

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

**February 21, 2023 - 3:30 PM
Council Chambers – City Hall**



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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning & Zoning meeting minutes for February 6, 2023.
3. Motion approving a Final Plat of Garrett Place, Section 7, being a plat of the West 40 feet of Lot 4 and the East 25 feet of Lot 5, Block J, Garrett Place, City and County of Midland, Texas. (Generally located on the south side of W. Indiana Avenue, approximately 116-feet east of Carlton Street - Council District 2) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of Highland Park Addition, Section 3, being a replat of Lots 1-8, Block 3, Highland Park Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. Garfield Street and W. Louisiana Avenue - Council District 1) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of North Midkiff Addition, Section 6, being a plat of a 0.517-acre tract of land located in Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the south side of Happy Trails Drive, approximately 707-feet west of Whitman Drive - Council District 1) (DEVELOPMENT SERVICES)
6. Motion approving a Final Plat of Morningside Addition, Section 11, being a re-plat of all of Lots 9 & 10, Morningside Addition, Section 23, Block 39, T-1-S, T. & P. RR. Co. Survey Midland County, Texas, according to the plat recorded in plat cabinet "C" on page 149 of

the plat records of Midland County, Texas. (Generally located on the east side of Big Spring St, approximately 265 feet south of W Oak St - Council District 2) (DEVELOPMENT SERVICES)

7. Motion approving a Final Plat of Midland Heights Addition, Section 5, being a replat of Lots 4, 5 and 6, Block 12, Midland Heights Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Florida Avenue and Pratt Street - Council District 2) (DEVELOPMENT SERVICES)
8. Motion approving a Final Plat of Covington Addition, Section 8, being a replat of Lots 2, 3, 4, and 5, Block 3, Covington Addition, City and County of Midland, Texas. (Generally located on the east side of Jordy Road, approximately 790-feet northwest of Tower Road - Council District 4) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

9. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Western Hills Addition, Section 15, being a plat of a 4.73-acre tract of land out of Lot 22, Block 22, correction plat of Western Hills, Section 2, an addition to the City and County of Midland, Texas. (Generally located to the east of Beal Parkway, Approximately 154-feet south of Blue Haven Drive. – Council District 4) (DEVELOPMENT SERVICES)
10. Motion approving a Final Plat of Southern Addition, Section 27, being a replat of the south 90 feet of Lots 10-15, Block 121, all out of the Southern Addition, City and County of Midland, Texas. (Generally located at the northeast corner of S. Dallas Street and E. New York Avenue - Council District 2) (DEVELOPMENT SERVICES)
11. Consider a request by Louis Clay for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 10, Block 29, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland County, Texas. (Generally located on the east side of Benton Street, approximately 110 feet south of E. New York Avenue - Council District 2) (DEVELOPMENT SERVICES)
12. Consider a request by Katelyn Carrasco for a Specific Use Designation with Term for the Sale of all alcoholic beverages, for on premises consumption in a restaurant on a 1,988-square foot portion of Lots 1 and 2 and the east 23.5 feet of Lot 3, Block 65, Original Town, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Wall Street and S. Loraine Street. Council District 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

13. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Westridge Park, Section 50, being a replat of Lot 4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Boulevard

and Loop 250 Frontage Road. – Council District 4) (DEVELOPMENT SERVICES)

14. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Sturgis Addition, being a plat of a 10.10 acres tract of land located the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side on W. County Road 130, approximately 1,055-feet west of S. County Road 1200 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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

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



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

Commissioners present: Lucy Sisniega, Dianne Williams, Stacy Grosse, Abraham Bejil, Beverly Dillow

Commissioners absent: Zachary Deck, Emily Holeva, Adrian Carrasco

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

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held.

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

CONSENT ITEMS

Commissioner Williams moved to approve; seconded by Commissioner Bejil.

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

2. Motion approving the Planning & Zoning meeting minutes for January 3, 2023.
3. Motion approving the Planning & Zoning meeting minutes for January 17, 2023.
4. Motion approving a Final Plat of Stallion Park Addition, being a 4.57-acre tract of land out of Section 9, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Sunglo, approximately 151-feet east of Acapulco Road. – Council District 2)

PUBLIC HEARINGS

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

5. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Warwick Addition, Section 4, being a replat of Lots 1, 2 and 3, Block 6, Warwick Addition, City and County of Midland, Texas. (Generally located on the northeast corner on the intersection of Shell Avenue and North "L" Street. – Council District 3)

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

The public hearing was opened at 4:40 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:40 p.m.

Commissioner Grosse moved to approve this item; seconded by Commissioner Bejil.

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

6. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Melody Acres Section 16, being a 1.00-acre tract of land out of the southeast quarter of Section 7, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Tanforan Avenue and Oriole Drive. – Council District 4)

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

The public hearing was opened at 4:42 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:42 p.m.

Abraham Bejil moved to approve this request; seconded by Stacy Grosse.

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

7. Consider a request by MIDPYR LLC/Roger Gearhart for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption in a Bar, on a 7,464-square foot portion of Lot 1, Block 8, Claydesta Plaza, City and County of Midland, Texas. (Generally located on the southwest corner of Desta Drive and Smith Road – Council District 3)

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

The public hearing was opened at 4:45 p.m.

The applicant was present but deferred to staff.

the public hearing was closed at 4:45 p.m.

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

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

8. Consider a request by Lee Sanchez, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a cocktail lounge, on a 2,781 square foot portion of Block 64, Original Town, City and County of Midland, Texas. (Generally located on the southwest corner of W. Wall Street and S. Colorado Street - Council District 2)

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

The public hearing was opened at 4:47 p.m.

The applicant was not present.

The public hearing was closed at 4:48 p.m.

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

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

9. Consider a request by Karen Hopkins for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on premises consumption in a restaurant on Lot 4, Block 44, Fairmont Park, Section 18, City and County of Midland, Texas. (Generally located on the west side of North Midland Drive approximately 550 feet south of West Loop 250. - Council District 1)

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

The public hearing was opened 4:51 p.m.

The applicant was not present.

The public hearing was closed at 4:51 p.m.

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

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

10. Consider a request by Alexander Gamboa for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on premises consumption in a coffee shop and bar, on Lot 1, Block 27, Original Town, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Ohio Avenue and N. Colorado Street. Council District 2)

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

The public hearing was opened at 4:54 p.m.

Commissioner Sisniega asked how would they fulfill the parking requirement. Staff explained that they received permission from the adjacent parking lot and it is owned by the same owner.

The applicant was present but deferred to staff.

The public hearing was closed at 4:56 p.m.

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

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

11. Consider a request by Steve Jeter, d/b/a The Venue, to repeal Ordinance No. 8961, which granted a Specific Use Designation without Term that allowed an accessory building to be used for living or sleeping quarters on Lot 1, Block 1, Camelot Addition, City and County of Midland, Texas. (Generally located on the west side of Elkins Rd, approximately one mile north of Business Interstate 20 - Council District 2)

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

The public hearing was opened at 4:59 p.m.

The applicant was not present.

The public hearing was closed at 4:59 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

12. Consider a request by Drew Wegman for a Zone Change from MF-16, Multiple-Family Dwelling District to TH, Townhouse (Attached) Dwelling District on a 4.73-acre tract of land out of Lot 22, Block 22, Western Hills Addition, Section 2, City and County of Midland, Texas. (Generally located to the east of Beal Parkway, approximately 154-feet south of Blue Haven Drive – Council District 4)

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

The public hearing was opened at 5:02 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 5:03 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

13. Consider a request by Maverick Engineering for a Zone Change from MF-22, Multiple-Family Dwelling District, to RR, Regional Retail District, on Lot 1, Block E-1, Johnson-Moran, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Andrews Highway and West Kansas Avenue - Council District 3)

Item Pulled from the Agenda

14. Consider a request by Brad Schwab for a Zone Change from LI, Light Industrial District to MF-22, Multiple-Family Dwelling District 8.823-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas. (Generally located on east side of Westcliff Drive approximately 335 feet south of Andrews Highway - Council District 3)

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

Commissioner Sisniega ask if the plan was in compliance with the Comprehensive Plan. Staff explained that it is not in compliance, however it would act as a buffer between offices and houses.

Commissioner Bejil asked what is the intended use. Staff explained that it is for senior (55 and up) living facility.

The public hearing was opened at 5:08 p.m.

The applicant Brad Schwab, Omaha Nebraska, was present. He addressed the commission and explained the purpose of the project.

Commissioner Williams asked if children would be permitted to live at the facility. Mr. Schwab explained that typically there are no children but it could happen in certain circumstances.

Commissioner Williams asked how many elevators would there be for the entire building. Mr. Schwab explained that the building would have 3 elevators.

Resident Lory Dawson, 1608 Country Club, Midland Texas, spoke in opposition to this item.

David Diaz 208 Marienfeld Street, Midland Texas, with Midland Development Corp, spoke in favor of the project.

Resident Byron Fender, 1600 Idlewild, Midland Texas, Midland Texas spoke in opposition of this item.

Resident Landon Torres, 4703 Andrew Highway, Midland Texas, spoke in opposition of this item.

The applicant, Brad Schwab, readdressed the commission to answer some of the questions proposed by the residents.

The public hearing was closed at 5:42 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

15. Consider a request by Jorge Chavez for a Zone Change from RR, Regional Retail District, to SF-3, Single-Family Dwelling District, on Lot 3, Block 155, Southern Addition, City and County of Midland, Texas. (Generally located on the west side of South Loraine, approximately 143-feet south of intersection West Pennsylvania – Council District 2)

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

The public hearing was opened at 5:46 p.m.

The applicant

The public hearing was closed at 5:46 p.m.

Commissioner Williams moved to approve this request; seconded by Commissioner Dillow.

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

16. Consider a request by Jorge Chavez for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 12, Block 21, Moody Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N Madison Street and E. Illinois Avenue - Council District 2)

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

The public hearing was opened at 5:50 p.m.

The applicant was not present.

The public hearing was closed at 5:50 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

17. Consider a request by Scott A. Mommer Consulting C/O Cassie Permenter for a Zone Change from PD, Planned Development District for a Shopping Center to 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)

Item Pulled from the Agenda

18. Consider a request by CG 191 and 158 LLC for the Initial Zoning of a 10.817-acre tract of land out of Section 35, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southeast corner of the intersection of W State Highway 158 and State Highway 191)

Planner James Reber gave an overview of the project. With one letter of objection received, staff recommended approval.

The public hearing was opened at 5:53 p.m.

The applicant, Andrew Mellon with Maverick Engineering spoke on behalf of the applicant.

The public hearing was closed at 5:54 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

19. Consider a request by D. R. Horton – Texas LTD for an Initial Zoning of SF-3, Single-Family Dwelling District of a 24.014-acre tract of land located in Sections 38 and 47, Block 40, T-1-S, T&P RR. Co Survey, Midland County, Texas. (Generally located on the east side of Victory Parkway approximately 245 feet south of Hall of Fame Boulevard)

Planner Landon Ochoa gave an overview of the project. With 44 confirmed letters of objection received, staff recommended approval.

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

The applicant, Eric West with Parkhill Engineering who is representing D.R. Horton West, addressed the commission.

Commissioner Bejil asked what would be the proposed number of households for this area. He also asked if the added vehicles would have to use Avalon Drive.

Mr. West explained that Avalon drive be used and that it would be able to handle the added traffic because it is an arterial road.

Commissioner Williams stated that in her observation, most of houses in that area have cars parked in the streets, she stated that this is concerning because the streets are not very big. Commissioner Williams also stated that the density of an SF-3 neighborhood is what is most concerning.

Mr. West stated that there is a market need for these types neighborhoods because these neighborhoods offer housing for first time buyers.

Commissioner Bejil asked if any traffic studies have been done in this area. Staff deferred the question to the city's traffic engineers.

Commissioner Sisniega asked if the developer has to work with the City when trying to develop a new area.

Taha Sakrani, City of Midland Traffic Engineer, addressed the commission to answer traffic related questions. Mr. Sakrani, using the City street map, explained how traffic would be directed. He also explained that all arterial roads can handle up to 45,000 vehicles. He also stated that at present time Avalon Drive is handling up to 8,000 vehicles per day.

Resident Alex Garcia, 6702 Crown Point Court, Midland, Texas, spoke in opposition to this item.

Resident Ramon Sanchez, 6601 Crown Point Court, Midland, Texas spoke in opposition to this item.

Resident Sean Corbin, 620 Victory Park, Midland, Texas spoke in opposition to this item.

Resident, Dwain Frank, 6707 Jamestown, Midland Texas, spoke in opposition to this item.

Resident Stephanie Martin 902 Founders Road, Midland Texas, spoke in opposition to this item.

Resident Kayla Ghastlier, 5404 Hall of Fame Blvd, Midland Texas, spoke in opposition to this item.

The applicant, Eric West, readdressed the commission to answer some of the question presented by the residents.

Commissioner Sisniega ask Mr. West to explain to the audience what the Comprehensive Plan was.

Mr. West explained that it is a plan used to plan future development based on anticipated growth.

Commissioner Sisniega also asked Mr. West to explain what impact fees are. Mr. West explained that it a fee around 4 to 5 thousand per lot and it is used to handle the costs of impact brought on by new development.

Taha Sakrani, readdressed the commission to answer the question of a traffic study done by the city.

Director of Development Services, Charles Harrington, addressed the commission to answer questions.

Commissioner Bejil asked if there is a set timeline for improvements to this particular arterial road. Mr. Harrington explained that a timeline has never been established, traditionally the city allows the development to take place to put more of the burden on the developer.

The public hearing was closed at 4:35 p.m.

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

The motion to deny passed by the following vote: 4 to 1

AYE: Williams, Grosse, Bejil, Dillow

NAY: Sisniega

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

MISCELLANEOUS

20. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Legacy Addition, Section 11, being a plat of a 24.014-acre tract of land out of Section 35, Block 40, T-1-S, T & P. R.R. Co. Survey, Midland County, Texas. (Generally located on the east side of Victory Parkway approximately 245 feet south of Hall of Fame Boulevard. - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 4 to 1

AYE: Grosse, Dillow, Williams, Bejil

NAY: Sisniega

ABSTAIN: None

ABSENT: Deck, Holeva, Carrasco

21. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Southwest Crossing, Section 20 being a plat of a 60.008-acre tract of land out of Section 14, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas. (Generally located 500 feet west of the intersection of South County Road 1239 and West County Road 122 – Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 5 to 0

AYE: Sisniega, Williams, Grosse, Bejil, Dillow

NAY: None

ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

22. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Southwest Crossing, Section 21, being a 10.535-acre tract of land out of Section 13, Block 40, T-2-S, T & P. R.R. Co. Survey, Midland County, Texas. (Generally located on the intersection of South County Road 1235 and West County Road 122. - Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

23. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Bankhead Addition, Section 13, being a 1.00-acre tract of land out of the SW/4 of Section 33, Block 39, T-2-S, T & P R.R. Co. Survey, City and County of Midland, Texas. (Generally located 315-feet south of Front Street, approximately 588-feet east of South Midkiff Road – Council District 2)

Commissioner Williams moved to approve this request; seconded by Commissioner Dillow.

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

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

Commissioner Williams moved to approve; seconded by Commissioner Grosse.

The motion passed by the following vote: 5 to 0
AYE: Sisniega, Williams, Grosse, Bejil, Dillow
NAY: None
ABSTAIN: None
ABSENT: Deck, Holeva, Carrasco

With no further items or business to come before the Commission, Chairwomen Sisniega adjourned the meeting at

Lucy Sisniega, Chairwomen

Date

Elizabeth Shaughnessy, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a Final Plat of Garrett Place, Section 7, being a plat of the West 40 feet of Lot 4 and the East 25 feet of Lot 5, Block J, Garrett Place, City and County of Midland, Texas. (Generally located on the south side of W. Indiana Avenue, approximately 116-feet east of Carlton Street - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The applicant, Schuman Engineering, is requesting to plat the West 40 feet of Lot 4 and the East 25 feet of Lot 5, Block J, Garrett Place, City and County of Midland, Texas for ownership purposes. The plat qualified as short form plat, which does not require a preliminary hearing.

Final Plat Requirements:

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

Departmental Review:

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved)

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

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

PAVING: W Indiana Ave., okay as is. [For the Applicant's information only.]

WATER: 4" water exists in alley, okay as is. No public water improvements required. [For the Applicant's information only.]

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

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

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

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

No comments.

Oil and Gas: (Approved)

No oil and gas issues.

GIS: (Approved)

Please remove recorded information from the plat description.

Planning: (Approved)

The lot does not meet the minimum lot depth for the RR, Regional Retail District. A special exception was approved on November 15, 2022, by City Council. [Informational]

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Garrett Place, Section 7 subject to condition A.

Conditions:

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

Attachments:

Final Plat
Application
Maps



Final Plat Application

Project Number: Sub-22-0523
Case Number: P-23-1522

Proposed Subdivision Plat Name: Garrett Place, Section 7

Legal Description (attached sealed Metes and Bounds): BEING A RE-PLAT OF THE EAST 25.00 FEET OF LOT 5 AND THE WEST 40.00 FEET OF LOT 4, BLOCK "J", GARRETT PLACE AS RECORDED IN CABINET "C", PAGE 120, PLAT RECORDS IN CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner Printed Name: <u>Robert Wilson</u>		Phone () Email	
Address <u>PO Box 9693</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79708</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 Surveying</u> Printed Name: <u>Eduardo L. Aleman</u>		Phone (<u>432</u>) <u>684-5548</u> Email <u>ealeman@schumannonline.net</u>	
Address <u>1111 Magnolia</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning:

Reason for Platting: Combine lots

Plat Information	Total Acreage:
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>1</u>	Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Robert Wilson Jr.

Manuel R. Natividad

Date: 1/25/2023

Property Owner (printed): Robert Wilson Jr.

Manuel R. Natividad

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.

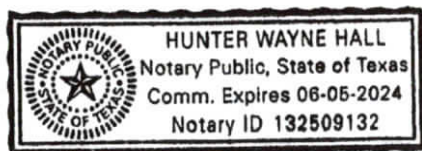
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo L. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 26 day of January, 20 23, to certify which witness my hand and seal of office.



H. H.
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Mylar

☒ 1 Copy of Plat (11x17)

☐ CADD File

☒ Application Fee

☒ Title Opinion

☐ Public Improvement

Check # CC

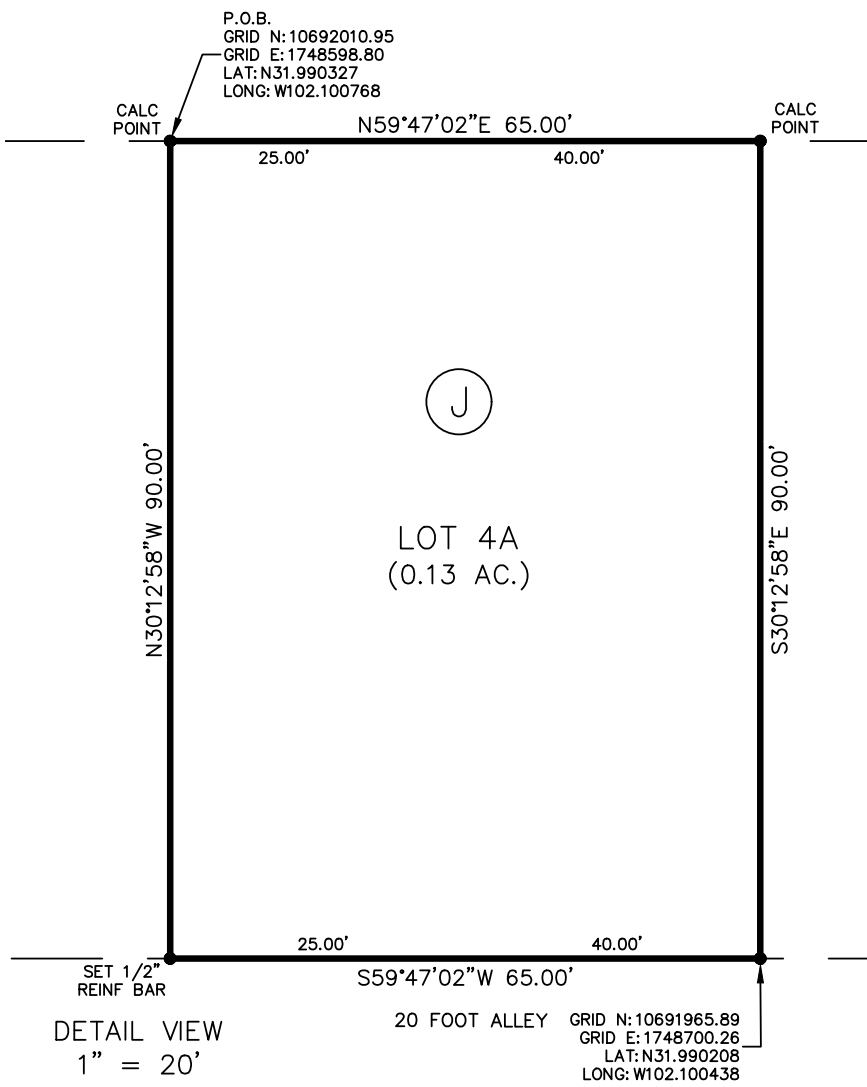
☒ Tax Certificates

☒ Recording Fee

Received By: KM

Date: JAN 26 2023

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



GARRETT PLACE, SECTION 7

BEING A RE-PLAT OF THE EAST 25.00 FEET OF LOT 5 AND THE WEST 40.00 FEET OF LOT 4, BLOCK "J", GARRETT PLACE

CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF THE E.25' LOT 5, W.40' LOT 4, BLOCK "J", GARRETT PLACE, CITY AND COUNTY OF MIDLAND, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS GARRETT PLACE, SECTION 7, 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____.

ROBERT WILSON JR.

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, ROBERT WILSON JR.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

MANUEL R. NATIVIDAD

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, MANUEL R. NATIVIDAD.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

FIELD NOTE DESCRIPTION OF A 0.13 ACRE TRACT OF LAND, BEING THE EAST 25.00 FEET OF LOT 5 AND THE WEST 40.00 FEET OF LOT 4, BLOCK "J", GARRETT PLACE AS RECORDED IN CABINET "C", PAGE 120. PLAT RECORDS IN CITY AND COUNTY OF MIDLAND, TEXAS. SAID 1.68 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A CALCULATED POINT SET (N:10692010.95, E:1748598.80) FOR THE NORTHWEST CORNER OF THIS TRACT, FROM WHICH THE NORTHWEST CORNER OF LOT 6 BEARS SOUTH 59°47'02" WEST 75.00 FEET;
THENCE NORTH 59°47'02" EAST 65.00 FEET TO A CALCULATED POINT FOR THE NORTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 30°12'58" EAST 90.00 FEET TO A REINF BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
THENCE SOUTH 59°47'02" WEST 65.00 FEET TO A REINF BAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
THENCE NORTH 30°12'58" WEST 90.00 FEET TO THE PLACE OF BEGINNING.

BEARINGS AND DISTANCES SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

NOTES:

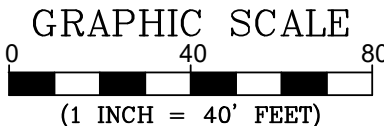
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 43.967 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THIS PROPERTY LIES WITHIN ZONE "X" AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 48329-C0201F WITH THE EFFECTIVE DATE OF SEPTEMBER 16, 2005.

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

NO.	DATE	DESCRIPTION	BY	JOB NO.	DRAWN BY:	DATE:
2	08/04/2022	PRELIMINARY PLAT	JD		KDS	08/04/2022
1	05/26/2022	SKETCH PLAT	???		RJD	78368
					78,368	1 of 1



CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF GARRETT PLACE, SECTION 7, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS ____ DAY OF _____, 2023.

SIGNED: CHAIRMAN LUCY SISNIEGA

ATTEST: SECRETARY ELIZABETH SHAUGHNESSY

LEGEND

- | | |
|--------------------------|-----------------------|
| ● MONUMENT AS DESCRIBED | — PROPERTY LINE |
| --- ADJOINING PROPERTIES | --- FENCE LINE |
| ⊗ SANITARY SEWER MANHOLE | ⊗ LIGHT POLE |
| ⊗ AIR CONDITIONER | ⊗ GAS METER |
| --- OVERHANG / COVERED | --- WATER VALVE |
| --- WATER LINE | ⊗ CLEAN OUT |
| --- SAN SEWER LINE | ⊗ MIDLAND TAX ACCT ID |
| ⊗ SANITARY SEWER MANHOLE | |

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES

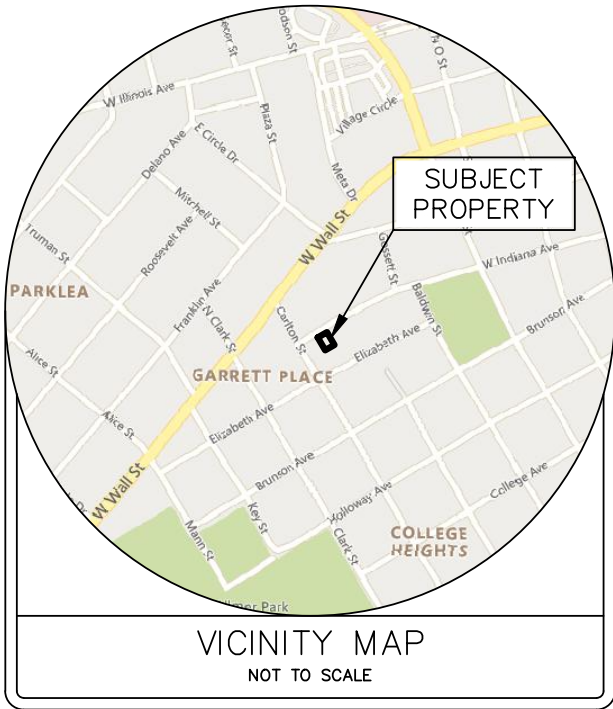
SIGNED: ONCOR ELECTRIC DELIVERY COMPANY

SIGNED: AT&T

SIGNED: ATMOS ENERGY

SIGNED: OPTIMUM COMMUNICATIONS

SIGNED: ASTOUND COMMUNICATIONS



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



SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

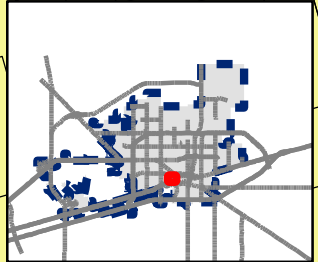
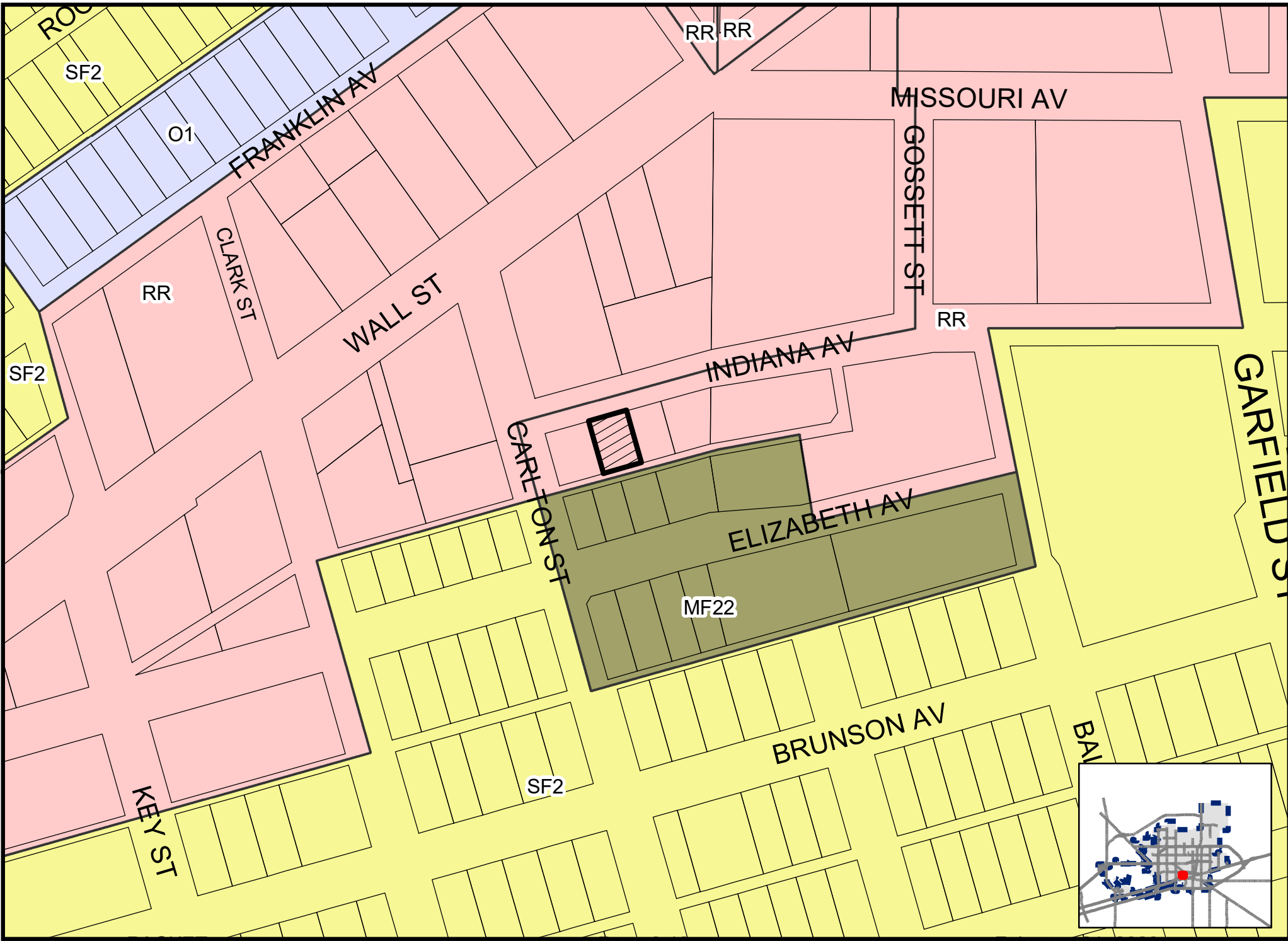
CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM No. F1880 - TEXAS FIRM No. 10149600

800 N. MARINEFIELD ST., #100
MIDLAND, TEXAS 79701

(432) 684-5548

GARRETT PLACE, SECTION 7

GARRETT PLACE, SECTION 7





Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a Final Plat of Highland Park Addition, Section 3, being a replat of Lots 1-8, Block 3, Highland Park Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. Garfield Street and W. Louisiana Avenue - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

O-1, Office District

Preliminary Plat Approval:

The applicant, Newton Engineering, is requesting to replat Lots 1-8, Block 3, Highland Park Addition, Section 3, into one single lot for development purposes. The preliminary plat was approved at the April 18, 2022, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

Departmental Review:

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved)

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

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

PAVING: Louisiana, Garfield, and N Street are paved to City Standards. No public paving improvements required. [For the Applicant's information only.]

WATER: Water main existing in the alley to the South of the site. No public water improvements required. [For the Applicant's information only.]

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

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

SEWER: Sewer main existing in the alley to the South of the site. No public Wastewater improvements required. [For the Applicant's information only.]

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

Oil and Gas: (Approved)

No oil and gas issues.

GIS: (Approved)

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval once all comments have been met of the Final Plat of Highland Park Addition, Section 3 subject to condition A

Conditions:

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

Attachments:

Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

SUB-21-0424
23-1520**Proposed Subdivision Plat Name:** Highland Park Addition, Section 3**Legal Description (attached sealed Metes and Bounds):** previously submitted**Property Owner**

Printed Name: First Baptist Church of Midland

Phone (512) 940-2878

Email

mbomer@fbc-midland.com

Address 2401 W. Louisiana

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: Newton Engineering, PC

Printed Name: Kyle L. Newton, PE

Phone (432) 935-0707

Email

kyle@newtoncivil.com

Address P.O. Box 12287

City Odessa

State TX

Zip 79768

Current Zoning: O1**Reason for Platting:** Replat 8 lots owned by First Baptist Church into a single lot for development purposes.**Plat Information**

Total Acreage:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Ralph Lea

Date: 1-25-23

Property Owner (printed): Ralph Lea, Trustee

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

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

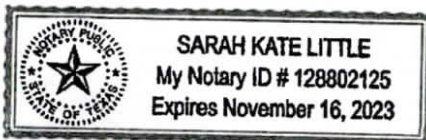
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Ralph Lea
Authorized Agent (signature)

Subscribed and sworn to before me, this 25 day of January, 20 23, to certify which witness my hand and seal of office.



Sarah Kate Little
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☒ Application Fee

Check # 1500

Received By: KM

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☐ Title Opinion

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ CADD File

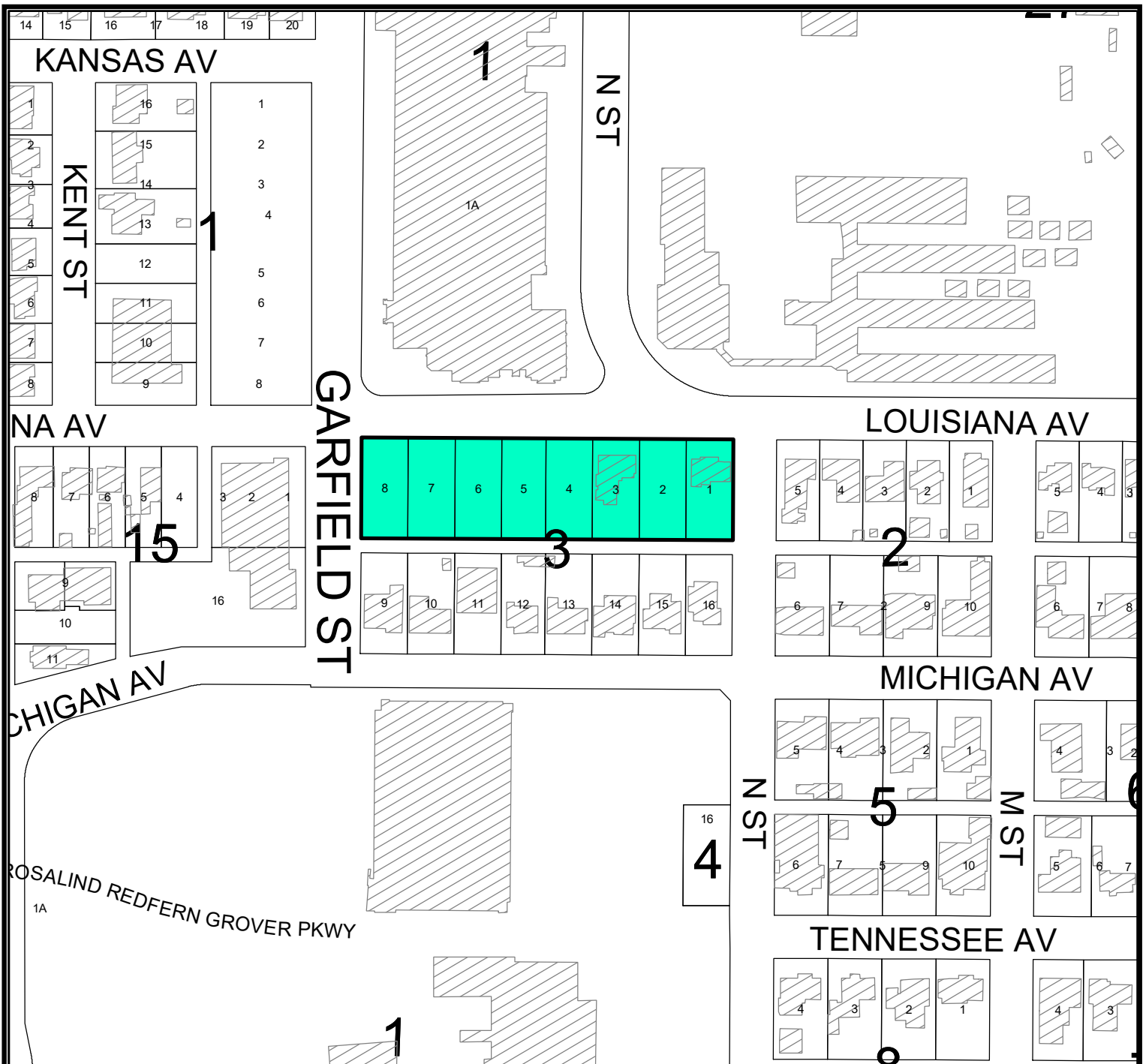
☐ Public Improvement

☒ Recording Fee

Check # 1501

Date:

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



LOCATION MAP

SUB-21-0424

Scale: 1" = 200'

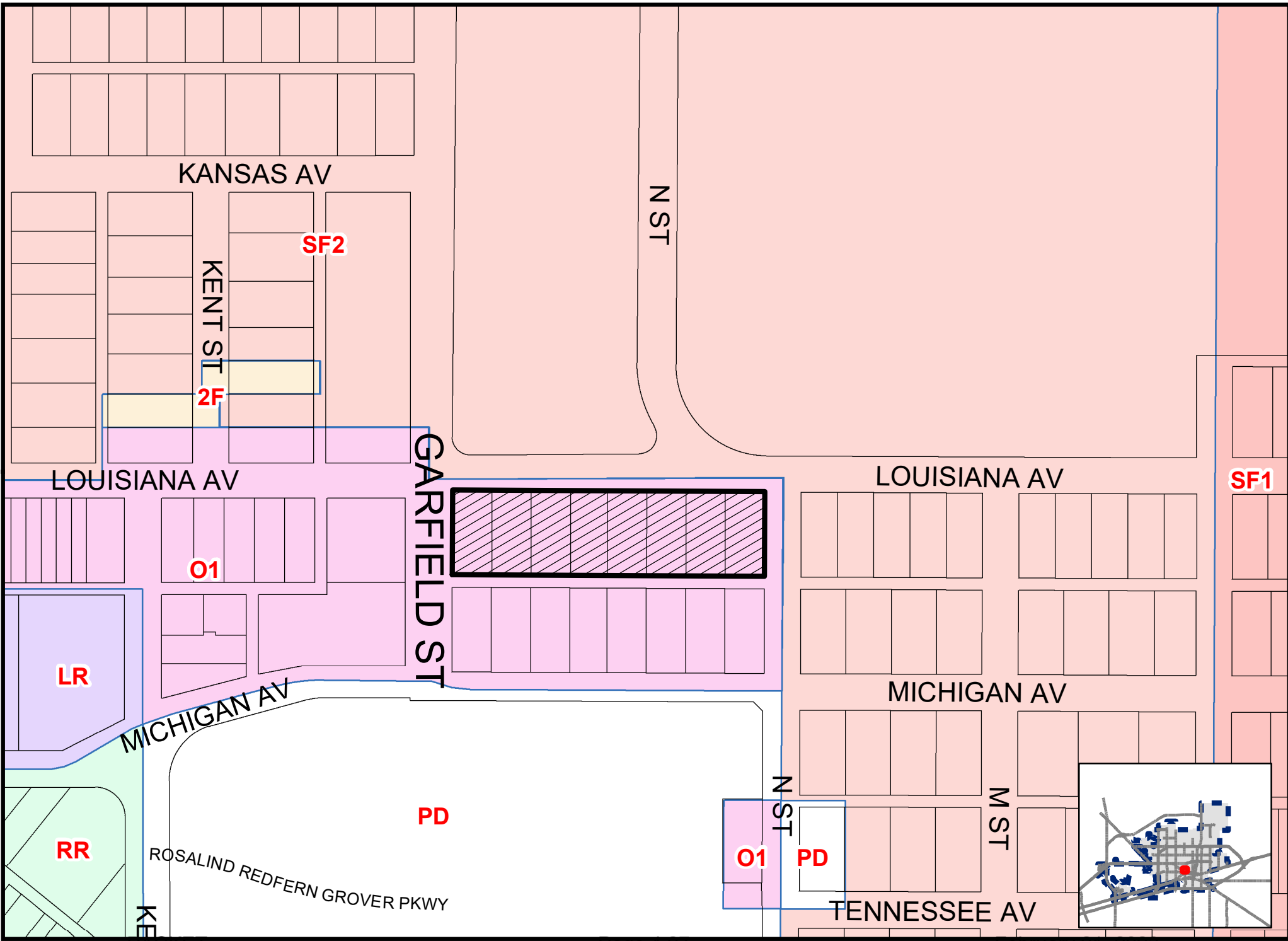
Proposed plat of Highland Park Addition, Section 3, being a replat of Lots 1-8, Block 3, Highland Park Addition, City and County of Midland, Texas.

Generally located on the southeast corner of the intersection of N. Garfield Street and W. Louisiana Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





PACKET

Page 4.27

February 21, 2023





Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a Final Plat of North Midkiff Addition, Section 6, being a plat of a 0.517-acre tract of land located in Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the south side of Happy Trails Drive, approximately 707-feet west of Whitman Drive - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

SF-1, Single Family Dwelling District.

Preliminary Plat Approval:

The applicant, Newton Engineering, is requesting to plat of a 0.517-acre tract of land located in Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. to build a single-family residence. The preliminary plat was approved at the January 3, 2023, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

Departmental Review:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved)

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

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

PAVING: No frontage along public ROW. No public paving improvements required. [For the Applicant's information only.]

WATER: 8" water exists in Happy Trail, okay as is. No public water improvement required. [For the Applicant's information only.]

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

PRO RATA: Section 395.081 applies only to a city that has not adopted impact fees, the impact fee ordinance superseded this ordinance thus pro-rata is null for this area. [For the Applicant's information only.]

SEWER: 8" sewer exists in Happy Trails north of tract, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

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

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

SIDEWALKS: Sidewalks required with building permit or request a deferral. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

Oil and Gas: (Approved)

No oil and gas issues.

GIS: (Approved)

No comments

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of North Midkiff Addition, Section 6 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:

Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

SWD-22-0562
P-23-1513**Proposed Subdivision Plat Name:** North Midkiff Addition, Section 6**Legal Description (attached sealed Metes and Bounds):** SEE ATTACHED**Property Owner**

Printed Name: Hexagon Partners, Ltd.

Phone ()

Email

Address 18 Desta Drive

City MIDLAND

State TX

Zip 79705

Developer (if different than Owner)

Printed Name SAME AS OWNER

Phone ()

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: NEWTON ENGINEERING, PC

Printed Name: CHASE DUNNAM

Phone (432) 559-5128

Email

chase@newtoncivil.com

Address 4501A SANTA ROSA DR.

City MIDLAND

State TX

Zip 79707

Current Zoning: SF-1**Reason for Platting:** CREATE A LOT TO BUILD A SINGLE-FAMILY HOME**Plat Information**

Total Acreage: 0.517

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

Number of Lots: 1

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:**

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☒ 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: 1/16/23

Property Owner (printed): Lee Dunn

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.

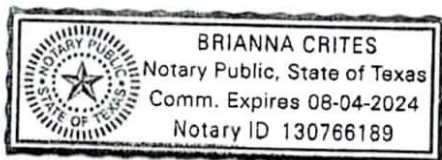
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Lee Dunn who, being by me duly sworn, upon oath says: That (s)he is authorized by Hexagon Partners, 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 16 day of January, 2023, 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 # Credit card

☒ Tax Certificates

Check # 1208

Received By: KM

Date:

RECEIVED
JAN 25 2023

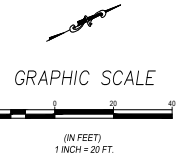
.....

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

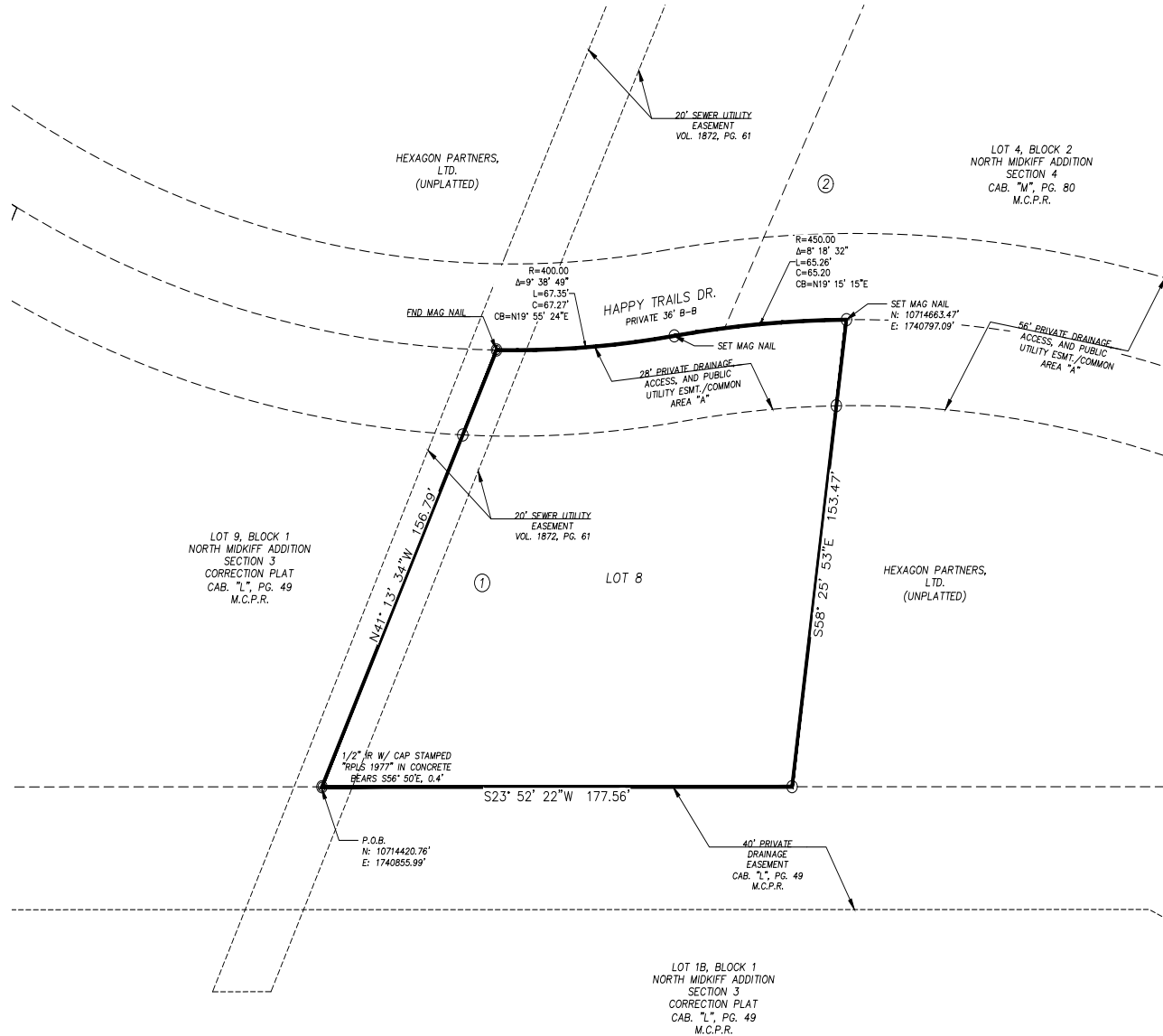
FINAL PLAT
NORTH MIDKIFF ADDITION, SECTION 6
BEING A PLAT OF A 0.517 ACRES TRACT OF LAND IN SECTION 9, BLOCK "X", H.P. HILLIARD SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

LEGEND

- SET 1/2" IRON ROD WITH PLASTIC
CAP STAMPED "RPLS 5707" UNLESS
NOTED OTHERWISE
● FOUND 1/2" IRON ROD
UNLESS NOTED OTHERWISE



LOCATION MAP
N.T.S.



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, HEXAGON PARTNERS, LTD. is the record owner of a 0.517 acres tract in Section 9, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas and being more particularly shown hereon.

Now, therefore, know all men by these presents:

That I, TIMOTHY M. DUNN, do hereby adopt this plat designating the hereinabove described property as NORTH MIDKIFF ADDITION, SECTION 6, an addition to the City of Midland, Texas, and hereby dedicate to the public use forever of the streets and easements shown hereon.

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

HEXAGON PARTNERS, LTD.
TIMOTHY M. DUNN, REGISTERED AGENT

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF MIDLAND

This plat was acknowledged before me on _____, 2023 by TIMOTHY M. DUNN.

Notary Public, State of Texas

OWNER:

HEXAGON PARTNERS, LTD.
18 DESTA DRIVE
MIDLAND, TEXAS 79705

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____
DATE _____ PAGE _____

NORTH MIDKIFF ADDITION, SECTION 6

SCALE: 1" = 20'
DATE: JAN 2023
DRAWN BY: CSD
FILE NAME:



FINAL PLAT

PROJECT NUMBER
22-ME11071

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

Signed: _____
Onor Electric Delivery Company
Signed: _____
Optimum
Signed: _____
A. T. & T.
Signed: _____
Atmos Energy

SURVEYOR'S CERTIFICATE:

KNOW BY ALL MEN BY THESE PRESENT THAT I, DOW E KELLY, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

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

KELLY
SURVEYING CO.
Page 5.34
2532 BAINBRIDGE DR.
ODESSA, TX. 79762
(432) 349-5894
TBP/LS FIRM# 10194393

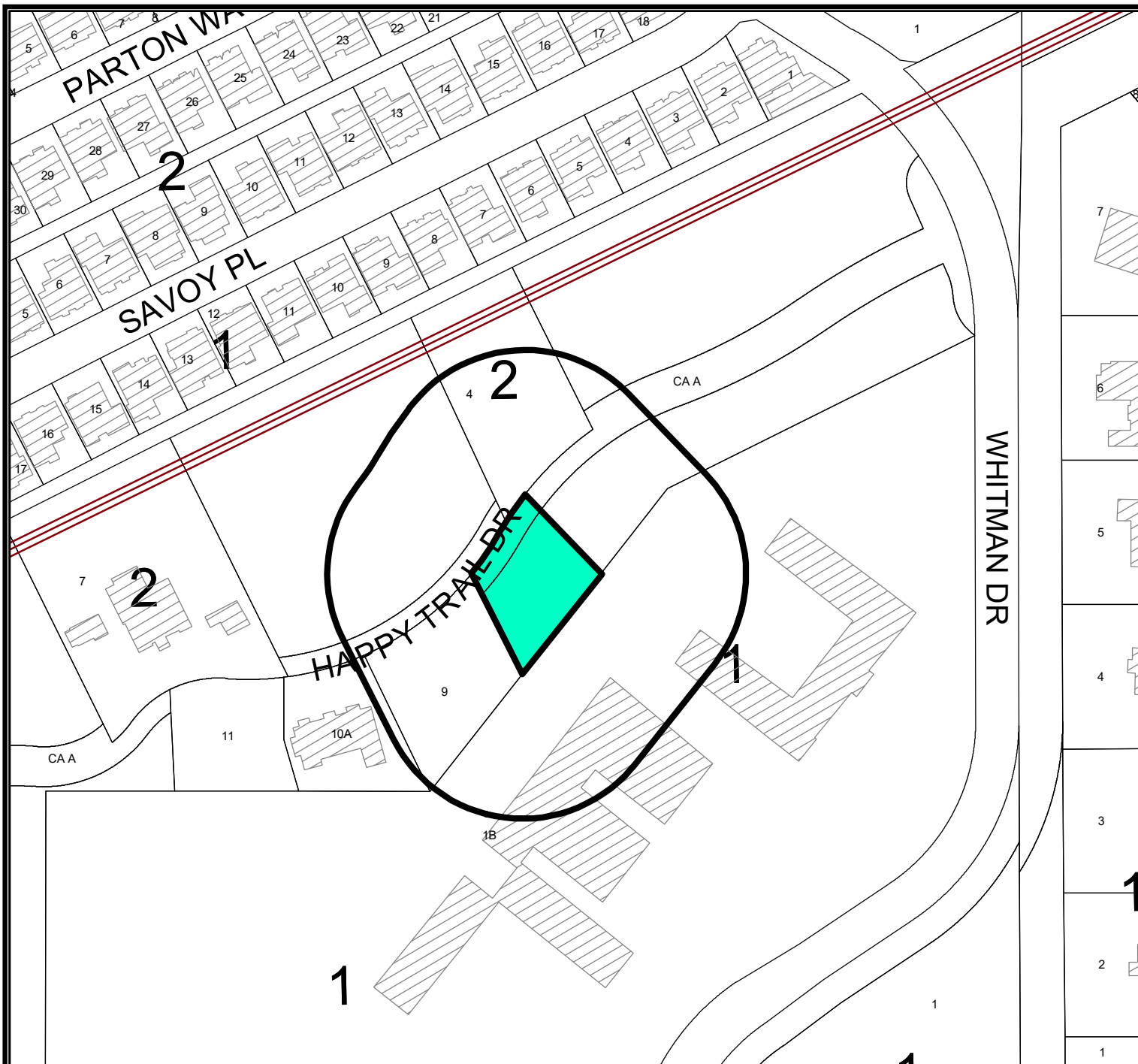
CERTIFICATE OF APPROVAL:
For approval by the Commission:

This is to certify that the above and foregoing plat of NORTH MIDKIFF ADDITION, SECTION 6 was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 2023.

Signed: _____
Lucy Sianiga, Chairman
Signed: _____
Elizabeth Shaughnessy, Secretary

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 WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
2. BEARING DISTANCES COORDINATES REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 WITH A COMBINED GRID FACTOR OF 0.999918755 AND A THETA ANGLE OF 0.075029°
3. THE AREA SHOWN ON THIS PLAT IS IN FLOOD ZONE X ACCORDING TO FIRM MAP NUMBER 48320C0097 DATED SEPTEMBER 18, 2005.
4. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. PLANNING AND ZONING COMMISSION AND STATE LAW AND SUBJECT TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
5. 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.



LOCATION MAP

SUB-22-0562

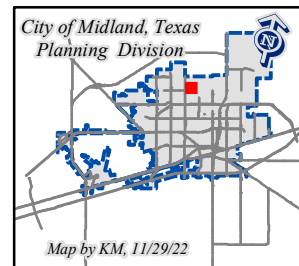
Scale: 1" = 200'

Proposed plat of North Midkiff Addition, Section 6, being a plat of a 0.517-acre tract of land located in Section 9, Block X, H.P. Hilliard Survey, City and County of Midland, Texas.

Generally located on the south side of Happy Trails Drive, approximately 707-feet west of Whitman Drive.
(Council District 1)

LEGEND

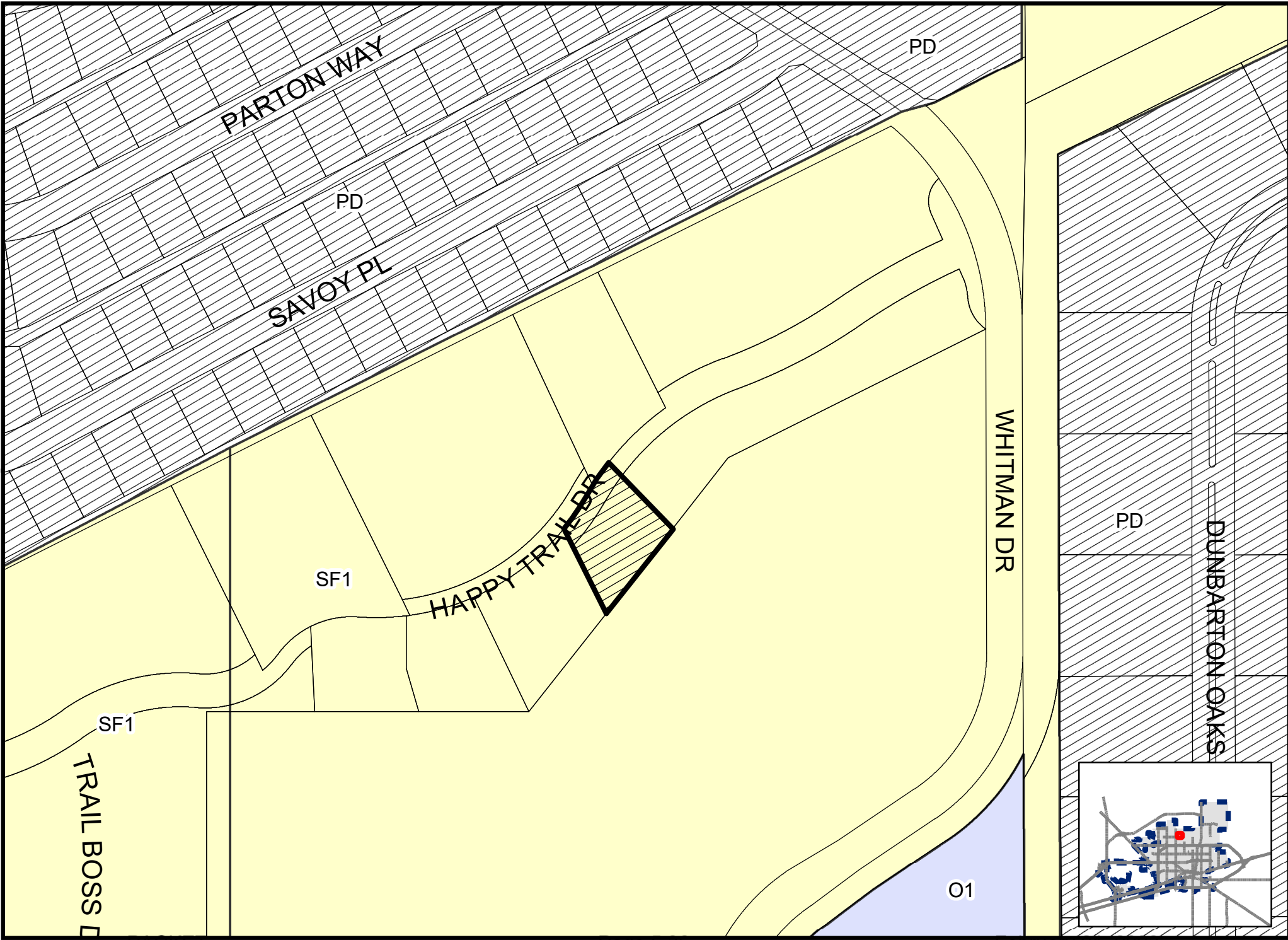
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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





Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of Morningside Addition, Section 11, being a re-plat of all of Lots 9 & 10, Morningside Addition, Section 23, Block 39, T-1-S, T. & P. RR. Co. Survey Midland County, Texas, according to the plat recorded in plat cabinet "C" on page 149 of the plat records of Midland County, Texas. (Generally located on the east side of Big Spring St, approximately 265 feet south of W Oak St - Council District 2)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The applicant, Landpoint Midland LLC, is requesting to re-plat all of Lots 9 & 10, Morningside Addition, Section 11, Block 39, T-1-S, T. & P. RR. Co. Survey Midland County, Texas, according to the plat recorded in plat cabinet "C" on page 149 of the plat records of Midland County, Texas, for the purpose of new construction.

Final Plat Requirements:

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

Departmental Review:

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

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

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

PAVING: N Big Spring Street is a TxDOT facility, built and maintained, no improvements are required. [For the Applicant's information only.]

WATER: 6" water exists N Big Spring Street, okay as is. No public water improvements are required. [For the Applicant's information only.]

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

PRO RATA: None.

SEWER: 6' sewer line in the alley, okay as is. No public wastewater improvements are required. [For the Applicant's information only.]

DRAINAGE: No Drainage Report is required at this time. Existing site is developed; If proposing to re-develop site drainage can be reviewed with a building permit. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

Six feet sidewalk is required along Big Spring St frontage with the building permit. [Reference City Code Section 9-4-1(A)4.]

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

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

The plat title does not need the old plat recorded information.

PLANNING: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Morningside Addition, Section 11, 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:

Application
Proposed Final Plat
Maps



Final Plat Application

Project Number:

Case Number:

SUB-22-0563
P-23-1512**Proposed Subdivision Plat Name:** MORNINGSIDE ADDITION, SECTION 11**Legal Description (attached sealed Metes and Bounds):** REPLAT OF ALL OF LOTS 9 & 10,
MORNINGSIDE ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS**Property Owner**

Printed Name: KENT OFFICE & KENT DISTRIBUTORS

Phone ()

Email 432-520-4000

Address 3510 N A STREET

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: KENT DISTRIBUTORS, INC

Printed Name: ADAM STURDIVANT

Phone (432) 520-4000

Email

Address 3510 N A STREET

City MIDLAND

State TX

Zip 79705

Current Zoning:**Reason for Platting:** REBUILD**Plat Information**

Total Acreage: 1.4225 ACRES

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

Number of Lots:

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):

Date:

Property Owner (printed):

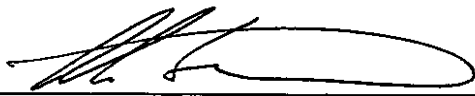
The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application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

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

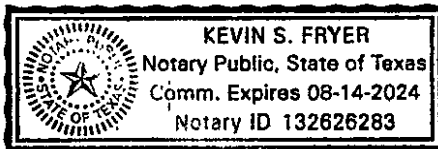
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

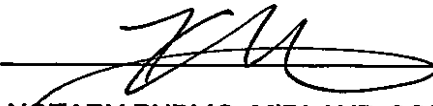
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared ADAM STURDIVANT who, being by me duly sworn, upon oath says: That (s)he is authorized by WILLIAM B. VENT, 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 23 day of JANUARY, 20 23, to certify which witness my hand and seal of office.




NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

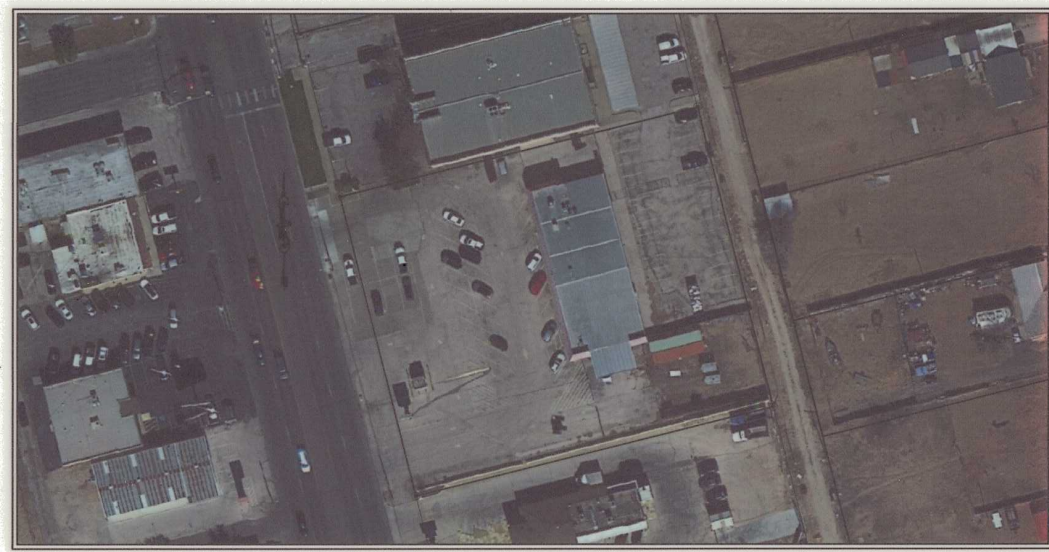
****Application will not be considered for scheduling until reviewed by a planner.****

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 # 26135 26315	☒ Tax Certificates	Check # 26316
Received By: <i>James Riber</i>		Date: 1/23/23

RECEIVED
JAN 23 2023

BY:

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



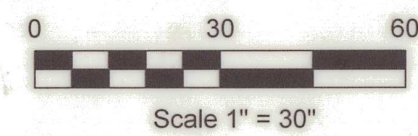
VICINITY MAP
(NOT TO SCALE)

FINAL PLAT
MORNINGSIDE ADDITION, SECTION 11
BEING A RE-PLAT OF ALL OF LOTS 9 & 10,
MORNINGSIDE ADDITION,
SECTION 23, BLOCK 39, T-1-S, T. & P. RR. CO. SURVEY,
MIDLAND COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN
PLAT CABINET "C", PAGE 149, OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS

Blaine J Bushman
West 100 feet of S/2 of Block 16,
Loma Linda Addition

George Sosa
East 75 feet of the
West 175 feet of the S/2
of Block 16,
Loma Linda Addition

Joe Hamola
West 117 feet of the
East 417 feet of the
S/2 of Block 16,
Loma Linda Addition



LEGEND

- DENOTES PROPERTY BOUNDARY
- DENOTES LOT BOUNDARY
- DENOTES SET IRON ROD W/ "LANDPOINT MIDLAND" CAP
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES MANHOLE COVER
- DENOTES POWER POLE
- DENOTES ROADWAY
- DENOTES WOOD FENCE
- DENOTES CHAIN LINK FENCE
- DENOTES PARKING STRIPE
- DENOTES BACK OF CURB
- DENOTES GUTTER
- DENOTES CONCRETE
- DENOTES PACKED DIRT
- DENOTES PAVEMENT
- DENOTES AWNING
- O.P.R.M.C.T. - DENOTES OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY TEXAS
- D.R.M.C.T. - DENOTES DEED RECORDS OF MIDLAND COUNTY TEXAS
- P.R.M.C.T. - DENOTES PLAT RECORDS OF MIDLAND COUNTY TEXAS

NOTICE:

- 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.
- COORDINATES, BEARINGS, DISTANCES AND AREAS SHOWN HEREON ARE LAMBERT GRID AND CONFORM TO THE "TEXAS COORDINATE SYSTEM", TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM 1983.
- WITH REFERENCE TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, MAP NO. 48329C0089F, EFFECTIVE DATE: 09/16/2005, THIS SURVEYOR HAS DETERMINED THAT THIS PROPERTY IS LOCATED IN UNSHADED ZONE "X": AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Mark Lieb
ATMOS ENERGY
Print Name:

Mark Arguello
ONCOR ELECTRIC DELIVERY
Print Name:

Luis Montez
OPTIMUM
Print Name:

Ruben Guerra
ASTOUND
Print Name:

Vincent Gonzalez
AT&T-TEXAS
Print Name:

INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, KENT OFFICE, LP & KENT DISTRIBUTORS, INC. are the record owners of Lot 10 & the North 57.58 feet of Lot 9, Morningside Addition, an addition to the City of Midland, Midland County, Texas, according to the plat recorded in Volume 84, Page 397, Deed Records of Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That KENT OFFICE, LP & KENT DISTRIBUTORS, INC. being the owners of the land shown on this plat designated as MORNINGSIDE ADDITION, SECTION 11 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 23 day of JANUARY, 2023.

By: ADAM STURDIVANT, Vice President, Strategic Planning and Development

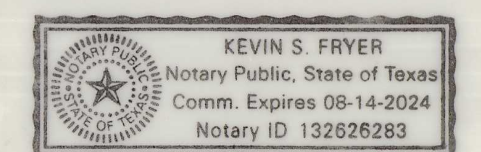
ACKNOWLEDGEMENT

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, ADAM STURDIVANT, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as the authorized agent, 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 23 day of JANUARY, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, DURYN HENNINGTON, 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.

DURYN HENNINGTON, R.P.L.S. 6832
110 W. LOUISIANA AVE., SUITE 110
MIDLAND, TX 79701
432.687.0865



CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "MORNINGSIDE ADDITION, SECTION 11", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the _____ day of _____, 2023.

LUCY SISNIEGA, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

LAND
POINT

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

JANUARY 2023
MORNINGSIDE ADDITION
SECTION 11



LOCATION MAP

P-23-1512

Scale: 1" = 200'

Being a re-plat of all of Lots 9 & 10, Morningside Addition, Section 11, Block 39, T-1-S, T. & P. RR. Co. Survey Midland county, Texas, according to the plat recorded in plat cabinet "C" on page 149 of the plat records of Midland County, Texas.

Generally located on the east side of Big Spring St, approximately 265 feet south of W Oak St.
(Council District 2)

LEGEND

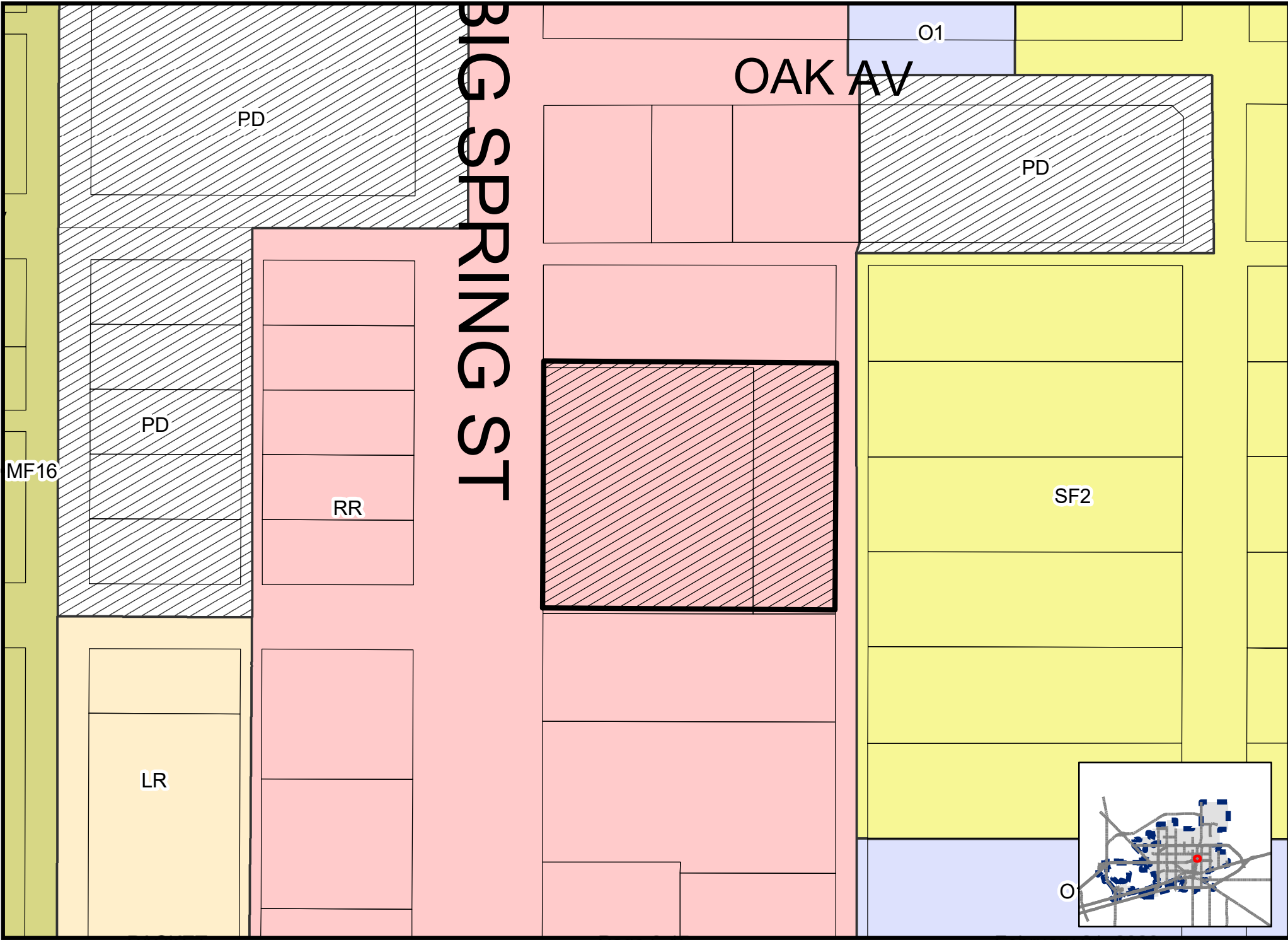
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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MF16

PACKET

P-23-1512

Scale: 1" = 200'

Page 6.45

ZONING MAP



February 21, 2023





Planning and Zoning Commission

MEETING DATE: February 21, 2023

TO: Planning and Zoning Commission

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of Midland Heights Addition, Section 5, being a replat of Lots 4, 5 and 6, Block 12, Midland Heights Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Florida Avenue and Pratt Street - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Current Zoning:

C, Commercial District.

Preliminary Plat Approval:

The applicant, Schumann Engineering, is requesting to replat of Lots 4, 5 and 6, Block 12, Midland Heights Addition, City and County of Midland, Texas for ownership purpose. The plat has been approved for the short-form process. As a result, no preliminary plat was submitted or required.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Approved)

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

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

PAVING: Pratt Street and Florida Ave. are okay as is. [For the Applicant's information only.]

WATER: 4 "Water main along W. Florida Ave. None existing along Pratt Street, however, site is already developed so 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 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For the Applicant's information only.]

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

SEWER: 6" Wastewater Line along frontage in alley. No public sewer improvements required.

DRAINAGE: No Drainage Report is required at this time. Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit. [For the Applicant's information only.]

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances. [For the Applicant's information only.]

Oil and Gas: (Approved)

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

GIS: (Approved)

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat for Midland Heights Addition, Section 5, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

SUB-22-0560
P-23-P-1525Proposed Subdivision Plat Name: Midland Heights, Sec. 5Legal Description (attached sealed Metes and Bounds): BEING A PROPOSED PLAT OF MIDLAND HEIGHTS ADDITION, SECTION 5, BEING A RE-PLAT OF LOTS 4, 5 AND 6, BLOCK 12, MIDLAND HEIGHTS ADDITION, MIDLAND COUNTY, TEXAS.**Property Owner**Printed Name: BILLY FLOYD AND DEBORAH BOLER

Phone (432) 934-3881

Email deb@debboler.com

Address

4611 SINCLAIR AVENUE

City

MIDLAND,

State

TEXAS

Zip

79707**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 EngineeringPrinted Name: Eduardo L. Aleman

Phone (432) 684-5548

Email

ealeman@schumannonline.netAddress 800 N. Marienfeld, Suite 100City MidlandState TXZip 79701**Current Zoning:**

Reason for Platting: _____

Plat Information

Total Acreage:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): Billy Boler

Date: 1/25/23

Property Owner (printed): Billy Boler

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

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

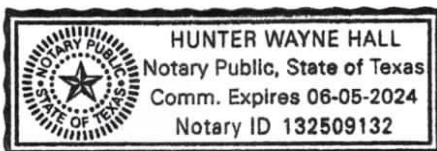
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Ed Aleman
Authorized Agent (signature)

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



Attn

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Mylar

☐ Application Fee Credit Card

Check # _____

Received By: James P. [Signature]

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☒ Title Opinion

☒ Tax Certificates

☐ Plat in Digital Format (PDF/JPEG)

☒ CADD File

☐ Public Improvement

☒ Recording Fee

Check # _____

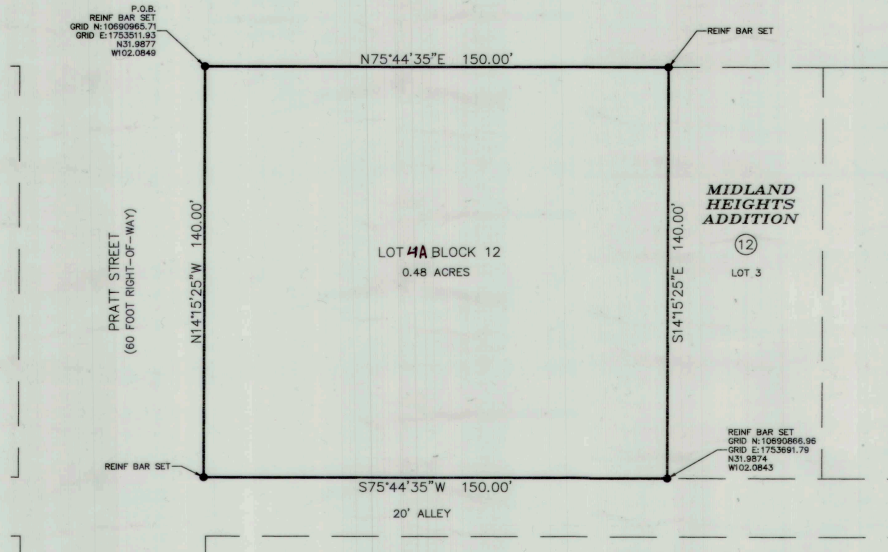
Date: 1/26/23

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

MIDLAND HEIGHTS ADDITION, SECTION 5,

BEING A PROPOSED PLAT OF MIDLAND HEIGHTS ADDITION, SECTION 5, BEING A RE-PLAT OF LOTS 4, 5 AND 6, BLOCK 12, MIDLAND HEIGHTS ADDITION, MIDLAND COUNTY, TEXAS.

1209 FLORIDA AVE.
(80 FOOT RIGHT-OF-WAY)



STATE OF TEXAS §
COUNTY OF MIDLAND §

WHEREAS, WE ARE THE RECORD OWNER(S) OF A TRACT OF LAND SITUATED IN THE SOUTHEAST PART OF SECTION 34, BLOCK 39, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

FIELD NOTE DESCRIPTION OF A 0.48 ACRE TRACT OF LAND, OUT OF THE SOUTHEAST PART OF SECTION 34, BLOCK 39, T-1-S, T & P, RR CO. SURVEY, MIDLAND COUNTY, ALSO KNOWN AS LOTS 4, 5, AND 6, OF BLOCK 12, MIDLAND HEIGHTS ADDITION, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 18, PAGE 581, DEED RECORDS MIDLAND COUNTY, TEXAS. SAID 0.48 ACRE TRACT DESCRIBED MORE FULLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A REINF BAR SET (N:10690965.71, E: 1753511.93) IN THE EAST RIGHT OF WAY OF PRATT STREET (60' RIGHT OF WAY) AND THE SOUTH RIGHT OF WAY OF FLORIDA AVENUE (60' RIGHT OF WAY) FOR THE NORTHWEST CORNER OF THIS TRACT AND ALSO BEING THE NORTHWEST CORNER OF SAID LOT 6;

THENCE NORTH 75°44'35" EAST, ALONG SAID SOUTH RIGHT OF WAY, 150.00 FEET TO A REINF BAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°15'25" EAST 140.00 FEET TO A REINF BAR SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 75°44'35" WEST 150.00 FEET TO A REINF BAR SET IN THE SAID EAST RIGHT OF WAY FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°15'25" WEST, ALONG SAID EAST RIGHT OF WAY, 140.00 FEET TO THE PLACE OF BEGINNING.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS MIDLAND HEIGHTS ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

WITNESS MY HAND AT MIDLAND, TEXAS, THIS 25 DAY OF January, 2023.

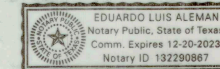
Billy Floyd Boler
BILLY FLOYD BOLER

Deborah Boler
DEBORAH BOLER

STATE OF TEXAS §
COUNTY OF MIDLAND §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 25 DAY OF January, 2023, BY DEBORAH BOLER.

Eduardo Luis Aleman
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS



LEGEND:

- MONUMENT AS DESCRIBED
- PROPERTY LINE
- ADJOINING PROPERTIES
- SECTION LINE
- UTILITY EASEMENT
- WATER LINE
- SEWER LINE

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE DIRECTOR OF DEVELOPMENT SERVICES:

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

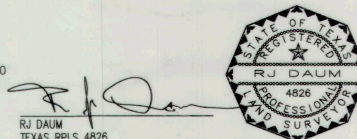
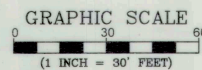
SIGNED: _____
CHAIRMAN LUCY SISNEGA

ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY

OWNER(S):

BILLY FLOYD AND DEBORAH BOLER
4611 SINCLAIR AVENUE MIDLAND, TEXAS 79707
432-934-3881
deb@deboler.com

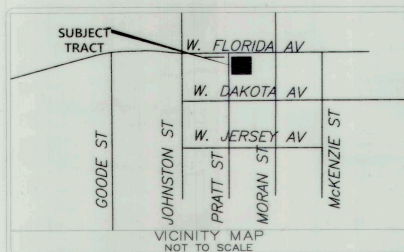
THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY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



NO.	DATE	DESCRIPTION	BY
1	10/25/2022	PRELIMINARY SKETCH	JG
2	11/29/2022	FINAL	JG

CHECKED BY: ED/RJ
JOB NO.: 78,949
SHEET: 1 OF 1

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



NOTES:

- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- MONUMENTS ARE A 1/2 INCH REINFORCING BAR SET WITH YELLOW PLASTIC CAP STAMPED "SCHUMANN ENGINEERING" UNLESS OTHERWISE NOTED.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASE OF FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) ANY LOT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- REPRESENTATION OF FLOODPLAIN BOUNDARIES ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. ANY DEVELOPMENT WITHIN FLOODPLAIN AREAS WILL REQUIRE A FLOODPLAIN DEVELOPMENT PERMIT FROM THE CITY OF MIDLAND FLOODPLAIN ADMINISTRATOR.
- ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE A02-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-B, 11-11-C, 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.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: David Hutchison
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: Vincent Gonzalez
AT&T TEXAS

SIGNED: Mark Lieb
ATMOS ENERGY

SIGNED: Luis Montez
OPTIMUM COMMUNICATIONS

SIGNED: Ruben Guerra
ASTOUND COMMUNICATIONS

PACKET



LOCATION MAP

P-23-1525

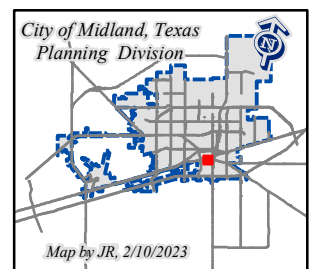
Scale: 1" = 200'

Proposed final plat of Midland Heights Addition, Section 5, being a replat of Lots 4, 5 and 6, Block 12, Midland Heights Addition, Midland County, Texas.

Generally located on the northwest corner of the intersection of Florida Avenue and Pratt Street. (Council District 2)

LEGEND

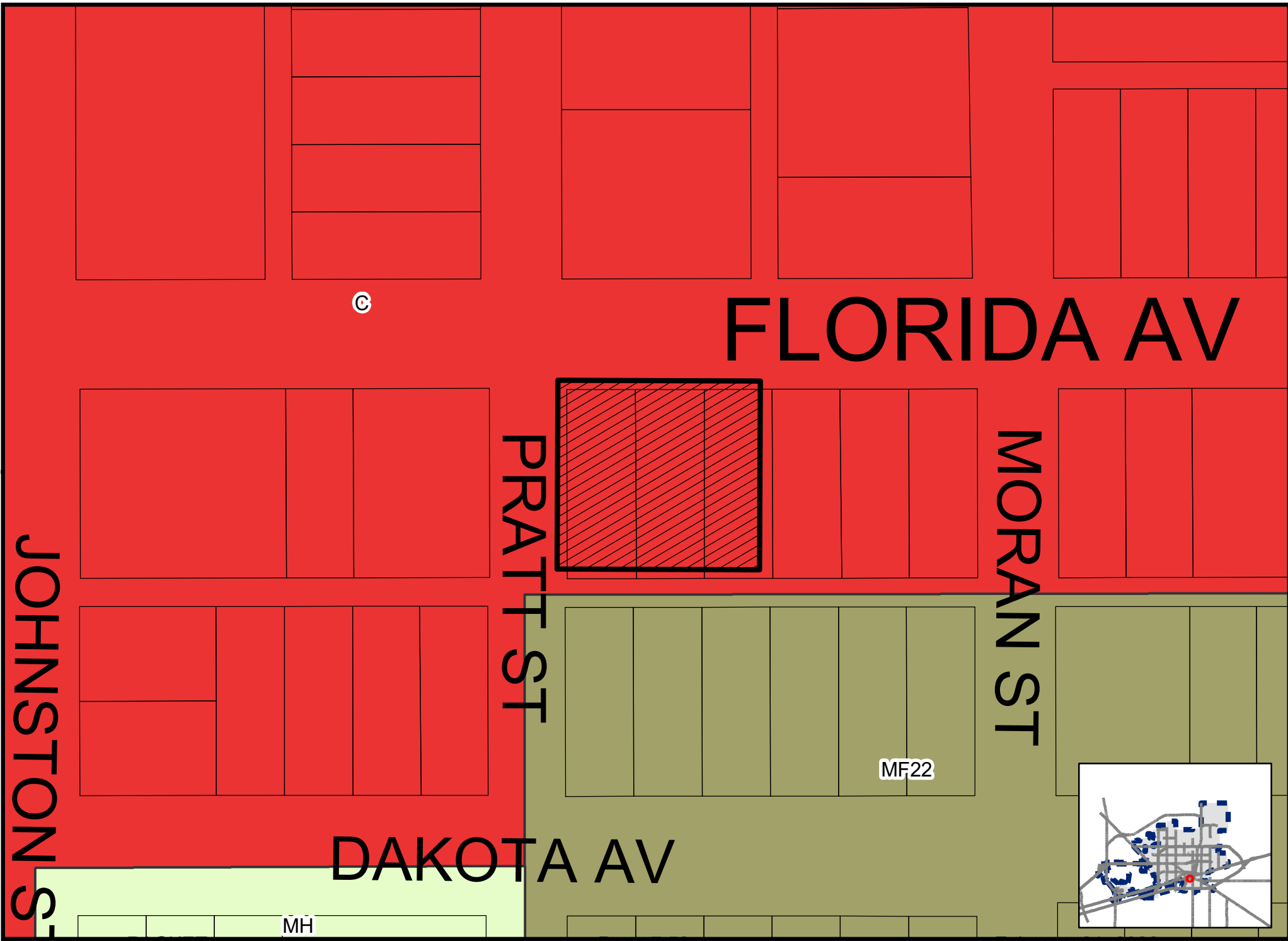
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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





Planning and Zoning Commission

MEETING DATE: February 21, 2023

TO: Planning and Zoning Commission

FROM: Jeff S. Fisher, Senior Planner

SUBJECT: Motion approving a Final Plat of Covington Addition, Section 8, being a replat of Lots 2, 3, 4, and 5, Block 3, Covington Addition, City and County of Midland, Texas. (Generally located on the east side of Jordy Road, approximately 790-feet northwest of Tower Road. (Council District 4)

Recommended Planning and Zoning Commission Action:

☒ **Approve**

☐ **Deny**

☐ **Direction/Informational**

Current Zoning:

LI, Light Industry District.

Preliminary Plat Approval:

The applicant, Maverick Engineering, is requesting a replat of Lots 2, 3, 4, and 5, Block 3, Covington Addition, City and County of Midland, Texas, for ownership purpose. This plat was approved by the Planning and Zoning Commission on August 15, 2022.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

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

ENGINEERING: (Approved)

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

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

PAVING: Deferral request for pavement improvements was administratively approved on 08/09/2022. [For Applicant's Information Only.]

WATER: 12" water exists in Jordy Rd west of tract, okay as is. No public water improvements required. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for wastewater improvements was administratively approved on 08/09/2022. [For Applicant's Information Only.]

DRAINAGE: Drainage report was approved for platting purposes on 08/09/2022. [For Applicant's Information Only.]

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

SIDEWALKS: Deferral request for sidewalk improvements was administratively approved on 08/09/2022. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

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

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

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

No issues dry hole well identified as requested and all others previously mentioned are off site- the dry hole identified on the plat- Well# 3714M. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No construction is allowed on top of P&A wells.

Midland County: (Approved)

No comments

GIS: (Approved)

No comments.

PLANNING: (Approved)

All comments have been satisfied.

Staff recommends approval of the Final Plat for Covington Addition, Section 8 subject to conditions A and B.

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.**
- B. Approval of this final plat is conditioned upon installation of a street lighting along public street frontages prior to final platting. [Reference City Code Section 11-2-5(C)3(u).]**

Attachments:

Proposed Final Plat
Application
Maps

BEING A REPLAT OF LOTS 2, 3, 4, AND 5, BLOCK 3, COVINGTON
ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.





Final Plat Application

Project Number: 340-22-0517
Case Number: P-23-1515

Proposed Subdivision Plat Name: Covington Addition, Section 8

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 2, 3, 4, and 5, Block 3
Covington Addition, City and County of Midland, Texas

Property Owner

Printed Name: 2010 Midland Properties JV

Phone ()

Email

Address 8000 S Cherry Ln

City Fort Worth

State TX

Zip 76108

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: LI

Reason for Platting: ownership purposes

Plat Information

Total Acreage: 20.475

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☒ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 9

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

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

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

Property Owner (signature): J. Smith Date: 1-10-23

Property Owner (printed): Jarett F. Smith

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.

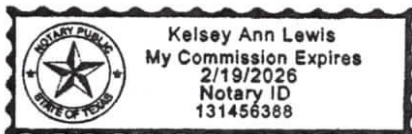
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

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 2010 Midland Properties 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 25th day of January, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

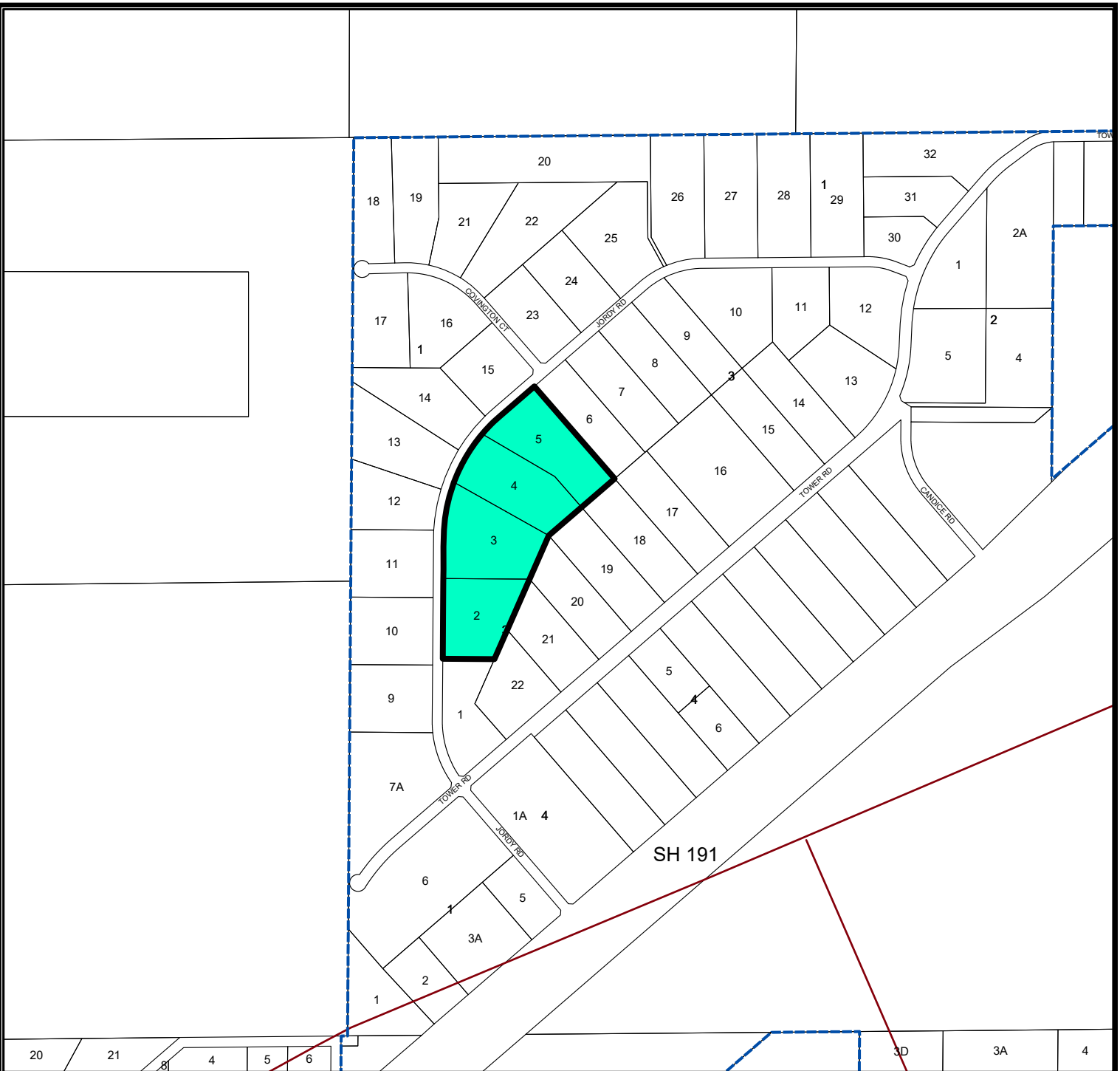
FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>3977</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>3978</u> |

Received By: Alexandra Wailing

Date: JAN 25 2023

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



LOCATION MAP

SUB-22-0517

Scale: 1" = 200'

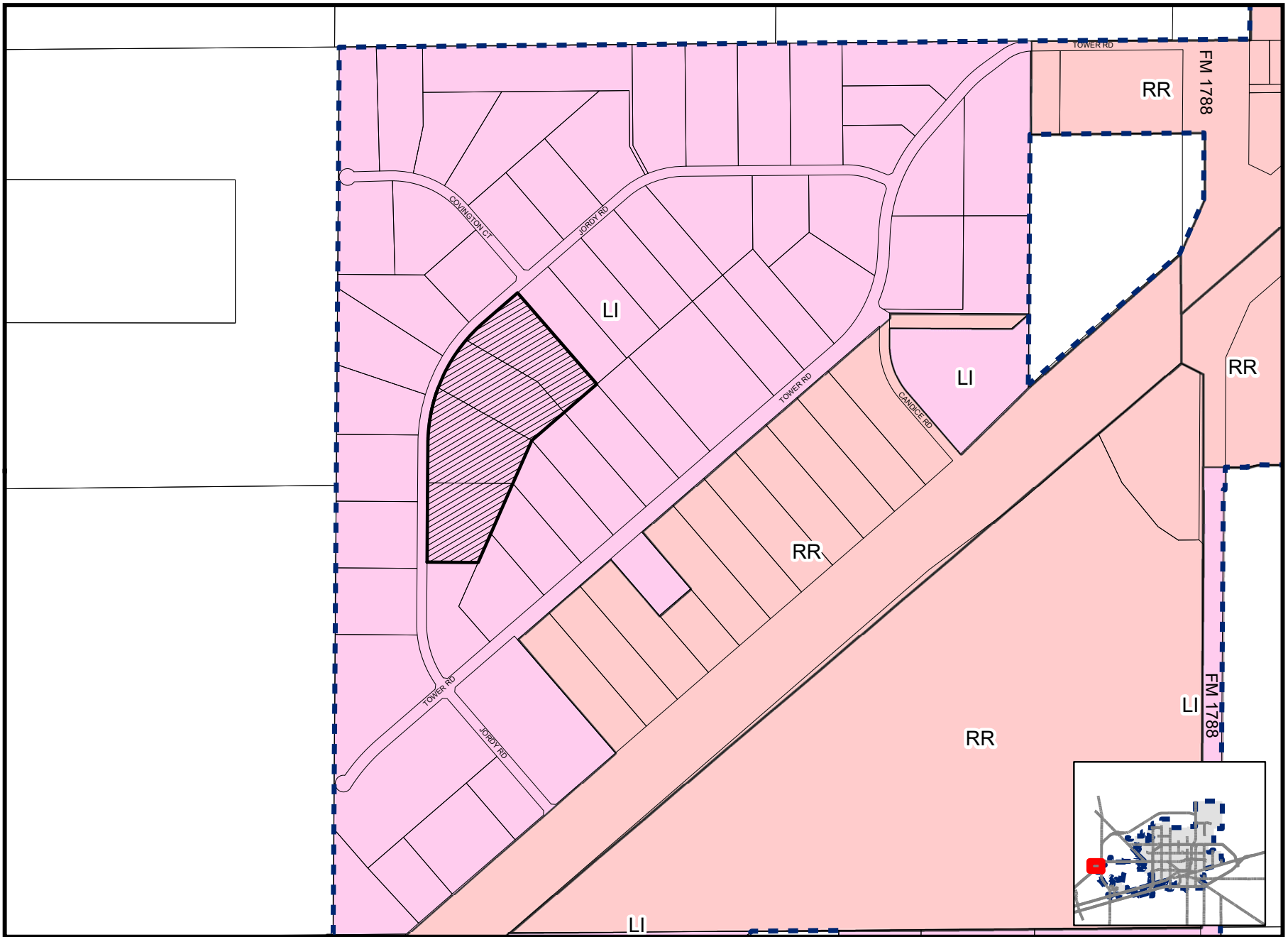
Proposed plat of Covington Addition, Section 8, being a replat of Lots 2, 3, 4, and 5 Block 3, Covington Addition, City and County of Midland, Texas.

Generally located on the east side of Jordy Road, approximately 790-feet northwest of Tower Road. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 6/12/2022

SUB-22-0517

Scale: 1" = 200'

ZONING MAP



MI
PRI
OF

NOT FOR USE
INFORMATION
THE USE OF THIS MAP

PACKET

Page 8.61
February 21, 2023



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Western Hills Addition, Section 15, being a plat of a 4.73-acre tract of land out of Lot 22, Block 22, correction plat of Western Hills, Section 2, an addition to the City and County of Midland, Texas. (Generally located to the east of Beal Parkway, Approximately 154-feet south of Blue Haven Drive. – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to plat a 4.73-acre tract of land out of Lot 22, Block 22, correction plat of Western Hills, Section 2, an addition to the City and County of Midland, Texas for ownership purposes.

Current Zoning:

MF16, Multiple-Family Dwelling District.

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

BUILDING CODE: (Approved)

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

new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with conditions)

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

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

PAVING: Beal roadway okay as is. Internal roads will be privately owned. [For the Applicant's information only.]

WATER: 12" water exists in Beal okay as is. Internal water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots with looped system. [Reference City Code Sect. 11-2-3(G)1]

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

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

SEWER: 6" sewer exists in alley East of tract, okay as is. 8" sewer exists in alley North of tract, okay as is. Internal water improvements have not been submitted/accepted. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. [Reference City Code Sect. 11-2-3(G)1]

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

EASEMENTS: Show existing and proposed. Provide a public improvement easement for the proposed public utilities within this subdivision. [Reference City Code Sect. 11-2-3(G)1]

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

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

FIRE: (Approved)

Future development shall meet IFC 2015 and local ordinances.

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

This property is zoned MF-16, Multiple-Family Dwelling District. This is considered a residential replat and requires a public hearing at the preliminary plat phase. [Midland City Code 11-2-7(A)2(b)]

The proposed lot sizes do not meet the current's zoning district minimum lot area or dimensions. [Midland City Code 11-1-5.02, 11-1-5.04] A zone change is required, which has been initiated.

The preliminary plat does not identify the proposed uses of lots and restrictive covenants that apply to common area, which is a requirement for approval of the preliminary plat. "The proposed preliminary plat shall conform to the following standards and shall contain the following information in addition to the requirements specified in [Section 11-2-3](#)"...**Proposed use of lots and restrictive covenants, if any common area is proposed.**" Midland City Code § 11-2-3(D)4(c).

"No preliminary plat shall be approved by the commission or by the Council unless the following standards have been met: ...The plat conforms to applicable zoning and other regulations." Midland City Code § 11-2-3(D)8(b).

“A preliminary plat which is dependent, for conformance with this Chapter or the comprehensive plan, upon changes in existing zoning districts may be considered by the commission concurrently with its consideration of such zoning district changes. **If the commission makes a recommendation to the Council that the needed zoning district changes be approved, it may then consider and approve the preliminary plat, conditioned upon later zoning approval by the Council.** Following conditional approval by the commission, if the preliminary plat is one that requires Council approval, it shall be forwarded for Council consideration along with the needed zoning district changes. If the commission recommends that the needed zoning district changes be disapproved, the commission shall disapprove the preliminary plat, citing as its basis the lack of conformity of the proposed plat to the existing zoning districts and this Chapter, and the plat shall not be further considered unless the Council subsequently approves the needed zoning district changes. In the event of such subsequent zoning approval within a period of 90 days following the commission's disapproval of the proposed plat, the developer shall be entitled to file the preliminary plat for reconsideration by the commission, and no additional plat review fee shall be charged for the refiling.” Midland City Code § 11-2-3(D)9.

Staff recommends approval of the preliminary plat of preliminary plat of Western Hills Addition, Section 15, subject to condition A through D.

Conditions:

- A. Approval of this preliminary plat is subject to the final plat completion of the infrastructure, which needs to be installed and accepted by the City prior to final platting. [Midland City Code 11-2-3(G)1]**
- B. Approval of this preliminary plat is conditioned upon installation of a street lighting along public street frontages prior to final platting. [Reference City Code Section 11-2-5(C)3(u)]**
- C. Approval of this preliminary plat is conditioned upon identifying the recorded restrictive covenants on the face of the plat. [Midland City Code 11-2-3(D)4(c)]**
- D. Approval of this preliminary plat is conditioned upon the City Council finally approving a zoning conforming to all applicable zoning regulations, including minimum lot area and dimension regulations. See Midland City Code §§ 11-1-5.02, 11-1-5.04, 11-2-3(D)8(b), 11-2-3(D)9, district change for the subject property that will result in this preliminary plat.**

Attachments:

Application
Proposed Plat
Maps



Preliminary Plat Application

Project Number: Sub-22-0571
Case Number: P-23-1514

Proposed Subdivision Plat Name: Western Hills Addition, Section 15

Legal Description (attached sealed Metes and Bounds): Being 4.73 Acre Tract of Land being out of and part of Lot 22, Block 22, Correction Plat of Western Hills, Section Two, an Addition to the City of Midland, Midland County, Texas

Property Owner Printed Name: <u>Vision Asset Mgmt Ltd</u>		Phone (432) 262-0999 Email	
Address <u>PO Box 12794</u>	City <u>Odessa</u>	State <u>TX</u>	Zip <u>79768</u>

Developer (if different than Owner) Printed Name:		Phone (432) 262-0999 Email	
Address	City	State	Zip

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Maverick Engineering</u> Printed Name: <u>Paladin Huckaba</u>		Phone (432) 262-0999 Email <u>phuckaba@maverick-eng.com</u>	
Address <u>1909 W Wall St Ste K</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Current Zoning: MF16

Reason for Platting: ownership purposes

Plat Information	Total Acreage: <u>4.73</u>
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>40</u>	Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

Provisions

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

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

Property Owner (signature): _____

Date: _____

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.

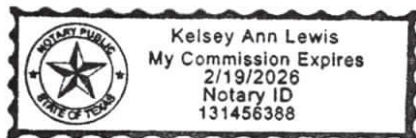
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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 Vision Asset Mgmt Ltd 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.

Robert L. Mellen
Authorized Agent (signature)

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



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # 3974

Received By: Alexandra Walling

Date: Jan 25, 23

BY: AW

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

168

1A

BLUE HAVEN DR

168

22R

23

PLEASANT CT

22
BEAL PARKWAY

AUDIE CT

ARTHUR

REEVES

21

LOCATION MAP

SUB-22-0571

Scale: 1" = 200'

Proposed plat of Western Hills Addition, Section 15, being a plat of a 4.73-acre tract of land out of Lot 22, Block 22, correction plat of Western Hills, Section 2, an addition to the City and County of Midland, Texas.

Generally located to the east of Beal Parkway, Approximately 154-feet south of Blue Haven Drive. (Council District 4)

LEGEND

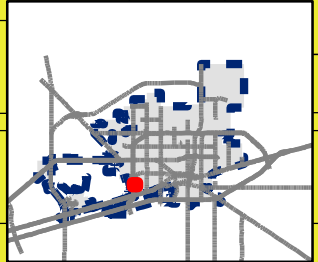
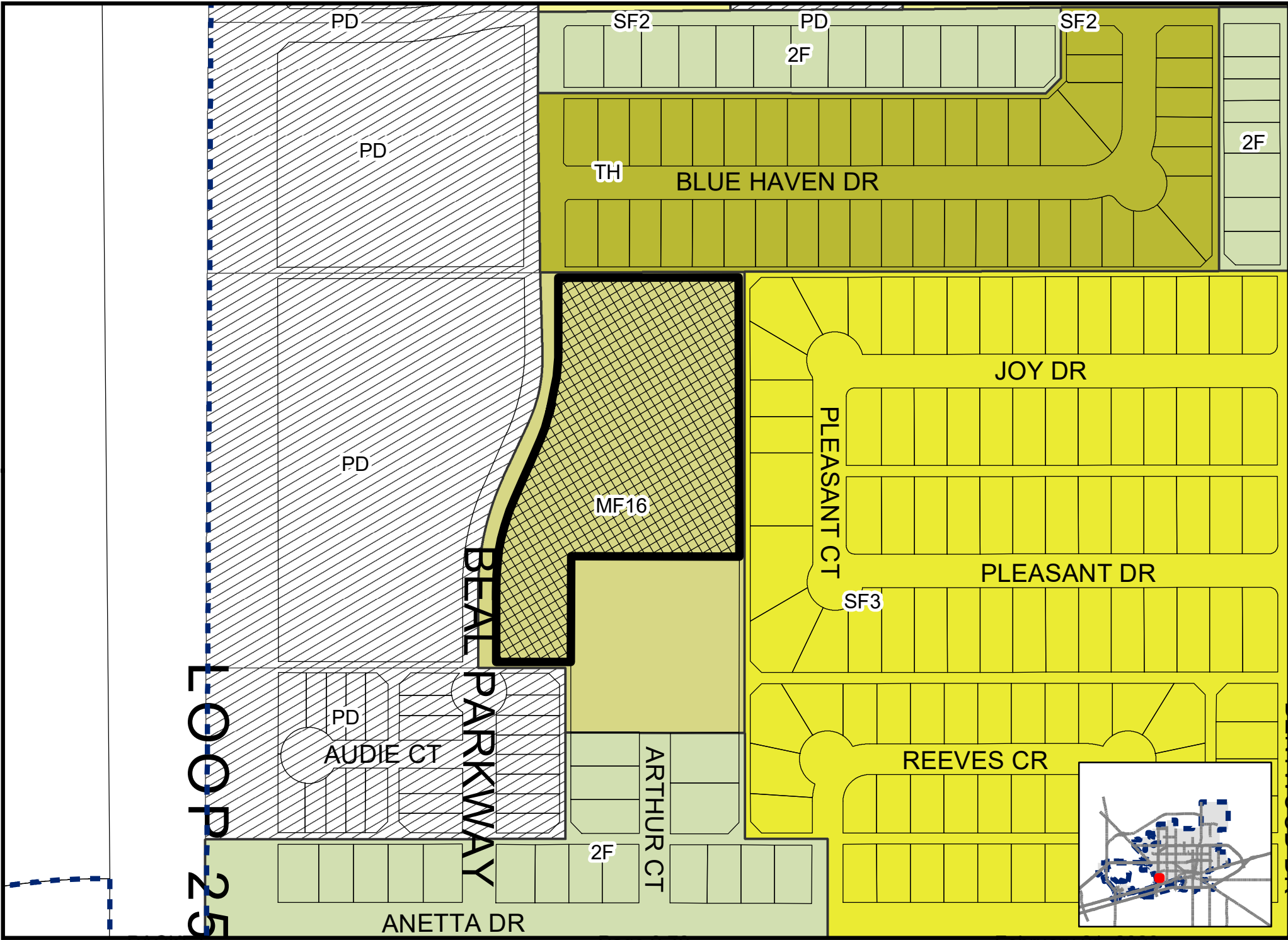
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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













Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Senior Planner

SUBJECT: Motion approving a Final Plat of Southern Addition, Section 27, being a replat of the south 90 feet of Lots 10-15, Block 121, all out of the Southern Addition, City and County of Midland, Texas. (Generally located at the northeast corner of S. Dallas Street and E. New York Avenue - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

SF-3, Single Family Dwelling District

Preliminary Plat Approval:

The applicant, LCA, is requesting to replat the south 90 feet of Lots 10-15, Block 121, all out of the Southern Addition, City and County of Midland, Texas into one lot for ownership purpose. This plat did not have a preliminary hearing. This plat is a residential replat; therefore, a public hearing is required.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

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

ENGINEERING: (Approved)

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

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

PAVING: S. Dallas Street & E. New York Avenue. is ok as is. No improvements are required. [For the Applicant's information only.]

WATER: 6" Water main exists in S. Dallas Street, 10" water main exists in E. New York Avenue. No public water improvements are required. [For the Applicant's information only.]

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

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

SEWER: 8" Wastewater line exists in the alley to the east. No public water improvements are required. [For the Applicant's information only.]

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

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

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

Oil and Gas: (Approved)

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

GIS: (Approved)

No comment

Planning:

All comments' have been satisfied.

Staff recommends approval of the Final Plat of Southern Addition, Section 27 subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps











Final Plat Application

Project Number: _____

Case Number: P-23-1517

Proposed Subdivision Plat Name: Southern Addition Section 27

Legal Description (attached sealed Metes and Bounds): _____

Being a Replat of the South 90' of Lots 10-15, Block 121 Southern Addition, Volume 2, Page 2,
Midland County Plat Records City of Midland, Midland County, Texas.

Property Owner

Printed Name: Rafael Arturo Rodriguez and Kurmaine Prizzie

Phone ()

Email

Address 511 S. Dallas Street

City Midland

State TX

Zip 79701

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email

Address 521 N. Texas Avenue

City Odessa

State TX

Zip 79761

Current Zoning: MH

Reason for Platting: The purpose of the replat is to satisfy permitting requirements

Plat Information

Total Acreage: .3

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'

JAN 25 2023

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

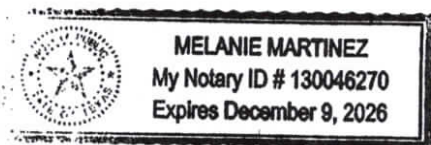
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared George E. Thornley who, being by me duly sworn, upon oath says: That (s)he is authorized by Rafael Arturo Rodriguez and Kurmaine Prizzie, 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 9th day of January, 20 23, to certify which witness my hand and seal of office.



Melanie Martinez

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 # 41000

☐ Tax Certificates

Check # 41001

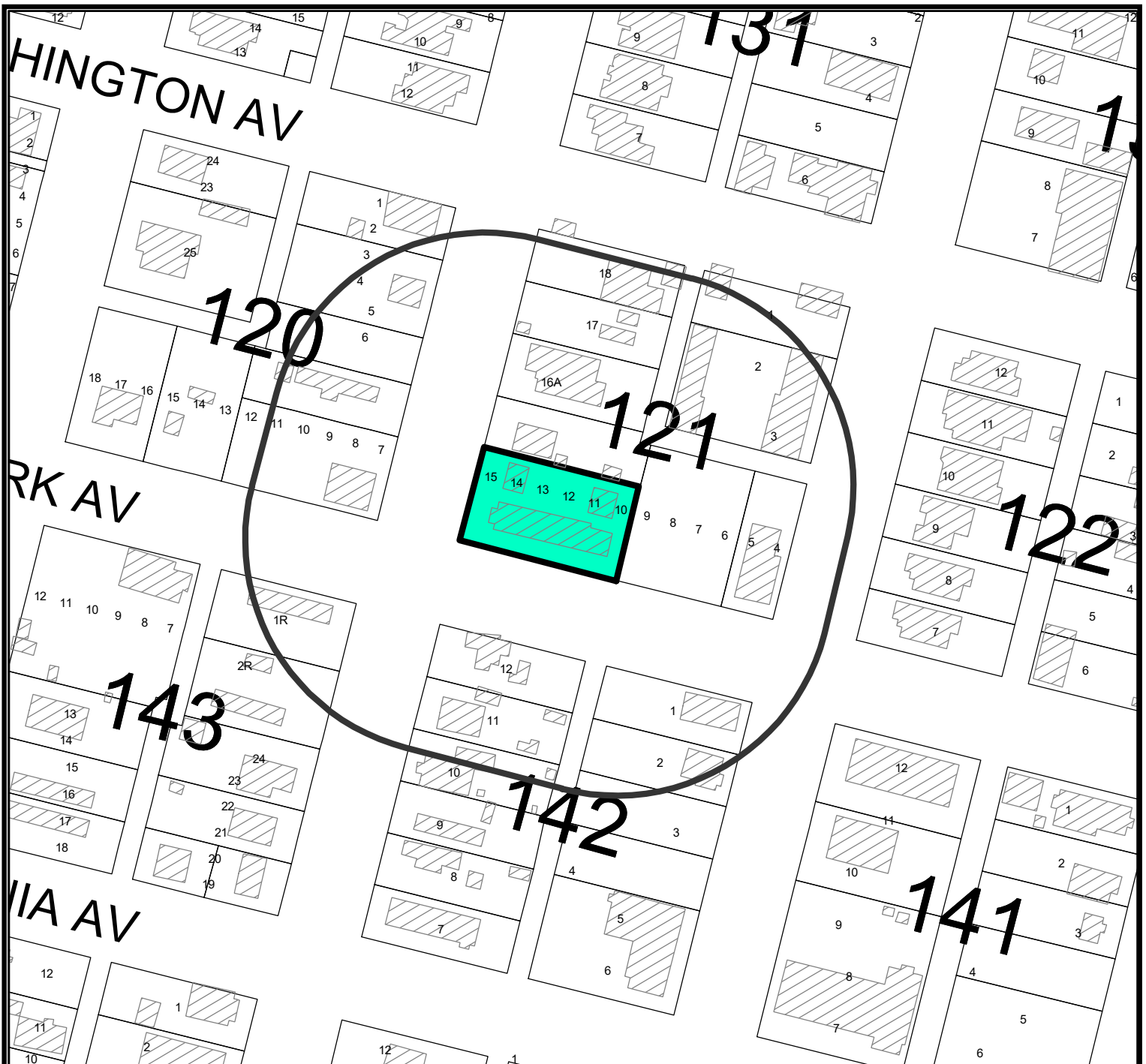
Received By:

ES

Date:

JAN 25 2023

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



LOCATION MAP

P-23-1517

Scale: 1" = 200'

Proposed plat of Southern Addition, Section 27, being the south 90' of Lots 10-15, Block 121, all out of the Southern Addition, 0.30 ac., Midland County, Texas.

Generally located on the northeast corner of S. Dallas St. and E. New York St.

LEGEND

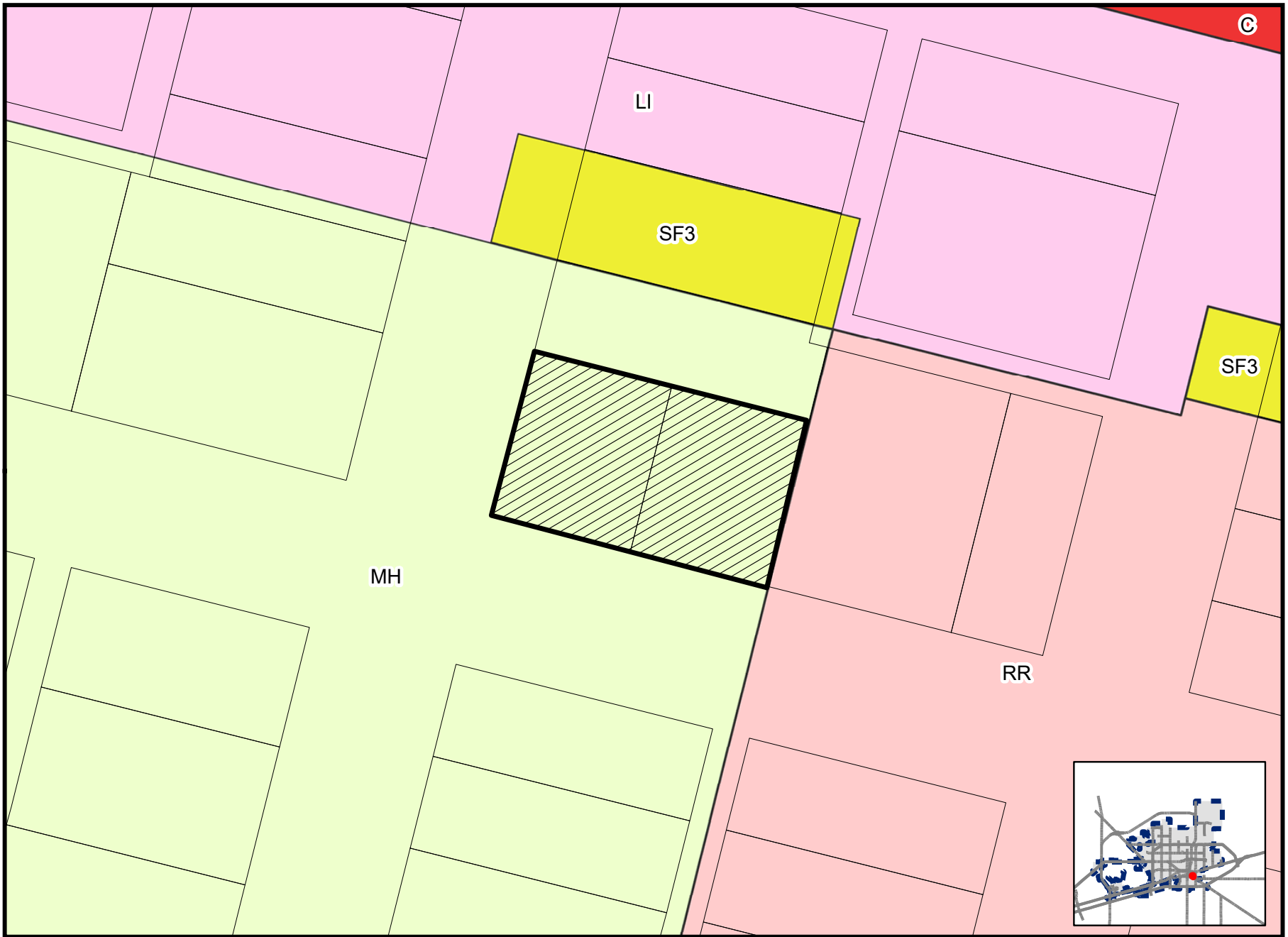
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Map By JF, 2/2/2023

P-23-1517

Scale: 1" = 200'

ZONING MAP



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NOT FOR USE FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE CITY OF NEW YORK.

PACKET

Page 10.87
February 21, 2023



Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fischer, Senior Planner

SUBJECT: Consider a request by Louis Clay for a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 10, Block 29, Greenwood Addition, Third, Fourth, and Fifth Sections, City and County of Midland County, Texas. (Generally located on the east side of Benton Street, approximately 110 feet south of E. New York Avenue - Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Louis Clay, is requesting a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, to construct a new single-family home.

Current Zoning:

MF-22, Multiple-Family Dwelling District.

Surrounding Zoning and Land Use:

The adjacent properties in all directions are zoned MF-22, Multi-Family Dwelling District. Several lots near the subject property were rezoned to SF-3 recently. 508 S. Benton Street was rezoned from MF-22 to SF-3 in 2019 (Ordinance No. 10,010) and 511 S. Benton Street was rezoned to SF-3 in 2020 (Ordinance No. 10,068).

Analysis:

The property is located at 605 S. Benton and is currently vacant. The applicant is requesting this zone change for the purposes of constructing a single-family residence on the property. The current zoning is MF-22, Multiple-Family Dwelling 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 MF-22, Multiple-Family Dwelling District. The property does meet the minimum lot size requirements for the SF-3, Single Family Dwelling District.

The SF-3, Single-Family Dwelling District requires a minimum of 5,500 square feet per lot, with a minimum width of 50-feet and 100-feet of depth for an interior lot. The property has a lot frontage of 50 feet, lot depth of 140 feet, and total lot area of 7,000 sq. ft. in compliance with the SF-3 dimensional standards. The lot was platted as Lot 10, Block 29, in the Greenwood Addition, Third, Fourth, and Fifth Sections.

The applicant will be required to adhere to the site plan review standards outline within the City of Midland Zoning Ordinance Section 5.04: - Residential Zoning District Dimensional Regulations Chart.

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

Fire: (Approved)

No objections to zone change request

Building: (Approved)

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

Engineering: (Approved)

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

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

Code: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

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

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

Planning (Approved):

According to the Tall City Tomorrow Comprehensive Plan, (UR-M) Urban Residential-Medium land incorporates an array of housing styles such as single-family housing, two-family housing, townhouses and manufactured housing. The aim of the UR-M land use is to provide a sense of neighborhood. MF-16, Multiple-Family District is not included under the potential zoning for this UR-M land use. Therefore, changing the zoning to SF-3, Single-Family Dwelling District would fit the intended land use appropriately. The City of Midland Planning Department supports this rezone because the proposed project fits the existing surrounding uses properly.

Staff recommends approval of this zone change from MF-16, Multi-Family Dwelling District to SF-3, Single-Family Dwelling District, subject to condition A.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of February 15, 2023.

Attachments:

Application
Maps
Site Plan (Exhibit A)



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

Project Number: 2-23-0321
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Louis Clay</u>		Phone (432) <u>631-2909</u> Email <u>Tallcityboss@yahoo.com</u>	
Address <u>1215 Lynn</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79705</u>

Property Owner Printed Name: <u>Archie Williams Jr.</u>		Phone (432) <u>889-7437</u> Email <u>archie.williams2004@yahoo.com</u>	
Address <u>P.O. Box 52162</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79710</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Clay Homes LLC</u> Printed Name: <u>Louis Clay</u>		Phone (432) <u>631-2909</u> Email <u>Tallcityboss@yahoo.com</u>	
Address <u>1215 Lynn</u>	City <u>Midland</u>	State <u>Tx</u>	Zip <u>79705</u>

Street Address: <u>605 E. Benton St.</u>		
Legal Description Lot: <u>010</u> Block: <u>029</u> Subdivision: <u>Greenwood</u>		

Current Zoning:	Proposed Zone: (List by tracts if more than one district is requested)
Reason for Zone Change Request: <u>To Build Single Family Home</u>	
Present Use of Property: <u>Multi family (MF-22)</u>	
Proposed Use of Property: <u>Single Family Home (SF-3)</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>Unnecessarily Requiring a Rezone</u>	

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

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

Applicant (signature):

Date:

Applicant (printed):

Property Owner (signature):

Date: 1/5/23

Property Owner (printed):

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

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

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 #

1033

Received By:

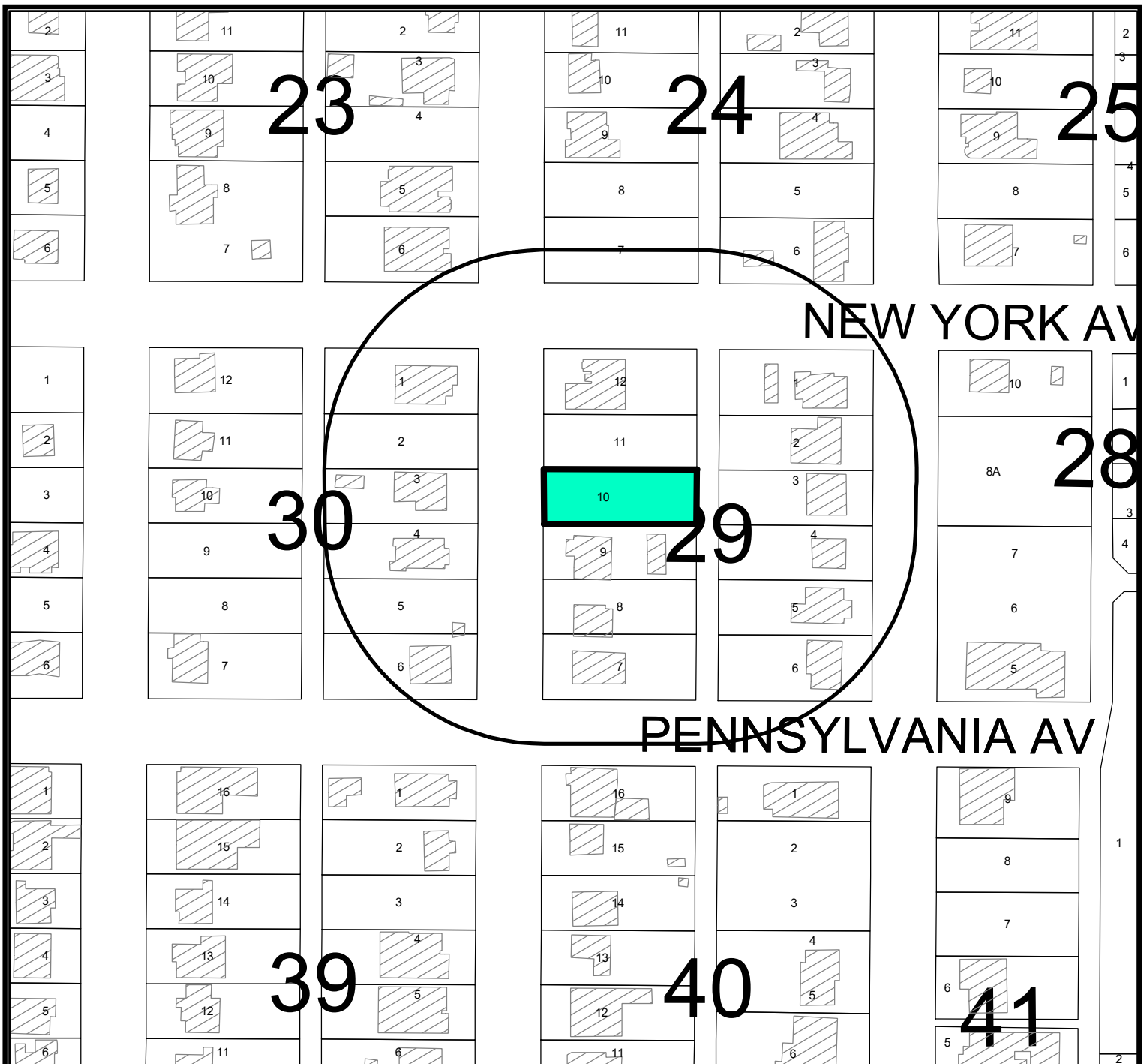
DA

Date:

1/13/23

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





LOCATION MAP

Z-23-0321

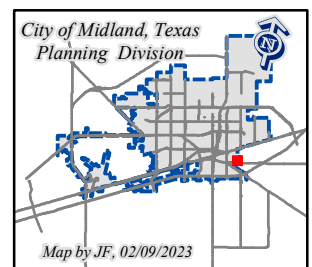
Scale: 1" = 200'

Consider a request by Louis Clay for a zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, on Lot 10, Block 29, Greenwood Addition, Midland County, Texas.

Generally located on the east side of Benton Street, approximately 110 feet south of E. New York Avenue (Council District 2).

LEGEND

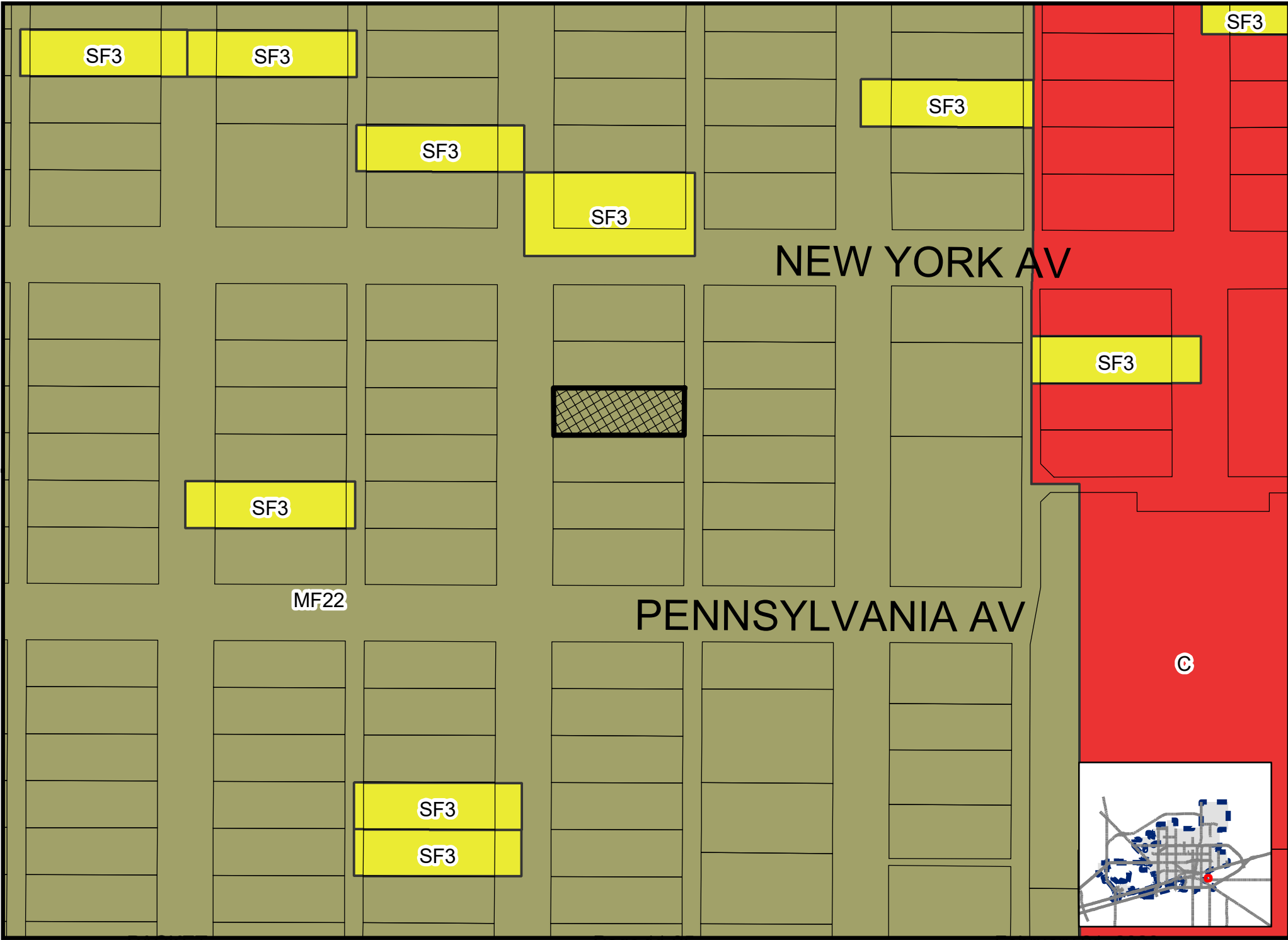
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Senior Planner

SUBJECT: Consider a request by Katelyn Carrasco for a Specific Use Designation with Term for the Sale of all alcoholic beverages, for on premises consumption in a restaurant on a 1,988-square foot portion of Lots 1 and 2 and the east 23.5 feet of Lot 3, Block 65, Original Town, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Wall Street and S. Loraine Street. Council District 2)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Katelyn Carrasco, is requesting a Specific Use Designation with Term (SUD) for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant for Little Bohemian, located at 201 W. Wall Street, Suite 102.

Current Zoning:

CB, Central Business District.

Surrounding Zoning and Land Use:

This property is located at 201 W. Wall Street, Suite 102, in the CB, Central Business District. The properties to the north, east, south, and west are also zoned CB, Central Business District, and the locations of Centennial Park, a hotel and office buildings, respectively.

Analysis:

Little Bohemian is requesting Specific Use Designation with term for the property located at 2001 W. Wall Street, Suite 102, to be able to sell all alcoholic beverages for on

premises consumption, within a restaurant. The property is zoned CB, Central Business District, which allows for the sale of all alcoholic beverages for on-premises consumption with a Specific Use Designation with Term. The location has an active Specific Use Designation (SUD) for a bar (Ordinance No. 10,157). There had been a change of ownership, and the new owner Katelyn Carrasco is requesting to amend the existing SUD for a new restaurant and hours of their business, the Little Bohemian.

Nearly, 188 feet west from the proposed establishment, Opal's Table and Cancun Grill, both have specific use permits with term for the sale of all alcoholic beverages for on-premises in restaurants (Ordinance No. 9622 and 9212). On July 10, 2018, City Council approved a Specific Use Permit with Term for a bar at this location (Ordinance No. 9781), but the establishment never opened.

The restaurant is currently under construction. The floor plan attached hereto as "Exhibit A" illustrates that the establishment will have a total square footage of 1,988 square feet, with an alcohol serviceable area of 988 square feet.

The restaurant will have the following hours of operation:

Monday through Saturday from 10:00 a.m. to 2:00 a.m. (Next Day)

The applicant is proposing the following hours for all alcoholic beverages service:

Monday through Saturday from 10:00 a.m. to 2:00 a.m. (Next Day)

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

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

There are no schools or churches within 300 feet of the property using the front door to door distance measurement.

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 objections

Transportation: (Approved)

No objection to zone change.

Fire: (Approved)

No objections

Code Administration: (Approved)

Space is sprinkled. The occupancy will be the same as before.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 7-Central District Plan, Goal 1, "Establish Downtown Midland as a regional destination" (Tall City Tomorrow page 137) as the Little Bohemian will be a destination where Midland residents can gather and socialize.

Staff recommends approval of this Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, subject to the following conditions A through G.

Conditions:

- A. That the serviceable area of the establishment shall be limited to approximately 988 square feet, as shown in Exhibit A.**
- B. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- C. That the permitted hours of the sale of alcoholic beverages shall be limited to:**

Monday through Saturday, from 10:00 a.m. to 2:00 a.m. (next day)
- D. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.**
- E. That the establishment shall meet the requirements of the Fire Department and the Code Administration Division.**
- F. That in accordance with Section 9.07.E.3 of the zoning ordinance, the bar shall be in operation with 120 days from the final adoption date of the ordinance.**
- G. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on-premises consumption to ensure that the conditions of this permit are satisfied.**

Letters of Objection:

As of February 15, 2022, staff has not received any letters of objection.

Attachments:

Application
Floor Plan (Exhibit A)
Maps



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

Project Number: 340-23-0151
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Katelyn Carrasco</u>		Phone <u>(210) 844-1483</u> Email <u>Carrasco10932@gmail.com</u>	
Address <u>1801 N D St</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Property Owner Printed Name: <u>Gary Glasscock</u>		Phone <u>(432) 685-1980</u> Email <u>gglasscock@yahoo.com</u>	
Address <u>203 W. Wall #1200</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 () _____ Email _____	
Address _____	City _____	State _____	Zip _____

Street Address: <u>201 W. Wall St suite 102</u>			
Business Name: <u>Little Bohemian</u>			
Legal Description Lot: _____ Block: _____ Subdivision: _____			
Current Zoning: <u>Commercial</u>			
Reason for Request: <u>Restaurant</u>			

Type of Business (restaurant, bar, lounge, nightclub, etc.): <u>Restaurant</u>			
Proposed/Current Days and Hours of Operation: <u>Mon-Sat 10am-2³⁰am</u>			
Proposed Days and Hours of Alcohol Service: <u>Mon-Sat 10am-2³⁰am</u>			
Total Square Footage of Business: _____			
Square Footage of Alcohol Serviceable Area: _____			
Restroom Fixtures:	Men	Toilets/Urinals: /	Bathroom Sinks:
	Women	Toilets:	Bathroom Sinks:

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): Katelyn Carrasco Date: 1-23-23

Applicant (printed): Katelyn Carrasco

Property Owner (signature): Gary M. Glasscock Date: 1-23-23

Property Owner (printed): GARY M. GLASSCOCK, PRESIDENT

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

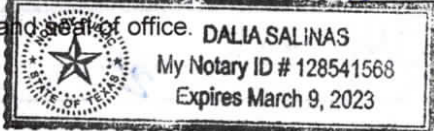
All materials, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Katelyn Carrasco who, being by me duly sworn, upon oath says: That (s)he is authorized by Gary Glasscock, 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 23rd day of Jan, 2023, to certify which witness my hand and seal of office.



Dalia Salinas
Notary Public

FOR OFFICE USE ONLY

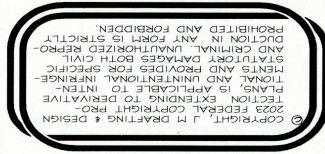
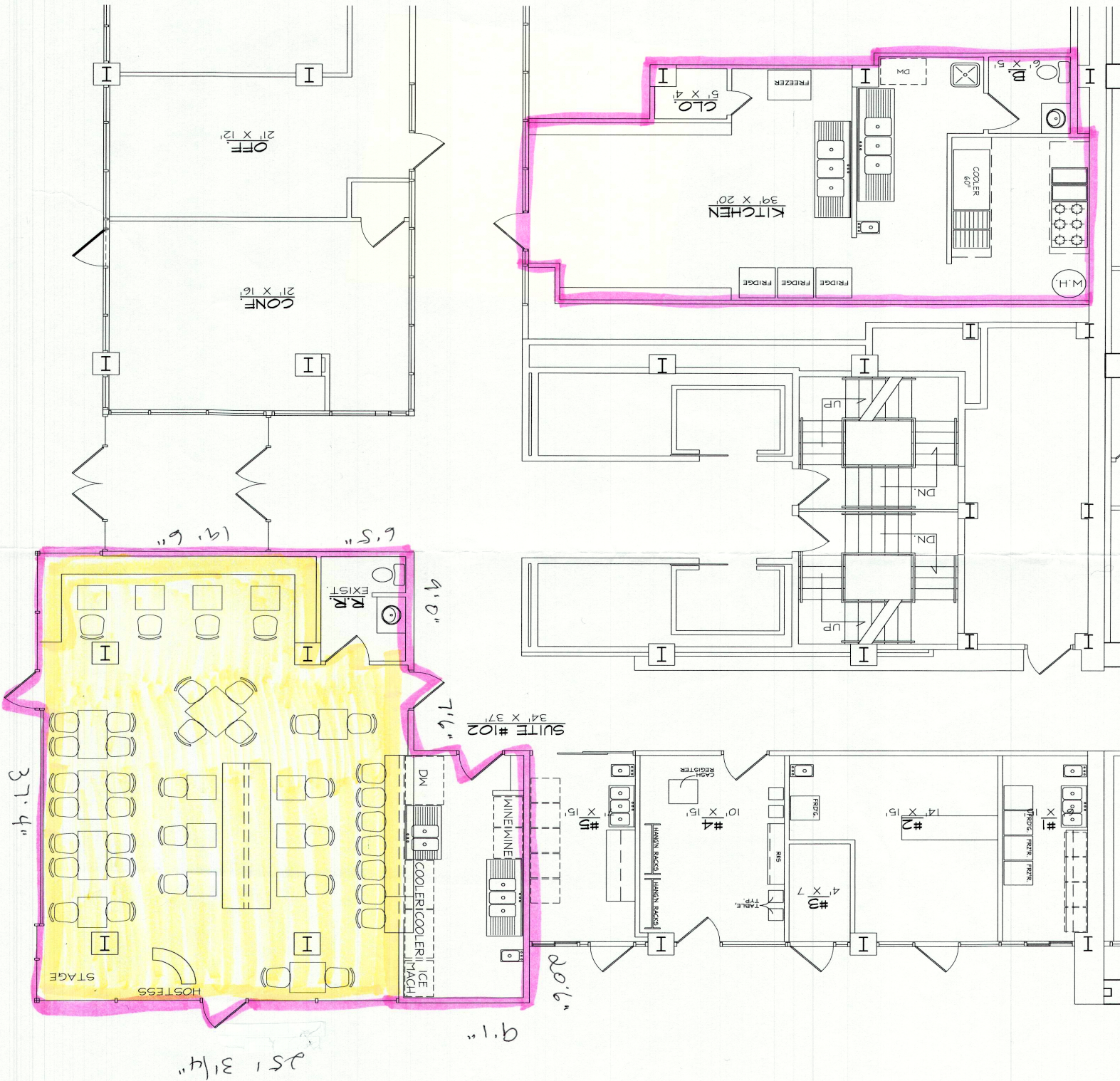
- | | |
|--|--|
| ☒ Property Owner Authorization | ☒ Dimensioned Floor Plan |
| ☒ Application Fee | ☒ Site Plan <u>N/A</u> |
| Check # <u>179</u> | ☒ Plans in Digital Format (PDF/JPEG) |

Received By: Jeff Fisher

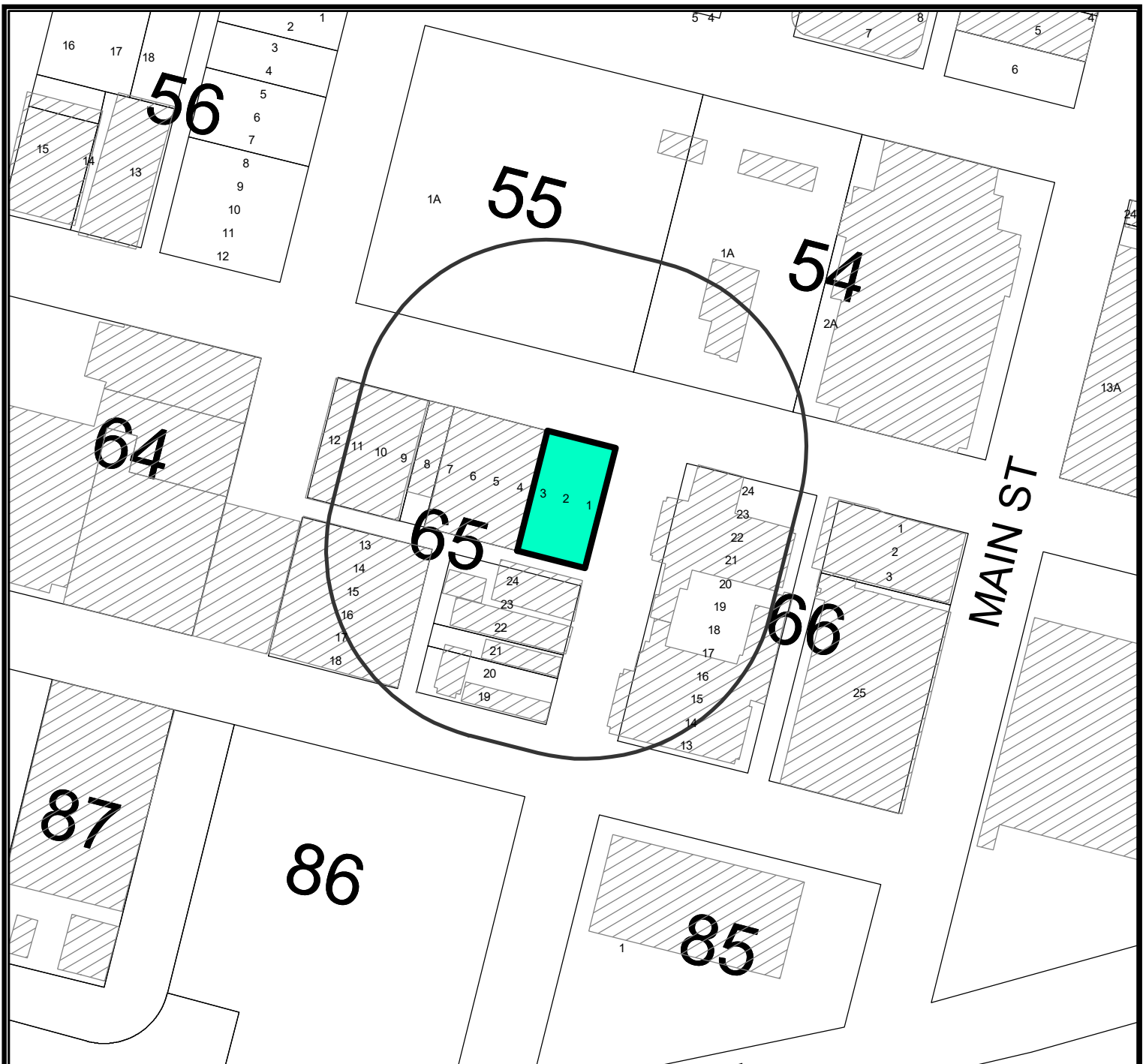
Date: 1/23/2023

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

Alcohol Serviceable Area (yellow) = 988 sq.ft.
Total square footage (pink) = 1988 sq.ft.



A-5-BUILT FLOOR PLAN
1ST FLOOR
N.T.S.



LOCATION MAP

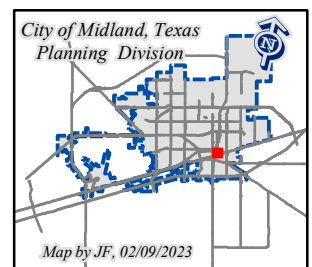
SUD-23-0151

Scale: 1" = 200'

Consider a Specific Use Designation with Term for the sale of alcoholic beverages for on premises consumption in a restaurant, on a 1,988-square foot portion of Lots 1 and 2 and the east 23.5 feet of Lot 3, Block 65, Midland County, Texas.
(Generally located on the southwest corner of the intersection of W. Wall Street and S. Loraine Street. Council District 2)

LEGEND

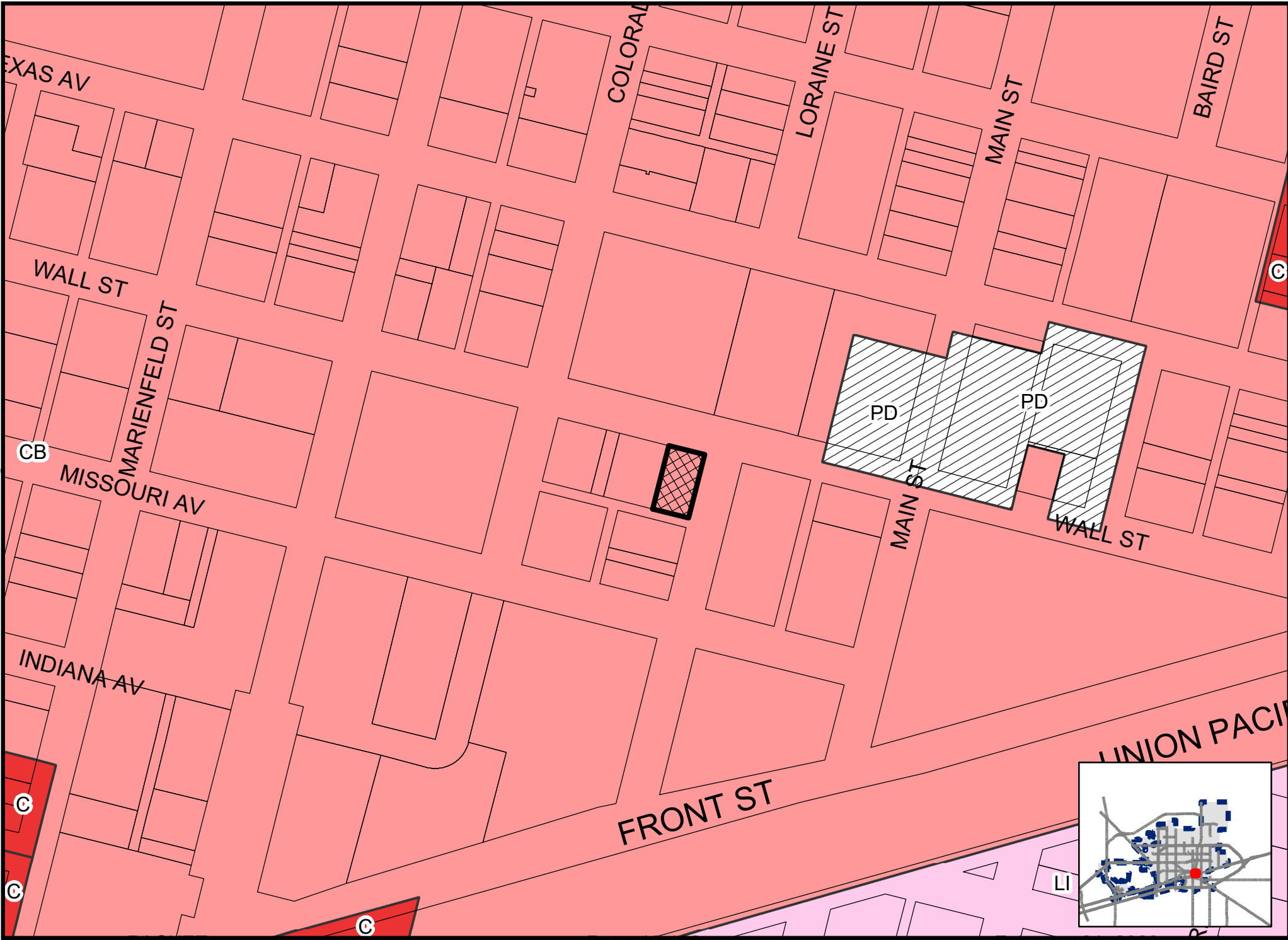
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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PACKET

Page 12.108

February 21, 2023

Map By JF, 2/9/2023

SUD-23-0151

Scale: 1" = 200'

ZONING MAP



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Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Alexandra Walling, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Westridge Park, Section 50, being a replat of Lot 4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Deauville Boulevard and Loop 250 Frontage Road. – Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Parkhill, is requesting to replat of Lot 4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, City and County of Midland, Texas, for ownership purposes.

Current Zoning:

PD, Planned Development District.

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

BUILDING CODE: (Approved)

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

new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved)

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

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

PAVING: N Loop 250 W frontage road is TxDOT facility, built and maintained by TxDOT, no improvements required. Tradewinds Blvd., Champions Dr, and Deauville Blvd are okay as is. [For the Applicant's information only.]

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

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

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

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

DRAINAGE: Show compliance with Westridge Park Addition Drainage Study, prepared by Parkhill Smith and Cooper and approved by City on 11/17/2014 . [Reference City Code Sect. 11-2-3(D)8] For Drainage Easements granted with this plat, provide the following language to the plat face:

1. The maintenance of any stormwater facility in this easement is the responsibility of the property owner. Property owner agrees to maintain the facility in working order, with inspections and corrective action made at least annually. Reports of such inspections and maintenance shall be kept for inspection by the City of Midland Stormwater Administrator on request, or may be forwarded to the City Engineer's office.
2. The City of Midland shall have the right to mitigate deficiencies in the function of the stormwater facility, and to be reimbursed by the property owner, if the City finds it necessary for public health and safety.

3. The City of Midland and its employees, contractors, agents, successors, and assigns, shall have the free and uninterrupted right of passage in, on, upon, over, under, across, along and through the property described herein for the purpose of establishing, laying, constructing, reconstructing, installing, realigning, modifying, replacing, improving, altering, operating, maintaining, accessing, inspecting, repairing, relocating and removing said facilities, including but not limited to, the right to cut and trim bushes and trees, together with the right of ingress, egress and regress for such purposes in, on, upon, over, under, across, along and through the property described herein.
4. Developer may not use any part of the property described herein if such use will damage, destroy, injure, and/or unduly interfere with the City of Midland's use of the property. Developer expressly covenants and agrees for itself, its legal representatives, successors and/or assigns, that no building, roadways, or curbs and gutters of any kind will be placed on the property described herein. Written permission for above ground appurtenances must be obtained from the City of Midland, prior to installation.

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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

FIRE: (Approved)

Future development shall meet IFC 2015 and local ordinances

CODE COMPLIANCE: (Approved)

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

receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No construction is allowed on top of P&A wells.

GIS: (Approved)

On the description remove "Lots 1-4" and write Lot 4.. The other lots are not inside plat.

PLANNING:

Legal description must read, "Being a replat of Lot 4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, City and County of Midland, Texas."

Staff recommends approval of the Preliminary Plat of Westridge Park, Section 50, subject to condition A.

Conditions:

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

Attachments:

Application
Proposed Preliminary Plat
Maps



Preliminary Plat Application

Project Number:

Case Number:

SUB-23-1576
P-23-1520Proposed Subdivision Plat Name: Westridge Park Section 50

Legal Description (attached sealed Metes and Bounds): Being a replat of Lots 1-4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, City and County of Midland, Texas

Property OwnerPrinted Name: City of Midland

Phone ()

Email

Address 300 N LoraineCity MidlandState TXZip 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: ParkhillPrinted Name: Josh WallenderPhone (432) 697-1447

Email

jwallender@parkhill.comAddress 1700 West Wall, Suite 100City MidlandState TXZip 79701Current Zoning: PDReason for Platting: Platting for future development**Plat Information**Total Acreage: 101.70 Ac.Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots:

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development 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.

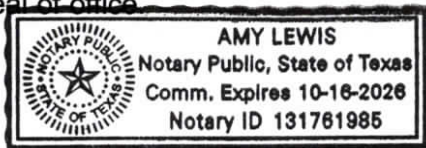
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Shelby Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 25 day of January, 20 23, to certify which witness my hand and seal of office.



Amy Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

Check # City of Midland

Received By: Alexandra Walling

Date: Jan 25, 2023

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

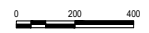
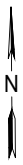
Preliminary Plat Application

2

Revised 07/01/19

PRELIMINARY PLAT
WESTRIDGE PARK
SECTION 50

Being a Replat of Lots 1-4, Block 5, Westridge Park, Section 6
and Lots 3A and 4, Block 6, Westridge Park, Section 44, City
and County of Midland, Texas



LEGEND	
	Proposed Plat Limits
	Proposed 10' Utility Easements
	Existing Lot Lines
	Existing Easements
	Existing Sewer Line
	Existing Water Line
	Existing Back of Curb
	Existing Flood Zone
	Section Lines

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 these lots may be developed or before a building permit may be obtained.
- 1/2" iron rod with plastic cap set at each corner unless otherwise specified.
- 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.
- A blanket easement established on WESTRIDGE PARK ADDITION, SECTION 6, CABINET F, PAGE 183, for Lot 4, Block 5 for storm sewer, sanitary sewer, and water utilities. A blanket easement is hereby dedicated on Lot 4A, Block 5, for storm sewer, sanitary sewer, and water utilities.

OWNER:

CITY OF MIDLAND
300 W LORAIN ST
MIDLAND TEXAS 79701
432-685-7100

ENGINEER:

Parkhill
1700 W Wall St., #100 Midland,
Texas 79701
432-697-1447

WESTRIDGE PARK
SECTION 50

Parkhill

Parkhill.com

TPELS FIRM REGISTRATION NO. 10194091

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That I, Samuel Wyatt, 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.

Samuel Wyatt, R.P.L.S. #6453

SPECIAL STATE PLANE COORDINATE NOTE

Bearings, distances and coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1083 NAD), with a combined grid factor of 0.9998958 for mean project datum. The theta angle is equal to -0°54'43.39" at USACGS station "Midland", with published values of N=10,690,154.70 and E=1,746,696.78 in U.S. Survey Feet.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, The City of Midland is the record owner of 101.7 Acres of Land Located in Section 37, Block 40, T-1-S, T4P RR Co. Survey, City and County of Midland, Texas, and more particularly described, shown on the plat herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, The City of Midland do hereby adopt this plat designating the herein above described property as Westridge Park, Section 50 to the City and County of Midland, Texas, and we do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS our hands at Midland, Texas, this the _____ day of _____

By: _____

Lori Blong Mayor of Midland

STATE OF TEXAS :
COUNTY OF MIDLAND :

This instrument was acknowledged before me on _____ by _____

Lori Blong on behalf of The City of Midland

Notary Public Signature

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of WESTRIDGE PARK, SECTION 50 was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____

Chairman - Lucy Siegma

Secretary - Elizabeth Shraughnessy

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

DRAINAGE EASEMENT NOTE

- Relative to the existing drainage easement: The maintenance of any stormwater facility in this easement is the responsibility of the property owner. Property owner agrees to maintain the facility in working order, with inspections and corrective action made at least annually. Reports of such inspections and maintenance shall be kept for inspection by The City of Midland Stormwater Administrator on request, or may be forwarded to the city engineer's office.
- Relative to the existing drainage easement: The City of Midland shall have the right to mitigate deficiencies in the function of the stormwater facility, and to be reimbursed by the property owner, if the city finds it necessary for public health and safety.
- Relative to the existing drainage easement: 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.
- Relative to the existing drainage easement: 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 appearances must be obtained from The City of Midland, prior to installation.

FLOOD ZONE INFORMATION

Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 481239, Map Number 48326C0200F, Panel 200 of 525, and Map Number 48326C0182F, Panel 182 of 525, revised September 16, 2005, the surveyed property is located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X and Zone A.

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Onor Electric Delivery Service (PLEASE PRINT)

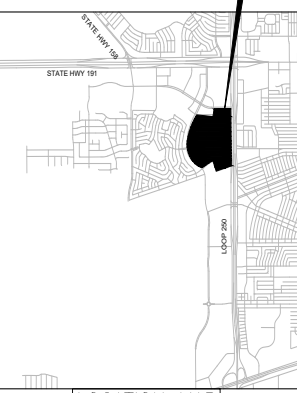
AT&T Texas (PLEASE PRINT)

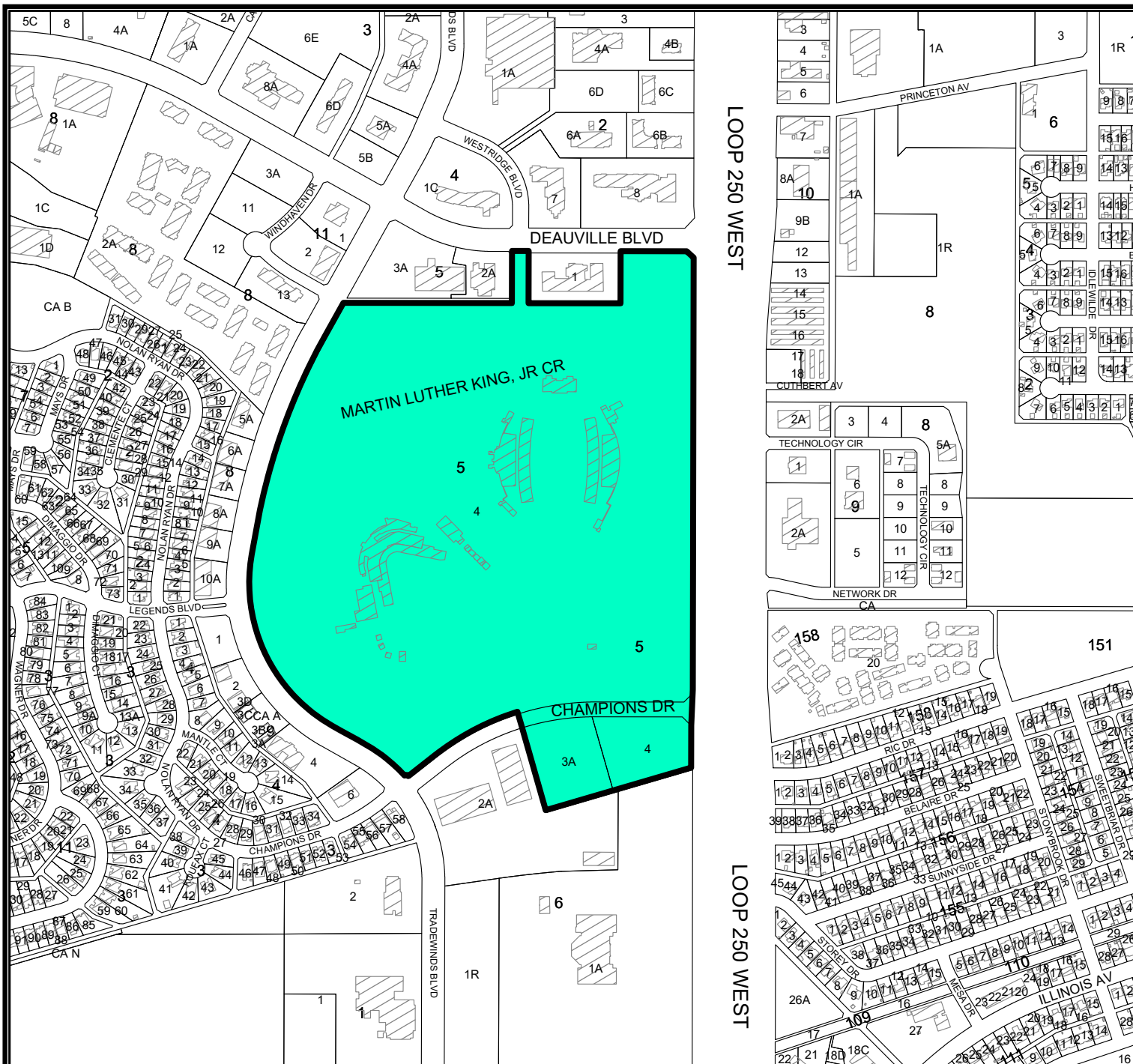
Atmos Energy (PLEASE PRINT)

Optimum (PLEASE PRINT)

Astound Broadband (PLEASE PRINT)

LOCATION MAP





LOCATION MAP

SUB-23-0576

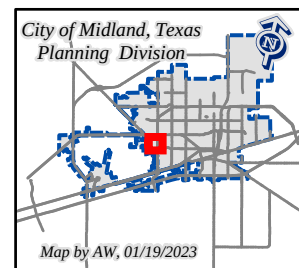
Scale: 1" = 200'

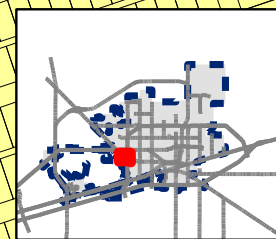
Proposed plat of Westridge Park, Section 50, being a replat of Lots 1-4, Block 5, Westridge Park, Section 6 and Lots 3A and 4, Block 6, Westridge Park, Section 44, City and County of Midland, Texas.

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

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: February 21, 2023

TO: PLANNING AND ZONING COMMISSION

FROM: Jeff Fisher, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Sturgis Addition, being a plat of a 10.10 acres tract of land located the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side on W. County Road 130, approximately 1,055-feet west of S. County Road 1200 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Engineering Co., Inc. is requesting to plat a 10.10 acres tract of land located the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County to subdivide into 9 lots for future property owners to obtain septic permit.

Current Zoning:

Extraterritorial Jurisdiction

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

Boundary dimensioning along north line of plat seems confusing.

ENGINEERING: (Approved)

IMPACT FEES: Property is outside of the designated service areas. [For the Applicant's information only.]

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

PAVING: Deferral request for paving improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

WATER: Deferral request for water improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

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

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

SEWER: Deferral request for sewer improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

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

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

SIDEWALK: Deferral request for sidewalk improvements were administratively approved on 03/02/2022. [For Applicant's Information Only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

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

CRMWD:

No comments.

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS: (Approved with Conditions)

Provide break down lengths of N 14-22-40 W 326.88 (distance for west side of LOT 4 & NW portion for LOT 6. The length for N 75-32-08E should be 398.93 not 359.49 ft. They forgot to add the length of the easement. Please add easement type label for LOT 3 and Block number to the plat.

MIDLAND COUNTY: (Approved with Conditions)

The new proposed lot arrangements are fine. However, the privately owned WCR 132 should be extended to the East end of lot # 2 as depicted to ensure access. The access and Utility Easement should be constructed to 20' easement as depicted. They will need to get a permit from PubWorks office to tie into the County Road.

HEALTH:

Yes, the health department will review applications from the 9 proposed lots of Sturgis Addition , PLAT OF A 10.10 ACRE TRACT OF LAND OUT OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 21, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 2.5 acre, lot 2 is 1.3 acre, lot 3 is 1.5 acre, lot 4 is 1.2 acre, lot 5 is 1.6 acre, lot 6 is 1.1 acre, lot 7 is 1 acre, lot 8 is 1 acre, lot 9 is 1 acre property owners must contact the pipeline company to get the setback to their pipeline before any excavation can occur, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING:

Provide the length of the easement. Please add easement type label for LOT 3 and Block number to the plat. Double check meets and bounds. See Midland City Code 11-2-3(D)4

The preliminary plat does not identify the proposed uses of lots and restrictive covenants that apply to common area, which is a requirement for approval of the preliminary plat. "The proposed preliminary plat shall conform to the following standards and shall contain the following information in addition to the requirements specified in [Section 11-2-3](#)" **Proposed use of lots and restrictive covenants, if any common area is proposed.**" Midland City Code § 11-2-3(D)4(c).

Staff recommends approval of the Preliminary Plat of Sturgis Addition, subject to condition A through C.

Conditions:

- A. Approval of this preliminary plat is conditioned upon it identifying the proposed uses of lots and restrictive covenants that apply to common areas. See Midland City Code 11-2-3(D)4(c).**
- B. The Preliminary plat does not meet the condition upon including a drawing of the boundary described which has been prepared by a registered surveyor and shall bear his seal, signature and date on each sheet and statement and a statement that the boundary description shown thereon accurately describes the survey of the tract boundary conducted by the said surveyor. See Midland code 11-2-3(D)4.**
- C. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Maps
Application



Preliminary Plat Application

Project Number:

Case Number:

SUB-21-0397
P-23-1523

Proposed Subdivision Plat Name: **Sturgis Addition**

Legal Description (attached sealed Metes and Bounds): **Being a plat of ~~12.654~~ 10.10 acres out of the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.**

Property Owner
Printed Name: **Glen Wooten**

Phone **432-528-1304**
Email

Address

City

State

Zip

Developer (if different than
Owner) Printed Name:

Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)
Firm: **Schumann Engineering Co., Inc.**
Printed Name: **Eduardo L. Aleman**

Phone **(432) 684-5548**
Email
ealeman@schumannonline.net

Address

800 N. Marienfeld Suite 100

City **Midland**

State **TX**

Zip **79701**

Current Zoning:

Reason for Platting: *To divide tracts and obtain Septic Permits.*

Plat Information

Total Acreage: ~~12.654~~ **10.10**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **8**

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

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): X Office Glenn Wooten

Date: 10-14-23

Property Owner (printed): Office Glenn Wooten

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

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

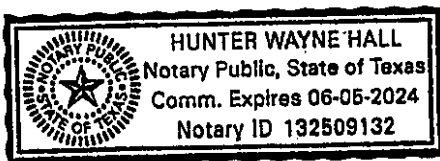
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Shirley Alaman
Authorized Agent (signature)

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



HWH
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

STURGIS ADDITION

BEING A PLAT OF 10.10 ACRES OUT OF
THE NE/4 OF SECTION 21,
BLOCK 39, T-2-S,
T&P RR CO SURVEY,
MIDLAND COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE NE/4 OF SECTION 21, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

OWNERS:

OTTICE GLEN WOOTEN
P.O. BOX 741
PROCTOR, TX 76468
(432) 528-1304

MERARDO NEVAREZ
P.O. BOX 2874
MIDLAND, TX 79702

FERMIN OLIVAS HERNANDEZ
AND SANTOS HERNANDEZ
420 W MESCALERO
ODESSA, TX 79766

BIANCA TELLEZ
7902 WCR 116 UNIT E
MIDLAND, TX 79706

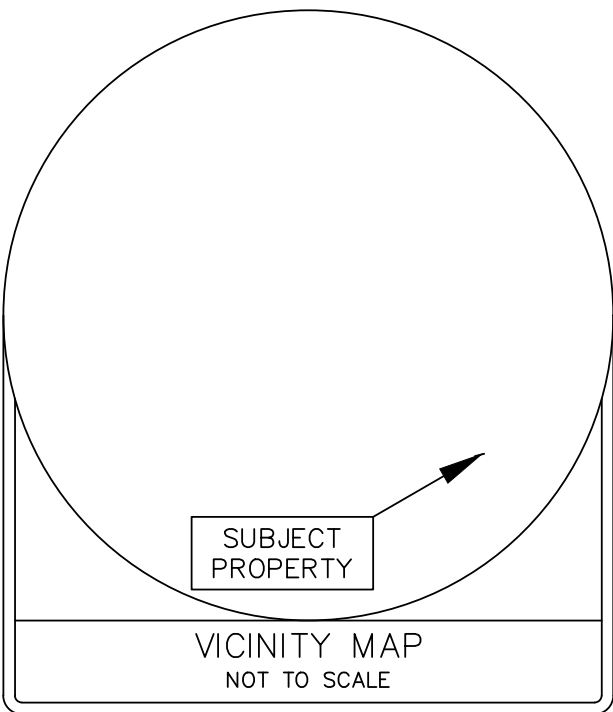
SENAIDA MENDOZA AND
RUBEN ESPARZA
923 S MAPLE
PECOS, TX 79772

ROSENDA RAMIREZ AND
JAIME RAMIREZ
4401 SCR 1200
MIDLAND, TX 79706

ALFREDO TARANGO AND
MARIA TARANGO

NOTES:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 10.10 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN 8 TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- THIS PROPERTY LIES WITHIN ZONE "X" AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 48329-C0204F AND 48329-C212F WITH THE REVISION DATES OF SEPTEMBER 16, 2005.



STURGIS ADDITION

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

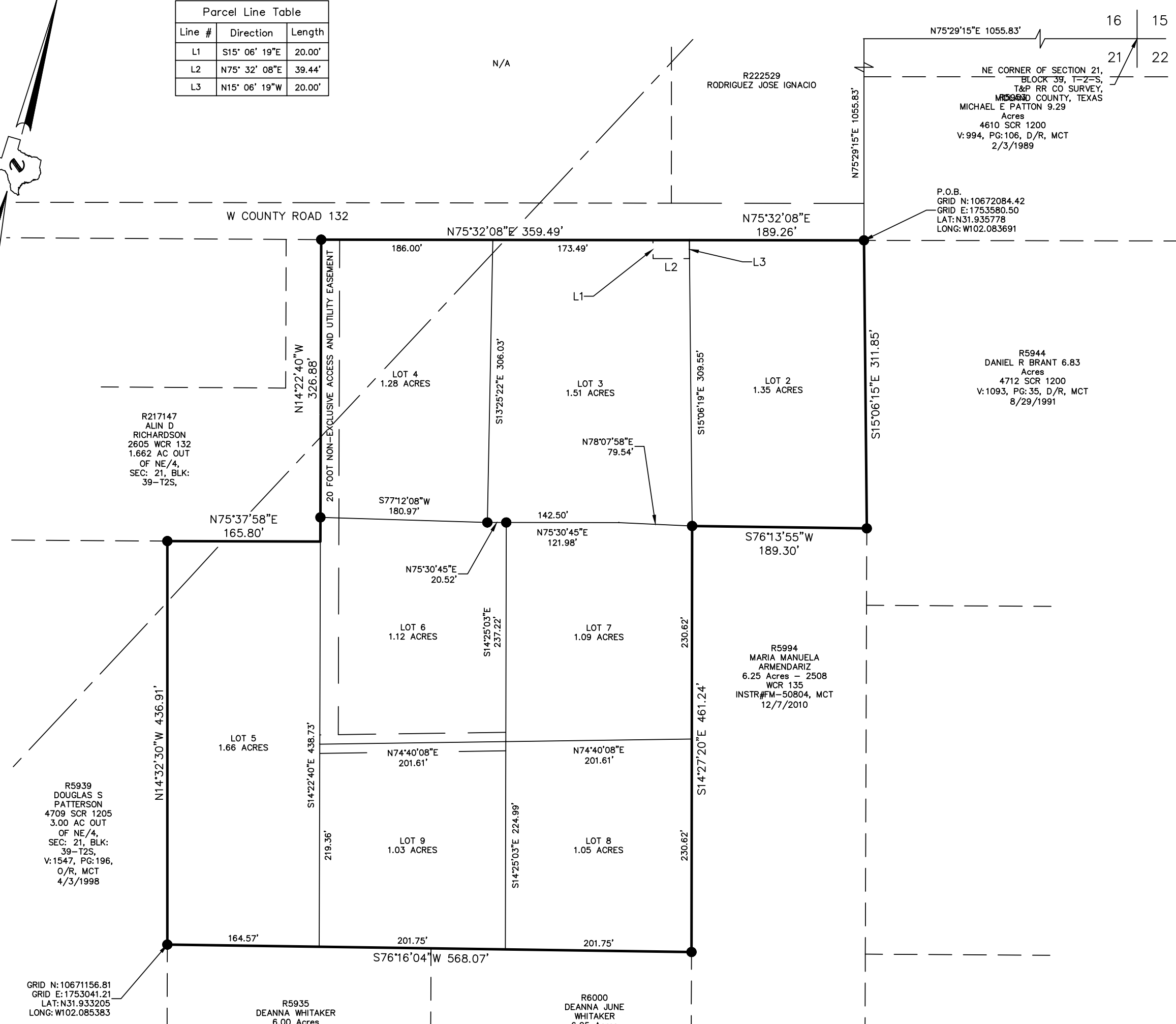


SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY
CIVIL ENGINEERING - LAND SURVEYING
800 N. MARIEFELD STREET
SUITE 100
MIDLAND, TEXAS 79701
Office (432) 684-5548

TEXAS FIRM No. P1880 - TEXAS FIRM No. 10149500

STURGIS ADDITION

Parcel Line Table		
Line #	Direction	Length
L1	S15° 06' 19"E	20.00'
L2	N75° 32' 08"E	39.44'
L3	N15° 06' 19"W	20.00'



LEGEND

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

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES:

SIGNED: _____
ONCOR ELECTRIC DELIVER COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
OPTIMUM

SIGNED: _____
ASTOUND

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

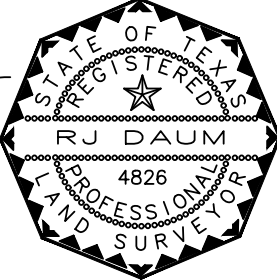
THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF STURGIS ADDITION, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2023.

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

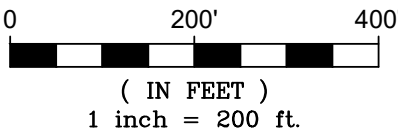
ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY

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.

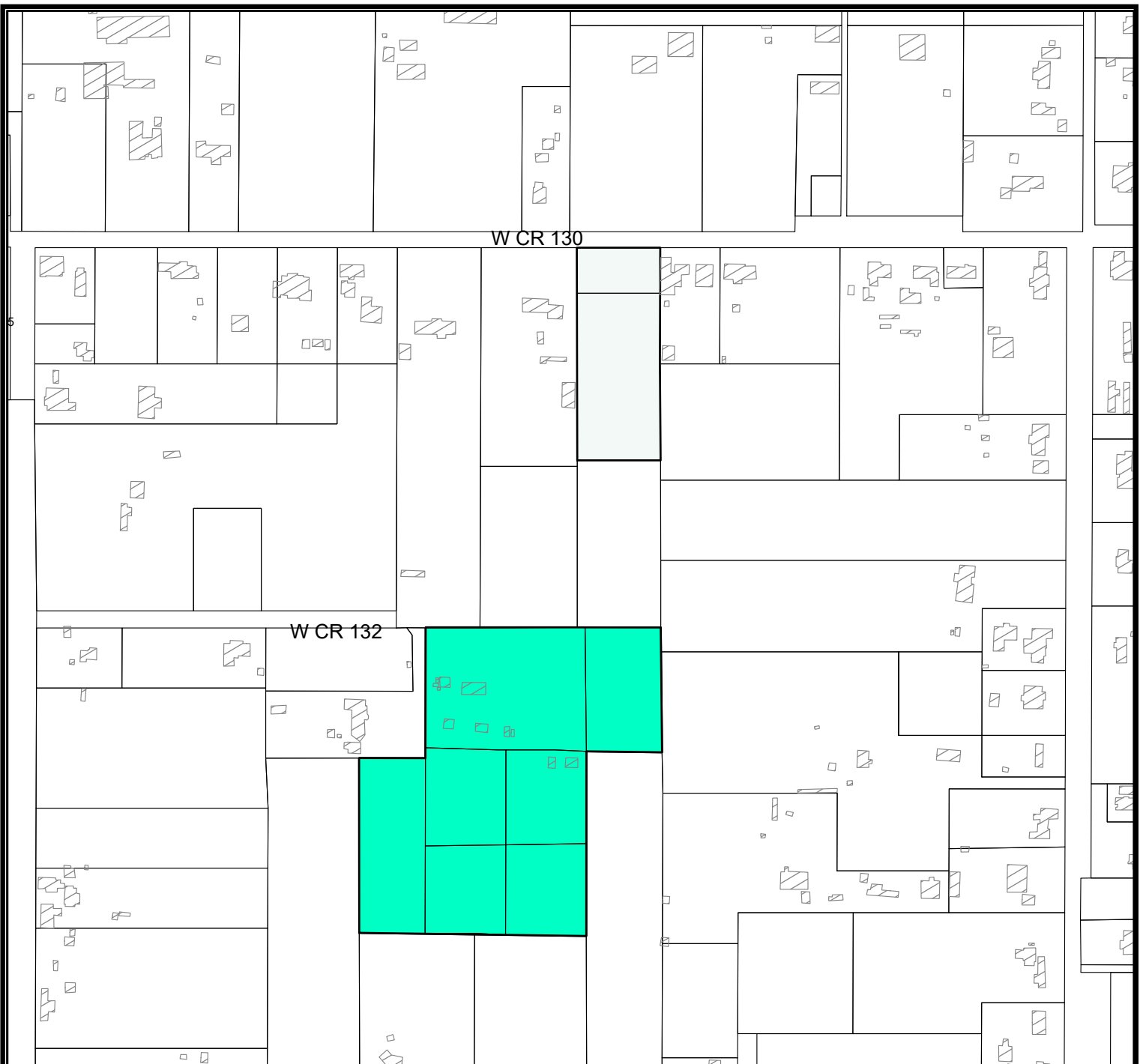
RJ DAUM
TEXAS RPLS 4826



GRAPHIC SCALE



NO.	DATE	DESCRIPTION	BY	JOB NO.	DRAWN BY:	DATE:
4	04/25/22	PREPARED FINAL PLAT	EA		KDS	2/3/2021
2	10/4/21	PREPARED PRELIMINARY PLAT	EA/KS			
1	5/26/21	PREPARED PRELIMINARY PLAT	EA/KS		RJD	77634
				CHECKED BY:	77,634	DRAWING NO.:
						SHEET 1 OF 2



LOCATION MAP

SUB-21-0115

Scale: 1" = 200'

Proposed Plat of Sturgis Addition, being a plat of a 10.10 - acres tract of land located in the NE/4 of Section 21, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the south side on W. County Road 130, approximately 1,055-feet west of S. County Road 1200. (Extraterritorial Jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

