

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

**September 18, 2023 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for September 5, 2023.
3. Motion approving a Final Plat of Latell Addition, being a Plat of a 7.49 Acres in Section 22, Block 39, T-2-S, T&P, R.R. Co. Survey, Midland County, Texas (Generally located south side of West County Road 130, approximately 575 feet west of South County Road 1195) (DISTRICT: NONE) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of Whataco Addition, Section 2, being a Replat of Lot 2, Block 1, Whataco Addition, City and County of Midland, Texas (Generally located on the southeast corner of South Fairgrounds Road and State Highway 158) (DISTRICT 2) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Cooney Addition, being a Plat of a 4.23-acre tract of land out of the northeast quarter of Section 22, Block 39, T-2-S, T. & P. R.R. Co. Survey, County of Midland, Texas (Generally located on the west side of South State Highway 349, approximately 635-feet south of West County Road 130) (DISTRICT: NONE) (DEVELOPMENT SERVICES)
6. Motion approving a request for a 30-Day Extension request for a Final Plat of Southwest Crossing, Section 20, being a Plat of a 60.008-acre tract of land out of Section 14, Block 40, T-2-S, T & P. R.R. Co. Survey, County of Midland, Texas (Generally located 500-feet

west of the intersection of South County Road 1239 and West County Road 122)
(DISTRICT: NONE) (DEVELOPMENT SERVICES)

7. Motion approving a request for a 30-Day Extension request for a Final Plat of Southwest Crossing, Section 21, being a Plat of an 10.535-acre tract of land out of Section 13, Block 40, T-2-S, T & P. R.R. Co. Survey, Midland County, Texas. (Generally located on the intersection of South County Road 1235 and West County Road 122) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

8. Consider a request by Permian Basin Behavioral Health Center for an Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients, on a 54.008-acre tract of land located in Section 42, Block 40, T-1-S, T&P RR. CO Survey, Midland County, Texas (Generally located approximately 1,550-feet south of State Highway 191 and approximately 1,725-feet east of North Farm-To-Market 1788) (COUNCIL DISTRICT: NONE) (DEVELOPMENT SERVICES)

MISCELLANEOUS

9. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Tahoe Lakes Addition, Section 5, being a Plat of a 4.29-acre tract of land located in Section 1, Block 39, T-2-S, T&P Co. Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of South Lamesa Road and Albert Avenue) (DISTRICT: NONE) (DEVELOPMENT SERVICES)
10. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Carrollwood Addition, Section 2, being a 31.58-tract of land out of Section 24, Block 40, T-2-S T&P RR Co. Survey, Midland County, Texas (Generally located on the east side of Antelope Trail, approximately 2,790-feet north of West Country Road 140 (DISTRICT: NONE) (DEVELOPMENT SERVICES)
11. Motion approving with staff's recommended conditions, a proposed Preliminary Plat Redneck Retreat, Section 4, being a 10-acre tract out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR Co. Survey, Midland County, Texas. Redneck Retreat, Section 4, being a 10-acre tract out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR Co. Survey, Midland County, Texas.) (Generally located on the north side of East County Road 140, approximately 2,600-feet east of Farm-To-Market Road 715. (DISTRICT: NONE) (DEVELOPMENT SERVICES)
12. Motion approving with staff's recommended conditions, a Preliminary Plat of Claydesta Plaza North, Section 6, being a Replat of the remainder of Lot 1, Block 14, Claydesta Plaza, Section Two, Lot 2B, Block 14, Claydesta Plaza, Section 14, and a 47.44-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY CO Survey, City and County of Midland, Texas. (Generally located west of North Big Spring Street, approximately 300-feet north of Veterans Airpark Lane) (DISTRICT 3) (DEVELOPMENT SERVICES)

13. Motion approving with staff's recommended conditions, a Preliminary Plat of Permian Basin Health Center, Section 1, being a 50.31-acre tract of land, located in Section 42, Block 40, T-1-S, T&P RR CO Survey, County of Midland, Texas (Generally located approximately 1,550-feet south of State Highway 191, and approximately 1,725-feet east of North Farm-to-Market Road 1788) (DISTRICT: NONE) (DEVELOPMENT SERVICES)
14. Motion approving with staff's recommended conditions, a Preliminary Plat of East Midland Addition, Section 22, being a Residential Replat of Lot 1-6, Block 9, East Midland Addition, a 0.03-acre portion of adjacent North Madison Street right-of-way, and a 0.03-acre portion of adjacent North Carver Street right-of-way, City and County of Midland, Texas. (Generally located at the southeast corner of North Madison Street and Garden Lane) (DISTRICT 2) (DEVELOPMENT SERVICES)

Jeffrey S. Fisher
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**

September 5, 2023

Council Chambers – City Hall



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30pm, September 05, 2023.

Commissioners present: Dianne Williams, Lucy Sisniega, Zachary Deck, Emily Holeva, Adrian Carrasco, Abraham Bejil, Steven Villela

Commissioners absent: Sallie Vega

Staff members present: Landon Ochoa, Rolandrea Russell, Jeffrey S. Fisher, Alexis M. Martinez, Daniel Humbert

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for August 21, 2023.
3. Motion approving a Final Plat of West End Addition, Section 30, being a Replat of Lots 1-3, Block 75, West End Addition, and a 0.069-acre portion of vacated alley right-of-way located adjacent to Lots 1-3 and Lots 6-8, Block 75, West End Addition, City and County of Midland, Texas. (Generally located on the southeast corner of Andrews Highway and West Texas Avenue.) **(Council District 2) (DEVELOPMENT SERVICES)**
4. Motion approving a Final Plat of Warehouse Road Addition, being a 8.22 acre tract of land in the southeast quarter of Section 5, Block 39, T-2-S, T&P, Co. Survey, Midland County, Texas. (Generally located at the northeast corner of the intersection of Warehouse Road and West Stokes Avenue.) **(District: None) (DEVELOPMENT SERVICES)**
5. Motion approving a Final Plat of El Alamo, Section 4, being a 201.12-acre tract of land out

of the northwest quarter of Section 9, Block 38, T-1-S, Martin County, Texas. (Generally located on the south side of Crownridge Drive, approximately, 3,210-feet east of Elkins Road.) **(District: None) (DEVELOPMENT SERVICES)**

6. Motion approving a Final Plat of Fremin Addition, being a 25.43-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 75, approximately 1,561-feet east of North County Road 1287.) **(District: None) (DEVELOPMENT SERVICES)**
7. Motion approving a Final Plat of Mockingbird Ridge, Section 2, being a 9.51-acre tract of land in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located north of East Mockingbird Lane, approximately 900 feet east of North Fairgrounds Road.) **(Council District 1) (DEVELOPMENT SERVICES)**
8. Motion approving a Final Plat of Mockingbird Ridge, Section 3, being a 12.52-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located north of East Mockingbird Lane, approximately 900 feet east of North Fairgrounds Road.) **(Council District 1) (DEVELOPMENT SERVICES)**
9. Motion approving a Final Plat of Hannah Addition, Section 5, being a 30.67-acre tract of land out of the southeast part of Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of South County Road 1232, approximately 270-feet south of West County Road 126.) **(District: None) (DEVELOPMENT SERVICES)**
10. Motion approving a Final Plat of Midkiff Industrial Center, Section 28, being a Replat of Lot 1, Block 3, Midkiff Industrial Center, Section 2, a 4.04-acre tract out of the northwest quarter of Section 4, Block 39, T-2-S, T&P, RR Co. Survey, and a 2,080-square foot vacated portion of West Industrial Loop right-of-way, City and County of Midland Texas. (Generally located on the east side of South Midkiff Road, approximately 200-feet south of Commercial Drive.) **(Council District 2) (DEVELOPMENT SERVICES)**
11. Motion approving a Final Plat of Moody Addition, Section 16, Being a Replat of Lots 7 and 8, Block 36, Moody Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of South Lee Street and East Indiana Avenue.) **(Council District 2) (DEVELOPMENT SERVICES)**
12. Motion approving a Final Plat of Lilly Heights Addition, Section 13, being a Replat of the north 75 feet of the west 183.70 feet of Block 1, Lilly Heights Addition, and Lot 2, Block 1, Lilly Heights Addition, Section 11, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Bedford Avenue and Austin Street.) **(Council District 3) (DEVELOPMENT SERVICES)**

Zachary Deck moved to approve; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Dillow, Vega

PUBLIC HEARINGS

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

13. Motion approving a Final Plat of Hillcrest Acres, Section 14, being a Residential Replat of the south 668-feet, save and except the north 59.8-feet and save and except the south 10-feet of Tracts 7 and 8, Hillcrest Acres, City and County of Midland, Texas. (Generally located on the north side of Princeton Avenue, approximately 1,000-feet west of North Midland Drive.) **(Council District 3) (DEVELOPMENT SERVICES)**

Senior Planner, Landon Ochoa gave an overview of the project. No letters of objection were received, staff recommend approval.

The public meeting was opened at 3:36pm.

With no one wishing to speak.

The public meeting was closed at 3:37pm.

Adrian Carrasco moved to approve this request; seconded by Dianne Williams.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Dillow, Vega

14. Consider a request by Schumann Engineering for a proposed Preliminary Plat of Fannin Terrace, Section 9, being a Residential Replat of Lots 8 and 9, Block 1, Fannin Terrace, Section 4, City and County of Midland, Texas. Generally located on the southeast corner of Mayberry Street and Terrace Avenue) **(Council District 3) (DEVELOPMENT SERVICES)**

Senior Planner, Landon Ochoa gave an overview of the project. No letter of objection were received, staff recommend approval.

The public meeting was open at 3:38pm.

Applicant, Darren Taylor of 2513 Terrace Ave. Midland, Tx. asked for approval for the request.

The public meeting was closed at 3:39pm.

Dianne Williams moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Dillow, Vega

15. Consider a request by Schumann Engineering for a Zone Change from PD, Planned Development District for Housing Development, to SF-1, Single-Family Dwelling District on Lot 55, Block 8, 349 Ranch Estates, City and County of Midland, Texas. (Generally located east of Tejas approximately 175-feet east of Sioux Court.) **(Council District 1) (DEVELOPMENT SERVICES)**

Senior Planner, Landon Ochoa gave an overview of the project. No letters of objection were received, staff recommend approval.

The public meeting was opened at 3:43pm.

Applicant Ed Aleman of 1111 Magnolia Midland, Tx. spoke on behalf of the plat, turning 7.88 acres into 12 lots and creating a road on Hopi court.

The public meeting was closed at 3:44pm.

Abraham Bejil moved to approve this request; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Dillow, Vega

16. Consider a request by Streamline Development Partners for a Zone Change from CE, Country Estate District, to RR, Regional Retail District on Lots 2 and 3, Llano Estacado, City and County of Midland, Texas. Generally located north of Briarwood Avenue approximately 340-feet from Avalon Drive **(Council District 4) (DEVELOPMENT SERVICES)**

Planner, Daniel Humbert gave an overview of the project. One letter of objection was received, staff recommend approval.

The public meeting was opened at 3:53pm.

With no one wishing to speak.

The public meeting was closed at 3:54pm.

Abraham Bejil moved to approve This request; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Dillow, Vega

MISCELLANEOUS

17. Motion approving with staff's recommended conditions, a Preliminary Plat of Midland Memorial Hospital, Section 3, being a Replat of Lot 1A, Block 1, Midland Memorial Hospital, Section 2, Lot 16, Block 4, Highland Park Addition, Block 11, Highland Park Addition, a 0.42-acre portion of North N Street right-of way between West Illinois Avenue and West Ohio Avenue, and a 0.13-acre portion of alley right-of-way within Block 11, Highland Park Addition, City and County of Midland, Texas. (Generally located at the northeast corner of Andrews Highway and West Illinois Avenue). **(Council District 3) (DEVELOPMENT SERVICES)**

Commisioner Bejil left the dais.

Adrian Carrasco moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Villela
NAY: None
ABSTAIN: Bejil
ABSENT: Dillow, Vega

18. Motion approving with staff's recommended conditions, a Preliminary Plat of West 191 Industrial Park, Section 12, being a Replat of Lot 11, Block 1, West 191 Industrial Park, Section 6, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Farm-to-Market Road 1788 and West County Road 77) **(Council District 4 and None) (DEVELOPMENT SERVICES)**

Commisioner Bejil returned to the dais.

Zachary Deck moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Bejil, Villela
NAY: None
ABSTAIN: None
ABSENT: Vega

19. Motion approving with staff's recommended conditions, a Preliminary Plat of West 191 Industrial Park, Section 13, being a Replat of Lot 7, Block 2, West 191 Industrial Park, Section 6, City and County of Midland, Texas. (Generally located on the east side of Farm-to-Market Road 1788 approximately 425 feet south of West County Road 77.) **(Council District 4) (DEVELOPMENT SERVICES)**

Abraham Bejil moved to approve this request; seconded by Dianne Williams.

The motion passed by the following vote:

AYE: Williams, Sisniega, Deck, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Dillow, Vega

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 4:04pm

Lucy Sisniega, Chair

Date

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

Date



Planning and Zoning Commission

Approved for Agenda:
Jeffrey Fisher

MEETING DATE: September 18, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Latell Addition, being a Plat of a 7.49-acre tract of land in Section 22, Block 39, T-2-S, T&P, RR CO. Survey, Midland County, Texas. (Generally located on the south side of West County Road 130, approximately 575-feet west of South County Road 1195. (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the March 6, 2023, Planning and Zoning Commission meeting. The property owner is platting this lot into two lots for future development.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

ETJ. No jurisdiction.

ENGINEERING: (Approved)

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

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

PAVING: Paving requirements were deferred and administratively approved on 2/13/2023. [For Applicant's Information Only.]

WATER: Water requirements were deferred and administratively approved on 2/13/2023. [For Applicant's Information Only.]

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

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

SEWER: Wastewater requirements were deferred and administratively approved on 2/13/2023. [For Applicant's Information Only.]

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

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

SIDEWALKS: Sidewalk requirements were deferred and administratively approved on 2/13/2023. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

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

GIS: (Approved)

No comments.

CRMWD: (Approved)

We do not have any comments on this plat.

Midland County Public Works: (Approved)

Driveway permits required for any new driveways to county road.

Midland County Health Department (Approved):

Yes, the health department will review application from the 2 proposed lot of LATELL Addition, PLAT OF A 7.4 ACRE TRACT OF LAND OUT OF SECTION 22, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY the lot 1 is 2 acre, lot 2 is 5 acre any mobile home and RV'S that are used for rent housing are commercial and must have their septic systems installed by a State of Texas licensed installer and permitted by the Midland Health Department to ensure the proposed plans for the existing structure and RV'S 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: (Approved)

No comments.

Staff recommends approval of the Final Plat for Latell Addition subject to condition A.

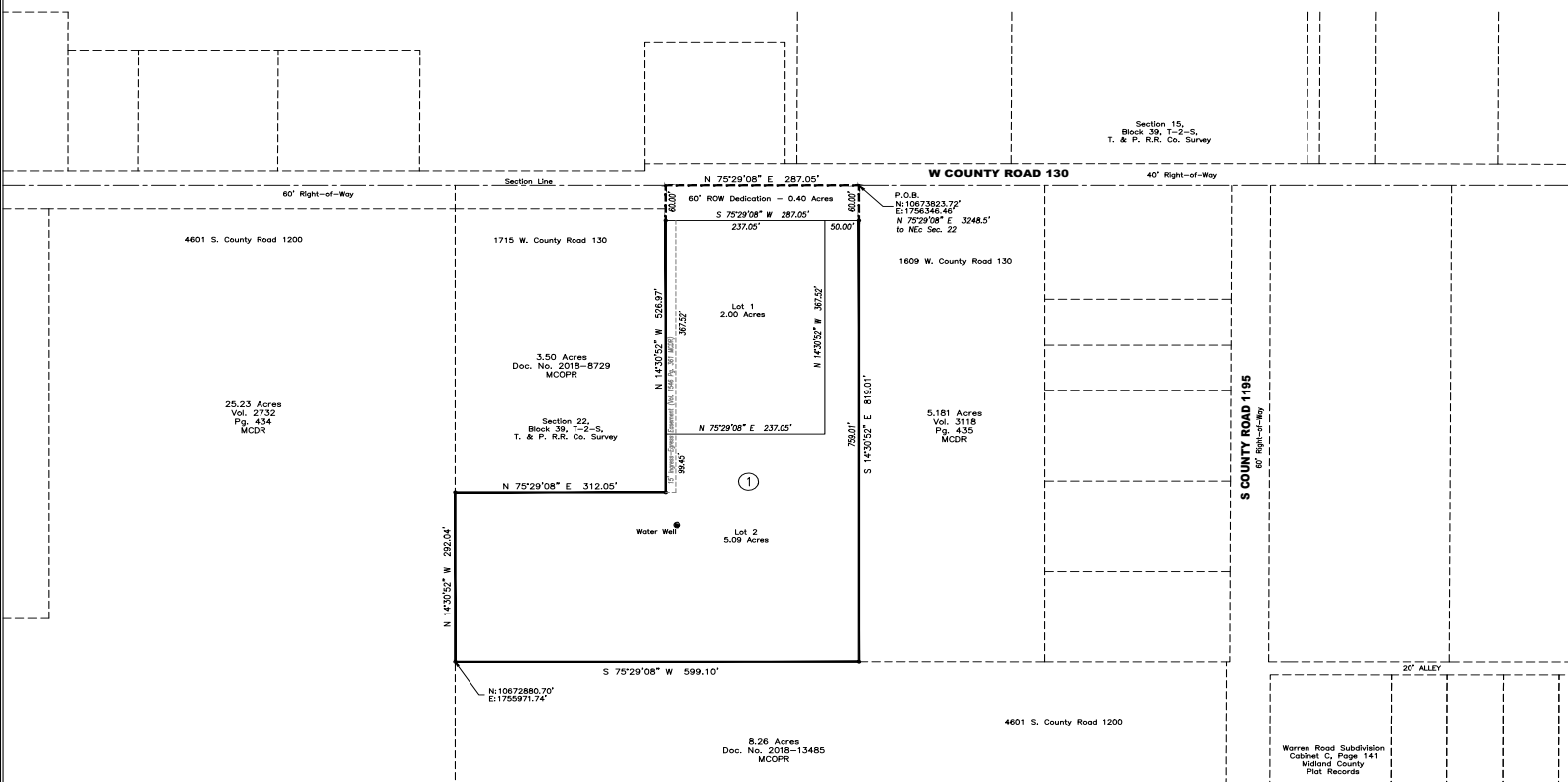
Conditions:

- 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

**LATELL ADDITION,
BEING A PLAT OF A 7.49-ACRE TRACT OF LAND
OUT OF SECTION 22, BLOCK 39,
T-2-S, T&P R.R. CO. SURVEY,
MIDLAND COUNTY, TEXAS.**



FIELD NOTES:

Latell Addition

Being a plat of a 7.49-acre tract of land out of Section 22, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Beginning at (N10673823.72', E1756346.46') a 1" iron rod set in the north line of said Section 22 and the south right of way line of W County Road 130 at the northwest corner of a 5.181 acre tract recorded in Volume 3118, Page 435, Midland County Deed Records, for the northeast corner of this tract, whence the northeast corner of said Section 22 bears North 75°29'08" East, a distance of 3248.5 feet;

Thence South 14°30'52" East with the west line of said 5.181 acre tract, a distance of 819.01 feet to a 1" iron rod set in the north line of a 8.26 acre tract recorded in Document No. 2018-13485, Midland County Official Public Records, at the southeast corner of said 5.181 acre tract, for the southeast corner of this tract;

Thence South 75°29'08" West with the north line of said 8.26 acre tract, a distance of 599.10 feet to a 1" iron rod set at the east line of a 25.23 acre tract recorded in Volume 2732 Page 434, Midland County Deed Records, for the southwest corner of this tract;

Thence North 14°30'52" West with the east line of said 25.23 acre tract, a distance of 292.04 feet to a 1" iron rod set at the southwest corner of a 3.50 acre tract recorded in Document No. 2018-8729, Midland County Official Public Records, for a point of deflection in the west line of this tract;

Thence North 75°29'08" East with the south line of said 3.50 acre tract, a distance of 312.05 feet to a 1" iron rod set at the southeast corner of said 3.50 acre tract, for a point of deflection in the west line of this tract;

Thence North 14°30'52" West with the east line of said 3.50 acre tract, at a distance of 486.97 feet pass the south right of way line of said W County Road 130 and the northeast corner of said 3.50 acre tract, continuing with the deflecting south right of way line of said W County Road 130 for a total distance of 526.97 feet to a 1" iron rod set in the north line of said Section 22, for the northwest corner of this tract;

Thence North 75°29'08" East with the north line of said Section 22 and the south right of way line of said W County Road 130, a distance of 287.05 feet to the Point of Beginning.

Containing 7.49 acres of land.

Bearing & coordinates are based on the Texas Coordinate System, NAD 1983, Central Zone (CORS)

CERTIFICATE OF APPROVAL

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

SIGNED: _____

Chairman
LUCY SINIEGA

ATTEST: _____

Secretary
JEFFREY FISHER

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 WITHDRAWING OF UTILITIES AND BUILDING PERMITS.

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

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

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

5. THIS PROPERTY IS IN ZONE X AND DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS GRAPHICALLY SCALED ONTO FEMA MAP NO. 48529C0204F, DATED SEPTEMBER 16, 2005, PREPARED FOR MIDLAND COUNTY, TEXAS.

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

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, LATELL WALKER, as the recorded owner of a 7.49 Acre tract located in Section 22, Block 39, T-2-S, T&P RR Co. Survey, Midland County Texas, recorded in Vol. 1546, Pg. 361, Midland County Deed Records, County of Midland Texas, and more particularly shown hereon;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, LATELL WALKER, does hereby adopt this plat designating the herein above described property as "LATELL ADDITION" an addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown hereon.

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

WALKER LATELL

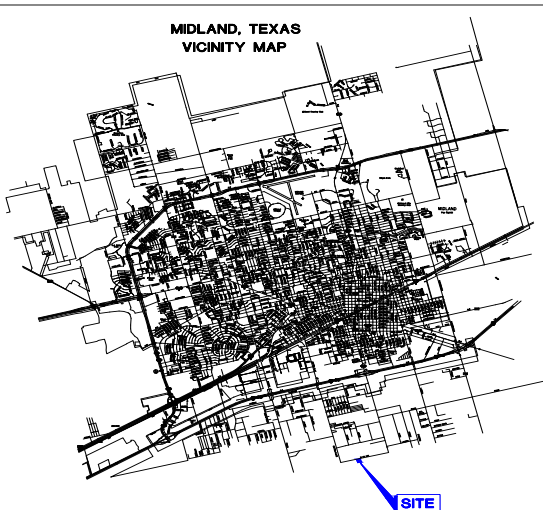
ACKNOWLEDGMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND

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

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

**MIDLAND, TEXAS
VICINITY MAP**



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
OPTIMUM

SIGNED: _____ PRINT NAME
ASTOUND BROADBAND

OWNER:
LATELL WALKER
1711 W. COUNTY RD 130
MIDLAND, TEXAS 79706
(432)271-3664

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

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



ARNON SCOTT BURRELL TX RPLS 5669

PACKET
12 September 2023

Page 3.13

September 18, 2023 **FINAL PLAT**
LATELL ADDITION



Final Plat Application

Project Number: SUB-22-0570

Case Number: _____

Proposed Subdivision Plat Name: Latell Addition**Legal Description (attached sealed Metes and Bounds):** Being 7.49 Acres in Section 22, Block 39, T-2-S T&P RR CO. Survey, Midland County, Texas**Property Owner**Printed Name: Latell WalkerPhone (432) 271-9664
Email hank.walker@gmail.com
Address 1711 W County Road 130 City Midland State TX Zip 79706**Developer (if different than Owner)**

Printed Name: _____

Phone ()
Email _____

Address _____ City _____ State _____ Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: Aaron Burrell Land Surveyors, LLCPrinted Name: Aaron BurrellPhone (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:** To obtain Septic Permits**Plat Information**Total Acreage: 7.49 AcresType: ☒ Single-Family Residential ☐ Multi-Family Residential
☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)Number of Lots: 2 Number of Multi-Family Dwelling Units: 0**Submittal Information:** Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date: 8-17-23

Property Owner (printed): LATELL WALKER

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.

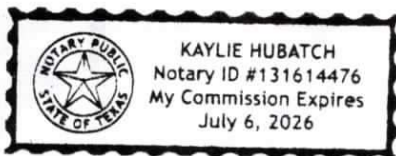
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

A Burrell
Authorized Agent (signature)

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



Kaylie Hubatch
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 1034

☒ 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

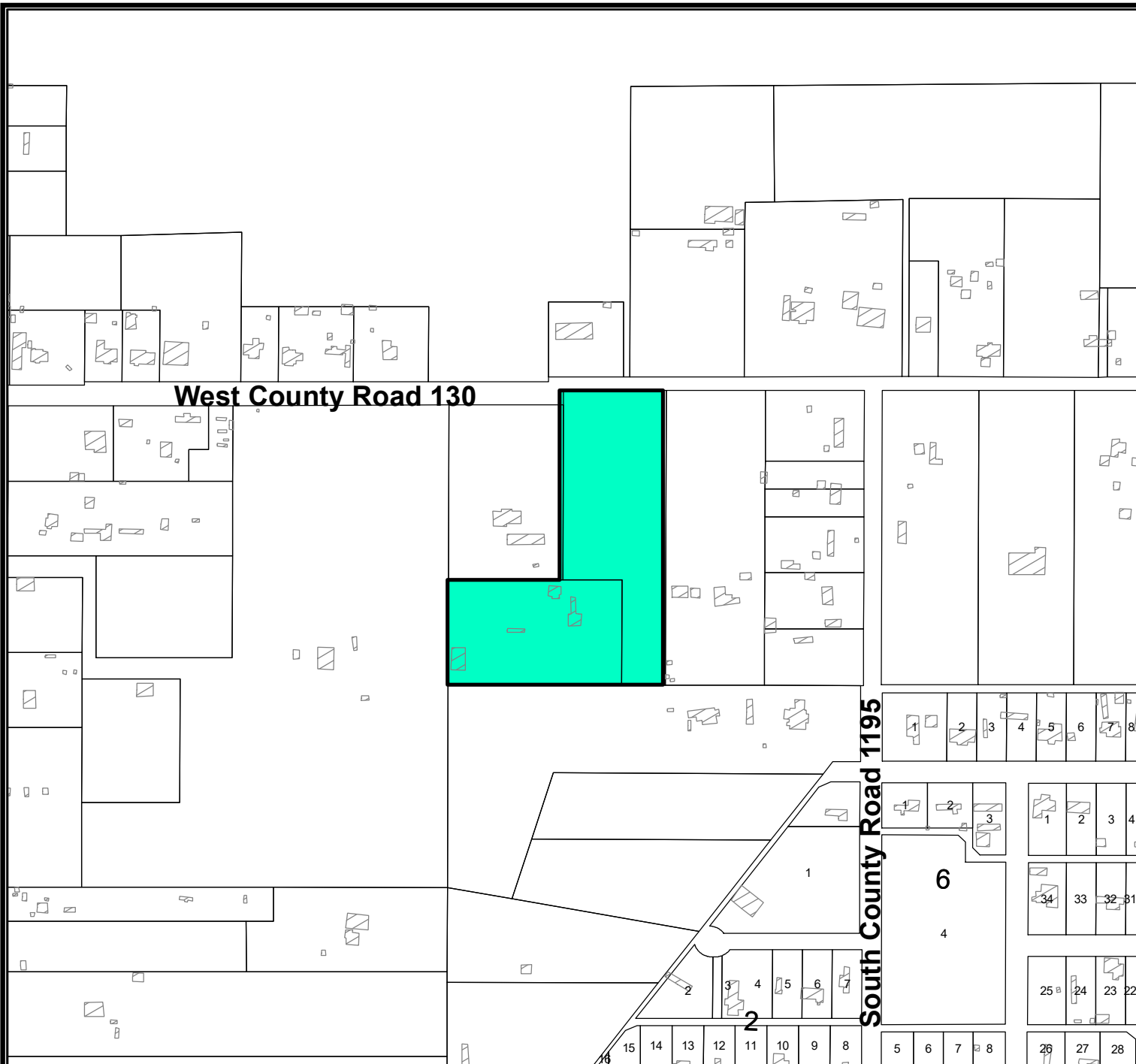
Check # 1364

Received By: London Osborn

Date:

AUG 21 2023

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



LOCATION MAP

SUB-22-0570

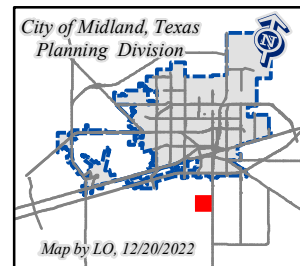
Scale: 1" = 4,826'

Proposed plat of Latell Addition, being a Plat of 7.49 Acres in Section 22, Block 39, T-2-S, T&P, R.R. Co. Survey, Midland County, Texas.

Generally located on the south side of West County Road 130 approximately 575 feet west of South County Road 1195. (District: none)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: Planning and Zoning Commission

FROM: Jeff Fisher, Planning Manager

SUBJECT: Motion approving a Final Plat of Whataco Addition, Section 2, being a Replat of Lot 2, Block 1, Whataco Addition, City and County of Midland, Texas (Generally located on the southeast corner of South Fairgrounds Road and State Highway 158) (District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The Preliminary Plat was approved at the June 5, 2023, Planning and Zoning Commission meeting. The property owner is replatting one lot into two for future development.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

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

Engineering: (Approved)

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

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

PAVING: Garden City HWY and Fairgrounds Road are both a TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in S. Fairgrounds Rd west of the tract, okay as is. 4' water main located on Garden City HWY. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: Sewer improvements were administratively approved on 07/03/2023. [For Applicant's Information Only.]

DRAINAGE: Drainage report has been approved for planning purposes. [Reference Midland City Code 11-2-3(D)8]

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

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

DIMENSION: * * *

OTHER:

Transportation: (Approved)

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

[For the Applicant's information only.]

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

Fire: (Approved)

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

Oil and Gas (Approved)

No Oil & Gas issues.

GIS: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of a Final Plat of Whataco Addition, Section 2, subject to Condition A.

Condition:

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

Attachments:

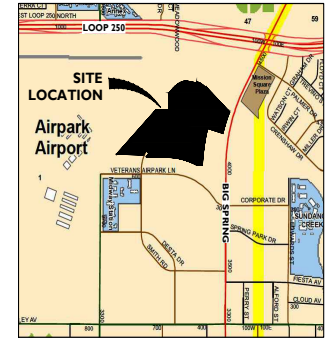
Proposed Final Plat
Application
Maps

CLAYDESTA PLAZA NORTH SECTION 6

BEING A REPLAT OF THE REMAINDER OF LOT 1, BLOCK 14,
CLAYDESTA PLAZA, SECTION 2,
LOT 2B, BLOCK 14, CLAYDESTA PLAZA, SECTION 14
AND A 47.744 ACRE TRACT OF LAND,
LOCATED IN SECTION 14, BLOCK 39, T-1-S, T&P RY CO SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

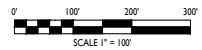
CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1579.66	151.49	546.89	S 87°17'42" W	123°37'49"
C2	591.65	78.38	82.25	N 30°44'24" E	7°33'17"
C3	40.00	87.57	80.00	N 65°29'09" W	81°37'14"
C4	919.55	144.93	94.85	S 30°28'48" W	8°00'25"
C5	520.00	308.04	303.55	N 4°45'01" E	33°56'23"
C6	520.00	233.29	221.34	S 75°49'44" E	75°42'18"
C7	490.00	118.70	118.41	N 81°11'10" E	13°51'44"
C8	15.00	21.35	19.60	S 48°23'58" W	81°34'03"
C9	520.00	141.92	141.56	N 82°03'00" E	14°15'58"
C10	960.00	119.59	119.51	N 78°29'08" E	7°08'14"
C11	290.50	101.72	101.30	S 87°54'52" E	20°03'46"
C12	55.50	104.63	89.81	S 23°52'28" E	108°01'01"
C13	1040.00	143.35	633.14	S 12°44'45" W	35°36'36"
C14	960.00	575.55	566.97	N 12°57'31" E	34°21'03"
C15	52.50	28.45	28.11	N 45°39'39" E	31°03'13"
C16	140.50	76.23	75.30	N 75°45'50" E	31°05'08"
C17	970.00	309.83	308.83	S 78°34'35" E	18°18'03"
C18	1030.00	388.65	386.35	N 79°39'51" W	21°37'10"
C19	15.00	22.44	20.40	N 30°10'12" W	120°36'38"
C20	15.00	22.44	20.40	S 48°21'43" E	85°42'30"
C21	3275.30	142.01	142.00	N 11°04'55" W	12°29'03"



VICINITY MAP

N.T.S.



NOTES

1. BASIS OF BEARINGS, COORDINATES, GRID AREA, AND DISTANCES IS A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (430). NORTH AMERICAN DATUM OF 1983. U.S. SURVEY FEET WITH A CONVERGENCE ANGLE OF BEARING OF 0°54'11.34" AND A CONVERGED SCALE FACTOR OF 0.9991554 TAKEN AT THE POINT OF BEGINNING.
2. 1/2 IN IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FM 10194514", SET AT ALL CORNERS UNLESS OTHERWISE SPECIFIED.

LEGEND

- DENOTES SET 1/2-INCH IRON ROD W/ RED PLASTIC CAP MARKED "MAVERICK FM 10194514"
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES INTERIOR LOT CORNERS SET 1/2" IRON W/ CAP "MAVERICK FM 10194514"
- DENOTES PUMP JACK
- DENOTES PERMITTED OIL WELL (WITH API # SHOWN)
- DENOTES BOUNDARY LINE
- DENOTES EXISTING LOTS
- DENOTES EXISTING EASEMENT LINE
- DENOTES EXISTING PIPELINES
- DENOTES PROPOSED SETBACK LINE
- DENOTES OIL WELL SETBACK LINE



MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES
1908 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FRANK R. SLOAN
SURVEY FRANK R. SLOAN
Tel: (409) 363-0999 Fax: (409) 363-0999
www.Maverick-Eng.com

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

PROPERTY OWNERS

CITY OF MIDLAND
300 N. LORANE
MIDLAND, TEXAS 79701
INSTR 2021-30952, O.P.A.M.C.T.
VOLUME 1027, PAGE 199, D.R.M.C.T.

MIDLAND NORTH TOWN DEVELOPMENT, LLC
6 DEXTER DRIVE
SUITE 5725
MIDLAND, TX 79701
INSTR 2021-30950
INSTR 2007-16845, O.P.A.M.C.T.

CLAYDESTA PLAZA NORTH SECTION 6

September 18, 2023

SHEET 1 OF 2

CLAYDESTA PLAZA NORTH, SECTION 6

BEING A REPLAT OF THE REMAINDER OF LOT 1, BLOCK 14, CLAYDESTA PLAZA, SECTION 2,
LOT 2B, BLOCK 14, CLAYDESTA PLAZA, SECTION 14 AND A 47.744 ACRE TRACT OF LAND, LOCATED IN
SECTION 14, BLOCK 39, T-I-S, T&P RY CO SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THE CITY OF MIDLAND, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 14, BLOCK 39, T-I-S, T&P, RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS LOTS 3 & 4, BLOCK 1; LOTS 4, 5 & 6, BLOCK 2; LOT 1, BLOCK 3; AND LOT 1, BLOCK 4, CLAYDESTA PLAZA NORTH, SECTION 6, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, - ____ M.,

THE _____ DAY OF _____, 2023.

BY: _____, CITY OF MIDLAND

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS, REG. #15356
MAVERICK ENGINEERING (TX FIRM #101945)
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FEET.
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOTS ARE REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.
6. DENOTES CENTER PIVOT POINT FOR A TEMPORARY 60° TURNAROUND EASEMENT DEDICATED HEREBY. EASEMENT TO BE ABANDONED BY EXTENSION OF PUBLIC RIGHT-OF-WAY.
7. THE PROPERTIES SHOWN LIE JUST EAST OF THE CITY OF MIDLAND MUNICIPAL AIRPARK. DEVELOPMENT MAY BE REGULATED BY FEDERAL AVIATION ADMINISTRATION (FAA) SPECIFICATIONS FOR BUILDING CONSTRUCTION. OWNER TO COORDINATE WITH FAA PRIOR TO CONSTRUCTION.
8. PURPOSE OF LOT 6, BLOCK 2, THIS INSTRUMENT IS FOR STORMWATER DRAINAGE MANAGEMENT OR AS OTHERWISE DICTATED BY THE CITY OF MIDLAND.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS MIDLAND NORTH TOWN DEVELOPMENT, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 14, BLOCK 39, T-I-S, T&P, RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT MIDLAND NORTH TOWN DEVELOPMENT, LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS LOT 2C AND 2D, BLOCK 14, CLAYDESTA PLAZA NORTH, SECTION 6, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, - ____ M.,

THE _____ DAY OF _____, 2023.

BY: _____, MIDLAND NORTH TOWN DEVELOPMENT, LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF CLAYDESTA PLAZA NORTH, SECTION 6, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2023.

LUCE SISNEGA, CHAIRMAN

JEFFERY FISHER, SECRETARY

FEMA NOTE

FLOOD STATEMENT: AS SCALED FROM FEMA'S N.E.P. FLOOD INSURANCE RATE MAP #48329C0875 DATED SEPTEMBER 14, 2005, PORTIONS OF THIS PROPERTY ARE WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND PORTIONS ARE IN ZONE "AH", DESIGNATED AS "AREAS SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD," WITH A BASE FLOOD ELEVATION DETERMINED AND REFLECTED AS SHOWN.

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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

UTILITY COMPANY'S CERTIFICATE

This plot has been checked for accessibility of utilities.

ATMOS ENERGY

BY: _____

A&T

BY: _____

OPTIMUM

BY: _____

ASTOUND BROADBAND

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

PROPERTY OWNERS

CITY OF MIDLAND
300 N. LORAIN
MIDLAND, TEXAS 79701
INSTR# 2021-30952, O.P.R.M.C.T.
VOLUME 1027, PAGE 199, D.R.M.C.T.

MIDLAND NORTH TOWN DEVELOPMENT, LLC
6 DESTA DRIVE
SUITE 5725
MIDLAND, TX 79705
INSTR# 2021-30960
INSTR# 2007-16845, O.P.R.M.C.T.



MAVERICK
ENGINEERING & SURVEY / WATER RESOURCES

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

**CLAYDESTA PLAZA
NORTH, SECTION 6**

September 18, 2023
SHEET 2 OF 2

PACKET

Page 4.21



Final Plat Application

Project Number: 54B-23-0610Case Number: P-23-1747

Proposed Subdivision Plat Name: Whataco Addition, Section 2

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

Property Owner

Printed Name: Keith Bush

Phone ()
Email

Address PO Box 335

City Hewitt

State TX

Zip 76643

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058
Email

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: RR

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

Plat Information

Total Acreage: 1.81

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

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Property Owner (signature):

Date:

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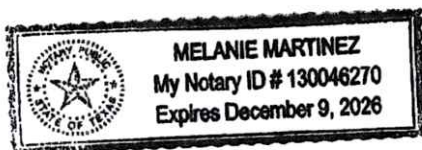
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 21st day of August, 20 23, to certify which witness my hand and seal of office.



Melanie Martinez

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

10 May 2023

City of Midland- Planning Department
Attn: Jeff Fisher
300 N. Loraine
Midland, Texas 79702

To whom it may concern:

I/We Keith Bush, authorize LCA to act as our agent for the platting/zoning purposes regarding our project Whataco Addition Section 2. As Client we consent to LCA signing all applications and/or needed documentation, receiving all comments and/or needed information and representing me/us at any all hearings for the duration of this project.

Sincerely,

Keith Bush

By:

5-10-23

Date:

STATE OF TEXAS §
COUNTY OF MIDLAND §

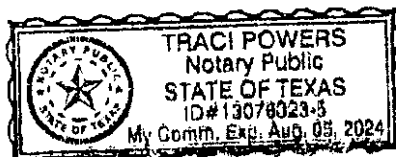
BEFORE ME, the undersigned authority, on this day personally appeared Dayne Keith Bush, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said TXDL for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10 day of May, A.D., 2023.

Traci Powers

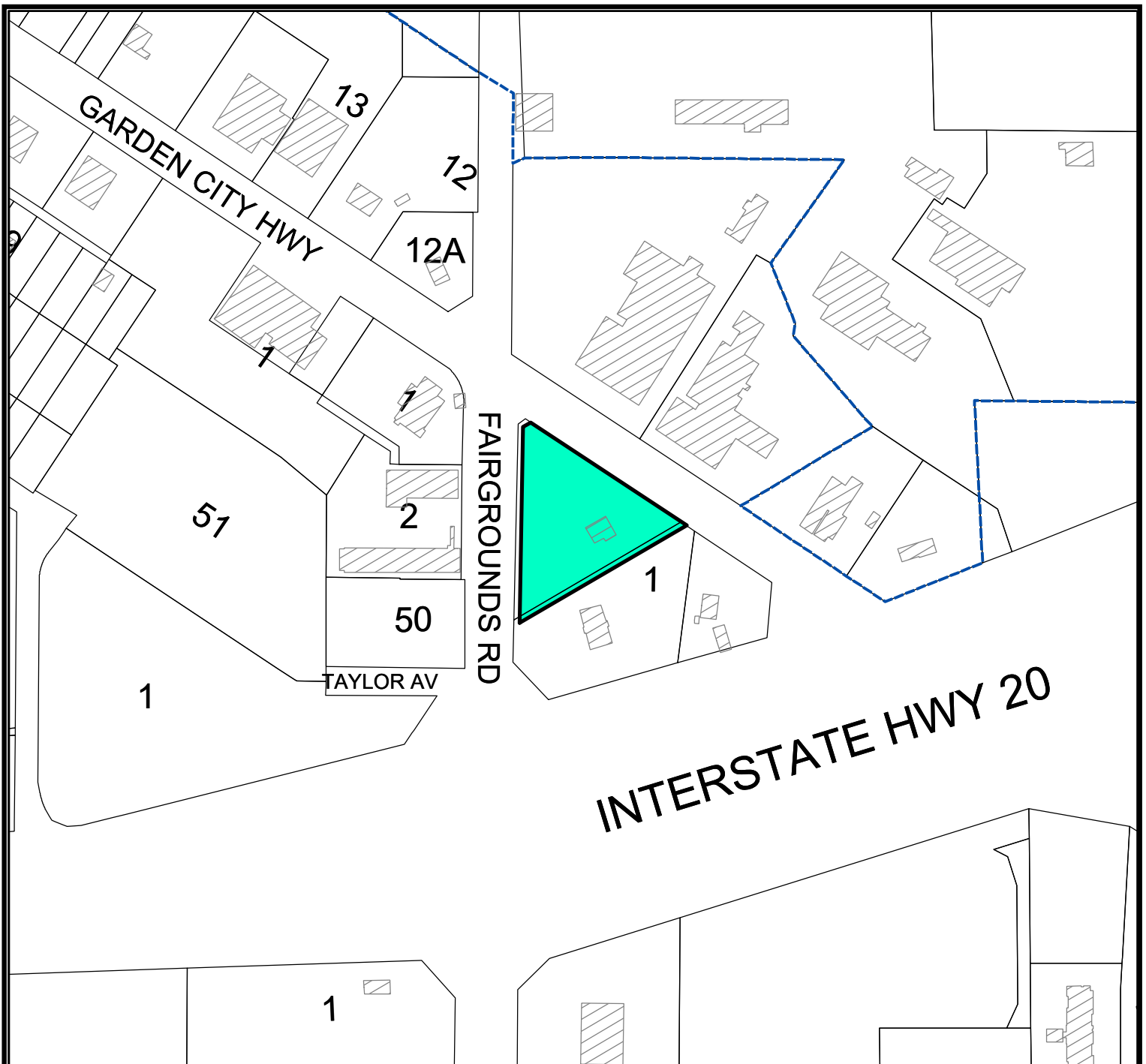
Notary Public in and for the State of Texas

My Commission Expires: 8-5-2024



FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☒ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>paid</u>	☒ Tax Certificates	Check # <u>paid</u>
Received By: <u>Jeff Fisher</u>		Date: <u>Aug 21/2023</u>

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



LOCATION MAP

SUB-23-0610

Scale: 1" = 3,725'

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

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

LEGEND

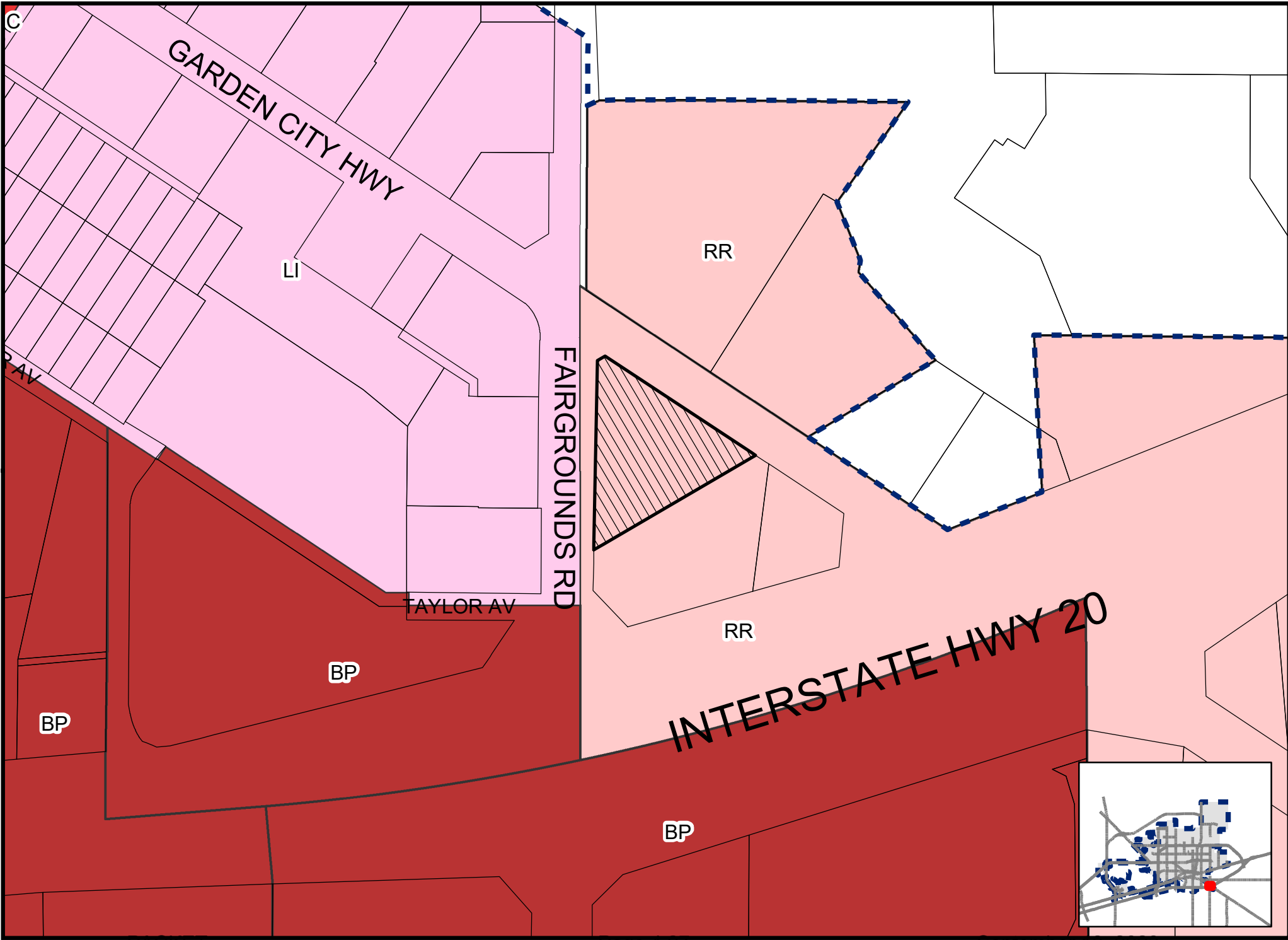
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



C

GARDEN CITY HWY

LI

RR

FAIRGROUNDS RD

TAYLOR AV

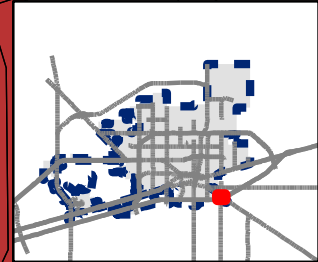
RR

INTERSTATE HWY 20

BP

BP

BP





Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Preliminary Plat of Cooney Addition, being a Plat of a 4.23-acre tract of land out of the northeast quarter of Section 22, Block 39, T-2-S, T. & P. R.R. Co. Survey, County of Midland, Texas. (Generally located on the west side of South State Highway 349, approximately 635-feet south of West County Road 130) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Landgraf, Crutcher and Associates is requesting to plat the subject property for future development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

Engineering: (Approved)

SIDEWALKS: Required at building permit. However, no city building permits are issued within the county. No sidewalk improvements needed at this time. [For Applicant's Information Only.]

Transportation: (Approved)

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

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

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

Building Code: (Approved)

No comments.

GIS: (Approved with Conditions)

Parcel above this plat extends slightly more east than visual shows. East call should be s14-23-55e, based on metes and bounds.

Midland County Public Works: (Approved)

No comments.

Midland County Health Department: (Approved)

Yes, the health department will review application from the 1 proposed lot of Cooney Addition, PLAT OF A 4.2 ACRE TRACT OF LAND OUT OF THE NORTHEAST/4 OF SECTION 22, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY the lot is 4.2 acre to ensure the proposed plans for the Existing Structures and the Existing R.V. Park on the property on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

CRMWD: (Approved)

No comments.

Planning: (Approved)

No comments.

Staff recommends approval of the Preliminary Plat of Cooney Addition, subject to condition A.

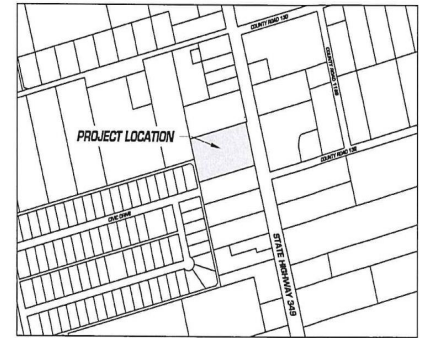
Condition:

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

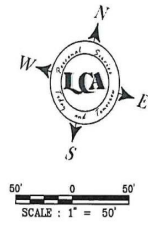
Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT
COONEY ADDITION
BEING A 4.23 ACRE TRACT OF LAND LOCATED IN THE NORTHEAST/4
OF SECTION 22, BLOCK 39, T-2-S, T&P, RR. CO. SURVEY
MIDLAND COUNTY, TEXAS



VICINITY MAP
SCALE: N.T.S.



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Stephen Cooney, do hereby adopt this plat designating the herein described property to Cooney Addition, an addition to Midland County, Texas, and do hereby declare to the public use for the streets, alleys and easements shown hereon for the purpose and consideration therein expressed, and an easement of egress and ingress for trash collection, and location and maintenance of trash containers, and condition void easement that no construction shall commence on the said lot or lots until the exact location of said easements there with have been redacted and approved by the Director of Utilities.

WITNESS our hands at Midland, Texas this _____ day of _____ 2022.

ACME PLUS, LLC
STEPHEN COONEY

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 Stephen Cooney, 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 purpose and consideration therein expressed, and in the capacity therein stated.

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

My commission expires: _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

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

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY
PURPOSE, AND SHALL NOT BE USED FOR VIEWED OR
RELIED UPON AS A FINAL SURVEY DOCUMENT.
John F. Landgraf, R.P.L.S., # 2430

OWNER: ACME PLUS, LLC
STEPHEN COONEY
4804 S. STATE HWY. 349
MIDLAND, TX 79705

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
521 NORTH TEXAS
ODESSA, TEXAS 79661-5131
PHONE: (432) 332-5038

LEGEND

- ⊗ FOUND 1/2" I.R. W/CAP UNLESS OTHERWISE NOTED
- SET 1/2" I.R. W/CAP UNLESS OTHERWISE NOTED

GENERAL NOTES

- Approval of a site plan by the City of Midland may be required before this lot may be developed and before a building permit may be obtained.
- Selling a portion of this subdivision by metes and bounds may be a violation of city ordinance and state law subject to fines and withholding of utilities and building permits.
- Bearings and distances shown on this plat are relative to the Texas Coordinate System, NAD 83 with Combined Grid Factor of 0.9998463 and a True Angle of 0.005517". Coordinates are based on the City of Midland Control Monument as published in U.S. Survey Fee as provided by the City of Midland.

PLAY FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CABINET
DATE _____ PAGE _____



COONEY ADDITION
September 18, 2023
LCA ENVIRONMENTAL CIVIL ENGINEERING - LAND SURVEYING
521 North Texas, Odessa Tx. 79761 F-001363 F-10031300
Phone: (432) 332-5038 E-Mail: lca@landodessa.com

OWNER'S CERTIFICATE:

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, ACME PLUS, LLC IS THE RECORD OWNER OF THAT CERTAIN CALLED 4.23-ACRE TRACT OF LAND LOCATED IN SECTION 22, BLOCK 39, T-2-S, T&P RR. CO. SURVEY, MIDLAND COUNTY TEXAS AS DESCRIBED IN DOCUMENT NO. 2914-1840 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

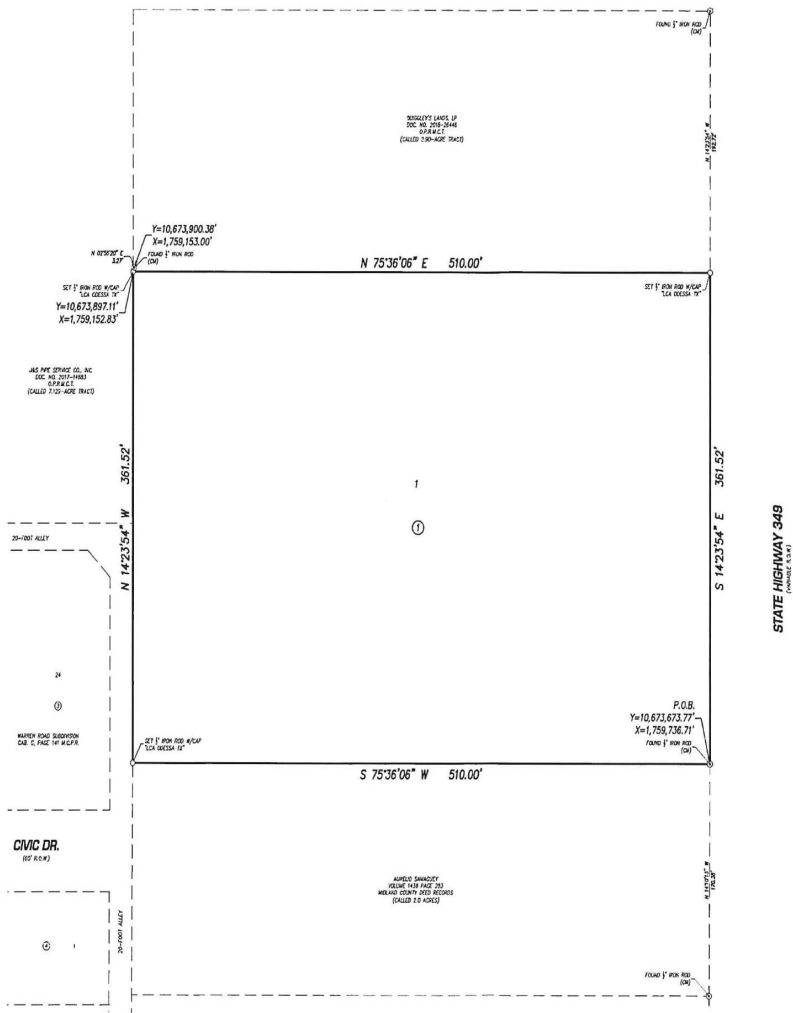
BEGINNING AT (Y= 10,673,673.77' & X= 1,759,736.71') A 1/2" IRON ROD (CONTROL MONUMENT) FOUND AT THE SOUTHEAST CORNER OF SAID 4.23-ACRE TRACT ON THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 349 AND THE NORTHEAST CORNER OF THAT CERTAIN CALLED 2.00-ACRE TRACT AS DESCRIBED IN VOLUME 1439 PAGE 283 OF THE MIDLAND COUNTY DEED RECORDS, WHENCE A 1/2" IRON ROD (CONTROL MONUMENT) FOUND AT THE SOUTHEAST CORNER OF SAID 2.00-ACRE TRACT BEARS SOUTH 14°10'12" EAST, A DISTANCE OF 170.38 FEET;

THENCE SOUTH 75°36'06" WEST WITH THE NORTH LINE OF SAID CALLED 2.00-ACRE TRACT, A DISTANCE OF 510.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET FOR THE SOUTHWEST CORNER OF THIS TRACT ON THE EAST LINE OF A 20-FOOT ALLEY AS DESCRIBED ON THE WARREN ROAD SUBDIVISION PLAT RECORDED IN CABINET C, PAGE 141 OF THE MIDLAND COUNTY PLAT RECORDS;

THENCE NORTH 14°23'54" WEST WITH THE EAST LINE OF SAID 20-FOOT ALLEY, PASS THE NORTHEAST CORNER OF SAID WARREN ROAD SUBDIVISION AT 176.3 FEET, CONTINUING WITH THE EAST LINE OF THAT CERTAIN CALLED 7.139-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2017-14883 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS, FOR A TOTAL DISTANCE OF 361.52 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTHWEST CORNER OF THIS TRACT, WHENCE A FOUND 1/2" IRON ROD (CALLED FOR & CONTROL MONUMENT) BEARS NORTH 02°59'23" EAST, A DISTANCE OF 3.27 FEET;

THENCE NORTH 75°36'06" EAST WITH THE SOUTH LINE OF THAT CERTAIN CALLED 2.00-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2018-26448 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS, A DISTANCE OF 510.00 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET FOR THE NORTHEAST CORNER OF THIS TRACT ON THE WEST RIGHT-OF-WAY OF SAID S. STATE HIGHWAY 349, WHENCE A 1/2" IRON ROD (CONTROL MONUMENT) FOUND AT THE NORTHEAST CORNER OF SAID 2.00-ACRE TRACT BEARS NORTH 14°23'55" WEST, A DISTANCE OF 192.72 FEET;

THENCE SOUTH 14°23'55" EAST WITH THE WEST RIGHT-OF-WAY OF SAID S. STATE HIGHWAY 349, A DISTANCE OF 361.52 FEET TO THE POINT OF THE BEGINNING CONTAINING 4.23 SURFACE ACRES.



THE UTILITY COMPANIES CERTIFICATE

This plat has been checked for accessibility of utilities

AT&T ENERGY AT&T TELEPHONE COMPANY

ONCOR ELECTRIC SUDDEEN/JNA COMMUNICATIONS

GRANDE COMMUNICATIONS

CERTIFICATE OF APPROVAL

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

SIGNED: _____
CHAIRMAN OF PLANNING & ZONING
LUCY SISNEGA

SIGNED: _____
SECRETARY OF PLANNING & ZONING
ELIZABETH SHAUGHNESSY

PACKET



Preliminary Plat Application

LCA Job #

Project Number: SUB 12-0502

Case Number: _____

Proposed Subdivision Plat Name: Cooney Addition**Legal Description (attached sealed Metes and Bounds):**

Being a 4.23 Acre tract of land located in the Northeast/4 of Section 22, Block 39, T-2-S, T&P RR.
Co. Survey Midland County, Texas.

Property Owner

Printed Name: ACME Plus, LLC / Stephen Cooney

Phone ()

Email

Address 4610 S. State Hwy 349

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: Landgraf, Crutcher & Associates

Phone (432) 332-5058

Email lca@lcaodessa.com

Printed Name: LCA

Address 521 N. Texas Avenue

City

Odessa

State TX

Zip

79761

Current Zoning: Not zoned**Reason for Platting:** Septic Permit needed**Plat Information**

Total Acreage: 4.23

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

Number of Residential 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 AgreementDo you expect to request a development agreement with the City? ☐ Yes ☒ No

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

Provisions

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 10th day of August, 20 22, to certify which witness my hand and seal of office.



Melanie Martinez

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # 41551

Received By: Daniel Humbert

Date: 8 29 23

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☒ 1 Copy of Plat (11x17)	☒ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>41551</u>	☒ Tax Certificates	Check # <u>41552</u>

Received By: Daniel Humber

Date: 8 22 23

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



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
521 North Texas
Odessa, Texas 79761
(432) 332-5058 • 580-8812
FAX (432) 332-8812

LETTER OF TRANSMITTAL

TO: City of Midland- Planning 300 N. Loraine Midland, Texas 79701	DATE: 8/21/23	JOB NO. 22-037
	ATTENTION: Mr. Jeff Fisher	
	RE: Cooney Addition	
	☒ Delivered ☐ Picked Up ☐ Mailed	

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

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

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

COPIES	DATE	NO.	DESCRIPTION
1			Final Application & Fee
2			Folded Copy of Plat
1			11X17 copy of plat
1			Digital files via email
1			Authorization Letter
1			Tax Certificate
1			Title Opinion

THESE ARE TRANSMITTED as checked below:

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

REMARKS:

COPY TO: File

SIGNED: _____

Melanie Martinez



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
521 North Texas
Odessa, Texas 79761
(432) 332-5058 • 580-8812
FAX (432) 332-8812

LETTER OF TRANSMITTAL

TO: City of Midland- Planning 300 N. Loraine Midland, Texas 79701	DATE: 8/10/22	JOB NO. 22-037
	ATTENTION: Elizabeth Shaughnessy	
	RE: Cooney Addition	
	☒ Delivered ☐ Picked Up ☐ Mailed	

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

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

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

COPIES	DATE	NO.	DESCRIPTION
1			Preliminary Application & Fee
1			Folded Copy of Plat
1			11X17 copy of plat
1			Digital files via email
1			Authorization Letter

THESE ARE TRANSMITTED as checked below:

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

REMARKS:

COPY TO: File

SIGNED: _____

Melanie Martinez

9 August 2022

City of Midland- Planning Department
Attn: Elizabeth Shaughnessy
300 N. Loraine
Midland, Texas 79702

To whom it may concern:

I/We ACME PLUS, LLC / Stephen Cooney, authorize LCA to act as our agent for the platting/zoning purposes regarding our project Cooney Addition. As Client we consent to LCA signing all applications and/or needed documentation, receiving all comments and/or needed information and representing me/us at any all hearings for the duration of this project.

Sincerely,


Stephen Cooney

By: Stephen Cooney
Company: ACME PLUS, LLC

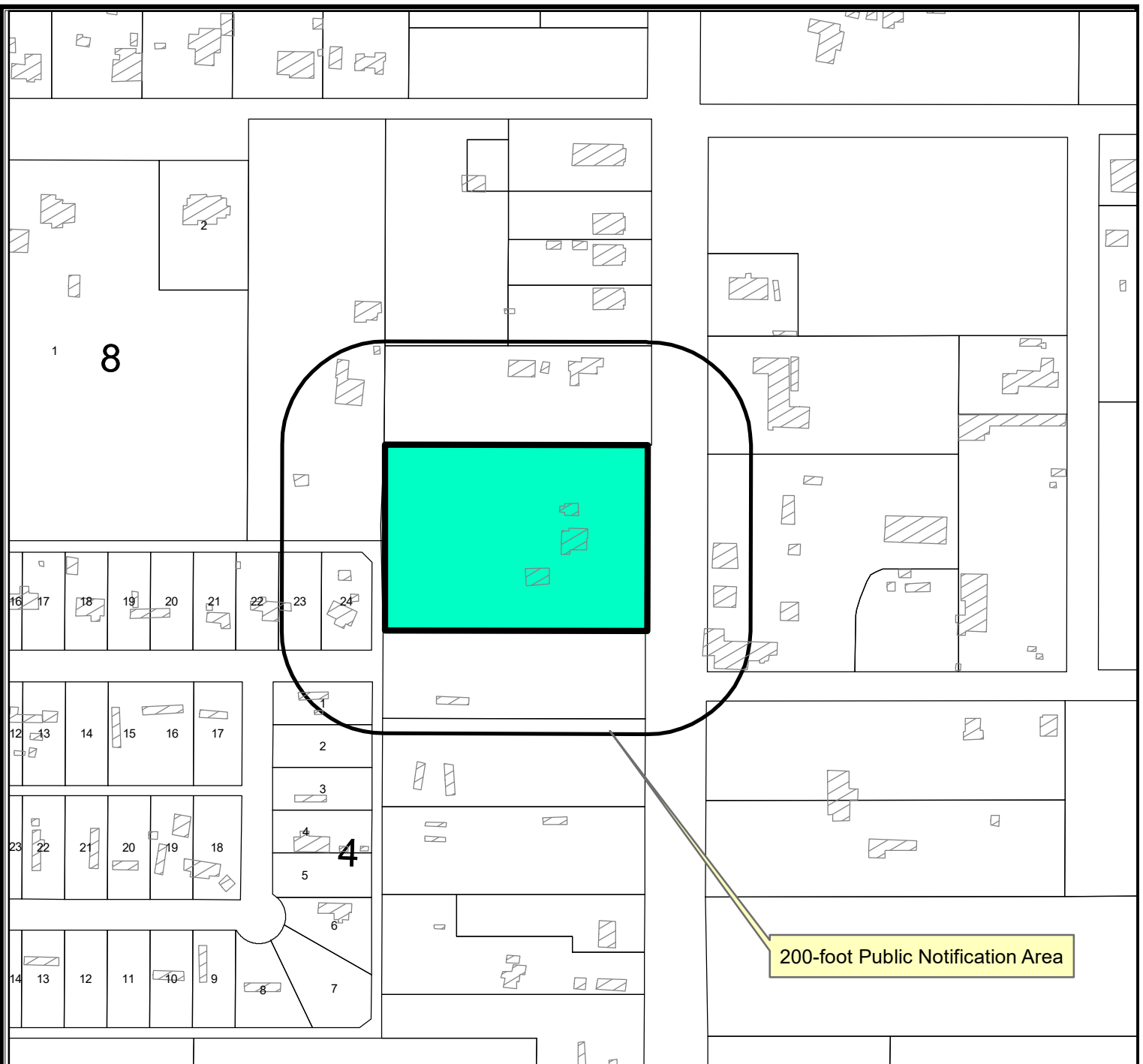
STATE OF TEXAS §
COUNTY OF MIDLAND §

BEFORE ME, the undersigned authority, on this day personally appeared Stephen Cooney, 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 the said ACME PLUS, LLC for the purposes and consideration therein expressed and in the capacity therein stated.

August, A.D., 2022, GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of


Notary Public in and for the State of Texas
My Commission Expires: 12-09-2022





LOCATION MAP

SUD-22-0502

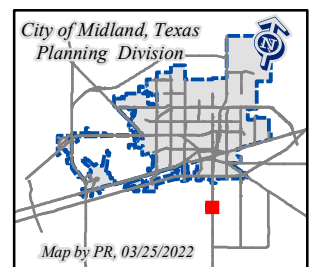
Scale: 1" = 200'

Consider a proposed plat of Cooney Addition, being a plat of a 4.23 acre tract of land out of the NE/4 of Section 22, Block 39, T-2-S, T&P Co. Survey, County of Midland, Texas.

Generally located on the west side of S Highway 349 & 635 feet south of W. County Road 130.
(Extra Territorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



Planning and Zoning
Commission

Approved for
Agenda:
Jeffrey Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a request for a 30-Day Extension request for a Final Plat of Southwest Crossing, Section 20, being a Plat of a 60.008-acre tract of land out of Section 14, Block 40, T-2-S, T & P. R.R. Co. Survey, County of Midland, Texas. (Generally located 500-feet west of the intersection of South County Road 1239 and West County Road 122) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Watson Professional Group, is requesting to plat a 60.008-acre tract of land out of Section 14, Block 40, T-2-S, T & P. R.R. Co. Survey, County of Midland, Texas, for future development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Analysis:

The final plat was submitted on August 21, 2023. The applicant is requesting a 30-Day Extension, as permitted under House Bill 3167, to allow for the submission and approval of a drainage report. The Planning & Zoning Commission has the authority to approve or deny a one-time 30-Day Extension request. Should the Planning & Zoning Commission grant the extension, this item will be placed on either the October 2, or October 16, 2023, Planning & Zoning Commission meeting agenda for either approval or disapproval; depending on the applicant's ability to satisfy all of Staff's comments.

Attachments:

30-Extension Request

Final Plat

Application

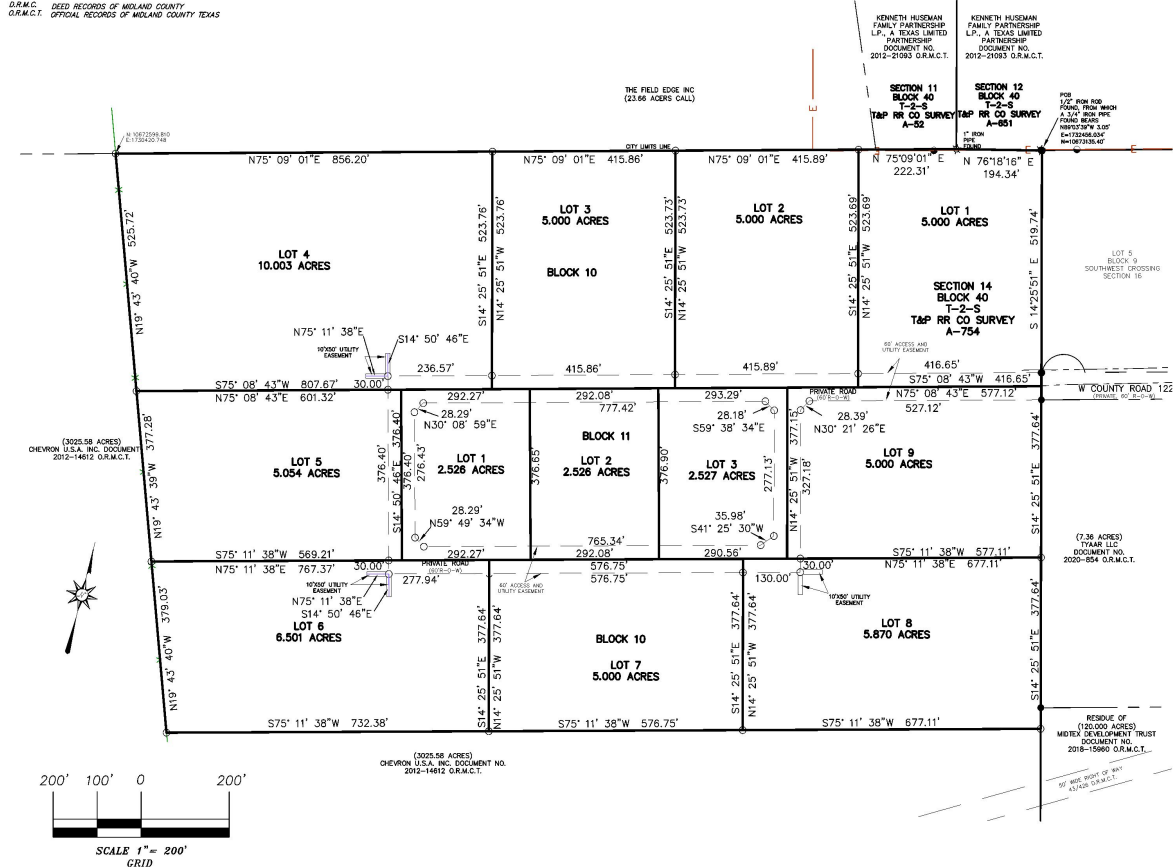
Maps

SOUTHWEST CROSSING, SECTION 20

Being a plat of a 60.008-acre tract of land out of the
Section 14, Block 40, T-2-S, T & P R.R. Co. Survey, County of Midland, Texas.

LEGEND
X IRON PIPE FOUND
O IRON ROD W/ CAP SET
P POWER POLE
● IRON ROD FOUND
--- DENOTES PROPOSED SUBDIVISION LINE
--- DENOTES ADJACENT PROPERTIES
--- DENOTES EXISTING ROAD
--- DENOTES EXISTING EASEMENT
--- DENOTES EXISTING FENCE
--- DENOTES OVERHEAD ELECT. LINE
D.M.C. DEED RECORDS OF MIDLAND COUNTY
D.M.C.T. OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS

OWNERS: DTA INVESTMENT TRUST
EXECUTOR: BILL PHILLIPS
455 MACKENZIE AVE.
CANYON CITY, CO 81212
LOT 4, BLOCK 10 OWNER,
TRIPOD DEVELOPMENTS, LLC
JESUS LOZOYA
(432) 530-1261



ACKNOWLEDGEMENT
STATE OF TEXAS }
COUNTY OF MIDLAND }

Before me, the undersigned authority, on this day personally appeared DTA INVESTMENT TRUST EXECUTOR, BILL PHILLIPS, AND TRIPOD DEVELOPMENTS, LLC EXECUTOR, JESUS LOZOYA, are known to me to be the people whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

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

Notary Public in and for the State of Texas

Printed name of Notary _____
My commission expires: _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, DTA INVESTMENT TRUST are the record owners of a 50.005 acre tract of land, being out of Section 14, Block 40, T-2-S, T & P R.R. Co. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, EXECUTOR, BILL PHILLIPS do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 20", 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.

BILL PHILLIPS _____ Date _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, TRIPOD DEVELOPMENTS, LLC are the record owners of a 10.003 acre tract of land, known as "SOUTHWEST CROSSING, SECTION 20", being out of Section 14, Block 40, T-2-S, T & P R.R. Co. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, JESUS LOZOYA, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 20", 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.

JESUS LOZOYA _____ Date _____

CERTIFICATE OF APPROVAL
STATE OF TEXAS }
COUNTY OF MIDLAND }

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 20" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of _____, 2023, A.D.

LUCY SISNEGA, CHAIRMAN

JEFF FISHER, SECRETARY

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: 2/13/23

Albert E. Fuller
REGISTERED PROFESSIONAL LAND SURVEYOR
#4942



UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Mark Lieb
ATMOS ENERGY
BY: Vincent Gonzalez
Luis Montez
OPT: Luis Montez

Ruben Guerra
ASTOUND BROADBAND
BY: Ruben Guerra

Martin Arguello
ONCOR ELECTRIC DELIVERY
BY: Martin Arguello

NOTE:

- Bearings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983.
- 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 WITHDRAWAL OF UTILITIES AND BUILDING PERMITS.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329C0200F WITH A REVISED DATE OF SEPTEMBER 18, 2005.
- MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.
- 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.

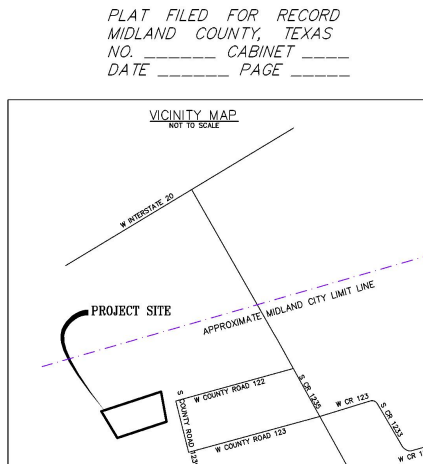


P.O. DRAWER 11186
MIDLAND, TEXAS 79702
(432) 520-9200
FAX (432) 520-9212
FIRM#1014690

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 22-0043-00
FILE: S:MIDLAND/15 ACRE SUB/ SW CROSSING.DWG

PACKET V. 0





Final Plat Application

Project Number: SUB-22-0539
Case Number: P-23-1765

Proposed Subdivision Plat Name: **SOUTHWEST CROSSING, SECTION 20**

Legal Description (attached sealed Metes and Bounds): Being a plat of a 60.008-acre tract of land out of the Section 14, Block 40, T-2-S, T & P. R.R. Co. Survey, County of Midland, Texas.

Property Owner

Printed Name: DTA INVESTMENT TRUST & TRIPOD DEVELOPMENTS, LLC

Phone (719) 240-4979

Email tylshepard@gmail.com

Address 455 Mackenzie Ave

City Canon City

State CO

Zip 81212

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Watson Professional Group Inc.

Printed Name: Dana Canul

Phone (432) 520-9200

Email

dcanul@wpg-us.com

Address PO BOX DRAWER 11186

City Midland

State TX

Zip 79702

Current Zoning:

Reason for Platting: Ownership

Plat Information

Total Acreage: 60.008

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 12

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

[Signature]

Bill Phillips

Date: 08/15/23

Property Owner (printed):

Jesus Lozoya

Bill Phillips

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 Dana Covel who, being by me duly sworn, upon oath says: That (s)he is authorized by Jesus Lozoya & Bill Phillips 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 15 day of August, 20 23, 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)

☐ Mylar

☒ 1 Copy of Plat (11x17)

☐ CADD File

☐ Application Fee

☒ Title Opinion

☐ Public Improvement

Check # _____

☒ Tax Certificates

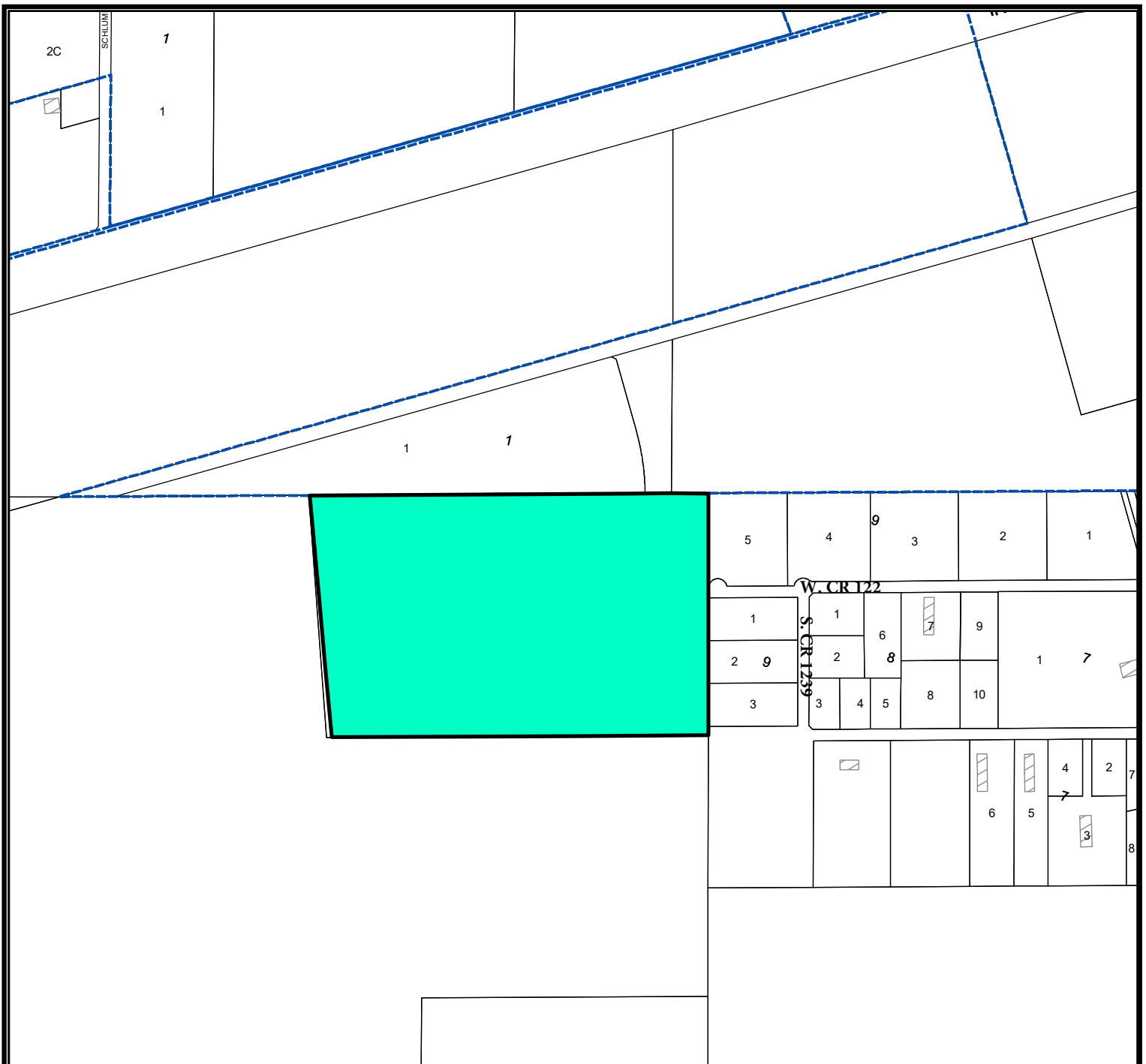
☐ Recording Fee

Check # _____

Received By: _____

Date: _____

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



LOCATION MAP

P-22-1494

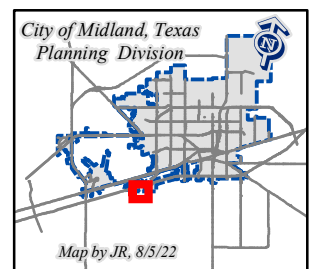
Scale: 1" = 200'

Proposed Plat of Southwest Crossing, Section 20, being a Plat of a 60.008-acre tract of land out of Section 14, Block 40, T-2-S, T&P RR Co. Survey, County of Midland, Texas.

Generally located 500-feet west of the intersection of South County Road 1239 and West County Road 122.
(District: none)

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:
Jeffrey Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a request for a 30-Day Extension request for a Final Plat of Southwest Crossing, Section 21, being a Plat of an 10.535-acre tract of land out of Section 13, Block 40, T-2-S, T & P. R.R. Co. Survey, Midland County, Texas. (Generally located on the intersection of South County Road 1235 and West County Road 122) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Watson Professional Group, is requesting to plat a 10.535-acre tract of land out of Section 13, Block 40, T-2-S, T & P. R.R. Co. Survey, Midland County, Texas, for future development.

Current Zoning:

Extraterritorial Jurisdiction.

Analysis:

The subject final plat was submitted on August 22, 2023. The applicant is requesting a 30-Day Extension, as permitted under House Bill 3167, to allow for the submission and approval of a drainage report. The Planning & Zoning Commission has the authority to approve or deny a one-time 30-Day Extension request. Should the Planning & Zoning Commission grant the extension, this item will be placed on the October 2, or October 16, 2023, Planning & Zoning Commission meeting agenda for either approval or disapproval; depending on the applicant's ability to satisfy all of Staff's comments.

Attachments:

30-Extension Request
Application
Maps

SOUTHWEST CROSSING, SECTION 21

Being a plat of a 10.535-acre tract of land out of the Section 13,
Block 40, T-2-S, T & P R.R. Co. Survey, Midland County, Texas.

LEGEND
○ IRON ROD W/ CAP SET
● IRON ROD FOUND
— POWER POLE
— DENOTES PROPOSED OVERHEAD ELEC. LINE
— DENOTES PROPOSED SUBDIVISION LINE
— DENOTES ADJACENT PROPERTIES
— DENOTES EXISTING ROAD
— DENOTES EXISTING EASEMENT
— DENOTES EXISTING FENCE
— DENOTES EXISTING DIRT ROAD
D.R.M.C. = DEED RECORDS OF MIDLAND COUNTY
O.R.M.C. = OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS

OWNERS: MIDLAND 1235 INVESTMENT TRUST
FARAH N. IRVIN-MATOTT
PO BOX 53714
MIDLAND, TX 79710

(67.62 ACRES)
KENNETH HUSEMAN FAM PTSHIP LP

SECTION 12
BLOCK 40
T-2-S
T&P RR CO SURVEY
A-651

SECTION 7
BLOCK 39
T-2-S
T&P RR CO SURVEY
A-61

SECTION 13
BLOCK 40
T-2-S
T&P RR CO SURVEY
A-53

SECTION 18
BLOCK 39
T-2-S
T&P RR CO SURVEY
A-447

OWNER'S CERTIFICATE
THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, FARAH N. IRVIN-MATOTT is the record owner of a 10.535-acre tract of land, being out of Section 13, Block 40, T-2-S, T & P R.R. Co. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, FARAH N. IRVIN-MATOTT, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 21", 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.

FARAH N. IRVIN-MATOTT Date

ACKNOWLEDGEMENT
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared FARAH N. IRVIN-MATOTT, 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 ____, 2023, A.D.

Notary Public in and for the State of Texas

Printed name of Notary
My commission expires: _____

CERTIFICATE OF APPROVAL
STATE OF TEXAS
COUNTY OF MIDLAND

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 21" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of ____, 2023, A.D.

LUCY SISNEGA, CHAIRMAN

JEFF FISHER, SECRETARY

NOTE:

- Bearings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329021E, 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.
- 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.

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

Mark Lieb
AT&T
BY: MARK LIEB

Vincent Gonzalez
AT&T
BY: Vincent Gonzalez

Luis Montez
OPTIMUS
BY: Luis Montez

Ruben Guerra
ASTOUND BROADBAND
BY: Ruben Guerra

Jeffrey R. Henderson
ONCOR ELECTRIC DELIVERY
BY: Jeffrey R. Henderson

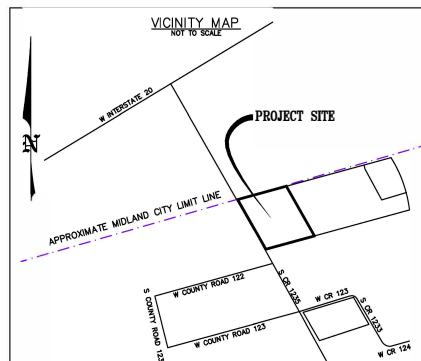


SURVEYOR'S CERTIFICATE

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: 2/13/23 rev. 9/13/2023

Albert E. Fuller
ALBERT E. FULLER
REGISTERED PROFESSIONAL LAND SURVEYOR
#14942



P.O. DRAWER 11186
MIDLAND, TEXAS 79702
(432) 520-9200
FAX (432) 520-9212
FIRM#1014690

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 22-0021-00
FILE: S:MIDLAND/15 ACRE SUB/ SW CROSSING.OWG



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: SOUTHWEST CROSSING, SECTION 21**Legal Description (attached sealed Metes and Bounds):** Being a plat of a 10.535-acre tract of land out of the Section 13, Block 40, T-2-S, T & P. R.R. Co. Survey, Midland County, Texas.**Property Owner**

Printed Name: Midland 1235 Investment Trust

Phone (432) 703-0404

Email
Farah.Trustee@magacfm2017trust.com

Address PO BOX 53714

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: Watson Professional Group, Inc.

Printed Name: Dana Canul

Phone (432) 520-9200

Email
dcanul@wpg-us.com

Address PO BOX DRAWER 11186

City Midland

State TX

Zip 79702

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

Total Acreage: 10.535

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): Farah N Irvin-Matott, Trustee Date: August 17, 2023
Property Owner (printed): Farah N Irvin-Matott, Trustee

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.

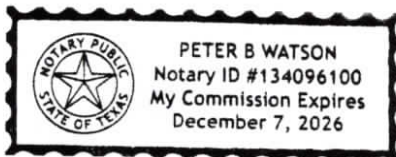
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Dana Carol who, being by me duly sworn, upon oath says: That (s)he is authorized by Farah N Irvin-Matott, Trustee 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.

Dana Carol

Authorized Agent (signature)

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

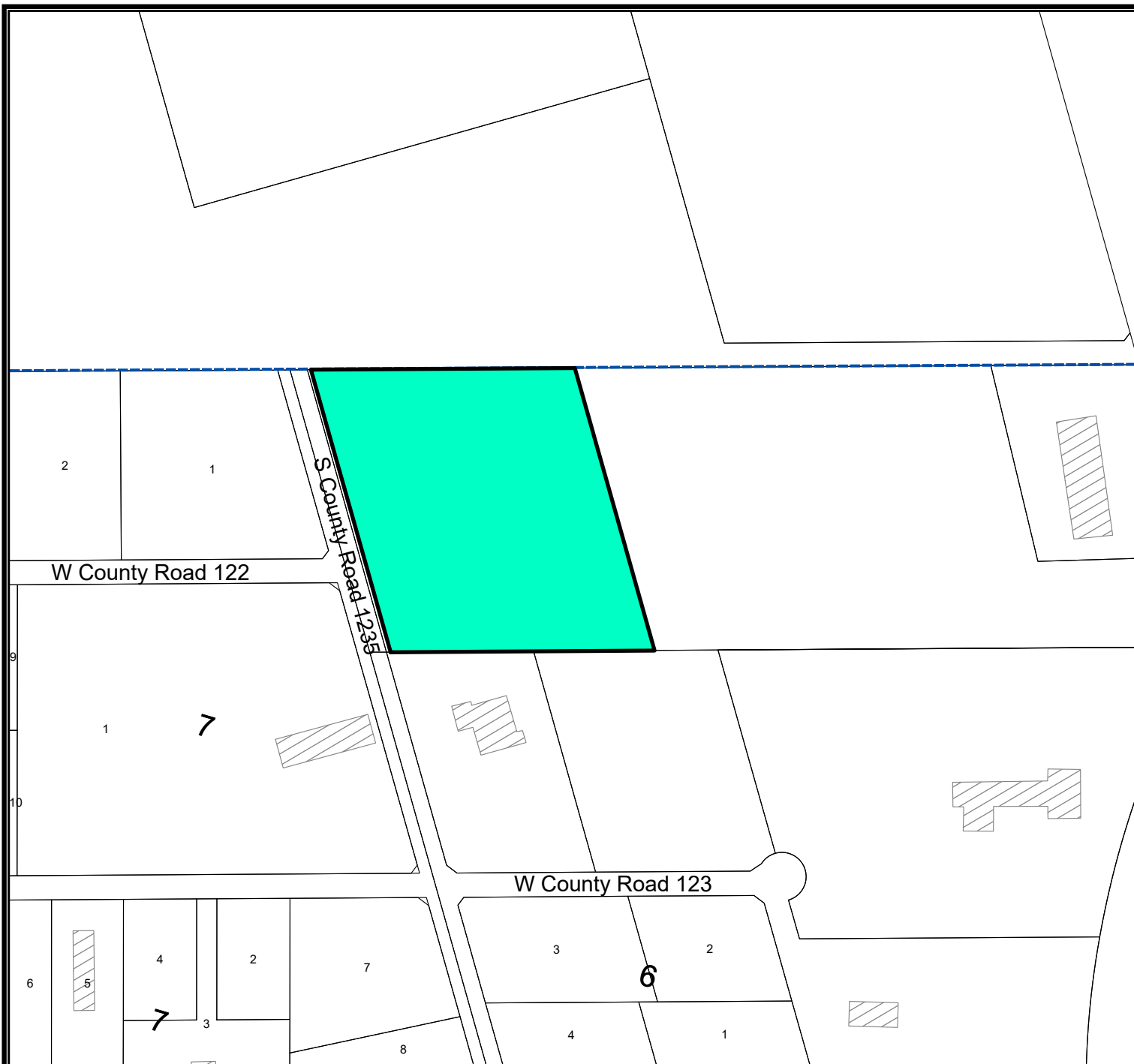
FOR OFFICE USE ONLY

- | | | |
|--|--|--|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☐ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☐ Public Improvement |
| Check # <u>11543</u> | ☐ Tax Certificates | ☐ Recording Fee |
| | | Check # <u>11542</u> |

Received By: Daniel Humbert

Date: 8 22 23

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



LOCATION MAP

SUB-22-0538

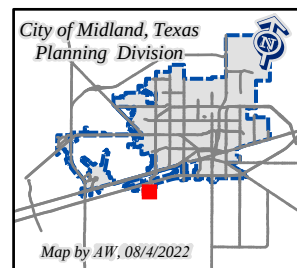
Scale: 1" = 200'

Proposed plat of Southwest Crossing, Section 21, being a Plat of an 10.535-acre tract of land out of Section 13, Block 40, T-2-S, T & P. R.R. Co. Survey, Midland County, Texas.

Generally located on the intersection of South County Road 1235 and West County Road 122.(District: none)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Planning Manager

SUBJECT: Consider a request by Permian Basin Behavioral Health Center for an Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients, on a 54.008-acre tract of land located in Section 42, Block 40, T-1-S, T&P RR. CO Survey, Midland County, Texas (Generally located approximately 1,550-feet south of State Highway 191 and approximately 1,725-feet east of North Farm-To-Market 1788) (COUNCIL DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Permian Basin Behavioral Health Center is requesting a Specific Use Designation (SUDwo) without Term for an Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Surrounding Zoning and Land Use:

The property to the north is zoned RR, Regional Retail, and the location of the UTPB Engineering Campus. The properties to the east, south, and west, and are outside the City Limits in the City's Extraterritorial Jurisdiction and are vacant.

Analysis:

The applicant, Permian Basin Behavioral Health Center, is requesting for the initial zoning of annexed land to RR, Regional Retail District for future development.

The future zoning of RR, Regional Retail District, permits an Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients with the approval of an SUDwo.

The site plan (Exhibit A) provided shows the property and associated existing buildings.

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

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

No issues.

Fire: (Approved)

No objections.

Oil and Gas: (Approved)

No objections.

Planning: (Approved)

The property is located outside of the Tall City Tomorrow Comprehensive Plan boundary. An initial zoning of RR, Regional Retail is appropriate as the property is immediately adjacent to the UTPB Engineering Campus also zoned RR and an extension of the State Highway 191 commercial corridor already zoned RR. The proposed behavioral health inpatient facility is compatible with the UTPB Campus which is also an institutional use.

Staff recommends approval of the request of the Specific Use Designation without Term for an Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients, subject to Condition.

Letters of Objection:

As of September 13, 2023, staff has received no letters of objection for this request.

Condition:

- A. That the use and development of the Property for the Specific Use shall significantly conform to the site plan, which is attached hereto as Exhibit "A" and incorporated herein for all purposes.**

Attachments:

Site Plan (Exhibit A)
Renderings (Illustrative Purpose Only)
Application
Maps

UTILITY NOTES.

1. THE EXISTING UTILITIES SHOWN ON THE PLANS WERE COMPILED FROM VARIOUS SOURCES AND ARE INTENDED TO SHOW THE GENERAL EXISTENCE AND LOCATION OF UTILITIES IN THE AREA OF CONSTRUCTION.

2. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE UTILITY INFORMATION SHOWN ON THE PLANS.

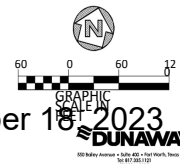
3. THE CONTRACTOR SHALL CONTACT A UTILITY LOCATING SERVICE 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES AND DETERMINE IF THERE ARE ANY CONFLICTS WITH THE PROPOSED FACILITIES. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY WHEN CONFLICTS WITH EXISTING UTILITIES ARE DISCOVERED.

BENCHMARK #:
BM104
BOX WITH "X" CUT ON CONCRETE ON THE EAST EDGE OF A CONCRETE
SIDEWALK, APPROXIMATELY 22 FEET NORTHEAST OF A ONE-STORY METAL
BUILDING AND APPROXIMATELY 72 FEET WEST OF A SANITARY SEWER
MANHOLE.
ELEVATION = 2,918.74'

[illegible]

PARKING SUMMARY TABLE	
TOTAL PROVIDED	689
ACCESSIBLE REQUIRED	14
ACCESSIBLE PROVIDED	16

NOT ES. PACKAGE FOR UTILITY IMPROVEMENTS ONLY. ALL GRADING AND SITE WORK IMPROVEMENTS OUTSIDE OF THE UTILITIES PACKAGE ARE PART OF A SEPARATE PACKAGE OR FUTURE ADDENDUM.





HOSPITAL + MEDICAL OFFICE MAIN ENTRANCE



INPATIENT UNIT | REAR VIEW



INPATIENT UNIT | COURTYARD



LARGE SHARED COURTYARD



REAR VIEW | GYMNASIUM



HOSPITAL MAIN LOBBY



INPATIENT UNIT | MILIEU



INPATIENT UNIT | PRIVATE PATIENT ROOM



**Specific Use Designation
Application (Non-Alcohol)**

Case Number: SUPW-23-0036
Ord. Number: _____

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

Printed Name: Russell Meyers

Phone (432)661-8000

Email

russellmeyers@midlandmemorialfoundation.org

Address PO Box 61950

City Midland

State TX

Zip 79705

Property Owner

Printed Name: Permian Basin Behavioral Health Center

Phone (432)661-8000

Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm: Dunaway

Printed Name: Tim Hair

Phone (432)699-4889

Email

thair@dunaway.com

Address 4000 N Big Spring Street Suite 101

City Midland

State TX

Zip 79705

Type of Permit: Mental Health Hospital

For Office Use Only

☐ with Term

☐ without Term

Is there any Code Enforcement action pending on property? ☐ Yes ☒ No

Street Address: Section 42, Block 40, T-1-S Midland County Texas

Legal Description

Lot:

Block:

Subdivision:

Current Zoning: N/A - Application in process - Regional Retail

Maximum Floor Area: 300934

Maximum Occupancy: 3402

Proposed hours and days of use or operation: Building will be in use 24 hours a day and 7 days a week.

Reason for request: New Behavioral Health Hospital and Outpatient Mental Health services

Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: This would increase access to mental health treatment and services for the region

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan showing
 - Parking (if applicable)
 - Building Footprint
- Digital Copies of Site Plan (PDF/JPEG)

Signatures	
Applicant (signature): <u><i>[Signature]</i></u>	Date: <u>8/7/23</u>
Applicant (printed): <u>Russell Meyers</u>	
Property Owner (signature): <u><i>[Signature]</i></u>	Date: <u>8/7/23</u>
Property Owner (printed): <u>Russell Meyers</u>	
<i>The Specific Use Designation shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.</i> <i>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.</i>	

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.

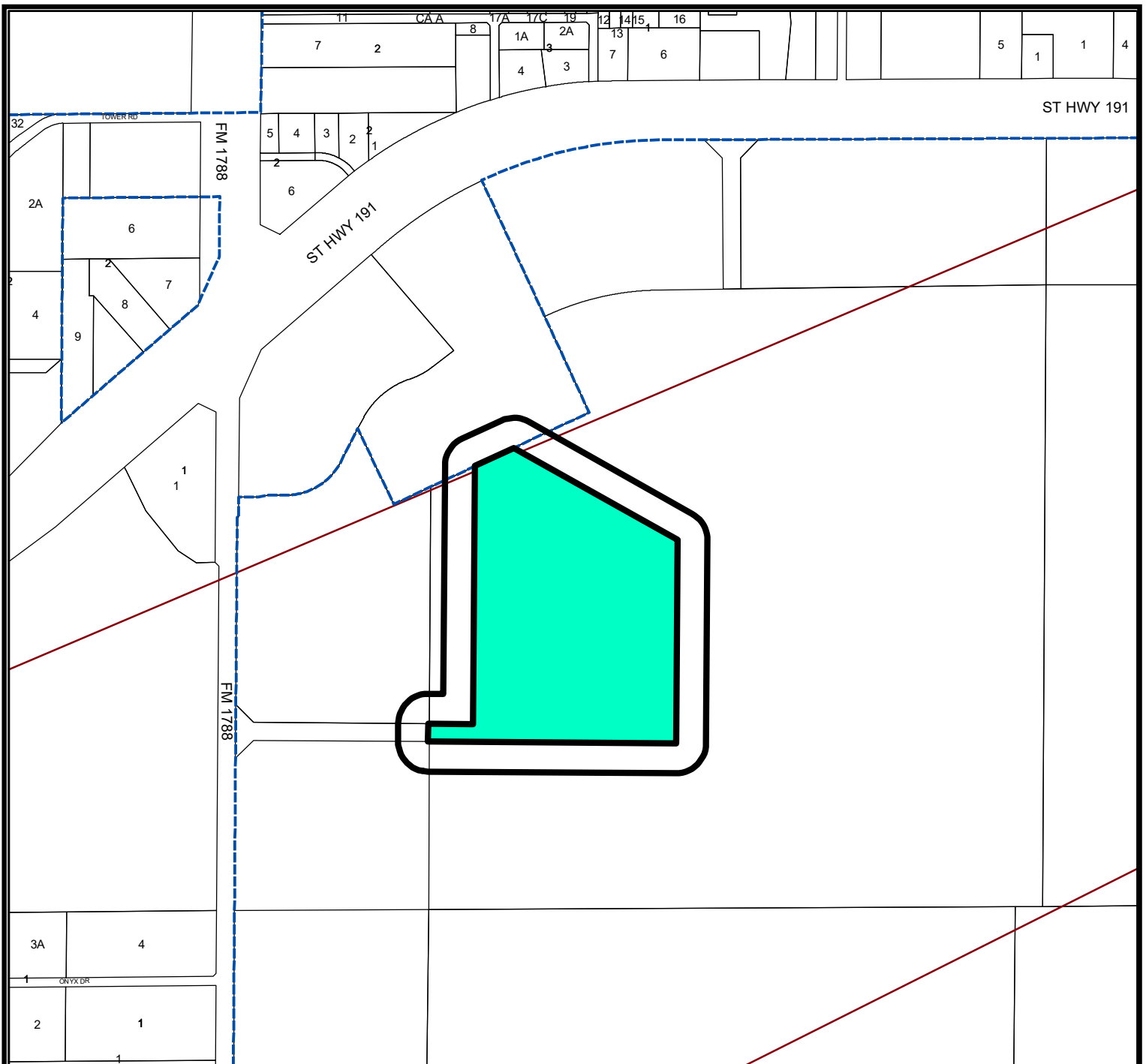
Authorized Agent (signature)

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 ☒ Application Fee Check # <u>paid</u>	☐ Dimensioned Site Plan ☐ Site Plan in Digital Format (PDF/JPEG)
Received By: <u>Jeff Fisher</u>	Date: <u>8-21-2023</u>

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



LOCATION MAP

SUDwo-23-0036

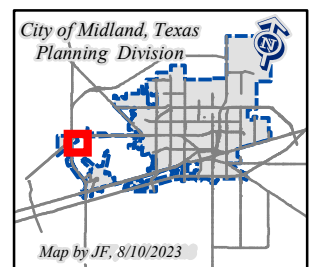
Scale: 1" = 200'

Consider a request by Permian Basin Behavioral Health Center for a Specific Use without term, for an Institution for the Care of Alcoholic, Psychiatric, or Narcotic Patients on a 54.008-acre tract of land located in Section 42, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas.

Generally located south of State Highway 191, approximately 1,725-feet east of North Farm-to-Market Road 1788. - (Extraterritorial Jurisdiction)

LEGEND

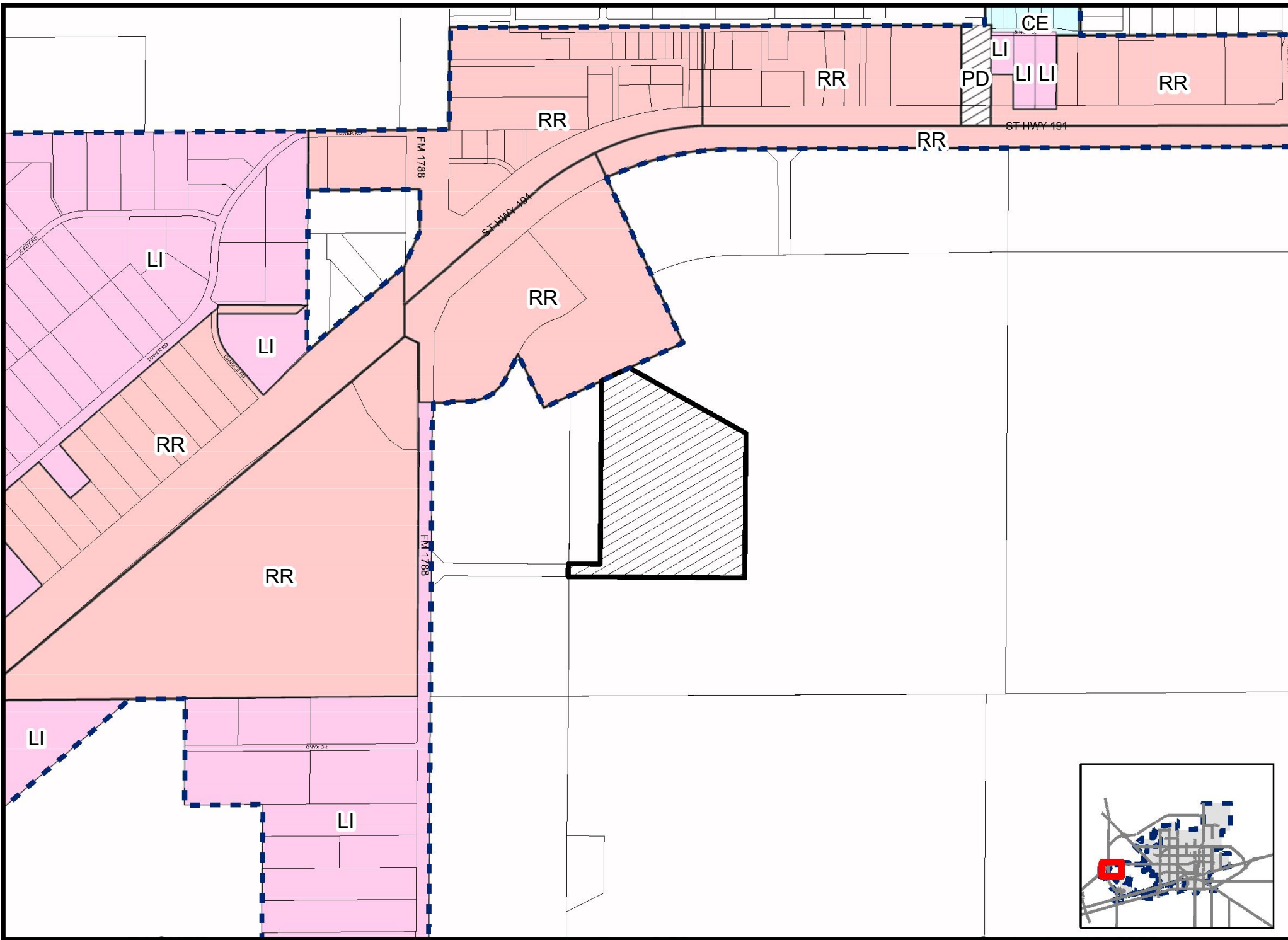
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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





Planning and Zoning Commission

Approved for Agenda:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions, a Preliminary Plat of Tahoe Lakes Addition, Section 5, being a Plat of a 4.29-acre tract of land located in Section 1, Block 39, T-2-S, T&P CO. Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of South Lamesa Road and Albert Avenue) (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 4.29-acre tract of land located in Section 1, Block 39, T-2-S, T&P Co. Survey, City and County of Midland, Texas, for future development.

Current Zoning:

RR, Regional Retail District.

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

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the .2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC No issues. requirements, the 2015

International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: S Lamesa Road okay as is. Albert Avenue okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 12" water line exists in S Lamesa Road west of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 8" sewer line exists in S Lamesa Road west of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Drainage letter is approved for plating purposes. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS: (Approved with Conditions)

For 20'x20' corner clip, if it is a ROW dedication please label as such. Legal description should mention Carol Crest (unrecorded). Legal description can say "Being a plat of Lots 1-26, and 0.566 acres all out of Carol Crest Addition (Unrecorded), Block 7, City and County of Midland Texas."

PLANNING: (Approved with Conditions)

At the final plat stage:

Provide the field notes on the plat face. [Informational]

The Acknowledgement should read, "This plat was acknowledged before me on (DATE) by (NAME OF OWNERS SIGNING ABOVE)." [Midland City Code 11-2-3(h)3(m)1]

The owner's certificate should say "...situated in.." instead of "...located in..". [Midland City Code 11-2-3(h)3(m)1]

Tahoe Lakes, Section 2 needs to be labeled on the plat. [Midland City Code 11-2-3(A)1(d)]

Staff recommends approval with staff's recommended conditions of the Preliminary Plat of Tahoe Lakes Addition, Section 5, subject to conditions A.

Condition:

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

Attachments:

Proposed Preliminary Plat
Application
Maps

Preliminary Plan
TAHOE LAKES ADDITION,
SECTION 5

BEING A PLAT OF A 4.29-ACRE TRACT OF
LAND LOCATED IN SECTION 1, BLOCK 39,
T-2-S, T & P, RR. CO. SURVEY, CITY AND
COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A 4.29 ACRE TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 1, BLOCK 39, T-2-S, T & P, RR CO SURVEY, MIDLAND COUNTY TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINAFORE DESCRIBED PROPERTY AS CITY
(\H0.5X;PRELIMINARY PLAN\PI\TAHOE LAKES ADDITION, SECTION 5, AN ADDITION TO THE CITY OF MIDLAND, AND DO
HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN
HEREON.

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

PERMIDEV LLC.

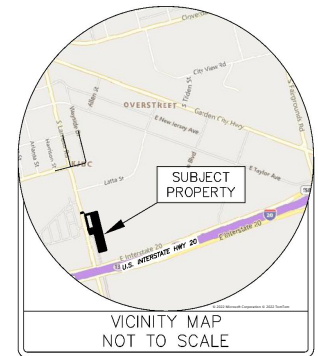
STATE OF TEXAS:
COUNTY OF MIDLAND:

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

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 4.29 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
6. THIS PROPERTY LIES IN ZONES "X" AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 48329-02060F WITH THE EFFECTIVE DATE OF SEPTEMBER, 16, 2005.



OWNER:

PERMIDEV, LLC
800 N. MARINEFELD, SUITE 100
MIDLAND, TX 79701
(501) 733-5019

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



September 18, 2023

TAHOE LAKES ADDITION, SECTION 5

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF TAHOE LAKES ADDITION, SECTION 5, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY JEFF FISHER

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

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.
RJ DAUM
TEXAS RPLS 4826



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

LEGEND

- PROPERTY CORNER
- X— WIRE FENCE
- ⊙ WATER WELL
- ⊙ POWER POLE
- LOT LINES
- ONE— OVERHEAD ELECTRIC
- PROPERTY LINE
- ⊠ TELEPHONE PEDESTAL
- ⊙ GAS METER
- ⊙ SEWER MANHOLE

GRAPHIC SCALE

0 300' 600'
(IN FEET)
1 inch = 300 ft.

Page 9 of 14

NO.	DATE	DESCRIPTION	BY	JOB NO.	CHECKED BY	DATE	DRAWN BY	DATE	DRAWING NO.	SHEET	OF
	9/7/23	Final Plan	ELA	78012	RJD	9/7/2023	EA/KDS	9/7/2023	78012	1	OF

TAHOE LAKES ADDITION, SECTION 5



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: *Tahoe Lakes Addition, Section 5*

Legal Description (attached sealed Metes and Bounds): *Being a plat of a 4.29 acre tract of land located in Section 1, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas*

Property Owner Printed Name: *Permidev, LLC*

Phone _____
Email *NA*

Address *800 N. Marenfeld, Suite 100*

City *Midland*

State *TX*

Zip *79701*

Developer (if different than Owner) Printed Name:

Phone () _____
Email _____

Address _____

City _____

State _____

Zip _____

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

Firm: *Schumann Engineering Co., Inc.*

Printed Name: *Eduardo L. Aleman*

Phone (432) *684-5548*

Email _____

ealeman@schumannonline.net

Address *800 N. Marienfeld Suite 100*

City *Midland*

State *TX*

Zip *79701*

Current Zoning: *Commercial*

Reason for Platting: *To combine into 1 Lot*

Plat Information

Total Acreage: *4.29*

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):

Date: 8-21-23

Property Owner (printed):

Jon Houston

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

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

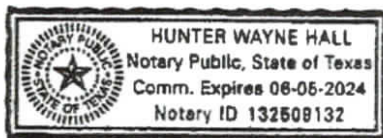
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Jon Houston, 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 21st day of August, 20 23 to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY☐ Property Owner Authorization☐ 1 Copy of Dimensioned Plat☐ Plat in Digital Format (PDF/JPEG)☐ Application Fee☐ 1 Copy of Plat (11x17)

Check # _____

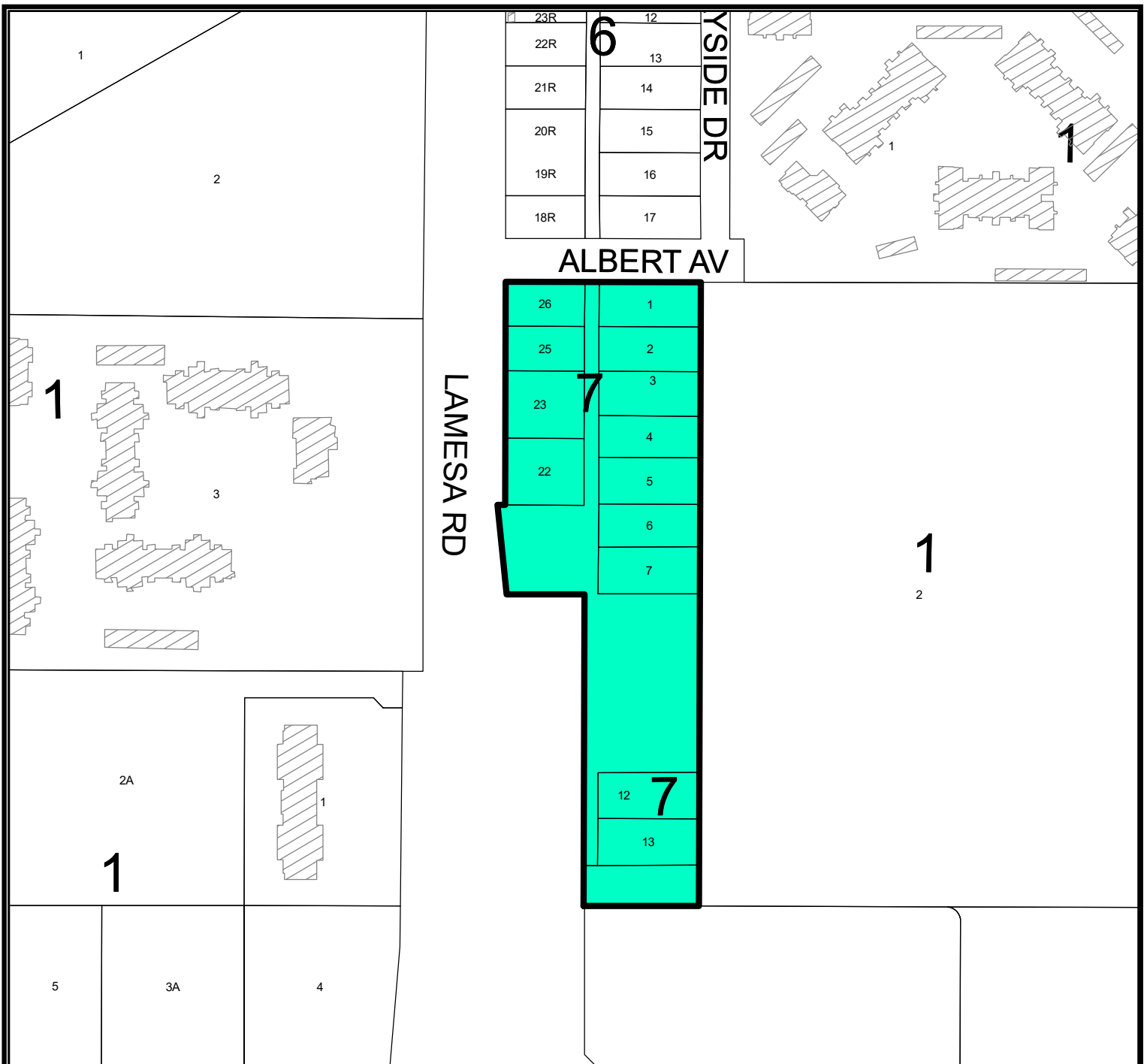
Received By:

Daniel Humbert

Date:

8-22-23

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



LOCATION MAP

SUB-21-0464

Scale: 1" = 200'

Proposed plat of Tahoe Lakes, Section 5, being a Plat of a 4.29-acre tract of land located in Section 1, Block 39, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of S. Lamesa Road and Albert Avenue. (Council District 2)

LEGEND

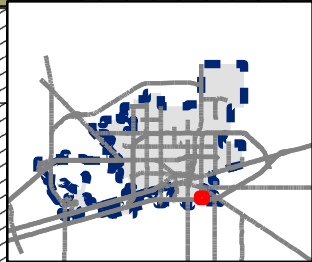
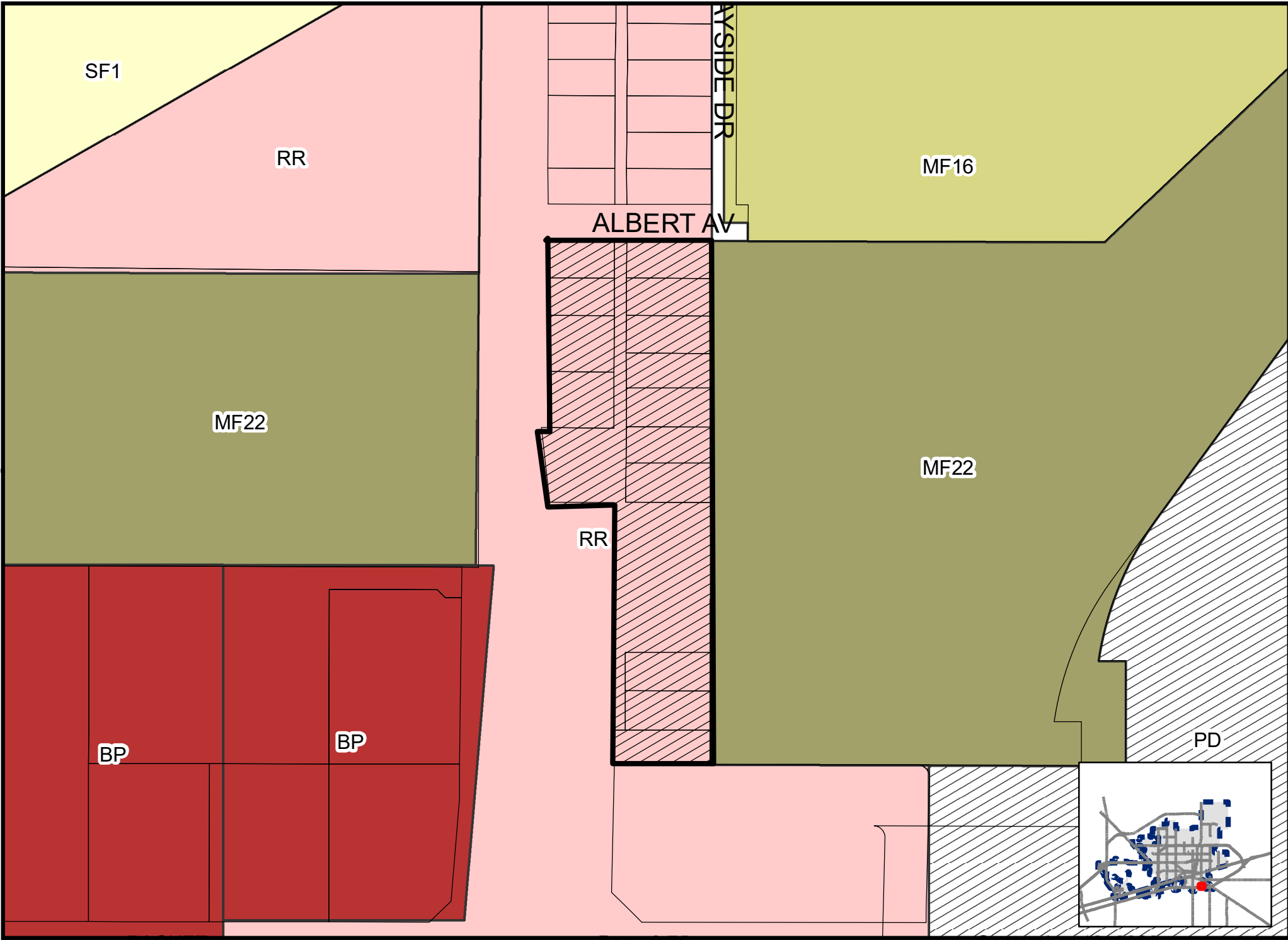
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Carrollwood Addition, Section 2, being a 31.58-tract of land out of the northeast quarter of Section 24, Block 40, T-2-S T&P RR CO. Survey, Midland County, Texas (Generally located on the east side of Antelope Trail, approximately 2,790-feet north of West Country Road 140) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Schumann Surveying, Inc. is requesting to plat the property into six lots for future development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ - No jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

ROW: Refer to transportation's comments for ROW. [For Applicant's Information Only.]

PAVING: Deferral request for paving improvements were administratively approved on 9/8/2023. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 9/8/2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements were administratively approved on 9/8/2023. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

Label width of rights-of-way adjacent to subject property. [Reference City Code Section 11-2-3(C), Section 11-2-3(D), or Section 11-2-3(H).] No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

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

GIS: (Approved with Conditions)

Block number should be depicted on plat visual. Block can be 2. In metes and bounds, the call describing the curve should have a direction of N27-9-9W. (currently shows S27-9-9W) Plat visual's calls should match metes and bounds. Distances for lots' lengths should be included on plat visual. In legal description "Proposed plat of Carrollwood Addition" is unnecessary.

Midland County Public Works:

Show lot frontage to ensure they meet regulations.

CRMWD:

No comments.

Midland County Health Department:

Yes, the health department will review applications from the 6 proposed lots of Carrollwood Addition, Section 2, PLAT OF A 31.5 ACRE TRACT OF LAND OUT OF THE NORTHEAST OF SECTION 24, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY each lot 1 is 4.9 acres, lot 2 is 4.9 acres, lot 3 is 4.9 acres, lot 4 is 4.9 acres, lot 5 is 3.8 acres, and lot 6 is 8 acres 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: (Approved with Conditions)

At the final plat stage:

Provide a title opinion.

Provide volume/page number of abutting property owners. [Informational]

Staff recommends approval of the Preliminary Plat of Carrollwood Addition, Section 2, subject to condition A.

Condition:

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

Attachments:

Preliminary Plat
Application
Maps

PROPOSED PLAT OF CARROLLWOOD ADDITION, BEING A 31.58 ACRE
TRACT OUT OF THE NORTHEAST QUARTER OF SECTION 24, BLOCK 40,
T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS

FIELD NOTE DESCRIPTION OF A 31.58 ACRE TRACT OF LAND, OUT OF THE NORTHEAST/4 OF SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS. SAID 31.58 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

THENCE NORTH 75°37'08" EAST 800.00 FEET TO THE PLACE OF BEGINNING.

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

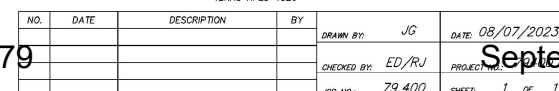
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2023, BY DAHLIA DEVELOPMENT, LLC

ATTEST: _____
SECRETARY JEFF FISHER

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

Office (432) 684-5548

8. ANY PERSON WHO DESIRES TO ERRECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE AOZ-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.



September 18, 2023

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET





Preliminary Plat Application

Project Number: SUB-250667

Case Number: _____

Proposed Subdivision Plat Name: CARROLLWOOD ADDITION, SECTION 2

Legal Description (attached sealed Metes and Bounds): PROPOSED PLAT OF CARROLLWOOD ADDITION, SECTION 2, BEING A 31.58 ACRE TRACT OF LAND OUT OF THE NORTHEAST QUARTER OF SECTION 24, BLOCK 40, T-2-S, T&P RR CO SURVEY MIDLAND COUNTY, TEXAS

Property Owner
Printed Name: DAHLIA DEVELOPMENT, LLC, Phone ()
Email NA
Address P.O. BOX 50910 City MIDLAND State TX Zip 79710-0910

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

Representative (if acting as Agent, see affidavit on page 2)
Firm: SCHUMANN SURVEYING, INC. Phone (432) 684-5548
Printed Name: EDUARDO ALEMAN Email ealeman@schumannonline.net
Address 800 N. MARENFIELD STREET City MIDLAND State TX Zip 79701

Current Zoning: _____

Reason for Platting: TO OBTAIN SEPTIC PERMITS AND ADDRESSES

Plat Information	Total Acreage: <u>31.58</u>
Type: ☐ Single-Family Residential ☒ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>6</u>	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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00
 For plats that exceed 24" \$81.00
 For related documents, \$26.00 for first page, \$4.00 for each additional page.

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

Property Owner (signature): [Signature] Date: 8/21/2023

Property Owner (printed): Reid Redmann

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

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

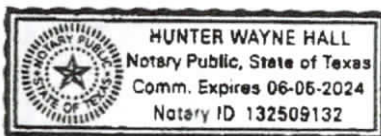
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below

STATE OF TEXAS
 COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Reid Redmann, 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 21st day of August, 20 23, to certify which witness my hand and seal of office

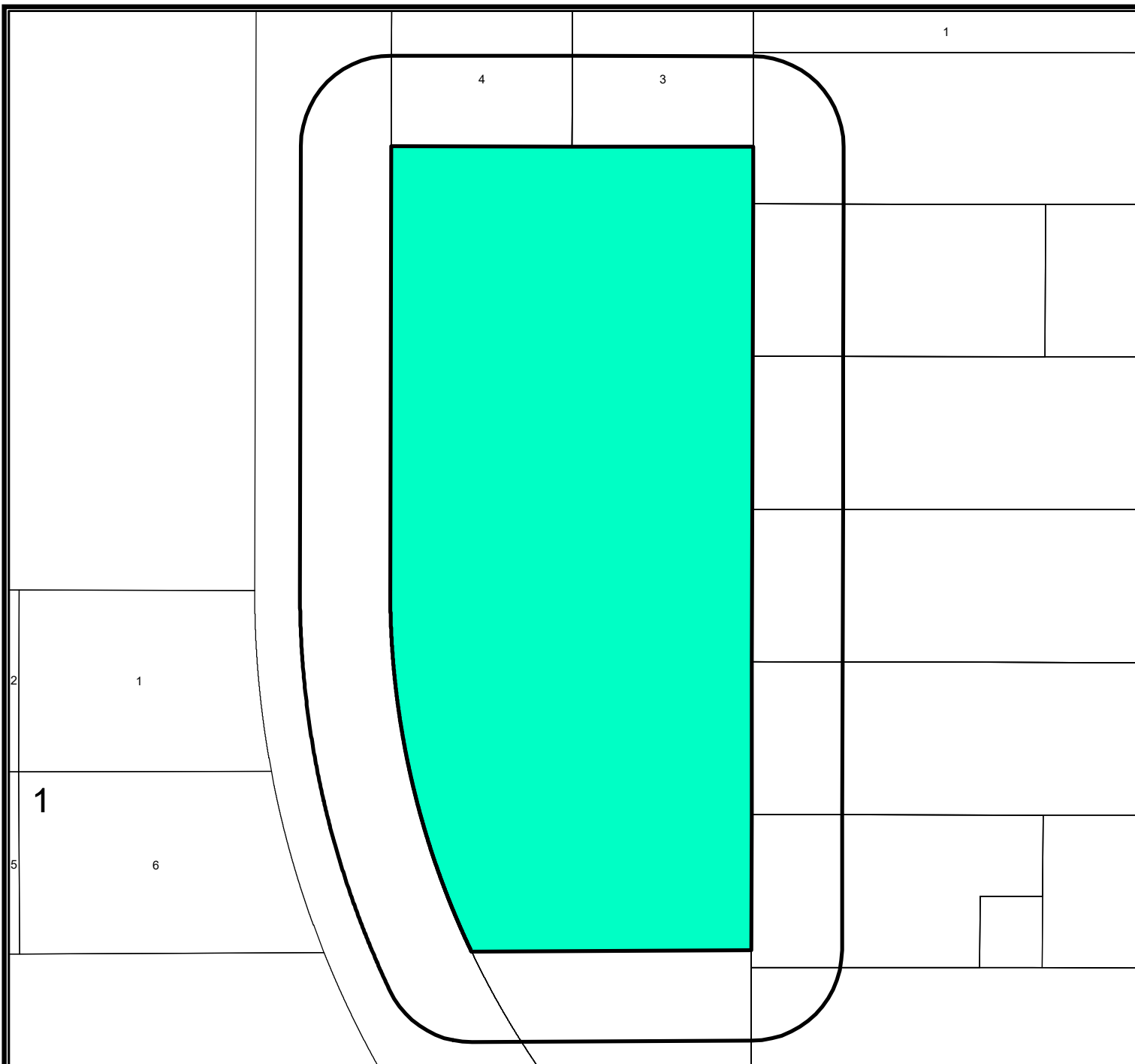


[Signature]
 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ CADD File
☐ Application Fee	☐ Title Opinion	☐ Public Improvement
Check # <u>Hand made</u>	☐ Tax Certificates	☐ Recording Fee
Received By <u>Daniel Hunsb</u>		Check #
		Date: <u>8 22 23</u>

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



LOCATION MAP

P-23-1758

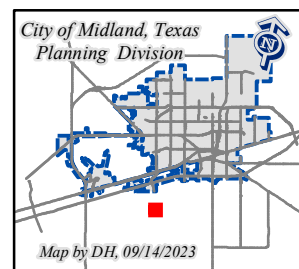
Scale: 1" = 3,831'

Carrollwood Addition, Section 2, being a 31.58-tract of land out of Section 24, Block 40, T-2-S T&P RR Co. Survey, Midland County, Texas.

Generally located on the east side of Antelope Trail, approximately 2619-feet north of West Country Road 140. - (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Redneck Retreat, Section 4, being a 10-acre tract out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR CO. Survey, Midland County, Texas (Generally located on the north side of East County Road 140, approximately 2600-feet east of Farm-To-Market Road 715. (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Schumann Surveying Inc. is requesting to plat the property into two lots for future development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ No jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IIMPACT FEES: There are no impact fees associated with this plat. Plat outside designated service areas. [For Applicant's Information Only.]

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

PAVING: Paving improvements deferral request received and in review. [For Applicant's Information Only.]

WATER: Water improvements deferral request received and in review. [For Applicant's Information Only.]

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

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

SEWER: Sewer improvements deferral request received and in review. [For Applicant's Information Only.]

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

SIDEWALKS: Required at building permit. However, no city building permits are issued within the county. No sidewalk improvements needed. [For Applicant's Information Only.]]

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments.

OIL AND GAS: (Approved)

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

GIS: (Approved)

Please provide recording information for the lease road.

Midland County Health Department: (Approved)

Yes, the health department will review applications from the 2 proposed lots of REDNECK RETREAT SECTION 4, PLAT OF A 10 ACRE TRACT OF LAND OUT OF THE

SOUTHWEST/4 SECTION 15, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 5 acre, lot 2 is 5 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 Public Works Department: (Approved)

Per our regulations, anything at 5-ft or more needs a frontage of 275' or they need to ask for a variance.

CRMWD: (Approved)

No Comments.

PLANNING: (Approved with Conditions)

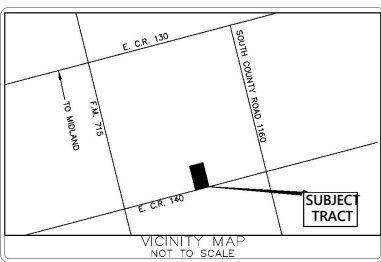
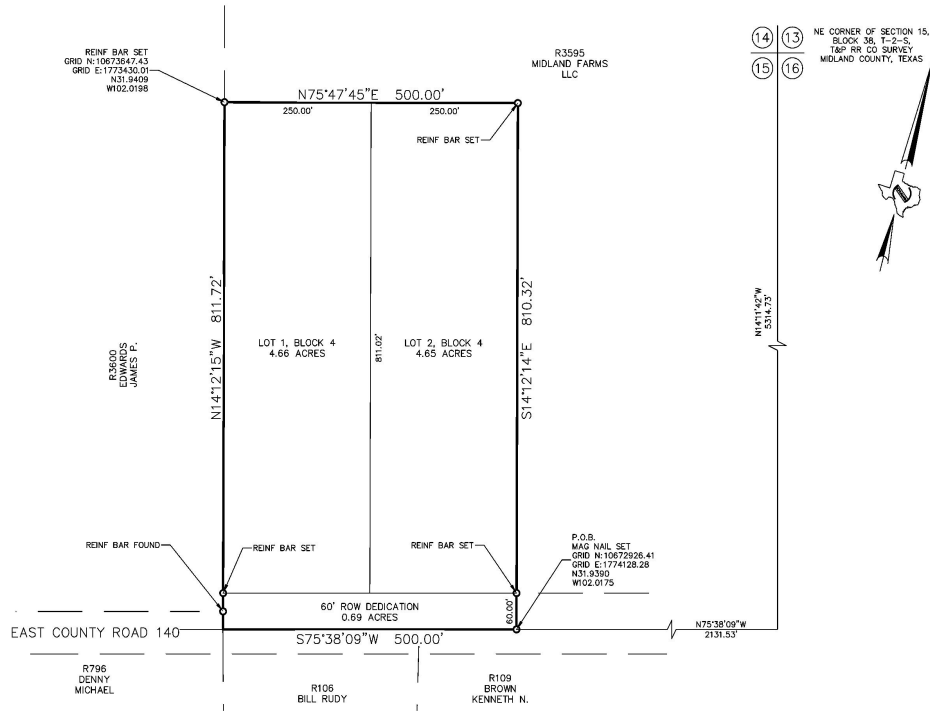
Staff recommends the approval of the preliminary plat of Redneck Retreat, Section 4, subject to condition A.

Condition:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



- NOTES:
- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
 - MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
 - SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 - APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
 - INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
 - THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
 - REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR. THIS PROPERTY IS IN FEMA PANEL 48320C0203F, WITH AN EFFECTIVE DATE OF SEPTEMBER 16, 2005, THIS PROPERTY IS IN ZONE "X" ACCORDING TO THIS PANEL.
 - ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE ADDITION MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: ONCOR ELECTRIC DELIVER COMPANY

SIGNED: AT&T TEXAS

SIGNED: ATMOS ENERGY

SIGNED: OPTIMUM COMMUNICATIONS

SIGNED: ASTOUND COMMUNICATIONS

PACKET

PRELIMINARY REDNECK RETREAT SECTION 4

BEING A 10.00 ACRE TRACT OUT OF THE SOUTHWEST/4 OF
SECTION 15, BLOCK 38, T-2-S, T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE SOUTHWEST/4 OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 10.00 ACRE TRACT OF LAND, OUT OF THE SOUTHWEST/4 OF SECTION 15, BLOCK 38, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS: SAID 10.00 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A MAG NAIL SET (N:10672926.41, E:1774128.28) IN THE CENTERLINE OF EAST COUNTY ROAD 140 FOR THE SOUTHEAST CORNER OF THIS TRACT, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 15 BEARS NORTH 75°38'09" EAST 2131.53 FEET AND NORTH 14°11'42" WEST 5314.73 FEET;

THENCE SOUTH 75°38'09" WEST, ALONG SAID CENTERLINE, 500.00 FEET TO A MAG NAIL SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°12'15" WEST, AT 30.00 FEET PASS A REINF BAR FOUND IN THE NORTH RIGHT OF WAY OF SAID EAST COUNTY ROAD 140, IN ALL 871.72 FEET TO A REINF BAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°47'45" EAST 500.00 FEET TO A REINF BAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°12'14" EAST, AT 840.32 FEET TO A REINF BAR SET IN THE NORTH RIGHT OF WAY OF SAID EAST COUNTY ROAD 140, IN ALL 870.32 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HERINABOVE DESCRIBED PROPERTY AS REDNECK RETREAT, SECTION 4, AN ADDITION OF 10.00 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

BIG HAT NO CATTLE HOLDINGS, LLC,

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS APPROVED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY BIG HAT NO CATTLE, LLC

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

LEGEND:

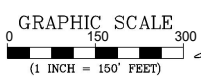
- MONUMENT AS DESCRIBED
- PROPERTY LINE
- - - ADJOINING PROPERTIES
- - - SECTION LINE
- - - UTILITY EASEMENT

OWNER(S):

BIG HAT NO CATTLE HOLDINGS, LLC
ADDRESS
CITY, STATE ZIPCODE
PHONE NUMBER
EMAIL ADDRESS

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

"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."



RJ DAUM
TEXAS RPLS 4826



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

SCHUMANN
A LATERAL LAND COMPANY

LAND SUBDIVISION
100 S. MIDLAND STREET
SUITE 100
MIDLAND, TEXAS 79701

Office (432) 684-3348

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	05/04/2023
				CHECKED BY: ED/RJ	
				JOB NO.: 79,393	
				SHEET: 1 OF 1	

8123



Preliminary Plat Application

Project Number:

SUB-23-0626

Case Number:

D-23-1755

Proposed Subdivision Plat Name: REDNECK RETREAT, SECTION 4

Legal Description (attached sealed Metes and Bounds): BEING A 10.00 ACRE TRACT OUT OF THE SOUTHWEST/4 OF SECTION 15, BLOCK 38, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS

Property Owner

Printed Name:

BIG HAT NO CATTLE HOLDINGS, LLC

Phone ()

Email

Address

City

State

Zip

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Schuman Surveying Inc.

Printed Name:

Edward Aleman

Phone (432)-684-5548

Email

Address

800 N. Maricfeld St.

City

Midland

State

Tx

Zip

79701

Current Zoning: ~~DLF1M~~

Reason for Platting: TO OBTAIN SEPTIC PERMITS AN ADDRESSES

Plat Information

Total Acreage:

10

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

Number of Lots: 2

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Date: 8-1-23

Property Owner (printed): Brad Towers

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.

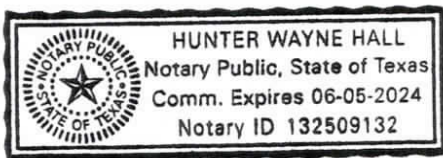
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Brad 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 J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 8th day of August, 20 23 to certify which witness my hand and seal of office.



H. H.
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

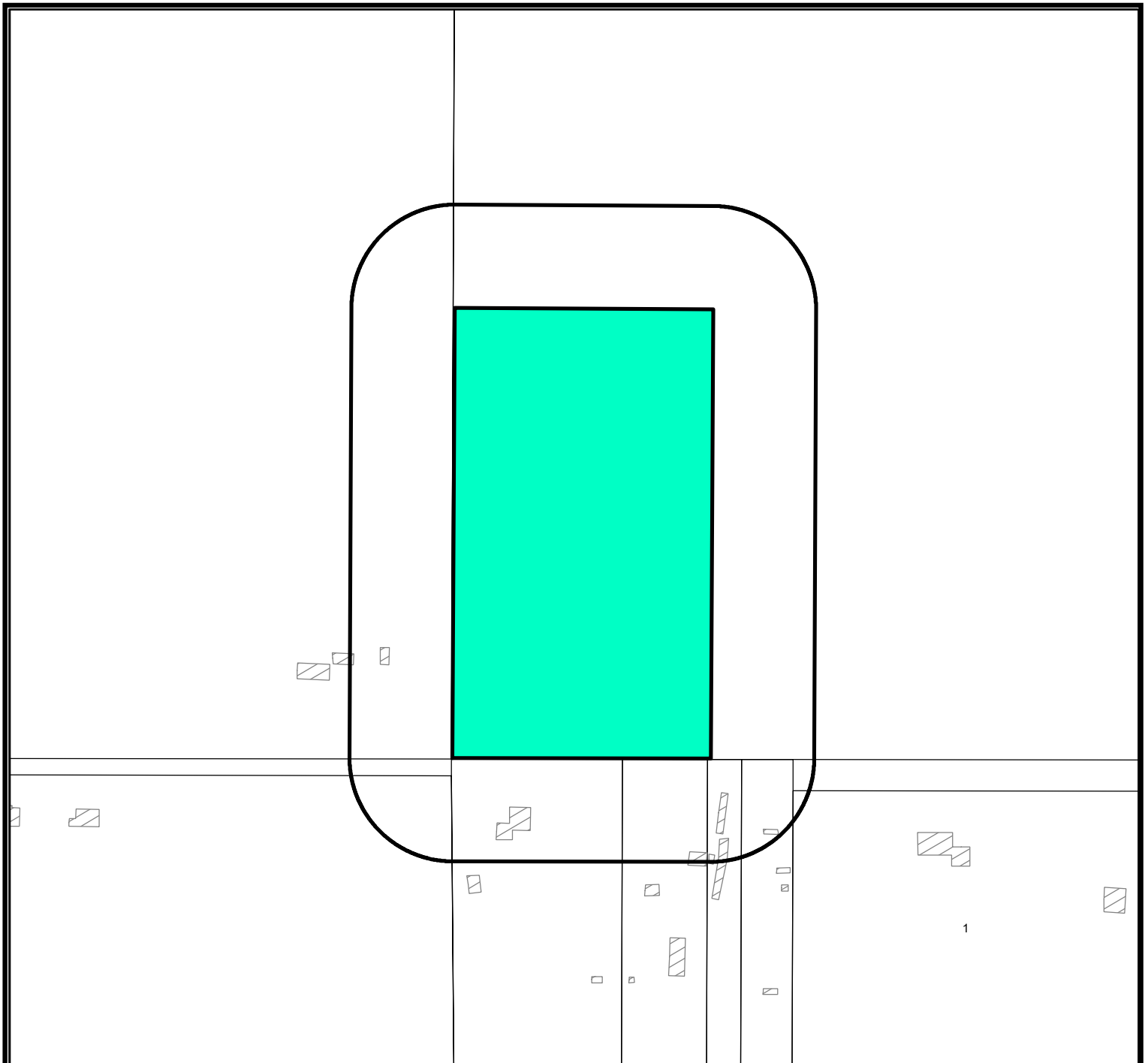
- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Application Fee | ☒ 1 Copy of Plat (11x17) | |

Check # Hand invoice

Received By: Daniel Humberg

Date: 8-21-23

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



LOCATION MAP

SUB-23-1755

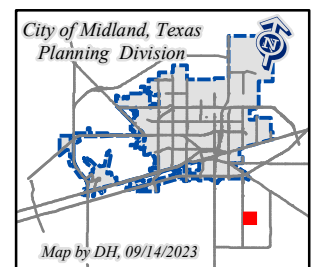
Scale: 1" = 3,350'

Proposed preliminary plat Redneck Retreat, Section 4, being a 10- acre tract out of the southwest quarter of Section 15, Block 38, T2-S, T & P, RR Co. Survey, Midland County, Texas. Redneck Retreat, Section 4, being a 10-acre tract out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR Co. Survey, Midland County, Texas.)

(Generally located on the north side of East County Road 140, approximately 2627-feet east of FM 715.) (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Planning Manager

SUBJECT: Motion approving with staff's recommended conditions, a Preliminary Plat of Claydesta Plaza North, Section 6, being a Replat of the remainder of Lot 1, Block 14, Claydesta Plaza, Section Two, Lot 2B, Block 14, Claydesta Plaza, Section 14, and a 47.44-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY CO Survey, City and County of Midland, Texas. (Generally located west of North Big Spring Street, approximately 300-feet north of Veterans Airpark Lane. – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to replat the remainder of Lot 1, Block 14, Claydesta Plaza, Section Two, Lot 2B, Block 14, Claydesta Plaza, Section 14, and a 47.44-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY CO Survey, City and County of Midland, into nine lots for future development.

Current Zoning:

PD, Planned Development District for an Office Center (Ordinance No. 5695).

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with conditions)

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

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

PAVING: Deferral request for paving improvements were administratively approved on 05/02/2023. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 05/02/2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements were administratively approved on 05/02/2023. [For Applicant's Information Only.]

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

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

SIDEWALKS: Sidewalks required on collector/arterial roadways, along common areas and ADA ramps required at corners before public infrastructure is accepted. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No Oil and Gas Issues.

GIS: (Approved with Conditions)

Block 14, lots 2C and 2D should be Block 2, Lots 7-8. Please depict drainage and pipeline easements north of plat and recording information for both.

PLANNING:

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

This proposed plat is greater than 25 acres, which qualifies it to be approved by City Council. "Approval by the Council shall be required prior to consideration of a final plat by the commission for any preliminary plat which...**Is ten hectares (25 acres) or more in area** and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor.;" Midland City Code § 11-2-3(D)11(a)6.

Staff recommends approval of the Preliminary Plat of Claydesta Plaza North, Section 6, subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**
- B. Approval by the City Council shall be required prior to consideration of a final plat by the commission on which any preliminary plat which: Is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; Midland City Code 11-2-3(D)11(a)6.**

Attachments:

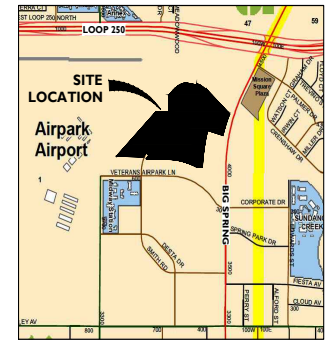
Proposed Preliminary Plat
Application
Maps

CLAYDESTA PLAZA NORTH SECTION 6

BEING A REPLAT OF THE REMAINDER OF LOT 1, BLOCK 14,
CLAYDESTA PLAZA, SECTION 2,
LOT 2B, BLOCK 14, CLAYDESTA PLAZA, SECTION 14
AND A 47.744 ACRE TRACT OF LAND,
LOCATED IN SECTION 14, BLOCK 39, T-I-S, T&P RY CO SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

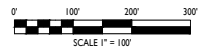
CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1579.66	151.49	546.89	S 87°17'42" W	123°37'49"
C2	591.65	78.38	82.25	N 30°44'24" E	7°33'17"
C3	40.00	87.57	80.00	N 65°29'09" W	81°37'14"
C4	919.55	144.93	94.85	S 30°28'48" W	8°00'25"
C5	520.00	308.04	303.55	N 4°45'01" E	33°56'23"
C6	520.00	233.29	221.34	S 75°49'44" E	75°49'18"
C7	490.00	118.20	118.41	N 81°11'02" E	13°51'44"
C8	15.00	21.35	19.60	S 48°23'58" W	81°34'03"
C9	520.00	141.92	141.56	N 82°03'00" E	14°15'58"
C10	960.00	119.59	119.51	N 78°29'08" E	7°08'14"
C11	290.50	101.72	101.30	S 87°54'52" E	20°03'46"
C12	55.50	104.63	89.81	S 23°52'28" E	108°01'01"
C13	1040.00	143.35	633.14	S 12°44'45" W	35°36'36"
C14	960.00	575.55	566.97	N 12°57'31" E	34°21'03"
C15	52.50	28.45	28.11	N 45°39'39" E	31°03'13"
C16	140.50	76.23	75.30	N 75°45'50" E	31°05'08"
C17	920.00	309.83	308.83	S 78°34'35" E	18°18'03"
C18	1030.00	388.65	386.35	N 79°39'51" W	21°37'10"
C19	15.00	22.44	20.40	N 30°10'12" W	120°36'58"
C20	15.00	22.44	20.40	S 48°21'43" E	85°42'30"
C21	3275.30	142.01	142.00	N 11°04'55" W	12°29'03"



VICINITY MAP

N.T.S.



NOTES

1. BASIS OF BEARINGS, COORDINATES, GRID AREA, AND DISTANCES IS A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (430). NORTH AMERICAN DATUM OF 1983. U.S. SURVEY FEET WITH A CONVERGENCE ANGLE OF BEARING OF 0°54'11.34" AND A CORRECTED SCALE FACTOR OF 0.9991554 TAKEN AT THE POINT OF BEGINNING.
2. 1/2 IN IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FM 10194514", SET AT ALL CORNERS UNLESS OTHERWISE SPECIFIED.

LEGEND

- DENOTES SET 1/2-INCH IRON ROD W/ RED PLASTIC CAP MARKED "MAVERICK FM 10194514"
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES INTERIOR LOT CORNERS SET 1/2" IRON W/ CAP "MAVERICK FM 10194514"
- DENOTES PUMP JACK
- DENOTES PERMITTED OIL WELL (WITH API # SHOWN)
- DENOTES BOUNDARY LINE
- DENOTES EXISTING LOTS
- DENOTES EXISTING EASEMENT LINE
- DENOTES EXISTING PIPELINES
- DENOTES PROPOSED SETBACK LINE
- DENOTES OIL WELL SETBACK LINE



MAVERICK
ENGINEERING & SURVEY / WATER RESOURCES
1908 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FRANK R. SLOAN
SURVEY FRANK R. SLOAN
Tel: (409) 363-0999 Fax: (409) 363-0999
www.Maverick-Eng.com

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

CLAYDESTA PLAZA NORTH SECTION 6

September 18, 2023

SHEET 1 OF 2



Preliminary Plat Application

Project Number: SUB-21-0392
Case Number: P-23-1757

Proposed Subdivision Plat Name: Claydesta Plaza North, Section 6

Legal Description (attached sealed Metes and Bounds): Being a Replat of the Remainder of Lot 1, Block 14, Claydesta Plaza, Section 2, Lot 2B, Block 14, Claydesta Plaza, Section 14 and a 47.744 Acre Tract of Land, Located in Section 14, Block 39, T-1-S, T&P RY Co.

Survey, City and County of Midland, Texas

Property Owner

Printed Name: City of Midland/Midland Northtown Development

Phone (432) 262-0999

Email

Address 300 N Loraine/6 Desta Dr

City Midland

State TX

Zip 79701/79705

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: PD

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage: 46.174

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 9

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) 9/12/23

Property Owner (signature): Mitch Malouf

Date: 8/21/23

Property Owner (printed): Mitch Malouf Midland Northtown Development, LLC

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

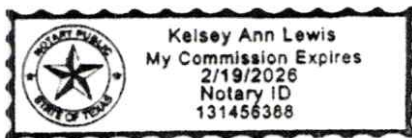
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mollen who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Midland Northtown Development, 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. Mollen
Authorized Agent (signature)

Subscribed and sworn to before me, this 21st day of August, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☐ Application Fee

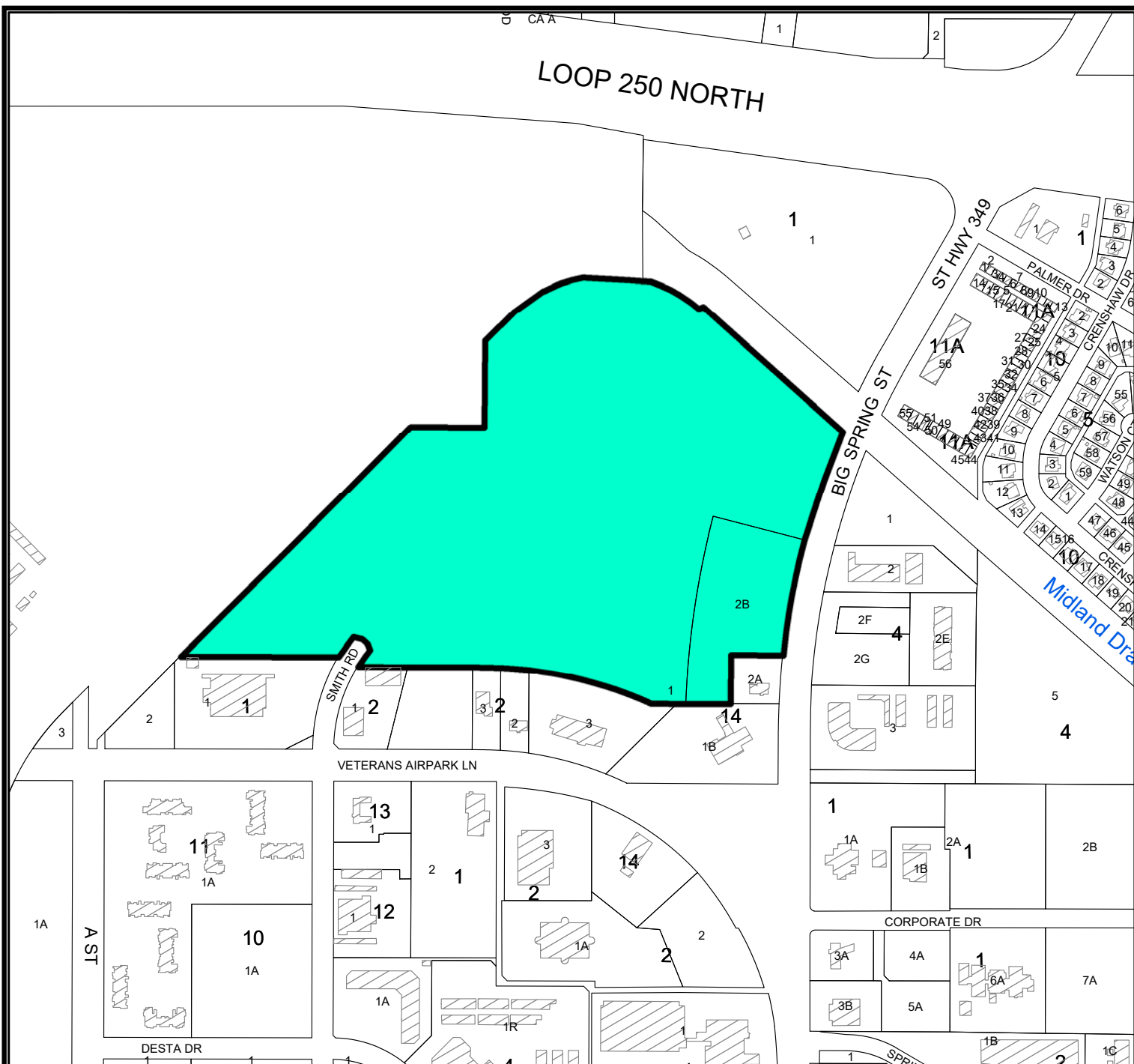
☒ 1 Copy of Plat (11x17)

Check # 4381

Received By: Daniel Humbert

Date: 8 22 23

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



LOCATION MAP

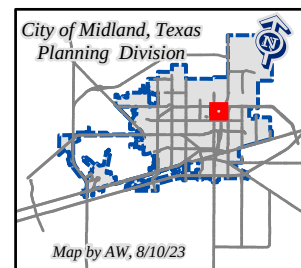
SUB-21-0392

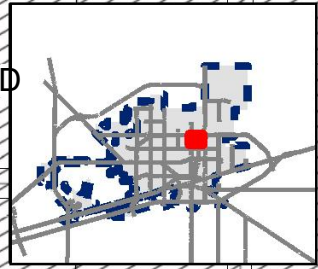
Scale: 1" = 200'

Preliminary Plat of Claydesta Plaza North, Section 6, being a Replat of the remainder of Lot 1, Block 14, Claydesta Plaza, Section Two, Lot 2B, Block 14, Claydesta Plaza, Section 14, and a 47.44-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY CO Survey, City and County of Midland, Texas. (Generally located west of North Big Spring Street, approximately 300-feet north of Veterans Airpark Lane. – Council District 3) (DEVELOPMENT SERVICES)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for
Agenda:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Planning Manager

SUBJECT: Motion approving with staff's recommended conditions, a Preliminary Plat of Permian Basin Health Center, Section 1, being a 50.31-acre tract of land, located in Section 42, Block 40, T-1-S, T&P RR CO Survey, County of Midland, Texas (Generally located approximately 1,550-feet south of State Highway 191, and approximately 1,725-feet east of North Farm-to-Market Road 1788) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Permian Basin Behavioral Health Center, is requesting to plat a 50.31-acre tract of land for future development. On August 21, 2023, the Planning and Zoning Commission recommended approval of an initial zoning of RR, Regional Retail District for this property. The initial zoning and annexation request are being presented to City Council on September 26, 2023. If approved, this property will be annexed into the city.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

BUILDING CODE: (Approved)

All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

It appears that there is a triangular piece of land remaining in the southeast corner of the plat that lies between the southeast corner of doc. 2022-35022 and the curved boundary of the plat. This area needs to be more clearly identified.

ENGINEERING: (Approved with conditions)

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

ROW: See transportation's comment. [For the Applicant's information only.]

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

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

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

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

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

DRAINAGE: Drainage report was approved for platting purposes. Delineate the FEMA recognized floodplain boundary on the plat face. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

Access connected to FM 1788, shall be annexed and platted before approval of final plat.

Submit the Traffic Impact Analysis before final plat approval.

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

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

GIS: (Approved with Conditions)

A portion of the southeast corner is also a portion of 2022-35022, please depict on plat visual. Will access to FM 1788 not be platted with this plat but separately? (addressing Transportations comment from P-23-1691) Please confirm ROW positioning on plat visual, GIS shows ROW more north than depicted. Please depict and show ownership for PIN 04010.042.1510. For consistency, please show 20'x20' water easements are either by this plat or if existing provide recording information.

PLANNING: (Approved with Conditions)

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

This proposed plat is greater than 25 acres, which qualifies it to be approved by City Council. "Approval by the Council shall be required prior to consideration of a final plat by the commission for any preliminary plat which...**Is ten hectares (25 acres) or more in area** and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor.;" Midland City Code § 11-2-3(D)11(a)6.

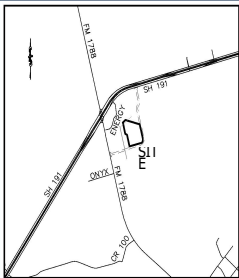
Staff recommends approval of the Preliminary Plat of Permian Basin Behavioral Health Center, Section 1, subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**
- B. Approval by the City Council shall be required prior to consideration of a final plat by the commission on which any preliminary plat which: Is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor; Midland City Code 11-2-3(D)11(a)6.**

Attachments:

Proposed Preliminary Plat
Application
Maps



VICINITY MAP TO MAP

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

ATMOS ENERGY Print Name: _____
ONCOR ELECTRIC DELIVERY Print Name: _____
ASTOUND BROADCAST Print Name: _____
OPTIMUM Print Name: _____
AT&T-TEXAS Print Name: _____

CERTIFICATE OF APPROVAL
This is to certify that the above and foregoing plot of PERMAN BASIN BEHAVIORAL HEALTH CENTER was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this the _____ day of _____, 2023.

CHAIRMAN _____
SECRETARY _____

OWNER'S CERTIFICATE
STATE OF TEXAS, COUNTY OF MIDLAND:
WHEREAS PERMAN BASIN BEHAVIORAL HEALTH CENTER, is the record owner of the tract of land situated in Section 42, Block 40, Township 1 South, T. & P. RR. Co. Survey, County of Midland, and more particularly described herein.
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That we, PERMAN BASIN BEHAVIORAL HEALTH CENTER, do hereby adopt this plot designating the herein above described property as PERMAN BASIN BEHAVIORAL HEALTH CENTER ADDITION, to the City of Midland, Texas, and we do hereby dedicate to the public use forever the streets, alleys, and easements shown herein.
WITNESS our hands at Midland, Texas, this the _____ day of _____, 2023.

Representative of: PERMAN BASIN BEHAVIORAL HEALTH CENTER

STATE OF TEXAS, COUNTY OF MIDLAND:
Before Me, the undersigned authority, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said PERMAN BASIN BEHAVIORAL HEALTH CENTER as the Authorized Agent thereof, and for the purpose and consideration therein expressed and in the capacity therein stated, and that he was authorized to do so.

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

Notary Public in and for the State of Texas

My commission expires _____

- NOTES:
1. Survey is based on the Texas State Coordinate System (NAD83), Central Zone 4203, and by GPS observations. All bearings and distances shown herein are NAD83 Surface values using a scale factor of 0.99988870.
 2. According to the graphical plotting of the Flood Insurance Rate Map for Midland County, Texas and Incorporated Areas, Flood 2002 of 520, Map Number 483590200F, Map Revised September 16, 2005, a portion of the subject property is located in Zone A, defined as "No Base Flood Elevations Determined" and Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance flood"; this statement does not reflect any type of flood study by this firm.
 3. 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.
 4. Any utility company, developer or other entity installing, repairing, maintaining or relocating a utility line or permanent improvement within utility easements must restore the premises as nearly as possible to its original condition following any such work at its sole expense.
 5. 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.
 6. A blanket refuse easement of ingress and egress for garbage and trash collection purposes is hereby granted.
 7. All property corners are set 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOCIATES LP" unless otherwise noted.
 8. Initial Impact Fees will be assessed during the final plotting process. Implementation and collection of impact fees will take place during the permitting process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.
 9. Preliminary plot approval is conditional on property being annexed into City Limits with appropriate zoning and complies with minimum dimensional regulations.
 10. Final plot may not be submitted or approved until the lot is shown having direct access to an improved public street or a dedicated and improved mutual access easement or common area.

BOUNDARY OF PROPERTY OF THE UNIVERSITY OF TEXAS SYSTEM VOLUME 2972, PAGE 776 O.P.R.M.C.T.

SECTION 42, BLOCK 40
T & P RR CO. SURVEY

CUMBERLAND AND WESTERN
RESOURCES, LLC
(PORTION OF TRACT FOURTEEN)
VOLUME 3131, PAGE 210
O.P.R.M.C.T.

CUMBERLAND AND WESTERN
RESOURCES, LLC
(PORTION OF TRACT FOURTEEN)
VOLUME 3131, PAGE 210
O.P.R.M.C.T.

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

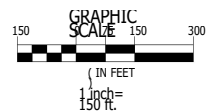
Ron Moore
Registered Professional Land Surveyor
Texas Registration No. 5537

Preliminary
this
document
shall not
be recorded
for any
purpose and
shall not be
viewed or
relied upon as
a final
survey
document.

DIAMONDBACK O&G, LLC.
(TRACT C)
DOCUMENT NUMBER
2014-19954
O.P.R.M.C.T.

DIAMONDBACK O&G, LLC.
(TRACT C)
DOCUMENT NUMBER
2014-19954
O.P.R.M.C.T.

O.P.R.M.C.T. = OFFICIAL PUBLIC RECORDS MIDLAND COUNTY, TEXAS



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

UTILITY	
SYMB	DESCRIP.
EX-16	BURIED 16" WATER LINE
EX-12	BURIED 12" WATER LINE
EX-12	BURIED 16" WATER LINE
EX-16	BURIED GAS LINE
EX-12	BURIED SEWER LINE
EX-16	BURIED FIBER OPTIC
EX-SS	EX-SS

PRELIMINARY
PERMAN BASIN
BEHAVIORAL
HEALTH CENTER
SECTION 42, BLOCK 40, T-1-S,
T & P RR CO. SURVEY
CITY AND COUNTY OF
MIDLAND, TEXAS

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76101
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

ENGINEER/SURVEYOR
DUNAWAY ASSOCIATES, L.P.
550 Bailey Avenue
Suite 400
Fort Worth, Texas 76101
Contact: Tim Hair

OWNER
PERMAN BASIN BEHAVIORAL HEALTH CENTER
400 Roseland Redfern Grover Parkway
Midland, Texas 79701
(432) 661-4000
Contact: Russell Meyers



Preliminary Plat Application

Project Number: SNB-23-06049

Case Number: _____

Proposed Subdivision Plat Name: Permian Basin Behavioral Health Center, Section 1Legal Description (attached sealed Metes and Bounds): Being a 50.31-acre tract of land out of Section 42, Block 40, T-1-S, T&P

RR Co. Survey City and County of Midland, Texas

Property OwnerPrinted Name: Permian Basin Behavioral Health CenterPhone (432) 661-8000Email russellmeyers@midlandmemorialfoundation.org

Address _____

City _____

State _____

Zip _____

Developer (if different than Owner)

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: DunawayPrinted Name: Tim HairPhone (432) 669-4889Email thair@dunaway.comAddress 4000 N. Big Spring Street Suite 101City MidlandState TXZip 79705Current Zoning: N/A-Application in process-Regional RetailReason for Platting: Annexation and development of new Behavioral Health Hospital**Plat Information**Total Acreage: 50.31Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1Number of Multi-family Dwelling Units: 0**Submittal and Fees**

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Date: 8/6/23

Property Owner (printed):

Russell Meyers

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.

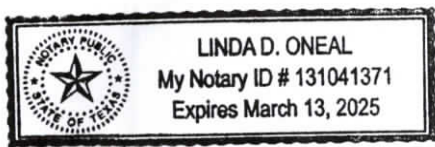
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Russell Meyers who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by PBBHC 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 7th day of August, 2023, to certify which witness my hand and seal of office.



Linda D Oneal

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 # 1662

AUG 22 2023

Received By:

Linda D Oneal

Date:

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



Dunaway No. B008940.001

August 14, 2023

Midland – Engineering Services
300 N. Loraine, 5th Floor
Midland, Texas 79701

Reference: **Preliminary Drainage Report**
Permian Basin Behavioral Health Center

To whom it may concern:

BACKGROUND

Dunaway has prepared a preliminary drainage for an approximately 50-acre tract of land adjacent to the Wagner Noel Performing Arts Center West of Midland. The development will consist of an inpatient behavioral health center and paved parking surfaces to adequately serve the proposed land use. This report has been prepared to satisfy the City of Midland Storm Drainage Manual, Section 2.2 in conjunction with the preliminary platting of this property. As outlined in the checklist in section 2.2.2 of the Drainage Manual, this preliminary drainage report consists of drainage area maps with supporting calculations, which are provided to convey the general drainage concepts for the development of this property.

The subject property is situated within the South Draw Watershed and naturally drains southeast toward South Draw through a series of Playa Lakes. The northern portion of the subject property, including a large share of offsite area, drains through an existing playa lake on site. The existing playa lake is noted on FEMA FIRM 48329C0200F (Exhibit A) as "Zone A" flood hazard designation. The southern and western portions of the site continue off the site to the Southeast unabated by the playa lake. A large portion of this analysis was dedicated to understanding the effects the development will have on the existing playa lake as well as the potential need for stormwater detention in the event the development results in an increase in flow leaving the site.

To establish a calculated Water Surface Elevation (WSEL) in the existing playa lake and gain an understanding of flows leaving the site, a hydrologic model was developed in HEC-HMS 4.10 using the SCS Hydrograph method. Calculation of parameters for this method was completed to meet the criteria outlined in Section 4 of the Midland Storm Drainage Manual. Weighted curve Numbers were established by examining soil types as well as existing and proposed land uses. Time of concentration was calculated for existing and proposed terrain in order to produce a 'lag' time for each subbasin. Playa lake volume for existing and proposed conditions was calculated through an 'elevation area' table derived from existing and proposed terrain.

HYDROLOGIC ANALYSIS

In existing conditions, the site drains from northwest to the southeast. Five basins were delineated to represent both onsite and offsite drainage patterns. Approximately 52.9 acres drains to the existing Playa Lake (DP-2), and 76.7 acres drains to the southeast corner of the site (DP-1). The Existing Drainage Area Map can be found on Exhibit B as an attachment. Table 1 summarizes the existing calculated parameters and peak discharges for each basin.

In proposed conditions, approximately 9.5 acres of the proposed site is diverted to the existing Playa Lake. Onsite basins were delineated to represent proposed site grading. In proposed conditions, approximately 62.3 acres drains to the existing Playa Lake (DP-2), the remaining 67.3 acres drains to DP-1 through overland flow, roadside ditches, and proposed storm drain pipe. Proposed Drainage Area Map can be found on Exhibit C as an attachment. Table 2 summarizes the proposed calculated parameters and peak discharges for each basin.

Basin ID	Area (ac)	CN	Tc (mins)	Q₁₀₀ (cfs)
EX-B1	52.9	80.2	28.8	211.7
EX-B2	15.3	80.6	22.6	70.7
EX-B3	17.4	80.0	21.3	79.9
EX-B4	1.4	80.0	11.1	8.7
OS-1	42.6	80.0	30.6	154.5

Total Area Existing = 129.6 acres

Table 1: Existing Hydrologic Parameters

Basin ID	Area (ac)	CN	Tc (mins)	Q₁₀₀ (cfs)
PRO-B1	62.3	81.5	28.8	257.2
PRO-B2	10.1	88.0	3.8	88.1
PRO-B3	9.1	90.0	3.9	76.4
PRO-B4	0.9	84.0	3.9	8.1
PRO-B5	4.6	81.3	12.7	24.5
OS-1	42.6	80.0	30.6	154.5

Total Area Proposed = 129.6 acres

Table 2: Proposed Hydrologic Parameters

Hydrologic results indicate by diverting approximately 9.4 acres to the existing Playa Lake and developing the site causes a decrease in stormwater runoff at DP-1 from existing to proposed conditions. The results also indicate an increase in runoff contributing to the onsite Playa Lake (DP-2) from existing to proposed conditions. A further analysis of the Playa is discussed in the subsequent section. Table 3 summarizes the differences in flows at DP-1 and DP-2 from existing to proposed conditions.

Design Point	Existing (cfs)	Proposed (cfs)	Difference (cfs)
DP-1	273.5	220.4	-53.1
DP-2	211.7	257.2	45.5

Table 3: Design Point Flow Summary

By diverting drainage area to the existing playa, an additional analysis was performed to determine any changes to WSEL. It was determined the playa lake does not overtop during the 100-, and 500-year storm events and therefore is considered a non-overflow playa. The results indicate an increase in WSEL of 0.4 ft and 0.5 ft in the 100-, and 500-year storm events, respectively. However, the increased WSEL was found not to cause adverse impacts to the adjacent property and is fully contained as the top of bank is at 2913'. Proposed FFE for the proposed Behavioral Center facility is 2916.9'. Table 4 summarizes the changes in WSEL from existing to proposed conditions for both the 100-, and 500-year storm events.

Frequency Storm	Existing (WSEL)	Proposed (WSEL)	Difference (ft)
100-yr	2909.8	2910.2	0.4
500-yr	2910.8	2911.3	0.5

Top of Pond Elevation = 2913 ft

Table 4: Playa Lake Results Summary

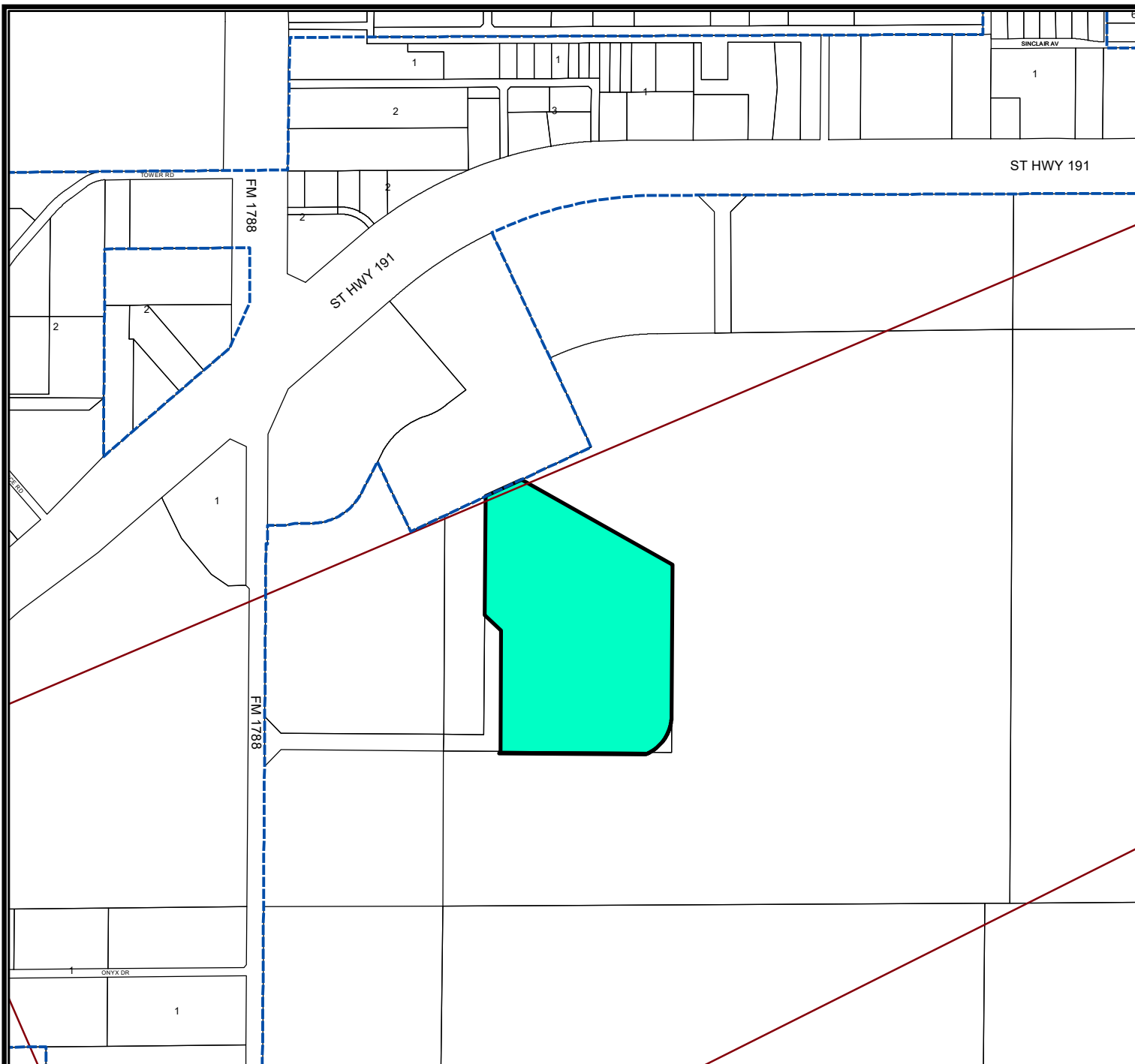
Based on the results, it is determined that the existing onsite Playa Lake provides sufficient storage volume to offset increased runoff from the proposed development, therefore onsite detention is not required. Dunaway respectfully requests approval of this drainage study for the Permian Basin Behavioral Center project.

DUNAWAY ASSOCIATES, L.P.
a Texas limited partnership



Derek Sellers, PE, CFM
Senior Technical Engineer





LOCATION MAP

SUB-23-0611

Scale: 1" = 200'

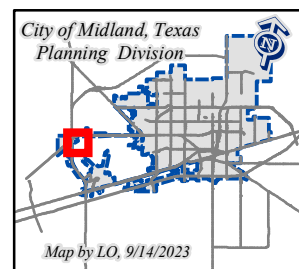
Proposed Plat of Permian Basin Health Center, Section 1, being a 50.31-acre tract of land, located in Section 42, Block 40, T-1-S, T&P RR CO Survey, County of Midland, Texas

Generally located approximately 1,550-feet south of State Highway 191, and approximately 1,725-feet east of North Farm-to-Market Road 1788.

(District: None)

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:
Jeff Fisher

MEETING DATE: September 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Planning Manager

SUBJECT: Motion approving with staff's recommended conditions, a Preliminary Plat of East Midland Addition, Section 22, being a Residential Replat of Lot 1-6, Block 9, East Midland Addition, a 0.03-acre portion of adjacent North Madison Street right-of-way, and a 0.03-acre portion of adjacent North Carver Street right-of-way, City and County of Midland, Texas. (Generally located at the southeast corner of North Madison Street and Garden Lane) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Surveying, is requesting to replat six lots and vacated street right-of-way portions of North Madison Street and North Carver Street adjacent to the plat.

Current Zoning:

SF-2, Single-Family Dwelling District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with conditions)

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

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

PAVING: Garden roadway, Carver roadway, Madison roadway are okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 4" water exists in Garden Street, okay as is. 6" water exists in Carver Street, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 6" sewer exists in alley South of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

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

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

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

No Oil and Gas Issues.

GIS: (Approved)

No comments.

PLANNING (Approved with Conditions):

At the final plat stage:

Provide a title opinion [Informational].

The Midland Central Appraisal District shows Willie Villareal (Lot 1), Michael J Sis Bishop (Lots 2-5), and Michael Pfeifer (Lots 6) as owners. Provide proof of ownership for Michael J Sis Bishop if you are to include him under the 'Owner's Certificate'. [Informational].

Staff recommends approval of the Preliminary Plat of East Midland Addition, Section 22, subject to condition A.

Condition:

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

Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAN EAST MIDLAND ADDITION, SECTION 22

BEING A REPLAT OF LOTS 1-6, BLOCK 9, EAST MIDLAND
ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF LOTS 1-6, BLOCK 9, EAST MIDLAND ADDITION, AN ADDITION TO THE CITY OF MIDLAND, TEXAS, AS PER THE MAP OR PLAT RECORDED IN VOLUME 1, PAGE 52, OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 1.03 ACRE TRACT KNOWN AS LOTS 1-6, BLOCK 9, EAST MIDLAND ADDITION, AN ADDITION TO THE CITY OF MIDLAND, TEXAS, AS PER THE MAP OR PLAT RECORDED IN VOLUME 1, PAGE 52, OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND THE EAST 14 FEET OF MADISON STREET AND THE WEST 14 FEET OF CARVER STREET, SAID 1.03 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR SET (N:10698634.89, E:1760077.15) IN THE NEW EAST RIGHT OF WAY OF MADISON STREET AND THE SOUTH RIGHT OF WAY OF GARDEN LANE FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH THE NORTHWEST BLOCK CORNER OF SAID BLOCK 9 BEARS NORTH 75°43'31" EAST 10.00 FEET;

THENCE NORTH 75°43'31", ALONG SAID SOUTH RIGHT OF WAY, EAST 320.00 FEET TO A REINF BAR SET IN SAID SOUTH RIGHT OF WAY AND THE NEW WEST RIGHT OF WAY OF CARVER STREET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°16'29" EAST, ALONG SAID NEW WEST RIGHT OF WAY, 140.00 FEET TO A REINF BAR SET IN FOR THE SOUTHEAST CORNER OF THIS TRACT AND BEING THE NORTHEAST CORNER OF A 20 FEET ALLEY;

THENCE SOUTH 75°43'31" WEST, ALONG THE NORTH LINE OF SAID 20' ALLEY, 320.00 FEET TO A REINF BAR SET IN THE SAID NEW EAST RIGHT OF WAY OF MADISON STREET FOR THE SOUTHWEST CORNER OF THIS TRACT AND ALSO BEING THE NORTHWEST CORNER OF SAID 20' ALLEY;

THENCE NORTH 14°16'29" WEST 140.00 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS EAST MIDLAND ADDITION AN ADDITION OF 1.05 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

THE MOST REVEREND MICHAEL J. SIS, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF SAN ANGELO.

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY THE MOST REVEREND MICHAEL J. SIS, BISHOP OF THE ROMAN CATHOLIC DIOCESE OF SAN ANGELO.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

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

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY JEFF FISHER

RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	01/20/2023	SKETCH PLAN	JG	JG	01/20/2023
				CHECKED BY: ED/RJ	PROJECT NO. 79220
				JOB NO.	SHEET: 1 OF 1



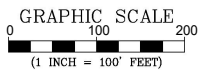
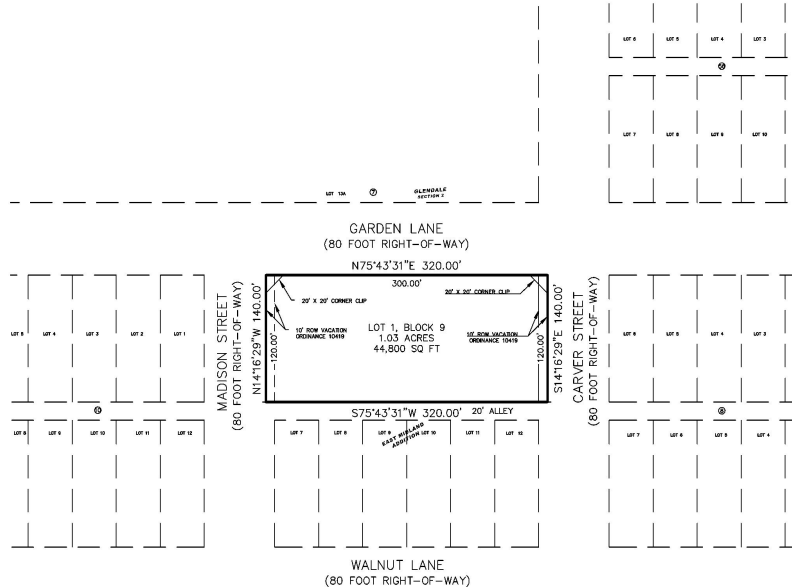
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

September 18, 2023

Office (432) 684-2548

EAST MIDLAND ADDITION, BLOCK 9



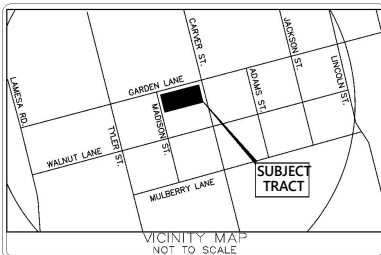
LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- OVERHEAD ELECTRIC
- UTILITY EASEMENT

OWNER(S):
DAVID DIAZ
FORMOSA HOMES LLC (DAVID DIAZ MANAGING MEMBER)
MIDESSA HOMES LLC (M.C. DIAZ MANAGING MEMBER)
7009 DESERT WIND
MIDLAND, TEXAS 79707
432-682-2520

NOTES:

- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR.48329C0089F SEPTEMBER 16, 2005, ZONE "X".
- ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

PACKET

Page 14.113



Preliminary Plat Application

Project Number: SUB-23-0607
Case Number: P-23-1762

Proposed Subdivision Plat Name: EAST MIDLAND ADDITION, SECTION 22

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOTS 1-6, BLOCK 9, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner Mike Wyse
Printed Name:

Phone ()
Email
mwyse@sanangelodiocese.org

Address P O BOX 1829

City SAN ANGELO,

State TX

Zip 76902

Developer (if different than Owner)
Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: SCHUMANN SURVEYING

Printed Name: ED ALEMAN

Phone (432) 684-5548

Email
ealeman@schumannonline.net

Address 800 N. MARIENFELD, SUITE 100

City MIDLAND

State TX

Zip 79701

Current Zoning: sf2

Reason for Platting: TO COMBINE INTO ONE LOT

Plat Information

Total Acreage:

1.03

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): Mike Wyse, Colleen ClarkDate: 6/29/2023

Property Owner (printed): _____

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

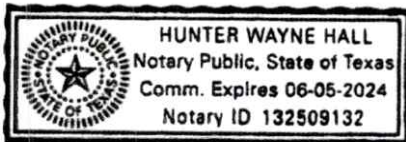
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Charles Y. Roman
Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of August, 20 23 to certify which witness my hand and seal of office.



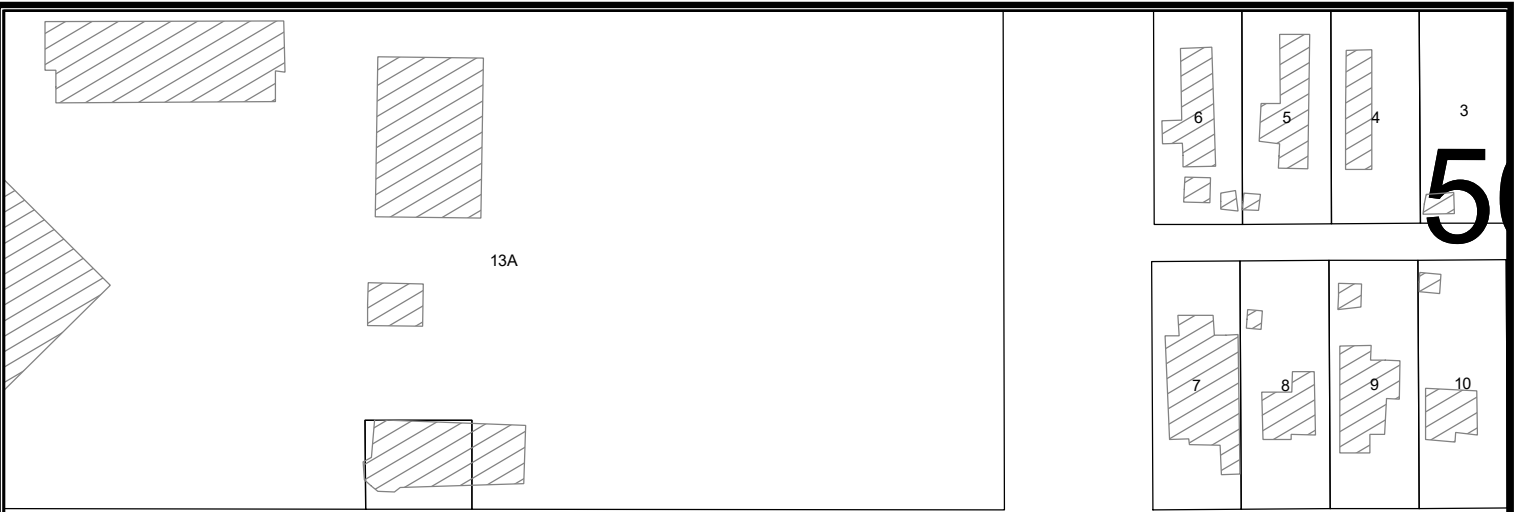
ALL
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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 # 941dReceived By: Jeff FisherDate: 8/22/2023****Application will not be considered for scheduling until reviewed by a planner.****

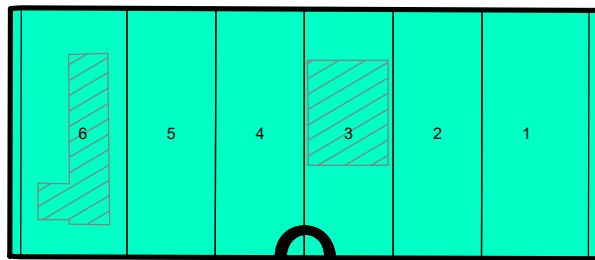
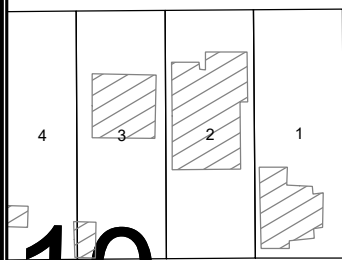
Preliminary Plat Application

2

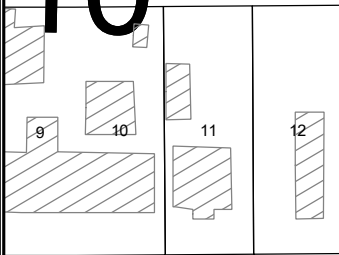
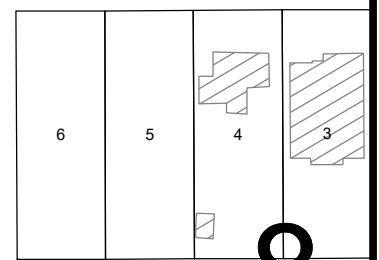
Revised 07/01/19



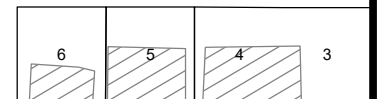
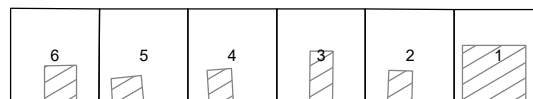
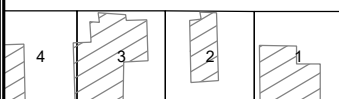
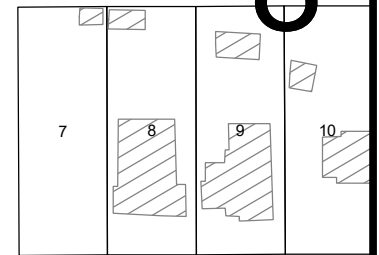
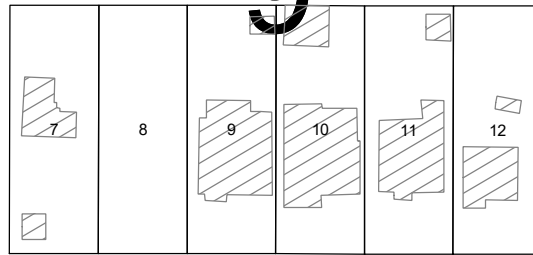
Garden Lane



North Carver Lane



MADISON STREET



LOCATION MAP

SUB-23-0607

Scale: 1" = 1,298'

Proposed Plat of East Midland Addition, Section 22, being a Residential Replat of Lots 1-6, Block 9, East Midland Addition, a 0.03-acre portion of adjacent North Madison Street right-of-way, and a 0.03-acre portion of adjacent North Carver Street right-of-way, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of North Madison Street and Garden Lane (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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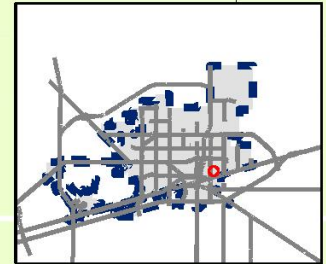
GARDEN LN

N. CARVER ST

SF2

MH

MADISON



PACKET

Page 14.117

September 18, 2023

Map By AW, 3/9/23

SUB-23-0607

Scale: 1" = 200'

ZONING MAP



Madison, Wisconsin

M
P
C
F

U.S. MAPS & DESIGNS
INFORMATION CONTAINED
HEREIN IS FOR OFFICIAL USE ONLY