surveyors, LLC

Printed Name:

Aaron Burrell

Phone (432) 848-4439

Email

aaron@asbsurveyors.com

Address

415 W. Wall ST Suite #204

City

Midland

State

TX

Zip

79701

Current Zoning:

Reason for Platting: Combine three Lots into one Lot.

Plat Information

Total Acreage:

0.482

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

Number of Lots:

1

Number of Multi-Family Dwelling Units:

1

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):

Javier Soto

Date: 8-12-21

Property Owner (printed):

JAVIER SOTO

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

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

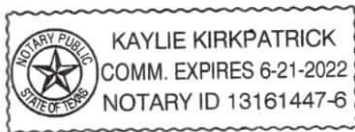
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

ASB
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of August, 2021, to certify which witness my hand and seal of office.



Kaylie Kirkpatrick

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



FOR OFFICE USE ONLY

BY: will send

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☐ CADD File will send

☒ Application Fee

☒ Title Opinion

☐ Public Improvement

Check # 3695

☒ Tax Certificates

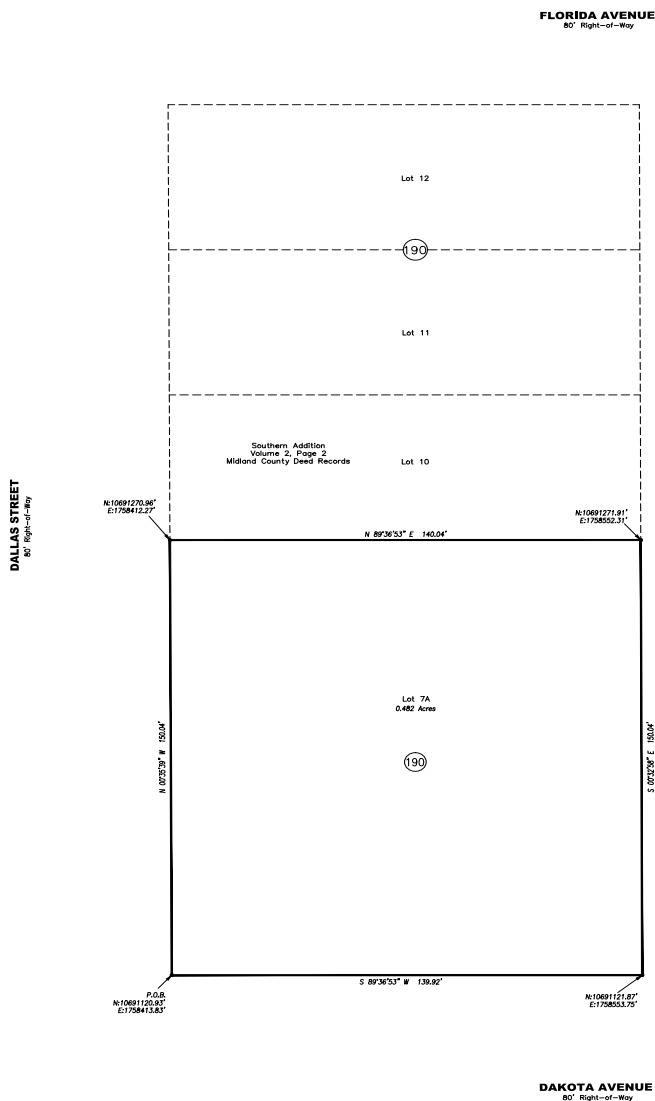
☒ Recording Fee
Check # 3606

Received By: W. F. [Signature]

Date: 8-17-21

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

SOUTHERN ADDITION, SECTION 24
Being a Replat of Lots 7, 8, & 9, Block 190,
Southern Addition, City & County of Midland, Texas.



CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plot of
"SOUTHERN ADDITION, SECTION 24" was approved by
proper action of the City Planning and Zoning
Commission of the City of Midland, on this _____ day of
_____, 2021.

SIGNED: _____

PRINT: _____
Chairman

ATTEST: _____

PRINT: _____
Secretary

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____ PRINT NAME: _____
ATMOS ENERGY

SIGNED: _____ PRINT NAME: _____
ONCOR ELECTRIC DELIVERY

SIGNED: _____ PRINT NAME: _____
AT&T TEXAS

SIGNED: _____ PRINT NAME: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____ PRINT NAME: _____
GRANDE COMMUNICATIONS

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

4. THIS PROPERTY IS IN ZONE X AND DOES NOT LIE WITHIN
A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO
FEMA MAP NO. 48329C0202F, DATED SEPTEMBER 16, 2005,
PREPARED FOR MIDLAND COUNTY, TEXAS.

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

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, JAVIER SOTO as the recorded owner of Lot
7, Lot 8, and Lot 9, Block 190, Southern Addition,
recorded in Document No. 2016-7850, Midland County
Official Public Records, County Of Midland, Texas, and
more particularly shown hereon;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, JAVIER SOTO, do hereby adopt this plat
designating the herein above described property as
"SOUTHERN ADDITION, SECTION 24" an Addition to the City
of Midland, Midland County, Texas, and do hereby
dedicate to the public use forever the streets, alleys, and
easements shown thereon.

WITNESS our hands at Midland, Texas,
this _____ day of _____, 2021.

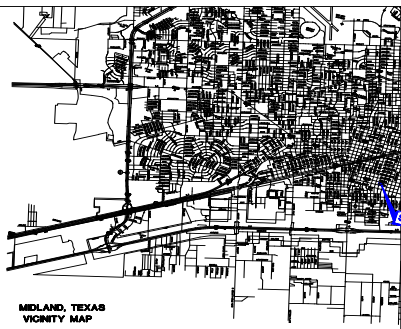
JAVIER SOTO

ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND

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

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

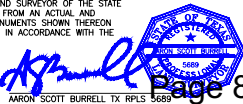


**MIDLAND, TEXAS
VICINITY MAP**

LEGEND
• 3/4" = 1' from Rod W/ Cap
marked "ASB 5689"

Professional Land Surveying & Mapping
Aaron Burrell Land Surveyors, LLC
415 W. Wall St., Suite 404
Midland, Texas 79701
432-848-4409
aaronburrell.com
P.O. Box 81041
Midland, Texas 79708
TRPLS Form No. 1019-02-01
Page 1 of 1
2017-1-1-1

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



PACKET 2021

Page 8.58



September 7, 2021

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

FINAL PLAT
SOUTHERN ADDITION, SECTION 24



LOCATION MAP

SUB-21-0426

Scale: 1" = 200'

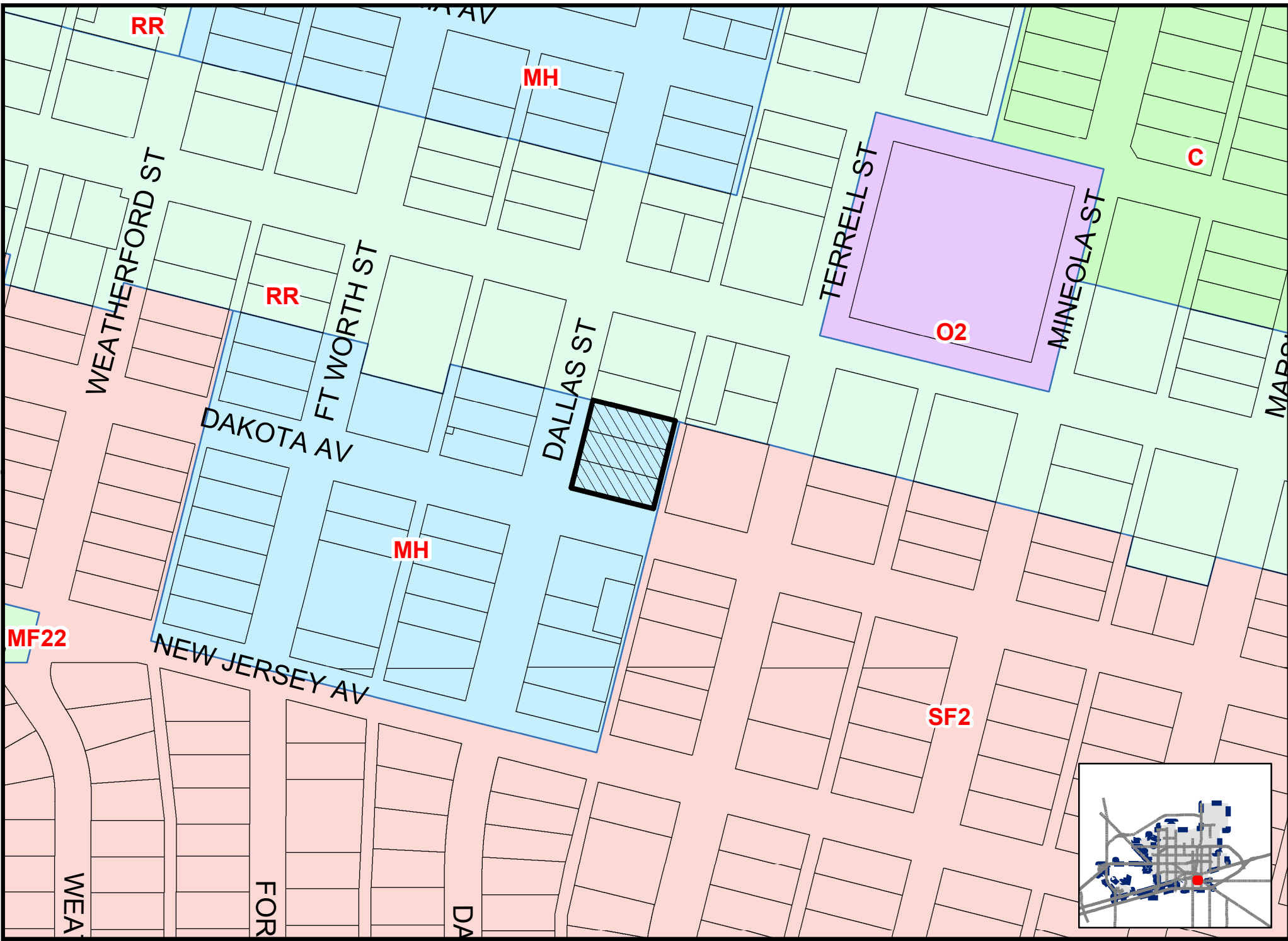
Proposed plat of Southern Addition, Section 24, being a replat of Lots 7, 8 and 9, Block 190, Southern Addition, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of E. Dakota Avenue and S. Dallas Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Valerie A. Sherman, Senior Planner

SUBJECT: Consider a proposed Preliminary Plat of Big Horn Addition, being a plat of a 10.00-acre tract of land out of Section 17, Block 40, T-2-S, T&P RR Co. Survey, Midland County Texas. (Generally located on the south side of W. Industrial Avenue, approximately 450 feet west of S. County Road 1276. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The property owner, DAP 1788 LLC, is proposing to plat a 10.00-acre tract of land out of Section 17, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, into two (2) lots to obtain a septic permit.

Current Zoning:

Extraterritorial Jurisdiction.

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Note has been included on the face of the plat.

ROW: TxDOT comments, "Access to FM 662 and FM 1788 should be coordinated with TxDOT and in accordance with current Access Management Standards. For FM 662, the minimum spacing requirement is 425', and for FM 1788, the minimum spacing requirement is 360'. This is a subdivision of a larger plat and access for the entire lot should be evaluated and not just the individual lots being sold off through the use of shared access and cross access easements/agreements. Post development drainage/runoff should not be increased from pre-development conditions."

PAVING: W. Industrial and FM 1788 roadways are TXDOT's Facility, built and maintained by TXDOT, no public improvements required.

WATER: Existing 12-inch water main running north to south across the lots and on W. Industrial frontage. No public improvements are required.

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

PRO RATA: None.

SEWER: None existing. Construct wastewater to City standards along entire platted frontage or request a deferral. Note- Sewer capacity studies are required for all developments over 5 acres, serving 20 residences or more or multi-family sites, per Policy Statement.

DRAINAGE: Drainage study required. If Drainage study exists, show compliance with approved drainage study by adding a note. "Comply with the existing drainage analysis titled (Title Name) sealed by (Engineer Name), P.E. and approved by the City of Midland on (Date), or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland."

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comments, "Access to FM 662 and FM 1788 should be coordinated with TxDOT and in accordance with current Access Management Standards. For FM 662, the minimum spacing requirement is 425', and for FM 1788, the minimum spacing requirement is 360'. This is a

subdivision of a larger plat and access for the entire lot should be evaluated and not just the individual lots being sold off through the use of shared access and cross access easements/agreements. Post development drainage/runoff should not be increased from pre-development conditions.”

Add a note on the plat stating “Access spacing and locations will be required to adhere to the Texas Department of Transportation (TxDOT) ‘Access Management Standards’ along the state highway. Contact TxDOT for additional information and permitting.”

FIRE: (Approved)

Recommend following the 2015 ed. of IFC for future development in the ETJ.

No other comments.

CODE COMPLIANCE: (Approved)

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

HEALTH DEPARTMENT:

Yes, the health department will review applications from the 2 proposed lots of Big Horn Addition, PLAT OF A 10 ACRE TRACT OF LAND OUT OF SECTION 17, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 4 acre and lot 2 is 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.

MIDLAND COUNTY:

This area is either TxDot or City of Midland not Midland County. Therefore, they will not need any permits from Road & Bridge to tie into the road.

PLANNING:

The Planning and Zoning Commission Secretary is Elizabeth Shaughnessy. Please update under the ‘Certificate of Approval’.

Provide names of abutting property owners.

Show existing and future easements.

Staff recommends approval of the Preliminary Plat of Big Horn Addition, subject to conditions A through C.

Conditions:

A. That a drainage study is approved.

B. That all required public improvements are addressed.

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

Attachments:

Proposed Preliminary Plat
Application
Map



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Big Horn Addn**Legal Description (attached sealed Metes and Bounds):** Previously Provided**Property Owner**Printed Name: **DAP 1788 LLC**

Phone ()

Email reid@dahliacompanies.comAddress 1031 Andrews Hwy.City MidlandState TXZip 79701**Developer (if different than Owner)**Printed Name: Same

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Skyline Civil GroupPrinted Name: Stephen T. Marcum

Phone ()

Email smarcum@skylinecivilg
roup.comAddress 3323 N. Midland Dr.; STE 113-166City MidlandState TXZip 79707**Current Zoning:** ETJ**Reason for Platting:** Septic - Health Dept.**Plat Information**

Total Acreage:

Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 2Number of Multi-family Dwelling Units: N/A**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: 8.11.21

Property Owner (printed): Reid Redman

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 Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is the owner of DAP 1788 LLC or is authorized by Reid Redman the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

Received By:

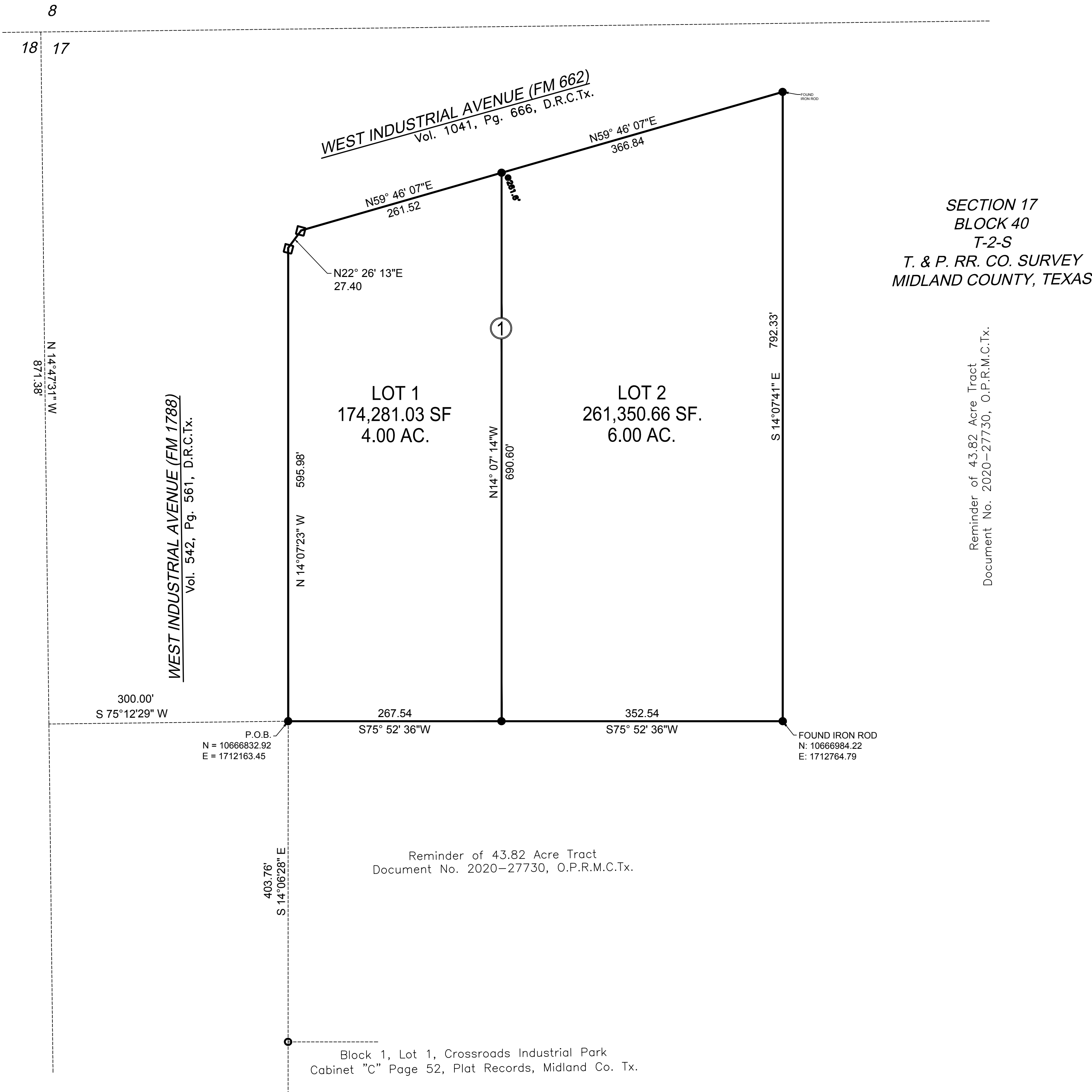
Date:

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

BIG HORN ADDITION

PRELIMINARY PLAT

BEING A 10.0 ACRE TRACT LOCATED IN SECTION 17, BLOCK 40,
T-2-S, T.&P. RR. CO. SURVEY, MIDLAND COUNTY, TEXAS.

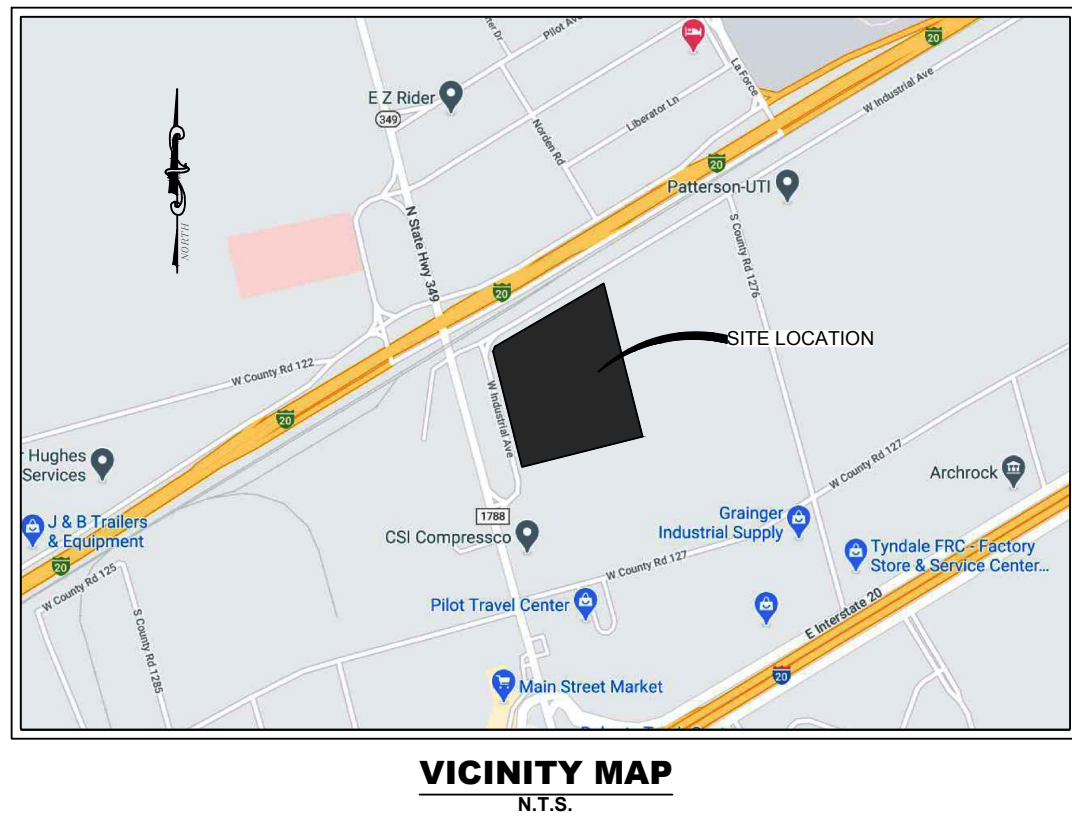
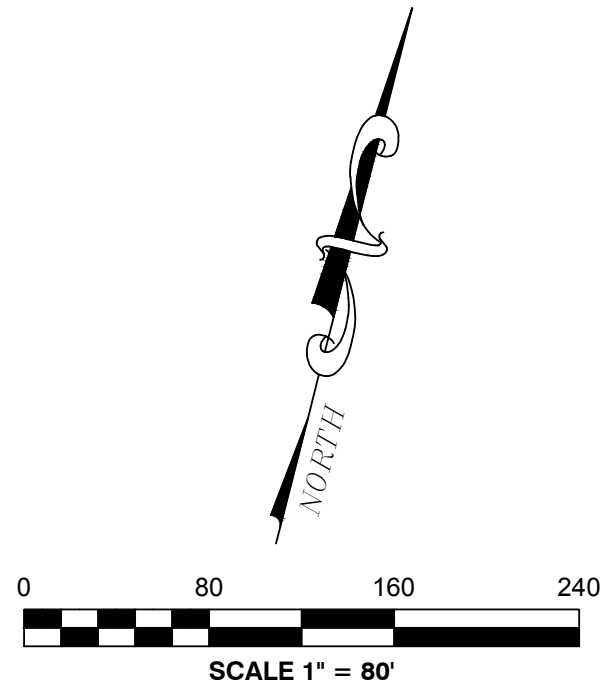


OWNER:
DAP 1788 LLC
1031 ANDREWS HWY
MIDLAND, TX 79701

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY,
TEXAS, UNINCORPORATED AREA, COMMUNITY MAP NUMBER 48329C0200F,
DATED SEPTEMBER 16TH, 2005, THIS PROPERTY IS SITUATED WITHIN ZONE X,
WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL
CHANCE FLOOD PLAIN.

LEGEND

- DENOTES FOUND 1/2" IRON ROD W/CAP
- DENOTES FOUND 1/2" IRON ROD
- DENOTES PLAT BOUNDARY LINE
- DENOTES ADJACENT LOT LINE



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

ATMOS ENERGY
BY: _____

GRANDE COMMUNICATION
BY: _____

AT&T
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

SUDDENLINK COMMUNICATION
BY: _____

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "BIG HORN ADDITION", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this
the ____ day of _____, 2021.

CHAIRMAN, REGGIE LAWRENCE

SECRETARY, CRISTINA ODENBORG BURNS

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 WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- BEARINGS/DISTANCES/COORDINATES TO THE TEXAS STATE PLANE COORDINATES SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1988.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) EITHER TRACT IS RE-PLATTED OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- ACCESS SPACING AND LOCATIONS WILL BE REQUIRED TO ADHERE TO THE TXDOT ACCESS MANAGEMENT STANDARDS ALONG THE STATE HIGHWAY. CONTACT TXDOT FOR ADDITIONAL INFORMATION AND PERMITTING.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS DAP 1788 LLC, is the record owner of a tract of land described herein as a 10 ACRE TRACT, OUT OF THE SECTION 17, BLOCK 40, T-2-S, T.&P. RR. CO. SURVEY, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That DAP 1788 LLC, being the owner of the aforementioned land shown on this plat designated as a portion of BIG HORN ADDITION, an Addition to Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS my hand at Midland, Texas, this
the ____ day of _____, 2021.

By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, ROCKY R. BARNES known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this
the ____ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Marcus L. Hostas, 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.

Marcus L. Hostas, R.P.L.S.
Registration Number - 5643

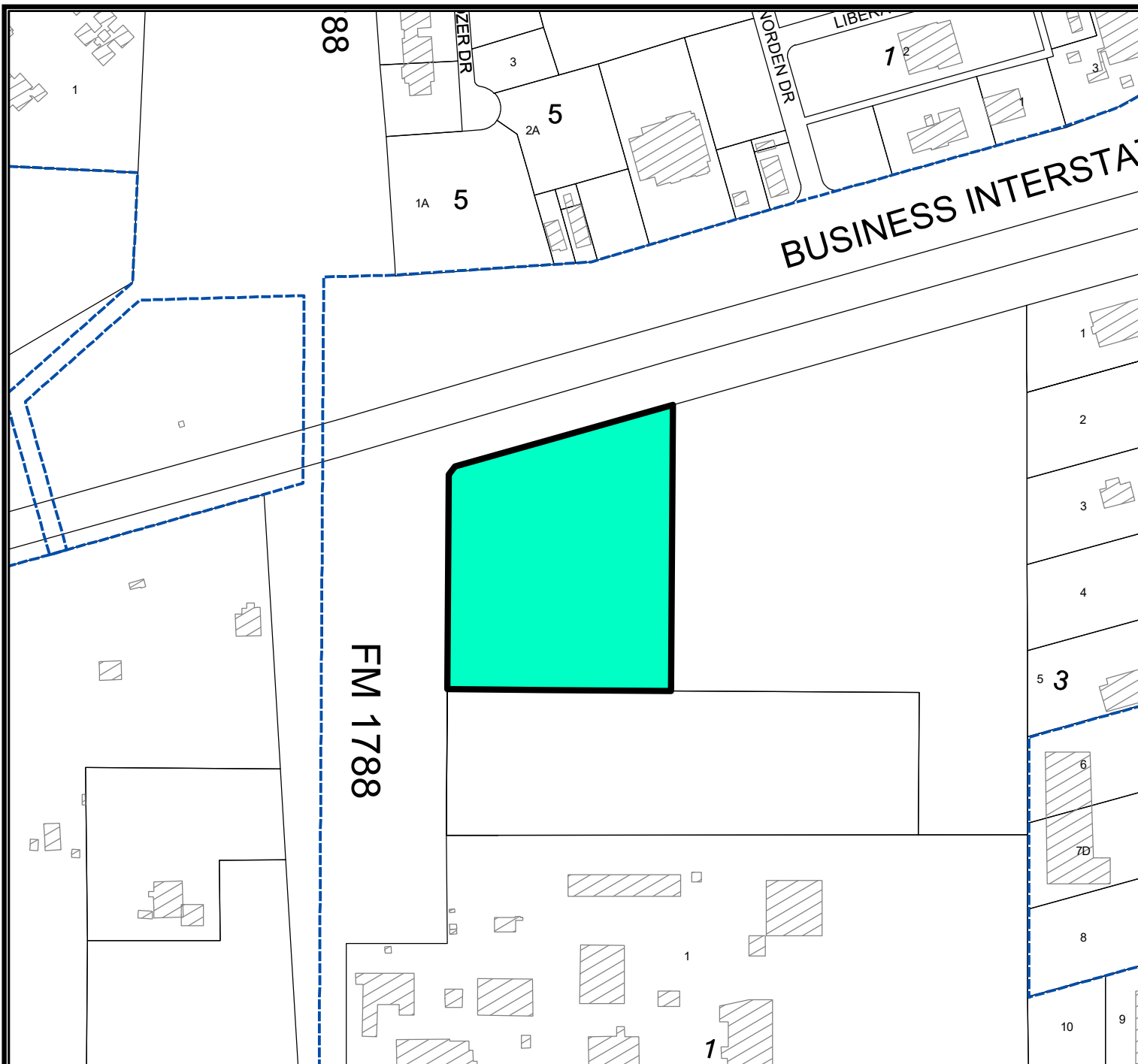


PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____



PERCHERON
professional
services, L L C
203 WEST WALL STREET #724
MIDLAND, TEXAS 79701
(432) 688-2588
TEXAS SURVEYING FIRM LICENSE:
NO. 110194314

BIG HORN ADDITION



LOCATION MAP

SUB-21-0415

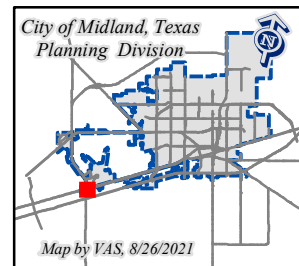
Scale: 1" = 400'

Proposed plat of Big Horn Addition, being a plat of a 10.00-acre tract of land out of Section 17, Block 40, T-2-S, T&P RR Co. Survey, Midland County Texas,

Generally located on the south side of W. Industrial Avenue, approximately 450 feet west of S. County Road 1276. (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 Shaugnessy

MEETING DATE: September 07, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Valerie A. Sherman, Senior Planner

SUBJECT: Consider a proposed Final Plat of Westridge Park Addition, Section 44, being a re-plat of Lot 3, Block 6, Westridge Park Addition, Section 31, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Champions Drive and N. Loop 250 West Frontage Road. Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

O-2, Office District. This property is in the process of being rezoned to RR, Regional Retail District

Preliminary Plat Approval:

The property owner, FP Westridge Energy Plaza, LP, is proposing to replat Lot 3, Block 6, Westridge Park Addition, Section 31, City and County of Midland Texas, into two (2) lots for future development. This case is being processed using the short-form procedure, which does not require preliminary plat approval.

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 the final approval have been met.

Departmental Review:

The proposed Final Plat of Westridge Park Addition, Section 44, has been circulated to all City departments for their review. The comments are below.

Engineering: (Approved with Conditions)

MPACT FEES: Impact Fee statement okay as shown.

ROW: ROW Okay as shown.

PAVING: Champion's Dr. okay as is. No public paving improvements required. Loop 250 frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required.

WATER: 12" water exists in easement east of tract, okay as is. No public water improvements required. 12" water exists in Champions Dr. north of tract, okay as is. No public water improvements required.

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

PRO RATA: None.

SEWER: 10" sewer exists in easement south of tract, okay as is. No public wastewater improvements required.

DRAINAGE: Drainage study Approved for Westridge Park Addn. 19 will suffice for platting purposes.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: TxDOT's comments, "No access should be permitted to LP 250 frontage road. Post-development drainage/runoff should not be increased from pre-development conditions."

Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway.

Transportation: (Approved)

Sketch Plat comment, "Assuming that the eastern lot is to be called Lot 4, add a note: "Lot 4 shall not have direct vehicle access to Loop 250".

TxDOT comments, "No access should be permitted to LP 250 frontage road. Post-development drainage/runoff should not be increased from pre-development conditions."

Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway.

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

No objections to plat.

Fire: (Approved)

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

Code Compliance: (Approved)

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

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.

Planning: (Approved)

All department's comments must be addressed as a condition of Final Plat approval.

Staff recommends approval of the Final Plat of Westridge Park Addition, Section 44, 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-21-0436
P-21-1169**Proposed Subdivision Plat Name:** WESTRIDGE PARK ADDITION SECTION 44**Legal Description (attached sealed Metes and Bounds):** BEING A REPLAT OF ALL LOT 3, BLOCK 6, WESTRIDGE PARK ADDITION SECTION 31, LOCATED IN SECTION 37, BLOCK 40, T-1-S, T&P RR CO SURVEY, CITY AND COUNTY MIDLAND, TEXAS**Property Owner**

Printed Name: FP WESTRIDGE ENERGY PLAZA, LP

Phone ()
Email

Address 1885 ST. JAMES PLACE, SUITE 1100

City HOUSTON

State TX

Zip 77056

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: PARKHILL

Printed Name: JOSH WALLENDER

Phone ()
Email

JWALLENDER@PARKHILL.COM

Address 1700 W. WALL STREET, SUITE 100

City MIDLAND

State TX

Zip 79701

Current Zoning: O2**Reason for Platting:** DEVELOPMENT INTO SALE OF LOTS**Plat Information**

Total Acreage: 6.215

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

Number of Lots:

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

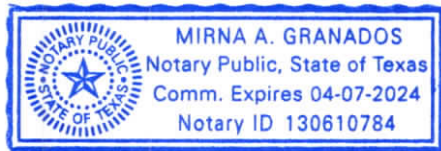
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wallender who, being by me duly sworn, upon oath says: That (s)he is authorized by FP Nestridge Energy Plaza 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 18 day of August, 2021, 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) <u>MISS</u> |
| ☐ Mylar <u>MISSING</u> | ☒ 1 Copy of Plat (11x17) | ☐ CADD File <u>MISS</u> |
| ☒ Application Fee | ☒ Title Opinion | ☐ Public Improvement |
| Check # <u>1522</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>1519</u> |

Received By: ES

Date:

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

SCHARBAUER SPORTS COMPLEX

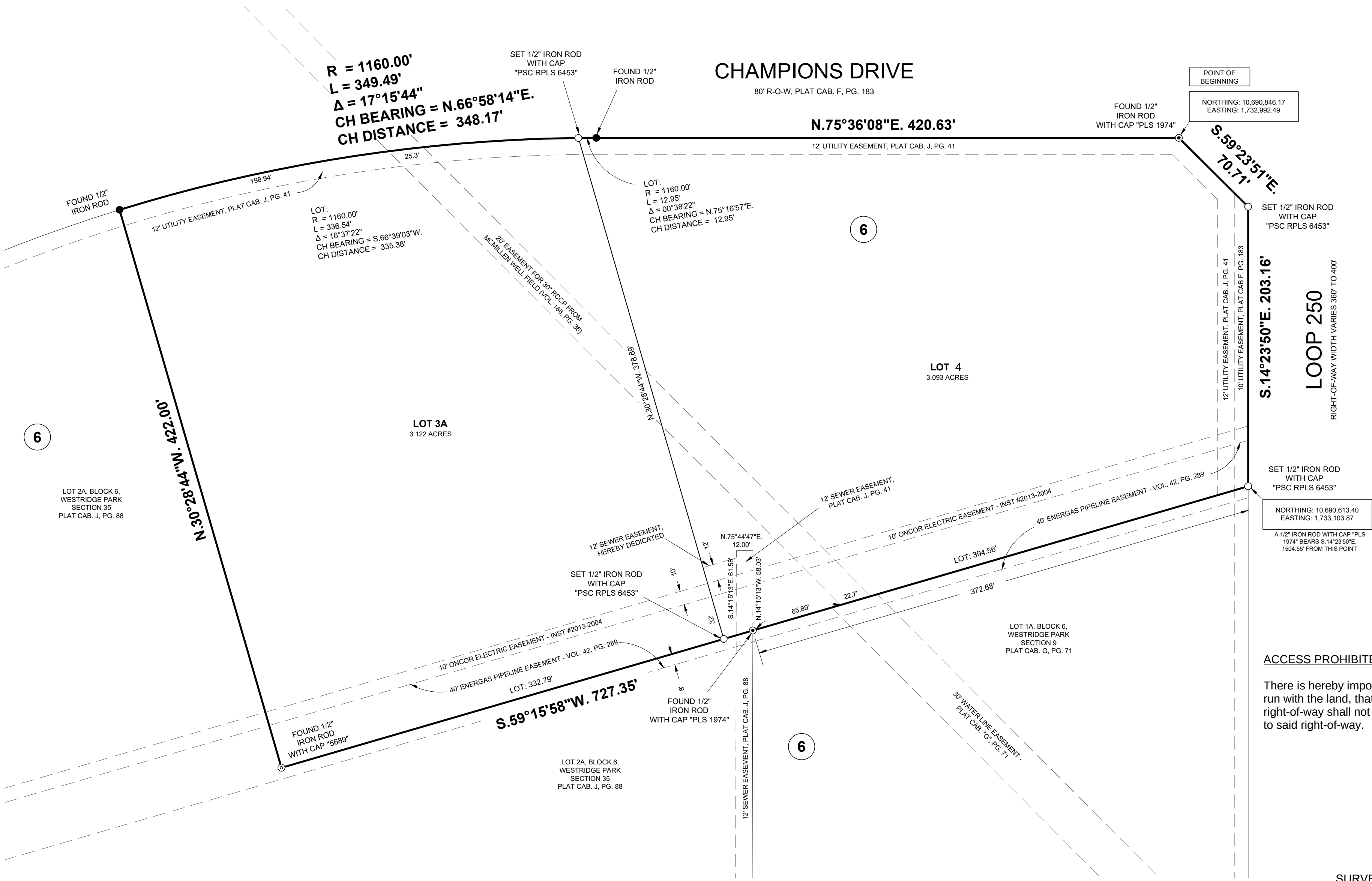
Lot 4, Block 5
Westridge Park Addition
Section 6,
Cabinet "F", Page 183,
P.R.M.C.

WESTRIDGE PARK
SECTION 44

Being a re-plat of all of Lot 3, Block 6,
Westridge Park Addition Section 31,
City and County of Midland, Texas



Original Scale: 1" = 50'



STATE OF TEXAS
COUNTY OF HARRIS

WHEREAS, FP WESTRIDGE ENERGY PLAZA, LP, is the record owner of Lot 3,
Block 6, Westridge Addition, Section 31, City and County of Midland, and more
particularly described, shown on the plat hereon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS :

That we, FP WESTRIDGE ENERGY PLAZA, LP, do hereby adopt this plat designating the
herein above described property as WESTRIDGE PARK ADDITION, SECTION 44
and County of Midland, Texas, and we do hereby dedicate to the public use
forever the streets, and easements shown thereon.

WITNESS our hands at Houston, Texas, this the ____ day of ____ 2021.

By:
Alan D. Feinsilver President

STATE OF TEXAS :
COUNTY OF TARRANT :

This instrument was acknowledged before me on ____ 2021 by Alan D.
Feinsilver on behalf of FP WESTRIDGE ENERGY PLAZA, LP.

Notary Public Signature

Proposed Plat Limits
Easement (See plat for details)
Proposed Lot Line

WLE = Water Line Easement
DRE = Drainage Easement
UEE = Underground Electric Easement

OWNER &
DEVELOPER:
FP WESTRIDGE ENERGY PLAZA, LP
1885 St. James Place, Suite 1100
Houston, Texas 77056

ENGINEER:
Parkhill, Smith & Cooper, Inc.
1700 W Wall St., #100
Midland, Texas 79701
432-697-1447

FLOOD ZONE INFORMATION

Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood
Hazard Boundary Map, Community Number 480477, Map Number 48329C0182F, Panel 182 of 525, revised
September 16, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the
map, the current flood zone classification for the surveyed property is Zone X.

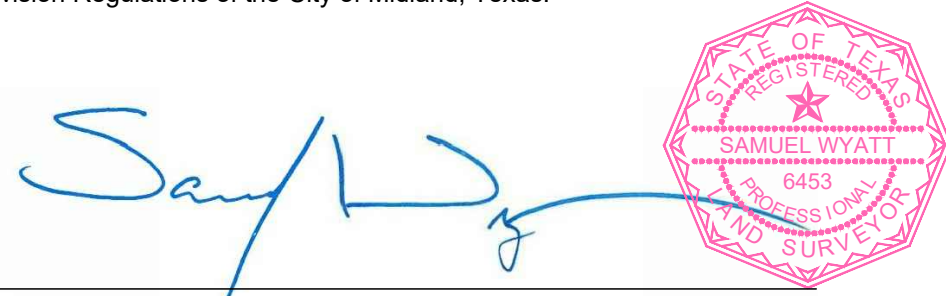
ACCESS PROHIBITED

There is hereby imposed a restriction, which shall
run with the land, that Lot 4, Block 6 on loop 250
right-of-way shall not have direct driveway access
to said right-of-way.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

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



SPECIAL STATE PLANE COORDINATE NOTE

Bearings, distances and coordinates are relative to the Texas State
Plane Coordinate System (Central Zone 1983 NAD) , with a combined
grid factor of 0.9998958 for mean project datum. The theta angle is
equal to -00°54'48.39\"/>

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

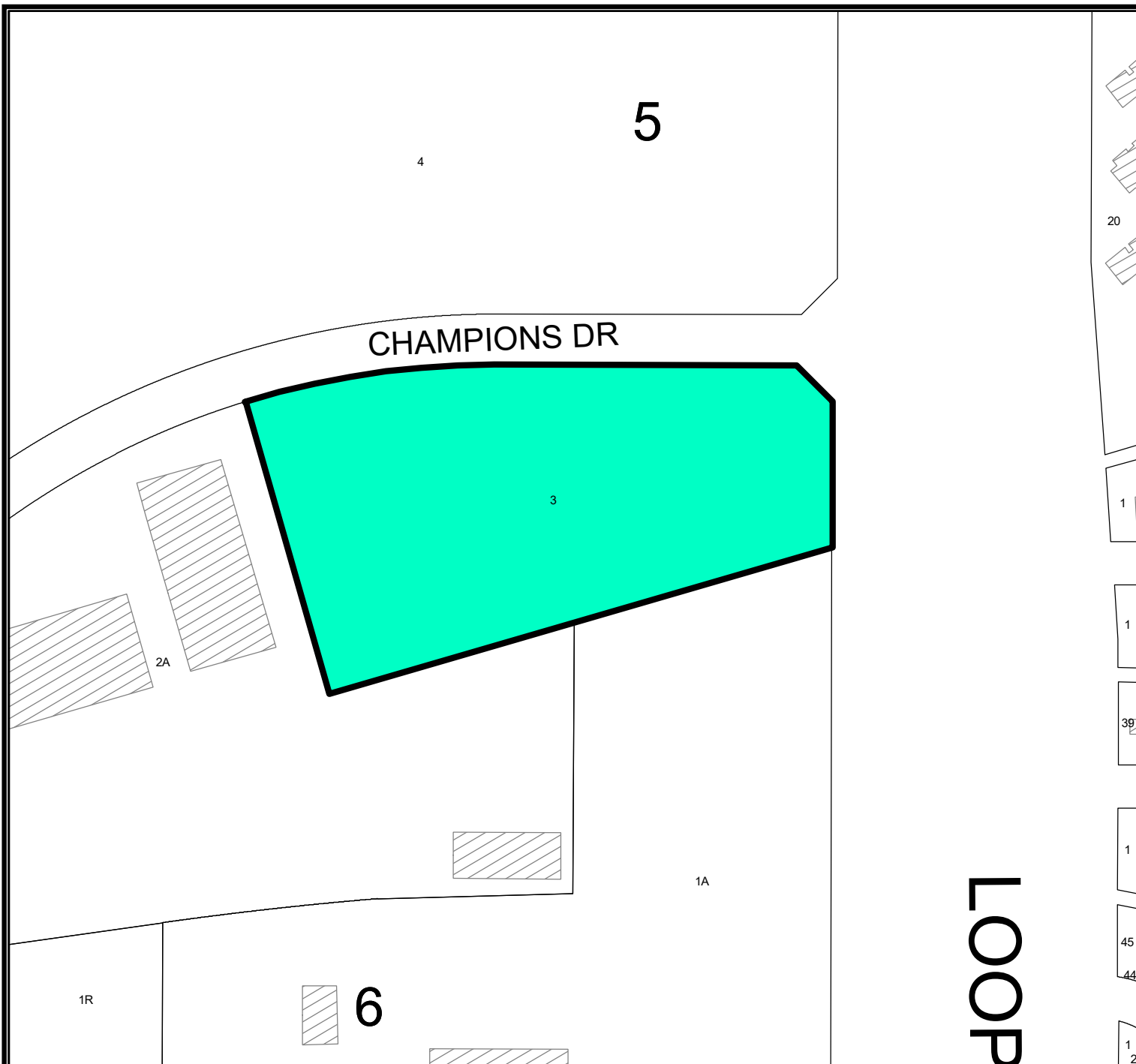
NO. _____ CABINET _____
DATE _____ PAGE _____

WESTRIDGE PARK
SECTION 44

Parkhill

Parkhill.com

TBPELS FIRM REGISTRATION NO. 10194091



LOCATION MAP

SUB-21-0436

Scale: 1" = 200'

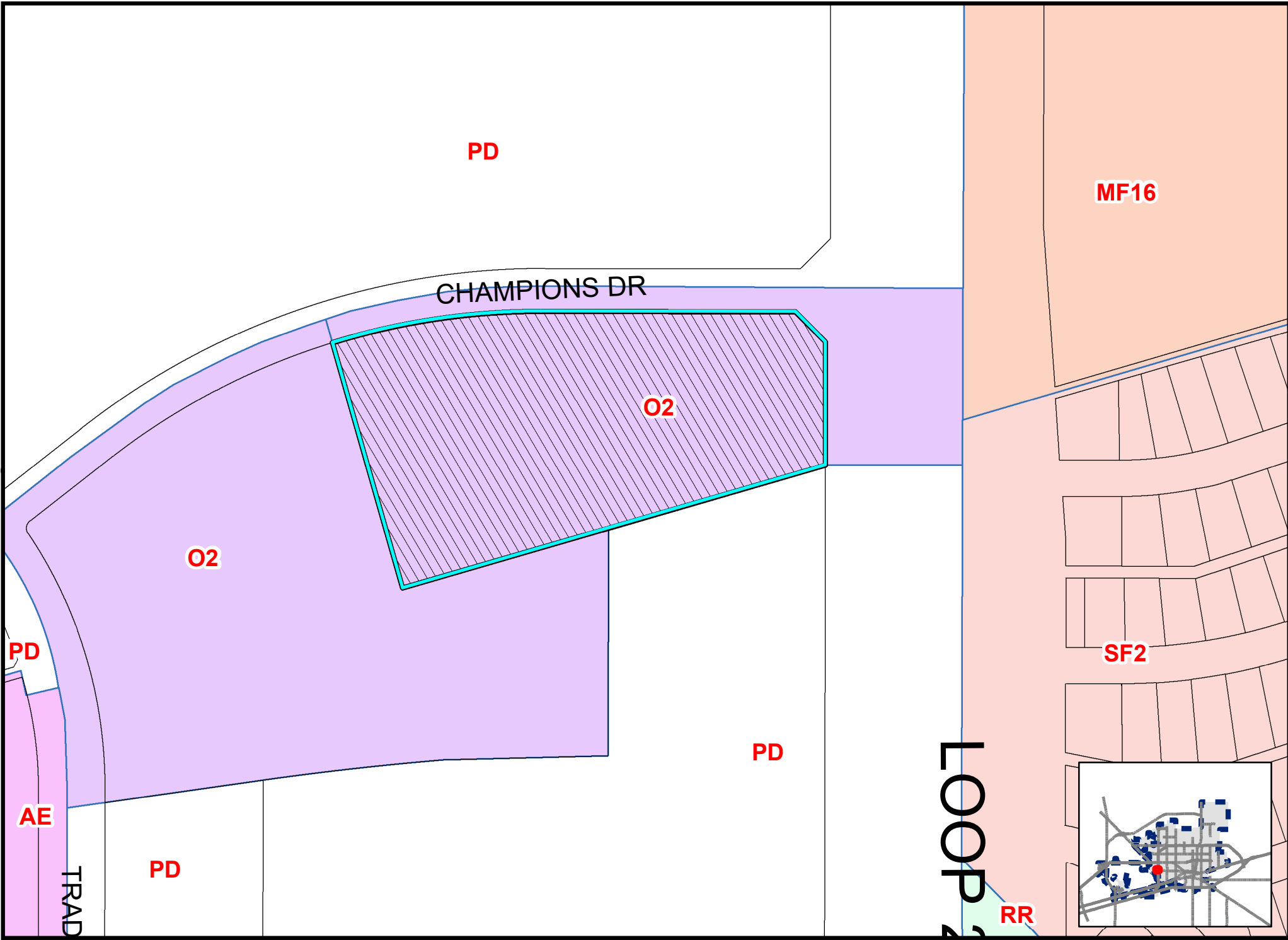
Proposed plat of Westridge Park Addition, Section 44, being a replat of Lot 3, Block 6, Westridge Park Addition, Section 31, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Champions Drive and N. Loop 250 West Frontage Road. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaugnessy

MEETING DATE: September 07, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Valerie A. Sherman, Senior Planner

SUBJECT: Consider a proposed Plat of Tower Addition, Section 1, being a plat of a 1.00-acre tract of land located in the southwest quarter of Section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of S. County Road 1210, approximately 53 feet north of W. County Road 118. Extraterritorial Jurisdiction)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The property owner, Miguel Angel Rodriguez, is proposing to plat a 1.00-acre tract of land located in the southwest quarter of Section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas, into one (1) lot to obtain a septic permit. The preliminary plat was approved at the April 5, 2021 Planning and Zoning meeting.

Final Plat Requirements:

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

Departmental Review:

This proposed Final Plat of Tower Addition, Section 1, has been circulated to all city departments for their review. The comments are below.

Engineering: (Approved)

IMPACT FEES: Note ok as is.

RO: Ok as shown.

PAVING: County Road 1210 is TX DOT facility, built and maintained by TX DOT, no improvements required.

WATER: None existing. Deferral has been approved administratively on June 25, 2021.

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

PRO RATA: NONE

SEWER: None existing. Deferral has been approved administratively on June 25, 2021.

DRAINAGE: Drainage approved for platting purposes.

EASEMENTS: Ok as shown.

SIDEWALKS: Deferral has been approved administratively on June 25, 2021.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No objections to plat.

Fire: (Approved)

No comments.

Code Compliance: (Approved)

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

Building Inspection: (Approved)

No objections. All septic systems are permitted and regulated by the City of Midland Health Department.

Midland County:

They will need to get a permit with Road & Bridge to tie into SCR 1210.

Planning:

All departments' comments must be addressed as a condition of final plat approval.

Staff recommends approval of the Tower Addition, Section 1, 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
Map



Final Plat Application

Project Number:

SUB-21-0398

Case Number:

P-21-1152

Proposed Subdivision Plat Name:

Tower addition, Section 1

Legal Description (attached sealed Metes and Bounds):

Being a 1.00 acre tract in the SW1/4 of section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Property Owner

Printed Name:

Miguel Angel Rodriguez

Phone (432) 599-2286

Email

Address

610 S. Baird ST

City

Midland

State

TX

Zip

79701

Developer (if different than Owner)

Printed Name:

NONE

Phone ()

Email

Address

City

State

Zip

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

Firm: Aaron Burrell Land Surveyors, LLC

Printed Name:

Aaron Burrell

Phone (432) 848-4439

Email aaron@asbsurveyors.com

Address

415 W. Wall ST. Suite 204

City

Midland

State

TX

Zip

79701

Current Zoning:

ETJ

Reason for Platting:

Get septic permit

Plat Information

Total Acreage:

1.0

Type:

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

Number of Lots:

1

Number of Multi-Family Dwelling Units:

1

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 07-27-2021

Property Owner (printed): Miguel A. Rodriguez

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

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

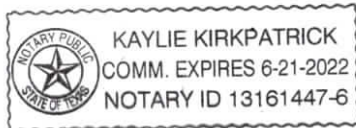
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

A S Burrell
Authorized Agent (signature)

Subscribed and sworn to before me, this 27 day of July, 2021, to certify which witness my hand and seal of office.



Kaylie Kirkpatrick
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Mylar

☒ Application Fee

Check # 309

Received By: KM

☒ 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 # 1150

Date: 8/5/21

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

TOWER ADDITION, SECTION 1
Being a 1.00 Acre Tract in the SW/4 of
Section 9, Block 39, T-2-S, T&P RR Co Survey,
Midland County, Texas.

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, MIGUEL ANGEL RODRIGUEZ as the recorded owner of the a 1.00 acre tract recorded in Document No. 2017-37337, Midland County Official Public Records, County Of Midland, Texas, and more particularly shown hereon:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, MIGUEL ANGEL RODRIGUEZ, do hereby adopt this plat designating the herein above described property as "LOT 1, BLOCK 1, TOWER ADDITION, SECTION 1" an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS our hands at Midland, Texas,
this _____ day of _____, 2021.

MIGUEL ANGEL RODRIGUEZ

ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND

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

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

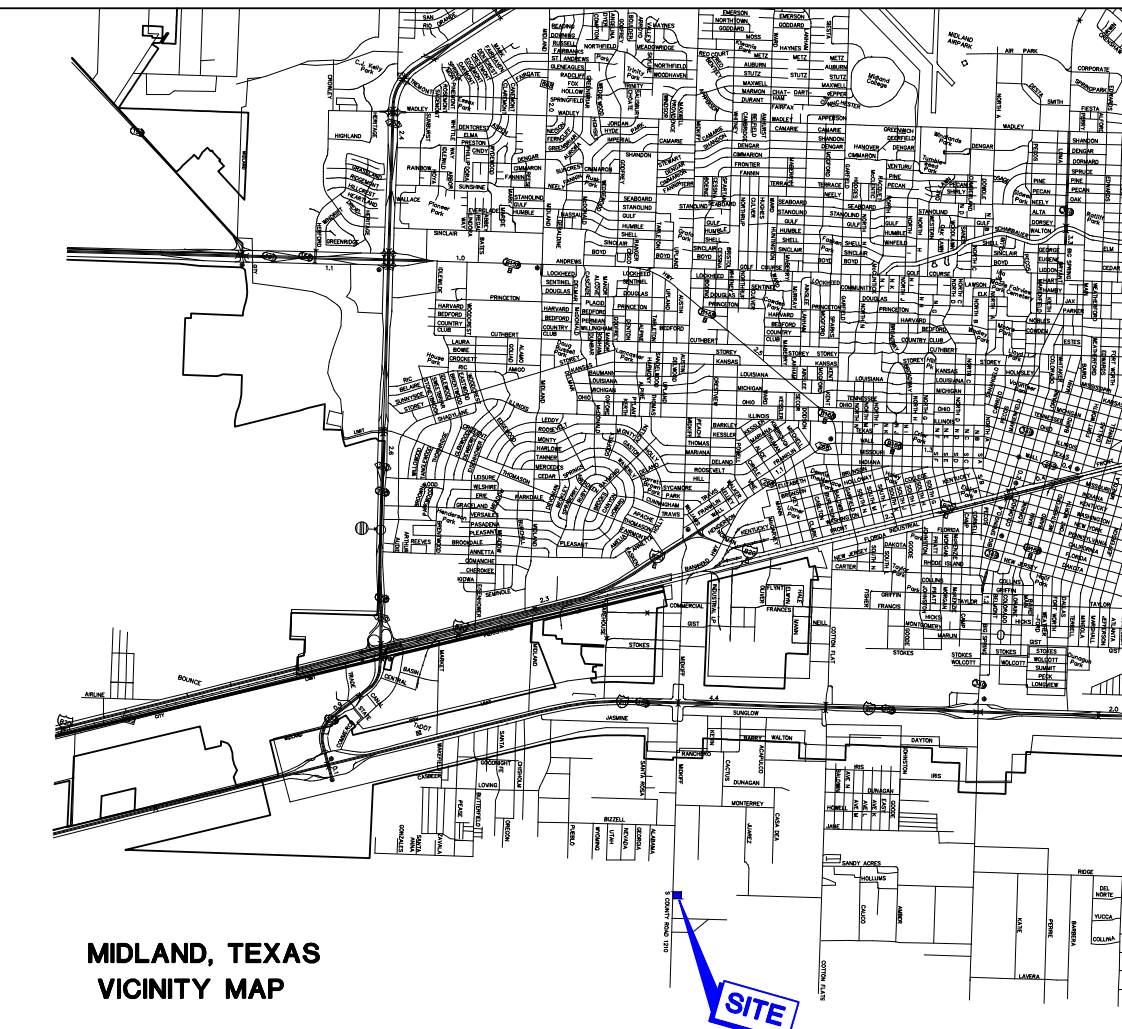
This is to certify that the above and foregoing plat of "TOWER ADDITION, SECTION 1" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on this _____ day of _____, 2021.

SIGNED: _____

PRINT: _____
Chairman

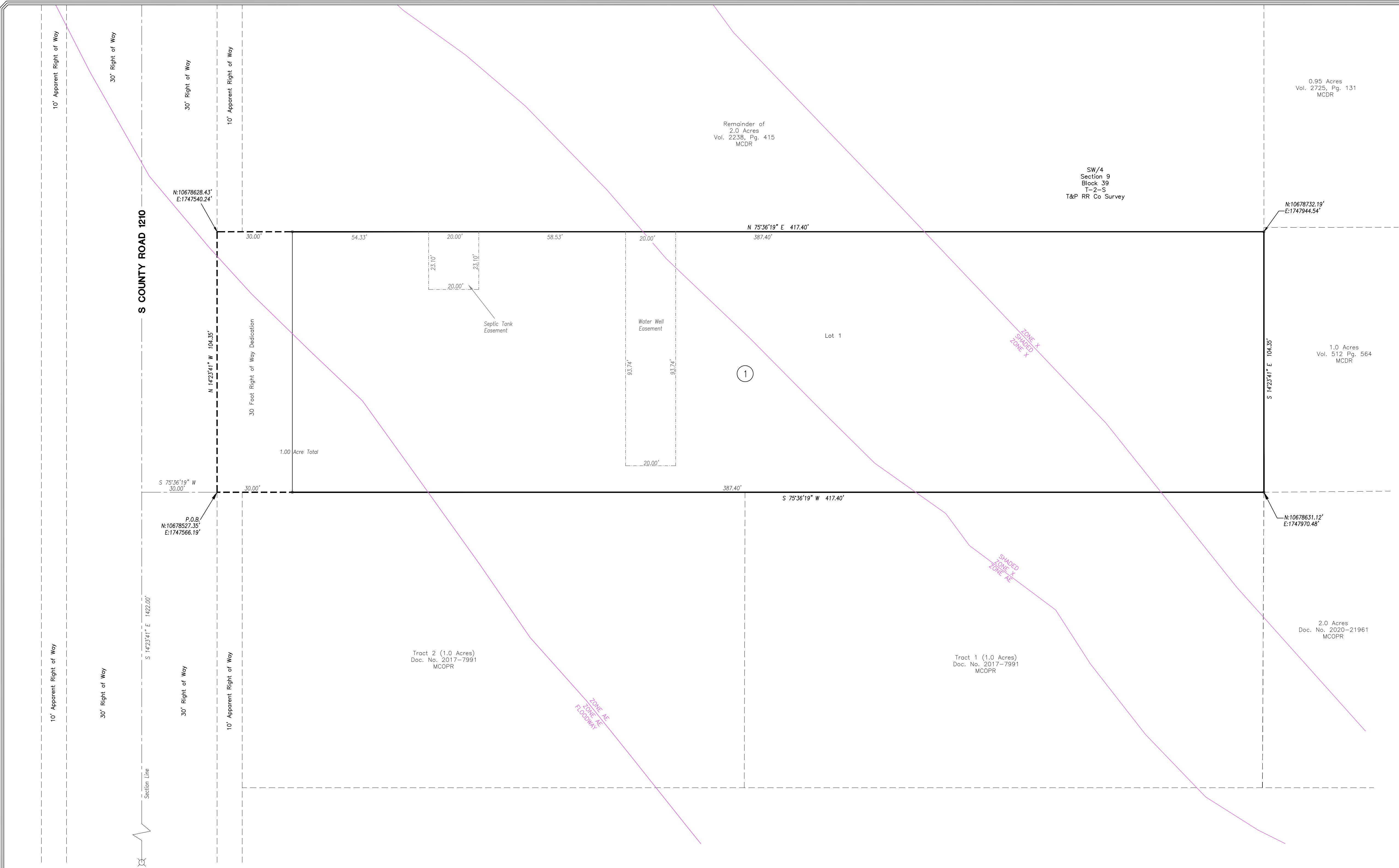
ATTEST: _____

PRINT: _____
Secretary



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

FINAL PLAT
TOWER ADDITION, SECTION 1



LEGEND
● 1/2" Iron Rod
○ 3/4" Iron Rod
X Section Corner
--- Section Line
--- Easement

Professional Land Surveying & Mapping
Aaron Burrell Land Surveyors, LLC
415 W. Wall St., Suite 204
Midland, Texas 79701
432-848-4439
aabsurveyors.com
P.O. Box 81041
Midland, Texas 79708
TBPLS Firm No. 10194217

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
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. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
4. A PORTION OF THIS PROPERTY IS IN ZONE AE & ZONE AE FLOODWAY AND DOES LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO FEMA MAP NO. 48329C0203F, DATED SEPTEMBER 16, 2005, PREPARED FOR MIDLAND COUNTY, TEXAS.

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

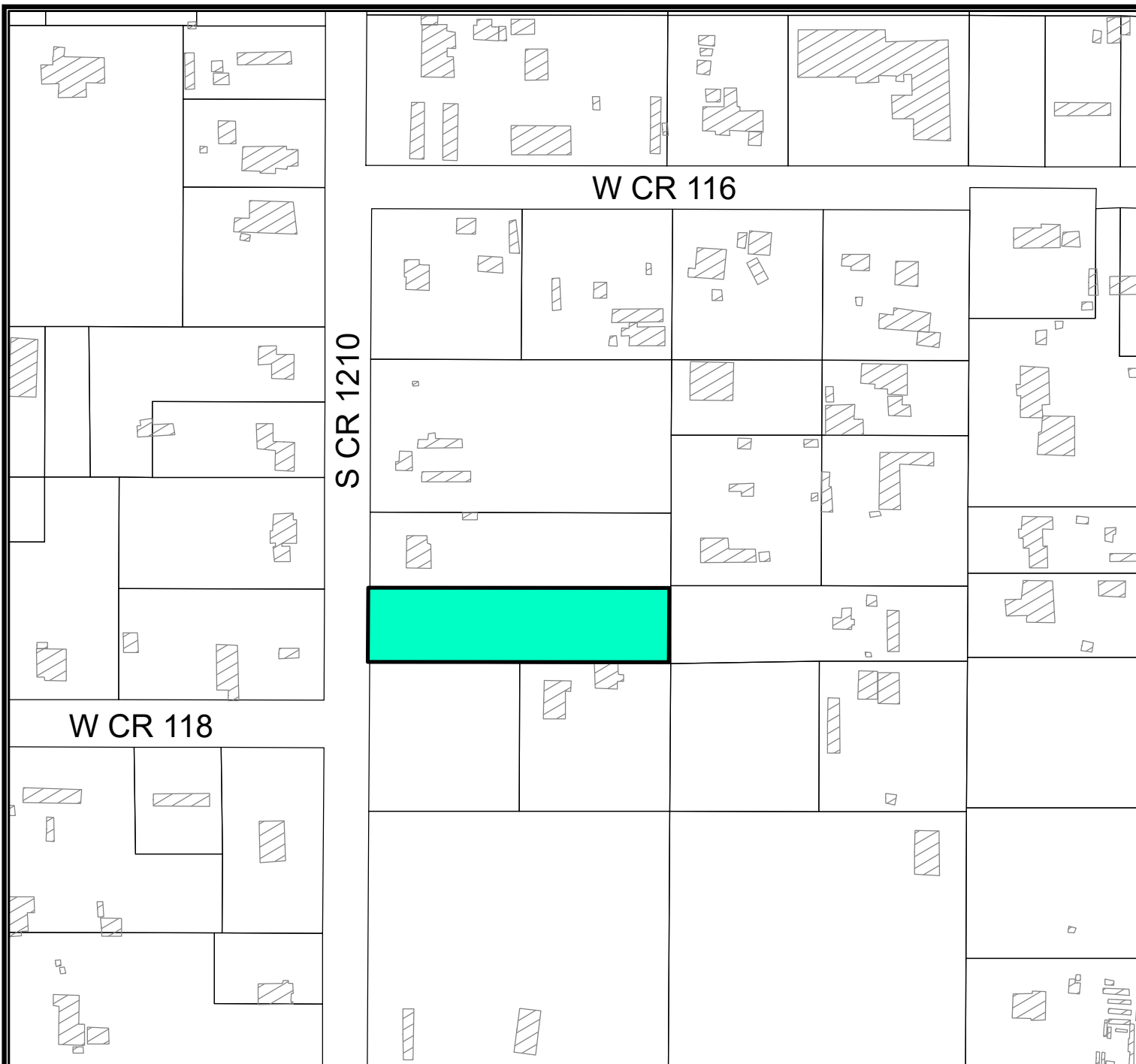
OWNER:
MIGUEL ANGEL RODRIGUEZ
610 S BAIRD ST
MIDLAND, TEXAS 79701
(432)599-2286

SIGNED: _____ AT&T TEXAS PRINT NAME _____
SIGNED: _____ ONCOR ELECTRIC DELIVERY PRINT NAME _____
SIGNED: _____ SUDDENLINK COMMUNICATIONS PRINT NAME _____
SIGNED: _____ GRANDE COMMUNICATIONS PRINT NAME _____

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

16 July 2021
DATE

AARON SCOTT BURRELL TX RPLS 5689



LOCATION MAP

SUB-21-0390

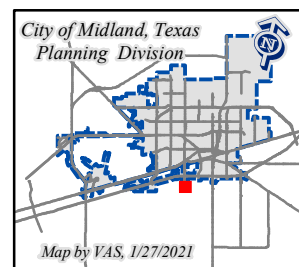
Scale: 1" = 200'

Proposed plat of Tower Addition, Section 1, being a plat of a 1.00-acre tract of land located in the southwest quarter of Section 9, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the east side of S. County Road 1210, approximately 53 feet north of W. County Road 118. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
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 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez, Planner

SUBJECT: Consider a proposed Preliminary Plat of West 191 Industrial Park, Section 8 being a replat of 1.742-acres of the north half of Lot 1, Lot 2, and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas. (Generally located north of State Highway 191, approximately 2,205-feet west of Westlake Road. (Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Watson Professional Group, Inc., is requesting to replat 1.742-acres of the north half of Lot 1, Lot 2, and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas for a new development and ownership purposes.

Current Zoning:

LI, Light Industrial District in part, RR, Regional Retail District, in part.

Departmental Review:

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

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Septic systems are regulated and permitted by the City of Midland Health Department.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: HWY 191 is TxDOT ROW and will be maintained by them. No paving improvements required.

WATER: Access to water is available from Sinclair Ave. to the North of the property. No public water improvements required.

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

PRO RATA: None

SEWER: No sewer existing. Deferral of wastewater improvements has been requested and will have to go to council for determination.

DRAINAGE: Drainage report required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Deferral of sidewalk has been requested and will have to go to council for determination.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway. Contact TXDOT odessa district for any driveway permit.

TxDOT comments, "This is an existing development with 2 existing driveways that are being shared with neighboring lots. Not sure of the intent of the plat or if this will be a substantial change of use for the proposed site, but if so, might evaluate the access to determine if a change of access is justified."

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

Health:

Yes, the health department will review application from the 1 proposed lot of West 191 Industrial Park Section 8, PLAT OF A 7.7 ACRE TRACT BEING A REPLAT OF 1.76 ACRES OF THE NORTH HALF OF LOT 1, LOT 2, AND LOT 3 BLOCK 1, WEST 191 INDUSTRIAL PARK the lot is 7.7 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING:

Based on the meets and bounds the total acreage for the north half of lot 1 is 1.742-acres. Please change the acreage on the legal description.

Final plat cannot be completed until the zone change is approved.

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

Conditions:

- A. That the technical items listed above are addressed.
- B. That all public improvements are addressed.
- C. That the drainage study is approved.
- D. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat (Exhibit A)
Maps
Application



Preliminary Plat Application

Project Number:

Case Number:

SUB-21-0442
P-21-1160

Proposed Subdivision Plat Name: West 191 Industrial Park, Section 8

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF THE N/2 OF LOT 1, LOT 2, AND LOT 3 OF THE WEST 191 INDUSTRIAL PARK SUBDIVISION, ALSO BEING 7.744 ACRES OF LAND OUT OF SECTION 32, BLOCK 40, T-1-S, T&P RR CO SURVEY, IN MIDLAND COUNTY, TEXAS.

Property Owner Joval LLC

Printed Name:

Phone (1-810-753-5770

Email joe90275@gmail.com

Address 1116 Villa Bellagio Dr.

City Las Vegas

State NV

Zip 89141

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: WATSON PROFESSIONAL GROUP INC

Printed Name: Ashlee Johnson

Phone (432) 520-9200

Email

ajohnson@wpg-us.com

Address PO Drawer 11186

City Midland

State TX

Zip 79702

Current Zoning: ETJ

Reason for Platting: Ownership/Development/Septic Permit

Plat Information

Total Acreage: 7.744

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

Provisions

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

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

→ Property Owner (signature): [Signature]

Date: 8-10-2021

→ Property Owner (printed): BOVAL LLC by Joseph E Kennedy, member

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.

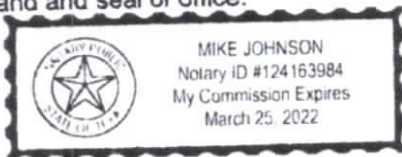
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 10 day of Aug, 2021, 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 # 10762

Received By: Joseph E Kennedy

Date: AUG 12 2021

BY: [Signature]

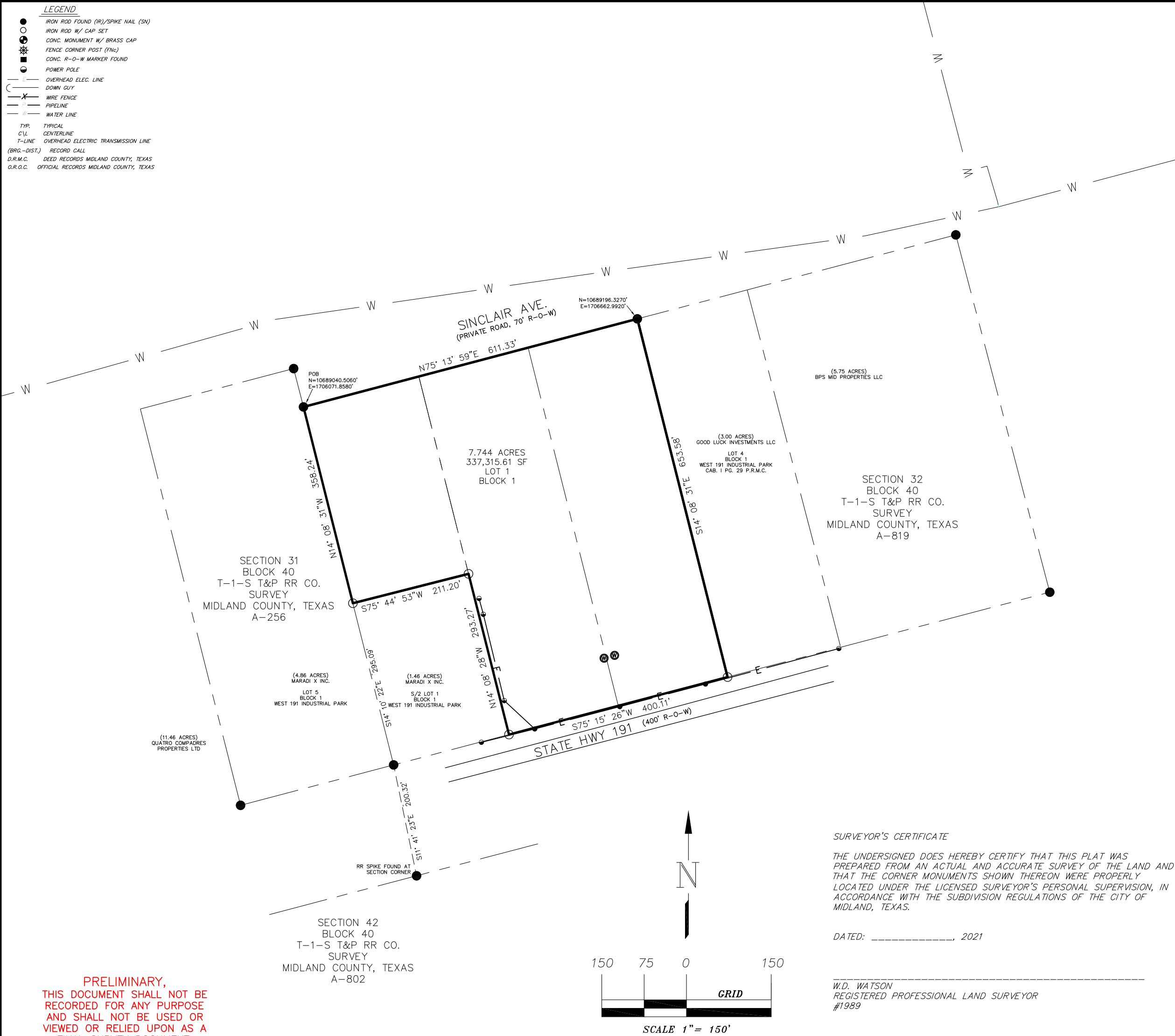
****Application will not be considered for scheduling until reviewed by a planner.****

Preliminary Plat Application

2

Revised 07/01/19

LEGEND
● IRON ROD FOUND (R)/SPIKE NAIL (SN)
○ IRON ROD W/ CAP SET
⊙ CONC. MONUMENT W/ BRASS CAP
⊙ FENCE CORNER POST (FNC)
⊙ CONC. P-O-W MARKER FOUND
— POWER POLE
— OVERHEAD ELEC. LINE
— DOWN GUY
— WIRE FENCE
— PIPELINE
— WATER LINE
TYP. C/L TYP. CENTERLINE
T-LINE OVERHEAD ELECTRIC TRANSMISSION LINE
(BRC-DIST.) RECORD CALL
D.R.M.C. DEED RECORDS MIDLAND COUNTY, TEXAS
O.R.D.C. OFFICIAL RECORDS MIDLAND COUNTY, TEXAS



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



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

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 21-1048-00 DRAFT A.J. REV. 0
FILE: T:MIDLAND/TITLE SURVEYS/SUB PLATS 21-1048 10314 HWY 191

WEST 191 INDUSTRIAL PARK, SECTION 8

BEING A REPLAT OF 1.76-ACRES OF THE NORTH HALF OF LOT 1, LOT 2, AND LOT 3,
BLOCK 1, WEST 191 INDUSTRIAL PARK, CITY AND COUNTY OF MIDLAND, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, JOVAL LLC is the record owner of a 7.744 acre tract of land, being out of Section 32, Block 40, T-1-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, JOVAL LLC, do hereby adopt this plat designating the herein above described property as "WEST 191 INDUSTRIAL PARK, SECTION 8", an addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys and easements shown hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

JOVAL LLC Date

CERTIFICATE OF APPROVAL
STATE OF TEXAS {}
COUNTY OF MIDLAND {}

This is to certify that the above and foregoing plat of "WEST 191 INDUSTRIAL PARK, SECTION 8" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of ____ 2021, A.D.

REGGIE LAWRENCE, CHAIRMAN

ELIZABETH SHAUGHNESSY SECRETARY

ACKNOWLEDGEMENT
STATE OF TEXAS {}
COUNTY OF MIDLAND {}

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

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

Notary Public in and for the State of Texas

Printed name of Notary _____
My commission expires: _____

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

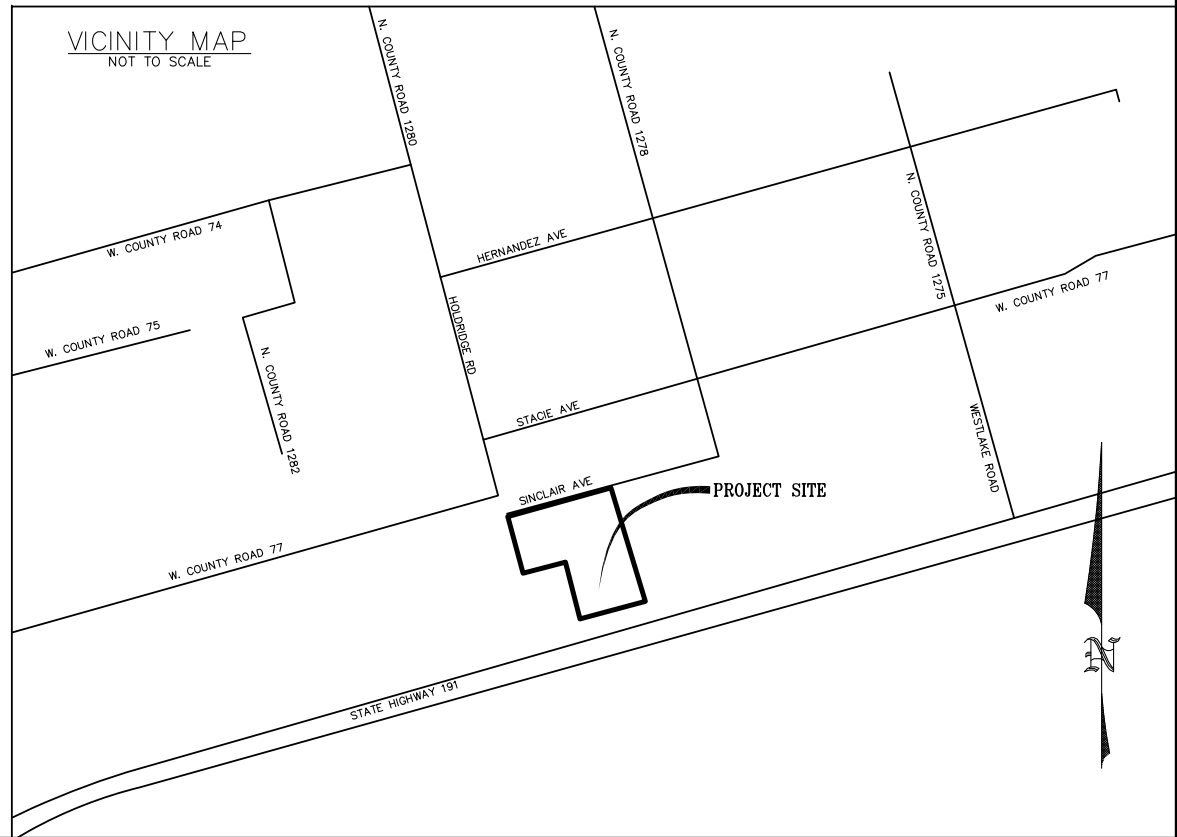
SUDDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONGOR ELECTRIC DELIVERY
BY: _____

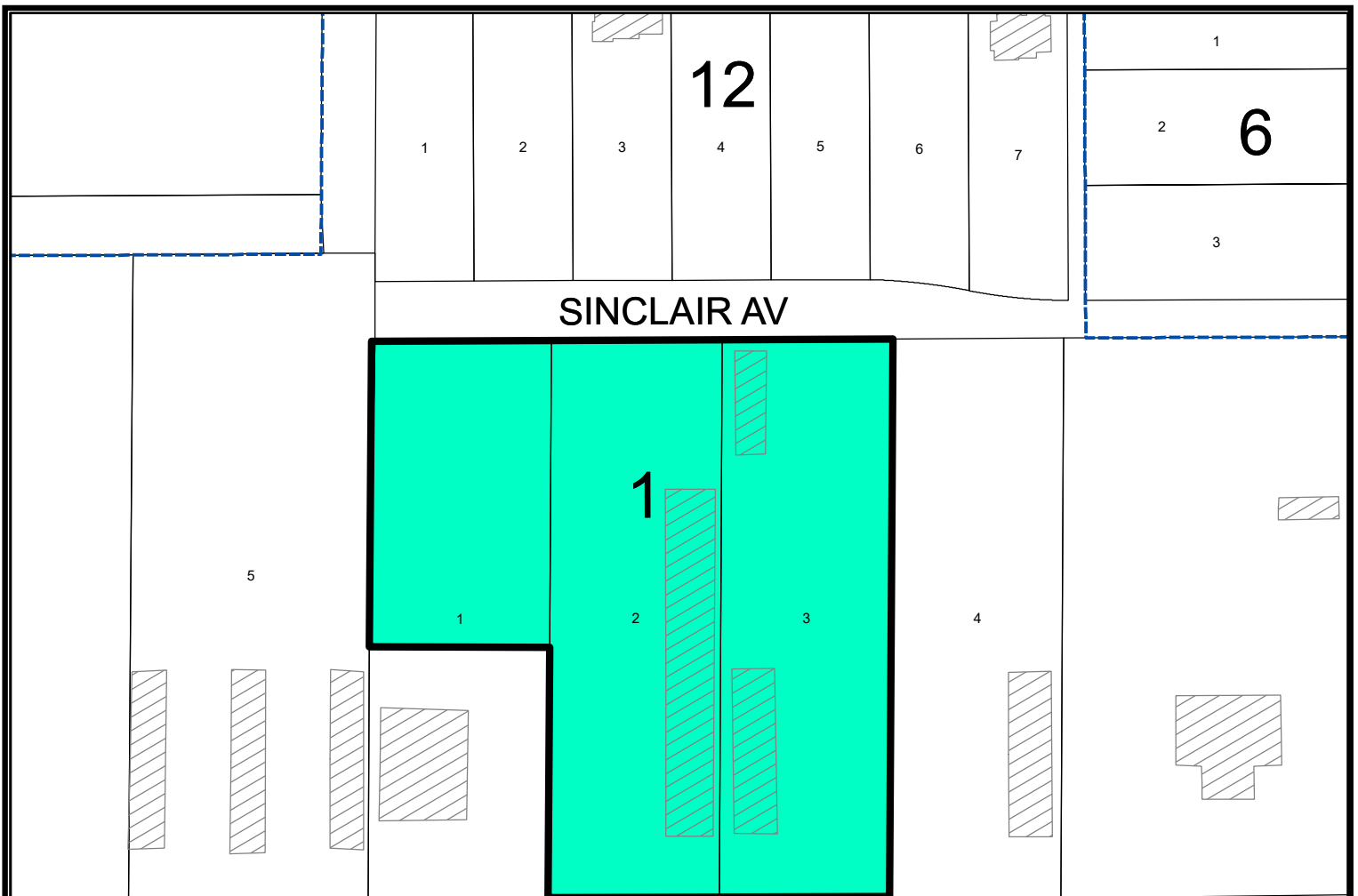
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO. _____ CABINET _____
DATE _____ PAGE _____

OWNER: JOVAL LLC
11166 VILLA BELLAGIO DR.
LAS VEGAS, NEVADA 89141



NOTE:

- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE".
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329C0200F AND WITH A REVISED DATE OF SEPTEMBER 16, 2005.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- AOZ-4 Airport Overlay District (Note Per 11-11-11 A (2)):
Any person who desires to erect a new structure or rebuild, replace, or enlarge an existing structure or establish a new use or substantially change an existing use in 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.



ST HWY 191

LOCATION MAP

SUB-21-0442

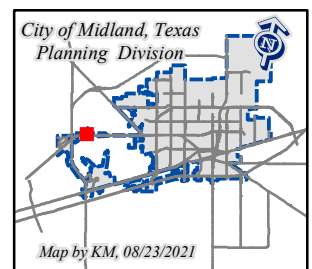
Scale: 1" = 200'

Proposed plat of West 191 Industrial Park, Section 8, being a replat of the north 1.76-acres of Lot 1, Lot 2, and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas.

Generally located north of State Highway 191, approximately 2,205-feet west of Westlake Road.
(Council District 4)

LEGEND

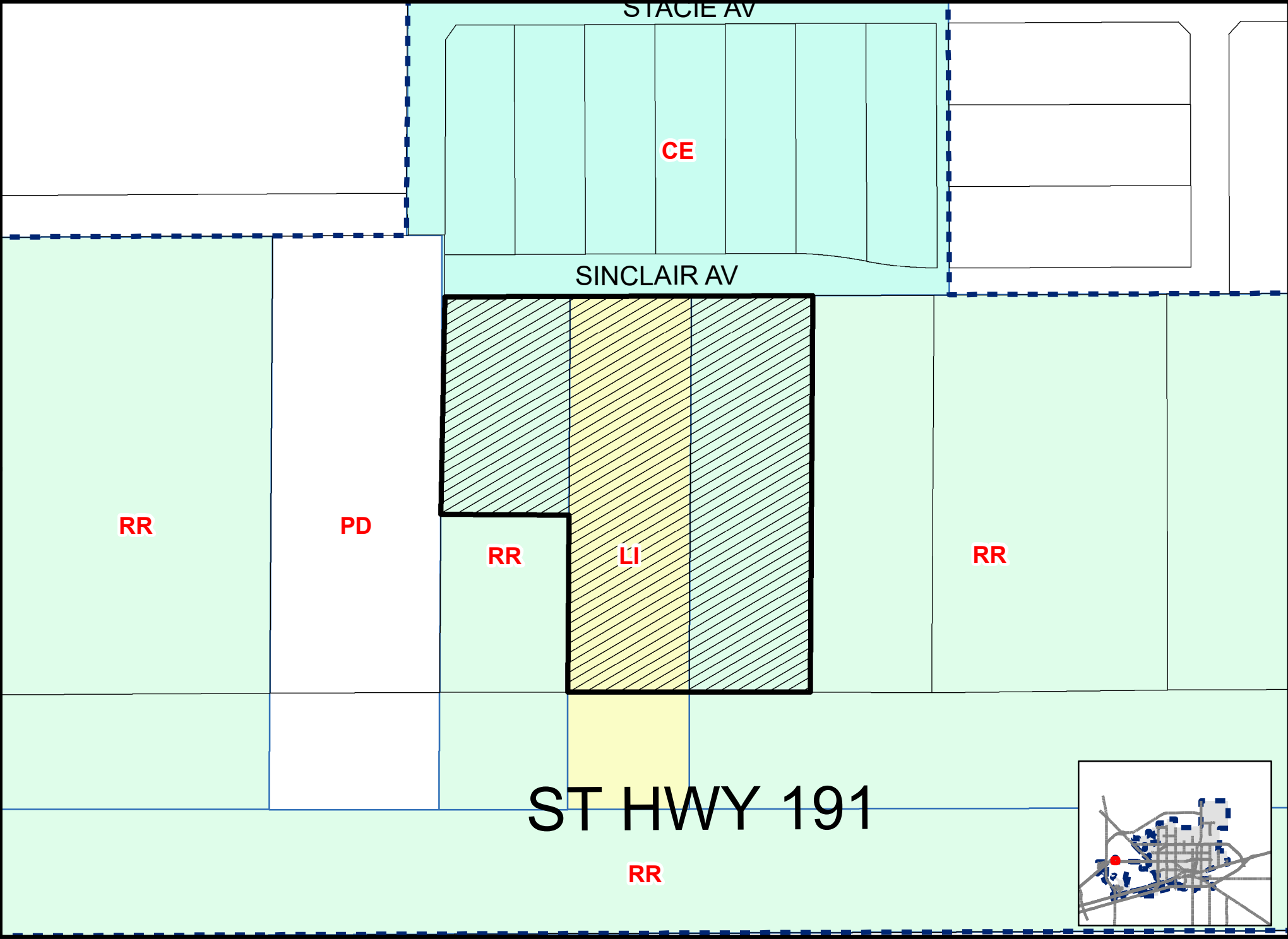
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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 Shaugnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Cole Furqueron, Senior Planner

SUBJECT: Consider a proposed Final Plat of Southwest Crossing, Section 13, being a plat of a 7.359-acre tract of land out of the Northwest quarter of Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of West County Road 123, approximately 2000 feet west of South County Road 1235. 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 proposing to plat a 7.359-acre tract of land out of the Northwest quarter of Section 13, Block 40, T-2-S for ownership purposes. The preliminary plat was approved at the January 4 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 with Conditions

ROW: ROW along SCR 1239 is okay as shown.

PAVING: No frontage along Public ROW.

WATER: No frontage along Public ROW.

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

PRO RATA: None.

SEWER: No frontage along Public ROW.

DRAINAGE: Approved for platting purposes 01/07/2021.

EASEMENTS: Show existing and proposed.

SIDEWALKS: No frontage along Public ROW.

DIMENSION: * * *

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

Transportation: Approved with Conditions

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

Fire:

No comments.

Oil and Gas: Approved

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

Code Administration: Approved

ETJ, no jurisdiction.

Colorado River Municipal Water District:

No comments.

Planning: Approved

Staff recommends approval of the Final Plat of Southwest Crossing, Section 13, 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:

Sub-20-077
P-21-1164**Proposed Subdivision Plat Name:** Southwest Crossing, Section 13**Legal Description (attached sealed Metes and Bounds):** Being 7.359 Acres of Land out of the Northwest Quarter of Section 13, Block 40, T-2-S, T&P Ry. Co. Survey, Midland County, Texas**Property Owner**

Printed Name: TYAAR Two LLC

Phone ()

Email

Address PO Box 2932

City Midland

State TX

Zip 79702

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: 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: 7.359

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): Bob Weidner Date: 8/17/21

Property Owner (printed): Bob Weidner - TYAAR Two LLC

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 Bob Weidner, 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 18th day of August, 2021, to certify which witness my hand and seal of office.

Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



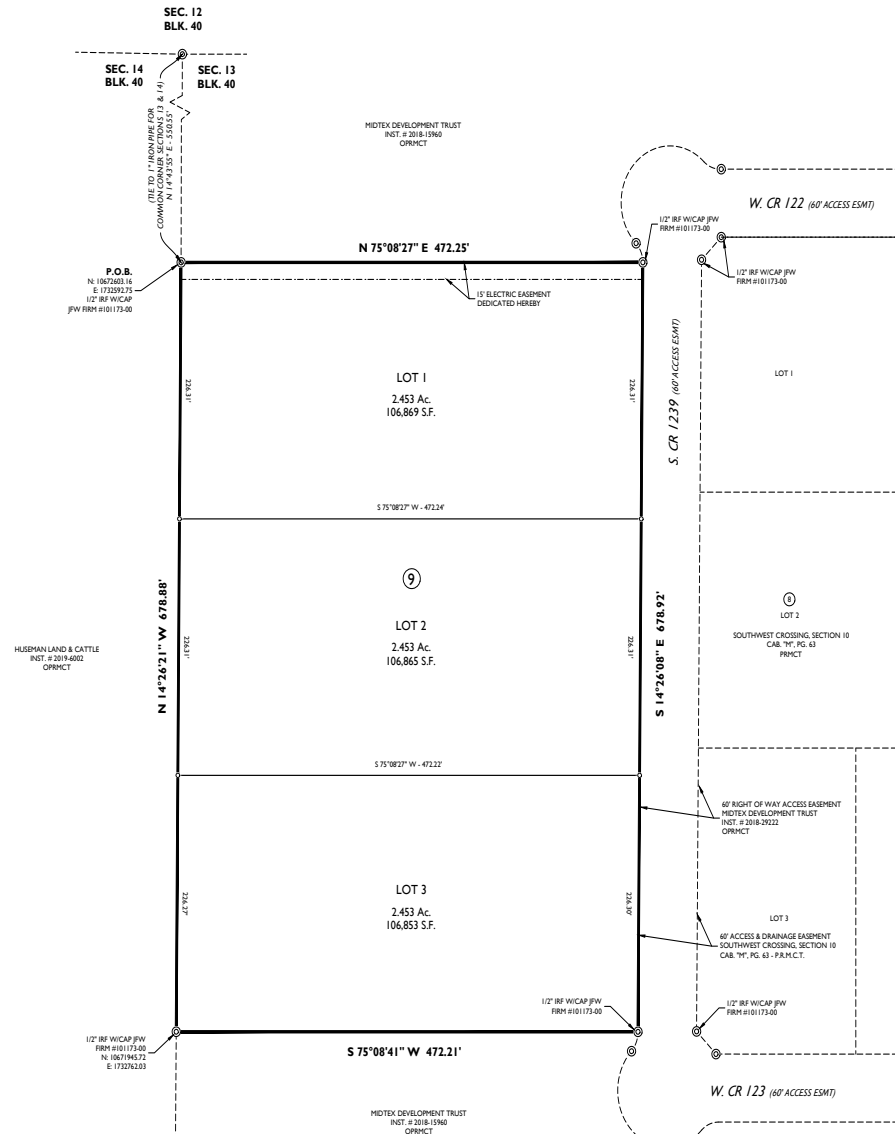
FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ CADD File
☒ Application Fee	☐ Title Opinion	☐ Public Improvement
Check # <u>3516</u>	☐ Tax Certificates	☒ Recording Fee
Received By: <u>VShun</u>	Date: <u>Aug 18 2021</u>	Check # <u>3517</u>

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

SOUTHWEST CROSSING, SECTION 13

BEING 7.359 ACRE OF LAND OUT OF THE NORTHWEST QUARTER OF SECTION 13, BLOCK 40, T-2-S, T&P RY. Co. SURVEY, MIDLAND COUNTY, TEXAS



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THAR TWO, LLC, is the record owner of a tract of land situated in Section 13, Block 40, T-2-S, T&P RY. Co. Survey, Midland County, Texas;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That THAR TWO, LLC, being the owner of the land shown on this plat designated as SOUTHWEST CROSSING, SECTION 13, in addition to the City of Midland, Midland County, Texas, and whose name is subscribed herein, do hereby give an easement of ingress and egress to the City of Midland for garbage collection, utility facility access and maintenance, location and maintenance of trash containers and access thereto, and maintain said easement that no construction shall commence on said lot or lots until the exact location of said easement therewith has been selected and approved by the Director of Utilities.

WITNESS my hand at _____, TX,
this _____ day of _____, 2021.

By: BOB WEDNER

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 BOB WEDNER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of SOUTHWEST CROSSING, SECTION 13, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

_____ day of _____, 2021.

REGGIE LAWRENCE, CHAIRMAN

_____, SECRETARY

SUPERVISOR'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.

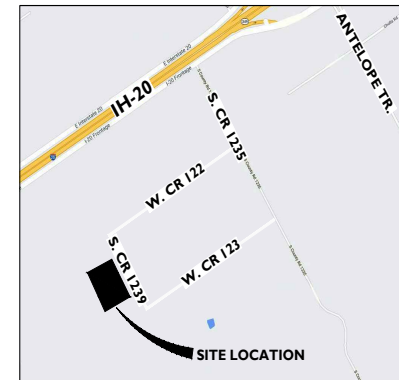
GREGORY W. SHOULTS, RLS 3336
Maverick Engineering (TX Firm #10194514)
1809 W. Wall Street, Suite 4
Midland, TX 79701



FLOOD NOTE

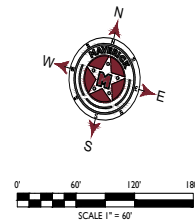
FLOOD STATEMENT: ACCORDING TO FEMA'S N.E.P. FLOOD INSURANCE RATE MAP #4821C0100R, DATED SEPTEMBER 14, 2005, THIS PROPERTY IS WITHIN THE UNDESIGNED PORTION OF ZONE "X", DESIGNATED AS "AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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



VICINITY MAP

N.T.S.



LEGEND

- ⊙ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" R.W. RED PLASTIC CAP "HAVERICK FIRM #10194514"
- P.M.C.T. DENOTES OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- D.M.C.T. DENOTES DEED RECORDS, MIDLAND CO., TX
- P.M.C.T. DENOTES PLAT RECORDS, MIDLAND CO., TX
- DENOTES BOUNDARY LINE
- DENOTES EXISTING LOTS
- DENOTES EXISTING EASEMENT LINE
- DENOTES PROPOSED EASEMENT LINE



MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

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

**SOUTHWEST CROSSING,
SECTION 13**
September 7, 2021

PROPERTY OWNER

THAR TWO, LLC
P.O. BOX 2322
MIDLAND, TX 79702
DEED INSTRUMENT #2021-12884

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

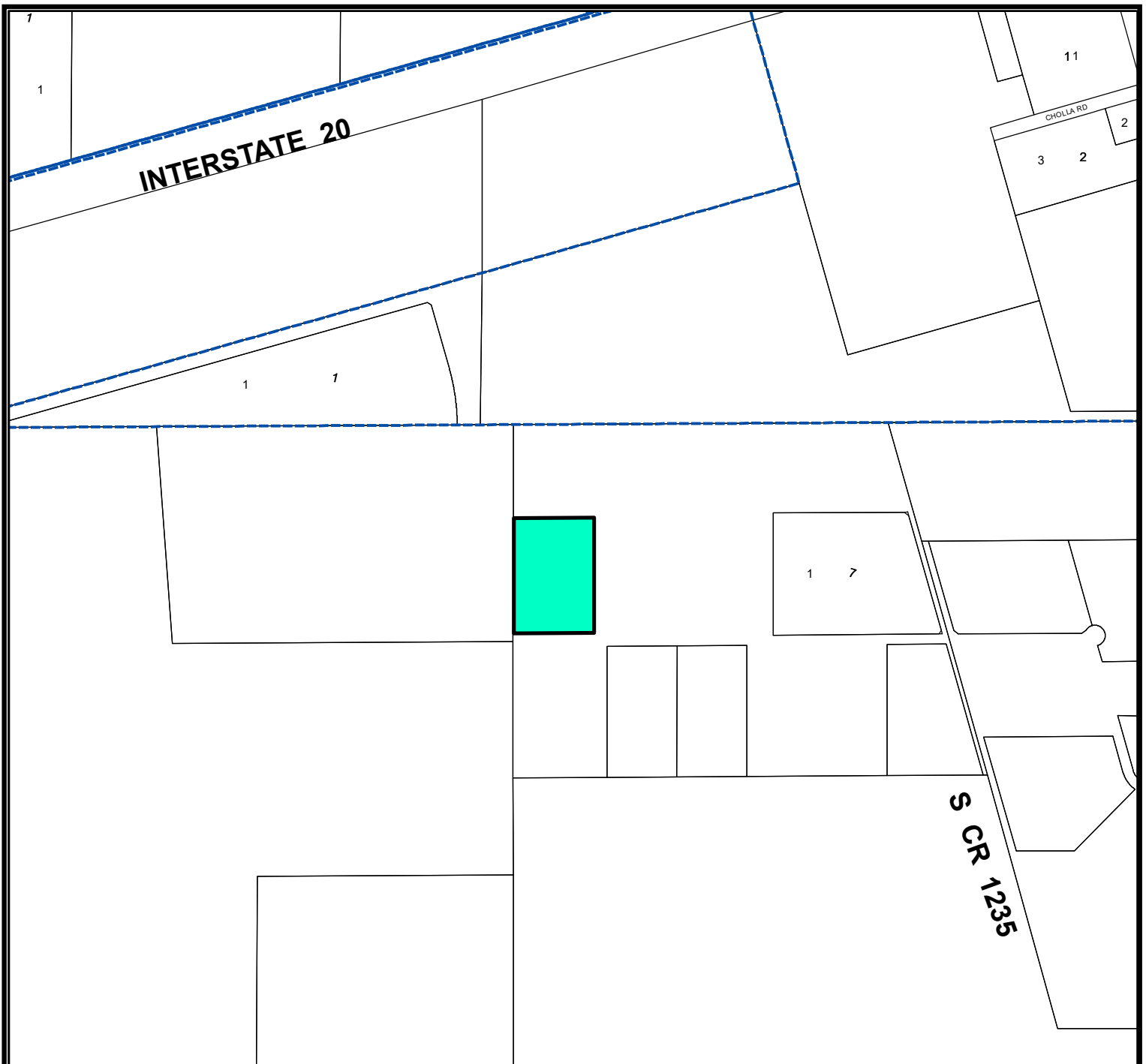
UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

UTILITIES ENERGY
BY: _____
DATE: _____
STREET LIGHTING
BY: _____
DATE: _____
SEWER/STORMWATER
BY: _____
DATE: _____
WATER
BY: _____
DATE: _____
CIVIL ENGINEER
BY: _____
DATE: _____
ELECTRIC
BY: _____
DATE: _____

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS, DISTANCES, AND COORDINATES ARE IN THE TEXAS COORDINATE SYSTEM, STATE PLANE, GRS, CENTRAL ZONE 4300, NAD83 (U.S. SURVEY FOOT).
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) THE REPRESENTED LOT IS REPLATED FOR SUBDIVISION INTO MORE THAN ONE LOT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.



LOCATION MAP

SUB-20-0377

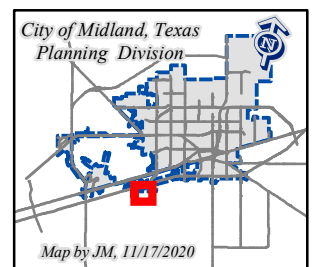
Scale: 1" = 850'

Proposed plat of Southwest Crossing, Section 13, being a plat of a 7.359-acre tract of land out of the Northwest quarter of Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the north side of West County Road 123, approximately 2000 feet west of South County Road 1235. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
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 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez, Planner

SUBJECT: Hold a public hearing and consider a proposed Preliminary Plat of Ruckus Addition Section 2 being a plat of a 2.489-acre tract of land located in Section 30, Block 38, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Fairgrounds Road, approximately 1,582-feet south of E. Loop 250 North. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Engineering is requesting to plat a 2.489-acre tract of land located in Section 30, Block 38, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas to obtain building permits. This considered a residential replat, therefore; a public hearing is required.

Current Zoning:

MF-16, Multi-Family Dwelling District.

Departmental Review:

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

BUILDING CODE: (Approved)

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

floodplain requirements if necessary.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee statement okay as shown.

ROW: See Traffic's Comments

PAVING: Fairgrounds is currently paved to City Standards. No paving improvements required.

WATER: Install public water line along platted frontage in compliance with City Standards, or request a deferral.

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

PRO RATA: None

SEWER: Install public sewer line along platted frontage in compliance with City Standards, or request a deferral.

DRAINAGE: No Drainage Report required at this time. Existing site is developed; if proposing to re-develop site drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed.

SIDEWALKS: required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

Sketch Plat comment, "Please provide additional 15 ft of roadway reservation for future widening of Fairgrounds Rd. Dedication of ROW or easement is not needed at this time. If/when a roadway widening project moves forward, the City will contact the owner about purchasing the additional 15 ft if needed."

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

This location already had existing buildings on the property inside the 500 ft. radius of the permitted well. These structures were there prior to the well. Due to that fact of reconstruction of new structures on the same property have not changed its standing. No variance required in this situation.

HEALTH:

Yes, the health department will review application from the 1 proposed lot of RUCKUS ADDITION SECTION 2, PLAT OF A 2.4 ACRE TRACT OF SECTION 30, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY the lot is 1.9 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well and the existing structures on the property and the water wells on the adjacent properties.

PLANNING:

Railroad Commission Oil & Gas Pipelines (2015) and (2017) run diagonally across the property. Please identify on the plat.

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

Conditions:

- A. That the technical items listed above are addressed.
- B. That all public improvements required are addressed.
- C. 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 (Exhibit A)
Maps
Application



Preliminary Plat Application

Project Number: SUB-21-0440
Case Number: P-21-1146

Proposed Subdivision Plat Name: Ruckus Addition Section 2

Legal Description (attached sealed Metes and Bounds): BEING A PLAT OF A 2.489 ACRE TRACT OF LAND LOCATED IN SECTION 30, BLOCK 38, T-1-S, T&P RR CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner

Printed Name: COLLIN R. TADLOCK

Phone 432-695-6120

Email

tadlockwaterpermanbasin@gmail.com

Address 3001 Goddard Pl

City Midland

State TX

Zip 79705

Developer (if different than Owner) Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: 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: Construction Permits

Plat Information

Total Acreage: 2.489

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature): X

Date:

7/22/21

Property Owner (printed):

Collin Tadlock

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

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

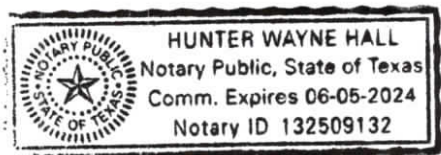
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Eduardo L. Alvarado who, being by me duly sworn, upon oath says: That (s)he is authorized by Collin Tadlock, 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 L. Alvarado
(Authorized Agent (signature))

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



HH
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 # 1672

Received By:

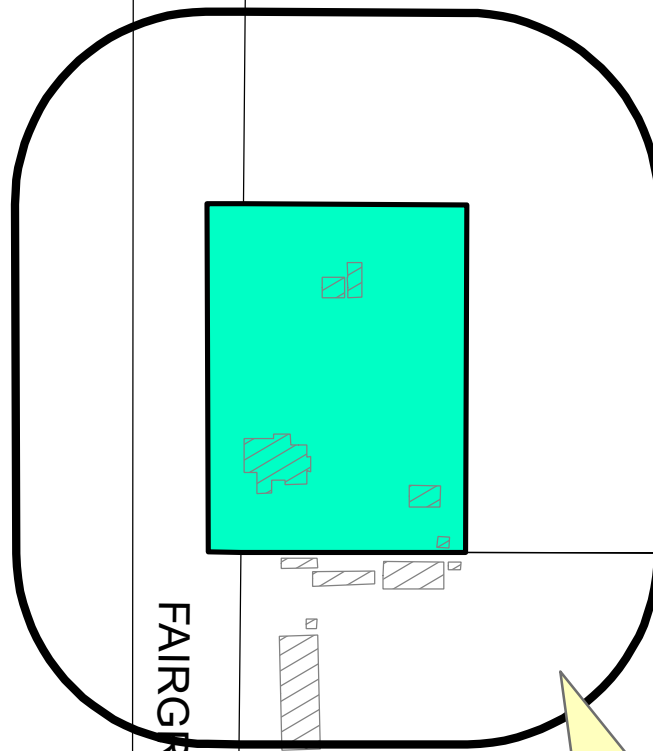
V. Shivers

Date:

BY: V5

RECEIVED
JUL 27 2021

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



200-foot Public Notification Area

LOCATION MAP

SUB-21-0440

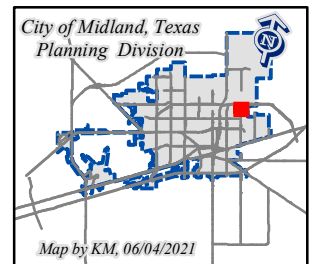
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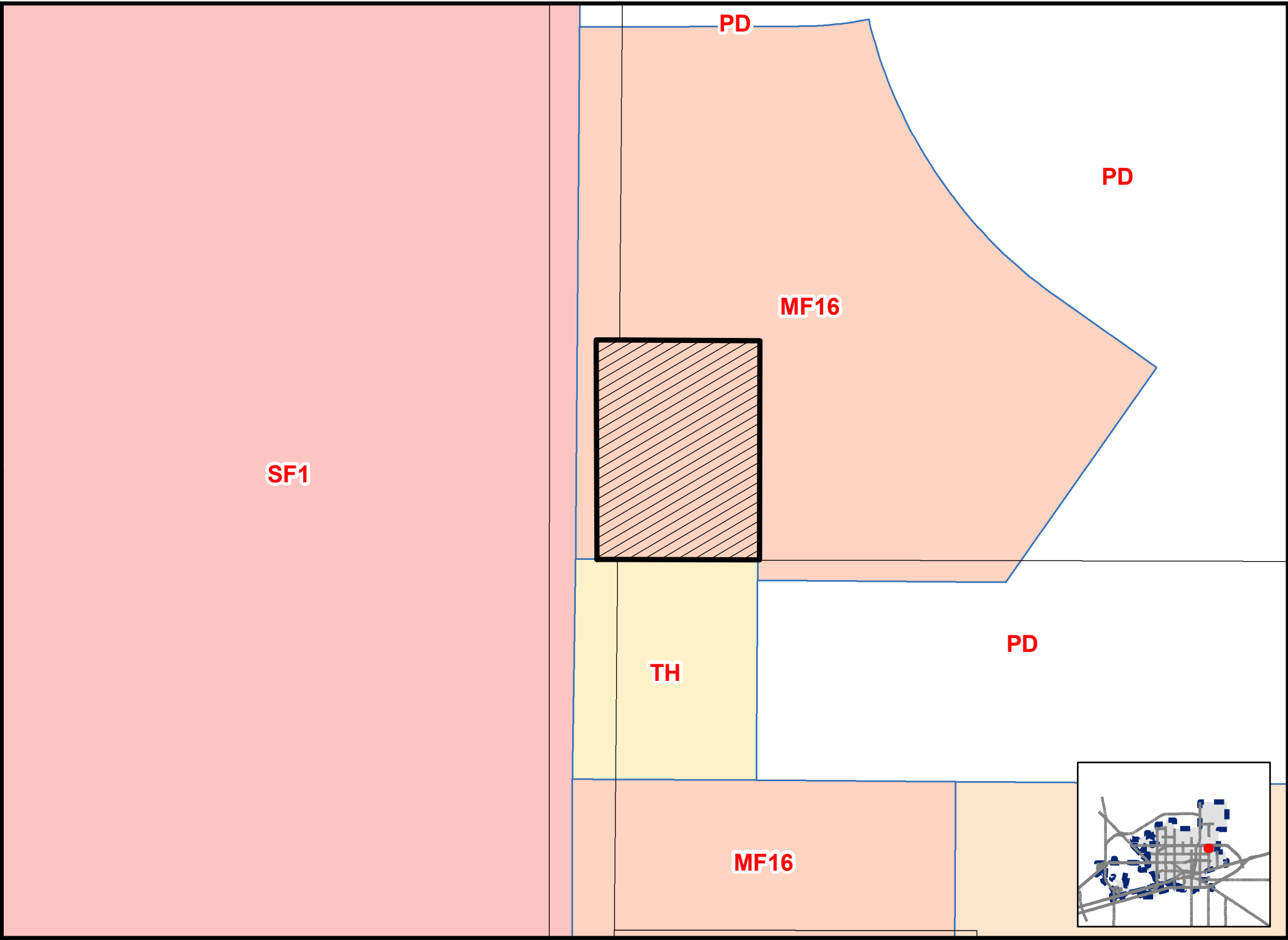
Proposed plat of Ruckus Addition, Section 2 being a plat of a 2.489-acre tract of land out of Section 30, Block 38, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas.

Generally located on the east side of Fairgrounds Road, approximately 1,582-feet south of E. Loop 250 North. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez, Planner

SUBJECT: Hold a public hearing and consider a request by Joval, LLC for a zone change from RR, Regional Retail District to LI, Light Industrial District on 1.742-acre tract of land out of Lot 1 and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas. (Generally located north of State Highway 191, approximately 2,205-feet west of Westlake Road. Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

The applicant, Joval, LLC is requesting to rezone the properties located at 10400 and 10306 West State Highway 191 to add a storage warehouse for their equipment and materials.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north are zoned CE, Country Estate District and the locations of residential homes. The property to the east is zoned RR, Regional Retail District and the location of All-State Fence & Supply. The property to the south across State Highway 191 is in the ETJ, Extraterritorial Jurisdiction and the location of oil wells. The location to the west is zoned PD, Planned District and the location of storage units.

Analysis:

The properties located at 10400 and 10306 West State Highway 191 are currently zoned RR, Regional Retail District, which does not allow for the development of a warehouse.

The applicant, Joval LLC is requesting a zone change to allow for the addition of a warehouse to store their equipment and materials. Joval LLC owns the neighboring property that is already zoned LI, Light Industrial District. The property is currently in the process of being replatted.

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

Fire: (Approved)

No objection.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Code: (Approved)

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

Transportation: (Approved)

Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway.

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

No objection to zone change.

Planning:

Staff recommends approval of this zone change from RR, Regional Retail District to LI, Light Industrial District, subject to condition A.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the LI, Light Industrial District.**

Letters of Objection:

Staff has not received any letters of objection as of September 1, 2021.

Attachments:

Application
Meets and Bounds (Exhibit A)
Site Plan
Maps



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number:

2-21-0255

Case Number:

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

Printed Name: Joval LLC

Phone (310) 753-5770

Email Joe90275@gmail.com

Address 11166 Villa Bellagio Dr.

City LAS Vegas

State NV

Zip 89141

Property Owner

Printed Name: Joval LLC

Phone ()

Email

Address 1116 Villa Bellagio Dr.

City Las Vegas

State NV

Zip 89141

Representative (if different from Applicant or Property Owner)

Firm:

Printed Name:

Phone ()

Email

Address

City

State

Zip

Street Address: 10306 10400 + 10314 W. S.H. 191, Midland TX 79706

Legal Description

Lot: Block: Subdivision: See Attached Exhibit A

Current Zoning:

RR

Proposed Zone: LI

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

Reason for Zone Change Request: We need to add a storage warehouse to that area. The neighboring portion we own is already zoned LI.

Present Use of Property: Storing materials + small equipment for directional drilling company

Proposed Use of Property: Storage warehouse to protect our equipment and materials.

How would this zone change affect the public health, safety and welfare? Considering the neighboring properties are businesses as well, it should pose no issues with the health or safety of the public.

Describe how conditions affecting the property have changed since present zoning designation: The surrounding area we own + occupy are zoned Light Industrial. This would seamlessly change from RR to LI.

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature)

Date 6/5/2021

Applicant (printed)

Joseph E. Kennedy for Joval LLC

Property Owner (signature)

Date 6/5/2021

Property Owner (printed)

Joseph E. Kennedy for Joval LLC

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.

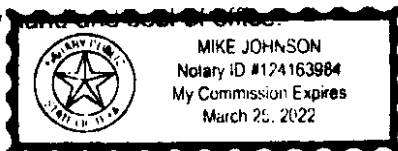
All materials, including exhibits, submitted in support of an application or displayed during a public hearing, shall remain the property of the City of Midland

STATE OF TEXAS
COUNTY OF MIDLAND

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

Joseph Kennedy
Authorized Agent (signature)

Subscribed and sworn to before me, this 5 day of June, 2021, to certify which witness my hand and seal of office.



Taylor
NOTARY PUBLIC

MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

☐ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # _____

Received By: _____

Date: _____

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

METES & BOUNDS

Field Notes:

Being a 1.742-acre tract of land and being a portion of that tract of land conveyed by deed to Joval LLC, recorded in Document #2010-17424, of the official public records of Midland County, Texas and also being the North-half of Lot 1, Block 1 of West 191 Industrial Park, a subdivision of Midland County, Texas according to the map or plat recorded in Plat Cabinet I, Page 39. Plat Records of Midland County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the northwest corner of this tract, from which another 1/2" iron rod found bears North 14°21'25" West a distance of 70.09 feet, and a RR Spike found for the Southwest corner of Section 32, Block 40 T&P RR Co. Survey bears South 13°33'60" East a distance of 853.51 feet;

THENCE North 75°13'59" East a distance of 211.22 feet to a calculated point for a northeast corner hereof;

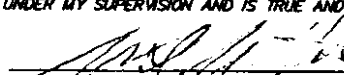
THENCE South 14°08'28" East a distance of 360.14 feet along the common line of said Lot 1 and Lot 2 of the said West 191 Industrial Park Subdivision to a 1/2" iron rod with cap marked "WPG INC" set for a southeast corner of this said tract;

THENCE, South 75°44'53" West crossing into said Lot 1 a distance of 211.20 feet to a 1/2" iron rod with cap marked "WPG INC" set for a southwest corner hereof, from which a 1/2" iron rod found in the North Right of Way line of State Highway 191 (400' R-O-W) bears South 14°08'31" East a distance of 295.09 feet;

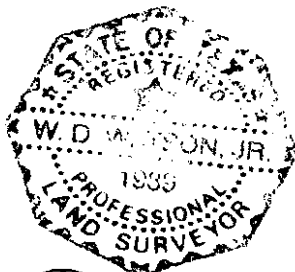
THENCE North 14°08'31" West a distance of 358.24 feet to the POINT OF BEGINNING containing 1.742 acres of land, more or less.

TO THE OWNERS, LIENHOLDERS AND CONCERNED PARTIES

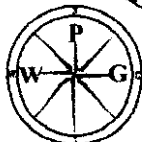
I, THE UNDERSIGNED DOES HEREBY CERTIFY THAT SURVEY INFORMATION FOUND IN THESE METES AND BOUNDS WAS DERIVED FROM ACTUAL FIELD NOTES OF THE ON-THE-GROUND SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


REGISTERED PROFESSIONAL LAND SURVEYOR

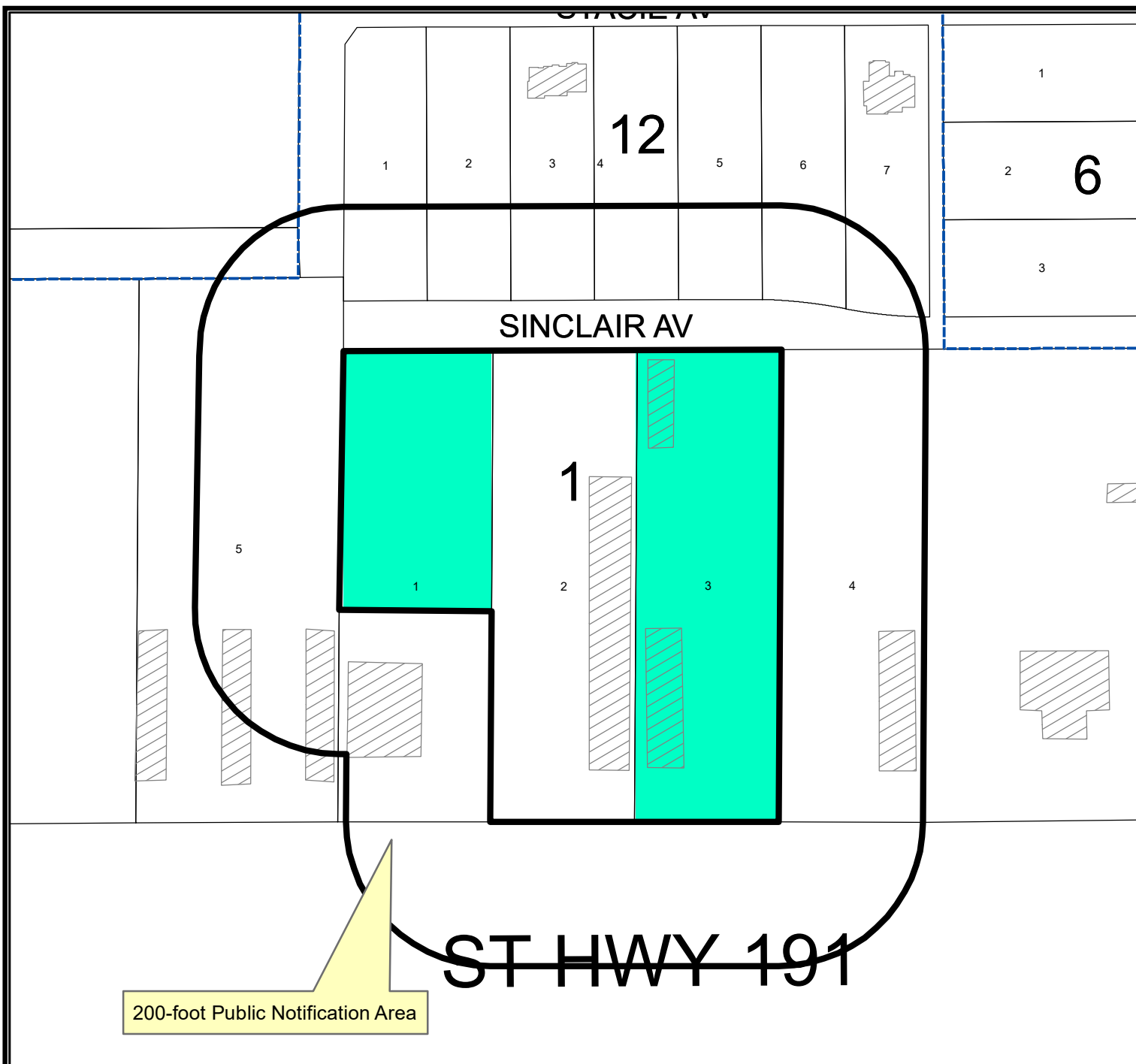
8/31/2021
DATE



**Watson
Professional
Group Inc**



P.O. DRAWER 11196
MIDLAND, TEXAS
79702
(432) 520-9200
FAX (432) 520-9212
FIRM#10146900



LOCATION MAP

Z-21-0255

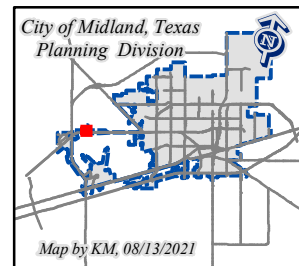
Scale: 1" = 200'

Consider a request by Joval, LLC for a zone change from RR, Regional Retail District to LI, Light Industrial District on 1.742-acres of the north half of Lot 1 and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas.

Generally located north of State Highway 191, approximately 2,205-feet west of Westlake Road.
(Council District 4)

LEGEND

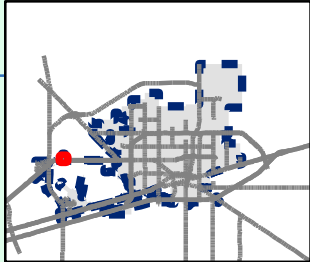
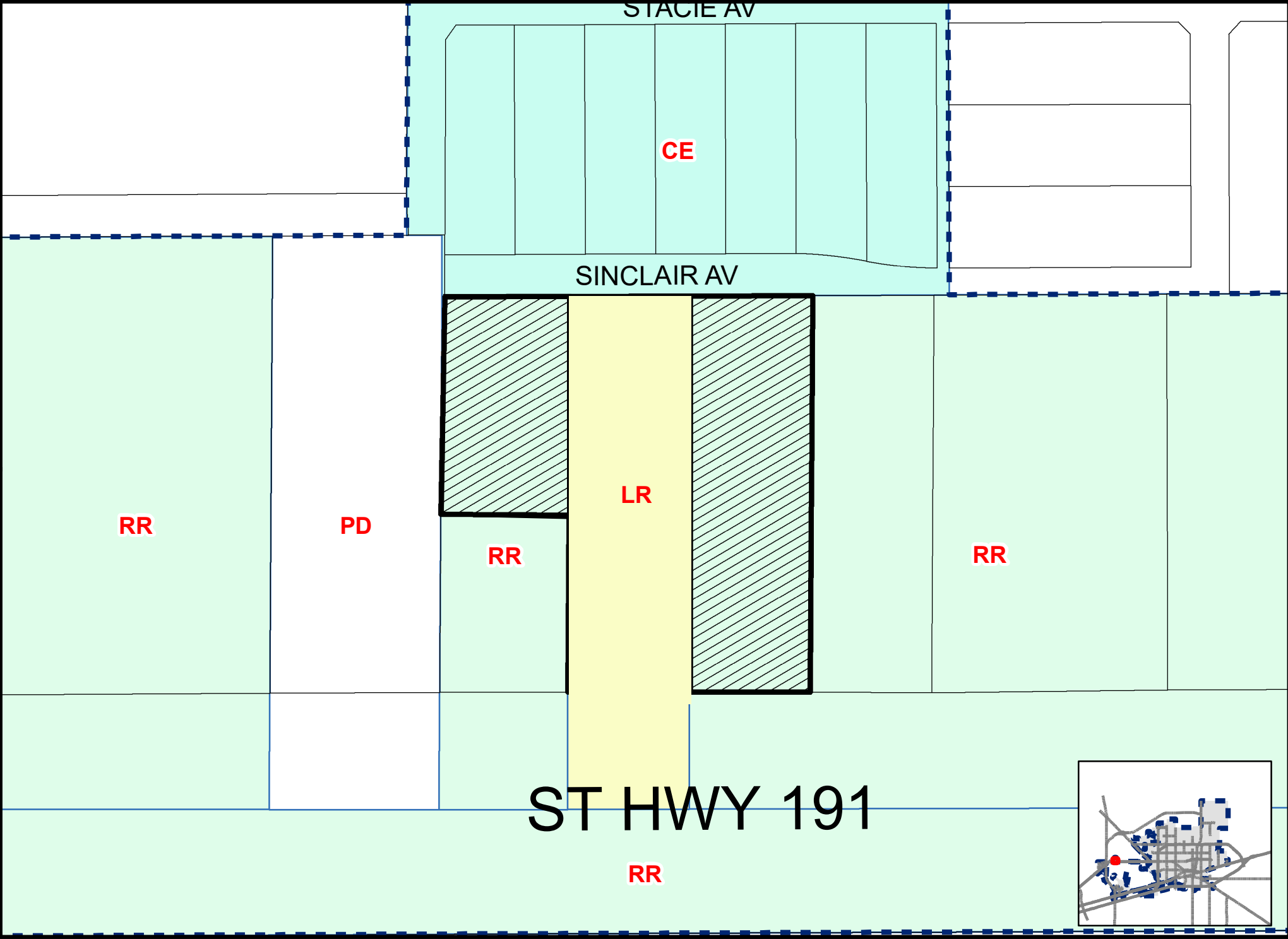
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez, Planner

SUBJECT: Hold a public hearing and consider a request by Maverick Engineering for a zone change from PD, Planned Development District for a Housing Development to RR, Regional Retail District on Lot 11, Block 3, Gateway Plaza, Section 3, City and County of Midland, Texas. (Generally located on the north side of Starboard Drive, approximately 612-feet east of S. Tradewinds Boulevard. Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

PD, Planned Development District for a Housing Development (Ordinance No. 9955)

Purpose:

The applicant, Maverick Engineering, is requesting to rezone the property located at 5606 Starboard Drive, to develop an indoor trampoline and adventure park.

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned Development District for a Housing Development, and the location of a vacant lot. The property to the east is zoned PD, Planned Development District for a Shopping Center, and the location of Four Points Sheraton Hotel. The property to south is zoned PD, Planned Development District for a Shopping Center, and the location of Cinergy Midland. The property to the west is zoned O-2, Office District, and the location of Hawthorn Suites by Wyndham Midland.

Analysis:

The property is located at 5606 Starboard Drive and is currently zoned PD, Planned Development District for a Housing Development (regulated by Ordinance No. 9955),

which allows for the development of a multi-family senior housing project per the adopted site plan. Therefore, the applicant, Maverick Engineering, is requesting this zone change to allow for the development of an indoor trampoline and adventure park.

As shown on the site plan, hereto as Exhibit A, there will be ninety-five (95) parking spaces, of which two (2) will be ADA accessible spaces. Therefore, this site has adequate parking. The total square footage for the proposed development is approximately 22,800 square feet. It will consist of two retail spaces with the first space being approximately 16,000 square feet and the second space being approximately 6,800 square feet.

If approved, the development will need to conform to Section 5.05, Nonresidential Zoning District Dimensional Regulations and Section 6.01 through 6.05, Zoning Development Regulations of the Zoning Ordinance. As well as Chapter 9-Landscape Regulations for future landscaping.

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

Fire: (Approved)

No objection to zone change.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Code: (Approved)

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

Transportation: (Approved)

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

No objection to zone change.

Planning:

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4*, “Encourage the development of places where Midland residents can gather and socialize to build connections” (Tall City Tomorrow page 137). This entertainment complex will fit into the character of the area and provide a new location for Midland residents to gather and socialize.

Staff recommends approval of this zone change from PD, Planned Development District for a Housing Development to RR, Regional Retail District, subject to condition A.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the RR, Regional Retail District.**

Letters of Objection:

Staff has not received any letters of objection as of September 1, 2021.

Attachments:

Application
Site Plan (Exhibit A)
Maps
Ordinance No. 9955



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

Project Number: 2-21-0259
Case Number: _____

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

Printed Name: Open Door Real Estate LLC

Phone ()
Email

Address 5606 Starboard Dr

City Midland

State TX

Zip 79706

Property Owner

Printed Name: Open Door Real Estate LLC

Phone ()
Email

Address 5606 Starboard Dr

City Midland

State TX

Zip 79706

Representative (if different from Applicant or Property Owner)

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

Street Address: 5606 Starboard Dr

Legal Description

Lot: 11

Block: 3

Subdivision: Gateway Plaza Addition, Section 13

Current Zoning: PD

Proposed Zone: XR RR
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Advance the new development as proposed

Present Use of Property: vacant

Proposed Use of Property: Retail entertainment and activity complex

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

Describe how conditions affecting the property have changed since present zoning designation: Previous zoning was oriented toward multiple family housing. Current owner is proposing a public entertainment/activity complex

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

Cinnamon Stanford

Date:

8/6/21

Property Owner (printed):

Cinnamon Stanford

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Open Door Real Estate 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 17th day of August, 2021, to certify which witness my hand and seal of office.

Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

**FOR OFFICE USE ONLY**☒ Property Owner Authorization☒ Dimensioned Site Plan☒ Application Fee☒ Plans in Digital Format (PDF/JPEG)

Check #

3508

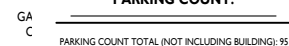
Received By:

V. Shaw

Date:

RECEIVED
AUG 17 2021

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



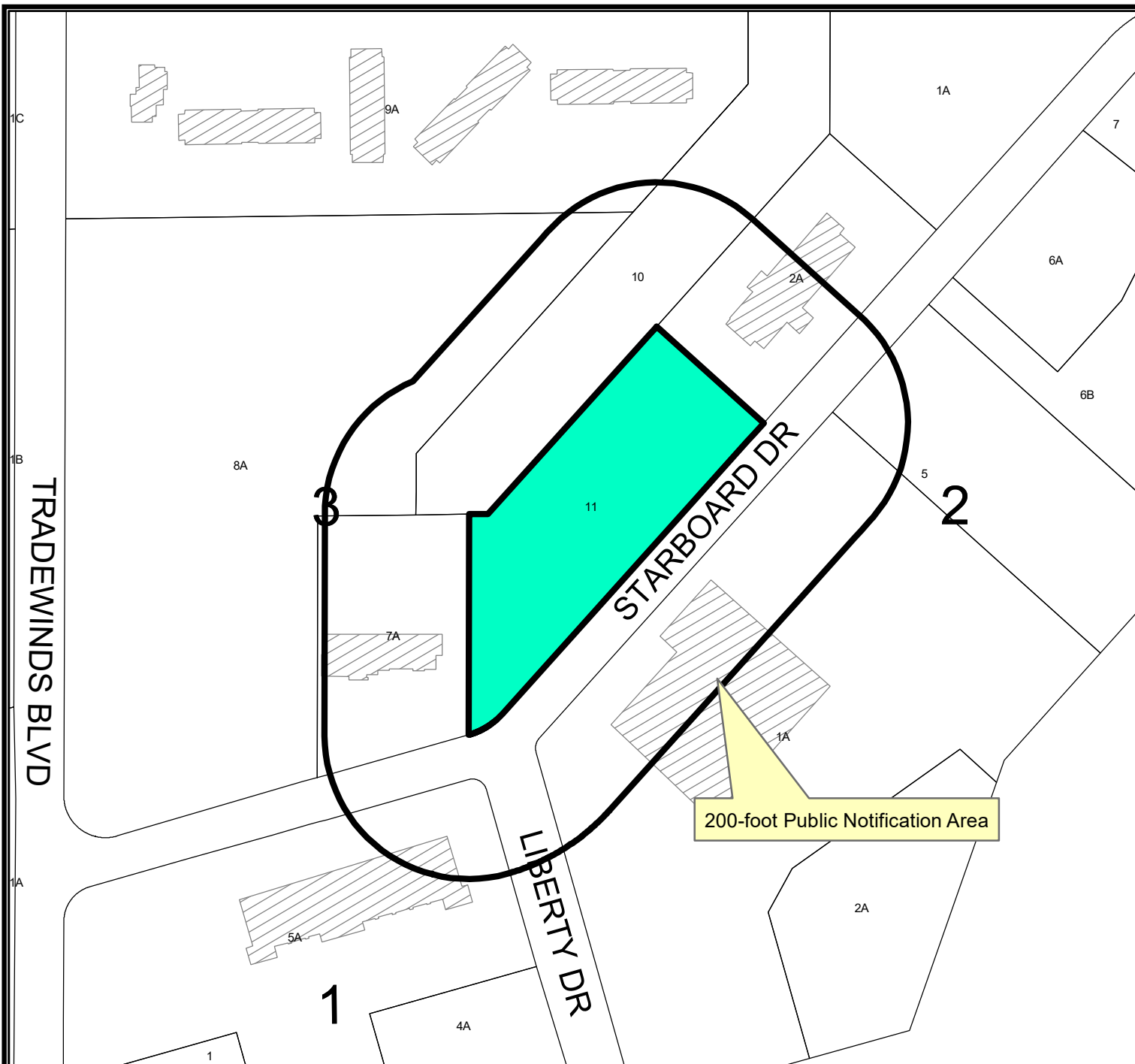
DIMENSIONS SHOWN ARE TYPICALLY TO BACK OF CURB UNLESS NOTED OTHERWISE

PARKING COUNT TOTAL (NOT INCLUDING BUILDING): 95

September 7, 2021



Know what's below.



LOCATION MAP

Z-21-0259

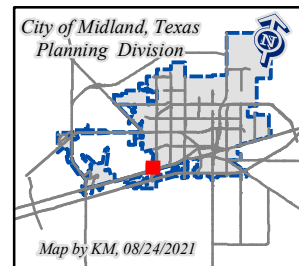
Scale: 1" = 200'

Consider a request by Maverick Engineering for a zone change from PD, Planned District for a Housing Development to RR, Regional Retail District on Lot 11, Block 3, Gateway Plaza, Section 3, City and County of Midland, Texas.

Generally located on the north side of Starboard Drive, approximately 612-feet east of S. Tradewinds Boulevard. (Council District 4)

LEGEND

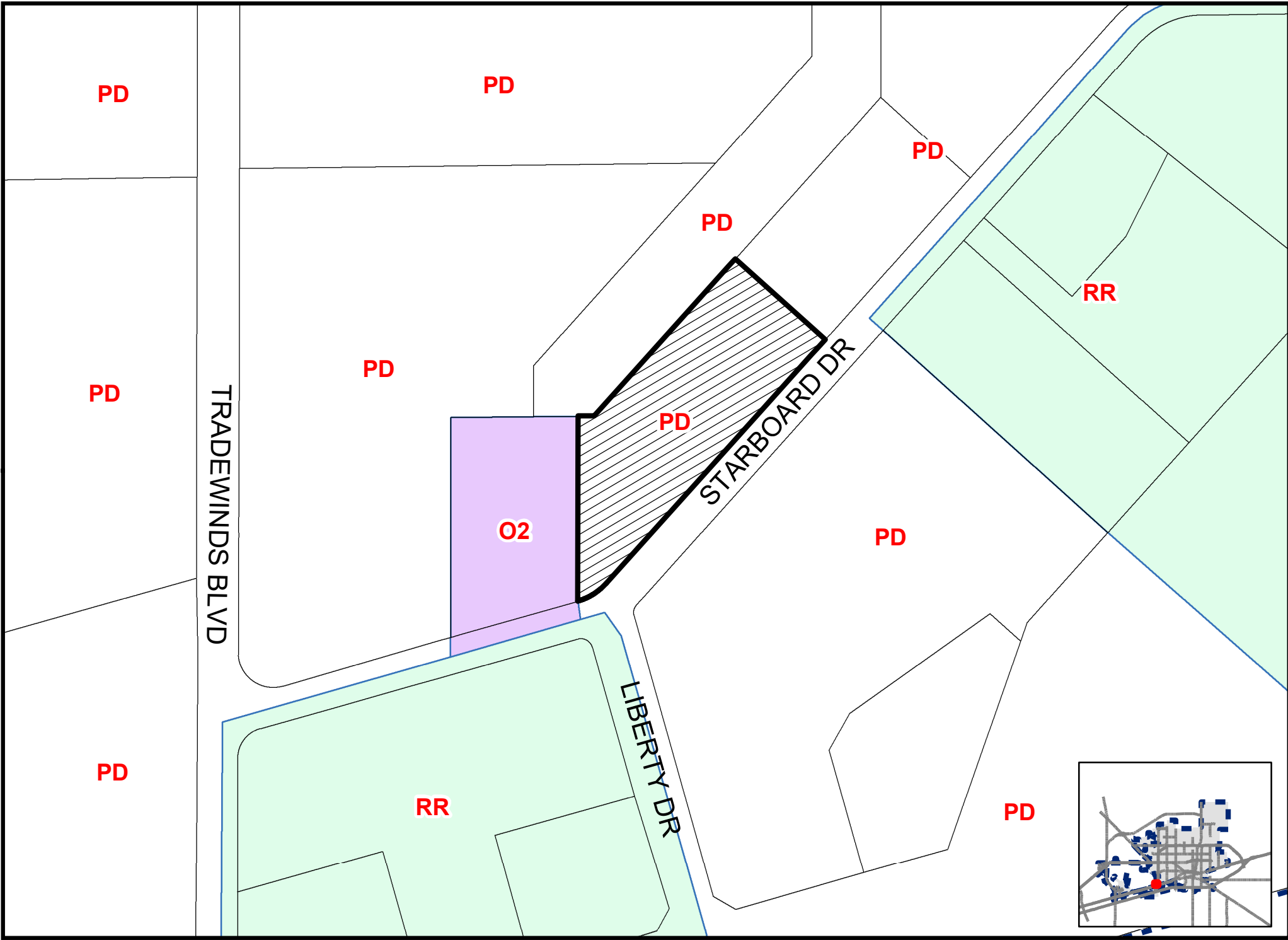
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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ORDINANCE NO. 9955

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOTS 5 AND 6, BLOCK 3, GATEWAY PLAZA ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE NORTH SIDE OF STARBOARD DRIVE, APPROXIMATELY 570 FEET EAST OF SOUTH TRADEWINDS BOULEVARD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned LR-2, Local Retail District, and it shall be used as a PD, Planned District for a Housing Development, said property being described as follows:

Lots 5 and 6, Block 3, Gateway Plaza Addition, Section 2, City and County of Midland, Texas.

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

- A. That the use and development of this property shall conform to the site plan and elevation drawings, which are attached hereto as Exhibits "A" and "B" and incorporated herein.
- B. That the maximum building height shall not exceed five stories.
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- D. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

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

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 23rd day of July, A.D., 2019; and passed to second reading on motion of Council member Love, seconded by Council member Robnett, by the following vote:

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

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Hotchkiss, seconded by Council member Love, on the 13th day of August, A.D., 2019, at a regular meeting of the City Council:

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

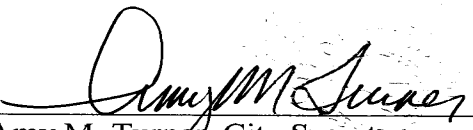
Council members voting "NAY": None

PASSED AND APPROVED THIS 13th day of August, A.D., 2019.



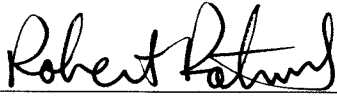
Jerry F. Morales, Mayor

ATTEST:



Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

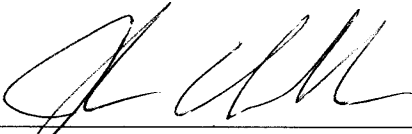


Robert Patrick, Assistant City Manager



Charles Harrington, Director of Development Services

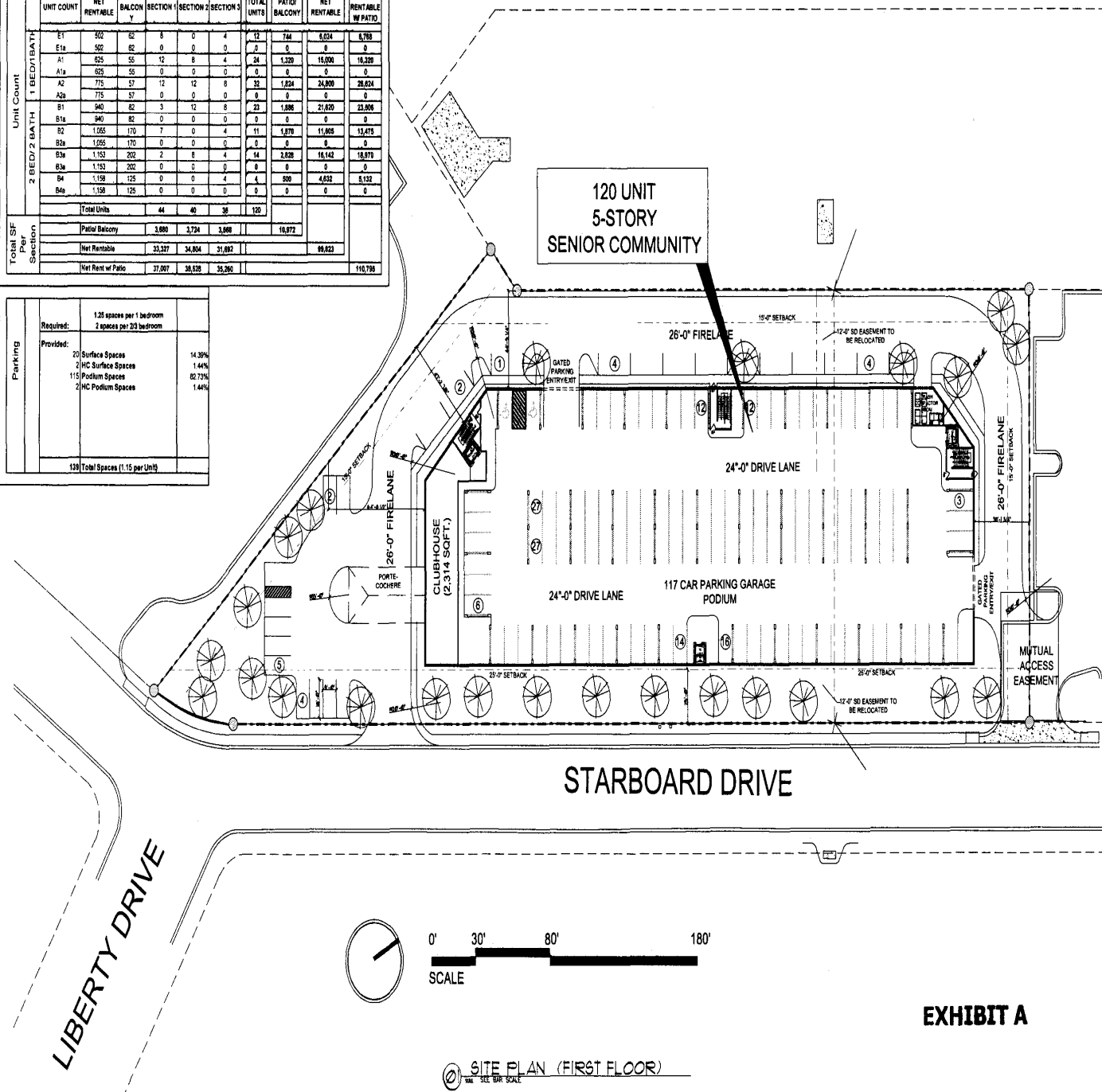
APPROVED ONLY AS TO FORM:



John Onnemiller, City Attorney

UNIT COUNT	NET RENTABLE	PATIO/ BALCON Y	SECTION 1	SECTION 2	SECTION 3	TOTAL UNITS	PATIO/ BALCON Y	NET RENTABLE	NET RENTABLE w/ PATIO
1 BED/1 BATH									
E1	502	82	8	0	4	13	134	6,034	6,788
E1a	502	82	0	0	0	2	0	0	0
A1	625	55	12	8	4	24	1,320	18,000	18,320
A1a	625	55	0	0	0	0	0	0	0
A2	775	57	12	12	8	32	1,824	24,800	26,624
A2a	775	57	0	0	0	0	0	0	0
B1	940	82	3	12	8	23	1,886	21,820	23,006
B1a	940	82	0	0	0	0	0	0	0
B2	1,055	170	7	0	4	11	1,870	11,808	13,478
B2a	1,055	170	0	0	0	0	0	0	0
B3a	1,153	202	2	8	4	14	2,828	16,142	18,970
B3b	1,153	202	0	0	0	0	0	0	0
B4	1,158	125	0	0	4	4	900	4,652	5,132
B4a	1,158	125	0	0	0	0	0	0	0
Total Units			44	40	38	120			
Total SF Per Section									
Patio/ Balcony	3,980	3,724	3,988				16,972		
Net Rentable	33,337	34,804	31,892				99,823		
Net Rent w/ Patio	37,007	38,528	35,290				110,798		

Parking	Required:	1.25 spaces per 1 bedroom 2 spaces per 2.5 bedroom	
	Provided:		
	20 Surface Spaces	14.38%	
	2 HC Surface Spaces	1.44%	
	115 Podium Spaces	82.73%	
	2 HC Podium Spaces	1.44%	
	139 Total Spaces (1.15 per Unit)		

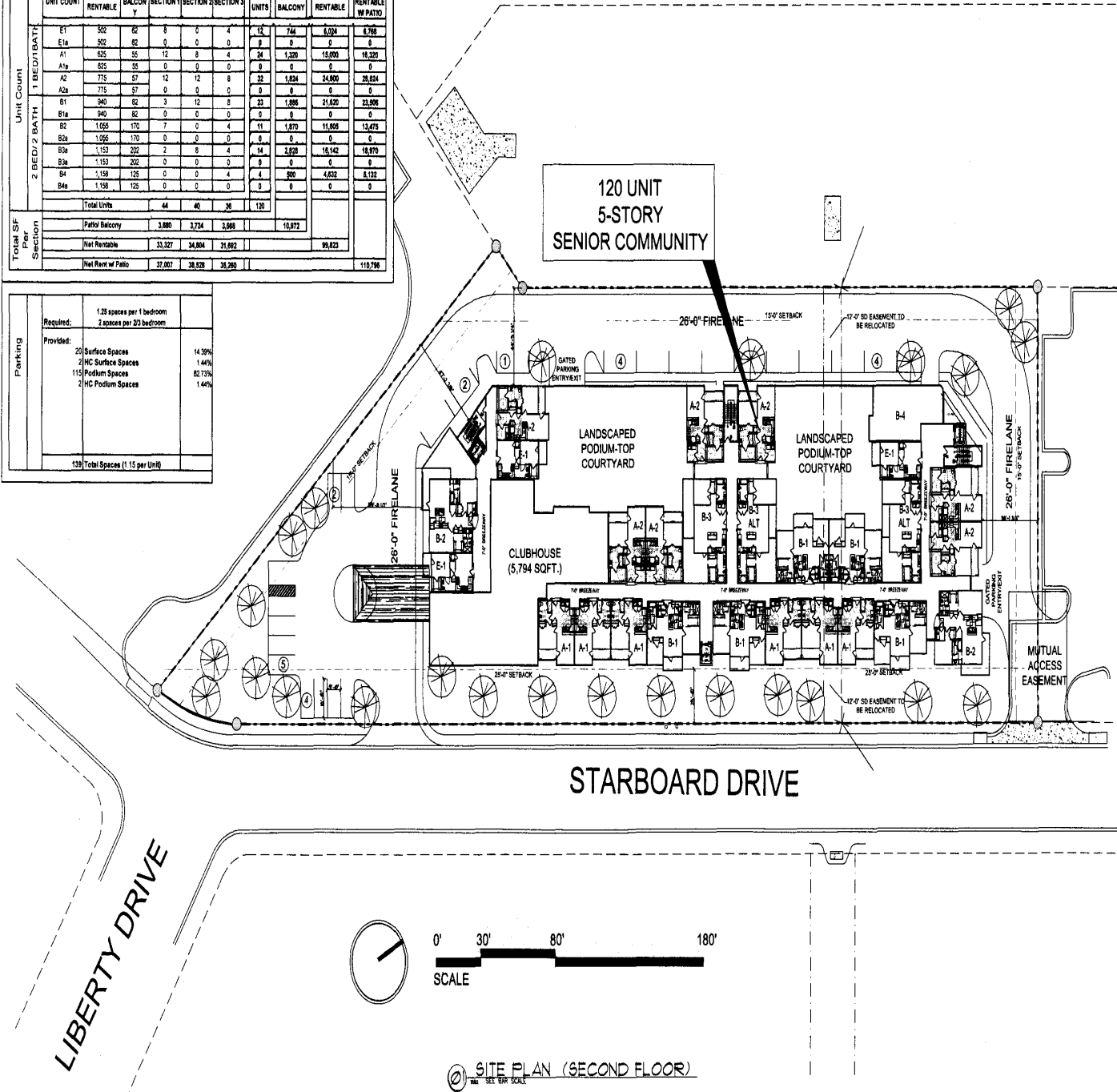


② SITE PLAN (FIRST FLOOR)

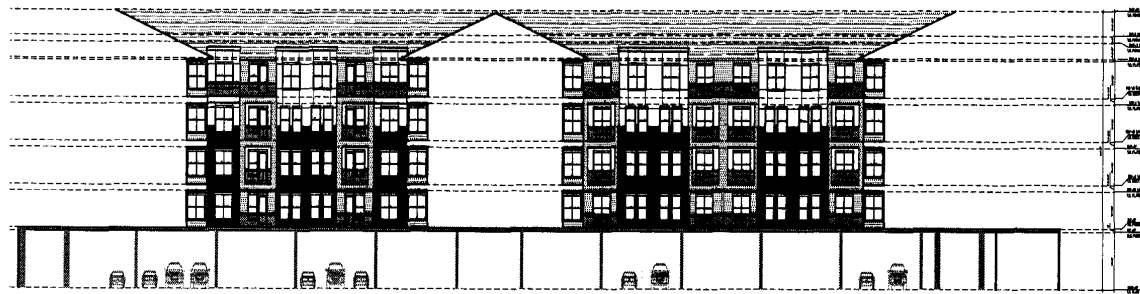
EXHIBIT A

UNIT COUNT	NET RENTABLE	PATIO/ BALCON Y	SECTION 1	SECTION 2	SECTION 3	TOTAL UNITS	PATIO/ BALCON Y	NET RENTABLE	NET RENTABLE W/ PATIO
E1	502	82	0	0	4	15	744	8,024	6,198
E1a	502	82	0	0	0	0	0	0	0
A1	625	55	12	8	4	24	1,320	15,000	16,320
A1a	625	55	0	0	0	0	0	0	0
A2	775	57	12	12	8	32	1,824	24,800	26,624
A2a	775	57	0	0	0	0	0	0	0
B1	940	82	3	12	8	23	1,888	21,620	23,508
B1a	940	82	0	0	0	0	0	0	0
B2	1,055	170	7	0	4	11	1,870	11,808	13,678
B2a	1,055	170	0	0	0	0	0	0	0
B3a	1,153	202	2	8	4	14	2,628	16,142	18,770
B3a	1,153	202	0	0	0	0	0	0	0
B4	1,158	125	0	0	4	4	900	4,652	5,552
B4a	1,158	125	0	0	0	0	0	0	0
Total Units			44	40	36	120			
Total SF Per Section									
Patio/Balcony	3,880	3,724	3,968				16,972		
Net Rentable	33,327	34,804	31,692				99,823		
Net Rent w/ Patio	37,007	38,528	35,260						110,795

Parking	Required:	1.25 spaces per 1 bedroom 2 spaces per 2.0 bedroom	
	Provided:		
	20 Surface Spaces	14.59%	
	2 HC Surface Spaces	1.44%	
	115 Podium Spaces	82.73%	
	2 HC Podium Spaces	1.44%	
	139 Total Spaces (1.15 per unit)		

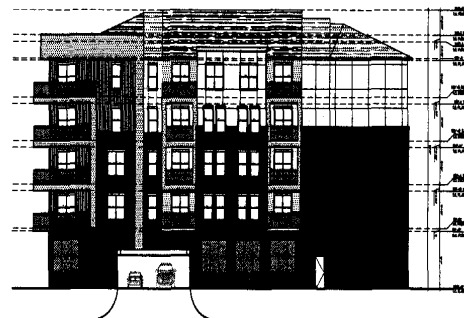


② SITE PLAN (SECOND FLOOR)



10% REVEAL PANEL
50% HARDI SIDING/PANEL
40% BRICK

① EXTERIOR NORTH ELEVATION-COURTYARD'S
SCALE: 1/8" = 1'-0"



10% REVEAL PANEL
20% HARDI SIDING/PANEL
70% BRICK

② EXTERIOR EAST ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL LEGEND	
	BRICK VENEER (1/2" SIZE) ASIDE BRICK
	BRICK VENEER FIELD COLOR
	COLOR T.B.D.
	BRICK VENEER ACCENT COLOR
	COLOR T.B.D.
	REVEAL PANEL ORIGINAL
	REVEAL PANEL FIELD COLOR
	COLOR T.B.D.
	REVEAL PANEL ACCENT COLOR
	COLOR T.B.D.
	REVEAL PANEL FIELD COLOR
	COLOR T.B.D.
	REVEAL PANEL ACCENT COLOR
	COLOR T.B.D.
	HARDI SIDING JAMES HARDIE FIBER CEMENT PANEL ON EQUAL
	FIELD COLOR
	ACCENT COLOR
	COLOR T.B.D.
	LAP SIDING JAMES HARDIE FIBER CEMENT LAP SIDING VENEER
	FIELD COLOR
	ACCENT COLOR
	COLOR T.B.D.
	ROOF COMPOSITE ROOF ON EQUAL
	TPO OR SIMILAR
	COLOR: WHITE
	METAL CANOPY
	COLOR: WHITE
	ALUMINUM PANELS-DOUBLE GLAZED WINDOWS
	ALUMINUM INSULATED GARAGE DOOR
	COLOR TO MATCH STONE FIELD ITS LOCATED IN
	METAL RAILING'S BALANCE
	VERTICAL PICKETS METAL RAILING
	COLOR: WHITE
	VERTICAL PICKETS METAL MESH
	COLOR: WHITE

NOTES:
1. ALL MATERIAL TRANSITIONS TO OCCUR AT MATCH CORNERS PER BARBET ABRAHAM.
2. FOR VERTICAL AND HORIZONTAL TRANSITION DETAILS SEE TYPICALS.
3. EXPANSION JOINTS TO BE LOCATED AT EVERY THREE CORNERS AND IF PLAN IS LOWER THAN 20' TO CENTER THE EXPANSION JOINT.

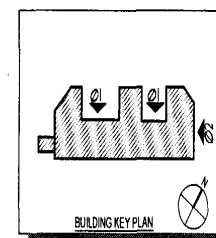


EXHIBIT B

MERRITT GARDENS
Midland, Texas

ARMER
ARCHITECTURE
PLANNING
PROJECT MANAGEMENT
CONSTRUCTION GROUP
311 Highway 335 - Suite 103 - Midland, Texas 79701 - 409.444.4444
P.O. Box 1034 - Midland, Texas 79701

SCALE

REVISIONS

DATE: 6-3-19
BY: [Signature]
CHECKED BY: [Signature]
DATE: 6-3-19
BY: [Signature]
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BY: [Signature]
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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Kelly Martinez, Planner

SUBJECT: Hold a public hearing and consider a request by Stephen T. Marcum for a zone change from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center on a 2.273-acre tract of land located in Section 20, Block 39, T-1-S, T&P RR Co Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of N. Midkiff Road and Sinclair Avenue. Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

SF-1, Single-Family Dwelling District (Ordinance No. 6723).

Purpose:

The applicant, Stephen T. Marcum is requesting to rezone the property located at 3301 Sinclair Avenue, to redevelop the existing Senior Life Midland building.

Surrounding Zoning and Land Use:

The properties to the north, east, and west are zoned SF-1, Single-Family District, and are the locations of residential homes. The property to the south across is zoned PD, Planned Development District for an Office Center, and the location of Permian Nephrology Associates.

Analysis:

The applicant, Stephen T. Marcum, is requesting to rezone the property from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center to allow for the redevelopment of Senior Life Midland on the property located at 3301

Sinclair Avenue. Senior Life Midland is a private, non-profit agency that offers programs designed to meet the needs of older Midland Residents.

The property has a specific use permit (Ordinance No. 6723), which allows the property to be used as a senior citizen center. Since the current zoning ordinance does not allow this use, through a specific use designation, a planned development district provides some flexibility to allow for these uses.

The proposed site plan (Exhibit B) shows 28,837 square feet of building, including twenty-three (23) office spaces, three (3) conference rooms, a handy man shop, a kitchen, several storage rooms, a receiving area, and a volunteer pick-up area. Sixty-three (63) parking spaces are proposed out of the seventy-two (72) that are required per our code (1 per 400 square feet). Therefore, this site does not have adequate parking. However, the applicant has noted that the 63 parking spaces are more than adequate for their staff and the population that they serve.

Furthermore, a business office is not allowed in the SF-1, Single-Family Dwelling District. Therefore, this zone change request will bring this lot into conformance with the current zoning ordinance and allow for the redevelopment of the site. Additionally, this property is in the process of platting.

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

Fire: (Approved)

No objection.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Code: (Approved)

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

Transportation: (Approved)

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

No objections to plat.

Planning:

This proposed development fits with chapter 3, An Integrated Land Use Vision, "Future Land Use Map" of the Tall City Tomorrow comprehensive plan as this area is called for Urban-Medium Neighborhood Center. This designation calls for a mix of traditional neighborhood business including small-scale commercial, office, civic, and residential. The commercial uses should be low impact and provide a variety of neighborhood services. Therefore, the redevelopment of Senior Life Midland is compliant with the recommendations of the Tall City Tomorrow.

Staff recommends approval of this zone change from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center, subject to condition A through C.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the O-1, Office District.**
- B. That this property shall conform to the site plan and elevations, which are attached hereto and incorporated herein as Exhibits "B".**
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**

Letters of Objection:

Staff has not received any letters of objection as of September 1, 2021.

Attachments:

Application
Plat (Exhibit A)
Site Plan and Elevations (Exhibit B)
Maps
Ordinance No. 6723



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

Project Number: 2-21-0256
Case Number: _____

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

Printed Name: Stephen T. Marcum, P.E.

Phone (432) 685-1226

Email
smarcum@skylinecivilgroup.com

Address
3323 N. Midland Drive, STE 113-166

City
Midland

State
TX

Zip
79707

Property Owner

Printed Name: Community & Senior Services of Midland

Phone (432) 689-6693

Email

Address
3301 Sinclair Ave.

City
Midland

State
TX

Zip
79707

Representative (if different from Applicant or Property Owner)

Firm: Skyline Civil Group, LLC

Printed Name: Stephen T. Marcum, P.E.

Phone ()
Email

Address
Same as Above

City

State

Zip

Street Address: 3301 Sinclair Ave.

Legal Description

Lot: _____ Block: _____ Subdivision: RE: Survey Attached Herein

Current Zoning:

SF1

Proposed Zone: O-1

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

Reason for Zone Change Request: Commercial Business / Office Proposed

Community driven business / very important/appreciated by senior's within The Midland Community.

Present Use of Property: Senior Life Facility / Meals on Wheels / Meal Preparation and Delivery

Proposed Use of Property: Same Use

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

Community driven business / very important/appreciated by senior's within The Midland Community.

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

Community driven business / very important/appreciated by senior's within The Midland Community.

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature):

Date: 08.01.21

Applicant (printed): Stephen T. Marcum

Property Owner (signature):

Date: 08.01.21

Property Owner (printed):

Kathleen K. Haynie (SLM)
Kathleen K. Haynie (Senior Life Midland)
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 Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is the owner of Kathleen K. Haynie or authorized by Senior Life Midland, 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.

Stephen T. Marcum
Authorized Agent (signature)

Subscribed and sworn to before me, this 11th day of August, 2021, to certify which witness my hand and seal of office.



Rebekah Taylor
Rebekah Taylor
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

☐ Application Fee

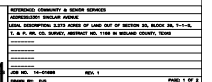
☐ Plans in Digital Format (PDF/JPEG)

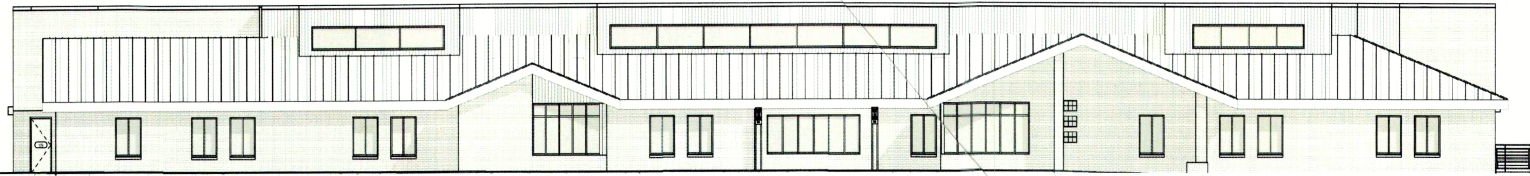
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Received By: _____

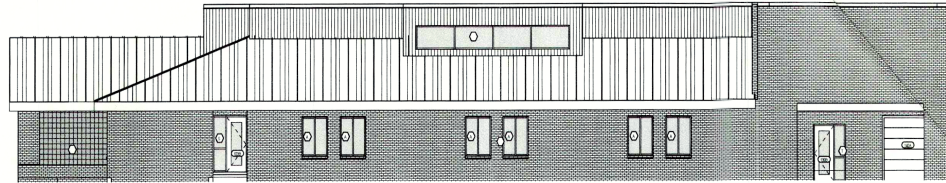
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****Application will not be considered for scheduling until reviewed by a planner.****

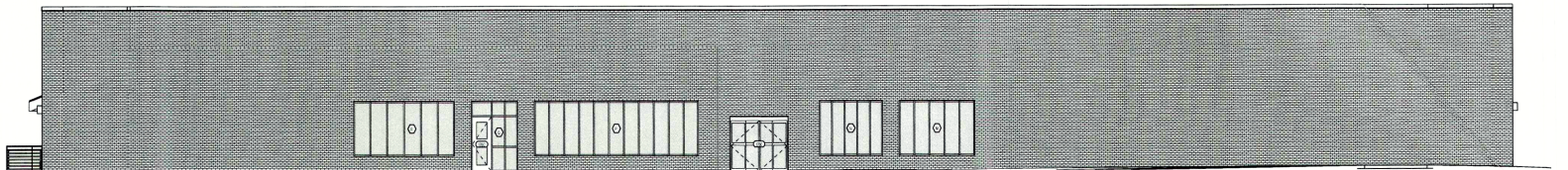




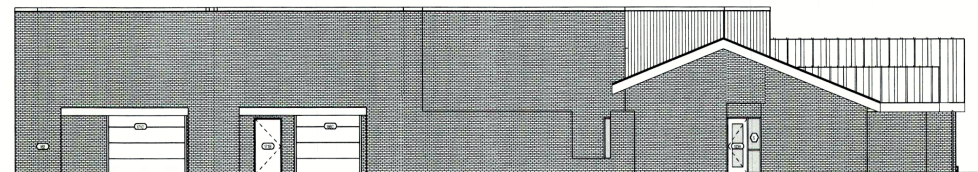
1 SOUTH ELEVATION EXHIBIT
X-1.05 1/8" = 1'-0"



2 EAST ELEVATION EXHIBIT
X-1.05 1/8" = 1'-0"



3 NORTH ELEVATION EXHIBIT
X-1.05 1/8" = 1'-0"



4 WEST ELEVATION EXHIBIT
X-1.05 1/8" = 1'-0"

X-1.05 ELEVATIONS
SCALE: 1/8" = 1'-0"
DATE: 07/06/21

NEW FACILITY

C:\Users\CAJ\210\Documents\210 SENIOR LIFE MIDLAND-NEW FACILITY.rvt
7/7/2021 11:13:09 AM

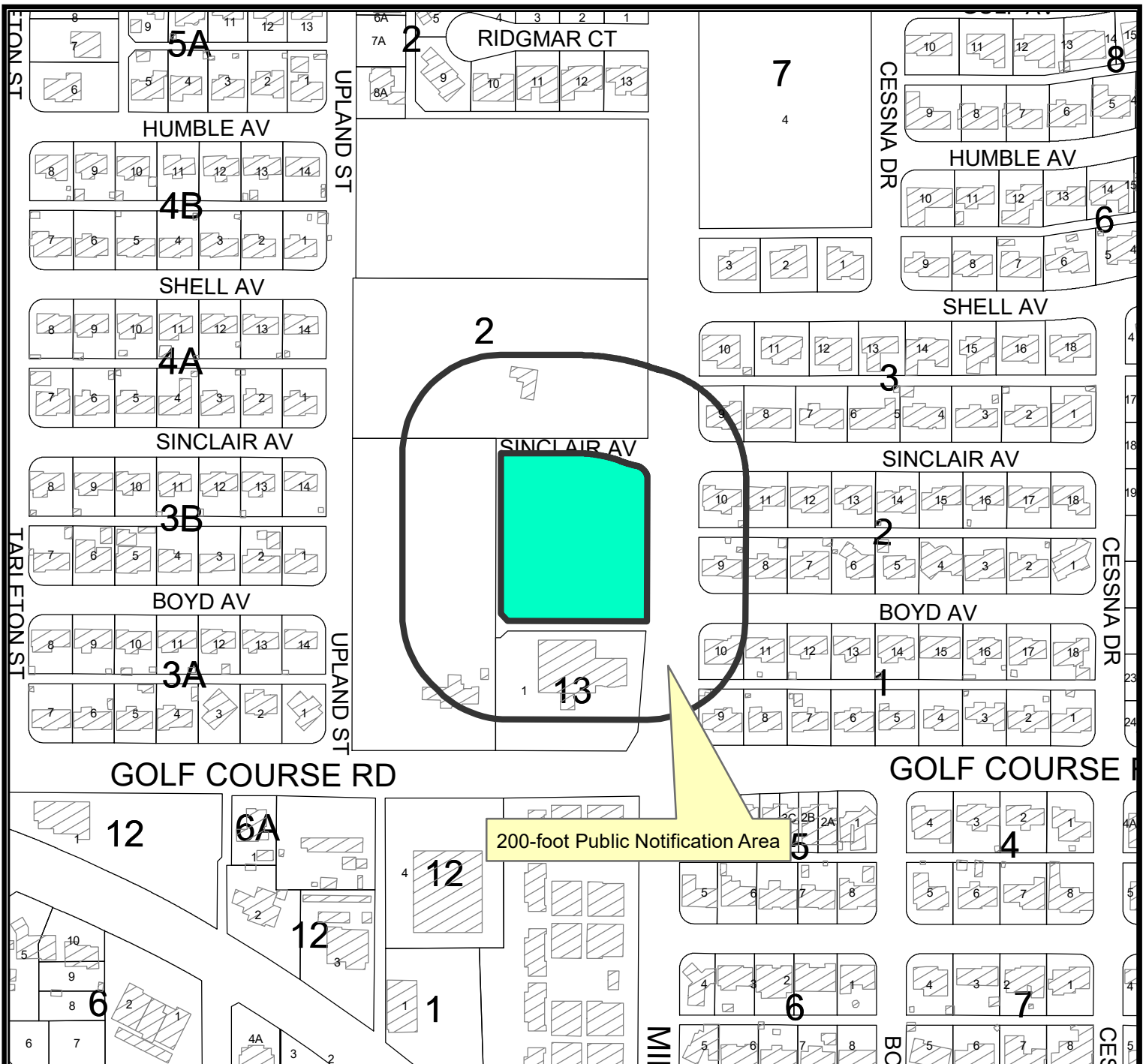
PACKET

Page 17.147



VANDERGRIFF GROUP
ARCHITECTS • PC
312 N. BIG SPRING SUITE 100 (432) 867-0781 MIDLAND, TEXAS
© Copyright 2021 Vandergriff Group Architects, PC

September 7, 2021



LOCATION MAP

Z-21-0256

Scale: 1" = 200'

Consider a request by Stephen T. Marcum for a zone change from SF-1, Single-Family Dwelling District to PD, Planned District for an Office Center on a 2.273-acre tract of land located in Section 20, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of N. Midkiff Road and Sinclair Avenue.
(Council District 3)

LEGEND

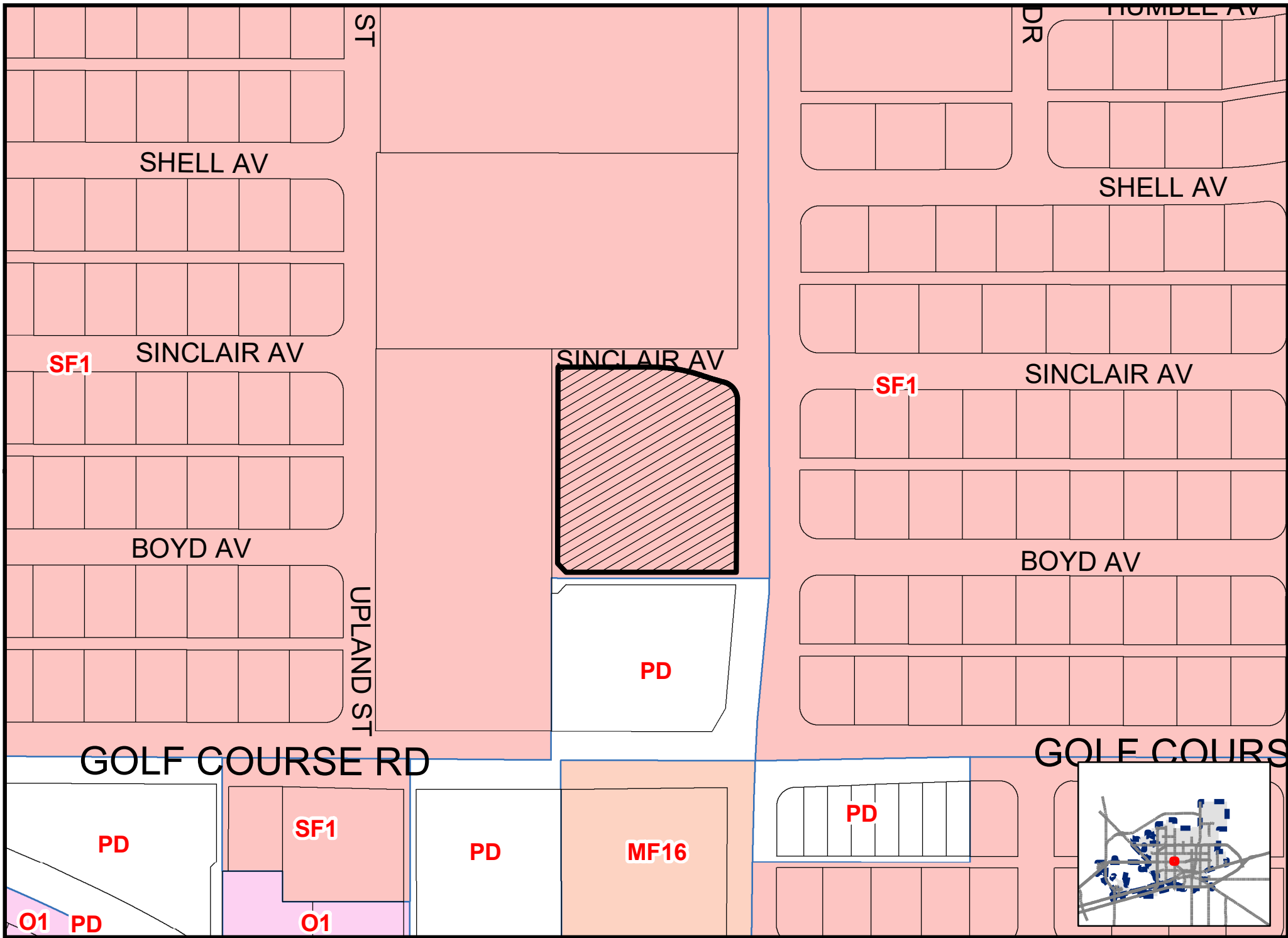
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.



ORDINANCE NO. 6723

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF CERTAIN PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED "1F-1", ONE-FAMILY DWELLING DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT FOR A SENIOR CITIZENS CENTER; MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF ONE THOUSAND DOLLARS (\$1,000.00); AND ORDERING PUBLICATION

WHEREAS, the Planning and Zoning Commission and the Governing Body of the City of Midland, Texas, in compliance with the City Charter and the State law with reference to the granting of specific use permits under the zoning ordinance regulations and zoning map, have given the requisite notices by United States mail, publication and otherwise; and after holding due hearings affording a full and fair hearing to all of the property owners generally, and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Midland finds that the public convenience will be best served by the granting of a Specific Use Permit, set out hereinafter, subject to the special conditions and restrictions set out hereinafter, on the property described in Section One hereof;

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

SECTION ONE. That the zoning use classification of the following described property, which is presently zoned "1F-1", One-Family Dwelling District, to wit:

The N/380' of the E/2 of the S/2 of Tract 2, Sunset Acres Addition to the City of Midland, Midland County, Texas:

is hereby changed to permit said premises to be used under a Specific Use Permit for a Senior Citizens Center, together with the uses permitted in a "1F-1", One-Family Dwelling District, subject to the following conditions:

A. That the use and development of this tract for a Senior Citizens Center shall conform to the site plan attached hereto as Exhibit "A" and made a part hereof for all legal purposes.

B. That permitted activities shall be limited to those defined under Section 11-1-10-(A)-33-b of the City Code of Midland, Texas, pertaining to a Senior Citizens Center.

C. That the hours of operation shall not exceed 7:00 a.m. to 10:00 p.m. daily.

D. That the number of paid and volunteer staff members shall not exceed 20 at any time.

E. That the gross area of office space shall not exceed 6,971 square feet, including both the main and detached structures.

F. That the kitchen area, as located on Exhibit "A" shall not exceed 765 square feet in area, and may be used for the preparation of meals for both on-site and off-site serving. The maximum number of vehicle arrivals to distribute offsite meals shall not exceed 15 per day, and the number of on-site meals served shall not exceed 48 per day.

G. That any combination of group meetings, seminars, counseling services, director meetings or similar group activities shall be limited to a total of 30 participants at any time.

H. A van shall be available for the purpose of transporting participants to and from the center and shall be used to the greatest extent practical for reducing the number of personal vehicle trips to the center.

I. Adult day care shall be limited to 20 participants, in addition to persons attending counseling sessions or other group activities.

J. That the respective staff and participant limits stated above shall not apply to special receptions, meetings, and other similar group activities held not more than four (4) days per year.

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 16th day of December, A.D., 1986; and passed to second reading on motion of Council member Corrales, seconded by Council member Godfrey, by the following vote:

Council members voting "AYE": Corrales, Godfrey, Heck, Marcum, Fish and Rendall

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Corrales, seconded by Council member Godfrey, on the 22nd day of December, A.D., 1986, at a special meeting of the City Council:

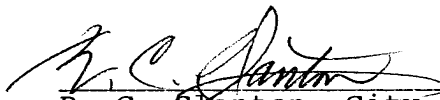
Council members voting "AYE": Corrales, Godfrey, Heck, Rendall, Marcum and Fish

Council members voting "NAY": None

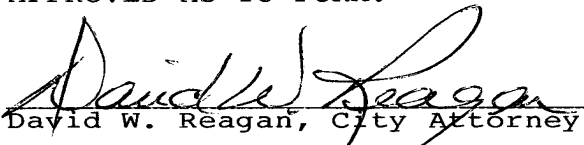
PASSED AND APPROVED THIS 22nd day of December, A.D., 1986.


Carroll M. Thomas, Mayor

ATTEST:


B. C. Clanton, City Secretary

APPROVED AS TO FORM:


David W. Reagan, City Attorney











Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: September 07, 2021

TO: **PLANNING AND ZONING COMMISSION**

FROM: Cole Furqueron, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Cruz Marquez for a zone change from, MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 9, Block 25, Greenwood 3rd, 4th, & 5th, City and County of Midland, Texas. (Generally located on the East side of S. Webster Street, approximately 192-feet south of E. Washington Ave. Council (District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Purpose:

The applicant, Cruz Marquez, is requesting to rezone the property located at 507 S. Webster Street to allow for the construction of a new residential home.

Current Zoning:

MF-22, Multiple Family District

Surrounding Zoning and Land Use:

The properties to the north, west, and south are zoned MF-22, Multiple-Family Dwelling District, and the locations of vacant land, and residential homes. The properties to the east are zoned C, Commercial District and the location of residential homes.

Analysis:

The applicant, Cruz Marquez, is requesting to rezone the property from MF-22 Multiple-Family, 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 the construction of single-family homes. Under the new Zoning Code adopted in 2019, residential uses became more specific to single-family zoning districts.

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

Fire: (Approved)

No comments.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Code: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of loca No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off of plat, this could prevent receiving city permits for structures.

Transportation: (Approved)

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

No objection to zone change.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Future Land Use Map" as it designates this area for urban-medium. This designation serves to connect commercial, office, and mixed-use areas with residential uses. Therefore, the construction of single-family housing at this location is in conformance with the recommendations of the Tall City Tomorrow plan as it provides for the integration of uses. It would also support the existing neighborhood characteristics and uses of the area.

Therefore, staff recommends approval of this zone change from MF-22, Multiple-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 September 1, 2021.

Attachments:

Application
Maps



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

Project Number: 2-21-0258
Case Number: _____

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

Printed Name: Cruz A. Marquez

Phone (432) 631-4616
Email Cruz Marquez 1972@hotmail.com

Address 914 Canyon Dr.

City Midland

State TX

Zip 79703

Property Owner

Printed Name: Cruz A. Marquez

Phone (432) 631-4616
Email Cruz Marquez 1972@hotmail.com

Address 914 Canyon Dr.

City Midland

State TX

Zip 79703

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone () _____
Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 507 S. Webster

Legal Description

Lot: 9 Block: 25 Subdivision: Greenwood Addition

Current Zoning: MF22

Proposed Zone: SF-3
(List by tracts if more than one district is requested)

Reason for Zone Change Request: _____

New Construction

Present Use of Property: _____

Vacant

Proposed Use of Property: _____

New Construction

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

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

N/A

Submittal and Fees

Items to be submitted with this application form:

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

RECEIVED
AUG 11 2021

BY: _____

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

Cruz A. Marquez

Date:

Property Owner (printed):

Cruz A. Marquez

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Dimensioned Site Plan

☐ Application Fee

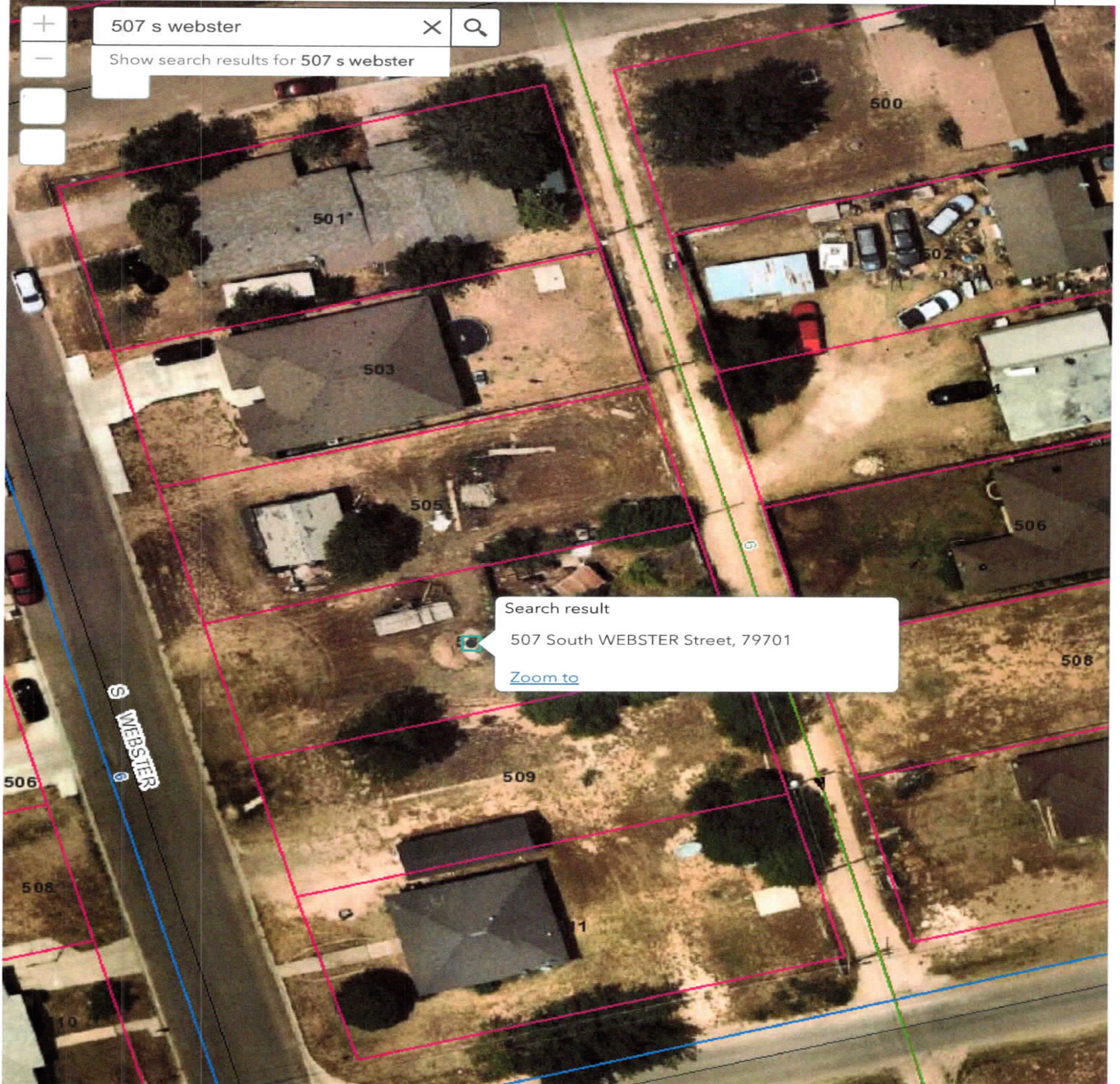
☐ Plans in Digital Format (PDF/JPEG)

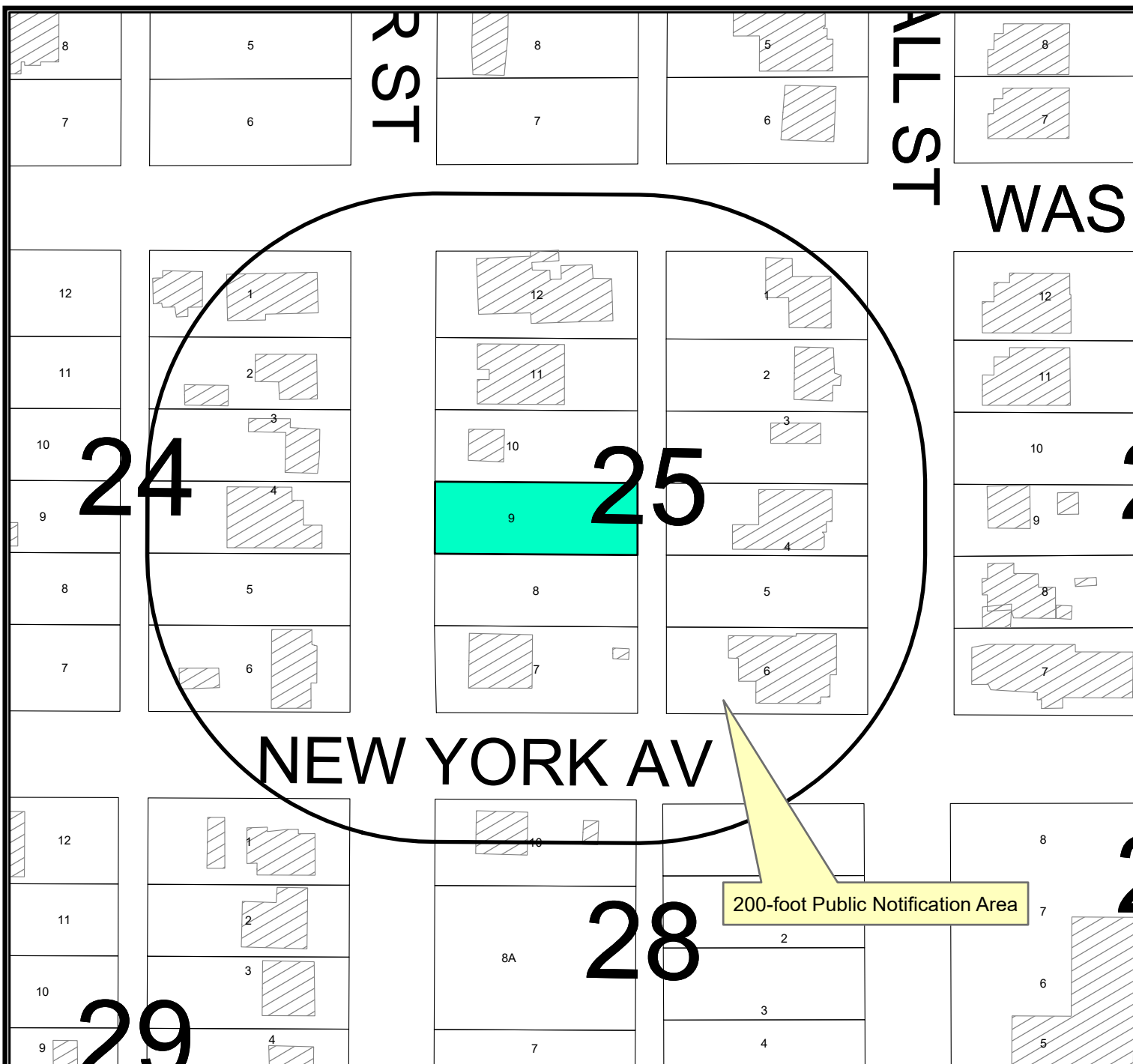
Check # _____

Received By: *OK*

Date: *8/11/21*

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





LOCATION MAP

Z-21-0258

Scale: 1" = 200'

Consider a request by Cruz Marquez for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 9, Block 25, Greenwood 3rd, 4th, & 5th, City and County of Midland, Texas.

Generally located on the East side of S. Webster Street, approximately 192-feet south of E. Washington Ave. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



