

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

**October 4, 2021 - 3:30 PM  
Council Chambers – City Hall**



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

**VIDEOCONFERENCE INFORMATION**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87043314175>

Or One tap mobile :

US: +13462487799,,87043314175# or +16699006833,,87043314175#

Or Telephone:

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

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

Webinar ID: 870 4331 4175

International numbers available: <https://us02web.zoom.us/j/87043314175>

**OPENING ITEMS**

1. Pledge of Allegiance

**PUBLIC COMMENT**

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

**CONSENT ITEMS**

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for September 20, 2021
3. Consider a reinstatement of an approved proposed Preliminary Plat of Pioneer Industrial

Park, being a Plat of a 43.196-acre tract of land out of the N/Part of 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)

4. Consider a proposed Final Plat of Pioneer Industrial Park, being a Plat of a 43.198-acre tract out of land 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)
5. Consider a proposed Final Plat of 349 Ranch Estates, Section 23, being a residential replat of the North 0.43 Acres of the Lot 14, Block 1, 349 Ranch Estates, City and County of Midland, Texas (Generally located on the west side of Shawnee, approximately 175-feet north of Tejas. Council District 1) (DEVELOPMENT SERVICES)
6. Consider a proposed Final Plat of Southwest Crossing, Section 17, being a plat of a 9.563-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas. (Generally located at the southeast corner of the intersection of South County Road 1235 and West County Road 123. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
7. Consider a proposed Preliminary Plat of DeLacey Addition, being a plat of a 21.698-acre tract of land located in the southeast quarter of Section 23, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of E. County Road 140, approximately 5,582 feet west of F.M. 715. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
8. Consider a proposed Preliminary Plat of Mystic Glen Addition, being a plat of a 2.23-acre tract of land located in the northeast quarter of Section 27, Block 39, T-2-S, T&P RR Co. Survey, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of W. County Road 140, approximately 1,982 feet west of S. State Highway 349. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
9. Consider a proposed Final Plat of Cycles Addition, Section 3, being a re-plat of Lot 1A, Block 1, Cycles Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Tradewinds Boulevard and West Business Interstate 20. Council District 4) (DEVELOPMENT SERVICES)

## **PUBLIC HEARINGS**

10. Hold a public hearing and consider a request by Black & Dillard Property Management, LP, for the initial zoning of a 9.162-acre tract of land out of Section 6, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of Fairgrounds Road and Garden City Highway. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
11. Hold a public hearing and consider a request by PREG Development, LLC, for a zone



change from PD, Planned District for a Shopping Center to LR, Local Retail District, on Lot 2A, Block 2, Westridge Park Addition, Section 8, City and County of Midland, Texas. (Generally located on the south side of Andrews Highway Frontage Road, approximately 197 feet east of Tradewinds Boulevard - Council District 4) (DEVELOPMENT SERVICES)

12. Hold a public hearing and consider a request by Lusso Real Estate, LLC for the initial zoning of a 30.80-acre tract of land out of Section 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
13. Hold a public hearing and consider a request by Jamie Bowers for a zone change from C, Commercial District to SF-3, Single-Family Dwelling District on Lot 9, Block 10, Greenwood Addition 3rd, 4th, 5th Section, City and County of Midland, Texas. (Generally located on the east side of S. Stonewall Street, approximately 140-feet north of E. Washington Avenue. Council District 2) (DEVELOPMENT SERVICES)
14. Hold a public hearing and consider a request by CG Faudree LLC for a zone change from TP, Technology Park District to RR, Regional Retail District on Lot 2, Block 4, Amaron Addition, Section 5, City and County of Midland, Texas. (Generally located on the north side of Wolcott Avenue, approximately 465-feet west of Rankin Highway. Council District 2) (DEVELOPMENT SERVICES)

## **MISCELLANEOUS**

Elizabeth Shaughnessy  
Planning Division Manager  
Department of Development Services

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

**CITY OF MIDLAND, TEXAS  
PLANNING AND ZONING COMMISSION MINUTES  
September 20, 2021  
Council Chambers – City Hall**



The City Council convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., September 20, 2021.

**Commissioners present:** Stacy Grosse, Karmen Bryant, Reggie Lawrence, Dianne Williams, Lucy Sisniega, Zachary Deck, Adrian Carrasco

**Commissioners absent:** Chase Gardaphe

**Staff members present:** Dalia Salinas, Elizabeth Shaughnessy, Charles Harrington, Kelly Martinez, Cole Furqueron

**OPENING ITEMS**

1. Pledge of Allegiance

**PUBLIC COMMENT**

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

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

**CONSENT ITEMS**

Commissioner Carrasco moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 7 to 0

AYE: Grosse, Bryant, Lawrence, Williams, Sisniega, Deck, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Gardaphe

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for September 7, 2021.
3. Consider a proposed Final Plat of Lone Star Trails II, Section 9, being a plat of a 25.21-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Carriage Road, approximately 1,323- feet south of Occidental Parkway. Council District 1)
4. Consider a proposed Preliminary Plat of Southwest Crossing, Section 12, being a plat of a 10.664-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 southwest corner of the intersection of S. County Road 1239 and W. County Road 123. (Extraterritorial Jurisdiction)
5. Consider a proposed Preliminary Plat of Greenhill Terrace, Section 18, being a plat of a 2.29-acre tract of land located in Section 7, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the west side of Fir Drive, approximately 715 feet south of Wood Drive. Council District 1)
6. Consider a proposed Preliminary plat of Northwestern Addition, Section 18, being a plat 3.920-acre tract of land out of the NE/4 of Section 5, Block X, HP Hilliard Survey, City and County of Midland, Texas. (Generally located on the north side of Cardinal Lane, approximately 1,700 feet west of North Midkiff Road. Council District 1)

7. 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).
8. Consider a proposed Final Plat of Cowden Addition, Section 6 being a replat of a 0.21-acre being the South 40 feet of lot 8 and the north 20 feet of lot 9, Block 23, plat of blocks 15, 16, 27, 28, 29, and 42, replat of blocks 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 36, 37, 38, and 39, Cowden Addition, City and County of Midland, Texas. (Generally located on the east side of North Big Spring Street, approximately 62 feet south of Jax Avenue. Council District 2)
9. Consider a proposed Preliminary Plat of W.W. Harris Addition, Section 5 being a plat of a 0.829-acre tract of land located in the east half of the northwest quarter in the southeast quarter of Section 26, Block 39, T-1-S, T&P R.R. Co. Survey, City and County of Midland, Texas. (Generally located at the northwest corner of the intersection of Edwards Street and Mississippi Avenue - Council District 2)
10. Consider a proposed Final Plat of Southwest Crossing, Section 15, being a plat of a 3.3-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the south side of West County Road 122, approximately 800 feet west of South County Road 1235 - Extraterritorial Jurisdiction)

## **PUBLIC HEARINGS**

11. Hold a public hearing and consider a request by Jose Luis Zuniga for a zone change from MF-16, Multiple Family Dwelling District to SF-3, Single Family Dwelling District on a 0.829-acre tract of land located in the east half of the northwest quarter in the southeast quarter of Section 26, Block 39, T-1-S, T&P R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the west side of N. Edwards Street, approximately 130-feet north of Mississippi Avenue - Council District 2)

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

The public hearing was opened at 3:38 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:39 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Grosse, Bryant, Lawrence, Williams, Sisniega, Deck, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Gardaphe

12. Hold a public hearing and consider a request by Kuo's Chinese Restaurant, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 2,494 square foot portion of Lot 18, Block 39, Providence Park, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of W. Wadley Avenue and N. Midkiff Road - Council District 1)

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

The public hearing was opened at 3:43 p.m.

The applicant was not present.

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

Karmen Bryant moved to approve this request; seconded by Dianne Williams.

The motion passed by the following vote: 6 to 0, 1 Abstention

AYE: Grosse, Bryant, Lawrence, Williams, Deck, Carrasco

NAY: None

ABSTAIN: Sisniega

ABSENT: Gardaphe

13. Hold a public hearing and consider a request by Jose Chavez for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 3, Block 5, Homestead Addition, City and County of Midland, Texas. (Generally located on the west side of N. Terrell Street, approximately 142 feet south of Mississippi Avenue. Council District 2)

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

The public hearing was opened at 3:47 p.m.

The applicant was not present.

The public hearing was closed at 3:47 p.m.

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

The motion passed by the following vote: 7 to 0

AYE: Grosse, Bryant, Lawrence, Williams, Sisniega, Deck, Carrasco

NAY: None

ABSTAIN: None

ABSENT: Gardaphe

#### **MISCELLANEOUS**

14. Consider a motion to select and approve the new chairman and vice-chairman.

Lucy Sisniega voted new Chairperson 5 to 0

Diane Williams voted new Vice Chairperson 4 to 3

With no further items or business to come before the Commission, Chairman Sisniega adjourned the meeting at 3:57 p.m.

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Lucy Sisniega, Chairman

Date

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Elizabeth Shaughnessy, Planning Division Manager  
Department of Development Services

Date



# Planning and Zoning Commission

Approved  
for Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Cole Furqueron, Senior Planner

**SUBJECT:** Consider a reinstatement of an approved proposed Preliminary Plat of Pioneer Industrial Park, being a Plat of a 43.196-acre tract of land out of the N/Part of 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)

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## 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 43.196-acre tract of land out of the N/Park of 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.

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

## Departmental Review:

**BUILDING CODE: (Approved)**

ETJ, no jurisdiction.

**SURVEYOR: (Approved)**

POB coordinates are partially obscured.

**ENGINEERING: (Approved with Conditions)**

ROW: See TXDOT comments.

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

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

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: Construct sewer to City Standards along entire platted frontage, or request a deferral based located in the South Midland Utility District.

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

EASEMENTS: Show existing and proposed.

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

DIMENSION: POB Coordinates are not clear on plat.

OTHER: \* \* \*

**TRANSPORTATION: (Approved)**

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."

No objections to plat.

**FIRE: (Approved)**

ETJ, 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 21 proposed lots of Pioneer Industrial Park, PLAT OF A 43.1 ACRE TRACT OF LAND OUT OF SECTION 25, BLOCK 39, A-318, T-2-S, T. & P. RR. CO. SURVEY tracts 1,2,3,4,5,6,7 are 4 acre and above tract 8 is 2 acres, tracts 9,10 are 3 acres to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

**PLANNING:**

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

Provide scale bar.

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.

Provide one Point of Beginning that is on the corner of Lot 1.

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.

**Conditions:**

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

**Attachments:**

Proposed Preliminary Plat  
Maps  
Application



# Preliminary Plat Application

Project Number

Case Number

SUB-19-0191  
P-19-0553

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 &amp; P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS

**Property Owner**

Printed Name: MISS HEENLEY HOLDING, 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'

RECEIVED

MAY 17 2019

**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) 685-7286CITY OF MIDLAND  
PLANNING DIVISION



## 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: 5-16-19

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.*

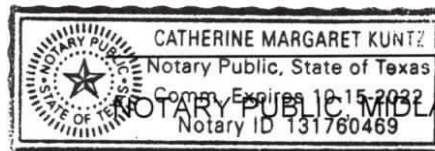
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS  
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Tallinn Thompson 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 16 day of May, 2019, 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 # 9421

Received By: ES

Date: MAY 17 2019

RECEIVED

CITY OF MIDLAND  
PLANNING DIVISION OFFICE

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



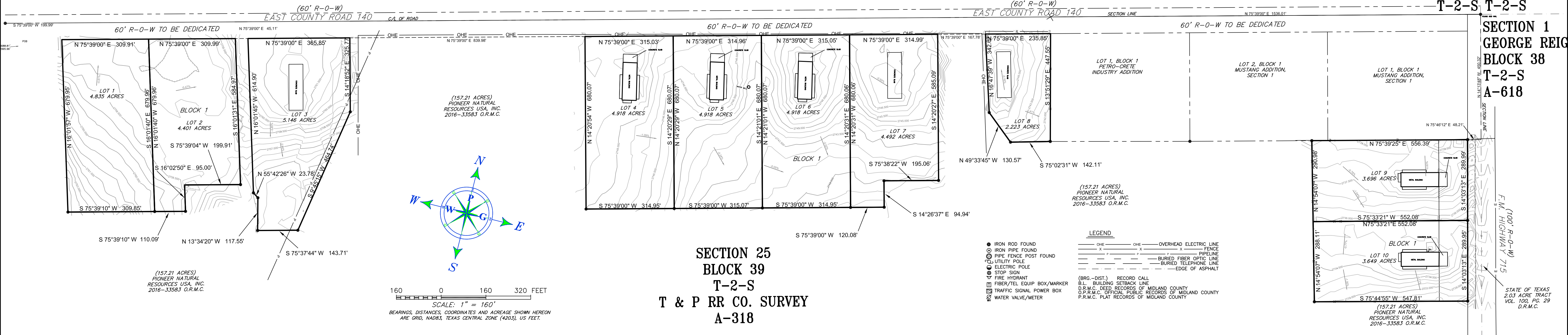
PIONEER INDUSTRIAL PARK

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

SECTION 24  
BLOCK 39  
T-2-S

SECTION 15  
BLOCK 38  
T-2-S

SECTION 1  
GEORGE REIG  
BLOCK 38  
T-2-S  
A-618



SECTION 25  
BLOCK 39  
T-2-S  
T & P RR CO. SURVEY  
A-318

PRELIMINARY

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

SURVEYOR'S CERTIFICATE

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

DATED: \_\_\_\_\_, 2019

W.D. WATSON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
#1989

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 \_\_\_\_\_, 2019

Signed: \_\_\_\_\_  
Chairman

Signed: \_\_\_\_\_  
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.

Miss Henley Holdings, LP, Tallian Thompson, President

Date

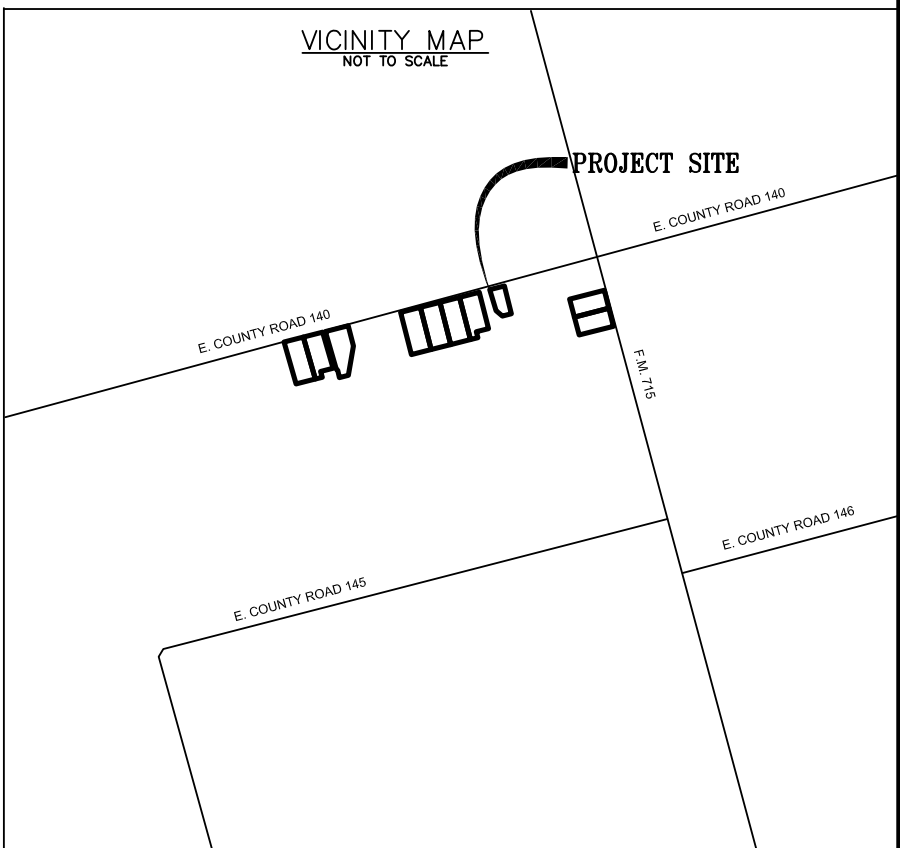
ACKNOWLEDGEMENT

STATE OF TEXAS  
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, 2019  
BY TALLIAN THOMPSON

NOTARY PUBLIC 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. 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. AS OF THE DATE OF THE SURVEY, THE PREMISES DOES NOT  
LIE WITHIN A SPECIAL FLOOD HAZARD AREA INUNDATED BY  
100-FLOOD, FURTHER SHOWN AS ZONE "X", AS DEFINED BY  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD  
INSURANCE RATE MAP NO. 48329C0100F, DATED SEPTEMBER 16,  
2005, MIDLAND, MIDLAND COUNTY, TEXAS.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY PRINT NAME

ONCOR ELECTRIC DELIVERY PRINT NAME

SUDENLINK PRINT NAME

GRANDE COMMUNICATIONS PRINT NAME

AT&T - TEXAS PRINT NAME



P.O. DRAWER 11166  
MIDLAND, TEXAS 79702  
(432) 520-9200  
FAX (432) 520-9212  
FIRM@WPGUR.COM  
wdwatson@wpgur.com

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

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

PLAT FILED FOR RECORD  
MIDLAND COUNTY, TEXAS.

NO. \_\_\_\_\_ CABINET \_\_\_\_\_

DATE \_\_\_\_\_ PAGE \_\_\_\_\_



## LOCATION MAP

**SUB-19-0191**

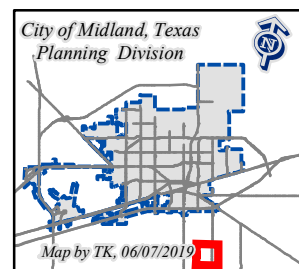
**Scale: 1" = 400'**

Proposed plat of Pioneer Industrial Park, being a Plat of a 43.196-acre tract of land out of the N/Part of 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.





# Planning and Zoning Commission

Approved for  
Agenda:  
**Elizabeth Shaugnessy**

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Cole Furqueron, Senior Planner

**SUBJECT:** Consider a proposed Final Plat of Pioneer Industrial Park, being a Plat of a 43.198-acre tract out of land 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:

  X   Approve             Deny             Directional/Informational

## Current Zoning:

ETJ, Extraterritorial Jurisdiction.

## Preliminary Plat Approval:

The applicant, Watson Professional Group, Inc., is proposing to plat a 43.198-acre tract out of land in Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas, into ten (10) lots to obtain septic permits.

## Final Plat Requirements:

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

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

Below are the departments' comments.

## **Departmental Review:**

### **Engineering: (Approved with Conditions)**

IMPACT FEES: Plat is located outside of service areas.

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."

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

WATER: Deferral administratively approved 12/19/2019.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: Deferral administratively approved on 12/19/2019.

DRAINAGE: Drainage study was approved on 04/13/2021.

EASEMENTS: Okay as shown.

SIDEWALKS: Deferral administratively approved on 12/19/2019.

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."

### **Fire: (Approved)**

Recommend following the requirements of IFC 2015 ed. and city ordinances.

### **Oil and Gas: (Approved)**

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

**Code Administration: (Approved)**

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

**Planning: (Approved with Condition)**

Under the certificate of approval, the secretary should be Elizabeth Shaughnessy and the chairman should be Lucy Sisniega.

Staff recommends approval of the Final Plat of Pioneer Industrial Park, subject to condition A.

**Conditions:**

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

**Attachments:**

Proposed Final Plat  
Application  
Maps



## Final Plat Application

Project Number:

90B-19-0191

Case Number:

P-21-1189

**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 & P RR CO. SURVEY, COUNTY OF MIDLAND, TEXAS**Property Owner**

Printed Name: MISS HENLEY HOLDINGS, LP

Phone ( 432 ) 230-5066

Email  
thompsonoffice@yahoo.com

Address P.O. 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 P.O. Drawer 11186

City Midland

State TX

Zip 79702

**Current Zoning:****Reason for Platting:** septic / development**Plat Information**

Total Acreage:

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

Number of Lots: 10

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: 8/10/2021

Property Owner (printed): Tallian Thompson

*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 Tallian Thompson, 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 14<sup>th</sup> day of September, 20 21, 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                                              |                                                                |                                                                                           |
|------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Property Owner Authorization | <input checked="" type="checkbox"/> 1 Copy of Dimensioned Plat | <input checked="" type="checkbox"/> Plat in Digital Format (PDF/JPEG) <i>sent to Dald</i> |
| <input checked="" type="checkbox"/> Mylar                        | <input checked="" type="checkbox"/> 1 Copy of Plat (11x17)     | <input checked="" type="checkbox"/> CADD File                                             |
| <input checked="" type="checkbox"/> Application Fee              | <input checked="" type="checkbox"/> Title Opinion <i>date?</i> | <input type="checkbox"/> Public Improvement                                               |
| Check # <u>10823</u>                                             | <input checked="" type="checkbox"/> Tax Certificates           | <input checked="" type="checkbox"/> Recording Fee                                         |
| Received By: <u>V. Sherman</u>                                   | Check # <u>10820</u> <i>VS</i>                                 |                                                                                           |
|                                                                  |                                                                | Date: <u>SEP 14 2021</u> <i>VS</i>                                                        |

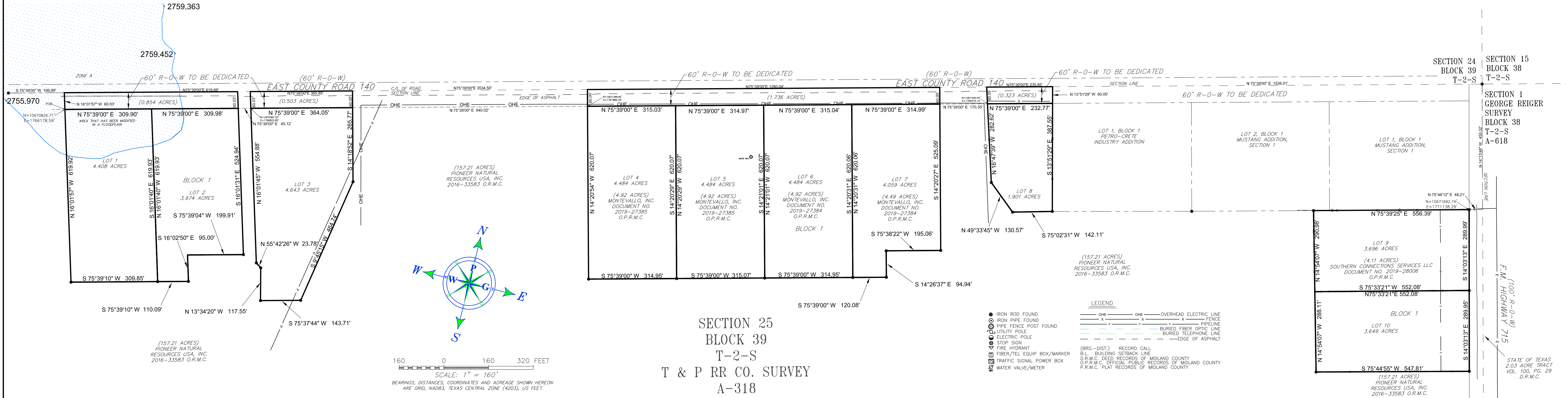
RECEIVED  
SEP 14 2021

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



# PIONEER INDUSTRIAL PARK

BEING A 43.198 ACRE TRACT OUT OF LAND IN SECTION 25, BLOCK 39, T-2-S, T & P RR  
CO. SURVEY, MIDLAND COUNTY, TEXAS



## OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, MONTEVALLO, INC. is the record owner of 19.25 acres 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, MONTEVALLO, INC. 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.

MONTEVALLO, INC. Date

## OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, SOUTHERN CONNECTIONS & SERVICES. is the record owner of 4.11 acres 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, SOUTHERN CONNECTIONS & SERVICES, 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.

SOUTHERN CONNECTIONS & SERVICES Date

## OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, Miss Henley Holdings, LP is the record owner of a 43.198 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.

Miss Henley Holdings, LP, Tallian Thompson, President Date

## ACKNOWLEDGEMENT

STATE OF TEXAS  
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, 2021

BY \_\_\_\_\_

NOTARY PUBLIC PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES

## ACKNOWLEDGEMENT

STATE OF TEXAS  
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, 2021

BY \_\_\_\_\_

NOTARY PUBLIC PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES

## ACKNOWLEDGEMENT

STATE OF TEXAS  
COUNTY OF MIDLAND

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, 2021

BY TALLIAN THOMPSON

NOTARY PUBLIC PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES

## UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Mark Lieb Mark Lee  
ATMOS ENERGY  
BY: \_\_\_\_\_

Jerry Underwood  
ATMOS ENERGY  
BY: \_\_\_\_\_

Luis Montez  
SUDDENLINK COMMUNICATION  
BY: Luis Montez

Pablo Villamartinez  
ONCOR ELECTRIC DELIVERY  
BY: Pablo Villamartinez

GRANDE COMMUNICATIONS  
BY: \_\_\_\_\_

## 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 \_\_\_\_\_, 2021

Signed: REGGIE LAWRENCE, CHAIRMAN

Signed: CRISTINA ODENBORG BURNS, SECRETARY

PLAT FILED FOR RECORD  
MIDLAND COUNTY, TEXAS.

NO. \_\_\_\_\_ CABINET \_\_\_\_\_

DATE \_\_\_\_\_ PAGE \_\_\_\_\_

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

MONTEVALLO INC.  
PO BOX 1535 MIDLAND, TX 79702

SOUTHERN CONNECTIONS & SERVICES  
1300 W. CR 114 MIDLAND, TX 79706

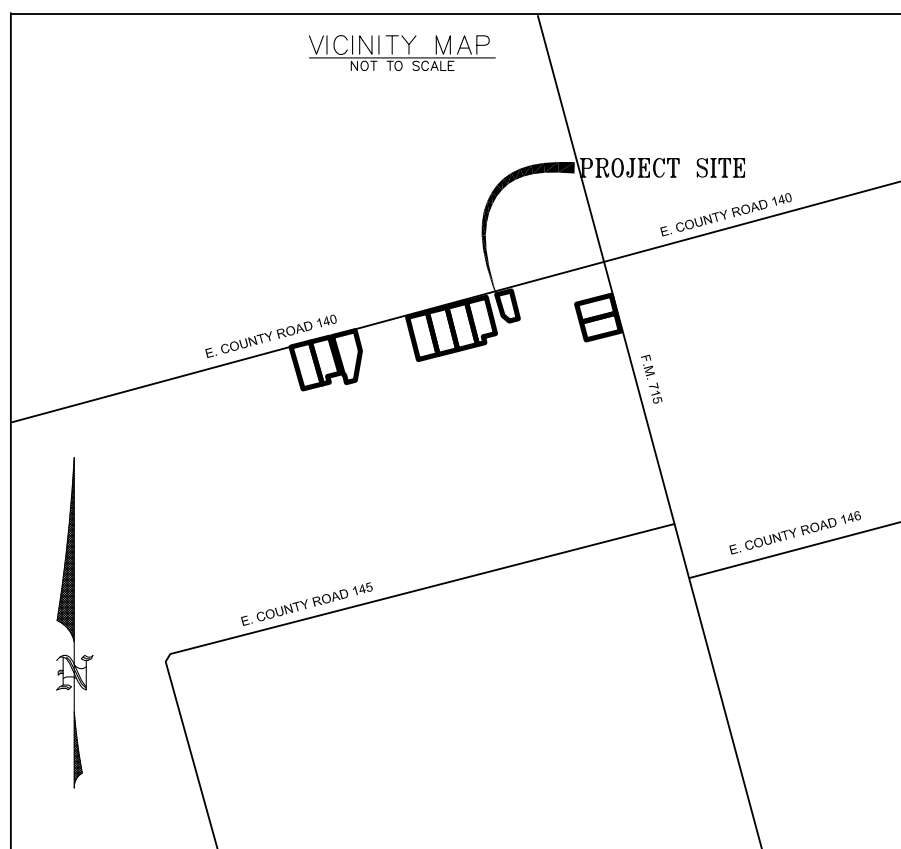


## SURVEYOR'S CERTIFICATE

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: MAY 27, 2021

W.D. WATSON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
#1989



P.O. DRAWER 11186  
MIDLAND, TEXAS 79702  
(432) 520-9200  
FAX (432) 520-9212  
FIRM#H0146900  
wdwatson@wpg-us.com

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 19-1255-00 DRAFT PW REV. 0

FILE: S: MIDLAND/PIONEER SUBDIVISION



## LOCATION MAP

**SUB-21-1189**

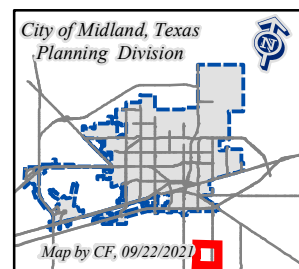
**Scale: 1" = 400'**

Proposed plat of Pioneer Industrial Park, being a Plat of a 43.196-acre tract of land out of the N/Part of 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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# Planning and Zoning Commission

Approved for Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** October 04, 2021

**TO:** **PLANNING AND ZONING COMMISSION**

**FROM:** Elizabeth Shaughnessy, Senior Planner

**SUBJECT:** Consider a proposed Final Plat of 349 Ranch Estates, Section 23, being a residential replat of the North 0.43 Acres of the Lot 14, Block 1, 349 Ranch Estates, City and County of Midland, Texas (Generally located on the west side of Shawnee, approximately 175-feet north of Tejas. Council District 1) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

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

## Current Zoning:

SF-3, Single Family Dwelling District.

## Preliminary Plat Approval:

The applicant, SRP Properties LLP, is proposing to replat of the North 0.43 Acres of the Lot 14, Block 1, 349 Ranch Estates, City and County of Midland, Texas into one (1) lot for residential construction. The Preliminary Plat was approved at the June 21, 2021, Planning and Zoning Commission Meeting.

## Final Plat Requirements:

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

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

Below are the departments' comments.

## Departmental Review:

**Engineering: Approved**

IMPACT FEES: OK as shown

ROW: Alley (20FT) and Shawnee St. (60FT) ROW ok as shown.

PAVING: Paving requirements were administratively approved on 07/02/2021

WATER: Existing 6-inch water main on Shawnee St. No public 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: Wastewater requirements were administratively approved on 07/02/2021  
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 note ok as shown. Drainage Study not required for development into single-family residences. Development will be considered in—fill.

EASEMENTS: Show existing and proposed

SIDEWALKS: Sidewalk requirements were administratively approved on 07/02/2021

DIMENSION: \* \* \*

OTHER: \* \* \*

**Transportation: Approved**

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

No objections to plat.

**Fire: Approved**

No additional comments.

**Oil and Gas: Approved with conditions**

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified



or left off of plat, this could prevent receiving city permits for structures. Any plugged and abandoned well would need to be identified.

**Code Administration: Approved**

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

**Planning: Approved**

Staff recommends approval of the Final Plat of 349 Ranch Estates, Section 23, 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: 34B-21-0413  
Case Number: P-21-1187

**Proposed Subdivision Plat Name:** 349 Ranch Estates, Section 23

**Legal Description (attached sealed Metes and Bounds):** Being a Replat of the North 0.43 Acres of Lot 14, Block 1, 349 Ranch Estates, an Addition to the City and County of Midland, Texas

### Property Owner

Printed Name: SRP Properties LLP

Phone ( )  
Email

Address 5316 Bella Place

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: Maverick Engineering

Printed Name: Paladin Huckaba

Phone ( 432 ) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

**Current Zoning:** AE

**Reason for Platting:** Ownership Purposes

### Plat Information

Total Acreage: 0.43

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

### Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF) & 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'

SEP 01 2021

BY: .....

### Mylar Reproductions

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

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

### Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Cady Jones

Date: 9/9/21

Property Owner (printed): Cady Jones

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

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

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

### STATE OF TEXAS COUNTY OF MIDLAND

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

Andrew L Mellen  
Authorized Agent (signature)

Subscribed and sworn to before me, this 9th day of September, 2021, to certify which witness my hand and seal of office.

Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



### FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 3600

☐ 1 Copy of Dimensioned Plat

☐ 1 Copy of Plat (11x17)

☐ Title Opinion

☐ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

☐ Recording Fee

Check # 3600

Date: SEP 01 2021

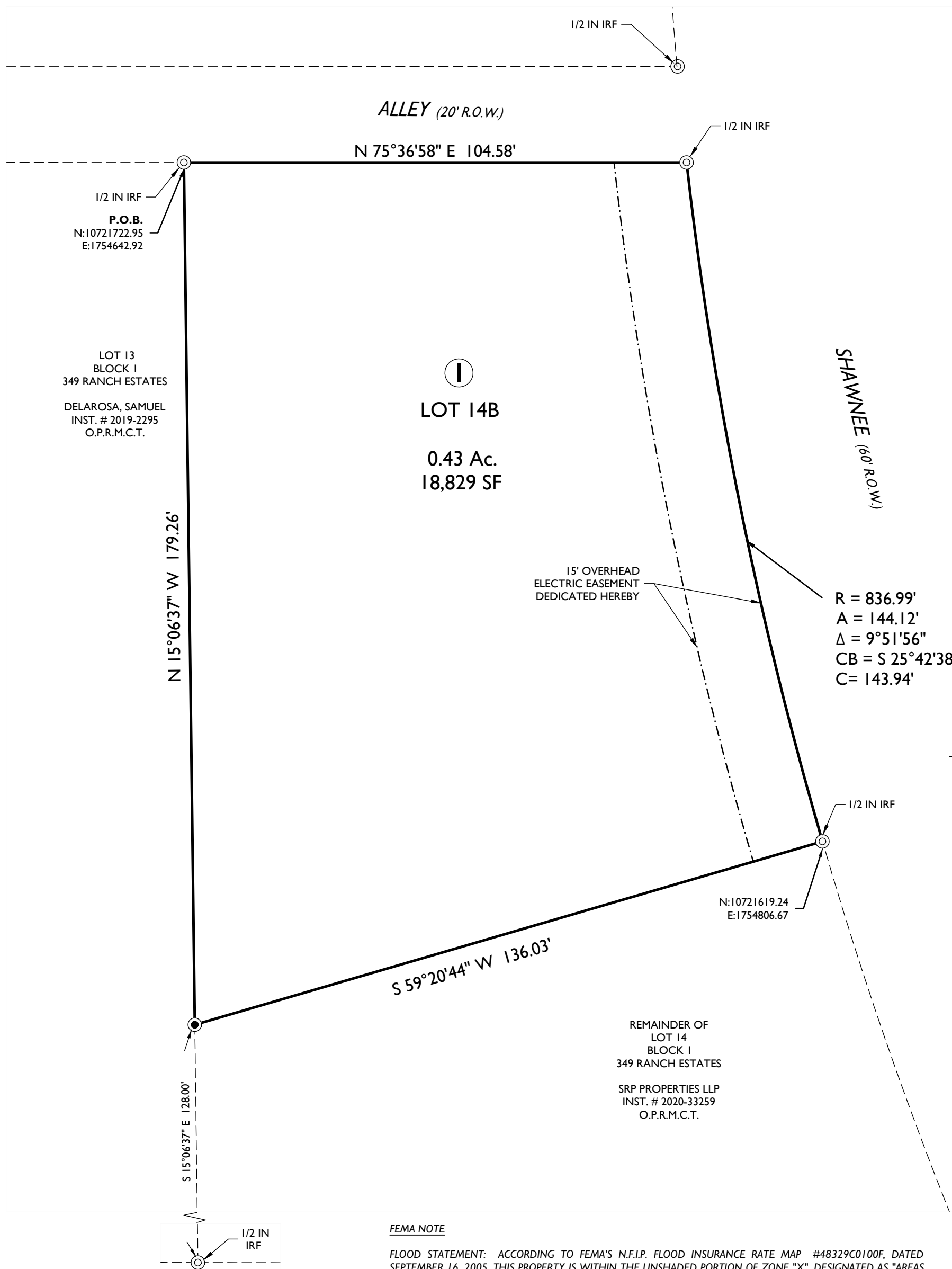
Received By: CS

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



# 349 RANCH ESTATES, SECTION 23

BEING A REPLAT OF THE NORTH 0.43 ACRES OF LOT 14, BLOCK I,  
349 RANCH ESTATES, AN ADDITION TO THE CITY AND COUNTY OF  
MIDLAND, TEXAS



PROPERTY OWNER  
SRP PROPERTIES, LLP  
5316 BELLA PLACE  
MIDLAND, TX 79705  
DEED INSTRUMENT #2020-33259

## FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0100F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

## OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

WHEREAS SRP PROPERTIES, LLP, is the record owner of a tract of land situated in Section 12, Block X, T-1-S, H.P. Hilliard Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SRP PROPERTIES, LLP, being the owner of the land shown on this plat designated as 349 RANCH ESTATES, SECTION 23, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage collection, utility facility access and maintenance, location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith has been selected and approved by the Director of Utilities.

WITNESS my hand at \_\_\_\_\_, M.,

the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_

## ACKNOWLEDGEMENT

THE STATE OF TEXAS  
COUNTY OF MIDLAND,

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

the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

## CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of 349 RANCH ESTATES, SECTION 23, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

\_\_\_\_\_ day of \_\_\_\_\_, 2021.

REGGIE LAWRENCE, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

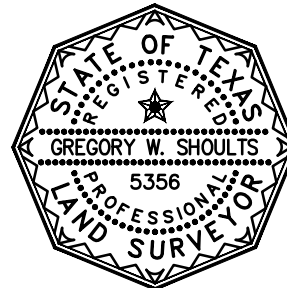
## SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS RPLS#5356  
Maverick Engineering (TX Firm #10194514)  
1909 W. Wall Street, Suite, K  
Midland, TX 79701

AUGUST 10, 2021



## 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: \_\_\_\_\_

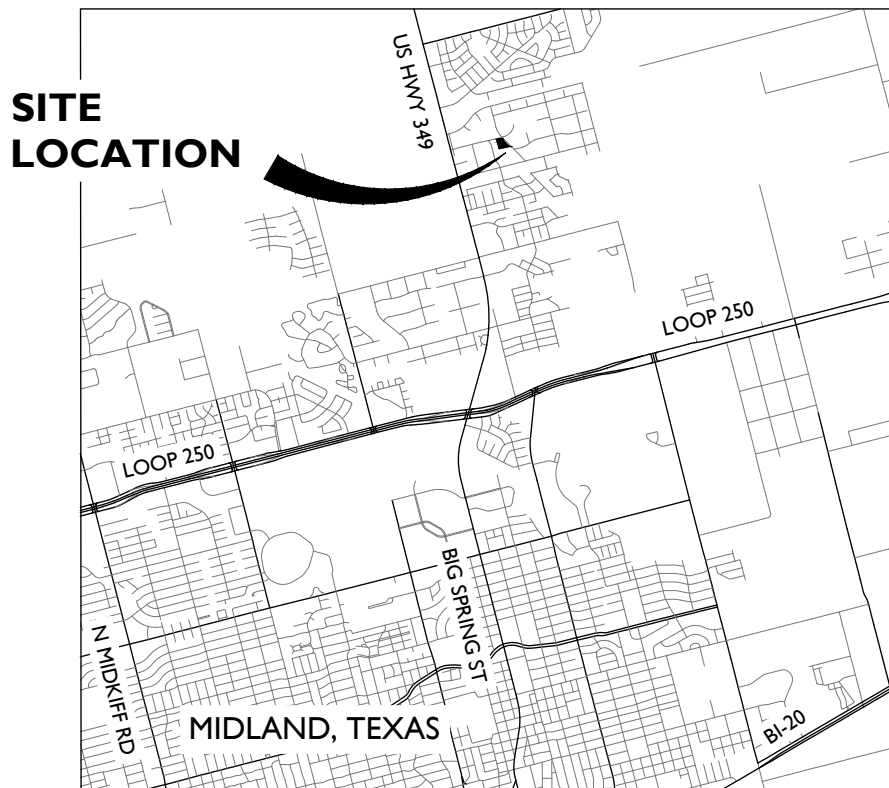
ONCOR ELECTRIC DELIVERY

BY: \_\_\_\_\_

PLAT FILED FOR RECORD  
MIDLAND COUNTY, TEXAS

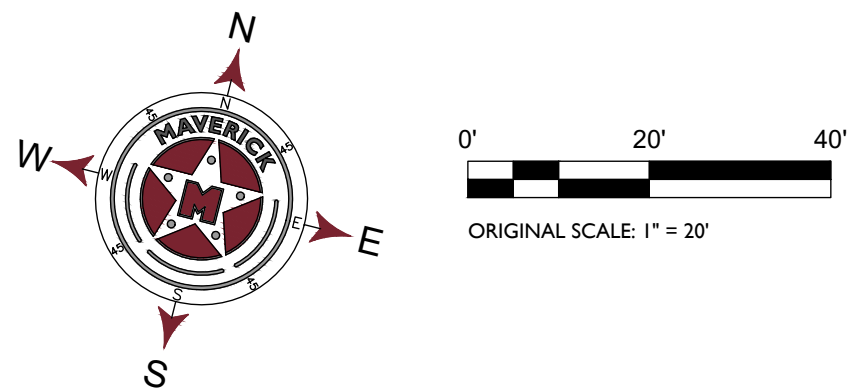
NO. \_\_\_\_\_ CABINET \_\_\_\_\_

DATE \_\_\_\_\_ PAGE \_\_\_\_\_



## VICINITY MAP

N.T.S.



## LEGEND

- DENOTES SET 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "10194514"
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES BOUNDARY LINE
- - - DENOTES EXISTING LOTS LINES

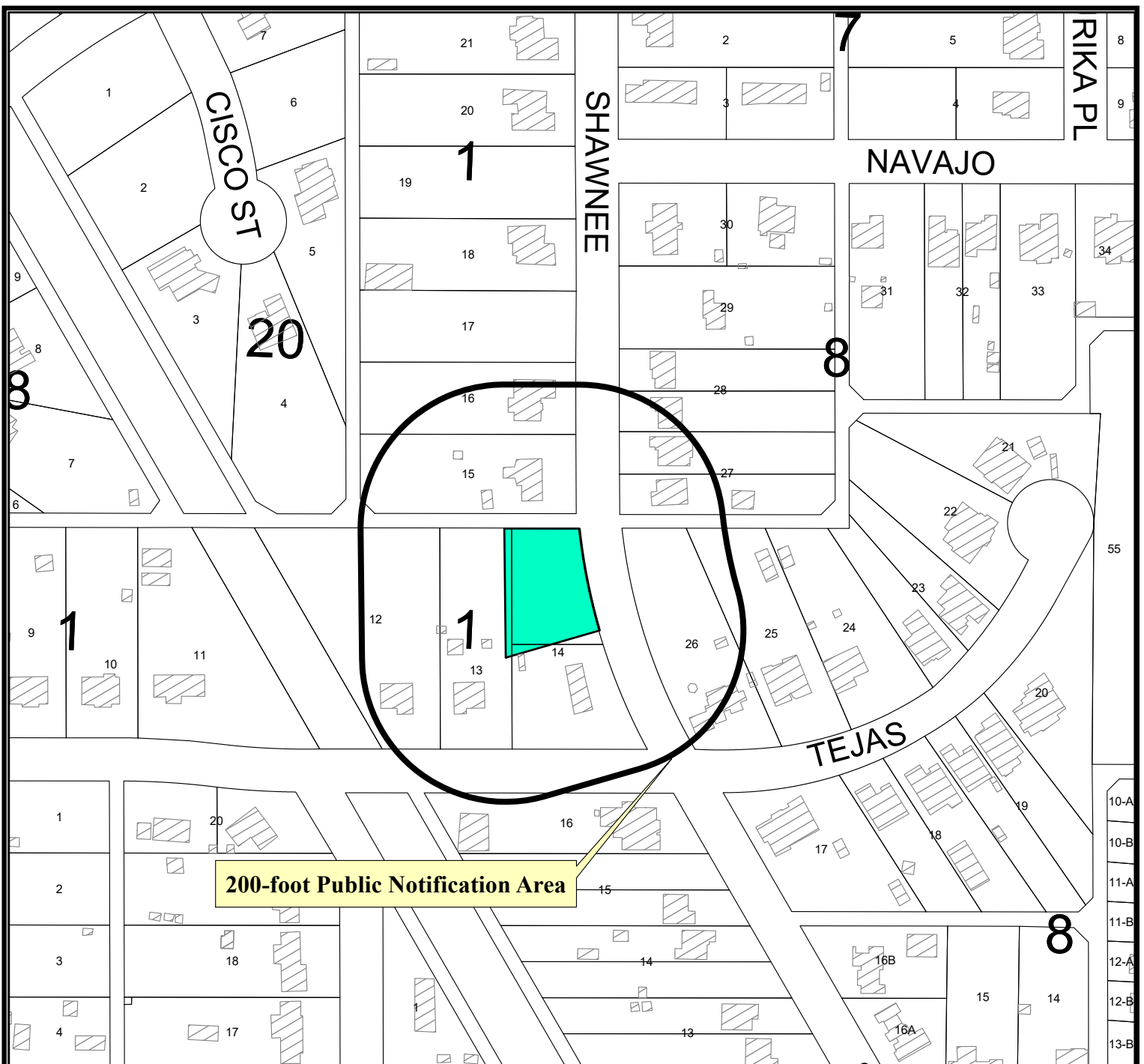
## DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND 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.
- BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT.
- IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.



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

**349 RANCH ESTATES  
ADDITION, SECTION 23**



## LOCATION MAP

**SUB-21-0413**

**Scale: 1" = 250'**

Consider a proposed Preliminary Plat of 349 Ranch Estates, Section 23, being a replat of the North 0.43 Acres of the Lot 14, Block 1, 349 Ranch Estates, City and County of Midland, Texas

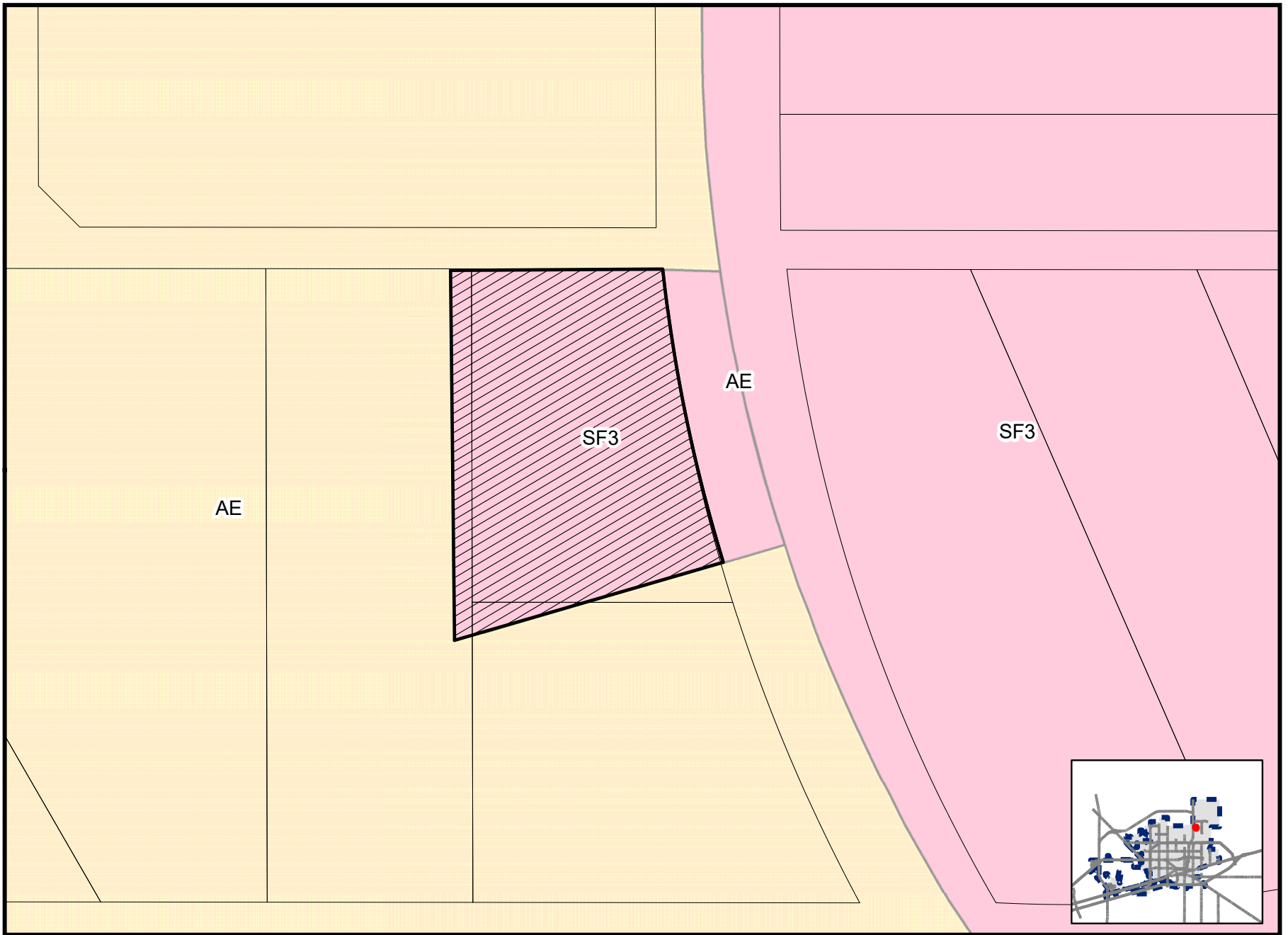
Generally located on the west side of Shawnee, approximately 175-feet north of Tejas.  
Council District 1

## LEGEND

-  CITY LIMITS  
 PARCEL  
 PRIVATE BLDGS









# Planning and Zoning Commission

Approved for Agenda:  
Elizabeth Shaugnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Cole Furqueron, Senior Planner

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

---

## Recommended Planning and Zoning Commission Action:

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

## Current Zoning:

ETJ, Extraterritorial Jurisdiction.

## Preliminary Plat Approval:

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

## Final Plat Requirements:

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

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

Below are the departments' comments.

**Departmental Review:**

**Engineering: (Approved)**

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

ROW: Fine as shown.

PAVING: Fine as shown.

WATER: Administratively Deferred.

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

PRO RATA: None.

SEWER: Administratively Deferred.

DRAINAGE: Drainage study Approved 7/19/21.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Fine as shown.

DIMENSION: \* \* \*

OTHER: See Transportation comments \* \* \*

**Transportation: (Approved with Conditions)**

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

**Fire: (Approved)**

No comments.

**Oil and Gas: (Approved)**

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

**Code Administration: (Approved)**

ETJ, no jurisdiction.

**Colorado River Municipal Water District:**

No comments.

**Planning: Approved**

Staff recommends approval of the Final Plat of Southwest Crossing, Section 17, 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: 34B-21-0431  
Case Number: P-21-1190

**Proposed Subdivision Plat Name:** SOUTHWEST CROSSING ADDITION, SECTION 17

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

|                                                                                              |                         |                                                              |                  |
|----------------------------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------|------------------|
| <b>Property Owner</b><br>Printed Name: <u>Texas Pelican Properties 5, LLC(Rusty LeBlanc)</u> |                         | Phone <u>985-209-8344</u><br>Email <u>rustyleb@gmail.com</u> |                  |
| Address <u>273 Creekwood Cove Lane Apt 3A</u>                                                | City <u>Lenoir City</u> | State <u>TN</u>                                              | Zip <u>37772</u> |

|                                                             |      |                    |     |
|-------------------------------------------------------------|------|--------------------|-----|
| <b>Developer (if different than Owner)</b><br>Printed Name: |      | Phone ( )<br>Email |     |
| Address                                                     | City | State              | Zip |

|                                                                                                                                                      |                     |                                                                          |                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------------------------|------------------|
| <b>Representative (if acting as Agent, see affidavit on page 2)</b><br>Firm: <u>Watson Professional Group</u><br>Printed Name: <u>Ashlee Johnson</u> |                     | Phone ( <u>432</u> ) <u>520-9200</u><br>Email <u>ajohnson@wpg-us.com</u> |                  |
| Address <u>PO Drawer 11186</u>                                                                                                                       | City <u>Midland</u> | State <u>TX</u>                                                          | Zip <u>79702</u> |

**Current Zoning:** ETJ

**Reason for Platting:** ownership/septic permit

|                                                                                                                                                                                                                           |                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| <b>Plat Information</b>                                                                                                                                                                                                   | <b>Total Acreage:</b> <u>9.563</u>     |
| Type: <input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Multi-Family Residential<br><input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Extraterritorial Jurisdiction (ETJ) |                                        |
| Number of Lots: <u>4</u>                                                                                                                                                                                                  | Number of Multi-Family Dwelling Units: |

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

**Items to be submitted with this application form:**

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

### Mylar Reproductions

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

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

### Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 9/14/2021

Property Owner (printed): Rusty LeBlanc

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

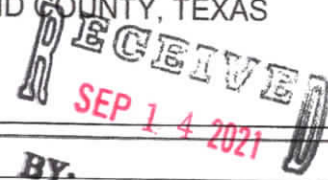
Before me, the undersigned authority, on this day personally appeared Ashlee Johnson who, being by me duly sworn, upon oath says: That (s)he is authorized by Rusty LeBlanc, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power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

Ashlee Johnson  
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of September, 20 21, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch  
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



### FOR OFFICE USE ONLY

- |                                                                  |                                                                |                                                                       |
|------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Property Owner Authorization | <input checked="" type="checkbox"/> 1 Copy of Dimensioned Plat | <input checked="" type="checkbox"/> Plat in Digital Format (PDF/JPEG) |
| <input checked="" type="checkbox"/> Mylar                        | <input checked="" type="checkbox"/> 1 Copy of Plat (11x17)     | <input type="checkbox"/> CADD File                                    |
| <input checked="" type="checkbox"/> Application Fee              | <input checked="" type="checkbox"/> Title Opinion              | <input type="checkbox"/> Public Improvement                           |
| Check # <u>10825</u>                                             | <input checked="" type="checkbox"/> Tax Certificates           | <input checked="" type="checkbox"/> Recording Fee                     |
|                                                                  |                                                                | Check # <u>10822</u>                                                  |

Received By: KM

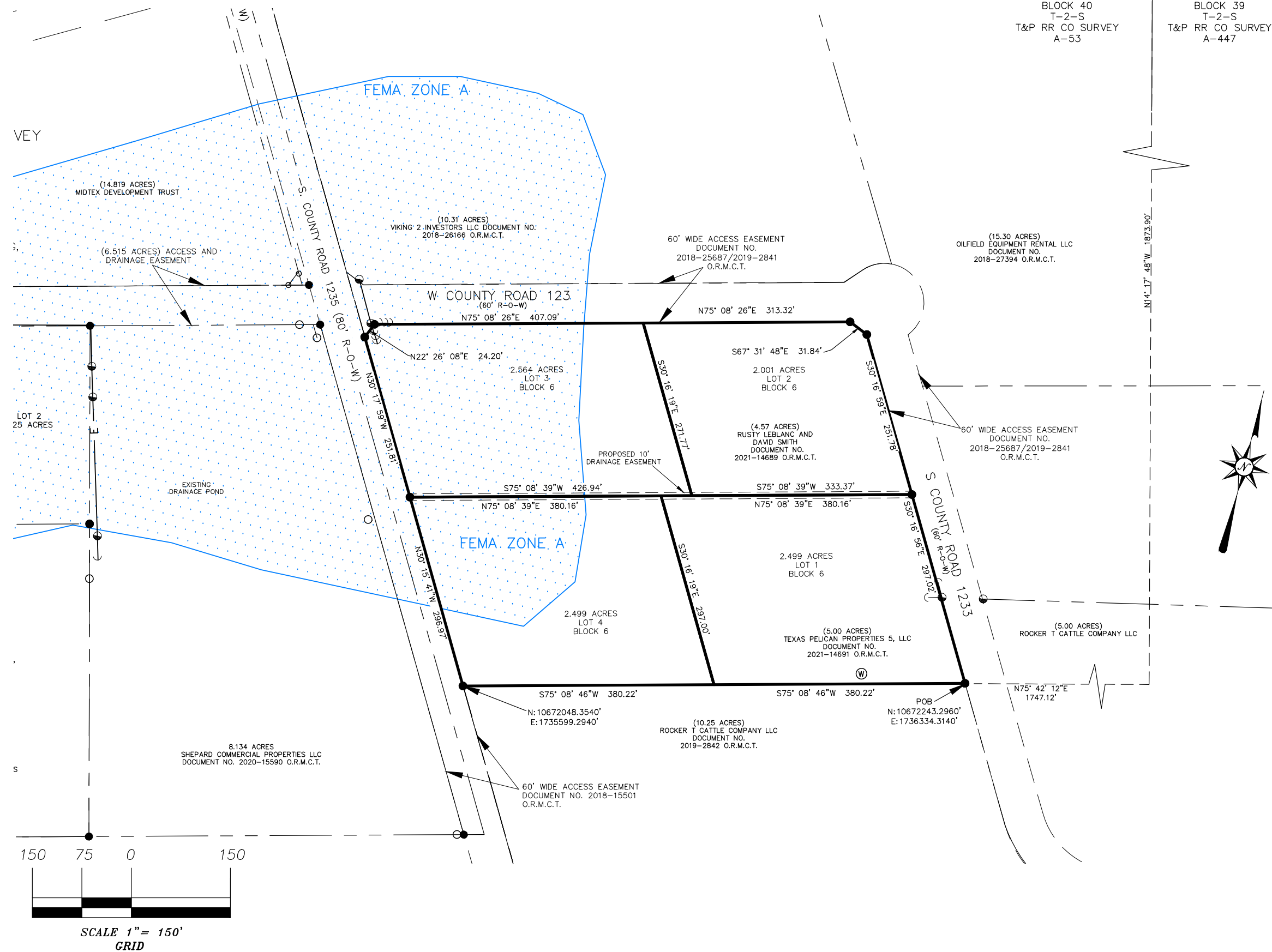
Date: 9/14/21

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



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

OWNERS: TEXAS PELICAN PROPERTIES 5 LLC  
TEXAS PELICAN PROPERTIES 7 LLC  
RUSTY LEBLANC & DAVID SMITH  
2912 QUIET OAK PLACE  
SCHRIEVER, TERREBONNE PARISH,  
LOUISIANA 70395



NOTE:

1. BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE"
2. 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.
3. ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE; THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN PART IN ZONE A AND IS WITHIN A 100-YEAR FLOOD HAZARD AREA OF WHICH A BASE FLOOD ELEVATION OF 28.32 FEET HAS BEEN DETERMINED AND IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329C0200F WITH A REVISED DATE OF SEPTEMBER 16, 2005.
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.
5. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.



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

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

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

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

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Mark Lieb  
ATMOS ENERGY  
BY: Mark Lieb

AT&T  
BY: Guadalupe Hernandez

Pablo Villa Martinez  
ONCOR ELECTRIC DELIVERY  
BY: Pablo Villa Martinez

Luis Montez  
SUDDENLINK COMMUNICATION  
BY: Luis Montez

GRANDE COMMUNICATION  
BY:

# SOUTHWEST CROSSING, SECTION 17

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, DAVID SMITH and RUSTY LEBLANC are the record owner of a 4.57-acre tract of land, being out of Section 13, Block 40, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

RUSTY LEBLANC Date

DAVID SMITH Date

OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, TEXAS PELICAN PROPERTIES 5, LLC is the record owner of a 5.00-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, TEXAS PELICAN PROPERTIES 5, LLC, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 17", an addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys and easements shown hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

TEXAS PELICAN PROPERTIES 5, LLC  
RUSTY LEBLANC Date

ACKNOWLEDGEMENT  
STATE OF TEXAS  
COUNTY OF MIDLAND

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

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

Notary Public in and for the State of Texas

Printed name of Notary  
My commission expires: \_\_\_\_\_

ACKNOWLEDGEMENT  
STATE OF TEXAS  
COUNTY OF MIDLAND

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

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

Notary Public in and for the State of Texas

Printed name of Notary  
My commission expires: \_\_\_\_\_

OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, TEXAS PELICAN PROPERTIES 7, LLC is the record owner of a 2.00-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, TEXAS PELICAN PROPERTIES 7, LLC, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 17", an addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys and easements shown hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

TEXAS PELICAN PROPERTIES 7, LLC  
RUSTY LEBLANC Date

CERTIFICATE OF APPROVAL  
STATE OF TEXAS  
COUNTY OF MIDLAND

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

REGGIE LAWRENCE, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

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

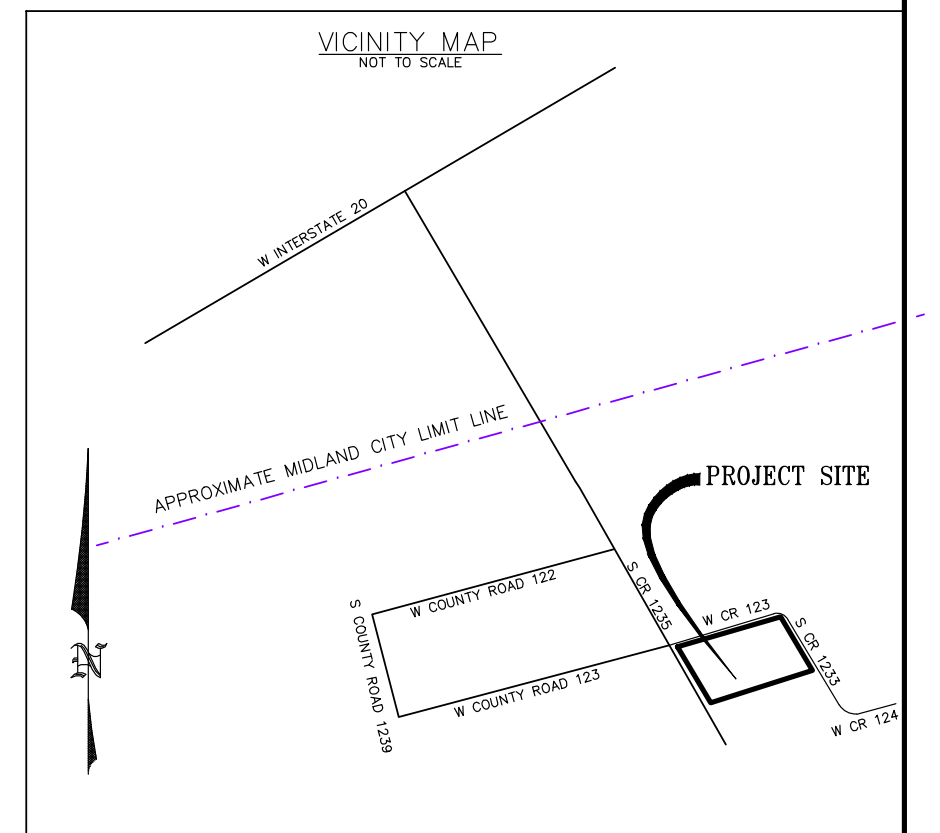


SURVEYOR'S CERTIFICATE

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 26, 2021

W.D. WATSON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
#1989





## LOCATION MAP

**SUB-21-0431**

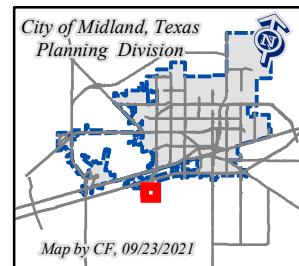
**Scale: 1" = 600'**

Proposed plat of Southwest Crossing, Section 17 being a plat of a 9.562 acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas.

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

### LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



# Planning and Zoning Commission

Approved for  
Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Valerie A. Sherman, Senior Planner

**SUBJECT:** Consider a proposed Preliminary Plat of DeLacey Addition, being a plat of a 21.698-acre tract of land located in the southeast quarter of Section 23, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of E. County Road 140, approximately 5,582 feet west of F.M. 715. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

☒ Approve      ☐ Deny      ☐ Directional/Informational

## Details of Request:

The property owner, DeLacey Properties, LLC is proposing to plat a 21.698-acre tract of land located in the southwest quarter of Section 23, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas, into six (6) lots for ownership purposes and to obtain septic tank permits.

## Current Zoning:

Extraterritorial Jurisdiction.

## Departmental Review:

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

## BUILDING CODE: (Approved)

ETJ, no jurisdiction.

## SURVEYOR: (Approved)



Check coordinate values shown on plat.

**FIRE: (Approved)**

No comments.

**ENGINEERING: (Approved)**

IMPACT FEES: Plat is located outside of service areas.

ROW: Okay as shown

PAVING: Paving requirements were administratively approved on 08/18/2021

WATER: Water requirements were administratively approved on 08/18/2021

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

PRO RATA: None

SEWER: Wastewater requirements were administratively approved on 08/18/2021  
If an on-site sewage facility is going to be proposed for this site than be mindful of the following requirements:

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 was approved on 08/18/2021.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Sidewalk requirements were administratively approved on 08/18/2021

DIMENSION: \* \* \*

OTHER: \* \* \*

**TRANSPORTATION: (Approved)**

No objections to plat.

## CODE COMPLIANCE: (Approved)

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

## GIS:

I have the following comments/markups:

- Some of the boundary lines are off
- check metes and bounds

**PROPOSED PLAT OF DELACEY ADDITION**  
BEING A PLAT OF A 21-ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY, MIDLAND COUNTY, TEXAS

**OWNER'S CERTIFICATE**  
THE STATE OF TEXAS  
COUNTY OF MIDLAND  
MICHAEL DELACEY PROPERTIES LLC is the record owner of a 21.194 acre tract of land, less 26.7-2-S, T. & P. RR. CO. Survey, Midland County, Texas.  
NOTE: THEREFORE, KNOW ALL MEN BY THESE PRESENTS:  
THAT I, DELACEY PROPERTIES, do hereby adopt this plat designating the herein above described "ADDITION" as within to the City of Midland, Midland County, Texas, and do hereby declare to amend, alter and re-survey these lands, for the purpose and construction herein expressed, rights and agree to their location, and location and implementation of their contents, and to no construction shall commence on said lot or lots until the exact location of said boundaries is approved by the Director of Public Works.

**DELACEY PROPERTIES LLC** Date \_\_\_\_\_  
**CERTIFICATE OF APPROVAL**  
STATE OF TEXAS  
COUNTY OF MIDLAND  
This is to certify that the above and foregoing plat of "DELACEY ADDITION" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
RESIDE CAMERON, CHAIRMAN  
\_\_\_\_\_  
ZONING ADMINISTRATOR, SECRETARY

**ACKNOWLEDGMENT**  
STATE OF TEXAS  
COUNTY OF MIDLAND  
Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.  
Given under my hand and seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.  
Notary Public in and for the State of Texas  
Printed name of Notary: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**UTILITY COMPANY'S CERTIFICATES**  
This plat has been checked for access:  
ATMOS ENERGY BY: \_\_\_\_\_  
AT&T BY: \_\_\_\_\_  
SUGGESTED COMMUNICATION BY: \_\_\_\_\_  
ORANGE COMMUNICATION BY: \_\_\_\_\_  
ONCOR ELECTRIC DELIVERY BY: \_\_\_\_\_

**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 ACCURATE AND ADEQUATE SURVEY OF THE LAND AND LOCATED UNDER THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SURVEYOR'S REGULATIONS OF THE CITY OF MIDLAND, TEXAS.  
DATED: \_\_\_\_\_ 2021  
BY: \_\_\_\_\_  
REGISTERED PROFESSIONAL LAND SURVEYOR  
(6166)

**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 WITHDRAWING OF UTILITIES AND BUILDING PERMITS.  
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.  
3. 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 "HAZARDOUS" 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 HAZARDOUS AREA OF WHICH

**PRELIMINARY.**  
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR WORKED OF RECORDED UPON AS A FINAL SURVEY DOCUMENT.

**SCALE 1" = 400'**

**VICINITY MAP**  
SHOWING THE PROJECT SITE

**OWNER DELACEY PROPERTIES LLC**  
P.O. BOX 1000  
MIDLAND, TEXAS 79702  
TEL: (409) 555-0000  
FAX: (409) 555-0000  
WWW.DELACEYPROPERTIES.COM

## MIDLAND COUNTY PUBLIC WORKS:

The private roads need to be designed and built, in accordance with Section 3 of the Subdivision Regulations.

## MIDLAND COUNTY:

They will need to get a permit to tie into the road from Road & Bridge.

## HEALTH DEPARTMENT:

Yes, the health department will review applications from the 6 proposed lots of Delacey Addition, PLAT OF A 21 ACRE TRACT OF LAND OUT OF SOUTHEAST QUARTER OF SECTION 23, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 3.6 acre, lot 2 is

3.6 acre, lot 3 is 3.6 acre, lot 4 is 3.6 acre, lot 5 is 3.6 acre, and lot 6 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.

**PLANNING:**

Confirm Metes and Bounds, acreage doesn't match MACAD.

Under certificate of approval the chairman should be Lucy Sisniega.

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

**Conditions:**

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

**Attachments:**

Proposed Preliminary Plat  
Application  
Map



## Preliminary Plat Application

Project Number:

SUB-21-0451

Case Number:

P-21-1183

**Proposed Subdivision Plat Name:** Delacey Addition**Legal Description (attached sealed Metes and Bounds):** BEING A 22.698 ACRE TRACT OF LAND OUT OF THE SOUTHEAST QUARTER OF SECTION 23, BLOCK 39, T-2-S, T&P RR CO SURVEY, IN MIDLAND COUNTY, TEXAS.**Property Owner** Delacey Properties, LLC  
Printed Name: Devan Adams

Phone (432) 559-6069

Email devanadams@yahoo.com

Address PO Box 3513

City Midland

State TX

Zip 79702

**Developer (if different than Owner)**  
Printed Name:Phone ( )  
Email

Address

City

State

Zip

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

Firm: WATSON PROFESSIONAL GROUP INC

Printed Name: Ashlee Johnson

Phone (432) 520-9200

Email

ajohnson@wpg-us.com

Address PO Drawer 11186

City Midland

State TX

Zip 79702

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

Total Acreage: 21.698

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

Number of Lots: 6

Number of Multi-Family Dwelling Units:

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

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

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

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



### Provisions

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

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

Property Owner (signature):

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 Ashlee Johnson who, being by me duly sworn, upon oath says: That (s)he is authorized by Devan Adams, 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 3 day of September, 2021, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch  
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

### FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ Copy of Plat (11x17)

Check #

10797

Received By:

[Signature]

Date:

SEP 03 2021

BY: .....

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

# PROPOSED PLAT OF DELACEY ADDITION

BEING A PLAT OF A 21.698-ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER  
OF SECTION 23, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS.

## OWNER'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, DELACEY PROPERTIES LLC is the record owner of a 22.194 acre tract of land, being out of Section 9, Block 39, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

DELACEY PROPERTIES LLC

Date

CERTIFICATE OF APPROVAL  
STATE OF TEXAS  
COUNTY OF MIDLAND

This is to certify that the above and foregoing plat of "DELACEY ADDITION" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

REGGIE LAWRENCE, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

ACKNOWLEDGEMENT  
STATE OF TEXAS  
COUNTY OF MIDLAND

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

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

Notary Public in and for the State of Texas

Printed name of Notary  
My commission expires: \_\_\_\_\_

## UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY  
BY: \_\_\_\_\_

AT&T

BY: \_\_\_\_\_

SUDDENLINK COMMUNICATION  
BY: \_\_\_\_\_

GRANDE COMMUNICATION  
BY: \_\_\_\_\_

ONGOR ELECTRIC DELIVERY  
BY: \_\_\_\_\_

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

SECTION 24  
BLOCK 39  
T-2-S  
T & P RR CO. SURVEY

SECTION 26  
BLOCK 39  
T-2-S  
T & P RR CO. SURVEY

## SURVEYOR'S CERTIFICATE

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

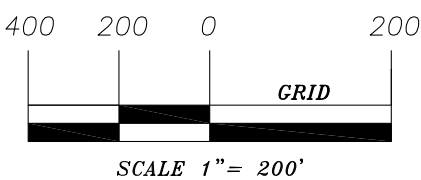
DATED: \_\_\_\_\_, 2021

W.D. WATSON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
#1989

## GENERAL NOTES:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN PART IN ZONE A AND IS WITHIN A 100-YEAR FLOOD HAZARD AREA OF WHICH A BASE FLOOD ELEVATION HAS BEEN DETERMINED TO BE 2761 FEET (SEE DRAINAGE REPORT FOR PIONEER INDUSTRIAL PARK THAT IS ON FILE WITH THE CITY OF MIDLAND) 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. 48329C0216F WITH A REVISED DATE OF SEPTEMBER 16, 2005.

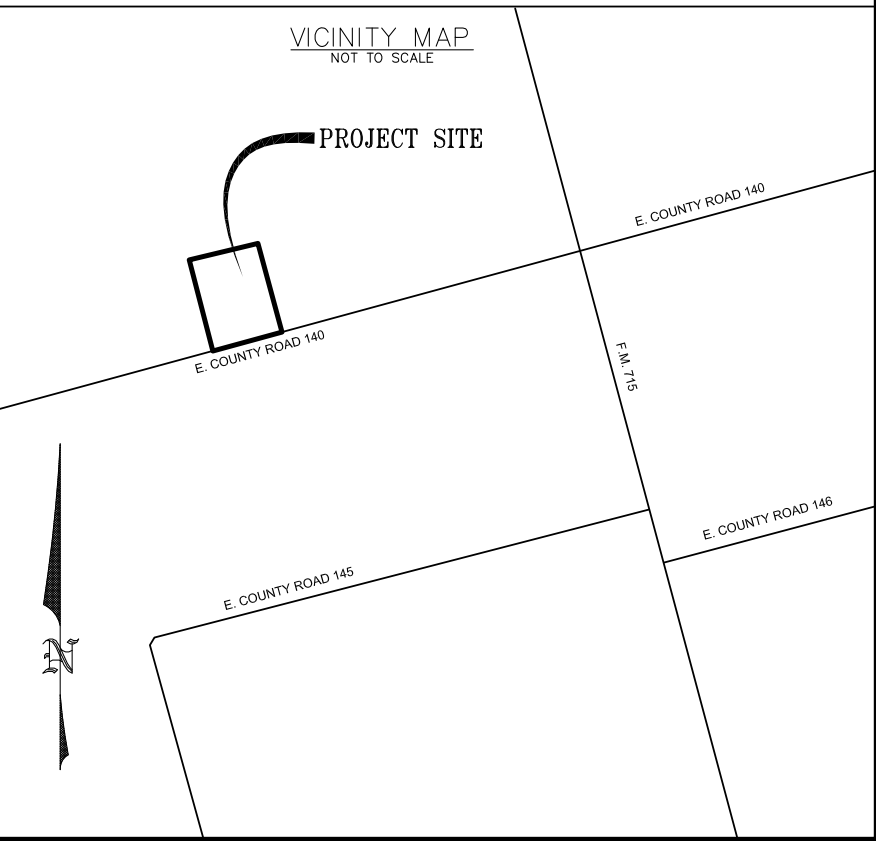
SECTION 23  
BLOCK 39  
T-2-S  
T & P RR CO. SURVEY

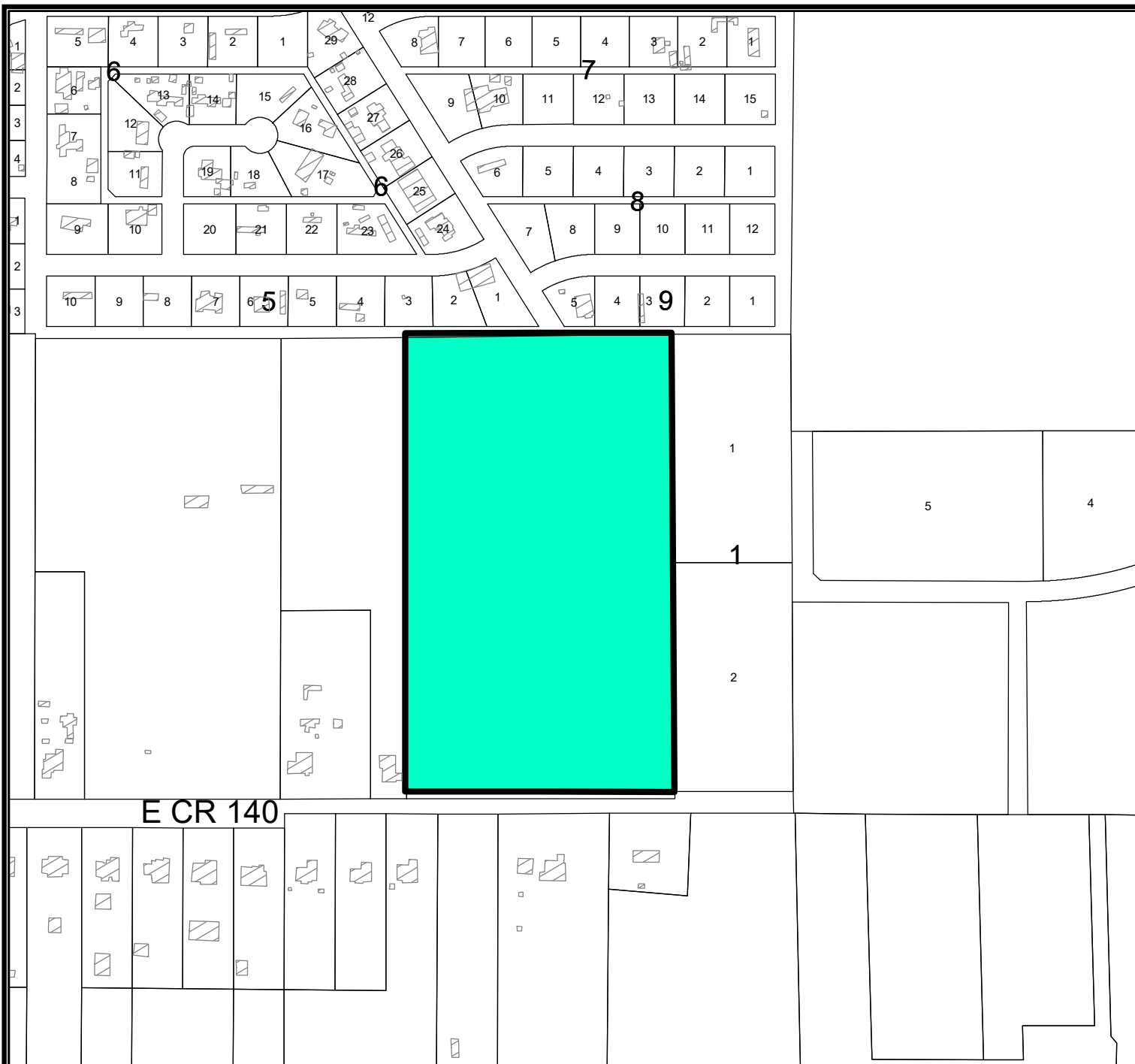


P.O. DRAWER 11186  
MIDLAND, TEXAS 79702  
(432) 520-9200  
FAX (432) 520-9212  
FIRM#10146900

CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 21-1012-00 DRAFT A.J. REV. 0  
FILE: T: MIDLAND/TITLE SURVEYS/ 21-1054 22 ACRE SUB PIONEER





## LOCATION MAP

**SUB-21-0451**

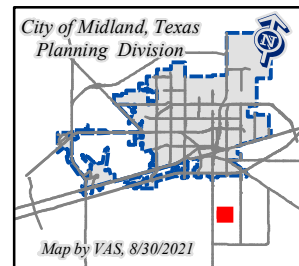
**Scale: 1" = 400'**

Proposed plat of DeLacey Addition, being a plat of a 21.698-acre tract of land located in the southeast quarter of Section 23, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the north side of E. County Road 140, approximately 5,582 feet west of F.M. 715. (Extraterritorial Jurisdiction)

### LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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





# Planning and Zoning Commission

Approved for  
Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Valerie A. Sherman, Senior Planner

**SUBJECT:** Consider a proposed Preliminary Plat of Mystic Glen Addition, being a plat of a 2.23-acre tract of land located in the northeast quarter of Section 27, Block 39, T-2-S, T&P RR Co. Survey, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of W. County Road 140, approximately 1,982 feet west of S. State Highway 349. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

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

## Details of Request:

The property owner, Jeremy Griffin with JL Griffin Holdings, is proposing to plat a 2.23-acre tract of land located in the northeast quarter of Section 27, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas, into one (1) lot to obtain a septic tank permit.

## Current Zoning:

Extraterritorial Jurisdiction.

## Departmental Review:

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

## BUILDING CODE: (Approved)

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

## SURVEYOR: (Approved)



No comments.

**FIRE: (Approved)**

Recommend following the requirements of the 2015 IFC

**ENGINEERING: (Approved with Conditions)**

IMPACT FEES: Okay as shown.

ROW: Okay as shown.

PAVING: Existing W CR 140 is an arterial and is sub-standard, construct to City Standards for entire platted frontage or request a deferral.

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

FIRE HYDRANT: 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 based on located in the South Midland Utility District.

DRAINAGE: Drainage study required.

EASEMENTS: Show existing and proposed.

SIDEWALK: Required with building permit. However, lot located in county so request a deferral.

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.

**CODE COMPLIANCE: (Approved)**

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

**GIS:**

- They don't have the Lot number labeled for the proposed.

**MIDLAND COUNTY PUBLIC WORKS:**

Is this division as currently deeded? Or are the shapes/sizes of the properties changing? The property as drawn does not have minimum frontage as indicated in the subdivision regulations.

**MIDLAND COUNTY:**

They will need to get a permit from Road & Bridge to tie into the road.

**HEALTH DEPARTMENT:**

Yes, the health department will review application from the 1 proposed lot of Mystic Glen Addition, PLAT OF A 2.2 ACRE TRACT OF LAND OUT NORTHEAST QUARTER OF SECTION 27, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY the lot is 2.2 acre to ensure the proposed plans on the application for the septic system and existing structures will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

The remainder of .04 acres 1401 W CO RD 140 David a Weseloh must use a licensed installer and professional engineer designed for future septic systems to ensure setbacks from water wells on the property and water wells on adjacent properties meet Texas setbacks.

**PLANNING:**

Provide a lot and block number within plat boundary.

Under Certificate of Approval please change the name of the chairman to Lucy Sisniega.

According to the Midland Central Appraisal District, the property owner is David A. Weseloh. The property owner information should match with what is on record at the Midland Central Appraisal district.

Staff recommends approval of the Preliminary Plat of Mystic Glen Addition, subject to conditions A through D.

**Conditions:**

**A. That the technical items listed above are addressed.**

**B. That a drainage study is approved.**

**C. That all required public improvements are addressed.**

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

**Attachments:**

Proposed Preliminary Plat  
Application  
Map



Preliminary Plat Application

Project Number: Sub-21-0448  
Case Number: P-21-1185

Proposed Subdivision Plat Name: Mystic Glen Addition

Legal Description (attached sealed Metes and Bounds): Being a plat of a 2.23-acres tract of land located in the northeast quarter of Section 27, Block 39, T-2-S, T&P RR Co Survey, Midland County, Texas.

Property Owner

Printed Name: JL Griffin Holdings/Jeremy Griffin

Phone 432-631-2468

Email Jeremy@jtsmidland.com

Address

City

State

Zip

Developer (if different than Owner) Printed Name:

Phone ( )  
Email

Address

City

State

Zip

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

Firm: Schumann Engineering Co., Inc.

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548

Email  
ealeman@schumannonline.net

Address

800 N. Marienfeld Suite 100

City

Midland

State

TX

Zip

79701

Current Zoning:

Reason for Platting: To obtain Septic Permit

Plat Information

Total Acreage: 2.23

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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



## Provisions

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

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

Property Owner (signature):

Date: 9/7/2021

Property Owner (printed): Jeremy L. Griffin

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

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

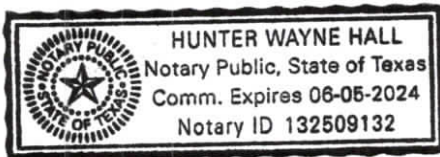
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS  
COUNTY OF MIDLAND

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

Guillermo J. Roman  
Authorized Agent (signature)

Subscribed and sworn to before me, this 7<sup>th</sup> day of September, 20 21, 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 # 1685

Received By:

Date:

RECEIVED  
SEP 08 2021

BY: .....

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

# PRELIMINARY PLAN MYSTIC GLEN ADDITION

BEING A PLAT OF A 2.23 ACRE TRACT  
OF LAND LOCATED IN THE NORTHEAST  
QUARTER OF SECTION 27,  
BLOCK 39, T-2-S,  
T&P RR CO SURVEY,  
MIDLAND COUNTY, TEXAS.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A 2.23 ACRE TRACT OF LAND SITUATED IN THE NE 1/4 OF SECTION 27, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT MIDLAND, TEXAS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

JL GRIFFIN HOLDINGS/JEREMY L GRIFFIN

STATE OF TEXAS:  
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, JL GRIFFIN HOLDINGS/JEREMY L GRIFFIN.

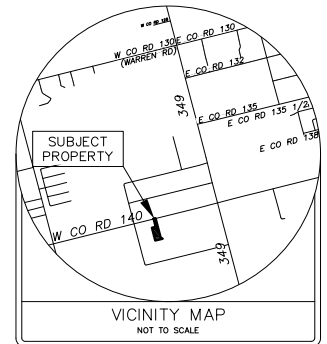
NOTARY PUBLIC  
MIDLAND COUNTY, TEXAS

## NOTES:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 2.23 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THIS PROPERTY LIES IN ZONE "X" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 48329-C0212F WITH THE EFFECTIVE DATE OF SEPTEMBER 16, 2005.

## OWNER:

JL GRIFFIN HOLDINGS/JEREMY L GRIFFIN.  
(432) 272-8955  
jeremy@jlsmidland.com



## SYMBOLS LEGEND

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

## CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MYSTIC GLEN ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

SIGNED: \_\_\_\_\_  
CHAIRMAN REGGIE LAWRENCE

ATTEST: \_\_\_\_\_  
SECRETARY ELIZABETH SHAUGHNESSY

RJ DAUM  
TEXAS RPLS 4826

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



**SCHUMANN  
ENGINEERING CO.**  
A LATERAL LAND COMPANY

100 W. MARSHALL STREET  
SUITE 100  
MIDLAND, TEXAS 79701  
CIVIL ENGINEERING - LAND SURVEYING  
TEXAS REG. NO. 71880 - TEXAS REG. NO. 1016900  
PHONE (432) 684-8548

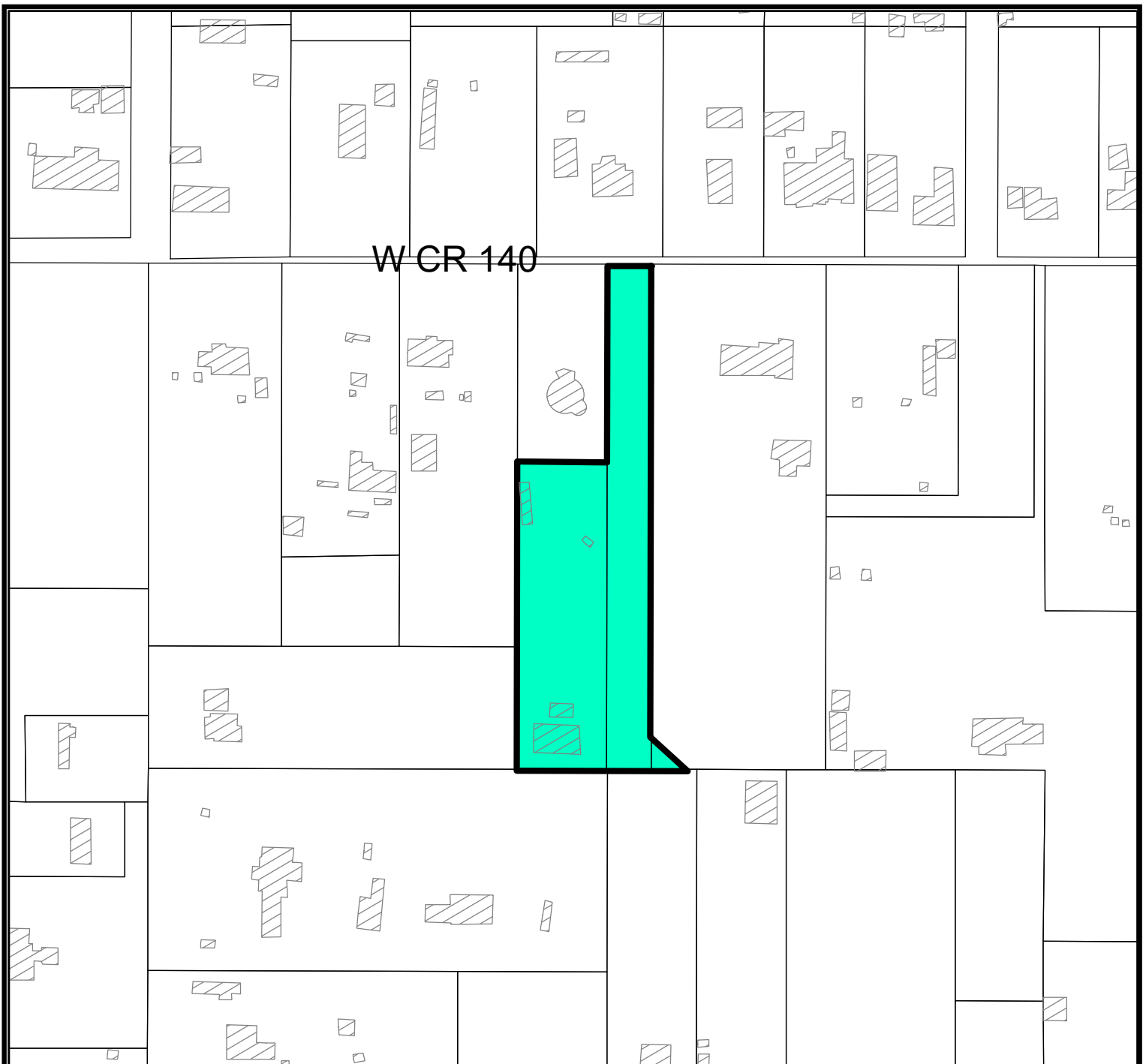
|     |      |             |    |         |                 |                    |
|-----|------|-------------|----|---------|-----------------|--------------------|
| NO. | DATE | DESCRIPTION | BY | JOB NO. | DRAWN BY: KDS   | DATE: 7/21/2021    |
|     |      |             |    |         | CHECKED BY: RJD | DRAWING NO.: 77995 |
|     |      |             |    |         |                 | SHEET 1 OF 1       |

PACKET

Page 8.51

October 4, 2021

MYSTIC GLEN ADDITION



## LOCATION MAP

**SUB-21-0448**

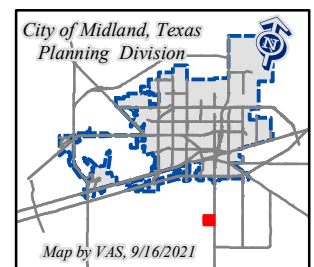
**Scale: 1" = 200'**

Proposed plat of Mystic Glen Addition, being a plat of a 2.23-acre tract of land located in the northeast quarter of Section 27, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the south side of W. County Road 140, approximately 1,982 feet west of S. State Highway 349. (Extraterritorial Jurisdiction)

### LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



# Planning and Zoning Commission

Approved for Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Valerie A. Sherman, Senior Planner

**SUBJECT:** Consider a proposed Final Plat of Cycles Addition, Section 3, being a re-plat of Lot 1A, Block 1, Cycles Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Tradewinds Boulevard and West Business Interstate 20. Council District 4) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

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

## Details of Request:

The applicant, TJH Management LLC, is requesting to re-plat the property located at 5800 W Highway 80 into two (2) lots for the purpose of development.

## Current Zoning:

RR, Regional Retail District, in part; and PD, Planned Development District for a Shopping Center, in part.

## Preliminary Plat Approval:

The Preliminary Plat was approved at the August 16, 2021 Planning and Zoning Commission Meeting.

## Final Plat Requirements:

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

**Engineering: Approved**

IMPACT FEES: Impact fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: HWY 80 is TxDOT ROW and will be maintained by them and Tradewinds is already paved to City of Midland Standards. No paving improvements required.

WATER: Developer to install a 16" public water main along the platted frontage as far as is needed to connect water service to the building.

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: Pre agreement with City staff, the sewer requirements will be offset with the up-sizing of the water main pipe size requirements for this development and the additional widening of the existing public utility easement along HWY 80.

DRAINAGE: Drainage report has been submitted and approved.

EASEMENTS: Easements okay as shown.

SIDEWALKS: Sidewalks will not be required for this development due to no other sidewalk installed in this area. Thus, conditions are consistent with the surrounding area.

DIMENSION: \* \* \*

OTHER: \* \* \*

**Transportation: Approved with Conditions**

TxDOT comment, "Some of this area is already developed. No additional access should be allowed to the BI 20 frontage road. If there is a change in use of the existing development, access to those properties should be reevaluated. Post development drainage/runoff should not exceed pre-development conditions."

Street lighting is required along public street frontages.



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

**Fire: Approved**

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

**Oil and Gas: Approved**

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

**Code Administration: Approved**

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

**Planning:**

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Cycles Addition, Section 3, subject to condition A.

**Conditions:**

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

**Attachments:**

Proposed Final Plat  
Application  
Maps



## Final Plat Application

Project Number:

Case Number:

SUB-21-0439  
P-21-1191**Proposed Subdivision Plat Name:** Re-plat of Cycles Addition, Section 2**Legal Description (attached sealed Metes and Bounds):** 1.420 acres being part of Section 1, Block 40, Township 2 South, T&P R..R. Co. Survey, Abstract No. 263 and being all of Lot 1A of the Cycles Addition, Section 2, Midland County, Texas**Property Owner**

Printed Name: TJH Management LLC

Phone ( )  
Email

Address 5800 W. Highway 80

City Midland

State TX

Zip 79706

**Developer (if different than Owner)**

Printed Name: GBT Realty - Greg Glaser

Phone ( )  
Email

Address 9010 Overlook Blvd

City Brentwood

State TN

Zip 37027

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

Firm: John Cowan &amp; Associates, Inc.

Printed Name: Philip Cornett

Phone ( )  
Email

Address 10147 CR 135

City Flint

State TX

Zip 75762

**Current Zoning:** PD - Planned Development**Reason for Platting:** Commercial Development**Plat Information**

Total Acreage: 12.177

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

Number of Lots: 2

Number of Multi-Family Dwelling Units: 0

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

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

**Mylar Reproductions**

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

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

**Recording Fee (Payable to 'Midland County Clerk')**

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

*Thomas Jason Kelly*

Date: 7/13/2021

Property Owner (printed): TJH Management LLC

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

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

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

STATE OF TEXAS  
COUNTY OF MIDLAND

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

\_\_\_\_\_  
Authorized Agent (signature)

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

\_\_\_\_\_  
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

**FOR OFFICE USE ONLY**

☒ Property Owner Authorization

☐ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☐ Mylar

☐ 1 Copy of Plat (11x17)

☐ CADD File

☐ Application Fee

☐ Title Opinion

☐ Public Improvement

Check # \_\_\_\_\_

☐ Tax Certificates

☐ Recording Fee

Check # \_\_\_\_\_

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

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

NOTES:

1. BEARINGS ARE ORIENTED TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE 4203, SURVEY FEET.
2. PROPERTY ZONED: PD-PLANNED DEVELOPMENT DISTRICT.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. 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.
5. THE SUBJECT TRACT LIES IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 48329C0184F WITH A REVISED DATE OF SEPTEMBER 16, 2005, COUNTY OF MIDLAND, TEXAS.

IMPACT FEE NOTE:

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 COMPANIES CERTIFICATE

Atmos Energy

Oncor Electric

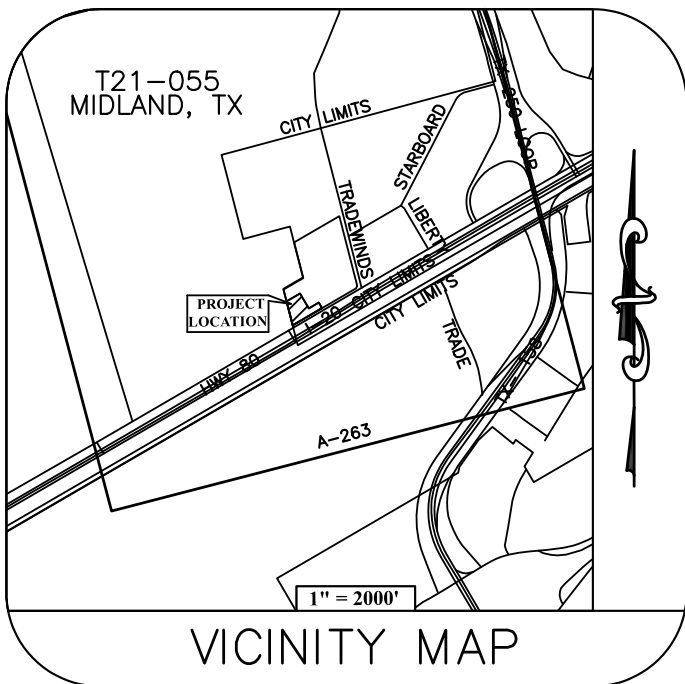
Grande Communications

AT&T Telephone Company

Suddenlink Communications

PLAT FILED FOR RECORD  
MIDLAND COUNTY, TEXAS

NO. \_\_\_\_\_ CABINET \_\_\_\_\_  
DATE \_\_\_\_\_ PAGE \_\_\_\_\_



LEGEND

- 1/2" IR FOUND (SURVEYOR)
- 1/2" IR SET
- W/CAP, LICKMAN & ASSOC.
- SET X MARK
- BENCHMARK
- E BURIED ELECTRIC
- P POWER LINE
- POWERPOLE
- GUY WIRE
- C COMMUNICATION CABLE
- UNDERGROUND CABLE MARKER
- CABLE FEEDSTAL
- W WATER LINE
- WATER METER
- HYDRANT
- WATER VALVE
- SS SANITARY SEWER LINE
- SEWER MANHOLE
- POB POINT OF BEGINNING
- RCP REINFORCED CONC. PIPE
- CMP CORRUGATED METAL PIPE
- ROW RIGHT-OF-WAY
- MPH MILES PER HOUR
- PRMCT PLAT RECORDS MIDLAND COUNTY TEXAS

CALL: 10.13 ACRES  
OLGA T. BANKS TRUST TO  
FARMING SQUARE  
LUMBER CO., INC.  
VOLUME 1870, PAGE 123  
MAY 08, 1997

POB  
N: 10680507.4496  
E: 1733047.7656

-1B-  
GATEWAY PLAZA, SECTION 8  
RECORDED IN CABINET H, PAGE 287 OF THE PLAT  
RECORDS OF MIDLAND COUNTY, TEXAS

-1C-  
10.757 ACRES  
468,965.77 Sq. Feet  
BLOCK NO. 1

-1B-  
1.420 ACRES  
61,855.20 Sq. Feet

U.S. HIGHWAY NO. 80 (INTERSTATE HIGHWAY 20)  
205' R.O.W. 30' ASPHALT 55 M.P.H.

WEST HALF OF SECTION 1, BLOCK 40, T-2-S, T&P RR. CO. SURVEY, A-263

N: 10681430.9281  
E: 1733619.1988

40' 0' 40' 80' 120'  
GRAPHIC SCALE — FEET:  
MIDLAND (20) J08#121-055 RE:121-056  
1"=40'

LINE BEARING DISTANCE  
L1 S 22°33'26" W 131.69'

OWNER'S CERTIFICATE

STATE OF TEXAS  
COUNTY OF MIDLAND

Whereas, TJH Management, LLC is the sole owner of all that certain lot, tract, or parcel of land, being all of Lot 1A, of the Cycles Addition, Section 2, City and County of Midland, Texas as shown by plat of same recorded in Cabinet E, Page 132 of the Plat Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That TJH Management, LLC do hereby adopt this plat designating the hereinabove described property as Cycles Addition, Section 3, an addition to the City and County of Midland, Texas, and hereby dedicate to the public use forever the streets, alleys and easements shown thereon.

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

TJH Management, LLC

By: \_\_\_\_\_  
Thomas Jason Heller, President  
5800 W. Hwy 80, Midland, TX 79706  
hellerace@gmail.com  
432-349-3190

ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Thomas Jason Heller, President of TJH Management, LLC, a Texas limited liability company proved to me through \_\_\_\_\_ (description of identity card) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that said person executed the same for the purposes and consideration therein expressed on behalf of such limited partnership.

Notary Public, State of Texas

CERTIFICATE OF APPROVAL

For approval by the commission:

This is to certify that the above and foregoing plat of Cycles Addition, Section 3 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

\_\_\_\_\_ day of \_\_\_\_\_, 2021.

Signed: \_\_\_\_\_  
Reggie Lawrence, Chairman

Signed: \_\_\_\_\_  
Elizabeth Shaughnessy, Secretary

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

Philip W. Cornett  
Registered Professional Land Surveyor  
Texas Registration No. 5515

FINAL PLAT  
CYCLES ADDITION, SECTION 3  
Being a Replat of Lot 1A, Block 1, Cycles  
Addition, Section 2, City and County of  
Midland, Texas

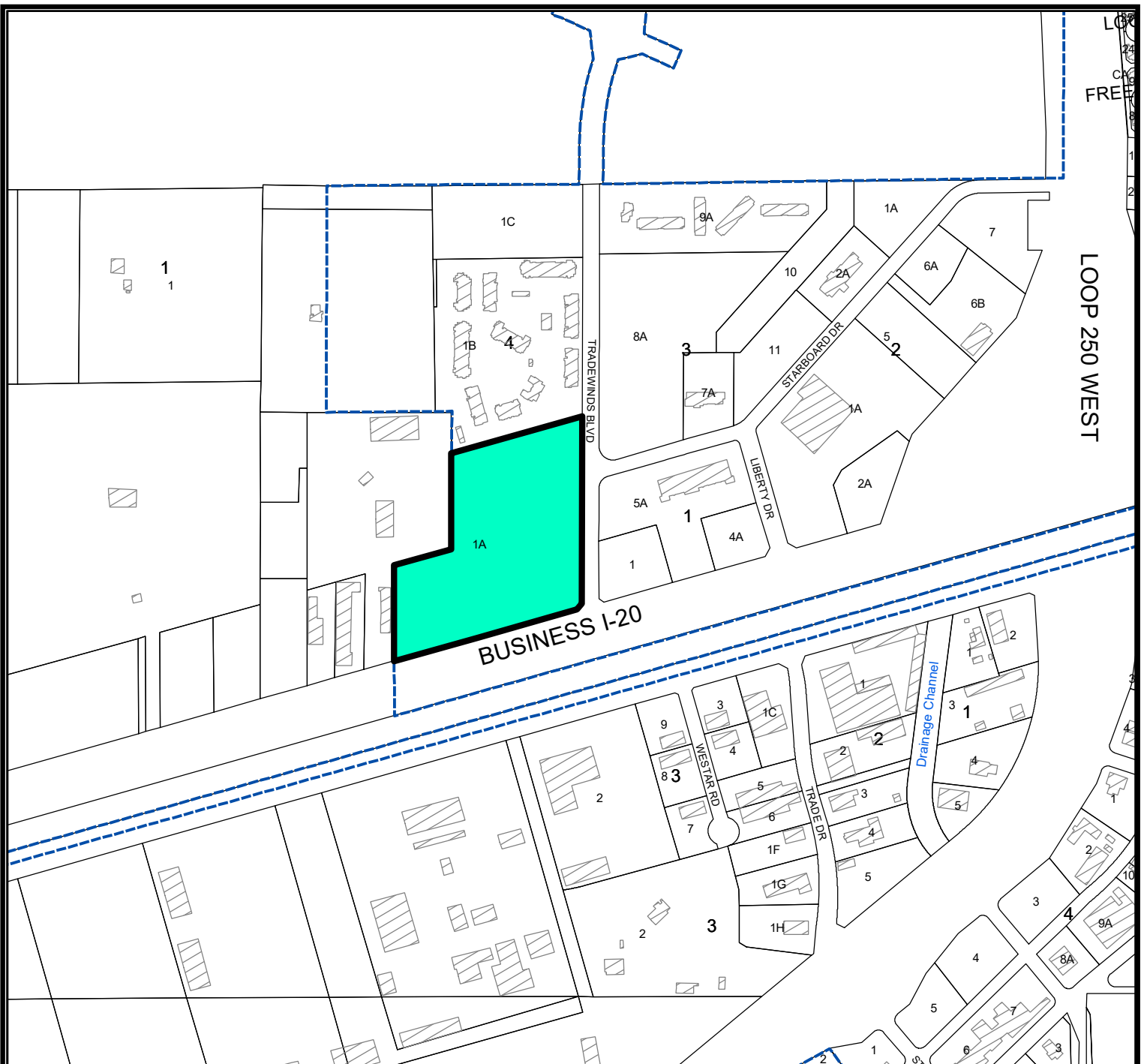
JOHN COWAN & ASSOCIATES, INC.

10147 COUNTY ROAD 135, FLINT, TEXAS 75762  
PH: (903) 581-2238 txsurveys.com  
FIRM REGISTRATION CERTIFICATION NO. 10025500

RECORD TITLE OWNER:  
TJH MANAGEMENT, LLC  
5800 W. HWY 80  
MIDLAND, TX 79706  
432-520-2080

APPLICANT / SURVEYOR:  
JOHN COWAN & ASSOCIATES INC.  
10147 CR 135  
FLINT, TX 75762  
903-581-2238





## LOCATION MAP

**SUB-21-0439**

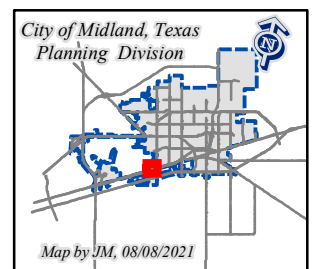
**Scale: 1" = 600'**

Proposed plat of Cycles Addition, Section 3, being a re-plat of Lot 1A, Block 1, Cycles Addition, Section 2, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Tradewinds Boulevard and West Business Interstate 20. (Council District 4)

### LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

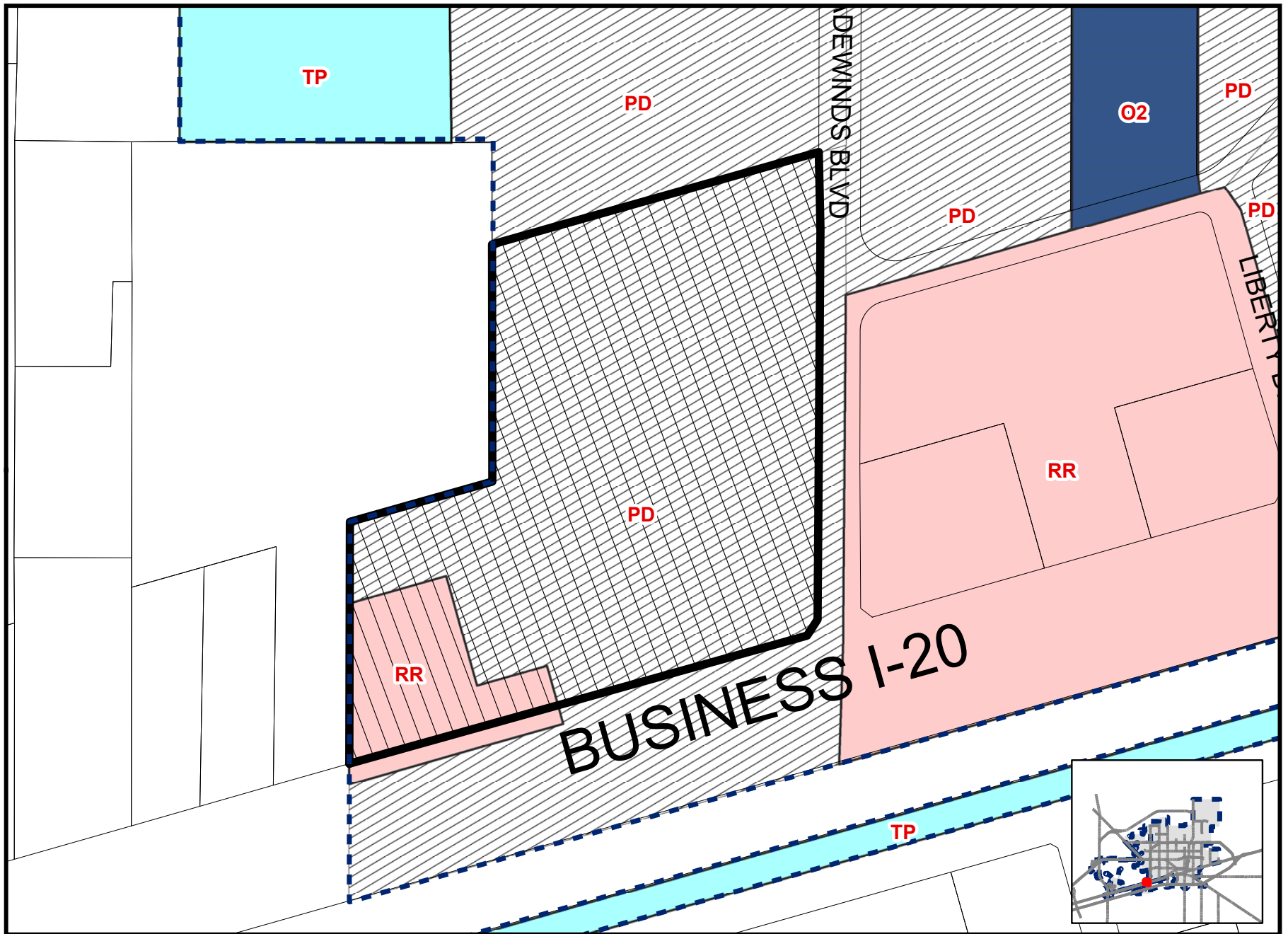


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# Planning and Zoning Commission

Approved for Agenda:  
Elizabeth Shaugnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Valerie A. Sherman, Senior Planner

**SUBJECT:** Hold a public hearing and consider a request by Black & Dillard Property Management, LP, for the initial zoning of a 9.162-acre tract of land out of Section 6, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of Fairgrounds Road and Garden City Highway. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

  X   Approve             Deny             Directional/Informational

## Current Zoning:

ETJ, Extraterritorial Jurisdiction

## Departmental Review:

## Surrounding Zoning and Land Use:

The properties to the north are in the ETJ, Extraterritorial Jurisdiction and the location of United Rentals and Jet Specialty, Inc. The properties to the east are in the ETJ, Extraterritorial Jurisdiction and the location of Baker Hughes Polyflow, JW Powerline Construction, and KD's Bar-B-Q restaurant. The properties to the south across Garden City Highway are zoned RR, Regional Retail District and the location of Whataburger and Bush's Chicken Restaurants. The property to the west across S. Fairgrounds Road is zoned LI, Light Industrial District and the location of Pilot Travel Center.

## Analysis:

The applicant, Black & Dillard Property Management, LP, is requesting for the initial zoning of the land to be annexed to be RR, Regional Retail District (refer to Exhibit A).

The site is currently in the process of being annexed into City Limits.

This case has been circulated to and reviewed by all pertinent City departments for internal

review and has received no objections. Their comments are as follows.

**Engineering: (Approved with Conditions)**

No objection to zone change.

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

**Transportation: (Approved with Conditions)**

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

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

No objection to zone change.

**Fire: (Approved)**

No objection.

**Code Administration: (Approved)**

No objections.

**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.

**Planning:**

The Future Land Use Map in Tall City Tomorrow Comprehensive Plan calls for Business Park uses in this location, where special consideration should be given to the image travelers have, as they pass through Midland. Preservation of sites suitable for industrial and business development adjacent to railroad and interstate access is important to the economic development of the region. This request will aid in promoting investment in an established area with existing capital assets. This development will make full use of existing infrastructure, while also respecting the character of the surrounding neighborhood.

As this proposed initial zoning conforms with the Tall City Tomorrow Comprehensive Plan, staff recommends approval of this initial zoning of RR, Regional Retail District, subject to condition A.

**Conditions:**

- A. That the use and development of the property (Exhibit A) shall conform to the regulations of the RR, Regional Retail District.

**Letters of Objection:**

As of September 30, 2021, staff has not received any letters of objection to this request.

**Attachments:**

Survey (Exhibit A)  
Application  
Petition  
Maps

**PETITION FOR ANNEXATION**

Dear City of Midland:

As current owner of the tract(s) of land described in Exhibit(s) Exhibit A (the "Property"), said Exhibit(s) being attached hereto and incorporated herein, Black & Dillard Property Management LP. ("Owner") submits this petition for annexation and hereby requests that the Property be added to and annexed to the City of Midland.



Signature of Owner or Owner's Authorized Representative

Steven Granado, P.E.

Printed Name

Project Manager

Title

THE STATE OF Texas §

§

COUNTY OF Bexar §

This instrument was acknowledged before me on the 24 day of August, 2021, by Steven Granado in the capacity herein stated.

MY COMMISSION EXPIRES

01-02-2025



NEYSA CAMILLE CHOATE  
Notary Public, State of Texas  
My Comm. Exp. 01-02-2025  
ID No. 717267-7

Neysa Camille Choate  
Notary Public, State of Texas



[illegible]

1 OF 4

[illegible]

This figure is a detailed survey map showing the location of a site relative to surrounding roads and utilities. The map includes a title block, a location map, a main survey area, and various legends.

**TBM "1"** Railroad Spike on north side of a power pole +/- 140' west of KOS BBQ sign and +/- 50' north of centerline of Highway 140.  
Elevation=2745.15'

**TBM "2"** Railroad Spike on south side of a power pole +/- 30' east of centerline of South Fairgrounds Road and +/- 480' north of intersection of South Fairgrounds Road and Highway 140.  
Elevation=2746.57'

**LOCATION MAP**  
NOT TO SCALE

UNDERGROUND UTILITIES MARKINGS WERE LOCATED ON THE PROPERTY (SHOWN ON SURVEY). THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR WAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

**SURVEY LEGEND**

**EXISTING UTILITIES**

- Overhead Electric
- Gas Line
- Water Line
- Sanitary Sewer Line
- Storm Sewer Line
- Utility Pole
- Guy Wire
- Light Pole
- Telephone Pedestal
- Irrigation Control Valve
- Clean Out
- Utility Manhole
- Water Valve
- Water Meter
- Electric Meter
- Electric Box
- Fire Hydrant
- Single Post Sign
- Mailbox
- Traffic Signal
- Air Conditioner
- Bollard (or as noted)
- Monitoring Well
- Controlled Access Line

**EXISTING FEATURES**

- Center Line
- Property R/W Line (OT Not)
- Property R/W Lot Line (Others)
- Curb Line
- Edge Of Asphalt
- Edge Of Concrete
- Spot Elevation
- Curb & Gutter Elevation
- Major Contour
- Minor Contour
- Fence
- Treeline

**[Record Call]**

**CONTROL LEGEND**

- Control Point
- Property Corner (As Noted)
- Benchmark

**ABBREVIATIONS**

- PGB Point Of Beginning
- E Bollard (or as noted)
- MW Water Meter
- EM Electric Meter
- EB Electric Box
- FH Fire Hydrant
- FF Finished Floor
- H# Hose #B
- SSMH Storm Sewer Manhole
- SSWH Sanitary Sewer Manhole
- BV Water Valve
- MB Mailbox
- RCP Reinforced Concrete Pipe
- TC Top Curb
- G Gutter
- CNC Concrete
- FL Flowline
- N North
- S South
- E East
- W West
- CRS Iron Rod With Cap Set
- K.L.K. 4002 1/2" Iron Rod With Cap Stamped "K.L.K. 4002"
- D.R.S.C.T. Official Records Smith County, Texas
- O.P.R.S.C.T. Official Public Records Smith County, Texas
- P.A.S.C.T. Plat Records Smith County, Texas

The main survey area shows a plot of land with various features labeled, including CONCRETE, GRAVEL, ASPHALT, CHAIN LINK FENCE, METAL ROD FENCE, BOLLARD, ASPHALT UTILITY SIGN, NO PARKING SIGN, INTERSTATE HIGHWAY 20 (TRAVEL WITH RIGHT-OF-WAY), YIELD SIGN, ONE STORY BUILDING, SHIPPING CONTAINERS, METAL FENCE, STEEL, BRICK, WIRE FENCE, CALLED 1.41 ACRES DWIGHT FREEMAN VOLUME 1927, PAGE 204 D.R.M.C.T., 4" CAST IRON PIPE POTABLE WATER LINE (PER MGLAND GIS).

**Scale:** 100 50 0 50 100

**North Arrow:** N

PROJECT NO.:9272

**QuikTrip No. 7911**  
3101 GARDEN CITY HIGHWAY  
MIDLAND, TEXAS 79701



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WHOLE OR IN PART, IS STRICTLY PROHIBITED.

|                            |
|----------------------------|
| PROTOTYPE: P-79 (05/01/14) |
| DIVISION: 08               |
| VERSION: 001               |
| DESIGNED BY:               |
| DRAWN BY: J.W.J.           |
| REVIEWED BY: S.M.P.        |

[illegible]

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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
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|              |
|--------------|
| SHEET TITLE: |
|--------------|

TOPOGRAPHIC SURVEY

|               |
|---------------|
| SHEET NUMBER: |
|---------------|

3 OF 4

3 OF 4





**Annexation/Initial Zoning  
Application**

Project Number \_\_\_\_\_

Case Number \_\_\_\_\_

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

Printed Name: Erik Eckhart

Phone (913 ) 905-2045

Email eekhart@quiktrip.com

Address 5725 Foxridge Drive

City Mission

State KS

Zip 66202

**Property Owner**

Printed Name: BLACK & DILLARD PROPERTY MANAGEMENT LTD

Phone ( )

Email

Address  
PO BOX 60850

City  
MIDLAND

State  
TEXAS

Zip  
79711

**Representative (if different from Applicant or Property Owner)**

Firm: Jacobs Engineering

Printed Name: Steven Granado, P.E.

Phone ( 212 ) 494-0088

Email

Steven.Granado@jacobs.com

Address 911 Central Parkway N, Suite 425

City San Antonio

State TX

Zip 78232

**Street Address:** 3101 GARDEN CITY HIGHWAY

**Legal Description**

Lot: 2010 Block 006 Subdivision: 03820

**Current Zoning:** NA - ETJ

**Proposed Zone:** RR - Retail Regional District  
(List by tracts if more than one district is requested)

**Reason for Annexation/Zone Change Request:** New use of property

**Present Use of Property:** Undeveloped

**Proposed Use of Property:** Auto and diesel fuel service

**How would this annexation/zone change affect the public health, safety and welfare?** \_\_\_\_\_

Improve land use due to commercial development.

**Describe how this annexation/zone change will affect adjacent properties:** \_\_\_\_\_

N/A - Proposed zoning is compatible with adjacent zoning

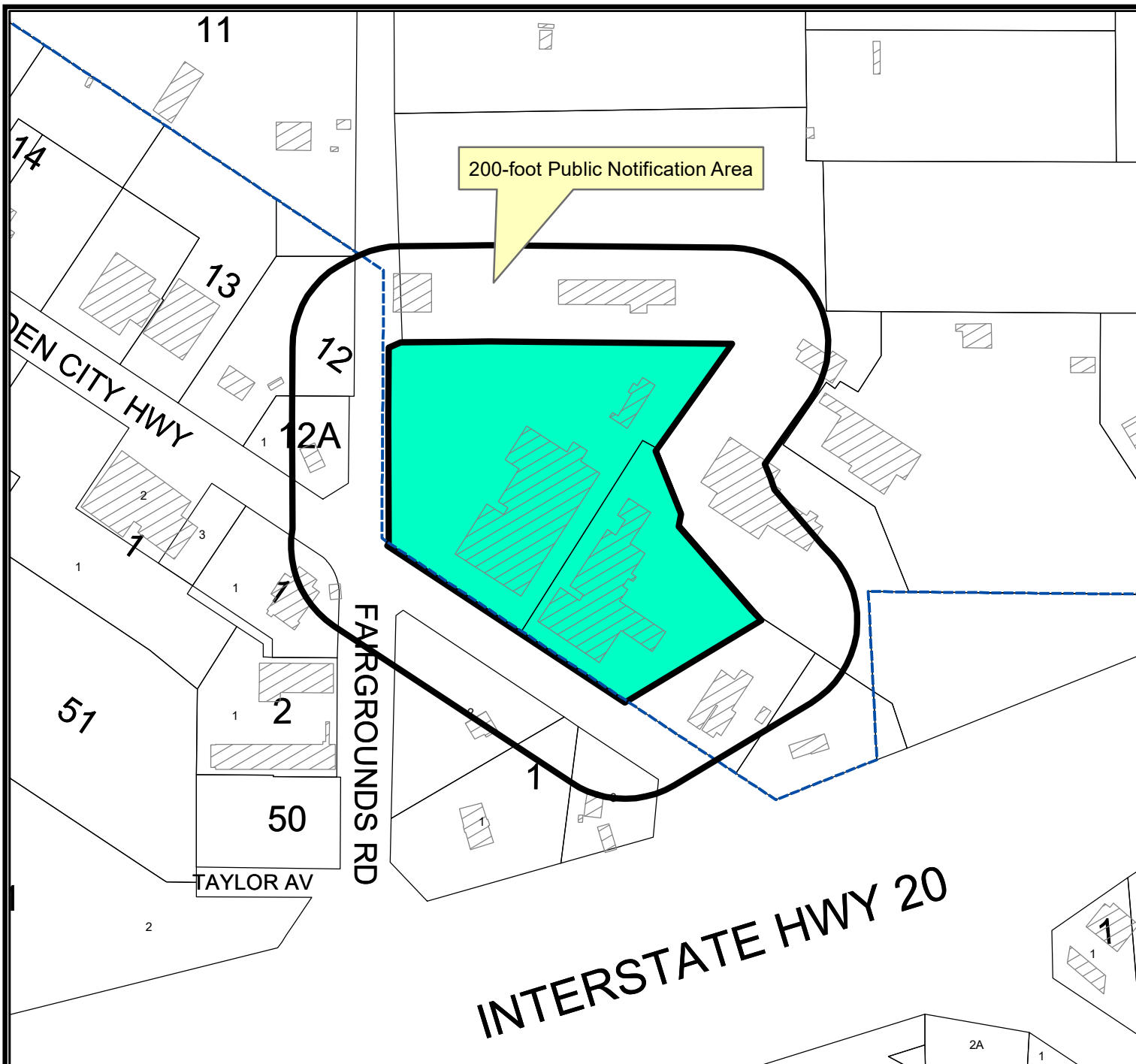
**Submittal and Fees**

**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)







## LOCATION MAP

**Z-21-0257**

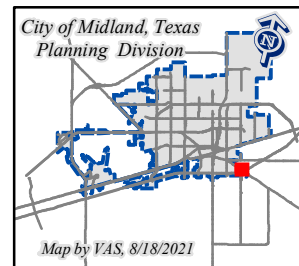
**Scale: 1" = 300'**

Consider a request for the initial zoning of a 9.162-acre tract of land out of Section 6, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the northeast corner of the intersection of Fairgrounds Road and Garden City Highway. (Extraterritorial Jurisdiction)

### LEGEND

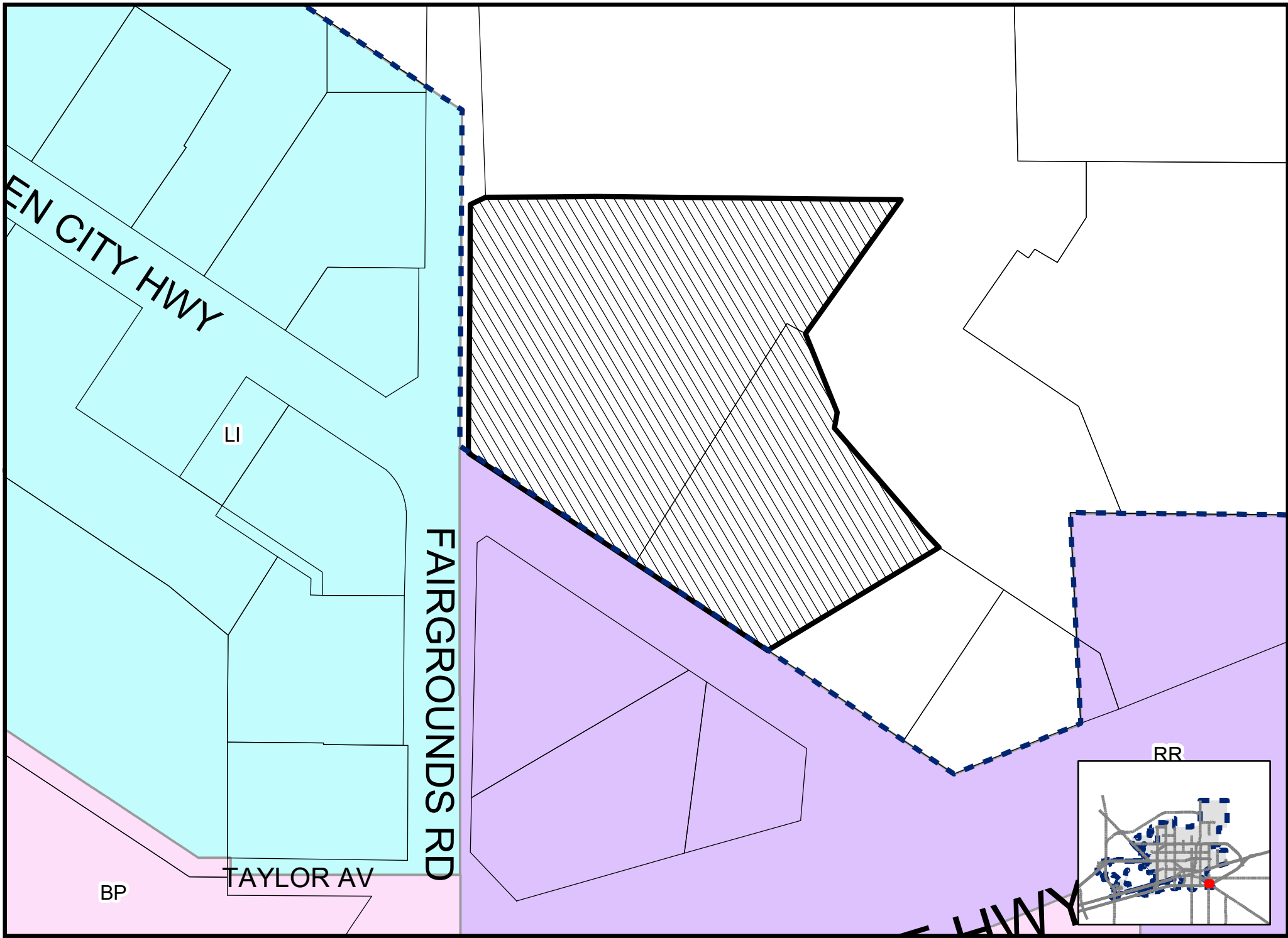
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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























# Planning and Zoning Commission

Approved for Agenda:  
Elizabeth Shaugnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Valerie A. Sherman, Senior Planner

**SUBJECT:** Hold a public hearing and consider a request by PREG Development, LLC, for a zone change from PD, Planned District for a Shopping Center to LR, Local Retail District, on Lot 2A, Block 2, Westridge Park Addition, Section 8, City and County of Midland, Texas. (Generally located on the south side of Andrews Highway Frontage Road, approximately 197 feet east of Tradewinds Boulevard - Council District 4) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

  X   Approve               Deny               Directional/Informational

## Current Zoning:

Planned District for a Shopping Center with an underlying zoning of RR, Regional Retail District.

## Departmental Review:

## Surrounding Zoning and Land Use:

The property to the north across Andrews Highway is zoned SF-1, Single-Family Dwelling District and the location of residences. The property to the east is zoned RR, Regional Retail District and the location of H-E-B Gas Station. The property to the south is zoned PD, Planned District for a Shopping Center, and the location of a parking lot. The property to the west is zoned LR, Local Retail District, and the location of a gas station.

## Analysis:

The property is located at 5509 Andrews Highway and is currently zoned PD, Planned District for a Shopping Center (regulated by Ordinance No. 6621). The applicant, PREG Development, LLC, is requesting this zone change to LR, Local Retail District, for a

future dental office.

As shown on the site plan, hereto as Exhibit A, there will be (37) thirty-seven parking spaces, of which (2) two will be ADA accessible spaces. The total square footage for the proposed development is approximately 6,000 square feet.

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

**Building: (Approved)**

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

**Engineering: (Approved)**

No objections to zone change.

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

**Transportation: (Approved)**

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

No objection to zone change.

**Fire: (Approved)**

No objection to Zone Change.

**Oil and Gas: (Approved)**

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

**Planning:**

The Future Land Use map in the Tall City Tomorrow Comprehensive Plan identifies this region as a Special Study Area, which is an area where there may be multiple possibilities for development. The development has been directed toward retail. It creates a buffer and serves the surrounding neighborhood; therefore, this development



will continue its purpose of serving its community needs.

Therefore, staff recommends approval of the zone change from PD, Planned District for a Shopping Center to LR, Local Retail District, subject to condition A.

**Conditions:**

- A. That the use and development of this property shall conform to the regulations of the LR, Local Retail District.

**Letters of Objection:**

As of September 30, 2021, staff has not received any letters of objection.

**Attachments:**

Site Plan (Exhibit A)  
Application  
Maps



Zone Change/Planned District  
Amendment/Site Plan Approval

Project Number 2-21-0263  
Case Number \_\_\_\_\_

**Applicant** (if acting as Agent, see affidavit on page 2)  
Printed Name: PREG Development, LLC

Address  
1301 Capital of Texas Highway Suite C110

City  
Austin

Phone ( 512 ) 914-1615

Email  
trac@practicerealestategroup.com

State  
TX

Zip  
78746

**Property Owner**  
Printed Name: First Basin Credit Union

Address  
2740 N COUNTY RD WEST

City  
Odessa

Phone ( 512 ) 914-1615

Email

State  
TX

Zip  
79764

**Representative** (if different from Applicant or Property Owner)  
Firm: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Phone ( 512 ) 914-1615

Email

State: \_\_\_\_\_

Zip: \_\_\_\_\_

**Street Address:** 5509 Andrews Hwy, Midland, TX 79706

**Legal Description**

Lot: Lot 2A Block Block 2 Subdivision Westridge Park Addition, Section 8

**Current Zoning:**

PD - Planned Development District

**Proposed Zone:** LR - Local Retail District  
(List by tracts if more than one district is requested)

**Reason for Zone Change Request:** Change of use from bank to dental office

**Present Use of Property:** Bank

**Proposed Use of Property:** Dental office

**How would this zone change affect the public health, safety and welfare?** There would be no effect to public health, safety, and welfare

**Describe how conditions affecting the property have changed since present zoning designation:** No conditions have changed other than the ownership and proposed use

**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: 9/5/2021

Applicant (printed): Bracton Bledsoe

Property Owner (signature): [Signature] Date: 9/2/2021

Property Owner (printed): Shem E. Culpepper for First Basin Credit Union

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

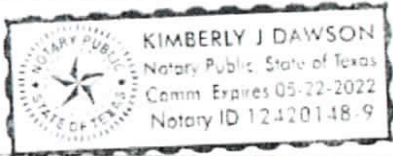
STATE OF TEXAS  
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Bracton Bledsoe <sup>TxDOL #37</sup> who, being by me duly sworn, upon oath says. That (s)he is the owner of Progeny LLC or authorized by \_\_\_\_\_ the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact

[Signature]  
Authorized Agent (signature)

Subscribed and sworn to before me, this 3 day of September, 2021, to certify which witness my hand and seal of office

[Signature]  
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



**FOR OFFICE USE ONLY**

☒ Property Owner Authorization ☒ Dimensioned Site Plan

☒ Application Fee ☒ Plans in Digital Format (PDF/JPEG)

Check # Credit Card

Received By: Enailed Date: \_\_\_\_\_

**RECEIVED**  
**SEP 08 2021**

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

Special Exception Application

2

Revised 12/6/16



**COPYRIGHT NOTICE:** These drawings and specifications are copyrighted and subject to copyright protection as an "architectural work" under sec. 102 of the copyright act of 17 USC. © 2003 The McGraw-Hill Companies, Inc. This notice includes, without limitation, the overall form, arrangement and composition of spaces, and elements of the design. Under such protection, unauthorized use of these drawings and specifications may result in cessation of construction, building seizure, and/or monetary liability.

[illegible]

OFFICE ADDITION & REMODEL FOR  
**PRACTICE REAL ESTATE GROUP**  
5509 Andrews Highway  
Midland, Texas 79706

PRACTICE REAL ESTATE GROUP



750 E. Interstate 30  
Suite 110  
Rockwall, TX 75087  
t: 972-732-6085  
f: 972-732-8058

# ARCHITECTURAL SITE PLAN

DATE: JULY 2021 SHEET NO:

PROJECT NO: 2021043

DRAWN BY:

CHECKED BY:

A

# A100



## 5509 ANDREWS HIGHWAY

ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN  
CABINET G, PAGE 6, PLAT RECORDS OF MIDLAND COUNTY, TEXAS

EXCEPTIONS LISTED IN SCHEDULE B OF TITLE COMMITMENT NO. 48802117661 ISSUED BY CHICAGO TITLE INSURANCE COMPANY ON JULY 15, 2021 WITH AN EFFECTIVE DATE OF JULY 2, 2021

- 3) The Covenants, conditions and restrictions recorded in Cabinet 6, Page 6, Plat Records of Midland County, Texas does affect subject property as shown when possible or are unplotable. (Item 1 in said Title Commitment.)
- 3) The following all according to the plat recorded in Cabinet 6, Page 6, Plat Records of Midland County, Texas:
- i. The Ten (10) foot Utility Easement along the North property line does affect subject property as shown.
  - ii. The 1.5' GTE Easement along the North property line does affect subject property as shown.
  - iii. The Blanket easement of ingress and egress to the City of Midland for garbage and trash collection and location and maintenance of trash containers, Save and Except those areas occupied by a building or structure. No construction shall commence on lots until exact location of containers and the easement in connection therewith have been selected and approved by the Director of Utilities. Does affect subject property in a blanket manner and is unplotable.
  - iv. Reciprocal Right for access and parking between Lots 1A, 2A, 3 & 5, Block 2. In all locations except where otherwise restricted by a building. No physical barriers will be erected that would restrict vehicular traffic between lots, said Reciprocal Rights, recorded in Volume 886, Page 738, Deed Records of Midland County, Texas does affect subject property in a blanket manner and is unplotable.
  - v. Two parcels of Lot 1A, Block 2, Westridge Park Addition were vacated by a parcel subdivision Plat vacation as recorded in Volume 2026, Page 122, Official Records of Midland County, Texas does affect subject property in a blanket manner and is unplotable.
  - vi. Any utility company, developer or other entity installing, repairing, maintaining or relocating a utility line or permanent improvement within utility easements must restore the premises as nearly as possible to its original condition following any such work at its sole expense does affect subject property in a blanket manner and is unplotable.
  - vii. 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 does affect subject property in a blanket manner and is unplotable. (Item 10b in said Title Commitment.)
- 4) Negative Covenant executed by SBC Corporation et al, dated September 23, 1985, recorded in Volume 783, Page 429, Deed Records, Midland County, Texas does affect subject property in a blanket manner and is unplotable. (Item 10c in said Title Commitment.)
- 5) Reservation and Grant of Easements and Utility and Development Agreement in Deed dated March 21, 1986, recorded in Volume 886, Page 738, Deed Records and Amendment thereto recorded in Volume 1548, Page 146, Official Records of Midland County, Texas does affect subject property in a blanket manner and is unplotable. (Item 10d in said Title Commitment.)
- 6) Easement and Right of Way to Texas Electric Service Company, recorded in Volume 900, Page 593, Deed Records, Midland County, Texas does not affect subject property. (Item 10e in said Title Commitment.)
- 7) Easement and Right of Way to GTE Southeast Incorporated, recorded in Volume 1171, Page 496, Deed Records of Midland County, Texas does affect subject property as shown. (Item 10f in said Title Commitment.)
- 8) Easement and Right of Way to Oncor Electric Delivery Company, recorded in Volume 1971, Page 885, Official Records, Midland County, Texas does affect subject property as shown. (Item 10g in said Title Commitment.)

## GENERAL NOTES

- 21) Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 480477, Sheet Number 481552200 F, with an effective date of September 27, 1991 and revised September 16, 2005, the surveyed property is not located in a special flood hazard area according to the map. The flood zone classification for the surveyed property is Zone X.
- 22) The Premises consists of 36,793 square feet or 0.845 acres.
- 23) The Six Islands along the South property lines Encroach into Subject Property.
- 24) The Premises has direct physical access to State Highway 191 Frontage Road and Trade Winds Boulevard via said reciprocal access easement, both public streets.

## STATE PLANE COORDINATE NOTE

2. 3, 4, 5, and 6 to convert to 1983 NAD (Central Zone) Texas State Plane Coordinate Grid bearings rotate clockwise 0.00808°. Distances shown on this plot are average horizontal surface distances. To reduce to grid distances, multiply by the grid factor of 0.99998787. Coordinates shown are NAD 1983/86, Central Zone, State Plane Coordinates based on the City of Millfield Control Monuments "GPS 3590" and "GPS 191 158" as published in U.S. Survey Feet.

SURVEYOR'S CERTIFICATE

To: PREG Development LLC; Medical Community Credit Union; Chicago Title Insurance Company and West Texas Abstract & Title Company that:

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition Urban Survey.  
Last day of Field Survey is July 23, 2021.

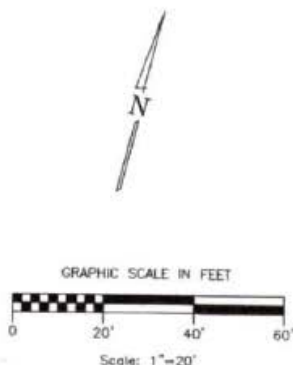
J. Stan Piper  
Registered Professional Land Surveyor #1974  
Date: July 28, 2021

October 4, 2021

Prepared for:  
First Basin Bank  
3316 N. Midland Drive  
Midland, Texas 79707



Remainder of Lot 1A, Block 2,  
Westridge Park, Section 3  
Cabinet F, Page 49, P.R.M.C.



Drawing File: WestridgeBL2AB2.Dwg  
Crd File: WestridgeBL2AB2.Crd  
Drawn by: Gene M. Rodriguez  
Scale: 1"=20'  
Date: 7/28/21



VICINITY MAP - NOT TO SCALE





Continuation of Exhibit "A"



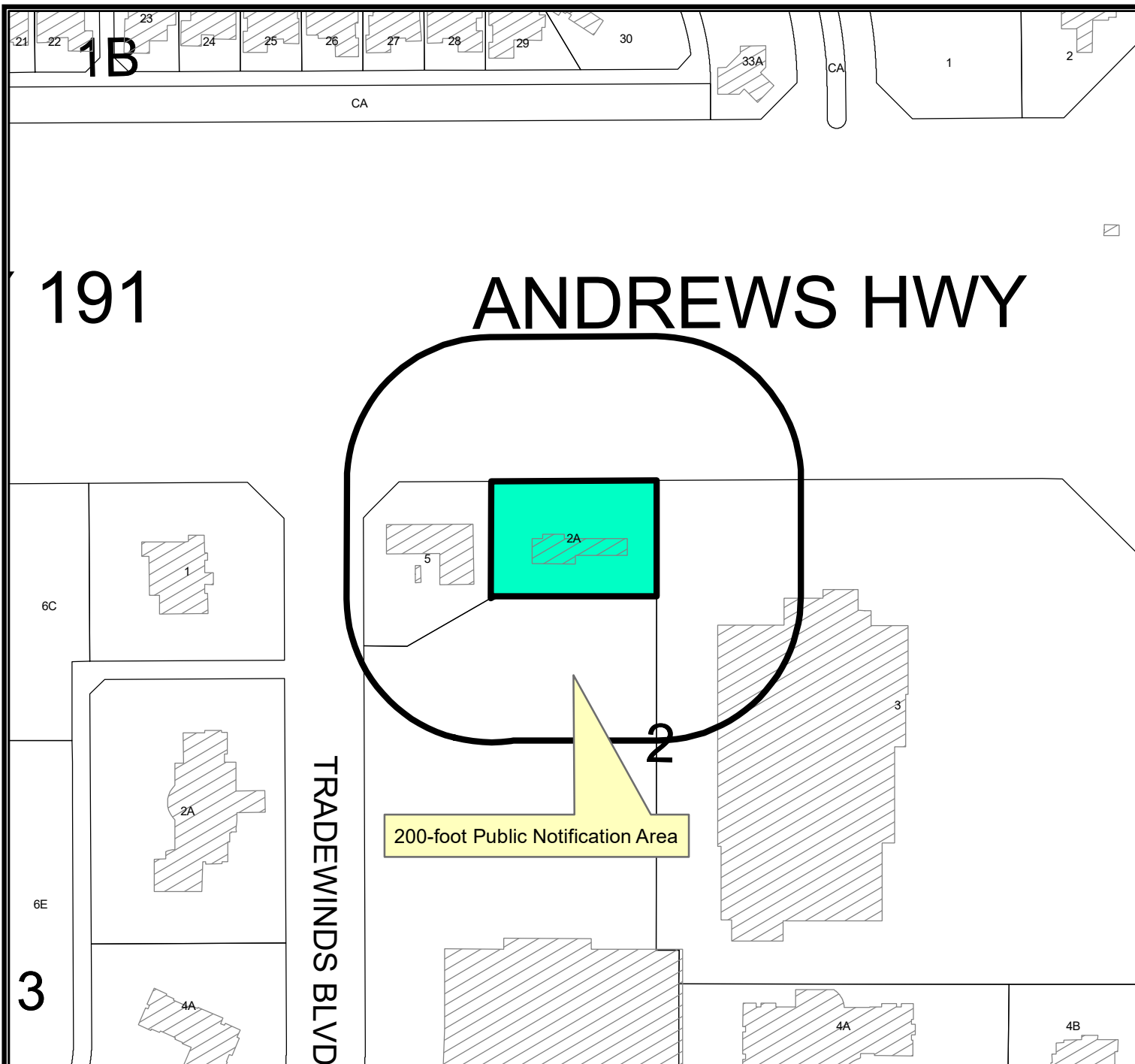
Development Services

with ArcGIS Web AppBuilder



-102.156 31.996 Degrees





## LOCATION MAP

**Z-21-0263**

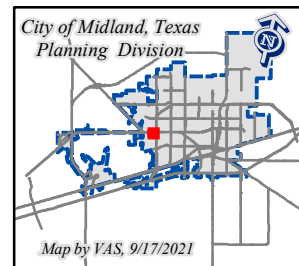
**Scale: 1" = 200'**

Consider a request by PREG Development, LLC, for a zone change from PD, Planned District for a Shopping Center, to LR, Local Retail District, on Lot 2A, Block 2, Westridge Park Addition, Section 8, City and County of Midland, Texas.

Generally located on the south side of Andrews Highway Frontage Road, approximately 197 feet east of Tradewinds Boulevard. (Council District 4)

### LEGEND

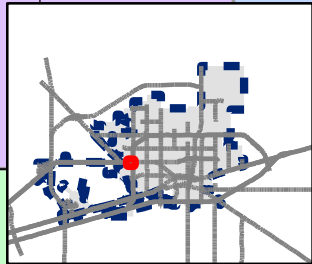
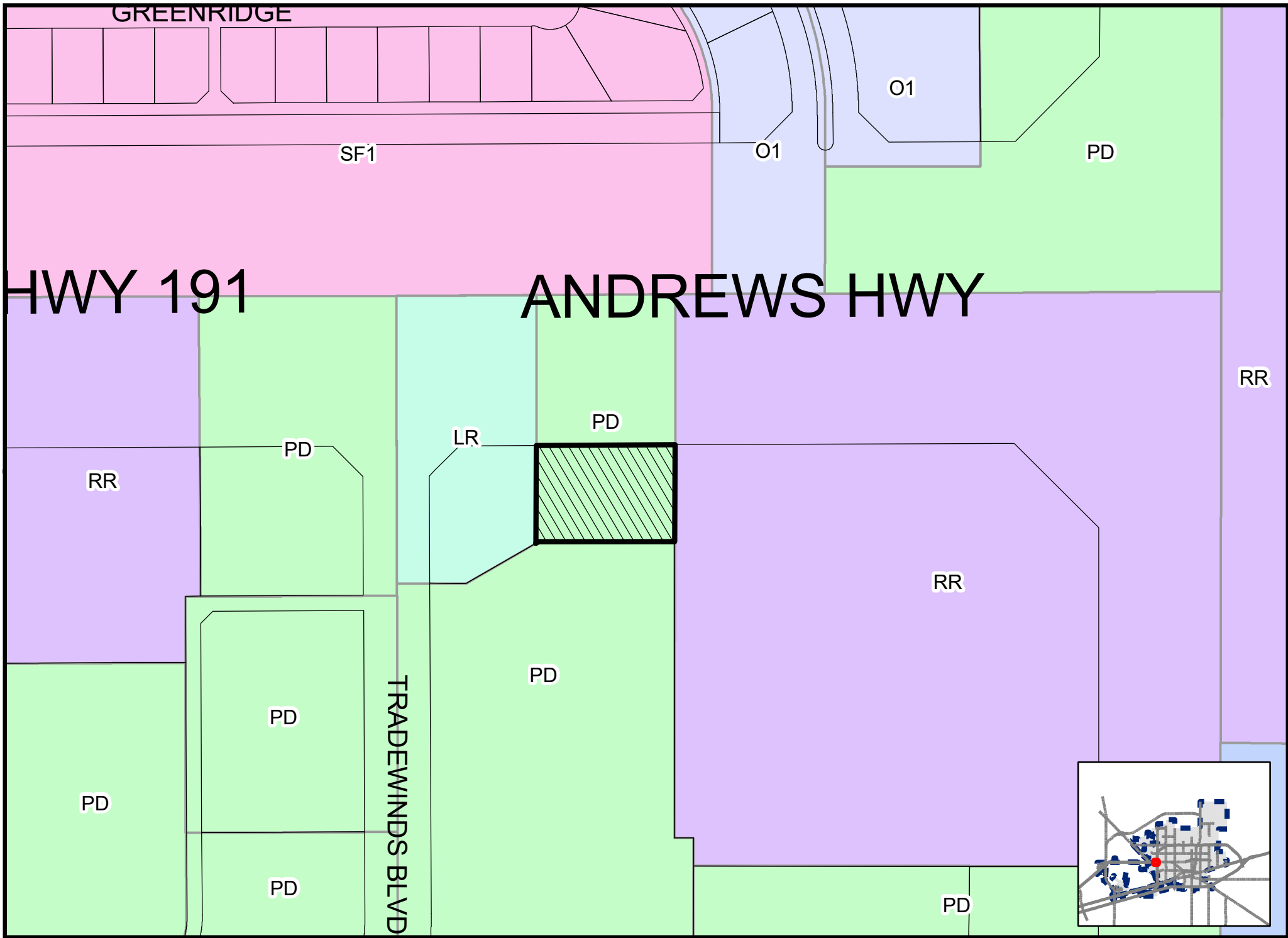
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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# Planning and Zoning Commission

Approved for  
Agenda:  
**Elizabeth Shaughnessy**

**MEETING DATE:** October 4, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Kelly Martinez, Planner

**SUBJECT:** Hold a public hearing and consider a request by Lusso Real Estate, LLC for the initial zoning of a 30.80-acre tract of land out of Section 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

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

## Current Zoning:

ETJ, Extraterritorial Jurisdiction.

## Details of Request:

The applicant, Lusso Real Estate, LLC is requesting the initial zoning of a 30.80-acre tract of land out of Section 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas, located on the southwest corner of the intersection of State Highway 191 and Avalon Drive., which is currently being annexed to be RR, Regional Retail District.

## Surrounding Zoning and Land Use:

The property to the north across State Highway 191 is zoned ETJ, Extraterritorial Jurisdiction and is the location of vacant land. The properties to the east are zoned RR, Regional Retail District, and the location of Kent Kwik; and PD, Planned District, and the location of a vacant lot. The properties to the south are zoned RR, Regional Retail District, and the location of vacant lots; and PD, Planned District, and the locations of a vacant lot. The property to the west is zoned ETJ, Extraterritorial Jurisdiction, and the location of vacant land.

**Analysis:**

The applicant, Lusso Real Estate LLC., is requesting for the initial zoning of annexed land to RR, Regional Retail District in order to develop a car dealership.

The site is currently in the process of being annexed into City Limits as well as in the process of being platted.

The proposed site plan attached hereto illustrates eight (8) buildings consisting of three (3) car dealerships, two (2) service centers, a car wash, an amenities building, and a photo booth building. The total square footage of all the buildings combined is about 1,341,212 square feet. The site plan illustrates 1,748 parking spaces. Therefore, this site has adequate parking.

This case has been circulated to and reviewed by all pertinent City departments for internal review and has received no objections. Their comments 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.

**Transportation: (Approved)**

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

Depending on the nature and scale of the proposed development, a Traffic Impact Analysis MAY be required prior to approval of construction drawings.

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

No objection to zone change.

**Fire: (Approved)**

No comments.

**Code Administration: (Approved)**

ETJ, no jurisdiction

**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.

**Planning:**

The Future Land Use Map in the Tall City Tomorrow Comprehensive Plan calls for Urban-High uses in this area, encompassing a higher mix of housing types, major commercial, office and services uses, and limited industrial in suitable locations.

As this proposed initial zoning conforms to the Tall City Tomorrow Comprehensive Plan, staff recommends approval of this initial zoning of 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:**

As of September 30, 2021, staff has received no letters of objection to this request.

**Attachments:**

Petition (Exhibit A)  
Site Plan  
Application  
Maps





**Annexation/Initial Zoning  
Application**

Project Number:

A-21-0027

Case Number:

2-21-0252

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

Printed Name: Lusso Real Estate, LLC

Phone ( 432 ) 770-0499

Email

Address PO BOX 3432

City  
Odessa

State TX

Zip 79760

**Property Owner**

Printed Name: Same as Applicant

Phone ( )

Email

Address

City

State

Zip

**Representative (if different from Applicant or Property Owner)**

Firm: Newton Engineering, PC

Printed Name: John M. Newton

Phone ( 432 ) 770-0499

Email

john@newtoncivil.com

Address 4501-A Santa Rosa Dr.

City Midland

State TX

Zip 79707

**Street Address:** Southwest corner of Hwy 191 and Avalon Dr.

**Legal Description**

Lot: Block: Subdivision: n/a

**Current Zoning:**

Not zoned

**Proposed Zone:** ~~PD-Light Industrial~~ R2

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

**Reason for Annexation/Zone Change Request:** To conform with the development of a car dealership

**Present Use of Property:** Native Pasture

**Proposed Use of Property:** Car Dealership, service center, carwash, and restaraunt/retail

**How would this annexation/zone change affect the public health, safety and welfare?** \_\_\_\_\_

Would not affect

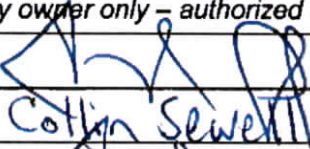
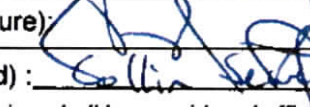
**Describe how this annexation/zone change will affect adjacent properties:** \_\_\_\_\_

none

**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)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>Signature</b> (by property owner only – authorized agent must sign affidavit below)                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |
| Applicant (signature):                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Date: 7/7/2021 |
| Applicant (printed): Cotton Sewell                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
| Property Owner (signature):                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Date: 7/7/2021 |
| Property Owner (printed): Cotton Sewell                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |
| <p><i>The Annexation/Initial Zoning shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.</i></p> <p><i>All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.</i></p> |                |

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                                                                                                                            |                                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Property Owner Authorization<br><input checked="" type="checkbox"/> Application Fee<br>Check # <u>1144</u> | <input checked="" type="checkbox"/> Metes and Bounds (Sealed by Surveyor)<br><input checked="" type="checkbox"/> Files in Digital Format (PDF/JPEG)<br><input checked="" type="checkbox"/> Petition |
| Received By: <u>V. Sherman</u>                                                                                                                 | Date: _____                                                                                                                                                                                         |

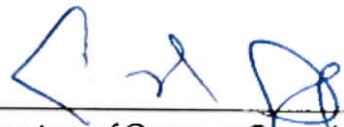
RECEIVED  
 JUL 14 2021  
 BY: VS

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

**PETITION FOR ANNEXATION**

Dear City of Midland:

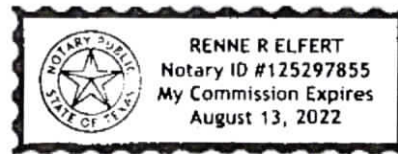
As current owner of the tract(s) of land described in Exhibit(s) A (the "Property"), said Exhibit(s) being attached hereto and incorporated herein, Lusso Real Estate, LLC ("Owner") submits this petition for annexation and hereby requests that the Property be added to and annexed to the City of Midland.

  
\_\_\_\_\_  
Signature of Owner or Owner's Authorized Representative

Collin Sewell  
\_\_\_\_\_  
Printed Name

President  
\_\_\_\_\_  
Title

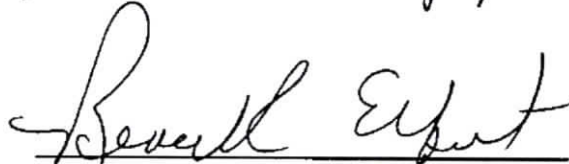
THE STATE OF Texas §  
COUNTY OF Ector §  
§



This instrument was acknowledged before me on the 7 day of July 2021, by Collin Sewell in the capacity herein stated.

MY COMMISSION EXPIRES

Aug 13, 2022

  
\_\_\_\_\_  
Notary Public, State of Texas



November 1, 2019

## Field Notes

## Sewell Auto Complex 30.80 acres

All of that certain tract or parcel of land situated in Sections 37 and 38, Block 40, Township 1 South, Texas and Pacific Railroad Company Survey, Midland County, Texas and being 29.96 acres out of a called 634.887 acre tract as described in deed to Cumberland and Western Resources, LLC, in Document Number 2008-26873, Official Public Records of Midland County, Texas and 0.84 acre out of a called 8.84 acre tract described in Document 2012-25587, Official Public Records of Midland County, Texas and being more particularly described as follows:

Beginning at a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977", set at the most Northerly Northeast corner of the said called 634.887 acres and the Northwest corner of the said called 8.84 acres in the South right-of-way line of State Highway 191.

Thence S 14°17'16" E along the East line of the said called 634.887 acres and the West line of the said called 8.84 acres, 15.00 feet to a ½ inch iron rod, with yellow cap, found at the inside Ell corner in the East line of the said called 634.887 acres and inside Ell corner in the West line of the said called 8.84 acres.

Thence N 75°19'50" E along the lower South line of this tract and a line of the said called 8.84 acres, 31.97 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set at a deflection in the East line of this tract and the West line of the said called 8.84 acres.

Thence S 64°39'39" E along the East line of this tract and the West line of Avalon Road, 122.29 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977", set at a deflection point in the East line of this tract and the West line of said Avalon Road.

Thence S 24°31'20" E continuing along the East line of this tract and the said West line of Avalon Road, 286.56 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set at the PC of a 1°17'04" Curve to the Right.

Thence around said Curve to the Right, 312.60 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set at the end of said curve and the most northerly Southeast corner of this tract.. Said Curve having a Delta Angle of 4°00'55" with a Chord Bearing of S 22°28'23" E and distance of 312.55 feet.

Thence S 27°25'30" W along a clip corner on the Southeast corner of this tract, 20.07 feet to a ½ inch iron, with cap marked PSC, found at the most southerly southeast corner of this tract in the North line of Deauville Boulevard.

Thence S 75°14'10" W along the South line of this tract and the North line of Deauville Boulevard, 250.69 feet to a ½ inch iron rod, with cap marked PSC, found at the beginning of a 6°03'47" curve to the right.





Page 2, Sewell Auto Complex -30.80 acres

Thence around said curve to the right, 357.24 feet to the end of said curve at a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set for corner. Said Curve having a Delta Angle of 21°39'35" with Chord Bearing of S 86°03'55" W and distance of 355.12 feet.

Thence N 83°06'17" W continuing along the South line this tract and the North line of Deauville Boulevard, 100.00 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977", set at the beginning of a 5°25'51" curve to the left.

Thence around said curve to the left 797.65 feet to a ½ inch iron rod, with cap marked "6423", found at the end of this curve. Said Curve having a Delta Angle of 43°19'09", with a Chord Bearing of S 75°14'08" W and Distance of 778.78 feet

Thence S 53°34'34" W continuing along the South line of this tract and the said North line of Deauville Boulevard, 100.00 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977", set at the PC of a 6°03'47" Curve to the left.

Thence around said curve to the left, 357.24 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977", set at the end of said curve. Said Curve having a Delta Angle 21°39'34" and Chord Bearing of S 64°24'21" W and Distance of 355.11 feet.

Thence S 75°14'08" W continuing along the South line of this tract and the said North line of Deauville Boulevard, 169.39 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set for corner at a point of deflection to the right.

Thence N 59°45'56" W continuing along the said South line of this tract and the said North line of Deauville Boulevard, 21.22 feet to a bent iron rod, found at a point of deflection to the left.

Thence S 75°14'08" W continuing with said South line and North line of Deauville Boulevard, 65.00 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set at the Southwest corner of this tract.

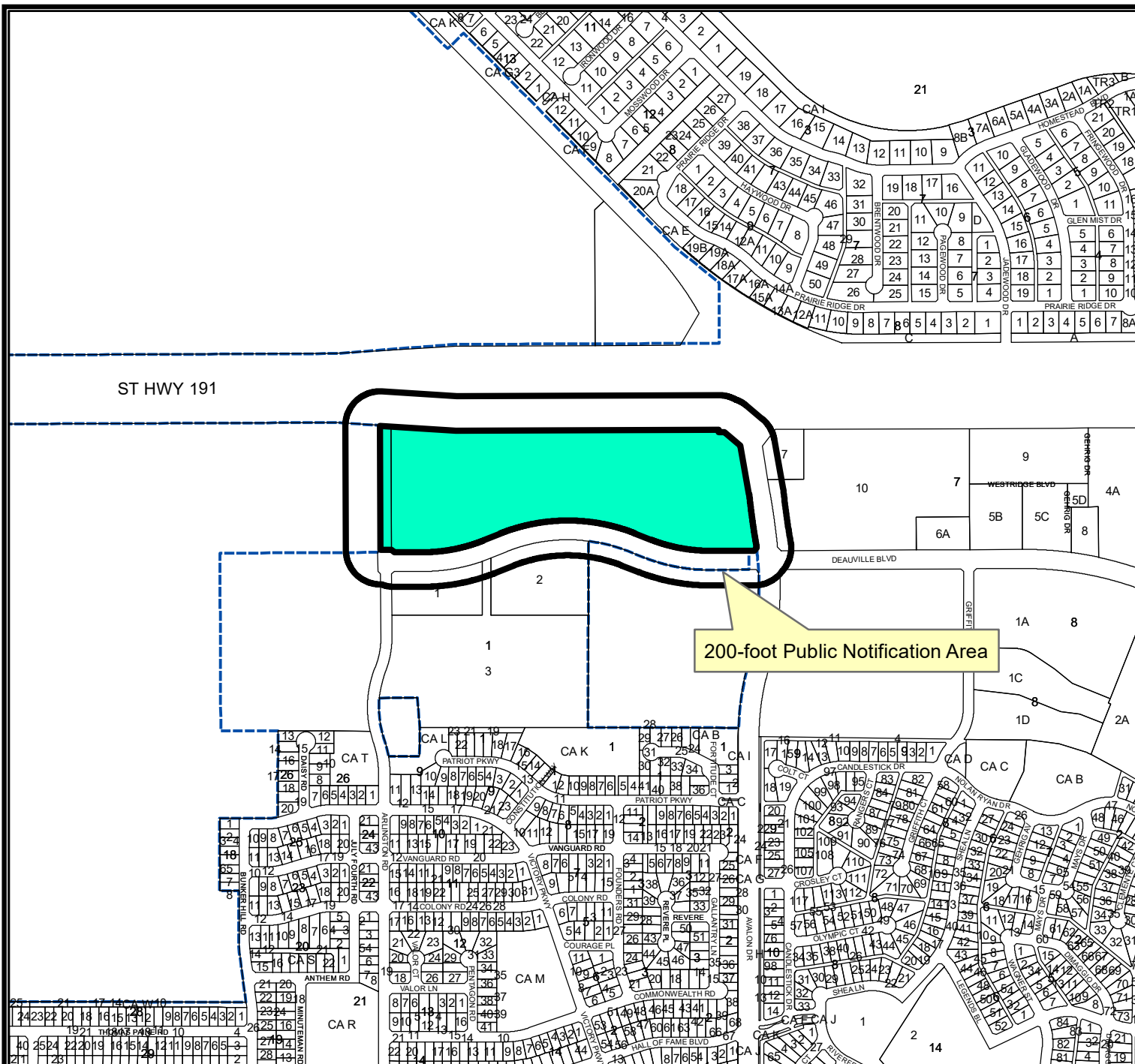
Thence N 14°45'52" W along the West line of this tract and the East line of the remainder of the said called 634.887 acres, 717.81 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set at the Northwest corner of this tract in the South line of said State Highway 191.

Thence N 79°21'34" E along the said North line of this tract and said South line of State Highway 191, 440.40 feet to a ½ inch iron rod, with yellow plastic cap stamped "RPLS 1977" set at a point of deflection in said North line, continuing N 75°14'49" E, 1520.67 feet to the place of beginning and containing 30.80 acres of land.

I, Charles P. Rutherford, Registered Professional Land Surveyor, do hereby state that this field note description and its accompanying plat correctly represent the results of a survey made on the ground under my supervision and direction.

---

Charles P. Rutherford, Registered Professional Land Surveyor No. 1977 Date



## LOCATION MAP

**Z-21-0252**

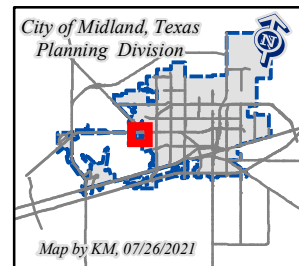
**Scale: 1" = 800'**

Consider a request for the initial zoning of a 30.80-acre tract of land out of Section 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. (Extraterritorial Jurisdiction)

### LEGEND

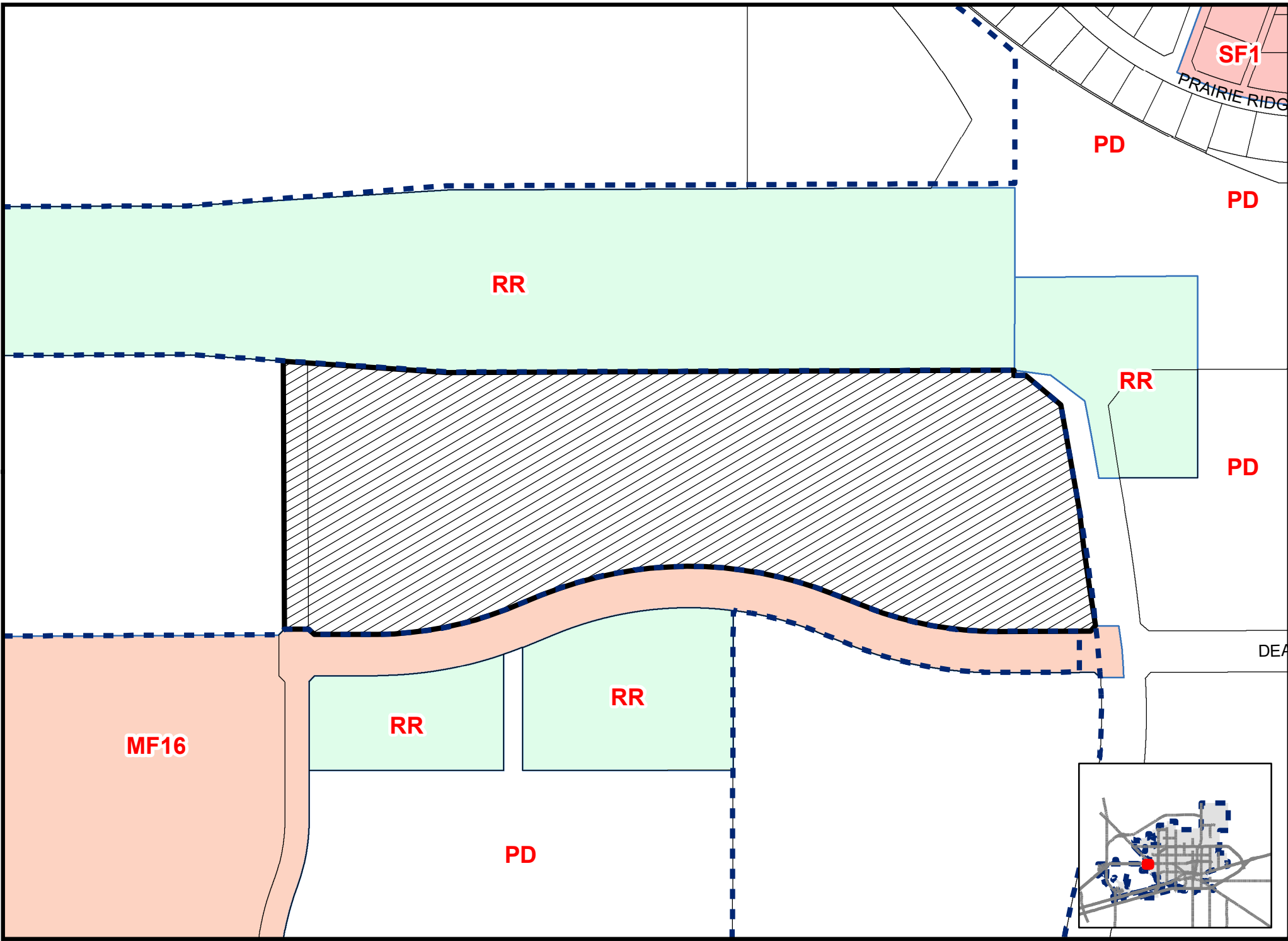
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



















# Planning and Zoning Commission

Approved for  
Agenda:  
Elizabeth Shaughnessy

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Kelly Martinez, Planner

**SUBJECT:** Hold a public hearing and consider a request by Jamie Bowers for a zone change from C, Commercial District to SF-3, Single-Family Dwelling District on Lot 9, Block 10, Greenwood Addition 3rd, 4th, 5th Section, City and County of Midland, Texas. (Generally located on the east side of S. Stonewall Street, approximately 140-feet north of E. Washington Avenue. Council District 2)  
(DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

  X   Approve               Deny               Directional/Informational

## Current Zoning:

C, Commercial District.

## Purpose:

The applicant, Jamie Bowers is requesting to rezone the property located at 407 S. Stonewall Street to allow for the construction of a single family home.

## Surrounding Zoning and Land Use:

The properties to the north, east, south, and west are zoned C, Commercial District and the locations of single-family homes and vacant land.

## Analysis:

The property is located at 407 S. Stonewall Street and is currently vacant. The applicant is proposing the development of a single family home. Per the previous zoning code, the current zoning district would have allowed for the construction of a residential home, as it allowed for cumulative zoning. Under the new zoning code adopted in 2019, residential



uses became more specific to single-family zoning districts. The property meets the minimum lot size requirements in the SF-3, Single-Family Dwelling District.

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

**Fire: (Approved)**

No objections.

**Building: (Approved)**

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

**Engineering: (Approved)**

No objection to zone change.

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

**Code: (Approved)**

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

**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 the Tall City Tomorrow Comprehensive Plan, Chapter 3, An Integrated Land Use Vision, Future Land Use Map as this area calls for urban residential-medium. This designation calls for a mix of housing types, including single-family, townhouse, and two-family dwelling uses. In addition, this zone change fits the surrounding land uses in this area.

Staff recommends approval of this zone change from C, Commercial District to SF-3, Single-Family Dwelling District, subject to condition A.

**Conditions:**

- A. That the use and development of this property shall conform to the regulations of the SF-3, Single-Family Dwelling District.**

**Letters of Objection:**

Staff has not received any letters of objection as of September 30, 2021.

**Attachments:**

Property Survey (Exhibit A)  
Application  
Maps



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

Project Number: Z-21-0264  
Case Number: \_\_\_\_\_

|                                                                                                     |                        |                                                                |                     |
|-----------------------------------------------------------------------------------------------------|------------------------|----------------------------------------------------------------|---------------------|
| <b>Applicant</b> (if acting as Agent, see affidavit on page 2)<br>Printed Name: <u>Jamie Bowers</u> |                        | Phone ( 432 ) 210-4384<br>Email<br><u>jbowers479@gmail.com</u> |                     |
| Address<br><u>940 N Weatherford</u>                                                                 | City<br><u>Midland</u> | State<br><u>TX</u>                                             | Zip<br><u>79701</u> |

|                                                            |                        |                                                        |                     |
|------------------------------------------------------------|------------------------|--------------------------------------------------------|---------------------|
| <b>Property Owner</b><br>Printed Name: <u>Jamie Bowers</u> |                        | Phone ( 432 ) 210-4384<br>Email<br><u>432 210-4384</u> |                     |
| Address<br><u>940 N Weatherford</u>                        | City<br><u>Midland</u> | State<br><u>TX</u>                                     | Zip<br><u>79701</u> |

|                                                                                                                           |      |                                 |     |
|---------------------------------------------------------------------------------------------------------------------------|------|---------------------------------|-----|
| <b>Representative</b> (if different from Applicant or Property Owner)<br>Firm: _____<br>Printed Name: <u>Jamie Bowers</u> |      | Phone ( 432 ) 210-4384<br>Email |     |
| Address                                                                                                                   | City | State                           | Zip |

|                                                                                                   |  |  |  |
|---------------------------------------------------------------------------------------------------|--|--|--|
| <b>Street Address:</b> <u>407 S. Stonewall</u>                                                    |  |  |  |
| <b>Legal Description</b><br>Lot: <u>9</u> Block: <u>10</u> Subdivision: <u>Greenwood Addition</u> |  |  |  |

|                                             |                                                                                             |
|---------------------------------------------|---------------------------------------------------------------------------------------------|
| <b>Current Zoning:</b><br><u>COMMERICAL</u> | <b>Proposed Zone:</b> <u>SF3</u><br>(List by tracts if more than one district is requested) |
|---------------------------------------------|---------------------------------------------------------------------------------------------|

**Reason for Zone Change Request:** Originally zoned MF2. Recently zone changed to single family. I would like to put a single family home on the vacant lot.

**Present Use of Property:** Vacant lot

**Proposed Use of Property:** Single family home

**How would this zone change affect the public health, safety and welfare?** Zone change would not affect the public.

**Describe how conditions affecting the property have changed since present zoning designation:** Conditions has not changed.

\_\_\_\_\_

|                                                                                                                                                                                                                                                                             |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Submittal and Fees</b><br><b>Items to be submitted with this application form:</b> <ul style="list-style-type: none"><li>• Application Fee – Payable to the 'City of Midland'</li><li>• Dimensioned Site Plan</li><li>• Digital Copies of Site Plan (PDF/JPEG)</li></ul> |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>Signature</b> (by property owner only – authorized agent must sign affidavit below)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                 |
| Applicant (signature):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Date: 8/31/2021 |
| Applicant (printed): <b>Jamie Bowers</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                 |
| Property Owner (signature):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Date: 8/31/2021 |
| Property Owner (printed) : <b>Jamie Bowers</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                 |
| <p><i>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.</i></p> <p><i>All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.</i></p> |                 |

STATE OF TEXAS  
COUNTY OF MIDLAND

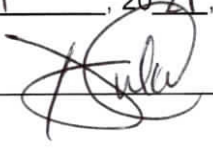
Before me, the undersigned authority, on this day personally appear Jamie Bowers who, being by me duly sworn, upon oath says: That (s)he is the owner of 407 S. Stonewall or authorized by Jamie Bowers, the owner of the above described property, to fully represent him/her in this application and that (s)he 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 31 day of August, 2021, to certify which witness my hand and seal of office.



DULCE SARAI CASTANEDA  
Notary Public, State of Texas  
Comm. Expires 02-25-2024  
Notary ID 132375160

  
 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

| FOR OFFICE USE ONLY                                                                                                                              |                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Property Owner Authorization<br><input checked="" type="checkbox"/> Application Fee<br>Check # <u>waived</u> | <input checked="" type="checkbox"/> Dimensioned Site Plan<br><input checked="" type="checkbox"/> Plans in Digital Format (PDF/JPEG) |
| Received By: <u>ES</u>                                                                                                                           | Date: _____                                                                                                                         |

RECEIVED

SEP 09 2021

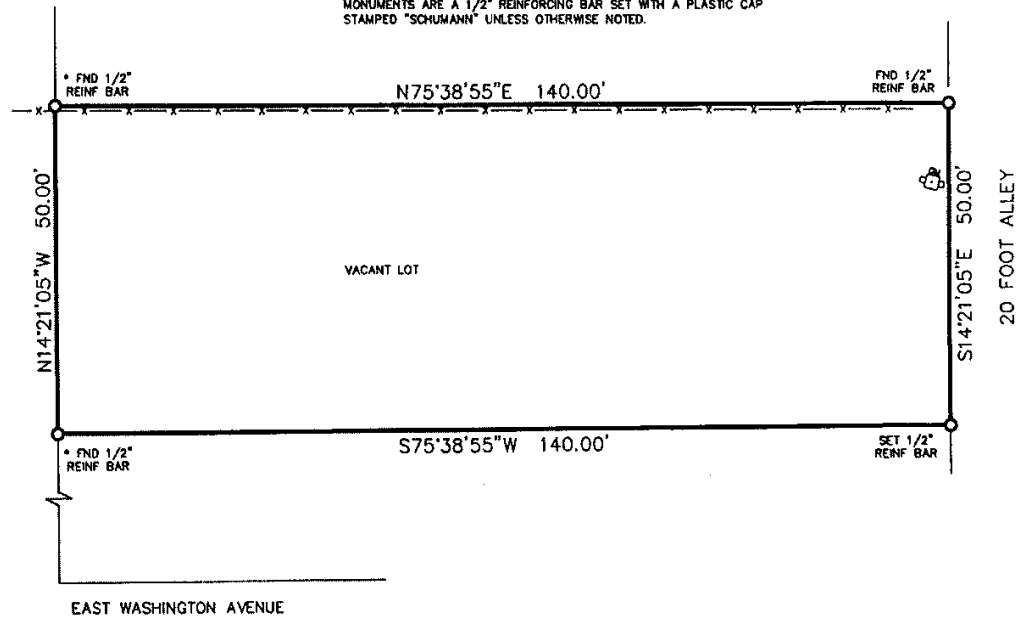
BY: .....

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





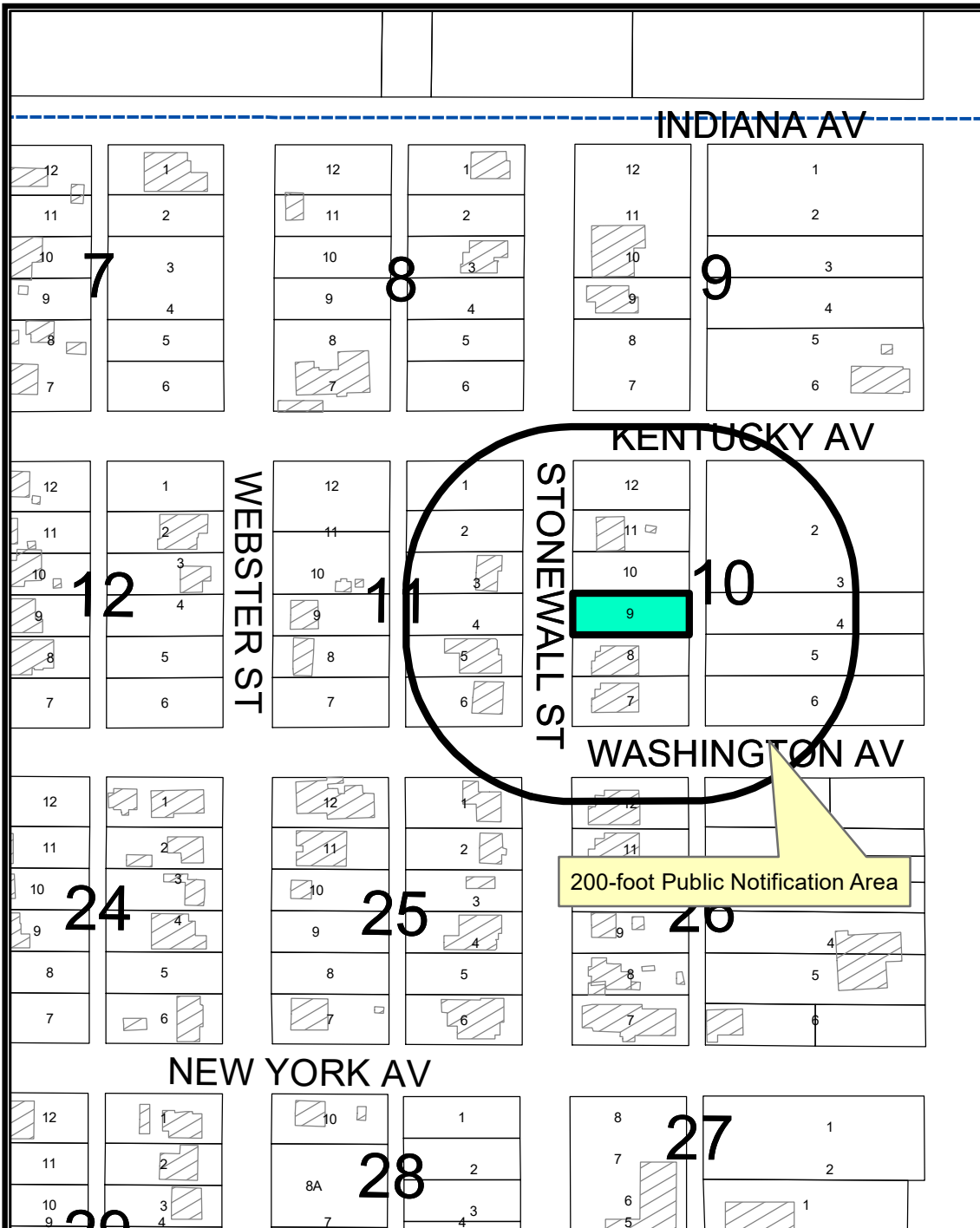
MONUMENTS ARE A 1/2" REINFORCING BAR SET WITH A PLASTIC CAP STAMPED "SCHUMANN" UNLESS OTHERWISE NOTED.



A circular professional seal for a surveyor in the State of Texas. The outer ring contains the text "STATE OF TEXAS" at the top and "LAND SURVEYOR" at the bottom. Inside this ring, the word "REGISTERED" is at the top and "PROFESSIONAL" is at the bottom. In the center, there is a five-pointed star above the name "RJ DAUM". Below the name is the number "4826".

PROJECT: 75001JB  
JOB NO.: 75,001

Office (432) 684-5548  
Fax (432) 684-6973



## LOCATION MAP

**Z-21-0264**

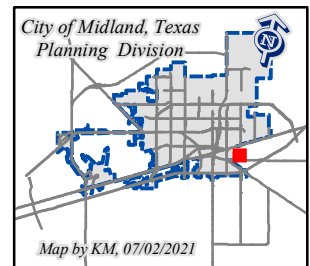
**Scale: 1" = 200'**

Consider a request by Jamie Bowers for a zone change from C, Commercial District to SF-3, Single-Family Dwelling District on Lot 9, Block 10, Greenwood Addition, 3rd, 4th, 5th Sections, City and County of Midland, Texas.

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

### LEGEND

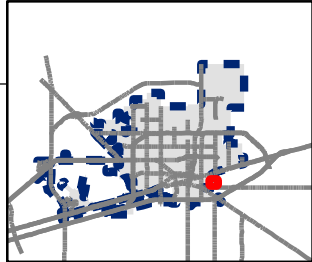
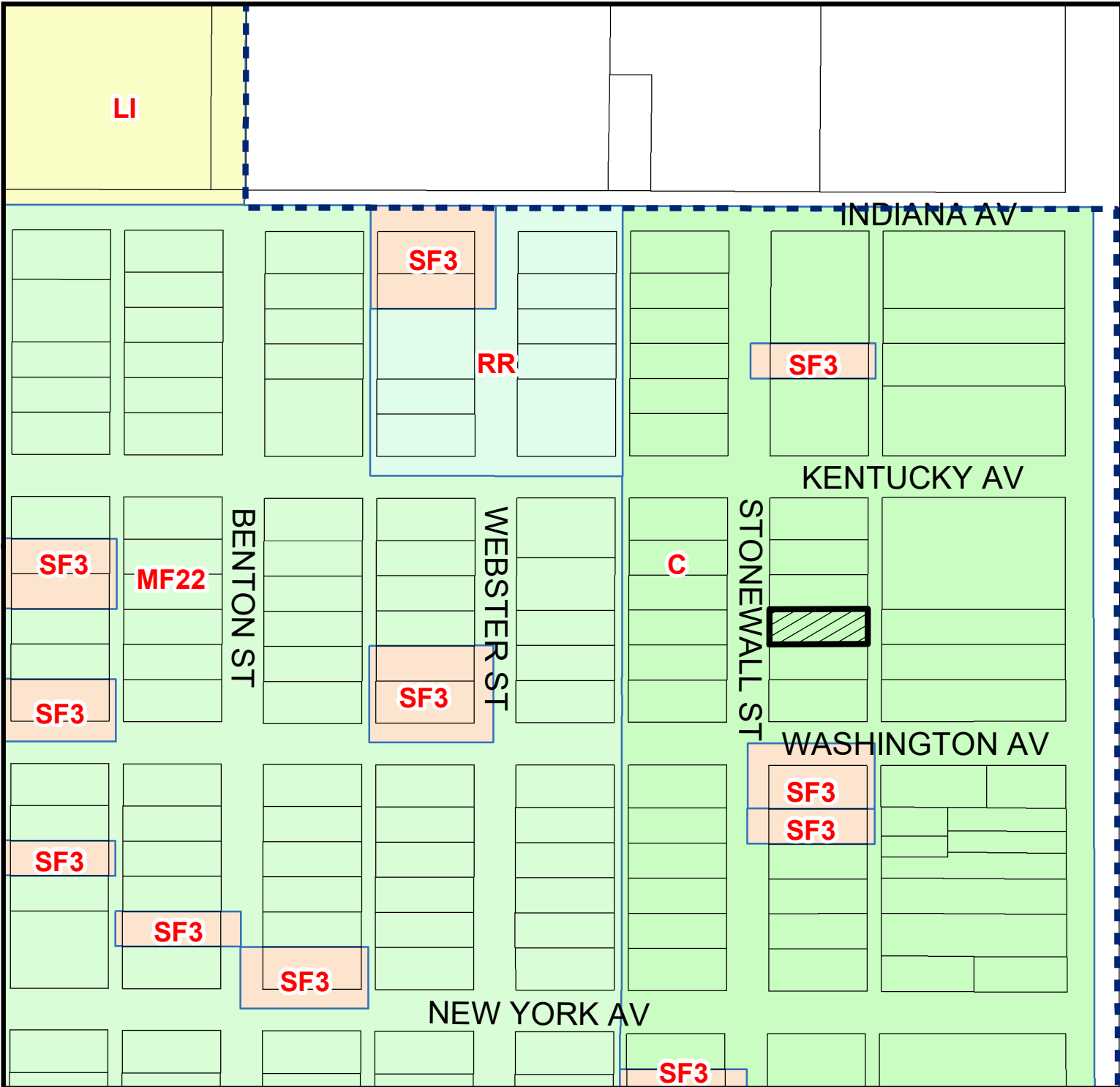
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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





















# Planning and Zoning Commission

Approved for  
Agenda:  
**Elizabeth Shaugnessy**

**MEETING DATE:** October 04, 2021

**TO:** PLANNING AND ZONING COMMISSION

**FROM:** Cole Furqueron, Senior Planner

**SUBJECT:** Hold a public hearing and consider a request by CG Faudree LLC for a zone change from TP, Technology Park District to RR, Regional Retail District on Lot 2, Block 4, Amaron Addition, Section 5, City and County of Midland, Texas. (Generally located on the north side of Wolcott Avenue, approximately 465-feet west of Rankin Highway. Council District 2) (DEVELOPMENT SERVICES)

---

## Recommended Planning and Zoning Commission Action:

  X   Approve             Deny             Directional/Informational

## Purpose:

The applicant, CG Faudree LLC, is requesting to rezone the property located at 1106 W. Wolcott Avenue, for development purpose.

## Current Zoning:

TP, Technology Park District.

## Surrounding Zoning and Land Use:

The properties to the north are zoned TP, Technology Park, and PD, Planned Development District, and are the locations of a residence, a radio tower, and a vacant lot. The property to the east is RR, Regional Retail District, and is the location of retail spaces. The properties to the south are zoned PD, Planned Development District, O-2, Office District and RR, Regional Retail, and are the locations of an apartment complex, a hotel, and retail spaces. The property to the west is zoned TP, Technology Park and is the location of a vacant lot.



**Analysis:**

The applicant is requesting a Zone Change from TP, Technology Park to RR, Regional Retail for a portion of lot 2 to allow for the development of two fast food restaurant along Rankin Highway. Although the development will be on Lot 1, both lots 1 & 2 are in the process of a replat and the property's line will be shifting west, requiring a portion of lot 2 to be rezoned to allow for this development to follow the proper zoning. Currently Lot 2 has no conceptual design of the future development. Any future development will be required to meet the area regulations and performance standards of the TP, Technology Park District.

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

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

**Fire: (Approved)**

No objection to zone change.

**Building: (Approved)**

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

**Engineering: (Approved)**

No objection to zone change.

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

**Code: (Approved)**

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

**Transportation: (Approved)**

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

No objection to zone change.

**Planning:**

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

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

**Conditions:**

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

**Letters of Objections:**

Staff has not received any letters of objection as of September 30, 2021.

**Attachments:**

Site Plan (Exhibit A)  
Application  
Maps



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

Project Number: 2-21-0262

Case Number: \_\_\_\_\_

**Applicant** (if acting as Agent, see affidavit on page 2)  
Printed Name: \_\_\_\_\_

Address  
1901 N Akard St

City  
Dallas

Phone ( )  
Email  
chaynes@haynesdevco.com

State  
TX Zip  
75229

**Property Owner**

Printed Name: CG Faudree LLC - Coy Haynes

Address  
1901 N Akard St

City  
Dallas

Phone (214) 335-4702  
Email  
chaynes@haynesdevco.com

State  
TX Zip  
75229

**Representative** (if different from Applicant or Property Owner)  
Firm: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address

City

Phone ( )  
Email

State Zip

**Street Address:** a portion of 1106 W Wollcott

**Legal Description**

Lot: 2 Block: 4 Subdivision: Amaron Addition Section 5

**Current Zoning:**

a portion of 1106 W Wollcott - TP

**Proposed Zone:** RR

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

**Reason for Zone Change Request:** We want to change the portion of land we are adding into the front who lots per our replat to be the same zoning code as the front lots

**Present Use of Property:** outside storage

**Proposed Use of Property:** Restaurants

**How would this zone change affect the public health, safety and welfare?** This would allow for new restaurants to service the residents and

**Describe how conditions affecting the property have changed since present zoning designation:** When these buildings and PD was put in place the only retail in the area was McDonalds, Sconic and Tractor Supply now there is Walmart and countless other retail uses

**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)



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Signature</b> (by property owner only – authorized agent must sign affidavit below)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                      |
| Applicant (signature):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Date:                |
| Applicant (printed):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                      |
| Property Owner (signature): <u>Coy Haynes</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Date: <u>8/30/21</u> |
| Property Owner (printed): <u>Coy Haynes</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                      |
| <p>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.</p> <p>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.</p> |                      |

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                                                                                                                        |                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Property Owner Authorization<br><input checked="" type="checkbox"/> Application Fee<br>Check # <u>Credit Card</u> | <input checked="" type="checkbox"/> Dimensioned Site Plan<br><input checked="" type="checkbox"/> Plans in Digital Format (PDF/JPEG) |
| Received By: <u>Email</u>                                                                                                                  | Date: <u>8/30/21</u>                                                                                                                |

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

### LEGAL DESCRIPTION

Being a 0.72 acre tract of land out of the T&P R.R. CO. SURVEY, ABSTRACT NUMBER 181, situated in the City of Midland, Midland County, Texas, being a portion of Lot 2, Block 4 of Amaron Addition, Section 5, a subdivision of record in Cabinet G, Page 83 of the Plat Records of Midland County, Texas and being more particularly described by metes and bounds as follows:

**COMMENCING**, at a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the intersection of the West right-of-way line of Rankin Highway (State Highway 349) (120 foot right-of-way) and the North right-of-way line of Wolcott Avenue (60 foot right-of-way), being the Southeast corner of Lot 1 of said Block 4 of Amaron Addition, Section 5;

**THENCE**, S75°32'47"W, leaving the West right-of-way line of Rankin Highway, along the North right-of-way line of Wolcott Avenue and the common South line of said Lot 1, a distance of 544.45 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the Southeast corner of said Lot 2, being the Southwest corner of said Lot 1, for the **POINT OF BEGINNING** and Southeast corner hereof;

**THENCE**, S75°32'47"W, along the North right-of-way line of Wolcott Avenue and the common South line of said Lot 2, a distance of 104.45 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set for the Southwest corner hereof;

**THENCE**, N14°27'13"W, leaving the North right-of-way line of Wolcott Avenue, over and across said Lot 2, a distance of 300.00 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the South right-of-way line of Stokes Avenue (60' right-of-way, being the South line of a 30 foot wide right-of-way dedication of record in said Amaron Addition, Section 5, being the common North line of said Lot 2, for the Northwest corner hereof;

**THENCE**, N75°32'47"E, along the South right-of-way line of Stokes Avenue, being the South line of said 30 foot wide right-of-way dedication of record and the common North line of said Lot 2, a distance of 104.45 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the Northwest corner of said Lot 1, being the Northeast corner of said Lot 2 and hereof;

**THENCE**, S14°27'13"E, leaving the South right-of-way line of Stokes Avenue, along the West line of said Lot 1, being the common East line of said Lot 2, a distance of 300.00 feet to the **POINT OF BEGINNING** and containing an area of 0.72 Acres, or (31,335 Square Feet) of land, more or less.

The bearings shown are based on GPS observations utilizing the AllTerra RTK Network. North American Datum of 1983 (Adjustment Realization 2011).

I hereby certify that this legal description was based on an on the ground survey under my direct supervision and that I am a Registered Professional Land Surveyor under the laws of the State of Texas.

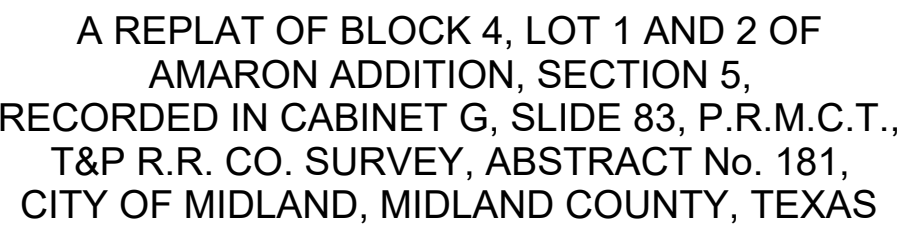
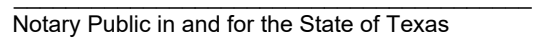
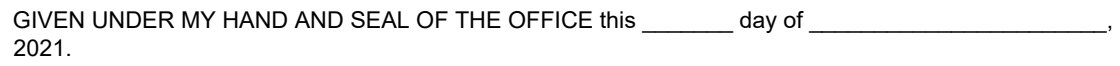
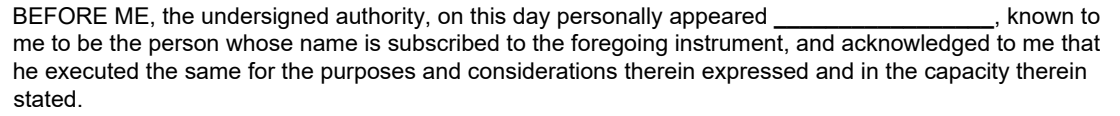
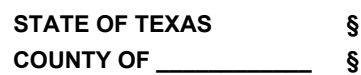
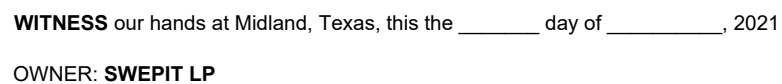
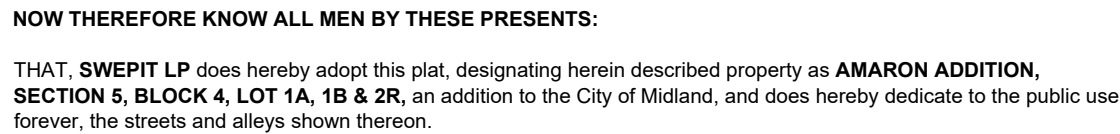
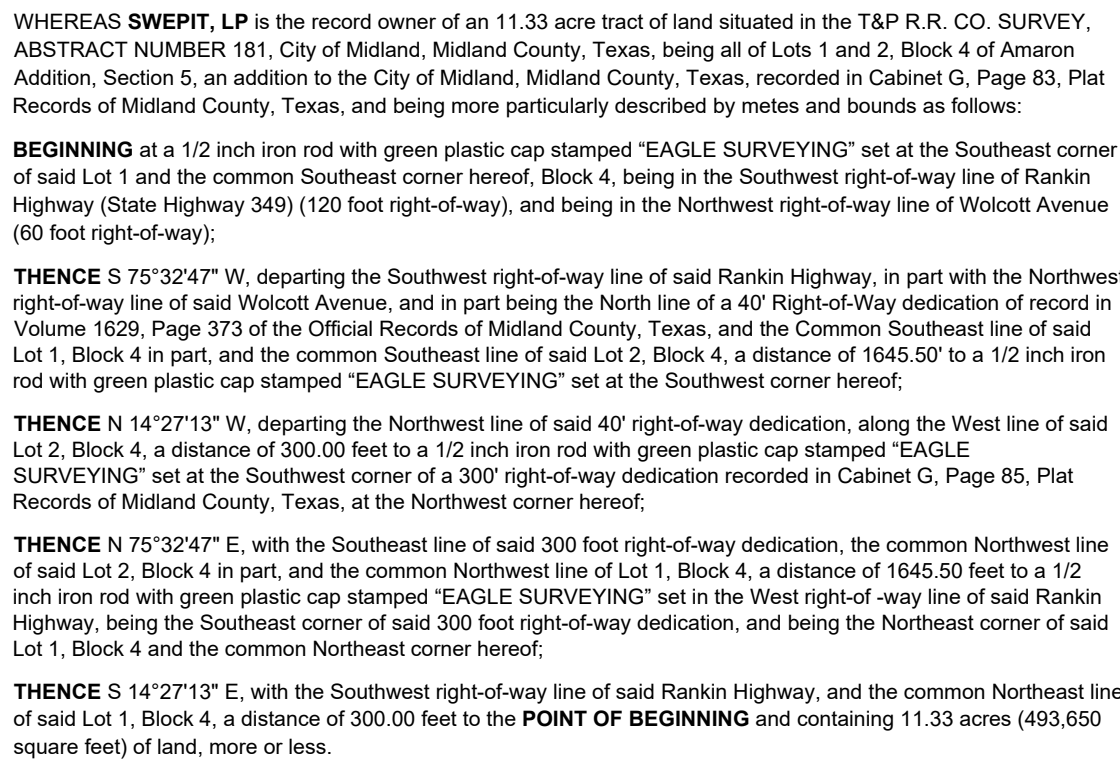
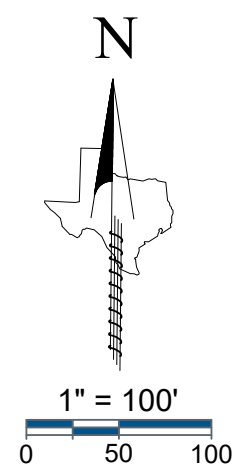
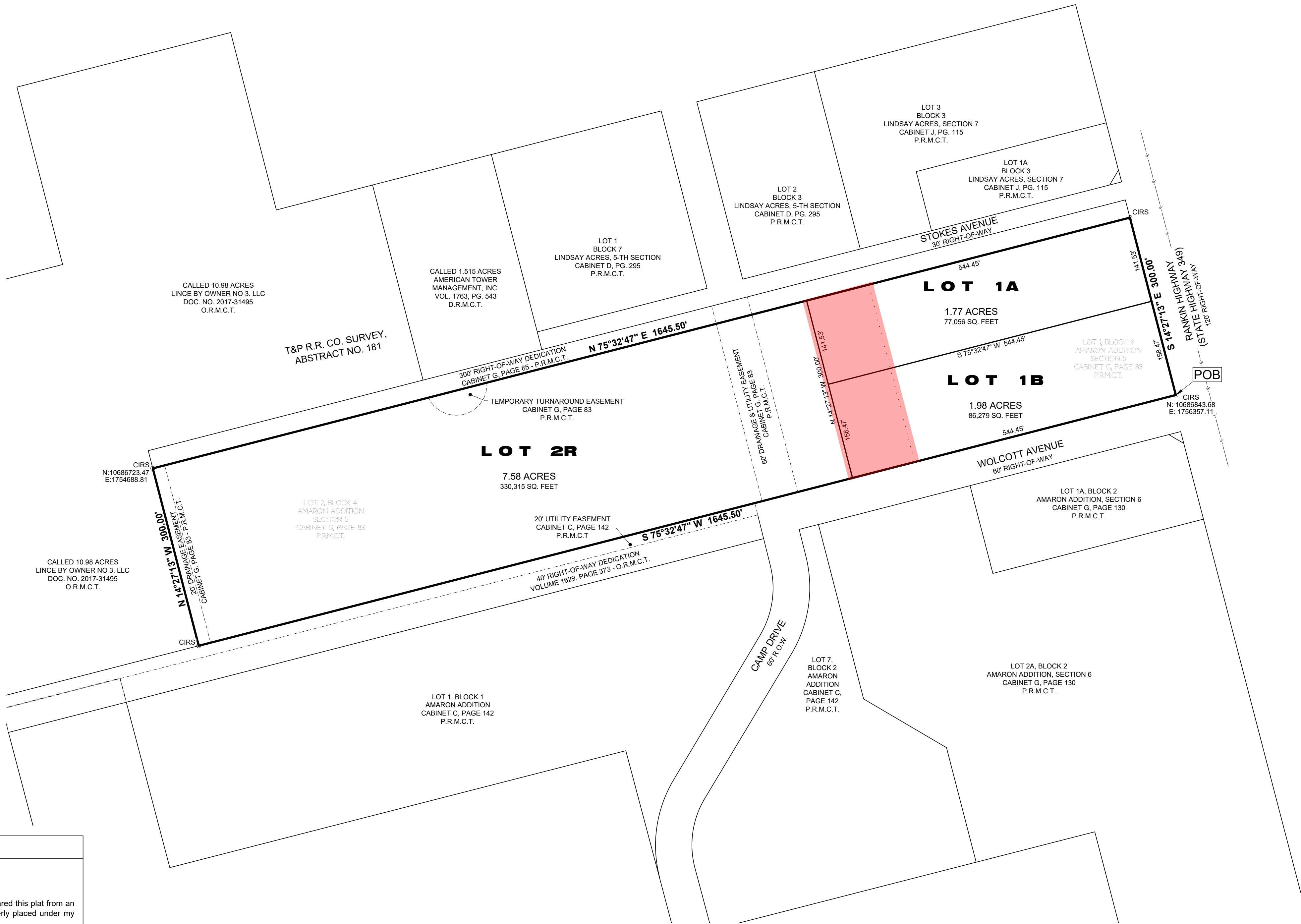
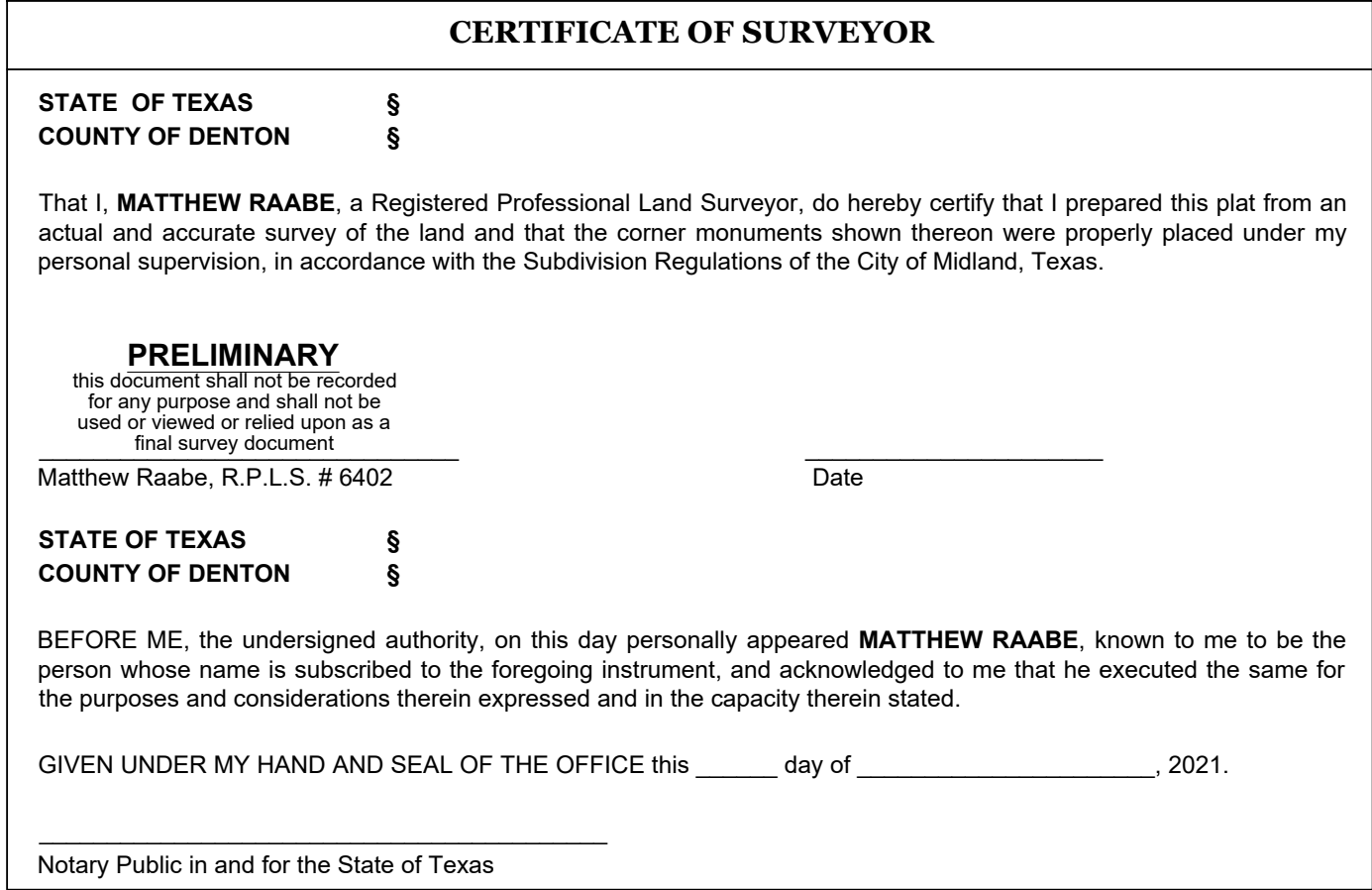
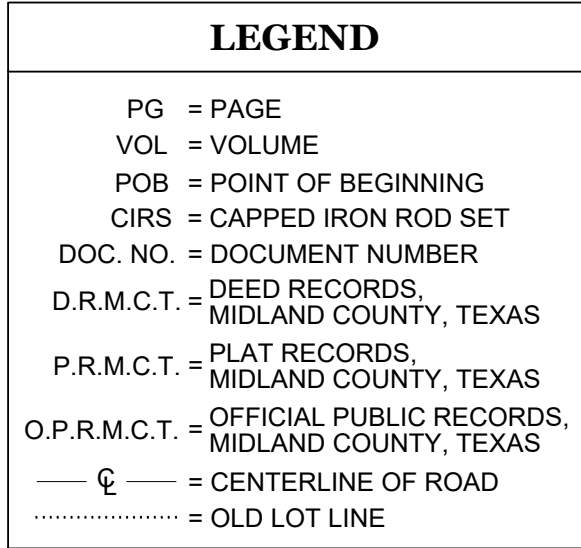
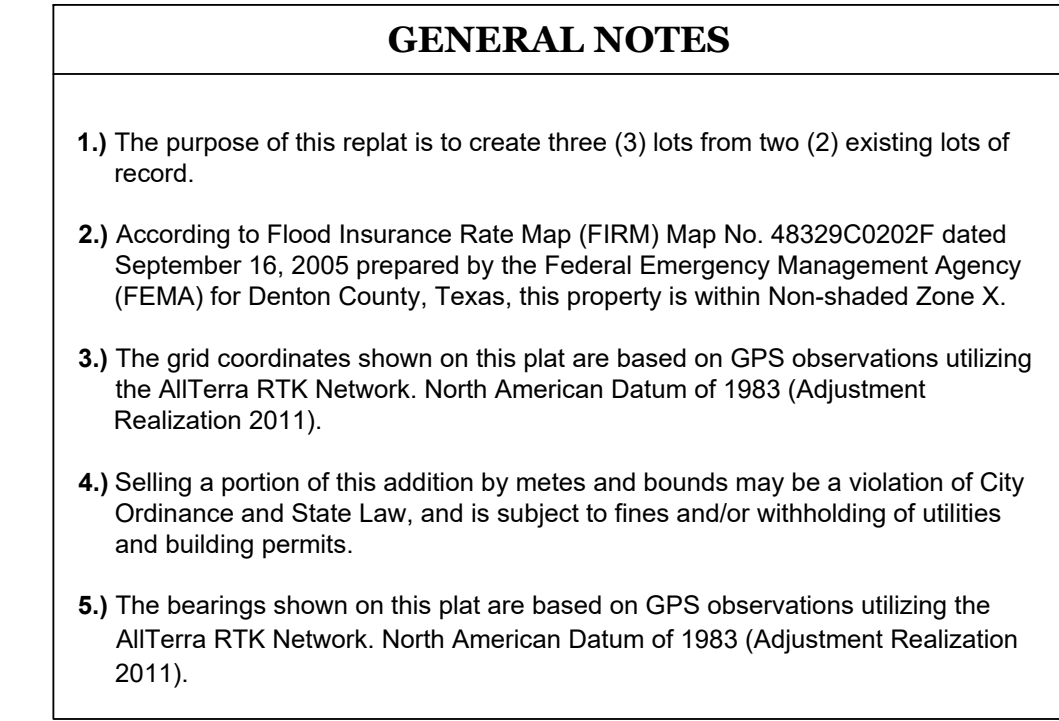
*Matthew Raabe*  
Matthew Raabe  
R.P.L.S. # 6402 09-23-21



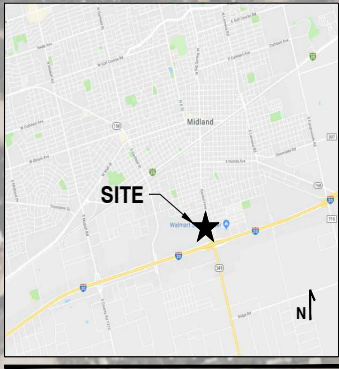
**EAGLE SURVEYING, LLC**  
210 S. ELM STREET  
SUITE: 104  
DENTON, TX 76201  
(940) 222-3009  
TX FIRM # 10194177

| JOB NUMBER  | DRAWN BY | DATE      |
|-------------|----------|-----------|
| 2103.031-02 | MJR      | 9/23/2021 |









LOCATION MAP



Kirk Development Services  
3985 Summit Court  
Fairview, Texas 75069  
(214) 498-4225  
mail@kirkmcDonald.com  
www.kirkmcDonald.com

Haynes Development Company  
8214 Westchester, Suite 650  
Dallas, Texas 75225  
chaynes@haynesdevco.com  
(214) 335-4702

PROJECT INFORMATION

| SITE AREA    |             |
|--------------|-------------|
| QSR A PARCEL | ±1.77 ACRES |
| QSR B PARCEL | ±1.98 ACRES |
| TOTAL        | ±3.75 ACRES |

| BUILDING AREA |          |
|---------------|----------|
| QSR A         | 4,600 SF |
| QSR B         | 4,995 SF |
| TOTAL         | 9,595 SF |

| PARKING SUMMARY |                |              |               |
|-----------------|----------------|--------------|---------------|
| USER            | RATIO REQUIRED | SPACES REQ'D | SPACES PROV'D |
| QSR A           | 1/100 SF       | 46           | 64            |
| QSR B           | 1/100 SF       | 50           | 119           |
| TOTAL           |                | 96           | 183           |

| BUILDING COVERAGE RATIO                 |  |
|-----------------------------------------|--|
| TOTAL BUILDING AREA = 24,595 SF         |  |
| TOTAL SITE AREA = 259,500 SF (±5.96 AC) |  |
| RATIO = 9.5%                            |  |

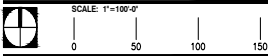
| ZONING CLASSIFICATION |                 |
|-----------------------|-----------------|
| JURISDICTION          | CITY OF MIDLAND |
| EXISTING ZONING       | TBD             |
| REQUIRED ZONING       | TBD             |

- PROJECT NOTES
1. THIS CONCEPTUAL SITE PLAN IS FOR PLANNING PURPOSES ONLY. SITE SPECIFIC INFORMATION SUCH AS EXISTING CONDITIONS, ZONING, PARKING LANDSCAPE REQUIREMENTS MUST BE VERIFIED.
  2. THIS SITE PLAN IS BASED ON AERIAL PHOTO DATA.
  3. ALL CURB CUTS AND TRAFFIC SIGNALS SHOWN, EXISTING AND PROPOSED, MUST BE VERIFIED.

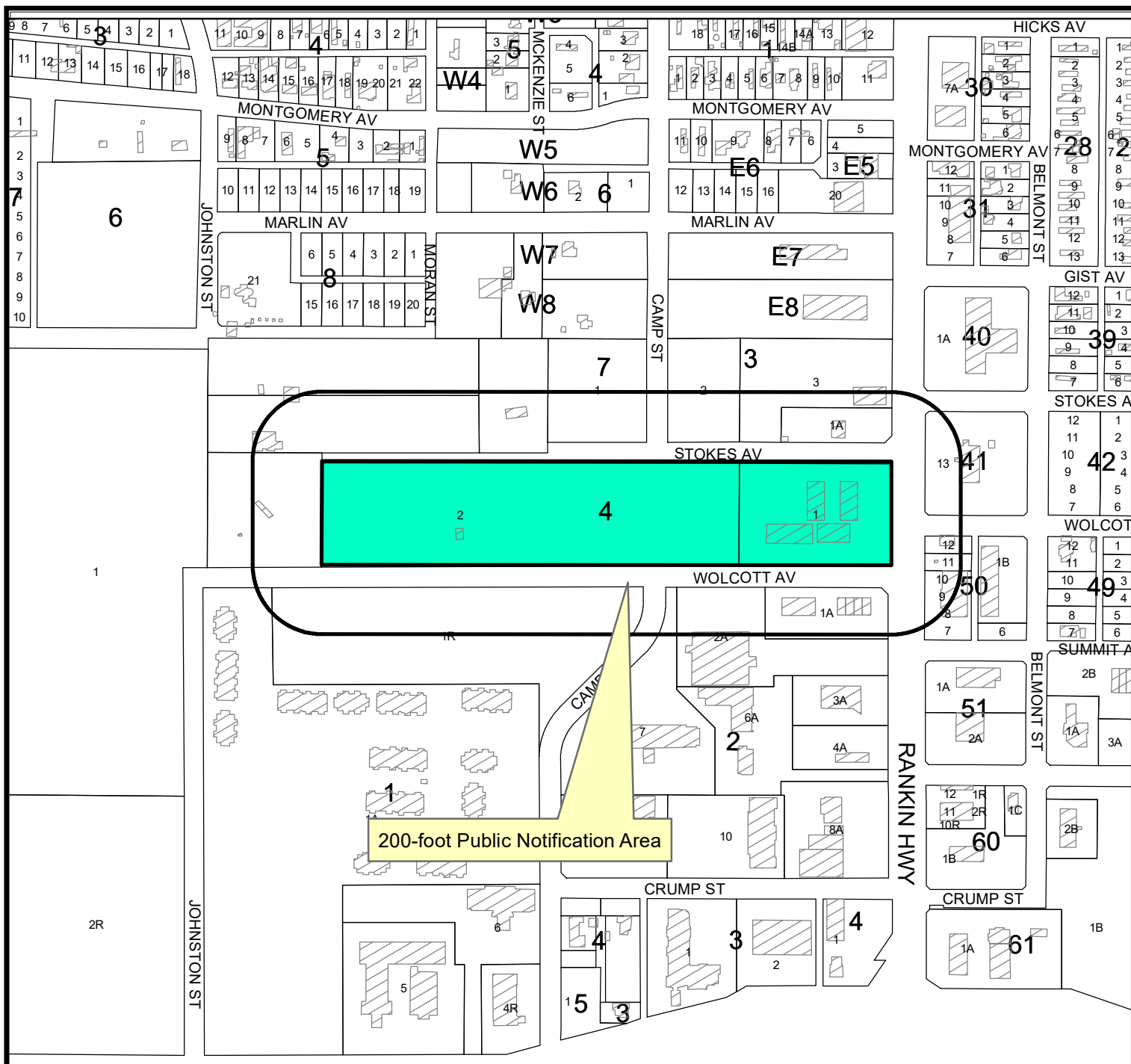
| DRAWING ISSUE/REVISION RECORD |           |          |
|-------------------------------|-----------|----------|
| DATE                          | NARRATIVE | INITIALS |
| 5/12/21                       | SCHEME 8  | JKM      |

MIDLAND  
TX

2010 RANKIN HIGHWAY



SCHEME 8



## LOCATION MAP

**Z-21-0262**

**Scale: 1" = 400'**

Consider a request by CG Faudree LLC for a zone change from TP, Technology Park District to RR, Regional Retail District on Lot 2, Block 4, Amaron Addition, Section 5, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Rankin Highway and Stokes Avenue. (Council District 2)

### LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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

