

AGENDA FOR PLANNING AND ZONING
COMMISSION
October 21, 2019 – 3:30 PM
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 Item

1. Pledge of Allegiance

Announcements

Consent Items

2. Consider a motion approving the following minutes:
 - a. Planning & Zoning Commission Meeting Minutes for October 7, 2019.
3. Consider a proposed Preliminary Plat of Claydesta Plaza, Section 14 being a replat of Lot 2, Block 14, Claydesta Plaza, Section 7, City and County of Midland, Texas. (Generally located on the west side of North Big Spring Street, approximately 805-feet north of Veterans Airpark Lane. Council District 3)
4. Consider a proposed Preliminary Plat of Grassland Estates West, Section 12 being a plat of 30.307-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located approximately 722-feet west of the intersection State Highway 158 and State Highway 191. Extraterritorial Jurisdiction)
5. Consider a proposed Final Plat of Lone Star Trails II, Section 2, being a plat of a 23.58-acre tract of land in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located approximately 1,079-feet east of the intersection of Fairgrounds Road and Occidental Parkway. Council District 1)
6. Consider a proposed Final Plat of Polo Club Addition, Section 8, being a plat of 11.190-acre tract of land out of the NW/4 of Section 3, Block 'X', H.P. Hillard Survey, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Polo Club Road and Bluebird Lane. Council District 1)
7. Consider a proposed Final Plat of 349 Ranch Estates, Section 21, being a re-plat of Lot 14, Block 12, 349 Ranch Estates, City and County of Midland, Texas. (Generally located on the north side of Washita Court, approximately 140-feet west of Choctaw. Council District 1)

8. Consider a proposed Final Plat of Cross Pointe, Section 2, being a re-plat of Lot 3, Block 1, Cross Pointe Addition, City and County of Midland, Texas. (Generally located on the north side of Briarwood Avenue, approximately 625 feet west of Holiday Road. Council District 4)
9. Consider a proposed Final Plat of Ol'Roberts Addition being a plat of 11.94 Acre Tract of Land out of SW/4 of Section 35, Block 38, T-1-S, T&P. RR. Co. Survey, and a .093 Acre tract of land out of the SW/4 of Section 35, Block 38, T-1-S, T&P. RR. Co. Survey, Abstract 27, Midland County, Texas. (Generally located on the southeast corner of E. Highway 80 and N. County Road 1130. Extraterritorial Jurisdiction.)
10. Consider a proposed Final Plat of South 1788 Commercial, being a plat of a 10.04-acre tract of land out of Section 18, Section 19, and Section 20, all out of Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of West Interstate 20 East and South Farm to Market 1788. Extraterritorial Jurisdiction)
11. Consider a proposed Final Plat of The Park at 1788 South, Section 2, being a replat of Lot 10, Block 1, The Park at 1788 South, Midland County, Texas. (Generally located on the southeast corner of the intersection of West County Road 148 and South County Road 1275. Extraterritorial Jurisdiction)
12. Consider a reinstatement of the proposed Preliminary Plat of Community Place being a plat of a 5.83-acre tract of land out of the Southeast/4 of Section 22, Block 38, T-1-S, T &P RR Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 55, approximately 545-feet west of North County Road 1130. Extraterritorial Jurisdiction)
13. Consider a proposed Final Plat of Community Place being a plat of a 5.79-acre tract of land out of the Southeast/4 of Section 22, Block 38, T-1-S, T &P RR Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 55, approximately 545-feet west of North County Road 1130. Extraterritorial Jurisdiction).
14. Consider a proposed Final Plat of Eastway Addition, being a plat of a 4.012-acre tract of land out of the NE/4 of Section 39, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of Loop 250 and East Interstate 20. Extraterritorial Jurisdiction)
15. Consider a proposed Final Plat of Gateway Plaza, Section 13, being a replat of Lots 5 and 6, Block 3, Gateway Plaza Addition, Section 2, City and County of Midland, Texas. (Generally located on the north side of Starboard Drive, approximately 570-feet east of S. Tradewinds Boulevard. Council District 4).
16. Consider a proposed Final Plat of Monomoy Addition, being a plat of a 0.41-acre tract of land out of the southeast quarter of Tract F-3, Section 2, Block 40, T-2-S, T&P RR Co. Survey; a 3.20-acre tract of land out of the southwest quarter of Section 1, Block 40, T-2-S, T&P RR Co. Survey; and a 5.34-acre tract of land out of the north half of Section 12, Block 40, T-2-S, T & P RR Co. Survey; all out of Midland County, Texas. (Generally located on the south side

of W. Industrial Avenue, approximately 999-feet west of Agri Road. Extraterritorial Jurisdiction).

17. Consider a proposed Final Plat of OMG Addition, Section 7, being a plat of a 9.4-acre tract of land out of the south part of Section 24, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on east side of FM 715, approximately 513-feet north of E. County Road 140. Extraterritorial Jurisdiction).
18. Consider a proposed Final Plat of Venky Addition being a plat of a 26.36-acre tract of land out of Section 18, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southeast corner of West County Road 120 and South County Road 1230. Extraterritorial Jurisdiction).
19. Consider a proposed Final Plat of Western Hills, Section 14, being a replat of Lot 6C, Block 20, and a previously vacated .375-acre portion of Pasadena Drive and alley Right-of-Way, adjacent to said lot, Western Hills, Section 13, City and County of Midland, Texas. (Generally located west of Pasadena Drive, approximately 383-feet west of S. Eisenhower Drive. Council District 4).
20. Consider a proposed Final Plat of Hill Crest Acres, Section 13, being a re-plat of the north 386.4-feet of the south half of Tract 18, Hill Crest Acres; Lot 1, Block 1, Hill Crest Acres, Section 2; Lot 1, Block 2, Hill Crest Acres, Section 3; and a 0.339-acre portion of previously vacated Bedford Right-of-Way, located in Section 30, Block 39, T-1-S, T&P RR. Co. Survey; City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of West Cuthbert Avenue and North Midland Drive. Council District 4)
21. Consider a proposed Final Plat of Noir Addition, being a plat of a 11.438-acre tract of land out of Section 28, Block 38, T-1-S, T&P R.R. Co. Survey, and a 2.307-acre tract of land out of Section 33, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1148, approximately 1,177 feet north of East County Road 72. Extraterritorial Jurisdiction)
22. Consider a proposed Final Plat of Oasis Addition, being a plat of a 10.00-acre tract of land out of Section 10, Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West Industrial Avenue, approximately 440-feet west of South County Road 1250. Extraterritorial Jurisdiction)
23. Consider a proposed Preliminary Plat of Southern Addition, Section 16, being a re-plat of Lots 1 through 5, less the south 30-feet, Block 146, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of East New York Avenue and South Baird Street. Council District 2)

Public Hearings

24. Hold a public hearing and consider a request by Cornerstone Funding, LLC for a Zone Change from PD, Planned District for an Office Center to an Amended Planned Development

District for an Office Center on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4)

25. Hold a public hearing and consider a request by Karen Pinard for a Zone Change from TP, Technology Park District to MF-22, Multiple-Family Dwelling District on a 13.620-acre tract of land out of Section 3, Block 39, T-2-S, T&P R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of South 'K' Street and East Stokes Avenue. Council District 2)
26. Hold a public hearing and consider a request by Midland Community Development Corporation, for a zone change from SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part, to MF- 16, Multiple Family Dwelling District on a 19.70-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. Council District 4).
27. Hold a public hearing and consider a request by Philip L. Caudill dba The Destination-Journey's End LLC for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in an event venue, on Lot Q, Tract 1, Stockard Acres, City and County of Midland, Texas. (Generally located on the south side of W. Industrial Avenue, approximately 1,370-feet east of S. Garfield Street. Council District 2).
28. Hold a public hearing and consider a request by Don Clay for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lots 1 and 2, Block 6, Moody Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Houston Avenue and North Lee Street. Council District 2)
29. Hold a public hearing and consider a request by Landgraf, Crutcher and Associates for a zone change from a PD, Planned District for a Housing Development, in part; and 2F-Two-Family Dwelling District, in part; to SF-3, Single-Family Dwelling District, on a 22.75-acre tract of land out of Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Passage Way and North Midkiff Road. Council District 1)

Miscellaneous

Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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

PLANNING AND ZONING MINUTES

October 07, 2019

3:30 p.m.

The Planning and Zoning Commission convened in regular session in the Midland City Hall Council Chamber, 300 North Loraine, Midland, Texas, on, October 07, 2019.

Commissioners present: Chase Gardaphe, Josh Sparks, Dianne Williams, Warren Ivey, Reggie Lawrence and Karmen Bryant.

Alternate Commissioners present: Lucy Sisniega

Commissioners absent: Kevin Wilton.

Staff members present: Development Services Director Chuck Harrington, Planning Division Manager Cristina Odenborg Burns, Senior Planner Rolandrea Russell, Planner Taslima Khandaker, Planner Glenda Arroyo-Cruz, Administrative Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:31 p.m.

Opening Item

1. Pledge of Allegiance

Announcements

Consent Items

Commissioner Gardaphe moved to approve the Consent Items; seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

2. Approved a motion approving the following minutes:
 - a. Planning & Zoning Commission Meeting Minutes for September 16, 2019.
3. Approved a proposed Final Plat of Avalon Park Addition, being a plat of a 25.410-acre tract of land out of Section 38, Blk 40, T-1-S, T&P RR. Co. Survey, City and County of Midland, TX. (Generally located approximately 896-feet south of State Hwy 191 and 1,020-feet west of Avalon DR.. Council District 4)
4. Approved a proposed Preliminary Plat of Polo Club Addition, Section 9, being a plat of an 8.467-acre tract of land out of the NW/4 of Section 3, Block 'X', H.P. Hilliard Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Polo Club Road, approximately 673-feet north of Cardinal Lane. Council District 1)
5. Approved a proposed Preliminary Plat of Orchid Alli, being a plat of a 5-acre tract of land out of the north part of the C.A. Miller Survey, Abstract Number 633, Block 38, T-2-S, Midland County, Texas. (Generally located on the south side of East County Road 130, approximately 2,188-feet east of Farm to Market 1213. Extraterritorial Jurisdiction)
6. Approved a proposed Preliminary Plat of Original Town, Section 18, being a re-plat of Lots 1 through 12 and a 0.14-acre portion of previously vacated alley right-of-way, Block 88; Lots 1 through 5, Lots 8 through 12, the north 30 feet of Lot 6, the north 30 feet of Lot 7, a 0.13-acre portion of previously vacated alley right-of-way, and a 0.19-acre portion of previously vacated right-of-way, Block 93; and a 0.50 – acre portion of previously vacated W. Indiana Avenue right-of-way adjacent to Blocks 88 and 93; all out of Original Town Addition, City

and County of Midland, Texas. (Generally located on the southwest corner of the intersection of N. Big Spring Street and N. Missouri Ave. Council District 2)

7. Approved a proposed Preliminary Plat of Barnes Addition being a plat of a 5-acre tract of land out of the southeast quarter of Section 33, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1140, approximately 191-feet north of East County Road 77. Extraterritorial Jurisdiction).
8. Approved a proposed Preliminary Plat of Ashlin Place, Section 3, being a plat of a 0.487 Acre Tract of Land out of Section 22, Block 39, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West Golf Course Road, approximately 465.7 feet east of Western Drive. Council District 3)

Public Hearings

9. Hold a public hearing and consider a request by Terramark, LP for the initial zoning of a 9.784-acre tract of land located in Section 5, Block 39, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West Industrial Avenue, approximately 454-feet east of South Midland Drive. Extraterritorial Jurisdiction).

Senior Planner Rolandrea Russell gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 3:35 p.m.

The applicant, Steven Marcum representing Terramark, gave an overview of the project and was open to questions.

The public hearing was closed at 3:36 p.m.

Commissioner Gardaphe moved to approve a request by Terramark, LP for the initial zoning of a 9.784-acre tract of land located in Section 5, Block 39, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West Industrial Avenue, approximately 454-feet east of South Midland Drive. Extraterritorial Jurisdiction); seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

10. Hold a public hearing and consider a request by Brian Levy dba Fat Bird, LLC, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 2,400 - square foot portion of Lot 5A, Block 1A, Midkiff Plaza, Section 16, City and County of Midland, Texas. (Generally located on the south side of Courtyard Drive, approximately 865 feet east of North Midkiff Road. - Council District 3).

Senior Planner Rolandrea Russell gave an overview of the project. With no letters of objection received, staff recommended approval.

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

The applicant deferred to staff.

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

Commissioner Lawrence moved to approve a request by Brian Levy dba Fat Bird, LLC, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 2,400 - square foot portion of Lot 5A, Block 1A, Midkiff Plaza, Section 16, City and County of Midland,

Texas. (Generally located on the south side of Courtyard Drive, approximately 865 feet east of North Midkiff Road. - Council District 3); seconded by Commissioner Sisniega.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

11. Hold a public hearing and consider a request by Vine Pizza, LLC, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 5,800 - square foot portion of Block 1, less the 250 x 150 NW corner and less the 224 x 150 SW corner, Re-plat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wadley Avenue, approximately 310 feet east of North Midkiff Road. - Council District 3).

Senior Planner Rolandrea Russell gave an overview of the project. With no letters of objection received, staff recommended approval.

Commissioner Williams asked if there was a link between the two properties are. Planning Division Manager Cristina Odenborg Burns explained that they were linked in the back, and that the owner was present to answer any further questions.

The public hearing was opened at 3:42 p.m.

The applicant, Raymond Blanchard, was present. He gave an overview of the project and was open for questions.

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

Commissioner Gardaphe moved to approve a request by Vine Pizza, LLC, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 5,800 - square foot portion of Block 1, less the 250 x 150 NW corner and less the 224 x 150 SW corner, Re-plat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of West Wadley Avenue, approximately 310 feet east of North Midkiff Road. - Council District 3); seconded by Commissioner Bryant.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

12. Hold a public hearing and consider a request by Danny Harris for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 2, Block 63, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the west side of Bunche Street, approximately 56-feet south of E. California Avenue. Council District 2).

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

The public hearing was opened at 3:46 p.m.

The applicant deferred to staff.

The public hearing was closed at 3:46 p.m.

Commissioner Williams moved to approve a request by Danny Harris for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 2, Block 63, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the west side of Bunche Street, approximately 56-feet south of E. California Avenue. Council District 2); seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and

Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

13. Hold a public hearing and consider a request by Danny Harris for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 23, Block 56, Park Avenue Heights, City and County of Midland, Texas. (Generally located on the north side of E. Pennsylvania Avenue, approximately 216-feet east of S. Lamesa Road. Council District 2).

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

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

The applicant deferred to staff.

The public hearing was closed at 3:48 p.m.

Commissioner Lawrence moved to approve a request by Danny Harris for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 23, Block 56, Park Avenue Heights, City and County of Midland, Texas. (Generally located on the north side of E. Pennsylvania Avenue, approximately 216-feet east of S. Lamesa Road. Council District 2); seconded by Commissioner Lucy Sisniega.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

14. Hold a public hearing and consider a request by Gonzalo Ornelas, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 3 and 11, Block 63, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the west side of Bunche Street, approximately 114-feet south of E. California Avenue, and on the northeast corner of the intersection of S. Madison Street and Cloverdale Road. Council District 2).

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

The public hearing was opened at 3: 50 p.m.

The applicant was not present.

The public hearing was closed at 3:50 p.m.

Commissioner Bryant moved to approve a request by Gonzalo Ornelas, for a zone change from MF-22, Multiple Family Dwelling District, to SF-3, Single Family Dwelling District, on Lots 3 and 11, Block 63, Park Avenue Heights, Section 2, City and County of Midland, Texas. (Generally located on the west side of Bunche Street, approximately 114-feet south of E. California Avenue, and on the northeast corner of the intersection of S. Madison Street and Cloverdale Road. Council District 2); seconded by Commissioner Lawrence.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

15. Hold a public hearing and consider a request by Jesus Jurado, for a zone change from C, Commercial District, to SF-3, Single Family Dwelling District, on Lots 11 through 13, Block 118, Southern Addition, City and County of Midland, Texas. (Generally located on the north side of E. New York Avenue, approximately 164-feet east of S. Baird Street. Council District 2).

Planner Taslima Khandaker gave an overview of the project. With no letters of objection received, staff recommend approval.

The public hearing was opened at 3:52 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:52 p.m.

Commissioner Bryant moved to approve a request by Jesus Jurado, for a zone change from C, Commercial District, to SF-3, Single Family Dwelling District, on Lots 11 through 13, Block 118, Southern Addition, City and County of Midland, TX. (Generally located on the north side of E. New York Avenue, approximately 164-feet east of S. Baird Street. Council District 2); seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

16. Hold a public hearing and consider a proposed Preliminary Plat of Lindsay Acres, Section 11 being a residential re-plat of the west half less 0.798-acres of Tract 5; the west 100 feet of the north 134.4-feet of Block 6; and 204-feet of the north 134.4 feet of the west part of Block 6; all out of Lindsay Acres, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Montgomery Avenue and Moran Street. Council District 2)

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

The public hearing was opened at 3:54 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:55 p.m.

Commissioner Gardaphe moved to approve a proposed Preliminary Plat of Lindsay Acres, Section 11 being a residential re-plat of the west half less 0.798-acres of Tract 5; the west 100 feet of the north 134.4-feet of Block 6; and 204-feet of the north 134.4 feet of the west part of Block 6; all out of Lindsay Acres, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Montgomery Avenue and Moran Street. Council District 2); seconded by Commissioner Sisniega.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

17. Hold a public hearing and consider a request by Scott. A. Mommer for a Zone Change from a PD, Planned District for a Shopping Center to an Amended PD, Planned Development District for a Shopping Center on Lot 6, Block 45, Fairmont Park, Section 15, City and County of Midland, Texas. (Generally located approximately 809-feet south of West Loop 250 North and approximately 643-feet west of North Midland Drive. Council District 1).

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

Commissioner Gardaphe asked if any of the displays were going to be enclosed. Planning Division Manager Cristina Odenborg Burn explained that the tool center will be an actual addition to the building with an enclosure in the back, but the rental equipment will be placed just out on the lot.

Commissioner Lawrence asked if the project was going to encompass half of their parking lot. Planning Division Manager Cristina Odenborg Burn explained that they are updating their site plan and the project will only take up 10 of their existing parking spaces.

The public hearing was opened at 3:59 p.m.

The applicant was not present.

The public hearing was closed at 4:00 p.m.

Commissioner Ivey asked when the Tractor Supply business opened weren't they restricted from allowing them to put their products out in the parking areas. Planning Division Manager Cristina Odenborg Burn explained that she does not recall but the new zoning ordinance does allow for outdoor displays under the regional retail district.

Commissioner Lawrence moved to approve a request by Scott. A. Mommer for a Zone Change from a PD, Planned District for a Shopping Center to an Amended PD, Planned Development District for a Shopping Center on Lot 6, Block 45, Fairmont Park, Section 15, City and County of Midland, Texas. (Generally located approximately 809-feet south of West Loop 250 North and approximately 643-feet west of North Midland Drive. Council District 1); seconded by Commissioner Bryant.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

18. Hold a public hearing and consider a request by City of Midland for a zone change from a RR, Regional Retail District and C, Commercial District to SF-3, Single-Family Dwelling District on Lots 1, 2 and 4, Block 137, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Lamesa Road and East New York Avenue and on the west side of South Lamesa Road, approximately 216-feet south of East New York Avenue. Council District 2).

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

Commissioner Sparks asked why the city is only making the requests for these 3 lots instead of the entire section. Planning Division Manager Cristina Odenborg Burn explained that these 3 lots are currently owned by the city, and right now Planning is only re-zoning lots owned by the city. All other lots will have to be re-zoned by individual applications.

Commissioner Sparks asked if going forward every lot not owned by the city will have to be re-zoned by individual applications, forcing every contractor to apply for re-zoning before building. Planning Division Manager Cristina Odenborg Burn confirmed that for now that will be the procedure.

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

The applicant deferred to staff.

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

Commissioner Gardaphe moved to approve a request by City of Midland for a zone change from a RR, Regional Retail District and C, Commercial District to SF-3, Single-Family Dwelling District on Lots 1, 2 and 4, Block 137, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of South Lamesa Road and East New York Avenue and on the west side of South Lamesa Road, approximately 216-feet south of East New York Avenue. Council District 2); seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

19. Hold a public hearing and consider a request by Jose Mendez for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 2, Block 28, Greenwood Addition Third, Fourth, and Fifth Sections, City and County of Midland, Texas. (Generally located on the west side of South Stonewall Street, approximately

50-feet south of East New York Avenue. Council District 2).

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

The public hearing was opened at 4:05 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:06 p.m.

Commissioner Bryant moved to approve a request by Jose Mendez for a zone change from a C, Commercial District to SF-3, Single-Family Dwelling District on Lot 2, Block 28, Greenwood Addition Third, Fourth, and Fifth Sections, City and County of Midland, Texas. (Generally located on the west side of South Stonewall Street, approximately 50-feet south of East New York Avenue. Council District 2); seconded by Commissioner and Sisniega.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

20. Hold a public hearing and consider a request by Weldon Carter for a zone change from a RR, Regional Retail District to SF-3, Single-Family Dwelling District on Lots 1 and 2, Block 7, Greenwood Addition, Second Section, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Indiana Avenue and South Webster Street. Council District 2).

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

The public hearing was opened at 4:07 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:08 p.m.

Commissioner Lawrence moved to approve by Weldon Carter for a zone change from a RR, Regional Retail District to SF-3, Single-Family Dwelling Dist. on Lots 1 and 2, Block 7, Greenwood Add, Second Sec, City and County of Midland, TX. (Generally located on the southwest corner of the intersection of Indiana Ave and South Webster St. Council Dist. 2); seconded by Commissioner Gardaphe.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

21. Hold a public hearing and consider a request by Weldon Carter for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 5 and 6, Block 12, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of South Webster Street and Washington Avenue. Council District 2).

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

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

The applicant was present but deferred to staff.

the public hearing was closed at 4:09 p.m.

Commissioner Williams moved to approve a request by Weldon Carter for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lots 5 and 6, Block 12, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of South Webster Street and Washington Avenue. Council District 2); seconded by Commissioner Bryant.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

22. Hold a public hearing and consider a request by Weldon Carter for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 5, Block 23, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, TX. (Generally located on east side of South Benton St., approximately 60-feet north of East New York Ave. Council District 2).

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

The public hearing was opened at 4:11 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:11 p.m.

Commissioner Gardaphe moved to approve a request by Weldon Carter for a zone change from a MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 5, Block 23, Greenwood Addition, Third, Fourth and Fifth Sections, City and County of Midland, Texas. (Generally located on the east side of South Benton Street, approximately 60-feet north of East New York Avenue. Council District 2); seconded by Commissioner Sisniega.

The motion carried by the following vote: AYE: Williams, Ivey, Gardaphe, Sparks, Lawrence, Bryant, and Sisniega. NAY: None. ABSTAIN: None. ABSENT: Wilton.

Miscellaneous

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:12 p.m.

Josh Sparks, Chairman

Date

Cristina Odenborg Burns, Planning Division Manager
Development Services Department

Date



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Rolandrea Russell, Senior Planner

SUBJECT: Consider a proposed Preliminary Plat of Claydesta Plaza, Section 14 being a replat of Lot 2, Block 14, Claydesta Plaza, Section 7, City and County of Midland, Texas. (Generally located on the west side of North Big Spring Street, approximately 805-feet north of Veterans Airpark Lane. Council District 3)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant, Maverick Engineering, is proposing to replat Lot 2, Block 14, of Claydesta Plaza, Section 7, City and County of Midland, Texas into two (2) lots. The property is located at 4105 North Big Springs Street.

Current Zoning:

RR, Regional Retail District (Ordinance No. 8541)

Surrounding Zoning and Land Use:

The properties to the north and west are zoned PD, Planned District for an Office Center (Ordinance No. 5695) and the location of undeveloped property. The properties to the east are zoned PD, Planned District for an Office Center (Ordinance No. 6552), RR, Regional Retail District (Ordinance No. 9833) and O-2, Office District (6177) and the location of a hotel, vacant land and an office building respectively. The property to the south is zoned RR, Regional Retail District (Ordinance No. 8541) and the location of credit union.

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

CODE: Approved

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

SURVEYOR: Approved.

check the coordinate value of the Point of Beginning.

ENGINEERING: Approved with Conditions

DENIED

ROW: ROW okay as shown.

PAVING: Big Spring Street is constructed to City Standards. No Public paving improvements required.

WATER: 6" water main exists in an easement to the west of the site. No public water improvements required.

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

PRO RATA: None

SEWER: 8" wastewater main existing in an easement to the West of the site. No public sewer improvements are required.

DRAINAGE: Drainage report required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: Approved

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

Depending on the nature and scale of the proposed development, a Traffic Impact

Analysis MAY be required prior to approval of construction drawings.

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

Depending on the scale of development a water supply capable of meeting the fire flow demands is required.

Oil and Gas: Approved

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

Colorado River Municipal Water District:

No Comments.

Airport Operations:

Nothing can be built on this location without an FAA Form-7460 (Notice of Proposed Construction or Alteration) approval.

https://www.faa.gov/documentlibrary/media/form/faa_form_7460-1_2017.pdf

PLANNING:

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

Show utility poles.

Change lot 2C to Lot 2A.

Show recording data of existing Utility and Drainage easement shown was of the proposed plat.

If there is a Declaration of Restrictive Covenants this document must be approved P&Z prior to Final Plat approval.

Identify the Zone of the flood plain indicated on the plat face and include symbol with in the legend.

Amend note 5 verbiage as needed.

All department's comments must be addressed as a condition of final plat approval subject to the following conditions.

Conditions:

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

Attachments:

Proposed Preliminary Plat
Application
Map

PRELIMINARY PLAT

CLAYDESTA PLAZA SECTION 14

BEING RE-PLAT OF LOT 2, BLOCK 14, CLAYDESTA PLAZA, SECTION 7,
CITY AND COUNTY OF MIDLAND, TEXAS

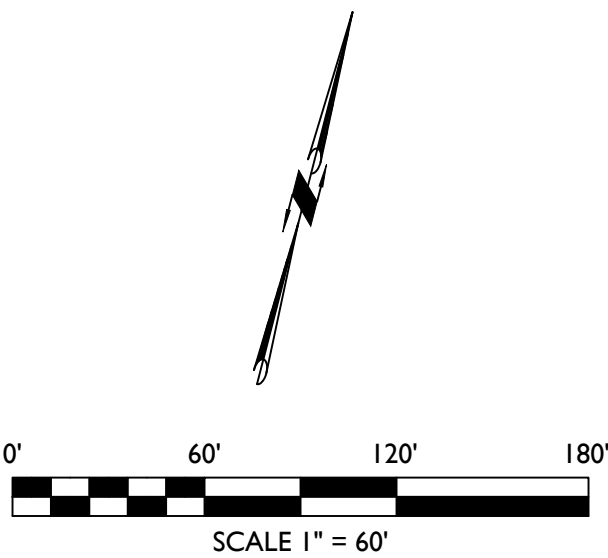
FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.E.P. FLOOD INSURANCE RATE MAP #48329C00876 DATED SEPTEMBER 16, 2005, PORTIONS OF THIS PROPERTY ARE WITHIN THE SHADED PORTION OF ZONE "AH", DESIGNATED AS "AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN, WITH A BASE FLOOD ELEVATION OF 2.782" AND PARTIALLY WITHIN THE UNSHADED PORTION OF ZONE "X", DETERMINED TO BE "AREAS OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

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. BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOTS ARE RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. HEREBY ESTABLISHED IS A JOINT ACCESS, CROSS-ACCESS, AND PARKING EASEMENT FOR ALL LOTS 2B, AND 2C, BLOCK 14 AS REPRESENTED HEREON.



LEGEND

- DENOTES SET 1/2-INCH IRON ROD
- DENOTES FOUND 1/2-INCH IRON ROD UNLESS OTHERWISE NOTED
- - - - - DENOTES EXISTING EASEMENT LINE
- — — — — DENOTES BOUNDARY LINE
- - - - - DENOTES EXISTING LOTS
- O.R.M.C.T. DENOTES OFFICIAL RECORDS, MIDLAND CO., TX
- D.R.M.C.T. DENOTES DEED RECORDS, MIDLAND CO., TX
- P.R.M.C.T. DENOTES PLAT RECORDS, MIDLAND CO., TX

14
3
NGSG PROPERTIES LLC
CLAYDESTA PLAZA
SECTION 13
CABINET "J", PAGE 2017-197
P.R.M.C.T.

R = 3274.97'
A = 708.50'
Δ = 12°23'43"
CB = N 06°07'36" W
C = 707.12'

14
LOT 2B
4.548 Acres
198,128 Sq. Feet

14
LOT 2C
0.796 Acres
34,690 Sq. Feet

14
IB
MY COMMUNITY FEDERAL CREDIT UNION
CLAYDESTA PLAZA
SECTION 13
CABINET "J", PAGE 2017-197
P.R.M.C.T.

P.O.B.
N: 10708909.79
E: 1753307.47

4
1
BIODEC LLC
CORPORATE PLAZA
SECTION 6
CABINET D, PAGE 298
P.R.M.C.T.

4
2
MIDLAND CANAM
ENTERPRISES LTD
CORPORATE PLAZA
SECTION 6
CABINET D, PAGE 298
P.R.M.C.T.

4
2A
FIRST BASIN CREDIT UNION
CORPORATE PLAZA
SECTION 22
CABINET L, PAGE 137
P.R.M.C.T.

4
2B
FIRST BASIN CREDIT UNION
CORPORATE PLAZA
SECTION 22
CABINET L, PAGE 137
P.R.M.C.T.

4
3
FIRST BASIN CREDIT UNION
CORPORATE PLAZA
SECTION 5
CABINET D, PAGE 230
P.R.M.C.T.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

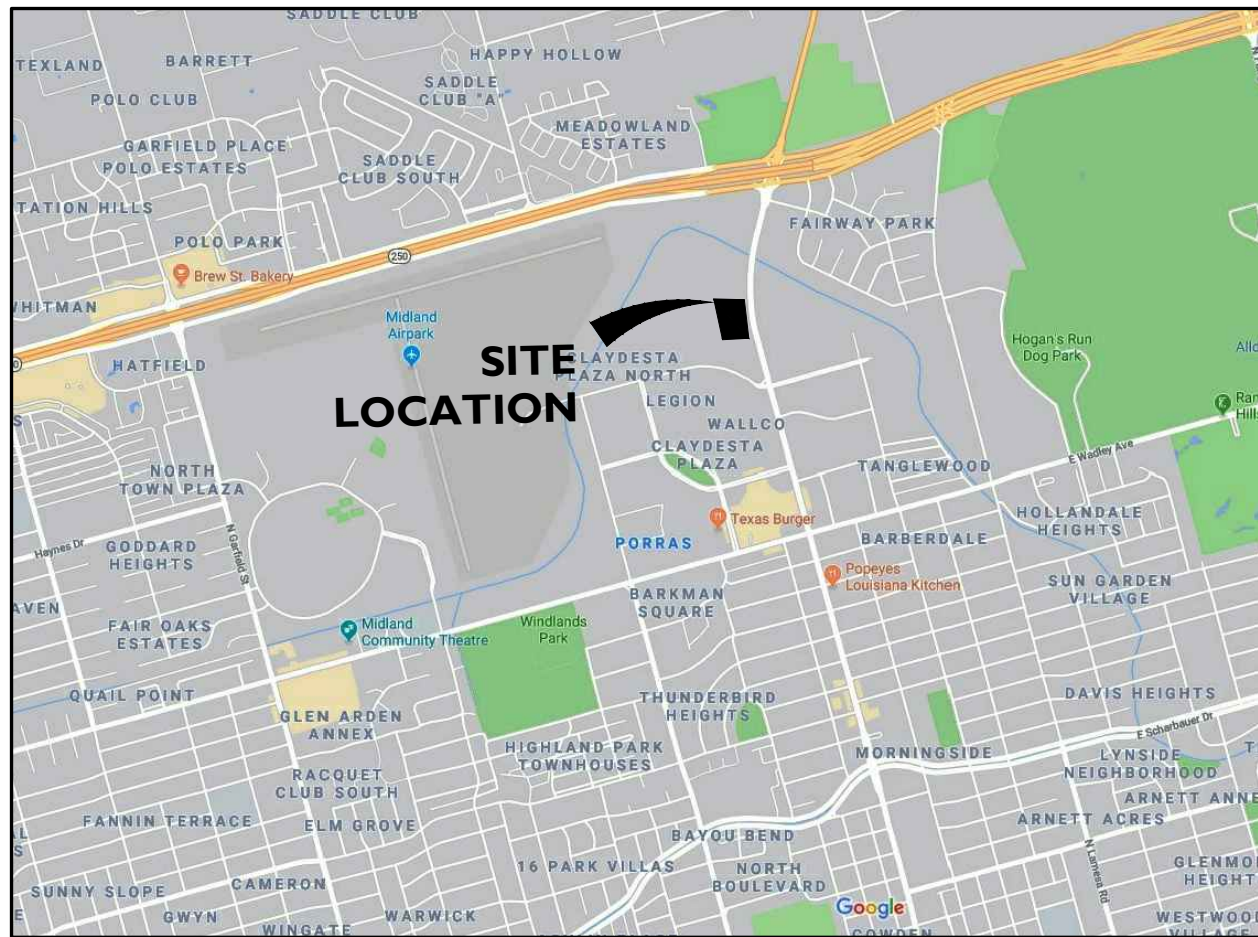
ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____



VICINITY MAP

N.T.S.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS MIDLAND NORTHTOWN DEV LLC is the record owner of a tract of land situated in Section 14, 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 MIDLAND NORTHTOWN DEV LLC, being the owner of the land shown on this plat designated as CLAYDESTA PLAZA, SECTION 14, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed herein, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon, and do hereby 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 _____, 2019.

By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, PAUL WILSON, a Registered Professional Surveyor in the State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the corner monuments shown on this plat, and that the same are properly located under my personal supervision, in accordance with the provisions of the Texas Surveying Regulations, Chapter 100, Texas Administrative Code.

PAUL WILSON, Surveyor
Maverick Engineering (TX) P.C.
1909 W. Wall Street, Suite 1000
Midland, TX 79701

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of CLAYDESTA PLAZA, SECTION 14, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

_____ day of _____, 2019.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY



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, SECTION 14

VETERANS AIRPARK LANE (VARIABLE' R.O.W.)

PROPERTY OWNER

MIDLAND NORTHTOWN DEV LLC
CLAY DESTA PL
6 DESTA DR, STE 5725
MIDLAND, TEXAS 79705
VOLUME 2898, PAGE 70, DRMC

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



Preliminary Plat Application

Project Number:

SUB-19-0270

Case Number:

D-19-0694

Proposed Subdivision Plat Name: Claydesta Plaza, Section 14**Legal Description (attached sealed Metes and Bounds):** Being a Re-Plat of Lot 2, Block 14, Claydesta Plaza, Section 7, City and County of Midland, Texas**Property Owner** Midland Northtown Dev LLC

Printed Name: Clay Desta LP

Phone ()
Email

Address 6 Desta Dr, 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: RR**Reason for Platting:** Ownership Purposes**Plat Information**

Total Acreage:

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

Number of Lots: 0

Number of Multi-Family Dwelling Units: 0

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

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

RECEIVED

SEP 23 2019

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

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

Provisions

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

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

Property Owner (signature):

Date:

Property Owner (printed) : _____

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 25 day of September, 20 19, 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 #

2937

Received By:

Rolandra

Fussell

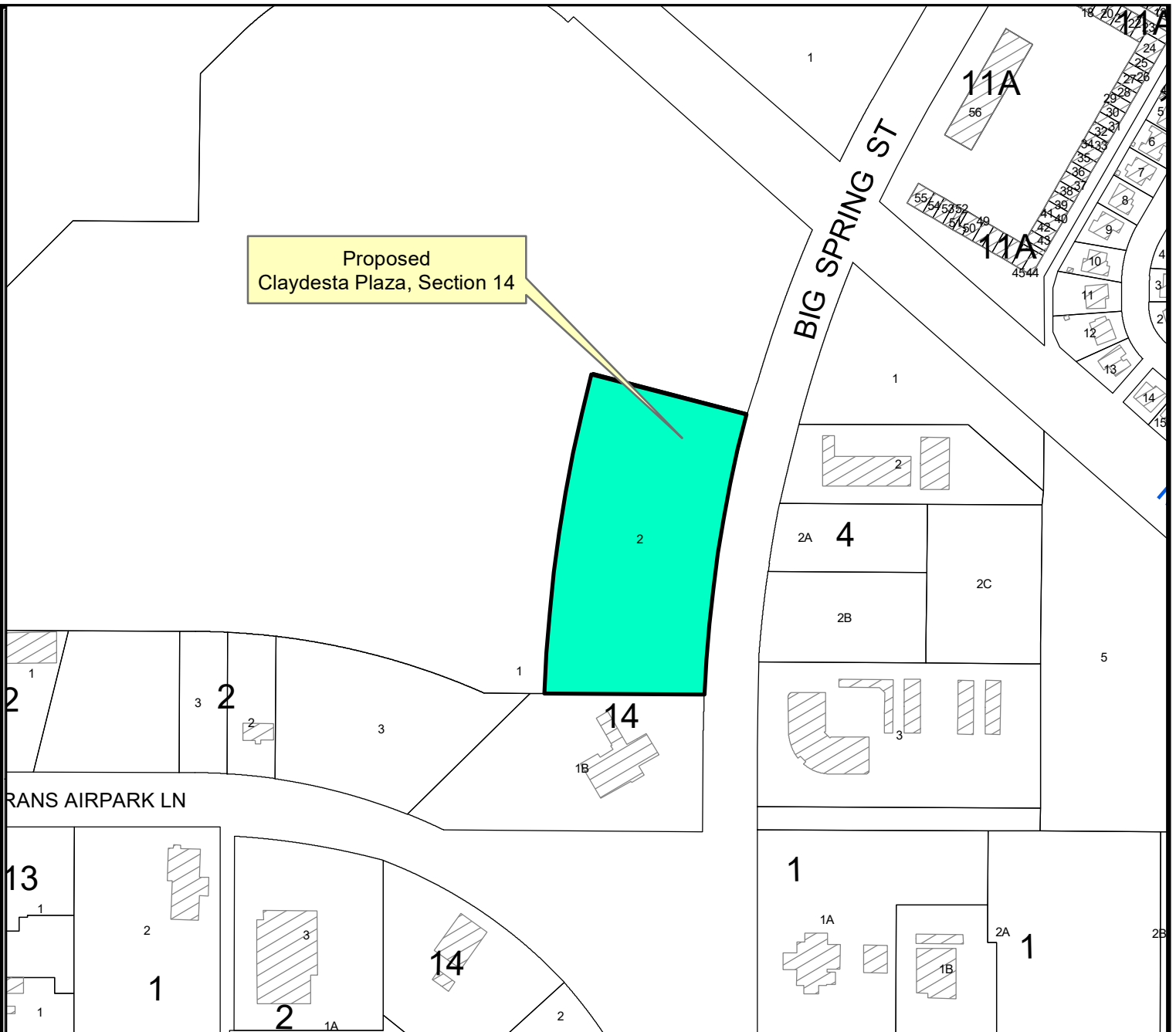
Date:

SEP 20 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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

Proposed
Claydesta Plaza, Section 14



LOCATION MAP

SUB-19-0270

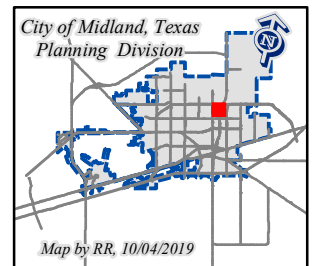
Scale: 1" = 200'

Consider a proposed plat of Claydesta Plaza, Section 14 being a replat of Lot 2, Block 14, Claydesta Plaza, Section 7, City and County of Midland, Texas.

Generally located on the west side of North Big Spring Street, approximately 805-feet north of Veterans Airpark Lane. Council District 3

LEGEND

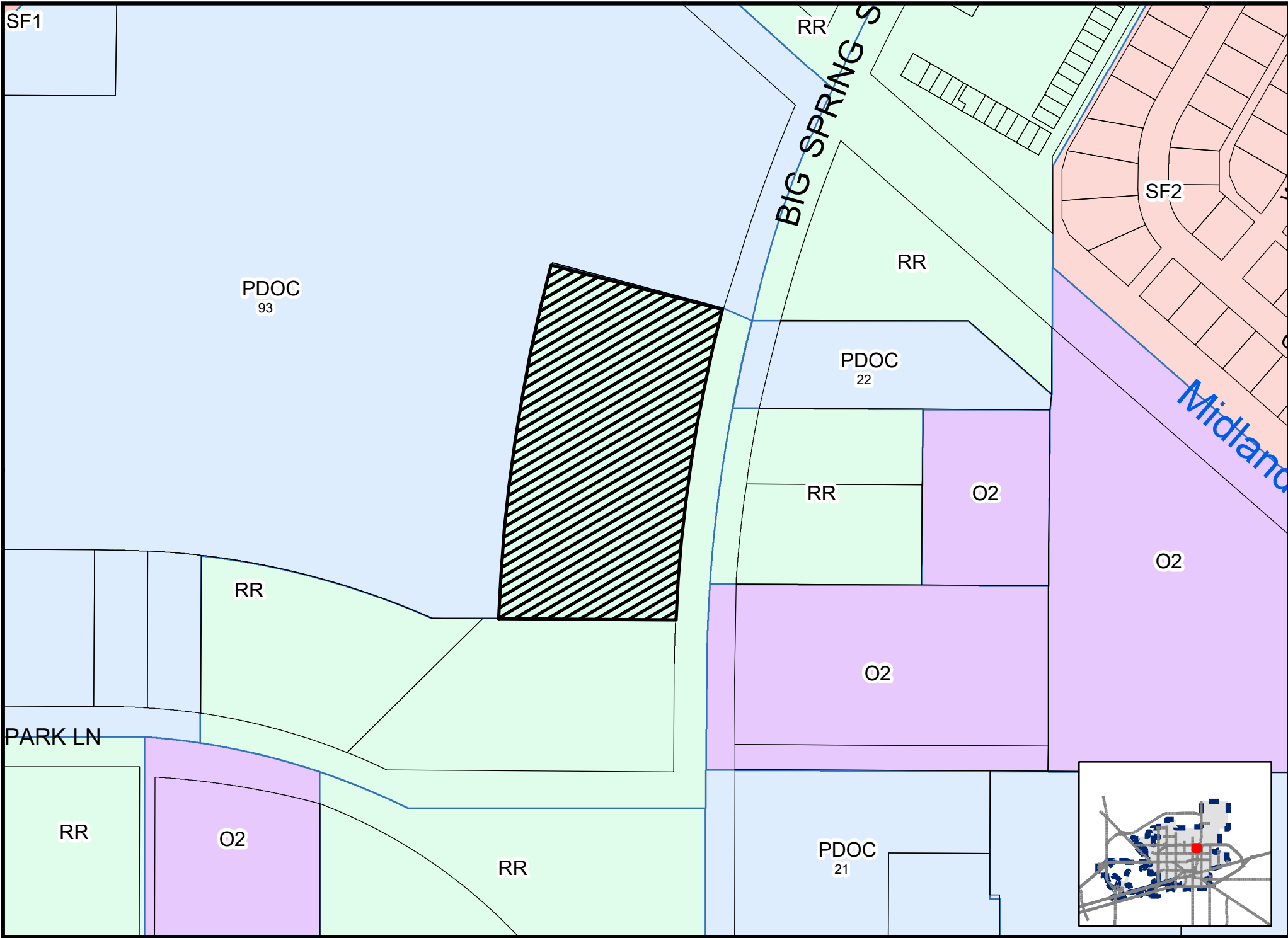
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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.



48.017 ACRES
CITY OF MIDLAND
VOL. 1027, PAGE 199
D.R.M.C.T.

$R = 3274.97'$
 $A = 708.50'$
 $\Delta = 12^\circ 23' 43''$
 $CB = N 06^\circ 07' 36'' W$
 $C = 707.12'$

GED WELL PAD

50' DRAINAGE &
UTILITY EASEMENT

500' RADIUS
FROM WELL

14

LOT 2B
4.548 Acres
198,128 Sq. Feet

LOT 2A

14

LOT 2C
0.796 Acres
34,690 Sq. Feet

S $89^\circ 55' 47''$ E 349.97'

N $75^\circ 52' 24''$ E - 196.22'

N $14^\circ 05' 47''$ W - 183.41'

S $75^\circ 52' 28''$ W 350.22'

184.03'

166.19'

$R = 2924.95'$
 $A = 621.77'$
 $\Delta = 12^\circ 10' 47''$
 $CB = S 06^\circ 01' 08'' E$
 $C = 620.60'$

P.O.B.
N:10709609.79
E:1753307.47

N. BIG SPRING STREET (120' R.O.W.)

FIRST BASIN
CORPORATION
SEC
CABINET
P.L.



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Rolandrea Russell, Senior Planner

SUBJECT: Consider a proposed Preliminary Plat of Grassland Estates West, Section 12 being a plat of 30.307-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located approximately 722-feet west of the intersection State Highway 158 and State Highway 191. ETJ, Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant, Winkelmann & Associates, Inc., is proposing to plat a 30.307-acre tract of land out Section 35, Block 40, T-1-S, T&P, RR. Co. Survey, Midland County, Texas located approximately 722-feet west of the intersection of State Highway 158 and State Highway 191 into three (3) lots.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Surrounding Zoning and Land Use:

The properties to the north are zoned PD, Planned District for a Housing Development and the location of single-family residences. The property to the south is zoned RR, Regional Retail. The properties to the east and west are located in the ETJ, Extraterritorial Jurisdiction and the location of vacant land.

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

Engineering: Approved with Conditions

ROW: Ok as shown

PAVING: State Highway 191 Frontage road and State Highway 158 are TXDOT facility, built and maintained by TxDOT, no improvements required. Prosed Sinclair Avenue and Kirkland Drive will need to be paved following City Standards for entire platted frontage or request a deferral. Deferral request can only be approved/denied as item on Council Agenda.

WATER: Existing 30" water main along State Highway 158, None existing on Sinclair Ave or future Kirkland Drive. Construct water to City standards along entire platted frontage or request a deferral. Deferral request can only be approved/denied as item on Council Agenda.

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

PRO RATA: NONE

SEWER: None existing. Construct wastewater to City Standards along entire platted frontage or request a deferral. Deferral request can only be approved/denied as item on Council Agenda.

DRAINAGE: Drainage study required. 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

SIDEWALKS: Required with building permit

DIMENSION: * * *

OTHER: * * *

Impact fees: Provide the following general note on the plat face:

Initial Impact Fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the building permit process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.

Stormwater Tier Assessment:

Per Director of Engineering Services, provide the total square footage of the impervious area of said development. Be aware that overhangs over impervious area should not be counted if the impervious area underneath has already been assessed in the total impervious square footage.

Transportation: Approved with Conditions

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 2 new intersections created at \$500/intersection = \$1,000.

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

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.

Midland County:

Comments attached.

GIS:

See attachment.

Fire: Approved

No comments.

Surveyor: Approved

No Comments.

Colorado River Municipal Water District

No comments

Code Administration: Approved

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

Oil and Gas: Approved

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

Planning:

Legal description on the plat face should read: "Being a plat a 30.307-acre tract of land out of Section 35, Block 40, T-1-S, T&P R.R. Co. Survey, Midland County, Texas."

Provide documentation showing ownership or transfer of ownership for portions proposed lot. Must match City records and the Midland Central Appraisal District's records. City and MCAD records show owner being Cumberland & Western Resources, LLC, plat shows property owner as Costco Wholesale.

Provide the width of existing rights-of-way.

Proposed plat must include rights-of-way being annexed.

Remove the proposed verbiage attached to the street names.

Provide street name for portion of State Highway 158 that was included in annexation.

Remove Point of Commencing verbiage.

Use heavy, solid line for plat boundary, dashes if within contiguous ROW, lighter line for internal lots. It is unclear if the tract to the tract of land owned by L&L Austex, LLC is included in proposed plat.

Show existing water and sewer lines, and other above or below ground utilities within and adjacent to the plat, with pipe sizes and locations indicated on plat face and in legend.

Show location of existing utility poles on plat face along within the legend that abuts the proposed plat.

Provide comprehensive legend for symbols illustrated in plat face.

Provide the dimensioned location of all easements.

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

Staff recommends approval of this Preliminary Plat subject to conditions A-C.

Conditions:

A. That the drainage plan is submitted and approved as addressed above.

B. That all the technical items listed above are addressed.

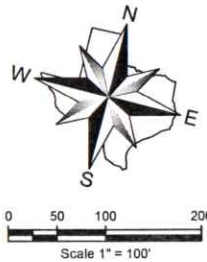
- C. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Application
Maps



VICINITY MAP
NOT TO SCALE



ABBREVIATION LEGEND

ABBR.	DEFINITION
CC#	COUNTY CLERK'S FILE NO.
CMON	CONCRETE MONUMENT FOUND
BMON	BRASS MONUMENT FOUND
AMON	ALUMINUM MONUMENT FOUND
R.O.W.	RIGHT-OF-WAY
TXDOT	TEXAS DEPARTMENT OF TRANSPORTATION

NOTES:

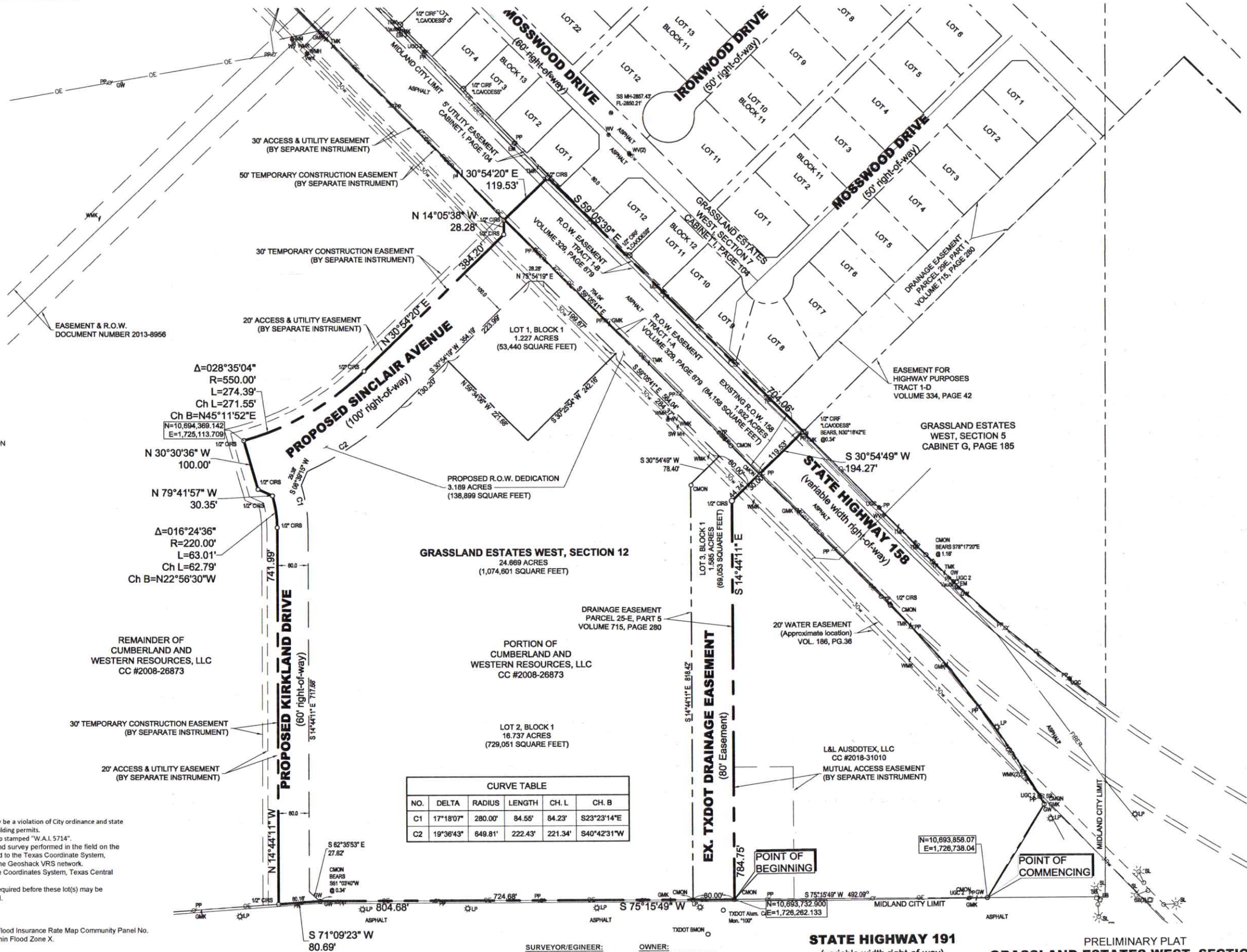
- Selling a portion of this addition by metes and bounds may be a violation of City ordinance and state law and subject to fines and withholding of utilities and building permits.
- All lot corners are set with 1/2-iron rod with red plastic cap stamped "W.A.I. 5714".
- Bearings shown hereon are based upon an on-the-ground survey performed in the field on the 24th day of May, 2019, utilizing a G.P.S. bearing related to the Texas Coordinate System, Texas Central Zone (4203), NAD 83, grid values from the Geoshack VRS network.
- Bearing/distances/coordinates to the Texas State Plane Coordinates System, Texas Central Zone, North American Datum of 1983.
- 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.

FLOOD NOTE

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48329C0200F, dated September 16, 2005, this property is within Flood Zone X.

Zone X - Areas determined to be outside the 0.2% annual chance floodplain.

This flood statement does not imply that the property and/or the structure 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 flood statement shall not create liability on the part of the surveyor.



CURVE TABLE				
NO.	DELTA	RADIUS	LENGTH	CH. L.
C1	17°18'07"	280.00'	84.55'	84.23'
C2	19°36'43"	649.81'	222.43'	221.34'

SURVEYOR/ENGINEER:
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
(972) 490-7090

OWNER:
COSTCO WHOLESAL
999 LAKE DRIVE
ISSAQUAH, WA 98027

STATE HIGHWAY 191
(variable width right-of-way)

PRELIMINARY PLAT
GRASSLAND ESTATES WEST, SECTION 12
LOTS 1-3, BLOCK 1
LOCATED WITHIN THE T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
MIDLAND, MIDLAND COUNTY, TEXAS
DATE OF PREPARATION SEPTEMBER, 2019

PRELIMINARY PLAT
GRASSLAND ESTATES
WEST, SECTION 12

SHEET
1
2

Date: 09.18.19
Scale: 1" = 100'
File: 59828-PPLT
Project No.: 59828.00

T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
CITY OF MIDLAND
MIDLAND COUNTY, TEXAS
COSTCO WHOLESAL
999 LAKE DRIVE
ISSAQUAH, WA 98027

Winkelmann
& Associates, Inc.
CONSULTING CIVIL ENGINEERS • SURVEYORS
6750 HILLCREST PLAZA, SUITE 215
DALLAS, TEXAS 75230
TEL: 972-490-7090 FAX: 972-490-7091
COPYRIGHT © 2019, Winkelmann & Associates, Inc.

OWNERS CERTIFICATION

BEING A PLAT FOR A 24.669 ACRE TRACT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 35, BLOCK 40 T-1-S, T&P RAILROAD CO. SURVEY, ABSTRACT NUMBER 378, MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, CUMBERLAND AND WESTERN RESOURCES, LLC, is the sole owner of a tract of land situated in the T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378, City of Midland, Midland County, Texas and being situated in Section 35, Block 40 T-1-S, and being a portion of a tract of land as described in deed to Cumberland and Western Resources, LLC, as recorded in County Clerk's Instrument Number 2008-26873, Official Public Records, Midland County, Texas, and being a portion of State Highway 158, a variable width right-of-way, and being more particularly described as follows:

COMMENCING at (N=10,693.858 07' E=1,726.738 04') a concrete monument found for the Southwesterly corner of a corner clip at the intersection of the Northerly right-of-way of said State Highway 191 and the Southwesterly right-of-way of said State Highway 158, said point being the Southeasterly corner of a tract of land as described in deed to L&L Ausddtex, LLC, as recorded in County Clerk's Instrument Number 2018-31010, Official Public Records, Midland County, Texas;

THENCE South 75 deg 15 min 49 sec West, along the Southerly line of said L&L Ausddtex tract and the Southerly line of said Cumberland tract and the Northerly right-of-way of said State Highway 191, a distance of 492.09 feet a concrete monument found for the POINT OF BEGINNING, said concrete monument being the Southwesterly corner of said L&L Ausddtex tract;

THENCE South 75 deg 15 min 49 sec West, continuing along the Southerly line of said Cumberland tract and the Northerly right-of-way of said State Highway 191, a distance of 804.68 feet to a point for corner, from which a concrete monument bears South 51 deg 03 min 40 sec West, at a distance of 0.34 feet;

THENCE South 71 deg 09 min 23 sec West, continuing along the Southerly line of said Cumberland tract and the Northerly right-of-way of said State Highway 191, a distance of 80.69 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE departing the Northerly right of way of said State Highway 191 and over and across said Cumberland tract the following:

North 14 deg 44 min 11 sec West, a distance of 741.99 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the beginning of a curve to the left, with a radius of 220.00 feet, a central angle of 16 deg 24 min 36 sec, a chord bearing of North 22 deg 56 min 30 sec West, and a chord length of 62.79 feet;

Along said curve to the left, an arc distance of 63.01 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 79 deg 41 min 57 sec West, a distance of 30.35 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 30 deg 30 min 36 sec West, a distance of 100.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the beginning of a non-tangent curve to the left, with a radius of 550.00 feet, a central angle of 28 deg 35 min 04 sec, a chord bearing of North 45 deg 11 min 52 sec East, and a chord length of 271.55 feet;

Along said non-tangent curve to the left, an arc distance of 274.39 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 30 deg 54 min 20 sec East, a distance of 384.20 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 14 deg 05 min 41 sec West, a distance of 28.28 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner; said iron rod being situated in the Northeasterly line of said Cumberland tract and the Southerly right-of-way of said State Highway 158;

THENCE North 30 deg 54 min 20 sec East, over and across said State Highway 158, a distance of 119.53 feet, to a point for corner, said point being situated in the Northerly line of said State Highway 158 and the Southwesterly line of Grassland Estates West, Section 7, an addition to the City of Midland, Midland County, Texas, according to the plat thereof recorded in Cabinet I, Page 104, Official Public Records, Midland County, Texas;

THENCE South 59 deg 05 min 39 sec East, along the Southwesterly line of said Grassland Estates West, Section 7, and the Northerly right-of-way of said State Highway 158, a distance of 704.06 feet to a point found for Southeast corner of said Grassland Estates West, Section 7, from which a 1/2-inch iron rod with plastic cap stamped "LCA/ODESS" bears North 30 deg 18 min 42 sec East, at a distance of 0.34 feet;

THENCE South 30 deg 54 min 49 sec West, over and across said State Highway 158, passing a point in the Southerly right-of-way of said State Highway 158 and the Northeasterly line of said Cumberland tract, said point being the Northwesterly corner of said L&L Ausddtex, LLC tract, at a distance of 119.53 feet, continuing over and across said Cumberland tract and along the Northwesterly line of said L&L Ausddtex, LLC tract for a total distance of 194.27 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 14 deg 44 min 11 sec East, continuing over and across said Cumberland tract and along the Westerly line of said L&L Ausddtex, LLC tract, a distance of 784.75 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 24.669 acres or 1,074,801 square feet of land, more or less. Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 24th day of May, 2019, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

DEDICATION STATEMENT

STATE OF TEXAS §
COUNTY OF §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, COSTCO WHOLESALE & CUMBERLAND AND WESTERN RESOURCES, LLC, do hereby adopt this plat as GRASSLAND ESTATES WEST, SECTION 12, an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use and benefit forever the streets and alleys shown thereon for all public purposes including but not limited to all street purposes and the right of the City of Midland and its assigns to lay, install, operate, repair, replace and remove and reconstruct any and all public utilities including but not limited to water lines, sanitary sewer lines, drainage and storm sewer lines and canals, gas lines, telephone poles and lines, electrical power lines and appurtenances. The right to establish grades on said dedicated streets and alleys is hereby granted to the City of Midland and all claims for damages which may arise by reason of changing the present surface of said streets to conform to said grades are hereby waived.

IN WITNESS THEREFORE, I have hereunto set my hand this the _____ day of _____, 2019.

COSTCO WHOLESALE

IN WITNESS THEREFORE, I have hereunto set my hand this the _____ day of _____, 2019.

CUMBERLAND AND WESTERN RESOURCES, LLC

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day, personally appeared COSTCO WHOLESALE, 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 purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE _____ day of _____, 2019

Notary Public in and for State of Texas

My Commission Expires: _____

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day, personally appeared CUMBERLAND AND WESTERN RESOURCES, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE _____ day of _____, 2019

Notary Public in and for State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

This is to certify that I, Leonard J. Lueker, a Registered Professional Land Surveyor of the State of Texas, having platted the above subdivision from an actual survey on the ground, and that all lot corners, and angle points, and points of curve shall be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

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.

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
l.lueker@winkelmänn.com

Winkelmänn & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 215
Dallas, Texas 75230
(972) 490-7090 www.winkelmänn.com

Please note that the use of the word "CERTIFY" or "CERTIFICATE" used hereon constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day, personally appeared Leonard J. Lueker, 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 purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE _____ day of _____, 2019

Notary Public in and for State of Texas

My Commission Expires: _____

CERTIFICATE OF APPROVAL

For approval by the Commission:

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 _____ day of _____, 2019.

SIGNED: _____
Chairman of Planning & Zoning

(Print)

SIGNED: _____
Secretary of Planning & Zoning

(Print)

SURVEYOR/ENGINEER:
Winkelmänn & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
(972) 490-7090

OWNER:
COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH, WA 98027

PRELIMINARY PLAT
GRASSLAND ESTATES WEST, SECTION 12
LOTS 1-3, BLOCK 1
LOCATED WITHIN THE T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
MIDLAND, MIDLAND COUNTY, TEXAS
DATE OF PREPARATION SEPTEMBER, 2019

PRELIMINARY PLAT
GRASSLAND ESTATES
WEST, SECTION 12

T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
CITY OF MIDLAND
MIDLAND COUNTY, TEXAS
COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH, WA 98027

Date : 09.16.19
Scale : N/A
File : 58828-PPLT
Project No. : 58828.00

SHEET
2 of 2

Winkelmänn & Associates, Inc.
CONSULTING CIVIL ENGINEERS & SURVEYORS
8750 HILLCREST PLAZA, SUITE 215 DALLAS, TEXAS 75230
(972) 490-7090
Texas Engineer Registration No. 58
Professional Seal No. 1006600 Expires 12/31/2019
COSTCO WHOLESALE, 999 LAKE DRIVE, ISSAQUAH, WA 98027



Preliminary Plat Application

Project Number:

Case Number:

SUB-19-0258
P-19-0700

Proposed Subdivision Plat Name:

Grassland Estates Wes Sec 12

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

Property Owner

Printed Name: Cumberland & Western Resources LLC

c/o Betterton Tyler & Summonte, PL

Address 735 E. Venice Avenue #200

City Venice

Phone (941) 488-4422

Email greg@bettertonlaw.com

State FL Zip 34285

Developer (if different than Owner)

Printed Name: Costco Wholesale

Address 999 Lake Drive

City Issaquah

Phone (425) 313-6280

Email jfrank@costco.com

State WA Zip 98027

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

Firm:

Printed Name:

Address

City

Phone ()

Email

State

Zip

Current Zoning: Currently No Zoning; Requesting RR thru Annexation/Zoning Change request

Reason for Platting: Purchase of acres from overall parcel consisting of 335.98 acres

Overall Annexation (36.537 acres) & Zoning area (27.546 acres) is larger than 19 acres to accomodate adjacent owner & adjacent R.O.W.

Plat Information

Total Acreage: 30.307 acres

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):



Date:

Property Owner (printed) : Greg Betterton, Esq

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

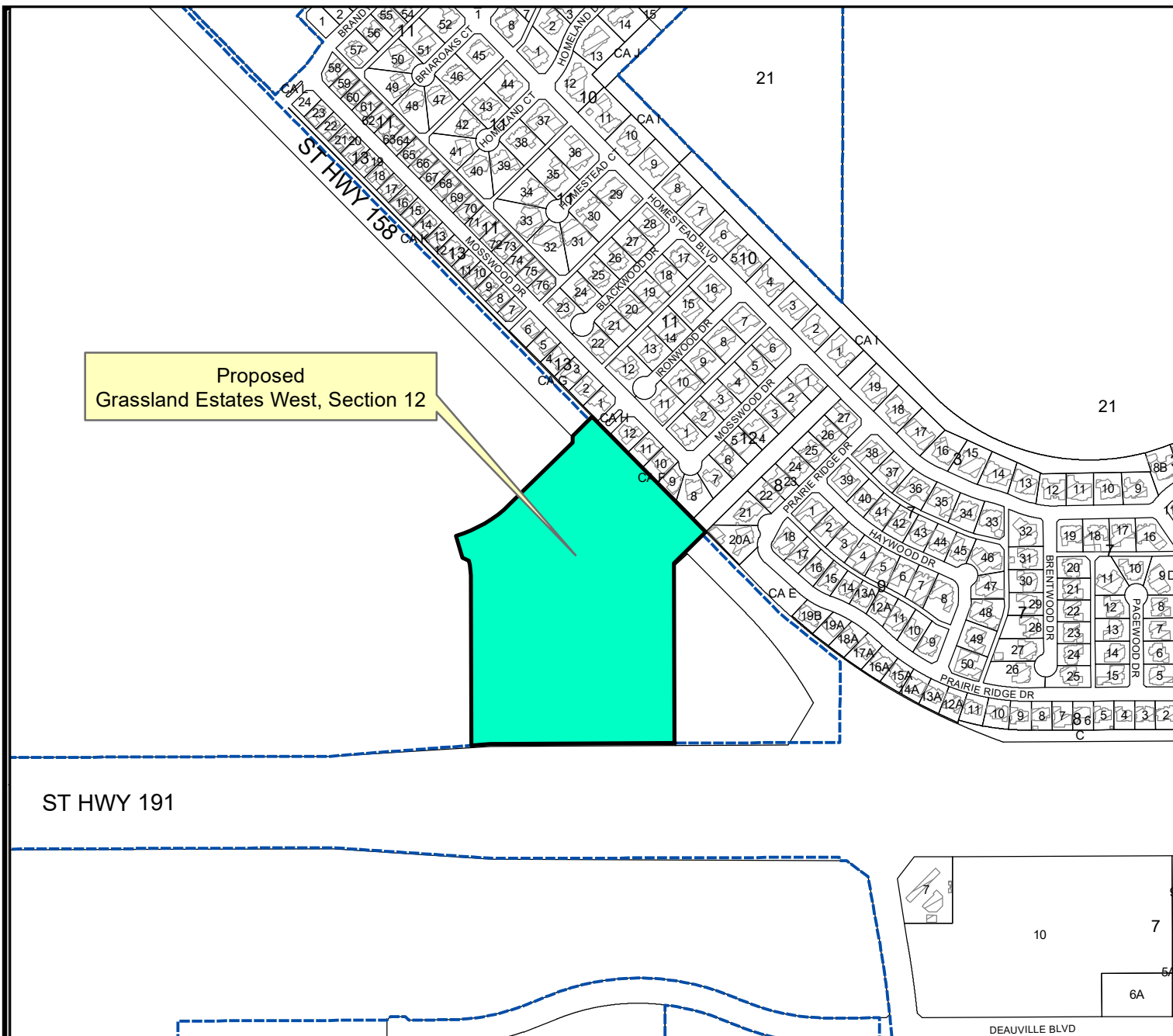
- | | | |
|---|---|--|
| ☐ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☐ Application Fee | ☐ 1 Copy of Plat (11x17) | |

Check # _____

Received By:

Date:

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



LOCATION MAP

SUB-19-0258

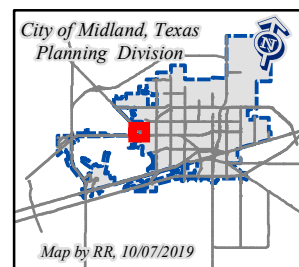
Scale: 1" = 400'

Consider a proposed Plat of Grassland Estates West, Section 12, being a plat of a 30.307-acre tract of land out Section 35, Block 40, T-1-S, T&P, RR. Co. Survey, Midland County, Texas.

Generally located approximately 722-feet west of the intersection State Highway 158 and State Highway 191.

LEGEND

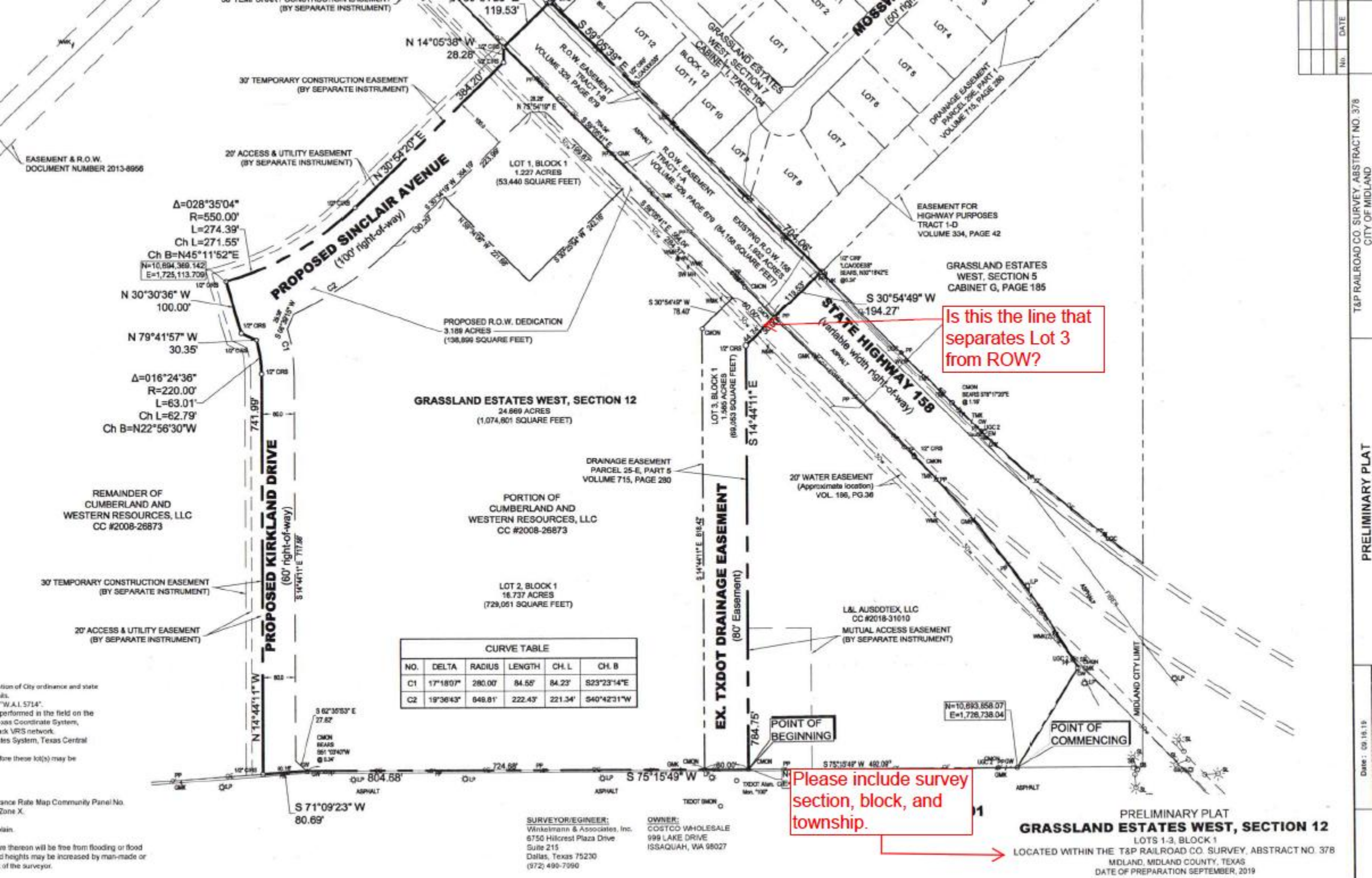
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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.



CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L.	CH. B
C1	17°18'07"	280.00'	84.55'	84.23'	S23°23'14"E
C2	19°30'43"	848.81'	222.43'	221.34'	S40°42'31"W

PRELIMINARY PLAT
GRASSLAND ESTATES WEST, SECTION 12
LOTS 1-3, BLOCK 1
LOCATED WITHIN THE T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
MIDLAND, MIDLAND COUNTY, TEXAS
DATE OF PREPARATION SEPTEMBER, 2019



October 5, 2019

City of Midland
Development Services
ATTN: Ms. Rolandrea Russel, Sr. Planner
300 N. Loraine Street
Midland, Texas 79702

**RE: Preliminary Plat
Grassland Estates West, Section 12, Lots 1-3, Block 1
(formerly Proposed Costco Midland Addition, Lots 1-5, Block 1)
T&P Railroad County Survey, Abstract 378**

Owner: Cumberland & Western Resources LLC
Owner's Representative: Betterton Tyler & Summonte, PL
Developer: Costco Wholesale
Surveyor/Engineer: Winkelman & Associates, Inc.

Ms. Russell –

On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The 24.669-acre site is situated in a tract of land (noted above) and is located in the west corner of the intersection of State Highway 158 and State Highway 191. Currently, the subject property is not zoned; however, the applicant has indicated intent to request both annexation and zoning change with the City of Midland. Until such time, the plat will be reviewed for conformity to County standards and procedures.

In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a preliminary plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

In accordance with the adopted Subdivision Regulations, the sketch plan has been reviewed and the following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development.

ARTICLE I PLATS

1. Label name of proposed subdivision, streets, parks, physical features (Section 1.09)
2. Show all existing permanent man-made structures, including drainage/stormwater facilities. (Section 1.11)
3. Show existing topography on the subject property with 2-foot contours. (Section 1.15)
4. Provide a copy of all restrictions or restrictive covenant, if applicable. (Section 1.18)
5. Add the following note to the face of the plat if drives/streets/ are to be privately owned and maintained.

“MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.”

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
 - Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.
6. In addition, to the comments above, please add the following information on the plat:
 - a. City limit line
 - b. Existing zoning of adjacent lots/tracts

NOTE: Final Plat – Approval by Commissioners is required if the property is not annexed into the City prior to recordation. This is required if any roads are intended to be accepted into the County road system. If applicable, provide date that Commissioners Court is scheduled or note date that plat was considered and approved by Commissioners Court.

ARTICLE III STREET CONSTRUCTION

1. The following comments pertain to proposed Sinclair Avenue and Kirkland Drive, if intended to be accepted into the County system. Refer also to comments above.
 - a. All streets or roads must have a right-of-way of at least sixty (60) feet in width. (Section 3.03)
 - b. Alleys shall be provided in all subdivisions, except that the Commissioners Court may waive this requirement where other definite provision is made for service access. The right-of-way width of alleys shall be at least twenty (20) feet. (Section 3.05)
 - c. Dimension the diameter of the cul-de-sac/turnaround. The minimum right-of-way diameter is one hundred (100) feet. (Section 3.07)
2. In addition to the above comment, please provide the following additional information:
 - a. Provide additional information about internal circulation within the development.

October 5, 2019

Grassland Estates West, Section 12 (formerly Costco Midland Addition)

- b. Coordinate proposed Sinclair Drive and Street A with approved County Thoroughfare Plan and with the City Master Thoroughfare Plan, if property will be annexed into the City.

Note: These Regulations are subject to any County Thoroughfare Plan adopted by the Midland County Commissioners Court before or after the adoption of these Regulations. Any County Thoroughfare Plan adopted by the Midland County Commissioners Court is expressly incorporated into these Regulations to the same extent as if included herein. (Section 3.18) Contact Roads and Bridges Division for more information about the adopted County Thoroughfare Plan.

ARTICLE IX LOTS

1. Building setback lines be fifty (50) feet from the edge of the right of way along all state or federal roads and highways. The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats. (Section 9.2)
2. Lots shall have minimum road frontage as indicated in Section 9.3:
 - o Lot 3, Block 1 is greater than 1 acre and does not meet the requirement for minimum frontage (120 ft required). If for drainage improvements only, then coordinate with City and County. Note that a waiver may be required from the Commissioners Court.
 - o Recommendation is to provide drainage easement to be split equally by the two (2) adjacent lots.
3. All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of these regulations, and which has the required dedicated right of way. (Section 9.4)
 - o Coordinate with TxDOT for required access/driveway permit(s).

Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations.

ARTICLE XI ENFORCEMENT AND PENALTIES

Please review this Article of the Midland County Subdivision Regulations available online at <https://midlandcountytexas.gov/11132018-1387>

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,

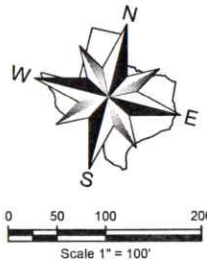


Jenifer Reiner AICP, CNU-A

cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Jenny Hilton, Midland County



VICINITY MAP
NOT TO SCALE



ABBREVIATION LEGEND

ABBR.	DEFINITION
CC#	COUNTY CLERK'S FILE NO.
CMON	CONCRETE MONUMENT FOUND
BMON	BRASS MONUMENT FOUND
AMON	ALUMINUM MONUMENT FOUND
R.O.W.	RIGHT-OF-WAY
TXDOT	TEXAS DEPARTMENT OF TRANSPORTATION

NOTES:

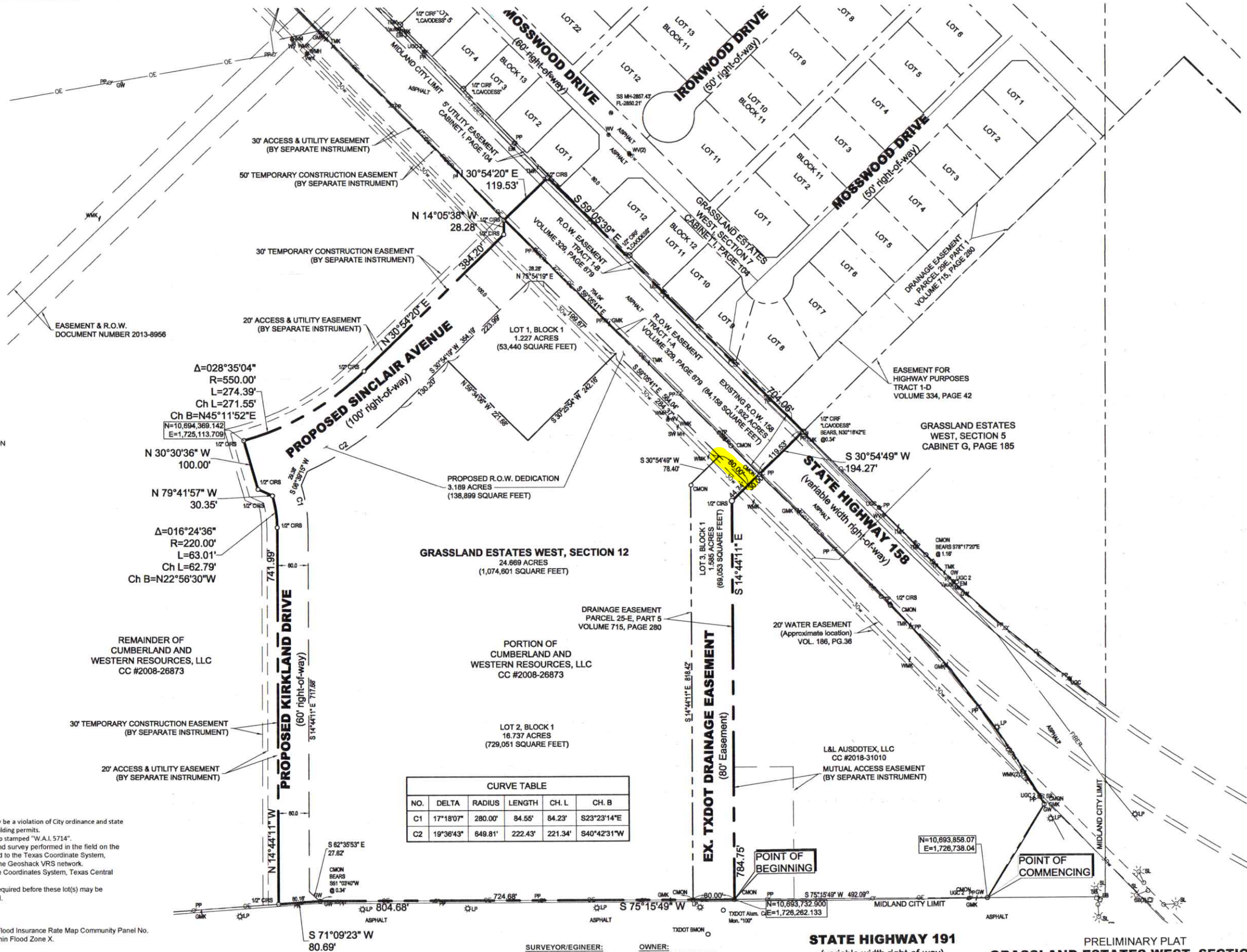
- Selling a portion of this addition by metes and bounds may be a violation of City ordinance and state law and subject to fines and withholding of utilities and building permits.
- All lot corners are set with 1/2-iron rod with red plastic cap stamped "W.A.I. 5714".
- Bearings shown hereon are based upon an on-the-ground survey performed in the field on the 24th day of May, 2019, utilizing a G.P.S. bearing related to the Texas Coordinate System, Texas Central Zone (4203), NAD 83, grid values from the Geoshack VRS network.
- Bearing/distances/coordinates to the Texas State Plane Coordinates System, Texas Central Zone, North American Datum of 1983.
- 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.

FLOOD NOTE

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48329C0200F, dated September 16, 2005, this property is within Flood Zone X.

Zone X - Areas determined to be outside the 0.2% annual chance floodplain.

This flood statement does not imply that the property and/or the structure 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 flood statement shall not create liability on the part of the surveyor.



SURVEYOR/ENGINEER:
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
(972) 490-7090

OWNER:
COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH, WA 98027

STATE HIGHWAY 191
(variable width right-of-way)

PRELIMINARY PLAT
GRASSLAND ESTATES WEST, SECTION 12
LOTS 1-3, BLOCK 1
LOCATED WITHIN THE T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
MIDLAND, MIDLAND COUNTY, TEXAS
DATE OF PREPARATION SEPTEMBER, 2019

PRELIMINARY PLAT
GRASSLAND ESTATES
WEST, SECTION 12

SHEET
1
2

Date : 09.18.19

Scale : 1" = 100'

File : 59828-PPLT

Project No. : 59828.00

T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378

CITY OF MIDLAND

MIDLAND COUNTY, TEXAS

COSTCO WHOLESALE

999 LAKE DRIVE

ISSAQUAH, WA 98027

REVISION

DATE

APPROV.

Winkelmann & Associates, Inc.

CONSULTING CIVIL ENGINEERS - SURVEYORS

PROFESSIONAL ENGINEER LICENSE NO. 11111

PROFESSIONAL SURVEYOR LICENSE NO. 11111

PROFESSIONAL LAND SURVEYOR LICENSE NO. 11111

PROFESSIONAL CIVIL ENGINEER LICENSE NO. 11111

PROFESSIONAL LAND SURVEYOR LICENSE NO. 11111

OWNERS CERTIFICATION

BEING A PLAT FOR A 24.669 ACRE TRACT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 35, BLOCK 40 T-1-S, T&P RAILROAD CO. SURVEY, ABSTRACT NUMBER 378, MIDLAND COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, CUMBERLAND AND WESTERN RESOURCES, LLC, is the sole owner of a tract of land situated in the T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378, City of Midland, Midland County, Texas and being situated in Section 35, Block 40 T-1-S, and being a portion of a tract of land as described in deed to Cumberland and Western Resources, LLC, as recorded in County Clerk's Instrument Number 2008-26873, Official Public Records, Midland County, Texas, and being a portion of State Highway 158, a variable width right-of-way, and being more particularly described as follows:

COMMENCING at (N=10,693.858 07' E=1,726.738 04') a concrete monument found for the Southwesterly corner of a corner clip at the intersection of the Northerly right-of-way of said State Highway 191 and the Southwesterly right-of-way of said State Highway 158, said point being the Southeasterly corner of a tract of land as described in deed to L&L Ausddtex, LLC, as recorded in County Clerk's Instrument Number 2018-31010, Official Public Records, Midland County, Texas;

THENCE South 75 deg 15 min 49 sec West, along the Southerly line of said L&L Ausddtex tract and the Southerly line of said Cumberland tract and the Northerly right-of-way of said State Highway 191, a distance of 492.09 feet a concrete monument found for the POINT OF BEGINNING, said concrete monument being the Southwesterly corner of said L&L Ausddtex tract;

THENCE South 75 deg 15 min 49 sec West, continuing along the Southerly line of said Cumberland tract and the Northerly right-of-way of said State Highway 191, a distance of 804.68 feet to a point for corner, from which a concrete monument bears South 51 deg 03 min 40 sec West, at a distance of 0.34 feet;

THENCE South 71 deg 09 min 23 sec West, continuing along the Southerly line of said Cumberland tract and the Northerly right-of-way of said State Highway 191, a distance of 80.69 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE departing the Northerly right of way of said State Highway 191 and over and across said Cumberland tract the following:

North 14 deg 44 min 11 sec West, a distance of 741.99 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the beginning of a curve to the left, with a radius of 220.00 feet, a central angle of 16 deg 24 min 36 sec, a chord bearing of North 22 deg 56 min 30 sec West, and a chord length of 62.79 feet;

Along said curve to the left, an arc distance of 63.01 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 79 deg 41 min 57 sec West, a distance of 30.35 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 30 deg 30 min 36 sec West, a distance of 100.00 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the beginning of a non-tangent curve to the left, with a radius of 550.00 feet, a central angle of 28 deg 35 min 04 sec, a chord bearing of North 45 deg 11 min 52 sec East, and a chord length of 271.55 feet;

Along said non-tangent curve to the left, an arc distance of 274.39 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 30 deg 54 min 20 sec East, a distance of 384.20 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 14 deg 05 min 41 sec West, a distance of 28.28 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner; said iron rod being situated in the Northeasterly line of said Cumberland tract and the Southerly right-of-way of said State Highway 158;

THENCE North 30 deg 54 min 20 sec East, over and across said State Highway 158, a distance of 119.53 feet, to a point for corner, said point being situated in the Northerly line of said State Highway 158 and the Southwesterly line of Grassland Estates West, Section 7, an addition to the City of Midland, Midland County, Texas, according to the plat thereof recorded in Cabinet I, Page 104, Official Public Records, Midland County, Texas;

THENCE South 59 deg 05 min 39 sec East, along the Southwesterly line of said Grassland Estates West, Section 7, and the Northerly right-of-way of said State Highway 158, a distance of 704.06 feet to a point found for Southeast corner of said Grassland Estates West, Section 7, from which a 1/2-inch iron rod with plastic cap stamped "LCA/ODESS" bears North 30 deg 18 min 42 sec East, at a distance of 0.34 feet;

THENCE South 30 deg 54 min 49 sec West, over and across said State Highway 158, passing a point in the Southerly right-of-way of said State Highway 158 and the Northeasterly line of said Cumberland tract, said point being the Northwesterly corner of said L&L Ausddtex, LLC tract, at a distance of 119.53 feet, continuing over and across said Cumberland tract and along the Northwesterly line of said L&L Ausddtex, LLC tract for a total distance of 194.27 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 14 deg 44 min 11 sec East, continuing over and across said Cumberland tract and along the Westerly line of said L&L Ausddtex, LLC tract, a distance of 784.75 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 24.669 acres or 1,074,801 square feet of land, more or less. Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 24th day of May, 2019, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

DEDICATION STATEMENT

STATE OF TEXAS §
COUNTY OF §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, COSTCO WHOLESALE & CUMBERLAND AND WESTERN RESOURCES, LLC, do hereby adopt this plat as GRASSLAND ESTATES WEST, SECTION 12, an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use and benefit forever the streets and alleys shown thereon for all public purposes including but not limited to all street purposes and the right of the City of Midland and its assigns to lay, install, operate, repair, replace and remove and reconstruct any and all public utilities including but not limited to water lines, sanitary sewer lines, drainage and storm sewer lines and canals, gas lines, telephone poles and lines, electrical power lines and appurtenances. The right to establish grades on said dedicated streets and alleys is hereby granted to the City of Midland and all claims for damages which may arise by reason of changing the present surface of said streets to conform to said grades are hereby waived.

IN WITNESS THEREFORE, I have hereunto set my hand this the _____ day of _____, 2019.

COSTCO WHOLESALE

IN WITNESS THEREFORE, I have hereunto set my hand this the _____ day of _____, 2019.

CUMBERLAND AND WESTERN RESOURCES, LLC

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day, personally appeared COSTCO WHOLESALE, 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 purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE _____ day of _____, 2019

Notary Public in and for State of Texas

My Commission Expires: _____

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day, personally appeared CUMBERLAND AND WESTERN RESOURCES, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE _____ day of _____, 2019

Notary Public in and for State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

This is to certify that I, Leonard J. Lueker, a Registered Professional Land Surveyor of the State of Texas, having platted the above subdivision from an actual survey on the ground, and that all lot corners, and angle points, and points of curve shall be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

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.

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
l.lueker@winkelmann.com

Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 215
Dallas, Texas 75230
(972) 490-7090 www.winkelmann.com

Please note that the use of the word "CERTIFY" or "CERTIFICATE" used hereon constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day, personally appeared Leonard J. Lueker, 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 purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE _____ day of _____, 2019

Notary Public in and for State of Texas

My Commission Expires: _____

CERTIFICATE OF APPROVAL

For approval by the Commission:

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 _____ day of _____, 2019.

SIGNED: _____
Chairman of Planning & Zoning

(Print)

SIGNED: _____
Secretary of Planning & Zoning

(Print)

SURVEYOR/ENGINEER:
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
(972) 490-7090

OWNER:
COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH, WA 98027

PRELIMINARY PLAT
GRASSLAND ESTATES WEST, SECTION 12
LOTS 1-3, BLOCK 1
LOCATED WITHIN THE T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
MIDLAND, MIDLAND COUNTY, TEXAS
DATE OF PREPARATION SEPTEMBER, 2019

PRELIMINARY PLAT
GRASSLAND ESTATES
WEST, SECTION 12

T&P RAILROAD CO. SURVEY, ABSTRACT NO. 378
CITY OF MIDLAND
MIDLAND COUNTY, TEXAS
COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH, WA 98027

SHEET
2 of 2

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS & SURVEYORS
8750 HILLCREST PLAZA, SUITE 215 DALLAS, TEXAS 75230
(972) 490-7090 FAX
Texas Engineer Registration No. 58
Professional Seal No. 1006600 Expires 12/31/2019
COUNCIL OF TEXAS ENGINEERS & SURVEYORS

REVISION

APPROVAL

DATE

NO.

Date : 09-16-19

Scale : N/A

File : 58828-PPLT

Project No. : 58828 00

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – PRELIMINARY PLAT

ARTICLE I PLATS

- ✓ Plat required for any division into two (2) or more parts. (Section 1.01)
- ✓ Owners of property proposed to be subdivided must consult with the Planning Department at the City of Midland or the City of Odessa. (Section 1.02)
- ✓ Property within the City of Midland ETJ is subject to the plat requirements of the City of Midland or the City of Odessa, as applicable. (Section 1.02)
- ✓ City of Midland has jurisdiction for the approval of plats within its ETJ, unless waived. (Section 1.02)
- ✓ Plats shall meet the requirements of both the County of Midland and the City of Midland, where joint administration of platting authority occurs within the City ETJ. (Section 1.02)

Note: Executed Owner's Certificate (Section 1.04)

- Execute certificate for final plat after Midland City Council approval
- ✓ Plat must be prepared by an Engineer or Surveyor. (Section 1.05)
- ✓ Scale 1 in = 200 feet max. (Section 1.05)
- ✓ Sheet size 18" x 24" or 24" x 36". (Section 1.06)
- ✓ Key/Vicinity map. (Section 1.06)
- ✓ Notation or evidence that plat has been prepared from an actual survey on the ground. (Section 1.07)
- ✓ Boundary lines with bearings and distances. (Section 1.08)
- ✓ All block corners and angles in streets and alleys should be marked with a one-half inch steel pin approximately two (2) feet in length, or with a permanent marker. (Section 1.08)

Note: **Label name of proposed subdivision, streets, parks, physical features** (Section 1.09)

- **The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County office of Emergency Management.**
- X **Show all existing permanent man-made structures.** (Section 1.11)
- NA Label elevation of lowest floor for any proposed or substantially improved structures. (Section 1.12)
- ✓ Show the limits of the floodplain, as applicable. (Section 1.13)
- NA Identify nonresidential structure(s) to be flood proofed, as applicable. (Section 1.14)
- X **Existing topography of the proposed subdivision in 2-foot contours.** (Section 1.15) In coordination with the City of Midland, contours are not required for final plats.
- X **Proposed topography/grading in 2-foot contours.** (Section 1.16) In coordination with the City of Midland, contours are not required for final plats.
- ✓ North arrow (Section 1.17)

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – PRELIMINARY PLAT

- ✓ Scale (Section 1.17)
- X Copy of all restrictions or restrictive covenant, as applicable. (Section 1.18)
- X Development with private streets, drives, easements, recreation areas, and open spaces shall include the following note on the face of the plat. (Section 1.19)

“MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.”

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
- Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – PRELIMINARY PLAT

ARTICLE III STREET CONSTRUCTION

- ✓ All streets or roads must have a right-of-way of at least sixty (60) feet in width. (Section 3.03)
- X **Alleys shall be provided in all subdivisions, except that the Commissioners Court may waive this requirement where other definite provision is made for service access. The right-of-way width of alleys shall be at least twenty (20) feet.** (Section 3.05)
- ✓ All permanent dead end streets or roads shall have a turnaround with a right-of-way diameter of one hundred (100) feet. (Section 3.07)
- ✓ Streets or roads should be designed and constructed so as to intersect with each other at ninety (90) degree angles. (Section 3.08)

Note: These Regulations are subject to any County Thoroughfare Plan adopted by the Midland County Commissioners Court before or after the adoption of these Regulations. Any County Thoroughfare Plan adopted by the Midland County Commissioners Court is expressly incorporated into these Regulations to the same extent as if included herein. (Section 3.18) Contact Roads and Bridges Division for more information about the adopted County Thoroughfare Plan.

Note: The following regulations pertain to construction standards and specification for proposed streets that are intended to be accepted into the County road system:

- All streets and roads within each subdivision must be paved. The Commissioners Court, however, shall have the power to require that all streets and roads within the same subdivision remain unpaved. Alleys need not be paved. (Section 3.12)
- All streets or roads must be constructed with a base in accordance with County standards. (Section 3.14)
- The center line of each street in every subdivision shall have an elevation of at least one-fourth (1/4) inch per foot of width above the elevation of the edges of said street. The Commissioners Court may, in its order granting or denying preliminary authorization of a plat, permit inverted crowns for purposes of drainage, when necessitated by topography. (Section 3.15)
- On all paved streets with curbs and gutters, the plasticity index of the sub-grade soil shall be determined by the AASHTO method of testing. When the plasticity index exceeds "20", lime shall be added to the sub-grade, which shall be stabilized to a depth of 12 inches. (Section 3.16)
- The Commissioners Court may specify that construction of all streets, roads and drainage structures must be completed within a reasonable time after the plat and plans of a subdivision have received final authorization from the Court, and said time period must be specified by the Court in its order granting or denying preliminary authorization of the plat. (Section 3.17)

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – PRELIMINARY PLAT

ARTICLE IX LOTS

NA The minimum lot size for subdivision of single-family dwellings utilizing individual on-site sewage facilities shall be one and one-half (1.5) acre. (Section 9.1)

X **Building setback lines be fifty (50) feet from the edge of the right of way along all state or federal roads and highways. The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats.** (Section 9.2)

In coordination with the City of Midland, building setback lines are not required for final plats.

✓ Lots shall have minimum road frontage as indicated by the following table (Section 9.3):

Lot Size	Minimum Frontage*
Less than one (1) acre or in cul-de-sac:	80 feet
Greater than or equal to one (1) acre but less than two (2) acres:	120 feet
Greater than or equal to two (2) acres but less than five (5) acres	200 feet

*Minimum cord length along a curve, and minimum frontage in cul-de-sacs shall be measured at the building line.

X **All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of the City or County, as applicable, and which has the required dedicated right of way.** (Section 9.4)

- Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.

ARTICLE XI ENFORCEMENT AND PENALTIES

Please review this Article of the Midland County Subdivision Regulations available online at <https://midlandcountytexas.gov/play/11132018-1387>

Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations, as approved on November 13, 2018 (<https://midlandcountytexas.gov/play/11132018-1387>, and the [platting process](#) outlined on the County website.



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Rolandrea Russell, Senior Planner

SUBJECT: Consider a proposed Final Plat of Lone Star Trails II, Section 2, being a 23.58-acre tract of land in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located approximately 1,079-feet east of the intersection of Fairgrounds Road and Occidental Parkway. Council District 1)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

SF-3, Single-Family Dwelling District (Ordinance No. 9739)

Preliminary Plat Approval:

The applicant, Betenbough Homes In., is requesting to plat a 23.58-acre tract of land located in Section 7, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas located east of Fairgrounds Road, approximately 1,079-feet east of the intersection of Fairgrounds Road and Occidental Parkway into one hundred and nine (109) residential lots. The Preliminary Plat was approved at the March 4, 2018 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: Approved with Conditions

Updated Comments 10/14/19 for Section 2 only - OPC approved by Matt and Jose on 10/11/19. We will not be accepting any more OPC after 10/11/19. The acceptance of the OPC does not authorize approval for building permits until Section 1 approval.

Updated Comments 9/12/2019 for Section 2 only - Master Plan has been resubmitted according to Chris Berry with Betenbough.

*** Denied: Public infrastructure plan set has been approved with no OPC/money provided. Add FEMA comments to plat. No updated water pressure test for final plat approval. ***

ROW: Occidental ROW should be 60' wide from Fairgrounds to end of platted frontage.

PAVING: Construct roadways to City standards for all platted frontages.

WATER: None existing. Construct water mains to serve all platted frontages to City standards. Water pressure and volume studies and as-built facilities must show compliance with TCEQ before certificates of occupancy can be approved.

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

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

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

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

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

PRO RATA: None.

SEWER: None existing. Construct sewer mains to serve all platted frontages to City standards. Sewer capacity studies have been performed and received by Utilities.

DRAINAGE: Study approved on 5/16/2019. Show FEMA Firm data on plat face.

EASEMENTS: Provide 10' minimum utility easements through ends of cul-de-sacs (Tin Trail & Outlaw) required for looped water lines. Easements limiting access to Occidental and all arterials and collectors should be added.

SIDEWALKS: Required to be installed by the developer along arterials, collectors, common areas, drainage basins and at corner ramps. Individual lots to have sidewalk installed with building permit.

DIMENSION: * * *

OTHER: Development must comply with current City Standards, including the Policy Statement – City Standards & Development Requirements effective November 1, 2018. Developer and Engineering Services are working on three development agreements – Phase I Fairgrounds Paving Improvements, Phase II Fairgrounds Paving Improvements and Fairgrounds Water Improvements.

New City standard details can be found on-line at:
<http://www.midlandtexas.gov/DocumentCenter/View/4278/City-of-Midland-Standard-Details>.

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.

Street lighting is required along public street frontages.

No objections to plat.

Fire: Approved

Please see comments provided by Engineering related to minimum pressure requirements.

Oil and Gas: Approved

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

Code Administration: Approved

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

Colorado River Municipal Water District:

No comments.

GIS:

One road has two names. Rattler Ln west of Fairgrounds Rd then becomes Tin Tr east of Fairgrounds Rd. Which will be confusing for emergency service.

Planning: Approved

Department's comments have been satisfied.

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

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Lone Star Trails II, Section 2**Legal Description (attached sealed Metes and Bounds):** _____

A 23.58 Acre Tract of Land in Section 7, Block 38, T-1-S, T. & P. RR. Co. Survey, City and County of Midland, Texas

Property Owner

Printed Name: Betenbough Homes

Phone (806) 412 - 6611

Email Ronniew@betenbough.com

Address 6305 82nd Street

City Lubbock

State Texas

Zip 79424

Developer (if different than Owner)

Printed Name: N/A

Phone ()

Email N/A

Address N/A

City N/A

State N/A

Zip N/A

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

Firm: Betenbough Homes

Printed Name: Ronnie Wallace, Land Planner

Phone (806) 412 - 6611

Email Ronniew@betenbough.com

Address 6305 82nd Street

City Lubbock

State Texas

Zip 79424

Current Zoning: SF-3**Reason for Platting:** Development for Residential, Single Family New Homes**Plat Information**

Total Acreage: 23.58

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

Number of Lots: 109

Number of Multi-Family Dwelling Units: None

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

Items to be submitted with this application form:

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



Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Roy Sanders

Date:

10/14/19

Property Owner (printed):

Roy Sanders

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 Roy Sanders 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.

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of October, 20 19, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☒ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # CC

☒ Tax Certificates

Check # REG 58886

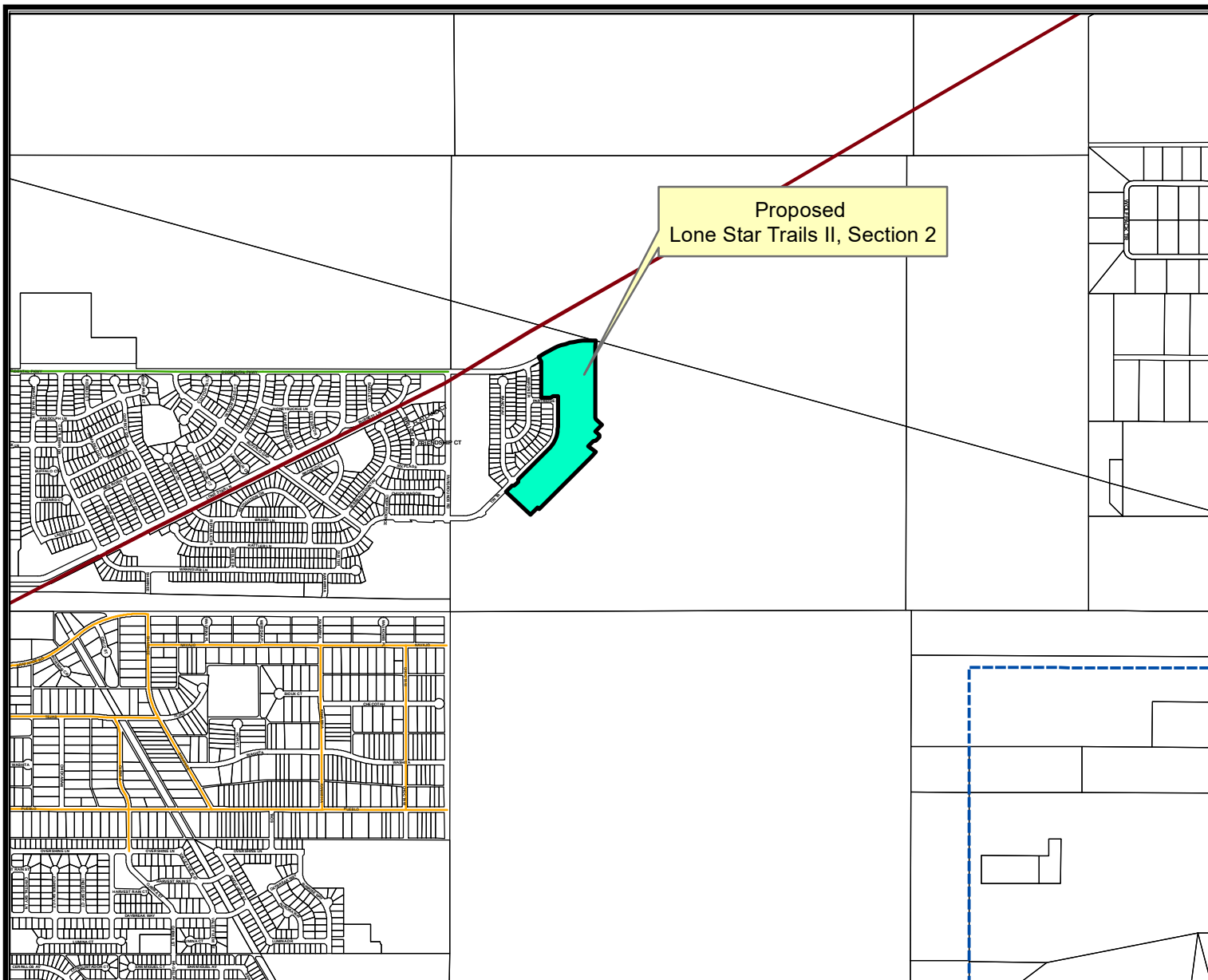
Received By: Rolandra Russell

Date:

OCT 14 2019

CITY OF MIAMI AND
PLANNING DIVISION OFFICE

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



LOCATION MAP

P-19-0680

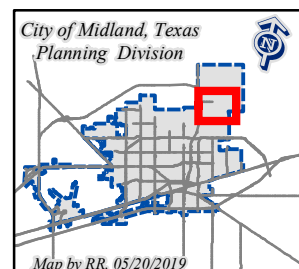
Scale: 1" = 800'

Consider a proposed plat of Lone Star Trails II, Section 2, being a 23.58-acre tract of land in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas.

Generally located approximately 1,079-feet east of the intersection of Fairgrounds Road and Occidental Parkway. Council District 1

LEGEND

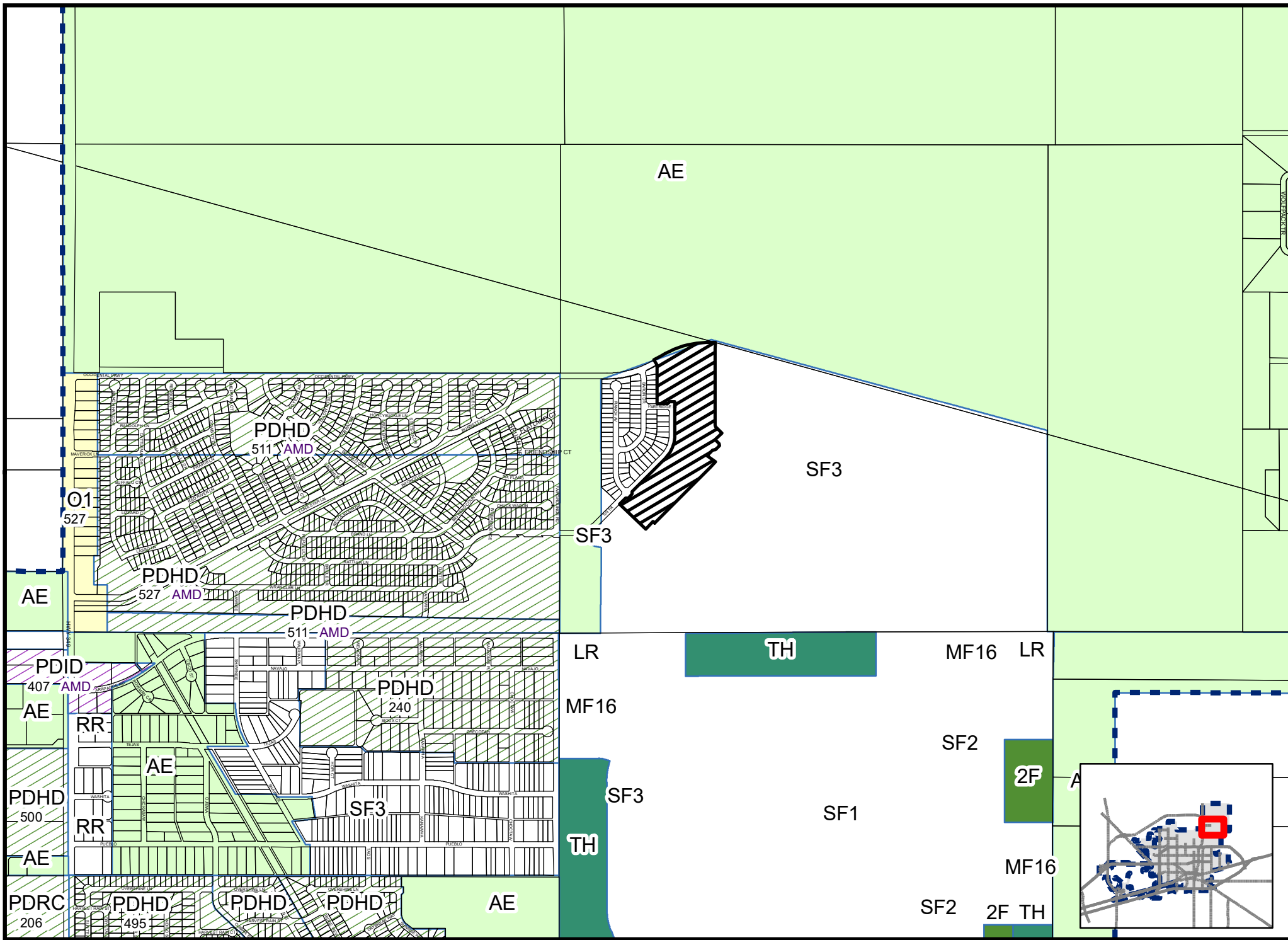
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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

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





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Rolandrea Russell, Senior Planner

SUBJECT: Consider a proposed Final Plat of Polo Club Addition, Section 8, being a plat of 11.190-acre tract of land out of the NW/4 of Section 3, Block 'X', H.P. Hillard Survey, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Polo Club Road and Bluebird Lane. Council District 1)

Recommended Planning and Zoning Commission Action:

☒ **Approve** ☐ **Deny** ☐ **Direction/Informational**

Current Zoning:

The applicant, Schumann Engineering, is proposing to plat an 11.190-acre tract of land out of the NW/4 of Section 3, Block 'X', H.P. Hillard Survey, City and County of Midland, Texas into four (4) lots. The property is located on the northwest corner of the intersection of Polo Club Road and Bluebird Lane. The Preliminary Plat was approved at the March 18, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: Approved

MPACT FEES: 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.

ROW: ROW fine as shown.

PAVING: Improvements deferred by council resolution item 22 on June 25, 2019.

WATER: Improvements deferred by council resolution item 22 on June 25, 2019.

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

PRO RATA: None.

SEWER: Improvements deferred by council resolution item 22 on June 25, 2019.

DRAINAGE: Study received and approved for platting purposes.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Improvements deferred by council resolution item 22 on June 25, 2019.

DIMENSION: * * *

OTHER: * * *

Transportation: Approved with Conditions

Label width of rights-of-way dedication adjacent to subject property.

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

Health Department:

Yes, the health department will review applications from the 4 proposed lots of Polo Club Addition, Section 8, PLAT OF A 11.16 ACRE TRACT OF LAND OUT OF THE NORTHWEST ¼ OF SECTION 3, H P HILLIARD SURVEY BLOCK X MIDLAND COUNTY TEXAS each lot 4 is 2.1 acre, lot 5 is 2 acre, lot 6 is 1.9 acre, lot 7 is 4.2 acres to ensure the proposed plans

on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Fire: Approved

No additional comments.

Code:

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

Colorado River Municipal Water District:

No comment.

Oil and Gas: Approved

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

Planning:

All departments' comments have been satisfied.

Conditions:

- A. Comply with approved drainage study.
- B. 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:

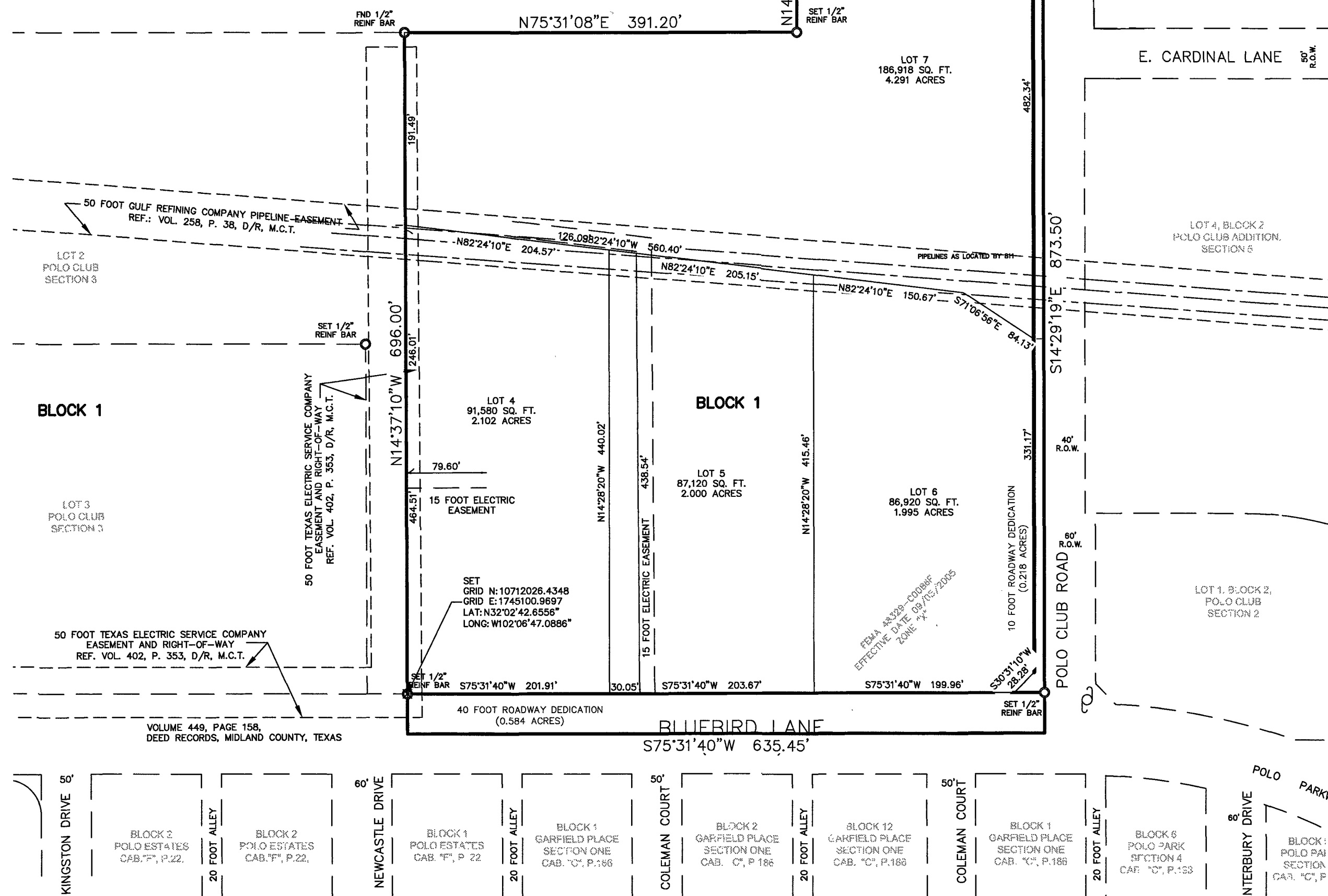
Proposed Final Plat
Application
Maps

A PLAT OF A 11.190 ACRE TRACT
OF LAND OUT OF
THE NW/4 OF SECTION 3,
H. P. HILLIARD SURVEY, BLOCK "X",
CITY AND COUNTY OF MIDLAND, TEXAS.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

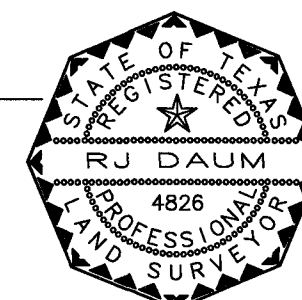
5. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 11.19 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN FOUR TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.



SIGNED: GRANDE COMMUNICATIONS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

RJ DAUM
TEXAS RPLS 4826



CHRISTOPHER M. LILLIS AND
ALLISON I. LILLIS
P. O. BOX 50387
MIDLAND, TEXAS 79710
(432) 528-3979

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

CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM No. F1880 - TEXAS FIRM No. 10149500

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

DRAWN BY: KDS	DATE: 12/12/2018
CHECKED BY: CAK	DRAWING NO.: 76579JZ
JOB NO.: 76,579	SHEET 1 OF 1



408 N. PECOS STREET
MIDLAND, TEXAS 79701

POLO CLUB ADDITION. SECTION 8

POLO CLUB ADDITION SECTION 8



Final Plat Application

Project Number:

Case Number:

SUB-19-0179
P-19-0690**Proposed Subdivision Plat Name:** POLO CLUB ADDITION SECTION 8**Legal Description (attached sealed Metes and Bounds):** Being a Plat of a 11.190 Acre Tract of Land out of the NW/4 of Section 3, H.P. Hilliard Survey, Block "X", City and County of Midland, Texas**Property Owner**

Printed Name: Jimmy Zachry and Lisa Zachry

Phone (432) 528-1337

Email zachryfamily@gmail.com

Address 358 State Highway 220

City Alto

State NM Zip 88312

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.

Phone (432) 684-5548

Email sandi@schumannonline.net

Printed Name: Sandi Fuston

Address 800 N Marienfeld Street Suite 100

City Midland

State TX Zip 79701

Current Zoning:**Reason for Platting:** To divide into separate Lots**Plat Information**

Total Acreage: 11.16 Acres

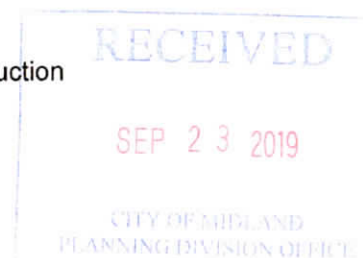
Type: ☒ Single-Family Residential☐ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ) or ☐ City Limits

Number of Lots: 4

Number of Multi-Family Dwelling Units: 0

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

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Lisa A. Zachry Date: 8-30-19

Property Owner (printed): LISA A. ZACHRY

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.

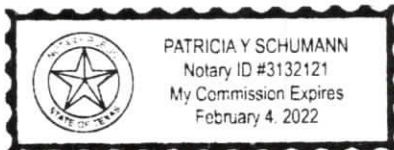
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared LISA ZACHRY who, being by me duly sworn, upon oath says: That (s)he is authorized by Cynthia A. Klass 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.

Cynthia A. Klass
Authorized Agent (signature)

Subscribed and sworn to before me, this 30TH day of August, 20 19 to certify which witness my hand and seal of office.



Patricia Y. Schumann
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)	☐ Public Improvements
☒ Application Fee	☐ Title Opinion	☐ Recording Fee
Check # <u>88 1163</u>	☐ Tax Certificates	Check # <u>SEP-23-2019</u>
Received By: <u>Rolondrea Russell</u>		Date:

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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.)

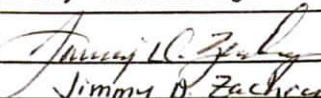
- ☐ Applicant would like a reproduction made for their records
☐ Applicant does not want a reproduction/will make their own

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: 8-30-19

Property Owner (printed):

Jimmy D. Zachary

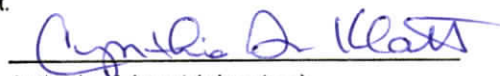
The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application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

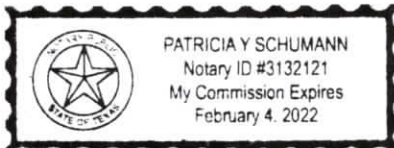
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared CYNTHIA KUST who, being by me duly sworn, upon oath says: That (s)he is authorized by JIMMY ZACHARY, 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 30TH day of August, 20 19, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>1163</u>	☒ Tax Certificates	Check # <u>1164</u>
Received By: <u>Rolanda Russell</u>	Date: <u>SEP 23 2019</u>	

CITY OF MIDLAND
PLANNING DIVISION OFFICE



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: POLO CLUB ADDITION SECTION 8**Legal Description (attached sealed Metes and Bounds):** Being a Plat of a 11.190 Acre Tract of Land out of the NW/4 of Section 3, H.P. Hilliard Survey, Block "X", City and County of Midland, Texas

Property Owner Printed Name: Christopher M. Lillis and Allison I. Lillis		Phone (432) 528-3979 Email	
Address P.O. Box 50387	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: Schumann Engineering Co., Inc. Printed Name: Sandi Fuston		Phone (432) 684-5548 Email sandis@schumannonline.net	
Address 800 N Marienfeld Street Suite 100	City Midland	State TX	Zip 79701

Current Zoning:**Reason for Platting:** To divide into separate Lots

Plat Information	Total Acreage: 11.16 Acres
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ) or ☐ City Limits	
Number of Lots: 4	Number of Multi-Family Dwelling Units: 0

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

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

RECEIVED

SEP 23 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE****Application will not be considered for scheduling until reviewed by a planner.****

Mylar Reproductions

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- ☐ 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):

Christopher M. Lillis

Date: 8-28-19

Property Owner (printed): Christopher M. Lillis

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.

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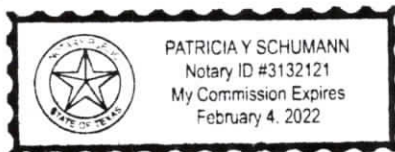
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Sandi Fuston who, being by me duly sworn, upon oath says: That (s)he is authorized by Christopher M. Lillis, 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.

Sandi Fuston
Authorized Agent (signature)

Subscribed and sworn to before me, this 28th day of August, 2019, to certify which witness my hand and seal of office.



Patricia Y. Schumann
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 1163

Received By: Rolandra

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

Russell

☒ Plat in Digital Format (PDF/JPEG)

☐ Public Improvements

☒ Recording Fee

Check # SEP 11 2019 1164

Date:

CITY OF MIDLAND
PLANNING DIVISION OFFICE

Mylar Reproductions

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- ☐ 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):

Alison I. Lillis

Date: 8-28-19

Property Owner (printed): Alison I. Lillis

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.

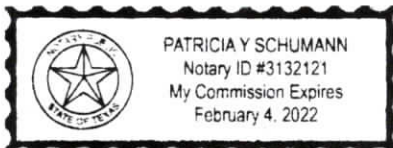
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Sandi Foston who, being by me duly sworn, upon oath says: That (s)he is authorized by Alison I. Lillis, 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.

Sandi Foston
Authorized Agent (signature)

Subscribed and sworn to before me, this 28th day of August, 2019, to certify which witness my hand and seal of office.

Patricia Y. Schumann
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)

☐ Public Improvements

☒ Application Fee

☐ Title Opinion

☒ Recording Fee 23 2019

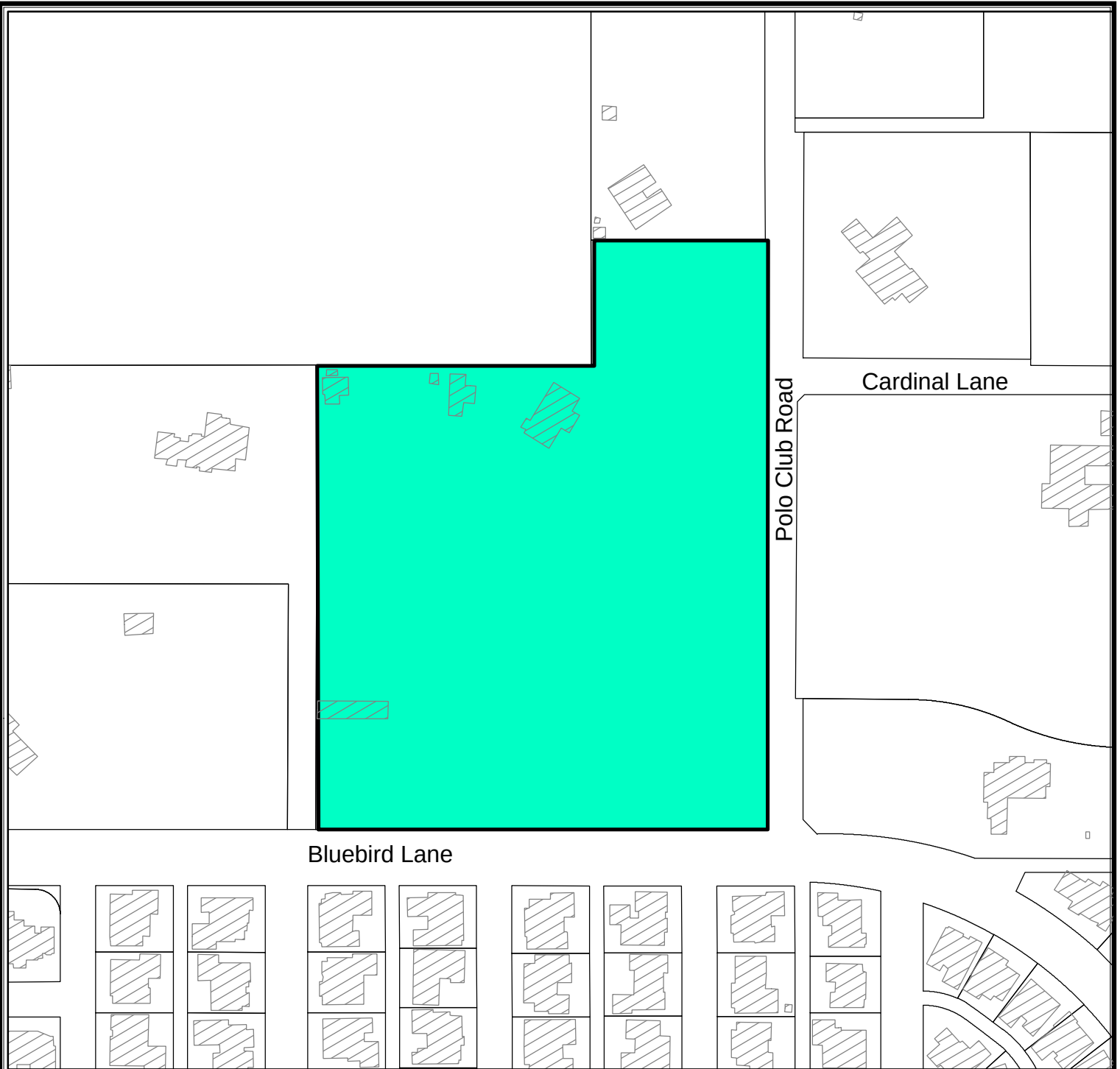
Check # 1163

☒ Tax Certificates

Check # 1164

Received By: Rolondree Russell

Date: CITY OF MIDLAND
PLANNING DIVISION OFFICE



LOCATION MAP

SUB-19-0197

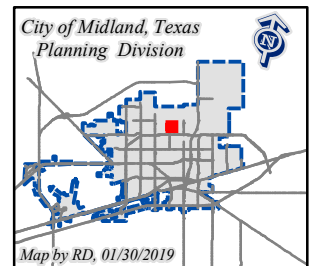
Scale: 1" = 200'

Polo Club Addition, Section 8, being a Plat of a 11.19-acre tract of land out of the NW/4 of Section 3, Block X, H.P. Hilliard Survey, City and County of Midland, Texas.

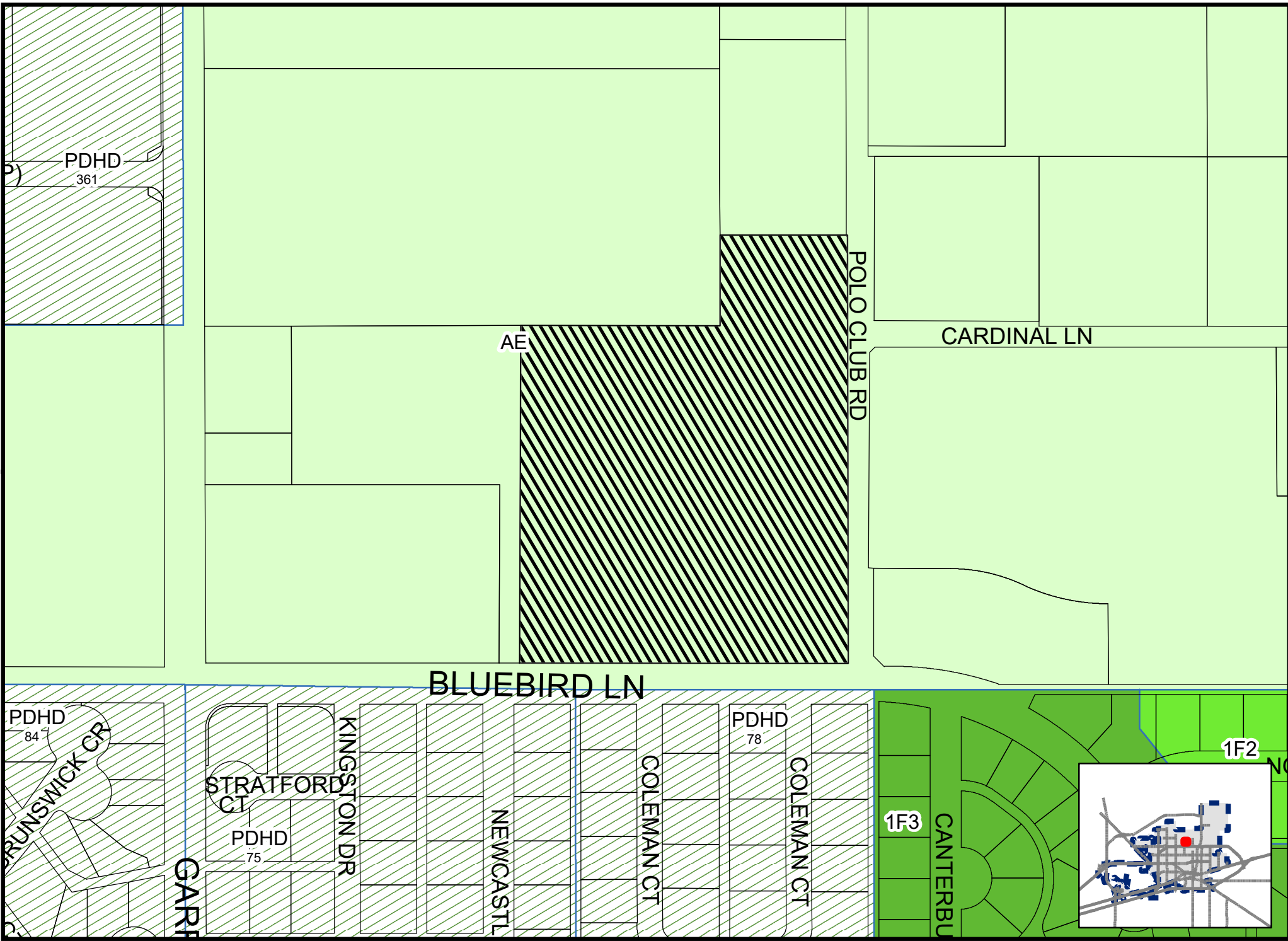
Generally located on the northwest corner of the intersection of Polo Club Road and Bluebird Lane.
(Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019
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:

MEETING DATE: October 21, 2019

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Senior Planner

SUBJECT: Consider a proposed Final Plat of 349 Ranch Estates, Section 21, being a re-plat of Lot 14, Block 12, 349 Ranch Estates, City and County of Midland, Texas. (Generally located on the north side of Washita Court 140-feet west of Choctaw. Council District 1)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

1F-3, One-Family Dwelling District.

Preliminary Plat Approval:

The applicant's property is located on the north side of Washita Court 140-feet west of Choctaw. The applicant, Schumann Engineering, is proposing to re-plat Lot 14, Block 12, 349 Ranch Estates, City and County of Midland, Texas, into two (2) lots to obtain a septic system and get a new address.

The preliminary plat was approved at the April 15, 2019 Planning and Zoning Commission Meeting. As it is a residential replat a public hearing was held.

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of 349 Ranch Estates, Section 21 has been circulated to all city departments for their review.

Engineering: (Approved)

Comments approved on 07/15/2019

Approved: Deferral approved 7/9 for \$32,887.00

Comments Approved with conditions on 04/01/2019

*** Paving and Sewer Deferrals needed.***

ROW: ROW okay as is.

PAVING: Washita paving is sub-standard. Construct to City Standards for entire platted frontage or request a deferral.

WATER: Existing water along Washita frontage; no public water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 1, 2019 - Fire hydrants shall be spaced no more than 400' apart, hydrant top or bonnet shall be color coded per

NFPA (less than 500gpm RED, 500-999gpm YELLOW, 1000-1499gpm GREEN, Greater than 1500GPM BLUE)

PRO RATA: None.

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

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

Per Health Dept: Yes, the health department will review applications from the 2 lots of 349 Ranch Estates, Section 19 LOTS 14 W/2, 14 E/2, PLAT OF A LOT 14 OF BLOCK 12 349 RANCH ESTATES, AND ADDITION TO THE CITY OF MIDLAND AS PER PLAT OF RECORD IN CABINET B PAGE 287 each existing lot is .37 acre with public water (no water wells on both lots) and a licensed installer with a registered sanitarian or professional engineer designed ossf to ensure the proposed plans on the application for the septic system will meet the setbacks the water wells on the adjacent properties.

DRAINAGE: Comply with existing drainage study for 349 Ranch Estates.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Not required, block is mostly developed without sidewalk.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No objections.

Code Compliance: (Approved)

No Oil and Gas issues.

Code Administration: (Approved)

No issue with plat. Septic tank permit and inspection will be handled by the City of Midland Health Department. The sewer lines leading to the tanks must be permitted and inspected by the City of Midland Code Administration department.

Planning: (Approved)

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

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

BEING A REPLAT OF LOT 14 OF BLOCK 12,
349 RANCH ESTATES,
CITY AND COUNTY OF MIDLAND, TEXAS

				DRAWN BY: CG	DATE: 2/7/2019
				CHECKED BY: RJ	DRAWING NO.: 76625
NO.	DATE	DESCRIPTION	BY	76,625	SHEET 1 OF 1



Final Plat Application

Project Number: Sub 19-0181Case Number: 19-0593**Proposed Subdivision Plat Name:** 349 RANCH ESTATES SECTION 21**Legal Description (attached sealed Metes and Bounds):** Being a Plat of Lot 14, Block 12, 349 Ranch Estates, an Addition to the City of Midland, Midland County, Texas

Property Owner Printed Name: Gary D Howard and Sylvia Lyn Howard		Phone (432) 661-1493 Email sylcountry@gmail.com	
Address	2505 West Co Rd 130	City	Midland
State	TX	Zip	79706

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: Cynthia A Klatt		Phone (432) 684-5548 Email cindy@schumannonline.net	
Address	408 N Pecos Street	City	Midland
State	TX	Zip	79701

Current Zoning:**Reason for Platting:** To obtain Septic system and get new address

Plat Information	Total Acreage: 0.758 Acres
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ) or ☐ City Limits	
Number of Lots: 2	Number of Multi-Family Dwelling Units: 0

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

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

RECEIVED

JUN 26 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

6107 97 400

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Gary D. Howard

Date:

6-19-19

Property Owner (printed):

Gary D. Howard

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.

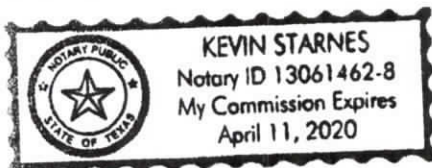
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Sandi Fuston who, being by me duly sworn, upon oath says: That (s)he is authorized by Gary Howard, 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.

Sandi Fuston

Authorized Agent (signature)

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



Kevin Starnes

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Sylvia L. Howard

Date:

6-19-19

Property Owner (printed):

Sylvia L. Howard

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.

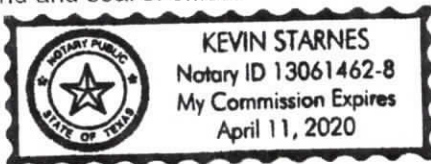
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Sandi Fuston who, being by me duly sworn, upon oath says: That (s)he is authorized by Sylvia Howard, 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.

Sandi Fuston
Authorized Agent (signature)

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



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☐ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # 1066

☐ Tax Certificates missing

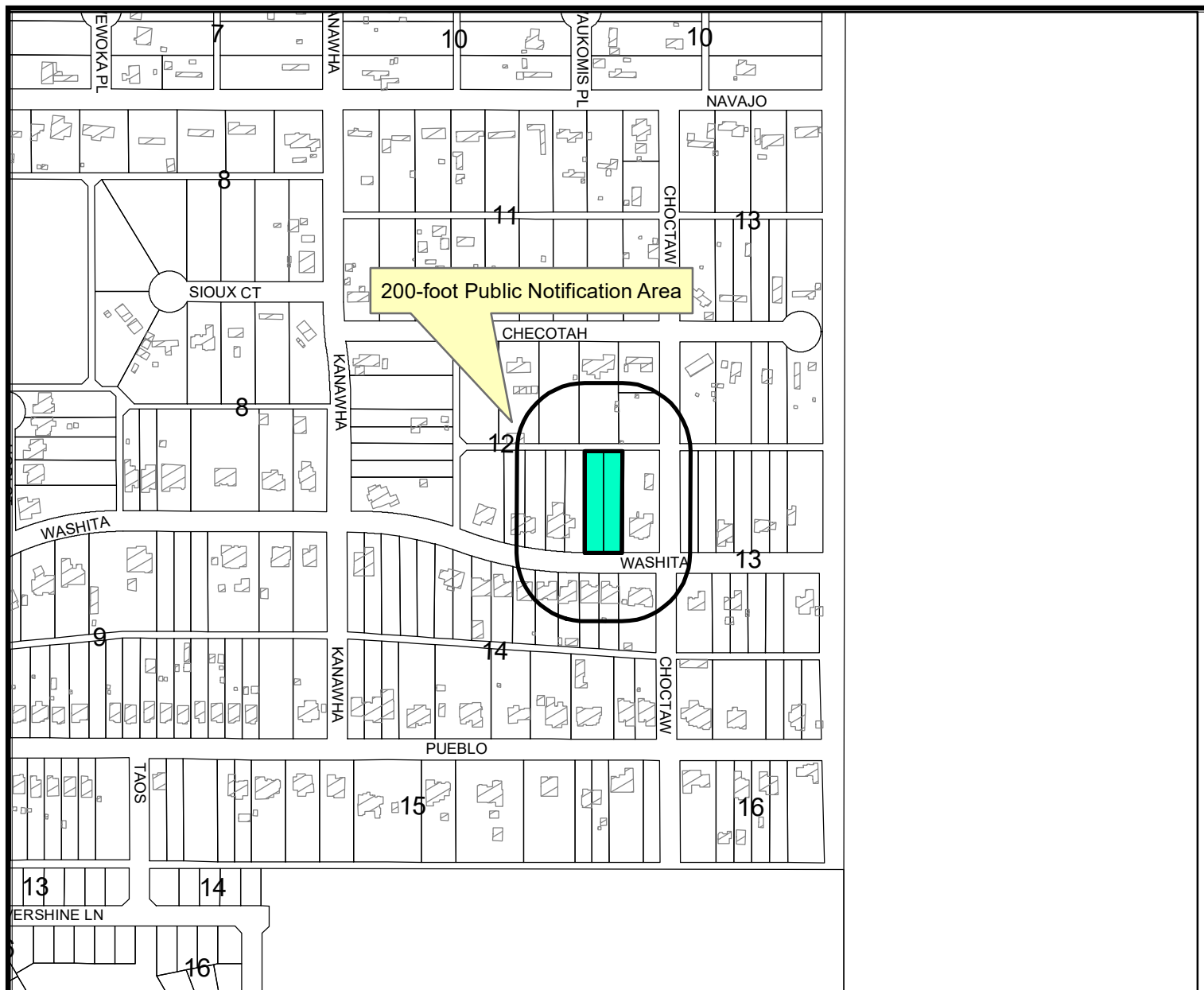
Check # 1067

Received By:

[Signature]

Date: 6/26/19

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



LOCATION MAP

SUB-19-0181

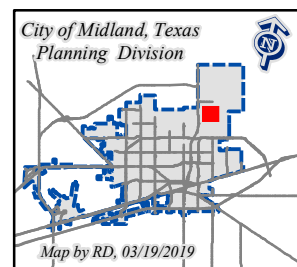
Scale: 1" = 300'

Consider a proposed plat of 349 Ranch Estates, Section 21, being a replat of Lot 14, Block 12, 349 Ranch Estates, City and County of Midland, Texas.

Generally located on the north side of Washita Court, approximately 140-feet west of Choctaw. (Council District 1)

LEGEND

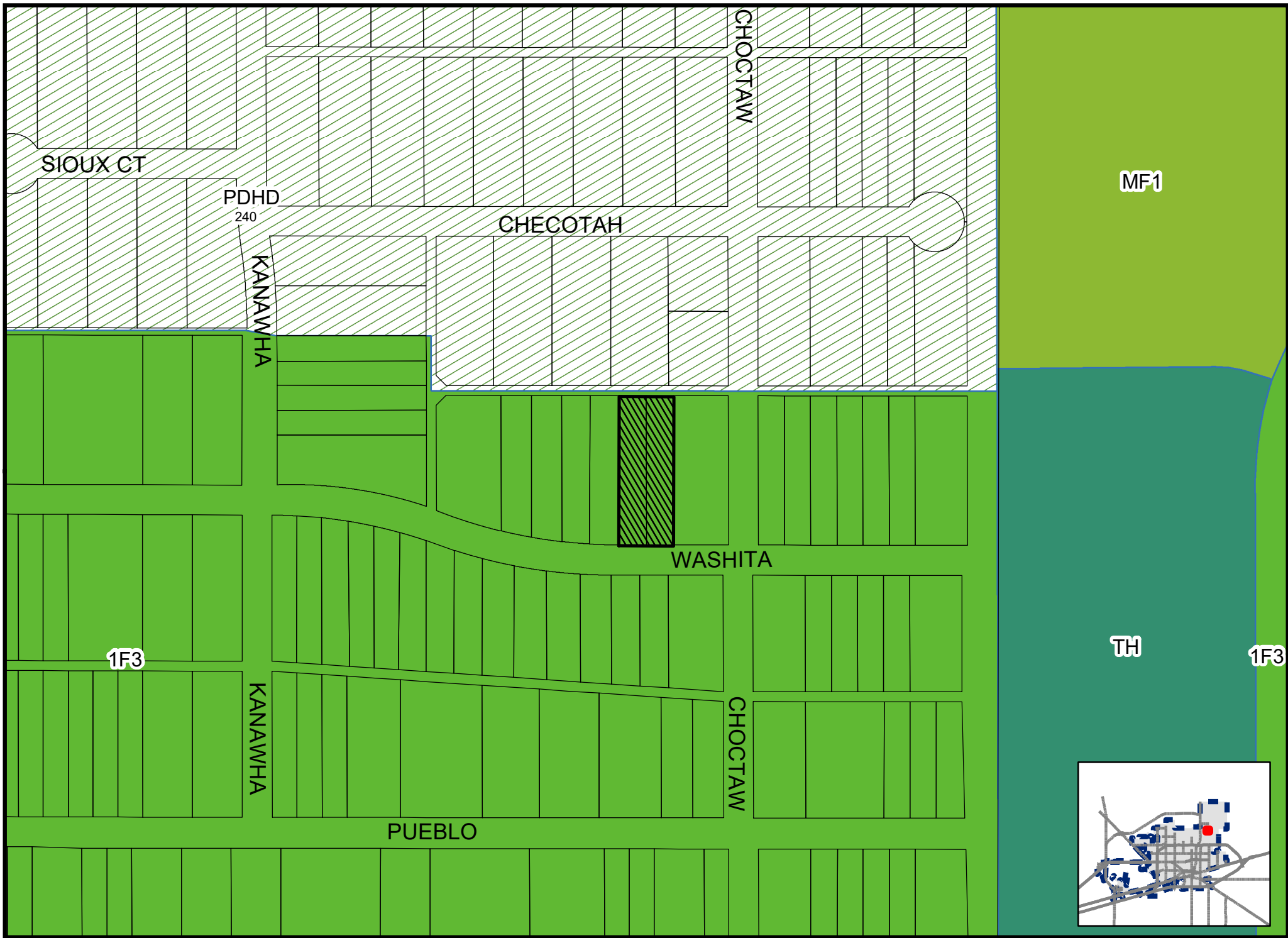
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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

MEETING DATE:

October 21, 2019

TO:

Planning and Zoning Commission

FROM:

Elizabeth Shaughnessy, Senior Planner

SUBJECT:

Consider a proposed Final Plat of Cross Pointe, Section 2, being a re-plat of Lot 3, Block 1, Cross Pointe Addition, City and County of Midland, Texas. (Generally located on the north side of Briarwood Avenue, approximately 625 feet west of Holiday Road – Council District 4).

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant's, property is located on the north side of Briarwood Avenue, approximately 625 feet west of Holiday Road. The applicant, Pioneer Natural Resources USA, Inc., is seeking to re-plat the property into two (2) lots.

Current Zoning:

MF-16, Multiple – Family Dwelling District (Ordinance No. 9059).

Preliminary Plat Approval:

The plat qualified to go short form.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

ROW: Ok as shown.

PAVING: Briarwood and Holiday Hill paving okay and new, so pavement repair to be curb line and width as determined by City Engineer (code can require an entire block to be repaved).

WATER: Existing 16" water in Holiday Hill and Briarwood, no public improvements required.

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

PRO RATA: Exempt per Engineering Director Jose Ortiz. (Briarwood Corridor spreadsheet 10/26/2018)

SEWER: Existing 18" along Briarwood in utility easement, existing 8" sewer crossing in Holiday Hill in alley south of Greathouse are okay as is. The tract north of this subdivision has an existing 8" crossing in Holiday Hill in the alley north of Mathis, at a low spot, that can serve the remaining adjacent tract.

DRAINAGE: Must comply with most current submittal of drainage report.

EASEMENTS: Ok as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

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

Street lighting is required along public street frontages.

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

No objections to plat.

Fire: (Approved)

A water supply capable of providing the required fire flow need for future development is required, this may include additional fire hydrants.

Oil and Gas: (Approved)

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

Code Administration: (Approved)

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

Planning:

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

Conditions:

- A. Comply with drainage requirements stated above.
- B. 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:

Final Plat
Application
Maps

BEING A RE-PLAT OF LOT 3, BLOCK 1, CROSS POINTE ADDITION,
CITY AND COUNTY OF MIDLAND, TEXAS

THE STATE OF TEXAS
COUNTY OF MIDLAND

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

the _____ day of _____, 2019.

THE STATE OF TEXAS
COUNTY OF MIDLAND

the day of , 2019.

KNOW ALL MEN BY THESE PRESENTS:

Kerry M. Hoefner
KERRY M. HOEFNER, RPLS 4562
1216 BRYANT ST.
BENBROOK, TX 76126
214.714.2340

04 OCT, 2019



This is to certify that the above and foregoing plat of "CROSS POINTE ADDITION, SECTION 2," was approved by proper action of the City Planning and Commission City of Midland, Texas on this, the _____ day of _____, 2019.

CRISTINA ODENBORG BURNS - SECRETARY

OWNER:
PIONEER NATURAL RESOURCES USA, Inc.
3617 N. Big Spring Midland, TX 79705

NO.	CABINET
-----	---------

DATE: PAGE

**SURVEYORS - ENGINEERS - PLANNERS ,
ENGINEER REGISTRATION: FIRM 2184
SURVEYOR REGISTRATION: FIRM 100682-00
110 W. LOUISIANA AVE., SUITE 110,
MIDLAND, TEXAS 79701
(432) 687-0865 - FAX (432) 687-0868
OCTOBER, 2019**

CROSS POINTE ADDITION, SECTION 2



CROSS POINTE ADD'M
BLOCK 1, LOT 2,
5.71 ACRES

1

P.O.B.
— N: 10,705,216.47
E: 1,729,033.86

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. Coordinates, bearings, distances and areas shown hereon are Lambert grid and conform to the "Texas coordinate system", Texas Central Zone, North American datum 1983.
4. With reference to the Federal Emergency Management Agency Flood Insurance Rate Map for Midland County, Texas and incorporated areas, Map No. 48329C0068f, revised September 16, 2005, this surveyor has determined, by scaling on this map, that this property is located in Zone "X". This lot may not be developed without floodplain development permit from county floodplain administrator. For an exact determination of the flood status of this property, contact the Floodplain Management Coordinator for the City of Midland and Midland County, Texas, Department of Engineering, City of Midland offices, 300 N. Lorraine, Midland, Texas 79701.
5. **DRAINAGE EASEMENT, GRANTED WITH THIS PLAT:**
 - 5.1. The maintenance of any storm water 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. Reports of such inspections and maintenance shall be kept for inspection by the City of Midland Storm Water Administrator on request, or may be forwarded to the City Engineer's office.
 - 5.2. The City of Midland shall have the right to mitigate deficiencies in the function of the storm water facility, and to be reimbursed by the property owner, if the City finds it necessary for public health and safety.
 - 5.3. 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.
 - 5.4. 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.
6. Lot 4 may not be sold without installation of access, water and paving improvements.
7. The storm water detention facility originally designed in the drainage report by Parkhill, Smith & Cooper, (PSC), dated 3-13-2012, will be required to be constructed as shown in construction plans by PSC titled Briarwood Avenue, from Avalon Drive to Holiday Hill Rd, sheets 120 and 121 dated 11-30-15 with development of this property.

	DENOTES SET 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "WEST CO. MIDLAND"
	DENOTES FOUND MONUMENT AS NOTED
	DENOTES BOUNDARY LINE
D.R.M.C.T.	DEED RECORD MIDLAND COUNTY, TEXAS

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name: _____ONCOR ELECTRIC DELIVERY Print Name:

SUDDENLINK Print Name: _____

GRANDE COMMUNICATIONS Print Name: _____AT&T-TEXAS Print Name: _____

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U:_0_WESTCO\2018\2018-0145 CROSS POINTE\DIJUS\2018-0145_FINAL PLAT_2019-05-21.DWG



Final Plat Application

Project Number:

Case Number:

SUB-18-0041
P-19-0634**Proposed Subdivision Plat Name: CROSS POINTE ADDITION SECTION 2, BLOCK 1, LOT 3A & 4****Legal Description (attached sealed Metes and Bounds): BEING A RE-PLAT OF 19.58 ACRES OF LAND, LOT 3, BLK 1 AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS (P-18-0086)****Property Owner**

Printed Name: PIONEER NATURAL RESOURCES USA, INC

Phone:

(432) 741-5797

Address 3617 N. Big Spring Street

City Midland

State TX

Zip 79705

Kristy.young@pxd.com

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: WEST COMPANY OF MIDLAND – Larry Walker

Printed Name:

Phone:

(432) 682-0588

Address 110 W. Louisiana Ave. Ste. 110

City Midland

State TX

Zip 79701

lwalker@team-west.com

Current Zoning: LR2**Reason for Platting: RE-PLATTING OF BLOCK 1, LOT 3A & 4****Plat Information**

Total Acreage: 19.58

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

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

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

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

RECEIVED

JUL 31 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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):

Kevin Skiller

Date:

1-31-19

Property Owner (printed):

Kevin Skiller - Pioneer

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.

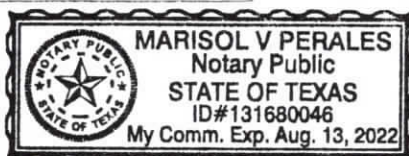
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Larry Walker who, being by me duly sworn, upon oath says: That (s)he is authorized by Kevin Skiller, 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 31st day of January, 20 19, to certify which witness my hand and seal of office.



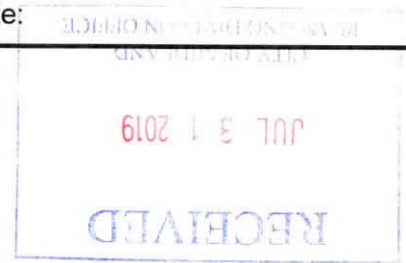
[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

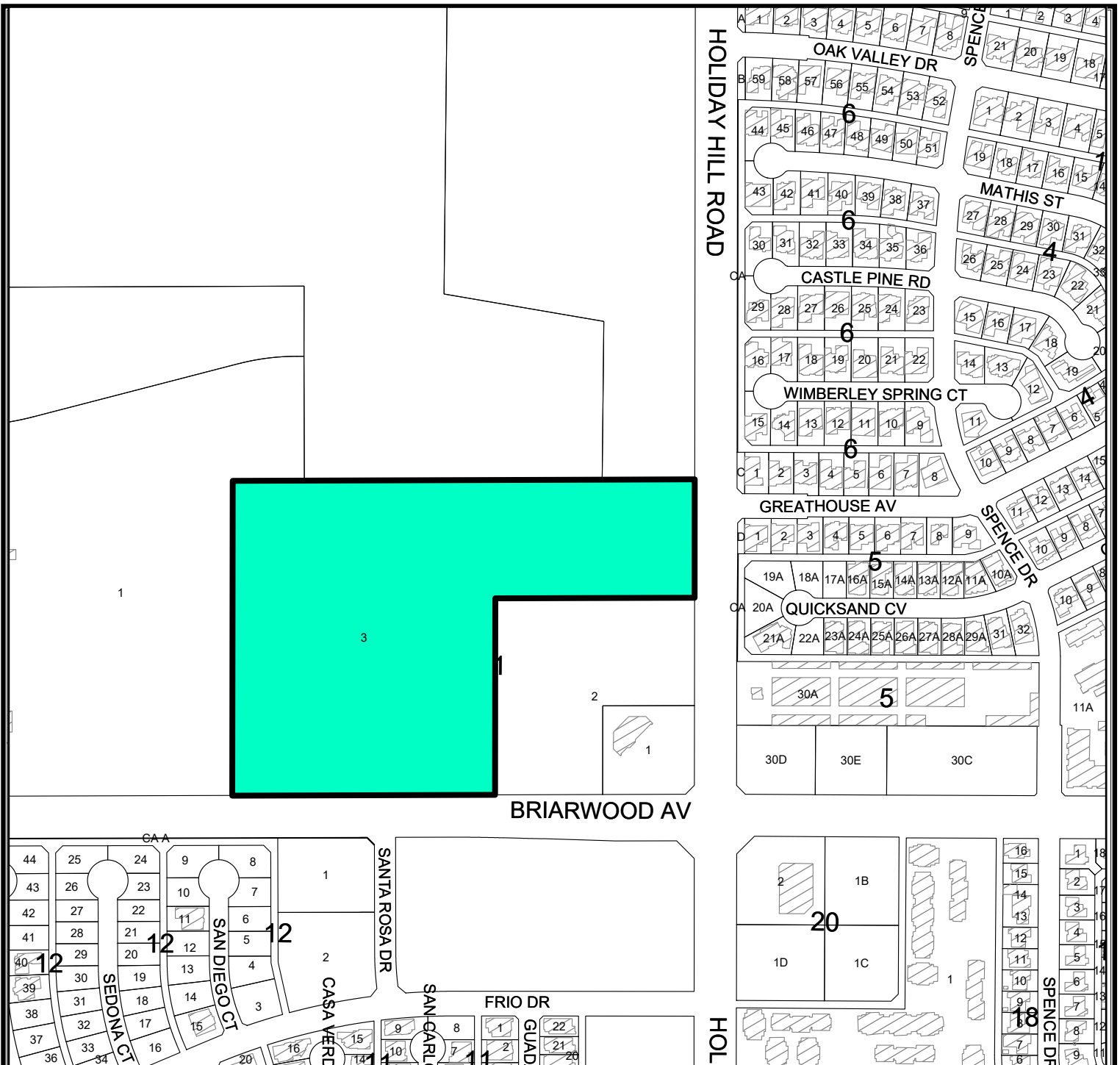
Application will not be considered for scheduling until reviewed by a planner.

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
D Mylar <i>missing</i>	D 1 Copy of Plat (11x17)	D Public Improvements
D Application Fee	☒ Title Opinion	D Recording Fee
Check# <i>has credit to \$1250</i> <i>24994</i>	D Tax Certificates <i>missing</i>	Check# <i>25001</i>
Received By: <i>ES</i>		Date: <i>JUL 31 2019</i>



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



SUP-18-0041

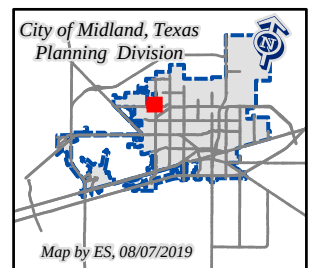
Scale: 1" = 300'

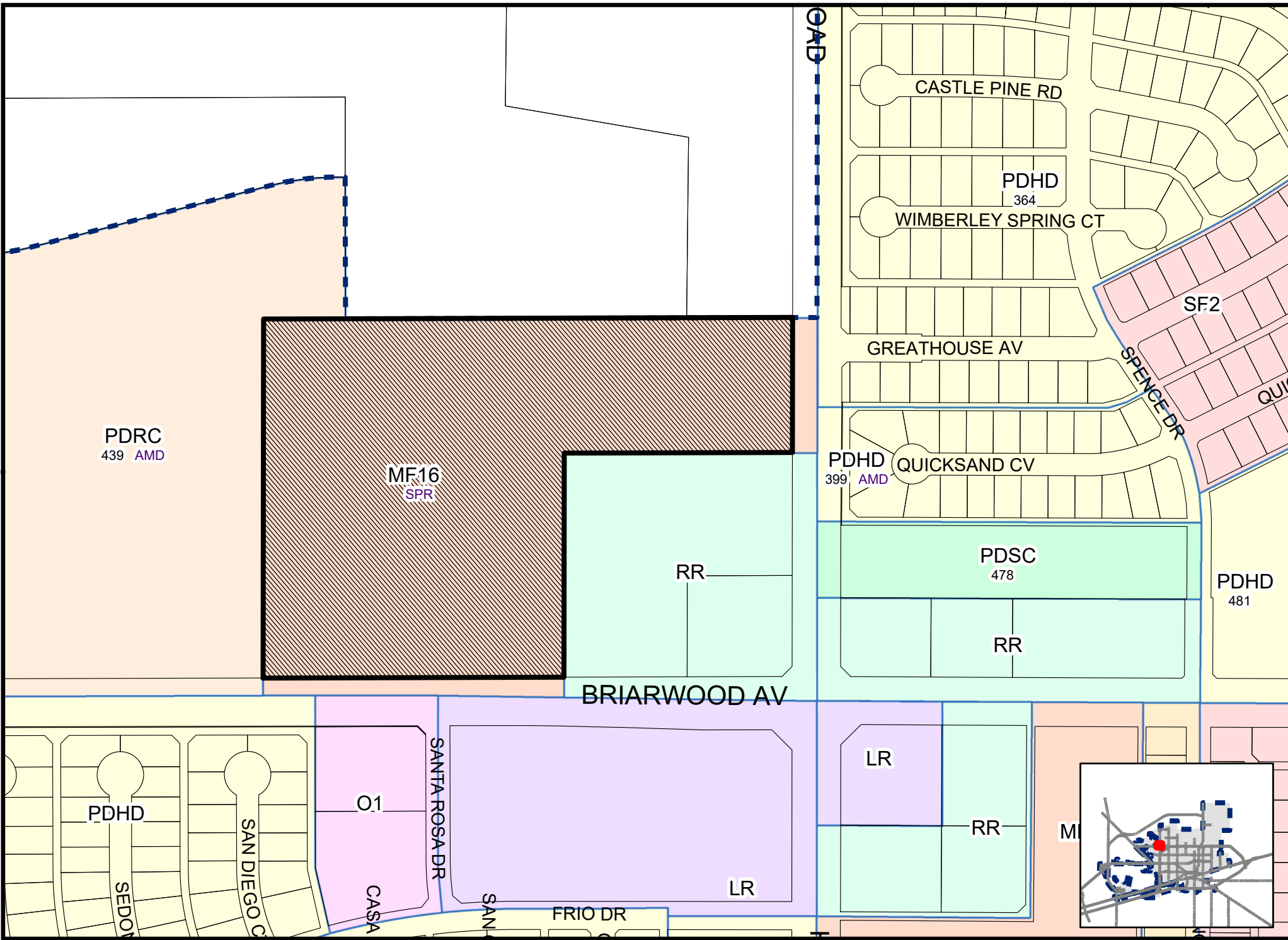
Proposed Plat of Cross Pointe, Section 2, being a re-plat of Lot 3, Block 1, Cross Pointe Addition to the City and County of Midland, Texas.

Generally located on the north side of Briarwood Avenue, approximately 625 feet west of Holiday Road. (Council District 4).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Elizabeth Shaughnessy, Senior Planner

SUBJECT: Consider a proposed Final Plat of Ol'Roberts Addition being a Plat of 11.94 Acre Tract of Land out of SW/4 of Section 35, Block 38, T-1-S, T&P. RR. Co. Survey, and a .093 Acre tract of land out of the SW/4 of Section 35, Block 38, T-1-S, T&P. RR. Co. Survey, Abstract 27, Midland County, Texas. (Generally located on the southeast corner of E. Highway 80 and N. County Road 1130. - Extraterritorial Jurisdiction.)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant's property is located on the southeast corner of E. Highway 80 and N. County Road 1130. The applicant, Tommy H. Moore, is seeking to plat the 11.94-acre Tract of Land into one lot to obtain a septic permit for RV Park.

Current Zoning:

Extraterritorial Jurisdiction

Preliminary Plat Approval:

The Preliminary Plat was approved at the February 19, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

IMPACT FEES: Statement is on the plat face.

ROW: Okay as shown.

PAVING: Paving deferred on Sep 30th, 2019

WATER: Water deferred on Sep 30th, 2019

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

PRO RATA: None

SEWER: Sewer deferred on Sep 30th, 2019

DRAINAGE: Drainage Study approved by the City.

EASEMENTS: okay as shown.

SIDEWALKS: Sidewalks deferred on Sep 30th, 2019

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No objections to plat.

Fire: (Approved)

No objections.

Oil and Gas: (Approved)

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

Code Administration: (Approved)

No jurisdiction

Planning:

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

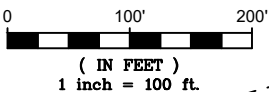
Conditions:

- A. Comply with drainage requirements stated above.
- B. 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:

Final Plat
Application
Maps

GRAPHIC SCALE



1-20 BUSINESS
(200 FOOT RIGHT OF WAY)

T&P RR RAILROAD
(100 FOOT RIGHT OF WAY)

EAST HIGHWAY 80 (60 FOOT RIGHT OF WAY)

GRID N:10709628.23
GRID E:1784193.65
LAT:N32°02'24.91"
LONG:W101°59'12.57"

MELCHOR PADILLA OZUNA
0.08 ACRES SW 1/4 SEC. 35,
BLK: 38, T-1-S,
R No: R2788
INSTR#2015-10381,
5/7/2017

ROBERTO PADILLA
1.96 ACRES SE 1/4 SEC. 35,
BLK: 38, T-1-S,
R No: R2790
INSTR#2010-1321, 7/13/2010

GUADALUPE GARDEA
2.00 ACRES SE 1/4 SEC. 35,
BLK: 38, T-1-S,
R No: R2793
INSTR#2010-16872, 8/27/2010

LUPE GARDEA
1.50 ACRES SE 1/4 SEC. 35,
BLK: 38, T-1-S,
R No: R211504,
INSTR#2013-22618,
9/19/2013

ZONE A
FEMA FIRM
48329C0125F

ZONE "X"
FEMA FIRM
48329C0125F

ENCORE PIPE & CONSTRUCTION,
4.54 ACRES SE 1/4 SEC. 35,
BLK: 38, T-1-S,
R No: R209262
INSTR#2013-3244, 2/8/2013

KARK PROPERTIES LLC
6.13 ACRES SW 1/4 SEC. 35,
BLK: 38, T-1-S,
R No: R2787
INSTR#2016-16577

P.O.B.
GRID N:10708624.22
GRID E:1783751.97
LAT:N32°02'14.90"
LONG:W101°59'17.52"

P.O.B.

SW CORNER OF SECTION
35, BLOCK 38, T-1-S,
T&P RR CO SURVEY
MIDLAND COUNTY, TEXAS

OWNER:

RAPTOR THRU TUBING, LLC
TOMMY H MOORE
1309 UPLAND ST
MIDLAND, TX 79703
mooretommy333@yahoo.com
(432) 661-3090

ALFREDO CHAVEZ JR
13.46 ACRES SE 1/4 SEC. 34,
BLK: 38, T-1-S,
R No: R2615
INSTR#2015-9426

NORTH COUNTY ROAD 1130
(V.R.O.W.)
0.84 ACRES RIGHT OF WAY DEDICATION

ZONE A
FEMA FIRM
48329C0125F

FND PK
NAIL
W/SHINER

34

35

39

38

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ONCOR ELECTRIC DELIVERY COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT
OF OL' ROBERT'S ADDITION WAS APPROVED BY PROPER
ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF
THE CITY OF MIDLAND, ON THIS _____ DAY OF
_____, 2019.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

OL' ROBERT'S
ADDITION

BEING A RE-PLAT OF A 11.940 ACRE TRACT OUT OF THE SW/4
OF SECTION 35, BLOCK 38, T-1-S, T&P RR CO SURVEY AND AN
0.926 ACRE TRACT OUT OF THE SW/4 OF SECTION 35,
BLOCK 38, T-1-S, T&P RR CO SURVEY
MIDLAND COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE SW/4 OF SECTION 35, BLOCK 38, T-1-S, T&P RR CO SURVEY, AND MORE
PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 20 ____.

RAPTOR THRU TUBING, LLC
TOMMY H. MOORE

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF
_____, 20____, RAPTOR THRU TUBING, LLC, TOMMY H. MOORE.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

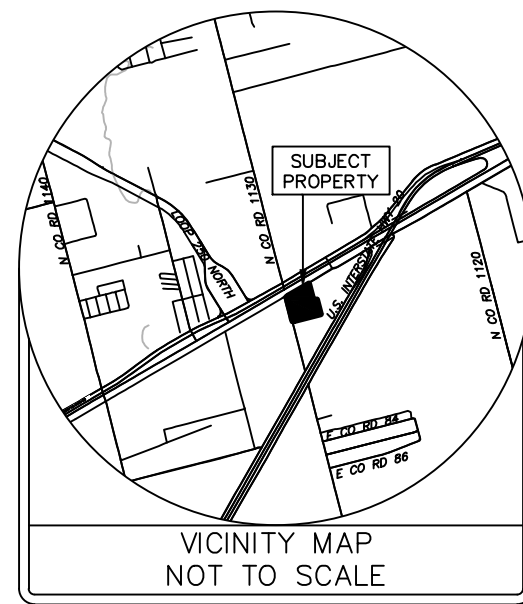
THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN
ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE
CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED
UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE
SUBDIVISION REGULATIONS OF THE CITY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

RJ DAUM
TEXAS RPLS 4826

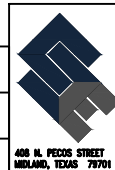


NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES and ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. * ASTERISK DENOTES CONTROLLING MONUMENT
5. MONUMENTS ARE A 1/2" REINFORCING BAR SET WITH PLASTIC CAP STAMPED "SCHUMANN" UNLESS OTHERWISE NOTED.



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



SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM No. F1800 - TEXAS FIRM No. 10140500
Office (432) 684-0548
Fax (432) 684-0873

DRAWN BY:	BS/KDS	DATE:	9/25/18
CHECKED BY:	CAK	DRAWING NO.:	76374.TM
JOB NO.:	76,374	SHEET	1 OF 1



Final Plat Application

Project Number:

Case Number:

843-18-0132
P-19-0697

Proposed Subdivision Plat Name: OL' ROBERTS ADDITION

Legal Description (attached sealed Metes and Bounds): Being a Plat of 12.87 Acres out of the Southwest/4 of Section 35, Block 38, T-1-S, T&P RR Co Survey, Midland County, Texas

Property Owner

Tommy H. Moore

Printed Name:

Phone (432) 661-3090

Email

mooretommy333@yahoo.com

Address

1309 Upland Street

City

Midland

State TX

Zip

79706

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:

Cynthia A. Klatt

Phone (432) 684-5548

Email

cindy@schumannonline.net

Address

800 N Marienfeld Street Suite 100

City Midland

State TX

Zip

79701

Current Zoning:

Reason for Platting: To obtain septic system for RV Park

Plat Information

Total Acreage: 12.87 Acres

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

Number of Lots:

0

Number of Multi-Family Dwelling Units:

0

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Tommy Moore

Date: 9-17-19

Property Owner (printed): Tommy Moore

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.

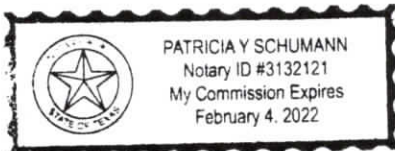
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by Tommy Moore, 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.

Cynthia A. Klatt
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of September, 20 19, to certify which witness my hand and seal of office.



Patricia Y. Schumann
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☐ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # ~~000~~ 1193

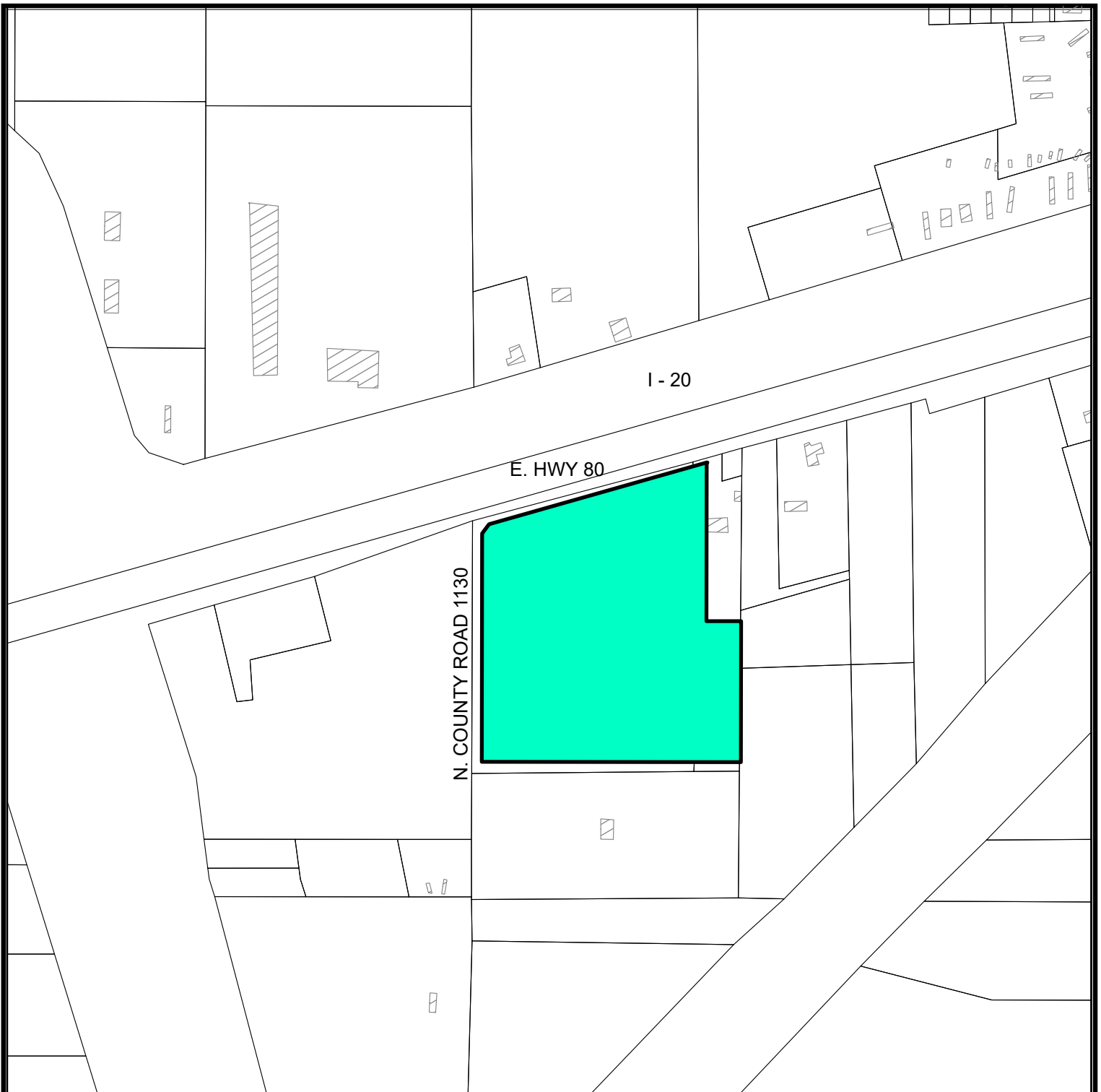
☒ Tax Certificates

Check # 1194

Received By: *[Signature]*

Date: 9/27/19

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



LOCATION MAP

SUB-18-0132

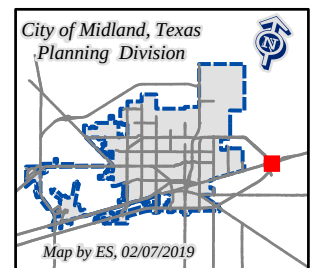
Scale: 1" = 400'

Consider a request for proposed Plat of OL'Robert's Addition, being a Plat of a 11.94 Acre Tract of Land out of SW/4 of Section 35, Block 38, T-1-S, T&P. RR.Co. Survey, and a .093 Acre tract of land out of the SW/4 of Section 35, Block 38, T-1-S, T&P. RR. Co.Survey, Abstract 27, City and County of Midland County, Texas.

Generally located on the southeast corner of E. Highway 80 and N. County Road 1130. (Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Elizabeth Shaughnessy, Senior Planner

SUBJECT: Consider a proposed Final Plat of South 1788 Commercial, being a 10.04-acre tract of land out of Section 18, Section 19, and Section 20, all out of Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of West Interstate 20 East and South Farm to Market 1788. ETJ, Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Maverick Engineering, is proposing to plat a 10.04-acre tract-of-land out of Section 18, Section 19, and Section 20, all out of Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas, into one (1) lot for ownership purposes.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

The Preliminary Plat was approved at the August 19, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

****Approved: Deferral and Drainage Report.****

ROW: TxDOT review requested.

PAVING: Interstate 20 Frontage and 1788 road is TxDOT facility, built and maintained by TxDOT, no improvements required.

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

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

PRO RATA: "None"

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

DRAINAGE: Drainage study approved.

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

TxDOT comments, "Access not permitted at this location to the IH 20 frontage road. Post development drainage/runoff should not exceed pre-development conditions."

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

No objections to plat.

Fire: (Approved)

ETJ, no jurisdiction

Oil and Gas: (Approved)

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

Code Administration: (Approved)

ETJ, no jurisdiction

Planning:

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

Conditions:

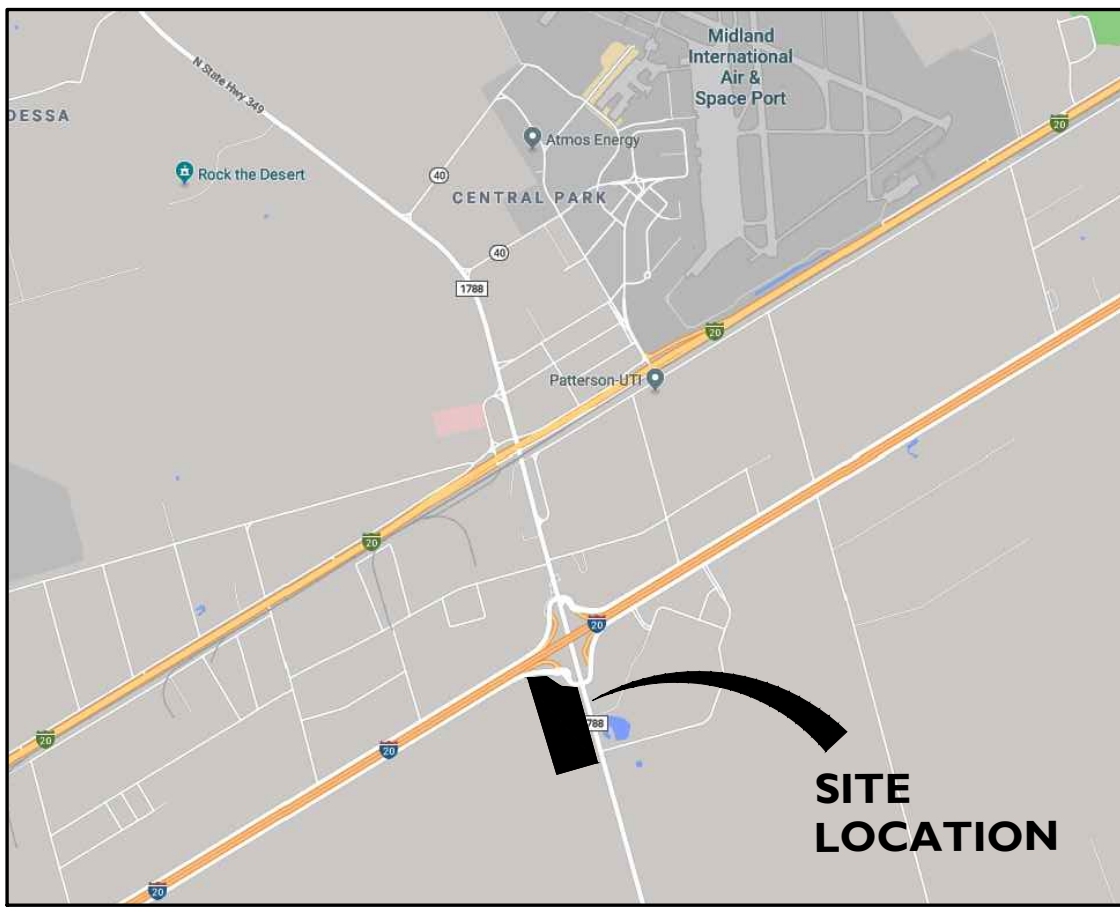
- A. Comply with drainage requirements stated above.
- B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.

Attachments:

Final Plat
Application
Maps

SOUTH I788 COMMERCIAL

BEING A 10.005-ACRE TRACT OF LAND
OUT OF SECTION 18, SECTION 19, AND SECTION 20,
ALL OUT OF BLOCK 40, T-2-S, T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS



VICINITY MAP

N.T.S.

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- 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.
- THIS TRACT IS WITHIN THE MIDLAND INTERNATIONAL AIR AND SPACEPORT AOZ-4 AIRPORT OVERLAY DISTRICT.

AOZ-4 AIRPORT OVERLAY DISTRICT (NOTE PER 11-11-11 A (2))

ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE 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 SECTION 11-11-4, 11-11-5, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48329C0200F, DATED SEPTEMBER 16, 2005, A PORTION OF THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND A PORTION IS WITHIN ZONE "A" 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.

UTILITY COMPANY'S CERTIFICATE

This plot has been checked for accessibility of utilities.

AT&T
BY: _____

AT&T
BY: _____

SUDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

LEGEND

- DENOTES 2" IRON PIPE IN STONE COLLAR
- DENOTES TXDOT CONCRETE MONUMENT
- ⊙ DENOTES 5/8" IRON ROD W/ CAP
- "RRC SURVEYING TX 10193838
- DENOTES BOUNDARY LINE
- DENOTES SURROUNDING PROPERTY LINE
- DENOTES SECTION LINE
- PL --- DENOTES EXISTING UNDERGROUND PIPELINE
- ⊕ DENOTES SECTION NUMBER (BLOCK 40, T-2-S T&P RR CO. SURVEY)

DRAINAGE TABLE

REQUIRED ON-SITE PER LOT EXCAVATION FOR ADEQUATE DETENTION	
LOT	REQUIRED EXCAVATION (ACRE FT.)
I	1.260

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF _____

WHEREAS SOUTHWEST CONVENIENCE STORES, LLC, is the record owner of a tract of land situated in Sections 18, 19 & 20, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SOUTHWEST CONVENIENCE STORES, LLC, being the owner of the land shown on this plat designated as SOUTH I788 COMMERCIAL, 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 _____, 2019.

By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of SOUTH I788 COMMERCIAL, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2019.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Grant, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat was prepared from an actual and correct survey conducted by me and that the corner monuments and other markers were properly located under my personal supervision and in accordance with the Subchapter B of the Texas Surveying Act, Chapter 131, Texas Revised Statutes.

James Grant, Registered Professional Land Surveyor, No. 10193838,
Renewable Resource Commission, License No. 10193838,
3011 S. County Rd. 1260, Suite A,
Midland, TX 79705



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

SOUTH I788 COMMERCIAL

REMAINDER OF
61.155 ACRE TRACT
VOL. 3131, PG. 210
M.C.D.R.

①
10.005 Ac.
435,789 S.F.

PROPERTY OWNER

SOUTHWEST CONVENIENCE STORES, LLC
12700 PARK CENTRAL DRIVE, SUITE 1500
DALLAS, TX 75251
DEED INSTRUMENT #2019-17845

REMAINDER OF
639.741 ACRE TRACT
VOL. 3131, PG. 210
M.C.D.R.

PRELIMINARY - THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE



Final Plat Application

Project Number:

Case Number:

SUB-19-0243
P-19-0683**Proposed Subdivision Plat Name:** South 1788 Commercial**Legal Description (attached sealed Metes and Bounds):** Being a 10.004-Acre Tract of Land out of Section 18, Section 19, and Section 20, all out of Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas.**Property Owner**

Printed Name: Southwest Convenience Stores, LLC

Phone ()
Email

Address 12700 Park Central Drive, Suite 1500

City Dallas

State TX

Zip 75251

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: Andrew L. Mellen

Phone (432) 262-0999
Email

phuckaba@maverick-eng.com

Address 1909 W. Wall Street, Ste. K

City Midland

State TX

Zip 79701

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

Total Acreage: 10.004-acres

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Mark Myer

Date:

9/12/19

Property Owner (printed):

MARK MYER

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 18th day of September, 2019, to certify which witness my hand and seal of office.



Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Mylar

☒ 1 Copy of Plat (11x17)

☐ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # 2921

☒ Tax Certificates

Check # 2922

Received By: ES

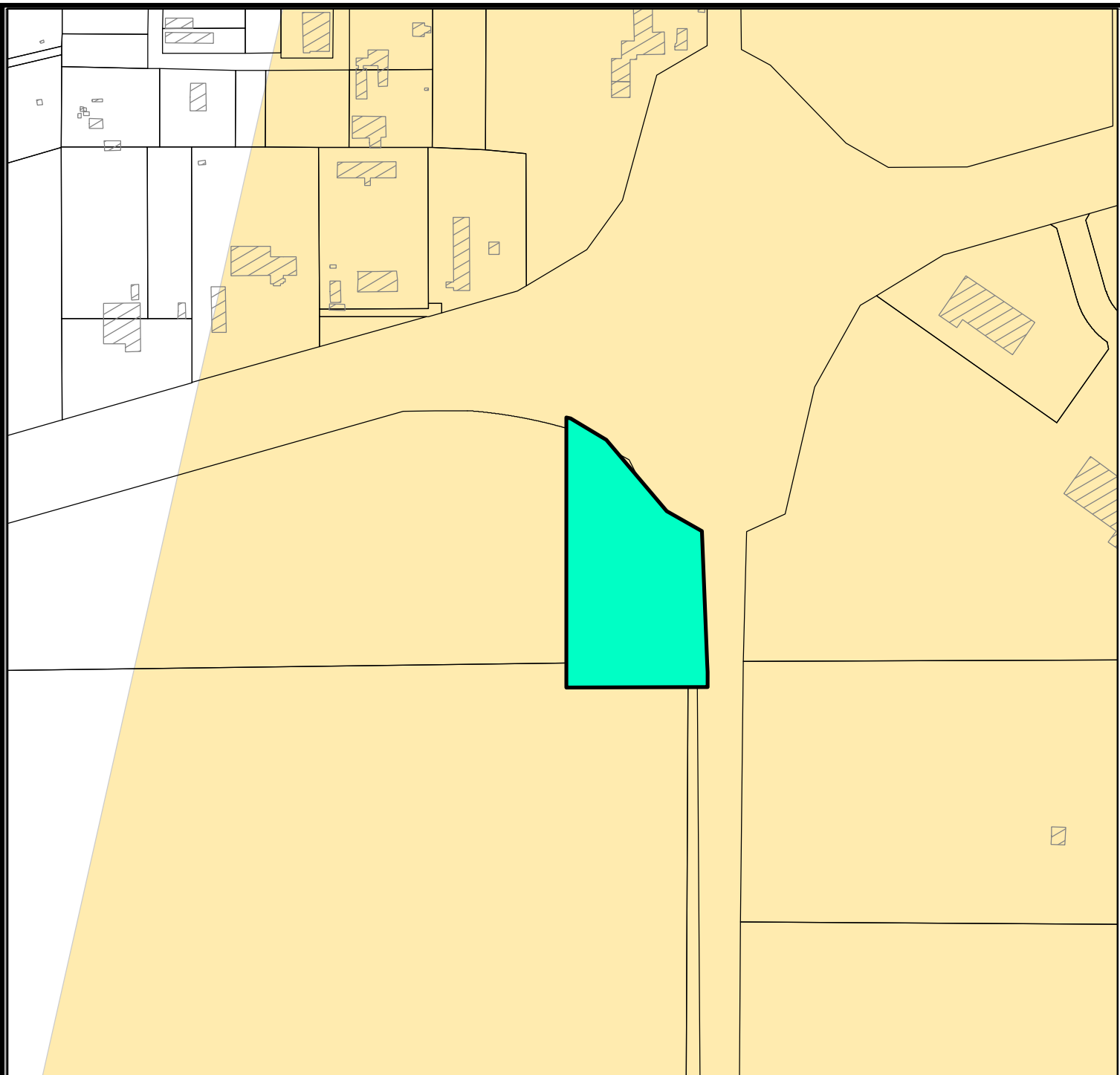
Date:

RECEIVED

SEP 18 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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



LOCATION MAP

SUB-19-0243

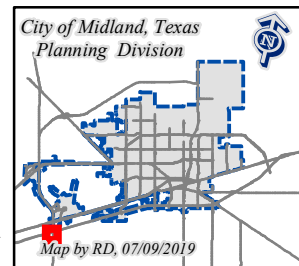
Scale: 1" = 400'

South 1788 Commercial, being a 10.01-acre tract-of-land out of Section 18, Section 19, and Section 20, all out of Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas.

Generally located on the southwest corner of the intersection of West Interstate 20, East and South Farm to Market 1788. (ETJ, Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS
- AIRPORT PROTECTION ZONE



©THE CITY OF MIDLAND - 2019

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

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Elizabeth Shaughnessy, Senior Planner

SUBJECT: Consider a proposed Final Plat of The Park at 1788 South, Section 2, being a replat of Lot 10, Block 1, The Park at 1788 South, Midland County, Texas. (Generally located on the southeast corner of the intersection of West County Road 148 and South County Road 1275. ETJ, Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Maverick Engineering, is proposing a replat of Lot 10, Block 1, The Park at 1788 South, Midland County, Texas., Texas, into two (2) lots for ownership purposes.

Current Zoning:

Extraterritorial Jurisdiction

Preliminary Plat Approval:

The Preliminary Plat was approved at the August 19, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Engineering: (Approved)

ROW: ROW okay as shown.

PAVING: Paving improvements deferred by City of Midland on 9/20/2019.

WATER: Water improvements deferred by City of Midland on 9/20/2019.

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

PRO RATA: None.

SEWER: Wastewater improvements deferred by City of Midland on 9/20/2019

DRAINAGE: Maverick provided a drainage report that was approved on 8-9-19.

EASEMENTS: Okay as shown.

SIDEWALKS: Sidewalk deferred by City of Midland on 9/20/2019

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No objections to plat.

Fire: (Approved)

ETJ, no comments.

Oil and Gas: (Approved)

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

Code Administration: (Approved)

ETJ, no Comments.

Planning:

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

Conditions:

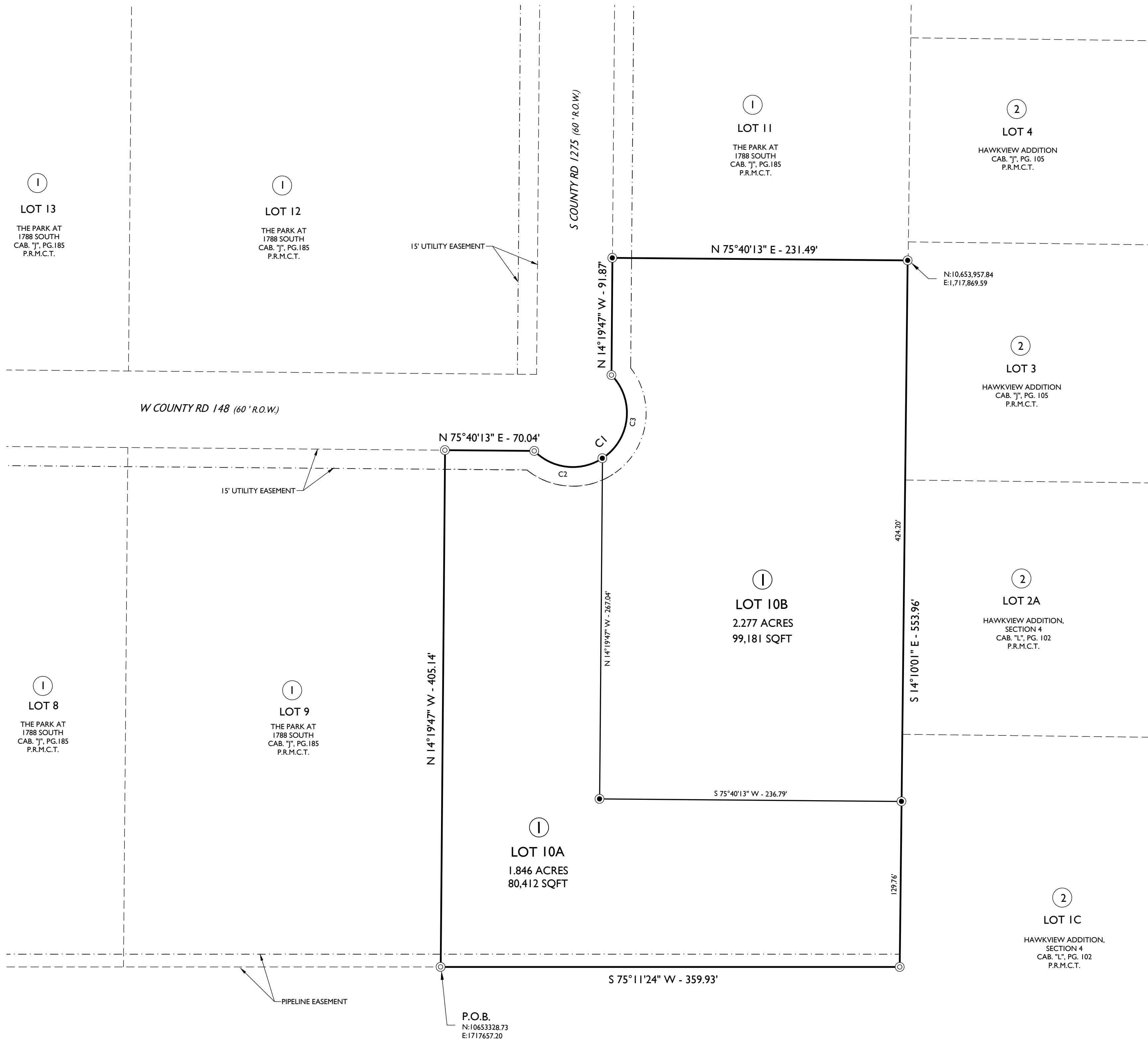
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.

Attachments:

Final Plat
Application
Maps

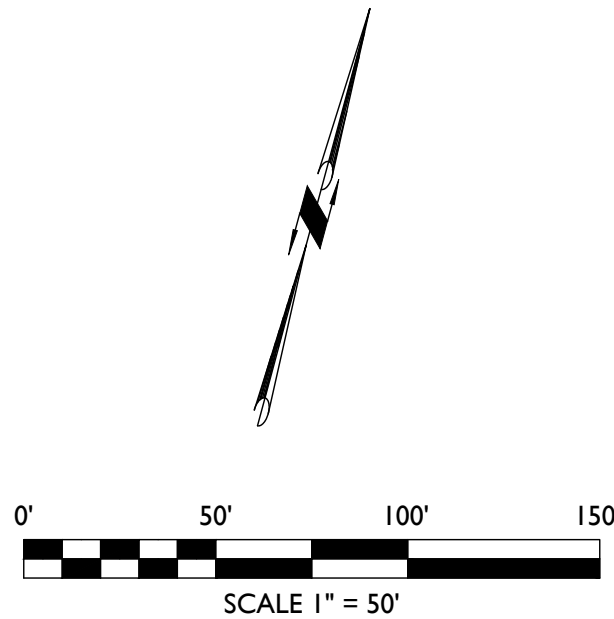
THE PARK AT 1788 SOUTH, SECTION 2

BEING A RE-PLAT OF LOT 10, BLOCK I, THE PARK AT 1788 SOUTH, MIDLAND COUNTY, TEXAS



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	42.40'	133.20'	84.80'	N 30°40'07" E	180°00'00"
C2	42.40'	58.16'	53.72'	N 81°21'25" E	78°37'24"
C3	42.40'	75.02'	65.61'	N 08°38'35" W	101°22'36"



LEGEND

- DENOTES SET 1/2" REBAR W/ CAP
- DENOTES FOUND MONUMENT W/ CAP MARKED "4156"
- DENOTES BOUNDARY LINE
- - - DENOTES SURROUNDING PROPERTY
- - - DENOTES EXISTING EASEMENT LINE
- - - DENOTES PROPOSED LOTS

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.E.I.P. FLOOD INSURANCE RATE MAP #4832H0200P, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- 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.

AOZ-4 AIRPORT OVERLAY DISTRICT (NOTE PER 11-1-11.1 A (2))

ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE, OR ENLARGE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE 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 SECTION 11-1-1-8, 11-1-1-9, 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.

UTILITY COMPANY'S CERTIFICATE

This plot has been checked for accessibility of utilities.

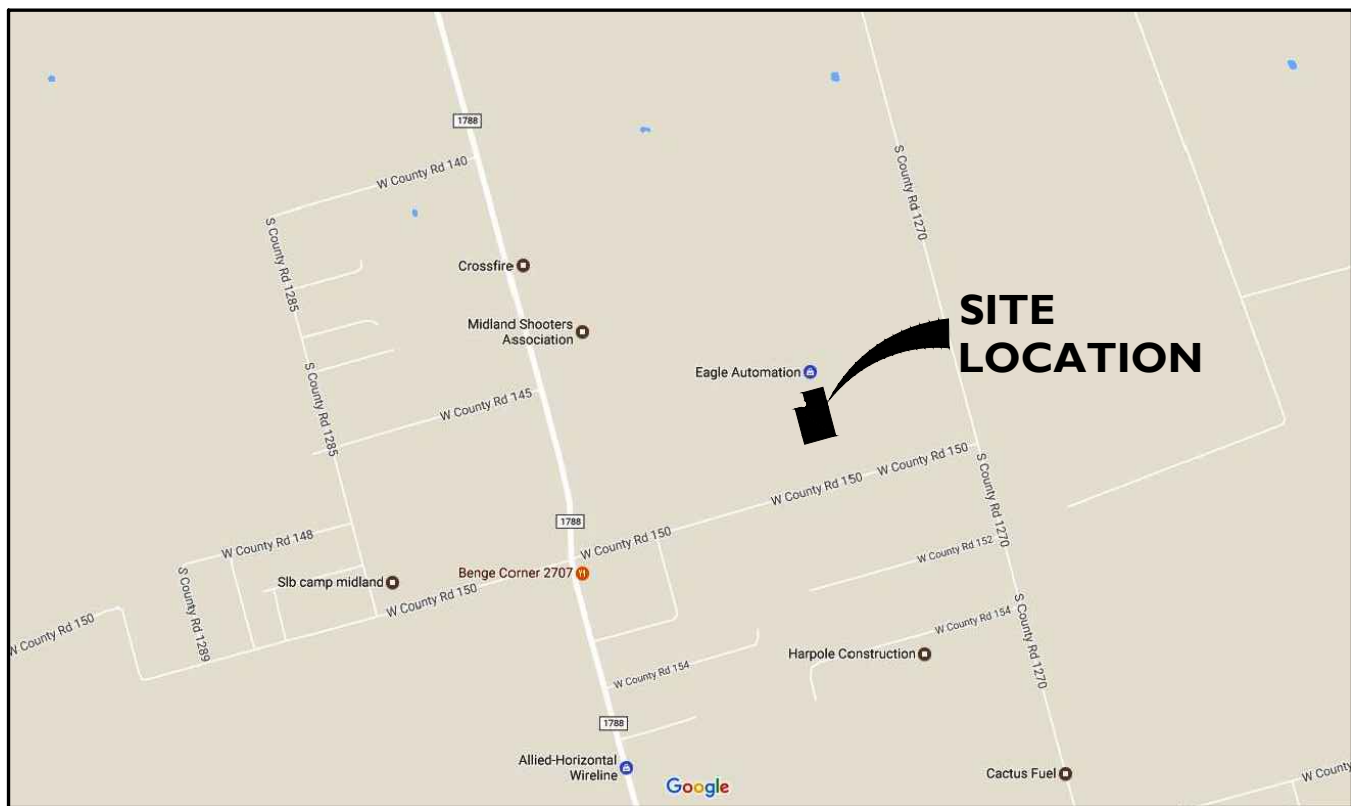
ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDDEENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____



VICINITY MAP

N.T.S.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF _____

WHEREAS THE PARK AT 1788 SOUTH, LLC, is the record owner of a tract of land situated in Section 29, Block 40, T-2-S, T&P, RR. Co. SURVEY, County of Midland,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That THE PARK AT 1788 SOUTH, LLC, being the owner of the land shown on this plat designated as THE PARK AT 1788 SOUTH, SECTION 2, 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 and trash collection, and 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 this, the _____ day of _____, 2019.

By: CHRIS DE LA MORA
PRESIDENT

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF _____

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

the _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of THE PARK AT 1788 SOUTH, SECTION 2, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this day of _____, 2019.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Paul Wilson, a duly Licensed Land Surveyor in the State of Texas, do hereby certify that this plat was prepared by my personal or accurate survey, and that the corner marks and measurements shown hereon were properly placed and measured in accordance with the Subdivision Map Act of the State of Texas, and the rules and regulations of the State Board of Survey, and that the same are true and correct.

Paul Wilson, Surveyor

(Midland, Texas 79701)

pwilson@maverick-eng.com

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.



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

**THE PARK AT 1788 SOUTH
SECTION 2**

PROPERTY OWNER

THE PARK AT 1788 SOUTH, LLC
10497 TOWN AND COUNTRY WAY, #930
HOUSTON, TEXAS 77024
DOCUMENT NUMBERS: 2017-2767 & 2017-2766, O.R.M.C.T.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



Final Plat Application

Project Number:

Case Number:

240-19-0236
19-0677**Proposed Subdivision Plat Name:**

The Park At 1788 South, Section 2

Legal Description (attached sealed Metes and Bounds): Being a Re-Plat of Lot 10, Block 1,
The Park at 1788 South, Midland County, Texas.**Property Owner**

Printed Name: The Park at 1788 South, LLC

Address 10497 Town and Country Way, Suite 930

City Houston

Phone ()
Email

State TX

Zip 77024

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()
Email

State

Zip

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

Firm: Maverick Engineering

Printed Name: Andrew L. Mellen

Address 1909 W. Wall Street, Ste. K

City Midland

Phone (432) 262-0999
Email

phuckaba@maverick-eng.com

State TX

Zip 79701

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

Total Acreage: 4.123

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

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

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

RECEIVED

SEP 18 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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): Chris de la Mora - The Park at 1788 South, LLC

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

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

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

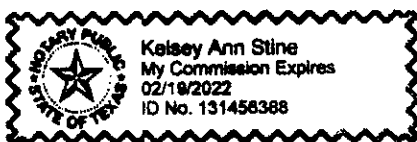
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by The Park at 1788 South, LLC, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L. Mellen

Authorized Agent (signature)

Subscribed and sworn to before me, this 27th day of August, 2019, to certify which witness my hand and seal of office.



Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Mylar **no**

☒ 1 Copy of Plat (11x17)

☐ Public Improvements **none**

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

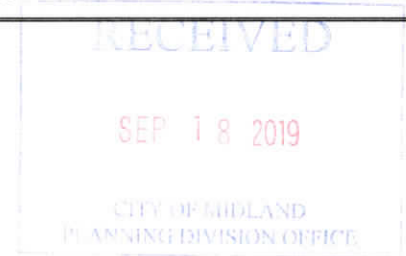
Check # **2911**

☒ Tax Certificates

Check # **2912**

Received By: **ES**

Date:



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



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a reinstatement of the proposed Preliminary Plat of Community Place being a plat of a 5.83-acre tract of land out of the Southeast/4 of Section 22, Block 38, T-1-S, T & P RR Co. Survey, Midland County, Texas. (Generally located south of East County Road 55, approximately 545-feet west of North County Road 1130. Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Schumann Engineering Co., Inc., is proposing to plat 5.83-acre tract of land out the Southeast/4 of Section 22, Block 38, T-1-S, T & P RR Co. Survey, Midland County, Texas, into five lots to obtain a septic permit.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The Preliminary Plat was approved on August 6, 2018. Since it has been over one year since the preliminary plat has been approved, it has to be reinstated before the final plat can move forward.

The preliminary plat attached hereto has been circulated to all pertinent City departments and their comments, conditions, and requirements are as follows:

Code Compliance: Approved

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

Surveyor: Approved

No comments.

Fire: Approved

Not in city limits.

Transportation: Approved

No objection.

Engineering: Denied

ROW: Okay as shown.

PAVING: E CR 555 and E CR 57 are sub-standard, construct to City Standards for entire platted frontage or request a deferral.

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral based on located in the South Midland Utility District. Water well shown on plat on property line, please provide guidance as to which lot it belongs.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal.

PRO RATA: None.

SEWER: None existing. Construct wastewater to City standards along entire platted frontage, or request a deferral. Without public water or wastewater the lots must be a minimum 1 acre, this layout has Lots 3 & 4 under that minimum. Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (B) Areas NOT served by public water systems shall have lots of at least 1 acre to obtain a septic permit; therefore, this plat should be denied.

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

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

Building Code: (Approved)

ETJ, no objection.

Health: (Awaiting Comments)

Planning:

Show existing and proposed easements.

Lots 3 and 4 falls under 1-acre requirement for installation of a septic system. This plat was sent to the City of Midland Health Department for review.

Provide scale of 1"=200'

Add Utility Company's Certificate.

Add legend.

Add Owner's Certificate.

Add certificate of approval.

Add Surveyor's Certificate.

Add recording information signature block.

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

Staff recommends approval subject to conditions A-D.

Conditions:

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

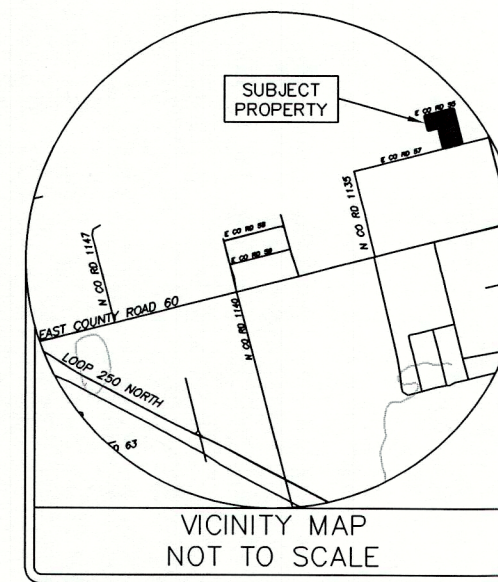
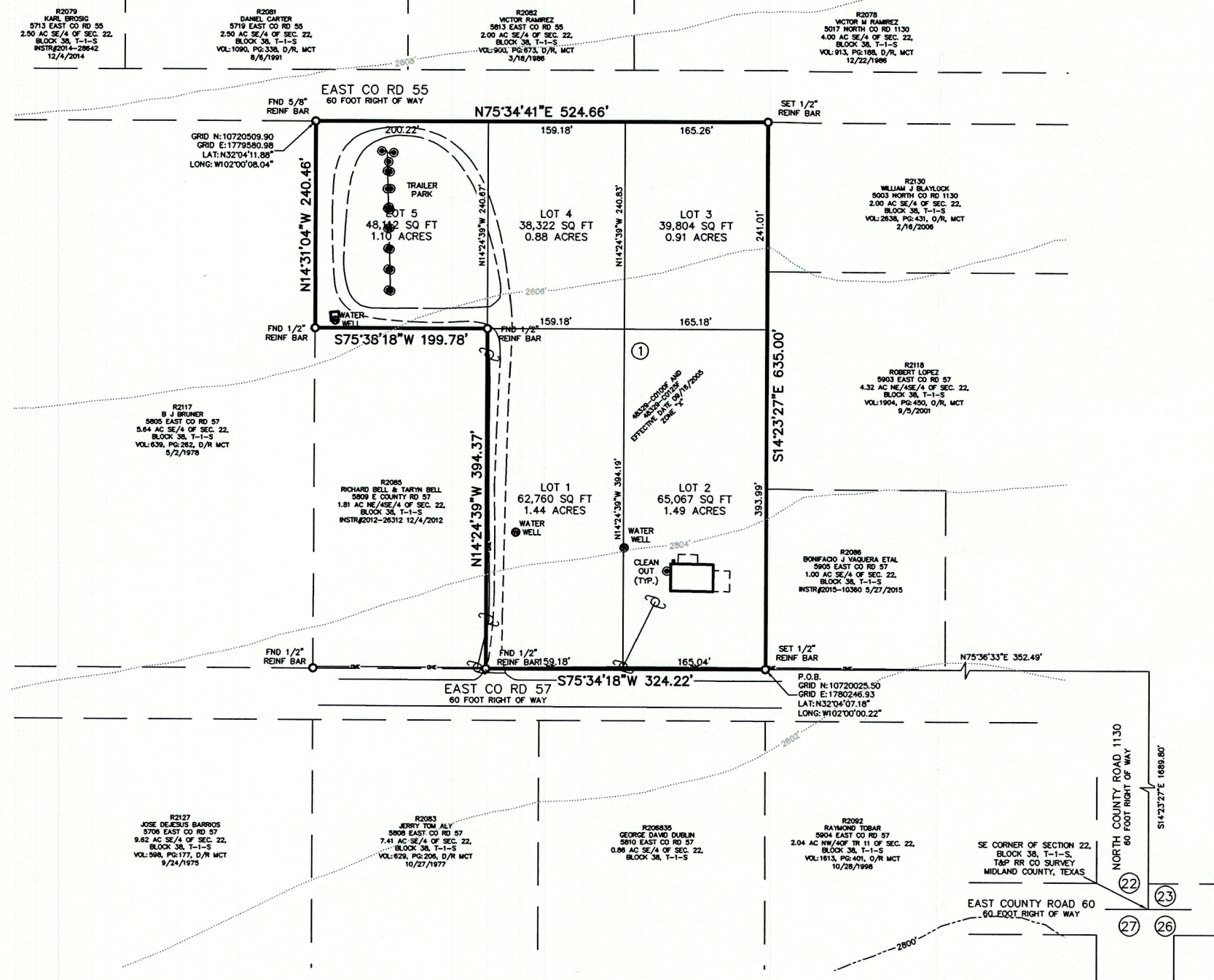
Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

COMMUNITY PLACE

BEING A PLAT OF A 5.83 ACRE TRACT
OF LAND OUT OF
THE SE/4 OF SECTION 22,
BLOCK 38, T-1-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS.



NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

OWNER:
LUIS A OLIVAS
4805 EAST LOOP 250 NORTH
MIDLAND, TEXAS 79705
(432) 661-2463
lolivas250@outlook.com

SCHUMANN ENGINEERING CO., INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
REGISTERED PROFESSIONAL CIVIL ENGINEERS
Civil Engineering ~ Land Surveying
TEXAS FIRM No. F1880
408 N. PECOS STREET - P. O. BOX 504
MIDLAND, TEXAS 79702-0504
Office (432) 684-5548
Fax (432) 684-6973

DRAWN BY: KDS		DATE: 4/20/2018	
CHECKED BY: RJD		PROJECT NO.: 76028LAO	
JOB NO.: 76,028		SHEET 1 OF 1	
NO.	DATE	DESCRIPTION	BY

COMMUNITY PLACE

CITY OF MIDLAND
PLANNING DIVISION OFFICE

JUL - 3 2018

RECEIVED

COMMUNITY PLACE

From: [Cindy Klatt](#)
To: [Taslina Khandaker](#)
Cc: ealeman@schumannonline.net; sandi@schumannonline.net
Subject: Community Place
Date: Tuesday, September 24, 2019 3:09:48 PM

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

Taslina:

Please reinstate Community Place for Luis Olivas. Thank you.

PLEASE NOTE NEW ADDRESS:

Cynthia Ann "Cindy" Klatt
800 North Marienfeld Street
Midland, TX 79701
432-684-5548 Office
432-684-6973 Fax
432-631-3755 Cell



Virus-free. www.avast.com



Preliminary Plat Application

Project Number: 54B-18-0052Case Number: P-18-0194Proposed Subdivision Plat Name: COMMUNITY PLACELegal Description (attached sealed Metes and Bounds): Being a Plat of a 5.83 Acre Tract of Land out of the SE/4 of Section 22, Block 38, T-1-S, T&P RR Co Survey, Midland County, Texas

Property Owner Printed Name: <u>Luis A. Olivas</u>		Phone (432) <u>661-2463</u>	
		Email <u>lolivas250@outlook.com</u>	
Address <u>4805 East Loop 250 North</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Schumann Engineering Co., Inc.</u>		Phone (432) <u>684-5548</u>	
Printed Name: <u>Cynthia A. Klatt</u>		Email <u>cindy@schumannonline.net</u>	
Address <u>P.O. Box 504</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79702-0504</u>

Current Zoning: _____

Reason for Platting: Obtain Septic Permit

Plat Information	Total Acreage: <u>5.83</u>
Type: ☒ Single-Family Residential ☐ Commercial	☐ Multi-Family Residential ☐ Extraterritorial Jurisdiction (ETJ)
Number of Residential Lots: <u>0</u>	Number of Multi-Family Dwelling Units: <u>0</u>

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

JUL - 3 2018

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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):

Luis A. Olivas

Date: 01/02/2018

Property Owner (printed):

LUIS A. OLIVAS

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.

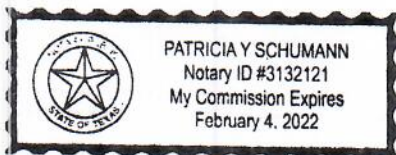
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by Luis A. Olivas, 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.

Cynthia A. Klatt
Authorized Agent (signature)

Subscribed and sworn to before me, this 25TH day of June, 20 18, to certify which witness my hand and seal of office.



Patricia Y. Schumann
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

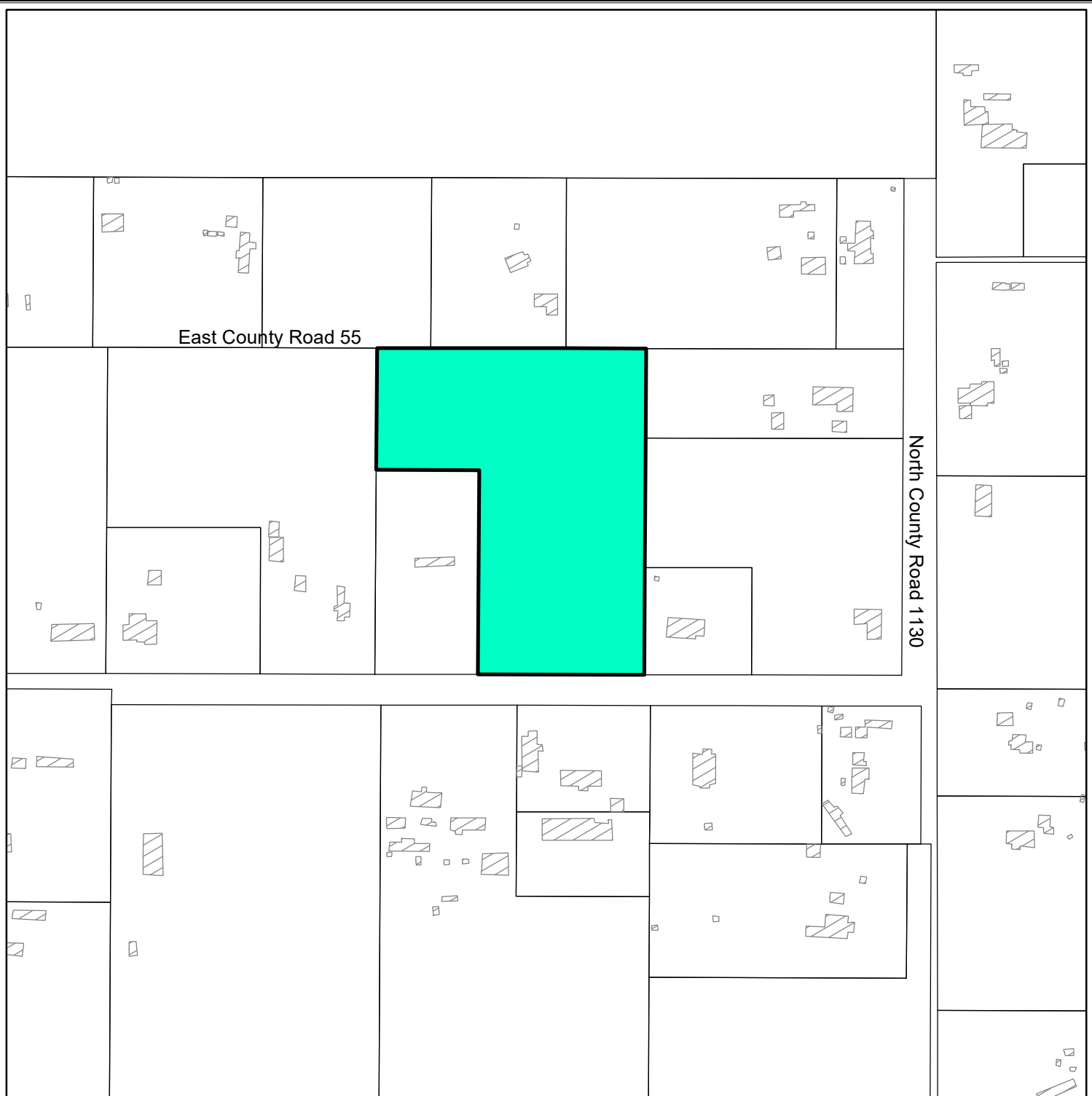
☒ 1 Copy of Plat (11x17)

Check # 11100

Received By: ES

Date: 7/3/18

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



LOCATION MAP

SUB- 18 - 0052

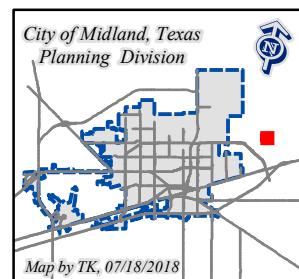
Scale: 1" = 300'

Consider a proposed Plat of Community Place being a plat of a 5.83-acre tract of land out of the Southeast/4 of Section 22, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located south of East County Road 55, approximately 545-feet west of North County Road 1130.
(Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2017

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

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



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a proposed Final Plat of Community Place being a plat of a 5.79-acre tract of land out of the Southeast/4 of Section 22, Block 38, T-1-S, T & P RR Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 55, approximately 545-feet west of North County Road 1130. Extraterritorial Jurisdiction).

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on the south side of East County Road 55, approximately 545-feet west of North County Road 1130, within the ETJ, Extraterritorial Jurisdiction. The applicant is requesting to plat the property into (5) five lots to obtain septic permits. The Preliminary Plat was approved on the August 6, 2018 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

ETJ, no jurisdiction. Septic tanks are permitted and regulated by the City of Midland Health Department.

Code Compliance: (Approved)

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

Engineering: (Approved)

ROW: Okay as shown.

PAVING: Paving deferral approved on Oct 3, 2018. No paving improvements are required.

WATER: Water deferral approved on Oct 3, 2018. No water improvements are required.

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

PRO RATA: None.

SEWER: Wastewater deferral approved on Oct 3, 2018. No wastewater improvements are required.

DRAINAGE: Drainage study approved on Oct 1, 2018.

EASEMENTS: Okay as shown.

SIDEWALKS: Sidewalk deferral approved on Oct 3, 2018. No sidewalk improvements are required.

DIMENSION: * * *

OTHER: * *

Fire: (Approved)

ETJ; No comments

Midland County:

See attachment.

Transportation: (Approved)

No objections to plat.

Health:

Yes, the health department will review applications from the 5 proposed lots of COMMUNITY PLACE , PLAT OF A 5.83 ACRE TRACT OF LAND OUT OF THE SOUTHEAST ¼ OF SECTION 22, BLOCK 38,T-1-S, T. & P. RR. CO. SURVEY lot 1 is 1.3 acre, lot 2 is 1.3 acre, lot 5 is 1.10 acre lot 3 is 1 acre and lot 4 is 1 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning:

Staff recommends approval of the final plat of Community Place.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps
Midland County Comments

COMMUNITY PLACE

BEING A PLAT OF A 5.833 ACRE TRACT
OF LAND OUT OF
THE SE/4 OF SECTION 22,
BLOCK 38, T-1-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS.

REQUIRED ON-SITE PER LOT EXCAVATION FOR ADEQUATE DETENTION	
LOT	REQUIRED EXCAVATION (ACRES FT.)
1	0.548
2	0.568
3	0.430
4	0.415
5	0.458

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 22, BLOCK 38, T-1-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

LUIS A. OLIVAS

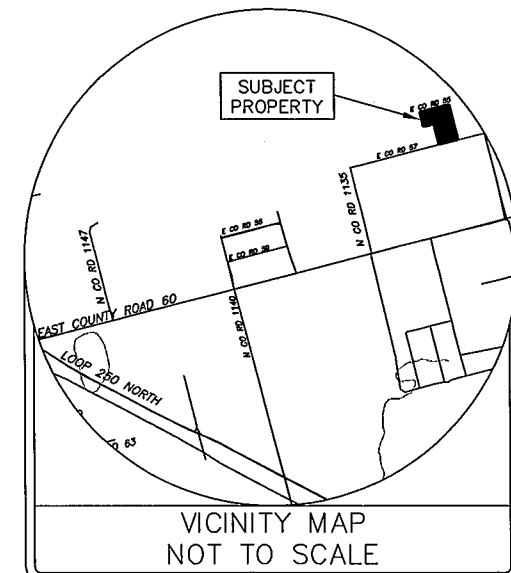
STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, LUIS A. OLIVAS.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.



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

SCHUMANN ENGINEERING CO., INC.
REGISTERED PROFESSIONAL LAND SURVEYORS REGISTERED PROFESSIONAL CIVIL ENGINEERS
Civil Engineering ~ Land Surveying
TEXAS FIRM No. F1880 TEXAS FIRM No. 10149500
408 N. PECOS STREET - P. O. BOX 504 Office (432) 684-5548
MIDLAND, TEXAS 79702-0504 Fax (432) 684-6973

DRAWN BY: KDS	DATE: 4/20/2018
CHECKED BY: RJD	PROJECT NO.: 76028LAO
JOB NO.: 76,028	SHEET 1 OF 1



RJ DAUM
RPLS 4826

CERTIFICATE OF APPROVAL

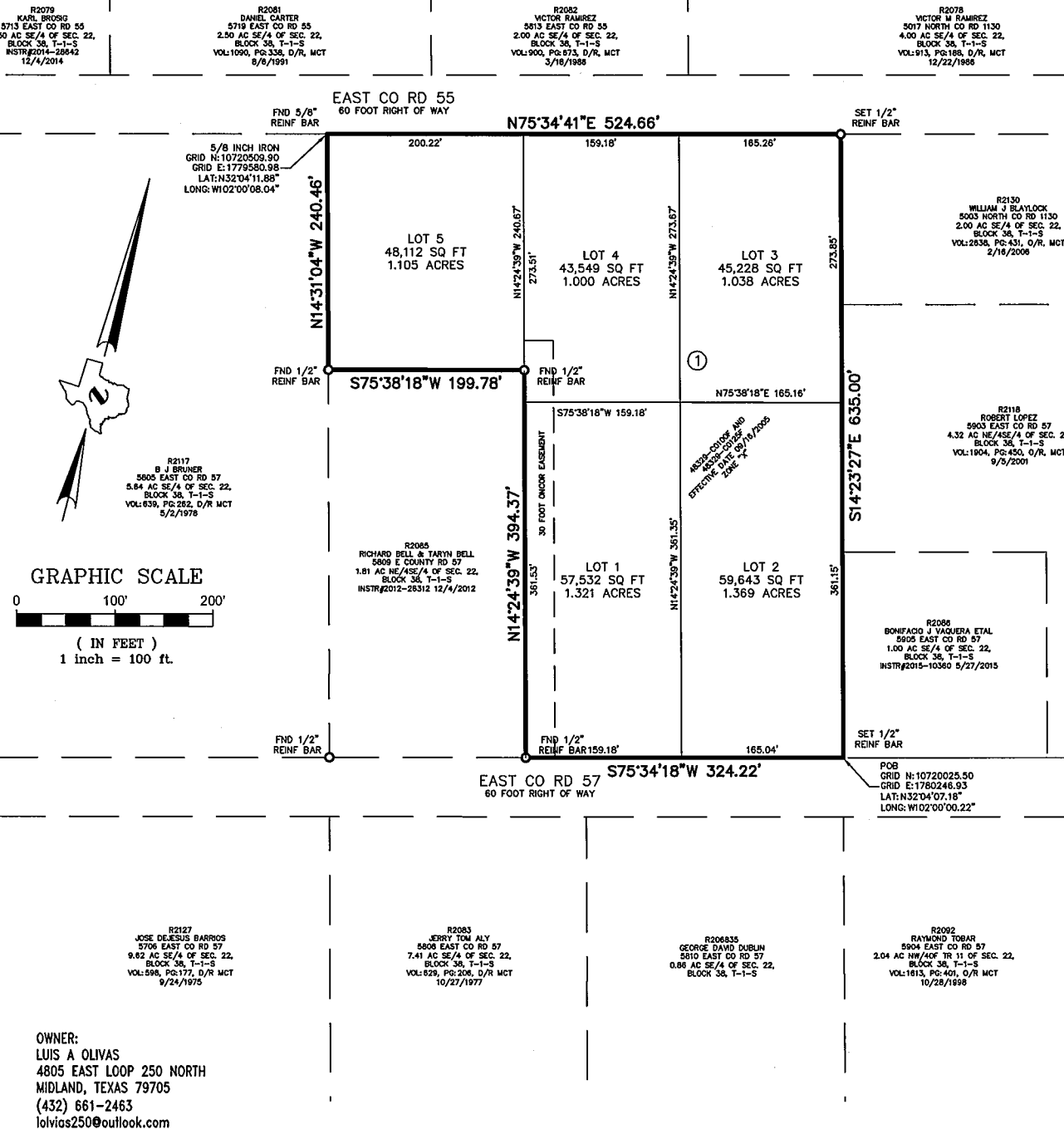
FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF COMMUNITY PLACE WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2018.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA OENBORG 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.



OWNER:
LUIS A. OLIVAS
4805 EAST LOOP 250 NORTH
MIDLAND, TEXAS 79705
(432) 661-2463
lolivas250@outlook.com

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ONCOR ELECTRIC DELIVERY COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS

COMMUNITY PLACE

COMMUNITY PLACE



Final Plat Application

Project Number:

Case Number:

SUB-18-0052
P-19-0693

Proposed Subdivision Plat Name: COMMUNITY PLACE

Legal Description (attached sealed Metes and Bounds): Being a Plat of a 5.83 Acre Tract of Land out of the Southeast/4 of Section 22, ALL in Block 38, T-1-S, T&P RR Co Survey, Midland County, Texas

Property Owner
Printed Name: Luis A Olivas

Phone (432) 661-2463

Email lolivas250@outlook.com

Address 4805 East Loop 250 North

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)

Phone (432) 684-5548

Email

Firm: Schumann Engineering Co., Inc.

cindy@schumannonline.net

Printed Name: Cynthia A. Klatt

Address P.O. Box 504

City Midland

State TX

Zip 79702-0504

Current Zoning:

Reason for Platting: To obtain septic permit

Plat Information

Total Acreage: 5.83 Acres

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

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

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



Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 02/13/2019

Property Owner (printed): LUIS A. OLIVAS

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.

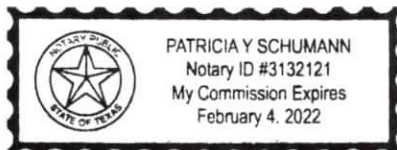
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STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by LUIS A OLIVAS, 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 13TH day of February, 20 18, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

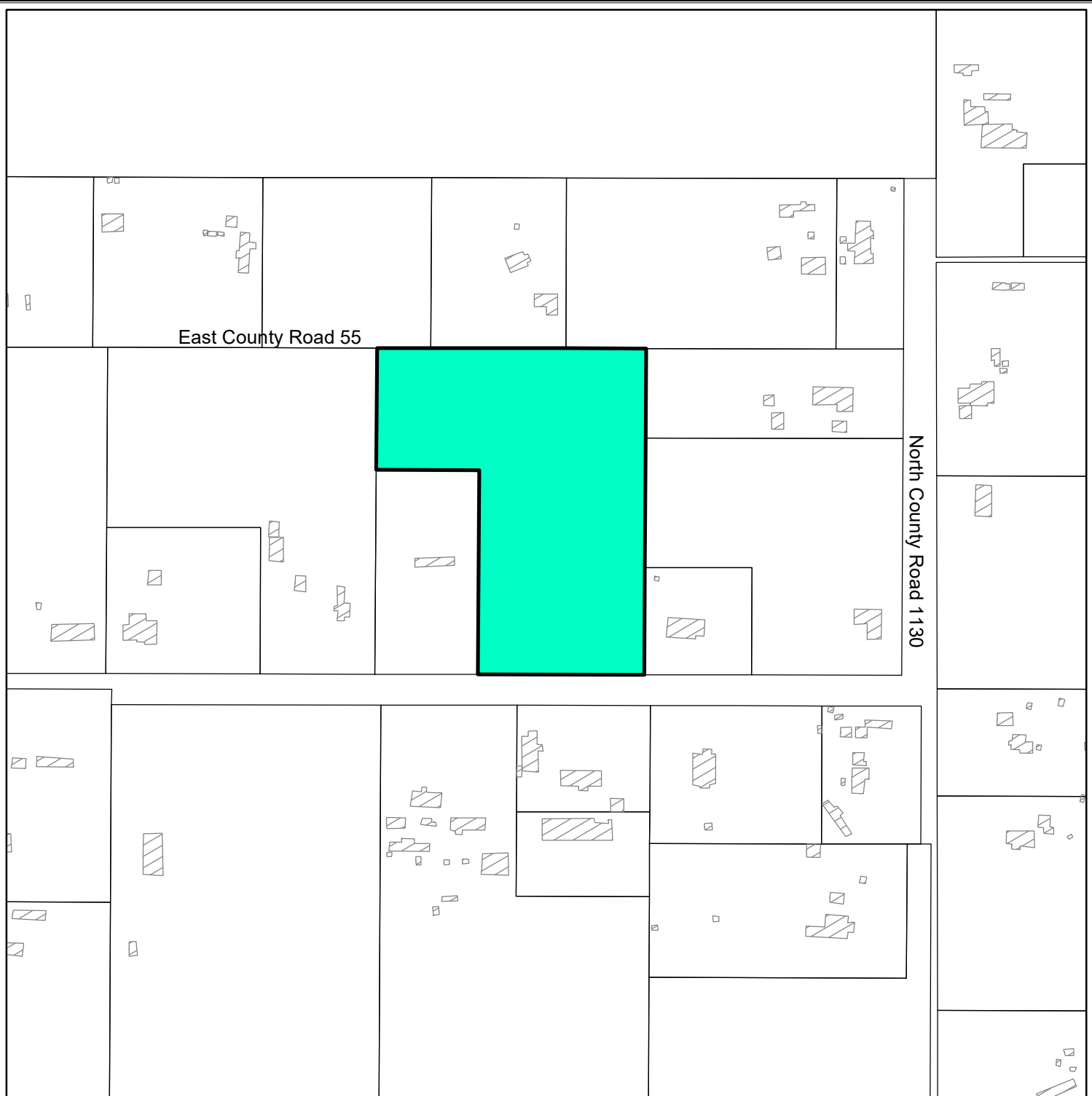
****Application will not be considered for scheduling until reviewed by a planner.****

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>1165</u>	☒ Tax Certificates	Check # <u>1166</u>
Received By: <u>Robynne Russell</u>		Date: <u>SEP 23 2019</u>

OFFICE OF MIDLAND
COUNTY ENGINEERING DIVISION OFFICE

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



LOCATION MAP

SUB- 18 - 0052

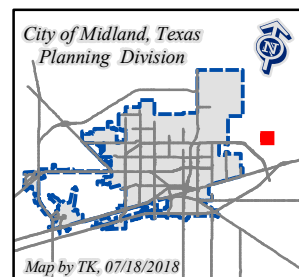
Scale: 1" = 300'

Consider a proposed Plat of Community Place being a plat of a 5.83-acre tract of land out of the Southeast/4 of Section 22, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located south of East County Road 55, approximately 545-feet west of North County Road 1130.
(Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2017

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



October 5, 2019

City of Midland
Development Services
ATTN: Taslima Khandaker, Planner
300 N. Loraine Street
Midland, Texas 79702

RE: Final Plat P-19-0693
Proposed Community Place Addition
Part of SE/4 of Section 22, Block 38, T-1-S, T&P RR CO Survey
<https://goo.gl/maps/H21QUdghw219Dpcf9>

Owner: Luis A Olivas
Surveyor/Engineer: Schumann Engineering Co.

Ms. Khandaker –

On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The 5.833-acre site is situated in a tract of land (noted above) located between two gravel roads – E CR 55 and E CR 57, west of N CR 1130. This property is located outside the city limits of the City of Midland. In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a final plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

The final plat has been reviewed for conformity with the adopted County Subdivision Regulations. The following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development:

Supplemental information is provided in the attached document (Attachment A).

ARTICLE I PLATS

1. Provide a copy of all restrictions or restrictive covenant, if applicable. (Section 1.18)
2. Add the following note to the face of the plat if drives/streets/easements are to continue to be privately owned and maintained.

“MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE

HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH."

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
 - Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.
3. In addition, to the comments above, please add the following information on the revised sketch plat and/or on the preliminary/final plat:
- a. Label City limit line on Vicinity Map.
 - b. Provide executed owner's certificate with submittal of final plat. (Section 1.04)
 - c. Add Lot numbers and Block to title of plat.
 - d. The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County Office of Emergency Management.

ARTICLE IX LOTS

- 1. Lot size for each of the proposed lots do not meet the County minimum standards for on-site sewage facilities. (Section 9.1)
- 2. In addition, to the comments above, please add the following information on the revised sketch plat and/or on the preliminary/final plat:
 - a. Confirm that the minimum frontage will be provided for all lots.
 - b. Coordinate with the County to build streets to current County standards, including right-of-way dedication, if owner/develop desires that roads be accepted into County road system. (Section 9.4)

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,



Jenifer Reiner AICP, CNU-A

Cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Jenny Hilton, Midland County

COMMUNITY PLACE

Lots 1-5, Block 1

BEING A PLAT OF A 5.833 ACRE TRACT
OF LAND OUT OF
THE SE/4 OF SECTION 22,
BLOCK 38, T-1-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS.

REQUIRED ON-SITE PER LOT EXCAVATION FOR ADEQUATE DETENTION	
LOT	REQUIRED EXCAVATION (ACRES FT.)
1	0.548
2	0.568
3	0.430
4	0.415
5	0.458

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 22, BLOCK 38, T-1-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____.

LUIS A. OLIVAS

STATE OF TEXAS:
COUNTY OF MIDLAND:

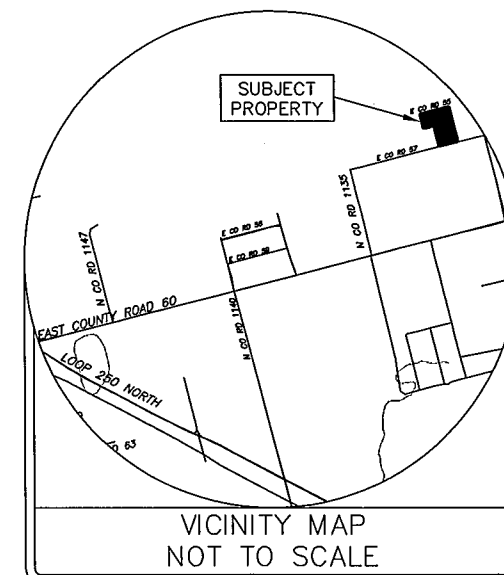
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, LUIS A. OLIVAS.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

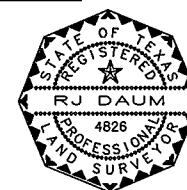
FEMA note



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

SCHUMANN ENGINEERING CO., INC.
REGISTERED PROFESSIONAL LAND SURVEYORS REGISTERED PROFESSIONAL CIVIL ENGINEERS
Civil Engineering ~ Land Surveying
TEXAS FIRM No. F1880 TEXAS FIRM No. 10149500
408 N. PECOS STREET - P. O. BOX 504 Office (432) 684-5548
MIDLAND, TEXAS 79702-0504 Fax (432) 684-6973

DRAWN BY: KDS	DATE: 4/20/2018
CHECKED BY: RJD	PROJECT NO.: 76028LAO
JOB NO.: 76,028	SHEET 1 OF 1



RJ DAUM
RPLS 4826

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF COMMUNITY PLACE WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2018.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG 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.

R2079
KARL BROSGE
5713 EAST CO RD 55
2.50 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
INSTR#2014-22642
12/4/2014

R2081
DANIEL CARTER
5719 EAST CO RD 55
2.50 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#1090, PG#336, O/R, MCT
8/6/1991

R2082
VICTOR RAMIREZ
5813 EAST CO RD 55
2.00 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#900, PG#673, O/R, MCT
3/18/1988

R2078
VICTOR M RAMIREZ
5077 NORTH CO RD 1130
4.00 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#913, PG#188, O/R, MCT
12/22/1986

R2130
WILLIAM J BLAYLOCK
5003 NORTH CO RD 1130
2.00 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#2938, PG#431, O/R, MCT
2/18/2006

R2118
ROBERT LOPEZ
5903 EAST CO RD 57
4.32 AC NE/4SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#1904, PG#450, O/R, MCT
9/9/2001

R2086
BONIFACIO J VAQUERA ETAL
5903 EAST CO RD 57
1.00 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
INSTR#2015-10360 9/27/2015

R2092
RAYMOND TOBAR
5904 EAST CO RD 57
2.04 AC NW/4OF TR 11 OF SEC. 22,
BLOCK 38, T-1-S
VOL#1813, PG#401, O/R, MCT
10/28/1998

R20835
GEORGE DAVID DUBUIN
5810 EAST CO RD 57
0.86 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S

R2083
JERRY TOM ALY
5908 EAST CO RD 57
7.41 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#629, PG#206, O/R, MCT
10/27/1977

R2127
JOSE DEJESUS BARRIOS
5708 EAST CO RD 57
9.82 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#598, PG#377, O/R, MCT
9/24/1975

R2085
RICHARD BELL & TARYN BELL
5809 E COUNTY RD 57
1.81 AC NE/4SE/4 OF SEC. 22,
BLOCK 38, T-1-S
INSTR#2012-26312 12/4/2012

R2117
B J BRUNER
5905 EAST CO RD 57
5.44 AC SE/4 OF SEC. 22,
BLOCK 38, T-1-S
VOL#639, PG#282, O/R, MCT
5/5/1978

5/8 INCH IRON
GRID N:10720509.90
GRID E:1779550.98
LAT:N32°04'11.88"
LONG:W102°00'08.04"

GRAPHIC SCALE
0 100' 200'
(IN FEET)
1 inch = 100 ft.

OWNER:
LUIS A OLIVAS
4805 EAST LOOP 250 NORTH
MIDLAND, TEXAS 79705
(432) 661-2463
lolivas250@outlook.com

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ONCOR ELECTRIC DELIVERY COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS

COMMUNITY PLACE

COMMUNITY PLACE

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT

ARTICLE I PLATS

- ✓ Plat required for any division into two (2) or more parts. (Section 1.01)
- ✓ Owners of property proposed to be subdivided must consult with the Planning Department at the City of Midland or the City of Odessa. (Section 1.02)
- ✓ Property within the City of Midland ETJ is subject to the plat requirements of the City of Midland or the City of Odessa, as applicable. (Section 1.02)
- ✓ City of Midland has jurisdiction for the approval of plats within its ETJ, unless waived. (Section 1.02)
- ✓ Plats shall meet the requirements of both the County of Midland and the City of Midland, where joint administration of platting authority occurs within the City ETJ. (Section 1.02)

Note: Executed Owner's Certificate (Section 1.04)

- **Execute certificate for final plat after Midland City Council approval**

- ✓ Plat must be prepared by an Engineer or Surveyor. (Section 1.05)
- ✓ Scale 1 in = 200 feet max. (Section 1.05)
- ✓ Sheet size 18" x 24" or 24" x 36". (Section 1.06)
- ✓ Key/Vicinity map. (Section 1.06)
- ✓ Notation or evidence that plat has been prepared from an actual survey on the ground. (Section 1.07)
- ✓ Boundary lines with bearings and distances. (Section 1.08)
- ✓ All block corners and angles in streets and alleys should be marked with a one-half inch steel pin approximately two (2) feet in length, or with a permanent marker. (Section 1.08)

Note: Label name of proposed subdivision, streets, parks, physical features (Section 1.09)

- **The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County office of Emergency Management.**

NA Show all existing permanent man-made structures. (Section 1.11) In coordination with the City of Midland, contours are not required for final plats.

NA Label elevation of lowest floor for any proposed or substantially improved structures. (Section 1.12)

- ✓ Show the limits of the floodplain, as applicable. (Section 1.13)

NA Identify nonresidential structure(s) to be flood proofed, as applicable. (Section 1.14)

Note: Existing topography of the proposed subdivision in 2-foot contours. (Section 1.15) In coordination with the City of Midland, contours are not required for final plats.

Note: Proposed topography/grading in 2-foot contours. (Section 1.16) In coordination with the City of Midland, contours are not required for final plats.

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT

- ✓ North arrow (Section 1.17)
- ✓ Scale (Section 1.17)
- X **Copy of all restrictions or restrictive covenant, as applicable. (Section 1.18)**
- X **Development with private streets, drives, easements, recreation areas, and open spaces shall include the following note on the face of the plat. (Section 1.19)**

“MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.”

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
- Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.

Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations, as approved on November 13, 2018 (<https://midlandcountytexas.gov/play/11132018-1387>), and the [platting process](#) outlined on the County website.

ARTICLE IX LOTS

- X **The minimum lot size for subdivision of single-family dwellings utilizing individual on-site sewage facilities shall be one and one-half (1.5) acre. (Section 9.1)**
 - Increase lot size to comply with County requirements for on-site sewage facilities.
- NA Building setback lines be fifty (50) feet from the edge of the right of way along all state or federal roads and highways. The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats. (Section 9.2)

In coordination with the City of Midland, building setback lines are not required for final plats.
- ✓ Lots shall have minimum road frontage as indicated by the following table (Section 9.3):

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT

Lot Size	Minimum Frontage*
Less than one (1) acre or in cul-de-sac:	80 feet
Greater than or equal to one (1) acre but less than two (2) acres:	120 feet
Greater than or equal to two (2) acres but less than five (5) acres	200 feet

*Minimum cord length along a curve, and minimum frontage in cul-de-sacs shall be measured at the building line.

- X **All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of the City or County, as applicable, and which has the required dedicated right of way.** (Section 9.4)
- Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.

ARTICLE XI ENFORCEMENT AND PENALTIES

Please review this Article of the Midland County Subdivision Regulations available online at <https://midlandcountytexas.gov/11132018-1387>



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 7, 2019

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a proposed Final Plat of Eastway Addition, being a 4.012-acre tract of land out of the NE/4 of Section 39, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of Loop 250 and East Interstate 20. Extraterritorial Jurisdiction).

Recommended Planning and Zoning Commission Action:

☐ Approve

☒ Deny

☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on the northeast corner of the intersection of Loop 250 and East Interstate 20, within the ETJ, Extraterritorial Jurisdiction. The applicant is requesting to plat the property into (1) one lot for ownership purposes. The Preliminary Plat was approved at the August 5, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

ENGINEERING: (Approved with Conditions)

****10/1/19:** The deferral was for water, wastewater, sidewalk and paving. It was approved 8/16.**

*****Conditions:** TxDOT approval needed. See transportation.***

ROW: TxDOT review requested. We typically get comments back after sketch plat comments deadline, so make these comments at preliminary plat. Dedicate a total of 60' ROW from section line for a total 120' ROW for arterial roadway.

PAVING: SCR 1130 road is sub-standard, construct to City Standards for entire platted frontage or request a deferral. Interstate 20 Frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required.

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

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

PRO RATA: "None"

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

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

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

DRAINAGE: Drainage study approved.

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

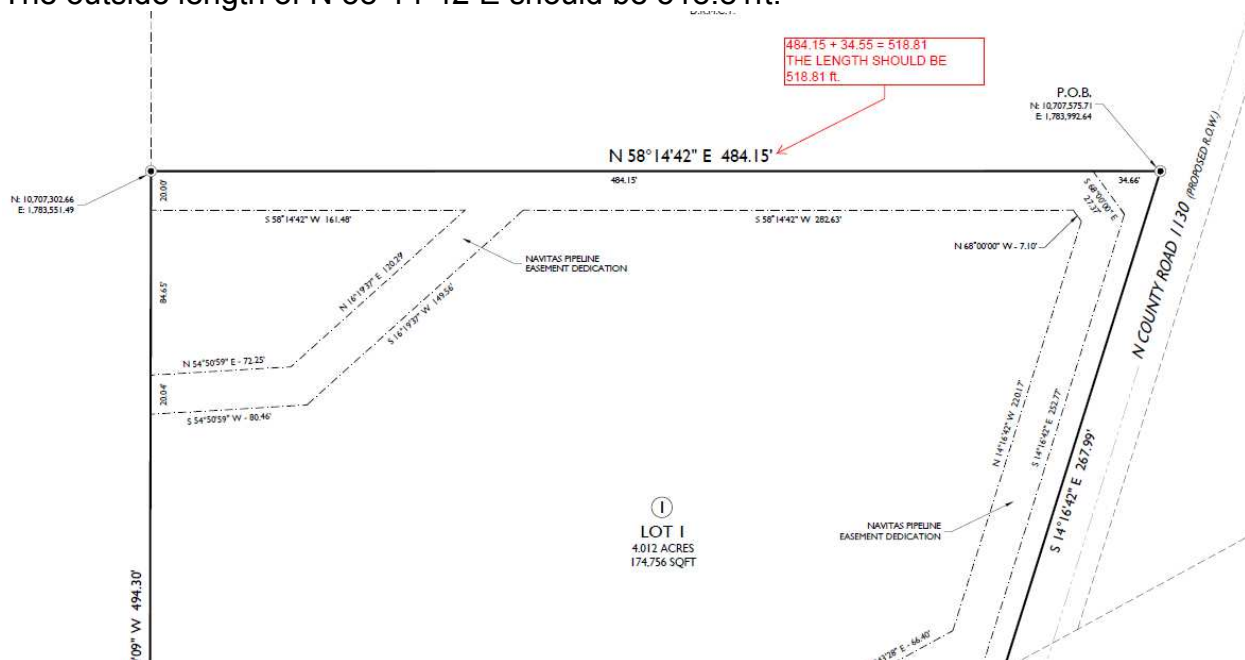
Not in the City limits- no oil or gas jurisdiction.

HEALTH:

Yes, the health department will review application from the 1 proposed lot of Eastway Addition, PLAT OF A 4.012 ACRE TRACT OF LAND OUT OF THE NORTHEAST/4 OF SECTION 39, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY the lot is 4.012 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

GIS: (Denied)

The outside length of N 58-14-42 E should be 518.81ft.



MIDLAND COUNTY:

Please see attachment.

PLANNING:

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

Conditions:

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

Attachments:

Proposed Final Plat
Maps
Application
Midland County Review

EASTWAY ADDITION

BEING 4.012 ACRES IN THE NE/4 OF
SECTION 39, BLOCK 38, T-I-S, T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SOUTHWEST CONVENIENCE STORES, LLC, is the record owner of a tract of land situated in Section 39, Block 38, T-I-S, T&P RR Co. Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SOUTHWEST CONVENIENCE STORES, LLC, being the owner of the land shown on this plat designated as EASTWAY ADDITION, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, 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 _____, JA,
the _____ day of _____, 2019.

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 _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

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

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

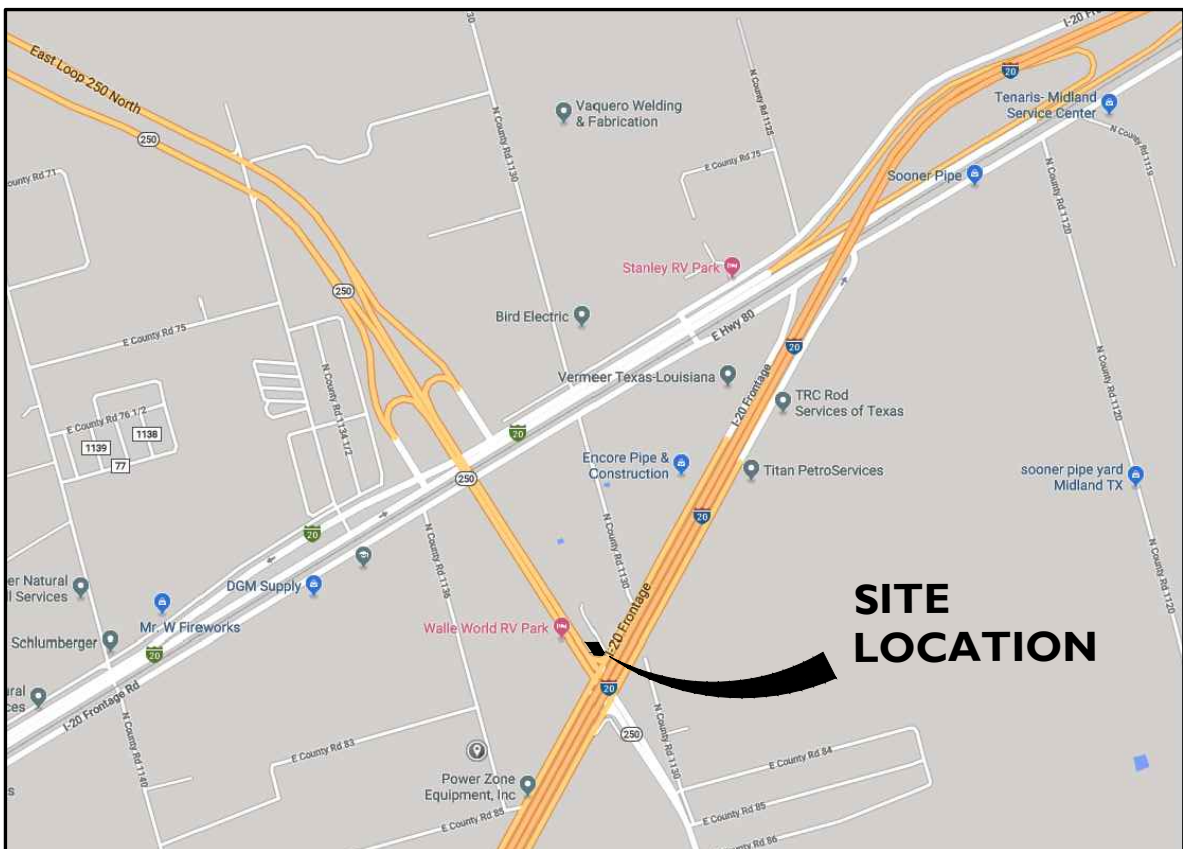
ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDENLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____



VICINITY MAP

N.T.S.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



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

EASTWAY ADDITION

SNOWWHITE LAUNDRY
REMAINDER OF
15.00 ACRE TRACT
VOL. 731, PG. 670
D.R.M.C.T.

P.O.B.
N: 10,707,575.71
E: 1,783,992.64

GAYLE DONNA MILLER ET ALL
71.66-ACRES
VOL. 979, PG. 152
D.R.M.C.T.

①
LOT 1
4.012 ACRES
174,756 SQFT

NAVITAS PIPELINE
EASEMENT DEDICATION

NAVITAS PIPELINE
EASEMENT DEDICATION

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Paul Wilson, a duly Licensed Professional Surveyor of the State of Texas, do hereby certify that this plat was prepared from a correct and accurate survey of the land shown thereon, and that the monuments shown thereon were properly located under my personal supervision in accordance with the provisions of the Surveying Regulations of the State of Texas.

Paul Wilson, RPLS
Maverick Engineering, Inc.
1909 W. Wall St., Ste. K
Midland, Texas 79701
pwilson@maverick-eng.com

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

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. BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. 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

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C012SF, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

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

PROPERTY OWNER

SOUTHWEST CONVENIENCE STORES, LLC
12700 PARK CENTRAL DRIVE
SUITE 1500
DALLAS, TX 75251



Final Plat Application

Project Number:

44B-19-0242

Case Number:

P-19-0684

Proposed Subdivision Plat Name: Eastway Addition**Legal Description (attached sealed Metes and Bounds):** Being 4.012 Acres out of the NE/4 of Section 39, Block 38, T-1-S, T&P RR. Co. Survey, Midland County, TX**Property Owner**

Printed Name: Southwest Convenience Stores, LLC

Phone ()

Email

Address 12700 Park Central Drive, Suite 1500

City Dallas

State TX

Zip 75251

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: Andrew L. Mellen

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W. Wall Street, Ste. K

City Midland

State TX

Zip 79701

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

Total Acreage: 4.012

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

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

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

RECEIVED

SEP 18 2019

CITY OF MIDLAND
PLANNING DIVISION

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):

Mark Myer

Date:

9/12/19

Property Owner (printed):

MARK MYER

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.

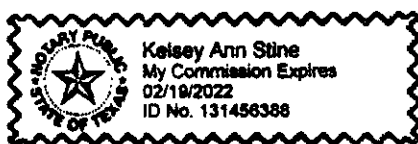
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 18th day of September, 2019, to certify which witness my hand and seal of office.



Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Mylar **NO**

☐ 1 Copy of Plat (11x17)

☐ Public Improvements **none**

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # **2919**

☒ Tax Certificates

Check # **2920**

Received By: **ES**

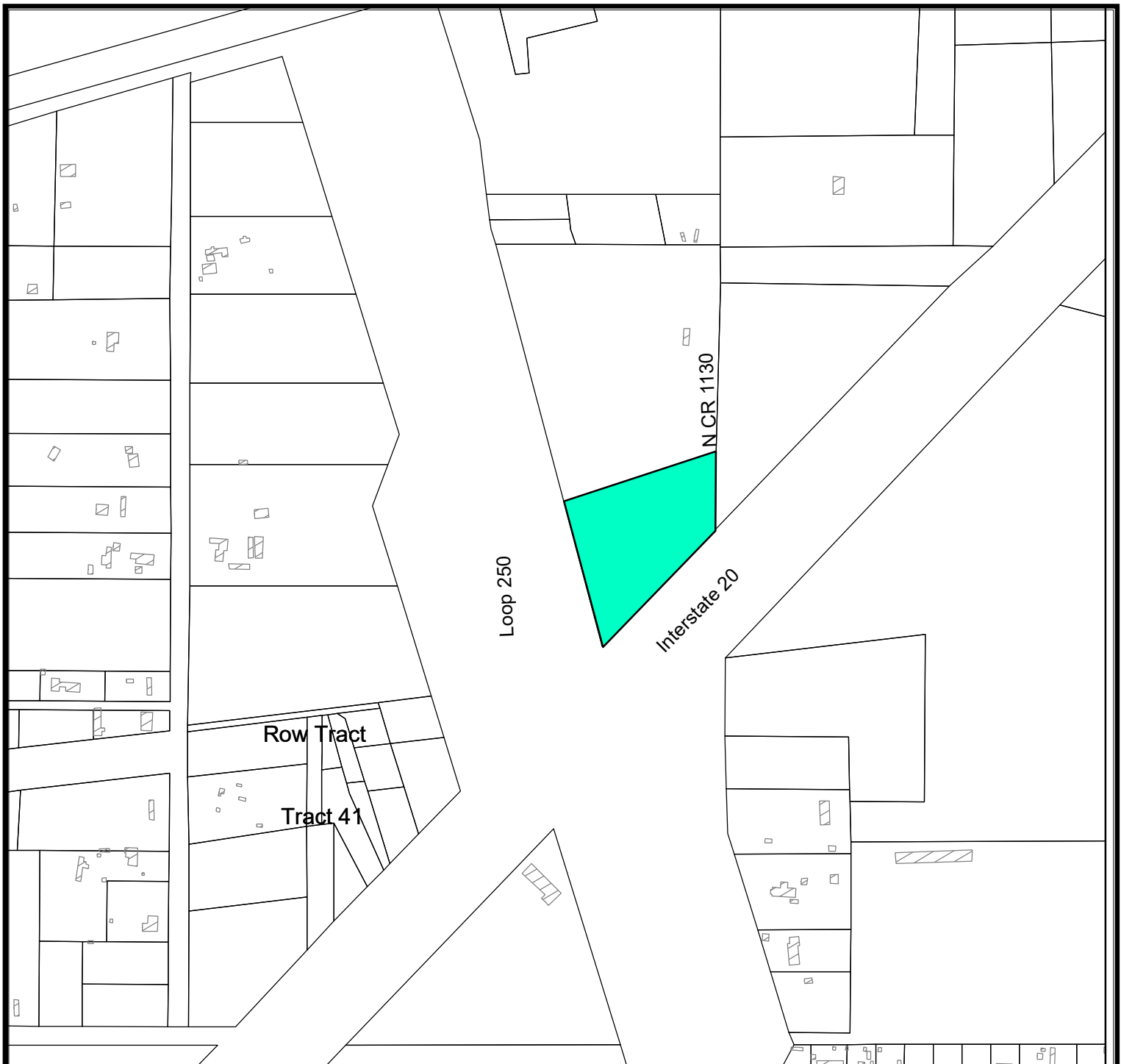
Date:

RECEIVED

SEP 18 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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



LOCATION MAP

SUB-19-0242

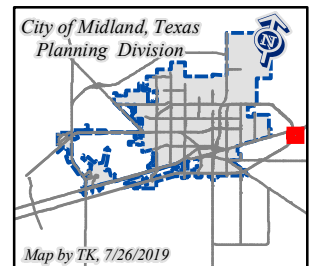
Scale: 1" = 400'

Consider a proposed Plat of Eastway Addition, being a 4.012-acre tract of land out of the NE/4 of Section 39, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the northeast corner of the intersection of Loop 250 and East Interstate 20. Extraterritorial Jurisdiction.

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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.



September 21, 2019

City of Midland
Development Services
ATTN: Taslima Khandaker, Planner
300 N. Loraine Street
Midland, Texas 79702

**RE: Final Plat P-19-0684
Proposed Eastway Addition, Final Plat
NE/4 of Section 39, Block 38 T-1-S, T&P RR CO Survey**

Owner: Southwest Convenience Stores, LLC
Developer: Same
Surveyor/Engineer: Maverick Engineering Co.

Ms. Khandaker –

On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The 4-acre site is situated in a tract of land (noted above) located at the intersection of Interstate 20 service road (north side) and Loop 250 (east side). This property is located outside the city limits of the City of Midland. In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a final plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

The final plat has been reviewed for conformity with the adopted County Subdivision Regulations. The following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development. Additional information is provided in the attached documents.

ARTICLE I PLATS

1. Provide executed owner's certificate with submittal of approved final plat. (Section 1.04)

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,

A handwritten signature in blue ink, appearing to read "Jenifer Reiner".

Jenifer Reiner AICP, CNU-A

Cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Jenny Hilton, Midland County

EASTWAY ADDITION

BEING 4.012 ACRES IN THE NE/4 OF
SECTION 39, BLOCK 38, T-I-S, T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SOUTHWEST CONVENIENCE STORES, LLC, is the record owner of a tract of land situated in Section 39,
Block 38, T-I-S, T&P RR Co. Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SOUTHWEST CONVENIENCE STORES, LLC, being the owner of the land shown on this plat designated as
EASTWAY ADDITION, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto,
do hereby dedicate to the public use forever the streets, 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 _____, MI

the _____ day of _____, 2019.

By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

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

_____ day of _____, 2019.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY

BY: _____

AT&T

BY: _____

SUDENLINK COMMUNICATION

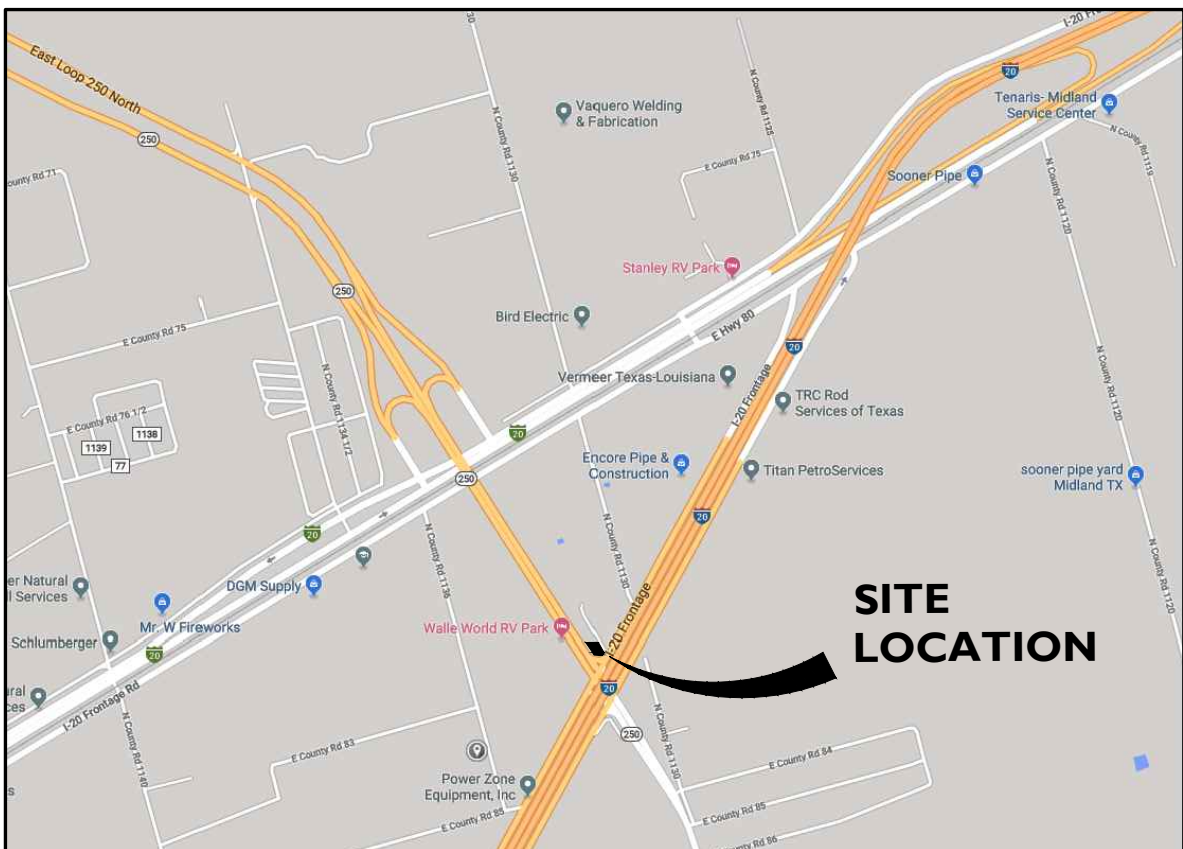
BY: _____

GRANDE COMMUNICATION

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____



VICINITY MAP

N.T.S.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



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

EASTWAY ADDITION

SNOWWHITE LAUNDRY
REMAINDER OF
15.00 ACRE TRACT
VOL. 731, PG. 670
D.R.M.C.T.

P.O.B.
N: 10,707,575.71
E: 1,783,992.64

GAYLE DONNA MILLER ET ALL
71.66-ACRES
VOL. 979, PG. 152
D.R.M.C.T.

①
LOT 1
4.012 ACRES
174,756 SQFT

NAVITAS PIPELINE
EASEMENT DEDICATION

NAVITAS PIPELINE
EASEMENT DEDICATION

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Paul Wilson, a duly Licensed Professional Surveyor of the State of Texas, do hereby certify that this plat was
prepared from a correct and accurate survey of the land shown hereon, and that the monuments shown thereon were properly
located under my personal supervision in accordance with the provisions of the Surveying Regulations of the State of Texas.

Paul Wilson, RPLS
Maverick Engineering, Inc.
1909 W. Wall St., Ste. K
Midland, Texas 79701
pwilson@maverick-eng.com

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

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. BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM,
TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. 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

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C012SF, DATED
SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS
"AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

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

PROPERTY OWNER

SOUTHWEST CONVENIENCE STORES, LLC
12700 PARK CENTRAL DRIVE
SUITE 1500
DALLAS, TX 75251

**ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT**

ARTICLE I PLATS

- ✓ Plat required for any division into two (2) or more parts. (Section 1.01)
- ✓ Owners of property proposed to be subdivided must consult with the Planning Department at the City of Midland or the City of Odessa. (Section 1.02)
- ✓ Property within the City of Midland ETJ is subject to the plat requirements of the City of Midland or the City of Odessa, as applicable. (Section 1.02)
- ✓ City of Midland has jurisdiction for the approval of plats within its ETJ, unless waived. (Section 1.02)
- ✓ Plats shall meet the requirements of both the County of Midland and the City of Midland, where joint administration of platting authority occurs within the City ETJ. (Section 1.02)

Note: Executed Owner's Certificate (Section 1.04)

○ **Execute certificate for final plat after Midland City Council approval**

- ✓ Plat must be prepared by an Engineer or Surveyor. (Section 1.05)
- ✓ Scale 1 in = 200 feet max. (Section 1.05)
- ✓ Sheet size 18" x 24" or 24" x 36". (Section 1.06)
- ✓ Key/Vicinity map. (Section 1.06)
- ✓ Notation or evidence that plat has been prepared from an actual survey on the ground. (Section 1.07)
- ✓ Boundary lines with bearings and distances. (Section 1.08)
- ✓ All block corners and angles in streets and alleys should be marked with a one-half inch steel pin approximately two (2) feet in length, or with a permanent marker. (Section 1.08)

Note: Label name of proposed subdivision, streets, parks, physical features (Section 1.09)

The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County office of Emergency Management.

- ✓ Show all existing permanent man-made structures. (Section 1.11)
- NA Label elevation of lowest floor for any proposed or substantially improved structures. (Section 1.12)
- ✓ Show the limits of the floodplain, as applicable. (Section 1.13)

NA Identify nonresidential structure(s) to be flood proofed, as applicable. (Section 1.14)

Note: Existing topography of the proposed subdivision in 2-foot contours. (Section 1.15)
In coordination with the City of Midland, contours are not required for final plats.

Note: Proposed topography/grading in 2-foot contours. (Section 1.16) In coordination with the City of Midland, contours are not required for final plats.

- ✓ North arrow (Section 1.17)
- ✓ Scale (Section 1.17)

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT

X Copy of all restrictions or restrictive convent, as applicable. (Section 1.18)

- ✓ Development with private streets, drives, easements, recreation areas, and open spaces shall include the following note on the face of the plat. (Section 1.19)

"MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH."

Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations, as approved on November 13, 2018 (<https://midlandcountytexas.gov/play/11132018-1387>), and the [platting process](#) outlined on the County website.

ARTICLE IX LOTS

- NA The minimum lot size for subdivision of single family dwellings utilizing individual on-site sewage facilities shall be one and one-half (1.5) acre. (Section 9.1)

- NA Building setback lines be fifty (50) feet from the edge of the right of way along all state or federal roads and highways. The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats. (Section 9.2) In coordination with the City of Midland, building setback lines are not required for final plats.

- ✓ Lots shall have minimum road frontage as indicated by the following table (Section 9.3):

Lot Size	Minimum Frontage*
Less than one (1) acre or in cul-de-sac:	80 feet
Greater than or equal to one (1) acre but less than two (2) acres:	120 feet
Greater than or equal to two (2) acres but less than five (5) acres	200 feet

*Minimum cord length along a curve, and minimum frontage in cul-de-sacs shall be measured at the building line.

- ✓ All lots shall abut and have direct access to a County street or road, or abut and have direct access to a private or public road that has been constructed to the current construction standards of the City or County, as applicable, and which has the required dedicated right of way. (Section 9.4)

ARTICLE XI ENFORCEMENT AND PENALTIES

Please review this Article of the Midland County Subdivision Regulations available online at <https://midlandcountytexas.gov/play/11132018-1387>



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a proposed Final Plat of Gateway Plaza, Section 13, being a replat of Lots 5 and 6, Block 3, Gateway Plaza Addition, Section 2, City and County of Midland, Texas. (Generally located on the north side of Starboard Drive, approximately 570-feet east of S. Tradewinds Boulevard. Council District 4).

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

RR, Regional Retail District (Ordinance No. 8802).

Preliminary Plat Approval:

The applicant's property is located on 5614 Starboard Drive and 5606 Starboard Drive. The applicant is requesting to re-plat the property into (1) one lot. This plat is being processed using the short form procedure at the request of the applicant.

Final Plat Requirements:

The official signed mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District and a title opinion have been received. The final plat attached hereto has been circulated to all pertinent City departments and their comments, conditions and requirements as follows:

BUILDING CODE: (Approved)

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

ENGINEERING : (Approved with Conditions)

ROW: ok as shown.

PAVING: Starboard and Liberty Dr. roadways ok as is. No public improvements required.

WATER: Existing 6" water main on Starboard and Liberty. No public improvements required.

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

PRO RATA: none.

SEWER: Existing 6" waste water main on Starboard. No public improvements required.

DRAINAGE: The Gateway Plaza drainage report has been accepted as submitted for platting purposes. It was determined that the additional runoff that will be produced from the developed site will be taken care of with the relocation of the storm drain. However, if the design of the future development for this site changes, on-site detention might be needed to avoid runoff into the adjacent streets.

EASEMENTS: Ok as shown.

SIDEWALKS: Will be required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

No objections to plat.

FIRE: (Approved)

No additional comments

CODE COMPLIANCE: (Approved)

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

Planning:

Plat to be addressed at 5606 Starboard Drive.

This property is zoned as RR, Regional Retail District (Ordinance No. 8802).

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

Conditions:

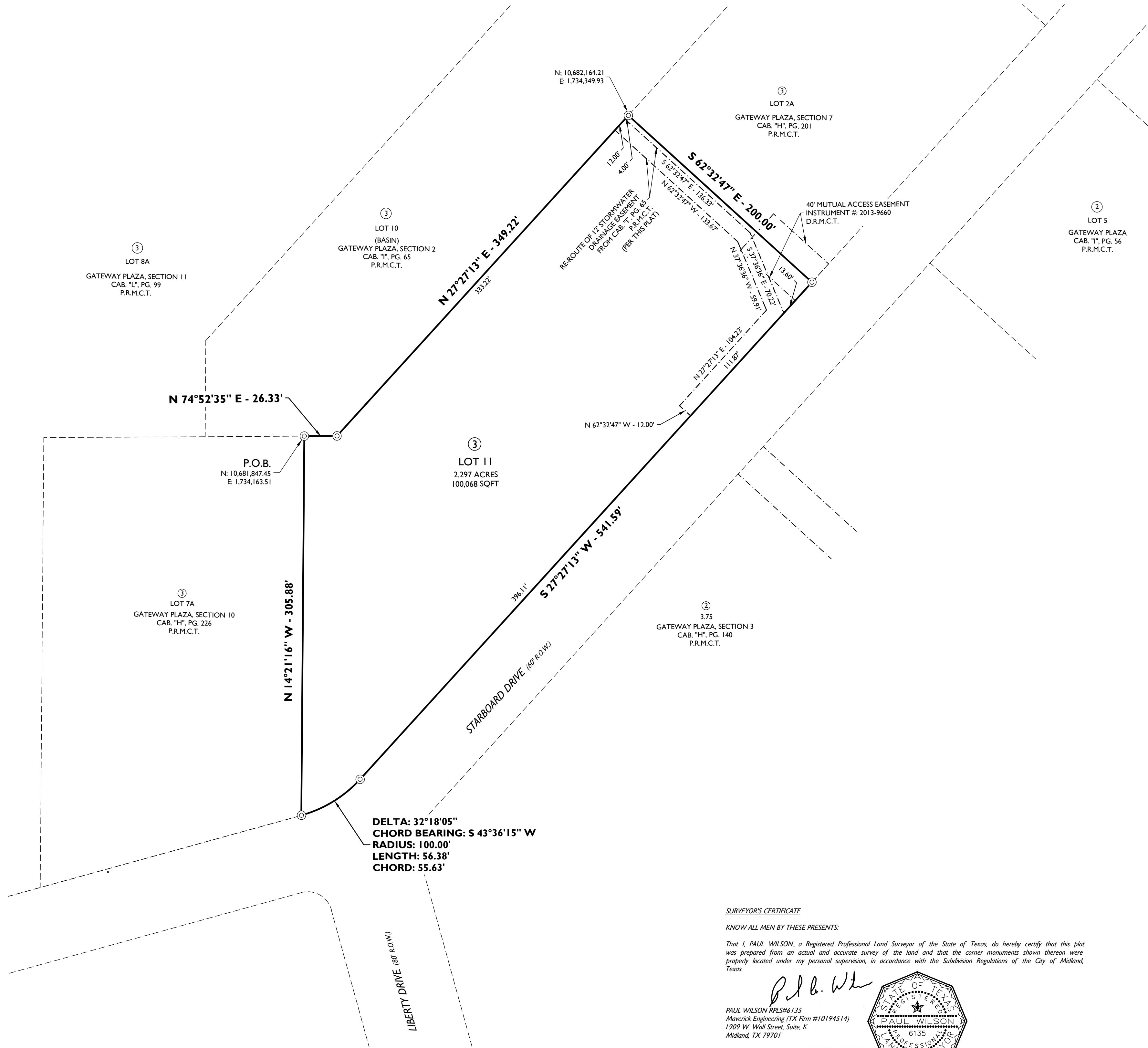
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Map

GATEWAY PLAZA, SECTION 13

BEING A RE-PLAT OF LOTS 5 & 6, BLOCK 3, GATEWAY PLAZA ADDITION, SECTION 2, AN ADDITION TO THE 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 ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- 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.
- THIS PLAT RECOGNIZES THE PRIVATE RECIPROCAL DRAINAGE & ACCESS EASEMENTS FOR ALL LOTS 1-10, BLOCK 3, GATEWAY PLAZA ADDITION, SECTION 2, ACCORDING TO THAT MAP OR PLAT THEREOF RECORDED IN CABINET "T", PAGE, 65, PLAT RECORDS OF MIDLAND COUNTY, TEXAS.

PROPERTY OWNER

MIDLAND LEASED HOUSING ASSOCIATES V, LLC
2905 NORTHWEST BOULEVARD, SUITE 150
PLYMOUTH, MN 55441
DEED INSTRUMENT: H2019-672

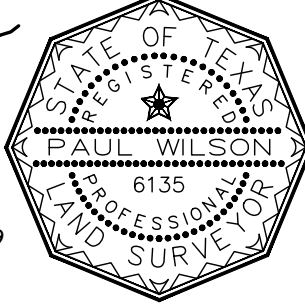
SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, PAUL WILSON, 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.

PAUL WILSON RPLS#6135
Maverick Engineering (TX Firm #10194514)
1909 W. Wall Street, Suite K
Midland, TX 79701

9 SEPTEMBER 2019



FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP #48329C0184F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF _____

WHEREAS MIDLAND LEASED HOUSING ASSOCIATES V, LLC, is the record owner of a tract of land situated in Section 1, Block 40, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That MIDLAND LEASED HOUSING ASSOCIATES V, LLC, being the owner of the land shown on this plat designated as GATEWAY PLAZA, SECTION 13, 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 _____, 2019.
the _____ day of _____, 2019.

By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of GATEWAY PLAZA, SECTION 13, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2019.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

AT&T
BY: _____

STUDENLINK COMMUNICATION
BY: _____

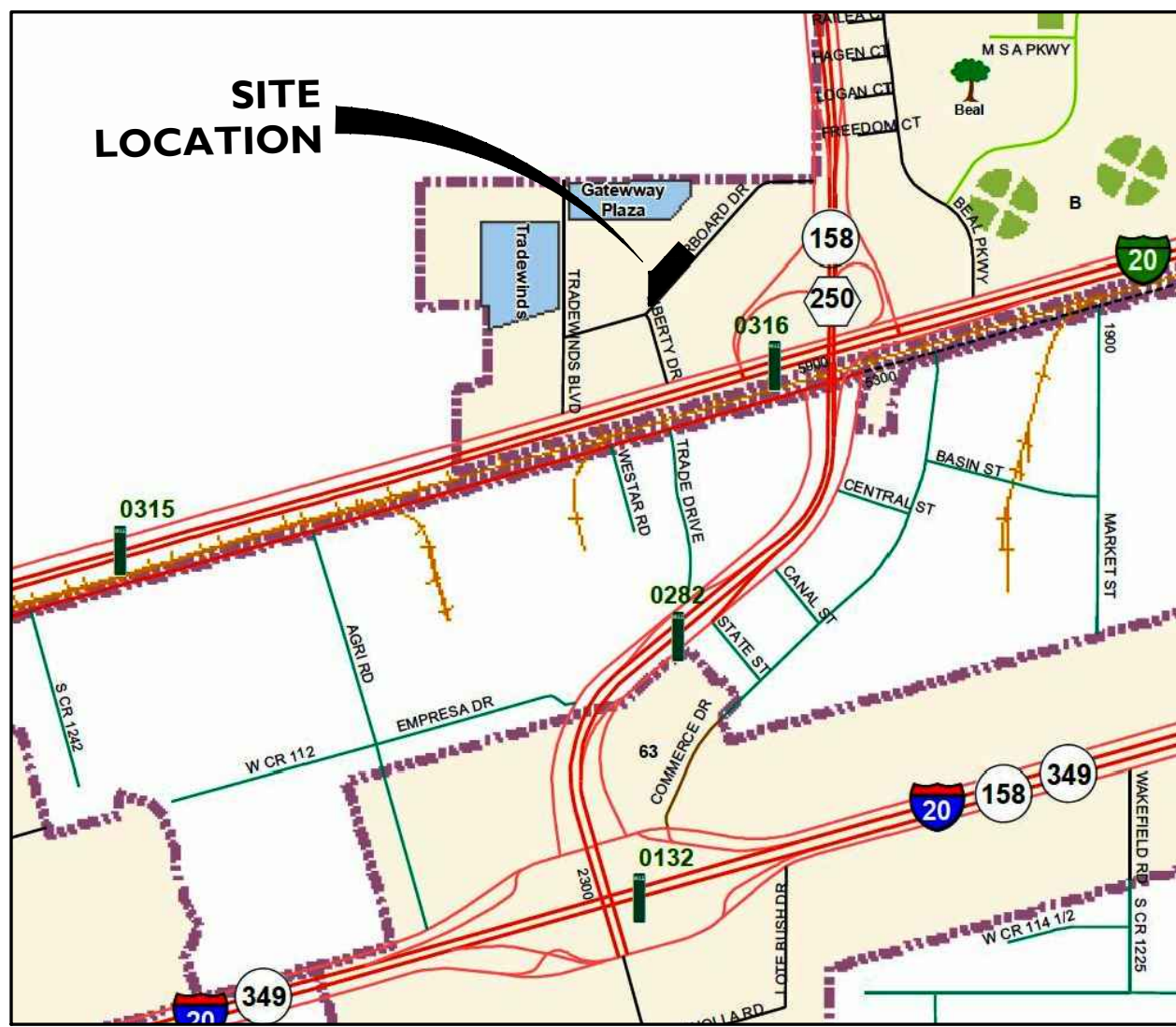
GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

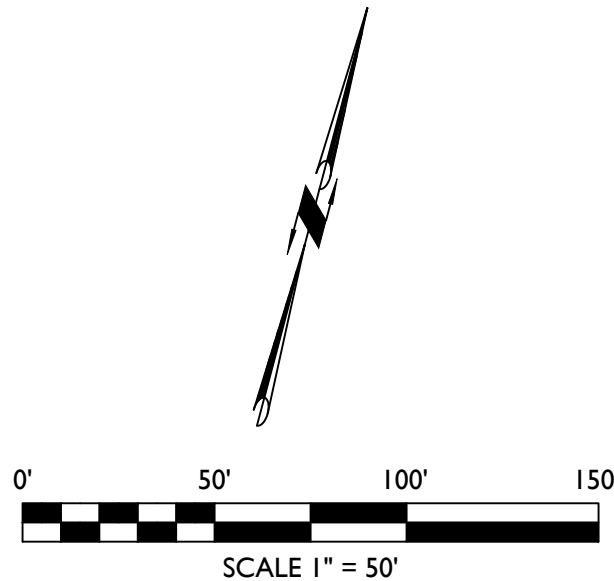
NO. _____ CABINET _____

DATE _____ PAGE _____



VICINITY MAP

N.T.S.



LEGEND

- DENOTES SET 1/2-INCH IRON ROD
- DENOTES FOUND 1/2-INCH IRON ROD UNLESS OTHERWISE NOTED
- P.M.C.T. DENOTES PLAT RECORDS, MIDLAND CO., TX
- DENOTES BOUNDARY LINE
- - - - - DENOTES EXISTING EASEMENT LINE
- . - . - . DENOTES PROPOSED EASEMENT LINE



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

GATEWAY PLAZA, SECTION 13



Final Plat Application

Project Number: SUB-19-0228Case Number: P-19-0660**Proposed Subdivision Plat Name:** Gateway Plaza, Section 13**Legal Description (attached sealed Metes and Bounds):** Being a Re-Plat of Lots 5 & 6, Block 3,
Gateway Plaza, Section 2, City and County of Midland, Texas.**Property Owner**

Printed Name: Midland Leased Housing Associates V, LLC

Phone ()

Email

Address 2905 Northwest Boulevard, Suite 150

City Plymoth

State MN

Zip 55441

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: Andrew L. Mellen

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address 1909 W. Wall Street, Ste. K

City Midland

State TX

Zip 79701

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

Total Acreage: 2.297-acres

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

Number of Residential Lots: 1

Number of Multi-Family Dwelling Units: 120

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

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

RECEIVED

AUG 28 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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: 8/27/2019

Property Owner (printed):

Jeffrey S. Spicer - Vice President

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 28 day of August, 20 19, to certify which witness my hand and seal of office.



Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Mylar *2889*

☒ 1 Copy of Plat (11x17)

☐ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # 2889

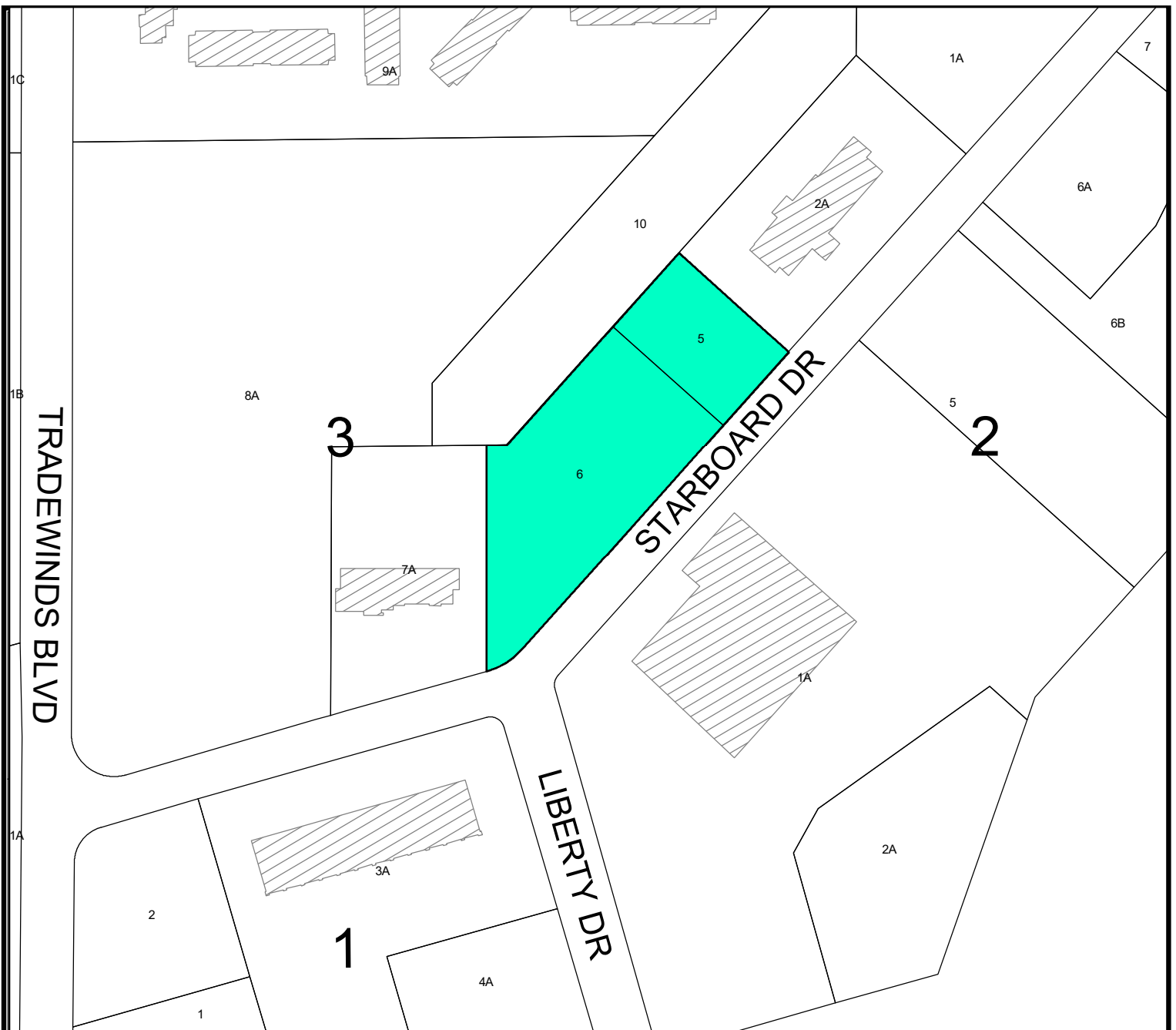
☒ Tax Certificates

Check # 2890

Received By: *[Signature]*

Date: 8/28/19

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



LOCATION MAP

SUB-19-0228

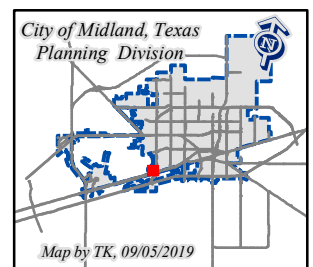
Scale: 1" = 400'

Proposed plat of Gateway Plaza, Section 13, being a replat of Lots 5 and 6, Block 3, Gateway Plaza Addition, Section 2, City and County of Midland, Texas.

Generally located on the north side of Starboard Drive, approximately 570-feet east of S. Tradewinds Boulevard. (Council District 4)

LEGEND

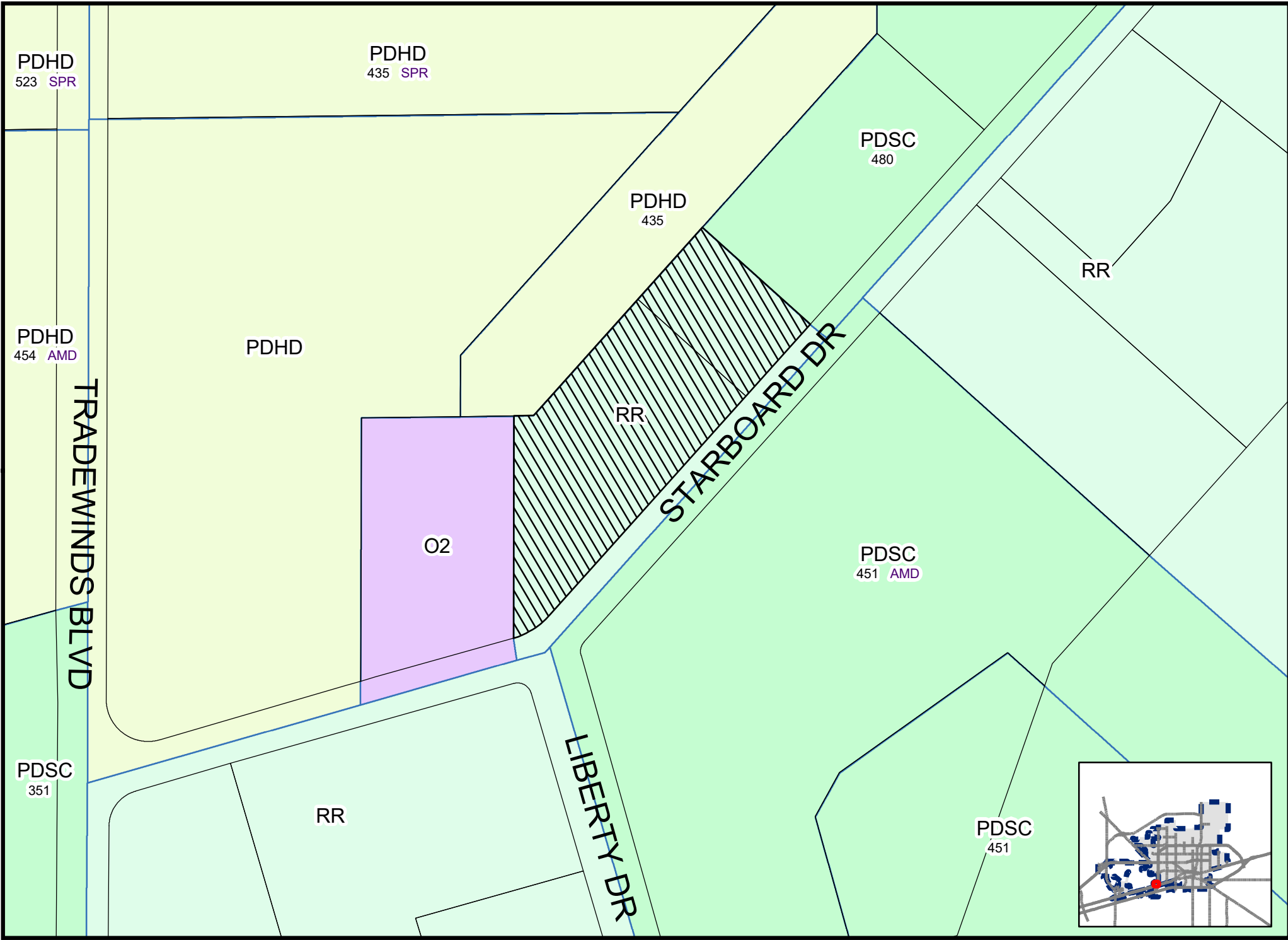
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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

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





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a proposed Final Plat of Monomoy Addition, being a 0.41-acre tract of land out of the southeast quarter of Tract F-3, Section 2, Block 40, T-2-S, T&P RR Co. Survey; a 3.20-acre tract of land out of the southwest quarter of Section 1, Block 40, T-2-S, T&P RR Co. Survey; and a 5.34-acre tract of land out of the north half of Section 12, Block 40, T-2-S, T & P RR Co. Survey; all out of Midland County, Texas. (Generally located on the south side of W. Industrial Avenue, approximately 999-feet west of Agri Road. Extraterritorial Jurisdiction).

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on 6407, 6407A, and 6417 W. Industrial Avenue. The applicant, Schumann Engineering, Co. Inc., is proposing to plat the property into two (2) lots. Preliminary Plat was approved on the July 15, 2019, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

ETJ, no jurisdiction.

Code Compliance: (Approved)

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

Engineering: (Approved)

****Approved Deferral approved on 9/10***

ROW: TxDOT review requested.

PAVING: FM 662 is a TxDOT facility, built and maintained by TxDOT, no improvements required.

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

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal.

PRO RATA: None.

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

DRAINAGE: Drainage study approved.

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

Fire: (Approved)

ETJ; no comments.

Transportation: (Approved)

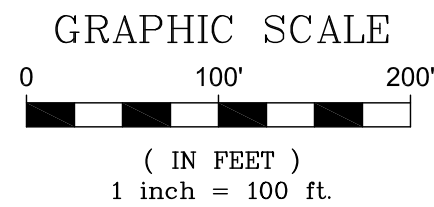
No objection.

- 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
Midland County Review

BEING 0.41 ACRE TRACT OUT OF SOUTHEAST/4 OF TRACT F-3 OF SECTION 2, BLOCK 40, T-2-S, T&P RR CO SURVEY; 3.20 ACRE TRACT OUT OF THE SOUTHWEST/4 OF SECTION 1, BLOCK 40, T-2-S, T&P RR CO SURVYE; AND A 5.34 ACRE TRACT OUT OF THE NORTH/2 OF SECTION 12, BLOCK 40, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS.



MONOMER ADDITION

DRAWN BY: CAK	DATE: 06/21/2018
CHECKED BY: RJD	DRAWING NO.: 76214BB
JOB NO.: 76,214	SHEET 1 OF 1



Final Plat Application

Project Number:

Case Number:

SUB-18-0096
P-19-0691**Proposed Subdivision Plat Name:** MONOMOY ADDITION**Legal Description (attached sealed Metes and Bounds):** Being a Plat of an 8.94 Acre Tract of Land out of Sections 1, 2, 11 and 12, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas

Property Owner Printed Name:	Monomoy Properties Midland TX 2, LLC Mark Martis, COO c/o Imperial Capital	Phone (816) 360-4123 Email sylcountry@gmail.com
Address	1101 Santa Monica Blvd. Suite 2400	City Los Angeles
State	CA	Zip 90067

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

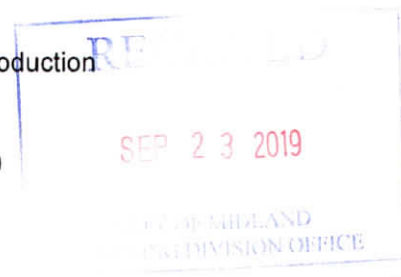
Representative (if acting as Agent, see affidavit on page 2) Firm: Schumann Engineering Co., Inc. Printed Name: Cynthia A. Klatt	Phone (432) 684-5548 Email cindy@schumannonline.net
Address	800 N Marienfeld Street Suite 100
City	Midland
State	TX
Zip	79701

Current Zoning:**Reason for Platting:** To separate into two parcels

Plat Information	Total Acreage: 8.94 Acres
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☒ Extraterritorial Jurisdiction (ETJ) or ☐ City Limits	
Number of Lots: 0	Number of Multi-Family Dwelling Units: 0

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

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

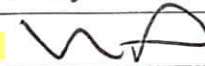
For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):



Date: 9/9/19

Property Owner (printed):

Mark Martis

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.

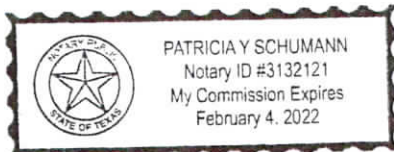
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by Mark Martis, CO, 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.

Cynthia A. Klatt
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of September, 20 19, to certify which witness my hand and seal of office.



Patricia Y. Schumann
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

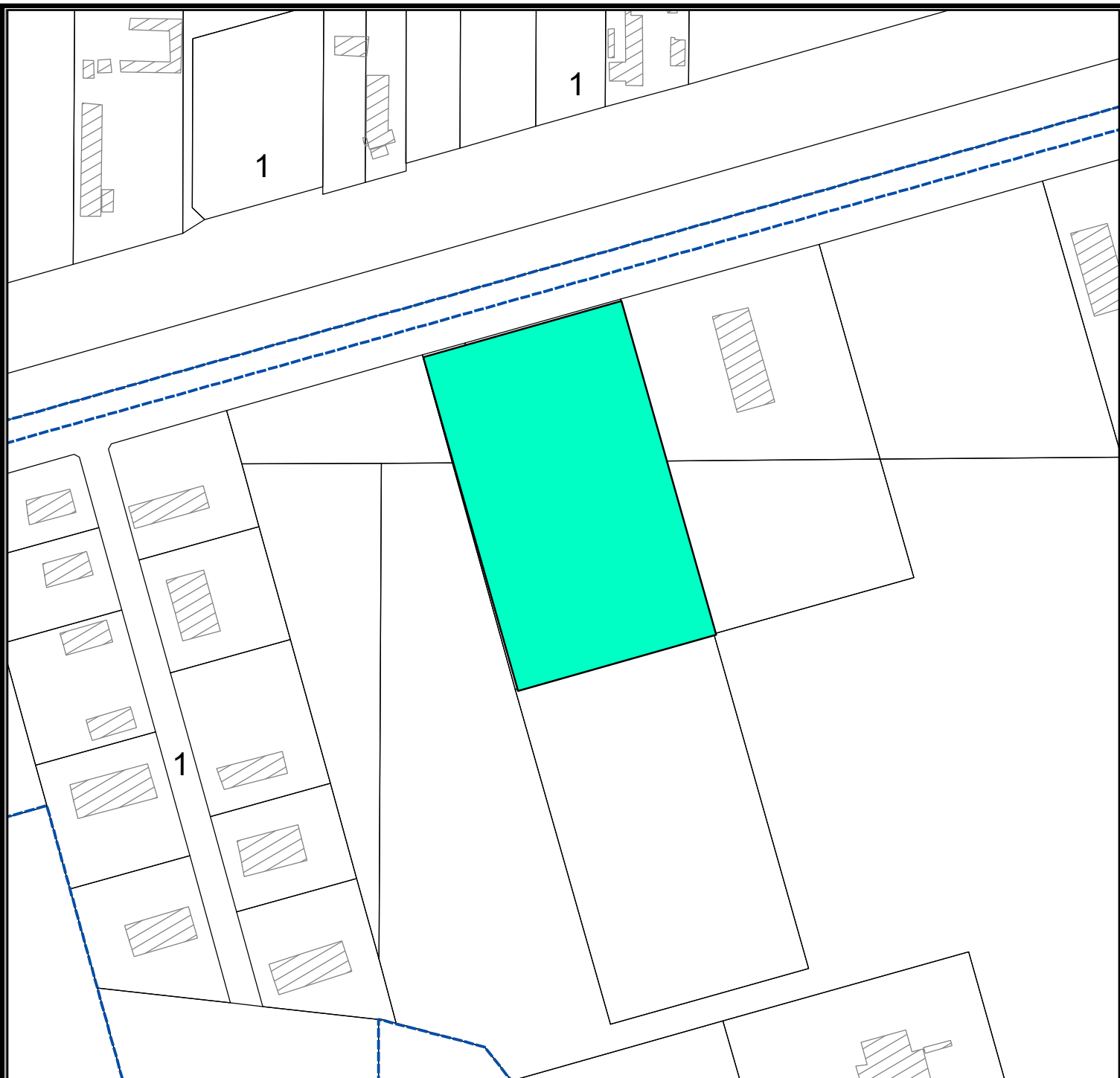
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>1189</u>	☒ Tax Certificates	Check # <u>1190</u> 2019

Received By: Rolanda Russell

Date:

RECEIVED
CITY OF MIDLAND
PLANNING DIVISION OFFICE

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



LOCATION MAP

SUB-18-0096

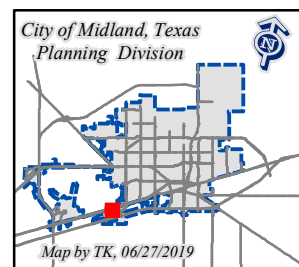
Scale: 1" = 400'

Proposed Preliminary Plat of Monomoy Addition, being a 0.41-acre tract of land out of the southeast quarter of Tract F-3, Section 2, Block 40, T-2-S, T&P RR Co. Survey; a 3.20-acre tract of land out of the southwest quarter of Section 1, Block 40, T-2-S, T&P RR Co. Survey; and a 5.34-acre tract of land out of the north half of Section 12, Block 40, T-2-S, T & P RR Co. Survey; Midland County, Texas.

Generally located on the south side of W. Industrial Avenue, approximately 999-feet west of Agri Road. Extraterritorial Jurisdiction.

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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.



October 2, 2019

City of Midland
Development Services
ATTN: Taslima Khandaker, Planner
300 N. Loraine Street
Midland, Texas 79702

RE: Final Plat P-19-09-0691
Proposed Monomoy Addition
Parts of Sections 1, 2, 11 and 12, Block 40, T-2-S, T&P RR CO Survey
<https://goo.gl/maps/JiavRTgsy4nM37aC7>

Owner: Moore Casey Properties, LLC
Surveyor/Engineer: Maverick Engineering Co.

Ms. Khandaker –

On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The 8.95-acre site is situated in a tract of land (noted above) located south of W Highway 80 and Industrial Boulevard/FM 662. This property is located outside the city limits of the City of Midland. In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a preliminary plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

The final plat has been reviewed for conformity with the adopted County Subdivision Regulations. The following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development: Supplemental information is provided in the attached document (Attachment A).

ARTICLE I PLATS

1. Dimension each lot line with bearings and distances. (Section 1.08) Tie down new lot corners. Provide a copy of all restrictions or restrictive covenant, if applicable. (Section 1.18)
2. Add the following note to the face of the plat if drives/streets/easements are to continue to be privately owned and maintained.

“MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE

RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH."

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
 - Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.
3. In addition, to the comments above, please add the following information on the revised final plat and/or on the preliminary/final plat:
- a. Label City limit lines on Vicinity Map.
 - b. Provide executed owner's certificate with submittal of final plat. (Section 1.04)
 - c. Add Lot numbers and Block to title of plat. Tie down new lot corners.
 - d. The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County Office of Emergency Management.
 - e. Label elevation of lowest floor for any proposed structure or substantially improved structures. (Section 1.12)
 - f. Are nonresidential structures planned? Will they be flood proofed?
 - g. Correct "Survye" in title.

ARTICLE IX LOTS

- 1. Confirm existing buildings will meet required setbacks. (Section 9.2)
- 2. In addition, to the comments above, please confirm the following information prior to approval of final plat:
 - a. Confirm that the minimum frontage will be provided for all lots, if owner/develop desires that roads be accepted into County road system.
 - b. Coordinate with the County to build streets to current County standards, including right-of-way dedication, if owner/develop desires that roads be accepted into County road system.

Page 3
October 2, 2019
Final Plat - Proposed Monomoy Addition

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,

A handwritten signature in blue ink, appearing to read "Jenifer Reiner". The signature is fluid and cursive, with the first name "Jenifer" being more prominent than the last name "Reiner".

Jenifer Reiner AICP, CNU-A

Cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Jenny Hilton, Midland County

**ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST**

ARTICLE I PLATS

- ✓ Plat required for any division into two (2) or more parts. (Section 1.01)
- ✓ Owners of property proposed to be subdivided must consult with the Planning Department at the City of Midland or the City of Odessa. (Section 1.02)
- ✓ Property within the City of Midland ETJ is subject to the plat requirements of the City of Midland or the City of Odessa, as applicable. (Section 1.02)
- ✓ City of Midland has jurisdiction for the approval of plats within its ETJ, unless waived. (Section 1.02)
- ✓ Plats shall meet the requirements of both the County of Midland and the City of Midland, where joint administration of platting authority occurs within the City ETJ. (Section 1.02)
- ✓ Executed Owner's Certificate (Section 1.04)
 - Execute certificate for final plat once applicable approval received.
- ✓ Plat must be prepared by an Engineer or Surveyor. (Section 1.05)
- ✓ Scale 1 in = 200 feet max. (Section 1.05)
- ✓ Sheet size 18" x 24" or 24" x 36". (Section 1.06)
- ✓ Key/Vicinity map. (Section 1.06)
- ✓ Notation or evidence that plat has been prepared from an actual survey on the ground. (Section 1.07)
- X: Boundary lines with bearings and distances. (Section 1.08)** Dimension each lot. Set each new lot line (corners between Lots 1 and 2)
- ✓ All block corners and angles in streets and alleys should be marked with a one-half inch steel pin approximately two (2) feet in length, or with a permanent marker. (Section 1.08)
- Note: Label name of proposed subdivision, streets, parks, physical features (Section 1.09)**

The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County Office of Emergency Management.
- ✓ Show all existing permanent man-made structures. (Section 1.11)
- Note: Label elevation of lowest floor for any proposed structure or substantially improved structures. (Section 1.12)**
- ✓ Show the limits of the floodplain, as applicable. (Section 1.13)
- ? Identify nonresidential structure(s) to be flood proofed, as applicable. (Section 1.14)**
- ✓ Existing topography of the proposed subdivision in 2-foot contours. (Section 1.15)
 - Not necessary for final plat.
- ✓ Proposed topography/grading in 2-foot contours. (Section 1.16)
- ✓ North arrow (Section 1.17)
- ✓ Scale (Section 1.17)
- X Copy of all restrictions or restrictive convent, as applicable. (Section 1.18)**

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST

- X Development with private streets, drives, easements, recreation areas, and open spaces shall include the following note on the face of the plat. (Section 1.19)

“MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.”

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
- Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads. Contact Commissioners Court for approval process.

Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations, as approved on November 13, 2018 (<https://midlandcountytexas.gov/plat/11132018-1387>), and the [platting process](#) outlined on the County website.

ARTICLE IX LOTS

- ✓ The minimum lot size for subdivision of single-family dwellings utilizing individual on-site sewage facilities shall be one and one-half (1.5) acre. (Section 9.1)

Note: Building setback lines shall be fifty (50) feet from the edge of the right of way along all state or federal roads and highways. (Section 9.2)

- NA The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats. (Section 9.2)

Note: Lots shall have minimum road frontage as indicated by the following table (Section 9.3):

- Provide this information with Preliminary Plat. This will be even more important if the plat is considered by the Commissioner's Court. Refer to comment letter.

<u>Lot Size</u>	<u>Minimum Frontage*</u>
Less than one (1) acre or in cul-de-sac:	80 feet
Greater than or equal to one (1) acre but less than two (2) acres:	120 feet
Greater than or equal to two (2) acres but less than five (5) acres	200 feet

**ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST**

*Minimum cord length along a curve, and minimum frontage in cul-de-sacs shall be measured at the building line.

Note: All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of the City or County, as applicable, and which has the required dedicated right of way. (Section 9.4)

- Coordinate with the County Roads and Bridges Division and/or Commissioner's Court if access to Lot 2 is planned to be accepted by County. This will be even more important if the plat is considered by the Commissioner's Court. Refer to comment letter.

ARTICLE XI ENFORCEMENT AND PENALTIES

Please review this Article of the Midland County Subdivision Regulations available online at <https://midlandcountytexas.gov/11132018-1387>

MONOMOY ADDITION

VICINITY MAP
NOT TO SCALE



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a Proposed Final Plat of OMG Addition, Section 7, being a 9.4-acre tract of land out of the South Part of Section 24, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on east side of FM 715 approximately 513-feet north of E. County Road 140. Extraterritorial Jurisdiction).

Recommended Planning and Zoning Commission Action:

☒ **Approve**

☐ **Deny**

☐ **Direction/Informational**

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The Preliminary Plat was approved at the March 7, 2016 Planning and Zoning Commission Meeting. This is a Final Plat of a 9.4-acre portion of the previously approved Preliminary Plat.

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. The final plat attached hereto has been circulated to all pertinent City departments and their comments, conditions and requirements as follows:

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

CODE COMPLIANCE: (Approved)

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

ENGINEERING : (Approved)

*** Approved via email with corrected plat drainage comments on 8/13/19 ***

ROW: Ok as shown

PAVING: Paving, water, wastewater, and sidewalk improvements deferred by Motion 088-2015 by Council for OMG Addition, 10/20/2015.

WATER: Paving, water, wastewater, and sidewalk improvements deferred by Motion 088-2015 by Council for OMG Addition, 10/20/2015.

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

PRO RATA: None.

SEWER: Paving, water, wastewater, and sidewalk improvements deferred by Motion 088-2015 by Council for OMG Addition, 10/20/2015.

DRAINAGE: Comply with approved OMG Addition drainage study and add note for required on-site detention.

EASEMENTS: Ok as shown.

SIDEWALKS: Paving, water, wastewater, and sidewalk improvements deferred by Motion 088-2015 by Council for OMG Addition, 10/20/2015.

DIMENSION: * * *

OTHER: * * *

FIRE: (Approved)

ETJ, no comments.

TRANSPORTATION: (Approved)

No objections to plat.

Health:

Yes, the health department will review application from the 1 proposed lot of OMG Addition Section 7, PLAT OF A 9.4 ACRE TRACT OF LAND OUT OF SECTION 24, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY the lot is 9.4 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.

GIS:

The proposed plat should be Block 6 Lot 1.

Planning:

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

Conditions:

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

Attachments:

Proposed Final Plat
Application
Map

FINAL PLAT OMG ADDITION, SECTION 7

BEING A 9.4254 ACRE TRACT OUT OF SECTION 24, BLOCK 39, T-2-S
T & P RR CO. SURVEY, MIDLAND COUNTY, TEXAS

JESUS ESTRADA
SE/4, SEC. 24, BLK. 39
VOL. 3034, PG. 336
O.P.R.M.C.T.

URIEL URIAS
SE/4, SEC. 24, BLK. 39
INST# 2009-18925, D.R.M.C.T.

JONATHAN JONAS
SW/4, SEC. 15, BLK. 38
VOL. 1138, PG. 564
D.R.M.C.T.

STATE OF TEXAS
1.6 ACRE TRACT
VOL. 100, PG. 29
D.R.M.C.T.

CARLEE NELSON
SW/4, SEC. 15, BLK. 38
VOL. 834, PG. 653
D.R.M.C.T.

EMMA THREAT
SW/4, SEC. 15, BLK. 38
VOL. 677, PG. 624
D.R.M.C.T.

FRED STALLINGS, INC.
SW/4, SEC. 15, BLK. 38
VOL. 1087, PG. 491
D.R.M.C.T.

DEE CARR
INST# 2014-27643
O.P.R.M.C.T.

FND. 60D NAIL
N:10672140.94
E:1771074.08

N75° 44' 39"E 738.17'

N:10673160.09
E:1770762.88

ROXANNE HOWE
INST# 2017-11696
C.C.R.M.C.T.

LOT 1
9.4254 Acres

S75° 42' 34"W 738.47'

43' ACCESS EASEMENT

S75° 42' 34"W 738.49'

S75° 42' 34"W 738.51'

N 75° 42' 34" E
50.00'

S 14° 17' 26" E 508.59'

FARM TO MARKET 715

60' R.O.W. TO BE DEDICATED

S14° 17' 26"E 555.85'

24 15
25 1

6

MILES WELL #1

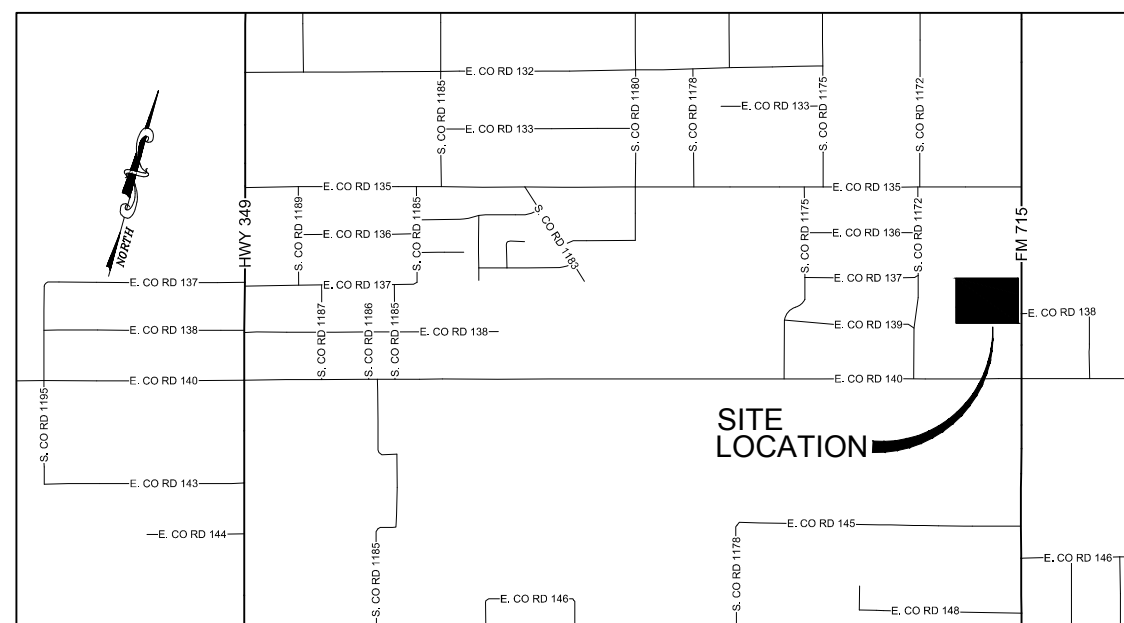
R = 150'

N:10672978.32
E:1770047.44

N14° 15' 21"W 556.29'

0' 100' 200' 300'
SCALE 1" = 100'

SICKING INVESTMENT LTD
INST# 2015-437
O.P.R.M.C.T.



VICINITY MAP
(NOT TO SCALE)

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

SUDDENLINK Print Name:

GRANDE COMMUNICATIONS Print Name:

AT&T-TEXAS Print Name:

NOTE:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
4. WHEN LOT 1 DEVELOPS, LOT 1 SHALL PROVIDE 0.90 ACRE FEET (39,204 C.F.) OF ONSITE DETENTION IN ACCORDANCE WITH THE ORIGINAL APPROVED DRAINAGE STUDY DATED 2-15-2016. (NOTE THAT LOT 1 WAS ORIGINALLY DEPICTED AS LOT 2 ON THE APPROVED DRAINAGE STUDY)
5. WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48329C0216F, REVISED SEPTEMBER 16, 2005, THIS SURVEYOR HAS DETERMINED THAT THIS PROPERTY IS LOCATED IN ZONE "X".

LEGEND

- ⊙ DENOTES FOUND 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "WEST CO. MIDLAND"
- ⊕ DENOTES WELL SITE
- DENOTES BOUNDARY LINE
- DENOTES SECTION LINE
- - - - - DENOTES SURROUNDING PROPERTY
- ▨ HATCHED AREA DENOTES FLOOD ZONE "A"
- C.C.R.M.C.T. COUNTY CLERK'S RECORDS MIDLAND COUNTY, TEXAS
- D.R.M.C.T. DEED RECORD MIDLAND COUNTY, TEXAS
- O.P.R.M.C.T. DENOTES OFFICIAL PUBLIC RECORDS MIDLAND COUNTY, TEXAS
- P.R.M.C.T. DENOTES PLAT RECORDS MIDLAND COUNTY, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS I, ROXANNE HOWE, am the record owner of a tract of land situated in Section 24, Block 39, T-2-S, T&P RR. Co. Survey, County of Midland,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, ROXANNE HOWE, being the owner of the land shown on this plat designated as OMG ADDITION, SECTION 7, 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 and trash collection, and 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 have been selected and approved by the Director of Utilities.

WITNESS my hand at Midland, Texas, this

the _____ day of _____, 2019.

ROXANNE HOWE

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 ROXANNE HOWE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2019

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

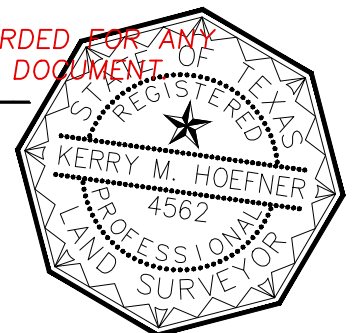
SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Kerry M. Hoefner, 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.

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

KERRY M. HOEFNER, RPLS 4562
2713 CANTRELL ST.
IRVING, TEXAS 75062
214.714.2340



CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "OMG ADDITION, SECTION 7", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2019.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

OWNER:
ROXANNE HOWE
13300 STONEFIELD DR
HOUSTON, TX 77014
281-685-3091

SURVEYORS - ENGINEERS - PLANNERS ,
ENGINEER REGISTRATION: FIRM 2184
SURVEYOR REGISTRATION: FIRM 100682-00
110 W. LOUISIANA AVE., SUITE 110,
MIDLAND, TEXAS 79701
(432) 687-0865 - FAX (432) 687-0868

JULY 2019

OMG ADDITION, SECTION 7





Final Plat Application

Project Number:

Case Number:

P-19-0630

Proposed Subdivision Plat Name:

OMG Addition, Section 7

Legal Description (attached sealed Metes and Bounds): Being A 9.4254 Acre Tract out of Section 24, Block 39, T-2-S T&P RR Co. Survey, Midland County, Texas

Property Owner

Printed Name: Roxanne Howe

Address 13300 Stormfield

City Houston

Phone (281) 685-3091
Email

State Tx

Zip 77014

Developer (if different than Owner)

Printed Name:

Address

City

Phone ()
Email

State

Zip

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

Firm: West Company of Midland, LLC - Larry Walker

Printed Name:

Address 110 W. Louisiana

City Midland

Phone (432) 687-0865
Email

State Tx

Zip 79701

Current Zoning: ETJ

Reason for Platting: Ownership, Future Development

Plat Information

Total Acreage: 9.4254

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

Number of Lots: |

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

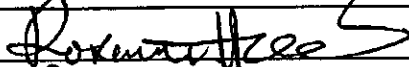
- ☐ Applicant would like a reproduction made for their records
☐ Applicant does not want a reproduction/will make their own

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: 7/30/2019

Property Owner (printed):

Roxanne Howe

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.

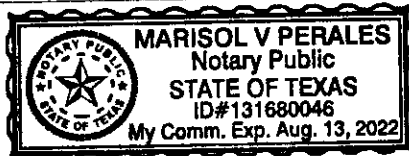
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Larry H. Walker who, being by me duly sworn, upon oath says: That (s)he is authorized by Roxanne Howe, 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 31st day of July, 20 19, to certify which witness my hand and seal of office.

Marisol Perales
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>25168</u>	☒ Tax Certificates	Check # <u>25169</u>
Received By: 		Date: <u>7/31/19</u>

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



LOCATION MAP

PR-000049-2015

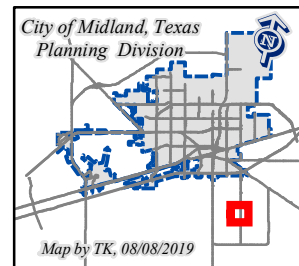
Scale: 1" = 400'

Consider a proposed Final Plat of OMG Addition, Section 7, being a 9.4-acre tract of land out of the South Part of Section 24, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on east side of FM 715 approximately 513-feet north of E. County Road 140. (Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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

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



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a proposed Final Plat of Venky Addition being a plat of a 26.36-acre tract of land out of Section 18, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southeast corner of West County Road 120 and South County Road 1230. Extraterritorial Jurisdiction).

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on the southeast corner of West County Road 120 and South County Road 1230 within the ETJ, Extraterritorial Jurisdiction. The applicant is requesting to plat the property into (1) one lot to obtain septic permits. The Preliminary Plat was approved on the February 4, 2019 Planning and Zoning Commission Meeting, and the February 12, 2019 City Council Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

ETJ, no jurisdiction.

Code Compliance: (Approved)

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

Fire: (Approved)

ETJ; no comments.

GIS:

There are no metes and bounds on the proposed plat.

Transportation: (Approved)

No objection.

Engineering: (Approved)

***Approved: Deferral and Drainage Report.

ROW: Dedicate 60' from the Section line for W CR 120 and S CR 1230 for future arterial roadways. Dimension and label all ROW and section lines.

PAVING: S CR 1230, W CR 120 and S CR 1226 are all sub-standard, construct to City Standards for entire platted frontage or request a deferral.

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

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal.

PRO RATA: None.

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

DRAINAGE: Drainage study approved.

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

Planning:

This plat is greater than 25 acres and was approved by City Council.

Staff recommends approval subject to Condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps

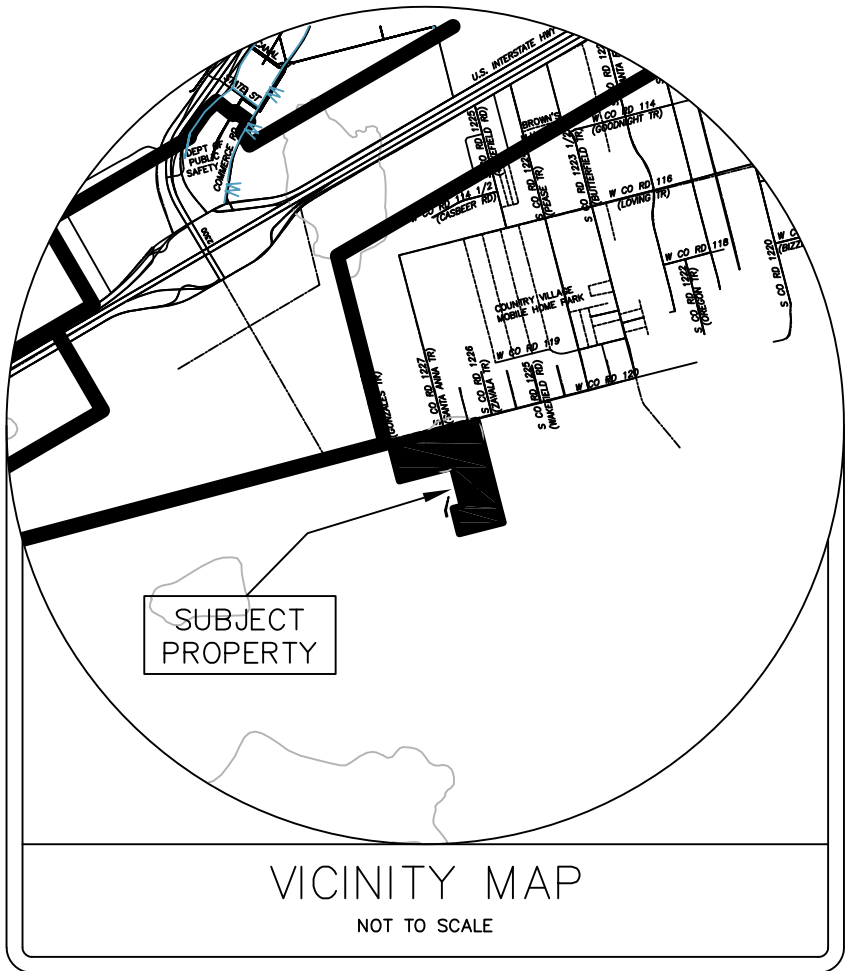
RRC PIPELINE DETAILS:

- (A) OPERATOR ENDEAVOR ENERGY
COMMODITY RESOURCES L.P.
SYSTEM TYPE NATURAL GAS
SYSTEM NAME Gas Gathering
SYSTEM NAME MIDLAND COUNTY SYSTEM
DIAMETER 6.63
STATUS In Service
- (B) OPERATOR ENDEAVOR ENERGY
COMMODITY RESOURCES L.P.
SYSTEM TYPE NATURAL GAS
SYSTEM TYPE Gas Gathering
SYSTEM NAME MIDLAND COUNTY SYSTEM
DIAMETER 6.63
STATUS In Service
- (C) OPERATOR ENDEAVOR ENERGY
COMMODITY RESOURCES L.P.
SYSTEM TYPE NATURAL GAS
SYSTEM TYPE Gas Gathering
SYSTEM NAME MIDLAND COUNTY SYSTEM
DIAMETER 12.75
STATUS In Service

GRAPHIC SCALE

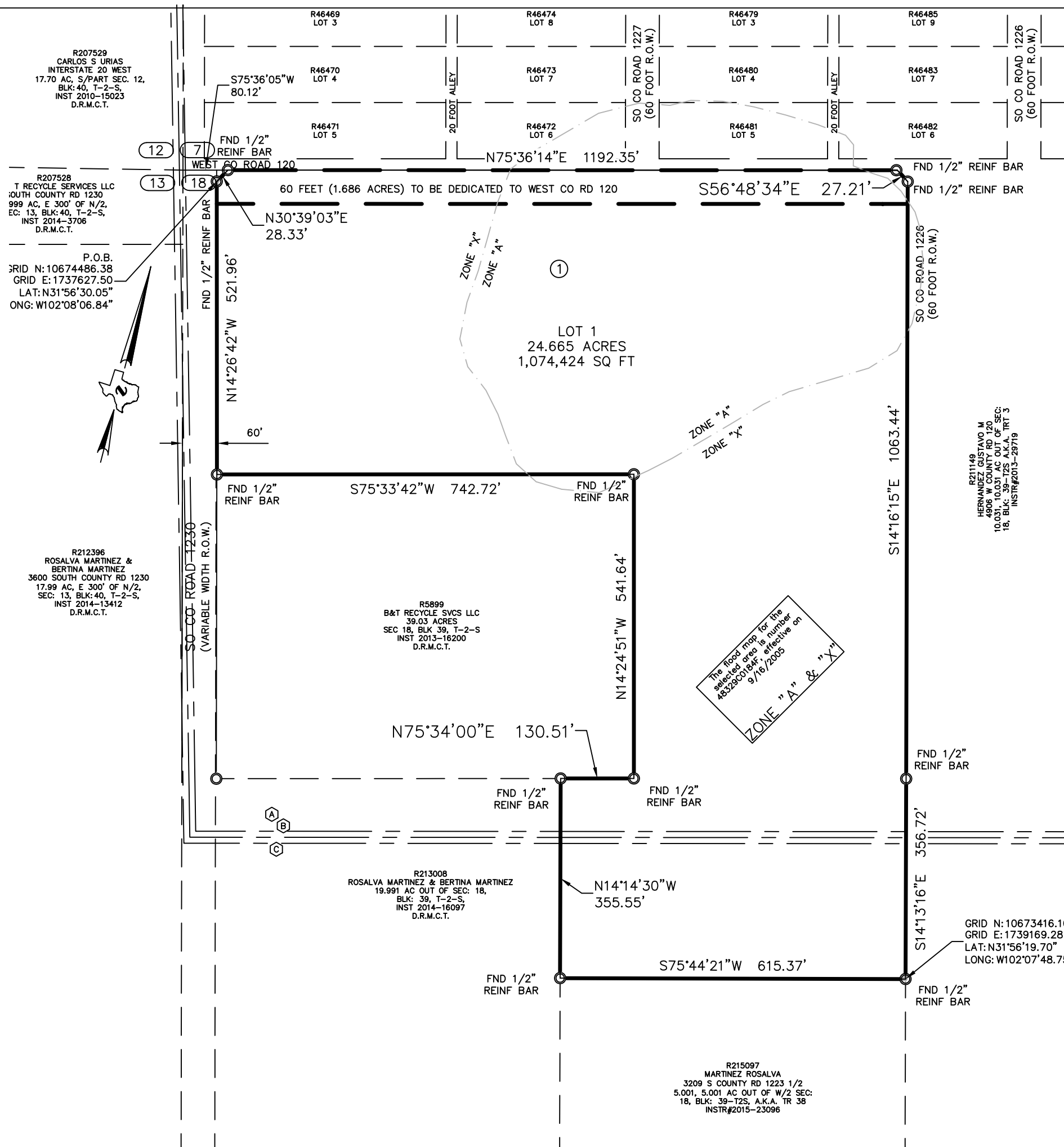


(IN FEET)
1 inch = 200 ft.



VICINITY MAP

NOT TO SCALE



NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND COORDINATES TO THE TEXAS STATE PLAN COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) THE 26.665 ACRE TRACT IS RE-PLATTED INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. THE LOCATION OF THE ZONE LINE BETWEEN FLOOD ZONES "X" AND "A" IS SCALED FROM FEMA'S FLOOD MAP AND NOT SURVEYED.

VENKY ADDITION

BEING A PLAT OF A 26.357 ACRE TRACT
OF LAND OUT OF
THE NW/4 OF SECTION 18,
BLOCK 39, T-2-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, WE ARE THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 18, BLOCK 39, T-2-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20 ____.

SUBBARAYAN VENKATESAN, MANAGING PARTNER

STATE OF TEXAS:

COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, SUBBARAYAN VENKATESAN, MANAGING PARTNER.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

CANV INVESTORS LLC
VCAN PROPERTIES LLC
NVJ INVESTORS LLC
MIDCAMP PROPERTIES LLC
C/O SUBBARAYAN "VENKY" VENKATESAN,
MANAGING PARTNER
3332 REMINGTON DRIVE
PLANO, TEXAS 75023
(972) 839-7319
jan@midlandrvpark.com

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ONCOR ELECTRIC DELIVERY COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF VENKY ADDITION WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2019.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

RJ DAUM
RPLS 4826

DRAWN BY: KDS	DATE: 6/22/2018
CHECKED BY: CAK	DRAWING NO.: 75970R
JOB NO.: 75,970	SHEET 1 OF 1

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



SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM No. F1880 - TEXAS FIRM No. 10149500
Office (432) 684-5548
Fax (432) 684-6973

VENKY ADDITION



Final Plat Application

Project Number:

Case Number:

SUB-18-021
P-19-0594**Proposed Subdivision Plat Name:** VENKY ADDITION**Legal Description (attached sealed Metes and Bounds):** Being a Plat of a 23.36 Acre Tract of Land out of the NW/4 of Section 18, Block 39, T-2-S, T&P RR Co Survey, Midland County, Texas

Property Owner Printed Name:	CANY Investors LLC VCAN Properties LLC Midcamp Properties LLC c/o Subbarayan "VENKY" Venkatesan Nandhini J "JAN" Venkatesan	Phone (972) 839-7319 Email		
Address	3332 Remington Drive	City Plano	State TX	Zip 75023

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: Cynthia A Klatt	Phone (432) 684-5548 Email cindy@schumannonline.net			
Address	408 N Pecos Street	City Midland	State TX	Zip 79701

Current Zoning:**Reason for Platting:** To obtain Septic Permits

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

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

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

****Application will not be considered for scheduling until reviewed by a planner.****RECEIVED
JUN 26 2019
MIDLAND
PLANNING DIVISION OFFICE

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 6-19-19

Property Owner (printed): SUBBARAYAN VENKATESAN

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.

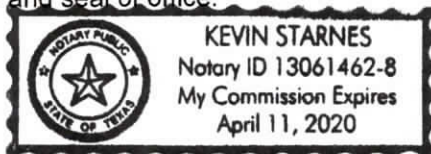
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Sandi Fuston who, being by me duly sworn, upon oath says: That (s)he is authorized by Subbarayan Venkatesan, 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 19 day of June, 2019, to certify which witness my hand and seal of office.



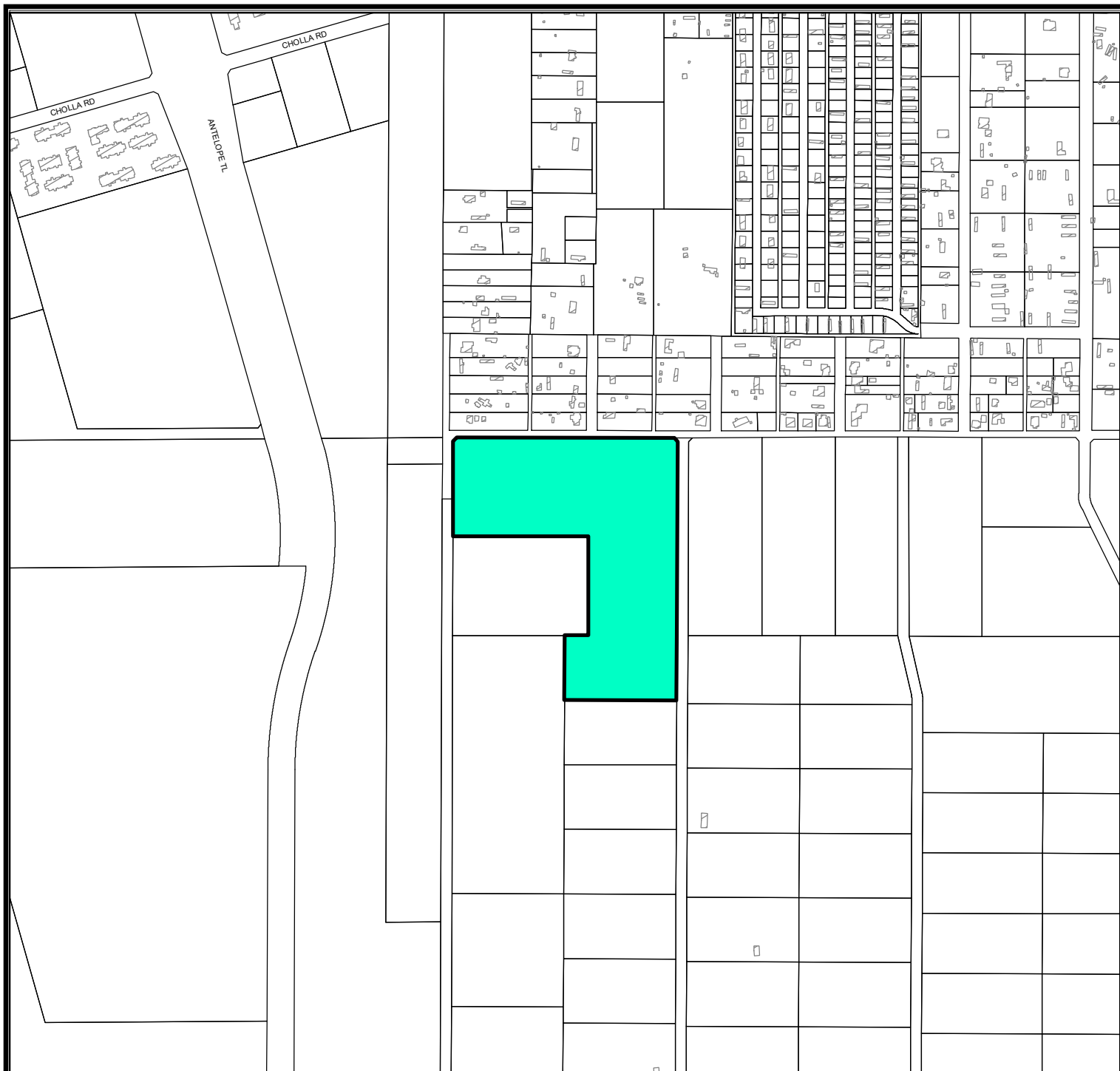
[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- | | | |
|--|--|--|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☐ 1 Copy of Plat (11x17) | ☐ Public Improvements |
| ☒ Application Fee | ☒ Title Opinion | ☒ Recording Fee |
| Check # <u>1064</u> | ☐ Tax Certificates <u>missing</u> | Check # <u>1065</u> |

Received By: [Signature]

Date: 6/26/19



LOCATION MAP

SUB-18-0121

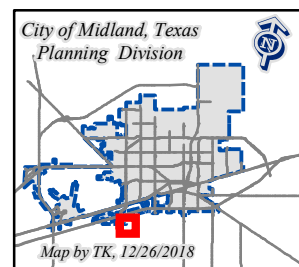
Scale: 1" = 400'

Proposed Plat of Venky Addition being a plat of a 26.36-acre tract of land out of Section 18, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the southeast corner of West County Road 120 and South County Road 1230.
(Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2017

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



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Planner

SUBJECT: Consider a proposed Final Plat of Western Hills, Section 14, being a replat of Lot 6C, Block 20, and a previously vacated .375-acre portion of Pasadena Drive and alley Right-of-Way, adjacent to said lot, Western Hills, Section 13, City and County of Midland, Texas. (Generally located west of Pasadena Drive, approximately 383-feet west of S. Eisenhower Drive. Council District 4).

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

SF-3, Single Family Dwelling District.

Preliminary Plat Approval:

The applicant's property is located on the west of Pasadena Drive, approximately 383-feet west of S. Eisenhower Drive. The applicant is requesting to re-plat the property into (14) fourteen lots to develop single family homes. The Preliminary Plat was approved on the September 3, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, 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.

Engineering: (Approved)

ROW: ROW okay as shown.

PAVING: Plans for Pasadena Drive have been approved and show the road to be built according to City of Midland Standards.

WATER: Plans for Water Utilities have been approved and show the lines to be built according to City of Midland Standards.

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

PRO RATA: None.

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

DRAINAGE: Drainage study approved. FEMA FIRM data is shown on the Plat face.

EASEMENTS: Easements okay as shown

SIDEWALKS: Sidewalk required with building permit.

DIMENSION: * * *

OTHER: * * *

Fire: (Approved)

No additional comments.

Transportation: (Approved)

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

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

No objections to plat.

Planning:

Staff recommends approval subject to Condition A.

Conditions:

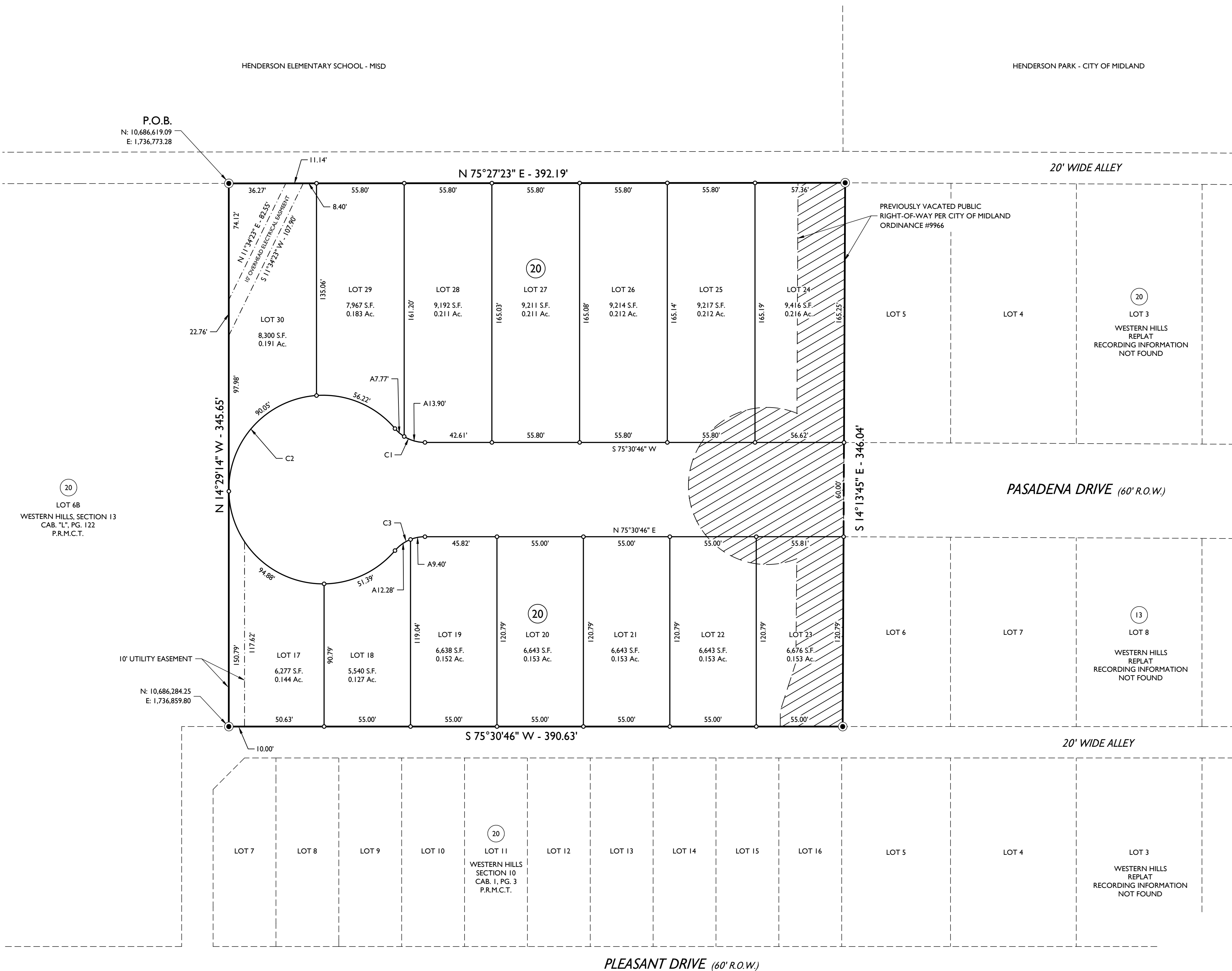
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

WESTERN HILLS, SECTION 14

BEING A REPLAT OF LOT 6C, BLOCK 20, AND A PREVIOUSLY VACATED 0.375-ACRE PORTION OF PASADENA DRIVE AND ALLEY RIGHT-OF-WAY, ALL OUT OF WESTERN HILLS, SECTION 13, CITY AND COUNTY OF MIDLAND, TEXAS



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, M&H DEVELOPING, LLC, is the record owner of a tract of land situated in Section 32, 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 M&H DEVELOPING, LLC, being the owner of the land shown on this plat designated as WESTERN HILLS, SECTION 14, on 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 _____, A.M.,
the _____ day of _____, 2019.

By: WAYNE HAM

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 WAYNE HAM, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

the _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of WESTERN HILLS, SECTION 14, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

_____ day of _____, 2019.

JOSH SPARKS, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Paul Wilson, a duly Licensed Surveyor of the State of Texas, do hereby certify that the above and foregoing plat was prepared from an actual and correct survey of the land shown thereon, and that the same is true and correct in all particulars, and that the same was prepared by me or under my personal supervision, and in accordance with the laws of the State of Texas, and the rules and regulations of the State Board of Survey.

Paul Wilson, Surveyor
Surveyor's License #10194514
Midland, Texas 79701
pwilson@maverick-eng.com

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDDENLINK COMMUNICATION
BY: _____

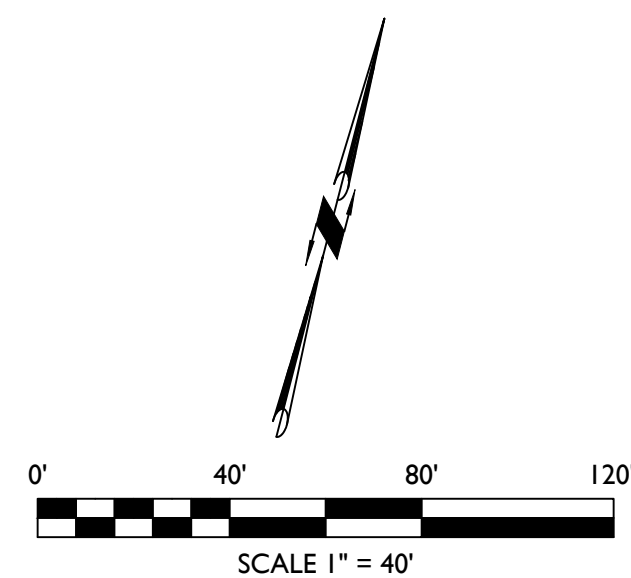
GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____



VICINITY MAP

N.T.S.



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	21.68'	21.00'	N 79°38'50" W	49°40'47"
C2	60.00'	293.54'	77.65'	S 14°29'14" E	279°21'34"
C3	25.00'	21.68'	21.00'	N 50°40'22" E	49°40'47"

LEGEND

●	DENOTES SET 1/2-INCH IRON ROD
○	DENOTES FOUND MONUMENT AS NOTED
O.R.M.C.T.	DENOTES OFFICIAL RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DENOTES DEED RECORDS, MIDLAND CO., TX
P.R.M.C.T.	DENOTES PLAT RECORDS, MIDLAND CO., TX
---	DENOTES BOUNDARY LINE
- - - -	DENOTES SURROUNDING PROPERTY
- . - . -	DENOTES EASEMENT LINE
	DENOTES TO-BE-VACATED PUBLIC RIGHT-OF-WAY



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

WESTERN HILLS, SECTION 14

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOT'S ARE REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0183Z DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

PROPERTY OWNER

M&H DEVELOPING, LLC
4400 N. BIG SPRING
SUITE 444
MIDLAND, TX 79705
DEED INSTRUMENT #2019-11027

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



Final Plat Application

Project Number: SUB-19-0200Case Number: P-19-06078**Proposed Subdivision Plat Name:** Western Hills, Section 14**Legal Description (attached sealed Metes and Bounds):** Being a Re-Plat of Lot 6C, Block 20, and a previously vacated 0.375-acre portion of Pasadena Drive and alley right-of-way, all out of Western Hills, Section 13, City and County of Midland, Texas.**Property Owner**

Printed Name: M&H Developing, LLC

Phone ()
Email

Address 4400 N. Big Spring, Suite A-4

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: Andrew L. Mellen

Phone (432) 262-0999
Email

phuckaba@maverick-eng.com

Address 1909 W. Wall Street, Ste. K

City Midland

State TX

Zip 79701

Current Zoning: SF2**Reason for Platting:** Advance the development of additional SF lots as proposed.**Plat Information**

Total Acreage: 3.108

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

Number of Residential Lots: 14

Number of Multi-Family Dwelling Units: 0

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature] Date: 9-13-19

Property Owner (printed): WAYNE HAM

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 18th day of September, 2019, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Mylar

☒ Application Fee

Check # 2915

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☐ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ Public Improvements

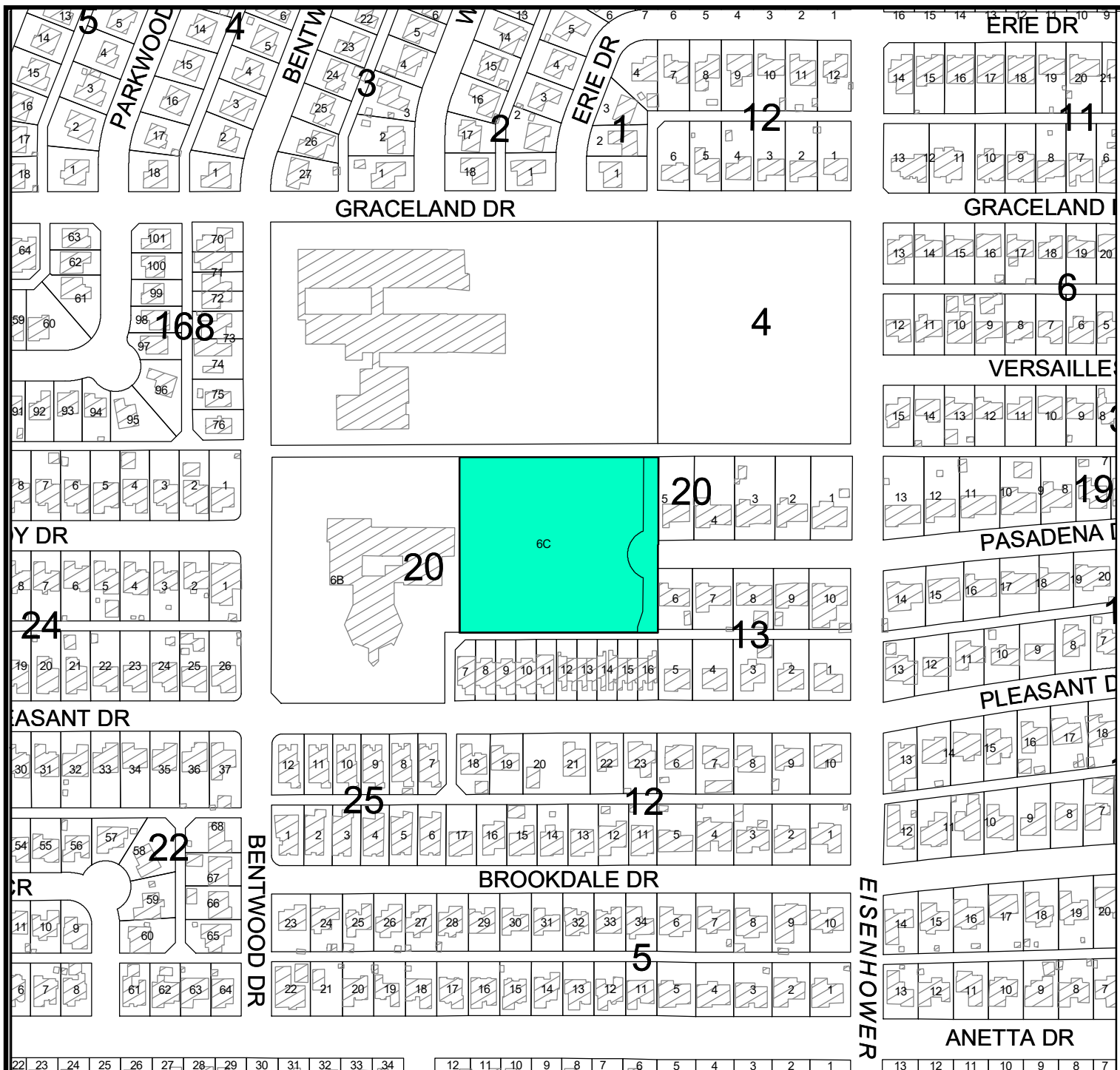
☒ Recording Fee

Check # 2916

Received By:

Date:

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



LOCATION MAP

SUB-19-0200

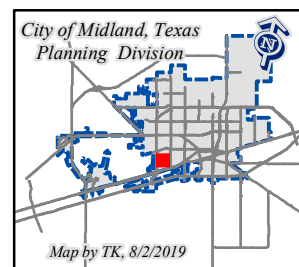
Scale: 1" = 400'

Consider a proposed Plat of Western Hills Section 14, being a replat of Lot 6C, Block 20, and a previously vacated .375-acre portion of Pasadena Drive and alley Right-of-Way, adjacent to said lot, Western Hills, Section 13, City and County of Midland, Texas.

Generally located west of Pasadena Drive, approximately 383-feet west of S. Eisenhower Drive. Council District 4.

LEGEND

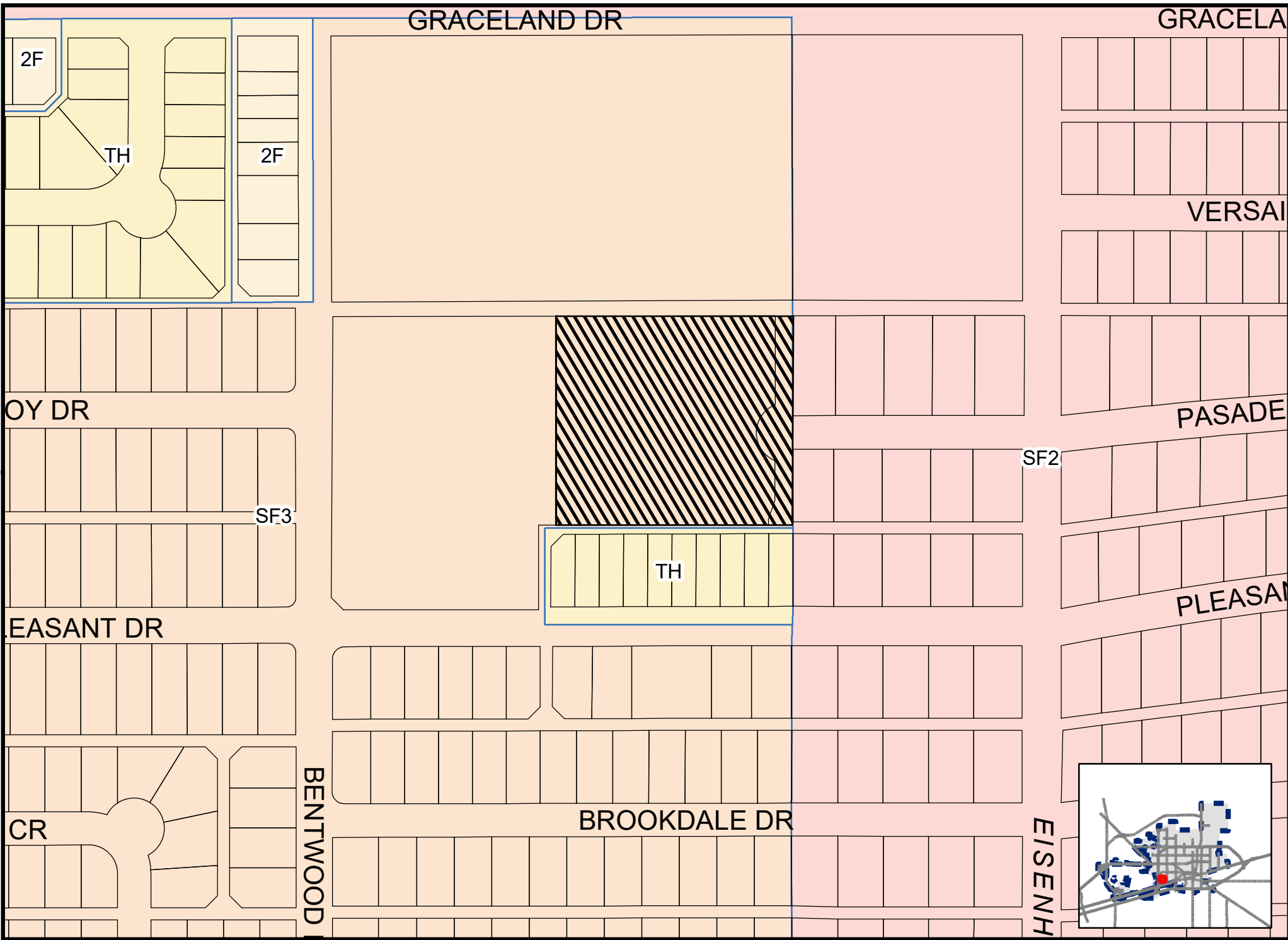
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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

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





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 9/16/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Hill Crest Acres, Section 13, being a re-plat of the north 386.4-feet of the south half of Tract 18, Hill Crest Acres; Lot 1, Block 1, Hill Crest Acres, Section 2, Lot 1, Block 2, Hill Crest Acres, Section 3; and a 0.339-acre portion of previously vacated Bedford Right-of-Way, located in Section 30, Block 39, T-1-S, T&P RR. Co. Survey; City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Cuthbert Avenue and Midland Drive. Council District 4)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Current Zoning:

SF-1, Single-Family Dwelling District.

Preliminary Plat Approval:

The applicant's property is located on the northwest corner of the intersection of Cuthbert Avenue and Midland Drive. The applicant, Maverick Engineering, is requesting to re-plat of the north 386.4-feet of the south half of Tract 18, Hill Crest Acres; Lot 1, Block 1, Hill Crest Acres, Section 2, Lot 1, Block 2, Hill Crest Acres, Section 3; and a 0.339-acre portion of previously vacated Bedford Right-of-Way, located in Section 30, Block 39, T-1-S, T&P RR. Co. Survey; City and County of Midland, Texas, into two (2) lots for ownership purposes and future development. The preliminary plat was approved at the September 3, 2019 Planning and Zoning Commission Meeting

Final Plat Requirements:

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

This proposed Final Plat of Hill Crest Acres, Section 13 has been circulated to all city departments for their review.

Engineering: (Approved)

Updated comments (2019.09.09):

ROW: In town and on corner request 20'X20' Corner Clip or 10' x 10' Corner Clip to be dedicated for sight triangle and ADA ramp construction.

PAVING: Paving along Midland Dr. and Cuthbert Ave. are acceptable. No public paving improvements required.

WATER: 12" water line existing to the East along Midland Dr. and 6" water line existing to the south along Cuthbert Ave. No public water improvements are required.

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

PRO RATA: None

SEWER: 12" wastewater line existing to the South side of the site along Cuthbert Ave. No public wastewater improvements are required.

DRAINAGE: Drainage study approved.

EASEMENTS: Okay as shown.

SIDEWALKS: Required across platted frontage with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No additional comments.

Code Compliance: (Approved)

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

Building: (Approved)

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

Planning:

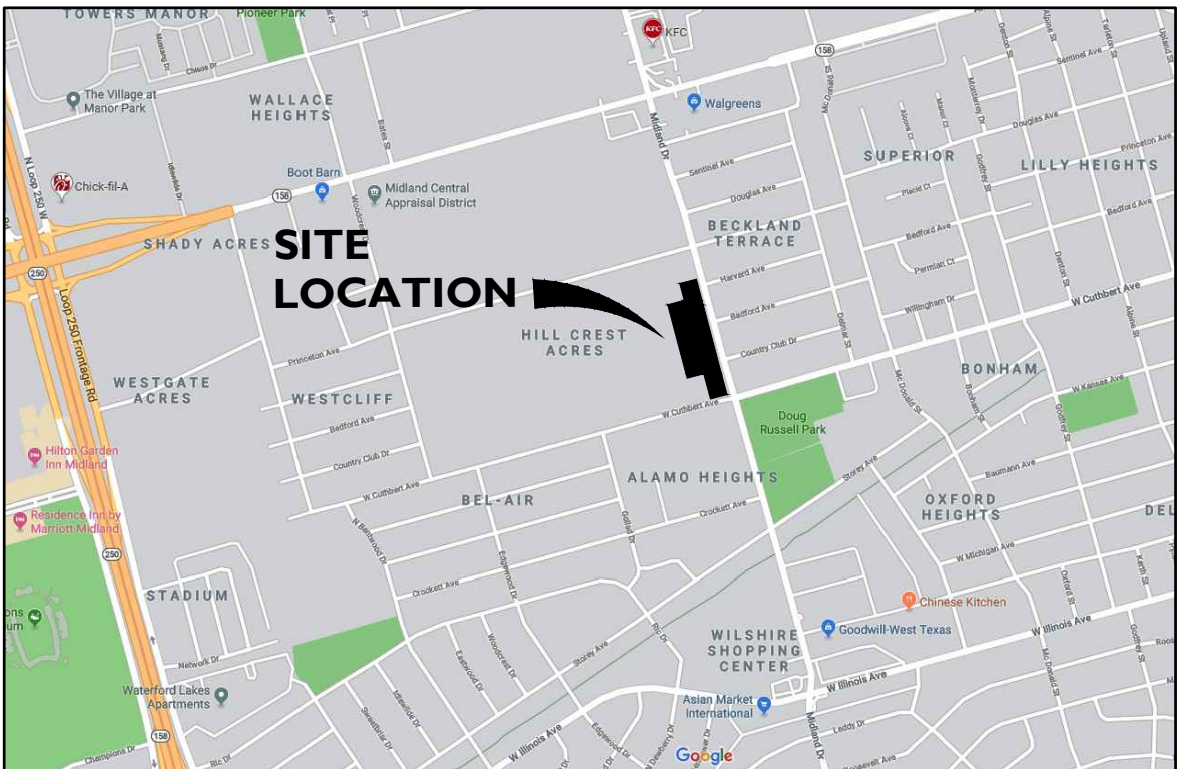
All departments' comments have been satisfied.

Attachments:

Proposed Final Plat
Application
Map

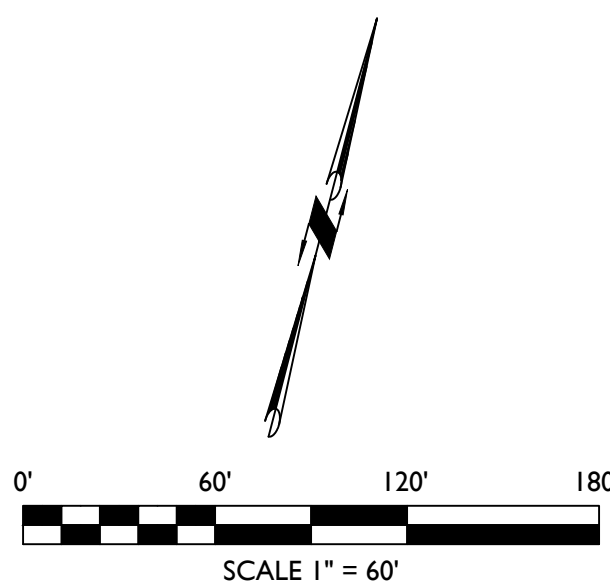
HILLCREST ACRES SECTION 13

BEING A RE-PLAT OF THE NORTH 386.4 FEET OF THE SOUTH HALF OF TRACT 18, HILLCREST ACRES; LOT 1, BLOCK 1, HILLCREST ACRES, SECTION 2, LOT 1, BLOCK 2, HILLCREST ACRES, SECTION 3; AND A 0.339-ACRE PORTION OF PREVIOUSLY VACATED BEDFORD AVENUE RIGHT-OF-WAY, LOCATED IN SECTION 30, BLOCK 39, T-I-S, T&P R.R. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



VICINITY MAP

N.T.S.



LEGEND

- DENOTES CALCULATED POINT
- DENOTES SET 1/2-INCH IRON ROD UNLESS OTHERWISE NOTED
- ⊙ DENOTES FOUND MONUMENT AS NOTED
- DENOTES BOUNDARY LINE
- - - - DENOTES SURROUNDING PROPERTY LINE

DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- 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.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #4832PC0182F, DATED SEPTEMBER 16, 2005, A PORTION OF THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND A PORTION IS WITHIN ZONE "X" 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.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUBDUNLINK COMMUNICATION
BY: _____

GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

PROPERTY OWNERS

WALTON PROPERTIES, LTD.
PO BOX 187
MIDLAND, TX 79702
DEED INSTRUMENT #

ALAMO HEIGHTS BAPTIST CHURCH
1305 N. MIDLAND DRIVE
MIDLAND, TX 79703

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS ALAMO HEIGHTS BAPTIST CHURCH, is the record owner of a tract of land situated in Section 30, Block 39, T-I-S, T&P R.R. Co. Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That ALAMO HEIGHTS BAPTIST CHURCH, being the owner of the land shown on this plat designated as HILLCREST ACRES, SECTION 13, 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 _____, Mo.
the _____ day of _____, 2019.

By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Paul Wilson, 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 shown thereon, and that the corner monuments thereon were properly located under my personal supervision, and that the boundaries shown thereon are true and correct.

Paul Wilson
1909 W. Wall Street
Midland, Texas 79701
p.wilson@maverick-eng.com

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS WALTON PROPERTIES, LTD., is the record owner of a tract of land situated in Section 30, Block 39, T-I-S, T&P R.R. Co. Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That WALTON PROPERTIES, LTD., being the owner of the land shown on this plat designated as HILLCREST ACRES, SECTION 13, 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 _____, Mo.
the _____ day of _____, 2019.

By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2019.

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 13, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

_____ day of _____, 2019.

JOSH SPARKS, CHAIRMAN

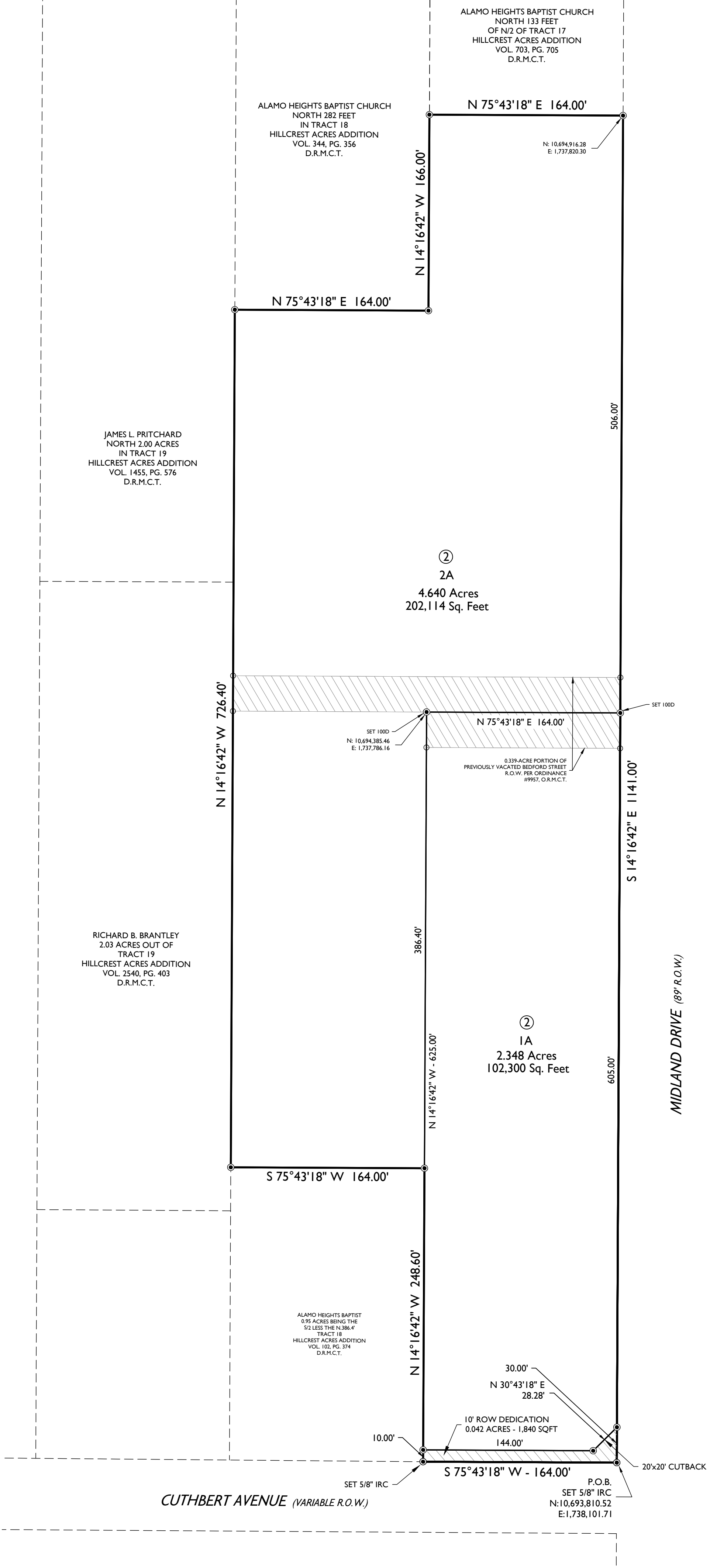
CRISTINA ODENBORG BURNS, SECRETARY



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

HILLCREST ACRES, SECTION 13



⑤
LOT 12
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.

ALLEY (20' R.O.W.)

⑤
LOT 13
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.

HARVARD AVENUE
(60' R.O.W.)

④
LOT 12
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.

ALLEY (20' R.O.W.)

④
LOT 13
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.

BEDFORD AVENUE
(60' R.O.W.)

③
LOT 12
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.

ALLEY (20' R.O.W.)

③
LOT 13
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.

COUNTRY CLUB DRIVE
(60' R.O.W.)

②
LOT 12
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.

ALLEY (20' R.O.W.)

②
LOT 13
BECKLAND TERRACE ADDITION
CAB. "A", PG. 7
P.R.M.C.T.



Final Plat Application

Project Number: SUB-P-0241
 Case Number: P-19-0662

Proposed Subdivision Plat Name: Hillcrest Acres, Section 13

Legal Description (attached sealed Metes and Bounds): Being a Re-plat of the North 386.4-feet of the south half of Tract 18, Hillcrest Acres; Lot 1, Block 1, Hillcrest Acres, Section 2; Lot 1, Block 2, Hillcrest Acres, Section 3; and a 0.339-Acre portion of previously vacated Bedford Avenue right-of-way, Located in Section 30, Block 39, T-1-S, T&P RR. Co. Survey; City and County of Midland, Texas.

Property Owner <u>THE ESTATE of JUD KINS T. WALTON, deceased</u>		Phone ()	
Printed Name: <u>Walton Properties, Inc.</u>		Email	
Address <u>PO Box 187- 10692</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79702</u>

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

Representative (if acting as Agent, see affidavit on page 2)		Phone (432) 262-0999	
Firm: <u>Maverick Engineering</u>		Email	
Printed Name: <u>Andrew L. Mellen</u>		<u>phuckaba@maverick-eng.com</u>	
Address <u>1909 W. Wall Street, Ste. K</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning: SF1

Reason for Platting: Ownership Purposes

Plat Information	Total Acreage: <u>6.988</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Residential Lots: <u>0</u>	Number of Multi-Family Dwelling Units: <u>0</u>

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

Items to be submitted with this application form:

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

RECEIVED
 AUG 28 2019
 CITY OF MIDLAND
 PLANNING DIVISION OFFICE



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Hillcrest Acres, Section 13**Legal Description (attached sealed Metes and Bounds):** Being a Re-plat of the North 386.4-feet of the south half of Tract 18, Hillcrest Acres; Lot 1, Block 1, Hillcrest Acres, Section 2; Lot 1, Block 2, Hillcrest Acres, Section 3; and a 0.339-Acre portion of previously vacated Bedford Avenue right-of-way, Located in Section 30, Block 39, T-1-S, T&P RR. Co. Survey; City and County of Midland, Texas.**Property Owner**

Printed Name: Alamo Heights Baptist Church

Phone ()
Email

Address 1309 N. Midland Drive

City Midland

State TX

Zip 79703

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: Andrew L. Mellen

Phone (432) 262-0999
Email

phuckaba@maverick-eng.com

Address 1909 W. Wall Street, Ste. K

City Midland

State TX

Zip 79701

Current Zoning: SF1**Reason for Platting:** Ownership Purposes**Plat Information**

Total Acreage: 6.988

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Janet Walton

Date:

Property Owner (printed): Janet Walton

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

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 27 day of August, 20 19, to certify which witness my hand and seal of office.



Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Kenneth L. Buchanan

Date: 8/15/19

Property Owner (printed): KENNETH L. BUCHANAN

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 Alamo Heights Baptist Church 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 27 day of August, 20 19, to certify which witness my hand and seal of office.

Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



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

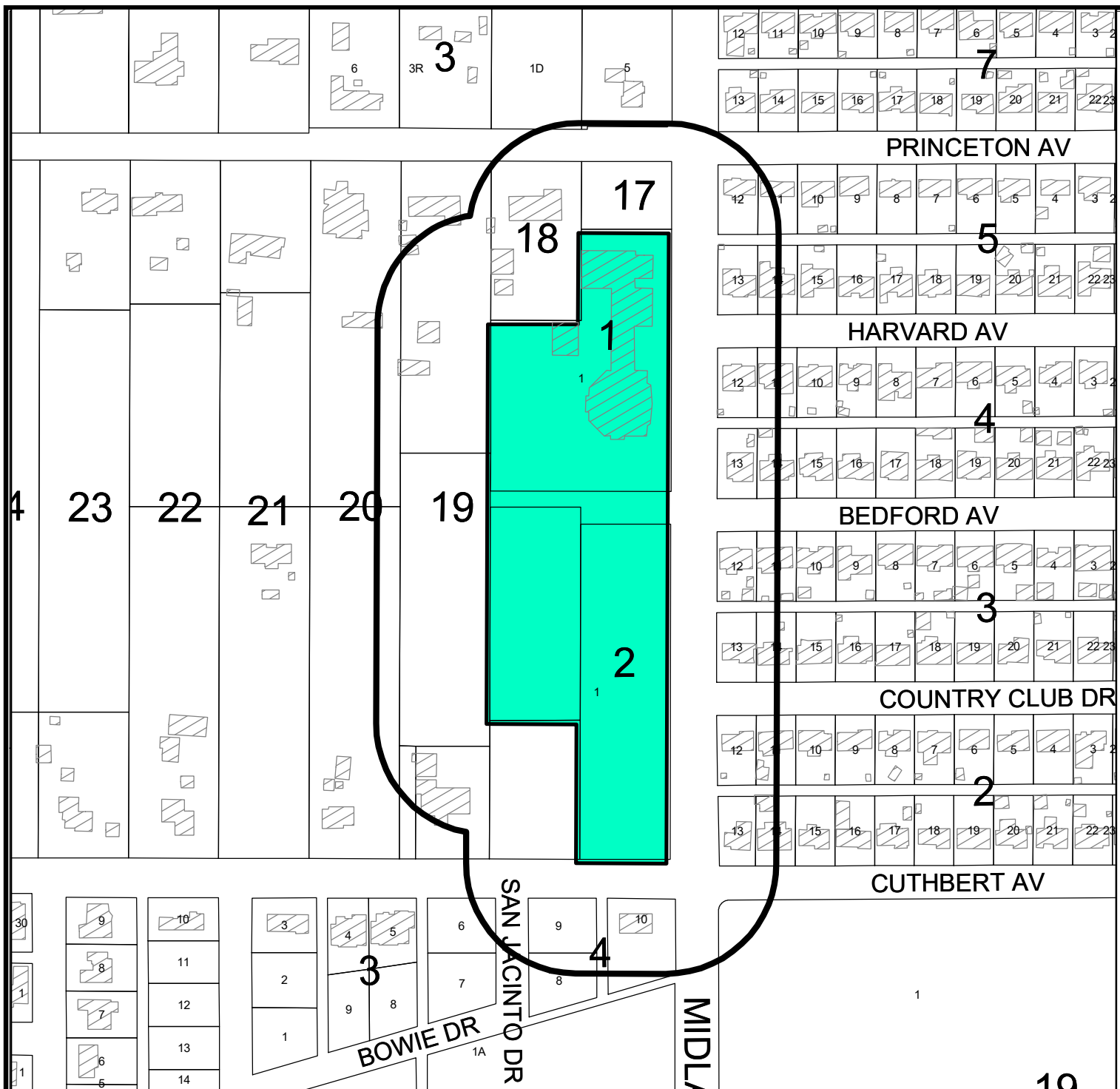
FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>2893</u>	☒ Tax Certificates	Check # <u>2894</u>

Received By: [Signature]

Date: 8/28/19

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



LOCATION MAP

SUB-19-0241

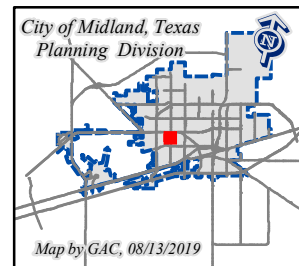
Scale: 1" = 400'

Proposed Plat of Hill Crest Acres, Section 13, being a re-plat of the north 386.4-feet of the south half of Tract 18, Hill Crest Acres; Lot 1, Block 1, Hill Crest Acres, Section 2, Lot 1, Block 2, Hill Crest Acres, Section 3; and a 0.339-acre portion of previously vacated Bedford Right-of-Way, located in Section 30, Block 39, T-1-S, T&P RR. Co. Survey; City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Cuthbert Avenue and Midland Drive. (Council District 4)

LEGEND

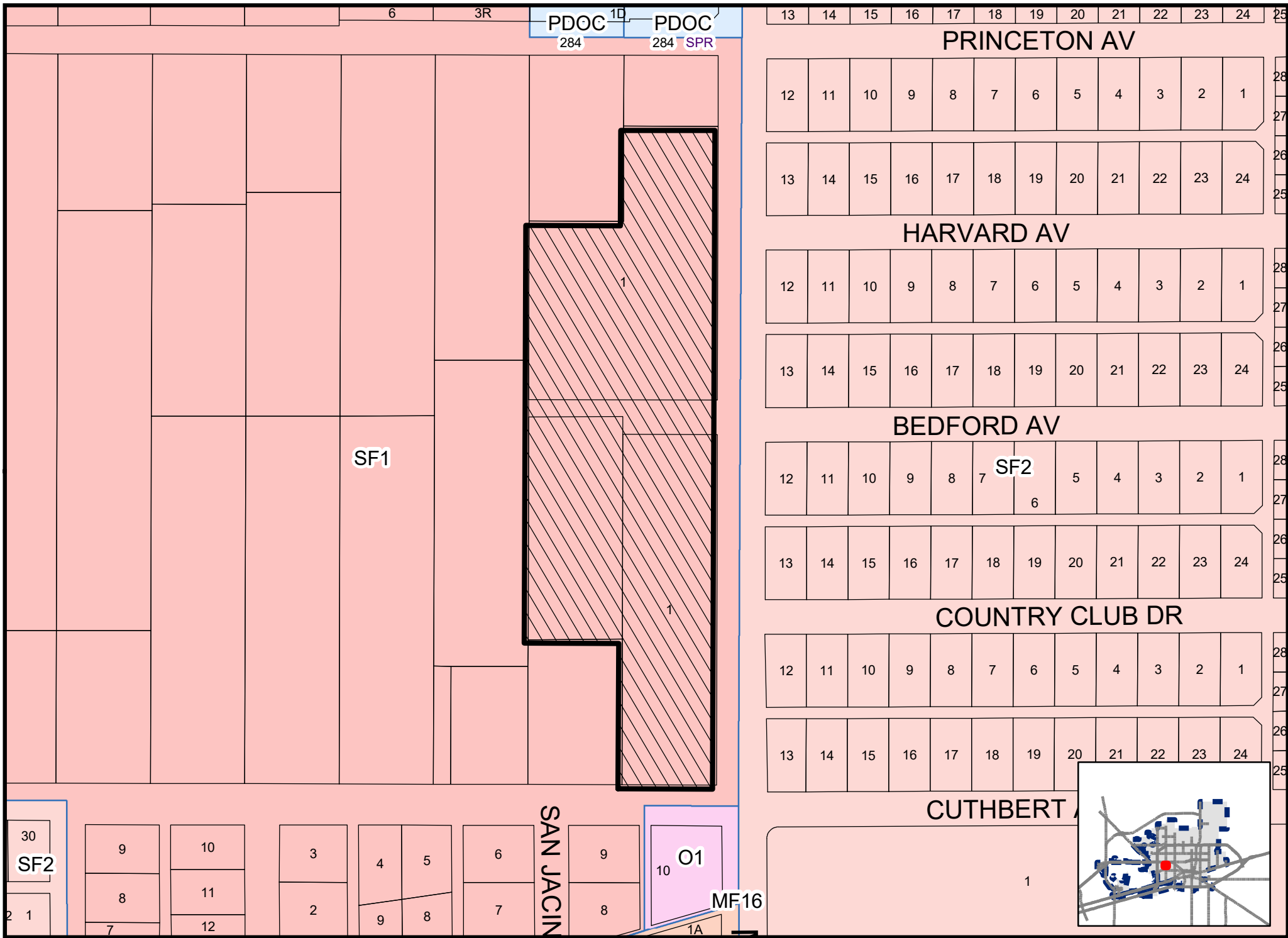
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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

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





Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Noir Addition, being a plat of a 11.438-acre tract of land out of Section 28, Block 38, T-1-S, T&P R.R. Co. Survey and a 2.307-acre tract of land out of Section 33, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1148, approximately 1,177 feet north of East County Road 72. Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on the west side of North County Road 1148, approximately 1,177 feet north of East County Road 72. The applicant, Schumann Engineering, is requesting to plat an 11.438-acre tract of land out of Section 28, Block 38, T-1-S, T&P R.R. Co. Survey, and a 2.307-acre tract of land out of Section 33, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas, into one (1) lot to obtain a septic permit. The preliminary plat was approved at the March 18, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of Noir Addition has been circulated to all city departments for their review.

Engineering: (Approved)

ROW: ROW okay as shown.

PAVING: Administrative deferral for water, wastewater, paving and sidewalk approved July 8, 2019.

WATER: Administrative deferral for water, wastewater, paving and sidewalk approved July 8, 2019.

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

PRO RATA: None.

SEWER: Administrative deferral for water, wastewater, paving and sidewalk approved July 8, 2019.

DRAINAGE: Study received and approved for platting purposes. Comply with report.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Administrative deferral for water, wastewater, paving and sidewalk approved July 8, 2019.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No objections to plat.

Fire: (Approved)

No objections.

Code Compliance: (Approved)

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

Code Administration: (Approved)

ETJ, No jurisdiction.

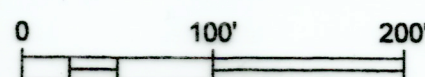
Planning: (Approved)

All departments' comments have been satisfied.

Attachments:

Proposed Final Plat
Application
Maps

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

29
32
NORTH COUNTY ROAD 1150
(60 FOOT RIGHT OF WAY GOOD PAVING)

NW CORNER OF SECTION 33 AND
SW CORNER OF SECTION 28,
BLOCK 38, T-1-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, WE ARE THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTIONS 28 AND 33, BLOCK 38, T-1-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT MIDLAND, TEXAS, THIS 26th DAY OF June 2019

Frederick Pierce
BROOKLINE REH MIDLAND, LLC
FREDERICK PIERCE, MANAGER

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 20 DAY OF June, 2019, BROOKLINE REH MIDLAND, LLC, FREDERICK PIERCE, MANAGER.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

PATRICIA Y SCHUMANN
Notary ID #3132121
My Commission Expires
February 4, 2022

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THIS TRACT IS ON FEMA'S FLOOD MAP 48329-C8100P EFFECTIVE DATE OF SEPTEMBER 16, 2005, AND IS IN ZONE "X".
5. AS PER THE DRAINAGE REPORT THIS SITE NEED 6.69 ACRE FEET OR 10,796 CUBIC YARDS TOTAL RETENTION.
6. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 13.07 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN THREE TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF NOIR ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2019.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: SECRETARY CRISTINA ODENBORG 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.

RJ DAUM
RPLS 4826



VICINITY MAP
NOT TO SCALE

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

SCHUMANN ENGINEERING CO., INC.
 REGISTERED PROFESSIONAL LAND SURVEYORS REGISTERED PROFESSIONAL CIVIL ENGINEERS
Civil Engineering ~ Land Surveying
 TEXAS FIRM No. F1880 TEXAS FIRM No. 10149500
 408 N. PECOS STREET - P. O. BOX 504
 MIDLAND, TEXAS 79702-0504
 Office (432) 684-5548
 Fax (432) 684-8973

NOIR ADDITION

NOIR ADDITION

				DRAWN BY:	CG	DATE:	1/7/2019
				CHECKED BY:	RJ	DRAWING NO.:	76550RF
NO.	DATE	DESCRIPTION	BY	IPS NO.:	76,550	SHEET	1 OF 1



Final Plat Application

Project Number:

Case Number:

Sub-19-070
19-0592**Proposed Subdivision Plat Name:** NOIR ADDITION**Legal Description (attached sealed Metes and Bounds):** Being a Plat of a 13.745 Acre Tract, being 11.438 Acres out of Section 28 and a 2.307 Acre Tract out of Section 33, ALL in Block 38, T-1-S, T&P RR Co Survey, Midland County, Texas**Property Owner** Rick Pierce
Printed Name: Brookline REH, LLC**Phone (212)** 551-4115
Email 716- 512-5101
rpierce@brooklineholdings.com**Address** 200 Park Avenue Suite 5800**City** New York**State** NY **Zip** 10166**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.**Phone (432)** 684-5548
Email**Printed Name:** Cynthia A Klatt

cindy@schumannonline.net

Address 408 N Pecos Street**City** Midland**State** TX **Zip** 79701**Current Zoning:****Reason for Platting:** To obtain Septic Permits**Plat Information****Total Acreage:** 13.745 Acres**Type:** ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☒ Extraterritorial Jurisdiction (ETJ) or ☐ City Limits**Number of Lots:** 0**Number of Multi-Family Dwelling Units:** 0**Submittal Information:** Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.**Items to be submitted with this application form:**

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

RECEIVED

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Frederick Pierce

Date: 2/10/19

Property Owner (printed):

Frederick Pierce

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.

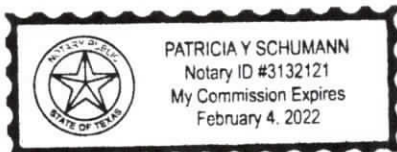
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by FREDERICK PIERCE, 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.

Cynthia A. Klatt
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of June, 20 18, to certify which witness my hand and seal of office.

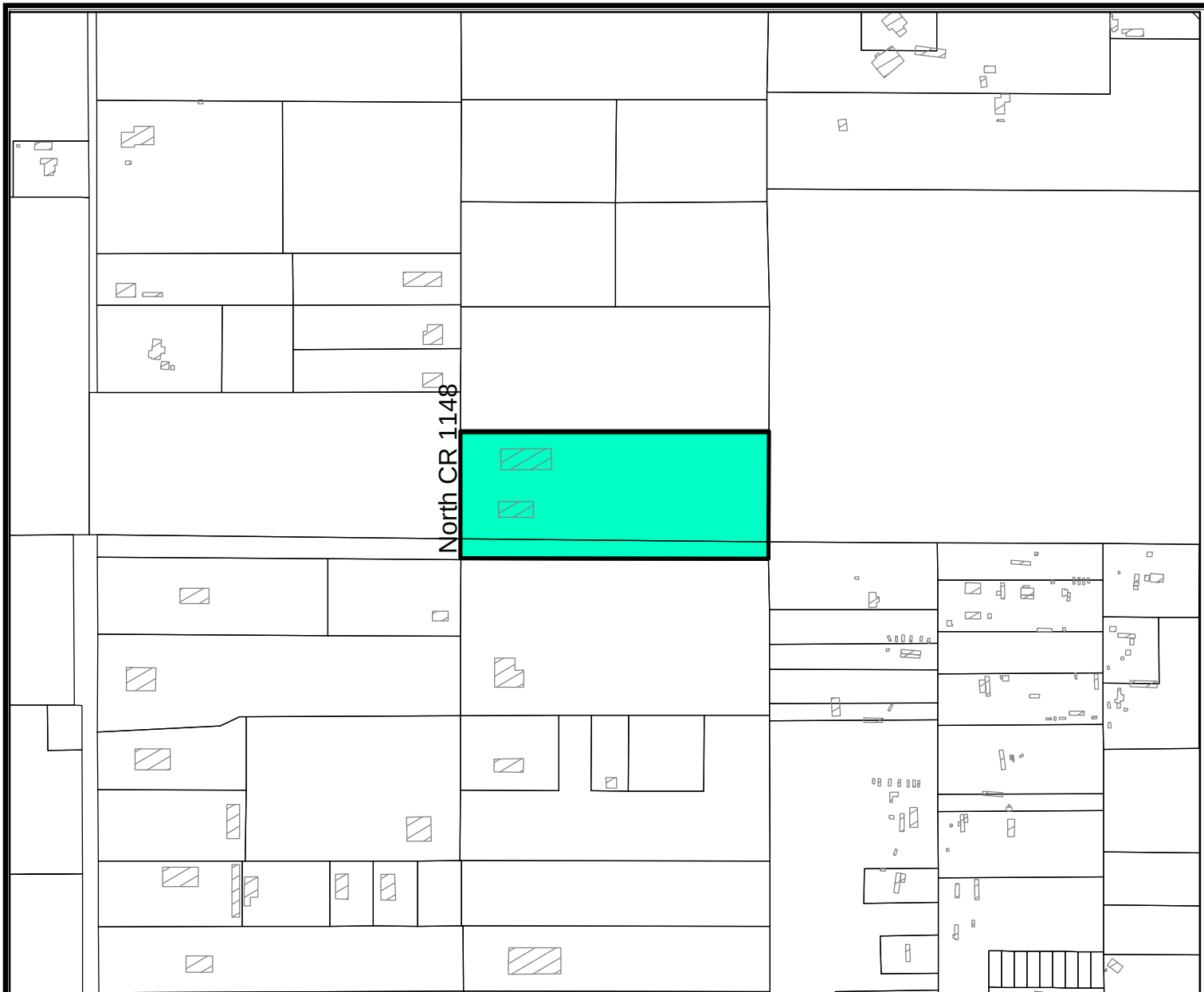


Patricia Y. Schumann
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <u>1062</u>	☐ Tax Certificates <u>missing</u>	Check # <u>1063</u>
Received By: <u>Tastic</u>		Date: <u>6/26/19</u>

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



LOCATION MAP

SUB-19-0170

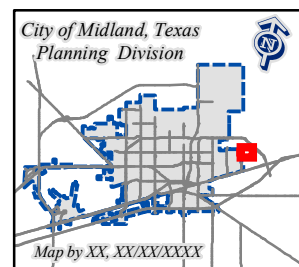
Scale: 1" = 400'

Consider a proposed plat for Noir Addition, being a Plat of an 11.438 Acre Tract of land out of Section 28, Block 38, T-1-S, T&P. RR. Co. Survey, and a 2.307-acre tract out of Section 33, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas.

(Generally located on the west side of North County Road 1148, approximately 1,177 feet north of East County Road 72. Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Final Plat of Oasis Addition, being a Plat of a 10.00-acre tract of land out of Section 10, Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West Industrial Avenue, approximately 440-feet west of South County Road 1250. Extraterritorial jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Current Zoning:

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on the south side of West Industrial Avenue, approximately 440-feet west of South County Road 1250. The applicant, Schumann Engineering, is requesting to plat 10.00-acres out of Section 10, Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas, into eight (8) lots to obtain septic permits. The preliminary plat was approved at the February 19, 2019 Planning and Zoning Commission Meeting

Final Plat Requirements:

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

This proposed Final Plat of Oasis Addition has been circulated to all city departments for their review.

Engineering: (Approved)

ROW: Access should be managed in accordance with current access management standards. Post Development drainage/runoff should not change/increase from pre-existing conditions.

PAVING: No public roadway improvements required.

WATER: Administrative deferral for water, wastewater, paving, and sidewalks approved July 15, 2019.

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

PRO RATA: None.

SEWER: Administrative deferral for water, wastewater, paving, and sidewalks approved July 15, 2019.

DRAINAGE: Deferral sent to council and approved September 13, 2019.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Administrative deferral for water, wastewater, paving, and sidewalks approved July 15, 2019.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

Cul-de-sac must be 26 feet wide when it exceeds 500 feet in length.

Code Compliance: (Approved)

Not in the City limits- no oil or gas jurisdiction. Per application in ETJ and map.

Building: (Approved)

ETJ, no jurisdiction. Septic tanks are permitted and regulated by the City of Midland Health Department.

Planning:

All departments' comments have been satisfied.

Attachments:

Proposed Final Plat
Application
Map

BEING A PLAT OF A 10.001 ACRE TRACT OF
LAND OUT OF
THE NE/4 OF SECTION 10,
BLOCK 40, T-2-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

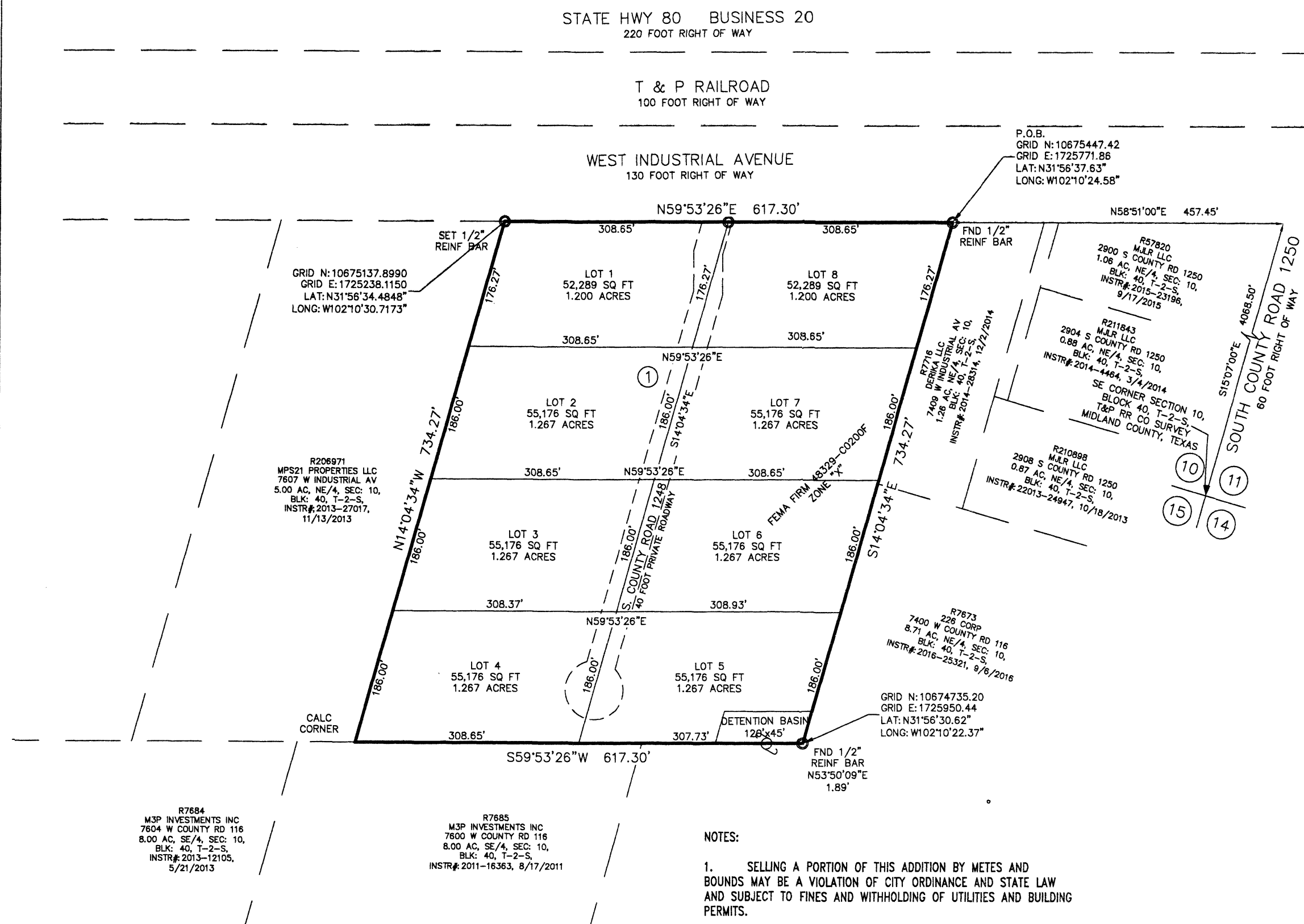
A vicinity map showing the location of the subject property. The map is enclosed in a circular frame. A road, labeled 'H 20', runs diagonally from the bottom left towards the top right. To the left of the road, the text 'MIDLAND INTERNATIONAL AIRPORT' is written. To the right of the road, a building is labeled 'SUBJECT PROPERTY'. The map is oriented with North at the top.

 PATRICIA Y SCHUMANN
Notary ID #3132121
My Commission Expires
February 4, 2022



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

OASIS ADDITION



○ PROPERTY CORNER	- x - WIRE FENCE	⊙ WATER WELL	TRA USE
⊕ POWER POLE	□ RETIRED BREAKER BOX	- - LOT LINES	
- - - OVERHEAD ELECTRIC	— PROPERTY LINE	□ TELEPHONE PEDESTAL	
GM d.p. GAS METER	⊙ GAS RISER	⊙ SEWER MANHOLE	

5. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) THE 10.001 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN EIGHT TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE

COY TAYLOR - MIDLAND RE PARTNERS, LLC
3113 WEST INDUSTRIAL AVENUE
MIDLAND TX 79701
(214) 394-4041
coy@mtenergy.net

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

RJ DAUM
TEXAS RPLS 4826



					DRAWN BY: KDS	DATE: 12/19/2018
					CHECKED BY: RJD	PROJECT NO.: 76484
NO	DATE	DESCRIPTION	BY	ISSUED	76,484	SHEET 1 OF 1

SIGNED: M. Chavez - Missy Chavez
GRANDE COMMUNICATIONS

SIGNED: M. Chavez - Missey Chavez
GRANDE COMMUNICATIONS



Final Plat Application

Project Number:

Case Number:

SUB-18-0159
P-19-0689

Proposed Subdivision Plat Name: OASIS ADDITION

Legal Description (attached sealed Metes and Bounds): Being a Plat of 10.02 Acres out of the Northwest/4 of Section 10, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas

Property Owner

Printed Name:

Coy Taylor - TNRE Midland, LLC

Phone (214) 394-4041

Email

coy@mtenergy.net

Address

3113 West Industrial Avenue

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 Engineering Co., Inc.

Printed Name:

Cynthia A. Klatt

Phone (432) 684-5548

Email

cindy@schumannonline.net

Address

800 N Marienfeld Street Suite 100

City Midland

State TX

Zip 79701

Current Zoning:

Reason for Platting: To obtain septic permit

Plat Information

Total Acreage: 10.02 Acres

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☒ Extraterritorial Jurisdiction (ETJ) or ☐ City Limits

Number of Lots:

0

Number of Multi-Family Dwelling Units:

0

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- Autocad File Submitted
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District - MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee - Payable to the 'City of Midland'
- Recording Fee - Payable to 'Midland County Clerk'



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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):



Date: 9-17-19

Property Owner (printed):

Cory Taylor

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.

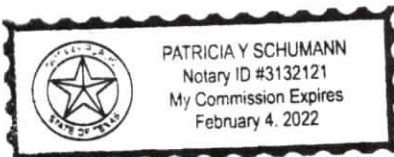
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

**STATE OF TEXAS
COUNTY OF MIDLAND**

Before me, the undersigned authority, on this day personally appeared Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by Cory Taylor, 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.

Cynthia A. Klatt
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of September, 20 18, to certify which witness my hand and seal of office.



Patricia Y. Schumann
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☐ Public Improvements

☒ Application Fee

☒ Title Opinion

☒ Recording Fee

Check # 1191

☒ Tax Certificates

Check # 1192

Received By:

Rolanda Russell

Date:

SEP 23 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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



LOCATION MAP

SUB-18-0159

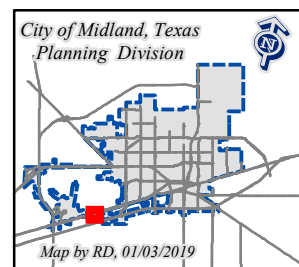
Scale: 1" = 400'

Consider a Proposed Plat of Oasis Addition,
being a Plat of a 10.00 acre tract of land out
of Section 10, Block 40, T-2-S, T&P. RR. Co.
Survey, Midland County, Texas.

Generally located on the south side of West
Industrial Avenue, approximately 440-feet
west of South County
Road 1250. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS
- AIRPORT PROTECTION ZONE



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OR OTHER DECISIONS BASED SOLELY ON THE
INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR
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Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Consider a proposed Preliminary Plat of Southern Addition, Section 16, being a re-plat of Lots 1 through 5, Less the South 30-feet, Block 146, Southern Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of East New York Avenue and South Baird Street. Council District 2)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Schumann Engineering, is proposing to re-plat Lots 1 through 5, Less the South 30-feet, Block 146, Southern Addition, City and County of Midland, Texas, into two (2) lots for future development.

Current Zoning:

C, Commercial District.

Engineering: (Approved with Conditions)

Conditions: Drainage report & wastewater extended along platted frontage.

ROW: In town and on corner request 20'X20' Corner Clip or 10' x 10' Corner Clip to be dedicated for sight triangle and ADA ramp construction. In town then we need ROW based on street classification – see Code & Standard Details.

PAVING: Baird St & New York Ave roadway okay as is. No public paving improvements required.

WATER: 6" water exists in Baird Street E of tract, okay as is. No public water improvements required.

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

PRO RATA: "None"

SEWER: 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.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

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

New City standard details can be found on-line at: <http://www.midlandtexas.gov/DocumentCenter/View/4278/City-of-Midland-Standard-Details>.

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.

Surveyor: (Approved)

No comments.

Fire: (Approved)

No comments.

Code Compliance: (Approved)

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

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Septic permits and inspections are handled through the City of Midland Health Department.

Planning:

The Midland Central Appraisal District lists the mailing address of the property owner as 15600 Rolling Meadows Circle, Wellington Florida 33414.

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

Staff recommends approval subject to conditions A through D.

Conditions:

- A. That the technical items are addressed.
- B. That a drainage study is approved.
- C. That the 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

BEING A REPLAT OF LOTS 1-5, LESS THE
SOUTH 35.00 FEET THEREOF, BLOCK 146
SOUTHERN ADDITION
AN ADDITION TO THE CITY AND COUNTY OF
MIDLAND, TEXAS



Preliminary Plat Application

Project Number: Sub-19-0246Case Number: P-19-0674

Proposed Subdivision Plat Name: SOUTHERN ADDITION SECTION 16

Legal Description (attached sealed Metes and Bounds): Being a RePlat of Lots 1 - 5, less the South 35.0 feet thereof, Block 146, Southern Addition, an Addition to the City of Midland, Midland County, Texas

Property OwnerPower Framers Construction LLC
Elvira Garcia

Phone (432) 661-1513

Email
powerco3060@gmail.com

Address 3100 South Co Rd 127

City Midland

State TX

Zip 79706

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: Cynthia A. Klatt

Phone (432) 684-5548

Email
cindy@schumannonline.net

Address 800 N Marienfeld Street Suite 100

City Midland

State TX

Zip 79701

Current Zoning:

Reason for Platting: To multiple Tracts and to obtain septic permit

Plat Information

Total Acreage: 0.27 Acres

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

Number of Residential Lots: 2

Number of Multi-Family Dwelling Units: 0

Submittal and Fees

Items to be submitted with this application form:

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

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

Provisions

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

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

Property Owner (signature):

Date: 9/12/19

Property Owner (printed): Elvira Garcia

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.

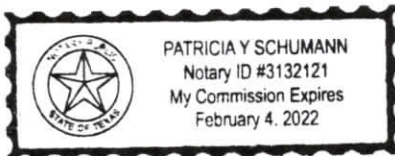
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by Elvira Garcia, 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.

Cynthia A. Klatt
Authorized Agent (signature)

Subscribed and sworn to before me, this 12th day of September, 20 19, to certify which witness my hand and seal of office.



Patricia Y. Schumann
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

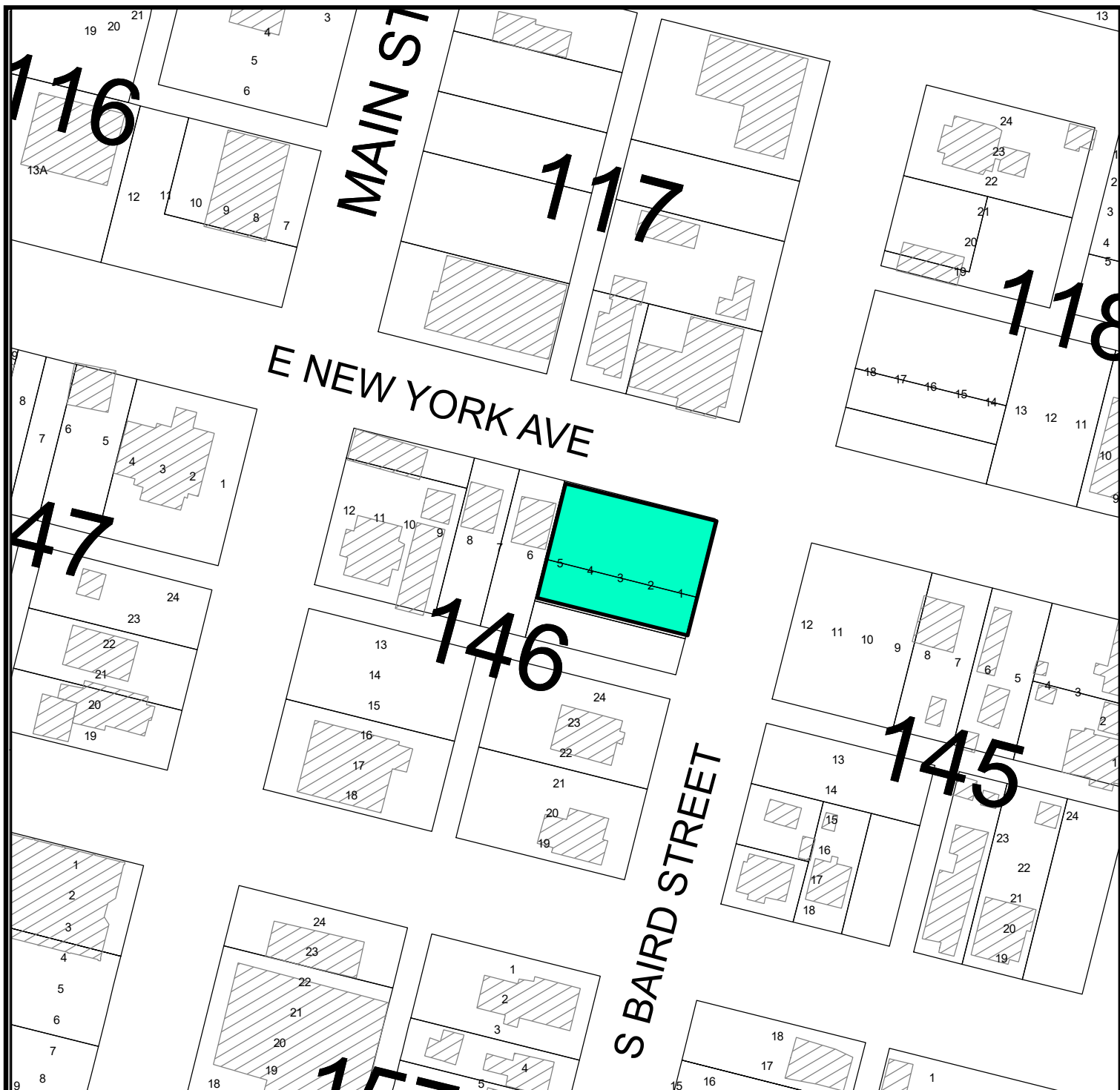
☒ Application Fee ☒ 1 Copy of Plat (11x17)

Check # 1188

Received By: [Signature]

Date: 9/17/19 **SEP 17 2019**

****Application will not be considered for scheduling until reviewed by a planner.**** CITY OF MIDLAND
PLANNING DIVISION OFFICE



LOCATION MAP

SUB-19-0245

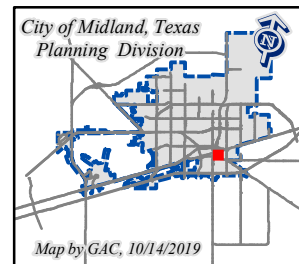
Scale: 1" = 400'

Proposed plat of Southern Addition, Section 16, being a re-plat of Lots 1 through 5, Less the South 30-feet, Block 146, Southern Addition, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of East New York Avenue and South Baird Street. (Council District 2)

LEGEND

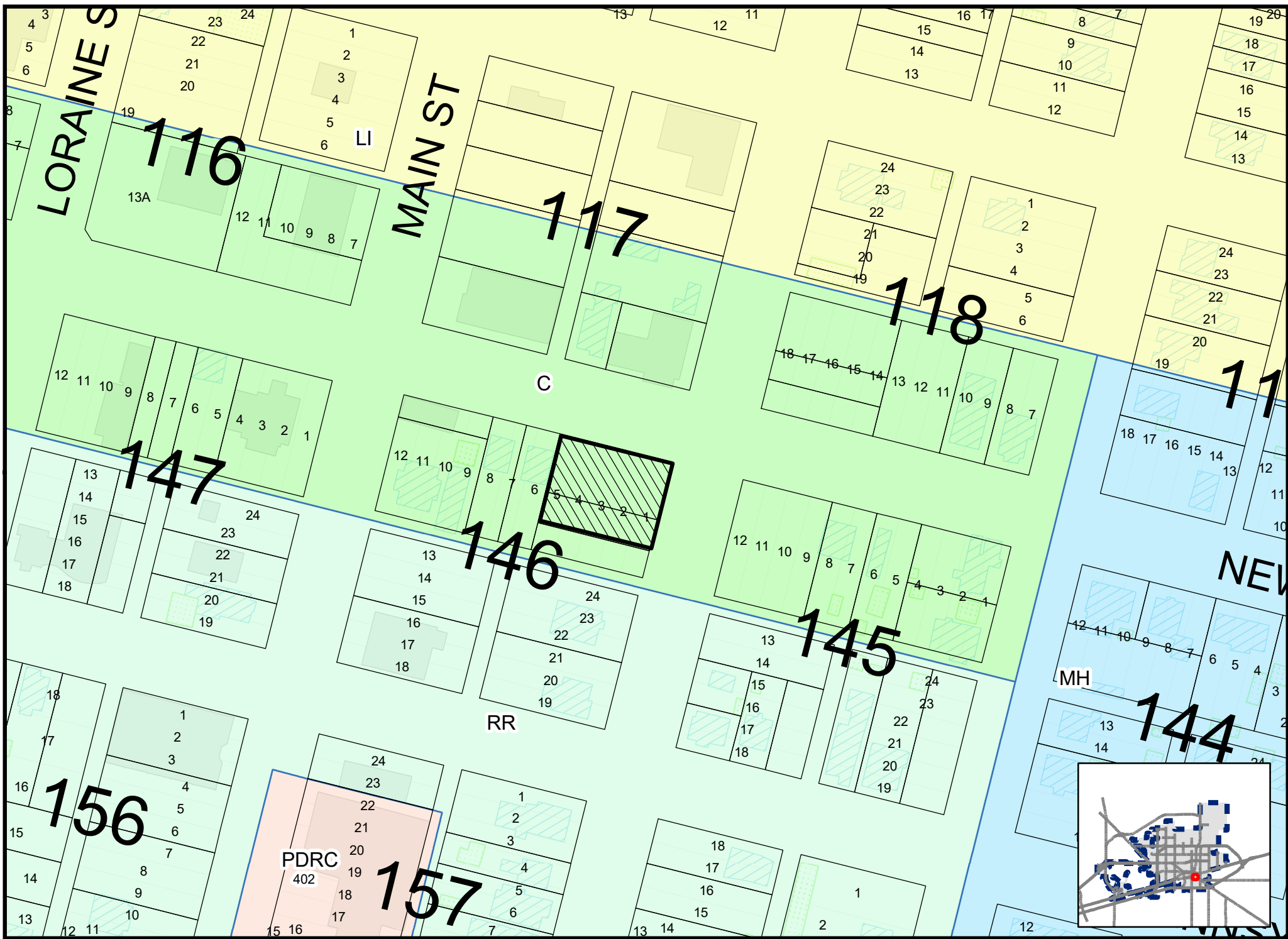
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Rolandrea Russell, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Cornerstone Funding, LLC for a Zone Change from PD, Planned District for an Office Center to an Amended Planned District for an Office Center on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, J. Luis DelValle, is requesting a zone change from a PD, Planned District for an Office District to an Amended Planned District for an Office Center on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas for the construction of an office building.

Current Zoning:

PD, Planned District for an Office Center (Ordinance No. 7830)

Surrounding Zoning and Land Use:

The properties to the north and east are zoning SF-2, Single-Family Dwelling District and the location of Scharbauer Elementary School and residences respectively. The properties to the south and west are zoned SF-1, Single-Family Dwelling District (Ordinance No. 8495) and the location of residences.

Analysis:

The current Planned District (Ordinance No. 7830) was established in April of 1999 with the underlying zoning of the O-1, Office District and a condition that requires a detailed site plan to be approved in the same manner prescribed for a zone change prior to the issuance of any building permits. The applicant, J. Luis DelValle, is now requesting to have the submitted site plan approved for the construction of a two-story office building.

The applicant will be required to adhere to the parking requirements and site plan review standards outlined within the City of Midland Zoning Ordinance Section 6.02 – *Off-Street Parking and Loading Requirements* and Section 9.05 – *Site Plans*, as well as Title XI, Chapter 9 - *Landscape Regulations* of the City code for future landscaping.

The proposed height of the building will not exceed the maximum height of 35'/2.5 stories and will adhere to the setback requirements as prescribed in Section 5.05 - *Nonresidential Zoning District Dimensional Regulations Chart* of the City code.

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

Engineering: Approved

No objection to zone change.

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

Transportation: Approved

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

No objection to zone change.

Fire: Approved

No objections.

Code Administration: Approved

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

Oil and Gas: Approved

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

Planning:

This request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision*, Principle 8, "Land use policies and regulations should create and support balanced neighborhoods." (Tall City Tomorrow, Page 59) This request will aid in promoting balanced neighborhoods offering residents easy access to a variety of places to live, shop, work, play and engage in community life.

Staff recommends approval of the zone change from PD, Planned District for an Office Center to an Amended Planned District for an Office Center, subject to the following conditions.

Condition:

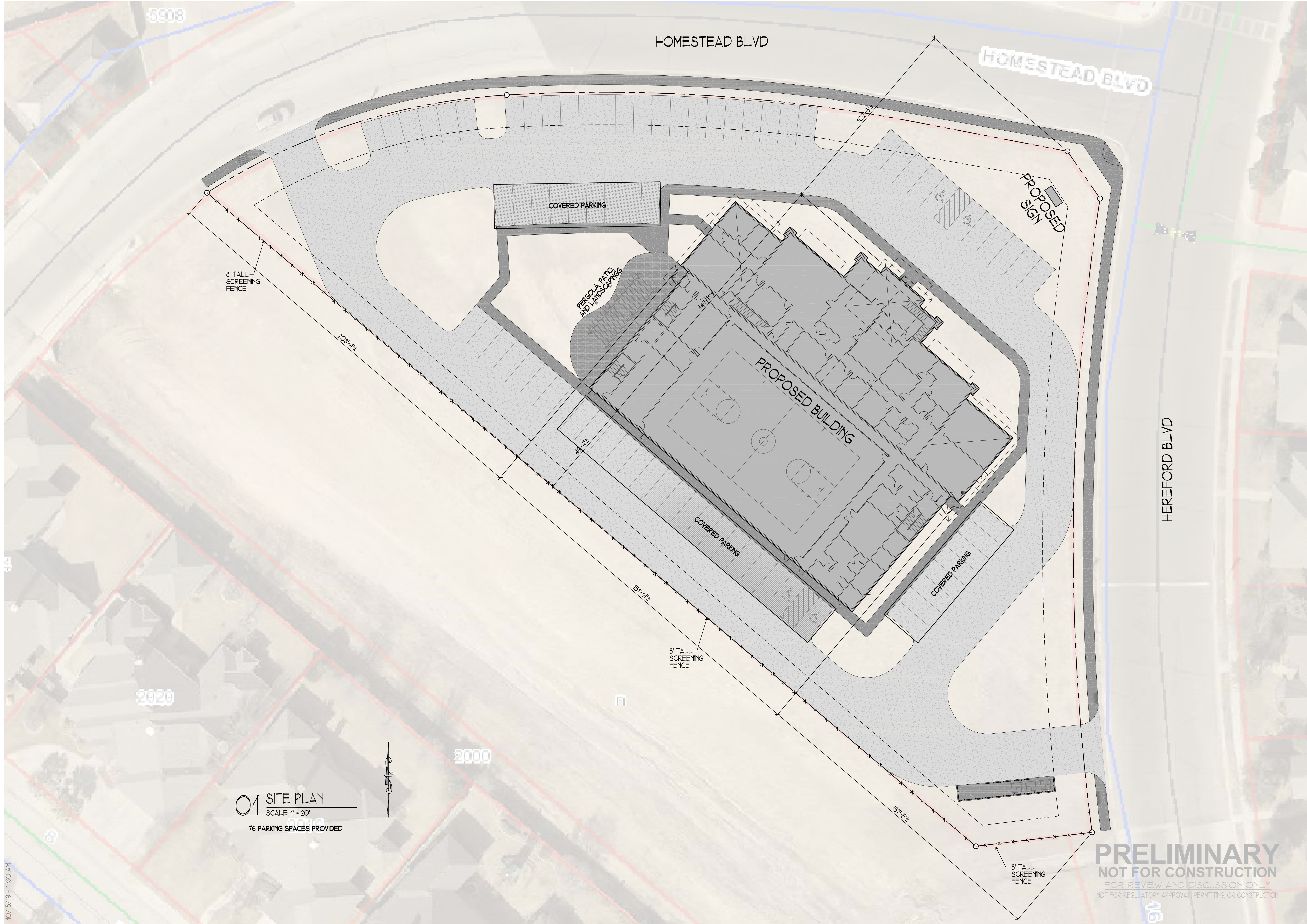
- A. That the use and development of this property shall be subject to the regulations of the O-1, Office District, except as otherwise stated below.
- B. That the use and development of this property shall conform to the site plan and elevation, which are attached hereto and incorporated as Exhibit A and B.
- 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 October 16, 2019, staff has received three (3) letters of objection to this request.

Attachments:

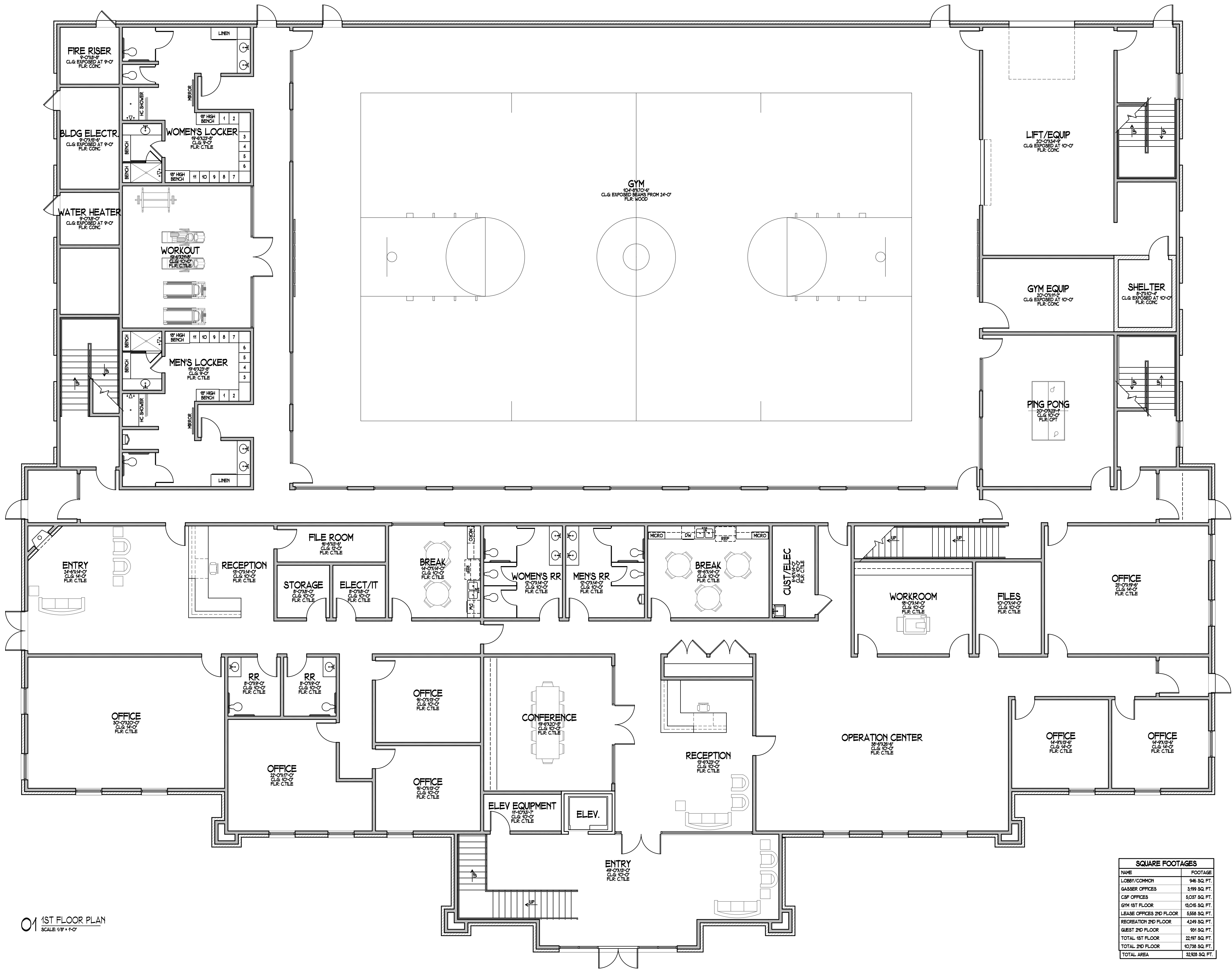
Exhibit A, Site Plan
Exhibit B, Elevations
Ordinance No. 7830
Application
Maps



01 SITE PLAN
SCALE: 1" = 20'
76 PARKING SPACES PROVIDED

PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW AND DISCUSSION ONLY
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

DATE 10/15/2019	DESIGN & DRAFTING BY: CORNERSTONE DESIGN GROUP	SHEET TITLE SITE PLAN	GRASSLAND OFFICES MIDLAND TEXAS PROJECT NUMBER: 19036	SHEET NUMBER A=1.1
REVISION	DRAWN BY LUS			SHEET 00 OF 00



SQUARE FOOTAGES	
NAME	FOOTAGE
LOBBY/COMMON	546 SQ. FT.
CLASSER OFFICES	3,199 SQ. FT.
CSP OFFICES	5,037 SQ. FT.
GYM 1ST FLOOR	10,411 SQ. FT.
LEASE OFFICES 2ND FLOOR	5,558 SQ. FT.
REGISTRATION 2ND FLOOR	4,349 SQ. FT.
GUEST 2ND FLOOR	191 SQ. FT.
TOTAL 1ST FLOOR	22,987 SQ. FT.
TOTAL 2ND FLOOR	10,738 SQ. FT.
TOTAL AREA	33,725 SQ. FT.

PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW AND DISCUSSION ONLY
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

DATE
10/15/2019
REVISION

DRAWN BY
LUIS

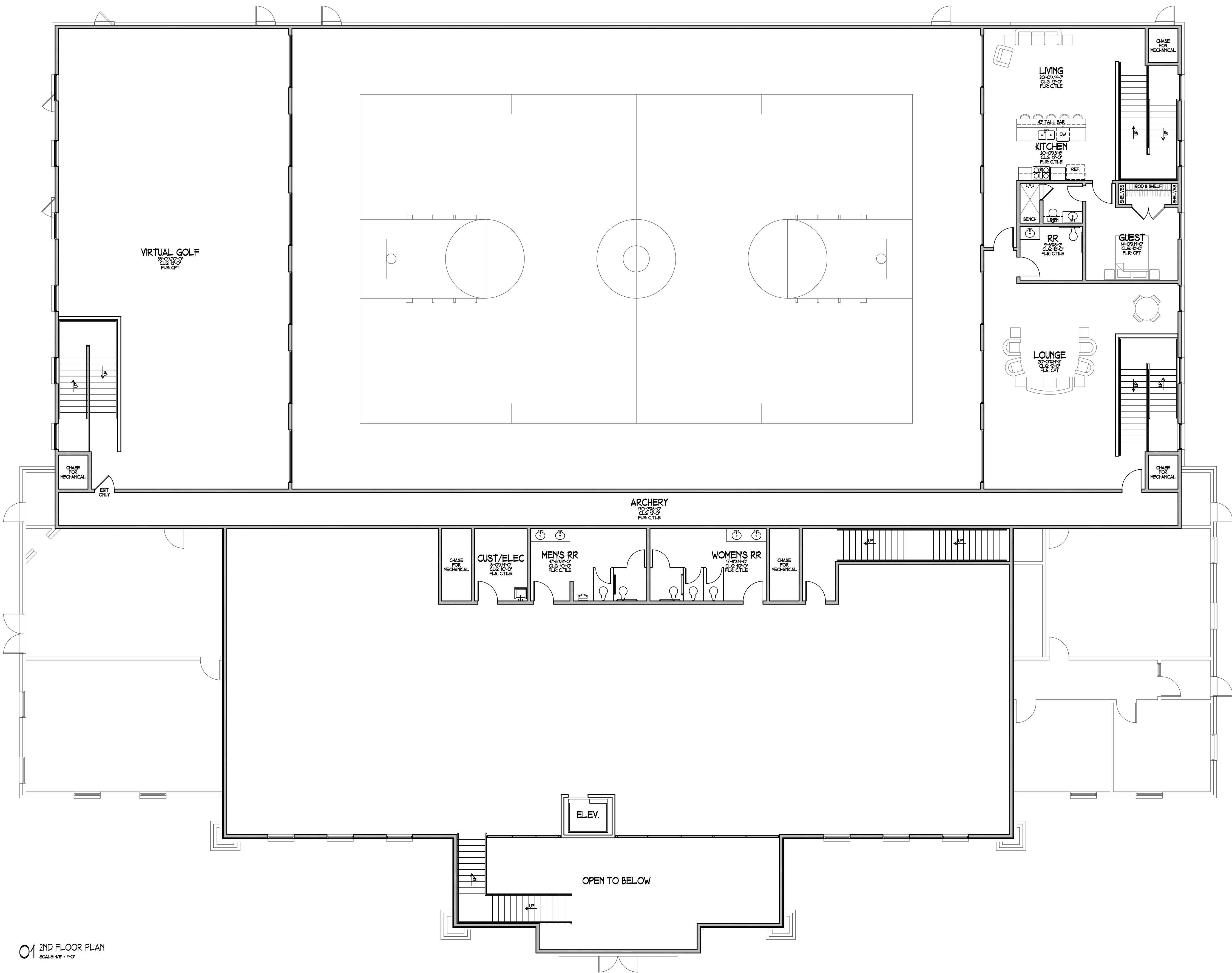
DESIGN & DRAFTING BY:
CORNERSTONE
DESIGN GROUP
PHONE: (432) 684-5005

SHEET TITLE
1ST FLOOR PLAN

GRASSLAND OFFICES
MIDLAND
TEXAS
PROJECT NUMBER: 19036

SHEET NUMBER
A=2.1
SHEET 00 OF 00

10/15/19 - 11:31 AM



01 2ND FLOOR PLAN
SCALE 1/8" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW AND DISCUSSION ONLY
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

DATE
10/15/2019

REVISION

DRAWN BY
LUIS

DESIGN & DRAFTING BY:

 **CORNERSTONE**
DESIGN GROUP

PHONE: (432) 684-5005

SHEET TITLE

2ND FLOOR
PLAN

GRASSLAND OFFICES

MIDLAND
TEXAS

PROJECT NUMBER: 19035

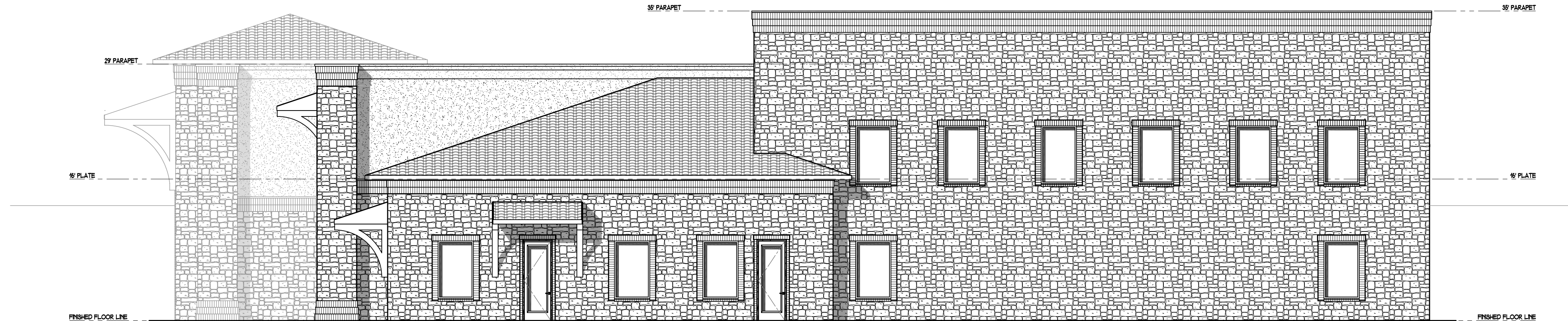
SHEET NUMBER

A=2.2

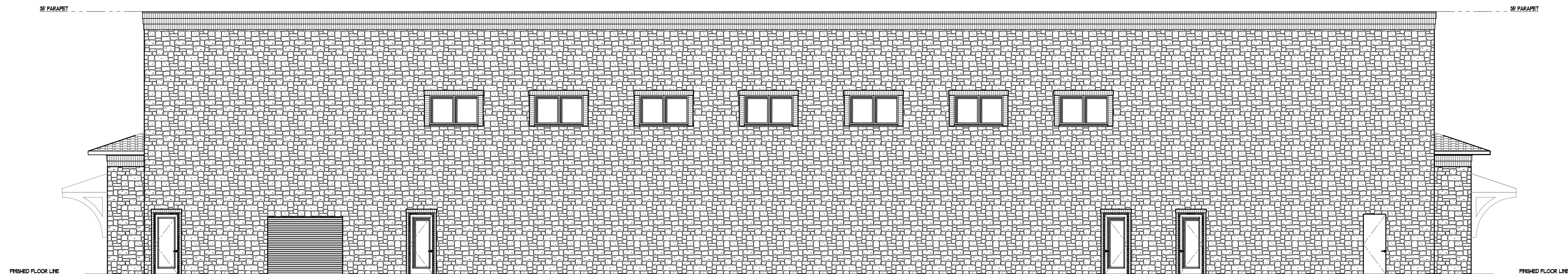
SHEET 00 OF 00



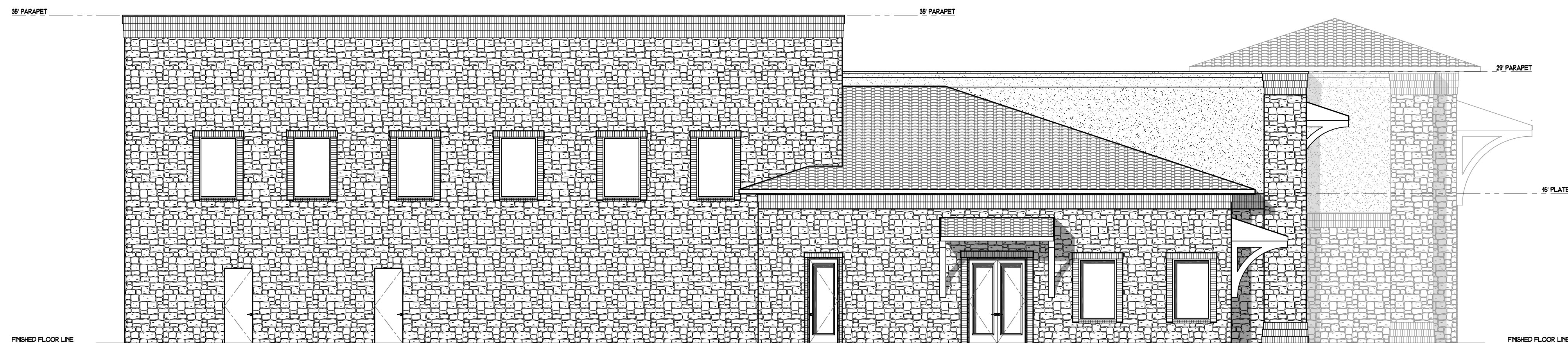
01 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



02 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



03 REAR ELEVATION
SCALE: 1/8" = 1'-0"



04 LEFT ELEVATION
SCALE: 1/8" = 1'-0"

DATE
10/15/2019

REVISION

DRAWN BY
LUS

DESIGN & DRAFTING BY:

CORNERSTONE
DESIGN GROUP

PHONE: (432) 684-8005

SHEET TITLE

EXTERIOR
ELEVATIONS

GRASSLAND OFFICES

MIDLAND
TEXAS

PROJECT NUMBER: 19035

SHEET NUMBER

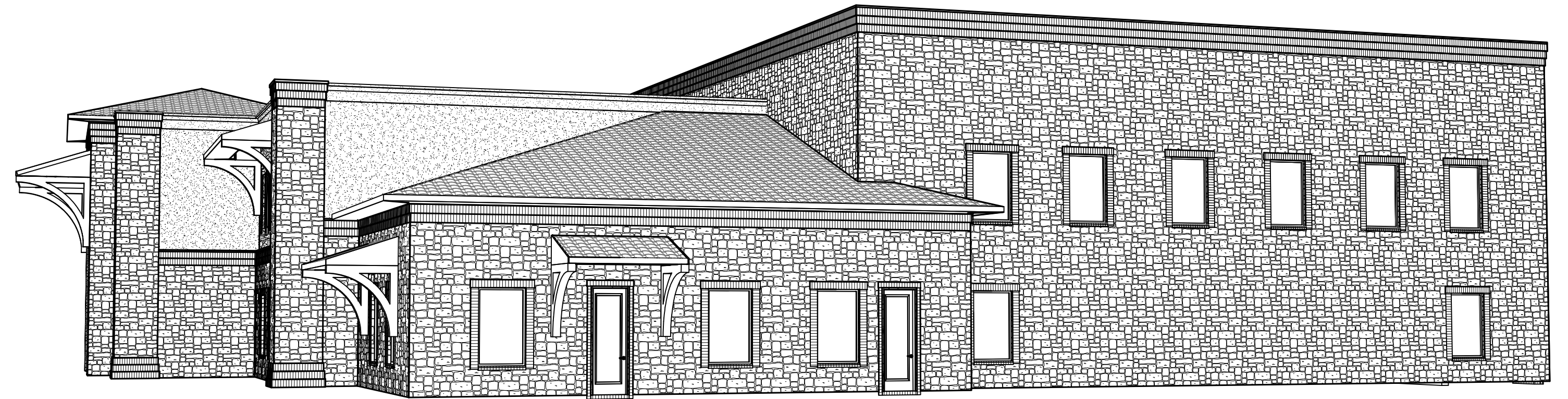
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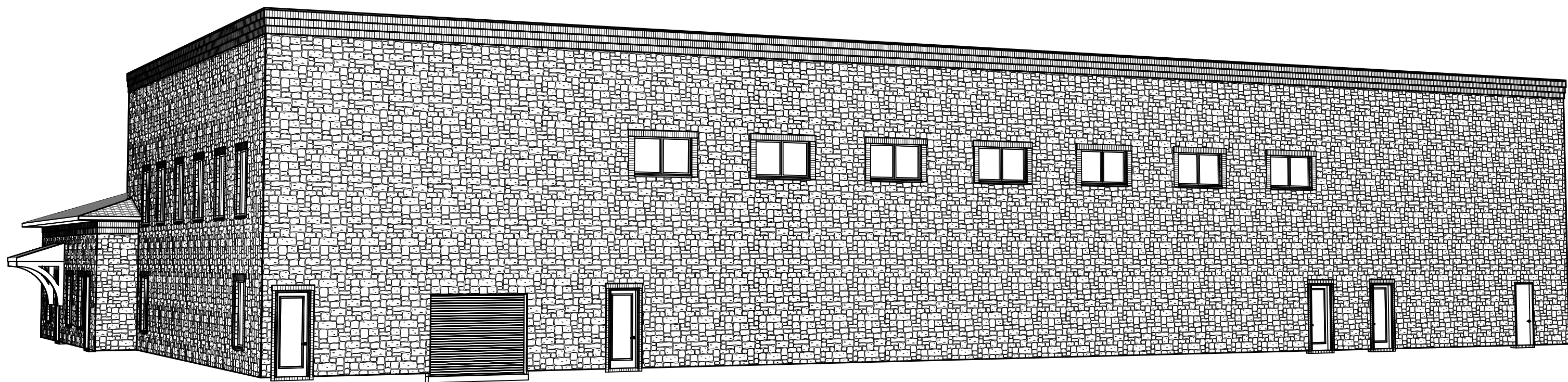
PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW AND DISCUSSION ONLY
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION



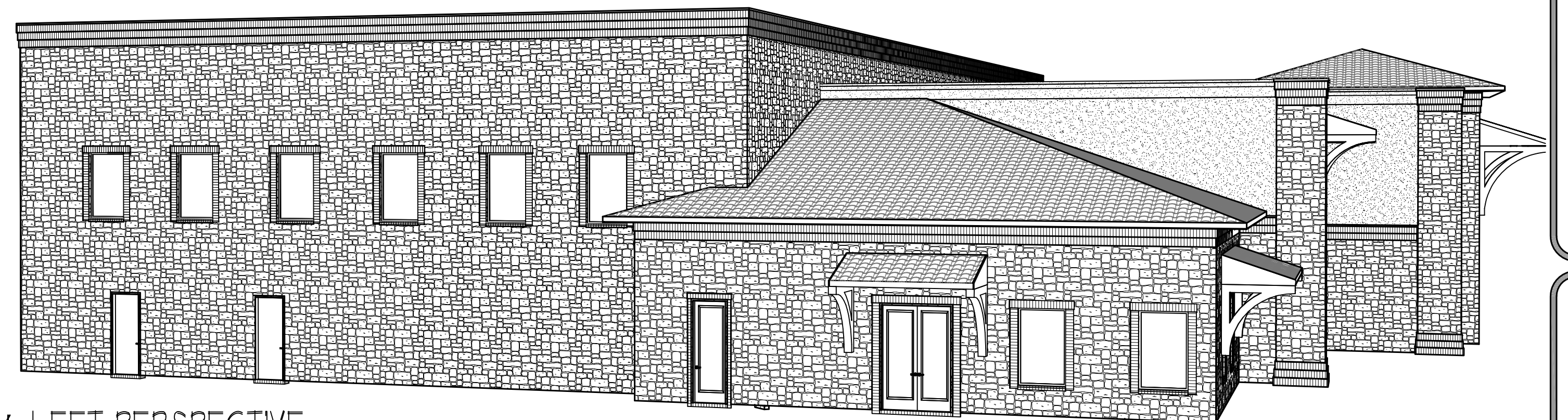
01 FRONT PERSPECTIVE
SCALE: NOT TO SCALE



02 RIGHT PERSPECTIVE
SCALE: NOT TO SCALE



03 REAR PERSPECTIVE
SCALE: NOT TO SCALE



04 LEFT PERSPECTIVE
SCALE: NOT TO SCALE

PRELIMINARY
NOT FOR CONSTRUCTION
FOR REVIEW AND DISCUSSION ONLY
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

DATE
10/15/2019

REVISION

DRAWN BY
LUS

DESIGN & DRAFTING BY:
CORNERSTONE
DESIGN GROUP
PHONE: (432) 684-8005

SHEET TITLE
**EXTERIOR
PERSPECTIVES**

GRASSLAND OFFICES

MIDLAND
TEXAS
PROJECT NUMBER: 19036

SHEET NUMBER

A-3.2

SHEET 00 OF 00



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

Project Number: _____

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>J. LUIS DELVALLE</u>		Phone (432) <u>684-8005</u>	
Address <u>4904 N. MIDKIFF</u>		City <u>MIDLAND</u>	State <u>TX</u> Zip <u>79705</u>

Property Owner Printed Name: <u>CORNERSTONE FUNDING, L.L.C.</u>		Phone () _____	
Address <u>24 SMITH RD #302</u>		City <u>MIDLAND</u>	State <u>TX</u> Zip <u>79705</u>

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

Street Address: <u>5905 HOMESTEAD BLVD</u>		
Legal Description Lot: <u>1A</u> Block: <u>2</u> Subdivision: <u>GRASSLAND ESTATES WEST SECTN 2</u>		

Current Zoning: <u>PD-01</u>	Proposed Zone: (List by tracts if more than one district is requested)
-------------------------------------	--

Reason for Zone Change Request: <u>AMEND PD SITE PLAN</u>
--

Present Use of Property: <u>VACANT</u>

Proposed Use of Property: <u>O-1 (OFFICE BUILDING)</u>

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

Describe how conditions affecting the property have changed since present zoning designation: <u>NO CHANGE</u>

Submittal and Fees Items to be submitted with this application form: • Application Fee – Payable to the 'City of Midland' • Dimensioned Site Plan • Digital Copies of Site Plan (PDF/JPEG)	RECEIVED AUG 22 2019 CITY OF MIDLAND PLANNING DIVISION OFFICE
---	--

Signature (by property owner only – authorized agent must sign affidavit below)	
Applicant (signature): <u>J. Luis Del Valle</u>	Date: <u>8/19/2019</u>
Applicant (printed): <u>J. LUIS DEL VALLE</u>	
Property Owner (signature): <u>Kevin Harrington</u>	Date: <u>8/19/19</u>
Property Owner (printed): <u>KEVIN HARRINGTON</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

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 J. LUIS DEL VALLE who, being by me duly sworn, upon oath says: That (s)he is authorized by KEVIN HARRINGTON, 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.

J. Luis Del Valle
Authorized Agent (signature)

Subscribed and sworn to before me, this 22 day of Aug., 20 19, to certify which witness my hand and seal of office.

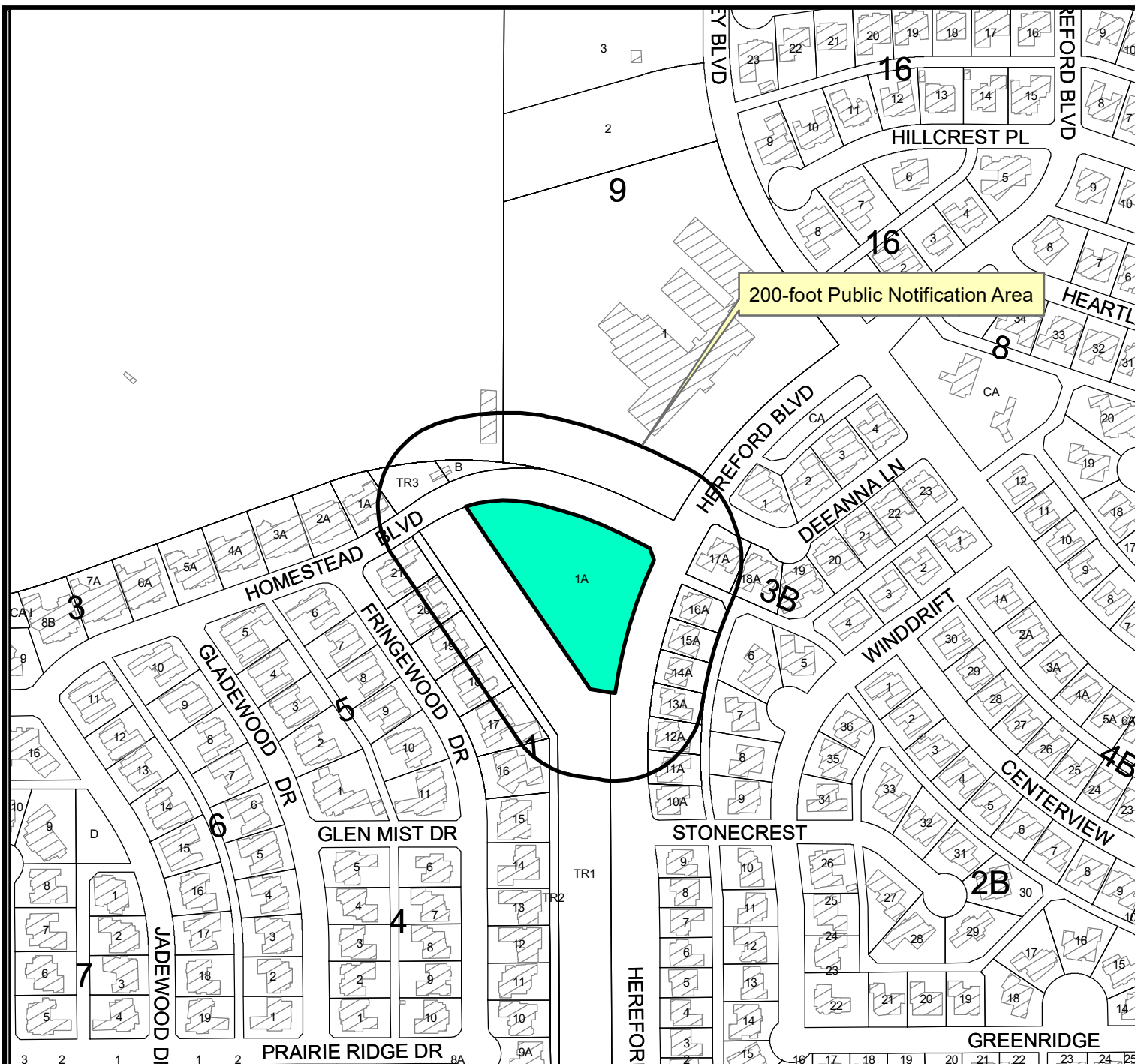


DALIA SALINAS
My Notary ID # 128541568
Expires March 9, 2023

Dalia Salinas
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization	☒ Dimensioned Site Plan
☐ Application Fee <u> </u>	☒ Plans in Digital Format (PDF/JPEG)
Check # <u> </u>	
Received By: <u>WBC</u>	Date: <u>8/22/19</u>

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



LOCATION MAP

Z-19-0123

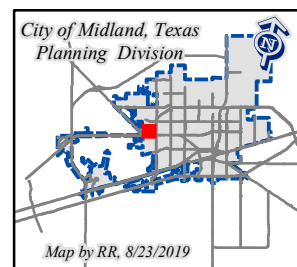
Scale: 1" = 200'

Consider a request for a zone change from a PD, Planned District for an Office Center to an Amened Planned District for an Office District on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4

LEGEND

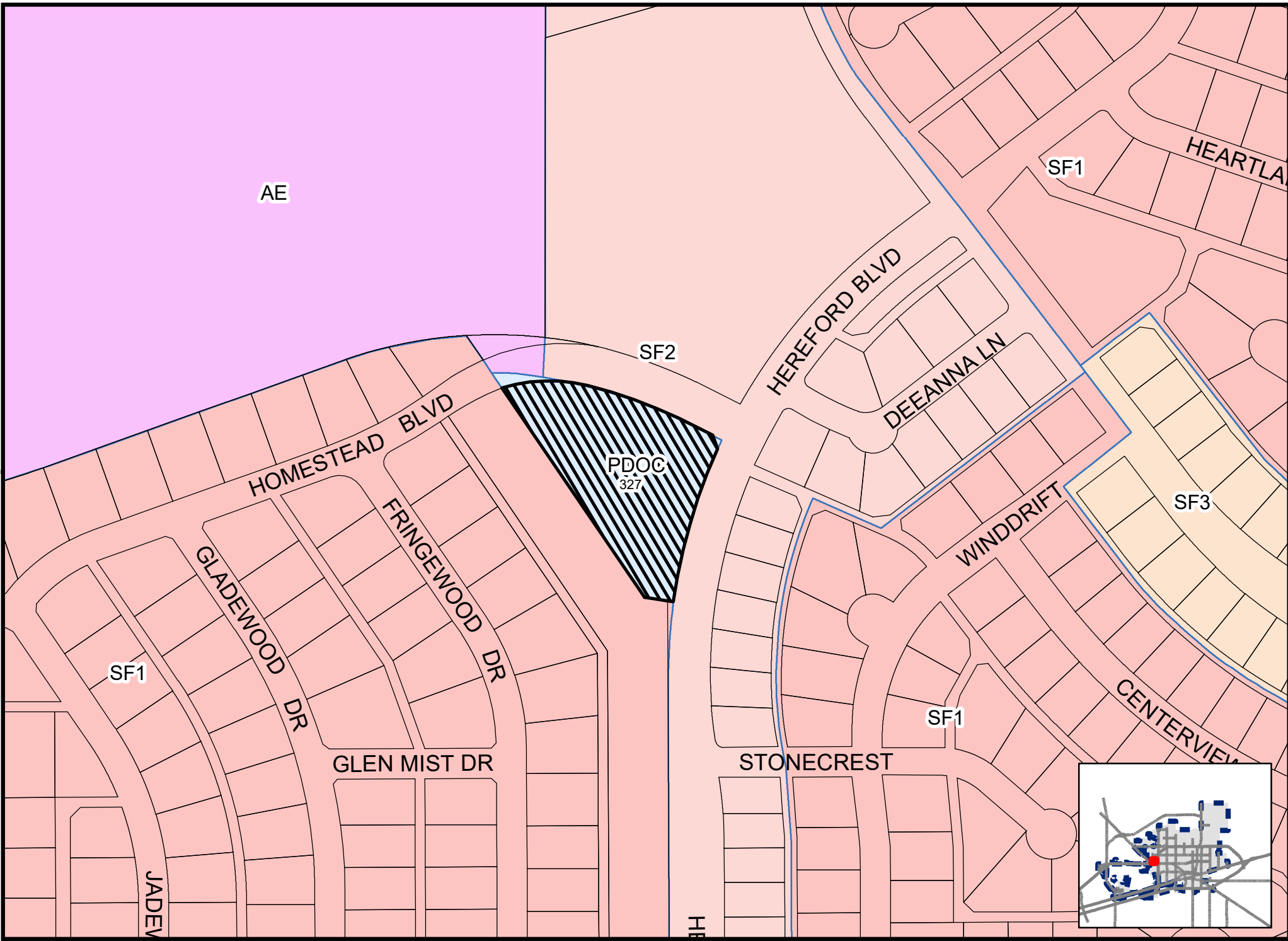
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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TERRY CHARLES LYNN
2020 FRINGEWOOD DR
MIDLAND TX 79707

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, October 21, 2019**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, Texas 79702, on a request by **Cornerstone Funding, LLC** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 1A, Block 2, Grassland Estates West, Section 2, City and Council of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4

PROPOSED ZONING:

From: PD, Planned District for an Office Center
To: Amended Planned District for an Office Center

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: 3 STORY Bldg - School TRAFFIC DEVALUE MY PROPERTY
BASKETBALL COURT FACING MY BACKYARD.

Required Information:

Charles Terry CHARLES TERRY 2020 FRINGEWOOD DR.
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 21

Date Mailed: October 11, 2019

Case Number: Z-19-0123

Case Name: Luis DelValle

RR Planner's Initials

Cristina Burns
Cristina Odenborg Burns
Planning Division Manager
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.

mob.
557-6172

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400

OCT 16 2019



RECEIVED

OCT 14 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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, October 21, 2019**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, Texas 79702, on a request by **Cornerstone Funding, LLC** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 1A, Block 2, Grassland Estates West, Section 2, City and Council of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4

PROPOSED ZONING:

From: PD, Planned District for an Office Center
To: Amended Planned District for an Office Center

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: increased traffic, decreased privacy & property value

Required Information:

Virginia Hensley
Property Owner's Signature

Virginia Hensley
Printed Name

2010 Hereford Blvd
Property Address (No P. O. Boxes)
Midland 79707

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 21

Date Mailed: October 11, 2019

Case Number: Z-19-0123

Case Name: Luis DelValle

RR Planner's Initials

Cristina Burns
Cristina Odenborg Burns
Planning Division Manager
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.

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



PUBLIC NOTICE

FINKBEINER W KURT
2008 FRINGEWOOD DR
MIDLAND TX 79707

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m.** on **Monday, October 21, 2019**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, Texas 79702, on a request by **Cornerstone Funding, LLC** for approval of a **Zone Change** on the following described property:

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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: OBJECT TO TWO STORY COMMERCIAL BUILDING

Required Information:

W. Kurt Finkbeiner
Property Owner's Signature

W. KURT FINKBEINER
Printed Name

2008 FRINGEWOOD
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 21

Date Mailed: October 11, 2019

Case Number: Z-19-0123

Case Name: Luis DelValle

RR Planner's Initials

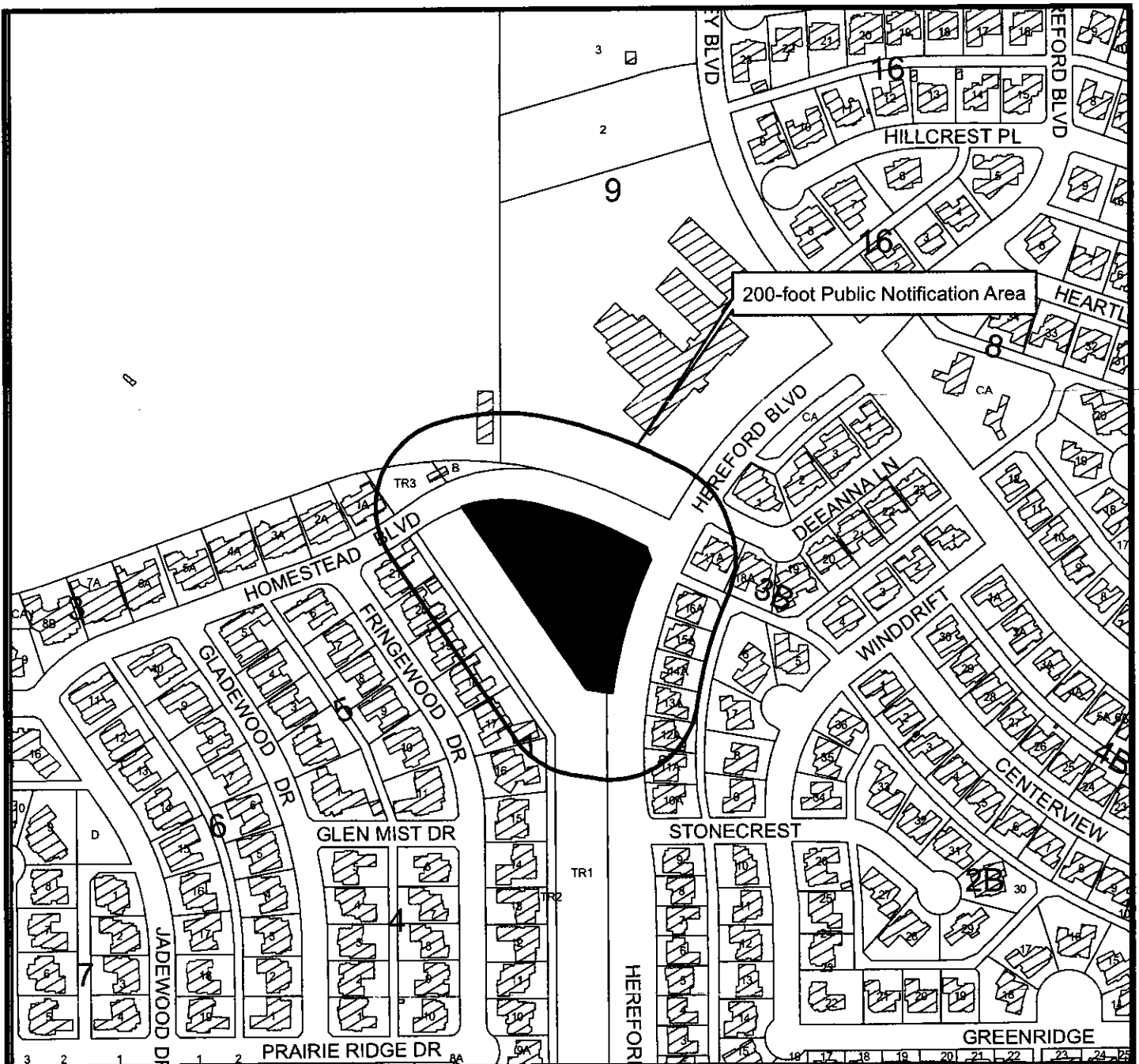
Cristina Burns
Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400

OCT 16 2019



LOCATION MAP

Z-19-0123

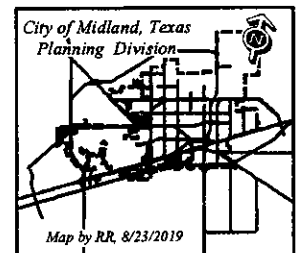
Scale: 1" = 200'

Consider a request for a zone change from a PD, Planned District for an Office Center to an Amened Planned District for an Office District on Lot 1A, Block 2, Grassland Estates West, Section 2, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Homestead Boulevard and Hereford Boulevard. Council District 4

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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. 7830

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 AE, AGRICULTURE ESTATE DISTRICT TO BE USED AS PD, PLANNED DISTRICT FOR AN OFFICE CENTER; 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 a PD, "Planned District" for an Office Center 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 an Office Center, subject to the special conditions and restrictions hereinafter set out, said property being described as follows:

See the description attached hereto as Exhibit "A" and incorporated herein by reference.

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

1. That the use and development of this property shall be subject to the regulations of the O-1, Office District, except as otherwise stated below.
2. That in addition to the uses stated in Subsection 1 above, this property may also be developed with utility storage units, subject to the regulations of Section 11-11-10 (B) 33, Specific Use Permits, of the City Code.
3. That prior to the issuance of any building permit for the property a detailed planned district site plan must be approved in the same manner prescribed for a zone change. Information on the site plan should include, but not be limited to building envelope, screening fences, landscaping, architectural control, parking, ingress/egress, business signs, maximum floor area and maximum building height.

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

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

any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 23rd day of March, A.D., 1999; and passed to second reading on motion of Council member Brooks, seconded by Council member Cuevas, by the following vote:

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

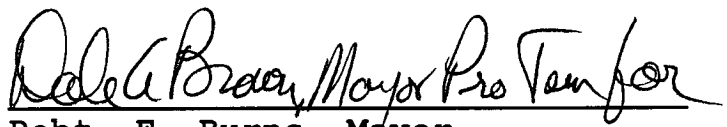
Council members voting "NAY": None

The above and foregoing ordinance was read in full and
finally adopted by the following vote upon motion of Council
member Cuevas, seconded by Council member
Brooks, on the 13th day of April, A.D.,
1999, at a regular meeting of the City Council:

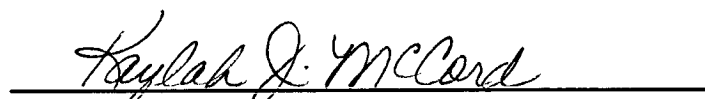
Council members voting "AYE": Cuevas, Brooks, Brown,
Simpson and Washburn

Council members voting "NAY": None

PASSED AND APPROVED THIS 13th day of April,
A.D., 1999.


Robt. E. Burns, Mayor

ATTEST:


Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:


Keith Stretcher, City Attorney

Ord\Planning\Zonechnng\Z99003b

PDOC

GRASSLAND WEST, SECTION 1
PD-OC ZONING

Tract 2

LEGAL DESCRIPTION OF A 2.32 ACRE TRACT OF LAND,
LOCATED IN SECTION 36, BLOCK 40, T-1-S,
T. & P. RR. SURVEY, MIDLAND COUNTY, TEXAS

Boundary being further described by metes and bounds as follows:

BEGINNING at (Y= 10,695,923.38', X= 1,729,317.50') the Northeast corner of this tract at the Southwest corner of the intersection of Hereford Boulevard and Homestead Boulevard, from whence the Southwest corner of said Section 36, Block 40, T-1-S, bears S14°44'30"E, distance of 1589.33 feet and S75°15'30"W, a distance of 2793.71 feet;

THENCE around a curve to the left in a Southerly direction with a boundary line common to Grassland Estates, Section 1 as recorded in Cabinet "F", Page 96, Plat Records of Midland County, Texas, being the West right of way line of Hereford Boulevard, with a radius of 1109.87 feet, delta angle of 17°23'50", an arc length of 337.00 feet, and a chord length of 335.71 feet which bears S2°09'13"W to the Southeast corner of this tract;

THENCE S83°27'18"W along a Northerly boundary line of a 37.05 Acre Tract described this day, a distance of 58.00 feet to the most Southerly corner of this tract;

THENCE N48°35'01"W along a Northeasterly boundary line of said 37.05 Acre Tract, a distance of 533.71 feet to an exterior corner of this tract;

THENCE N14°30'50"W along an Easterly boundary line of said 37.05 Acre Tract, a distance of 40.00 feet to an exterior corner of this tract;

THENCE around a curve to the right in an Easterly direction, along the proposed centerline of Homestead Boulevard, with a radius of 864.90 feet, delta angle of 6°42'17", arc length of 101.21 feet, and a chord distance of 101.15 feet which bears N78°50'09"E, to the most Northerly Northeast corner of this tract;

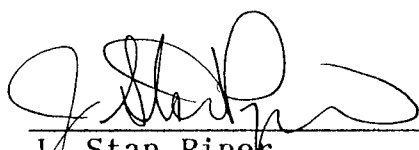
THENCE S14°23'43"E with a boundary line common to said Grassland Estates, Section 1, a distance of 40.28 feet to a Southwesterly corner of said Section 1, being an interior corner of this tract;

THENCE around a curve to the right in an Easterly direction, with a common boundary line of said Section 1, being the Southerly right of way line of Homestead Boulevard, with a radius of 824.90 feet, delta angle of 19°17'56", arc length of 277.85 feet, and a chord distance of 276.54 feet with bears S87°50'20"E to a point of tangency of said Section 1 and this tract;

THENCE S78°11'22"E with said common boundary line and Homestead Boulevard, a distance of 96.96 feet to the Place of Beginning.

Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD), with a combined Grid Factor of 0.9998995 for Mean Project Datum. The Theta Angle is equal to -0°54'48.39" at USC&GS Station "MIDLAND" with published values of Y= 10,690,154.70 and X= 1,746,696.78 in U.S. Survey Feet.

I, J. Stan Piper, Professional Land Surveyor, do hereby certify that this legal description is based on an actual survey made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief as surveyed on the ground at various dates through January 25, 1999.


J. Stan Piper
Professional Land Surveyor #1974

Prepared for:
PARKHILL, SMITH, AND COOPER, INC.
Attn.: Mr. Kyle Womack, P.E.
5214 Thomason Dr.
Midland, Texas 79703
(915) 697-1447

PIPER SURVEYING COMPANY; BOX 60432; MIDLAND, TX 79711; (915) 550-7810

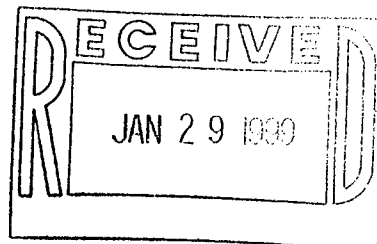


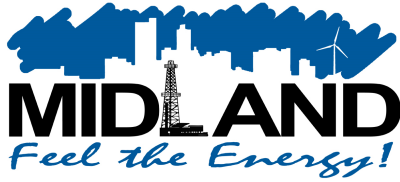
Exhibit "A"











Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Rolandrea Russell, Senior Planner

SUBJECT: Hold a public hearing and consider a request by Karen Pinard for a Zone Change from TP, Technology Park District to MF-22, Multiple-Family Dwelling District on a 13.620-acre tract of land out of Section 3, Block 39, T-2-S, T&P R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of South 'K' Street and East Stokes Avenue. Council District 2)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Karen Pinard, is requesting a Zone Change from TP, Technology Park District to MF-22, Multiple-Family Dwelling District on a 13.620-acre tract of land out of Section 3, Block 39, T-2-S, T&P R.R. Co. Survey, City and County of Midland, Texas for the development of an apartment complex.

Current Zoning:

TP, Technology Park District (Ordinance No. 6335)

Comprehensive Zoning:

Urban-Medium (U-M)

- Single-Family Dwelling District
- Townhouse District
- Office District
- Local Retail District

Vibrant, urban areas that draw customers from outside the immediate area. A mix of housing types, neighborhood and community commercial, office and service uses.

Surrounding Zoning and Land Use:

The properties to the north, south, east and west are zoned TP, Technology Park District and the location of single-family residences and businesses.

Analysis:

The applicant, Karen Pinard, is requesting a Zone Change from TP, Technology Park District to MF-22, Multiple-Family Dwelling District on a 13.620-acre tract of land out of Section 3, Block 39, T-2-S, T&P R.R. Co. Survey, City and County of Midland, Texas for the development of an apartment complex. The developer is applying for the 2020 Housing Tax Credits for this location in an effort to provide affordable apartment units.

The applicant will be required to adhere to the site plan review standards outlined within the City of Midland's Zoning Ordinance, Section 9.05 – *Site Plans* as well as Chapter 9 – *Landscape Regulations* for future landscaping.

The applicant has provided a site plan, attached hereto as Exhibit "B", of proposed apartment complex indicates 8, three-story buildings with a total 240 units, 472 parking spaces. Per the current Zoning ordinance, the submitted site plan does not satisfy Section 3.13 – *MF-22, Multiple-Family Dwelling District* there is a minimum requirement that 25 percent of the total number of units in the proposed complex shall have one-car enclosed garage, 240 square feet minimum, attached or detached, per dwelling unit.

The amenities will include a clubhouse, playground, basketball court and pool. The proposed clubhouse will be a single-story building.

The proposed density for this development is 17.62 units per acre. The proposed site plan indicates that the property will satisfy the required 20-foot front yard setback. The site will not exceed the maximum lot building coverage of 60 percent as prescribed in Section 5.04 – *Residential Zoning District Dimensional Regulations Chart*.

The proposed height of the buildings will not exceed the allowed maximum height of 56-feet or 4 stories.

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

Engineering: Approved

No objection to zone change.

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

Transportation: Approved

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

No objection to zone change.

Fire: Approved

No objections.

Code Administration: Approved

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

Oil and Gas: Approved

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

Planning:

The future land use designation of this location is Urban-Medium (U-M), which is compatible with land uses and intensities should be integrated at a finer grain within the Urban-Low Intensity designation. As compared to U-L areas, compatibility should be achieved through increased attention to traffic circulation and parking, site and building design, and on-site operations (Tall City Tomorrow, Page 88). This designation encourages a density of 7-12 units per acre along with a mix of complementary uses, including single-family housings, Multi-family housing, schools, mid-sized parks and churches, commercial and mixed uses.

This request is in compliance with the Tall City Tomorrow Plan, An Integrated Land Use Vision, Principle 4, "Land use policies and regulations should support diverse housing choices" (Tall City Tomorrow, Page 58). This request will aid in

addressing the expressed desires of residents for more diverse housing options at prices that more people can afford.

Staff recommends approval of the zone change from TP, Technology Park District to MF-22, Multiple-Family Dwelling District subject to the following conditions.

Condition:

- A. That the use and development of this property Exhibit A, shall conform to the regulations of the MF-22, Multiple-Family Dwelling District.
- B. That the use and development of this property shall to the site plan, which is attached hereto and incorporated herein as Exhibit B.
- C. That the landscaping shall conform to the regulations set forth in Title XI, Chapter of the City Code.

Letters of Objection:

As of October 16, 2019, staff has received no letters of objection to this request.

Attachments:

Exhibit A, Metes and Bounds
Exhibit B, Site Plan
Application
Maps

**LEGAL DESCRIPTION OF A 13.620 ACRE TRACT LOCATED IN THE
NORTHWEST QUARTER OF SECTION 3, BLOCK 39, T-2-S, TEXAS AND
PACIFIC RAILROAD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.**

Boundary being further described by metes and bounds as follow:

BEGINNING at (N=10,687,223.07' 1,752,148.03') a point in the East line of Lot 4B, Block 7, Sheeler Addition, Section 4, as recorded in Cabinet G, Page 16, Plat Records of Midland County, from whence a 1/2" iron rod found at the Northeast corner of Lot 4A, said Block 7 bears N14°32'21"W, a distance of 549.51 feet, also from said Beginning Point the Northwest corner of said Section 3 bears S75°39'22"W, a distance of 1319.83 feet and N14°20'38"W, a distance of 1906.83 feet;

THENCE N75°26'14"E, a distance of 399.08 feet a 1/2" iron rod with a plastic cap marked "PLS 1974" set at a corner of this tract and the Northwest corner of a 6.75 Acre Tract described in Volume 689, Page 85, Deed Records of Midland County, from whence a 1" square head bolt found at a fence corner bears S42°07'W, a distance of 0.37 feet;

THENCE N75°27'02"E with the South line of Lot 3, Block 7, Sheeler Addition as recorded in Cabinet A, Page 181, Plat Records of Midland County, a distance of 386.87 feet to a point in the centerline of South K Street and the Northeast corner of this tract;

THENCE S14°33'17"E with the proposed centerline of South K Street, a distance of 757.68 feet to a 1/2" iron rod with a plastic cap marked "PLS 1974" set at the Southeast corner of this tract, from whence a 5/8" iron rod bent found bears N18°28'W a distance of 1.10 feet and a 1/2" iron rod found bears S09°52'E, a distance of 1.40 feet;

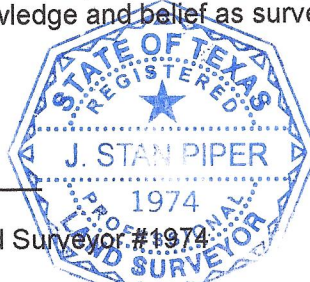
THENCE S75°52'19"W with the South line of the Northwest Quarter of said Section 3 and said Tracts 1, 2, and 3, at 619.05 feet pass a 3/8" iron rod found, continuing for a total distance of 786.17 feet to a 1/2" iron rod with a plastic cap marked "PLS 1974" set at the Southwest corner of this tract, from whence a 1" iron rod bent found bears S81°11'W, a distance of 3.35 feet, also a 1/2" iron rod and cap marked "Schumann" found bears S14°55'E, a distance of 11.11 feet;

THENCE N14°32'21"W with the West line of a 5.0 Acre Tract as described in Volume 608, Page 617, Deed Records of Midland Texas, at 35.00 feet pass the Southeast corner of said Lot 4B of said Block 7, Sheeler Addition, Section 4, continuing for a total distance of 751.80 feet to the PLACE OF BEGINNING having an area of 13.620 Acres of Land.

Bearings, distances, and coordinates are relative to the Texas State Plane Coordinate System, NAD 1983/86, Central Zone.

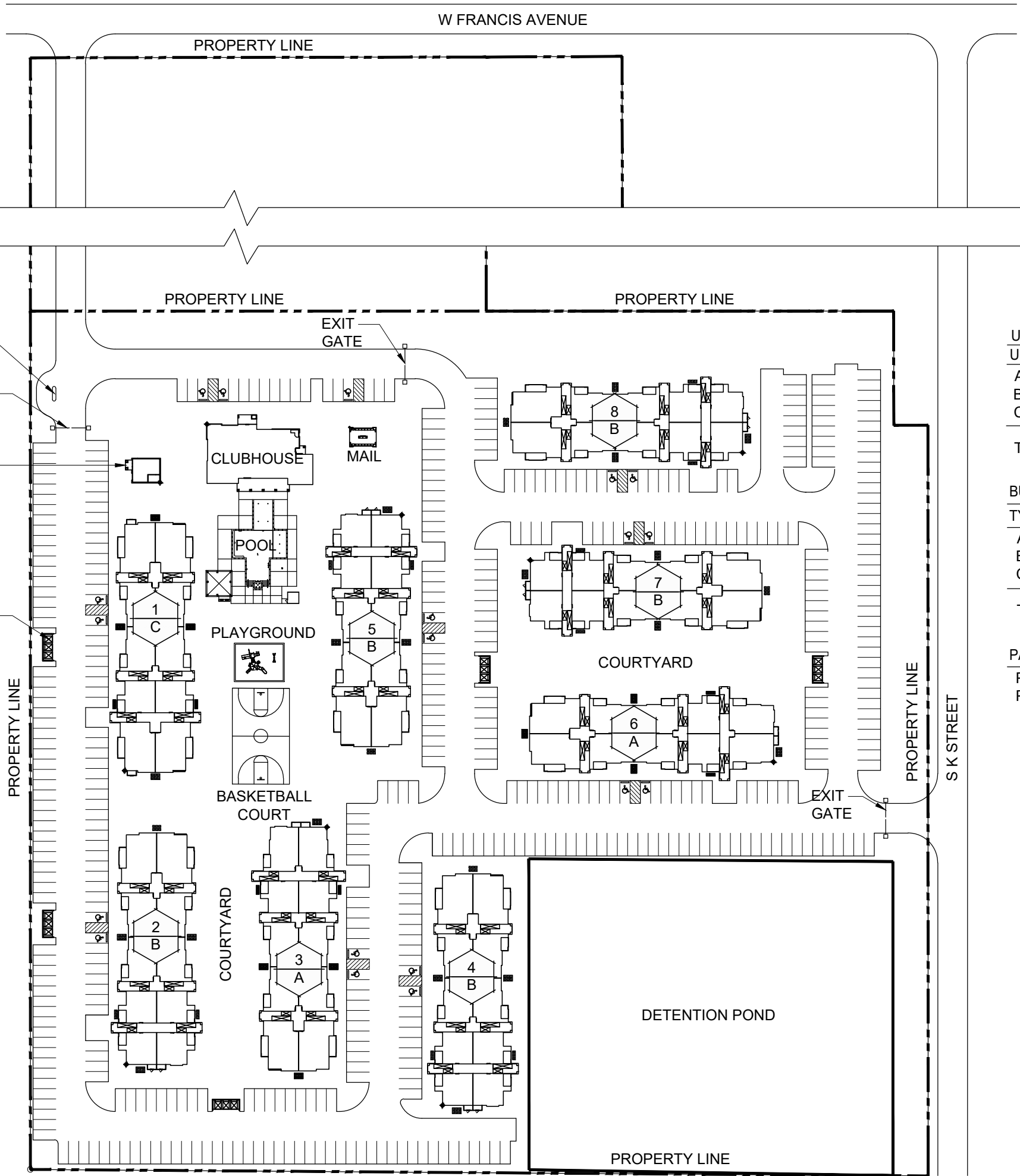
I, J. Stan Piper, Registered Professional Land Surveyor, do hereby certify that this description is based on an actual survey made by me or under my supervision, and that the same is true and correct to the best of my knowledge and belief as surveyed on the ground September 24, 2019.


J. Stan Piper
Registered Professional Land Surveyor #1974



Prepared for:
Cross Engineering Consultants Inc.
1720 W. Virginia Street
McKinney, Texas 75069

PIPER SURVEYING CO. FIRM NO. 10155200; BOX 60432, MIDLAND, TX 79711, (432) 550-7810



UNIT TABULATION

UNIT TYPE	# UNITS	UNIT S.F.	TOTAL S.F.
A1 - ONE BEDROOM, ONE BATH	78	750 S.F.	58,500 S.F.
B1 - TWO BEDROOM, TWO BATH	108	950 S.F.	102,600 S.F.
C1 - THREE BEDROOM, TWO BATH	54	1150	62,100 S.F.
TOTAL	240		223,200 S.F.

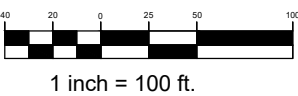
BUILDING TABULATION

TYPE	#BLDGS	UNITS/BLDG.	UNIT TYPES	BLDG. S.F.	TOTAL S.F.
A	2	30	A1-6, B1-18, C1-6	28,500 S.F.	57,000 S.F.
B	5	30	A1-12, B1-12, C1-6	27,300 S.F.	136,500 S.F.
C	1	30	A1-6, B1-12, C1-12	29,700 S.F.	29,700 S.F.
TOTAL					223,200 S.F.

PARKING

PARKING REQUIRED:	468
PARKING PROVIDED:	472

GRAPHIC SCALE



SITE PLAN

SCALE: 1" = 100'-0"



PALLADIUM WEST FRANCIS
MIDLAND, TX

A1.0
SITE PLAN

Copyright © 2019



UNIT TABULATION

UNIT TYPE	# UNITS	UNIT S.F.	TOTAL S.F.
A1 - ONE BEDROOM, ONE BATH	78	750 S.F.	58,500 S.F.
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TYPE	#BLDGS	UNITS/BLDG.	UNIT TYPES	BLDG. S.F.	TOTAL S.F.
A	2	30	A1-6, B1-18, C1-6	28,500 S.F.	57,000 S.F.
B	5	30	A1-12, B1-12, C1-6	27,300 S.F.	136,500 S.F.
C	1	30	A1-6, B1-12, C1-12	29,700 S.F.	29,700 S.F.
TOTAL					223,200 S.F.

GRAPHIC SCALE



SITE PLAN

SCALE: 1" = 100'-0"



PALLADIUM WEST FRANCIS
MIDLAND, TX

A1.0
SITE PLAN

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ORDINANCE NO. 6335

AN ORDINANCE ESTABLISHING THE ZONING CLASSIFICATION OF THE AREA SET OUT AND DESCRIBED IN SECTION ONE HEREOF AS "C-3", COMMERCIAL DISTRICT; ESTABLISHING THE ZONING CLASSIFICATION OF THE AREA SET OUT AND DESCRIBED IN SECTION TWO HEREOF AS "MH", MOBILE HOME DISTRICT; ESTABLISHING THE ZONING CLASSIFICATION OF A PORTION OF THE AREA SET OUT AND DESCRIBED IN SECTION THREE HEREOF AS "MH", MOBILE HOME DISTRICT, AND CHANGING THE ZONING CLASSIFICATION OF A PORTION OF THE AREA SET OUT AND DESCRIBED IN SECTION THREE HEREOF FROM "1F-1", ONE-FAMILY DWELLING DISTRICT, TO "MH", MOBILE HOME DISTRICT; ESTABLISHING THE ZONING CLASSIFICATION OF THE AREA SET OUT AND DESCRIBED IN SECTION FOUR HEREOF AS "IP-1", INDUSTRIAL PARK DISTRICT; ESTABLISHING THE ZONING CLASSIFICATION OF A PORTION OF THE AREA SET OUT AND DESCRIBED IN SECTION FIVE HEREOF AS "IP-3", INDUSTRIAL PARK DISTRICT, AND CHANGING THE ZONING CLASSIFICATION OF A PORTION OF THE AREA SET OUT AND DESCRIBED IN SECTION FIVE HEREOF FROM "1F-1", ONE-FAMILY DWELLING DISTRICT, "O-1", OFFICE DISTRICT, AND "C-3", COMMERCIAL DISTRICT, TO "IP-3", INDUSTRIAL PARK DISTRICT; AND ADDING THE PROPERTY DESCRIBED IN SECTIONS ONE, FOUR AND FIVE HEREOF TO THE FIRE DISTRICT

WHEREAS, notice has been given to all parties in interest and citizens by publication in the official newspaper and otherwise, of a hearing to be held before the City Council on December 13, 1983, to consider an amendment to the zoning regulations and map establishing the zoning classification of the area set out and described in Section One hereof as "C-3", Commercial District; establishing the zoning classification of the area set out and described in Section Two hereof as "MH", Mobile Home District; establishing the zoning classification of a portion of the area set out and described in Section Three hereof as "MH", Mobile Home District, and changing the zoning classification of a portion of the area set out and described in Section Three hereof from "1F-1", One-Family Dwelling District, to "MH", Mobile Home District; establishing the zoning classification of the area set out and described in Section Four hereof as "IP-1", Industrial Park District; and establishing the zoning classification of a portion of the area set out and described in Section Five hereof as "IP-3", Industrial Park District, and changing the zoning classification of a portion of the area set out and described in

Section Five hereof from "1F-1", One-Family Dwelling District, "O-1", Office District, and "C-3", Commercial District, to "IP-3", Industrial Park District; all as set out in Section 11-1-6 of the City Code of Midland, Texas; and

WHEREAS, such public hearing was held in the Council Chambers beginning at 2:00 p.m. on said December 13, 1983, as advertised; and

WHEREAS, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after receiving and considering the recommendations of the Planning and Zoning Commission; and after considering among other things, the character of the property involved and the surrounding area and its peculiar suitability for particular uses; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality, the Council finds it to be in the best interest of the health, safety, morals and general welfare of the City of Midland to amend the zoning regulations accordingly; 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 in Sections ONE, Four and Five, the Council finds it to be in the public interest to amend the Fire District so as to add said premises thereto;

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

SECTION ONE. That the zoning classification of the below described property be, and it is, hereby established as "C-3", Commercial District:

An 11.28 acre tract of land out of Section 13, Block 39, T-2-S, T&P Ry. Co. Survey, Midland County, Texas, being more fully described by metes and bounds as follows:

Beginning at a point on the north line of said Section 3 from which the NW corner bears S. 75° 15' 12" W., a distance of 1,321.52 feet;

Thence, N. 75° 15' 12" E. along the north line of said Section 3, a distance of 1,325.73 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 208.5 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 254.07 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 152.8 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 120.5 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 221.5 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 241 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 221.5 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 57.9 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 150 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 653.3 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 553.72 feet to the place of beginning, and containing 11.28 acres of land, more or less.

SECTION TWO. That the zoning classification of the below described property be, and it is, hereby established as "MH", Mobile Home District:

An 18.02 acre tract of land out of Section 3, Block 39, T-2-S, T&P Ry. Co. Survey, Midland County, Texas, being more fully described by metes and bounds as follows:

Beginning at a point from which the NW corner of said Section 3 bears N. 14° 46' 21" W., a distance of 553.72 feet and S. 75° 15' 12" W., a distance of 1,331.52 feet;

Thence, N. 75° 15' 12" E., a distance of 653.3 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 150 feet to a point for a corner;

Thence N. 75° 15' 12" E., a distance of 57.9 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 221.5 feet to a point for a corner;

Thence, N. 75° 15' 12" E., a distance of 241 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 221.5 feet to a point for a corner;

Thence, N. 75° 15' 12" E., a distance of 120.5 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 152.8 feet to a point for a corner;

Thence, N. 75° 15' 12" E., a distance of 254.07 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 630.73 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 1,126.98 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 417 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 208.5 feet to a point for a corner;

Thence, N. 14° 46' 21" E., a distance of 726 feet to the place of beginning, and containing 18.02 acres of land, more or less.

SECTION THREE. That the zoning classification of the below described property, a portion of which has heretofore been unzoned and a portion of which has heretofore been zoned "1F-1", One-Family District, be, and it is, hereby changed to "MH", Mobile Home District:

Lots 1 through 14, Block 2; Lots 1 through 18, Block 3; and all of Block 6; all in Moore Addition to the City of Midland, Midland County, Texas, containing 17.2 acres of land, more or less.

SECTION FOUR. That the zoning classification of the below described property be, and it is, hereby established as "IP-1", Industrial Park District:

A 55.02 acre tract of land out of Section 3, Block 39, T-2-S, T&P Ry. Co. Survey, Midland County, Texas, being more fully described by metes and bounds as follows:

Beginning at a point from the NW corner of said Section 3 which bears N. 14° 46' 21" W., a distance of 1,279.72 feet and S. 75° 15' 12" W., a distance of 1,321.52 feet;

Thence, N. 75° 15' 12" E., a distance of 208.5 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 417 feet to a point for a corner;

Thence, N. 75° 15' 12" E., a distance of 1,129.98 feet to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 1,399.06 feet to a point for a corner;

Thence, S. 75° 15' 12" W., a distance of 1,346.04 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 96.5 feet to the place of beginning, and containing 55.02 acres of land, more or less.

SECTION FIVE. That the zoning classification of the below described property, a portion of which has heretofore been unzoned and a portion of which has heretofore been zoned "1F-1", One-Family Dwelling District, "O-1", Office District, and "C-3", Commercial District, be, and it is, hereby changed to "IP-3", Industrial Park:

A 155.256 acre tract of land out of Section 3, Block 39, T-2-S, T&P Ry. Co. Survey, being more fully described by metes and bounds as follows:

Beginning at a point on the west line of said Section 3 from which the NW corner of said Section 3 bears N. 14° 46' 21" W., a distance of 2,000.01 feet;

Thence, N. 75° 12' 27" E. a distance of 662.8 feet to a point in the City limits line;

Thence, N. 14° 46' 21" W., a distance of 2,000.01 feet to a point on the north line of said Section 3 for a corner;

Thence, N. 75° 15' 12" E., a distance of 658.5 feet along the north line of said Section 3 to a point for a corner;

Thence, S. 14° 46' 21" E., a distance of 2,255.51 feet to a point for a corner;

Thence, N. 75° 15' 12" E., a distance of 1,346.04 feet to a point for a corner;

Thence, N. 14° 46' 21" W., a distance of 350 feet to a point for a corner, said point being on the half section line at its intersection with the center of West Montgomery Avenue;

Thence, easterly along the centerline of West Montgomery Avenue a distance of 160.48 feet to a point for a corner;

Thence, S. 14° 46' 21" E. a distance of 718.04 feet to a point for a corner;

Thence, N. 74° 52' 35" E. a distance of 500.74 feet to a point for a corner;

Thence, S. 14° 44' 31" E. a distance of 1,321.97 feet to a point for a corner;

Thence, S. 75° 7' 27" E. a distance of 1,957.76 feet to a point for a corner;

Thence, S. 14° 46' 21" E. a distance of 205.9 feet to a point for a corner;

Thence, N. 74° 50' 30" E. a distance of 300 feet to a point for a corner;

Thence, S. 14° 46' 21" E. a distance of 100 feet to a point for a corner;

Thence, S. 74° 50' 30" W. a distance of 1,164 feet to a point for a corner;

Thence, N. 15° 00' 30" W. a distance of 666.47 feet to a point for a corner;

Thence, S. 74° 50' 30" W. a distance of 476.57 feet to a point on the west line of said Section 3;

Thence, N. 14° 46' 21" W. along the west line of said Section 3 a distance of 1,623.36 feet to the place of beginning, and containing 155.256 acres of land, more or less.

SECTION Six. That the Fire District be amended so as to add thereto the premises described in Sections One, Four and Five hereof and the Building Inspector is authorized and directed to add to the Fire District Map said premises.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 13th day of December, A.D., 1983; and passed to second reading on motion of Councilman Davidson, seconded by Councilman Sloan, by the following vote:

Councilmen voting "AYE": Davidson, Sloan, Godfrey, Hatfield, Akins and Marcum

Councilmen voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Councilman Davidson, seconded by Councilman Godfrey, on the 24th day of January, A.D., 1984, at a regular meeting of the City Council:

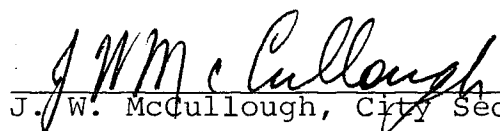
Councilmen voting "AYE": Davidson, Godfrey, Akins, Sloan, Marcum and Hatfield

Councilmen voting "NAY": None

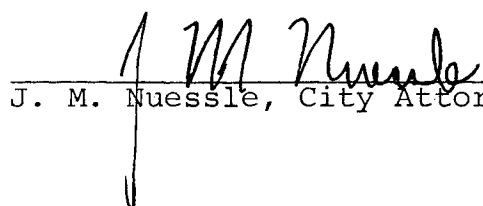
PASSED AND APPROVED THIS 24th day of January, A.D.,
1984.


G. Thane Akins, Mayor

ATTEST:


J. W. McCullough, City Secretary

APPROVED AS TO FORM:


J. M. Nuessle, City Attorney



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

Project Number: 2-19-0138
Case Number: _____

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

Printed Name: Scott Johnson

Phone (972-774-4450

Email Sjohnson@palladiumusa.com

Address 13455 Noel Road #400

City Dallas

State TX

Zip 75240

Property Owner

Printed Name: Karen Pinard

Phone ()

Email karenpinard@gmail.com

Address 7848 N. Sunset Ridge

City Prescott Valley

State AZ

Zip 86315

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()

Email _____

Address _____

City _____

State _____

Zip _____

Street Address: 1707 West Frances, Midland, TX

Legal Description

19.207, SEC: 3, BLK: 39-T2S

15 Acres of this site will be rezoned! See attached
proposed site plan

Lot: _____

Block: _____

Subdivision: _____

Current Zoning: TP

Proposed Zone: MF-22

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

Reason for Zone Change Request: To enable development of multi-family housing on a portion of the 19
acres owned by Karen Pinard.

Present Use of Property: Vacant land with home and barn

Proposed Use of Property: Multi-family development on south 15 Acres,
future commercial use on front 4 acres

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

This zone change will provide quality affordable housing to an area of Midland that needs new development

**Describe how conditions affecting the property have changed since present zoning
designation:** _____

Submittal and Fees

Items to be submitted with this application form:

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

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

Applicant (signature): [Signature]

Date: 9/20/19

Applicant (printed): Scott Johnson, agent for Applicant

Property Owner (signature): Karen Pinard

Date: 9-13-2019

Property Owner (printed): Karen Pinard

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.

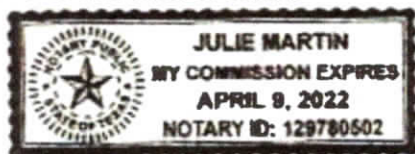
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 12th day of September, 2019, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS
DALLAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Dimensioned Site Plan

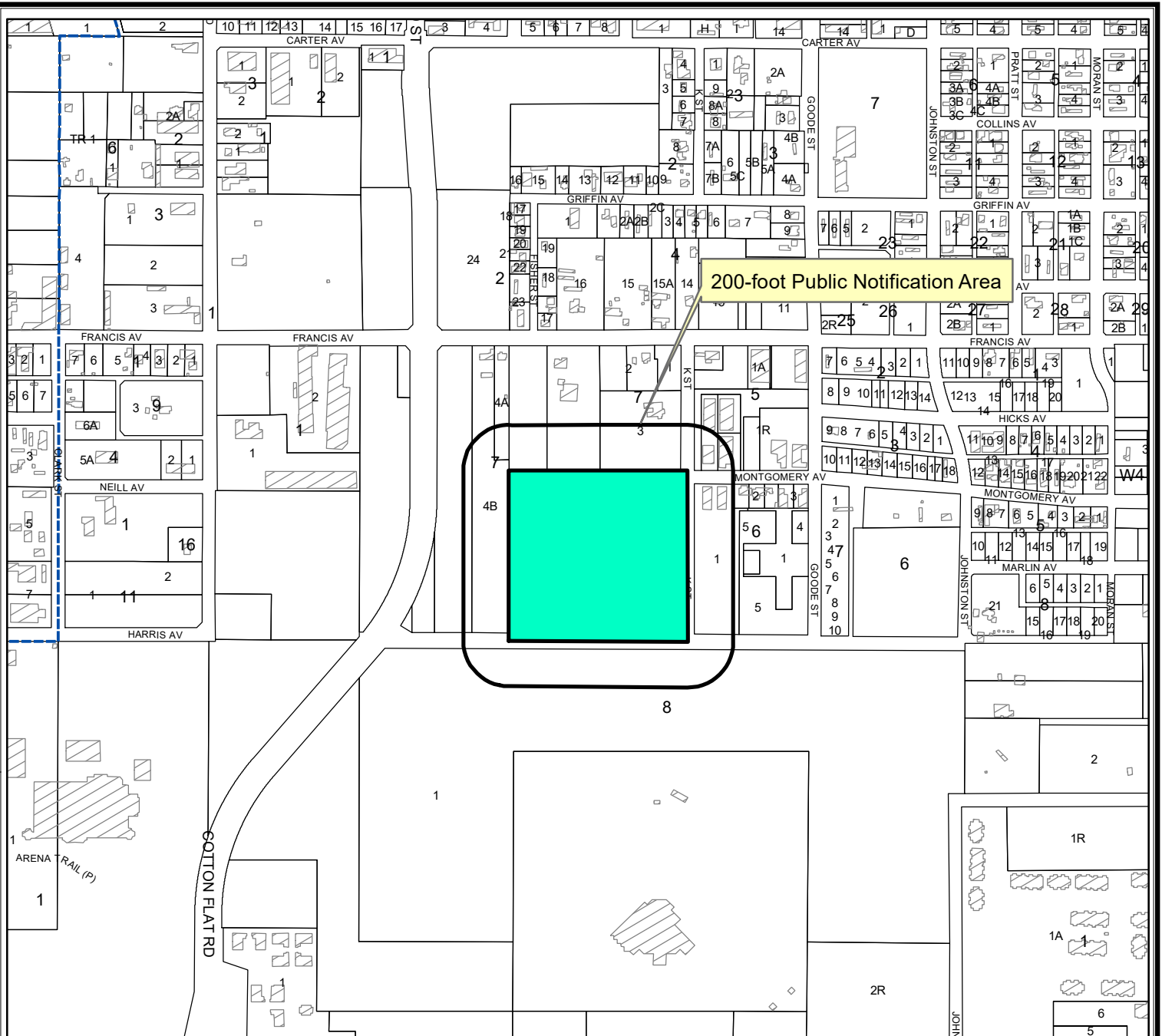
☒ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # 22847

Received By: Rolandra Russell

Date: 9/19/2019



LOCATION MAP

Z-19-0138

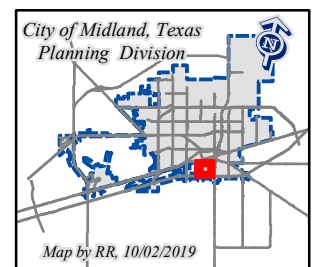
Scale: 1" = 400'

Consider a request for a Zone Change from TP, Technology Park District to MF-22, Multiple-Family Dwelling District on a 13.620-acre tract of land out of Section 3, Block 39, T-2-S, T&P RR. Co. Survey, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of South 'K' Street and East Stokes Avenue. Council District 2

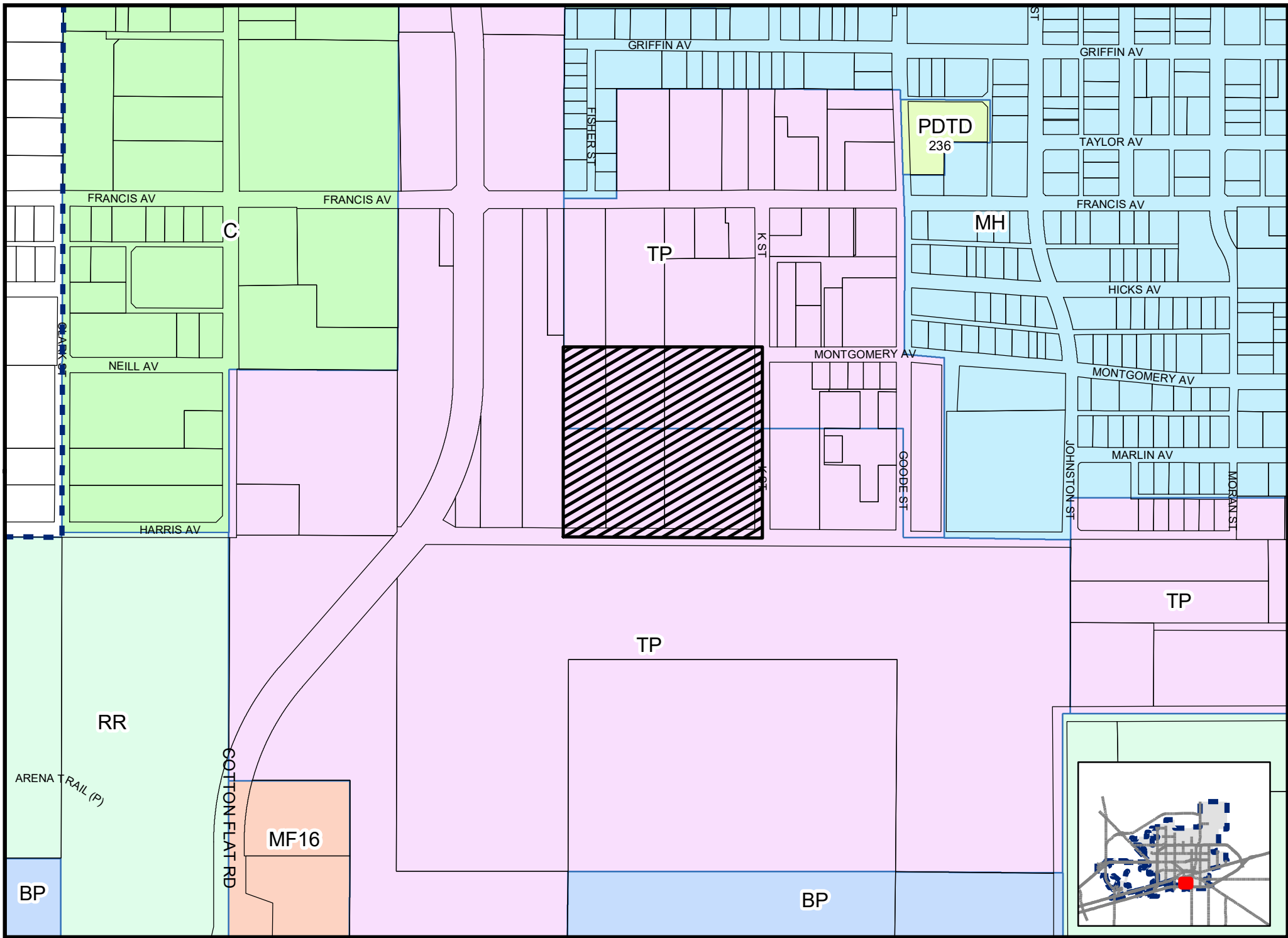
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

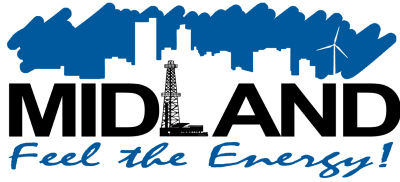












Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Planner

SUBJECT: Hold a public hearing and consider a request by Midland Community Development Corporation, for a zone change from SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part, to MF- 16, Multiple Family Dwelling District on a 19.70-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. Council District 4).

Recommended Planning and Zoning Commission Action:

☐ Approve

☐ Deny

☒ Direction/Informational

Details of Request:

The applicant, Midland Community Development Corporation, is requesting a Zone Change from a SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part, to an MF-16, Multiple Family Dwelling District, to advance a proposed low-density multifamily development.

Current Zoning:

SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part.

Surrounding Zoning and Land Use:

The properties to the north, east, south, and west are zoned SF-1, Single Family Dwelling District, and are the location of vacant land and residences.

Analysis:

The applicant, Midland Community Development Corporation, is requesting to rezone this property to develop a low density apartment complex, known as Hillcrest Village. The applicant is requesting this zone change to appropriately conform to the zoning required for an apartment complex.

The proposed site plan attached hereto illustrates 20 two story buildings with a total of 210 units. The proposed density is 11 units per acre. The site plan also encompasses a club house. Per Section, 3.12– A minimum of 25 percent of the total number of units in the complex shall have a one-car enclosed garage, 240 square feet minimum, attached or detached, per dwelling unit. Per the site plan the applicant is providing 242 garage spaces.

Adequate parking is provided with a total of 488 spaces of which 246 are surface and 242 are garage spaces. Per Section, 6.02, Off-Street Parking and Loading Requirements, the proposed site is required to provide 389 parking spaces. The applicant is exceeding this requirement.

The applicant is proposing a side yard setback of 15 feet and a front yard setback of 50 feet which meets the City of Midland Code. However, the proposed site plan does not meet Section 6.06. Building Design Standards for Multiple Family Use, Section 2a.

2. Building Orientation and Construction

- a. Building Orientation Adjacent to a Single-Family Zoning District
 - i. Unless set back 100 feet or more from the property line adjoining a single-family zoning district, a MF building shall be designed so that the smallest façade faces the single-family property. The purpose of this regulation is to limit to the greatest extent possible the number of windows and balconies that face towards or look onto the single-family properties.

The applicant will be required to adhere to the site plan review standards outlined within the City of Midland Zoning Ordinance Section 3.12. The site plan of the Hillcrest Village apartment complex will need to be approved in the same manner as a zone change prior to the development of the property as outlined in Section 9.05.

3.12. MF-16, Multiple-Family Dwelling District

A. Purpose Statement This district is intended to provide for development of attached residential units, such as multi-family developments, at a maximum residential density of 16 dwelling units per acre. (The dwelling units per acre (DU/A) calculation is exclusive of all streets, alleys and sidewalks, but inclusive of open space, recreational, and service areas.) This district is for moderate densities.

9.05. Site Plans

Purpose 1. Through Site Plan review, zoning standards and other applicable municipal standards or ordinances that may apply to specific site development can be uniformly implemented by the City for townhome, multi-family, and nonresidential development.

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 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary.

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. No Oil and Gas issues.

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.

Transportation: (Approved)

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

No objection to zone change.

Planning:

The Tall City Tomorrow Comprehensive Plan future land use map calls for Urban-Medium Neighborhood Center uses at this location. The Urban-Medium Neighborhood Center classification calls for diverse complementary uses such as small scale commercial, office, and civic, all being surrounded by a mix of housing types. This promotes the creation of neighborhood centers or villages.

This request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, Principle 4, "Land use policies and regulations should support diverse housing choices." (Tall City Tomorrow, Page 58). This request will allow for more diverse housing types which will help build a mix of entry level housing options for the City of Midland.

This request has circulated to and reviewed by all pertinent City departments for internal review and has received no objections.

If the Planning and Zoning Commission should approve this request, staff recommends that it shall be subject to conditions A through C..

Conditions:

- A. That the use and development of this property shall conform to the regulations of the MF-16, Multiple-Family Dwelling District.**
- B. That the use and development of the property shall conform to the site plan, which is attached hereto and incorporated herein as Exhibit 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 received 77 written objection letters as of October 16, 2019, with a total of 29.2% objections within the 200-foot notification area.

Staff has received 1 Letter of Petition

Staff has received 1 Petition with Owner/Residents' signatures.

Attachments:

Metes and Bounds (Exhibit A)

Site Plan (Exhibit B)

Application

Maps



METES & BOUNDS DESCRIPTION

Of a Proposed 19.70 Acre tract of land out of Hillcrest Acres, a subdivision of Midland County, Texas, recorded in Volume 87, page 272, Deed Records of Midland County, Texas, more precisely described as follows:

Beginning at a 1/2" IPF for the most Northeast Corner of Lot 24 of Hillcrest Acres, at the Right of Way of Princeton Avenue (N 10694755.64, E 1736678.11, Texas State Plane Coordinate System, Central Zone, NAD 1983);

Thence South 14°06'39" East 257.72 Feet along and with the west Boundary of Lot 23 to a 1/2" IPS Cap FIRM 10194514 for an "L" Corner of this survey;

Thence North 75°42'59" East at 164.51 Feet to a 1/2" IPF for an interior corner of this survey;

Thence North 75°28'27" East 163.79 Feet to a 1/2" IPF for the Northeast Corner of the remainder of the North half of Lot 22, at the Southwest corner of a tract described in Volume 1480, Page 376, DRMCT and the most Easterly Northeast Corner of this survey;

Thence South 14°06'49" East 367.68 Feet to a 1/2" IPF with broken cap for the Southeast Corner of the North Half of Lot 22 Hillcrest Acres;

Thence South 75°51'13" West 163.99 Feet to a 1/2" IPF at the Northwest Corner of the South half of Lot 22, Hillcrest Acres;

Thence South 14°04'23" East 374.07 Feet along and with the East Boundary of Lot 23 to a 1/2" IPF for the most Easterly Southeast Corner of this Survey at the Northeast Corner of a tract described in Document # 2018-OPRMCT;

Thence South 75°24'24" West 164.08 Feet to a 1/2" IPF for the Northwest Corner of a tract described Document # 2018-24381, and the Northeast Corner of a tract described in Document # 2018-24381, OPRMCT;

Thence South 75°46'11" West 163.29 Feet to a 1/2" IPF for the Northwest Corner of a tract described Document # 2018-24381 OPRMCT;

Thence South 14°10'27" East 262.70 Feet to a 1/2" IPF for most Southerly Southeast Corner of this survey, also the Southwest corner of a tract described in Document # 2018-24381 OPRMCT; a 1/2 IRF bears South 14°10'27" East 2.88 Feet;

Thence South 75°12'12" West 66.69 Feet to a 1/2" IPF for a Point of Intersection on the South Line of this Survey, at the Southeast Corner of Lot 25, Hillcrest Acres and the Southeast corner of a 0.36 acre tract described in Volume 2440, Page 798 OPRMCT;

Thence North 13°35'42" West 165.04 Feet to a 1/2" IPF, bent, an interior corner of this survey, and the Northeast corner of 0.36 acre tract described in Volume 2440, Page 798 OPRMCT;

Thence South 75°04'59" West 95.92 Feet to a 1/2" IPF for the Northwest Corner of said 0.36 acre tract and the most Northerly Northwest Corner of the South Half of Lot 25 of Hillcrest Acres;

Thence South 14°15'45" East 165.13 Feet to a 1/2" IPF for the Southeast Corner of Lot 26 and the Southwest corner of said 0.36 acre tract;

Thence South 75°28'03" West 327.18 Feet to a 1/2" IRF W/faded Cap for the Southwest Corner of the South Half of Lot 27 Hillcrest Acres, and the most Southerly Southwestern Corner of this survey;

Thence North 14°18'53" West 238.28 Feet to a 1/2" IPS Cap FIRM 10194514 for an interior corner of this survey, and the Northeast corner of a 0.90 acre tract described in Volume 1317, Page 525 OPRMCT;

Thence South 75°42'59" West 162.18 Feet to a 1" Steel Pipe for the most Northerly Southwestern Corner of this survey and the Northwest Corner of said 0.90 acre tract;

Thence North 15°03'36" West 400.86 Feet to a 1/2" IPF for the Northwest Corner of the South Half of Lot 28, Hillcrest Acres, and the most Southerly Northwestern Corner of this survey;

Thence North 75°42'59" East 331.39 Feet to a 1/2" IPF with faded cap for an interior corner of this survey;

Thence North 14°18'53" West 488.99 Feet to a 1/2" IPS Cap FIRM 10194514 for a Northwestern corner of this survey, and the Southwestern corner of a 0.52 acre tract described in Volume 2813, page 530 OPRMCT, from which a 1/2" IPF with Schumann Cap bears South 17°00'15" East 10.01 Feet;

Thence North 75°42'59" East 164.21 Feet to a 1/2" IPF with faded Cap for the most Southerly Northeastern Corner of this survey and the Northwest Corner of said 0.90 acre tract;

Thence South 14°15'45" East 55.23 Feet to a 1/2" IPS Cap FIRM 10194514 for an interior corner of this survey, and the Southwestern corner of a tract described in Volume 1531, Page 733, OPRMCT;

Thence North 75°42'59" East 162.65 Feet to a 1/2" IPS Cap FIRM 10194514 for an interior corner of this survey, and the Southeast corner of a tract described in Volume 1531, Page 733, OPRMCT;

Thence North 14°09'06" West 191.20 Feet to a 1/2" IPS Cap FIRM 10194514 for the Most Northerly Northwest Corner of this survey and Lot 24;

Thence North 75°45'51" East 164.00 Feet to the **Point of Beginning**, containing 19.70 acres, more or less.

P. J. L. Wilson

25 September 2019



www.maverick-eng.com

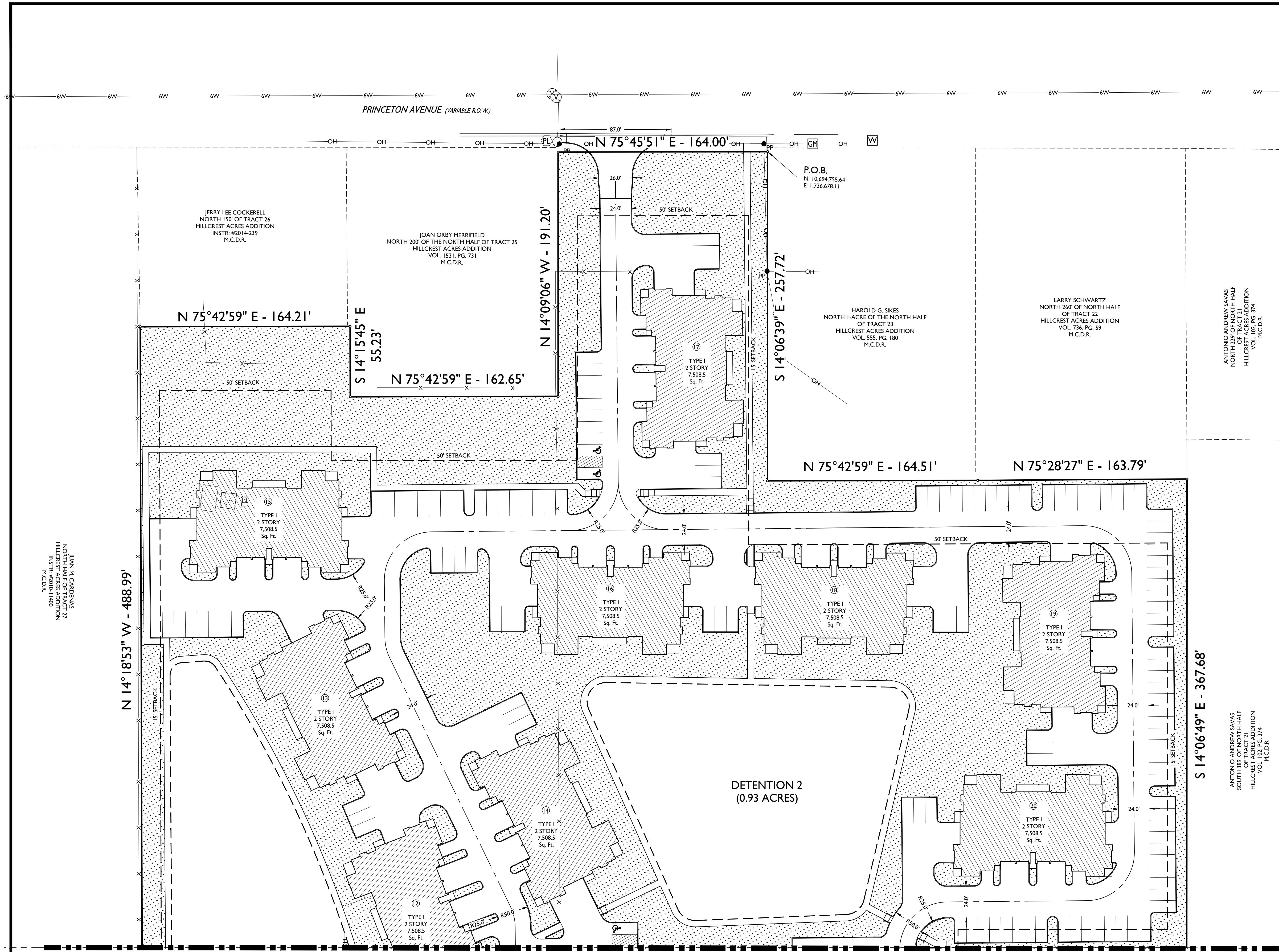
Texas RPLS - No. 6135

Maverick Engineering (FIRM – No. 10194514)

1909 W. Wall St., Suite K

Midland, TX 79701

432-262-0999



VICINITY MAP
N.T.S.

LEGEND	
	DENOTES BOUNDARY CORNER
	DENOTES EXISTING FIRE HYDRANT
	DENOTES EXISTING GAS METER
	DENOTES EXISTING LIGHT POLE
	DENOTES EXISTING MANHOLE
	DENOTES EXISTING POWER POLE
	DENOTES EXISTING WATER METER
	DENOTES EXISTING WATER VALVE
	DENOTES BOUNDARY LINE
	DENOTES EXISTING EASEMENT LINE
	DENOTES EXISTING FENCE
	DENOTES EXISTING GAS LINE
	DENOTES EXISTING OVERHEAD ELECTRIC LINE
	DENOTES EXISTING 8" SEWER LINE
	DENOTES EXISTING 12" SEWER LINE
	DENOTES EXISTING UNDERGROUND PIPELINE
	DENOTES EXISTING 6" WATER LINE
	DENOTES EXISTING 8" WATER LINE
	DENOTES CONCRETE

DEVELOPMENT NOTES:

GENERAL: SITE PLAN IS FOR A 19.70-ACRE PROPOSED MULTIFAMILY HOUSING DEVELOPMENT COMPOSED OF TWO BUILDING TYPES WITH FIRST FLOOR BUILDING FOOTPRINTS OF ±7,510-7,680 SQFT. SITE IS LOCATED ON PORTIONS OF TRACTS 22 AND 28, HILLCREST ACRES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOL. 102, PAGE 374, MIDLAND COUNTY DEED RECORDS. THE SITE IS LOCATED TO THE WEST OF THE INTERSECTIONS OF MIDLAND DRIVE WITH PRINCETON AND CUTHBERT AVENUES. THE DEVELOPMENT IS CURRENTLY ZONED IN PART AS A MF-22 FOR MULTIFAMILY HOUSING DISTRICT AND IN PART AS AN SF-1, SINGLE FAMILY HOUSING DISTRICT.

DEVELOPMENT: THE DEVELOPMENT WILL CONSIST OF: ± 20 TWO-STORY STORY MULTI-FAMILY APARTMENT BUILDINGS WITH A PROPOSED DENSITY OF 11-UNITS PER ACRE.

BUILDING HEIGHT: THE STRUCTURES PLANNED ARE TO BE TWO-STORY, WITH A MAXIMUM BUILDING HEIGHT NOT TO EXCEED THE PROPOSED MF-22 ZONING DISTRICT MAXIMUMS OF 56'.

ACCESS: THE SITE IS PLANNED TO HAVE TWO (2) ACCESS POINTS, ONE TO THE NORTH ACCESSING PRINCETON AVENUE, AND ONE TO THE SOUTH ACCESSING CUTHBERT AVENUE. ALL ACCESS POINTS ARE PLANNED FOR BOTH INGRESS AND EGRESS. THE FOLLOWING EASEMENTS ARE PLANNED FOR INCLUSION:

- BLANKET UTILITY ACCESS EASEMENT FOR LOCATION AND MAINTENANCE OF PUBLIC FACILITIES
- STANDARD CITY OF MIDLAND DRAINAGE EASEMENT PROVISION
- VARIOUS PRIVATE UTILITY EASEMENTS

FIRE ACCESS: ACCESS FOR FIRE TRUCKS WILL BE ALONG THE PROVIDED 24 FT. WIDE CORRIDOR WITH MINIMUM 25 FT. RADIUS THROUGHOUT.

PARKING: PROVIDED WITH 246 PARKING SPACES, OF WHICH 10 WILL BE ACCESSIBLE, AND AN ADDITIONAL 240 GARAGE UNITS AT THE FLOOR LEVEL OF BUILDING TYPES I AND II. SEE TABLE FOR PROPOSED UNIT-TO-PARKING TABULATIONS. STANDARD SIZING WILL BE 9'X20'.

TRASH: TRASH ENCLOSURES WILL BE IN COMPLIANCE WITH THE CITY OF MIDLAND REQUIREMENTS. PROPOSED TO BE COLLECTED BY THE CITY OF MIDLAND UTILIZING SIDE LOADING TRUCKS.

UTILITIES: PUBLIC UTILITIES ARE NOT PRESENT ON SITE. NEW WATER & SEWER SERVICE TAPS WILL BE REQUIRED WITHIN THE EXISTING FACILITIES IN THE ADJUTING RIGHTS-OF-WAY.

DRAINAGE: STORM WATER RUNOFF WILL BE DETAINED WITHIN THE DRAINAGE FACILITIES AS PROPOSED SO AS NOT TO INCREASE EXISTING PEAK RUNOFF.

DIMENSIONAL NOTE:

- DIMENSIONS SHOWN ARE TYPICALLY TO BACK OF CURB UNLESS NOTED OTHERWISE.
- SIDEWALKS WILL BE 5 FT. IN WIDTH UNLESS NOTED OTHERWISE.

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.
- 317,793 SQFT (7.296 ACRES) PERMEABLE LANDSCAPING AREA AS PROPOSED

FEMA FIRM NOTES:

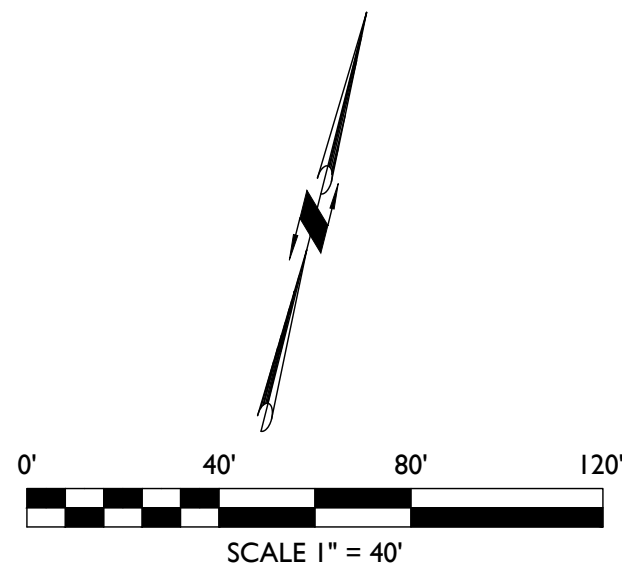
COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM	ZONE	BASE FLOOD ELEVATION
48329	182	F	09/16/2005	X	N/A

MATCH LINE TO SHEET 2

AMENITIES NOTE:

AMENITIES INTENDED SHALL INCLUDE BUT MAY NOT BE LIMITED TO:

- POOL AREA
- COVERED TELLIS OR GAZEBOS
- OUTDOOR SEATING & LOUNGE AREA
- DOG PARK
- SCORED AND COLORED CONCRETE FEATURES



MAVERICK ENGINEERING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com



REVISIONS	DATE	BY	APPR.
Δ			
TE	PRH	XXX	
DRAWN BY:	CHECKED BY:	APPROVED BY:	
DATE: 9/25/2019			
JOB: 190122			

ZONING SITE PLAN

HILLCREST VILLAGE

BEING A 19.70-ACRE PORTION OF TRACTS 22 AND 28, HILLCREST ACRES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOL. 102, PAGE 374, MIDLAND COUNTY DEED RECORDS

PRELIMINARY REVIEW:

FOR THE PURPOSES OF INTERIM PRELIMINARY REVIEW, THEY SHALL NOT BE USED FOR THE PURPOSES OF CONSTRUCTION.

LAZARO GARCIA JR.
NORTH 48' OF SOUTH 639'
HILLCREST ACRES ADDITION
VOL. 102, PG. 374
M.C.D.R.

N 15°03'36" W - 400.86'

S 75°41'59" W - 162.18'

SUE MILLER
239'X164' PORTION OF THE
SOUTH HALF OF TRACT 28
HILLCREST ACRES ADDITION
VOL. 1317, PG. 525
M.C.D.R.

N 14°18'53" W - 238.28'

S 75°28'03" W - 327.18'

W. CUTHBERT AVENUE (VARIABLE R.O.W.)

MATCH LINE TO SHEET I

DETENTION I
(1.35 ACRES)

POOL

CLUB HOUSE
5,737.3
Sq. Ft.

S 75°42'59" W
95.92'

SEAN LLORA
WEST 94' OF SOUTH 162'
OF SOUTH HALF OF TRACT 25
HILLCREST ACRES ADDITION
VOL. 2440, PG. 798
M.C.D.R.

S 14°15'45" E - 165.13'

N 13°35'42" W - 165.04'

S 75°12'12" W

S 14°10'27" E - 262.70'

S 75°46'11" W - 163.29'

S 75°24'24" W - 164.08'

S 14°04'23" E - 374.07'

S 75°51'13" W - 163.99'

JANE C. BAIREZ
2075 HILLCREST ACRES
HILLCREST ACRES ADDITION
INST. #2015-2035
M.C.D.R.

REVISIONS	DATE	BY	APP.
Δ			
TE	TE	TE	TE
PRH	PRH	PRH	PRH
XXX	XXX	XXX	XXX
DATE	9/25/2019		
JOB	190122		

**MAVERICK
ENGINEERING**
1909 West Wall Street, Suite "K"
Midland, Texas 79701
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com



ZONING SITE PLAN
HILLCREST VILLAGE
BEING A 19.70-ACRE PORTION OF TRACTS 22 AND 28, HILLCREST ACRES
ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS, ACCORDING TO THE
MAP OR PLAT THEREOF RECORDED IN VOL. 102, PAGE 374, MIDLAND
COUNTY DEED RECORDS

**PRELIMINARY
REVIEW:**
FOR THE PURPOSES OF
INTERPRETING PRELIMINARY REVIEW, THEY
SHALL NOT BE USED FOR THE PURPOSES
OF CONSTRUCTION.

SHEET **SP-02** OF 02

DIMENSIONAL NOTE:

- DIMENSIONS SHOWN ARE TYPICALLY TO BACK OF CURB UNLESS NOTED OTHERWISE.
- SIDEWALKS WILL BE 5 FT. IN WIDTH UNLESS NOTED OTHERWISE.

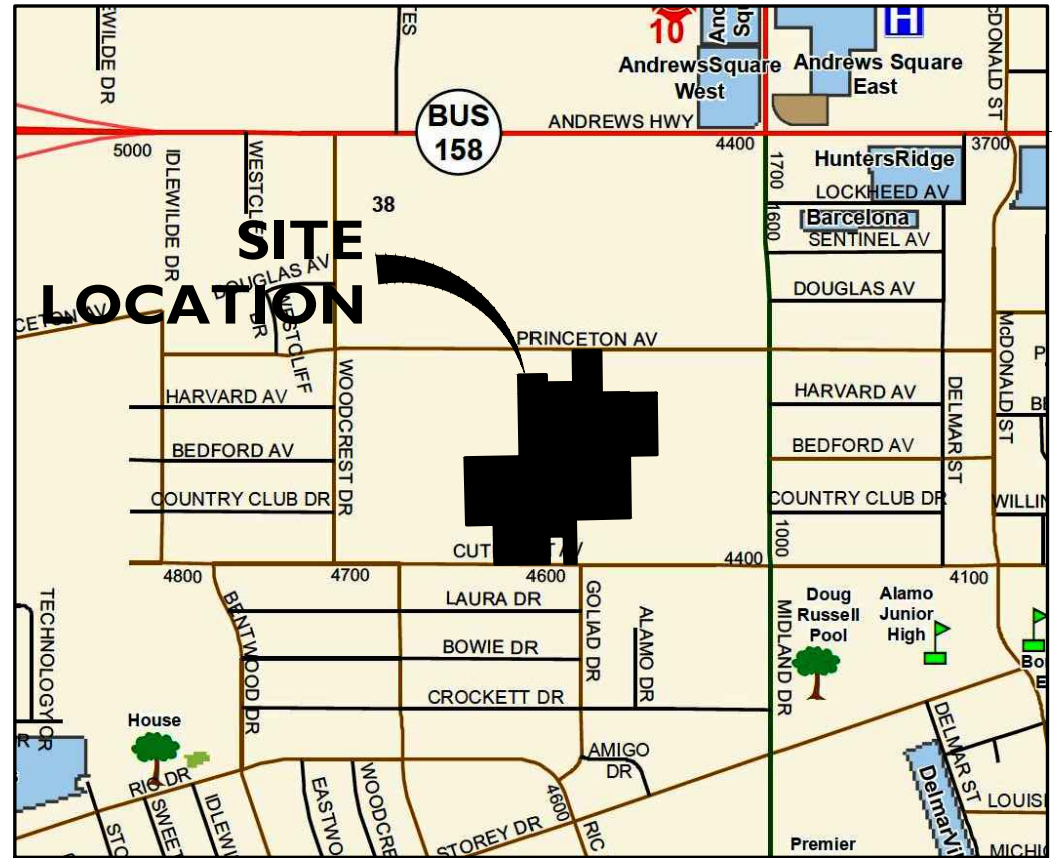
LEGEND

- DENOTES BOUNDARY CORNER
- DENOTES EXISTING FIRE HYDRANT
- DENOTES EXISTING GAS METER
- DENOTES EXISTING LIGHT POLE
- DENOTES EXISTING MANHOLE
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- DENOTES EXISTING 8" WATER LINE
- DENOTES CONCRETE

0' 40' 80' 120'
SCALE 1" = 40'

MIDLAND BIG HOUSE					
MIDLAND COMMUNITY DEVELOPMENT CORP.					
2019194					
UNIT TABULATION - 2 STORY BIGHOUSE					
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	PERCENTAGE	TOTAL AREA
A1-L	1br/1ba	646	21	10%	13,565
A2-U	1br/1ba	758	21	10%	15,918
B1-U	2br/2ba	787	42	20%	33,054
B2-L	2br/2ba	996	42	20%	41,832
B2-U	2br/2ba	1,056	31	15%	32,736
C1-L	3br/3ba	1,154	31	15%	35,774
C1-U	3br/3ba	1,190	11	5%	13,080
C1-U	3br/3ba	1,284	11	5%	14,124
TOTALS			210	100%	200,094
UNIT AVERAGE NET SF: 953					
*NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.					
PROJECT DATA					
UNIT AVERAGE NET SF: 953 S.F.					
ACREAGE: 19.70 ACRES					
DENSITY: 11 UNITS/ACRE					
PARKING:					
REQUIRED 486 SPACES					
PROVIDED 486 SPACES					
GARAGE SPACES 242					
SURFACE SPACES 244					
TOTAL SPACES/UNIT 2.32 SPACES/UNIT					

UNIT TABULATIONS



VICINITY MAP

N.T.S.



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

Project Number: 2-19-0142
Case Number: _____

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

Printed Name: Maverick Engineering

Phone ()
Email

Address 1909 W. Wall St. Suite, K

City Midland

State TX

Zip 79701

Property Owner

Printed Name: Midland Community Development Corporation

Phone (432) 682-2520
Email david@midlandcdc.org

Address 208 S. Marienfeld, Suite 100

City Midland

State TX

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: Maverick Engineering

Printed Name: Andrew Mellen, PE

Phone ()
Email

phuckaba@maverick-eng.com

Address

City

State

Zip

Street Address: 4601 Princeton Avenue

Legal Description Portions of Tracts 22-28 (See included Metes & Bounds Description)

Lot: _____ Block: _____ Subdivision: Hillcrest Acres Addition

Current Zoning: SF1 & MF-22

Proposed Zone: MF-22
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Advance a proposed low-density multifamily development.

Present Use of Property: Vacant

Proposed Use of Property: Multifamily housing

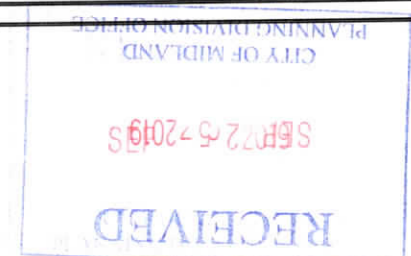
How would this zone change affect the public health, safety and welfare? This development would contribute to the housing selection to serve the needs of the citizens of Midland.

Describe how conditions affecting the property have changed since present zoning designation: Site remains undeveloped.

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>Andrew L. Mellen</u>	Date: <u>9/24/19</u>
Applicant (printed): <u>Andrew Mellen, PE</u>	
Property Owner (signature): <u>David Diaz</u>	Date: <u>9/24/19</u>
Property Owner (printed): <u>David Diaz FOR Midland Community Dev. Corp.</u>	
The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received. All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.	

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 Community Development Corp., 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 Jr.
Authorized Agent (signature)

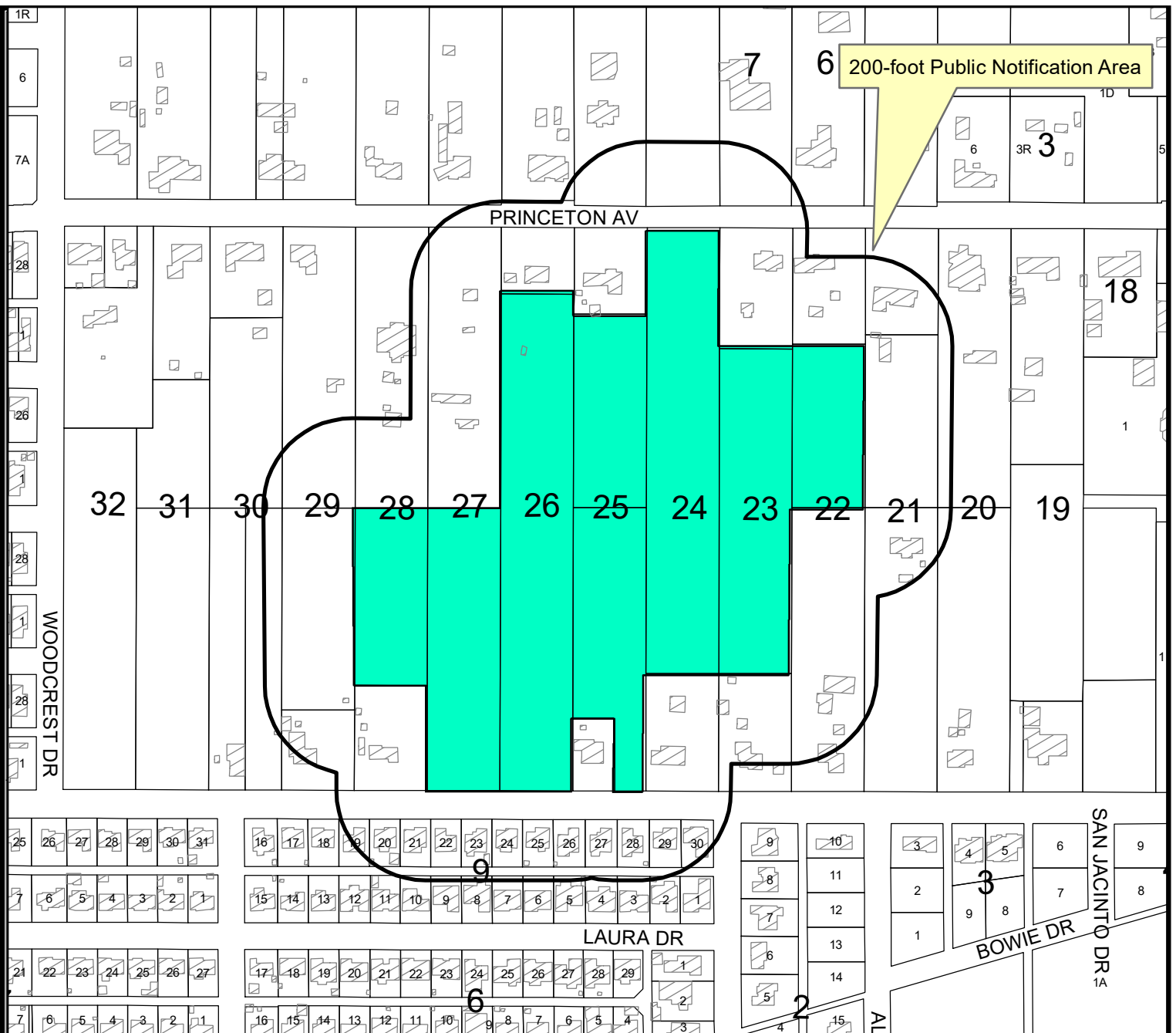
Subscribed and sworn to before me, this 25th day of September, 2019, to certify which witness my hand and seal of office.



Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☒ Property Owner Authorization ☒ Application Fee Check # <u>2938</u>	☒ Dimensioned Site Plan ☒ Plans in Digital Format (PDF/JPEG) RECEIVED <u>SEP 25 2019</u> CITY OF MIDLAND PLANNING DIVISION OFFICE
Received By: <u>Rolandra Russell</u>	Date: _____

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



LOCATION MAP

Z-19-0142

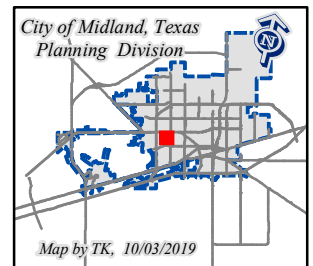
Scale: 1" = 400'

Consider a request by Midland Community Development Corporation, for a zone change from SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part, to MF- 16, Multiple Family Dwelling District on a 19.70-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive.
(Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



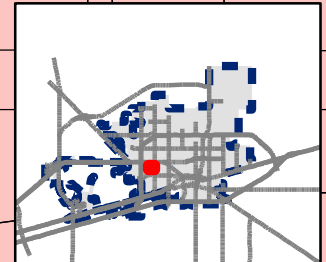
©THE CITY OF MIDLAND - 2019
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

PRINCETON AV

SF1

MF22

SF2





October 7, 2019

City of Midland Planning and Zoning Commission
300 N. Lorraine
Midland, Texas 79701

RE: Support for Hillcrest Village

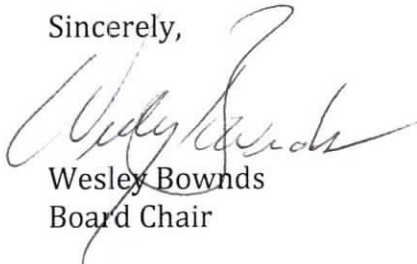
To Whom it May Concern:

The Midland Chamber of Commerce would like to express our support for the Hillcrest Village housing project. The development of affordable housing in Midland is imperative to a successful business climate. This project addresses that need for citizens in some of our most critical areas of service – teachers, first responders and healthcare providers. With a proposed 200 units to be offered well below market rates, this project would have a significant impact on Midland's ability to recruit and retain high quality candidates to these vital roles.

We appreciate the research that Midland Community Development Corporation has done to bring the "Big House" design concept to Midland. The 19.8 acre development at 4610 W. Cuthbert Avenue is extremely thoughtful, integrating a number of high quality amenities for the residents of the development as well as those in the surrounding areas. Features like the enclosed stairs for upper unit access will help the property blend into the existing neighborhood.

Therefore, we wholeheartedly support Midland Community Development Corporation in this endeavor, as it would meet a significant current need in our community.

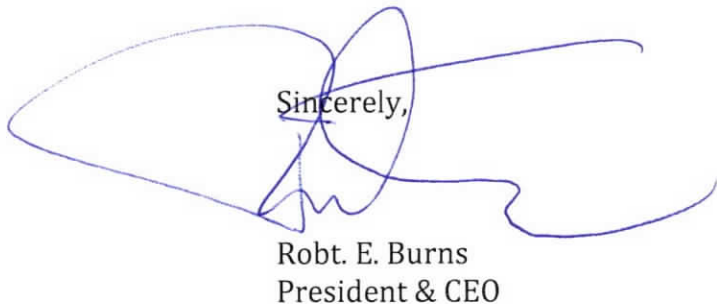
Sincerely,



Wesley Bownds
Board Chair

Cc: David Diaz, MCDC
Brad Bullock, MCDC

Sincerely,



Robt. E. Burns
President & CEO



303 W. Wall St., Ste. 200
Midland, Texas 79701



432.683.3381
800.624.6435



www.Midland.biz



info@Midland.biz



LOCATION MAP

Z-19-0142

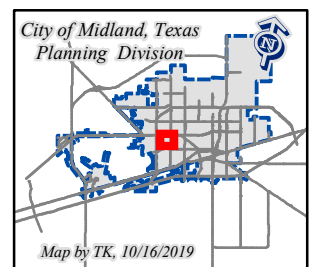
Scale: 1" = 400'

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Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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



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, October 21, 2019**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, Texas 79702, on a request by **Midland Community Development Corporation** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: On a 19.70-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

LOCATION: Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. (Council District 4)

PROPOSED ZONING:

From: SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part.

To: MF-16, Multiple Family Dwelling District.

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: _____

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns

Planning Division Manager

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.

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature: [Signature] Printed Name: David Bishop Property Address (No P. O. Boxes): 4410 Princeton

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

[Signature]
Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: _____

Required Information:

Darrell Bishop
Property Owner's Signature

Darrell Bishop
Printed Name

4406 Princeton
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
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.

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



PUBLIC NOTICE

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LEGAL DESCRIPTION: On a 19.70-acre tract of land located in Section 30, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

LOCATION: Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. (Council District 4)

PROPOSED ZONING:

From: SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part.

To: MF-16, Multiple Family Dwelling District.

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I object to this request ☒ Comments: _____

Required Information:

Larry Schwartz
Property Owner's Signature

LARRY SCHWARTZ
Printed Name

4503 PRINCETON AVE
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



HUMPHREYS JAMES M JR
4504 PRINCETON AVE
MIDLAND TX 79703-4710

And adjacent lot
to W (2.49 acres)

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I object to this request ☒ Comments: adversely affect property value

Required Information:

James Humphreys James Humphreys 4504 Princeton &
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)
adjacent lot W

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
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I object to this request ☒ Comments: devalued property

Required Information:

Sharon Humphreys Sharon Humphreys 4504 Princeton
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)
and lot adjacent to

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
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Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



SIKES HAROLD G
4505 PRINCETON AVE
MIDLAND TX 79703-4709

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I object to this request ☒ Comments: traffic + property devaluation

Required Information:

Loretta Henderson
Property Owner's Signature

Loretta Henderson
Printed Name

4505 Princeton
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

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Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: _____

Required Information:

Mary Cook
Property Owner's Signature

Mary Cook
Printed Name

4606 Princeton Ave
Property Address (No P. O. Boxes)

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Notices Mailed: 49
Date Mailed: October 11, 2019
Case Number: Z-19-0142
Case Name: Hillcrest Village
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Planning Division Manager
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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

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Planning Division Manager

Department of Development Services

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I object to this request ☒ Comments: object to Apartments, need single family homes built.

Required Information:

Property Owner's Signature

Ashley Boren
Printed Name

4608 Princeton Ave.
Property Address (No P. O. Boxes)

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Notices Mailed: 49
Date Mailed: October 11, 2019
Case Number: Z-19-0142
Case Name: Hillcrest Village
TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
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I object to this request ☒ Comments: Do not want to be surrounded on both sides. (APTS)

Required Information:

Chris Boren
Property Owner's Signature

CHRIS BOREN
Printed Name

4608 PRINCETON AVE
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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Cristina Odenborg Burns
Planning Division Manager
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I object to this request ☒ Comments: _____

Required Information:

Michael Boren Michael Boren 4608 Princeton Ave
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature _____

John M. Cordes
Printed Name

4613 Princeton
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

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I object to this request ☒ Comments: too many units, not single family homes, traffic!

Required Information:

Sharon K Hillis
Property Owner's Signature

Sharon K Hillis
Printed Name

4632 Princeton Ave
Property Address (No P. O. Boxes)

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Notices Mailed: 49
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Case Number: Z-19-0142
Case Name: Hillcrest Village
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I object to this request ☒ Comments:

*- only single dwelling homes
no change in zoning*

Required Information:

Earl Penivator

Property Owner's Signature

EARL PENIVATOR

Printed Name

4672 Princeton Ave

Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49

Date Mailed: October 11, 2019

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Cristina Odenborg Burns

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Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



KIT TO FRANCIS KARL
4623 PRINCETON AVE
MIDLAND TX 79703-4601

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I object to this request ☒ Comments: Invasion of Privacy, Zoned for
single dwelling homes!

Required Information:

Francis K. Kitto Francis K. Kitto 4623 Princeton
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49
Date Mailed: October 11, 2019
Case Number: Z-19-0142
Case Name: Hillcrest Village
TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



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I object to this request ☒ Comments: _____

Required Information:

Philip McCain
Property Owner's Signature

Philip McCain
Printed Name

4627 Princeton
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature _____

Printed Name _____

Property Address (No P. O. Boxes) _____

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

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Planning Division Manager

Department of Development Services

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I object to this request ☒ Comments: too much traffic

Required Information:

R. Darrell Crass
Property Owner's Signature

R. DARRELL CRASS
Printed Name

41032 Princeton
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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Cristina Odenborg Burns

Planning Division Manager

Department of Development Services

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I object to this request ☒ Comments: traffic

Required Information:

Marie de Bruin
Property Owner's Signature

Marie de Bruin
Printed Name

4736 Princeton
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

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Cristina Odenborg Burns
Planning Division Manager
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I object to this request ☒ Comments: Reduce Land Value

Required Information:

Mona Mark
Property Owner's Signature

Mari Martin
Printed Name

4136 Princeton
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

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Case Name: Hillcrest Village

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I object to this request ☒ Comments: excessive traffic in & out already too busy

Required Information:

Mandy Davis Mandy Davis 4737 Princeton
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

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Case Name: Hillcrest Village

TK Planner's Initials

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Cristina Odenborg Burns
Planning Division Manager
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I object to this request ☐ Comments: _____

Required Information:

Madison Amaree
Property Owner's Signature

Madison Amaree
Printed Name

4139 Princeton Ave
Property Address (No P. O. Boxes)

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Notices Mailed: 49
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Planning Division Manager
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I object to this request ☒ Comments: SINGLE FAMILY HOMES DESIRED

Required Information:

Richard D. Dancy RICHARD D. DANCY 4408 W. CANTRELL AVE
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: Single Family Homes desired

Required Information:

Melinda L. Brantley Melinda L. Brantley 4408 W. Culbert Ave
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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I object to this request ☒ Comments: Do not want apartment complex. Unacceptable.

Required Information:

Property Owner's Signature

Andrea Price-Seabrook
Printed Name

4603 W. Cothbert
Property Address (No P. O. Boxes)

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Notices Mailed: 49
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Case Name: Hillcrest Village
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I object to this request ☒ Comments: I want single family homes

Required Information:

Diana Price
Property Owner's Signature

Diana Price
Printed Name

4605 W Cothbert Midland TX
Property Address (No P. O. Boxes) 79703

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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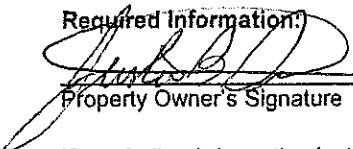
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I object to this request ☒ Comments: I want only single family homes, traffic problems

Required Information:


Property Owner's Signature

Justin B Price
Printed Name

4605 W Cathbert Midland TX 79703
Property Address (No P. O. Boxes)

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Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



COCKRELL WESLEY
4609 W CUTHBERT AV
MIDLAND TX 79703

PUBLIC NOTICE

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LOCATION: Generally located on the south side of Princeton Avenue, approximately 824-feet west of N. Midland Drive. (Council District 4)

PROPOSED ZONING:

From: SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part.

To: MF-16, Multiple Family Dwelling District.

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I object to this request ☒ Comments: Security is an issue with crowd population, safety, excessive traffic. The main entrance and exit is immediately in front of my windows, emotional upset.

Required Information:

Wesley Cockrell Wesley Cockrell 4609 W. Cuthbert Midland TX 79703
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49
Date Mailed: October 11, 2019
Case Number: Z-19-0142
Case Name: Hillcrest Village
TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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MILLER SUE
4616 W CUTHBERT AV
MIDLAND TX 79703

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I object to this request yes Comments: privacy and safety issues

Required Information:

Sue Miller
Property Owner's Signature

Sue Miller
Printed Name

4616 W. Cuthbert
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: traffic, trash, apartments already built behind Princeton
no privacy

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns

Planning Division Manager

Department of Development Services

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I object to this request ☒ Comments: trash, traffic, privacy lets build homes in our neighborhood. who can invest in our community

Required information:

Charles Valverde CHARLES VALVERDE 4622 W. Cochran
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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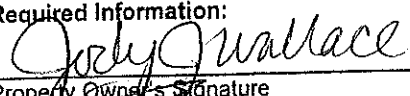
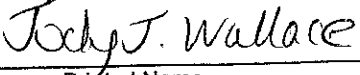
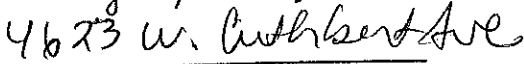
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I object to this request *Comments: traffic issues, security compromised, property value decrease, safety on our street will be jeopardized*

Required Information:

		
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: TRAFFIC, PROPERTY VALUE, RITE RATE RENTERS

Required Information:

Robert Wallace Robert WALLACE 4623 W. CUTHBERT AVE.
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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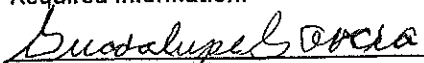
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I object to this request _____ Comments: _____

Required Information:

	<u>Guadalupe Garcia</u>	<u>4626 4702 W. Cuethbert Ave</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Case Name: Hillcrest Village
____ TK _____ Planner's Initials


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I object to this request _____ Comments: _____

Required Information:

<u>Lazaro Garcia</u>	<u>Lazaro Garcia</u>	<u>4626 W Cuthbert</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Notices Mailed: 49

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Case Name: Hillcrest Village

TK Planner's Initials

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I object to this request ☒ Comments: worrie about my property value

Required Information:

Miguel Gonzalez Miguel Gonzalez 4708 W. Wthbert
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

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I object to this request NO Comments: I don't want more apartments, we are quite people don't need all the traffic

Required Information:

Kevin E Austford Kevin E Austford 4710 W. Luthan Ave
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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I object to this request ☐ Comments: no apartments, no more traffic

Required Information:

Mable A. Austford
Property Owner's Signature

Mable A. Austford
Printed Name

4710 W. Cuthbert
Property Address (No P. O. Boxes)

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Date Mailed: October 11, 2019

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I object to this request ☒ Comments: I can't afford more traffic.

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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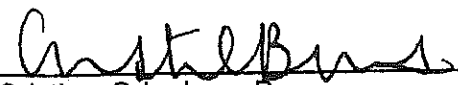
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Planning Division Manager
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www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



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To: MF-16, Multiple Family Dwelling District.

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I object to this request ☒ Comments: _____

Required Information:

Kimberly Desjardins *4701A Harvard Ave*
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 49
Date Mailed: October 11, 2019
Case Number: Z-19-0142
Case Name: Hillcrest Village
____TK____ Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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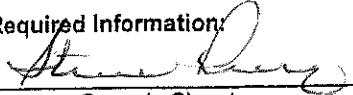
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I object to this request ☒ Comments: _____

PROPERTY VALUE / RAFFLES / SECURITY
TRASH HOUSE

Required Information:


Property Owner's Signature

STEVE PERRY
Printed Name

4702 HARVARD
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials


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I object to this request ☒ Comments: My kids and privacy property prices

Required Information:

[Signature] Edu Rodriguez 4753 Herman Ave Apt B
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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[Signature]
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I object to this request _____ Comments: _____

Required Information:

Kay Brockman KAY BROCKMAN 4416 Harvard B Unit 4
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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I object to this request _____ Comments: our roads that intersect with Andrews Hwy and Midland Dr.

Required Information:

Rebecca Elliott
Property Owner's Signature

Rebecca Elliott
Printed Name

4717 Harvard - 79703
Property Address (No P. O. Boxes)

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Notices Mailed: 49

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Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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I object to this request ☒ Comments: Property Rules

Required Information:

<u>[Signature]</u>	<u>Jamie Hughes</u>	<u>4724 Harvard Ave. unit A</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: excess of traffic

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Maurice Williams
Property Owner's Signature

MAURICE WILLIAMS
Printed Name

4728 ARVARD AVE MIDLAND TX 79703
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Deborah Gonzalez Deborah Gonzalez 4730 Harvard Ave
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Runnie Ray Lynsie Ray 4701 Bedford Ave.
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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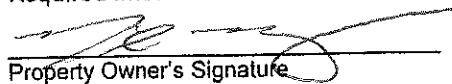
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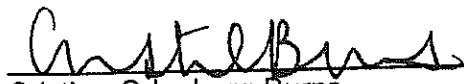
I object to this request ☒ Comments: _____

Required Information:

	<u>Nick Morgan</u>	<u>4701 Bedford Ave</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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I object to this request _____ Comments: _____

Required Information:

Angela Williams
Property Owner's Signature

Angela Williams
Printed Name

4707 Bedford Ave.
Property Address (No P. O. Boxes)

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From: SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part.
To: MF-16, Multiple Family Dwelling District.

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I object to this request ☒ Comments: This is already a concern.

Required Information:

<u>Stella L. Flores</u>	<u>Stella Flores</u>	<u>4708 Bedford -</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49
Date Mailed: October 11, 2019
Case Number: Z-19-0142
Case Name: Hillcrest Village
TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
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.

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



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I object to this request ☒ Comments: _____

Required Information:

Alan C. Pitkin
Property Owner's Signature

Alan C. Pitkin
Printed Name

4710 Bedford
Property Address (No P. O. Boxes)

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Notices Mailed: 49
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I object to this request ☒ Comments: Subject to the reduction of my land value, safety,

Required Information:

Linda K Pitkin
Property Owner's Signature

LINDA K PITKIN
Printed Name

4710 Bedford
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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I object to this request ☒ Comments: No apartments should be in the middle of our neighborhood

Required Information:
Martina Warner Martina Warner 4717 Bedford AVE
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Case Name: Hillcrest Village
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Cristina Odenborg Burns
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I object to this request _____ Comments: _____

Required Information:

<u>Donna Wootan</u>	<u>Donna Wootan</u>	<u>4719 Bedford</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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____ TK _____ Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns
Planning Division Manager
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I object to this request _____ Comments: _____

Required Information:


Property Owner's Signature

Steve Wootan
Printed Name

4719 Bedford
Property Address (No P. O. Boxes)

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Cristina Odenborg Burns
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I object to this request ☒ Comments: decreased safety traffic, decrease home property value

Required Information:

Elizabeth Holbrook
Property Owner's Signature

Elizabeth Holbrook
Printed Name

4721 Bedford Ave
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: traffic, decreased safety

Required Information:


Property Owner's Signature

Christ Holbrook
Printed Name

4721 Bedford Ave
Property Address (No P. O. Boxes)

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Case Name: Hillcrest Village
TK Planner's Initials


Cristina Odenborg Burns
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Department of Development Services

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I object to this request ☒ Comments: Decrease Property Value

Required Information:

[Signature] JASON BRAGG 4723 BEEFORD
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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[Signature]
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I object to this request ☒ Comments: Decreased Property Value

Required Information:

Rebecca Bragg
Property Owner's Signature

Rebecca Bragg
Printed Name

4723 Bedford
Property Address (No P. O. Boxes)

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Notices Mailed: 49
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I object to this request ☒ Comments: Decreased Property Value

Required Information:

See Bragg LEE BRAGG 4723 Bedford
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: traffic, crash, not safe for our children & family

Required Information:

A. Leticia Lopez A. Leticia Lopez 4729 Bedford Ave
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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I object to this request _____ Comments: traffic, privacy, less secure, child's safety

Required Information:

Property Owner's Signature _____

Printed Name _____

Property Address (No P. O. Boxes) _____

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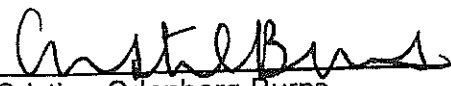
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Case Name: Hillcrest Village

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Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



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PROPOSED ZONING:
From: SF-1, Single Family Dwelling District, in part, and MF-22, Multiple Family Dwelling District, in part.

To: MF-16, Multiple Family Dwelling District.

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I object to this request ☒ Comments: Drugs, Crime, Reduced Property Value

Required Information:

Lisa Ritchie
Property Owner's Signature

Lisa Ritchie
Printed Name

4737 Bedford Ave
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns
Cristina Odenborg Burns

Planning Division Manager

Department of Development Services

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I object to this request ☒ Comments:

Property devalued & increased traffic

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

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Case Name: Hillcrest Village

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I object to this request *AW* Comments: please keep this area single family dwelling

Required Information:

Ronny E. Wood
Property Owner's Signature

Ronny E. Wood
Printed Name

4701 Country Club Drive
Property Address (No P.O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400. Si ud. desea más información en Español sobre esta cuestión, llame al : 685-7400.

Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments:

Needs to be single family dwellings

Required Information:

[Signature]
Property Owner's Signature

Shonae Wood
Printed Name

4701 County Club Dr
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

[Signature]

Cristina Odenborg Burns

Planning Division Manager

Department of Development Services

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I object to this request no Comments: please no to the apartments

Required Information:

Janie Bynham
Property Owner's Signature

Janie Bynham
Printed Name

4708 Country Club
Property Address (No P. O. Boxes)

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Notices Mailed: 49
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Case Name: Hillcrest Village
TK Planner's Initials

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Cristina Odenborg Burns
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Department of Development Services

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I object to this request ☒ Comments: _____

Required Information:

Kate Heary
Property Owner's Signature

Kate Lopez
Printed Name

4602 Laura Dr
Property Address (No P. O. Boxes)

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Notices Mailed: 49

Date Mailed: October 11, 2019

Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

Cristina Odenborg Burns
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I object to this request ☒ Comments: _____

Required Information:

Richard Paul Lopez
Property Owner's Signature

Richard Paul Lopez
Printed Name

4602 Larcia Dr.
Property Address (No P. O. Boxes)

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Notices Mailed: 49

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Case Number: Z-19-0142

Case Name: Hillcrest Village

TK Planner's Initials

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I object to this request ☒ Comments: Traffic Issues/Property Value Decrease/

Required Information:

Robert A. Reynal
Property Owner's Signature

Robert A. Reynal
Printed Name

4605 Laura Dr.
Property Address (No P. O. Boxes)

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TK Planner's Initials

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I object to this request ☒ Comments: Traffic, Prop Value Effect

Required Information:

Vicki Rymal
Property Owner's Signature

Vicki Rymal
Printed Name

4605 Laura
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Maureen Roane
Property Owner's Signature

Maureen Roane
Printed Name

4625 Laura Dr. 79703
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Jason Santos
Property Owner's Signature

JASON LASITER
Printed Name

4625 Laura Drive
Property Address (No P. O. Boxes)

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Notices Mailed: 49
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____ TK ____ Planner's Initials

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Cristina Odenborg Burns
Planning Division Manager
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I object to this request ☒ Comments: increased traffic, safety + security, decreased property values

Required Information:

[Signature] Jenise Hallas 4627 Laura Dr. 79703
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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[Signature]
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October 9, 2019

RE: Hillcrest Village apartments proposed by Midland Community Development Corporation

Dear City of Midland Planning & Zoning Commissioners, City Councilpersons, and Mayor:

Hillcrest Village, as currently proposed by the Midland Community Development Corporation (hereafter referred to as MCDC), is a 200-unit 2-story apartment complex to be constructed on almost 20 acres between Princeton Avenue and Cuthbert Avenue on the north and south (respectively), and Midland Drive and Woodcrest Drive on the east and west (respectively) in the middle of an existing, long-time, residential neighborhood titled Hillcrest Acres. There are several additions adjacent to Hillcrest Acres (according to the Midland Central Appraisal District) that would also be affected. They are Alamo Heights, Bel Air, Westcliff, and Westgate. Almost 12 acres of the vacant property is currently zoned SF-1 for single-family homes; the other 8 acres is zoned MF-22 for multi-family homes. This apartment complex is being planned for most of the units to be rented by first responders, healthcare workers, educators, and governmental employees. MISD has purchased one existing apartment complex exclusively for school district employees to rent and has informed current residents that they would not be allowed to renew their rental leases when their current leases expire.

We, the undersigned current Hillcrest Acres homeowners, realize the need for good housing for these employees, but we oppose the proposed zone change and oppose the plan for the Hillcrest Village complex to be constructed in our neighborhood for seventeen (17) significant reasons listed below and which are more detailed in the following paragraphs.

1. We favor owner-occupied single-family (attached) homes.
2. Currently there are no city water lines in any part of this land, and there are no nearby sewer lines - all houses between Princeton and Cuthbert on the north and south and between Midland Drive almost to Woodcrest on the east and west are on water wells and septic systems.
3. The number of apartments already constructed or already permitted for construction has exceeded the number projected in the Tall City Tomorrow Plan.
4. Our neighborhood is not economically depressed; therefore, does not fit the mission statement of MCDC.
5. MCDC does not have all the funding required in order to build this complex.
6. MCDC has not been truthful with current homeowners and candidates running for City Council.
7. The Proposed Site Plan is out of compliance with current Section 6.06 Zoning Development Regulations for Building Design Standards for Multiple-Family Use item 2ai.
8. Once zoning has been changed, it will be almost impossible to change it back to SF-1.
9. These apartments would be tax-exempt because MCDC plans to retain ownership.
10. Apartments reduce the property values of adjacent single-family homes.

11. This complex is drastically different than the established neighborhood.
12. There is a significant difference in population density between SF-1 zoning and MF-22 zoning.
13. Traffic will be increased and the safety will be decreased in our neighborhood.
14. Single-family homes will be less private.
15. Single-family homes will be less secure.
16. Current homeowners have already been experiencing increased anxiety and reduced emotional stability.
17. Renters will not have a financially-vested interest in maintaining the safety, privacy, security, and cleanliness of our wonderfully unique neighborhood.

First, we favor homes, to be owner-occupied, that are similar to the single-story homes existing in the neighborhood, or even single-story patio or garden homes to be built instead of the planned apartment complex, and to be taxpaying properties. For the past 19 years we have repeatedly objected to proposed rental developments, and have told the Planning and Zoning Commission we would approve of single-family homes (detached or attached duplexes) for purchase. We have offered a solution over and over.

Second, in a memorandum from Chuck Swallow, Director of the City of Midland Department of Development Services, written to Mark E. Blanton, Alliance Exchange Corporation in Tampa, Florida, dated September 22, 2008, regarding a Workforce Housing project proposed for the same property in question now, p. 2 states, "Biggest challenge is probably sewer. The distance to sewer is shown below [1214.07 feet]. There is a closer sewer line between Laura Dr and Cuthbert, but it is probably too shallow to serve your entire area."

Third, the ratio of apartments (currently under construction) to single-family detached and single-family attached duplexes is not in keeping with the Proposed Housing Mix detailed in the Tall City Tomorrow Plan on page 100. There are currently 3,200 apartments permitted for or are already under construction, exceeding the projected goal of 3,108 per the TCTP through the year 2036. There are many less single-family detached and/or attached homes permitted or under construction (a clear deficit of the projected 7,458 in the same timeline). Candidates running for City Council have acknowledged there is a bottleneck at City Hall regarding permitting and inspections, especially when it comes to single-family homes.

[image from Tall City Tomorrow Plan - Proposed Housing Mix is on next page]

Proposed Housing Unit Mix



Single-Family Detached

% of new units 2015-2036	# of new units 2015-2036
60%	7,458



Multi-Family

% of new units 2015-2036	# of new units 2015-2036
25%	3,108



Town Homes

Single-Family Attached

% of new units 2015-2036	# of new units 2015-2036
15%	1,865



Duplex

Fourth, the MCDC Mission Statement reads, "The Midland Community Development Corporation was founded to promote economic and community development in economically depressed areas of the city...". The subdivisions of Hillcrest Acres and Alamo Heights are not economically depressed neighborhoods. The average Market Value (according to Midland Central Appraisal District records) of the existing homes and other structures (along with the property they stand on) in Hillcrest Acres on Princeton Avenue is \$255,873. The average Market Value (according to Midland Central Appraisal District records) of the homes and other structures (along with the property) in Hillcrest Acres and northernmost Alamo Heights on

Cuthbert Avenue is \$291,421. MCAD Property Market Value Information is listed by property on all the petition signature pages for your verification.

Fifth, the MCDC does not have the \$14 million needed to build this unnecessary complex. They have applied to local foundations for the remaining funds still needed to develop.

Sixth, the Midland Community Development Corporation has not told current homeowners, and current City Council candidates the truth about the plans for development and the current zoning status. City Council candidates were told the entire property was already zoned multi-family. Candidates have now found out the truth. Many homeowners recently repeatedly called the MCDC and City Planning to find out what plans were in the works as to why the land was being cleared of the mesquite and cactus. ALL were told that no development was planned and that the land was merely being cleaned up. This lack of transparency with current residents goes completely contrary to the principle on page 12 of the Plan Executive Summary which reads, "9. Make decisions in a transparent and collaborative manner. Land use and environmental decisions should be made through a transparent process, with opportunity for input from all citizens and affected entities." MCDC has not collaborated with the current residents and has most certainly been opaque. These lies have greatly compromised our trust in the MCDC.

Seventh, we believe the proposed Site Plan for this complex is out of compliance with current Section 6.06 Zoning Development Regulations for Building Design Standards for Multiple-Family Use paragraph A, number 2 regarding Building Orientation, item a i. Building Orientation Adjacent to a Single-Family Zoning District which states:

"Unless set back 100 feet or more from the property line adjoining a single-family zoning district, a MF building shall be designed so that the smallest façade faces the single-family property. The purpose of this regulation is to limit to the greatest extent possible the number of windows and balconies that face towards or look onto the single-family properties."

According to this zoning regulation, more than one building will be out of compliance.

Eighth, if this property is rezoned to entirely multi-family but the MCDC does not receive the necessary funding needed, the property will likely be sold to someone else, or to a business that can afford to purchase the property and who knows what type of apartments can be constructed with MF-16 zoning already in place. The genie can't be put back in the bottle if the bottle is broken through a zone change of the entire property to MF-16 Multi-Family. The Mariposa Gardens South apartments were opposed by more than 75 homeowners and residents and were not approved by the City of Midland Planning & Zoning Commission at the regular meeting on August 20, 2018. This was recorded in the Minutes of that meeting. When the project was directly appealed to the City Council and Mayor, they completely ignored current citizens'

objections and voted unanimously for the project. Poor decisions made by elected officials have consequences in elections.

Ninth, since ownership of this apartment complex will be retained by the Midland Community Development Corporation (per email from David Diaz), the combined tax revenue for this almost \$40 million complex will be \$0.00. The MCDC is a nonprofit and is exempt from paying tax. This can be verified on the website of the Midland Central Appraisal District office. It would not be fair for the taxpaying homeowners surrounding this complex to foot the bill for emergency, law enforcement, and healthcare services, as well as infrastructure such as water, sewer, and streets for the renters there.

Tenth, the values of our properties likely will diminish. We have spoken with six (6) long-time Midland realtors; not one of them has said that having apartments right next to homes has raised the values of the homes in neighborhoods like ours. One realtor even told us a story of an experience with a client. The realtor was driving to a home to show and the client saw they were approaching an apartment complex. The client said, "Do NOT show me any houses near apartment complexes." So they drove on.

Eleventh, this complex differs drastically from the rest of the well-established Hillcrest Acres neighborhood which was originally platted as an entirely residential area with single-family homes on large, almost 2.5 acre lots. This difference is not in keeping with the City of Midland's own Tall City Tomorrow Plan Executive Summary page 10, "Policies and decisions should support appropriate infill development. ... Such developments are appropriate when they respect the character of the surrounding neighborhoods." And in the full Plan Chapter 4 – Tall City Housing & Neighborhoods, page 100, which states, "The fundamental goal of Tall City Tomorrow and specifically of this section is to ensure that existing... neighborhoods must be conserved..." The MCDC has only built single-family homes in the past, which we would prefer to fit in with the existing homes in the neighborhood. The completely different type of housing proposed will adversely affect our neighborhood as we will specify below.

Twelfth, the increased population density is not consistent with the established neighborhood. The majority of lots on Princeton Avenue in Hillcrest Acres, platted in 1949, are still almost 2.5 acres in size. Many lots on the north side of Cuthbert Avenue are at least an acre in size. The lots on the south side of Cuthbert Avenue are smaller. Per the Tall City Tomorrow Plan Executive Summary page 17, the existing neighborhood is a Low Intensity neighborhood. The proposed apartment complex would be considered a High Intensity area without any buffer between. The complex would be much more dense in population and will bring an additional 200+ people to Princeton and Cuthbert. We have not yet seen the increased population (and the impact it will have) from the 110-unit Mariposa Gardens South apartment complex currently under construction between Princeton Avenue and Andrews Highway.

Thirteenth, the increased density will increase the traffic and decrease the safety of our neighborhood. This decrease in safety goes against the Tall City Tomorrow Goal on page 101

which states, "... neighborhoods that will provide good residential environments and places that are safe to live..." and against "Land use decisions should not detract from public safety and should minimize hazards" on page 12 of the Plan Executive Summary. The Hillcrest Village apartments will add at least 200 more cars to the traffic on our street which is going to have at least 150 more cars in the immediate future once Mariposa Gardens South apartments are completed and rented. All this increased traffic will make walking on our street less safe because we have no sidewalks, making it necessary to walk in the street. As previously mentioned, the impact the tenants in Mariposa Gardens South will have on our neighborhood has not occurred yet as those apartments are not yet completed.

Fourteenth, this type of development of two-story apartments will make existing homes less private because homes and backyards will be more visible to apartment renters from second-story windows and balconies planned for all sides of the apartment buildings. The elevations of all sides of the proposed buildings have windows on upper and lower stories. This is a blatant violation of existing homeowners privacy because of the planned proximity to established properties. Moreover, the plan for Hillcrest Village does not include any barrier fencing. Many homes on both Princeton and Cuthbert do not have any fencing because the natural landscape of mesquite and cactus provided a barrier. The mesquite and cactus on the property owned by the MCDC have been cleared away, leaving many backyards exposed because many homes do not have barrier fences in place, including several owners water wells. Making current homeowners bear the expense of constructing fences will be a burden because many do not have the funds to pay for barrier, privacy fencing that is costly, especially with the size of some of the properties in this existing neighborhood.

Fifteenth, because of the decrease in privacy, the security of our homes will likewise decrease. Because of the lack of barrier fencing between these apartments and established homes, apartment renters would have easier access to backdoors of these residences. Renters will be able to see when owners leave and possibly take advantage of their absence. When the Abbey Court apartments were located at the southeast corner of Midland Drive and Andrews Highway, a break-in occurred at 4504 Princeton while the family was home. The intruder left fingerprints and the police located the criminal - a renter in those apartments. He was tried and convicted as a repeat offender.

Sixteenth, the emotional stability of our existing neighborhood will be put in further jeopardy because of the decreased privacy and security around existing single-family homes. We have children and adults who are already homeowners with special needs who are afraid of strangers. The Mariposa Gardens South apartments have already caused one couple to divorce and raised the stress levels of current homeowners. The clearing of the mesquite and cactus between Princeton and Cuthbert has caused anxiety in many homeowners in the area.

Seventeenth, the people living in the apartments will be renters, not owners, and will not have a financially-vested interest in maintaining the safety, privacy, security, and cleanliness of our

wonderfully unique neighborhood which was advertised to homebuyers as "country living in the city." Some current residents have lived here since the 1960s. ALL but one of the homes in the block of Princeton Avenue between Midland Drive and Woodcrest Drive are occupied by the property owner, and a vast majority of the homes on Cuthbert in the same block are owner-occupied. The one home in the 4400 section of Princeton now has apartment workers living in the home and there is rubbish and debris in the front yard that was never there before. The pool at that home is not being maintained and is a standing water source for mosquitoes to breed, and has become a health hazard.

Thank you for taking the time to read our objections and consider our request. We ask that you take off your "City Official's hat" and put on your own "personal homeowner's hat." If you would not want these apartments built right next to your home, then preserve your good conscience and standing in the community and vote "No."

Sharon Humphreys is acting as our spokesperson. She may be contacted by telephone at 432-425-6836, or email at sharonehumphreys@gmail.com if you have questions or need more information.

Sincerely,

The homeowners and residents of Hillcrest Acres, Alamo Heights, Bel Air, Westcliff, and Westgate subdivisions who will be negatively impacted by this apartment complex who have signed the petition on the following pages

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

	Signature(s)	Address	Owner	MCAD Market Value
	Robert Murphy	4405 Princeton	✓	\$259,270
✓ x	Daniel Bishop for	4406 Princeton	✓	\$98,280
	Carol Kitchan	4407 Princeton	✓	\$426,950
✓ x	Daniel Bishop for	4410 Princeton	✓	\$209,410
	[Signature]	4411 Princeton	✓	\$554,030
x	Charles Sams	4415 Princeton	✓	\$331,100
x	Heather Pinchart	4502 Princeton		\$317,590
✓	x Laura Schwartz	4503 Princeton	✓	\$147,440
✓	Sharon Humphrey	4504 Princeton	✓	\$556,080
✓ x	Loretta Linderson	4505 Princeton	✓	\$119,920
	signed Public Notice objection	4605 Princeton	✓	\$125,830
✓	[Signature]	4606 Princeton	✓	\$372,530
✓	Chris Bony for [Signature]	4608 Princeton	✓	\$231,510
	[Signature]	4609 Princeton	✓	\$144,030*
✓	John M. Cardenas	4613 Princeton	✓	\$79,450
x	Jay Bohm	4614 Princeton	✓	\$185,110
x	Bob [Signature]	4616 Princeton	✓	\$164,730
✓	Earl [Signature] Sharon H. Pinner	4622 Princeton	✓	\$267,350
x	Ellen Katto Rella R Katto	4623 Princeton	✓	\$333,760
x	Holly Bell	4625 Princeton	✓	\$326,440
✓	Philip & Elaine McCain	4627 Princeton	✓	\$285,190
x	Raul [Signature]	4628 Princeton	✓	\$288,060
	Rosie Gonzales	4629 Princeton	✓	\$126,830
✓	Tracy [Signature] Russell Cass	4632 Princeton	✓	\$337,190

* This property is currently under construction to double the size of the residence.

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
<i>Cady Willis</i>	4633 Princeton	✓	\$188,450
<i>Mettie L. Howell</i>	4635 Princeton	✓	\$176,170
	4701 Princeton		\$178,940
	4703 Princeton		\$181,180
	4705 Princeton		\$184,260
	4707 Princeton		\$184,680
	4709 Princeton		\$153,050
	4711 Princeton		\$172,660
	4713 Princeton		\$142,790
	4715 Princeton		\$218,780
	4719 Princeton		\$144,750
	4720 Princeton		\$185,420
	4721 Princeton		\$177,350
	4722 Princeton		\$151,470
	4723 Princeton		\$177,220
	4724 Princeton		\$193,160
<i>Joel Danvers</i>	4724 Princeton		\$199,330
	4725 Princeton		\$173,710
	4726 Princeton		\$176,150
	4727 Princeton		\$299,120
	4728 Princeton		\$179,430
	4729 Princeton		\$144,460
	4730 Princeton		\$160,090
	4731 Princeton		\$147,790

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4732 Princeton		\$176,450
	4733 Princeton		\$173,710
	4734 Princeton		\$174,450
Tara Ridenour / Peggy Schmidt	4735 Princeton		\$180,990
✓ Mari Martini / Maria de Bruin	4736 Princeton	✓	\$179,310
✓ signed letter of objection	4737 Princeton	✓	\$201,290
✓ Madeline	4739 Princeton		\$149,500
✓ [Signature]	4407 W. Cuthbert	✓	\$321,850
✓ [Signature] Lee Bratley	4408 W. Cuthbert	✓	\$284,560
	4411 W. Cuthbert		\$292,840
	4412 W. Cuthbert		\$237,260
Brenda Runyan	4413 W. Cuthbert	✓	\$130,390
	4414 W. Cuthbert		\$145,220
	4500 W. Cuthbert		\$309,140
ZMT	4501 W. Cuthbert	✓	\$238,550
DZ	4506 W. Cuthbert	✓	\$348,280
Manuel Villa	4601 W. Cuthbert		\$184,340
	4602 W. Cuthbert		\$118,220
✓ [Signature]	4603 W. Cuthbert		\$148,050
✓ [Signature]	4605 W. Cuthbert	✓	\$155,380
	4607 W. Cuthbert		\$155,800
✓ [Signature] [Signature]	4608 W. Cuthbert	✓	\$123,320
Christina Coccia	4609 W. Cuthbert	✓	\$158,040
✓ [Signature]	4611 W. Cuthbert	✓	\$157,230

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4613 W. Cuthbert		\$166,800
✓ <i>Letsy Corbell Tony Corbell</i>	4615 W. Cuthbert	✓	\$159,670
✓ <i>Joe Miller</i>	4616 W. Cuthbert	✓	\$80,480
<i>Crystal Cogant</i>	4617 W. Cuthbert	✓	\$149,430
	4619 W. Cuthbert		\$189,360
	4621 W. Cuthbert		\$154,320
✓ <i>[Signature]</i>	4622 W. Cuthbert	✓	\$270,890
✓ <i>Robert & Jodie Ballance</i>	4623 W. Cuthbert	✓	\$147,830
	4624 W. Cuthbert		\$18,000*
✓ <i>Razario Garcia</i>	4625 W. Cuthbert	✓	\$180,020
✓ <i>Heather Neagle</i>	4626 W. Cuthbert	✓	\$142,400
	4627 W. Cuthbert		\$152,780
	4628 W. Cuthbert		\$36,000*
	4629 W. Cuthbert		\$234,540
<i>Donal Manning</i>	4700 W. Cuthbert		\$166,820
	4701 W. Cuthbert		\$215,430
	4702 W. Cuthbert		\$180,400
	4703 W. Cuthbert		\$118,440
	4704 W. Cuthbert		\$141,410
	4705 W. Cuthbert		\$143,860
	4706 W. Cuthbert		\$162,080
✓ <i>Isabel Lopez Noel Gonzalez</i>	4707 W. Cuthbert		\$210,320
	4708 W. Cuthbert	✓	\$166,170
	4709 W. Cuthbert		\$134,740

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
✓ Kevin Austford / Mable Austford	4710 W. Cuthbert	✓	\$148,210
	4711 W. Cuthbert		\$142,080
	4712 W. Cuthbert		\$145,330
Spencer Lee	4713 W. Cuthbert	✓	\$202,590
Karen Lee	4714 W. Cuthbert	✓	\$173,930
Ken Gray	4715 W. Cuthbert	✓	\$183,750
Amador T. J.	4716 W. Cuthbert	✓	\$144,940
	4717 W. Cuthbert		\$172,290
	4718 W. Cuthbert		\$145,120
Jana R. Lee	4719 W. Cuthbert		\$94,830
	4720 W. Cuthbert		\$153,540
	4721 W. Cuthbert		\$166,800
	4722 W. Cuthbert		\$160,270
✓ Mari Montoya	4723 W. Cuthbert	✓	\$166,620
	4724 W. Cuthbert		\$146,110
Stephine Levin	4725 W. Cuthbert	✓	\$175,470
	4726 W. Cuthbert		\$174,140
	4727 W. Cuthbert		\$189,510
Thay Moore	4728 W. Cuthbert	✓	\$138,000
Pat Buchanan	4729 W. Cuthbert	✓	\$165,440
	4730 W. Cuthbert		\$161,730
	4731 W. Cuthbert		\$184,060
Jon Moore	4732 W. Cuthbert	✓	\$175,580
	4734 W. Cuthbert		\$172,520

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4736 W. Cuthbert		\$203,900
	4800 W. Cuthbert		\$133,590
	4801 W. Cuthbert		\$158,100
	4802 W. Cuthbert		\$133,590
	4803 W. Cuthbert		\$155,800
	4804 W. Cuthbert		\$167,410
	4805 W. Cuthbert		\$155,800
	4806 W. Cuthbert		\$167,990
	4807 W. Cuthbert		\$111,220
	4808 W. Cuthbert		\$166,510
	4809 W. Cuthbert		\$111,222
	4811 W. Cuthbert		\$157,150
	4813 W. Cuthbert		\$150,000
	4700 Harvard		\$203,590
✓ Kuntzley, Dey B / Adon L	4701 <u>A</u> Harvard	✓	\$151,490
	4701 __ Harvard		\$127,620
✓ Anne Rung	4702 Harvard		\$114,970
	4703 __ Harvard		\$114,000
✓ + Eery	4703 <u>B</u> Harvard	✓	\$145,170
	4704 Harvard		\$109,390
x Handwritten signature	4705 <u>A</u> Harvard		\$121,290
	4705 __ Harvard		\$109,250
	4706 Harvard		\$119,100
	4707 __ Harvard		\$109,250

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4707 __ Harvard		\$109,250
	4708 Harvard		\$80,520
	4709 __ Harvard		\$122,380
x <i>[Signature]</i>	4709 B Harvard	✓	\$121,290
	4710 Harvard		\$108,790
	4711 __ Harvard		\$122,330
	4711 __ Harvard		\$153,280
	4712 Harvard		\$133,200
	4713A Harvard		\$190,490
	4713B Harvard		\$202,920
	4714A Harvard		\$164,790
	4714B Harvard		\$164,790
	4715A Harvard		\$190,130
	4715B Harvard		\$203,090
	4716A Harvard		\$178,630
✓ x <i>Kay Brockman</i>	4716B Harvard	✓	\$185,590
✓ <i>Rebecca Elliott</i>	4717A Harvard		\$189,840
	4717B Harvard		\$190,650
	4817C Harvard		\$190,120
	4717D Harvard		\$190,240
	4818A Harvard		\$183,560
	4818B Harvard		\$178,060
	4819 Harvard		\$234,630
	4820A Harvard		\$184,480

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4720B Harvard		\$184,480
	4721 __ Harvard		\$121,570
	4721 __ Harvard		\$137,640
	4722A Harvard		\$147,030
	4722B Harvard		\$164,680
	4723 Harvard		\$212,770
✓ Jamie Hughes & Rebecca Goren	4724A Harvard		\$183,190
	4724B Harvard		\$136,680
	4726A Harvard		\$173,580
	4726B Harvard		\$174,070
✓ Alan Guller	4728 Harvard	✓	\$239,900
✓ Deborah Gonzalez	4730 Harvard	✓	\$260,940
	4732 Harvard		\$309,880
x Max Raji & Susan Day	4734 Harvard	✓	\$270,650
	4800 Harvard		\$168,790
	4801 Harvard		\$129,000
	4802 Harvard		\$179,040
	4803 Harvard		\$129,000
	4804 Harvard		\$177,920
	4805 Harvard		\$156,570
	4806 Harvard		\$199,890
	4807 Harvard		\$192,520
	4808 Harvard		\$198,920

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4700 Bedford		\$190,360
✓ <i>Rumelle Ray</i>	4701 Bedford	✓	\$197,140
	4702 Bedford		\$212,300
	4703 Bedford		\$151,430
	4704 Bedford		\$177,390
	4705 Bedford		\$163,490
	4706 Bedford		\$215,890
✓ <i>Angela Williams</i>	4707 Bedford	✓	\$172,150
✓ <i>Steve L. Flores</i>	4708 Bedford	✓	\$178,400
	4709 Bedford		\$183,530
✓ <i>Debra Pittkin</i> <i>Alan C. Pittkin</i>	4710 Bedford	✓	\$184,400
	4711 Bedford		\$184,700
	4712 Bedford		\$194,170
	4713 Bedford		\$172,470
	4714 Bedford		\$160,110
	4715 Bedford		\$179,830
	4716 Bedford		\$177,020
✓ <i>Martina Warren</i>	4717 Bedford	✓	\$173,430
	4718 Bedford		\$276,210
✓ <i>Donna Wootan</i> <i>Steve White</i>	4719 Bedford	✓	\$161,730
	4720 Bedford		\$243,390
✓ <i>Elizabeth Holbrook</i>	4721 Bedford	✓	\$164,360
	4722 Bedford		\$264,360
✓ <i>Alicia Bragg</i>	4723 Bedford	✓	\$176,270

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4724 Bedford		\$291,340
	4725 Bedford		\$368,310
	4727 Bedford		\$168,800
✓ <i>Letitia Lopez</i>	4729 Bedford	✓	\$186,000
	4731 Bedford		\$159,740
	4732 Bedford		\$182,520
	4733 Bedford		\$192,490
	4734 Bedford		\$156,970
✓ x <i>HB</i>	4735 Bedford	✓	\$240,890
	4736 Bedford		\$150,470
✓ <i>Hina Fitchie Carlin</i>	4737 Bedford	✓	\$240,410
	4738 Bedford		\$175,560
	4739 Bedford		\$221,920
	4800 Bedford		\$114,160
	4801 Bedford		\$155,910
	4802 Bedford		\$156,630
	4803 Bedford		\$156,390
	4804 Bedford		\$203,200
	4805 Bedford		\$156,570
	4806 Bedford		\$179,270
	4807 Bedford		\$123,230
	4808 Bedford		\$167,190

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4700 Country Club		\$180,110
✓ <i>Phung & Leung Sheng Leung</i>	4701 Country Club	✓	\$179,870
	4702 Country Club		\$175,980
<i>Andrew de la rosa</i>	4703 Country Club	✓	\$179,070
	4704 Country Club		\$174,420
	4705 Country Club		\$167,250
	4706 Country Club		\$195,810
	4707 Country Club		\$209,090
✓ <i>Jodie Bynham</i>	4708 Country Club	,	\$181,420
<i>Krisella de la Rosa</i>	4709 Country Club	✓	\$186,170
	4710 Country Club		\$138,000
	4711 Country Club		\$165,200
	4712 Country Club		\$174,760
	4713 Country Club		\$181,370
	4714 Country Club		\$188,710
	4715 Country Club		\$172,190
	4716 Country Club		\$183,270
	4717 Country Club		\$152,760
	4718 Country Club		\$200,600
	4719 Country Club		\$183,800
	4720 Country Club		\$183,040
	4721 Country Club		\$157,672
	4722 Country Club		\$163,330
	4723 Country Club		\$161,180

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Phone	Amount
	4724 Country Club		\$172,470
	4725 Country Club		\$200,760
	4726 Country Club		\$153,050
	4727 Country Club		\$180,810
	4728 Country Club		\$184,710
	4729 Country Club		\$164,150
	4730 Country Club		\$199,450
	4731 Country Club		\$150,800
	4732 Country Club		\$212,390
	4733 Country Club		\$177,490
	4734 Country Club		\$104,880
	4735 Country Club		\$177,490
	4736 Country Club		\$182,000
	4737 Country Club		\$197,570
	4738 Country Club		\$151,860
	4739 Country Club		\$199,770
	4800 Country Club		\$157,590
	4801 Country Club		\$161,410
	4802 Country Club		\$198,680
	4803 Country Club		\$156,390
	4804 Country Club		\$156,570
	4805 Country Club		\$158,540
	4806 Country Club		\$169,340
	4807 Country Club		\$153,810
	4808 Country Club		\$167,190

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4600 Laura Dr.		\$200,900
	4602 Laura Dr.		\$185,420
	4604 Laura Dr.		\$173,490
	4605 Laura Dr.		\$194,390
	4606 Laura Dr.		\$201,160
	4607 Laura Dr.		\$179,870
	4608 Laura Dr.		\$202,810
	4609 Laura Dr.		\$179,840
	4610 Laura Dr.		\$177,550
	4611 Laura Dr.		\$208,680
	4612 Laura Dr.		\$168,500
	4613 Laura Dr.		\$210,630
	4614 Laura Dr.		\$189,550
	4615 Laura Dr.		\$224,770
	4616 Laura Dr.		\$214,920
	4617 Laura Dr.		\$149,390
	4618 Laura Dr.		\$224,270
	4619 Laura Dr.		\$177,210
	4620 Laura Dr.		\$170,030
	4621 Laura Dr.		\$180,010
	4622 Laura Dr.		\$184,760
	4623 Laura Dr.		\$186,470
	4624 Laura Dr.		\$152,480
	4625 Laura Dr.		\$181,630
	4626 Laura Dr.		\$143,440
	4627 Laura Dr.		\$180,860

see
page
14b

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4628 Laura Dr.		\$170,640
	4629 Laura Dr.		\$166,310
	4700 Laura Dr.		\$141,180
	4701 Laura Dr.		\$183,780
	4702 Laura Dr.		\$168,610
	4703 Laura Dr.		\$157,710
	4704 Laura Dr.		\$148,930
	4705 Laura Dr.		\$197,080
	4706 Laura Dr.		\$153,780
	4707 Laura Dr.		\$201,060
	4708 Laura Dr.		\$162,990
	4709 Laura Dr.		\$189,590
	4710 Laura Dr.		\$154,790
	4711 Laura Dr.		\$182,320
	4712 Laura Dr.		\$137,860
	4713 Laura Dr.		\$209,410
	4714 Laura Dr.		\$182,460
	4715 Laura Dr.		\$165,070
	4716 Laura Dr.		\$155,100
	4717 Laura Dr.		\$161,520
	4718 Laura Dr.		\$218,640
	4719 Laura Dr.		\$164,320
	4720 Laura Dr.		\$166,230
	4721 Laura Dr.		\$162,950
	4722 Laura Dr.		\$172,020
	4723 Laura Dr.		\$115,280

We, the undersigned homeowners and residents, oppose the zone change and we oppose the construction of any apartment buildings on the property located between Princeton Avenue and Cuthbert Avenue on the north and south, and Midland Drive and Woodcrest Drive on the east and west.

Signature(s)	Address	Owner	MCAD Market Value
	4724 Laura Dr.		\$156,130
	4725 Laura Dr.		\$188,750
	4726 Laura Dr.		\$166,180
	4727 Laura Dr.		\$232,390
	4728 Laura Dr.		\$143,280
Nazim Sarraf	4625 Laura	✓	\$181,630
George H. Keel	4614 Laura	✓	\$184,550
Paul Lopez	4602 Laura	✓	\$185,420
Katie Lopez	4602 Laura	✓	\$185,420
Dicki Rymal	4605 Laura	✓	\$194,390
Robert A. Rymal	4605 Laura	✓	\$194,390
Jenise Hallas	4627 Laura	✓	\$143,440



















Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg

MEETING DATE: October 21, 2019

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Planner

SUBJECT: Hold a public hearing and consider a request by Philip L. Caudill dba The Destination- Journey's End LLC for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in an event venue, on Lot Q, Tract 1, Stockard Acres, City and County of Midland, Texas. (Generally located on the south side of W. Industrial Avenue, approximately 1,370-feet east of S. Garfield Street. Council District 2).

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Philip L Caudill, is requesting a Specific Use Designation with Term, for the sale of all alcoholic beverages, for on-premises consumption, in an event venue, for The Destination-Journey's End LLC, located at 1705 W. Industrial Avenue.

Current Zoning:

C, Commercial District.

Surrounding Zoning and Land Use:

The properties to the north, east, south, and west are zoned C, Commercial District, and the locations of Mattei Glass, Montecito Bar and Grill, and Littlefield Automotive.

Analysis:

The property located at 1705 W. Industrial Avenue, is currently zoned C,

Commercial District, which permits the sale of alcoholic beverages for on-premises consumption with the approval of a Specific Use Designation. The Destination- Journey's End LLC, is an event venue, and the applicant is wanting to serve alcohol when the venue has events.

The floor plan provided, attached hereto as Exhibit A, shows a 20,000 square foot business with a proposed alcohol serviceable area of 15,000 square feet.

The applicant is requesting the following alcohol serviceable hours.

Monday through Sunday, from 12:00 p.m. to 12:00 a.m. (midnight)

The proposed operating hours for the event venue are the same.

The property is adjacent to a billboard located at 1801 W. Industrial Avenue, which was granted a Specific Use Permit with Term by City Council on February 24, 2014 (Ordinance No. 9357). Similarly, the property located to the west known as Montecito Bar and Grill was also granted a Specific Use Permit with Term for the sale of alcoholic beverages and consumption, by City Council on October 9, 2017 (Ordinance No. 8569).

There are no schools or churches within 300 feet of the property using the front door to door distance measurement.

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

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

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

Building: (Awaiting Comments)

Engineering: (Approved)

No comments.

Fire: (Awaiting Comments)

Transportation: (Approved)

No comments.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 2, "Identify partnerships to produce neighborhood and commercial centers that are attractive, functional, and of high quality." (Tall City Tomorrow page 137) The Destination-Journey's End, LLC. is an establishment that promotes a positive environment where Midland residents can gather for private events and socialize.

Staff recommends approval of a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in an event venue, subject to conditions A through F.

Conditions:

- A. That the alcohol serviceable area of the establishment shall not exceed 15,000 contiguous square feet in area as shown in Exhibit "A", which is attached hereto and incorporated herein.**
- B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- C. That the establishment shall meet all requirements of the Fire Department and the Code Administration Division.**
- D. That the sale and on-premises consumption of all alcoholic beverages shall conform to all applicable state and local laws.**
- E. That the days and hours of all alcoholic beverages sales and consumption shall be limited to:**
 - a. Monday through Sunday, from 12:00 p.m. to 12:00 a.m. (midnight)**
- F. That in accordance with Section 11-1-10 (G) of the city code the establishment shall receive a certificate of occupancy within 120 days from the final adoption date of the ordinance.**

Letters of Objection:

As of October 16, 2019, staff has received no letters of objection to this request.

Attachments:

Site Plan (Exhibit A)
Application
Maps
Ordinance No. 8569
Ordinance No. 9357



1. ATTENTION ALL USERS OF THESE DRAWINGS, GENERAL CONTRACTORS, SUB-CONTRACTORS, MANUFACTURERS AND SUPPLIERS: CAREFULLY AND THOROUGHLY REVIEW THESE GENERAL NOTES. IT IS YOUR RESPONSIBILITY TO KNOW AND ADHERE TO THESE REQUIREMENTS. IF CONFLICT OCCURS, CONTACT ARCHITECT PRIOR TO COMMENCEMENT OF WORK.
2. EVERY EFFORT HAS BEEN MADE TO MAKE THESE DOCUMENTS CONCISE AND COORDINATED, TO DEFINE WORK IN THE MOST LOGICAL PLACE AND TO ELIMINATE REDUNDANCY. DO NOT PRESUME THAT YOUR SCOPE OF WORK IS SINGULARLY DEFINED. YOUR SCOPE OF WORK IS DEFINED THROUGHOUT THE ENTIRE SET OF DRAWINGS AND SPECIFICATIONS AND IS NOT CONTAINED IN JUST ONE SERIES OF DRAWINGS OR DIVISION OF SPECIFICATIONS. YOU MUST REVIEW THE ENTIRE SET OF CONTRACT DOCUMENTS TO DETERMINE YOUR SCOPE OF WORK. NO ADDITIONAL COST SHALL BE ASSESSED TO THE OWNER FOR NOT UNDERSTANDING SCOPE OF WORK. IF CONFLICT OCCURS, CONTACT ARCHITECT PRIOR TO COMMENCEMENT OF WORK.
3. DO NOT SCALE DRAWINGS.
4. FIELD VERIFY EXISTING CONDITIONS PRIOR TO WORK. NOTIFY ARCHITECT IF DISCREPANCIES ARISE IN THE FIELD WHICH MAY ALTER DESIGN PRIOR TO COMMENCEMENT OF WORK.
5. GENERAL CONTRACTOR SHALL COORDINATE ALL SITE MECHANICAL, ELECTRICAL AND GENERAL CONSTRUCTION WORK SHOWN AT VARIOUS LOCATIONS THROUGHOUT THE SITE DRAWINGS WHETHER OR NOT CROSS-REFERENCED. MECHANICAL AND ELECTRICAL ITEMS THAT OCCUR WHERE NOT SHOWN ON SITE PLANS.
6. REFERENCE LANDSCAPE PLANS FOR NEW LANDSCAPED AREAS.
7. REFERENCE PLUMBING DRAWINGS FOR LOCATION OF NEW SPRINKLER HEADS.

SHEET:
A-101



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

Project Number: SLD-19-0065
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Philip L. Caudill</u>		Phone <u>(432) 557-7593</u> Email <u>phillyglo@suddenlink.net</u>	
Address <u>2504 Candle Tree Cove</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Property Owner Printed Name: <u>Gloria Salazar</u>		Phone <u>(432) 352-0913</u> Email <u>glsalazar@suddenlink.net</u>	
Address <u>1705 W. Industrial Ave.</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

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

Street Address: <u>1705 W. Industrial Ave.</u>			
Business Name: <u>The Destination - Journey's End LLC</u>			
Legal Description Lot: <u>A</u> Block: <u>39</u> Subdivision: <u>Stockard Acres</u>			
Current Zoning: <u>C-3, Commercial District</u>			
Reason for Request: <u>Opening New Venue</u>			

Type of Business (restaurant, bar, lounge, nightclub, etc.): _____			
Proposed/Current Days and Hours of Operation: <u>Patio ; Venue ; Monday through Sunday noon to midnight.</u>			
Proposed Days and Hours of Alcohol Service: <u>As reserved by clients ; Monday - Sunday 12pm to midnight</u>			
Total Square Footage of Business: <u>20,000</u>			
Square Footage of Alcohol Serviceable Area: <u>15,000</u>			
Restroom Fixtures: 3 Men Women	Toilets/Urinals: 1 1 2		Bathroom Sinks: 2
	Toilets: 3		Bathroom Sinks: 2



Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature): Philip L. Caudill Date: 9-25-19

Applicant (printed): Philip L. Caudill

Property Owner (signature): Gloria Salazar Date: 9/25/19

Property Owner (printed): Gloria Salazar

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

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

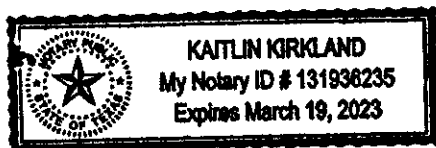
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Philip L. Caudill who, being by me duly sworn, upon oath says: That (s)he is authorized by Gloria Salazar, 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.

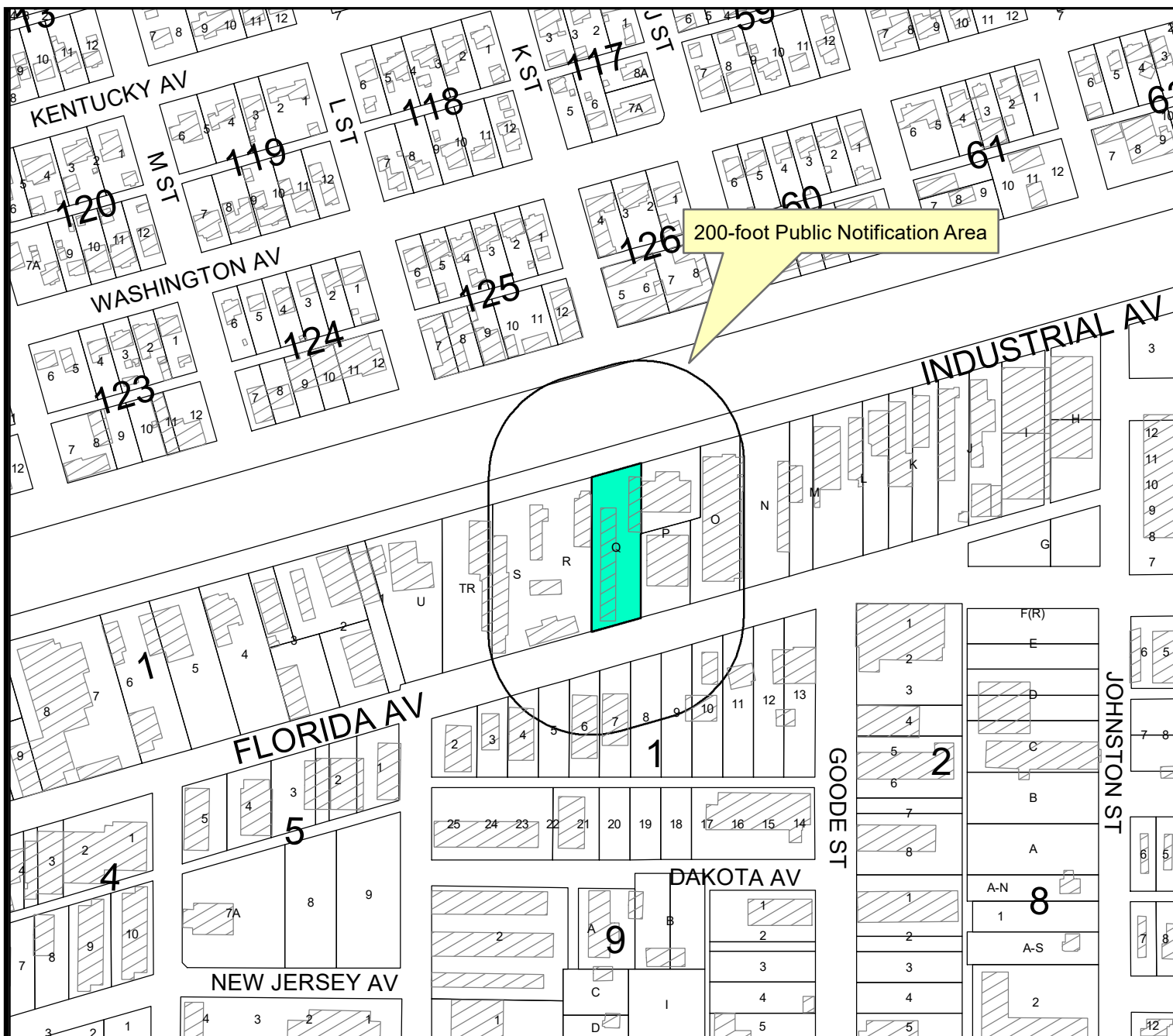
Philip L. Caudill
Authorized Agent (signature)

Subscribed and sworn to before me, this 25th day of Sept, 20 19, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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



LOCATION MAP

SUD-19-0065

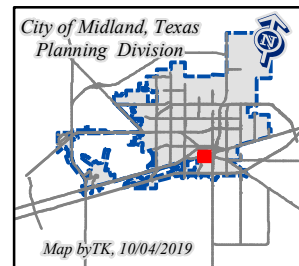
Scale: 1" = 400'

Consider a request by Philip L. Caudill dba The Destination-Journey's End LLC for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in an event venue, on Lot Q, Tract 1, Stockard Acres, City and County of Midland, Texas.

Generally located on the south side of W. Industrial Avenue, approximately 1,370-feet east of S. Garfield Street. (Council District 2).

LEGEND

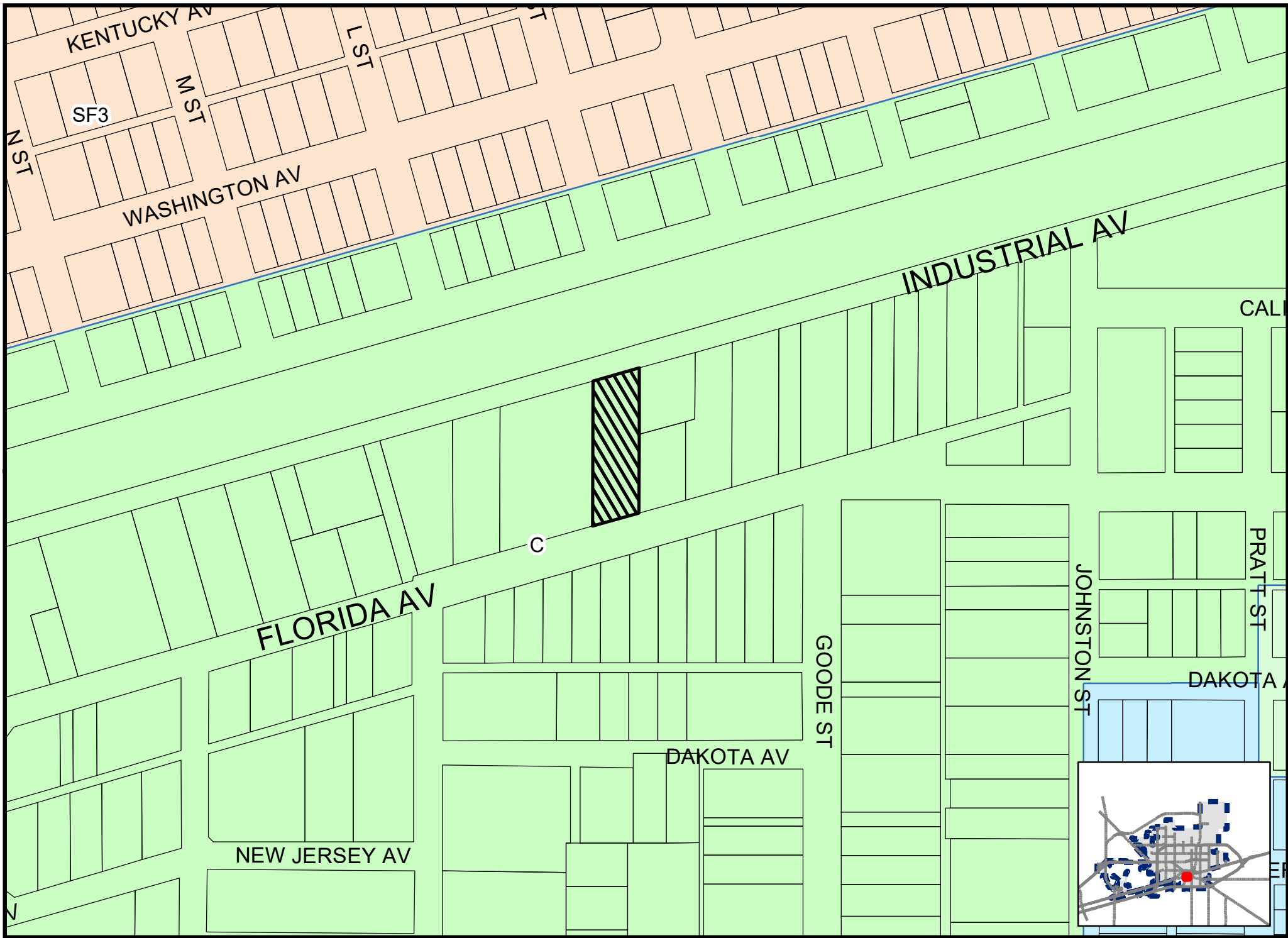
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019

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. 8569

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS TRACT T, STOCKARD ACRES, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED C-3, COMMERCIAL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; 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, 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 With Term, 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 C-3, Commercial District, to-wit:

Tract T, Stockard Acres, City and County of Midland, Texas, and shown on the site plan attached hereto as Exhibit "A", and incorporated herein.

is hereby changed to permit said property to be used under a Specific Use Permit With Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant, together with the uses permitted in the present C-3, Commercial District.

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

restrictions:

1. That the days and hours of operation shall be limited to Monday through Saturday from 8:00 a.m. to 11:00 p.m., and Sunday from 12:00 p.m. (noon) to 11:00 p.m.
2. That the area of the restaurant be limited to 3,863 contiguous square feet and a capacity of 90 seats.
3. That the name Montecito Bar and Grill be allowed on the restaurant's exterior sign.

SECTION THREE. 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 FOUR. 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 FIVE. 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 SIX. 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 25th day of September, A.D., 2007; and passed to second reading on motion of Council member Morgan, seconded by Council member

Hailey, by the following vote:

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

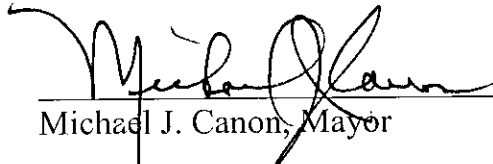
Council members voting "NAY": **Simpson**

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Morgan, seconded by Council member Hailey, on the 9th day of October, A.D., 2007, at a regular meeting of the City Council:

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

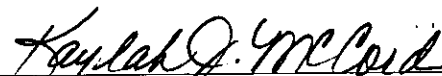
Council members voting "NAY": **Simpson**

PASSED AND APPROVED THIS 9th day of October, A.D., 2007.



Michael J. Canon, Mayor

ATTEST:

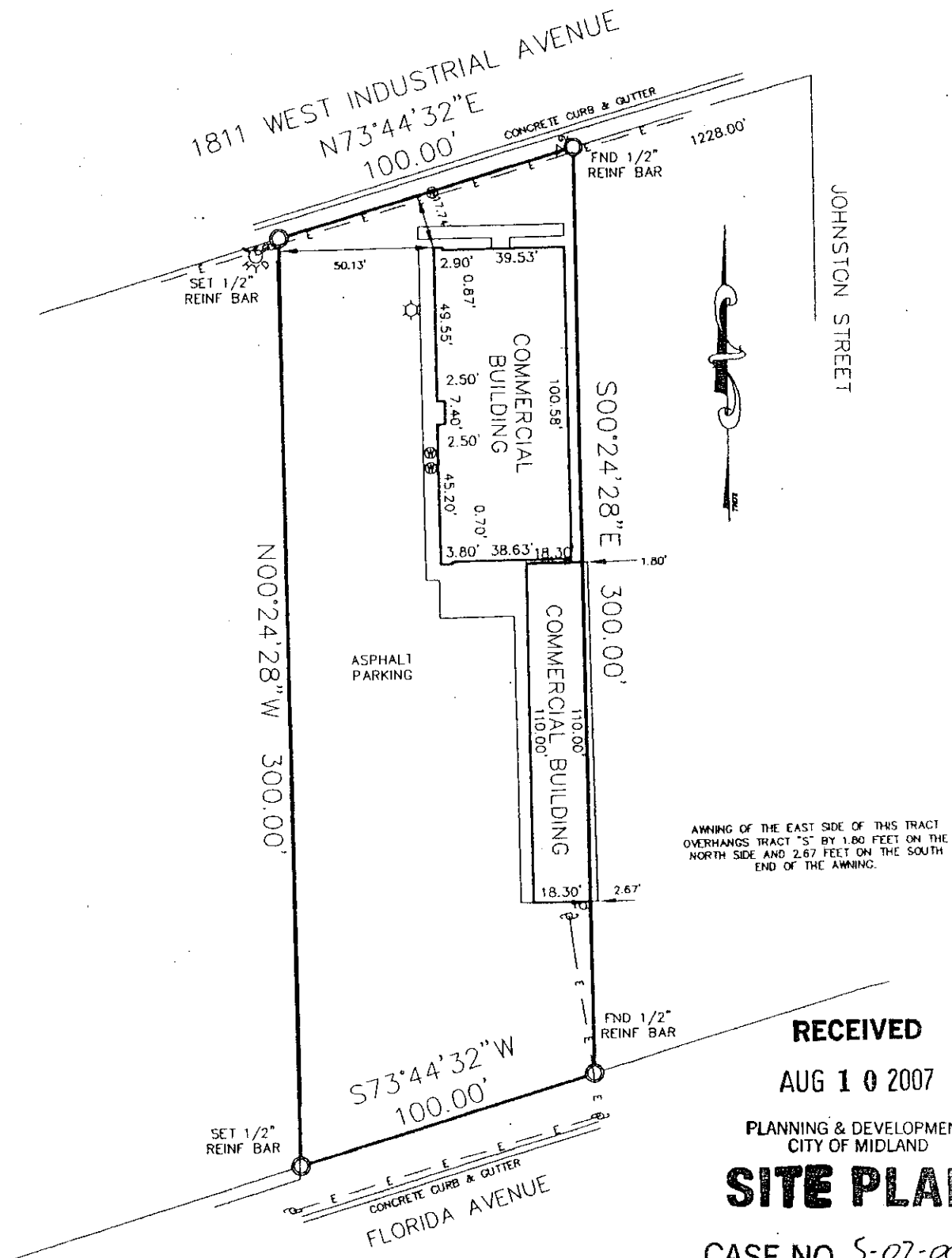


Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:



Keith Stretcher, City Attorney



RECEIVED

AUG 10 2007

PLANNING & DEVELOPMENT
CITY OF MIDLAND

SITE PLAN

CASE NO. S-07-004

FOR FLOOD INSURANCE RATING PURPOSES: THIS PROPERTY LIES WITHIN FLOOD INSURANCE ZONE DESIGNATION "X" AS DEPICTED ON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 48329-C0202F, MIDLAND COUNTY, TEXAS AND INCORPORATED AREAS EFFECTIVE DATE, SEPTEMBER 16, 2005. AS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

CENSUS TRACT NO. 14.00

TO THE LIENHOLDERS, ELISANDRO AGUILAR

(OWNER) OF THE PREMISES AND TO THE ISSUING TITLE INSURANCE UNDERWRITER: THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE

SURVEY PLAT

Exhibit "A"



City Council Agenda

Approved for Agenda:
MJohnston
City Manager's Office

MEETING DATE: September 25, 2007
TO: CITY COUNCIL/CITY MANAGER
FROM: Cameron Walker, Planning Division Manager
SUBJECT: S-07-004, Elisandro Aguilar

Purpose:

Hold a public hearing at 11:09 a.m. and consider a request by Elisandro Aguilar for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Direction/Informational

Fiscal Impact:

N/A

Discussion:

This is a request by Elisandro Aguilar for a Specific Use Permit to sell alcoholic beverages in a restaurant. The restaurant is 3,863 square feet in area and will contain 90 seats. The hours of operation will be Monday thru Sunday from 8:00 a.m. to 11:00 p.m. The restaurant is providing 41 paved parking spaces, which is more than adequate for this site. The title of the restaurant is to be Montecito Bar and Grill and the owner wishes to display this name on his outdoor sign. This is typically not allowed according to the City Code unless it is made part of the SUP request. The owner is requesting that he be allowed to use this name for his outdoor sign.

The property is located in a C-3 commercial zone and the surrounding property is also zoned commercial. There are no other specific use permits in the area. We believe, with the surrounding zoning, that this is a reasonable request.

Attachments: Application, Maps, Proposed Ordinance and Site Plan.

CDS

Planning and Zoning Commission Meeting
Minutes from September 04, 2007

S-07-004 - Hold a public hearing and consider a request by **Elisandro Aguilar** for a *Specific Use Permit with Term* for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on Tract T, Stockard Acres, City and County, of Midland, Texas. (Generally located on the south side of W. Industrial Avenue, approximately 240 feet west of S. "K" Street.)

Chairman Hotchkiss asked if the applicant was present.

Elisandro Aguilar spoke as the applicant. He was concerned of the waiting period for a permit to sell alcoholic beverages in his restaurant.

Mr. Weant explained the procedures for approval of the request. He stated that the City Council will meet to consider the request first on September 25, 2007 then October 9, 2007.

Mr. Weant described the request for alcoholic beverage sales in restaurant.

Chairman Hotchkiss asked if anyone in the audience wished to speak in favor or in opposition of the request. There being none, the public hearing was closed.

Chairman Hotchkiss called for a motion. Mr. Carney made a motion to approve the request subject to Condition A. Mr. Bergman seconded the motion and the motion passed unanimously.

PLANNING AND ZONING COMMISSION

September 4, 2007

CASE: S-07-004.

REQUEST: Hold a public hearing and consider a request for a Specific Use Permit with term for the sale of alcoholic beverages, for on-premise consumption in a restaurant.

APPLICANT: Elisandro Aguilar.

LEGAL DESCRIPTION: Tract T, Stockard Acres, City and County of Midland, Texas.

LOCATION: Generally located on the south side of W. Industrial Avenue, approximately 240 feet west of S. "K" Street.

CURRENT ZONING: C-3, Commercial District.

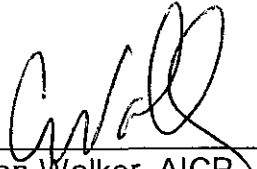
DETAILS OF REQUEST:

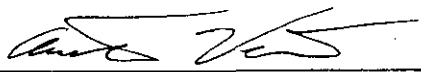
1. This is a request by Elisandro Aguilar for a Specific Use Permit to sell alcoholic beverages in a restaurant. The types of drinks to be served are beer and wine; however, this is the owner's choice. Any change in licensing by TABC may permit the full range of alcoholic beverages at a later date. The restaurant is 3,863 square feet in area and 90 seats are being proposed. The hours of operation will be Monday through Sunday from 8 a.m. to 11 p.m. The restaurant is providing 41 paved parking spaces, which is more than adequate for this site.

STAFF RECOMMENDATION:

We recommend approval of this Specific Use Permit with term for the sale of alcoholic beverages in a restaurant subject to the following conditions:

- A. That the hours of operation be limited to Monday through Saturday from 8 a.m. to 11 p.m. and Sunday from noon to 11:00 p.m.


Cameron Walker, AICP
Planning and Development Coordinator
Engineering and Development Department


Austin Weant, Planner
Department of Development Services

ATTACHMENTS:

Application
Maps

Case Number: 5-07-004

CITY OF MIDLAND
Planning Division

APPLICATION FOR A SPECIFIC USE PERMIT WITH TERM
FOR THE SALE OF ALCOHOLIC BEVERAGES
FOR ON-PREMISE CONSUMPTION

Elisandro Aguilar 432-349-7387
Applicant Name Contact Phone #s
20500 S.C. Rd 1160 Midland, TX 79706
Address Zip Code

Elisandro Aguilar 432-349-7387
Property Owner Name Contact Phone #s
20500 S.C. Rd 1160 Midland TX 79706
Address Zip Code

Operator (if different from Applicant or Property Owner) Contact Phone #s
Address Zip Code

Type of Business: Restaurant
(Restaurant, Bar, Lounge, Nightclub, etc.)

Street address and Legal Description of property on which SUP is desired (complete Lot, Block, and Subdivision, or if unplatted, attach a Metes and Bounds description with surveyor's seal.)

1811 W. Industrial Avenue
Midland, TX 79701

Current Zoning: C-3, Commercial

Max. Floor Area: 38163 sq ft Seating Capacity: 90 seats

Proposed hours and days of alcoholic beverage sales: Monday to Sunday
8 AM - to 11 PM

Reason for request: for the sale of beer and wine

Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: Because we are part of this community and we would not do anything that would have a negative impact on other members of our community

Type of alcoholic beverage sales desired: ☒ Beer ☒ Wine ☐ Mixed Beverages

REQUIRED SUBMITTALS

1. Application fee: **\$300**. (80% of fee will be refunded if no P&Z public hearing is called; if no City Council public hearing is called, then 30% of fee will be refunded.)
2. Site plan - 16 copies and in .pdf and .jpg format on a CD.

SIGNATURES:

Applicant: _____

Date: _____

Property Owner: _____

Date: _____

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

STATE of TEXAS

COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____

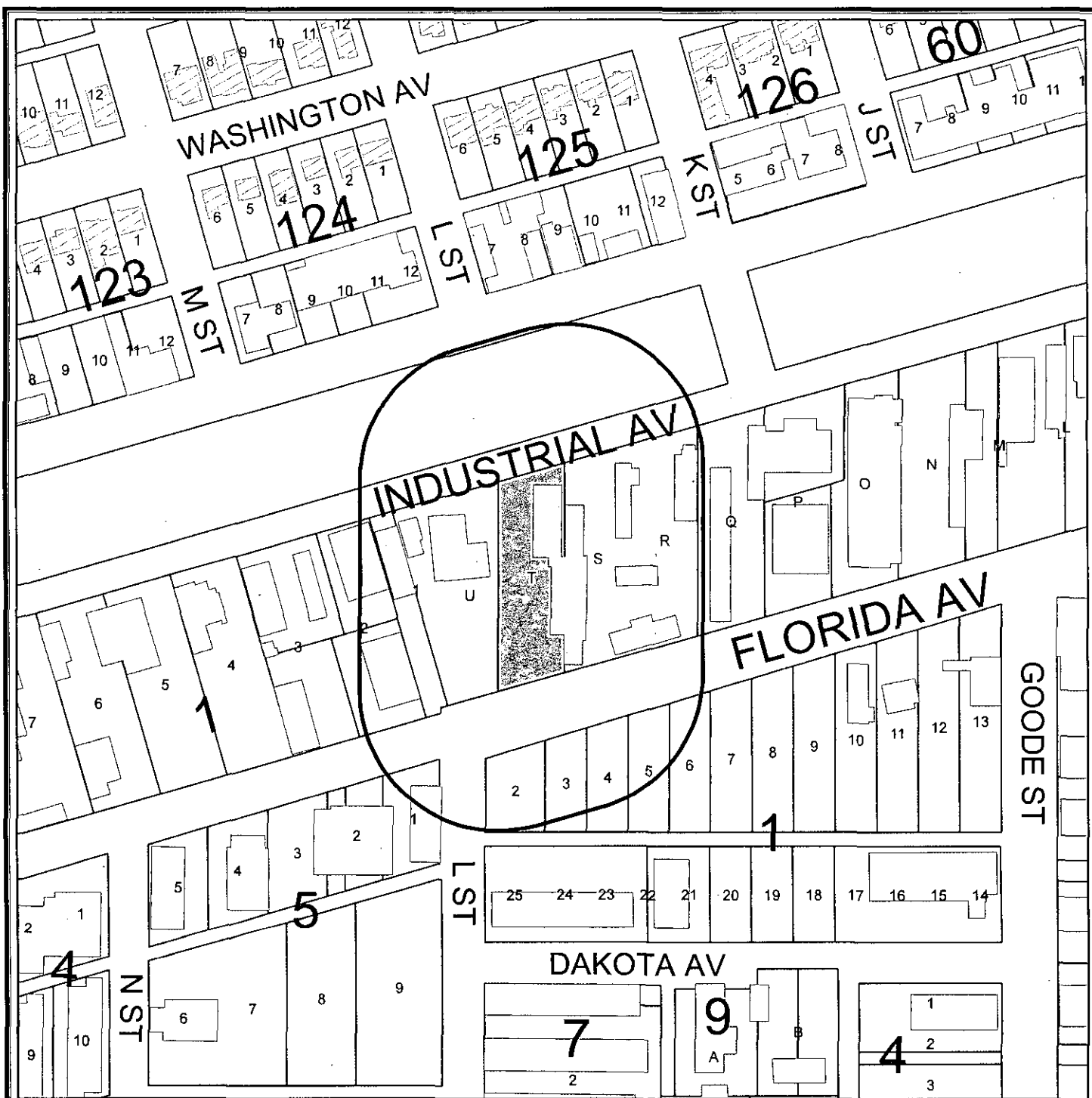
who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
Rec'd By: <u>DC</u>	Date: <u>8/1/07</u>
Assigned: <u>AW AW</u>	
For: <u>P&Z</u>	On: <u>9/4/07</u>

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



PROPERTY OWNER NOTIFICATION MAP

S - 07 - 004

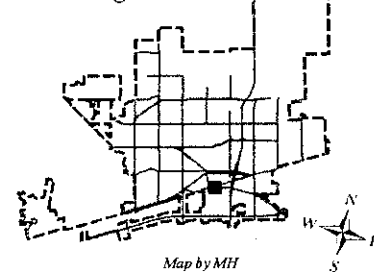
Scale: 1" = 200'

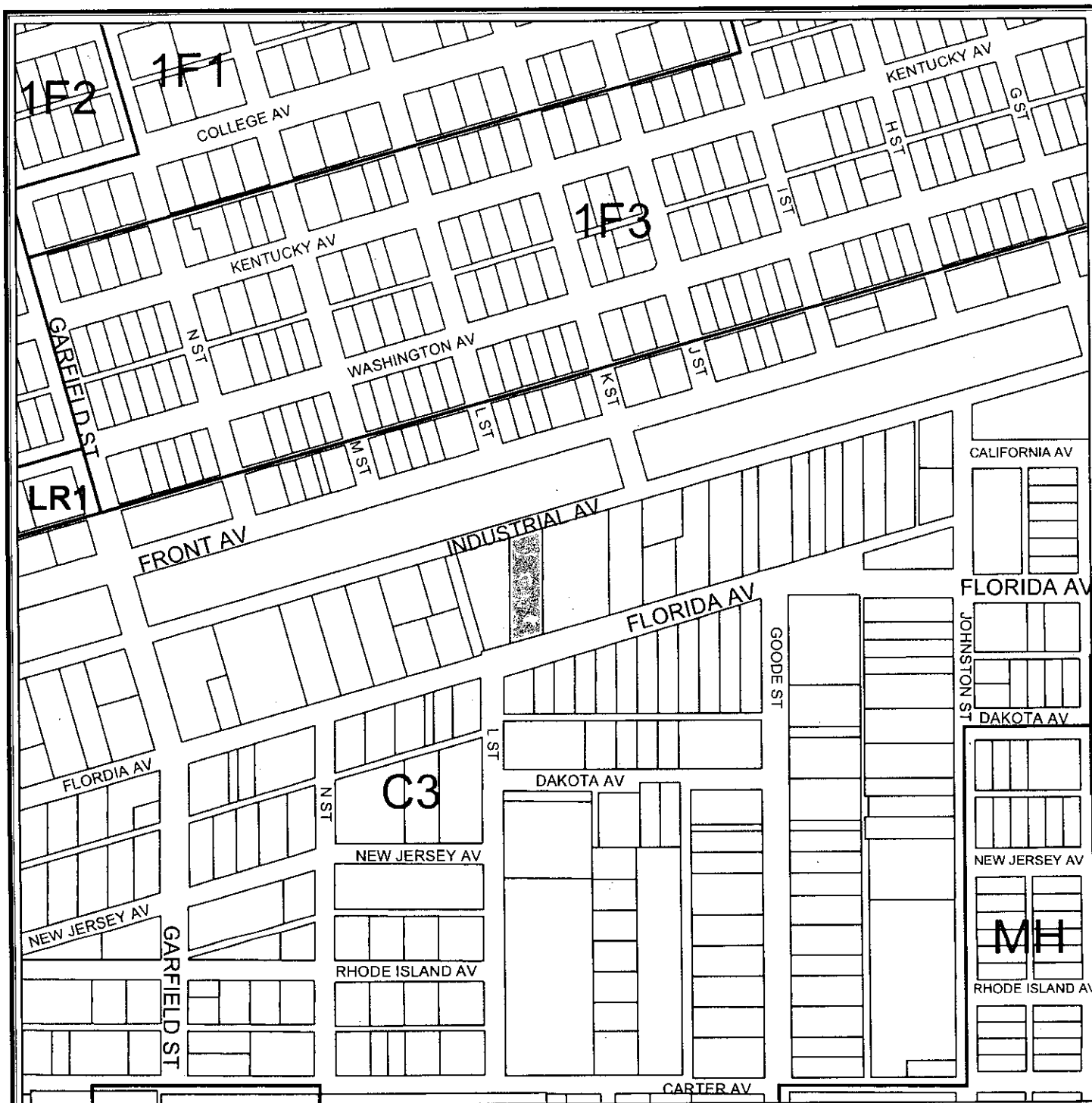
Consider a request for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on Tract T, Stockard Acres, City and County of Midland, Texas.

LEGEND

- CITY LIMITS
- 200 FT. LEGAL NOTICE LIMIT
- PARCEL
- PUBLIC BLDGS
- PRIVATE BLDGS

City of Midland, Texas
Planning Division





ZONING MAP

S - 07 - 004

Scale: 1" = 400'

Consider a request for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on Tract T, Stockard Acres, City and County of Midland, Texas.

LEGEND

ZONING

PARCELS

CITY LIMITS

SPECIFIC USE PERMITS

PUBLIC BLDGS

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT
PD	PLANNED DISTRICT
AE	AGRICULTURE ESTATE
CE	COUNTRY ESTATE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING
MH	MOBILE HOME DWELLING
TH	TOWNHOUSE DWELLING
2F	TWO-FAMILY DWELLING
MP1, MP2	MULTIPLE FAMILY DWELLING

BP
P
01, 02
NS
LR1, LR2, LR3
C1, C2, C3
IP, IP1, IP2, IP3
L1
H1

BUSINESS PARK
PARKING
OFFICE
NEIGHBORHOOD SERVICE
LOCAL RETAIL
COMMERCIAL
INDUSTRIAL PARK
LIGHT INDUSTRY
HEAVY INDUSTRY



AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS LOTS R AND S, TRACT 1, STOCKYARD ACRES, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED BETWEEN WEST INDUSTRIAL AVENUE AND WEST FLORIDA AVENUE, APPROXIMATELY 1,100 FEET EAST OF SOUTH GARFIELD STREET), WHICH IS PRESENTLY ZONED C-3, COMMERCIAL DISTRICT, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR A BILLBOARD; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED 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, 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 With Term, 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 C-3, Commercial District, to-wit:

Lots R and S, Tract 1, Stockyard Acres, City and County of Midland, Texas;

is hereby changed to permit said property to be used under a Specific Use Permit With Term for a billboard, together with the uses permitted in the present C-3, Commercial District.

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

restrictions:

1. That the location of the billboard shall conform to the site plan, which is attached hereto as Exhibit "A" and incorporated herein.
2. That the billboard shall conform to Exhibit "A".
3. That the maximum height of the billboard shall not exceed 30 feet.
4. That the maximum square footage in area per sign face shall not exceed 378 square feet.
5. That the billboard shall conform to the City of Midland sign code.
6. That the applicant, Lockridge Outdoor Advertising, LLC, shall obtain a Certificate of Occupancy prior to using this billboard for advertising to ensure the conditions of this permit are satisfied.

SECTION THREE. 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 FOUR. 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 FIVE. 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 SIX. 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 18th day of November, A.D., 2014; and passed to second reading on motion of Council member Love, seconded by Council member Sparks, by the following vote:

Council members voting "AYE": Love, Sparks, Morales, Lacy

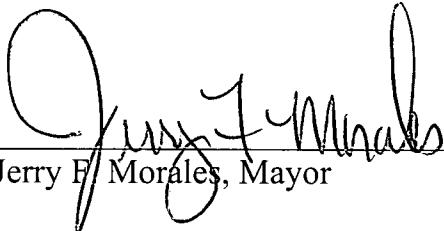
Council members voting "NAY": Hotchkiss, Dufford, Robnett

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Lacy, seconded by Council member Sparks, on the 24th day of February, A.D., 2014, at a regular meeting of the City Council:

Council members voting "AYE": Love, Sparks, Morales, Lacy

Council members voting "NAY": Hotchkiss, Robnett

PASSED AND APPROVED THIS 24th day of February, A.D., 2014.

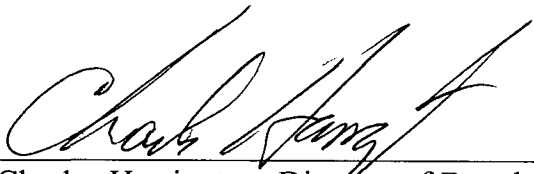

Jerry F. Morales, Mayor

ATTEST:


Amy M. Turner, City Secretary

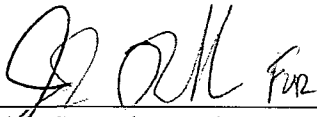
APPROVED AS TO CONTENT
AND COMPLETENESS:


Frank Salvato, Assistant City Manager



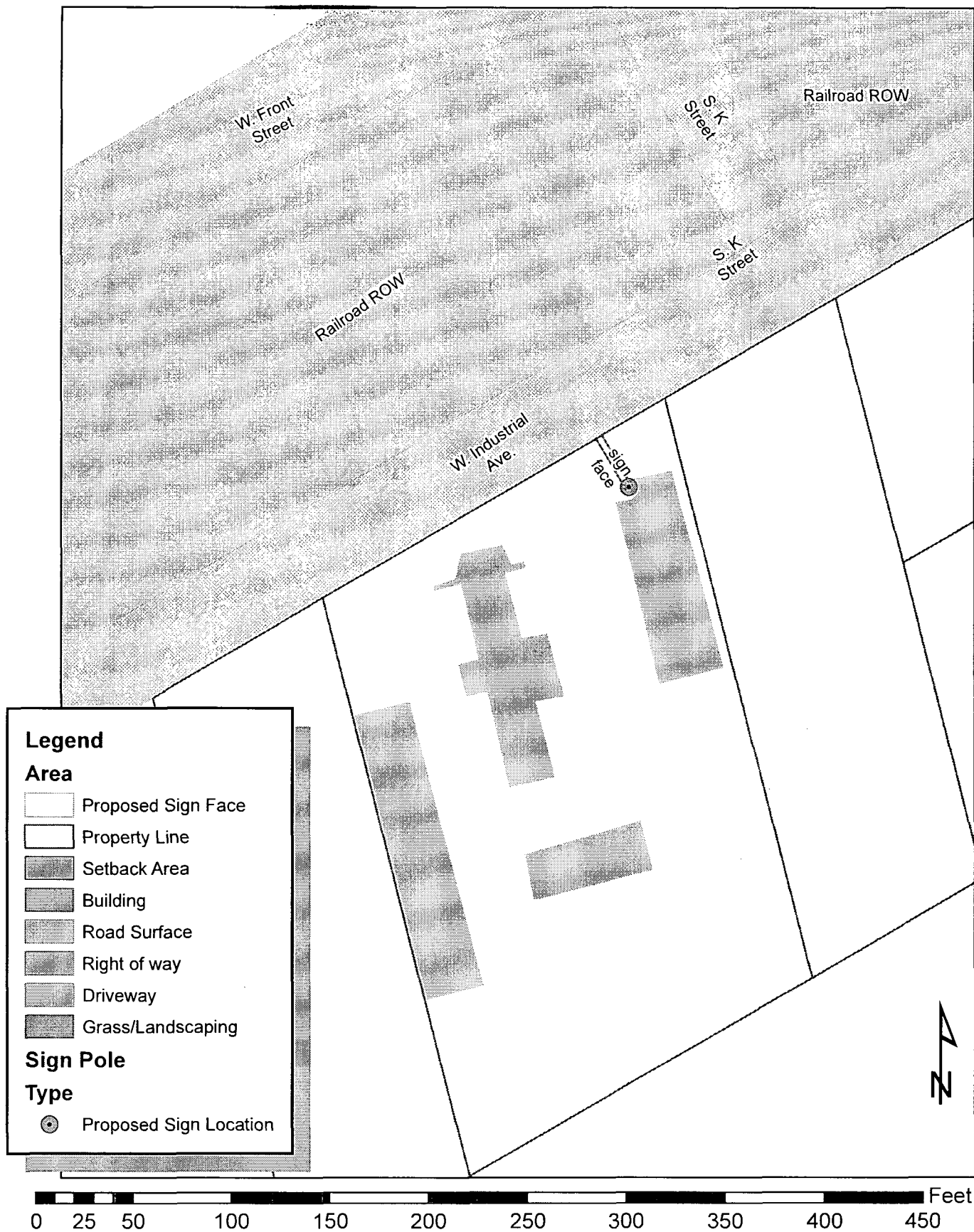
Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



Keith Stretcher, City Attorney

Site Plan - #9032, Culver Building - 1801 W Industrial Ave. Midland, TX 79701



Lockridge Outdoor Advertising, LLC
 Tony Lockridge - 727-415-4332
 tony@lockridgeoutdoor.com

2110 Ranch Road 620 S.
 PO Box 341432
 Austin, TX 78734





City Council Agenda

APPROVED

Approved for Agenda:
fsalvato
 City Manager's Office

MEETING DATE: February 24, 2015

TO: CITY COUNCIL/CITY MANAGER

FROM: Robert Baronti, Jr., AICP, Planning Division Manager

SUBJECT: Consider an ordinance on second reading on a request by Lockridge Outdoor Advertising, LLC / Culver Building Contractor for approval of a Specific Use Permit with Term for a Billboard on Lots R and S, Tract 1, Stockyard Acres, City and County of Midland, Texas. (Generally located between W. Industrial Avenue and W. Florida Avenue, approximately 1,100 feet east of S. Garfield Street. - District 2)

Purpose:

Consider an ordinance on second reading on a request by Lockridge Outdoor Advertising, LLC / Culver Building Contractor for approval of a Specific Use Permit with Term for a Billboard.

Recommended City Council Action

☐ Approve

☐ Deny

☒ Direction/Informational

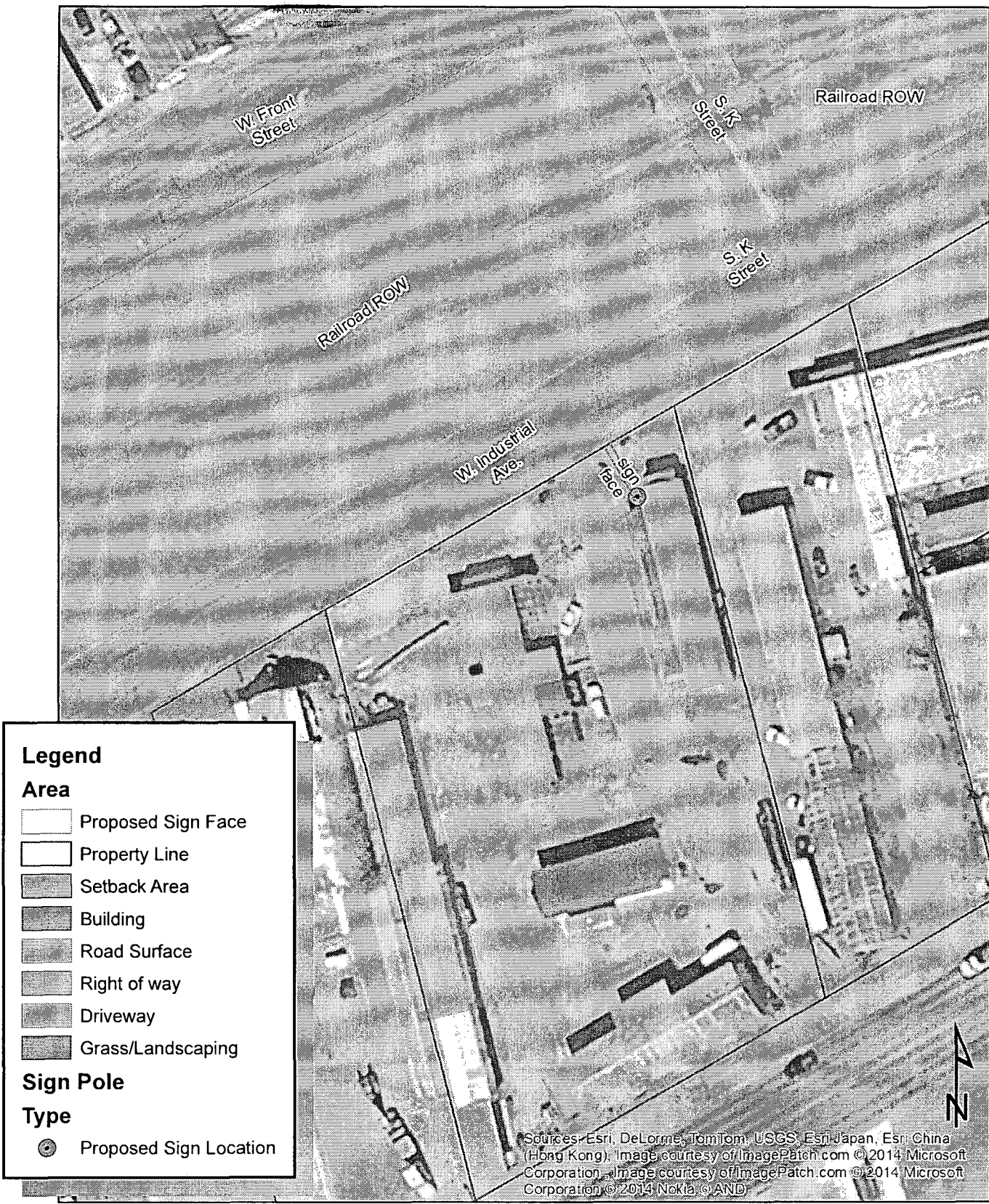
Fiscal Impact:

There is no cost to the City for processing this application.

Discussion:

The applicant wishes to construct an off-premises billboard on the owner's property located at 1801 Industrial. The property is within a C-3, Commercial District. The billboard is shown as having a maximum height of 30-feet and will be double sided, with the sign faces being 32-feet by 12-feet (384 square feet) per side. This request complies with all the requirements of the current City Code for billboards. City Council voted to approve this ordinance on first reading by a 4 to 3 vote on November 18, 2014. This ordinance is now ready for consideration on second and final reading.

Site Plan - #9032, Culver Building - 1801 W Industrial Ave. Midland, TX 79701



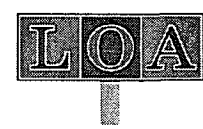
0 25 50 100 150 200 250 300 350 400 450 Feet

Map Coordinate System: NAD_1983_NSR2007_StatePlane_Georgia_West_FIPS_1002_Ft_US

1 inch = 66 feet
Drawing Date: 7/15/2014

Lockridge Outdoor Advertising, LLC
Tony Lockridge - 727-415-4332
tony@lockridgeoutdoor.com

2110 Ranch Road 620 S.
PO Box 341432
Austin, TX 78734



PLANNING AND ZONING COMMISSION

November 3, 2014

CASE: S-14-025, Lockridge Outdoor Advertising, LLC c/o Culver Building Contractor.

REQUEST: Hold a public hearing and consider a request for a Specific Use Permit with Term for a Billboard/Billboard Sign.

APPLICANT: Lockridge Outdoor Advertising, LLC.

OWNER: Culver Building Contractor.

LEGAL DESCRIPTION: On Lots R and S, Tract 1, Stockyard Acres, City and County of Midland, Texas.

LOCATION: Generally located between W. Industrial Avenue and W. Florida Avenue, approximately 1,100 feet east of S. Garfield Street.

CURRENT ZONING: C-3, Commercial District.

DETAILS OF REQUEST:

1. The applicant wishes to construct an off-premises billboard on the owner's property located at 1801 Industrial. The property is within a C-3, Commercial District. The billboard will have a maximum height of 30 feet. The dimensions of the billboard are proposed to be 12' X 32' feet, totaling a sign area of 384 square feet.

SURROUNDING ZONING AND LAND USE:

2. The property is located within a C-3, Commercial District. The nearest other zoning district is a 1F-3, One-Family Dwelling District that is approximately 430 feet to the north, across the railroad.

ANALYSIS:

3. Title 11, Chapter 7a, "Revised Outdoor Sign Regulations," and in particular, Section 8, "Billboards and Electronic Billboards," of Midland's City Code, lists several requirements that must be met prior to approval of billboards:
 - Minimum Separation:
 - Static: No billboard location may be approved which is within 1,000 feet of an existing billboard, or property zoned with a Specific Use Permit with term for location of a billboard on the same side of the street, or within 1,500 feet of an existing electronic billboard or property zoned with a Specific Use Permit with term for an electronic billboard on the same side of the street.
 - Maximum Height: 30 feet, for both static and electronic.

- Maximum Sign Area:
 - Static: The total area of each sign face shall not exceed 672 square feet.
- Limits of Sign Face: A billboard shall be limited to a single face viewed from any one direction, for both static and electronic.
- Setbacks: Same as the setbacks required for buildings in the zoning district, for static and electronic.
- Distance from MF-2, Multi-Family Dwelling District, or More Restrictive Districts:
 - Static: 75 feet.
- Lighting:
 - Static: Exterior lighting to be shielded to prevent glare.

The location and design of the proposed billboard complies with the City Code on all of the points listed above. The maximum height is 30' as required by the Code. The static sign area does not exceed 672 square feet. The billboard is limited to a single face viewed from any one direction. The setbacks for the C-3 District are met. The distances to the surrounding zoning which are MF-2, Multi-Family Dwelling District, or more restrictive are in compliance; the closest residential district is approximately 430 feet away from the proposed location for the billboard. The required distance is 75 feet from a residential zone. The applicant has met all billboard requirements.

According to the Signage section of the Midland Master Plan 2025, it has been recommended that future billboards should be prohibited along Interstate Highway 20, Business I-20, Loop 250, La Entrada, and Ports-to-Plains. Additionally, in July 1978, the Planning and Zoning Commission had unanimously adopted a policy regarding the placement of billboards to assist in evaluating Specific Use Permits. Essentially, this policy states the following:

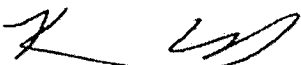
1. That billboard locations should be considered only along major thoroughfares which carry state highway traffic through the city, including streets such as Garden City Highway, Florida Avenue, Andrews Highway, Big Spring Street, Rankin Highway, Business I-20, I-20, Fairgrounds Road, and certain segments of the Loop.
2. That billboard locations along these routes should be limited to areas of major commercial concentrations where the billboards would conform to the character of the area.
3. That billboards should be avoided in shopping center locations which serve residential areas.
4. That size, setback, height, spacing, and lighting restrictions should also be considered when evaluating such requests.

Industrial Avenue serves as a collector street for the surrounding commercial area. Traffic at this location is primarily local, serving the surrounding businesses. The applicant meets all code requirements and staff believes that this proposed billboard would fit the character of the overall area.

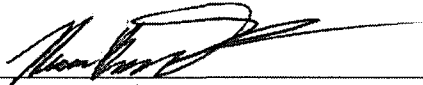
STAFF RECOMMENDATION:

Staff recommends approval of this request for a Specific Use Permit with Term for a Billboard/Billboard Sign. We recommend that any approval be subject to the following conditions:

- A. That the location of the billboard shall conform to the Site Plan (Exhibit A).
- B. That the billboard shall conform to Exhibit A:
 - a. That the maximum height of the billboard shall not exceed 30 feet.
 - b. That the maximum square footage in area per sign face shall not exceed 384 square feet.
- C. That this billboard shall conform to all conditions of the Midland Sign Code, as of July 22, 2014.
- D. That the applicant, Lockridge Outdoor Advertising, LLC, shall obtain a Certificate of Occupancy prior to using this billboard for advertising to ensure the conditions of this permit are satisfied.



Kevin Crosby, Senior Planner
Department of Development Services



Bob Baronti, Jr., AICP
Planning Division Manager
Department of Development Services

Attachments:

Application
Maps
Site Plan (Exhibit A)

Case Number: 5-14-025

CITY OF MIDLAND
Planning Division

SPECIFIC USE PERMIT APPLICATION

LOCKRIDGE OUTDOOR ADVERTISING, LLC		(727) 415-4332
Applicant Name		Contact Phone #s
2110 RANCH RD 620 SOUTH P.O. Box 341432 AUSTIN, TX		78734
Address		Zip Code
E-Mail address TONY@LOCKRIDGEOUTDOOR.COM		
CULVER BUILDING CONTRACTOR		432 - 288 - 3901
Property Owner Name		Contact Phone #s
1801 W. INDUSTRIAL AVE		79701
Address		Zip Code
E-Mail address		

Operator (if different from Applicant or Property Owner)		Contact Phone #s
Address		Zip Code
Type of Permit: OFF-PREMISE SIGN	SUP with Term: ☒ Yes ☐ No (For Office Use)	

Street address and Legal Description of property on which SUP is desired (complete Lot, Block, and Subdivision, or if unplatted, attach a Metes and Bounds description with surveyor's seal.)

1801 W. INDUSTRIAL AVE.
LOT 0180 BLOCK 000 SUBDIVISION: STOCKYARD ACRES

Current Zoning: C-3

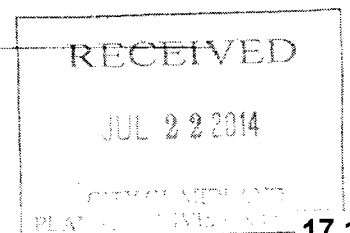
Maximum Floor Area: N/A Max. Occupancy: N/A

Proposed hours and days of use or operation: N/A

Reason for request: SIGN AS REQUIRED

Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience:

SEE ATTACHED PAGE FOR REASON FOR REQUEST



REQUIRED SUBMITTALS

1. Application fee: \$300. (80% of fee will be refunded if no P&Z public hearing is called; if no City Council public hearing is called, then 30% of fee will be refunded.)
2. Site plan – 16 copies (FOLDED)
3. On a CD in .pdf and .jpg format.

SIGNATURES:

Applicant: [Signature] Date: 17 July 2014
Property Owner: _____ Date: _____

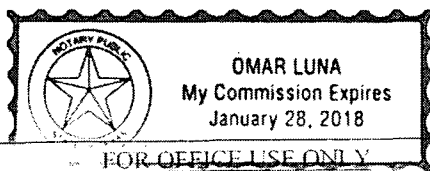
If an Agent is authorized by the property owner to file and execute the application on behalf of the property owner, the Agent must complete the affidavit below.

STATE of TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared

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

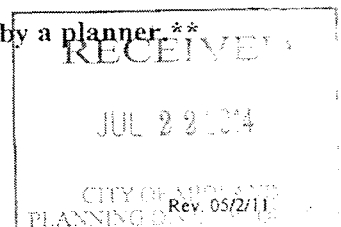
Subscribed and sworn to before me, this 17th day of July, 20 14, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
Rec'd By: <u>KE</u>	Date: <u>7/22/14</u>
Assigned: <u>KE</u>	
For: <u>P&Z</u>	On: <u>11/3/14</u>

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





LOCATION MAP

S-14-025

Scale: 1" = 300'

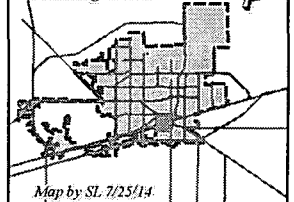
Consider a request for a Specific Use Permit with Term for a Billboard on Lots R & S, Tract 1, Stockyard Acres, City and County of Midland, Texas.

Generally located between W. Industrial Avenue and W. Florida Avenue, approximately 1100 feet east of S. Garfield Street. (Council District 2)

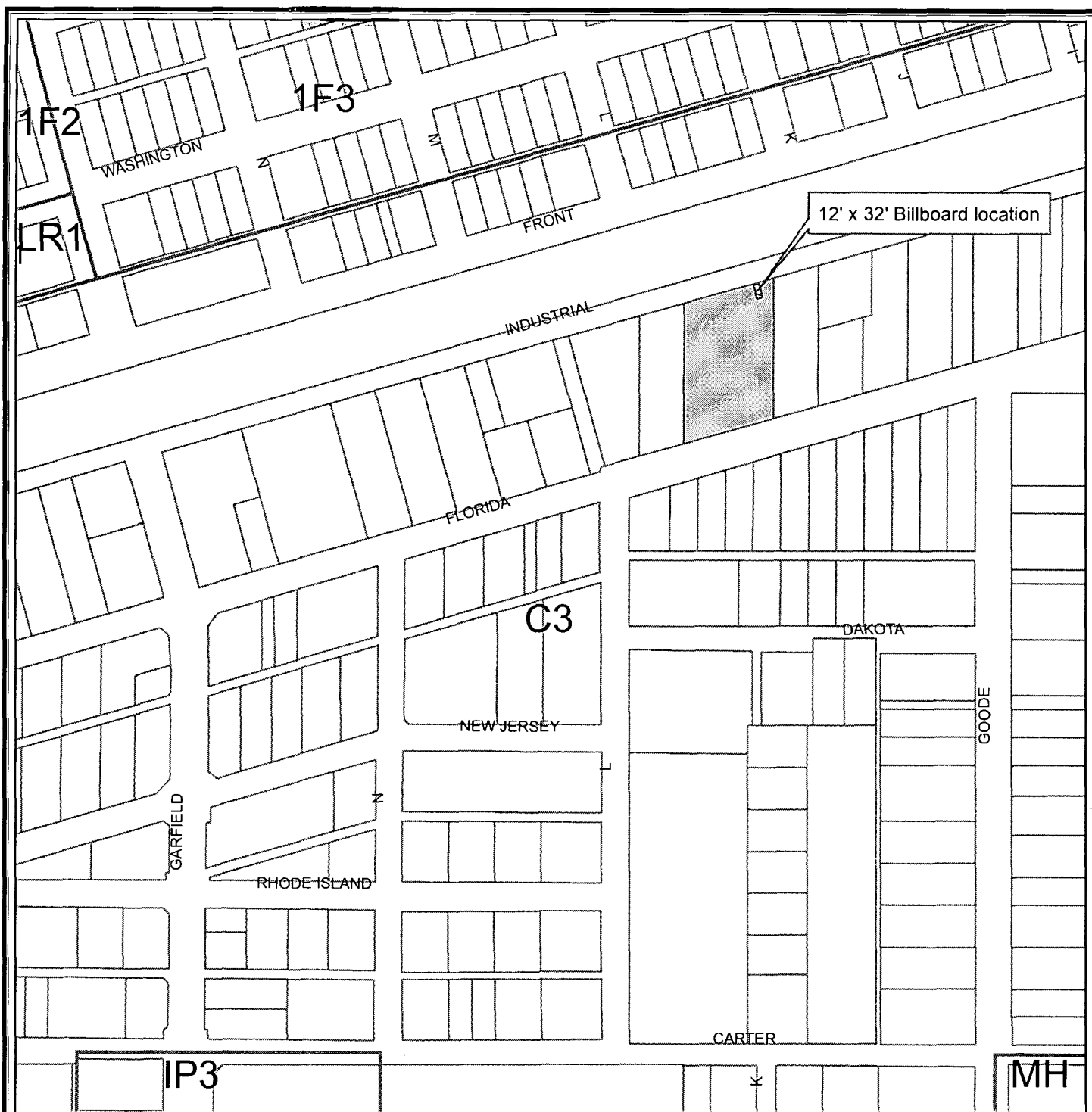
LEGEND

- CITY LIMITS
- CITY PARCEL
- PROPOSED AREA
- 200 FT. LEGAL NOTICE LIMIT
- PUBLIC BLDGS
- PRIVATE BLDGS
- ACCESSORY BLDGS

City of Midland, Texas
Planning Division



©THE CITY OF MIDLAND - 2014
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ZONING MAP

Map by SL 7/25/14

S- 14 - 025

Scale: 1" = 300'

Consider a request for a Specific Use Permit with Term for a Billboard on Lots R & S, Tract 1, Stockyard Acres, City and County of Midland, Texas.

Generally located between W. Industrial Avenue and W. Florida Avenue, approximately 1100 feet east of S. Garfield Street. (Council District 2)

LEGEND



ZONING



PARCELS

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	LR1, LR2, LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP, JP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

THE CITY OF MIDLAND 2015: THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA. WHILE THIS DATA IS MADE AVAILABLE TO THE PUBLIC, IT WAS CREATED FOR INTERNAL USE BY THE CITY OF MIDLAND WHICH MAKES NO CLAIM AS TO ITS ACCURACY OR COMPLETENESS. THIS DATA IS NOT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING, CITING, OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.







Destination
Live Music & Venue Rental
1705 W. INDUSTRIAL AVE. MIDLAND TX 79701
432.352.0913
Rustic Outdoor Patio / Live Music / Street Food
& Venue Rental
Additional Parking & Entrance Through Route 81
ENTRANCE





Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Hold a public hearing and consider a request by Don Clay for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lots 1 and 2, Block 6, Moody Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Houston Avenue and North Lee Street. Council District 2)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Don Clay, is requesting approval of a zone change for the development of a single-family residential homes on each lot.

Current Zoning:

LI, Light Industrial District.

Surrounding Zoning and Land Use:

The property to the north, across Houston Avenue, is zoned MF-22, Multiple-Family Dwelling District and the location of vacant land. The properties to the east, across North Lee Street are zoned LI, Light Industrial and the locations of vacant land and a residential home. The property to the south is zoned LI, Light Industrial District and the location of vacant land. The properties to the west are zoned RR, Regional Retail District and the location of a barber shop.

Analysis:

The properties are located at 411 North Tyler, and one currently does not have an address. The lots are currently vacant. The applicant is proposing the development of a single-family residential home on each of the lots. The current zoning of this property is LI, Light Industrial District. Per the previous zoning ordinance, single-family detached dwellings were allowed within this zoning district. As of July 1, 2019, the new zoning ordinance does not allow the use of single-family detached dwellings within the LI, Light Industrial District.

The planning department has researched the surrounding neighborhood and based on the existing characteristics of the area, the zone change request to allow for a single-family detached dwelling would be appropriate. The planning department is also working in researching additional areas where residential uses are present within commercial districts.

In addition to having the appropriate zoning for the development, one of the lots meets the minimum lot requirements. The other does not. However, there is a provision in the Zoning Ordinance, *Section 4: Zoning Land Use Regulations*:

D. Existing Platted Lots are Conforming Lots.

Any Existing vacant lot platted prior to the Zoning Ordinance effective date that was legally conforming shall be deemed a conforming lot.

This property was platted prior the effective date; therefore, the lot dimensions would be suitable for the development of the home. The maximum height and setbacks of the buildings must also meet the standards as listed in the SF-3, Single-Family Dwelling District Dimensional Regulations chart.

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 objections to zoning/zone change.

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

Fire: (Approved)

No comments.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, 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 and Gas issues.

Transportation: (Approved)

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

No objection to zone change.

Planning:

Per the Future Land Use map, this location is designated as Urban Medium – Neighborhood Center. Potential zoning for this area includes Single-Family Dwelling Districts; therefore, this zone change is in compliance with the Future Land Use plan. It would also support the existing neighborhood characteristics and uses of the area.

Staff recommends approval of this request for approval of a zone change subject to condition A.

Conditions:

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

Letters of Objection:

As of October 16, 2019, staff has not received any letters of objection.

Attachments:

Application
Maps



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

Project Number:

2-19-0141

Case Number:

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

Printed Name: DON L. CLAY

Phone (432) 247-2896
Email

Address

City

State

Zip

Property Owner

Printed Name: DON L. CLAY

Phone (432) 247-2396
Email

CMP2@yahoo.com

Address 1302 Chestnut Ave

City Midland

State TX

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Phone ()
Email

Address

City

State

Zip

Street Address: 411 N. Lee St & 409 N. Lee Street

Legal Description

Lot: _____ Block: _____ Subdivision: _____

Current Zoning: LI

Proposed Zone:

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

Reason for Zone Change Request: Very Few Commercial businesses -
Most Residential

Present Use of Property: NI*

Proposed Use of Property: Residential Housing

How would this zone change affect the public health, safety and welfare? Quality of
life in terms of noise, Traffic, Type of Traffic

Describe how conditions affecting the property have changed since present zoning designation: _____

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): Don L. Clay Date: 9-19-2019

Applicant (printed): Don L. Clay

Property Owner (signature): _____ Date: _____

Property Owner (printed) : _____

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # waived

Received By: g.a.c

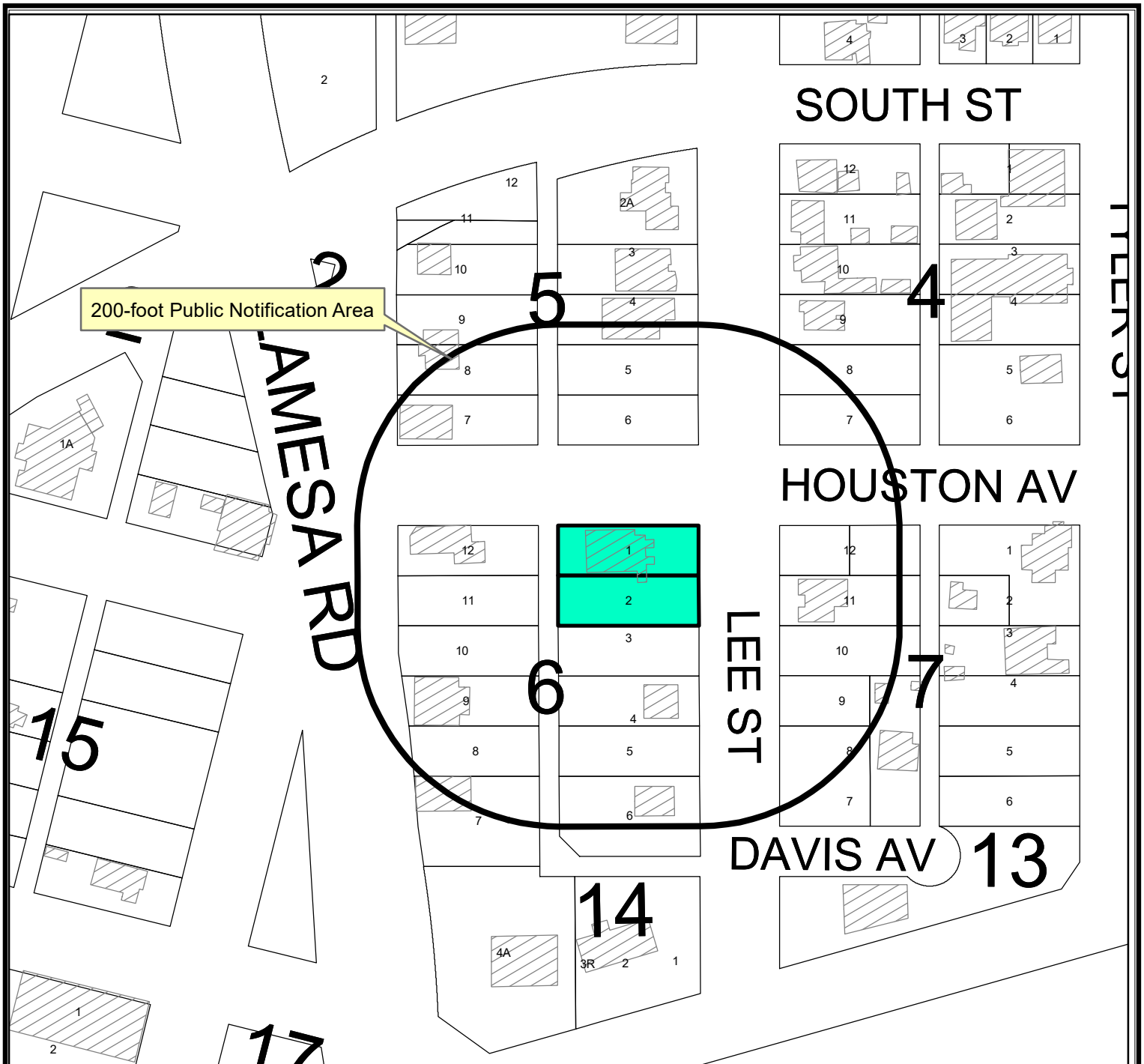
Date: _____

RECEIVED

SEP 24 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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



LOCATION MAP

Z-19-0141

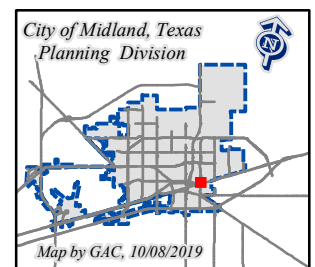
Scale: 1" = 400'

Consider a request by Don Clay for a zone change from a LI, Light Industrial District to SF-3, Single-Family Dwelling District on Lots 1 and 2, Block 6, Moody Addition, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of Houston Avenue and North Lee Street.
(Council District 2)

LEGEND

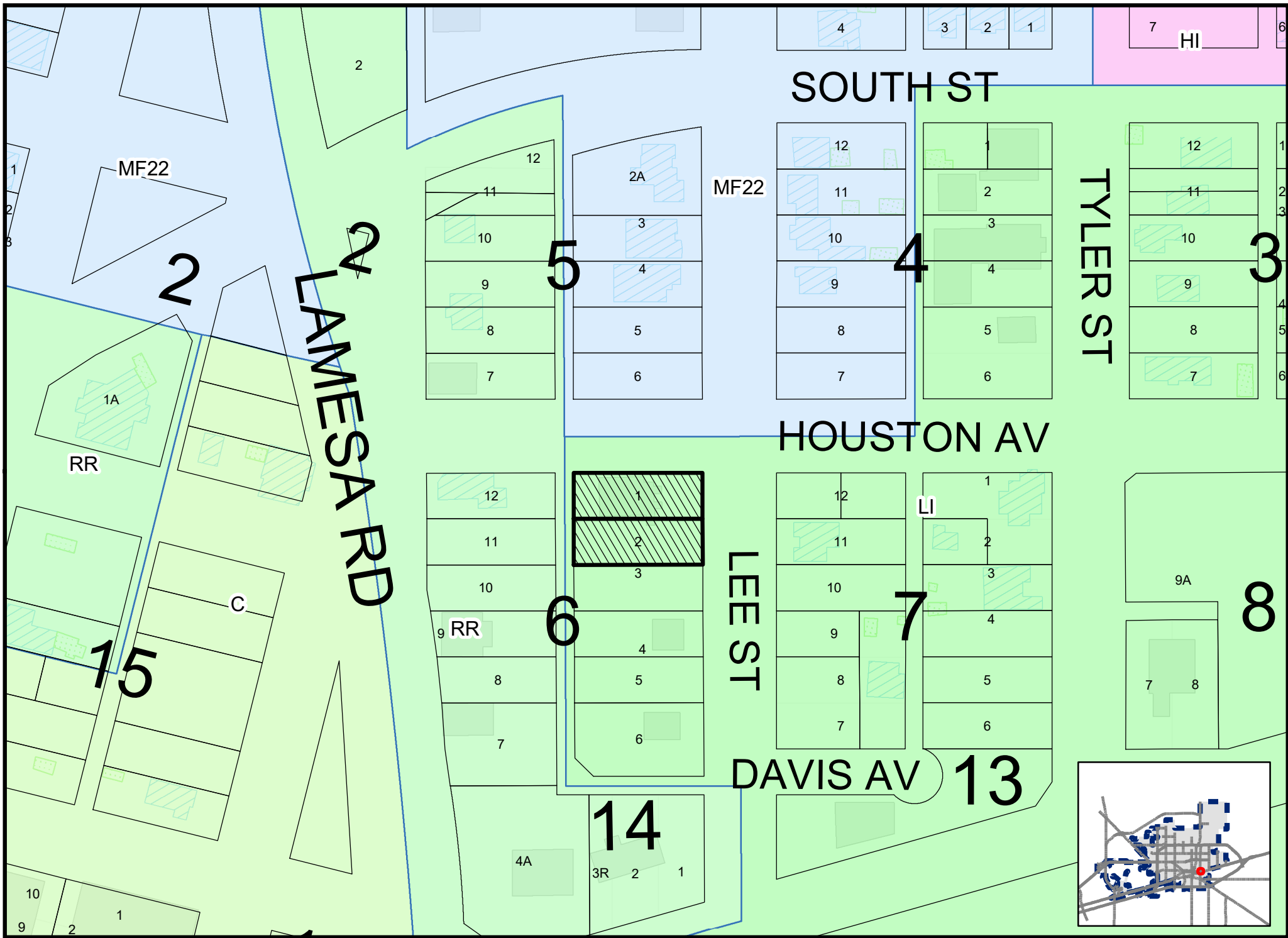
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

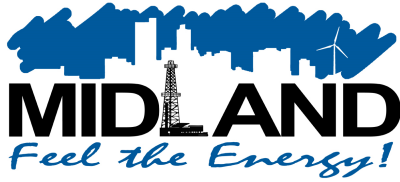












Planning and Zoning Commission

Approved for
Agenda:
Cristina Odenborg

MEETING DATE: 10/21/2019

TO: PLANNING AND ZONING COMMISSION

FROM: Glenda Arroyo-Cruz, Planner

SUBJECT: Hold a public hearing and consider a request by Landgraf, Crutcher and Associates for a zone change from a PD, Planned District for a Housing Development, in part; and 2F-Two-Family Dwelling District, in part; to SF-3, Single-Family Dwelling District, on a 22.75-acre tract of land out of Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of Passage Way and North Midkiff Road. Council District 1)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Landgraf, Crutcher and Associates, is requesting approval of a zone change for future development of a single-family residential subdivision.

Current Zoning:

PD, Planned District for a Housing Development (Ordinance No. 6248) in part; and 2F, Two-Family Dwelling District, in part.

Surrounding Zoning and Land Use:

The properties to the north are zoned, LR, Local Retail District, O-1, Office District, and TH, Townhouse Dwelling District and the location of vacant land. The property to the east is zoned, AE, Agriculture-Estate District and the location of vacant land. 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 AE, Agriculture-Estate District and the location of vacant land.

Analysis:

The property is currently vacant and the applicant is proposing a zone change on a 22.75 acre portion presently zoned PD, Planned District for a Housing Development, in part; and 2F-Two-Family Dwelling District, in part; to SF-3, Single-Family Dwelling District.

The property is unplatted and is at the sketch phase. If approved, all future development and proposed lot dimensions must meet the standards as stated in the SF-3, Single-Family Dwelling District.

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

Engineering: (Approved)

No objection to zone change.

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

Fire: (Approved)

No objections.

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 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 and Gas issues. Permitted well located on the plat and addressed under pre-plat review.

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 location is designated as Urban-Medium. Potential zoning for this area includes Single-Family Dwelling Districts; therefore, this zone change is in compliance with the Future Land Use plan. It would also support the existing neighborhood characteristics and additional housing development for the city.

Staff recommends approval of this request for approval of a zone change subject to condition A.

Conditions:

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

Letters of Objection:

As of October 16, 2019, staff has not received any letters of objection.

Attachments:

Metes and Bounds (Exhibit A)
Survey Plat
Application
Maps
Ordinance No. 6248



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

lca@lcaodessa.com

521 N. Texas Ave. • Odessa, Texas 79761

(432) 332-5058 or 580-8812 • Fax (432) 332-8812

Engineering Firm# 001363 • Surveying Firm# 10034300

**METES & BOUNDS DESCRIPTION
OF A 22.7568-ACRE TRACT
LOCATED IN SECTION 9, BLOCK X
H.P. HILLIARD SURVEY
MIDLAND COUNTY, TEXAS**

BEING A 22.75-ACRE PORTION OF THAT CERTAIN 40.42-ACRE TRACT (CALLED 40.543-ACRE TRACT 2) AS DESCRIBED IN VOLUME 713 PAGE 434, VOLUME 739 PAGE 739, AND VOLUME 606 PAGE 151 OF THE MIDLAND COUNTY DEED RECORDS LOCATED IN SECTION 9, BLOCK X, H.P. HILLIARD SURVEY, MIDLAND COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at (Y= 10,716,913.76' & X= 1,737,659.22') a 3/8" spike with 2" Aluminum washer stamped "LCA ODESSA TX" set on the west line of said Section 9 for the northwest corner of this tract and the southwest corner of that certain 40.495-acre Tract 3 in said Volume 713 Page 434 & Volume 739 Page 739, whence the computed northwest corner of said Section 9, bears North 14°27'49" West, a distance of 1,327.5 feet, said computed corner being referenced by a 1/2" Iron rod (Control Monument) bearing South 75°32'02" West, a distance of 20.1 feet;

THENCE North 75°32'02" East with the common north line of said 40.543-acre tract and the south line of said 40.495-acre tract and the centerline of a 60-foot public right-of-way as described in Volume 658, Page 288 of said Midland County Deed Records, a distance of 750.0 feet to the northwest corner of Ordinance No. 6248;

THENCE South 14°27'58" East with the east line of Ordinance No. 6248, a distance of 1,168.25 feet to the south east corner of said Ordinance No. 6248;

THENCE South 75°32'34" West with the south line of said Ordinance No. 6248, a distance of 10.03 feet to the northeast corner of Ordinance No. 6247;

THENCE South 14°27'26" East with the east line of said Ordinance No. 6247, a distance of 155.0 feet to the southeast corner of said Ordinance No. 6247 on the south line said 40.42-acre tract and the north line of MAYFIELD PLACE ADDITION SECTION 5 as described in Cabinet I, Page 118 of the Midland County Plat Records;

THENCE South 75°32'34" West with the south line of said Ordinance No. 6847 and the north line of said MAYFIELD PLACE ADDITION SECTION 5, a distance of 740.0 feet to a 3/8" spike with 2" Aluminum washer stamped "LCA ODESSA TX" set at the southwest corner of this tract and the northwest corner of said MAYFIELD PLACE ADDITION SECTION 5, and being on the west line of said Section 9, whence a 3/8" spike with 2" Aluminum washer stamped "PLS 1974" (Control Monument) found at the southwest corner of said Section 9 bears South 14°27'49" East, a distance of 2,652.17 feet;

The Bearings, Distances and Coordinates are based upon the Texas Coordinate System, Central Zone, with a theta angle of -00°55'41" and a Combined Grid Factor of 0.999920268 near the center of this survey.

This document was prepared under 22 TAC 663.21, and is not to be used to convey or establish interest in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

22.75 ACRE TRACT LOCATED IN SECTION 9, BLOCK X,
H.P. HILLIARD SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS



LEGEND

PROPOSED 2F
TO SF3



ENG. _____ E.T. _____
SVY. _____ DFT. _____
LCA JOB No. 2019-049.4



521 North Texas, Odessa Tx. 79761 F-001863 F-10034300
Phone # (432) 332-5058 E-Mail: lca@lcaodessa.com

E-Mail : lca@lcaodessa.com


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

Project Number:

2-19-0137

Case Number:

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

Printed Name: Landgraf, Crutcher & Associates (LCA/ AGENT)

Phone (432) 332-5058

Email LCA@LCAODESSA.COM

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Property Owner

Printed Name: Walton Judkins

Phone ()

Email

Address PO Box 10692

City Midland

State TX

Zip 76131

Representative (if different from Applicant or Property Owner)

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

Street Address:**Legal Description**

Lot: Block: Subdivision: Proposed Quail Run, Section 1

Current Zoning:**Proposed Zone:**

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

Reason for Zone Change Request: To create a Single-Family Residential Area with approx. 164 lots**Present Use of Property:** Property is currently vacant**Proposed Use of Property:** To create a Single-Family Residential Area with approx. 164 lots.**How would this zone change affect the public health, safety and welfare?** The Zone change may increase traffic in the area.**Describe how conditions affecting the property have changed since present zoning designation:** N/A**Submittal and Fees****Items to be submitted with this application form:**

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

RECEIVED

SEP 18 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

Date:

Property Owner (printed) :

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 18th day of Sept., 20 19, to certify which witness my hand and seal of office.



Melanie Martinez
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

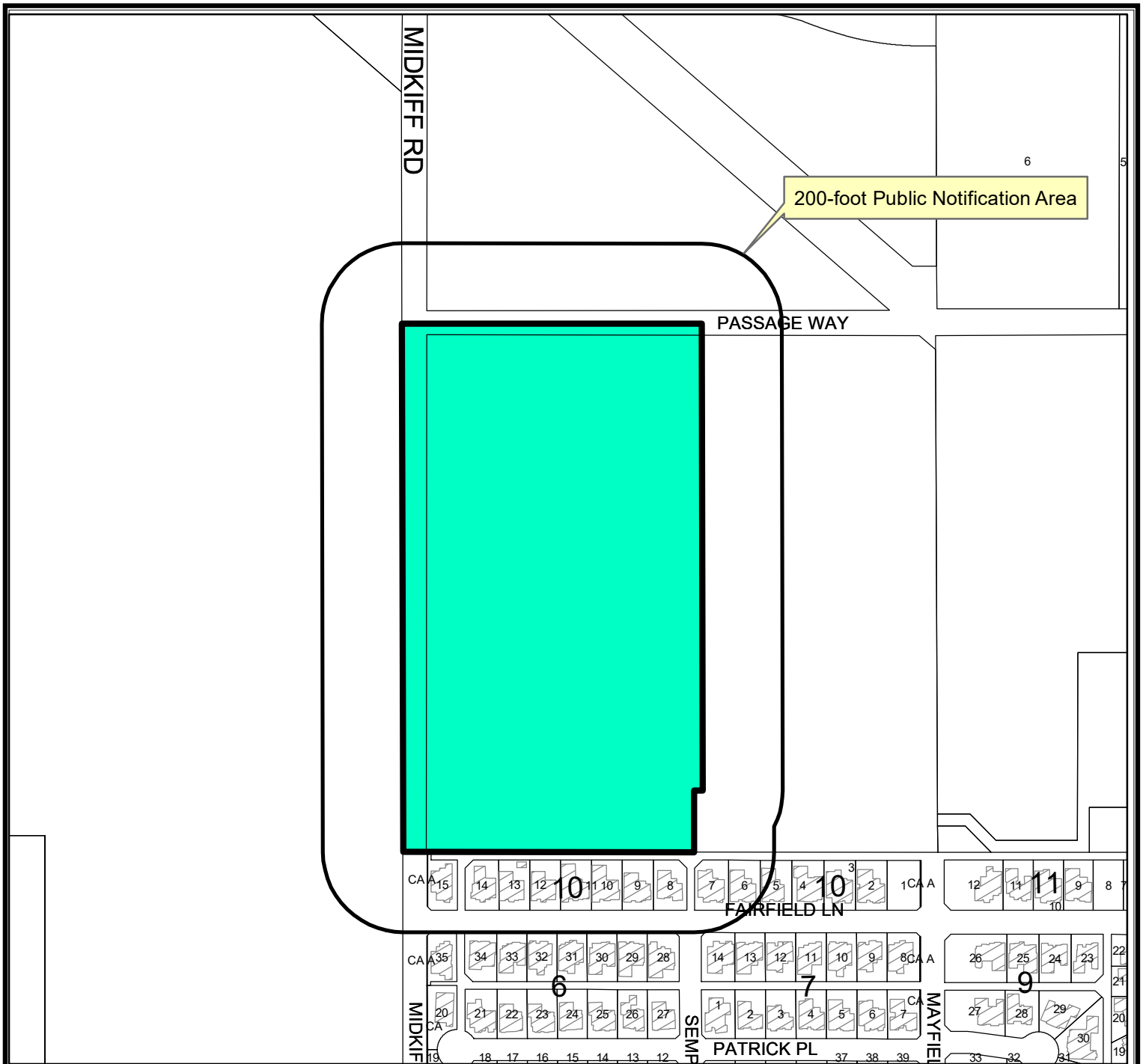
FOR OFFICE USE ONLY☒ Property Owner Authorization☒ Dimensioned Site Plan☒ Application Fee☒ Plans in Digital Format (PDF/JPEG)Check # 378 30Received By: jac

Date:

SEP 18 2019

CITY OF MIDLAND
PLANNING DIVISION OFFICE

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



LOCATION MAP

Z-19-0137

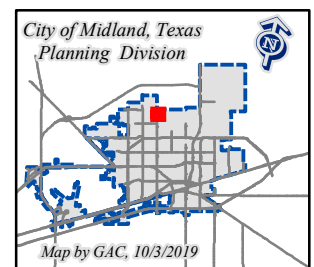
Scale: 1" = 400'

Consider a request by Landgraf, Crutcher and Associates for a zone change from a PD, Planned District for a Housing Development, in part; and 2F-Two-Family Dwelling District, in part; to SF-3, Single-Family Dwelling District, on a 22.75-acre tract of land out of Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas.

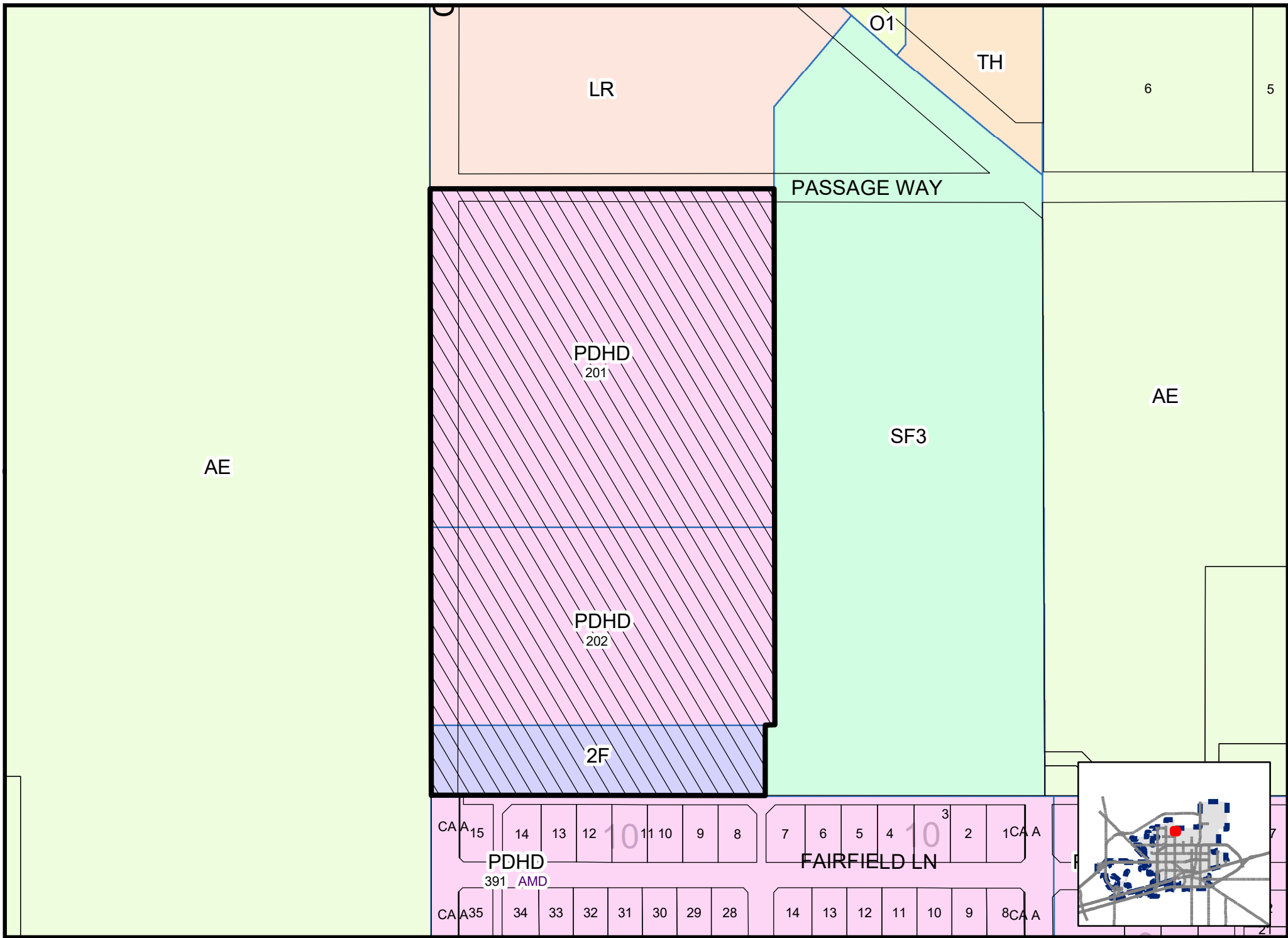
Generally located on the southeast corner of the intersection of Passage Way and North Midkiff Road. (Council District 1)

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.



ORDINANCE NO. 6248

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 "AE", AGRICULTURE-ESTATE DISTRICT, TO BE USED AS A "PLANNED DISTRICT" FOR A HOUSING DEVELOPMENT; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; PROVIDING THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE ORDINANCES AND OTHER SPECIFICATIONS SET OUT AND REFERRED TO HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO HUNDRED DOLLARS (\$200.00); 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 been 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

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

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

Said property is described as follows:

Tract 7

A 12.65 acre tract of land in Section 9, Block "X", H. P. Hilliard Survey, Midland County, Texas, being more fully described by metes and bounds as follows:

Beginning at a point in the western boundary of said Section 9, for the NW corner of this tract, from which the NW corner of said Section 9 bears N. 15° 09' 43" W., 1,333.89 feet;

Thence S. 15° 09' 43" E., 735.00 feet along the western boundary of said Section 9, to a point for the SW corner of this tract;

Thence N. 74° 50' 11" E., 750.00 feet to a point for the SE corner of this tract;

Thence N. 15° 09' 49" W., 735.00 feet to a point for the NE corner of this tract;

Thence S. 74° 50' 11" W., 749.97 feet to the place of beginning and containing 12.65 acres of land.

AND

Tract 8

A 7.40 acre tract of land in Section 9, Block "X", H. P. Hilliard Survey, Midland County, Texas, being more fully described by metes and bounds as follows:

Beginning at a point in the western boundary of said Section 9, for the NW corner of this tract, from which the NW corner of said Section 9 bears N. 15° 09' 43" W., 2,068.89 feet;

Thence S. 15° 09' 43" E., 430.00 feet along the western boundary of said Section 9, to a point for the SW corner of this tract;

Thence N. 74° 50' 11" E., 750.00 feet to a point, for the SE corner of this tract;

Thence N. 15° 09' 49" W., 430.00 feet to a point for the NE corner of this tract;

Thence S. 74° 50' 11" W., 750.00 feet to the place of beginning and containing 7.40 acres of land.

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

1. That the use and development of Tract 7 shall conform to all regulations applicable to an "MF-1", Multiple-Family Dwelling District, except that the minimum lot area per family unit shall be 2,070 square feet.

2. That the use and development of Tract 8 shall conform to all regulations applicable to an "MF-1", Multiple-Family Dwelling District, except that the minimum lot area per family unit shall be 3,630 square feet.

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

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

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

SECTION SIX. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two hundred dollars (\$200.00).

SECTION SEVEN. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by 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 June, A.D., 1983; and passed to second reading on motion of Councilman Sloan, seconded by Councilman Godfrey, by the following vote:

Councilmen voting "AYE":

Sloan, Godfrey, Akins,
Marcum and Davidson

Councilmen voting "NAY":

Hatfield

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Councilman Godfrey, seconded by Councilman Marcum, on the 12th day of July, A.D., 1983, at a regular meeting of the City Council:

Councilmen voting "AYE": Godfrey, Marcum, Akins, and Davidson

Councilmen voting "NAY": None

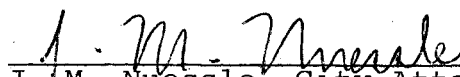
PASSED AND APPROVED THIS 12th day of July, A.D., 1983.


G. Thane Akins, Mayor

ATTEST:


J. W. McCullough, City Secretary

APPROVED AS TO FORM:


J. M. Nuessle, City Attorney



MORIAH
REAL ESTATE COMPANY, LLC

**SITE
AVAILABLE**

(432)
682-2510

Wes Gotcher
Moriah Real Estate Company, LLC
wes@moriahrealty.com





