

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

**June 21, 2022 - 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 and via videoconference. A quorum of the Planning and Zoning Commission intends to be physically present at the aforementioned location.

VIDEOCONFERENCE INFORMATION

Please click the link below to join the webinar: <https://us02web.zoom.us/j/87572498816?pwd=UituZWZFdjdOZ3EvMkRONDIiVXduZz09>

Passcode: 625350

Or One tap mobile :

U S : + 1 3 4 6 2 4 8 7 7 9 9 , , 8 7 5 7 2 4 9 8 8 1 6 # , , , , * 6 2 5 3 5 0 # o r
+12532158782,,87572498816#,,, *625350#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 253 215 8782 or +1 669 900 6833 or +1 312 626 6799 or +1
929 436 2866 or +1 301 715 8592

Webinar ID: 875 7249 8816

Passcode: 625350

International numbers available: <https://us02web.zoom.us/j/87572498816?pwd=UituZWZFdjdOZ3EvMkRONDIiVXduZz09>

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

CONSENT ITEMS

2. Motion approving the Planning and Zoning Commission Meeting minutes for June 6, 2022.

3. Motion approving a Final Plat of West 1788 Industrial Park, Section 9, being a 10 -acres tract of land out of N.E./4 of Section 48, Block 41, T-1-S, T & P, RR, Co., Survey, City and County of Midland, Texas. (Generally located on the west side of Farm Road 1788, 1,290 feet south of Onyx Drive - Council District 4) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

4. Motion approving a request by Brian Burns & Andre Patterson, d/b/a Champs Sports Grill and Bar, LLC for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,472 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the Northeast corner of the intersection of North Garfield Street and West Loop 250 North - Council District 1) (DEVELOPMENT SERVICES)

MISCELLANEOUS

5. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of OMG Addition, Section 8, being a plat of a 5.583-acre tract of land out of the South Part of Section 24, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the north side of East County Road 140, approximately 1,100-feet west of South County Road 1175 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
6. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Veteran Development, Section 2, being a 6.00-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Antelope Trail, approximately 130-feet south of W. County Road 120 - Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)
7. Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Veteran Development, Section 3, being a 6.70-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the west side of Antelope Trail, approximately 910-feet south of W. County Road 120 - 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
June 6, 2022
Council Chambers – City Hall**



The City Council convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., June 06, 2022.

Commissioners present: Lucy Sisniega, Dianne Williams, Chase Gardaphe, Emily Holeva, Adrian Carrasco, Beverly Dillow

Commissioners absent: Stacy Grosse, Karmen Bryant, Zachary Deck

Staff members present: Charles Harrington, Elizabeth Shaughnessy, Kelly Martinez, Paul Rodriguez, James Reber, Landon Ochoa, Dalia Salinas

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

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

Commissioner Sisniega opened the public comment period at 3:30 p.m. With no one wishing to speak, the public comment period was closed at 3:31 p.m.

CONSENT ITEMS

Commissioner Williams moved to approve the consent items 2-4; seconded by Commissioner Gardaphe.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

2. Motion approving the Planning and Zoning Commission Meeting minutes for May 2, 2022.
3. Motion approving the Planning and Zoning Commission Meeting minutes for May 16, 2022.
4. Motion approving a Final Plat of Lindsay Acres, Section 11, being a replat of a 1.494-acre tract of land out of the west half of Tract 5, Lindsay Acres, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W. Montgomery Avenue and Moran Street-Council District 2)

PUBLIC HEARINGS

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

5. Motion approving a request by Julio Lozoya for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption in a Nightclub, on a 3,210-square foot portion of Lot 33C, Block 3, Briarwood Addition, Section 16, City and County of Midland, Texas. (Generally located on the north side of Briarwood Avenue, approximately 428-ft west of N. Midland Drive- Council District 1)

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

Commissioner Carrasco asked if the hours proposed match that of the previous occupant. Staff explained that the previous occupant was a restaurant and this establishment is more of a night club.

The public hearing was opened at 3:37 p.m.

The applicant was present but deferred to staff.

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

Commissioner Gardaphe moved to approve this request; seconded by Commissioner Holeva.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

6. Motion approving a request by Joshua Hernandez for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption in a Bar, on a 4,399-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Garfield Street and W. Loop 250 North - Council District 1)

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 3:41 p.m.

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

7. Motion approving a request by Garner Gonzales for a Specific Use Designation without Term, for an Accessory Dwelling Unit, on a 0.41-acre portion of Lot 3, Ashlin Place, Section 2, City and County of Midland, Texas. (Generally located on the south side of Live Oak Drive, approximately 233-feet south of Scharbauer Drive - 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 3:45 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 3:45 p.m.

Commissioner Gardaphe moved to approve this request; seconded by Commissioner Holeva.

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

8. Motion approving a request by David Powlen for a zone change from PD, Planned Development District for a Shopping Center to Amended PD, Planned Development District for a Shopping Center on Lot 2, Block 2, Grandridge Park Addition, Section 1, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of N. Loop 250 W. and Wadley Avenue - Council District 4)

Planning Manager Elizabeth Shaughnessy gave an overview of the project. With no letters of objection received, staff recommended approval.

Commissioner Williams asked if the intended use was storage or use in the garden center. Staff explained it was for both.

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

The applicant, David Powlen, spoke on behalf of the project. He gave a summary of the project and addressed the commissioner's questions.

The public hearing was closed at 3:49 p.m.

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

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

9. Motion approving a request by Frank Mendoza for a zone change from SF-1, Single-Family Dwelling District to BP, I-20 Business Park District on a 3.570 -acres tract of land out of Section 9, Block 39, T-2-S, RR. Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 110, approximately 150-ft east of South County Road 1205 - District 2)

Planner Paul Rodriguez gave an overview of the project. With 1 letters of objection received, staff recommended denial.

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

Paladin Huckaba with Maverick Engineering spoke on behalf of the applicant. He gave a brief summary of the project and was open for questions.

The Robert Dominguez, 106 Canyon Drive, Midland, Texas, who is the business owner of the proposed project, addressed the commissioners and was open for questions.

Commissioner Gardaphe asked the Mr. Dominguez what his time frame to complete the project was. The Mr. Dominguez, explained that he was ready to start phase one, which included taking care of his neighbors' concerns.

Commissioner Carrasco asked what the current hours of operations are. Mr. Dominguez explained that right now the hours vary.

Resident Jim Baker, 2609 W CR 110, spoke in opposition of the project due to oil field businesses contaminating the area and because the Mr. Dominguez had been operating illegally for the past 3 years.

Resident Chris Hodge, 115 S. Dewberry, spoke in opposition to the project due to the fact that the Mr. Dominguez had been operating illegally for 3 years and due to road safety issues.

Commissioner Sisniega asked if the homes that are currently running business from the homes are doing so against city code. Director of Development Services, Charles Harrington addressed the commission. He explained that the City would have to further investigate before providing an answer.

Mr. Dominguez readdressed the commission to follow up on some of the commissioner's questions.

Commissioner Carrasco asked the Mr. Dominguez if he had been given any citations due to the "no trucks" rule. The applicant stated that has never been cited for driving trucks on the road.

The public hearing was closed at 4:33 p.m.

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

The motion to Deny passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

10. Motion approving with staff's recommended condition a proposed Preliminary Plat of Daybreak Estates, Section 7, being a replat of Lot 1, Block 23, Daybreak Estates, Section 6, City of Midland, Midland County, Texas. (Generally located on the northeast corner of the intersection of Silent Rain Dr. and Lumina Dr. (Council Dist 1)

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

The public hearing was opened at 4:36 p.m.

The applicant was present but deferred to staff.

The public hearing was closed at 4:37 p.m.,

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

The motion passed by the following vote: 6 to 0

AYE: Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

MISCELLANEOUS

11. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Plunk Addition, Section 11, being a plat of the 0.69-acre tract of land out of Section 1, Block 39, T-2-S, T. & P. R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Garden City Highway & 270 feet west of Allen St. – Council District 2)

Commissioner Carrasco moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 6 to 0

AYE: Dillow, Williams, Sisniega, Williams, Gardaphe, Carrasco, Holeva, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Deck

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:39 p.m.

Lucy Sisniega, Chairman

Date

Elizabeth Shaughnessy, Planning Division Manager
Department of Development Services

Date



Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: June 21, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving a Final Plat of West 1788 Industrial Park, Section 9, being a 10 -acres tract of land out of N.E./4 of Section 48, Block 41, T-1-S, T & P, RR, Co., Survey, City and County of Midland, Texas. (Generally located on the west side of Farm Road 1788, 1,290 feet south of Onyx Drive - Council District 4)
(DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

LI, Light Industrial District.

Preliminary Plat Approval:

The applicant is requesting to plat a 10 –acre tract of land out of N.E./4 of Section 48, Block 41, T-1-S, T & P RR Co Survey, City and County of Midland, Texas for the purposes of addressing and acquiring a septic permit. The preliminary plat was approved on April 18, 2021.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:**Engineering: Approved**

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

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

PAVING: F.M. 1788 road is TxDOT facility, built and maintained by TxDOT, no improvements required

WATER: 8" water exists in S FM 1788, 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: Wastewater requirements were administratively approved on 5/17/2022. [For the Applicant's information only.]

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

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

SIDEWALKS: Sidewalk requirements were administratively approved on 5/17/2022. [For the Applicant's information only.]

DIMENSION: * * * OTHER: * * *

Transportation: Approved

TxDOT comment, "Access to FM 1788 will need to be coordinated with TxDOT. For this section of roadway the recommended minimum access spacing is 425'. The properties to the north and south have existing access points with a spacing of approximately 550'. To keep from landlocking this property, recommend 1 access located approximately half way between the existing access point north and south."

Fire: Approved

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 of plat, this could prevent receiving city permits for structures. Any plugged and abandoned well would need to be identified.

Code Administration: 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.

GIS: Approved

No comments.

Airspace: (Approved)

Anything raised, installed, or constructed, including cranes, must remain under 125ft in elevation based on the airport's elevation.

Recommended filing of an FAA form 7460 for any construction that may take place to have the FAA analyze impact on the approaches to MAF.

Planning: Approved

All staff department's comments have been satisfied.

Staff recommends approval of the Final Plat of West 1788 Industrial Park, Section 9, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: SUB-22-0498Case Number: P-22-1339**Proposed Subdivision Plat Name:** West 1788 Industrial Park, Section 9**Legal Description (attached sealed Metes and Bounds):** a 10.00 Acre Tract of Land, Situated in Section 48, Abstract Number 1052, Block 41, Township South, Texas and Pacific Railway Company Survey, Midland County, Texas**Property Owner**

Printed Name: Edgardo Madrid & Associates LLC

Phone ()
Email

Address 6216 Spahn

City Midland

State TX

Zip 79706

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: 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:** Address/Septic**Plat Information**

Total Acreage: 10.00

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

Number of Lots: 1

Number of Multi-Family Dwelling Units:

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

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

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

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

Property Owner (signature):

Date: 5/18/22

Property Owner (printed): Edgardo Madrid

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 Edgardo Madrid & Associates 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 18 day of May, 20 22, to certify which witness my hand and seal of office.



Kelsey Ann Lewis
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

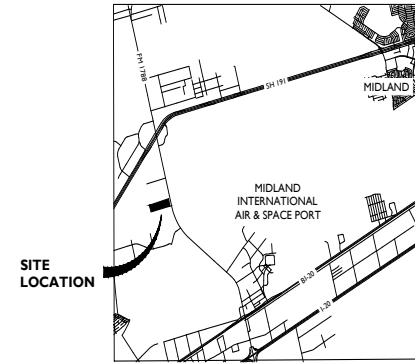
FOR OFFICE USE ONLY

☒ 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>3190</u>	☒ Tax Certificates	☒ Recording Fee
Received By: <u>KM</u>		Check # <u>3190</u>
		Date: <u>MAY 18 2022</u>

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

WEST 1788 INDUSTRIAL PARK SECTION 9

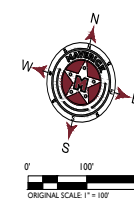
A 10.00 ACRE TRACT OF LAND, SITUATED IN SECTION 48, ABSTRACT
NUMBER 1052, BLOCK 41, TOWNSHIP 1 SOUTH, TEXAS and PACIFIC
RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS



VICINITY MAP
N.T.S.

LEGEND

- ⊙ DEVOTES FOUND CORNER AS NOTED
- DEVOTES BOUNDARY LINE
- - - DEVOTES EXISTING PROPERTY LINE
- - - DEVOTES EXISTING EASEMENT LINE
- - - DEVOTES EXISTING SECTION LINE
- PL — DEVOTES EXISTING PIPE LINE
- O.R.M.C.T. DEVOTES OFFICIAL RECORDS, MIDLAND CO., TX
- D.R.M.C.T. DEVOTES DEED RECORDS, MIDLAND CO., TX
- P.R.M.C.T. DEVOTES PLAT RECORDS, MIDLAND CO., TX



SURVEY NOTES

1. BASIS OF BEARING, DISTANCE, COORDINATES AND ACRES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 WITH A CONVERGENCE ANGLE (theta) OF -0°59'09.29" AND A CONVERGED SCALE FACTOR OF 0.99999848 AT THE POINT OF BEGINNING.
2. SEE DOCUMENTS ON ELECTRONIC DATA FILED IN THE OFFICE OF HANOVER ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
3. LOCATION OF BURIED UTILITIES AND PERIMES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GIS AND VISUAL EVIDENCE. OR BY ONE-CALL 811 SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED. CALL 1-800-DIG-TEX FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
 - (1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
 - (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. THIS PROPERTY IS WITHIN THE ACZA-4 ZONE FOR MIDLAND INTERNATIONAL AIR AND SPACE PORT. SEE NOTE AT LEFT.
5. 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.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAPS #4822C0200F & #4822C0173V, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

ACZA AIRPORT OVERLAY DISTRICT NOTE PER 1.1.1.1.1.1 & 2.0

ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REPAIR, REPLACE, OR ENHANCE AN EXISTING STRUCTURE OR ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE ACZA MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTION 1.1.1.1.1.1.1 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.

PROPERTY OWNER

EDGARDO MADRID & ASSOCIATES LLC
6214 SPAIN
MIDLAND, TX 79706
DEED INSTRUMENT # 2019-12421

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FROM # F-15089
SURVEY FROM # S-101945-A
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

**WEST 1788 INDUSTRIAL PARK
SECTION 9
June 21, 2022**

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS EDGARDO MADRID, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 48, BLOCK 41, T-1-S, TAP RR. CO. SURVEY, MIDLAND COUNTY, TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT EDGARDO MADRID, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS WEST 1788 INDUSTRIAL PARK, SECTION 9, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON;

WITNESS MY HAND AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 2022.

BY: EDGARDO MADRID

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 EDGARDO MADRID, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS
REGISTERED PROFESSIONAL LAND SURVEYOR #5316
MAVERICK ENGINEERING (TX #RM #10194514)
1909 W. WALL STREET, SUITE K
MIDLAND, TX 79701



UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

AT&T ENERGY

BY: _____

AT&T

BY: _____

SCS/ENERGY COMMUNICATION

BY: _____

GRANDE COMMUNICATION

BY: _____

ONCOR ELECTRIC DELIVERY

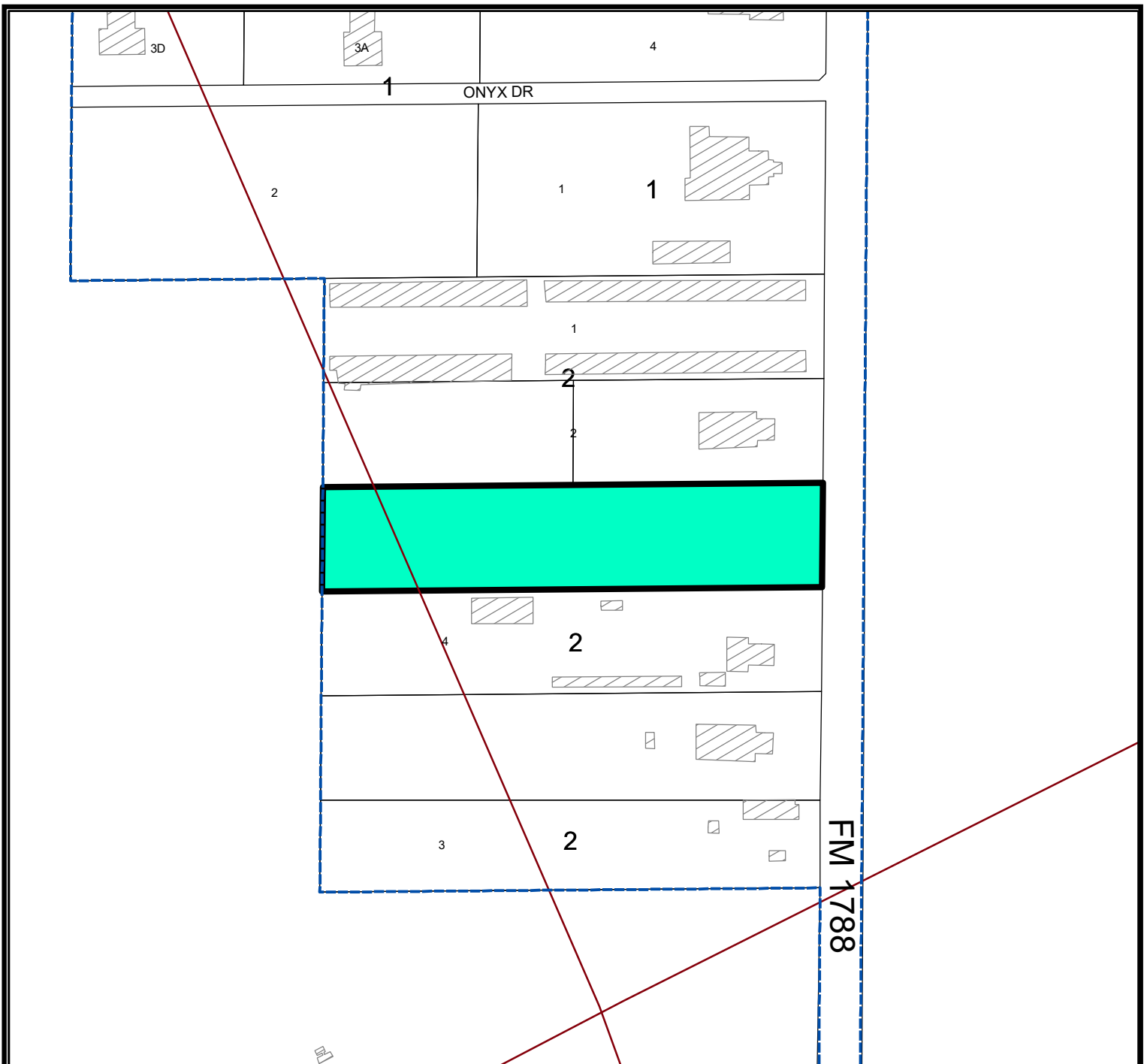
BY: _____

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF WEST 1788 INDUSTRIAL PARK, SECTION 9, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____, 2022.

LUCY SORRECA, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY



LOCATION MAP

SUB-22-0498

Scale: 1" = 5000'

Proposed plat of West 1788 Industrial Park, Section 9, being a 10 -acres tract of land out of N.E./4 of Section 48, Block 41, T-1-S, T & P RR Co Survey, City and County of Midland, Texas.

Generally located on the west side of Farm Road 1788, 1,290 feet south of Onyx Drive.
(Council District 4)

LEGEND

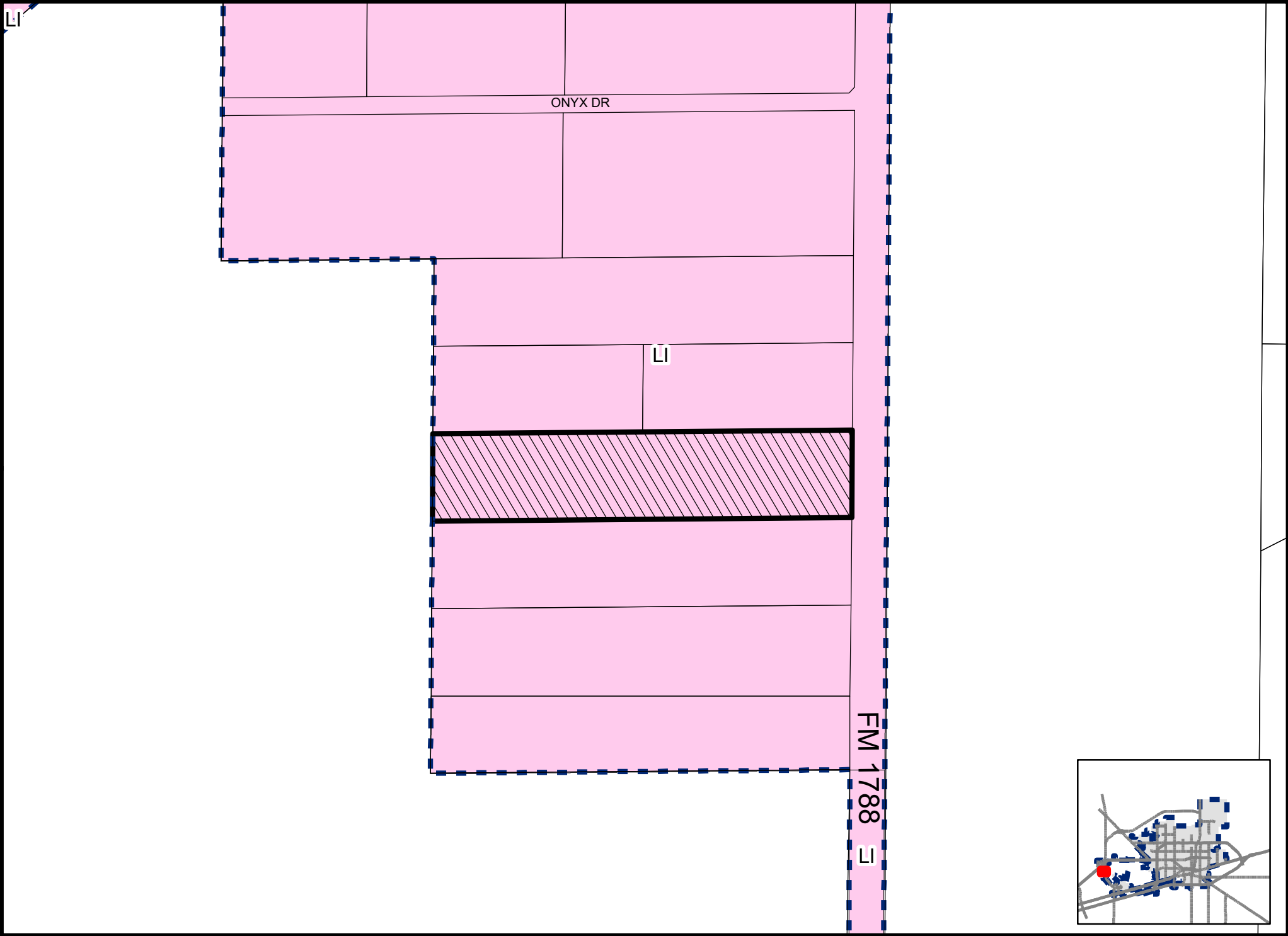
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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: June 21, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Planner

SUBJECT: Motion approving a request by Brian Burns & Andre Patterson, d/b/a Champs Sports Grill and Bar, LLC for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,472 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the Northeast corner of the intersection of North Garfield Street and West Loop 250 North - Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

PD, Planned Development District for a Shopping Center. (Ordinance No. 7771)

Surrounding Zoning and Land Use:

The properties to the north are zoned O-1, Office District, and PD, Planned District for a Housing Development, and location of Quality Suites and Polo Park Retirement Center, respectively. The properties to the east are zoned 1F-2, One-Family Dwelling District, and PD, Planned District for a Shopping Center, and the location of single-family houses and Extra Space Storage, respectively. The property to the south is zoned 1F-1, One-Family Dwelling District, and the location of the Midland Airpark. The properties to the west are zoned PD, Planned District for a Shopping Center; LR-1, Local Retail District; and PD, Planned District for a Housing Development, and the location of Talbots, Fairfield Inn, and Single-Family houses, respectively.

Analysis:

The applicant is requesting a Specific Use Designation for d/b/a Champs Sports Grill and Bar, LLC, located at 4610 N. Garfield Street Suite D1, to be able to sell all alcoholic

beverages for on premises consumption, within a restaurant. The property is zoned PD, Planned District for a Shopping Center, which permits the sale of all alcoholic beverages for on-premises consumption, in a restaurant with the approval of a Specific Use Designation with Term.

The restaurant is currently not operation and does not have a specific use designation for the sale of all alcoholic beverages. However, this location previously had an approved SUD that expired on May 12, 2022, under the business name Brew Street, ordinance number 9630. The floor plan attached hereto as "Exhibit A" illustrates that the establishment, will have a total square footage of 4,472 square feet, with an alcohol serviceable area of 2,935 square feet. The site currently has adequate parking, access and internal circulation.

The restaurant has the following hours of operation:

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

The restaurant is proposing the following hours of alcohol service:

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

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

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

There are no schools or churches within 300 feet of the property.

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

Fire: (Approved)

No objections to zone change

Engineering: (Approved)

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

Transportation: (Approved)

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

Building Code: (Approved)

The SUD for Champs is acceptable. The property must adhere to the maximum occupant load of 195 for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning: (Approved)

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to* “Encourage the development of places where Midland residents can gather and socialize to build connections.” (Tall City Tomorrow page 137) Champs Sports Grill & Bar is an establishment that will provide Midland residents with a unique social gathering experience.

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 conditions A through G.

Conditions:

- A. That the serviceable area of the restaurant shall be limited to approximately 2,935 square feet as shown in Exhibit “A”, which is attached hereto and incorporated herein for all purposes.**
- B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:**
 - Monday through Sunday from 11 a.m. to 2 a.m. (the next day)**
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**
- D. That the establishment shall meet all requirements of the Fire Department and Code Administration.**
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**
- F. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**
- G. That in accordance with Section 9.07.E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

As of June 16, 2022, staff has not received any letters of objections.

Attachments:

Application
Floor Plan (Exhibit A)
Site Plan (Exhibit B)
Maps
Ordinance No. 7771 and 9630



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

Project Number SUD-22-0133
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Brian Burns & Andre Patterson</u>		Phone (806) 781-4892 Email <u>champsbarmidland@gmail.com</u>	
Address <u>4610 N Garfield St. Ste D1A</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Property Owner Printed Name: <u>Colonnade at Polo Park Woodcrest LP</u>		Phone (817-927-0050) Email <u>ap@woodcrestcapital.com</u>	
Address <u>3113 S University Dr. Suite 600</u>	City <u>Fort Worth</u>	State <u>TX</u>	Zip <u>76109</u>

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

Street Address: 4610 N. Garfield St. Suite D1A, Midland, Texas 79705			
Business Name: CHAMPS SPORTS GRILL AND BAR LLC			
Legal Description Lot: 1 Block: 8 Subdivision: Polo Park Section 3			
Current Zoning: PD			
Reason for Request: <u>SUD Expired</u>			

Type of Business (restaurant, bar, lounge, nightclub, etc.): Restaurant			
Proposed/Current Days and Hours of Operation: <u>Monday-Sunday 11AM-2AM</u>			
Proposed Days and Hours of Alcohol Service: <u>Monday-Sunday 11AM-2AM</u>			
Total Square Footage of Business: 4,472			
Square Footage of Alcohol Serviceable Area: 2,935			
Restroom Fixtures:	Men	Toilets/Urinals: 1 / 1	Bathroom Sinks: 1
	Women	Toilets: 2	Bathroom Sinks: 1

RECEIVED
MAY 24 2022
BY: Paul Rodriguez

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):

Andre Patterson

Date:

5/24/22

Applicant (printed):

Andre Patterson

Property Owner (signature):

Date:

5/24/22

Property Owner (printed):

James Ryffel

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

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

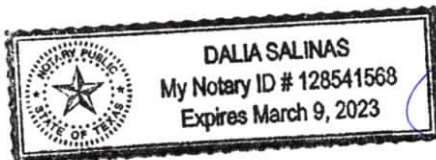
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andre Patterson who, being by me duly sworn, upon oath says: That (s)he is authorized by James Ryffel, 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.

Andre Patterson
Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of May, 20 22, to certify which witness my hand and seal of office.



Dalia Salinas
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

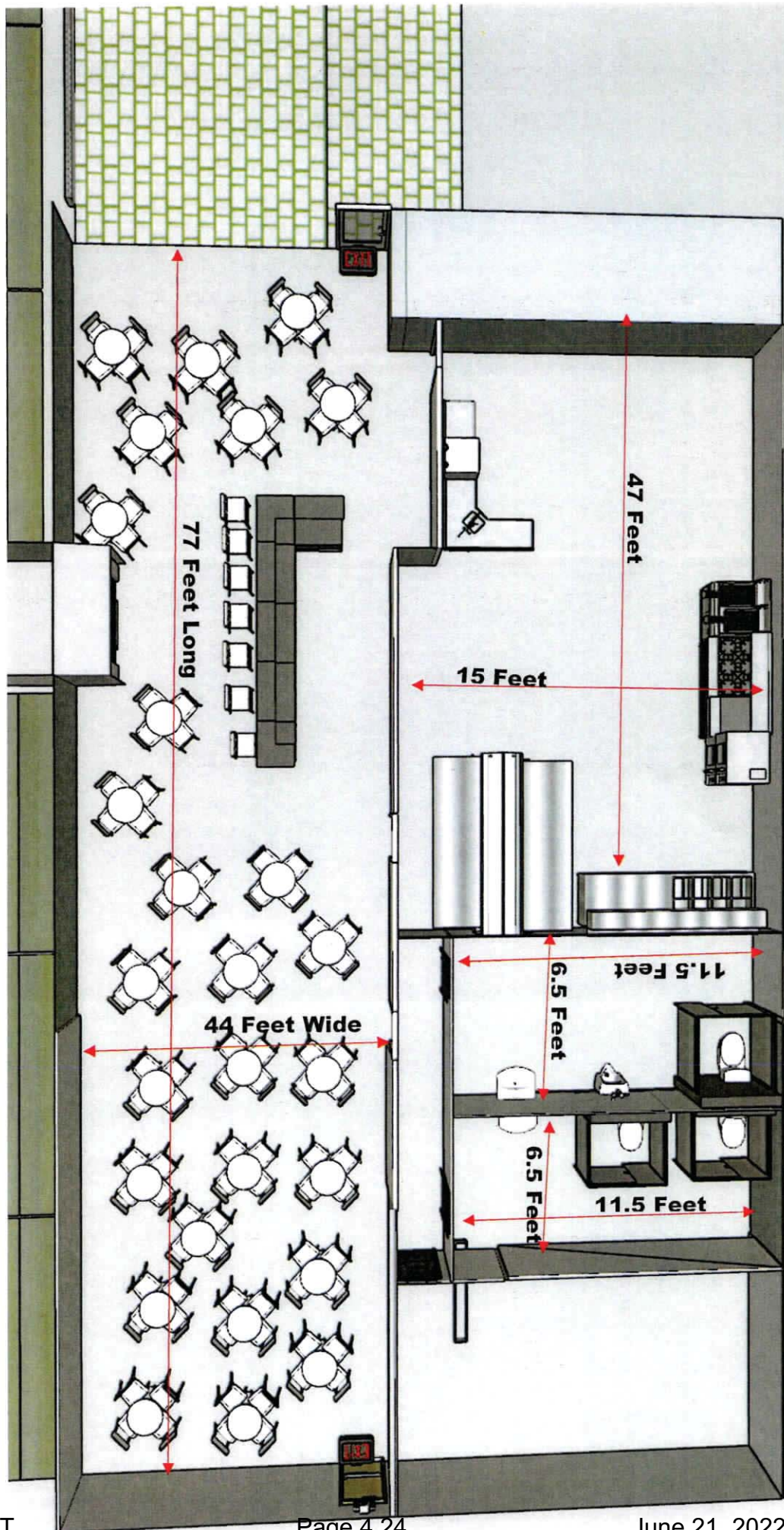
****Application will not be considered for scheduling until reviewed by a planner.****

RECEIVED
MAY 24 2022
Paul Rodriguez

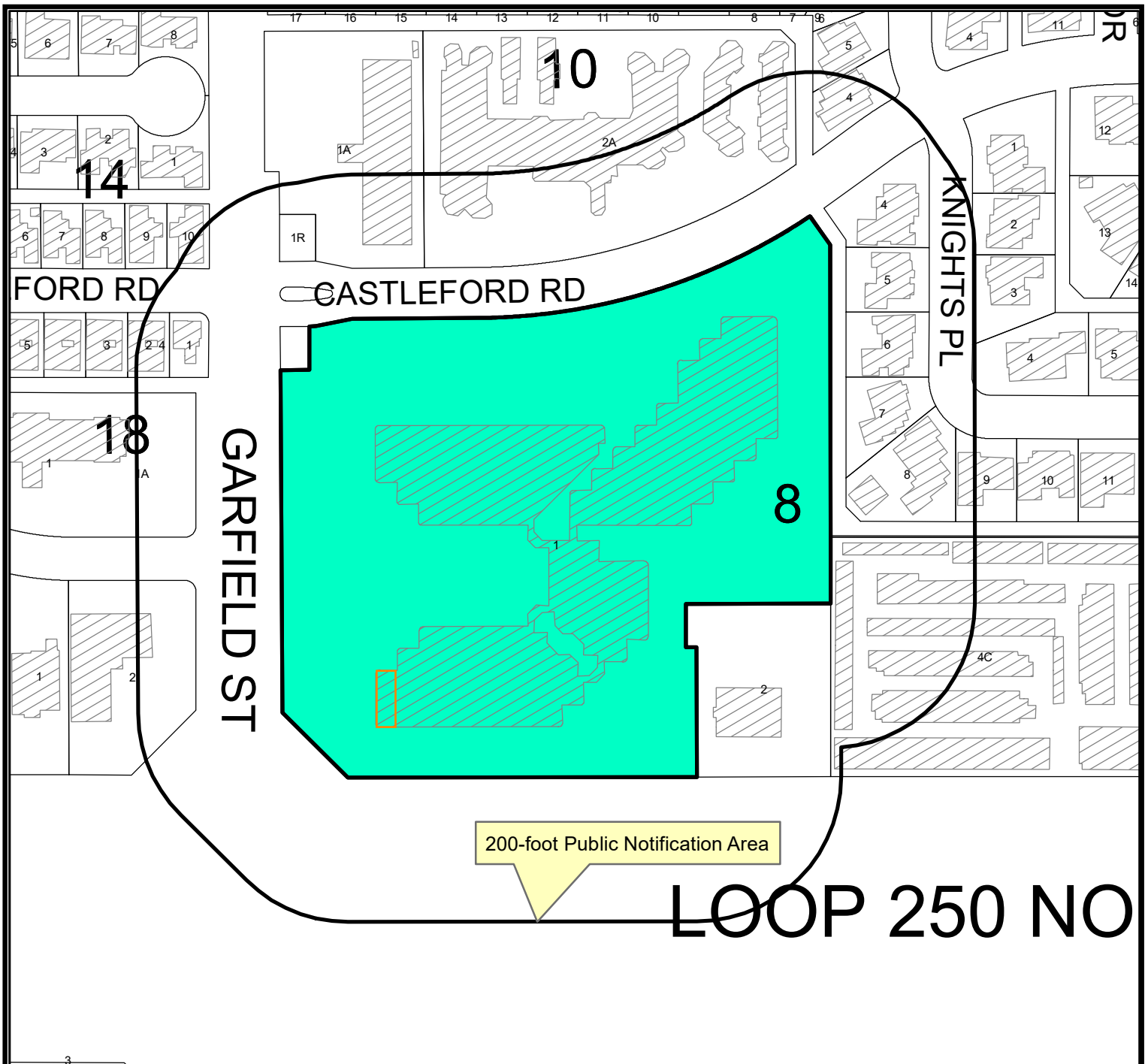
FOR OFFICE USE ONLY	
☐ Property Owner Authorization	☐ Dimensioned Floor Plan
☒ Application Fee	☐ Site Plan
Check # <u>5017</u>	☐ Plans in Digital Format (PDF/JPEG)
Received By: <u>PR</u>	Date: <u>5-23-22</u>

RECEIVED
MAY 24 2022
BY: Paul Rodriguez

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



TOTAL CHAIRS = 150



LOCATION MAP

SUD-22-0133

Scale: 1" = 2,400'

Consider a request for a Specific Use Designation for Champs Sports Grill and Bar, LLC on a 4,472 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas.

Generally located on the Northeast corner of the intersection of North Garfield Street and West Loop 250 North. (Council District 1)

LEGEND

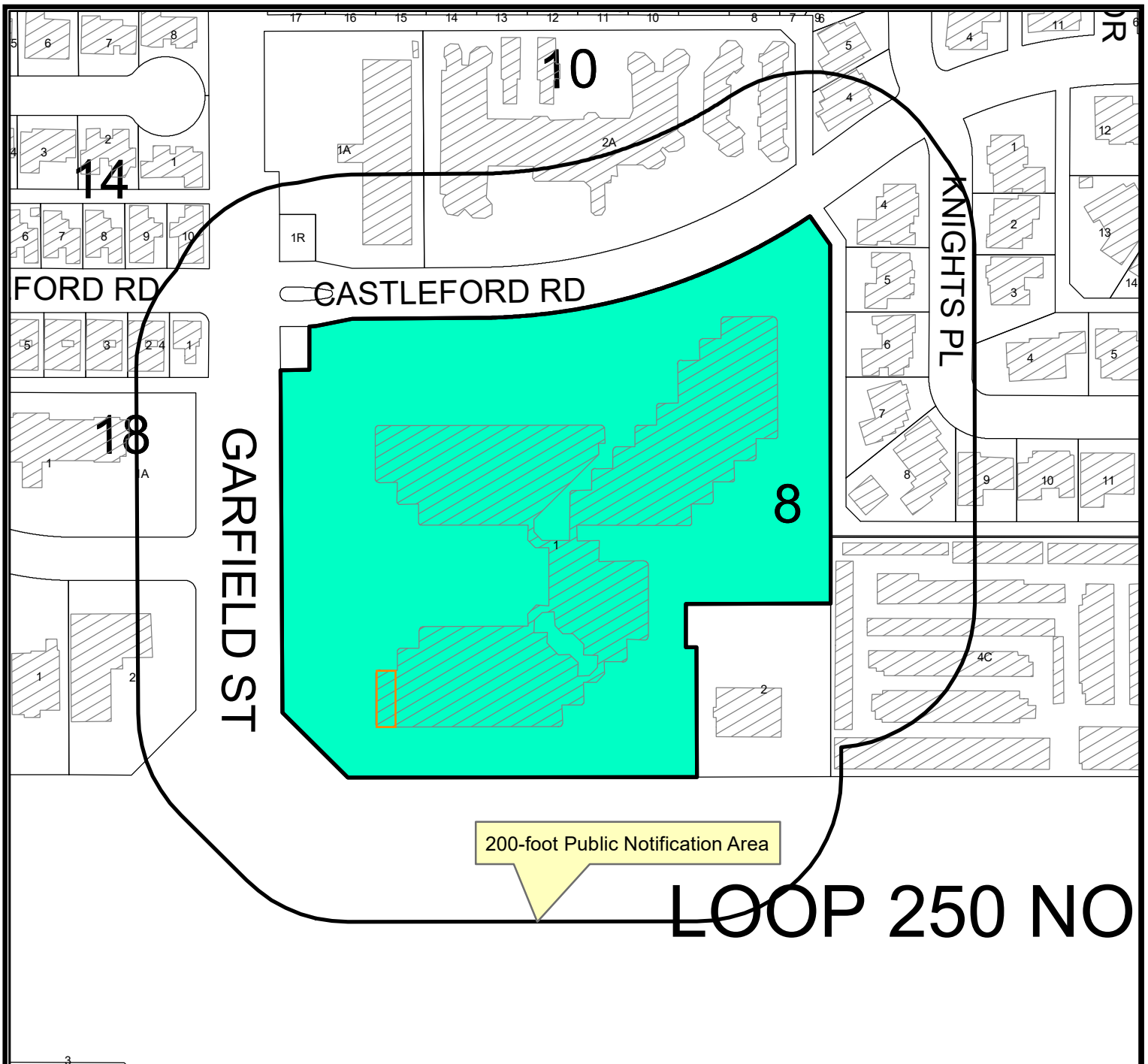
- CITY LIMITS
- PARCEL
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LOCATION MAP

SUD-22-0133

Scale: 1" = 2,400'

Consider a request by Brian Burns & Andre Patterson, D/d/a Champs Sports Grill & Bar, LLC., for a Specific Use Designation for Champs Sports Grill and Bar, LLC on a 4,472 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of North Garfield Street and West Loop 250 North. (Council District 1)

LEGEND

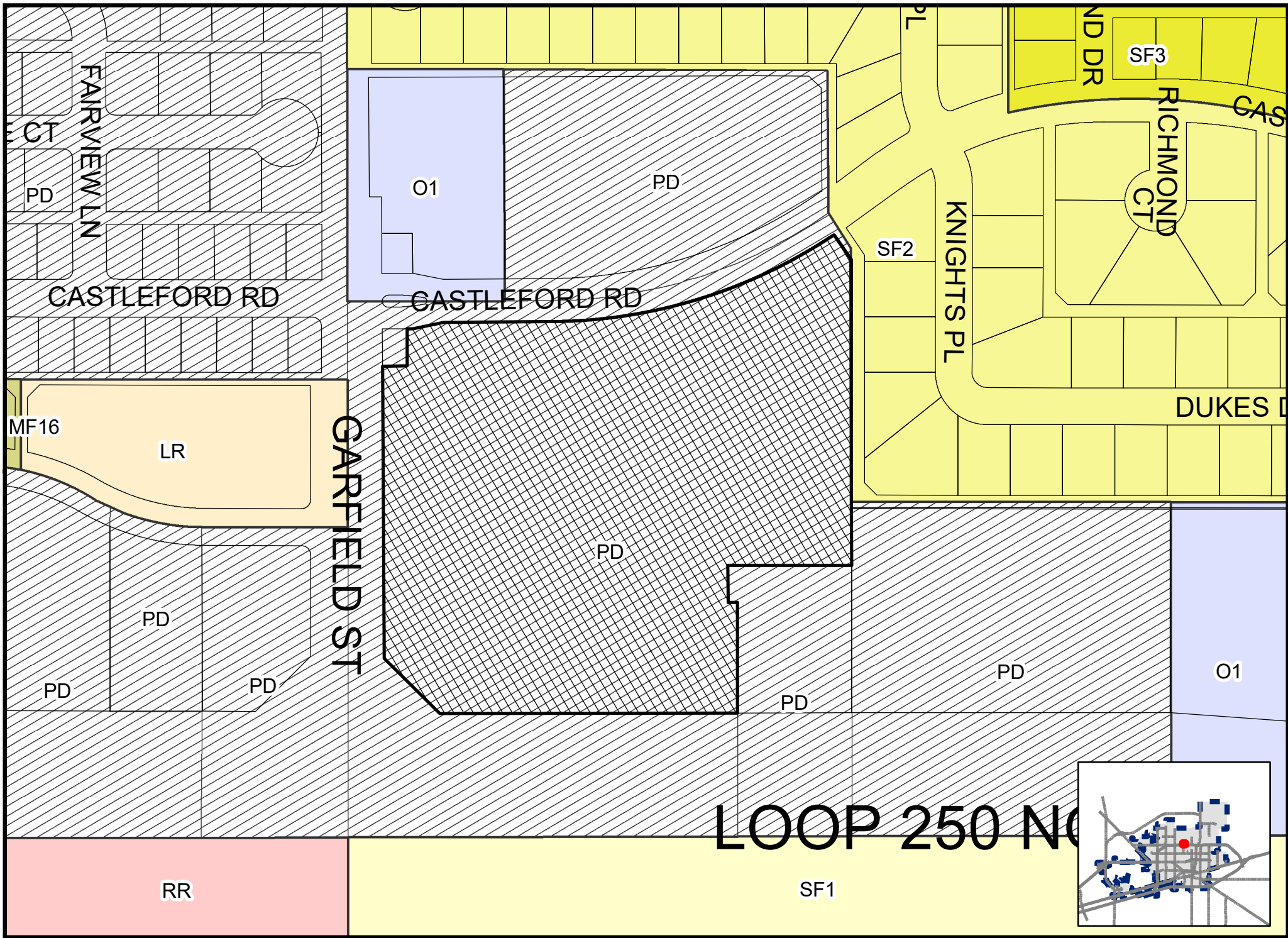
- CITY LIMITS
- PARCEL
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ORDINANCE NO. 7771

AN ORDINANCE AMENDING ORDINANCE NO. 7324, WHICH ADOPTED A SITE PLAN FOR A "PLANNED DISTRICT" FOR A SHOPPING CENTER SO AS TO ADOPT AN AMENDED SITE PLAN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter and the State law with reference to the creation of "Planned Districts" under the zoning ordinance regulations and zoning map, have given the requisite notices by United States Mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof; the Governing Body finds that the public health, safety and general welfare will be best served by amending the site plan for a "Planned District" for a Shopping Center by amending Ordinance No. 7324; and

WHEREAS, after a full and fair public hearing at which all parties in interest were offered an opportunity to be heard, all pursuant to law, the Council finds it to be in the public interest to amend the site plan adopted by Ordinance No. 7324;

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

SECTION ONE. That the "Planned District" site plan adopted for the property described in Section One of

Ordinance No. 7324, specifically Lot 1, Block 8, Polo Park, Section III, City and County of Midland, Texas, shall be amended in its entirety as set forth in Exhibit "A", attached hereto and incorporated herein by reference subject to the following conditions:

- A. That the maximum sign area for all free standing signs for this development not exceed 640 square feet.
- B. That no future free standing sign associated with this development be allowed on the Loop 250 frontage.
- C. That the Site Plan (Exhibits A & B) be adhered to in regard to the locations and types of signs proposed for this development.

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

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

unconstitutional or invalid.

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 8th day of September, A.D., 1998; and passed to second reading on motion of Council member Brooks, seconded by Council member Cuevas, by the following vote:

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

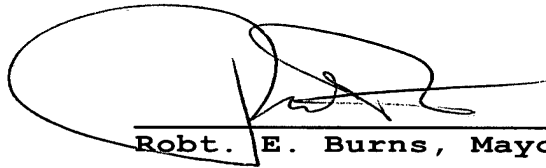
Council members voting "NAY":	None
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The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Brooks, seconded by Council member Cuevas, on the 22nd day of September, A.D., 1998, at a regular meeting of the City Council:

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

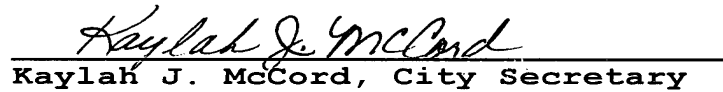
Council members voting "NAY":	None
-------------------------------	------

PASSED AND APPROVED THIS 22nd day of September,
A.D., 1998.



Robt. E. Burns, Mayor

ATTEST:



Kaylah J. McCord, City Secretary

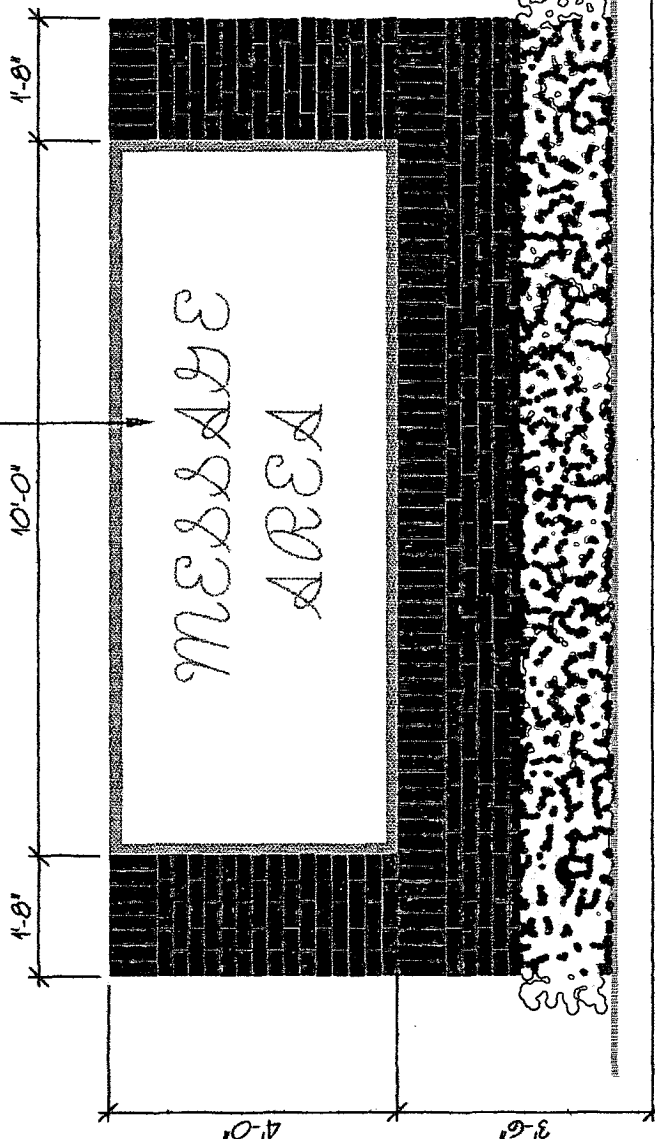
APPROVED AS TO FORM:



Keith Stretcher, City Attorney

ord\planning\plndist\Z-98-022 Red Oak

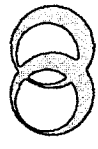
COLORED OR WHITE BACKGROUND
WITH BLACK LITE BOX &
CONTRASTING MESSAGE.



RECEIVED

AUG 25 1998

PLANNING & DEVELOPMENT
CITY OF MIDLAND



VANDERGRIFF GROUP
ARCHITECTS • PLANNERS
92 N. 835 STREET, SUITE 200 • MIDLAND, TEXAS 79701
MEMBER AMERICAN INSTITUTE OF ARCHITECTS
8-11-98

MONUMENT SIGN PROPOSAL

COLOHADE SHOPPING CENTER
MIDLAND, TEXAS

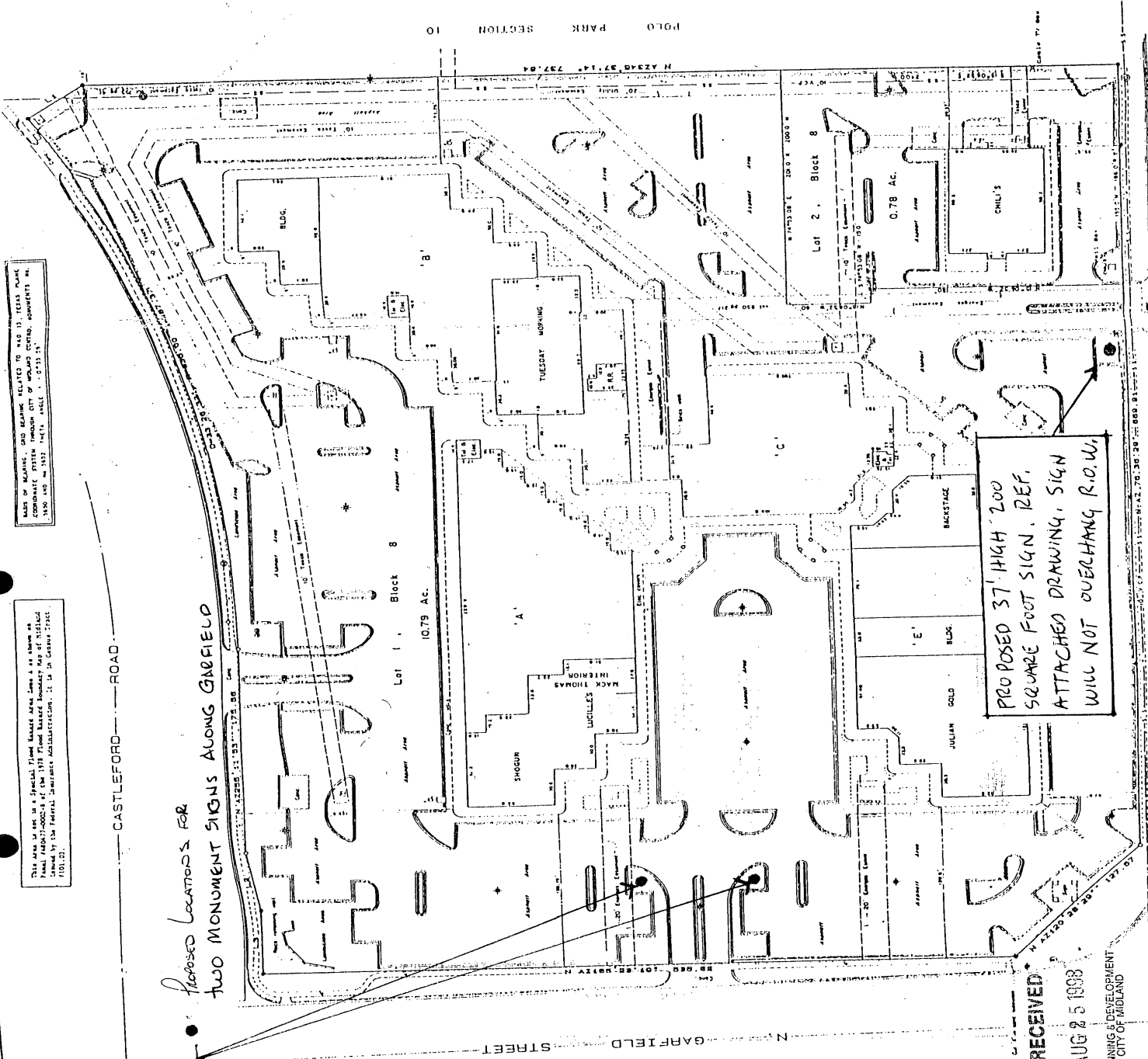
PROPOSED LOCATIONS FOR
TWO MONUMENT SIGNS

RECEIVED

Aug 25 1993

PLANNING & DEVELOPMENT
CITY OF MIDLAND

PROPOSED 37' HIGH 200
SQUARE FOOT SIGN. REF.
ATTACHED DRAWING, SIGN
WILL NOT OVERHANG R.O.W.,



SALES OF BEARING, GRID BEARING RELATED TO RAD 13, TEXAS PLANE
COORDINATE SYSTEM THROUGH CITY OF WOLAND CENTRD. COMMENTS ME.
1450 AND ME 1452 THE TA ANGLE = -0°33' 29"

This area is set in a Special Flood Hazard Area Zone 4 as shown on Panel 140477-002-8 of the 1978 Flood Hazard Boundary Map of Midland County, Texas. This area is not shown on the Flood Hazard Boundary Map issued by the Federal Insurance Administration. It is in Census Tract 1101.01.

No.	Direction	Length
1	N 42°10' 48.02"	47.67
2	N 42°44' 18.33"	50.83
3	N 42°25' 11.53"	48.68

LEGEND

- [illegible]

SURVIVOR'S CERTIFICATE

[illegible]

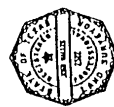
The Surveyor expressly understands and agrees that (a) this certificate is made for the benefit of Federal deposit Insurance Corporation as insured title insurance Company and for the benefit of Chicago title insurance Company ("title Company") to issue a policy of title insurance insuring and protecting a portion of such trust loan; (b) both the validity and priority are entitled to rely on this file of FIDC and title Company are so deemed to be true; and this survey as being true and accurate in all respects and upon this certificate as being true and accurate.

Executed this 11th day of March, 1991.

John Walling

Robert L. Lashburn
Registered Professional Land
Surveyor No. 3372

CASE NO. Z-98-022



Unrecoverable Name: First Silbaltter
Asset Number: 1601-00008-00-1
Asset Name: Condo # 1601 Part
Property Description: ETC Cardold
John Waller 741 104 13-178020



WALLISLAND SURVEYORS

9 D. Bussell

CALIFORNIA

[illegible]

2	1000000	1000000
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WINDY

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 5,141-SQUARE FOOT PORTION OF LOT 1, BLOCK 8, POLO PARK ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF NORTH GARFIELD STREET AND CASTLEFORD ROAD), WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That the zoning use classification of the following described property, which is presently zoned PD, Planned District for a Shopping Center, to-wit:

A 5,141-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas;

is hereby changed to permit said property to be used under a Specific Use Permit With Term

for the sale of all alcoholic beverages for on-premises consumption in a restaurant, together with the uses permitted in the present PD, Planned District for a Shopping Center.

SECTION TWO. That said property shall be subject to the following conditions and restrictions:

- A. That the serviceable area of the restaurant shall be limited to 5,141 contiguous square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.
- B. That the enclosed patio area, as shown in Exhibit "A", shall have an exit only gate.
- C. That the occupancy of the restaurant shall not exceed the maximum occupancy determined by the Building Code and Fire Code.
- D. That the restaurant shall meet all requirements of the Fire Department and the Code Administration Division.
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.
- F. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following:

Monday through Wednesday from 10:00 a.m. to 7:00 p.m.; and
Thursday through Saturday from 10:00 a.m. to 11:00 p.m.
- G. That Ordinance No. 9573 is hereby repealed.

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

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

sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 10th day of January, A.D., 2017; and passed to second reading on motion of Council member Robnett, seconded by Council member Hotchkiss, by the following vote:

Council members voting "AYE": Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett

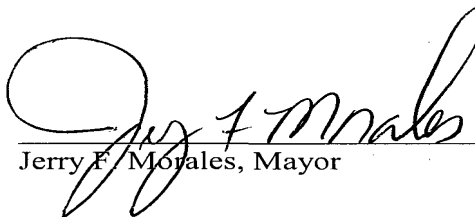
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Lacy, seconded by Council member Hotchkiss, on the 24th day of January, A.D., 2017, at a regular meeting of the City Council:

Council members voting "AYE": Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett

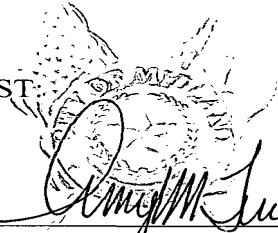
Council members voting "NAY": None

PASSED AND APPROVED THIS 24th day of January, A.D., 2017.



Jerry F. Morales, Mayor

ATTEST




Amy M. Turner, City Secretary

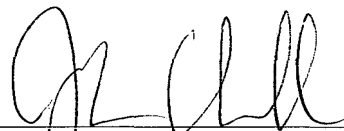
APPROVED AS TO CONTENT
AND COMPLETENESS:



Frank Salvato, Assistant City Manager

Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney

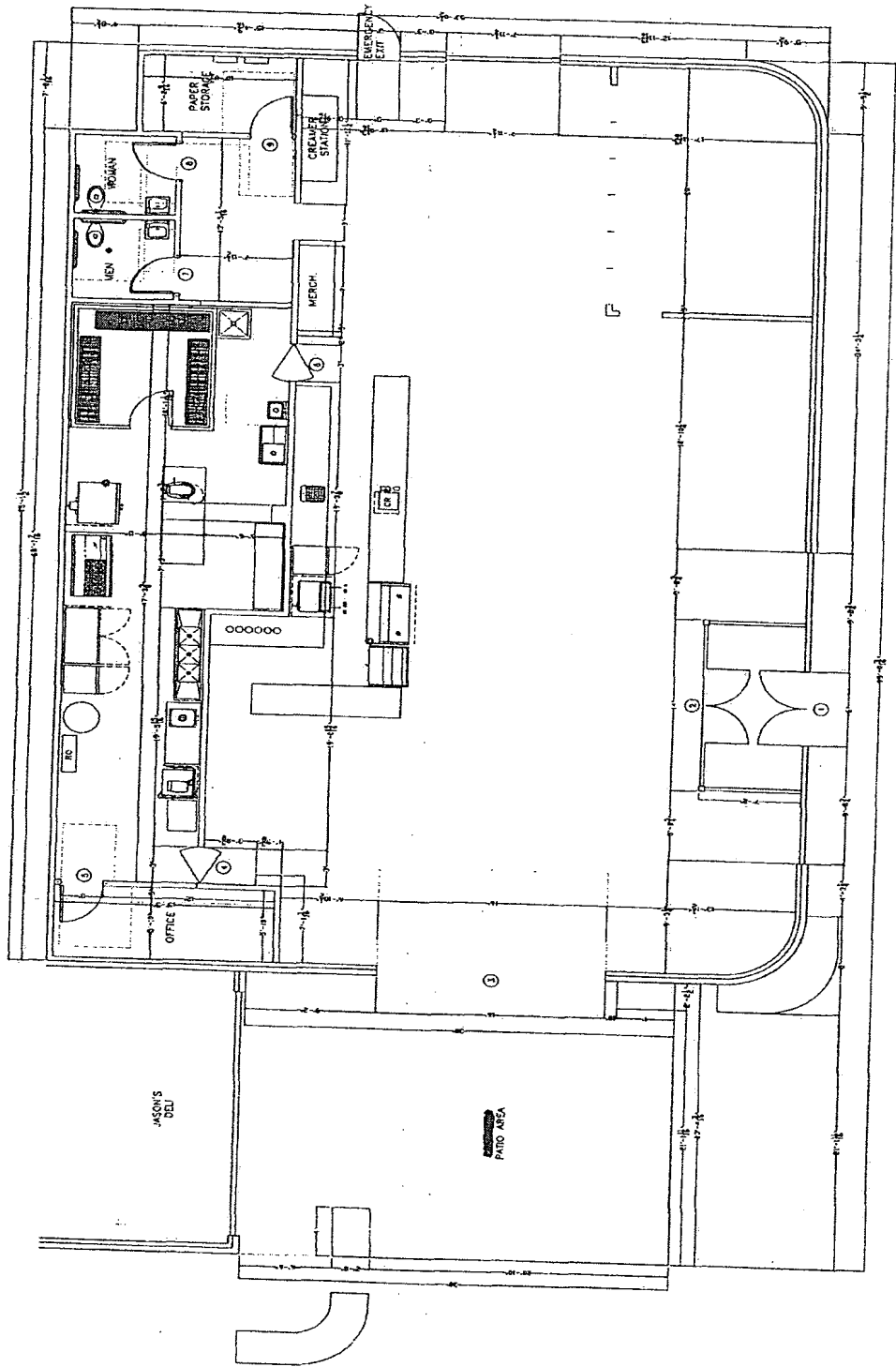
General Notes

No.	Revision/Issue	Date

RODO JACQUEZ
1501 N. 10TH ST.
DALLAS, TEXAS 75203
972.333.3333

RODO JACQUEZ
4014 GARDEN ST., STE. 1
HIGHLAND, TEXAS 77035

A102
06.03.2018
1/4" = 1'-0"



1 ROOM PLAN
SCALE: 1/4" = 1'-0"

EXHIBIT A

27.7

17.10

9630



City Council Agenda

APPROVED

Approved for Agenda:
fsalvato
City Manager's Office

MEETING DATE: January 24, 2017

TO: City Council / City Manager

FROM: Kierra Williams, Senior Planner

SUBJECT: Consider an ordinance on second reading on a request by Alli Bixler for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 5,141-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas. (Generally located southeast of the intersection of N. Garfield Street and Castleford Road. - District 1)

Purpose:

Consider an ordinance on second reading on a request by Alli Bixler for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on premises consumption, in a restaurant, Brew Street Bakery.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

No City funds are required to process this request.

Discussion:

The property is located at 4610 N. Garfield Street in a PD, Planned District for Shopping Center (Ordinance No. 7771). Zoning to the north and east of the restaurant is PD, Planned District for a Shopping Center, and the location of the Colonnade at Polo Park Shopping Center with various establishments such as, Jason's Deli, Kayser CHRISTmas Experience, and The Blue Door. Zoning to the south of the restaurant is 1F-1, One-Family Dwelling District, and the location of Midland Airpark. The zoning to the west is PD, Planned District for a Shopping Center, and the location of Talbots Retail store.

The applicant is requesting an amendment to the current Specific Use Permit with Term, for the sale of all alcoholic beverages, for on-premises consumption, for the Brew Street Bakery restaurant.

The applicant wishes to amend Condition A of the adopted ordinance (Ordinance No. 9573) to include the outdoor patio area in the total square footage of the restaurant. The patio is approximately 580-square feet and has ingress and egress through the restaurant as well as from the parking lot. All other conditions of the ordinance will remain intact.

The current Specific Use Permit with Term, for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant adopted on June 14, 2016, granted the restaurant the following alcohol serviceable hours;

From 10:00 a.m. to 7:00 p.m., Monday through Wednesday
From 10:00 a.m. to 11:00 p.m., Thursday through Saturday

The operating hours for the restaurant are as follows;

6:30 a.m.-9:00 p.m. Monday through Wednesday
6:30 a.m.-11:00 p.m. Thursday through Saturday

There are no schools or churches located within 300-feet (walking distance) of this site.

Establishments within 200-feet of Brew Street Bakery restaurant that have Specific Use Permit for the sale of all alcoholic beverages, for on-premises consumption are the following;

Blue Door

SUP Type: SUP w/Term for the sale of all alcoholic beverages, for on-premises consumption, in a Lounge.

Ordinance No. : #9133, Adopted 4/9/2013

Serviceable Hours: 4:00 p.m. to 12:00 a.m. Midnight, Tuesday through Saturday.

Operating Hours: Closed, Sunday and Monday, 4:00 p.m.-12:00 a.m. (midnight), Tuesday through Thursday, and 4:00 p.m.-1:00 a.m. (the following day), Friday and Saturday

Wine Rack

SUP Type: SUP w/Term for the sale of all alcoholic beverages, for on-premises consumption in a Bar.

Ordinance No.: #9326, Adopted 9/23/2014

Serviceable Hours: 11:00 a.m.-11:00 p.m. Sunday-Saturday

Operating Hours: Closed, Monday; 11:00 a.m.-8:00 p.m., Tuesday-Friday, 11:00 a.m. – 9:30 p.m. Saturday and Sunday

Bill's Bistro

SUP Type: SUP w/Term for the sale of all alcoholic beverages, for on-premises consumption, in a Restaurant

Ordinance No.: #9279, Adopted 5/20/2014

Serviceable Hours: From 11:00 a.m.-11:00 p.m. Sunday-Saturday

Operating Hours: Closed, Sunday and Monday; 5:00 p.m.-9:00 p.m., Tuesday-Thursday; 5:00 p.m.-10:00 p.m., Friday and Saturday.

Chili's

SUP Type: SUP w/o Term for the sale of all alcoholic beverages, for on-premises consumption, in a Restaurant.

Ordinance No.: #6355, Adopted 1/24/1984

Serviceable Hours: 11:00 a.m.-12:00 a.m. (midnight), Monday-Thursday; 11:00 a.m.- 2:00 a.m., Friday and Saturday; 12:00 p.m. (noon) - 12:00 a.m. (midnight), Sunday

Operating Hours: 11:00 a.m. – 10:00 p.m., Sunday-Thursday; 11:00 a.m.-11:00 p.m., Friday and Saturday

Athenian Restaurant

SUP Type: SUP w/Term for the sale of all alcoholic beverages, for on-premises consumption, in a Restaurant.

Ordinance No.: #9321, Adopted 9/23/2014

Serviceable Hours: 11:00 a.m.-10:00 p.m., Monday-Thursday, 11:00 a.m.-11:00 p.m., Friday and Saturday.

Operating Hours: Closed, Sunday; 11:00 a.m.-10:00 p.m., Monday-Thursday; 11:00 a.m.-11:00 p.m., Friday and Saturday.

Shogun

SUP Type: SUP w/o Term for the sale of all alcoholic beverages, for on-premises consumption, in a Restaurant.

Ordinance No.: #6457, Adopted 9/25/1984

Serviceable Hours: 7:00 a.m. – 12:00 a.m. (midnight), Monday-Saturday, 12:00 p.m. (noon)-12:00 a.m. (midnight)

Operating Hours: 11:00 a.m.-9:30 p.m., Sunday-Thursday; 11:00 a.m.-10:00 p.m., Friday and Saturday.

Churrasce Brazillian steakhouse

SUP Type: SUP w/o Term for the sale of all alcoholic beverages, for on-premises consumption, in a Restaurant.

Ordinance No.: #7158, Adopted 3/10/1992

Serviceable Hours: 11:00 a.m.-12-a.m. (midnight), Monday-Saturday; 12:00 p.m. (noon) 12:00 a.m. (midnight)

Operating Hours: 11:30 a.m.-2:00 p.m. and 5:00 p.m.-10:00 p.m., Monday-Friday; 4:00p.m.-10:00 p.m., Saturday; 12:00 p.m. (noon)-2:30 p.m. and 5:00 p.m.-9:00 p.m., Sunday

Staff recommends approval of a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, Subject to conditions A-G.

The Planning and Zoning commission approved this request on December 5, 2016.

Engineering and Transportation:

Engineering and Transportation stated they had no objections regarding the request.

Public Safety:

Comments from Fire are as follows:

Means of egress shall meet the requirements of the IBC-2015 for its use.

Portable fire extinguishers shall be approved.

Code Administration:

Code had no comments regarding the request.

Planning:

Planning finds the request in compliance with the comprehensive plan.

Conditions:

- A. That the establishment shall not exceed 5,141 contiguous square feet in area , including the enclosed patio area, as shown in Exhibit "A", which is attached hereto and incorporated herein.
- B. That the enclosed patio are as shown in Exhibit "A", which is attached hereto and incorporated herein, shall have an exit only gate.
- C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.
- D. That the establishment shall meet all requirements of the Fire Department and the Code Administration Division.
- E. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.
- F. That the days and hours of alcoholic beverage sales and consumption shall be limited to:
 - a. Monday through Wednesday from 10:00 a.m. to 7:00 p.m.
 - b. Thursday through Saturday from 10:00 a.m. to 11:00 p.m.
- G. That City of Midland Ordinance No. 9573 is hereby repealed.

Letters of Objection:

As of November 30, 2016, staff has received no letters of objection to this request.

Attachments:

Application
Maps
Site Plan (Exhibit A)
Ordinance No. 9573

Case Number: SUP 16-0057



APPLICATION FOR A SPECIFIC USE PERMIT WITH TERM
FOR THE SALE OF ALCOHOLIC BEVERAGES
FOR ON-PREMISE CONSUMPTION

I. APPLICATION

Applicant: ALLI BIXLER/JUST US GIRLS LLC 432 230-8844
(Name) (Phone)
5205 ELLEN JAYNE WAY 79707
(Address) (Email)

Property Owner: WOODCREST COLONNADE LP 432 638-7163 DENNIS SKAGGS
(Name) (Phone)
3113 S. UNIVERSITY FT WORTH 76109
(Address) (Email)

Operator (if different than the Applicant or Property Owner):
NA
(Name) (Phone)
(Address) (Email)

Street Address: 4610 N GARFIELD #D-1A PATIO AREA

Legal Description:

If Platted: Lot: _____ If Unplatted: *Attach Metes & Bounds Description with Surveyor's Seal
Block: _____
Subdivision: _____

Current Zoning: _____

Reason for Request: We believe our customers would like to sit on the patio and enjoy our bakery items as well as a beer or glass of wine.

Type of Business: BAKERY
(Restaurant, Bar, Lounge, Nightclub, etc.)

Proposed Days and Hours of Alcoholic Beverage Sales: Operating Hours for restaurant and patio
6:30 am - 9 pm MONDAY-WEDNESDAY
6:30 am - 11 pm THURSDAY-SATURDAY
Service hours: M-W, 10 am - 7 pm; Th-Sat, 10 am - 11 pm

Total Square Footage of Business: 4561 Square Footage of Area: 580 (Patio)

Restroom Fixtures: Men Toilets/Urinals 1 Bathroom Sinks 1
Women Toilets 1 Bathroom Sinks 1

FOR OFFICE USE ONLY: Maximum Seating Capacity Per City Code: _____

II. FEE & SUBMITTALS

Application Fee (\$300.00):

\$ 300.00

2 FOLDED Copies of Dimensioned Floor Plan: _____

2 FOLDED Copies of Dimensioned Site Plan: _____

Digital Copies of Floor Plan & Site Plan (PDF & JPEG): _____

III. SIGNATURES

Applicant: Alli Bixler

Date: 11-8-16

Property Owner: Donna Fagg

Date: 11-8-16

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

Subscribed and sworn to before me, this _____ day of NOVEMBER, 2016, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY:	
Rec'd By: _____	Date: _____
Assigned: _____	
For: _____	On: _____

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

ORDINANCE NO. 9573

AN ORDINANCE CHANGING THE ZONING USE CLASSIFICATION OF THE PROPERTY DESCRIBED AS A 4,472-SQUARE FOOT PORTION OF LOT 1, BLOCK 8, POLO PARK ADDITION, SECTION 3, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF NORTH GARFIELD STREET AND CASTLEFORD ROAD), WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER, BY PERMITTING SAID PROPERTY TO BE USED UNDER A SPECIFIC USE PERMIT WITH TERM FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN A RESTAURANT FOR ON-PREMISES CONSUMPTION; MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

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

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

SECTION ONE. That the zoning use classification of the following described property, which is presently zoned PD, Planned District for a Shopping Center, to-wit:

A 4,472-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas;

is hereby changed to permit said property to be used under a Specific Use Permit With Term

for the sale of all alcoholic beverages for on-premises consumption in a restaurant, together with the uses permitted in the present PD, Planned District for a Shopping Center.

SECTION TWO. That said property shall be subject to the following conditions and restrictions:

- A. That the maximum square footage of the restaurant shall be limited to 4,472 contiguous square feet as shown in the floor plan, which is attached hereto as Exhibit "A" and incorporated herein for all purposes.
- B. That the occupancy of the restaurant shall not exceed the maximum occupancy determined by the Building Code and Fire Code.
- C. That the sale and on-premises consumption of alcoholic beverages shall conform to all applicable state and local laws.
- D. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following when not otherwise prohibited by law:

Monday through Wednesday from 10:00 a.m. to 7:00 p.m.; and
Thursday through Saturday from 10:00 a.m. to 11:00 p.m.

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

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

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

SECTION SIX. The City Secretary is hereby authorized and directed to publish the

descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 24th day of May, A.D., 2016; and passed to second reading on motion of Council member Lacy, seconded by Council member Love, by the following vote:

Council members voting "AYE": Hotchkiss, Love, Sparks, Morales, Dufford, Lacy, Robnett

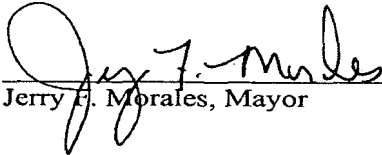
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Lacy, seconded by Council member Hotchkiss, on the 14th day of June, A.D., 2016, at a regular meeting of the City Council:

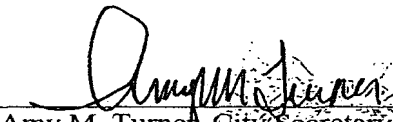
Council members voting "AYE": Hotchkiss, Love, Sparks, Morales, Lacy, Robnett

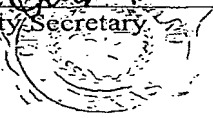
Council members voting "NAY": None

PASSED AND APPROVED THIS 14th day of June, A.D., 2016.

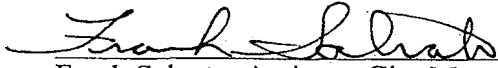

Jerry F. Morales, Mayor

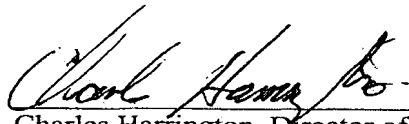
ATTEST:


Amy M. Turner, City Secretary



APPROVED AS TO CONTENT
AND COMPLETENESS:


Frank Salvato, Assistant City Manager


Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

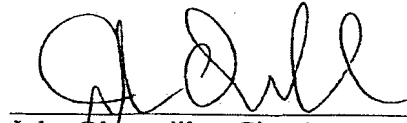
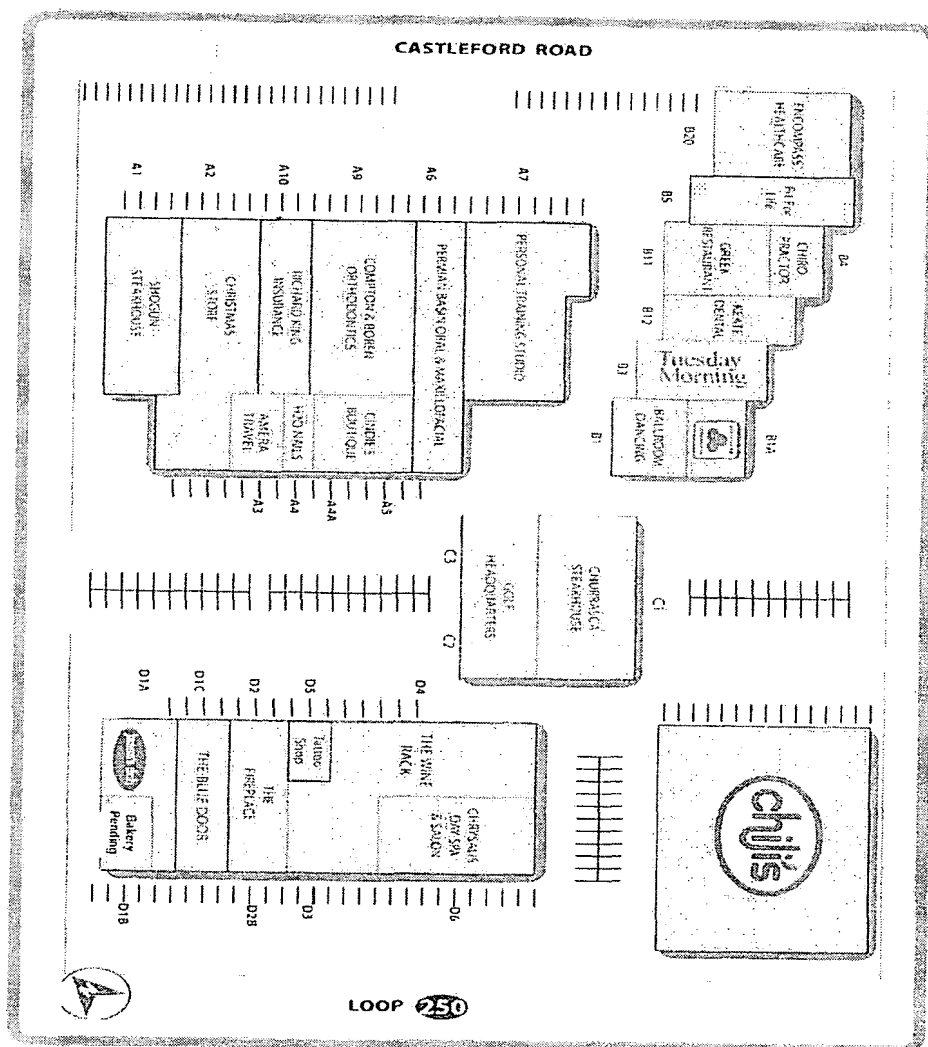
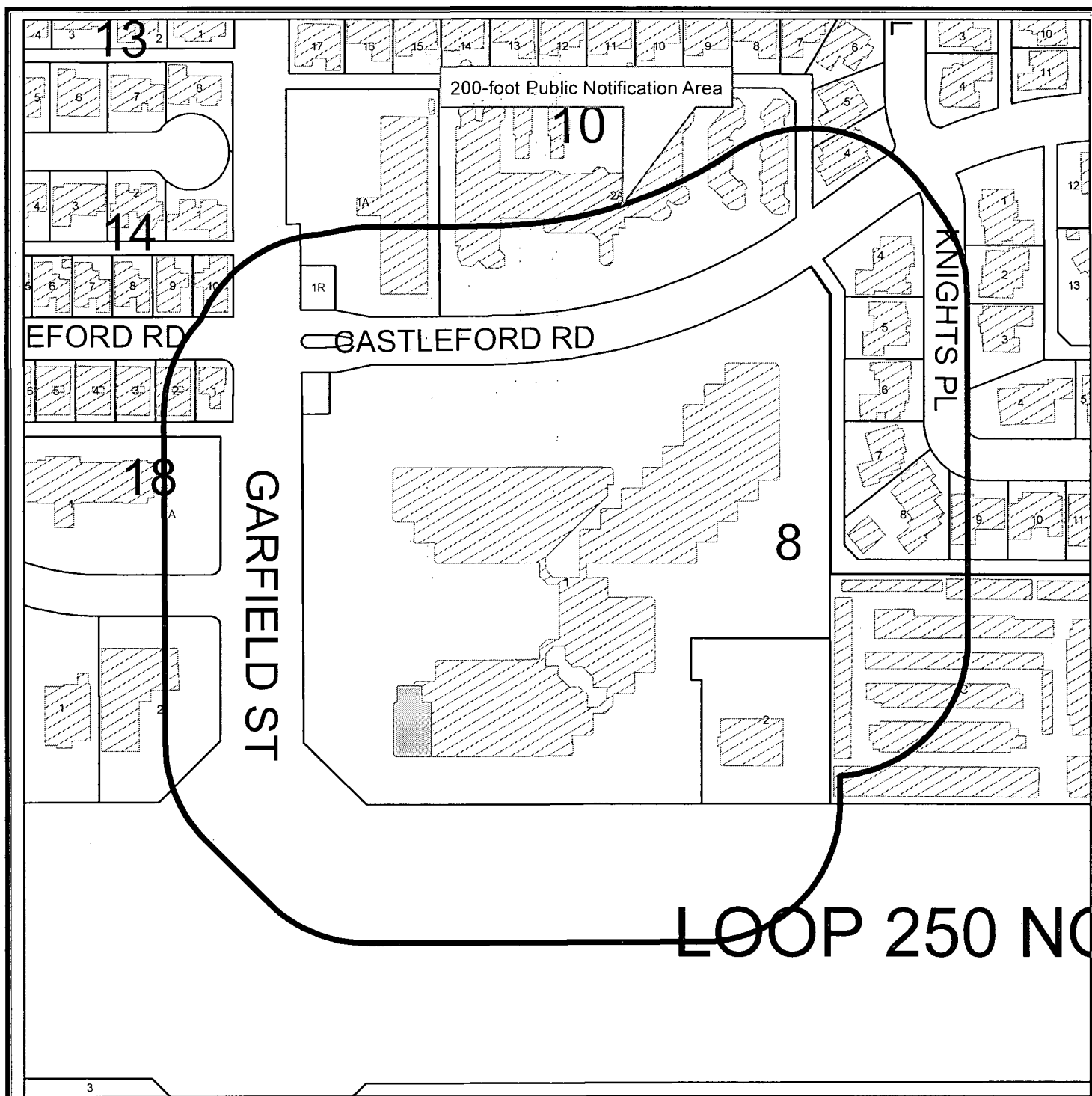

John Ohnemiller, City Attorney



Exhibit "A"





LOCATION MAP

SUP- 16 -0057

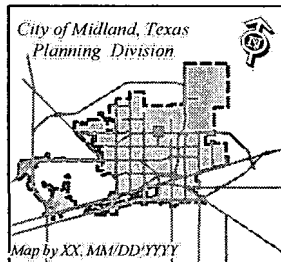
Scale: 1" = 200'

Consider a request for a Specific Use Permit With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 5,141-square foot portion of Lot 1, Block 8, Polo Park Addition, Section 3, City and County of Midland, Texas.

Generally located southeast of the intersection of N. Garfield Street and Castleford Road. (Council District 1)

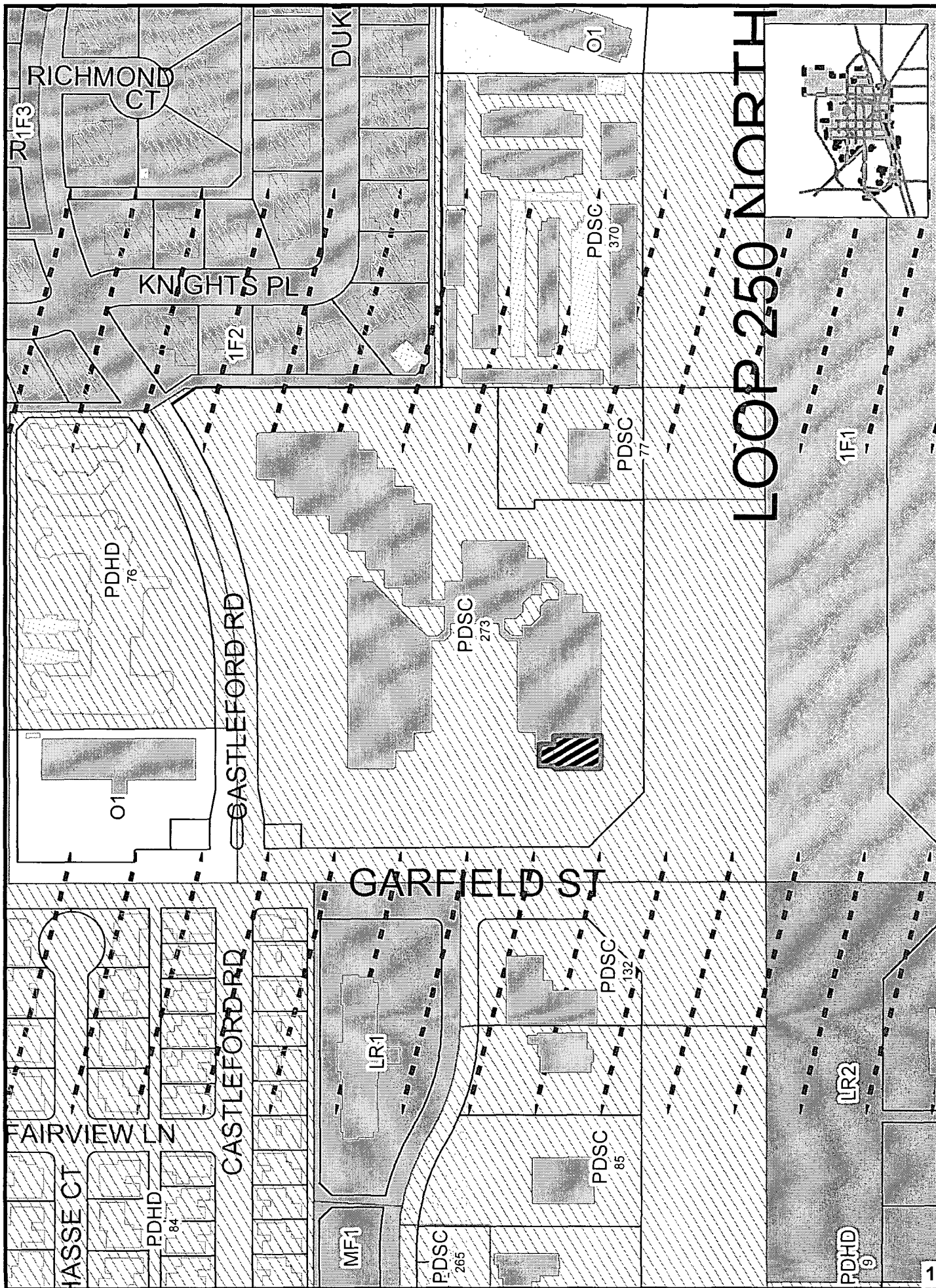
LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



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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.

17.19



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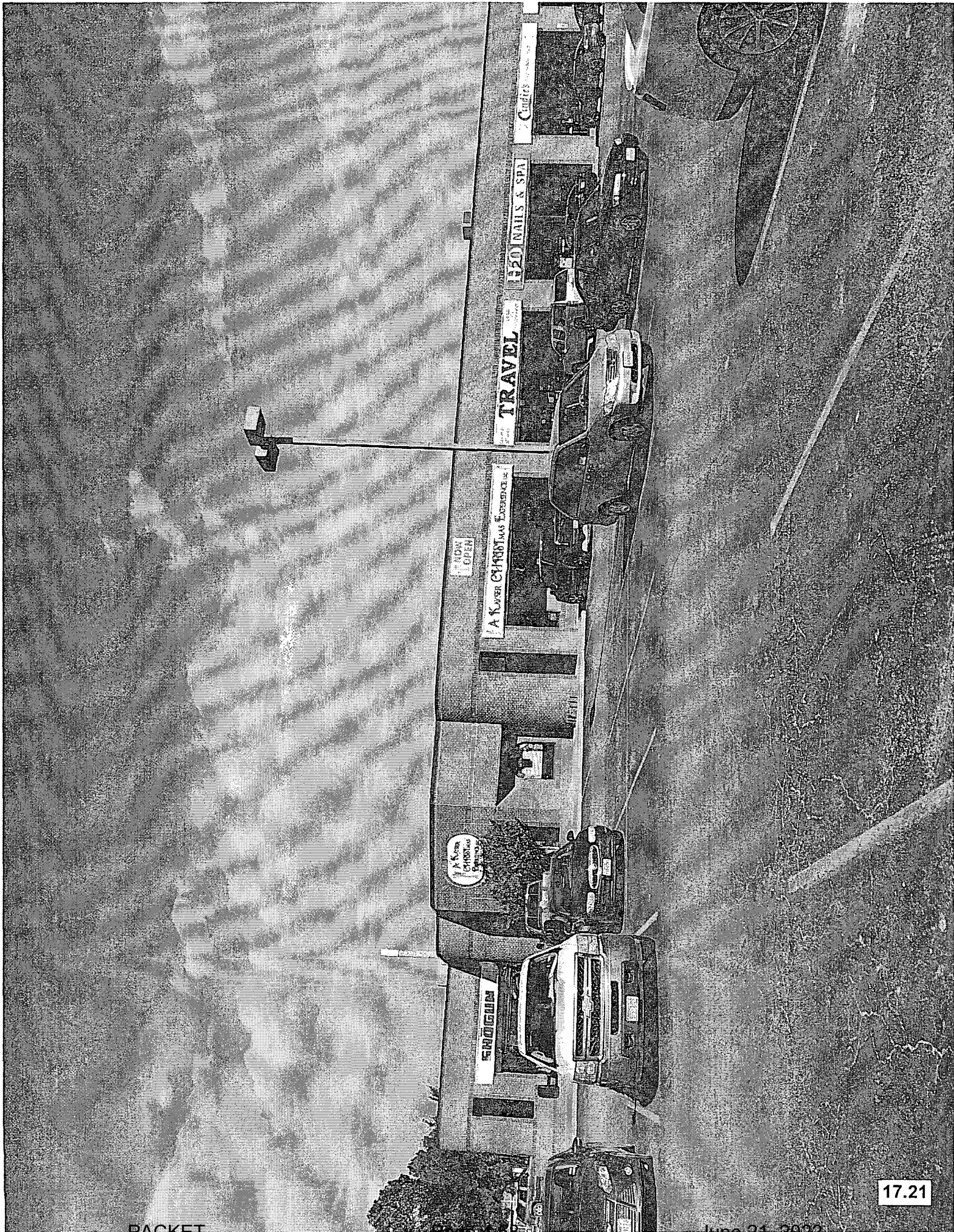
ZONING MAP

Scale: 1" = 200'

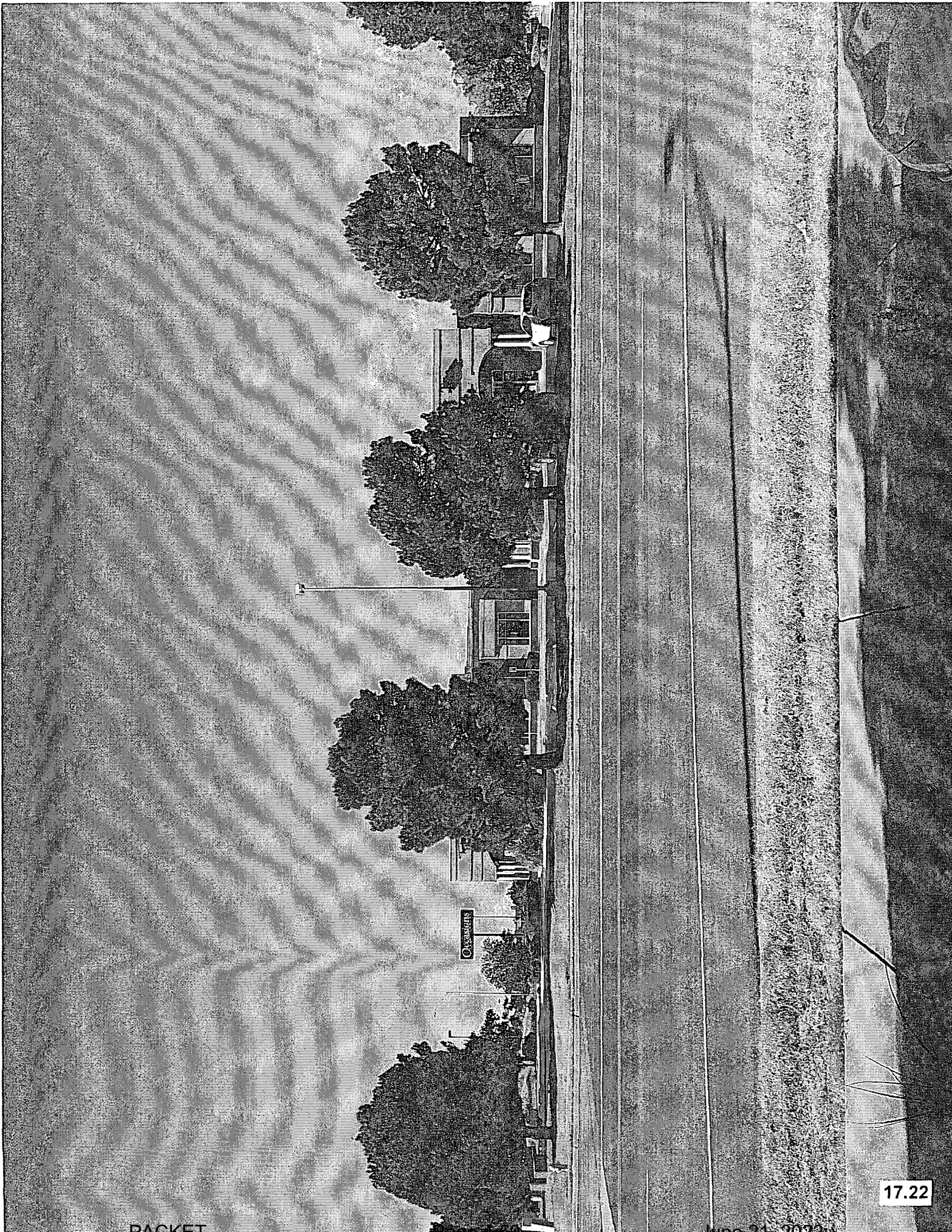
SUP-16-0057

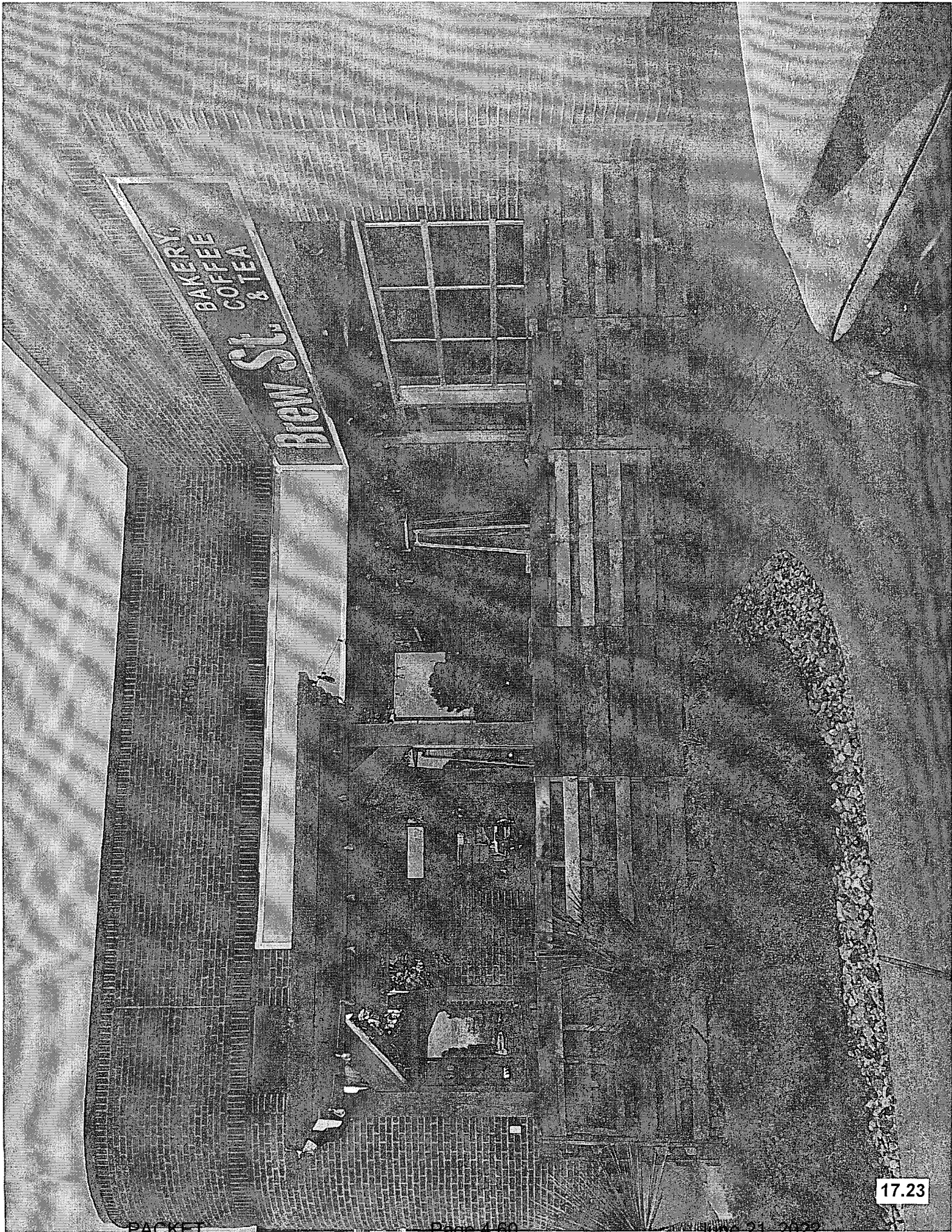
By K.W. 11/22/2016

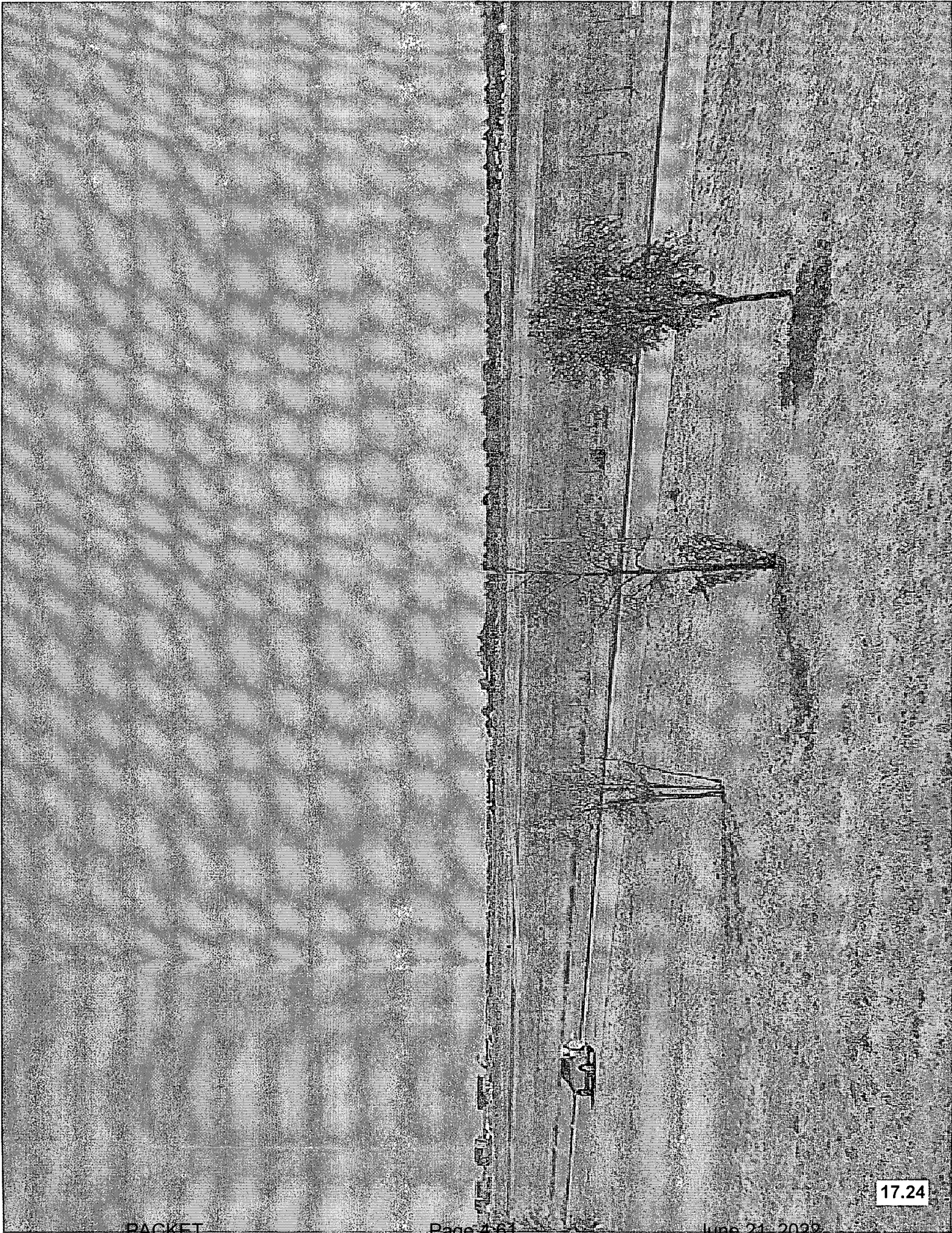
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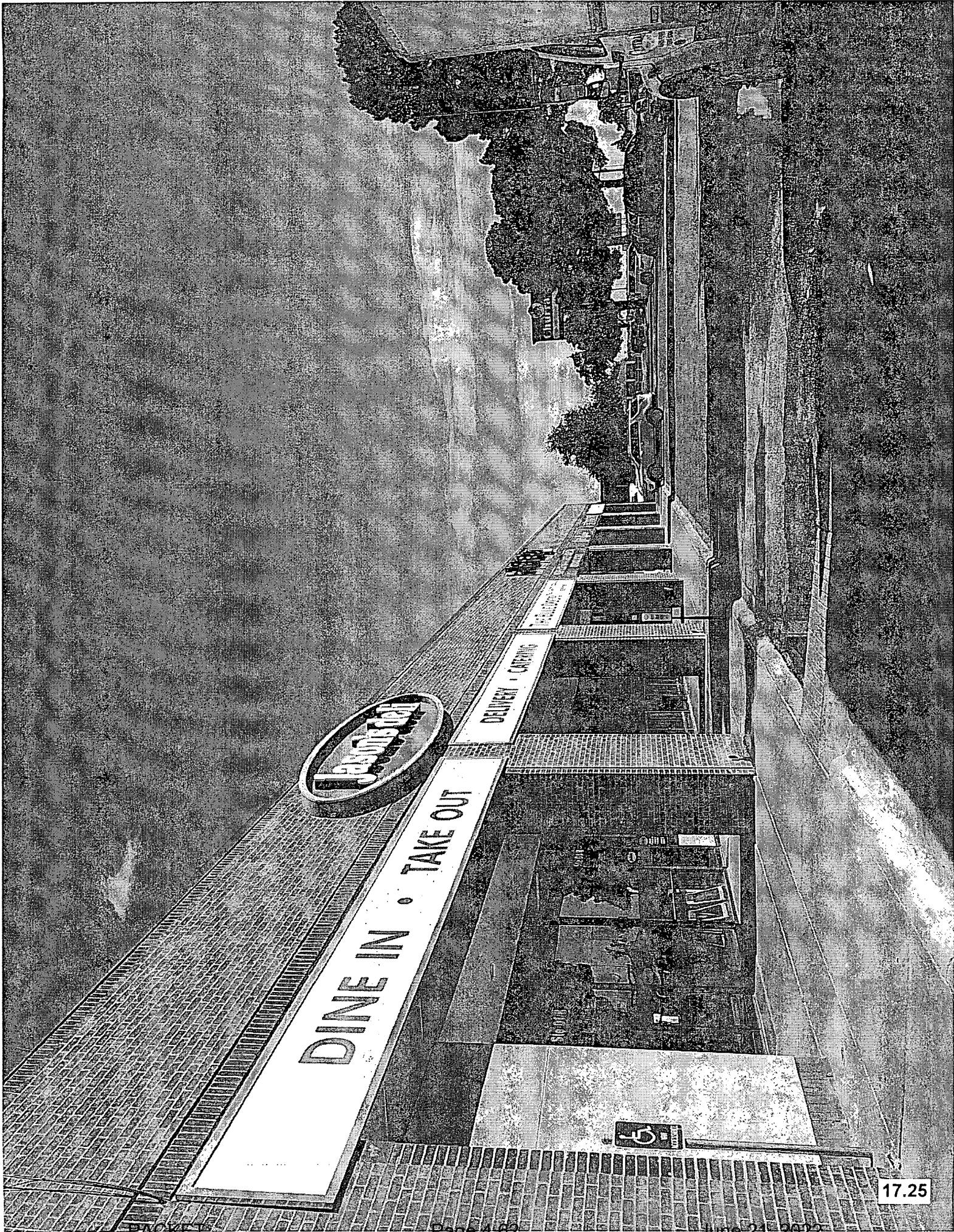


17.21









17.25



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: June 21, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of OMG Addition, Section 8, being a plat of a 5.583-acre tract of land out of the South Part of Section 24, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas. (Generally located on the north side of East County Road 140, approximately 1,100-feet west of South County Road 1175 - Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Schumann Engineering is requesting to plat a 5.583-acre tract of land out of the South Part of Section 24, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas to divide tracts into four lots and obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

No objections. All septic systems are permitted and regulated by the City of Midland Health Department.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Property is not located within the service area for impact fees therefore they do not apply.

ROW: Okay as Shown

PAVING: East County Road 140 is sub-standard, construct to City Standards for entire platted frontage or request a deferral.

WATER: None existing. Construct water to City Standards along entire platted frontage, or request a deferral based on location in the South Midland Utility District.

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

PRO RATA: None.

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

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

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

DRAINAGE: Show compliance to OMG Addition Drainage Report, prepared by West Company and approved on 02/24/2016. Delineate the 100 and 500-year floodplain that is in close proximate. [Reference City Code Sect. 11-2-3(D)8]

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

[For the Applicant's information only.]

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

FIRE: (Approved)

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)

Block 2 lot 3 already exists from previous plat OMG Section 6.

Health:

Yes, the health department will review applications from the 4 proposed lots of OMG Addition Section 8, PLAT OF A 5.5 ACRE TRACT OF LAND OUT OF SW/4 SECTION 24, BLOCK 39, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 1.4 acre, lot 2 is 1 acre, lot 3 is 1.2 acre, lot 4 is 1.2 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Midland County:

Ensure Driveway permits if new entrances will be made to ECR 140.

PLANNING:

The area of the combined lots, including the dedication equal to a 5.596-acre tract of land. MCAD shows a 5.590-acre tract of land. However, you are proposing a 5.583-acre tract of land. Please verify acreage. [Informational]

The legal description should be "being a plat of a 5.583-acre tract of land out of the South Part of Section 24, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas." [Informational]

Under the Certificate of Approval, the secretary's name should be Elizabeth Shaughnessy. Midland City Code 11-2-3(H)m(3)

According to the Midland Central Appraisal District, the property owner is Javier Valles. The property owner should be the same throughout the face of the plat. Some areas on the plat say Javier Valles or Javier T. Valles. If there is more than one owner, make sure to include both on the plat. [Informational]

Rename lots (2 and 3) to lots (5 and 6). Block 2, Lot 2 and Lot 3 already exist. [Informational]

Staff recommends approval of the preliminary plat of OMG Addition, Section 8, subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is subject to the final plat containing a complete Certificate of approval. Midland City Code 11-2-3(H)m(3).**
- B. Approval of this preliminary plat is conditioned upon identifying the approved drainage report on the Final Plat and Delineate the 100 and 500-year floodplain that is in close proximate. Midland City Code 11-2-3(D)8].**

Attachments:

Proposed Preliminary Plat (Exhibit A)
Maps
Application



Preliminary Plat Application

Project Number:

Case Number:

8UB-21-0438
P-22-1344

Proposed Subdivision Plat Name: OMG ADDITION SECTION 8

Legal Description (attached sealed Metes and Bounds): BEING A PLAT OF 5.583 ACRES OUT OF THE SW/4 OF SECTION 24, BLOCK 39, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS.

Property Owner

Printed Name: **Javier Valles**

Phone **(432) 230-8040**

Email **javiertvalles@gmail.com**

Address **4413 Verde Glen Court**

City **Midland**

State **TX**

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 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 into 4 lots and obtain septic permits.

Plat Information

Total Acreage: **5.583**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **4**

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): X Javier Valles Date: 5-25-2022

Property Owner (printed): Javier Valles

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

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

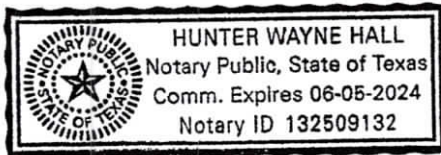
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Eduardo L. Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Javier Valles, 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 25th day of May, 20 22 to certify which witness my hand and seal of office.



HWH

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 # 1827

Received By: KM

Date: 5/25/22

RECEIVED
MAY 25 2022
BY: KM

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

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): Maria Valles

Date: 5-25-22

Property Owner (printed): Maria Valles

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

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

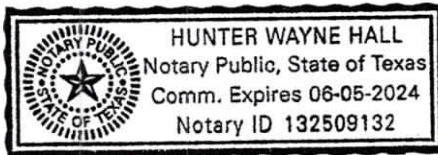
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Eduardo Alman who, being by me duly sworn, upon oath says: That (s)he is authorized by Maria Valles, 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 Alman
Authorized Agent (signature)

Subscribed and sworn to before me, this 25th day of May, 20 22 to certify which witness my hand and seal of office.



HWH

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 # 1827

Received By: KM

Date: 5/25/22

RECEIVED
MAY 25 2022

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

OMG ADDITION, SECTION 8

BEING A PLAT OF 5.583 ACRES OUT OF
THE SW/4 OF SECTION 24,
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 5.583 ACRE TRACT OF LAND SITUATED IN THE SW/4 OF SECTION 24, 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 OMG ADDITION, SECTION 8, 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____.

JAVIER T. VALLES

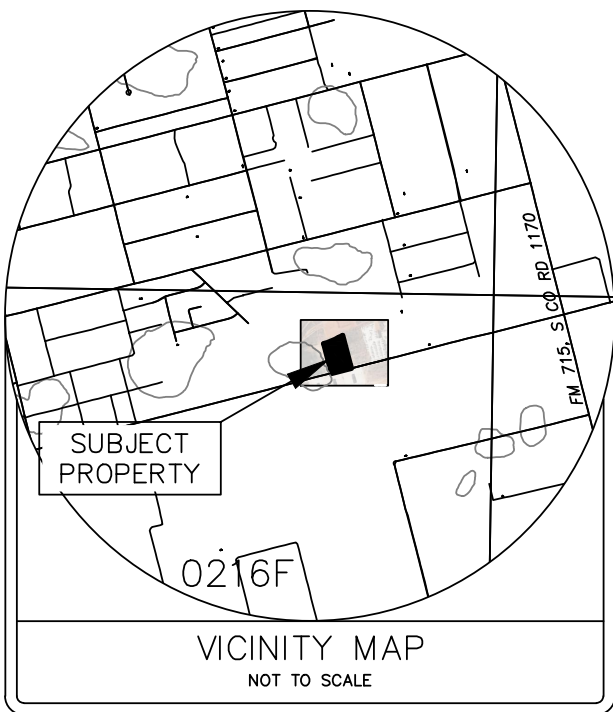
STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, JAVIER T. VALLES.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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 5.583 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" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 48329C-0216F) WITH AN EFFECTIVE DATE OF SEPTEMBER 16, 2005.



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



**SCHUMANN
ENGINEERING CO.**
A LATERAL LAND COMPANY

CIVIL ENGINEERING - LAND SURVEYING

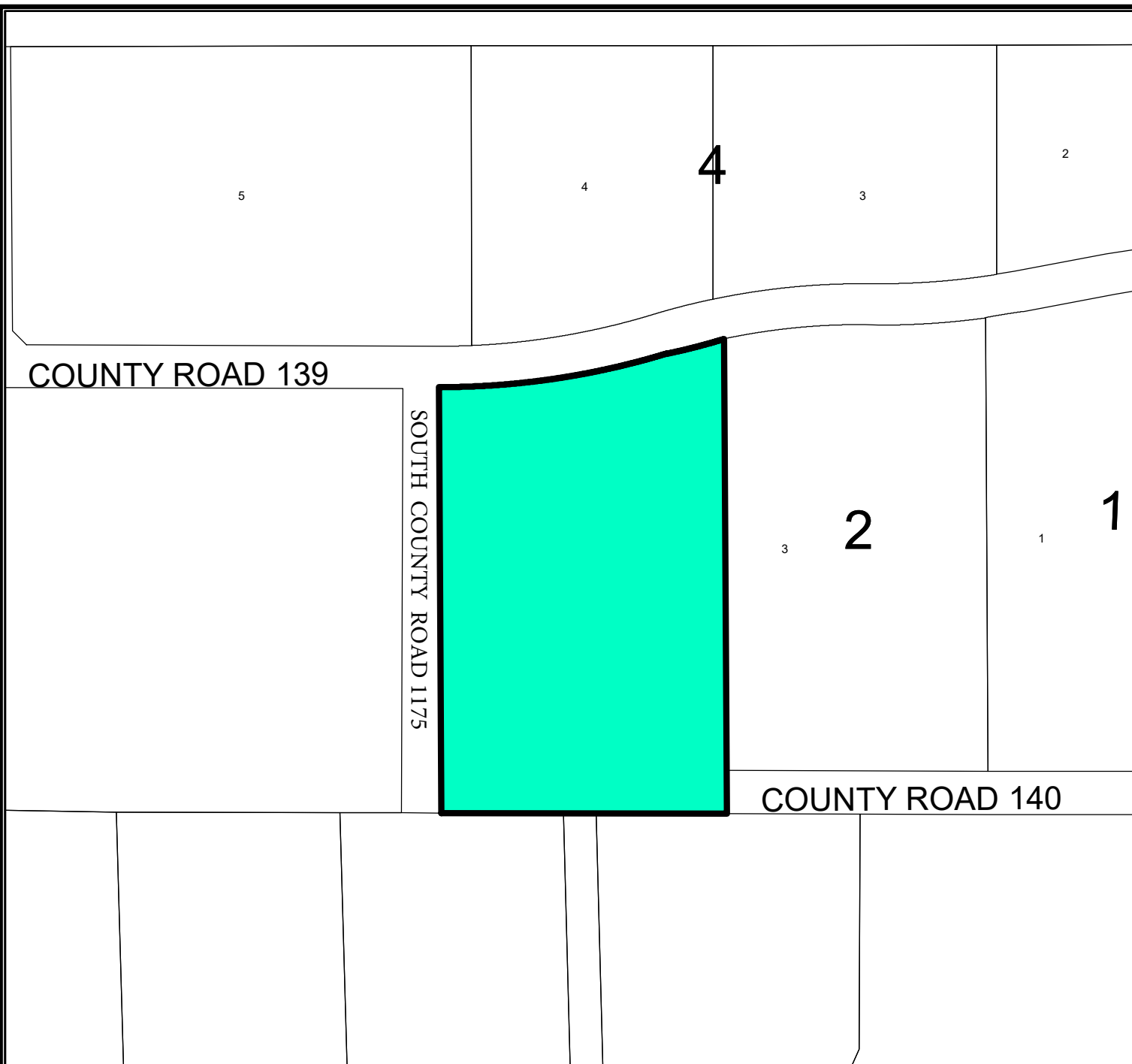
TEXAS FIRM No. P1880 - TEXAS FIRM No. 10148500

800 N. WARREN STREET
SUITE 100
MIDLAND, TEXAS 79701

Office (432) 684-5548

OMG ADDITION, SECTION 8

OMG ADDITION, SECTION 8



LOCATION MAP

SUB-21-0438

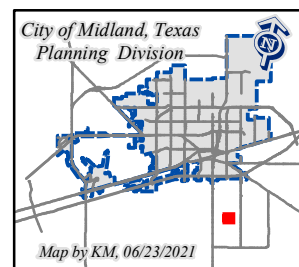
Scale: 1" = 200'

Proposed plat of OMG Addition, Section 8 being a plat of a 5.583-acre tract of land out of the South Part of Section 24, Block 39, T-2-S, T&P, RR Co. Survey, Midland County, Texas.

Generally located on north side of East County Road 140, approximately 1,100-feet west of South County Road 1175. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: June 21, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Veteran Development, Section 2, being a 6.00-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the east side of Antelope Trail, approximately 130-feet south of W. County Road 120 - Extraterritorial Jurisdiction).

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Veteran's Development, is requesting a 6.00-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. The applicant is subdividing the lot into three (3) equal lots of two (2) acres each for commercial development.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Property is outside of the designated service areas. Impact fee note not required. [For the Applicant's information only.]

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

PAVING: Both W CR 120 and S CR 1232 are sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

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

SEWER: 12" sewer exists in W CR 120 north of tract, okay as is. Construct wastewater improvements to City standards along their western platted frontage along S CR 1232/Antelope Trails or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

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

DIMENSION: * * * OTHER: * * *

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways

or other access points are approved only with construction drawing review. [For the Applicant's information only.] No objections to plat. [For the Applicant's information only.]

FIRE: (Approved)

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 of plat, this could prevent receiving city permits for structures. Any plugged and abandoned well would need to be identified.

Health: (Approved)

Yes, the health department will review application from the 3 proposed lot of Veteran Development, PLAT OF A 6 ACRE TRACT OF LAND OF SECTION 13, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY the lot is 6 acre since the lot is 150 ft to a public sewer line and the city of midland would not allow tie in to the public line the review of septic plans lot 17 is 2 acre, lot 18 is 2 acre and lot 19 is 2 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

GIS: (Approved)

No comments.

COUNTY: (Approved)

Ensure driveway permits when tying into Antelope Trail

PLANNING: (Approved with Conditions)

Verify acreage, MCAD shows 5 acres while plat shows 6. [Midland City Code 11-2-3(D)4.]

Staff recommends approval of preliminary plat of Veteran Development, Section 2, subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is subject to the Final plat including a drawing of the boundary description which has been prepared by a registered surveyor and shall bear his seal, signature and date on each sheet**

and a statement that the boundary description shown thereon accurately describes the survey of the tract boundary conducted by said surveyor. Midland City Code 11-2-3(D)4.

- B. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-3(G)1 & 11-2-4(A)2(a).**

Attachments:

Proposed Preliminary Plat (Exhibit A)
Maps
Application



Preliminary Plat Application

Project Number: SUB-22-0488
Case Number: P-22-1342

Proposed Subdivision Plat Name: Veteran Development Addition, Section 2

Legal Description (attached sealed Metes and Bounds): Being a 6.00 Acre Tract of Land Located in Section 13, Block 40, T-2-S, T&P RY Co. Survey, Midland County, Texas

Property Owner Printed Name: <u>Veteran Fabrication Inc</u>		Phone (432) 262-0999 Email	
Address <u>PO Box 50822</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79710</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: ETJ

Reason for Platting: ownership purposes

Plat Information	Total Acreage: <u>6.00</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>3</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'

RECEIVED
MAY 25 2022

BY:

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

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of May, 2022, to certify which witness my hand and seal of office.



Deborah 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 # 3794

Received By: _____

Date: _____

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

Preliminary Plat Application

2

MAY 25 2022

Revised 07/01/19

Paul Rodriguez

PACKET

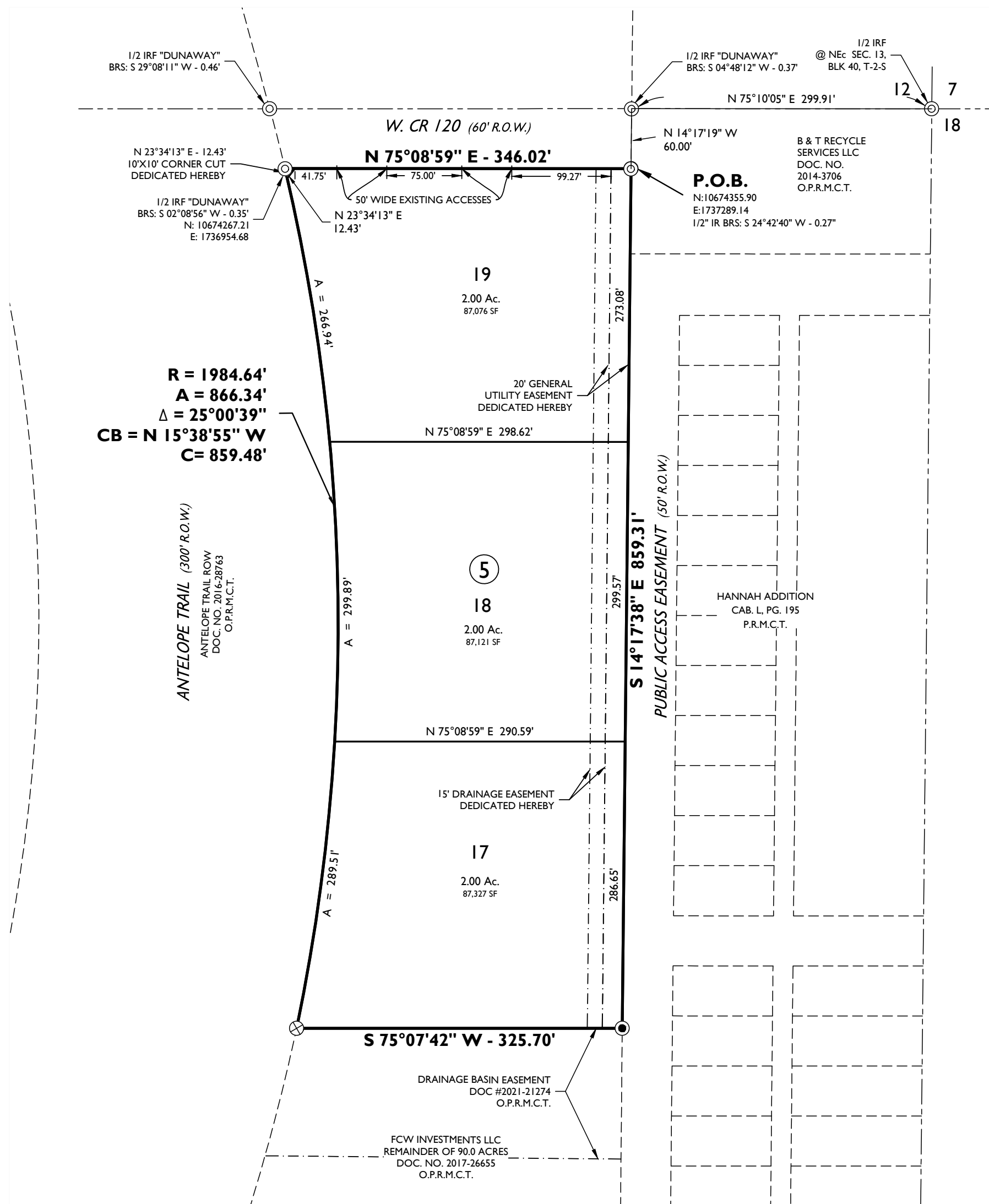
Page 6.77

June 21, 2022

VETERAN DEVELOPMENT ADDITION

SECTION 2

BEING A 6.00 ACRE TRACT OF LAND LOCATED IN SECTION 13, BLOCK 40, T-2-S,
T&P RY. Co. SURVEY, MIDLAND COUNTY, TEXAS

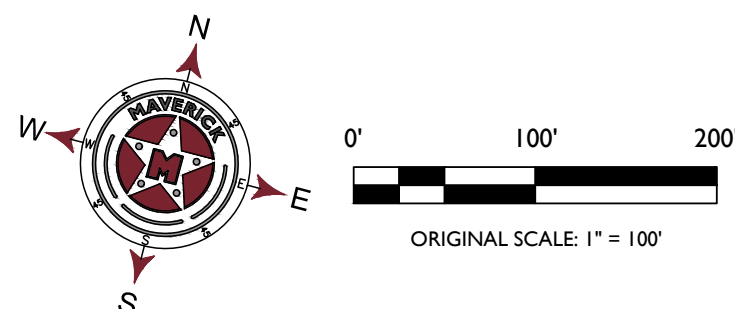


VETERAN FABRICATION, INC.
JERRY FUENTES
PO BOX 50822
MIDLAND, TX 79710
DEED INSTRUMENT #2021-26452

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS VETERAN FABRICATION, INC. IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 13, BLOCK 40, T-2-S, T&P. RR. CO. SURVEY, COUNTY OF MIDLAND, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT VETERAN FABRICATION, INC. BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS VETERAN DEVELOPMENT ADDITION, SECTION 2, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON;

WITNESS MY HAND AT MIDLAND, TEXAS, THIS

THE _____ DAY OF _____, 2022.

BY: VETERAN FABRICATION, INC., JERRY FUENTES

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

THE DAY OF , 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR #5356
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF VETERAN DEVELOPMENT ADDITION, SECTION 2, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

DAY OF 2022.

LUCY SISNIEGA, CHAIRMAN

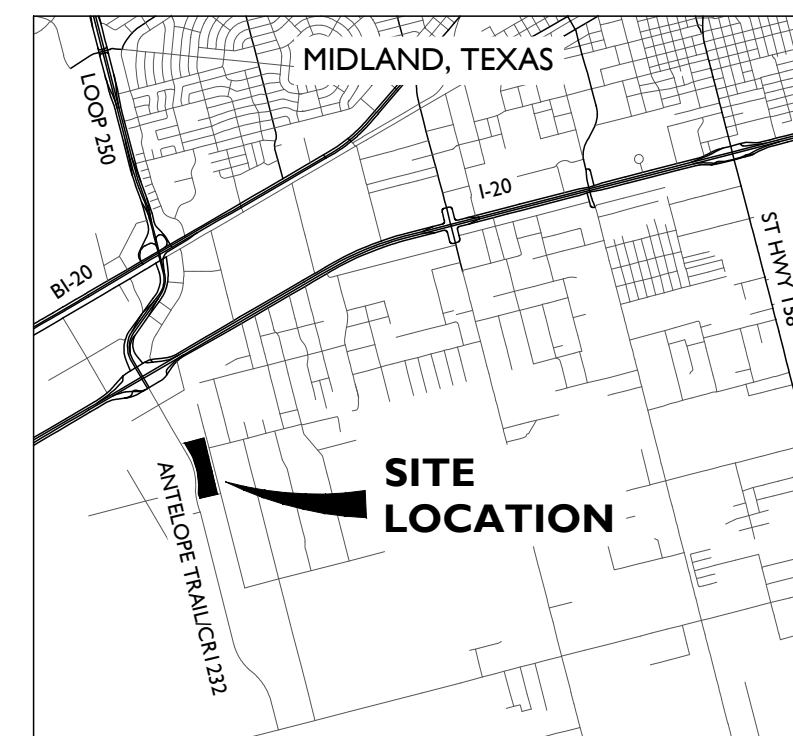
ELIZABETH SHAUGHNESSY, SECRETARY

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

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

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

2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BASIS OF BEARINGS, DISTANCES AND COORDINATES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (+203), NORTH AMERICAN DATUM 1983, U. S. SURVEY FOOT, HAVING A CONVERGENCE ANGLE OF "0°55'39.98\"", A COMBINED SCALE FACTOR OF 0.999882907 AT THE POINT OF BEGINNING.
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
 - (1) THE REPRESENTED LOT IS REPLACED FOR SUBDIVISION INTO MORE THAN ONE LOT OR:
 - (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.



N.T.S.

	DENOTES SET 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM #1019451"
	DENOTES FOUND MONUMENT AS NOTED
	DENOTES X IN CONCRETE
	DENOTES BOUNDARY LINE
	DENOTES EXISTING PROPERTY LINE
	DENOTES SECTION LINE
P.R.M.C.T.	PLAT RECORDS MIDLAND CO. TX
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS MIDLAND CO. TX

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY:

SUDDENLINK COMMUNICATION
BY:

GRANDE COMMUNICATION
BY:

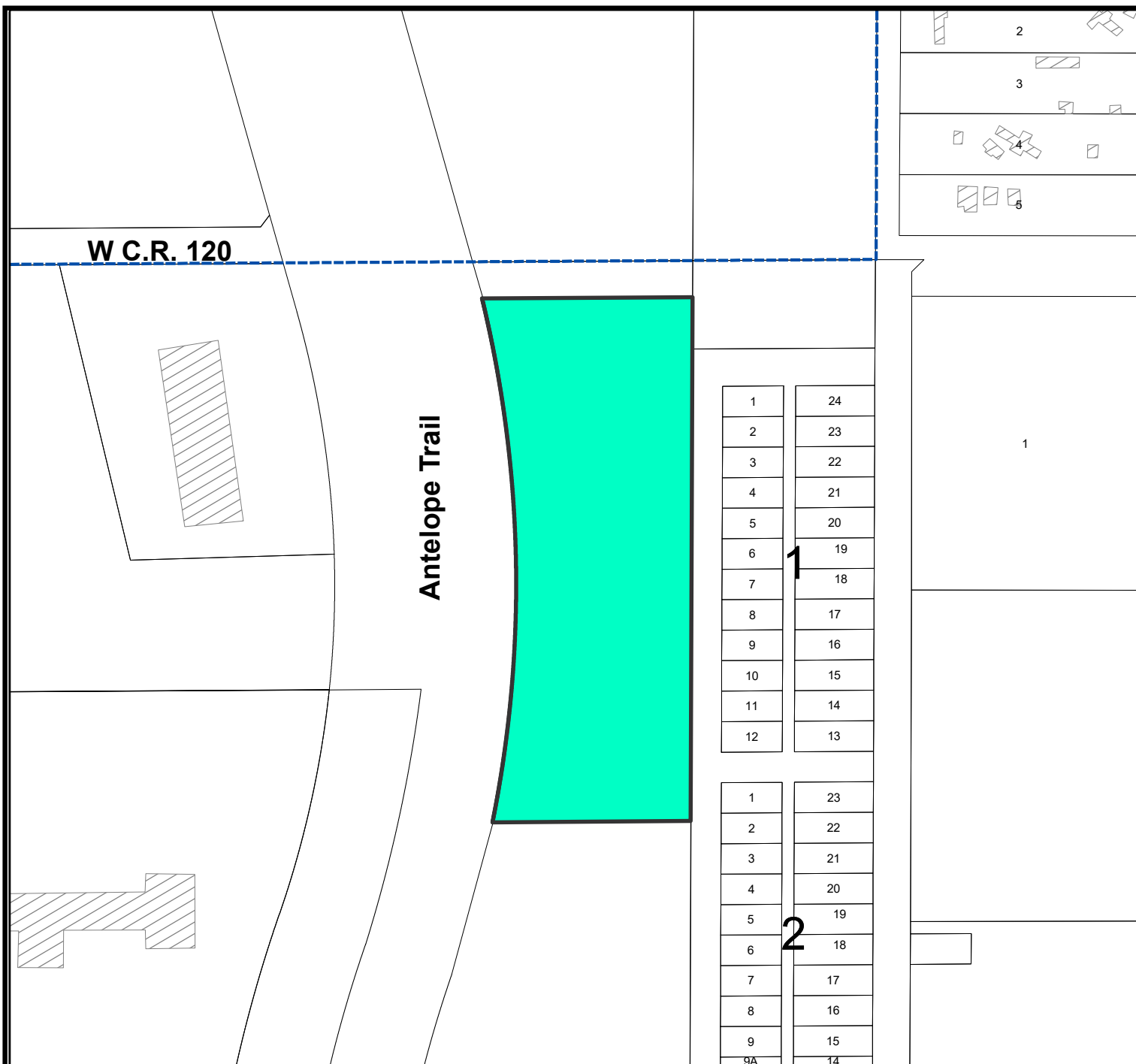
ONCOR ELECTRIC DELIVERY
BY:



M A V E R I C K
ENGINEERING / SURVEY / WATER RESOURCES

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: 10194514
Tel: (432) 262-0999 Fax: (432) 262-0985
www.Maverick-Eng.com

VETERAN DEVELOPMENT ADDITION SECTION 2



LOCATION MAP

SUB-22-0488

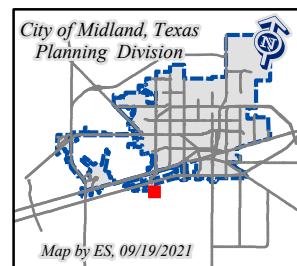
Scale: 1" = 200'

Proposed Plat of Veteran Development Addition,
Section 2 being a plat of a 6.0 acre tract of land
in Section 13, Block 40, T-2-S T&P RR CO
Survey, Midland County, Texas.

Generally located at the southeast corner of the
intersection of Antelope Trail and W. County Road
120-(Extraterritorial jurisdiction).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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SURVEY PRODUCT, NOR IS IT DESIGNED TO
BE USED AS A PRIMARY TOOL IN PERMITTING
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THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR
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Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: June 21, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: James Reber, Planner

SUBJECT: Motion approving with staff's recommended conditions, a proposed Preliminary Plat of Veteran Development, Section 3, being a 6.70-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located on the west side of Antelope Trail, approximately 910-feet south of W. County Road 120 - Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Veteran's Development, is requesting a 6.70-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey, Midland County, Texas. The applicant is subdividing the lot into four (4) lots for a business park.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

BUILDING CODE: (Approved)

ETJ, no jurisdiction

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Property is outside of the designated service areas. Impact fee note not required. [For the Applicant's information only.]

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

PAVING: S CR 1232 are sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)]

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

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

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

SEWER: Construct wastewater improvements to City standards along their western platted frontage along S CR 1232/Antelope Trails or request a deferral. [Reference City Code Section 11-2-3(G)1 & 11-2-4(A)2(a)] Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (A) Areas served by public water systems shall have lots of at least ½ acre. Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (B) Areas NOT served by public water systems shall have lots of at least 1 acre.

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

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

SIDEWALKS: Required at building permit. However, subdivision located in county so request a deferral [For the Applicant's information only.]

DIMENSION: * * * OTHER: Deferral request has been received and reviewed by the City but is pending comments, if any. All comments, if any, must be addressed prior to final plat. [For the Applicant's information only.]

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

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 of plat, this could prevent receiving city permits for structures. Any plugged and abandoned well would need to be identified.

Health: (Approved)

Yes, the health department will review application from the 4 proposed lot of Veteran Development SECTION 3, PLAT OF A 6.7 ACRE TRACT OF LAND OF SECTION 13, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY the lot 13 is 1.2 acre, lot 14 is 1.2 acre, lot 15 is 1.1 acre, and lot 16 is 1.2 acre, the review of septic plans to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

GIS: (Approved with Conditions)

There is a 1.01 acre drainage easement at the north boundary of this plat. Veteran Development Section 2 preliminary plat shows drainage basin easement. Which is the correct term?

COUNTY: (Approved)

Need Variance for the 50' road, as the regulation is 60'. Also, need to know what they material will be for variance. Driveway permit for entrance tying into Antelope Trail.

PLANNING: (Approved with Conditions)

According to the Midland Central Appraisal District, the property owner is Veteran Fabrication Inc. The property owner should be the same throughout the face of the plat. [Informational]

Staff recommends approval of the preliminary plat of Veteran Development, Section 3, subject to conditions A.

Condition:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City or with an exception when waived or deferred by the Council. Midland City Code 11-2-3(G)1 & 11-2-4(A)2(a).**

Attachments:

Proposed Preliminary Plat
Maps
Application



Preliminary Plat Application

Project Number:

SUB-22-0499

Case Number:

P-22-1343

Proposed Subdivision Plat Name: Veteran Development Addition, Section 3

Legal Description (attached sealed Metes and Bounds): Being a 6.70 Acre Tract of Land Located in Section 13, Block 40, T-2-S, T&P Railway Co. Survey, Midland County, Texas

Property Owner

Printed Name:

Willa Villa LLC

Phone (432) 262-0999

Email

Address

4511 Cardinal Lane

City

Midland

State TX

Zip 79707

Developer (if different than Owner)

Printed Name:

Phone (432) 262-0999

Email

Address

City

State

Zip

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

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email

phuckaba@maverick-eng.com

Address

1909 W Wall St Ste K

City

Midland

State TX

Zip 79701

Current Zoning: ETJ

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage:

6.70

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

Number of Lots: 4

Number of Multi-family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

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

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

Provisions

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

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

Property Owner (signature): _____

Date: _____

Property Owner (printed): _____

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

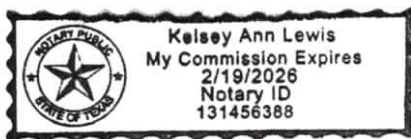
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS COUNTY OF MIDLAND

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

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of May, 2022, 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 # 3795

Received By: _____

Date: 5/25/22

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

Preliminary Plat Application

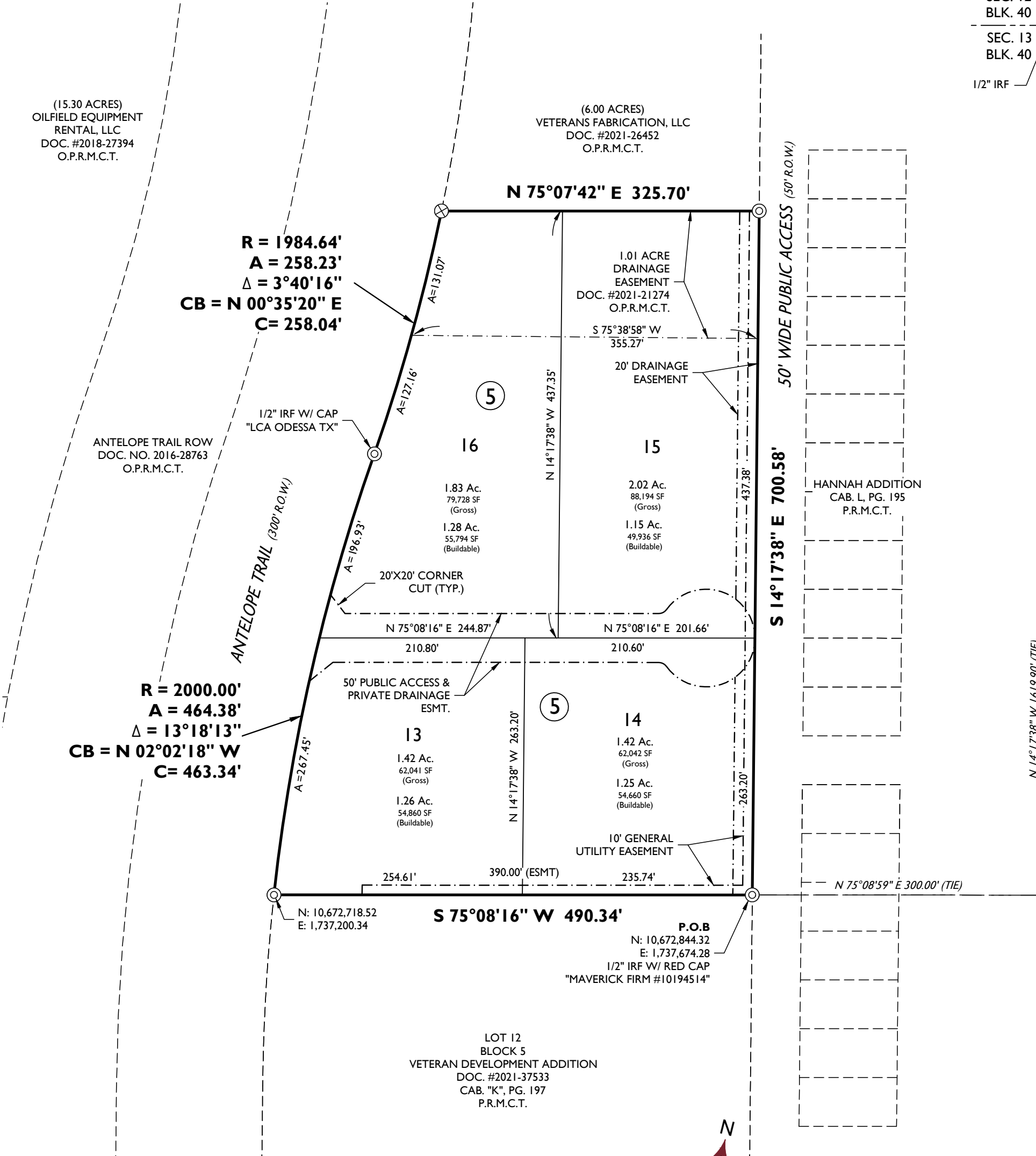
RECEIVED
MAY 25 2022
PT: Taylor Rodriguez

Revised 07/01/19

PRELIMINARY PLAT

VETERAN DEVELOPMENT ADDITION, SECTION 3

BEING A 6.70 ACRE TRACT OF LAND LOCATED IN SECTION 13, BLOCK 40, T-2-S, T&P RAILWAY. Co. SURVEY, MIDLAND COUNTY, TEXAS



PROPERTY OWNER
WILLA VILLA, LLC
4511 CARDINAL LANE
MIDLAND, TX 79707
DEED INSTRUMENT #2022-1305

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

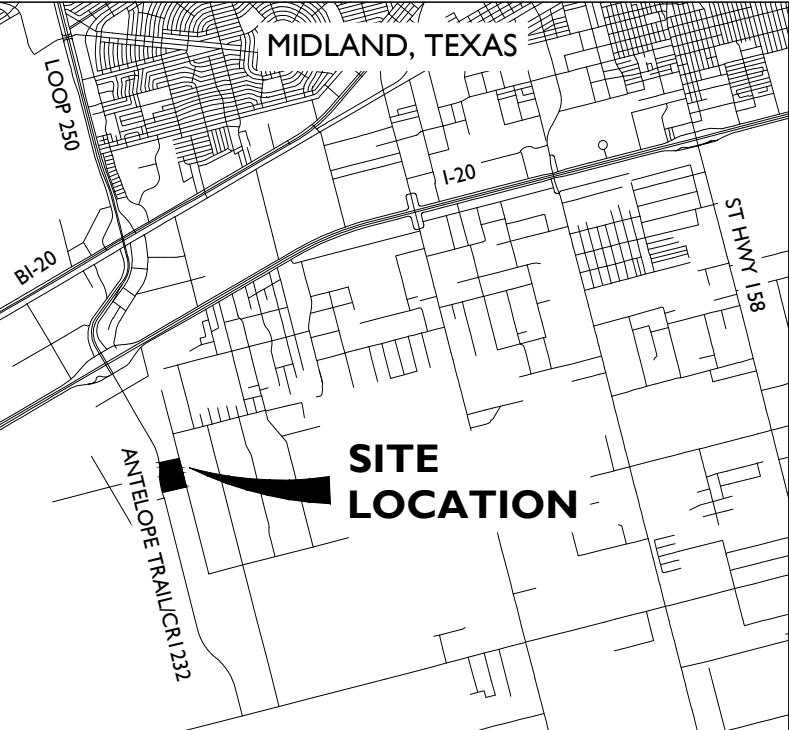
OWNER'S CERTIFICATE
THE STATE OF TEXAS
COUNTY OF MIDLAND
WHEREAS WILLA VILLA, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 13, BLOCK 40, T-2-S, T&P RAILWAY. Co. SURVEY, COUNTY OF MIDLAND, TEXAS.
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
THAT WILLA VILLA, LLC, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS VETERAN DEVELOPMENT ADDITION, SECTION 3, AN ADDITION TO MIDLAND COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON;
WITNESS MY HAND AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 2022.
BY: WILLA VILLA, LLC

ACKNOWLEDGEMENT
THE STATE OF TEXAS
COUNTY OF MIDLAND
BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:
THAT I, GREGORY W. SHOULTS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.
GREGORY W. SHOULTS, REGISTERED PROFESSIONAL LAND SURVEYOR #5256
MAVERICK ENGINEERING (TX FIRM #10194514)
1909 W. WALL STREET, SUITE, K
MIDLAND, TX 79701

CERTIFICATE OF APPROVAL
THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF VETERAN DEVELOPMENT ADDITION, SECTION 3, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS _____ DAY OF _____, 2022.
LUCY SISNIEGA, CHAIRMAN
ELIZABETH SHAUGHNESSY, SECRETARY

FEMA NOTE
FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0200F AND #48329C0184F, BOTH DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK ENGINEERING.
DEVELOPMENT NOTES
1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BASIS OF BEARINGS, DISTANCES AND COORDINATES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM 1983, U. S. SURVEY FOOT WITH A CONVERGENCE ANGLE (theta) OF -0°55'40.66" AND A CSF OF 0.999883438 AT THE POINT OF BEGINNING.
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. THIS IS A PROVISIONAL PRELIMINARY PLAT, THIS IS NOT TO BE RECORDED OR USED FOR CONSTRUCTION PURPOSES. SET MONUMENTS SHOWN HEREON ARE ALSO PRELIMINARY AND SHALL ONLY BE PLACED IN ACCORDANCE WITH A FINAL SURVEY SEALED BY THE SURVEYOR OF RECORD.



VICINITY MAP	
N.T.S.	
LEGEND	
	DENOTES FOUND 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK FIRM #10194514", UNLESS NOTED
	DENOTES "X" IN CONCRETE
	DENOTES BOUNDARY LINE
	DENOTES EXISTING PROPERTY LINE
	DENOTES EXISTING SECTION LINE
	DENOTES EXISTING EASEMENT
	DENOTES PROPOSED EASEMENT
O.P.R.M.C.T.	OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DEED RECORDS, MIDLAND CO., TX
P.R.M.C.T.	PLAT RECORDS, MIDLAND CO., TX

UTILITY COMPANY'S CERTIFICATE
This plat has been checked for accessibility of utilities.
ATMOS ENERGY
BY: _____
AT&T
BY: _____
SUDDENLINK COMMUNICATION
BY: _____
GRANDE COMMUNICATION
BY: _____
ONCOR ELECTRIC DELIVERY
BY: _____

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

VETERAN DEVELOPMENT ADDITION, SECTION 3

