

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

**March 20, 2023 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for March 6, 2023.
3. Motion approving a Final Plat of West Fork Addition, being a 7.58-acre tract of land, situated in Section 35, Block 40, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas (Generally located on the northwest corner of the intersection of West State Highway 158 and State Highway 191. – Council District 1) (DEVELOPMENT SERVICES)
4. Motion approving the reinstatement of a Final Plat of Crestgate Addition, Section 51, being a replat of Lot 1A, Block 19, Crestgate Addition, Section 50, City and County of Midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 480-feet west of North Midkiff Road. - Council District 1) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

5. Consider a request by Allen Perez for a Zone Change from PD, Planned Development District for a Shopping Center to an amended PD, Planned Development District for a Shopping Center, on Lot 1B, Block 33, Northgate Addition, Section 24, City and County of Midland, Texas. (Generally located on the southwest corner of North Midland Drive and Briarwood Avenue. - Council District 1) (DEVELOPMENT SERVICES) **

6. Consider a request by Alejandro Dominguez for a Zone Change from PD, Planned Development District for an Office Center to PD, Planned Development District for a Shopping Center, on Lot 2, Block 1, W. P. Knight Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of South Powell Street and West Wall Street. - Council District 2) (DEVELOPMENT SERVICES)
7. Consider a request by Roger Wells for a Specific Use Designation without Term for Automobile or Other Motorized Vehicle Sales and Service, on Lot 4, Block 2, Country Villa Estates, Section 7, City and County of Midland, Texas (Generally located on the northeast corner of West Wall Street and Brinson Lane. - Council District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

8. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Dunham Acres, Section 2, being a plat of a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P, RR, Co. Survey, Midland County, Texas. (Generally located on the southeast corner of the intersection of West County Road 122 and South County Road 1290. - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
9. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of West 191 Industrial Park, Section 10, being a replat of Lot 1 and 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 2,150 feet east of Farm to Market 1788. – Council District 4) (DEVELOPMENT SERVICES)
10. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Ortloff Addition, Section 8, being a plat of a 12.095-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Douglas Avenue and Woodcrest Drive. – Council District 3) (DEVELOPMENT SERVICES)

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
March 6, 2023
Council Chambers – City Hall**



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., March 06, 2023.

Commissioners present: Lucy Sisniega, Zachary Deck, Adrian Carrasco, Abraham Bejil

Commissioners absent: Stacy Grosse, Dianne Williams, Emily Holeva

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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

Commissioner Carrasco moved to approve the Consent Items 2, 3, 5, 7 & 8; seconded by Commissioner Deck.

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

2. Motion approving the Planning & Zoning meeting minutes for February 21, 2023.
3. Motion approving a Final Plat of Greathouse Addition, Section 10, being a replat of Lots 14 and 15, Block 17, Greathouse Addition, Section 4, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Portico Way and Mathis Street - Council District 4)
- *4. Motion approving a Final Plat of Hawk View Addition, Section 6, being a replat of Lots 18 and 19, Block 1, and Lot 11, Block 2, Hawk View Addition, Lots 29A, 29B, 30, and 31, Block 1, and Lots 1A, 8B, 12A, and 15C, Block 2, Hawk View Addition, Section 4, all out of Midland County, Texas. (Generally located on the northwest corner of the intersection of S. County Road 1270 and W. County Road 150 – Extraterritorial Jurisdiction)

***Item pulled and voted on separately.**

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

5. Motion approving a Final Plat of Melody Acres, Section 16, being a 1.00-acre tract of land out of the southeast quarter of Section 7, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Tanforan Avenue and Oriole Drive. – Council District 4)
- *6. Motion approving a Final Plat of Cox Addition, Section 2, being a replat of Lot 1, Block 1, Cox Addition, and 2.009-acre tract of land located in Section 8, Block 40, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Pilot Avenue and Norden Street - Council District 4)

***Item pulled and voted on separately.**

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

7. Motion approving a Final Plat of Crestgate Addition, Section 51, being a replat of Lot 1A, Block 19, Crestgate Addition, Section 50, City and County of Midland, Texas. (Generally located on the north side of W. Loop 250 North, approximately 304-feet to the west of N Midkiff Road - Council District 1)
8. Motion approving a Final Plat of Corporate Plaza, Section 27, being a replat of Lot 2D, Block 4, Corporate Plaza, Section 26, City and County of Midland, Texas. (Generally located on the east side of North Big Spring Street approximately 880 feet north of Corporate Drive. (Council District 2)

PUBLIC HEARINGS

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

MISCELLANEOUS

9. Motion approving a Final Plat of Greathouse Addition, Section 18, being a replat of Common Area J, Block 20, Greathouse Addition, Section 7, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Deep Run Avenue and Dunraven Court - Council District 1)

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

The motion to deny passed by the following vote: 3 to 0, 1 Abstention

AYE: Sisniega, Deck, Carrasco

NAY: None

ABSTAIN: Bejil

ABSENT: Grosse, Williams, Holeva

10. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Nova's Paradise, being a 22.69-acre tract out of the northeast section 15, Block 38, T-2-S, T & P, RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of S. County Road 1160 and E. County Road 130. – Extraterritorial District)

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

The motion passed by the following vote: 3 to 0, 1 Abstention

AYE: Sisniega, Deck, Carrasco

NAY: None

ABSTAIN: Bejil

ABSENT: Grosse, Williams, Holeva

11. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Witcher Addition, Section 4, being a plat of a 0.567-acre tract of land out of the southwest quarter of Section 8, Block 40, T-2-S, T&P, RY. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Liberator Lane, approximately 689-feet west of La Force Boulevard - Council District 4)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

12. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Decker Addition, Section 2, being a plat of an 8.00-acre tract of land out of the southwest quarter of Section 7, Block 39, T-2-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located approximately 235-feet south of West County Road 116, approximately 393-feet east of S County Rd 1227- Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

13. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Autumn Estates, Section 2, being a plat of a 22.88-acre tract of land out of the northeast quarter of Section 26, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of North County Road 1125, approximately 555-feet south of East County Road 60 -Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

14. Motion approving a reinstatement of an approved Preliminary Plat of Greathouse Addition, Section 18, being a replat of Common Area J, Block 20, Greathouse Addition, Section 7, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Deep Run Avenue and Dunraven Court - Council District 1)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

15. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Latell Addition, Section 7, being a plat of a 7.49 Acres in Section 22, Block 39, T-2-S, T&P, R.R. Co. Survey, Midland County, Texas. Generally located south side of West County Road 130, approximately 575 feet west of South County Road 1195. (Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

16. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Lancer Addition, Section 2, being a plat of a 10.51-acre tract of land in the south part of, Block 38, T-2-S, AM COBB-104 Survey, Abstract 1021, Midland County, Texas. (Generally located on the east side of Farm to Market 1213, approximately 520 feet north of East County Road 130 - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

17. Motion approving with staff's recommended conditions, proposed Preliminary plat of Westridge Park Addition, Section 47, being a plat of a 37.62-acre tract of land out of the Northeast quarter of Section 48,

Block 40, T-1-S, T & P. R.R. Co. Survey, City and County Midland, Texas. (Generally located northeast corner of the intersection of Leisure and South Loop 250 - Council District 4)

Commissioner Bejil moved to deny this request; seconded by Commissioner Deck.

The motion to deny passed by the following vote: 3 to 0, 1 Abstention

AYE: Deck, Carrasco, Bejil

NAY: None

ABSTAIN: Sisniega

ABSENT: Grosse, Williams, Holeva

18. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Wild West Addition, being a plat of a 16.14-acre tract of land in Section 24, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of S. CR 1230, immediately south of W. CR 130 - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

19. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Belinda's Place Addition, being a plat of a 1.5-acre tract of land out of the northwest quarter of Section 16, Block 39, T-2-S, T & P, RR Co. Survey, Midland County, Texas. (Generally located on the north side of West County Road 124, approximately 325 feet east of South County Road 1210 - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 4 to 0

AYE: Sisniega, Deck, Carrasco, Bejil

NAY: None

ABSTAIN: None

ABSENT: Grosse, Williams, Holeva

With no further items or business before the Commission, Chairwomen Sisniega adjourned the meeting at 4:33 p.m.

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

Approved for Agenda:
Elizabeth Shaugnessy

MEETING DATE: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of West Fork Addition, being a 7.58-acre tract of land, situated in Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas (Generally located on the northwest corner of the intersection of West State Highway 158 and State Highway 191. – Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to plat a 7.58-acre tract of land, situated in Section 35, Block 40, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. for ownership purposes. The preliminary plat was approved at the November 21, 2022, Planning and Zoning Commission meeting.

Final Plat Requirements:

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

Departmental Review:

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

* * *Updated: 03/16/2023 * * *

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

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

PAVING: SH 191 and SH 158 Frontage roads are TxDOT facilities, built and maintained by TxDOT, no improvements are required. [For Applicant's Information Only.]

WATER: Existing 30-inch water main on State Highway 158. Water improvements along SH 191 were administratively approved on 11/01/2022. [For Applicant's Information Only.]

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

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

SEWER: Wastewater improvements along SH 191 were administratively approved on 11/01/2022. The SH 158 Wastewater plan set has been approved; SH 158 Wastewater Improvements will be tacked onto the building permit. [For Applicant's Information Only.]

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

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

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

DIMENSION: * * *

TRANSPORTATION: (Approved)

Street lighting is required along public street frontages. [Reference City Code Section 11-2-5(C)3(u).]

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

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

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

PLANNING: (Approved with Conditions)

Staff recommends approval of the Final Plat of West Fork Addition, subject to condition A:

Conditions:

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

Attachments:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number:

Case Number:

SUB-22-0549
P-23-1564

Proposed Subdivision Plat Name: West Fork Addition

Legal Description (attached sealed Metes and Bounds): Being a Plat of a 7.58-Acre Tract of Land, Situated in Section 35, Block 40, T-1-S, T&P RY. Co. Survey, Midland County, Texas

Property Owner

Printed Name: CG 191 and 158 LLC

Phone ()

Email

Address 1901 N Akard St

City Dallas

State TX

Zip 75201

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: ETJ

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 7.58

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

Number of Lots: 3

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Coy Haynes

Date: 3/3/23

Property Owner (printed): Coy Haynes - Owner

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.

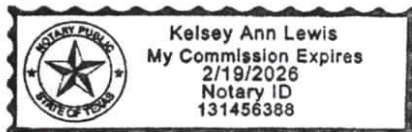
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 CG 191 & 158 LLC, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 3rd day of March, 20 23, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>3945</u> | ☒ Tax Certificates | ☒ Recording Fee |

Received By: James Peter

Date: 3/3/23

Application will not be considered for scheduling until reviewed by a planner 2023

Date March 3, 2023

Name Kirk Searcy
Title Associate
Contact (817) 773-6790
kirk@laramie-inv.com

Re: West Fork Addition

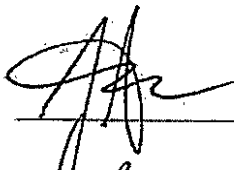
Attn: City of Midland Planning Department

To whom it may concern,

Please accept this letter as confirmation that Coy Haynes (signatory), is a legally vested authority, serving as representative to, and on behalf of CG 191 and 158 LLC (owner entity), and may act within this capacity to execute the requisite documents associated with the subject subdivision of real property including any plats, applications, petitions, or engagements commensurate with said processes.

Sincerely,

By:



Title:

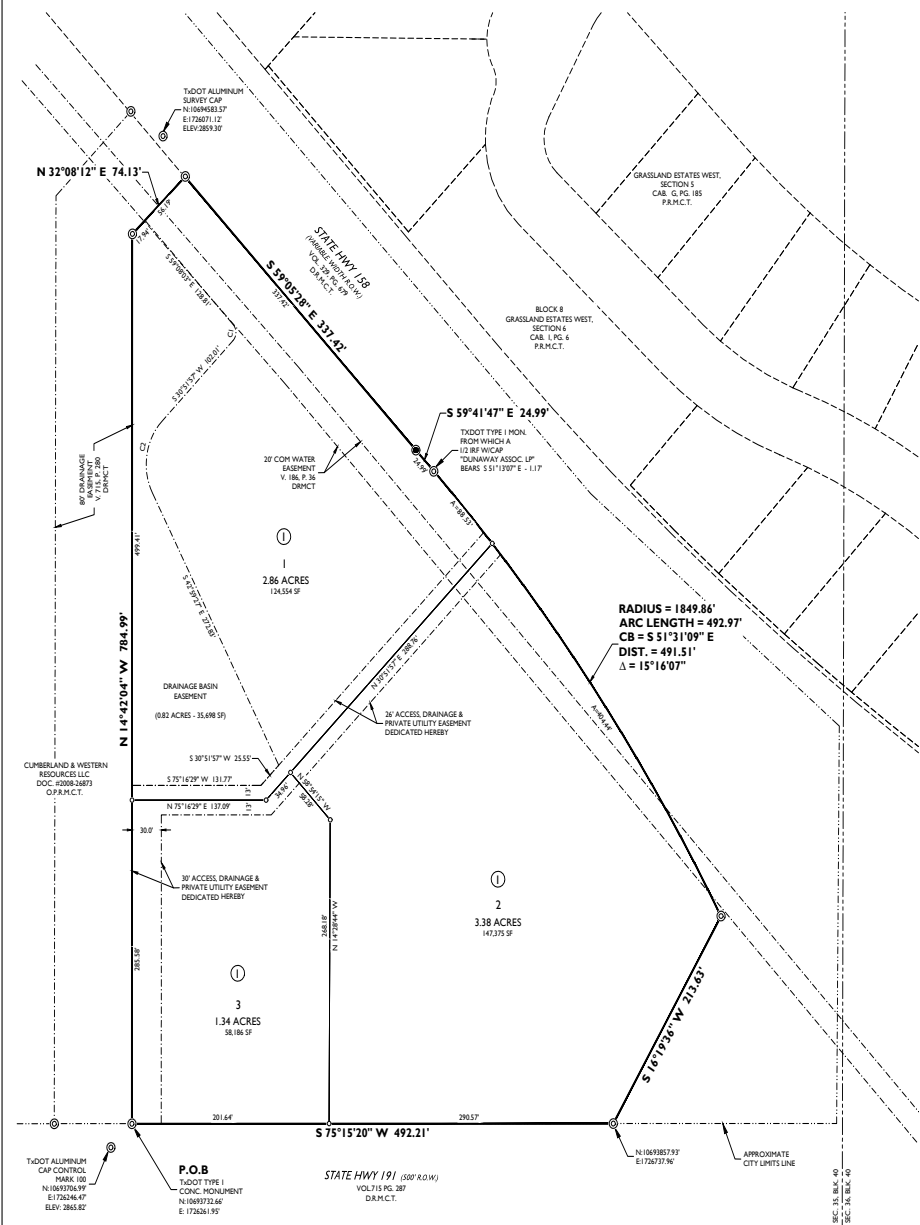
Associate

Date:

3/3/23

WEST FORK ADDITION

BEING A PLAT OF A 7.58-ACRE TRACT OF LAND, SITUATED IN SECTION 35, BLOCK 40, T-1-S, T&P RY. CO. SURVEY, MIDLAND COUNTY, TEXAS



CURVE TABLE

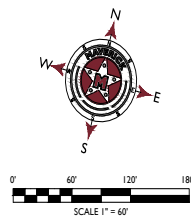
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	15.71	180.07	14.14	S 14° 08' 00" E	90° 00' 00"
C2	68.32	53.00	63.69	S 06° 07' 40" E	77° 51' 24"

SURVEYOR'S CERTIFICATE

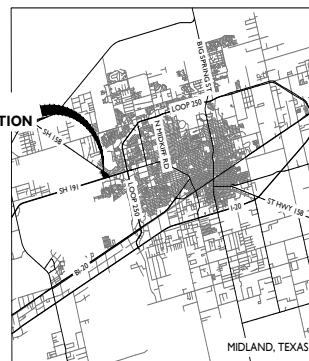
KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHULTZ 00013584
MIDLAND COUNTY, TEXAS (01/01/1983)
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701



SITE LOCATION



VICINITY MAP

N.T.S.

LEGEND

- DENOTES SET (LUNCH BOMB AND WIRE)
- ⊙ PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- ⊙ TxDOT TYPE 1 CONCRETE MONUMENT (UNLESS OTHERWISE NOTED)
- DENOTES PROPOSED LOT CORNER
- BOUNDARY LINE
- EXISTING PROPERTY LINE
- EXISTING SECTION LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- CITY LIMIT LINE
- OFFICIAL RECORDS, MIDLAND CO., TX
- DEED RECORDS, MIDLAND CO., TX
- PLAT RECORDS, MIDLAND CO., TX

OWNERS' CERTIFICATE

THE STATE OF TEXAS

COUNTY OF

WHEREAS CG 191 and 158 LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 35, BLOCK 40, T-1-S, T&P RY. CO. SURVEY, COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CG 191 and 158 LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WEST FORK ADDITION, IN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF ROGERS AND LORDES TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSENT AND AGREE 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

THIS DAY OF

2023.

BY: COY HAINES, OWNER CG 191 AND 158 LLC.

ACKNOWLEDGEMENT

THE STATE OF TEXAS

COUNTY OF

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES

Designed by: Mark Lusk

BY: [Signature]

Designed by: Vincent Gonzalez

BY: [Signature]

Designed by: Luis Montoya

BY: [Signature]

Designed by: [Signature]

BY: [Signature]

Designed by: [Signature]

BY: [Signature]

Designed by: [Signature]

BY: [Signature]

Designed by: [Signature]

BY: [Signature]

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Designed by: [Signature]

BY: [Signature]

Designed by: [Signature]

BY: [Signature]

Designed by: [Signature]

BY: [Signature]

Designed by: [Signature]

BY: [Signature]

PROPERTY OWNER

CG 191 and 158 LLC
1909 W. WALL STREET
MIDLAND, TX 79701
DEED INSTRUMENT #2022-10134

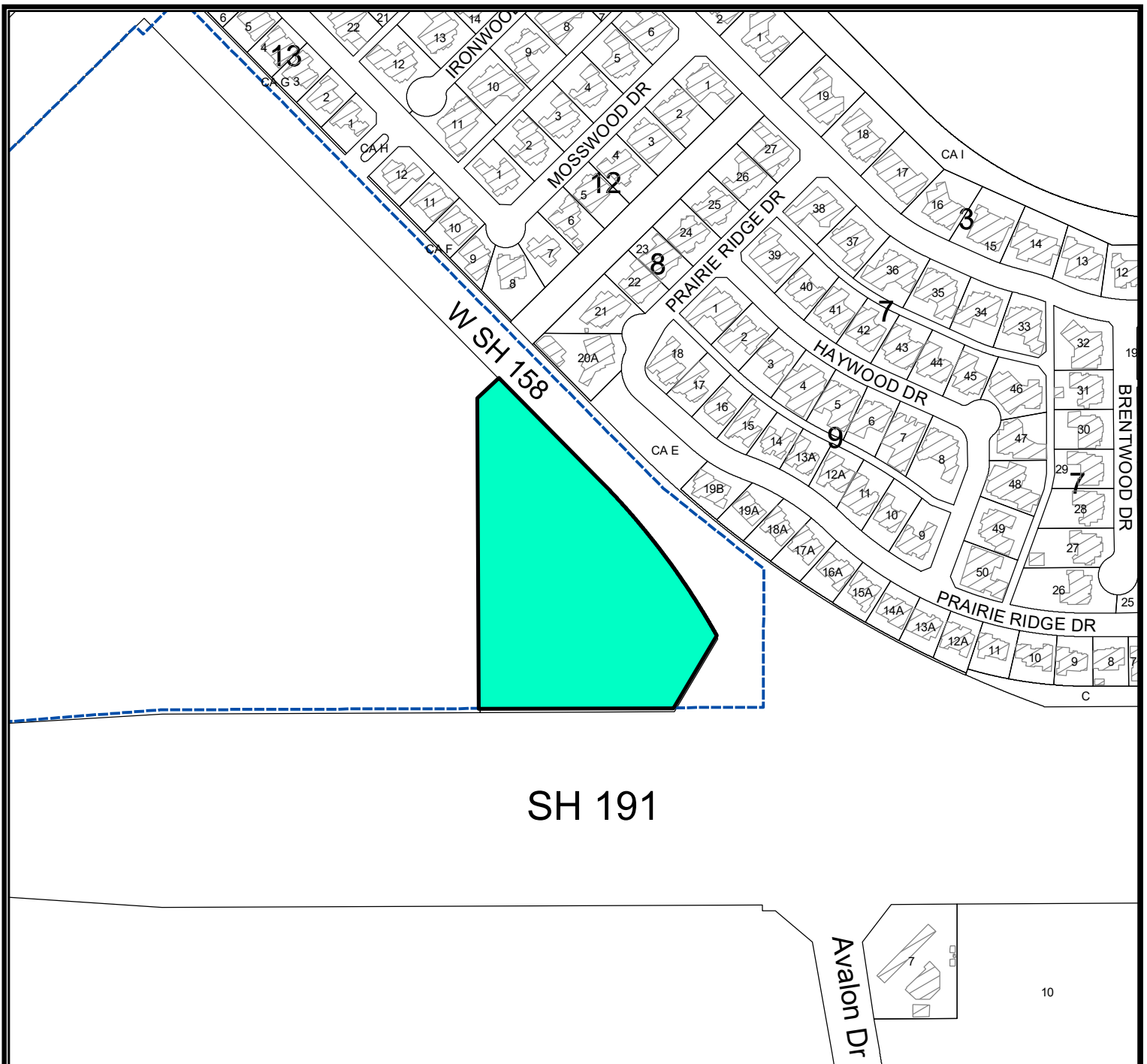
PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

WEST FORK ADDITION
March 20, 2023

PACKET



LOCATION MAP

P-23-1564

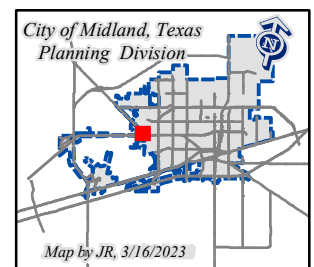
Scale: 1" = 200'

Proposed plat of a 7.58-Acre Tract of Land, Situated in Section 35, Block 40, Township 1 South, Texas and Pacific Railway Company Survey, City of Midland, Midland County, Texas.

Generally located on the east corner of the intersection of W State Highway 158 and State Highway 191 (Council District 4).

LEGEND

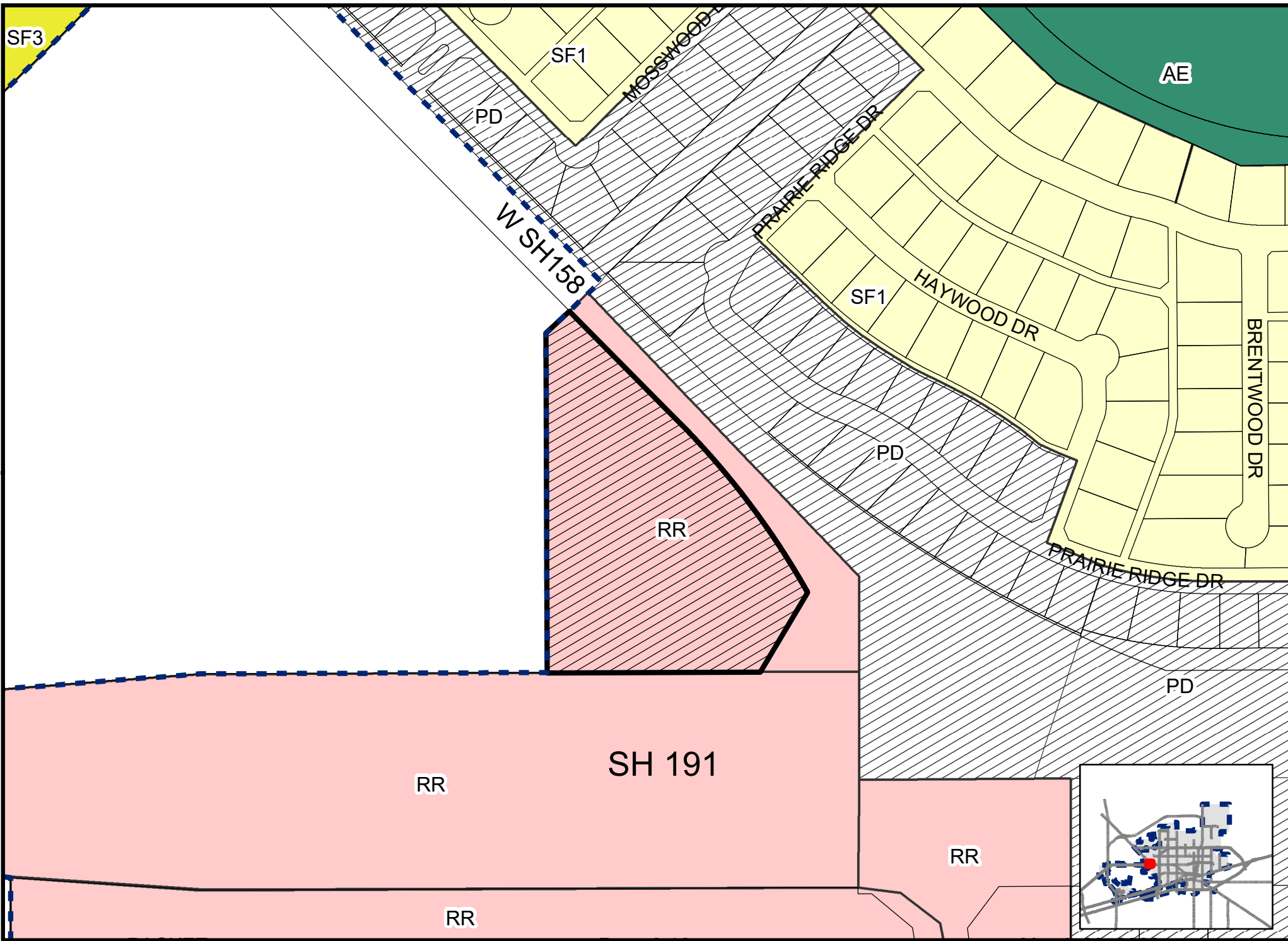
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaugnessy

MEETING DATE: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving the reinstatement of a Final Plat of Crestgate Addition, Section 51, being a replat of Lot 1A, Block 19, Crestgate Addition, Section 50, City and County of Midland, Texas. (Generally located on the north side of West Loop 250 North, approximately 480-feet west of North Midkiff Road. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Kimley-Horn, is proposing to re-plat Lot 1A, Block 19, Crestgate Addition, Section 50, City and County of Midland, Texas, into 2 lots for the purpose of retail.

Current Zoning:

RR, Regional Retail District

Preliminary Plat Approval:

This plat has been approved for the short-form process. As a result, no preliminary plat was submitted or required.

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:

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

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

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

PAVING: W. LOOP 250 Frontage Road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For the Applicant's information only.]

WATER: 6" water exists in alley N of tract, okay as is. No public water improvements required. [For the Applicant's information only.]

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

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

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

DRAINAGE: Comply with Drainage Plan, Crestgate Addition, Section 37 Drainage Study, prepared by West Co. of Midland and approved by City on 06/10/2003. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway. [Reference City Code Section 9-4-5(D).]

Driveway permitting within city limits on I-20, LP 250, SH 191, and FM 1788 is under the jurisdiction of TxDOT. A copy of an approved TxDOT driveway permit must be provided to the City with the building permit application before a City building permit can be issued. The TxDOT Driveway Permit Coordinator is Rachael Ramirez. (Rachael.Ramirez@txdot.gov, 432-498-4789). [For the Applicant's information only.]

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

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

FIRE: (Approved)

No objections. All future development shall meet the requirements of IFC 2015 ed. and local ordinances.

CODE COMPLIANCE: (Approved)

No Oil and Gas Issues.

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

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Staff recommends approval once all comments have been met of the Final Plat of Crestgate Addition, Section 51, subject to condition A:

CONDITIONS:

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

Attachments:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number:

Case Number:

Sub-23-0585
P-23-1576**Proposed Subdivision Plat Name:** Crestgate Addition, Section 51**Legal Description (attached sealed Metes and Bounds):** Lot 1A, Block 19, Crestgate Addition**Property Owner**

Printed Name: Kreekwood Midland, LLC

Phone (650) 455-3437

Email
garrettjohnson89@gmail.com

Address 6901 La Manga Drive

City Dallas

State TX

Zip 75248

Developer (if different than Owner)

Printed Name: Kreekwood Midland, LLC

Phone (650) 455-3437

Email
garrettjohnson89@gmail.com

Address 6901 La Manga Drive

City Dallas

State TX

Zip 75248

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

Firm: Kimley-Horn

Printed Name: Michael Doggett

Phone

Email 469 352-2959

michael.doggett@kimley-horn.com

Address 260 E. Davis St., Ste. 100

City McKinney

State TX

Zip 75069

Current Zoning: RR**Reason for Platting:** Split into two lots**Plat Information**

Total Acreage: 1.5824

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):



Date: 03/07/2023

Property Owner (printed): Garrett Johnson

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.

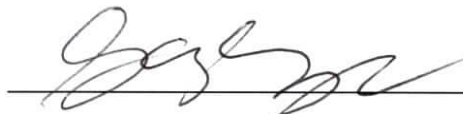
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF COLLIN

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


Authorized Agent (signature)

Subscribed and sworn to before me, this 7th day of March, 20 23, to certify which witness my hand and seal of office.



NOTARY PUBLIC, COLLIN COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 1095

☒ 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 # 3/10/23

Received By: James R. Lopez

Date: 3/10/23

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



LOOP 250 NORTH

LOCATION MAP

P-23-1576

Scale: 1" = 200'

Proposed final plat of Crestgate Addition, Section 51, being a replat of Lot 1A, Block 19, Crestgate Addition, Section 50, City and County of Midland, Texas.

Generally located on the north side of W. Loop 250 North, approximately 304-feet to the west of N Midkiff Road. (Council District 1)

LEGEND

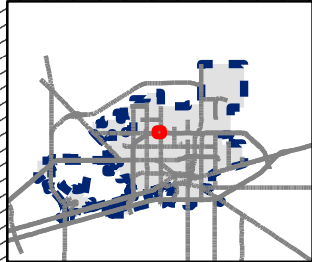
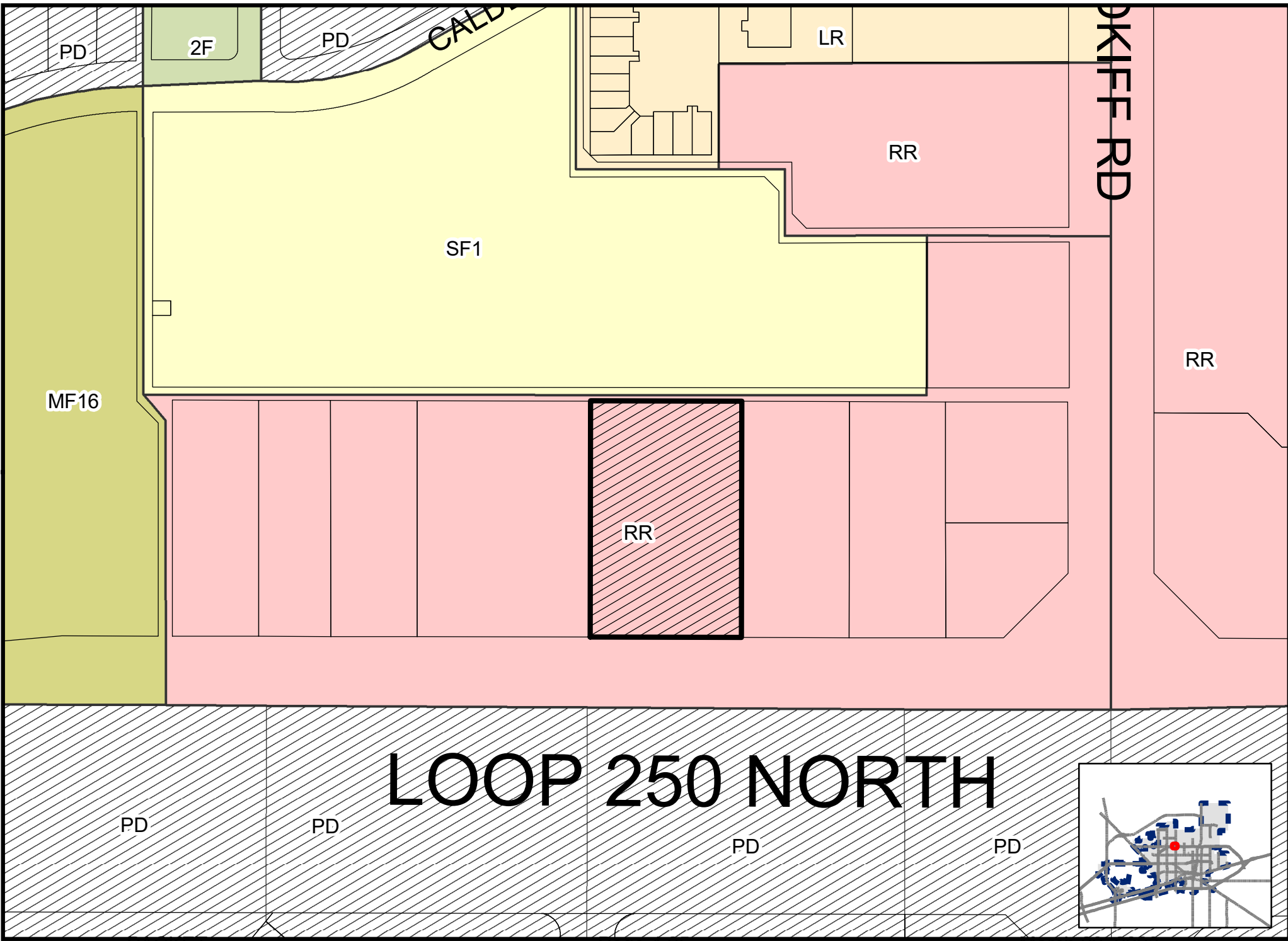
- CITY LIMITS
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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaugnessy

MEETING DATE: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeffrey Fisher, Senior Planner

SUBJECT: Consider a request by Allen Perez for a Zone Change from PD, Planned Development District for a Shopping Center to an amended PD, Planned Development District for a Shopping Center, on Lot 1B, Block 33, Northgate Addition, Section 24, City and County of Midland, Texas. (Generally located on the southwest corner of North Midland Drive and Briarwood Avenue. - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Purpose:

The applicant, Allen Perez, is requesting a zone change from PD, Planned Development for a Shopping Center to PD, Planned Development for a Shopping Center to amend the adopted site plan for a gasoline service station.

Current Zoning:

PD, Planned Development District for a Shopping Center (Ordinance 7270).

Surrounding Zoning and Land Use:

The property to the north is zoned PD, Planned District for a Shopping Center, and is the location of retail stores and a gasoline service station. The property to the east is zoned PD, Planned District for a Housing Project, and the location of single-family residences. The property to the south and west is zoned PD, Planned District for a Shopping Center, and the location of a Walmart store.

Analysis:

The applicant, Allen Perez, is requesting to amend PD, Planned Development for a Shopping Center to update the site plan to reflect the improvements to the site not shown on the current exhibit. The amended elevations and site plan details the construction of a 1,400± square foot retail service store, replacing the original 122 ± square foot store; the construction of a new 7,450± square foot fuel pump canopy, replacing the original 2,688± square foot canopy; and the addition of four fuel pump islands bringing the total to eight.

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

Fire: (Approved)

No objection.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change. [For the Applicant's information only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

Code: (Approved)

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

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.] No objection to zone change. [For the Applicant's information only.]

Planning:

The request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3-Land Use Vision. The land use map indicates that this area shall be used for CC, Community Commercial developments. These areas are designed to be utilized by major community and regional commercial developments that are both large in scale and have high traffic impact.

Staff recommends approval of this request subject to conditions A through C.

Conditions:

- A. That the Property shall significantly conform to the site plan and elevation drawings which are attached hereto, respectively, as Exhibits “A” and “B” and incorporated herein for all purposes.**
- B. That to the extent that Exhibit “A” requires six parking spaces to be located on Lot 1A, Block 33, Northgate Addition, Section 24, City and County of Midland, Texas (the “Adjacent Lot”), the owner of the Property shall ensure that such parking spaces are provided on said Adjacent Lot.**
- C. That all outdoor light fixtures shall be designed to avoid direct light from shining beyond the boundaries of the Property.**

Letters of Objection:

As of March 15, 2023, Staff has received no letters of objection to the request.

Attachments:

Application
Site Plan (Exhibit A)
Building Elevations (Exhibit B)
Maps
Ordinance 7270
Ordinance 7844



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

Project Number: 2-23-0322
Case Number: _____

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

Printed Name: Allen Perez

Phone (214) 705 3175

Email
aperez@jmcivileng.com

Address

1101 Central Expressway S #215

City

Allen

State

TX

Zip

75013

Property Owner

Printed Name: Terry Rigdon - Murphy Oil USA

Phone (214) 705 3175

Email
214 705 3175

Address

200 E Peach St

City

El Dorado

State

AR

Zip

71730

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: Allen Perez

Phone (214) 705 3175

Email
aperez@jmcivileng.com

Address

1101 Central Expressway S #215

City

Allen

State

TX

Zip

75013

Street Address: 4517-B Midland Dr. Midland, TX 79707

Legal Description

Lot: 1B Block: 33 Subdivision: NORTHGATE ADDITION

Current Zoning:

PD-7844 & PD-7270 / Underlying Zoning RR – Regional Retail

Proposed Zone: no change

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

Reason for Zone Change Request: Per city staff - PD Amendment required to rebuild on lot

Present Use of Property: Murphy USA fueling station

Proposed Use of Property: Murphy USA fueling station

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

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

Submittal and Fees

Items to be submitted with this application form:

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

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>Allen Perez</u>	Date: 02/07/2023
Applicant (printed): Allen Perez	
Property Owner (signature): <u>Terry W. Rigdon</u>	Date: 02/07/2023
Property Owner (printed): Terry W Rigdon	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

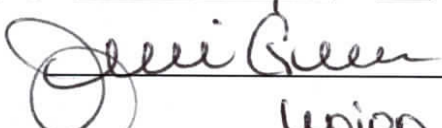
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Terry Rigdon who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or authorized by Murphy O. Lusk 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 7th day of February, 2023, to certify which witness my hand and seal of office.

JERRI GREER
UNION COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires August 22, 2026
Commission No. 12698642

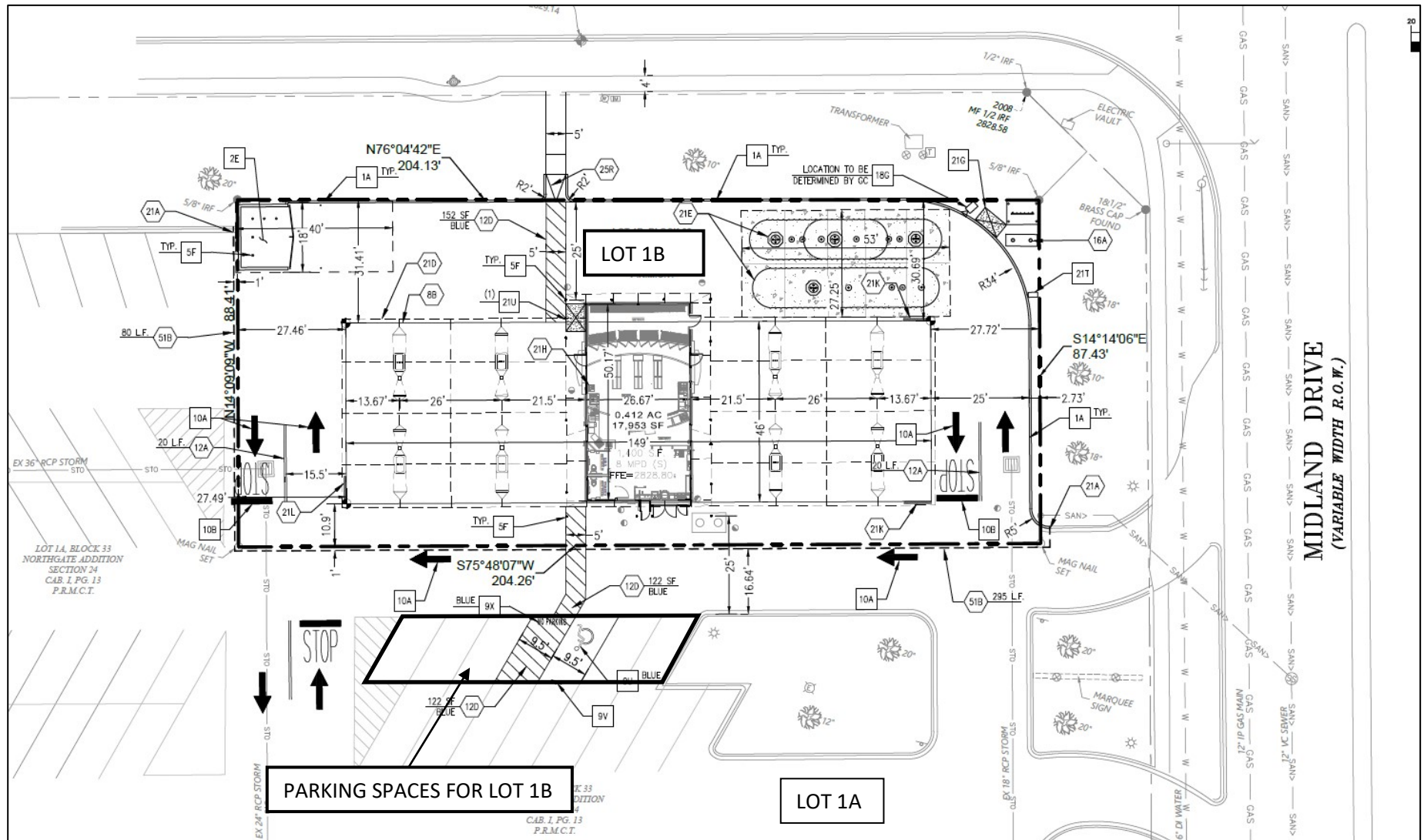

Union AR
 NOTARY PUBLIC, ~~MIDLAND~~ COUNTY, TEXAS

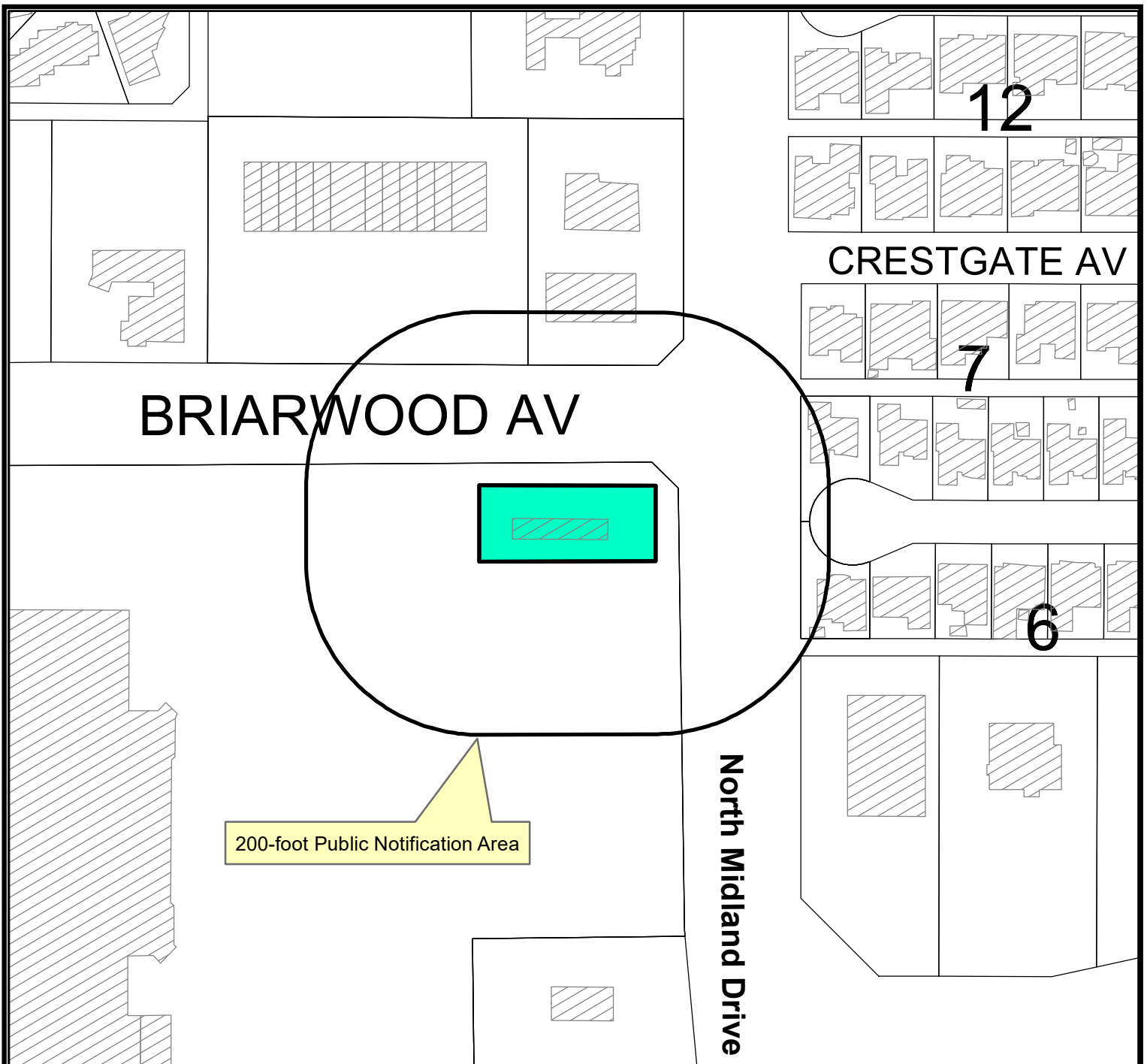
FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>2282</u>	
Received By: <u>KN</u>	Date: _____

RECEIVED
 FEB 15 2023
 BY:

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

Site Plan





LOCATION MAP

Z-23-0322

Scale: 1" = 2,235'

Consider a request by Allen Perez for a zone change from PD, Planned Development District for a Shopping Center to an Amended PD, Planned Development District for a Shopping Center, on Lot 1B, Block 33, Northgate Addition, Section 24, City and County of Midland, Texas.

Generally located approximately 20-feet from the southwest corner of the intersection of Briarwood Avenue and North Midland Drive. (Council District 1)

LEGEND

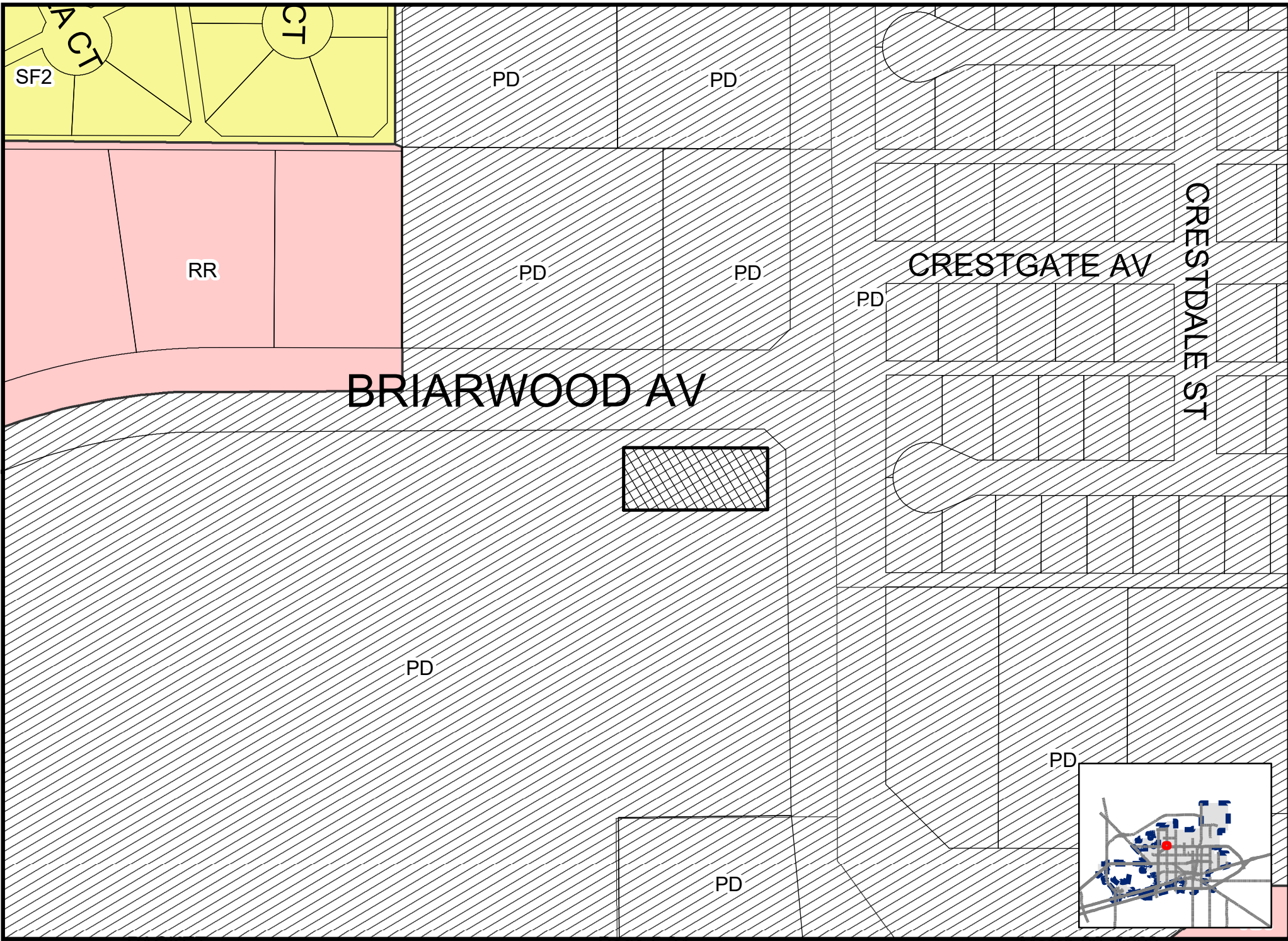
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ORDINANCE NO. 7844

AN ORDINANCE ADOPTING AN AMENDED SITE PLAN
SUBJECT TO THE FOLLOWING CONDITIONS;
CONTAINING A CUMULATIVE CLAUSE; CONTAINING
A SAVINGS AND SEVERABILITY CLAUSE;
PROVIDING FOR A MAXIMUM PENALTY OR FINE OF
TWO THOUSAND DOLLARS (\$2,000.00); AND
ORDERING PUBLICATION

WHEREAS, by Ordinance No. 7270, adopted September 14,
1993, the City Council granted a "Planned District" for a
Shopping Center and adopted a site plan; and

WHEREAS, after a full and fair public hearing at which
all parties in interest were offered an opportunity to be
heard, all pursuant to law, the Council finds it to be in the
public interest to adopt an amended site plan pursuant to
Ordinance No. 7270 subject to special conditions;

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

SECTION ONE. That the amended site plan attached hereto
as Exhibit "A" and "B" are hereby adopted as required by
Ordinance No. 7270, which created a "Planned District" for a
Shopping Center and is made a part hereof for all legal
purposes and subject to the following special conditions:

- A. That development of this property shall conform to the
conditions shown on Exhibits "A" and "B" in all respects,
except as otherwise stated below.
- B. That all outdoor light fixtures shall be designed so as
to avoid direct light from shining beyond the boundaries
of this lot.
- C. That all business signs shall conform to the regulations
set forth in Section 11-7 of the City Code.
- D. That a minimum of seven additional live oak trees shall
be planted along the north property line, adjacent to

Briarwood Avenue, with a minimum caliper of two inches at the time of planting. The minimum spacing between trees shall be 30 feet. Said landscaping shall be irrigated with an automatic sprinkler system, and shall be maintained in a healthy, growing condition.

SECTION TWO. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict including any inconsistency or conflict contained in Ordinance No. 7270.

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 27th day of April, A.D., 1999; and passed to second reading on motion of Council member Brooks, seconded by Council member Cuevas, by the following vote:

Council members voting "AYE": Brooks, Cuevas, Wood,
Brown, Burns and
Simpson

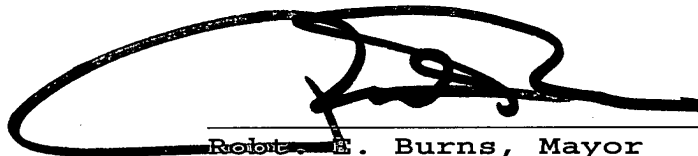
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Cuevas, seconded by Council member Brooks, on the 11th day of May, A.D., 1999, at a regular meeting of the City Council:

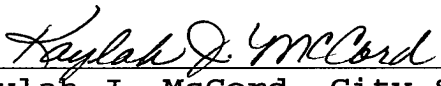
Council members voting "AYE": Cuevas, Brooks, Wood,
Brown, Burns and
Simpson

Council members voting "NAY": Washburn

PASSED AND APPROVED THIS 11th day of May,
A.D., 1999.


Robert E. Burns, Mayor

ATTEST:



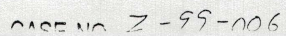
Kaylah J. McCord, City Secretary

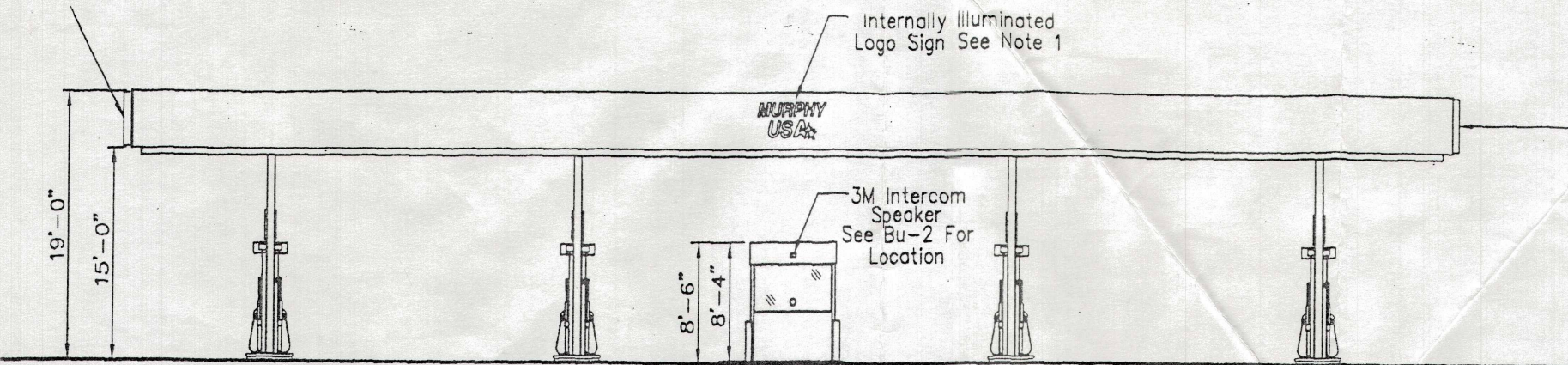
APPROVED AS TO FORM:



Keith Stretcher, City Attorney

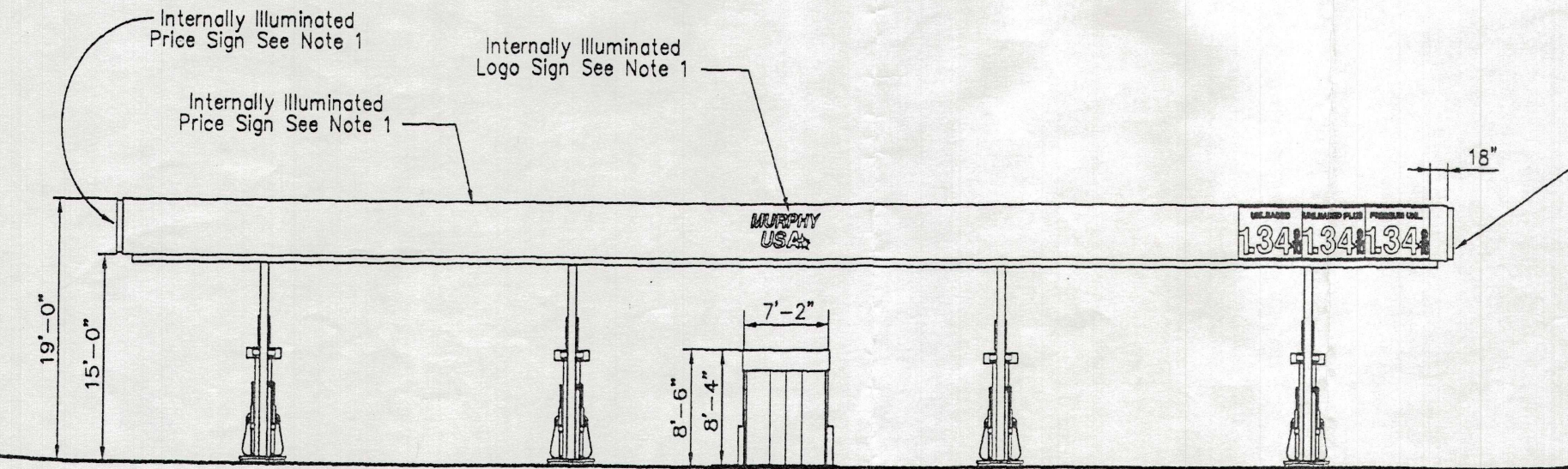
ord\planning\plndist\2-99-006





SITE CANOPY FRONT ELEVATION

SCALE: 1/8" = 1'-0"



RECEIVED

MAR 15 1999

PLANNING & DEVELOPMENT
CITY OF MIDLAND

SITE PLAN

PACKET

SITE CANOPY REAR ELEVATION

SCALE: 1/8" = 1'-0"

EXHIBIT B

March 20, 2023

CASE NO. 2-99-006

ORDINANCE NO. 7270

AN ORDINANCE AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING THE PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED "LR-1" AND "LR-2", LOCAL RETAIL DISTRICTS, AND "PLANNED DISTRICT" FOR A SHOPPING CENTER, TO BE USED AS A "PLANNED DISTRICT" FOR A SHOPPING CENTER; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; PROVIDING THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE ORDINANCES, SITE PLAN AND OTHER SPECIFICATIONS SET OUT AND REFERRED TO HEREIN; CONTAINING A CUMULATIVE CLAUSE AND EXPRESSLY REPEALING ORDINANCE NO. 6417; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

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

Said property is described as follows:

A 28.654 acre tract of land in the southeast part of Section 6, Block 39, H. P. Hilliard Survey, and the northeast part of Section 18, Block 39, T-1-S, T&P Ry. Co. Survey, Midland County, Texas, and being more fully described by metes and bounds as follows:

Beginning at a 1/2" iron rod found at a cutback corner in the west boundary line of Midland Drive in the southeast part of said Section 6, for the most easterly NE corner of Lot 1, Block 1, Briarwood Addition, Section 1, an addition to the City of Midland, Texas, plat of which is recorded in Cabinet D, Page 299, Midland County Plat Records for the most easterly NE corner of this tract, from which point the SE corner of said Section 6 bears N. 74° 55' 47" E., 62.35 feet and S. 15° 04' 13" E., 605 feet;

Thence S. 15° 17' 34" E., along the west boundary line of Midland Drive and east boundary line of Lot 1, 510 feet to a 1/2" iron rod found for a cutback corner for the most easterly SE corner of said Lot 1 and an interior corner of this tract;

Thence S. 19° 50' 05" E., at 95.33 feet pass the south boundary line of Section 6 and north boundary line of Section 18, continuing 205.72 feet in all to a 20d nail and tin tag found for an exterior easterly corner of Lot 6, Block 33, Northgate Addition, Section 10, an addition to the City of Midland, Texas, plat of which is recorded in Cabinet F, Page 4, Midland County Plat Records, for an exterior corner of this tract;

Thence S. 15° 13' 13" E., along the east boundary line of said Lot 6, 33.23 feet to a Texas Highway Department monument found in the north boundary line of State Loop Highway 250 for an exterior corner of said Lot 6 and this tract;

Thence S. 08° 56' E., along the east boundary of Lot 6 and north boundary line of State Loop Highway 250, 79.9 feet to a Texas Highway Department monument found for the SE corner of Lot 6 and this tract;

Thence N. 89° 31' 31" W., along the south boundary line of Lot 6, 276.65 feet to a point for the SW corner of Lot 6, NW corner of Lot 5, and an interior corner of this tract;

Thence S. 15° 12' 27" E., along the west boundary line of Lot 5, 107.09 feet to a 1/2" iron rod found for the SW corner of Lot 5 and an interior corner of this tract;

Thence S. 60° 08' 32" E., along the south boundary line of Lot 5, 127.72 feet to a 1/2" iron rod found in the north boundary line of State Loop Highway 250 for the SE corner of Lot 5 and an exterior corner of this tract;

Thence S. 39° 55' 33" W., along the north boundary line of State Loop Highway 250, at 227.56 feet pass the SW corner of Northgate Addition, Section 10, said point being the south boundary line of Lot 2, Block 33, Northgate Addition, Section 5, an addition to the City of Midland, Texas, plat of which is recorded in Cabinet C, Page 54, Midland County Plat Records, at 364.31 feet pass the SW corner of said Lot 2, continuing 628.61 feet in all to a point in the east boundary line of Northcrest Drive for the most southerly corner of Lot 1, Block 33, Northgate Addition, Section 5, and this tract;

Thence N. 50° 04' 27" W., along the east boundary line of Northcrest Drive and a south boundary line of said Lot 1, 97.11 feet to a point of curvature for a southerly corner of Lot 1 and this tract;

Thence northwesterly with a curve to the left, along the easterly boundary line of Northcrest Drive, Delta Angle = 54° 59' 46", Radius = 130 feet, Chord Bearing = N. 77° 34' 20" W., Chord Distance = 120.05, a distance on curve of 124.78 feet to a point of tangency in the southerly boundary line of Lot 1, for a southerly corner of this tract;

Thence S. 74° 55' 47" W., along the north boundary line of Northcrest Drive and south boundary line of Lot 1, 190 feet to a point of curvature for the most southerly SW corner of Lot 1 and this tract;

Thence northwesterly with a curve to the right along the north boundary line of Northcrest Drive, Delta Angle = 90°, Radius = 70 feet, Chord Bearing = N. 60° 04' 13" W., Chord Distance = 98.99 feet, a distance on curve of 109.96 feet to a point of tangency for the most westerly SW corner of lot 1 and this tract;

Thence N. 15° 04' 13" W., along the east boundary line of Northcrest Drive, at 435 feet pass the NW corner of Lot 1 in the south boundary line of Northgate Avenue, at 530 feet pass a 1/2" iron rod found in the north boundary line of Northgate Avenue for the SW corner of said Lot 1, Block 1, Briarwood Addition, Section 1, continuing in all 974.23 feet to a point of curvature for a westerly corner of said Lot 1 and this tract;

Thence northwesterly with a curve to the left along the east boundary line of Northcrest Drive and west boundary line of Lot 1, Delta Angle = 11° 08' 02", Radius = 465.06 feet, Chord Bearing = N. 20° 38' 14" W., Chord Distance = 90.23 feet, a distance on curve of 90.37 feet to a 1/1" iron rod found in the curved south boundary line of Briarwood Avenue for the NW corner of Lot 1 and this tract;

Thence northeasterly with a curve to the right along the south boundary line of Briarwood Avenue and north boundary line of Lot 1, Delta Angle = 22° 57' 58", Radius = 832.17 feet, Chord Bearing = N. 63° 26' 48" E., Chord Distance = 331.33 feet, a distance on curve of 333.56 feet to a point of tangency for a north corner of Lot 1 and this tract;

Thence N. 74° 55' 47" E., along the south boundary line of Briarwood Avenue and north boundary line of Lot 1, 780.23 feet to a 1/2" iron rod found at a cutback corner for the most northerly NE corner of Lot 1 and this tract;

Thence S. 60° 10' 53" E., along said cutback, 42.51 feet to the place of beginning and containing 1,248,177.78 square feet of land (28.654 acres).

SECTION TWO. That the property described in Section One hereof shall be subject to the following special conditions and restrictions:

1. That the use and development of this property including the proposed Garden Center as indicated on the site plan, attached hereto as Exhibit "A" and made a part hereof for all legal purposes, shall conform to the regulations of the "LR-2", Local Retail District, as they may be amended from time to time, except as stated otherwise below.

2. That, if Lot 1 as indicated on Exhibit "A" is developed for retail use, development shall conform to Exhibit "A" in all respects, except for the following conditions:

- a. All driveway locations except for the indicated **TRUCK ACCESS ONLY** driveway, located near the northwest corner of this site, shall be considered only as illustrative relative to location, directions of movements, and number.

- b. The indicated parking plan is for illustrative purposes only. The actual design and number of spaces shall

comply with the parking regulations of the Zoning Code.

3. That the Building Limits Line on Exhibit "A", Lot 1, depicts the maximum area within which buildings may be located on Lot 1.

4. That a portion of the facility may be used for a tire, battery and accessory facility in accordance with Midland City Code § 11-1-10-(a)(34), provided; however, that such facility be located at the southwest portion of the main retail building as shown on Exhibit "A" as "T.B.O.".

5. That the location of the Garden Center and Truck Area shall be at the southeast and west sides, respectively, of the main retail building within the general locations shown on Exhibit "A".

6. That the indicated screening walls along the west side of this tract shall be constructed to conform to Exhibit "A". The fence shall be a minimum of 6 feet in height, and shall be constructed of "Brickcrete" manufactured by American Technocrete Corporation, or equivalent, a modular concrete brick structure having the general appearance of a clay fired brick. Concrete masonry units (cinder block) shall not be used;

7. That landscaping shall be installed to conform to Exhibit "A". A tree shall be planted at each location depicted thereon and each shall have a minimum caliper of three inches at the time of planting. The maximum spacing measured from tree trunk to tree trunk between those trees located within 10 feet of Northcrest Drive shall be 40 feet. All areas not occupied by paving or buildings shall be planted in turf grass. An automatic sprinkler system shall be installed in all landscaped areas. Said landscaping shall be maintained in a healthy growing condition. The indicated dimensions between trees and tree groups shall be treated as maximum dimensions.

8. The outdoor lighting of this tract shall conform in all respects to the photometric plan attached hereto as Exhibit "B" and made a part hereof for all legal purposes. Any light fixtures installed on building walls within the Truck Area shall be designed and/or shielded so as to prevent light emanating directly from the light source of the fixtures from being visible anywhere beyond the west right of way of Northcrest Drive.

9. No development shall occur and no building permit shall be issued on Lot 2 shown on Exhibit "A" until a site plan has been reviewed and approved in the same manner as required for a zone change.

10. No development shall occur until the proposed lots shown on the site plan have been replatted according to the Midland Subdivision Code, to conform to the site plan;

11. That the west wall of the main building on Lot 1 shall be a minimum of 150 feet from the east line of Northcrest Drive.

12. That no advertising or business signs shall be located on the west wall of the main building as shown on Exhibit "A". Additionally, no advertising or business sign may be located on Lot 1 within 150 feet of the east line of Northcrest Drive.

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

herein.

SECTION FOUR. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict, and Ordinance No. 6417 is expressly repealed.

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 24th day of August, A.D., 1993; and passed to second reading on motion of Council member Schneider, seconded by Council member Sipes, by the following vote:

Council members voting "AYE":	Schneider, Sipes, Faircloth, Egan and Brooks
Council members "ABSTAINING":	Morrow
Council members voting "NAY":	None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Cuevas, seconded by Council member Sipes, on the 14th day of September, A.D., 1993, at a regular meeting of the City Council:

Council members voting "AYE":	Cuevas, Sipes, Schneider, Faircloth, Egan and Brooks
Council members "ABSTAINING":	Morrow
Council members voting "NAY":	None

PASSED AND APPROVED THIS 14th day of September, A.D., 1993.



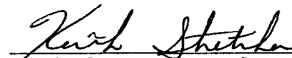
J. D. Faircloth, Mayor

ATTEST:



B. C. Clanton, City Secretary

APPROVED AS TO FORM:



Keith Stretcher, City Attorney

ORD\DunawayAssoc.PD















Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaugnessy

MEETING DATE: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeffrey Fisher, Senior Planner

SUBJECT: Consider a request by Alejandro Dominguez for a Zone Change from PD, Planned Development District for an Office Center to PD, Planned Development District for a Shopping Center, on Lot 2, Block 1, W. P. Knight Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of South Powell Street and West Wall Street. - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Purpose:

The applicant, Alejandro Dominguez, is requesting a zone change from PD, Planned Development for an Office Center to PD, Planned Development for a Shopping Center to allow for hotel and restaurant use.

Current Zoning:

PD, Planned Development District for an Office Center (Ordinance No. 6231)

Surrounding Zoning and Land Use:

The property to the north is zoned MF-16, Multiple-Family District, and the location of single-family homes. The property to the east is zoned RR, Regional Retail District, and the location of a vehicle repair shop. The property to the south is zoned C, Commercial, and the location of a landscape and stone business. The property to the west is zoned RR, Regional Retail District, and the location of a car dealership.

Analysis:

The applicant, Alejandro Dominguez, is requesting to amend the PD to allow an expanded Restaurant within an existing Hotel. The current ordinance does not permit the use of a hotel however, it does permit a Lounge/Restaurant with a total square footage of 2,751± square feet. The applicant is seeking to increase the restaurant floor area to 5,200± square feet.

The proposed request 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 All future development shall meet the requirements of IFC 2015 ed. and local ordinances. Including the addition or modification of fire protection systems.

Building: (Approved)

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

Engineering: (Approved)

No objections to zoning/zone change. [For Applicant's Information Only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

Code: (Approved)

No Oil and Gas Issues.

Transportation: (Approved)

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

Planning:

The request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3-Land Use Vision. The future land use map illustrates this area is designated as a Special Study Area. Staff believes that a hotel and restaurant are suitable at this location based on access and visibility of being located on a commercial corridor such as West Wall Street.

Staff recommends approval of this request subject to conditions A and B.

Conditions:

- A. That the development of the Property shall conform to the site plan attached hereto as Exhibit "A".**
- B. That the barriers located around the perimeter of the Property as of the date of this ordinance shall be maintained or replaced as necessary to prevent encroachment of vehicles into adjacent public rights-of-way or adjacent property. Such barriers may include wheel stops, bollards, landscape islands, or other suitable barrier.**

Letters of Objection:

As of March 15, 2023, staff has received no letters of objection for this request.

Attachments:

Application
Site Plan (Exhibit A)
Maps
Ordinance 6231
Ordinance 6925
Parking Authorization Letter
Parking Sufficiency Letter



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: Z-23-0323

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Alejandro Dominguez</u>		Phone (<u>432</u>) <u>741 0121</u> Email: <u>Ocho8otexas@gmail.com</u>	
Address: <u>3601 Andrews Hwy</u>	City: _____	State: <u>TX</u>	Zip: <u>79703</u>

Property Owner Printed Name: <u>Nazim Enterprises, Inc. Nazim Butt</u>		Phone (<u>432</u>) <u>699 9149</u> Email: <u>Nazimb1@gmail.com</u>	
Address: <u>3100 W Wall St</u>	City: <u>Midland</u>	State: <u>TX</u>	Zip: <u>79701</u>

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

Street Address: <u>3100 W Wall St Midland TX 79701</u>			
Legal Description Lot: <u>20</u> Block: <u>1</u> Subdivision: <u>W P KNIGHT SEC 2</u>			

Current Zoning: <u>PD 692S as amended</u>	Proposed Zone: <u>PD (see below)</u> (List by tracts if more than one district is requested)
--	--

Reason for Zone Change Request: <u>expansion of lounge, restaurant with bar.</u>

Present Use of Property: <u>lounge/restaurant/bar</u>
--

Proposed Use of Property: <u>same.</u>

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

Describe how conditions affecting the property have changed since present zoning designation: <u>① Expanded Floor area 2,751 to 5,200 sq. ft.</u> <u>② expanded hours - Sunday open earlier at 11:00am</u>

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

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

Applicant (signature): [Signature] Date: 2/27/28

Applicant (printed): Alejandro Dominguez

Property Owner (signature): Nazim Butt Date: 2/27/28

Property Owner (printed): Nazim Butt

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.

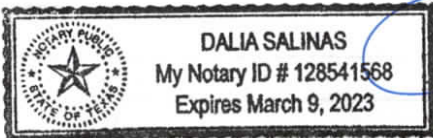
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Alejandro Dominguez who, being by me duly sworn, upon oath says: That (s)he is the owner of 3100 W Wail St or authorized by NAZIM BUTT, 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 27th day of February, 2023, to certify which witness my hand and seal of office.

[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

DALIA SALINAS
My Notary ID # 128541568
Expires March 9, 2023

FOR OFFICE USE ONLY

☒ Property Owner Authorization ☐ Dimensioned Site Plan (see original pp)

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

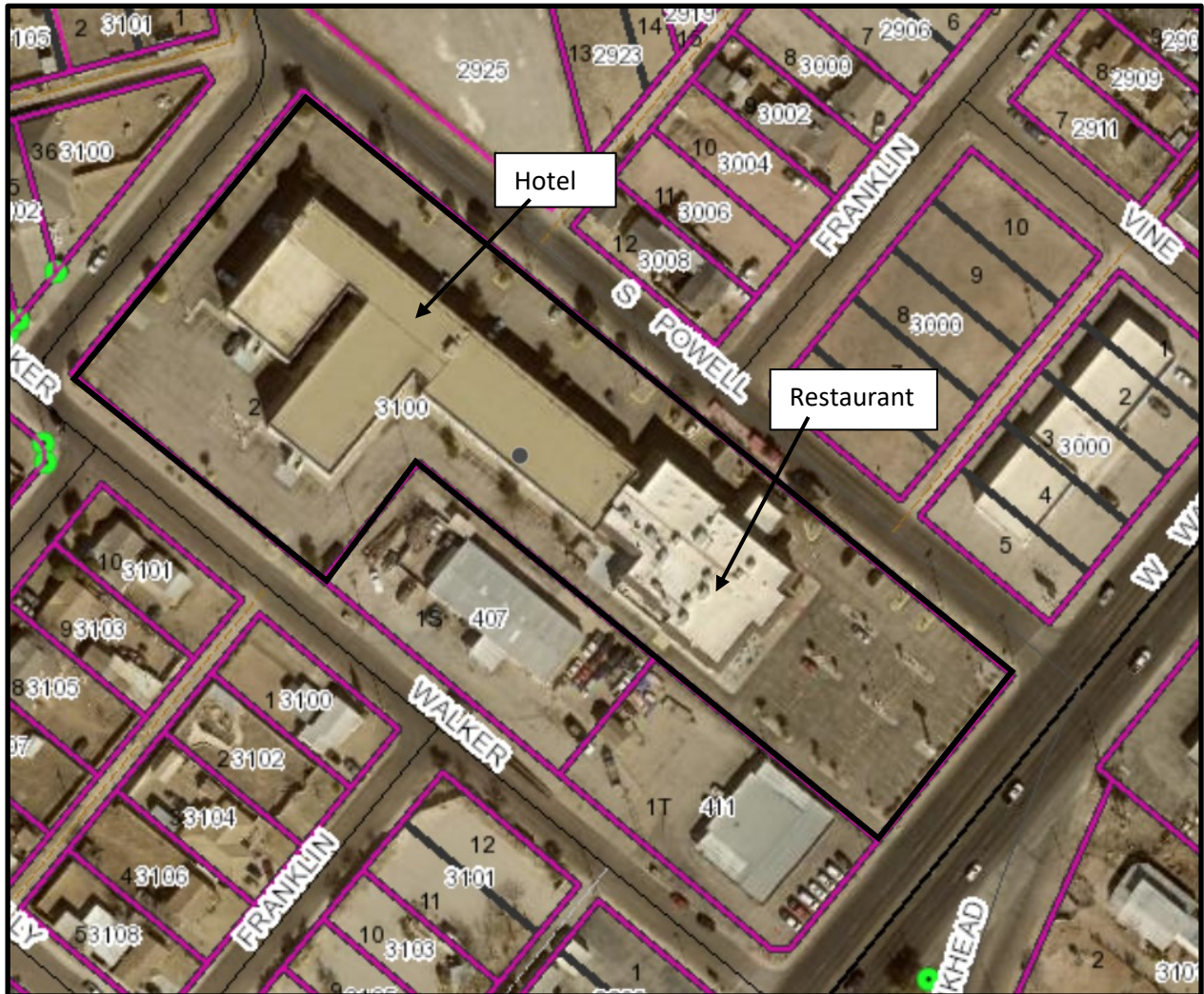
Check # 1146

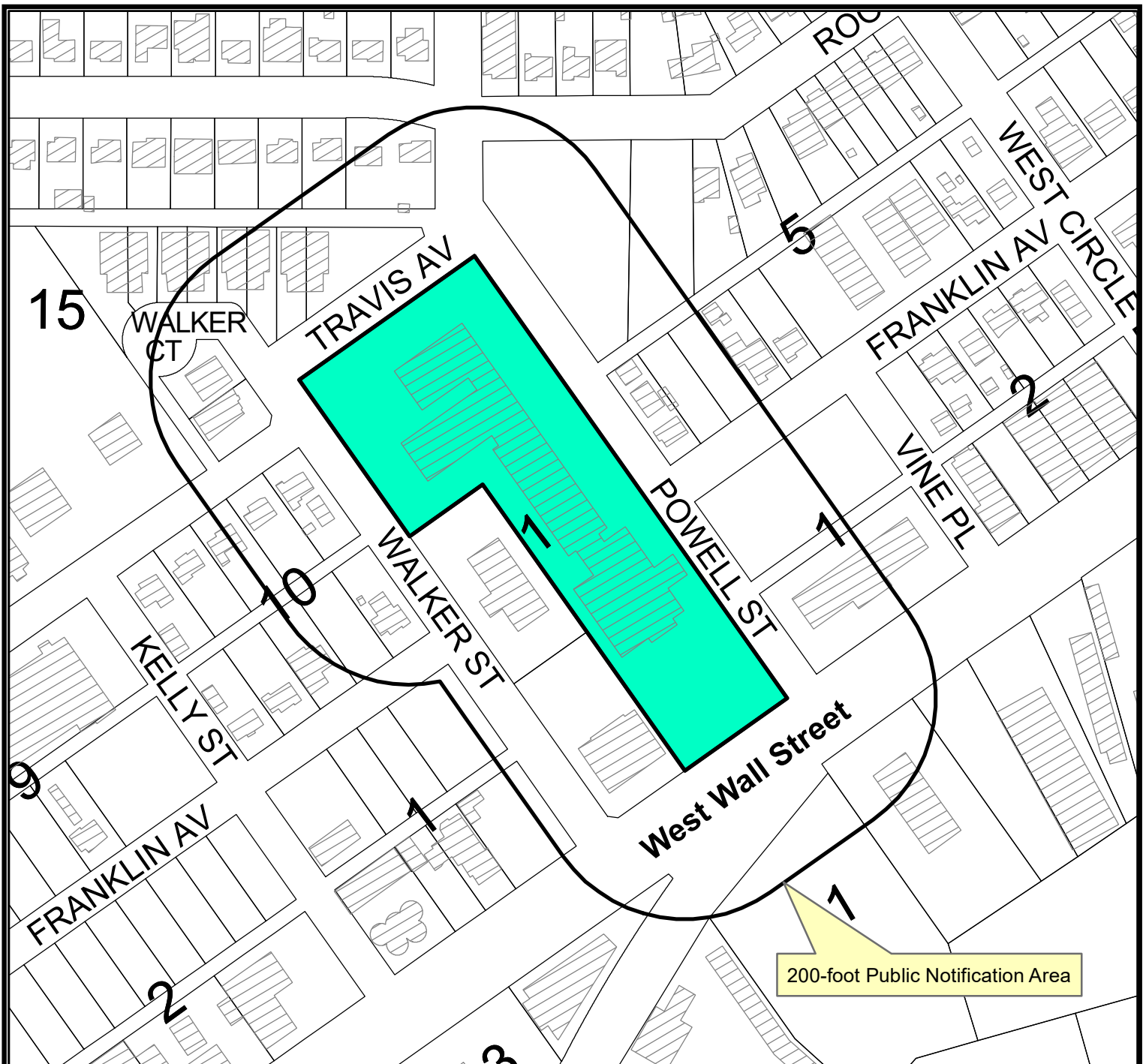
Received By: Jeff Fisher Date: 2/27/23

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

Exhibit “A”

Site Plan





LOCATION MAP

Z-23-0323

Scale: 1" = 2,328'

Consider a request by Alejandro Dominguez for a zone change from PD, Planned Development District for an Office Center to a PD, Planned Development District for a hotel with a restaurant, on Lot 2, Block 1, W. P. Knight, Section 2, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of West Wall Street and South Powell Street. (Council District 2)

LEGEND

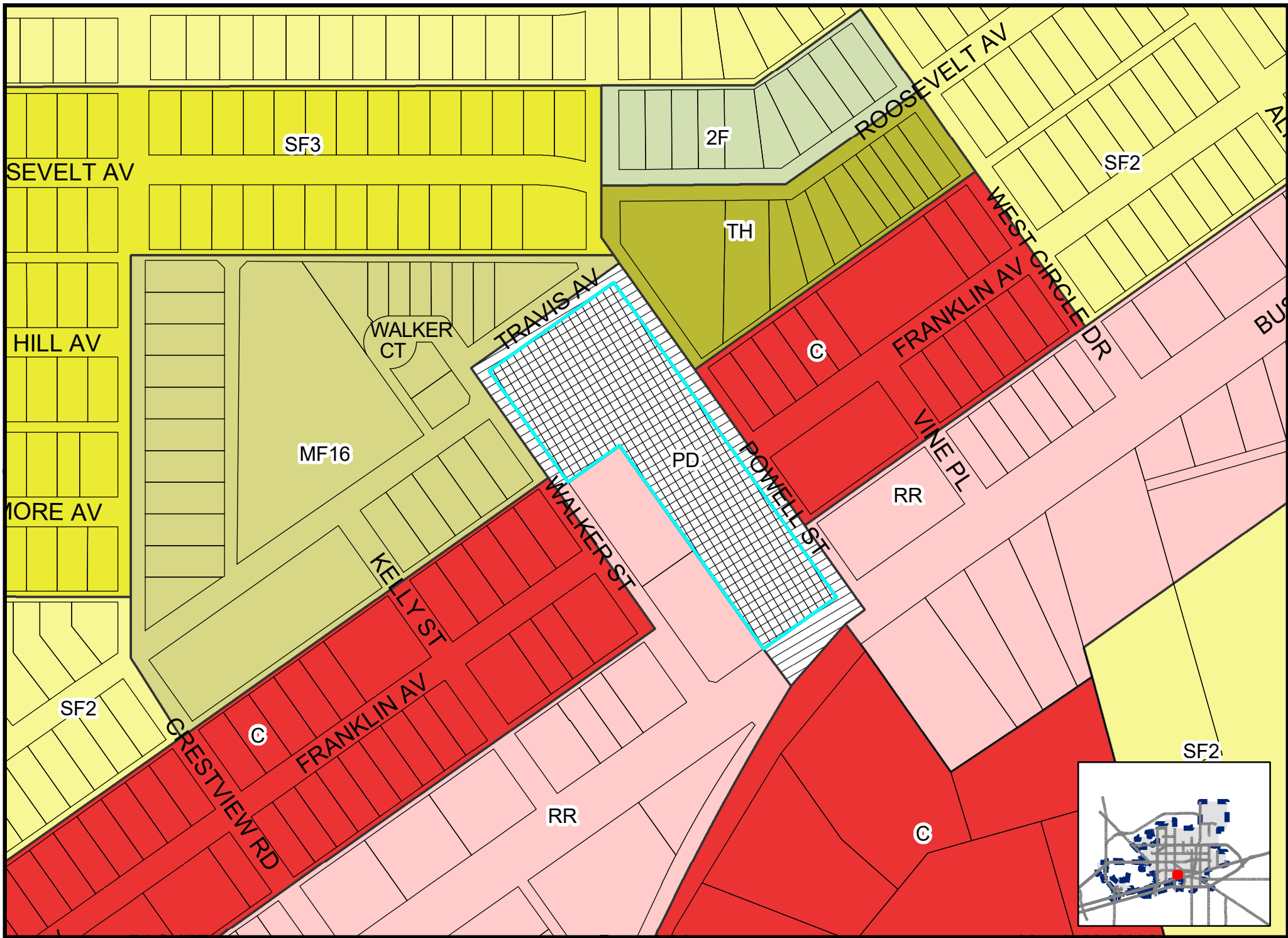
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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.













Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeffrey Fisher, Senior Planner

SUBJECT: Consider a request by Roger Wells for a Specific Use Designation without Term for Automobile or Other Motorized Vehicle Sales and Service, on Lot 4, Block 2, Country Villa Estates, Section 7, City and County of Midland, Texas. (Generally located on the northeast corner of W. Wall Street and Brinson Lane. – Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Roger Wells is requesting a Specific Use Designation (SUDwo) without Term for Automobile or Other Motorized Vehicle Sales and Service.

Current Zoning:

C, Commercial District, and TP, Technology Park District

Surrounding Zoning and Land Use:

The properties to the north are zoned SF-2, Single-Family Dwelling District, and the location of single-family homes. The properties to the east are zoned C, Commercial District, and the location of an auto dealership and hotel. The property to the south across West Wall Street is outside city limits and the location of equipment storage. The property to the west is zoned C, Commercial District, and the location of a hotel.

Analysis:

The current zoning of C, Commercial, and TP, Technology Park which permits Automobile or Other Motorized Vehicle Sales and Service use with the approval of an SUDwo.

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

The property will be required to comply with the standards as listed in Section 4.04.A.6 of the Zoning Ordinance for Automobile or Other Motorized Vehicle Sales and Services use.

6. Automobile or Other Motorized Vehicle Sales and Service Standards

- a. Allowed by Specific Use Designation, according to the permitted Use Chart.
- b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
- c. No intermittent or flashing lights shall be permitted.
- d. Luminaries shall be mounted at a height not to exceed 30 feet as measured vertically from the horizontal surface of the nearest parking pavement.
- e. All building façades shall be constructed with the same masonry materials that meet the masonry regulations for the zoning district in which the property is located.
- f. No exterior auditory devices shall be permitted.

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

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

No objections.

Fire: (Approved)

No objections.

Planning: (Approved)

The Future Land Use Map in the Tall City Tomorrow Comprehensive Plan calls for community commercial uses in this area, visitor services, and higher density residential uses which is part of a Gateway Corridor Area. Staff believes that Automobile or other Motorized Vehicle Sales and Services is suitable at this location based on access and visibility of being located on a commercial corridor such as West Wall Street.

Staff recommends approval of the request of the Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Services, subject to Conditions A and B.

Letters of Objection:

As of March 15, 2023, staff has received no letters of objection for this request.

Conditions:

- A. That the use and development of the Property for the Specific Use shall significantly conform to the site plan, which is attached hereto as Exhibit “A” and incorporated herein for all purposes.**
- B. That the use and development of the Property for the Specific Use shall conform to standards set forth in Section 11-1-4.04.A.6 of the City Code.**

Attachments:

Application
Site Plan (Exhibit A)
Maps



Specific Use Designation
Application (Non-Alcohol)

Case Number: SUD-23-0034
Ord. Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: _____		Phone () _____ Email _____	
Address <u>4200 W WALL</u>	City <u>Mid</u>	State <u>TX</u>	Zip <u>79703</u>

Property Owner Printed Name: <u>DTS</u>		Phone (432) <u>694-8801</u> Email _____	
Address <u>Box 4577</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79704</u>

Representative (if different from Applicant or Property Owner) Firm: <u>B & B METAL BUILDINGS</u> Printed Name: <u>Roger Wells</u>		Phone (432) <u>620-0003</u> Email <u>PRODRUNNER3@GMAIL.COM</u>	
Address <u>Box 1006</u>	City <u>Mid</u>	State <u>TX</u>	Zip <u>02</u>

Type of Permit: _____	For Office Use Only ☐ with Term ☒ without Term
Is there any Code Enforcement action pending on property? ☐ Yes ☐ No	

Street Address: <u>4200 W WALL</u>		
Legal Description Lot: _____ Block: _____ Subdivision: _____		

Current Zoning: _____	
Maximum Floor Area: <u>9600</u>	Maximum Occupancy: _____
Proposed hours and days of use or operation: <u>WAREHOUSE JAN/6 PM</u> <u>MON-FRI</u>	
Reason for request: <u>SUP IS USED FOR STORAGE BLDG</u>	
Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: _____ _____	

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

Signatures

Applicant (signature): <u>R. Wells</u>	Date: <u>FINAL 23</u>
Applicant (printed): <u>Roger Wells</u>	
Property Owner (signature): <u>Doss Rogers</u>	Date: <u>3-8-2023</u>
Property Owner (printed): <u>Doss Rogers</u>	

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

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

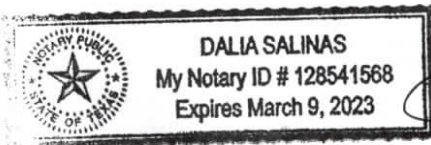
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Roger Wells who, being by me duly sworn, upon oath says: That (s)he is authorized by Doss Rogers, 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.

R. Wells
Authorized Agent (signature)

Subscribed and sworn to before me, this 9th day of March, 2023, to certify which witness my hand and seal of office.



Dalia Salinas
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☐ Site Plan in Digital Format (PDF/JPEG)

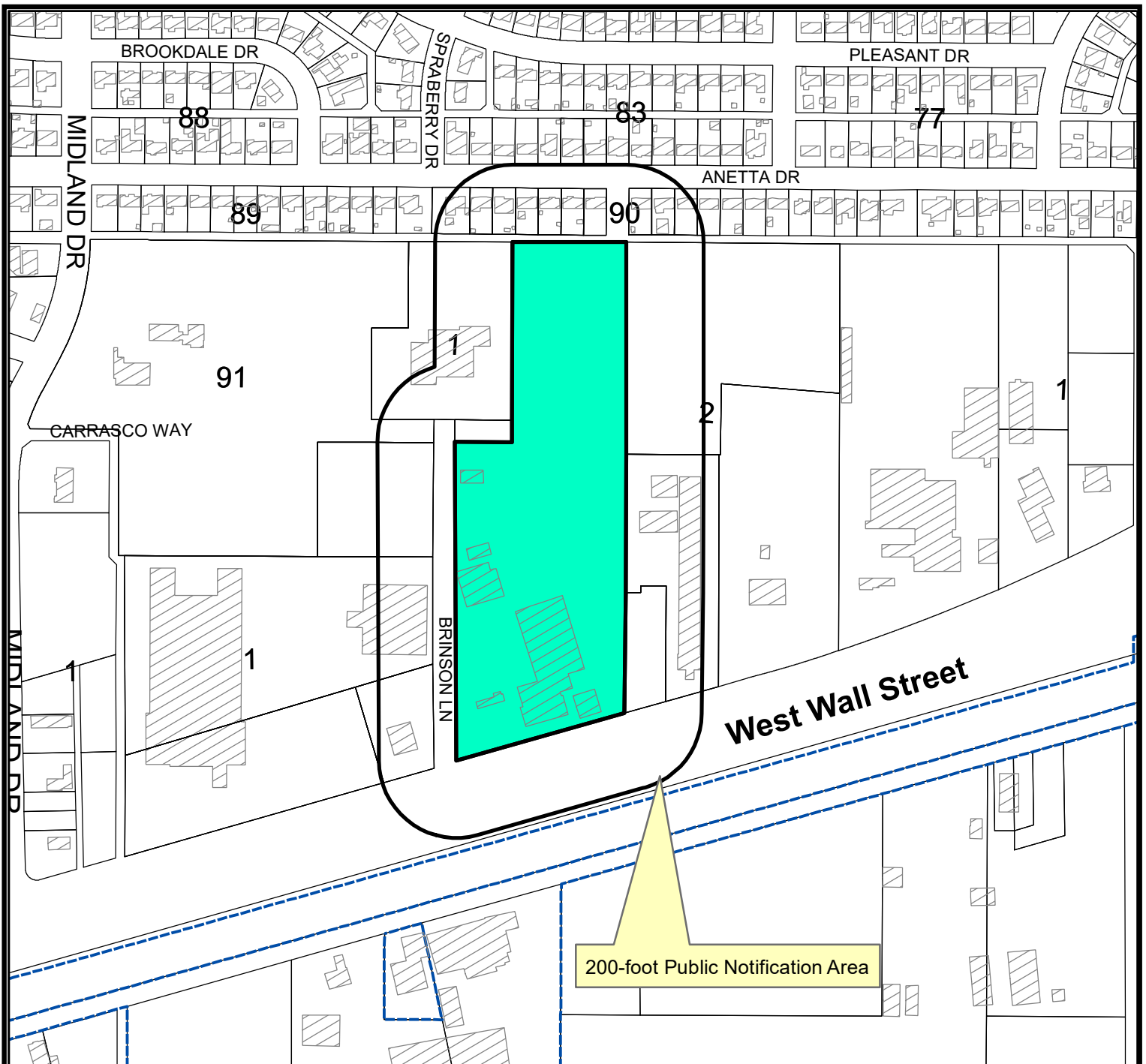
Check # 5680

Received By: London White

Date:

MAR 09 2023

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



LOCATION MAP

SUDwo-23-0034

Scale: 1" = 4,470'

Consider a request by Roger Wells for a Specific Use Designation without term, for an Automobile or Other Motorized Vehicle Sales and Service on Lot 4, Block 2, Country Villa Estates, Section 7, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of West Wall Street and Brinson Lane.
(Council District 2)

LEGEND

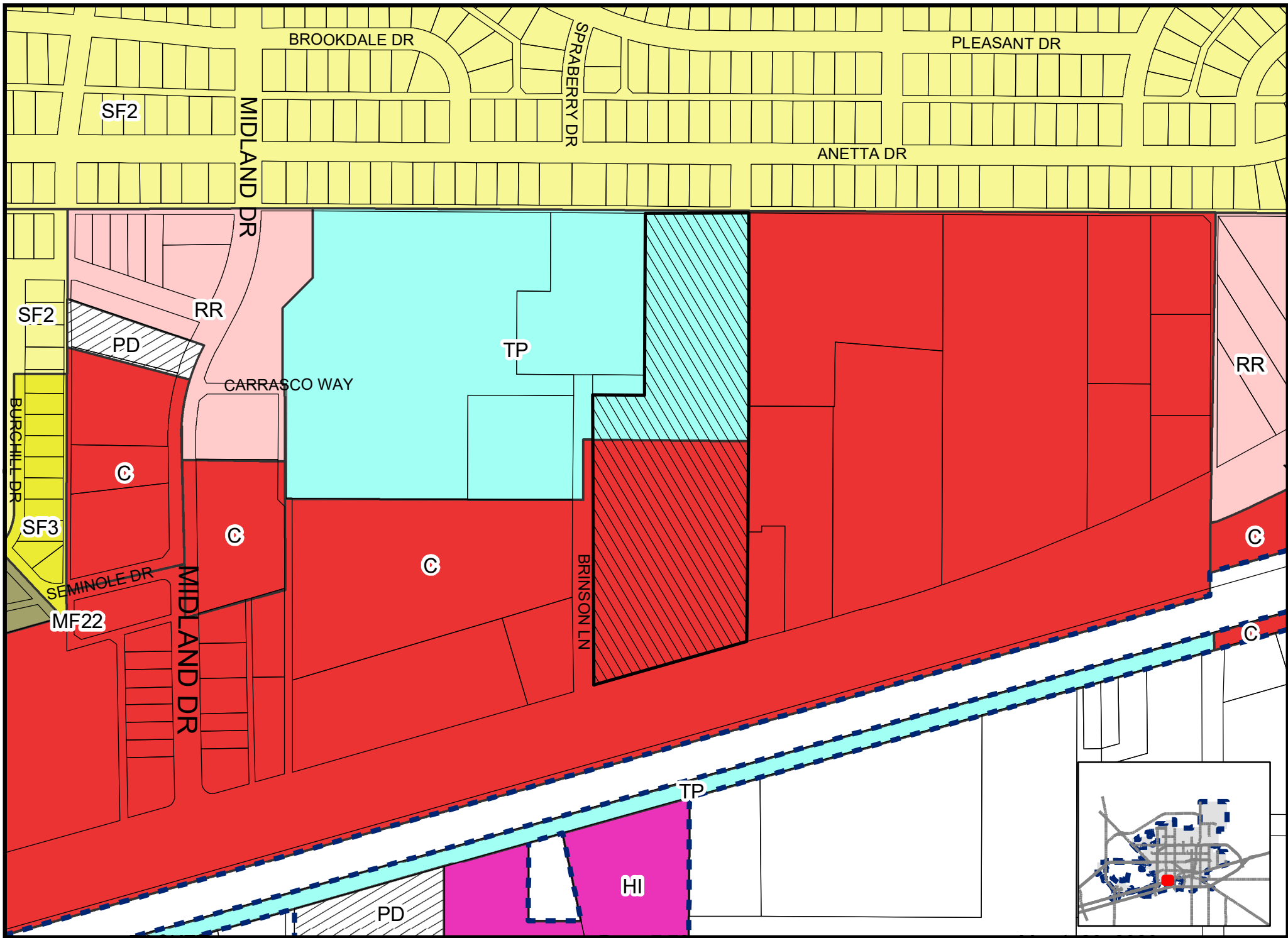
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



PACKET

Page 7.73

March 20, 2023















Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Dunham Acres, Section 2, being a plat of a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P, RR, Co. Survey, Midland County, Texas. (Generally located on southeast corner of the intersection of W. County Road 122 and S. County Road 1290 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, S.W. Howell Inc., is requesting to plat a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P, RR, Co. Survey, Midland County, Texas for the development of a new building.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

Show coordinates for point of beginning.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: There are no impact fees associated with this plat. Property is outside of the designated service areas. [For the Applicant's information only.]

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

PAVING: W County Road 122 and S County Road 1290 are sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

WATER: None existing. Construct water to City standards along entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

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

DRAINAGE: Drainage report has been reviewed and returned for minor revisions. FEMA Firm data on the plat face is incorrect. The FIRM panel should be #48329C0200F. [For Applicant's Information Only.]

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

SIDEWALKS: Required at building permit. However, subdivision located in county so request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No comments.

Oil and Gas: (Approved)

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

GIS: (Approved)

ETJ line doesn't match new survey. Our ETJ line stops at 257.75' along W C R 122. POB does not have x-y coordinate.

Health: (Approved)

Yes, the health department will review application from the 1 proposed lot of Dunham Acres, Section 2, PLAT OF A 4.9 ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY the lot is 4.9 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: (Approved with Conditions)

Provide the coordinates for the point of beginning [Informational]

According to MCAD, the property owner is Black Label Ventures, LLC. Provide proof that Fair Family Partnership, Ltd. is the owner of this tract. [Informational]

Utility company names have changed. Provide the corresponding names on the plat. [Informational]

Staff recommends approval of the Preliminary Plat for Dunham Acres, Section 2, subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. [Midland City Code 11-2-4(A)2(a) & 11-2-3(G)1].**
- B. Approval of this preliminary plat is conditioned upon All plat comments, conditions, and requirements must be satisfied by all pertinent City department before filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Preliminary Plat
Maps



Preliminary Plat Application

Project Number: SUB-22-0556
Case Number: P-23-1557

Proposed Subdivision Plat Name: Dunham Acres, Section 2

Legal Description (attached sealed Metes and Bounds): 4.97 Acres out of Section 18, Block 40, T-2-S, T & P Ry Co
Survey, Midland County, Texas

Property Owner Printed Name: <u>Fair Family Partnership, Ltd</u>		Phone (432) 528-5790 Email <u>bfair@rino-kk.com</u>	
Address <u>P. O. Box 60047</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79711</u>

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>S.W. Howell, Inc.</u> Printed Name: <u>Janie Howell</u>		Phone (432) 367-5711 Email <u>j.howell@swhowell.com</u>	
Address <u>409 E 57th Street</u>	City <u>Odessa</u>	State <u>TX</u>	Zip <u>79762</u>

Current Zoning: _____

Reason for Platting: ETJ plat for proposed building.

Plat Information	Total Acreage: <u>4.97 acres</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)	
Number of Lots:	Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

Provisions

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

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

Property Owner (signature): _____

Date: _____

Property Owner (printed) : _____

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

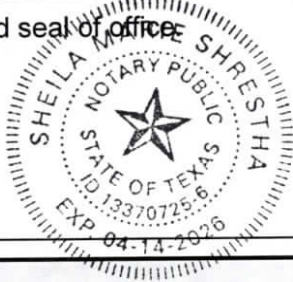
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Janie Howell
Authorized Agent (signature)

Subscribed and sworn to before me, this 13 day of February, 20 23 to certify which witness my hand and seal of office



Sheila Shrestha
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

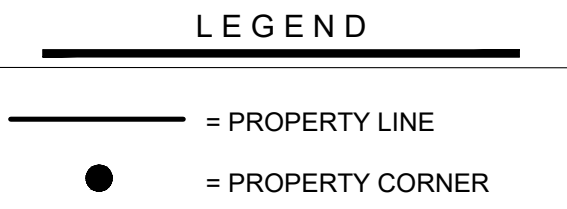
FOR OFFICE USE ONLY☒ Property Owner Authorization☒ 1 Copy of Dimensioned Plat☒ Plat in Digital Format (PDF/JPEG)☒ Application Fee☒ 1 Copy of Plat (11x17)Check # 9902Received By: KM

Date:

RECEIVED
FEB 23 2023

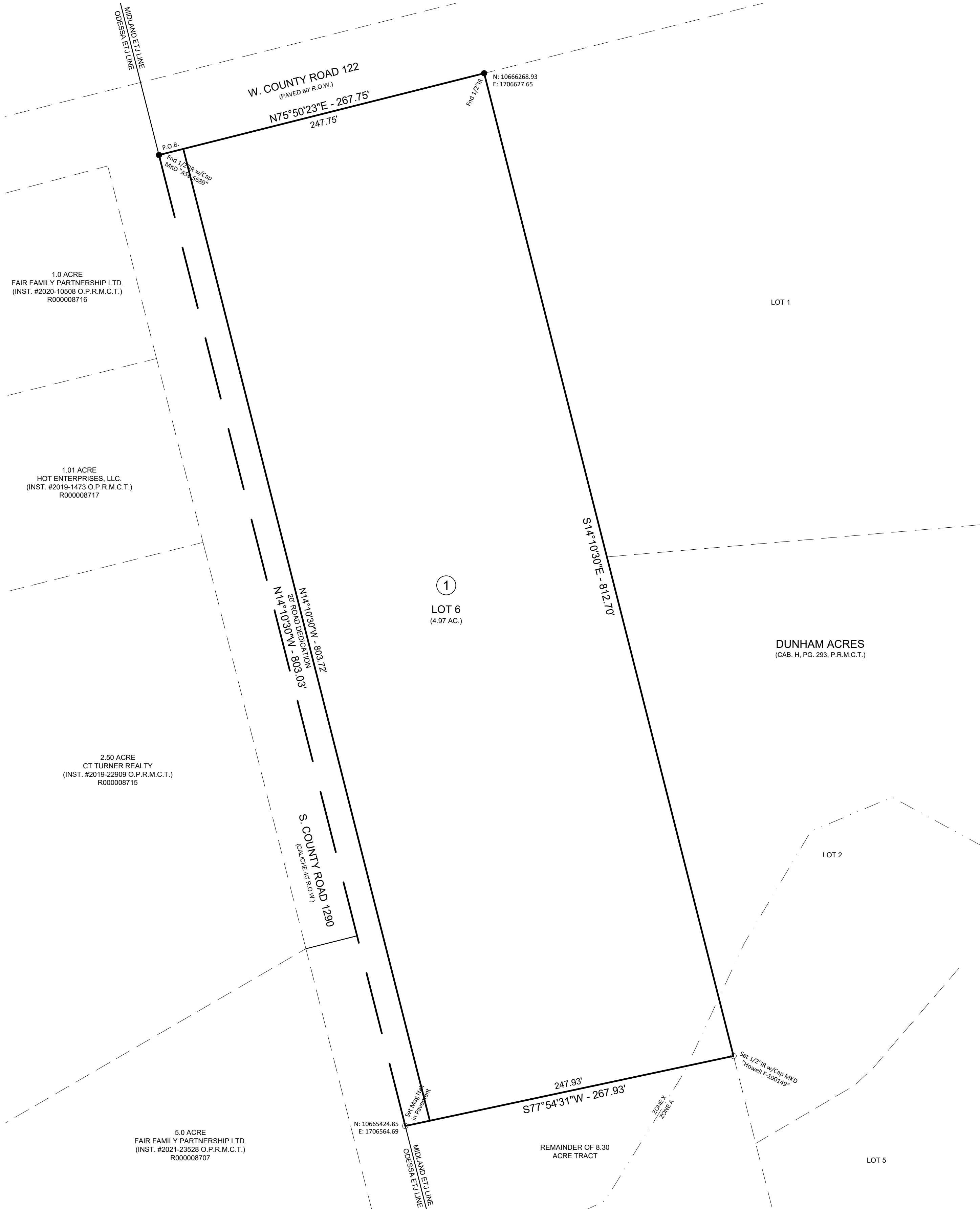
BY: _____

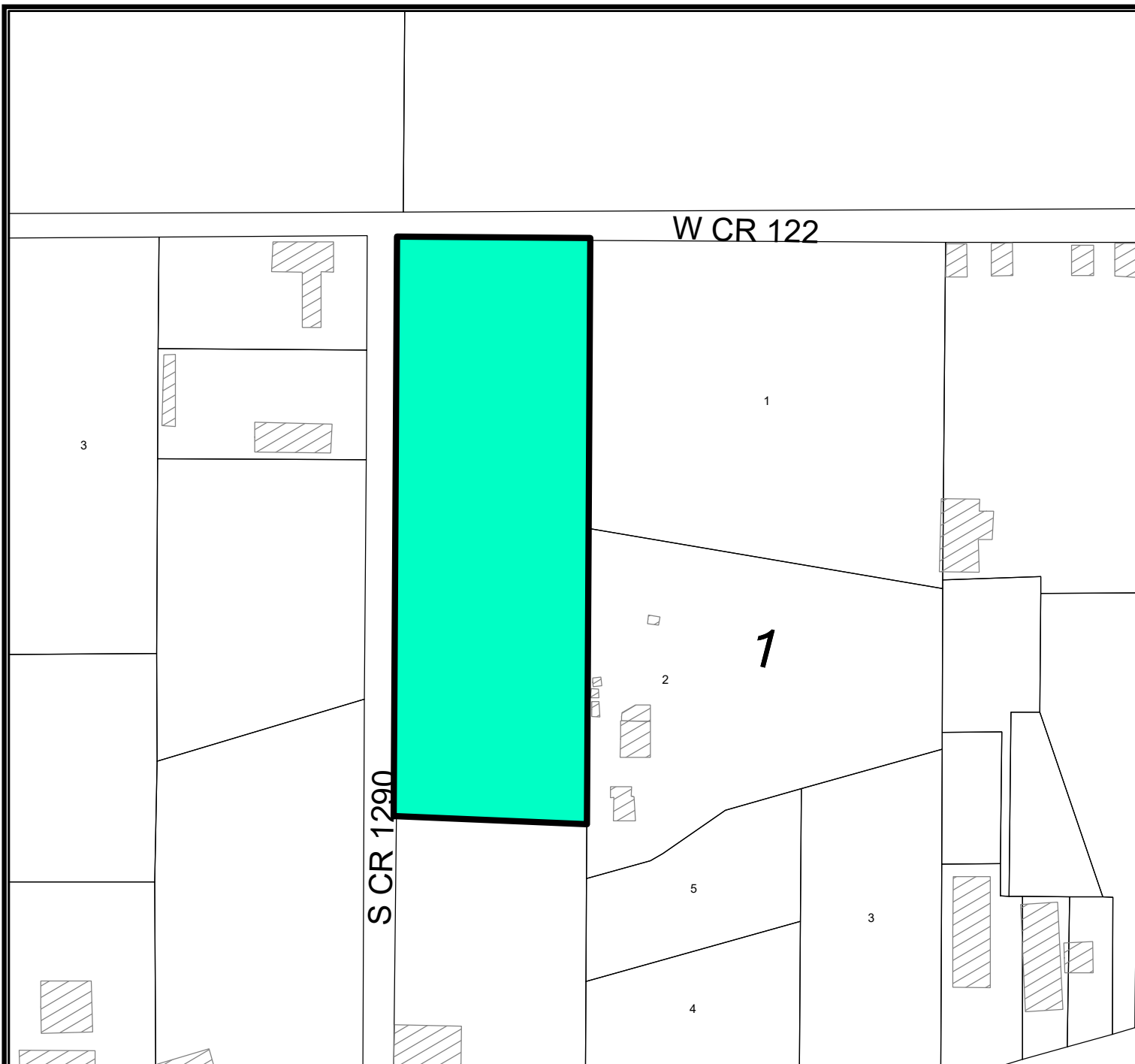
****Application will not be considered for scheduling until reviewed by a planner.****



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. BEARINGS/DISTANCES/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
3. 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.
4. THE PROPERTY SHOWN HEREON APPEARS TO BE IN ZONE "A & X" AS INTERPRETED FROM OUR FILE COPY OF FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, PANEL NO. 48329C02200F DATED SEPTEMBER 16, 2005. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THIS INFORMATION; THE LOCAL FEMA FLOOD PLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR VERIFICATION.

SuddenLink Communications





LOCATION MAP

SUB-22-0556

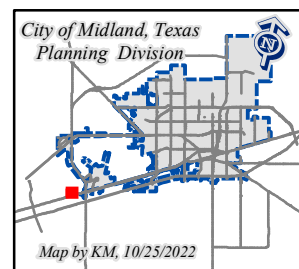
Scale: 1" = 200'

Proposed plat of Dunham Acres, Section 2, being a plat of a 4.97-acre tract of land out of Section 18, Block 40, T-2-S, T&P, RY, Co. Survey, Midland County, Texas.

Generally located on southeast corner of the intersection of W County Road 122 and S County Road 1290.
(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: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary plat of West 191 Industrial Park, Section 10, being a replat of Lots 1 and 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas. (Generally located on the north side of State Highway 191, approximately 2,150 feet east of North Farm to Market Road 1788. – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Directional/Informational

Details of Request:

The applicant, Newton Engineering, is requesting to replat of Lots 1 and 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas to create lots for regional retail development.

Current Zoning:

RR, Regional Retail.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Private paving improvements are part of a public improvement project and were approved by the City on 8/17/2021. [For Applicant's Information Only.]

WATER: Water main improvements were part of a public improvement project and were approved by the City on 8/17/2021. [For Applicant's Information Only.]

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

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

SEWER: Sewer main improvements were part of a public improvement project and were approved by the City on 8/17/2021. [For Applicant's Information Only.]

DRAINAGE: Show compliance with West 191 Industrial Section 6 Drainage Report, prepared by Newton Engineering, and approved by City on 11/20/2019. [Reference City Code Sect. 11-2-3(D)8]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comments, "Access to SH 191 frontage road will need to be coordinated with TxDOT and meet current Access Management Standards. Post development runoff/drainage should not exceed pre-development conditions. Based on the current exit ramp location, only 1 access appears to be able to be accommodated at the western edge as is shown on the plat." No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

No comments.

Midland County: (Approved)

No comments.

Health: (Approved with Conditions)

No comments.

CRMWD: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Provide names of abutting property owners. [Midland City Code 11-2-3(A)1(d)]

Provide note 7 from the original plat, West 191 Industrial Park, Section 6 on the face of the plat which reads, "Declaration of Restrictive Covenants regarding this development filed of record in instrument No. 2019-17146 Date: 06-12-2019, Midland County, Texas." [Informational]

Label Common Area "A" as an access road like it is on the original. [Informational]

Staff recommends approval of the Preliminary Plat of West 191 Industrial Park, Section 10, subject to conditions A and B.

Conditions:

- A. **Approval of this preliminary plat is conditioned upon showing compliance with West 191 Industrial Section 6 Drainage Report, prepared by Newton Engineering, and approved by City on 11/20/2019. [Midland City Code 11-2-3(D)8]**
- B. **Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements and must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Proposed Preliminary Plat
Maps



Preliminary Plat Application

Project Number: Sub-22-0547
Case Number: P-23-1559

Proposed Subdivision Plat Name: West 191 Industrial Park, Section 10

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

Property Owner

Printed Name: **PB Anderson Properties, LLC**

Phone (432) 559-5128

Email robert@andersonhomestx.com

Address 10804 Hwy 191

City Midland

State TX

Zip 79705

Developer (if different than Owner)

Printed Name: Same as owner

Phone (432) 559-5128

Email

Address

City

State

Zip

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

Firm: Newton Engineering, PC

Printed Name: Chase Dunnam

Phone (432) 559-5128

Email

chase@newtoncivil.com

Address 4501A Santa Rosa Dr.

City Midland

State TX

Zip 79707

Current Zoning: RR

Reason for Platting: Create lots for regional retail development

Plat Information

Total Acreage: 6.01

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 4

Number of Multi-family Dwelling Units: 0

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development 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): Robert Anderson

Date: 02 / 09 / 2023

Property Owner (printed) : Robert Anderson

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # _____

Received By: Jeff Fisher

Date: 2/23/2023

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

Preliminary Plat Application

2

RECEIVED
FEB 23 2023

Revised 07/01/19

PACKET

Page 9.92

BY: Jeff Fisher

March 20, 2023

PRELIMINARY PLAT
WEST 191 INDUSTRIAL PARK, SECTION 10

BEING A REPLAT OF LOTS 1 & 2, BLOCK 3,
WEST 191 INDUSTRIAL PARK, SECTION 6
CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

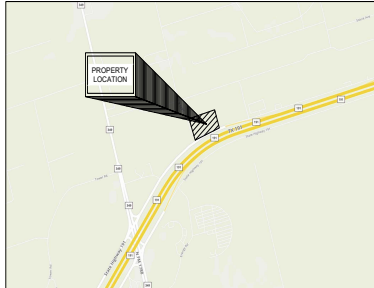
LEGEND

● = SET 1/2" IRON ROD

● = FOUND 1/2" IRON ROD

GRAPHIC SCALE

(IN FEET)
1" = 60 FT.



LOCATION MAP
N.T.S.

- NOTE:
1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOTS MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
 3. COORDINATES, BEARINGS, AND DISTANCES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, 1983 NAD, CENTRAL ZONE, WITH A COMBINED GRID FACTOR OF 0.999995088 AND A THETA ANGLE OF 40°59'09".
 4. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 4832C0200F DATED DECEMBER 6, 1999.
 5. ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN AN AREA MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTION 11-114.1, 11-114.2 AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.
 6. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

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

Signed: _____
Oncor Electric Delivery Company

Signed: _____
Optimum

Signed: _____
A. T. & T.

Signed: _____
Astound Broadband

Signed: _____
Atmos Energy

PACKET

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS, THAT I, KYLE D. KELLY, a duly licensed Professional Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property described herein, and that the same is a true and correct copy of the original survey as shown to me by the owner of the property described herein, and that the same is a true and correct copy of the original survey as shown to me by the owner of the property described herein.

DATED: _____ 20____
DOW E. KELLY, R.P.L.S. No. 5707

Page 9.93



KELLY
SURVEYING CO.

2532 BAINBRIDGE DR.
ODDESSA, TX. 79762
(432) 349-5834
TBPLS FIRM#10194393

CERTIFICATE OF APPROVAL:
For approval by the Commission:

This is to certify that the above and foregoing plat of WEST 191 INDUSTRIAL PARK, SECTION 10 was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 2023.

Signed: _____
Lucy Stanaga, Chairman

Signed: _____
Elizabeth Shaughnessy, Secretary

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, PB ANDERSON PROPERTIES, LLC, is the record owner of Lots 1 & 2, Block 3, West 191 Industrial Park, Section 6, City and County of Midland, Texas as per plat recorded in Cabinet "W", Page 101, Plat Records, Midland County, Texas and being more particularly shown hereon;

Now, therefore, know all men by these presents:

That I, ROBERT ANDERSON, do hereby adopt this plat designating the hereinabove described property as WEST 191 INDUSTRIAL PARK, SECTION 10, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever of the streets and easements shown hereon.

WITNESS my hand at Midland, Texas, this the _____ day of _____, 2023

PB ANDERSON PROPERTIES, LLC
ROBERT ANDERSON, PRESIDENT

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

This plat was acknowledged before me on _____, 2023 by ROBERT ANDERSON.

Notary Public, State of Texas

OWNER:

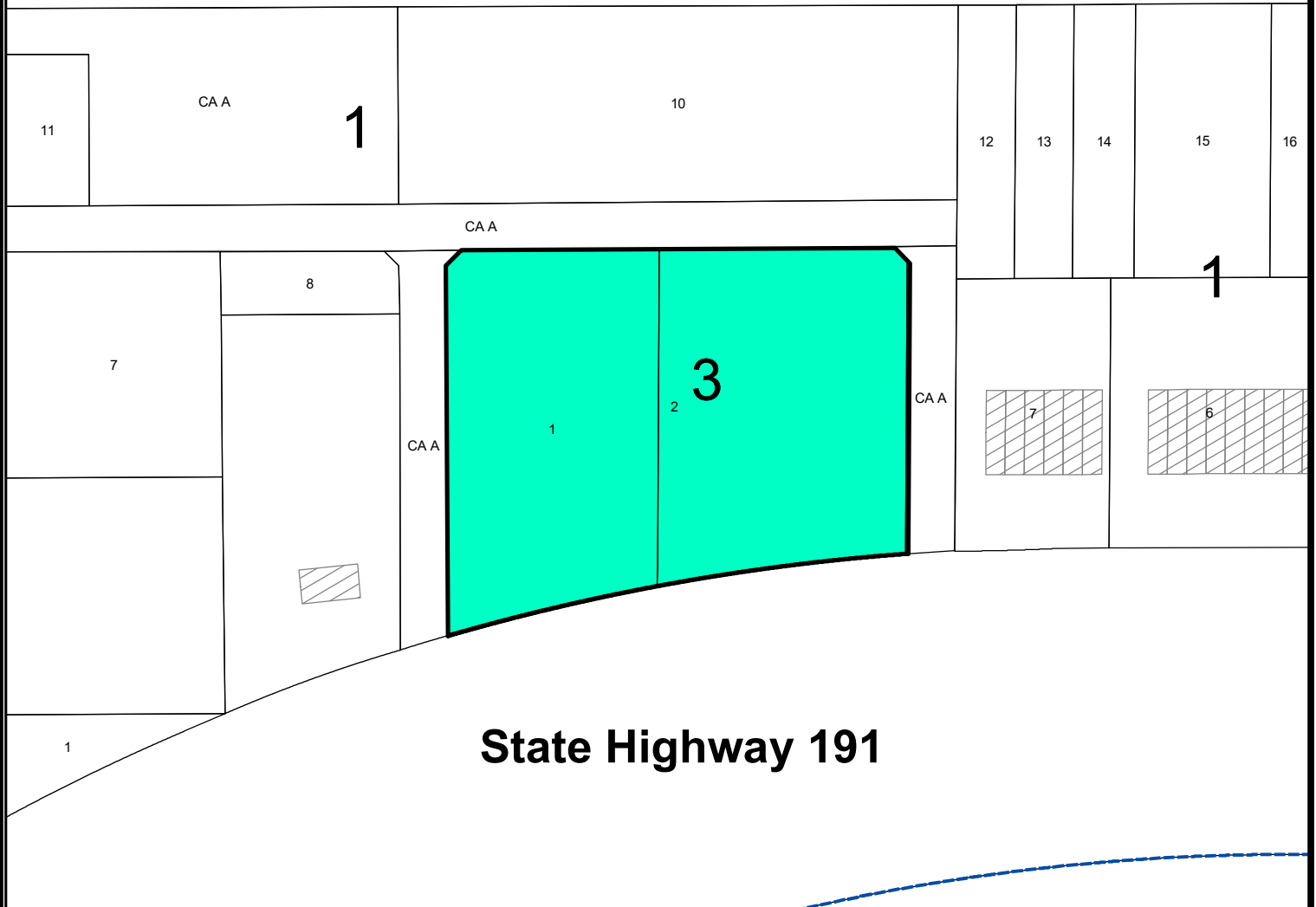
PB ANDERSON PROPERTIES, LLC
10804 HWY 191
MIDLAND, TEXAS 79705
(432)561-5880

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
CABINET _____
DATE _____
PAGE _____

WEST 191 INDUSTRIAL PARK, SECTION 10	
SCALE: 1" = 60'	DRAWN BY: CBO
DATE: FEB 2023	FILE NAME:
NEWTON ENGINEERING, P.C. 4320 N. Santa Rosa Dr. Midland, Texas 79707 (432)779-0099	
PROJECT NUMBER 23-ME1301	

West County Road 77



State Highway 191

LOCATION MAP

SUB-22-0547

Scale: 1" = 2,587'

Proposed plat of West 191 Industrial Park, Section 10, being a replat out of the south quarter of Section 31, Block 40, T-1-S, T & P, RR Co. Survey, City and County of Midland, Texas.

Generally located on the north side of State Highway 191, approximately 2,150-feet northeast of the intersection of Farm to Market 1788 and State Highway 191. (Council District 4)

LEGEND

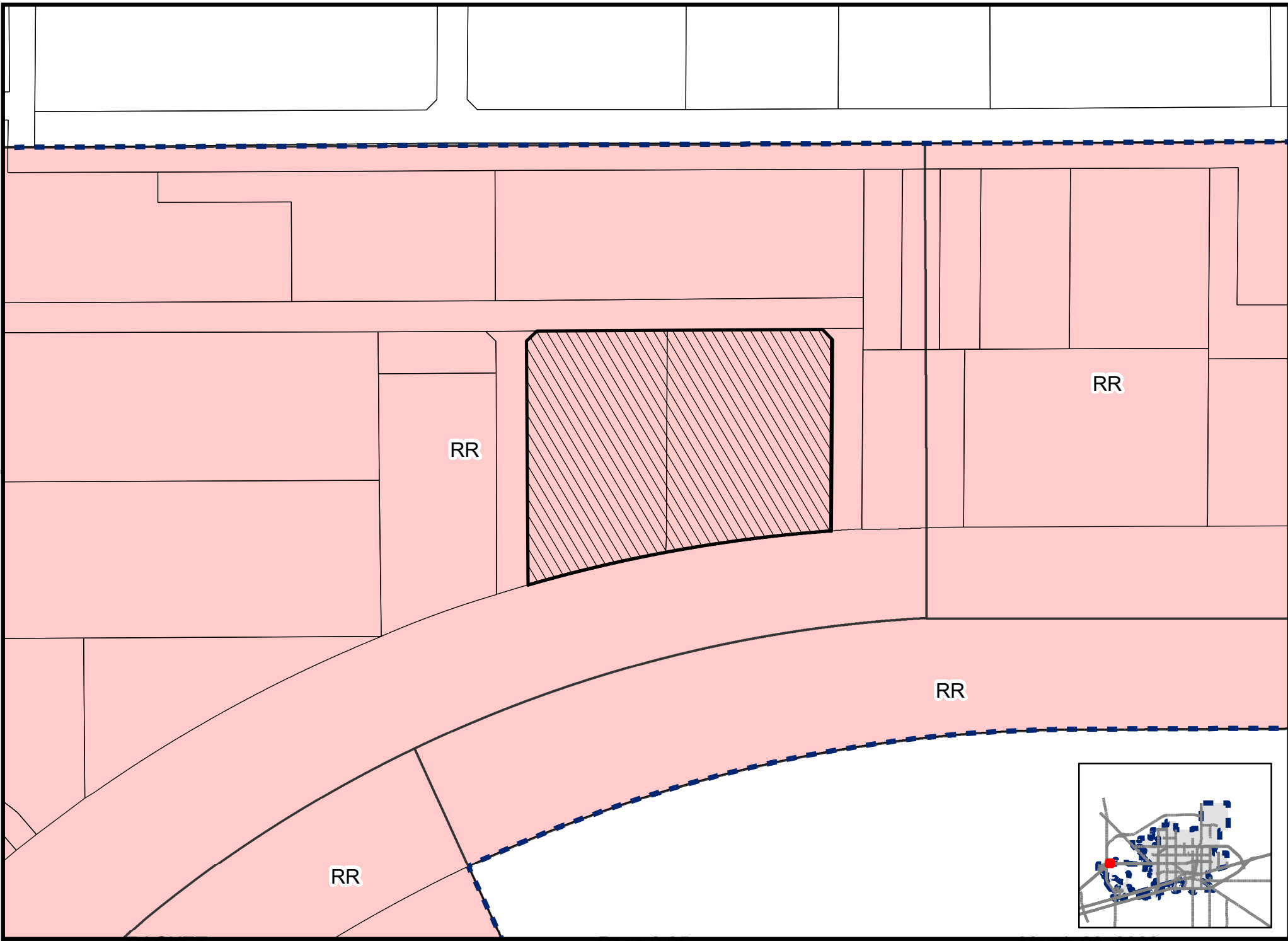
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: March 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary plat of Ortloff Addition, Section 8, being a plat of a 12.095-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Douglas Avenue and Woodcrest Drive. – Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to plat a 12.095-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas, for ownership purpose.

Current Zoning:

LI, Light Industrial.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

ROW: Street lighting is required with the building permit along public street frontages. [Reference City Code Section 11-2-5(C)3(u).] Provide 10 ft x 10 ft intersection corner clips at property corners adjacent to all public street intersections. [Reference City Code Section 11-2-5(C)3(k).] No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

PAVING: Woodcrest Dr. and Douglas Ave. are sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

SEWER: 8" sewer exists in Woodcrest Dr., 8" sewer exists in Douglas Ave. and a 6" inch through lot in an easement , okay as is. No public wastewater improvements are required. [For the Applicant's information only.]

DRAINAGE: Drainage report received and is in review [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

Street lighting is required with the building permit along public street frontages. [Reference City Code Section 11-2-5(C)3(u).]

Provide 10 ft x 10 ft intersection corner clips at property corners adjacent to Woodcrest Dr and Douglas Ave. [Reference City Code Section 11-2-5(C)3(k).]

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

The street, Douglas Avenue, needs to say that it is a ROW dedication.

Midland County: (Approved)

The street, Douglas Avenue, needs to say that it is a ROW dedication.

Health:

No comments.

CRMWD:

No comments.

PLANNING: (Approved with Conditions)

The property owner should be the same throughout the face of the plat. [Informational]

Show existing, and proposed easements. [Informational]

If there is Declaration of Restrictive Covenants must be approved by P&Z prior to final plat. [Informational]

Staff recommends approval of the Preliminary Plat of Ortloff Addition, Section 8, subject to conditions A through B.

Conditions:

- A. Approval of this preliminary plat is conditioned upon installation of a street lighting along public street frontages prior to final platting. [Reference City Code Section 11-2-5(C)3(u).**
- B. Approval of this preliminary plat is conditioned upon all plat comments, conditions, and requirements must be satisfied by all pertinent City department before filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Proposed Preliminary Plat
Maps



Preliminary Plat Application

Project Number:

Case Number:

SUB-22-0574
P-23-1558Proposed Subdivision Plat Name: Ortloff Addition, Section 8Legal Description (attached sealed Metes and Bounds): A 12.095 Acre Tract of Land out of Lot 1, Block 1, Ortloff Addition, Section 2, to the City and County of Midland, Texas**Property Owner**

Printed Name:

Pinon Ventures LP

Phone (432) 262-0999

Email

Address

PO Box 50820

City

Midland

State TX

Zip 79710

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Maverick EngineeringPrinted 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: MF22Reason for Platting: ownership purposes**Plat Information**

Total Acreage:

12.095

Type:

☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 3

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature): _____

Date: _____

Property Owner (printed): _____

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

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

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 the owner of _____ or is authorized by Pinon Ventures LP 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 23rd day of February, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # _____

Received By: Jeff Fisher

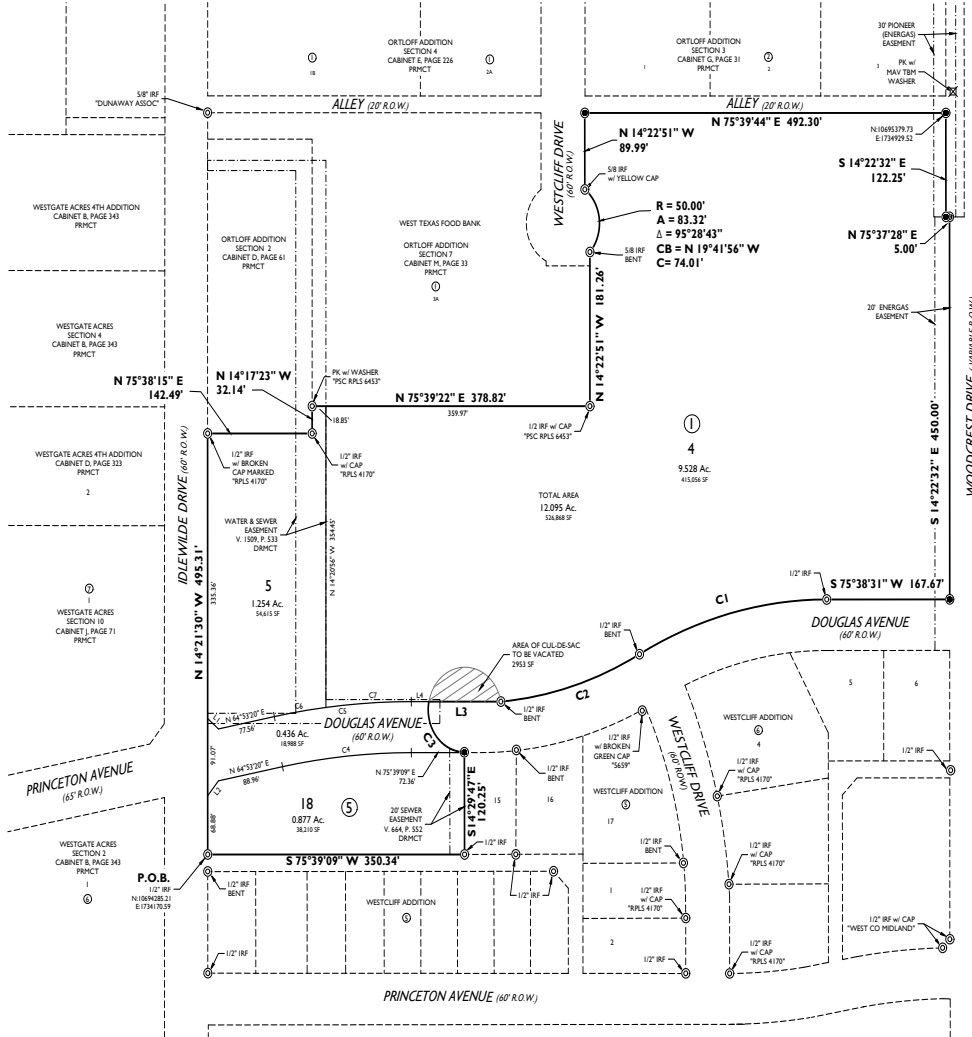
Date: 2/23/2023

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

PRELIMINARY PLAT

ORTLOFF ADDITION, SECTION 8

A 12.095 ACRE TRACT OF LAND,
OUT OF LOT 1, BLOCK 1, ORTLOFF ADDITION, SECTION 2
TO THE CITY AND COUNTY OF MIDLAND, TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHOULTS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND PERSONAL SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN, THEREON, ARE CORRECTLY LOCATED AND THAT THE SURVEY WAS UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS PINION VENTURES LP IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 30, BLOCK 39, T-1-S, R-10-E, CO. 30, SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PINION VENTURES LP, BEING PINION VENTURES LP OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS ORTLOFF ADDITION, SECTION 8, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBMITTED HEREIN TO BE DEDICATED TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY ON AN EASEMENT OF RECORD AND AGREE TO THE CITY OF MIDLAND FOR GARAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSTRUCTION AND 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 _____, TX,
THE _____ DAY OF _____, 2023.

BY: _____
BRYANNE REE NAME, TITLE

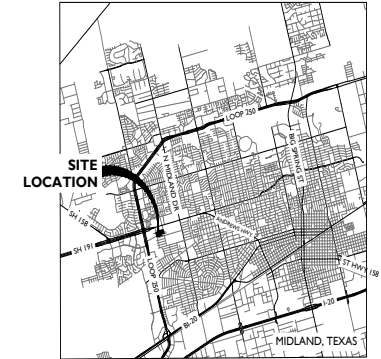
ACKNOWLEDGEMENT

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 SUBMITTED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE



VICINITY MAP

N.T.S.



0' 80' 160'
ORIGINAL SCALE: 1" = 80'

LEGEND

- SET 1/2 INCH IRON ROD W/ WIRE PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- FOUND MONUMENT AS NOTED
- BOUNDARY LINE
- - - - - EXISTING PROPERTY LINES
- - - - - EXISTING EASEMENT LINE
- O.P.A.M.C.T.
- P.A.M.C.T.
- D.A.M.C.T.

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

AT&T ENERGY

BY: _____

AT&T ENERGY

BY: _____

AT&T ENERGY

BY: _____

AT&T ENERGY

BY: _____

CURVE TABLE

CURVE	BEARING	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C2	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C3	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C4	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C5	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C6	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C7	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C8	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C9	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°
C10	N 14°22'51" W	89.99'	122.25'	S 14°22'32" E	122.25°

LINE TABLE

LINE BEARING	DISTANCE
L1	S 14°22'32" E 122.25'
L2	S 14°22'32" E 122.25'
L3	S 14°22'32" E 122.25'
L4	S 14°22'32" E 122.25'
L5	S 14°22'32" E 122.25'
L6	S 14°22'32" E 122.25'
L7	S 14°22'32" E 122.25'
L8	S 14°22'32" E 122.25'
L9	S 14°22'32" E 122.25'
L10	S 14°22'32" E 122.25'

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY MEETS AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH MEAS (1) THE REPRESENTED LOTS ARE REPARATED INTO MORE THAN ONE LOT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- 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.

SURVEY NOTES

- BASES OF BEARING, COORDINATES, DISTANCE AND ACRES ARE A LAMBERT CONIC PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT.
- 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS ON ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
- LOCATION OF BURIED UTILITIES AND PRELIMINARIES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SCHEMATIC, CITY OF MIDLAND GAS AND WATER EVIDENCE, OR BY ONE CALL 811. SITE MARKINGS AT THE TIME OF THE SURVEY DUE CARE IS RECOMMENDED CALL 811 BEFORE TESTS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
- THIS IS A PROVISIONAL PRELIMINARY PLAT. THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS SHOWN HEREIN ARE ALSO PRELIMINARY AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY ISSUED BY THE SURVEYOR OF RECORD.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #190194514P DATED SEPTEMBER 16, 2021, THIS PROPERTY AS SHOWN HEREON IS WITHIN THE UNDESIGNED PORTION OF ZONE "X", DESIGNATED AS "AREAS OF MINIMAL FLOOD HAZARD DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODWAY". 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 MANMADE OR NATURAL CAUSES.

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 MANMADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK CIVIL & SURVEY, LLC.

PROPERTY OWNER

PINION VENTURES LP
PO BOX 30820
MIDLAND, TX 79710
DEED INSTRUMENT: VOL. 143, PG. 465, DMC#

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____



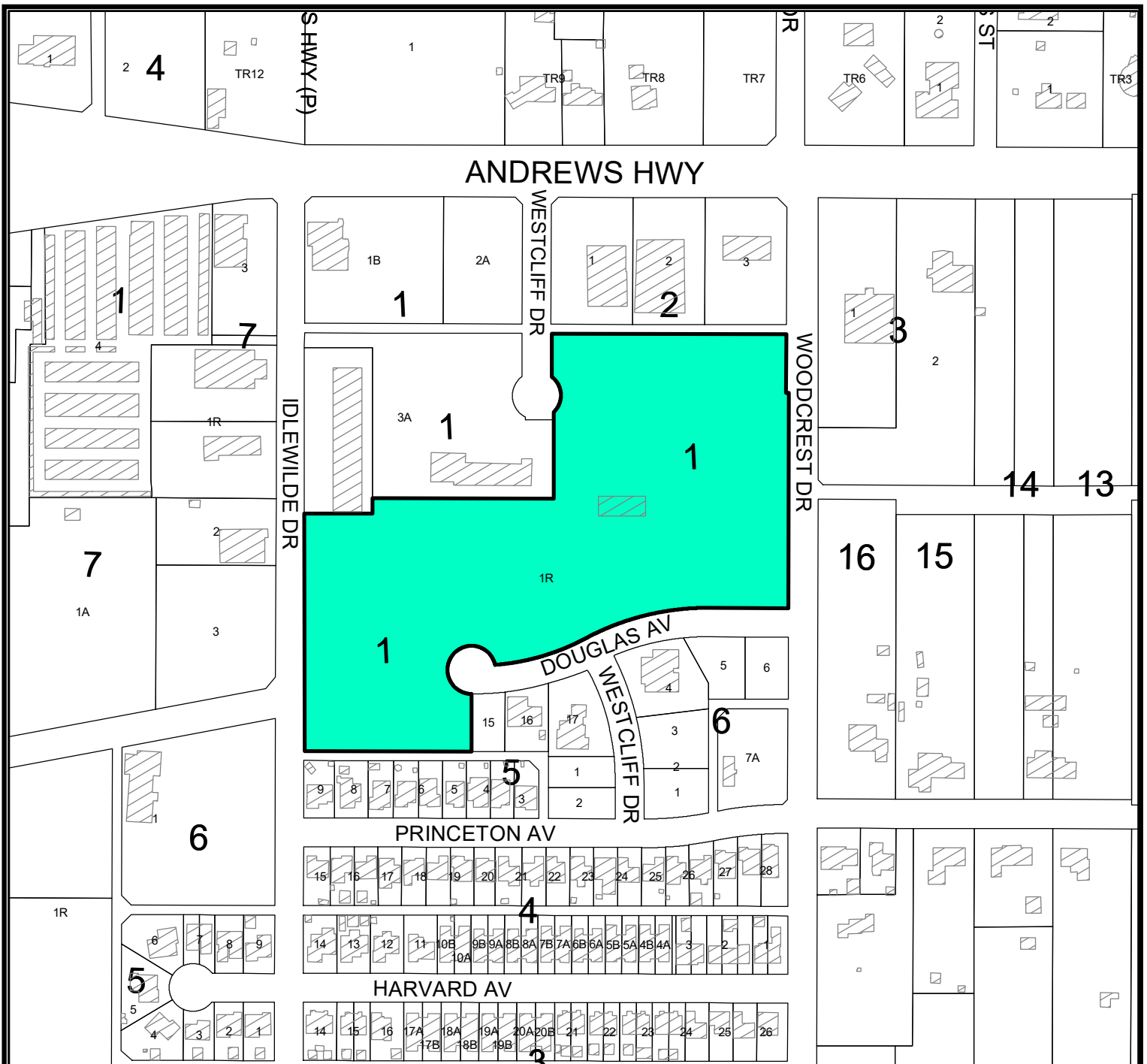
MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

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

ORTLOFF ADDITION, SECTION 8
March 20, 2023

PACKET

Page 10.102



LOCATION MAP

SUB-22-0574

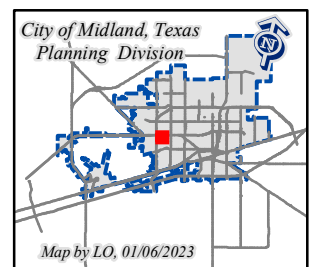
Scale: 1" = 3,586'

Proposed plat of Ortloff Addition, Section 8 being a plat of a 12.095 acre tract of land out of Section 30, Block 39, T-1-S, T. & P. R.R. Co. Survey, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Douglas Avenue and Woodcrest Drive. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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