

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

**December 18, 2023 - 3:30 PM
300 North Loraine
Midland, Texas
Council Chamber - 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 and Zoning Commission meeting minutes for December 4, 2023 .
3. Motion approving a Final Plat of Claydesta Plaza North, Section 6, being a Replat of the remainder of Lot 1, Block 14, Claydesta Plaza, Section 2; Lot 2B, Block 14, Claydesta Plaza, Section 14; and a 47.74-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY Co. Survey, City and County of Midland, Texas. (Generally located on the west side of North Big Spring Street, approximately 300-feet north of Veterans Airpark Lane.) (DISTRICT 3) (DEVELOPMENT SERVICES)
4. Motion approving a request for a 30-Day Extension for a proposed Preliminary Plat of Longview Subdivision, Section 4, being a Replat of Longview Subdivision, Section 3, Midland County Texas. (Generally located on the southeast corner of the intersection of West County Road 50 and North County Road 1275.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Mockingbird Ridge, Section 4, being a Plat of a 35.41-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Mockingbird Lane, approximately 1,000 feet east of North Fairgrounds Road.) (DISTRICT 1) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

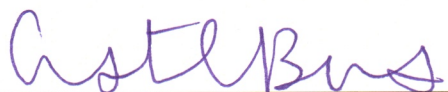
6. Hold a public hearing and consider a request by Midland Community Healthcare Services for an initial zoning of LR, Local Retail District for a 9.36-acre tract of land out of Tract 5, City View Acres, Midland County, Texas. (Generally located on the east side of South Jackson Street, approximately 170-feet south of Cloverdale Road.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)
7. Hold a public hearing and consider a motion denying with staff's recommended conditions, a proposed Preliminary Plat of 349 Ranch Estates, Section 25 being a replat of Lot 55, Block 8, 349 Ranch Estates, City and County of Midland, Texas. (Generally located immediately east of Tejas, approximately 190 feet south of Navajo.) (DEVELOPMENT SERVICES) (COUNCIL DISTRICT 1)
8. Hold a public hearing and consider a motion approving a proposed Final Plat of Quail Ridge Addition, Section 9, being a replat of Lots 8 & 9, Block 12, Quail Ridge Addition, Section 8, City and County of Midland, Texas. (Generally located on the north side on Starling Drive, approximately 170-feet west of Killdeer Court.) (DISTRICT 2) (DEVELOPMENT SERVICES)
9. Hold a public hearing and consider a motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Sunset Acres, Section 10 being a 7.01-acre tract of land and a 0.25-acre portion of Sinclair Avenue right-of-way and a 0.08-acre portion of alley right-of-way, all out of Tract 2, Sunset Acres, City and County of Midland, Texas. (Generally located northeast of the intersection of Upland Street and W. Golf Course Road.) (DEVELOPMENT SERVICES) (DISTRICT 3)
10. Hold a public hearing and consider a motion approving with staff's recommended conditions, a proposed Preliminary Plat of Urbandale Addition, Section 3 being a replat of the east 31 feet of Lot 15 and all of Lot 16, Block 1, A Replat of All of Tracts 1, 7, 9, 10 and the East Half of 8, Urbandale Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of H Street and Princeton Avenue.) (DEVELOPMENT SERVICES) (DISTRICT 3)

MISCELLANEOUS

11. Motion approving, with staff's recommended conditions a Proposed Preliminary Plat of Carrollwood Addition, Section 3, being a plat of a 34.50-arces tract of land out of Section 24, Block 40, T-2-S, T & P, RR Co Survey, Midland County, Texas. (Generally located on the west side of South County Road 1232, approximately 385 feet north of West County Road 134.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)
12. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Cloverdale East, Section 3, being a replat of Lots 3-6, Block 1, Correction Plat of Cloverdale East, Section 2, Midland County, Texas. (Generally located on the north side of

East Interstate 20, approximately 2,380 feet east of East State Highway 158.)
(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

13. Motion approving, with staff's recommended conditions, a reinstatement of an approved Preliminary Plat of Grasslands Estates West, Section 12, being a Plat of a 99.1985-acres tract of land located in Sections 35 and 36, Block 40, T-1-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located on the north side of W. State Highway 158, approximately 11 feet west of Brandy Hill Road.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)
14. Motion approving a request for a 30-Day Extension request for a proposed Final Plat of Grassland Estate West, Section 12, being a Plat of a 19.2636-acre tract of land located in Sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located immediately north of Homeland Drive, approximately 250 feet north of Castlewood Drive) (DISTRICT 4) (DEVELOPMENT SERVICES)
15. Motion approving, with staff's recommended conditions, a reinstatement of an approved Preliminary Plat of Hillcrest Acres, Section 14, being a Replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)
16. Motion approving a proposed Final Plat of Hillcrest Acres, Section 16, being a Replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)
17. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of South 349 Acres, Section 7, being a 2.00-acre tract of land located in the Northwest Quarter of Section 10, Block 39, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West County Road 111, approximately 1,650-feet east of Cotton Flat Road.) (DEVELOPMENT SERVICES) (DISTRICT 2)



Cristina O. Burns
Department of Development Services

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

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**

December 4, 2023

Council Chambers – City Hall



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30pm, December 04, 2023.

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

Commissioners absent: Emily Holeva, Sallie Vega

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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning 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)

Adrian Carrasco moved to approve; seconded by Abraham Bejil.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The public hearing was open at 3:35pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:36pm.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The public hearing was opened at 3:38pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:39pm.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The public hearing was opened at 3:41pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:41pm.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The public hearing was opened at 3:43pm.

There was no one wishing to speak on this item.

The public hearing was closed at 3:44pm.

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

Abraham Bejil moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

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)

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

The motion passed by the following vote:

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

NAY: None

ABSTAIN: None

ABSENT: Holeva, Vega

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 3:53pm

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 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Claydesta Plaza North, Section 6, being a Replat of the remainder of Lot 1, Block 14, Claydesta Plaza, Section 2; Lot 2B, Block 14, Claydesta Plaza, Section 14; and a 47.74-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY Co. Survey, City and County of Midland, Texas. (Generally located on the west side of North Big Spring Street, approximately 300-feet north of Veterans Airpark Lane.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned Development District for an Office Center (Ordinance No. 5695), in part, and RR, Regional Retail District, in part.

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to replat the remainder of Lot 1, Block 14, Claydesta Plaza, Section 2; Lot 2B, Block 14, Claydesta Plaza, Section 14; and a 47.44-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY CO Survey, City and County of Midland, into nine (9) lots for future development. Pursuant to Section 11-2-3-(D)(11) of the Subdivision Ordinance, City Council approval is required for this plat since is it larger than 25 acres.

The Planning and Zoning Commission recommended approval of this preliminary plat at the September 18, 2023, meeting. City Council approved the preliminary plat on October 10, 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.

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

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

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

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

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

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

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

No oil and gas issues. All current City Permitted wells identified with required radius.

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Staff recommends approval of the Final Plat of Claydesta Plaza North, Section 6 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:

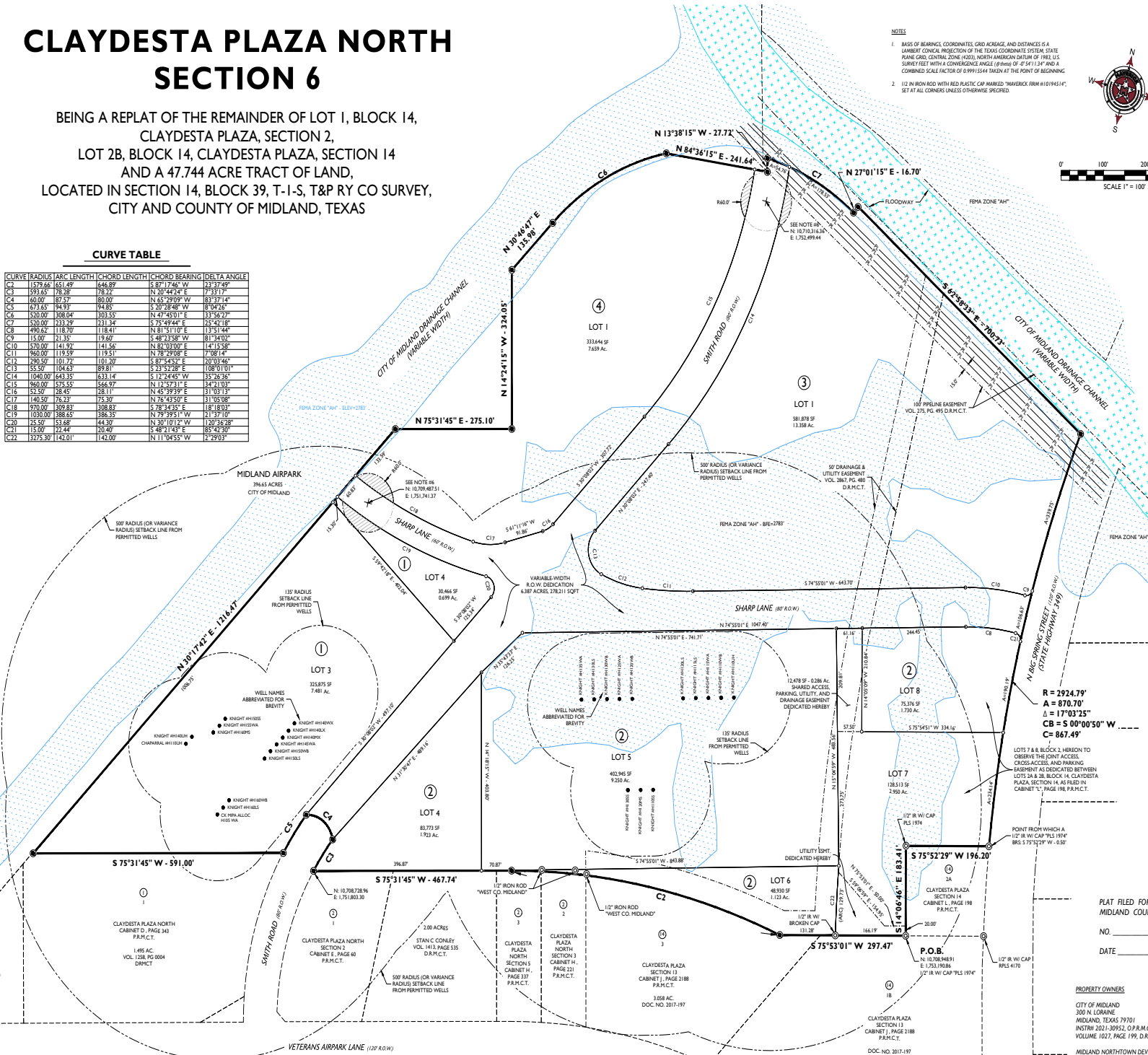
Proposed Final Plat
Application
Maps
(Ordinance 5695)

CLAYDESTA PLAZA NORTH SECTION 6

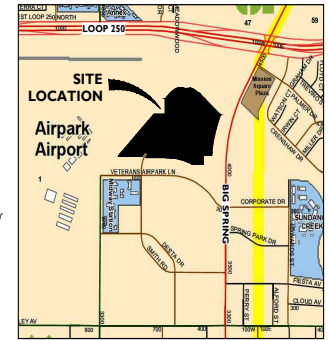
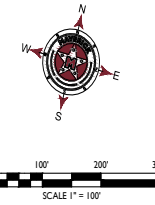
BEING A REPLAT OF THE REMAINDER OF LOT 1, BLOCK 14,
CLAYDESTA PLAZA, SECTION 2,
LOT 2B, BLOCK 14, CLAYDESTA PLAZA, SECTION 14
AND A 47.744 ACRE TRACT OF LAND,
LOCATED IN SECTION 14, BLOCK 39, T-I-S, T&P RY CO SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1579.66	151.49	846.89	S 87°17'42" W	123°37'49"
C2	599.65	78.38	88.23	N 30°44'24" E	73°31'17"
C3	40.00	87.57	80.00	N 65°29'09" W	83°37'14"
C4	919.55	144.93	84.89	S 30°25'48" W	8°09'25"
C5	520.00	308.04	303.55	N 4°45'01" E	33°56'23"
C6	520.00	233.29	231.34	S 75°49'44" E	75°42'18"
C7	490.00	118.70	118.41	N 81°41'10" E	13°51'44"
C8	15.00	21.35	19.60	S 48°23'58" W	81°34'03"
C9	55.50	141.92	141.56	N 82°03'00" E	14°15'58"
C10	960.00	119.59	119.51	N 78°29'08" E	7°08'14"
C11	290.50	101.72	101.30	S 87°54'52" E	20°03'46"
C12	55.50	141.92	141.56	S 23°52'28" E	108°01'01"
C13	1040.00	143.35	63.14	S 12°44'45" W	35°36'36"
C14	960.00	575.55	566.97	N 12°57'31" E	84°21'03"
C15	55.50	28.45	28.11	N 45°39'39" E	31°03'13"
C16	140.50	76.33	75.30	N 75°45'50" E	31°03'08"
C17	970.00	309.83	308.83	S 78°34'35" E	18°18'03"
C18	1030.00	388.65	386.35	N 79°39'51" W	21°37'10"
C19	55.50	153.68	154.30	N 30°10'12" W	120°36'38"
C20	15.00	22.44	20.40	S 48°21'43" E	85°42'30"
C21	3275.30	142.01	142.00	N 11°04'55" W	12°29'03"



- NOTES
1. BASED ON MEANING, COORDINATES AND ANGLE, AND DISTANCES IN A JANUARY CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4303), NORTH AMERICAN DATUM OF 1983, US SURVEY FEET WITH A CONVERGENCE ANGLE (CRUNA) OF 0.7411 LIFT AND A COMBINED SCALE FACTOR OF 0.9991554 TAKEN AT THE POINT OF BEGINNING.
 2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK RRM #10194514", SET AT ALL CORNERS UNLESS OTHERWISE SPECIFIED.



VICINITY MAP

N.T.S.

LEGEND

- DENOTES SET (1/2 INCH IRON ROD W/ RED PLASTIC CAP MARKED "MAVERICK RRM #10194514")
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES INTERIOR LOT CORNERS SET 1/2" IRON W/ CAP "MAVERICK RRM #10194514"
- DENOTES PERMITTED OR WELL (SEE TABLE BELOW)
- DENOTES BOUNDARY LINE
- DENOTES EXISTING LOTS
- DENOTES EXISTING EASEMENT LINE
- DENOTES EXISTING PIPELINES
- DENOTES OIL WELL SETBACK LINE

WELL INFORMATION

SHORT NAME	WELL NO.
CHAPARRAL BH100H	CHAPARRAL BH100H
KNIGHT BH140H	KNIGHT BH140H
KNIGHT BH140H	KNIGHT 140 MPA UNIT H140 MS
KNIGHT BH153WA	KNIGHT 153 MPA UNIT H153 WA
KNIGHT BH150S	KNIGHT 150 MPA UNIT 150 SS
CK MPA ALLOC H105 WA	CK MPA ALLOC H105 WA
KNIGHT BH140LS	KNIGHT 140 MPA UNIT H140 LS
KNIGHT BH140WB	KNIGHT 140 MPA UNIT H140 WB
KNIGHT BH150LS	KNIGHT 150 MPA UNIT H150 LS
KNIGHT BH150WB	KNIGHT 150 MPA UNIT H150 WB
KNIGHT BH140WA	KNIGHT 145 MPA UNIT H145 WA
KNIGHT BH140MX	KNIGHT 140 MPA UNIT H140 MX
KNIGHT BH140WX	KNIGHT 140 MPA UNIT H140 WX
KNIGHT BH135WA	KNIGHT 135 MPA UNIT BH135WA
KNIGHT BH130LS	KNIGHT 130 MPA UNIT BH130LS
KNIGHT BH130WB	KNIGHT 130 MPA UNIT BH130WB
KNIGHT BH125WA	KNIGHT 125 MPA UNIT BH125WA
KNIGHT BH120WB	KNIGHT 120 MPA UNIT BH120WB
KNIGHT BH120LS	KNIGHT 120 MPA UNIT BH120LS
KNIGHT BH115WA	KNIGHT 115 MPA UNIT BH115WA
KNIGHT BH110WB	KNIGHT 110 MPA UNIT BH110WB
KNIGHT BH100H	KNIGHT 110 MPA UNIT BH100H
KNIGHT BH100S	KNIGHT 120 MPA UNIT BH100S
KNIGHT BH100S	KNIGHT 120 MPA UNIT BH100S

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO.

DATE

PROPERTY OWNERS

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

MIDLAND NORTHWEST DEVELOPMENT, LLC
6 DESTA DRIVE
SUITE 3725
MIDLAND, TX 79701
INSTR# 2021-30940
INSTR# 2007-16845, O.P.M.C.T.



MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

1909 West Wall Street, Suite "C"
Midland, Texas 79701
ENGINEER RRM # 115389
SURVEY RRM # 10194514
Tel: (432) 342-0999 Fax: (432) 342-0989
www.maverick-eng.com

CLAYDESTA PLAZA NORTH
SECTION 6
December 18, 2023

CLAYDESTA PLAZA NORTH, SECTION 6

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT _____, M.,

THE _____ DAY OF _____, 2023.

BY: _____, CITY OF MIDLAND

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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


GREGORY W. SHOULTS, RLS #5356
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701



DEVELOPMENT NOTES

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

PACKET

F:\2019\190100-CITY OF MIDLAND-BIG SPRING PROPERTY TITLE SURVEY & PLAT\DRAWINGS\PLAT\FINAL\190100 CLAYDESTA PLAZA NORTH, SECTION 6 - FINAL PLAT.DWG

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT _____, M.,

THE _____ DAY OF _____, 2023.

BY: _____, MIDLAND NORTHTOWN DEVELOPMENT, LLC

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

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

_____ DAY OF _____, 2023.

_____, CHAIRMAN

JEFFERY FISHER, SECRETARY

FEMA NOTE

FLOOD STATEMENT: AS SCALED FROM FEMA'S N.F.P. FLOOD INSURANCE RATE MAP #48329C0087, DATED SEPTEMBER 16, 2005, PORTIONS OF THIS PROPERTY ARE WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND PORTIONS ARE IN ZONE "AH", DESIGNATED AS "AREAS SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD," WITH A BASE FLOOD ELEVATION DETERMINED AND REFLECTED AS SHOWN.

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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

DocuSigned by:

Mark Lich

AT&T ENERGY

BY: _____

DocuSigned by:

Tom Underwood

AT&T ENERGY

BY: _____

DocuSigned by:

Louis Montoy

OPENMUM-4E2

BY: _____

DocuSigned by:

AT&T ENERGY

ASTOUND BROADBAND

BY: _____

DocuSigned by:

Duffey R. Hunsman

ONGOR ELECTRIC DELIVERY

BY: _____

PROPERTY OWNERS

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

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



MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

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

**CLAYDESTA PLAZA
NORTH, SECTION 6**

December 18, 2023
SHEET 2 OF 2



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Claydesta Plaza North, Section 6

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

Property Owner City of Midland

Printed Name: Midland Northtown Development LLC

Phone ()

Email

Address 6 Desta Drive Ste 5725

City Midland

State TX

Zip 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

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

Total Acreage: 46.173

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

Number of Lots: 9

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.

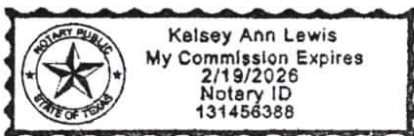
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of October, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

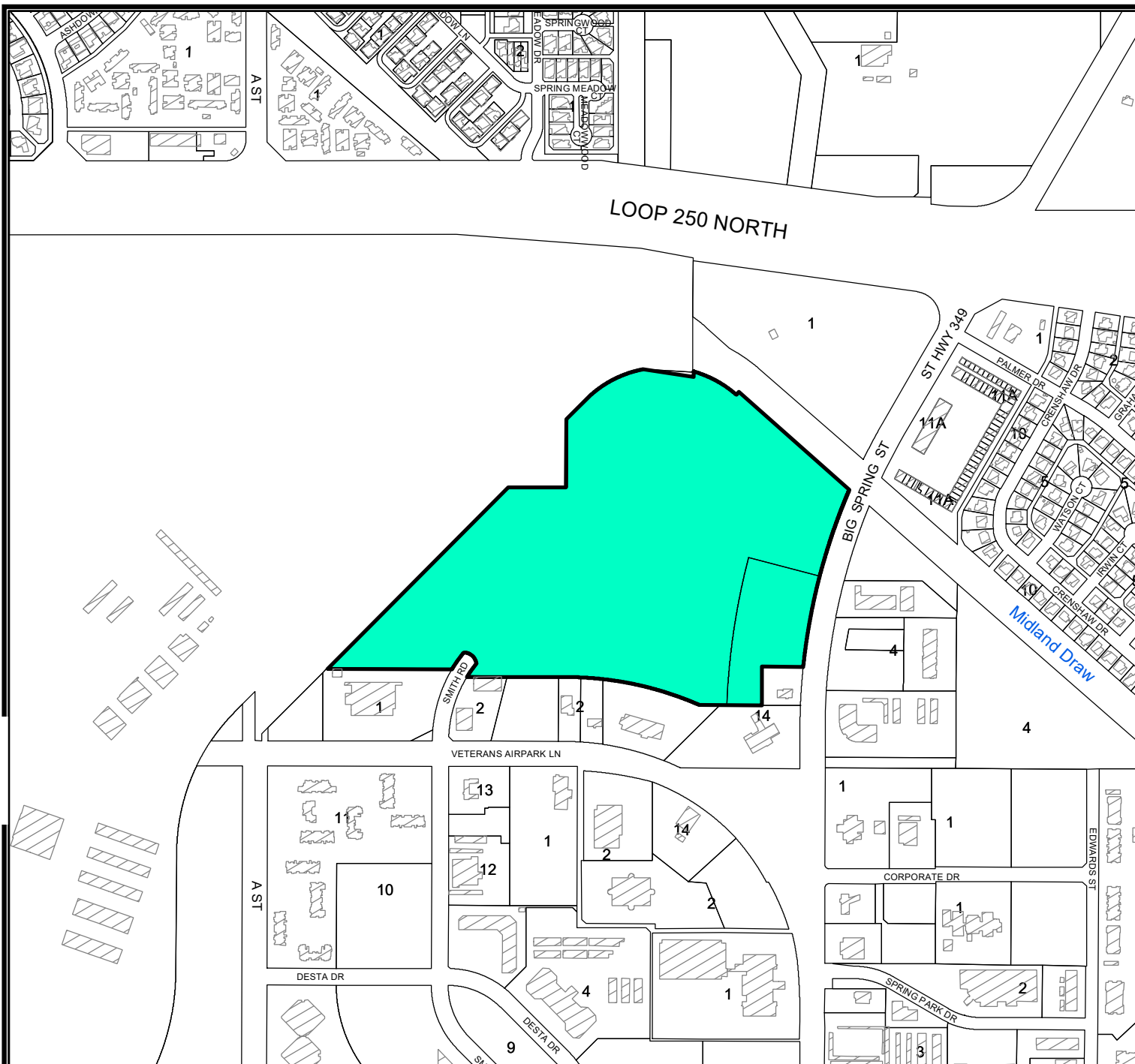
FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ 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>4594</u> | ☒ Tax Certificates | ☒ Recording Fee |

Received By:

Date:

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



LOCATION MAP

SUB-21-0392

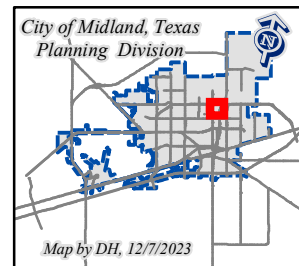
Scale: 1" = 570'

Proposed plat of Claydesta Plaza Section 6, being a Replat of the remainder of Lot 1, Block 14, Claydesta Plaza, Section 2; Lot 2B, Block 14, Claydesta Plaza, Section 14; and a 47.74-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY Co. Survey, City and County of Midland, Texas.

Generally located on the west side of North Big Spring Street, approximately 300-feet north of Veterans Airpark Lane. (Council District 3)

LEGEND

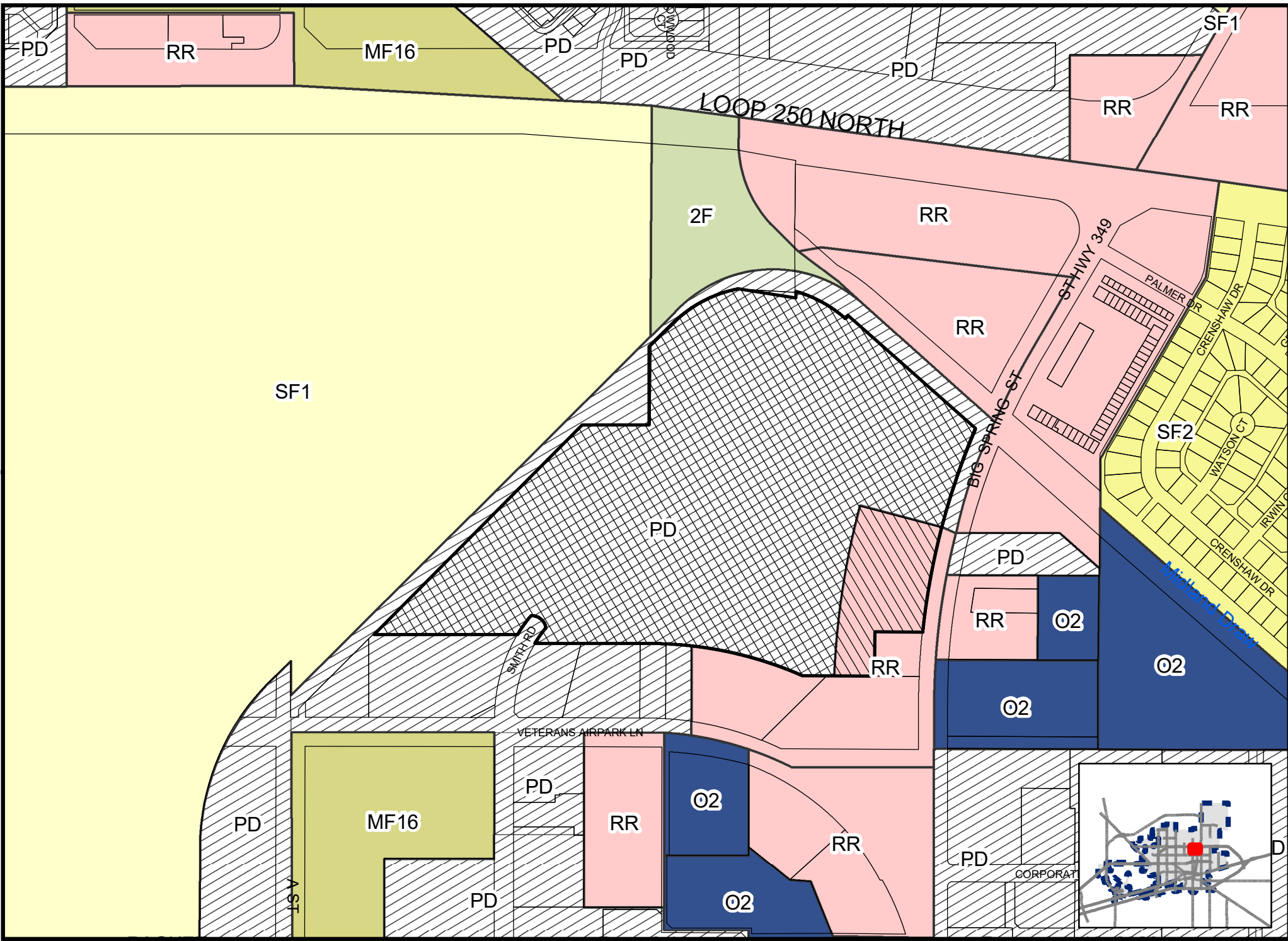
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.



ORDINANCE NO. 5695

AN ORDINANCE AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING THE PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED "1F-1", ONE-FAMILY DWELLING DISTRICT, "MF-1", MULTIPLE-FAMILY DWELLING DISTRICT, AND "LR-2", LOCAL RETAIL 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; ADDING SAID PROPERTY TO THE FIRE DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; 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; and

WHEREAS, the Council, by Ordinance No. 4531, created a Fire District within the City limits of Midland, Texas, and adopted a Fire District Map, appropriately shaded; and

WHEREAS, because of the less restrictive zoning being established for the property involved herein, the Council finds it to be in the public interest to amend the Fire District so as to add the said premises thereto;

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described

property is concerned, which is presently zoned "1F-1", One-Family Dwelling District, "MF-1", Multiple-Family Dwelling District and "LR-2", Local Retail District, and it shall be used as a "Planned District" for an Office Center, subject to the special conditions and restrictions hereinafter set out.

Said property is described as follows:

Tract 1

A tract of land out of the NW/4 of Section 14, Block 39, T-1-S, T&P Ry. Co. Survey, Midland County, Texas and being more fully described by metes and bounds as follows:

Beginning on the west line of said Section 14 from which the SW corner of said Section 14 bears S. 15° 05' E., a distance of 2,691.46 feet;

Thence N. 15° 05' W., a distance of 60.81 feet to a point in the south line of a drainage easement;

Thence N. 29° 17' E., a distance of 1,616.46 feet to a point;

Thence N. 74° 46' E., a distance of 1,649.62 feet to a point in the south line of a drainage easement;

Thence S. 64° 15' E., a distance of 32.1 feet to a point in the west line of State Highway 349;

Thence southerly along the west right-of-way line of State Highway 349, a distance of 1,101.9 feet;

Thence S. 15° 20' E., a distance of 177.3 feet to a point;

Thence S. 74° 46' W., a distance of 567.3 feet to a point on the north right-of-way line of Air Park Road;

Thence southwesterly along the north line of Air Park Road 2,016.8 feet to the Place of Beginning and containing 61.28 acres of land more or less.

Tract 2

A tract of land out of the NW/4 of Section 14, Block 39, T-1-S, T&P Ry. Co. Survey, Midland County, Texas and being more fully described by metes and bounds as follows:

Beginning at a point in the south right-of-way of a drainage channel from which the SW corner of said Section 14 bears S. 74° 46' W., a distance of 1,130.66 feet and S. 15° 05' E., a distance of 4,001.54 feet;

Thence N. 29° 17' E., a distance of 484.4 feet to a point in the east line of Midland Air Park;

Thence S. 16° 17' 15" E., a distance of 28.43 feet to a point;

Thence N. 29° 37' E., a distance of 130.36 feet to the P.C. of a curve to the right having a radius of 52 feet;

Thence around said curve to the right a distance of 782.78 feet to its P.T.;

Thence N. 25° 52' E., a distance of 16.7 feet;

Thence S. 64° 15' E., a distance of 637.9 feet to a point

Thence S. 74° 46' W., a distance of 1,649.62 feet to the Place of Beginning and containing 13.1 acres of land more or less.

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

A. That the use and development of the property shall conform to all regulations of an "O-2", Office District, with the following exceptions:

1. That the floor area ratio of all buildings on this property or any separate lot or tract within this property, shall not exceed 0.75 to 1.

2. That the maximum height of buildings within portions of this property shall be as follows:

Tract 1 (as described in Section One hereof) - The maximum permitted height shall be the same as specified in the regulations pertaining to an "O-2", Office District.

Tract 2 (as described in Section One hereof) - The height of any structure shall not exceed two and one-half (2-1/2) stories.

B. That no building permit shall be issued for, and no construction shall be commenced on any part of this property until a final subdivision plat or replat of the property involved is approved by the Planning and Zoning Commission for the City of Midland, and filed for record in the Plat Records in the office of the County Clerk of Midland County, said plat dedicating to the public any road or street right-of-way which is needed for the widening or extension of any roads within this property or along its boundaries, as determined by the City Council or the Planning and Zoning Commission of the City of Midland.

C. That no building permit shall be issued and that no building shall be constructed within said tract until the Inspections Division has been furnished a copy of FAA Form 7460-1, or any subsequent replacement form, by which the Federal Aviation Administration shall indicate that it has no objection to said building and that said building will not, due to its height, result in or require any limitation on the then current classification or flight operations of Midland Airpark.

SECTION THREE. That the Fire District be amended so as to add the property described in Section One hereof thereto, and the Building Inspector is authorized and directed to add to the Fire District Map said premises.

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

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

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

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance,

together with the general penalty provision contained in Section 1-3-1 of the City Code of Midland, Texas, in the manner and for the length of time prescribed by law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 16th day of December, A.D., 1980; and passed to second reading on motion of Councilman Sloan, seconded by Councilman Marcum, by the following vote:

Councilmen voting "AYE": Sloan, Marcum, Howbert,
Thomas and Akins

Councilmen voting "NAY": None

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 13th day of January, A.D., 1981, at a regular meeting of the City Council:

Councilmen voting "AYE": Marcum, Howbert, Sloan,
and Akins

Councilmen voting "NAY": None
Councilmen ABSTAINING: Davidson

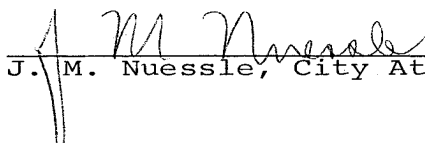
PASSED AND APPROVED THIS 13th day of January, A.D., 1981.


G. Thane Akins, Mayor

ATTEST:


J. W. McCullough, City Secretary

APPROVED AS TO FORM:


J. M. Nuessle, City Attorney



Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a request for a 30-Day Extension for a proposed Preliminary Plat of Longview Subdivision, Section 4, being a Replat of Longview Subdivision, Section 3, Midland County Texas. (Generally located on the southeast corner of the intersection of West County Road 50 and North County Road 1275.)
(EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, LCA, is requesting to replat Longview Subdivision, Section 3, Midland County Texas into 389 lots for ownership purposes.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Analysis:

The subject final plat was submitted on November 22, 2023. The applicant is requesting a 30-Day Extension, as permitted under House Bill 3167, to allow for the submission and approval of a drainage report. The Planning & Zoning Commission has the authority to approve or deny a one-time 30-Day Extension request. Should the Planning & Zoning Commission grant the extension, this item will be placed on the January 2, 2024, Planning & Zoning Commission meeting agenda for either approval or disapproval; depending on the applicant's ability to satisfy all of Staff's comments.

Attachments:

30-Extension Request
Application
Maps



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
ENG. FIRM# 001363 • SURV. FIRM# 10034300
521 NORTH TEXAS • ODESSA, TEXAS 79761
(432) 332-5058 OR 580-8812 • FAX (432) 332-8812

12 December 2023

City of Midland
Planning Division
300 N. Loraine
P.O. Box 1152
Midland, TX 79702

RE: 30-Day Extension Request – Longview Subdivision, Section 4 – (SUB-23-0638)

Planning Division:

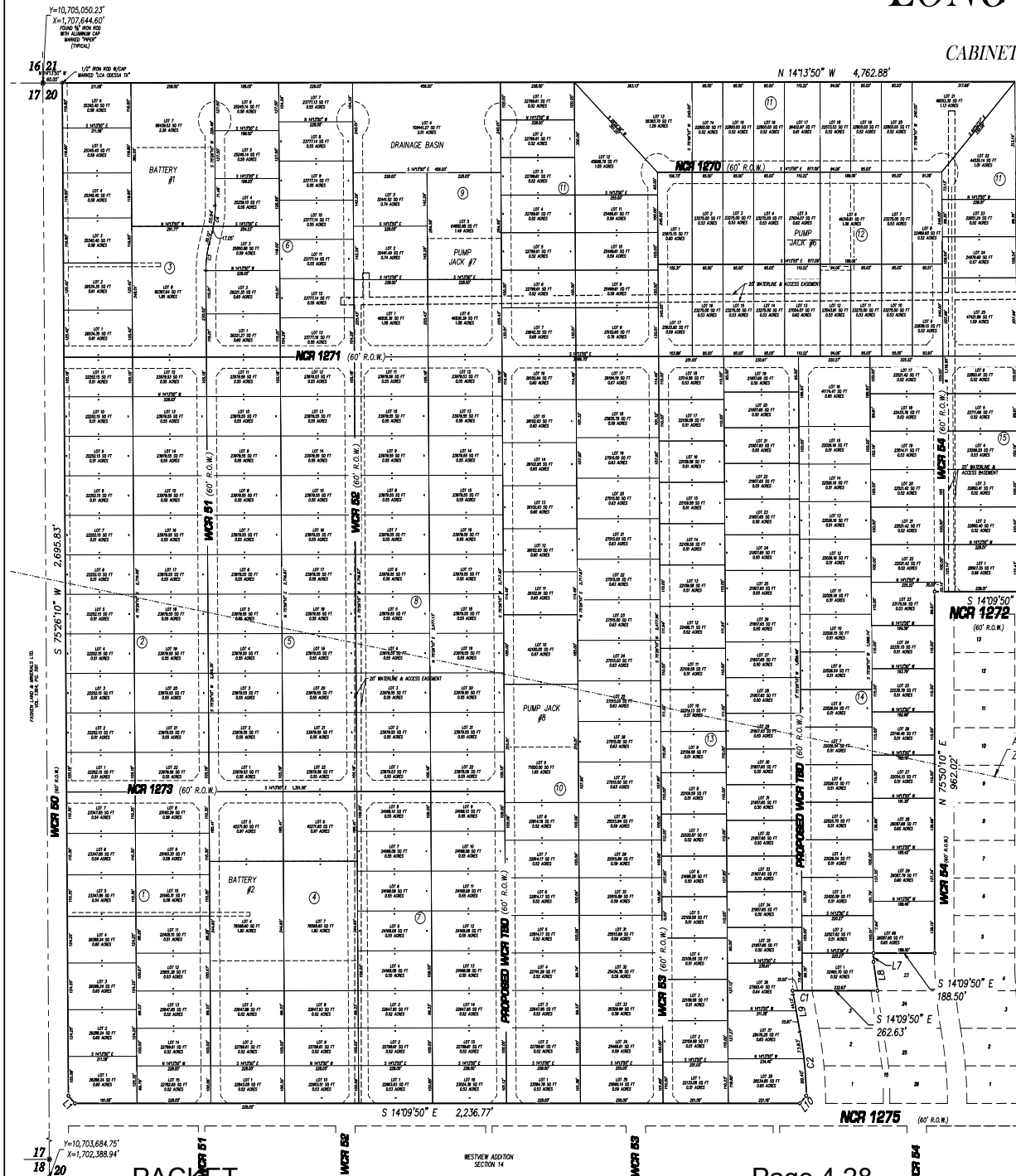
As the representative of Longview Subdivision, Section 4 (SUB-23-0638), I hereby request a 30-Day Extension, as permitted under House Bill 3167, to allow for additional changes to be made to the plat prior to action being taken. The plans will be resubmitted to the Planning Division no later than 14 days prior to the January 2, 2024, Planning & Zoning Commission meeting to provide adequate time for Staff to review and place the item on the agenda.

Sincerely,

Levi Bryand, P.E.
Landgraf, Crutcher, & Associates
Authorized Agent for GF Elite Estate Holdings LTD.

LONGVIEW SUBDIVISION, SECTION 4

BEING A REPLAT OF LONGVIEW SUBDIVISION, SECTION 3
CABINET L, PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T&P RR SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS

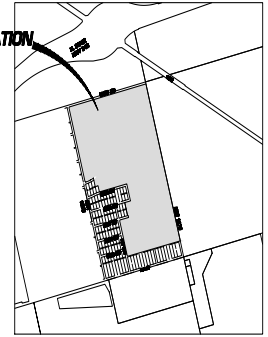


LEGEND

- FOUND 1/2" I.R. W/CAP 'LOA ODESSA
- 1" UNLESS OTHERWISE NOTED
- SET 1/2" I.R. W/CAP UNLESS OTHERWISE NOTED

NOTE:
1. ALL DRILL SITE RADII ARE 135'
2. SEE EASEMENT DETAIL SHEET 03

PROJECT LOCATION



PAGE 1 OF 4

LONGVIEW SUBDIVISION, SECTION 4

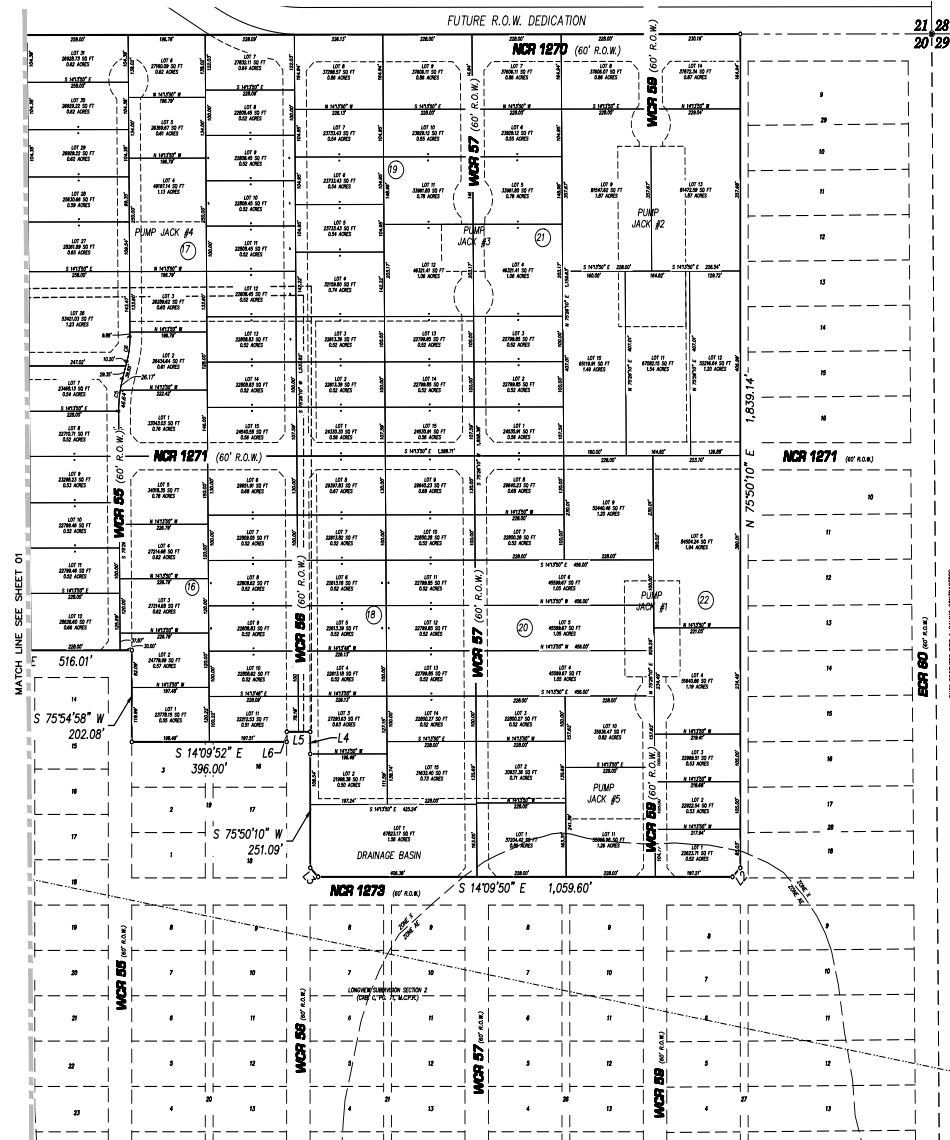


December 18, 2023
521 North Texas, Odessa Tx. 79761 F-001363 F-10034300
Phone # (432) 332-5058 E-Mail: lca@lcaodessa.com

PRELIMINARY PLAT

LONGVIEW SUBDIVISION, SECTION 4

BEING A REPLAT OF LONGVIEW SUBDIVISION, SECTION 3
CABINET L, PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T&P RR SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS



150' 0 150'
SCALE: 1" = 150'

LEGEND

- FOUND 1/2" I.R. W/CAP "LCA ODESSA
- TX" UNLESS OTHERWISE NOTED
- SET 1/2" I.R. W/CAP
- UNLESS OTHERWISE NOTED

NOTE:
1. ALL DRILL SITE RADII ARE 135'
2. SEE EASEMENT DETAIL SHEET 03

PACKET

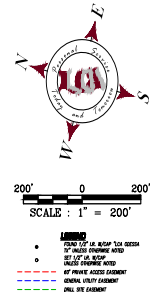
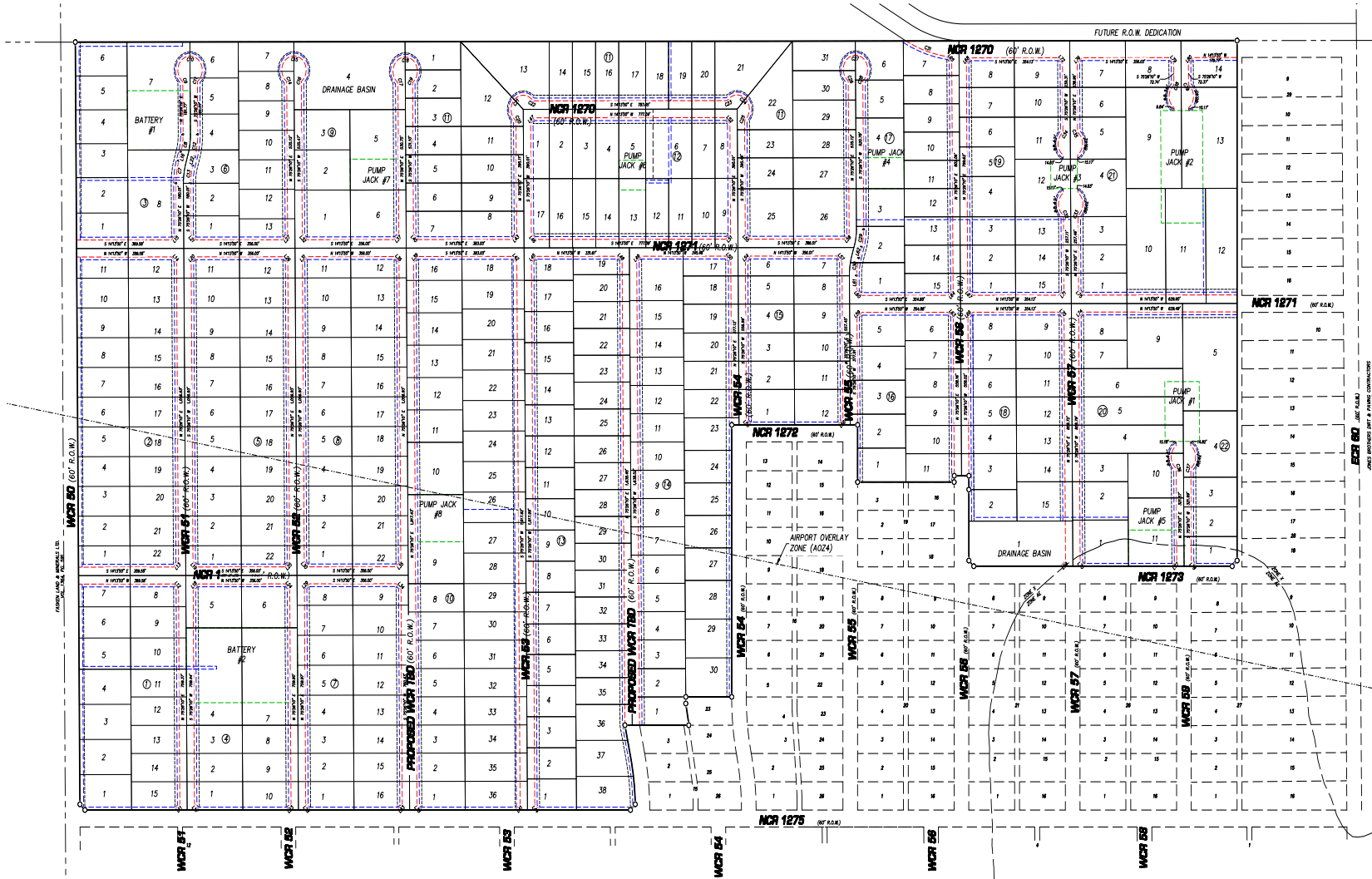
Page 4.29

PAGE 2 OF 4
LONGVIEW SUBDIVISION, SECTION 4

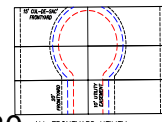


December 18, 2023
521 North Texas, Odessa Tx. 79761 F-001363 F-10034300
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PRELIMINARY PLAT
LONGVIEW SUBDIVISION, SECTION 4
 BEING A REPLAT OF LONGVIEW SUBDIVISION, SECTION 3
 CABINET L, PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T&P RR SURVEY
 CITY AND COUNTY OF MIDLAND, TEXAS



SET BACK DETAIL



ALL FRONTYARD CUL-DE-SAC
 SETBACK LINES ARE 15 FEET
 ALL FRONTYARD SETBACK
 LINES ARE 20 FEET
 ALL SIDEYARD SETBACK
 LINES ARE 5 FEET
 ALL SIDE STREET SETBACK
 LINES ARE 10 FEET
 ALL FRONTYARD UTILITY
 EASEMENT ARE 10 FEET

PACKET

Page 4,30

PAGE 3 OF 4
LONGVIEW SUBDIVISION, SECTION 4



December 18, 2023 • LAND SURVEYING
 521 North Texas, Odessa Tx, 79761 F-001363 F-10034300
 Phone # (432) 332-5058 E-Mail: lca@lcaodessa.com

BY: [Signature]
 DATE: [Date]
 FOR: [Name]

PRELIMINARY PLAT

LONGVIEW SUBDIVISION, SECTION 4

BEING A REPLAT OF LONGVIEW SUBDIVISION, SECTION 3
CABINET L, PAGE 98 LOCATED IN SECTION 20, BLOCK 40, T-1-S, T&P RR SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS

THE STATE OF TEXAS
COUNTY OF MIDLAND

Beginning at (N= 10,704,992.08 and E= 1,707,659.35) a 1/2" Iron rod with plastic cap marked "LCA ODESSA TX" set for the northeast corner of this tract and being in the east line of North County Road 1270 as shown on the plat of Longview Subdivision, recorded in Cabinet C, Page 71, Plat Records Midland County, from whence a 5.87' Iron Rod with Aluminum Cap marked "Pipe" found at the northeast corner of Section 20, Block 40, T-1-S, T&P RR Survey, bears North 14°13'50" West, a distance of 60.00 feet;

THENCE, South 14°13'50" East, along the east line of said Longview Subdivision, the east right-of-way of North County Road 1270, and the east line of said Section 20, Block 40, a distance of 4,762.88 feet to a point;

Thence, South 75°50'10" West, passing the southeast corner of Lot 8 Block 29 of said Longview Subdivision in the north line of an alley at 60.00 feet, and along the south line of said Block 29 and Block 28, a distance of 1,839.14 feet;

THENCE, North 59°09'50" West, a distance of 28.28 feet;

THENCE, North 14°09'50" West, along the west line of said Block 28, the west line of Block 25 and Block 22 of the said Longview Subdivision, a distance of 1,059.59 feet;

THENCE, North 30°50'10" East, a distance of 28.28 feet to the south right-of-way of Sparkville County Road 58;

THENCE, North 75°50'10" East, along the south right-of-way of said Sparkville County Road 58 and the north line of said Block 22, a distance of 300.03 feet;

THENCE, North 14°09'50" West, crossing the right-of-way of said Sparkville County Road 58, a distance of 59.83 feet to the north right-of-way of said Sparkville County Road 58 and the south line of Block 19 of said Longview Subdivision, a distance of 20.00 feet;

THENCE, South 75°50'10" West, along the north right-of-way of said Sparkville County Road 58 and the south line of Block 19 of said Longview Subdivision, a distance of 20.00 feet to the southeast corner of Lot 16, Block 19 of the said Longview Subdivision;

THENCE, North 14°09'50" West, along the east line of said Lot 16 and the east line of Lot 3, Block 19 of said Longview Subdivision, a distance of 396.13 feet to the southeast corner of said Lot 3, Block 19, in the south right-of-way of Logsdon County Road 57;

THENCE, North 75°50'10" East, along the south right-of-way of said Logsdon County Road 57 and the north line of said Block 19, a distance of 199.79 feet;

THENCE, North 14°09'50" West, crossing Logsdon County Road 57 and along the west line of Lots 26 and 1, Block 17 of said Longview Subdivision and the east right-of-way of Lancer Street, a distance of 516.01 feet to the north right-of-way of Jamesville County Road 56;

THENCE, South 75°50'10" West, along the north right-of-way of said Jamesville County Road 56 and the south line of Block 15, a distance of 902.03 feet to the southeast corner of Lot 23, Block 15 of the said Longview Subdivision,

THENCE, along the lines of said Lot 23, Block 15 the following three calls:

1) North 14°09'50" West, a distance of 188.50 feet;
2) South 75°50'10" West, a distance of 22.28 feet;
3) South 66°19'37" West, a distance of 77.82 feet to the northwest corner of said Lot 23 and the northeast corner of Lot 24, Block 15;

THENCE, North 14°09'50" West, along the east line of Lot 1 Block 15 of the said Longview Subdivision, and crossing Britstown County Road 55, a distance of 262.63 feet to the north right-of-way of said Britstown County Road 55 and the south line of Block 12 of the said Longview Subdivision, said point being the PC of a curve to the left;

THENCE, along the north right-of-way of said Britstown County Road 55 and the south right-of-way of said Block 12, curve to the left having an arc distance of 10.68 feet, a delta angle of 90°37'11", a radius of 987.26 feet, and a chord bearing of S 64°21'32" W and a chord distance of 10.68 feet;

THENCE, South 64°02'22" West, along said right-of-way of Britstown County Road 55 and the south line of said Block 12, a distance of 180.00 feet to a PC of a curve to the right;

THENCE, along the north line of said right-of-way of Britstown County Road 55 and the south line of said Block 12, curve to the right having an arc distance of 172.99 feet, a delta angle of 19°02'22", a radius of 987.26 feet, and a chord bearing of S 59°13'55" W and a chord distance of 172.77 feet;

THENCE, North 59°29'01" West, a distance of 28.12 feet to the east right-of-way of Perryville County Road 1275 and the west line of said Block 12;

THENCE, North 14°09'50" West, along the east right-of-way of said Perryville County Road and the east line of said Block 12 and the east lines of Blocks 11, 7, 6 and 1 of the said Longview Subdivision, a distance of 2,236.77 feet;

THENCE, North 30°50'10" East, a distance of 28.38 feet to the south right-of-way of said Allenville County Road 58;

THENCE, North 75°20'10" East, along the south right-of-way of said Allenville County Road, a distance of 2,695.83 feet to the POINT OF THE BEGINNING, containing 243.30 acres of land.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 30°38'10" W	28.38'
L2	S 59°09'50" E	28.28'
L3	S 30°50'10" W	28.28'
L4	S 75°50'34" W	48.93'
L5	S 14°09'50" E	60.00'
L6	N 76°54'34" E	22.30'
L7	N 75°50'10" E	23.28'
L8	N 66°10'37" E	77.82'
L9	N 64°02'22" E	99.99'
L10	S 59°29'01" E	28.12'
L11	S 59°21'50" E	28.19'
L12	N 30°36'10" E	28.37'
L13	S 59°23'50" E	28.20'
L14	N 30°36'10" E	28.37'
L15	S 59°23'50" E	28.20'
L16	S 87°50'12" E	30.72'
L17	S 30°38'10" W	28.38'
L18	N 59°23'50" W	28.20'
L19	S 30°36'10" W	28.37'
L20	N 59°23'50" W	28.20'
L21	S 30°36'10" W	28.37'
L22	N 87°50'12" W	30.72'

LINE TABLE		
LINE #	BEARING	DISTANCE
L23	S 59°21'50" E	28.19'
L24	N 30°36'10" E	28.37'
L25	S 59°23'50" E	28.20'
L26	N 30°36'10" E	28.37'
L27	S 59°23'50" E	28.20'
L28	N 30°38'10" E	28.38'
L29	S 59°23'50" E	28.20'
L30	S 30°36'10" W	28.37'
L31	N 59°23'50" W	28.20'
L32	S 30°36'10" W	28.37'
L33	N 59°21'50" W	28.19'
L34	S 30°36'10" W	28.37'
L35	S 59°23'50" E	28.20'
L36	N 30°36'10" E	28.37'
L37	S 59°23'50" E	28.20'
L38	N 30°38'10" E	28.38'
L39	S 59°23'50" E	28.20'
L40	S 30°36'10" W	28.37'
L41	N 59°21'50" W	28.19'
L42	S 30°36'10" W	28.37'
L43	S 59°23'50" E	28.20'
L44	S 30°38'10" W	28.38'

LINE TABLE		
LINE #	BEARING	DISTANCE
L45	N 59°23'50" W	28.20'
L46	S 30°36'10" W	28.37'
L47	N 59°23'50" W	28.20'
L48	N 30°36'10" E	28.37'
L49	N 59°23'50" W	28.20'
L50	N 30°36'10" E	28.37'
L51	S 59°23'50" E	28.20'
L52	N 30°36'10" E	28.37'
L53	S 30°38'10" W	28.38'
L54	N 59°23'50" W	28.20'
L55	S 30°36'10" W	28.37'
L56	S 59°21'50" E	28.19'
L57	N 30°36'10" E	28.37'
L58	S 59°23'50" E	28.20'
L59	N 59°23'50" W	28.20'
L60	S 30°36'10" W	28.37'
L61	S 75°26'10" W	49.76'
L62	N 87°50'15" W	39.55'
L63	N 30°36'10" E	28.37'
L64	S 59°23'50" E	28.20'
L65	N 34°05'11" E	30.03'
L66	N 59°23'50" W	28.20'

LINE TABLE		
LINE #	BEARING	DISTANCE
L67	N 30°36'10" E	28.37'
L68	S 59°23'50" E	28.20'
L69	S 59°21'50" E	28.19'
L70	N 30°36'10" E	28.37'
L71	N 59°23'50" W	28.20'
L72	S 30°36'10" W	28.37'
L73	S 30°38'10" W	28.38'
L74	N 59°23'50" W	28.20'
L75	N 30°36'10" E	28.37'
L76	S 59°23'50" E	28.20'
L77	S 59°21'50" E	28.19'
L78	S 30°38'10" W	28.38'
L79	S 30°36'10" W	28.37'
L80	N 59°23'50" W	28.20'

CERTIFICATE OF APPROVAL

For approval by the Commission:

This is to certify that the above and foregoing Plat of Longview Subdivision, Section 4, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas

on this ____ day of _____, 2023.

SIGNED:

CHAIRMAN OF PLANNING & ZONING COMMISSION
LUCY SINIEGA

SIGNED:

SECRETARY OF PLANNING & ZONING COMMISSION
CRISTINA BURNS

THE UTILITY COMPANIES CERTIFICATE

This plat has been checked for accessibility of utilities

ATMOS ENERGY	AT&T TELEPHONE COMPANY
ONCOR ELECTRIC	OPTIMUM
ASTOUND BROADBAND	

GENERAL NOTES

- Approval of a site plan by the City of Midland may be required before this lot may be developed and before a building permit may be obtained.
- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law subject to fines and withholding of utilities and building permits.
- Bearings & distances shown on this plat are relative to the Texas Coordinate System, 1983NAD (Central Zone) Combined Grid Factor of 0.999904315 Theta Angle of 40°54'00". Coordinates are based on the City of Midland Control Monuments as published in U.S. Survey Feet as provided by the City of Midland.
- According to the FEMA Flood Insurance Rate Map Number 4852020063F Dated September 16, 2005, a portion of the property lies in a flood hazard area zone "AE", "X-shaded", and the majority in zone "X unshaded".
- All lot corners shall be monumented with a 1/2 inch iron rod with a plastic cap stamped "LCA ODESSA TX" unless otherwise noted.
- 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 not be addressed against the tract unless the number of service units to be developed on the tract increases.
- Comply with the existing drainage analysis titled XXXXXXXXXX, scaled by Levi Bryant P.E., and approved by the City of Midland on XXXXXXXXXX, or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland.
- The Coordinates for the ends of the AOZ-4 line as shown, were provided by The City of Midland GIS Department.
- The property lies within the City of Midland's "Airport Height and Compatibility Land Use Zoning" (AOZ-4) Ordinance No. 9302. 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 AOZ-4 must apply for and receive a permit. A permit shall be granted unless the new structure or the new use would be a height hazard or a prohibited land use as set forth in Sections 11-11.8, 11-11.9, and Table 1 of this chapter or would otherwise violate this chapter. Applications for permits shall be submitted to and issued by the City of Midland Planning and Zoning Department.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, XXXXXX, do hereby adopt this plat designating the herein described property as, an addition to Midland County, Texas, 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 trash containers, and as a condition of said easement that no connection shall commence on the said lot or lots until the exact location of said containers thereon with have been selected and approved by the Director of Utilities.

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

GF ELITE ESTATE HOLDINGS LTD

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 XXXXXX, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 2023.
My commission expires: _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

That I, John F. Landgraf, a Registered Professional Land Surveyor of the State of Texas, on this day personally appeared XXXXXX, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED FOR VIEWED OR RELEASD UPON AS A FINAL SURVEY DOCUMENT.
JOHN F. LANDGRAF, R.P.L.S. # 2410

OWNER: GF ELITE ESTATE HOLDINGS LTD.
303 W. WALL ST. STE 200
MIDLAND, TEXAS 79701
PHONE: (432) 332-5058

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
521 NORTH TEXAS
ODESSA, TEXAS 79701-5131
PHONE: (432) 332-5058

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CABINET _____
DATE _____ PAGE _____



PAGE 4 OF 4
LONGVIEW SUBDIVISION, SECTION 4
December 18, 2023
LAND SURVEYING
521 North Texas, Odessa Tx. 79761 F-001363 F-10034300
Phone # (432) 332-5058 E-Mail: la@lcaodessa.com



PACKET

Page 4.31



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Longview Subdivision Section 4

Legal Description (attached sealed Metes and Bounds): Being a Replat of Longview Subdivision Section 3 Cabinet L, Page 98 Located in Section 20, Block 40, T-1-S, T&P RR Survey City and _____ County of Midland, Texas.

Property Owner

Printed Name: GF Elite Estate Holdings LTD.

Phone ()

Email

Address 303 W. Wall St. Ste. 2400

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: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email lca@lcaodessa.com

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: AOZ-4

Reason for Platting: ownership purposes, future permits may be required.

Plat Information

Total Acreage: 243.31

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

Number of Residential Lots: 389

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: 11/21/23

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS**FOR OFFICE USE ONLY**☐ Property Owner Authorization☐ 1 Copy of Dimensioned Plat☐ Plat in Digital Format (PDF/JPEG)☐ Application Fee☐ 1 Copy of Plat (11x17)

Check # _____

Received By:

Date:

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



LOCATION MAP

SUB-23-0869

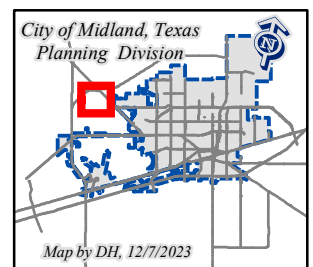
Scale: 1" = 1,424'

Proposed plat of Longview Subdivision, Section 4, being a Replat of Longview Subdivision, Section 3, Midland County Texas.

Generally located on the southeast corner of the intersection of West County Road 50 and North County Road 1275. (ETJ)

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 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Mockingbird Ridge, Section 4, being a Plat of a 35.41-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Mockingbird Lane, approximately 1,000 feet east of North Fairgrounds Road.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned Development District for a Housing Development (Ordinance 10405)

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to plat a 258.87-acre tract of land, situated in Section 18, Block 38, T-1-S, A-734, T&P RY. CO. Survey, City of Midland, Midland County, Texas. The applicant is platting to allow for the development of multi-use site including single family housing, townhomes, cottage housing, retail, and greenspace/detention areas. On October 3, 2022, the Planning and Zoning Commission approved a preliminary plat for 317.56 acres. The revised preliminary plat is only for the east 258.87 acres identified as Phases 4-11 on the new plat. The 58.69 acres to the west, not part of this plat for Phases 1-3, will remain in full force and effect as part of the original preliminary plat. The Planning & Zoning Commission recommended approval of the revised preliminary on April 17, 2023. City Council approved the revised preliminary plat on May 9, 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.

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

PAVING: Pavement improvements have been installed and accepted. [For the Applicant's information only]

WATER: Water improvements have been installed and accepted. [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.

PRO RATA: None.

SEWER: Wastewater improvements have been installed and accepted. [For the Applicant's information only]

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

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

SIDEWALKS: Sidewalk improvements have been installed and accepted. [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)

No comments.

CODE COMPLIANCE: (Approved)

No Oil And Gas Issue to address- the non-City permitted Stimson Burley B #3 API 32--31045 has been identified not to be in this area and not on this plat. Is located further north east. 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 comment.

PLANNING: (Approved with Conditions)

The Planning & Zoning Commission approved the final plat Mockingbird Ridge, Section 1 on July 10, 2023 and Sections 2 & 3 on September 5, 2023. [Informational]

Staff recommends approval of the Final Plat of Mockingbird Ridge, Section 4 subject to condition A.

Conditions:

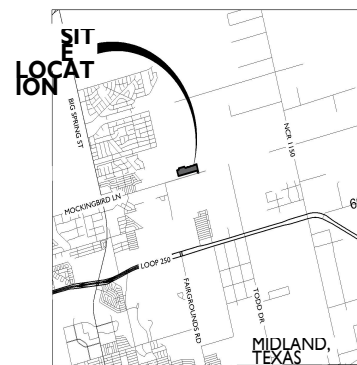
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application

BEING A 35.41 - ACRE TRACT OF LAND,
SITUATED IN SECTION 18,
BLOCK 38, T-1-S, A-734, T&P RY. CO.
SURVEY, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS

BEING A 35.41 - ACRE TRACT OF LAND,
SITUATED IN SECTION 18,
BLOCK 38, T-1-S, A-734, T&P RY. CO.
SURVEY, CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS



VICINITY MAP

SURVEYOR'S
CERTIFICATE
GIVEN BY
THAT I, GREGORY W. SHULTS, A REGISTERED PROFESSIONAL LAND
SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS
AND ACCURATE SURVEY OF THE LAND
AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE
PROPERLY LOCATED AND ARE PERSONAL
SUBDIVISION IN ACCORDANCE WITH THE SUBDIVISION

[illegible]

ACKNOWLEDG
EMENT
THE STATE OF
TEXAS
COUNTY OF
BREWSTER THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC
IN AND FOR THE STATE OF TEXAS, ON

THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO BE THE SIGNING AS OWNER, AND THAT HE CONSIDERED HIMSELF FREELY AND IN THE CAPACITY THEREIN STATED, GIVEN FREELY BY HIS OWN HAND AND WITHOUT COERCION OR THE

CERTIFICATE OF APPROVAL
THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF
MOCKINGBIRD RIDGE SECTION 4 WAS
APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING
COMMISSION OF THE CITY OF MIDLAND
TEXAS ON THIS 2023.

CHAIRMAN

JEFFREY FISHER,
SECRETARY

 **MAVERICK**
CIVIL ENGINEERING /
EARTH SURVEYING
909 West Wall Street,
Suite 100
Midland, Texas
79701
ENGINEER FIRM #: F-
15089
SURVEY FIRM #:
10124514
Tel: 409-6990 Fax: 409-6991
MOCKINGBIRD

MOCKINGBIRD BRIDGE SECTION

Decemb

BRIDGE SECTION

4

LINE
TABLE

LINE	LINE	FEET	FEET	FEET
L1	15-15-20	20.00		
L2	15-15-20	20.00		
L3	15-15-20	20.00		
L4	15-15-20	20.00		
L5	15-15-20	20.00		
L6	15-15-20	20.00		
L7	15-15-20	20.00		
L8	15-15-20	20.00		
L9	15-15-20	20.00		
L10	15-15-20	20.00		
L11	15-15-20	20.00		
L12	15-15-20	20.00		
L13	15-15-20	20.00		
L14	15-15-20	20.00		
L15	15-15-20	20.00		
L16	15-15-20	20.00		
L17	15-15-20	20.00		
L18	15-15-20	20.00		
L19	15-15-20	20.00		
L20	15-15-20	20.00		
L21	15-15-20	20.00		
L22	15-15-20	20.00		
L23	15-15-20	20.00		
L24	15-15-20	20.00		
L25	15-15-20	20.00		
L26	15-15-20	20.00		
L27	15-15-20	20.00		
L28	15-15-20	20.00		
L29	15-15-20	20.00		
L30	15-15-20	20.00		
L31	15-15-20	20.00		
L32	15-15-20	20.00		
L33	15-15-20	20.00		
L34	15-15-20	20.00		
L35	15-15-20	20.00		
L36	15-15-20	20.00		
L37	15-15-20	20.00		
L38	15-15-20	20.00		
L39	15-15-20	20.00		
L40	15-15-20	20.00		
L41	15-15-20	20.00		
L42	15-15-20	20.00		
L43	15-15-20	20.00		
L44	15-15-20	20.00		
L45	15-15-20	20.00		
L46	15-15-20	20.00		
L47	15-15-20	20.00		
L48	15-15-20	20.00		
L49	15-15-20	20.00		
L50	15-15-20	20.00		
L51	15-15-20	20.00		
L52	15-15-20	20.00		
L53	15-15-20	20.00		
L54	15-15-20	20.00		
L55	15-15-20	20.00		
L56	15-15-20	20.00		
L57	15-15-20	20.00		
L58	15-15-20	20.00		
L59	15-15-20	20.00		
L60	15-15-20	20.00		
L61	15-15-20	20.00		
L62	15-15-20	20.00		
L63	15-15-20	20.00		
L64	15-15-20	20.00		
L65	15-15-20	20.00		
L66	15-15-20	20.00		
L67	15-15-20	20.00		
L68	15-15-20	20.00		
L69	15-15-20	20.00		
L70	15-15-20	20.00		
L71	15-15-20	20.00		
L72	15-15-20	20.00		
L73	15-15-20	20.00		
L74	15-15-20	20.00		
L75	15-15-20	20.00		
L76	15-15-20	20.00		
L77	15-15-20	20.00		
L78	15-15-20	20.00		
L79	15-15-20	20.00		
L80	15-15-20	20.00		
L81	15-15-20	20.00		



0' 100' 200'

ORIGINAL SCALE:
1" = 100'

LEGEND

[illegible]

UTILITY COMPANY'S
CERTIFICATE
THIS FLAT HAS BEEN CHECKED FOR
ACCESSIBILITY OF UTILITIES.

AT&T

ASTOUND-

100

BY: _____

D

D

5

D

10

[illegible][illegible][illegible]

CURVE TABLE

CURVE TABLE				
CURVE NO.	ARC LENGTH	CHORD BEG.	CHORD END	CHORD LENGTH
C2	114.47		114.22	N 82° 17' E 8' 09.26
C3	76.16	500.00	76.09	N 82° 17' E 13' 07.00
C4	30.00	500.00	625.75	N 82° 17' E 30' 09.00
C6	9.63	100.00	9.26	S 15° 15' E 20' 01.80
C7	7.88	100.00	7.68	N 72° 41' E 55' 09.00
C8	189.96	100.00	119.99	N 44° 53' E 65' 10.00
C9	8.30	60.00	7.97	S 07° 43' E 18' 21.41
C10	192.23	100.00	119.94	S 60° 23' E 67' 52.00
C11	9.03	100.00	7.96	N 52° 23' E 84' 57.00
C13	30.00	100.00	685.57	S 80° 39' E 183' 93.00
C14	30.00	100.00	685.57	S 80° 39' E 183' 93.00
C15	8.47	100.00	7.26	S 80° 39' E 183' 93.00

PACKET

Page 5.39



Final Plat Application

 Project Number: SUB-22-0537
 Case Number: P-23-1867
Proposed Subdivision Plat Name: Mockingbird Ridge, Section 4

Legal Description (attached sealed Metes and Bounds): Being a 35.41 - Acre Tract of Land, Situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City of Midland, Midland County, Texas
Property Owner

Printed Name: Betenbough Homes LLC

Phone (432) 262-0999

 Email
 ronnie@betenbough.com

Address 6305 82nd St

City Lubbock

State TX

Zip 79424

Developer (if different than Owner)

Printed Name:

 Phone ()
 Email

Address

City

State

Zip

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

Printed Name: Paladin Huckaba

Phone (432) 262-0999

 Email
 phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: PD**Reason for Platting:** ownership purposes**Plat Information**

Total Acreage: 35.41

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

Number of Lots: 69

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" \$61.00For plats that exceed 24" \$81.00For 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) Abram Fuentes Date: 11/21/23
 Property Owner (printed) : EAE9B1510B01483 Abram Fuentes Betenbaugh Homes

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.

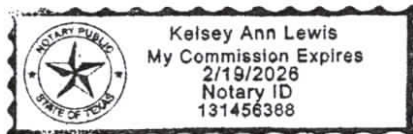
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Betenbaugh Homes, 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 21st day of November, 2023, to certify which witness my hand and seal of office.



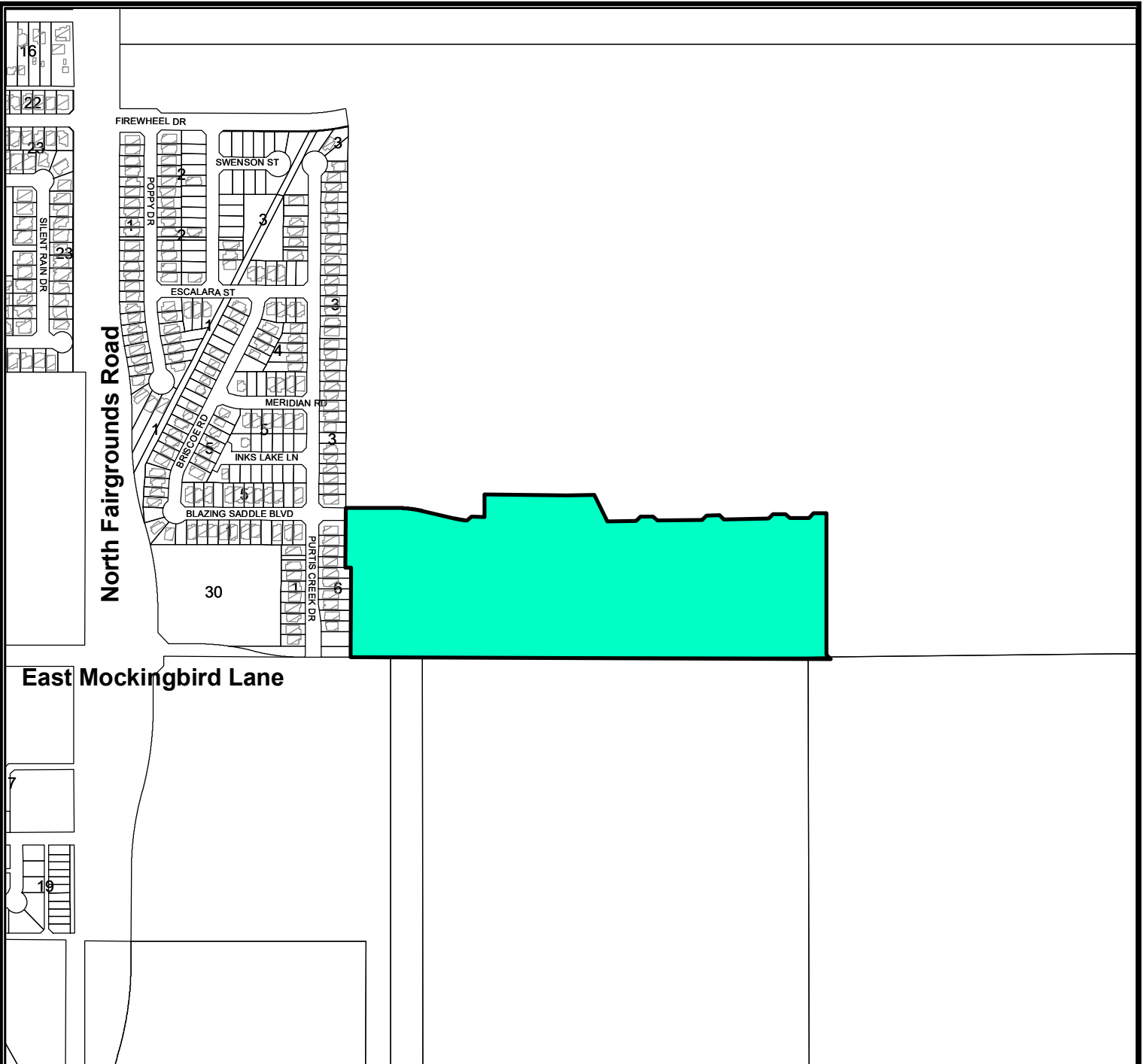
Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY☒ Property Owner Authorization☐ Mylar☐ Application FeeCheck # 4600☒ 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 FeeCheck # NOV 22 2023Received By: [Signature]

Date:

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



LOCATION MAP

P-23-1867

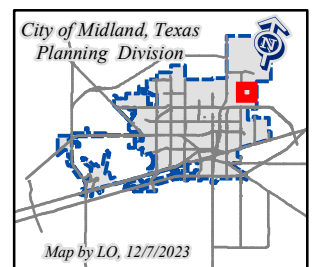
Scale: 1" = 541'

Proposed Final Plat of Mockingbird Ridge, Section 4, being a Plat of a 35.41-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas.

Generally located on the north side of East Mockingbird Lane, approximately 1,000 feet east of North Fairgrounds Road. (DISTRICT 1)

LEGEND

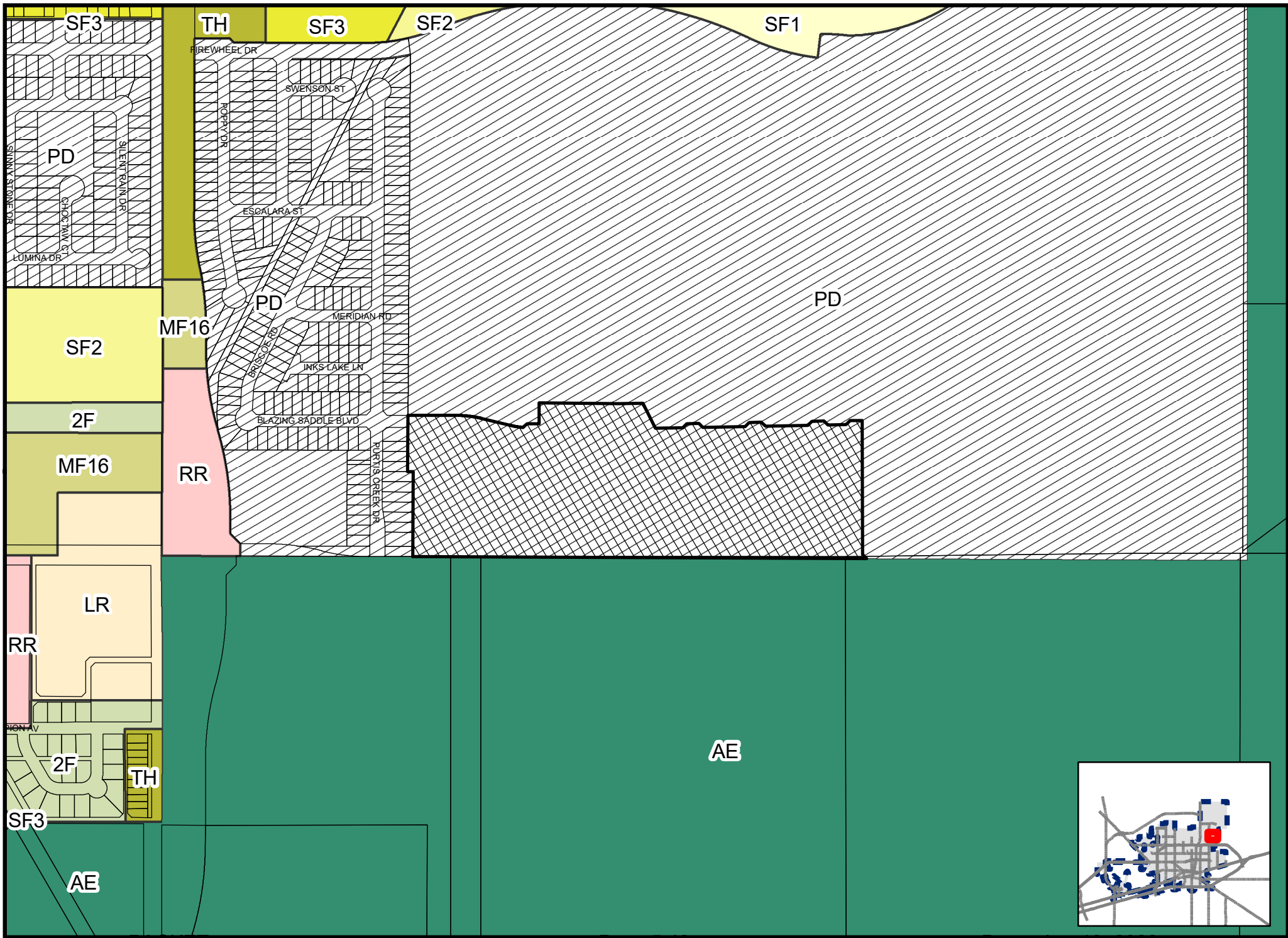
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.



ORDINANCE NO. 10405

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 258.87-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST MOCKINGBIRD LANE, APPROXIMATELY 900 FEET EAST OF NORTH FAIRGROUNDS ROAD); 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, the City Code, and State law, 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 rezoning a 258.87-acre tract of land out of Section 18, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property") to an amended PD, Planned Development District for a Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for a Housing Development to an amended PD, Planned Development District for a Housing Development.

SECTION TWO. That the base zoning district to which the use and development

of the Property shall conform, except as modified by Section Three of this ordinance, is the SF-3, Single-Family Dwelling District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit "B" and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the Property, including the minimum dimensions of lots contained therein, shall significantly conform to the site plan attached hereto as Exhibit "B".
- B. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- C. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

SECTION SEVEN. 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 EIGHT. 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 9th day of May, A.D., 2023; and passed to second reading on motion of Council member Poole, seconded by Council member Corrales, by the following vote:

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

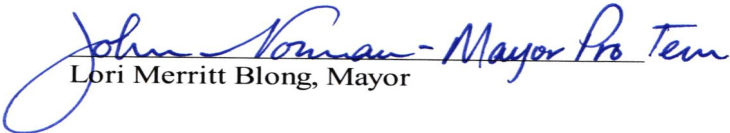
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Ladd, seconded by Council member Dufford, on the 23rd day of May, 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

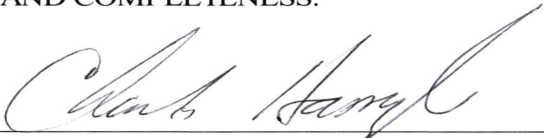
PASSED AND APPROVED THIS 23rd day of May, A.D., 2023.


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:

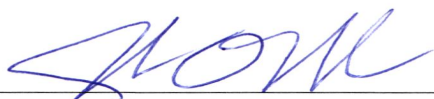

John Ohnemiller, City Attorney



EXHIBIT "A"

MAVERICK

ENGINEERING - SURVEY - WATER RESOURCES

1909 West Wall Street, Suite K - Midland, TX 79701
Tel: 432.262.0999 - Fax: 432.262.0989 - maverick-eng.com
ENGINEER FIRM #: F-15089 | SURVEY FIRM #: 10194514



FIELD NOTE DESCRIPTION OF A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4132.38 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°07'10"W., 419.64 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE S.75°52'50"W., 28.10 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N. N.14°07'10"W., 2069.30 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.22°36'06"W., 80.28 FEET TO A POINT OF DEFLECTION RIGHT AND A POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.57°59'24"E., 142.96 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 143.11 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;

11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 258.87 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.


MARCH 20, 2023

Gregory W. Shoults

www.maverick-eng.com

Texas RPLS - No. 5356

Maverick Engineering (FIRM - No. 10194514)





- 7 LOCATION OF BURNED UTILITIES AND PIPELINE, IF ANY, IS APPROPRIATE BASED ON THE PRELIMINARY INVESTIGATION OF THE SITE OF DISASTERS AND TO BE SUBMITTED TO THE STATE DEPARTMENT OF TRANSPORTATION FOR REVIEW.
- 8 THIS IS A PRELIMINARY PLANNING DOCUMENT AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
- 9 PHOTOS REQUIRED AND PHOTOGRAPH OR FOR PLANNING PURPOSES AND MAY BE SUBJECT TO CHANGE.

GREENSPACE NOIES

- ALL INTERIOR ROADS RIGHT-OF-WAYS TO THIS DEVELOPMENT ARE 66' C/LR OF SACS AND A 60' RADIUS (TWO-WHEEL ROAD IS A PROPOSED BRANCH-OF-WAY WITH NO CROWNOUT)
- ALL SIDEWALKS WILL BE 5' IN WIDTH ALONG ALL PUBLIC RIGHT-OF-WAY
- ALL CORNER CUTS ARE 10' RAD (17°) UNLESS OTHERWISE NOTED

S 75°52'50" W 28.10' —

- [illegible]

[illegible]

LOT CLASS TABULATION

PDHD SITE PLAN

BEING A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, T-1-S, A-734, T&P MAP NO. 10, CITY AND COUNTY OF MIDLAND



APPROVED

City Council Meeting

Item Number: 19
Meeting Date: May 9, 2023, May 23, 2023
To: City Council / City Manager
From: Landon Ochoa, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 258.87-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE NORTH SIDE OF EAST MOCKINGBIRD LANE, APPROXIMATELY 900 FEET EAST OF NORTH FAIRGROUNDS ROAD); 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 (DISTRICT 1) (DEVELOPMENT SERVICES)

Purpose:

The applicant, Maverick Engineering, is requesting a Zone Change from PD, Planned Development District for Housing Development (Ordinance No. 10344) to an amended PD, Planned Development District for Housing Development to modify the lot sizes of proposed housing development and revise the previously approved preliminary plat. This is because Betenbough is changing up their product line due to the change in the market.

Recommended City Council Action:

Approve

Fiscal Impact:

None.

Discussion:

Current Zoning:

PD, Planned Development District for Housing Development (Ordinance No. 10344)

Surrounding Zoning and Land Use:

The property to the north is zoned SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and LR, Local Retail District, in part. The property to the east and south is zoned AE, Agricultural Estate District. The properties to the west are zoned MF-16, Multiple-Family Dwelling District, in part, and RR, Regional Retail District in part.

Analysis:

The applicant, Betenbough Homes, is requesting approval of a Zone Change for the development of a multi-use site, including a mix of residential and greenspace uses. This proposed subdivision will have a total of six hundred ninety-five (695) residential lots, approximately 102.42-acres of greenspace/detention pond that is composed of common areas and drainage ponds.

The applicant is proposing this section of the development to be executed in eight phases (4-11). Phases 1-3 are remaining the same from the first zone change related to this project and are not included in this request.

Product Class	Smallest Lot		Smallest Lot Depth		Phase #							Percent of Total
	Area SF	LF	4	5	6	7	8	9	10	11		
Core	30-45'	4236	85'	27	18	23		20	24	12	17.8%	
	30-50'	4404	86'	59	33	86		55	70	27	46.6%	
Reserve	40-50'	5750	95'	26			19				6.5%	
	40-60'	6250	90'	42			52				13.5%	
	75'	9387	125'				8				1.2%	
	85'	11811	135'								0.1%	
Cottages	30-50'	4173	81'	33				23		42	14.1%	
PHASE TOTAL				68	119	51	103	81	98	94	81	100%
OVERALL TOTAL												

These lots will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendments. The minimum dimensions are as follows:

Core Product Class: 448 lots

1. Minimum lot width - 30 feet.
2. Minimum lot depth - 85 feet
3. Minimum lot area - 4,200 square feet.

Reserve Product Class: 149 lots

1. Minimum lot width - 40 feet.

2. Minimum lot depth - 90 feet
3. Minimum lot area - 5,700 square feet.

Cottages Product Class: 98 lots

1. Minimum lot width - 30 feet.
2. Minimum lot depth - 81 feet
3. Minimum lot area - 4,100 square feet.

The previous request had only nine phases compared to the current request which contains phases 4-11. The previous lot counts for each product class in phases 4-9 for the first zone change request are as follows:

Core: 510
Reserve: 112
Cottages: 85

The appropriate setbacks and maximum height of future development will comply with the regulations as described in Section 5.04 Residential Zoning District Dimensional Regulations chart. Not all the proposed lots meet the minimum lot depth, minimum lot width, and minimum lot area requirements of the SF-3 Single-Family Dwelling District. However, the new PD Ordinance will allow reduced depth, width, and areas as outlined above.

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

Fire: (Approved)

No objections.

Building: (Approved)

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

Engineering: (Approved with Conditions)

No objection to zone change. [For the Applicant's information only.] Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.] Our staff has examined the FEMA flood map and it appears that several property lies entirely within Zone AH, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood. [For the Applicant's information only.] If a LOMR is not proposed to remove these properties from the floodplain, an elevation certificate based off of construction drawings will be required to get a building permit to show compliance

to the 1 foot of freeboard above the base flood elevation for residential structures. An elevation certificate based off of finish construction will be required for the Certificate of Occupancy. [For the Applicant's information only.]

Code: (Approved)

Phase 6 page 2 – (High Country Ct.) the Stinson-Burley B #2 API 329-31044 is identified but missing the 135 ft radius as previously requested for a non-City permitted well. Previous preliminary plat had it included correctly. Noted it will be Plugged and Abandoned (No building permits inside 135 ft. radius till P&A completed). Phase 11 Page 3- the non-city permitted Stimson Burley #1M API 329-31751 is identified with radius but needs to be identified as a 135 ft radius as required. Previous preliminary plat had it correctly. Noted to be P&A well (No building permits inside 135 ft. radius till P&A). Phase 11, page 3 -the non-City permitted Stimson Burley B #3 API 32--31045 is identified on plat with radius but needs to be identified as a 135 ft. radius as required. Previous preliminary plat had it correctly. Noted to be P&A well. No building permits are allowed in the 135 ft radius of existing well until it is actually P&A with a W-3 permit per RRC. In addition, the City permitted Endeavor operated Willow Lakes 19 #191 (located south of Mockingbird Lane) is identified with a 500 ft. radius that is located below Mockingbird Lane. Any occupied residential/commercial building permits inside the 500 ft. radius will require a variance to a permitted well from the City Council. For information: Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures.

Transportation: (Approved)

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

Planning:

The area is classified as Urban Residential-Low, in part, which calls for restrictive land use, emphasizing single-family detached development. The area is also classified as Urban Medium which calls for a mix of complementary uses, including single-family housing, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use. The plan also calls for a parkway that would run through the property which is identified on the site plan. All of these uses are compatible with the Low and Medium designations.

The Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the "Current Development Area" which seeks to address the compatibility of uses, "specifically between different housing intensities," As shown in the proposed site plan, the applicant is planning to create a gradual transition from existing housing developments at the western edge of the property in question which is consistent with this statement.

Principle 4 of Chapter 3 of the Tall City Tomorrow Plan seeks to increase the diversity of the

housing stock in Midland specifically including the need for smaller lot homes. This proposal works in compliance since the development will be introducing a neighborhood with a mix of housing intensities to include smaller townhouse-sized lots as well as larger single-family lots. Additionally, Principle 8 of the Chapter 3 requests that land use policies and regulations support the creation of more balanced neighborhoods, which include “a variety of housing options, access to open space, and contain activity centers such as parks...” The applicant is proposing to develop more specifically delineated park space and trails in the development which will help give the residents a diversity of recreation allowing for a more balanced feel.

Principle 5 of Chapter 3 requests planning for community amenities such as parks and open space to support “community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community.” The applicant is proposing to include a park, greenspace, and trails all of which will contribute to creating a sense of place for new residents.

The Planning & Zoning Commission recommended approval of this request April 17, 2023.

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

Conditions:

- A. That the Property, including the minimum dimensions of lots contained therein, shall significantly conform to the site plan attached hereto as Exhibit “B”.**
- B. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- C. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.**

Letters of Objection:

As of May 8, 2023, staff has received no letters of objection for this request.

Attachments:

Application
Metes and Bounds (Exhibit A)
Site Plan (Exhibit B)
Maps

City Manager's Office



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

Project Number 2-23-0326

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Betenbough Homes</u>		Phone () Email	
Address <u>6305 82nd St</u>	City <u>Lubbock</u>	State <u>TX</u>	Zip <u>79424</u>

Property Owner Printed Name: <u>See Applicant</u>		Phone () Email	
Address	City	State	Zip

Representative (if different from Applicant or Property Owner) Firm: <u>Maverick Engineering</u> Printed Name: <u>Paladin Huckaba</u>		Phone (<u>432</u>) <u>262-0999</u> Email <u>phuckaba@maverick-eng.com</u>	
Address <u>1909 W Wall St Ste K</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Street Address: <u>NA County Rd 40</u>
Legal Description Lot: _____ Block: <u>38 T-1-S</u> Subdivision: _____

Current Zoning: In Part: <u>SF3, TH, SF2, MF16, SF1, 2F, RR</u>	Proposed Zone: <u>PDHD</u> (List by tracts if more than one district is requested)
--	--

Reason for Zone Change Request: To advance the proposed housing development associated with this request

Present Use of Property: vacant

Proposed Use of Property: residential

How would this zone change affect the public health, safety and welfare? This development will contribute to the housing inventory of the City of Midland, adding needed options to the housing makeup of the community

Describe how conditions affecting the property have changed since present zoning designation: No change since original zoning

Submittal and Fees

Items to be submitted with this application form:

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

PACKET

19.13

May 23, 2023

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

Applicant (signature):

Date: 3/21/23

Applicant (printed):

RONNIE WALLACE

Property Owner (signature): See Applicant

Date: 3/21/23

Property Owner (printed):

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

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

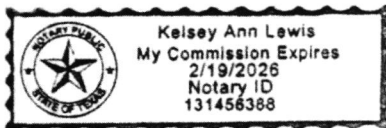
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 Bettenbaugh Homes, 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 21st day of March, 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

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # 4105

BY: _____

Received By: James Reba

Date: 3/22/23

~~PACKET~~ Application will not be considered for 19.14 scheduling until reviewed by May 23, 2023

Special Exception Application

2

Revised 12/6/16

PACKET

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December 18, 2023



FIELD NOTE DESCRIPTION OF A 258.87 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4132.38 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°07'10"W., 419.64 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE S.75°52'50"W., 28.10 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N. N.14°07'10"W., 2069.30 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.22°36'06"W., 80.28 FEET TO A POINT OF DEFLECTION RIGHT AND A POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.57°59'24"E., 142.96 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 143.11 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

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THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;

11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

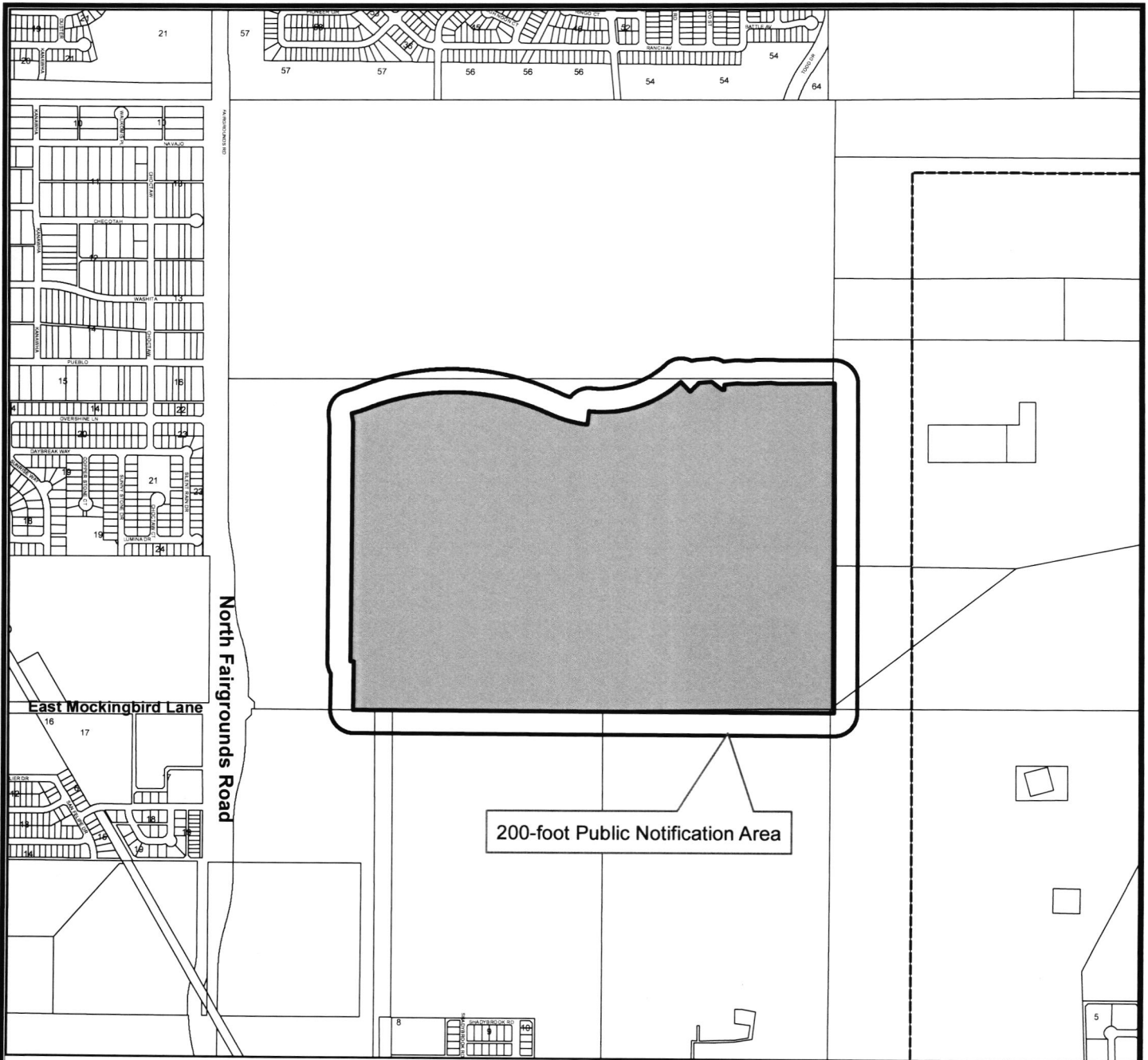
THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 258.87 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.


MARCH 20, 2023

Gregory W. Shoults
www.maverick-eng.com
Texas RPLS - No. 5356
Maverick Engineering (FIRM - No. 10194514)





LOCATION MAP

Z-23-0326

Scale: 1" = 14,899'

Consider a request by Betenbough Homes for a zone change from, PD, Planned Development District for Housing Development to PD, Planned Development District for Housing Development out of a 258.87-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Fairgrounds and East Mockingbird Road. (Council District 1)

19.18

LEGEND

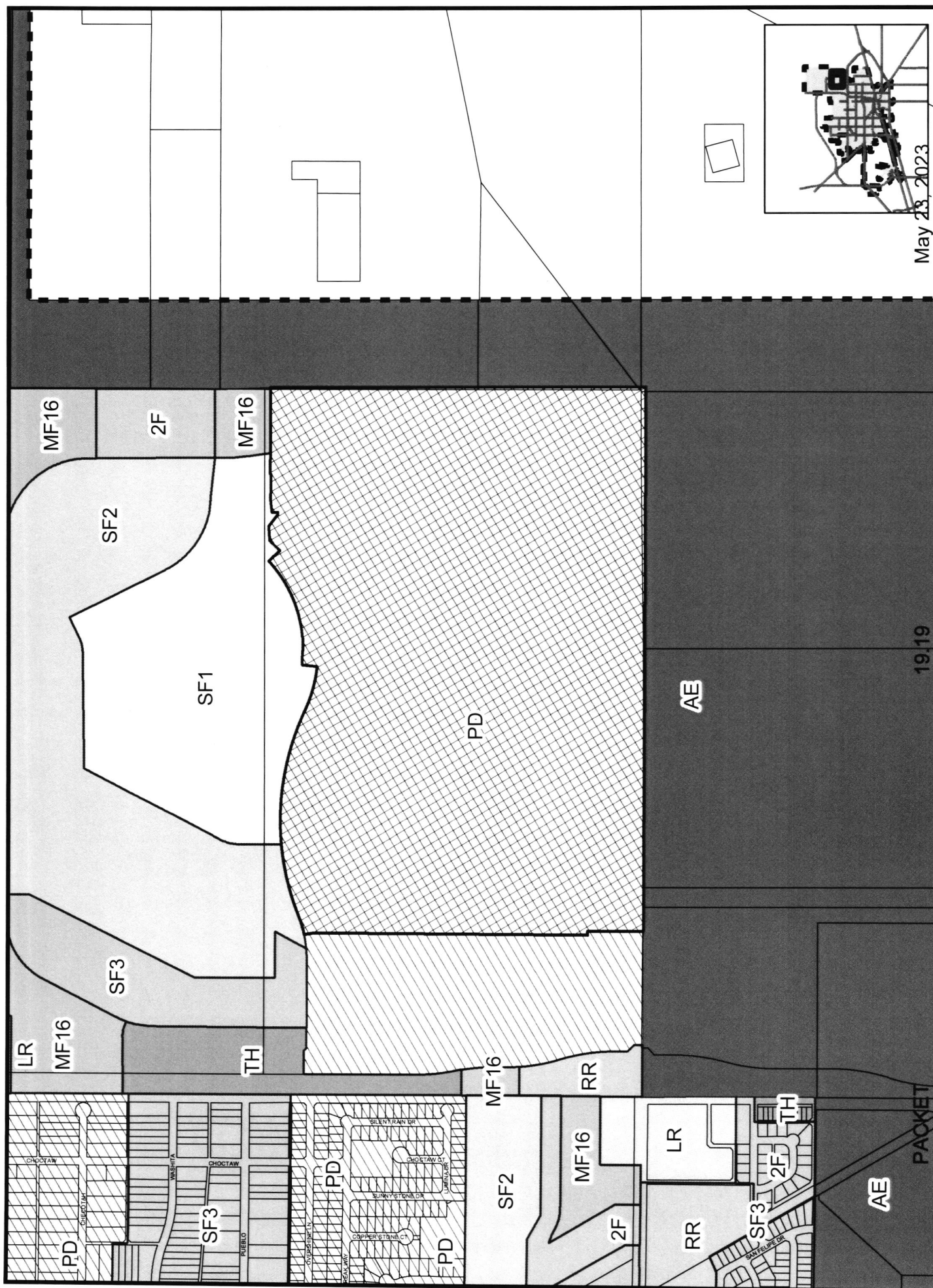
- - - CITY LIMITS
- ▭ PARCEL
- ▨ PRIVATE BLDGS



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May 23, 2023

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December 18, 2023

ORDINANCE NO. 10344

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 317.56-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT, IN PART, 2F, TWO-FAMILY DWELLING (DUPLICATE) DISTRICT, IN PART, MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS AND EAST MOCKINGBIRD ROAD); 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, the City Code, and State law, 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 rezoning a 317.56-acre tract of land out of Section 18, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property"), to PD, Planned Development District for a Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from SF-1, Single-Family Dwelling District, in part,

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SF-2, Single-Family Dwelling District, in part, SF-3, Single-Family Dwelling District, in part, TH, Townhouse (Attached) Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, MF-16, Multiple-Family Dwelling District, in part, and RR, Regional Retail District, in part to PD, Planned Development District for a Housing Development.

SECTION TWO. That the base zoning districts to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, are as follows:

- A. For the portions of the Property identified as "COMMERCIAL TRACT" in Exhibit "B", which is attached hereto and incorporated herein for all purposes, LR, Local Retail District;
- B. For the portions of the Property identified as "45' FRONT WIDTH - CORE", "50' FRONT WIDTH - CORE", "50' FRONT WIDTH - COTTAGE", "50' FRONT WIDTH - RESERVE", "60' FRONT WIDTH - RESERVE", "75' FRONT WIDTH - RESERVE" and "80' FRONT WIDTH - RESERVE" in Exhibit "B", SF-3, Single-Family Dwelling District; and
- C. For the portions of the Property identified as "30' FRONT WIDTH - TOWNHOME" in Exhibit "B", TH, Townhouse (Attached) Dwelling District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit "B" and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit "B".
- B. That each lot identified as "50' FRONT WIDTH - COTTAGE" in Exhibit "B" shall have:
 - 1. A minimum lot width of 50 feet;
 - 2. A minimum lot depth of 77 feet; and
 - 3. A minimum lot area of 4,200 square feet.
- C. That each lot identified as "45' FRONT WIDTH - CORE" in Exhibit "B" shall have a minimum lot width of 45 feet.
- D. That each lot identified as "30' FRONT WIDTH - TOWNHOME" in Exhibit "B" shall be allowed to have a one-car garage; provided, however, that each lot shall have two additional off-street parking spaces.

- E. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- F. That all signage shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

SECTION SEVEN. 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 EIGHT. 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 11th day of October, A.D., 2022; and passed to second reading

on motion of Council member Ladd, seconded by Council member Poole, by the following vote:

Council members voting "AYE": Corrales, Poole, Blong, Payton, 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 Dufford, on the 25th day of October, A.D., 2022, at a regular meeting of the City Council:

Council members voting "AYE": Corrales, Poole, Blong, Payton, Dufford, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 25th day of October, A.D., 2022.



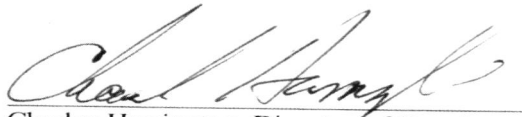
Patrick N. Payton, Mayor

ATTEST:



Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

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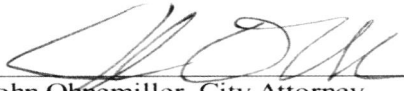
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APPROVED ONLY AS TO FORM:


John Ohnemiller, City Attorney

S:\Ordinances\Planning\Zone Chng\2022\Z-22-0299.SF-1, SF-2, SF-3, TH, 2F, MI⁵6 & RR to PDHD.wpd

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EXHIBIT "A"

STATE OF TEXAS §
COUNTY OF MIDLAND §

SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY COMPANY SURVEY MIDLAND COUNTY, TEXAS.

FIELD NOTE DESCRIPTION OF A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N.82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4984.62 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET AT THE SOUTHEAST CORNER OF A CALLED 22.96 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2019-3532 OF SAID OFFICIAL PUBLIC RECORDS, FROM WHICH A ONE HALF INCH IRON ROD WITH A GREEN PLASTIC CAP MARKED "ASB 5689" BEARS S.75°43'57"W., 388.28 FEET AND A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "PSC RPLS 6453" BEARS S.75°08'25"W., 392.12, FOR THE SOUTHWEST CORNER HEREOF;

THENCE THE FOLLOWING NINE COURSES AND DISTANCES ALONG THE EAST LINE OF SAID CALLED 22.96 ACRE TRACT FOR THE WEST LINE HEREOF;

1. N.14°23'29"W., 60.57 FEET TO A POINT;
2. N.58°53'33"W., 71.33 FEET TO A POINT;
3. N.14°23'29"W., 82.07 FEET TO THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
4. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1490.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 436.87 FEET, AN ARC DISTANCE OF 438.35 FEET TO THE POINT OF REVERSE CURVATURE;
5. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1360.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 398.75 FEET, AN ARC DISTANCE OF 400.19 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
6. N.14°23'53"W., 99.99 FEET TO A MAG NAIL FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
7. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 308.82 FEET, AN ARC DISTANCE OF 309.37 FEET TO A MAG NAIL FOUND AT THE POINT OF REVERSE CURVATURE;
8. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1350.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 277.95 FEET, AN ARC DISTANCE OF 278.44 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
9. N.14°24'01"W., 859.28 FEET TO AN "RPC" SET IN SAID EAST LINE FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°43'57"E., 95.07 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N.74°47'34"E., 79.96 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE S.59°20'03"E., 28.32 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.75°43'57"E., 651.20 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.64°37'59"E., 354.21 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 356.44 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

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THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

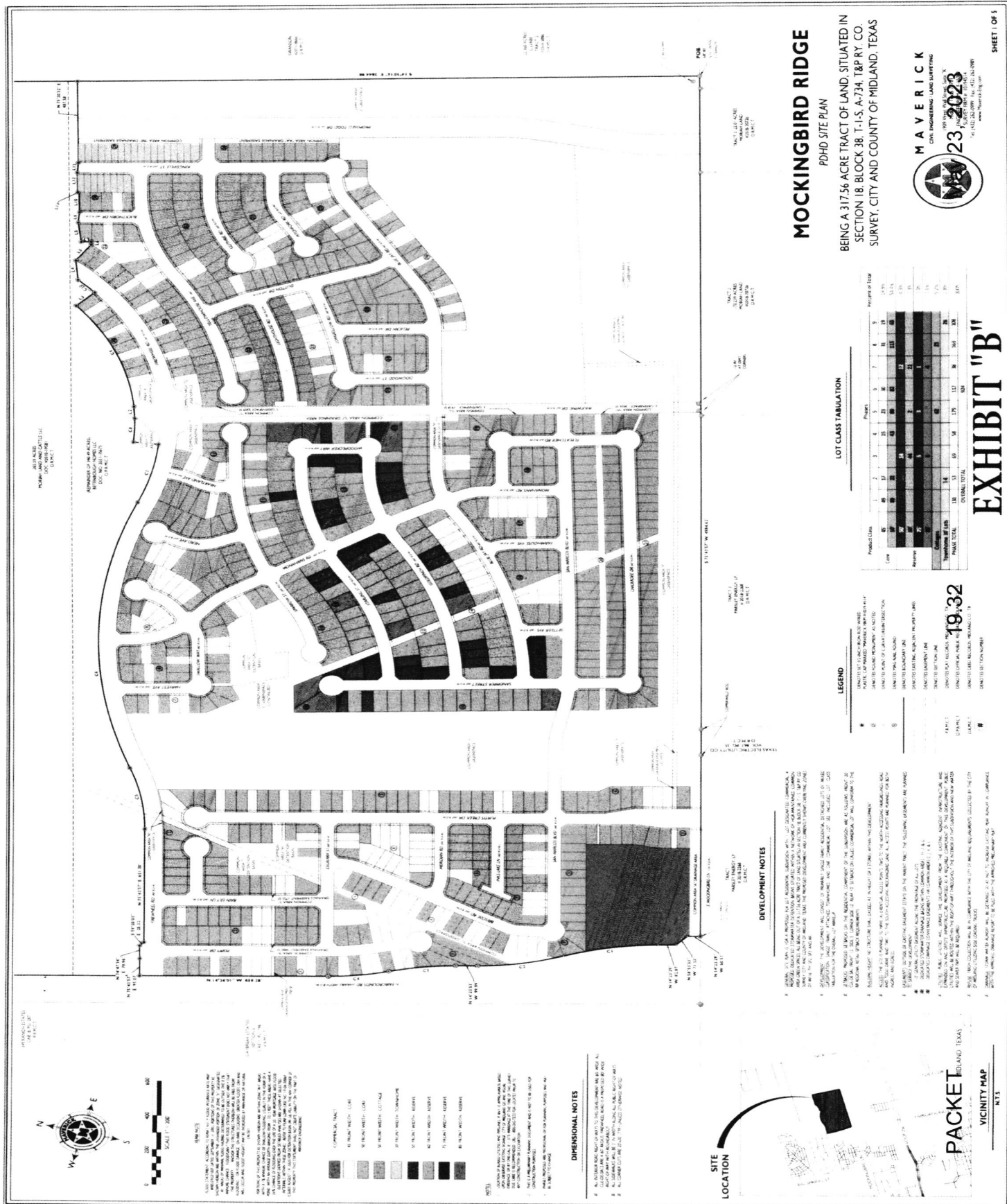
THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;
11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 317.56 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.





APPROVED

10344



City Council Meeting

Item Number: 20
Meeting Date: October 11, 2022
To: City Council / City Manager
From: Landon Ochoa, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 317.56-ACRE TRACT OF LAND OUT OF SECTION 18, BLOCK 38, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-2, SINGLE-FAMILY DWELLING DISTRICT, IN PART, SF-3, SINGLE-FAMILY DWELLING DISTRICT, IN PART, TH, TOWNHOUSE (ATTACHED) DWELLING DISTRICT, IN PART, 2F, TWO-FAMILY DWELLING (DUPLEX) DISTRICT, IN PART, MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, AND RR, REGIONAL RETAIL DISTRICT, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH FAIRGROUNDS AND EAST MOCKINGBIRD ROAD); 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 (DISTRICT 1) (DEVELOPMENT SERVICES)

Purpose:

The applicant, Maverick Engineering, is requesting a zone change from SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development to allow for the development of multi-use site including single family housing, townhomes, cottage housing, retail, and greenspace/detention.

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Recommended City Council Action:

Approve

Fiscal Impact:

This project will not require any City funds.

Current Zoning:

SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part.

Surrounding Zoning and Land Use:

The property to the north is zoned SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and LR, Local Retail District, in part. The property to east and south is zoned AE, Agricultural Estate District. The properties to the west are zoned SF-3 Single-Family-Dwelling District, in part, PD, Planned Development District for Housing Development, in part, SF-2, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, MF-16, Multiple-Family Dwelling District, in part, LR, Local Retail District.

Analysis:

The applicant, Maverick Engineering, who is representing Betenbough, is requesting approval of a zone change for the development of a multi-use site, including a mix of residential, commercial, and greenspace uses. This proposed subdivision will have a total of nine hundred and twenty-four (924) residential lots, one approximately 6.235-acre local retail lot, and approximately 72.91 acres of greenspace/detention pond that is composed of parks, trails, common areas, and drainage ponds.

The current zoning is SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, and the location of vacant lots. The proposed development will consist of a variety of uses but will predominantly be a residential development. The proposed residential districts include, SF, Single Family Dwelling District lots, and TH, Townhouse (Attached) Dwelling District lots. The applicant is also proposing to provide a local retail zoning area along the northeast corner of the intersection of E. Mockingbird Lane and N. Fairgrounds Road. Throughout the proposed development is a greenspace/detention that will be a new concept to Midlander's.

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The applicant is proposing the development to be executed in nine (9) phases. The lots width will vary from either 45, 50, 60, 75, or 85 feet and the minimum depth would be 77 feet. The properties that fall in the minimum lot depth is less than 1%. Below is a chart with the lot class tabulation, representing them by phases and percentage by lot widths.

LOT CLASS TABULATION

Product Class		Phases									Percent of Total
		1	2	3	4	5	6	7	8	9	
Core	45'	49	17		15	23	30		31	19	19.9%
	50'	89	22		43	89	82		115	63	54.4%
Reserve	50'			14				12			4.3%
	60'			44		2		21			7.3%
	75'			5		3		1			1.0%
	85'			6				6			1.1%
Cottages						62			23		9.2%
Townhome 30' Lots			14							26	2.8%
PHASE TOTAL		138	53	69	58	179	112	38	169	108	100%
OVERALL TOTAL		924									

The site plan introduces a new housing prototype called Cottages. These homes will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendments.

1. A minimum lot Width shall be 50 feet;
2. A minimum lot Depth be 77 feet; and
3. A minimum lot Area shall be 4,200 square feet

The site plan also introduces a new housing prototype called Core, that split into two front widths. These homes will have an underlying zoning of SF-3, Single Family Dwelling District. However, the 45' Front Width Core will have an underlying zoning of SF-3, Single Family Dwelling District but with the following amendment.

1. A minimum lot Width shall be 45 feet.

Furthermore, the site plan also shows housing prototype called Townhomes. These homes will have an underlying zoning of TH, Townhouse Dwelling but with the following amendments.

1. A one-car garage, provided, that each lot shall have two additional off-street parking.

As mentioned before this development will consist of a variety of uses but will predominantly be a residential development. The proposed residential districts include:

- 687 - Core (SF-3, Single Family Dwelling District lots);
- 112 - Reserve (SF-3, Single Family Dwelling District lots);
- 26 - Townhomes (TH, Townhouse Dwelling District lots);
- 99 - Cottages (SF-3, Single Dwelling District lots);

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The proposed density for each district is as followed:

- Core (SF-3): 4.56 units per acre
- Cottage (SF-3): 6.6 units per acre
- Townhouse (TH-Attached): 8.3 units per acre
- Reserve (SF-3): 3.9 units per acre

The appropriate setbacks and maximum height of future development must meet the regulations as described in Section 5.04 Residential Zoning District Dimensional Regulations chart. The proposed lots meet or exceed these requirements.

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 comments.

Building: (Approved)

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

Engineering: (Approved)

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

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For the Applicant's information only.]

Code: (Approved)

Phase I, page1 -The Plugged and Abandoned well Stimson Burley #18 #2- API 329-31184 is identified being in the street. Phase 6 page 2 – the Stinson-Burley B #2 API 329-31044 is identified with a 135 ft radius as requested for a non-City permitted well. Phase I Page 3- the non-city permitted Stimson Burley #1M API 329-31751 has the required 135 ft. Phase 8, page 3 -the non-City permitted Stimson Burley B #3 API 32--31045 is identified on plat with the required 135 ft. radius and noted to be P&A well. No building permits are allowed in the 135 ft radius of existing well until it is P&A. In addition, the City permitted Endeavor operated Willow Lakes 19 #191 (located south of Mockingbird Lane) is identified with a 500 ft. radius that is located below Mockingbird Lane. The occupied residential/commercial building permits inside the 500 ft. radius will require a variance to the permitted well from the City Council. The variance request would need to be made thru the Building Official. Informational: Please note

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if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures.

Transportation: (Approved)

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

Planning:

This request is not in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Future Land Use Map". However, the area is classified as Urban Residential-Low, in part, which calls for restrictive land use, emphasizing single-family detached development. The area is also classified as Urban Medium which calls for a mix of complementary uses, including single-family housings, multi-family housing, schools, mid-sized parks and churches, commercial and mixed use. The plan also calls for a parkway that would run through the property which is identified on the site plan.

The Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the "Current Development Area" which seeks to address the compatibility of uses, "specifically between different housing intensities," As shown in the proposed site plan, the applicant is planning to create a gradual transition from existing housing developments at the western edge of the property in question.

Principle 4 of Chapter 3 of the Tall City Tomorrow Plan seeks to increase the diversity of the housing stock in Midland specifically including the need of smaller lot homes. This proposal works in compliance since the development will be introducing a neighborhood with a mix of housing intensities to include smaller townhouse sized lots as well as larger single-family lots. Additionally, Principle 8 of the Chapter 3 requests that land use policies and regulations support the creation of more balanced neighborhoods, which include "a variety of housing options, access to open space, and contain activity centers such as parks..." The applicant is proposing to develop more specifically delineated park space and trails in the development which will help give the residents a diversity of recreation allowing for a more balance feel.

Principle 5 of Chapter 3 requests planning for community amenities such as parks and open space to support "community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community." The applicant is proposing to include a park, greenspace, and trails all of which will contribute to creating a sense of place for new residents.

This request was recommended for approval at the August 15, 2022, Planning and Zoning Commission Meeting.

The base zoning districts to which the use and development of the Property shall conform, except as modified by conditions listed below, are as follows:

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- A. That the portions of the Property identified as “Commercial” in Exhibit A, LR, Local Retail District;**
- B. That the portions of the Property identified as “Core” in Exhibit A, SF-3, Single-Family Dwelling District;**
- C. That the portions of the Property identified as “Cottages” in Exhibit A, SF-3, Single-Family Dwelling District;**
- D. That the portions of the Property identified as “Townhomes” in Exhibit A, TH, Townhouse Dwelling District;**
- E. That the portions of the Property identified as “Reserve” in Exhibit A, SF-3, Single-Family Dwelling District;**

If this Zone Change from SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development, is approved, staff recommends that it should be subject to conditions A through F.

Conditions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “A & B”.**
- B. That each lot identified as Exhibit “A” as “Cottage” is subject to the following conditions and regulation:**
 - 1. The minimum lot Width shall be 50 feet.**
 - 2. The minimum lot Depth be 77 feet.**
 - 3. The minimum lot Area shall be 4,200 square feet**
- C. That each lot identified as Exhibit “A” as “45’ Front Width - Core” is subject to the following condition and regulation:**
 - 1. The minimum lot Width shall be 45 feet.**
- D. That each lot identified as Exhibit “A” as “Townhomes” is subject to the following condition and regulation:**
 - 1. A one-car garage and off-street parking for two vehicles.**

PACKET	20.6	October 25, 2022
PACKET	19.39	May 23, 2023

E. That the landscaping shown in Exhibit "A" shall be considered illustrative.
The landscape shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.

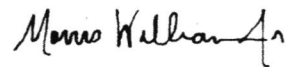
F. That the signs on the property shall conform to the regulations set in Title XI, Chapter 7a.

Letters of Objection:

Staff has not received any letters of objection as of September 29, 2022.

Attachments:

Application
Sit Plan (Exhibit A)
Metes and Bounds (Exhibit B)
Detail Site Plan 1
Detail Site Plan 2
Detail Site Plan 3
Open Space Concept
Entry Concept
Rendering of Cottage Homes
Maps



City Manager's Office

PACKET
PACKET

20.7
19.40

October 25, 2022
May 23, 2023

PACKET

Page 5.84

December 18, 2023

EXHIBIT "A"

STATE OF TEXAS §
COUNTY OF MIDLAND §

SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC RAILWAY COMPANY SURVEY MIDLAND COUNTY, TEXAS.

FIELD NOTE DESCRIPTION OF A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, TOWNSHIP 1 SOUTH, ABSTRACT NUMBER 734, GLO FILE NUMBER 66103, TEXAS and PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 340.49 TRACT DESCRIBED IN DOCUMENT NUMBER 2021-35675 OF THE OFFICIAL PUBLIC RECORDS OF SAID MIDLAND COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N.(Y):10719693.07, E.(X):1764462.90, A FIVE EIGHTHS INCH IRON ROD FOUND IN THE NORTH LINE OF SECTION 20, SAME BLOCK, FOR THE SOUTH COMMON CORNER OF SECTION 17, SAME BLOCK AND SAID SECTION 18, FROM WHICH A SIX INCH STEEL FENCE POST CALLED THE NORTHWEST CORNER OF A CALLED 244.4 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2017-34694, OF SAID OFFICIAL PUBLIC RECORDS, BEARS N.63°31'14"W., 44.34 FEET, AND A 2 INCH IRON PIPE CALLED THE SOUTHWEST CORNER OF A CALLED 316.39 ACRE TRACT IN DOCUMENT NUMBER 2011-8666 OF SAID OFFICIAL PUBLIC RECORDS BEARS N 82°07'34"W., 36.64 FEET, AND BEING THE SOUTHEAST CORNER HEREOF;

THENCE S.75°43'57"W., ALONG THE LINE COMMON TO SAID SECTIONS 20 AND 18, AT 75.80 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT OR NEAR THE NORTH COMMON CORNER OF SAID SECTION 20 AND SECTION 19, SAME BLOCK, CONTINUING ALONG SAID COMMON LINE, AT 572.95 FEET PASSING NEAR A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF TRACTS 2 AND 3 AS DESCRIBED IN DOCUMENT NUMBER 2018-20726, OF SAID OFFICIAL PUBLIC RECORDS, AT 1981.61 FEET PASSING A ONE HALF INCH IRON ROD AT THE NORTH COMMON CORNER OF SAID TRACT 2 AND A CALLED "TRACT 3" IN DOCUMENT NUMBER 2018-2268, OF SAID OFFICIAL PUBLIC RECORDS, AT 3801.97 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID TRACT 3, BEING THE NORTHEAST CORNER OF A TRACT CALLED 12.3 ACRES IN VOLUME 867 ON PAGE 35 OF THE DEED RECORDS OF SAID MIDLAND COUNTY, AT 3951.98 FEET PASSING A COPPERWELD ROD WITH CAP AT THE NORTHWEST CORNER OF SAID CALLED 12.3 ACRE TRACT, BEING THE NORTHEAST CORNER OF A CALLED TRACT 1, IN SAID DOCUMENT NUMBER 2018-2268, IN ALL 4984.62 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" (RPC) SET AT THE SOUTHEAST CORNER OF A CALLED 22.96 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2019-3532 OF SAID OFFICIAL PUBLIC RECORDS, FROM WHICH A ONE HALF INCH IRON ROD WITH A GREEN PLASTIC CAP MARKED "ASB 5689" BEARS S.75°43'57"W., 388.28 FEET AND A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "PSC RPLS 6453" BEARS S.75°08'25"W., 392.12, FOR THE SOUTHWEST CORNER HEREOF;

THENCE THE FOLLOWING NINE COURSES AND DISTANCES ALONG THE EAST LINE OF SAID CALLED 22.96 ACRE TRACT FOR THE WEST LINE HEREOF;

1. N.14°23'29"W., 60.57 FEET TO A POINT;
2. N.58°53'33"W., 71.33 FEET TO A POINT;
3. N.14°23'29"W., 82.07 FEET TO THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
4. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1490.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 436.87 FEET, AN ARC DISTANCE OF 438.35 FEET TO THE POINT OF REVERSE CURVATURE;
5. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1360.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.22°49'41"W., 398.75 FEET, AN ARC DISTANCE OF 400.19 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
6. N.14°23'53"W., 99.99 FEET TO A MAG NAIL FOUND AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT;
7. ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 308.82 FEET, AN ARC DISTANCE OF 309.37 FEET TO A MAG NAIL FOUND AT THE POINT OF REVERSE CURVATURE;
8. ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1350.00 FEET WITH A CHORD BEARING AND DISTANCE OF N.20°18'24"W., 277.95 FEET, AN ARC DISTANCE OF 278.44 FEET TO A MAG NAIL FOUND THE POINT OF TANGENCY;
9. N.14°24'01"W., 859.28 FEET TO AN "RPC" SET IN SAID EAST LINE FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°43'57"E., 95.07 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE N.74°47'34"E., 79.96 FEET TO AN "RPC" SET FOR AN EXTERIOR CORNER HEREOF;

THENCE S.59°20'03"E., 28.32 FEET TO AN "RPC" SET FOR AN INTERIOR CORNER HEREOF;

THENCE N.75°43'57"E., 651.20 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 920.00 FEET AND A CHORD BEARING AND DISTANCE OF N.64°37'59"E., 354.21 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 356.44 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE RIGHT HAVING A RADIUS OF 1950.00 FEET AND A CHORD BEARING AND DISTANCE OF N.77°01'32"E., 1554.60 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONVEX TO THIS TRACT, 1599.03 FEET TO AN "RPC" SET AT THE POINT OF REVERSE CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF S.88°33'08"E., 349.94 FEET;

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October 25, 2022

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May 23, 2023

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 351.41 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION LEFT;

THENCE N.07°37'18"W., 115.00 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.78°25'37"E., 137.13 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 137.24 FEET TO AN "RPC" SET AT THE POINT OF TANGENCY;

THENCE N.72°23'25"E., 72.42 FEET TO AN "RPC" SET AT THE POINT OF CURVATURE FOR A CURVE TO THE LEFT HAVING A RADIUS OF 995.00 FEET AND A CHORD BEARING AND DISTANCE OF N.51°36'34"E., 637.86 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 649.32 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT;

THENCE S.57°05'08"E., 115 FEET TO A POINT OF INTERSECTION AT THE POINT OF CURVATURE ON A CURVE TO THE NORTHEAST, HAVING A RADIUS OF 1110.00 FEET AND A CHORD BEARING AND DISTANCE OF N.30°10'44"E., 105.95 FEET;

THENCE ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THIS TRACT, 105.99 FEET TO AN "RPC" SET AT A POINT OF INTERSECTION RIGHT, FOR AN EXTERIOR CORNER HEREOF;

THENCE THE FOLLOWING 11 COURSES AND DISTANCES, ALL TO AN "RPC" FOR ANGLE POINTS IN THE BOUNDARY HEREOF;

1. N.70°45'27"E., 112.51 FEET;
2. S.66°30'04"E., 115.00 FEET;
3. N.77°16'15"E., 15.51 FEET;
4. N.14°39'08"W., 46.14 FEET;
5. N.69°08'15"E., 114.62 FEET;
6. N.81°18'37"E., 60.27 FEET;
7. N.75°20'52"E., 115.00 FEET;
8. N.14°25'02"W., 7.06 FEET;
9. N.75°20'52"E., 115.00 FEET;
10. N.80°51'01"E., 60.26 FEET;
11. N.75°20'52"E., 487.58 FEET TO AN "RPC" SET ON THE WEST LINE OF A CALLED 632.79 ACRE TRACT, DESCRIBED IN DOCUMENT NUMBER 2011-8666 OF SAID DEED RECORDS, ON THE LINE COMMON TO SAID SECTIONS 17 AND 18, FOR THE NORTHWEST CORNER HEREOF;

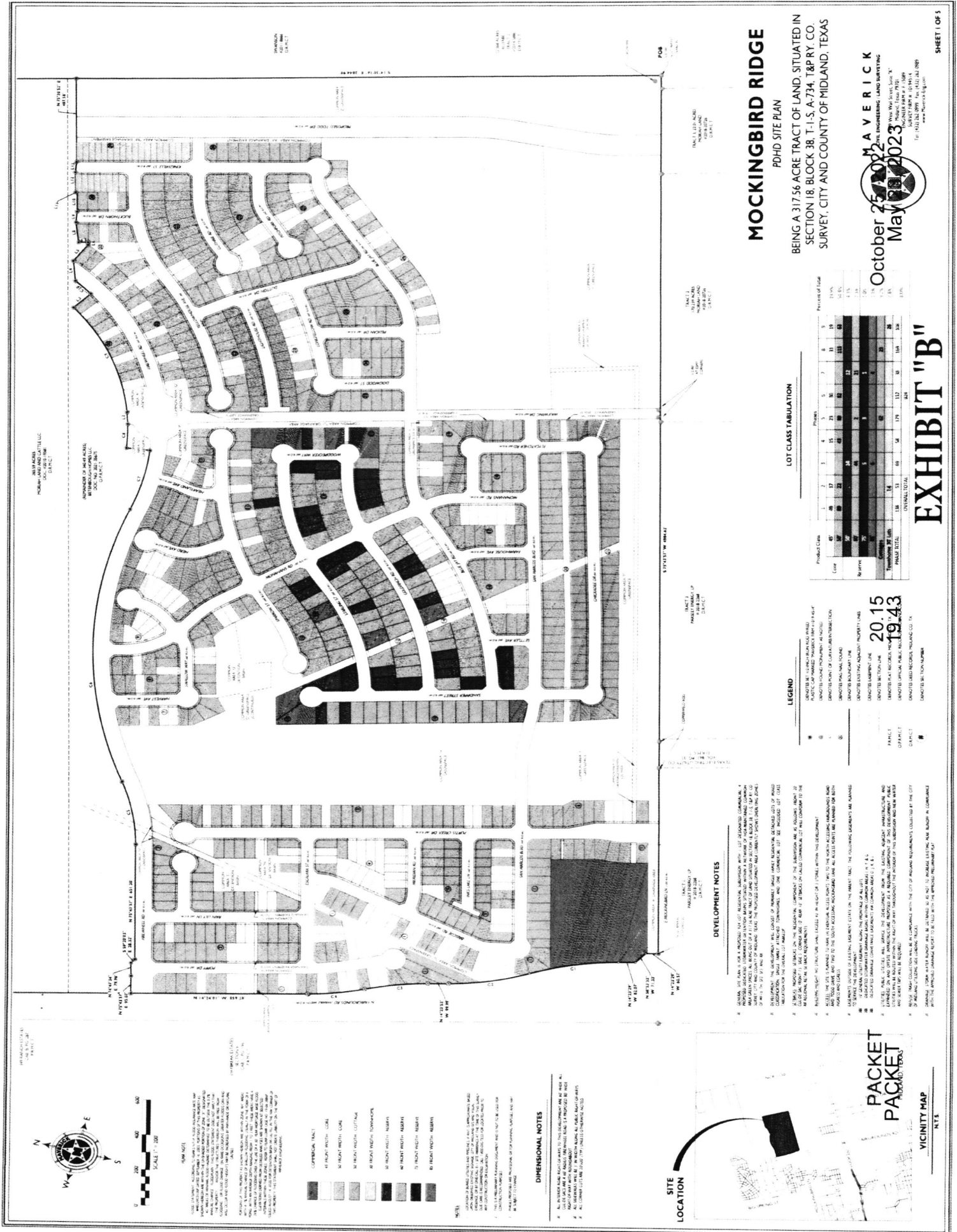
THENCE S.14°30'16"E., ALONG THE COMMON LINE OF SAID SECTIONS 17 AND 18, AT 1623.59 FEET PASSING A ONE HALF INCH IRON ROD FOR THE NORTHWEST CORNER OF A CALLED 22.368 ACRE TRACT IN DOCUMENT NUMBER 2014-5886 OF SAID OFFICIAL PUBLIC RECORDS, BEARING S.75°32'01"W., 15.87 FEET, AT 2815.90 FEET PASSING SAID 6 INCH STEEL FENCE POST BEARING S.75°29'44"W., 33.47 FEET, IN ALL 2844.98 FEET TO THE **POINT OF BEGINNING**, CONTAINING 317.56 ACRES OF LAND.

BASIS OF BEARING, DISTANCE, COORDINATES AND AREA ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE (theta) OF -0°53'04.89" AND A COMBINED SCALE FACTOR OF 0.999925027 AT THE POINT OF BEGINNING.

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October 25, 2022
May 23, 2023



MOCKINGBIRD RIDGE

PDHD SITE PLAN

BEING A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

MAVERICK

October 25, 2023

May 18, 2023

October 25, 2023
May 18, 2023

MAVERICK
2502 CIVIL ENGINEERING, LAND SURVEYING
10000 W. 10TH STREET, SUITE 100
MIDLAND, TEXAS 79701
(817) 432-8899 FAX (817) 432-8899
www.maverick-engineers.com

LOT CLASS TABULATION									
Product Code	1	2	3	4	5	6	7	8	9
Area	10	10	10	10	10	10	10	10	10
Volume	10	10	10	10	10	10	10	10	10
Weight	10	10	10	10	10	10	10	10	10
Count	10	10	10	10	10	10	10	10	10
Percentage	10	10	10	10	10	10	10	10	10
Overall Total	10	10	10	10	10	10	10	10	10

EXHIBIT "B"

LEGEND

- 1. UNIMPROVED LOT (Hatched)
- 2. IMPROVED LOT (Hatched)
- 3. UNIMPROVED LOT (Hatched)
- 4. IMPROVED LOT (Hatched)
- 5. UNIMPROVED LOT (Hatched)
- 6. IMPROVED LOT (Hatched)
- 7. UNIMPROVED LOT (Hatched)
- 8. IMPROVED LOT (Hatched)
- 9. UNIMPROVED LOT (Hatched)
- 10. IMPROVED LOT (Hatched)

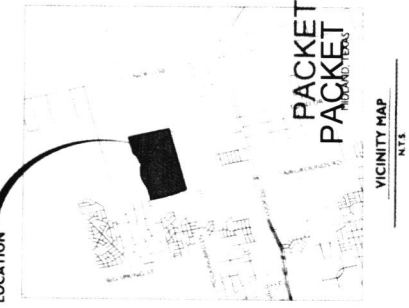
DEVELOPMENT NOTES

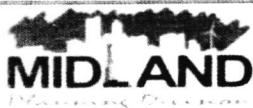
1. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
2. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
3. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
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6. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
7. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
8. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
9. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
10. THE DEVELOPMENT OF THIS TRACT SHALL BE IN ACCORDANCE WITH THE CITY OF MIDLAND PLANNING DEPARTMENT'S SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.

DIMENSIONAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE IN FEET AND INCHES.
3. ALL DIMENSIONS ARE IN FEET AND INCHES.
4. ALL DIMENSIONS ARE IN FEET AND INCHES.
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9. ALL DIMENSIONS ARE IN FEET AND INCHES.
10. ALL DIMENSIONS ARE IN FEET AND INCHES.

SITE LOCATION





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

Project Number 2-23-0299
Case Number _____

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

Printed Name Betenbough Homes

Phone ()
Email

Address

City

State

Zip

Property Owner

Printed Name See Applicant

Phone ()
Email

Address

City

State

Zip

Representative (if different from Applicant or Property Owner)

Firm Maverick Engineering

Printed Name Paladin Huckaba

Phone (432) 262-0999

Email
phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Street Address: NA County Rd 40

Legal Description

Lot _____ Block: 38 T-1-S Subdivision _____

Current Zoning: In Part: SF3, TH, SF2, MF16, SF1, 2F, RR

Proposed Zone: PDHD

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

Reason for Zone Change Request: To advance the proposed housing development associated with this request

Present Use of Property: vacant

Proposed Use of Property: residential

How would this zone change affect the public health, safety and welfare? This development will contribute to the housing inventory of the City of Midland, adding needed options to the housing makeup of the community

Describe how conditions affecting the property have changed since present zoning designation: No change since original zoning

Submittal and Fees

Items to be submitted with this application form:

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

PACKET

20.16

October 25, 2022

PACKET

19.44

May 23, 2023

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature) <u>[Signature]</u>	Date <u>7-18-2021</u>
Applicant (printed) <u>Chris Berry</u>	
Property Owner (signature) <u>See Applicant</u>	Date
Property Owner (printed) _____	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland	

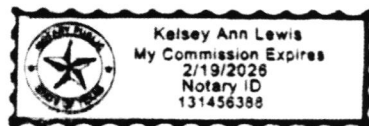
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Miller who, being by me duly sworn, upon oath says That (s)he is authorized by Belenbough Homes 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 20th day of July, 2022, to certify which witness my hand and seal of office



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

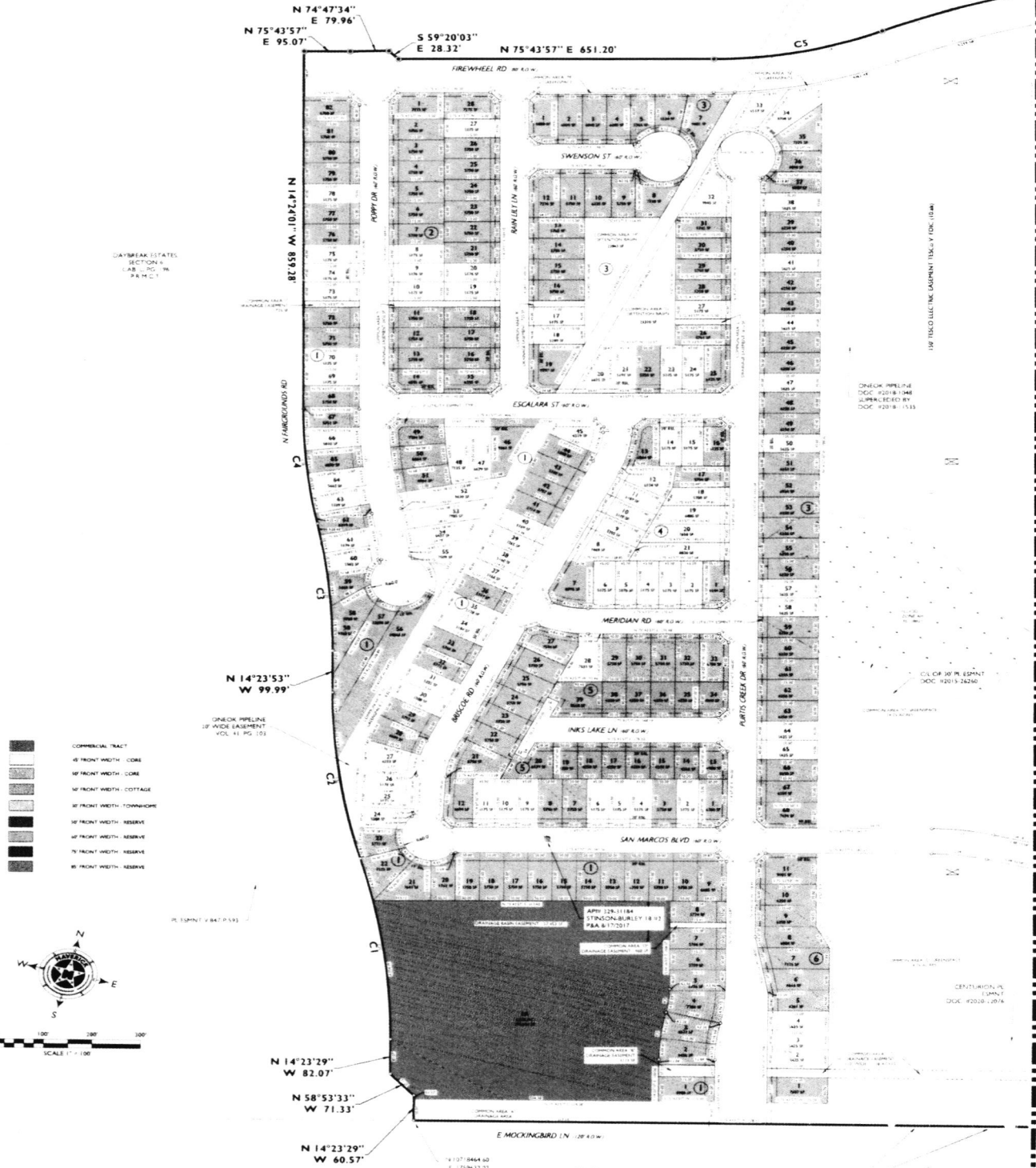
FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>3818</u>	
Received By <u>KM</u>	Date

PACKET
Application will not be considered for scheduling until reviewed by a planner.
PACKET
Special Exception Application
20.17
19.45
2
October 25, 2022
May 23, 2023
Revised 12/6/16

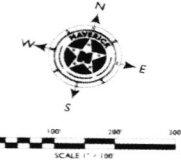
MOCKINGBIRD RIDGE

DETAIL SHEET #1

BEING A 317.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



- COMMERCIAL TRACT
- 40' FRONT WIDTH - CORN
- 40' FRONT WIDTH - CORN
- 40' FRONT WIDTH - COTTAGE
- 40' FRONT WIDTH - TOWNHOUSE
- 40' FRONT WIDTH - RESERVE
- 40' FRONT WIDTH - RESERVE
- 70' FRONT WIDTH - RESERVE
- 40' FRONT WIDTH - RESERVE



PACKET
MAVERICK
ENGINEERING, SURVEYING & ARCHITECTURE
10000 W. 10TH ST. SUITE 100
MIDLAND, TEXAS 79701
TEL: (409) 342-0000 FAX: (409) 342-0001
www.maverick-engineering.com

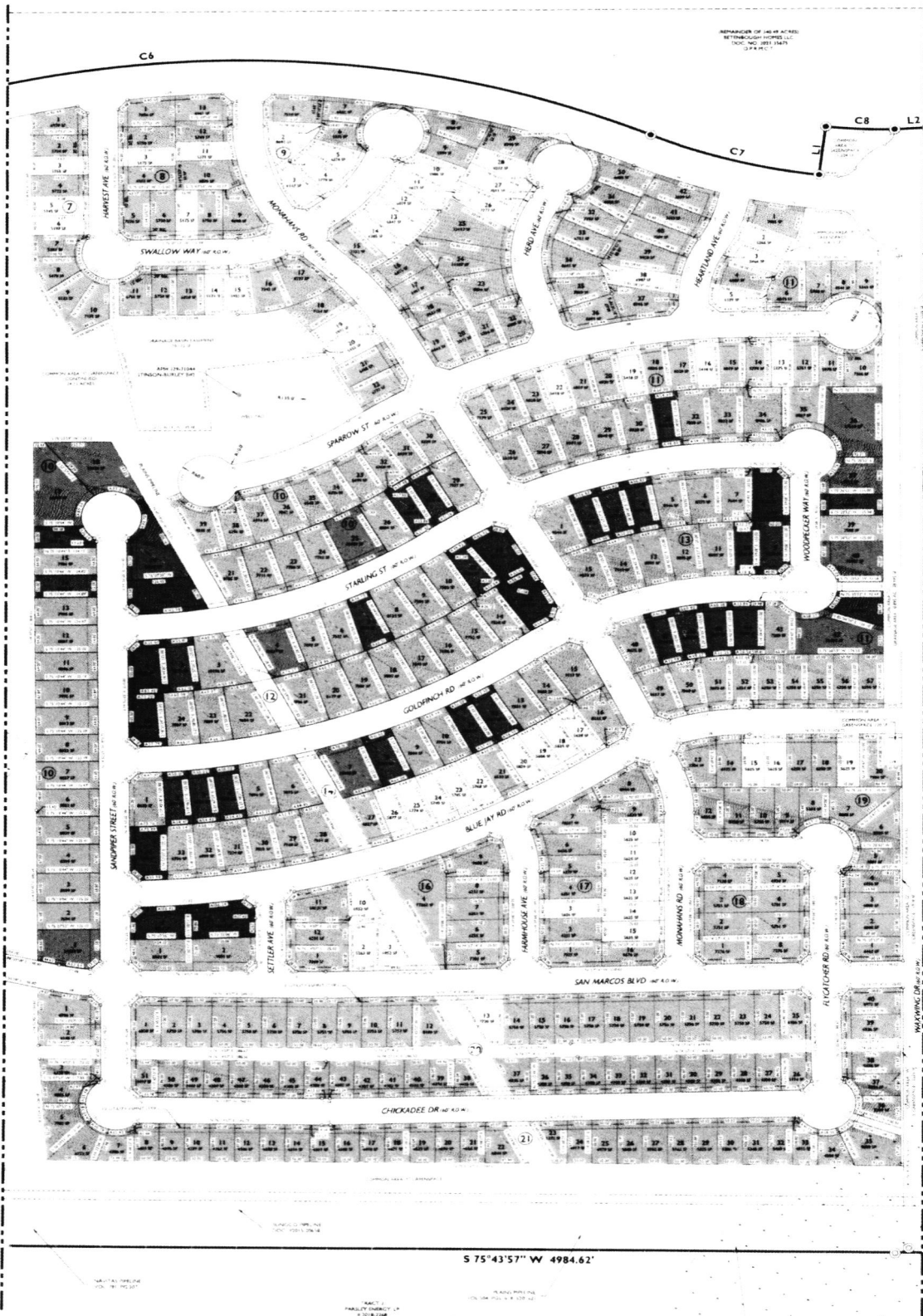
20.18
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October 25, 2022
May 23, 2023

SHEET 2 OF 5

MATCHLINE SHEET 1

MATCHLINE SHEET 3



MOCKINGBIRD RIDGE

20.19 DETAIL SHEET #2

BEING A 37.56 ACRE TRACT OF LAND, SITUATED IN SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO. SURVEY, C-19-47, COUNTY OF MIDLAND, TEXAS

October 25, 2022

May 23, 2023

SCALE 1" = 100'

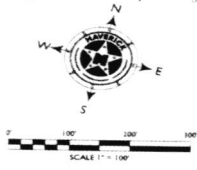
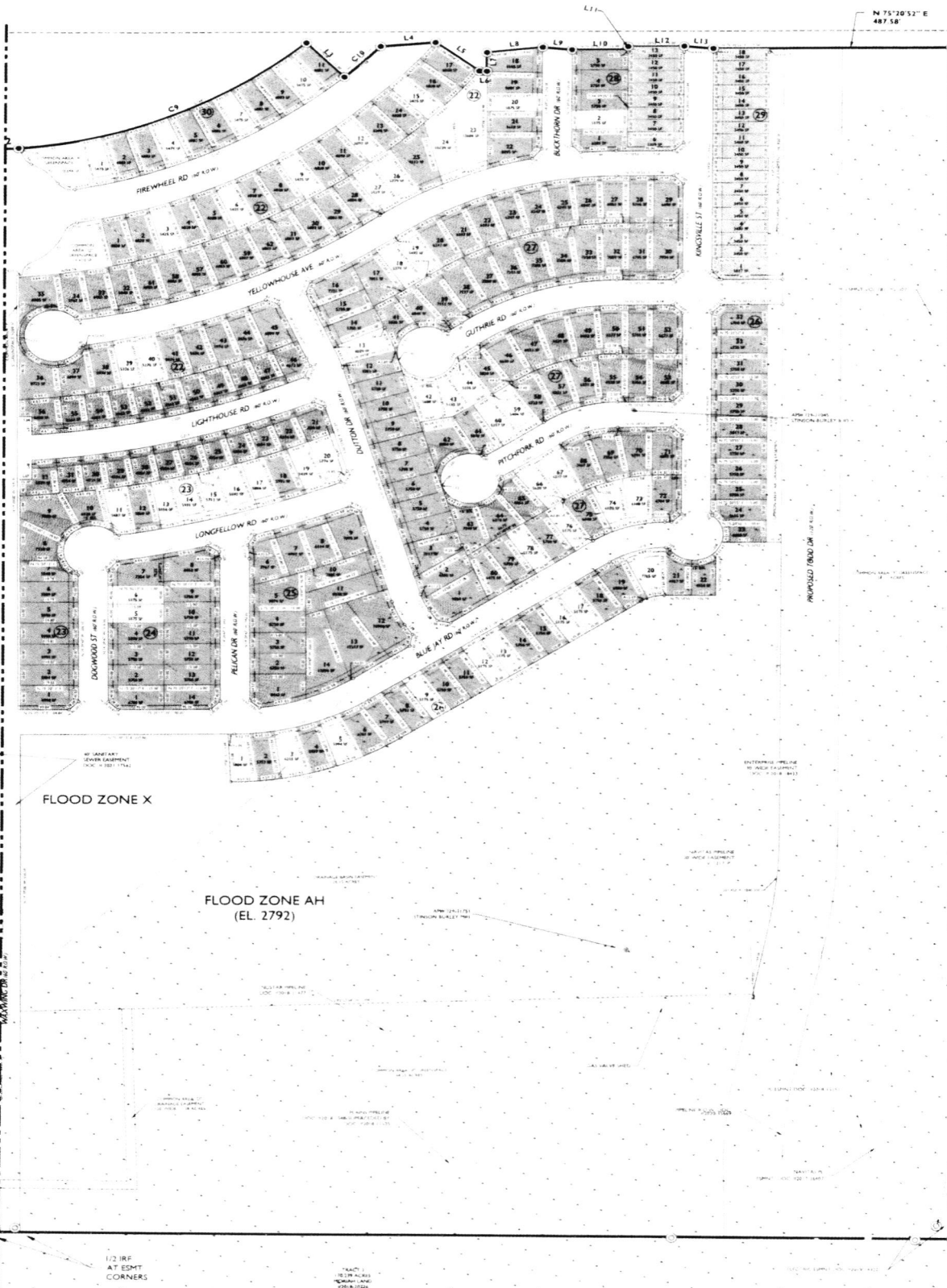
SHEET 3 OF 5



MAVERICK
ENGINEERING, SURVEY, WATER RESOURCES
PACKET

- 40 FRONT WEAIRY CORNER
- 30 FRONT WEAIRY CORNER
- 20 FRONT WEAIRY CORNER
- 10 FRONT WEAIRY CORNER
- 00 FRONT WEAIRY CORNER
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- 00 FRONT WEAIRY CORNER
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- 00 FRONT WEAIRY CORNER
- 00 FRONT WEAIRY CORNER

MATCHLINE SHEET 2



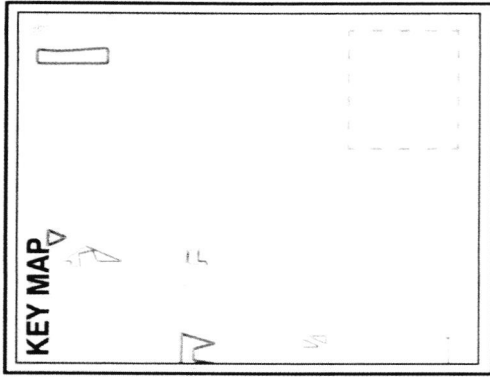
MOCKINGBIRD RIDGE
20.20 ACRE TRACT
DETAIL SHEET #3
BEING A 31.75 ACRE TRACT OF LAND, SITUATED IN
SECTION 18, BLOCK 38, T-1-S, A-734, T&P RY. CO.
SURVEY, MIDLAND COUNTY OF MIDLAND, TEXAS

[Pattern]	45' FRONT WIDTH - CORSE
[Pattern]	50' FRONT WIDTH - CORSE
[Pattern]	50' FRONT WIDTH - LOT/AGE
[Pattern]	50' FRONT WIDTH - RESERVE
[Pattern]	50' FRONT WIDTH - RESERVE

October 25, 2022
May 23, 2023

POB
1/2 1/2 1/2 1/2
1/2 1/2 1/2 1/2
1/2 1/2 1/2 1/2

SHEET 4 OF 5



LEGEND

- A ACTIVITY LAWN
- B PLAYGROUND + PAVILLION
- C DOG PARK + PAVILLIONS
- D EVENT PAVILLION
- E SPORTS FIELD
- F TRAIL SYSTEM



October 25, 2022
May 23, 2023

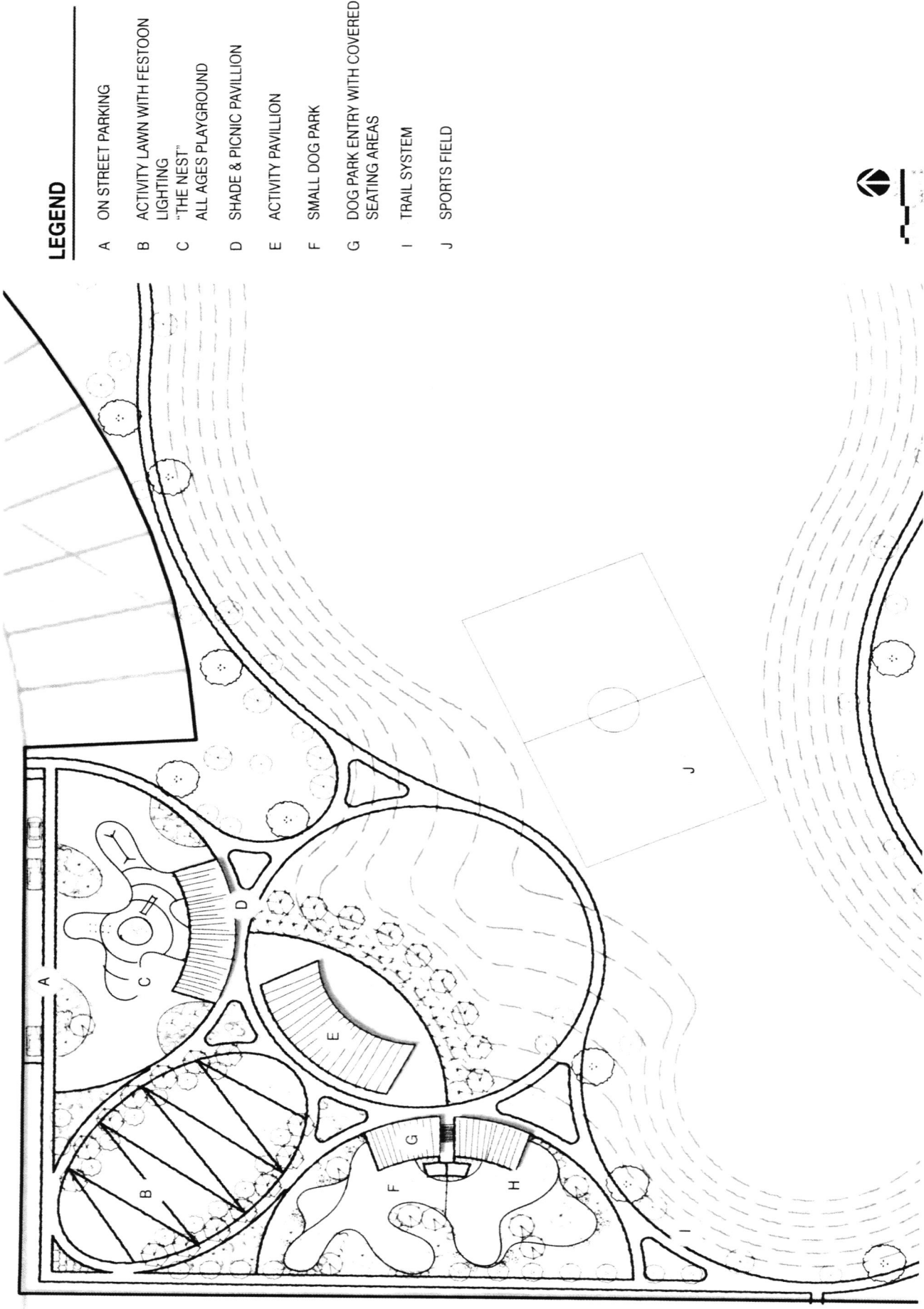
THE DRAWING IS CONCEPTUAL. THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

Kimley»Horn

6/28/2022

20.21
19.49

PACKET
MOCKINGBIRD RIDGE
MIDLAND, TX
OPEN SPACE CONCEPT

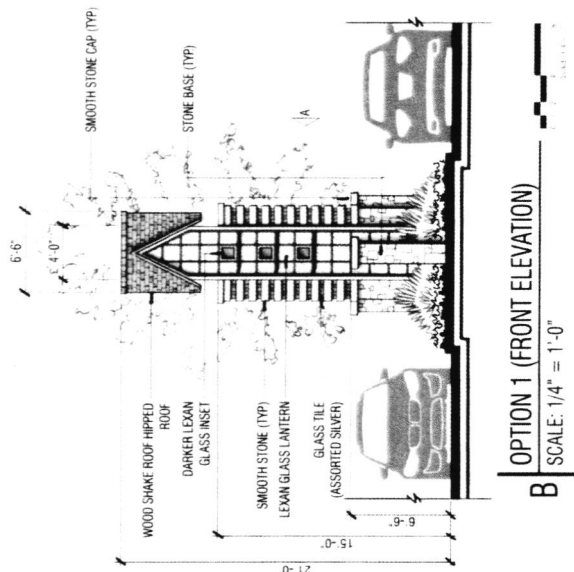
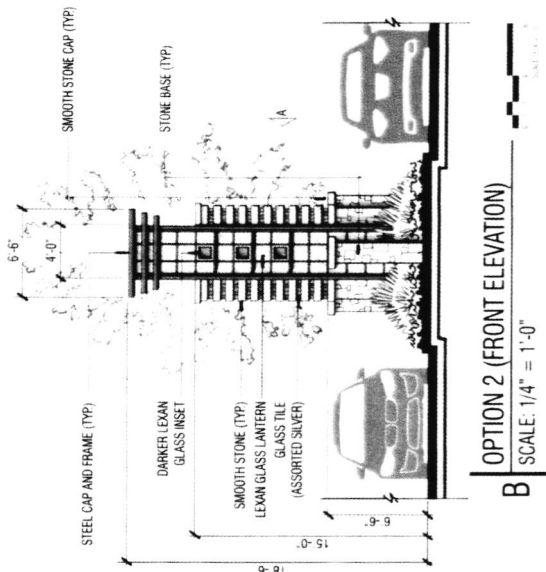
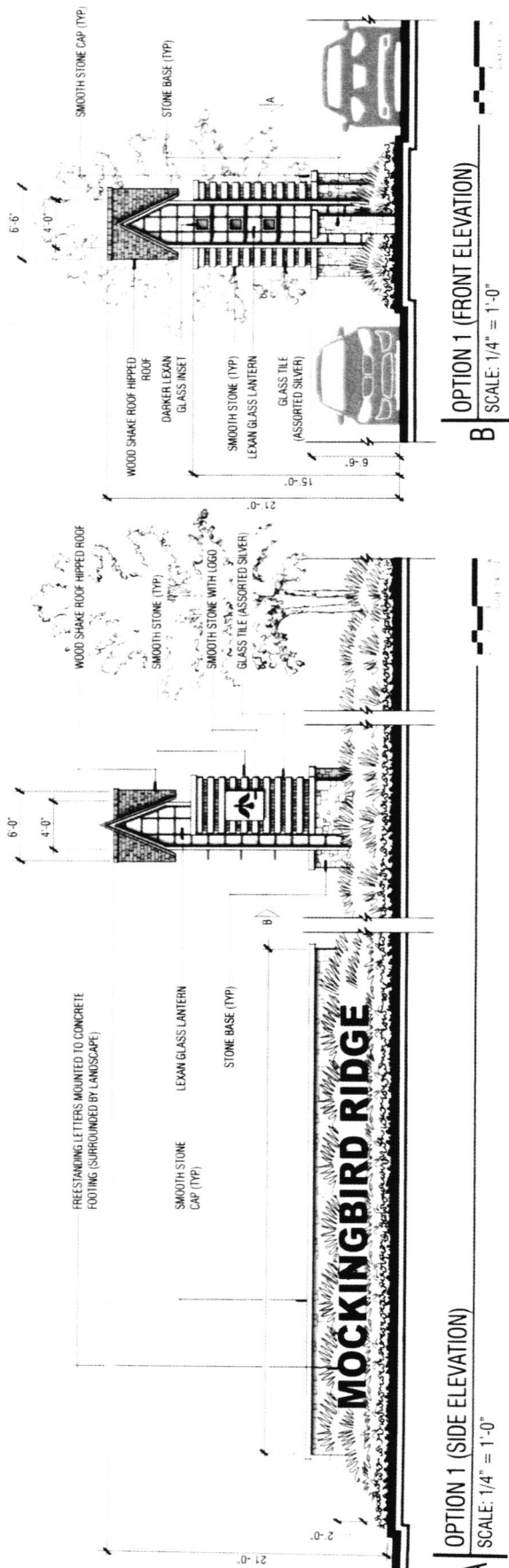
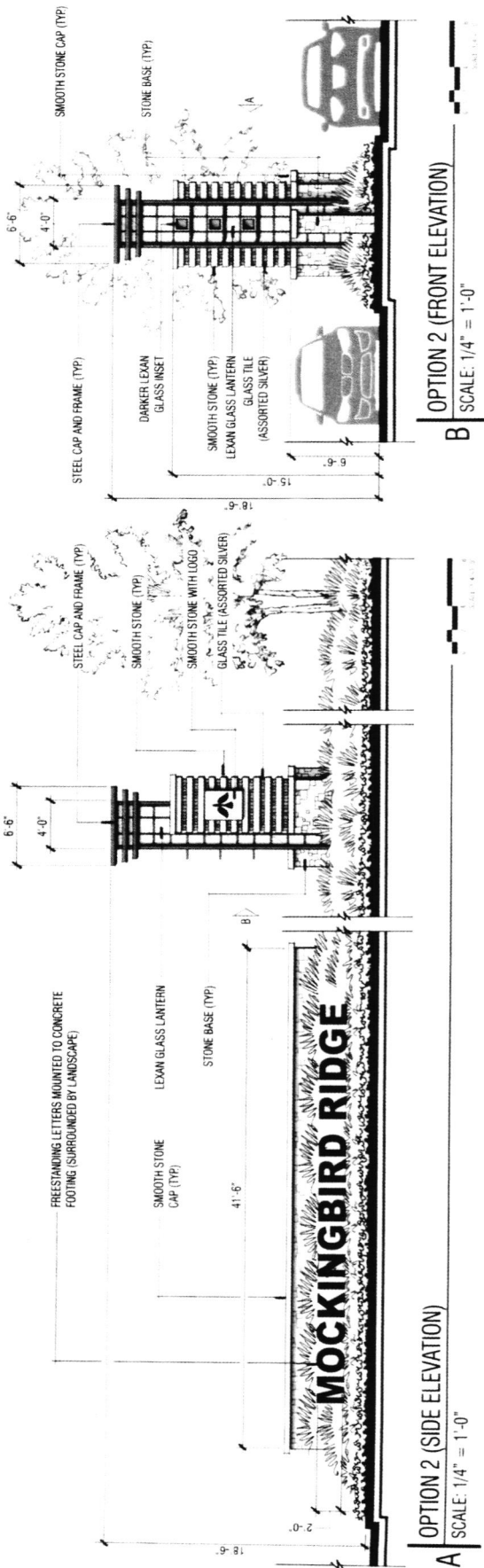


LEGEND

- A ON STREET PARKING
- B ACTIVITY LAWN WITH FESTOON LIGHTING
- C "THE NEST" ALL AGES PLAYGROUND
- D SHADE & PICNIC PAVILLION
- E ACTIVITY PAVILLION
- F SMALL DOG PARK
- G DOG PARK ENTRY WITH COVERED SEATING AREAS
- I TRAIL SYSTEM
- J SPORTS FIELD







COMMUNITY ENTRY SCHEMATIC DESIGN MOCKINGBIRD RIDGE

20.24
19.52

THIS DRAWING IS CONCEPTUAL. THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

October 25, 2022
May 23, 2022
Horn
Kearney
FEBRUARY 15, 2022

Renderings of Cottage Homes:

The April Plan: 3/2 w 1,109 SQ FT



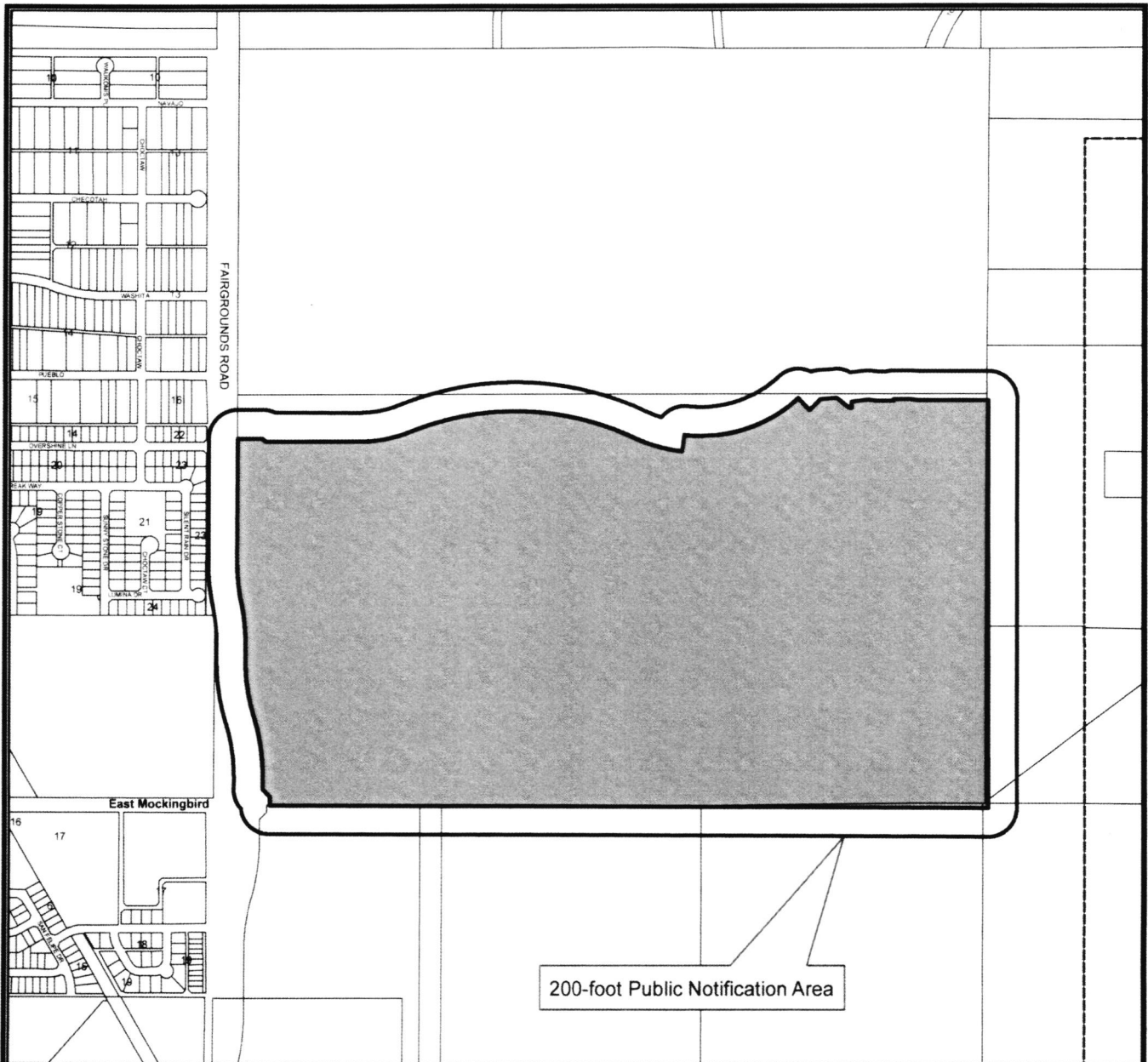
The Annabeth Plan: 3/2 w 1,231 SQ FT



PACKET
PACKET

20.25
19.53

October 25, 2022
May 23, 2023



LOCATION MAP

Z-22-0299

Scale: 1" = 12,044'

Consider a request by Maverick Engineering for a zone change from, SF-3, Single-Family Dwelling District, in part, TH, Townhouse Dwelling District, in part, SF-2, Single-Family Dwelling District, in part, MF-16, Multiple-Family Dwelling District, in part, SF-1, Single-Family Dwelling District, in part, 2F, Two-Family Dwelling (Duplex) District, in part, and RR, Regional Retail District, in part, to PD, Planned Development District for Housing Development out of a 317.56-acre tract of land, in Section 18, Block 38, T-I-S, A-734, T&P RY. CO. Survey, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Fairgrounds and East Mockingbird Road. (Council District 1)

LEGEND

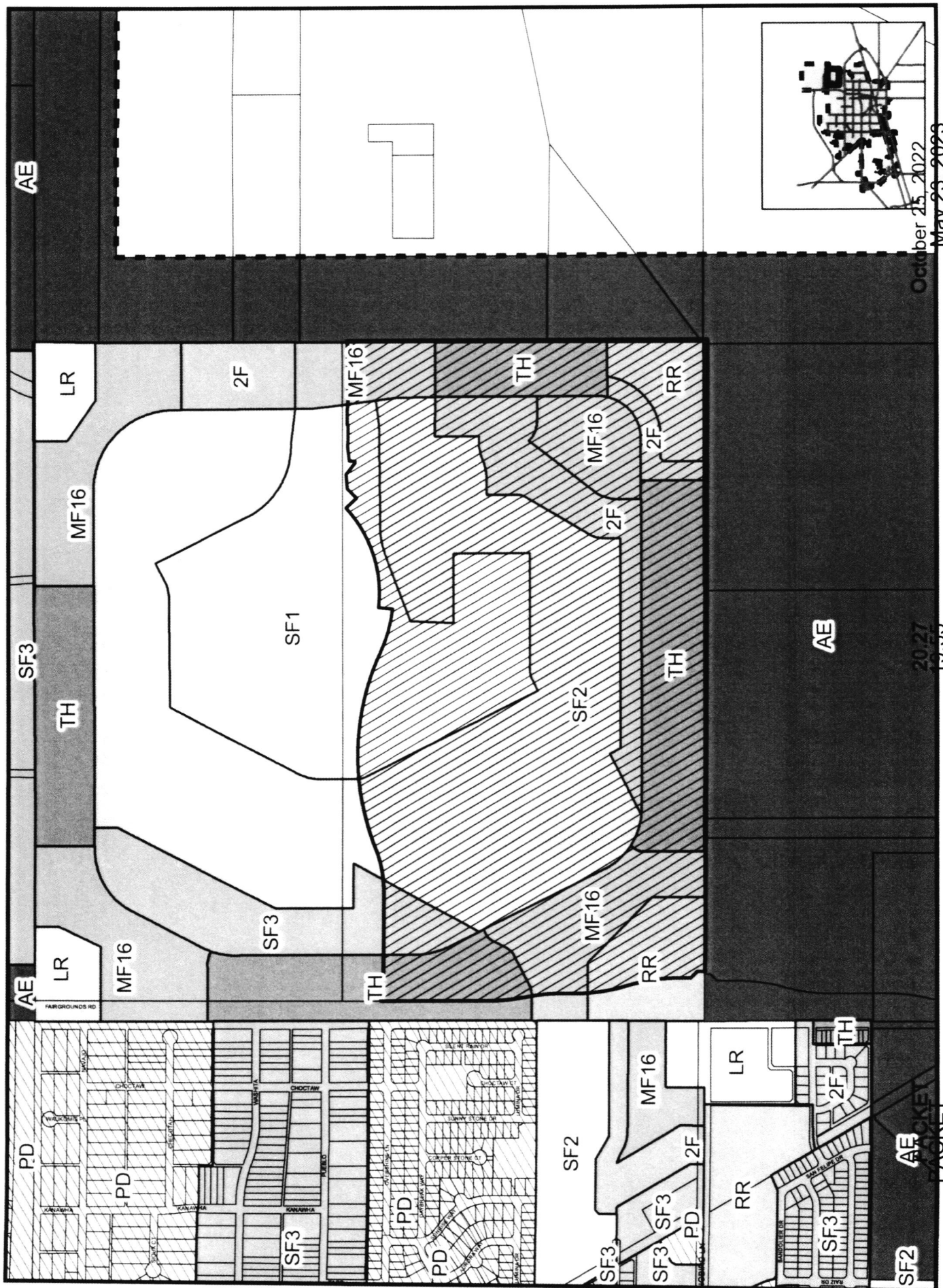
- - - CITY LIMITS
- ▭ PARCEL
- ▭ PRIVATE BLDGS



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October 25, 2022

May 23, 2023





PACKET
PACKET

20.28
19.56

October 25, 2022
May 23, 2023

PACKET

Page 5.100

December 18, 2023



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20.29
19.57

October 25, 2022
May 23, 2023

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Page 5.101

December 18, 2023



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20.30
19.58

October 25, 2022
May 23, 2023

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December 18, 2023



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20.31

October 25, 2022

PACKET

19.59

May 23, 2023

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Page 5.103

December 18, 2023

#10405



Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Midland Community Healthcare Services for an initial zoning of LR, Local Retail District for a 9.36-acre tract of land out of Tract 5, City View Acres, Midland County, Texas. (Generally located on the east side of South Jackson Street, approximately 170-feet south of Cloverdale Road.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Midland Community Healthcare Services, is requesting an initial zoning of a property to be annexed at 1009 S. Jackson Street for the future use of a medical clinic. The associated annexation request is scheduled for the January 9, 2024 City Council meeting.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Surrounding Zoning and Land Use:

The properties to the north are zoned C, Commercial District and are the locations of a Church and a residence. The properties to the east, south and west are located outside city limits in the ETJ and have no zoning. They are the locations of residences and businesses.

Analysis:

The site is currently in the process of being annexed into City Limits. A replat of the property will be required, but the Planning Division has not received any sketch plat applications for this property as of December 17, 2023.

The associated annexation request is scheduled for the January 9, 2024 City Council meeting.

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

Engineering: (Approved)

No objections to zoning/zone change. [For Applicant's Information Only.]

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations. [For Applicant's Information Only.]

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.]

Fire: (Approved)

No objections.

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.

Oil and Gas: (Approved)

No Oil and Gas issues.

Planning:

The Future Land Use Map in the Tall City Tomorrow Comprehensive designates this area as Employment Reserve (ER). Although the ER doesn't support an LR Zoning. The

property is close to a large residential area. One of the purposes of the Local Retail Zoning is to support uses that will serve surrounding neighborhoods. The use of a medical clinic fulfills this purpose and would benefit the surrounding residential area.

Therefore, staff recommends approval of this request subject to condition A.

Conditions:

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

Letters of Objection:

As of December 13, 2023, staff has not received any objection letters.

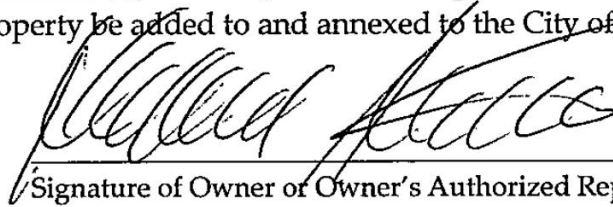
Attachments:

Petition & Survey (Exhibit A)
Application
Maps

PETITION FOR ANNEXATION

Dear City of Midland:

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



Signature of Owner or Owner's Authorized Representative

Michael J. Austin

Printed Name

Chief Executive Officer, MCHS

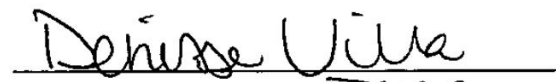
Title

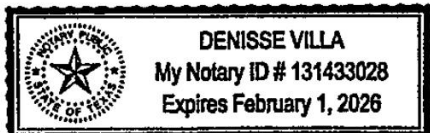
THE STATE OF TX §
COUNTY OF Midland §

This instrument was acknowledged before me on the 19th day of October 2023, by Michael J. Austin in the capacity herein stated.

MY COMMISSION EXPIRES

02/01/2026


Notary Public, State of Texas



MIDLAND COMMUNITY HEALTHCARE
SERVICES

TSPS LAND TITLE

SURVEY 1/4 ACRE TRACT OF LAND,
BEING A PART OF TRACT 5, CITY VIEW
SUBDIVISION, AS SHOWN ON THE PLAT
OF THE DEED RECORDS OF MIDLAND COUNTY,



Annexation/Initial Zoning Application

Project Number: _____

Case Number: _____

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

Printed Name: Michael J. Austin

Phone (432-570-0238

Email
michael.austin@midlandchs.org

Address

5001 Andrews Highway

City

Midland

State

TX

Zip

79703

Property Owner

Printed Name: Midland Community Healthcare Services

Phone (432-570-0238

Email
michael.austin@midlandchs.org

Address

5001 Andrews Highway

City

Midland

State

TX

Zip

79703

Representative (if different from Applicant or Property Owner)

Firm: Midland Community Healthcare Services

Printed Name: Michael J. Austin

Phone (432-570-0238

Email
michael.austin@midlandchs.org

Address

5001 Andrews Highway

City

Midland

State

TX

Zip

79703

Street Address: 1009 S. Jackson St., Midland, TX 79701**Legal Description**

Lot: 3

Block: 7

Subdivision: City View Acres (tract of land out of tract 5)

Current Zoning:

County

Proposed Zone: LR

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

Reason for Annexation/Zone Change Request: _____

Construction of non-profit primary care medical clinic and a co-located in-house pharmacy.

Access needed to municipal utilities.

Present Use of Property: _____

Vacant, previously used as a oil field trucking & heavy equipment operations and maintenance yard.

Proposed Use of Property: _____

Construction of non-profit primary care medical clinic and a co-located in-house pharmacy.

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

Improved access to medical care; no impact (possible improvement) with regards to traffic.

Will significantly improve quality of life on south side, which currently has no such facilities except our existing one which we have outgrown.

Describe how this annexation/zone change will affect adjacent properties: _____

Minimal impact. Project as proposed would be an improvement overall to a trucking yard.

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>[Signature]</u>	Date: <u>10-19-23</u>
Applicant (printed): <u>Michael J. Austin</u>	
Property Owner (signature): <u>[Signature]</u>	Date: <u>10-19-23</u>
Property Owner (printed): <u>Midland Community Healthcare Services</u>	
The Annexation/Initial Zoning shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. 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 Michael Austin who, being by me duly sworn, upon oath says: That (s)he is authorized by Midland Community Healthcare Services the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of October, 2023, to certify which witness my hand and seal of office.

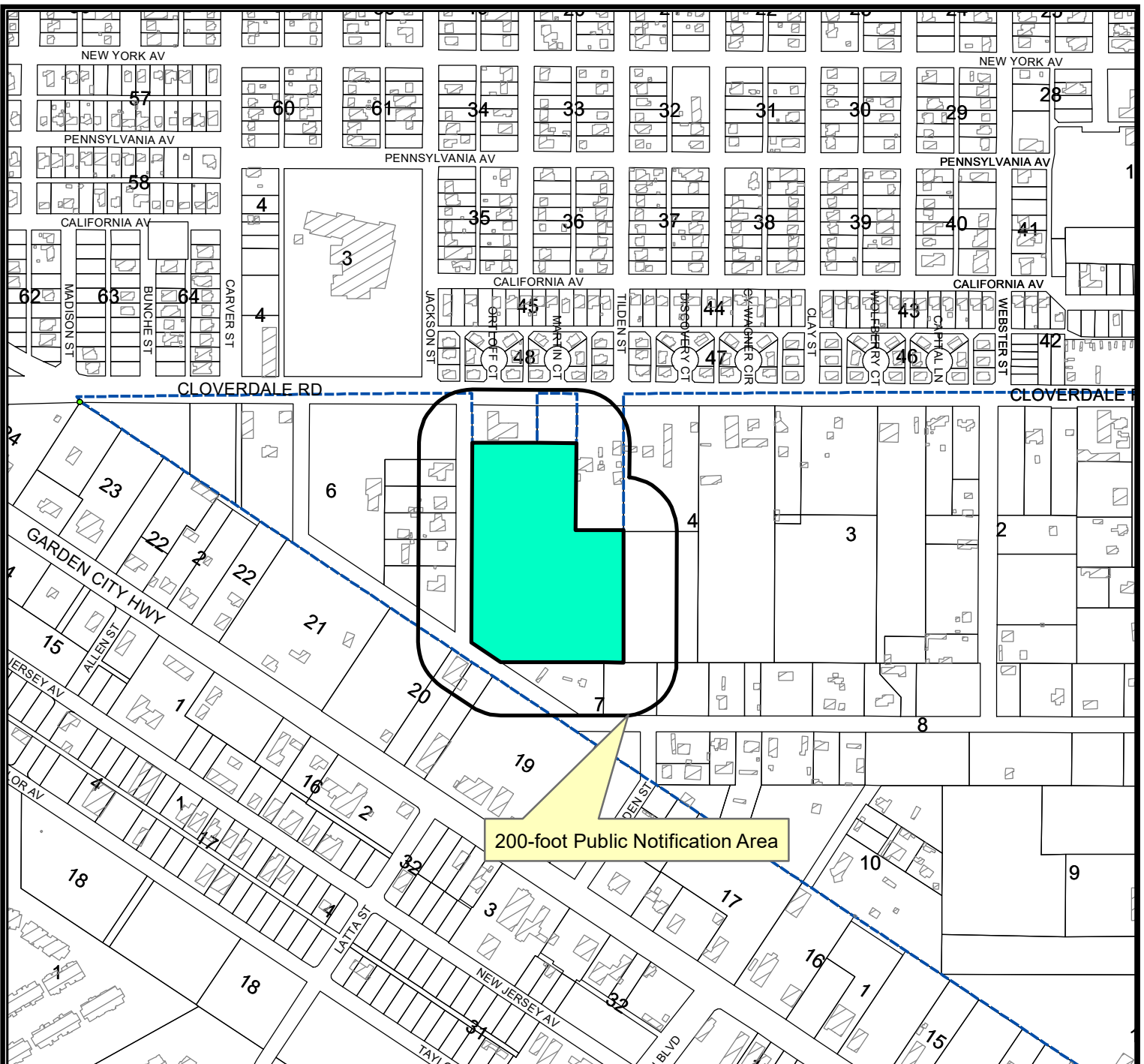


DENISSE VILLA
My Notary ID # 131433028
Expires February 1, 2026

Denisse Villa
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Metes and Bounds (Sealed by Surveyor)
☒ Application Fee	☒ Files in Digital Format (PDF/JPEG)
Check # <u>1001</u>	☒ Petition
Received By: <u>[Signature]</u>	Date: <u>OCT 19 2023</u>

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



LOCATION MAP

Z-23-0350

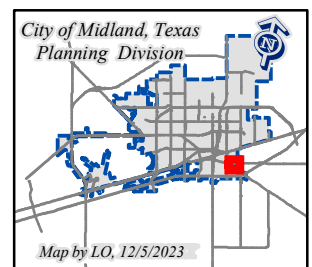
Scale: 1" = 542'

Consider a request by Midland Community Healthcare Services for an initial zoning of LR, Local Retail District for a 9.36-acre tract of land out of Tract 5, City View Acres, Midland County, Texas.

Generally located on the east side of South Jackson Street, approximately 170 feet south of Cloverdale Road. (ETJ)

LEGEND

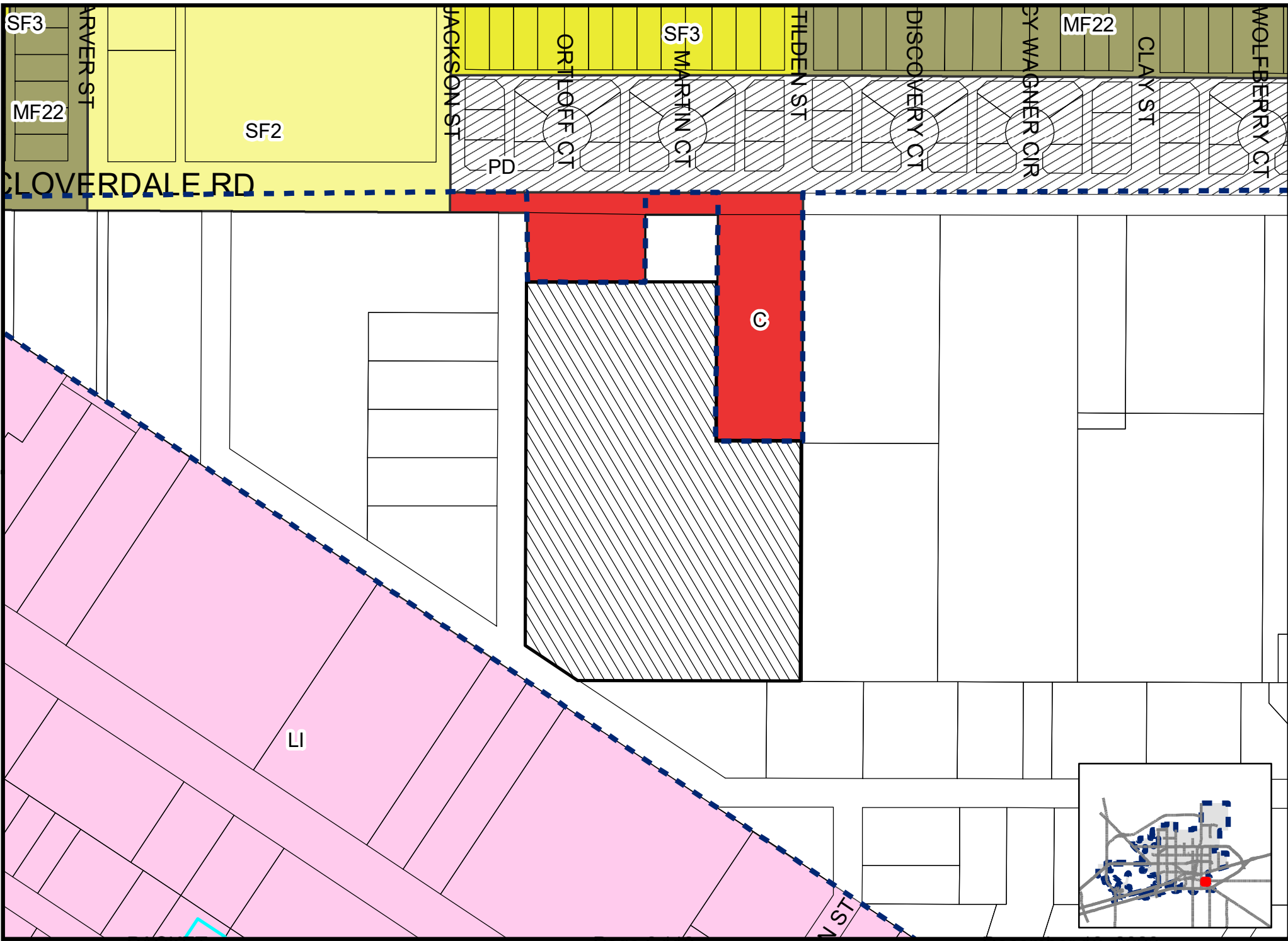
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



PACKET

Page 6.113

December 18, 2023













Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Hold a public hearing and consider a motion denying with staff's recommended conditions, a proposed Preliminary Plat of 349 Ranch Estates, Section 25 being a replat of Lot 55, Block 8, 349 Ranch Estates, City and County of Midland, Texas. (Generally located immediately east of Tejas, approximately 190 feet south of Navajo.) (DEVELOPMENT SERVICES) (COUNCIL DISTRICT 1)

Recommended Planning and Zoning Commission Action:

☐ Approve ☒ Deny ☐ Directional/Informational

Details of Request:

Schumann Surveying, Inc. is requesting to replat in order to obtain addresses. The proposed subdivision will have fourteen (14) lots with a total acreage of 7.88.

Current Zoning:

SF-1, Single Family Dwelling District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Denied)

*** Denied per City Code Sect. 11-2-3(D)8. Drainage report is required during preliminary stage of the platting process.***

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

ROW: OK as is. [For Applicant's Information Only.]

PAVING: The fronting undeveloped streets are sub-standard, construct to City Standards for entire platted frontage or request a deferral at preliminary. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

Internal paving improvements have not been submitted/accepted. Construct roads shown to City Standards for entire platted frontage. Will the internal streets be private? If so, label them on the plat face. [For Applicant's Information Only.]

WATER: 6" water exists in undeveloped road south side of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

None existing on the north, west and east of tract. Construct water to City standards along entire platted frontage, or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

SEWER: None existing on the north, west and east of tract. Construct water to City standards along entire platted frontage, or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

DRAINAGE: Drainage report is required during preliminary stage of the platting process. FEMA: Firm data to be on plat face. [Reference Midland City Code 11-2-3(D)8]

Drainage Easement, granted with this plat:

1. The maintenance of any stormwater facility in this easement is the responsibility of the property owner. Property owner agrees to maintain the facility in working order, with inspections and corrective action made at least annually.

2. The City of Midland shall have the right to mitigate deficiencies in the function of the stormwater facility, and to be reimbursed by the property owner, if the City finds it necessary for public health and safety.

3. The City of Midland and its employees, contractors, agents, successors, and assigns, shall have the free and uninterrupted right of passage in, on, upon, over, under, across, along and through the property described herein for the purpose of establishing, laying, constructing, reconstructing, installing, realigning, modifying, replacing, improving, altering, operating, maintaining, accessing, inspecting, repairing, relocating and removing said facilities, including but not limited to, the right to cut and trim bushes and trees, together with the right of ingress, egress and regress for such purposes in, on, upon, over, under, across, along and through the property described herein.

4. Developer may not use any part of the property described herein if such use will damage, destroy, injure, and/or unduly interfere with the City of Midland's use of the property. Developer expressly covenants and agrees for itself, its legal representatives, successors and/or assigns, that no building, roadways, or curbs and gutters of any kind will be placed on the property described herein. Written permission for above ground appurtenances must be obtained from the City of Midland, prior to installation.

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)

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.

GIS: (Approved)

6th call from POB, in metes and bounds, should have directionality of N30-27-29E (Currently N30-27-29W). (NW corner of plat visual is the correct call) Calls needed for 40' private access and utility easement. Steve: Please label street name for private access.

PLANNING: (Denied)

The proposed Lot 65 doesn't meet the minimum lot width requirements for the SF-1 zoning district. Please rework or apply for a special exception.

Label right-of-way and easement dedications with bearing, width, and easement descriptions (dashed line on plat).

Where a lot faces a cul-de-sac and sides towards another street, a front yard setback of 45 feet will be required from the projection of the cul-de-sac.

It is recommended that the proposed street connect to Tejas.

Staff recommends denial of the preliminary plat of 349 Ranch Estates, Section 25. However, should the Commission approve it, staff recommends that it be 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

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE SOUTHEAST PART OF SECTION 12, BLOCK X, ABSTRACT 684, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 7.88 ACRE TRACT OF LAND, IN THE NORTH 1/4 OF SECTION 12, BLOCK X, ABSTRACT 684, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS, SAID 7.88 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR SET (N:10721748.45, E:1756054.13) IN THE NORTH RIGHT OF WAY LINE OF A 20.00' ALLEY FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF THIS TRACT, FROM WHICH THE NW LOT CORNER OF LOT 9 N/2, OF BLOCK 8, 349 RANCH ESTATES, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, ACCORDING TO THE MAP OR PLAT RECORDED IN CABINET B, PAGE 287, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, BEARS SOUTH 75°31'26" WEST 211.09 FEET AND SOUTH 14°28'34" EAST 20.95 FEET.

THENCE SOUTH 75°31'26" WEST 561.94 FEET TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 11°30'37" WEST 333.47 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 14°34'47" WEST 154.27 FEET TO A REINF BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 75°36'34" WEST 14.86 FEET TO A REINF BAR SET FOR AN EXTERIOR CORNER OF THIS TRACT;

THENCE NORTH 14°41'37" WEST 94.97 FEET TO A REINF BAR SET FOR THE MOST SOUTHERLY NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 30°27'29" WEST 28.21 FEET TO A REINF BAR SET FOR THE MOST NORTHERLY NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°36'36" EAST 538.53 FEET TO A REINF BAR SET FOR THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 59°29'05" EAST 28.33 FEET TO A REINF BAR SET FOR THE MOST SOUTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°38'32" EAST 561.42 FEET TO A REINF BAR SET FOR THE MOST NORTHERLY SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 30°26'28" WEST 28.24 FEET TO THE PLACE OF BEGINNING.

LANCE FRIDAY,

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

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

SIGNED: _____

CHAIRMAN LUCY SISNEGA

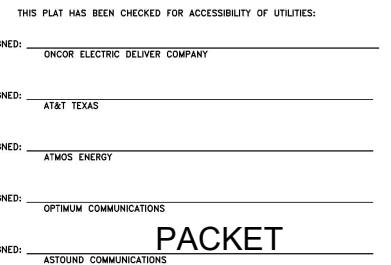
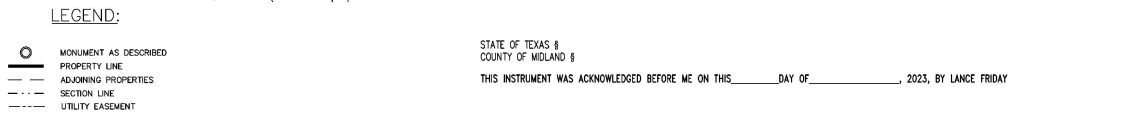
ATTEST: _____

SECRETARY CRISTINA O. BURNS

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

JUM		SCHUMANN	
S RPLS 4826		A LATERAL LAND COMPANY	
BY	DRAWN BY: JG	DATE: 05/09/2023	 LAND SURVEYING 2023 1218 10149600 December 18, 2023 100 N. WINDMILL STREET SUITE 100 WILLOW, TEXAS 75091 Office (409) 421-1234
	CHECKED BY: ED/RJ	PROJECT NO:	
	JOB NO.: 79.404	SHEET: 1 OF 1	

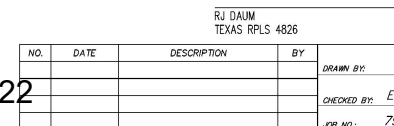
349 RANCH ESTATES, BLO



NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

1. BEARINGS, DISTANCES, COORDINATES AND ACRESAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
2. MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
6. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
7. REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATING PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR. THIS PROPERTY IS IN FEMA FLOOD MAP PANEL 483290100F, EFFECTIVE DATE OF SEPTEMBER 16, 2005. PROPERTY IS IN ZONE "A4", WITH A FLOOD PLAIN BASE OF 2813.00' ELEVATION.
8. ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MAY APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A SUBSTANTIAL LAND USE INCREASE. ANY PERSON WHO FAILS TO OBTAIN A PERMIT FOR SUCH CHANGES OR WOULD OTHERWISE VIOLATE THIS CHAPTER, APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.
9. PROPOSED WATER, SANITARY SEWER, AND STORM SEWER PIPELINES WITH CULVERTS, BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ON-ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT. Page 7

OWNER(S):
CASTLE RESTORATIONS INC.
PO BOX 80295
MIDLAND, TX 79708



Page 7.122



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: 349 RANCH ESTATES, SECTION 25

Legal Description (attached sealed Metes and Bounds): BEING A REPLAT OF LOT 55, BLOCK 8, 349 RANCH ESTATES, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner Printed Name <u>LANCE FRIDAY</u>		Phone (432) <u>682-2529</u>	
Address <u>P.O. Box 80295</u>		Email <u>Lance@LanceFridayHomes.com</u>	
City <u>Midland</u>	State <u>TX</u>	Zip <u>79708</u>	

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>SCHUMANN SURVEYING CO., INC</u>		Phone (432) <u>684-5348</u>	
Printed Name: <u>EDUARDO ALEMAN</u>		Email <u>palcman@schumannsurveying.net</u>	
Address <u>800 W. Macdonald</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning: SF1

Reason for Platting: TO OBTAIN ADDRESS

Plat Information	Total Acreage: <u>7.88</u>
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>14</u>	Number of Multi-family Dwelling Units: _____

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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:

11-16-23

Property Owner (printed):

Lance Friday

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

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

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

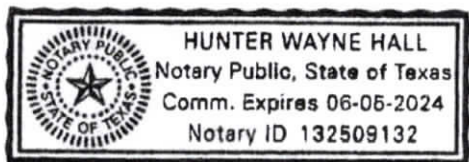
STATE OF TEXAS

COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Lance Friday, 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 16th day of November, 20 23, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Application Fee

☒ 1 Copy of Plat (11x17)

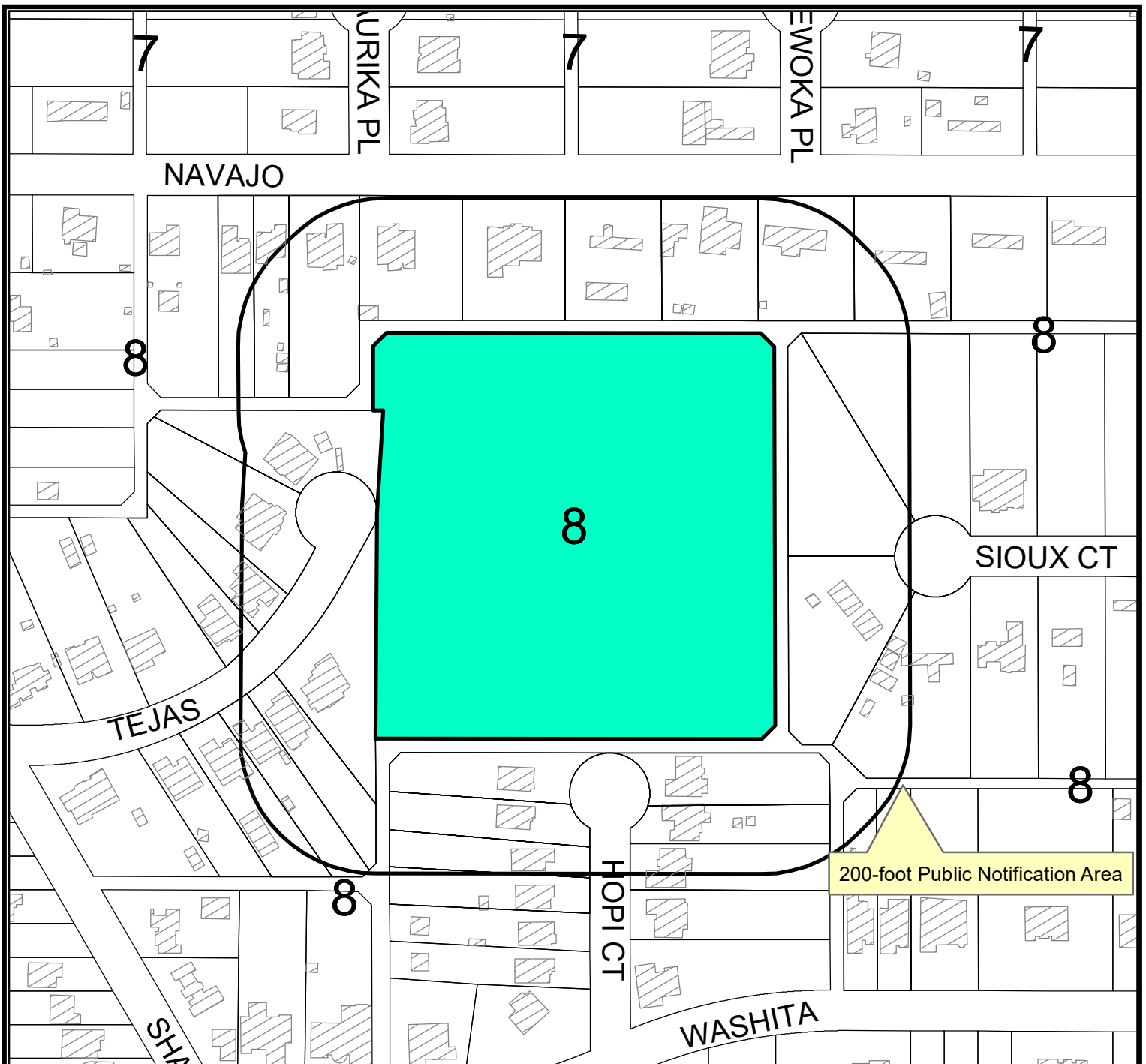
Check #

Received By:

Date:

NOV 22 2023

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



LOCATION MAP

SUB-23-0652

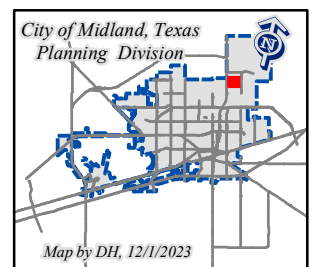
Scale: 1" = 214'

Proposed plat of 349 Ranch Estates, Section 25 being a replat of Lot 55, Block 8, 349 Ranch Estates, City and County of Midland, Texas.

Generally located immediately east of Tejas, approximately 190 feet south of Navajo. (Council District 1)

LEGEND

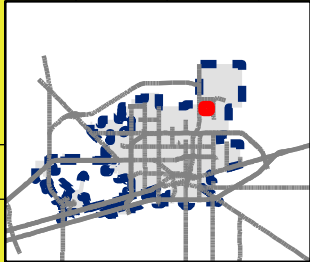
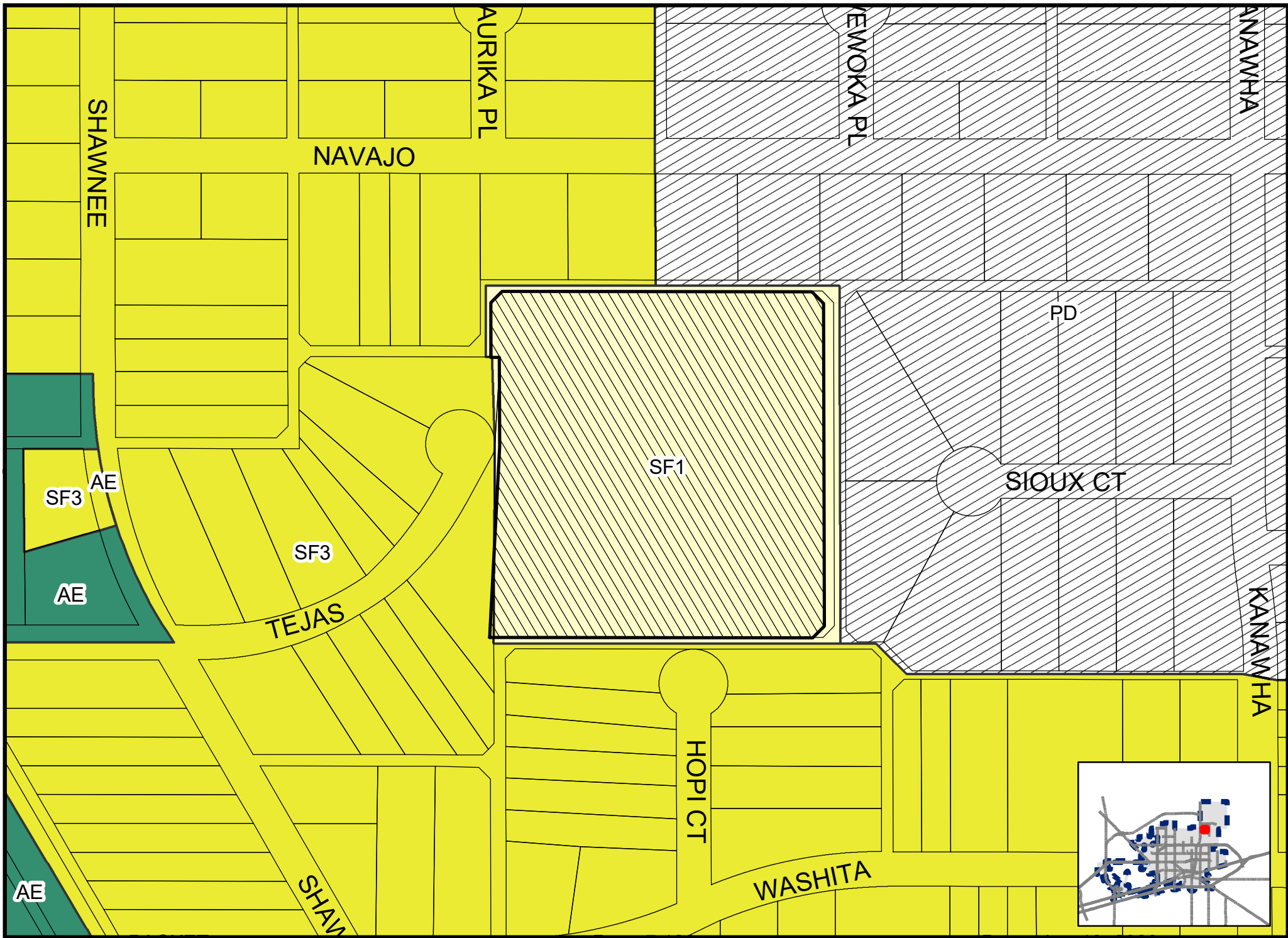
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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













Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Hold a public hearing and consider a motion approving a proposed Final Plat of Quail Ridge Addition, Section 9, being a replat of Lots 8 & 9, Block 12, Quail Ridge Addition, Section 8, City and County of Midland, Texas. (Generally located on the north side on Starling Drive, approximately 170-feet west of Killdeer Court.) (DISTRICT 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

PD, Planned Development District for a Housing District. (Ordinance 10080)

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting to replat Lots 8 & 9, Block 12, Quail Ridge Addition, Section 8 City and County of Midland, into one (1) lot for ownership purposes.

The Preliminary Plat was approved at the Planning and Zoning Commission meeting on October 16, 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 all been received.

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

Below are the departments' comments.

Departmental Review:

ENGINEERING: (Approved)

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

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

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

WATER: 8" water exists in Starling roadway, 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: 8" sewer exists in Starling roadway, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

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

No comments.

OIL AND GAS: (Approved)

No Oil & 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)

No comments.

CRMWD: (Approved)

We do not have any comments on this plat.

Planning: (Approved with Conditions)

No Comments.

Condition:

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

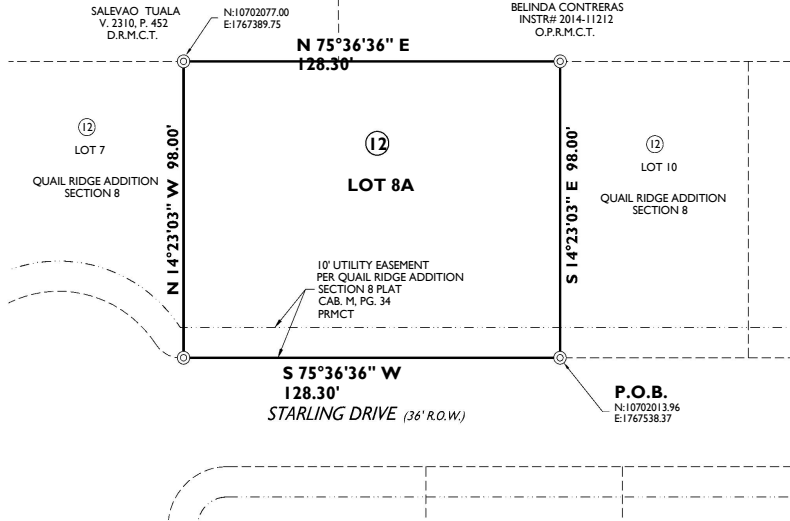
Attachments:

Proposed Final Plat
Application
Maps
Ordinance 10080

QUAIL RIDGE ADDITION, SECTION 9

BEING A PART OF LOTS 8 & 9, BLOCK 12, QUAIL RIDGE ADDITION,
SECTION 8,

CITY AND COUNTY OF MIDLAND, TEXAS



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 0.9999896911 AT NGS "MIDLAND".
- 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
- SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0093F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 1% FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE ADJACENT FLOODPLAIN" 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 WITH-HOLDING OF
- UNDEVELOPED BUILDING PERMIT 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:

- (1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
- (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.

PACKET

UTILITY COMPANY'S

CERTIFICATE
THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

OPTIMUM

BY: _____

ASTOUND BROADBAND

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF QUAIL RIDGE ADDITION, SECTION 9, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

CHAIRMAN

JEFFREY FISHER, SECRETARY

SURVEYOR'S CERTIFICATE

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

GREGORY W. SHOULTS RPS#5356
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS QUAIL RIDGE PART INVESTMENTS LP, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 42, BLOCK 38, T-1-S, T&P. RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS. NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT QUAIL RIDGE PART INVESTMENTS LP, BEING QUAIL RIDGE PART INVESTMENTS LP OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS QUAIL RIDGE ADDITION, SECTION 9, 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 AND AT LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THERETO, AND CONDITION SAID EASEMENT DAY OF _____, 2023. 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.

BY: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

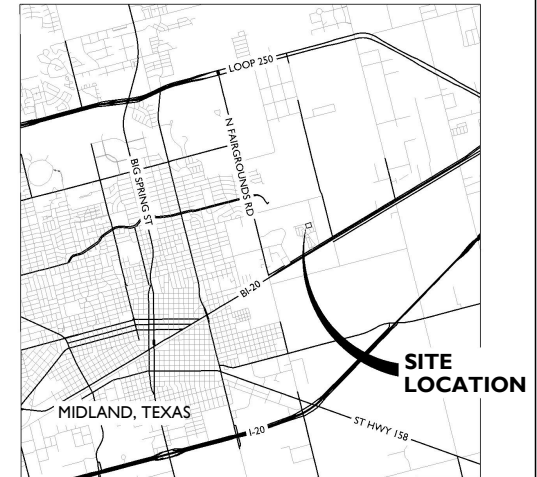
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PROPERTY OWNER

QUAIL RIDGE PART INVESTMENTS LP
PO BOX 50653
MIDLAND, TX 79710
DEED INSTRUMENT # 2020-15783
OPRMCT

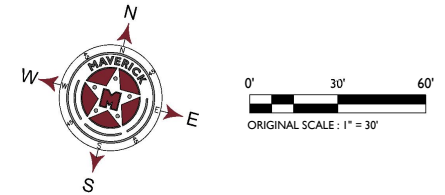
PLAT FILED FOR RECORD
MIDLAND COUNTY,
TEXAS
NO. _____

DATE _____



VICINITY MAP

N.T.S.



LEGEND

- FOUND 1/2-INCH IRON ROD WIRED PLASTIC CAP MARKED "MAVERICK FIRM #10194514"
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING EASEMENT LINE
- PRMCT PLAT RECORDS MIDLAND COUNTY TEXAS



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

**QUAIL RIDGE
ADDITION**

December 18, 2023
SECTION 9



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Quail Ridge Addition, Section 9

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 8 & 9, Block 12, Quail Ridge Addition, Section 8, City and County of Midland, Texas

Property Owner Printed Name: Quail Ridge Part Investments LP		Phone () Email	
Address PO Box 50653	City Midland	State TX	Zip 79710

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <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: PD
Reason for Platting: ownership purposes

Plat Information	Total Acreage: 0.289
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 <u>20 days</u> and a Residential Replat must be submitted at least <u>25 days</u> 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): Troy L. Hunt

Date: 10/24/2023

Property Owner (printed): Troy L. Hunt

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.

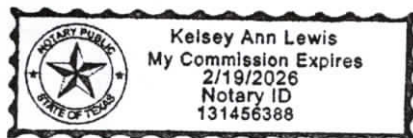
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of October, 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>45916</u> | ☒ Tax Certificates | ☒ Recording Fee |
| Received By: <u>[Signature]</u> | | Check # <u>6702 2 2 AON</u> |

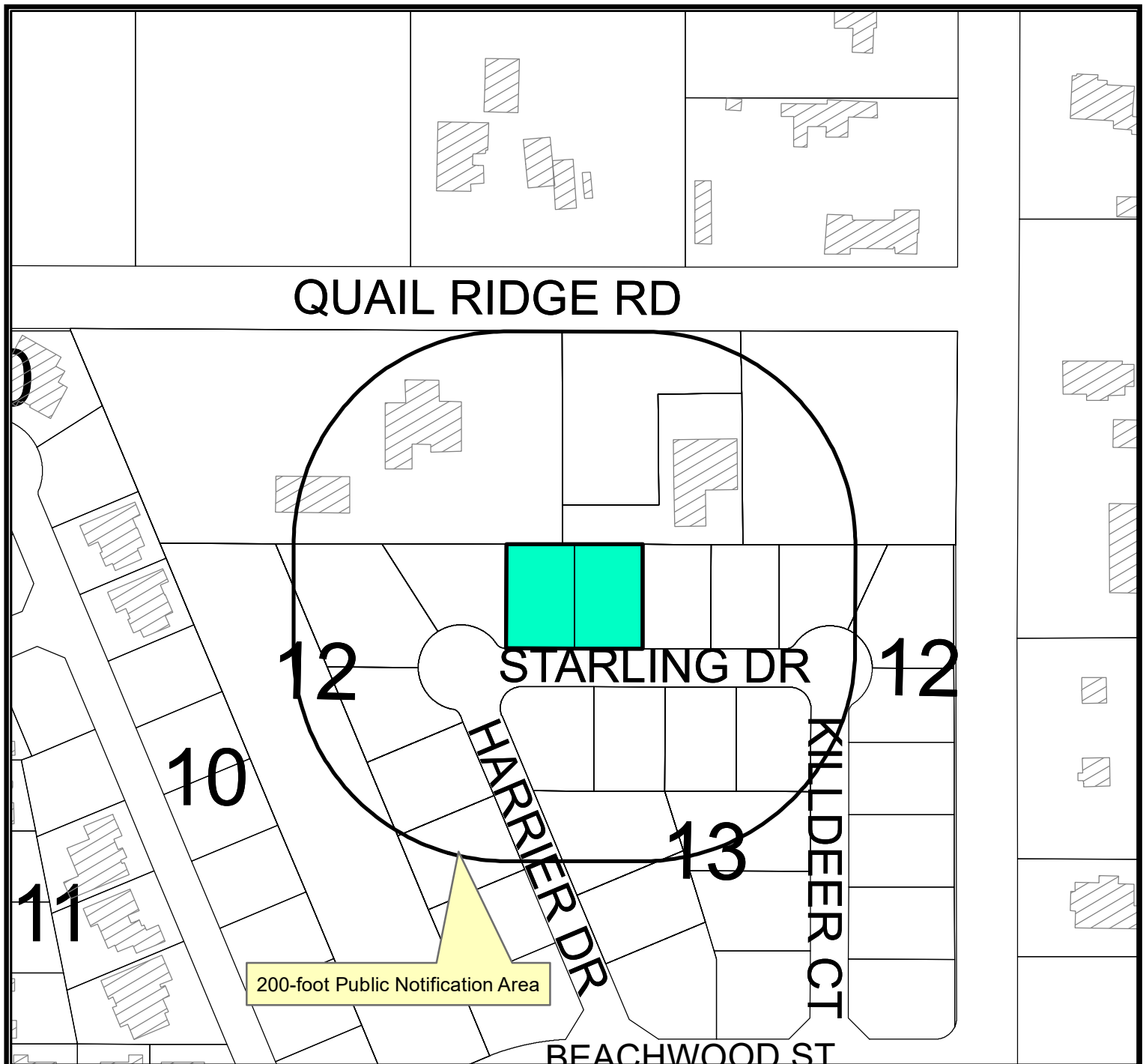
****Application will not be considered for scheduling until reviewed by a planner****

Final Plat Application

PACKET

Page 8.136

Revised 7/01/19
December 18, 2023



LOCATION MAP

SUB-23-0654

Scale: 1" = 1,623'

Proposed Plat of Quail Ridge Addition, Section 9, being a Replat of Lots 8 & 9, Block 12, Quail Ridge Addition, Section 8, City and County of Midland, Texas.

Generally located on the north side of Starling Drive, approximately 170-feet west of Killdeer Court. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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QUAIL RIDGE RD

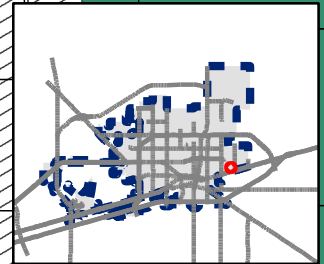
AE

STARLING DR

PD

HARRIER DR

KILLDEER C



ORDINANCE NO. 10080

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE LOTS 19 THROUGH 31, BLOCK 5, LOTS 1 THROUGH 16, BLOCK 8, LOTS 1 THROUGH 9, BLOCK 9, AND LOTS 1 THROUGH 4, BLOCK 10, QUAIL RIDGE ADDITION, SECTION 6, LOTS 10 THROUGH 20, BLOCK 9, LOTS 5 THROUGH 18, BLOCK 10, AND LOTS 1 THROUGH 14, BLOCK 11, QUAIL RIDGE ADDITION, SECTION 7, A 7.432-ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 1, QUAIL RIDGE ADDITION, AND A 0.004-ACRE TRACT OF LAND OUT OF QUAIL RIDGE ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, FROM PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT TO AN AMENDED PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF CHUKAR LANE AND BEACHWOOD STREET); 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, the City Code, and State law, 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 rezoning Lots 19 through 31, Block 5, Lots 1 through 16, Block 8, Lots 1 through 9, Block 9, and Lots 1 through 4, Block 10, Quail Ridge Addition, Section 6, Lots 10 through 20, Block 9, Lots 5 through 18, Block 10, and Lots 1 through 14, Block 11, Quail Ridge Addition, Section 7, a 7.432-acre tract of land out of Lot 1, Block 1, Quail Ridge Addition (Tract A), and a

adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from PD, Planned Development District for a Housing Development to an amended PD, Planned Development District for a Housing Development .

SECTION TWO. That the base zoning district to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, is the SF-3, Single-Family Dwelling District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit "C" and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the development of the Property shall significantly conform to the site plan attached hereto as Exhibit "C".
- B. That the minimum front yard setback shall be 25 feet.

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

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 SEVEN. 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 EIGHT. 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 28th day of April, A.D., 2020; and passed to second reading on motion of Council member Ladd, seconded by Council member Blong, by the following vote:

Council members voting "AYE": Blong, Trost, Robnett, Payton, Dufford, Ladd, Norman

Council members voting "NAY": None

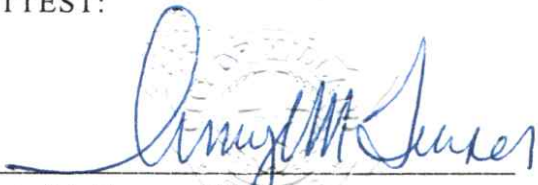
The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Blong, seconded by Council member Trost, on the 12th day of May, A.D., 2020, at a regular

PASSED AND APPROVED THIS 12th day of May, A.D., 2020.



Patrick N. Payton, Mayor

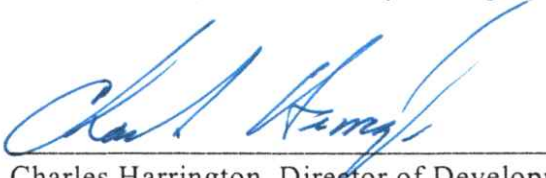
ATTEST:


Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Robert Patrick, Assistant City Manager



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney

M A V E

ENGINEER FIRM #: F-15089 | \$

Thence North 37°13'05" West 564.29 Feet to the Point of Beginning of Block 12 and this Survey;

And also, Section 8, Block 1, commencing at a 1/2" IRF at a Point of Curvature on the Southeast Corner of Lot 18, Block 12, on the West Right of Way of Chukar Lane;

Thence crossing platted Beachwood Street, South 14°32'16" East 72.12 Feet to a 1/2" IRS Cap FIRM 10194514 to the Point of Beginning of Block 1;

Thence South 14°31'58" East 66.73 Feet to a 1/2" IRS Cap FIRM 10194514 at the intersection of the West Right of Way of Chukar Lane at the Southeast Corner of Block 12, Lot 18, Quail Ridge Addition, Section 8;

Thence South 14°32'16" East 72.12 Feet to a 1/2" IRS Cap FIRM 10194514 for the South Right of Way of said Beachwood Street and a Point of Intersection in the East Line of this Survey for a Point of Beginning of Block 1 in this Survey;

Thence South 14°31'58" East along and with the West Right of Way of Chukar Lane, 66.73 Feet to a 1/2" IRS Cap FIRM 10194514 for the Southeast Corner of proposed Quail Ridge Addition, Section 8 Block 1;

Thence South 75°23'42" West 396.75 Feet to a 1/2" IRS Cap FIRM 10194514 for the Southwest Corner of Block 1;

Thence North 36°53'53" West 80.45 Feet to a 1/2" IRS Cap FIRM 10194514 for the Northwest Corner of Block 1 and the South Right of Way of said platted Beachwood Street,

Thence along a non-tangent curve to the right with a radius of 197.00 Feet, a Delta angle of 21°05'41", an Arc length of 72.53 Feet, a Chord bearing North 64°57'17", and a Chord Distance of 72.12 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Intersection on the North Line of Block 1;

Thence North 75°30'02" East 336.39 Feet to a Point of Curvature of a Curve on the North Line of Block 1,

Thence following a Curve to the Right with a Radius of 20.00 Feet, a Delta Angle of 90°33'27", an Arc Length of 31.61 Feet, a Chord Bearing South 59°25'59" and a Chord Distance of 28.42 Feet to the Point of Beginning of Block 1, the combined area of these two tracts containing ± 7.432 acres.

www.maverick-eng.com

Texas RPLS - No. 6135

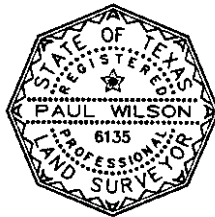
Maverick Engineering (FIRM - No. 10194514)

1909 W. Wall St., Suite K

Midland, TX 79701

432-262-0999

03/18/2020



P. L. Wilson

EXHIBIT "B"

0.004 ACRES - TRACT ONE

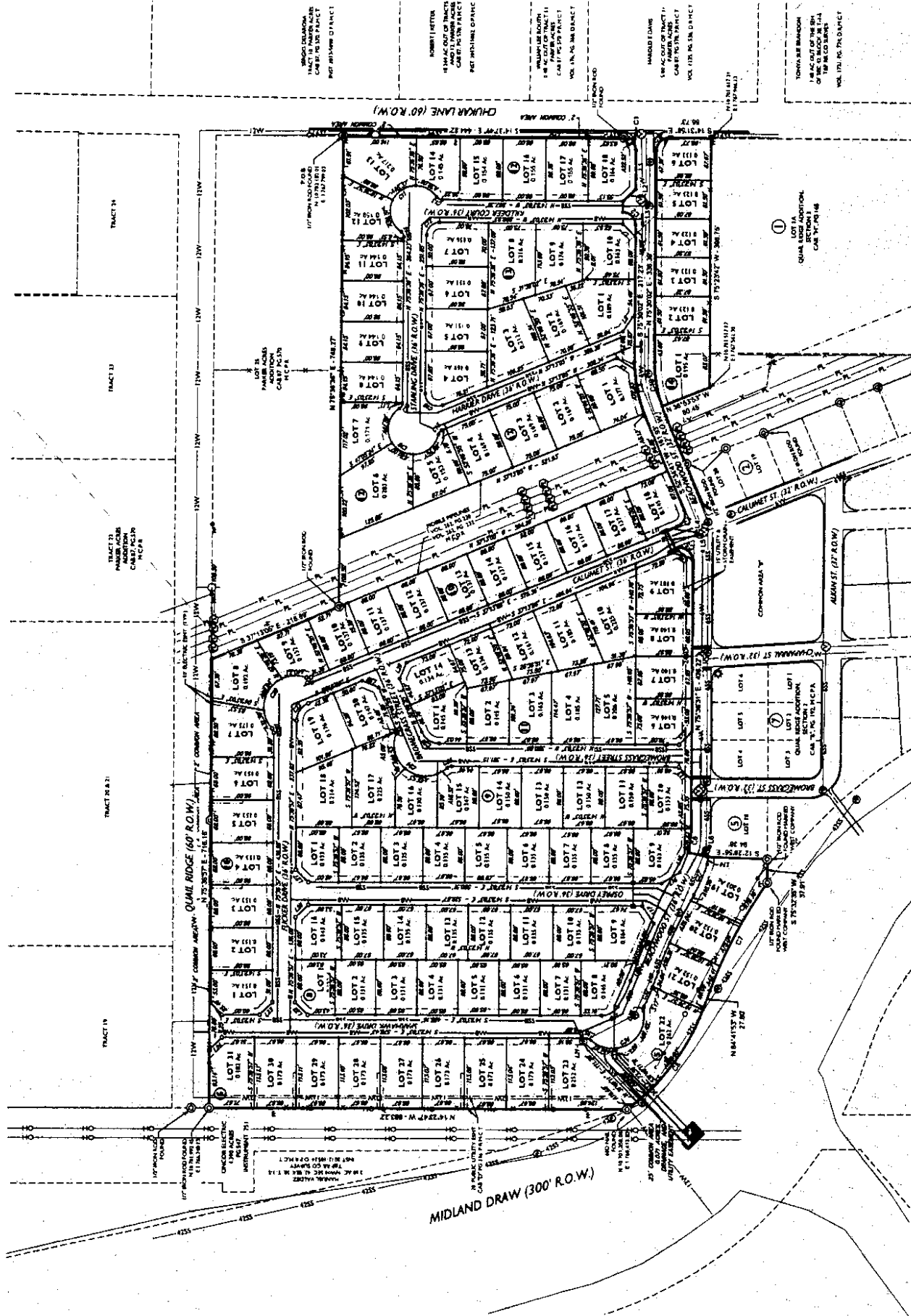
LEGAL DESCRIPTION: Being 0.004 acres of land out of Section 4 P. RR Co. Survey in Midland County, Texas and also being a portion of the Quail Ridge Addition, Section 2 as shown on plat recorded in the Plat Records of Midland County, Texas; Said 0.004 acre tract described as follows and as surveyed under the supervision of C Services, Inc in March, 2018;

BEGINNING at a ½" iron rod with cap set for the southeast corner which a ½" iron rod at a fence corner post found in the west line southeast corner of that certain 2.14 acre tract described in Doc. # Official Public Records of said Midland County, Texas and the north certain 43.656 acre tract described in Doc. #2012-26321 of said Official bears North 06°24'21" West a distance of 469.26 feet;

THENCE crossing said Beachwood Street, the following 2 courses

1. South 75°30'02" West a distance of 14.87 feet to a calculated southwest corner hereof;
2. North 59°26'42" West a distance of 28.25 feet to a calculated line of said Beachwood Street for the northwest corner hereof;

EXHIBIT "C"



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	20.00	31.27	28.18	N. 30°45'55" E.	89°54'05"
C2	20.00	31.27	28.18	S. 30°17'42" W.	89°54'05"
C3	229.48	68.37	64.15	S. 64°15'34" W.	22°27'28"
C4	20.00	31.60	28.42	N. 82°08'35" W.	89°53'06"
C5	20.00	33.28	33.28	S. 19°21'28" W.	112°30'04"
C6	190.95	40.89	40.81	S. 81°44'30" W.	12°18'03"
C7	250.00	195.78	195.70	N. 78°53'32" W.	14°57'17"
C8	350.00	208.64	203.85	N. 87°48'13" W.	33°59'38"



City Council Agenda

APPROVED

Approved for Agenda:
rwpattick
City Manager's Office

MEETING DATE: 5/12/2020

TO: City Council / City Manager

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider an ordinance on a second reading on a request by Maverick Engineering for a zone change from PD, Planned District for a Housing Development to an amended PD, Planned Development District for a Housing Development on Lots 19 through 31, Block 5; Lots 1 through 16, Block 8; Lots 1 through 9, Block 9; and Lots 1 through 4, Block 10; all out of Quail Ridge Addition, Section 6, Lots 10 through 20, Block 9; Lots 5 through 18, Block 10; and Lots 1 through 14, Block 11; all out of Quail Ridge Addition, Section 7; a 7.432-acre portion of Lot 1, Block 1, Quail Ridge Addition; and a previously vacated 0.004 acre portion of Beachwood Street right-of-way, Quail Ridge Addition, Section 2; City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Chukar Lane and Beachwood Street. Council District 2)

Purpose:

The applicant, Maverick Engineering, is requesting approval of a zone change to continue the re-platting process for this residential development.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

This proposal does not have a significant financial impact to the city.

Discussion:

The properties to the north and east are zoned AE, Agriculture Estate District and the location of residential homes. The properties to the south are zoned PD, Planned District for a housing development and the location of residential homes. The property to the west is zoned TP, Technology Park District and the location of a public park.

Analysis:

The property is generally located on the northwest corner of the intersection of Chukar Lane and Beachwood Street. The applicant is requesting to amend the current planned district to adopt a new site plan for this residential subdivision. The new subdivision will not include the southern portion of the adopted exhibit, which is known as Quail Ridge Addition, Section 2, and will only focus on the northern portion of the area. This Planned District was established June of 2007 with an underlying zoning of 1F-3, One-Family Dwelling District. The equivalency of the previous zoning district is SF-3, Single-Family Dwelling District as listed in the new Zoning Ordinance.

This property is regulated by Ordinance No. 8536 and as stated in the *special conditions and restrictions, Section 2, Condition:*

1. *That the development of the property described in Section One hereof shall strictly conform to the conditions shown on the site plan marked as Exhibit "A", which is attached hereto and incorporated herein for all purposes.*

The applicant has provided a new site plan, attached hereto as "Exhibit A", which shows a revised lot layout for the next phases of the subdivision. The site will now have 115 lots, whereas, the previous site plan proposed 125. Lots 1 and 16 of Block 8 previously showed a common area. The new site plan is proposing to use this area as lots for residential development.

The site plan also indicates a new minimum front yard setback of 25 feet from the property line to the face of the finished out garage. All lots within this subdivision will also have a 10-foot utility easement along all public frontages.

All trash is being proposed to be picked up in front of the streets and no alleys are being shown in this subdivision. Additionally, all fencing will be a 6-foot wooden fence.

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

Engineering: (Approved)

No objection to zone change.

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

Fire: (Approved)

No objections.

Building: (Approved)

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

Code Compliance: (Approved)

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

radius of location on plat.

Transportation: (Approved)

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

No objection to zone change.

Planning:

Per the future land use map, this area is designated as U-M, Urban Medium. Potential zoning for this area allows for Single-Family Dwelling Districts. This request is compatibility with the existing development in the neighborhood and allow for additional housing options for the community.

This request was recommended for approval at the April 6, 2020 Planning and Zoning meeting.

This request was approved at the April 28, 2020 City Council meeting.

Staff recommends approval of this request for a zone change subject to following conditions:

Conditions:

- A. That the use and development of this property shall conform to the regulations of the SF-3, Single-Family Dwelling District.**
- B. That the development of this property shall significantly conform to the site plan attached hereto and incorporated herein as Exhibit "C".**
- C. That the minimum front-yard setback shall be twenty-five (25) feet.**

Letters of Objection:

As of April 22, 2020, staff has not received any letters of objection.

Attachments:

Metes and Bounds (Exhibit A)
Metes and Bounds for Vacation (Exhibit B)
Quail Ridge Subdivision Site Plan (Exhibit C)
Quail Ridge, Section 8 Proposed Plat
Application
Maps
Ordinance No. 8536

EXHIBIT "A"

MAVERICK

ENGINEERING • SURVEY • WATER RESOURCES

1909 West Wall Street, Suite K • Midland, TX 79701

Tel: 432.262.0999 • Fax: 432.262.0989 • maverick-eng.com

ENGINEER FIRM #: F-15089 | SURVEY FIRM #: 10194514



Quail Ridge Addition, Section 8, a re-plat of portions of Quail Ridge Addition, Cab D Page 336, PRMCT, excluding a portion of Beachwood Street, a platted roadway out of Quail Ridge Addition, Section 2 Cab G Page 192

Commencing at a 1/2" IRF (N: 10,701,992.45, E: 1,766,248.13), NAD 83, Texas Central Zone) the Northwest Corner of Quail Ridge Addition, Section 6, Cabinet L, page 172, PRMCT;

Thence North 75°36'57" East 716.16 Feet along and with the North Line said Quail Ridge Addition, Section 6 and proposed Section 7 to a 1/2" IRF for the Northeast Corner of proposed Quail Ridge Addition, Section 7;

Thence South 37°13'05" East along and with the East line of said proposed Quail Ridge Addition, Section 7 (Seven), 218.89 Feet to a 1/2" IRS for the Northwest Corner and **Point of Beginning** of proposed Quail Ridge Addition, Section 8, Blocks 12 and 13:

Thence North 75°36'36" East 748.27 Feet to a 1/2" IRF for the Northeast Corner of this Survey;

Thence South 14°37'49" East along and with the West Right of Way of Chukar Lane 444.82 Feet to a 1/2" IRF for a Point of Curvature at the Southeast corner of Lot 18, on a Curve to the Right to the North Right of Way of Beachwood Street and the West Right of Way of Chukar Lane;

Thence South 30°56'58" West 28.18 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Tangency on the South Line of Block 12;

Thence South 75°30'02" West 61.87 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Tangency on the South Line of Block 12;

Thence North 59°26'42" West 28.25 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Intersection on the South Line of Block 12;

Thence South 75°37'32" West 17.17 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Intersection on the South Line of Block 12;

Thence, following a non-tangent curve to the right, with a radius of 20.00 Feet, a Delta Angle of 90°24'46", an arc length of 31.56 Feet, a Chord bearing South 30°17'42" West and a Chord Distance of 28.39 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Intersection on the North Right of Way of Beachwood Avenue;

Thence North 75°30'02" West 217.23 Feet to a 1/2" IRS Cap FIRM 10194514 to a Point of Curvature on the South Line of Block 12;

Thence following a curve to the left, with a radius of 229.48, a Delta Angle of 22°27'28", an arc length of 89.95 Feet, a Chord Bearing South 64°15'34" West and a Chord Distance of 89.37 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Tangency on the North Line of Beachwood Street;

Thence South 52°34'41" West 94.88 Feet to a 1/2" IRS Cap FIRM 10194514 for the Southwest Corner of Block 12;

Thence North 37°13'05" West 564.29 Feet to the Point of Beginning of Block 12 and this Survey;

And also, Section 8, Block 1, commencing at a ½" IRF at a Point of Curvature on the Southeast Corner of Lot 18, Block 12, on the West Right of Way of Chukar Lane;

Thence crossing platted Beachwood Street, South 14°32'16" East 72.12 Feet to a 1/2" IRS Cap FIRM 10194514 to the Point of Beginning of Block 1;

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Thence North 36°53'53" West 80.45 Feet to a 1/2" IRS Cap FIRM 10194514 for the Northwest Corner of Block 1 and the South Right of Way of said platted Beachwood Street,

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www.maverick-eng.com

Texas RPLS - No. 6135
Maverick Engineering (FIRM – No. 10194514)
1909 W. Wall St., Suite K
Midland, TX 79701
432-262-0999

03/18/2020



Paul Wilson

EXHIBIT "B"

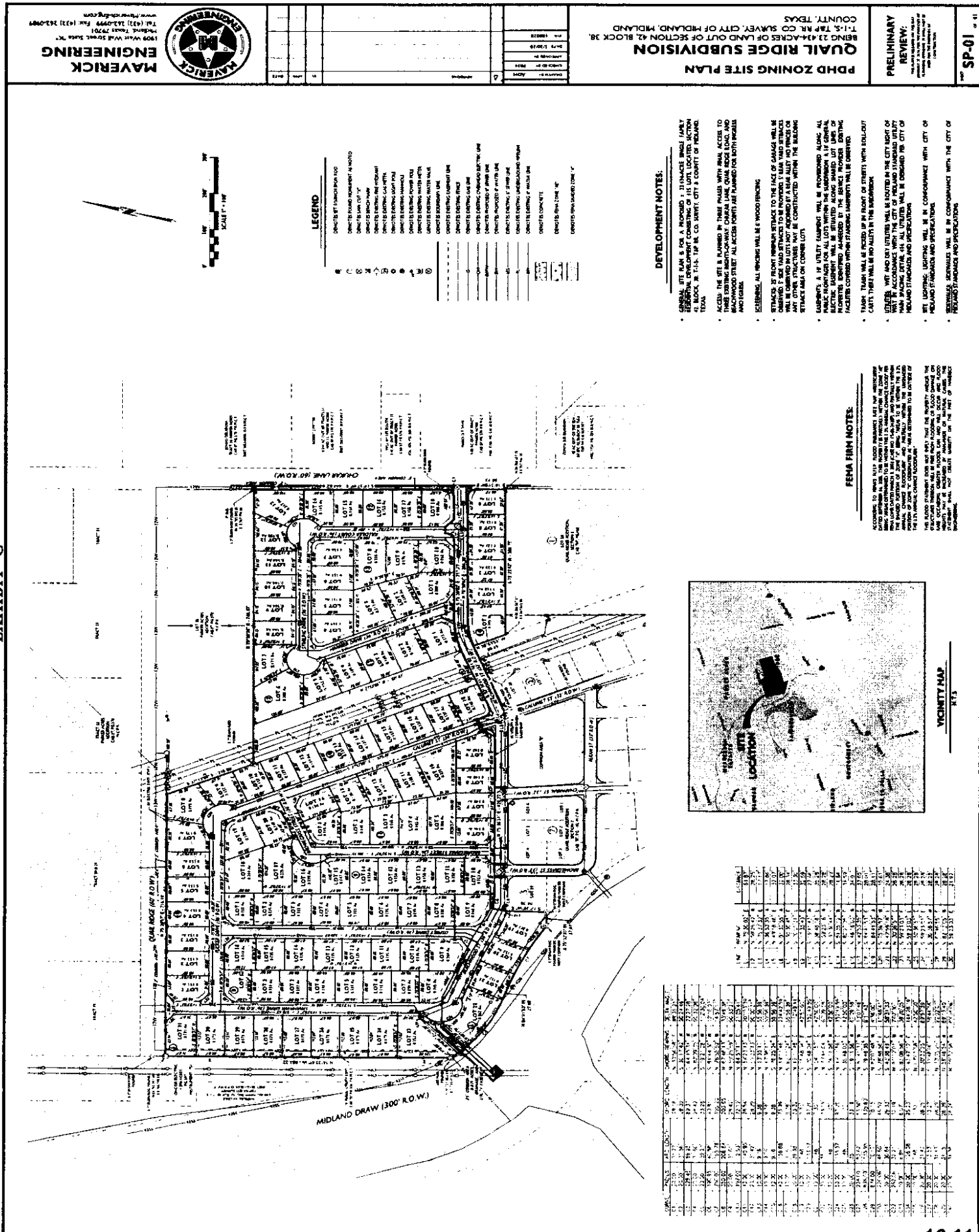
0.004 ACRES - TRACT ONE

LEGAL DESCRIPTION: Being 0.004 acres of land out of Section 1, P. RR Co. Survey in Midland County, Texas and also being a portion of the Quail Ridge Addition, Section 2 as shown on plat recorded in the Plat Records of Midland County, Texas; Said 0.004 acre tract described as follows and as surveyed under the supervision of C Services, Inc in March, 2018;

BEGINNING at a ½" iron rod with cap set for the southeast corner of which a ½" iron rod at a fence corner post found in the west line southeast corner of that certain 2.14 acre tract described in Doc. #2012-26321 of said Official Public Records of said Midland County, Texas and the north line of that certain 43.656 acre tract described in Doc. #2012-26321 of said Official Public Records bears North 06°24'21" West a distance of 469.26 feet;

THENCE crossing said Beachwood Street, the following 2 courses:

1. South 75°30'02" West a distance of 14.87 feet to a calculated southwest corner hereof;
2. North 50°26'42" West a distance of 28.25 feet to a calculated





Quail Ridge Addition, Section 8, a re-plat of portions of Quail Ridge Addition, Cab D Page 336, PRMCT, excluding a portion of Beachwood Street, a platted roadway out of Quail Ridge Addition, Section 2 Cab G Page 192

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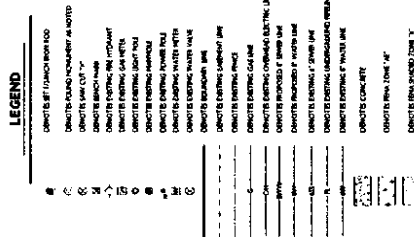
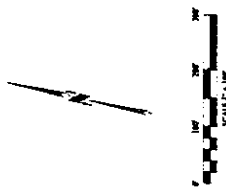
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DEVELOPMENT NOTES:

- [illegible]

FEMA FIRM NOTES:[illegible]

VICINITY MAP

1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100



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

Project Number: 2-20-0167

Case Number: _____

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

Printed Name: Quail Ridge Partnerships Investments, LP

Phone ()
Email

Address PO Box 50653

City Midland

State TX Zip 79710

Property Owner

Printed Name: Quail Ridge Partnerships Investments, LP

Phone ()
Email

Address PO Box 50653

City Midland

State TX Zip 79710

Representative (if different from Applicant or Property Owner)

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432-) 262-0999
Email
phuckaba@maverick-eng.com

Address 1909 W. Wall St., Suite K

City Midland

State TX Zip 79701

Street Address: 2705 E Hwy 80

Legal Description Tract detailed in the attached legal.

Lot: Block: Subdivision:

Current Zoning: PDHD

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

Reason for Zone Change Request: Advance the residential re-plat of this acreage as proposed.

Present Use of Property: Vacant

Proposed Use of Property: Single family homes.

How would this zone change affect the public health, safety and welfare? _____

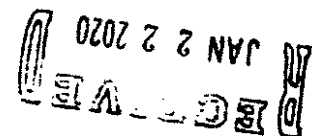
Positive beneficial land use stemming from the resulting development in-progress.

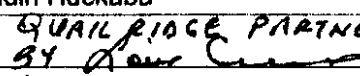
Describe how conditions affecting the property have changed since present zoning designation: None

Submittal and Fees

Items to be submitted with this application form:

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

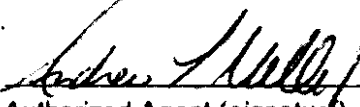


Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): 	Date: 1/21/20
Applicant (printed): Paladin Huckaba	
Property Owner (signature): 	Date: 1/22/20
Property Owner (printed): LOUIE CARUGO	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.	
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

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

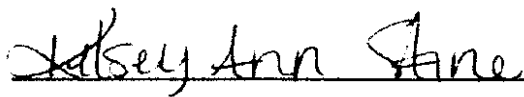
Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Quail Ridge Part Investments, LP the owner of the above described property, to fully represent him/her in this application and that (s)he had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


Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of January, 2020, to certify which witness my hand and seal of office.

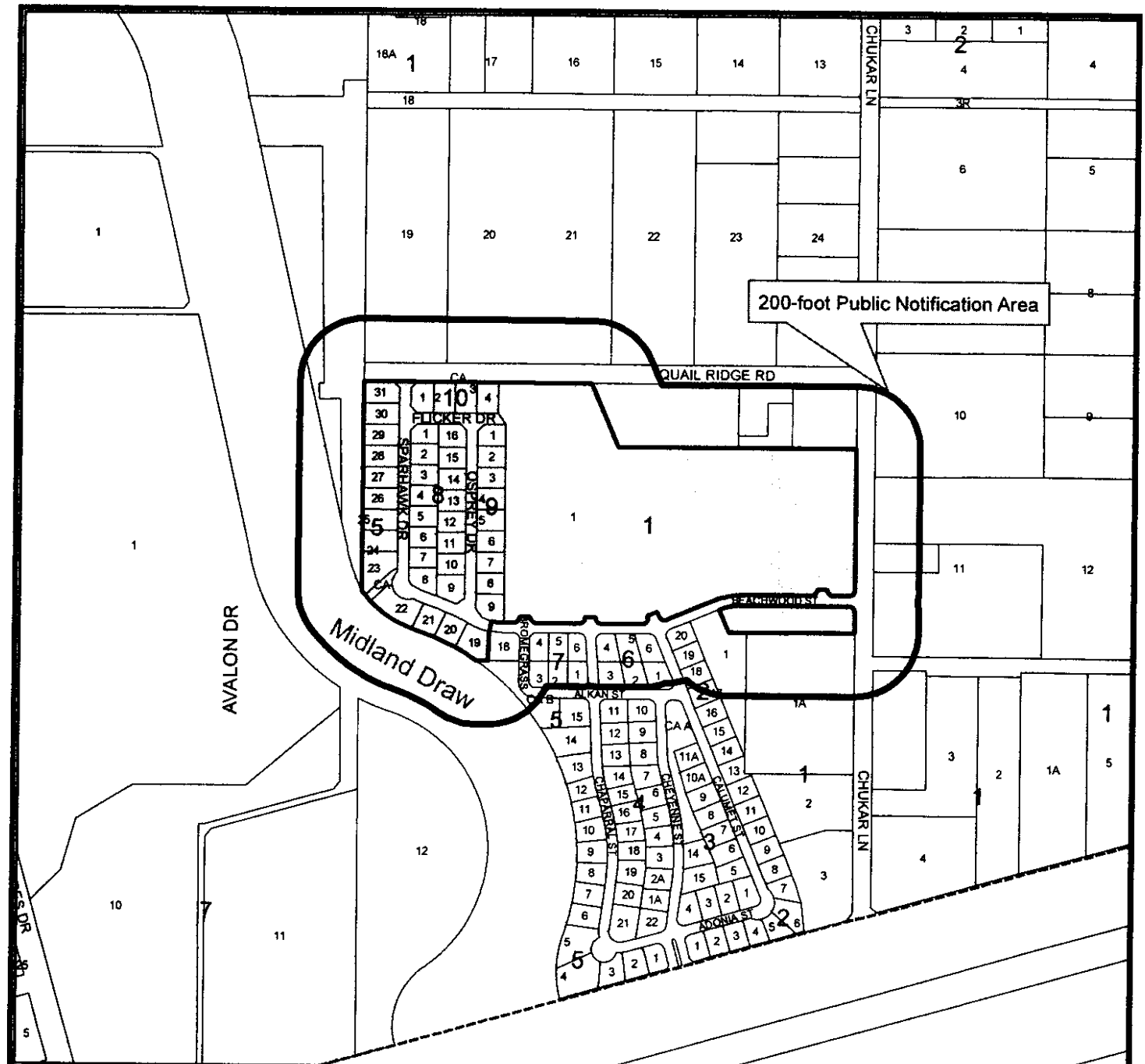


Kelsey Ann Stine
My Commission Expires
02/18/2022
ID No. 131456388


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>3113</u>	RECEIVED
Received By: <u>GAC</u>	Date: <u>JAN 22 2020</u>

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



LOCATION MAP

Z-20-0167

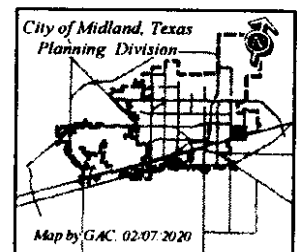
Scale: 1" = 400'

Consider a request by Maverick Engineering for a zone change from PD, Planned District for a Housing Development to an amended PD, Planned Development District for a Housing Development on: Lots 19 through 31, Block 5; Lots 1 through 16, Block 8; Lots 1 through 9, Block 9; and Lots 1 through 4, Block 10; all out of Quail Ridge Addition, Section 6; Lots 10 through 20, Block 9; Lots 5 through 18, Block 10; and Lots 1 through 14, Block 11; all out of Quail Ridge Addition, Section 7; a 7.432-acre portion of Lot 1, Block 1, Quail Ridge Addition; and a previously vacated 0.004 acre portion of Beachwood Street right-of-way, Quail Ridge Addition, Section 2; City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Chukar Lane and Beachwood Street. (Council District 2)

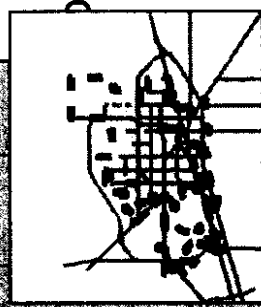
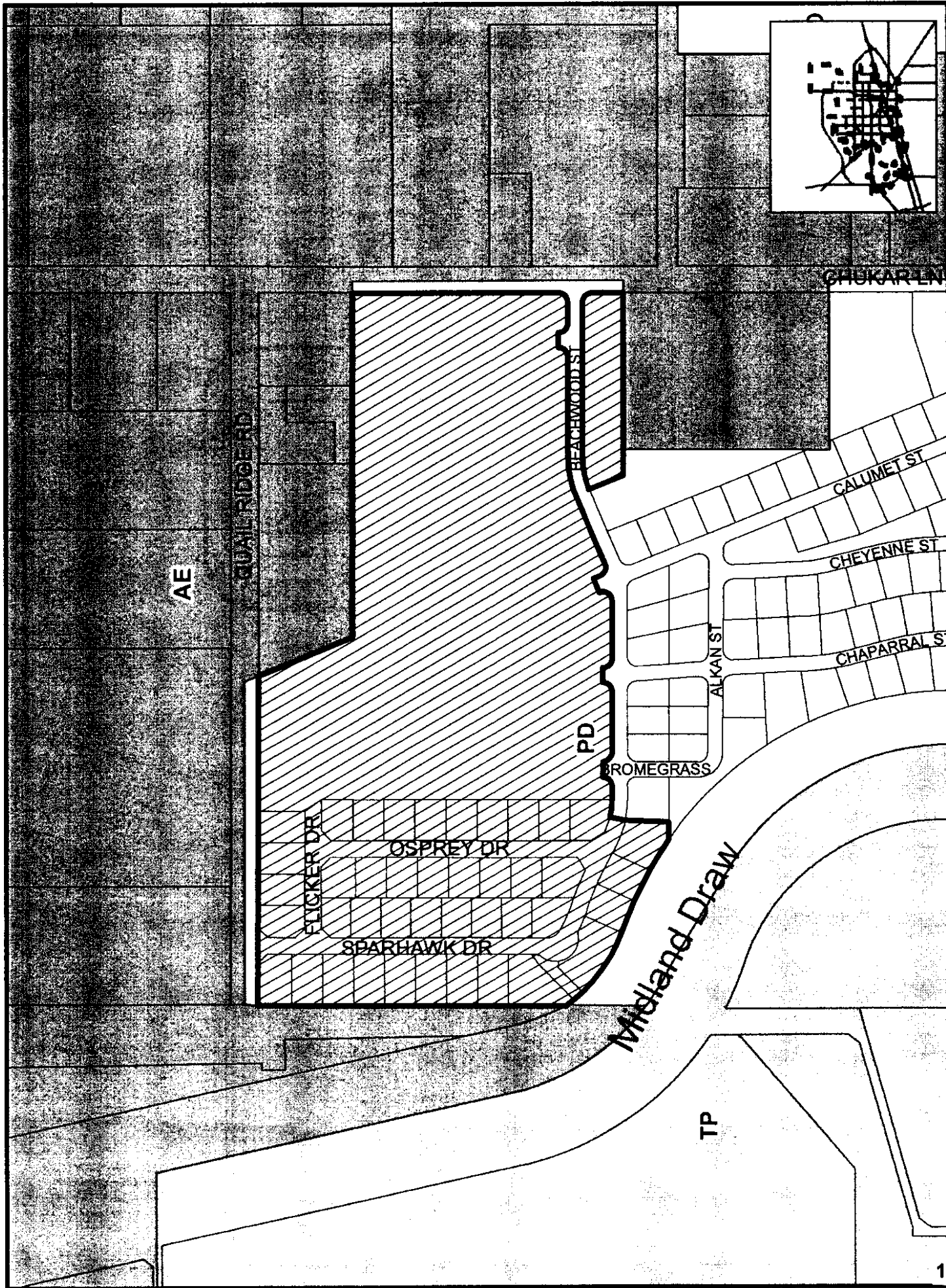
LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



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

16.18



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ZONING MAP

Scale: 1" = 200'

Z-20-0167

ip by GAC: 02 7 2020

ORDINANCE NO. 8536

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 41.16-ACRE TRACT OF LAND LOCATED IN SECTION 42, BLOCK 38, T-1-S, T & P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DISTRICT; PERMITTING A 2.50-ACRE TRACT OF LAND LOCATED IN SECTION 42, BLOCK 38, T-1-S, T & P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, TO BE USED AS A CE, COUNTRY ESTATE DISTRICT; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned AE, Agriculture Estate District, and it shall be used as a PD, Planned District for a Housing Development, subject

This revised plan establishes a minimum width of 32 feet for all streets, whereas the original plan had some 25-foot streets. The street pattern in the area with the original 25-foot streets has been revised, and the lot sizes have been increased. The number of lots has been reduced from 220 to 205. In addition, two of the three streets intersecting Chukar Lane have been eliminated, and one new street intersecting Business I-20 has been added with approval by TxDOT. Two off-street parking spaces would be provided on each lot and a 15-foot front yard setback is still proposed. Lot widths average around 67 feet and the depth is around 87 feet. The attached Exhibit A would govern the actual lot sizes. Also on Exhibit A, there are three common areas that will be used as playgrounds. The office and clubhouse from the original plan have been eliminated. Instead, this land will be platted as two lots fronting onto Chukar Lane that will be rezoned to a CE District. Screening fences are planned where lots back toward public streets. Fence details are illustrated on Exhibit A. The fences will also be placed in common areas. The associated plat will contain restrictive covenants that will govern the ownership and maintenance responsibilities of the common areas. A fee will be collected from homeowners for maintenance purposes.

A total of 15 notices were mailed to adjoining property owners. One person spoke in opposition to this proposal during the Planning Commission meeting, and we have received two letters of opposition. The percentage of opposition will be provided during the May 22nd meeting. We continue to believe this is an opportunity for an adaptive reuse of property that would otherwise remain unproductive, as well as for adding to the supply of workforce housing. We concur in the Commission's recommendation for approval of this request.

CDS

16.21

Planning and Zoning Commission Meeting Minutes from April 30, 2007

Z-07-014 - Hold a public hearing and consider a request for **Midland/Quail Ridge** for a *zone change* from AE, Agriculture Planned District for a Housing Development on of Lot 1, Block 1, a 8,073-acre portion of Tract 25, Parker Acres; and a 5.588-acre portion of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Texas. (Generally located on the northeast corner of the intersection of Chukar Lane.)

Mr. Daniel Crow, 1010 Oneida St., Denver, CO, spoke as the applicant. He stated that the request was previously presented to the Zoning Commission on March 5, 2007. The Commission voted to deny the request. He stated he withdrew the application before going to the public hearing of the neighborhood opposition. Mr. Crow stated he met with the neighbors, discussed their concerns and submitted a new application and a new site plan. Crow also presented a slide presentation with new details regarding wider lots and streets. Mr. Crow discussed with the Commission the size of homes that will be available. Workforce housing will be 1,550 square feet and Associate level housing will be approximately 2,000 square feet. Mr. Crow commented that four common areas are being maintained by the Homeowners Association.

Mr. Compton presented the staff report. He stated the Commission's approval of an earlier request on March 5, 2007, but the City Council rejected the proposal. The applicant chose to withdraw the application considering the comments received from surrounding property owners. The applicant developed a revised site plan and submitted a new application. The revised site plan contains significant changes. A new entry is shown on the site plan. Two roads entering from Chukar Lane have been

that the homeowners met with Mr. Crow regarding the development of the property. Mr. Young is still concerned about the traffic situation, and is not in favor of the request, but stated that Mr. Crow made significant changes to the proposal.

Chairman Hotchkiss asked if anyone else would like to speak in opposition of the request. There being none, the public hearing was closed.

Chairman Hotchkiss asked if the applicant had any further comments.

Mr. Crow discussed with the Commission the timeline for the proposed construction. He stated that the infrastructure and the first phase of construction would take place in June, with homes available for September, 2007.

Chairman Hotchkiss called for a motion. Ms. Ferguson made a motion to approve the request as submitted subject to Conditions A – H of the Staff Recommendation. Mr. Bergman seconded the motion and the motion passed unanimously.

PLANNING AND ZONING COMMISSION

April 30, 2007

CASE: Z-07-014.

REQUEST: Hold a public hearing and consider a request for a zone change from AE, Agriculture Estate District to PD, Planned District for a Housing Development; and CE, Country Estate District.

APPLICANT/OWNER: Banner Communities, LLC.

REPRESENTATIVE: West Company of Midland.

LEGAL DESCRIPTION: A 43.656-acre tract out of Section 42, Block 38, T-1-S, T&P Railway Company Survey, Midland County, Texas.

LOCATION: Northwest corner of Business I-20 and Chukar Lane.

ASSOCIATED CASE: P-06-02, Quail Ridge, Section 2.

DETAILS OF REQUEST:

1. This is the second time the Planning Commission has considered a zone change request on this land in the past few months. While the Commission recommended approval of an earlier request on March 5, 2007, the City Council did not support the proposal when it considered the application on April 10, 2007. After considering his options, the applicant chose to withdraw the application at that meeting. By doing so, he avoided the need to wait one year to have a request reconsidered. Following the Council's direction and considering the comments received from adjoining property owners, the applicant has developed a revised site plan, and has submitted a new application. As the Commission may recall, this property was developed as a manufactured home park prior to being annexed in 1982. The land was under a single ownership, with manufactured home spaces available for lease. The park was served with a private street and water system, and septic systems. The applicant's plan is to redevelop this land into a single-family residential neighborhood with public streets and new public water and sewer lines. Further, the land will be subdivided into individual lots, and each lot and respective home will be under a common ownership. The

16.24

homes will be modular homes, and not manufactured homes. The applicant proposes that all but two lots will be subject to the development regulations of the 1F-3 District, and to the conditions shown on the site plan, Exhibit A. The remaining two lots would be rezoned to a CE District.

SURROUNDING ZONING AND LAND USE:

2. The subject property is bounded on the north by Quail Ridge Road, on the east by Chukar Lane, on the south by Business I-20, and on the west by Midland Draw. The land to the north and east is zoned AE District, and is sparsely developed. The land south of Business I-20 is outside the City limit. The area west of Midland Draw is zoned IP-1 District, and is developed with a variety of commercial businesses.

ANALYSIS:

3. The proposed lot sizes as shown on Exhibit A do not meet the minimum 1F-3 District requirements of 50 feet of width, 100 feet of depth and 5,500 square feet of area. This is mainly because the public streets will follow the general alignment of the private streets established within the manufactured home park. Additionally, the streets are only 32 feet wide, instead of 50 or 60 feet, and there will be no public sidewalks internal to the site. If the streets were widened, the lots would be shallower than shown on the site plan.

However, this revised site plan contains several significant changes, again in response to adjoining property owners and the City Council. Regarding streets, a new entry is shown from the Business I-20 service road, with a landscaped median. Two roads entering from Chukar Lane have been eliminated. (The first submittal removed all three streets from Chukar. However, we felt at least three public roads are needed.) A single street from Quail Ridge Drive remains unchanged. Finally, the width of all roads is now has been increased to 32 feet, whereas the original plan had some streets only 25 feet wide. Additional changes include a redesign of the street system for the area north of the Mobil pipeline, and an increase in lot size in this area. This change reduced the number of lots from 220 to 192. This yields a density of 4.4 dwelling units per acre, down from 5.0 dwelling units per acre on the original plan. He is still requesting a 15-foot front yard setback. Most lots will have garages, and some will be set up as a zero lot line condition on the plat. There are now two large lots, Lots 1A and 2, Block 1 shown at the northwest corner of Business I-20 and Chukar Lane. This property has been removed from the neighborhood, and will be sold as separate lots that will be subject to the CE District zoning regulations. The office and clubhouse from the original submittal have been removed. However, there are still four common areas that will be developed as

recreation areas for the residents. Regarding the matter of fences, all rear lots will be screened by at least a six-foot tall solid wood fence. However, where lots back toward Business I-20, a more decorative fence with a stucco finish and stone pilasters is planned, as shown on Exhibit A. Along the other streets, a solid wood fence with stone pilasters is proposed, except that metal posts are planned along the westernmost portion of Quail Ridge Road. Landscaping will be provided along Business I-20 in the form of three-inch caliper trees planted on 50-foot centers. A home owners association will be responsible for maintaining all common areas and landscaping.

We continue to believe that this is a reasonable development plan that can help provide a supply of workforce housing. We believe this revised plan represents an improvement from the original plan, particularly with a decrease in density, an increase in street width, and a street onto Business I-20 (TxDOT has already approved a street at this location).

STAFF RECOMMENDATION:

We recommend approval of this request for a zone change from AE, Agriculture Estate District to PD, Planned District for a Housing Development, subject to the following conditions:

- A. The development of this property shall conform to the regulations of the 1F-3, One-Family Dwelling District, except as otherwise stated below. Provided, however, that Lots 1A and 2, Block 1 shall be subject to CE District regulations.**
- B. The development of this property shall conform to the conditions shown on Exhibit A in all respects.**
- C. This property shall be platted prior to the issuance of any building permits.**
- D. Common areas shall be established as shown on the Exhibit A. Screening fences consistent with the conditions on Exhibit A shall be constructed and completed prior to the issuance of any Certificates of Occupancy.**
- E. Common areas internal to the site shall be developed as recreational areas.**
- F. The minimum front yard setback shall be 15 feet, except for Lots 1A and 2, Block 1, which shall conform to CE District regulations.**

- G. A minimum of two off-street parking spaces will be provided on each lot.
- H. All landscaping shown on Exhibit A shall be irrigated with an underground sprinkler system, and shall be maintained in a healthy, growing condition.



Cameron Walker, AICP
Planning Division Manager
Department of Development Services

Jim Compton, Senior Planner
Department of Development Services

Attachments:

Application
Maps
Exhibit A

CITY OF MIDLAND
Planning Division

APPLICATION TO CHANGE ZONING CLASSIFICATION

Applicant: West Company of Midland / Owa

Address: 110 W. Louisiana, Suite 110
Street Address
Midland, Texas
City State

Property Owner: Banner Communities, LLC

Address: 1010 S. Onelda Street, Suite A
Street Address
Denver, CO
City State

Street address and Legal Description of property (complete Lot, Block, and Subdivision description below, or, if not in a recorded plat, attach a Metes and Bounds plat by tracts if more than one zoning district is requested): Lot 1, Block 1, and 8.073 acre tract out of Tract 25, Parker Acres, Section 42, Block 38, T1S, T&P R&B Comp

Reason for requesting a zone change: Develop a residential

PRESENT ZONE: AE

REQUESTED ZONE: _____
(List by tracts if more than one)

Present Use of Property: Vacant mobile home park

NOTE: If property owner is to be represented by an authorized agent, the agent should sign the property owner's name and his own on the lines provided above and complete the affidavit below.

A \$400.00 filing fee shall accompany all requests for a single, standard zone change request. A multiple zone change proposal shall incur an additional \$100.00 fee per district requested in excess of one. A \$550.00 filing fee shall accompany all requests for a single PD, Planned District zone change request. A multiple PD proposal shall incur an additional \$75.00 fee per additional district. If no public hearing is called, 80% of the fee will be refunded. If needed, a Traffic Impact Analysis may be required and a fee of up to \$600.00 will be assessed.

NOTE: CD of Site Plan must be submitted in .pdf and .jpg format 10 days prior to hearing before City Council, in addition to the required eight (8) paper copies for internal routing purposes.

Property Owner: Banner Communities, LLC Date: 12-5-06

By: Max W. Richardson Date: 12-5-06
(If applicable - see note)

State of Texas §
County of Midland §

Before me, the undersigned authority, on this day personally appeared Max W. Richardson who, being by me duly sworn, upon oath says: That he is authorized by Banner Communities, LLC, the owner of the above described property, to fully represent him in this application and that he has the legal right, power and authority to sign said owner's name hereto as his attorney in fact.

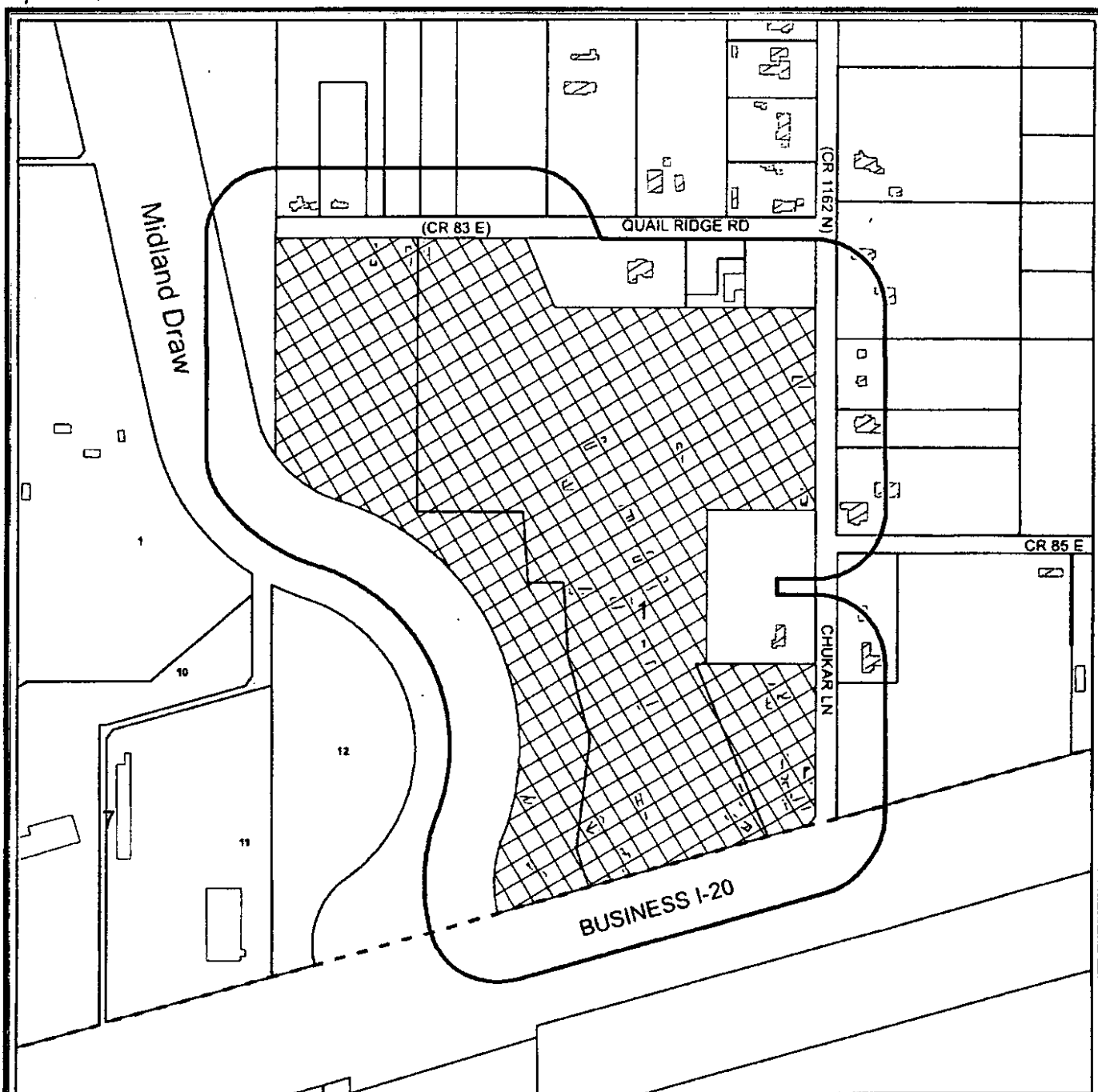
Max W. Richardson
(Signature of Affiant)

Subscribed and sworn to before me, by the said Max W. Richardson, this 5th day of December, 2006, to certify which witness my hand and seal of office.

FOR OFFICE USE ONLY	
Rec'd By: <u>JD</u>	Date: <u>12/5/06</u>
Assigned: <u>JD</u>	
For: <u>Pt 2</u>	On: <u>1/2/07</u>

JOHNNY RAY BONDREXTER
Notary Public, State of Texas
My Commission Expires 12/18/07
Notary Public, Midland County, Texas

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



PROPERTY OWNER NOTIFICATION MAP

Z - 07 - 014

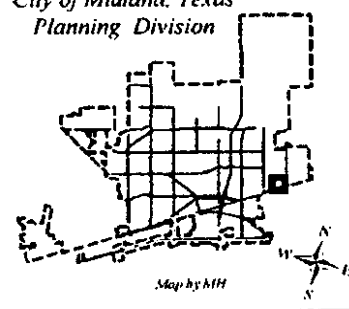
Scale: 1" = 400'

Consider a request for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on Lot 1, Block 1, Quail Ridge Addition; a 8.073-acre portion of Tract 25, Parker Acres; and a 5.588 acre tract of land out of Section 42, Block 38, T-I-S, T & P RR Co. Survey. City of Midland, Midland County, Texas.

LEGEND

- - - CITY LIMITS
- [] CITY PARCEL
- [] COUNTY PARCEL
- [] PUBLIC BLDGS
- [] PRIVATE BLDGS

City of Midland, Texas
Planning Division



16.30

to the special conditions and restrictions hereinafter set out, said property being described as follows:

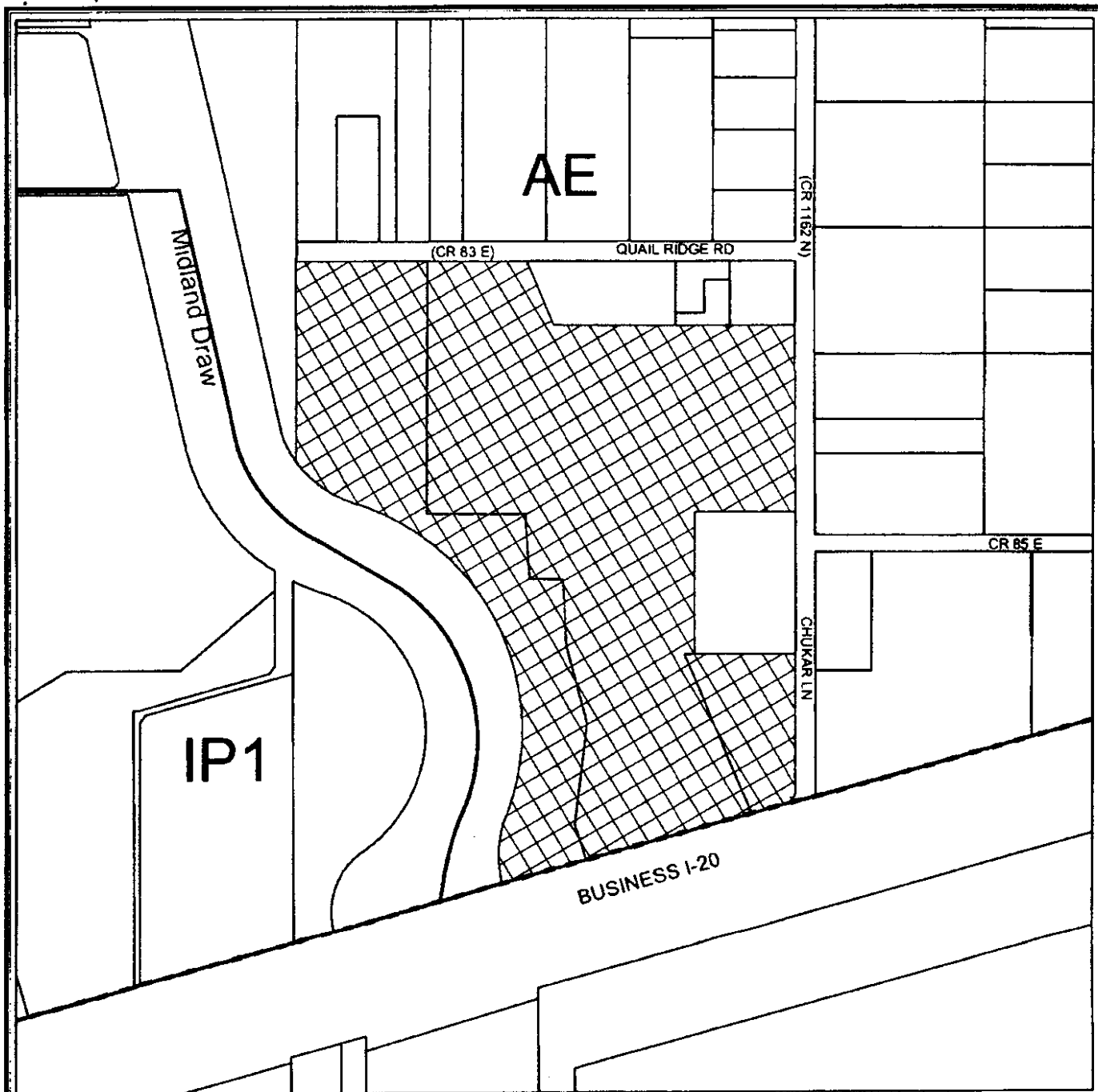
A 41.16-acre tract of land located in Section 42, Block 38, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas, and more specifically described by metes and bounds in Exhibit "B", attached hereto and incorporated herein for all purposes.

SECTION TWO. That the development of the property described in Section One hereof shall conform to the regulations of the 1F-3, One-Family Dwelling District, except for the following conditions:

1. That the development of the property described in Section One hereof shall strictly conform to the conditions shown on the site plan marked as Exhibit "A", which is attached hereto and incorporated herein for all purposes.
2. That this property shall be platted prior to any development or the issuance of any building permit. Said plat must conform to the site plan (Exhibit "A"). All internal streets shall be dedicated as public right-of-way.
3. That the common areas shall be established adjacent to all streets where a lot backing condition occurs. Screening fences consistent with the details shown on Exhibit "A" shall be constructed adjacent to each lot prior to the issuance of a building permit. Provided, however, that the fence along Business I-20 shall be constructed with the initial development of this property.
4. That the locations on Exhibit "A" designated as Common Areas A, B, C, and D shall be developed as recreational areas.
5. That the minimum front-yard setback shall be fifteen (15) feet.
6. That a minimum of two off-street parking spaces will be provided on each lot.
7. That the perimeter landscaping shall be irrigated with an underground sprinkler system and maintained in a healthy, growing condition by a homeowners association.

SECTION THREE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned AE, Agriculture Estate District, and it shall be used as a CE, Country Estate District, said property being described as follows:

A 2.50-acre tract of land located in Section 42, Block 38, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas, and more specifically described by metes and bounds in Exhibit "C", attached hereto and incorporated herein for all purposes.



ZONING MAP

Z - 07 - 014

Scale: 1" = 450'

Consider a request for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on Lot 1, Block 1, Quail Ridge Addition; a 8.073-acre portion of Tract 25, Parker Acres; and a 5.588 acre tract of land out of Section 42, Block 38, T-1-S, T & P RR Co. Survey. City of Midland, Midland County, Texas.

LEGEND

	ZONING		CITY PARCELS		COUNTY PARCELS
	SPECIFIC USE PERMITS		CITY LIMITS		PUBLIC BLDGS
ZONING DISTRICTS:					
FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK		
PD	PLANNED DISTRICT	P	PARKING		
AE	AGRICULTURE ESTATE	01, 02	OFFICE		
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE		
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LRI, LR2, LR3	LOCAL RETAIL		
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL		
TH	TOWNHOUSE DWELLING	IP, 1P1, 1P2, 1P3	INDUSTRIAL PARK		
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY		
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY		



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

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

SECTION SEVEN. 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 EIGHT. 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 22nd day of May, A.D., 2007; and passed to second reading on motion of Council member Hailey, seconded by Council member Dingus, by the following vote:

Council members voting "AYE": Hailey, Dingus, Perry,
Morgan, Canon, Simpson
and Dufford

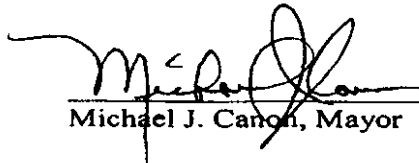
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Perry, seconded by Council member Morgan, on the 26th day of June, A.D., 2007, at a regular meeting of the City Council:

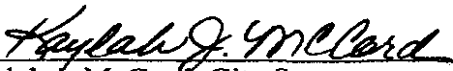
Council members voting "AYE": Perry, Morgan, Dingus,
Simpson, Dufford and
Hailey

Council members voting "NAY": None

PASSED AND APPROVED THIS 26th day of June, A.D., 2007.


Michael J. Canon, Mayor

ATTEST:


Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:

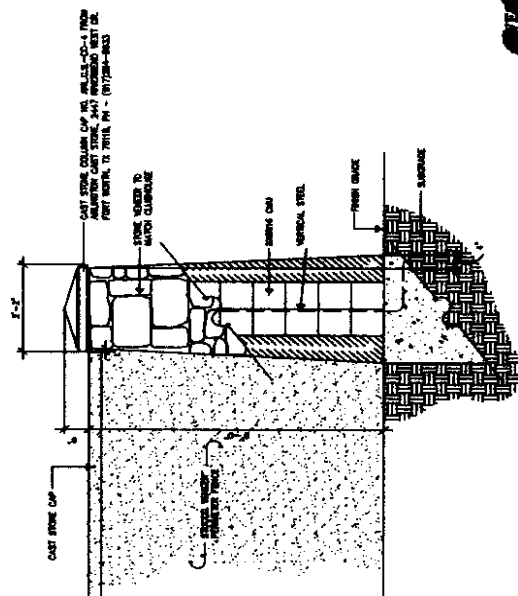

Keith Stretcher, City Attorney

SITE PLAN

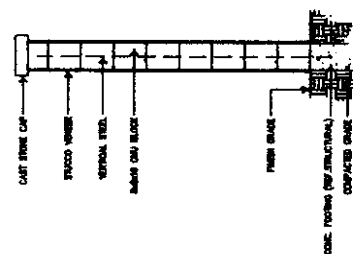


SCALE 1" = 100'

LONG GOLF TEENAGE & GOLF CLUB, 9-10 P.M. TALL LOANERS
A FEW GOLF TEENAGE CLUB PLAYERS ARE ON HAND.



TYPICAL ENTRY STONE COLUMN



STUCCO SCREEN WALL

NOTE: ALL LOTS WITH GARAGES ON PROPERTY LINES WILL BE TREATED AS ZERO LOT LINE DEVELOPMENT.

Q. W. H. E. R.:
BARNER COMMUNITIES, LLC
1043 S. CHILDA STREET
SUITE 4-102
CHICAGO, ILL. 60607



April 24, 2007

BEING a 41.16 acre tract of land out of Section 42, Block 38, T-1-S, T & P RR Company Survey, Midland County, Texas, of which a part hereof is located within Lot 1, Block 1, Quail Ridge Addition, an Addition to the City of Midland, Midland County, Texas, according to the Plat thereof recorded in Plat Cabinet "D", Page 339 of the Plat Records of Midland County, Texas, and 41.316 acre tract being more particularly described as follows:

BEGINNING at a point in the North Right-of-Way line of U.S. Highway 80, for the Southeast corner of this tract, from which the most Southerly Southeast corner of said Lot 1, the Southwest end of a corner clip located at the Northwest corner of the intersection of said U.S. Highway 80 with Chukar Lane (County Road 1162-North) bears N 59°39' 00" E, a distance of 135.72 feet;

THENCE S 59°39'00" W, along said South line of Lot 1 common with the North Right-of-Way line of U.S. Highway 80, a distance of 796.63 feet to a 1/2-inch iron rod found at or near the Northeast corner of the intersection of the North Right-of-Way line of U.S. Highway 80 and the East line of Scharbauer Draw, for the Southwest corner of this tract, said corner also being the beginning of a non-tangential circular curve to the right having a radius of 337.48 feet;

THENCE Northeasterly, along said curve and along the East line of said Scharbauer Draw, through a central angle of 34°21'13", an arc length of 202.35 feet and a chord bearing and distance of N 12°23'59" W - 199.33 feet to the Point of Reverse Curvature of a circular curve to the left having a radius of 750.00 feet;

THENCE continuing Northerly along said curve and along said East line of Scharbauer Draw, through a central angle of 60°17'52", an arc length of 789.30 feet and a chord bearing and distance of N 25°22'19" W, - 753.37 feet to the end of this curve;

THENCE S 34°28'45" W, a distance of 5.00 feet;

THENCE N 56°17'24" W, a distance of 20.00 feet;

THENCE N 32°56'28" E, a distance of 5.00 feet to the beginning of a non-tangential circular curve to the left having a radius of 750.00 feet;

THENCE Northwesterly, along said curve and along said East line of Scharbauer Draw, through a central angle of 27°44'59", an arc length of 363.24 feet and a chord bearing and distance of N 70°56'02" - 359.70 feet to the PT of this curve;

THENCE N 84°48'31" W, along said East line of Scharbauer Draw, a distance of 27.80 feet to the PC of a tangential circular curve to the right having a radius of 350.00 feet;

THENCE Northwesterly, along said curve and along said East line of Scharbauer Draw, through a central angle of 34°11'11", an arch length of 208.83 feet and a chord bearing and distance of N 67°42'56" W - 205.75 feet, to a 1/2-inch iron rod found in said East line of Scharbauer Draw, for a non-tangential end of this curve and for the most Westerly Southwest corner of this tract;

THENCE N 14°31'42" W, departing said East line of Scharbauer Draw, a distance of 663.78 feet to a 1/2-inch iron rod found in the South line of Quail Ridge Road (County Road 83-East), for the Northwest corner of this tract;

EXHIBIT B

16.36

THENCE N 75°28'02" E, along the South line of said Quail Ridge Road (County Road 83-East), a distance of 717.32 feet to a 1/2-inch iron rod found for the Northeast corner of this tract;

THENCE S 36°56'47" E, departing said Quail Ridge Road (County Road 83-East) and along an exterior line of said Lot 1, a distance of 219.52 feet to a point for an exterior corner of this tract;

THENCE N 75°28'44" E, along the most Easterly North line of said Lot 1, a distance of 748.54 feet to a 1/2-inch iron rod found in the West Right-of-Way line of said Chukar Lane (County Road 1162-North), at or near the Northeast corner of said Lot 1 for the Northeast corner of this tract;

THENCE S 14°43'00" E, along the East line of said Lot 1 common with the West Right-of-Way line of said Chukar Lane (County Road 1162-North), a distance of 583.62 feet to a 1/2-inch iron rod found for an exterior corner of said Lot 1 and an exterior corner of this tract;

THENCE S 75°23'00" W, along an exterior line of said Lot 1, a distance of 342.40 feet to a point for an interior corner of this tract and an interior corner of said Lot 1;

THENCE S 14°43'00" E, along an exterior line of said Lot 1, a distance of 443.43 feet to a 1/2-inch iron rod found for an interior corner of said Lot 1 and an interior corner of this tract;

THENCE N 75°23'00" E, along an exterior line of said Lot 1, a distance of 19.10 feet to a 1/2-inch iron rod found in the western boundary of a Mobil Pipeline Easement, as recorded in Volume 262, Page 232, Midland County Deed Records, for a corner of this tract;

THENCE S 37°07'56" E, a distance of 375.52 feet to a point for a corner of this tract;

THENCE S 32°27'00" E, a distance 66.00 feet to a point for a corner of this tract;

THENCE S 20°57'00" E, a distance of 93.00 feet to the Place of Beginning and containing 41.16 acres of land

QUAIL RIDGE
PD for Housing Development 1-F3

Job No. 2006-1175

EXHIBIT B



110 W. LOUISIANA AVE. SUITE 110 MIDLAND, TEXAS 79701-3414
OFFICE (432) 687-0865 FAX (432) 687-0868
Web Page: www.team-west.com

April 24, 2007

BEING a 2.50 acre tract of land out of Section 42, Block 38, T-1-S, T & P RR Company Survey, Midland County, Texas, of which a part hereof is located within Lot 1, Block 1, Quail Ridge Addition, an addition to the City of Midland, Midland County, Texas, according to the Plat recorded in Plat Cabinet "D", Page 336 of the Plat Records of Midland County, Texas and said 2.50 acre tract being more particularly described as follows:

BEGINNING at a point in the most Southerly Southeast corner of said Lot 1, located in the North Right-of-Way line of U.S. Highway 80 and at the Southwest end of a corner clip at the Northwest corner of the intersection of said U.S. Highway 80 with Chukar Lane (County Road 1162-North), for the most Southerly Southeast corner of this tract;

THENCE S 59°39'00" W, along the North Right-of-Way line of said U.S. Highway 80, a distance of 135.72 feet to a point for an exterior corner of this tract;

THENCE N 20°57'00" W, departing said Right-of-Way line, a distance of 93.00 feet to a point for an interior corner of this tract;

THENCE N 32°27'00" W, a distance of 66.00 feet to a point for an interior corner of this tract;

THENCE N 37°07'56" W, a distance of 375.52 feet to a point in the southern boundary of the Darrell Van Perry tract, as recorded in Volume 621, Page 170, Midland County Deed Records, and an exterior line of said Lot 1 for the northwest corner of this tract;

THENCE N 75°23'00" E, along an exterior line of said Lot 1, a distance of 323.30 feet to a 1/2-inch iron rod found in the West Right-of-Way line of said Chukar Lane (County Road 1162-North) for an exterior corner of said Lot 1 and an exterior corner of this tract;

THENCE S 14°43'00" E, along the West Right-of-Way line of said Chukar Lane (County Road 1162-North) common with the East line of said Lot 1, a distance of 439.74 feet to a point located at the North end of a corner clip found at the Northwest corner of the intersection of said Chukar Lane (County Road 1162-North) with U.S. Highway 80, for an exterior of said Lot 1 and an exterior corner of this tract;

THENCE S 22°10'00" W, along said corner clip, a distance of 31.99 feet to the POINT OF BEGINNING and containing 2.50 acres of land.

Quail Ridge
Country Estates Zoning

Job No. 2006-1175

EXHIBIT C

16.38



City Council Agenda

Approved for Agenda:
MJohnston
City Manager's Office

MEETING DATE: May 22, 2007
TO: CITY COUNCIL/CITY MANAGER
FROM: Cameron Walker, Planning Division Manager
SUBJECT: Z-07-014, Quail Ridge Zone Change

Purpose:

Hold a public hearing at 11:03 a.m. and consider an ordinance on a request by Banner Communities, LLC for a zone change from AE, Agriculture Estate District to PD, Planned District for a Housing Development.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Direction/Informational

Fiscal Impact:

N/A

Discussion:

The City Council first considered a zone change request on the subject property on April 10, 2007. At that time, there was some neighborhood opposition, and the City Council was not comfortable with all issues. Consequently, the applicant withdrew his request. Later, he met with the neighbors and Council member Hailey. Based on these meetings, he has submitted a revised application. The Planning and Zoning Commission considered this new application on April 30, 2007, where it was recommended for approval by a vote of 9-0. The following is a summary of this plan, with significant changes to the plan highlighted.

The applicant owns a 43-acre tract of land at the northwest corner of Business I-20 and Chukar Lane. Prior to annexation in 1982, this land was developed as a manufactured home park with private streets, private water lines and septic systems. The applicant is proposing a redevelopment plan to develop a residential neighborhood consisting of modular housing. Also included are the subdivision of this land into individual lots, the dedication of public streets and the installation of public water and sewer lines. Each lot and the associated home would be under a common ownership. To accomplish this, the applicant is proposing a zone change to a Planned District for a Housing Development,

subject to the regulations of the 1F-3 District and a site plan.











Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Hold a public hearing and consider a motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Sunset Acres, Section 10 being a 7.01-acre tract of land and a 0.25-acre portion of Sinclair Avenue right-of-way and a 0.08-acre portion of alley right-of-way, all out of Tract 2, Sunset Acres, City and County of Midland, Texas. (Generally located northeast of the intersection of Upland Street and W. Golf Course Road.) (DEVELOPMENT SERVICES) (DISTRICT 3)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Schumann Surveying, Inc. is requesting to plat a 7.01-acre tract of land and a 10-foot alley and a portion of Sinclair Avenue, which are in the process of being vacated, all out of Tract 2, Sunset Acres, into one (1) lot. The proposed subdivision will have one (1) lot with a total acreage of 7.01.

Current Zoning:

SF-1, Single Family Dwelling District and PD, Planned Development District (Ord. 10243) for an Office Center

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)

Location of the west plat line appears to leave a 50' right of way on Upland street.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: Sinclair roadway okay as is. Midkiff roadway okay as is. Golf Course roadway okay as is. Upland roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 8" water exists in Midkiff, okay as is. 6" water exists in Golf Course, okay as is. 6" water exists in Upland, okay as is. No public water improvements required.

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

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

SEWER: 12" wastewater exists in Golf Course, okay as is. 10" wastewater exists in Upland, okay as is. No public wastewater improvements required.

DRAINAGE: No Drainage Report required at this time. 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 with conditions)

Provide access easement to 1905 N Midkiff Rd. No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

FIRE: (Approved)

No objections.

OIL AND GAS: (Approved)

No Oil and Gas issues.

GIS: (Approved)

Please provide recording information for ROW and Alley vacation. West call's directionality should be reversed. (Currently shows s14-18-18e, should be n14-18-18w) Please label Sunset Acres, Sec 8. Block for Sunset Acres, Sec 8, is 13. (Plat shows Block 1, Lot 1, but the block for that subdivision is 13) Plat encroaches into previously dedicated ROW for W Golf Course Rd. (the 15' dedication) Is an access easement needed to allow the property to the north access to their land? Has it become landlocked?

PLANNING: (Approved with conditions)

The Certificate of Approval is listed twice. Please remove one.

Dedicate Sinclair Avenue right-of-way as private roadway/driveway for addressing purposes as well as to allow access to property to the north.

Label fourth dedication (to the northwest of plat boundary) and provide recording data.

The Sinclair Avenue and alley rights-of-way will need to be vacated prior to final plat approval. We have an application in process.

Staff recommends approval of the Preliminary Plat of Sunset Acres, Section 10, subject to condition A.

Letters of Objection:

As of December 15, 2023, staff has received one letter of objection for this request.

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
Objection Letter
Ordinance 10243

PRELIMINARY
SUNSET ACRES,
SECTION 10

PROPOSED PLAT OF SUNSET ACRES, SECTION 10, BEING A
RE-PLAT OF A 7.01 ACRE-PORTION OF TRACT 2, INCLUDING
A 0.25 ACRE-PORTION OF SINCLAIR AVENUE, AND A 0.08
ACRE-PORTION OF ALLEY RIGHT-OF-WAY, SUNSET ACRES,
CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNERS OF A TRACT OF LAND SITUATED IN THE SOUTHEAST PART OF SECTION 20, BLOCK 39, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 7.01 ACRE TRACT OF LAND, OUT OF THE SOUTHEAST PART OF SECTION 20, BLOCK 39, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 6.76 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR FOUND (N:10698349.49, E:1742403.56) NORTHEAST CORNER OF THIS TRACT, AND IN THE WEST RIGHT OF WAY LINE OF MIDKIFF ROAD;
THENCE SOUTH 14°18'10" EAST 370.00 FEET TO A REINF BAR SET FOR A SOUTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 75°41'43" WEST 305.88 FEET TO A REINF BAR SET FOR AN INTERIOR CORNER OF THIS TRACT;
THENCE SOUTH 14°18'18" EAST 278.50 FEET TO A REINF BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 75°41'42" WEST 296.25 FEET TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
THENCE NORTH 14°18'18" WEST 648.50 FEET TO A REINF BAR SET FOR THE NORTHWEST OF THIS TRACT;
THENCE NORTH 75°41'42" EAST 602.14 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HERENAFORE DESCRIBED PROPERTY AS SUNSET ACRES, SECTION 10, A SUBDIVISION OF 7.01 ACRES OF LAND IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS AND PARKWAYS SHOWN HEREON.

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

KATHLEEN HAYNE
COMMUNITY & SENIOR SERVICES OF MIDLAND

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY KATHLEEN HAYNE / COMMUNITY & SENIOR SERVICES OF MIDLAND

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

COMMUNITY AND SENIOR SERVICES OF MIDLAND
3301 SINCLAIR AVENUE
MIDLAND, TX 79705

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

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

RJ DAUM
TEXAS RPLS 4826

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



CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE PLANNING AND ZONING COMMISSION.

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SUNSET ACRES, SECTION 10, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2023.

SIGNED: CHAIRMAN LUCY SISNEGA

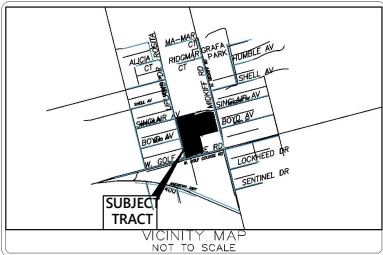
ATTEST: SECRETARY CRISTINA O. BURNS

LEGEND:

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

NOTES:

- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, UNINCORPORATED AREA, COMMUNITY MAP NUMBER 48329C0089F, DATED SEPTEMBER 16TH, 2005, THIS PROPERTY IS SITUATED WITHIN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: ONCOR ELECTRIC DELIVER COMPANY
SIGNED: AT&T TEXAS
SIGNED: ATMOS ENERGY
SIGNED: OPTIMUM COMMUNICATIONS
SIGNED: ASTOUND COMMUNICATIONS

PACKET

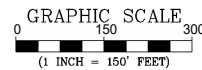
CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SUNSET ACRES, SECTION 10, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 20__.

SIGNED: CHAIRMAN LUCY SISNEGA

ATTEST: SECRETARY JEFF FISHER



Page 9.190

NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	06/21/2023
				CHECKED BY:	ED/RJ
				PROJECT NO.	79,394
				SHEET:	1 OF 1



Preliminary Plat Application

Project Number: **SUB-230694**
Case Number: **P-23-18102**

Proposed Subdivision Plat Name: **SUNSET ACRES, SECTION 10**

Legal Description (attached sealed Metes and Bounds): PROPOSED PLAT OF SUNSET ACRES, SECTION 10, BEING A RE-PLAT OF A 7.01 ACRE-PORTION OF TRACT 2, INCLUDING A 0.25 ACRE-PORTION OF SINCLAIR AVENUE, AND A 0.08 ACRE-PORTION OF ALLEY RIGHT-OF-WAY, SUNSET ACRES, CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner Printed Name: **COMMUNITY AND SENIOR SERVICES OF MIDLAND**

Phone **432-254-0327**

Email **Khayniea.Senior@citymidland.org**

Address **3301 SINCLAIR AVE.**

City **Midland**

State **TX**

Zip **79705**

Developer (if different than Owner) Printed Name:

Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)
Firm: **Schumann Engineering Co., Inc.**

Printed Name: **Eduardo L. Aleman**

Phone **(432) 684-5548**

Email
ealeman@schumannonline.net

Address **800 N. Marienfeld Suite 100**

City **Midland**

State **TX**

Zip **79701**

Current Zoning: PLANNED DEVELOPMENT DISTRICT

Reason for Platting: TO VACATE A 10' ALLEY AND A PORTION OF SINCLAIR AVE AND COMBINE INTO ONE LOT

Plat Information

Total Acreage: **7.01**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **1**

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Date: 11/22/2023

Property Owner (printed): Tommy Reynolds

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

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

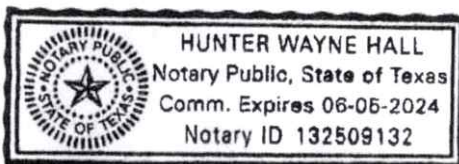
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Edwards J Aleman
Authorized Agent (signature)

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



HWH
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

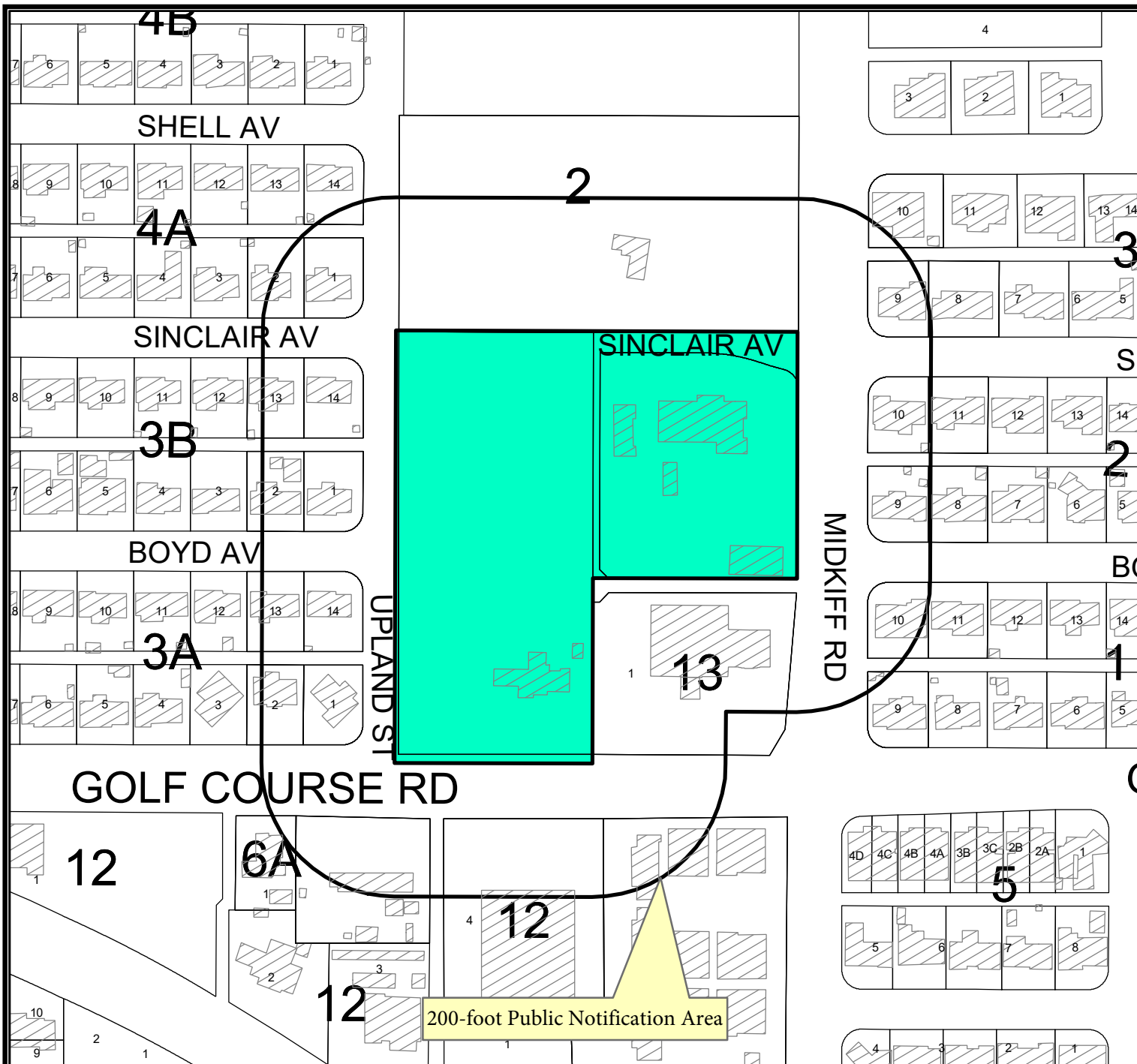
☐ Application Fee ☒ 1 Copy of Plat (11x17)

Check # _____

Received By: [Signature]

Date: NOV 22 2023

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



LOCATION MAP

SUB-23-0674

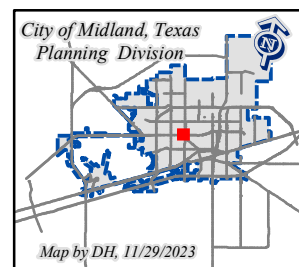
Scale: 1" = 216'

Proposed plat of Sunset Acres, Section 10 being a 7.01-acre tract of land and a 0.25-acre portion of Sinclair Avenue and a 0.08-acre portion of alley right-of-way all out of Tract 2, Sunset Acres, City and County of Midland, Texas.

Generally located northeast of the intersection of Upland Street and W. Golf Course Road.
(Council District 3)

LEGEND

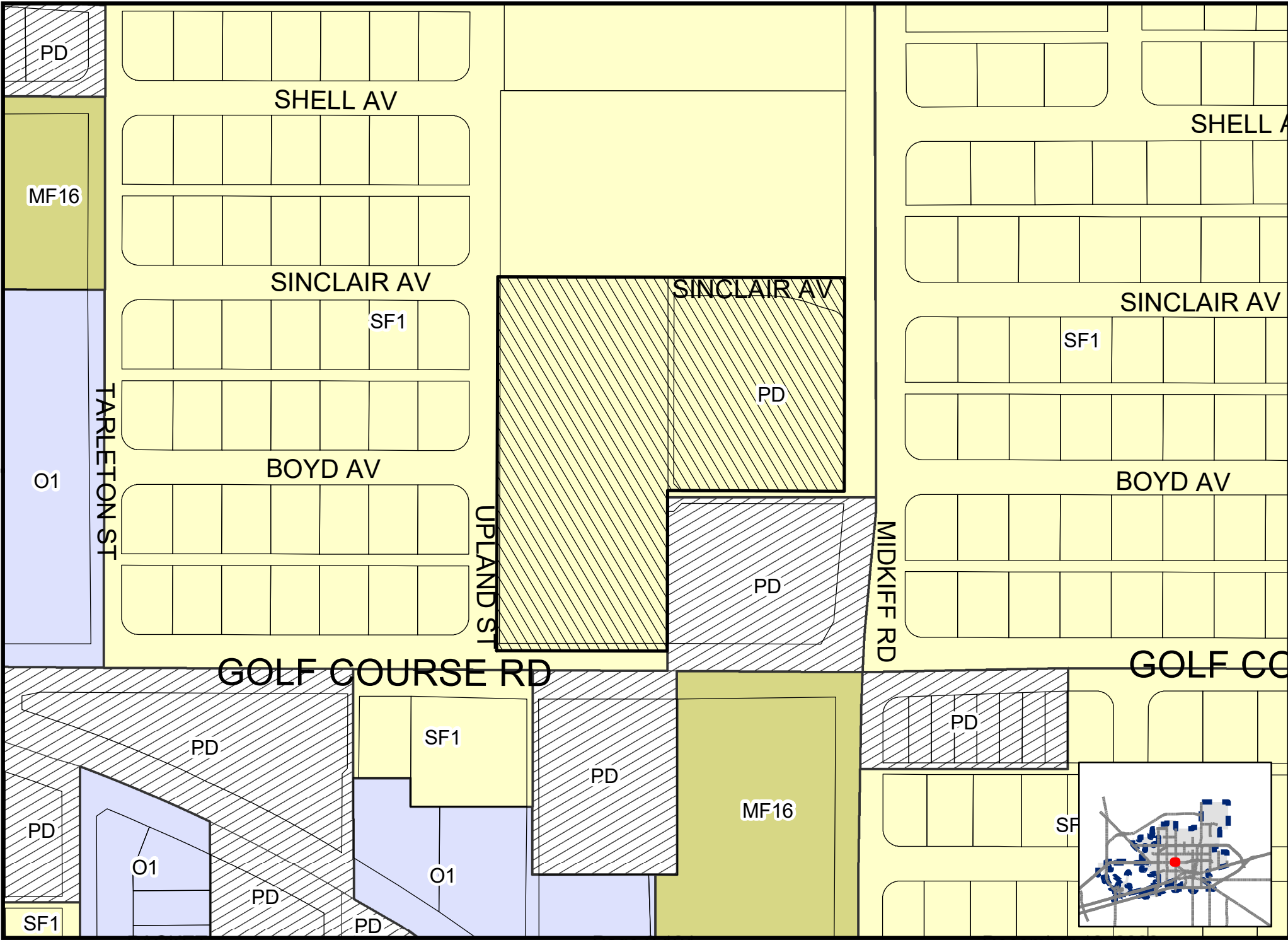
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020

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

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



PACKET

Page 9.194

December 18, 2023



DEC 05 2023



PETERSON WALTER C
3400 BOYD AVE
MIDLAND TX 79707-6603

PUBLIC NOTICE

The **Planning and Zoning Commission**, of the City of Midland, Texas, will hold a public hearing at 3:30 p.m. on **Monday, December 18, 2023**, in the Council Chamber, City Hall, 300 N. Loraine, Midland, TX 79701 on a request by **Schumann Surveying, Inc.** for approval of a **Residential Replat** on the following described property:

LEGAL DESCRIPTION: A 7.01-acre tract of land and a 0.25-acre portion of Sinclair Avenue and a 0.08-acre portion of alley right-of-way all out of Tract 2, Sunset Acres, City and County of Midland, Texas.

LOCATION: Generally located northeast of the intersection of Upland Street and W. Golf Course Road. (Council District 3)

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ Comments: It will increase traffic in our quiet neighborhood.

Required Information:

Mary B. Peterson
Walter C. Peterson
Property Owner's Signature

Mary B. Peterson
Walter C. Peterson
Printed Name

3400 Boyd Ave., Midland, TX
79701
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 30
Date Mailed: December 1, 2023
Case Number: P-23-1805
Case Name: Sunset Acres, Section 10
DH: Planner's Initials

Cristina O. Burns
Cristina O. Burns
Director of Development Services
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing-impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland, at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov>

ORDINANCE NO. 10243

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 2.273-ACRE TRACT OF LAND OUT OF SECTION 20, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH MIDKIFF ROAD AND SINCLAIR AVENUE); 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, the City Code, and State law, 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 rezoning a 2.273-acre tract of land out of Section 20, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit “A”, which is attached hereto and incorporated herein (the “Property”) to PD, Planned Development District for an Office Center and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from SF-1, Single-Family Dwelling District to PD,

O-1, Office District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit “B” and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the Property shall significantly conform to the site plan and elevations attached hereto as Exhibit “B”.
- B. That the landscaping shown in Exhibit “B” shall be considered illustrative. The landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.

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

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

SECTION SEVEN. 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 ~~PAGE 11~~ ~~PACKET~~ ~~Page 9 of 17~~ ~~December 18, 2023~~ ~~9~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ ~~139~~ ~~140~~ ~~141~~ ~~142~~ ~~143~~ ~~144~~ ~~145~~ ~~146~~ ~~147~~ ~~148~~ ~~149~~ ~~150~~ ~~151~~ ~~152~~ ~~153~~ ~~154~~ ~~155~~ ~~156~~ ~~157~~ ~~158~~ ~~159~~ ~~160~~ ~~161~~ ~~162~~ ~~163~~ ~~164~~ ~~165~~ ~~166~~ ~~167~~ ~~168~~ ~~169~~ ~~170~~ ~~171~~ ~~172~~ ~~173~~ ~~174~~ ~~175~~ ~~176~~ ~~177~~ ~~178~~ ~~179~~ ~~180~~ ~~181~~ ~~182~~ ~~183~~ ~~184~~ ~~185~~ ~~186~~ ~~187~~ ~~188~~ ~~189~~ ~~190~~ ~~191~~ ~~192~~ ~~193~~ ~~194~~ ~~195~~ ~~196~~ ~~197~~ ~~198~~ ~~199~~ ~~200~~ ~~201~~ ~~202~~ ~~203~~ ~~204~~ ~~205~~ ~~206~~ ~~207~~ ~~208~~ ~~209~~ ~~210~~ ~~211~~ ~~212~~ ~~213~~ ~~214~~ ~~215~~ ~~216~~ ~~217~~ ~~218~~ ~~219~~ ~~220~~ ~~221~~ ~~222~~ ~~223~~ ~~224~~ ~~225~~ ~~226~~ ~~227~~ ~~228~~ ~~229~~ ~~230~~ ~~231~~ ~~232~~ ~~233~~ ~~234~~ ~~235~~ ~~236~~ ~~237~~ ~~238~~ ~~239~~ ~~240~~ ~~241~~ ~~242~~ ~~243~~ ~~244~~ ~~245~~ ~~246~~ ~~247~~ ~~248~~ ~~249~~ ~~250~~ ~~251~~ ~~252~~ ~~253~~ ~~254~~ ~~255~~ ~~256~~ ~~257~~ ~~258~~ ~~259~~ ~~260~~ ~~261~~ ~~262~~ ~~263~~ ~~264~~ ~~265~~ ~~266~~ ~~267~~ ~~268~~ ~~269~~ ~~270~~ ~~271~~ ~~272~~ ~~273~~ ~~274~~ ~~275~~ ~~276~~ ~~277~~ ~~278~~ ~~279~~ ~~280~~ ~~281~~ ~~282~~ ~~283~~ ~~284~~ ~~285~~ ~~286~~ ~~287~~ ~~288~~ ~~289~~ ~~290~~ ~~291~~ ~~292~~ ~~293~~ ~~294~~ ~~295~~ ~~296~~ ~~297~~ ~~298~~ ~~299~~ ~~300~~ ~~301~~ ~~302~~ ~~303~~ ~~304~~ ~~305~~ ~~306~~ ~~307~~ ~~308~~ ~~309~~ ~~310~~ ~~311~~ ~~312~~ ~~313~~ ~~314~~ ~~315~~ ~~316~~ ~~317~~ ~~318~~ ~~319~~ ~~320~~ ~~321~~ ~~322~~ ~~323~~ ~~324~~ ~~325~~ ~~326~~ ~~327~~ ~~328~~ ~~329~~ ~~330~~ ~~331~~ ~~332~~ ~~333~~ ~~334~~ ~~335~~ ~~336~~ ~~337~~ ~~338~~ ~~339~~ ~~340~~ ~~341~~ ~~342~~ ~~343~~ ~~344~~ ~~345~~ ~~346~~ ~~347~~ ~~348~~ ~~349~~ ~~350~~ ~~351~~ ~~352~~ ~~353~~ ~~354~~ ~~355~~ ~~356~~ ~~357~~ ~~358~~ ~~359~~ ~~360~~ ~~361~~ ~~362~~ ~~363~~ ~~364~~ ~~365~~ ~~366~~ ~~367~~ ~~368~~ ~~369~~ ~~370~~ ~~371~~ ~~372~~ ~~373~~ ~~374~~ ~~375~~ ~~376~~ ~~377~~ ~~378~~ ~~379~~ ~~380~~ ~~381~~ ~~382~~ ~~383~~ ~~384~~ ~~385~~ ~~386~~ ~~387~~ ~~388~~ ~~389~~ ~~390~~ ~~391~~ ~~392~~ ~~393~~ ~~394~~ ~~395~~ ~~396~~ ~~397~~ ~~398~~ ~~399~~ ~~400~~ ~~401~~ ~~402~~ ~~403~~ ~~404~~ ~~405~~ ~~406~~ ~~407~~ ~~408~~ ~~409~~ ~~410~~ ~~411~~ ~~412~~ ~~413~~ ~~414~~ ~~415~~ ~~416~~ ~~417~~ ~~418~~ ~~419~~ ~~420~~ ~~421~~ ~~422~~ ~~423~~ ~~424~~ ~~425~~ ~~426~~ ~~427~~ ~~428~~ ~~429~~ ~~430~~ ~~431~~ ~~432~~ ~~433~~ ~~434~~ ~~435~~ ~~436~~ ~~437~~ ~~438~~ ~~439~~ ~~440~~ ~~441~~ ~~442~~ ~~443~~ ~~444~~ ~~445~~ ~~446~~ ~~447~~ ~~448~~ ~~449~~ ~~450~~ ~~451~~ ~~452~~ ~~453~~ ~~454~~ ~~455~~ ~~456~~ ~~457~~ ~~458~~ ~~459~~ ~~460~~ ~~461~~ ~~462~~ ~~463~~ ~~464~~ ~~46~~

SECTION EIGHT. 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 28th day of September, A.D., 2021; and passed to second reading on motion of Council member Trost, seconded by Council member Norman, by the following vote:

Council members voting "AYE": Blong, Trost, Robnett, 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 Ladd, seconded by Council member Norman, on the 12th day of October, A.D., 2021, at a regular meeting of the City Council:

Council members voting "AYE": Blong, Trost, Robnett, Payton, Dufford, Ladd, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 12th day of October, A.D., 2021.



Patrick N. Payton, Mayor

ATTEST:

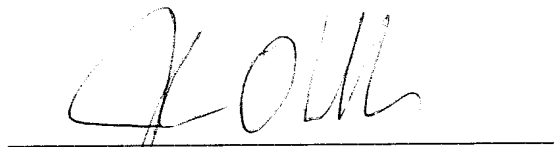
PACKET

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney

EXHIBIT "A"

SURVEY PLAT

(4.78 ACRES)
1443/06 M.C.D.R.

SEE DETAIL E

SEE DETAIL D

SEE DETAIL B

SEE DETAIL A

SINCLAIR AVENUE (VARIABLE R.O.W.)

2.273 ACRES
BEING ALL OF
913/525 M.C.D.R.

SEE DETAIL I

SEE DETAIL C

SEE DETAIL F

SEE DETAIL H

N 59°24'23" W
20.00'
(N 60°00'00" W)
(20.00')

S 75°35'37" W 282.06'
S 75°35'37" W 282.06'

LOT 1
SUNSET ACRES
FILE NO: 2011-17424 M.C.O.P.R.

LEGAL DESCRIPTION: Being 2.273 acres of land out of Section 20, Block 39, T.1 S.7. & P.3E. Co. Survey, Abstract No. 1166 in Midland County, Texas and also being all of that certain 2.269 acre tract described in Volume 913, Page 525 of the Deed Records of Midland County, Texas, said 2.273 acre tract being more particularly described as follows and as surveyed under the supervision of Criss Texas Land Services, Inc. on December, 2011 & January, 2015.

BEGINNING at a 1/2 inch iron rod set in the west Right of Way line of Midland Road, the north line of a 20 foot alley and the east line of said Tract 2 for the southeast corner of said 2.269 acre tract and from thence an "X" cut in concrete found for the northeast corner of that certain tract described in File No. 2011-17424 of the Official Public Records of Midland County, Texas being South 120°04' East a distance of 19.47 feet;

THENCE South 79°50'50" West a distance of 282.06 feet along the north line of said 20 foot alley and the south line of said 2.269 acre tract to a 1/2 inch iron rod set for the most southerly southeasterly corner here of;

THENCE North 59°24'23" West a distance of 20.00 feet along the southeasterly line of said 2.269 acre tract to a 1/2 inch iron rod set in the east line of a 10 foot alley for the most westerly additional corner here of;

THENCE North 14°24'29" West a distance of 335.85 feet along the east line of said 10 foot alley and the west line of said 2.269 acre tract to an "X" marked in concrete in the south line of Sinclair Avenue for the northwestern corner of said 2.269 acre tract and the southwestern corner here of;

THENCE along the south line of Sinclair Avenue and the north line of said 2.269 acre tract, the following 4 courses:

1. North 79°50'50" East a distance of 165.80 feet to a 1/2 inch iron rod set for a corner here of;
2. with a curve turning to the right with an arc length of 88.68 feet, with a radius of 258.64 feet, with a chord bearing of North 85°22'39" East, with a chord length of 88.05 feet to a 1/2 inch iron rod set for a corner here of;
3. with a reverse curve turning to the left with an arc length of 23.31 feet, with a radius of 339.46 feet, with a chord bearing of South N 6°43'58" East, with a chord length of 23.26 feet to a 1/2 inch iron rod set for a corner here of;
4. with a curve turning to the right with an arc length of 39.95 feet, with a radius of 30.00 feet, with a chord bearing of South 52°32'31" East, with a chord length of 39.95 feet to a 1/2 inch iron rod set in the west line of said Midland Road and the east line of said 2.269 acre tract;

THENCE South 14°24'29" West a distance of 286.54 feet along the west line of said Midland Road and the east line of said 2.269 acre tract to the POINT OF BEGINNING containing 2.273 acres more or less, and as shown herein.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	88.68	258.64	16°04'04"	N 85°22'39" E	88.05
C2	23.31	339.46	4°10'40"	S 6°43'58" E	23.26
C3	39.95	30.00	76°17'54"	S 52°32'31" E	37.04

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	88.68	258.64	16°04'04"	N 85°22'39" E	88.05
C2	23.31	339.46	4°10'40"	S 6°43'58" E	23.26
C3	39.95	30.00	76°17'54"	S 52°32'31" E	37.04

TREE NUMBER	SPECIES	DIAMETER
1	OAK	24"
2	OAK	24"
3	MESQUITE	6"
4	OAK	10"
5	OAK	42"
6	OAK	16"
7	OAK	TWIN 12"
8	OAK	17"
9	PECAN	21"
10	PECAN	24"
11	PECAN	20"
12	PECAN	18"

PACKET

EXHIBIT "B"

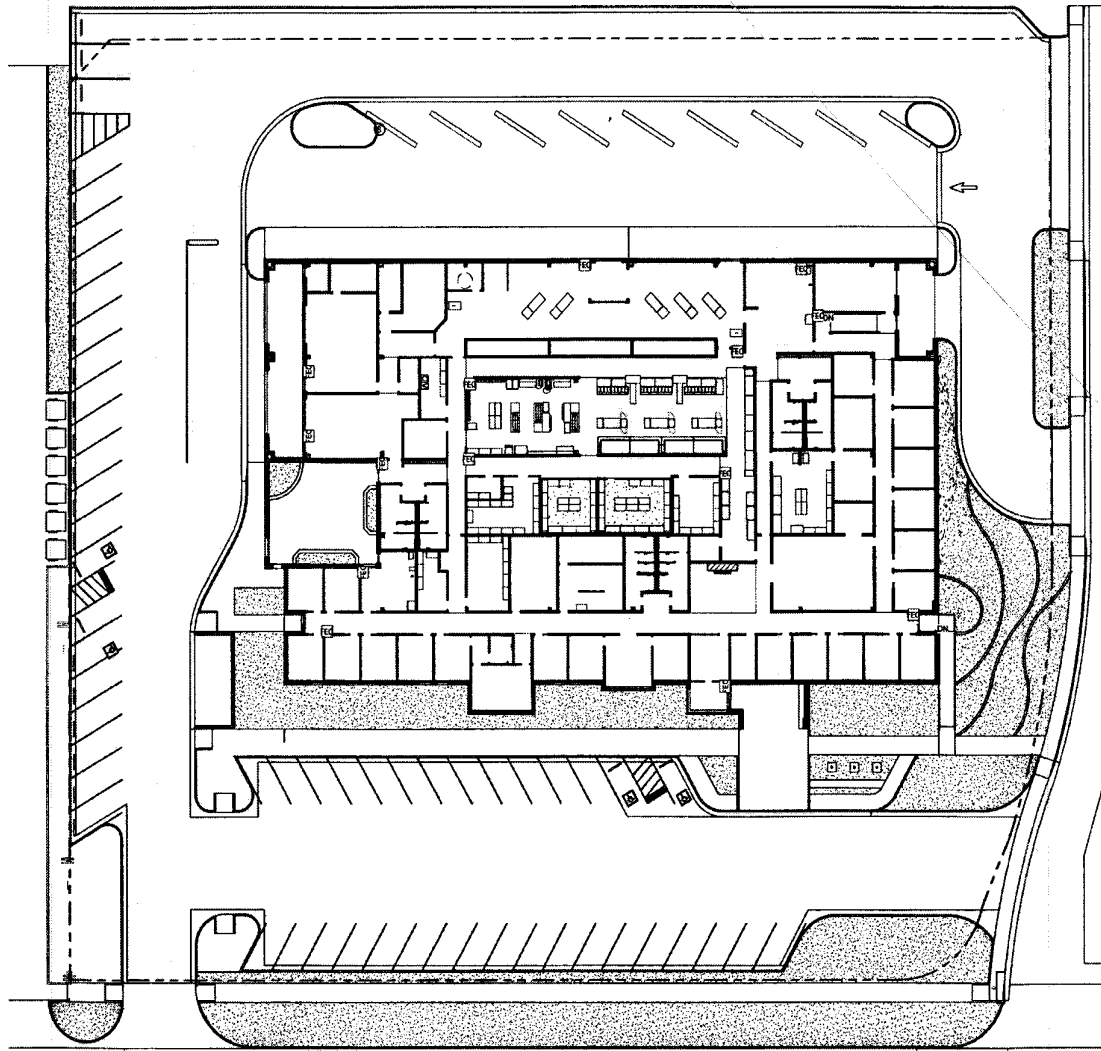
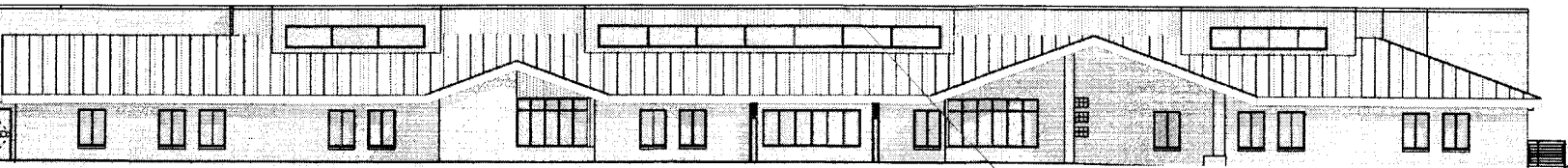
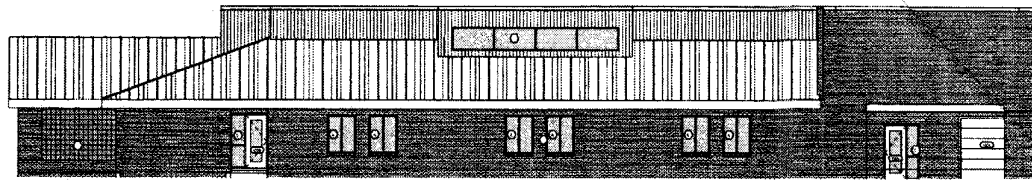


EXHIBIT "B" (cont'd)



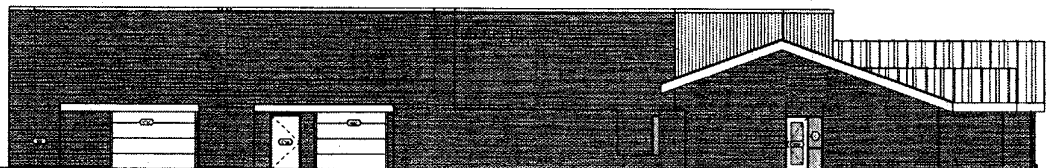
NORTH ELEVATION EXHIBIT



2 EAST ELEVATION EXHIBIT
X:1.00 1/8" = 1'-0"



SOUTH ELEVATION EXHIBIT



4 WEST ELEVATION EXHIBIT
X:1.00 1/8" = 1'-0"

NEW FACILITY

PACKET

Page 9.202



VANDERGRIFF GROUP

ARCHITECTS, P.C.

312 N. BIG SPRING BLVD. SUITE 100 - FARMERSVILLE, TEXAS 77936
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December 18, 2023



City Council Meeting

Item Number: 22
Meeting Date: September 28, 2021
To: City Council / City Manager
From: Kelly Martinez, Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 2.273-ACRE TRACT OF LAND OUT OF SECTION 20, BLOCK 39, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH MIDKIFF ROAD AND SINCLAIR AVENUE); 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 (DISTRICT 3) (DEVELOPMENT SERVICES)

Purpose:

The applicant, Stephen T. Marcum is requesting to rezone the property located at 3301 Sinclair Avenue, to redevelop the existing Senior Life Midland building.

Recommended City Council Action:

Approve

Surrounding Zoning and Land Uses:

The properties to the north, east, and west are zoned SF-1, Single-Family District, and are the locations of residential homes. The property to the south is zoned PD, Planned District for an Office Center, and the location of Permian Nephrology Associates.

Current Zoning:

SF-1, Single-Family Dwelling District (Ordinance No. 6723).

Analysis:

The applicant Stephen T. Marcum, is requesting to rezone the property from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center to allow for the redevelopment of Senior Life Midland on the property located at 3301 Sinclair Avenue. Senior Life Midland is a private, non-profit agency that offers programs designed to meet the needs of older Midland Residents.

The property has a specific use permit (Ordinance No. 6723), which allows the property to be used as a senior citizen center. Since the current zoning ordinance does not allow this use, through a specific use designation, a planned development district provides some flexibility to allow for these uses.

The proposed site plan (Exhibit B) shows 28,837 square feet of building, including twenty-three (23) office spaces, three (3) conference rooms, a handy man shop, a kitchen, several storage rooms, a receiving area, and a volunteer pick-up area. Sixty-three (63) parking spaces are proposed out of the seventy-two (72) that are required per our code (1 per 400 square feet). Therefore, this site does not have adequate parking. However, the applicant has noted that the 63 parking spaces are more than adequate for their staff and the population that they serve.

Furthermore, a business office is not allowed in the SF-1, Single-Family Dwelling District. Therefore, this zone change request will bring this lot into conformance with the current zoning ordinance and allow for the redevelopment of the site. Additionally, this property is in the process of platting.

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

Fire: (Approved)

No objections

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

PACKET

22.2

October 12, 2021

Code: (Approved)

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

Transportation: (Approved)

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

No objections to plat.

Planning:

This proposed development fits with chapter 3, An Integrated Land Use Vision, "Future Land Use Map" of the Tall City Tomorrow comprehensive plan as this area is called for Urban-Medium Neighborhood Center. This designation calls for a mix of traditional neighborhood business including small-scale commercial, office, civic, and residential. The commercial uses should be low impact and provide a variety of neighborhood services. Therefore, the redevelopment of Senior Life Midland is compliant with the recommendations of the Tall City Tomorrow.

This request was approved at the September 7, 2021 Planning and Zoning Commission meeting.

Staff recommends approval of this zone change from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center, subject to condition A through C.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the O-1, Office District.**
- B. That this property shall conform to the site plan and elevations, which are attached hereto and incorporated herein as Exhibits "B".**
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**

Letters of Objection:

Staff has not received any letters of objection as of September 22, 2021.

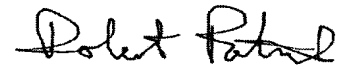
Attachments:

PACKET

22.3

October 12, 2021

Application
Property Survey (Exhibit A)
Site Plan and Elevations (Exhibit B)
Maps
Ordinance No. 6723



City Manager's Office

PACKET

22.4

October 12, 2021

PACKET

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December 18, 2023

EXHIBIT "A"

(4.78 ACRES)
1443/06 M.C.D.R.

SURVEY PLAT

SEE DETAIL E

SEE DETAIL D

SEE DETAIL A

SEE DETAIL B

SINCLAIR AVENUE (VARIABLE R.O.W.)

N 75°35'37" E 165.00'

2.273 ACRES
BEING ALL OF
913/525 M.C.D.R.

SEE DETAIL I

SEE DETAIL C

SEE DETAIL F

SEE DETAIL H

N 59°24'23" W
20.00'
(N 60°00'00" W)
(20.00')

S 35°00'00" W 282.06'
S 75°35'37" W 282.06'

LOT 1
SUNSET ACRES
FILE NO: 2011-17424 M.C.O.P.R.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	88.58'	255.68'	18°34'04"	N 85°23'58" E	88.25'
C2	23.31'	119.56'	6°10'40"	N 89°43'30" E	23.25'
C3	38.60'	30.00'	78°17'58"	S 52°33'21" E	107.26'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	88.58'	255.68'	18°34'04"	N 85°23'58" E	88.25'
C2	23.31'	119.56'	6°10'40"	N 89°43'30" E	23.25'
C3	38.60'	30.00'	78°17'58"	S 52°33'21" E	107.26'

TREE NUMBER	SPECIES	DIAMETER
1	OAK	24"
2	OAK	24"
3	MESQUITE	6"
4	OAK	10"
5	OAK	42"
6	OAK	16"
7	OAK	TWIN 12"
8	OAK	TWIN 12"
9	PECAN	21"
10	PECAN	14"
11	PECAN	20"
12	PECAN	18"

LEGAL DESCRIPTION: Being 2.273 acres or land out of Section 36, T.1 N., R.1 E., S.10 E., Co. Surber, Abstract No. 1100 in Midland County, Texas and also being all of that certain 2.269 acre tract described as Volume 913, Page 525 of the Deed Records of Midland County, Texas, said 2.273 acre tract being more particularly described as follows and as surveyed under the supervision of Grant & Land Services, Inc. on November 2014 & January 2015:

BEGINNING at a 1/2 inch iron rod set in the west Right of Way line of Midland Road, the north line of a 26 foot alley and the east line of said Tract 1 for the southeast corner of said 2.269 acre tract and the southeast corner hereof and from thence as "S" set as concrete found for the northeast corner of that certain tract described as File No. 4011 (Part of the Official Public Records of Midland County, Texas) to said "S" set a distance of 19.87 feet.

THENCE South 75°35'37" West a distance of 282.06 feet along the north line of said 26 foot alley and the south line of said 2.269 acre tract to a 1/2 inch iron rod set in the west boundary southeast corner hereof.

THENCE North 59°24'23" West a distance of 20.00 feet along the southwesterly line of said 2.269 acre to a 1/2 inch iron rod set in the east line of a 10 foot alley for the most westerly southeast corner hereof.

THENCE North 14°21'21" West a distance of 25.85 feet along the east line of said 10 foot alley and the west line of said 2.269 acre tract to an "X" marked in concrete in the north line of Sinclair Avenue for the northeast corner of said 2.269 acre tract and the northeast corner hereof.

THENCE along the north line of Sinclair Avenue and the north line of said 2.269 acre tract, the following 6 curves are:

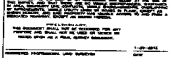
1. North 75°35'37" East a distance of 165.00 feet to a 1/2 inch iron rod set for a corner hereof.
2. With a curve bearing to the right with an arc length of 88.58 feet, with a radius of 255.68 feet, with a chord bearing of North 85°23'58" East, with a chord length of 88.25 feet to a 1/2 inch iron rod set for a corner hereof.
3. With a curve bearing to the left with an arc length of 23.31 feet, with a radius of 119.56 feet, with a chord bearing of North 89°43'30" East, with a chord length of 23.25 feet to a 1/2 inch iron rod set for a corner hereof.
4. With a curve bearing to the right with an arc length of 38.60 feet, with a radius of 30.00 feet, with a chord bearing of South 52°33'21" East, with a chord length of 107.26 feet to a 1/2 inch iron rod set in the west line of said Midland Road and the east line of said 2.269 acre tract.

THENCE South 14°21'21" East a distance of 25.85 feet along the west line of said Midland Road and the east line of said 2.269 acre tract to the POINT OF BEGINNING containing 2.273 acres more or less, and as shown herein.

PACKET

22.9

October 12, 2021

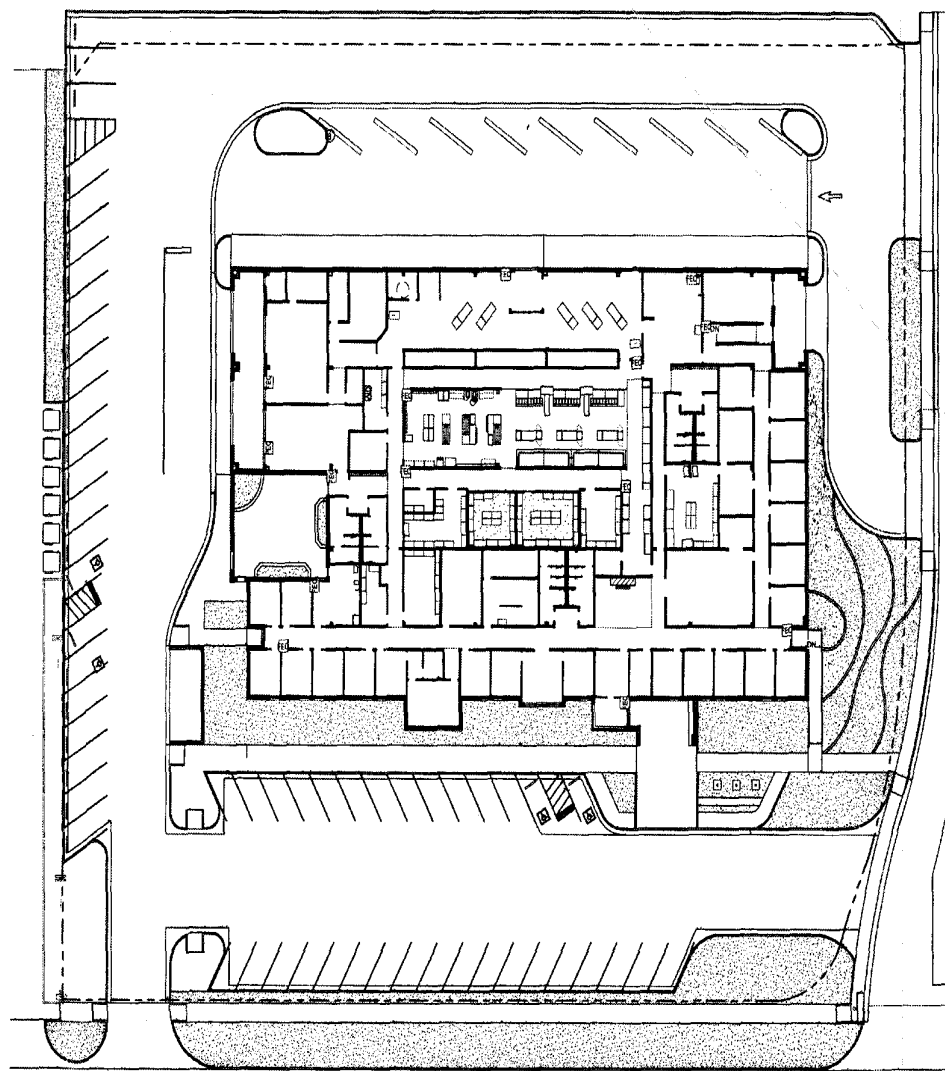


PACKET

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December 18, 2023

EXHIBIT "B"



X-102 SITE PLAN PACKET
 DATE: 11/20/21
 DATE: 07/20/21

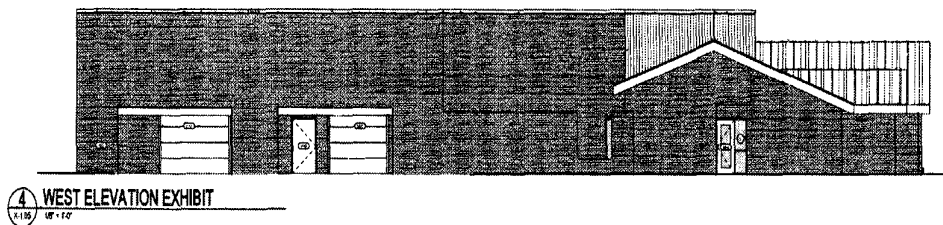
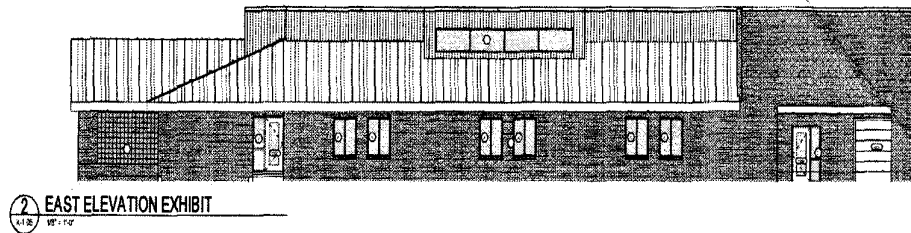
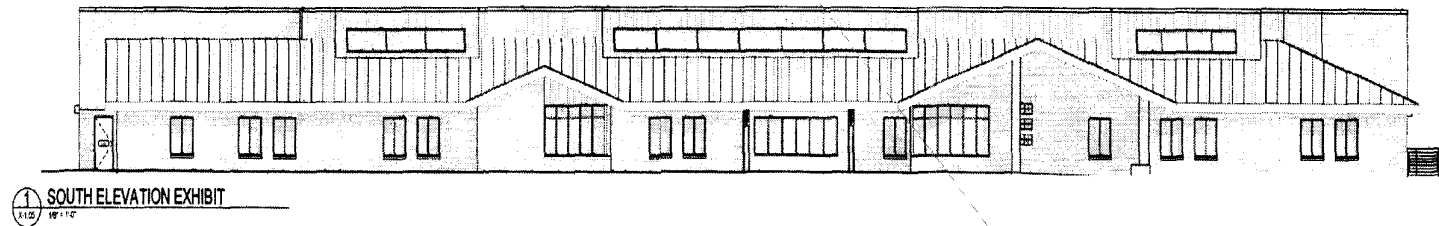
NEW FACILITY
 Page 9.208

October 12, 2021
 December 18, 2021
 ARCHITECTS • PC

C:\Users\KAO\Documents\02102 SENIOR LIFE MIDLAND NEW FACILITY_ashraepc.d
 11/02/21 11:12:43 AM

312 N. BIG SPRING BLVD. SUITE 100 (432) 267-0781 MIDLAND, TEXAS
 © Copyright 2021 by Ashraepc, Inc.

EXHIBIT "B" (cont'd)





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

Project Number: 2-21-0256

Case Number: _____

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

Printed Name: Stephen T. Marcum, P.E.

Phone (432) 685-1226

Email
smarcum@skylinecivilgroup.com

Address

3323 N. Midland Drive, STE 113-166

City

Midland

State

TX

Zip

79707

Property Owner

Printed Name: Community & Senior Services of Midland

Phone (432) 689-6693

Email

Address

3301 Sinclair Ave.

City

Midland

State

TX

Zip

79707

Representative (if different from Applicant or Property Owner)

Firm: Skyline Civil Group, LLC

Printed Name: Stephen T. Marcum, P.E.

Phone ()

Email

Address

Same as Above

City

State

Zip

Street Address: 3301 Sinclair Ave.

Legal Description

Lot: Block: Subdivision: RE: Survey Attached Herein

Current Zoning:

SF1

Proposed Zone: O-1

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

Reason for Zone Change Request: Commercial Business / Office Proposed

Community driven business / very important/appreciated by senior's within The Midland Community.

Present Use of Property: Senior Life Facility / Meals on Wheels / Meal Preparation and Delivery

Proposed Use of Property: Same Use

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

Community driven business / very important/appreciated by senior's within The Midland Community.

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

Community driven business / very important/appreciated by senior's within The Midland Community.

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)

PACKET

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

Applicant (signature): [Signature] Date: 08.01.21

Applicant (printed): Stephen T. Marcum

Property Owner (signature): [Signature] Date: 08.01.21

Property Owner (printed): Kathleen K. Haynie (Senior Life Midland)

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.

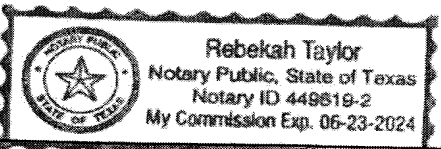
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appear Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is the owner of Kathleen K. Haynie or authorized by Senior Life 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.

[Signature]
Authorized Agent (signature)

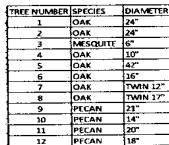
Subscribed and sworn to before me, this 11th day of August, 2021, to certify which witness my hand and seal of office.



[Signature]
(Rebekah Taylor)
Lubbock County
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

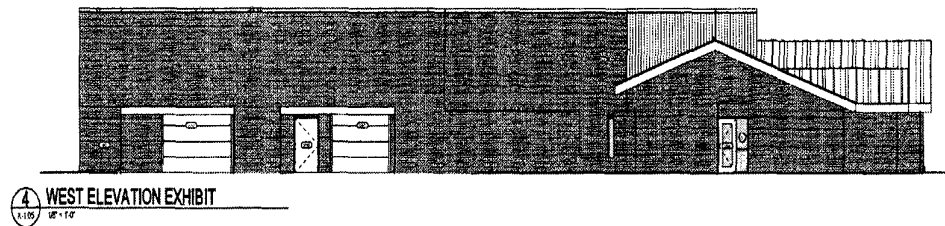
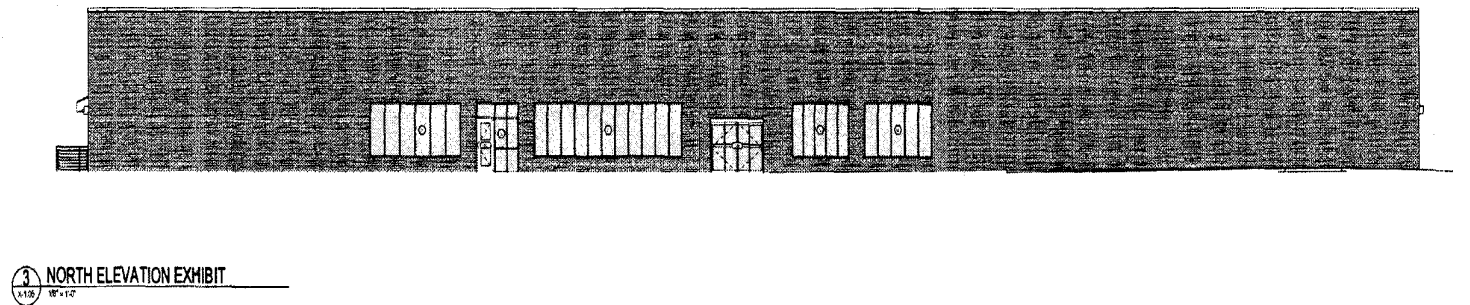
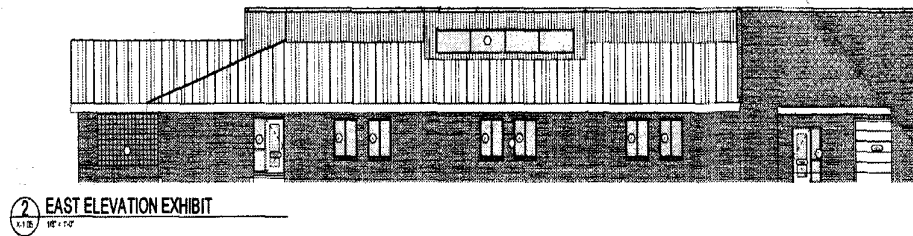
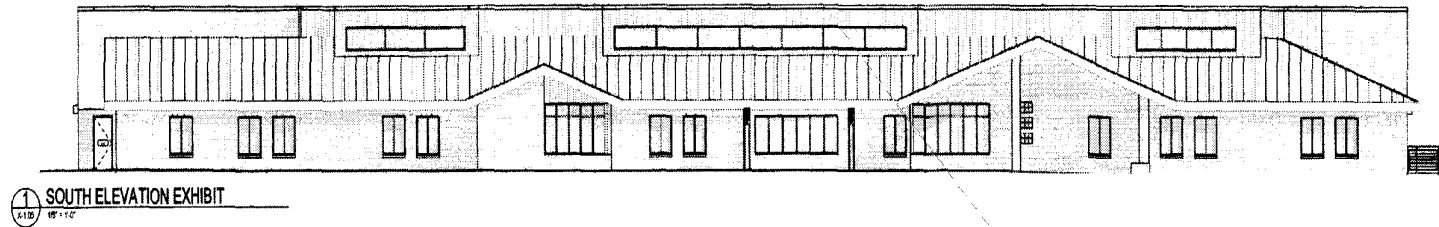
FOR OFFICE USE ONLY	
☐ Property Owner Authorization ☐ Application Fee Check # _____	☐ Dimensioned Site Plan ☐ Plans in Digital Format (PDF/JPEG)
Received By: _____	Date: _____

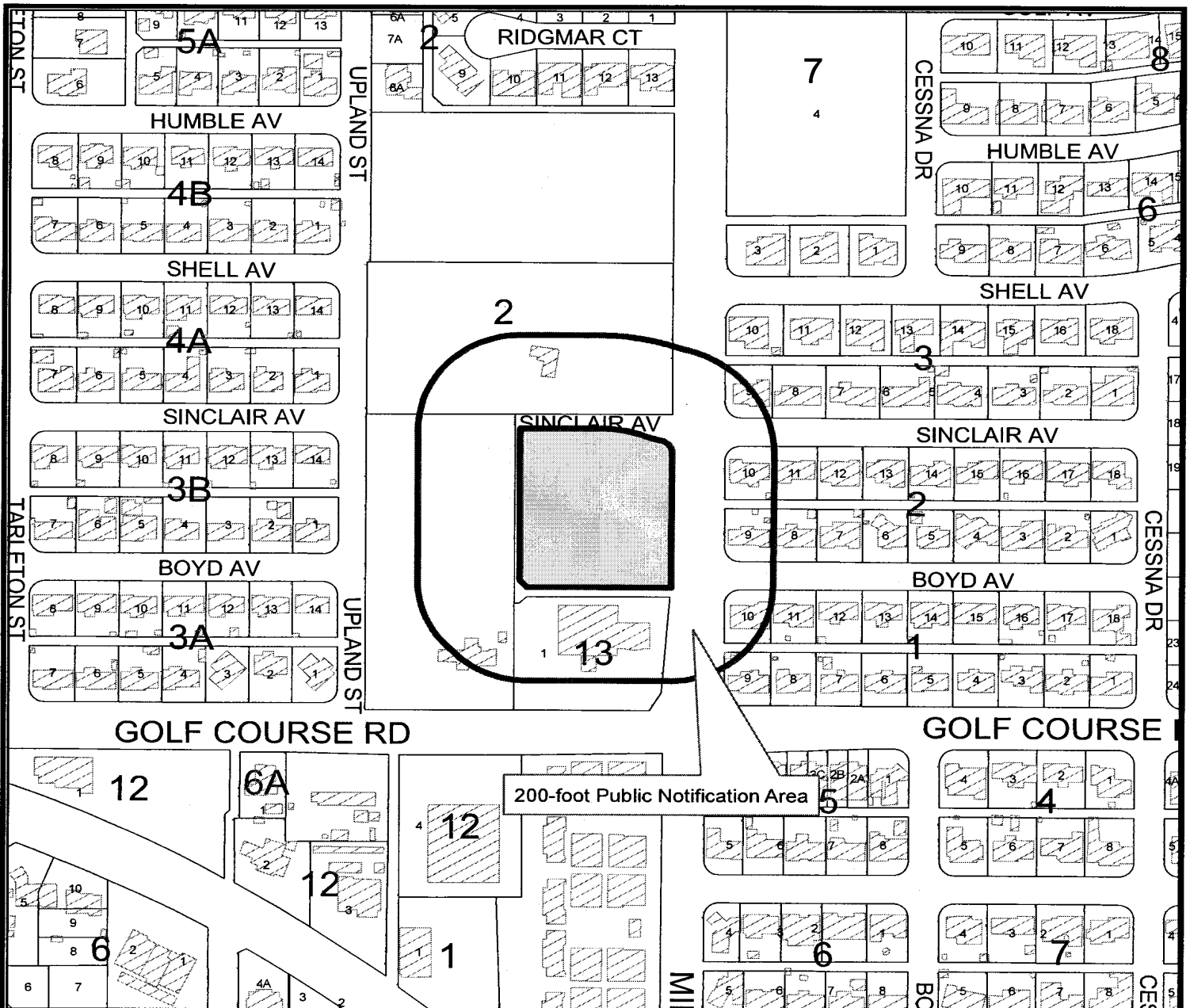
Application will not be considered for scheduling until reviewed by a planner.
 PACKET 22.13 October 12, 2021
 Special Exception Application 2 Revised 12/6/16

[illegible]



October 12, 2021
VANDERGRIFF GROUP
December 18, 2023
312 N. BIG SPRING SUITE 100 (432)667-0781 MIDLAND, TEXAS
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LOCATION MAP

Z-21-0256

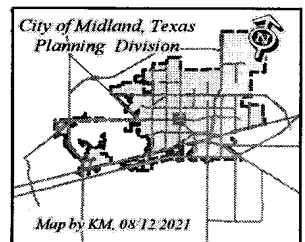
Scale: 1" = 200'

Consider a request by Stephen T. Marcum for a zone change from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center on a 2.273-acre tract of land located in Section 20, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Sinclair Avenue and Golf Course Road (Council District 3)

LEGEND

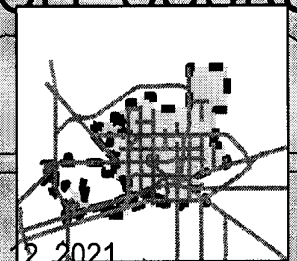
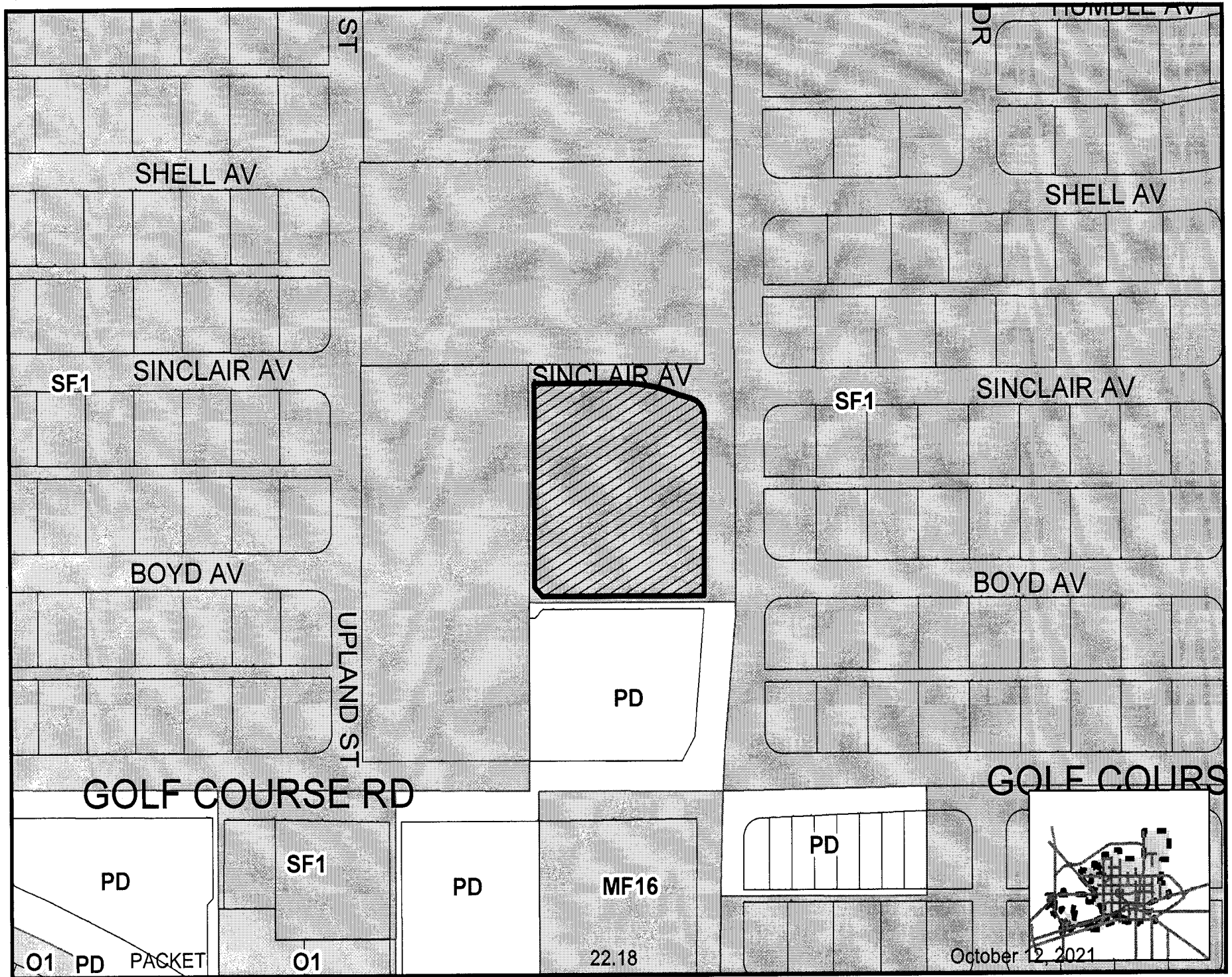
- CITY LIMITS
- ▭ PARCEL
- ▨ PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEYED RECORD OR 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.



ORDINANCE NO. 6723

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF CERTAIN PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED "1F-1", ONE-FAMILY DWELLING DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT FOR A SENIOR CITIZENS CENTER; MAKING SAID PERMIT SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF ONE THOUSAND DOLLARS (\$1,000.00); AND ORDERING PUBLICATION

WHEREAS, the 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, subject to the special conditions and restrictions 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 of the following described property, which is presently zoned "1F-1", One-Family Dwelling District, to wit:

The N/380' of the E/2 of the S/2 of Tract 2, Sunset Acres Addition to the City of Midland, Midland County, Texas: is hereby changed to permit said premises to be used under a Specific Use Permit for a Senior Citizens Center, together with the uses permitted in a "1F-1", One-Family Dwelling District, subject to the following conditions:

A. That the use and development of this tract for a Senior Citizens Center shall conform to the site plan attached hereto as Exhibit "A" and made a part hereof for all legal purposes.

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B. That permitted activities shall be limited to those defined under Section 11-1-10-(A)-33-b of the City Code of Midland, Texas, pertaining to a Senior Citizens Center.

C. That the hours of operation shall not exceed 7:00 a.m. to 10:00 p.m. daily.

D. That the number of paid and volunteer staff members shall not exceed 20 at any time.

E. That the gross area of office space shall not exceed 6,971 square feet, including both the main and detached structures.

F. That the kitchen area, as located on Exhibit "A" shall not exceed 765 square feet in area, and may be used for the preparation of meals for both on-site and off-site serving. The maximum number of vehicle arrivals to distribute offsite meals shall not exceed 15 per day, and the number of on-site meals served shall not exceed 48 per day.

G. That any combination of group meetings, seminars, counseling services, director meetings or similar group activities shall be limited to a total of 30 participants at any time.

H. A van shall be available for the purpose of transporting participants to and from the center and shall be used to the greatest extent practical for reducing the number of personal vehicle trips to the center.

I. Adult day care shall be limited to 20 participants, in addition to persons attending counseling sessions or other group activities.

J. That the respective staff and participant limits stated above shall not apply to special receptions, meetings, and other similar group activities held not more than four (4) days per year.

SECTION TWO. 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 one thousand dollars (\$1,000.00).

SECTION THREE. 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 law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 16th day of December, A.D., 1986; and passed to second reading on motion of Council member Corrales, seconded by Council member Godfrey, by the following vote:

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

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Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Corrales, seconded by Council member Godfrey, on the 22nd day of December, A.D., 1986, at a special meeting of the City Council:

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

Council members voting "NAY": None

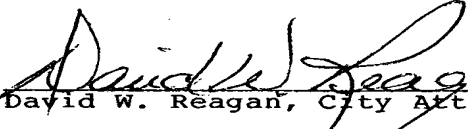
PASSED AND APPROVED THIS 22nd day of December, A.D., 1986.


Carroll M. Thomas, Mayor

ATTEST:


B. C. Stanton, City Secretary

APPROVED AS TO FORM:


David W. Reagan, City Attorney

PACKET

22.21

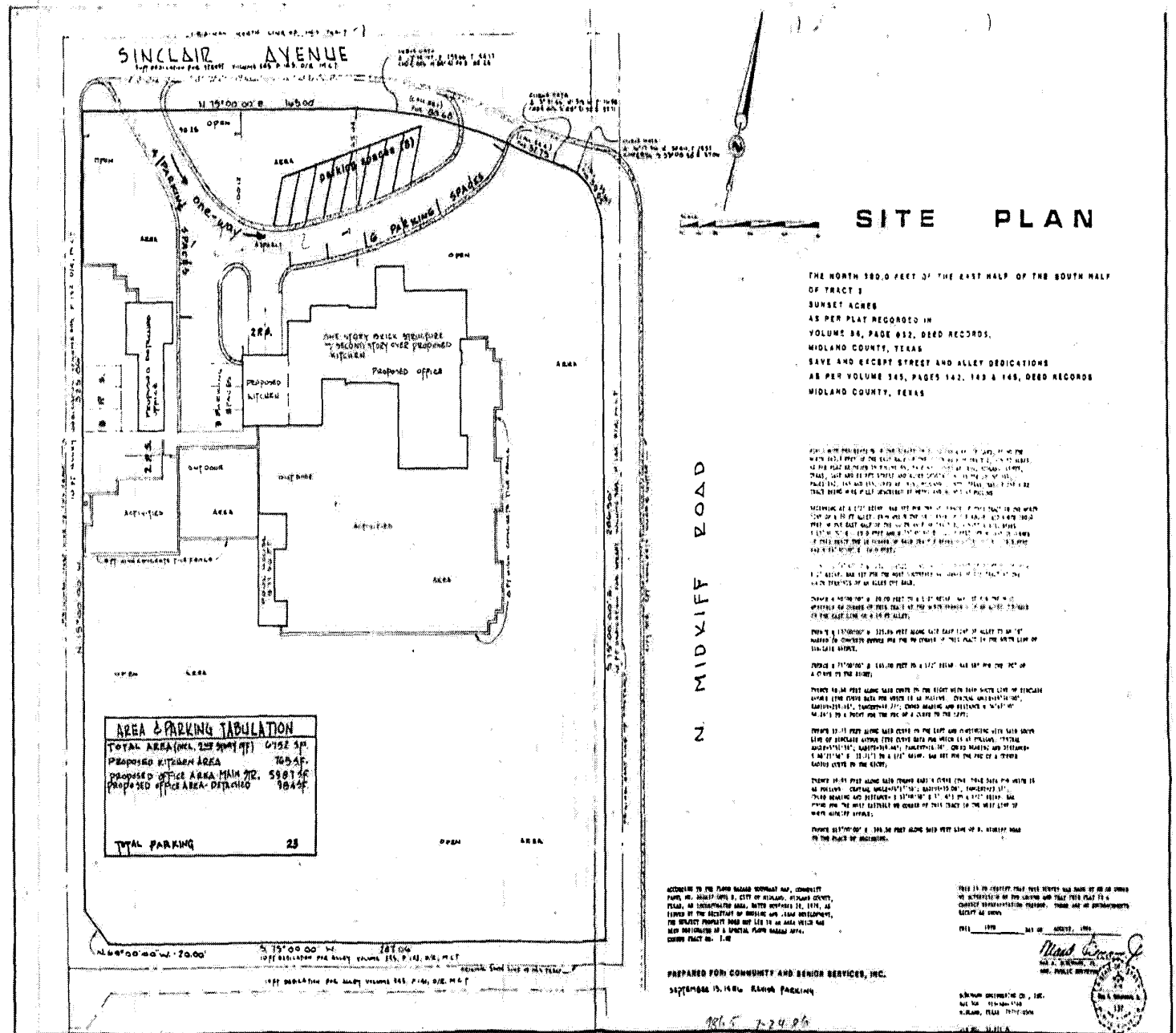
October 12, 2021

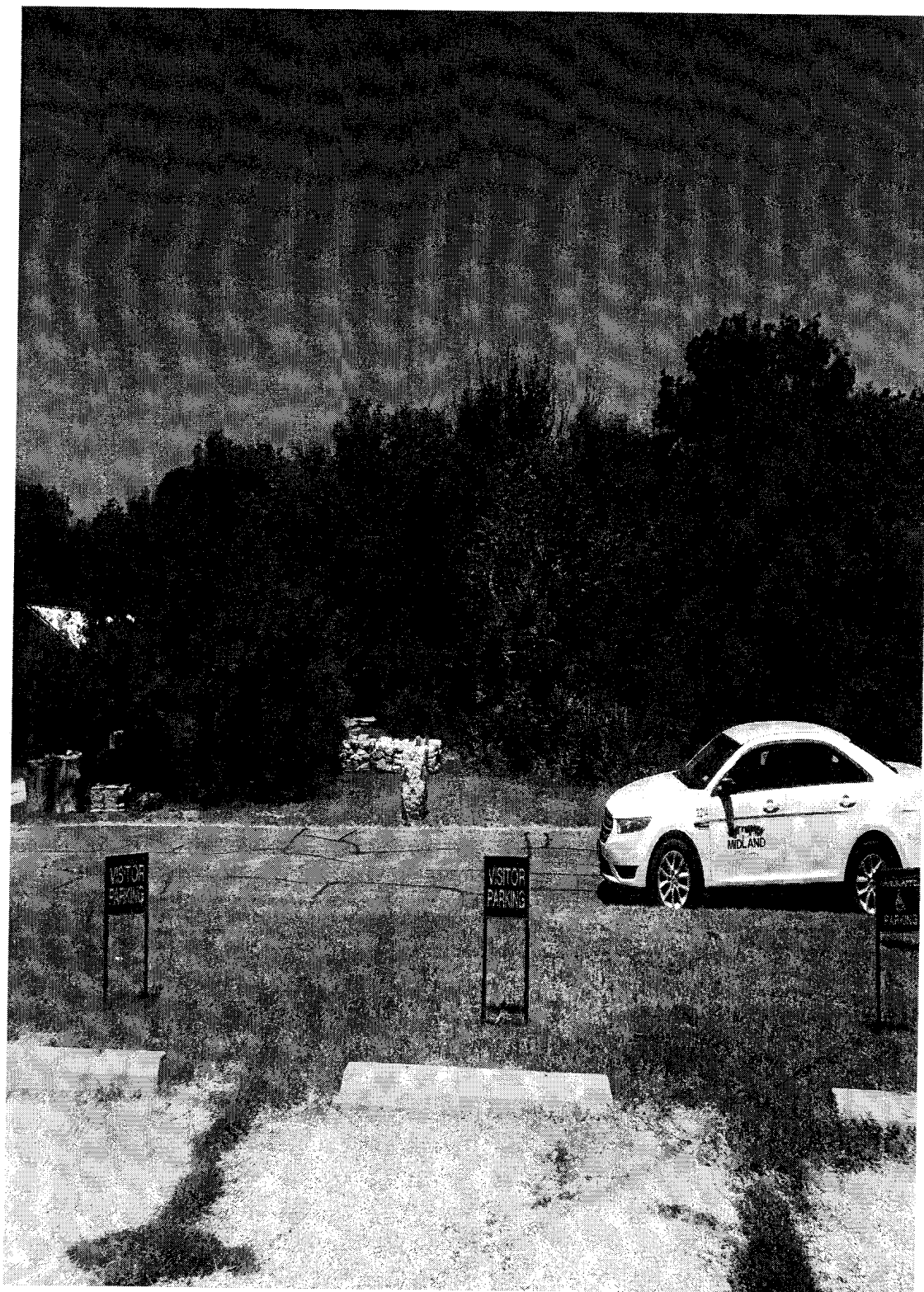
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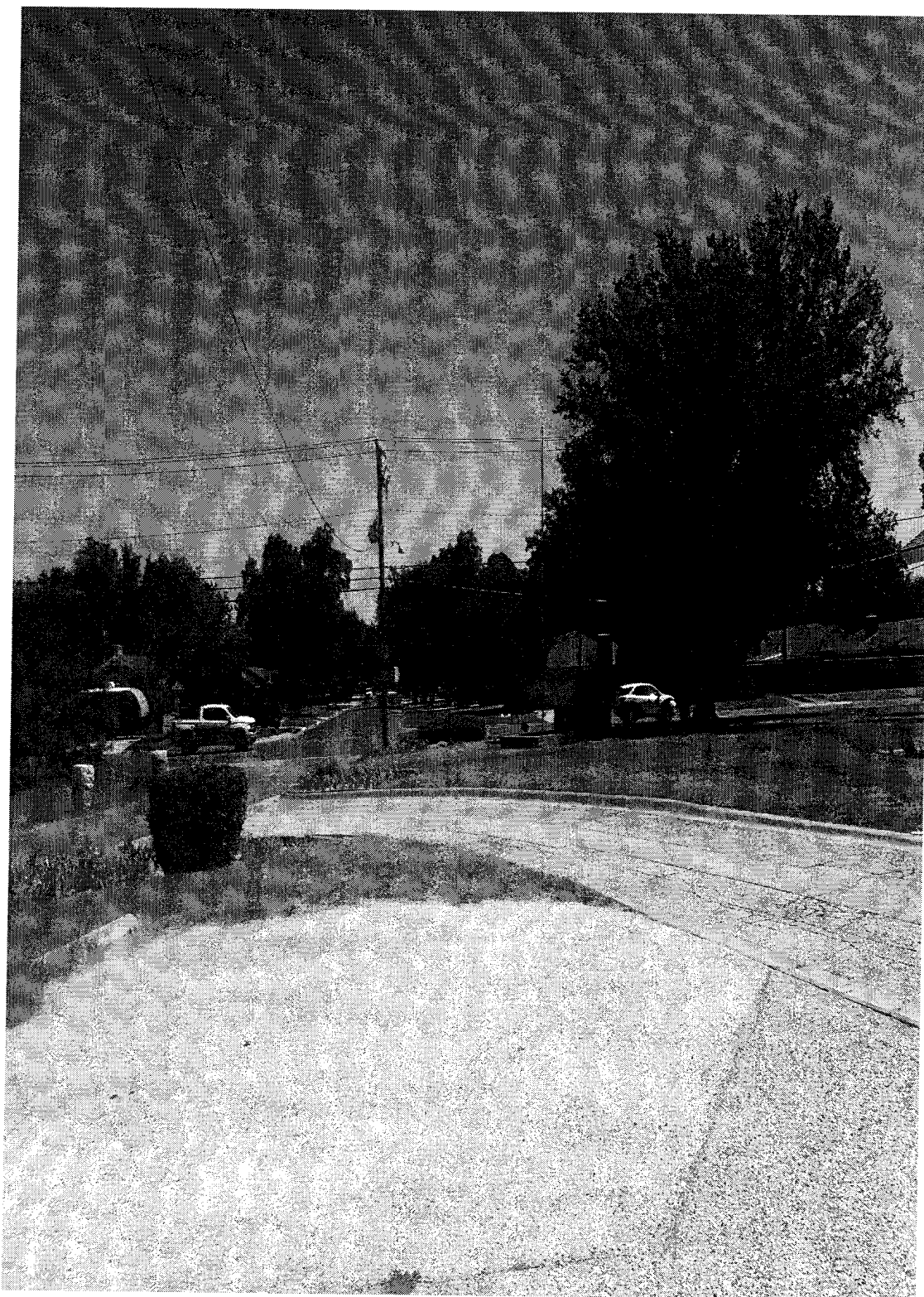
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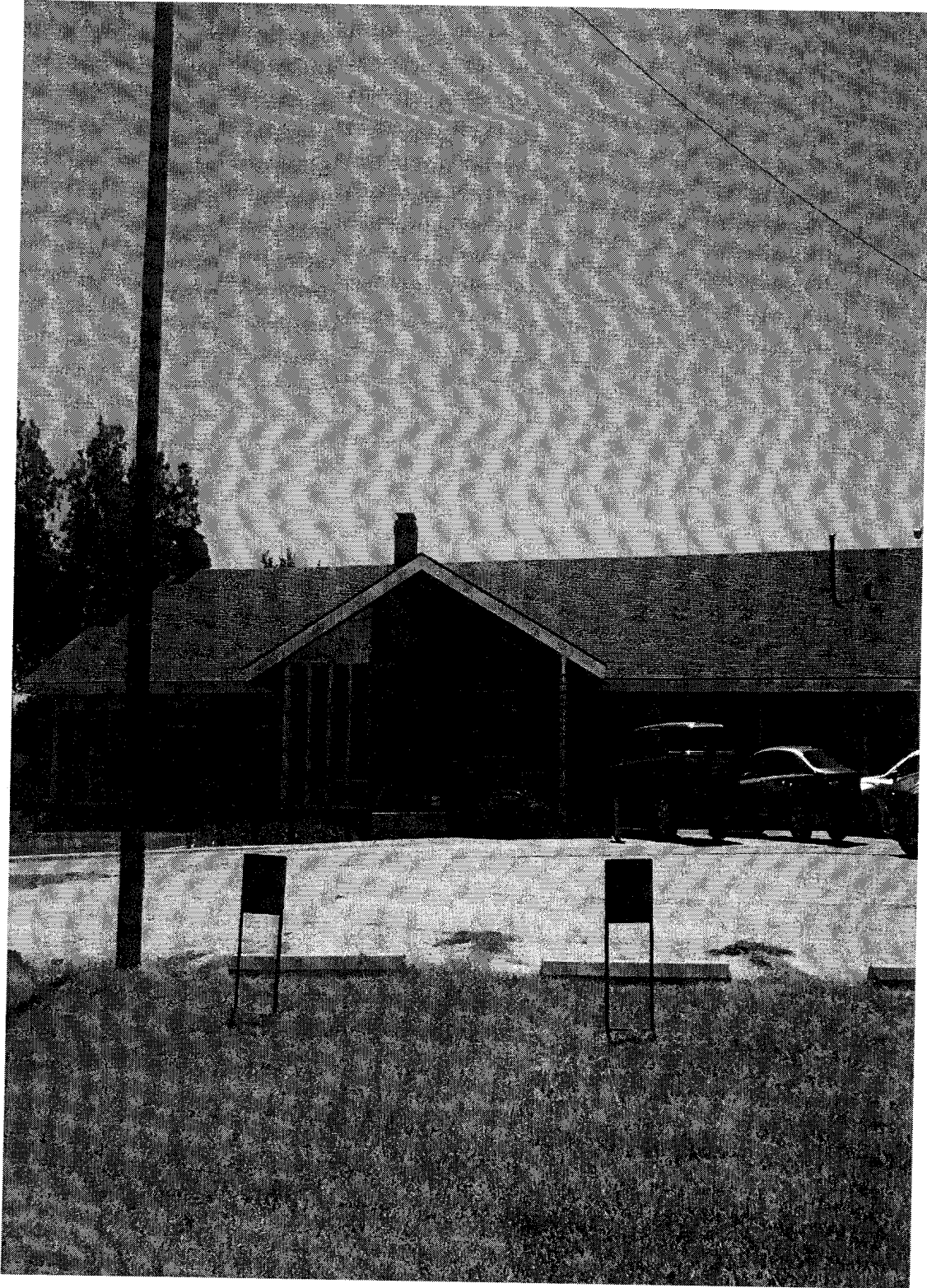
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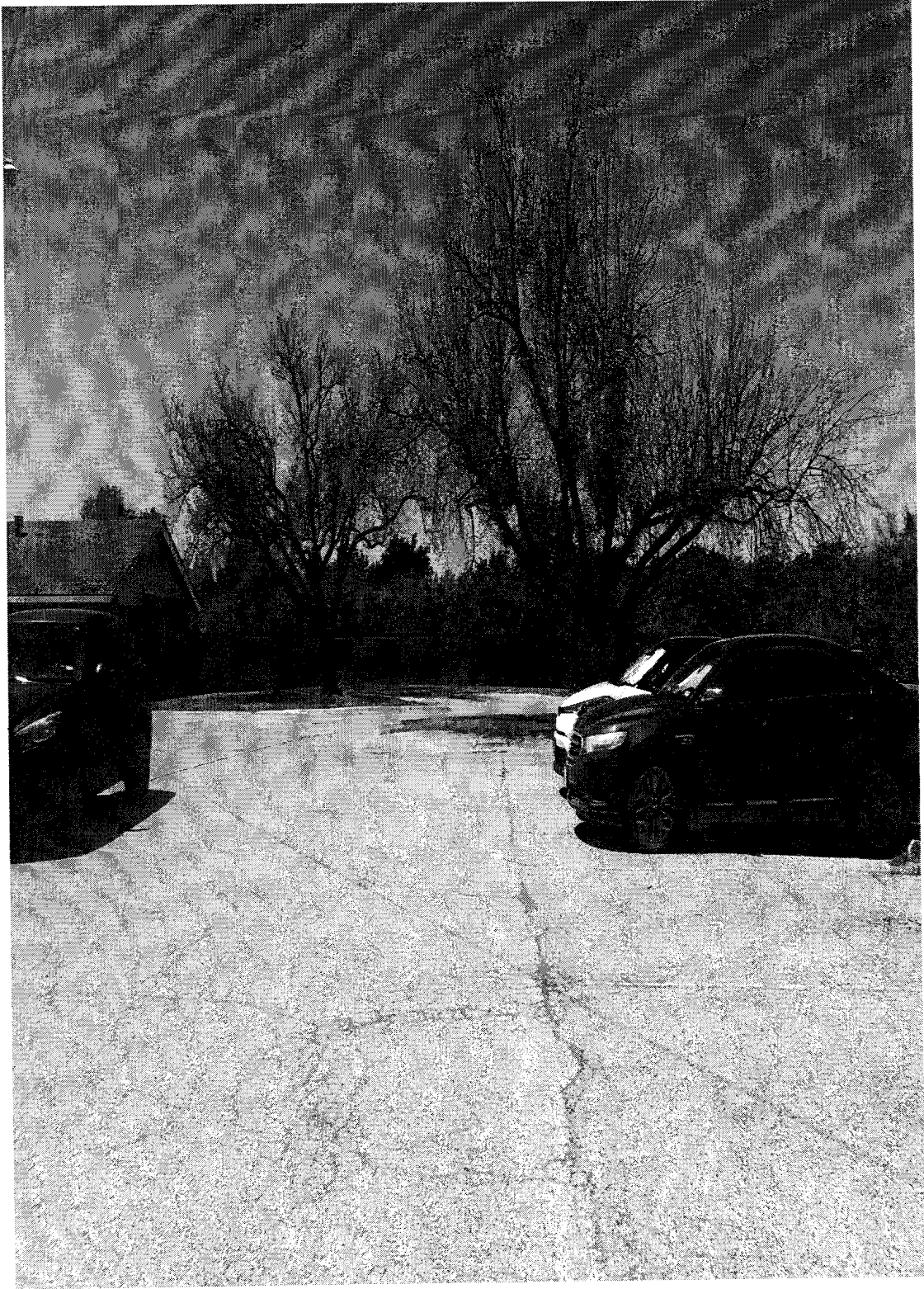
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PACKET

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PACKET

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PACKET

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Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Hold a public hearing and consider a motion approving with staff's recommended conditions, a proposed Preliminary Plat of Urbandale Addition, Section 3 being a replat of the east 31 feet of Lot 15 and all of Lot 16, Block 1, A Replat of All of Tracts 1, 7, 9, 10 and the East Half of 8, Urbandale Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of H Street and Princeton Avenue.) (DEVELOPMENT SERVICES) (DISTRICT 3)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

Schumann Surveying, Inc. is requesting to replat the property to obtain construction permits. The proposed lot will have a total acreage of 0.35.

Current Zoning:

SF-1, Single Family Dwelling District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

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

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

PAVING: Princeton ave roadway okay as is. 'H' roadway okay as is. No public paving improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in Princeton Street, okay as is. 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: Drainage study not required for development into single family residences. Development considered infill. [For Applicant's Information Only.]

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

SIDEWALKS: Required with building permit. [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 and Gas issues.

GIS: (Approved)

Lot can be 16A, or 17.

PLANNING: (Approved with conditions)

Relabel lot as 16A or 17.

“Tracts” in the legal description is misspelled.

Provide subdivision names on abutting lots.

Staff recommends approval of the Preliminary Plat of Urbandale Addition, Section, 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
URBANDALE ADDITION
SECTION 3.

PROPOSED PLAT OF URBANDALE ADDITION, BEING A REPLAT
OF THE EAST 31 FEET OF LOT 15 AND ALL OF LOT 16, BLOCK
1, REPLAT OF TRCTS 1, 7, 9, 10 & E/2 OF 8, URBANDALE
ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, ANDREW BELL, IS THE RECORD OWNER(S) OF A TRACT OF LAND BEING THE EAST 31 FEET OF LOT 15 AND ALL OF LOT 16, BLOCK 1, URBANDALE ADDITION, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.35 ACRE TRACT OF LAND, BEING THE EAST 31 FEET OF LOT 15, AND ALL OF LOT 16, BLOCK 1, URBANDALE ADDITION, MIDLAND COUNTY, TEXAS. SAID 0.35 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR FOUND (N:10698367.73, E:1750666.19) IN THE SOUTH RIGHT OF WAY LINE OF PRINCETON AVENUE FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°34'53" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID PRINCETON AVENUE, 81.60 FEET TO A REINF BAR FOUND FOR THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 59°18'18" EAST 42.43 FEET TO A REINF BAR FOUND FOR THE MOST SOUTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°25'25" EAST 111.18 FEET TO A REINF BAR FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°39'13" WEST 111.51 FEET TO A REINF BAR FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°26'21" WEST 141.11 FEET TO THE PLACE OF BEGINNING.

BEARINGS AND DISTANCES SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINAFOVE DESCRIBED PROPERTY AS URBANDALE ADDITION, STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

ANDREW BELL

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY ANDREW BELL .

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE THE CITY PLANNING AND ZONING COMMISSION:

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

SIGNED: _____
CHAIRMAN LUCY SISNEGA

ATTEST: _____
SECRETARY CRISTINA O. BURNS

OWNER(S):

ANDREW BELL
1403 COMMUNITY LN
MIDLAND, TX 79701

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

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

RJ DAUM
TEXAS RPLS 4826



PLAT FILED FOR RECORD

MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



SCHUMANN
SURVEYING, INC.

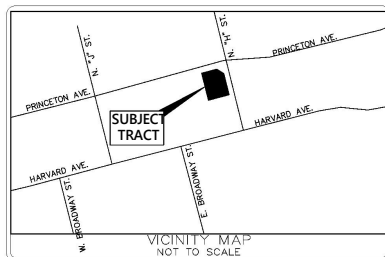
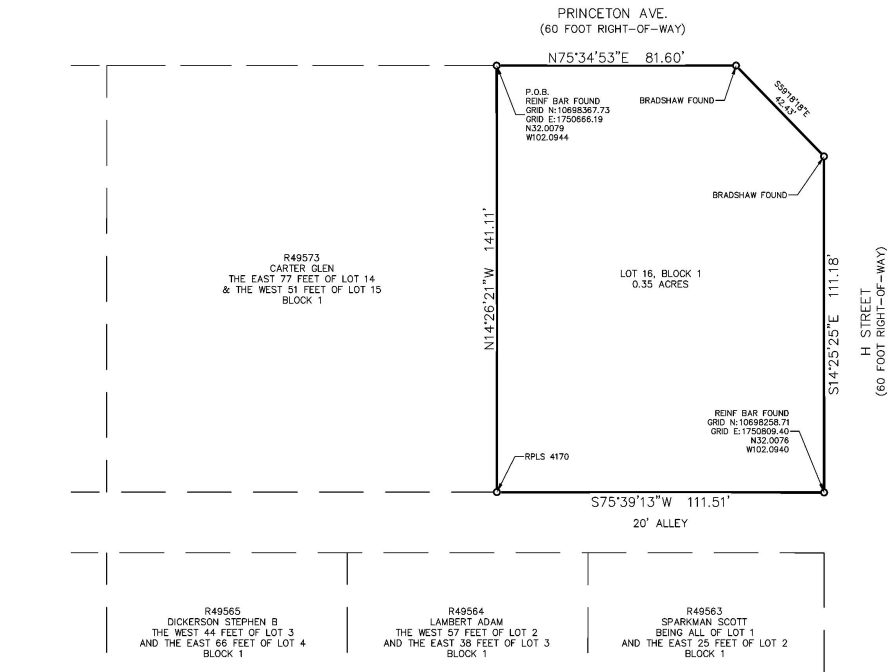
A LATERAL LAND COMPANY

December 18, 2023

100 S. BOWLING GREEN STREET
SUITE 100
MIDLAND, TEXAS 79701

Office (432) 884-5548

Page 10.232



THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM COMMUNICATIONS

SIGNED: _____
ASTOUND COMMUNICATIONS

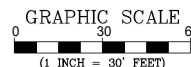
PACKET

NOTES:

- BEARINGS/DISTANCES/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- PROPERTY IS IN ZONE X ACCORDING TO FEMA MAP PANEL 48329C086F WITH AN EFFECTIVE DATE OF 9/16/2005.
- ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE ADE-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.
- PROPOSED WATER, SANITARY SEWER, AND STORM SEWER PIPELINES WITH CULVERTS, BRIDGES, AND OTHER APPURTENANCES OR STRUCTURES SHOWN (ONE-LINE PLANS), ARE REQUIRED BEFORE PRELIMINARY PLAT APPROVAL.

LEGEND:

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



NO.	DATE	DESCRIPTION	BY
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Preliminary Plat Application

Project Number: Sub-23-0679
Case Number: P-23-1863

Proposed Subdivision Plat Name: URBANDALE ADDITION

Legal Description (attached sealed Metes and Bounds): PROPOSED PLAT OF URBANDALE ADDITION, BEING A RE-PLAT OF THE EAST 31 FEET OF LOT 15 AND ALL OF LOT 16, BLOCK 1, REPLAT OF TRACTS 1,7,9,10 & E/2 OF 8, URBANDALE ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner

Printed Name: **ANDREW BELL**

Phone 432-254-0327

Email Kristina@Kristinaleigh.net

Address **1403 COMMUNITY LN**

City **MIDLAND**

State **TX**

Zip **79701**

Developer (if different than Owner)

Printed Name:

Phone

Email

Address

City

State

Zip

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

Firm: SCHUMANN SURVEYING, INC.

Printed Name: **EDUARDO ALEMAN**

Phone (432) **684-5548**

Email ealeman@schumannonline.net

Address **800 N MARIENFELD**

City **MIDLAND**

State **TX**

Zip **79701**

Current Zoning: SF1

Reason for Platting: FOR CONSTRUCTION PERMITS

Plat Information

Total Acreage: **0.35**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **1**

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

A. Bell

Date: 11/20/23

Property Owner (printed): Andrew Bell

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

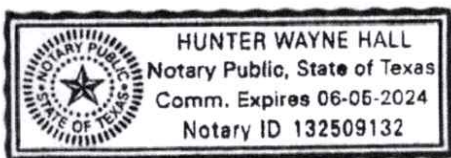
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Andrew Bell 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 20th day of November, 20 23 to certify which witness my hand and seal of office.



H. H.
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

Received By: AA

Date: NOV 22 2023

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

PRINCETON AV

PRINC

HST

LOCATION MAP

SUB-23-0679

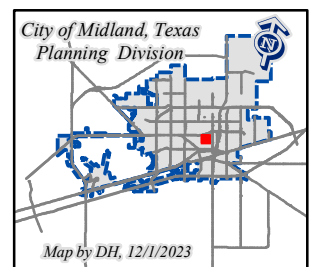
Scale: 1" = 104'

Proposed plat of Urbandale Addition, Section 3 being a replat of the east 31 feet of Lot 15 and all of Lot 16, Block 1, A Replat of All of Tracts 1, 7, 9, 10 and the East Half of 8, Urbandale Addition, City and County of Midland, Texas.

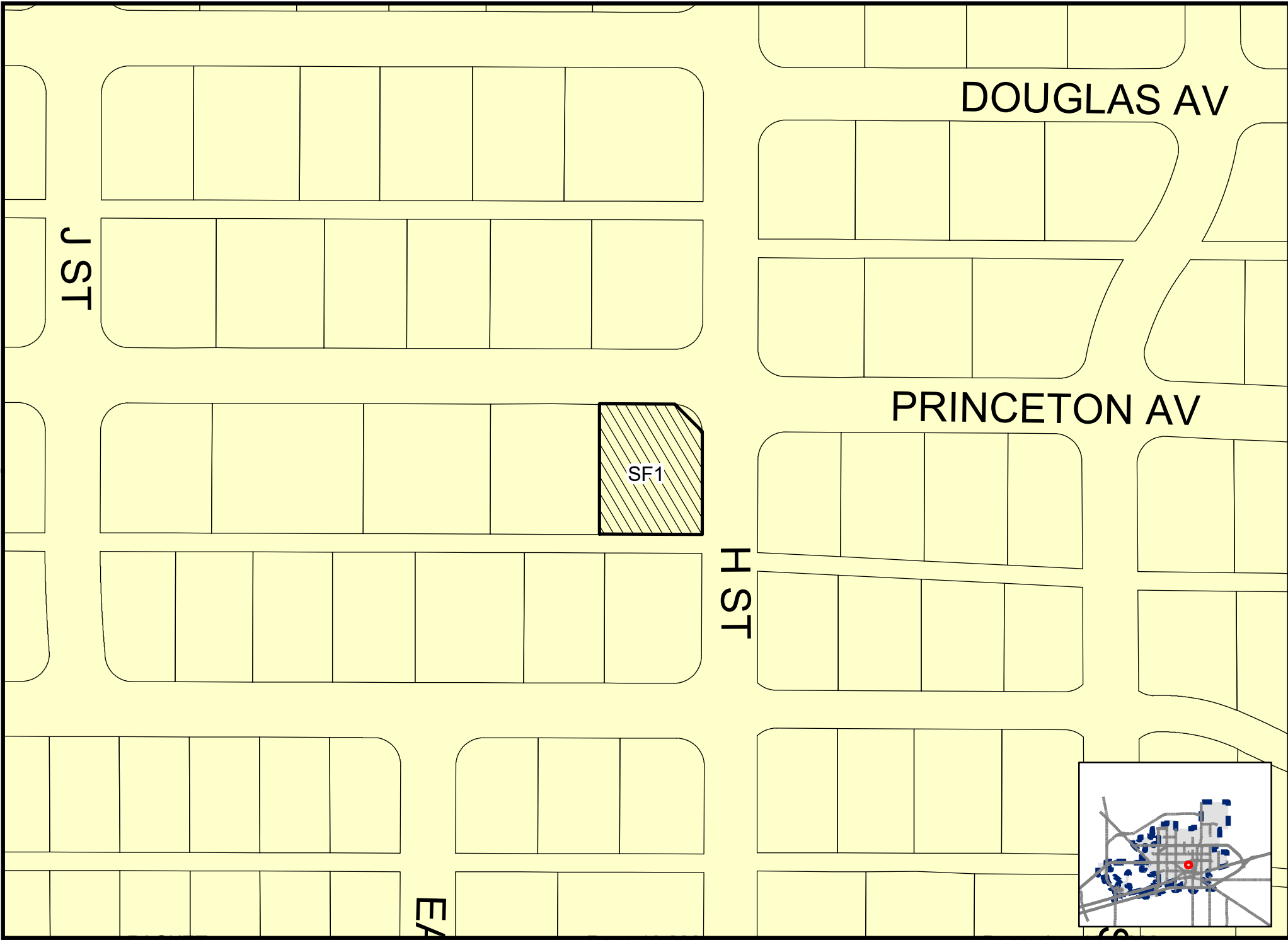
Generally located southwest of the intersection of H Street and Princeton Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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













Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions a Proposed Preliminary Plat of Carrollwood Addition, Section 3, being a plat of a 34.50-arces tract of land out of Section 24, Block 40, T-2-S, T & P, RR Co Survey, Midland County, Texas. (Generally located on the west side of South County Road 1232, approximately 385 feet north of West County Road 134.) (EXTRATERRITORIAL JURISDICTION)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Surveying, is requesting to plat a 34.50 acres tract of land out of Section 24, Block 40, T-2-S, T & P, RR Co Survey, Midland County, Texas into six (6) lots to obtain septic permits and addresses.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

Departmental Review:

Engineering: (Approved)

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

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

PAVING: South County Road 1232 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: Drainage report has been approved for platting purposes. [For Applicant's Information Only.]

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with conditions)

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.]

Surveyor: (Approved)

No comments.

Fire: (Approved)

No comments.

Building Inspection: (Approved)

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

Oil and Gas: (Approved)

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

GIS: (Approved with Conditions)

Lots should be 7-12. Block number should be 1. Access easement should be private. Distances needed for 20' utility easement and centerpoint of cul-de-sac. Legal description should say "A plat of 34.5 acres..." Is the 20' utility easement on the west of the plat existing? If so, please provide recording information.

Midland County Health Department: (Approved)

Yes, the health department will review applications from the 6 proposed lots of Carrollwood Addition Section 2, PLAT OF A 34.5 ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY each lot 1 is 5.3 acre, lot 2 is 5.3 acre, lot 3 is 5 acre, lot 4 is 5.7 acre, lot 5 is 6.4 acre, and lot 6 is 6.4 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.

CRWMD: (Approved)

No Comments.

Midland County: (Approved with Conditions)

The road needs a Road # and not to be marked as just an easement. They will need to get with the 911 District to get that.

Will a drainage study be done?

We will need the drainage easement language added to the plat as well:

1. *Midland County and its employees, contractors, agents, successors, and assigns shall have the free and uninterrupted right and privilege at any and all times to enter, or any part thereof, for the purposes of establishing, constructing, installing, realigning, modifying, replacing, improving, operating, maintaining, inspecting, repairing and removing drainage facilities, including but not limited to the right to cut and trim bushes and trees and to remove sediment, and for enforcement of the County Subdivision Regulations and Flood Damage Prevention Regulations, or for any other ancillary public use as usual and customary in connection therewith.*
2. *Developer may not use any part of the property described herein if such use will damage, destroy, injure, and/or unduly interfere with Midland County's use of the property. Developer expressly covenants and agrees for itself, its legal representatives, successors and/or*

assigns, that no building, roadways, or curbs and gutters of any kind will be placed on the property described herein. Written permission for above ground appurtenances must be obtained from Midland County prior to installation.

3. *The maintenance of any stormwater facility in this easement is the responsibility of the property owner. Property owners agree to maintain the facility in working order, with inspections and corrective action made at least annually. Reports of such inspections and maintenance shall be kept for inspection by the Midland County Judge's Office on request or may be forwarded to the County Judge's office at 500 N. Lorraine St, Suite 1100, Midland, Texas 79701.*
4. *Midland County shall have the right to mitigate deficiencies in the function of the stormwater facility, and to be reimbursed by the property owner, if the County finds it necessary for public health and safety.*

Planning: (Approved with Conditions)

At the final plat stage:

The Ownership Certificate should read:

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, _____ is/are the record owner(s) of a tract of land situated in the _____ Survey, County of Midland, and more particularly described (as follows:) (hereon.) [use whichever applies]

BEGINNING ... (if applicable)

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That _____ do(es) hereby adopt this plat designating the hereinabove described property as _____, an addition to the City of Midland, Texas, and, hereby dedicate to the public use forever the streets, alleys and easements (and parks) (and parkways) (and drainage basins) [include all that apply] shown thereon.

WITNESS our hands at (City, State), this the _____ day of _____, 19____ .
(Include a separate statement for each location or date of signature.)

(Print or Type Name Here)

11-2-3(H)3(m)(1)

Add a note that reads "Approval of the site plan by the City of Midland may be required before these lot(s) may be developed and before a building permit may be obtained"
[Informational]

Add the R.O.W width for South Road 1232 on plat. [Informational]

Add a curve table for the Cul-de-Sac. [Informational]

Add note for reciprocal access easement. [Informational]

The owners name does not match with MCAD, provide documentation. [Informational]

The owners name does not have pertinent information such as address and contact information, please include. [Informational]

Abutting property owners are not labeled to the south. [Informational]

Provide direction information for internal lot lines between proposed Lots 5+6 and Lots 2+1.

Remove Jeff Fisher from secretary line.

This plat is larger than 25 acres, which will require City Council approval.

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 filling for recording with the County Clerk of Midland County, Texas.**
- B. Approval by the City Council shall be required prior to consideration of a final plat by the commission on which any preliminary plat which: Is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation. [Midland City Code 11-2-3(D)11(a)6].**

Attachments:

Application
Proposed Preliminary Plat
Maps

PRELIMINARY
CARROLLWOOD ADDITION
SECTION 3,

AN ADDITION OF 34.50 ACRES
OUT OF SECTION 24, BLOCK 40,
T-2-S, T & P, RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE NORTHEAST PART OF SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 34.50 ACRE TRACT OF LAND, OUT OF THE NORTHEAST PART OF SECTION 24, BLOCK 40, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, SAID 34.50 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINFORCING BAR SET (N-10668131.76, E-1738051.48) IN THE WEST RIGHT OF WAY LINE OF SOUTH COUNTY ROAD 1232, ANTELOPE TRAIL (300' RIGHT OF WAY) FOR THE NORTHEAST CORNER OF THIS TRACT, FROM WHICH THE NE CORNER OF SAID SECTION 24 BEARS NORTH 75°37'01" EAST 1098.46 FEET AND NORTH 14°17'57" WEST 966.87 FEET;

THENCE SOUTH 14°22'59" EAST, ALONG SAID WEST RIGHT OF WAY LINE OF SAID SOUTH COUNTY ROAD 1232, 896.92 FEET TO A REINFORCING BAR FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT AND ALSO BEING THE NORTHEAST CORNER OF CARROLLWOOD ADDITION;

THENCE SOUTH 75°37'01" WEST 1656.48 FEET TO A REINFORCING BAR FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 16°47'31" WEST 897.71 FEET TO A REINFORCING BAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°37'01" EAST 1694.21 FEET TO THE PLACE OF BEGINNING.

BEARINGS AND DISTANCES SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS CARROLLWOOD ADDITION, SECTION 3, AN ADDITION OF 34.50 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

CARROLL LONGHORN STORAGE, LLC

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2023, BY CARROLL LONGHORN STORAGE, LLC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE THE CITY PLANNING AND ZONING COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF CARROLLWOOD ADDITION, SECTION 3 WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SISNEGA

ATTEST: _____
SECRETARY CRISTINA O. BURNS

OWNER(S):

CARROLL LONGHORN STORAGE, LLC

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

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

RJ DAUM
TEXAS RPLS 4826



PLAT FILED FOR RECORD

MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

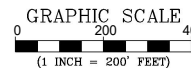
DATE _____ PAGE _____



SCHUMANN
SURVEYING, INC.

A LATERAL LAND COMPANY

December 18, 2023



NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
				JG	07/24/2023
				CHECKED BY: ED/RJ	
				PROJECT NO. 79,662	
				SHEET: 1 OF 1	

Page 11.246



Preliminary Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: CARROLWOOD ADDITION, SECTION 2**Legal Description (attached sealed Metes and Bounds):** AN ADDITION OF 34.50 ACRES OUT OF SECTION 24, BLOCK 40, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS.**Property Owner**Printed Name: Danny Carroll **CARROLL LONGHORN STORAGE, LLC**Phone 432-563-8045
Email _____

Address _____

City OdessaState TXZip 79700**Developer (if different than Owner)**

Printed Name: _____

Phone (432) 684-5548

Email dannyt@dannys

Address _____

City _____

State Paving.com

Zip _____

Representative (if acting as Agent, see affidavit on page 2)Firm: SCHUMANN SURVEYING CO., INC.Printed Name: **EDUARDO L. ALEMAN**

Phone (432) 684-5548

Email ealeman@schumannonline.netAddress 800 N. MARIENFELD SUITE 100City MIDLANDState TXZip 79701**Current Zoning:** _____**Reason for Platting:** TO OBTAIN SEPTIC PERMITS AN ADRESSES**Plat Information**Total Acreage: **34.50**Type: ☐ Single-Family Residential ☐ Multi-Family Residential
☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ)Number of Lots: **6**

Number of Multi-family Dwelling Units: _____

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

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

Request for a Development 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): [Signature]

Date: 11/21/2023

Property Owner (printed): Danny Carroll

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

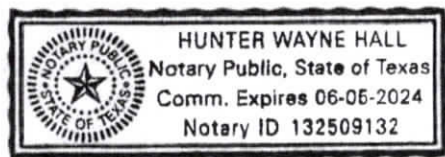
All materials including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland

STATE OF TEXAS
COUNTY OF MIDLAND

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

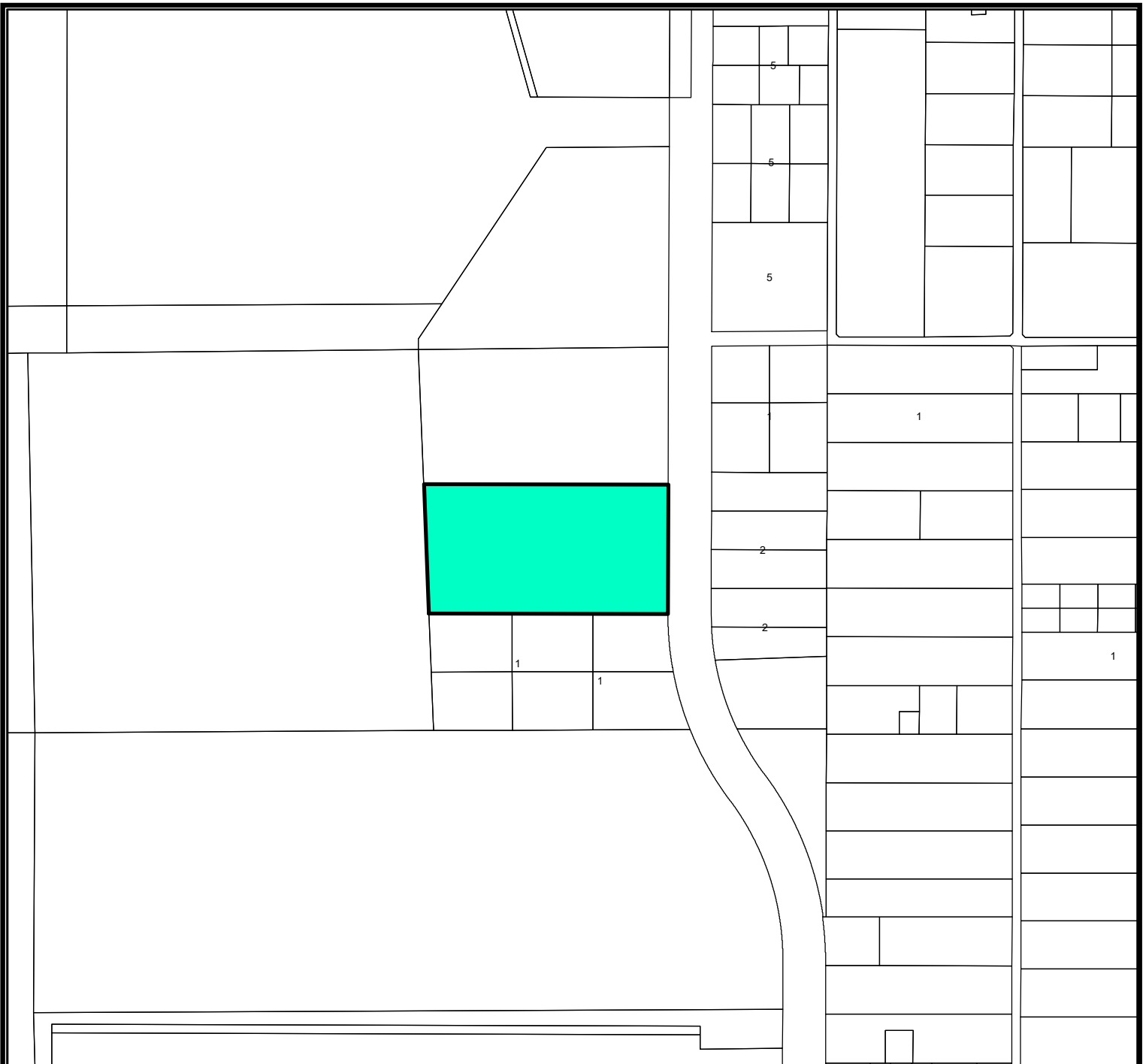
FOR OFFICE USE ONLY

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

Received By: [Signature]

Date: NOV 22 2023

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



LOCATION MAP

SUB-23-0635

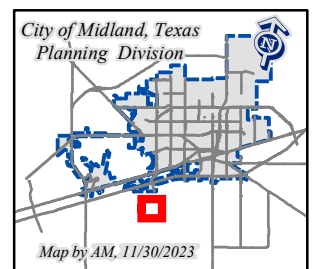
Scale: 1" = 1000'

Proposed plat of Carrollwood Addition, Section 3, being a plat of a 34.50-acre tract of land out of Section 24, Block 40, T-2-S, T&P, RR Co Survey, Midland County, Texas.

Generally located on the west side of South County Road 2332, approximately 3,340 feet north of West County Road 140. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Cloverdale East, Section 3, being a replat of Lots 3-6, Block 1, Correction Plat of Cloverdale East, Section 2, Midland County, Texas. (Generally located on the north side of East Interstate 20, approximately 2,380 feet east of East State Highway 158.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Maverick Engineering, is requesting to replat Lots 3-6, Block 11, Correction Plat of Cloverdale East, Section 2, Midland County, Texas, into one (1) Lot for ownership purposes.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

Departmental Review:

Engineering: (Approved)

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

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

PAVING: Interstate 20 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 11/09/2023. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements were administratively approved on 11/09/2023. [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.]

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with conditions)

TxDOT comments," This is already a fully developed site, but if there is a change in use, vehicle type, or vehicle volumes, access should be evaluated as part of the new development. This is also an area that is prone to flooding. So, if there are changes to the site layout possibly include drainage evaluation."

Surveyor: (Approved)

No comments.

Fire: (Approved)

No comments.

Building Inspection: (Approved)

ETJ, no jurisdiction.

Oil and Gas: (Approved)

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

GIS: (Approved)

No comments.

Midland County Health Department: (Approved)

Yes, the health department will review application from the 1 proposed lot of Cloverdale East, Section 3, REPLAT OF LOTS 3-6, BLOCK I, CORRECTION PLAT OF CLOVERDALE EAST, SECTION 2, MIDLAND TEXAS the lot is 24.4 acre property owner must contact the pipeline company to get the setback to their pipeline before any excavation can occur 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.

CRWMD: (Approved)

No Comments.

Midland County: (Approved)

Fix City of Midland signatures, coordinate with TxDot.

Planning: (Approved with Conditions)

At the final plat stage:

The Certificate of Approval should begin with 'For approval by the Commission'. [11-2-3(H)m(2)]

Conditions:

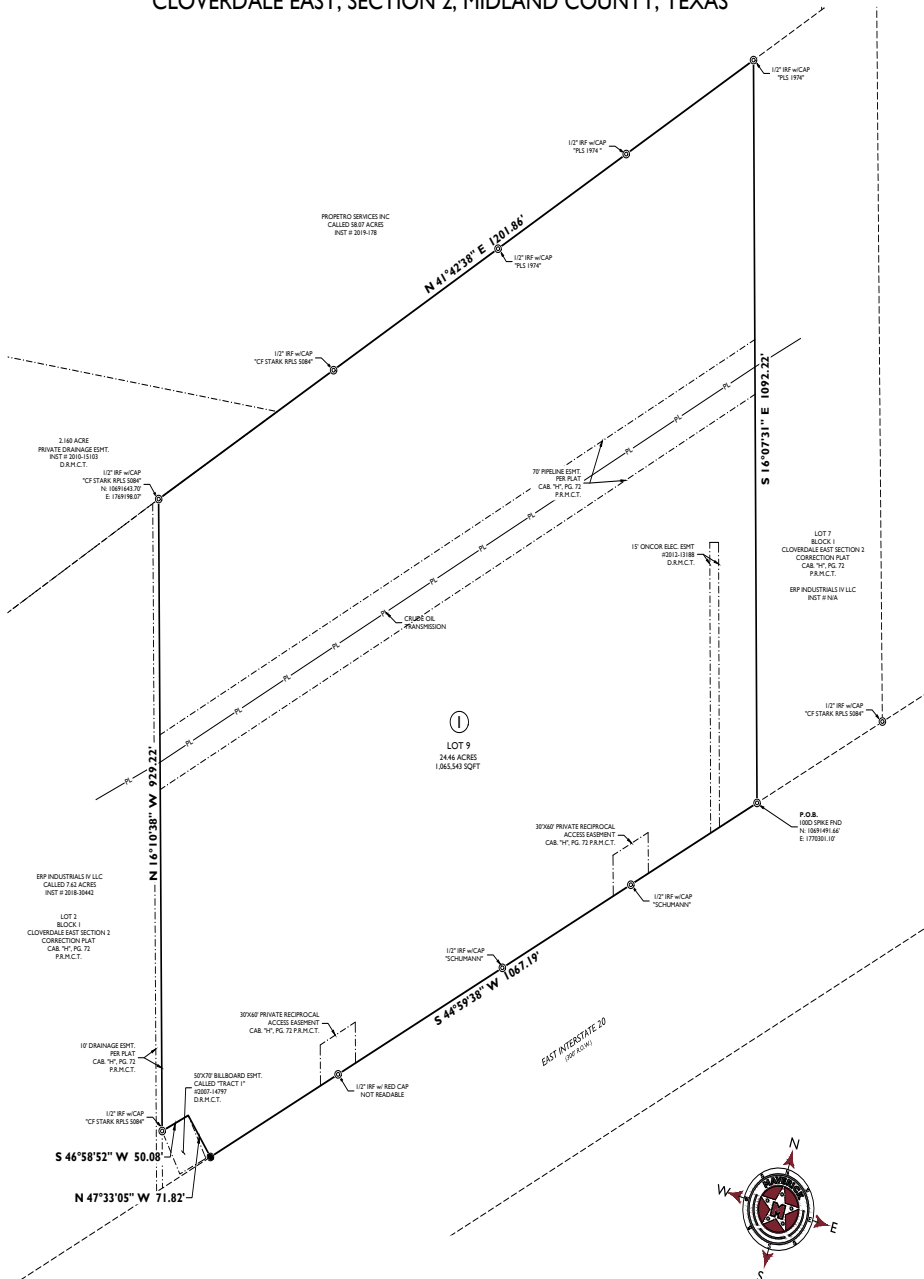
- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.**

Attachments:

Application
Proposed Preliminary Plat
Maps

PRELIMINARY PLAT CLOVERDALE EAST, SECTION 3

BEING A REPLAT OF LOTS 3-6, BLOCK 1, CORRECTION PLAT OF
CLOVERDALE EAST, SECTION 2, MIDLAND COUNTY, TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHULTS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM A MEASUREMENT MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION, IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS SURVEYING ACT, AND THAT THE CORNER MONUMENTS SHOWN THEREON ARE IN THEIR PROPER LOCATIONS AND ARE CORRECTLY PLACED.

MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701

OWNERS' CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS PROPERTO SERVICES, LLC IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 3, BLOCK 1, CORRECTION PLAT OF CLOVERDALE EAST, SECTION 2, MIDLAND COUNTY, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PROPERTO SERVICES, LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS CLOVERDALE EAST, SECTION 3, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARAGE COLLECTION UTILITY FACILITY ACCESS AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREIN, AND CONSENT AND AGREE THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, TEXAS,

THIS _____ DAY OF _____, 2023.

BY _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED PROPERTO SERVICES, LLC, 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

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF CLOVERDALE EAST, SECTION 3, 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

SURVEY NOTES

1. BASIS 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 (UNUS) OF -25.544847" AND A COMBINED SCALE FACTOR OF 0.99999811 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 PIPES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE, OR BY OTHER CALL BY SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED CALL 1-800-DIG-TEXAS FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
5. THIS IS A 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.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCES 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 REPLATED FOR SUBDIVISION INTO MORE THAN ONE LOT OR
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

FLOOD NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #46220004P (4/16/2020), BOTH DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNDESIGNED 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.

UTILITY COMPANIES' CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATX&T ENERGY

BY: _____

AT&T

BY: _____

OPTIMUM

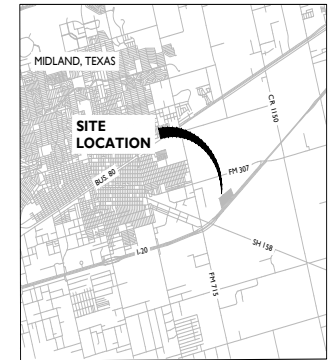
BY: _____

250000 BROADBAND

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____



VICINITY MAP

N.T.S.

LEGEND

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

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____

DATE _____

PROPERTY OWNER

PROPERTO SERVICES, LLC
1706 S. MIDCOURT, BUILDING B
MIDLAND, TX 79701
DEED INSTRUMENT #2022-16793



MAVERICK CIVIL ENGINEERING & LAND SURVEYING

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

CLOVERDALE EAST,
SECTION 3

December 18, 2023

PACKET

Page 12.253



Preliminary Plat Application

Project Number:

Case Number:

SUB-23-0680
P-23-1861

Proposed Subdivision Plat Name: Cloverdale East, Section 3

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 3-6, Block 1, Correction Plat of Cloverdale East, Section 2, Midland County, Texas

Property Owner

Printed Name:

ProPetro Services Inc

Phone (432) 262-0999

Email

mpelletier@vandergriffgroup.com

Address

303 West Wall Street Suite 102

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 Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address

1909 W Wall St Ste K

City

Midland

State

TX

Zip

79701

Current Zoning: ETJ

Reason for Platting: ownership purposes

Plat Information

Total Acreage:

24.46

Type:

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

Number of Lots: 1

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

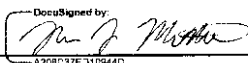
If yes, contact the City Engineer at (432) 685-7286

Provisions

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

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

Property Owner (signature):

DocuSigned by:

 A208C37E310844D

Date: 11/07/2023

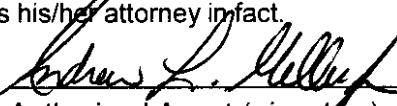
Property Owner (printed): John J. (Jody) Mitchell

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.

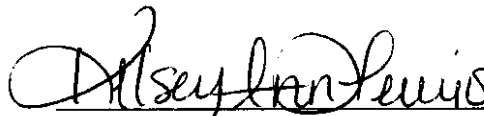
STATE OF TEXAS
COUNTY OF MIDLAND

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


 Authorized Agent (signature)

Subscribed and sworn to before me, this 7th day of November, 2023, to certify which witness my hand and seal of office.





NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

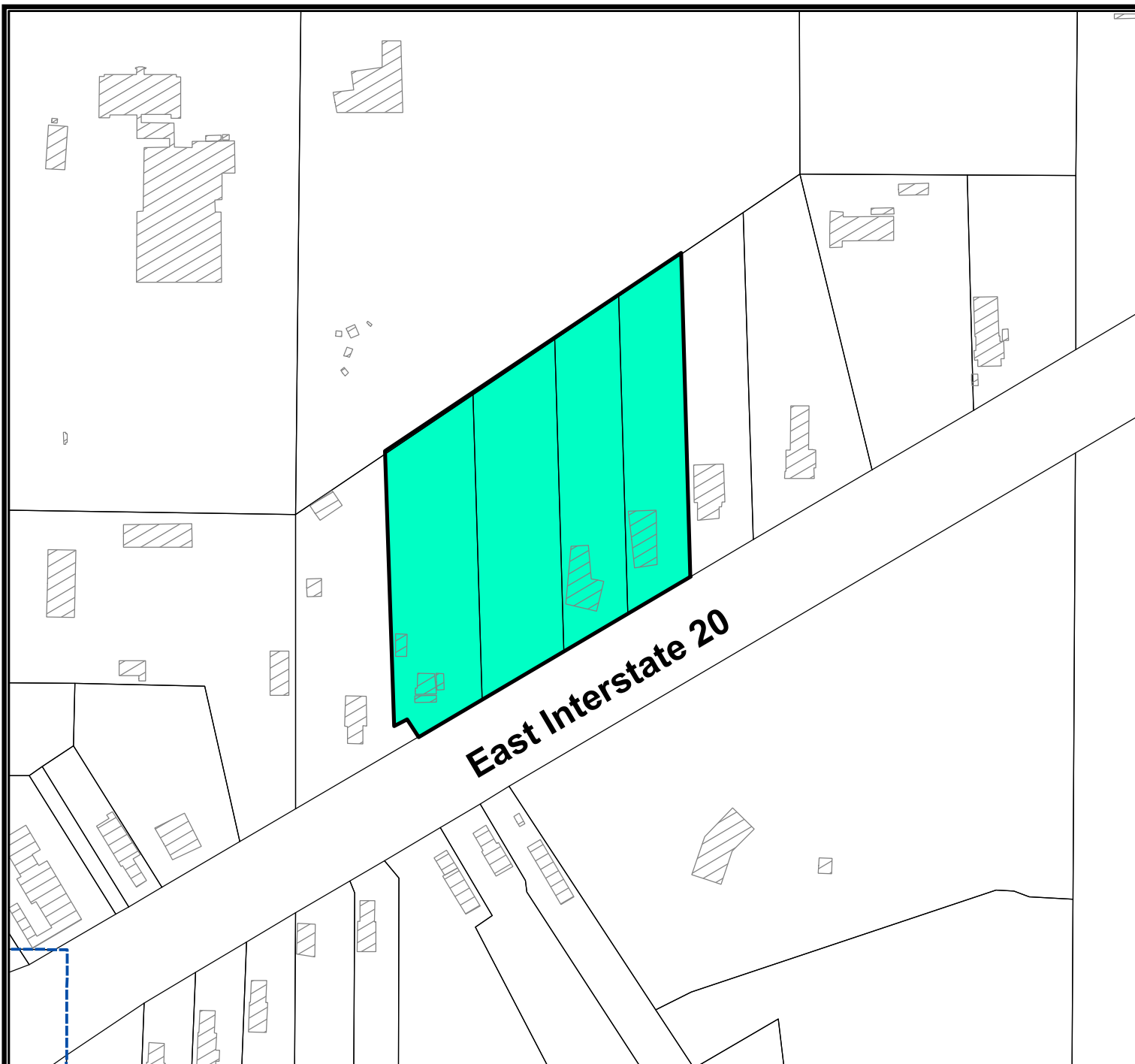
- ☒ Property Owner Authorization
 ☒ 1 Copy of Dimensioned Plat
 ☒ Plat in Digital Format (PDF/JPEG)
☐ Application Fee
 ☒ 1 Copy of Plat (11x17)

Check # 4534

Received By:

Date:

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



LOCATION MAP

SUB-23-0680

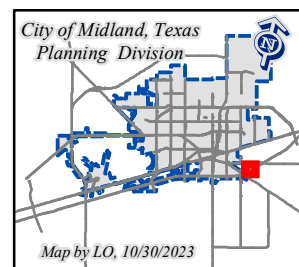
Scale: 1" = 5,842'

Proposed plat of Cloverdale East, Section 3, being a Replat of Lots 3-6, Block 1, Cloverdale East, Section 2 Correction Plat, Midland County, Texas.

Generally located on the north side of East Interstate 20, approximately 2,380 feet east of the intersection of East State Highway 158 and East Interstate 20. (ETJ)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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



Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a reinstatement of an approved Preliminary Plat of Grasslands Estates West, Section 12, being a Plat of a 99.1985-acres tract of land located in Sections 35 and 36, Block 40, T-1-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located on the north side of W. State Highway 158, approximately 11 feet west of Brandy Hill Road.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The property owner, Grasslands IV, Ltd is requesting to reinstate an approved preliminary plat of a 99.1985-acre tract of land located in Sections 35 and 36, Block 40, T&P RR Co. Survey, Midland County, Texas, into one hundred and fourteen (114) lots for a residential subdivision. The Planning and Zoning Commission recommended approval of the preliminary plat on March 15, 2021. The City Council approved the preliminary plat on March 23, 2021. Since it has been one year since the preliminary plat approval, a reinstatement is required prior to the final plat approval.

Current Zoning:

Extraterritorial Jurisdiction.

Departmental Review:

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

Check with City Engineer to verify boundary/row needs.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Ok as shown.

ROW: Wadley Ave ROW should be displayed. Southern street should not intersect on Wadley Ave. ROW. and it is also missing a street name. Comply with Transportation comments.

PAVING: Future Wadley Ave. will be paved in the future. All subdivision streets in Grasslands subdivision to be paved to the COM standards.

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

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

PRO RATA: NONE

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

DRAINAGE: **** Drainage study required. FEMA Firm data (zone, firm number, date) to be on plat face. If Drainage study exists, show compliance with approved drainage study by adding a note.

"Comply with the existing drainage analysis titled (Title Name) sealed by (Engineer Name), P.E. and approved by the City of Midland on (Date), or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland."

EASEMENTS: Show existing and proposed include all drainage easements displayed

on previous plats for Grasslands Estates.

SIDEWALKS: Sidewalks required on collector/arterial roadways, along common areas and ADA ramps required at corners before public infrastructure is accepted.

DIMENSION: * * *

OTHER: * * * City Engineer's comments- Include drainage easements across the commercial lot area to formalize the drainage path to the proposed City ROW.

On a separate document or email, explain why you are showing Stonehawk property on the plat without their signature block. If you add it, then show the existing easement, that was filed by separate instrument, to be removed.

Move labels for WADLEY AVENUE to the north side of the boundary line.

Explain why the ROW near Stonehawk does not line up with the final plat for Section 11.

Ensure that the corner clip at Section 27, Lot 8 can accommodate a trash truck turning radius.

Additional Comments from Engineering Department:

1. Utilities are shown on the first sheet, but not the second, so comments about the second sheet utilities might be impacted by this.
2. All water mains must be looped. Dead-end water mains in cul-de-sacs will not be allowed. Any easements needed to accomplish this must be identified as Public Utility or Public Water easements in the plat.
3. I don't see any way for the future retail lots to get water except to have a water main run along Wadley. We were specifically told this wasn't needed because there would be a parallel road behind these lots and water service would be provided from there. We will not allow service to be provided from a water main in an alley. We have no plans at present to extend water along Wadley Avenue, and placing the water after the road is paved would mean cutting a brand new arterial. This needs to be hammered out and finalized before this plat is allowed to proceed any further.
 - a. The same issue is apparent in the second plat sheet.
4. The water main extension from the top of the first sheet beyond the plat limits requires a public water easement to cross the private property as shown.
5. The public wastewater is outside the alley ROW at the upper corner of the first plat sheet, and a Public Wastewater or Public Utility easement is required to address this.
6. Drainage pattern shown on the first plat sheet does not match the planned Wadley Avenue drainage pattern. Additionally, the number of drainage crossings across an

arterial need to be minimized, not maximized. At a minimum there should only be one storm drain crossing Wadley Avenue for this part of the development, not two as shown, and the location of the crossing needs to match the location that works for Wadley Avenue. This is especially true as I suspect that the underground pipes shown are not capable of conveying the 100-year event, which means we have both surface and subsurface crossings being proposed across one of the busiest arterials in Midland. When the crossing is consolidated to 1 location the easement for it should be designated a Public Drainage Easement on the plat.

a. The same issue is shown on the second plat sheet. Too many crossings of Wadley, too close together, and probably some or all are both surface and subsurface crossings in 100-year events.

7. No angled storm drain lateral connections. Storm laterals are to connect at 90-deg to the main storm drain and there is to be a manhole/junction box at the connection to the main storm drain.

8. The easement for utilities and drainage at the bottom-left corner of the second plat sheet needs to be labeled as a Public Drainage & Utility Easement on the plat.

9. This is more of a Planning issue, but Lots 45 and 46 being double-fronted like they are doesn't seem ideal.

10. The label that says "to be dedicated to the City of Midland" is misleading. It needs to say public right of way or dedication to the City of Midland.

The area dedicated to the City of Midland is slightly inconsistent with the public utility easement we just acquired from Mr. Graham. The discrepancies are very small. They may want to double check that. The main widths along the both the Draw alignment and the Wadley Road alignment are consistent though.

TRANSPORTATION: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 12 new intersections created at \$500/intersection = \$6000. Fee shall be adjusted based on number of intersections if Final Plat is phased.

TxDOT comment, "Access for the area labeled Future Commercial should only be to the proposed Wadley Ave. and not to SH 158. Post development runoff and drainage should not increase from pre-development conditions."

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

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

PLANNING:

The legal description should read, "Being a plat of a 99.20 acres tract of land located in Sections 35 and 36, Block 40, T-1-S, T&P Co. Survey, Midland County, Texas."

Provide lot numbers for lots in Block 19 adjacent to Thistle Drive. They should be 48 through 52.

Why are 15-foot front yard setbacks being proposed? 15-foot front yard setbacks should only be shown for cul de sac lots. Otherwise, the setbacks should comply with the requirements of the zoning ordinance.

Provide lot and block numbers for the proposed regional retail lots.

Lots 28 through 30 adjacent to Kirkwood Drive should be in Block 20, not 2C.

The property owner information on the application and plat face should match with what is on record at the Midland Central Appraisal District.

Rename the proposed Woodland Drive as one already exists.

Staff recommends approval of the Preliminary Plat of Grasslands Estates West, Section 12, subject to conditions A through D.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Maps



GRASSLAND ESTATES
WEST SECTION 12
A TRACT OF LAND, 102.20 ACRES
IN SECTION 35, BLOCK 40, T-1-S, T
& PRR Co. SURVEY.

CITY AND COUNTY OF
MIDLAND, TEXAS

QUINCY O
NEW YORK
CERTIFICATE
KNOW ALL MEN BY
THESE PRESENTS

NOTES PRESENTS:
That Kerry M. Hoelner, 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 Surveying Regulations of the City of Midland, Texas.

KERRY M. HÖFNER, RPLS 4562
2743 CANTRELL ST.
DALLAS, TX 75062

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

ATMOS. ENERGY Print Name: _____

ONCOR ELECTRIC DELIVERY

Sudden Link Print Name:

GRANDE
COMMUNICATION
S

Print
Name:

AL&T-
TEXAS

Print Name: _____

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "GRASSLAND ESTATES WEST, SECTION 12," was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this 2021

REGGIE LAWRENCE,
CHAIRMAN

CRISTINA ODENBORG
BURNS, SECRETARY

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

PLAT FILED FOR
RECORD
MIDLAND
COUNTY, TEXAS

DATE: _____ PAGE: _____

...

OWN
GRASSLANDS
IV LTD.
Maidenhead
RG6 2 115

SURVEYORS - ENGINEERS
- PLANNERS,
ENGINEER,
REGISTRATION: FIRM

December 18, 2020

SELLING A PORTION OF THIS ADDITION BY
METEY AND BOUNDING OF THE
VIA A LOT OF FORTY FEET IN DISTANCE AND STATE LAW
VIA A PORTION OF THE STATE OF TEXAS AND BUILDING OF
MIDLAND MAY BE REQUIRED FOR DEVELOPMENT AND BEFORE A
BUILDING PERMIT MAY BE
3. BOUNDING DISTANCES, BEARINGS, DISTANCES AND
AREAS SHALL BE IN ACCORDANCE WITH THE
GRIDLAND CONFORM TO THE TEXAS COORDINATE
4. THE NORTH ARIZONA PLAT 1883
EMERGENCY MANAGEMENT AGENCY, FLOOD
DRAINAGE DISTRICT, DISTRICTS
DETERMINATION SHALL NOT CREATE A

Page 13.262



Preliminary Plat Application

Project Number

Case Number

SUB-20-1369
P-21-1024

Proposed Subdivision Plat Name: GRASSLAND ESTATES WEST, SECTION 12

Legal Description (attached sealed Metes and Bounds): BEING A PLAT OF A 99.1985 ACRE TRACT OF LAND LOCATED IN SECTION 35, BLOCK 40, T-1-S, T & P RR Co. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS

Property Owner

Printed Name: GRASSLANDS IV, LTD.

Phone (432) 697-9866

Email

Address 5908 HOMESTEAD BLVD.

City MIDLAND

State TX

Zip 797072215

Developer (if different than Owner)

Printed Name: Robert Graham

Phone (432) 697-9866

Email

Address 5908 HOMESTEAD BLVD.

City MIDLAND

State TX

Zip 797072215

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

Firm: WEST COMPANY OF MIDLAND, LLC

Printed Name: LARRY H. WALKER, P.E.

Phone (432) 528-3159

Email

lwalker@team-west.com

Address 110 W. LOUISIANA AVE., STE #110

City MIDLAND

State TX

Zip 79701

Current Zoning: SF1

Reason for Platting: TO DEVELOPE RESIDENTIAL SUBDIVISION

Plat Information

Total Acreage: 99.1985 acres

Type: ☒ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 114

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

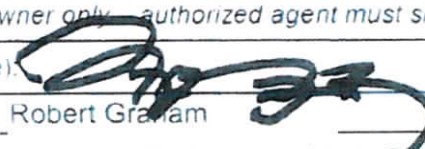
Do you expect to request a development agreement with the City? _ Yes ☒ No

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: 2-3-21

Property Owner (printed): Robert Graham

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.

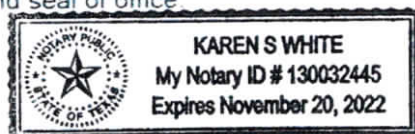
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

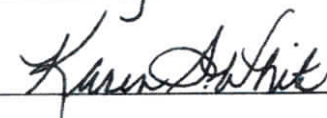
STATE OF TEXAS
COUNTY OF MIDLAND

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


Authorized Agent (signature)

Subscribed and sworn to before me, this 3rd day of February, 20 21, to certify which witness my hand and seal of office.




NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # _____

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 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a request for a 30-Day Extension request for a proposed Final Plat of Grassland Estate West, Section 12, being a Plat of a 19.2636-acre tract of land located in Sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located immediately north of Homeland Drive, approximately 250 feet north of Castlewood Drive) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, WA Civil, LLC, is requesting to plat a 19.2636-acre tract of land located in sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas, for ownership purposes.

Current Zoning:

RR, Regional Retail District, in part, SF-1, Single-Family Dwelling District, and AE, Agricultural Estate District, in part.

The second reading for the associated request to change the zoning of the property from RR to SF-1 is scheduled for the January 23, 2024 City Council meeting. However, being that a portion of the property is zoned AE, the AE portion of the property will also need to be rezoned to SF-1 to allow for the proposed lot sizes.

Analysis:

The subject final plat was submitted on November 22, 2023. The applicant is requesting a 30-Day Extension, as permitted under House Bill 3167, to allow for the submission and approval of a drainage report. The Planning & Zoning Commission has the authority to

approve or deny a one-time 30-Day Extension request. Should the Planning & Zoning Commission grant the extension, this item will be placed on the January 16, 2024, Planning & Zoning Commission meeting agenda for either approval or disapproval; depending on the applicant's ability to satisfy all of Staff's comments.

Attachments:

30-Extension Request
Application
Maps

WA CIVIL, LLC

December 14, 2023

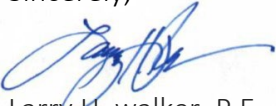
City of Midland
Planning Division
300 N. Loraine
P.O. Box 1152
Midland, TX 79702

RE: 30-Day Extension Request - SUB-20-0369

Planning Division:

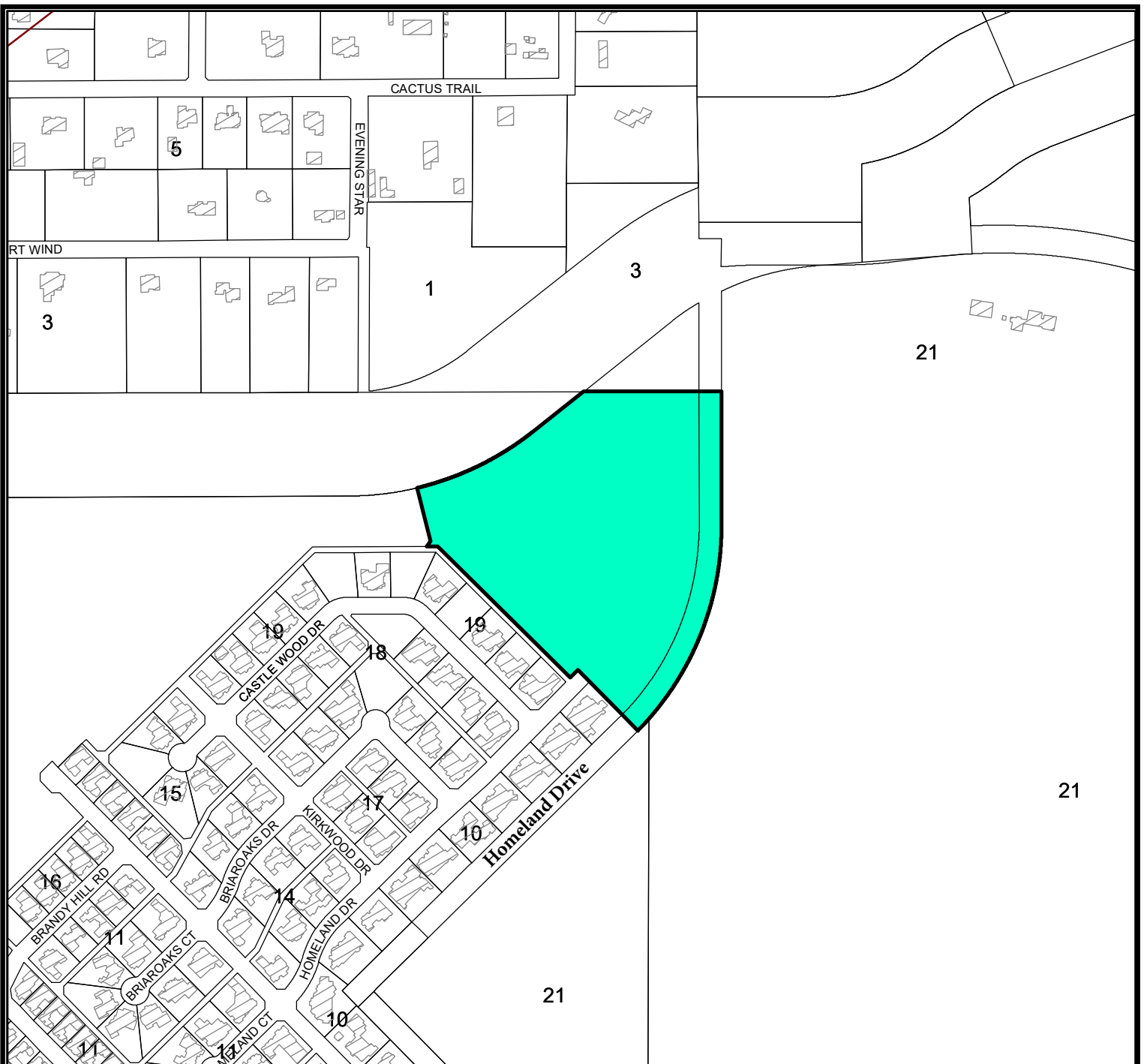
As the representative of [GRASSLAND WEST SECTION 14 (NOW12) & SUB-20-0369, I hereby request a 30-Day Extension, as permitted under House Bill 3167, to allow for additional changes to be made to the plat prior to action being taken. The plans will be resubmitted to the Planning Division no later than 14 days prior to the [anticipated Planning & Zoning Commission meeting date] Planning and & Zoning Commission meeting to provide adequate time for Staff to review and placed on the agenda.

Sincerely,



Larry H. walker, P.E., P.M.P.
Managing Partner





LOCATION MAP

P-23-1868

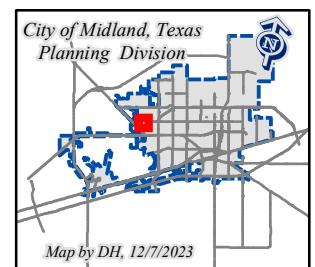
Scale: 1" = 513'

Final Plat of Grassland Estate West, Section 12, being a Plat of a 19.2636-acre tract of land located in sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas.

Generally located immediately north of Homeland Drive, approximately 250 feet north of Castlewood Drive. (DISTRICT 4)

LEGEND

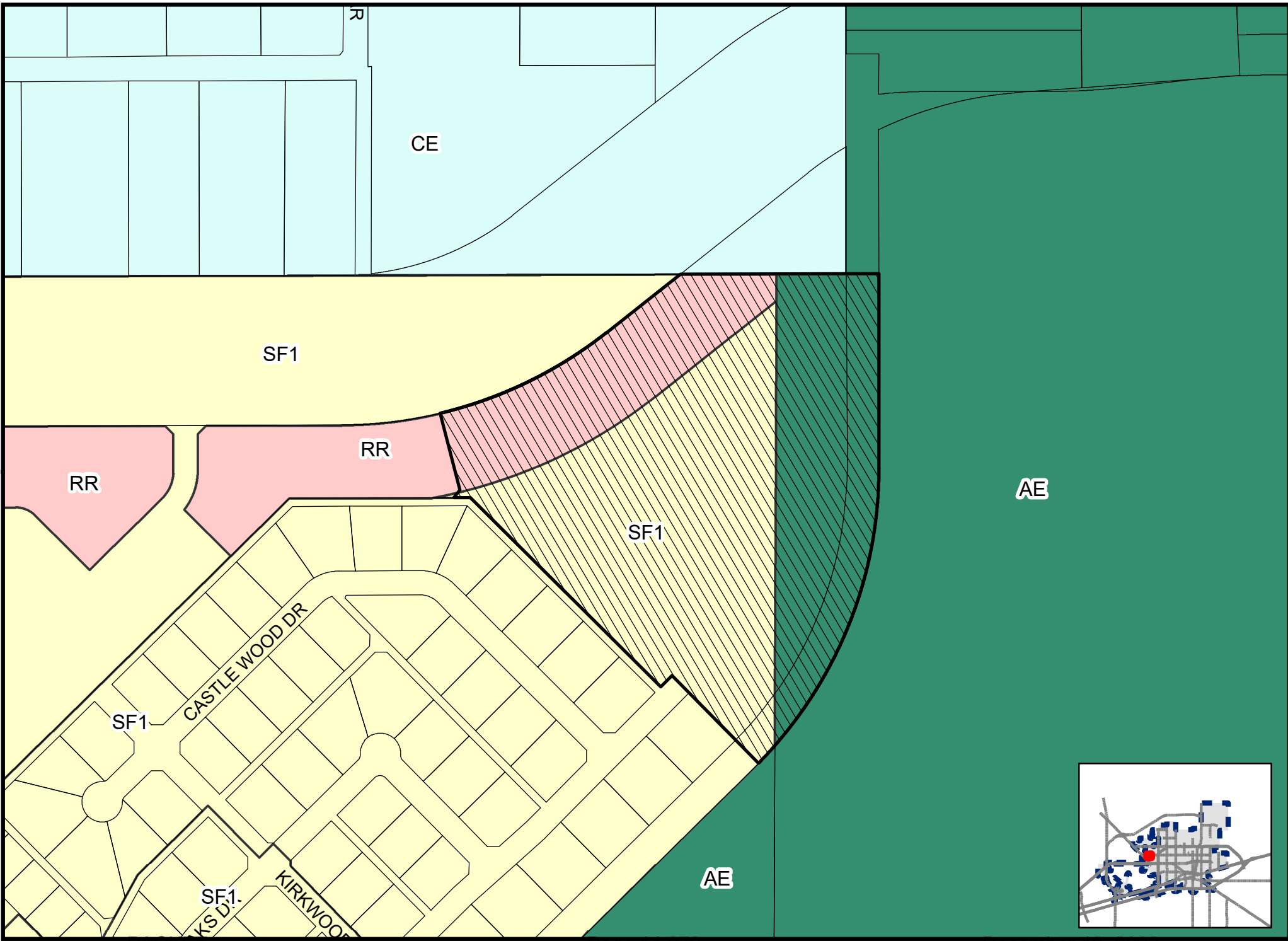
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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





Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a reinstatement of an approved Preliminary Plat of Hillcrest Acres, Section 14, being a Replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The property owner, Safe Place of the Permian Basin, is requesting a to reinstate a proposed replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas, into one (1) lot.

The preliminary plat was approved by the Planning and Zoning Commission on March 15, 2021. Since it has been over a year since the preliminary plat approval, a reinstatement is required prior to the final plat approval.

Current Zoning:

SF1, Single-Family Dwelling District.

Departmental Review:

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

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact Fee Statement okay as shown.

ROW: ROW okay as shown.

PAVING: Extension of paved "backage road" required along length of property. Secondary access to the rear is strongly recommended with site design.

Andrews Highway is TxDOT ROW and will be maintained by them.

WATER: 6-inch water line existing along part of the platted frontage. Extend this water line completely across the platted frontage.

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

PRO RATA: None.

SEWER: Sewer already existing in Woodcrest Dr. and the backpage road. No wastewater improvements required.

DRAINAGE: Drainage Report Approved by City of Midland.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comment, "Based on current speed limit for BS 158 (Andrews Highway), the access spacing requirement is 425'. If this is a change of use of this site, the 2 existing access points on the east end of this site should be removed and any new access points should be the spacing requirements. Post development drainage/runoff should not be increased from pre-development conditions."

Extension of paved "backage road" required along length of property. Secondary access to the rear is strongly recommended with site design.

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

No objections to plat.

FIRE: (Approved)

No objections.

Any future development is required to meet the IFC 2015 ed. and all locally adopted ordinances.

CODE COMPLIANCE: (Approved)

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

SURVEYOR: (Approved)

No comments.

BUILDING CODE: (Approved)

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

PLANNING: (Approved with Conditions)

The legal description should read: "Proposed plat of Hillcrest Acres, Section 14, being a re-plat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland., Texas."

Staff recommends approval of the preliminary plat of Hillcrest Acres, Section 14, subject to conditions A through C.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of March 10, 2021.

Attachments:

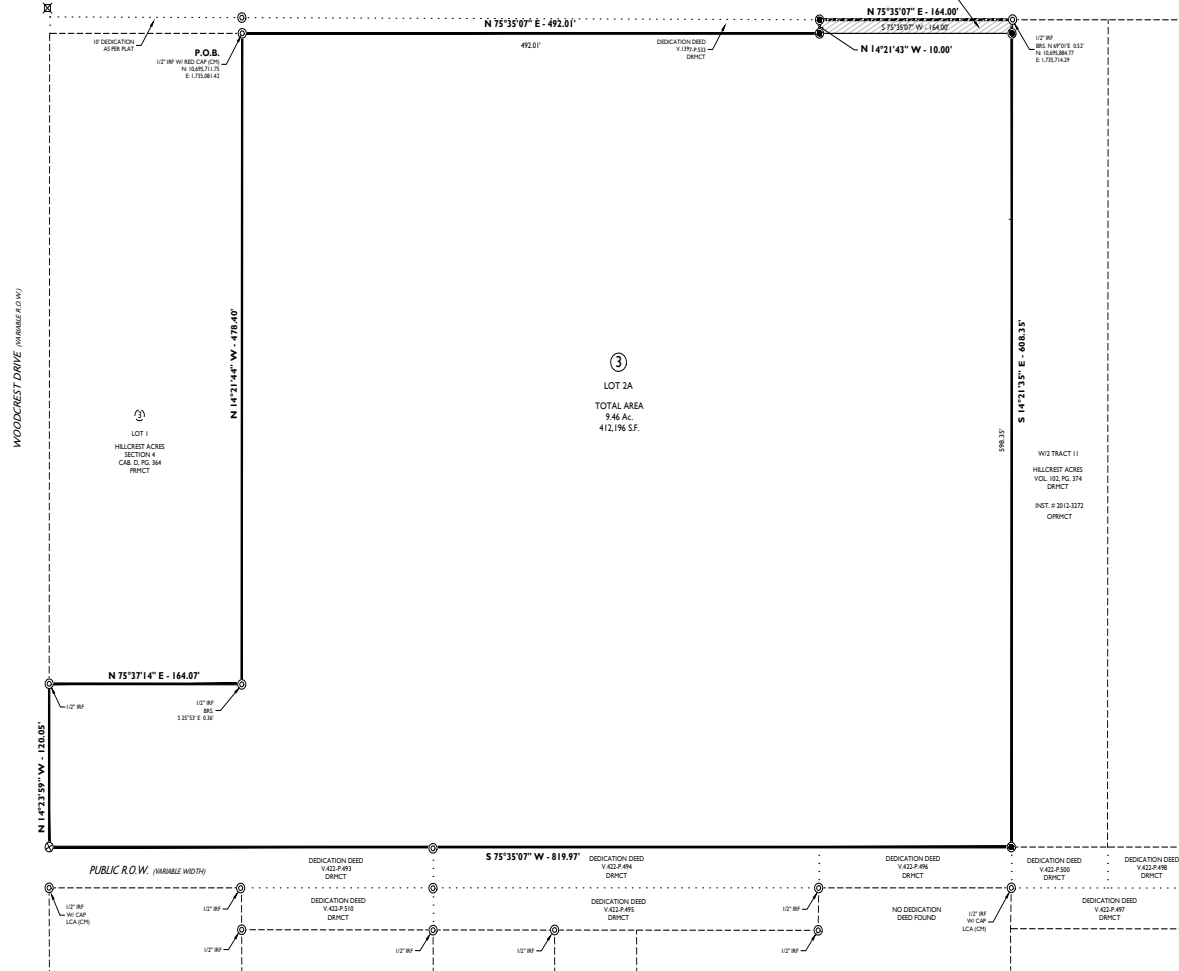
Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

HILLCREST ACRES, SECTION 14

BEING A REPLAT OF THE WEST HALF OF THE NORTH HALF OF TRACT 11 AND THE NORTH HALF OF TRACTS 12, 13, AND 14, HILLCREST ACRES, AND ALL OF LOT 2, BLOCK 3, HILLCREST ACRES, SECTION 10, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS

ANDREWS HIGHWAY - STATE HIGHWAY 158 (VARIABLE R.O.W.)



PROPERTY OWNER

SALE PLACE OF THE PERMAN BASIN
P.O. BOX 11331
MIDLAND, TX 79702
DEED INSTRUMENT 2020-15041

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

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 THE LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BASE OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FEET.
- 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.

FEMA NOTE

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE CITY OF MIDLAND IS PROVIDING INSURANCE OR THAT THE CITY OF MIDLAND IS RESPONSIBLE FOR THE FLOODING OF THE PROPERTY. THE CITY OF MIDLAND IS NOT PROVIDING INSURANCE OR THAT THE CITY OF MIDLAND IS RESPONSIBLE FOR THE FLOODING OF THE PROPERTY. THE CITY OF MIDLAND IS NOT PROVIDING INSURANCE OR THAT THE CITY OF MIDLAND IS RESPONSIBLE FOR THE FLOODING OF THE PROPERTY.

OWNERS CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SALE PLACE OF THE PERMAN BASIN, is the record owner of a tract of land situated in Section 30, Block 3, 1/4-1/4, TRAP 88, Co. Survey, City and County of Midland, Texas;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SALE PLACE OF THE PERMAN BASIN, being the owner of the land shown on this plat designated as HILLCREST ACRES, SECTION 14, on 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 give an easement of egress and access to the City of Midland for garbage collection, utility facility access and maintenance, location and maintenance of trash containers and access thereto, and condition and statement 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 _____, Mo.
the _____ day of _____, 2021.

By _____ TITLE _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared SALE PLACE OF THE PERMAN BASIN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this _____ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of HILLCREST ACRES, SECTION 14, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2021.

REGGIE LAWRENCE, CHAIRMAN

CRISTINA DODDINGBURK, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, GREGORY W. SHOULTS, a Registered Professional Surveyor in the State of Texas, do hereby certify that this plat was prepared from a correct and true survey of the land shown thereon, and that the same is in accordance with the laws and regulations of the State of Texas, and that the same is in accordance with the laws and regulations of the State of Texas, and that the same is in accordance with the laws and regulations of the State of Texas.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities:

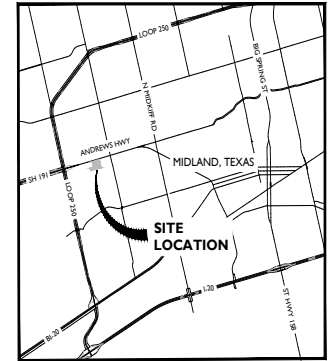
ATMOS ENERGY
BY _____

AT&T
BY _____

TELEPHONE COMMUNICATION
BY _____

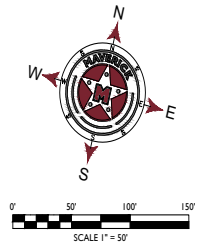
GRANDE COMMUNICATION
BY _____

ONCOR ELECTRIC DELIVERY
BY _____



VICINITY MAP

N.T.S.



LEGEND

- ⊙ DENOTES FOUND CORNER AS NOTED
- ⊙ DENOTES SET 5" IN W/ RED PLASTIC CAP MARKED "MAVERICK FIRM# 10194514"
- ⊗ DENOTES FOUND CITY OF MIDLAND BENCH MARK
- DENOTES BOUNDARY LINE
- DENOTES EXISTING PROPERTY LINE
- DENOTES EXISTING EASEMENT LINE
- DENOTES HISTORICAL LOT LINES
- DENOTES OFFICIAL RECORDS, MIDLAND CO., TX
- DENOTES DEED RECORDS, MIDLAND CO., TX
- DENOTES PLAT RECORDS, MIDLAND CO., TX



MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194514
Tel: (432) 343-0999 Fax: (432) 343-0989
www.Maverick-Eng.com

HILLCREST ACRES,
SECTION 14
December 18, 2023



Preliminary Plat Application

Project Number: Sub-20-0380Case Number: P-21-1007**Proposed Subdivision Plat Name:** Hillcrest Acres, Section 14**Legal Description (attached sealed Metes and Bounds):** Being a Replat of the West Half of the North Half of Tract 11 and the North Half of Tracts 12, 13, and 14, Hillcrest Acres, and all of Lot 2, Block 3, Hillcrest Acres, Section 10, an Addition to the City and County of Midland, Texas

Property Owner Printed Name: Safe Place of the Permian Basin		Phone () Email	
Address PO Box 11331	City Midland	State TX	Zip 79702

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Maverick Engineering</u> Printed Name: Paladin Huckaba		Phone (432) 262.0999 Email	
Address 1909 West Wall St Ste K	City Midland	State TX	Zip 79701

Current Zoning: SF1**Reason for Platting:** Ownership Purposes

Plat Information	Total Acreage:	9.46
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)		
Number of Lots: 1	Number of Multi-Family Dwelling Units:	

Submittal and Fees Items to be submitted with this application form: • 1 FOLDED Copy of Dimensioned Plat • 1 Extra Copy (11x17) • Digital Files (JPEG & PDF) • Application Fee – Payable to the 'City of Midland'

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

Provisions

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

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

Property Owner (signature):

Date:

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 Safe Place of the Permian Basin 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 19th day of January, 20 21, to certify which witness my hand and seal of office.



Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 3342

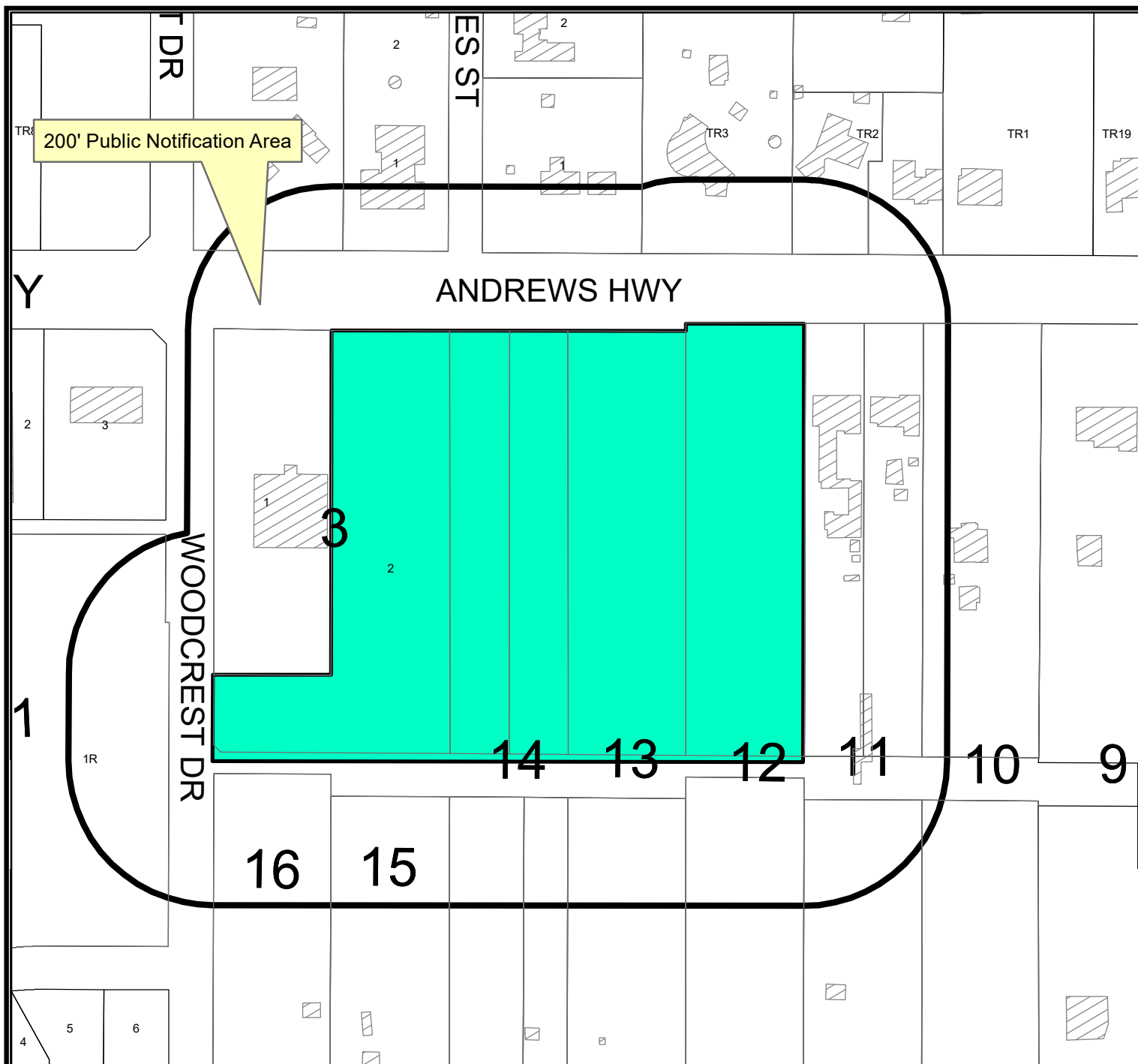
Received By: Kristi B...

Date:

RECEIVED
JAN 22 2021

BY:

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



LOCATION MAP

SUB-20-0380

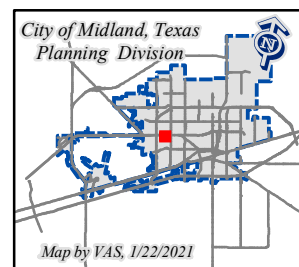
Scale: 1" = 200'

Proposed Plat of Hillcrest Acres, Section 14, being a replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas.

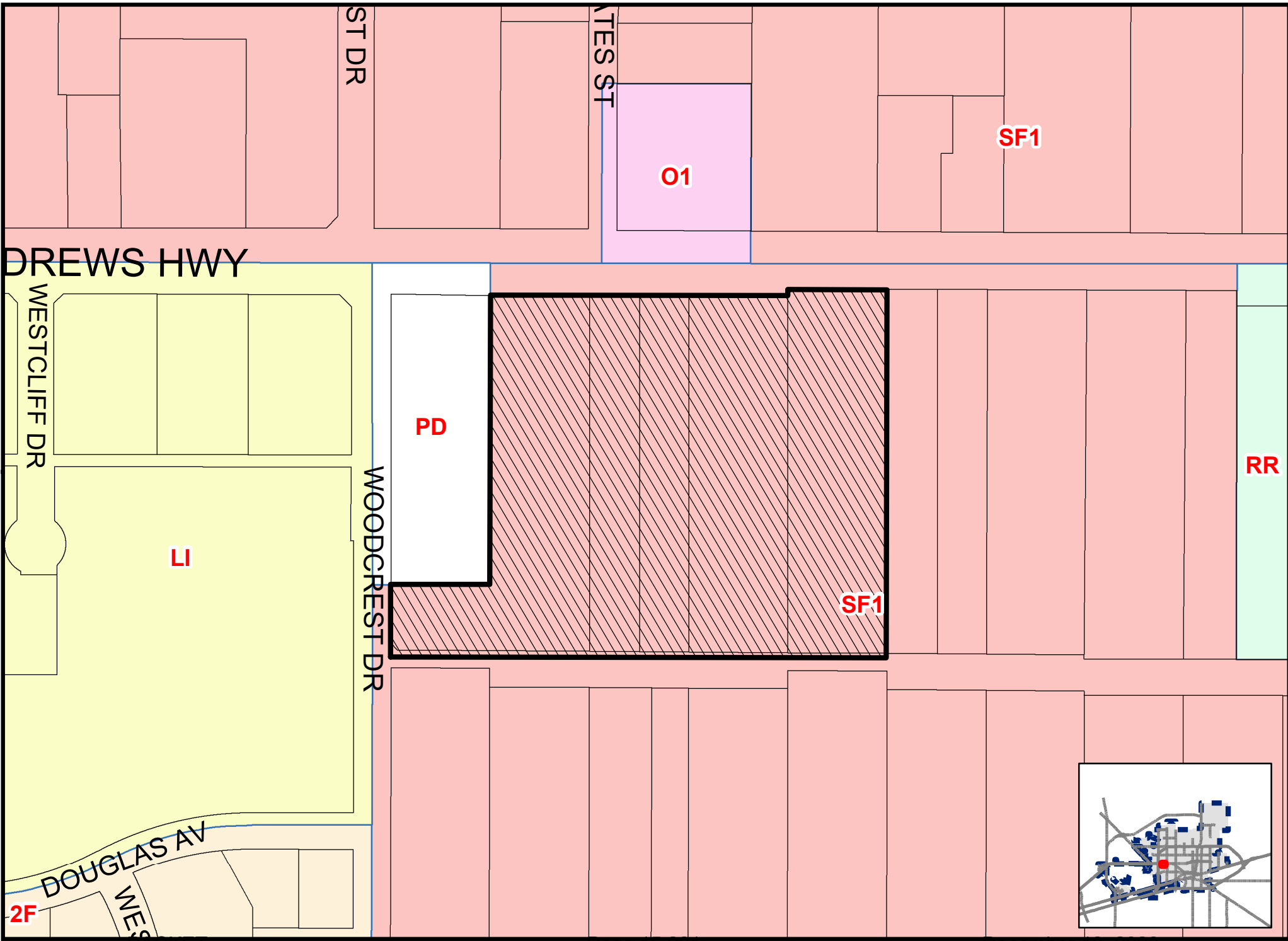
Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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





Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: Planning and Zoning Commission

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a proposed Final Plat of Hillcrest Acres, Section 16, being a Replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned Development District for an Office Center and Housing Development (Ordinance 10215)

Preliminary Plat Approval:

The property owner, Safe Place of the Permian Basin, is proposing to re-plat the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas, into one (1) lot.

The Planning and Zoning Commission approved the preliminary plat on March 15, 2021.

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: Impact Fee Statement okay as shown. [For Applicant's Information Only.]

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

PAVING: Acceptance of pavement improvements to the backage road will be tied to the building permit.

Andrews Highway is TxDOT ROW and will be maintained by them. [For Applicant's Information Only.]

WATER: 6 inch water line existing along part of the platted frontage. Acceptance of water improvements along Andrew's Highway will be tied to the building permit. [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

SEWER: Sewer already existing in Woodcrest Dr. and the backage road. No wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Drainage Report Approved by City of Midland [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)

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 Hillcrest Acres, Section 16 subject to condition A.

Conditions:

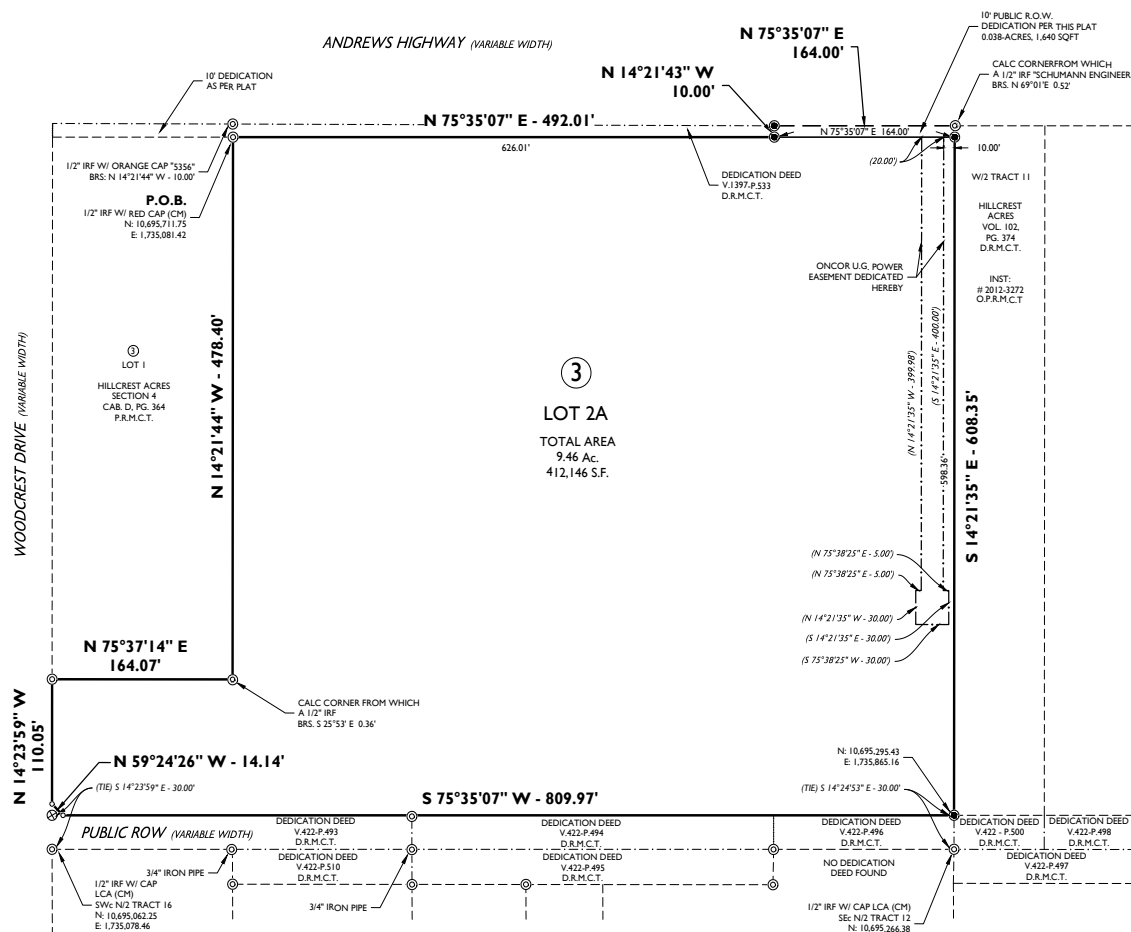
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps
Ordinance 10215

HILLCREST ACRES, SECTION 16

BEING A REPLAT OF THE NORTH HALF OF TRACTS 12, 13, AND 14, HILLCREST ACRES,
AND LOT 2, BLOCK 3, HILLCREST ACRES, SECTION 10,
CITY AND COUNTY OF MIDLAND, TEXAS



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 THE LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FEET.
- 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 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.
- COMPLY WITH THE EXISTING DRAINAGE ANALYSIS TITLED "HILLCREST ACRES, SECTION 14 DRAINAGE LETTER" SEALED BY DEAN RASMUSSEN, P.E. AND APPROVED BY THE CITY OF MIDLAND ON JANUARY 25, 2021, OR ANY REVISIONS, CORRECTIONS, AMENDMENTS, OR REPLACEMENTS OF THIS DRAINAGE ANALYSIS THAT ARE APPROVED CITY THE CITY OF MIDLAND.
- ACCESS & EGRESS TO AND FROM THE SITE FOR EMERGENCY COLLECTION VEHICLES WILL BE OFF WOODCREST DRIVE VIA THE SOUTH RELIEVER ROUTE INDICATED AS A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY AS SHOWN HEREON.

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATMOS ENERGY
BY: _____
AT&T
BY: _____
OPTIMUM
BY: _____
ASTOUND BROADBAND
BY: _____
ONCOR ELECTRIC DELIVERY
BY: _____

PROPERTY OWNER

SAFE PLACE OF THE PERMAN BASIN
P.O. BOX 11331
MIDLAND, TX 79702
DEED INSTRUMENT #2015-15041

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.R. FLOOD INSURANCE RATE MAP #4832C01027 & #4832C00046, BOTH 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. FOR FURTHER DETAILS, GREATER FLOODS CAN AND WILL OCCUR AND/OR DAMAGE TO PROPERTY CAN BE CAUSED BY HUMAN OR NATURAL CAUSES. THIS STATEMENT SHALL NOT BE USED TO OBTAIN INSURANCE FROM MAVERICK ENGINEERING.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SAFE PLACE OF THE PERMAN BASIN, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 30, BLOCK 39, T-1-S, T&P, RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT SAFE PLACE OF THE PERMAN BASIN, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS HILLCREST ACRES, SECTION 16, 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 THEREON, AND CONDITION SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____

THE _____ DAY OF _____, 2024.

BY: _____

TITLE _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED SAFE PLACE OF THE PERMAN BASIN, 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 _____, 2024.

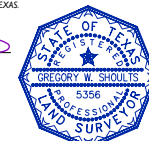
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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. Shoult
GREGORY W. SHOULTS, REGISTRATION #5356
MAVERICK ENGINEERING (TX FROM #10194514)
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701



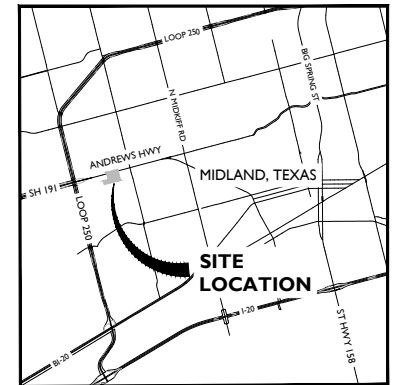
CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HILLCREST ACRES, SECTION 16, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

_____ DAY OF _____, 2024.

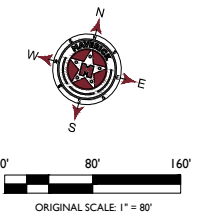
_____, CHAIRMAN

_____, SECRETARY



VICINITY MAP

N.T.S.



LEGEND

- DENOTES CALCULATED CORNER
 - ⊙ DENOTES FOUND 1/2" IRON ROD UNLESS NOTED
 - ⊗ DENOTES "X" SCRIBED IN CONCRETE
 - ⊙ DENOTES SET 1/2" IR W/ RED PLASTIC CAP MARKED "MAVERICK FIRM# 10194514"
 - DENOTES BOUNDARY LINE
 - - - - - DENOTES EXISTING PROPERTY LINE
 - - - - - DENOTES EXISTING EASEMENT LINE
 - - - - - DENOTES HISTORICAL LOT LINES
 - - - - - DENOTES OFFICIAL RECORDS, MIDLAND CO., TX
 - - - - - DENOTES DEED RECORDS, MIDLAND CO., TX
 - - - - - DENOTES PLAT RECORDS, MIDLAND CO., TX
 - - - - - DENOTES EASEMENT BEARING & DISTANCES
- O.R.M.C.T.
D.R.M.C.T.
P.R.M.C.T.
(123.45)



MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # 10194514
Tel: (432) 282-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

HILLCREST ACRES,
December 18, 2023
SECTION 16



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Hillcrest Acres, Section 16

Legal Description (attached sealed Metes and Bounds): Being a Replat of the North Half of Tracts 12, 13, and 14, Hillcrest Acres, Section 10, City and County of Midland, Texas

Property Owner

Printed Name: Safe Place of the Permian Basin

Phone (432) 262-0999

Email
tjm@rwarchitects.com

Address PO Box 11331

City Midland

State TX

Zip 79702

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email
phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: PD

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage: 9.46

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" \$61.00For plats that exceed 24" \$81.00For 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):

DocuSigned by:

Carole WaylandDate: 11/13/23

Property Owner (printed):

3212CB268C9E4FB...

Carole Wayland - Safe Place of the Permian Basin

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.

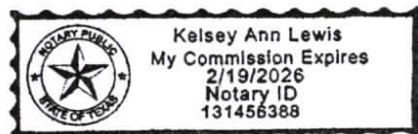
STATE OF TEXAS
COUNTY OF MIDLAND

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 Safe Place of the Permian Basin, 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 13th 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 FeeCheck # 4592☒ 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 FeeCheck # 4513Received By: [Signature]Date: NOV 20 2023

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



LOCATION MAP

P-23-1849

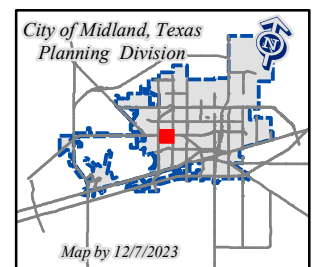
Scale: 1" = 338'

Final Plat of Hillcrest Acres, Section 16, being a Replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas.

Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive. (DISTRICT 4)

LEGEND

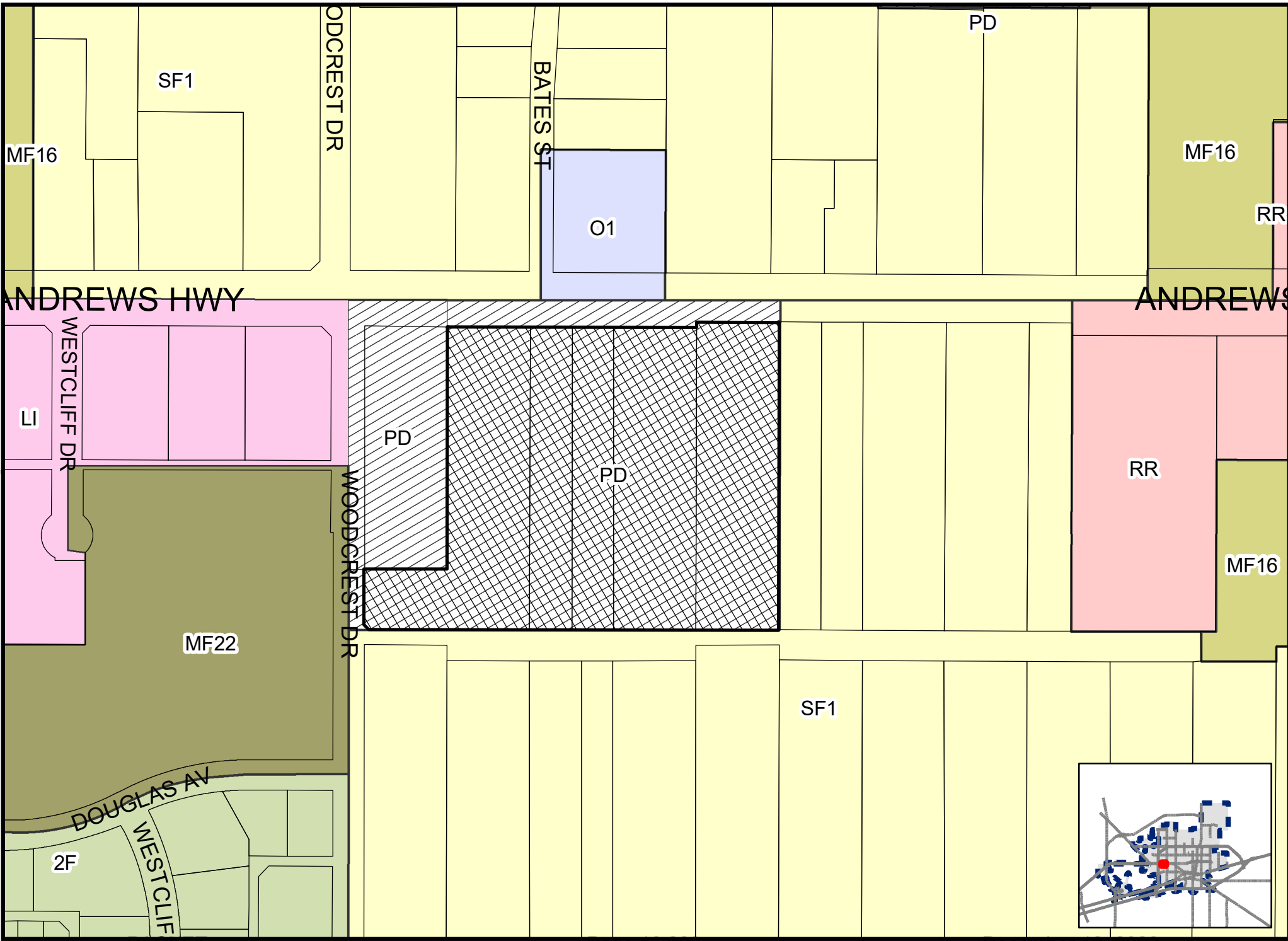
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©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.



ORDINANCE NO. 10215

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE NORTH HALVES OF TRACTS 12, 13 AND 14, HILLCREST ACRES, AND THE ENTIRETY OF LOT 2, BLOCK 3, HILLCREST ACRES, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER AND HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF ANDREWS HIGHWAY, APPROXIMATELY 170 FEET EAST OF WOODCREST DRIVE); 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, the City Code, and State law, 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 rezoning the north halves of Tracts 12, 13 and 14, Hillcrest Acres, and the entirety of Lot 2, Block 3, Hillcrest Acres, Section 10, City and County of Midland, Texas (the "Property") to PD, Planned Development District for an Office Center and Housing Development and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center and Housing Development.

SECTION TWO. That the base zoning district to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, is the

O-1, Office District.

SECTION THREE. That a site plan, which is attached hereto as Exhibit “A” and incorporated herein for all purposes, is hereby adopted, and the use and development of the Property shall be subject to the following conditions and restrictions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “A”.
- B. That the landscaping shown in Exhibit “A” shall be considered illustrative. The landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- C. That the signs on the Property shall conform to the regulations set forth in Title XI, Chapter 7a of the City Code.

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 27th day of July, A.D., 2021; and passed to second reading on motion of Council member Robnett, seconded by Council member Ladd, by the following vote:

Council members voting "AYE": Blong, Trost, Robnett, Payton, 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 Robnett, seconded by Council member Blong, on the 10th day of August, A.D., 2021, at a regular meeting of the City Council:

Council members voting "AYE": Blong, Trost, Robnett, Payton, Dufford, Ladd, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 10th day of August, A.D., 2021.



Patrick N. Payton, Mayor

ATTEST:


Amy M. Turner, City Secretary

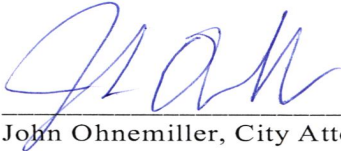


APPROVED AS TO CONTENT
AND COMPLETENESS:

A handwritten signature in blue ink, appearing to read "CHH", followed by a horizontal line and the word "for" in a smaller, cursive script.

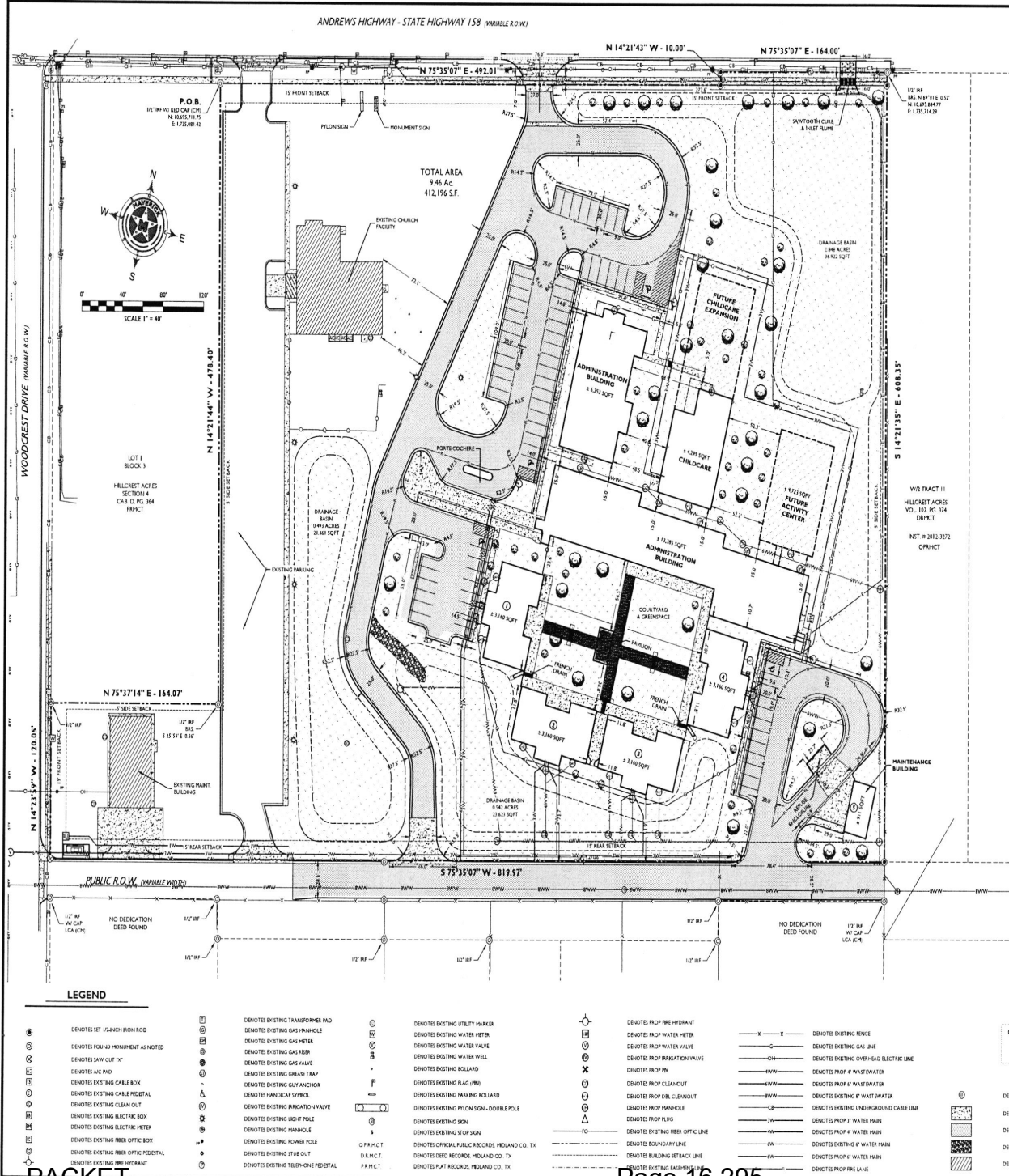
Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

A handwritten signature in blue ink, appearing to read "John", followed by a horizontal line.

John Ohnemiller, City Attorney

EXHIBIT "A"



DEVELOPMENT NOTES:

- GENERAL SITE PLAN IS FOR A PROPOSED PLANNED DISTRICT FOR VICTIMS OF DOMESTIC VIOLENCE AND INCLUDES OFFICE SPACE, CONFERENCE SPACES, SHELTER, SUPPORT SPACES, ALONG WITH TEMPORARY TRANSIENT HOUSING. ALL VICTIMS AND INDIVIDUALS WHO INCLUDE FUTURE ACTIVITIES BUILDING AND DOUBLING THE SIZE OF THE CHILD CARE BUILDING SQUARE FEET OF NEW BUILDING CONSTRUCTION. ALL LOCATIONS ON TRACTS 1, 13, AND 14, HILLCREST ACRES AND HILLCREST ACRES SECTION 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LANDSCAPE NOTES:

- LANDSCAPING ELEMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT NECESSARILY REFLECT THE FINAL DESIGN LANDSCAPING.
- THE LANDSCAPE PLAN THAT WILL BE SUBMITTED FOR CITY APPROVAL WILL BE IN COMPLIANCE WITH CITY STANDARDS.

DIMENSIONAL NOTE:

- OVERSIZING SHOWN ARE TYPICALLY TO BACK OF CURB UNLESS NOTED OTHERWISE.
- SIDEWALKS WILL BE 5' IN WIDTH UNLESS NOTED OTHERWISE.

FEMA FIRM NOTES:

COMPLIANCE NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM	ZONE	BASE FLOOD ELEVATION
48329	182 & 049	F	09/16/2005	X	N/A

- DENOTES ACCESSORY BUILDING
- DENOTES CONCRETE
- DENOTES PAVEMENT
- DENOTES PROP. HAMP
- DENOTES BUILDING

December 18, 2023

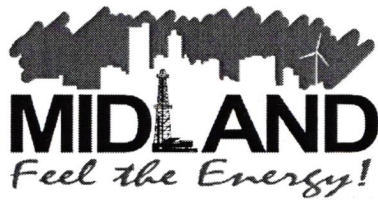
MAVERICK ENGINEERING
1909 West Wall Street, Suite 100
Midland, TX 79701
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

DATE	BY	REVISION
12/18/23	ALC	1.0

PD ZONING SITE PLAN
SAFE PLACE OF MIDLAND
A 4-ACRE TRACT, BEING TRACTS 1, 13, AND 14, HILLCREST ACRES SECTION 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

PRELIMINARY REVIEW:
THIS PLAN IS FOR THE PURPOSES OF PRELIMINARY REVIEW ONLY. IT SHALL NOT BE USED FOR THE PURPOSES OF CONSTRUCTION.

PACKET



City Council Meeting

Item Number: 26
Meeting Date: August 10, 2021
To: City Council / City Manager
From: Valerie A. Sherman, Senior Planner
Subject: AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE THE NORTH HALVES OF TRACTS 12, 13 AND 14, HILLCREST ACRES, AND THE ENTIRETY OF LOT 2, BLOCK 3, HILLCREST ACRES, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS, FROM SF-1, SINGLE-FAMILY DWELLING DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT FOR AN OFFICE CENTER AND HOUSING DEVELOPMENT (GENERALLY LOCATED ON THE SOUTH SIDE OF ANDREWS HIGHWAY, APPROXIMATELY 170 FEET EAST OF WOODCREST DRIVE); 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 (COUNCIL DISTRICT 4) (DEVELOPMENT SERVICES)

Purpose:

The applicant is requesting this zone change to PD, Planned Development District for an Office Center and Housing Development, to develop Safe Place of Midland's Campus.

Recommended City Council Action:

Approve

Fiscal Impact:

This proposal does not have a significant financial impact to the city.

Surrounding Zoning and Land Use:

The properties to the north across Andrews Highway are zoned SF-1, Single-Family Dwelling District and the location of residences, and O-1, Office District, and the location of a vacant lot.

The property to the east is zoned SF-1, Single-Family Dwelling District and the location of a residence. The properties to the south are zoned SF-1, Single-Family Dwelling District and the location of residences. The properties to the west are zoned PD, Planned District for an Office Center and the location of the Midland Central Appraisal District, and LI, Light Industrial District, and the location of a vacant lot.

Discussion:

The applicant is requesting this zone change to PD, Planned Development District for an Office Center and Housing Development, to develop Safe Place of Midland's Campus.

The proposed site plan (Exhibit A) shows approximately 49,600 square feet of buildings, including for administration, childcare, a future activity center, and twenty-four (24) individual living units, for victims of domestic violence. Seventy (70) parking spaces are proposed throughout the campus.

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

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Transportation: (Approved with Conditions)

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

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

No objection to zone change.

Fire: (Approved)

No objections.

Code: (Approved)

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

Planning:

Per the Future Land Use map, this location is designated as Urban Medium; which calls for a mix of housing types, neighborhood and community commercial, office, and service uses; therefore, this zone change complies with the Future Land Use plan.

This request has been recommended for approval by a unanimous vote at the July 6, 2021 Planning and Zoning Commission meeting.

Staff recommends approval of the zone change from SF-1, Single-Family Dwelling District to PD, Planned Development District for an Office Center and Housing Development, subject to conditions A through F.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the O-1, Office District, except as stated below.**
- B. That this property shall conform to the site plan, which is attached hereto and incorporated herein as Exhibit A.**
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.**
- D. That the signage for this property shall conform to the regulations set forth in Title XI, Chapter 7a. of the City Code.**

Letters of Objection:

As of July 21, 2021, staff has not received any letters of objection.

Attachments:

Site Plan (Exhibit A)
Application
Maps

Robert Patrick

City Manager's Office

PACKET

26.4

August 10, 2021

PACKET

Page 16.299

December 18, 2023



Zone Change/Planned District
Amendment/Site Plan Approval

Project Number: 2-21-0244

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: _____		Phone () _____ Email _____	
Address _____	City _____	State _____	Zip _____

Property Owner Printed Name: Safe Place of the Permian Basin		Phone (432) 522-7202 Email <u>cwayland@safeplacenow.com</u>	
Address PO Box 11331	City Midland	State TX	Zip 79702

Representative (if different from Applicant or Property Owner) Firm: <u>Maverick Engineering</u> Printed Name: <u>Paladin Huckaba</u>		Phone (432) 262-0999 Email <u>phuckaba@maverick-eng.com</u>	
Address 1909 W Wall St Ste K	City Midland	State TX	Zip 79701

Street Address: 4629, 4625, 4623, 4613 Andrews Hwy

Legal Description
Lot: _____ Block: _____ Subdivision: Hillcrest Acres

Current Zoning: SF1	Proposed Zone: PD (O-1 underlying) (List by tracts if more than one district is requested)
----------------------------	--

Reason for Zone Change Request: Support the development of vacant acreage to expand the community service mission of Safe Place of Midland with new admin building, childcare, and shelter housing.

Present Use of Property: Vacant

Proposed Use of Property: Shelter housing, childcare, administration building with offices

How would this zone change affect the public health, safety and welfare? Will contribute to the ability of Safe Place to expand it's mission and assistance to the community for those in need

Describe how conditions affecting the property have changed since present zoning designation: No known change

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)

PACKET

26.10

August 10, 2021

PACKET

Page 16.300

December 18, 2023

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature):	Date:
Applicant (printed):	
Property Owner (signature): <u>Carole Wayland</u>	Date: <u>6/8/21</u>
Property Owner (printed): <u>Carole Wayland</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

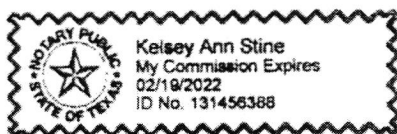
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L. Mellen
Authorized Agent (signature)

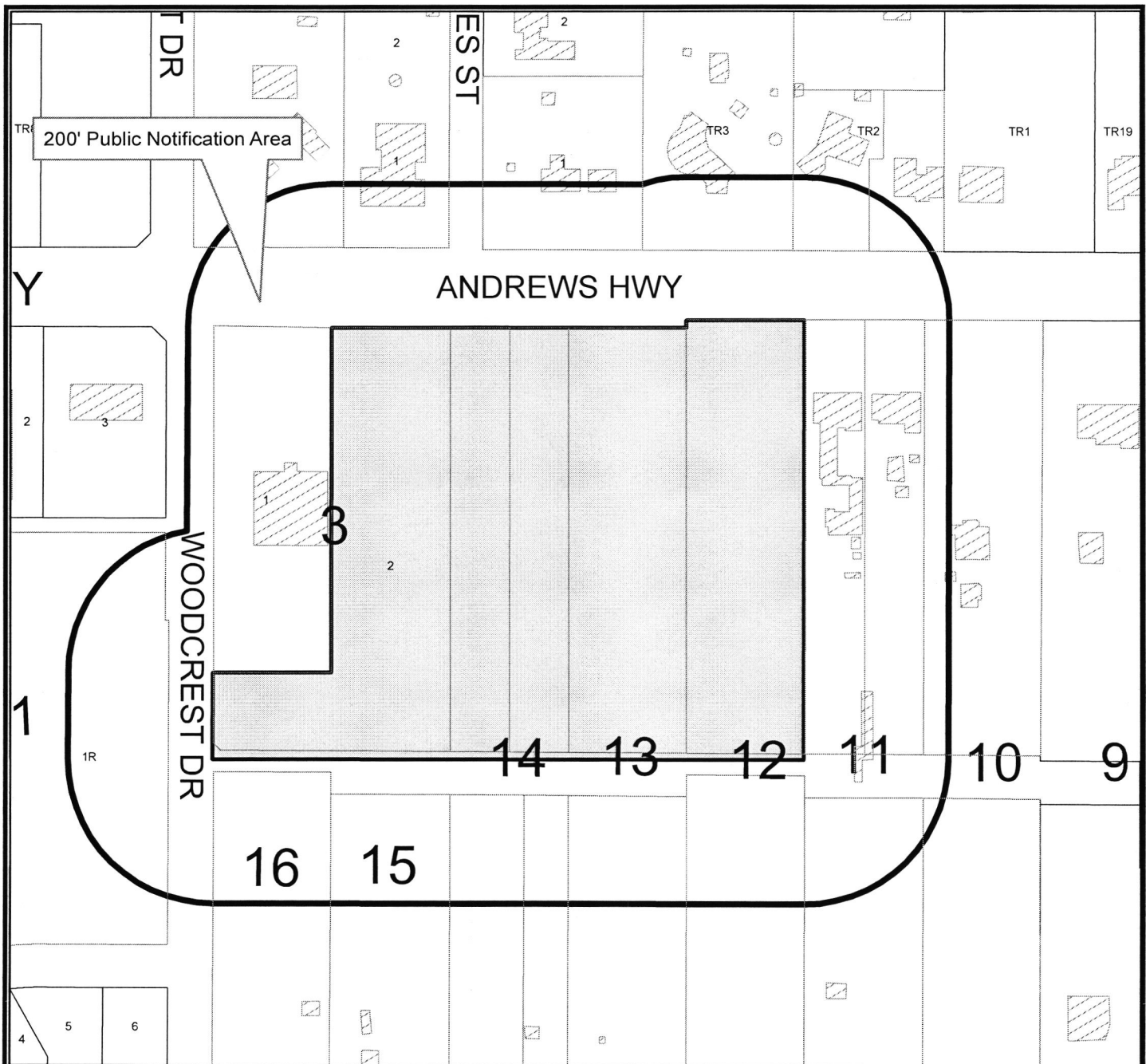
Subscribed and sworn to before me, this 9th day of June, 20 21, to certify which witness my hand and seal of office.



Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # <u>3445</u>	
Received By: <u>Joseph Mangrull</u>	Date: <u>JUN 09 2021</u>
BY: <u>fm</u>	

****Application will not be considered for scheduling until reviewed by a planner.****
 PACKET 26.11 August 10, 2021
 Special Exception Application 2 Revised 12/6/16



LOCATION MAP

Z-21-0244

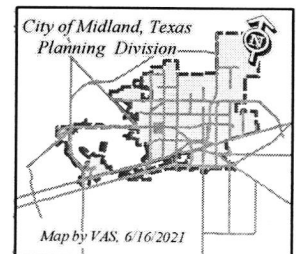
Scale: 1" = 200'

Consider a request by Safe Place of the Permian Basin for a zone change from SF-1, Single-Family Dwelling District, to PD Planned Development District for an Office Center and Housing Development, on the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas.

Generally located on the south side of Andrews Highway, approximately 100 feet east of Woodcrest Drive. (C-26-13 District 4)

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
THIS DATA IS NOT A SUBSTITUTE FOR A
SURVEY OR IS IT DESIGNED TO
BE USED IN ANY MANNER BY 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.

August 10, 2024





PACKET

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August 10, 2021

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December 18, 2023



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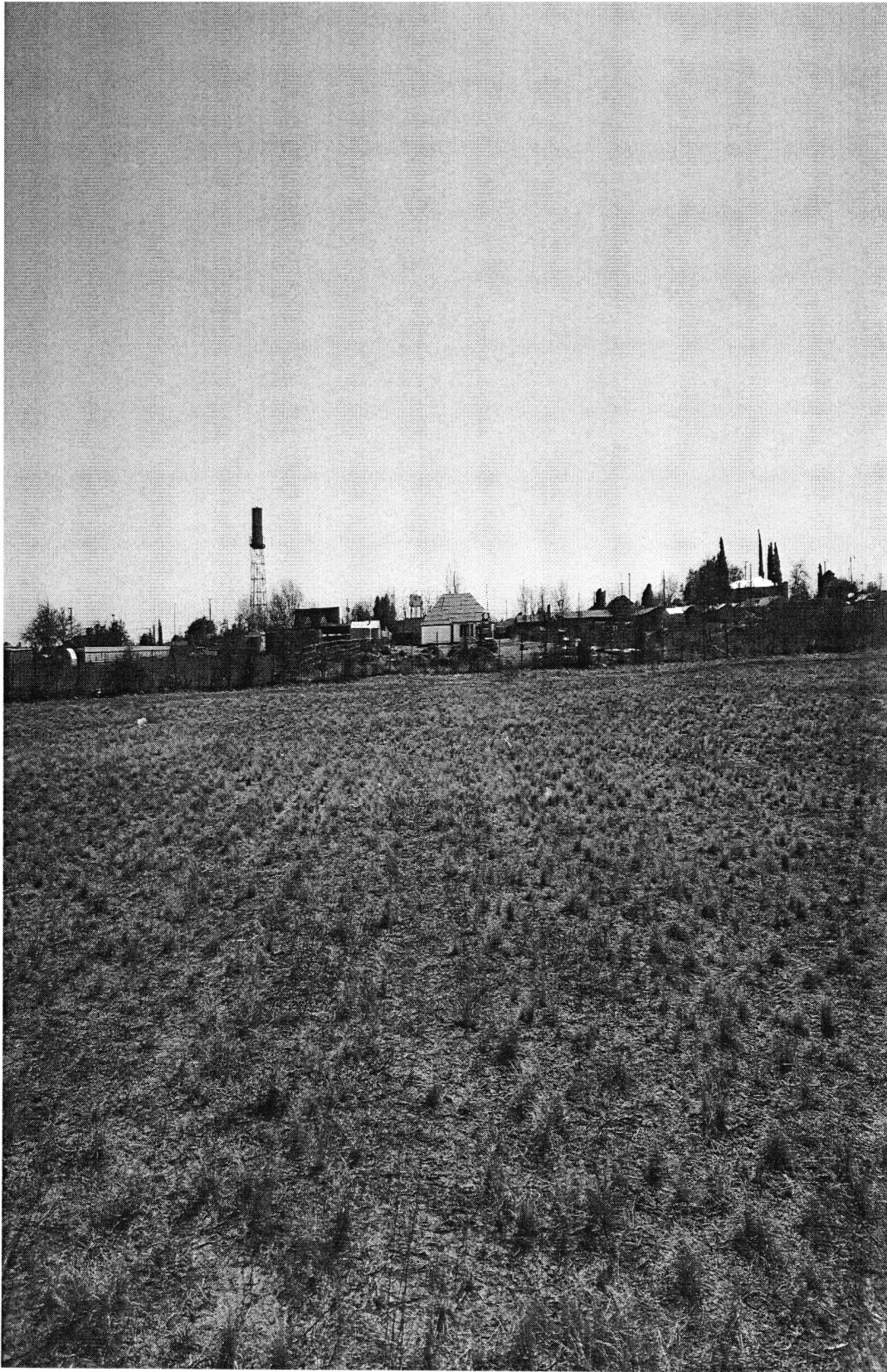
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December 18, 2023



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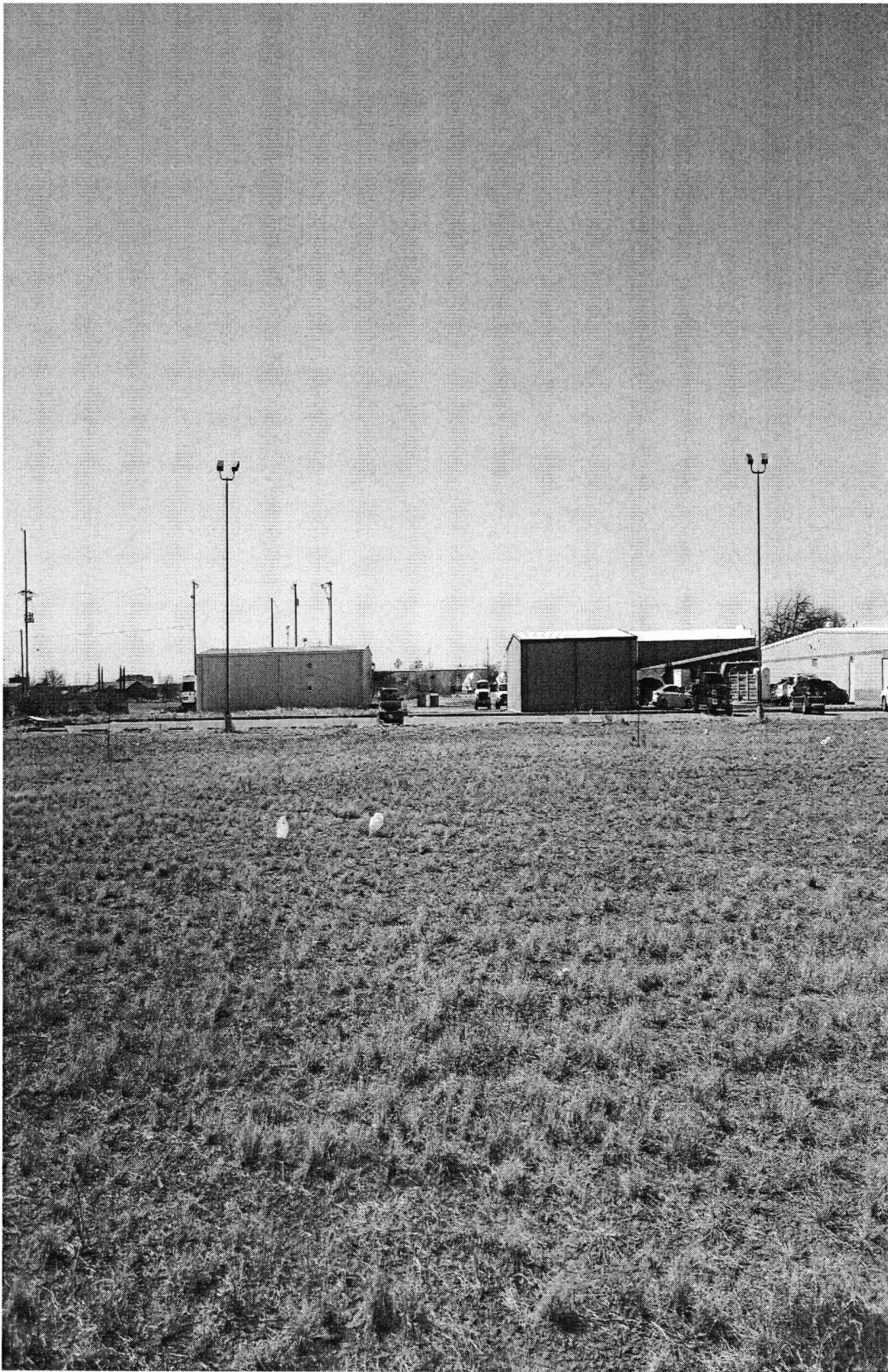
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10215



Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: December 18, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Daniel Humbert, Planner

SUBJECT: Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of South 349 Acres, Section 7, being a 2.00-acre tract of land located in the Northwest Quarter of Section 10, Block 39, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West County Road 111, approximately 1,650-feet east of Cotton Flat Road.) (DEVELOPMENT SERVICES) (DISTRICT 2)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

Schumann Surveying, Inc. is requesting to plat to obtain a septic permit and address. The proposed lot will have a total acreage of 2.00.

Current Zoning:

BP, I-20 Business Park District.

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

BUILDING CODE: (Approved with conditions)

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. This, however, is based on the approval of our Oil and Gas Coordinator Ron Jenkins.

SURVEYOR: (Approved)

The deed for this property (Doc. No.2016-8743) calls for the south line to be the centerline of CR-111.

ENGINEERING: (Approve)

IMPACT FEES: Ok as shown. [For Applicant's Information Only.] ROW: See transpiration's comment. [For Applicant's Information Only.]

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

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

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

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

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

DRAINAGE: Drainage report was approved for platting purposes. [For the Applicant's information only.]

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

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

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments.

OIL AND GAS: (Denied)

There are several City permitted Oil or Gas wells that need to be identified and a 500 ft. radius and a 135 ft. radius included from wells needs to be included on plat. No building permits allowed closer than 135 ft. to a well. The Operator is Permian Deep Rock and the wells are Charger wells that need to be identified. Will need to include the radius from the tank battery of 150 ft. located to the East of this lot. No building permits allowed inside the 150 ft. from a tank battery. The occupied residential/commercial building permits inside

the 500 ft. radius will require a variance to the permitted well from the City Council. The variance request would need to be made thru the Building Official- Jeff Pinkstaff. A letter of support from the operator is suggested when asking for a variance. 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.

PLANNING: (Approved with conditions)

Change OUL to OIL for the oil well to the northwest of the plat.

Label W. County Road 111 to the south of the plat boundary along with its right-of-way.

Show existing sewer line south of the plat boundary with pipe size and location indicated.

Change section number to 7 under the Certificate of Approval.

Change section number to 7 in the section starting with NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Staff recommends approval of the Preliminary Plat of South 349 Acres, Section 7, subject to condition A.

Conditions:

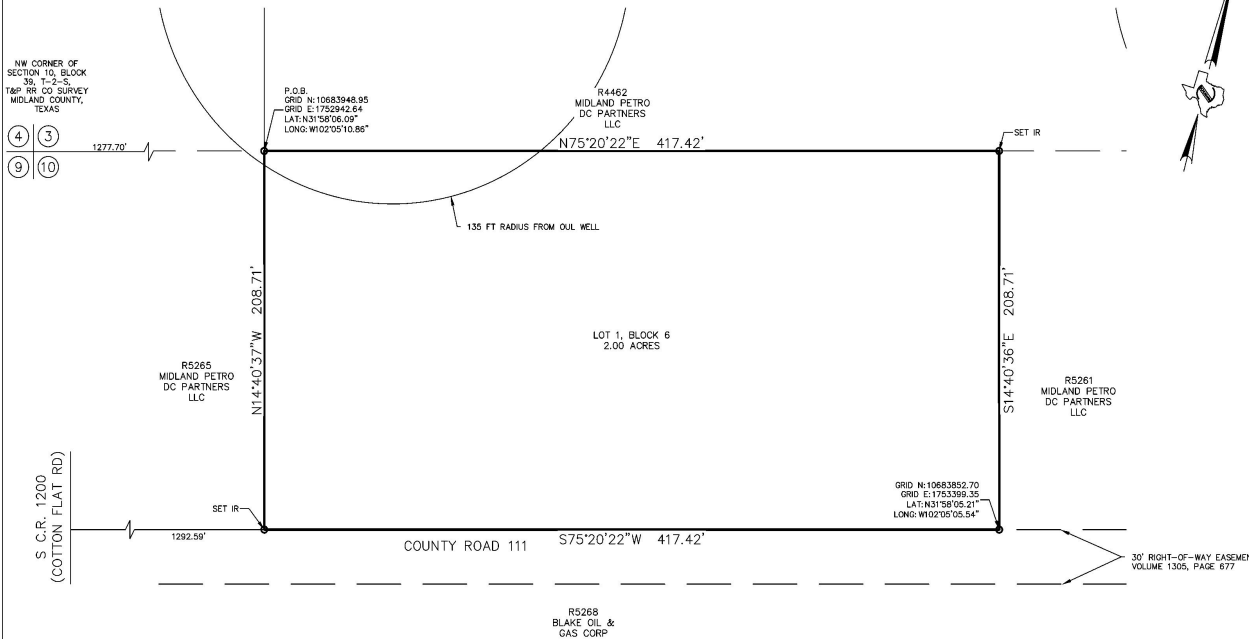
- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-4(A)2(a).**

Attachments:

Application
Preliminary Plat
Maps

PRELIMINARY PLAN SOUTH 349 ACRES SECTION 7

BEING A 2.00 ACRE TRACT IN THE NORTHWEST QUARTER OF
SECTION 10, BLOCK 39, T-2-S, T&P, RR CO. SURVEY, CITY
AND COUNTY OF MIDLAND, TEXAS.



GRAPHIC SCALE
0 50 100
(1 INCH = 50' FEET)

LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- SECTION LINE
- UTILITY EASEMENT
- OHE— OVERHEAD ELECTRIC
- X— FENCE LINE
- U— UTILITY POLE
- ⊙ WATER WELL

OWNER(S):

S LARGO CARGO SERVICES INC.
P.O. BOX 13387
ODESSA, TX 79768-3387
786-414-0814
EMAIL ADDRESS

STATE OF TEXAS &
COUNTY OF MIDLAND &

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2023, BY S LARGO CARGO SERVICES INC.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR. 48329C0202F AND 48329C0204F, THIS PROPERTY IS IN ZONE "X".
- ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

STATE OF TEXAS &
COUNTY OF MIDLAND &

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE NORTHWEST PART OF SECTION 10, BLOCK 39, T-2-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 2.00 ACRE TRACT OF LAND, OUT OF THE NORTHWEST QUARTER OF SECTION 10, BLOCK 39, T-2-S, T & P, RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, SAID 2.00 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" REINFORCING BAR SET (N10683948.95, E1752942.64) FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 10 BEARS SOUTH 75°20'22" WEST 1277.70 FEET;

THENCE NORTH 75°20'22" EAST 417.42 FEET TO A 1/2" REINFORCING BAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°40'36" EAST 208.71 FEET TO A 1/2" REINFORCING BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT ALSO BEING IN THE NORTH RIGHT-OF-WAY OF A 30 FOOT WIDE ROADWAY EASEMENT RECORDED IN VOLUME 1305, PAGE 877 D.R.M.C.T.;

THENCE SOUTH 75°20'22" WEST 417.42 FEET ALONG SAID NORTH RIGHT-OF-WAY OF 30 FOOT WIDE ROADWAY EASEMENT TO A 1/2" REINFORCING BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°40'37" WEST 208.71 FEET TO THE PLACE OF BEGINNING.

BEARINGS AND DISTANCES SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS SOUTH 349 ACRES, SECTION 2, AN ADDITION OF 2.00 ACRES IN MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

S LARGO CARGO SERVICES INC.

CERTIFICATE OF APPROVAL

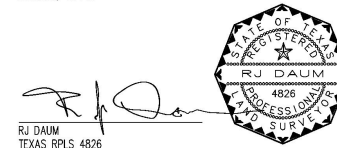
FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF SOUTH 349 ACRES, SECTION 7E WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SIGNEGA

ATTEST: _____
SECRETARY CRISTINA O. BURNS

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



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



NO.	DATE	DESCRIPTION	BY	DRAWN BY:	DATE:
1	01/17/2023	SKETCH PLAN	JG	JG	01/17/2023
CHECKED BY: ED/RJ				PROJECT NO:	
JOB NO: 79,111				SHEET: 1 of 1	

December 18, 2023



Preliminary Plat Application

Project Number:

Case Number:

SUB-13-0592
D-23-1857

Proposed Subdivision Plat Name: SOUTH 349 ACRES, SECTION 7

Legal Description (attached sealed Metes and Bounds): BEING A 2.00 ACRE TRACT IN THE NORTHWEST QUARTER OF SECTION 10, BLOCK 39, T-2-S, T&P, RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner Printed Name: S LARGO CARGO SERVICES INC

Phone (786) 414-0814

Email asdf

Address P.O. BOX 13387

City ODESSA

State TX

Zip

79768-3387

Developer (if different than Owner) Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Schumann Engineering Co., Inc.

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548

Email

ealeman@schumannonline.net

Address 800 N. Marienfeld Suite 100

City Midland

State TX

Zip 79701

Current Zoning: BP, I-20 BUSINESS PARK DISTRICT

Reason for Platting: TO OBTAIN SEPTIC PERMIT AND ADDRESS

Plat Information

Total Acreage: 2.00

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Date: 11-16-23

Property Owner (printed): Carlos Lago

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

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

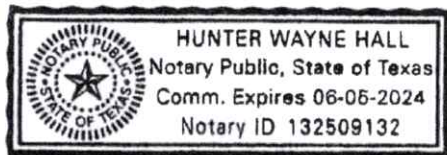
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Carlos Lago, 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 16th day of November, 20 23, to certify which witness my hand and seal of office.



Hale
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Application Fee

☒ 1 Copy of Plat (11x17)

Check # _____

Received By: _____

Date: _____

NOV 21 2023

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

1

COUNTY RD 111 W

ALTA VISTA DR

1

LOCATION MAP

SUB-23-0592

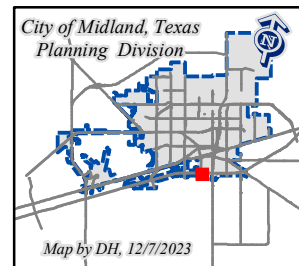
Scale: 1" = 256'

Proposed Plat of South 349 Acres, Section 7, being a 2.00 acre tract in the Northwest Quarter of Section 10, Block 39, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas.

Generally located on the north side of West County Road 111, approximately 1,650-feet east of Cotton Flat Road. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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

