

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

**October 18, 2021 - 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/84279506092>

Or One tap mobile :

US: +13462487799,,84279506092# or +12532158782,,84279506092#

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 +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 842 7950 6092

International numbers available: <https://us02web.zoom.us/j/84279506092>

The Planning and Zoning Commission may discuss, consider, and take action on any item listed on this agenda.

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 October 4, 2021

3. Motion approving a proposed Final Plat of Midland College Addition, being a plat of a 215.21-acre tract of land located in Section 15, Block 39, T-1-S, T.&P. R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the east side of N. Garfield Street, approximately 580 feet north of W. Wadley Avenue. Council District 3) (DEVELOPMENT SERVICES)
4. Motion approving a proposed Final Plat of Southwest Crossing, Section 16, being a plat of a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the northwest corner of the intersection of West County Road 122 and South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
5. Motion approving a proposed Final Plat of Gateway Plaza, Section 14, being a re-plat of Lot 11, Block 3, Gateway Plaza Addition, Section 13, City and County of Midland, Texas. Generally located on the north side of Starboard Road, approximately 598 feet east of S. Tradewinds Boulevard. (District 4)
6. Motion approving a proposed Final Plat of Ruckus Addition Section 2 being a plat of a 2.489-acre tract of land located in Section 30, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Fairgrounds Road, approximately 1,582-feet south of E. Loop 250 North. Council District 2) (DEVELOPMENT SERVICES)
7. Motion approving a proposed Final Plat of Claydesta Plaza Section 15, being a replat of Lot 6A, Block 7, Claydesta Plaza, Section 12, City and County of Midland, Texas. (Generally located on the north side of W. Wadley Avenue, approximately 412-feet of Desta Drive. Council District 3) (DEVELOPMENT SERVICES)
8. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Sunset Acres, Section 10 being a plat of a 2.273-acre tract of land and a .079-acre portion of a previously vacated alley right of way all located in Section 20, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Sinclair Avenue and N. Midkiff Road. Council District 3) (DEVELOPMENT SERVICES)
9. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Shenandoah Ridge, being a 146.827-acre tract of land in Section 12, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland and Martin Counties, Texas. (Generally located on the northeast corner of North State Highway 349 and Occidental Parkway. Council District 1) (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

10. Motion approving with staff's recommended conditions a proposed Preliminary Plat of University Park Addition, Section 2, being a re-plat of Lots 3, 4, and 5, Block 7, University Park, County of Midland, Texas. (Generally located on the north side of Harvard Avenue,

approximately 130-feet east of North “N” Street. Council District 2) (DEVELOPMENT SERVICES)

11. Motion approving a request by Kuo’s Chinese Restaurant, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 4,774 square foot portion of Lot 18, Block 39, Providence Park, City and County of Midland, Texas. Generally located on the northwest corner of the intersection of W. Wadley Avenue and N. Midkiff Road. (Council District 1) (DEVELOPMENT SERVICES)
12. Motion approving a request by Gary Bellomy for a zone change from PD, Planned Development District, to an Amended PD, Planned Development District for a Mixed-Use Development on a 57.55-acre tract of land located in Section 1, Block 39, T-2-S, T & P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Interstate 20, approximately 530 feet east of South Lamesa Road. Council District 2) (DEVELOPMENT SERVICES)
13. Motion approving a request by Faye Golden Homes, LLC for a zone change from MH, Manufactured Housing District to RR, Regional Retail District on Lots 1 and 2, Block 24, Belmont Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Francis Avenue and S. Main Street. Council District 2) (DEVELOPMENT SERVICES)
14. Motion approving a request by Midland-Odessa Golf Corp., for a zone change from AE, Agricultural Estate to PD, Planned Development District for a Housing Development and Shopping Center on Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. Council District 4) (DEVELOPMENT SERVICES)
15. Motion approving with staff’s recommended conditions a proposed Preliminary Plat of Grassland Estates Addition, Section 25, being a re-plat of Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. Council District 4) (DEVELOPMENT SERVICES)

MISCELLANEOUS

Elizabeth Shuaghnessy
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
October 4, 2021
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., October 04, 2021.

Commissioners present: Beverly Dillow, Dianne Williams, Lucy Sisniega, Chase Gardaphe, Zachary Deck, Adrian Carrasco

Commissioners absent: Stacy Grosse, Karmen Bryant, Joshua Sparks, Emily Holeva

Staff members present: Dalia Salinas, Elizabeth Shaughnessy, Charles Harrington, Kelly Martinez, Cole Furqueron

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

CONSENT ITEMS

Commissioner Carrasco moved to approve; seconded by Commissioner Gardaphe.

The motion passed by the following vote: 6 to 0

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

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for September 20, 2021
3. Consider a reinstatement of an approved proposed Preliminary Plat of Pioneer Industrial Park, being a Plat of a 43.196-acre tract of land out of the N/Part of Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of FM 715, approximately 456-feet south of East County Road 140. Extraterritorial Jurisdiction).
4. Consider a proposed Final Plat of Pioneer Industrial Park, being a Plat of a 43.198-acre tract out of land in Section 25, Block 39, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of FM 715, approximately 456-feet south of East County Road 140. Extraterritorial Jurisdiction).
5. Consider a proposed Final Plat of 349 Ranch Estates, Section 23, being a residential replat of the North 0.43 Acres of the Lot 14, Block 1, 349 Ranch Estates, City and County of Midland, Texas (Generally located on the west side of Shawnee, approximately 175-feet north of Tejas. Council District 1)
6. Consider a proposed Final Plat of Southwest Crossing, Section 17, being a plat of a 9.563-acre tract of land located 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 South County Road 1235 and West County Road 123. Extraterritorial Jurisdiction)
7. Consider a proposed Preliminary Plat of DeLacey Addition, being a plat of a 21.698-acre tract of land located in the southeast quarter of Section 23, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of E. County Road 140, approximately 5,582 feet west of F.M. 715. Extraterritorial Jurisdiction)

8. Consider a proposed Preliminary Plat of Mystic Glen Addition, being a plat of a 2.23-acre tract of land located in the northeast quarter of Section 27, Block 39, T-2-S, T&P RR Co. Survey, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of W. County Road 140, approximately 1,982 feet west of S. State Highway 349. Extraterritorial Jurisdiction)
9. Consider a proposed Final Plat of Cycles Addition, Section 3, being a re-plat of Lot 1A, Block 1, Cycles Addition, Section 2, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Tradewinds Boulevard and West Business Interstate 20. Council District 4)

PUBLIC HEARINGS

10. Hold a public hearing and consider a request by Black & Dillard Property Management, LP, for the initial zoning of a 9.162-acre tract of land out of Section 6, Block 38, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of Fairgrounds Road and Garden City Highway. Extraterritorial Jurisdiction)

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

The public hearing was opened at 3:40 p.m.

Commissioner Williams asked for clarification on the annexation location. Staff explained that the property is being annexed into the city limits.

Commissioner Carrasco asked if something is already being built on the site. Commissioner Gardaphe explained that it was an existing convenience store.

The applicant, Eric Eckert with Black & Dillard Property was present and open for questions.

Resident Cody Stroud, 5601 Hathaway Ct, Midland Texas, spoke on behalf of Montevallo Inc. He requested information on how to be added to the sewage plans for this project. Director of Development Services, Charles Harrington, addressed Mr. Stroud's concerns and explained to him and the commission the process of requesting sewer services.

The public hearing was closed at 3:43 p.m.

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

The motion passed by the following vote: 6 to 0

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

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant

11. Hold a public hearing and consider a request by PREG Development, LLC, for a zone change from PD, Planned District for a Shopping Center to LR, Local Retail District, on Lot 2A, Block 2, Westridge Park Addition, Section 8, City and County of Midland, Texas. (Generally located on the south side of Andrews Highway Frontage Road, approximately 197 feet east of Tradewinds Boulevard - Council District 4)

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

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

The applicant was not present.

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

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Gardaphe, Deck, Carrasco Dillow,
NAY: None
ABSTAIN: None
ABSENT: Grosse, Bryant

12. Hold a public hearing and consider a request by Lusso Real Estate, LLC for the initial zoning of a 30.80-acre tract of land out of Section 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. Extraterritorial Jurisdiction)

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

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

The applicant was present but deferred to staff.

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

Commissioner Gardaphe moved to approve this request; seconded by Commissioner Carrasco

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Gardaphe, Deck, Carrasco Dillow,
NAY: None
ABSTAIN: None
ABSENT: Grosse, Bryant

13. Hold a public hearing and consider a request by Jamie Bowers for a zone change from C, Commercial District to SF-3, Single-Family Dwelling District on Lot 9, Block 10, Greenwood Addition 3rd, 4th, 5th Section, City and County of Midland, Texas. (Generally located on the east side of S. Stonewall Street, approximately 140-feet north of E. Washington Avenue. Council District 2)

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

Commissioner Carrasco asked if this was the only lot on the block that is zoned commercial.

The public hearing was opened at 3:53 p.m.

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 6 to 0
AYE: Sisniega, Williams, Gardaphe, Deck, Carrasco Dillow,
NAY: None
ABSTAIN: None
ABSENT: Grosse, Bryant

14. Hold a public hearing and consider a request by CG Faudree LLC for a zone change from TP, Technology Park District to RR, Regional Retail District on Lot 2, Block 4, Amaron Addition, Section 5, City and County of Midland, Texas. (Generally located on the north side of Wolcott Avenue, approximately 465-feet west of Rankin Highway. Council District 2)

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

The public hearing was opened at 3:56 p.m.

The applicant was not present.

The public hearing was closed at 3:56 p.m.

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

The motion passed by the following vote: 6 to 0

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

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant

MISCELLANEOUS

With no further items or business to come before the Commission, Chairman Sisniega adjourned the meeting at 3:57 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: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Motion approving a proposed Final Plat of Midland College Addition, being a plat of a 215.21-acre tract of land located in Section 15, Block 39, T-1-S, T.&P. R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the east side of N. Garfield Street, approximately 580 feet north of W. Wadley Avenue. Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

SF-1, Single-Family Dwelling District; LR, Local Retail District; O1, Office District; TH, Townhouse Dwelling District; MF-16, Multiple –Family Dwelling District; and PD, Planned District for a Housing Development.

Preliminary Plat Approval:

The plat was approved at the Planning and Zoning Commission meeting of November 2, 2020.

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.

Departmental Review:

ENGINEERING: (Approved)

IMPACT FEES: Impact Fee statement okay as shown.

ROW: Okay as shown.

PAVING: Paving along the platted frontage is paved to City Standards. No paving improvements required.

WATER: Water existing. No public water improvements required.

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

PRO RATA: None

SEWER: Sewer existing. No public wastewater improvements required.

DRAINAGE: No Drainage Report required at this time. Existing site is developed; if proposing to re-develop site drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed

SIDEWALKS: Required with building permit

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

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 COMPLIANCE: (Approved)

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

FIRE: (Approved)

No additions.

PLANNING:

All departments' comments have been satisfied.

Staff recommends approval of the final plat of Midland College Addition 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-20-0352

Case Number:

P-21-1182

Proposed Subdivision Plat Name: Midland College Addition**Legal Description (attached sealed Metes and Bounds):** Being 216.93 Acres of Land out of the Southwest Quarter of Section 15, Block 39, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas.**Property Owner**

Printed Name: Midland Community College District

Phone ()

Email

Address 3600 N Garfield Street

City Midland

State TX

Zip 79705

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Firm: Parkhill

Phone (432) 697-1447

Email

Printed Name: Josh Wallender (Parkhill PROJ # 2836.19 - PLAT)

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State Texas

Zip 79701

Current Zoning: LR, O1, PD, MF16, TH, SF1**Reason for Platting:** Platting for future building permits**Plat Information**

Total Acreage: 216.93 Ac.

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

Number of Lots: N/A

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: 03/15/2021

Property Owner (printed): Steve Thomas, President

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Authorized Agent (signature)

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

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☐ Mylar

☐ Application Fee

Check # _____

☐ 1 Copy of Dimensioned Plat

☐ 1 Copy of Plat (11x17)

☐ Title Opinion

☐ Tax Certificates

☐ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

☐ Recording Fee

Check # _____

Received By: _____

Date: _____

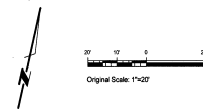
****Application will not be considered for scheduling until reviewed by a planner.****

UTILITY EASEMENT DETAIL

MIDLAND COLLEGE ADDITION

Being 215.24 Acres of Land out of the West Half of Section 15,
Block 39, T-1-S, T&P RR, Co. Survey, City and County of
Midland, Texas.

SHEET 2 OF 2



WATERLINE EASEMENT C

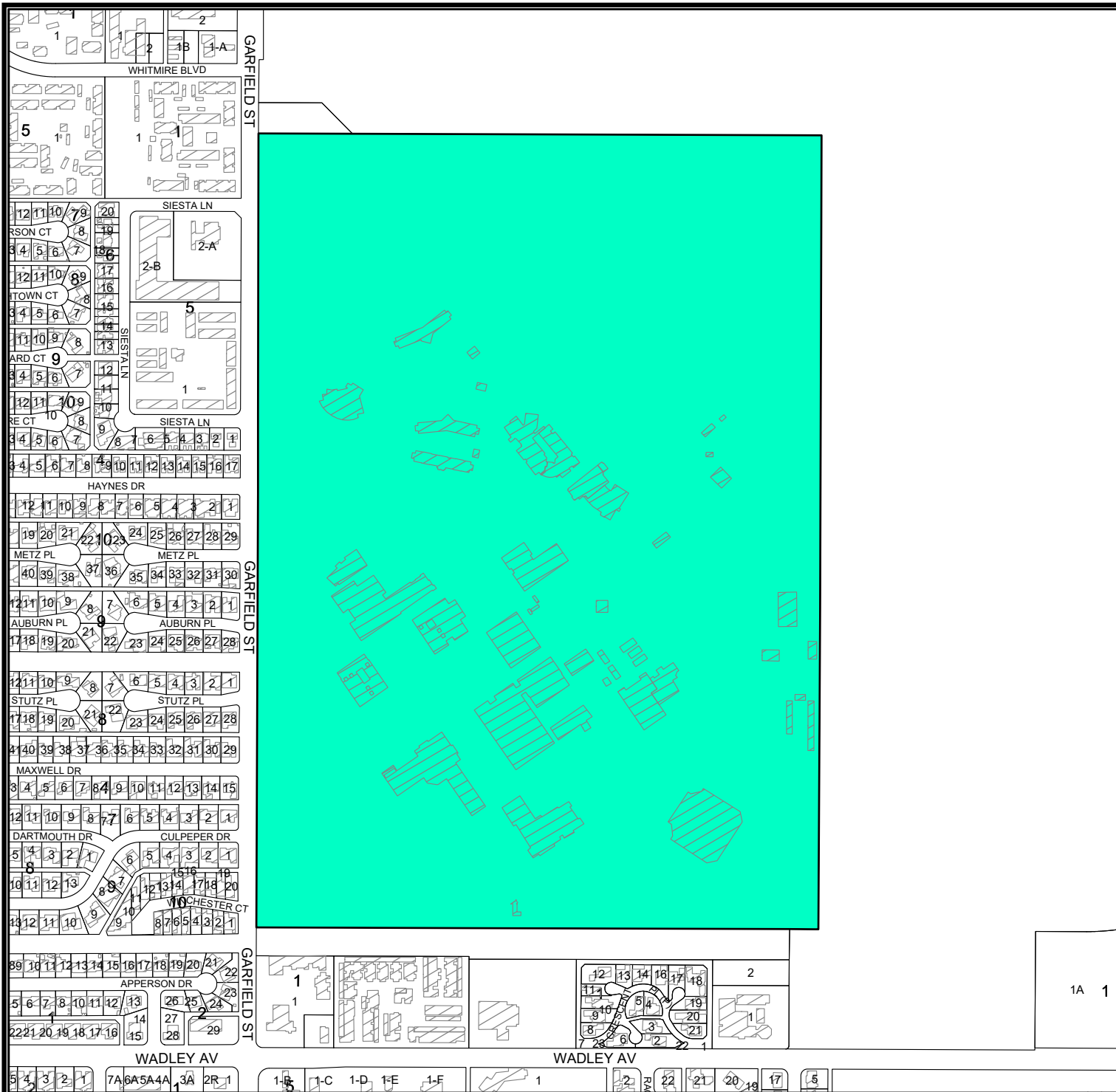
1/2" IRON ROD	1/2" IRON ROD
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LEGEND

- PROPOSED UTILITY EASEMENT
- EXISTING EASEMENTS
- O.P.R. OFFICIAL PUBLIC RECORD, MIDLAND COUNTY
- SET 1/2" IRON ROD WITH PLASTIC CAP
MARKED "PLS 154"

OWNERS:

MIDLAND COMMUNITY COLLEGE DISTRICT
3600 N GARFIELD STREET
MIDLAND, TEXAS 79705
ENGINEER:
PARKHILL
1700 W. WALL STREET
MIDLAND, TEXAS 79701
Contact:
(432) 697-1447



LOCATION MAP

SUB-20-0352

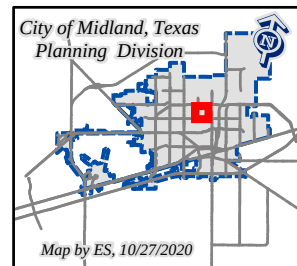
Scale: 1" = 650'

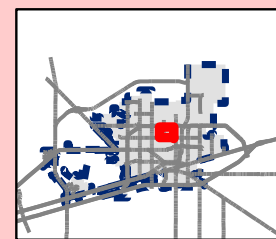
Proposed Plat of Midland College Addition, being a plat of a 216.93 acre tract of land located in Section 15, Block 39, T-1-S, T.&P. R.R. Co. Survey, City and County of Midland, Texas.

Generally located on the east side of N. Garfield Street, approximately 580 feet north of W. Wadley Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaugnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving a proposed Final Plat of Southwest Crossing, Section 16, being a plat of a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas. (Generally located on the northwest corner of the intersection of West County Road 122 and South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Watson Professional Group Inc., is requesting to plat a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co Survey, into five (5) lot for development and to acquire septic permits.

Preliminary Plat Approval:

The Preliminary Plat was approved at the August 2, 2021 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

Departmental Review:

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

ENGINEERING: (Approved)

IMPACT FEES: The plat is located outside of Service Areas no Impact Fee note required.

ROW: Fine as shown.

PAVING: Fine as shown.

WATER: Administratively Deferred.

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: Administratively Deferred.

DRAINAGE: Drainage study required Approved 7/19/21.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Fine as shown.

DIMENSION: * * *

OTHER: See Transportation comments * * *

TRANSPORTATION: (Approved)

Development in this area along and west of CR 1235 is generating traffic that is utilizing the CR 1235 alignment to/from the north. However, once CR 1235 leaves this subdivision, there is no public right-of-way or improved roadway. Traffic is currently using an unpaved roadway across private property to access the I-20 South Service Rd at an illegal driveway access point. Since development continues occurring in this area and traffic volumes continue to increase, the access situation needs to be formalized and brought into compliance with all applicable city and state regulations in order for additional platting of new parcels to proceed.

FIRE: (Approved)

No additional comments

CODE COMPLIANCE: (Approved)

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

HEALTH:

Yes, the health department will review applications from the 5 proposed lots of Southwest Crossing, Section 16, PLAT OF A 24 ACRE TRACT OF SECTION 13, BLOCK 40, T-2-S, T. & P. RR. CO. SURVEY lot 1 is 4.8 acre, lot 2 is 5 acre, lot 3 is 5 acre, lot 4 is 4.6 acre, lot 5 is 4.6 acre, to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

BUILDING INSPECTION: (Approved)

ETJ, No jurisdiction.

PLANNING:

Staff recommends approval of the Final plat of Southwest Crossing, Section 16 subject to conditions A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps.



Final Plat Application

Project Number:

Case Number:

Sub-21-0407
P-21-1205

Proposed Subdivision Plat Name: SOUTHWEST CROSSING ADDITION, SECTION 16

Legal Description (attached sealed Metes and Bounds): Being A 24.186 acre tract out of Section 13, Block 40, T-2-S, T&P RR CO Survey, County Of Midland, Texas

Property Owner

Printed Name: Midtex Development Trust (Ty Shepard)

Phone 719-240-4979

Email tylshepard@gmail.com

Address 455 Mackenzie Ave

City Canon City

State CO

Zip 81212

Developer (if different than Owner)

Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Watson Professional Group

Printed Name: Ashlee Johnson

Phone (432) 520-9200

Email
ajohnson@wpg-us.com

Address PO Drawer 11186

City Midland

State TX

Zip 79702

Current Zoning: ETJ

Reason for Platting: ownership/real estate

Plat Information

Total Acreage: 24.186

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☒ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 5

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'

RECEIVED
SEP 28 2021

BY:

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature): [Signature]

Date: 9/29/2021

Property Owner (printed): Ty Shepard

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 Ashlee Johnson who, being by me duly sworn, upon oath says: That (s)he is authorized by Ty Shepard, 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.

Ashlee Johnson
Authorized Agent (signature)

Subscribed and sworn to before me, this 29 day of September, 20 21, to certify which witness my hand and seal of office.



Ashlee Danielle Crouch

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 # 10839

☒ Tax Certificates

☒ Recording Fee

Check # 10840

Received By: Ale F...

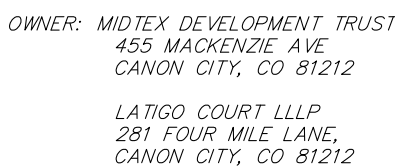
Date: 9-29-21

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

BEING 24.186 ACRES OF LAND OUT OF THE SECTION 13, BLOCK 40, T-2-S, T&P RR CO.
SURVEY, COUNTY OF MIDLAND, TEXAS

1. BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE",
2. 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.
3. 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.
4. ACCORDING TO FEMA MIDLAND COUNTY IS A "MAPPED" COUNTY, BUT ONLY CERTAIN FEDERAL FLOOD INSURANCE RATE MAP PANELS ARE AVAILABLE. THE SUBJECT TRACT DESCRIBED HEREON IS LOCATED IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANELS NO. 48329C0200F AND 48329C0184F BOTH WITH A REVISED DATE OF SEPTEMBER 16, 2005.

_____	DENOTES PROPOSED BOUNDARY
_____	DENOTES ADJOINING PROPERTIES
_____ P _____	DENOTES EXISTING PIPELINE
_____	DENOTES PROPOSED EASEMENT
_____ X _____	DENOTES EXISTING FENCE
_____	DENOTES APPROXIMATE MIDLAND CITY LIMITS LINE
_____ - - - - -	DENOTES EXISTING CALICHE ROAD
D.R.M.C. O.R.M.C.T.	DEED RECORDS OF MIDLAND COUNTY OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS



JOB NO.: 20-1097-00 DRAFT AJ REV. 0
 FILE: S: MIDLAND/15 ACRE SUB/SW CROSSING

Printed name of Notary _____
My commission expires: _____

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

PACKET
Page 4.23
October 18, 2021



LOCATION MAP

SUB-21-0407

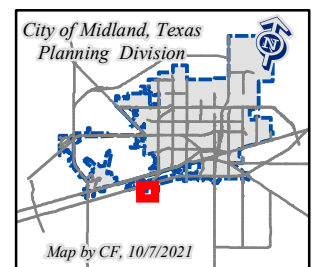
Scale: 1" = 300'

Proposed Final Plat of Southwest Crossing, Section 16, being a plat of a 24.186-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, County of Midland, Texas.

(Generally located on the northwest corner of the intersection of West County Road 122 and South County Road 1235. Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving a proposed Final Plat of Gateway Plaza, Section 14, being a re-plat of Lot 11, Block 3, Gateway Plaza Addition, Section 13, City and County of Midland, Texas. Generally located on the north side of Starboard Road, approximately 598 feet east of S. Tradewinds Boulevard. (District 4)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

This plat qualified for the short form platting process. No preliminary plat was submitted.

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 the final approval have been met.

Departmental Review:

The proposed Final Plat of Gateway Plaza has been circulated to all City departments for their review. The comments are below.

Engineering: (Approved)

IMPACT FEES: Impact Fee statement okay as shown

ROW: ROW okay as shown.

PAVING: Starboard Dr. roadway okay as is. No public paving improvements required.

WATER: 8" water exists in Starboard Dr. south of tract, okay as is. No public water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: 8" sewer exists in Starboard Dr. south of tract, okay as is. No public wastewater improvements required.

DRAINAGE: Existing site has associated drainage report; If proposing to re-develop site drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with Conditions)

Street lighting is required along public street frontages.

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

No objections to plat.

Fire: (Approved)

Future development shall meet the requirements of IFC 2015 ed. and locally adopted ordinances.

Code Compliance: (Approved)

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

Building: (Approved)

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

Planning: (Approved)

The zone change to RR, Regional Retail District for this plat was approved at the September 28, 2021, City Council meeting. (Ordinance No. 10245)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat Gateway Plaza, Section 14, 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
Map
Ordinance No. 10245



Final Plat Application

Project Number:

Case Number:

SUB-21-0450
P-21-1204**Proposed Subdivision Plat Name:** Gateway Plaza, Section 14**Legal Description (attached sealed Metes and Bounds):** Being a Re-Plat of Lot 11, Block 3, Gateway Plaza Addition, Section 13, an Addition to the City and County of Midland, Texas**Property Owner**

Printed Name: Open Door Real Estate LLC

Phone ()
Email

Address 5606 Starboard Dr

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

Total Acreage: 2.3

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

Number of Lots: 2

Number of Multi-Family Dwelling Units:

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

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

RECEIVED
SEP 28 2021

BY:

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): Clay Stanford Date: 9/28/21
Property Owner (printed): Clay Stanford

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 Open Door Real Estate 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 28th day of September, 2021, to certify which witness my hand and seal of office.



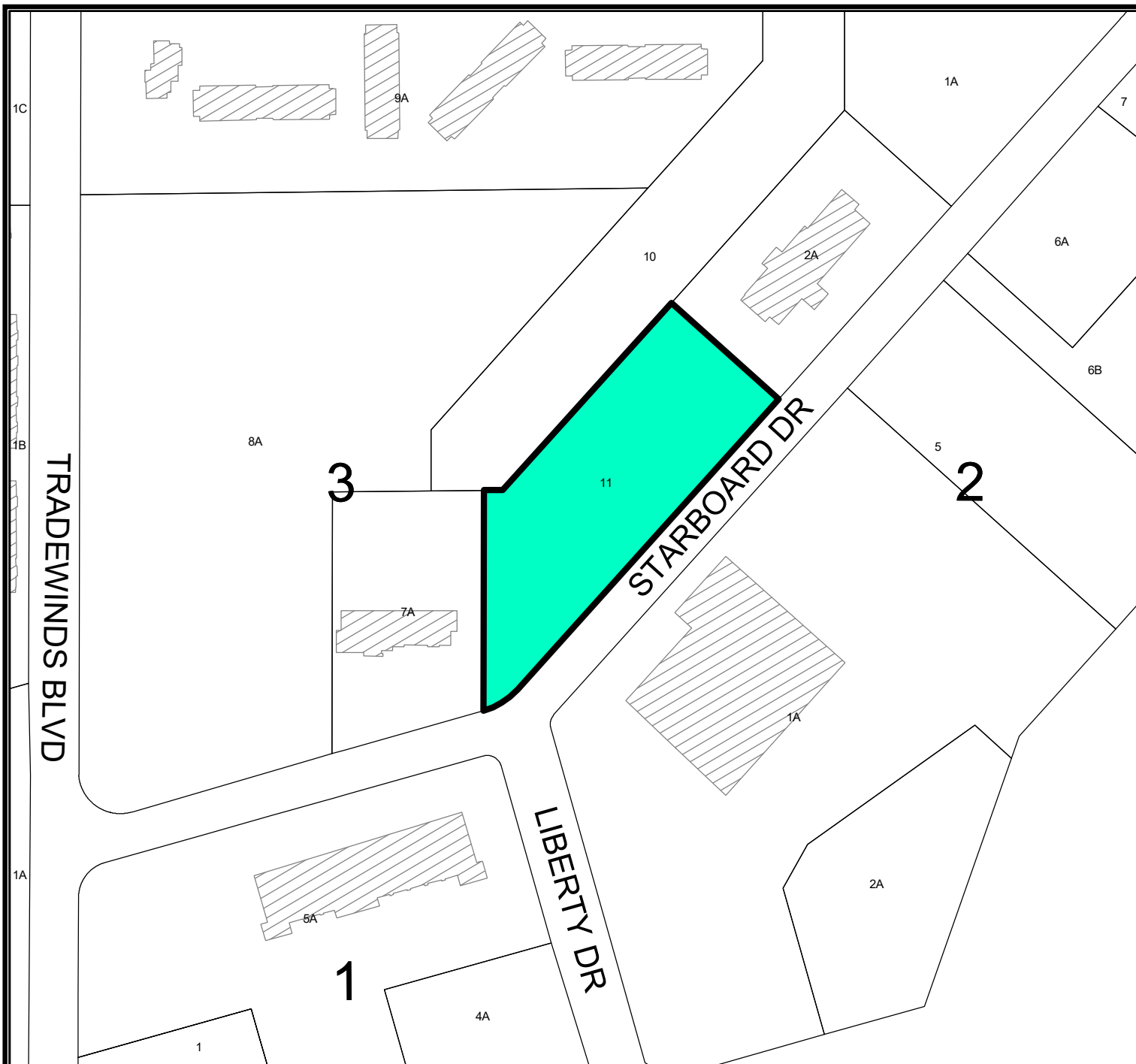
Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☒ CADD File
☒ Application Fee	☒ Title Opinion	☒ Public Improvement
Check # <u>3605</u>	☒ Tax Certificates	☒ Recording Fee <u>3606</u>

Received By: Cole Farnsworth Date: 9-29-21

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



LOCATION MAP

SUB-21-0450

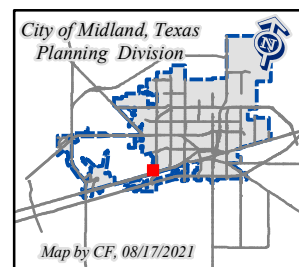
Scale: 1" = 200'

Proposed plat of Gateway Plaza, Section 14, being a re-plat of Lot 11, Block 3, Gateway Plaza Addition, Section 13, City and County of Midland, Texas.

Generally located on the north side of Starboard Road, approximately 598 feet east of S. Tradewinds Boulevard. (District 4)

LEGEND

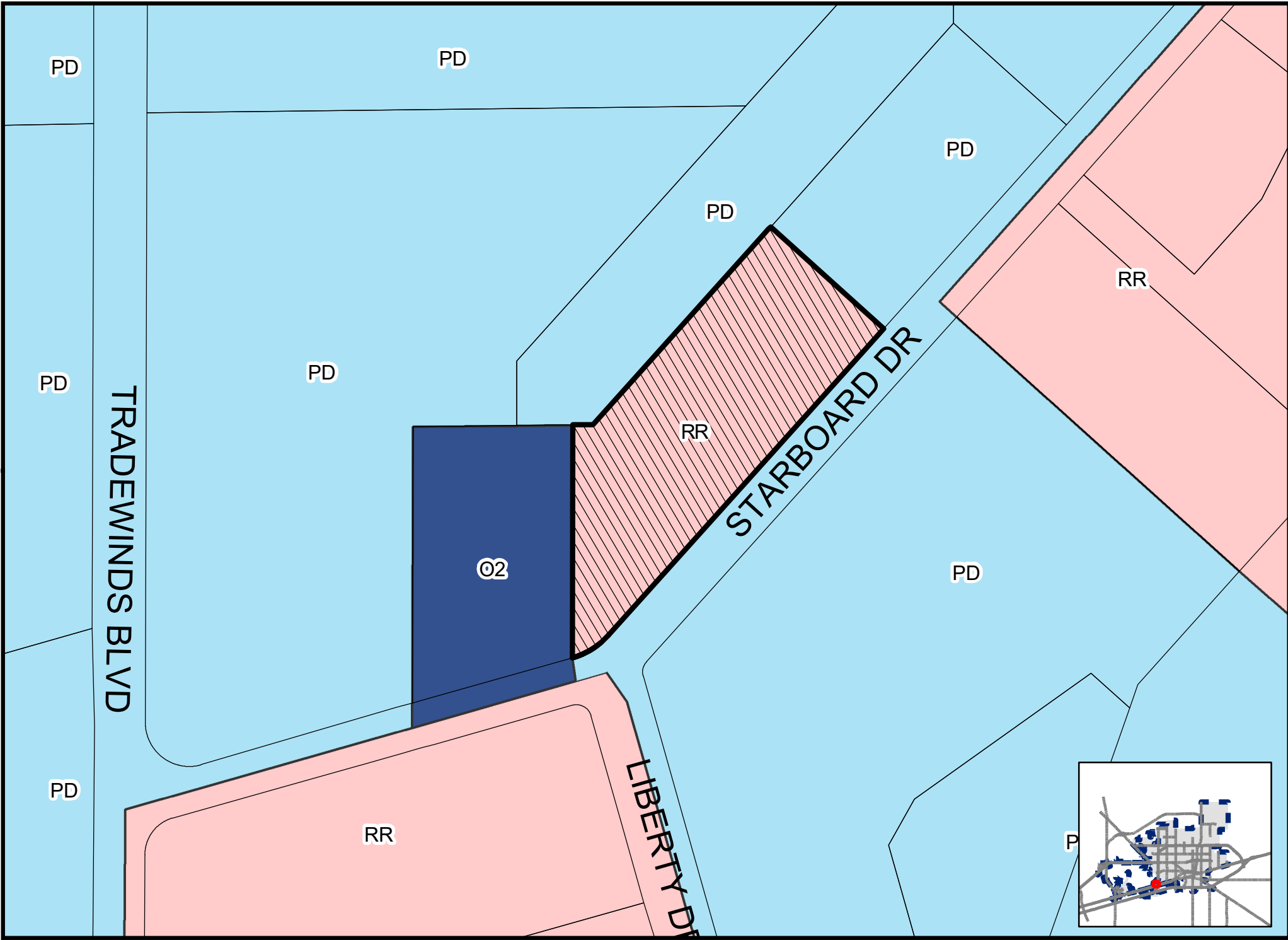
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a proposed Final Plat of Ruckus Addition Section 2 being a plat of a 2.489-acre tract of land located in Section 30, Block 38, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the east side of Fairgrounds Road, approximately 1,582-feet south of E. Loop 250 North. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

MF-16, Multi-Family Dwelling District

Preliminary Plat Approval:

The applicant, Schumann Engineering is proposing to plat a 2.489-acre tract of land located in Section 30, Block 38, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas to obtain building permits. The Preliminary Plat was approved at the September 7, 2021, Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

Departmental Review:

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

Below are the departments' comments.

Engineering: Approved

IMPACT FEES: Impact fees okay as shown.

ROW: Okay as shown

PAVING: No public paving improvements required.

WATER: Water requirements were administratively approved on 09/28/2021

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

PRO RATA: None

SEWER: Wastewater requirements were administratively approved on 09/28/2021

DRAINAGE: No drainage report required at this time. Existing site is developed; if proposing to re-develop, site drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Sidewalk requirements were administratively approved on 09/28/2021

DIMENSION: * * *

OTHER: * * *

Transportation: Approved

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

No objections to plat.

Fire: Approved

No additional comments.

Oil and Gas: Approved

This location already had existing buildings on the property inside the 500 ft. radius of the permitted well. These structures were on the property prior to the well. Due to that fact of reconstruction of new structures on the same property have not changed its standing. No variance being required in this situation.

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.

Planning: Approved

Staff recommends approval of the Final Plat of Ruckus Addition, Section 2, 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:

Case Number:

GUB-21-0940
P-21-1188

Proposed Subdivision Plat Name: **Ruckus Addition Section 2**

Legal Description (attached sealed Metes and Bounds): **BEING A PLAT OF A 2.489 ACRE TRACT OF LAND LOCATED IN SECTION 30, BLOCK 38, T-1-S, T&P RR CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.**

Property Owner

Printed Name: **COLLIN R. TADLOCK**

Phone **432-695-6120**

Email

tadlockwaterpermanbasin@gmail.com

Address **3001 Goddard Pl**

City **Midland**

State **TX**

Zip **79705**

Developer (if different than Owner) Printed Name:

Phone ()

Email

Address

City

State

Zip

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

Printed Name: **Eduardo L. Aleman**

Phone **(432) 684-5548**

Email

ealeman@schumannonline.net

Address **800 N. Marienfeld Suite 100**

City **Midland**

State **TX**

Zip **79701**

Current Zoning:

Reason for Platting: **Construction Permits**

Plat Information

Total Acreage: **2.489**

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)
- 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: 9-13-21

Property Owner (printed): Collin R. Tadlock

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

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

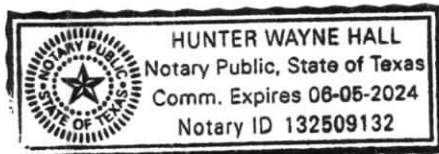
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Edward Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 13th day of September, 20 21, to certify which witness my hand and seal of office.



H. Hall
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☐ Mylar <i>MISSING</i>	☒ 1 Copy of Plat (11x17)	☐ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # <i>1688</i>	☒ Tax Certificates	Check # <i>1687</i>
Received By: <i>KM</i>		Date: <i>9/13/21</i>

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

BEING A PLAT OF A 2.489 ACRE TRACT
OF LAND LOCATED IN SECTION 30,
BLOCK 38, T-1-S,
T&P RR CO SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

COUNTY OF MIDLAND

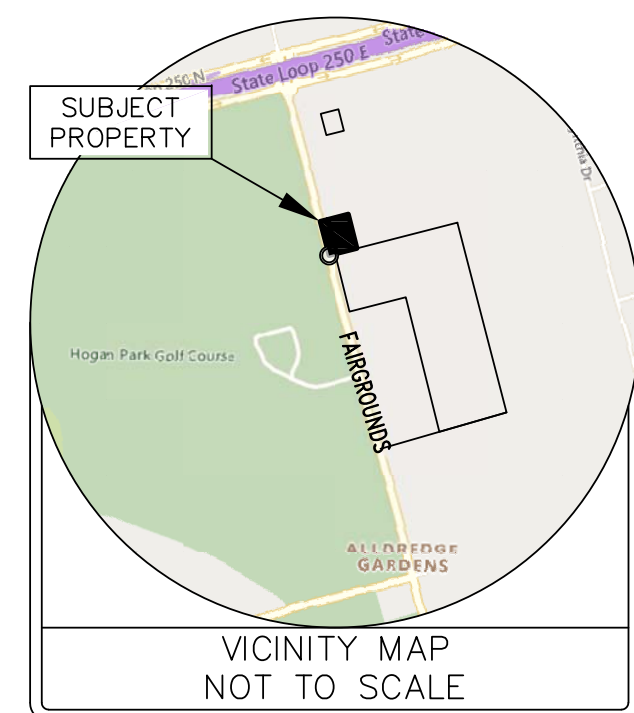
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

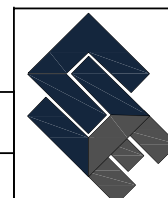
STATE OF TEXAS:
COUNTY OF MIDLAND:

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

COLLIN R. TADLOCK
3001 GODDARD PL
MIDLAND, TX 79705
(432) 695-6120
tadlockwaterpermianbasin@gmail.com



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

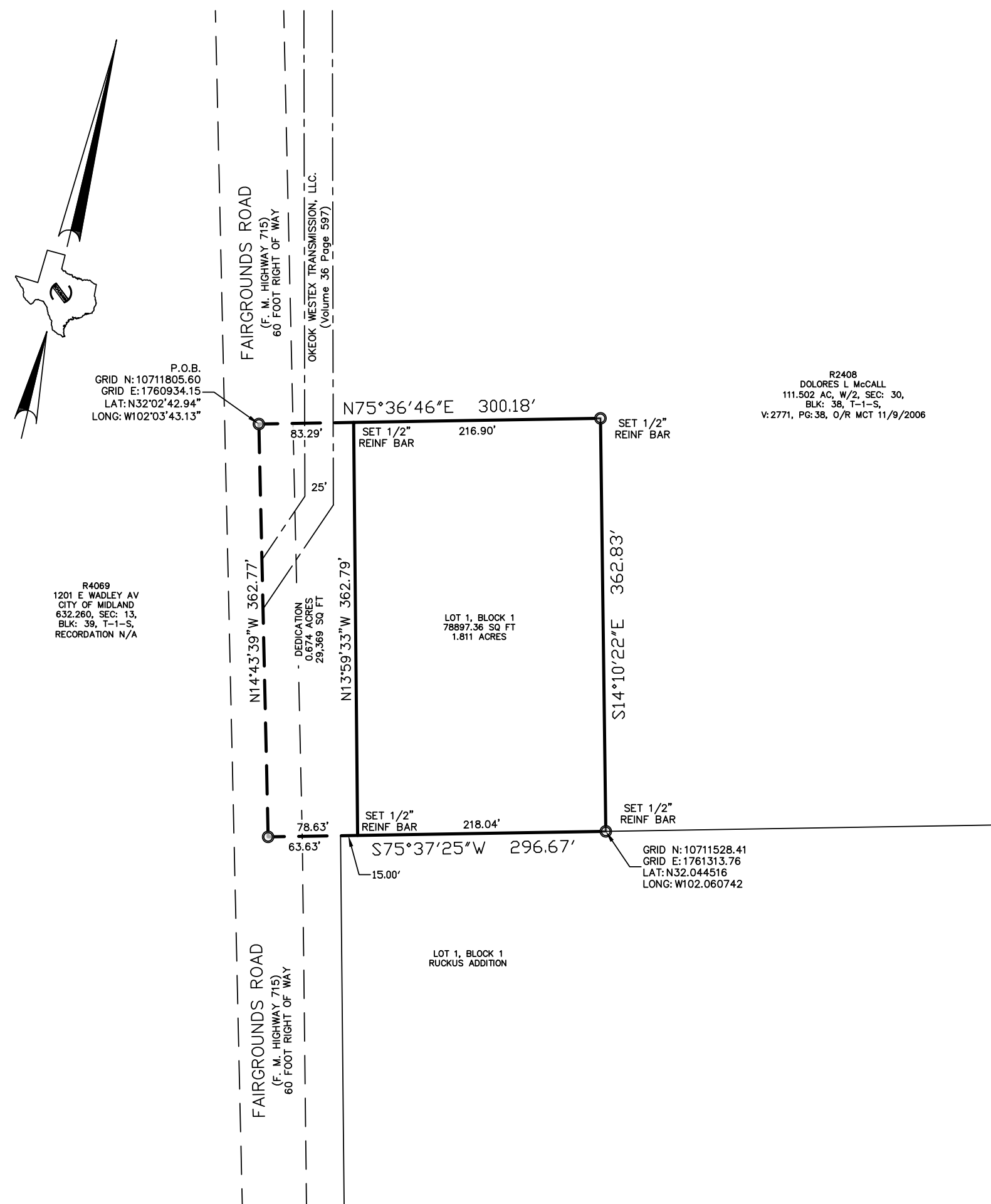


CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM No. F1880 - TEXAS FIRM No. 10149500

Office (432) 684-5548

RUCKUS ADDITION, SECTION 2

PACKET
Page 6.43
October 18, 2021



SYMBOLS LEGEND

- | | | |
|-----------------------|-----------------------|----------------------|
| ○ PROPERTY CORNER | — x — WIRE FENCE | Ⓜ WATER WELL |
| ⌚ POWER POLE | □ RETIRED BREAKER BOX | -- LOT LINES |
| —O— OVERHEAD ELECTRIC | — PROPERTY LINE | □ TELEPHONE PEDESTAL |
| GM
d.p. GAS METER | Ⓢ GAS RISER | Ⓢ SEWER MANHOLE |

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ONCOR ELECTRIC DELIVERY COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF RUCKUS ADDITION, SECTION 2, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2021.

SIGNED: _____
CHAIRMAN LUCY SISNIEGA

ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY

JAYME L. TADLOCK

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, JAYME L. TADLOCK

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

JAYME L. TADLOCK

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20_____, JAYME L. TADLOCK

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

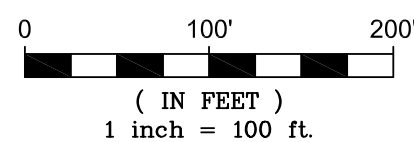
NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 2.489 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
6. THIS PROPERTY AS DEPICTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON THE FLOOD INSURANCE RATE MAP (FIRM) 48329-C0100F WITH AN EFFECTIVE DATE OF SEPTEMBER 16, 2005 IN ZONE "X".
7. ELEVATIONS SHOWN ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

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

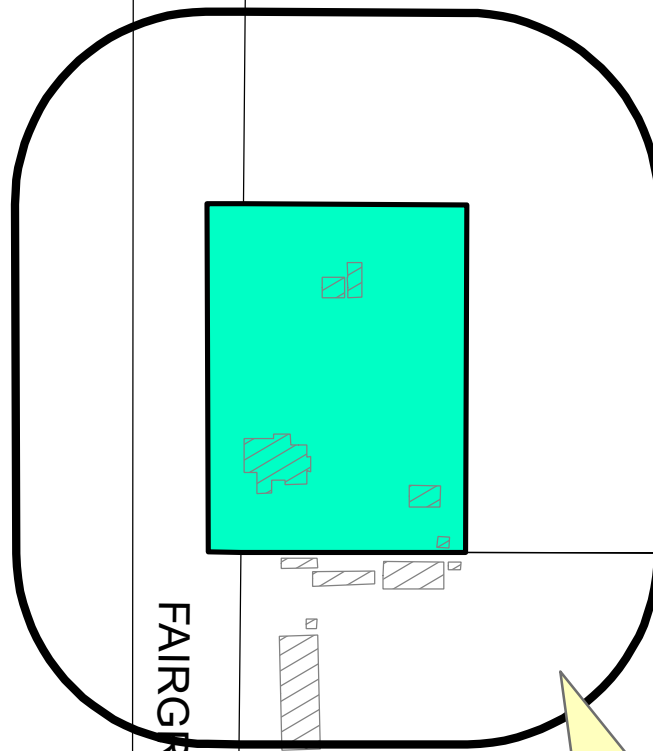
RJ DAUM
TEXAS RPLS 4826

GRAPHIC SCALE



				DRAWN BY: KDS	DATE: 6/11/2021
				CHECKED BY: RJD	DRAWING NO.: 77939
NO.	DATE	DESCRIPTION	BY	JOB NO.: 77,939	SHEET 1 OF 1

RUCKUS ADDITION, SECTION 2



FAIRGROUNDS RD

200-foot Public Notification Area

LOCATION MAP

SUB-21-0440

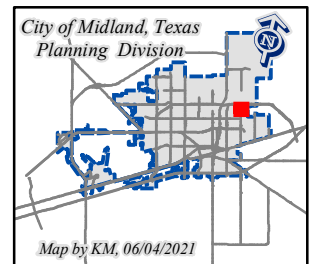
Scale: 1" = 200'

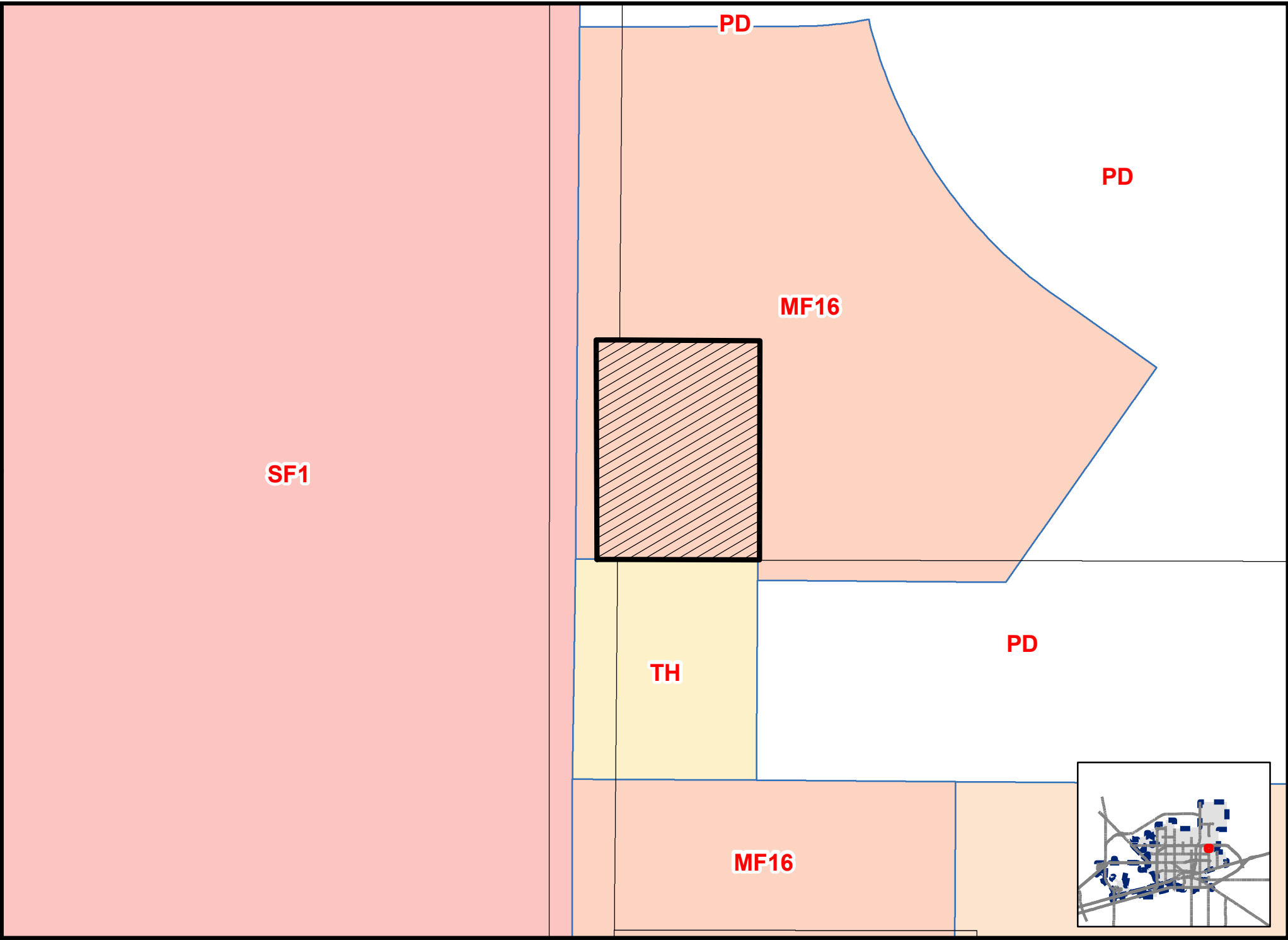
Proposed plat of Ruckus Addition, Section 2 being a plat of a 2.489-acre tract of land out of Section 30, Block 38, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas.

Generally located on the east side of Fairgrounds Road, approximately 1,582-feet south of E. Loop 250 North. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a proposed Final Plat of Claydesta Plaza Section 15, being a replat of Lot 6A, Block 7, Claydesta Plaza, Section 12, City and County of Midland, Texas. (Generally located on the north side of W. Wadley Avenue, approximately 412-feet of Desta Drive. Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

RR, Regional Retail District.

Preliminary Plat Approval:

The applicant, LCA, is proposing to replat Lot 6A, Block 7, Claydesta Plaza, Section 12, City and County of Midland, Texas for ownership purposes. This plat qualified for short form procedure; therefore, no preliminary hearing was required.

Final Plat Requirements:

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

Departmental Review:

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

Below are the departments' comments.

Engineering: Approved

IMPACT FEES: Note on plat face okay as shown.

ROW: R.O.W. okay as shown.

PAVING: Wadley Ave. okay as is. No public paving improvements required.

WATER: 12" & 20" water exists in Wadley Ave. south of tract, okay as is. No public water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: 21" sewer exists in Wadley Ave. south of tract, okay as is. Manhole placement has been discussed for future development but no public wastewater improvements required at this time.

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Okay as is.

DIMENSION: * * *

OTHER: * * *

Transportation: Approved

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

No objections to plat.

Fire: Approved

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

Oil and Gas: Approved

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

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..

Planning: Approved

Staff recommends approval of the Final Plat of Claydesta Plaza, Section 15, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number:

Case Number:

SUB-21-0449
P-21-1195

Proposed Subdivision Plat Name: Claydesta Plaza, Section 15

Legal Description (attached sealed Metes and Bounds): Being a replat of Lot 6A, Block 7, Claydesta Plaza, Section 12, City of Midland, Midland County, Texas

Property Owner

Printed Name: FRC Fundsub II, LLC

Phone ()

Email

Address 2311 Cedar Springs Rd. Ste. 300 City Dallas

State TX

Zip 75201

Developer (if different than Owner)

Printed Name:

Phone ()

Email

Address City State Zip

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

Firm: Landgraf, Crutcher & Associates

Printed Name: LCA

Phone (432) 332-5058

Email

Address 521 N. Texas Avenue City Odessa

State TX

Zip 79761

Current Zoning: RR

Reason for Platting: Ownership purposes. Future building permit will be required.

Plat Information

Total Acreage: 4.5

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

Number of Residential Lots: 0

Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

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

RECEIVED
SEP 15 2021

BY:

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

Date:

Property Owner (printed):

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

George E. Thornley
Authorized Agent (signature)

Subscribed and sworn to before me, this 15th day of September, 2021, to certify which witness my hand and seal of office.



Melanie Martinez
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY

- | | | |
|--|--|--|
| ☒ Property Owner Authorization | ☐ 1 Copy of Dimensioned Plat | ☐ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☐ Public Improvements |
| ☒ Application Fee | ☒ Title Opinion | ☒ Recording Fee |
| Check # <u>39353</u> | ☒ Tax Certificates | Check # <u>39355</u> |

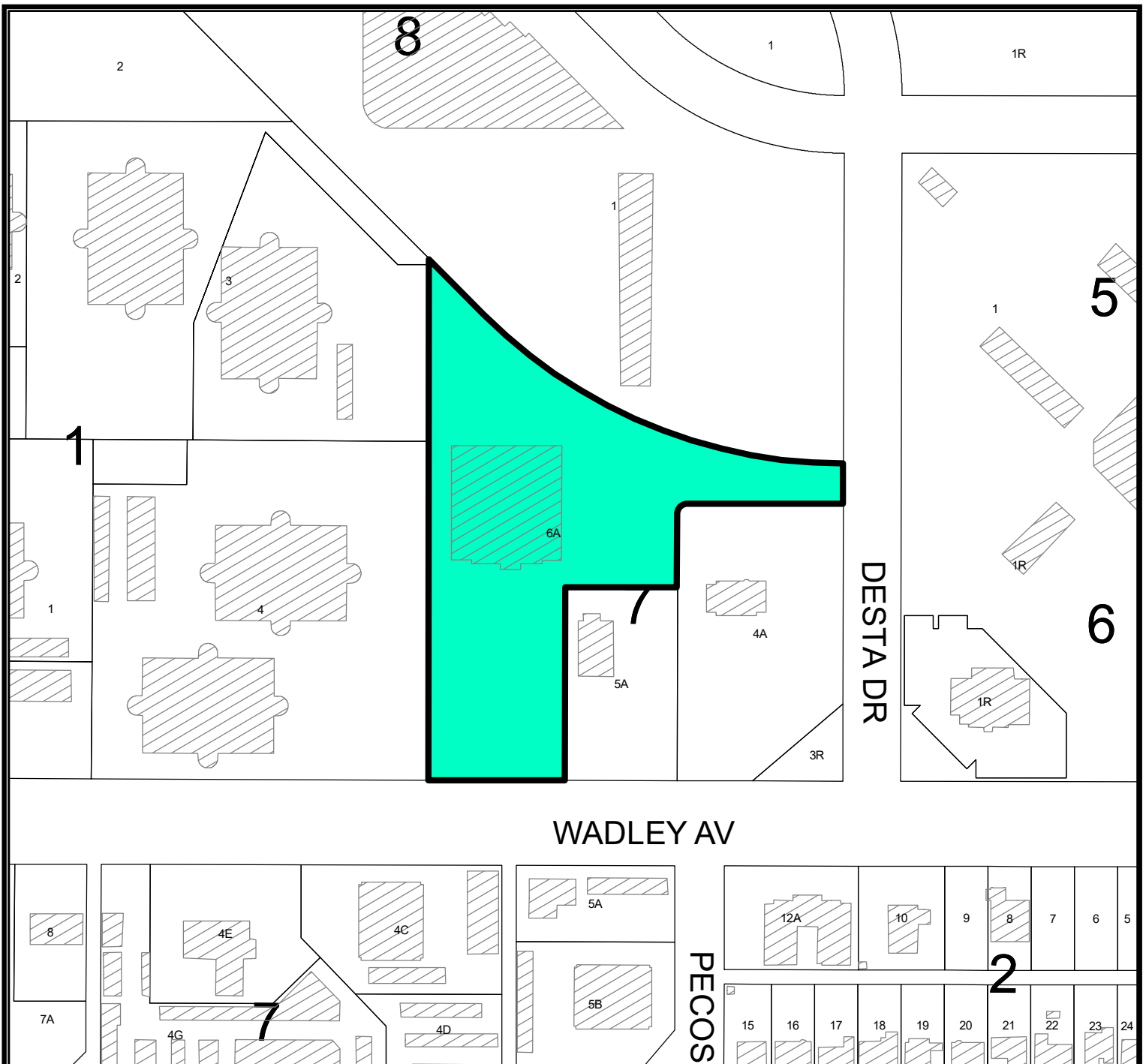
Received By: ES

Date: **RECEIVED**
SEP 15 2021

BY:

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

[illegible]



LOCATION MAP

SUB-21-0449

Scale: 1" = 200'

Proposed plat of Claydesta Plaza, Section 15 being a replat of Lot 6A, Block 7, Claydesta Plaza, Section 12, City and County of Midland, Texas.

Generally located on the north side of W. Wadley Avenue, approximately 412-feet west of Desta Drive. (Council District 3)

LEGEND

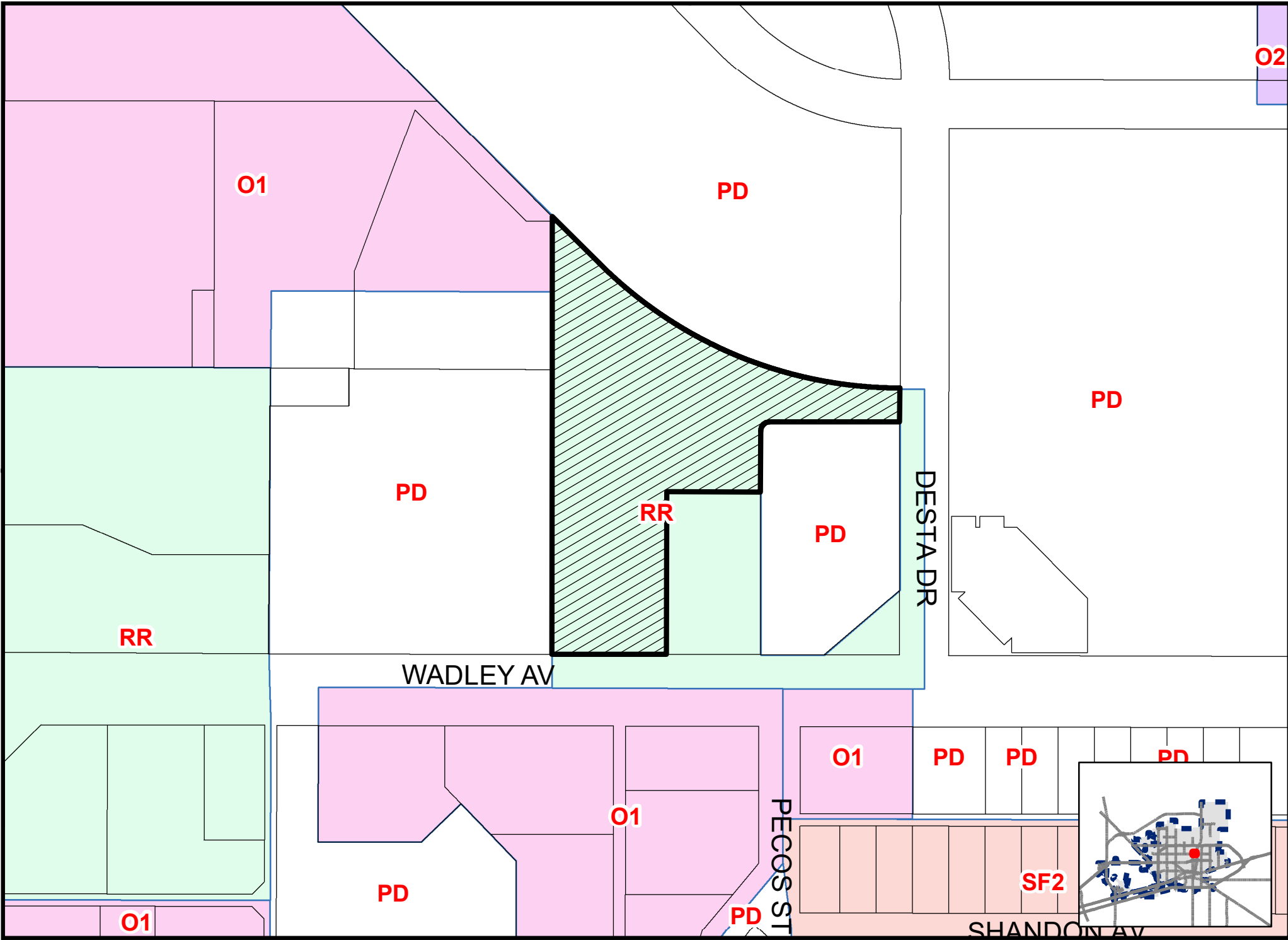
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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





Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of Sunset Acres, Section 10 being a plat of a 2.273-acre tract of land and a .079-acre portion of a previously vacated alley right of way all located in Section 20, Block 39, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Sinclair Avenue and N. Midkiff Road. Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Stephen T. Marcum is requesting to plat a 2.273-acre tract of land and a .079-acre portion of a previously vacated alley right of way all located in Section 20, Block 39, T-1-S, T&P, RR Co. Survey, City and County of Midland to obtain building permits.

Current Zoning:

PD, Planned Development for an Office Center (approved on October 12th by City Council)

Departmental Review:

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

Check shown coordinate values to make sure they are compatible with the GPS map.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee okay as shown.

ROW: ROW okay as shown.

PAVING: Midkiff Rd. okay as shown. No public paving improvements required.

WATER: 8" water line exists in N Midkiff Rd east of tract, okay as is. No public water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: Existing building is served by sewer therefore no public improvements required.

DRAINAGE: Existing site is developed, if proposing to re-develop site, drainage can be reviewed with building permit.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

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

No objections to plat.

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

GIS:

The POB and other points are off from existing.

PLANNING:

The legal description should be "being a plat of a 2.279-acre tract of land and a .079-acre portion of a previously vacated alley right of way all located in Section 20, Block 39, T-1-S, T&P, RR Co. Survey, City and County of Midland."

The POB and the second northing and easting are off. Double check meets and bounds.

The chairman name is Lucy Sisniega.

Final plat cannot be recorded until the vacation is approved.

Under Surveyor's Certificate, provide the surveyor's name and registration number.

The planning department supports approval of the preliminary plat subject to conditions A through B.

Conditions:

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

Attachments:

Proposed Preliminary Plat (Exhibit A)
Maps
Application



Preliminary Plat Application

Project Number

Case Number:

SUB-21-045
P-21-1198**Proposed Subdivision Plat Name:** Sunset Acres, Section 10**Legal Description (attached sealed Metes and Bounds):** Previously provided**Property Owner**Printed Name: Community & Senior Services of Midland

Phone (432) 230-4081

Email

Address 3301 Sinclair Ave.City MidlandState TXZip 79705**Developer (if different than Owner)**

Printed Name:

Phone (432) 230-4081

Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)Firm: Skyline Civil GroupPrinted Name: Stephen T. Marcum, P.E.

Phone (432) 230-4081

Email

smarcum@skylinecivilgroup.comAddress 3323 N. Midland Dr.; STE 113-166City MidlandState TXZip 79707**Current Zoning:** Re-Zone Pending to PD**Reason for Platting:** City Required for Building Permit**Plat Information**

Total Acreage:

2.273Type: ☐ Single-Family Residential☐ Multi-Family Residential☒ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1Number of Multi-family Dwelling Units: N/A**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.

Property Owner (signature):

Date: 08.01.21

Property Owner (printed):

Property Owner (printed): Kathleen Haynie / Senior Life Midland

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 Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is the owner of owner's agent or is authorized by Kathleen Haynie the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me this 21 day of Sep, 2021, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 5283

Received By: KM

Date:

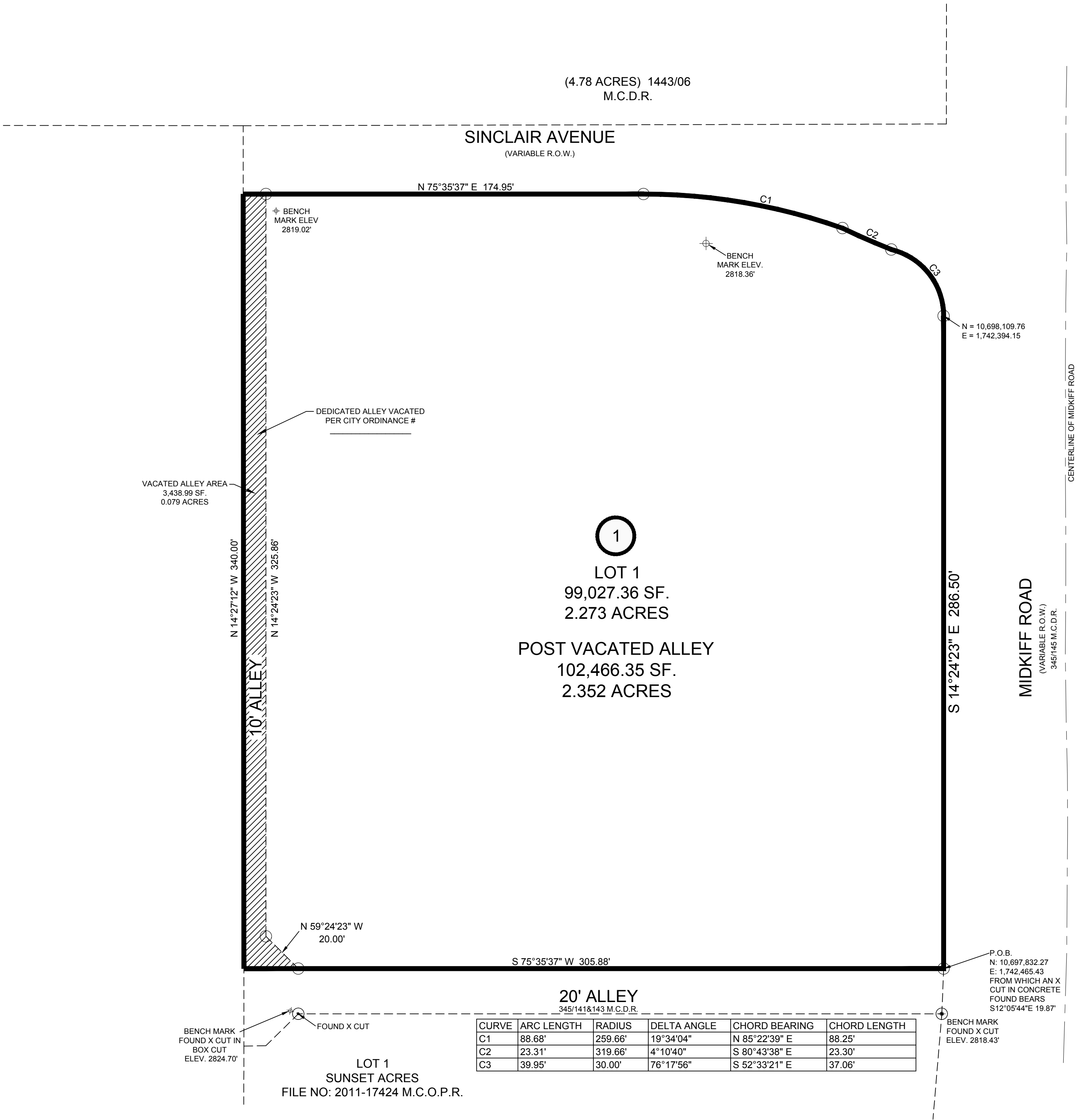
RECEIVED
SEP 21 2021
BY: KM

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

SUNSET ACRES ADDITION, SECTION 10

PRELIMINARY PLAT

BEING A PLAT OF 2.352-ACRE TRACT OF LAND LOCATED IN SECTION 20, BLOCK 39, T-1-S, T. & P. RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.



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

ATMOS ENERGY
BY: _____
GRANDE COMMUNICATION
BY: _____

AT&T
BY: _____
ONCOR ELECTRIC DELIVERY
BY: _____

SUDDENLINK COMMUNICATION
BY: _____

CERTIFICATE OF APPROVAL

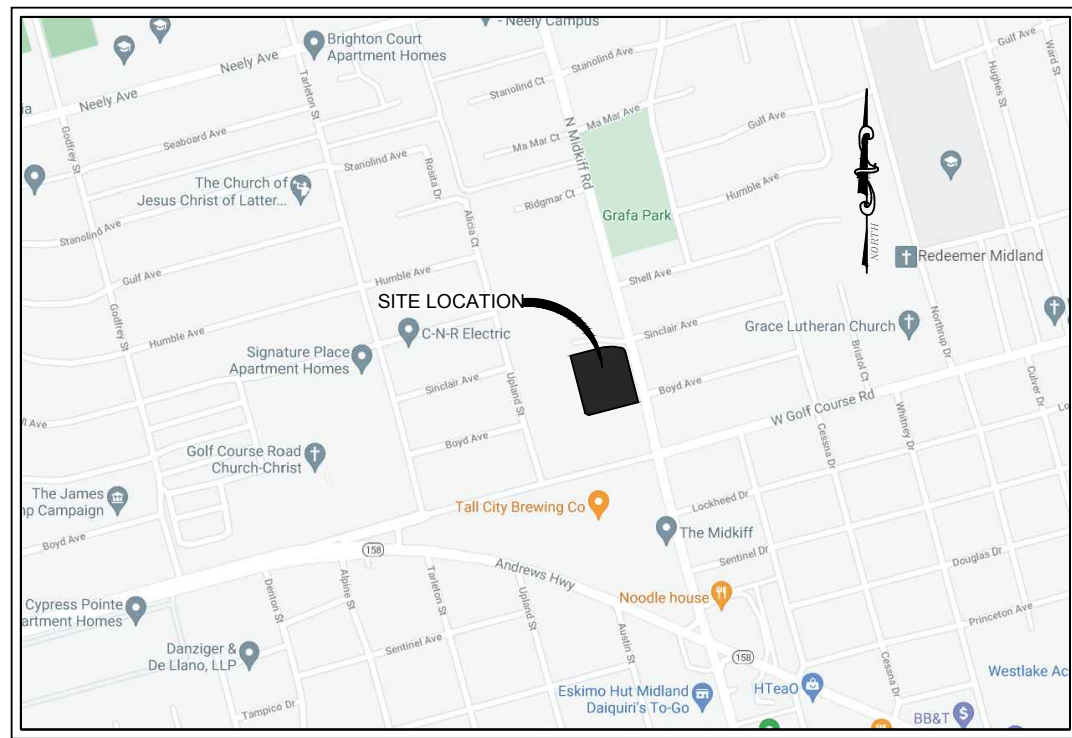
This is to certify that the above and foregoing plat of "SUNSET ACRES ADDITION, SECTION 10", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of _____, 2021.

CHAIRMAN, _____

SECRETARY, ELIZABETH SHAUGHNESSY

NOTES:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS/DISTANCES/COORDINATES TO THE TEXAS STATE PLANE COORDINATES SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1988.
- THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) EITHER TRACT IS RE-PLATTED 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.



VICINITY MAP
N.T.S.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Kathleen Haynie / Community & Senior Services of Midland, is the record owner of a tract of land described herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Kathleen Haynie / Community & Senior Services of Midland, being the owner of the aforementioned land shown on this plat designated as a portion of SUNSET ACRES ADDITION, SECTION 10, an Addition to Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

the ____ day of _____, 2021.

By: Kathleen Haynie / Community &
Senior Services of Midland

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, Kathleen Haynie 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 _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I _____, 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.

XXXXXXXXXXXXXXXXXXXX, R.P.L.S.
Registration Number - _____

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



SURVEYOR INFORMATION

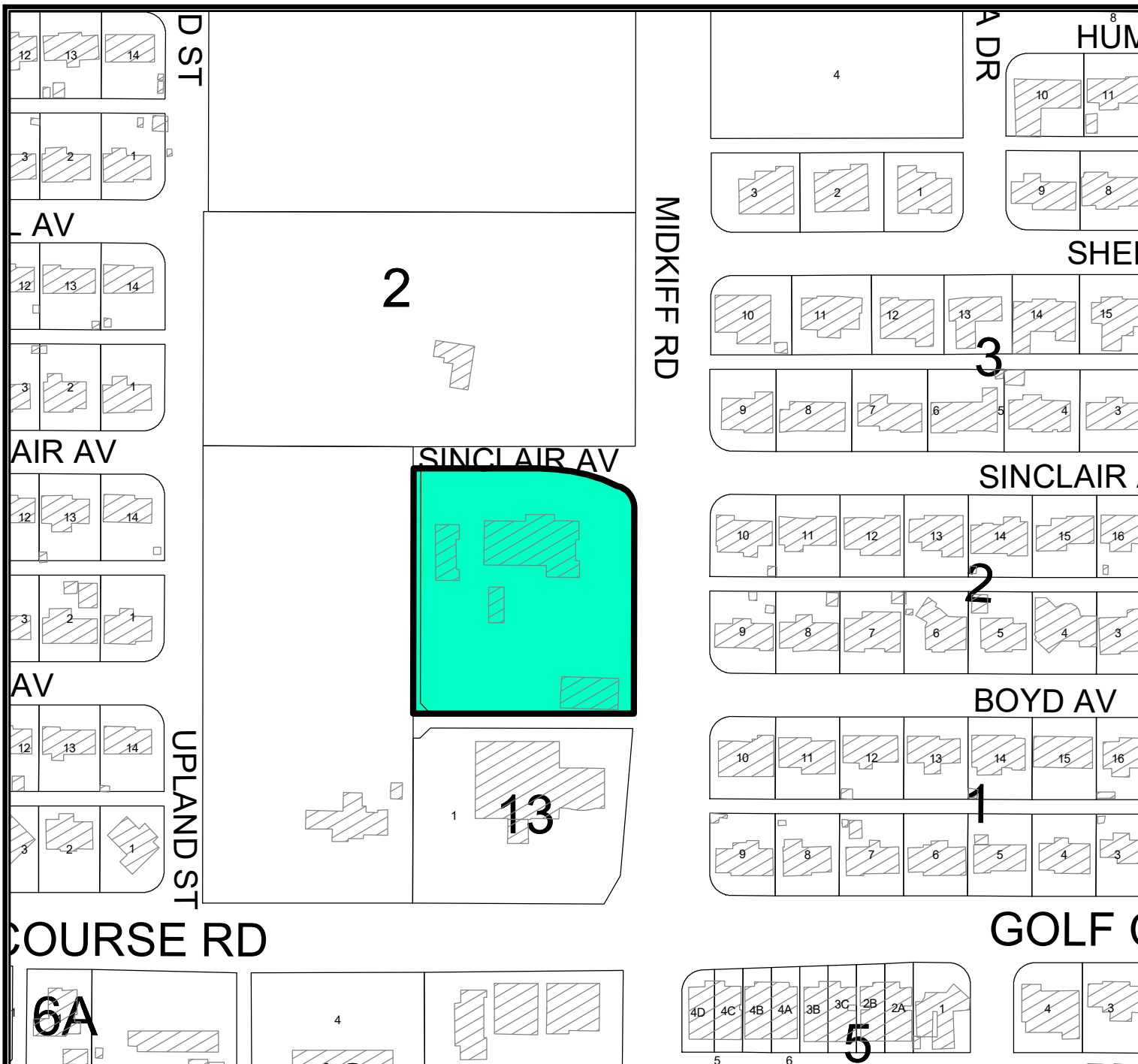
PRELIMINARY

SUNSET ACRES ADDITION,
SECTION 10

OWNER:
COMMUNITY & SENIOR
SERVICES OF MIDLAND
3301 SINCLAIR AVE.
MIDLAND, TX 79705

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, UNINCORPORATED AREA, COMMUNITY MAP NUMBER 48325C0088F, DATED SEPTEMBER 16TH, 2005, THIS PROPERTY IS SITUATED WITHIN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

LEGEND
○ DENOTES FOUND 1/2" IRON ROD W/CAP
• DENOTES FOUND 1/2" IRON ROD
--- DENOTES PLAT BOUNDARY LINE
- - - - - DENOTES ADJACENT LOT LINE



LOCATION MAP

SUB-21-0455

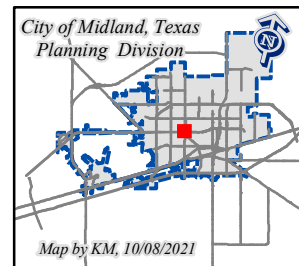
Scale: 1" = 200'

Proposed plat of Sunset Acres, Section 10 being a plat of 2.273-acre tract of land and a .079-acre portion of a previously vacated alley right of way all located in Section 20, Block 39, T-1-S, T&P, RR Co. Survey, City and County of Midland.

Generally located on the southwest corner of the intersection of Sinclair Avenue and N. Midkiff Road. (Council District 3)

LEGEND

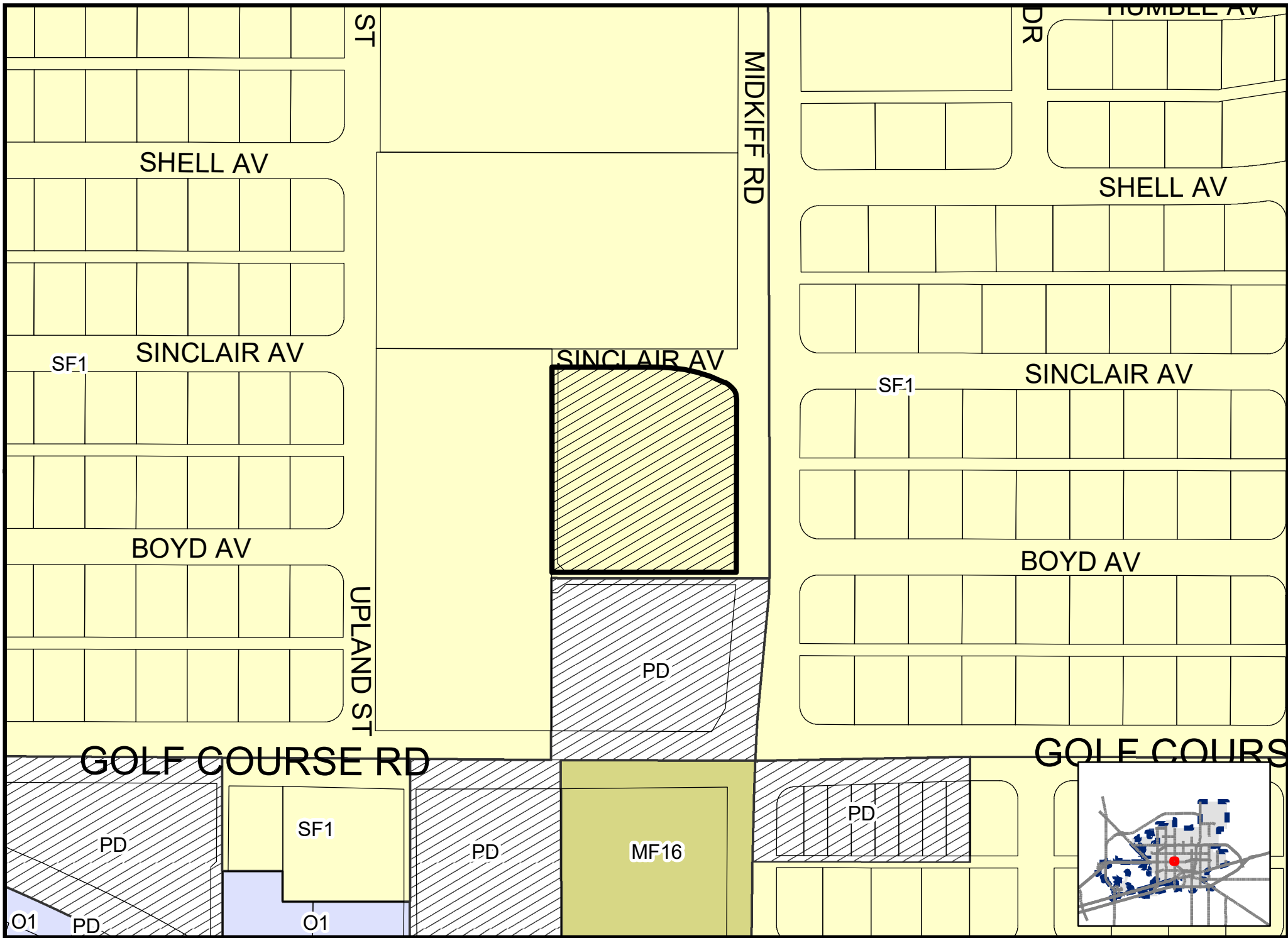
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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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: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of Shenandoah Ridge, being a 146.827-acre tract of land in Section 12, Block 39, T-1-S, T&P RR Co. Survey, City of Midland, Midland and Martin Counties, Texas. (Generally located on the northeast corner of North State Highway 349 and Occidental Parkway. Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is proposing to plat a 146.827-acre tract of land in Section 12, Block 39, T-1-S, T&P. RR. Co. City of Midland, Midland and Martin Counties, Texas for ownership purposes.

Current Zoning:

SF-3, Single Family Dwelling District, in part, AE, Agricultural Estate District, in part.

Departmental Review:

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

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Add the following note to the plat face:

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

ROW: ROW okay as shown.

PAVING: Pave the proposed internal streets to City of Midland Standards. Paving improvements have been submitted but not approved. Per email correspondence between the City of Midland and Maverick Engineering, the extension of the existing median is being required by both the City and TxDOT as a condition of allowing the new access points to be constructed on the state highway. So, if the developer chooses to go that route, this would have to be an appeal to City Council of a denial of access.

WATER: Water improvement plan set has been approved but infrastructure has not been accepted yet.

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: Water improvement plan set has been approved but infrastructure has not been accepted yet.

DRAINAGE: Drainage study has been approved on 07/12/2021

EASEMENTS: Show existing and proposed.

SIDEWALKS: construct sidewalks along the frontage of all lots within the subdivision.

DIMENSION: * * *

OTHER: For future reference, if the wells within subdivision boundaries are capped and pavement is proposed to be constructed over capped wells, then the cap must be three feet below the lowest utilities in the area, or three feet below top of pavement if no utilities are present.

TRANSPORTATION: (Approved with Conditions)

Existing median on BS 349 ends south of Badland Blvd. Developer will be responsible for extending median to north edge of the development (match existing median construction).

TxDOT requests extending raised median to north limits of plat at approx. 670 ft north of Loess St to allow establishment of the ultimate southbound left-turn lane for Loess and full width median north of that.

Construction of north half of Occidental Pkwy at BS 349 intersection and across frontage will be required as a public improvement with platting. Traffic requests that the north half street be extended across the existing ROW already dedicated by Renew Life Church. The Developer would be eligible for impact fee credits for all improvements on Occidental Pkwy.

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 29 new intersections created at \$500/intersection = \$14,500. Fee shall be adjusted based on number of intersections if Final Plat is phased.

TxDOT comments, "There is an existing driveway approximately 85' south of the proposed Badland Blvd. This access should be removed to accommodate Badland Blvd. There is also an existing SB left turn lane for the existing driveway, and may need to look at adjusting to make the turn lane accommodate Badland Blvd.

The median [shall] be extended to north side of development since it is showing some lots bordering BS 349 that could be an access management issue if they develop in the future."

Street lighting is required along public street frontages.

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

FIRE: (Approved)

Future development must meet the requirements of IFC 2015ed. and local amendments.

CODE COMPLIANCE: (Approved with Conditions)

There are three Oil and Gas permitted wells of the ones identified on the plat. (1) Mabee #6 permitted as the #4 with city on 1-25-11, (2) Mabee D #5 permitted on 1-24-12 (3) Mabee #5 permitted as #3 with city on 1-24-12. All currently operated by Pioneer Natural Resources. A 500' radius is included around these wells to identify the area that will need a future variance. A 135' radius is the minimum allowed that has been identified and included on the non-permitted wells as required. Building permits less than the 500 ft radius will need to be addressed with the Operator Pioneer prior submitting a requesting a variance to Building Official. Any occupied residential/commercial permits inside the 500 ft. radius would require a variance to the permitted well from the City Council and no closer than 135 ft. to any well. A variance would have to be presented to the City Council by the City Building Official. The variance request would be best if it included a letter of endorsement/support to the approved requested distance from the Operator. The needed information/example for variance request can be provided from the City Building Official- Jeff Pinkstaff. Access to well is shown as an ingress/egress. Developer will want to visit with operator to identify exact location of flow lines and electrical lines for all Wells identified on the plat. Recommend that flow lines are located and follow Engineering requirements of depth

and location under any city streets.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and floodplain requirements if necessary. Also, please see comments by Ron Jenkins.

SURVEYOR: (Approved)

Check the distance shown along the north line of the most northerly drainage easement (242.44').

GIS:

Endpoint does not meet the P.O.B.

PLANNING: (Approved with Conditions)

The proposed calls do not form a complete loop.

"The plat shall include 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."

Verify the square footage of the lots. This property was rezoned to SF-3, Single Family Dwelling District. Lots in this preliminary plat do not conform to the minimum lot area of 5,500 square feet. See Midland City Code 11-1-5.02, 11-1-5.04. See Midland City Code 11-2-3(D)4.

The block numbers are not in sequence.

Verify lot dimensions. The minimum lot width for the SF-3, Single-Family Dwelling District is 50 feet for interior lots. See Midland City Code 11-1-5.02, 11-1-5.04.

Under Certificate of Approval, please change the chairman name to Lucy Sisniega.

Please include the square footage for Lots 77-78, Block 8.

Remove duplicated notes on the face of the plat on page 2.

"Approval by the Council shall be required prior to consideration of a final plat by the commission for any preliminary plat which...Is ten hectares (25 acres) or more in area and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor;" Midland City Code § 11-2-3(D)11(A)1

Conditions:

All department's comments must be addressed as a condition of final plat approval. Staff recommends approval of the preliminary plat of Shenandoah Ridge, subject to conditions A through E.

- A. Approval of this preliminary plat is conditioned upon meeting the minimum lot width of 50 feet for interior lots in the SF-3, Single-Family Dwelling District. See Midland City Code 11-1-5.02, 11-1-5.04.
- B. Approval of this preliminary plat is conditioned upon meeting the minimum lot minimum lot area of 5,500 square feet in the SF-3, Single-Family Dwelling District. See Midland City Code 11-1-5.02, 11-1-5.04.
- C. Approval of this preliminary plat is conditioned upon include 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. See Midland City Code 11-2-3(D)4.
- D. That the required Public Improvements are adequately met.
- E. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Application
Map



Preliminary Plat Application

Project Number:

SUB-21-0412

Case Number:

P-21-1186

Proposed Subdivision Plat Name: Shenandoah Ridge

Legal Description (attached sealed Metes and Bounds): Being a 146.827 Acre Tract of Land in Section 12, Block 39, T-1-S, T&P RR. Co. Survey, City of Midland, Midland and Martin Counties, Texas

Property Owner

Printed Name:

Shenandoah Bar M Ranch LLC

Phone (432) 262.0999

Email

Address

City

State

Zip

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: SF3, AE

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage:

146.827

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

Number of Lots: 528

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 Shenandoah Bar M Ranch 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 9th day of September, 2021, to certify which witness my hand and seal of office.



Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

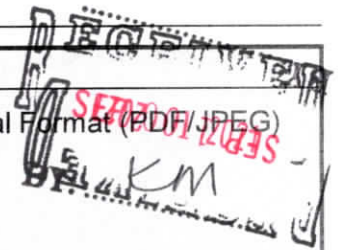
☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 3604

Received By: KM

Date: 9/10/21



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

PRELIMINARY PLAT SHENANDOAH RIDGE

BEING A 146.827 AC. ACRE TRACT
OF LAND IN SECTION 12, BLOCK 39,
T-1-S, & T&P RR. CO. SURVEY,
CITY OF MIDLAND, MIDLAND
AND MARTIN COUNTIES, TEXAS



BEARINGS, DISTANCES AND COORDINATES ARE RELATIVE
TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS
CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983
U.S. SURVEY FOOT.

LEGEND

- ✕ DENOTES TEXAS DOT HIGHWAY MONUMENT
- DENOTES 1/2-INCH IRON ROD W/RED PLASTIC CAP MARKED "MAVERICK 10/18/14" SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES EXISTING ELECTRIC BOX
- ⊕ DENOTES EXISTING FIRE HYDRANT
- ⊙ DENOTES EXISTING GUY ANCHOR
- ⊛ DENOTES EXISTING LIGHT POLE
- ⊞ DENOTES EXISTING PIPELINE MARKER
- ⊟ DENOTES EXISTING WATER VALVE
- ⊠ DENOTES EXISTING HATCH
- ⊡ DENOTES EXISTING OIL WELL
- ⊢ DENOTES EXISTING SIGN
- ⊣ DENOTES EXISTING STOP SIGN
- ⊤ DENOTES EXISTING PIPELINE STOP STATION
- ⊥ DENOTES EXISTING POWER POLE
- ⊦ DENOTES EXISTING UTILITY MARKER
- DENOTES PROPOSED BOUNDARY LINE
- - - DENOTES EXISTING PROPERTY LINE
- - - DENOTES PROPOSED EASEMENT LINE
- - - DENOTES EXISTING EASEMENT LINE
- - - DENOTES EXISTING SECTION LINE
- - - DENOTES EXISTING OVERHEAD ELECTRIC LINE
- - - DENOTES EXISTING UNDERGROUND ELECTRIC LINE
- - - DENOTES EXISTING FENCE LINE
- - - DENOTES EXISTING PIPELINE
- - - DENOTES EXISTING ASPHALT EDGE
- - - DENOTES EXISTING PAVEMENT
- - - DENOTES EXISTING FLOOD PLAIN
- P.A.M.C.T. OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- D.A.M.C.T. DEED RECORDS, MIDLAND CO., TX
- P.A.M.C.T. PLAT RECORDS, MIDLAND CO., TX
- O.P.A.M.C.T. OFFICIAL PUBLIC RECORDS, MARTIN CO., TX
- D.A.M.C.T. DEED RECORDS, MARTIN CO., TX
- P.A.M.C.T. PLAT RECORDS, MARTIN CO., TX

R = 470.00'
A = 205.74'
Δ = 22°14'38"
CB = 5°25'33"99" E
C = 181.33'

R = 530.00'
A = 205.74'
Δ = 22°14'38"
CB = 5°25'33"99" E
C = 204.47'

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



MAVERICK
ENGINEERING SURVEY & WATER RESOURCES
1909 West Main Street, Suite 700
Midland, Texas 79701
ENGINEER: RICHIE E. F. SLOAN
SURVEY: TRAVIS J. BERNHARDT
Tel: (432) 362-0999 Fax: (432) 362-0989
www.maverick-engineering.com

SHENANDOAH RIDGE

SHEET 2 OF 2

Drawing: F:\2019\190197-SHENANDOAH PETROLEUM CORPORATION\SHENANDOAH SUBDIVISION MASTER PLANNING\DRAWINGS\PLATS\OVERALL SUBDIVISION PLAT\190197-SHENANDOAH-BAR M RANCH PRELIMINARY PLAT FULLDWG. Last Saved By: AKJanak on 10/14/21

PRELIMINARY PLAT SHENANDOAH RIDGE

BEING A 146.827 AC. ACRE TRACT OF LAND IN SECTION 12, BLOCK 39,
T-I-S, T&P RR Co. SURVEY, CITY OF MIDLAND,
MIDLAND AND MARTIN COUNTIES, TEXAS

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SHENANDOAH BAR M. RANCH, LLC, IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 12, BLOCK 39, T-I-S, T&P. RR. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS AND MARTIN COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

WITNESS MY HAND AT _____, - _M.,

THE _____ DAY OF _____, 2021.

BY: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

THE _____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

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

_____ DAY OF _____, 2021.

REGGIE LAWRENCE, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, GREGORY W. SHOULTS, a Registered Professional Surveyor of the State of Texas, do hereby certify that this plat was prepared from a true and correct survey of the land and that the measurements shown thereon were properly located and shown in my supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

GREGORY W. SHOULTS, Registered Professional Surveyor
Maverick Engineering, Inc. (Formerly GWS Surveying, Inc.)
1909 W. Wall Street, Suite 100
Midland, TX 79701

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY

BY: _____

GRANDE COMMUNICATION
BY: _____

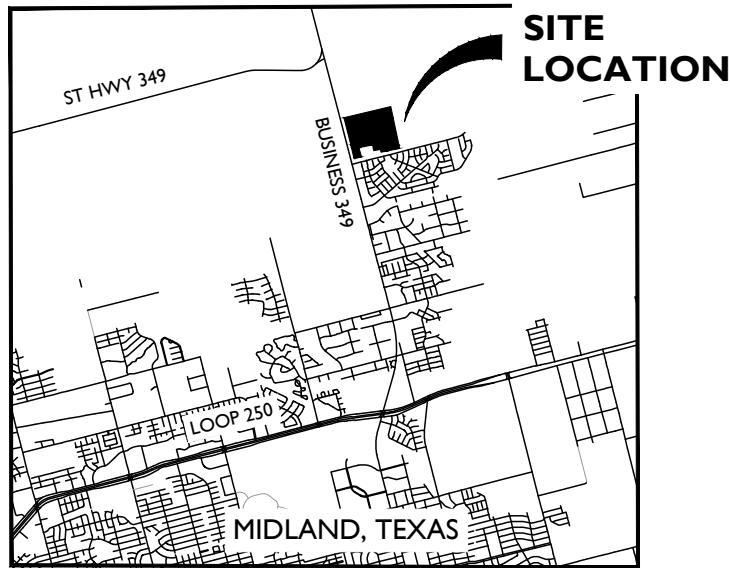
AT&T

BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

SUDDENLINK COMMUNICATION

BY: _____



VICINITY MAP

N.T.S.

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0100F, DATED SEPTEMBER 16, 2005, A PORTION OF THE PROPERTY LIES WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN." AND A PORTION OF THIS PROPERTY IS WITHIN ZONE "AH" DETERMINED TO BE AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOODING, WITH A BASE FLOOD ELEVATION OF 2820".

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 COMPANY.

DRAINAGE EASEMENT DEDICATED WITH THIS PLAT

1. THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS, AND ASSIGNS, SHALL HAVE THE FREE AND UNINTERRUPTED RIGHT OF PASSAGE IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF ESTABLISHING, LAYING, CONSTRUCTING, RECONSTRUCTING, INSTALLING, REALIGNING, MODIFYING, REPLACING, IMPROVING, ALTERING, OPERATING, MAINTAINING, ACCESSING, INSPECTING, REPAIRING, RELOCATING AND REMOVING DRAINAGE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, THE RIGHT TO CUT AND TRIM BUSHES AND TREES, TOGETHER WITH THE RIGHT OF INGRESS, EGRESS AND REGRESS FOR SUCH PURPOSES IN, ON, UPON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN.

2. DEVELOPER MAY NOT USE ANY PART OF THE PROPERTY DESCRIBED HEREIN IF SUCH USE WILL DAMAGE, DESTROY, INJURE, AND/OR UNDULY INTERFERE WITH THE CITY OF MIDLAND'S USE OF THE PROPERTY. DEVELOPER EXPRESSLY COVENANTS AND AGREES FOR ITSELF, ITS LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS, THAT NO BUILDING, ROADWAYS, OR CURBS AND GUTTERS OF ANY KIND WILL BE PLACED ON THE PROPERTY DESCRIBED HEREON. WRITTEN PERMISSION FOR ABOVE GROUND APPURTENANCES MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.

3. THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFICIENCIES IN THE FUNCTION OF THE STORMWATER FACILITY, AND TO BE REIMBURSED BY THE PROPERTY OWNER, IF THE CITY FINDS IT NECESSARY FOR PUBLIC HEALTH AND SAFETY.

4. THE MAINTENANCE OF ANY STORMWATER FACILITY IN THIS EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. PROPERTY OWNER AGREES TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH INSPECTIONS AND CORRECTIVE ACTION MADE AT LEAST ANNUALLY. REPORTS OF SUCH INSPECTIONS AND MAINTENANCE SHALL BE KEPT FOR INSPECTION BY THE CITY OF MIDLAND STORMWATER ADMINISTRATOR ON REQUEST, OR MAY BE FORWARDED TO THE CITY ENGINEER'S OFFICE.

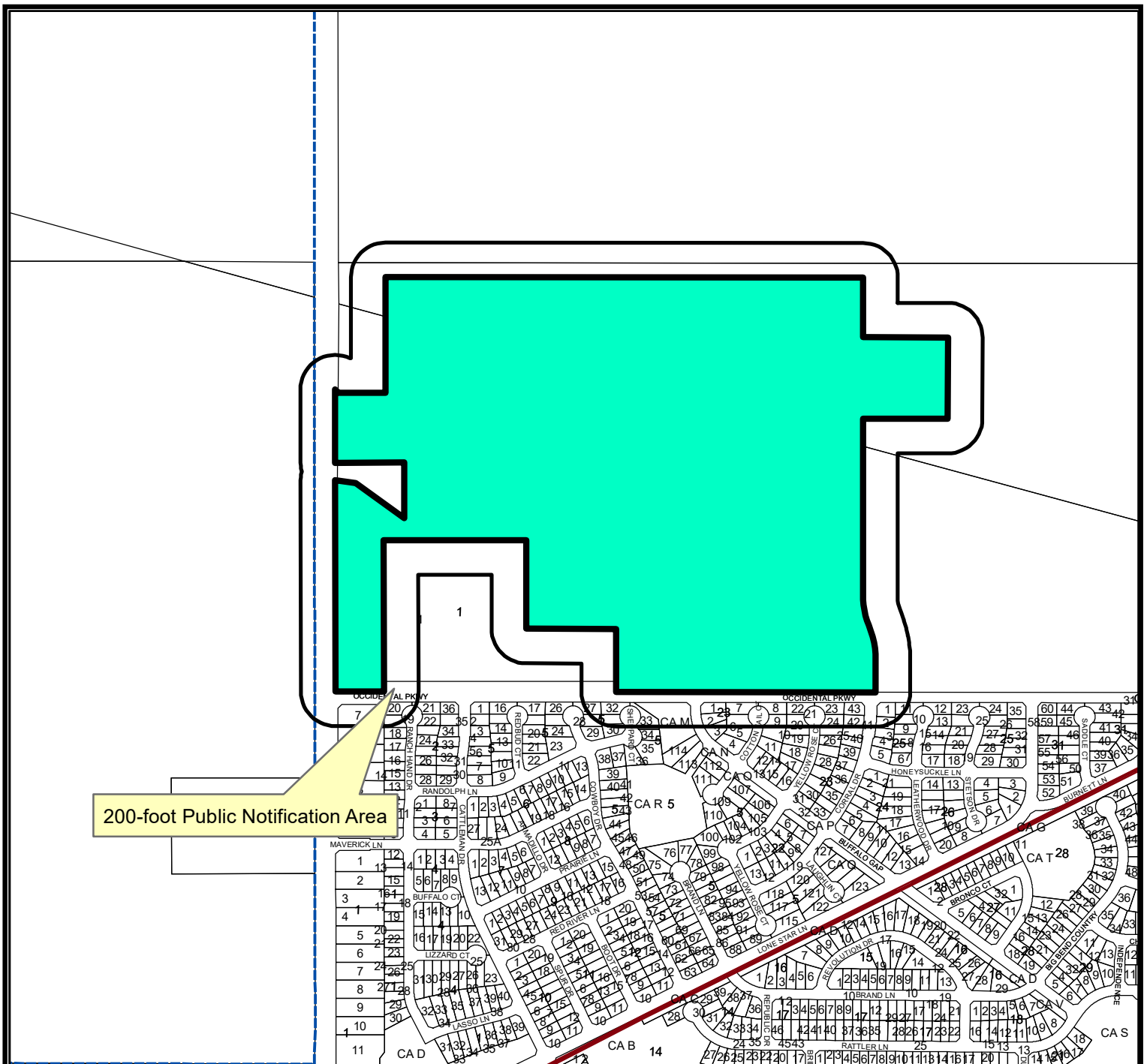
DEVELOPMENT NOTES

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITH-HOLDING OF UTILITIES AND BUILDING PERMITS.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
- BEARINGS, DISTANCES, COORDINATES, SQUARE FOOTAGES AND ACREAGES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, NORTH AMERICAN DATUM OF 1983, CENTRAL ZONE, U.S. SURVEY FOOT.
- THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
(1) THE REPRESENTED LOTS ARE REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR ;
(2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
- IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS, IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASED.
- TEMPORARY 60' TURNAROUND EASEMENT DEDICATED HEREBY. EASEMENT TO BE ABANDONED BY EXTENSION OF PUBLIC RIGHT-OF-WAY.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	240.00'	175.67'	171.77'	N 06°23'24" E	41°56'15"
C2	240.00'	121.49'	121.48'	N 07°00'49" W	5°07'48"
C3	240.00'	51.05'	50.95'	N 03°21'19" W	12°11'11"
C4	240.00'	54.73'	54.61'	N 09°16'14" E	13°03'55"
C5	240.00'	48.40'	48.32'	N 21°34'52" E	11°33'19"
C6	300.00'	219.58'	214.71'	N 06°23'24" E	41°56'15"
C7	300.00'	58.29'	58.20'	N 09°00'49" W	13°07'59"
C8	300.00'	60.91'	60.80'	N 02°22'15" E	11°37'58"
C9	300.00'	66.68'	66.55'	N 14°33'19" E	12°44'09"
C10	300.00'	33.70'	33.68'	N 24°08'27" E	6°26'08"
C11	300.00'	40.41'	40.42'	N 13°57'01" E	26°49'01"
C12	300.00'	40.45'	40.42'	N 23°29'46" E	7°43'31"
C13	300.00'	99.96'	99.50'	N 10°05'15" E	19°05'31"
C14	360.00'	184.30'	182.30'	N 12°41'33" E	29°19'57"
C15	360.00'	87.76'	87.54'	N 20°33'31" E	13°58'00"
C16	360.00'	96.65'	96.26'	N 05°43'23" E	15°21'57"
C17	60.00'	293.24'	77.11'	N 75°35'17" E	280°01'42"
C18	60.00'	146.27'	112.65'	N 05°43'12" E	139°40'47"
C19	60.00'	146.65'	112.77'	S 34°25'02" E	140°02'59"
C20	25.00'	21.68'	21.00'	S 10°23'59" W	49°40'47"
C21	25.00'	21.68'	21.00'	N 39°16'48" W	49°40'47"
C22	1430.00'	181.79'	181.67'	N 82°28'54" E	7°17'01"
C23	1430.00'	90.40'	90.38'	N 80°39'03" E	3°37'19"
C24	1430.00'	91.39'	91.38'	N 84°17'33" E	3°39'43"
C25	1370.00'	253.25'	252.89'	N 80°51'20" E	10°35'28"
C26	1370.00'	50.84'	50.84'	N 76°37'23" E	2°07'35"
C27	1370.00'	50.08'	50.08'	N 78°44'01" E	2°05'40"
C28	1370.00'	50.21'	50.21'	N 80°40'51" E	2°06'00"
C29	1370.00'	50.45'	50.45'	N 82°56'06" E	2°06'31"
C30	1370.00'	51.69'	51.69'	N 85°04'13" E	2°09'42"
C31	1507.00'	50.72'	50.71'	N 85°11'14" E	1°55'42"
C32	1507.00'	50.46'	50.46'	N 83°15'50" E	1°55'06"
C33	1507.00'	177.63'	177.35'	N 78°55'47" E	1°53'55"
C34	1507.00'	278.61'	278.21'	N 80°51'18" E	10°35'33"
C35	1447.00'	167.51'	167.42'	N 78°52'31" E	6°37'58"
C36	1446.00'	90.49'	90.47'	N 80°23'58" E	3°35'08"
C37	1445.83'	77.03'	77.02'	N 77°05'04" E	3°03'09"
C38	60.00'	198.30'	119.60'	S 30°33'33" E	189°21'30"
C39	25.00'	21.68'	21.00'	N 39°16'48" W	49°40'47"
C40	60.00'	1.14'	1.14'	N 63°34'33" W	1°05'17"
C41	60.00'	66.96'	66.96'	N 29°07'00" W	67°40'48"
C42	60.00'	30.97'	30.97'	N 19°35'03" E	29°34'19"
C43	60.00'	32.57'	32.17'	N 49°55'18" E	31°06'10"
C44	60.00'	62.59'	59.79'	S 84°38'39" E	59°45'55"
C45	25.00'	21.68'	21.00'	S 79°36'05" E	49°40'47"
C46	25.00'	21.68'	21.00'	S 79°36'05" E	49°40'47"
C47	370.00'	158.92'	157.70'	S 02°08'03" E	24°36'34"
C48	430.00'	184.69'	183.28'	S 02°08'03" E	24°36'34"
C49	430.00'	8.83'	8.83'	S 13°51'03" E	1°10'34"
C50	430.00'	60.30'	60.25'	S 09°14'44" E	8°02'04"
C51	430.00'	61.71'	61.66'	S 01°07'01" E	8°19'22"
C52	430.00'	53.86'	53.82'	S 06°34'57" W	7°10'34"
C53	415.00'	148.20'	147.41'	S 00°03'35" E	20°27'39"
C54	415.00'	72.05'	71.96'	S 05°11'49" W	9°56'49"
C55	415.00'	76.15'	76.05'	S 05°02'00" E	10°30'50"
C56	475.00'	173.97'	173.00'	S 00°19'19" E	20°59'06"

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C57	475.00'	98.10'	97.92'	S 04°15'15" W	11°49'58"
C58	475.00'	97.92'	97.99'	S 06°14'18" E	9°09'07"
C59	60.00'	292.54'	77.65'	N 14°26'20" W	279°21'34"
C60	25.00'	21.68'	21.00'	S 50°43'16" W	49°40'47"
C61	25.00'	2.41'	2.41'	S 72°47'46" W	5°31'49"
C62	25.00'	19.26'	18.79'	S 47°57'22" W	44°08'58"
C63	60.00'	56.30'	56.30'	S 63°06'12" W	61°20'09"
C64	60.00'	81.93'	75.71'	N 53°33'44" W	78°14'08"
C65	60.00'	88.48'	80.68'	N 27°48'20" E	84°29'20"
C66	60.00'	57.80'	55.59'	S 82°21'17" E	55°11'28"
C67	60.00'	292.54'	77.65'	N 14°26'20" W	279°21'34"
C68	25.00'	21.68'	21.00'	N 50°43'16" E	49°40'47"
C69	25.00'	5.25'	5.24'	N 69°32'36" E	12°02'07"
C70	25.00'	16.43'	16.13'	N 44°42'13" E	37°38'40"
C71	60.00'	62.34'	59.57'	N 55°38'43" E	59°31'40"
C72	60.00'	61.09'	58.49'	S 65°25'01" E	58°20'13"
C73	60.00'	95.64'	85.83'	S 09°24'36" W	91°19'39"
C74	60.00'	64.04'	61.04'	S 85°39'04" W	61°09'17"
C75	60.00'	292.54'	77.65'	N 14°26'29" W	279°21'34"
C76	25.00'	21.68'	21.00'	N 50°43'08" E	49°40'47"
C77	25.00'	10.62'	10.54'	N 63°23'44" E	24°19'55"
C78	25.00'	11.06'	10.97'	N 38°33'10" E	25°20'52"
C79	60.00'	56.82'	54.72'	N 53°00'33" E	54°15'38"
C80	60.00'	100.76'	89.33'	N 43°50'07" E	96°12'04"
C81	60.00'	67.49'	64.54'	N 48°43'72" E	64°44'07"
C82	60.00'	67.17'	63.72'	N 86°50'06" W	64°08'48"
C83	25.00'	21.68'	21.00'	N 79°36'05" W	49°40'47"
C84	25.00'	10.51'	10.43'	N 66°48'25" W	24°05'27"
C85	25.00'	11.17'	11.07'	S 88°21'17" W	25°35'21"
C86	60.00'	292.54'	77.65'	N 14°26'29" W	279°21'34"
C87	25.00'	21.68'	21.00'	S 50°43'08" W	49°40'47"
C88	25.00'	5.87'	5.85'	N 68°50'11" E	13°28'41"
C89	25.00'	15.81'	15.35'	N 78°55'47" E	36°14'06"
C90	60.00'	57.04'	54.91'	N 53°06'41" E	54°27'54"
C91	60.00'	50.16'	48.71'	S 75°42'19" E	47°54'04"
C92	60.00'	128.84'	105.48'	S 09°45'46" W	123°02'06"
C93	60.00'	56.50'	54.44'	N 71°47'42" W	53°57'30"
C94	25.00'	21.68'	21.00'	N 79°36'05" W	49°40'47"
C95	25.00'	16.83'	16.52'	N 74°03'01" W	38°34'38"
C96	25.00'	4.84'	4.84'	S 81°06'36" W	11°06'09"
C97	25.00'	31.81'	29.70'	N 39°06'41" E	72°53'45"
C98	60.00'	26.83'	26.53'	N 50°33'00" W	25°53'43"
C99	60.00'	249.73'	104.71'	N 58°06'01" W	238°28'21"
C100	60.00'	15.10'	15.06'	N 68°20'50" E	14°25'22"
C101	25.00'	31.81'	29.70'	N 39°06'40" E	72°53'44"
C102	60.00'	279.21'54"	77.65'	N 14°26'29" W	279°21'34"
C103	60.00'	8.24'	8.23'	S 58°41'44" E	7°52'01"
C104	60.00'	138.03'	109.55'	N 51°27'54" E	131°48'46"
C105	60.00'	138.03'	109.54'	N 80°20'43" W	131°48'28"
C106	60.00'	8.24'	8.24'	S 50°43'08" W	52°19'57"
C107	25.00'	21.68'	21.00'	S 79°36'05" W	49°40'47"
C108	25.00'	21.68'	21.00'	N 79°36'05" W	49°40'47"
C109	25.00'	21.68'	21.00'	S 50°43'08" W	49°40'47"
C110	60.00'	292.54'	77.65'	N 14°26'29" W	279°21'34"
C111	60.00'	21.68'	21.00'	S 79°36'05" E	49°40'47"
C112	60.00'	22.98'	22.84'	S 36°51'04" W	21°56'39"

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C113	60.00'	56.63'	54.55'	S74°51'48" W	54°04'50"
C114	60.00'	64.85'	61.74'	N47°08'02" W	61°55'30"
C115	60.00'	48.94'	47.59'	N07°11'37" E	46°43'46"
C116	60.00'	72.67'	68.31'	N65°15'17" E	69°23'35"
C117	60.00'	26.48'	26.27'	S67°24'18" E	25°17'14"
C118	25.00'	8.63'	8.58'	N85°26'38" E	19°46'14"
C119	25.00'	21.68'	21.00'	N51°27'59" W	31°48'37"
C120	25.00'	13.03'	12.90'	N40°49'49" E	29°54'10"
C121	25.00'	8.63'	8.59'	N65°40'13" E	19°46'38"
C122	60.00'	292.54'	77.65'	N14°26'29" W	279°21'34"
C123	60.00'	82.24'	82.24'	N08°05'31" E	75°20'11"
C124	60.00'	138.03'	109.55'	S80°20'43" E	31°48'28"
C125	60.00'	138.03'	109.55'	S1°27'54" W	31°48'46"
C126	60.00'	8.24'	8.23'	N58°41'42" W	75°20'11"
C127	25.00'	21.68'	21.00'	N50°43'08" E	49°40'47"
C128	25.00'	21.68'	21.00'	N21°00'51" E	49°40'47"
C129	60.00'	138.03'	109.55'	S51°27'59" W	31°48'37"
C130	60.00'	8.24'	8.23'	N58°41'42" W	75°20'11"
C131	60.00'	138.03'	109.55'	S80°20'43" E	31°48'28"
C132	60.00'	138.03'	109.55'	S1°27'54" W	31°48'46"
C133	60.00'	82.24'	82.24'	N08°05'31" E	75°20'11"
C134	25.00'	21.68'	21.00'	N79°36'55" W	49°40'47"
C135	25.00'	21.68'	21.00'	N50°43'08" E	49°40'47"
C136	60.00'	292.54'	77.65'	S14°26'29" W	279°21'34"
C137	60.00'	82.24'	82.24'	N08°05'31" E	75°20'11"
C138	60.00'	138.03'	109.55'	S80°20'43" E	31°48'28"
C139	60.00'	138.03'	109.55'	S1°27'54" W	31°48'46"
C140	60.00'	8.24'	8.23'	N58°41'42" W	75°20'11"
C141	25.00'	21.68'	21.00'	N79°36'55" W	49°40'47"
C142	25.00'	21.68'	21.00'	N50°43'08" E	49°40'47"
C143	60.00'	292.54'	77.65'	N15°34'40" E	279°21'34"
C144	60.00'	40.64'	39.87'	S15°50'09" W	38°48'36"
C145	60.00'	68.18'	64.57'	S36°07'15" E	65°06'12"
C146	60.00'	74.91'	70.11'	N75°33'31" E	71°29'56"
C147	60.00'	18.18'	18.18'	N07°14'18" E	71°29'56"
C148	60.00'	40.64'	39.86'	N44°42'58" W	38°48'19"
C149	25.00'	21.68'	21.00'	N10°24'04" E	49°40'47"
C150	25.00'	21.68'	21.00'	S39°16'44" W	49°40'47"
C151	60.00'	276.54'	31.88'	N29°34'40" E	279°21'34"
C152	60.00'	40.65'	39.88'	S15°49'48" W	38°49'18"
C153	60.00'	68.18'	64.57'	S36°08'11" E	65°06'40"
C154	60.00'	74.87'	70.11'	N75°33'31" E	71°29'56"
C155	60.00'	64.57'	64.57'	N15°51'31" E	65°06'40"
C156	60.00'	40.65'	39.88'	N44°42'37" W	38°49'00"
C157	25.00'	21.68'	21.00'	N10°24'04" E	49°40'47"
C158	25.00'	21.68'	21.00'	S39°16'44" W	49°40'47"
C159	530.00'	205.76'	204.47'	N25°33'39" E	22°38'38"
C160	530.00'	60.89'	60.82'	N25°33'39" E	6°06'23"
C161	530.00'	60.89'	60.82'	S23°50'07" E	6°34'41"
C162	530.00'	88.42'	88.32'	S31°54'01" E	9°33'31"
C163	470.00'	182.47'	181.32'	S25°33'39" E	22°38'38"
C164	470.00'	146.48'	145.89'	S23°22'02" E	17°51'24"
C165	470.00'	146.48'	145.89'	S23°22'02" E	17°51'24"
C166	25.00'	14.20'	14.05'	N42°08'57" E	32°32'09"
C167	25.00'	7.48'	7.45'	N6°59'21" E	17°08'38"
C168	25.00'	21.68'	21.00'	N42°08'56" W	32°32'09"
C201	60.00'	9.44'	9.45'	N59°15'55" W	9°00'45"
C202	25.00'	21.68'	21.00'	N79°35'56" W	49°40'47"



LOCATION MAP

SUB-21-0412

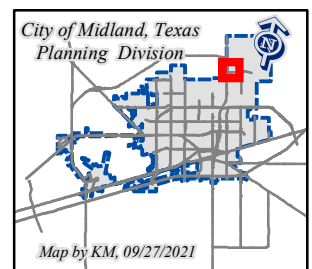
Scale: 1" = 833'

Proposed plat of Shenandoah Ridge, being a plat of a 146.827-acre tract of land out of Section 12, Block 39, T-1-S, T&P. RR. Co. City of Midland, Midland and Martin Counties, Texas.

Generally located on the northeast corner of North State highway 349 and Occidental Parkway. (Council District 1)

LEGEND

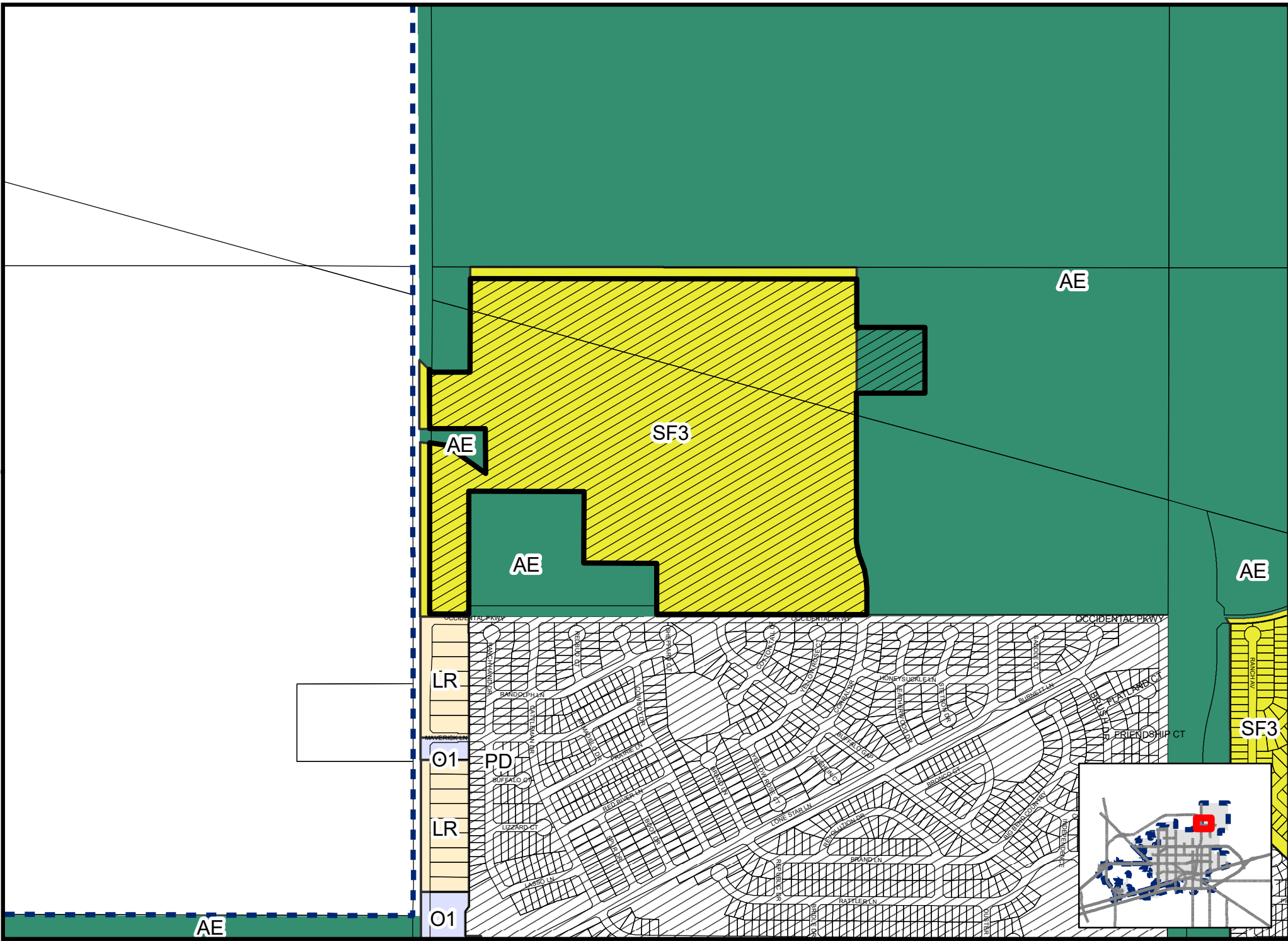
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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





**Planning and Zoning
Commission**

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of University Park Addition, Section 2, being a re-plat of Lots 3, 4, and 5, Block 7, University Park, County of Midland, Texas. (Generally located on the north side of Harvard Avenue, approximately 130-feet east of North "N" Street. Council District 2)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Bryan Reeves, is requesting to re-plat Lots 3, 4, and 5, Block 7, University Park, County of Midland, Texas into one (1) lot for a new home. This considered a residential replat, therefore; a public hearing is required.

"Unless otherwise expressly provided for herein, a property owner who proposes to replat any portion of an already approved final plat, other than to amend or vacate the plat, must first obtain approval for the replat under the same standards and by the same procedures prescribed for the platting of land by these regulations"... Is approved by the commission after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard." *SEE* Midland City Code 11-2-7(A)2(B)

Current Zoning:

This property is zoned SF-3, Single-Family Dwelling District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee note okay as shown

ROW: ROW okay as shown

PAVING: Harvard Ave okay as is. No public paving improvements required.

WATER: 6" water line exists in alley North of tract, okay as is. No public water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: 6" water line exists in alley North of tract, okay as is. No public water improvements required.

DRAINAGE: Considered in-fill residential development. No drainage report is required at this time.

EASEMENTS: 6" water line exists in alley North of tract, okay as is. No public water improvements required.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

TRANSPORTATION: (Approved)

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

No objections to plat.

FIRE: (Approved)

No additional comments.

CODE COMPLIANCE: (Approved with Conditions)

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.

PLANNING:

Verify Metes and bounds.

Staff recommends approval of the preliminary plat of University Park Addition, Section 2 subject to conditions A through B.

Conditions:

- A. Approval of this preliminary plat is conditioned upon the commission approval after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. See Midland City Code 11-2-7(A)2(B)
- B. That the technical items listed above are addressed.
- C. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Maps
Application



Preliminary Plat Application

Project Number: SWB-21-0458
Case Number: P-21-1193

Proposed Subdivision Plat Name: University Park Addition Section 2

Legal Description (attached sealed Metes and Bounds): BEING A RE-PLAT OF LOTS 3, 4 AND 5, BLOCK 7, UNIVERSITY PARK ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.

Property Owner

Printed Name: Bryan Reeves

Phone (432) 413-4052

Email kbr549oil@gmail.com

Address PO BOX 10143

City Midland

State TX

Zip 79702

Developer (if different than Owner) Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: Schumann Engineering Co., Inc.

Printed Name: Eduardo L. Aleman

Phone (432) 684-5548

Email
ealeman@schumannonline.net

Address 800 N. Mariefeld Suite 100

City Midland

State TX

Zip 79701

Current Zoning:

Reason for Platting: To combine all 3 lots into 1 lot for construction of a new home.

Plat Information

Total Acreage: 0.75

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 1

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):

Date: 9/15/21

Property Owner (printed): Bryan Reeves

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

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

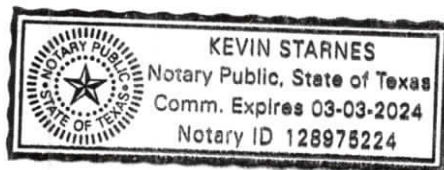
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Charles Y. Roman
Authorized Agent (signature)

Subscribed and sworn to before me, this 15th day of September, 20 21, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 1690

Received By: Cole Furqueron

Date: 9-15-21

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

BEING A RE-PLAT OF LOTS 3, 4 AND 5,
BLOCK 7, UNIVERSITY PARK ADDITION,
CITY AND COUNTY OF MIDLAND, TEXAS.

COUNTY OF MIDLAND

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20_____, BRYAN REEVES.

(432) 413-4052
kbr549oil@gmail.com

6. THIS PROPERTY IS DESIGNATED ZONE "X" AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FRIM) NUMBER 48329-C0088F. WITH THE EFFECTIVE DATE OF SEPTEMBER 16, 2005.



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



Office (432) 684-554

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ONCOR ELECTRIC DELIVERY COMPANY

SIGNED: _____
AT&T TEXAS

SIGNED: _____
ATMOS ENERGY

SIGNED: _____
SUDDENLINK COMMUNICATIONS

SIGNED: _____
GRANDE COMMUNICATIONS

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF UNIVERSITY PARK ADDITION, SECTION 2 WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2021.

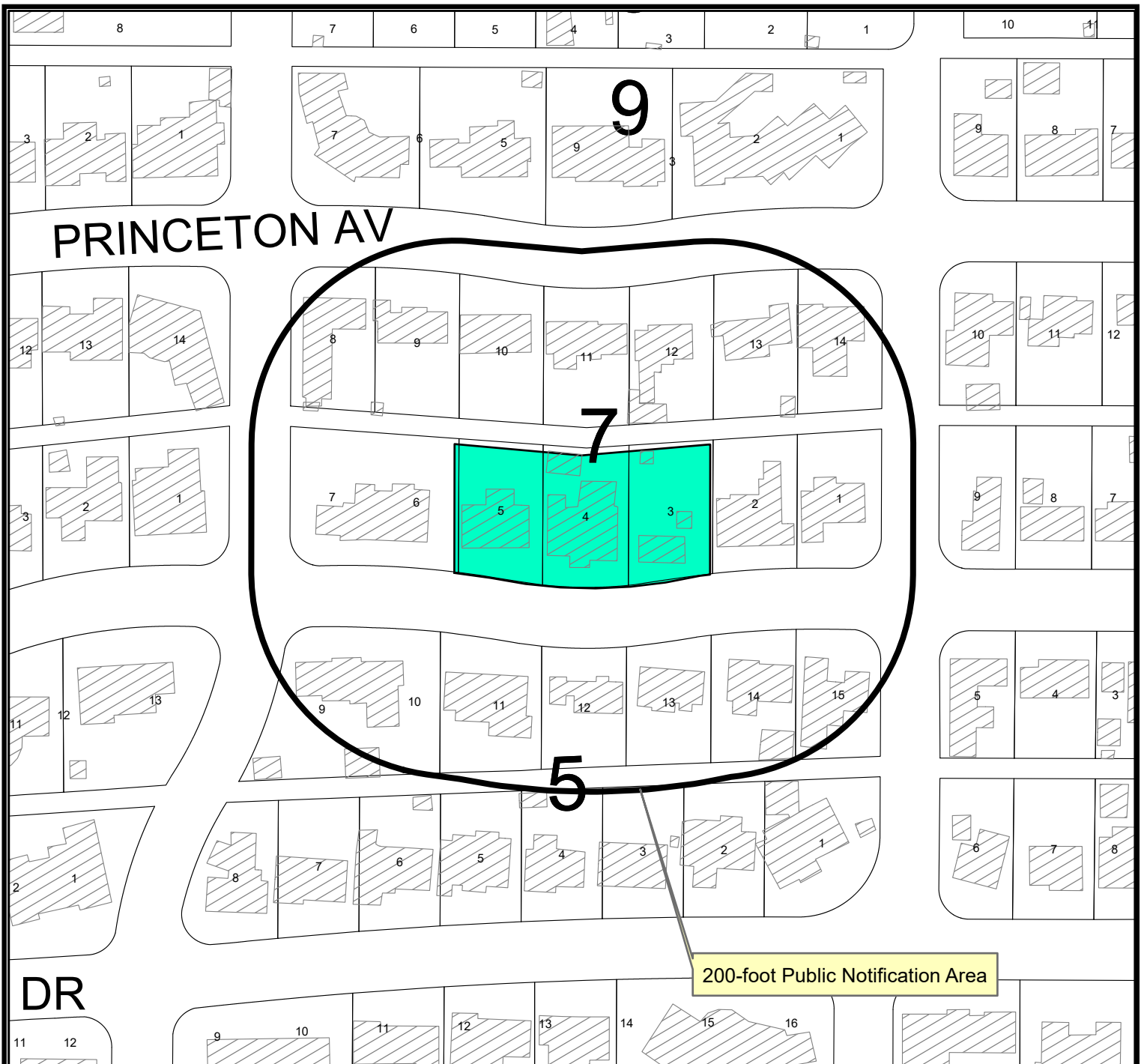
ATTEST: _____
SECRETARY ELIZABETH SHAUGHNESSY

RJ DAUM
TEXAS RPLS 4826

A horizontal graphic scale bar with three segments. The first segment is solid black, the second is white, and the third is solid black. Tick marks are at the ends of each segment. Labels '0', '60'', and '120'' are placed above the first, second, and third segments respectively.

(IN FEET)
1 inch = 60 ft.

					DRAWN BY: KDS	DATE: 8/23/2021
					CHECKED BY: RJD	DRAWING NO.: 78035
1	9/15/21	Preparation of Preliminary plan	ELA		NO. 78,035	SHEET 1 OF 1
NO	DATE	DESCRIPTION	RY			



LOCATION MAP

SUB-21-0458

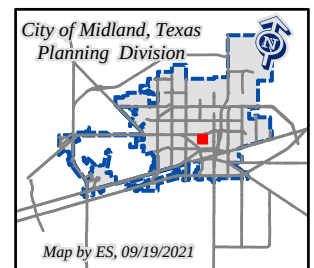
Scale: 1" = 200'

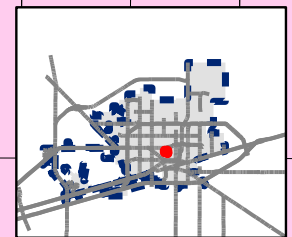
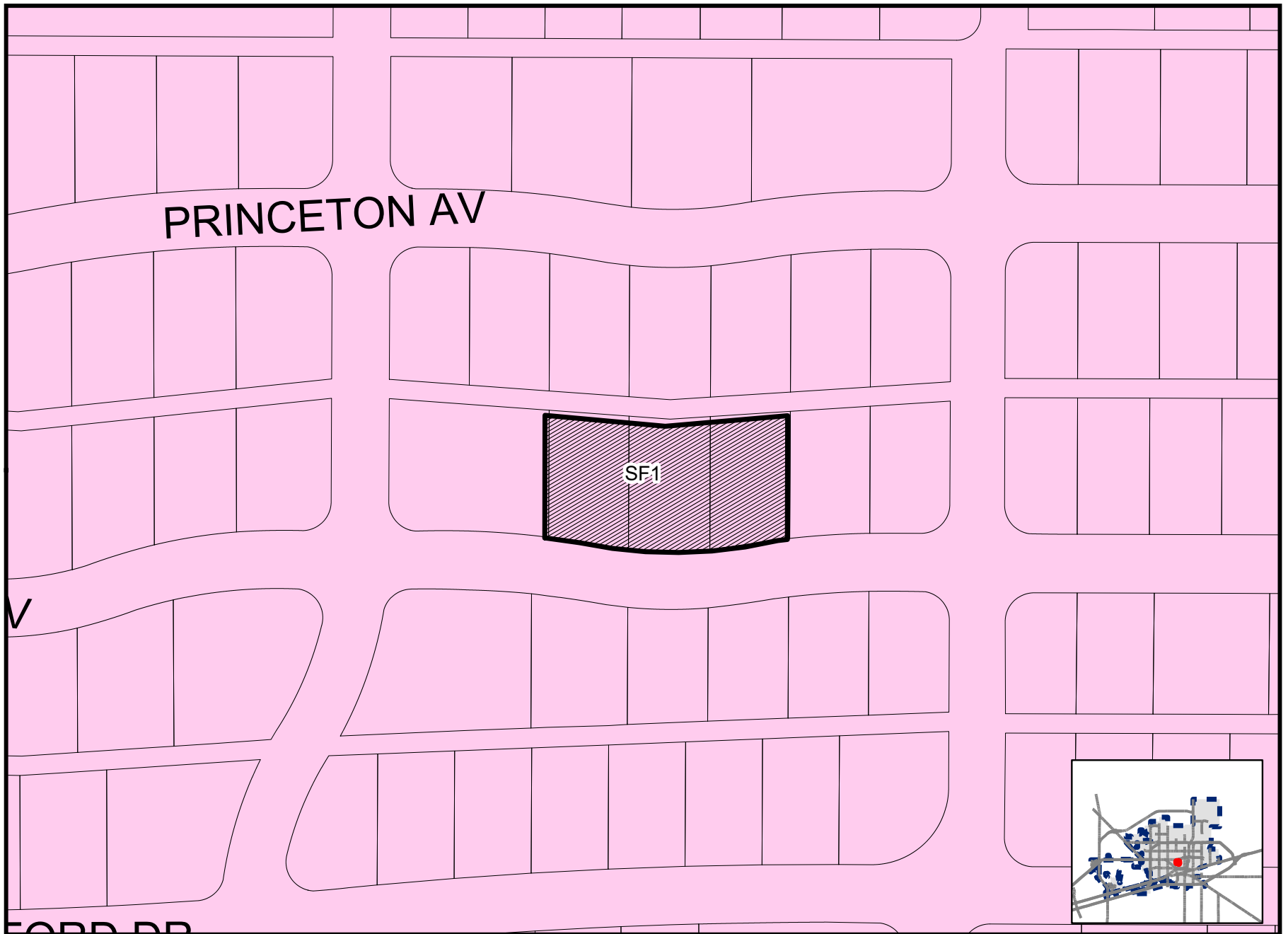
Proposed Plat of University Park Addition, Section 2
being a replat of Lots 3, 4, and 5, Block 7, University
Park, County of Midland, Texas.

Generally located on the north side of Harvard
Avenue, approximately 1130-feet east of north "N"
Street - (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS















Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving a request by Kuo's Chinese Restaurant, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 2,494 square foot portion of Lot 18, Block 1 Providence Park, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of W. Wadley Avenue and N. Midkiff Road - Council District 1)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Yuanbing Gan, is requesting a Specific Use Designation with term for the sale of alcoholic beverages for on-premises consumption in a restaurant at 3303 N. Midkiff Street, Suite 152, Midland, Texas 79705.

Current Zoning:

RR, Regional Retail District

Surrounding Zoning and Land Use:

The property is located at 3303 N. Midkiff Road, Suite 152 in a RR, Regional Retail District. The property to the north is zoned SF-2, Single-Family Dwelling District and is utilized for single-family housing. The property to the east is zoned RR, Regional Retail District and is utilized for a variety of retail shops. The property to the south is zoned as PD, Planned Development and is the location of H-E-B. The property to the west is zoned SF-2 Single-Family Dwelling District and is utilized as single-family housing.

Analysis:

Kuo's Chinese Restaurant is requesting a Specific Use Designation to be able to sell all alcoholic beverages for on premises consumption, within a restaurant. The property is zoned RR, Regional Retail District, which allows for the sale and on-premises consumption of alcoholic beverages with the approval of a Specific Use Designation.

Kuo's Chinese Restaurant is currently not in operation and does not have a specific use designation for the sale of all alcoholic beverages. The floor plan attached hereto as "Exhibit A" illustrates that the establishment will have a total square footage of 2,494 square feet, with an alcohol serviceable area of 1,350 square feet. The site currently has adequate parking and restroom facilities.

The restaurant will have the following hours of operation and alcohol service:

Monday through Sunday: 11:00 a.m. to 9:45 p.m

Per Midland City Code 5.4.4. –Prohibited place of business

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

There are no churches or schools 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.

Oil & Gas (Approved)

No objections.

Engineering: (Approved)

No objections.

Transportation: (Approved)

No objections.

Building Code: (Approved)

No objections.

The SUD for Kuo's is acceptable. The property must adhere to the current maximum occupant load of 56 persons. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4*, "Encourage the development of places where Midland residents can gather and socialize to build connections." (Tall City Tomorrow page 137) Kuo's Chinese Restaurant will create a sophisticated atmosphere where Midland Residents can relax and enjoy drinks with their meal.

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

Conditions:

- A. That the alcoholic serviceable area of the restaurant shall be limited to approximately 1,350 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 11:00 a.m. to 9:45 p.m.

- 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 October 10, 2021, staff has not received any letters of objections.

Attachments:

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



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

Project Number:

Case Number:

SWD-21-0114

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

Printed Name: Yuanbing Gan

Phone (432) 853-3939

Email Gabbbby524@gmail.com

Address 3303 North Midkiff #152

City Midland

State TX

Zip 79705

Property Owner

Printed Name: Daniel Fuller

Phone (214) 960-2856

Email jay@shpcompanies.com

Address 4809 Cole Avenue, Suite 330

City Dallas

State TX

Zip 75205

Representative (if different from Applicant or Property Owner)

Firm:

Printed Name:

Phone ()

Email

Address

City

State

Zip

Street Address: 3303 North Midkiff #152, Midland TX 79705

Business Name: Kuo's Chinese Restaurant

Legal Description

Lot: 18 Block: 1 Subdivision: Providence Park

Current Zoning: RR, Regional Retail

Reason for Request: Applying for Alcohol License

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

Proposed/Current Days and Hours of Operation: Tue - Sun

11:00 - 2:15 5:00 - 9:45

Proposed Days and Hours of Alcohol Service: Mon - Sun

11:00 - 2:15 5:00 - 9:45 pm

Total Square Footage of Business: 2850 2,482

Square Footage of Alcohol Serviceable Area: 2850 846

Restroom Fixtures: Men

Toilets/Urinals: 2 1 1

Bathroom Sinks: 1

Women

Toilets: 2

Bathroom Sinks: 1

RECEIVED
AUG 17 2021

BY:

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): <u>Ying Cai</u>	Date: <u>05/17/2021</u>
Applicant (printed): <u>Yuanbing Gan</u>	
Property Owner (signature): <u>Daniel Fuller</u>	Date: <u>8-16-21</u>
Property Owner (printed): <u>D. A. Fuller, Jr.</u>	

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:

Before me, the undersigned authority, on this day personally appeared Yuanbing Gan who, being by me duly sworn, upon oath says: That (s)he is authorized by Daniel Fuller, 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.

Ying Cai
Authorized Agent (signature)

Subscribed and sworn to before me, this 17 day of August, 2021, to certify which witness my hand and seal of office.



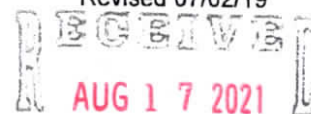
Mirna A. Granados
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

SUD Alcoholic Beverages Application

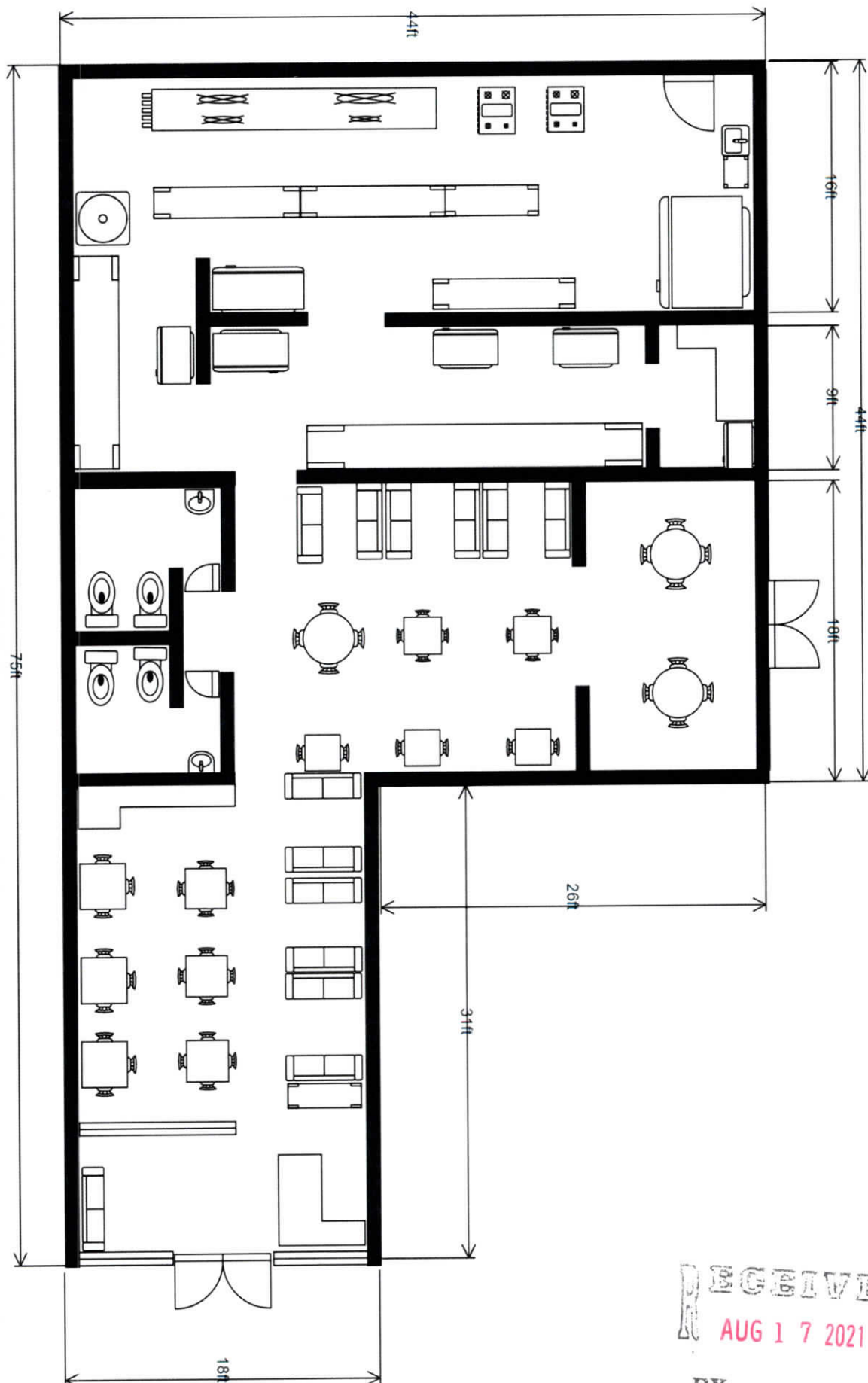
2

Revised 07/02/19



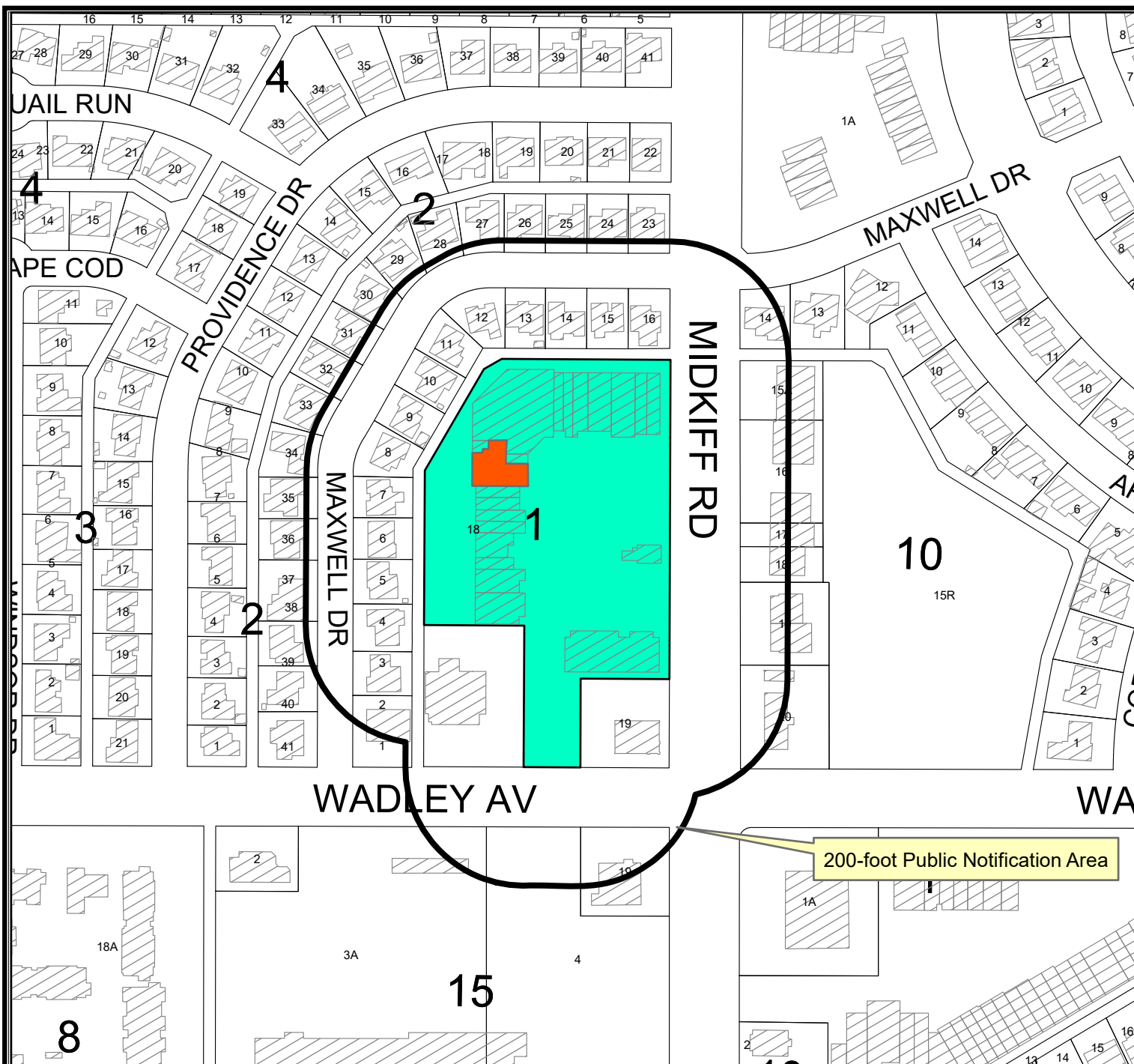
BY: _____
October 18, 2021

EXHIBIT A



RECEIVED
AUG 17 2021

BY:



LOCATION MAP

SUD-21-0114

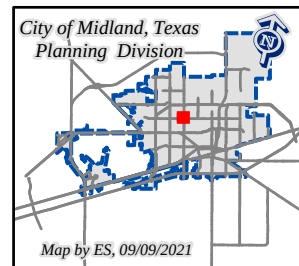
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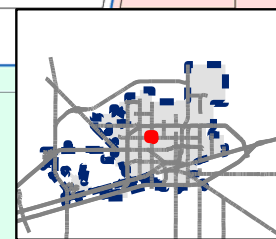
Consider a request by Kuo's Chinese Restaurant, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 2,494 square foot portion of Lot 18, Block 1, Providence Park Addition, City and County of Midland, Texas.

Generally located on the west side of North Midkiff Road, approximately 496 feet north of West Wadley Avenue. - (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS















Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: Planning and Zoning Commission

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving a request by Gary Bellomy for a zone change from PD, Planned Development District for a Housing Development, Office Center, and Shopping Center, to an Amended PD, Planned Development District for a Housing Development, Office Center, and Shopping Center on a 57.55-acre tract of land located in Section 1, Block 39, T-2-S, T & P RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Interstate 20, approximately 530 feet east of South Lamesa Road- Council District 2)

Recommended Planning and Zoning Commission Action:

☒ **Approve**

☐ **Deny**

☐ **Direction/Informational**

Purpose:

The applicant, Gary Bellomy, is requesting a zone change from PD, Planned Development District for a Housing Development, Office Center, and Shopping Center (Ordinance No. 10206) to an amended PD, Planned Development District for a Housing Development, Office Center, and Shopping Center to correct a technical omission in the previously adopted City Ordinance No. 10206.

Current Zoning:

PD, Planned Development District for Housing Development, Office Center, and Shopping Center. (Ordinance No. 10206)

Surrounding Zoning and Land Use:

The property to the north is zoned LI, Light Industrial District and the location of various industrial businesses. The property to the east is zoned BP, I-20 Business Park, and the location of Industrial Businesses. The properties to the south are zoned BP, I-20 Business Park and the location of a pump jack and vacant land. The property to the west is zoned MF-22 Multiple-Family Dwelling District in part, MF-16 Multiple-Family Dwelling District in part, and RR, Regional Retail District in part, and the location of an apartment complex and a series of vacant lots.

Analysis:

The applicant, Gary Bellomy, is requesting a zone change from PD, Planned Development District for a Housing Development, Office Center, and Shopping Center (Ordinance No. 10206) to an amended PD, Planned Development District for a Housing Development, Office Center, and Shopping Center to correct a technical omission in the previously adopted City Ordinance.

The site will consist of a mix of uses including office, retail, hotel, single-family residential, townhomes, multi-family residential, and a school. This development would integrate with the neighboring apartment complex to the west and is in the process of being constructed to reflect this integration.

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

Fire: (Approved)

No comments.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Code: (Approved)

Oil and gas well issues previously addressed and necessary variances received on June 8 under Tahoe Lakes Addition.

Transportation: (Approved)

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

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

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

No objection to zone change.

Planning:

This proposed development fits with Chapter 3, An Integrated Land Use Vision, Future Land Use Map of the Tall City Tomorrow comprehensive plan as this area calls for Employment Reserve uses. This designation calls for multi-family housing when integrated with holistic development. As the proposed planned district integrates a myriad of uses, it is in conformance with the guiding principles of this designation.

This development also aligns with several other aspects of the Tall City Tomorrow Plan. Principle 5 of Chapter 3, requests planning for community amenities such as parks and open space to support “community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community.” Additionally, Principle 8 of the same chapter requests that land use policies and regulations support the creation of more balanced neighborhoods, which include “a variety of housing options, access to open space, and contain activity centers such as parks...” Chapter 9 of the Tall City Tomorrow Plan also seeks to keep us aware of the need for parks and recreational development as Midland continues to expand. Goal 1 of Chapter 9 seeks to provide park facilities accessible to the growing population, nothing that “Midland’s historic trend has been to focus on the need for housing and commercial needs during growth periods without the consideration of additional open space needs. This development fits all of these goals and principles by creating a community with integrated uses, pedestrian friendly streets, and plenty of park and open space areas for residents to recreate in.

The proposed parking spots are 9 feet by 18 feet as noted in Section 4.1.1.2 of the Regulating Plan and Development Standards. According to Section 6.02.B.2 of the City of Midland Zoning Ordinance parking spaces shall not be less than 9 feet by 20 feet in all zoning districts. If the Commission would like to allow for the 9 feet by 18 feet spots, there will need to be an additional condition added to those listed below.

Therefore, staff recommends approval of this zone change subject to conditions A through E.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the TH, Townhouse District except as stated below.**
- B. That the development of this property shall significantly conform to the Section 3.1 the Regulating Plan (Exhibit B) and Section 4.0 Summary of Frontage Types (Exhibit C) of the Regulating Plan and Development Standards.**
- C. That the landscaping shall significantly conform to the standards outlined in Section 8.0 Landscaping Standards (Exhibit D) of the Regulating Plan and Development Standards.**
- D. That the lighting shall significantly conform to the standards outlined in Section 11.0 Lighting Standards (Exhibit E) of the Regulating Plan and Development Standards except that all exterior lighting shall be composed of light emitting diodes (LEDs).**
- E. That the signs shall significantly conform to the standards outlined in Section 12.0 Signage Standards (Exhibit F) of the Regulating Plan and Development Standards.**

Letters of Objection:

Staff has not received any letters of objection as of October 13, 2021.

Attachments:

Application
Metes and Bounds (Exhibit A)
Section 3.1 Regulating Plan (Exhibit B)
Section 4.0 Summary of Frontage Types (Exhibit C)
Section 8.0 Landscape Standards (Exhibit D)
Section 11.0 Lighting Standards (Exhibit E)
Section 12.0 Signage Standards (Exhibit F)

Regulating Plan and Development Standards
Maps



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

Project Number: 2-21-0266
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: Gary Bellomy		Phone (512) 694-8839 Email garyb@landdesignstudio.com	
Address 3307 Northland Drive, Suite 240	City Austin	State TX	Zip 78731

Property Owner Printed Name: Zekelman Property, LLC		Phone (734) 582-2650 Email brandon.ryckman@zekelman.com	
Address 100 West Big Beaver Road, Suite 390	City Troy	State MI	Zip 48084

Representative (if different from Applicant or Property Owner) Firm: Land Design Studio Printed Name: Gary Bellomy		Phone (512) 694-8839 Email garyb@landdesignstudio.com	
Address 3307 Northland Drive, Suite 240	City Austin	State Texas	Zip 78731

Street Address: <u>N/A - Interstate 20 frontage road between La Mesa Rd and Fairgrounds Rd</u>
Legal Description <u>Section 1, Block 39, T-2-S T&P RR Co Survey, see attachment</u>
Lot: <u>N/A</u> Block: <u>39</u> Subdivision: <u>Carolcrest</u>

Current Zoning: Manufactured Housing and Business Park	Proposed Zone: Planned Development (List by tracts if more than one district is requested)
--	--

Reason for Zone Change Request: To allow a mixed used project.

Present Use of Property: Vacant land

Proposed Use of Property: Planned Development based on attached Regulating Plan.

How would this zone change affect the public health, safety and welfare? Provide housing opportunities for a variety of income levels with adjacent neighborhood services. All plan elements are in a well connected, walkable form which promotes healthy living.

These project elements are consistent with many of the goals found in the current Comprehensive Plan.

Describe how conditions affecting the property have changed since present zoning designation: Present zoning is TH, Townhouse However the Future Land Use Map designates the tract as a Future Planning Area. The Planned Development designation being sought and the concepts it includes are well aligned with the vision put forth in the Tall City Tomorrow Plan.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland' ~\$2,500.00
- Dimensioned Site Plan see Regulating Plan
- Digital Copies of Site Plan (PDF/JPEG)

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

Applicant (signature):

Date: 9-10-21

Applicant (printed): Gary Bellomy

Property Owner (signature):

Date:

Property Owner (printed):

Brandon Ryckman

Digitally signed by Brandon Ryckman
DN: cn=US,
email=brandon.ryckman@midlandtx.com,
ou=2-Modular, OU=Vice President -
Field Services, cn=Brandon Ryckman
Date: 2021.09.13 08:35:06-0400

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

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

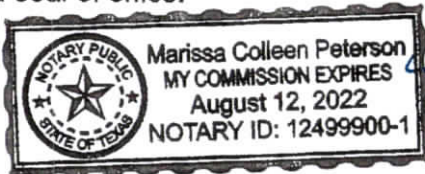
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF TRAVIS

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

Authorized Agent (signature)

Subscribed and sworn to before me, this 10th day of September, 2021, to certify which witness my hand and seal of office.



NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Dimensioned Site Plan

☒ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # 39346

Received By:

Date:

09 September, 2021

City of Midland- Planning Department
Attn: Cristina Odenborg Burns
300 N. Loraine
Midland, Texas 79702

To whom it may concern:

I/We, Gary Bellomy, authorize LCA to act as our agent for the platting/zoning purposes regarding our project Tahoe Lakes Addition, Section 3. As Client we consent to LCA signing all applications and/or needed documentation, receiving all comments and/or needed information and representing me/us at any all hearings for the duration of this project.

Sincerely,

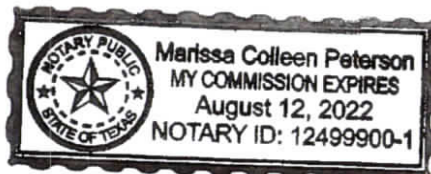

By: Gary Bellomy
Title: Applicant
Company: Land Design Studio

September 9, 2021
Date:

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Gary Bellomy, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Applicant for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10th day of September, A.D., 2021.




Notary Public in and for the State of Texas

My Commission Expires: 08/12/2022



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

lca@lcaodessa.com

521 N. Texas Ave. • Odessa, Texas 79761

(432) 332-5058 or 580-8812 • Fax (432) 332-8812

Engineering Firm# 001363 • Surveying Firm# 10034300

**METES & BOUNDS DESCRIPTION
OF A 57.55-ACRE TRACT
LOCATED IN SECTION 1, BLOCK 39, T-2-S
T&P RR CO. SURVEY
MIDLAND COUNTY, TEXAS**

BEING A 57.55-ACRE REMAINDER OF THAT CERTAIN 101.49-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2010-4195 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS, IN SECTION 1, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (Y=10,688,784.49' & X= 1,762,775.17') A 3/8" IRON ROD WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) FOUND AT THE NORTHEAST CORNER OF LOT 1 BLOCK 1 TAHOE LAKES ADDITION, AS RECORDED IN CABINET I, PAGE 190 OF THE MIDLAND COUNTY PLAT RECORDS AND ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF THE CURVED SOUTH RIGHT-OF-WAY LINE OF LATTA STREET AS DESCRIBED IN DOCUMENT NO. 2008-22815 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS HAVING A RADIAL BEARING OF NORTH 37°19'47" WEST;

THENCE ALONG SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION, HAVING A RADIUS LENGTH OF 330.00 FEET, A DELTA ANGLE OF 33°32'10", AN ARC LENGTH OF 193.15 FEET, A CHORD LENGTH OF 190.41 FEET BEARING NORTH 35°54'06" EAST TO A 1/2" IRON ROD WITH PLASTIC CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF TANGENCY;

THENCE NORTH 19°08'00" EAST WITH THE SOUTH RIGHT-OF-WAY OF SAID LATTA STREET, A DISTANCE OF 195.48 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE ALONG SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION, HAVING A RADIUS LENGTH OF 330.00 FEET, A DELTA ANGLE OF 23°09'45", AN ARC LENGTH OF 133.41 FEET, A CHORD LENGTH OF 132.50 FEET BEARING NORTH 07°33'08" EAST TO A 1/2" IRON ROD WITH PLASTIC CAP MARKED "LCA ODESSA TX" SET FOR THE POINT OF TANGENCY;

THENCE NORTH 04°01'57" WEST WITH THE EASTERN RIGHT-OF-WAY OF SAID LATTA STREET, A DISTANCE OF 24.19 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT IN A NORTHEASTERLY DIRECTION, HAVING A RADIUS LENGTH OF 295.00 FEET, A DELTA ANGLE OF 23°10'30", AN ARC LENGTH OF 119.32 FEET, A CHORD LENGTH OF 118.51 FEET BEARING NORTH

07°33'31" EAST TO A ½" IRON ROD WITH PLASTIC CAP MARKED "LCA ODESSA TX" SET FOR THE POINT OF TANGENCY;

THENCE NORTH 19°04'24" EAST WITH THE EAST RIGHT-OF-WAY OF SAID LATTA STREET, A DISTANCE OF 36.38 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE WEST CORNER OF THAT CERTAIN 7.53-ACRE TRACT CURRENTLY IN THE NAME OF MIDLAND COUNTY ON THE EAST RIGHT-OF-WAY LINE OF SAID LATTA STREET, WHENCE A 3/8" IRON ROD (CONTROL MONUMENT) FOUND AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF SAID LATTA STREET AND THE SOUTHERN RIGHT-OF-WAY OF E. TAYLOR AVENUE BEARS NORTH 19°03'10" EAST, A DISTANCE OF 300.00 FEET;

THENCE SOUTH 71°05'09" EAST WITH THE SOUTHERN LINE OF SAID 7.53-ACRE TRACT, A DISTANCE OF 467.02 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" FOUND AT AN ELL CORNER OF THIS SURVEY AND THE NORTHERNMOST CORNER OF THAT CERTAIN 5.57-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2014-17375 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY TEXAS;

THENCE SOUTH 23°20'09" WEST WITH A WEST LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 48.93 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF DEFLECTION OF THIS SURVEY;

THENCE SOUTH 71°08'48" EAST WITH A SOUTH LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 152.80 FEET TO A FOUND 3/8" IRON ROD (CONTROL MONUMENT);

THENCE SOUTH 23°29'35" WEST WITH A WEST LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 300.87 FEET TO A 3/8" IRON ROD FOUND AT THE SOUTHERNMOST WEST CORNER OF SAID 5.57-ACRE TRACT AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 71°49'04" EAST WITH THE SOUTHERN LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 570.74 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTH CORNER OF THAT CERTAIN 4.92-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2010-12057 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY TEXAS AND A POINT OF DEFLECTION OF THIS SURVEY;

THENCE SOUTH 23°35'54" WEST WITH THE WESTERN LINE OF SAID 4.92-ACRE TRACT, A DISTANCE OF 363.93 FEET TO A ½" IRON ROD (CONTROL MONUMENT) FOUND AT THE WEST CORNER OF SAID 4.92-ACRE TRACT AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 72°30'41" EAST, WITH THE SOUTH LINE OF SAID 4.92-ACRE TRACT, A DISTANCE OF 627.03 FEET TO A ½" IRON ROD FOUND AT THE SOUTH CORNER OF SAID 4.92-ACRE TRACT, THE NORTH CORNER OF THAT CERTAIN 2.15-ACRE TRACT AS DESCRIBED IN VOLUME 1817, PAGE 300 OF THE DEED RECORDS OF MIDLAND COUNTY TEXAS AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 19°04'38" WEST WITH THE WESTERN LINE OF SAID 2.15-ACRE TRACT, A DISTANCE OF 269.33 FEET TO A ½" IRON ROD FOUND AT THE WEST CORNER OF SAID 2.15-ACRE TRACT AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 73°48'45" EAST WITH THE SOUTHERN LINE OF SAID 2.15-ACRE TRACT, A DISTANCE OF 157.05 FEET TO A ½" IRON ROD FOUND AT THE

NORTHWEST CORNER OF THAT CERTAIN 1.01-ACRE TRACT AS DESCRIBED IN SAID VOLUME 1817 PAGE 300 OF SAID MIDLAND COUNTY DEED RECORDS FOR AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 08°35'01" EAST WITH THE WESTERN LINE OF SAID 1.01-ACRE TRACT, A DISTANCE OF 293.86 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHWEST CORNER OF SAID 1.01-ACRE TRACT ON THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 20 FOR THE EASTERNMOST SOUTHEAST CORNER OF THIS SURVEY;

THENCE SOUTH 70°34'45" WEST WITH THE NORTH RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 20, A DISTANCE OF 899.28 FEET TO A TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) CONCRETE MONUMENT WITH A BRASS DISK (CONTROL MONUMENT) FOR THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT IN A SOUTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 11,309.20 FEET, A DELTA ANGLE OF 04°59'56", AN ARC LENGTH OF 986.68 FEET, A CHORD LENGTH OF 986.37 FEET BEARING SOUTH 73°03'27" WEST TO A TXDOT CONCRETE MONUMENT WITH BRASS DISK AT THE POINT OF TANGENCY;

THENCE SOUTH 75°34'27" WEST WITH THE NORTH RIGHT-OF-WAY OF SAID INTERSTATE HIGHWAY 20, A DISTANCE OF 192.73 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHEAST CORNER OF THAT CERTAIN 3.30-ACRE TRACT AS DESCRIBED IN VOLUME 1198 PAGE 204 OF SAID MIDLAND COUNTY DEED RECORDS FOR THE WESTERNMOST SOUTHWEST CORNER OF THIS SURVEY;

THENCE NORTH 14°32'03" WEST WITH THE EAST LINE OF SAID 3.30-ACRE TRACT, A DISTANCE OF 242.05 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF CURVATURE;

THENCE ALONG SAID CURVE TO THE LEFT IN A NORTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 18.61 FEET, A DELTA ANGLE OF 89°59'12", AN ARC LENGTH OF 29.23 FEET, A CHORD LENGTH OF 26.32 FEET BEARING NORTH 59°31'38" WEST TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) FOUND AT THE POINT OF TANGENCY;

THENCE NORTH 75°41'32" EAST, A DISTANCE OF 349.07 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF DEFLECTION OF THIS TRACT;

THENCE NORTH 14°33'23" WEST, A DISTANCE OF 173.46 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF DEFLECTION OF THIS TRACT;

THENCE SOUTH 75°37'36" WEST, A DISTANCE OF 45.07 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIAL BEARING OF NORTH 83°54'09" EAST;

THENCE ALONG SAID CURVE TO THE RIGHT IN A NORTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 530.00 FEET, A DELTA ANGLE OF 27°47'11", AN ARC

LEGEND

F1	(Section 4.1) Type F1:	Main Street Commercial
F2	(Section 4.2) Type F2:	Live/Work
F3	(Section 4.3) Type F3:	Townhouse
F4	(Section 4.4) Type F4:	Side Yard House
F5	(Section 4.5) Type F5:	Education / Civic

MS-78	Main Street 78' R.O.W.
BVD-VAR	Boulevard Variable R.O.W.
CS-65	Commercial Street 65' R.O.W.
CS-60	Commercial Street 60' R.O.W.
US-50	Urban Street 50' R.O.W.
US-45	Urban Street 45' R.O.W.
US-40	Urban Street 40' R.O.W.
CL-20	Commercial Alley 20' Access Easement
AL-20	Residential Alley 20' Access Easement

PL	Plaza	
SQ	Square	
GR	Green	
GB	Greenbelt	
P	Park	



Summary of Frontage Types

Complete detailed requirements of Frontage Types can be found in Sections 4.1 through 4.5

FRONTAGES	F1 (See Section F1) Main Street Commercial	F2 (See Section F2) Live/Work	F3 (See Section F3) Townhouse	F4 (See Section F4) Sideyard House	F5 (See Section F5) Education
PERMITTED USES	Retail Sales and Service (20,000 SF max per tenant) Office/Research and Development Lodging/Hotel Multi-Family Residential Single Family Attached Residential Day Care	Limited Retail (≤3,000 SF) Limited Office (≤3,000 SF) Lodging/Hotel (≤10 rooms) Multi-Family Residential (≤10 dwelling units) Single Family Attached Residential	Single Family Attached Residential	Single Family Detached Residential Ancillary unit	Public or private School
CONDITIONAL USES	Manufacturing (10,000 SF max. per tenant) Congregate Care (100 room max)	None	Home Occupation	Home Occupation	None
PROHIBITED USES	Vehicle Sales Auto Service & Repair Auto Parts Sales Gas Stations Auto Body Painting and Repair Drive-Through Commercial Storage & Warehouse Single Family Detached Residential Sexually-Oriented Businesses	Same as F1 - Main Street	Same as F1 - Main Street Plus: Retail Office Manufacturing	Same as F1 - Main Street Plus: Retail Office Manufacturing	Same as F1 - Main Street Plus: Retail Office Manufacturing
LOT WIDTH	30' min. 240' max (30' increments)	20' min. 40' max	20' min. 40' max	35' min. 60' max	90' min. no max.
LOT DEPTH	No Minimum Maximum limited by block size	No Minimum Maximum limited by block size	80' min. 125' max.	80' min. 150' max.	50' min. no max.
BUILDING HEIGHT	2 stories or 25' minimum 5 stories maximum	2 stories minimum 3 stories maximum	2 stories minimum 3 stories maximum	2 stories minimum 2.5 stories maximum	2 stories minimum 5 stories maximum
SIDE SETBACK	None	None	None	2.5' on one side & 10' on the opposite side	5'
BUILD-TO LINE	0' to 10' from property line (on designated primary frontage)	0' to 10' from property line (on designated primary frontage)	10' from property line (on designated primary frontage)	20' from property line (on designated primary frontage)	90' from property line (on designated primary frontage)
REAR SETBACK	None	None	5' from Alley	5' from Alley	N/A
PARKING RATIOS					
Retail	4 spaces per 1000 GSF	4 spaces per 1000 GSF	N/A	N/A	N/A
Office	4 spaces per 1000 GSF	4 spaces per 1000 GSF	N/A	N/A	N/A
Lodging/Hotel	1 space per Room	1 space per Room	N/A	N/A	N/A
Residential	1.5 spaces per Unit	1.5 spaces per Unit	2 spaces per Primary Unit plus 1 space per ancillary unit	2 spaces per Primary Unit plus 1 space per ancillary unit	N/A
Congregate Care	1.0 spaces per every 2 beds	NA	NA	NA	N/A
Manufacturing	1.0 spaces per 600 GSF	N/A	N/A	N/A	N/A
Education	1.0 spaces per 575 GSF	N/A	N/A	N/A	1.0 spaces per 575 GSF

Table 4.01

Section 8.0

Landscape Standards

8.1.THE PUBLIC LANDSCAPE

8.1.1 SOIL PRESERVATION

Wherever possible grades for thoroughfare and open spaces shall follow existing topography and drainage patterns. Areas to be left natural shall be fenced and undisturbed during construction. The soil structure for planting strips shall be protected from compaction with protective fencing. During construction, topsoil shall be removed, and stockpiled for later use.

8.1.2 COMPACTION

All planting areas shall be cultivated and top-dressed with organic matter. Deeply compacted areas shall be cultivated to a depth of one foot and top-dressed with an addition of loose topsoil, coarse sand and compost. Ballfields shall be underlain with a mix of coarse sand.

8.1.3 HYDROLOGY / DRAINAGE

All planting areas shall have drainage outlets achieve positive drainage. Playing fields shall be uniformly graded to a 2% -3% slope.

8.1.4 SITE CLEARING / EROSION CONTROL

To prevent erosion, clearing of easements and access routes should not occur more than 60 days prior to construction. Trees to be removed shall be taken down in a manner that will not impact any of the adjacent trees to remain. All trees will have crown and limbs removed before being felled and depending upon the density of vegetation the trunk shall be felled before the stump is removed. It is recommended that limbs and underbrush be chipped shredded and retained on site to be spread as a mulch after construction has finished. The boundary of construction sites shall be marked with a barrier and erosion control fencing on the downhill sides. No clearing operations will be allowed in an unmarked area. When construction is adjacent to a waterway, care should be taken to prevent any excavated material from spilling into the waterway by use of erosion control barriers.

8.1.5 TREE PROTECTION:

Protecting existing trees on site adds value and prevents additional planting costs. In areas of construction where trees are to be preserved, tree protection fencing must be installed and maintained at the dripline. No storage of materials or equipment is allowed within the dripline area of trees to be protected.

With the exception of Protected Trees as defined by the City's General Landscape Ordinance these Oasis landscape standards shall be adhered to in lieu of City's landscape regulations.

8.1.6 PLANT SELECTION

Trees may be selected from the lists outlined below. The use of native shrubs and ground cover species is encouraged given their adaptability to drought and indigenous soil conditions. Plant quality shall follow the highest Nursery Industry Standards.

8.2. PUBLIC OPEN SPACE TREES

8.2.1 STREETS, SQUARES, AND GREENS

The following is a list of trees that may be used in Squares and

Greens, as well as for Street Trees. These trees were selected for their shade providing qualities and their ability to tolerate compaction, drought and pollution typically associated with heavily trafficked areas. Low maintenance and disease resistance are also important qualities for trees in this category. With pruning, these trees also have high a branching character so as not interfere with pedestrian and vehicular activities. Street trees shall have a single trunk and should be limbed up to a minimum of 14' at maturity. All street tree plantings shall utilize root barriers to prevent heaving of adjacent paving.

- Live Oak, *Quercus virginiana*
- Bur Oak, *Quercus macrocarpa*
- Texas Red Oak, *Quercus texana*
- Pecan, *Carya illinoensis*
- Bald Cypress, *Taxodium distictum*
- Afghan Pine, *Pinus elderica*
- Mexican White Oak, *Quercus polymorpha*.

8.2.2 GREENBELT TREES

The following trees may be planted in Greenbelts (as defined in the Open Space Standards) This list of trees was selected for their more naturalistic character which is representative of the above listed public open spaces. Native species are encouraged given their adaptability to native soils and drought conditions:

Native Large Trees (Mature Height Over 30'):

- Texas Ash, *Fraxinus texensis*
- Bald Cypress, *Taxodium distictum*
- Cedar Elm, *Ulmus crassifolia*
- Live Oak, *Quercus virginiana*
- Pecan, *Carya illinoensis*
- Bur Oak, *Quercus macrocarpa*
- Chinkapin Oak, *Quercus muhlenbergii*
- Texas Red Oak, *Quercus texana*
- Eastern Red Cedar, *Juniperus virginiana*

Non-Native Large Trees (Mature Height Over 30'):

- Arizona Cypress, *Cupressus arizonica*
- Austrian Pine, *Pinus nigra*
- Goldenrain tree, *Koeleruteria paniculata*
- Italian Stone Pine, *Pinus pinea*
- Lacebark Elm, *Ulmus parvifolia*

Native Small Trees (Mature Height 30' or less):

- Crabapple, *Malus spp.*
- Eve's Necklace, *Sophora affinis*.
- Goldenball Lead tree, *Leucaena retusa*.
- Mexican Redbud, *Cercis canadensis* var. *mexicana*.
- Mexican-Buckeye, *Ungnadia speciosa*.
- Pinyon Pine, *Pinus edulis*.
- Prairie Flameleaf Sumac, *Rhus Lanceolata*.
- Texas Mountain Laurel, *Sophora secundiflora*.
- Texas Walnut, *Juglans microcarpa*.
- Desert Willow, *Chilopsis linearis*
- Texas Persimmon, *Diospyros virginiana*
- Texas Pistache, *Pistacia texana*
- Mexican Plum, *Prunus mexicana*

- Texas Redbud, *Cercis canadensis* *texensis*
- Vitex, *Vitex agnus-castus*

Non-Native Small Trees (Mature Height 30' or less):

- American Smoketree, *Cotinus obovatus*
- Crape Myrtle, *Lagerstroemia indica*
- Chinese Pistache, *Pistacia chinensis*

8.2.3 PARKS

Shade trees shall be 3" caliper container grown or 4" balled and burlapped trees planted in naturalistic pattern. At least 1 tree per 5,000 sf shall be planted. Existing hardwood trees may count toward the minimum number of trees. Trees may be grouped to allow for large lawn cover areas (see tree list in Landscape Standards 8.2.2)

B) Small Flowering Trees:

Small flowering trees (no less than 2 caliper inches) shall be planted in groupings at no less than 1 per 5,000 SF (see tree list in Landscape Standards).

C) Lawn:

Lawns shall include Bermuda grass in sun to partly shade conditions; St. Augustine shall be provided in dense shade. In conditions with a more natural landscape character, coverage should be a mixture of native grass and wildflower seed. This mixture should contain a minimum of three (3) different species of grass and five (5) different species of wildflowers.

D) Street Lamps:

Street lamps shall be provided along pedestrian paths and at entrances to a Square or Plaza. At least 1/2 of a foot candle must be maintained.

E) Public seating:

Public seating shall include metal, stone or concrete benches placed along pathways. Seating shall be provided at no less than ten linear feet of seating per 10,000 SF of park area.

F) Irrigation:

Irrigation is required for all landscaped areas.

8.3 PARKING LOT LANDSCAPES

It is the intent of this section to establish standards in harmony with a city's landscape ordinance. However, due to the different development pattern (i.e. parking behind rather than in front of buildings) these standards shall apply where they may conflict with the landscape ordinance, including the Buffer requirements.

8.3.1 LANDSCAPE ISLANDS

In parking lots, landscaped islands must be provided at the end of all parking rows. Landscaped islands shall have a minimum width of 9 feet measured from back of curb to back of curb. A continuous poured-in-place concrete curb shall be provided around parking islands to prevent vehicular intrusion.

8.3.2 TREE ISLANDS

In addition to landscaping islands at the end of all parking rows,

tree islands shall be incorporated into the parking lot layout every eight spaces to provide for additional shade. Tree islands shall incorporate a continuous poured-in-place concrete curb and shall be a minimum of 5' from back of curb to back of curb.

8.3.3 PARKING LOT TREES

In parking areas, two shade trees shall be planted in landscape islands at the end of all parking rows. A shade tree shall be installed no further than 30' from each stall. In addition, one shade tree will be provided for each five perimeter parking spaces. The parking lot trees will be a minimum 4 inch caliper balled and burlapped or 3 inch caliper container grown.

8.3.4 STREET TREES

Street trees shall be installed in locations shown on Street Types (Section 5.0), and shall be a minimum of 4" caliper, container grown with a minimum branching height of 9'-0".

8.3.5 MAXIMUM AREA OF PARKING SECTIONS

Parking areas shall be broken into individual sections not to exceed 60 cars. Each section shall be separated by a 10' wide major landscaped buffer to provide visual relief.

8.3.6 PARKING LOT SCREENING

Any parking lot fronting along a Build-to-Line shall be landscaped at the perimeter and screened from view. A landscaped strip at least three feet wide shall be planted with a shrub hedge at least 30 inches in height at the time of installation and a mature height of 4' to 5'.

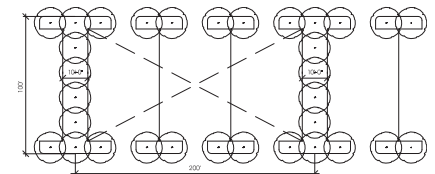


Figure 8a
MAXIMUM PARKING AREA

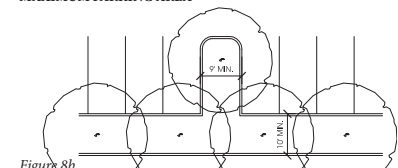


Figure 8b
LANDSCAPE ISLANDS

Section 8.0 Cont. Landscape Standards

8.3.7 STORAGE SCREENING

All loading and storage areas for commercial uses shall be screened from view from public streets and public open space. This provision includes above grade utility transformers, meters, valve boxes or other such apparatus. Screen elements may include permanent walls, fences, plant material or architectural enclosures. Open storage of goods, materials, machinery, equipment, vehicles, plants, trash or other items shall be similarly screened from public view.

8.3.8 IRRIGATION

All landscape areas shall be irrigated with the exception of natural areas and undeveloped areas. All irrigation systems are to be below ground, fully automated systems and in compliance with applicable building code requirements. The use of drip irrigation for shrubs and trees is acceptable. All backflow control devices are to be installed in below-grade Valve boxes or located and screened so that they are not visible from public streets or parking lots. All parking areas, drives and walks are to be "trimmed" to minimize spray onto pavements. Owners shall be required to irrigate to back of the curb of public roads. Oasis will provide reclaimed waste water to all irrigation users.

8.3. EXISTING TREE LOCATIONS

If specimen quality existing trees of 16" DBH or greater are encountered in tree surveys subsequent to the formulation of these standards, modifications to the layout of streets and walks may be considered. Refer to section 11.0 for Revisions to the Regulating Plan.

8.4 IMPLEMENTATION

All public landscape improvements shall be constructed or installed at the time of adjacent street and utility infrastructure construction.

Section 9.0 Drainage Standards

9.1 STORM WATER MANAGEMENT

A Regional Storm water Management approach is desirable for the Oasis District. The benefits of a regional approach to providing storm water detention over an on-site approach are many. They include the following:

- A greater level of confidence in the hydraulic performance of the regional facilities;
- Less land area required thus increasing taxable land base in the District;
- Centralized, focused long term maintenance and thus a greater level of confidence in the long term function of the regional facility;
- Less overall construction, design, and administration costs;
- The ability to combine the regional facilities into an amenity area.

9.2 DRAINAGE STANDARDS

The Oasis District is anticipated to be a moderately high density and impervious cover area and as such the management of storm water runoff will be essential and critical to the ongoing health, safety, and welfare of not only the District, but also areas downstream of the District.

9.3 FLOODING CONDITIONS

There is increased potential for downstream erosion and degradation of water quality due to the increase in frequency of storm water runoff by the smaller more frequent storm events and corresponding increase in storm runoff volume. The increase in volume of runoff and frequency of storm water runoff events will have the effect of eroding the natural downstream waterways and further the potential for flooding. The effects of this can be mitigated by providing detention for the higher frequency (smaller) storm events and/or providing extended detention or a combination of detention/retention.

9.4 REGIONAL DETENTION

Due to the location of the Oasis District and its direct interface with the Midland County detention facility, accomodating approximately the north half of the project. The south half of the project shall drain to a combination of common area detention facilities.

9.5 WET PONDS

Detention may be combined with irrigation reservoirs and/or aesthetic ponds. Sufficient free board shall be designed into the pond to allow for adequate detention volume. These ponds may also be used to create man made wetlands where appropriate.

9.6 TIME OF IMPLEMENTATION

As with open space and landscape improvements, the implementation of drainage and water quality improvements outlined in this section shall be simultaneous with the development of sub basin served by the various drainage phases.



Figure 9a: Storm water management facilities can become a community amenity. (Hogan Park Golf Course, Midland, TX)

Section 10.0
Not Used

Section 11.0
Lighting Standards

11.1 GENERAL INTENT

A) Street lights shall be decorative and blend with the architectural style of the buildings in the Oasis District. Exterior lighting in the Public right-of-way will be coordinated with the electric utility provider. Standards for exterior lighting of private development such as parking areas and public spaces shall be subject to the regulations below and enforced by the Master Developer.

B) Street lights and site lights shall provide adequate lighting, while minimizing adverse impacts, such as glare and upward oriented glow. House side shields shall be provided where abutting a residential use. 'Dark Sky' protocols shall be integrated to the greatest extent possible.

11.2 PLACEMENT

A) Along all commercial or mixed use streets, parking areas, sidewalks, walkways, courtyards, community greens, and common open spaces, twelve to fourteen foot high decorative light posts shall be provided at regular intervals. Post shall be spaced at no greater than 60 feet on center on both sides of a commercial or main street and at all street intersections. Lighting on residential streets should be confined to the intersections and corners. Lighting standards shall be consistent throughout each district.

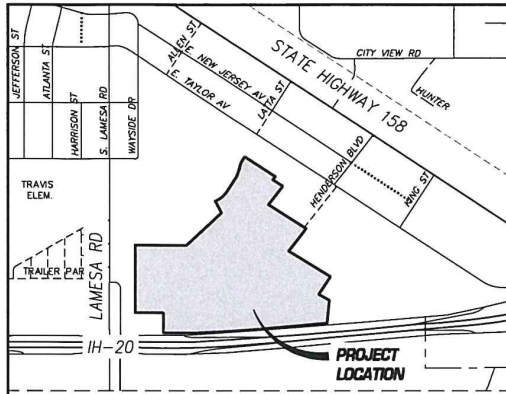
- 1) Lighting level along commercial streets shall be no less than one-half foot candle and shall be no greater than two foot candles.
- 2) Lighting level at an intersection of two residential streets (excluding alleys or access easements) shall be no less than one foot candle and shall be no greater than three foot candles.
- 3) Lighting level at an intersection of a commercial street and any other street (excluding alleys or access easements) shall be no less than one foot candle and shall be no greater than three foot candles.
- 4) Lighting level in parking lots shall be no less than one foot candle and shall be no greater than two foot candles.

B) In parking lots, post heights may be extended to a maximum of 18 feet.

11.3 TYPES

A) Use of metal halide or color corrected LED light sources are required. High pressure and sodium and non-color corrected mercury vapor light sources may be considered in special circumstances.

B) Porch light and yard post lighting are encouraged in residential areas. Where yard post lighting is used post and luminaires shall be of compatible styles.



VICINITY MAP
SCALE: N.T.S.

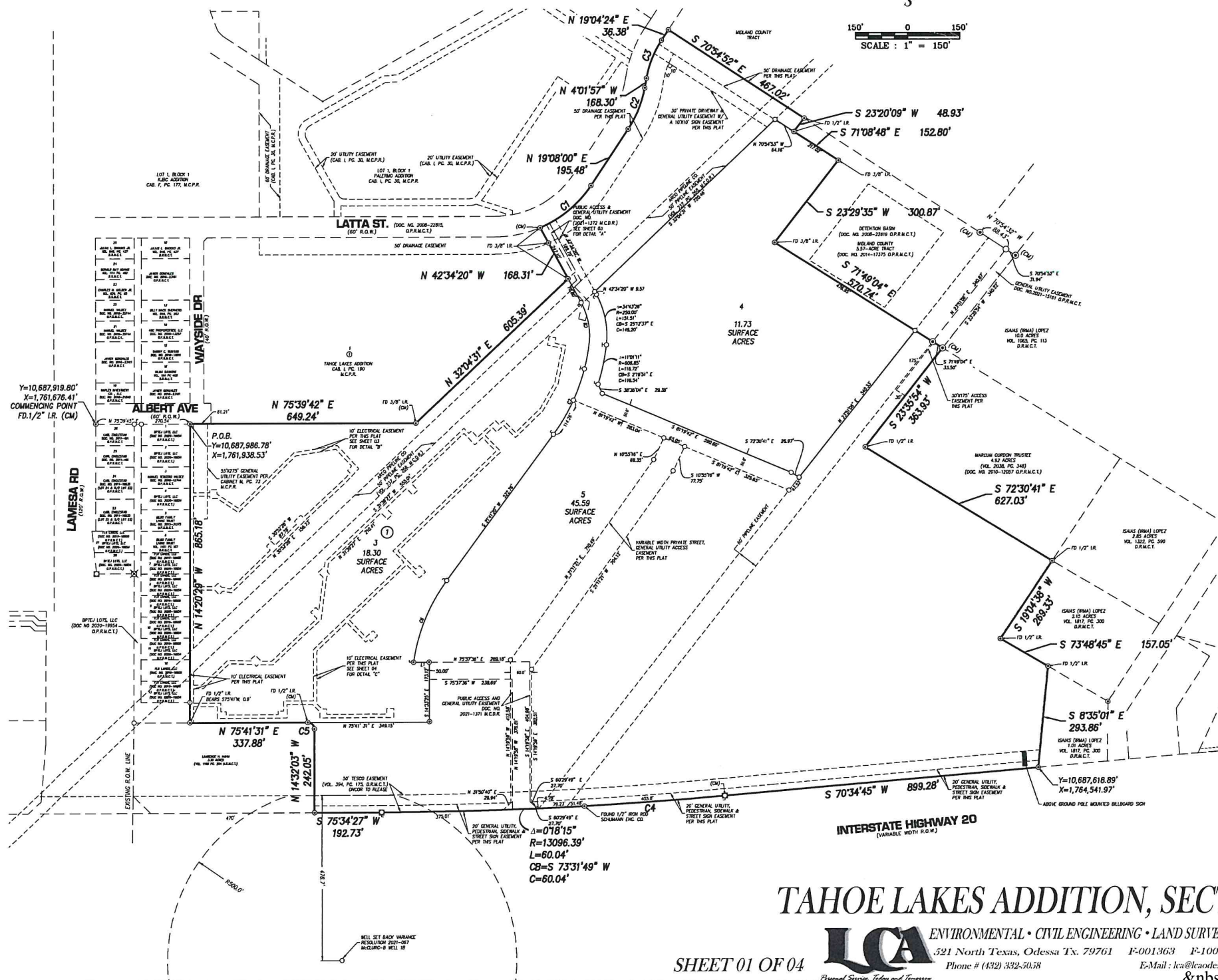
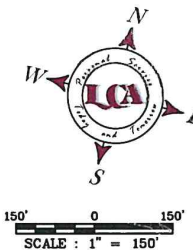
- LEGEND**
- FOUND 1/2" I.R. W/CAP MARKED "LCA ODESSA TX" UNLESS OTHERWISE NOTED
 - SET 1/2" I.R. W/CAP MARKED "LCA ODESSA TX"
 - TXDOT R.O.W. MONUMENT
 - ✕ BROKEN TXDOT R.O.W. MONUMENT
 - (CM) CONTROL MONUMENT
 - PC OR PT

CURVE TABLE					
Curve #	DELTA	RADIUS	LENGTH	CD. BEARING	CD. DIST.
C1	33°32'10"	330.00'	193.15'	N 35°54'08" E	190.41'
C2	23°09'45"	330.00'	133.41'	N 07°33'08" E	132.50'
C3	23°10'30"	295.00'	119.32'	N 07°33'31" E	118.51'
C4	4°59'58"	11,309.20'	986.68'	S 73°03'27" W	986.37'
C5	86°38'10"	18.61'	28.14'	N 57°50'31" W	25.53'
C6	27°47'11"	530.00'	257.03'	S 07°47'45" W	254.52'
C7	29°32'14"	556.30'	286.79'	S 06°55'14" W	283.63'
C8	34°43'26"	200.00'	121.21'	S 25°12'37" E	119.36'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 75°37'38" E	45.07'

TAHOE LAKES ADDITION, SECTION 3

BEING A RE-PLAT OF LOT 2, BLOCK 1, TAHOE LAKES ADDITION, SECTION 2
DESCRIBED IN CABINET M, PAGE 73, OF THE MIDLAND COUNTY PLAT RECORDS
AND 57.22 ACRE TRACT LOCATED IN SECTION 1, BLOCK 39, T-2-S, T&P RR CO. SURVEY
CITY AND COUNTY OF MIDLAND, TEXAS



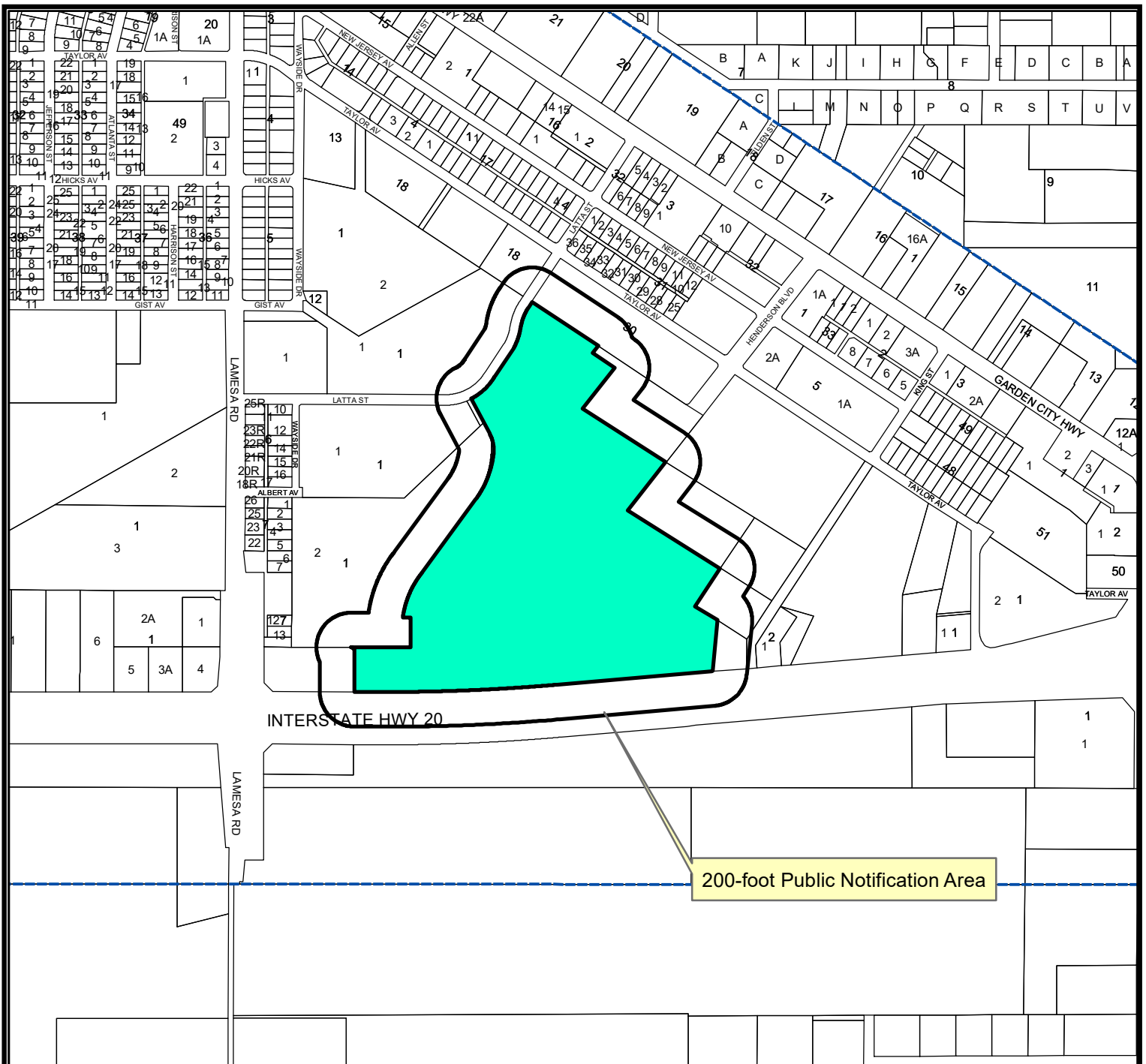
TAHOE LAKES ADDITION, SECTION 3



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

SHEET 01 OF 04

PACKET
Page 12.118
October 18, 2021



LOCATION MAP

Z-21-0266

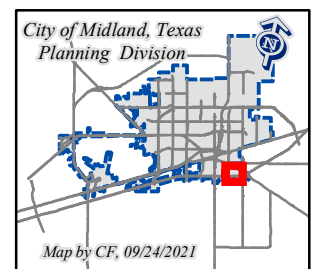
Scale: 1" = 833'

Consider a request by Gary Bellomy for a zone change from a PD, Planned Development District for a Housing Development, Office Center, and Shopping Center to an amended PD, Planned Development District for a Housing Development, Office Center, and Shopping Center on a 57.55-acre tract of land located in Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland Texas .

Generally located on the north side of East Interstate 20, approximately 530 feet east of South Lamesa Road- (Council District 2)

LEGEND

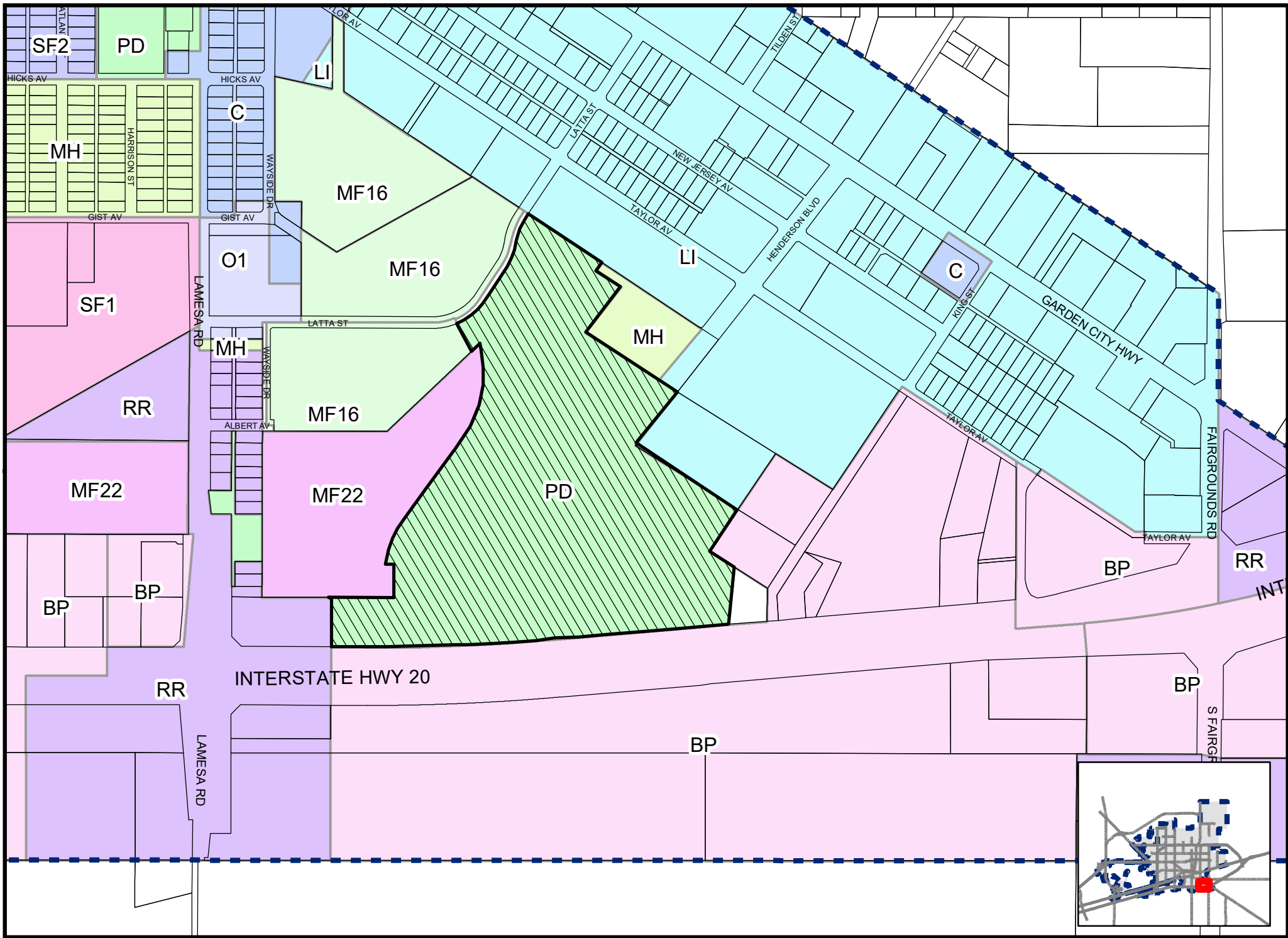
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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

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



ORDINANCE NO. 10206

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 57.55-ACRE TRACT OF LAND OUT OF SECTION 1, BLOCK 39, T-2-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM MF-16, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART MH, MANUFACTURED HOUSING DISTRICT, IN PART, AND BP, I-20 BUSINESS PARK, IN PART, TO PD, PLANNED DEVELOPMENT DISTRICT FOR A HOUSING DEVELOPMENT, OFFICE CENTER, AND SHOPPING CENTER (GENERALLY LOCATED ON THE NORTH SIDE OF EAST INTERSTATE 20, APPROXIMATELY 530 FEET EAST OF SOUTH LAMESA ROAD); CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter, the City Code, and State law, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by rezoning a 57.55-acre tract of land out of Section 1, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein (the "Property") to PD, Planned Development District for a Housing Development, Office Center, and Shopping Center and adopting a site plan therefor, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from MF-16, Multiple-Family Dwelling District, in part MH, Manufactured Housing District, in part, and BP, I-20 Business Park, in part, to PD, Planned Development District for a Housing Development, Office Center, and Shopping

Center.

SECTION TWO. That the base zoning district to which the use and development of the Property shall conform, except as modified by Section Three of this ordinance, is the TH, Townhouse (Attached) Dwelling District.

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

- A. That the development and use of the Property shall significantly conform to the site plan attached hereto as Exhibits "B" and "C".
- B. That the landscaping shall significantly conform to the standards set out in Exhibit "D", which is attached hereto and incorporated herein for all purposes.
- C. That the lighting shall significantly conform to the standards set out in Exhibit "E", which is attached hereto and incorporated herein for all purposes, except that all exterior lighting shall be composed of light emitting diodes.
- D. That the signs shall significantly conform to the standards set out in Exhibit "F", which is attached hereto and incorporated herein for all purposes.

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

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

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

subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 13th day of July, A.D., 2021; and passed to second reading on motion of Council member Blong, seconded by Council member Trost, by the following vote:

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

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Norman, seconded by Council member Ladd, on the 27th day of July, A.D., 2021, at a regular meeting of the City Council:

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

Council members voting "NAY": None

PASSED AND APPROVED THIS 27th day of July, A.D., 2021.



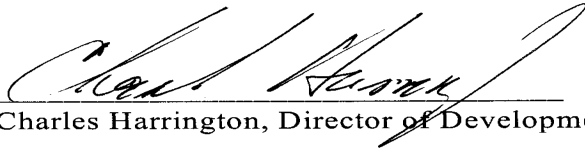
Patrick N. Payton, Mayor

ATTEST:



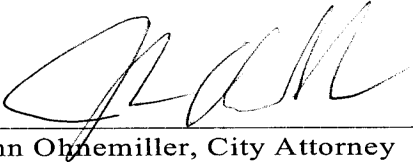
Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:



John Ohnemiller, City Attorney



ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING

lca@lcaodessa.com

521 N. Texas Ave. • Odessa, Texas 79761

(432) 332-5058 or 580-8812 • Fax (432) 332-8812

Engineering Firm# 001363 • Surveying Firm# 10034300

**METES & BOUNDS DESCRIPTION
OF A 57.55-ACRE TRACT
LOCATED IN SECTION 1, BLOCK 39, T-2-S
T&P RR CO. SURVEY
MIDLAND COUNTY, TEXAS**

BEING A 57.55-ACRE REMAINDER OF THAT CERTAIN 101.49-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2010-4195 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS, IN SECTION 1, BLOCK 39, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (Y=10,688,784.49' & X= 1,762,775.17') A 3/8" IRON ROD WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) FOUND AT THE NORTHEAST CORNER OF LOT 1 BLOCK 1 TAHOE LAKES ADDITION, AS RECORDED IN CABINET I, PAGE 190 OF THE MIDLAND COUNTY PLAT RECORDS AND ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF THE CURVED SOUTH RIGHT-OF-WAY LINE OF LATTA STREET AS DESCRIBED IN DOCUMENT NO. 2008-22815 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS HAVING A RADIAL BEARING OF NORTH 37°19'47" WEST;

THENCE ALONG SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION, HAVING A RADIUS LENGTH OF 330.00 FEET, A DELTA ANGLE OF 33°32'10", AN ARC LENGTH OF 193.15 FEET, A CHORD LENGTH OF 190.41 FEET BEARING NORTH 35°54'06" EAST TO A 1/2" IRON ROD WITH PLASTIC CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF TANGENCY;

THENCE NORTH 19°08'00" EAST WITH THE SOUTH RIGHT-OF-WAY OF SAID LATTA STREET, A DISTANCE OF 195.48 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE ALONG SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION, HAVING A RADIUS LENGTH OF 330.00 FEET, A DELTA ANGLE OF 23°09'45", AN ARC LENGTH OF 133.41 FEET, A CHORD LENGTH OF 132.50 FEET BEARING NORTH 07°33'08" EAST TO A 1/2" IRON ROD WITH PLASTIC CAP MARKED "LCA ODESSA TX" SET FOR THE POINT OF TANGENCY;

THENCE NORTH 04°01'57" WEST WITH THE EASTERN RIGHT-OF-WAY OF SAID LATTA STREET, A DISTANCE OF 24.19 FEET TO A 1/2" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT IN A NORTHEASTERLY DIRECTION, HAVING A RADIUS LENGTH OF 295.00 FEET, A DELTA ANGLE OF 23°10'30", AN ARC LENGTH OF 119.32 FEET, A CHORD LENGTH OF 118.51 FEET BEARING NORTH

07°33'31" EAST TO A ½" IRON ROD WITH PLASTIC CAP MARKED "LCA ODESSA TX" SET FOR THE POINT OF TANGENCY;

THENCE NORTH 19°04'24" EAST WITH THE EAST RIGHT-OF-WAY OF SAID LATTA STREET, A DISTANCE OF 36.38 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE WEST CORNER OF THAT CERTAIN 7.53-ACRE TRACT CURRENTLY IN THE NAME OF MIDLAND COUNTY ON THE EAST RIGHT-OF-WAY LINE OF SAID LATTA STREET, WHENCE A 3/8" IRON ROD (CONTROL MONUMENT) FOUND AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF SAID LATTA STREET AND THE SOUTHERN RIGHT-OF-WAY OF E. TAYLOR AVENUE BEARS NORTH 19°03'10" EAST, A DISTANCE OF 300.00 FEET;

THENCE SOUTH 71°05'09" EAST WITH THE SOUTHERN LINE OF SAID 7.53-ACRE TRACT, A DISTANCE OF 467.02 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" FOUND AT AN ELL CORNER OF THIS SURVEY AND THE NORTHERNMOST CORNER OF THAT CERTAIN 5.57-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2014-17375 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY TEXAS;

THENCE SOUTH 23°20'09" WEST WITH A WEST LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 48.93 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF DEFLECTION OF THIS SURVEY;

THENCE SOUTH 71°08'48" EAST WITH A SOUTH LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 152.80 FEET TO A FOUND 3/8" IRON ROD (CONTROL MONUMENT);

THENCE SOUTH 23°29'35" WEST WITH A WEST LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 300.87 FEET TO A 3/8" IRON ROD FOUND AT THE SOUTHERNMOST WEST CORNER OF SAID 5.57-ACRE TRACT AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 71°49'04" EAST WITH THE SOUTHERN LINE OF SAID 5.57-ACRE TRACT, A DISTANCE OF 570.74 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE NORTH CORNER OF THAT CERTAIN 4.92-ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2010-12057 OF SAID OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY TEXAS AND A POINT OF DEFLECTION OF THIS SURVEY;

THENCE SOUTH 23°35'54" WEST WITH THE WESTERN LINE OF SAID 4.92-ACRE TRACT, A DISTANCE OF 363.93 FEET TO A ½" IRON ROD (CONTROL MONUMENT) FOUND AT THE WEST CORNER OF SAID 4.92-ACRE TRACT AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 72°30'41" EAST, WITH THE SOUTH LINE OF SAID 4.92-ACRE TRACT, A DISTANCE OF 627.03 FEET TO A ½" IRON ROD FOUND AT THE SOUTH CORNER OF SAID 4.92-ACRE TRACT, THE NORTH CORNER OF THAT CERTAIN 2.15-ACRE TRACT AS DESCRIBED IN VOLUME 1817, PAGE 300 OF THE DEED RECORDS OF MIDLAND COUNTY TEXAS AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 19°04'38" WEST WITH THE WESTERN LINE OF SAID 2.15-ACRE TRACT, A DISTANCE OF 269.33 FEET TO A ½" IRON ROD FOUND AT THE WEST CORNER OF SAID 2.15-ACRE TRACT AND AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 73°48'45" EAST WITH THE SOUTHERN LINE OF SAID 2.15-ACRE TRACT, A DISTANCE OF 157.05 FEET TO A ½" IRON ROD FOUND AT THE

NORTHWEST CORNER OF THAT CERTAIN 1.01-ACRE TRACT AS DESCRIBED IN SAID VOLUME 1817 PAGE 300 OF SAID MIDLAND COUNTY DEED RECORDS FOR AN ELL CORNER OF THIS SURVEY;

THENCE SOUTH 08°35'01" EAST WITH THE WESTERN LINE OF SAID 1.01-ACRE TRACT, A DISTANCE OF 293.86 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHWEST CORNER OF SAID 1.01-ACRE TRACT ON THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 20 FOR THE EASTERNMOST SOUTHEAST CORNER OF THIS SURVEY;

THENCE SOUTH 70°34'45" WEST WITH THE NORTH RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 20, A DISTANCE OF 899.28 FEET TO A TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) CONCRETE MONUMENT WITH A BRASS DISK (CONTROL MONUMENT) FOR THE POINT OF CURVATURE OF A CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE TO THE RIGHT IN A SOUTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 11,309.20 FEET, A DELTA ANGLE OF 04°59'56", AN ARC LENGTH OF 986.68 FEET, A CHORD LENGTH OF 986.37 FEET BEARING SOUTH 73°03'27" WEST TO A TXDOT CONCRETE MONUMENT WITH BRASS DISK AT THE POINT OF TANGENCY;

THENCE SOUTH 75°34'27" WEST WITH THE NORTH RIGHT-OF-WAY OF SAID INTERSTATE HIGHWAY 20, A DISTANCE OF 192.73 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE SOUTHEAST CORNER OF THAT CERTAIN 3.30-ACRE TRACT AS DESCRIBED IN VOLUME 1198 PAGE 204 OF SAID MIDLAND COUNTY DEED RECORDS FOR THE WESTERNMOST SOUTHWEST CORNER OF THIS SURVEY;

THENCE NORTH 14°32'03" WEST WITH THE EAST LINE OF SAID 3.30-ACRE TRACT, A DISTANCE OF 242.05 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT A POINT OF CURVATURE;

THENCE ALONG SAID CURVE TO THE LEFT IN A NORTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 18.61 FEET, A DELTA ANGLE OF 89°59'12", AN ARC LENGTH OF 29.23 FEET, A CHORD LENGTH OF 26.32 FEET BEARING NORTH 59°31'38" WEST TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" (CONTROL MONUMENT) FOUND AT THE POINT OF TANGENCY;

THENCE NORTH 75°41'32" EAST, A DISTANCE OF 349.07 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF DEFLECTION OF THIS TRACT;

THENCE NORTH 14°33'23" WEST, A DISTANCE OF 173.46 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF DEFLECTION OF THIS TRACT;

THENCE SOUTH 75°37'36" WEST, A DISTANCE OF 45.07 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIAL BEARING OF NORTH 83°54'09" EAST;

THENCE ALONG SAID CURVE TO THE RIGHT IN A NORTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 530.00 FEET, A DELTA ANGLE OF 27°47'11", AN ARC

LENGTH OF 257.03 FEET, A CHORD LENGTH OF 254.52 FEET BEARING NORTH 07°47'45" EAST TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE END OF THIS CURVE;

THENCE NORTH 21°41'20" EAST, A DISTANCE OF 522.76 FEET TO 3/8" IRON ROD SET AT THE POINT OF CURVATURE OF A CURVE TO THE LEFT;

THENCE ALONG SAID CURVE TO THE RIGHT IN A NORTHWESTERLY DIRECTION, HAVING A RADIUS LENGTH OF 556.30 FEET, A DELTA ANGLE OF 44°23'54", AN ARC LENGTH OF 431.07 FEET, A CHORD LENGTH OF 420.37 FEET BEARING NORTH 00°30'36" WEST TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT THE POINT OF TANGENCY;

THENCE NORTH 22°42'31" WEST, DISTANCE OF 86.39 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT AN ELL CORNER OF THIS TRACT;

THENCE SOUTH 32°04'31" WEST, DISTANCE OF 61.92 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET AT AN ELL CORNER OF THIS TRACT;

THENCE NORTH 42°34'20" WEST, DISTANCE OF 168.30 FEET TO THE POINT OF THE BEGINNING CONTAINING 57.55 SURFACE ACRES.

BEARINGS, DISTANCES AND COORDINATES ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, 1983 NAD, CENTRAL ZONE, BASED ON THE CITY OF MIDLAND GPS CONTROL MONUMENT "LAM 20" (Y=10,686,841.66' AND X=1,761,908.42", ELEVATION = 2775.01 NAVD 29) WITH A THETA ANGLE OF -00°53'17" WITH A COMBINED GRID FACTOR OF 0.999893673 AS PUBLISHED IN US SURVEY FEET.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

LCA

JOHN F. LANDGRAF, RPLS 2410
27 May 2021

LCA PROJECT NO. 2021-001

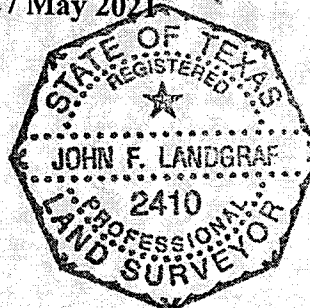


EXHIBIT "B"

Section 3.1 The Regulating Plan

LEGEND

FRONTAGE TYPES

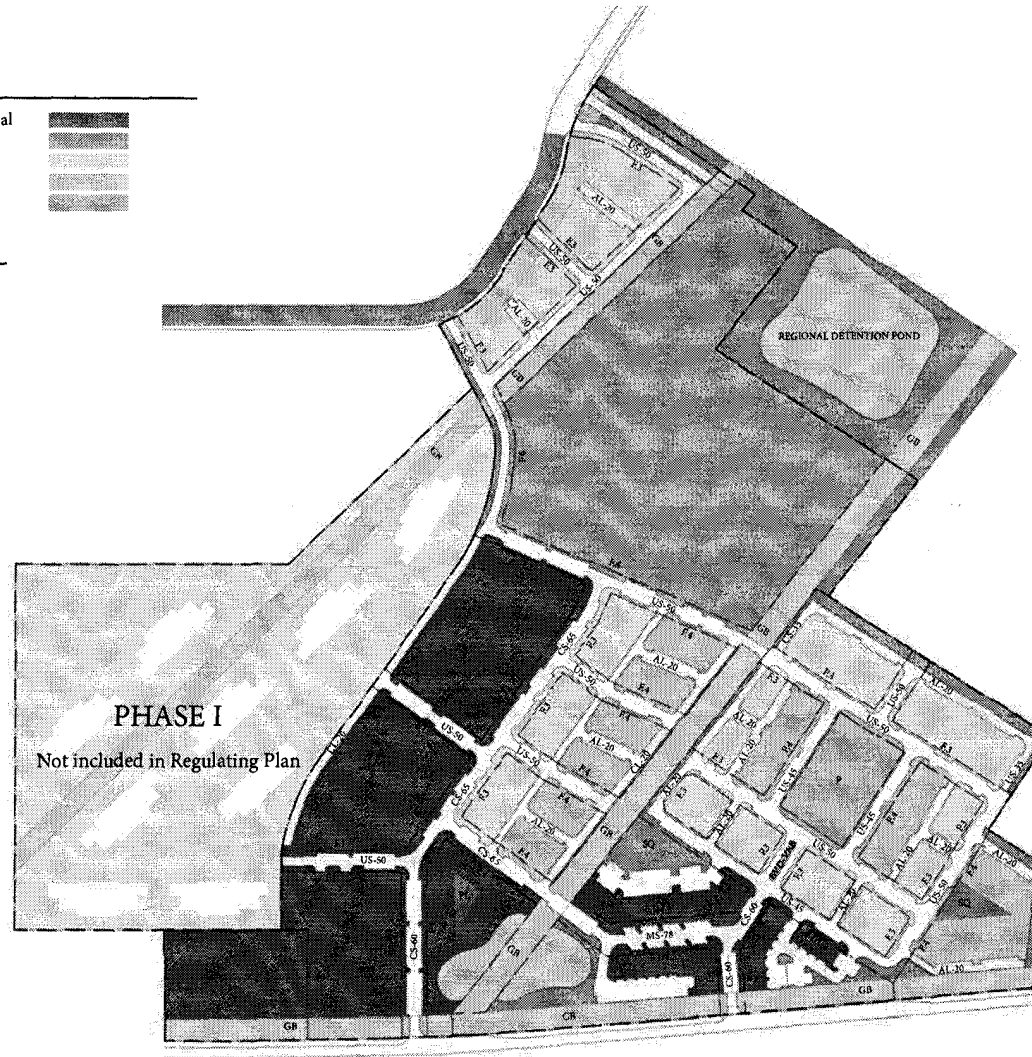
F1	(Section 4.1) Type F1:	Main Street Commercial	
F2	(Section 4.2) Type F2:	Live/Work	
F3	(Section 4.3) Type F3:	Townhouse	
F4	(Section 4.4) Type F4:	Side Yard House	
F5	(Section 4.5) Type F5:	Education / Civic	

STREET TYPES

MS-78	Main Street 78' R.O.W.
BVD-VAR	Boulevard Variable R.O.W.
CS-65	Commercial Street 65' R.O.W.
CS-60	Commercial Street 60' R.O.W.
US-50	Urban Street 50' R.O.W.
US-45	Urban Street 45' R.O.W.
US-40	Urban Street 40' R.O.W.
CL-20	Commercial Alley 20' Access Easement
AL-20	Residential Alley 20' Access Easement

PUBLIC OPEN SPACE

PL	Plaza	
SQ	Square	
GR	Green	
GB	Greenbelt	
P	Park	



NORTH

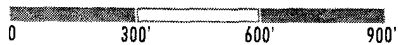


EXHIBIT "C"

Section 4.0

Summary of Frontage Types

Complete detailed requirements of Frontage Types can be found in Sections 4.1 through 4.5

FRONTAGES	F1 (See Section F1) Main Street Commercial	F2 (See Section F2) Live/Work	F3 (See Section F3) Townhouse	F4 (See Section F4) Sideyard House	F5 (See Section F5) Education
PERMITTED USES	Retail Sales and Service (20,000 SF max per tenant) Office/Research and Development Lodging/Hotel Multi-Family Residential Single Family Attached Residential Day Care	Limited Retail (≤3,000 SF) Limited Office (≤3,000 SF) Lodging/Hotel (≤10 rooms) Multi-Family Residential (≤10 dwelling units) Single Family Attached Residential	Single Family Attached Residential	Single Family Detached Residential Ancillary unit	Public or private School
CONDITIONAL USES	Manufacturing (10,000 SF max per tenant) Congregate Care (100 room max)	None	Home Occupation	Home Occupation	None
PROHIBITED USES	Vehicle Sales Auto Service & Repair Auto Parts Sales Gas Stations Auto Body Painting and Repair Drive-Through Commercial Storage & Warehouse Single Family Detached Residential Sexually-Oriented Businesses	Same as F1 - Main Street	Same as F1 - Main Street Plus: Retail Office Manufacturing	Same as F1 - Main Street Plus: Retail Office Manufacturing	Same as F1 - Main Street Plus: Retail Office Manufacturing
LOT WIDTH	30' min. 240' max (30' increments)	20' min. 40' max	20' min. 40' max	35' min. 60' max	90' min. no max.
LOT DEPTH	No Minimum Maximum limited by block size	No Minimum Maximum limited by block size	80' min. 125' max.	80' min. 150' max.	50' min. no max.
BUILDING HEIGHT	2 stories or 25' minimum 5 stories maximum	2 stories minimum 3 stories maximum	2 stories minimum 3 stories maximum	2 stories minimum 2.5 stories maximum	2 stories minimum 5 stories maximum
SIDE SETBACK	None	None	None	2.5' on one side & 10' on the opposite side	5'
BUILD-TO LINE	0' to 10' from property line (on designated primary frontage)	0' to 10' from property line (on designated primary frontage)	10' from property line (on designated primary frontage)	20' from property line (on designated primary frontage)	90' from property line (on designated primary frontage)
REAR SETBACK	None	None	5' from Alley	5' from Alley	N/A
PARKING RATIOS					
Retail	4 spaces per 1000 GSF	4 spaces per 1000 GSF	N/A	N/A	N/A
Office	4 spaces per 1000 GSF	4 spaces per 1000 GSF	N/A	N/A	N/A
Lodging/Hotel	1 space per Room	1 space per Room	N/A	N/A	N/A
Residential	1.5 spaces per Unit	1.5 spaces per Unit	2 spaces per Primary Unit plus 1 space per ancillary unit	2 spaces per Primary Unit plus 1 space per ancillary unit	N/A
Congregate Care	1.0 spaces per every 2 beds	NA	NA	NA	N/A
Manufacturing	1.0 spaces per 600 GSF	N/A	N/A	N/A	N/A
Education	1.0 spaces per 575 GSF	N/A	N/A	N/A	1.0 spaces per 575 GSF

Table 4.01

EXHIBIT "D"

Section 8.0

Landscape Standards

8.1 THE PUBLIC LANDSCAPE

8.1.1 SOIL PRESERVATION

Wherever possible grades for thoroughfare and open spaces shall follow existing topography and drainage patterns. Areas to be left natural shall be fenced and undisturbed during construction. The soil structure for planting strips shall be protected from compaction with protective fencing. During construction, topsoil shall be removed, and stockpiled for later use.

8.1.2 COMPACTION

All planting areas shall be cultivated and top-dressed with organic matter. Deeply compacted areas shall be cultivated to a depth of one foot and top-dressed with an addition of loose topsoil, coarse sand and compost. Ballfields shall be underlain with a mix of coarse sand.

8.1.3 HYDROLOGY / DRAINAGE

All planting areas shall have drainage outlets achieve positive drainage. Playing fields shall be uniformly graded to a 2% -3% slope.

8.1.4 SITE CLEARING / EROSION CONTROL

To prevent erosion, clearing of easements and access routes should not occur more than 60 days prior to construction. Trees to be removed shall be taken down in a manner that will not impact any of the adjacent trees to remain. All trees will have crown and limbs removed before being felled and depending upon the density of vegetation the trunk shall be felled before the stump is removed. It is recommended that limbs and underbrush be chipped shredded and retained on site to be spread as a mulch after construction has finished. The boundary of construction sites shall be marked with a barrier and erosion control fencing on the downhill sides. No clearing operations will be allowed in an unmarked area. When construction is adjacent to a waterway, care should be taken to prevent any excavated material from spilling into the waterway by use of erosion control barriers.

8.1.5 TREE PROTECTION:

Protecting existing trees on site adds value and prevents additional planting costs. In areas of construction where trees are to be preserved, tree protection fencing must be installed and maintained at the dripline. No storage of materials or equipment is allowed within the dripline area of trees to be protected.

With the exception of Protected Trees as defined by the City's General Landscape Ordinance these Oasis landscape standards shall be adhered to in lieu of City's landscape regulations.

8.1.6 PLANT SELECTION

Trees may be selected from the lists outlined below. The use of native shrubs and ground cover species is encouraged given their adaptability to drought and indigenous soil conditions. Plant quality shall follow the highest Nursery Industry Standards.

8.2. PUBLIC OPEN SPACE TREES

8.2.1 STREETS, SQUARES, AND GREENS

The following is a list of trees that may be used in Squares and

Greens, as well as for Street Trees. These trees were selected for their shade providing qualities and their ability to tolerate compaction, drought and pollution typically associated with heavily trafficked areas. Low maintenance and disease resistance are also important qualities for trees in this category. With pruning, these trees also have high a branching character so as not interfere with pedestrian and vehicular activities. Street trees shall have a single trunk and should be limbed up to a minimum of 14' at maturity. All street tree plantings shall utilize root barriers to prevent heaving of adjacent paving.

- Live Oak, *Quercus virginiana*
- Bur Oak, *Quercus macrocarpa*
- Texas Red Oak, *Quercus texana*
- Pecan, *Carya illinoensis*
- Bald Cypress, *Taxodium distinctum*
- Afghan Pine, *Pinus eldrica*
- Mexican White Oak, *Quercus polymorpha*.

8.2.2 GREENBELT TREES

The following trees may be planted in Greenbelts (as defined in the Open Space Standards) This list of trees was selected for their more naturalistic character which is representative of the above listed public open spaces. Native species are encouraged given their adaptability to native soils and drought conditions:

Native Large Trees (Mature Height Over 30'):

- Texas Ash, *Fraxinus texensis*
- Bald Cypress, *Taxodium distinctum*
- Cedar Elm, *Ulmus crassifolia*
- Live Oak, *Quercus virginiana*
- Pecan, *Carya illinoensis*
- Bur Oak, *Quercus macrocarpa*
- Chinkapin Oak, *Quercus muhlenbergii*
- Texas Red Oak, *Quercus texana*
- Eastern Red Cedar, *Juniperus virginiana*

Non-Native Large Trees (Mature Height Over 30'):

- Arizona Cypress, *Cupressus arizonica*
- Austrian Pine, *Pinus nigra*
- Goldenrain tree, *Koeleruteria paniculata*
- Italian Stone Pine, *Pinus pinea*
- Lacebark Elm, *Ulmus parvifolia*

Native Small Trees (Mature Height 30' or less):

- Crabapple, *Malus spp.*
- Eve's Necklace, *Sophora affinis*.
- Goldenball Leadtree, *Leucaena retusa*.
- Mexican Redbud, *Cercis canadensis* var. *mexicana*.
- Mexican-Buckeye, *Ungnadia speciosa*.
- Pinyon Pine, *Pinus edulis*.
- Prairie Flameleaf Sumac, *Rhus lanceolata*.
- Texas Mountain Laurel, *Sophora secundiflora*.
- Texas Walnut, *Juglans microcarpa*.
- Desert Willow, *Chilopsis linearis*
- Texas Persimmon, *Diospyros virginiana*
- Texas Pistache, *Pistacia texana*
- Mexican Plum, *Prunus mexicana*

- Texas Redbud, *Cercis canadensis* *texensis*
- Vitex, *Vitex agnus-castus*

Non-Native Small Trees (Mature Height 30' or less):

- American Smoketree, *Cotinus obovatus*
- Crape Myrtle, *Lagerstroemia indica*
- Chinese Pistache, *Pistacia chinensis*

8.2.3 PARKS

Shade trees shall be 3" caliper container grown or 4" balled and burlapped trees planted in naturalistic pattern. At least 1 tree per 5,000 sf shall be planted. Existing hardwood trees may count toward the minimum number of trees. Trees may be grouped to allow for large lawn cover areas (see tree list in Landscape Standards 8.2.2)

B) Small Flowering Trees:

Small flowering trees (no less than 2 caliper inches) shall be planted in groupings at no less than 1 per 5,000 SF. (see tree list in Landscape Standards).

C) Lawn:

Lawns shall include Bermuda grass in sun to partly shade conditions; St. Augustine shall be provided in dense shade. In conditions with a more natural landscape character, coverage should be a mixture of native grass and wildflower seed. This mixture should contain a minimum of three (3) different species of grass and five (5) different species of wildflowers.

D) Street Lamps:

Street lamps shall be provided along pedestrian paths and at entrances to a Square or Plaza. At least 1/2 of a foot candle must be maintained.

E) Public seating:

Public seating shall include metal, stone or concrete benches placed along pathways. Seating shall be provided at no less than ten linear feet of seating per 10,000 SF of park area.

F) Irrigation:

Irrigation is required for all landscaped areas.

8.3 PARKING LOT LANDSCAPES

It is the intent of this section to establish standards in harmony with a city's landscape ordinance. However, due to the different development pattern (i.e. parking behind rather than in front of buildings) these standards shall apply where they may conflict with the landscape ordinance, including the Buffer requirements.

8.3.1 LANDSCAPE ISLANDS

In parking lots, landscaped islands must be provided at the end of all parking rows. Landscaped islands shall have a minimum width of 9 feet measured from back of curb to back of curb. A continuous poured-in-place concrete curb shall be provided around parking islands to prevent vehicular intrusion.

8.3.2 TREE ISLANDS

In addition to landscaping islands at the end of all parking rows,

tree islands shall be incorporated into the parking lot layout every eight spaces to provide for additional shade. Tree islands shall incorporate a continuous poured-in-place concrete curb and shall be a minimum of 5' from back of curb to back of curb.

8.3.3 PARKING LOT TREES

In parking areas, two shade trees shall be planted in landscape islands at the end of all parking rows. A shade tree shall be installed no further than 30' from each stall. In addition, one shade tree will be provided for each five perimeter parking spaces. The parking lot trees will be a minimum 4 inch caliper balled and burlapped or 3 inch caliper container grown.

8.3.4 STREET TREES

Street trees shall be installed in locations shown on Street Types (Section 5.0), and shall be a minimum of 4" caliper, container grown with a minimum branching height of 9'-0".

8.3.5 MAXIMUM AREA OF PARKING SECTIONS

Parking areas shall be broken into individual sections not to exceed 60 cars. Each section shall be separated by a 10' wide major landscaped buffer to provide visual relief.

8.3.6 PARKING LOT SCREENING

Any parking lot fronting along a Build-to-Line shall be landscaped at the perimeter and screened from view. A landscaped strip at least three feet wide shall be planted with a shrub hedge at least 30 inches in height at the time of installation and a mature height of 4' to 5'.

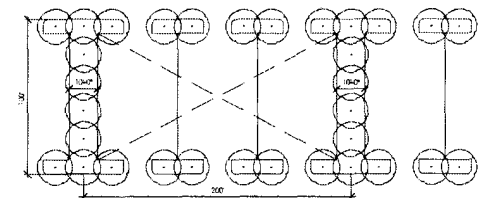


Figure 8a
MAXIMUM PARKING AREA

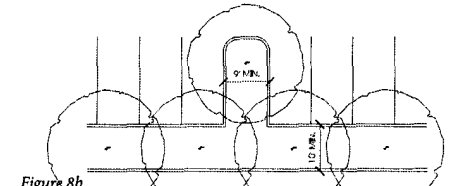


Figure 8b
LANDSCAPE ISLANDS

Section 8.0 Cont. Landscape Standards

8.3.7 STORAGE SCREENING

All loading and storage areas for commercial uses shall be screened from view from public streets and public open space. This provision includes above grade utility transformers, meters, valve boxes or other such apparatus. Screen elements may include permanent walls, fences, plant material or architectural enclosures. Open storage of goods, materials, machinery, equipment, vehicles, plants, trash or other items shall be similarly screened from public view.

8.3.8 IRRIGATION

All landscape areas shall be irrigated with the exception of natural areas and undeveloped areas. All irrigation systems are to be below ground, fully automated systems and in compliance with applicable building code requirements. The use of drip irrigation for shrubs and trees is acceptable. All backflow control devices are to be installed in below-grade Valve boxes or located and screened so that they are not visible from public streets or parking lots. All parking areas, drives and walks are to be "trimmed" to minimize spray onto pavements. Owners shall be required to irrigate to back of the curb of public roads. Oasis will provide reclaimed waste water to all irrigation users.

8.3. EXISTING TREE LOCATIONS

If specimen quality existing trees of 16" DBH or greater are encountered in tree surveys subsequent to the formulation of these standards, modifications to the layout of streets and walks may be considered. Refer to section 11.0 for Revisions to the Regulating Plan.

8.4 IMPLEMENTATION

All public landscape improvements shall be constructed or installed at the time of adjacent street and utility infrastructure construction.

Section 9.0 Drainage Standards

9.1 STORM WATER MANAGEMENT

A Regional Storm water Management approach is desirable for the Oasis District. The benefits of a regional approach to providing storm water detention over an on-site approach are many. They include the following:

- A greater level of confidence in the hydraulic performance of the regional facilities;
- Less land area required thus increasing taxable land base in the District;
- Centralized, focused long term maintenance and thus a greater level of confidence in the long term function of the regional facility;
- Less overall construction, design, and administration costs;
- The ability to combine the regional facilities into an amenity area.

9.2 DRAINAGE STANDARDS

The Oasis District is anticipated to be a moderately high density and impervious cover area and as such the management of storm water runoff will be essential and critical to the ongoing health, safety, and welfare of not only the District, but also areas downstream of the District.

9.3 FLOODING CONDITIONS

There is increased potential for downstream erosion and degradation of water quality due to the increase in frequency of storm water runoff by the smaller more frequent storm events and corresponding increase in storm runoff volume. The increase in volume of runoff and frequency of storm water runoff events will have the effect of eroding the natural downstream waterways and further the potential for flooding. The effects of this can be mitigated by providing detention for the higher frequency (smaller) storm events and/or providing extended detention or a combination of detention/retention.

9.4 REGIONAL DETENTION

Due to the location of the Oasis District and its direct interface with the Midland County detention facility, accommodating approximately the north half of the project. The south half of the project shall drain to a combination of common area detention facilities.

9.5 WET PONDS

Detention may be combined with irrigation reservoirs and/or aesthetic ponds. Sufficient free board shall be designed into the pond to allow for adequate detention volume. These ponds may also be used to create man made wetlands where appropriate.

9.6 TIME OF IMPLEMENTATION

As with open space and landscape improvements, the implementation of drainage and water quality improvements outlined in this section shall be simultaneous with the development of sub basin served by the various drainage phases.



Figure 9a: Storm water management facilities can become a community amenity. (Hogan Park Golf Course, Midland, TX)

EXHIBIT "E"

Section 10.0

Not Used

Section 11.0

Lighting Standards

11.1 GENERAL INTENT

A) Street lights shall be decorative and blend with the architectural style of the buildings in the Oasis District. Exterior lighting in the Public right-of-way will be coordinated with the electric utility provider. Standards for exterior lighting of private development such as parking areas and public spaces shall be subject to the regulations below and enforced by the Master Developer.

B) Street lights and site lights shall provide adequate lighting, while minimizing adverse impacts, such as glare and upward oriented glow. House side shields shall be provided where abutting a residential use. 'Dark Sky' protocols shall be integrated to the greatest extent possible.

11.2 PLACEMENT

A) Along all commercial or mixed use streets, parking areas, sidewalks, walkways, courtyards, community greens, and common open spaces, twelve to fourteen foot high decorative light posts shall be provided at regular intervals. Post shall be spaced at no greater than 60 feet on center on both sides of a commercial or main street and at all street intersections. Lighting on residential streets should be confined to the intersections and corners.

Lighting standards shall be consistent throughout each district.

- 1) Lighting level along commercial streets shall be no less than one-half foot candle and shall be no greater than two foot candles.
- 2) Lighting level at an intersection of two residential streets (excluding alleys or access easements) shall be no less than one foot candle and shall be no greater than three foot candles.
- 3) Lighting level at an intersection of a commercial street and any other street (excluding alleys or access easements) shall be no less than one foot candle and shall be no greater than three foot candles.
- 4) Lighting level in parking lots shall be no less than one foot candle and shall be no greater than two foot candles.

B) In parking lots, post heights may be extended to a maximum of 18 feet.

11.3 TYPES

A) Use of metal halide or color corrected LED light sources are required. High pressure and sodium and non-color corrected mercury vapor light sources may be considered in special circumstances.

B) Porch light and yard post lighting are encouraged in residential areas. Where yard post lighting is used post and luminaires shall be of compatible styles.

EXHIBIT "F"

Section 12.0 Signage Standards

12.1 INTENT

The following Standards address the number, location, size and types of allowable signs throughout the Oasis District. These signage standards take precedent over the Midland Signage Ordinance and shall be enforced by the Master Developer. Where this section is silent, the standards of the Midland Sign Ordinance, if any, shall apply.

12.2 TYPE AND PLACEMENT

12.2.1 SIGNS AND EXTERIORS

Signage should be designed to directly relate to the exterior design of the building. Signage should not cover important features or cross transitions between features. Signage should be at the first floor level, should not project above the cornice or fascia line, and should be primarily oriented to the pedestrian with the exception of the commercial district. However, lettering on second story windows, to identify separate uses located there, is appropriate. Anchor tenants (10,000 sq. ft. or greater) may place signage to within two feet of highest point of facade.

12.2.2 PROJECTING SIGNS

Signs should generally be flush with the facade and not protrude more than eight (8) inches from the wall. Projecting signs may be considered when the sign does not conflict with the building's exterior design.

12.2.3 OTHER PERMITTED SIGNS

Under-canopy shingle type signs and signage painted on canopies or awnings are permitted. Symbolic three-dimensional signs, such as barber poles, are encouraged. Moving and rotating signs are not permitted.

12.2.4 FREESTANDING SIGNS

Freestanding signs are allowed to identify a district, or multiple-business complex. In a multiple business complex one permanent directory or freestanding master identification sign, not to exceed twenty-five (25) square feet per sign face, is allowed at each main entrance to a public street.

12.2.5 SHINGLE SIGN STANDARDS

Shingle sign, also known as blade or projecting signs, may be permitted to be placed on a building frontage only if all of the following Standards are met:

- A) Context
The sign is historically accurate or appropriate for the building
- B) Visibility
The sign does not impair the visibility of adjacent signs
- C) Materials
The size, location and materials of the sign are compatible with the building and conform to the requirements of this section.
- D) Height
The height of the sign does not extend above the cornice line of a

one story building or the sill of a second floor window.

12.2.6 SIGN CONTENT

A permanent sign is limited to the name and graphic logo of the business, the type of service rendered, the principal brand names or classification of merchandise for sale, and street address. Street addresses are mandatory for each building. Brand names may occupy not more than twenty five percent (25%) of the allowable sign area, except for storefront window signs.

12.2.7 NEON SIGNS

Neon signs are permitted only when all of the following Standards are met:

- A) Visibility
The sign does not impair the visibility of adjacent signs.
- B) Materials
The sign, location and materials of the sign are compatible with the building and conform to the other requirements of this Section.
- C) Associated Use
The sign is more appropriate than an otherwise illuminated sign because of its associated use (e.g. nightclub).

12.3 ALLOWABLE SIGN AREA

12.3.1 MAXIMUM SIGN AREA

A maximum area of one-half (1/2) square foot of signage may be permitted for each linear foot of a business on a primary frontage (facing a public street, public parking lot, or public space) not to exceed forty (40) square feet on any one frontage. A maximum of one-fourth (1/4) square foot of signage may be permitted for each linear foot of a business on a secondary frontage (facing an alley, private driveway, an adjacent building, private parking or service area) not to exceed twenty (20) square feet on any one frontage.

12.3.2 APPLICABILITY

The maximum area of signage noted above shall apply to all wall, window and projecting signs and signs painted on awnings. Further, shingle signs shall not exceed twenty (20) square feet per sign face and shall not project more than five (5) feet from the wall. Shingle signs located under canopies may be the width of the canopy.

12.3.3 FIRST FLOOR SIGNS

Each business with first floor frontage or direct sidewalk access may have a pedestrian-oriented sign attached below a canopy not exceeding five (5) square feet per sign face and with a minimum clearance of eight (8) feet above the sidewalk. Such a sign will not count as part of the maximum business sign allowance.

12.3.4 MULTIPLE TENANT SIGNS

Multiple business directories are intended to address situations where businesses have limited visibility from the adjacent street, and may be permitted when not exceeding two (2) square feet per tenant and twenty (20) square feet total per sign face. Such a sign

will not count as part of the maximum business sign allowance.

12.4 MATERIALS

Signs should be painted and/or carved wood, wrought iron, cut out, non reflective metal lettering such as brass, or glass (including stained glass). Signs painted directly on plain surfaces, windows and canvas awnings are generally appropriate. Three dimensional metal "box" signs are not permitted. Decorative neon identification signs may be used as an accent or design feature, but shall not dominate the general appearance of the facade.

12.5 ILLUMINATION

12.5.1 INDIRECT ILLUMINATION

Illumination should generally be indirect such as that provided by "goose necked" light fixtures. In some instances, signs may be flood-lighted or may utilize exposed LED light bulbs.

12.5.2 ILLUMINATED SIGNS NOT PERMITTED

No interior-illuminated signs are permitted. Fluorescent, flashing, and intermittent illumination is not permitted.

12.6 TEMPORARY SIGNS

12.6.1 STORE EVENTS

Temporary signs pertaining to special store events or sales lasting no more than thirty (30) days may be painted or affixed to display windows provided that their total area shall not exceed twenty-five percent (25%) of the window area.

12.6.2 TEMPORARY BANNERS

Banners or other promotional signs may be displayed for up to thirty (30) days. The same or similar signage shall not be replaced within thirty (30) days after removal.

12.7 NON-CONFORMING SIGNS

Non-conforming signs or sign structures shall be removed upon change in tenancy or ownership of the business identified by the sign. No change in copy and/or reuse of non-conforming sign or sign structure shall be permitted in order to identify a new business, product, tenant or occupant.

12.8 UNUSED SIGNS

12.8.1 UNUSED SIGNS

Any sign existing as of or after the effective date of these Standards, which no longer advertises a bona fide business conducted or a product available for purchase by the public, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure or land upon to do so.

12.8.2 SIGN REMOVAL BY CITY OR DEVELOPER

Upon failure to comply with such notice within the time specified in such order, the Developer is authorized to cause removal of such

sign and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached or, if the sign is not attached to a building, then such expense shall be paid by the owner of the sign.

12.9 ILLEGAL CONSTRUCTION

If the Developer finds that any sign has been constructed or erected, or is being maintained in violation of the provisions of this Section, they shall give written notice of such conditions to the permittee. In the event no valid permit exists, the owner will remove or alter the sign so as to comply with this section within thirty (30) days after such notice. Such signs may be removed or altered to comply at the expense of the permittee or the owner of the property upon which the sign is located.

12.10 STREET ADDRESS SIGNS

Building shall display a numerical address sign indicating the legal address in letters not less than four inches in height and clearly visible from the public street.

12.11 PROHIBITED SIGNS

All auto oriented pylon, pole mounted berm mounted, or off-premise identification signs are prohibited. Off-premise directional signs may be approved on a case-by-case basis by the Design Review Board or Town Architect.











Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a request by Faye Golden Homes, LLC for a zone change from MH, Manufactured Housing District to RR, Regional Retail District on Lots 1 and 2, Block 24, Belmont Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Francis Avenue and S. Main Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Purpose:

The applicant, Faye Golden Homes, LLC, is requesting to rezone the property on Lots 1 and 2, Block 24, Belmont Addition, City and County of Midland, Texas, for the development of office buildings.

Current Zoning:

MH, Manufactured Housing District.

Surrounding Zoning and Land Use:

The property to the north across West Francis Avenue is zoned SF-2, Single-Family Dwelling District, and the location of a church. The properties to the east and south are zoned RR, Regional Retail District, and the location of offices and vacant land. The properties to the west are zoned SF-2, Single-Family Dwelling District, and the location of residences.

Analysis:

The property is located on Lots 1 and 2, Block 24, Belmont Addition, City and County of Midland, Texas, and is currently vacant. The applicant, Faye Golden Homes, LLC, is

requesting this zone change to allow for the development of an office. The property meets the minimum lot size requirements for the RR, Regional Retail District. This zone change will be consistent with the surrounding zoning districts in this area.

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

Fire: (Approved)

No objection.

Building: (Approved)

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

Engineering: (Approved)

No objection to zone change.

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

Code: (Approved)

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

Transportation: (Approved)

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

No objection to zone change.

Planning:

The request is not compliant with the *Tall City Tomorrow Comprehensive Plan, Chapter 3-An Integrated Land Use Vision*. This area calls for urban-residential medium, a designation that incorporates a mix of housing types, including single-family detached, single-family attached and townhouse uses. The development of an office would not follow the recommendations of the Tall City Tomorrow. However, the development of an office does fit the surrounding land uses in that district.

Staff recommends approval of this zone change from MH, Manufactured Housing District to RR, Regional Retail District, subject to condition A.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of October 13, 2021.

Attachments:

Property Survey
Application
Maps



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

Project Number: 2-21-0267
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: _____		Phone () Email _____	
Address _____	City _____	State _____	Zip _____

Property Owner Printed Name: <u>Faye Golden Homes, LLC - Billy Gibbs</u>		Phone <u>(432) 215-5005</u> Email _____	
Address <u>500 W Ohio Av, Suite 201D</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Schumann Engineering</u> Printed Name: <u>Eduardo L. Aleman</u>		Phone <u>(432) 684-5548</u> Email <u>ealeman@schumannonline.net</u>	
Address <u>800 N. Marienfeld, Suite 100.</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Street Address: <u>2 Vacant lots north of 1608 S Main Street</u>	
Legal Description Lot: <u>1 & 2</u> Block: <u>24</u> Subdivision: <u>Belmont Addition</u>	

Current Zoning: <u>MH</u>	Proposed Zone: <u>RR</u> (List by tracts if more than one district is requested)
----------------------------------	--

Reason for Zone Change Request: _____

Present Use of Property: Vacant Lot

Proposed Use of Property: Office Bulding

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

Describe how conditions affecting the property have changed since present zoning designation: _____

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

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

Applicant (signature):

Date:

Applicant (printed): Schuman Engineering/Ed Aleman

Property Owner (signature):

Date: 9-14-21

Property Owner (printed): Billy Gibbs

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

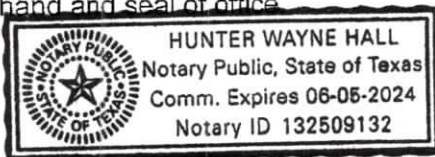
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Ed Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 14th day of September, 2021, to certify which witness my hand and seal of office.



NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Plans in Digital Format (PDF/JPEG)

Check # 1689

Received By: [Signature]

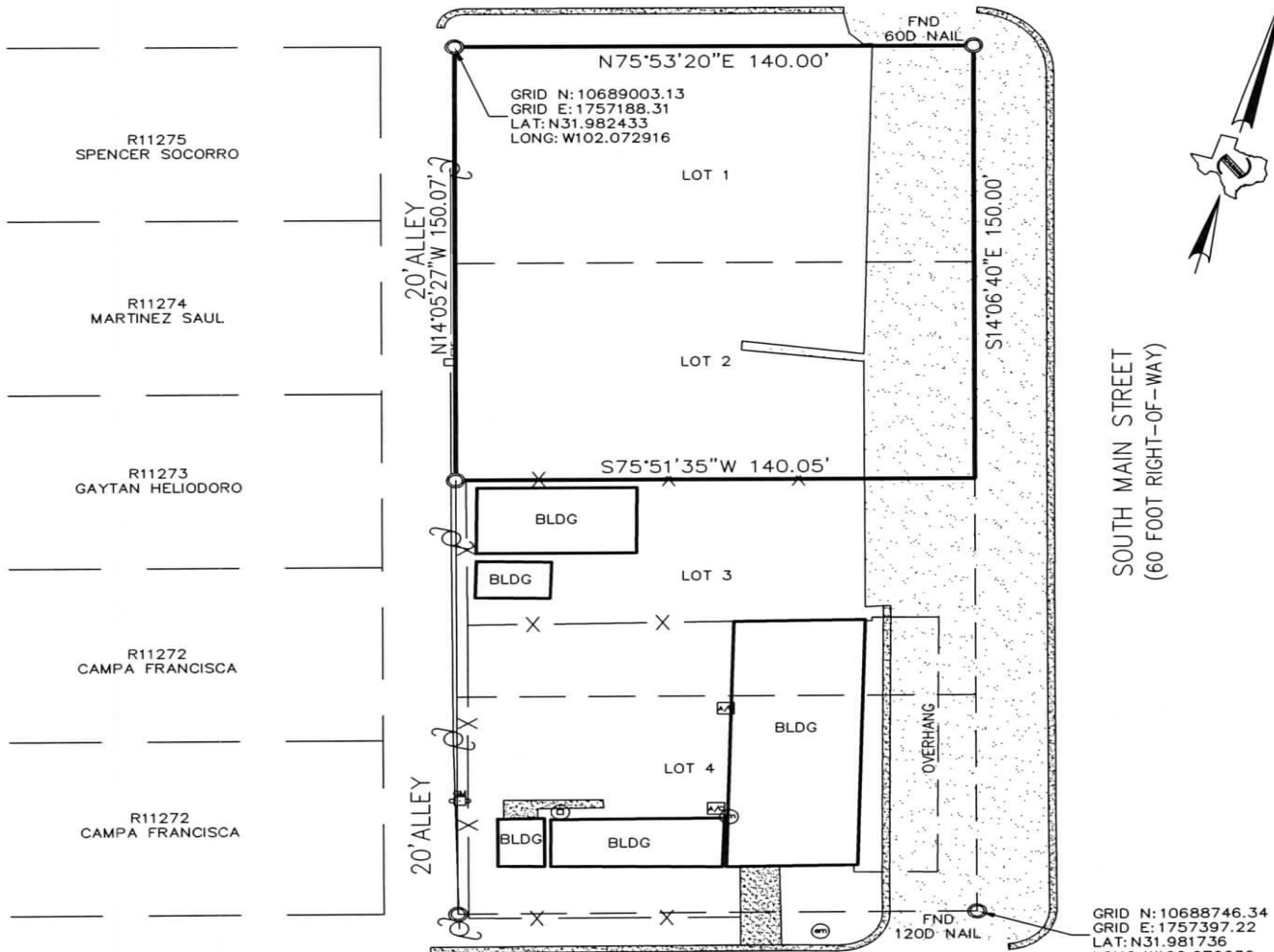
Date:

RECEIVED
SEP 15 2021

BY:

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

WEST FRANCIS AVE
(60 FOOT RIGHT-OF-WAY)



NOTES:

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

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF TITLE COMMITMENT. NOT ALL EASEMENTS OR MATTERS OF TITLE MAY BE SHOWN.

THIS SURVEY DOES NOT GUARANTEE OWNERSHIP.

MONUMENTS ARE A 1/2" REINFORCING BAR SET WITH PLASTIC CAP STAMPED "SCHUMANN" UNLESS OTHERWISE NOTED.

LEGEND:

- X — FENCE LINE
- OHE — OVERHEAD ELECTRIC
- U — UTILITY POLE
- EM — ELECTRIC METER
- A/C — AIR CONDITIONER
- GM — GAS METER
- MON — MONUMENT AS DESCRIBED
- PL — PROPERTY LINE
- AD — ADJOINING PROPERTIES
- BLDG — BUILDING

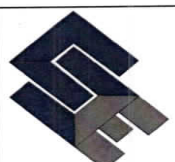
Surveyor Certification

TO THE LIENHOLDERS, FAYE GOLDEN HOMES LLC

(OWNER) OF THE PREMISES AND TO THE ISSUING TITLE INSURANCE UNDERWRITER: THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO KNOWN DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS-OF-WAY, EXCEPT AS SHOWN HEREON.

DATED THIS 19TH DAY OF AUGUST, 2021

RJ DAUM
TEXAS RPLS 4826



SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

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

800 N. MARIENFELD STREET
SUITE 100
MIDLAND, TEXAS 79701

Office (432) 684-5548

SURVEY

LOTS 1-2

BLOCK 24

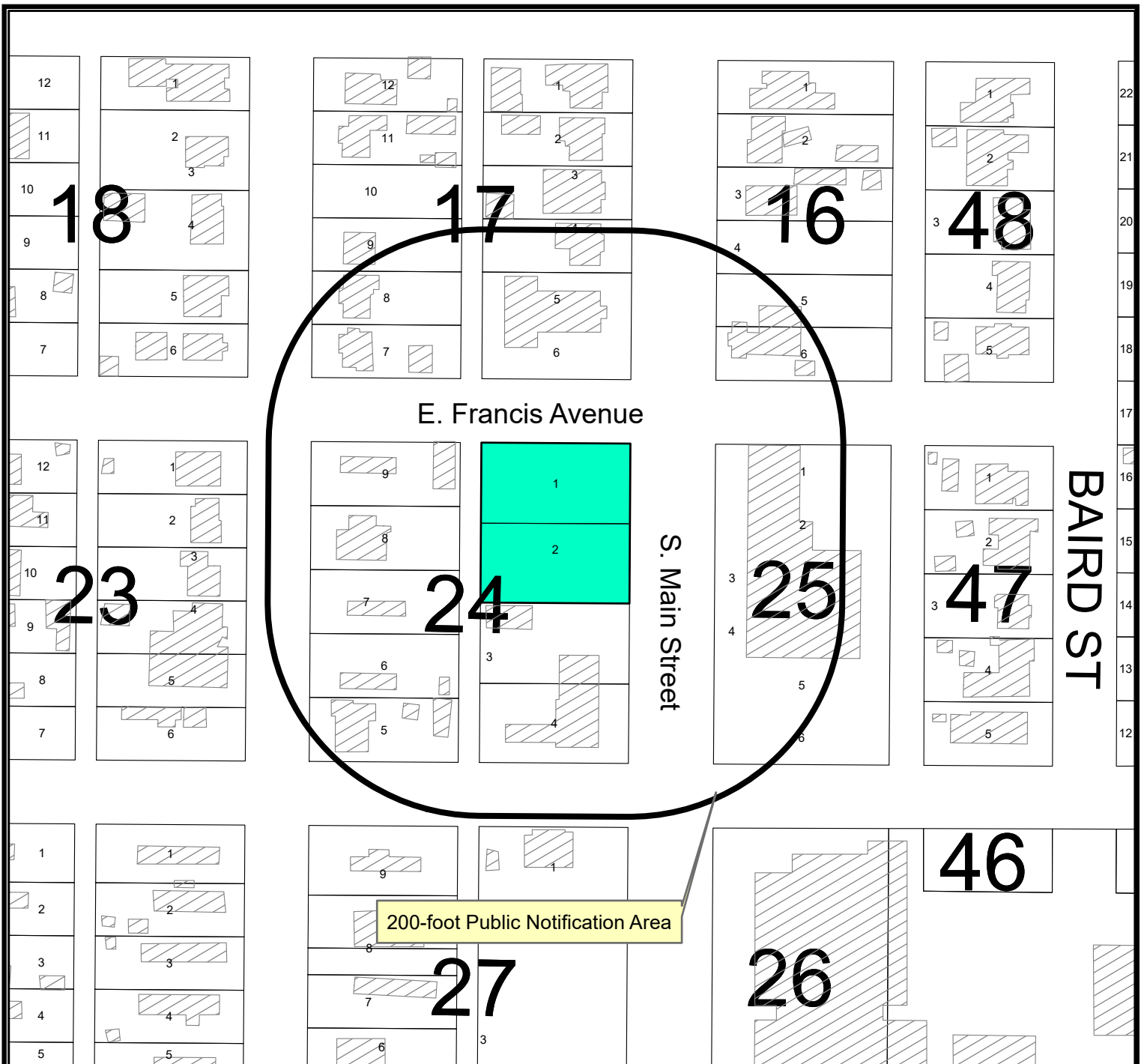
BELMONT ADDITION

AN ADDITION TO THE CITY OF MIDLAND,
AS PER PLAT OF RECORD IN
CABINET B, PAGE 1, PLAT RECORDS,

MIDLAND COUNTY, TEXAS

SCALE: 1" = 50'

PROJECT: 78056
JOB NO.: 78056



LOCATION MAP

Z-21-0267

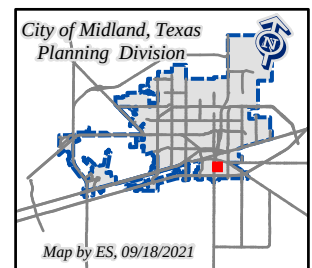
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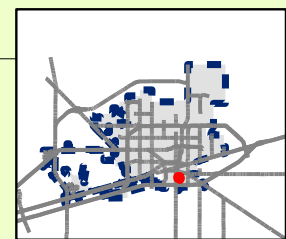
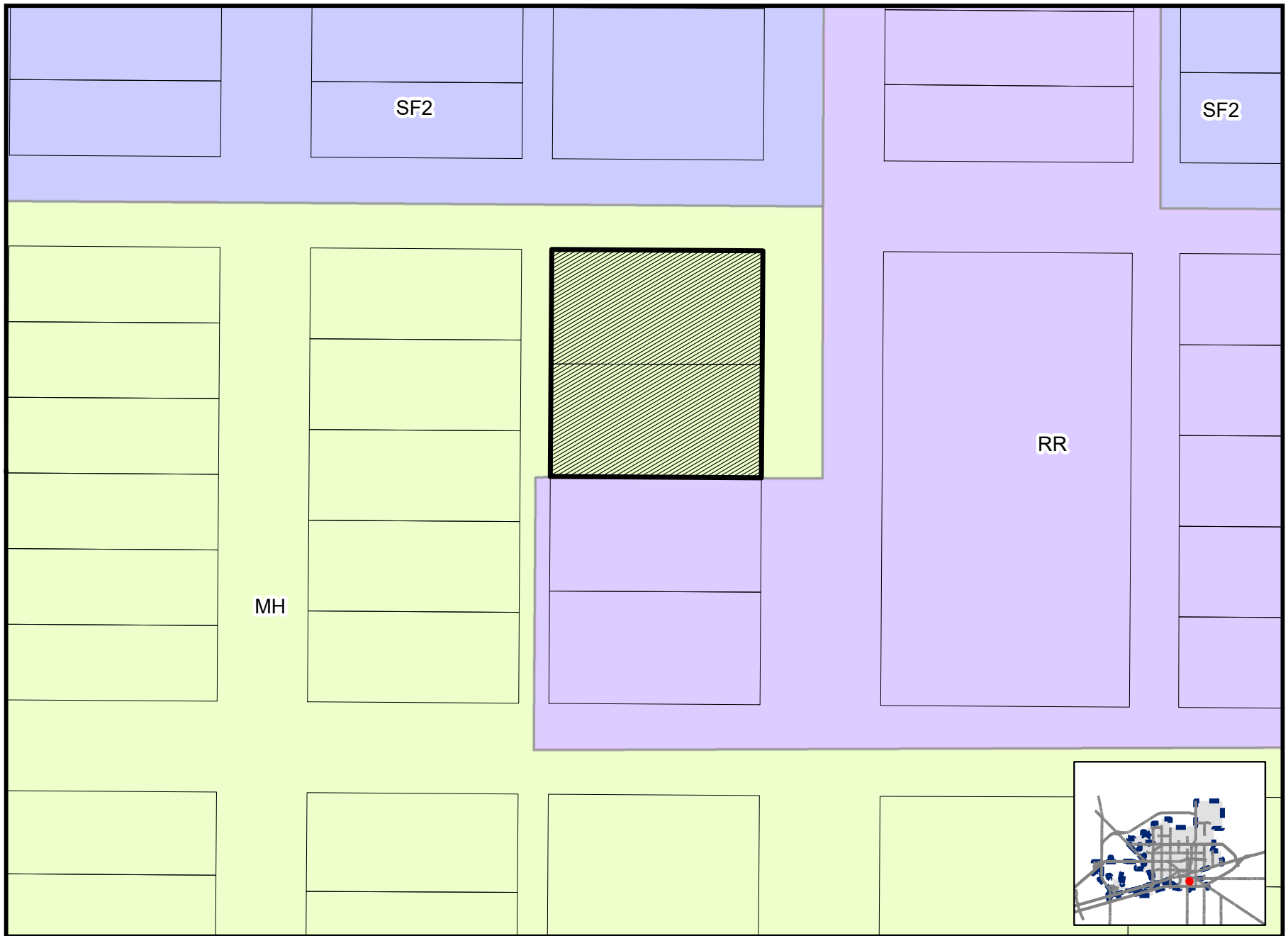
Consider a request by Faye Golden Homes, LLC for a zone change from MH, Manufactured Housing District to RR, Regional Retail District on Lots 1 & 2, Block 24, Belmont Addition, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of E. Francis Avenue and S. Main Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS















Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Motion approving a request by Midland-Odessa Golf Corp., for a zone change from AE, Agricultural Estate to PD, Planned Development District for a Housing Development and Shopping Center on Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

☐ Approve ☒ Deny ☐ Directional/Informational

Details of Request:

The applicant, Midland-Odessa Golf Corp. is requesting approval of a zone change to allow for the development of multi-use site including single family housing, townhomes, offices, retail, greenspace, and an amenity center.

Current Zoning:

AE, Agricultural Estate District.

Surrounding Zoning and Land Uses:

The properties to the north are zoned AE, Agricultural Estate District and the location of vacant land and a church. The properties to the east are zoned SF-2, Single Family Dwelling District and the locations of single-family residences. The properties to the south are zoned SF-1, Single Family Dwelling District and the locations of single-family residences. The properties to the east are zoned CE, Country Estates District and SF-1, Single Family Dwelling District and the locations of vacant land as well as single family residences.

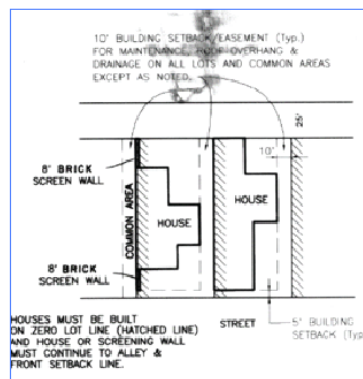
Analysis:

The applicant, Midland-Odessa Golf Corp. is requesting approval of a zone change from AE, Agricultural Estates District to a PD, Planned Development District for Housing Development and Shopping Center on what is currently the Nueva Vista Golf Course. The site plan, attached hereto as Exhibit A, shows total of six hundred twenty-six (626) residential lots, one approximately 2.34-acre amenity center, three (3) local retail lots, and approximately 80.11 acres of green space that is split between parks, a courtyard, greenspace, and drainage ponds. The site plan introduces a new housing prototype called Garden Homes. These homes will have an underlying zoning of SF-3, but with the following amendments.

- 1. The front yard setback shall be 10 feet.**
- 2. The rear yard setback shall be zero feet.**
- 3. One side of the lot shall have a side yard setback of zero feet, and the other side of the lot shall have a side yard setback of 10 feet.**
- 4. The house shall be built on one side lot line, and the house or screening wall shall extend to the front yard setback line and to the rear lot line.**
- 5. The owner of the lot that adjoins the side of the lot on which there is a 10-foot side yard setback shall be granted a 10-foot easement for purposes of maintenance, roof overhang, and drainage.**
- 6. That the maximum building area coverage shall not exceed 70 percent of the lot area.**

The image below is an illustrative example of the Garden Homes prototype.

Illustrative Example 1.0



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

- one hundred and thirteen (113) SF-1, Single Family Dwelling District lots;
- one hundred and forty-five (145) SF-2, Single Family Dwelling District lots;
- one hundred and thirty-seven (137) SF-3, Single Family Dwelling District lots, one hundred and seventy-seven (177) TH, Townhouse Dwelling District lots;
- fifty-four (54) zero lot line GH, Garden Home Dwelling District lots;

In addition to a 2.34-acre amenity center, three parks and a courtyard. The applicant is also proposing to provide an office and/or retail zoning area along the West Wadley Avenue Street frontage. Surrounding the proposed development is an approximately 76.34-acre greenbelt which stretches along the eastern, southern, and western borders of the proposed development creating a buffer between it and the existing single-family developments to the east, south and west.

The proposed density for each district is as followed:

- GH: 6.64 units per acre
- TH: 10 units per acre
- SF-3: 7.04 units per acre
- SF-2: 4.99 units per acre
- SF-1: 4.21 units per acre

The maximum density per zoning district is as followed:

- TH district is 17.42 units per acre
- SF-3 district is 7.92 units per acre
- SF-2 district is 6.22 units per acre
- SF-1 district is 4.84 units per acre

Therefore, the applicant is proposing to have reduced density compared to the maximum allowed in each district.

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

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

Engineering: (Denied)

Denied because transportation's comment from previous site plan review (Z-21-0235) was not addressed and this impacts the layout of the street network.

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

Our staff has examined the FEMA flood map and it appears that this property lies partially within Zone AH, which is a Special Flood Hazard Area subject to inundation by the 1% annual chance flood.

An elevation certificate based off of construction drawings will be required to get a building permit to show compliance to the 1 foot of freeboard above the base flood elevation for residential structures. An elevation certificate based off of finish construction will be required for the Certificate of Occupancy.

Fire: (Approved)

No objection to zoning change.

Building: (Approved)

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

Code Compliance: (Approved)

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

Transportation: (Denied)

Denied because comment from previous site plan review (Z-21-0235) was not addressed and this impacts the layout of the street network. Previous comment repeated: "The City's coordination efforts between this project and Grasslands West determined that Grasslands West's easternmost roadway will be a cul-de-sac and not connect to Wadley. Therefore, the western roadway in this project must connect to Wadley as shown and a public street cross-connection between the two projects must be provided south of Wadley and north of any access gate, as previously discussed with the Applicant."

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

Planning:

The proposed development falls under a mix of circumstances surrounding the comprehensive plan. In some regards, the proposed development will propagate the goals and ideas of the plan, but in others, it stands in stark opposition. This request is a mixed bag when it comes to compliance with the Tall City Tomorrow Comprehensive

Plan, Chapter 3 An Integrated Land Use Vision. Specifically, this development solves several issues facing development in this area but does so at the expense of removing a large area of open space and recreation potential for residents.

The Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" labels this area as part of the "Current Development Area" which seeks to address the compatibility of uses, "specifically between different housing intensities," As shown in the proposed site plan, the applicant is planning to create a gradual transition from existing housing developments at the southern and western edges of the property in question. Starting with a greenbelt in these areas, the proposed development will transition from the SF-1 sized lots to the Townhouse lots to gradually increase the density and create a smooth transition from the lower intensity housing to the south and the retail development to the north along W. Wadley Ave.

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

This development works both for and against creating a sense of community. Principle 5 of Chapter 3 requests planning for community amenities such as parks and open space to support "community activity, personal interaction a sense of place, and ultimately a sense of ownership in the community." The applicant is proposing to include a park, greenspace, and an amenity center all of which will contribute to creating a sense of place for new residents. However, the proposed development will also be removing the existing golf course that acts as a pivotal place-making a feature of the existing neighborhoods in this area.

Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision, "Development Policy Areas" seeks to address a lack of parks and greenways across the area. The "Future Land Use Map" designates this area for Park/Open Space, a classification which calls for the area "to remain undeveloped and natural or recreational in character." Upon first glance, this project is in clear opposition to this guidance from the comprehensive plan because the applicant is proposing to develop this area. However, there is a lens in which this development complies with the goals of the comprehensive plan.

Chapter 9 of the Tall City Tomorrow Plan also seeks to keep us aware of the need for parks and recreational development as Midland continues to expand. Goal 1 of Chapter 9 seeks to provide park facilities accessible to the growing population, nothing that "Midland's historic trend has been to focus on the need for housing and commercial needs during growth periods without the consideration of additional open space needs." Chapter

9 also highlights that creating park space in the area outside of Loop 250 should be a priority as developments continue. This development both supports and is in conflict with this goal because, on one hand, it creates more specifically delineated green space which residents that do not play golf will be able to enjoy. On the other, it removes approximately 140 acres of open space and the recreation opportunities afforded to the community by having a second golf course with public access.

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

- A. That the portions of the Property identified as “AE” in Exhibit A attached here to and incorporated herein for all purposes, AE, Agricultural Estates District;**
- B. That the portions of the Property identified as “SF-1” in Exhibit A, SF-1, Single-Family Dwelling District;**
- C. That the portions of the Property identified as “SF-2” in Exhibit A, SF-2, Single-Family Dwelling District,**
- D. That the portions of the Property identified as “SF-3” and “GH (O Lot Lines)” in Exhibit A, SF-3, Single-Family Dwelling District;**
- E. That the portions of the Property identified as “TH” in Exhibit A, TH, Townhouse Dwelling District;**
- F. That the portions of the Property identified as “LR” in Exhibit A, T LR, Local Retail District;**

If this Zone Change from AE, Agricultural Estates District to PD, Planned Development District for a Housing Development and Shopping Center is approved, staff recommends that it should be subject to conditions A through D.

Conditions:

- A. That the Property shall significantly conform to the site plan attached hereto as Exhibit “B”.**
- B. That each lot identified as Exhibit “B” as “Proposed GH (zero lot lines (50’ Wide))” is subject to the following conditions and regulation:**
 - 1. The front yard setback shall be 10 feet.**
 - 2. The rear yard setback shall be zero feet.**
 - 3. One side of the lot shall have a side yard setback of zero feet, and the other side of the lot shall have a side yard setback of 10 feet.**

4. The house shall be built on one side lot line, and the house or screening wall shall extend to the front yard setback line and to the rear lot line.
 5. The owner of the that adjoins the side of the lot on which there is a 10-foot side yard setback shall be granted a 10-foot easement that shall run with the land for purposes of maintenance, roof overhang, and drainage.
 6. That the maximum building area coverage shall not exceed 70 percent of the lot area.
- C. That the landscaping shown in Exhibit “A” shall be considered illustrative. The landscape shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.
- D. That the signs on the property shall conform to the regulations set in Title XI, Chapter 7a.

Letters of Objection:

As of October 13, 2021, staff has received 62 letters of objection to this request, which amounts to 11% objections within the 200- foot notification area.

Attachments:

Application
Site Plan (Site Plan (Exhibit for Illustrative Purposes Only) (Exhibit A))
Site Plan (Exhibit B)
Preliminary Plat (Exhibit C)
Maps



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

Project Number: 2-21-0268
Case Number: _____

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

Printed Name: Midland-Odessa Golf Corp - Jon Crain

Phone (432) 559-2011

Email joncrain.nvgc@gmail.com

Address P.O. Box 12580

City Odessa

State Tx

Zip 79768

Property Owner

Printed Name: Midland-Odessa Golf Corp - Jon Crain

Phone (432) 559-2011

Email joncrain.nvgc@gmail.com

Address P.O. Box 12580

City Odessa

State Tx

Zip 79768

Representative (if different from Applicant or Property Owner)

Firm: Parkhill

Printed Name: Josh Wallender

Job # 1548.21

Phone (432) 697-1447

Email jwallender@parkhill.com

Address 1700 W. Wall Street, Suite 100

City Midland

State Tx

Zip 79701

Street Address: 6101 W Wadley Ave.

Legal Description

Lot: 1 Block: 21 Subdivision: Grassland Estates, Section 16

Current Zoning: AE

Proposed Zone:

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

Reason for Zone Change Request:

SF-1, SF-2, SF-3, TH and Local Retail

Allow development of multi-use site including

Present Use of Property: Golf Course

Proposed Use of Property: Residential and Commercial

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

provide additional housing opportunities for the city and redevelop land with an uncertain future.

Describe how conditions affecting the property have changed since present zoning designation:

This change of zoning will create a change for the adjacent properties, but many amenities have been proposed to alleviate the perceived detriments, including a large green-space buffer as shown on the site plan.

Submittal and Fees

Items to be submitted with this application form:

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



BY:

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

Applicant (signature):

Jon Crain
JON CRAIN

Date: 9-21-21

Applicant (printed):

JON CRAIN

Property Owner (signature):

Jon Crain
JON CRAIN

Date: 9-21-21

Property Owner (printed):

JON CRAIN

The Annexation/Initial Zoning 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.

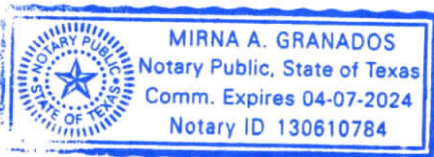
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 22 day of September, 20 21, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Metes and Bounds (Sealed by Surveyor)

☐ Application Fee

☒ Files in Digital Format (PDF/JPEG)

Check # 9022

☐ Petition

Received By: [Signature]

Date:

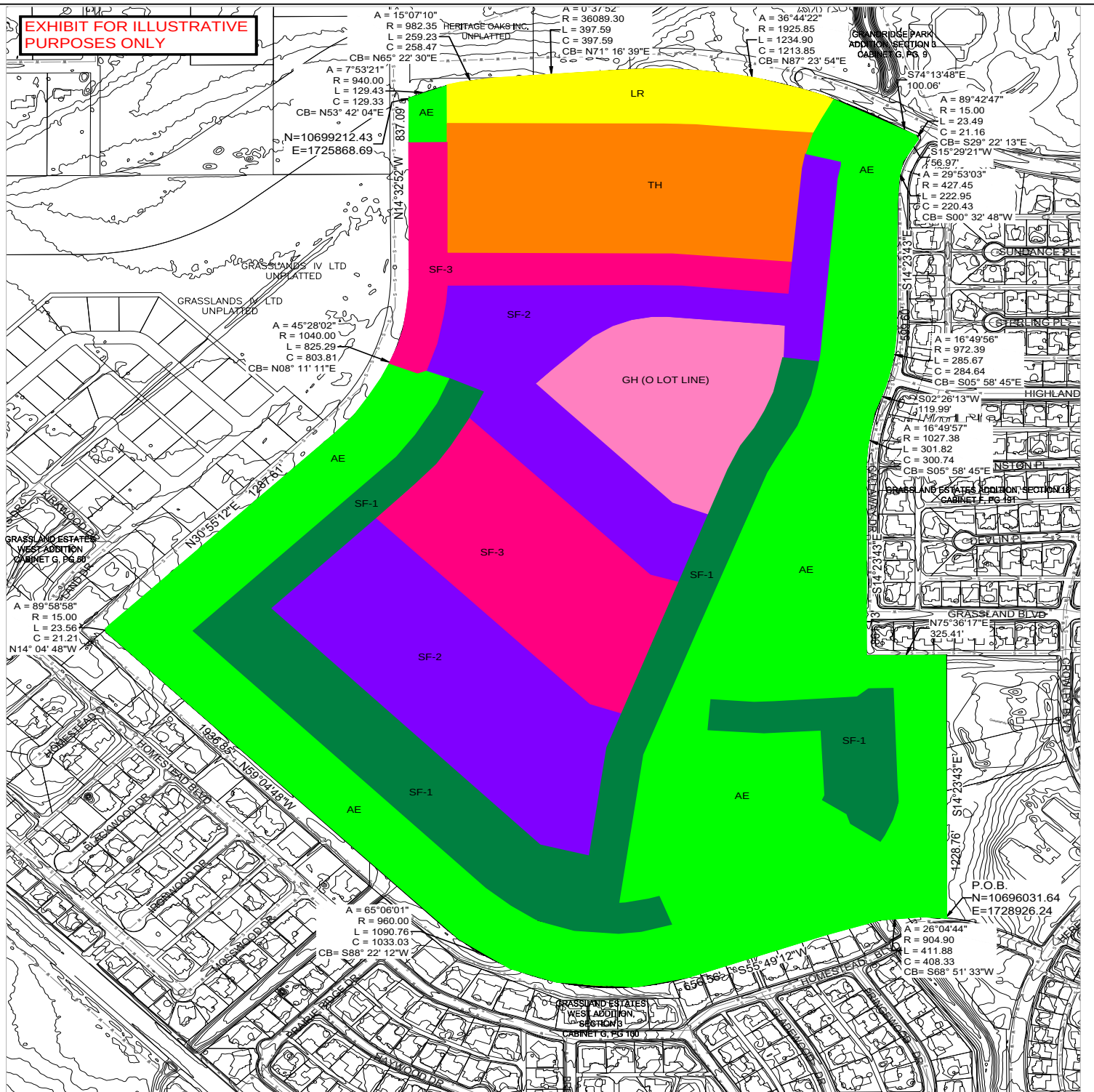
SEP 22 2021

BY:

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

EXHIBIT "A"

EXHIBIT FOR ILLUSTRATIVE PURPOSES ONLY



NOTES:

1. LOT LINES ARE APPROXIMATE.
2. ROADWAYS ARE APPROXIMATE ALIGNMENTS

Original Scale: 1"=200'

PRELIMINARY PLAT GRASSLAND ESTATES ADDITION, SECTION 25

Being a Replot of Lot 1 Block 21, Grassland Estates Addition, Section 16 to the City and County of Midland, Texas

LEGEND

---	EXISTING LOT LINES
---	EXISTING RIGHT OF WAY
---	PROPOSED PLAT LIMITS
---	PROPOSED STREET ROW
---	PROPOSED PLATTED LOT LINES
---	PROPOSED EASEMENTS
---	PROPOSED CENTERLINE ROAD
---	PROPOSED COMMON AREA NAME
CA:A	PROPOSED GREENSPACE / POCKET PARK
AE	PROPOSED GREENSPACE
SF-2	PROPOSED SF-2 (80' WIDE)
LR	PROPOSED AMENITY CENTER
SF-1	PROPOSED LR
SF-2	PROPOSED SF-1 (80' WIDE)
SF-3	PROPOSED SF-2 (85' WIDE)
TH	PROPOSED SF-3 (50' WIDE)
GH	PROPOSED TH (30' WIDE)
	PROPOSED GARDEN HOME (ZERO LOT LINE 50' WIDE)

LOT COUNT

TYPE	# OF LOTS	ACRES
GREENSPACE	8	80.11
AMENITY CENTER	1	2.34
LR	3	7.72
SF-1	113	26.84
SF-2	145	29.08
SF-3	137	19.45
TH	177	11.70
GARDEN HOME (ZERO LOT LINE)	54	8.13

OWNER:

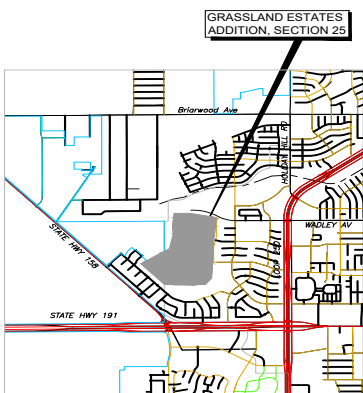
Midland-Odessa Golf Corp
P.O. Box 12580
Odessa, Texas 79768

ENGINEER:

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

GRASSLAND ESTATES ADDITION, SECTION 25

October 18, 2021 PAGE 1

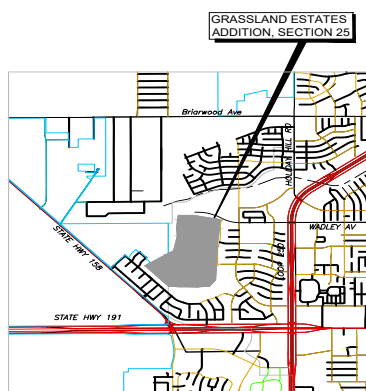


NOTES:

1. LOT LINES ARE APPROXIMATE.
2. ROADWAYS ARE APPROXIMATE ALIGNMENTS.

LEGEND

- | | |
|-------|--|
| | EXISTING LOT LINES |
| _____ | EXISTING RIGHT OF WAY |
| ===== | PROPOSED PLAT LIMITS |
| _____ | PROPOSED STREET ROW |
| ----- | PROPOSED PLATTED LOT LINES |
| ----- | PROPOSED EASEMENTS |
| _____ | PROPOSED CENTERLINE ROAD |
| CA:A | PROPOSED COMMON AREA NAME |
| AE | PROPOSED GREENSPACE / POCKET PARK |
| SF-2 | PROPOSED AMENITY CENTER |
| LR | PROPOSED LR |
| SF-1 | PROPOSED SF-1 (80' WIDE) |
| SF-2 | PROPOSED SF-2 (65' WIDE) |
| SF-3 | PROPOSED SF-3 (50' WIDE) |
| TH | PROPOSED TH (30' WIDE) |
| GH | PROPOSED GARDEN HOME
(ZERO LOT LINE 50' WIDE) |



LOT COUNT		
TYPE	# OF LOTS	ACRES
GREENSPACE	8	80.11
AMENITY CENTER	1	2.34
LR	3	7.72
SF-1	113	26.84
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SF-3	137	19.45
TH	177	11.70
GARDEN HOME (ZERO LOT LINE)	54	8.13

PRELIMINARY PLAT
GRASSLAND ESTATES
ADDITION, SECTION 25

Being a Replat of Lot 1 Block 21, Grassland
Estates Addition, Section 16 to the
City and County of Midland, Texas

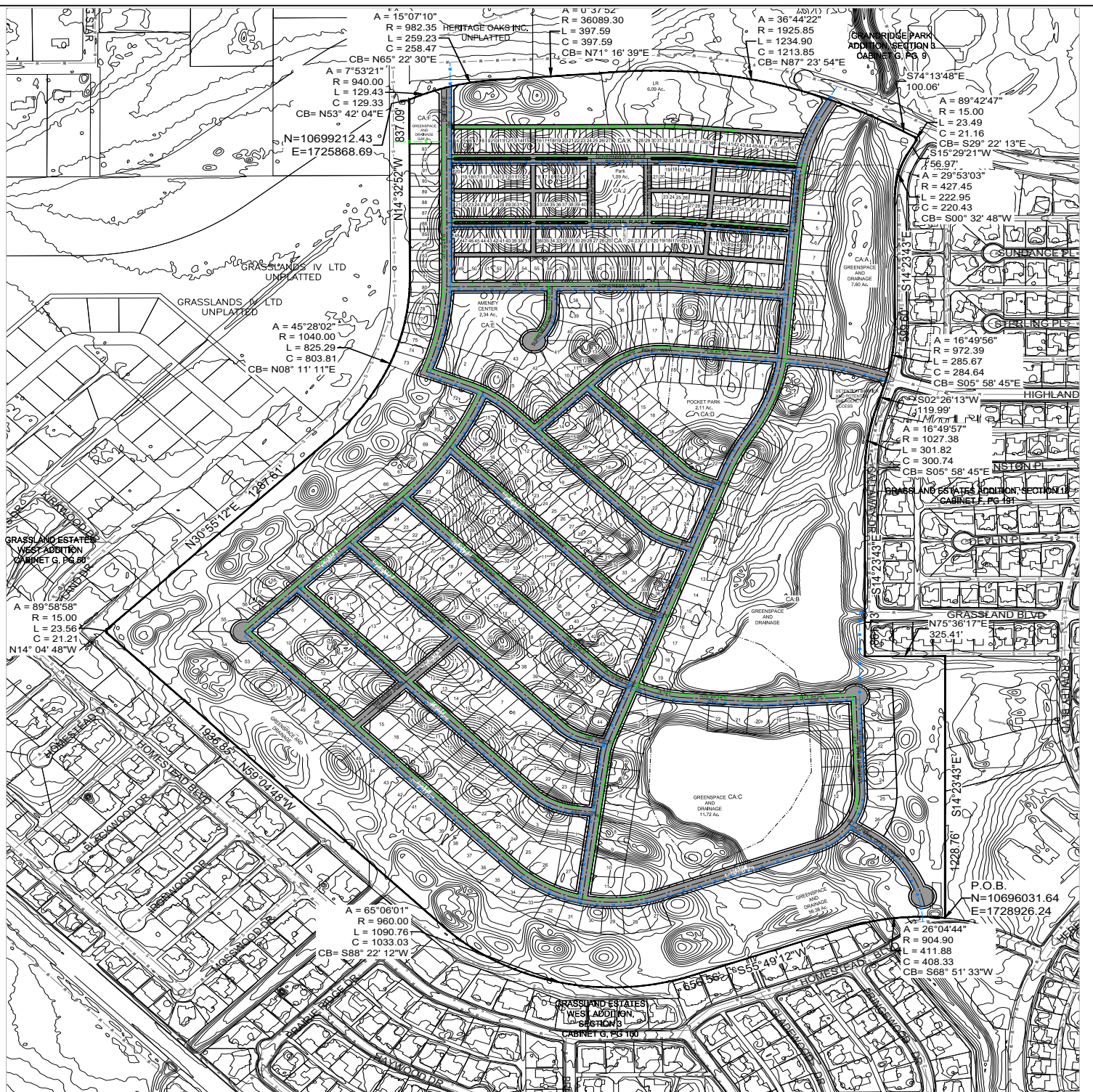
OWNER:

Midland—Odessa Golf Corp
P.O. Box 12580
Odessa, Texas 79768

ENGINEER:

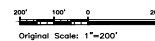
Parkhill
1700 W Wall St., #100
Midland, Texas 79701
432-697-1447

EXHIBIT "C"



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 WITHHOLDINGS OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOTS MAY BE DEVELOPED OR BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. 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.
4. ALL ROADS IN SUBDIVISION ARE PRIVATE AND CONTAIN A PUBLIC UTILITY EASEMENT.



PRELIMINARY PLAT GRASSLAND ESTATES ADDITION, SECTION 25

Being a Replot of Lot 1 Block 21, Grassland Estates Addition, Section 16 to the City and County of Midland, Texas

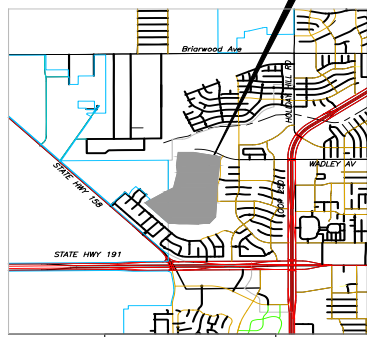
OWNER:

Midland-Odessa Golf Corp
P.O. Box 12580
Odessa, Texas 79768

ENGINEER:

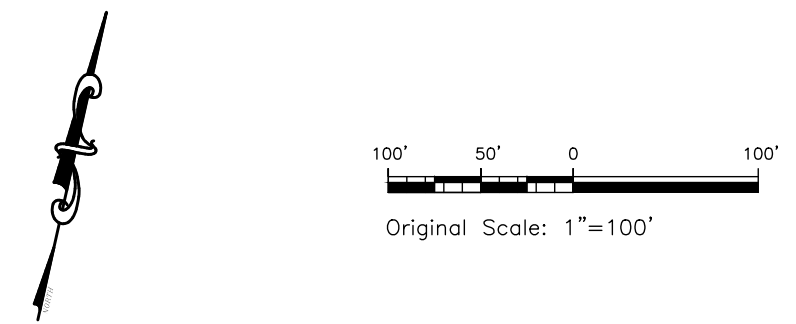
Parkhill
1700 W. Wall St., #100
Midland, Texas 79701
432-697-1447

GRASSLAND ESTATES ADDITION, SECTION 25

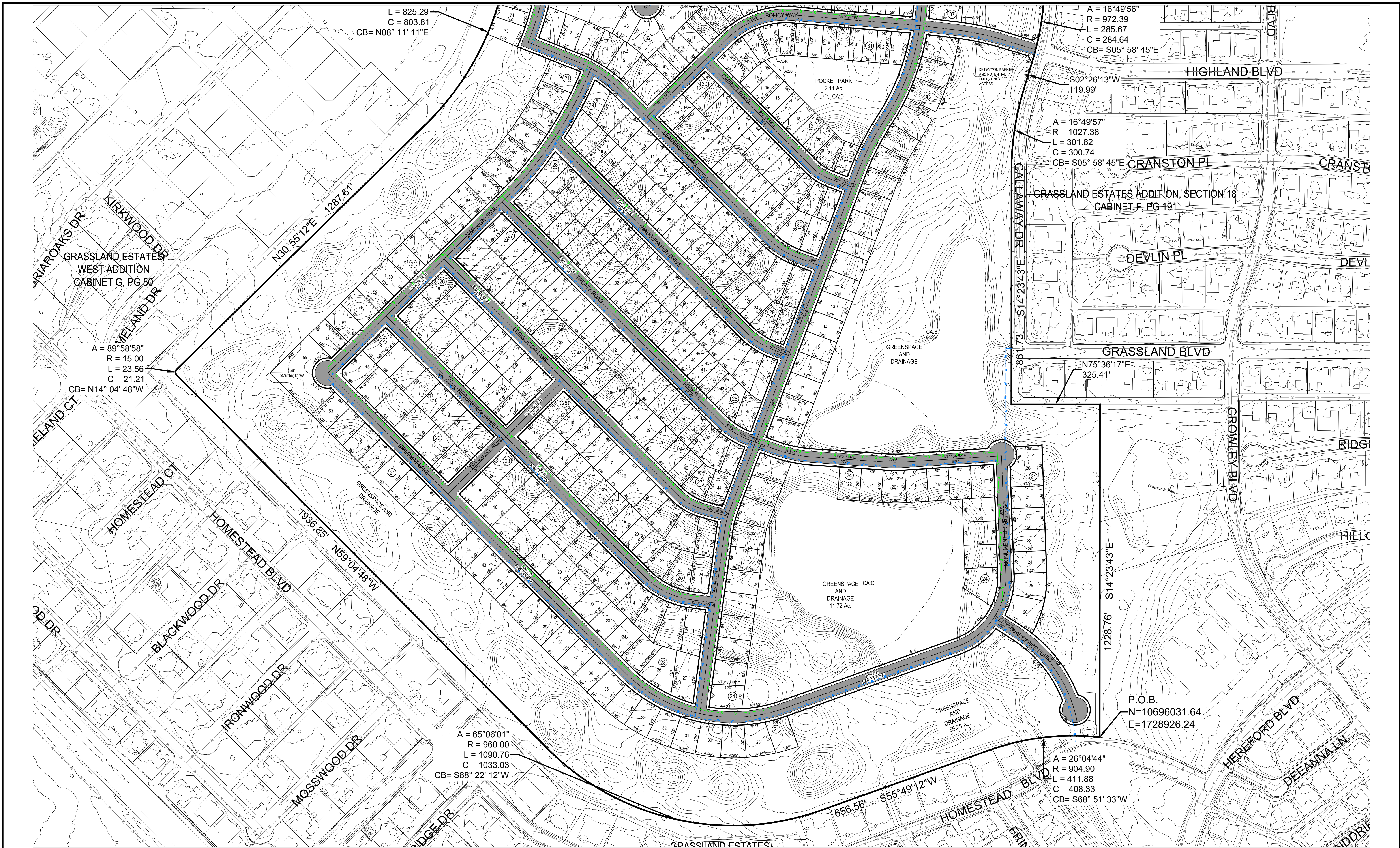


LEGEND

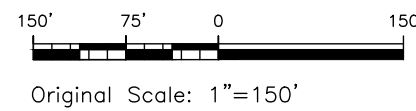
- EXISTING LOT LINES
- EXISTING RIGHT OF WAY
- PROPOSED PLAT LIMITS
- PROPOSED STREET ROW
- PROPOSED PLATTED LOT LINES
- PROPOSED EASEMENTS
- PROPOSED CENTERLINE ROAD
- PROPOSED COMMON AREA NAME
- CA:A
- PROPOSED WATER
- PROPOSED SEWER

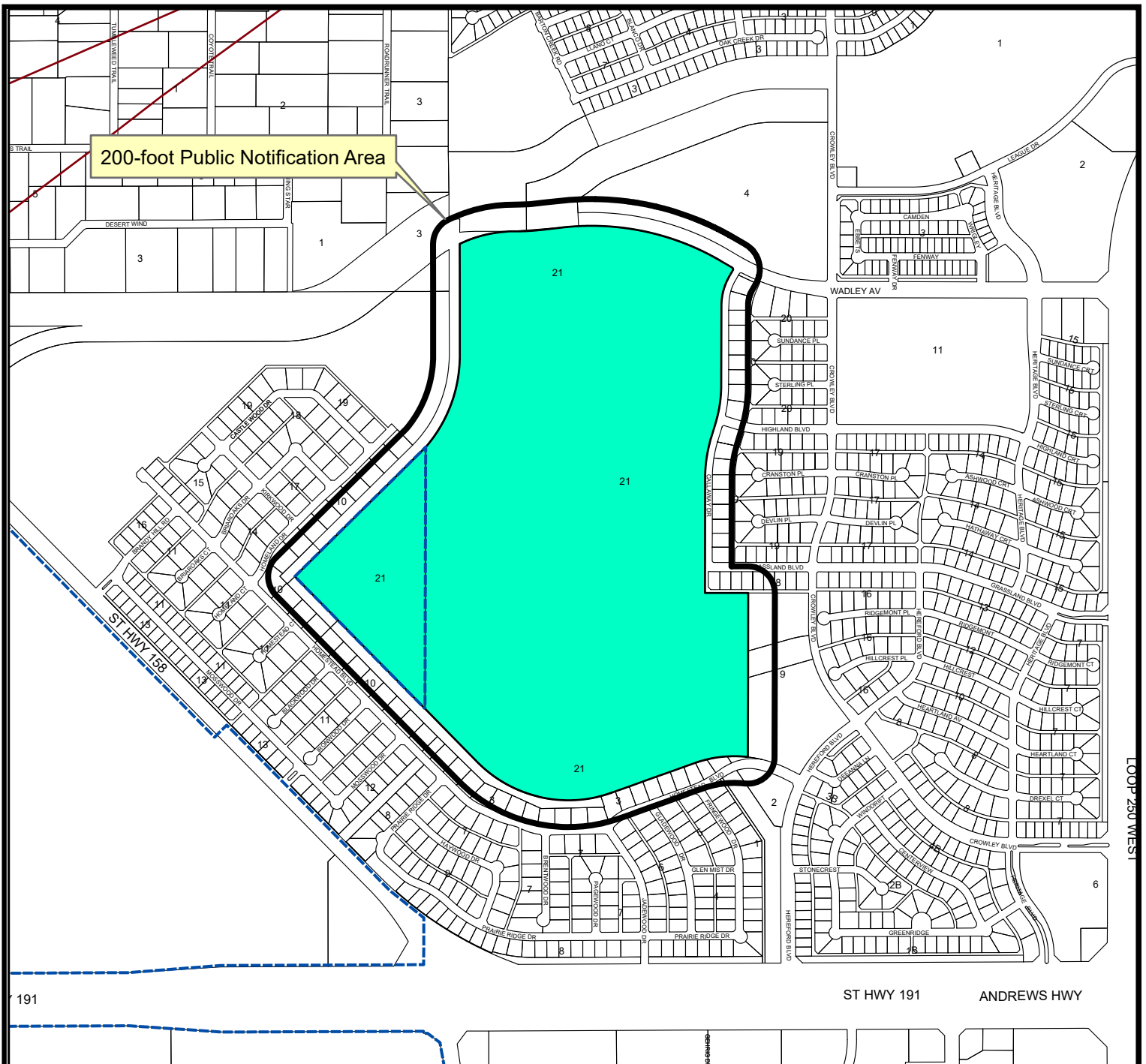


PACKET
Page 14.163
October 18, 2021



PRELIMINARY PLAT
PRESIDENTIAL
ESTATES ADDITION
PAGE 3





LOCATION MAP

Z-21-0268

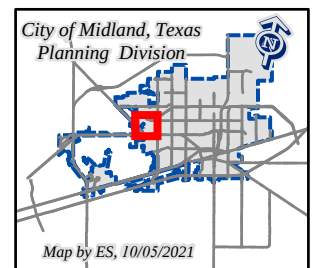
Scale: 1" = 200'

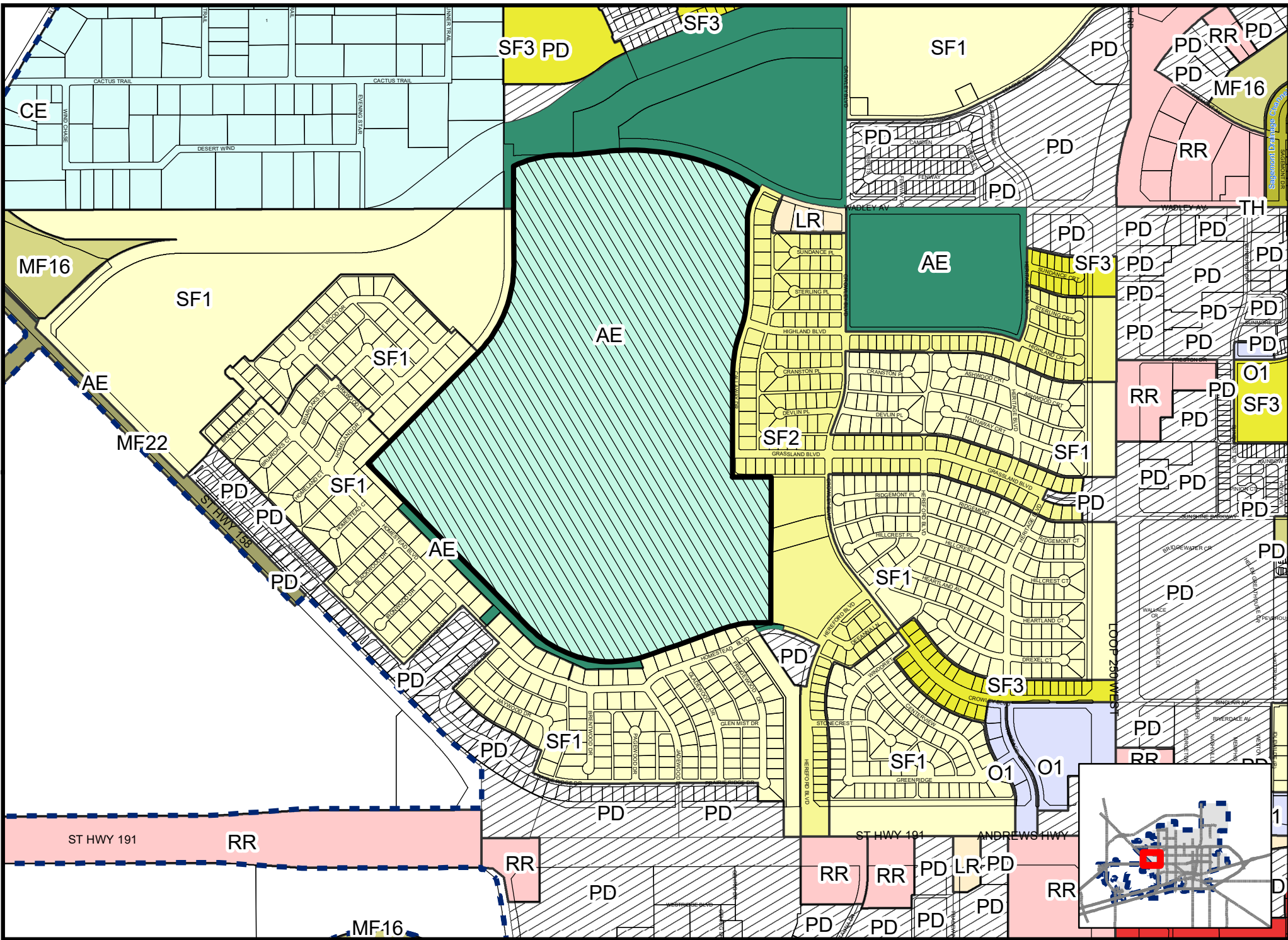
Consider a request by Midland-Odessa Golf Corp., for a Zone Change from AE, Agricultural Estate District to PD, Planned Development District for a Housing Development and Shopping Center on Lot 1, Block 21, Grassland Estates, Section 16, Midland County, Texas

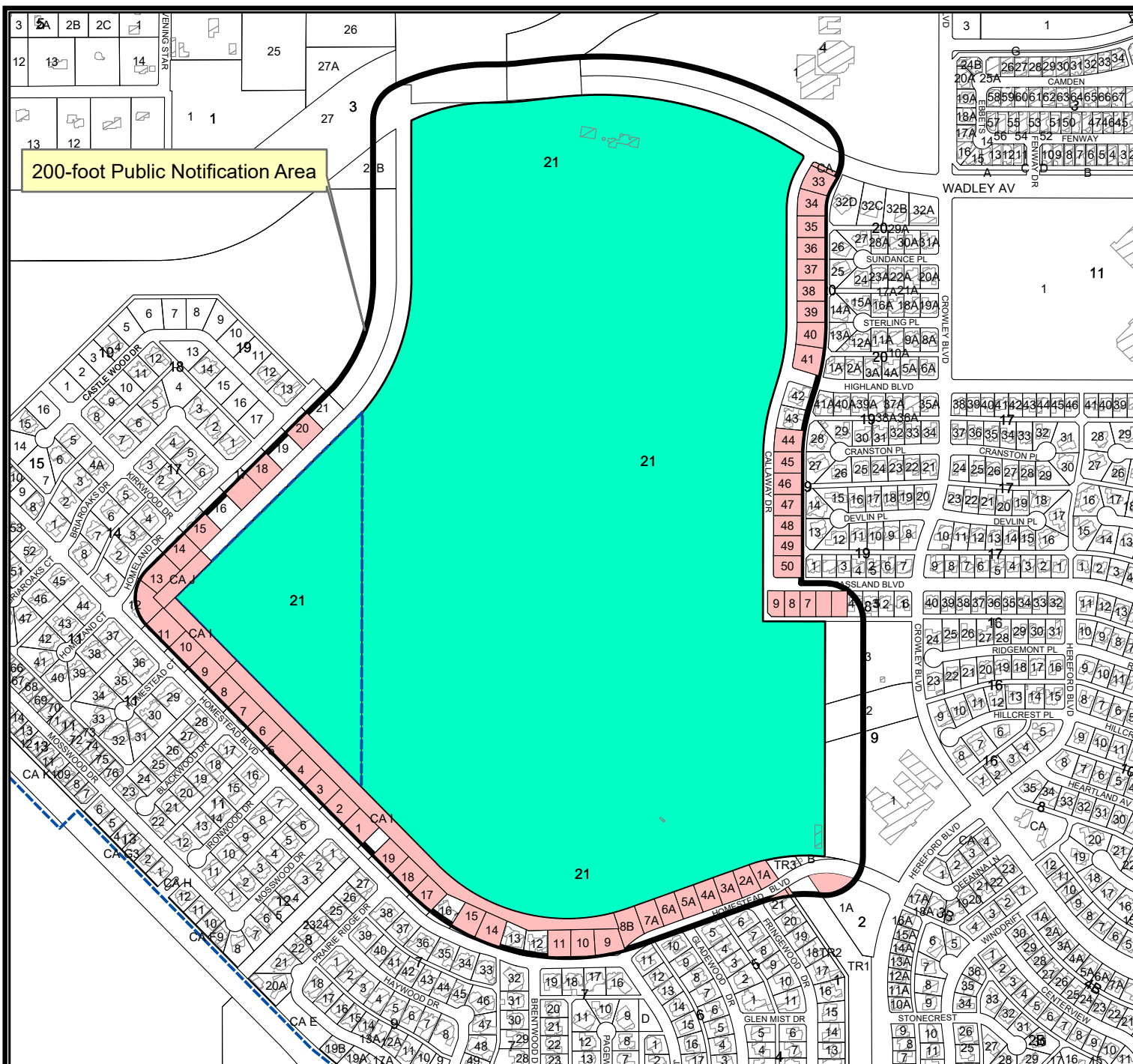
Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







LOCATION MAP

11% OBJECTION

Z-21-0235

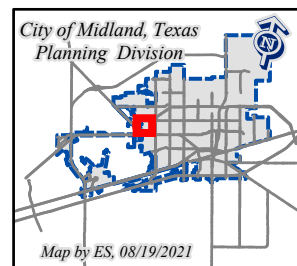
Scale: 1" = 200'

Consider a request by B&H Equity Investments, LLC for a Zone Change from AE, Agricultural Estate District to PD, Planned Development District for a Housing Development and Office Center on a 223-acres tract of land located in Lot 1, Block 21, Grassland Estates, Section 16, Midland County, Texas

Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS
- OBJECTIONS











GRASSLAND ESTATES
5800 CROWLEY BLVD
MIDLAND TX 79707



RECEIVED
AUG 20 2021

BY: KM

PUBLIC NOTICE

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m. on Monday, August 16, 2021**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, TX 79702, and via video conference on a request by **B&H Equity Investments, LLC** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: On a 223-acres tract of land located in Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

PROPOSED ZONING: From: AE, Agricultural Estate District
To: PD, Planned Development District for a Housing Development and Office Center

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ Comments: _____

Required Information:


Property Owner's Signature

Kelly J. Hayes
Printed Name

LOT 1, Block 21, Grassland Estate
Property Address (No P. O. Boxes)
Section 16, City of Midland

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov/967/primegov-meetings>.



PUBLIC NOTICE

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m. on Monday, August 16, 2021**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, TX 79702, and via video conference on a request by **B&H Equity Investments, LLC** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: On a 223-acres tract of land located in Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

PROPOSED ZONING: From: AE, Agricultural Estate District
To: PD, Planned Development District for a Housing Development and Office Center

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I object to this request Yes Comments: My dream house was built considering life time of golf course green fields view day & night, any development objected.

Required Information:

Rajesh Bhakta 6206 Homestead Blvd, Midland
Property Owner's Signature Printed Name Property Address (No P. O. Boxes) TX 79707

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov/967/primegov-meetings>.

RECEIVED
AUG 13 2021
BY:



PUBLIC NOTICE

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LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

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I object to this request ☒ Comments: _____

Required Information:

Vinod M. Bhakta
Property Owner's Signature

Vinod Bhakta
Printed Name

6108 Homestead Blvd.
Property Address (No P. O. Boxes)

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Date Mailed: August 6, 2021

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MITCHELL STEPHEN T
6212 HOMESTEAD BLVD
MIDLAND TX 79707



RECEIVED
AUG 17 2021

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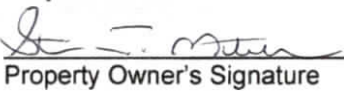
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THE PLANNED HOUSING DEVELOPMENT WILL SIGNIFICANTLY
I object to this request STM **Comments:** DEVALUE THE PROPERTIES ON THE GOLF COURSE. THE HOMEOWNERS PAID A PREMIUM FOR THESE LOTS. A LOSS OF AT LEAST \$50,000 per lot.

Required Information:

	<u>STEPHEN T. MITCHELL</u>	<u>6212 HOMESTEAD BLVD</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Notices Mailed: 77
Date Mailed: August 6, 2021
Case Number: Z-21-0235
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ES Planner's Initials


Elizabeth Shaughnessy
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Department of Development Services

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I object to this request ☒

Comments: This will lead to decreased home values and a loss of green space.

Required Information:

Kellie Hibler
Property Owner's Signature

Kellie Hibler
Printed Name

6104 Homestead Blvd
Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: _____

Required Information:

Felix Savellano Felix Savellano 6100 HOMESTEAD BLVD 79707
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

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I object to this request ☒ Comments: This zone change will devalue my property. I back up to the golf course.

Required Information:

Thomas T. O'Grady Thomas T. O'Grady 6306 Homestead Blvd. Midland, TX 79707
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials

Elizabeth Shaughnessy
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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PUBLIC NOTICE

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LEGAL DESCRIPTION: Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas

LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

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I object to this request ☒ Comments: SEE ATTACHED

Required Information:

Fred Nobles
Property Owner's Signature

FRED NOBLES
Printed Name

6317 HAMPSHIRE
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77
Date Mailed: October 8, 2021
Case Number: Z-21-0268
Case Name: Presidential Estates
ES Planner's Initials

Elizabeth Shaughnessy
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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Fred Nublar
63/2 Homestead

To the P&Z Board

I have questions ???

(1) How many people are for this gone change that live in the neighborhood? How many against? We live here!!!

(2) Are those of you on the Board serving the people that live in the neighborhood or for those that want to come in and change our landscape?

For those of us that live around the golf course, which is a public course, it is not our fault that the golf course is not profitable. (Let the buyer be ware)

(3) Who is going to pay for the drainage issues that arise out of this debacle? More houses, concrete, & streets, water has to go somewhere!!! Don't want it in my house!!!

(4) What about our home values? Especially those of us that back up to the course? Don't care to look at row houses!!! in a 20' wall!!!

(5) Are y'all looking at increasing the TAX BASE to have more revenue that will be squandered? If so, why do it at the expense of the residents?

Putting in more houses on this property is not a good idea!!!
Leave it as IS please.



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I object to this request ☒

Comments:

Is the city ready to do a new city flood plan? Shouldn't that be done before you approve this request? And then so we can have the plan to contain flood waters that are diverted into the new golf course. It doesn't take too much rainfall to flood it

Required Information:

Angela Noble
Property Owner's Signature

Angela Noble
Printed Name

6312 Homestead Blvd.
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77

Date Mailed: October 8, 2021

Case Number: Z-21-0268

Case Name: Presidential Estates

ES Planner's Initials

[Signature]
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: _____

Required Information:

Angelita
Property Owner's Signature

Angelita
Printed Name

6312 Homestead Blvd.
Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials

Elizabeth Shaughnessy
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: ARE OUR CITY LEADERS FOR PROTECTING THE CITIZENS PROPERTY
DREAD THE DEVELOPERS AND RECEIVING MORE TAXES TO SQUANDER

Required Information:

Fred Nobles
Property Owner's Signature

Fred Nobles
Printed Name

6312 Homestead Blvd.
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: Should not be rezoned. Will destroy property value

Required Information:

Daniel Babbe
Property Owner's Signature

Daniel Babbe
Printed Name

6020 Homestead Blvd
Property Address (No P. O. Boxes)

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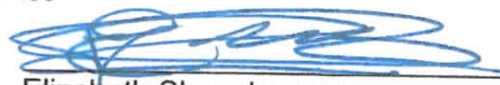
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I object to this request ☒ Comments: No flood study has been done since construction of Grasslands & Grasslands West. Not in the best interests of Midland. AE is highest & best use.

Required Information: It is a potential taking due to property value decrease. Ale Gossen & Adam Gossen 6400 Homestead Blvd, Midland, TX 79707
Property Owner's Signature _____ Printed Name _____ Property Address (No P. O. Boxes) _____

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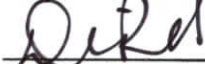
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I object to this request ☒ Comments: The golf course is prone to flooding and the development will make that worse

Required Information:

	<u>Diron Rotan</u>	<u>6016 Homestead</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Notices Mailed: 77
Date Mailed: August 6, 2021
Case Number: Z-21-0235
Case Name: Presidential Estates
ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials


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GERETY JAMES
6404 HOMESTEAD BLVD
MIDLAND TX 79707



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I object to this request X Comments: Flood Study Must Be Done Before Rezoning

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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Date Mailed: August 6, 2021

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RECEIVED
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I object to this request _____ Comments: _____

Required Information:

Dana Ellis Dana Ellis 10008 Homestead Huel
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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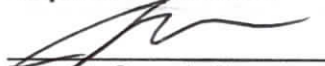
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I object to this request ☒ Comments: Lowers Property Value

Required Information:


Property Owner's Signature

Jonathan Burk
Printed Name

6408 Homestead Blvd Midland
Property Address (No P. O. Boxes) TX 79707

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I object to this request ☒

Comments:

I own property @ 6004 Homestead

Required Information:

Chris M. Morpheus
Property Owner's Signature

Chris Morpheus
Printed Name

6004 Homestead
Property Address (No P. O. Boxes)

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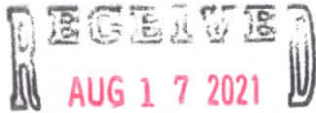
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Case Name: Presidential Estates

ES Planner's Initials

[Signature]
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Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: Flooding

Required Information:

<u>THOMAS SCOTT</u>	<u>THOMAS SCOTT</u>	<u>2024 Fringewood Drive</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Notices Mailed: 77

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Case Name: Presidential Estates

ES Planner's Initials


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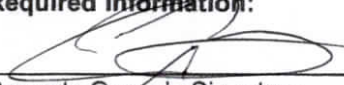
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I object to this request ☒ Comments: _____

Required Information:

	William Briten	2000 Fringwood Dr
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Case Name: Presidential Estates
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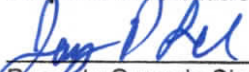
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I object to this request ☒ Comments: _____

Required Information:


Property Owner's Signature

Jerry D. Lee
Printed Name

6000 Homestead Blvd
Property Address (No P. O. Boxes)

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I object to this request X Comments: I object to reducing my home value so another can profit

Required Information:

[Signature]
Property Owner's Signature

Cory Hardy
Printed Name

6416 Homestead
Property Address (No P. O. Boxes)

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[Signature]
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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature [Signature] Printed Name KEVIN HARRINGTON (CORNERSTONE FUNDING) Property Address (No P. O. Boxes) 5905 HOMESTEAD

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I object to this request _____ Comments: _____

Required Information:

Property Owner's Signature

Johnny Newton
Printed Name

5920 HOMESTEAD BLVD 79707
Property Address (No P. O. Boxes)

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Object to this request ☒ Comments: *We are concerned about Flooding, Property Values declining, traffic increasing, constant dust while building.*
Required Information:
Denise Strickland *Denise Strickland* *5916 Homestead Midland TX*
Property Owner's Signature Printed Name Property Address (No P. O. Boxes) *79707*

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ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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COCHRAN PHILLIP D
6504 HOMESTEAD BLVD
MIDLAND TX 79707



RECEIVED
AUG 17 2021

BY:

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I object to this request ☒ Comments: ① I PAID PREMIUM COST FOR GOLF COURSE VIEW LOT / PRIVACY
② ↓↓ PROPERTY VALUE
③ MY FIDE + BACK FLOODS WITH EVERY RAIN

Required Information:

Property Owner's Signature

Phillip Cochran

Printed Name

6504 Homestead Blvd.
Midland TX 79707

Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒

Comments:

Development will ^{possibly} cause drainage / flooding issues. There are so many lands that can be developed in Midland, let us preserve the green space for the common people.

Required Information:

Joe Ay
Property Owner's Signature

JOSEPH ABISKY
Printed Name

6512 Homestead Blvd
MIDLAND TX 79707
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Deawn Valencia
Property Owner's Signature

Deawn Valencia
Printed Name

4600 Homestead Blvd
Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature: Bill He Louder Printed Name: Bill He Louder Property Address (No P. O. Boxes): 6604 Homestead

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

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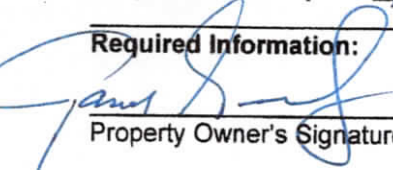
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I object to this request ☒ Comments: Food Study must be done before rezoning

Required Information:


Property Owner's Signature

JAMES GERETY
Printed Name

GRASSLAND ESTATES WEST HOA
PRESIDENT, HOA BOARD Common Area
Property Address (No P. O. Boxes)

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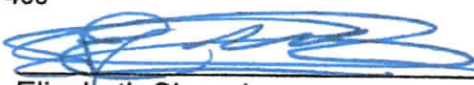
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ELLIS ZACHARY T
6608 HOMESTEAD BLVD
MIDLAND TX 79707



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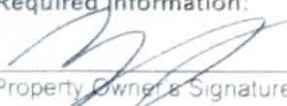
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I object to this request ☒ Comments: _____

Required Information:

	Zachary Ellis	6608 Homestead Blvd, 79707
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Case Number: Z-21-0235
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Department of Development Services

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I object to this request ☒ Comments: This will reduce home values, cause drainage issues, and reduce quality of life in West Midland

Required Information:

Chad McAllaster Chad McAllaster 2500 Homeland Drive
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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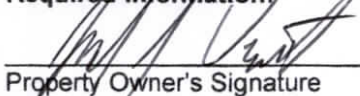
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I object to this request ☒ Comments: _____

Required Information:

	Joshua Jon Viets	2506 Homeland Dr Midland TX
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes) 79707

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JORDAN MATTHEW
2512 HOMELAND DR
MIDLAND TX 79707



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I object to this request ☒ Comments: _____

Required Information:


Property Owner's Signature

Matthew Jordan
Printed Name

2512 Homeland Dr.
Property Address (No P. O. Boxes)

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BARLOW KEITH
5817 GRASSLAND BLVD
MIDLAND TX 79707



RECEIVED
AUG 10 2021

BY:

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I object to this request ☒ Comments: SEE Attached letter.

Required Information:

Keith Barlow Keith Barlow 5817 Grassland CT
Property Owner's Signature Printed Name Midland, TX 79707
Property Address (No P. O. Boxes)

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DATE: August 9, 2021

RE: **Opposition to zoning change and development of Nueva Vista Golf Course**

Case Number: Z-21-0235

Case Name: Presidential Estates

TO: Midland Planning Division

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

and

Planning and Zoning Commission of the City of Midland

FROM: Keith and Margie Barlow
5817 Grassland CT (a/k/a Grassland Boulevard)
Midland, Texas 79707-5030

AUG 10 2021

BY:

My wife and I live on the corner of Grassland & Callaway. Nueva Vista Golf Course is due west and due south of our home. We purchased our lot and built our home in 2001, and we selected this lot since we liked the conformity of the residential development found in the Grassland neighborhood and the open space provided by Nueva Vista Golf Course.

We oppose any high-density development on the Nueva Vista Golf Course property. There are many issues concerning the proposed development including enhanced drainage issues, loss of green space, intrusion and/or alteration of established wetlands, higher density development, and excess traffic in to and through Grassland Estates. We are primarily concerned about the following factors:

- **Storm Drainage Problems.**
- **Changing Conformity and Character of Our Neighborhood.**

Drainage

It was my impression early on that Nueva Vista Golf Course was developed where it is since it **contains two (2) playa lakes and associated low areas.** We are very concerned about flood drainage and floodwater retention. Our lot was engineered to be one (1) foot above the flood level, so we are worried about the addition of a several hundred more rooftops with associated driveways, sidewalks, hardscape, alleys and streets that facilitate more runoff. We have seen flood waters cross over the 6th, 10th, 11th, and 12th fairways, as well as the driving range and areas surrounding the green for hole No. 2 on numerous occasions.

I am not familiar with the current drainage plan for the total area, but one can follow drainage ditches and large concrete culverts from Nueva Vista going under SH 191, through commercial and apartment developments and going into Legends residential development – a high density residential development. It appears that runoff from rainfall flowing into the lakes and low areas of the Nueva Vista Golf Course property is collected from SH 191 and Loop 250, Grande Football Stadium, Rockhounds Ballpark, commercial uses including HEB and Sam's along with large and small office buildings with paved parking lots and parking garages, numerous motels and apartments. The existing drainage improvements already serve hundreds of residential properties in Grassland Estates and Grassland West. In summary, the flood retention areas of Nueva Vista Golf Course appear to be used to their capacity.

Lack of Conformity and Changing Character of Our Neighborhood

A vast majority of lots in Grassland Estates and Grassland West are zoned SF-1 which has a minimum lot area of 9,000 square feet. The primary zoning classifications on early designs for the development of Nueva Vista Golf Course were comprised of predominantly small lots with much higher-density zoning classifications:

- SF-2 which has minimum lot area of 7,000 square feet.
- TH which has a minimum lot area of 2,500 square feet.

Based on recent developments in Midland, the subdivision plan for SF-2 and TH will probably not have alleys for the purpose of *increasing* the density. It does not appear that any alleys were shown on a color version of the proposed subdivision plat for Nueva Vista.

At this time, we do not know how many more houses will be added to the neighborhood by the proposed development, and the traffic flow plan is unclear. A proposed subdivision plan for the Nueva Vista property resembled a high-density subdivision with similar to smaller lots of Los Patios (SF-2 and TH) or Legends (SF-3), *unlike* the adjoining neighborhoods of Grassland Estates and Grassland West with larger lots (primarily SF-1). We ask that strong consideration be given to expanding the use of SF-1 lots, along with consideration to incorporating the use of Country Estate ("CE") lots in the subdivision plan.

Soloman Estates and Concho Estates have been built out as quality neighborhoods with larger dwellings – more similar to the homes in Grassland Estates and Grassland West. A less dense subdivision such as one involving CE lots would require fewer public improvements and lower costs per lot for development where drainage issues could be more easily mitigated. Also, some of the open space appeal of the Nueva Vista Golf Course could be maintained.

On May 17, 2021, P&Z approved SF-1 zoning for Grassland West – a continuance of conforming uses of an adjoining and existing development. Most of the zoning was for SF-1 while two (2) tracts on Wadley were zoned RR. This is a good continuation of existing zoning (SF-1) and conformity with existing uses, with a transition to retail on Wadley. A consideration for the development of Nueva Vista could be similar with office sites on Wadley similar to the properties in the 5800 block of West Wadley, with the rest of land zoned SF-1, along with special consideration to flooding issues.

Homeowners in Midland give power to P&Z and City Council to control uses **to protect our property**. The job of our public servants is to **protect our homes** from flooding and to ensure compatibility and conformity in new development and smart growth – not just high-density growth.

In closing, we are strongly opposed to any high-density residential development on the Nueva Vista Property. We appreciate any consideration given to our concerns regarding the proposed development of Nueva Vista Golf Course. Please contact me if you have any questions or comments.

Respectfully submitted,



Keith Barlow, ARA, MAI



PUBLIC NOTICE

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PROPOSED ZONING: From: AE, Agricultural Estate District
To: PD, Planned Development District for a Housing Development and Office Center

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I object to this request ☒ Comments: No Housing

Required Information:

Property Owner's Signature: [Signature] Printed Name: Cathy Schaufler Property Address (No P. O. Boxes): 5815 Grassland Ct.

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials

[Signature]
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: This will destroy our property value.

Required Information:

CE M Christopher M. Stoltz 5813 Grassland 79707
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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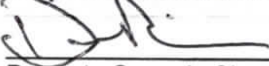
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I object to this request ☒ Comments: _____

Required Information:


Property Owner's Signature


Printed Name


Property Address (No P. O. Boxes)

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Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature

Dietr Gasterdey
Printed Name

5801 GRASSLAND
MIDLAND TX 79707
Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

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I object to this request ☒ Comments: I do not want the environment changed to a subdivision.

Required Information:

<u>Sharon Sparkman</u> Property Owner's Signature	<u>Barry Sparkman</u> <u>Sharon Sparkman</u> Printed Name	<u>2500 Callaway Dr.</u> Property Address (No P. O. Boxes)
--	---	---

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Date Mailed: August 6, 2021

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Case Name: Presidential Estates

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I object to this request ☒ Comments: MIDLAND NEEDS MORE GREEN!! DON'T MAKE IT MORE POLLUTED!!

Required Information:

Pankaj J. Patel PANKAJ J. PATEL 2504 CALLAWAY DR. MIDLAND 79707
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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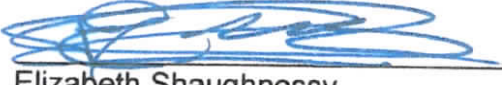
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AKIN ZACKORY S & LAUREN
ASHLEY AKIN
2508 CALLAWAY DR
MIDLAND TX 79707



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I object to this request ☒ Comments: The proposed development is not in the best interest of the city of Midland.

Required Information:

Zackory Akin Lauren Ashley Akin 2508 Callaway Dr., Midland
Property Owner's Signature Printed Name Property Address (No P. O. Boxes) TX 79707

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature NAM KIM Printed Name 2600 Callaway Dr Property Address (No P. O. Boxes)

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I object to this request ☒ **Comments:** Would like to see a drainage study done to assess the effects of the planned development on new and existing structures.

Required Information:

Mark Edgar Mark Edgar 2604 Callaway Dr.
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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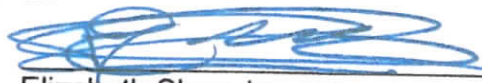
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MAILED
OCT. 13 2021



PUBLIC NOTICE

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m. on Monday, October 18, 2021**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, TX 79702, and via video conference on a request by **Midland-Odessa Golf Corp.** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas

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I object to this request ☒ Comments: _____

Required Information:

	<u>Jon Starkey</u>	<u>2700 Callaway Dr.</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77
Date Mailed: October 8, 2021
Case Number: Z-21-0268
Case Name: Presidential Estates
ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: Midland Needs more green spaces
not less. Also, please consider all the property values losing the golf
Required Information: course will negatively effect.


Property Owner's Signature

Jon Starkey
Printed Name

2700 Callaway Dr.
Property Address (No P.O. Boxes)

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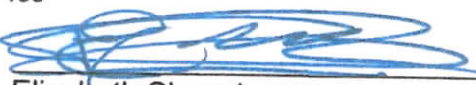
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Date Mailed: August 6, 2021

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OCT 13 2021

PUBLIC NOTICE

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m. on Monday, October 18, 2021**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, TX 79702, and via video conference on a request by **Midland-Odessa Golf Corp.** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas

LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

PROPOSED ZONING: From: AE, Agricultural Estate District
To: PD, Planned Development District for a Housing Development and Shopping Center

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ Comments: Not adequate drainage, congestion from additional traffic

Required Information:

Thomas Lynn Beebe Thomas Lynn Beebe 2704 Callaway Dr.
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77
Date Mailed: October 8, 2021
Case Number: Z-21-0268
Case Name: Presidential Estates
ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov/967/primegov-meetings>.

Thomas Lynn Beebe
2704 Callaway Drive
Midland, TX 79707
August 8, 2021

Planning and Zoning Commission
City of Midland, Texas
300 N. Loraine, Midland, TX 79702

Dear Planning and Zoning Members:

I believe that the proposed zoning change to Nueva Vista Golf Course be **denied**, and that future zoning changes include adequate flood control plans. Those plans must include the interest of residents in the adjacent neighborhoods of Grassland Estates and Grassland Estates West. The Nueva Vista Golf course is a unique property because its' retention ponds are vital to maintaining the drainage needs of these adjacent neighborhoods. Any land usage designation that allows for additional development at Nueva Vista Golf Course increases the risk of flooding unnecessarily to these adjacent neighborhoods. I ask that the proposed zoning request be **REJECTED** and the drainage needs of existing properties be the primary concern of any future Nueva Vista Golf Course zoning request.

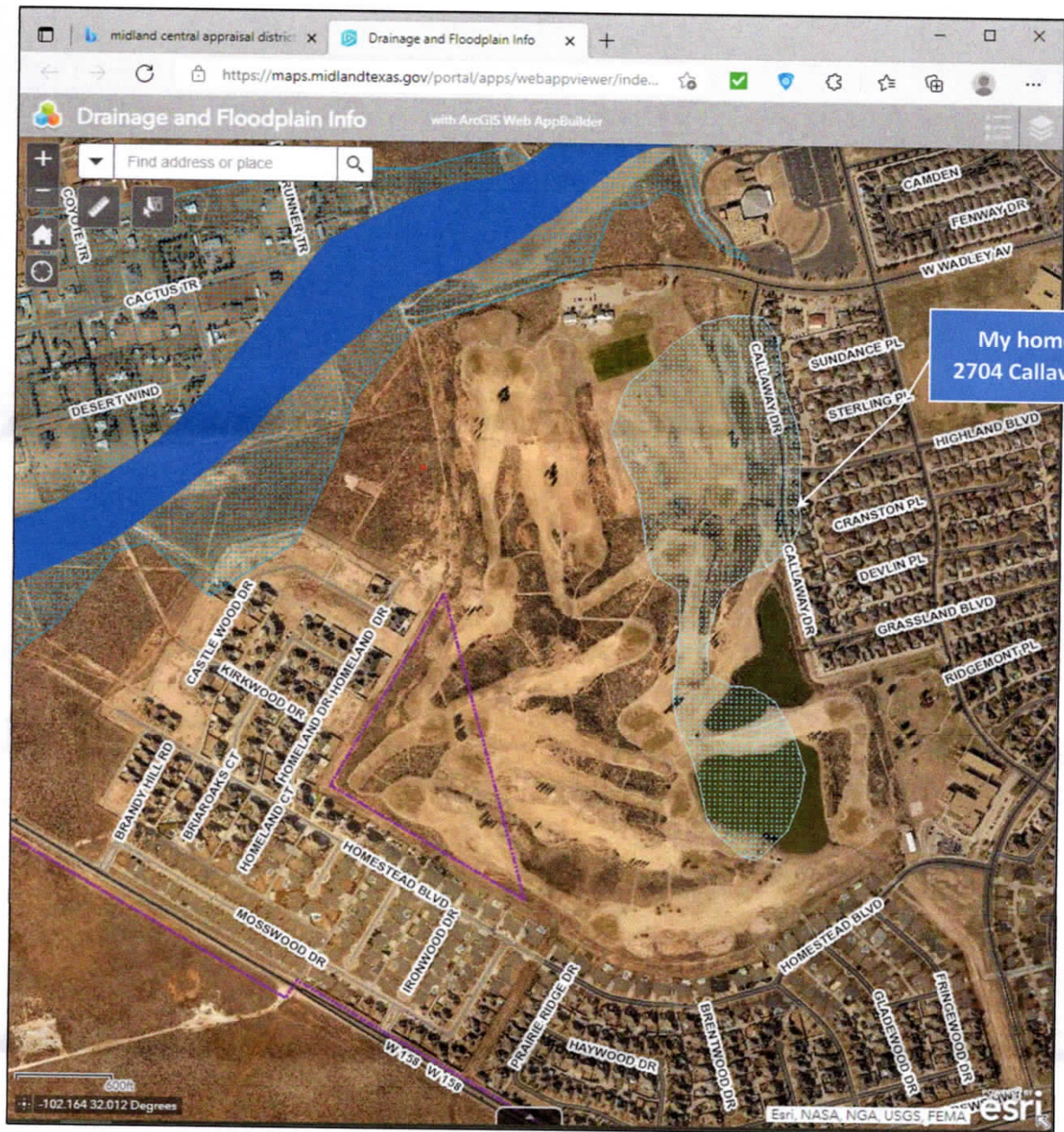
The recent June 2021 rain event, totaling 4.47 inches is evidence of how critical the Nueva Vista retention ponds are to the adjacent neighborhoods. The photos included are from the Midland Report Telegram's website showing the effects of heavy rainfall during this recent June event. It is not uncommon that the retention ponds are totally dry. You can see from the photos the massive volume of water captured in these retention ponds. The photos reveal water outside the boundaries of the existing retention ponds. Utility buildings on the golf course flooded and water can be seen spilling over from one pond into a lower elevation pond. The Midland County flood control map shows a flood control outline that is approximately 40% of the golf course surface area. This flood outline includes homes in Grassland Estates and my home falls within this flood control boundary. We have lived in Grassland Estates since 2003 and it's impossible for us to imagine where this massive volume of water would flow in the event these retention ponds are eliminated or reduced in size.

These concerns have been with us since we first heard of the potential development of Nueva Vista Golf Course but have been magnified since the colossal rain event in June. To say this proposal is deeply concerning is an understatement. Thank you for your consideration and attention to our concerns.

Sincerely,

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Notices Mailed: 77
Date Mailed: August 6, 2021
Case Number: Z-21-0235
Case Name: Presidential Estates
ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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The recent June 2021 rain event, totaling 4.47 inches is evidence of how critical the Nueva Vista retention ponds are to the adjacent neighborhoods. The photos included are from the Midland Report Telegram's website showing the effects of heavy rainfall during this recent June event. It is not uncommon that the retention ponds are totally dry. You can see from the photos the massive volume of water captured in these retention ponds. The photos reveal water outside the boundaries of the existing retention ponds. Utility buildings on the golf course flooded and water can be seen spilling over from one pond into a lower elevation pond. The Midland County flood control map shows a flood control outline that is approximately 40% of the golf course surface area. This flood outline includes homes in Grassland Estates and my home falls within this flood control boundary. We have lived in Grassland Estates since 2003 and it's impossible for us to imagine where this massive volume of water would flow in the event these retention ponds are eliminated or reduced in size.

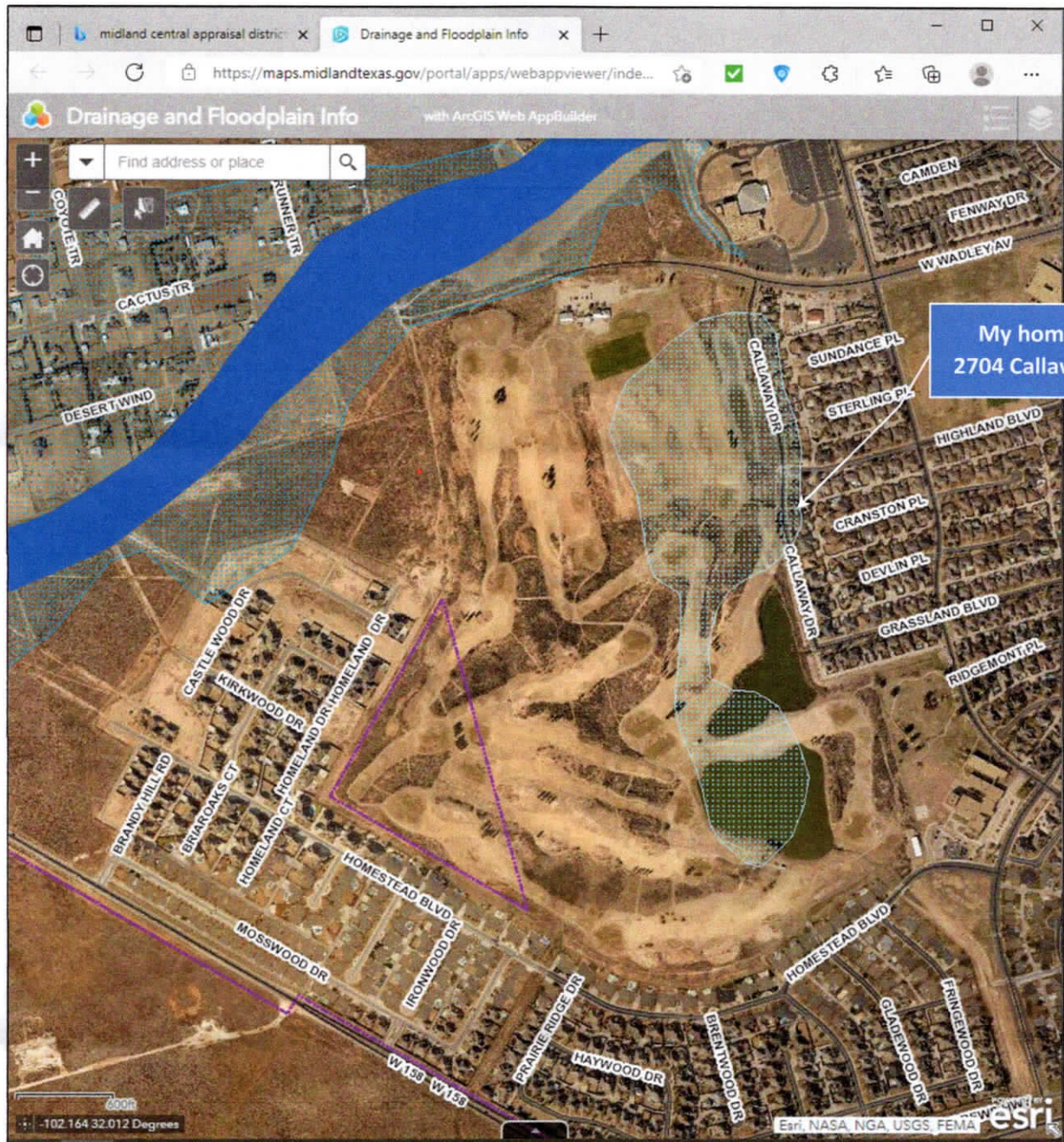
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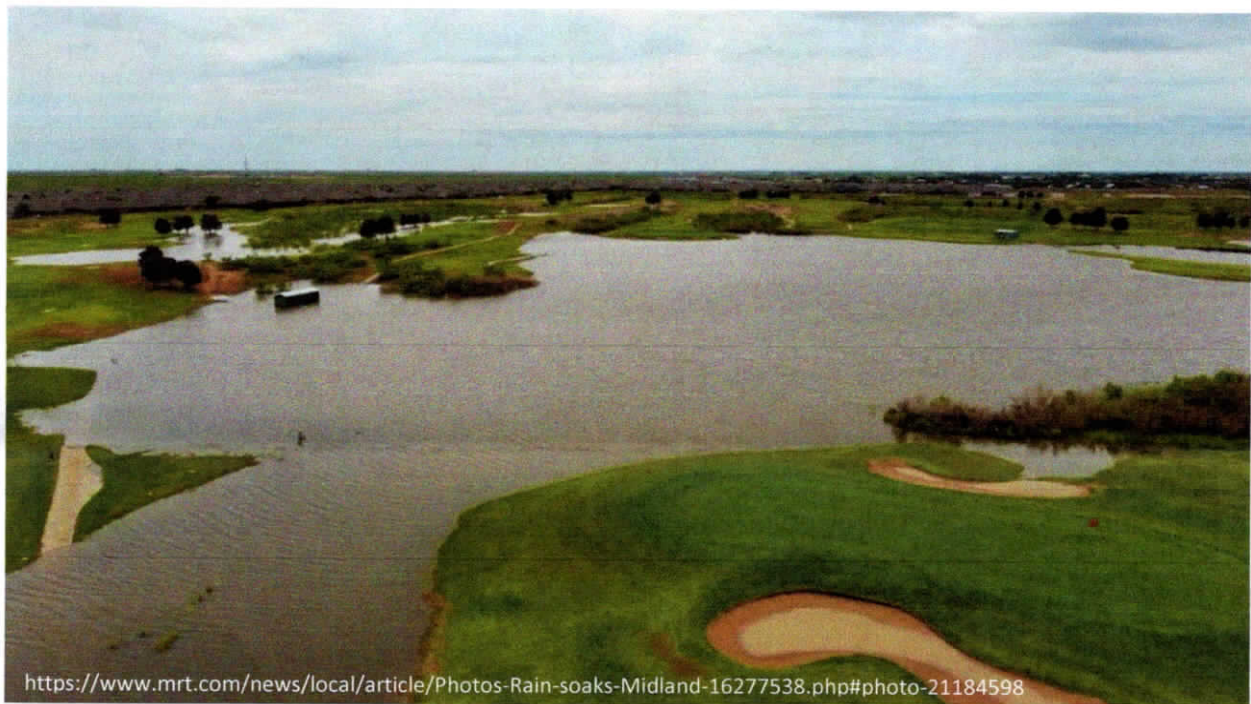
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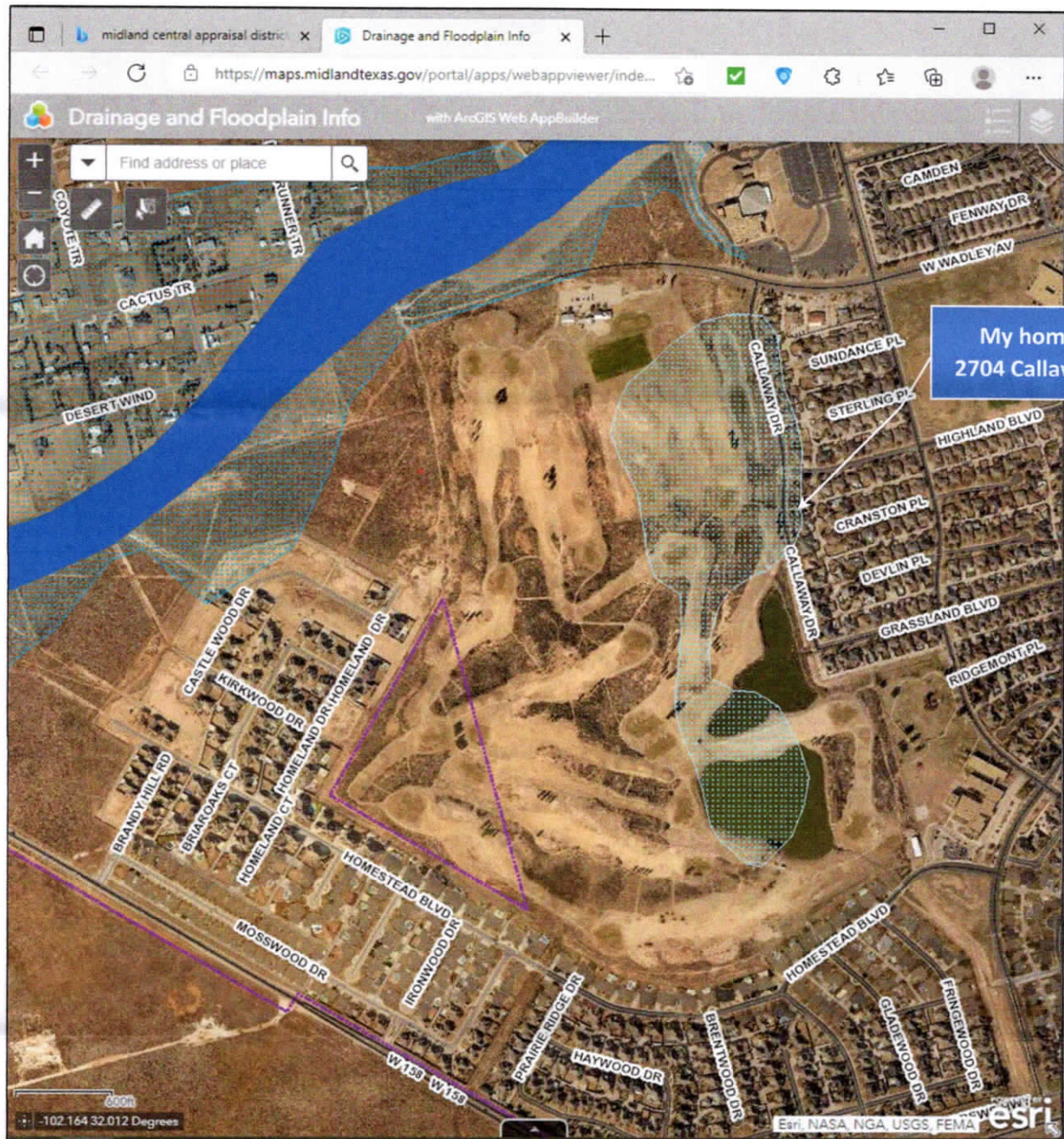
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I object to this request ☒ Comments: Flooding possibility, traffic issues

Required Information:

Kevin Hammit Kevin Hammit 3000 Callaway Dr. Midland
Property Owner's Signature Printed Name Property Address (No P. O. Boxes) 79707

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials

Elizabeth Shaughnessy
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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NOVICIO BENEDICT
CASTANARES
3006 CALLAWAY DR
MIDLAND TX 79707



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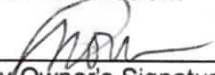
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I object to this request ☒

Comments:

(Pls build someplace else, A lot of the space out there is green area, why destroy it? It's going to displace also the wild life, cause a lot of dust, drive down home values.)

Required Information:

 Printed Name: Benedict Novicio 3006 Callaway Dr Midland 79707
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Comments:

Land is in 100 yr Flood Plain - losing Golf course & Roughland would be too many to lose. Midland Growing, needs Golf Courses. Property Value Loss. Plenty of other Land to develop. Built house here with understanding Golf Course would stay - not more development.

Required Information:

Donald Lee Woods
Property Owner's Signature

Donald Lee Woods
Printed Name

3100 Callaway Dr. Midland, TX 79707
Property Address (No P. O. Boxes)

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RECEIVED
AUG 17 2021



BY:

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I object to this request ☒ Comments: _____

Required Information:

Alithia Dean Alithia Dean 3106 Callaway Dr.
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Date Mailed: August 6, 2021

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I object to this request ☒ Comments: _____

Required Information:


Property Owner's Signature

Rolando Diaz Jr
Printed Name

3112 Callaway Dr.
Property Address (No P. O. Boxes)

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Required Information:

Property Owner's Signature: Wendy M. Cuyler Printed Name: Wendy M. Cuyler Property Address (No P. O. Boxes): 3200 Callaway Drive

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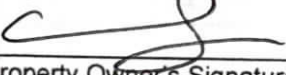
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I object to this request ☒ Comments: _____

Required Information:

	<i>Gregory Shipkey</i>	<i>3212 Callaway Drive, Midland TX</i>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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Planning Division Manager
Department of Development Services

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RECEIVED
AUG 10 2021



BY:

PUBLIC NOTICE

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LEGAL DESCRIPTION: On a 223-acres tract of land located in Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 4)

PROPOSED ZONING: From: AE, Agricultural Estate District
To: PD, Planned Development District for a Housing Development and Office Center

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I object to this request ☒ Comments: _____

Required Information:

	James Sikes	3206 Callaway Dr.
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77
Date Mailed: August 6, 2021
Case Number: Z-21-0235
Case Name: Presidential Estates
ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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RECEIVED
OCT 14 2021

PUBLIC NOTICE

BY:

The **Planning and Zoning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m. on Monday, October 18, 2021**, in the Council Chambers, City Hall, 300 N. Loraine, Midland, TX 79702, and via video conference on a request by **Midland-Odessa Golf Corp.** for approval of a **Zone Change** on the following described property:

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I object to this request ☒ Greatly Comments: My Property Value will be impacted

Required Information:

Jerry Watson Jerry Watson 3012 Callaway Drive
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77

Date Mailed: October 8, 2021

Case Number: Z-21-0268

Case Name: Presidential Estates

ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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RECEIVED
AUG 06 2021

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I object to this request ☒ Comments: Enjoy the green space. Lots of animals visit this area. Don't need smart homes in neighborhood

Required Information:

Jerry Watson
Property Owner's Signature

Jerry Watson
Printed Name

3012 Callaway Drive
Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials

Elizabeth Shaughnessy
Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: _____

Required Information:

Jerry W. Watson Jerry W. Watson 3012 Callaway Drive
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

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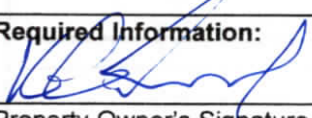
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I object to this request ☒ Comments: 1. Drainage issue not properly addressed.
2. Reduction in property values

Required Information:


Property Owner's Signature

Kenneth C. Smith
Printed Name

6412 Homestead Blvd.
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77
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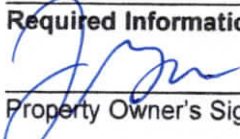
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I object to this request ☒ Comments: _____

Required Information:


Property Owner's Signature

Jason Goss
Printed Name

6500 Homestead Blvd
Property Address (No P. O. Boxes)

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Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: ① Flooding (NO flood plan or FEMA approval)
② NO plans provided for proposed development.

Required Information:

Property Owner's Signature

Printed Name

Property Address (No P. O. Boxes)

B. Ravichandran

RAVI BORRA

2612 Homeland Dr., Midland TX 79707

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

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Date Mailed: August 6, 2021

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RECEIVED
AUG 13 2021

BY:



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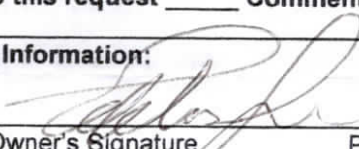
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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature:  Printed Name: Eddie James Property Address (No P. O. Boxes): 2704 Homeland Dr.

If any further information is desired, please contact the Planning Division, at (432) 685-7400. Si usted desea más información en Español sobre este asunto, llame al: (432) 685-7400

Notices Mailed: 77

Date Mailed: August 6, 2021

Case Number: Z-21-0235

Case Name: Presidential Estates

ES Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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I object to this request ☒ Comments: Flooding issues decrease property value, loss of green space, that was part of Midland City Plan

Required Information:

[Signature] MANISH KUMAR 2608 HOMELAND DR.
Property Owner's Signature Printed Name Property Address (No P. O. Boxes)

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Notices Mailed: 77

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ES Planner's Initials

[Signature]
Elizabeth Shaughnessy
Planning Division Manager
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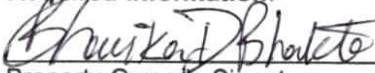
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I object to this request ☒ Comments: Decrease Value

Required Information:

	<u>Bhavika Bhakta</u>	<u>2600 Homeland Dr.</u>
Property Owner's Signature	Printed Name	Property Address (No P. O. Boxes)

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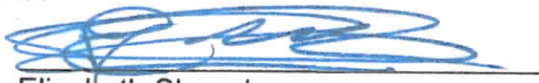
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I object to this request ☒ Comments: Flood concerns

Required Information:

Ankur Bhatnagar
Property Owner's Signature

Ankur Bhatnagar
Printed Name

2708 Homeland Dr.
Property Address (No P. O. Boxes)

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Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: October 18, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of Grassland Estates Addition, Section 25, being a re-plat of Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. Council District 4) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

_____ Approve X Deny _____ Directional/Informational

Details of Request:

The applicant, Midland-Odessa Golf Corp., is requesting to re-plat Lot 1, Block 21 Grassland Estates, Section 16, City and County of Midland, Texas into a mixed-use housing and local retail development.

Current Zoning:

AE, Agricultural Estate District.

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

Departmental Review:

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and

floodplain requirements if necessary.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Denied)

*** Denied because a preliminary drainage report needs to be submitted and an initial review needs to be conducted to ensure that the big picture drainage concept complies with City of Midland Stormwater Design Manual.

Per Midland City Code Sect. 11-2-3(D)8:

"Standards for approval. No preliminary plat shall be approved by the commission or by the Council unless the following standards have been met:

(a)A preliminary drainage plan has been approved by the City engineer. The city engineer may approve a preliminary drainage plan which does not include information in sufficient detail to determine whether public street, alley and drainage improvement plans which will be submitted later will conform to all usual standards, but the lack of such detailed information shall result in approval of the preliminary plat being conditioned as described in paragraph 13 below, whether such condition is or is not explicit in the commission or Council's action.

(b)The plat conforms to applicable zoning and other regulations.

(c)The plat meets all other requirements of these regulations, subject to approval of variances. "****

IMPACT FEES: Note has been provided on plat face.

ROW: Label internal streets as "private streets".

PAVING: Paving is to be private.

WATER: Install public water infrastructure in accordance with City of Midland Standards. Public infrastructure much be installed and accepted prior to Final Plat.

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: Install public wastewater infrastructure according to City of Midland Standards. Public infrastructure much be installed and accepted prior to Final Plat.

DRAINAGE: Drainage Report required per Midland City Code Sect. 11-2-3(D)8.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * * All public infrastructure improvements and plat to comply with City of Midland – Engineering Services, Fire Department & Utilities Policy Statement – City Standards & Development Requirements. (Found on-line at: <http://www.midlandtexas.gov/DocumentCenter/View/2625>)

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

TRANSPORTATION: (Denied)

Denied because comment from previous site plan review (Z-21-0235) was not addressed and this impacts the layout of the street network. Previous comment repeated: "The City's coordination efforts between this project and Grasslands West determined that Grasslands West's easternmost roadway will be a cul-de-sac and not connect to Wadley. Therefore, the western roadway in this project must connect to Wadley as shown and a public street cross-connection between the two projects must be provided south of Wadley and north of any access gate, as previously discussed with the Applicant."

Per Midland City Code Sect. 11-2-5(C)3(a): "General. In order to provide for streets of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, sanitation, and street maintenance equipment, and to coordinate streets so as to comprise a convenient system and avoid undue hardships to adjoining properties, an adequate street and thoroughfare system within and abutting the subdivision and providing access thereto shall be designed and improved in accordance with the standards set forth in these regulations, together with those contained in the major thoroughfare plan, the comprehensive plan and the City of Midland standard specifications, as adopted or amended from time to time by the Council."

Also reference:

--- City Code Sect. 11-2-5(A)3(c): "Streets. Proposed streets shall provide a safe, convenient and functional system for vehicular and pedestrian circulation and shall be properly related to the City's major thoroughfare plan and the comprehensive plan and any amendments thereto and shall be appropriate for the particular traffic characteristics of each proposed subdivision or development."

--- City Code Sect. 11-2-5(C)3(o): "Continuity... In general, the street system shall provide for the normal circulation of traffic with adequate spacing and continuity of streets to perform their functions, but collector and minor streets shall not be so long as to encourage through traffic. Streets serving all one- and two-family zoned areas of a

neighborhood shall connect to the neighborhood collector street system for access to schools, parks and other community facilities.”

--- Tall City Tomorrow Comprehensive Plan, Chapter 5 (Transportation) – Goal #2 (pg 116) – “Provide a transportation system that is safe, convenient, and offers a variety of interconnected modes.” “The design of streets and the level of connectivity those streets have plays a major role in ensuring a safe and convenient system. A truly unified city requires good connections among neighborhoods and destinations centers. Alternative local links also reduce dependence on major arterials like Big Spring Street for local traffic movement.”

--- Tall City Tomorrow Comprehensive Plan, Chapter 5 (Transportation) – Initiatives and Policies #2 (pg 119) – “Establish Street connectivity standards” “Street connectivity benefits all parts of the system. Alternative routes for shorter trips indirectly increases the capacity of arterial streets for more regional or cross-city traffic. More options also means better quiet street opportunities for pedestrians and bicyclists and improved delivery of emergency services.... To improve connectivity between neighborhoods and improve emergency response, the number of entry points should be based on the number of lots, and where available alleys should continue to be used for the trash collection, parking, and access management.”

FIRE: (Approved)

Future development shall meet all requirements of IFC 2015 ed. and local ordinances

CODE COMPLIANCE: (Approved)

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

GIS: (Approved)

The existing street Highland Boulevard and the proposed street Policy Way will shear the same intersection at Callaway Drive. We recommend that Policy Way should be named Highland Boulevard to prevent any confusion.

PLANNING: (Approved with Conditions)

Lots in this preliminary plat do not conform to the minimum lot area of two acres and the required lot dimensions of the present AE, Agricultural Estate District. See Midland City Code § § 11-1-5.02, 11-1-5.04.

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

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

The preliminary plat does not show the owner's certificate and acknowledgment, which is a requirement for approval of the final plat. “The final plat shall contain all of the information required for plats, as specified in [Section 11-2-3\(A\)](#). In addition, the application shall be accompanied by the following:..Certificates to be placed on plat as applicable: **Owner's certificate** (to be placed on plat), which must be acknowledged by the owner(s) of the property in the same manner as deeds as required by V.T.C.A., Property Code § 12.001, as amended. Acknowledgments may be modified to reflect the type of individual or entity who has an ownership interest in the property and the capacity in which a person is signing, e.g., partner, officer of corporation, etc. A separate acknowledgment should be made for each person signing. A separate acknowledgment need not be done for the same person signing in various capacities (i.e., both individually and as a corporate officer) if the signature block and acknowledgment indicate all capacities in which the person is signing. Midland City Code § 11-2-3(H)3(m)1.

The preliminary plat does not show the surveyor's certificate, which is a requirement for approval of the final plat. “The final plat shall contain all of the information required for plats, as specified in [Section 11-2-3\(A\)](#). In addition, the application shall be accompanied by the following:..Certificates to be placed on plat as applicable: **Surveyor's certificate.**” Midland City Code § 11-2-3(H)3(m)2.

The preliminary plat does not show the certificate of approval by the City planning and zoning commission, which is a requirement for approval of the final plat. “The final plat shall contain all of the information required for plats, as specified in [Section 11-2-3\(A\)](#). In addition, the application shall be accompanied by the following:..Certificates to be placed on plat as applicable: **Certificate of approval by the City planning and zoning commission** (to be placed on plat).” Midland City Code § 11-2-3(H)3(m)3.

The preliminary plat does not show the utility company's certificate, which is a requirement for approval of the final plat. “The final plat shall contain all of the information required for plats, as specified in [Section 11-2-3\(A\)](#). In addition, the

application shall be accompanied by the following:..Certificates to be placed on plat as applicable: **Utility company's certificate (to be placed on plat)**". Midland City Code § 11-2-3(H)3(m)4.

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

The preliminary plat does not contain the dimensions of the proposed lots and blocks, nor block numbers, which is a requirement for approval of the preliminary plat. "The proposed preliminary plat shall conform to the following standards and shall contain the following information in addition to the requirements specified in [Section 11-2-3](#):...**Layout, numbers and approximate dimensions of lots and blocks.**" Midland City Code § 11-2-3(D)4(h).

This proposed plat is greater than 25 acres, which qualifies it to be approved by City Council. "Approval by the Council shall be required prior to consideration of a final plat by the commission for any preliminary plat which...**Is ten hectares (25 acres) or more in area** and is located in any survey section (approximately one square mile) which does not contain a publicly owned site or sites intended for both a public school and park, or public site reservation therefor.;" Midland City Code § 11-2-3(D)11(a)6

Remove topographic details from the face of the plat.

Provide a section for the plat recordation information.

This property is in the zone change process to change the zoning classification from AE, Agricultural Estate District, to PD, Planned Development District for Housing Development.

Staff recommends denial of the preliminary plat of Grassland Estates Addition, Section 25 provided however, that if it is approved, staff recommends that it should be subject to conditions A through F.

Conditions:

- A. Approval of this preliminary plat is conditioned upon the City Council finally approving a zoning district change for the subject property that will result in this preliminary plat conforming to all applicable zoning regulations, including minimum lot area and dimension regulations. See Midland City Code §§ 11-1-5.02, 11-1-5.04, 11-2-3(D)8(b), 11-2-3(D)9.
- B. Approval of this preliminary plat is conditioned upon it identifying the proposed uses of lots and restrictive covenants that apply to common areas. See Midland City Code 11-2-3(D)4(c).

- C. Approval of this preliminary plat is conditioned upon it containing the layout, numbers and approximate dimensions of lots and blocks.” Midland City Code § 11-2-3(D)4(h).
- D. Approval of this preliminary plat is conditioned upon the approval preliminary drainage plan by the City Engineer. See Midland Code § 11-2-3(D)8(a).
- E. Approval of this preliminary plat is conditioned upon an approved transportation network offering a variety of interconnected modes, including a transportation system that is safe, convenient, and functional for vehicular and pedestrian circulation. See Midland Code § 11-2-5(A)3(c), Tall City Tomorrow Comprehensive Plan, Chapter 5 (Transportation) – Goal #2 (pg 116)
- F. Approval of this preliminary plat is conditioned upon adequately design streets in where they are suitably location, provide accurate widths, and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, sanitation, and street maintenance equipment, and to coordinate streets so as to comprise a convenient system and avoid undue hardships to adjoining properties are meet. See Midland Code § 11-2-5(C)3(a), City Code Sect. 11-2-5(C)3(o)

Letters of Objection:

As of October 15, 2021, staff has received 5 letters of objections.

Attachments:

Application
Proposed Preliminary Plat
Proposed Site Plan
Maps



Preliminary Plat Application

Project Number: SB-21-0400
Case Number: P-21-1200

Proposed Subdivision Plat Name: Presidential Estates Addition

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lot 1, Block 21, Grassland Estates Addition, Section 16 to the City and County of Midland, Texas.

Property Owner Printed Name: <u>Midland-Odessa Golf Corp - Jon Crain</u>		Phone (432) <u>559-2011</u> Email <u>joncrain.nvgc@gmail.com</u>	
Address <u>4800 E 42nd Street, Suite 210</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79762</u>

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

Representative (if acting as Agent, see affidavit on page 2) Firm: <u>Parkhill</u> Printed Name: <u>Josh Wallender</u> (PROJ # <u>1548.21</u>)		Phone (432) <u>697-1447</u> Email <u>jwallender@parkhill.com</u>	
Address <u>1700 West Wall, Suite 100</u>	City <u>Midland</u>	State <u>Texas</u>	Zip <u>79701</u>

Current Zoning: AE

Reason for Platting: Development of lots for housing and commercial use

Plat Information	Total Acreage: <u>± 220 Ac.</u>
Type: ☒ Single-Family Residential <u>620±</u> ☐ Multi-Family Residential ☒ Commercial <u>3</u> ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: <u>See Above</u>	Number of Multi-family Dwelling Units: <u>N/A</u>

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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):

Jon Crain

Date: 9-21-21

Property Owner (printed):

JON CRAIN

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.

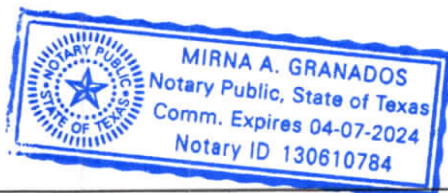
All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Josh Wallender who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by Midland-Odessa Golf Corp - Jon Crain 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.

Josh Wallender
Authorized Agent (signature)

Subscribed and sworn to before me, this 22 day of September, 20 21, to certify which witness my hand and seal of office.



Mirna Granados
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 #

061524

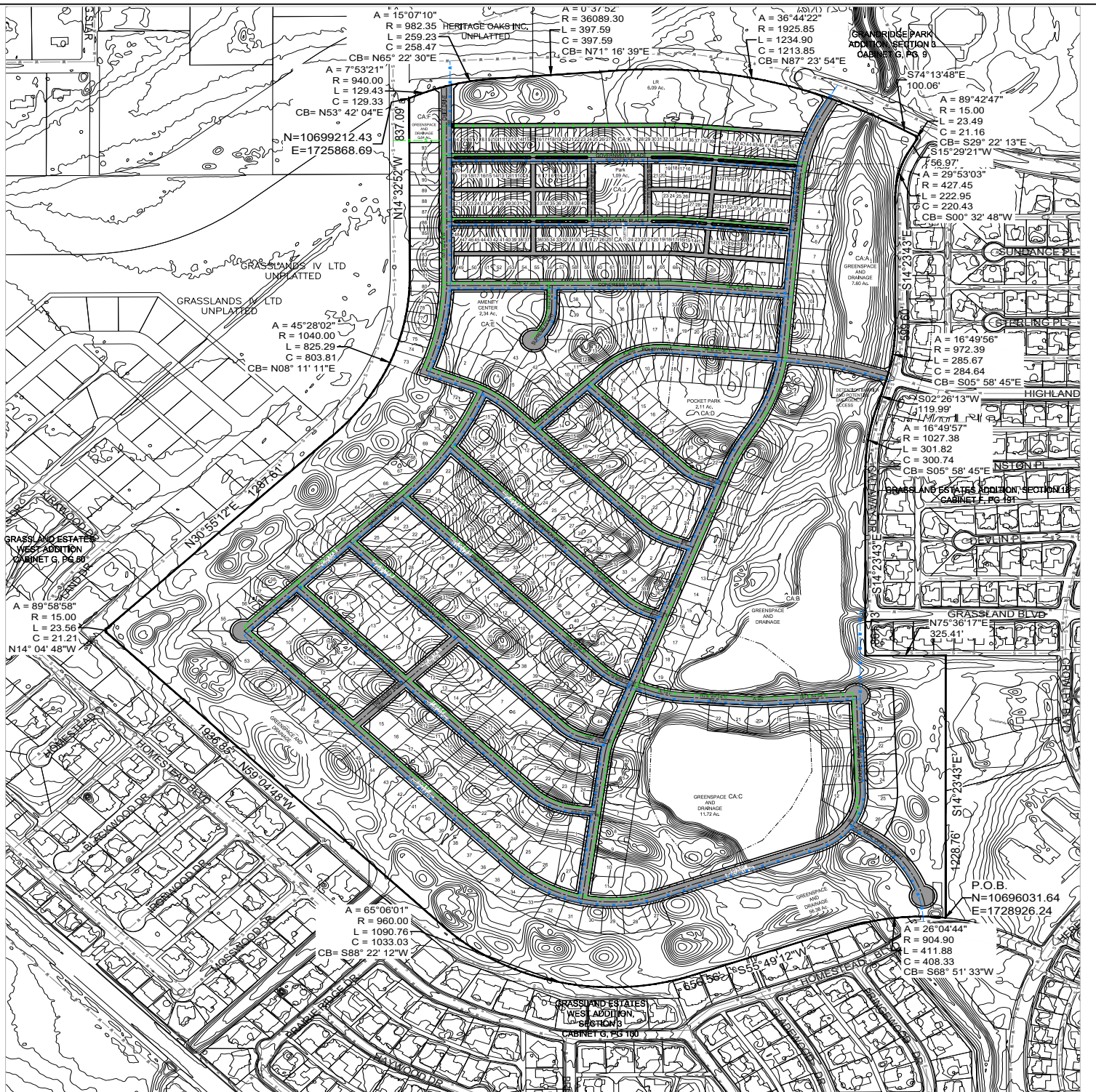
Received By:

ES

Date:

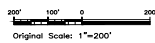
SEP 22 2021

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



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 WITHHOLDINGS OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOTS MAY BE DEVELOPED OR BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. 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.
4. ALL ROADS IN SUBDIVISION ARE PRIVATE AND CONTAIN A PUBLIC UTILITY EASEMENT.



PRELIMINARY PLAT GRASSLAND ESTATES ADDITION, SECTION 25

Being a Replot of Lot 1 Block 21, Grassland Estates Addition, Section 16 to the City and County of Midland, Texas

OWNER:

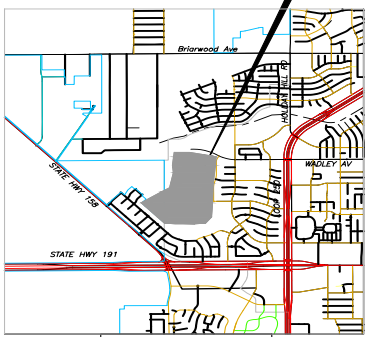
Midland-Odessa Golf Corp
P.O. Box 12580
Odessa, Texas 79768

ENGINEER:

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

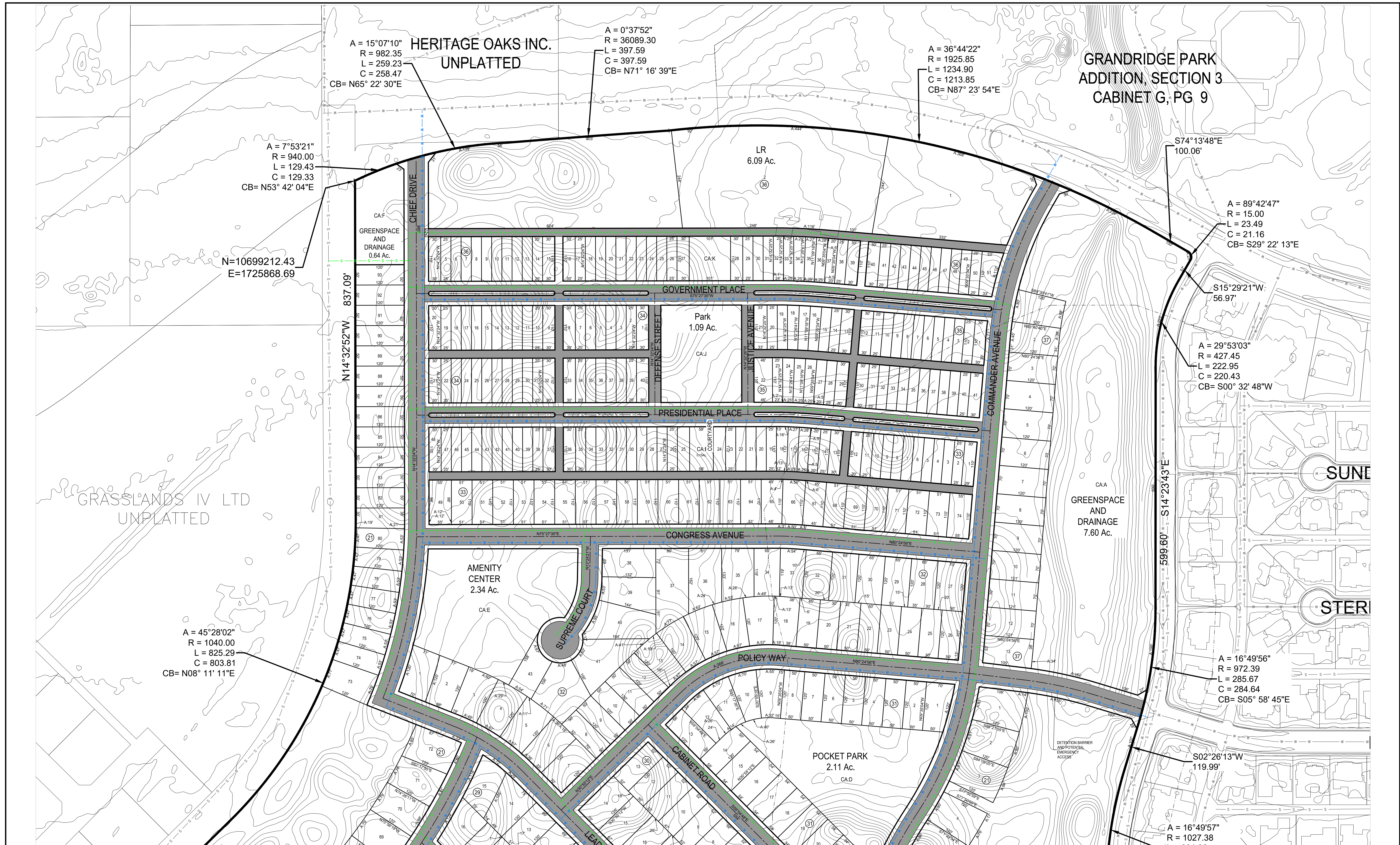
GRASSLAND ESTATES ADDITION, SECTION 25

PAGE 1



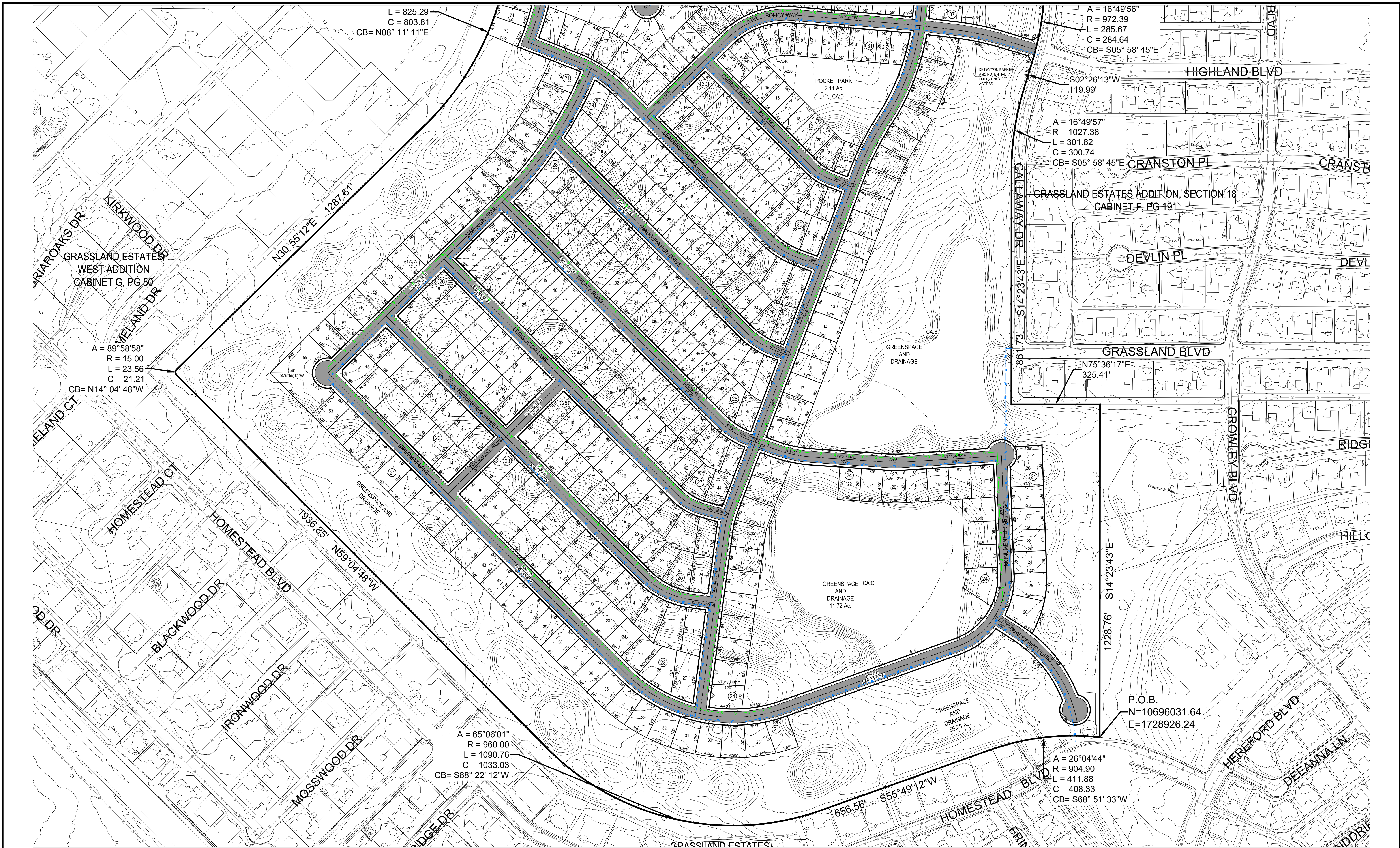
LEGEND

- EXISTING LOT LINES
- EXISTING RIGHT OF WAY
- PROPOSED PLAT LIMITS
- PROPOSED STREET ROW
- PROPOSED PLATTED LOT LINES
- PROPOSED EASEMENTS
- PROPOSED CENTERLINE ROAD
- PROPOSED COMMON AREA NAME
- PROPOSED WATER
- PROPOSED SEWER

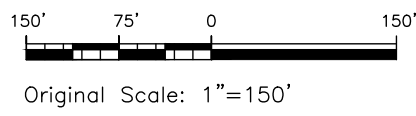


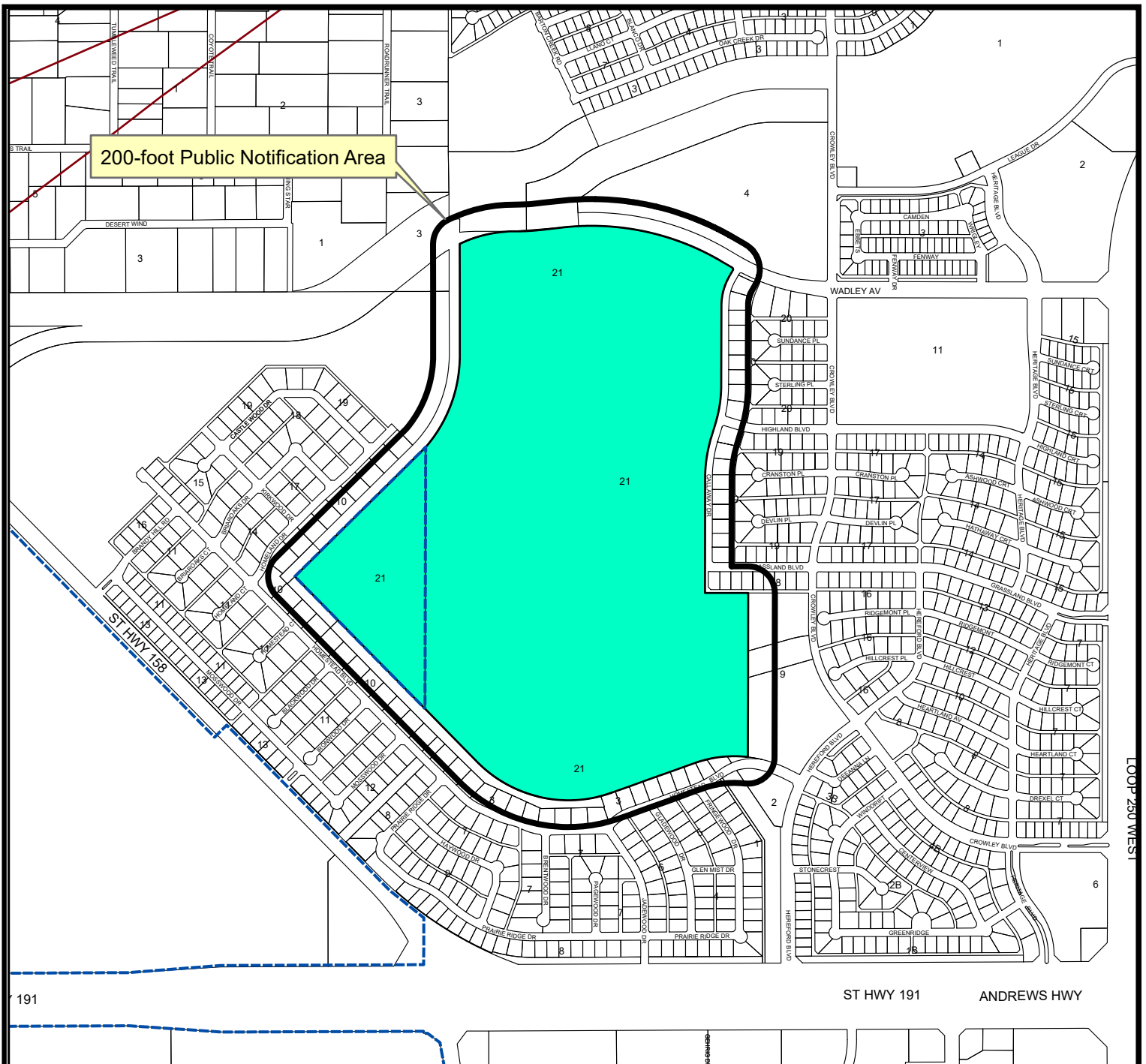
Original Scale: 1"=100'

PRELIMINARY PLAT
PRESIDENTIAL
ESTATES ADDITION
PAGE 2



PRELIMINARY PLAT
PRESIDENTIAL
ESTATES ADDITION
PAGE 3





LOCATION MAP

SUB-21-0400

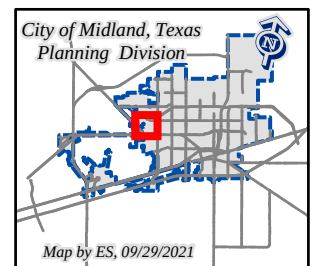
Scale: 1" = 200'

Consider a proposed re-plat of Grassland Estates, Section 25, being a replat of Lot 1, Block 21, Grassland Estates, Section 16, Midland County, Texas.

Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive.
(Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS













RECEIVED
OCT 06 2021

PUBLIC NOTICE

BY:

The **Planning and Zoning Commission**, of the City of Midland, Texas, will hold a public hearing at 3:30 p.m. on **Monday, October 18, 2021**, in the Council Chamber, City Hall, 300 N. Loraine, Midland, TX 79702 and via videoconference on a request by **Midland-Odessa Golf Corp.** for approval of a **Residential Replat** on the following described property:

LEGAL DESCRIPTION: On Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 1)

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above

I object to this request ☒ Comments: _____

Required Information:


Property Owner's Signature

Rolando Diaz Jr.
Printed Name

3112 Callaway Dr., Midland, TX
Property Address (No P. O. Boxes) 79707

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 77
Date Mailed: 10/01/2021
Case Number: SUB-21-0400
Case Name: Presidential Estates
ES: Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland, at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov/967/primegov-meetings>.



RECEIVED
OCT 11 2021

BY: 

PUBLIC NOTICE

The **Planning and Zoning Commission**, of the City of Midland, Texas, will hold a public hearing at 3:30 p.m. on **Monday, October 18, 2021**, in the Council Chamber, City Hall, 300 N. Loraine, Midland, TX 79702 and via videoconference on a request by **Midland-Odessa Golf Corp.** for approval of a **Residential Replat** on the following described property:

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I object to this request ☒ Comments: This will deteriorate the quality of life of all Midland residents by removing greenspace.

Required Information:

Kellie Hibler
Property Owner's Signature

Kellie Hibler
Printed Name

6104 Homestead Blvd
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 77
Date Mailed: 10/01/2021
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Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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RECEIVED
OCT 13 2021

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I object to this request ☒ Comments: _____

Required Information:

Property Owner's Signature: Thomas T. O'Grady
Printed Name: Thomas T. O'Grady
Property Address (No P. O. Boxes): 6306 Homestead Blvd. Midland, TX 79707

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 77
Date Mailed: 10/01/2021
Case Number: SUB-21-0400
Case Name: Presidential Estates
ES : Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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RECEIVED
OCT 14 2021

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I object to this request ☒

Comments:

SEE ATTACHMENT

Required Information:

Fred Nobles

Property Owner's Signature

FRED NOBLES

Printed Name

6312 HOMESTEAD

Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 77

Date Mailed: 10/01/2021

Case Number: SUB-21-0400

Case Name: Presidential Estates

ES: Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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Fred Rubler
63/2 Homestead

To the P+Z Board

I have questions ???

(1) How many people are for this gone change that live in the neighborhood? How many against? We live here!!!

(2) Are those of you on the board serving the people that live in the neighborhood or for those that want to come in and change our landscape?

For those of us that live around the golf course, which is a public course, it is not our fault that the golf course is not profitable. (Let the buyer be ware)

(3) Who is going to pay for the drainage issues that arise out of this debacle? More houses, concrete, & streets, water has to go somewhere!!! Don't want it in my house!!!

(4) What about our home values? especially those of us that back up to the course? Don't care to look at row houses!!! in a 20' wall!!!

(5) Are y'all looking at increasing the TAX BASE to have more revenue that will be squandered? If so, why do it at the expense of the residents?

Putting in more houses on this property is not a good idea!!!
Sence it as IS please.



PUBLIC NOTICE

The **Planning and Zoning Commission**, of the City of Midland, Texas, will hold a public hearing at 3:30 p.m. on **Monday, October 18, 2021**, in the Council Chamber, City Hall, 300 N. Loraine, Midland, TX 79702 and via videoconference on a request by **Midland-Odessa Golf Corp.** for approval of a **Residential Replat** on the following described property:

LEGAL DESCRIPTION: On Lot 1, Block 21, Grassland Estates, Section 16, City and County of Midland, Texas.

LOCATION: Generally located on the southwest corner of the intersection of W. Wadley Avenue and Callaway Drive. (Council District 1)

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above

I object to this request ☒ **Comments:** Shouldn't you first be concerned with getting a new flood plain? Before you approve a Residential Replat from a Golf Course? Just the moving of much dirt on the Golf Course to make flat land for streets & houses is going to
Required Information: explain when the water collection areas that are on the Golf Course,

Angela Nobles Angela Nobles 6312 Homestead Blvd
Property Owner's Signature Printed Name Property Address (No P. O. Boxes) 79707

If any further information is desired, please contact the Planning Division at 685-7400.
Si usted desea más información en Español sobre este caso, llame al: 685-7400.

Notices Mailed: 77
Date Mailed: 10/01/2021
Case Number: SUB-21-0400
Case Name: Presidential Estates
ES : Planner's Initials


Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland, at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989. The videoconference information can be found on the City's website: <http://www.midlandtexas.gov/967/primegov-meetings>.