

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

**December 4, 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 Commission meeting minutes for November 20, 2023.
3. Motion approving a proposed Final Plat of Kimber-Lea Addition, Section 15, being a Replat of Lots 21-24 and a 0.76-acre drainage basin, Block 10, Kimber-Lea Addition, Section 14, City and County of Midland, Texas. (Generally located on the north side of Wadley Avenue, approximately 200-feet to the east of Midkiff Road.) (DISTRICT 3) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of The Park at 1788 South, Section 3, being a replat of Lots 12 and 29, Block 1, The Park at 1788 South, Midland County, Texas. (Generally located southwest of the intersection of South County Road 1275 and West County Road 146.) (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Westridge Park, Section 53, being a Replat of Lot 4, Block 5, Westridge Park, Section 6, and Lots 3A and 4, Block 6, Westridge Park, Section 44, and a 1.584-acre portion of Champions Drive right-of-way adjacent to said lots, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Boulevard and Loop 250 Frontage Road.) (DISTRICT 4) (DEVELOPMENT SERVICES)

6. Motion approving a Final Plat of Redneck Retreat, Section 4, being a 10-acre tract of land out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR CO. Survey, Midland County, Texas. (Generally located on the north side of East County Road 140, approximately 2600-feet east of Farm-To-Market Road 715. (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

7. Consider a request by American Legion Post No. 19 for a Specific Use Designation with Term for the Sale of Alcoholic Beverages for On-Premises Consumption in a Bar, on Lot 2, Block 1, Legion Addition, City and County of Midland, Texas. (Generally located on the south side of Veterans Airpark Lane, approximately 1,110 feet west of North Big Spring Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)
8. Consider a request by April Marion for a Zone Change from MF-16, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 11, Block 3, Crestlawn Addition, City and County of Midland, Texas. (Generally located on the south side of West Cowden Avenue, approximately 215 feet west of North Pecos Street) (DISTRICT 3) (DEVELOPMENT SERVICES)
9. Consider a request by Ledgens Pizza for a Specific Use Designation with Term for the Sale of Alcoholic Beverages for On-Premises Consumption in a Restaurant, on a 1,360-square foot portion of Lot 8, Block 2, Lone Star Business Park, Section 3, City and County of Midland, Texas. (Generally located northeast of the intersection of North State Highway 349 and Maverick Lane.) (DISTRICT 1) (DEVELOPMENT SERVICES)
10. Consider a request by Maverick Engineering for the approval, with staff's recommended conditions, of a proposed Preliminary Plat of Melody Acres, Section 18, being a Replat of Lot 2, Block 3, Melody Acres, Section 4, City and County of Midland, Texas. (Generally located on the north side of Tanforan Avenue, approximately 200-feet east of Oriole Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

MISCELLANEOUS

11. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Greenwood Industrial Park, Section 6, being a Replat of Lots 2A, 2B, and 2C, Re-Subdivision of Lot 2, 26.450-acres, Greenwood Industrial Park, Section 5, and Lot 1, Block 2, Greenwood Industrial Park, Section 5, Midland County, Texas. (Generally located on the south side of East County Road 1110, approximately 765-feet west of N. County Road 79.) (DISTRICT: NONE) (DEVELOPMENT SERVICES)
12. Motion approving a proposed Preliminary Plat of Homestead Addition, Section 22, being a replat of the south 175 feet of the east half of Block 29, Homestead Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of West Michigan Avenue and North Colorado Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

13. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Johnson & Moran Addition, Section 8, being a replat of Lot 1, Block 6, Johnson & Moran Addition, Section 6, City and County of Midland, Texas. (Generally located northwest of the intersection of Andrews Highway and West Cuthbert Avenue.) (DISTRICT: 3) (DEVELOPMENT SERVICES)
14. Motion approving a Preliminary Plat of West 191 Industrial Park, Section 15, being a Plat of a 2.96-acre tract of land out 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 1,380 feet west of Holdridge Road) (DISTRICT 4) (DEVELOPMENT SERVICES)
15. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of West End Addition, Section 31, being a replat of Lot 6 and the west half of Lot 5, Block 12, West End Addition, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of West Texas Avenue and North D Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Cristina O. Burns
Director 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**

November 20, 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 3:31pm, November 20, 2023.

Commissioners present: Lucy Sisniega, John Burkholder, Emily Holeva, Adrian Carrasco, Abraham Bejil, Steven Villela, Joshua Sparks

Commissioners absent: Brennan Berry, Sallie Vega

Staff members present: Landon Ochoa, Alexis M. Martinez, Cristina Odenborg Burns, Daniel Humbert, Andrew Meyers

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 Commission meeting minutes for October 17, 2023.
3. Motion approving the Planning & Zoning Commission meeting minutes for November 6, 2023.
4. Motion approving the Planning & Zoning Commission meeting dates for 2024.
5. MOTION APPROVING A FINAL PLAT OF CORRAL ADDITION, BEING A 3.992-ACRE TRACT OF LAND OUT OF SECTION 7, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS (Generally located on the southeast corner of West Interstate 20 and South Pease Trail. - Council District 2 **(DEVELOPMENT SERVICES)**)
6. Motion approving a Final Plat of Hines Addition, Section 4, being a Replat of Lot 7 and 8,

Block 6, Hines Addition, City and County of Midland, Texas (Generally located at the northwest corner of South L Street and Rhode Island Avenue.) (DISTRICT 2) (DEVELOPMENT SERVICES)

7. Motion approving a Final Plat of The Vineyard Addition, Section 10, being a Plat of a 31.356-acre tract of land out of the west half of Section 13, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located immediately west of Sherwood approximately 1,300 feet east of Avalon Drive) (DISTRICT 4) **(DEVELOPMENT SERVICES)**
8. Motion approving a Final Plat of The Vineyard Addition, Section 14, being a Plat of a 29.274 tract of land located in in the east half of Section 13, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located west of Green Tree Boulevard and approximately 590-feet north of the intersection of Barking Rock and Woodrose.) **(DEVELOPMENT SERVICES)**
9. Motion approving a Final Plat of West Fork Addition, Section 2, being a plat of 5.394-acres situated as two tracts out of Section 35, Block 40, T-I-S T&P RR. Co. Survey, City and County of Midland, Texas (Generally located north of State Highway 191, approximately 490 feet west of State Highway 158, and generally located west of State Highway 158, approximately 540 feet north of State Highway 191 (DISTRICT 4) **(DEVELOPMENT SERVICES)**
10. Motion approving a Final Plat of West Fork Addition, Section 3, being a Replat of Lots 1 & 2, Block 1, West Fork Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of West State Highway 158 and State Highway 191) (DISTRICT 4) **(DEVELOPMENT SERVICES)**
11. MOTION APPROVING A FINAL PLAT OF WESTRIDGE PARK ADDITION, SECTION 52, BEING A REPLAT OF LOTS 11 AND 12, BLOCK 8, CORRECTION PLAT OF WESTRIDGE PARK ADDITION, SECTION 27, CITY AND COUNTY OF MIDLAND TEXAS. (GENERALLY LOCATED IMMEDIATELY ON THE WEST SIDE OF WINDHAVEN DRIVE, APPROXIMATELY 200 FEET SOUTH OF DEAUVILLE BLVD. – DISTRICT 2) (DEVELOPMENT SERVICES)

Adrian Carrasco moved to approve the consent items; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

PUBLIC HEARINGS

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

12. Consider a request for the approval, with staff's recommended conditions, of a proposed

Preliminary Plat of Avalon, Section 5, Being a Replat of Lots 12, 13, and the west 49.6-feet of Lot 14, Avalon Addition, a Replat of Lot 11, Block 2, Lots 11 and 12 of Blocks 3-7, and Lots 1-11, Block 8, City and County of Midland, Texas. Generally located south of Winfield Road, approximately 140-feet east of North L Street (DISTRICT 3) (DEVELOPMENT SERVICES)

Planner Daniel Humbert gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was open at 3:40pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:40pm.

Steven Villela moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

13. Consider a request by Jennifer A. Chacon for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on a 4,363-square foot portion of Lot 1A, Block 1, Pavilion Park, Section 11, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of East Mockingbird Lane and North Big Spring Street – DISTRICT 1) (**DEVELOPMENT SERVICES**)

Planner Andrew Meyers gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was open at 3:43pm

There was no one wishing to speak on this item.

The public hearing was closed at 3:44pm.

Adrian Carrasco moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

14. Consider a request by Kendall Howard for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on a

4,337-square foot portion of Lot 1, Block 1, Myatt Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of West Wadley Ave and North Garfield Street - DISTRICT 3) **(DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was open at 3:45pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:46pm.

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

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

15. Consider a request by Maverick Engineering for a Zone Change from PD, Planned Development District for an Office Center to O-1, Office District on Lot 6 and the west half of Lot 5, Block 12, West End Addition, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of West Texas Avenue and North D Street. **(DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was open at 3:47pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:48pm.

Abraham Bejil moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

16. Consider a request by Maverick Engineering for a Zone Change from SF-2, Single Family Dwelling District, to O-1, Office District, on Lots 11, 12, and 13, Block 55, Permian Estates, City and County of Midland, Texas. (Generally located at the southwest corner of the intersection of West Illinois Avenue and North McDonald Street. - Council District 4) **(DEVELOPMENT SERVICES)**

Planner Andrew Meyers gave an overview of the project. One letter of objection was received; staff recommend approval.

The public hearing was open at 3:50pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:51pm.

Abraham Bejil moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

17. Consider a request by Raul Carrasco Jr. for a Zone Change from, O-1, Office District, to SF-3, Single-Family Dwelling District on Lot 4, Block 12, Cowden Addition, City and County of Midland, Texas (Generally located west of Bryant Street, approximately 100-feet north of Hart Avenue (DISTRICT 3) (DEVELOPMENT SERVICES)

Planner Daniel Humbert gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was open at 3:54pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:55pm.

Steven Villela moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

18. Consider a request by Robert Graham for a zone change from RR, Regional Retail District to SF-1, Single-Family Dwelling District for a 3.86-acre tract of land, located out of Section 35, Block 40, T-I-S, T&P RR. CO. Survey, City and County of Midland, Texas. (Generally located approximately 230-feet north of Castlewood Drive, and approximately 620-feet west of Homeland Drive) (DISTRICT 4) **(DEVELOPMENT SERVICES)**

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

The public hearing was open at 4:00pm.

There was no one wishing to speak on this item.

The public hearing was closed at 4:00pm.

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

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil

NAY: Villela

ABSTAIN: None

ABSENT: Berry, Vega

19. Consider a request by Shufeng Lin for a Specific Use Designation for the Sale of all Alcoholic Beverages for on premises consumption in a Restaurant on a 4,115 square foot portion of Lot 4A, Block 1, North Park Addition, Section 5, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of North Midkiff Road and W. Loop 250 North) (DISTRICT 1) (DEVELOPMENT SERVICES)

Planner Daniel Humbert gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was open at 4:03pm.

There was no one wishing to speak on this item.

The public hearing was closed at 4:03pm.

Steven Villela moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

MISCELLANEOUS

20. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Redneck Retreat, Section 3, being a 11.08-acre tract of land out of Section 15, Block 38, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. Generally located on the south side of East County Road 130, approximately 1881-feet east of F.M. 715. (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Abraham Bejil moved to approve this request; seconded by Emily Holeva.

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None
ABSTAIN: None
ABSENT: Berry, Vega

21. Motion denying a Final Plat of Redneck Retreat, Section 4, being a plat of a 10-acre tract of land located out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR CO. Survey, Midland County, Texas. (Generally located on the north side of East County Road 140, approximately 2,600-feet east of Farm-To-Market Road 715.) (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

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

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

22. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Tanglewood Addition, Section 9, being a Replat of Lots 8 and 9, Tanglewood Addition, Section 8, and Lots 6 and 7, Block 4, Tanglewood Addition, Section 4, City and County of Midland, Texas. Generally located west of North Lamesa Road, approximately 815-feet north of East Wadley Avenue. (DISTRICT 2) (DEVELOPMENT SERVICES)

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

The motion passed by the following vote:

AYE: Sparks, Sisniega, Burkholder, Holeva, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Vega

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 4:09pm

Lucy Sisniega, Chair

Date

Cristina O. Burns
Director of Development Services

Date



Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a proposed Final Plat of Kimber-Lea Addition, Section 15, being a Replat of Lots 21-24 and a 0.76-acre drainage basin, Block 10, Kimber-Lea Addition, Section 14, City and County of Midland, Texas. (Generally located on the north side of Wadley Avenue, approximately 200-feet to the east of Midkiff Road.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to Replat Lots 21-24 and a 0.76-acre drainage basin, Block 10, Kimber-Lea Addition, Section 14, City and County of Midland, Texas, for ownership purposes.

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The preliminary plat was recommended for approval by the Planning and Zoning Commission on August 7, 2023.

Final Plat Requirements:

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

Departmental Review:

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

Building Code: (Approved)

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

Engineering: (Approved)

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

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

PAVING: Wadley Avenue okay as is. No public paving improvements required. [For the Applicant's information only.]

WATER: 24" water exists in Wadley Avenue south 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: 12" sewer exists in Wadley Avenue south of tract, okay as is. 6" sewer exists in alley north and east of tract, okay as is. No public improvements required. [For the Applicant's information only.]

DRAINAGE: Show compliance with Kimber-Lea Addition, Section 14 Drainage Report prepared by Maverick Engineering and approved by City on 12/14/21. [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)

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.

GIS: (Approved)

Please depict and label existing 30' access easement (different from the 30' easement being added with this plat).

Planning: (Approved)

Add Owner information for all abutting properties. [Informational]

There is not enough frontage onto Wadley for either abutting parcel. There should be 200 feet of frontage on an arterial street. [Informational]

Show existing water and sewer lines around the plat. [Informational]

Staff recommends approval of the Preliminary Plat of Kimber-Lea Addition, Section 15, subject to condition A.

Conditions:

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

Attachments:

Application
Proposed Final Plat
Maps

Drawing: F:2023-23055-FRANK RICHARDSON-CRIPP WADLEY SITE RE-DESIGN DRAWINGS PLAT FINAL 3/30/55 - FINAL PLAT DWG. LHM Survey By: Paladin on 10/26/23



Final Plat Application

Project Number: SNB-23-0629

Case Number: _____

Proposed Subdivision Plat Name: Kimber-Lea Addition, Section 15**Legal Description (attached sealed Metes and Bounds):** Being a Re-Plat of Lots 21-24, and 0.76 Acre Drainage Basin, Block 10, Kimber-Lea Addition, Section 14, City and County of Midland, Texas**Property Owner** 5G Legacy LLC
Printed Name: Forrest Hermanos LLCPhone (214) 864-2504
Email frichardson@yahoo.comAddress 11 Hanover
PO Box 1551City Midland
Odessa

State TX

Zip 79705
79760**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 HuckabaPhone (432) 262-0999
Email phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

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

Total Acreage: 4.671

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):

Date: 11/6/23

Property Owner (printed):

James Grupp - 5G Legacy

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.

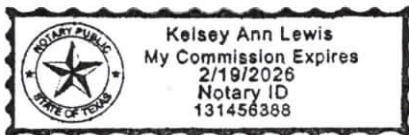
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 5G Legacy 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 14th day of November, 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

☒ Mylar

☐ Application Fee

Check #

4591

☐ 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 #

4592

Received By:

Pavel

Iturbide

Date:

NOV 07 2023

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

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: 11/6/23

Property Owner (printed): MICHAEL FORREST - Forrest Hermanos

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.

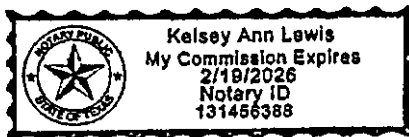
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Forrest Hermanos 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 10th day of November, 2023, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

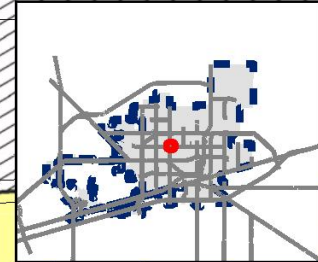
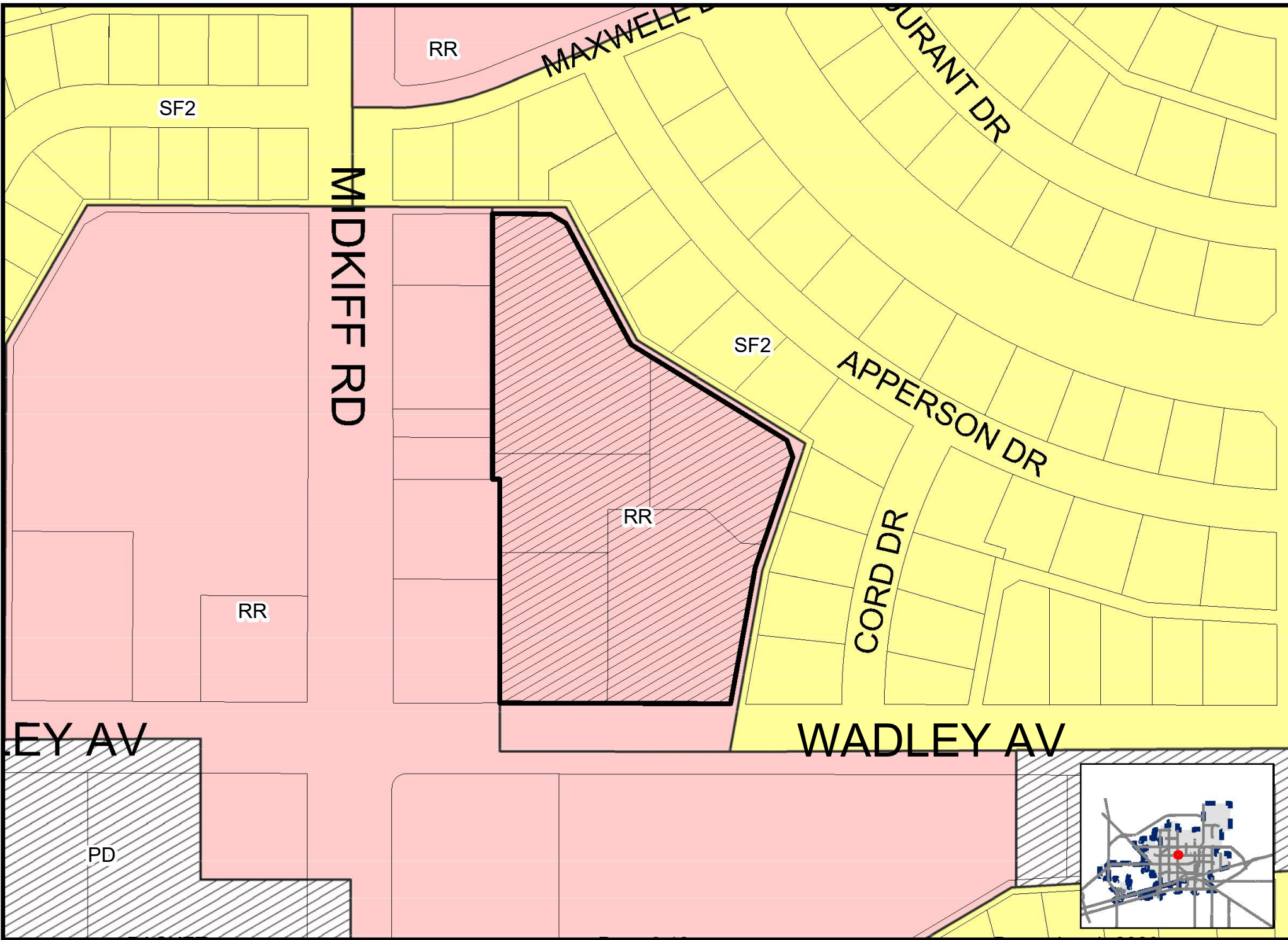
FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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





Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 04, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of The Park at 1788 South, Section 3, being a replat of Lots 12 and 29, Block 1, The Park at 1788 South, Midland County, Texas. (Generally located southwest of the intersection of South County Road 1275 and West County Road 146.) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the October 16, 2023, Planning and Zoning Commission meeting. The applicant, Maverick Engineering, is requesting to replat two lots for ownership purposes.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: No frontage along Public ROW. [For Applicant's Information Only.]

WATER: No frontage along Public ROW. [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: No frontage along Public ROW. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

Fire: (Approved)

No comments.

Oil and Gas: (Approved)

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

Building Code: (Approved)

ETJ, no jurisdiction

GIS: (Approved)

No comments.

PUBLIC WORKS: (Approved)

No comments.

CRMWD: (Approved)

No comments.

HEALTH DEPARTMENT: (Approved)

Yes, the health department will review applications from the 2 proposed lots of The Park at 1788, Section 3, REPLAT OF LOTS 12 AND 29, BLOCK I THE PARK AT 1788 SOUTH, MIDLAND TEXAS COUNTY TEXAS lot 29A is 1.5 acre, LOT 12A IS 4.7 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning: (Approved)

Staff recommends approval of the Final Plat of The Park at 1788 South, Section 3, subject to condition A.

Condition(s):

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

Attachments:

Proposed Final Plat
Application
Maps

BEING A REPLAT OF LOTS 12 AND 29, BLOCK 1,
THE PARK AT 1788 SOUTH, MIDLAND COUNTY, TEXAS



THE PARK AT 1788 SOUTH, LLC
15119 MEMORIAL DRIVE, SUITE 202
HOUSTON, TX 77079
DEED INSTRUMENT #2017-2767 O.P.R.M.C.T.

JILL KNOWLTON GST EXEMPT TRUST
DEED INSTRUMENT #2023-20218 O.P.R.M.C.T.

NO. _____

DATE _____



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

THE PARK AT 1788 SOUTH
December 4, 2023



LOCATION MAP

SUB-23-0699

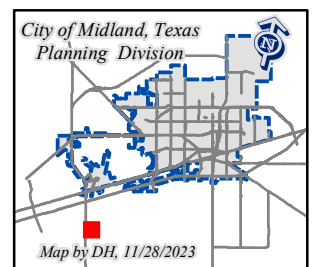
Scale: 1" = 432'

Proposed plat of The Park at 1788 South, Section 3, being a replat of Lots 12 and 29, Block 1, The Park at 1788 South, Midland County, Texas.

Generally located at the southwest corner of South County Road 1275 and West County Road 146 (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



Final Plat Application

Project Number:

Case Number:

SUB-23-06069
D-23-1838

Proposed Subdivision Plat Name: The Park at 1788 South, Section 3

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 12 and 29, Block 1
The Park at 1788 South, Midland County, Texas

Property Owner The Park at 1788 South LLC

Phone ()
Email

PROPERTY OWNER: Jill Knowlton GST Exempt Trust

Address 15119 Memorial Dr Ste 202

City Houston

State TX

Zip 77079

Developer (if different than Owner)

Phone ()
Email

Printed Name:

Address

City

State

Zip

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

Phone (432) 262-0999

Email

Firm: Maverick Engineering

phuckaba@maverick-eng.com

Printed Name: Paladin Huckaba

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: 6.22

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

Number of Lots: 2

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

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

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

Property Owner (signature):

Date: 10/26/23

Property Owner (printed): Jill Knowlton, Trustee

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

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

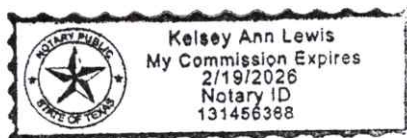
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Jill Knowlton As Trust 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 14th day of November, 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) |
| ☐ Mylar | ☐ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☐ Application Fee | ☐ Title Opinion | ☐ Public Improvement |
| Check # <u>4939</u> | ☐ Tax Certificates | ☐ Recording Fee |

Received By: Daniel Humbert

Date: Nov 06 2023

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

[Signature]

Date: 10/25/23

Property Owner (printed): Chris de la Mora

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.

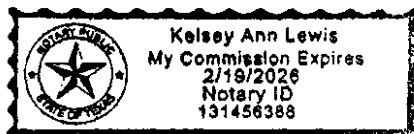
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 THE PARK AT 1788 SOUTH ELITE, 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 10th day of November, 2023, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Received By: _____

Date: _____

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



Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Westridge Park Addition, Section 53, being a Replat of Lot 4, Block 5, Westridge Park Addition, Section 6, and Lots 3A and 4, Block 6, Westridge Park, Section 44, and a 1.584-acre portion of Champions Drive right-of-way adjacent to said Lots, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Boulevard and Loop 250 Frontage Road.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

PD, Planned Development District for a Recreation Center (Ordinance 7979), in part, O-2, Office District, in part, and RR, Regional Retail District, in part.

Preliminary Plat Approval:

The applicant, Parkhill, is requesting to replat of Lot 4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, and a 1.584-acre portion of Champions Drive right-of-way adjacent to said Lots, City and County of Midland, Texas, for future development.

The Planning and Zoning Commission recommended approval of the preliminary plat on February 21, 2023.

City Council approved the preliminary plat on March 28, 2023.

The vacation of the portion of Champions Drive's right-of-way was approved at the April 11, 2023 City Council Meeting (Ordinance 10390).

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved)

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

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

PAVING: N Loop 250 W frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required.

Tradewinds Blvd., Champions Dr, and Deauville Blvd are okay as is. [For the Applicant's information only.]

WATER: 12" water exists in Champions Drive, and Deauville Blvd. A 16" exists in Tradewinds Blvd. An 8" and 12" water line exists within the property , okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 12" wastewater line within Tradewinds Blvd. and distributed throughout tract, okay as is. No public wastewater improvements required.[For Applicant's Information Only.]

DRAINAGE: Comply with the Westridge Park Addition Drainage Study, prepared by

Parkhill Smith and Cooper and approved by City on 11/17/2014 . [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)

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.

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Staff recommends approval of the Final Plat of Westridge Park, Section 53 subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps
Ordinance 10390

Being a replat of Lot 4, Block 5, Westridge
Park, Section 6 and Lots 3A
and 4, Block 6, Westridge Park, Section 44,
and a 1.54-acre portion of
Chambers University
to said Lots,

3

Vacated by Ordinance
No. 10390

3

3

Cristina O.
Burns

Vacated by Ordinance
No. 10390

3

3



Final Plat Application

Project Number: SUB-23-0576
Case Number: _____

Proposed Subdivision Plat Name: Westridge Park Section ~~52~~ 5350

Legal Description (attached sealed Metes and Bounds): Being a replat of Lot 4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, City and County of Midland, Texas

Property Owner

Printed Name: City of Midland

Phone ()
Email

Address 300 N Loraine

City Midland

State TX

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Parkhill

Printed Name: Josh Wallender

Phone (432) 697-1447
Email

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State TX

Zip 79701

Current Zoning: PD

Reason for Platting: Platting for future development

Plat Information

Total Acreage: 101.89 Ac.

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

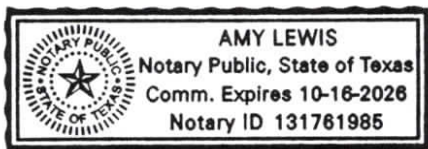
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Shelby Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of November, 2023, to certify which witness my hand and seal of office.



Amy Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

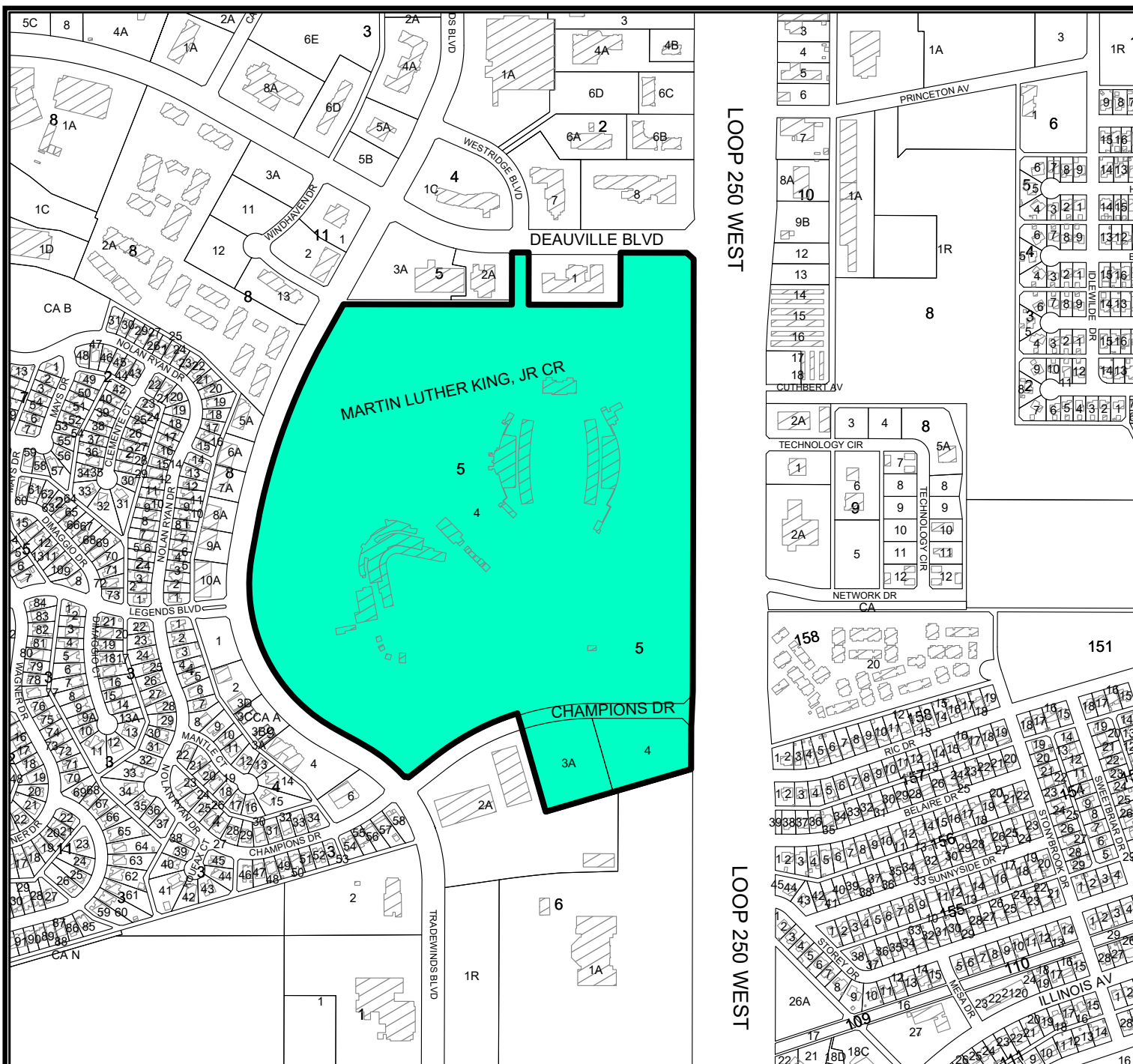
FOR OFFICE USE ONLY

- | | | |
|---|---|--|
| ☐ 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>invoice</u> | ☐ Tax Certificates | ☐ Recording Fee |

Received By: Daniel Humbert

Date: NOV 07 2023

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



LOCATION MAP

SUB-23-0576

Scale: 1" = 200'

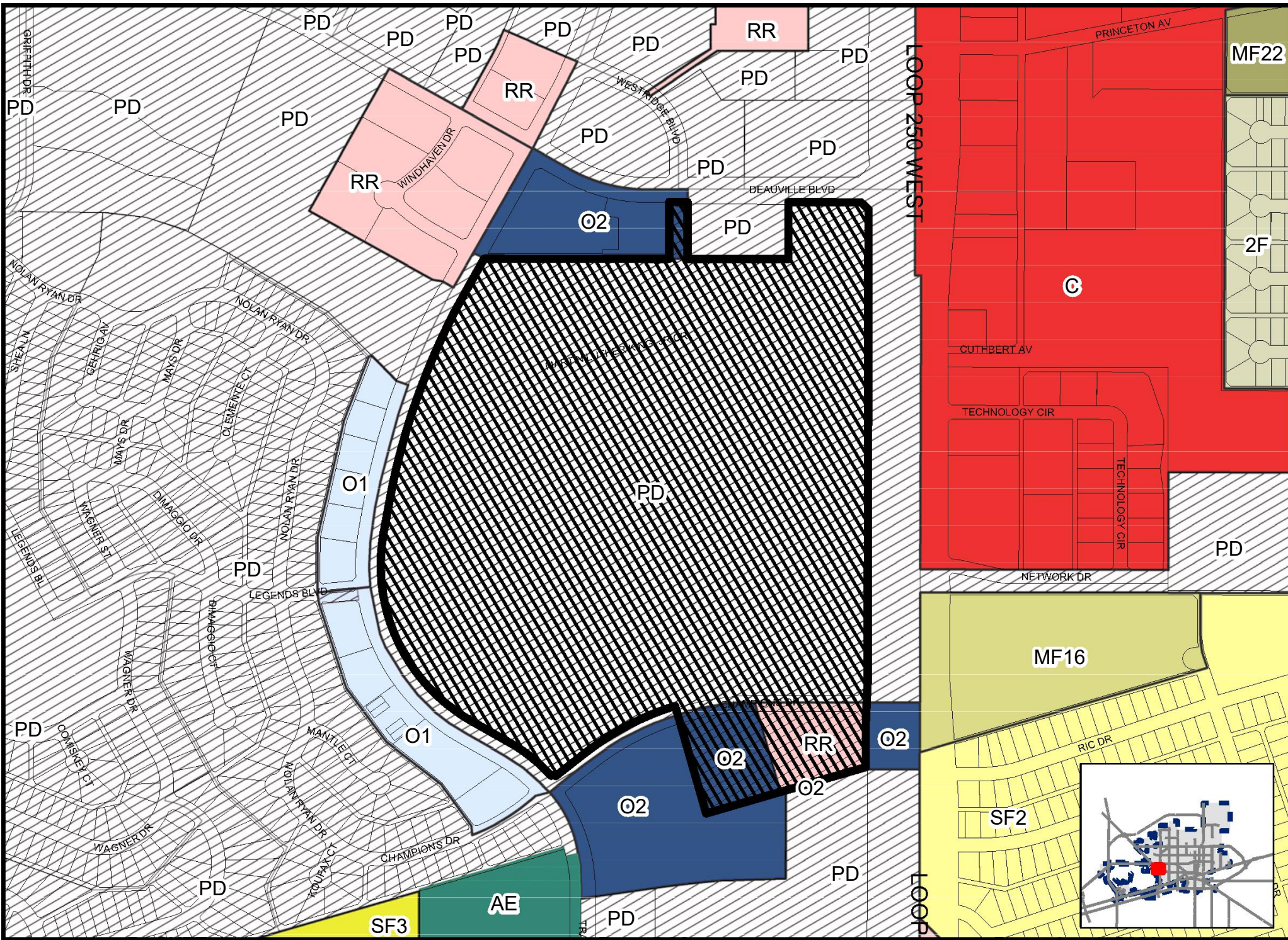
Proposed plat of Westridge Park, Section 53, being a Replat of Lot 4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, and a 1.584-acre portion of Champions Drive right-of-way adjacent to said Lots, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Deauville Boulevard and Loop 250 Frontage Road. (DISTRICT 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





PACKET

Page 5.36

December 4, 2023

Map By AW, 01/19/2023

SUB-22-0576

Scale: 1" = 200'

ZONING MAP



IM
PRI
OF

UCT, HERE IS IT DESIGNED
INFORMATION CONTAINED
THE USE OF THIS DATA.

ORDINANCE NO. 10390

AN ORDINANCE VACATING AND ABANDONING A 1.584-ACRE PORTION OF CHAMPIONS DRIVE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 4, BLOCK 5, WESTRIDGE PARK ADDITION, SECTION 6, AND LOTS 3A AND 3B, BLOCK 6, WESTRIDGE PARK ADDITION, SECTION 44, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF THE INTERSECTION OF CHAMPIONS DRIVE AND LOOP 250); THE CITY OF MIDLAND BEING THE OWNER OF ALL ABUTTING PROPERTY; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, it has been determined by the Midland City Council that a 1.584-acre portion of Champions Drive right-of-way located adjacent to Lot 4, Block 5, Westridge Park Addition, Section 6, and Lots 3A and 3B, Block 6, Westridge Park Addition, Section 44, City and County of Midland, Texas, as described in Exhibit "A" attached hereto and made a part hereof for all legal purposes (the "Property"), is no longer needed for public right-of-way use; and

WHEREAS, Section 272.001 of the Texas Local Government Code provides that a political subdivision may not convey, sell, or exchange its interest in land without observing notice and bid requirements, unless the conveyance is to one or more abutting property owners; and

WHEREAS, the City of Midland is the owner of all property abutting said Property; and

WHEREAS, the Council finds it to be in the public interest to vacate and abandon the Property for all public right-of-way purposes;

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

SECTION ONE. That the Property is hereby vacated and abandoned for all public right-of-way purposes; provided, however, that the City is hereby abandoning only the public interest in the Property for right-of-way purposes, and this ordinance in no way affects any

private easement or access easement that abutting property owners may have in the Property.

SECTION TWO. That this ordinance shall not be effective until a replat of the Property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County, Texas.

SECTION THREE. That the City herein retains an accessible nonexclusive utility easement across, through, over, under, on and along the Property until all entities that were using the Property for utility purposes as of the date of approval of this ordinance have abandoned their uses of the Property.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 28th day of March, A.D., 2023; and passed to second reading on motion of Council member Corrales, seconded by Council member Stretcher Burkes, by the following vote:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

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 Poole, seconded by Council member Corrales, on the 11th day of April, A.D., 2023, at a regular meeting of the City Council:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 11th day of April, A.D., 2023.

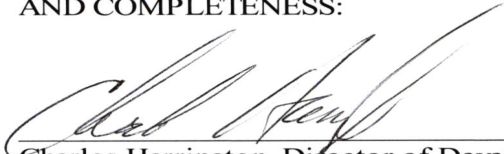

Lori Merritt Blong, Mayor

ATTEST:



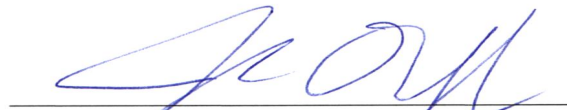
Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney

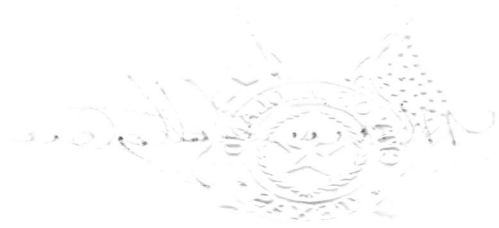


EXHIBIT "A"

A 1.584-ACRE TRACT OF LAND IN SECTION 37, BLOCK 40, T-1-S T&P RR. CO. SURVEY IN MIDLAND COUNTY, TEXAS

A 1.584-acre tract of land in the City of Midland in Section 37, Block 40, T-1-S, T&P RR. Co. Survey in Midland County, Texas, being a portion of Champions Drive as shown on the plat recorded in Plat Cabinet F, Page 183 of the Plat Records of Midland County, Texas; said 1.584-acre tract being more particularly described as follows and as surveyed on-the-ground under the supervision of Parkhill on October 31, 2022:

BEGINNING at a 1/2-inch iron rod with a cap marked "RPLS 6453" found in the west line of Loop 250, at a corner of Lot 3B, Block 6 of Westridge Park, Section 44 as shown on the plat recorded in Plat Cabinet M, Page 106 of said Plat Records, and a corner of said Champions Drive, for the southeast corner hereof, said beginning point having coordinates of NORTHING: 10690810.32 and EASTING: 1733053.01, Texas State Plane Coordinate System, Central Zone 4203, North American Datum of 1983;

THENCE along the north line of said Lot 3B and the south line of said Champions Drive, the following 3 courses:

1. North 59 degrees 23 minutes 51 seconds West a distance of 70.71 feet to a 1/2-inch iron rod with a cap marked "PLS 1974" found;
2. South 75 degrees 36 minutes 08 seconds West a distance of 420.63 feet to a calculated point, for a corner hereof;
3. Along a curve to the left having an arc length of 12.95 feet, a radius of 1160.00 feet, and a chord that bears South 75 degrees 16 minutes 57 seconds West a distance of 12.95 feet to a 1/2-inch iron rod with a cap marked "RPLS 6453" found at the northwest corner of said Lot 3B and the northeast corner of Lot 3A, Block 6 of said Section 44, for a corner hereof;

THENCE along a compound curve to the left having an arc length of 336.56 feet, a radius of 1160.00 feet, and a chord that bears South 66 degrees 39 minutes 03 seconds West a distance of 335.38 feet along the north line of said Lot 3A and the south line of said Champions Drive to a 1/2-inch iron rod found at the northwest corner of said Lot 3A and the most northerly corner of Lot 2A, Block 6 of Westridge Park Addition, Section 35 as shown on the plat recorded in Plat Cabinet J, Page 88 of said Plat Records, for the southwest corner hereof;

THENCE North 30 degrees 28 minutes 44 seconds West a distance of 80.02 feet crossing said Champions Drive to a set "X" mark cut in concrete in the south line of Lot 4, Block 5 of Westridge Park Addition, Section 6 as shown on said plat recorded in Plat Cabinet F, Page 183, for the northwest corner hereof;

THENCE along the south line of said Lot 4 and the north line of said Champions Drive, the following 3 courses:

1. Along a non-tangent curve to the right having an arc length of 371.96 feet, a radius of 1240.00 feet, and a chord that bears North 67 degrees 00 minutes 32 seconds East a distance of 370.57 feet to a 1/2-inch iron rod set, for a corner hereof;
2. North 75 degrees 36 minutes 08 seconds East a distance of 420.65 feet to a set "X" mark cut in concrete, for a corner hereof;
3. North 30 degrees 36 minutes 09 seconds East a distance of 70.71 feet to a 1/2-inch iron rod set in the west line of said Loop 250, at a corner of said Lot 4 and the northeast corner of said Champions Drive, for the northeast corner hereof;

THENCE South 14 degrees 23 minutes 33 seconds East a distance of 180.00 feet along the west line of said Loop 250 and the east line of Champions Drive to the POINT OF BEGINNING containing 1.584 acres of land, more or less, and as shown on certified plat herewith.

Note: Bearings and coordinates shown hereon are based on the Texas State Plane Coordinate System, Central Zone 4203, North American Datum of 1983. Distances reported hereon are at surface. Areas reported hereon are based on calculations made from surface distances. A "1/2-inch iron rod set" is a 1/2-inch rebar with a plastic cap marked "PARKHILL RPLS 6453". This survey is subject to any facts which may be disclosed by a full and accurate title search. Record documents other than those described hereon may affect this tract.

Surveyed by



Franklin Leamons
Registered Professional Land Surveyor #6889
Date: October 31, 2022



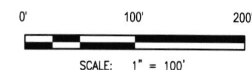
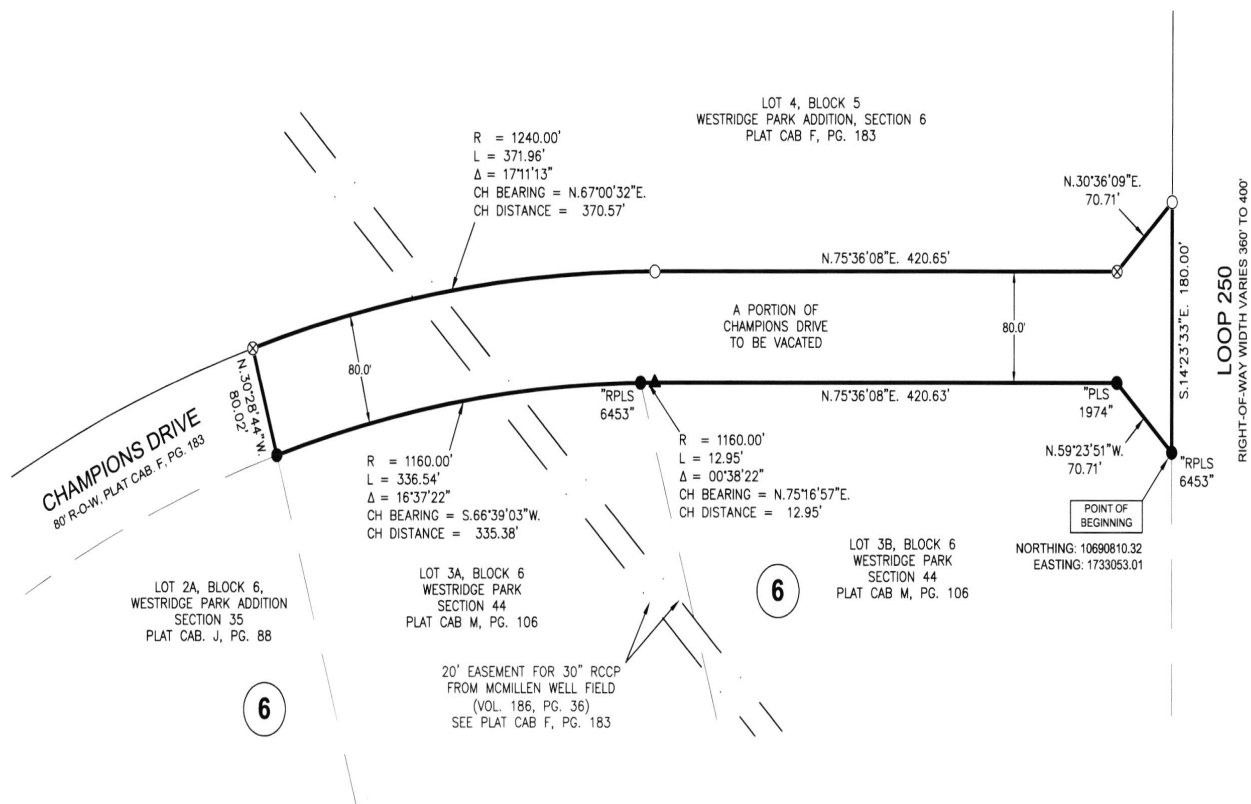
Texas Registered Surveying Firm # 10194091

Parkhill.com



**A 1.584-ACRE TRACT OF LAND IN
SECTION 37, BLOCK 40, T-1-S
T&P RR. CO. SURVEY IN
THE CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS**

PARENT TRACT: PLAT CABINET F, PAGE 183, PLAT RECORDS
MIDLAND COUNTY, TEXAS



LEGEND:

- = SET 1/2" IRON ROD WITH CAP "PSC RPLS 6453".
- = FOUND 1/2" IRON ROD.
- ⊗ = SET "X" CUT ON CONCRETE.
- ▲ = CALCULATED POINT
- = TRACT LIMITS BOUNDARY LINE
- - - = TRACT ADJOINER LINE
- · - = EASEMENT LINE



SURVEYOR'S REPORT:

1. BEARINGS, DISTANCES, AND COORDINATES SHOWN HEREON ARE GRID AND ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83.
2. AREAS REPORTED HEREON ARE BASED ON CALCULATIONS MADE AT GRID DISTANCES.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT/COMMITMENT. THERE MAY BE EASEMENTS, RESTRICTIONS, AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
4. THIS SURVEY WAS PREPARED FOR ROAD/STREET RIGHT-OF-WAY VACATION PURPOSES.
5. THE 1.584-ACRE TRACT SURVEYED HEREON IS WITHIN THE CITY LIMITS OF THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS.
6. THIS PLAT IS INVALID UNLESS IT BEARS THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE.
7. A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 26, 2022; NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

Franklin Leamons
FRANKLIN LEAMONS
R.P.L.S. 6889

OCT. 31, 2022
DATE

Parkhill

Parkhill.com

December 4, 2023

PACKET



APPROVED

10390



City Council Meeting

Item Number: 24
Meeting Date: April 11, 2023 (March 28, 2023)
To: City Council / City Manager
From: Alexandra Walling, Planner
Subject: AN ORDINANCE VACATING AND ABANDONING A 1.584-ACRE PORTION OF CHAMPIONS DRIVE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 4, BLOCK 5, WESTRIDGE PARK ADDITION, SECTION 6, AND LOTS 3A AND 3B, BLOCK 6, WESTRIDGE PARK ADDITION, SECTION 44, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED ON THE WEST SIDE OF THE INTERSECTION OF CHAMPIONS DRIVE AND LOOP 250); THE CITY OF MIDLAND BEING THE OWNER OF ALL ABUTTING PROPERTY; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 4) (DEVELOPMENT SERVICES)

Purpose:

The City of Midland is requesting to vacate a 1.584-acre portion of Champions Drive right-of-way, located adjacent to Lot 4, Block 5, Westridge Park Addition, Section 6 and Lots 3A & 3B, Block 6 Westridge Park, Section 44, City and County of Midland, Texas, for the expansion of Scharbauer Sports Complex.

Recommended City Council Action:

Approve.

Fiscal Impact:

Not applicable.

Discussion:

PACKET

24.1

April 11, 2023

PACKET

Page 5.43

December 4, 2023

The approximated area that will be vacated is 68,999 square feet (1.584-acres). The City of Midland is requesting to vacate to allow for the expansions of new sports fields from the existing area to the north. All businesses located on Champions Drive will still have access to their respective office buildings.

This property is owned by the City of Midland, and, therefore, there is no need for a value assessment.

The applicant will be required to retain a nonexclusive utility easement for all affected utilities until each existing easement user abandons its use of the easement and replat the property prior to the alley right-of-way being vacated.

This request has been circulated and reviewed by all pertinent City departments and franchise utility companies. Their comments, conditions, and requests are as follows:

Code Compliance: (Approved)

No oil and gas issues.

Building Code: (Approved)

No objections.

Engineering: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, or providing easements as needed.

Fire: (Approved)

No objections.

Transportation: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, or providing easements as needed.

GIS: (Approved)

No comments.

AT&T: (Approved)

We do not have any facilities that are going west on Champions Dr from Loop 250. AT&T is ok with the vacation.

Atmos: (Approved with conditions)

Atmos energy currently has facilities located within the above-described Right of Way along Champions Drive. We currently have a gas main along the South side of this right of way that extends approximately 25ft. onto the proposed vacate area near the west boundary. Atmos would have no objection to this vacation however if no easement is designated we would need to retire this line. Any retirement costs would be passed on to the individual entity requesting to vacate.

Astound: (Approved)

Astound has no network on any poles in this location, we are underground in the TXDOT ROW.

Oncor: (Approved)

No comments were received.

Suddenlink: (Approved)

Here's a map of our underground fiber plant, it goes north & south on the westside of Loop 250. It also runs west on the southside of, Champions Dr. These fiber routes serve all the businesses & residential homes, west of Loop 250, And Grassland subdivision, north of Andrews Hwy. If you still wish for us to vacate, there will be a cost to relocate all our services.

We have 6 conduits with underground fiber they run north & South off of, Loop 250 & 2 of the conduits continue across, Champions Dr. we are 42" deep. We have 4 conduits underground running west on the southside off of Champions Drive, that feed the businesses & all of residential homes.

Planning:

All relevant City departments and franchise utility companies have reviewed this vacation request and have no objections to the approval of the request.

Therefore, staff recommends approval of the vacation of a 1.584-acre portion of Champions Drive right-of-way, located adjacent to Lot 4, Block 5, Westridge Park Addition, Section 6 and Lots 3A & 3B, Block 6 Westridge Park, Section 44, City and County of Midland, Texas, for future development to be subject to conditions A through C.

Conditions:

- A. That the City retains a nonexclusive utility easement until each existing easement**

user abandons its use of the easement.

B. That the value of the property shall be \$0, as it is owned by the City of Midland.

C. That a replat of the subject property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County.

Letters of Objection:

As of March 15, 2023, staff has not received any letters of objection to this request.

Attachments:

Vacation Survey (Exhibit A)

Application

Maps

Responses from Franchise Utility Companies



City Manager's Office

EXHIBIT "A"

A 1.584-ACRE TRACT OF LAND IN SECTION 37, BLOCK 40, T-1-S T&P RR. CO. SURVEY IN MIDLAND COUNTY, TEXAS

A 1.584-acre tract of land in the City of Midland in Section 37, Block 40, T-1-S, T&P RR. Co. Survey in Midland County, Texas, being a portion of Champions Drive as shown on the plat recorded in Plat Cabinet F, Page 183 of the Plat Records of Midland County, Texas; said 1.584-acre tract being more particularly described as follows and as surveyed on-the-ground under the supervision of Parkhill on October 31, 2022:

BEGINNING at a 1/2-inch iron rod with a cap marked "RPLS 6453" found in the west line of Loop 250, at a corner of Lot 3B, Block 6 of Westridge Park, Section 44 as shown on the plat recorded in Plat Cabinet M, Page 106 of said Plat Records, and a corner of said Champions Drive, for the southeast corner hereof, said beginning point having coordinates of NORTHING: 10690810.32 and EASTING: 1733053.01, Texas State Plane Coordinate System, Central Zone 4203, North American Datum of 1983;

THENCE along the north line of said Lot 3B and the south line of said Champions Drive, the following 3 courses:

1. North 59 degrees 23 minutes 51 seconds West a distance of 70.71 feet to a 1/2-inch iron rod with a cap marked "PLS 1974" found;
2. South 75 degrees 36 minutes 08 seconds West a distance of 420.63 feet to a calculated point, for a corner hereof;
3. Along a curve to the left having an arc length of 12.95 feet, a radius of 1160.00 feet, and a chord that bears South 75 degrees 16 minutes 57 seconds West a distance of 12.95 feet to a 1/2-inch iron rod with a cap marked "RPLS 6453" found at the northwest corner of said Lot 3B and the northeast corner of Lot 3A, Block 6 of said Section 44, for a corner hereof;

THENCE along a compound curve to the left having an arc length of 336.56 feet, a radius of 1160.00 feet, and a chord that bears South 66 degrees 39 minutes 03 seconds West a distance of 335.38 feet along the north line of said Lot 3A and the south line of said Champions Drive to a 1/2-inch iron rod found at the northwest corner of said Lot 3A and the most northerly corner of Lot 2A, Block 6 of Westridge Park Addition, Section 35 as shown on the plat recorded in Plat Cabinet J, Page 88 of said Plat Records, for the southwest corner hereof;

THENCE North 30 degrees 28 minutes 44 seconds West a distance of 80.02 feet crossing said Champions Drive to a set "X" mark cut in concrete in the south line of Lot 4, Block 5 of Westridge Park Addition, Section 6 as shown on said plat recorded in Plat Cabinet F, Page 183, for the northwest corner hereof;

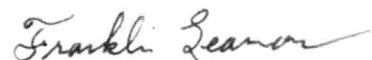
THENCE along the south line of said Lot 4 and the north line of said Champions Drive, the following 3 courses:

1. Along a non-tangent curve to the right having an arc length of 371.96 feet, a radius of 1240.00 feet, and a chord that bears North 67 degrees 00 minutes 32 seconds East a distance of 370.57 feet to a 1/2-inch iron rod set, for a corner hereof;
2. North 75 degrees 36 minutes 08 seconds East a distance of 420.65 feet to a set "X" mark cut in concrete, for a corner hereof;
3. North 30 degrees 36 minutes 09 seconds East a distance of 70.71 feet to a 1/2-inch iron rod set in the west line of said Loop 250, at a corner of said Lot 4 and the northeast corner of said Champions Drive, for the northeast corner hereof;

THENCE South 14 degrees 23 minutes 33 seconds East a distance of 180.00 feet along the west line of said Loop 250 and the east line of Champions Drive to the POINT OF BEGINNING containing 1.584 acres of land, more or less, and as shown on certified plat herewith.

Note: Bearings and coordinates shown hereon are based on the Texas State Plane Coordinate System, Central Zone 4203, North American Datum of 1983. Distances reported hereon are at surface. Areas reported hereon are based on calculations made from surface distances. A "1/2-inch iron rod set" is a 1/2-inch rebar with a plastic cap marked "PARKHILL RPLS 6453". This survey is subject to any facts which may be disclosed by a full and accurate title search. Record documents other than those described hereon may affect this tract.

Surveyed by


Franklin Leamons
Registered Professional Land Surveyor #6889
Date: October 31, 2022



Texas Registered Surveying Firm # 10194091

PACKET

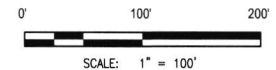
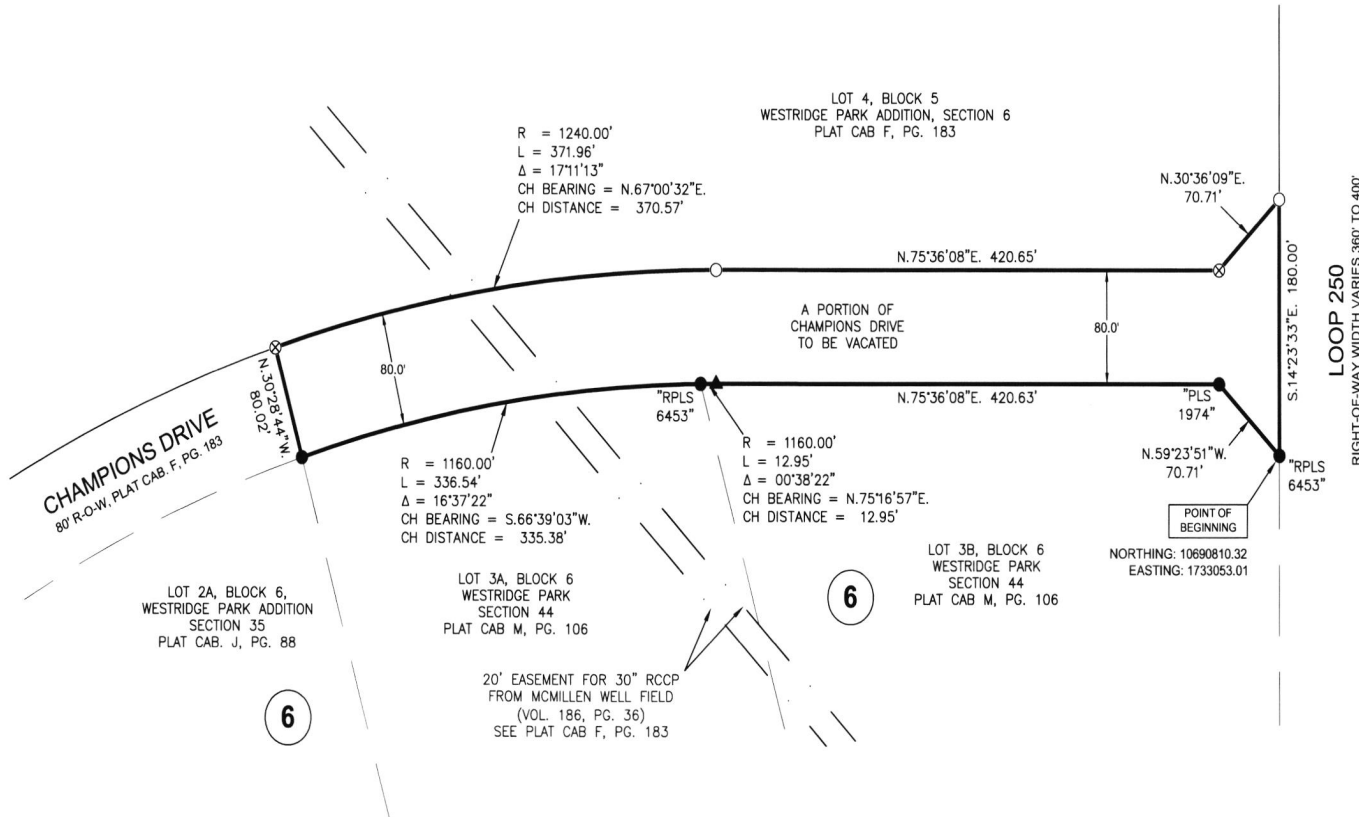
24.8

April 11, 2023 arkhill.com



**A 1.584-ACRE TRACT OF LAND IN
SECTION 37, BLOCK 40, T-1-S
T&P RR. CO. SURVEY IN
THE CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS**

PARENT TRACT: PLAT CABINET F, PAGE 183, PLAT RECORDS
MIDLAND COUNTY, TEXAS



LEGEND:

- = SET 1/2" IRON ROD WITH CAP "PSC RPLS 6453".
- = FOUND 1/2" IRON ROD.
- ⊗ = SET "X" CUT ON CONCRETE.
- ▲ = CALCULATED POINT
- = TRACT LIMITS BOUNDARY LINE
- - - = TRACT ADJOINER LINE
- · - = EASEMENT LINE



SURVEYOR'S REPORT:

1. BEARINGS, DISTANCES, AND COORDINATES SHOWN HEREON ARE GRID AND ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83.
2. AREAS REPORTED HEREON ARE BASED ON CALCULATIONS MADE AT GRID DISTANCES.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT/COMMITMENT. THERE MAY BE EASEMENTS, RESTRICTIONS, AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
4. THIS SURVEY WAS PREPARED FOR ROAD/STREET RIGHT-OF-WAY VACATION PURPOSES.
5. THE 1.584-ACRE TRACT SURVEYED HEREON IS WITHIN THE CITY LIMITS OF THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS.
6. THIS PLAT IS INVALID UNLESS IT BEARS THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE.
7. A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 26, 2022; NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

Franklin A. Leamons
FRANKLIN LEAMONS
R.P.L.S. 6889

OCT. 31, 2023
DATE
April 11, 2023





**Vacate Right-of-Way/Public Utility
Easement/Land/Street Application**

Project Number:

1-23-0045

Case Number:

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

Printed Name: Josh Wallender (Parkhill)

Phone (432) 697-1447

Email jwallender@parkhill.com

Address 1700 W Wall Street

City Midland

State Texas

Zip 79701

Application is hereby made to the City Council to vacate the following:

- ☒ Right-of-Way
- ☐ Public Utility Easement
- ☐ Land
- ☒ Street

Description of Address: Approximately the East half of Champions Drive

Reason for Request: Allow for the expansion of new fields for future activities

Reasons, in applicant's opinion, why the requested vacation will not adversely affect the public welfare or will contribute to it in a positive way: Allow for the expansion of new fields for future activities, while still having access to surrounding businesses.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Sealed metes and bounds description of the property to be vacated (included on the map) and total square feet of vacation. Include ownership, legal and deed information for adjacent property owners
- Digital Copies of Survey (PDF/JPEG)

Utility Company Approval

Clearance is needed from the following utility companies:

- City of Midland
- Atmos Energy
- Oncor Electric
- AT&T
- Suddenlink Cable TV Co.
- Grande Communications

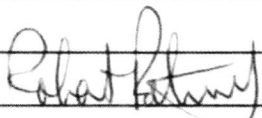
The City will route the request to these companies, but it is the applicant's responsibility to ensure clearance has been obtained to resolve any issues that may arise.

Policies

1. If the vacation request involves only a portion of a section right-of-way, such that approval would not affect the public's ability to travel along said right-of-way, then the request will be scheduled for consideration by the City Council. No public hearing will be needed.
2. If the vacation request involves an entire section of right-of-way, such that approval would cause the public to lose all rights to use it, then the following procedures apply:
 - a. Nearby land owners who have a reasonable expectation to use said right-of-way, as determined by the Transportation Division, must first agree to the proposed vacation. It is the applicant's responsibility to obtain a letter of concurrence signed by the affected landowners.
 - b. If all letters are received indicating that the affected landowners agree to the request, then a public hearing before the City Council will be scheduled. The Planning Division will mail public notice of the hearing to landowners within 400 feet of the affected right-of-way.
 - c. If a request is approved, the right-of-way shall be divided into two equal parts, with each half becoming the property of the respective abutting owner. If the applicant desires to own the entire width, he or she must negotiate with the opposite landowner.

Signatures

Applicant (signature):



Date: 1-10-23

Affected Property Owners:

City of Midland

Signature:

Print:

Date:

Signature:

Print:

Date:

Signature:

Print:

Date:

Signature:

Print:

Date:

The Vacation of right-of-way/public utility easement/land/street 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.

FOR OFFICE USE ONLY

☒ 1 FOLDED Copy of Survey

☒ Survey in Digital Format (PDF/JPEG)

☒ Application Fee

Check # City of Midland

Received By:

Alexandra Walling

Date:

JAN 25 2023

AW

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

PACKET

24.11

April 11, 2023

Vacation Application

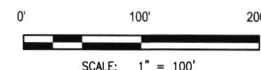
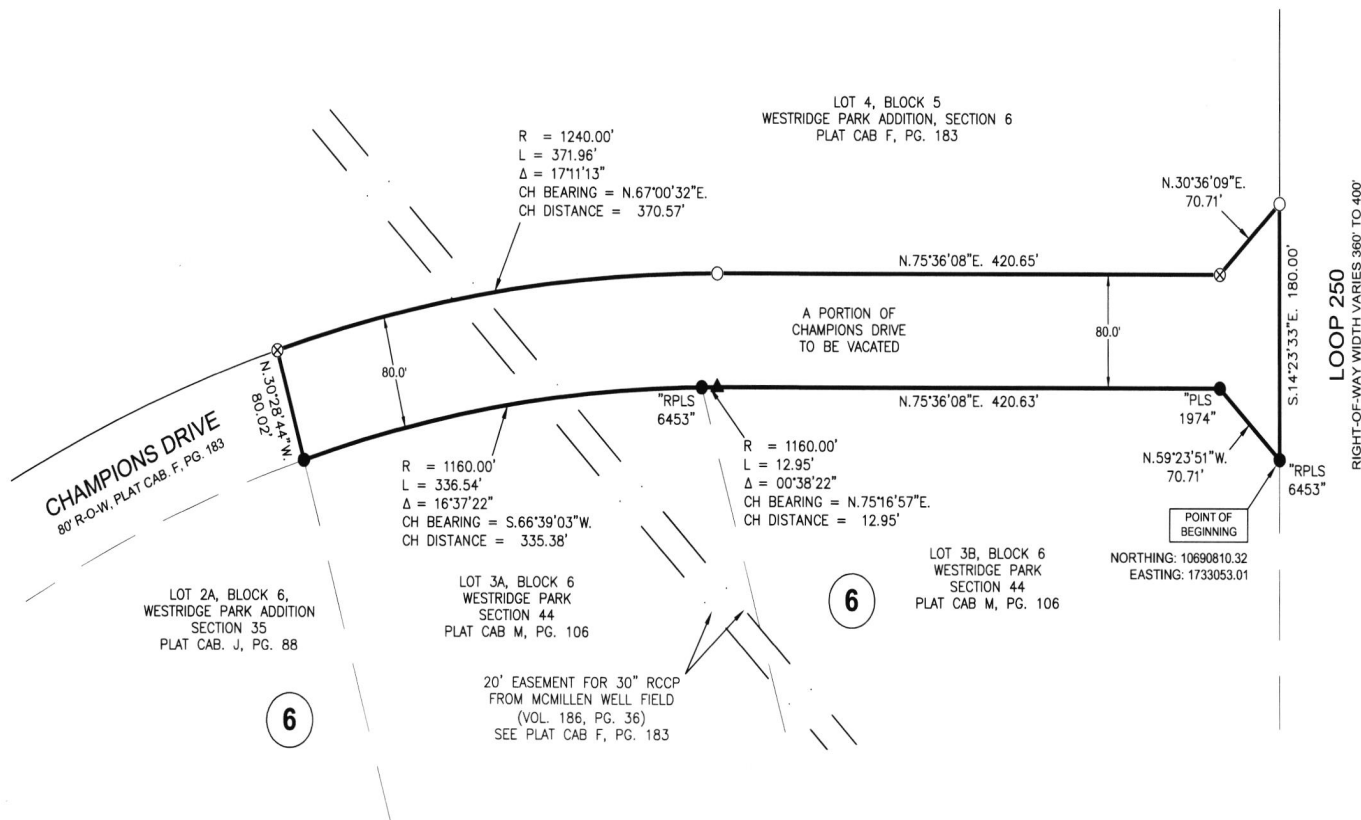
2

Revised 07/02/19



**A 1.584-ACRE TRACT OF LAND IN
SECTION 37, BLOCK 40, T-1-S
T&P RR. CO. SURVEY IN
THE CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS**

PARENT TRACT: PLAT CABINET F, PAGE 183, PLAT RECORDS
MIDLAND COUNTY, TEXAS



LEGEND:

- = SET 1/2" IRON ROD WITH CAP "PSC RPLS 6453".
- = FOUND 1/2" IRON ROD.
- ⊗ = SET "X" CUT ON CONCRETE.
- ▲ = CALCULATED POINT
- = TRACT LIMITS BOUNDARY LINE
- - - = TRACT ADJOINER LINE
- · - = EASEMENT LINE



SURVEYOR'S REPORT:

1. BEARINGS, DISTANCES, AND COORDINATES SHOWN HEREON ARE GRID AND ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83.
2. AREAS REPORTED HEREON ARE BASED ON CALCULATIONS MADE AT GRID DISTANCES.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT/COMMITMENT. THERE MAY BE EASEMENTS, RESTRICTIONS, AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
4. THIS SURVEY WAS PREPARED FOR ROAD/STREET RIGHT-OF-WAY VACATION PURPOSES.
5. THE 1.584-ACRE TRACT SURVEYED HEREON IS WITHIN THE CITY LIMITS OF THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS.
6. THIS PLAT IS INVALID UNLESS IT BEARS THE SURVEYOR'S ORIGINAL SEAL AND SIGNATURE.
7. A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 26, 2022; NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

Franklin Leamons
FRANKLIN LEAMONS
R.P.L.S. 6889

OCT. 31, 2023
DATE

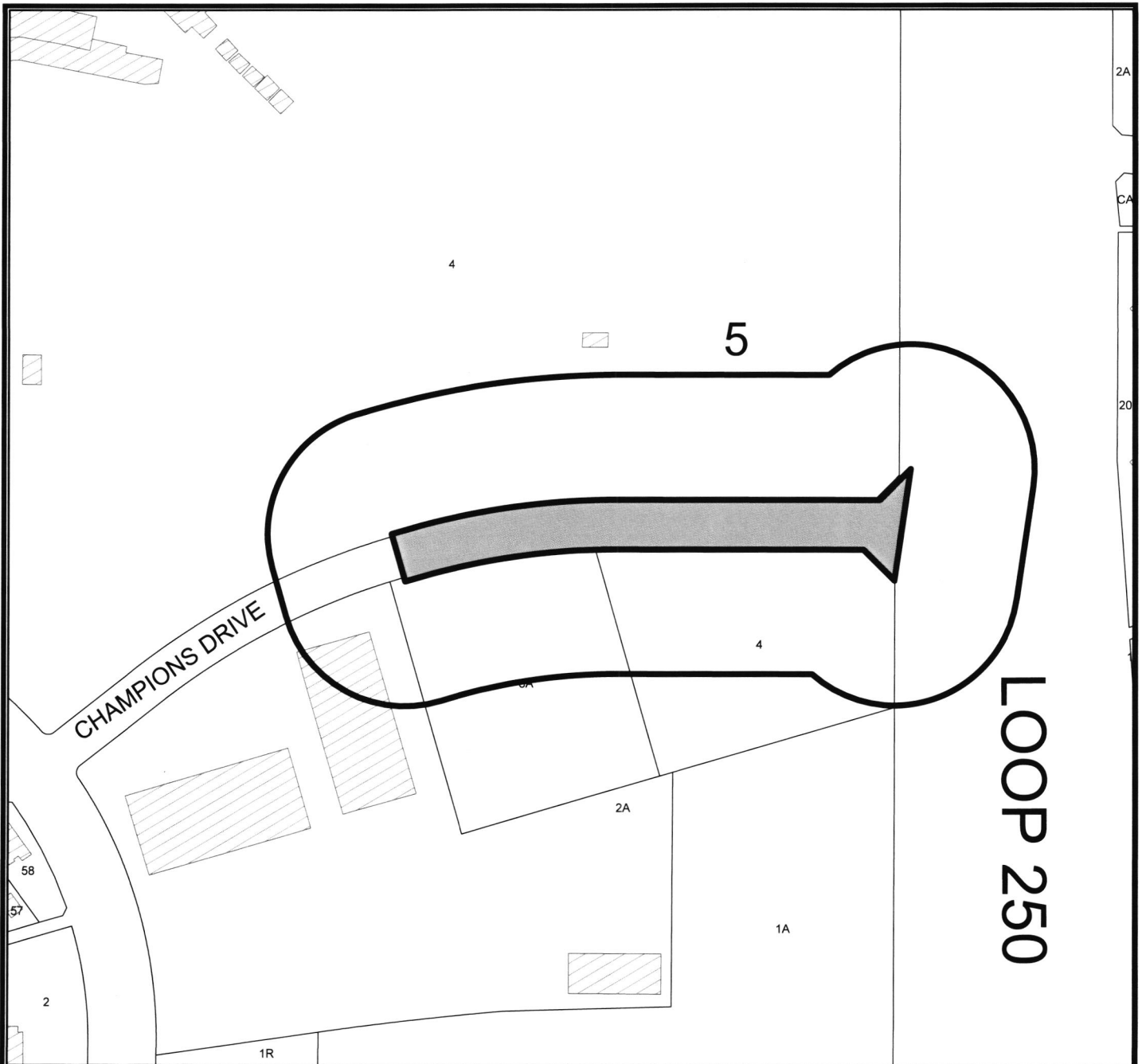
April 11, 2023

December 4, 2023
TAXES AND REGISTRATION NO. 10194091



24.12

Page 5.51



LOCATION MAP

V-23-0045

Scale: 1" = 200'

Consider a request for a vacation of a 1.584-acre portion of Champions Drive right-of-way, located adjacent to Lot 4, Block 5, Westridge Park Addition, Section 6 and Lots 3A & 3B, Block 6 Westridge Park, Section 44, City and County of Midland, Texas.

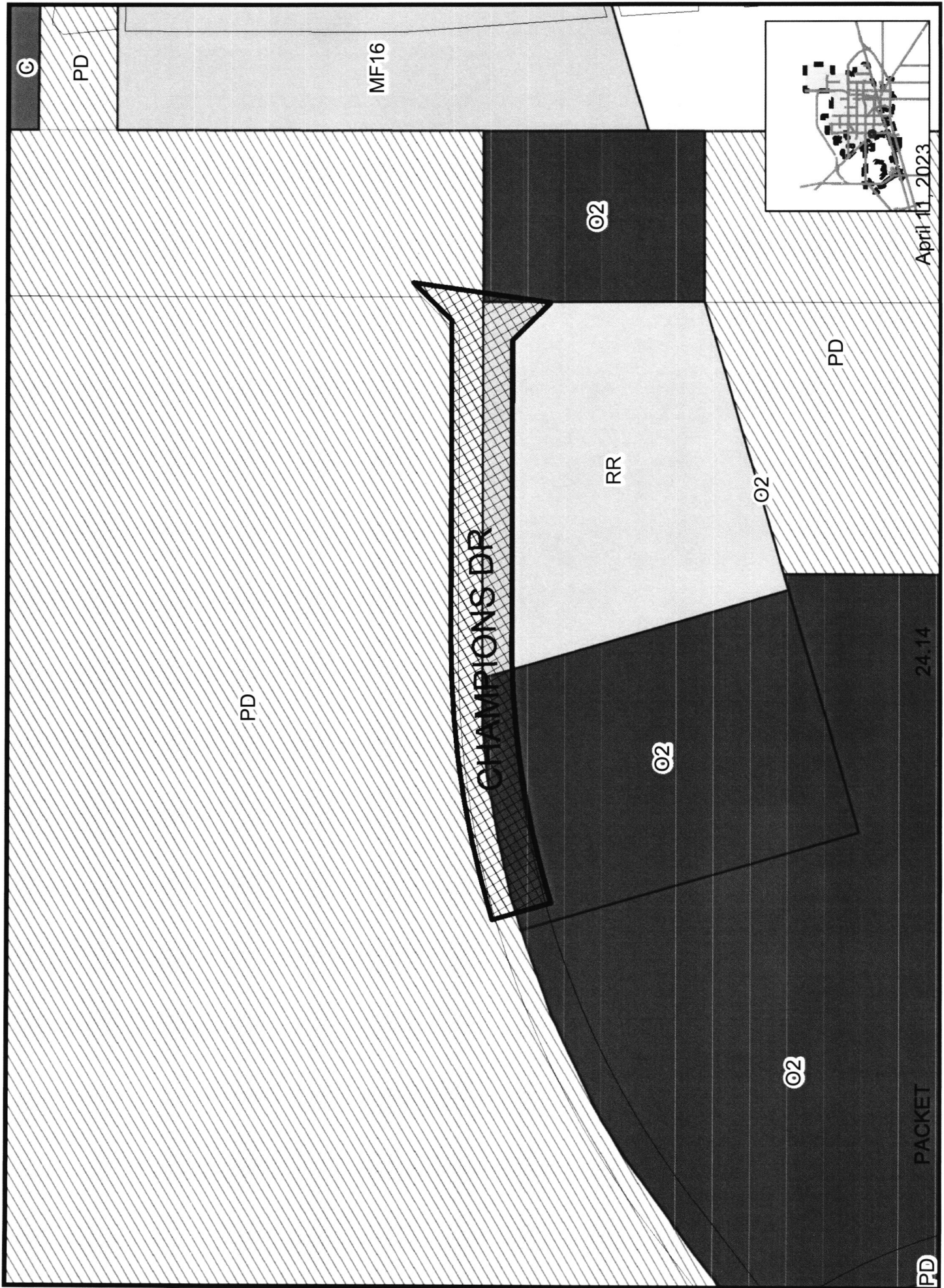
Generally located on the northwest corner of the intersection of Champions Drive and Loop 250 (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS

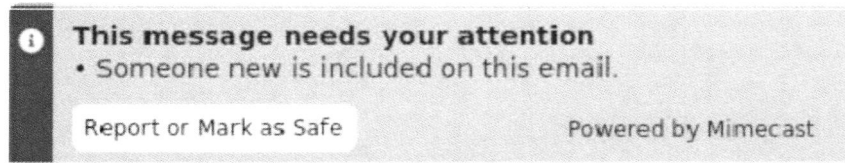


April 11, 2023



Alexandra Walling

From: Luis Montez <Luis.Montez@AlticeUSA.com>
Sent: Friday, February 10, 2023 10:44 AM
To: Alexandra Walling; Eron Zapata; Raymond Revilla
Cc: Brian McGinnis
Subject: RE: External E-mail - FW: Westridge Park Vacation -Urgent-



Ms. Walling,
Here's a map of our underground fiber plant, it goes north & south on the westside of Loop 250.
It also runs west on the southside of, Champions Dr. These fiber routes serve all the businesses & residential homes,
west of Loop 250,
And Grassland subdivision, north of Andrews Hwy. If you still wish for us to vacate, there will be a cost to relocate all our
services.

We have 6 conduits with underground fiber they run north & South off of, Loop 250 & 2 of the conduits continue across,
Champions Dr. we are 42" deep
We have 4 conduits underground running west on the southside off of Champions Drive, that feed the businesses & all
of residential homes.



From: Alexandra Walling <awalling@midlandtexas.gov>
Sent: Friday, February 10, 2023 9:29 AM
To: Luis Montez <Luis.Montez@AlticeUSA.com>; Eron Zapata <Eron.Zapata@AlticeUSA.com>; Raymond Revilla <Raymond.Revilla@AlticeUSA.com>
Subject: External E-mail - FW: Westridge Park Vacation -Urgent-
Importance: High

[External Email]

Caution: This email originated outside of Altice USA. Please do not click links or attachments unless you recognize the sender and know the content is safe.

Hello again!

Just wanted to check up on this and see if there was any progress made. We will need comments no later than Tuesday, February 14, 2023. Thanks!

From: Alexandra Walling
Sent: Thursday, February 2, 2023 8:36 AM
To: Luis Montez <Luis.Montez@AlticeUSA.com>; eron.zapata@alticeusa.com; raymond.revilla@alticeusa.com
Subject: Westridge Park Vacation -Urgent-
Importance: High

PACKET

24.16
2

April 11, 2023

Good morning,

Parkhill has requested to vacate the above described Right of Way (see attachment: Exhibit A). Please advise this office if your company has utilities within this right-of-way. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7409 if you have any questions.

Thank You,

Alexandra Walling
Planner
Planning Division
Development Services
O. 432-685-7409
awalling@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

Caution: This email originated outside of Altice USA. Please do not click links or attachments unless you recognize the sender and know the content is safe.

The information transmitted in this email and any of its attachments is intended only for the person or entity to which it is addressed and may contain information concerning Altice USA and/or its affiliates and subsidiaries that is proprietary, privileged, confidential and/or subject to copyright. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited and may be unlawful. If you received this in error, please contact the sender immediately and delete and destroy the communication and all of the attachments you have received and all copies thereof.

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

24.17
3

April 11, 2023

PACKET

Page 5.56

December 4, 2023

Alexandra Walling

From: Ruben Guerra <ruben.guerra@astound.com>
Sent: Thursday, February 2, 2023 11:34 AM
To: Alexandra Walling
Subject: Re: Westridge Park Vacation -Urgent-

Astound has no network on any poles in this location, we are underground in the TXDOT ROW.

Thank You

Ruben Guerra
Construction Coordinator
O: 432-272-3088
C: 432-653-9369
Ruben.Guerra@astound.com
Astound Business Solutions
Powered by RCN | Grande | Wave
astound.com

On Thu, Feb 2, 2023 at 8:38 AM Alexandra Walling <awalling@midlandtexas.gov> wrote:

Good morning,

Parkhill has requested to vacate the above described Right of Way (see attachment: Exhibit A). Please advise this office if your company has utilities within this right-of-way. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7409 if you have any questions.

Thank You,

Alexandra Walling

Planner

Planning Division

Development Services

O. 432-685-7409

PACKET

24.18
1

April 11, 2023

PACKET

Page 5.57

December 4, 2023

awalling@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

PACKET

24.19
2

April 11, 2023

PACKET

Page 5.58

December 4, 2023

Alexandra Walling

From: GONZALEZ, VINCENT J <vg064q@att.com>
Sent: Friday, February 10, 2023 9:08 AM
To: Elizabeth Shaughnessy
Cc: Alexandra Walling
Subject: RE: Westridge Park Vacation -Urgent-

We do not have any facilities that are going west on Champions Dr from Loop 250. AT&T is ok with the vacation.

Vincent Gonzalez
Manager Outside Plant & Engineering Design
410 W Missouri Ave, 2nd Flr
Midland, TX 79701
(432) 559-2890 | vg064q@att.com

This e-mail and any files transmitted with it are AT&T property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender and delete this message immediately from your computer. Any other uses, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Elizabeth Shaughnessy <eshaughnessy@midlandtexas.gov>
Sent: Friday, February 10, 2023 9:01 AM
To: GONZALEZ, VINCENT J <vg064q@att.com>
Cc: Alexandra Walling <awalling@midlandtexas.gov>
Subject: RE: Westridge Park Vacation -Urgent-

Good morning, Vincent,

We do understand that you have utilities running through this road. However, if we leave an easement, you will still have access and no building can be constructed on that segment.

Please reference image below:



As you can see from the image the football field was built over your utilities, based on the image you provided, however no building is built over it.

Does this change your position?
PACKET

24.21
2

April 11, 2023

Best Regards,

Elizabeth Shaughnessy

Planning Division Manager

From: Alexandra Walling <awalling@midlandtexas.gov>
Sent: Friday, February 10, 2023 8:51 AM
To: Elizabeth Shaughnessy <eshaughnessy@midlandtexas.gov>
Subject: FW: Westridge Park Vacation -Urgent-

From: GONZALEZ, VINCENT J <vg064q@att.com>
Sent: Friday, February 3, 2023 5:13 PM
To: Alexandra Walling <awalling@midlandtexas.gov>
Subject: RE: Westridge Park Vacation -Urgent-

That is a TXDOT right of way already along Loop 250. Which we have utility easements in ROW which we will not vacate.

Vincent Gonzalez
Manager Outside Plant & Engineering Design
410 W Missouri Ave, 2nd Flr
Midland, TX 79701
(432) 559-2890 | vg064q@att.com

This e-mail and any files transmitted with it are AT&T property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender and delete this message immediately from your computer. Any other uses, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Alexandra Walling <awalling@midlandtexas.gov>
Sent: Friday, February 3, 2023 3:25 PM
To: GONZALEZ, VINCENT J <vg064q@att.com>
Subject: RE: Westridge Park Vacation -Urgent-

Is it possible to create an easement in that spot?

From: GONZALEZ, VINCENT J <vg064q@att.com>
Sent: Friday, February 3, 2023 9:51 AM
To: Alexandra Walling <awalling@midlandtexas.gov>
Subject: RE: Westridge Park Vacation -Urgent-

We will not vacate this area. We should be 42"-48" below grade if this is an issue for them they will have to pay us to relocate which will be a big project. We have major business circuits going through this. They will have to contact me to get the process started.

PACKET

24.22
3

April 11, 2023

PACKET

Page 5.61

December 4, 2023

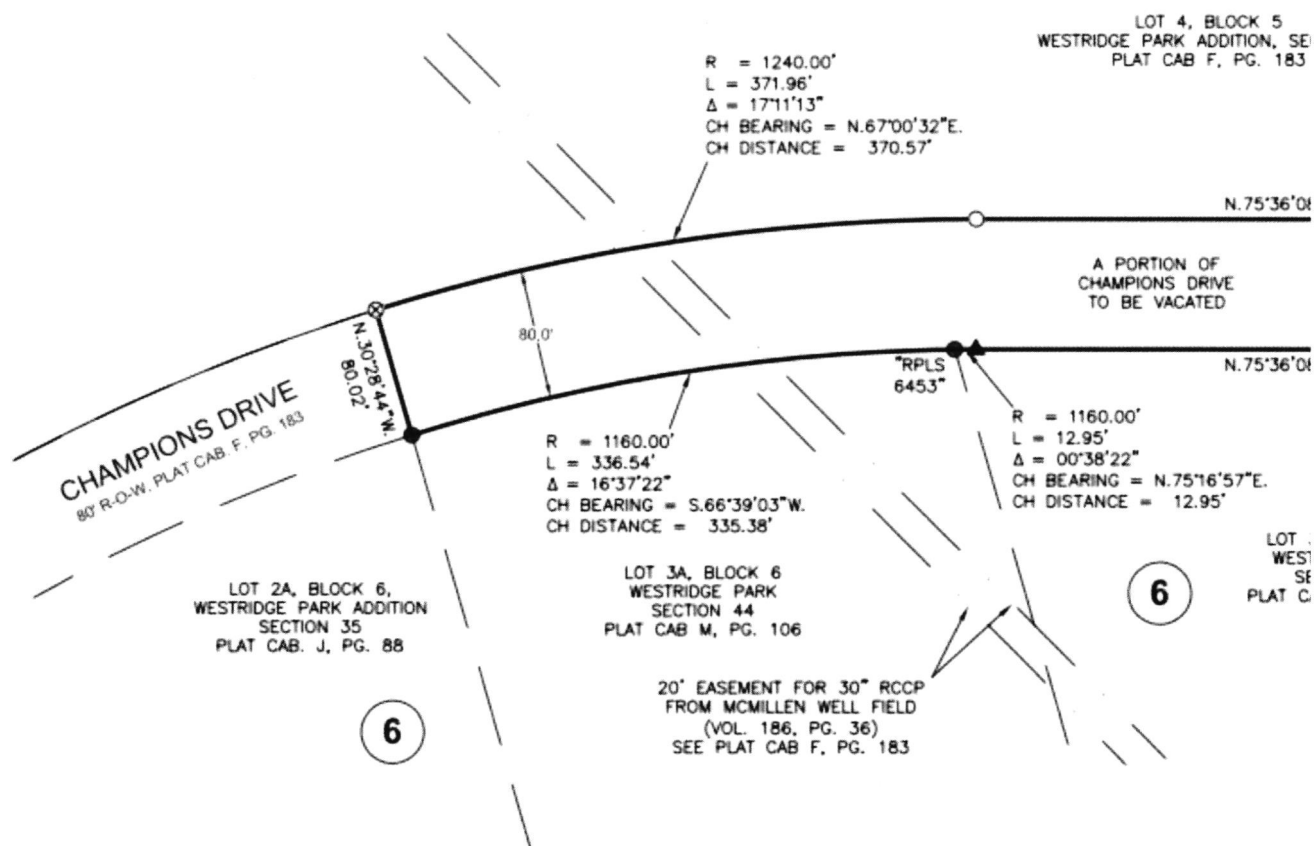
Vincent Gonzalez
Manager Outside Plant & Engineering Design
410 W Missouri Ave, 2nd Flr
Midland, TX 79701
(432) 559-2890 | vg064q@att.com

This e-mail and any files transmitted with it are AT&T property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender and delete this message immediately from your computer. Any other uses, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Alexandra Walling <awalling@midlandtexas.gov>
Sent: Friday, February 3, 2023 8:07 AM
To: GONZALEZ, VINCENT J <vg064q@att.com>
Subject: RE: Westridge Park Vacation -Urgent-

Morning Vincent,

I really appreciate your response! It looks like some of the lines will crossover Champions Dr. since they are vacating all the way up to the Loop. Will this be an issue for y'all? Just wanted to double check.



We do have fiber that is running North and South in the TXDOT ROW crossing Champions Dr. We do not have anything going west from Loop 250 on Champions Dr.

PACKET

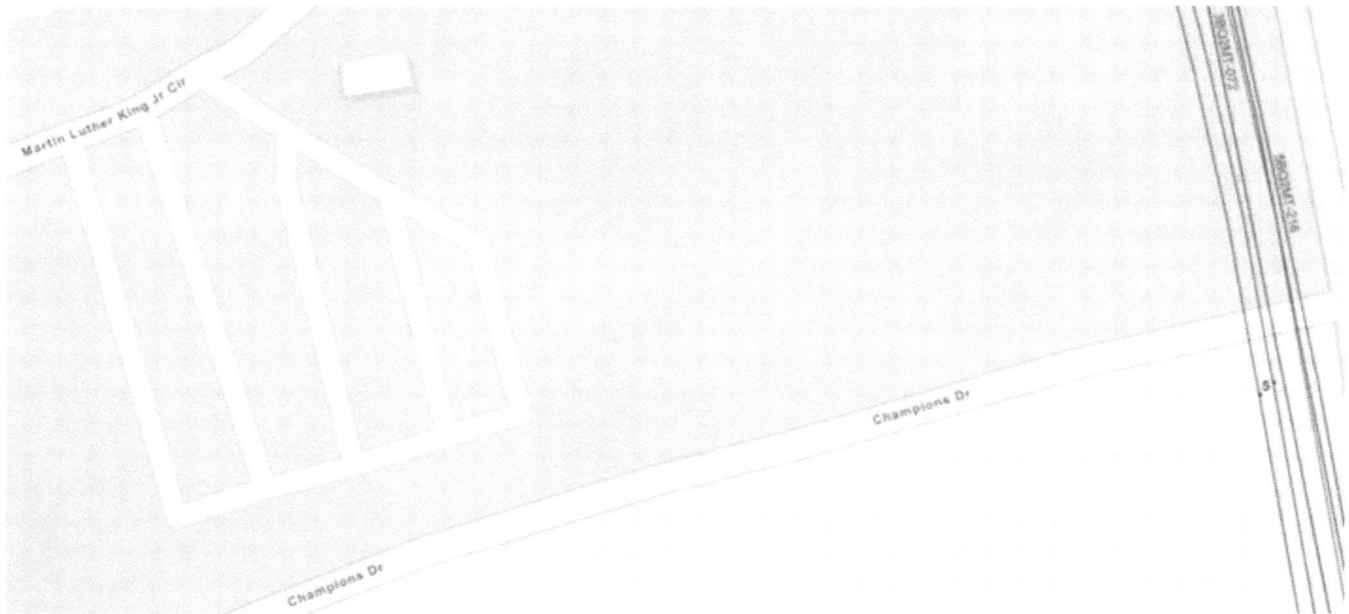
24.24
5

April 11, 2023

PACKET

Page 5.63

December 4, 2023



Vincent Gonzalez
Manager Outside Plant & Engineering Design
410 W Missouri Ave, 2nd Flr
Midland, TX 79701
(432) 559-2890 | vg064q@att.com

This e-mail and any files transmitted with it are AT&T property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender and delete this message immediately from your computer. Any other uses, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: UNDERWOOD, JERRY D <ju1659@att.com>
Sent: Thursday, February 2, 2023 8:36 AM
To: GONZALEZ, VINCENT J <vg064q@att.com>
Cc: Alexandra Walling <awalling@midlandtexas.gov>
Subject: FW: Westridge Park Vacation -Urgent-
Importance: High

Vincent,

This is in your area.

Thanks,
Jerry

From: Alexandra Walling <awalling@midlandtexas.gov>
Sent: Thursday, February 2, 2023 8:30 AM
To: UNDERWOOD, JERRY D <ju1659@att.com>
Subject: Westridge Park Vacation -Urgent-
Importance: High

Good morning,

PACKET

24.25
6

April 11, 2023

PACKET

Page 5.64

December 4, 2023

Parkhill has requested to vacate the above described Right of Way (see attachment: Exhibit A). Please advise this office if your company has utilities within this right-of-way. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7409 if you have any questions.

Thank You,

Alexandra Walling
Planner
Planning Division
Development Services
O. 432-685-7409
awalling@midlandtexas.gov



300 N. Loraine | P.O. Box 1152 | Midland, TX 79702

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.

CAUTION: This email originated from outside your organization — exercise caution when opening attachments or clicking links, especially from unknown senders.



ATMOS ENERGY

West Texas Division
P.O. Box 1111,
Midland, Texas 79702

City of Midland
Alexandra Walling
Planner/Planning Division
300 N. Loraine
Midland, Texas 79701

February 10, 2023

Re: Case Name: Westridge Park Vacation
Case Number: V-22-0045

Alexandra,

Atmos Energy currently has facilities located within the above-described Right of Way along Champions Drive. We currently have a gas main along the South side of this right of way that extends approximately 25ft. onto the proposed vacate area near the West boundary. Atmos would have no objection to this vacation however if no easement is designated we would need to retire this line. Any retirement costs would be passed on to the individual or entity requesting the vacate.

Please let me know if you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Mark Lieb".

Mark Lieb
Project Specialist
Atmos Energy/Permian Basin
432-617-3447 office
432-967-0370 cell
mark.lieb@atmosenergy.com

PACKET

24.27

April 11, 2023

PACKET

Page 5.66

December 4, 2023



PACKET

24.28

April 11, 2023

PACKET

Page 5.67

December 4, 2023





PACKET

24.30

April 11, 2023

PACKET

Page 5.69

December 4, 2023



PACKET

24.31

April 11, 2023

PACKET

Page 5.70

December 4, 2023



Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: November 20, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving a Final Plat of Redneck Retreat, Section 4, being a 10-acre tract of land out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR CO. Survey, Midland County, Texas. (Generally located on the north side of East County Road 140, approximately 2600-feet east of Farm-To-Market Road 715. (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The preliminary plat was approved at the October 16, 2023, Planning and Zoning Commission meeting. The property owner is requesting to plat to obtain septic permits and addresses. The proposed subdivision will have two (2) lots with a total acreage of 10.00.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

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

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

PAVING: Paving improvements deferral request was administratively approved. [For Applicant's Information Only.]

WATER: Water improvements deferral request was administratively approved. [For Applicant's Information Only.]

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

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

SEWER: Sewer improvements deferral request was administratively approved.. [For Applicant's Information Only.]

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

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

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

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.

Building Code: (Approved)

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

GIS: (Approved)

No comments.

PUBLIC WORK:

Ensure you get driveway permits through the county prior to tying into the county road.

CRMWD:

Yes, the health department will review applications from the 2 proposed lots of REDNECK RETREAT SECTION 4, PLAT OF A 10 ACRE TRACT OF LAND OUT OF THE SOUTHWEST/4 SECTION 15, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 4.6 acre, lot 2 is 4.6 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

HEALTH DEPARTMENT:

No comments.

Planning: (Approved)

Staff recommends the denial of the final plat of Redneck Retreat, Section 4, subject to condition A.

Condition(s):

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

SUB-23-0026
P-23-1829**Proposed Subdivision Plat Name:** REDNECK RETREAT, SECTION 4**Legal Description (attached sealed Metes and Bounds):** BEING A 10.00 ACRE TRACT OUT OF THE SOUTHWEST 1/4 OF SECTION 15, BLOCK 38, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS**Property Owner**

Printed Name: BIG HAT NO CATTLE HOLDINGS, LLC

Phone (432) 684-5548

Email ealeman@schumannonline.net

Address

1212 W. Paul Ave

City

Fresno

State

CA

Zip

93711

Developer (if different than Owner)

Printed Name:

Phone (432) 684-5548

Email ealeman@schumannonline.net

Address

City

State

Zip

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

Firm: SCHUMANN SURVEYING, INC.

Printed Name: EDUARDO ALEMAN

Phone (432) 684-5548

Email ealeman@schumannonline.net

Address

800 N. MARENFIELD SUITE 100

City

MIDLAND

State

TX

Zip

79701

Current Zoning:

NA

Reason for Platting: TO OBTAIN SEPTIC PERMITS AN ADDRESS**Plat Information**

Total Acreage: 10

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

Number of Lots: 2

Number of Multi-Family Dwelling Units:

Submittal 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):

Bradley Towers
 Brad Towers

Date

10-6-23

Property Owner (printed)

Brad Towers

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

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

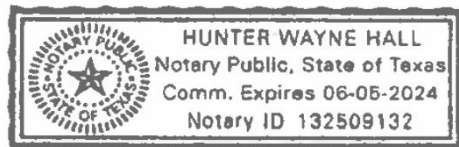
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
 COUNTY OF MIDLAND

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

Eduardo J Aleman
 Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of October, 2023, to certify which witness my hand and seal of office.



Halle
 NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Mylar

☒ Application Fee

Check # online

Received By: *[Signature]*

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☒ Public Improvement

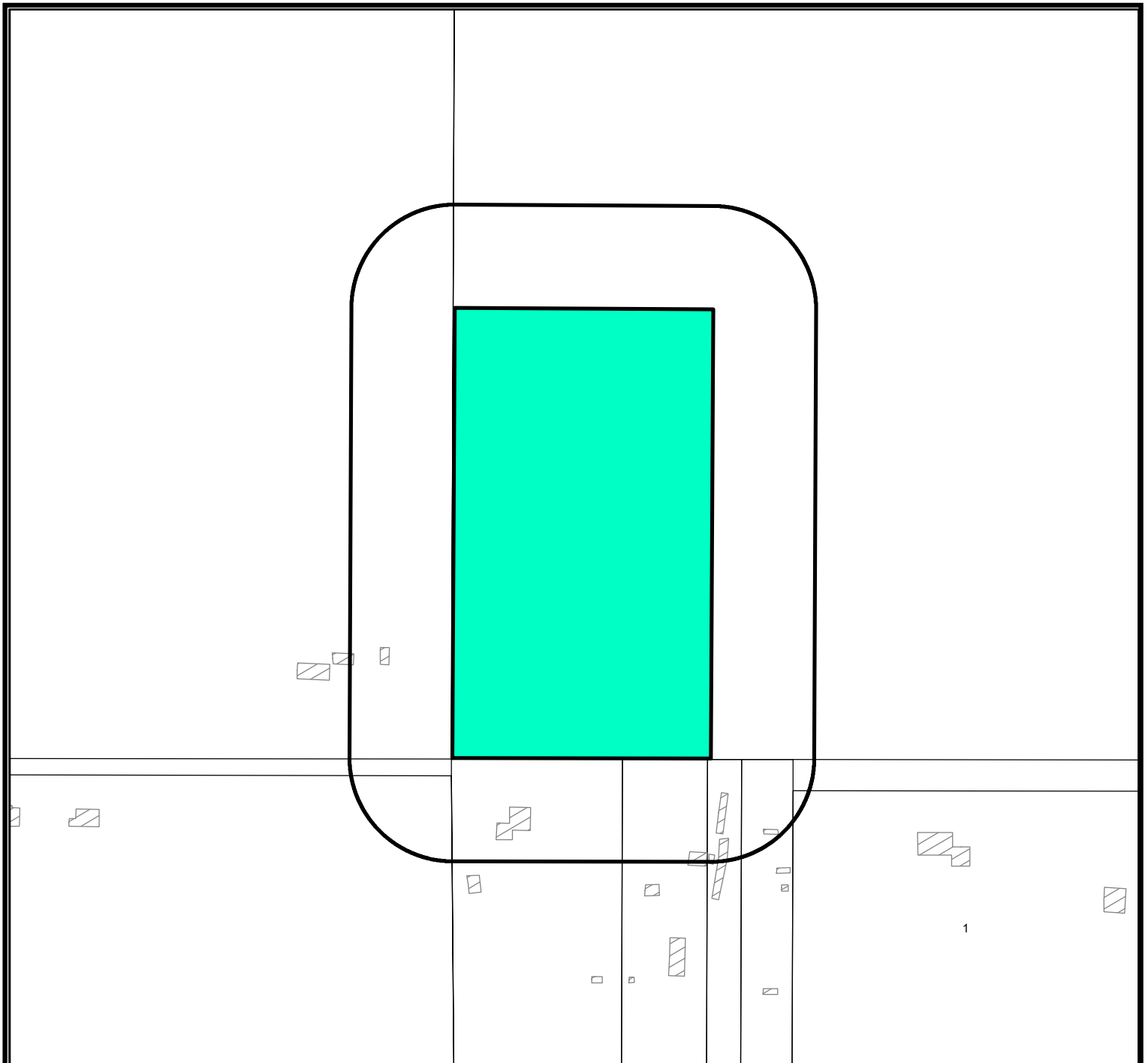
☒ Recording Fee

Check # 2086

Date

OCT 23 2023

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



LOCATION MAP

SUB-23-1755

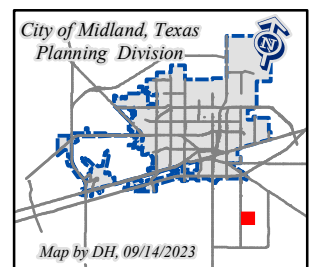
Scale: 1" = 3,350'

Proposed preliminary plat Redneck Retreat, Section 4, being a 10- acre tract out of the southwest quarter of Section 15, Block 38, T2S, T & P, RR Co. Survey, Midland County, Texas. Redneck Retreat, Section 4, being a 10-acre tract out of the southwest quarter of Section 15, Block 38, T-2-S, T & P, RR Co. Survey, Midland County, Texas.

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

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Consider a request by American Legion Post No. 19 for a Specific Use Designation with Term for the sale of Alcoholic Beverages for On-Premises Consumption in a Bar, on Lot 2, Block 1, Legion Addition, City and County of Midland, Texas. (Generally located on the south side of Veterans Airpark Lane, approximately 1,110 feet west of North Big Spring Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, American Legion Post No. 19, is requesting a Specific Use Designation (SUD) with Term for the Sale of Alcoholic Beverages for On-Premises Consumption in a Bar at 501 Veterans Airpark Lane.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north, south, and west are zoned PD, Planned Development District, for an Office District and Office Centers respectively. The properties to the east are zoned O-2, Office District. This property is surrounded by office buildings.

Analysis:

The property is zoned RR, Regional Retail District, which allows the sale of alcohol for on premise consumption. The property currently has an existing Special Use Permit from 1977, which allows for the sale of beer for on premises consumption. (Ordinance

number 5200.) The building has a total of 15,015 square feet with a serviceable area of 10,035 square feet. The applicant is now requesting to amend the SUP to allow for the sale of all alcoholic beverages.

The proposed hours of operation:

Sunday through Thursday from 11 a.m. to 12 a.m. (the next day)
Friday and Saturday from 11 a.m. to 1 a.m. (the next day)

The proposed hours of alcohol service:

Monday through Sunday from 11 a.m. to 2 a.m. (the next day)

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

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

Departmental Review:

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

Fire: (Approved)

No objections.

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

The SUD for American Legion Post 19 is acceptable. The property must adhere to the maximum occupant load of 669 persons for the alcohol serviceable area. Occupancy

loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to* “Encourage the development of places where Midland residents can gather and socialize to build connections.” The American Legion is a destination where Midland residents will gather and socialize.

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

Conditions:

- A. That the serviceable area of the establishment shall be limited to approximately 10,035 square feet as shown in Exhibit “A”.**
- B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:**

Monday through Sunday from 11 a.m. to 2 a.m. (the next day)
- D. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- E. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- F. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**

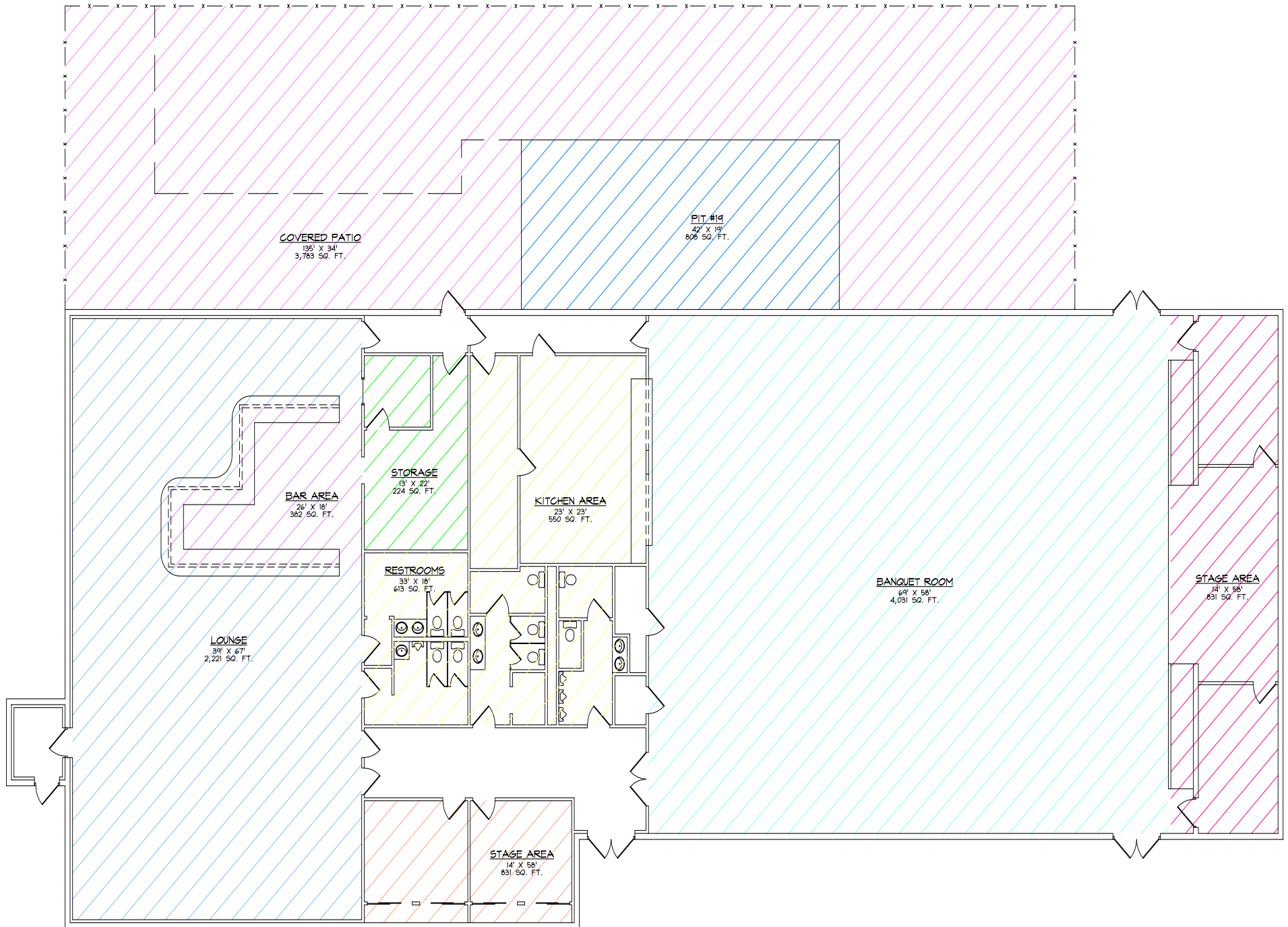
Letters of Objection:

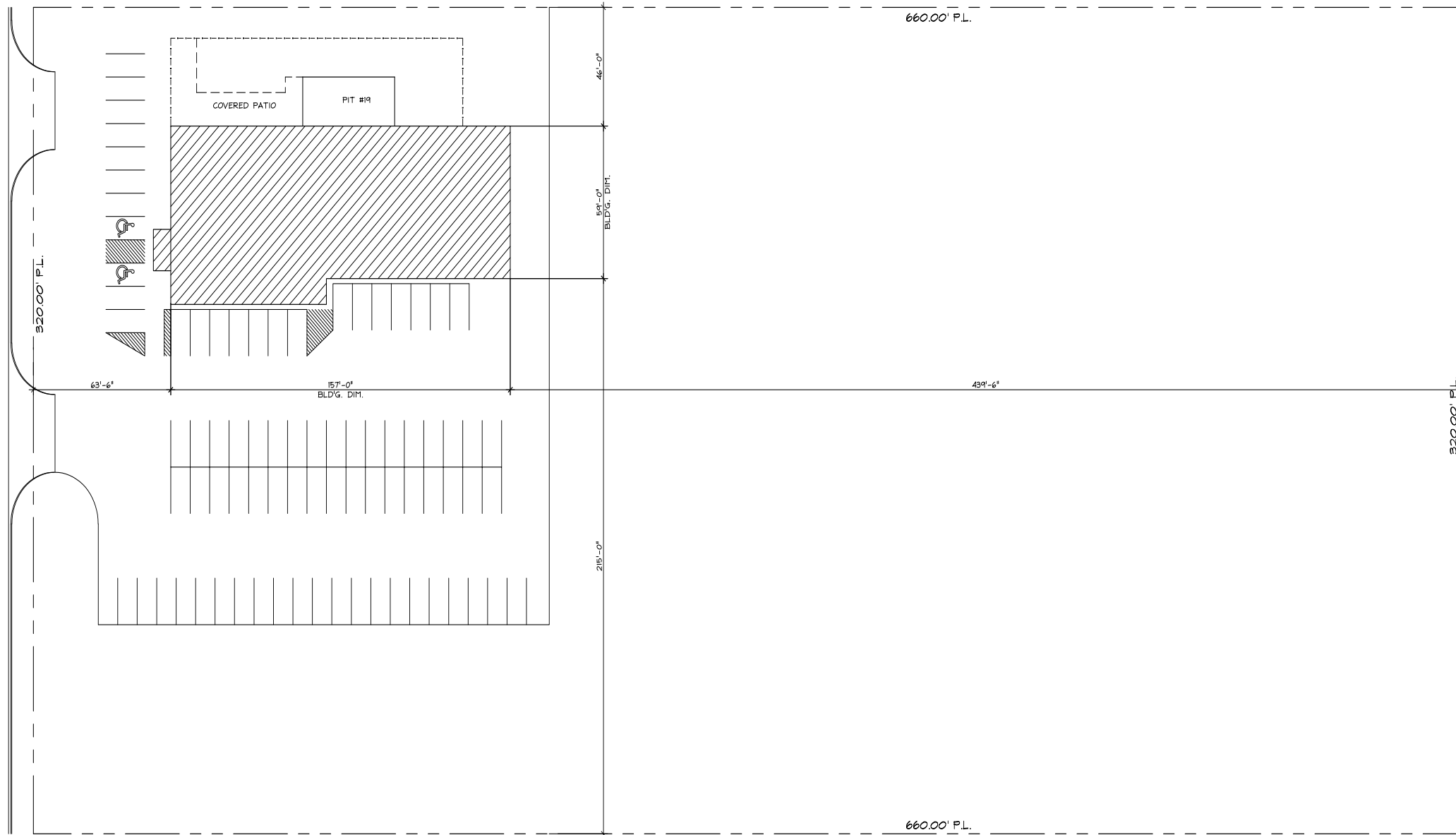
As of November 29, 2023, staff has not received any letters of objection.

Attachments:

Floor Plan (Exhibit A)
Site Plan (Exhibit B)
Application

Maps
Ordinance No. 5200







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

Project Number: _____

Case Number: _____

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

Printed Name: American Legion Post No. 19

Address
501 Veterans Airpark Ln

City
Midland

Phone (432) 682-5511

Email
american.legion19@yahoo

State
TX

Zip
79705

Property Owner

Printed Name: American Legion Post No. 19

Address
501 Veterans Airpark Ln.

City
Midland

Phone (432) 682-5511

Email
american.legion19@yahoo

State
TX

Zip
79705

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Address _____

City _____

Phone () _____

Email _____

State _____

Zip _____

Street Address: 501 Veterans Airpark Ln. Midland, TX 79705

Business Name: Woods W. Lynch Post No. 19 American Legion

Legal Description

Lot: 14 Block: 39 Subdivision: T-1-S

Current Zoning: LR-2

Reason for Request: update permit and apply late hours

Type of Business (restaurant, bar, lounge, nightclub, etc.): Bar/Lounge

Proposed/Current Days and Hours of Operation: Sun - Thurs 11am to 12am

Friday and Saturday 11am to 1am

Proposed Days and Hours of Alcohol Service: Monday - Sunday 11am to 2am

Total Square Footage of Business: 15,015

Square Footage of Alcohol Serviceable Area: 10,035

Restroom Fixtures:

Men

Toilets/Urinals: 414

Bathroom Sinks: 3

Women

Toilets: 5

Bathroom Sinks: 3

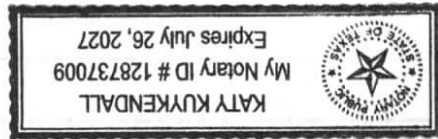
Submittal and Fees Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Floor Plan showing:
 - Seati
 - Exits
 - Restr
- Dimensioned Site Plan showing:
 - Parking
 - Business Footprint
- Kitchen (if applicable)
- Total Square Footage
- Serviceable Square Footage

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

Daniel Chambers

Received By: <u>7363</u>		Date: <u>NOV 07 2023</u>
Check # <u>7363</u>	☐ Plans in Digital Format (PDF/JPEG)	
☐ Application Fee	☐ Site Plan	
☐ Property Owner Authorization	☐ Dimensioned Floor Plan	
FOR OFFICE USE ONLY		



NOTARY PUBLIC, MIDLAND COUNTY, TEXA

Katy Kuykendall

my hand and seal of office.

Subscribed and sworn to before me, this 7th day of November, 2023, to certify which witness

Authorized Agent (signature)

Michael Dwyer

sign said owner's name hereto as his/her attorney in fact.

described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to

me duly sworn, upon oath says: That (s)he is authorized by Michael Dwyer the owner of the above

Before me, the undersigned authority, on this day personally appeared Michael Dwyer who, being by

STATE OF TEXAS
COUNTY 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.

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.

the application are also received.

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

Property Owner (printed): Michael Dwyer

Property Owner (signature): *Michael Dwyer*

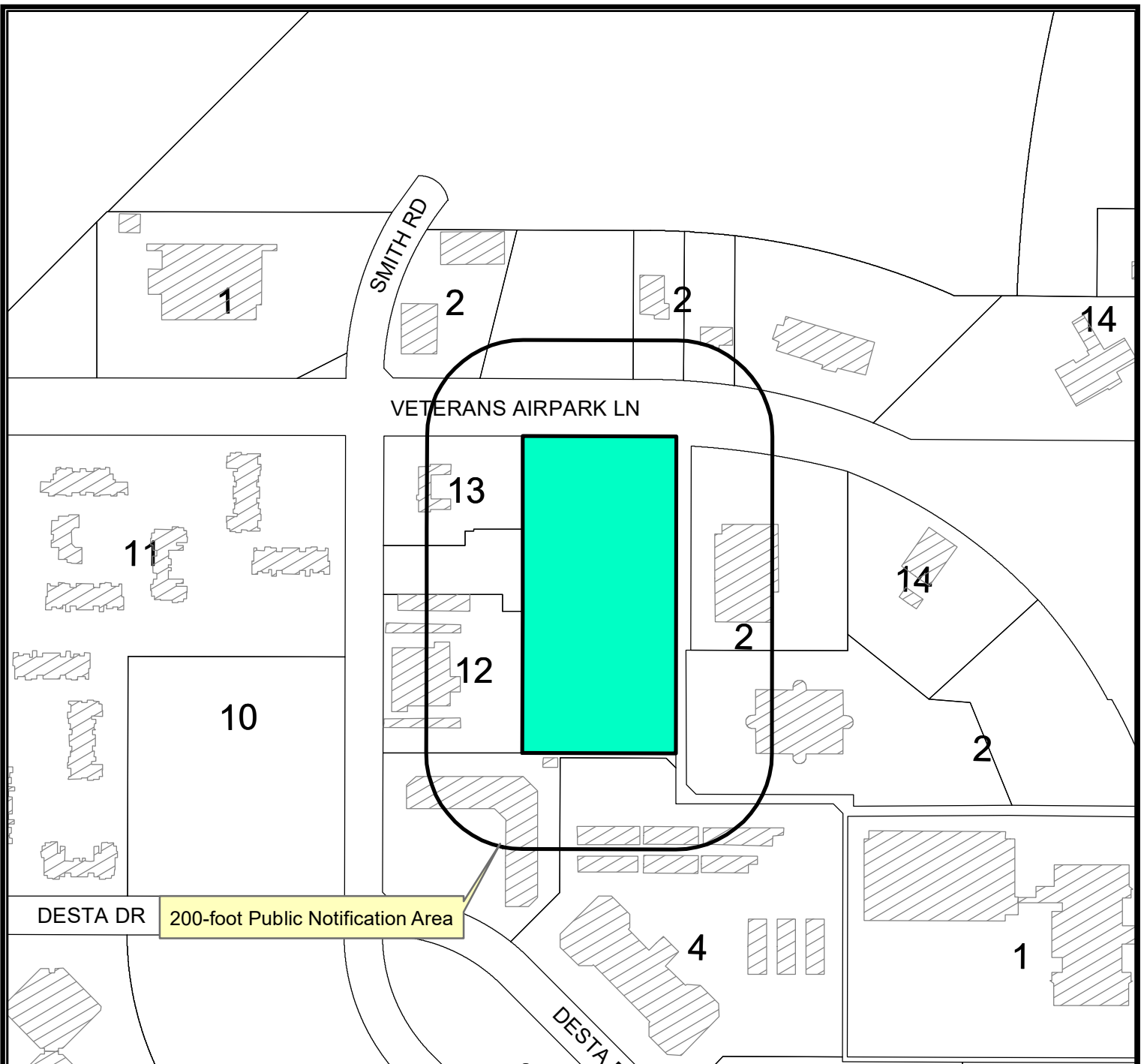
Date: 11/6/23

Applicant (printed):

Applicant (signature):

Date:

Signatures



LOCATION MAP

SUB-23-0170

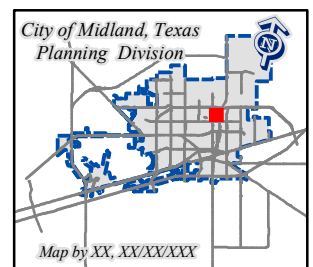
Scale: 1" = 300'

Consider a request by American Legion Post No. 19 for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages for on Premises consumption in a bar Lot 2, Block 1, Legion Addition, City and County of Midland, Texas.

Generally located on the south side of Veterans Airpark Lane, approximately 1,110 feet west of North Big Spring Street. (Council District 3)

LEGEND

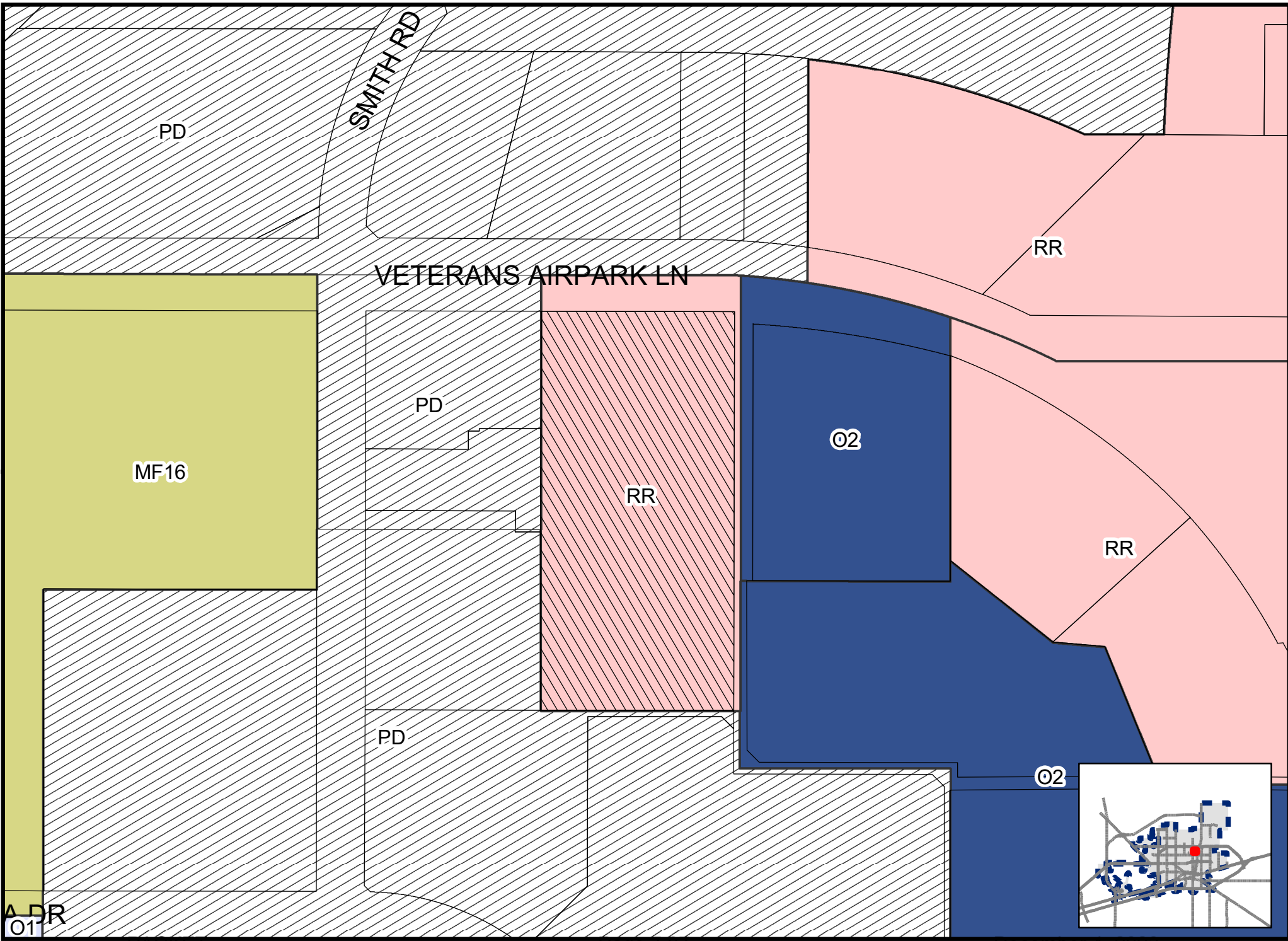
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



PACKET

Page 7.87

December 4, 2023



ORDINANCE NO. 5200

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF CERTAIN PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED "LR-2" (LOCAL RETAIL DISTRICT), BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT FOR THE SALE OF BEER ONLY FOR ON-PREMISES CONSUMPTION; AND ORDERING PUBLICATION

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

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

SECTION ONE. That the zoning use classification on the following described property, which is presently zoned "LR-2" (Local Retail District), to wit:

A 5.0 acre tract of land out of the SW part of Section 14, Block 39, T-1-S, T&P RR Co. Survey, Midland County, Texas, described more fully by metes and bounds as follows:

BEGINNING at a 1" iron rod for the NW corner of said 5 acre tract in the S. ROW line of Midland Air Park Road, from which the SW corner of Section 14 bears S. 74° 52' W. 1205.9 feet and S. 15° 05' E. 2691.0 feet;

THENCE N. 74° 52' E. with the S. ROW line of said Road 230.6 feet to a 5/8" iron rod set for the NE corner of

together with the uses permitted in an "LR-2" Zone, subject to the following condition:

That no signs, symbols or displays or any other type of advertising matter advertising the sale of alcoholic beverages in any way be located anywhere on the premises outside of the building.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 9th day of August, A.D., 1977; and passed to second reading on motion of Councilman Martin, seconded by Councilman Thomas, by the following vote:

Councilmen voting "AYE": Martin, Thomas, Howbert,
Marcum, and Angelo

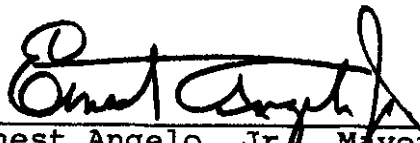
Councilmen voting "NAY": Akins

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Councilman Marcum, seconded by Councilman Howbert, on the 23rd day of August, A.D., 1977, at a regular meeting of the City Council:

Councilmen voting "AYE": Marcum, Howbert, Thomas,
Martin, and Angelo

Councilmen voting "NAY": Akins

PASSED AND APPROVED THIS 23rd day of August, A.D., 1977.


Ernest Angelo, Jr., Mayor

ATTEST:


J. W. McCullough











Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Consider a request by April Marion for a Zone Change from MF-16, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 11, Block 3, Crestlawn Addition, City and County of Midland, Texas. (Generally located on the south side of West Cowden Avenue, approximately 215 feet west of North Pecos Street) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Purpose:

The applicant, April Marion, is requesting a Zone Change from MF-16, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, for the property located at 607 West Cowden Avenue to construct a rear entry garage.

Current Zoning:

MF-16, Multiple-Family Dwelling District.

Surrounding Zoning and Land Use:

All adjacent properties are zoned MF-16, Multiple-Family Dwelling District. These properties are all used as single-family dwelling units.

Analysis:

The subject property is zoned MF-16, Multiple-Family Dwelling District. April Cowden is seeking this zone change in order to construct a rear entry garage. The addition of the rear entry garage forces the entire property to adhere to the current code because it is an improvement, and since this is zoned MF-16, the property will need to be zoned to a single-family district to be able to construct this addition. Staff is recommending SF-3 for similar zoning in the area.

Departmental Review:

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, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

Engineering: (Approved)

No objections to 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 Compliance: (Approved)

No Oil and Gas issues.

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: (Approved)

This falls into line with the Tall City Tomorrow Comprehensive Plan, Chapter 3; This area is designated as Urban Low, U-L. While Multiple-Family Dwelling Districts are not allowed in this designation, Single-Family Dwelling Districts are allowed. This area is already being used as single-family dwellings and this would allow the applicant to improve the property and also bring the property up to compliance with the current zoning code.

Therefore, staff recommends approval of this zone change from MF-16, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District.

Condition:

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

Letters of Objection:

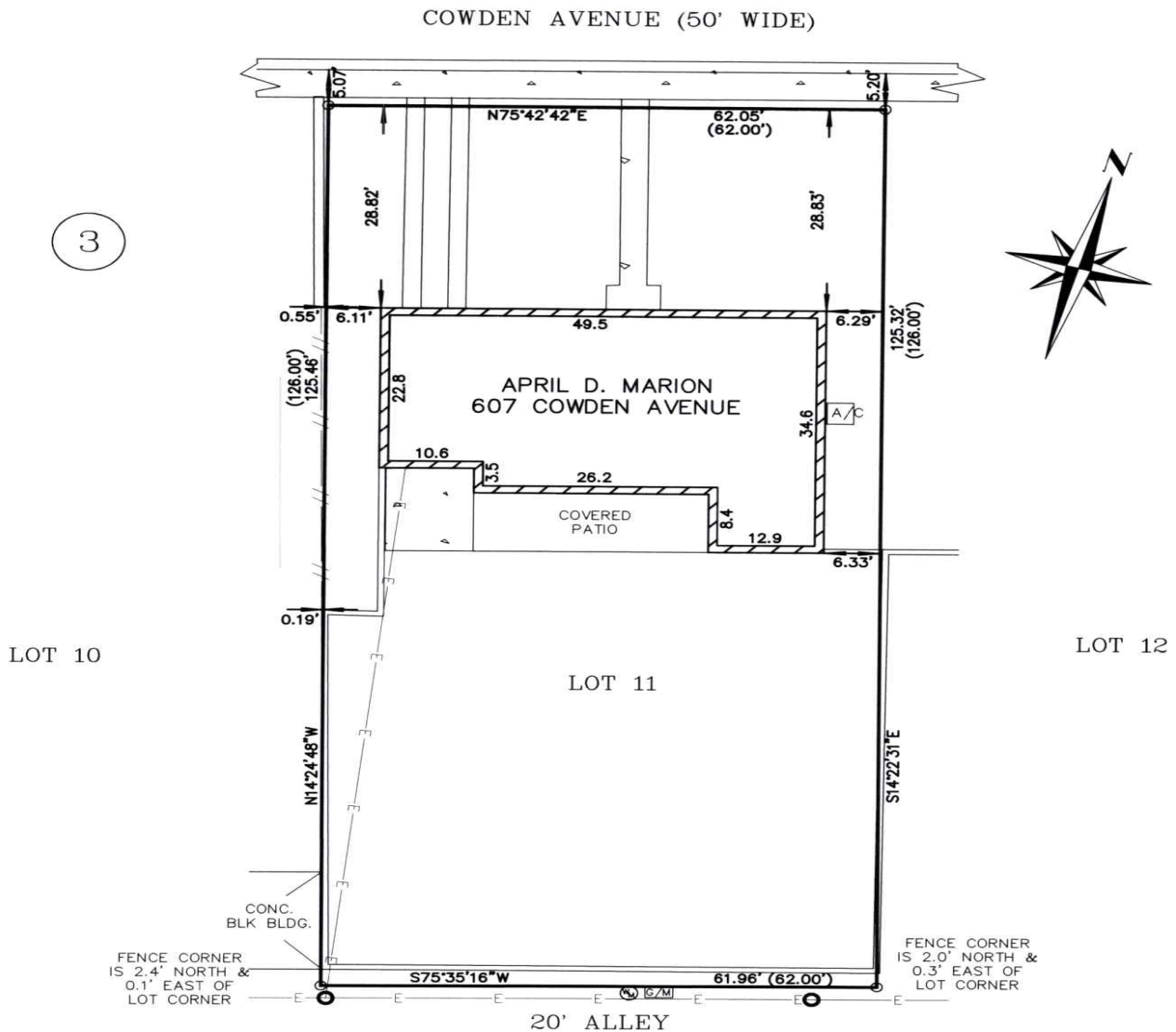
As of November 29, 2023, Staff has received no letters of objection for this request.

Attachments:

Survey
Application
Maps

* COPYRIGHT 2023

This survey plat is being provided solely for the use of: April D. Marion
Abstract & Title Co., and that no license has been created, express or implied, to copy the survey plat
except as is necessary in conjunction with the original transaction dated October 31, 2023,
which shall take place within 90 days after the survey was provided.



SURVEY OF
LOT ELEVEN (11), BLOCK THREE (3),
RE-PLAT OF CRESTLAWN ADDITION,
AN ADDITION TO THE CITY OF MIDLAND
MIDLAND COUNTY, TEXAS
ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN
VOLUME 96, PAGE 357, PLAT RECORDS, MIDLAND COUNTY, TEXAS

Census Tract: 6

This tract is in Flood Zone "X" as shown on the Flood Insurance Rate Map, Dated
September 16, 2005 provided by the Federal Emergency Management Agency Flood Map
Number: 48329C0089 F

The undersigned does hereby certify that this survey was this day made on the ground of
the property legally described hereon and is correct, and that there are no visible
discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments,
overlapping of improvements, easements or rights-of-way, except as shown hereon, and
that said property has access to and from a dedicated roadway.

Dated this the 31st day of October 2023.

Bruce R. Pennell

Registered Professional Land Surveyor No. 4170

Date: 10/31/2023

(IF SURVEYORS SIGNATURE IS NOT SIGNED IN RED INK, THIS IS NOT AN ORIGINAL DOCUMENT)

PENNELL LAND SURVEYING

PROFESSIONAL LAND SURVEYING

P.O. BOX 51622, MIDLAND, TEXAS 79710

VOICE: (432) 570-6256

FAX: (432) 682-3262

MOBILE: (432) 528-1027

ABSTRACT OFFICE: N/A

G.F. #: N/A

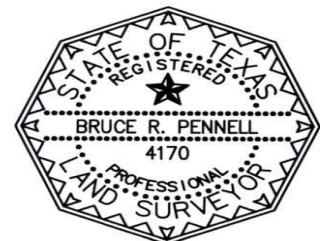
COMMITMENT EFFECTIVE DATE: N/A

CAD FILE: BRP24557

DATA FILE: 607COWDEN

DRAWN BY: DURYN H.

FIRM NO.: 10193978





Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

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

Printed Name: April Marion

Phone (432) 212 9500

Email a.biggs1976@yahoo.com

Address 607 W. Cowden

City Midland

State TX

Zip 79701

Property Owner

Printed Name: April Marion

Phone (432) 212 9500

Email a.biggs1976@yahoo.com

Address 607 W Cowden

City Midland

State TX

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone () _____

Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 607 W Cowden

Legal Description

Lot: 011 Block: 003 Subdivision: Crestlawn

Current Zoning: Multi Family

Proposed Zone: Single Family
(List by tracts if more than one district is requested)

Reason for Zone Change Request: planning to build a rear entry garage

Present Use of Property: residence

Proposed Use of Property: residence

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

Describe how conditions affecting the property have changed since present zoning designation: this would be an upgrade to the property

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>Amari</u>	Date: <u>September 26, 2023</u>
Applicant (printed): <u>Amari Marion</u>	
Property Owner (signature): <u>Amari</u>	Date: <u>September 26, 2023</u>
Property Owner (printed): <u>Amari Marion</u>	

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 Amari Marion who, being by me duly sworn, upon oath says: That (s)he is the owner of 607 W. Cowden or authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

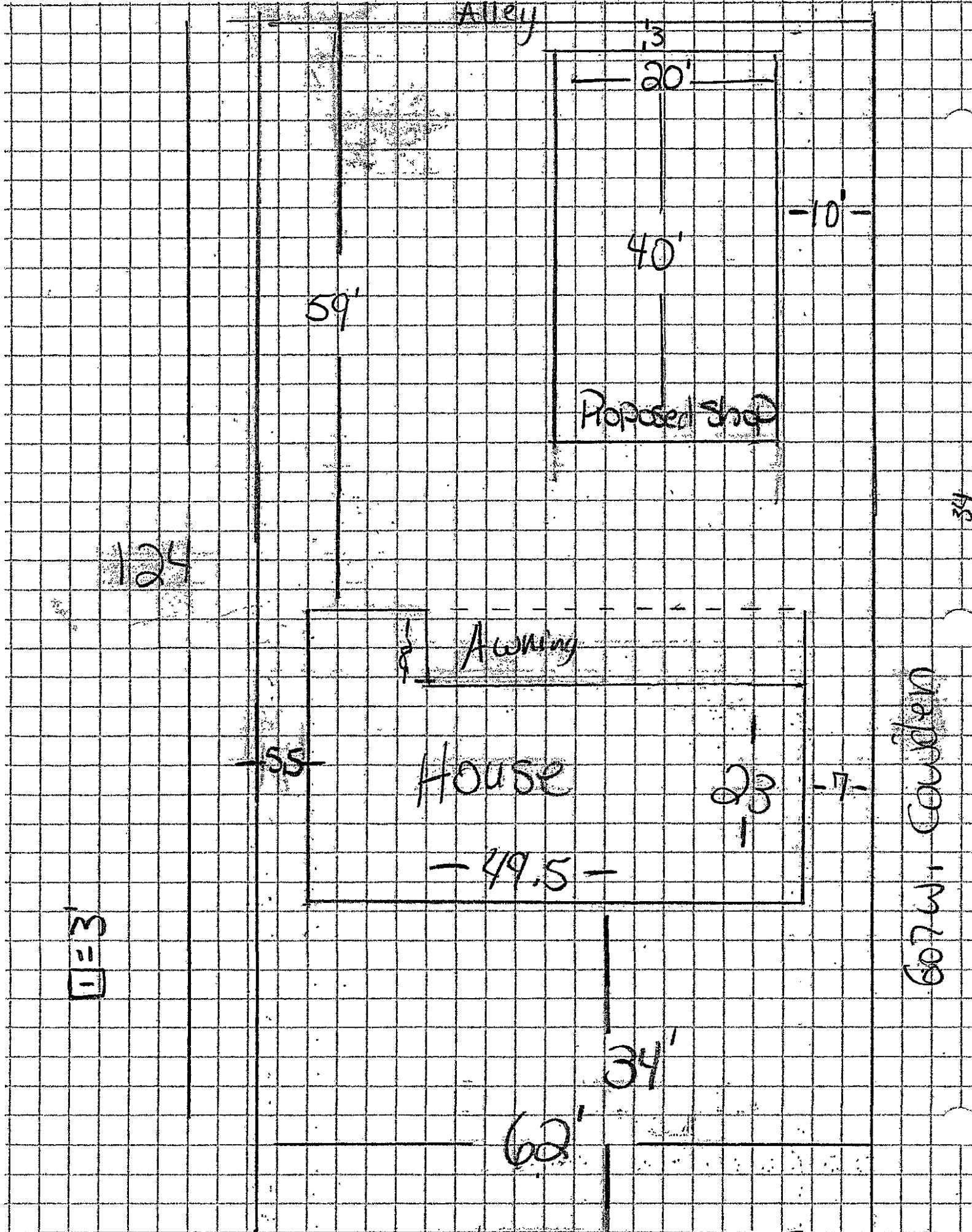
Subscribed and sworn to before me, this 26th day of September, 2023, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>1806</u>	
Received By: <u>[Signature]</u>	Date: <u>NOV 06 2023</u>
	BY:

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



Alley

13

20'

40'

-10'-

Proposed Shop

59'

124

Awning

55

House

23

-7-

-49.5-

11=3'

34'

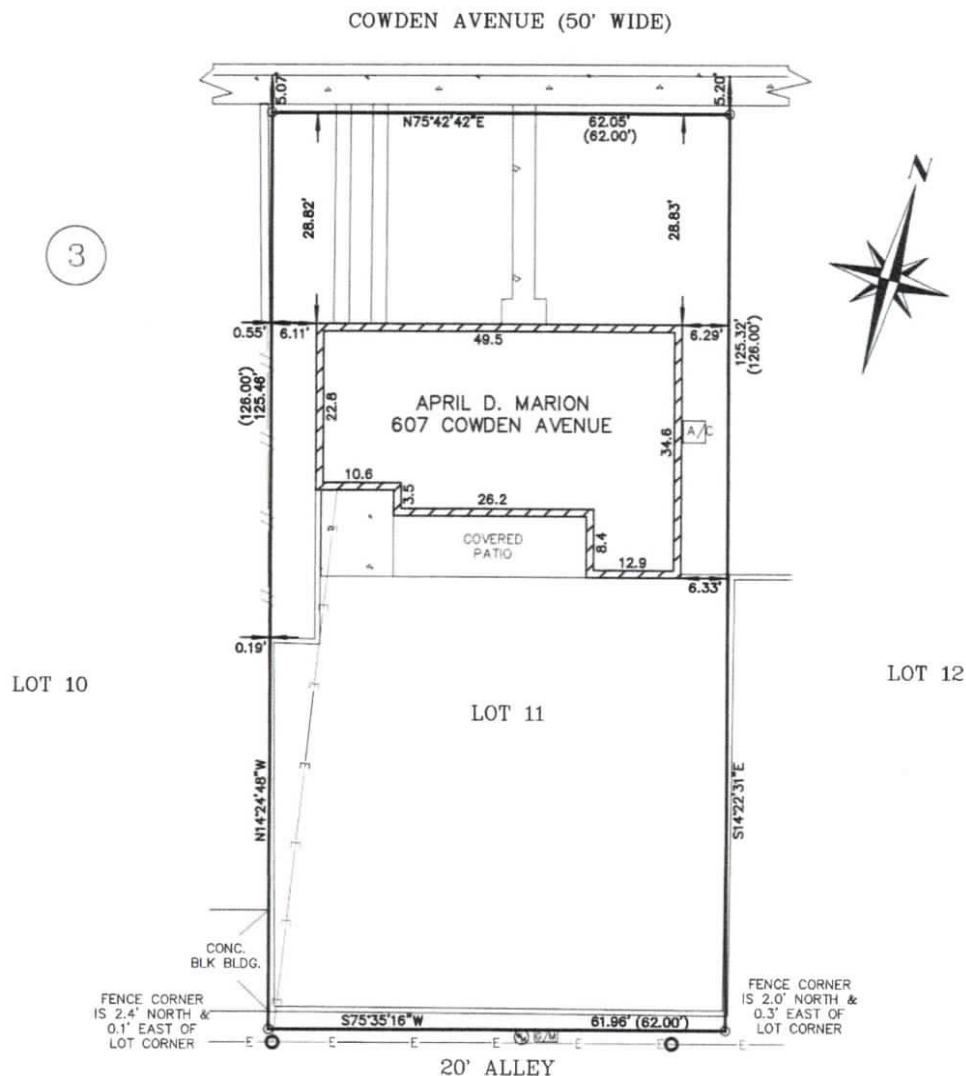
62'

607 W. Cowden

34

* COPYRIGHT 2023

This survey plat is being provided solely for the use of: April D. Marion
Abstract & Title Co., and that no license has been created, express or implied, to copy the survey plat
except as is necessary in conjunction with the original transaction dated October 31, 2023,
which shall take place within 90 days after the survey was provided.



SURVEY OF
LOT ELEVEN (11), BLOCK THREE (3),
RE-PLAT OF CRESTLAWN ADDITION,
AN ADDITION TO THE CITY OF MIDLAND
MIDLAND COUNTY, TEXAS
ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN
VOLUME 96, PAGE 357, PLAT RECORDS, MIDLAND COUNTY, TEXAS

Census Tract: 6

This tract is in Flood Zone "X" as shown on the Flood Insurance Rate Map, Dated September 16, 2005 provided by the Federal Emergency Management Agency Flood Map Number: 48329C0089 F

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights-of-way, except as shown hereon, and that said property has access to and from a dedicated roadway.

Dated this the 31st day of October 2023.

Bruce R. Pennell
Registered Professional Land Surveyor No. 4170
Date: 10/31/2023

IF SURVEYORS SIGNATURE IS NOT SIGNED IN RED INK, THIS IS NOT AN ORIGINAL DOCUMENT

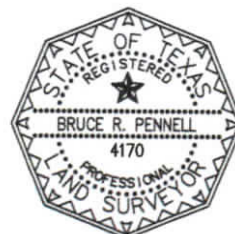
PENNELL LAND SURVEYING		
PROFESSIONAL LAND SURVEYING		
P.O. BOX 51622, MIDLAND, TEXAS 79710		
VOICE: (432) 570-6256	FAX: (432) 682-3262	MOBILE: (432) 528-1027
ABSTRACT OFFICE: N/A	G.F. #: N/A	COMMITMENT EFFECTIVE DATE: N/A
CAD FILE: BRP24557	DATA FILE: 607COWDEN	DRAWN BY: DURYN H. FIRM NO.: 10193978

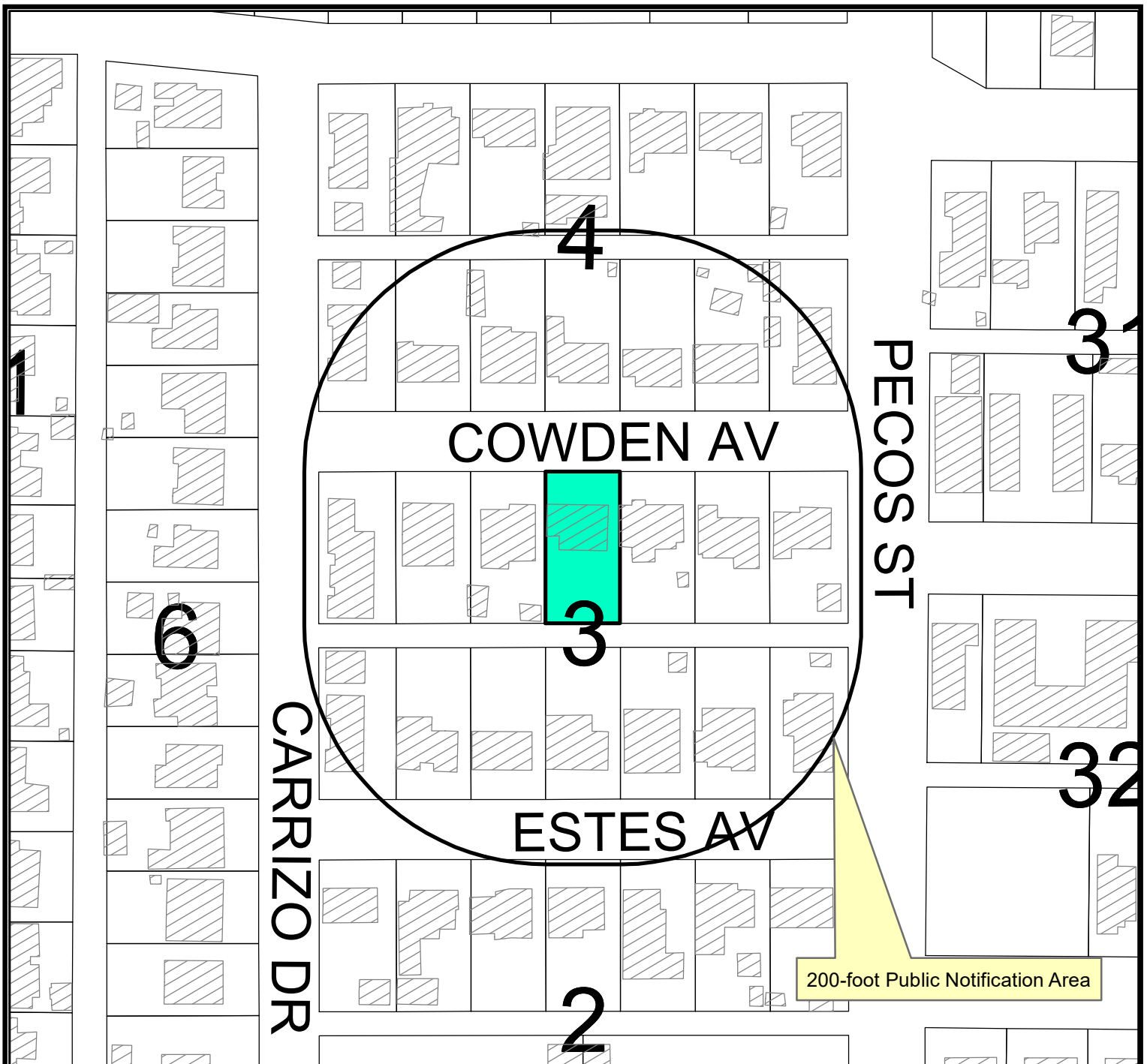
Basis of Bearings:
NAD 83 Lambert Grid

Bearings and Distances Shown
Inside () Indicate Record Information



SCALE: 1" = 20'





LOCATION MAP

Z-23-0354

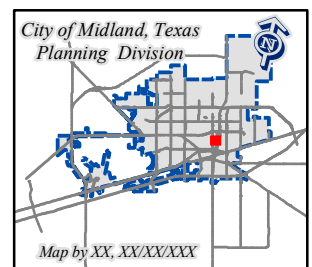
Scale: 1" = 120'

Consider a request by April Marion for a zone change from, MF-16, Multiple-Family Dwelling District, to SF-3, Single-Family Dwelling District on Lot 11, Block 3, Crestlawn Addition, City and County of Midland, Texas.

Generally located on the south side of West Cowden Avenue, approximately 215 feet west of North Pecos Street. (Council District 3)

LEGEND

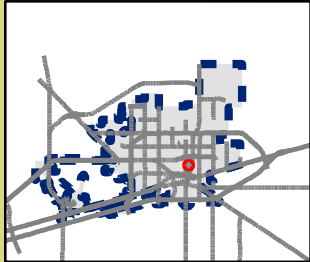
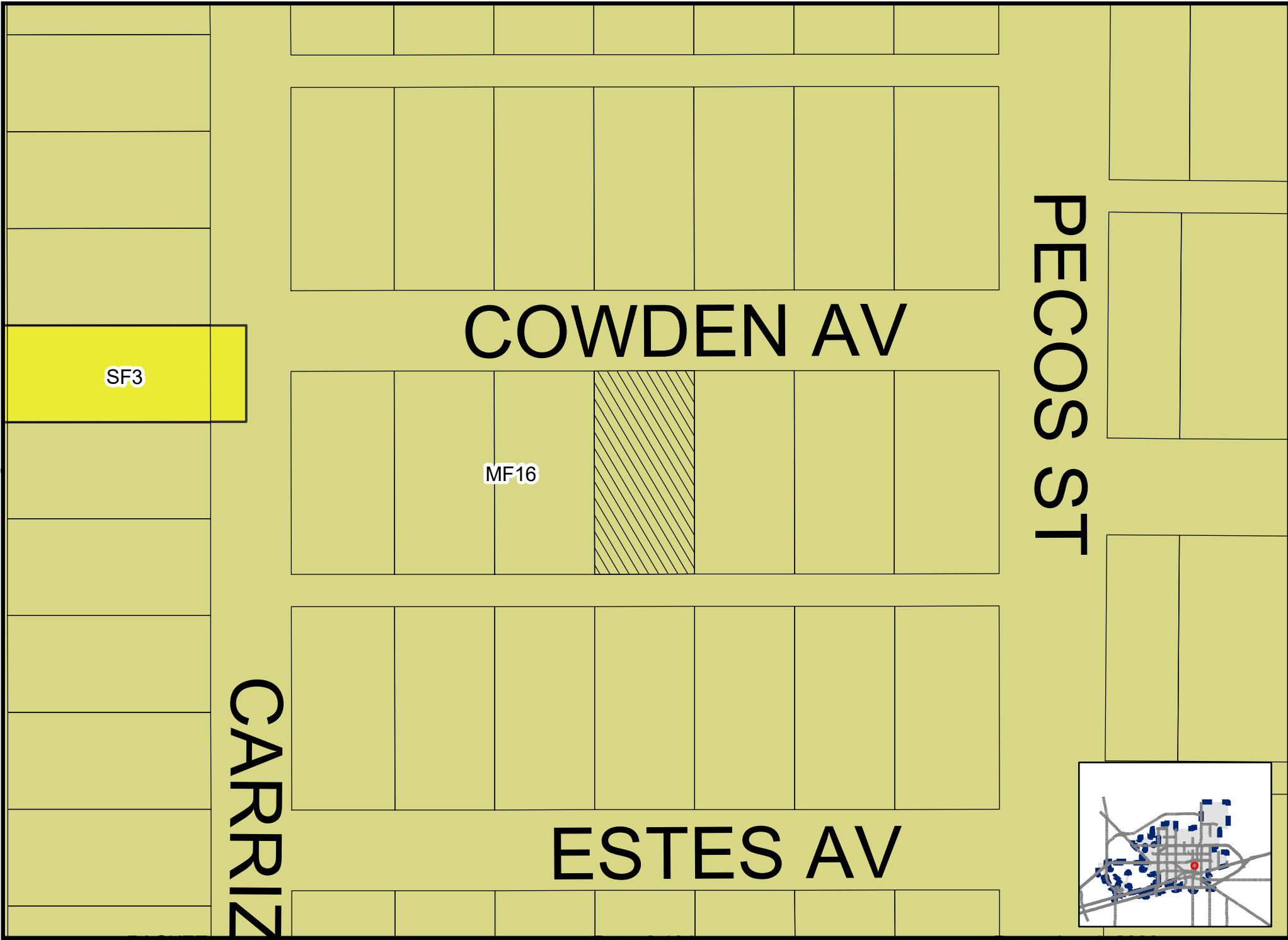
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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













Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 04, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Consider a request by Ledgens Pizza for a Specific Use Designation with Term for the sale of Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant, on a 1.360-square foot portion of Lot 8, Block 2, Lone Star Business Park, Section 3, City and County of Midland, Texas. (Generally located northeast of the intersection of North State Highway 349 and Maverick Lane. (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Ledgens Pizza, is requesting a Specific Use Designation (SUD) with Term for Alcoholic Beverages Sales for On-Premises Consumption in a Restaurant at 6900 North State Highway 349.

Current Zoning:

LR, Local Retail District.

Surrounding Zoning and Land Use:

The property adjacent to the north is zoned LR, Local Retail District and is the location of a gas station. The five abutting properties to the east are zoned PD, Planned Development District for a Housing Development (Ordinance 9223) and the location of residences. The property adjacent to the south is zoned O-1, Office District and is the location of a real estate sales office for the previously mentioned neighborhood. Across North State Highway 349 to the west is located outside of City limits.

Analysis:

The property is zoned LR, Local Retail District. The LR zoning allows for the sale of Alcoholic Beverages for On-Premises Consumption in a Restaurant with the approval of an SUD. The total area of the restaurant, Ledgens Pizza, is 1,360-square feet and the proposed alcohol serviceable area is 600-square feet. This SUD is required because the restaurant would like to sell alcohol on premises for patrons to enjoy with their meal.

The restaurant parking requirement, per the cities' ordinance, is one space for every four seats under maximum seating arrangements, minimum of five spaces, plus one space for every 100 square feet of kitchen area. There are 50 parking spaces provided for the shopping center, which is more than adequate.

The proposed hours of operation are the following:

Monday through Sunday from 11 a.m. to 9 p.m.

The proposed hours of alcohol service are the following:

Monday through Sunday from 11 a.m. to 9 p.m.

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

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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

Fire: (Approved)

No objection to zone change.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

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.]

Building Code: (Approved)

The SUD for Ledgens Pizza is acceptable. The property must adhere to the maximum occupant load of 40 persons for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved with Conditions)

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to* “Encourage the development of places where Midland residents can gather and socialize to build connections.” Ledgens Pizza is a destination where Midland residents will gather and socialize.

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

Conditions:

- A. That the serviceable area of the establishment shall be limited to approximately 600 square feet as shown in Exhibit “A”.**
- B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- C. That the permitted hours of the sale of alcoholic beverages sales and consumption shall be limited to:**

Monday through Sunday from 11 a.m. to 9 p.m.
- D. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- E. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- F. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**

G. That in accordance with Section 9.07.E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.

Letters of Objection:

As of November 29, 2023, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan (Exhibit B)
Maps



STUD MATERIAL NOTES:

- 1. 3" x 6" x 24GA. STUDS SHALL BE USED UP TO 1' AFF. FLOOR & INTERIOR WALLS ONLY.
- 2. 4" x 6" x 24GA. CUSTUMAL STUDS SHALL BE USED ON WALLS EXCEEDING 1' AFF. FLOOR. NOT EXCEED 30" HT. AT 4" INTERIOR WALLS ONLY.
- 3. 4" x 24GA. CUSTUMAL WALL STUDS SHALL BE USED ON EXTERIOR WALLS.
- 4. STUDS AT EXTERIOR WALLS EXCEEDING 1' HT. AFF. SHALL BE 4" x 8GA.
- 5. STIFFENERS BETWEEN STUDS SHALL BE PROVIDED 4" x 8 GA. W/ 16" HT. ALL STUD WALLS EXCEEDING 1' HT. AFF.
- 6. CONTROL JOINTS SHALL BE USED IN ALL EXTERIOR WALLS AS PER U.S. STEELING SPECIFICATIONS. 2" x 4" x 1/2" LUMP LOCATING IN CONSTRUCTION PHASE OR AFTERCAST.

BUILDING

1. QUALITY BUILDING CODE 306 IBC, INC. INC.
2015 IBC, 2015 IBC AND IBC.
2. CONSTRUCTION TYPE = A
3. OCCUPANCY CLASSIFICATION = B
4. PLUMBING FIXTURES EXISTS
5. FIRE SPRINKLERS = NO
6. FIRE ALARMS = NO STROKES 116
7. NUMBER OF STORIES = 1
8. PARKING EXISTS
9. 20'x40' C-1

BUILDING AREA

1. VESTIBULE AREA = 2,000 SQ. FT.
2. LOBBY AREA = 120 SQ. FT.
3. UTILITY AREA = 900 SQ. FT.
4. PAINT & COOLER/PREFRIG 63 SQ. FT.
5. OFFICE 45 SQ. FT.
6. RECEPTION 100 SQ. FT.
7. DRIVING ROOM 250 SQ. FT.
8. CIRCULATION 200 SQ. FT.

[illegible]

1. EXPOSED CONCRETE, STAINED AND SEALED
 2. COATS
 BASE: 1/2" OF CONCRETE, POLISH OR EQUAL
 FINISH:
 1/2" - TYP. BLD. TEXTURE & PAINT
 PER WALL PANELS
 FINISHES (BOTH SIDES):
 1/2" - TYP. BLD. TEXTURE & PAINT
 1/2" - 2" OF 1/2" (RELAY & SAND) (BOTH)
 CERAMIC - ANTI-SLIP (RECOMMENDED) 1/2" - 2" CERAMICAL
 1/2" - TYP. CEILING TILES OR EQUAL
 1/2" - EXPOSED STRUCTURE PAINTS
 FINISHES:
 BASE: GAB & PAINT GAB
 TOP: 1/2" EDGES PLASTIC LAMINATE, HIGHLIGHT OR EQUAL
 PAINT & COAT (PERMANENT) FINISHES
 ALL ITEMS (1) FOR PERMANENT FINISHES
 (2) WATER WASHABLE FINISHES
 (3) WATER WASHABLE FINISHES
 FINISHES:
 1. ALL COLOR SELECTIONS TO BE VERIFIED WITH THE
 ARCHITECT
 2. PROVIDE TRANSPARENT STRIPS AT ALL DISCREPANCY FLOOR
 SURFACES
 3. SUBMIT ALL ADHESIVES DATA FOR APPROVAL BY
 BUILDING PERM.
 4. PAINT CONTRACTOR SHALL SUBMIT ALL SHEETS OF THIS
 SET FOR APPROVAL ITEMS THAT REQUIRE PAINT

ROOM FINISH SCHEDULE										
R/O	ROOM	FLOOR						CEILING		REMARKS
		MATERIAL	BASE	WALL	EAST	SOOTH	WEST	MATERIAL	HEIGHT	
101	LOBBY	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
102	KITCHEN	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
103	HALLWAY	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
104	OFFICE	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
105	HALL	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
106	TOILET ROOM	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
107	RESTROOM	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
108	STORAGE	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	
109	RESTROOM	CONC.	5/8"	1"	1"	1"	1"	2" x 2"	12'-0"	



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

Project Number:

Case Number:

SUD-23-0171

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

Printed Name: Ledgens Pizza / Lorna Cookie Miedema

Phone (432) 897-1400

Email cookie.ledgenspizza@gmail.com

Address 6700 N SH 349 Suite 4 Midland, TX

City Midland

State TX

Zip 79705

Property Owner

Printed Name: John Smart

Phone (432) 682-6002

Email ana3114@aol.com

Address P.O. Box 8610

City Midland

State TX

Zip 79708

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()

Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 6700 North SH 349 Suite 4 Midland, TX 79705

Business Name: Ledgens Pizza

Legal Description

Lot: _____ Block: _____ Subdivision: _____

Current Zoning: _____

Reason for Request: application for F/B license (B/G)

Type of Business (restaurant, bar, lounge, nightclub, etc.): Restaurant

Proposed/Current Days and Hours of Operation: 365 11-9 daily

Proposed Days and Hours of Alcohol Service: 365 11-9 daily

Total Square Footage of Business: 1360

Square Footage of Alcohol Serviceable Area: 600

Restroom Fixtures: Men

Toilets/Urinals: 1 1 0

Bathroom Sinks: 1

Women

Toilets: 1

Bathroom Sinks: 1

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):

Date: 11/8/2023

Applicant (printed):

Lorna 'Cookie' Miedema

Property Owner (signature):

Date: 11/8/2023

Property Owner (printed):

John Smart

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

All materials, 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 application on behalf of property owner, agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

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

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

Notary Public

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Floor Plan

☒ Application Fee

☒ Site Plan

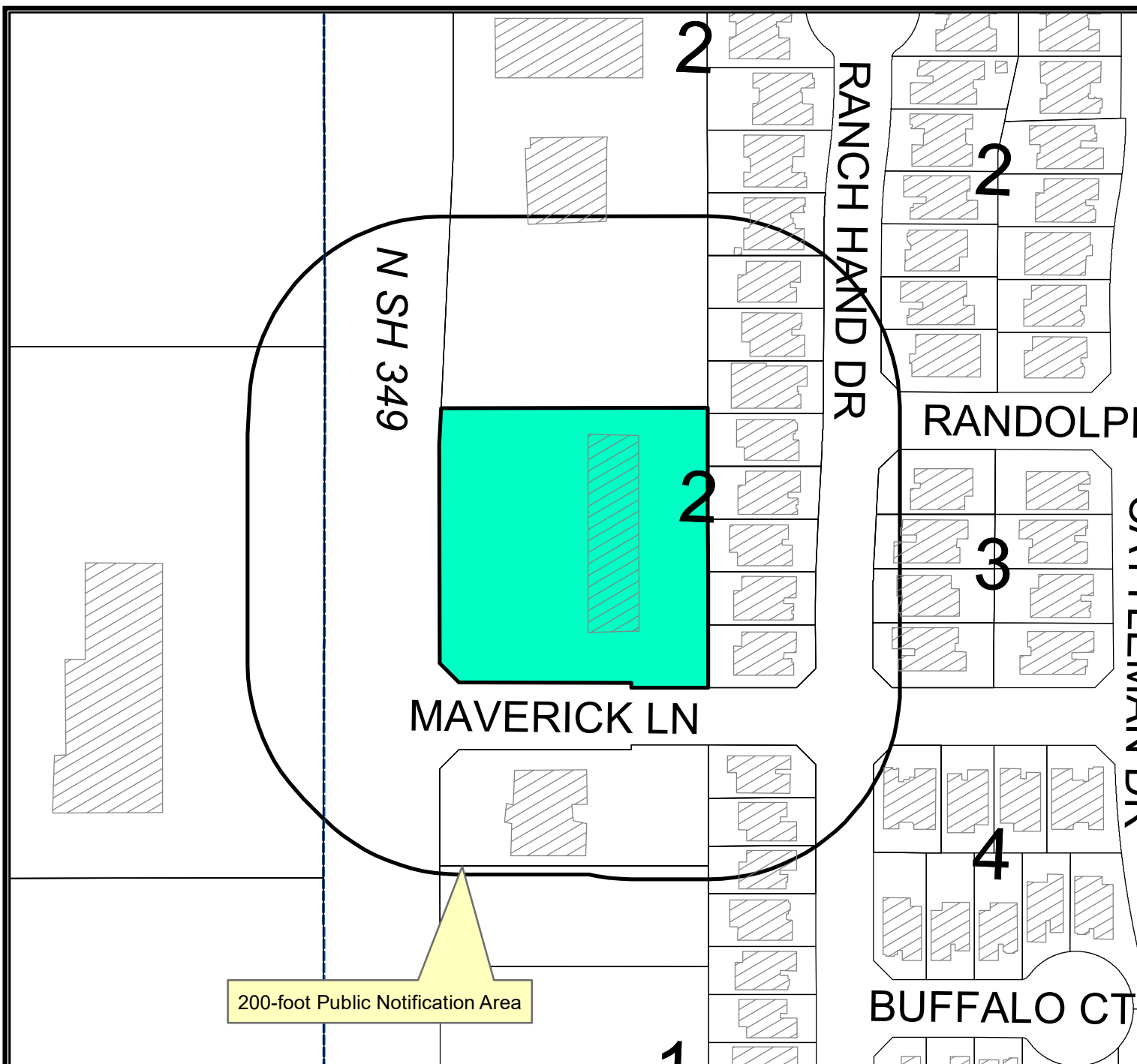
Check # 1018

☒ Plans in Digital Format (PDF/JPEG)

Received By: Lorna Miedema

Date: NOV 08 2023

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



LOCATION MAP

SUD-23-0171

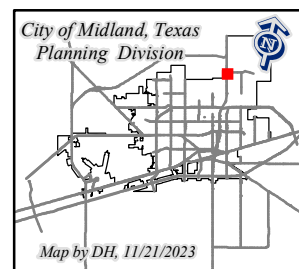
Scale: 1" = 150'

Consider a request by Ledgens Pizza for a Specific Use Designation with Term for the sale of alcoholic beverages for on-premises consumption in a restaurant on a 1,360 square foot portion of Lot 8, Block 2, Lone Star Business Park, Section 3, City and County of Midland, Texas.

Generally located northeast of the intersection of North State Highway 349 and Maverick Lane.
(District 1)

LEGEND

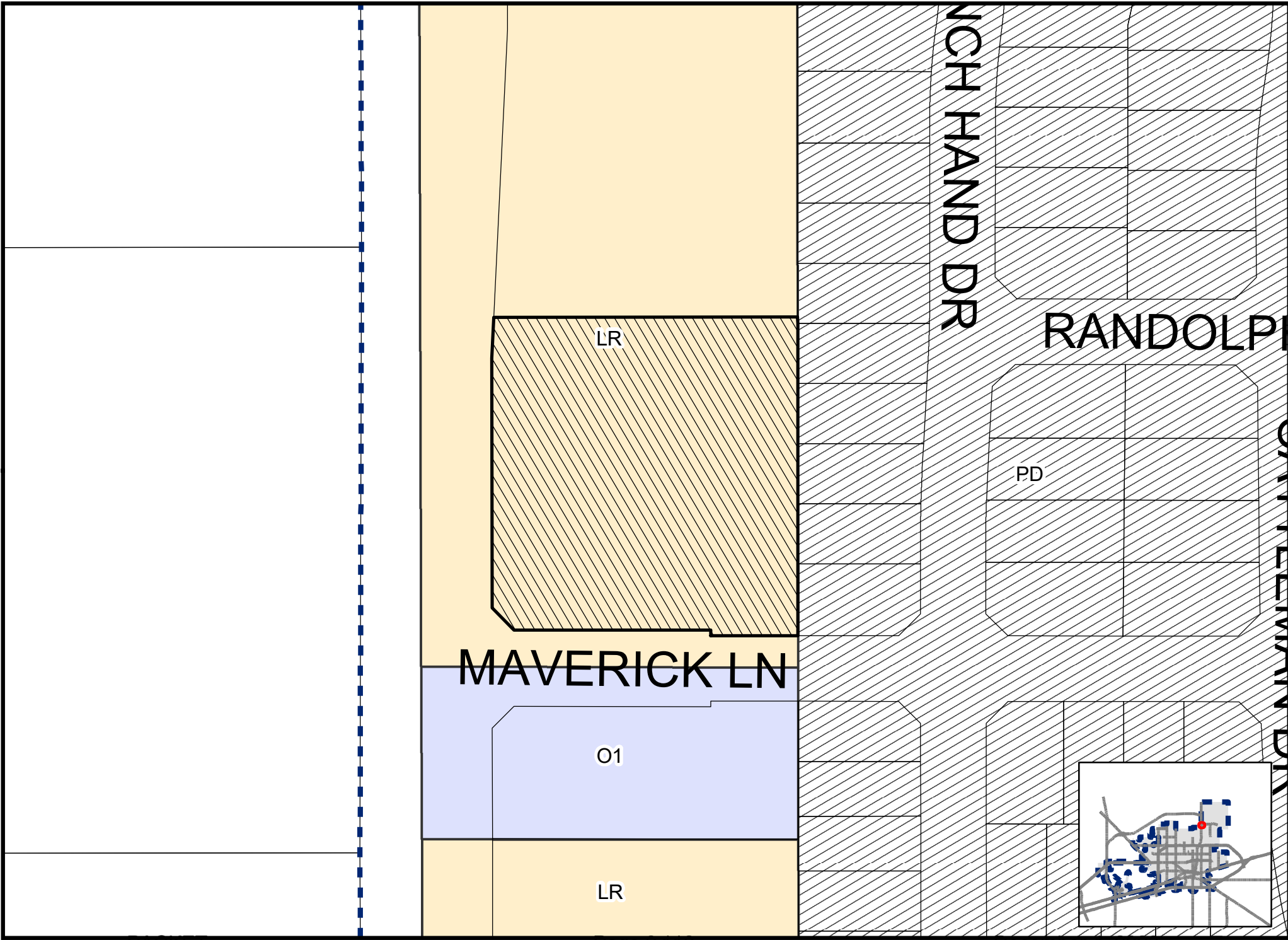
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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





Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Consider a request by Maverick Engineering for the approval, with staff's recommended conditions, of a proposed Preliminary Plat of Melody Acres, Section 18, being a Replat of Lot 2, Block 3, Melody Acres, Section 4, City and County of Midland, Texas. (Generally located on the north side of Tanforan Avenue, approximately 200-feet east of Oriole Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to replat Lot 2, Block 3, Melody Acres, Section 4, City and County of Midland, Texas for ownership purposes. This property is zoned AE, Agricultural Estate District, which requires a minimum lot size of 2 acres. However, a request for a reduced minimum lot area was approved by City Council on November 14, 2023 under ordinance 10451.

Current Zoning:

AE, Agricultural Estate District

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

BUILDING CODE: (Approved)

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

change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Received)

No comments

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Tanforan road is 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: 6" water exists in Tanforan Street, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: 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)]

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

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

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

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

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 objections

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

No comments.

CRMWD:

We do not have any comments on this plat.

HEALTH DEPARTMENT:

Yes, the health department will review application from the 2 proposed lot of Melody Acres Section 18, RE-PLAT OF LOT 2, BLOCK 3, MELODY ACRES FOURTH SECTION, AND ADDITION TO THE CITY AND COUNTY OF MIDLAND TEXAS the lot 2A is 1.6 acre and Lot 2B is 2 acres to ensure the proposed plans on existing structures 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)

The Chairman of the Commission is Lucy Sisniega. [Informational]

This is considered a residential replat and requires a public hearing at the preliminary plat phase. [Midland City Code 11-2-7(A)2(b)]

Staff recommends approval of the Preliminary Melody Acres, Section 18, subject to conditions A.

Condition:

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

Attachments:

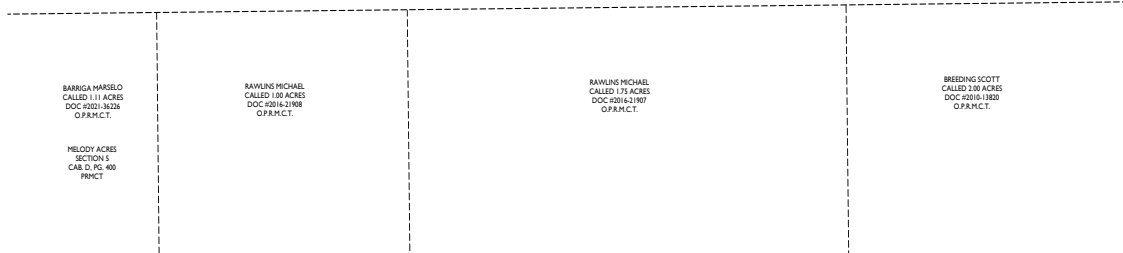
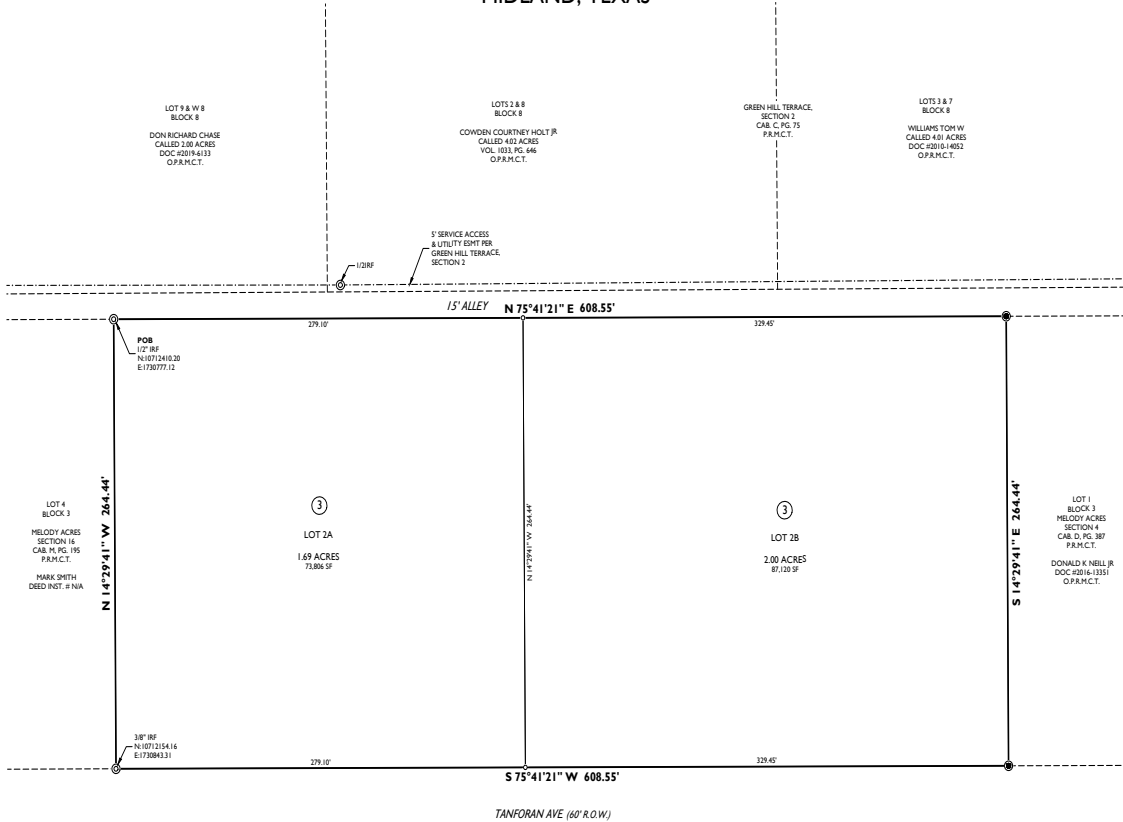
Proposed Preliminary Plat
Application

Maps

PRELIMINARY PLAT

MELODY ACRES, SECTION 18

BEING A REPLAT OF LOT 2, BLOCK 3, MELODY ACRES FOURTH SECTION, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS



PACKET

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

PROPERTY OWNER

SHANE LANCE HUFFMAN
4414 TANFORAN AVE
MIDLAND, TEXAS 79701
PHONE: (432) 262-0989

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND
WHEREAS SHANE LANCE HUFFMAN, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 17, BLOCK 3, 1/4-1/4, T4P, R6E, CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT SHANE LANCE HUFFMAN, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS MELODY ACRES, SECTION 18, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HEREIN, DO HEREBY DEDICATE TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF PASSAGE AND ACCESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSENT TO SAID EASEMENT, THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, TX,
THIS _____ DAY OF _____, 2023.

BY SHANE LANCE HUFFMAN, OWNER

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION: THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MELODY ACRES, SECTION 18, WAS APPROVED BY POSITIVE ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

DAY OF _____, 2023.

_____, CHAIRMAN

CHRISTINA O. BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHIELDS, A REGISTERED PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION, AND THAT I AM A MEMBER OF THE TEXAS SURVEYING BOARD. I DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE TEXAS SURVEYING BOARD, AND THAT I AM A MEMBER OF THE TEXAS SURVEYING BOARD. I DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE TEXAS SURVEYING BOARD, AND THAT I AM A MEMBER OF THE TEXAS SURVEYING BOARD.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR; (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. 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.

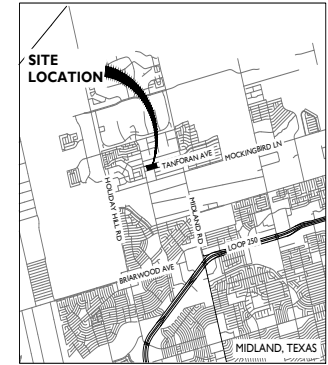
SURVEY NOTES

1. BASE OF BEARING, COORDINATES, DISTANCE AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (99m) OF -4°54'48.40" AND A COMBINED SCALE FACTOR OF 0.99999911 AT NGS "MIDLAND".
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. LOCATION OF BURIED UTILITIES AND PRELIMINARY, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING RECORDS, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE CALL (811) LOCATIONS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED CALL 1-800-DIG-TESTS FOR LOCATIONS PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
5. THIS IS A PROFESSIONAL PRELIMINARY PLAT. THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS SHOWN HEREON ARE ALSO PRELIMINARY AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY SEALED BY THE SURVEYOR OF RECORD.

FEPA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #4802200406, DATED SEPTEMBER 14, 2005, THIS PROPERTY IS WITHIN THE UNSHADOWED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

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



VICINITY MAP

N.T.S.

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES

AT&T ENERGY

BY: _____

AT&T

BY: _____

OPTIMUM

BY: _____

ASTOUND BROADCAST

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

LEGEND

- 1/2" IRON ROD SET WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514"
- FOUND MONUMENT AS NOTED
- BOUNDARY LINE
- ADJACENT PROPERTY LINES
- EXISTING EASEMENTS
- OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- PLAT RECORDS, MIDLAND CO., TX



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

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

MELODY ACRES
December 4, 2023
SECTION 18



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Melody Acres, Section 17Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 2, Block 3, Melody Acres Fourth Section
an Addition to the City and County of Midland, Texas

Property Owner Printed Name: Shane Lance Huffman		Phone (432) 262-0999 Email	
Address 4416 Tanforan Ave	City Midland	State TX	Zip 79707

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: <u>Maverick Engineering</u> 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: AEReason for Platting: ownership purposes

Plat Information	Total Acreage: 3.69
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 2	Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

Provisions

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

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

Property Owner (signature):

Date: 11/3/2023

Property Owner (printed): Shane Huffman

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.

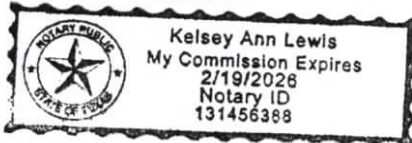
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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 Shane Huffman 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.

Shane L. Huffman
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of November, 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 # 4538

Received By: Daniel Humbert

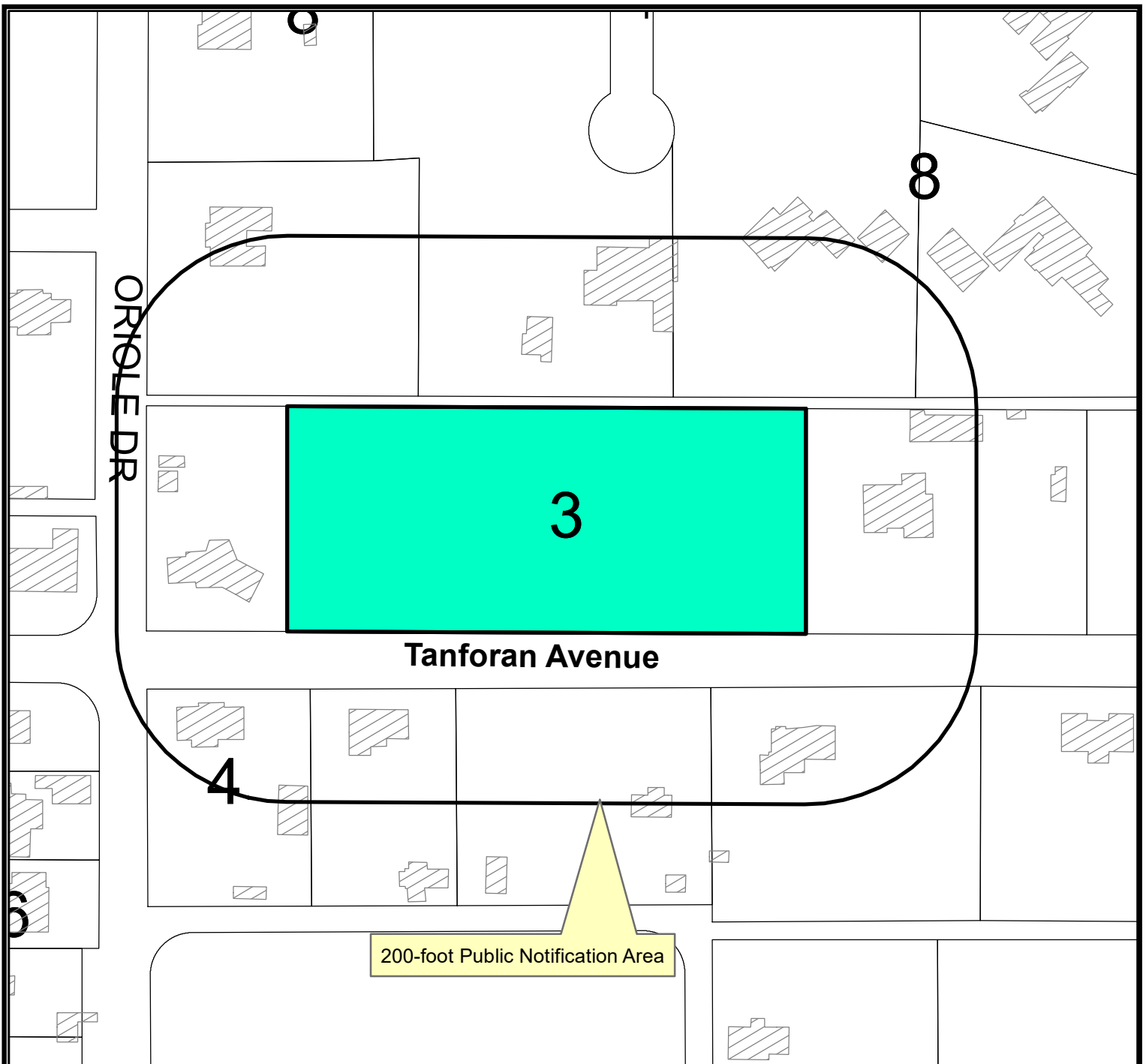
Date: NOV 06 2023

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

Preliminary Plat Application

2

Revised 07/01/19



LOCATION MAP

SUB-23-0687

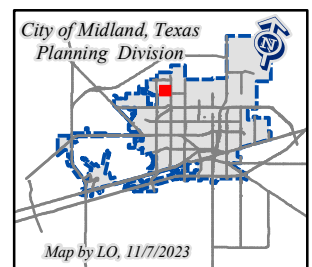
Scale: 1" = 169'

Proposed Plat of Melody Acres, Section 18, being a Replat of Lot 2, Block 3, Melody Acres, Section 4, City and County of Midland, Texas.

Generally located on the north side of Tanforan Avenue, approximately 200-feet east of Oriole Drive (DISTRICT: 4)

LEGEND

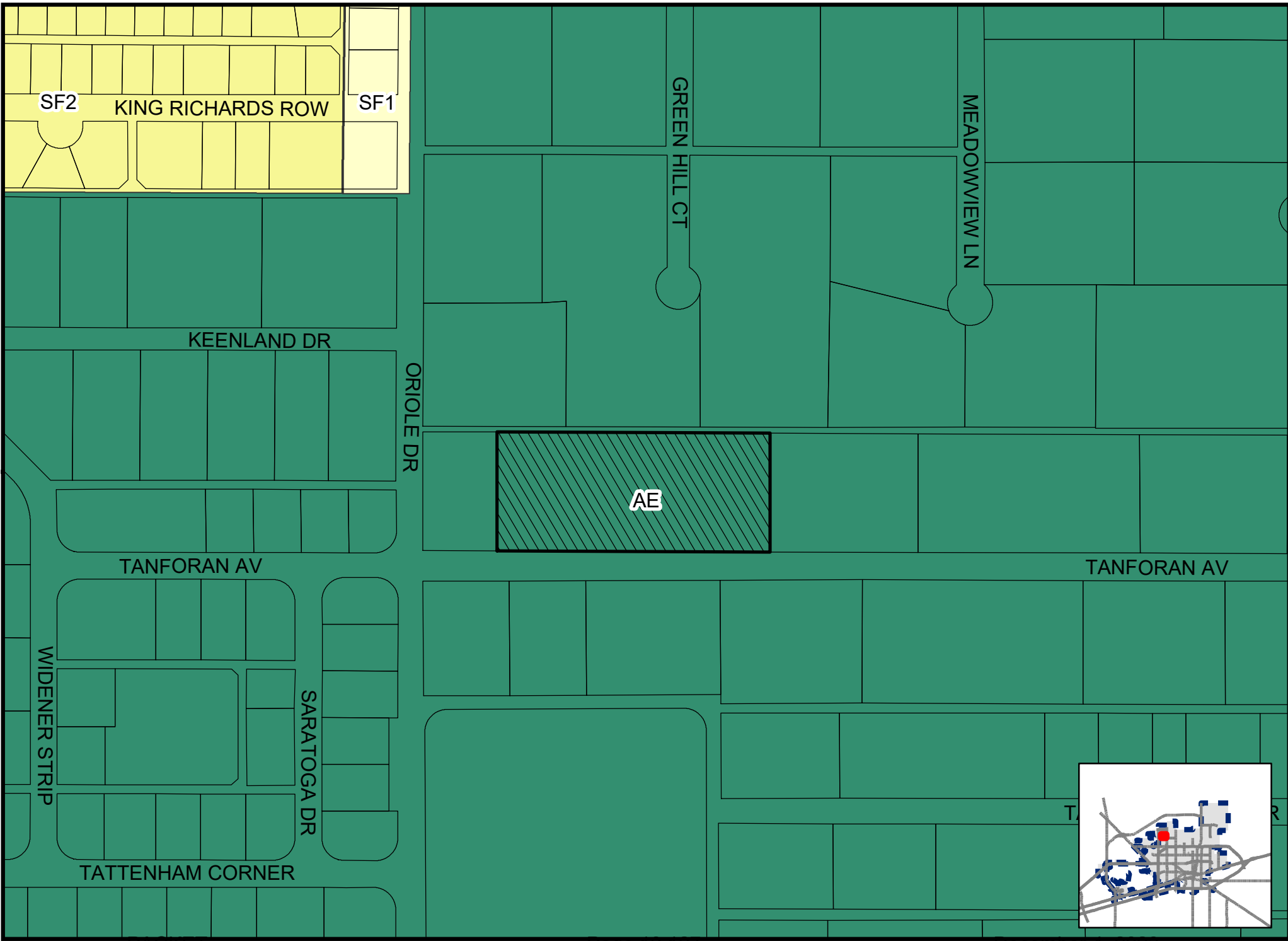
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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













Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 04, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Greenwood Industrial Park, Section 6, being a Replat of Lots 2A, 2B, and 2C, Re-Subdivision of Lot 2, 26.450-acres, Greenwood Industrial Park, Section 5, and Lot 1, Block 2, Greenwood Industrial Park, Section 5, Midland County, Texas. (Generally located on the south side of East County Road 1110, approximately 765-feet west of N. County Road 79.) (DISTRICT: NONE) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The Moore Group is requesting to replat to provide additional land for each lot should additional OSSF capacity be required in the future. The proposed subdivision will have five (5) lots with a total acreage of 34.37.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Plat outside designated service areas. [For Applicant's Information Only.]

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

PAVING: North County Road 1110 is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)2]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral. [Reference Midland City Code Sect. 11-2-3(G)2]

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

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

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)

Legal description can be "Resubdivision of Lot 1, Block 2, Greenwood Industrial Park, Sec 5, and Lots 2A, 2B & 2C, Block 2, Resubdivision of Lot 2, Greenwood Industrial Park, Section 5, Midland County, Texas." Block should be depicted on plat visual. Block is 2. (Lot 1R shows block 1) Lots can be 1A, and 2D-2G. Please provide distances for lots.

PUBLIC WORKS: (Approved)

Take out the West ECR 79, that part of the road has been vacated and does not exist.

Add the label back in for the East ECR 79 Label.

Take out Jeff Somers's signature, that is not needed.

Realizing now, this is an ETJ plat, the judge's signature is not needed either.

Why the crazy lot lines? I know that this has been approved before but would like to have reasoning on this.

CRMWD: (Approved)

Yes, the health department will review applications from the 5 proposed lots of Greenwood Industrial Park, Section 5, RE-SUBDIVISION OF LOTS 1, 2A, 2B, & 2C GREENWOOD INDUSTRIAL PARK, SECTION 5 IN SECTION 6, BLOCK 36, T-1-S, T. & P. RR. CO. SURVEY lot 1R block 1 is 7.5-acre, lot 2C is 6.4-acre, lot 2B is 4.9-acre, lot 2A is 5.3 acre, is lot 2D is 10 acres to ensure the proposed plans on the application for existing man camp and structures and the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

HEALTH DEPARTMENT: (Approved)

No comments.

PLANNING: (Approved)

Provide the plat name above description.

Change legal description to: "Being a Replat of Lots 2A, 2B, and 2C, Re-Subdivision of Lot 2, 26.450-acres, Greenwood Industrial Park, Section 5, and Lot 1, Block 2 Greenwood Industrial Park, Section 5, Midland County, Texas"

Remove Certificate of Approval for Midland County.

Rename Lots after 2D, as Lots 2E, 2F, 2G and 2H.

Provide width of proposed Lot 2C at narrowest point at northeast, should be minimum of 20 feet.

Staff recommends approval of the Preliminary Plat of Greenwood Industrial Park, Section 6, subject to condition A.

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).**

Attachments:

Application
Preliminary Plat
Maps



Preliminary Plat Application

Project Number:

Case Number:

Proposed Subdivision Plat Name: Re-Subdivision of Lots 1, 2A, 2B & 2C Greenwood Industrial Park Section 5

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 2A, 2B, and 2C, Re-Subdivision of Lot 2,

26.450-acres, Greenwood Industrial Park, Section 5, and a Replat of Lot 1, Greenwood Industrial Park, Section 5, County of Midland, Texas.

as recorded in Cabinet K, Page 59, Public Records of Midland County, Texas

Property Owner

Printed Name: Pioneer Natural Resources USA INC.

Phone ()

Email cory.morgan@pxd.com

Address 3617 N Big Spring St.

City Midland

State TX

Zip 78705-4569

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: The Moore Group

Printed Name: Edward Moore

Phone ()

Email emoore@mooregroup.net

Address 1000 N Cuernavaca Dr

City Austin

State TX

Zip 78733

Current Zoning: None (ETJ)

Reason for Platting: To provide additional land for each lot should additional OSSF capacity be required in the future.

Plat Information

Total Acreage:

34.37

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

Number of Lots: 5

Number of Multi-family Dwelling Units: 0

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature):

Cory T Morgan

Date: 11/6/2023

Property Owner (printed): CORY T MORGAN

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.

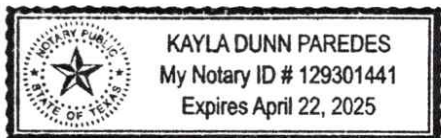
STATE OF TEXAS

COUNTY OF MIDLAND DALLAS

Before me, the undersigned authority, on this day personally appeared Cory T Morgan who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Pioneer Natural Resources USA Inc. 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.

Cory T Morgan
Authorized Agent (signature)

Subscribed and sworn to before me, this 6th day of November, 2023, to certify which witness my hand and seal of office.



Kayla Dunn Paredes
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS
DALLAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

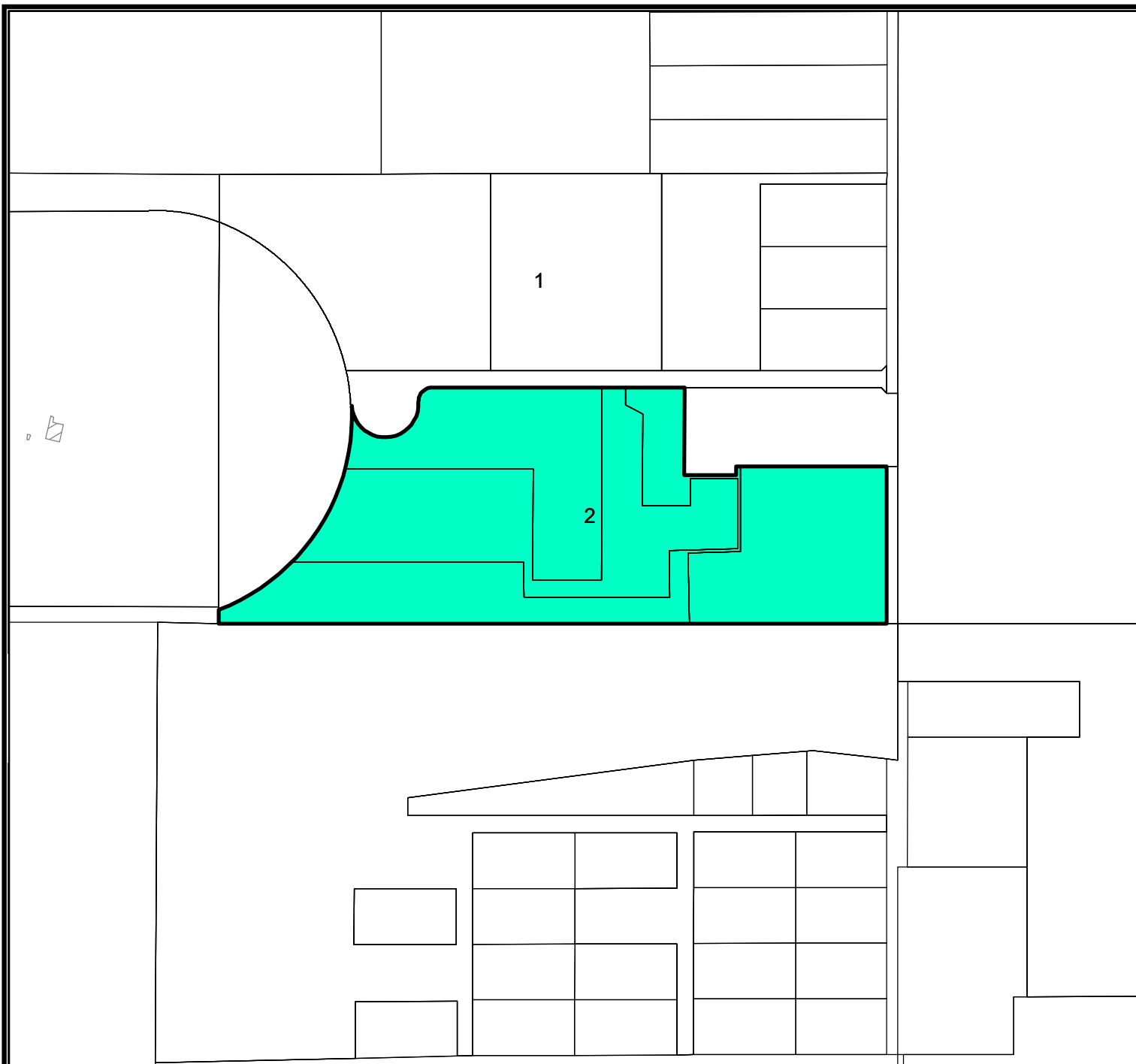
☒ 1 Copy of Plat (11x17)

Check # 9728

Received By: [Signature]

Date: NOV 07 2023

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



LOCATION MAP

SUB-23-0671

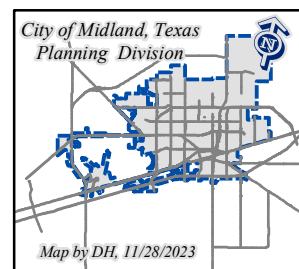
Scale: 1" = 518'

Proposed plat of Greenwood Industrial Park, Section 6, being a Replat of Lots 2A, 2B, and 2C, Re-Subdivision of Lot 2, 26.450-acres, Greenwood Industrial Park, Section 5, and Lot 1, Block 2, Greenwood Industrial Park, Section 5, Midland County, Texas.

Generally located on the south side of East County Road 1110, approximately 765-feet west of N. County Road 79. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving a Preliminary Plat of Homestead Addition, Section 22, being a replat of the south 175 feet of the east half of Block 29, Homestead Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of West Michigan Avenue and North Colorado Street.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

CB, Central Business District.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion are required at the final plat stage.

Departmental Review:

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

Below are the departments' comments.

Engineering: (Approved)

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

ROW: Revert to Transportation for additional comments. [For Applicant's Information Only.]

PAVING: W Michigan roadway okay as is. N Colorado roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: "6" water exists in Michigan Street S of tract, okay as is. "6" water exists in alley W of tract, okay as is. "4" water exists in Colorado Street E of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: "6" sewer exists in alley W of tract, okay as is. "15" sewer exists in Michigan Street S of tract, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

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

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

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

Transportation: (Approved with Conditions)

Provide 20 ft x 20 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.]

Fire: (Approved)

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

Oil and Gas: (Approved)

No Oil and Gas issues.

Building Code: (Approved)

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

change depending on time of new code edition adoption in the City of Midland and date of permit application.

GIS: (Approved)

Legal description should say "Being a replat of..."

Surveyor: (Approved)

No Comments.

Planning: (Approved)

Change survey note 1 to "Bearings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983." [Informational]

The acreage of the lot is incorrect, this should read '.562 acres' [Informational]

Show the water and sewer lines around the plat boundaries. [Informational]

Staff recommends approval of Preliminary Plat of Homestead Addition, Section 22, subject to condition A.

Conditions:

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

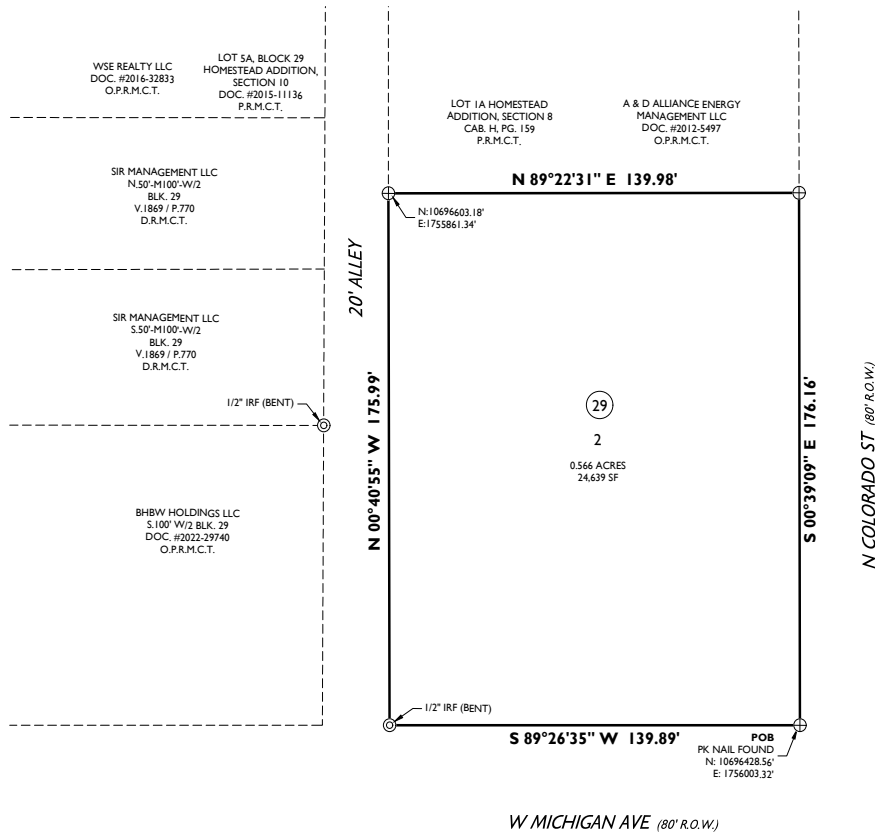
Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

HOMESTEAD ADDITION, SECTION 22

BEING THE CALLED SOUTH 175 FEET OF THE EAST HALF OF BLOCK 29,
HOMESTEAD ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS



FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48329C0089, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

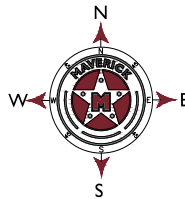
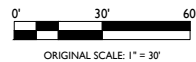
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART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

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
 - THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
 - 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 BE REQUIRED PRIOR TO THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEE OR REZONING FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.

SURVEY NOTES

- BASIS OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT, WITH A CONVERGENCE ANGLE (theta) OF -0°54'48.40" AND A COMBINED SCALE FACTOR OF 0.999896911 AT NGS MIDLAND.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
- THIS IS A PROVISIONAL PRELIMINARY PLAT, THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS SHOWN HEREON ARE ALSO PRELIMINARY AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY SEALED BY THE SURVEYOR OF RECORD.



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS RPLSH5356
MAVERICK ENGINEERING (T) 432-262-0999
1909 W. WALL STREET, SUITE 100
MIDLAND, TX 79701

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS THE CITY OF MIDLAND, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 26, BLOCK 39, T-1-S, T&P, RAILWAY, CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF MIDLAND, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS HOMESTEAD ADDITION, SECTION 22, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON; AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THERWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, M.

THE _____ DAY OF _____, 2023.

BY: TOMMY GONZALEZ, CITY MANAGER

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 TOMMY GONZALEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

OPTIMUM

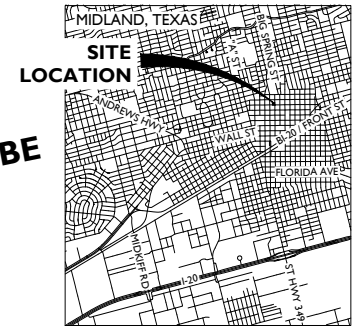
BY: _____

ASTOUND BROADBAND

BY: _____

MAVERICK ELECTRIC DELIVERY

BY: _____



VICINITY MAP

N.T.S.

LEGEND

⊙	FOUND MONUMENT AS NOTED
⊗	PK NAIL W/ WASHER MARKED "HALF"
---	BOUNDARY LINE
---	EXISTING PROPERTY LINES
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DEED RECORDS, MIDLAND CO., TX

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HOMESTEAD ADDITION, SECTION 22, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2023.

_____, CHAIRMAN

_____, SECRETARY

PROPERTY OWNER

CITY OF MIDLAND
300 N. LORRAINE
MIDLAND, TX 79701
DEED INSTRUMENT #2023-18518
O.P.R.M.C.T.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____



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

HOMESTEAD ADDITION
December 4, 2023
SECTION 22



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Homestead Addition, Section 22**Legal Description (attached sealed Metes and Bounds):** Being a the Called South 175 Feet of the East Half of Block 29
Homestead Addition, City and County of Midland, Texas**Property Owner**Printed Name: **City of Midland**

Phone (432) 262-0999

Email

Address **300 N Loraine**City **Midland**State **TX**Zip **79701****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.comAddress **1909 W Wall St Ste K**City **Midland**State **TX**Zip **79701****Current Zoning:** CB**Reason for Platting:** ownership purposes**Plat Information**Total Acreage: **0.566**Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: **1**

Number of Multi-family Dwelling Units:

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

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

Request for a Development 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.

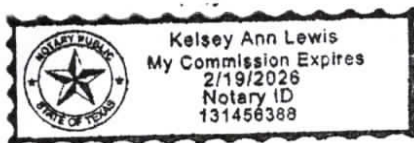
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of November, 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) | |

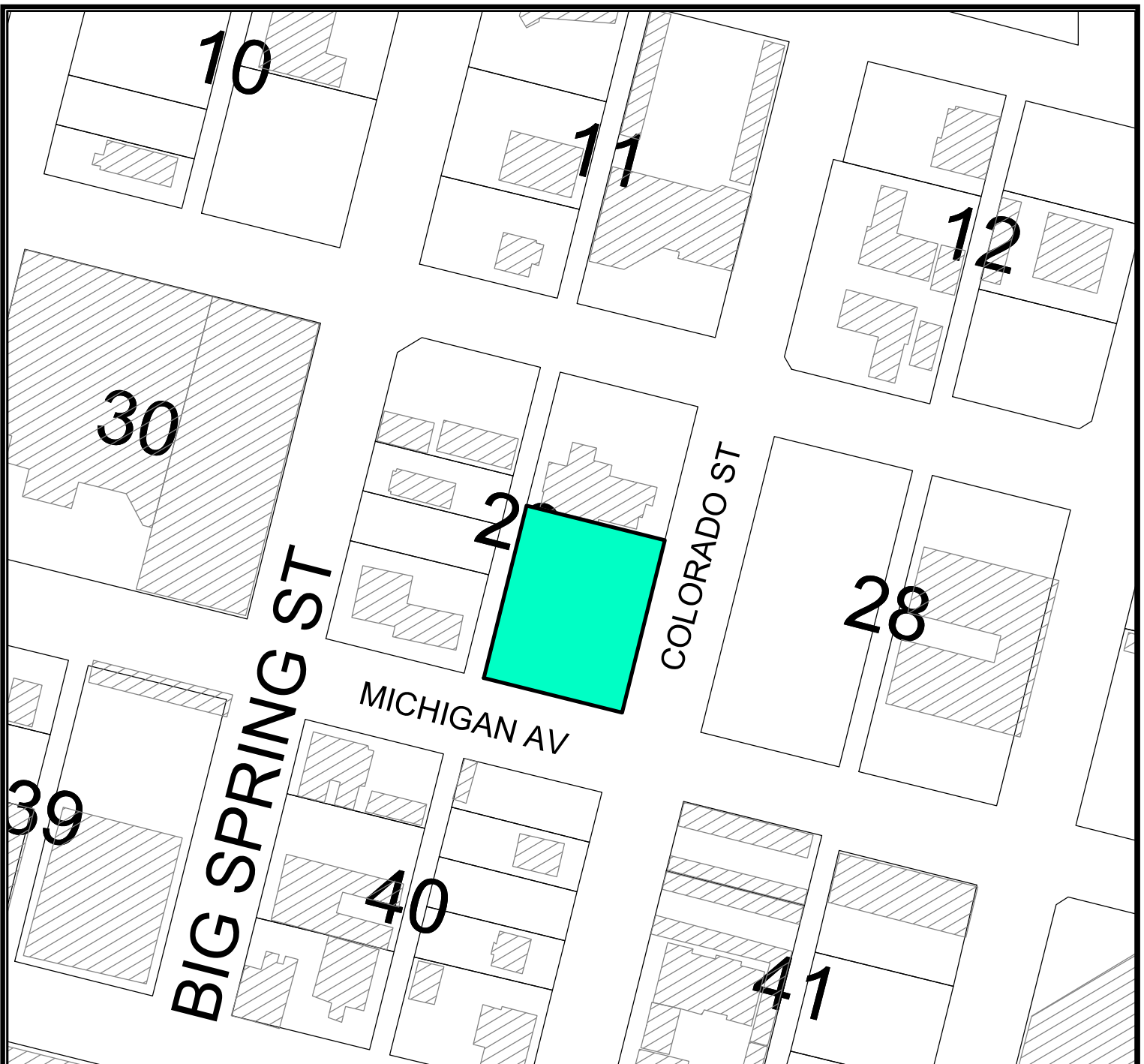
Check # 4536

Received By: Daniel Hen

Date: NOV 07 2023

BY: _____

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



LOCATION MAP

SUB-23-0689

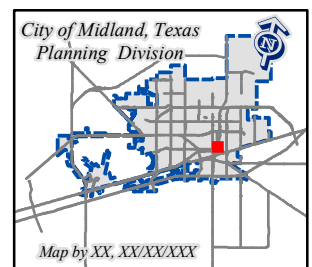
Scale: 1" = 1700'

Proposed plat of Homestead Addition, Section 22,, being the south 175 feet of the east half of Block 29, Homestead Addition, City and County of Midland, Texas

Generally Located on the northwest corner of the intersection of West Michigan Avenue and North Colorado Street. - (Council District 2)

LEGEND

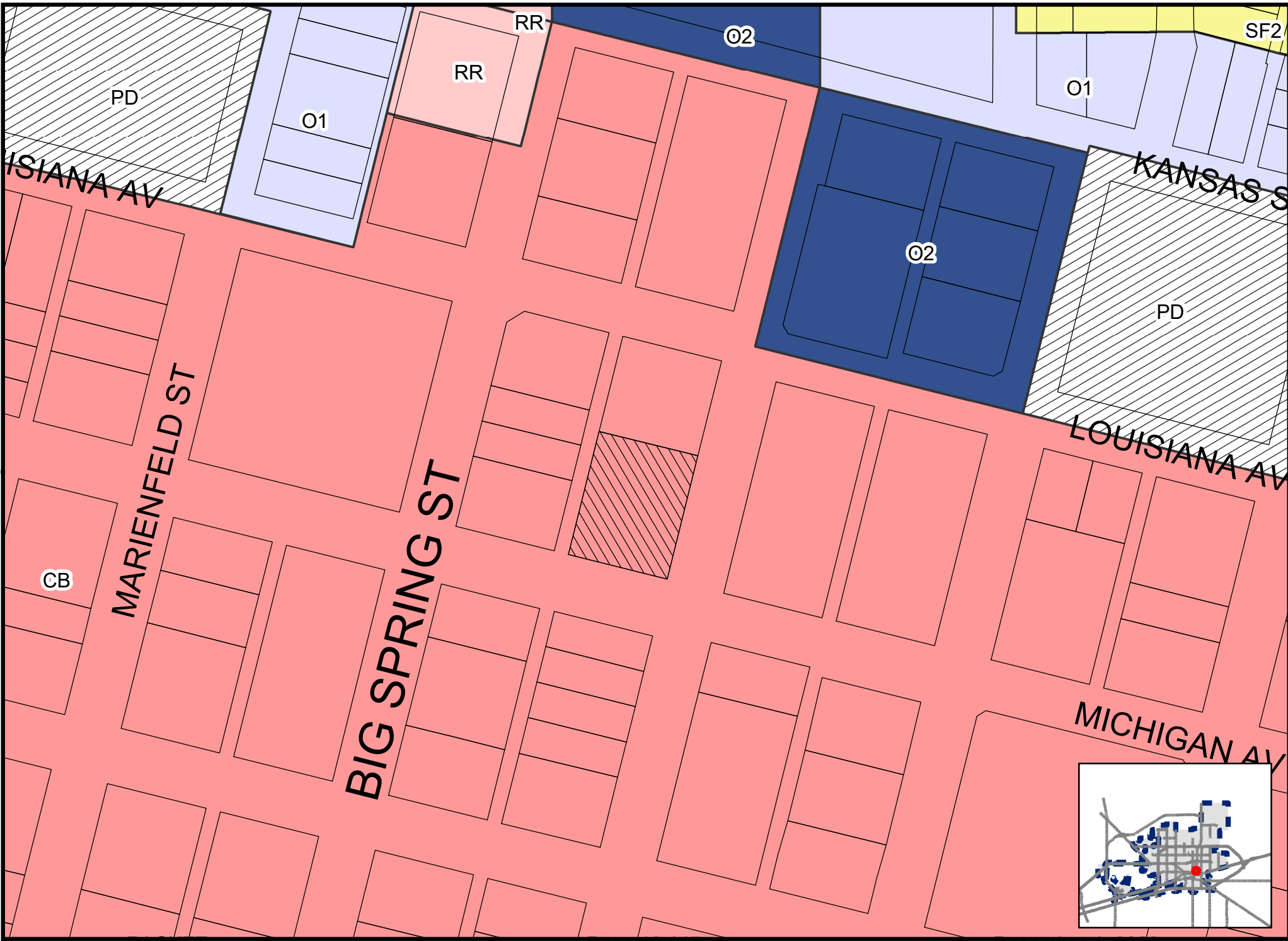
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.





Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 04, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Johnson & Moran Addition, Section 8, being a replat of Lot 1, Block 6, Johnson & Moran Addition, Section 6, City and County of Midland, Texas. (Generally located northwest of the intersection of Andrews Highway and West Cuthbert Avenue.) (DISTRICT: 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Directional/Informational

Details of Request:

Landgraf, Crutcher & Associates is requesting to replat one lot into two for ownership purposes in the case of future building permits being required. The proposed subdivision will have two (2) lots with a total acreage of 2.442.

Current Zoning:

RR, Regional Retail District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Cuthbert roadway okay as is. Andrews Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 6" water exists in Cuthbert, okay as is. 24" water exists in Andrews, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

DRAINAGE: Drainage letter has been submitted and is in review. [For Applicant's Information Only.]

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

DIMENSION: * * *

OTHER: FEMA Firm data on the plat face is incorrect. [For Applicant's Information Only]

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments or objections.

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Section number is already in use. Next available section number is 8. Please provide another set of x-y coordinates. Northernmost call should be N26-7-52E (currently S26-7-52W). Lots can be 13 and 14.

PLANNING: (Approved)

Correct plat section number.

Change Secretary name to Cristina O. Burns.

Change lot numbers to Lot 13 and 14.

Staff recommends approval of the Preliminary Plat of Johnson & Moran Addition, Section 17, subject to condition A.

Conditions:

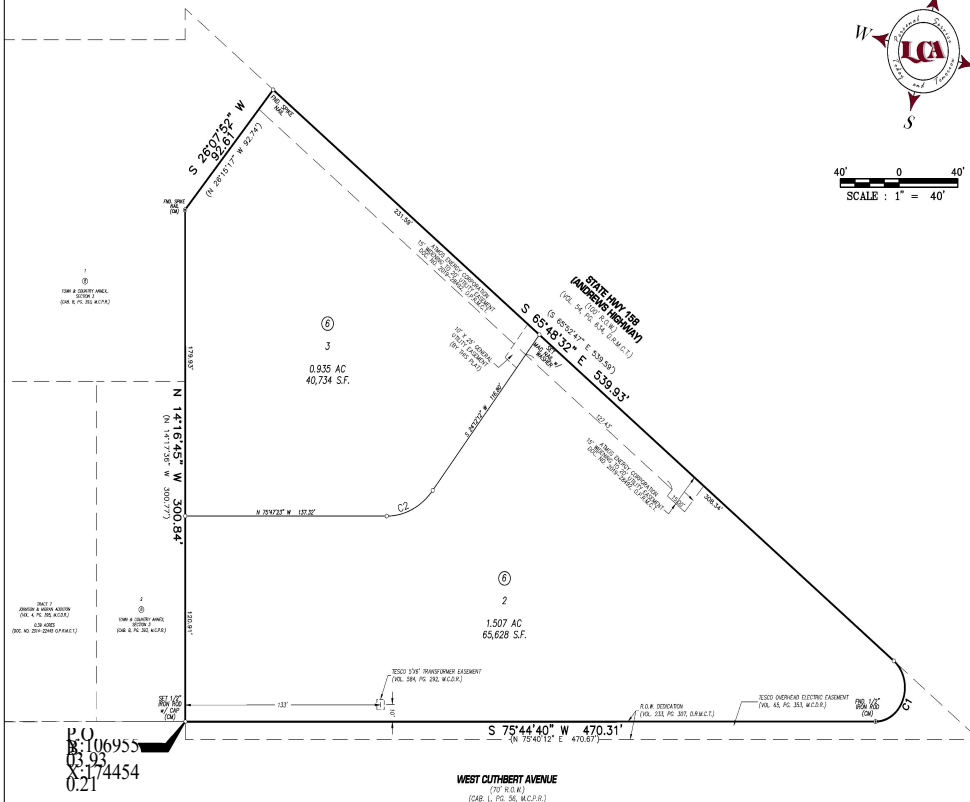
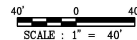
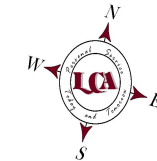
- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-4(A)2(a).**

Attachments:

Preliminary Plat
Application
Maps

JOHNSON & MORAN ADDITION, SECTION 7

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	141°33'39"	20.00'	49.41'	37.77'	S 04°58'31" W
C2	51°35'11"	40.00'	36.01'	34.81'	N 49°59'48" E



(W)	EXISTING WATER METER
⊙	EXISTING WATER VALVE
⊕	EXISTING FIRE HYDRANT
⊗	EXISTING SEWER MANHOLE
⊖	EXISTING SEWER CLEAN OUT
●	EXISTING POWER POLE
^	EXISTING GUY ANCHOR
⋈	EXISTING GAS RISER
⊙	EXISTING PIPELINE MARKER
⊗	FOUND 1/2" I.R. W/CAP "LCA ODESSA TX" UNLESS OTHERWISE NOTED
⊖	SET 1/2" I.R. W/CAP UNLESS OTHERWISE NOTED
(CM)	CONTROL MONUMENT

For approval of the plat at the above and
 Commission of Johnson &
 Moran Addition, Section 7 was approved by
 by proper action of the
 City Planning and Zoning Commission of
 the City of Midland,
 Texas, on _____, 2023.

SIGNE _____
D: CHAIRMAN OF PLANNING &
ZONING COMMISSION
LUCY SISNIEGA

SIGNE _____
D: SECRETARY OF PLANNING &
ZONING COMMISSION

COMPANIES
The map has been checked for accessibility of utilities

ASTOUND
BROADBAND

SCALE: N.T.S.

BEING A REPLAT OF LOT 1, BLOCK 6, JOHNSON & MORAN ADDITION, SECTION 6, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET L, PAGE 56, (DOC. NO. 2018-16120), PLAT RECORDS, MIDLAND COUNTY, TEXAS, AND BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, BLOCK 39, T-1-S, T. & P. RAILROAD COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METED AND BOUNDS AS FOLLOWS:

BEGINNING AT (N. 10,695.50, 93. E. 1744.540, 21) A 1/2 INCH IRON ROD SET WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) BEING A REPLACEMENT OF A SPIKE NAIL, WITH WASHER FOUND FROM A PREVIOUS SURVEY IN THE NORTH LINE OF WEST CUTHBERT AVENUE, A 70 FOOT PLAT RIGHT OF WAY AS SHOWN OF THE RECORDED PLAT OF SAID JOHNSON & MORAN ADDITION SECTION 6, FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 6, SAME BEING THE SOUTHEAST CORNER OF LOT 2 BLOCK 8, TOWN & COUNTRY ANNEX, SECTION 3, RECORDED IN CABINET B, PAGE 393, OF THE MIDLAND COUNTY, PLAT RECORDS.

THENCE N 14°16'45" W, A DISTANCE OF 300.84 FEET (CALLED N 14°17'36" W, 300.77") ON THE RECORDED PLAT OF SAID JOHNSON & MORAN ADDITION SECTION 6, TO A SPIKE NAIL FOUND (CONTROL MONUMENT) FOR AN ANGLE POINT TO THE RIGHT;

THENCE N 26°07'52" E, (CALLED N 26°15'17" E), A DISTANCE OF 92.61 (CALLED 92.74') TO A SPIKE NAIL FOUND FOR THE NORTH CORNER OF THIS PROPERTY IN THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 158, A 100 FOOT PUBLIC RIGHT OF WAY RECORDED IN VOLUME 54, PAGE 634, OF THE MIDLAND COUNTY DEED RECORDS;

THENCE S 65°48'32" E, (CALLED S 65°52'47" E,) WITH THE SOUTH LINE OF SAID STATE HIGHWAY 158, A DISTANCE OF 539.93 FEET (CALLED 539.59') TO A 1/2 INCH IRON ROD SET FOR THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, DELTA ANGLE OF 141°33'39", CHORD BEARING AND DISTANCE OF 04°58'31" W, 37.77 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT WITH A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 49.41 FEET TO A 1/2 INCH IRON ROD FOUND (CONTROL MONUMENT) IN THE NORTH LINE OF SAID WEST CUTHBERT AVENUE FOR A POINT TANGENCY:

THENCE S 75°44'40" W, A DISTANCE OF 470.31 FEET (CALLED S 75°40'12" W, 470.67') WITH THE NORTH LINE OF SAID WEST CUTHBERT AVENUE TO THE PLACE OF BEGINNING, CONTAINING 2.442 ACRES OF LAND.

BEARINGS, DISTANCES AND COORDINATES ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, 1983 NAD, CENTRAL ZONE, BASED ON THE CITY OF MIDLAND GPS CONTROL MONUMENT "GARWAD" (Y=10,704,111.49 AND X=1,746,412.52) WITH A THETA ANGLE OF -00°54'51.425" WITH A COMBINED GRID FACTOR OF 0.999907078 AS PUBLISHED IN US SURVEY FEET.

NOW, THEREFORE, KNOW ALL MEN
BY THESE PRESENTS,
That HALL Properties, L.L.C., owner of the land
shown on this plat, do hereby agree, to
dedicate, to the use of the herein described property as
[Johnson & Moran Addition,
Section 7, and do hereby dedicate to the public use
forever the streets, alley and
easements shown thereon for the purpose and
consideration therein expressed, and an
easement of egress and ingress for trash collection,
and location and maintenance of
sewers, and under the condition of said easement
shall be the function shall
be to convey said lot or lots until the exact
location of said easements there with
has been selected and approved by the Director of
Utilities.

THE STATE OF
TEXAS
COUNTY OF
MIDLAND, the undersigned authority, a Notary Public in and
for the State of Texas, on this day personally appeared Matthew Johnson,
known to me to be the
person whose name is subscribed to the foregoing instrument,
and acknowledged to me that he executed
therein in full compliance with the provisions therein expressed,
and in the capacity therein stated.

My commission expires:

My commission expires:

~~NOTARY PUBLIC IN AND FOR~~
~~THE STATE OF TEXAS~~

SURVEYOR'S CERTIFICATE
THE STATE OF TEXAS
 I, **KEVIN J. HANSEN**, being duly sworn, depose and say that **THOMAS SPENCER J. ANDERSON**, 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 personally placed under my personal supervision, in accordance with the subdivision requirements of the **CITY OF MIDLAND, TEXAS**.
 Subscribed and sworn to before me this **16** day of **February**, 20**16**, at **Midland, Texas**.
 Notary Public in and for the State of Texas.

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

11-29-23
RANDY A. ANDERSON,
R.P.L.S. # 5403

OWNER: HALLE
PROPERTIES L.L.C.,
300 N. GUYANA AVENUE

PROPERTY OF:
MATTHEW
JOHNSON, AGENT
08705686

8050 TTS DALE
ENGINEER AND GRAF.

CRUTCHER & ASSOC., INC.
DALLAS, TEXAS
70761-5131

79761-5131
PHONE: (432) 332-
5058

PLAT FILED FOR
RECORD
MIDLAND
COUNTY, TEXAS

DATE_____

ADDITION

001101

September 4

December 4, 2023
ARCHITECTURAL, CIVIL, ELECTRICAL, MECHANICAL AND SURVEYING
 521 North Texas, Odessa Tx. 79761 F-001363 F-10034300
 Phone # (432) 332-5058 E-Mail : lca@lcaodessa.com

Page 13.151

JOHNSON & MORAN ADDITION, SECTION 7

LCA
Business Service, Talent and Training

December 4, 2023
ARCHITECTURAL, CIVIL, ELECTRICAL, MECHANICAL AND SURVEYING
 521 North Texas, Odessa Tx. 79761 F-001363 F-10034300
 Phone # (432) 332-5058 E-Mail : lca@lcaodessa.com

GENERAL NOTES

1. Approval of a site plan by the City of Midland may be required before this lot may be developed and before a permit for this addition can be obtained.
2. The portion of this boundary may be a violation of city ordinance and state law subject to fines and court costs.
3. applicant(s) and contractor must obtain a Permanent Easement Coordinate System, Texas NAD 83, from the Surveyor General's Office at 609 North Third Street, Suite 200, Midland, TX 79701 or call 409-545-1425 and a confirmed certificate will be provided and published in the County's Public Notice.
4. The property lies in Zone (Outside the 500-year flood zone) per the FEMA/FIRM, map 4813-B-0310E, reissued January 2010.
5. Initial impact fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increase in fees may occur as the project crosses against the tract under the existing pedestrian easement to be increased, the tract increases.

PACKET
PROPERTY RECORDS
BACKLOG REQUIREMENTS
PROJECT

PACKET

FRONT - 15 FEET
SIDE - 0 FEET WHEN NOT ADJACENT TO RESIDENTIAL DISTRICT
REAR - 0 FEET WITH NO ALLEY ACCESS; 10 FEET WHERE NO ALLEY JOINS THE REAR LOT LINE
BUILDING HEIGHT REQUIRED BY ZONING - 56 FEET / 4 STORIES

END. _____ E.T. _____
 SNY. _____ DFT. _____
 LCA JOB No. 2023-082



Preliminary Plat Application

 Project Number: SUB-23-06084
 Case Number: P-23 1839
Proposed Subdivision Plat Name: Johnson & Moran Addition Section 7

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 1, Block 6
 Johnson & Moran Addition Section 6, City of Midland, Midland County, Texas.
Property Owner

Printed Name: Halle Properties, LLC

Phone (480) 606-6000
Email

Address 20225 N. Scottsdale Road

City Scottsdale

State AZ

Zip 85255

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Phone (432) 332-5058

Email lca@lcaodessa.com

Printed Name: LCA

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: RR
Reason for Platting: Owner would like to split the property into two lots for ownership purposes,
 future building permits may be required
Plat Information

Total Acreage: 2.442

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units:

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

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

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

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

Provisions

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

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

Property Owner (signature): _____

Date: _____

Property Owner (printed) : _____

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

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

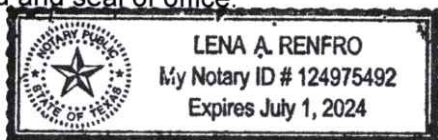
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Randy Anderson who, being by me duly sworn, upon oath says: That (s)he is authorized by Halle Properties, 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.

Randy Anderson
Authorized Agent (signature)

Subscribed and sworn to before me, this 31 day of October, 2023 to certify which witness my hand and seal of office.



Lenora Renfro
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

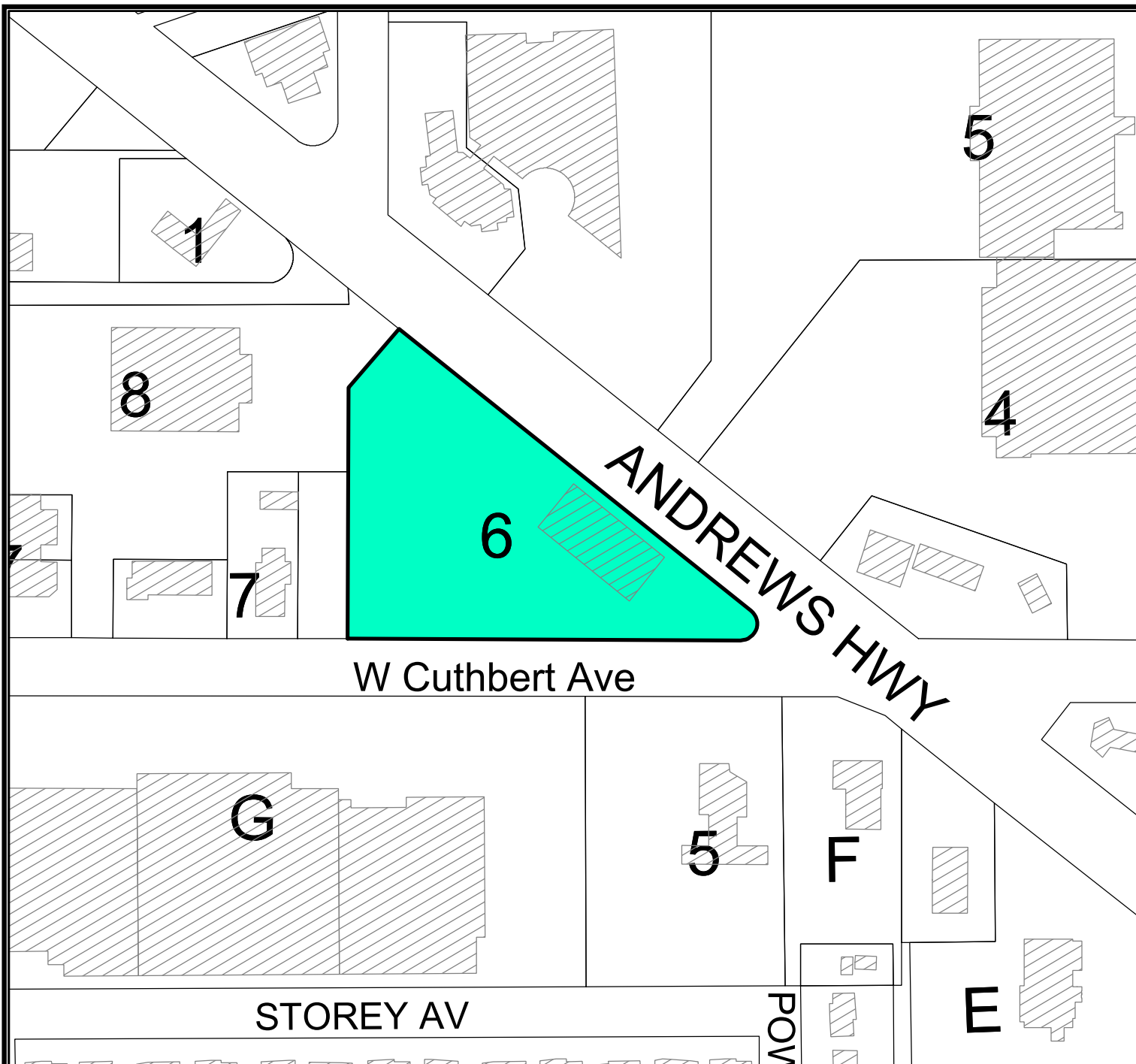
☒ 1 Copy of Plat (11x17)

Check # 41734

Received By: [Signature]

Date: NOV 06 2023

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



LOCATION MAP

SUB-23-1839

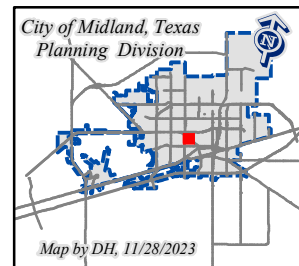
Scale: 1" = 173'

Proposed plat of Johnson & Moran Addition, Section 8, being a replat of Lot 1, Block 6, Johnson & Moran Addition, Section 6, City and County of Midland, Texas.

Generally located northwest of the intersection of Andrews Highway and West Cuthbert Avenue (District 3)

LEGEND

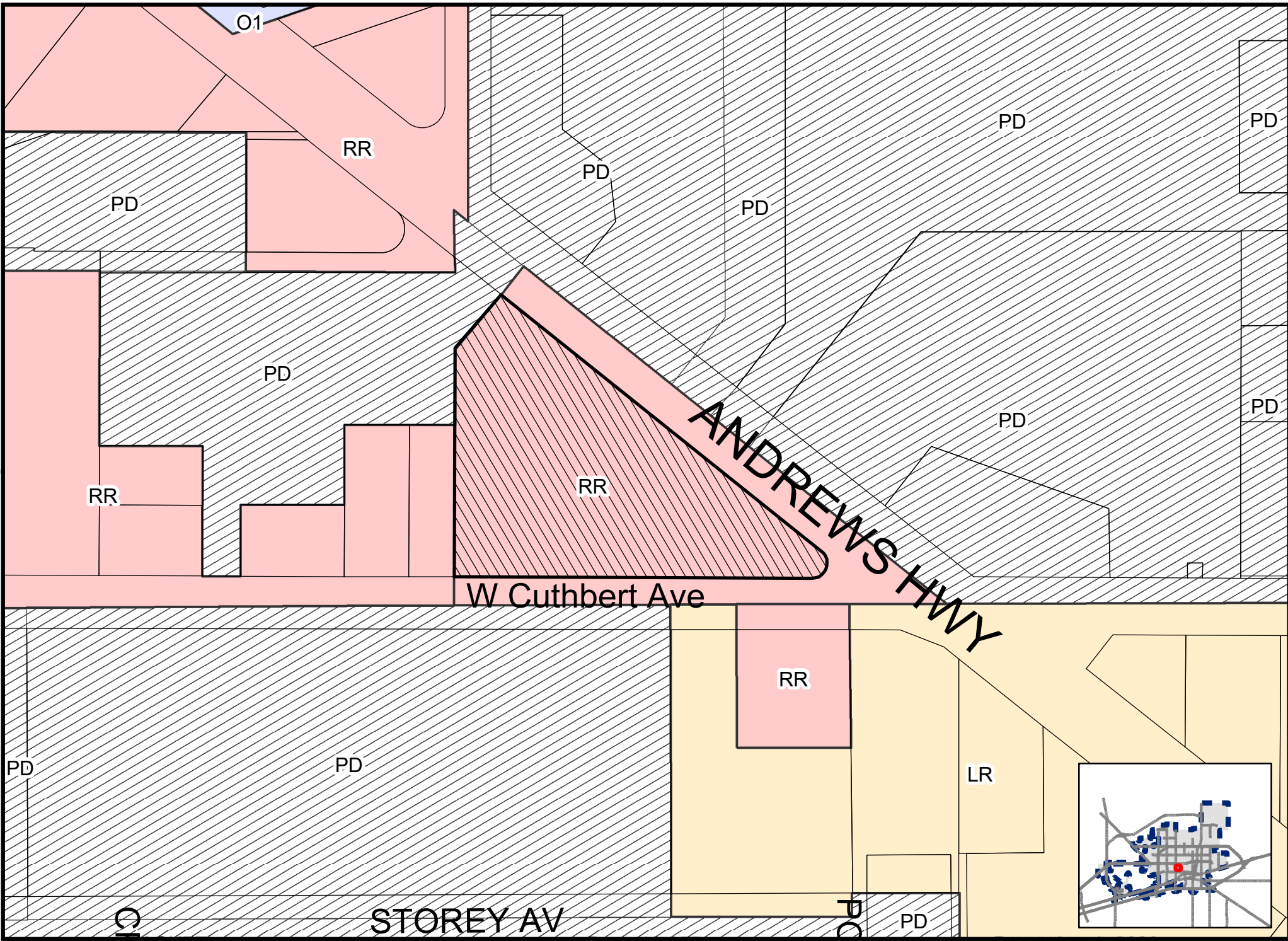
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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



PACKET

STOREY AV



PD





Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of West 191 Industrial Park, Section 15, being a Plat of a 2.96-acre tract of land out 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 1,380 feet west of Holdridge Road) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to plat a 2.96-acre tract of land out of Section 31, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas into two (2) lots for ownership purposes.

Current Zoning:

RR, Regional Retail District

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

BUILDING CODE: (Approved)

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

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: SH 191 Frontage Road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: None existing. Construct 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 Applicant's Information Only.]

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

SEWER: None existing. Construct wastewater 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)]

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

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

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

OIL AND GAS: (Approved)

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

GIS: (Approved)

No comments.

CRMWD:

We do not have any comments on this plat.

HEALTH DEPARTMENT:

Yes, the health department will review application from the 2 proposed lot of West Industrial Park, Section 14, PLAT OF A 2.9 ACRE TRACT OF SECTION 31, BLOCK 40, TOWNSHIP 1 SOUTH TEXAS AND PACIFIC RAILWAY COMPANY SUEVEY, MIDLAND TEXAS, lot 1 is 1.6 acre and lot 2 is 1.3 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)

Staff recommends approval of the Preliminary West 191 Industrial, Section 15 subject to conditions A.

Condition:

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

Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

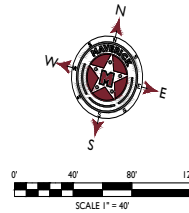
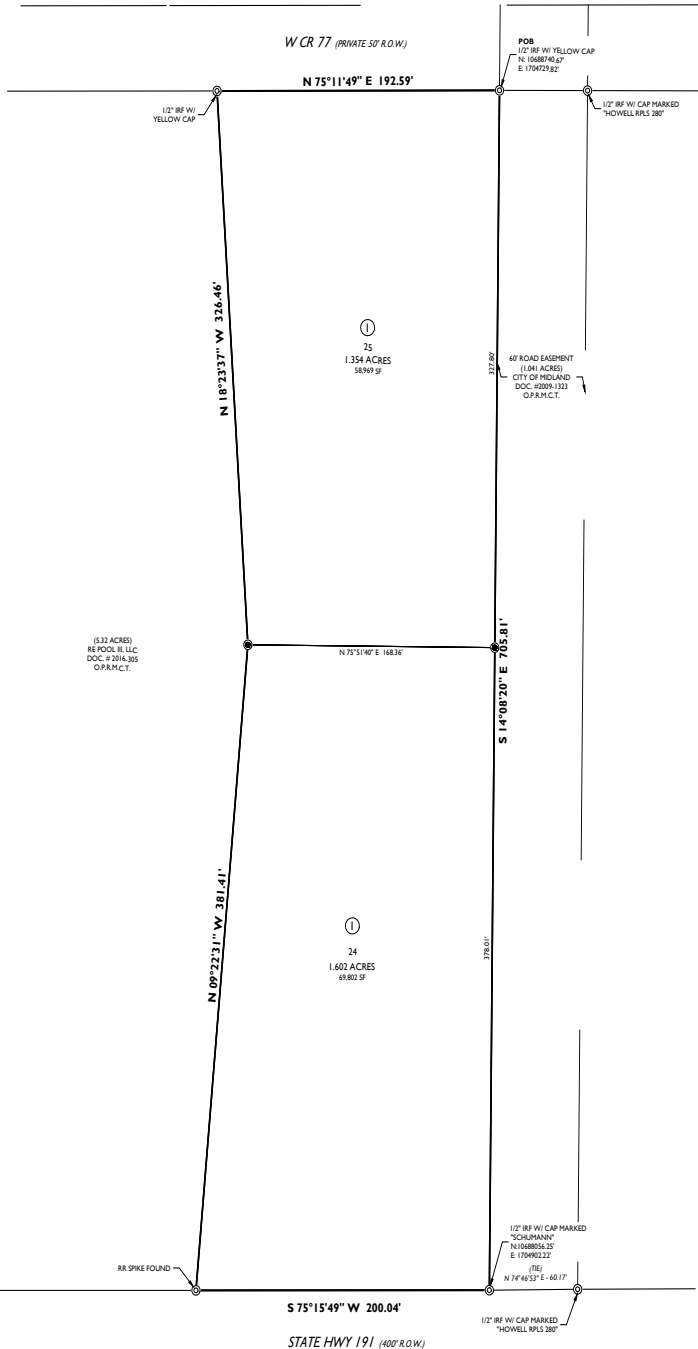
WEST 191 INDUSTRIAL PARK SECTION 15

BEING A 2.96 ACRE TRACT OF LAND SITUATED IN SECTION 31, BLOCK 40,
TOWNSHIP ONE SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

SITE
LOCATION



VICINITY MAP
N.T.S.



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS AICDO CAPITAL LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 31, BLOCK 40, T-1-S, T-1-R, N-10, SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT AICDO CAPITAL LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WEST 191 INDUSTRIAL PARK SECTION 15, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HEREIN, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GRANT AN EASEMENT OF ROADS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRAILER 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,
THIS _____ DAY OF _____, 2023.

BY _____ FOR AICDO CAPITAL LLC.

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS 00835326
MAVERICK ENGINEERING, P.C. FIRM #10194514
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701

**PRELIMINARY - THIS
DOCUMENT SHALL NOT BE
RECORDED FOR ANY
PURPOSE**

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF
UTILITIES.

ATKINS ENERGY
BY _____

AT&T
BY _____

OPTIMUM
BY _____

ASTOUND BROADBAND
BY _____

ONCOR ELECTRIC DELIVERY
BY _____

PROPERTY OWNER

AICDO CAPITAL LLC
PO BOX 30218
MIDLAND, MIDLAND COUNTY, TX 79710
DEED INSTRUMENT #2021-28124 O.P.M.C.T.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____
DATE _____

A02-4 AIRPORT OVERLAY DISTRICT (NOTE PER 1-1-11.11 & 2)

ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE AREA MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HAZARD HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTION 1-1-11.11.1, 1-1-11.2, 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.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48129C0200F, DATED SEPTEMBER 14, 2020, THIS PROPERTY IS WITHIN THE UNSHADDED PORTION OF ZONE "X"; DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY NOTES 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 TIME AS:
 - THE REPRESENTED LOTS ARE REAPPORTIONED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
 - 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 INCREASED.

SURVEY NOTES

- BASE OF BEARING, COORDINATES, DISTANCE AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM STATE PLANE GRID, CENTRAL ZONE, AND NAD 83 U.S. SURVEY FOOT WITH A CONVERSION ANGLE (ft/m) OF 0.37474737 AND A COMBINED SCALE FACTOR OF 0.99983304 AT NGS STATION "MIP 2" MAP.
- 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- FENCES ARE ON OR WITHIN 0.5' OF THE PROPERTY LINE UNLESS OTHERWISE NOTED OR SHOWN HEREIN.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
- LOCATION OF BARRIED UTILITIES AND PRELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND SIGNS AND VISUAL EVIDENCE, OR BY ONE-CALL #1-877-877-8777 AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED: CALL 1-800-GO-TISS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
- THIS IS A PROFESSIONAL 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 SEALED BY THE SURVEYOR OF RECORD.

LEGEND

- SET 1/2 INCH IRON ROD W/ RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- FOUND MONUMENT AS NOTED
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING EASEMENT LINE
- OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- PLAT RECORDS, MIDLAND CO., TX
- DEED RECORDS, MIDLAND CO., TX

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION, THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WEST 191 INDUSTRIAL PARK SECTION 15, WAS APPROVED IF PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

DAY OF _____, 2023.

CHAIRMAN

CHRISTINA G. BURNS, SECRETARY



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

**WEST 191 INDUSTRIAL PARK
SECTION 15**
December 4, 2023

PACKET

Page 14.159



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: West 191 Industrial Park, Section 12 14**Legal Description (attached sealed Metes and Bounds):** Being a 2.96 Acre Tract of Land Situated 40, Township One South, Texas and Pacific Railway Company Survey, City and County of Midland.**Property Owner**Printed Name: Adicio Capital LLC

Phone (432) 262-0999

Email Nathan.cullum@yahoo.comAddress PO Box 50218City MidlandState TXZip 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.comAddress 1909 W Wall St Ste KCity MidlandState TXZip 79701**Current Zoning:** RR**Reason for Platting:** ownership purposes**Plat Information**Total Acreage: 2.96Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 2

Number of Multi-family Dwelling Units: _____

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

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

Request for a Development 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: 11/6/2023

Property Owner (printed): Nathan Cullum - Adicio Capital

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 Adicio Capital 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 14th day of November, 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 #

4437

Received By:

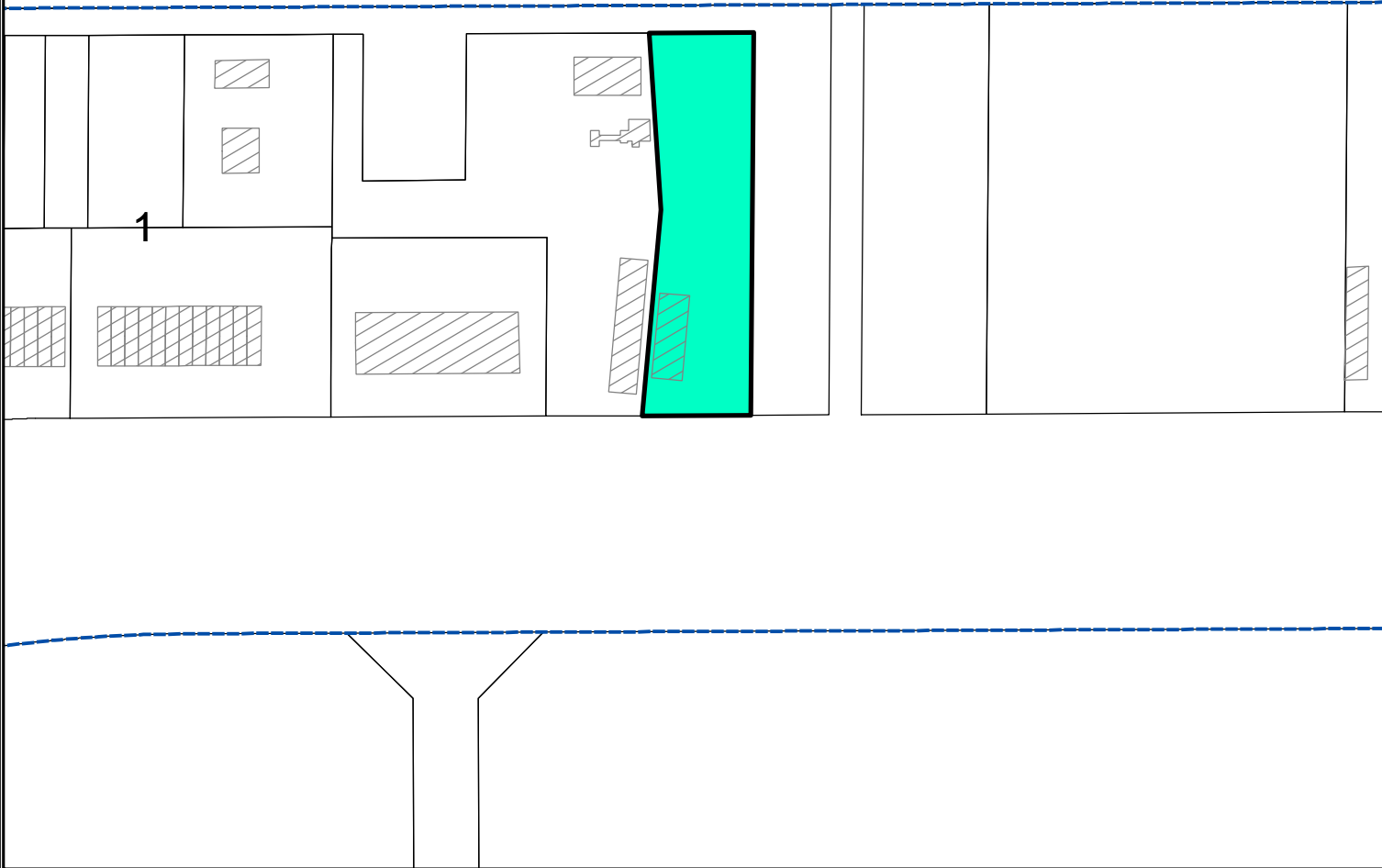
Daniel Hankins

Date:

NOV 07 2023

BY:

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



LOCATION MAP

SUB-23-0682

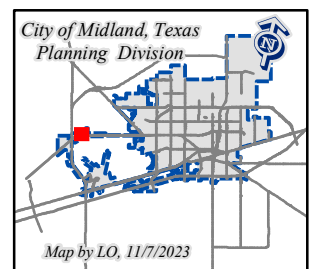
Scale: 1" = 325'

Proposed plat of West 191 Industrial Park, Section 15, being a Plat of a 2.96-acre tract of land out of Section 31, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas.

Generally located north of State Highway 191, approximately 1,380 feet west of Sinclair (DISTRICT: 4)

LEGEND

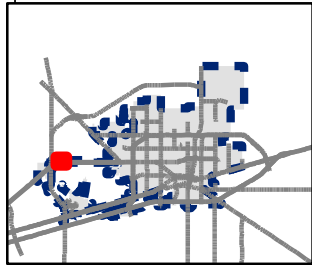
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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





Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 4, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of West End Addition, Section 31, being a replat of Lot 6 and the west half of Lot 5, Block 12, West End Addition, City and County of Midland, Texas. (Generally located at the southeast corner of the intersection of West Texas Avenue and North D Street.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

Maverick Engineering is looking to replat the property for ownership purposes.

Current Zoning:

PD, Planned Development District for an Office Center. (Ordinance 7499)

Departmental Review:

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

BUILDING CODE: (Approved)

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

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

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

ROW: Revert to Transportation for additional comments. [For Applicant's Information Only.]

PAVING: North "D" roadway okay as is. W Texas roadway okay as is, No public paving improvements required. [For Applicant's Information Only.]

WATER: "4" water exists in Alley S of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

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

DRAINAGE: Development considered infill. Site drainage will be reviewed with building permit. [For Applicant's Information Only.]

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

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

DIMENSION: * * *

OTHER:

TRANSPORTATION: (Approved)

Provide 20 ft x 20 ft intersection corner clips at property corners adjacent to all public street intersections. [Reference City Code Section 11-2-5(C)3(k).]

FIRE: (Approved)

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

OIL AND GAS: (Approved)

No oil and gas issues.

GIS: (Approved)

No comments.

CRMWD:

No comments.

Health Department:

The property West End Addition, Section 31 .2 acre has access to water and sewer.

PLANNING: (Approved with Conditions)

Show sewer and water lines that go through the alley to the south. [Informational]

Show the reciprocal access easement for this plat. [Informational]

Furnish documentation that whoever signs for CM Butler Construction can sign for the company.

Staff recommends approval of the Preliminary Plat of West End Addition, Section 31, subject to condition A.

Conditions:

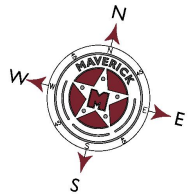
- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-4(A)2(a).**

Attachments:

Application
Preliminary Plat
Maps

PRELIMINARY PLAT
WEST END ADDITION, SECTION 31

BEING A REPLAT OF LOT 6 AND THE WEST HALF OF LOT 5, BLOCK 12, WEST END
ADDITION,
AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS



W TEXAS AVENUE (80' R.O.W.)

N 75°24'07" E 74.64'

P.O.B.
1/2" IRF
N:10694548.65
E:1753330.96

E/2 LOT 5

LOT 4

12
WEST END
V.17, P.614 - 615
PRMCT

MARIA DOLORES RUIDA
E/2 LOT 5 & W37.5' LOT 4
DEED INST. # N/A

12
6A
0.245 Ac.
10,667 SF

N 14°34'16" W 142.81'

S 14°34'16" E 143.04'

1/2" IRF
(BENT)

1/2" IRF
N:10694410.21
E:1753366.94

S 75°34'23" E 74.64'

ALLEY (20' R.O.W.)

LOT 7

12
WEST END
V. 17, P. 614 - 615
PRMCT

LOT 8

LOT 9

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0202F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOOD FLOODPLAIN". THIS DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF DEVELOPER/ENGINEER NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

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

3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:

(1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR:
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

4. 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

SURVEY NOTES:

1. BASIS OF BEARING, COORDINATES, DISTANCE AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NAD 83, U.S. SURVEY FOOT WITH A CONVERGENCE ANGLE (theta) OF -0°54'48.40" AND A COMBINED SCALE FACTOR OF 0.999896911
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS IN MIDLAND.
3. UNLESS OTHERWISE SPECIFIED, SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY ONE-CALL 811 / SITE MARKINGS.
5. AT THE TIME OF THIS SURVEY, DUE CARE IS RECOMMENDED: CALL 1-800-DIG-TESS FOR LOCATES PRIOR TO ANY CONSTRUCTION. THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS SHOWN HEREON ARE ALSO PRELIMINARY AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY SEALED BY THE SURVEYOR OF RECORD.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS, PLS#5354
MAVERICK ENGINEERING
1909 W. WALL STREET, SUITE 100
MIDLAND, TX 79701

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS CM BUTLER CONSTRUCTION LLC IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 34, BLOCK 39, T-1-S, T&P RY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CM BUTLER CONSTRUCTION LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WEST END ADDITION, SECTION 31, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND

NOTES: THERE IS NO CONDITION 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.

FOR CM BUTLER CONSTRUCTION LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

AT&T

BY: _____

ASTOUND BROADBAND

BY: _____

OPTIMUM

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

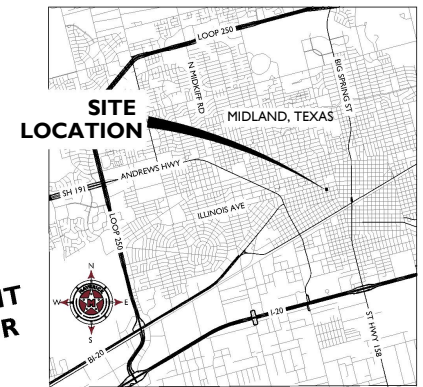
PROPERTY OWNER

CM BUTLER CONSTRUCTION LLC
4416 BRIARWOOD AV
STE 110 BOX 23
MIDLAND, TX 79707
DEED INSTRUMENT #2022-16104

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____



SITE LOCATION

VICINITY MAP

N.T.S.

LEGEND



FOUND MONUMENT AS NOTED
"X" IN CONCRETE FOUND
BOUNDARY LINE
EXISTING PROPERTY LINES

O.P.R.M.C.T.
D.R.M.C.T.
P.R.M.C.T.

OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
DEED RECORDS, MIDLAND CO., TX
PLAT RECORDS, MIDLAND CO., TX

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WEST END ADDITION, SECTION 31, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS 2023.

CHAIRMAN

SECRETARY



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

WEST END ADDITION
December 14, 2023



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: West End Addition, Section 31Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 6 and the West Half of Lot 5, Block 12West End Addition, an Addition to the City and County of Midland, Texas**Property Owner**Printed Name: **CM Butler Construction**

Phone (432) 262-0999

Email: Chris@cmbsc11c.comAddress 4416 Briarwood Ave ste 110 box 23 City MidlandState TX Zip 79707**Developer (if different than Owner)**

Printed Name: _____

Phone (432) 262-0999

Email _____

Address _____ City _____ State _____ Zip _____

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

Phone (432) 262-0999

Email phuckaba@maverick-eng.comPrinted Name: Paladin HuckabaAddress 1909 W Wall St Ste K City Midland State TX Zip 79701Current Zoning: PDReason for Platting: ownership purposes**Plat Information**

Total Acreage: _____

Type: ☐ Single-Family Residential ☐ Multi-Family Residential
☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1 Number of Multi-family Dwelling Units: _____**Submittal and Fees**

Items to be submitted with this application form:

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

Request for a Development 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: 11/6/23

Property Owner (printed): Christopher M. Butler

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.

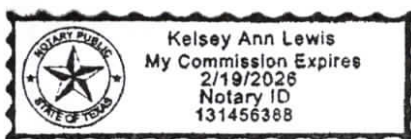
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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 CM Butler Construction 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 10th day of November, 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) | |

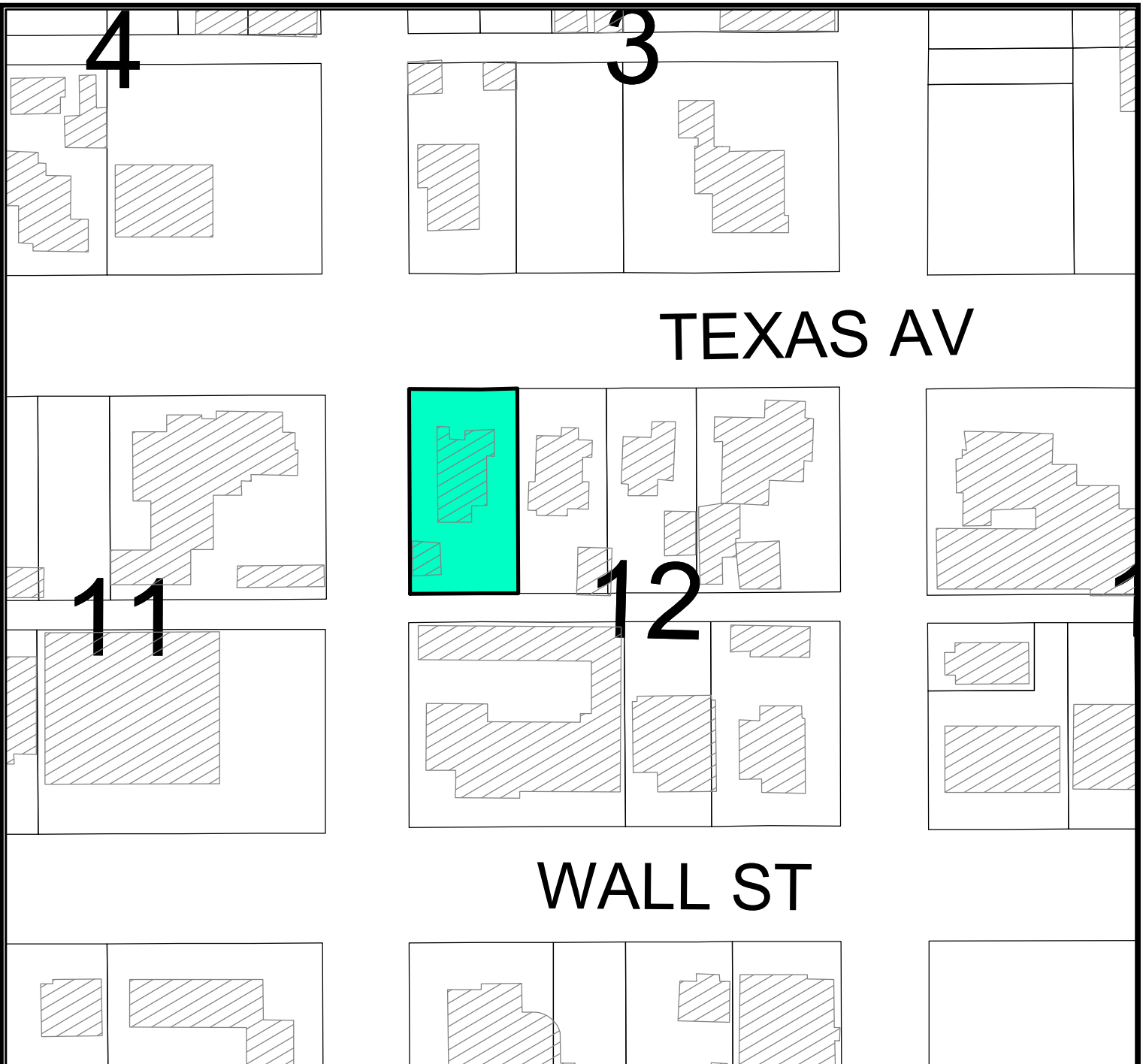
Check # 4535

Received By: Denzel Hamer

Date:

NOV 07 2023

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



LOCATION MAP

SUB-23-0686

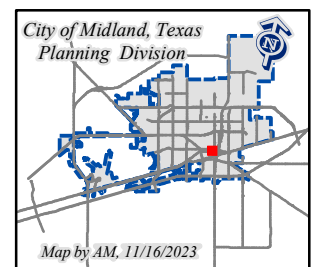
Scale: 1" = 1700'

Proposed plat of West End Addition, Section 31, being a replat of Lot 6 and the east half of Lot 5, Block 12, West End Addition, to the City and County of Midland, Texas.

Generally located at the southwest corner of the intersection of West Texas Avenue and North D Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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

ILLINOIS AV

SF2

O1

TEXAS AV

PD

PD

PD

WALL ST

PD

SF2

E ST

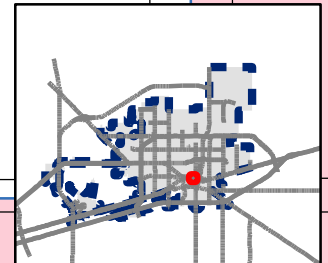
D ST

C ST

PACKET

Page 15.172

December 4, 2023



ORDINANCE NO. 7499

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 "O-1", OFFICE DISTRICT, TO BE USED AS A "PLANNED DISTRICT" FOR AN OFFICE CENTER; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; PROVIDING THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE SITE PLAN, ORDINANCES, AND OTHER SPECIFICATIONS SET OUT AND REFERRED TO HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF 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

The W/2 of Lot 5 and all of Lot 6, Block 12; West End Addition to the City of Midland, Midland County, Texas.

SECTION TWO. That the use and development of the property described in Section One hereof shall be subject to the use and development regulations of an "O-1", Office District, as it may be amended from time to time. In addition to the uses allowed in an "O-1", Office District, the property described in Section One, above, may be used for a two-chair salon and manicurist, subject to the following conditions:

A. The use and development of this tract will correspond in all respects to the site plan attached hereto as Exhibit "A" and made a part hereof for all legal purposes.

B. The maximum area of the space to be used for the salon is 450 square feet.

C. The maximum parking spaces provided to serve the combined residence and business is six (6) parking spaces.

D. The days and hours of operations shall not exceed 8:00 a.m. to 6:00 p.m. on Tuesday through Friday and from 8:00 a.m. to 2:00 p.m. on Saturday.

E. The existing landscaping shall be maintained in a healthy, growing condition.

F. The only business sign permitted shall be a monument sign which complies with Title XI, Chapter 6 of the Midland City Code.

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

SECTION FOUR. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that

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 19th day of December, A.D., 1995; and passed to second reading on motion of Council member Cuevas, seconded by Council member Webb, by the following vote:

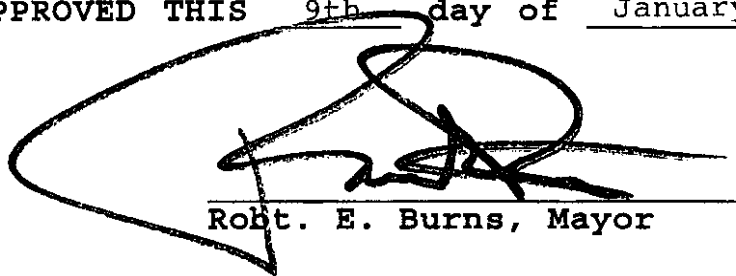
Council members voting "AYE": Cuevas, Webb, Brown,
Brooks, Schneider and
Simpson

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

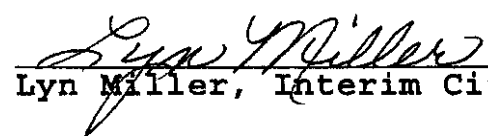
Council members voting "NAY": None

PASSED AND APPROVED THIS 9th day of January, A.D., 1996.



Robt. E. Burns, Mayor

ATTEST:



Lyn Miller, Interim City Secretary

APPROVED AS TO FORM:



Keith Stretcher, City Attorney

ORD\Z95047Jewett.PD

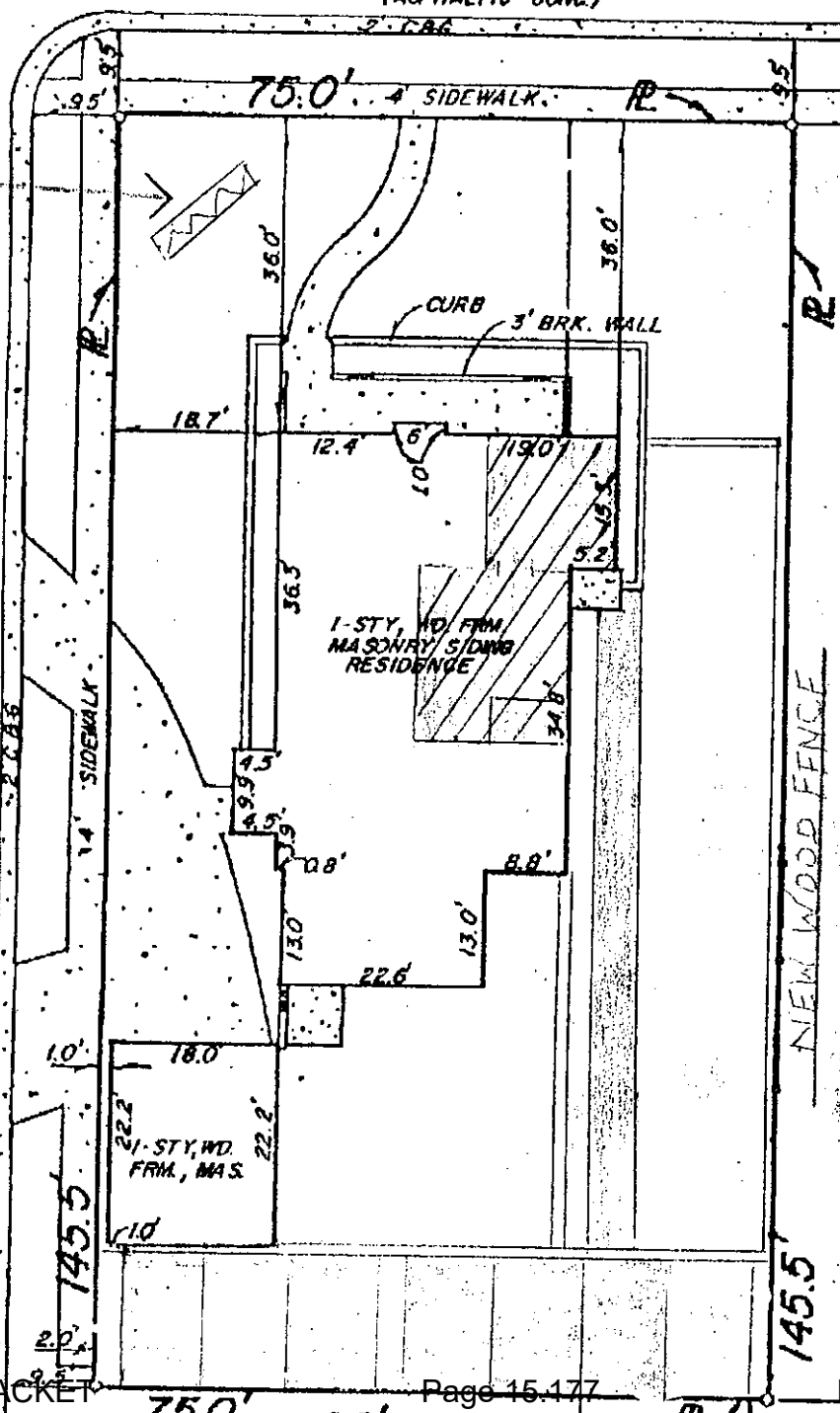
SURVEY PLAT FOR: John Collins
 TO: Petroleum Abstract Company FOR CAUSE NO. GP-52041 ONLY:
 This is to certify that on this date, October 27, 1986, a careful and
 accurate survey was made under my direction and supervision on the ground of
 property located at: 1011 W. Texas Avenue
 in the City of Midland, Texas, described as follows:
the West 1/2 of Lot 5 and all of Lot 6

Block No. 12, of West End Addition
 an addition to the City of Midland, Midland County, Texas
 according to the plat recorded in Plat Cabinet "A", on Page 180 of
 the Plat Records of Midland County, Texas.

NOTE: With reference to the U.S.D.H.U.D. Federal Insurance Administration Flood Hazard
 Boundary Map for the City of Midland, Texas, page 1 of 5, dated November 28, 1978,
 this property is not located in a Special Flood Hazard Area Zone A. The above map may
 not include all Special Flood Hazard Areas and after a more detailed study, the Special
 Flood Hazard Areas may be modified and other areas added. Localized flooding may occur
 someday due to adjacent changes in drainage patterns. CENSUS TRACT #0010.00

1011 W. TEXAS AVENUE (ASPHALTIC CONC.)

NORTH "D" STREET
 (ASPHALTIC CONC.)



LOT 5

NEW WOOD FENCE

L-861435