

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

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
PACKET
September 21, 2020 - 3:30 PM
Council Chambers – City Hall**



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

VIDEOCONFERENCE INFORMATION

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87379361412>

Or iPhone one-tap :

US: +13462487799,,87379361412# or +12532158782,,87379361412#

Or Telephone:

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

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

Webinar ID: 873 7936 1412

International numbers available: <https://us02web.zoom.us/j/87379361412>

OPENING ITEMS

1. Pledge of Allegiance

ANNOUNCEMENTS

2. Recognition of Commissioner Joshua Sparks and Commissioner Warren Ivey for their service on the Planning and Zoning Commission.

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

3. Consider a motion approving the Planning and Zoning Commission Meeting Minutes for August 17, 2020.
4. Consider a proposed Final Plat of Amaron Addition, Section 9, being a plat of a 0.529-acre tract of land located in the SE/4 of Section 3, Block 39, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Camp Street and West Interstate 20. Council District 2) (DEVELOPMENT SERVICES)
5. Consider a reinstatement of an approved Preliminary Plat of Belmont Addition, Section 26, being a replat of Lots 1 through 12, and a 20-foot alley out of Block 21, Belmont Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway. Council District 2) (DEVELOPMENT SERVICES)
6. Consider a proposed Final Plat of Belmont Addition, Section 26, being a replat of Lots 1 through 12, and the previously vacated 20-foot alley right-of-way, all out of Block 21, Belmont Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway. Council District 2.) (DEVELOPMENT SERVICES)
7. Consider a proposed Preliminary Plat of Coyote Run Industrial Subdivision, being a plat of a 183.693-acre tract of land located in Section 35, Block 38, T-1-N, T&P RR Co. Survey, City of Midland and Martin County, Texas. (Generally located on the east side of North County Road 1150, approximately 8,437-feet north of Crownridge Drive. Council District 1 and Extraterritorial Jurisdiction)
8. Consider a proposed Final Plat of Sheeler Addition, Section 8, being a re-plat of the west 119.31-feet of Lot 2, Block 7, Sheeler Addition, and a plat of a 19.207-acre tract of land located in Section 3, Block 39, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Francis Avenue, approximately 317-feet east of South Garfield Street. Council District 2) (DEVELOPMENT SERVICES)
9. Consider a proposed Final Plat of Slover Addition, being a plat of a 1.29-acre tract of land located in the south half of Section 33, Block 39, T-1-S, T&P, RR. Co. Survey, City and County of Midland Texas. (Generally located on the north side of West Front Street, approximately 620-feet west of McGarvey Street. Council District 2) (DEVELOPMENT SERVICES)

10. Consider a proposed Final Plat of Southern Addition, Section 18, being a replat of Lots 15 through 18, Block 133, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Weatherford Street, approximately 80-feet north of East Washington Avenue. Council District 2)
11. Consider a proposed Final Plat of ICAM Addition, being a plat of a 30.42-acre tract of land located in Section 12, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of FM 715, approximately 1,367-feet north of East County Road 120. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
12. Consider a proposed Preliminary Plat of Hannah Addition, Section 2, being a 5-acre tract of land located in Section 18, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of S. County Road 1226, approximately 1,350-feet north of W. County Road 130. Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)
13. Consider a proposed Preliminary Plat of Pioneer Industrial Park, being a plat of a 43.196-acre tract of land located in Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of FM 715, approximately 456-feet south of East County Road 140. Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)
14. Consider a proposed Final Plat of Southwest Crossing, Section 6, being a plat of a 15.000-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northwest corner of the intersection of S. County Road 1235 and W. County Road 123. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

15. Hold a public hearing and consider a request by Quattro FS, LLC for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 4,363 square foot portion of Lot 1A, Block 1, Pavilion Park, Section 11, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North Big Spring Street and Mockingbird Lane. Council District 1) (DEVELOPMENT SERVICES)
16. Hold a public hearing and consider a request by Chad Walters for a zone change from PD, Planned District for a Community Service Center to SF-2, Single-Family Dwelling District on a 0.48-acre portion of Lot 13A, Block 7, Glendale, Section 2, City and County of Midland, Texas. (Generally located on the west side of North Carver Street, approximately 180-feet south of East Cuthbert Avenue. Council District 2) (DEVELOPMENT SERVICES)

17. Hold a public hearing and consider a proposed Preliminary Plat of Southern Addition, Section 21, being a residential replat of the east 50-feet of Lots 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of East Pennsylvania Avenue and South Weatherford Street. Council District 2) (DEVELOPMENT SERVICES)
18. Hold a public hearing and consider a proposed Preliminary Plat of Kingsway Addition, Section 2, being a residential re-plat of Lots 3 through 6, Block 2, Kingsway Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of East Pecan Avenue and Butternut Lane. Council District 2) (DEVELOPMENT SERVICES)
19. Hold a public hearing and consider a request by Summit West Resources, LP for a zone change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District on Lots 3 and 4, Block 3, Mayfield Place Addition, Section 6, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Midkiff Drive and Mockingbird Lane. Council District 1) (DEVELOPMENT SERVICES)

MISCELLANEOUS

Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
August 17, 2020
Council Chambers – City Hall**



The City Council convened in regular session in the Council Chamber, City Hall, Midland, Texas, at 3:32 pm, August 17, 2020.

Commissioners present: Karmen Bryant, Dianne Williams, Warren Ivey, Joshua Sparks, Chase Gardaphe, Lucy Sisniega

Commissioners absent: Kevin Wilton, Reggie Lawrence

Staff members present: Dalia Salinas, Cristina Odenborg Burns, Elizabeth Shaughnessy, Glenda Arroyo-Cruz, Joseph Marynak, Charles Harrington

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.)

The public comment period was opened at 3:33 pm. With no one wishing to speak, the public comment period was closed at 3:34 pm.

CONSENT ITEMS

Commissioner Ivey moved to approve the Consent Items 2-9, excluding item #8; seconded by Commissioner Sisniega.

The motion passed by the following vote:

AYE: Bryant, Williams, Ivey, Sparks, Gardaphe, Sisniega

NAY: None

ABSTAIN: None

ABSENT: Wilton, Lawrence

2. Consider a motion approving the Planning and Zoning Commission Meeting Minutes for August 3, 2020.
3. Consider a proposed Preliminary Plat of Flores Addition, being a plat of a 2.00 acres tract of land located in the NE/4 of Section 22, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of South State Highway 349, approximately 1,269 feet north of W. County Road 137. Extraterritorial Jurisdiction)
4. Consider a proposed Final Plat of West Terminal Addition, Section 9, being a replat of Lot 6, Block 5, West Terminal Addition, Section 2, Midland County, Texas. (Generally located on the north side of W. County Road 100, approximately 415-feet west of S. Farm to Market 1788 Road. Extraterritorial Jurisdiction).

5. Consider a reinstatement of an approved Preliminary Plat of Gateway Plaza, Section 12, being a replat of Lot 2, Block 1, Gateway Plaza, and Lot 3A, Block 1, Gateway Plaza, Section 9, City and County of Midland, Texas. (Generally located on the south side of Starboard Drive, between Liberty Drive and South Tradewinds Boulevard. Council District 4)
6. Consider a proposed Final Plat of Gateway Plaza, Section 12, being a replat of Lot 2, Block 1, Gateway Plaza, and Lot 3A, Block 1, Gateway Plaza, Section 9, City and County of Midland, Texas. (Generally located on the south side of Starboard Drive, between Liberty Drive and South Tradewinds Boulevard. Council District 4)
7. Consider a proposed Final Plat of Legacy Addition, Section 8, being a replat of Common Area A, and Common Area B, Block 1; Common Area D, Block 2; and Common Area E, Block 3; all out of Legacy Addition, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Fortitude Court and Patriot Parkway and on the east side of Gallantry Lane, approximately 235-feet south of Vanguard Road. Council District 4)
8. Consider a proposed Final Plat of Southern Addition, Section 18, being a replat of Lots 15 through 18, Block 133, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Weatherford Street, approximately 80-feet north of East Washington Avenue. Council District 2)

Item #8 was pulled off the agenda for review at a future meeting.

9. Consider a proposed Final Plat of J Bar J Properties, being a plat of a 25.95-acre tract of land located in the southwest quarter of Section 28, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of N. County Road 1148, approximately 448-feet south of E. County Road 63. Extraterritorial Jurisdiction)

PUBLIC HEARINGS

10. Hold a public hearing and consider a request by Betenbough Homes, LLC for a zone change from O-1, Office District to LR, Local Retail District on Lots 2 through 10, Block 1, and Lots 1 through 7, Block 2, Lone Star Business Park, Section 2, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North State Highway 349 and Occidental Parkway. Council District 1)

Planner Elizabeth Shaughnessy gave an overview of the project. With one letter of objection received, staff recommended approval.

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

The applicant, Chris Wallace, was present. He gave a summary of the project and was open for question.

Commissioner Williams asked Mr. Wallace if the houses on Ranchland Drive were developed. Mr. Wallace explained that all the homes in that area have already been developed.

The public hearing was closed at 3:44 p.m.

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

The motion passed by the following vote:

AYE: Bryant, Williams, Ivey, Sparks, Gardaphe, Sisniega

NAY: None

ABSTAIN: None

ABSENT: Wilton, Lawrence

11. Hold a public hearing and consider a request by Betenbough Homes for a zone change from SF-3, Single Family Dwelling District to PD, Planned Development District for a Housing Development on a 15.70-acre tract of land located in Section 7, Block 38, T-1-S, T. & P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Tin Trail, approximately 130 feet east of N. Fairgrounds Road. Council District 1)

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

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

The applicant, Ronnie Wallace, was present. He gave a summary of the project and was open for questions.

Commissioner Sparks asked what the smallest house would be if the zoning was left at SF3. Mr. Wallace explained that the cottage style home would be the smallest style home they would offer. Commissioner Sparks also asked what type of demographic they are going after by offering a smaller home. Mr. Wallace explained that it is an excellent opportunity for smaller families to get into home ownership.

Commissioner Williams asked what the asking price for the homes would be. Mr. Wallace explained that he couldn't quote the exact price but it would be about a \$5,000 savings for the homeowner.

Commissioner Sparks stated that he doesn't feel that the loss of square footage is equal to the price reduction quoted by Mr. Wallace. Mr. Wallace explained that he doesn't have the exact financial information on him to give accurate financial information. He stated that it is their intent to offer the homes at a lower market value.

Commissioner Sparks asked if not given the zone change, how many homes they would be able to put on the property. Mr. Wallace explained that he did not have the information to answer the question.

Commissioner Sparks asked Mr. Wallace if he was correct in understanding that he believes the \$5,000 savings is enough of an initiative to go this route. Mr. Wallace stated that the lower price homes present additional options for those seeking a starting point to home ownership.

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

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

The motion passed by the following vote:

AYE: Bryant, Williams, Gardaphe, Sisniega

NAY: Ivey, Sparks

ABSTAIN: None
ABSENT: Wilton, Lawrence

12. Hold a public hearing and consider a proposed Preliminary Plat of Southern Addition, Section 20, being a residential re-plat of Lots 13 and 14, Block 145, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Baird Street, approximately 120-feet north of East Pennsylvania Avenue. Council District 2)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:09 p.m.

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote:

AYE: Bryant, Williams, Ivey, Sparks, Gardaphe, Sisniega

NAY: None

ABSTAIN: None

ABSENT: Wilton, Lawrence

MISCELLANEOUS

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:15 pm.

Joshua Sparks, Chairman

Date

Cristina Odenborg Burns, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Amaron Addition, Section 9, being a plat of a 0.529-acre tract of land located in the SE/4 of Section 3, Block 39, T-2-S, T&P, RR. Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Camp Street and West Interstate 20. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Watson Professional Group, Inc., is proposing to plat a 0.529-acre tract of land located in the SE/4 of Section 3, Block 39, T-2-S, T&P, RR. Co. Survey, City and County of Midland, Texas, located on the northeast corner of the intersection of Camp Street and West Interstate 20, into one (1) lot for ownership purposes. The preliminary plat was approved at the August 3, 2020 Planning and Zoning commission meeting.

Current Zoning:

RR, Regional Retail District.

Final Plat Requirements:

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

Departmental Review:

This proposed Final Plat of Amaron Addition, Section 9 has been routed to all respective departments for internal review. The comments are below.

Engineering: (Approved)

IMPACT FEES: Note has been added to the face of the plat as of 9.14.20

ROW: ROW on Camp St. is okay as shown. ROW on Connell St. is okay as shown. TxDOT states, "Access should be from Connell St. and Camp St. only for the lot."

PAVING: Camp Street roadway is built to City Standards no public improvements required.

WATER: 6" water exists in Camp Street or west of tract, okay as is. No public water improvements required.

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

PRO RATA: None.

SEWER: 6" sewer exists in alley east of tract, okay as is. No public wastewater improvements required.

DRAINAGE: Drainage study approved 8/19/20. Post development runoff should not exceed predevelopment conditions.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

TxDOT comments, "Access should be from Connell St. and Camp St. only for the lots. Post development runoff should not exceed predevelopment conditions."

Recommend vacating land-locked alley ROW.

No additions or changes to site access are approved with plat or zoning review.

Driveways or other access points are approved only with construction drawing review.

Fire: (Approved)

No additional comments.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Code Compliance: (Approved)

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

Planning:

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

Staff recommends approval of the Final Plat of Amaron Addition, Section 9 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

AMARON ADDITION, SECTION 9

A PLAT OF A 0.529-ACRE TRACT OF LAND, LOCATED IN SE/4 OF SECTION 3, BLOCK 39, T-2-S, T&P, R.R. CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, MIDH LODGING, LLC is the record owner of a 0.529 acre tract of land, being out of Section 3, Block 39, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, MIDH LODGING, LLC, TRUSHAR BHAKTA do hereby adopt this plat designating the herein above described property as "AMARON ADDITION, SECTION 9", 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 said 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.

MIDH LODGING, LLC, TRUSHAR BHAKTA

Date

CERTIFICATE OF APPROVAL

STATE OF TEXAS
COUNTY OF MIDLAND

This is to certify that the above and foregoing plat of "AMARON ADDITION, SECTION 9" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of _____, 2020, A.D.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Trushar Bhakta, 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 _____, 2020, A.D.

Notary Public in and for the State of Texas

Printed name of Notary

My commission expires:

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY

BY:

JERRY UNDERWOOD

AT&T

BY:

Luis Montez

SUDENLINK COMMUNICATION

BY:

Luis Montez

Bill Bentley

GRANDE COMMUNICATION

BY:

Bill Bentley

Jeffrey R. Henderson

ONCOR ELECTRIC DELIVERY

BY:

Jeffrey R. Henderson

LOT 1
BLOCK 5
0.529 ACRES

CONNELL STREET (20' RIGHT OF WAY)

CAMP STREET (60' RIGHT OF WAY)

W. INTERSTATE HIGHWAY 20 ACCESS RD

LEGEND

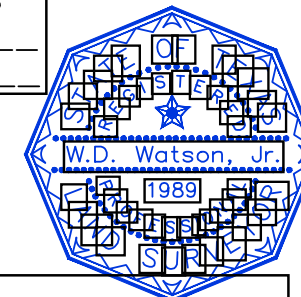
- IRON ROD FOUND (IR)/SPIKE NAIL (SN)
- "X" IN CONCRETE
- POWER POLE
- DOWN GUY
- OVERHEAD ELEC. LINE
- EASEMENTS
- BURIED FIBER OPTIC/TELEPHONE LINE
- WIRE FENCE
- WATER LINE
- SANITARY SEWER LINE
- WATER VALVE/METER
- FIBER OPTIC/TELEPHONE EQUIPMENT BOX/MARKER
- FIRE HYDRANT
- SEWER MANHOLE
- RECORD CALL CENTER LINE
- (BRG.-DIST.)
- C/L
- D.R.M.C.T.
- P.R.M.C.T.
- O.P.R.M.C.T.
- P.O.B.
- DEED RECORDS MIDLAND COUNTY, TEXAS
- PLAT RECORDS MIDLAND COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS MIDLAND COUNTY, TEXAS
- POINT OF BEGINNING OF LEGAL DESCRIPTION

OWNER: MIDH LODGING, LLC
TRUSHAR BHAKTA
1212 CORPORATE DRIVE,
SUITE 350
IRVING, TX 75038

NOTE:

- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND CONTROL MONUMENT "44/93"
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE X AND IS NOT SHOWN TO BE WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, MAP NO. 480329C0202F EFFECTIVE DATE SEPTEMBER 16, 2005.
- DIRECT VEHICLE ACCESS TO I-20 SERVICE ROAD IS PROHIBITED
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

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

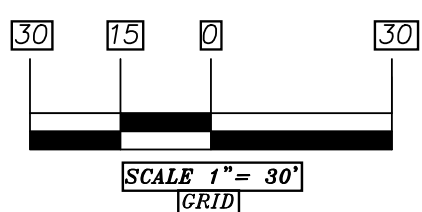
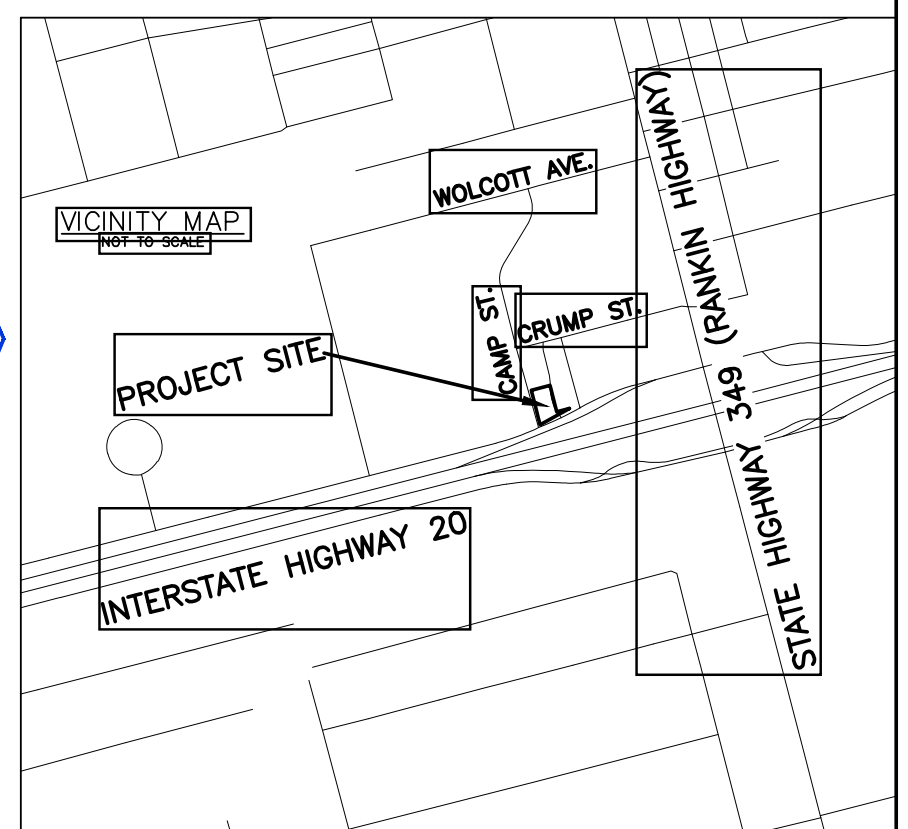


SURVEYOR'S CERTIFICATE

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: AUGUST 7, 2020

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989



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

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS wdwatson@wpg-us.com

JOB NO.: 19-1380-00 DRAFT PW REV: 0

FILE: S:\MIDLAND COUNTY\JFWCO-MIDH LODGING, LLC_ALTA_SHARE TO WPG_



Final Plat Application

Project Number

Sub-20-0339

Case Number

P-20-0921

Proposed Subdivision Plat Name: AMARON ADDITION, SECTION 9

Legal Description (attached sealed Metes and Bounds): _____

0.529-ACRE TRACT OF LAND, LOCATED IN SE/4 OF SECTION 3, BLOCK 39, T-2-S, T&P, RR. CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner MIDH LODGING
Printed Name: TRUSHAR BHAKTA

Phone (432) 940-3111

Email tbhakta@iconlodging.com

Address 1212 CORPORATE DR, SUITE 350

City IRVING

State Texas

Zip 75083

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

Phone (432) 520-9200

Email pwatson@wpg-us.com

Printed Name: Peter Watson

Address P.O. Drawer 11186

City Midland

State Texas

Zip 79702

Current Zoning: _____

Reason for Platting: Ownership

Plat Information

Total Acreage: 0.529

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

Extraterritorial Jurisdiction (ETJ)

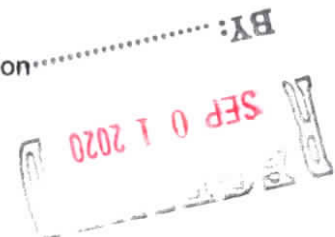
Number of Lots: 1

Number of Multi-Family Dwelling Units: _____

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

Items to be submitted with this application form:

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



Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 8/7/2020

Property Owner (printed): Trushar Bhakta

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

Ashlee Johnson

Authorized Agent (signature)

Subscribed and sworn to before me, this 31 day of August, 2020, to certify which witness my hand and seal of office.



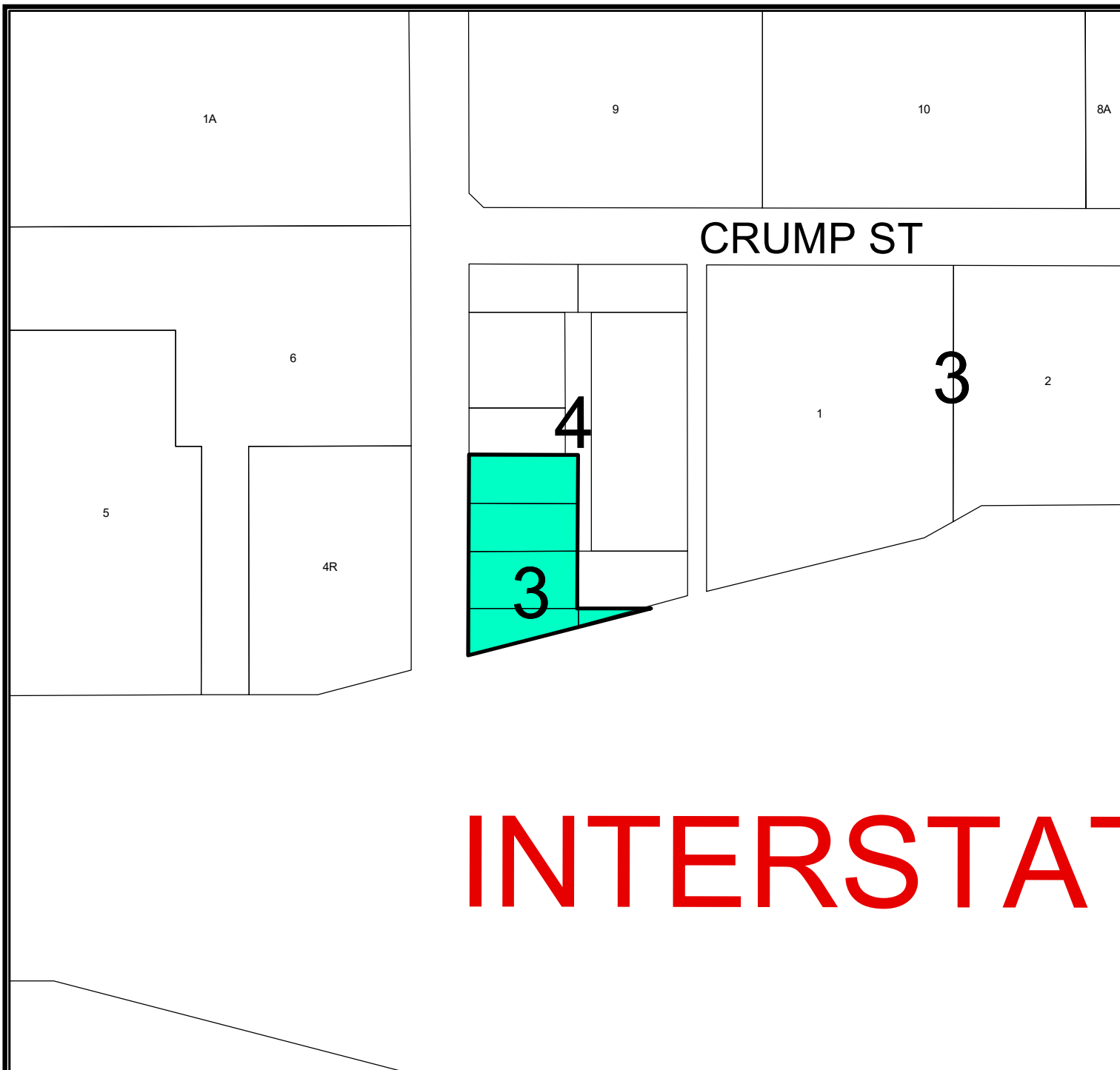
Ashlee Danielle Crouch

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ CADD File <i>missing will send</i>
☒ Application Fee	☒ Title Opinion	☐ Public Improvement ?
Check # <u>10286</u>	☐ Tax Certificates	☒ Recording Fee
Received By: <u>ES</u>		Check # <u>10289</u>
		Date: <u>9-1-20</u>

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



LOCATION MAP

SUB-20-0339

Scale: 1" = 400'

Proposed plat of Amaron Addition, Section 9, being a plat of a 0.529-acre tract of land, located in SE/4 of Section 3, Block 39, T-2-S, T&P, RR. Co. Survey, City and County of Midland, Texas.

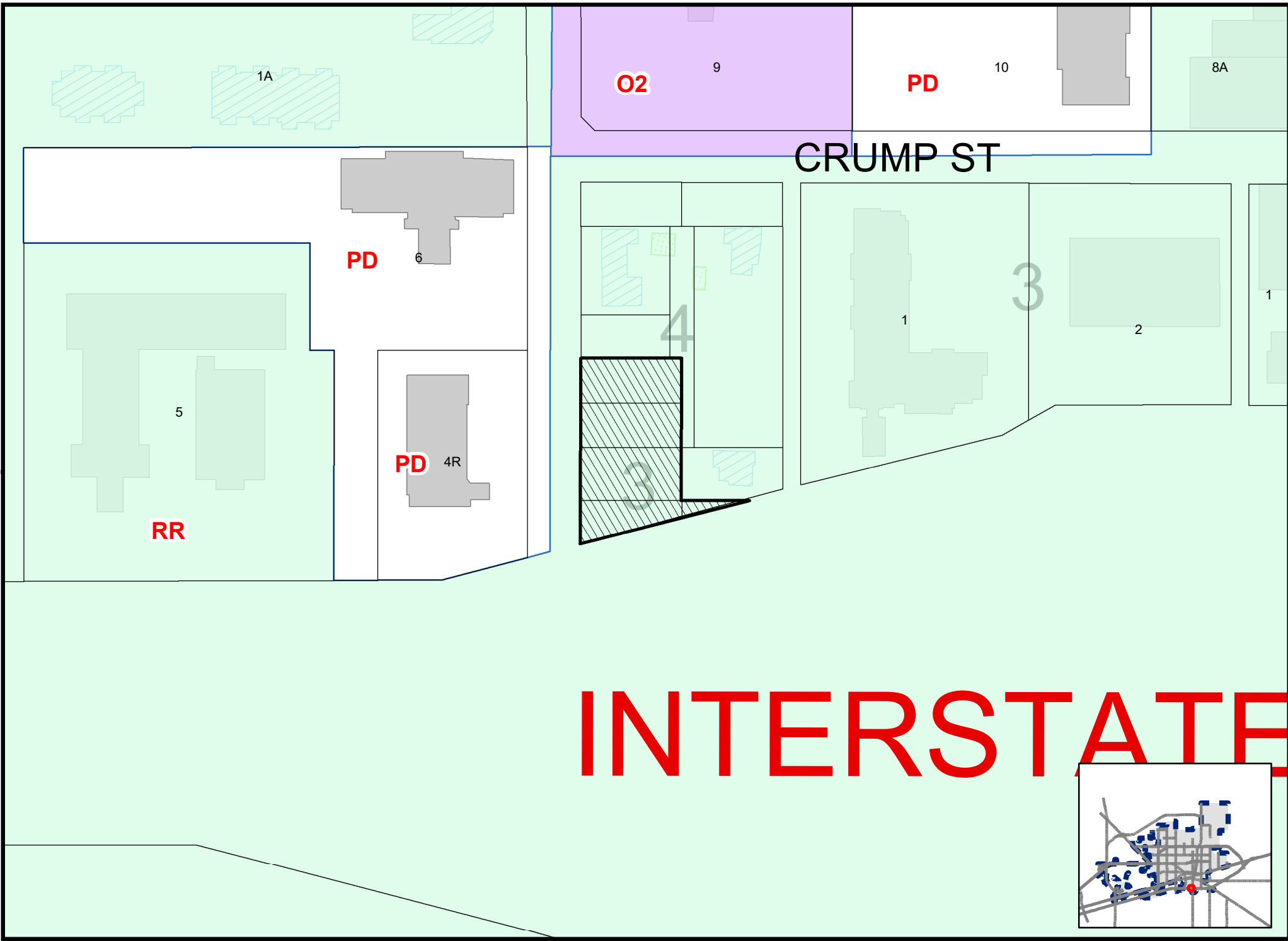
Generally located on the northeast corner of the intersection of Camp Street and West Interstate 2. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a reinstatement of an approved Preliminary Plat of Belmont Addition, Section 26, being a replat of Lots 1 through 12, and a 20-foot alley out of Block 21, Belmont Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, The Kent Companies, is proposing to replat Lots 1 through 12, and a 20-foot Alley out of Block 21, Belmont Addition, City and County of Midland, Texas, which is located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway into one (1) lot.

Current Zoning:

LR-2, Local Retail District

Departmental Review:

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

Engineering: Approved with Conditions

ROW: TxDOT comments - preferably, access should be accommodated from Francis and Hicks. Access from Rankin Hwy should be discouraged. ROW as shown okay.

PAVING: W. Hicks is un-improved along north side. Construct 1/2 roadway to City Standards. Paving on Rankin, Francis and Belmont okay as is.

WATER: Water re-routing plans, by Skyline Civil Group, have been submitted and approved. Construct as per approved plans.

FIRE HYDRANTS: Required to meet current City Fire Codes at the direction of City Fire Marshal.

PRO RATA: None.

SEWER: Sewer in alley to be abandoned, improvements are in approved construction plans by Skyline Civil Group. Comply with plans.

DRAINAGE: Study required. Show FEMA Firm data on plat face.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Sidewalk required on arterial roadways and corner ramps required at platting, rest required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: Approved

STREET NAME AND TRAFFIC CONTROL SIGN FEE – No fee expected with this plat.

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

No objections to plat.

Surveyor: Approved

The plat appears to include our alley, do we plan on vacating the alley, if not show as an alley on plat.

Fire: Approved

No Comments.

Code Administration: Approved

No Comments.

Oil and Gas: Approved

No Oil or Gas wells identified within 500 ft. radius of location on plat.

Colorado River Municipal Water District:

No comment.

Surveyor: Approved

No Comments.

UTILITIES

This addition is outside the city limits and will not have access to city water or sewer.

Planning:

Provide documentation showing ownership or transfer of ownership for proposed lot. Must match City records and the Midland Central Appraisal District's records. City and MCAD records shows owner of Lot 1 being RAMIREZ BERTHA, plat shows Kent Lubrication Centers, Ltd.

Remove Sharyland Utilities.

Block 29 should be Belmont Addition, Section 4. Please verify

Remove (Platted as street name) verbiage.

Show utility poles.

Show existing water and sewer lines and above ground utilities within and adjacent to the plat, with pipe sizes and locations indicated.

Note should read "Bearings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983".

Approval of alley vacation is required before final plat approval.

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

Staff recommends approval of the preliminary plat of Belmont Addition, Section 26, subject to conditions A through D.

Conditions:

- A. That the drainage plan is approved as addressed above.
- B. That the technical items listed above are addressed.
- C. That the alley vacation is required before final plat approval.

D. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments

Attachments:

Proposed Preliminary Plat
Application
Maps

- 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 HEREON ARE NAD83 (CORRSG), LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, UTILIZING CITY OF MIDLAND GPS BASE STATION.

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

ATMOS ENERGY

BY: _____

AT&T

BY: _____

SUDDEENLINK COMMUNICATION

BY: _____

SHARYLAND UTILITIES

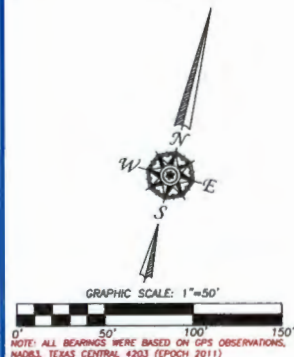
BY: _____

GRANDE COMMUNICATION

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

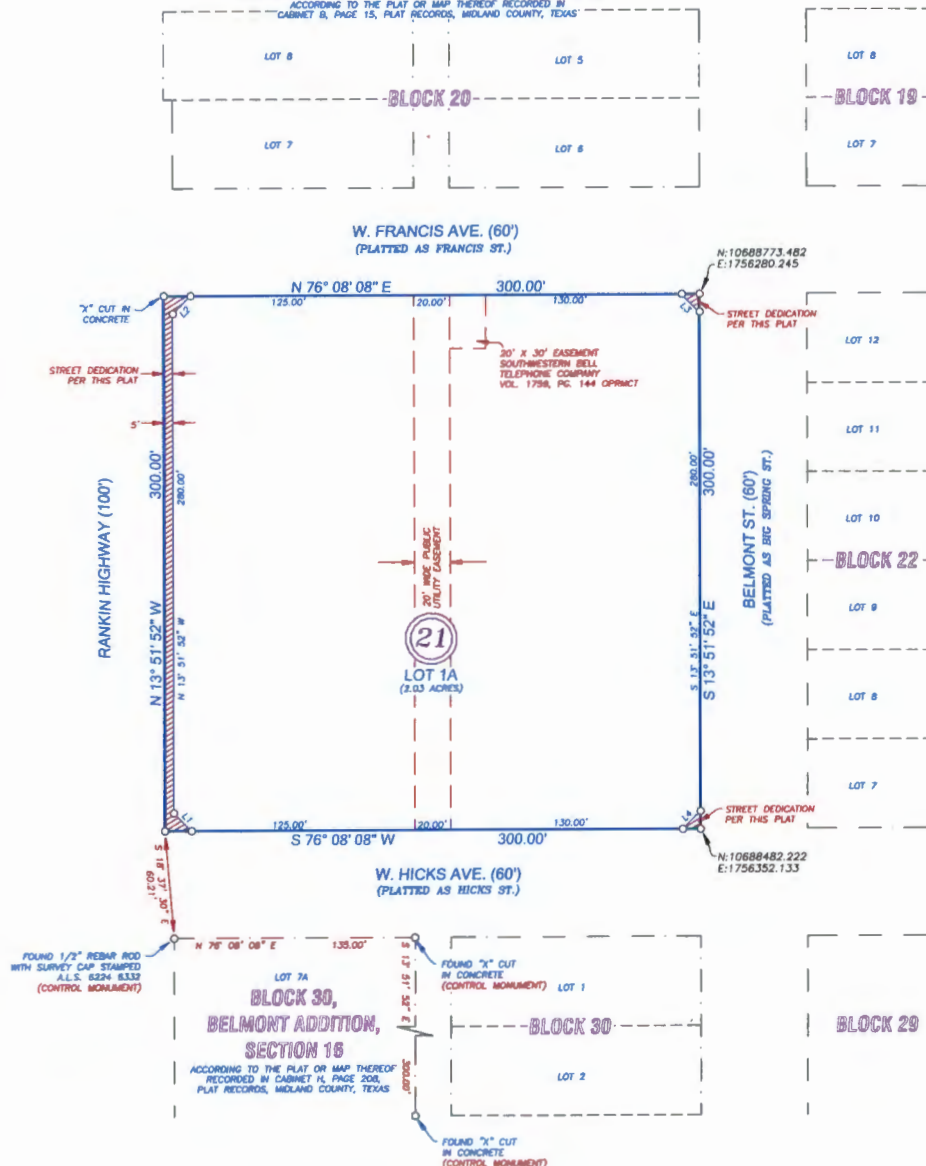


Notes:
According to the Flood Insurance Rate Map for The City of Midland, Midland County, Texas, Community Panel No. 480477 0202 P and by Map Number 48329C0202F, Dated September 16th, 2005, this lot is in Zone X, which is defined as areas determined to be outside the 0.2% annual chance flood plain.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 58° 51' 52" W	14.14'
L2	N 31° 08' 08" E	14.14'
L3	S 58° 51' 52" E	14.14'
L4	S 31° 08' 08" W	14.14'

BELMONT ADDITION CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN
CABINET B, PAGE 15, PLAT RECORDS, MIDLAND COUNTY, TEXAS



BELMONT ADDITION, SECTION 26

BEING A REPLAT OF LOTS 1-12 & A 20' ALLEY SITUATED IN
BLOCK 21, BELMONT ADDITION,
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Kent Lubrication Centers, LTD, is the record owner of all of Block 21, Belmont Addition, an addition to the City of Midland, Midland County, Texas, according to the plat or map thereof recorded in Cabinet B, Page 15, Plat Records, Midland County, Texas and being that same tract of land described in a deed to Kent Lubrication Centers, LTD recorded by Document Number 2018-1472 of the Official Public Records, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Kent Lubrication Centers, LTD, being the owner of the land shown on this plat designated as BELMONT ADDITION, SECTION 26, 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, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

the _____ day of _____, 2018.

By: William B. Kent or Authorized Agent

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 William B. Kent, 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 _____, 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "BELMONT ADDITION, SECTION 26", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2018.

_____, CHAIRMAN

_____, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold, 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.



PLAT FILED FOR RECORD
Page 5.22
DATE _____

PROPERTY OWNER:
KENT LUBRICATION CENTERS, LTD
WILLIAM B. KENT, PRESIDENT
P.O. BOX 508001
MIDLAND, TX 79705

September 21, 2020 18-2018

BELMONT ADDITION, SECTION 26



Preliminary Plat Application

Project Number:

Case Number:

Sub-17-0236
18-0227**Proposed Subdivision Plat Name:****Legal Description (attached sealed Metes and Bounds):** Attached**Property Owner**

Printed Name: The Kent Companies

Phone (432) 520-4000

Email

Address 2408 N. Midkiff

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:

Printed Name:

Phone ()

Email

Address

City

State

Zip

Current Zoning: LR2**Reason for Platting:** We would like to develop the entire property as a whole without having constraints of lot set backs or alleys.**Plat Information**

Total Acreage: 82,500 sq. ft.

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

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature):

Date: 7/16/2018

Property Owner (printed) : Rocio Jaquez

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

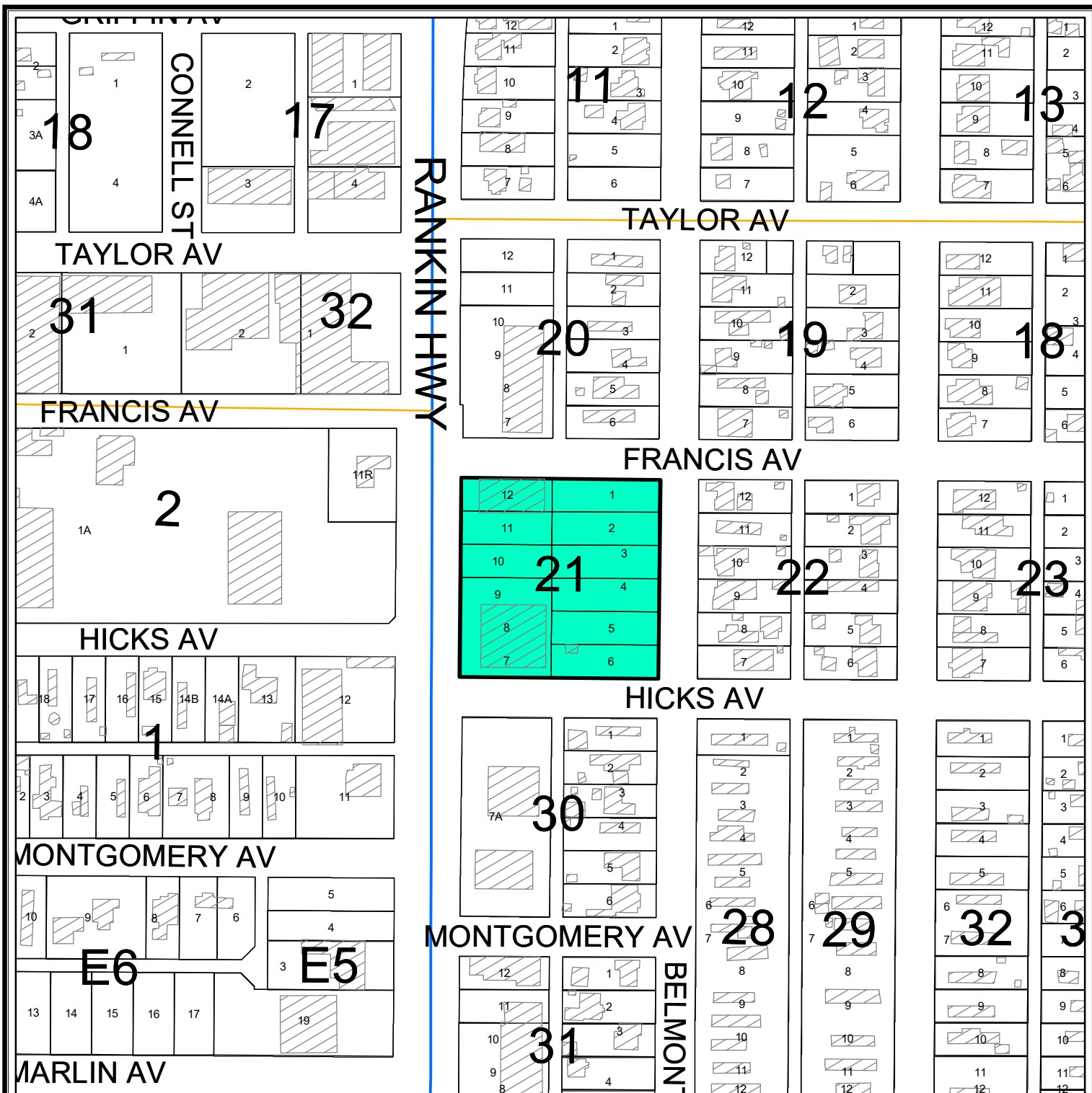
- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Application Fee | ☐ 1 Copy of Plat (11x17) | |

Check # _____

Received By:

Date:

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

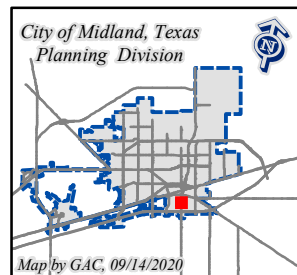


SUB-17-0236

Scale: 1" = 250

Proposed Final Plat of Belmont Addition, Section 26 being a replat of Lots 1-12, and the previously vacated 20-foot alley right-of-way, all out of Block 21, Belmont Addition, City and County of Midland, Texas.

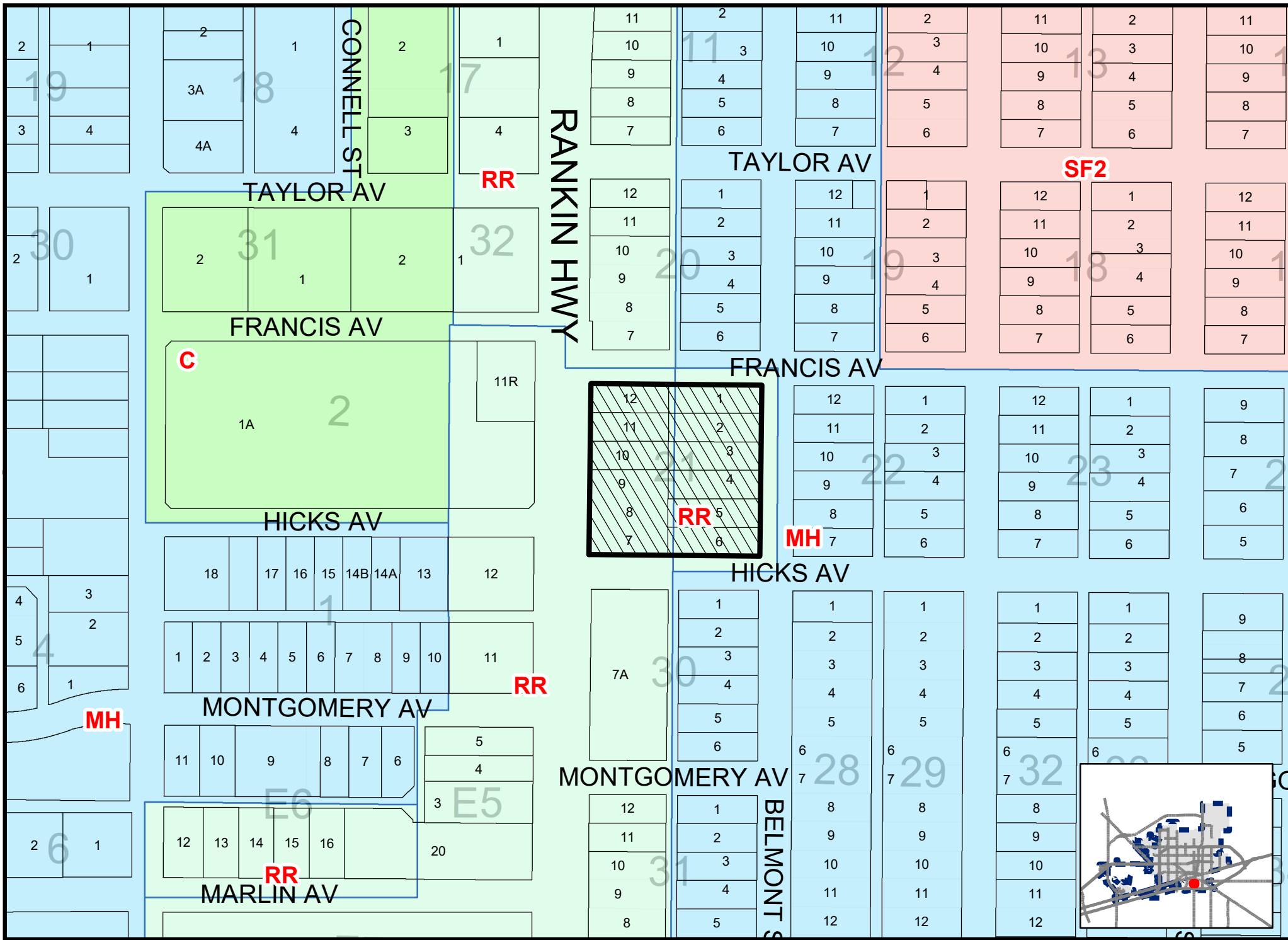
(Generally located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway. Council District 2.)



©THE CITY OF MIDLAND - 2020

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

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





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Belmont Addition, Section 26, being a replat of Lots 1 through 12, and the previously vacated 20-foot alley right-of-way, all out of Block 21, Belmont Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway. Council District 2.) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District (Ordinance Numbers 9719 and 9931)

Preliminary Plat Approval:

The applicant, The Kent Companies is proposing to replat Lots 1 through 12, and the previously vacated 20-foot alley right-of-way, all out of Block 21, Belmont Addition, City and County of Midland, Texas, which is located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway into one (1) lot. The preliminary plat was approved at the September 4, 2018 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

Departmental Review:

The proposed Final Plat of Belmont Addition, Section 26 has been routed to all respective departments for internal review. The comments are below.

Engineering: (Approved)

Comments Updated (2020.07.20):

ROW: TxDOT comments - preferably, access should be accommodated from Francis and Hicks. Access from Rankin Hwy should be discouraged. ROW as shown okay.

PAVING: W. Hicks is un-improved along north side. Plans have been approved and security has been provided for Hicks improvements. Paving on Rankin, Francis and Belmont okay as is.

WATER: Water re-routing plans, by Skyline Civil Group, have been submitted and approved. Construct as per approved plans.

FIRE HYDRANTS: Required to meet current City Fire Codes at the direction of City Fire Marshal.

PRO RATA: None.

SEWER: Sewer in alley to be become private, improvements are in approved construction plans by Skyline Civil Group. Comply with plans.

DRAINAGE: Study submitted and being reviewed with plan set.

EASEMENTS: Alley vacation has been completed.

SIDEWALKS: Required with building permit

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No additions.

Oil and Gas: (Approved)

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

Code Administration: (Approved)

No issue with plat. All future structures must adhere to the International Building Codes, local city ordinances, established setback requirements, and floodplain requirements if necessary.

Colorado River Municipal Water District:

No comments.

Planning:

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

Staff recommends approval of the Belmont Addition, Section 26 subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps

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 HEREON ARE NAD83 (CORS96), LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND GPS BASE STATION.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

SUDDENLINK COMMUNICATION

BY: _____

GRANDE COMMUNICATION

BY: _____

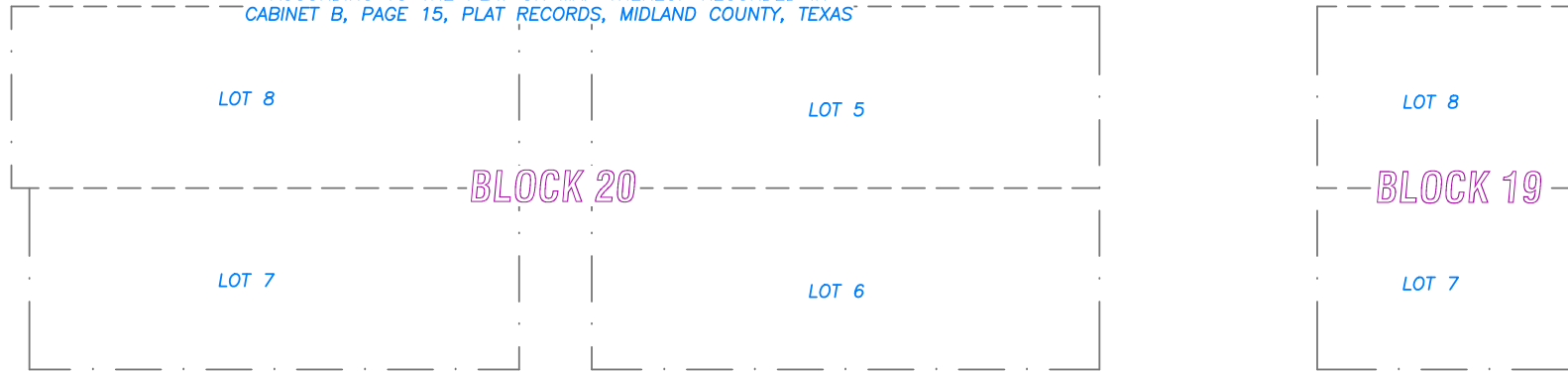
ONCOR ELECTRIC DELIVERY

BY: _____

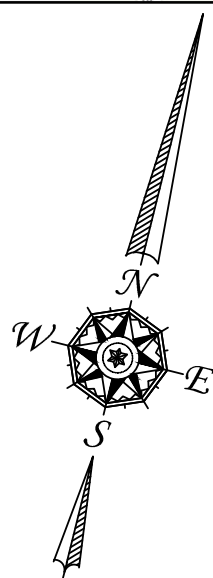
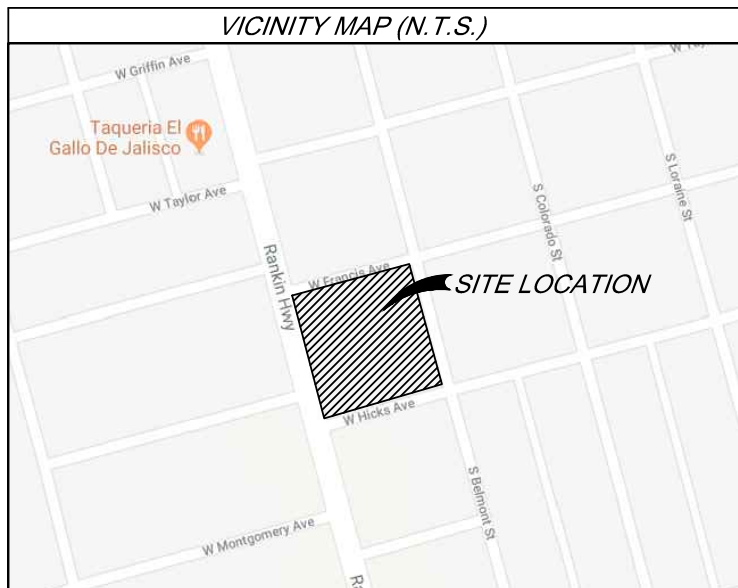
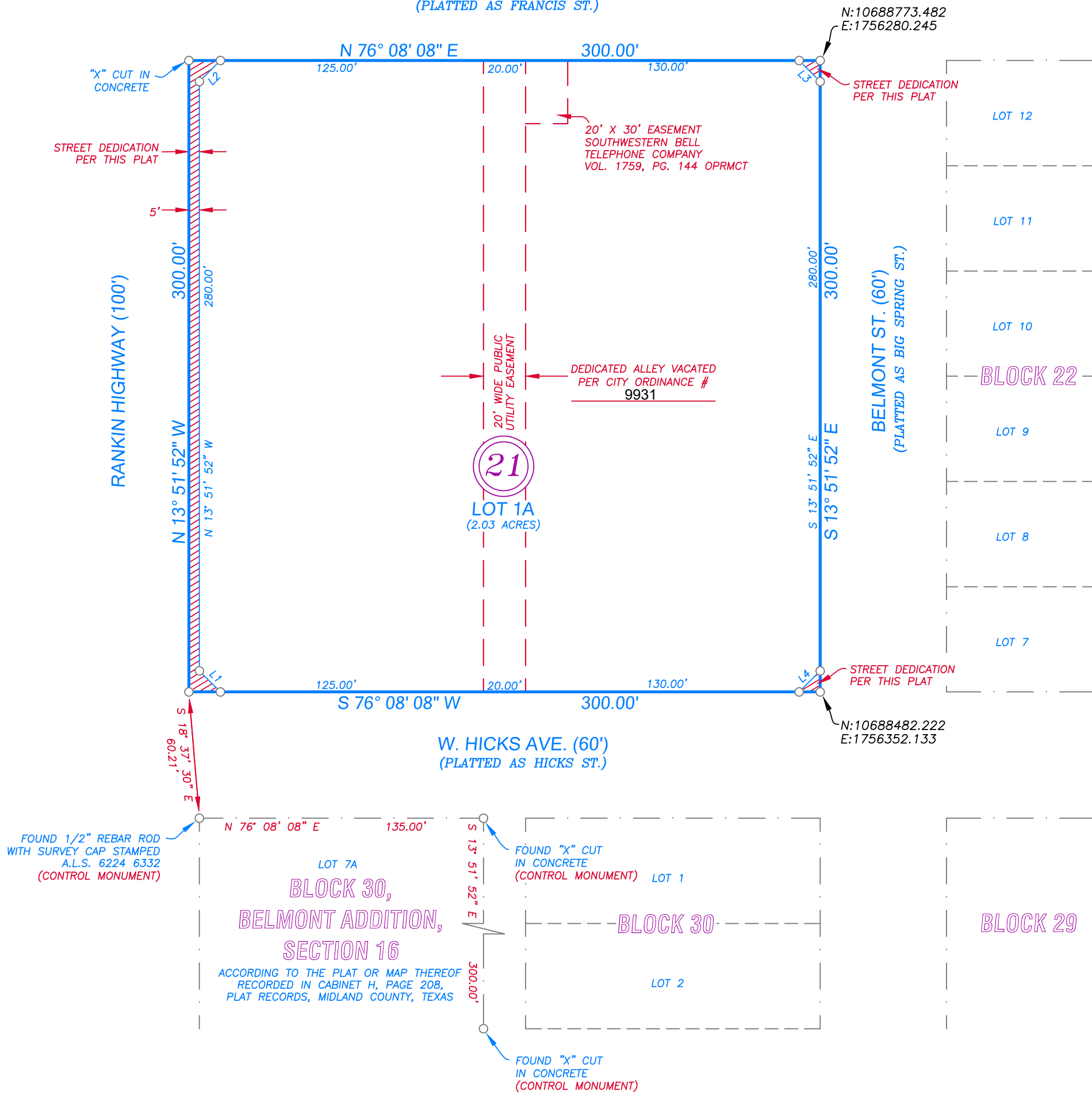
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 58° 51' 52" W	14.14'
L2	N 31° 08' 08" E	14.14'
L3	S 58° 51' 52" E	14.14'
L4	S 31° 08' 08" W	14.14'

BELMONT ADDITION
CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS

ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN
CABINET B, PAGE 15, PLAT RECORDS, MIDLAND COUNTY, TEXAS



W. FRANCIS AVE. (60')
(PLATTED AS FRANCIS ST.)



GRAPHIC SCALE: 1"=50'

0' 50' 100' 150'
NOTE: ALL BEARINGS WERE BASED ON GPS OBSERVATIONS,
NAD83, TEXAS CENTRAL 4203 (EPOCH 2011)



OFFICE: (254) 629-8550 FAX: (254) 629-8524
EMAIL: barney.arnold@survey.com
TSP#12 FIRM NO. 101085-00
BDA GF#1706020-AM JOB#2018-150

LEGEND

- SET 1/2" REBAR ROD WITH SURVEY CAP STAMPED A.L.S. 6224 6332 UNLESS OTHERWISE NOTED HEREON
- BLOCK LINE
- EASEMENT LINE
- LOT LINE
- DESCRIBED TRACT

Notes:

According to the Flood Insurance Rate Map for The City of Midland, Midland County, Texas, Community Panel No. 480477 0202 F and by Map Number 48329C0202F, Dated September 16th, 2005, this lot is in Zone X, which is defined as areas determined to be outside the 0.2% annual chance flood plain.

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

PROPERTY OWNER:
KENT LUBRICATION CENTERS, LTD
WILLIAM B. KENT, PRESIDENT
P.O. BOX 908001
MIDLAND, TX 79708

BELMONT ADDITION, SECTION 26

BEING A REPLAT OF LOTS 1-12 & A 20' ALLEY SITUATED IN
BLOCK 21, BELMONT ADDITION,
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Kent Lubrication Centers, LTD, is the record owner of all of Block 21, Belmont Addition, an addition to the City of Midland, Midland County, Texas, according to the plat or map thereof recorded in Cabinet B, Page 15, Plat Records, Midland County, Texas and being that same tract of land described in a deed to Kent Lubrication Centers, LTD recorded by Document Number 2018-1472 of the Official Public Records, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Kent Lubrication Centers, LTD, being the owner of the land shown on this plat designated as BELMONT ADDITION, SECTION 26, 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, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

the _____ day of _____, 2019.

By: William B. Kent or Authorized Agent

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS the City of Midland, is the record owner of all of that dedicated alley in Block 21, Belmont Addition, an addition to the City of Midland, Midland County, Texas, according to the plat or map thereof recorded in Cabinet B, Page 15, Plat Records, Midland County, 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 BELMONT ADDITION, SECTION 26, 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, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

the _____ day of _____, 2019.

Chairman: Josh Sparks

Secretary: Christina Odenborg Burns

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 William B. Kent, 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 _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "BELMONT ADDITION, SECTION 26", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2019.

_____, CHAIRMAN, Josh Sparks

_____, SECRETARY, Christina Odenborg Burns

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold, 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.



05-02-2019

BELMONT ADDITION, SECTION 26

Page 6 of 6
September 21, 2020



Final Plat Application

Project Number: SUB-17-0236
Case Number: P-20-09116

Proposed Subdivision Plat Name: Belmont Addition, Sec. 26

Legal Description (attached sealed Metes and Bounds): Previously Provided

Property Owner

Printed Name: Kent Lubrication Centers, LTD

Phone ()

Email

Address P.O. Box 908001

City Midland

State Tx

Zip 79708

Developer (if different than Owner)

Printed Name: Same ↑

Phone ()

Email

Address

City

State

Zip

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

Firm: Skyline Civil Group

Printed Name: Stephen T. Marcum

Phone (432) 685-1226

Email smarcum@skylinecivilgroup.com

Address 3323 N. Midland Dr. Ste 113-166

City Midland

State Tx

Zip 79707

Current Zoning: RR

Reason for Platting: Building Permit

Plat Information

Total Acreage: 2.03

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Residential Lots: N/A

Number of Multi-Family Dwelling Units: N/A

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

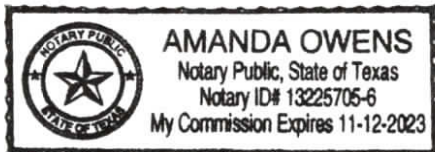
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is authorized by William B. Kent, 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, 2020, to certify which witness my hand and seal of office.



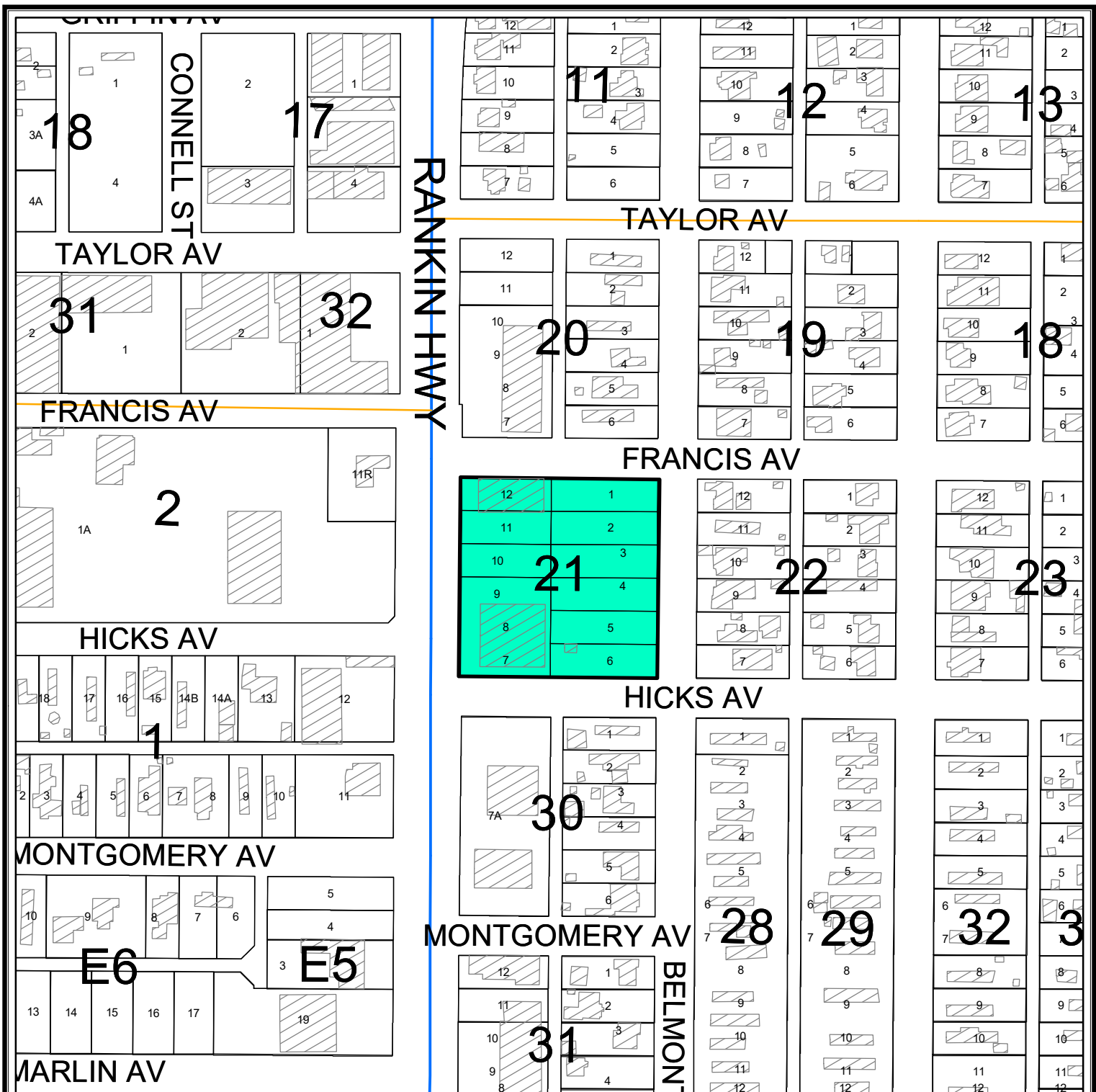
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>waived</u>	☒ Tax Certificates	Check # <u>5242</u>
Received By: <u>Christal B...</u>		Date: <u>AUG 25 2020</u>

BY:

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



SUB-17-0236

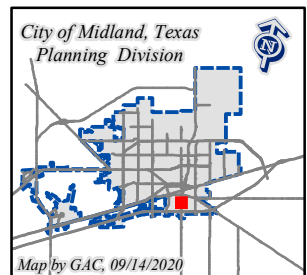
Scale: 1" = 250'

Proposed Final Plat of Belmont Addition, Section 26 being a replat of Lots 1-12, and the previously vacated 20-foot alley right-of-way, all out of Block 21, Belmont Addition, City and County of Midland, Texas.

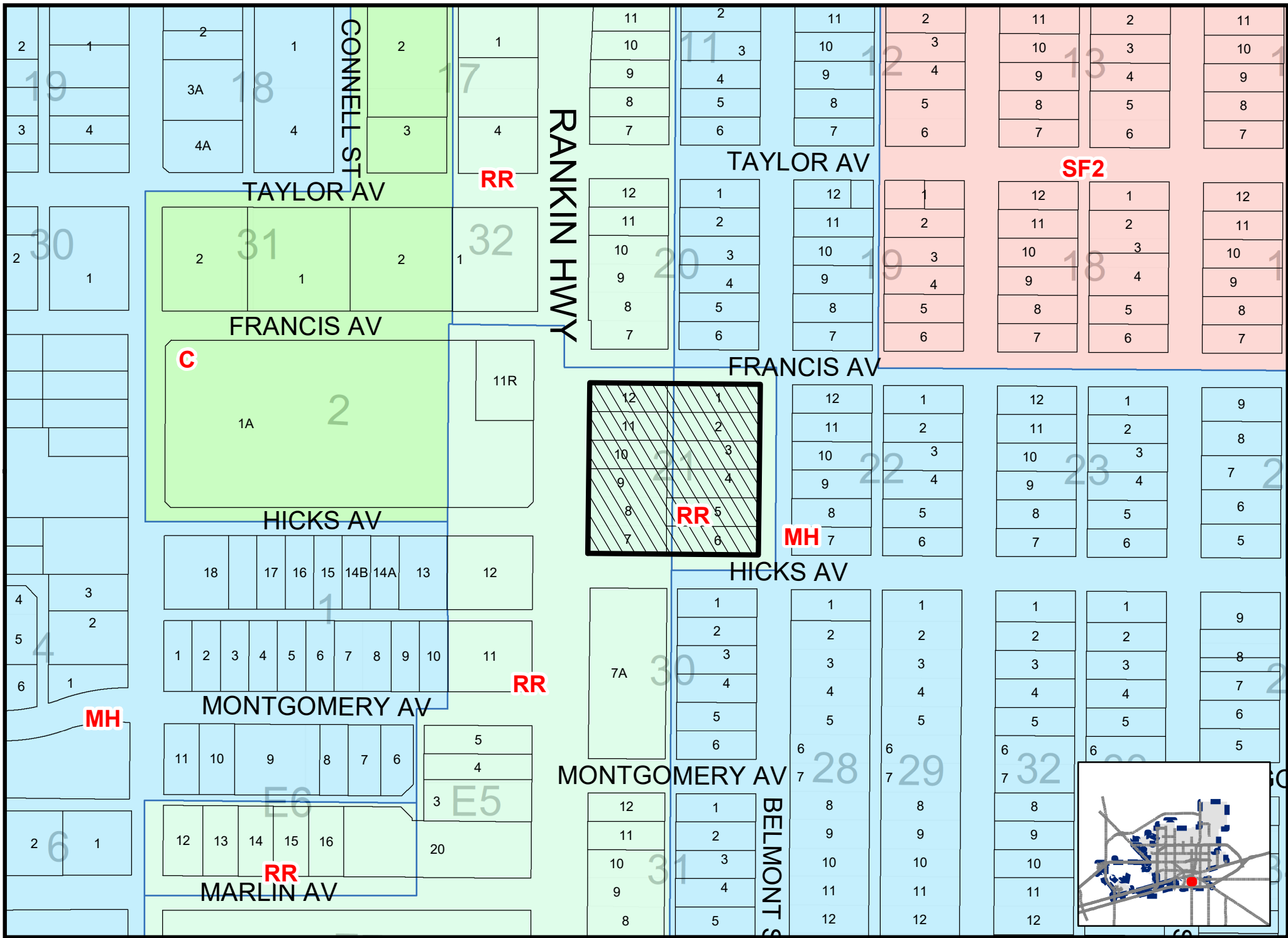
(Generally located on the southeast corner of the intersection of West Francis Avenue and Rankin Highway. Council District 2.)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED SOLELY ON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Preliminary Plat of Coyote Run Industrial Subdivision, being a plat of a 183.693-acre tract of land located in Section 35, Block 38, T-1-N, T&P. RR Co. Survey, City of Midland and Martin County, Texas. (Generally located on the east side of North County Road 1150, approximately 8,437-feet north of Crownridge Drive. Council District 1 and Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Watson Professional Group, Inc., is proposing to plat a 183.693-acre tract of land located in Section 35, Block 38, T-1-N, T&P. RR Co. Survey, City of Midland and Martin County, Texas, into one-hundred and sixteen (116) lots for development.

Current Zoning:

AE, Agricultural Estate District.

Departmental Review:

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

Engineering: (Approved with Conditions)

IMPACT FEES: Impact fees will be incurred for lots within City limits. Provide the following impact fee statement:

"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."

ROW: Dedicate 75 feet along the West side of the development for the construction of North County Road 1150. Indicate this ROW on both plat sheets.

PAVING: Pave North County Road 1150 and all internal roadways to City of Midland Standards or request a deferral.

WATER: None existing. Construct to City standards along entire platted frontage, serving all lots with looped system, or request a deferral. If utilities are installed, water pressure and volume studies will be required for all developments over 5 acres, serving 20 residences or more or multi-family sites, per Policy Statement.

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

PRO RATA: None

SEWER: None existing. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways, or request a deferral. If utilities are installed, sewer capacity studies will be required for all developments over 5 acres, serving 20 residences or more or multi-family sites, per Policy Statement.

DRAINAGE: Drainage Report required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required during building permit phase, or request a deferral.

DIMENSION: * * *

OTHER:

A. All public infrastructure improvements and plat to comply with City of Midland – Engineering Services, Fire Department & Utilities Policy Statement – City Standards & Development Requirements. (Found on-line at: <http://www.midlandtexas.gov/DocumentCenter/View/2625>)

B. The following must be noted with regard to this plat and other new developments in the NE area of Midland:

"Enprotec/Hibbs & Todd, Inc. has determined through computer modeling that the City of Midland's existing water system cannot support additional service demand in the northeast portion of the system within TCEQ minimum pressure requirements.

Until all other plat requirements are met and on-site pressure testing shows adequate pressure and/or minimum TCEQ requirements are met for the water improvements installed for this subdivision, Engineering Services cannot support approval of the Final Plat.

The City is working diligently to determine short term and long term corrective actions to improve the Northeast portion of the water system and to partner with the area developers in seeking solutions."

Transportation: (Approved with Conditions)

On southern sheet, CR 1150 is called out as a private road with no indication that ROW is being dedicated. Clarify that ROW is being dedicated with this plat, as was shown on the northern segment. Also, the width of dedication area is shown as 60 ft, but 75 ft half-street ROW is required along this future Major Arterial, as was shown on the northern segment.

At the southeast corner there is a 30' wide access easement. Where does this go to?

Estimated STREET NAME AND TRAFFIC CONTROL SIGN FEE due at Final Plat submittal = 2 new intersections created at \$500/intersection = \$1000. Fee shall be adjusted based on number of intersections if Final Plat is phased.

Fire: (Approved)

No comments.

Code Compliance: (Approved)

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

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Surveyor: (Approved)

No comments.

HEALTH DEPARTMENT:

These lots are in Martin County and the septic permits will have to be permitted by the Martin County Designated Representative.

PLANNING:

The following technical items need to be addressed:

Are the internal roads being dedicated as right-of-way or easements? If dedicated as right-of-way lot lines should start along the edges. If dedicated as easements, label as such. Also label the width.

Provide property ownership on the mylar.

This plat is larger than 25 acres; therefore City Council approval is required.

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

Staff recommends approval of the preliminary plat of Coyote Run Industrial Subdivision subject to conditions A through D.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps

OWNER:
AGUA DULCE HOLDINGS, LLC
1201 ORLANDO RD. AUSTIN, TEXAS
78733

REPLAT OF COYOTE RUN INDUSTRIAL SUBDIVISION

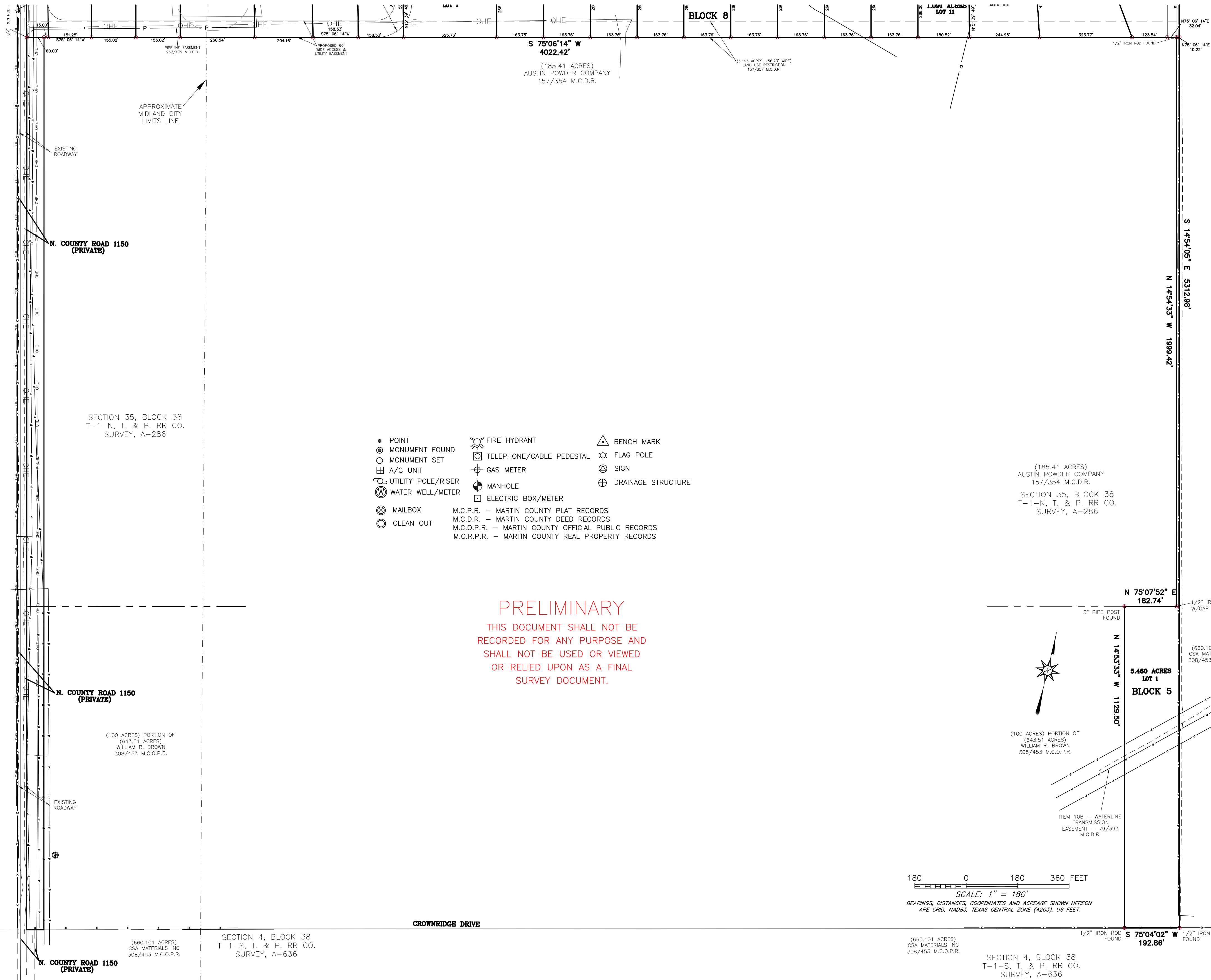
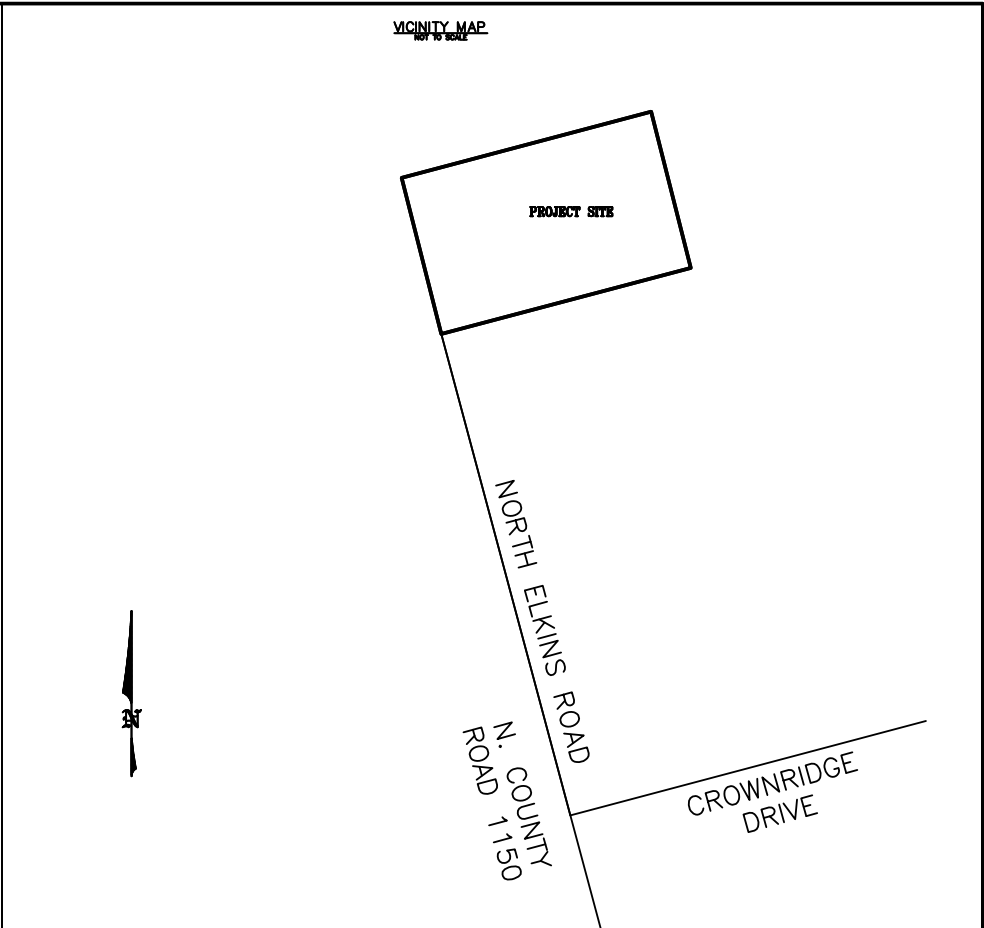
BEING A 183.693 ACRE TRACT OUT OF SECTION 35, BLOCK 38, T-1-N, T. & P. RR Co.
SURVEY A-286, COUNTY OF MARTIN, TEXAS



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.

REPLAT OF COYOTE RUN INDUSTRIAL SUBDIVISION

BEING A 183.693 ACRE TRACT OUT OF SECTION 35, BLOCK 38,
T-1-N, T. & P. RR Co. SURVEY A-286, COUNTY OF MARTIN, TEXAS



CERTIFICATE OF APPROVAL
STATE OF TEXAS }
COUNTY OF MIDLAND }
This is to certify that the above and foregoing plat of "COYOTE RUN INDUSTRIAL SUBDIVISION" was approved by
proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____
day of _____, 2020, A.D.

JOSH SPARKS, CHAIRMAN
CRISTINA ODENBORG BURNS, SECRETARY

OWNER'S CERTIFICATE
THE STATE OF TEXAS
COUNTY OF MARTIN
WHEREAS, AGUA DULCE HOLDINGS, LLC IS THE RECORD OWNER OF A 183.693 ACRE TRACT OF LAND, BEING
OUT OF SECTION 35, BLOCK 38 T-1-N, T. & P. RR CO. SURVEY, A-286, MARTIN COUNTY, TEXAS.
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
THAT WE, AGUA DULCE HOLDINGS, LLC, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE
DESCRIBED PROPERTY AS "COYOTE RUN INDUSTRIAL SUBDIVISION", AN ADDITION TO MARTIN 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.

AGUA DULCE HOLDINGS, LLC Date

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

ATMOS ENERGY
BY: _____
AT&T
BY: _____
SUDDENLINK COMMUNICATION
BY: _____
GRANDE COMMUNICATION
BY: _____
ONCOR ELECTRIC DELIVERY
BY: _____

ACKNOWLEDGEMENT
STATE OF TEXAS }
COUNTY OF MIDLAND }
Before me, the undersigned authority, on this day personally
appeared AGUA DULCE HOLDINGS, LLC 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
_____, 2020, A.D.
Notary Public in and for the State of Texas
Printed name of Notary
My commission expires: _____

GENERAL 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. ANY INCREASE IN STORMWATER RUNOFF SHALL BE
DIRECTED ONTO PERMEABLE SURFACES.
3. BEARINGS, DISTANCES, COORDINATES AND ACREAGE SHOWN
HEREON ARE GRID, NAD83, TEXAS CENTRAL ZONE (4203), US
FEET.
4. AS OF THE DATE OF THE SURVEY, THE PREMISES IS NOT
MAPPED, AS DEFINED BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MARTIN,
MIDLAND COUNTY, TEXAS.
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A
TITLE REPORT AND REVIEW OF THE ABSTRACT OF TITLE.
THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING
THIS PROPERTY NOT SHOWN HEREON.

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 MARTIN COUNTY, TEXAS.
DATED: _____, 2020
W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989

FILED FOR RECORD THIS ____ DAY OF _____, 2020, AT ____ M.
RECORDED THIS ____ DAY OF _____, 2020, AT ____ M., IN
CABINET ____ PAGE ____ MARTIN COUNTY PLAT RECORDS.

COUNTY CLERK OF MARTIN COUNTY, TEXAS

Watson Professional Group Inc.
CONTRACTOR: WATSON, LUIS PROFFER & PLANNING
JOB NO.: 19-50021 DRAFT MRW REV. 0
FILE: S:MARK/COYOTE RUN REPLAT/coyote 2 access points.dwg



Preliminary Plat Application

Project Number:

Case Number:

SUB-20-0355

P-20-0910

Proposed Subdivision Plat Name: Coyote Run Industrial Subdivision**Legal Description (attached sealed Metes and Bounds):**

A 183.693 ACRE TRACT OUT OF SECTION 35, BLOCK 38, T-1-N, T. & P. RR Co. SURVEY A-286, COUNTY OF MARTIN, TEXAS

Property Owner Agua Dulce Holdings LLC

Printed Name: Rusty Bourland

Address 605 N Tumbleweed Trl

City Austin

Phone (512) 423-6177

Email rusty@sweetwaterprojects.com

State TX

Zip 78733

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()
Email

State

Zip

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

Firm: WATSON PROFESSIONAL GROUP INC

Printed Name: Ashlee Johnson

Address PO Drawer 11186

City Midland

Phone (432) 520-9200

Email

ajohnson@wpg-us.com

State TX

Zip 79702

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

Total Acreage: 183.693

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

Number of Lots: 116

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'

AUG 19 2020

BY:

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: 8-18-2020

Property Owner (printed): Rusty Bourland

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Ashlee Johnson
Authorized Agent (signature)

Subscribed and sworn to before me, this 19 day of August, 20 20, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 9954

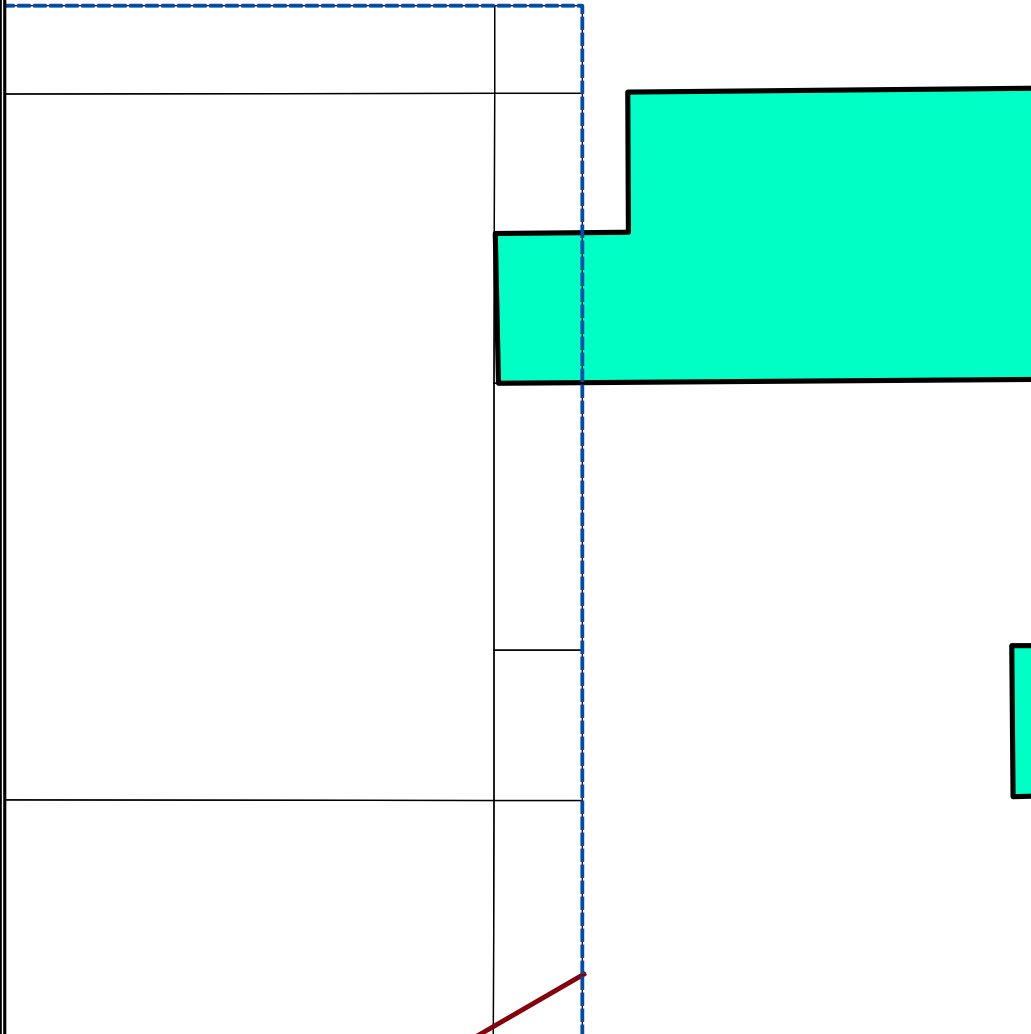
Received By: jac

Date:

AUG 19 2020

BY:

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



LOCATION MAP

SUB-20-0355

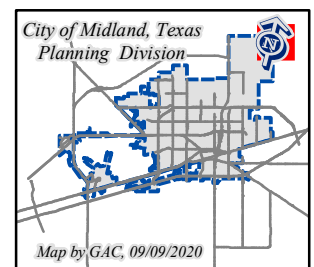
Scale: 1" = 250'

Consider a proposed plat of Coyote Run Industrial Subdivision, being a plat of a 183.693-acre tract of land located in Section 35, Block 38, T-1-N, T&P. RR Co. Survey, City of Midland and Martin County, Texas.

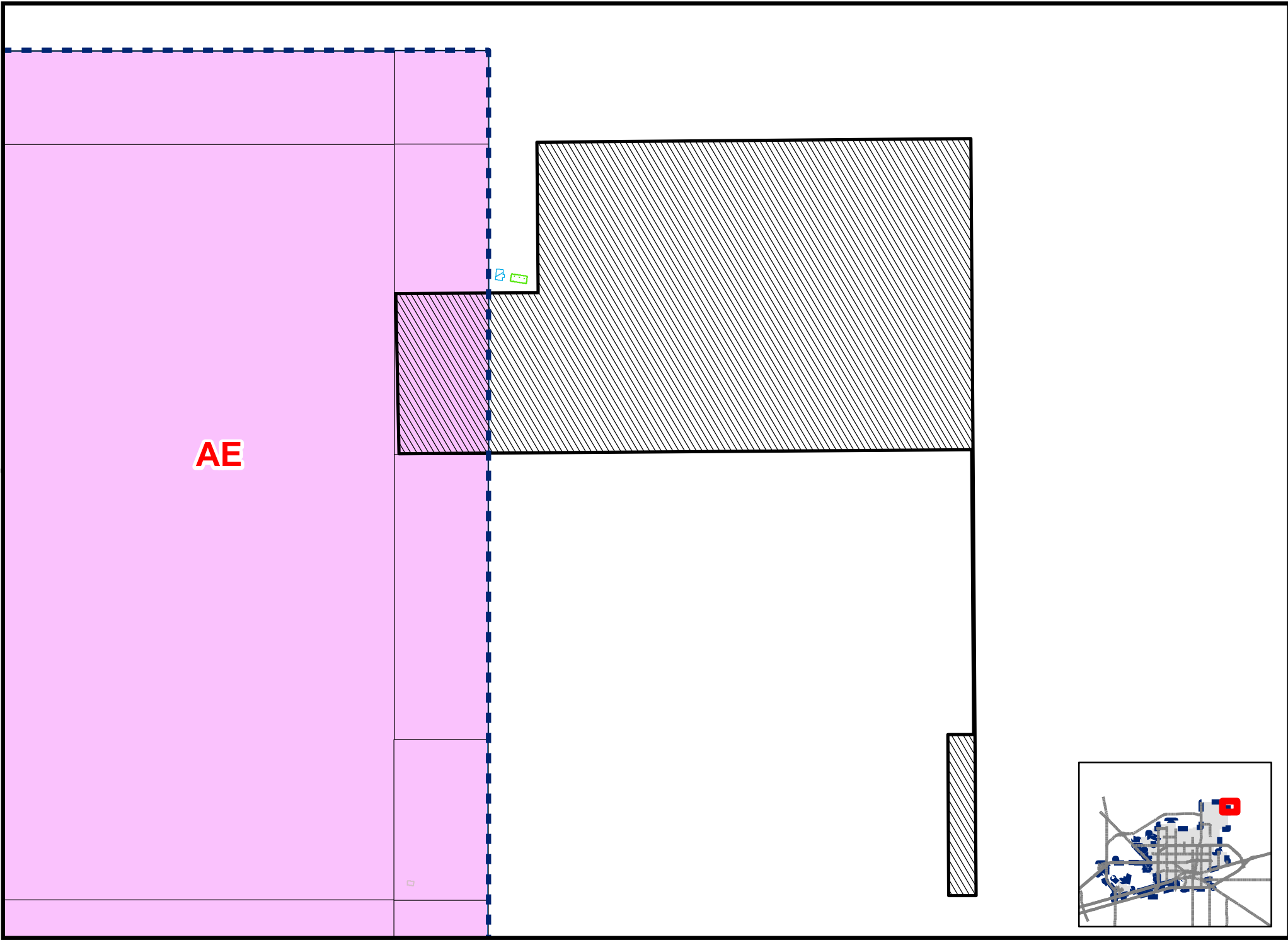
Generally located on the east side of North County Road 1150, approximately 8,437-feet north of Crownridge Drive. (Council District 1 and Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Sheeler Addition, Section 8, being a re-plat of the west 119.31-feet of Lot 2, Block 7, Sheeler Addition, and a plat of a 19.207-acre tract of land located in Section 3, Block 39, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Francis Avenue, approximately 317-feet east of South Garfield Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

MF-22, Multiple-Family Dwelling District and TP, Technology Park District.

Preliminary Plat Approval:

The applicant, Cross Engineering Consultants, Inc., is proposing to re-plat the west 119.31-feet of Lot 2, Block 7, Sheeler Addition, and plat a 19.207-acre tract of land located in Section 3, Block 39, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas, into one (1) lot to develop a multi-family project. The Preliminary Plat was approved at the February 18, 2020 Planning and Zoning commission meeting.

Final Plat Requirements:

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

Departmental Review:

This proposed Final Plat of Sheeler Addition, Section 8 has been circulated to all city departments for their review. The comments are below.

Engineering: (Denied)

IMPACT FEES: Impact Fee Statement is okay as shown.

ROW: ROW okay as shown.

PAVING: South K Street is only partially constructed to City of Midland Standards. Construct South K to City Standards South to Stokes Ave and construct hammerhead or cul-du-sac at the end for fire trucks to turn around. Or provide the \$250,000.00 security that was agreed upon between the developer and the City of Midland. Paving requirements of Stokes Ave. have been waived as per the meeting with city officials. No Paving improvements required for Stokes Ave.

WATER: Water existing in Francis Ave and a portion of South K Street. Extend water down South K Street along the platted frontage or request a deferral.

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

PRO RATA: None

SEWER: Sewer existing in Francis and a portion of South K Street. Extend sewer along the platted frontage of South K Street, or request a deferral.

DRAINAGE:

EASEMENTS: Show existing and proposed.

SIDEWALKS: required with building permit. Sidewalks required along the platted frontages off Francis, and South K. ADA ramps required at the corner of Francis and South K.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No additional comments.

Code Compliance: (Approved with Conditions)

There is a permitted well to the south operated by Endeavor Energy Resources-a 500 ft. radius needs to be identified along with the well. The well is the Madden #2. It appears the radius would come across the property. Any occupied residential/commercial building permits inside the 500 ft. radius would require a variance to the permitted well from the City Council. A variance would have to be presented to the City Council by the City Building Official. The request would be best if it included a letter of endorsement/support to approved distance from the Operator.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Planning:

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

Staff recommends approval of the Final Plat of Sheeler Condition, Section 8 subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: SUB-19-0298
Case Number: D-20-0909

Proposed Subdivision Plat Name: Sheeler Addition Section 8

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

Property Owner

Printed Name: Karen Pinard

Phone (928) 379-1626

Email karenpinard@gmail.com

Address 1707 W. Francis

City Midland

State TX

Zip 79701

Developer (if different than Owner)

Printed Name: Scott Johnson - Palladium West Francis, LTD

Phone (972) 774-4450

Email

Address 13455 Noel Road, Suite 400

City Dallas

State TX

Zip 75240

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

Firm: Cross Engineering Consultants, Inc.

Printed Name: Jonathan Hake

Phone (972) 562-4409

Email

jhake@crossengineering.biz

Address 1720 W. Virginia Street

City McKinney

State TX

Zip 75069

Current Zoning:

Reason for Platting: To develop a multi-family project

Plat Information

Total Acreage: 18.679 acres

Type: ☐ Single-Family Residential

☒ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 2

Number of Multi-Family Dwelling Units: 240

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

Items to be submitted with this application form:

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

RECEIVED
AUG 20 2020
BY:

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Karen Pinard

Date:

8/19/2020

Property Owner (printed):

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Jonathan Hake who, being by me duly sworn, upon oath says: That (s)he is authorized by Karen Pinard, 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.

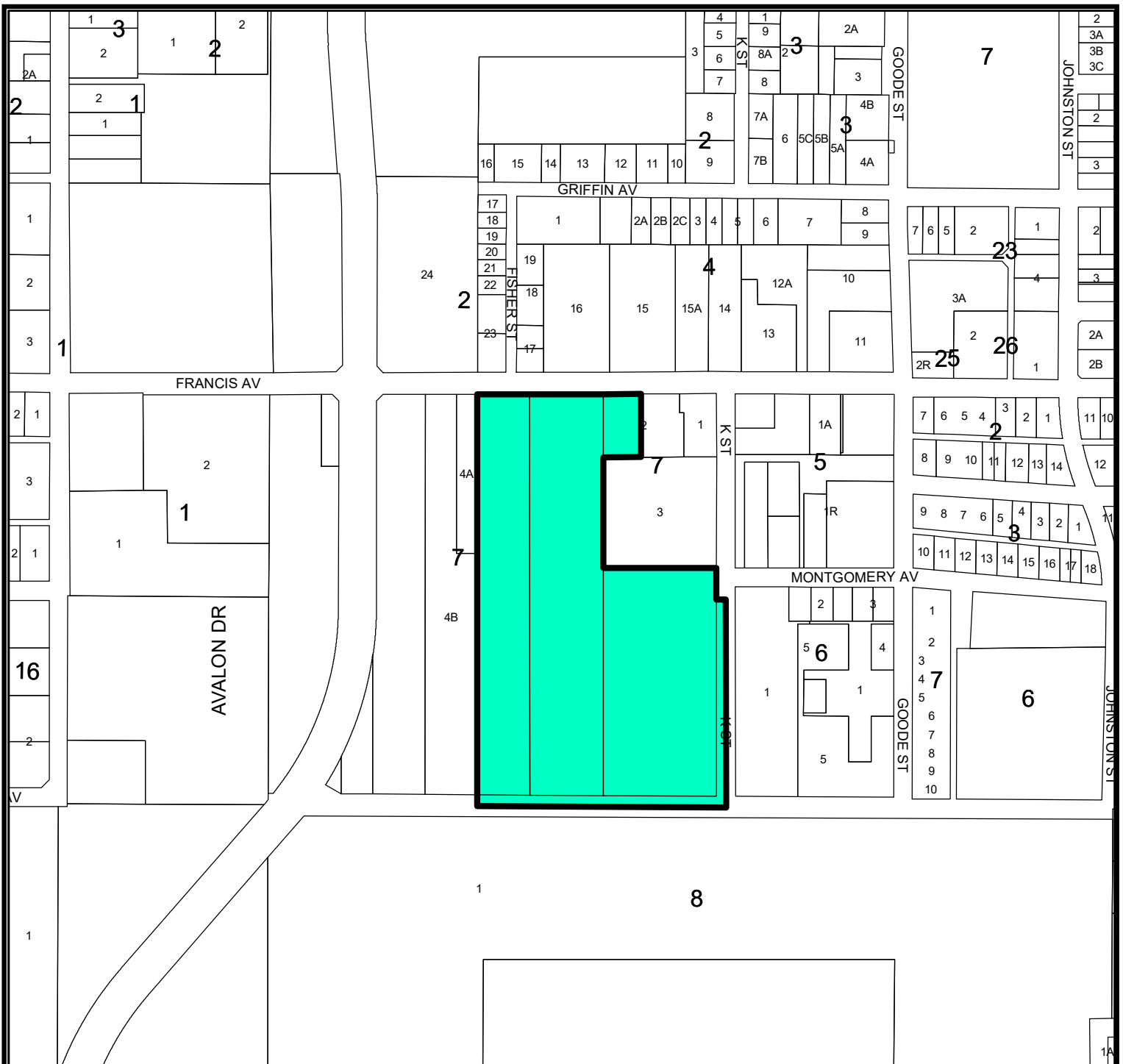
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☐ Property Owner Authorization ☒ Mylar ☐ Application Fee Check # _____	☐ 1 Copy of Dimensioned Plat ☐ 1 Copy of Plat (11x17) ☒ Title Opinion ☒ Tax Certificates	☒ Plat in Digital Format (PDF/JPEG) ☐ Public Improvements ☐ Recording Fee Check # _____
Received By: <u>gac</u>		Date: AUG 20 2020

BY:

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



LOCATION MAP

SUB-17-0226

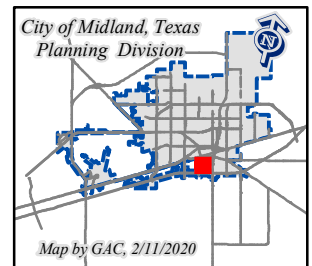
Scale: 1" = 400'

Proposed plat of Sheeler Addition, Section 8, being a re-plat of the West 119.31-feet of Lot 2, Block 7, Sheeler Addition, and a plat of a 19.207-acre tract of land out of Section 3, Block 39, T-2-S, T&P, RR. Co. Survey, City and County of Midland, Texas.

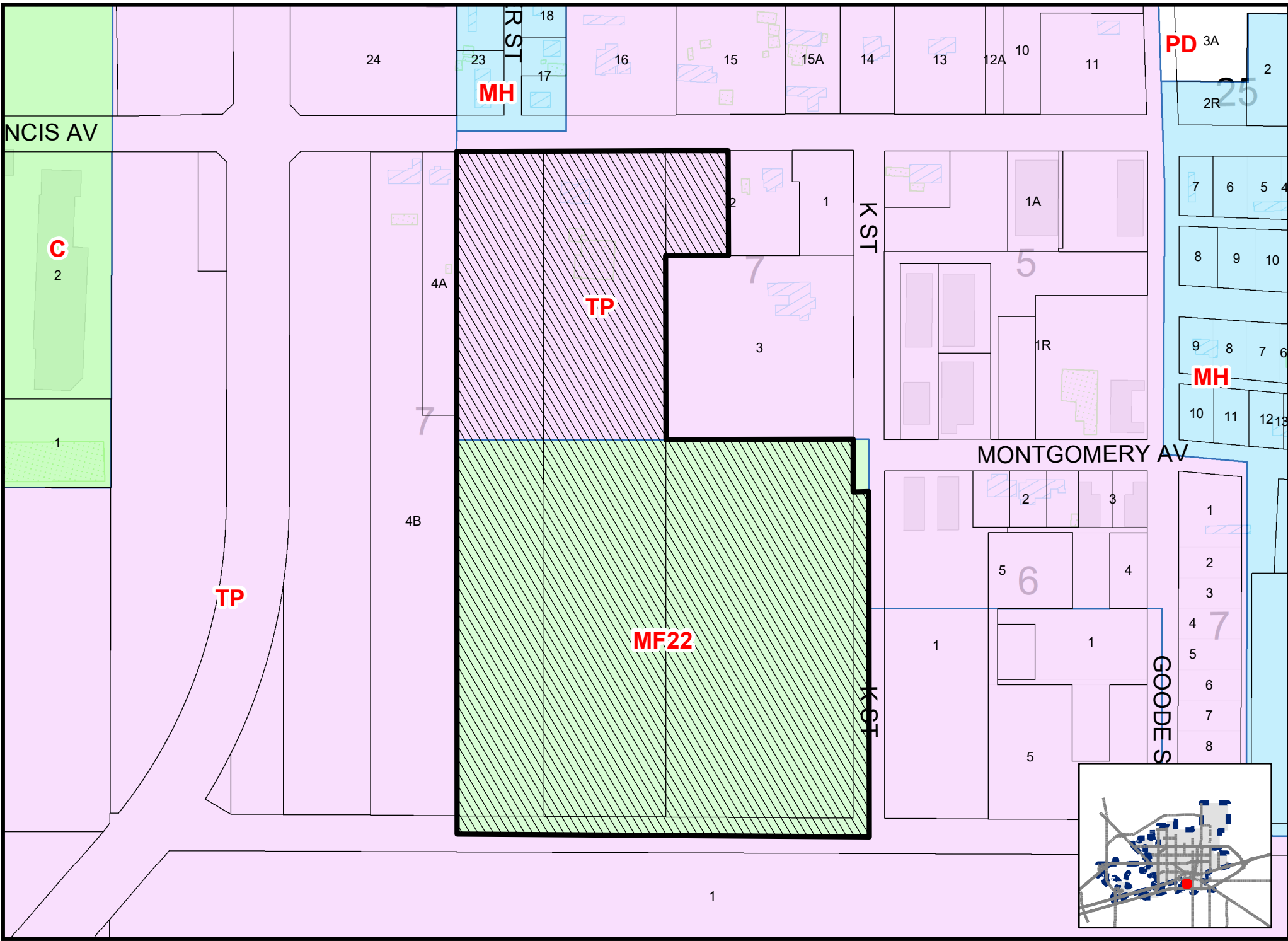
Generally located on the south side of West Francis Avenue, approximately 317-feet east of South Garfield Street.
(Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Slover Addition, being a plat of a 1.29-acre tract of land located in the south half of Section 33, Block 39, T-1-S, T&P, RR. Co. Survey, City and County of Midland Texas. (Generally located on the north side of West Front Street, approximately 620-feet west of McGarvey Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

LI, Light Industrial District.

Preliminary Plat Approval:

The applicant, Skyline Civil Group, is proposing to plat a 1.29-acre tract of land located in the south half of Section 33, Block 39, T-1-S, T&P, RR. Co. Survey, City and County of Midland Texas, into one (1) lot to get a utility tap. This application is being processed using the short form procedure at the request of the applicant.

Final Plat Requirements:

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

Departmental Review:

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

Engineering: (Approved)

*** Approved. ***

ROW: TxDOT review requested.

PAVING: Front Street road is TxDOT facility, built and maintained by TxDOT, no improvements required.

WATER: 8" water exists in Front Street S of tract, okay as is. No public water improvements required.

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

PRO RATA: "None"

SEWER: 8" sewer exists in Front Street S of tract, okay as is. No public wastewater improvements required.

DRAINAGE: Drainage study approved. Good: FEMA Firm data to be on plat face.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

TXDOT comment, "If there is a significant change in use of the site, then could look at consolidating the existing access locations."

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

No objections to plat.

Fire: (Approved)

No additions.

Code Compliance: (Approved)

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

Building Inspection: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Planning:

The dates on the mylar should be 2020.

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

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

Conditions:

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

Attachments:

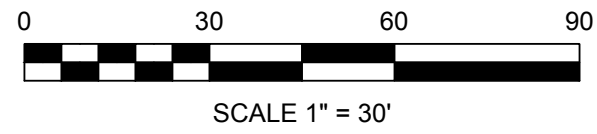
Proposed Final Plat
Application
Maps

SLOVER ADDITION

BEING A PLAT OF A 1.277-ACRE TRACT OF LAND,
LOCATED IN THE SOUTH HALF OF SECTION 33, BLOCK 39,
T-1-S, T. & P. RR. CO. SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS

McCOY Corporation
VOL. 3106, PG. 102,
D.R.M.CO. TX.

MISSOURI PACIFIC RR COMPANY
REMAINDER OF 5.69 ACRES
UNPLATTED
VOL. 97, PG. 46,
D.R.M.CO. TX.



LEGEND

- DENOTES SET 5/8" REBAR W/CAP MARKED "PERCHERON LLC"
 - DENOTES FND. MONUMENT AS DESCRIBED
 - DENOTES BOUNDARY LINE
 - DENOTES ADJACENT LOT LINE
- O.P.R.M.Co.TX.: OFFICIAL PLAT RECORDS MIDLAND COUNTY TX
P.R.M.Co.TX.: PLAT RECORDS MIDLAND COUNTY TX

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SLOVER ROOFING SUPPLY CORP., is the record owner of a tract of land described as BEING A PLAT OF A 1.29-ACRE TRACT OF LAND, LOCATED IN THE SOUTH HALF OF SECTION 33, BLOCK 39, T-1-S, T. & P. RR. CO. SURVEY CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Jason Slover, being the owner of the land shown on this plat designated as SLOVER ADDITION, 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, and easements shown thereon.

WITNESS my hand at Midland, Texas, this _____ day of _____, 2019.

By: Jason Slover, Owner

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 Jason Slover, 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 _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

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



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

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, MAP NUMBER 48328C0201F, DATED SEPTEMBER 16TH, 2009, THIS LOT IS IN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

- 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 HEREON ARE NAD83, LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE"

PROPERTY OWNER:
SLOVER ROOFING SUPPLY CORP.
JASON SLOVER, OWNER
3010 W. FRONT STREET
MIDLAND, TX 79701

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

Investigated By: Mark Lieb 8/24/2020
AT&T ENERGY
BY: Mark Lieb

Investigated By: Jerry Underwood 8/24/2020
AT&T
BY: Jerry Underwood

Investigated By: Luis Montez 8/24/2020
SUDDENLINK COMMUNICATION
BY: Luis Montez

Investigated By: William Bentley 8/25/2020
GRANDE COMMUNICATION
BY: William Bentley

Investigated By: Jeffrey R. Henderson 8/27/2020
ONCOR ELECTRIC DELIVERY
BY: Jeffrey R. Henderson

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "SLOVER ADDITION", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2019.

_____, CHAIRMAN
_____, SECRETARY



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

SLOVER ADDITION



Final Plat Application

Project Number: 9UB-20-0249
Case Number: P-20-0775

Proposed Subdivision Plat Name: Slouer Addition

Legal Description (attached sealed Metes and Bounds): Previously Provided

Property Owner Printed Name: <u>Jason Slouer - LSJS Properties</u>		Phone (806) 201-1796 Email: <u>chad@midland-dci.com</u>	
Address: <u>PO Box 4606</u>	City: <u>Midland</u>	State: <u>Tx</u>	Zip: <u>79704</u>

Developer (if different than Owner) Printed Name: <u>Same</u> ↑		Phone () Email	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Skyline Civil Group</u> Printed Name: <u>Stephen T. Marcum</u>		Phone (432) 685-1226 Email: <u>on-file</u>	
Address: <u>3323 N. Midland Dr. 166</u>	City: <u>Midland</u>	State: <u>Tx</u>	Zip: <u>79707</u>

Current Zoning: LI

Reason for Platting: Utility Taps / Bldg. Permit - Remodel

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

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 9.1.20

Property Owner (printed): Jason Slouer

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.

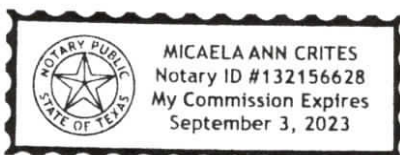
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF ~~MIDLAND~~
Lubbock

Before me, the undersigned authority, on this day personally appeared Stephen T. Marcam who, being by me duly sworn, upon oath says: That (s)he is authorized by Jason Slouer, 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 02 day of September, 20 20, to certify which witness my hand and seal of office.



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

****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) | ☐ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☐ Public Improvement |
| Check # <u>5250</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>5245</u> |

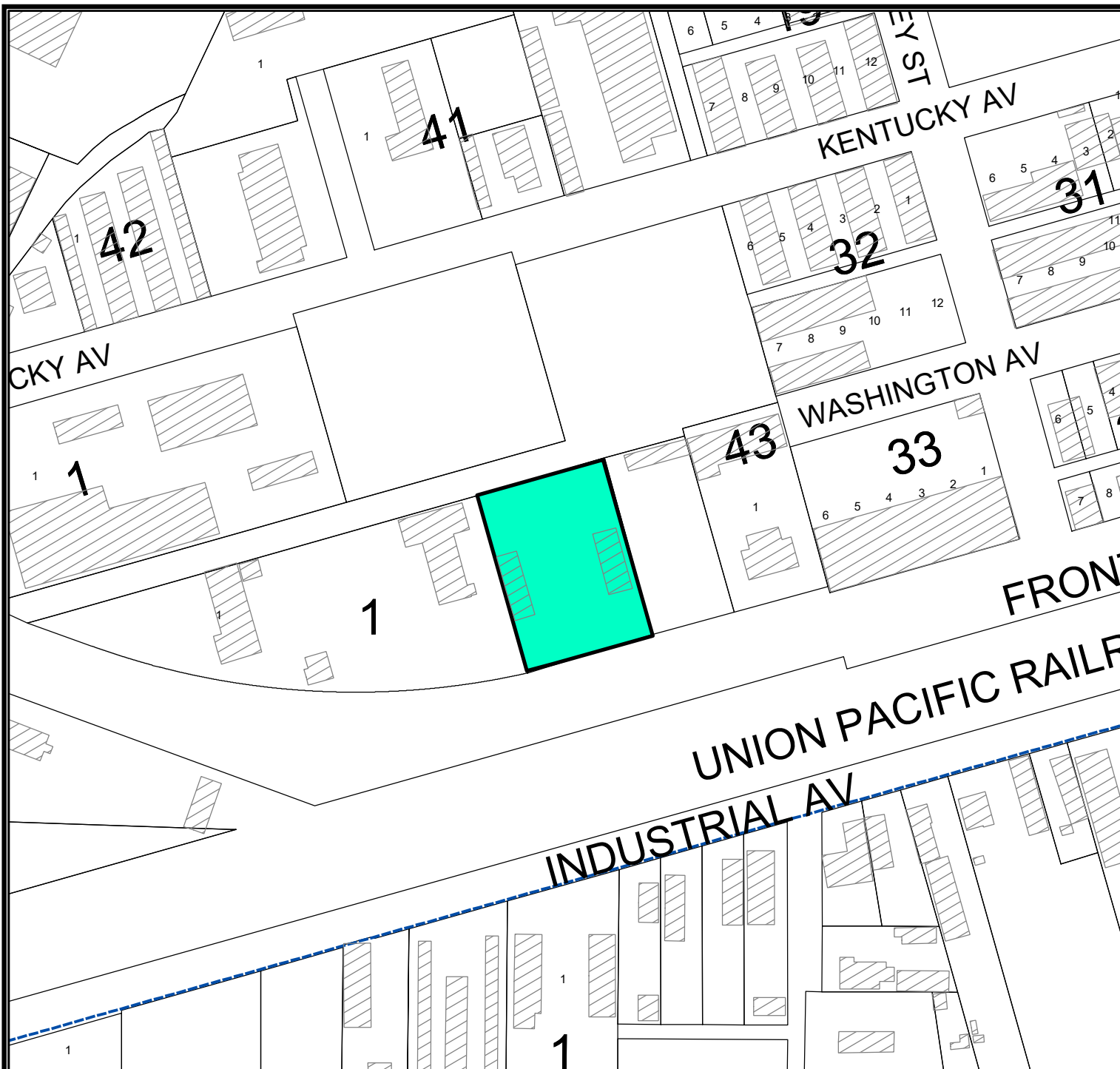
Received By: Cushlbers

Date:

SEP 08 2020

BY:

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



LOCATION MAP

SUB-20-0249

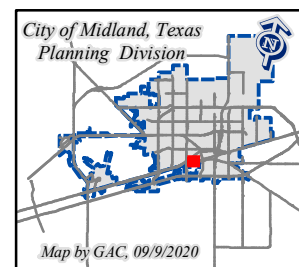
Scale: 1" = 250'

Proposed Plat of Slover Addition, being a plat of a 1.29-acre tract of land located in the south half of Section 33, Block 39, T-1-S, T&P, RR. Co. Survey, City and County of Midland Texas.

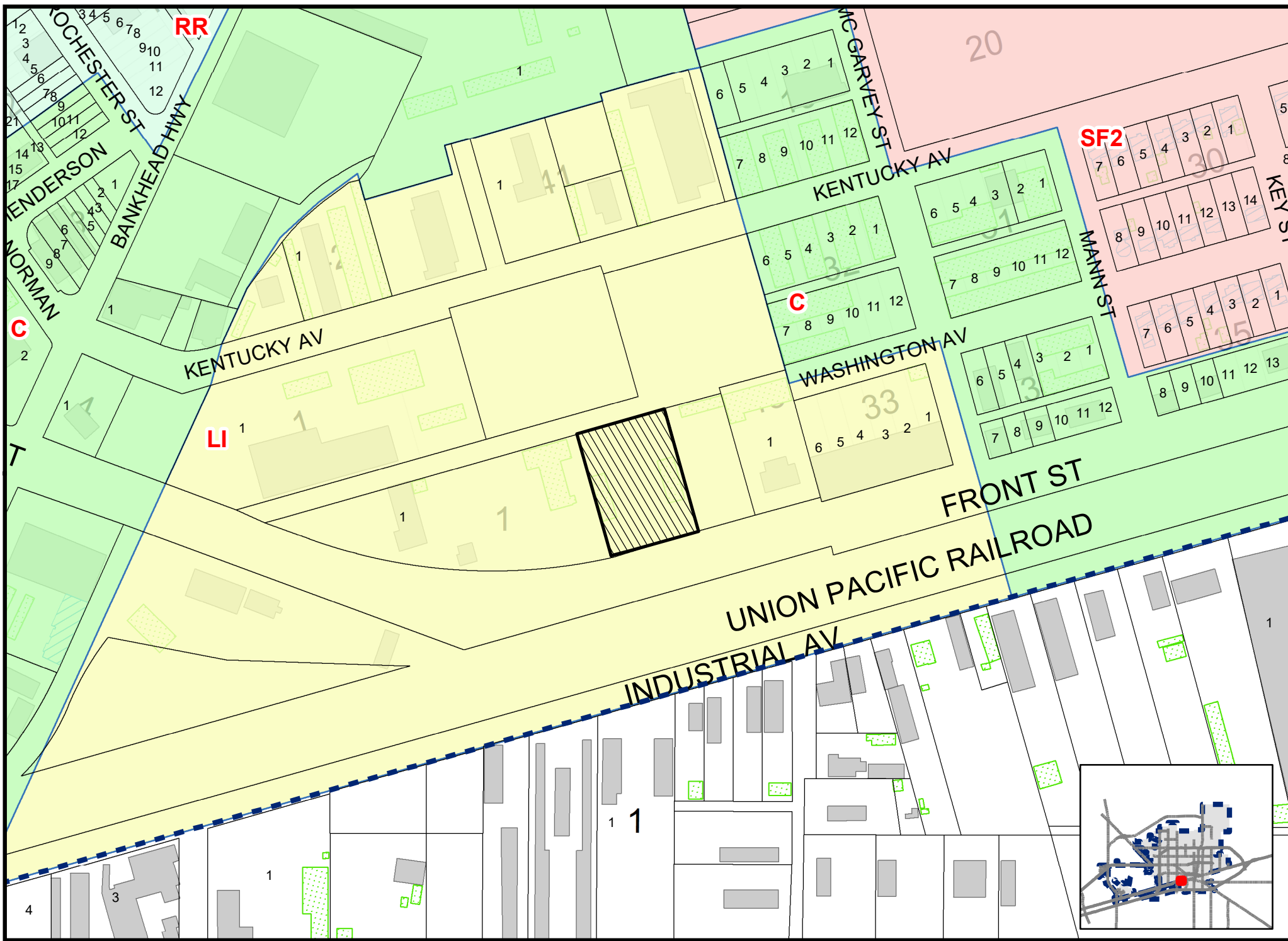
Generally located on the north side of West Front Street, approximately 620-feet west of McGarvey Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
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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:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Southern Addition, Section 18, being a replat of Lots 15 through 18, Block 133, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Weatherford Street, approximately 80-feet north of East Washington Avenue. (Council District 2)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-3, Single-Family Dwelling District, and LI, Light Industrial District.

Preliminary Plat Approval:

The applicant, Delta Land Surveying, is proposing to re-plat Lots 15 through 18, Block 133, Southern Addition, City and County of Midland, Texas, into one (1) lot to obtain a permit to build a house. The preliminary plat was approved at the July 6, 2020 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

Departmental Review:

This proposed Final Plat of Southern Addition, Section 18 has been circulated to all city departments for their review. The comments are below.

Engineering: (Approved)

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

ROW: ROW fine as shown.

PAVING: South Weatherford roadway okay as is. (If existing paved street with curb and gutter). No public paving improvements required.

WATER: Our records show existing 8" water in South Weatherford Street west of tract, okay as is. No public water improvements required.

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

PRO RATA: None.

SEWER: 6" sewer exist in alley east of tract, okay as is. No public wastewater improvements required.

DRAINAGE: Drainage study not required at this time. A drainage study may be required if impervious area is changed.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No additions or changes to site access are approved with plat or zoning review.

Driveways or other access points are approved only with construction drawing review.

No objections to plat.

Fire: (Approved)

No additional comments.

Code Compliance: (Approved)

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

Building Inspection: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Planning:

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

Staff recommends approval of the final plat of the Southern Addition, Section 18, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

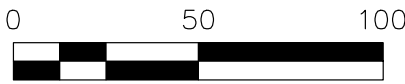
THIS DOCUMENT IS RELEASED FOR REVIEW PURPOSES ONLY.

RELEASE DATE: DECEMBER 18, 2019

SURVEYOR: DELTA LAND SURVEYING, LLC
CONTACT: JNELSON@DELTALBK.COM
PHONE: 806-701-5707

SOUTHERN ADDITION, SECTION 18, BEING A RE-PLAT OF LOTS 15-18, BLOCK 133, SOUTHERN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS

FD. 1/2" IRON ROD WITH YELLOW CAP
MARKED RPLS 4170
FD. 1/2" IRON ROD
P.O.B. POINT OF BEGINNING
INST. NO. INSTRUMENT NUMBER
CM CONTROLLING MONUMENT



Initial Impact Fees will be assessed during the final platting process. Impementation 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.

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 these lot(s) may be developed and before a building permit may be obtained.

Coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North Datum of 1983.

FEMA Note:

Flood Statement: According to FEMA's N.F.I.P. flood insurance rate map #48329C0202F, dated December 6, 1999, the subject tract is not in a flood zone.

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 created liability on the part of Delta Land Surveying, LLC.

General Notes:

Record documents other than those shown may affect this tract.

Monuments indicated as found by this survey are not "physical monuments of record dignity" unless so noted.

Found monuments are accepted by this surveyor as controlling evidence due to substantial agreement with record documents unless otherwise noted.

Only those copies which bear an original ink impression seal or embossed seal and signature will be considered a "valid" copy. Delta Land Surveying, LLC, will not be responsible for the content of anything other than a valid copy of this survey.

Survey Notes:

Lot 15-A contains 0.3214 acres (14,000.0 sq. ft.) within the plat limits.

Bearings are based on the West line of Lots 13 through 18, Block 133, Southern Addition being previously recognized as N-S.

Distances are actual surface distances.

According to Midland central Appraisal District, Irma Dominguez is the current owner of Lots 17 and 18, Block 133, Southern Addition.

Metes and Bounds Description on a 0.3214 acre (14,000.0 Sq. Ft.) tract of land being the same trct of land as Lots 15 through 18, Block 133, Southern Addition to the City of Midland, Midland County, Texas, and being more particularly described as follows:

Beginning at a found 1/2" iron rod with yellow cap marked RPLS 4170 in the East Right of Way line of South Weatherford Street for the Northwest corner of Lot 14, Block 133, said Southern Addition and for the Southwest corner of this tract;

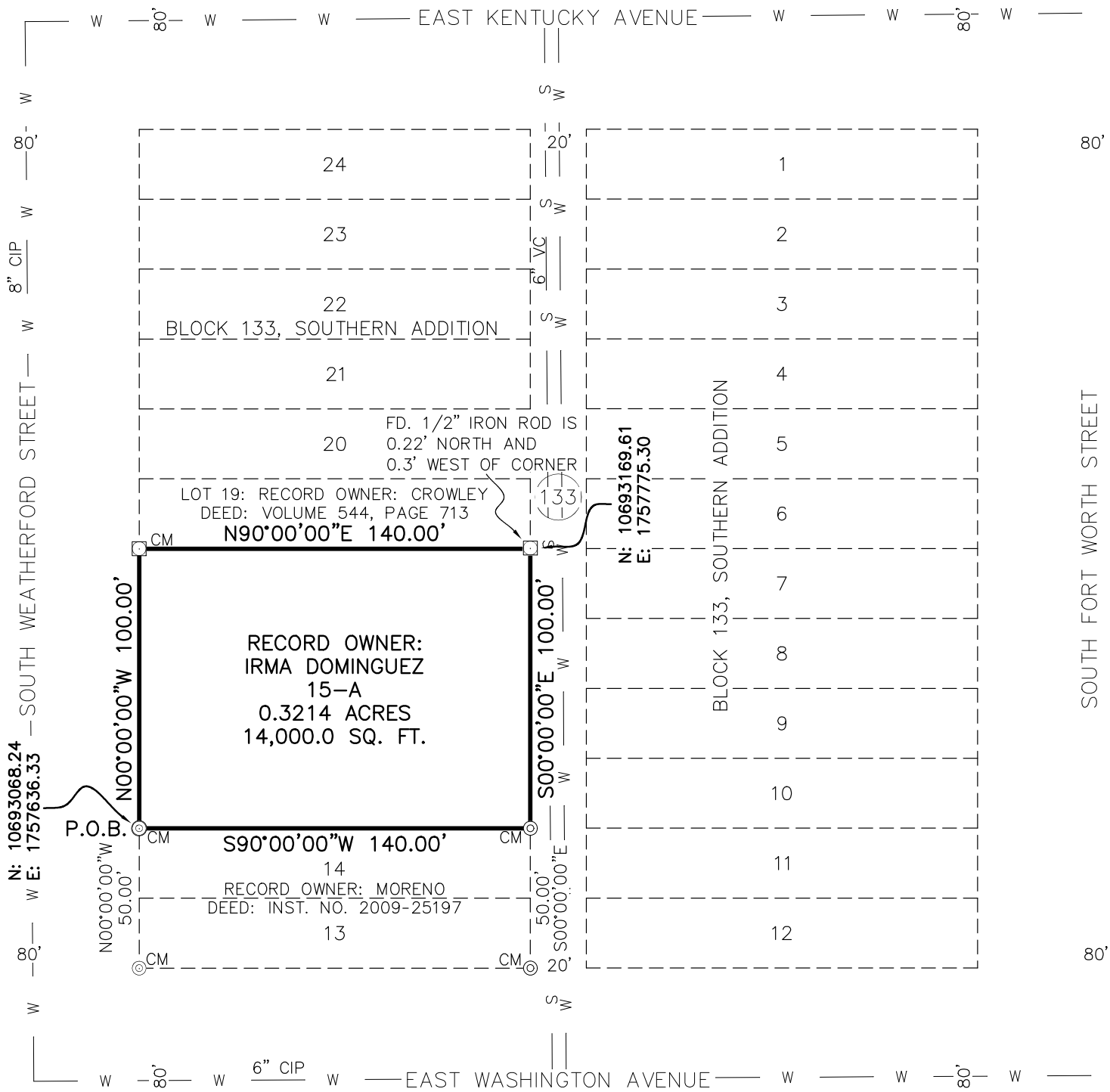
Thence North, with the East Right of Way line of said South Weatherford Street, 100.00 feet to a found 1/2" iron rod for the Southwest corner of Lot 19, Block 133, said Southern Addition and for the Northwest corner of this tract;

Thence East, with the South line of said Lot 19, a distance of 140.00 feet to a found 1/2" iron rod in the West line of a 20 foot alley for the Southeast corner of said Lot 19 and for the Northeast corner of this tract;

Thence South, with the West line of said alley, 100.00 feet to a found 1/2" iron rod with yellow cap marked RPLS 4170 for the Northeast corner of said Lot 14 and for the Southeast corner of this tract;

Thence West, with the North line of said Lot 14, a distance of 140.00 feet to the Point of Beginning.

VICINITY MAP (NOT TO SCALE)



PROPERTY OWNER:

JOE DOMINGUEZ
407 SOUTH WEATHERFORD STREET,
MIDLAND, TX, 79701

UTILITY COMPANY'S CERTIFICATE:

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

SUDDENLINK COMMUNICATION

BY: _____

GRANDE COMMUNICATION

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Joe Dominguez is the record owner of a tract of land situated in Block 133, Southern Addition to the City of Midland, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS.

That, Joe Dominguez, being the owner of the land shown on thies plat designated as Lot 15-A, a Replat of Lots 15 through 18, Block 133, Southern 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.

WITNESS my hand on _____ - _____.

the _____ day of _____, 2020.

BY: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and expressed, and in the capacity therein stated. Given under my hand and seal of office

the _____, day of _____, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of Lot 15-A, A REPLAT OF LOTS 15 THROUGH 18, BLOCK 133, SOUTHERN ADDITION, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this

_____, day of _____, 2020.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

I, Adam N. Light, Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat and description was prepared from an actual 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.

Adam N. Light
Registered Professional Land Surveyor No. 6684
Survey Date: August 3, 2020
Delta Land Surveying Project No. 19268



DELTA LAND SURVEYING, LLC
TBPLS # 10194496
3307 82ND STREET, STE. J
LUBBOCK, TX 79423
806-701-5707
WWW.DELTALBK.COM



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: SOUTHERN ADDITION

Legal Description (attached sealed Metes and Bounds): SEE ATTACHED FIELD NOTES

Property Owner

Printed Name: IRMA DOMINGUEZ

Phone (432) 681-9174

Email
irmagonzales35@yahoo.com

Address
407 S. WEATHERFORD ST.

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: DELTA LAND SURVEYING, LLC

Phone (806) 701-5767

Email
jnelson@delta16kr.com

Printed Name: ADAM LIGHT

Address
3307 81ST STREET, STE. J

City
LUBBOCK

State
TX

Zip
79423

Current Zoning: SF-3

Reason for Platting: BUILD RESIDENCE ON ALL LOTS

Plat Information

Total Acreage: 0.3214

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

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'

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

For plats 18" to 24"	<u>\$61.00</u>
----------------------	----------------

For plats that exceed 24"	\$81.00
---------------------------	---------

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

Property Owner (signature):

Date:

Property Owner (printed) :

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

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

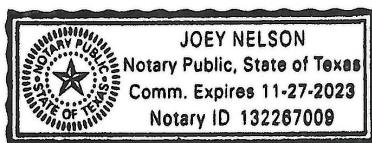
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 3RD day of AUGUST, 2020, to certify which witness
my hand and seal of office.



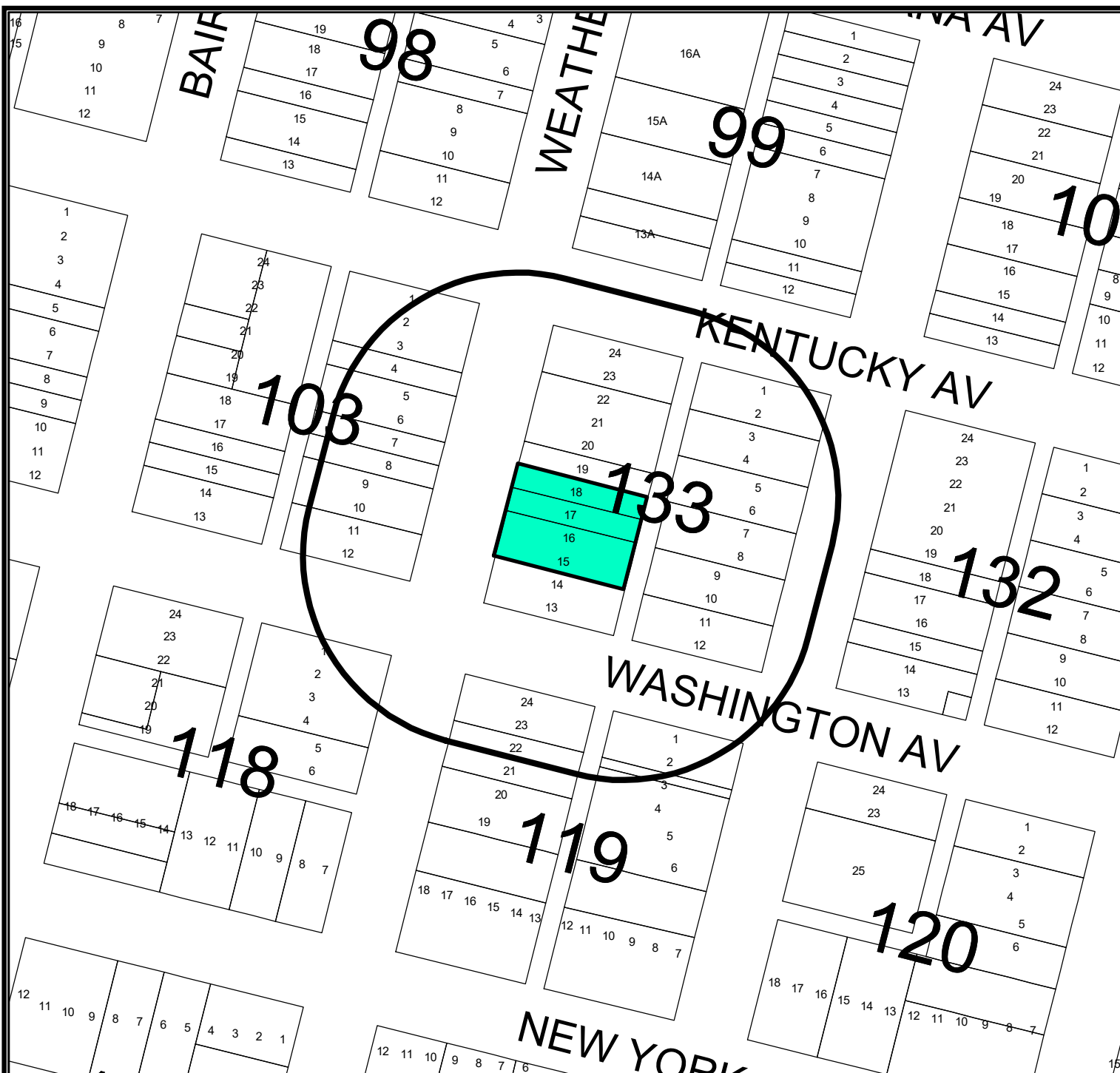
NOTARY PUBLIC, ~~MIDLAND~~ COUNTY, TEXAS
Lubbock

☐ 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

SUB-20-0310

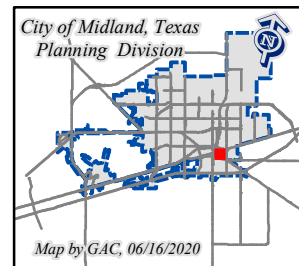
Scale: 1" = 400'

Proposed plat of Southern Addition, Section 18, being a replat of Lots 15 through 18, Block 133, Southern Addition, City and County of Midland, Texas.

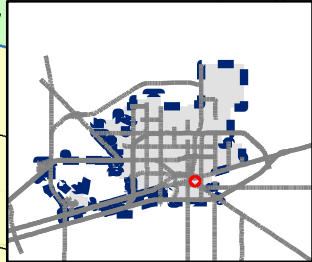
Generally located on the east side of South Weatherford Street, approximately 80-feet north of East Washington Avenue. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Joseph Marynak, Planner

SUBJECT: Consider a proposed Final Plat of ICAM Addition, being a plat of a 30.42-acre tract of land located in Section 12, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of FM 715, approximately 1,367-feet north of East County Road 120. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

The applicant's property is located at 3210 FM 715 within the Extraterritorial Jurisdiction. The applicant is requesting to plat the property into one (1) lot for ownership purposes. The Preliminary Plat was approved at the June 15, 2020 Planning and Zoning Commission meeting and the July 14, 2020 City Council meeting.

Final Plat Requirements:

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

Departmental Review:

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

Below are the departments' comments.

Code Compliance: (Approved)

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

Fire: (Approved)

No comments.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary

Transportation: (Approved)

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

No objections to plat

Engineering: (Approved)

ROW: ROW okay as shown

PAVING: Deferral approved by City of Midland on 9/11/20.

WATER: Deferral approved by City of Midland on 9/11/20.

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

PRO RATA: None

SEWER: Deferral approved by City of Midland on 9/11/20.

DRAINAGE: Drainage study approved by City of Midland.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Planning:

Property owner information must match what is on record with the Midland Central Appraisal District. The property owner address on record is 10100 Santa Monica Blvd Suite 2400, Los Angeles, CA 90067.

Please provide two copies of the mylar on future submittals.

Staff recommends approval of the final plat of ICAM Addition, subject to Condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps

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"	<u>\$81.00</u>
---------------------------	----------------

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

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

Property Owner (signature):

Date:

Property Owner (printed) :

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared George E. Thornley, Agent who, being by me duly sworn, upon oath says: That (s)he is authorized by Monomoy Properties Midland TX 5, 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.

Authorized Agent (*signature*)

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

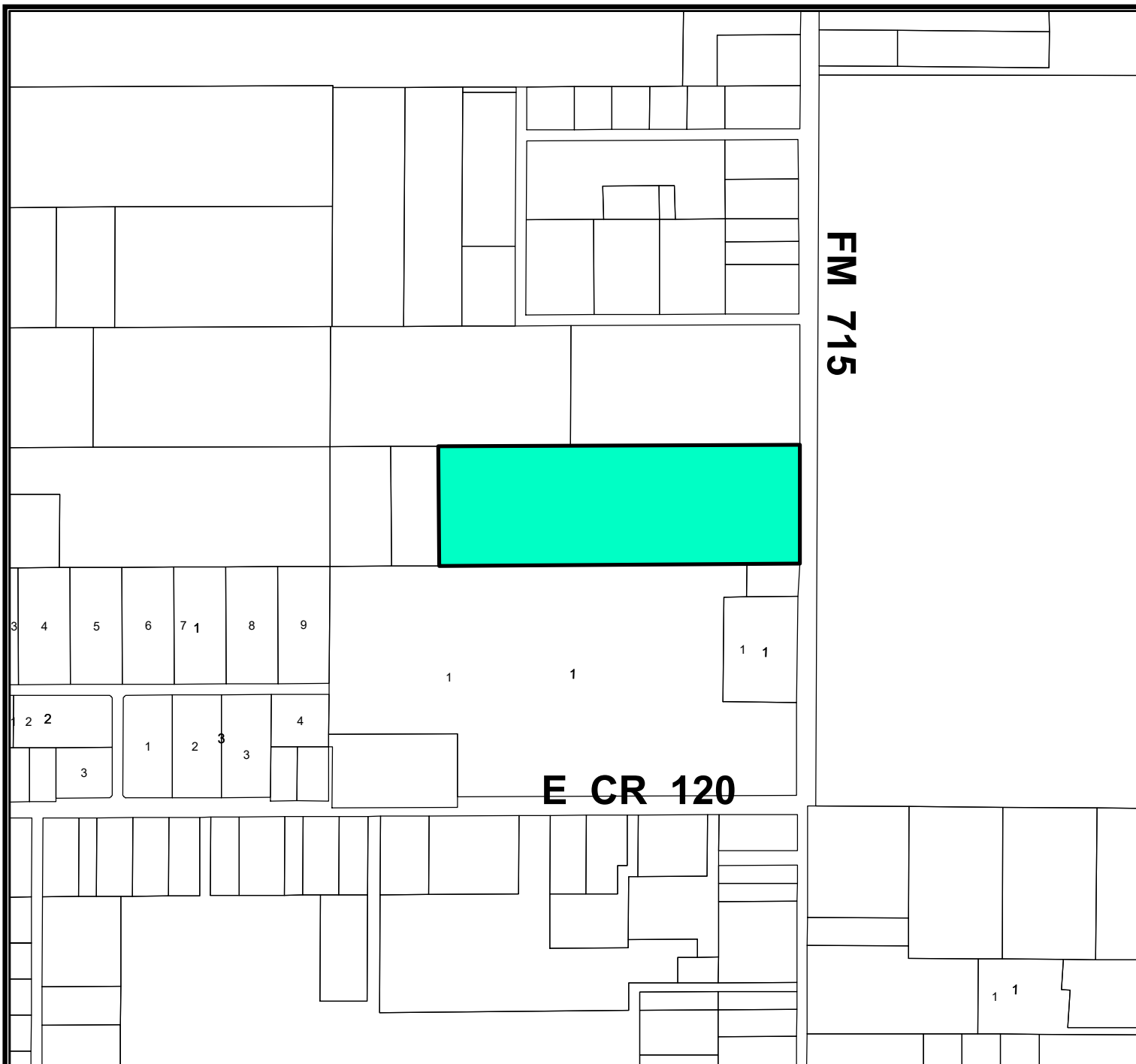


NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check # _____	☐ Tax Certificates	Check # _____
Received By: _____		Date: _____

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



LOCATION MAP

SUB-19-0291

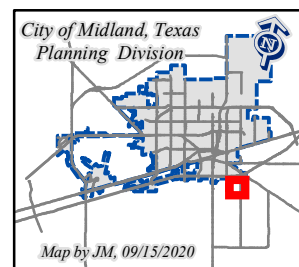
Scale: 1" = 800'

Proposed plat of ICAM Addition, being a plat of a 30.42-acre tract of land located in Section 12, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the west side of FM 715, approximately 1,367-feet north of East County Road 120.
(Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Joseph Marynak, Planner

SUBJECT: Consider a proposed Preliminary Plat of Hannah Addition, Section 2, being a 5-acre tract of land located in Section 18, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of S. County Road 1226, approximately 1,350-feet north of W. County Road 130. Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Schuman Engineering, is proposing to plat a 5-acre tract of land located in Section 18, Block 39, T-2-S, T&P RR Co. Survey, into two (2) lots to obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction

SURVEYOR: (Approved)

No comments

ENGINEERING: (Approved with Conditions)

*** Denied: Drainage study has not been approved. No utility or paving plan set approved. For county, provide a public infrastructure plan set or provide a deferral letter for public improvements. ***

ROW: SCR 1226 total 60' Right-Of-Way.

PAVING: SCR 1226 road is sub-standard, construct to City Standards for entire platted frontage or request a deferral.

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral. Deferral request can only be approved/denied as item on Council Agenda.

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

PRO RATA: "None"

SEWER: None existing. Construct wastewater to City standards along entire platted frontage, or request a deferral.

- Or -

For areas not served by wastewater that are platting for a septic permit.

Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (A) Areas served by public water systems shall have lots of at least ½ acre.

Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (B) Areas NOT served by public water systems shall have lots of at least 1 acre.

DRAINAGE: Drainage study required.

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No objections to plat.

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

Not in City limits- no oil or gas jurisdiction.

HEALTH:

Yes, the health department will review applications from the 2 proposed lots of Hannah Addition, Section 2, PLAT OF A 5 ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 39,T-2-S, T. & P. RR. CO. SURVEY each lot is 2.5 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:

The County's Subdivision Regulations can be found on the Midland County website on the Department of Road and Bridge home page – left hand side, direct link.

Although noted on the Plat that the proposed lots are in Zone X, Article 6 states that a Flood Permit will be submitted with the Plat for analysis by the Flood Plain Administrator. I would suggest Planning and Zoning enforce this for review by the Administrator.

Driveway Permits for CR 1226 will be required separately prior to installation per Article 4 in the Subdivision Regulation

911 addresses will be required prior to issuance of OSSS permits.

Flood permit application to the Administrator will be required prior to issuance of the permits.

Please see setback requirements for Lots in Article 10.

If separate onsite sewer installations are planned in the future, 911 addresses will be required prior to issuance of OSSS permits.

OSSS permits are obtained through Midland Health.

Flood permit application to the Administrator will be required prior to issuance of the permits

PLANNING:

No comments.

Staff recommends approval of the preliminary plat of Hannah Addition, Section 2, subject to conditions A through C.

Conditions:

A. That a drainage study is approved.

B. That all public improvements stated above are addressed.

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

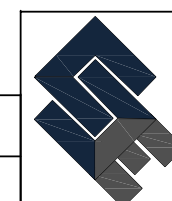
Attachments:

Proposed Preliminary Plat
Application
Maps

BEING A PLAT OF 5.00 ACRES TRACT OF LAND
LOCATED IN SECTION 18, BLOCK 39, T-2-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

A circular vicinity map showing the subject property's location. The map includes U.S. Interstate 1906, Highway 1906, and Highway 1906. The subject property is indicated by a black arrow pointing to a small black rectangle on Highway 1906. The map is labeled "VICINITY MAP" and "NOT TO SCALE".

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



Office (432) 684-5548

PACKET
Page 12.84
September 21, 2020

				DRAWN BY: KDS	DATE: 2/13/2020
1	8/10/20	PRELIMINARY PLAT	KDS	CHECKED BY: RJD	DRAWING NO.: 77239E
NO.	DATE	DESCRIPTION	BY	JOB NO.: 77,239	SHEET 1 OF 1



Preliminary Plat Application

Project Number: Sub-20-0311

Case Number: P-20-0906

Proposed Subdivision Plat Name: Hannah Addition Section 2

Legal Description (attached sealed Metes and Bounds): Being a plat of a 5.00 acre tract located in Section 18, Block 39, T-2-S, Midland County, Texas

Property Owner

Printed Name: Enrique Urias

Phone (432) 638-7863

Email rickylobotrucking@gmail.com

Address P.O. Box 80956

City Midland

State TX

Zip 79708

Developer (if different than Owner) Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Schumann Engineering Co., Inc.

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548

Email
ealeman@schumannonline.net

Address 800 N. Marienfeld Suite 100

City Midland

State TX

Zip 79701

Current Zoning:

Reason for Platting: To divide tract in half and to obtain Septic Permits

Plat Information

Total Acreage: 5

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



BY:

Provisions

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

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

Property Owner (signature):

Date: 8-11-20

Property Owner (printed): Enrique Urias

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

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

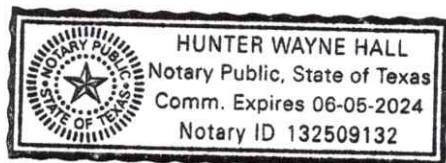
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo L. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 11th day of August, 20 20, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)?

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 1424

Received By: ES

Date: AUG 12 2020

BT:

**** 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 # _____ | ☐ Tax Certificates | Check # _____ |

Received By: _____

Date: _____

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

SCHUMANN ENGINEERING CO., INC.

800 marienfield suite 100
Midland, Texas 79702-0504



877-493-7862 | WTNB.com

88-467/1123



1424

PAY TO THE
ORDER OF

City of Midland

Three Hundred Fifty dollars and $\frac{00}{100}$

8-11-20
\$ 350 $\frac{00}{100}$

DOLLARS

Hannah Sec. 2
MEMO *Preliminary Plat*
77239

62492



Edward J. Roman
AUTHORIZED SIGNATURE

⑈001424⑈ ⑆112304678⑆ 3080727⑈

SCHUMANN ENGINEERING CO., INC.

1424

Job No. 77239

Enrique Urias

Hannah Add'n Sec. 2

City of Midland
Code
300 N Lorraine St
P.O. Box 1152
Midland, TX 79701
432-685-7100
Welcome

21038972-0005 Shadonna 08/13/2020 11:32AM

INVOICE

Sanchez, P.E., Ben (Schumann Engineering
Co., Inc.)

2020 Item: 00062492

Preliminary Plat Fee -

Adjustable 350.00

350.00

Subtotal

350.00

Total

350.00

CHECK

350.00

Check Number 01424

Change due

0.00

Paid by: Sanchez, P.E., Ben

Thank you for your payment!

City of Midland COPY
DUPLICATE RECEIPT

INVOICE

BILLING CONTACT

Ben Sanchez, P.E.
Schumann Engineering Co., Inc.
P O Box 504
Midland, TX 797020504



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00062492	08/13/2020	08/23/2020	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
P-20-0906	Preliminary Plat	\$350.00
SUB TOTAL		\$350.00

TOTAL \$350.00

Please detach this stub and return it with your remittance payable to the City of Midland, Texas

Remit to:
City of Midland
PO Box 1152
Midland, TX 79702

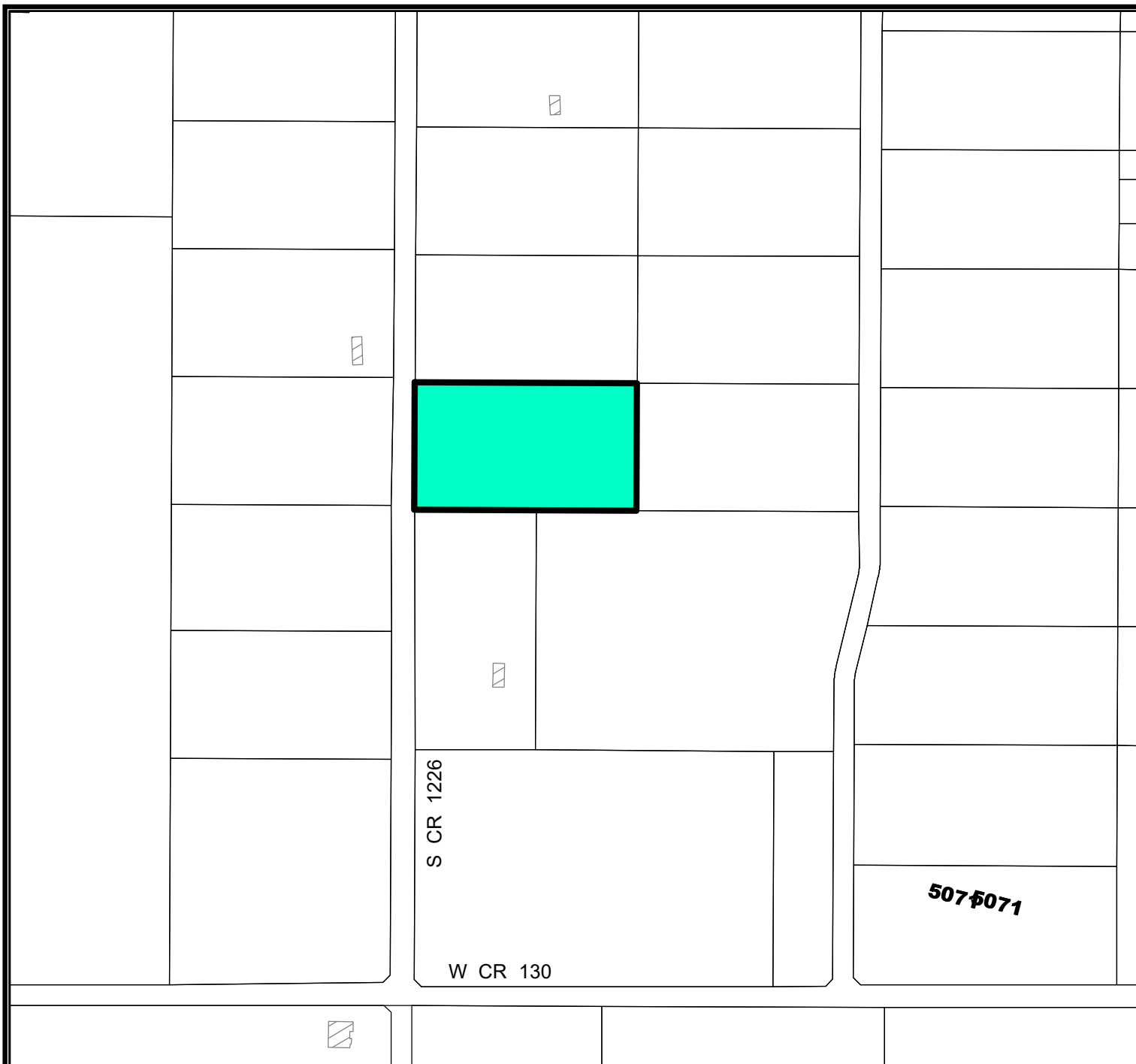
Customer Name	INVOICE NUMNER	INVOICE DATE
Schumann Engineering Co., Inc.	00062492	08/13/2020
	DUE DATE	AMOUNT DUE
	08/13/2020	\$ 350.00
		AMOUNT ENCLOSED

Bill to:
Ben Sanchez, P.E.
Schumann Engineering Co., Inc.
P O Box 504
Midland, TX 797020504

Payment Method: Check ☐ Money Order ☐

☐ Please check if the address has changed. Write correct address on the back of stub and attach with payment

Please write Invoice No on front of check or Money Order, DO NOT MAIL CASH



LOCATION MAP

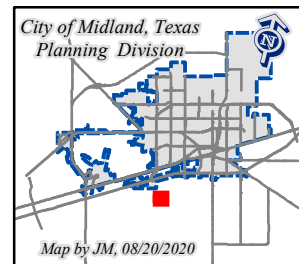
SUB-20-0316

Scale: 1" = 400'

Proposed plat of Hannah Addition, Section 2, being a plat of a 5-acre tract of land located in Section 18, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. Generally located on the east side of S. County Road 1226, approximately 1350-Feet north of W. County Road 130. (Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Joseph Marynak, Planner

SUBJECT: Consider a proposed Preliminary Plat of Pioneer Industrial Park, being a plat of a 43.196-acre tract of land located in Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of FM 715, approximately 456-feet south of East County Road 140. Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Watson Professional Group, Inc., is proposing to plat a 43.196-acre tract of land located in Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas, into ten (10) lots to obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No Comments.

ENGINEERING: (Approved with Conditions)

ROW: TXDOT comments-An existing access location exists at the south side of LOT 1, Block 1 just north of Tract 9. Based on the speed limit of FM 715, the recommended access spacing is 425'. Tract 9 and Tract 10 should be developed with a shared access to both properties to meet the recommended access spacing. Post development drainage/runoff should not exceed/change from pre development conditions."

Comment repeated from Sketch Plat review: "Provide 60 ft half-street right-of-way on major arterial road frontages. It appears to be called out, but drawing is not clear."

PAVING: E. County Road 140 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required.

WATER: Deferral administratively approved December 19, 2019..

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

PRO RATA: NONE

SEWER: Deferral administratively approved December 19, 2019.

DRAINAGE: Drainage study required. Drainage must coincide with latest drainage report.

EASEMENTS: Ok as shown

SIDEWALKS: Deferral has been administratively approved December 19, 2019.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

TxDOT comments, "An existing access location exists at the south side of LOT 1, Block 1 just north of Tract 9. Based on the speed limit of FM 715, the recommended access spacing is 425'. Tract 9 and Tract 10 should be developed with a shared access to both properties to meet the recommended access spacing. Post development drainage/runoff should not exceed/change from pre development conditions."

Comment repeated from Sketch Plat review: "Provide 60 ft half-street right-of-way on major arterial road frontages. It appears to be called out, but drawing is not clear."

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

HEALTH:

Yes, the health department will review applications from the 10 proposed lots of Pioneer Industrial Park, PLAT OF A 43.1 ACRE TRACT OF LAND OF THE NORTH PART OF SECTION 25, BLOCK 39, A-318 T-2-S, T. & P. RR. CO. SURVEY LOT 1 is 4.4 acre, LOT 2 is 3.6 acre, LOT 3 is 4.6 acre, LOT 4 is 4.4 acre, LOT 5 is 4.4 acre, LOT 6 is 4.4 acre, LOT 7 is 4 acre, LOT 8 is 1.9 acre, LOT 9 is 3.6 acre, LOT 10 is 3.6 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

GIS:

I drew a red line using the metes and bounds of the preliminary plat of Pioneer Industrial Park. Please see attached map (GIS Comments Map).

On the map, you can see that the proposed platted area located by E CR 140 does not cover all the area of the parcels. There is this clause on the preliminary plat that says "60' R-O-W TO BE DEDICATED", but the ROW is not included on the metes and bounds of the proposed plat. On the map that I attached, you can see that the recorded plats around that area have been dedicated ROW for E CR 140 and every single one of those plats include the metes and bounds of the area that has been dedicated. I recommend that the proposed plat includes the metes and bounds for the proposed ROW dedication to avoid confusions.

MIDLAND COUNTY ROAD AND BRIDGE:

They will need to get a driveway permit from Road & Bridge to tie onto ECR 140.

MIDLAND COUNTY:

The County's Subdivision Regulations can be found on the Midland County website on the Department of Road and Bridge home page – left hand side, direct link.

Although noted on the Plat that the proposed lots are in Zone X, Article 6 states that a Flood Permit will be submitted with the Plat for analysis by the Flood Plain Administrator. I would suggest Planning and Zoning enforce this for review by the Administrator.

Driveway Permits for CR 140 will be required separately prior to installation per Article 4 in the Subdivision Regulation. Driveways on FM715 will require permits from TxDOT

911 addresses will be required prior to issuance of OSSS permits.

Flood permit application to the Administrator will be required prior to issuance of the permits.

Please see set back requirements for Lots in Article 10

If separate onsite sewer installations are planned in the future, 911 addresses will be required prior to issuance of OSSS permits.

OSSS permits are obtained through Midland Health

Flood permit application to the Administrator will be required prior to issuance of the permits

PLANNING:

Verify the Legal Description. Our records show the correct legal description should read, "Being a 43.196-acre tract of land in Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas".

The owner's name and address on plat must match City records and the Midland Central Appraisal District records. The Midland Central Appraisal District shows the ownership of the property as the following: PSI Exchange Holdings, LLC, 303 W. Wall Street, #2400, Midland, TX 79707. Provide ownership documentation.

The Midland Central Appraisal District records show a total of 44.09-acres. Verify acreage.

The 60 foot right-of-way dedication along E. County Road 140 should be included as part of the plat boundary.

Remove building lines on the final plat.

This plat is over 25-acres and meets the conditions in Section 11-2-3 (D) 11 of the Subdivision Ordinance of the City of Midland Code; therefore, this plat requires City Council approval.

Staff recommends approval of the proposed preliminary plat of Pioneer Industrial Park, subject to conditions A through C.

Conditions:

A. That a drainage study is approved.

B. That 60 feet of right-of-way is provided on the major arterials.

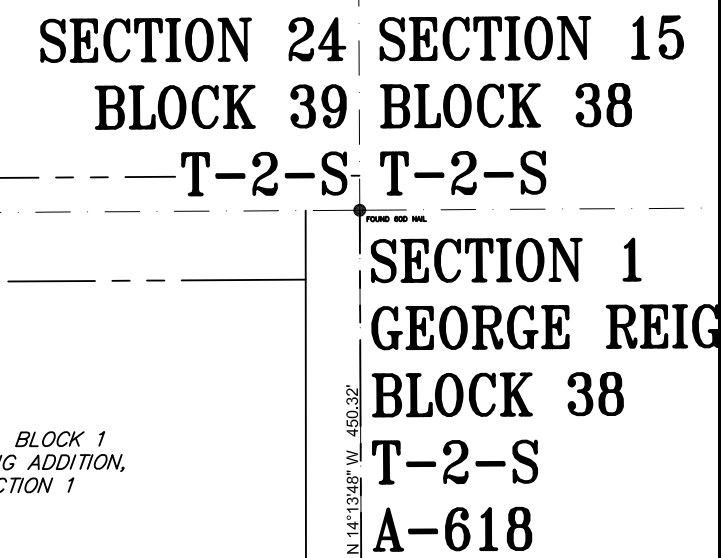
C. That all plat comments, conditions, and requirements must be satisfied by all

pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Application
Maps
GIS Comments Map

BEING A 43.196 ACRE TRACT OUT OF THE NORTH PART OF SECTION 25, BLOCK 39, A-318,
T-2-S, T & P RR CO. SURVEY, MIDLAND COUNTY, TEXAS



OWNER:
MISS HENLEY HOLDINGS, LP
TALLIAN THOMPSON, PRESIDENT
PO. BOX 177
DENNIS, TEXAS 76439

GENERAL 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/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN PART IN ZONE A AND IS WITHIN A 100-YEAR FLOOD HAZARD AREA OF WHICH NO BASE FLOOD ELEVATION HAS BEEN DETERMINED AND IN ZONE X AND IS NO WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANELS NO. 48329C0216F AND 48329C0217F BOTH WITH A REVISED DATE OF SEPTEMBER 16, 2005.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY PRINT NAME

ONCOR ELECTRIC DELIVERY PRINT NAME

SUDDENLINK
PRINT NAME

GRANDE COMMUNICATIONS PRINT NAME

AT&T - TEXAS PRINT NAME

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: AUGUST 7, 2020

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989

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

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "PIONEER INDUSTRIAL PARK", was approved by the proper action of the Planning and Zoning Commission of the City of Midland, Texas on this the _____ day of _____, 2020

Signed: _____
JOSH SPARKS, CHAIRMAN

Signed: _____
CRISTINA ODENBORG BURNS, SECRETARY

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, Miss Henley Holdings, LP is the record owner of a 43.196 acre tract of land, being out of Section 25, Block 39, T-2-S, A-318, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Miss Henley Holdings, LP, Tallian Thompson, President do hereby adopt this plat designating the herein above described property as "PIONEER INDUSTRIAL PARK", 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.

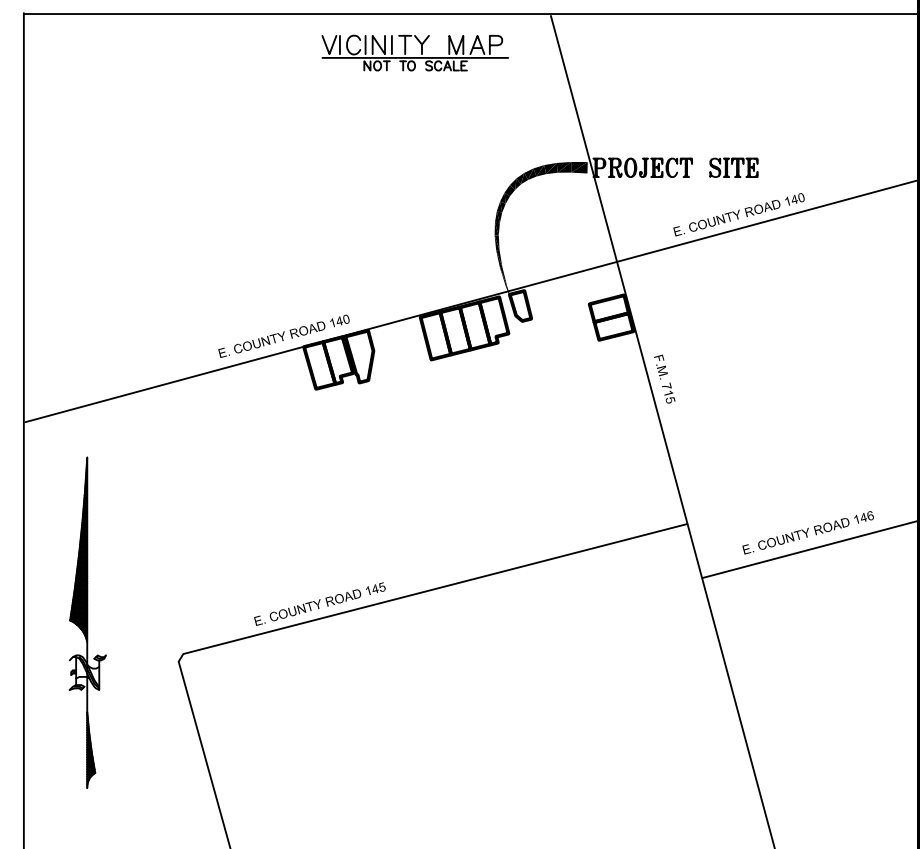
ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 2020
BY TALLIAN THOMPSON

NOTARY PUBLIC _____ PRINTED NAME OF NOTARY _____

MY COMMISSION EXPIRES



Watson Professional Group Inc

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

wdwatson@wpg-us.com

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS.

NO. _____ CABINET _____

DATE_____ PAGE_____

Miss Henley Holdings, LP, Tallian Thompson, President

Date _____

JOB NO.: 19-1255-00 DRAFT PW REV. 0
 FILE: S: MIDLAND/PIONEER SUBDIVISION

PACKET
Page 13.96
September 21, 2020



Preliminary Plat Application

Project Number:

Case Number:

SUB-19-091
P-20-0904

Proposed Subdivision Plat Name: PIONEER INDUSTRIAL PARK

Legal Description (attached sealed Metes and Bounds): BEING A 43.196 ACRE TRACT OUT OF THE NORTH PART OF SECTION 25, BLOCK 39, A-318, T-2-S, T & P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS

Property Owner HENLEY Printed Name: MISS HEENLEY HOLDINGS LP		Phone (432) 230-5066 Email thompsonsffice@yahoo.com	
Address PO. BOX 177	City DENNIS	State TX	Zip 76439

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: Peter Watson		Phone (432) 520-9200 Email pwatson@wpg-us.com	
Address PO. DRAWER 11186	City MIDLAND	State TX	Zip 79706

Current Zoning: _____

Reason for Platting: _____

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

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.

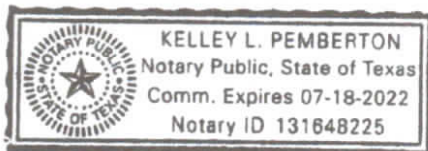
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Tallian Thompson who, being by me duly sworn, upon oath says: That (s)he is authorized by Miss Henley Holdings, 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 6th day of August, 2020, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 10229

RECEIVED
AUG 07 2020

Received By: Joseph Marynuk

Date: [Signature]

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



LOCATION MAP

SUB-19-0191

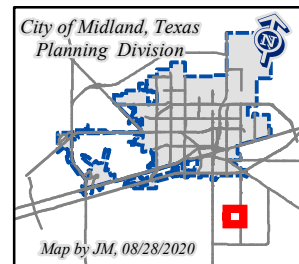
Scale: 1" = 800'

Consider a proposed Preliminary Plat of Pioneer Industrial Park, being a plat of a 43.196-acre tract of land located in Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas.

Generally located on the west side of FM 715, approximately 456-feet south of East County Road 140. (Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



1 inch = 550 feet

©THE CITY OF MIDLAND - 2020

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September 21, 2020

PACKET



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Joseph Marynak, Planner

SUBJECT: Consider a proposed Final Plat of Southwest Crossing, Section 6, being a plat of a 15.000-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northwest corner of the intersection of S. County Road 1235 and W. County Road 123. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on the northwest corner of the intersection of S. County Road 1235 and W. County Road 123 within the ETJ, Extraterritorial Jurisdiction. The applicant is requesting to plat the property into one (1) lot for ownership purposes. The Preliminary Plat was approved on the June 15, 2020 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

Code Compliance: (Approved)

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

Fire: (Approved)

No comments.

Building Code: (Approved)

ETJ, no jurisdiction.

Transportation: (Approved)

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

No objections to plat.

Engineering: (Approved)

IMPACT FEES: The plat is located outside of City Limits; impact fee language is not required.

ROW: Depiction of a ROW width of 80 FT. for SCR 1235 is approved. ROW width of 60 FT. for private roads is acceptable.

PAVING: Administratively Deferred 6/20/20.

WATER: Administratively Deferred 6/20/20.

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

PRO RATA: None.

SEWER: Administratively Deferred 6/20/20.

DRAINAGE: Approved for platting purposes on 6/27/20. FEMA Firm data has been included on the face of the plat.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Administratively Deferred 6/20/20.

DIMENSION: * * *

OTHER: * * *

Planning:

No comments.

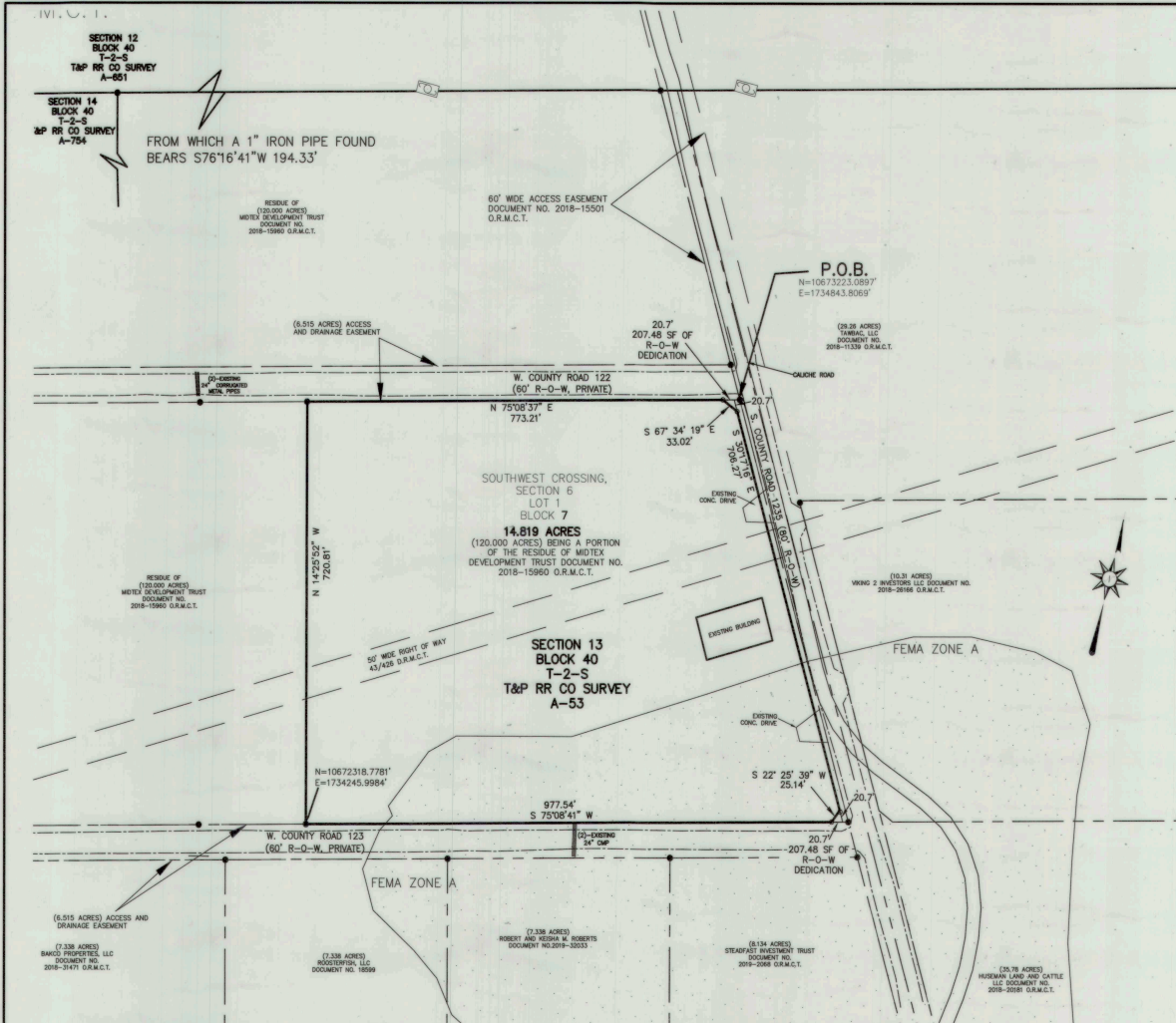
Staff recommends approval of the final plat of Southwest Crossing, Section 6, subject to Condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



SOUTHWEST CROSSING, SECTION 6

BEING A 14.819 ACRE TRACT OF LAND OUT OF THE
SECTION 13, BLOCK 40, T-2-S, T&P RR CO SURVEY, IN MIDLAND COUNTY, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, MIDTEX DEVELOPMENT TRUST is the record owner of a 14.819 acre tract of land, being out of Section 13, Block 40, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, MIDTEX DEVELOPMENT TRUST, CALEB MATOTT do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 6", an addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys and easements shown hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

MIDTEX DEVELOPMENT TRUST, CALEB MATOTT

CERTIFICATE OF APPROVAL
STATE OF TEXAS
COUNTY OF MIDLAND

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 6" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of _____, 2020, A.D.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

ACKNOWLEDGEMENT
STATE OF TEXAS
COUNTY OF MIDLAND

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

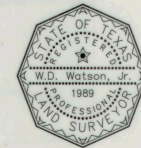
Given under my hand and seal of office this the 8 day of September, 2020, A.D.

Ashlee Danielle Crouch
Notary Public in and for the State of Texas

Printed name of Notary
My commission expires: 3/16/2024

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

OWNER: MIDTEX DEVELOPMENT TRUST
415 MACKENZIE AVE
CANON CITY, COLORADO 81212



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: AUGUST 31, 2020

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1089

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Mark Lied
ATMOS ENERGY
BY: MARK LIED

JEFFRY UNDERWOOD
ATMOS ENERGY
BY: JERRY UNDERWOOD

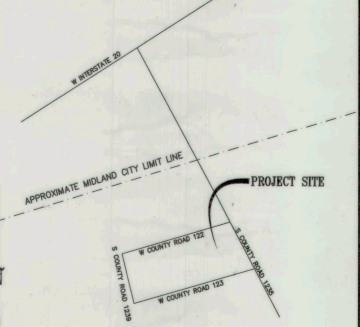
Luis Montez
SUDDENLINK COMMUNICATION
BY: Luis Montez

Bill Bentley
GRANDE COMMUNICATION
BY: Bill Bentley

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

VICINITY MAP

NOT TO SCALE



LEGEND

- IRON PIPE FOUND
- IRON ROD WITH BLUE CAP MARKED "FW 150" #01173-01"
- DENOTES PROPOSED SUBDIVISION LINE
- DENOTES PROPOSED LOT BOUNDARY
- DENOTES EXISTING ROAD
- DENOTES EXISTING EASEMENT
- D.R.M.C. USED RECORDS OF MIDLAND COUNTY
- O.R.M.C.T. OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS

NOTE:

- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND CONTROL MONUMENT "44/93"
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN PART IN ZONE A AND IS WITHIN A 100-YEAR FLOOD HAZARD AREA OF WHICH NO BASE FLOOD ELEVATION HAS BEEN DETERMINED AND IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANELS NO. 48329C0200F AND 48329C0104F BOTH WITH A REVISED DATE OF SEPTEMBER 16, 2005.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.

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

Watson Professional Group Inc



CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 19-1439-00 DRAFT PW REV. 0
FILE: S:MIDLAND/15 ACRE SUB/ ALL 4 SUB_RECOVER



Final Plat Application

Project Number:

Case Number:

SUB-20-0323
P-20-0905**Proposed Subdivision Plat Name:** Southwest Crossing, Section 6**Legal Description (attached sealed Metes and Bounds):** Being a 14.990 acre tract out of Section 13, Block 40, T-2-S, T&P RR CO Survey, County of Midland, Texas**Property Owner**

Printed Name: Caleb Matott

Phone (432) 349-3330

Email ranchspecialist@gmail.com

Address 6800 W County Road 48

City Midland

State Texas

Zip 79707

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Watson Professional Group

Printed Name: Peter Watson

Phone (432) 520-9200

Email pwatson@wpg-us.com

Address P.O. Drawer 11186

City Midland

State Texas

Zip 79702

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

Total Acreage: 14.990

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature] Date: 7-29-2020

Property Owner (printed): Caleb Matott

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 10 day of August, 2020, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☐ 1 Copy of Plat (11x17)

☐ CADD File

☒ Application Fee

☒ Title Opinion

☐ Public Improvement

Check # 10233

☒ Tax Certificates

☒ Recording Fee

Check # 10231

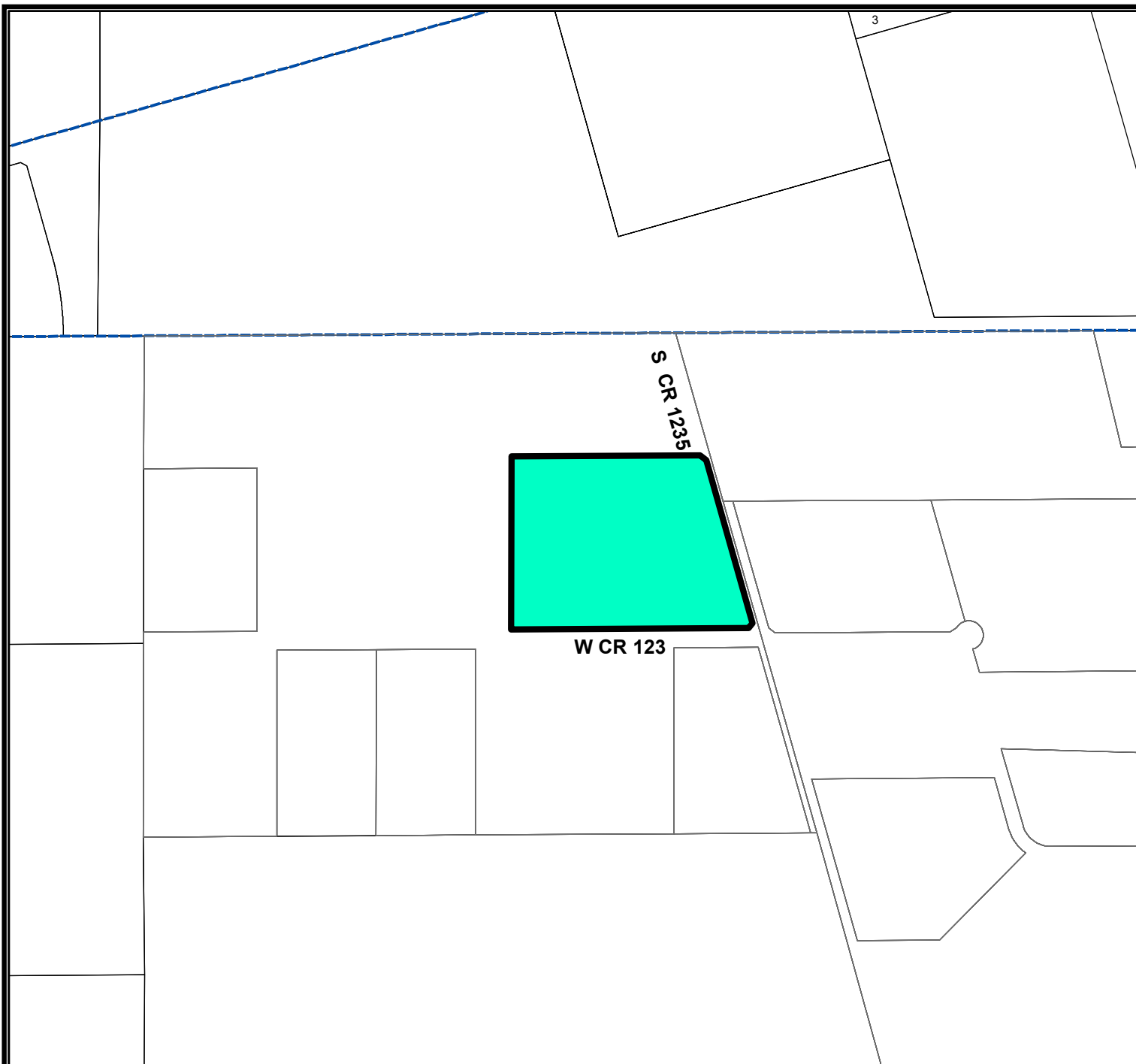
Received By: jm

Date:

RECEIVED
AUG 1 1 2020

BY: jm

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



LOCATION MAP

P-20-0867

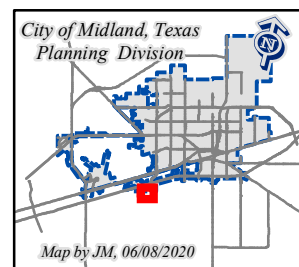
Scale: 1" = 600'

Proposed plat of Midtex 1 Addition, being a plat of a 15.000-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the northwest corner of the intersection of S. County Road 1235 and W. County Road 123. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Quattro FS, LLC for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 4,363 square foot portion of Lot 1A, Block 1, Pavilion Park, Section 11, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of North Big Spring Street and Mockingbird Lane. Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

RR, Regional Retail District.

Details of Request:

The applicant is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant at 5520 N Big Spring, Suite B, Midland, Texas 79705.

Surrounding Zoning and Land Use:

The property is located at 5520 N Big Spring, Suite B in the RR, Regional Retail District. The property to the north is zoned PD, Planned Development District for a Housing Development and the location of an apartment complex that is currently under construction. The property to the east and south is zoned RR, Regional Retail District and the location of vacant land. The property to the west is zoned MF-16, Multiple-Family Dwelling District and is the location of condominiums.

Analysis:

Quattro FS, LLC is requesting a Specific Use Designation for the property located at 5520 N Big Spring, Suite B, to be able to sell all alcoholic beverages for on premise consumption, within a restaurant. The property is zoned RR, Regional Retail District, which allows the consumption of alcoholic beverages with the approval of a Specific Use Designation.

Chuck & Patty's Restaurant is currently not in operation. The floor plan attached hereto a "Exhibit A" illustrates that the establishment, which will be attached to a Jack's Convenience store, will have a total square footage of 4,363 square feet, including a 1,005 square foot patio, with an alcohol serviceable area of 3,261 square feet.

The proposed site plan provides adequate access and internal circulation. A total of 76 shared parking spaces is provided for the convenience store/gas station and the restaurant, which more than exceeds the 36 required parking spaces for both uses.

The restaurant is proposing the following hours of operation:

Monday through Saturday: 10:30 a.m. to 10:00 p.m.
Sunday: 11:00 a.m. to 9:00 p.m.

In addition, the restaurant is requesting the following hours of alcohol service:

Monday through Saturday: 11:00 a.m. to 9:30 p.m.
Sunday: 11:00 a.m. to 8:30 p.m.

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

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

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

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

Engineering: (Approved)

No objection to zone change.

Fire: (Approved)

No objections.

Transportation: (Approved)

No objection to zone change.

Code Administration: (Approved with Conditions)

The SUD for Chuck and Patty's is acceptable. The property must adhere to the current maximum occupant load of 93 as stated on the submitted plans. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive plan, Chapter 6 Character Plan - Goal 4, "Encourage the development of places where Midland residents can gather and socialize to build connections" (Tall City tomorrow, page 137). Chuck & Patty's Restaurant is proposing a local restaurant that will give the citizens of Midland a new location to socialize within.

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

Conditions:

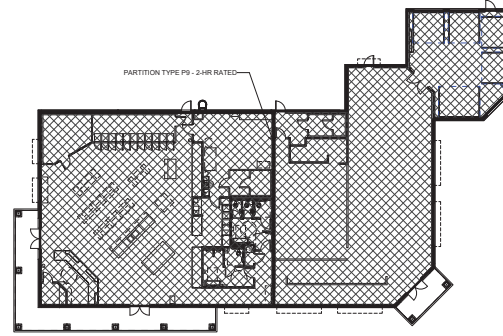
- A. That the serviceable area of the restaurant shall be limited to approximately 3,261 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**
- B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:**
 - Monday through Saturday: 11:00 a.m. to 9:30 p.m.**
 - Sunday: 11:00 a.m. to 8:30 p.m.**
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- D. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- F. That in accordance with Section 9.07.E.3 of the City Code, the establishment shall receive a certificate of occupancy within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

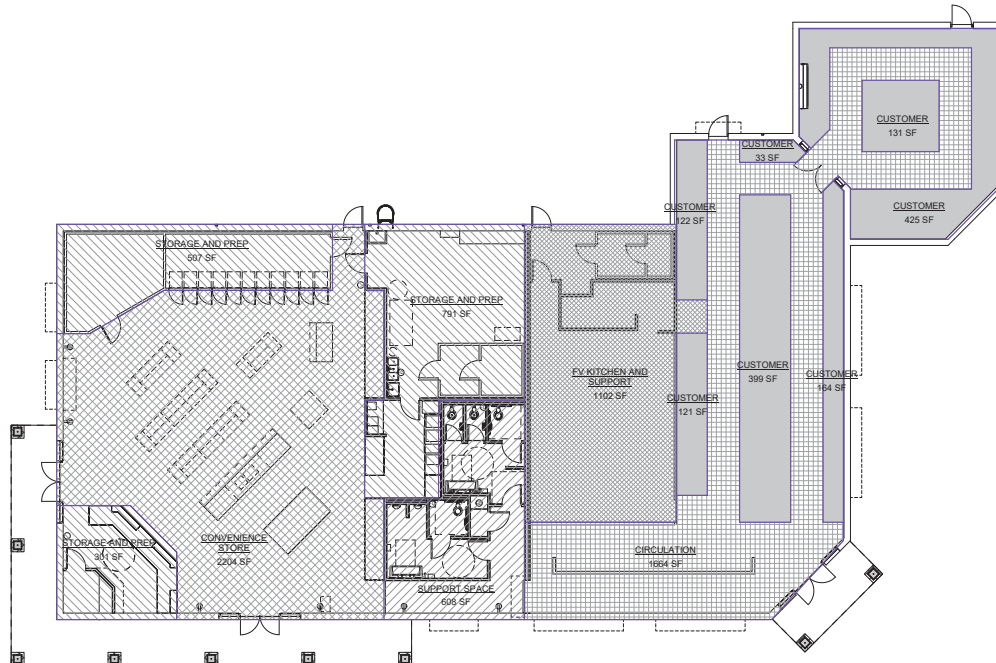
As of September 16, 2020, staff has not received any letters of objections.

Attachments:

Floor Plan (Exhibit A)
Application
Maps



B FIRE SEPARATION PLAN
1/16" = 1'-0"



A FLOOR PLAN - AREAS FOR OCCUPANT LOAD
1/8" = 1'-0"

**JACK'S CONVENIENCE STORE #9
CODE ANALYSIS
APPLICABLE CODES:**

2018 IBC - INTERNATIONAL BUILDING CODE
2018 IFBC - INTERNATIONAL FIRE CODE
2018 IMC - INTERNATIONAL MECHANICAL CODE
2018 IFGC - INTERNATIONAL FUEL GAS CODE
2018 IEBC - INTERNATIONAL ENERGY CONSERVATION CODE
2017 NEC - NATIONAL ELECTRICAL CODE
2012 TAC - TEXAS ACCESSIBILITY STANDARDS

BUILDING OCCUPANCY

CLASSIFICATION: JACK'S - GROUP M: MERCANTILE
CLASSIFICATION: FOOD VENDOR - ASSEMBLY GROUP: A-2

CONVENIENCE STORE:
CUSTOMER AREA: 2,204 SQ. FT.
STORAGE & PREP AREA: 1,589 SQ. FT.
SUPPORT SPACE: 608 SQ. FT.
CONVENIENCE STORE TOTAL: 4,411 SQ. FT.

FOOD VENDOR:
CUSTOMER AREA (GROSS): 2,204 SQ. FT.
CUSTOMER AREA (NETO) - (GROSS): 1,989 SQ. FT.
KITCHEN & SUPPORT SPACE: 1,102 SQ. FT.
FOOD VENDOR TOTAL: 3,091 SQ. FT.

CAR WASH: 1,000 SQ. FT.
FUEL CANOPY: 5,971 SQ. FT.

TOTAL BUILDINGS: GROSS: 19,625 SQ. FT.

CONVENIENCE STORE CUSTOMER AREA: 2,204 SQ. FT. 1.60 = 37
CONVENIENCE STORE STORAGE & PREP AREA: 1,589 SQ. FT. 1.90 = 8
FOOD VENDOR CUSTOMER AREA NET: 1,989 SQ. FT. 1.15 = 93
FOOD VENDOR KITCHEN AREA: 1,102 SQ. FT. 1.20 = 6

TOTAL OCCUPANCY: 140

ALLOWABLE BUILDING HEIGHT: CONSTRUCTION TYPE II-B - NON SPRINKLERED = 55'-0" MAX.
HEIGHT OF NEW CONSTRUCTION APPROXIMATELY 27'-6"

ALLOWABLE AREA: CONSTRUCTION TYPE II-B - NON SPRINKLERED = M: 12,500 SQ. FT.
AREA OF CONVENIENCE STORE: 4,411 SQ. FT.

ALLOWABLE AREA: CONSTRUCTION TYPE II-B - NON SPRINKLERED = A-2: 9,500 SQ. FT.
AREA OF FOOD VENDOR: 3,091 SQ. FT.

CONSTRUCTION TYPE: 11-B (NON-COMBUSTIBLE, UNPROTECTED)

MINIMUM REQUIRED PLUMBING FIXTURES:

CONVENIENCE STORE: CLASSIFICATION: MERCHANTILE GROUP M

TOTAL OCCUPANCY: 43

MEN: 22
LADIES: 21

FIXTURE COUNT MEN: REQUIRED PROVIDED

WATER CLOSETS: @1:500 1 2
URINALS: @1:750 1 2

LAVATORIES: @1:750 1 2

FIXTURE COUNT LADIES: REQUIRED PROVIDED

WATER CLOSETS: @1:500 1 3
LAVATORIES: @1:750 1 2

SERVICE SINK: 1 1

MINIMUM REQUIRED PLUMBING FIXTURES:

FOOD VENDOR: CLASSIFICATION: ASSEMBLY GROUP A-2

TOTAL OCCUPANCY: 99

MEN: 50
LADIES: 49

FIXTURE COUNT MEN: REQUIRED PROVIDED

WATER CLOSETS: @1:75 1 1
URINALS: @1:200 1 2

LAVATORIES: @1:200 1 2

FIXTURE COUNT LADIES: REQUIRED PROVIDED

WATER CLOSETS: @1:75 1 3
LAVATORIES: @1:200 1 2

SERVICE SINK: 1 1

PARKING CALCULATIONS:

DESCRIPTION: BUILDING AREA: REQUIREMENT

CONVENIENCE STORE CUSTOMER AREA: 2,204 SQ. FT. 1,000 SQ. FT.

FOOD VENDOR CUSTOMER AREA: 93 OCCUPANCY 1-4 SEATS FOR PATRON USE

PARKING REQUIRED CONVENIENCE STORE: 2,204/200 SQ. FT. = 12

PARKING REQUIRED FOOD VENDOR: 93 SEATS FOR PATRON USE = 24

TOTAL: 36 REQUIRED PARKING SPACES

TOTAL PARKING PROVIDED = 76 SPACES

4500 W. ILLINOIS SUITE 302
MIDLAND, TEXAS 79703

432.697.0037
www.patearchitects.com

P&A
PATE ARCHITECTS

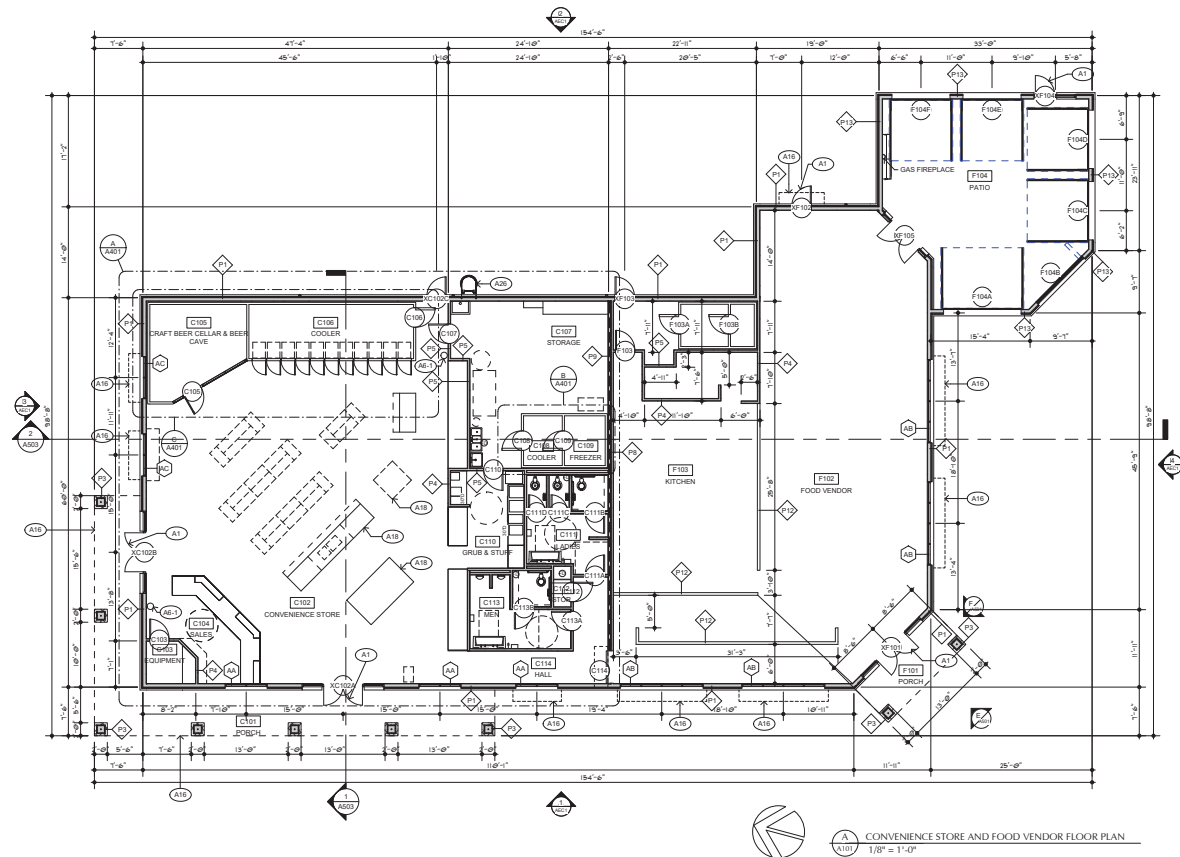
NEW BUILDING FOR:
JACK'S CONVENIENCE STORE #9
MOCKINGBIRD & BIG SPRING
MIDLAND, TX

DATE ISSUED
09/16/2019

REVISIONS

SHEET NUMBER
A01

JOB NO. 18-25



ARCHITECTURAL - NOTES

- A1 FLOOR AND GROUND AREA WITHIN THE REQUIRED ADA & TAS CLEARANCES (5'-0" x 5'-0" MIN.) TO BE LEVEL AND CLEAR.
- A6-1 WALL HUNG FIRE EXTINGUISHER
- A16 LINE OF ROOF ABOVE
- A18 EQUIPMENT BY OTHERS - SEE SHEET A402
- A26 FIXED STEEL LADDER WITH 1" RUNGS ATTACHED TO FLOOR AND STRUCTURE ABOVE



4500 W. ILLINOIS, SUITE 302
MIDLAND, TEXAS 79703

432.697.0037
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MIDLAND, TX

NEW BUILDING FOR:
JACK'S CONVENIENCE STORE #9
MOCKINGBIRD & BIG SPRING

DATE ISSUED _____

REVISIONS

SHEET NUMBER

A101

JOB NO. 18-25



Know what's below.
Call before you dig.

PACKET
Page 15.115
September 21, 2020

M A V E R I C K
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ENGINEER, FIRM # FJ15089
SURVEY FIRM # 10194514
Tel: (432) 262-0999 Fax: (432) 262-0999
www.Maverick-Eng.com



LEGEND

- | | |
|---|----------------------------------|
|  | DENOTES FOUND MONUMENT AS NOTED |
|  | DENOTES SET 1/2" IRON ROD |
|  | DENOTES FOUND BENCHMARK AS NOTED |
|  | DENOTES EXISTING MANHOLE |
|  | DENOTES BOUNDARY LINE |
|  | DENOTES EDGE OF ASPHALT |
|  | DENOTES EXISTING LOTS |
|  | DENOTES EXISTING 8" WATER LINE |
|  | DENOTES EXISTING 12" WATER LINE |
|  | DENOTES EXISTING 15" SEWER LINE |

DIMENSIONAL NOTE:

DIMENSIONS SHOWN ARE TYPICALLY TO BACK OF CURB UNLESS NOTED OTHERWISE.

CONCRETE JOINTING NOTE:

MAVERICK DOES NOT SUPPLY CONCRETE JOINTING PLANS, OR REVIEW THEM, UNLESS SPECIFICALLY CONTRACTED TO DO SO. THE CONTRACTOR IS RESPONSIBLE FOR CONCRETE JOINTING PLAN DEVELOPMENT AND IMPLEMENTATION. MAVERICK CAN PROVIDE THIS SERVICE TO THE CONTRACTOR AT AN ADDITIONAL EXPENSE. PLEASE CONTACT MAVERICK FOR MORE INFORMATION ON THIS ADDITIONAL DESIGN SERVICE.

NEW BUILDING FOR:
JACK'S CONVENIENCE STORE #9
MOCKINGBIRD & BIG SPRING



10/02/2019
SHEET NUMBER
DIMENSION
PLAN
C200
OF SHEETS
PATE JOB NO. 1825
MAV JOB NO. 190137



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

Project Number:

340-20-0083

Case Number:

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Randy Brooks		Phone (325) 227-8789 Email randy.brooks@bnbventures.com	
Address 502 S. Koenigheim St Ste 1A	City San Angelo	State TX	Zip 76903
Property Owner Printed Name: BBS Rental Properties, LLC - Randy Brooks		Phone (325) 227-8789 Email randy.brooks@bnbventures.com	
Address 502 S. Koenigheim St Ste 1A	City San Angelo	State TX	Zip 76903
Representative (if different from Applicant or Property Owner) Firm: Quattro FS, LLC Printed Name: Chris Tyler		Phone (325) 227-2422 Email chris.tyler@ggandc.com	
Address 502 S. Koenigheim St Ste 1A	City San Angelo	State TX	Zip 76903
Street Address: 5520 N Big Spring Suite B Midland, TX 79705			
Business Name: Chuck & Patty's			
Legal Description Lot: 1 Block: 1 Subdivision: Pavilion Park Addition			
Current Zoning: "RR" Regional Rental District			
Reason for Request: Mixed Beverage Permit Food and Beverage Certificate			
Type of Business (restaurant, bar, lounge, nightclub, etc.): Restaurant			
Proposed/Current Days and Hours of Operation: Mon-Sat 10:30A - 10P Sun 11A - 9P			
Proposed Days and Hours of Alcohol Service: Mon-Sat 11A - 9:30P Sun 11A - 8:30P			
Total Square Footage of Business: 4363 sq ft			
Square Footage of Alcohol Serviceable Area: 3261 sq ft			
Restroom Fixtures:	Men	Toilets/Urinals: 1 / 2	Bathroom Sinks: 2
	Women	Toilets: 3	Bathroom Sinks: 2

AUG 20 2020
BY:

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

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

RECEIVED
AUG 20 2020

Signatures

Applicant (signature): [Signature] Date: 8/19/2020

Applicant (printed): Randy Brooks

Property Owner (signature): [Signature] Date: 8/19/2020

Property Owner (printed): Randy Brooks

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

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

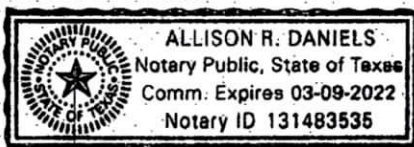
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Chris Tyler who, being by me duly sworn, upon oath says: That (s)he is authorized by Randy Brooks, 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 19th day of August, 2020, to certify which witness my hand and seal of office.



Allison Daniels
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Floor Plan

☒ Application Fee

☒ Site Plan

Check # 11738

☒ Plans in Digital Format (PDF/JPEG)

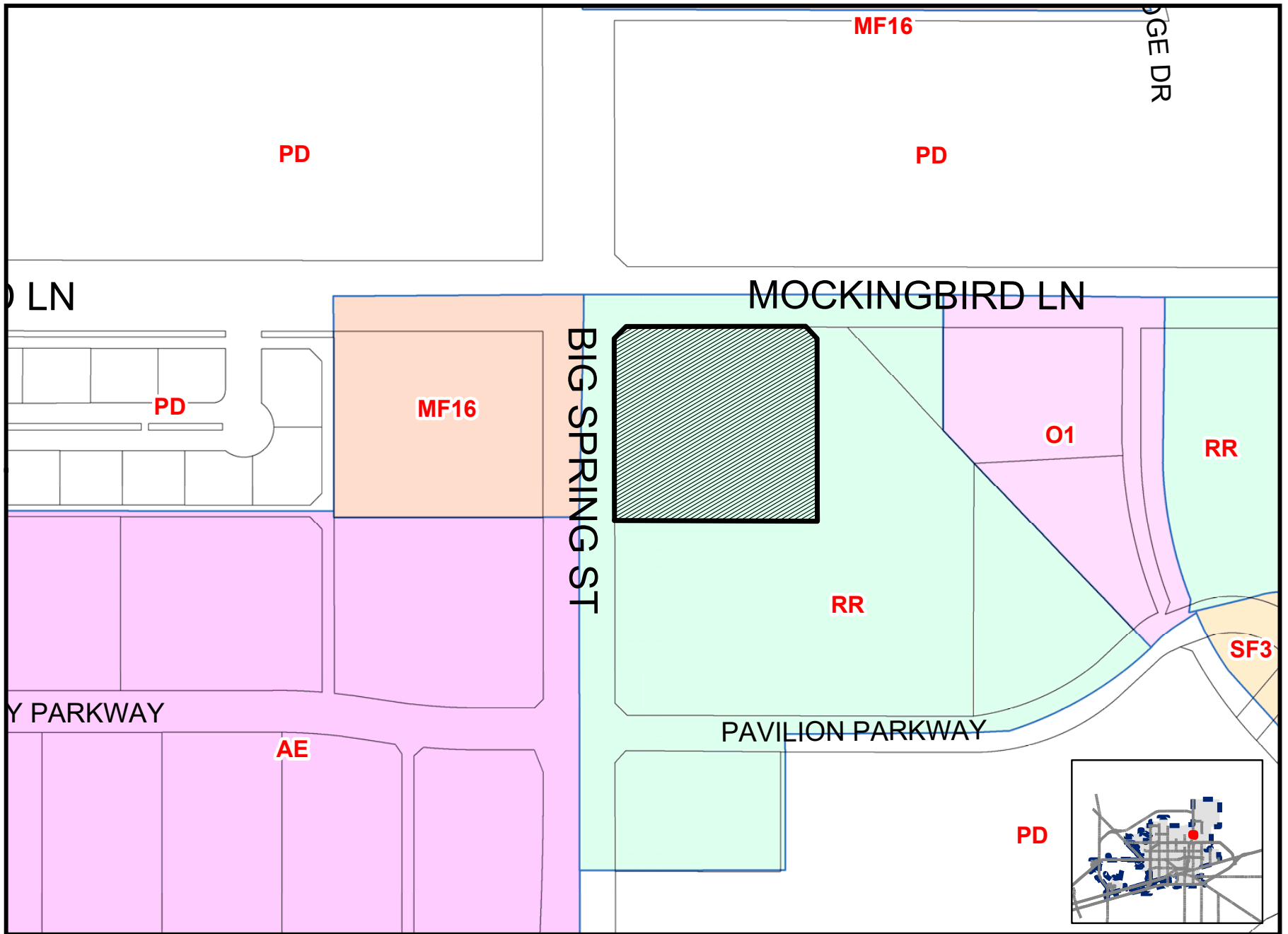
Received By: glenda

Date: _____

RECEIVED
AUG 20 2020

BY: _____

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













Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Hold a public hearing and consider a request by Chad Walters for a zone change from PD, Planned District for a Community Service Center to SF-2, Single-Family Dwelling District on a 0.48-acre portion of Lot 13A, Block 7, Glendale, Section, 2 City and County of Midland, Texas. (Generally located on the west side of North Carver Street, approximately 180-feet south of East Cuthbert Avenue. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Chad Walters, is requesting approval of a zone change to amend the planned district and have one zoning designation on the existing property.

Current Zoning:

PD, Planned Development District for a Community Service Center. (Ordinance No. 6674)

Departmental Review:

The properties to the north are zoned SF-2, Single-Family Dwelling District and the location of residential homes. The property to the east is zoned MH, Manufactured Housing District and the location of a church. The property to the south is zoned SF-2, Single-Family Dwelling District and the location of a church. The property to the west is zoned SF-2, Single-Family Dwelling District and the location of a parking lot.

Analysis:

The property is located at 1301 Garden Lane and is the location of Our Lady of Guadalupe Catholic Church. The applicant is requesting a zone change on approximately a 0.48-acre portion of the property to SF-2, Single-Family Dwelling District, so that it is consistent with the existing zoning of the property and to develop an addition to the existing building.

The Planned District is located on the upper northeast corner of the existing lot. This property is regulated by Ordinance No. 6674, which was established in July 1986 to allow for a community service center and to adopt a site plan for that use. *Section 2 of Ordinance No. 6674 states:*

- 2. That the development of the property shall conform to all regulations applicable to a "1F-2", One-Family Dwelling District in all respects, except as otherwise indicated by the site plan marked Exhibit "A", attached hereto and made a part hereof for all legal purposes.*

The applicant has provided a site plan showing the existing conditions of the property and approximate measurements of the Planned District zoning boundary. In addition to having a contiguous zoning classification, this request would allow for the addition to the existing building and any future construction without an amendment to the planned district.

This proposed zone change has been circulated to and reviewed by respective City departments and their comments, conditions, and requirements are as follows:

Engineering: (Approved)

No objection to zone change.

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

Fire: (Approved)

No objections.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Building codes are subject to change depending on the date of possible construction.

Code Compliance: (Approved)

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

Transportation: (Approved)

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

No objection to zone change.

Planning:

As the building in question is an accessory use to the church and as this zone change would clean up the zoning on the lot, staff recommends approval of this request for approval of a zone change subject to condition A.

Conditions:

A. That the use and development of this property shall conform to the regulations of the SF-2, Single-Family Dwelling District.

Letters of Objection:

As of September 16, 2020, staff has not received any letters of objection.

Attachments:

Metes and Bounds (Exhibit A)
Proposed Site Plan
Application
Maps
Ordinance No. 6674

T&P RR CO Survey, T-1-S, Block 39, Section 25
Midland County, Texas
0.482 Acre

EXHIBIT "A"

BEING A 0.482 ACRE TRACT OF LAND KNOWN AS LOTS 23 AND 24, BLOCK 7, AND THE NORTH 40 FEET OF THE RIGHT-OF-WAY OF CHERRY LANE ADJACENT TO LOTS 23 AND 24, GLENDALE ADDITION TO THE CITY OF MIDLAND, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 130, PAGE 404, DEED RECORDS OF MIDLAND COUNTY, TEXAS, AND LYING IN THE T&P RR CO SURVEY, T-1-S, BLOCK 39, SECTION 25, MIDLAND COUNTY, TEXAS, SAID 0.482 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a PK Nail found for the northeast corner of the herein described tract, being also the northeast corner of said Lot 24, and lying at the intersection of the South line of a 20 feet wide alley with the West right-of-way (ROW) line of North Carver Street (N Carver St) (based on a 60 feet wide ROW);

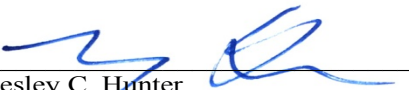
THENCE S 14°37'55" E with the West ROW line of N Carver St and the East boundary line of Lot 24, at 140.00 feet pass the North ROW line of Cherry Lane (Cherry Ln) (based on a 80 feet wide ROW), and continuing for a total distance of 180.00 feet to a PK Nail for the southeast corner of the herein described tract;

THENCE S 75°22'05" W with the centerline of the ROW of Cherry Ln a distance of 116.60 feet to a PK Nail for the southwest corner of the herein described tract;

THENCE N 14°37'55" W at 40.00 feet pass the North ROW line of Cherry Ln and the southwest corner of Lot 23 (being also the southeast corner of Lot 22), and continuing with the common line of Lots 22 and 23 for a total distance of 180.00 feet to a 1/2 inch iron rod for the northwest corner of the herein described tract, being also the North common corner of Lots 22 and 23, and lying in the South line of said alley;

THENCE N 75°22'05" E with the North boundary line of Lots 23 and 24, being also the South line of said alley, a distance of 116.60 feet to the **PLACE OF BEGINNING** and containing 0.482 acre of land.

Bearing Basis: All bearings shown herein are referenced to the Texas Plane Coordinate System, North American Datum of 1983, Central Zone.


Wesley C. Hunter
Registered Professional Land Surveyor
No. 6268 – State of Texas

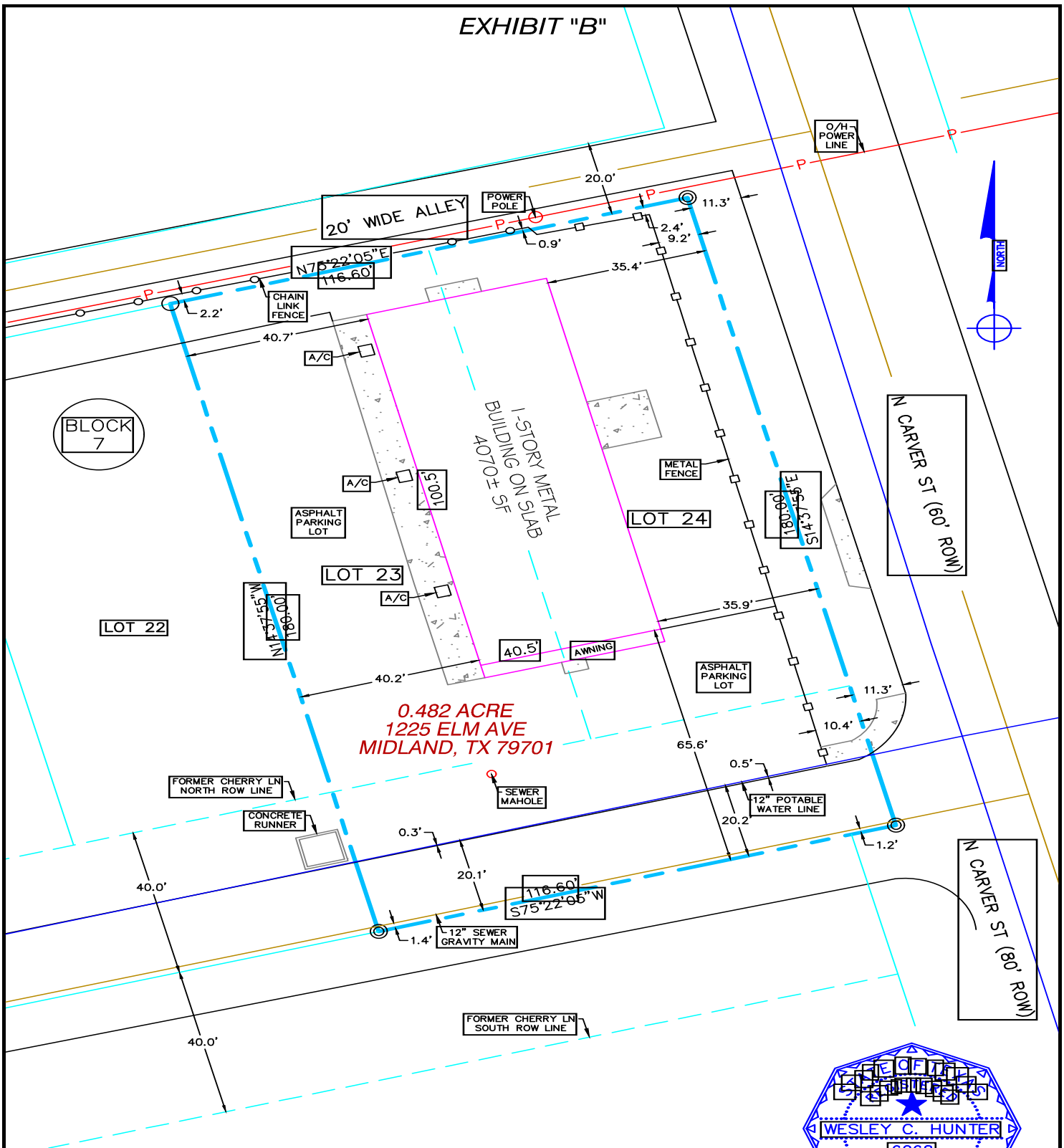


EXPLORER SURVEYING

37807 MAYO ST., HEMPSTEAD, TX 77445
(432) 425-4022 & (281) 305-4069 WWW.EXPSURVEY.COM
FIRM # 10194098 REGULATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING

DATE: August 31, 2020

EXHIBIT "B"



◎ = PK NAIL
 ○ = 1/2" IRON ROD

NOTES:

1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, CENTRAL ZONE.
2. ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, MAP NUMBER 48329C0089F, REVISED SEPTEMBER 16, 2005, SHOWS THIS TRACT TO BE IN ZONE "X"; AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



EXPLORER SURVEYING

37807 MAYO ST., HEMPSTEAD, TX 77445
(432) 425-4022 & (281) 305-4069 WWW.EXPSURVEY.COM
FIRM # 1019198 REG. BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS

WESLEY C. HUNTER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6268

I, Wesley C. Hunter, a Registered Professional Land Surveyor in the State of Texas, License Number 6268, do hereby certify this plat to represent a survey made on the ground in the Month of August, 2020 under my direction and supervision, and the corner monuments shown hereon were found in compliance with the minimum requirements of a Category 1A, Condition II Land Title Survey and in accordance with the rules and regulations of the State of Texas.

SURVEY FOR

OUR LADY OF GUADALUPE CHURCH

BEING LOTS 23 AND 24, BLOCK 7, AND THE NORTH ONE-HALF OF CHERRY LANE ADJACENT TO SAID LOTS 23 AND 24, GLENDALE ADDITION, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 130, PAGE 404, PLAT RECORDS, MIDLAND COUNTY, TEXAS.

DRAWN BY: JE

DATE: 8/27/2020

DWG. NO.

REV.

CHECKED BY: WH

DATE: 8/31/2020

ES-GA-B7-L23-24-001

6.129 SCALE: 1"=30'

APP.: 8/31/2020

October 21, 2020

○



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

Project Number: 2-20-0173
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>CHAD WALTERS (MIDLAND DCI, LLC)</u>		Phone (432) <u>352-0788</u> Email: <u>chad@midland-dci.com</u>	
Address: <u>407 N. BIGSPRING #204</u>	City: <u>MIDLAND</u>	State: <u>TX</u>	Zip: <u>79701</u>
Property Owner Printed Name: <u>BISHOP OF SAN ANGELO</u>		Phone (432) <u>352-7545</u> Email: <u>DAVID@midlandcdc.org</u>	
Address: <u>1401 GARDEN LN</u>	City: <u>MIDLAND</u>	State: <u>TX</u>	Zip: _____
Representative (if different from Applicant or Property Owner) Firm: <u>MIDLAND DCI, LLC</u> Printed Name: <u>CHAD WALTERS</u>		Phone (432) <u>352-0788</u> Email: <u>chad@midland-dci.com</u>	
Address: <u>407 N. BIGSPRING #204</u>	City: <u>MIDLAND</u>	State: <u>TX</u>	Zip: <u>79701</u>

Street Address: <u>1301 GARDEN LN</u>	
Legal Description Lot: <u>13A</u> Block: <u>7</u> Subdivision: <u>GLENDALE SEC 2</u>	

Current Zoning: <u>SF2/1D</u>	Proposed Zone: <u>SF2</u> (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>PROPERTY HAS 2 ZONES. WE WOULD LIKE TO DO AN ADDITION IN THE PD ZONE PART. WE ALSO WANT TO CORRECT ZONING FOR ANY FUTURE CONSTRUCTION.</u>	
Present Use of Property: <u>CHURCH</u>	
Proposed Use of Property: <u>CHURCH</u>	
How would this zone change affect the public health, safety and welfare? <u>IT WILL NOT HAVE ANY ADVERSE EFFECTS</u>	
Describe how conditions affecting the property have changed since present zoning designation: <u>STREET VACATION AND NEW PLAT, BUT CORNER BUILDING WAS LEFT PD WHILE ENTIRE REST OF PROPERTY BECAME SF2</u>	

Submittal and Fees Items to be submitted with this application form: • Application Fee – Payable to the 'City of Midland' • Dimensioned Site Plan • Digital Copies of Site Plan (PDF/JPEG)
--

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

Applicant (signature): [Signature] Date: 1-31-2020

Applicant (printed): CHAD WALTERS

Property Owner (signature): _____ Date: _____

Property Owner (printed): _____

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

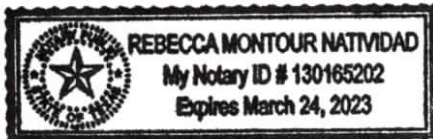
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear David Diaz who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Donna J. Gonzalez, 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 Jan, 2020, to certify which witness my hand and seal of office.



Rebecca Montour Natividad

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

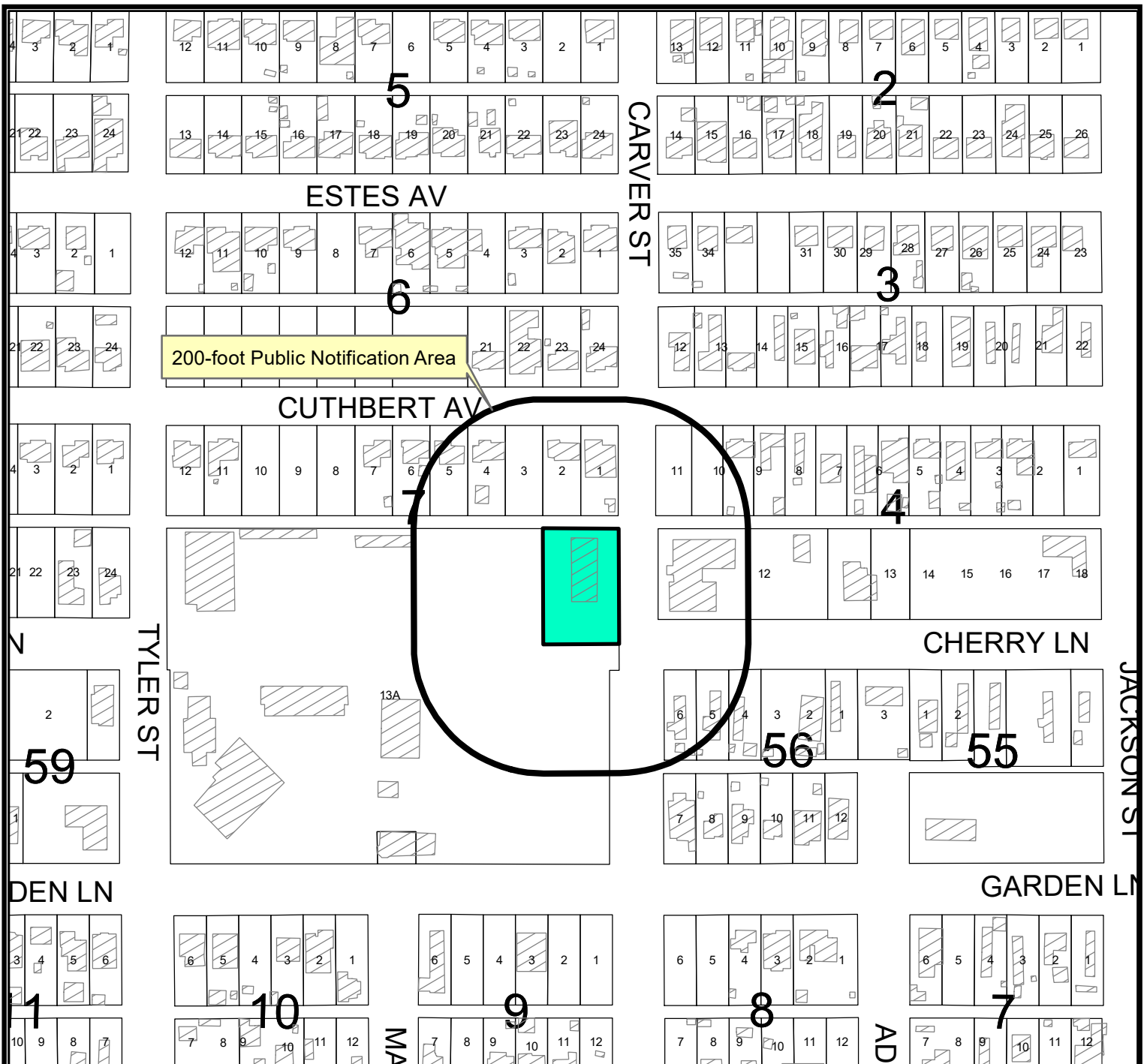
Check # 3811

Received By: _____

Date: _____

RECEIVED
FEB 26 2020

BY: [Signature]



LOCATION MAP

Z-20-0173

Scale: 1" = 200'

Consider a request by Chad Walters for a zone change from PD, Planned District for a Community Service Center to SF-2, Single-Family Dwelling District on a 0.48-acre portion out of Lot 13A, Block 7, Glendale, Section 2, City and County of Midland, Texas.

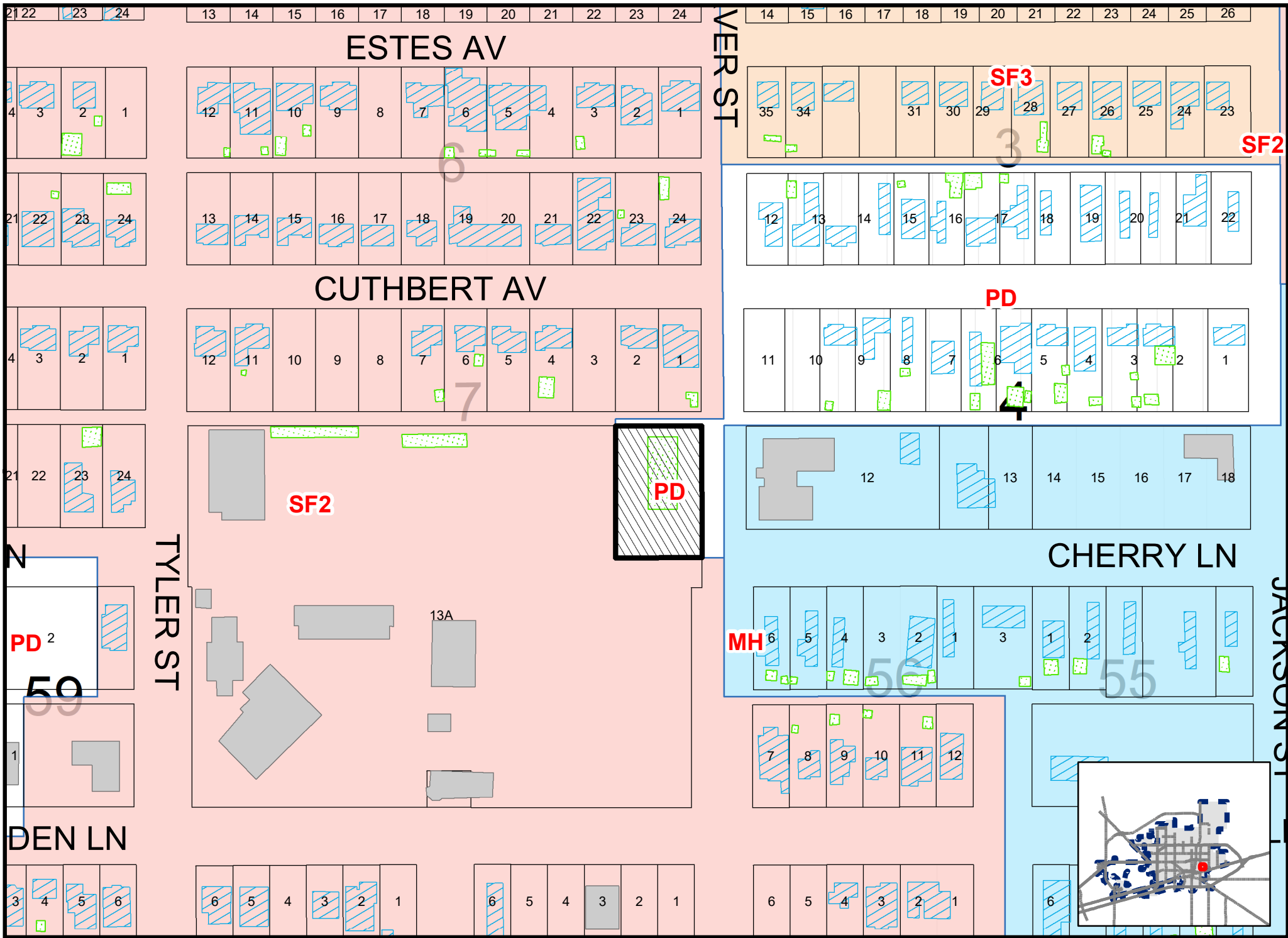
Generally located on the west side of North Carver Street, approximately 180-feet south of East Cuthbert Avenue. (Council District 2)

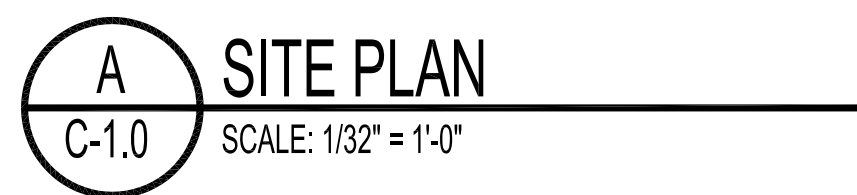
LEGEND

- 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.





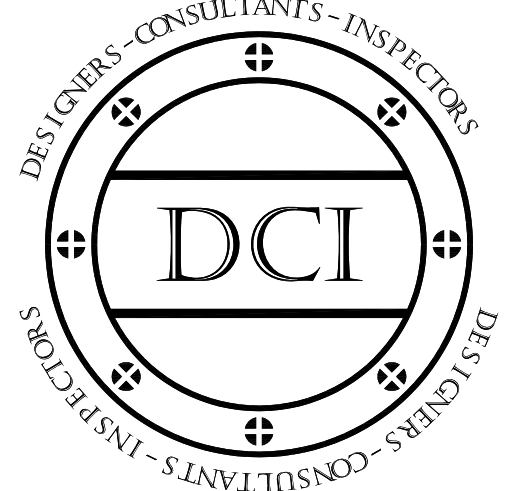
SEAL

PRELIMINARY - NOT
FOR CONSTRUCTION

THESE DOCUMENTS ARE INTERIM REVIEW AND
ARE NOT INTENDED FOR CONSTRUCTION
AND/OR PERMIT PURPOSES.

OLG CHURCH
1301 GARDEN LANE
MIDLAND, TEXAS
LOT 13A, BLOCK 007
GLENDALE SEC 2

No.	Revision/Issue	Date
1	FINAL SITE PLAN	02/18/20



CHAD WALTERS
432-352-0788
CHAD@MIDLAND-DCI.COM
WWW.MIDLAND-DCI.COM

PROJECT NUMBER: 2020000	
DRAWN BY	CMJ
CHECKED BY	CCW

Sheet 1 Of 1

C-1.0

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The designs represented by these plans are copyrighted and are subject to copyright protection as an "Original Work". Unauthorized use of the plans (including form and arrangement of spaces), data and other aspects of the design will subject the infringer to damages and/or injunctive action as provided by Federal Law. Any omissions, objections, errors, or changes to the plans after the final drawing are completed are not the responsibility of the designer.

ORDINANCE NO. 6674

AN ORDINANCE AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING THE PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED "1F-2", ONE-FAMILY DWELLING DISTRICT, TO BE USED AS A "PLANNED DISTRICT" FOR A COMMUNITY SERVICE CENTER; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; PROVIDING THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE SITE PLAN, ORDINANCES AND OTHER SPECIFICATIONS SET OUT AND REFERRED TO HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF ONE THOUSAND DOLLARS (\$1,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter One, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned "1F-2", One-Family Dwelling District, and it shall be used as a "Planned District" for a Community Service Center, subject to the special conditions and restrictions hereinafter set out.

Said property is described as follows:

Lots 23 and 24, Block 7, Glendale Addition to the City of Midland, Midland County, Texas.

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

1. That development of the property shall conform to the regulations applicable to a "1F-2", One-Family Dwelling District, and alternatively it may be used as a Community Service Center, with such use limited to a preparation, sale and distribution center for used clothing and household goods and food, and associated office space operated by a philanthropic organization associated with a church.

2. That the development of the property shall conform to all regulations applicable to a "1F-2", One-Family Dwelling District in all respects, except as otherwise indicated by the site plan marked Exhibit "A", attached hereto and made a part hereof for all legal purposes.

3. That development of the property for a Community Service Center shall conform to said Exhibit "A" in all respects and to the following conditions.

a. Operation of the facility shall be contingent upon its continued operation in connection with a church on Lots 13-22, Block 7, and all of Blocks 57 and 58, Glenwood Addition.

b. That the applicant shall obtain a Certificate of Occupancy to assure compliance with these conditions prior to initiating this use.

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

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

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

SECTION SIX. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions con-

tained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding one thousand dollars (\$1,000.00).

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 24th day of June, A.D., 1986; and passed to second reading on motion of Council member Corrales, seconded by Council member Godfrey, by the following vote:

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

Council members voting "NAY": None

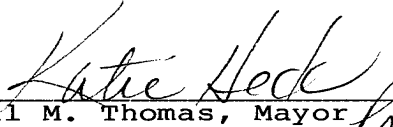
The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Corrales, seconded by Council member Marcum, on the 8th day of July, A.D., 1986, at a regular meeting of the City Council:

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

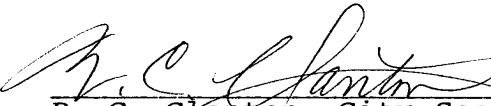
Council members "ABSTAINING": Thomas

Council members voting "NAY": None

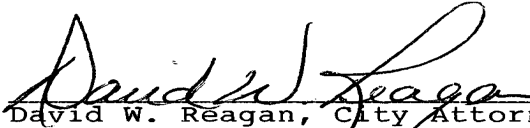
PASSED AND APPROVED THIS 8th day of July, A.D., 1986.

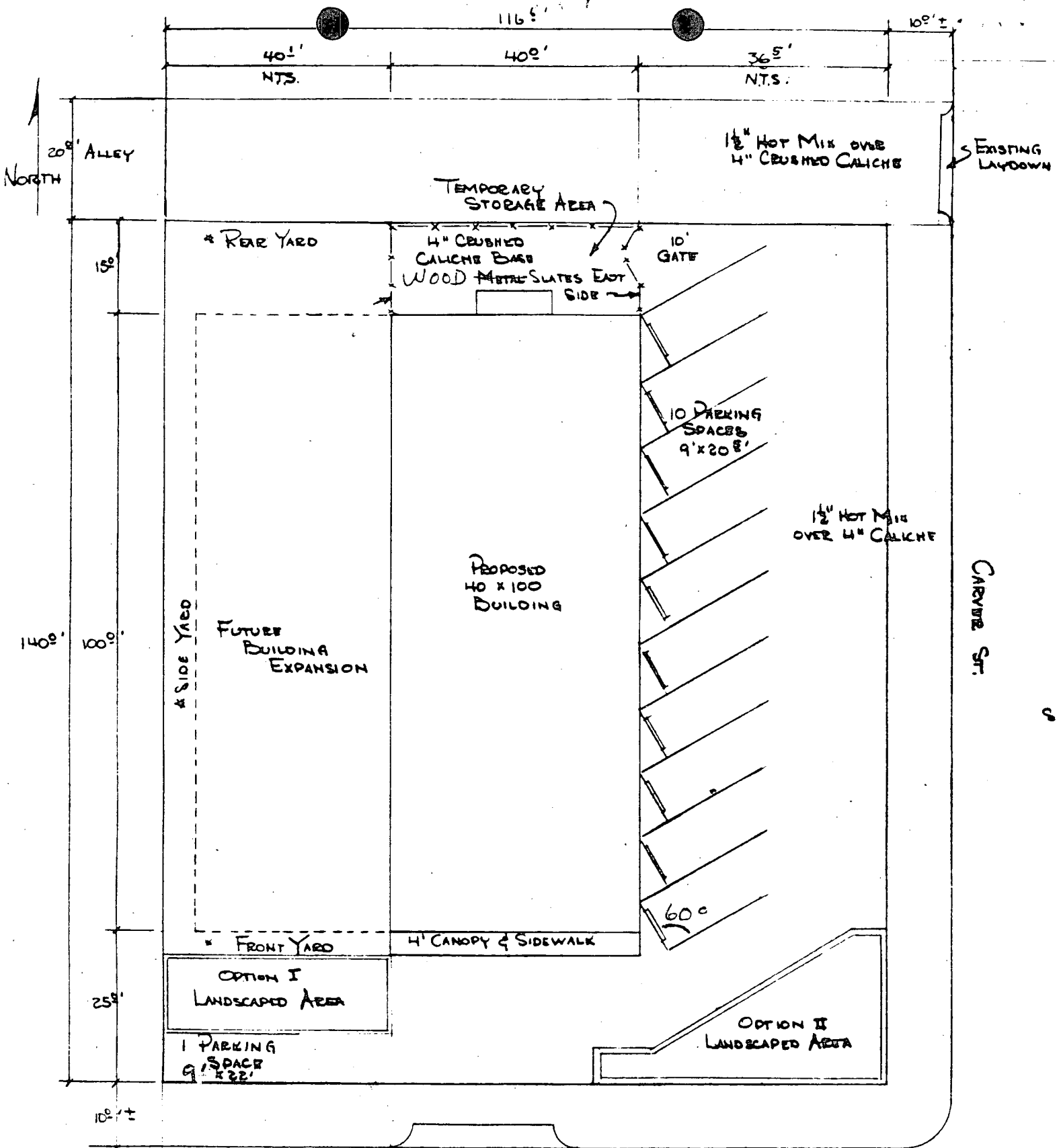

Carroll M. Thomas, Mayor

ATTEST:


B. C. Clanton, City Secretary

APPROVED AS TO FORM:


David W. Reagan, City Attorney



* SET BACK ACCORDING TO ZONING CODE REQUIRED BY IF-2

CHERRY LANE
- PLOT PLAN -
1" = 20'-0"

RECEIVED

JUN 17 1986

PLANNING & DEVELOPMENT
CITY OF MIDLAND

EXHIBIT 'A'











Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Hold a public hearing and consider a proposed Preliminary Plat of Southern Addition, Section 21, being a residential replat of the east 50-feet of Lots 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of East Pennsylvania Avenue and South Weatherford Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Parkhill, Smith and Cooper, is proposing to replat the east 50-feet of Lots 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas, into one lot. This plat is considered a residential replat and requires a public hearing.

Current Zoning:

SF-3, Single-Family Dwelling District.

Departmental Review:

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

Engineering: (Approved)

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

ROW: A ROW of 80 ft. is fine as shown on Pennsylvania Ave. and Weatherford St.

PAVING: Weatherford roadway is not built to City Standards, construct to City standards for entire platted frontage.

WATER: 8" water exists in Weatherford Street, east of tract, okay as is. No public water improvements required. 6" water exists in Pennsylvania south of tract, okay as is. No public water improvements required.

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

PRO RATA: None.

SEWER: 6" sewer exists in alley north and east of tract, okay as is. No public wastewater improvements required.

DRAINAGE: Drainage study not required for development into single family residences. Development considered infill.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

Provide 10 ft x 10 ft intersection corner clips at property corners adjacent to all public street intersections.

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

No objections to plat.

Fire: (Approved)

No comments.

Code Compliance: (Approved)

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

Surveyor: (Approved)

No comments.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Planning: (Approved with Conditions)

The following technical items need to be addressed:

Update the legal description to read: *"being a replat of the east 50-feet of Lots 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas."*

Rename the lot as Lot 25.

Please provide the following:

1. Certificate of Approval
 - a. Chairman – Josh Sparks
 - b. Secretary - Cristina Odenburg Burns
2. Owner's Certificate and Acknowledgement
3. Surveyor's Certificate
4. Add Utility Company's signatures/Certificate
 - a. Oncor Electric Delivery
 - b. Grande Communication
 - c. AT&T
 - d. Atmos Energy
 - e. Suddenlink Communication

Include an area for recording information.

Add the note: "Bearings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North America Datum of 1983"

The proposed lot dimensions do not meet the minimum required as described per the SF-3, Single-Family Dwelling District; therefore, a special exception would have to be processed and approved prior to the final plat

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

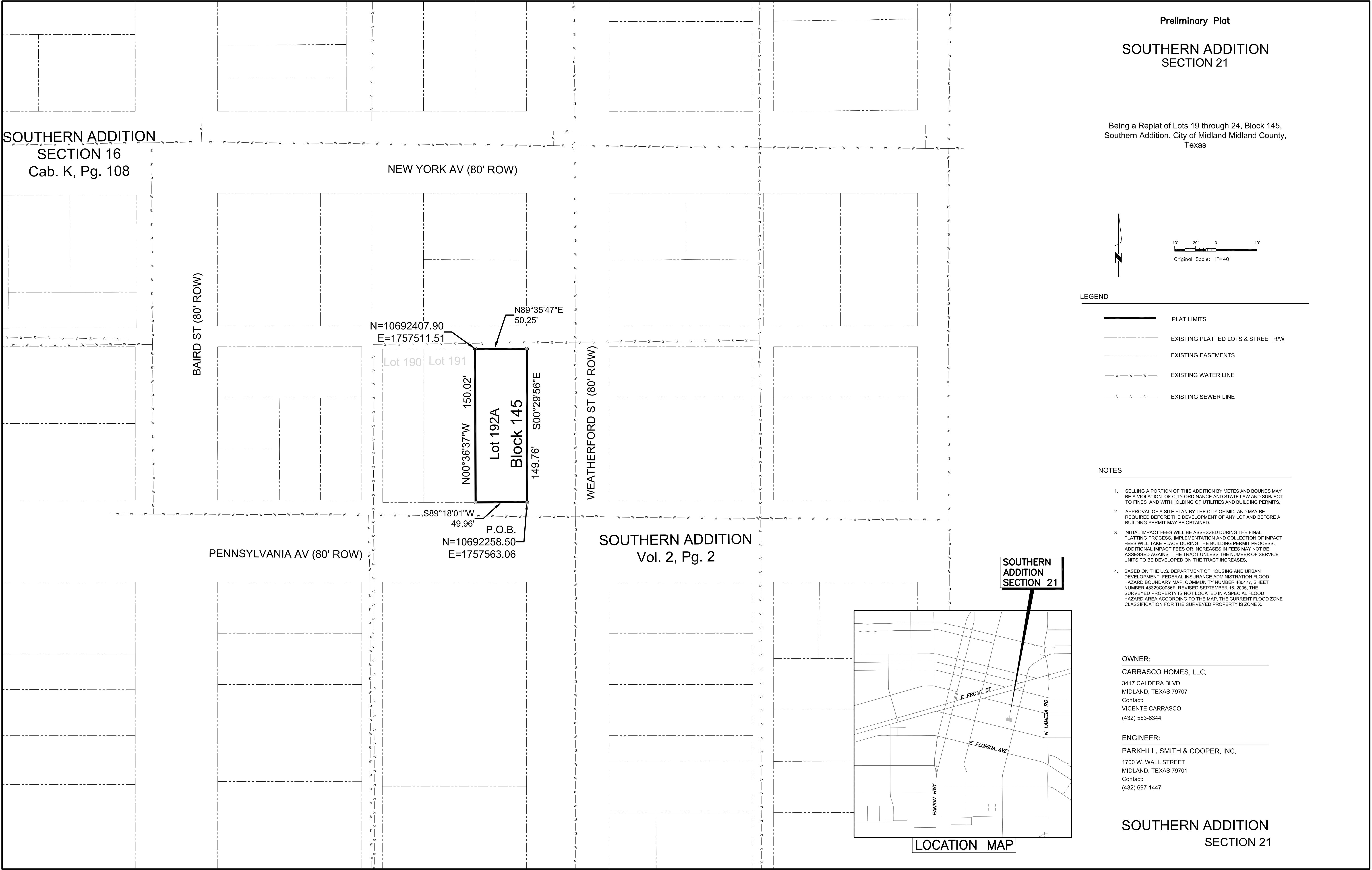
Staff recommends approval of the preliminary plat of Southern Addition, Section 21 subject to conditions A and C.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



A:\2008\0817\2010_LDS\001_DIVISION_001\006_ENTITLEMENT\002_PPL\0037_PPL.dwg PPL 08/27/2010 19:45:14 AL J.Walsh



Preliminary Plat Application

Project Number: 34B-20-0349
Case Number: 1-20-0918

Proposed Subdivision Plat Name: Southern Addition, Section 21

Legal Description (attached sealed Metes and Bounds): Being a Replat of the East 1/2 of Lots 19 through 24, Block 145, Southern Addition, City of Midland, Midland County, Texas

Property Owner Printed Name: <u>Carrasco Homes LLC</u>		Phone (<u>432</u>) <u>553-6344</u> Email <u>carrascohomesllc@sbcglobal.net</u>	
Address <u>3417 Caldera BLVD</u>	City <u>Midland</u>	State <u>Texas</u>	Zip <u>79707</u>

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Parkhill, Smith, & Cooper</u> (PSC Job # 01.9537.20 - TASK) Printed Name: <u>Josh Wallender</u>		Phone (<u>432</u>) <u>697-1447</u> Email <u>jwallender@team-psc.com</u>	
Address <u>1700 West Wall, Suite 100</u>	City <u>Midland</u>	State <u>Texas</u>	Zip <u>79701</u>

Current Zoning: SF3

Reason for Platting: Platting of lot

Plat Information	Total Acreage: <u>0.17 Acres</u>
Type: ☒ Single-Family Residential ☐ Commercial	☐ Multi-Family Residential ☐ Extraterritorial Jurisdiction (ETJ)
Number of Residential Lots: <u>1</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'

AUG 26 2020

BY:

Request for a Development Agreement

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

Provisions

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

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

Property Owner (signature): [Signature]

Date: 8-26-2020

Property Owner (printed): Vicente Carrasco

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

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

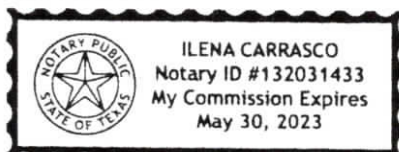
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

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



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)?

☒ Application Fee

☒ 1 Copy of Plat (11x17)

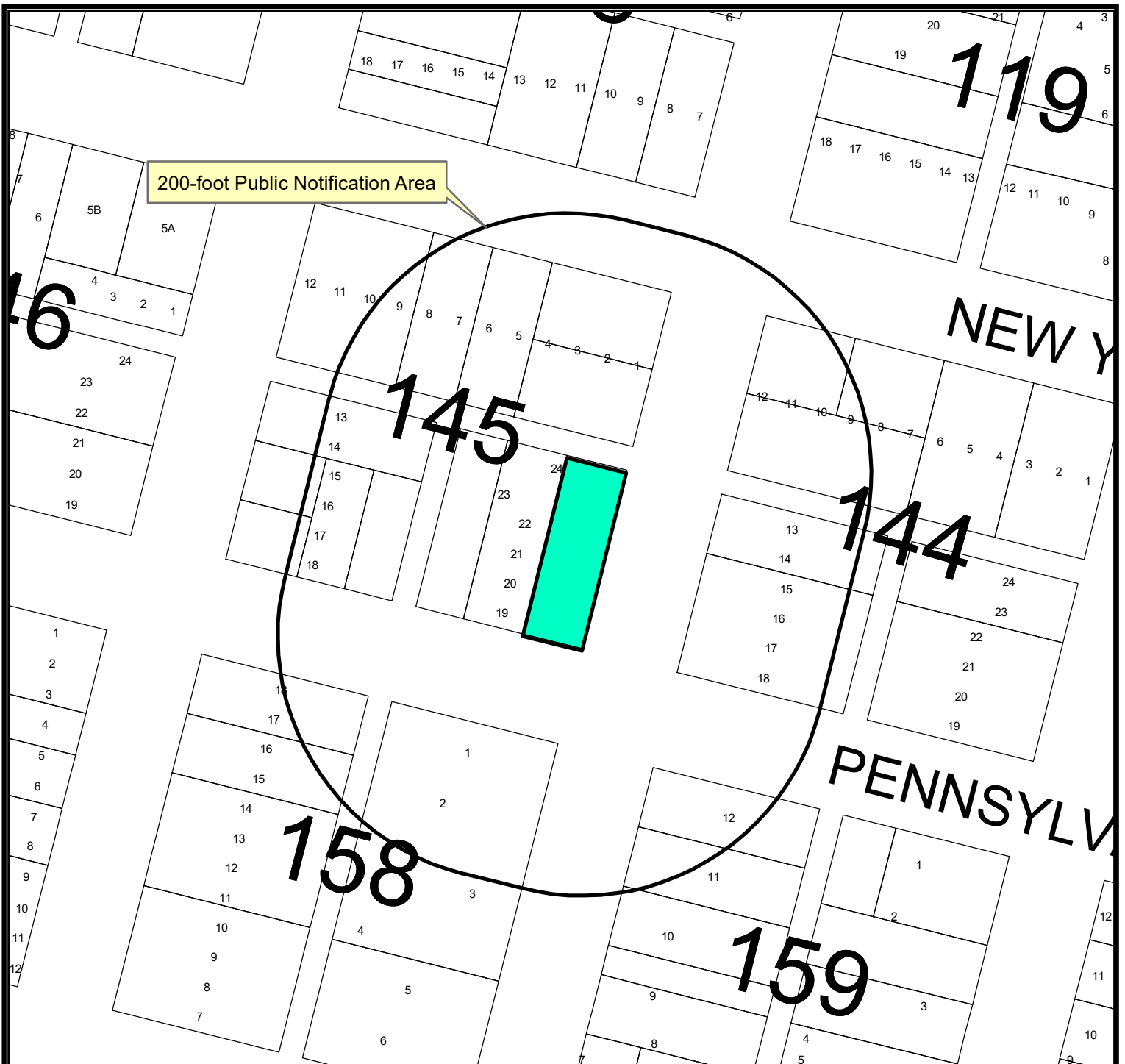
Check # 1466

Received By: gac

Date: AUG 26 2020

BY: _____

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



LOCATION MAP

SUB-20-0349

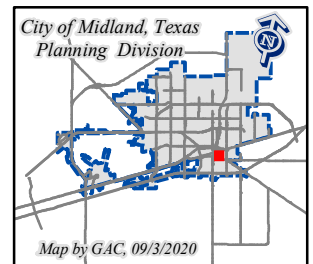
Scale: 1" = 400'

Proposed plat of Southern Addition, Section 21, being a replat of the east 50-feet of Lots 19 through 24, Block 145, Southern Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of East Pennsylvania Avenue and South Weatherford Street. (Council District 2)

LEGEND

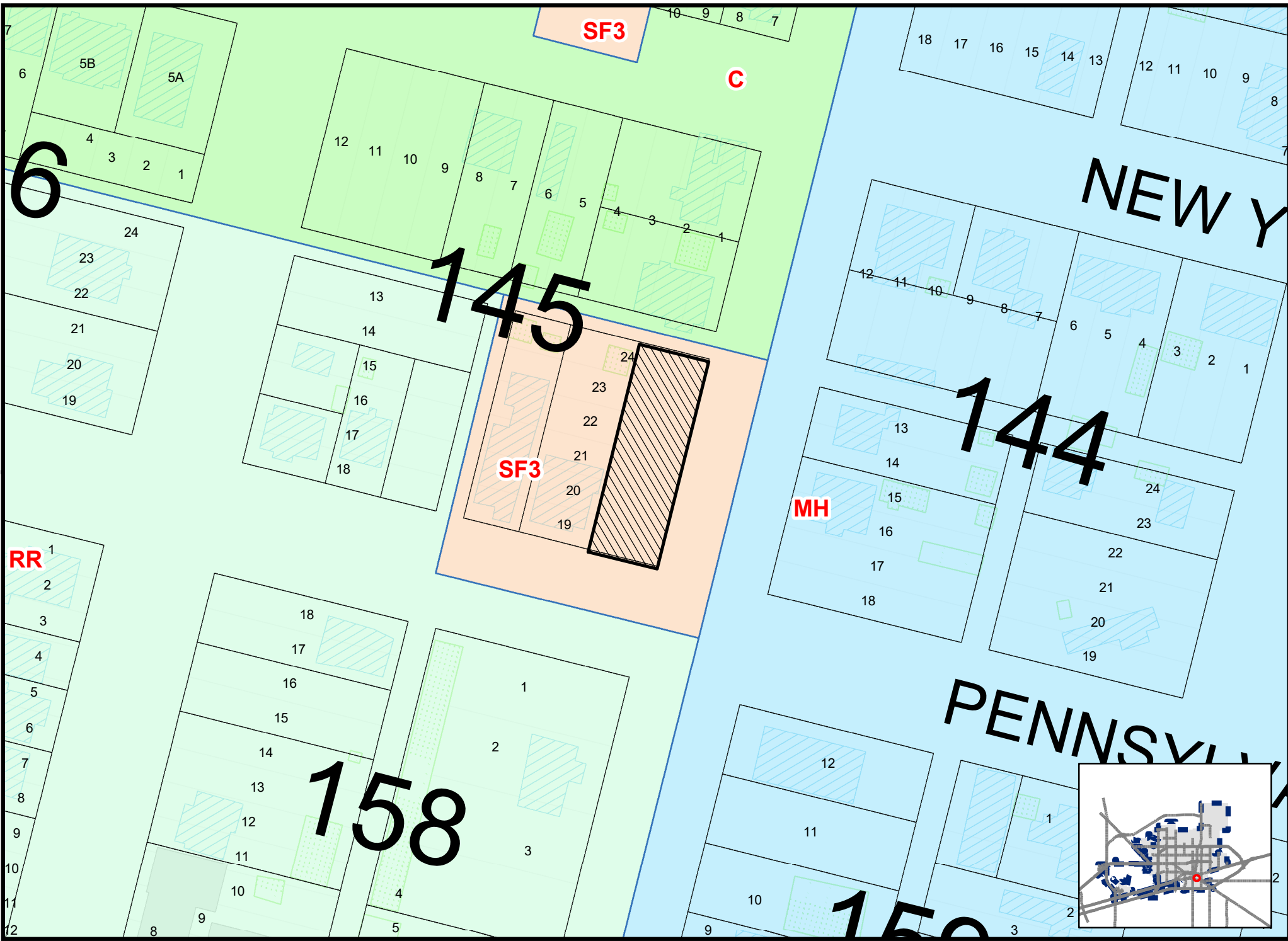
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Joseph Marynak, Planner

SUBJECT: Hold a public hearing and consider a proposed Preliminary Plat of Kingsway Addition, Section 2, being a residential re-plat of Lots 3 through 6, Block 2, Kingsway Addition, City and County of Midland, Texas Generally located at the southwest corner of the intersection of East Pecan Avenue and Butternut Lane. (Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Skyline Civil Group, is requesting to re-plat the properties located at 1304, 1306, and 1308 East Pecan Avenue to consolidate the lots into one.

Current Zoning:

SF-3, Single Family Dwelling District

Departmental Review:

This request has been routed to all respective departments for internal review. Their 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 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

SURVEYOR: (Approved)

No comments

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: Pecan Street is not built to City Standards. Construct Pecan Street to City Standards along the platted frontage, or request a deferral.

WATER: Water existing in Pecan. No improvements required.

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

PRO RATA: None

SEWER: Sewer service existing in the Alley to the south of the site. No improvements required.

DRAINAGE: Existing site is developed; if proposing to re-develop site drainage can be reviewed with the building permit.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

No objections to plat.

FIRE: (Approved)

No additional comments.

CODE COMPLIANCE: (Approved)

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

PLANNING:

The legal description should read, "Being a replat of Lots 3 through 6, Block 2, Kingsway Addition, City and County of Midland, Texas."

Staff recommends approval of the preliminary plat of Kingsway Addition, Section 2, subject to conditions A through C.

Conditions:

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

Attachments:

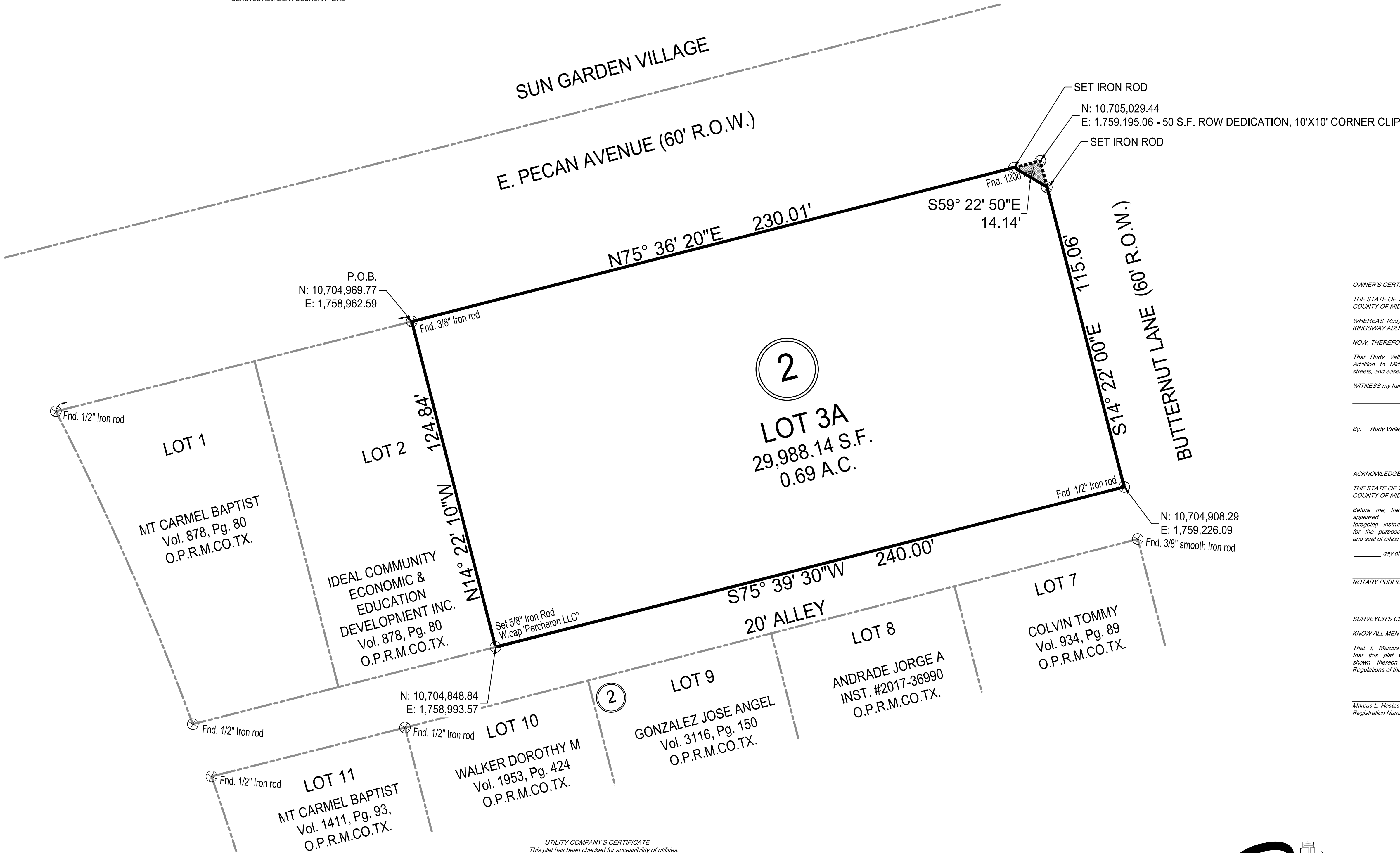
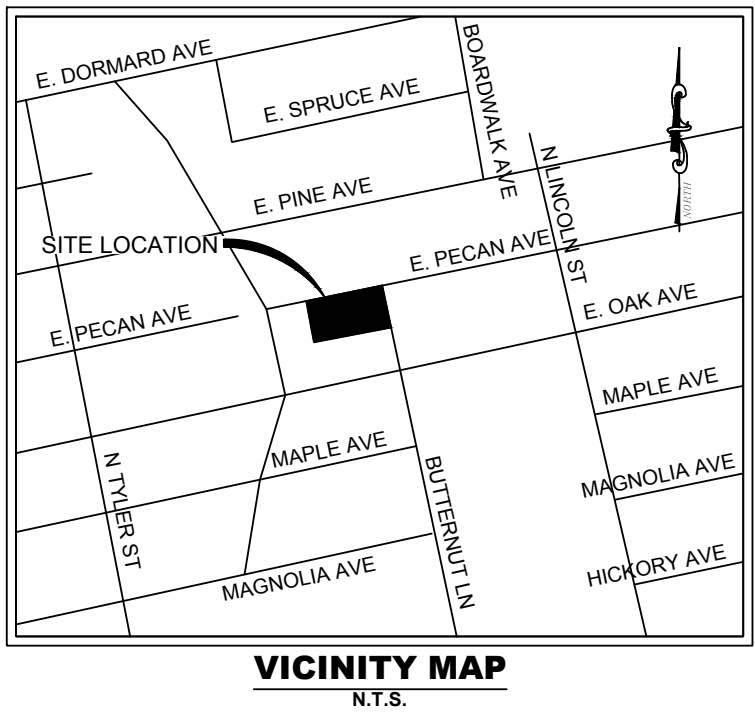
Proposed Preliminary Plat
Maps
Application

KINGSWAY ADDITION, SECTION 2
PRELIMINARY PLAT

LEGEND

O.P.R.M.CO.TX OFFICIAL PUBLIC RECORDS MIDLAND COUNTY TEXAS
IRON ROD FOUND
FOUND IRON ROD W/CAP
MRKD "PERCHERON LLC" (CONTROL MONUMENT)
DENOTES BOUNDARY LINE
DENOTES ADJACENT BOUNDARY LINE

A 0.69 ACRE REPLAT OF LOTS 3-6, BLOCK 2,
KINGSWAY ADDITION,
CITY AND COUNTY, MIDLAND TEXAS



OWNER'S CERTIFICATE
THE STATE OF TEXAS
COUNTY OF MIDLAND
WHEREAS Rudy Valle, is the record owner of a tract of land described as A REPLAT OF LOTS 3-6, BLOCK 2, KINGSWAY ADDITION, CITY AND COUNTY, MIDLAND, TEXAS.
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That Rudy Valle, being the owner of the land shown on this plat designated as KINGSWAY ADDITION SECTION 2, an Addition to Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, and easements shown thereon.
WITNESS my hand at Midland, Texas, this _____ day of _____, 2020.
By: Rudy Valle, President
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 _____ day of _____, 2020.
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:
That I, Marcus L. Hostas, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the corner monuments shown thereon were properly located under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.
Marcus L. Hostas, R.P.L.S.
Registration Number - 5643

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

PROPERTY OWNER:
RUDY VALLE
4622 MERCEDES DRIVE
MIDLAND, TX 79705

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 HEREON ARE NAD83 (GRS86), LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY-OF-MIDLAND GRID-BASE STATION.
4. 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.

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

ATMOS ENERGY
BY: _____
AT&T
BY: _____
SUDDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____
ONCOR ELECTRIC DELIVERY
BY: _____

CERTIFICATE OF APPROVAL
This is to certify that the above and foregoing plat of "KINGSWAY ADDITION, SECTION 2", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of _____, 2020.
JOSH SPARKS
CHAIRMAN
CRISTINA ODENBORG BURNS
SECRETARY



KINGSWAY ADDITION, SECTION 2



Preliminary Plat Application

Project Number: **SUB-20-0354**

Case Number: **P-20-0912**

Proposed Subdivision Plat Name: Kingsway Addition, Sec. 2

Legal Description (attached sealed Metes and Bounds): Previously submitted.

Property Owner Printed Name: <u>Rudy Valle</u>		Phone () Email	
Address <u>4622 Mercedes Dr.</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79705</u>

Developer (if different than Owner) Printed Name: <u>Same</u> ↗		Phone () Email <u>vallemata@yahoo.com</u>	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Skyline Civil Group</u> Printed Name: <u>Stephen T. Marcum</u>		Phone <u>(432) 685-1226</u> Email <u>smarcum@skylinecivilgroup.com</u>	
Address <u>3323 N. Midland Dr. Ste-113-166</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79707</u>

Current Zoning: SF2

Reason for Platting: Consolidate to ~~3~~ 1 lot.
one

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

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

DocuSigned by:
Rudy Valle

Date: 8/24/2020

Property Owner (printed): Rudy Valle

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

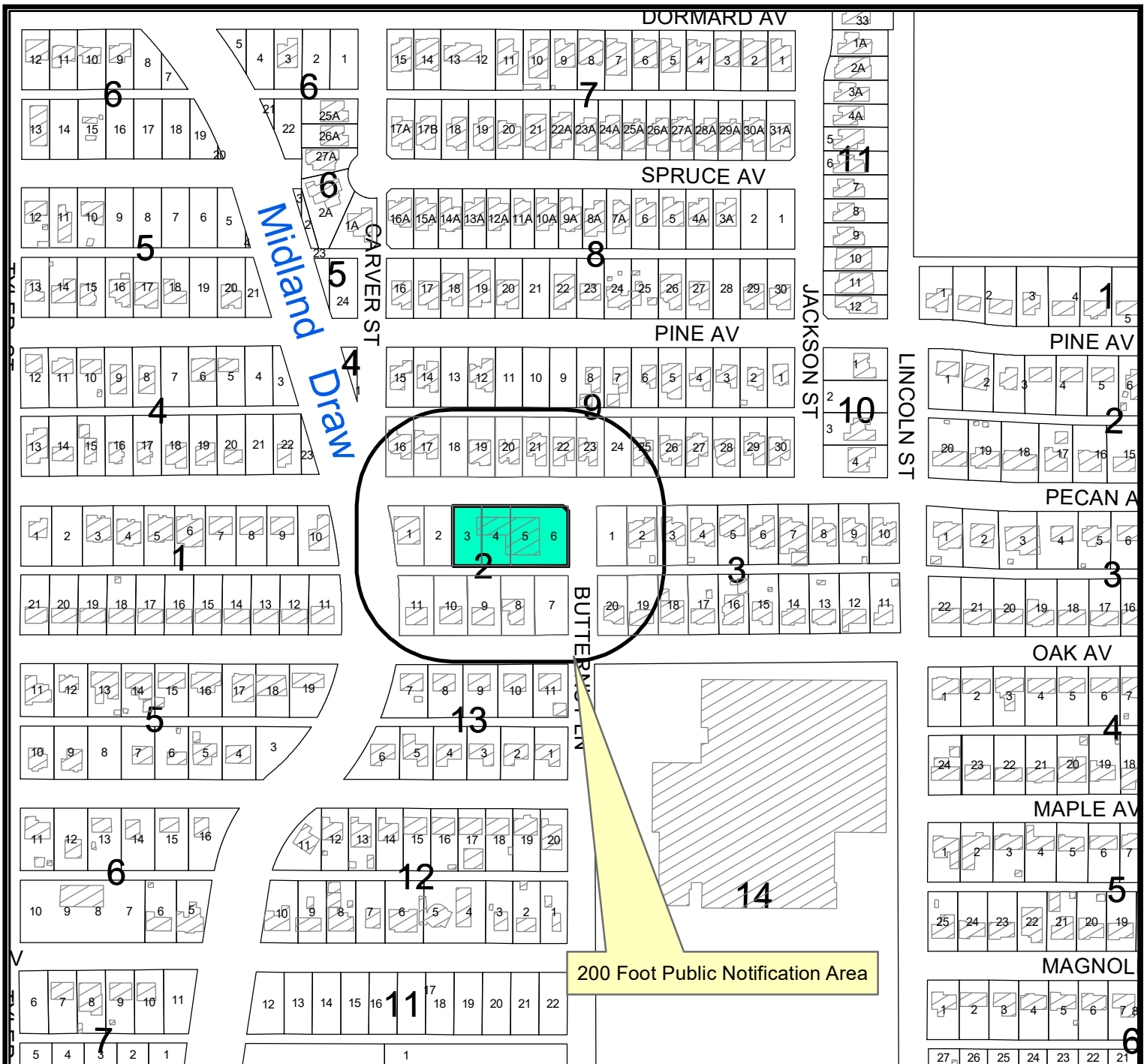
☐ Application Fee ☐ 1 Copy of Plat (11x17)

Check # _____

Received By:

Date:

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



LOCATION MAP

SUB-20-0354

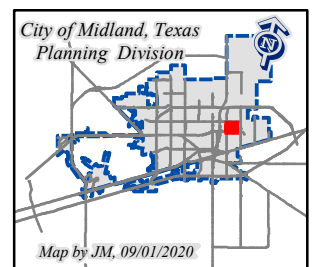
Scale: 1" = 300'

Consider a proposed plat of Kingsway Addition, Section 2, being a Residential Re-Plat of Lots 3 through 6, Block 2, Kingsway Addition, City and County of Midland Texas.

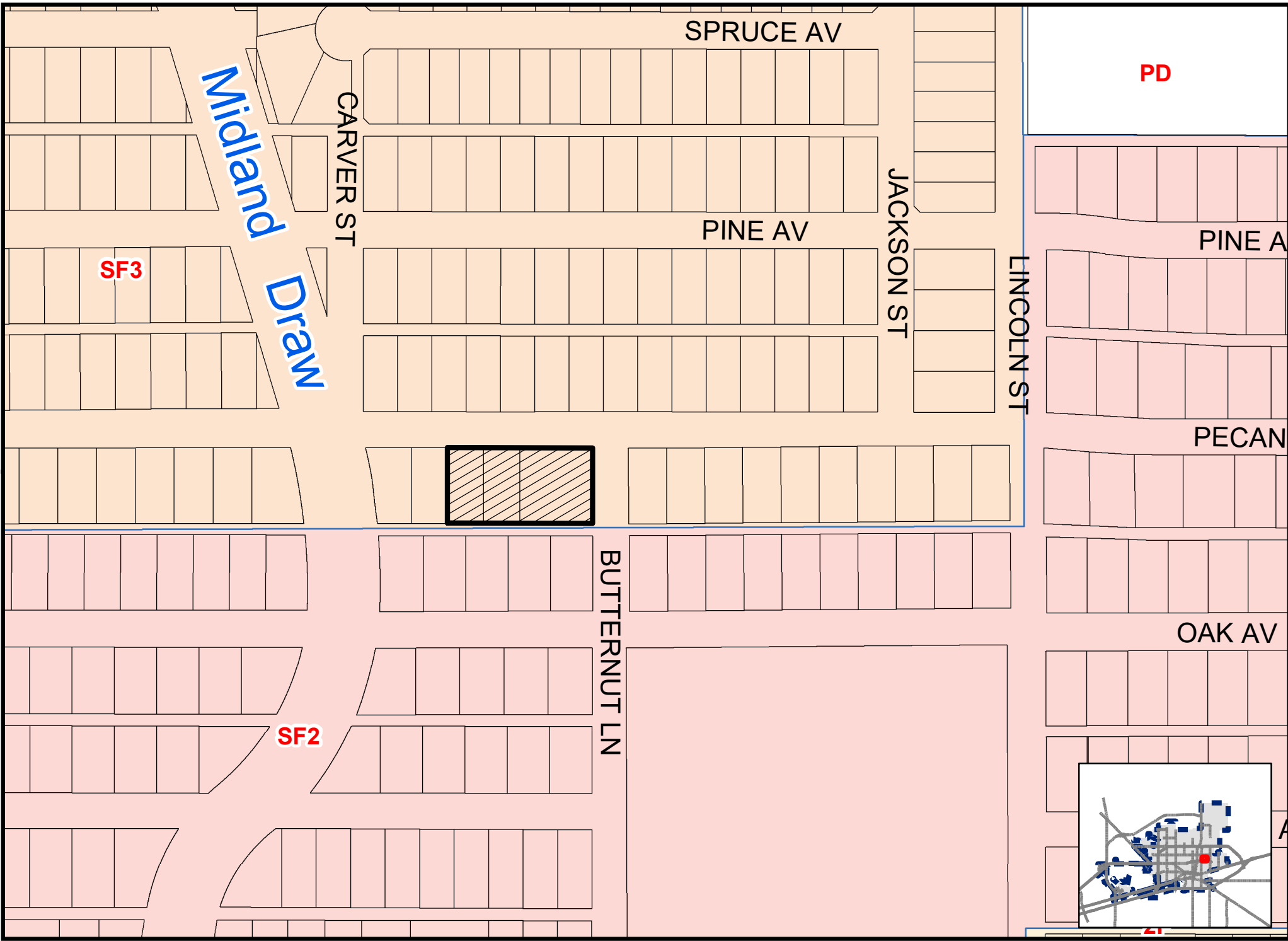
Generally located at the southwest corner of the intersection of East Pecan Avenue and Butternut Lane (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: September 21, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Joseph Marynak, Planner

SUBJECT: Hold a public hearing and consider a request by Summit West Resources, LP for a zone change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District on Lots 3 and 4, Block 3, Mayfield Place Addition, Section 6, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of North Midkiff Drive and Mockingbird Lane. Council District 1) (DEVELOPMENT SERVICES) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

PD, Planned Development District for a Shopping Center. (Ordinance No. 9035)

Departmental Review:

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned Development District for a Housing Development (Ordinance No. 8590) and the location of an apartment complex. The properties to the east are zoned O-1, Office District and the locations of a vacant lot and a nursing facility. The property to the south is zoned PD, Planned Development District for a Housing Development (Ordinance No. 8220) and the location of single-family residences. The properties to the west are zoned RR, Regional Retail District and the locations of vacant land.

Analysis:

The property is located at 3201 and 3108 Mockingbird Lane and is currently zoned PD, Planned Development District for a Shopping Center. This allows for the construction of mixed-use center for office and retail development according to Ordinance No. 9035,

which regulates the planned district. The applicant is requesting to rezone the property for added flexibility in the development process and is still proposing an office and retail development. If approved, the development will need to conform to Section 5.05, Nonresidential Zoning District Dimensional Regulations; Sections 6.01 through 6.05, Zoning Development Regulations of the Zoning Ordinance; and the Landscape Ordinance of the City Code.

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

Fire: (Approved)

No objections

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

Engineering: (Approved)

No objections to zoning/zone change.

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

Code: (Approved)

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

Transportation: (Approved)

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

No objection to zone change.

Planning:

This proposed development fits with Chapter 3, An Integrated Land Use Vision, Future Land Use Map of the Tall City Tomorrow comprehensive plan as this area calls for Urban Medium uses. This designation serves to connect commercial, office, and mixed-use areas with residential uses. Therefore, the construction of an office and retail center

at this location is in conformance with the recommendations of the Tall City Tomorrow plan as it provides for the integration of uses.

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

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of September 16, 2020.

Attachments:

Application
Maps
Proposed Site Plan
Ordinance No. 9035



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: Z-20-0192

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Summit West Resources LP</u>		Phone (432) <u>682-9800</u> Email: <u>jlang@summitpetroleumllc.com</u>	
Address <u>550 W. Texas Suite 700</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79701</u>

Property Owner Printed Name: <u>Summit West Resources LP</u>		Phone (432) <u>682-9800</u> Email: <u>jlang@summitpetroleumllc.com</u>	
Address <u>550 W. Texas Suite 700</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79701</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Summit West Resources LP</u> Printed Name: <u>Jeff Lang</u>		Phone (432) <u>682-9800</u> Email: <u>jlang@summitpetroleumllc.com</u>	
Address <u>550 W. Texas Suite 700</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79701</u>

Street Address: <u>3201 Mockingbird (lot 4) , 3108 Mockingbird (lot 3)</u>			
Legal Description Lot: <u>3,4</u> Block: <u>3</u> Subdivision: <u>Mayfield Place</u>			

Current Zoning: <u>PD</u>	Proposed Zone: <u>RR</u> (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>Previously, ordinance 9035 under PD allowed for 192,951 sq ft of office, retail and storage units. We would like to construct closer to 100,000 sq ft of office, retail surrounding green space in a much different configuration and RR will allow that flexibility.</u>	
Present Use of Property: <u>Vacant Land</u>	
Proposed Use of Property: <u>Office/Retail/Green Space</u>	
How would this zone change affect the public health, safety and welfare? <u>It will facilitate increased access to pedestrian-focused green space and retail.</u>	
Describe how conditions affecting the property have changed since present zoning designation: <u>Unchanged</u>	

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>Summit West Resources LP</u> <i>[Signature]</i>	Date: <u>8/19/2020</u>
Applicant (printed): <u>Summit West Resources LP - Jeff Lang</u>	
Property Owner (signature): <u>Summit West Resources LP - Matt Johnson</u>	Date: <u>8/19/2020</u>
Property Owner (printed): <u>Summit West Resources LP - Matt Johnson, President and COO</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

STATE OF TEXAS
COUNTY OF MIDLAND

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

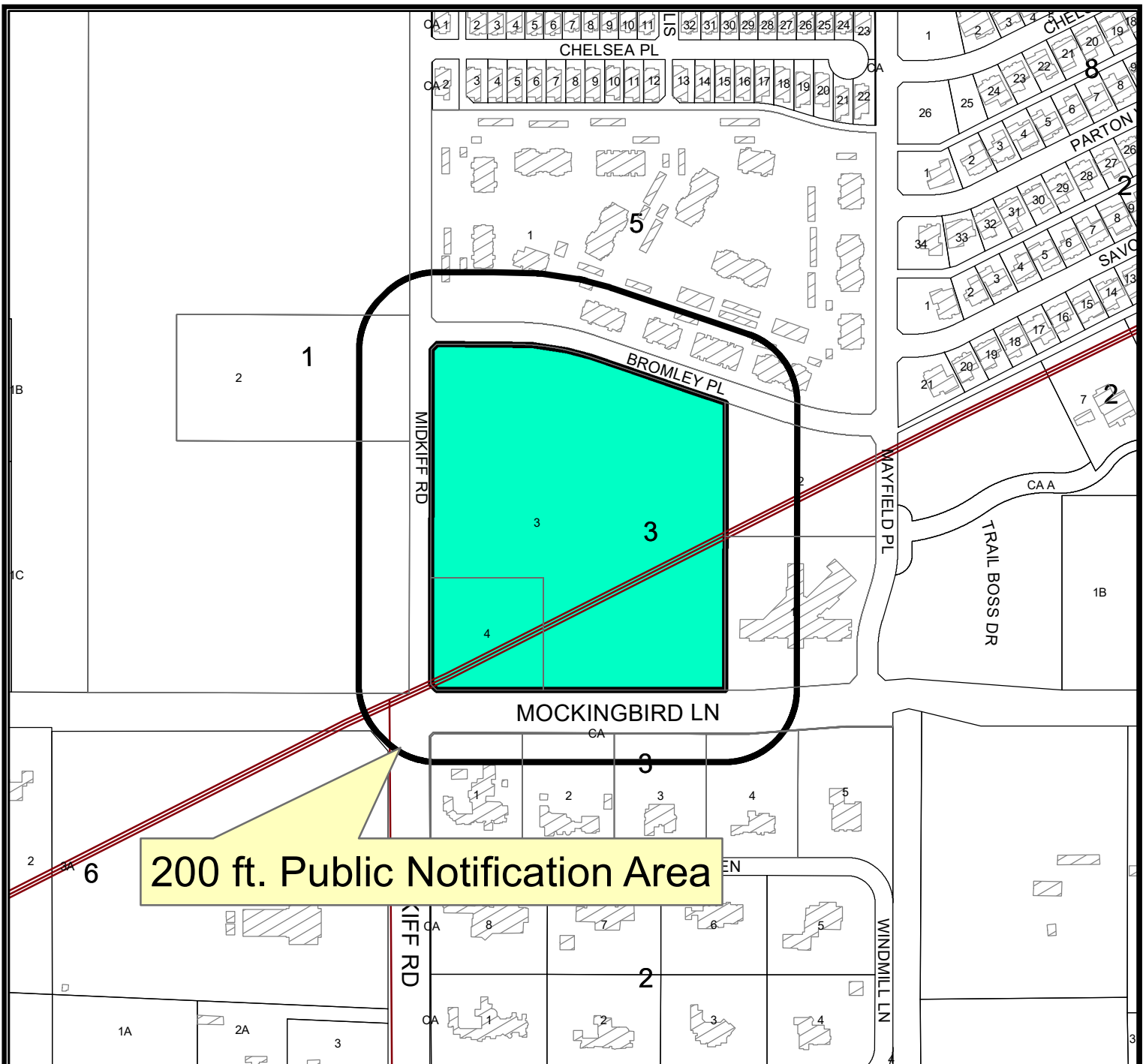
Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

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



LOCATION MAP

Z-20-0192

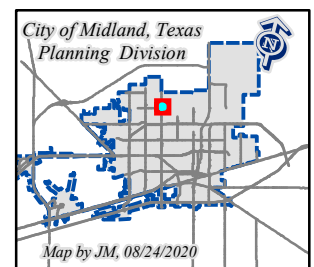
Scale: 1" = 400'

Consider a request by Summit Resources, LP for a Zone Change from PD, Planned Development District for a Shopping Center to RR, Regional Retail District on Lots 3 and 4, Block 3, Mayfield Place Addition, Section 6, City and County of Midland, Texas

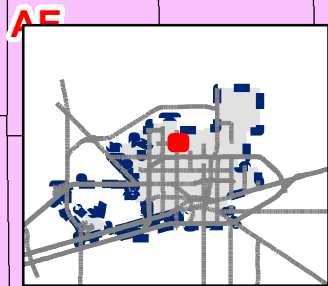
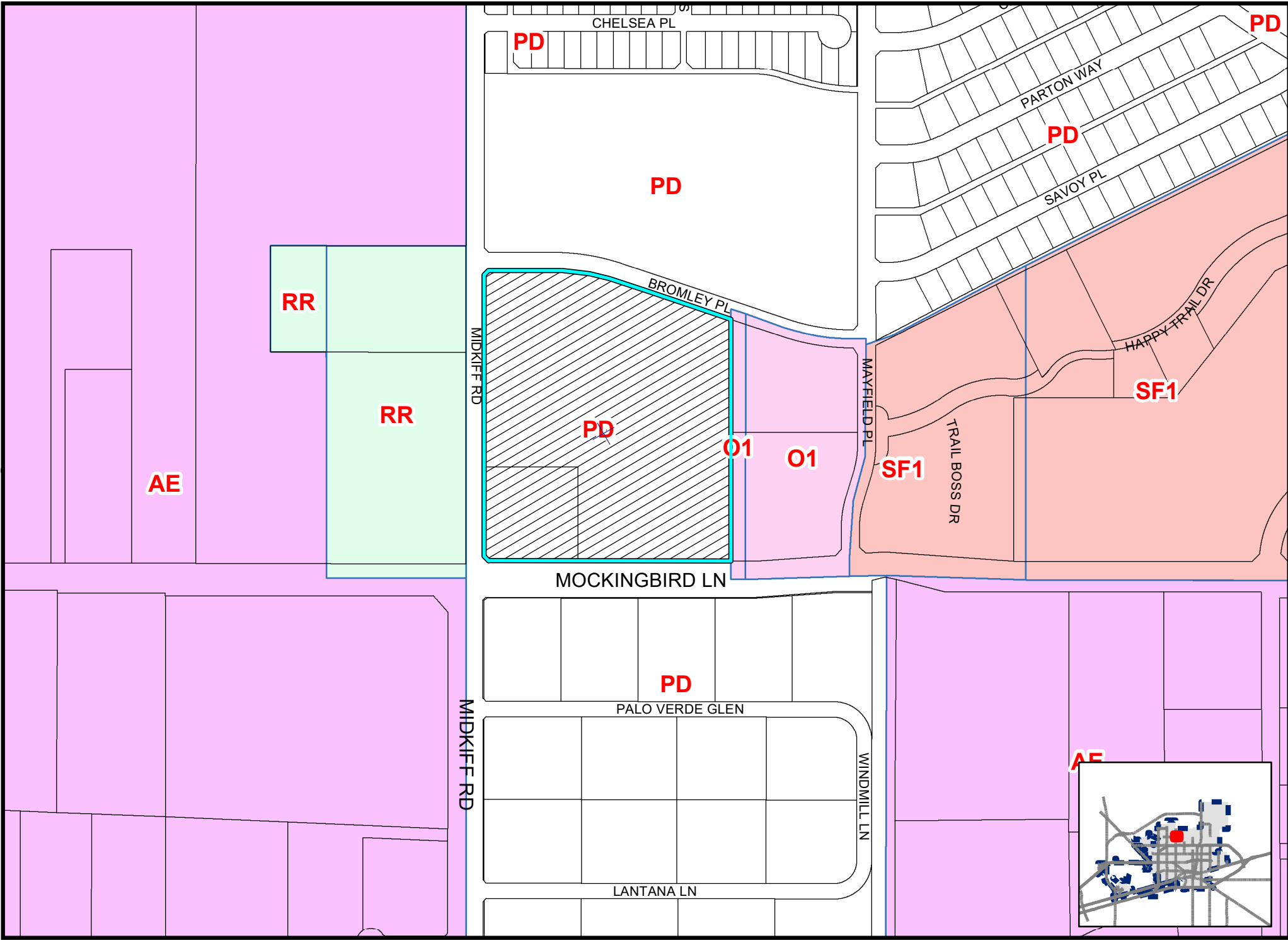
Generally located on the northeast corner of the intersection of Mockingbird Lane and North Midkiff Drive. (Council District 1)

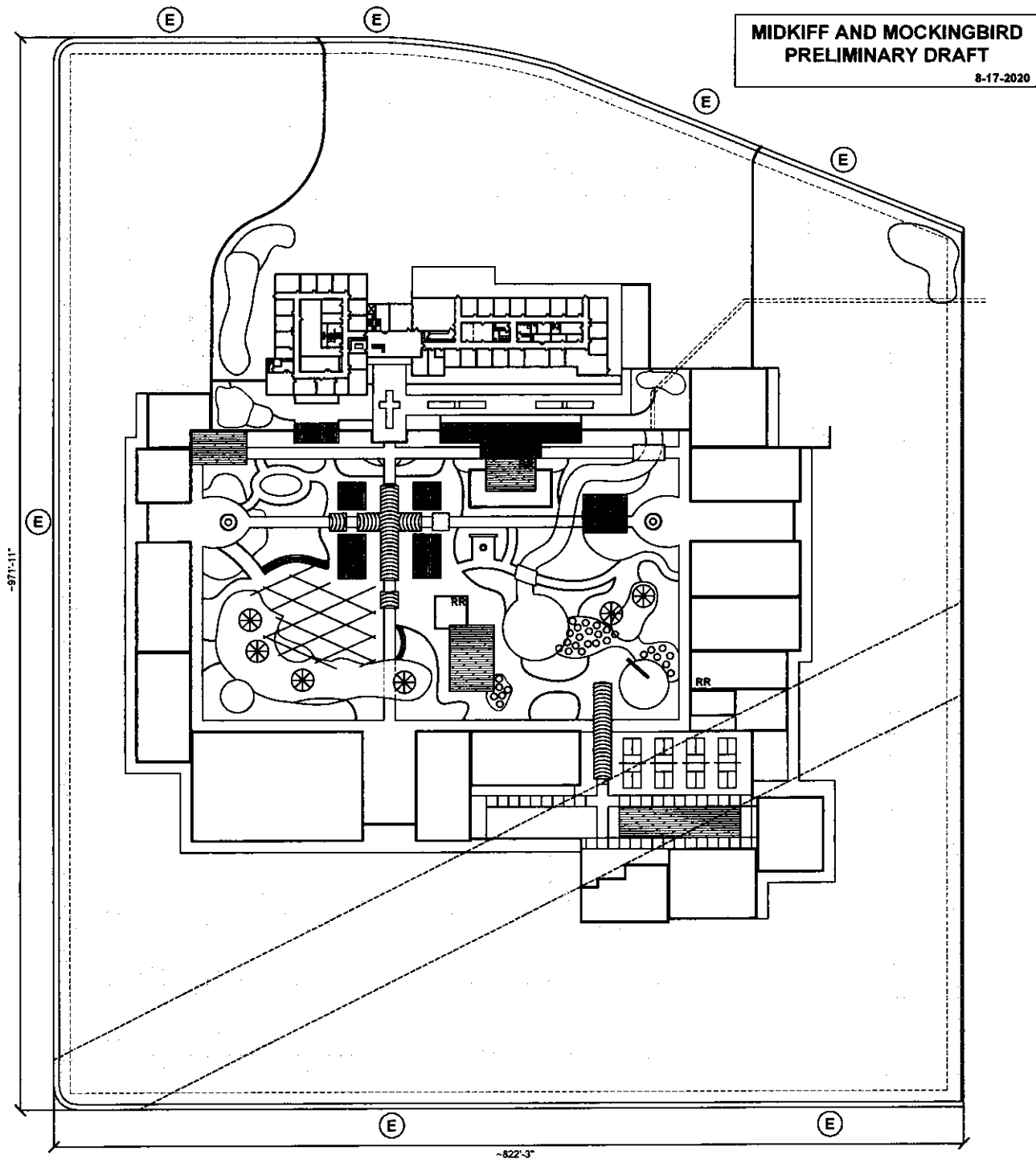
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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LEGEND			
	CONCRETE		RETAIL
	CRUSHED ROCK		SOLID SHADE STRUCTURE
	TURF		PARTIAL SHADE STRUCTURE
	MULCH/PLANTER		ENTRANCE
	SUMMIT OFFICE		RESTROOMS

TOTAL SITE
 17.07 ACRES = 743,569 SQ. FT.

SQUARE FOOTAGE ESTIMATES	
~23,000 SQ. FT.	SUMMIT OFFICE
~76,000 SQ. FT.	RETAIL SQ. FT.
~131,000 SQ. FT.	MAIN COURTYARD
~24,000 SQ. FT.	GAME COURTYARD
~155,000 SQ. FT.	TOTAL COURTYARD

ORDINANCE NO. 9035

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 20.22-ACRE TRACT OF LAND OUT OF SECTION 9, BLOCK "X", H.P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, TO BE USED AS AN AMENDED PLANNED DISTRICT (GENERALLY LOCATED ON THE NORTHEAST CORNER OF MOCKINGBIRD LANE AND MIDKIFF ROAD); PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned PD, Planned District for a Shopping Center, and it shall be used as an Amended Planned District,

subject to the special conditions and restrictions hereinafter set out, said property being described as follows:

A 20.22-acre tract of land out of Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "D", which is attached hereto and incorporated herein.

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

1. That the development of this property as a mixed-use center for office and retail development shall conform to the conditions shown on the site plans which are attached hereto and incorporated herein as Exhibits "A", "B" and "C", except as otherwise stated below.
2. That the combined floor area of all buildings shown on Exhibit "A" shall not exceed 193,000 square feet.
3. That the development of this property shall comply with all applicable regulations regarding business signs, landscaping, outdoor lighting and driveway design.
4. That the storage units shown in the northwest corner on Exhibit "A" shall only be used by tenants or owners within this development; these storage units shall not be used by the general public.
5. That prior to the development of this property, a subdivision plat must be approved in accordance with City of Midland regulations.

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

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

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

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 26th day of June, A.D., 2012; and passed to second reading on motion of Council member Sparks, seconded by Council member James, by the following vote:

Council members voting "AYE": Morales, Trost, Hailey, Perry, Dufford, James and Sparks

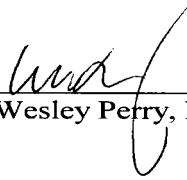
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Hailey, seconded by Council member Sparks, on the 10th day of July, A.D., 2012, at a regular meeting of the City Council:

Council members voting "AYE": Morales, Trost, Hailey, Perry, Dufford, James and Sparks

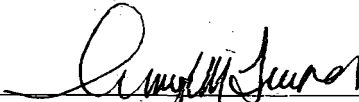
Council members voting "NAY": None

PASSED AND APPROVED THIS 10th day of July, A.D., 2012.



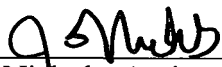
W. Wesley Perry, Mayor

ATTEST:



Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Jim Nichols, Assistant City Manager

APPROVED AS TO FORM:



Keith Stretcher, City Attorney



City Council Agenda

Approved for Agenda:
jnichols
City Manager's Office

MEETING DATE: 6/26/2012

TO: City Council / City Manager

FROM: Jim Compton, Senior Planner

SUBJECT: Z-12-014, Zone Change for D. K. Boyd.

Purpose:

Hold a public hearing at approximately 10:30 a.m. and consider an ordinance on a request by D. K. Boyd for a zone change from PD, Planned District for a Shopping Center to Amended Planned District.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

There is no cost to the City to process this application.

Discussion:

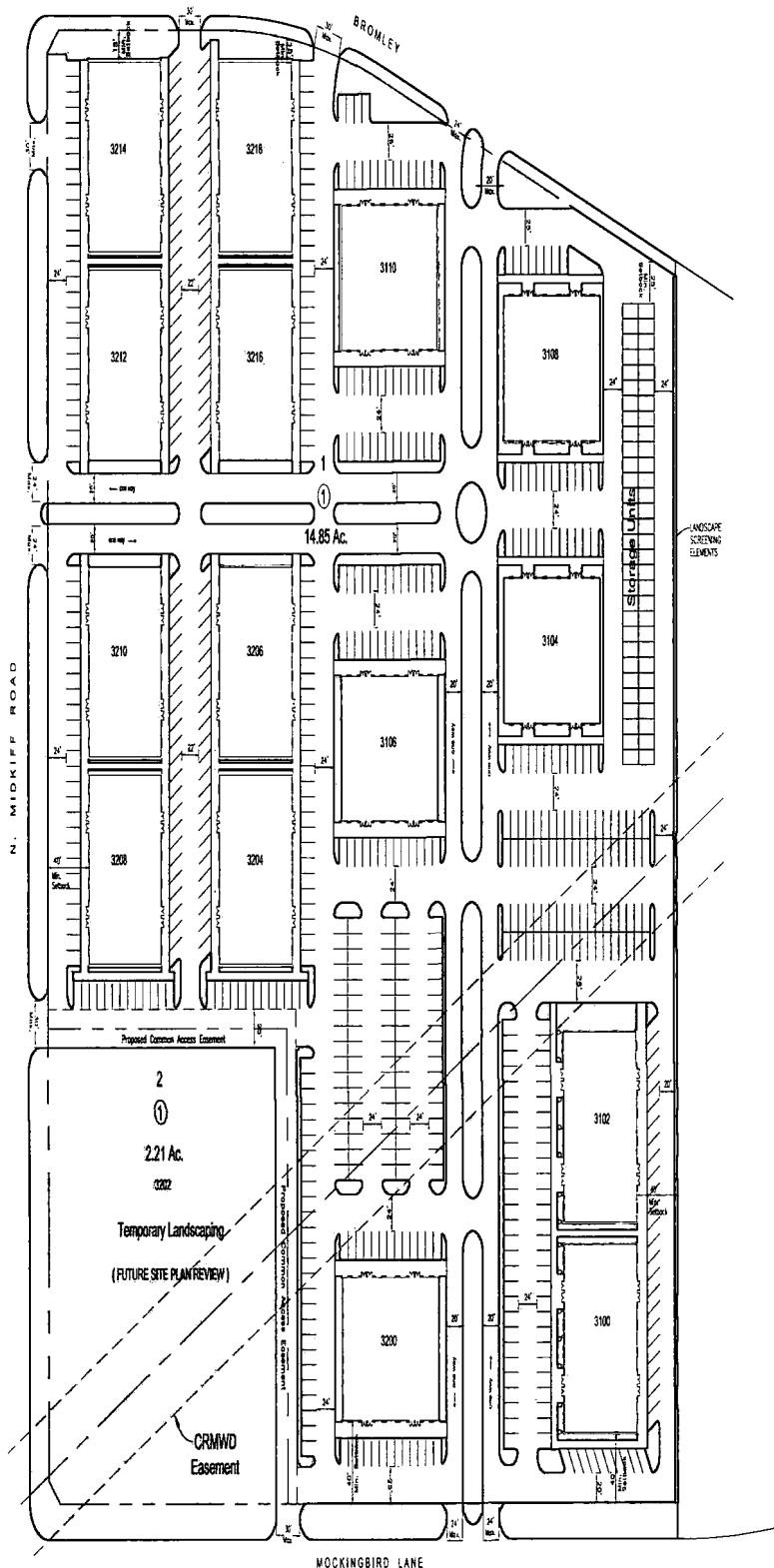
This property was zoned Planned District for a Shopping Center in June of 2000, subject to LR-2 District regulations and site plan approval. The applicant is proposing a mixed use development with retail and office uses, which are allowed in the LR-2 District. Exhibits A, B and C are submitted to comply with the site plan review requirement. Exhibit A shows 15 freestanding buildings and one storage building. The storage is not available to the public, but only to owners within this development. Exhibits B and C illustrate the elevation views of the buildings and storage units. The one-story buildings will have a maximum ridge height of 33 feet, which the staff feels is reasonable, considering the additional building setbacks shown. Landscaping will be planted along the east side of the storage units for visual screening. The Planning and Zoning Commission recommended approval of this request. One letter of opposition has been received as of this writing.

Attachments:

June 4, 2012 P&Z Staff Report
Proposed Ordinance and Exhibits A, B and C

MADERA VISTA

A DEVELOPMENT
IN THE
MAYFIELD PLACE ADDITION



NOTES:

- A NEW OFFICE/RETAIL DEVELOPMENT CONSISTING OF FIFTEEN (15) NEW SINGLE STORY, FREESTANDING BUILDINGS AND ONE (1) NEW, SINGLE STORY, FREESTANDING SELF STORAGE UNIT BUILDING. EACH OFFICE/RETAIL BUILDING IS 12,000 SQ. FT. TOTAL AND STORAGE UNIT IS APPROXIMATELY 12,430 SQ. FT. TOTAL NEW BUILDING FOR THE PROJECT IS 192,951 SQ. FT.
- BUILDING FOOTPRINT, PARKING AND LANDSCAPING SHOWN ARE FOR ILLUSTRATIVE PURPOSES ONLY. FINAL SITE DESIGNS TO BE REVIEWED BY THE CITY OF MIDLAND PRIOR TO ISSUING BUILDING PERMITS.
- SHADED AREAS DENOTED BY [Symbol] ARE BUILDINGS.
- SHADED AREAS DENOTED BY [Symbol] TO BE CONCRETE.
- SHADED AREAS DENOTED BY [Symbol] TO BE PAVED OR OTHER DRIVING SURFACE.
- SHADED AREAS DENOTED BY [Symbol] TO BE IRRIGATED & LANDSCAPED INCLUDING TREES, GRASS OR SHRUBS - WHICH MAY BE ENHANCED BY OTHER LANDSCAPE MATERIALS.
- SHADED AREAS DENOTED BY [Symbol] TO BE IRRIGATED & LANDSCAPED INCLUDING TREES, GRASS OR SHRUBS - WHICH MAY BE ENHANCED BY OTHER LANDSCAPE MATERIALS (TEMPORARY UNTIL FURTHER DEVELOPMENT).
- LANDSCAPED AREA (NOT INCLUDING ROWS) WILL BE A MINIMUM OF 10% OF TOTAL LOT AREA, LESS THE BUILDING AREA.
- EXTERIOR BUILDING MATERIALS SHALL BE AS INDICATED ON EXHIBITS "B" & "C".
- ROOF MATERIALS SHALL BE AS INDICATED ON EXHIBITS "B" & "C".
- ALL SIGNS SHALL BE IN CONFORMANCE WITH SECTION 11-70 OF THE MIDLAND CITY CODE.
- ALL EXTERIOR LIGHTING SHALL ADHERE TO THE STANDARDS OUTLINED IN SECTION 11-10 OF THE MIDLAND CITY CODE.
- PHASE UNITS WILL HAVE GROUND PLACEMENT AND SURROUNDED BY A SCREEN WALL.
- ALL DRIVEWAYS SHALL BE IN CONFORMANCE WITH CITY OF MIDLAND STANDARDS.

SITE DATA (not including 3202)	
SITE AREA	64,692.0 SF ±
BUILDING AREA (Foot Print)	192,951 SF ±
LANDSCAPE AREA REQUIRED	45,397 SF ±
LANDSCAPED AREA SHOWN	70,350 SF ±
PARKING SPACES REQUIRED (45% Retail / 55% Office)	653
PARKING SPACES PLANNED	653

MADERA VISTA

THIS DOCUMENT IS RELEASED ON 3/20/12 FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF DAVID ROLAND GERMAN, P.L.A. LICENSE #17347. IT IS NOT TO BE USED FOR REGULATORY APPROVAL, CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

**Madera Vista
Development**
(Mayfield Place Addition)

A New
Office/ Retail Development

Midland, Texas

KEY PLAN

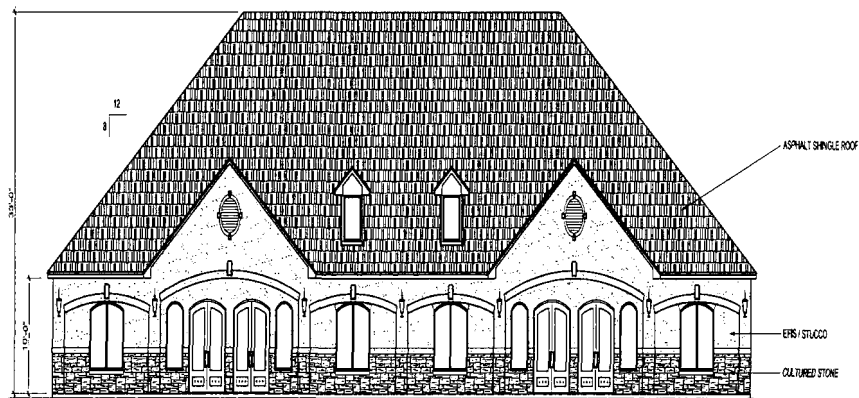
NO.	DATE	DESCRIPTION

ISSUING OFFICE: Lubbock PROJECT NO.: 306111

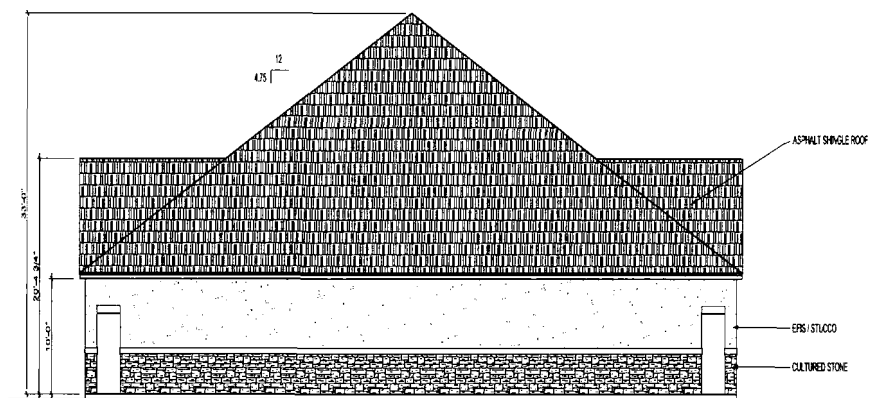
Planned District Submittal:

Exterior Elevations

A-16.7



C2 FRONT AND REAR ELEVATIONS
1/8" = 1'-0"



A2 SIDE ELEVATIONS
1/8" = 1'-0"

Exhibit "B"

THIS DOCUMENT IS RELEASED ON 3/20/12 FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF DAVID ROLAND GERMAN R.A. LICENSE #1741. IT IS NOT TO BE USED FOR REGULATORY APPROVAL, CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

Madera Vista Development
(Mayfield Place Addition)

A New
Office/ Retail Development

Midland, Texas

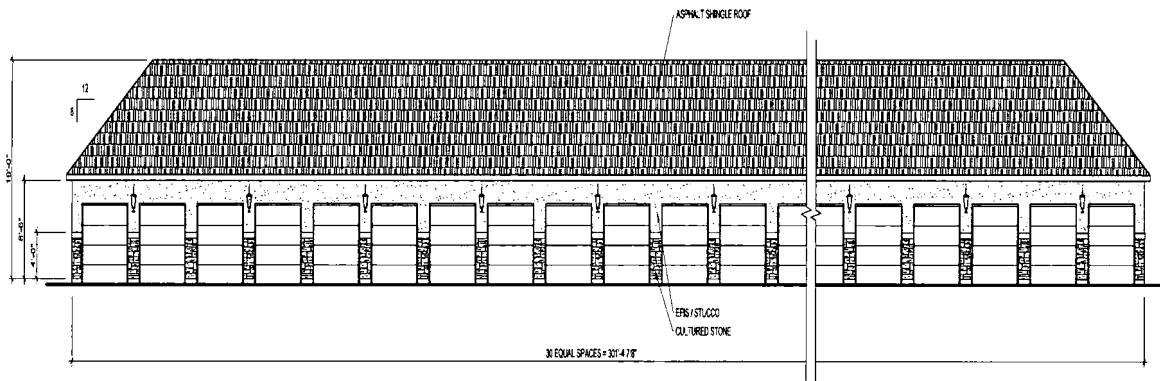
01 PLAN

NO.	DATE	DESCRIPTION
ISSUING OFFICE: Lubbock	PROJECT NO.: 08-11	

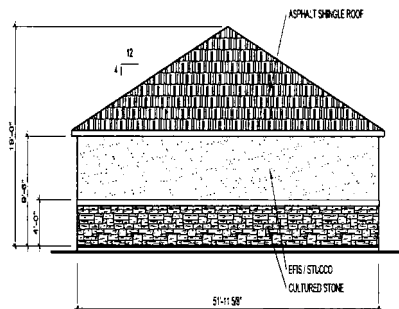
Planned District Submittal:

Exterior Elevations
Storage Units

A-16.8



(C2) FRONT AND REAR ELEVATIONS
1/8" = 1'-0"



(A1) SIDE ELEVATIONS
1/8" = 1'-0"

Exhibit "C"

PD-SC Zoning

**LEGAL DESCRIPTION OF A 20.22 ACRE TRACT
LOCATED IN THE SOUTH HALF OF SECTION 9,
BLOCK X, H. P. HILLIARD SURVEY,
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS**

RECEIVED

MAY 10 2012

**CITY OF MIDLAND
PLANNING DIVISION OFFICE**

Boundary being further described by metes and bounds as follows:

BEGINNING at (N= 10,713,064.26' and E= 1,738,652.10') the Southwest corner of said Section 9 and this tract;

QTHENCE N14°27'49"W with the West line of said Section 9, at 60.00 feet pass the most Southwesterly corner of Mayfield Place Addition, Section 2, as recorded in Cabinet "G", Page 188, Plat Records of Midland County, Texas continuing with a West line of said Mayfield Place Addition, Section 2, a distance of 1049.50 feet to the Northwest corner of this tract;

THENCE N75°32'06"E with the centerline of Bromley Place, a distance of 288.17 feet to a point of curvature of said Bromley Place and this tract;

THENCE around a curve to the right in an Easterly direction with the centerline of Bromley Place, with a radius of 690.00 feet, delta angle of 18°31'24", arc length of 223.07 feet and a chord distance of 222.10 feet which bears N84°47'48"E to a point of tangency of said Bromley Place and of this tract;

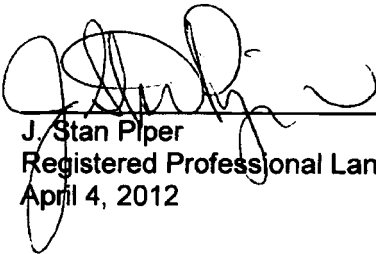
THENCE S85°56'30"E with the centerline of Bromley Place, a distance of 388.82 feet to the Northeast corner of this tract;

THENCE S14°27'49"E with a West line of Lot 2, Block 3, Mayfield Place Addition as recorded in Cabinet "G", Page 153, Plat Records of Midland County, Texas, a distance of 890.24 feet to the Southeast corner of this tract;

THENCE S75°32'06"W with the South line of said Section 9, a distance of 876.11 feet to the Place of Beginning. Tract contains 880,917 square feet or 20.22 acres.

Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System, NAD 1983/86, Central Zone, with a combined grid factor of 0.9999202, and a theta angle equal to -0°54'48.39" at U.S.C. & G. station "MIDLAND" with published values of Y= 10,690,154.70 and X= 1,746,696.78 in U.S. Survey Feet.

I, J. Stan Piper, Registered Professional Land Surveyor, do hereby certify that this legal description is based on an actual survey made by me or under my supervision, and that the same is true and correct to the best of my knowledge and ability as surveyed on the ground on October 11, 2011.


J. Stan Piper
Registered Professional Land Surveyor
April 4, 2012

Prepared for:
Parkhill, Smith, and Cooper, Inc.
1700 W. Wall Street, Suite 100
Midland, TX 79703

PIPER SURVEYING COMPANY, P.O. BOX 60432, MIDLAND, TX, 79711, 432-550-7810

EXHIBIT D

16.9

PLANNING AND ZONING COMMISSION

June 4, 2012

16.10

CASE:

Z-12-014.

REQUEST:

Hold a public hearing and consider a request for a zone change from PD, Planned District for a Shopping Center to Amended Planned District.

APPLICANT/OWNER:

D. K. Boyd.

REPRESENTATIVE:

Parkhill, Smith and Cooper.

LEGAL DESCRIPTION:

A 20.22-acre tract out of Section 9, Block "X", H. P. Hilliard Survey, Midland County, Texas.

LOCATION:

Northeast corner of N. Midkiff Road and Mockingbird Lane.

DETAILS OF REQUEST:

1. This property is currently zoned PD, Planned District for a Shopping Center, which is subject to the LR-2 District regulations and a requirement for a site plan to be approved in the same manner as a zone change before a building permit can be issued. The applicant is proposing a mixed use office and retail center, which is allowed uses under the LR-2 District. The applicant has submitted the attached Exhibits A, B and C to satisfy the site plan requirement.

SURROUNDING ZONING AND LAND USE:

2. This land was zoned for retail use in June of 2000, but has remained vacant. A retirement facility is located due east of this site. The land to the south is zoned Planned District for a Housing Development, and is developed with residences located on lots that are two acres or larger. The land across Midkiff Road to the west is zoned Planned District for a Shopping Center and AE District; the land in both districts is vacant. The area to the north is developed with the Vantage apartments.

ANALYSIS:

3. Please refer to the attached Exhibit A. There is a 2.25 acre tract at the corner of Mockingbird Lane and Midkiff Road that is labeled "Temporary Landscaping" and is not a part of this site plan. We recommend that this tract be labeled "Future Site Plan Review". Two driveways are shown along Mockingbird Lane, three on Midkiff Road, and three on Bromley Place. Driveways on arterial streets must be located at least 170 feet apart. However, the minimum spacing is not labeled on the site plan. The only driveway dimension shown on Exhibit A is the 30-foot width of the driveways, which is labeled as a minimum width. According to City regulations, 30 feet is the maximum opening width. We recommend that a note be added to the site plan stating that all driveways shall be constructed in accordance to City of Midland standards, and that the driveway width be labeled as a maximum dimension. The applicant has agreed to these conditions.

A note on Exhibit A describes this development as a retail/office condominium. It further indicates that 15 freestanding buildings and one storage unit building will be constructed. The office and retail uses are allowed in the LR-2 District, but self storage units are not. However, we are advised that the storage units will not be available to the general public, but will only be used by tenants/owners in this development. With this condition, the staff has no objection.

The Zoning Code states that the minimum parking requirement for a standard office use is one parking space for each 400 square feet of floor area. A medical office must provide one space for each 300 square feet, and a retailer must provide one space for each 200 square feet of floor area. A table at the bottom of Exhibit A states that the maximum combined floor area will be 192,951 square feet. Based on this floor area, and assuming 100 percent retail occupancy, 965 parking spaces would be required. However, only 653 are provided. The basis for this reduction is obtained by limiting the maximum amount of retail use to 45 percent of the total area, leaving 55 percent for office use. A concern we have is that should the market demand for retail uses exceed that for office space, there could be a parking shortage. Conceivably, some buildings could not be occupied because the available parking is taken up with uses with a higher parking demand. The staff studied this matter in detail. It is clearly the owner's responsibility to manage the mix of uses to ensure a parking shortage would not occur; this is not a staff responsibility. Further, we are advised that this business center will be constructed in phases. Should the owner fail to maintain a proper mix of uses, the staff would withhold further building permits until additional parking is provided. Finally, certificates of Occupancy can be withheld should the mix of uses changes in the future. For these reasons, the staff is satisfied with the parking plan.

EXHIBITS B AND C:

4. The attached Exhibits B illustrates typical building elevations, including front, rear and side views. The front and rear elevations would have a 10-foot plate height, and a ridge height of 33 feet. An 8:12 roof pitch is proposed, with both hip and gable designs. The maximum building height in the LR-2 District is 28.75 feet. Typically, where greater building heights are requested, an increase in building setback is required to avoid a sense of overcrowding. The LR-2 District requires

a minimum 15-foot front yard setback, and this site has three front yards. Using a standard 18-foot depth for a parking space, the building setbacks along Mockingbird Lane, Midkiff Road and Bromley Court are 43 feet, 42 feet and 42 feet, respectively, with one exception. The building setbacks for Buildings 3214 and 3318 are not labeled, but they must observe at least a 15-foot setback. However, based on the roof design shown on Exhibit A, the maximum ridge height is setback 34 feet from the face of the building, plus the 15-foot setback provides a 49-foot setback for the roof peak. This setback, combined with the fact that the apartments north across Bromley Court are three stories tall, adequately addresses our concern for a slightly taller ridge height.

Notes on Exhibits A and B further describe the proposed buildings. The exterior building materials include glazing, decorative or painted CMU, face brick, pre-cast concrete, tilt wall, Stucco or similar material. Roof materials listed on Exhibit A include composite, built-up or standing seam metal. However, Exhibit B identifies the roof material as asphalt shingles. We recommend that the exhibits be amended to list consistent materials. We recommend that the option of built-up roof be removed, since this type is only used on flat roofs.

Exhibit C illustrates the proposed storage units for clients on this site. The building has a gable roof with asphalt shingles, and overhead doors along the east and west sides. Besides the overhead doors, the balance of the facades is proposed to have a wainscot of cultured stone, with EFIS/Stucco above that. The view from Bromley will be that of the narrow end of the building, and the units would not be visible from Midkiff Road. However, there is no screening of any type shown along the east side of the storage building. Further, the land east of the storage units will not be developed, as it is a detention basin. Thus, the storage units would be visible from Mayfield Place as one enters this neighborhood. We discussed this matter with the applicant's representative, who indicated that his client preferred to use landscaping for screening purposes. They hope to work with City staff and provide a final landscaping plan to the City Council. This satisfies our concern for storage unit screening.

The Landscaping Code requires that 10 percent of the site area, less the building footprint, be landscaped. Additionally, one tree is needed for each 15 parking spaces, and one tree is needed for every 30 feet of street frontage. Exhibit A indicates that 64,569 square feet of the site must be landscaped, and that 76,100 square feet will be provided. A detailed landscaping plan will be reviewed through the building permit process.

CONDOMINIUM ARRANGEMENT:

5. The application indicates that this facility will operate under a condominium arrangement. Under such a plan, the "owners" do not purchase the land or buildings, only the space inside the buildings. The land that is not occupied by a

building becomes a "common area" with each occupant owning a specified interest in it. Therefore, the owner must establish the common area, and create a property owners association that will be responsible for the ownership and maintenance responsibilities of the common areas. Since this property is currently unplatted, there is a requirement that this review opportunity must occur prior to final plat approval.

STAFF RECOMMENDATION:

We recommend approval of this request for a zone change from PD, Planned District for a Shopping Center to Amended Planned District, subject to the following conditions:

- A. That the development of this property as a mixed use center for office and retail uses shall conform to the conditions shown on Exhibits A, B and C in all respects.

- B. The maximum floor area of the retail buildings, office buildings and storage units shall not exceed 192,951 square feet.
- C. Exhibit A should be amended to conform to Exhibits B and C regarding roof materials.
- D. The development of this property will conform to the applicable City Codes regarding business signs, landscaping, outdoor lighting and driveway design. The label for the maximum driveway width should be removed or changed to a maximum width.
- E. The area on Exhibit A that is labeled "Temporary Landscaping" must include the label "Future Site Plan Review".
- F. The storage units shown in the northwest corner of Exhibit A shall only be used by tenants/owners of this business center. These storage units may not be leased to the general public. Further, a landscaping screening shall be planted along the east side of the storage units.
- G. The two drive aisles for center driveway on Midkiff Road must have a minimum width of 20 feet each.
- H. Since this is to be a "condominium" development, the developer must establish common areas, consisting of all private land not occupied by buildings. The City Staff review, and the Planning Commission must approve, a declaration of restrictive covenants before a final plat can be approved.


Cameron Walker, AICP
Planning Division Manager
Department of Development Services


Jim Compton, Senior Planner
Department of Development Services

Attachments:

Application
Maps
Exhibits A, B and C

CITY OF MIDLAND Planning Division

Case Number: 2019-014

APPLICATION TO CHANGE ZONING CLASSIFICATION

D. K. Boyd 432-685-1022
Applicant Name (Phone/e-mail)

P.O. Box 11351 Midland, Texas 79702
Address Zip Code

D. K. Boyd 432-685-1022
Property Owner Name (Phone/e-mail)
P.O. Box 11351 Midland, Texas 79702
Address Zip Code

Parkhill, Smith & Cooper, Inc. 432-697-1447
Representative Name (Phone/e-mail)
1700 W. Wall, Suite 100 Midland, Texas 79701
Address Zip Code

Street address and Legal Description of property (complete Lot, Block, and Subdivision Name or if unplatted, attach a Metes and Bounds description with surveyor's seal). Each district must be described separately. Per Ordinance 7947, case number Z-10-012, and pd number 334, this property was zoned PDSC. Metes and bounds were attached to the original documents submitted to the city.

PRESENT ZONE: PDSC REQUESTED ZONE: Amended PD

Reason for Zone Change Request: To better facilitate the development of this property for retail and office use.
(List by tracts if more than one district is requested)

Present Use of Property: None

Proposed Use of Property: Retail and office space

How will zone change affect the public health, safety and welfare? None

Describe how conditions affecting the property have changed since present zoning designation: None

Is a Specific Use Permit with Term for alcoholic beverages sales needed? Yes x No

APPLICATION FEES:

- Single, standard zone change: **\$400.** Multiple, standard zone change: add **\$100** per additional district.
- Single PD, Planned District zone change: **\$550.** Multiple PD proposal: add **\$100** per district.
- If a Traffic Impact Analysis is required, a fee of up to \$500.00 will be assessed.

SITE PLAN SUBMITTALS (if applicable):

16 copies (FOLDED) of the PD site plan: _____
 Site Plan in digital format .pdf and .jpg: _____

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

Property Owner (signature): _____

Date: _____

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

**STATE OF TEXAS
COUNTY OF MIDLAND**

Before me, the undersigned authority, on this day personally appeared

Eric L. West, P.E. who, being by me duly sworn, upon oath says: That (s)he is authorized by D. K. Boyd, 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.

Eric L. West
 Authorized Agent (signature)

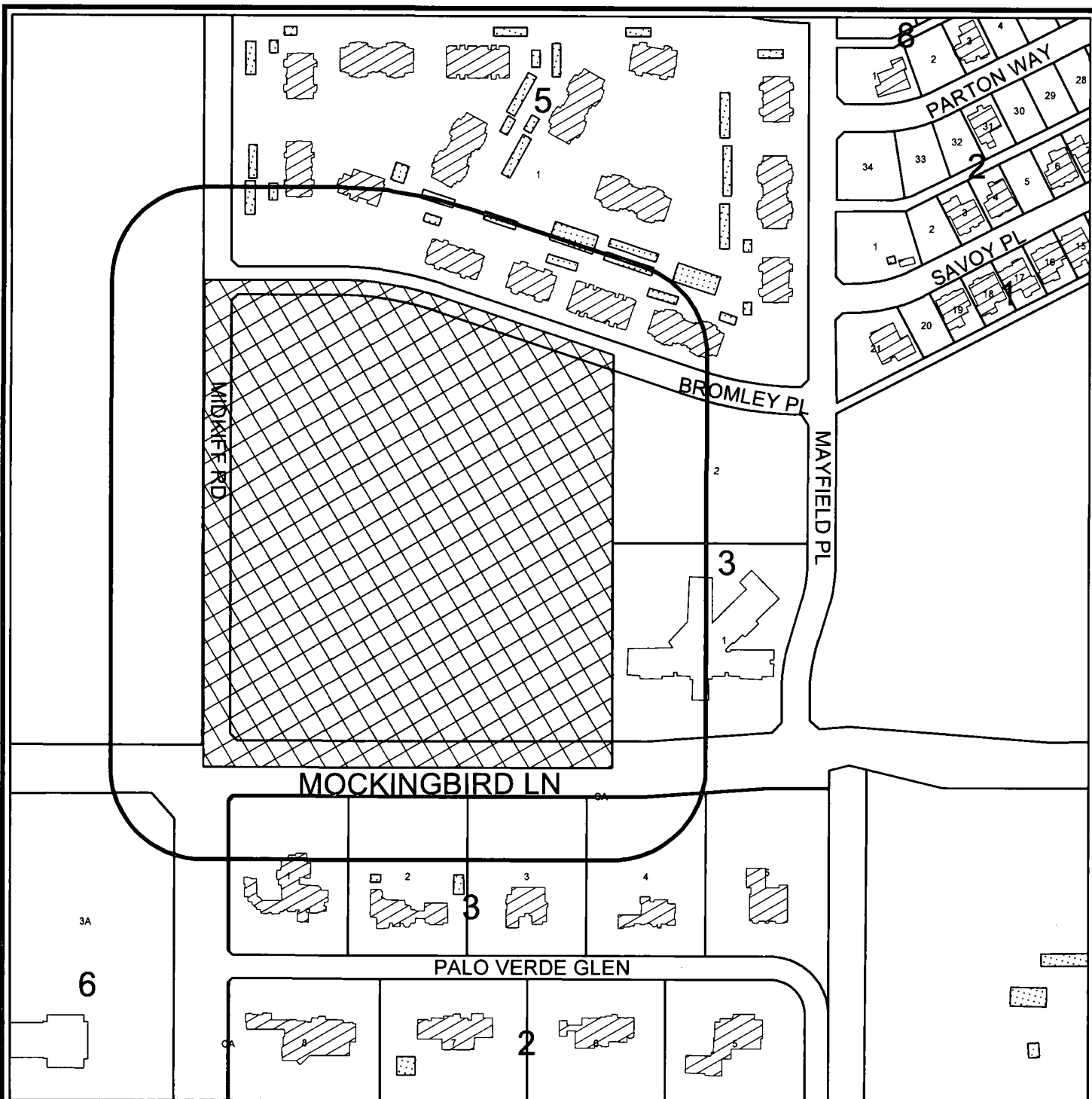
Subscribed and sworn to before me, this 23rd day of March, 2012, to certify which witness my hand and seal of office.

Darcy Y. Knight
 NOTAR PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
Rec'd By: <u>CWJ</u>	Date: <u>3/23/12</u>
Assigned: <u>JRC</u>	
For: <u>P+Z</u>	On: <u>4-30-12</u>



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



PROPERTY OWNER NOTIFICATION MAP

Z - 12 - 014

Scale: 1" = 200'

Consider a request for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District on 20.22-acres out of Section 9, Block "X", H. P. Hilliard Survey, City and County of Midland, Texas.

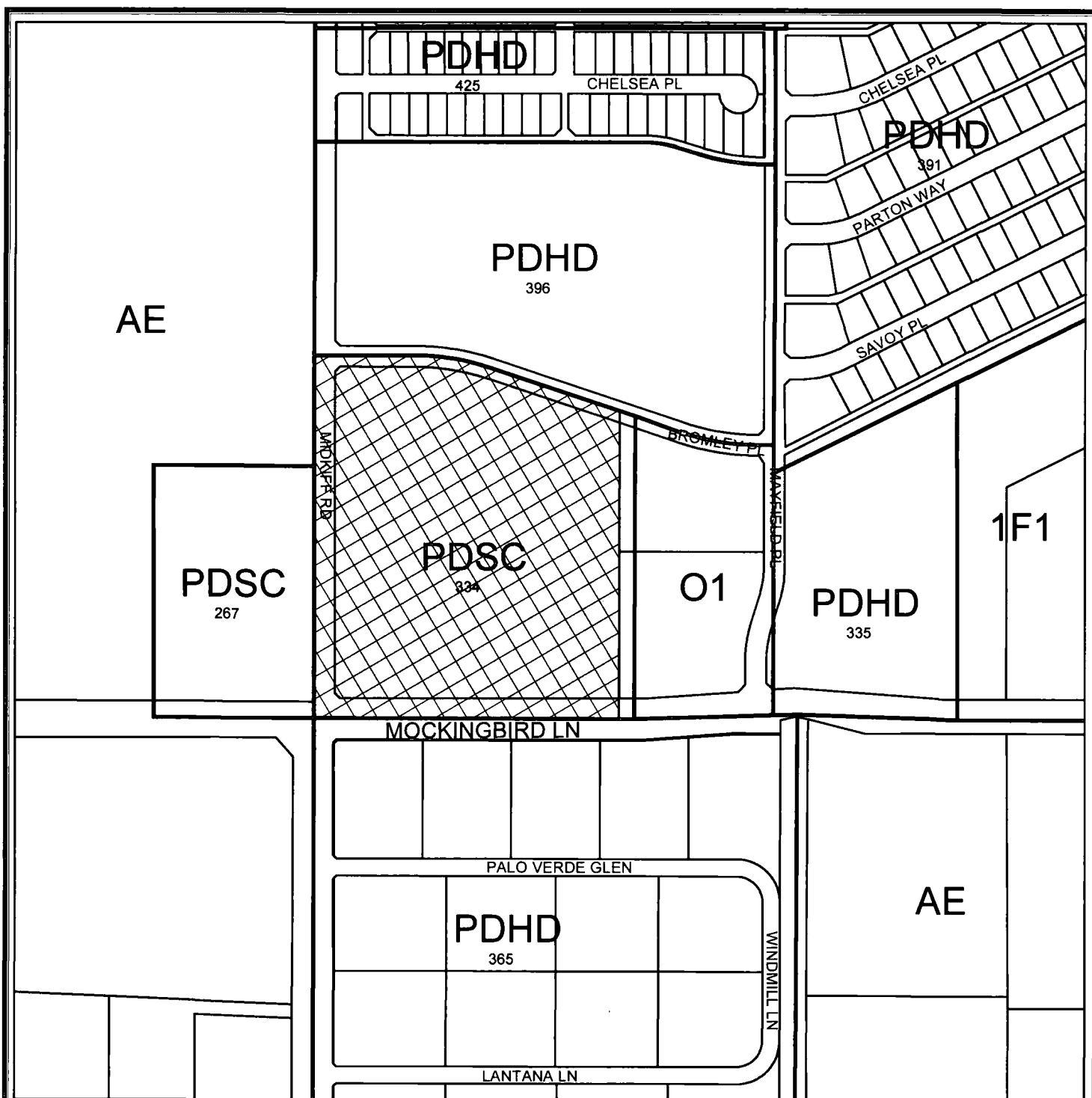
LEGEND

- CITY LIMITS
- 200 FT. LEGAL NOTICE LIMIT
- PARCEL
- PUBLIC BLDGS
- PRIVATE BLDGS
- ACCESSORY BLDGS



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16.16



ZONING MAP

Z - 12 - 014

Scale: 1" = 400'

Consider a request for a zone change from PD, Planned District for a Shopping Center, to an Amended Planned District on 20.22-acres out of Section 9, Block "X", H. P. Hilliard Survey, City and County of Midland, Texas.

LEGEND

ZONING PARCELS

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	O1, O2	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2, LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP, IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

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16.17







