

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

**December 20, 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/88051525955>

Or One tap mobile :

US: +13462487799,,88051525955# or +16699006833,,88051525955#

Or Telephone:

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

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

Webinar ID: 880 5152 5955

International numbers available: <https://us02web.zoom.us/u/klHDrmPvI>

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 December 6, 2021.

3. Motion approving a proposed Final Plat of Kent Addition, being a plat of a 4.519-acres tract of land located in Section 39, Block 38, T-1-S, T&P RR Co. Survey, Midland County, TX (Generally located on the Southwest intersection of Loop 250 and E. Interstate 20. (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
4. Motion approving a Final Plat of West End Addition, Section 26, being a residential replat of Lots 1 & 2, Block 37, West End Addition, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of West Indiana Avenue and South E Street. Council District 3) (DEVELOPMENT SERVICES)
5. Motion approving a Final Plat of Fuse Industrial Park, Section 2, being a plat of a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located approximately 289 feet east of N. Calhoun Street and approximately 771 feet north of E. Indiana Street. Council District 2) (DEVELOPMENT SERVICES)
6. Motion to approve Final Plat of Southwest Crossing, Section 14, being an 8.134 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 southwest corner of the intersection of West County Road 123 and South County Road 1235. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)
7. Motion approving a Final Plat of W.W. Harris Addition, Section 5 being a plat of a 0.829-acre tract of land located in the east half of the northwest quarter in the southeast quarter of Section 26, Block 39, T-1-S, T&P R.R. Co. Survey, City and County of Midland, Texas – Council District 2 (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

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

8. Motion approving a request by Salvador Hernandez for a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Service on Lots 9-12, Block 37, College Heights, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of W. Front Street and Carlton Street. Council District 2) (DEVELOPMENT SERVICES)
9. Motion approving a request by Faulk & Foster, for a Specific Use Designation without Term for the installation of a mono-pole cell tower on a 200 square foot portion of Lot 3, Block 1, Polo Club Addition, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Garfield Street and Bluebird Lane - (Council District 1) (DEVELOPMENT SERVICES)

MISCELLANEOUS

10. Motion approving with staff's recommended conditions a proposed Preliminary Plat of NGL Addition, Section 2, being a plat of an 8.56-acre tract of land out of Section 14, Block 38, T-

2-S, RR Co. Survey, Midland County, Texas. (Generally located on the south side of South County Road 1161, approximately 1,079-feet east of South County Road 1165. (Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)

11. Motion to approving with staff's recommended conditions a proposed Final Plat of Westcliff Addition, Section 5, being a residential re-plat of Lots 1 through 3, Block 6, Westcliff Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of Princeton Avenue and Westcliff Drive. Council District 4) (DEVELOPMENT SERVICES)
12. Motion approving with staff's recommended conditions a Preliminary Plat of Kimber-Lea Addition, Section 14, being a 4.67-acre tract of land out of Lot 15, Block 10, Kimber-Lea Second Section, Blocks 8,9,10, & 11, an addition to the City and County of Midland, Texas. Generally located on the north side of Wadley Avenue, approximately 170 feet to the east of Midkiff Road - (Council District 3) (DEVELOPMENT SERVICES)
13. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Wilshire Park Addition, Section 26, being a replat of Lots 1-28 and the west 28-feet of Lot 29, including a previously vacated 20-foot alley, and a previously vacated 0.57-acre portion of Blue Haven Court Right-of-Way, Block 168, Wilshire Park Addition, Section 11, City and County of Midland, Texas (Generally located on the southeast corner of the intersection of Graceland Drive and S. Loop 250 West. Council District 1) (DEVELOPMENT SERVICES)

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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



**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
December 6, 2021
Council Chambers – City Hall**

The Planning & Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30 p.m., December 06, 2021.

Commissioners present: Dianne Williams, Zachary Deck, Emily Holeva, Adrian Carrasco, Beverly Dillow

Commissioners absent: Stacy Grosse, Karmen Bryant, Lucy Sisniega, Chase Gardaphe

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

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

CONSENT ITEMS

Commissioner Carrasco moved to approve; seconded by Commissioner Williams.

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

2. Motion approving the Planning and Zoning Commission meeting minutes for November 15, 2021.
3. Motion approving a Final Plat of Lone Star Trails II, Section 11, being a plat of a 19.84-acre tract of land located in Section 7, Block 38, T-1-S, T&P, R.R. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Occidental Parkway, approximately 744- feet east of Carriage Road. Council District 1)
4. Motion approving a Final Plat of Southwest Crossing, Section 12, being a plat of a 10.664-acre tract of land located in Section 13, Block 40, T-2-S, T&P, RR. Co. Survey, Midland County, Texas. Generally located on the southwest corner of the intersection of S. County Road 1239 and W. County Road 123. - (Extraterritorial Jurisdiction)
5. Motion approving a Final Plat of Greenhill Terrace, Section 18, being a plat of a 2.29-acre tract of land located in Block X, Section 7, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the west side of Fir Drive, approximately 715 feet south of Wood Drive. Council District 1)
6. Motion approving a Final Plat of West 191 Industrial Park, Section 8 being a replat of a 1.742-acre tract of land out of Lot 1, Lot 2, and Lot 3, Block 1, West 191 Industrial Park, City and County of Midland, Texas. (Generally located north of State Highway 191, approximately 2,205-feet west of Westlake Road. (Council District 4)
7. Motion approving a Final Plat of Original Town, Section 23, being a replat of Lot 1, Block 79, Original Town Addition, and a 0.032-acre vacated portion of East Missouri Avenue, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of E. Missouri Avenue and S. Mineola Street. Council District 2)

8. Motion approving a Final 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)
9. Motion approving a Final Plat of Veteran Development Addition, being a plat of a 5.00-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co Survey, Midland County, Texas. (Generally located on the northwest corner of the intersection of West County Road 122 and South County Road 1235. Extraterritorial Jurisdiction).

PUBLIC HEARINGS

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

10. Motion approving a request by Rusty Tacos, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 3,241 square foot portion of Lot 18, Block 1 Providence Park, City and County of Midland, Texas. (Generally located on the west side of N. Midkiff Road, approximately 605-feet north of W. Wadley Avenue - Council District 1)

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

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

The applicant was not present.

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

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

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

11. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Greathouse Addition, Section 18, being a replat of Common Area J, Block 20, Greathouse Addition, Section 7, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Deep Run Avenue and Dunraven Court. Council District 1)

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

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

The applicant was present but deferred to staff.

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

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

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

12. Motion approving a request by Maverick Engineering for a zone change from PD, Planned Development District for a Shopping Center District to RR, Regional Retail District on Lot 15, Block 10, Kimber-Lea Addition, Section 2, City and County of Midland, Texas. (Generally located on the north side of W. Wadley Avenue, approximately 210-feet east of N. Midkiff Road. Council District 3)

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

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

The applicant was present but deferred to staff.

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

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

13. Motion approving a request by Waystone Brewing LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a brewery, on a 1,674 square foot portion of Lot 1-H, Block 5, Colony Place, Section 5, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W. Wadley Avenue and N. Garfield Street. Council District 3)

Senior Planner Kelly Martinez gave an overview of the project. With one letter of objection received, staff recommended approval.

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

The applicant, Ted Morehouse, was present. He gave a summary of his project and open for questions.

Resident Elizabeth Smith, spoke in favor of the project.

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

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

14. Motion approving a request by Marc Colvin for a zone change from MF-22 Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District on Lot 19 & 20, Block 64, Park Avenue Second Section, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of E. California Avenue and S. Bunche Street - 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 3:53 p.m.

The applicant was not present.

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

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

15. Motion to approve a request by J. Penno's Cafe, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 2,150 square foot portion of Lot 10, Block 56, Permian Estates, Section 1, City and County of Midland, Texas. (Generally located on the north side of W. Illinois Avenue, approximately 670 feet east of N. Midland Drive - Council District 1)

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

The public hearing was opened at 3:57 p.m.

The applicant was not present.

The public hearing was closed at 3:58 p.m.

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

MISCELLANEOUS

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

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Sparks, Gardaphe

17. Motion approving with staff's recommended condition a proposed Preliminary Plat of Rock Iron Addition being a 1.001-acre tract of land out of Section 30, Block 40, T-2-S, RR. Co Survey, Midland County, Texas. (Generally located on the southwest corner of the intersection of West County Road 145 and South Farm to Market Road 1788. (Extraterritorial Jurisdiction)

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

18. Motion approving with staff's recommended conditions a proposed Preliminary Plat of Westridge Park Addition, Section 49, being a plat of a 30.80-acre tract of land out of Sections 37 and 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of State Highway 191 and Avalon Drive. Council District 4)

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

19. Motion approving with staff's recommended conditions a proposed Preliminary Plat of MDC Business Park, Section 2, being a plat of a 58.18-acre tract of land out of Section 11, Block 40, T-2-S, T&P Co. Survey, City and County of Midland, Texas. (Generally located on the north side of Interstate 20, approximately 2,972-feet east of South County Road 1250. Council District 2)

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

The motion passed by the following vote: 5 to 0

AYE: Williams, Deck, Holeva, Carrasco, Dillow

NAY: None

ABSTAIN: None

ABSENT: Grosse, Bryant, Sisniega, Gardaphe

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at

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: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Motion approving a proposed Final Plat of Kent Addition, being a plat of a 4.519-acres tract of land located in Section 39, Block 38, T-1-S, T&P RR Co. Survey, Midland County, TX (Generally located on the Southwest intersection of Loop 250 and E. Interstate 20. (Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The property owner, William Kent, is proposing to plat a 4.519-acres tract of land located in Section 39, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas, for ownership purposes and for future commercial development. The preliminary plat was approved at the planning and commission meeting of June 7, 2021.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:**Engineering: Approved**

IMPACT FEES: Okay as shown.

ROW: ROW okay as shown.

PAVING: W. LOOP 250 and I-20 Frontage Road are TxDOT facility, built and maintained by TxDOT, no improvements required.

WATER: Deferral approved by City of Midland on 12/8/2021

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: Deferral approved by City of Midland on 12/8/2021

DRAINAGE: Show compliance with Drainage Plan, Kent Addition, Section 39 Drainage Study, prepared by LCA and approved by City on 09/28/2021.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Deferral approved by City of Midland on 12/8/2021

DIMENSION: * * *

OTHER: * * *

Transportation: Approved

TxDOT comment, "Access should be managed in accordance with current Access Management Standards. We have had several discussions with the developers and their consultants regarding access for this development. Since this area is at a full stop controlled intersection, we recommended a minimum access spacing of 360'. Subdividing this lot to leave a remainder without shared access or cross access easements could jeopardize access to the remainder of the lot. This lot has 2 culverts that drain directly into the lot and is located within a flood zone. Pre-development drainage and runoff should be maintained in post development. Floodplain coordination should also be required."

Fire: Approved

No additional comments.

Oil and Gas: Approved

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

Code Administration: Approved

ETJ, no jurisdiction.

HEALTH DEPARTMENT:

Yes, the health department will review application from the 1 proposed lot of Kent Addition, P-20-0944, PLAT OF A 4.5 ACRE TRACT OF LAND OUT OF SECTION 39, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY MIDLAND COUNTY TEXAS the lot is 4.5 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Planning: Approved

All departments' comments have been satisfied.

Staff recommends approval once all comments have been met of the Final Plat of Kent Addition, 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-20-0370
 1-21-1249

Proposed Subdivision Plat Name: Kent Addition

 Legal Description (attached sealed Metes and Bounds): Being a 4.519- Acre Tract of land
 located in Section 39, Block 38, T-1-S T&P RR. Co. Survey, Midland County, Texas.

Property Owner

Printed Name: William B. Kent

Phone ()

Email

Address PO Box 908001

City Midland

State TX

Zip 79708

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: Property is not Zoned

Reason for Platting: Future Building Permit will be needed.

Plat Information

Total Acreage: 4.519

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

Number of Residential Lots:

Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

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 William B. Kent, 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 11 day of October, 20 21, 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 # 39457

☒ Tax Certificates

Check # 39458

Received By: KM

Date:

Received
Digital
on 12-1-21

NOV 23 2021
By: KM

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

Drafter:ML
Revision: 2020-10-08 ML
Revision: 2021-05-12 ML
Revision:

LEGEND OF ABBREVIATIONS
U.S.Sy.Ft. United States Survey Feet
TxCS/83.CZ Texas Coordinate System of 1983, Central Zone
NAVD88 North American Vertical Datum of 1988
P.R.M.C.T. Plat Records of Midland County, Texas
O.P.R.M.C.T. Official Public Records of Midland County, Texas
D.R.M.C.T. Deed Records of Midland County, Texas
VOL/PG/INST# Volume/Page/Instrument Number
POB/POC Point of Beginning/Point of Commencing
ESMT/BL Easement/Building Line
ETJ Extraterritorial Jurisdiction

FLOOD ZONE CLASSIFICATION
This property lies within ZONE(S) X & A of the Flood Insurance Rate Map for Midland County, Texas and Incorporated Areas, map no. 48329C0125F, dated 2005/09/16, via scaled map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at <http://hazards.fema.gov>.

MONUMENTS / DATUMS / BEARING BASIS
Monuments are found if not marked MNS or CRS.
CRS 1/2" rebar stamped "JPH Land Surveying" set
MNS 1/2" rebar stamped "JPH Land Surveying" set
O Vertex or common point (not a monument)
Bearings are based on grid north (TxCS/83.CZ)

UTILITY COMPANY'S CERTIFICATE:

This plat has been checked for accessibility of utilities.

Atmos Energy

By: _____

AT&T

By: _____

Suddenlink Communication

By: _____

Grande Communication

By: _____

ONCOR Electric Delivery Company

By: _____

GENERAL PLAT NOTES:

- Subject property's record description's error of closure, 0.00'.
- The fieldwork was completed on January 29, 2020.
- This plat was performed without the benefit of a commitment for title insurance. Therefore, there may be easements or documents pertaining to the subject tract that are not shown or referenced hereon.
- 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 site plan by the City of Midland may be required before the development of any lot and before building permit may be obtained.
- Bearing, distances, and coordinates are relative to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983.
- The installation of improvements may be required by the City of Midland as such time as:
 - The represented lots are replatted for subdivision into more than one lot or;
 - 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 increase in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.
- Midland County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas, or open spaces. The owners shall be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas, and open spaces. Said owners agree to indemnify and save harmless Midland County from all claims, damages, and losses arising out of or resulting from the performance of the obligations of said owners set forth in this paragraph.
- Access spacing and locations will be required to adhere to the Texas Department of Transportation (TxDOT) Access Management Standards' along the state highway. Contact TxDOT for additional information and permitting.
- Elevations are North American Vertical Datum of 1988 (NAVD88).



JPH Job/Drawing No. (see below)
2020.124.002 SWC I-20 & Loop 250, Midland, Midland Co., TX PLAT.dwg
© 2021 JPH Land Surveying, Inc. - All Rights Reserved
785 Lonesome Dove Trail, Hurst, Texas 76054
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPILLS Firm #10019500 #10194073 #10193867
DFW-Houston | Central Texas | West Texas

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of Kent Addition, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this _____ day of _____, 2021.

LUCY SINSIEGA, CHAIRPERSON

ELIZABETH SHAVGHNESSY, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Jewel Chadd, 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.

Jewel Chadd
Registered Professional
Land Surveyor No. 5745
jewel@jphls.com
Date: September 30, 2021



PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

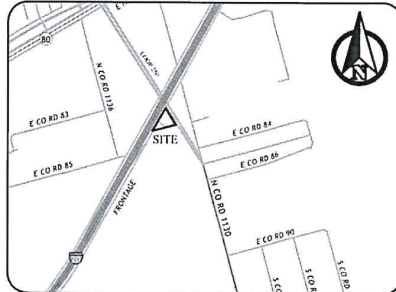
NO. _____ CABINET _____

DATE _____ PAGE _____

OWNER:
William B. Kent
P.O. Box 908001
Midland, Texas 79708

SURVEYOR:
JPH Land Surveying, Inc.
785 Lonesome Dove Trail
Hurst, Texas 76054
Phone: (817) 431-4971

VICINITY MAP
NOT TO SCALE



**LOT 1, BLOCK 1
KENT ADDITION**

PROPOSED PLAT OF KENT ADDITION, BEING A
PLAT OF A 4.519-ACRE TRACT OF LAND
LOCATED IN SECTION 39, BLOCK 38, T-1-S T&P
R.R. CO SURVEY, MIDLAND COUNTY, TEXAS
PREPARED IN FEBRUARY 2020

Page 3.15
December 20, 2021

DRAINAGE STATEMENT

Comply with the existing drainage analysis titled KENT ADDITION, sealed by Ezekiel Bryant, P.E., and approved by the City of Midland on July 06, 2021, or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland.

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF MIDLAND §

Proposed plat of Kent Addition, being a plat of a 4.519-acre tract of land located in Section 39, Block 38, T-1-S, T & P R.R. Co. Survey, Midland County, Texas.

WHEREAS, William B. Kent is the owner of that certain tract situated in Section 39, Block 38, T-1-S, T & P R.R. Co. Survey, Abstract No. 29, Extra Territorial Jurisdiction of the City of Midland, Midland County, Texas, said tract being a portion of a called 7.521 acre tract described in the deed to said William B. Kent, recorded under Instrument Number 2016-28713, Official Public Records, Midland County, Texas; the subject tract is more particularly described as follows:

BEGINNING at a 3/4 inch rebar found at the north property corner of the said Kent tract, same being the intersection of the southwest right-of-way line of State Highway Loop 250, being a variable width right-of-way as shown on the State of Texas State Department of Highways and Public Transportation Map, State Control No. 1188-2-11, dated August, 1978, with the southeast right-of-way line of Interstate Highway 20, being a variable width right-of-way as shown on the State of Texas State Highway Department Map, State Control No. 5-15-1 and 5-14-13, dated August, 1969;

THENCE SOUTH 31° 41' 53" EAST, with the east property line of said Kent tract and with the said southwest right-of-way line of State Highway Loop 250, a distance of 579.87 feet to a set 1/2 inch capped rebar stamped "JPH Land Surveying", from which a found 3/4 inch rebar bears, SOUTH 31° 41' 53" EAST, a distance of 168.17 feet;

THENCE SOUTH 75° 28' 48" WEST, departing the said property line and the said right-of-way line, over and across the said Kent tract, a distance of 710.69 feet to a 1/2 inch capped rebar stamped "JPH Land Surveying" set on the west property line of the said Kent tract, same being the aforesaid southeast right-of-way line of Interstate Highway 20, from which a found 3/4 inch rebar bears, SOUTH 29° 42' 59" WEST, a distance of 224.25 feet;

THENCE NORTH 29° 42' 59" EAST, with the said property line and the said right-of-way line, a distance of 773.25 feet returning to the **POINT OF BEGINNING** and enclosing 4.519 acres (196,865 square feet).

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That William B. Kent, being the owner of the land shown on this plat designated as Kent Addition, an addition in the City of Midland ETJ, 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 _____ day of _____, 2021.

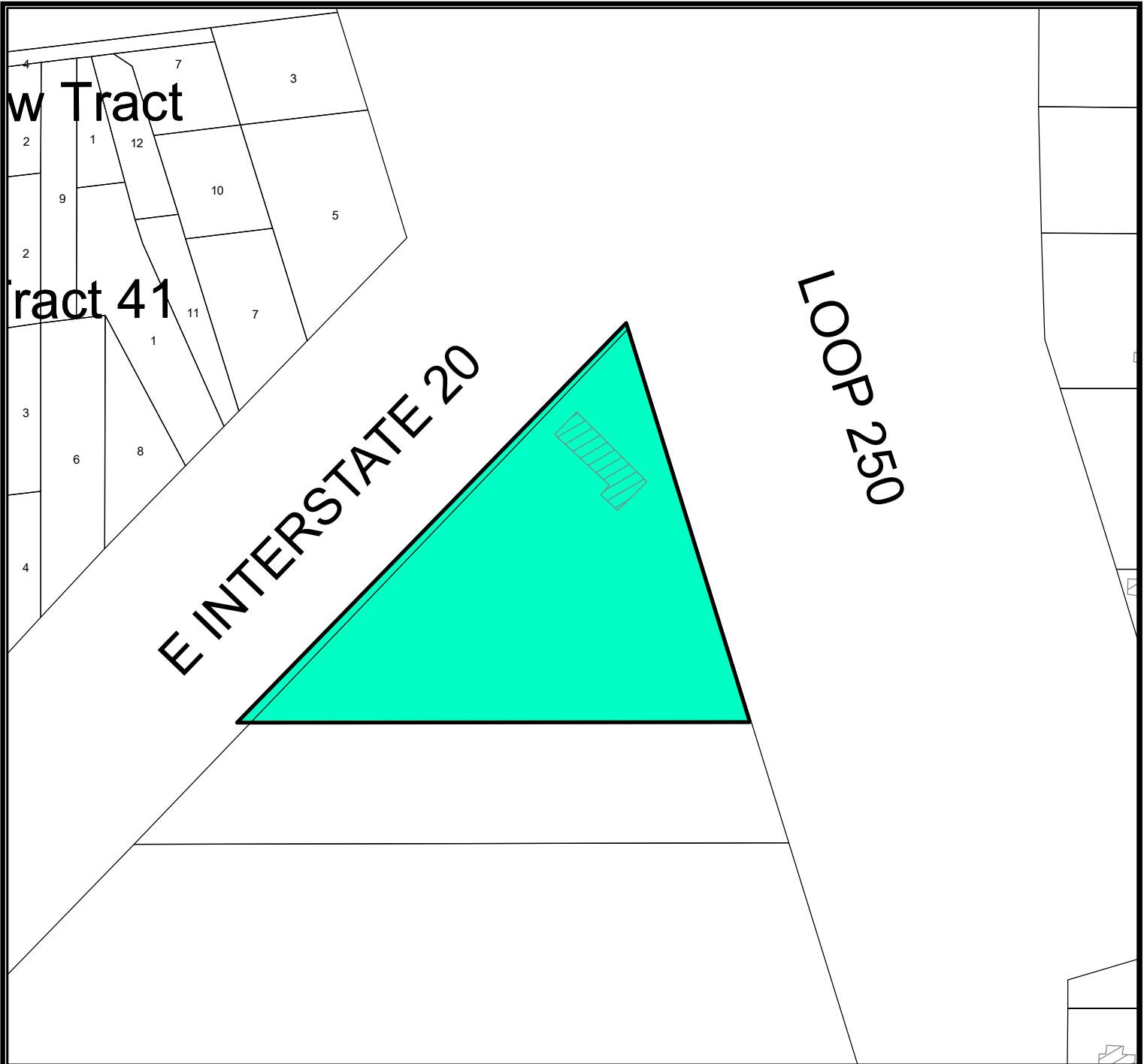
William B. Kent

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared William B. Kent, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this _____ day of _____, 2021.

Notary Public in and for the State of Texas



LOCATION MAP

SUB-20-0370

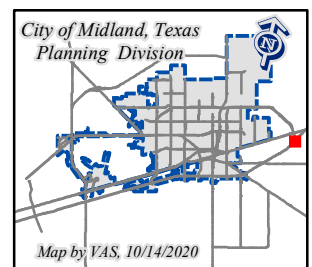
Scale: 1" = 200'

Proposed plat of Kent Addition, being a plat of a 4.519-acre tract of land located in Section 39, Block 38, T-1-S, T&P, RR. Co. Survey, Midland County, Texas.

Generally located on the southwest intersection of Loop 250 and E. Interstate 20. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Senior Planner

SUBJECT: Motion approving a Final Plat of West End Addition, Section 26, being a residential replat of Lots 1 & 2, Block 37, West End Addition, City and County of Midland, Texas (Generally located on the southwest corner of the intersection of West Indiana Avenue and South E Street. Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

SF-3, Single-Family Dwelling District.

Preliminary Plat Approval:

The property owner, Alamo Heights Homes, LLC is proposing to replat Lots 1 & 2, Block 37, West End Addition, City and County of Midland, Texas into two (2) lots to correct the internal lot line placement. The preliminary plat was approved at the July 19 Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

Engineering: (Approved)

IMPACT FEES: Okay as shown

ROW: Okay as shown

PAVING: W. Indiana Ave and E-Street roadways okay as is. No public paving improvements required.

WATER: Existing 16-inch water main on north of property, 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 6-inch wastewater main on alley south of property okay as is. No public wastewater improvements required.

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

EASEMENTS: Okay as shown.

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.

No objections to plat.

Fire: (Approved)

Recommended following 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.

Code Administration: (Approved)

No Oil and Gas issues.

Colorado River Municipal Water District:

No comments.

Planning: (Approved)

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of West End Addition, Section 26, 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-21-0421
Case Number: P-21-1170

Proposed Subdivision Plat Name: West End Addition, Section 26

Legal Description (attached sealed Metes and Bounds): Being a re-plat of all of Lots 1 & 2, Block 37, West End Addition, City and County of Midland, Texas. Re-plat of Block 37 recorded in Volume 43, Page 56, Deed Records of Midland County, Texas

Property Owner

Printed Name: Alamo Heights Homes, LLC

Phone ()
Email

Address 309 W 7th Street, Suite 915

City Ft. Worth

State TX

Zip 76102

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

Printed Name: Josh Wallender (Parkhill PROJ # 1076.21 - PLAT)

Phone (432) 697-1447

Email

jwallender@parkhill.com

Address 1700 West Wall, Suite 100

City Midland

State Texas

Zip 79701

Current Zoning: SF-1

Reason for Platting: Platting for future building permits

Plat Information

Total Acreage: 0.348 Ac.

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'

1702 8 1 90V
AUG 18 2021
MIDLAND

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):

Laura Dawson K.P. Alamo Heights Homes

Date: 8-18-21

Property Owner (printed):

Laura Dawson

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.

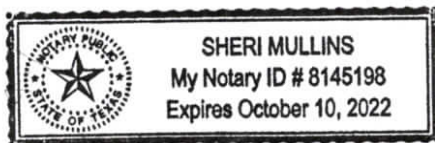
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

[Signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 18 day of August, 2021, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☐ Mylar need

☒ Application Fee

Check # 1518

☒ 1 Copy of Dimensioned Plat

☒ 1 Copy of Plat (11x17)

☐ Title Opinion need

☒ Tax Certificates

☒ Plat in Digital Format (PDF/JPEG)

☐ CADD File

☐ Public Improvement

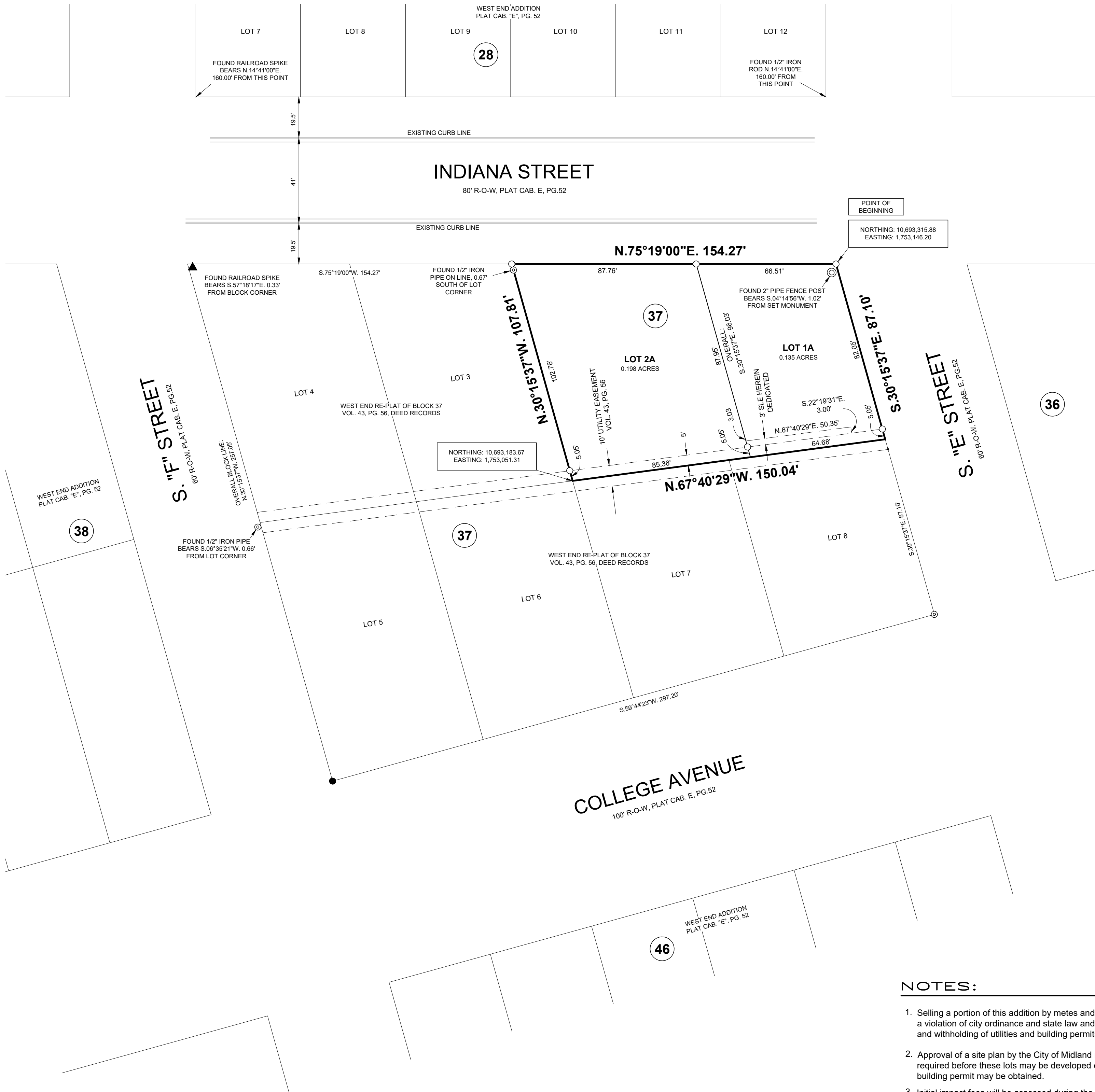
☐ Recording Fee

Check # 1517

Received By: ES

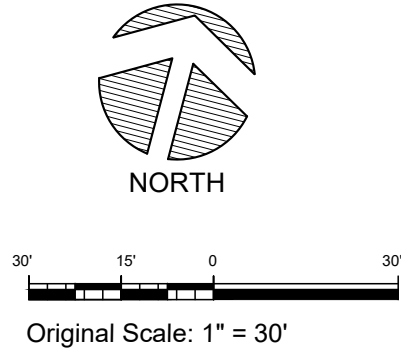
Date:

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



NOTES:

- Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
- Approval of a site plan by the City of Midland may be required before these lots may be developed or before a building permit may be obtained.
- 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.



WEST END
SECTION 24

Being a re-plat of all of Lots 1 & 2, Block 37,
West End Addition,
City and County of Midland, Texas
Re-plat of Block 37 recorded in Volume 43, Page 56,
Deed Records of Midland County, Texas

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Oncor Electric Delivery Service
(PLEASE PRINT)

AT&T Texas
(PLEASE PRINT)

Atmos Energy
(PLEASE PRINT)

SuddenLink Communications
(PLEASE PRINT)

Grande Communications
(PLEASE PRINT)

Proposed Plat Limits
Easement (See plat for details)
Proposed Lot Line

WLE = Water Line Easement
DRE = Drainage Easement
UEE = Underground Electric Easement
SLE = Sewer Line Easement

OWNER &
DEVELOPER:

Alamo Heights Home, LLC
309 W. 7th Street, Suite 915
Fort Worth, Texas 76102

ENGINEER:

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

This is to certify that the above and foregoing plat of WEST END, SECTION 24 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 - PRINT NAME Secretary - PRINT NAME

WEST END
SECTION 24

Parkhill

Parkhill.com

TBPELS FIRM REGISTRATION NO. 10194091

PACKET
Page 4.22
December 20, 2021

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, Alamo Heights Home, LLC, is the record owner of Lots 1 and 2, Block 37, West End Addition, City and County of Midland, and more particularly described, shown on the plat hereon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS :

That we, Alamo Heights Home, LLC do hereby adopt this plat designating the herein above described property as WEST END, SECTION 24, City and County of Midland, Texas, and we do hereby dedicate to the public use forever the streets, and easements shown thereon.
WITNESS our hands at Midland, Texas, this the _____ day of _____, 2021.

By: _____

STATE OF TEXAS :
COUNTY OF MIDLAND:

This instrument was acknowledged before me on _____, 2021
by _____ on behalf of Alamo
Heights Home, LLC.

Notary Public Signature

FLOOD ZONE INFORMATION

Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 480477, Map Number 48329C0202F, Panel 202 of 525, revised September 16, 2005, the surveyed property is not located in a Special Flood Hazard Area. According to the map, the current flood zone classification for the surveyed property is Zone X.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That I, Samuel Wyatt, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

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

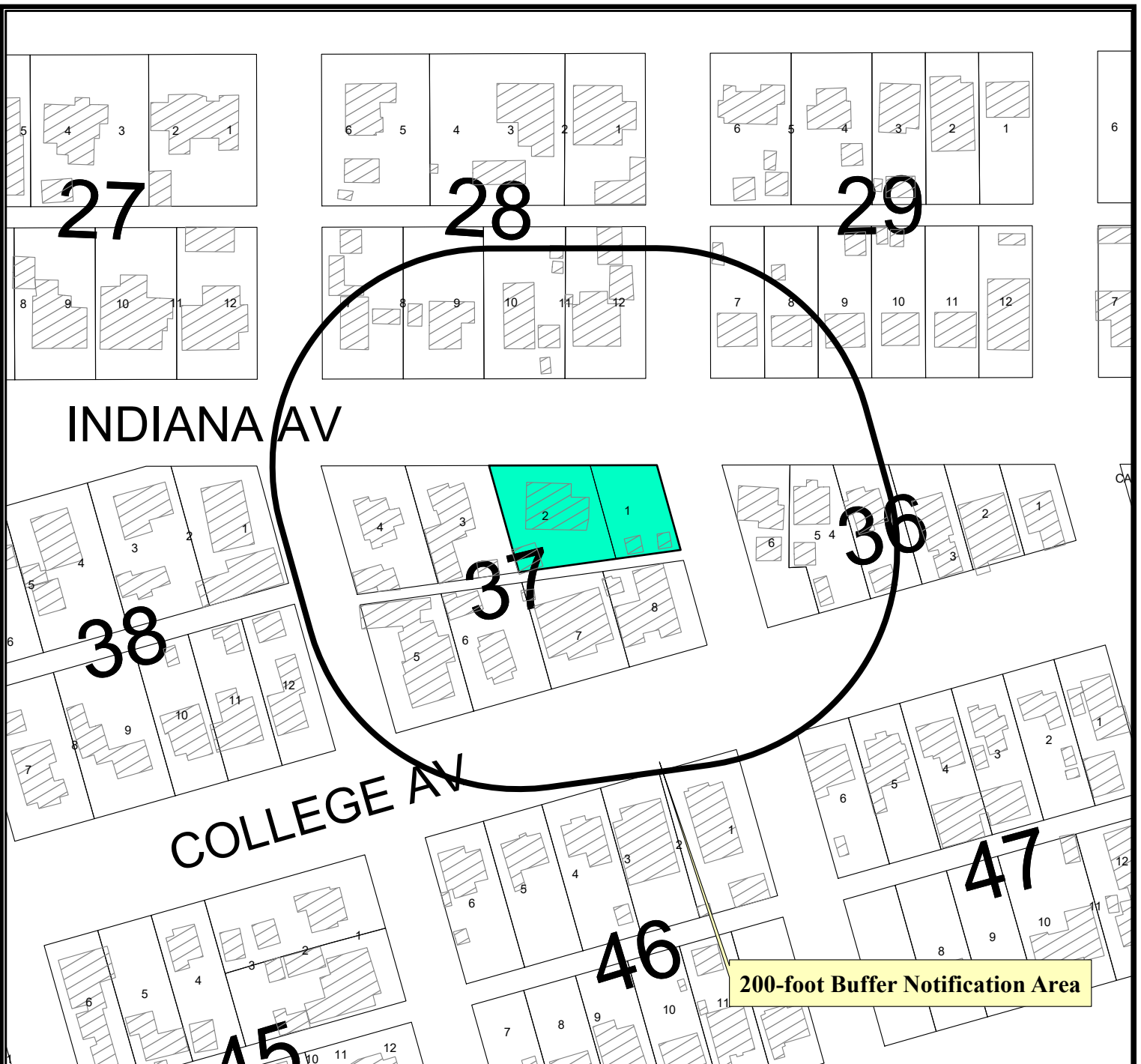
SPECIAL STATE PLANE COORDINATE NOTE

Bearings and coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD). Distances shown hereon are surface distances. Areas reported hereon are based on calculations made from surface distances.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____



LOCATION MAP

SUB-21-0421

Scale: 1" = 250'

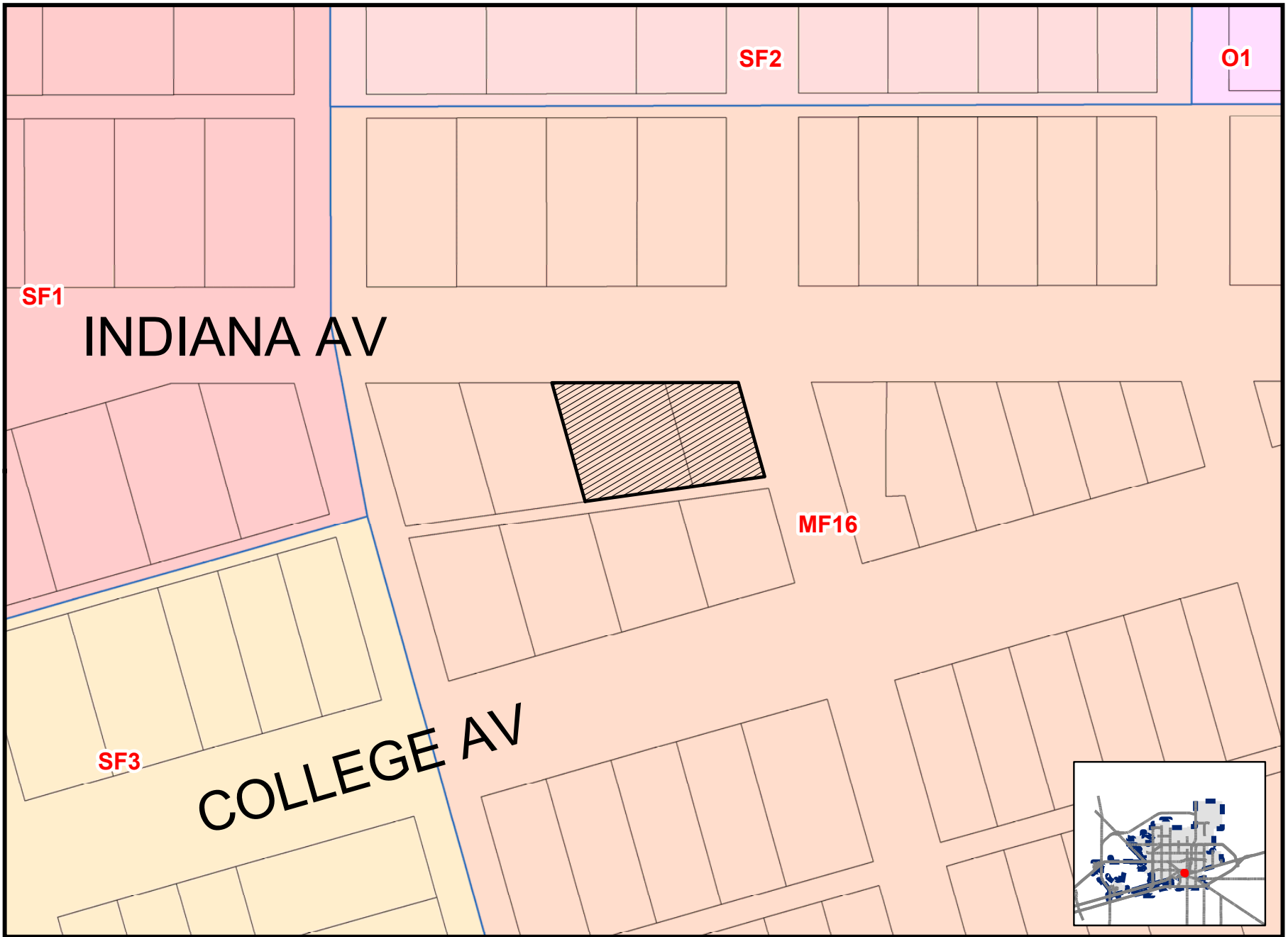
Consider a request by Alamo Heights Homes, LLC for a proposed Preliminary Plat of West End Addition, Section 26, being a residential replat of Lots 1 & 2, Block 37, West End Addition, City and County of Midland, Texas

Generally located on the southwest corner of the intersection of West Indiana Avenue and South E Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Elizabeth Shaughnessy, Planning Division Manager

SUBJECT: Motion approving a Final Plat of Fuse Industrial Park, Section 2, being a plat of a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located approximately 289 feet east of N. Calhoun Street and approximately 771 feet north of E. Indiana Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

LI, Light Industrial District.

Preliminary Plat Approval:

The property owner, Fairgrounds Partners, LLC, is proposing to plat a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, Texas into one (1) lot for commercial development. The preliminary plat was approved at the planning and commission meeting of September 7, 2021.

Final Plat Requirements:

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

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

Below are the departments' comments.

Departmental Review:

Engineering: Approved

IMPACT FEES: Okay as shown.

ROW: Plat does not have frontage on public ROW.

PAVING: Plat does not have frontage on public ROW.

WATER: Existing 6" on Indiana, 6" on Benton, 6" on Tilden, 4" on Wall, 4" on Calhoun, 12" within Utility Easement that runs through the proposed plat are okay as is.

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 6" sewer in Calhoun and 8" within Utility Easement that runs through the proposed plat.

DRAINAGE: Drainage Report approved for platting purposes on 8/17/2021. A more detailed study will be required during the building permit review.

EASEMENTS: Okay as shown.

SIDEWALKS: Plat does not have frontage on public ROW.

DIMENSION: * * *

OTHER: * * *

Transportation: Approved

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

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

Fire: Approved

No additions; all future development must meet the requirements of IFC 2015 ed. and local ordinances.

Oil and Gas: Approved

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

Code Administration: Approved

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

Planning: Approved

All departments' comments have been satisfied.

Staff recommends approval of the Final Plat of Fuse Industrial Park, 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: SUB-21-0428
Case Number: P-21-1241

Proposed Subdivision Plat Name: Fuse Industrial Park, Section 2

Legal Description (attached sealed Metes and Bounds): A plat of a 6.412 acres tract of land located in the northeast quarter of Section 36, Block 39, Township 1 South, Texas and Pacific Railroad Company Survey, City and County of Midland, Texas.

Property Owner Printed Name: Fairgrounds Partners, LLC		Phone (432) 349-4348 Email: josh@fuseresourcesinc.com	
Address: 508 W. Wall Street, Suite 1200	City: Midland	State: TX	Zip: 79710

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

Representative (if acting as Agent, see affidavit on page 2) Firm: ZECO Enterprises, LLC Printed Name: Ezequiel Saavedra		Phone (832) 702-6386 Email: zeke.saavedra@zeco-ent.com	
Address: 25514 Myrtle Springs	City: Spring	State: TX	Zip: 77373

Current Zoning: Light Industrial

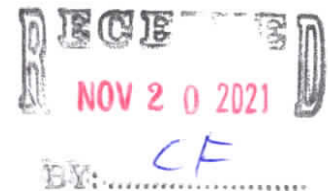
Reason for Platting: Commercial Development

Plat Information	Total Acreage: 6.412
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 1	Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

- 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): [Signature] Date: 8/4/2021

Property Owner (printed): Josh Harrison, Manager

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~~ Harris

Before me, the undersigned authority, on this day personally appeared Ezequiel Saavedra who, being by me duly sworn, upon oath says: That (s)he is authorized by Josh Harrison, 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 5 day of August, 20 21, to certify which witness my hand and seal of office.



[Signature]
NOTARY PUBLIC, ~~MIDLAND~~ COUNTY, TEXAS
Harris

FOR OFFICE USE ONLY

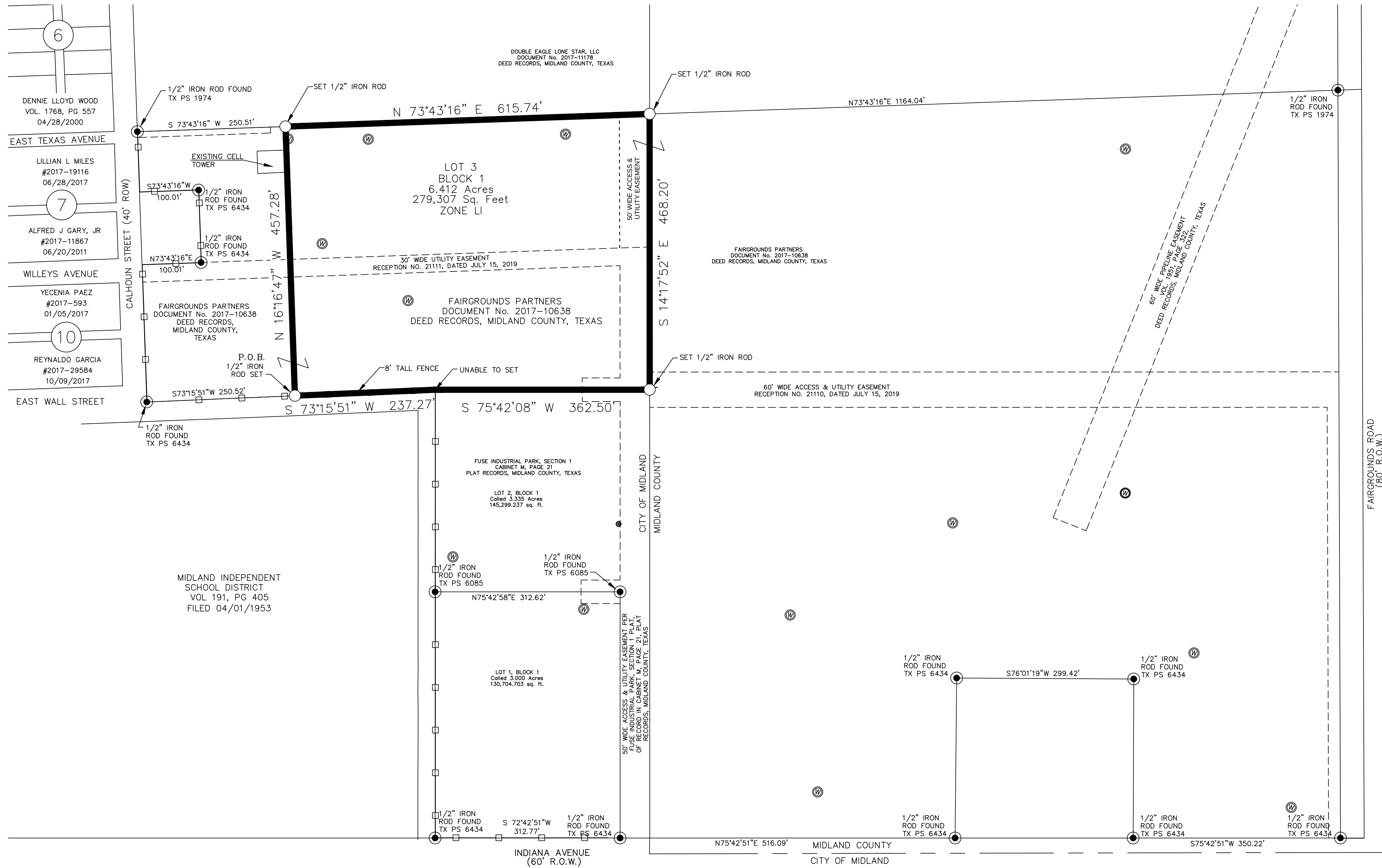
☒ Property Owner Authorization	☒ 1 Copy of Dimensioned Plat	☒ Plat in Digital Format (PDF/JPEG)
☒ Mylar	☒ 1 Copy of Plat (11x17)	☒ CADD File
☒ Application Fee	☒ Title Opinion	☒ Public Improvement
Check # <u>1204</u>	☒ Tax Certificates	☒ Recording Fee <u>1205</u>

Received By: [Signature] Date: 11-20-21

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

FUSE INDUSTRIAL PARK SECTION 2

BEING A PLAT OF A 6.412 ACRES TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILROAD COMPANY SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.



DEDICATION

STATE OF TEXAS)
COUNTY OF MIDLAND)

KNOW ALL MEN BY THESE PRESENTS THAT FAIRGROUNDS PARTNERS, LLC IS THE OWNER AND PROPRIETOR OF A 6.412 ACRES PART OF A CALLED 117.89 ACRES TRACT OF LAND OF RECORD IN DOCUMENT NO. 2017-10638, DEED RECORDS, MIDLAND COUNTY, TEXAS, FILED ON APRIL 30, 2017, SITUATED IN SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILROAD COMPANY SURVEY, MIDLAND COUNTY, TEXAS.

SAID OWNER IN ACCORDANCE WITH HIS FREE WILL, AND DESIRE DOES HEREBY CAUSE SAID TRACT TO BE SUBDIVIDED AND PLATTED, TO BE DESIGNATED AS "FUSE INDUSTRIAL PARK, SECTION 2", CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS SHOWN ON THE FOREGOING PLAT, AND IN RECORDING THIS PLAT DOES CAUSE ALL OF THE STREETS AND EASEMENTS WITHIN THE BOUNDS OF THE TRACT OF LAND TO BE DEDICATED TO THE USE AND BENEFIT OF THE PUBLIC.

FAIRGROUNDS PARTNERS, LLC

BY: _____
PARTNER

CORPORATE ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF MIDLAND)

ON THIS _____ DAY OF _____, 2021, BEFORE ME PERSONALLY APPEARED _____, OWNER, FAIRGROUNDS PARTNERS, LLC, ON BEHALF OF SAID LLC, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND HE ACKNOWLEDGED THAT HE EXECUTED SAID INSTRUMENT AS HIS FREE ACT AND DEED.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

MY COMMISSION EXPIRES: _____
_____, NOTARY PUBLIC

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FORGOING PLAT OF FUSE INDUSTRIAL PARK, SECTION 2, AS APPROVED BY PROPER ACTION OF THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, ON THIS _____ DAY OF _____, 2021.

SIGNED: _____
CHAIRMAN JOSHUA SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

PLAT FILED FOR RECORD

NO. _____, CABINET _____
DATE _____, PAGE _____

LEGEND

- BOUNDARY
- PROPOSED LOT LINE
- PROPOSED EASEMENT
- CITY LIMITS
- EXISTING PIPELINE
- EXISTING FENCE
- FOUND MONUMENT
- SET 1/2" IRON ROD WITH CAP
- STAMPED "APEX LAND SURVEYING"
- EXISTING WATER WELL
- PROPERTY HOOK

NOTES:

1. BEARINGS/DISTANCES/COORDINATES ARE TO THE TEXAS SITE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, NAD83(2011).
2. 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.
3. THE DEVELOPER IS RESPONSIBLE FOR (A) ALL EASEMENTS, MAIN LINE EXTENSIONS, AND STUB OUTS NECESSARY TO PROVIDE SEPARATE UTILITY SERVICES TO EACH LOT, AND (B) COMPLIANCE WITH ALL APPLICABLE CITY UTILITY STANDARDS.
4. PROPOSED LOT LIES WITHIN A "NON-SHADED" X DESIGNATED ZONE(S) AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. FM4432000000, EFFECTIVE SEPTEMBER 16, 2005, AND PANEL NO. FM4432000000, EFFECTIVE SEPTEMBER 16, 2005.
5. 1/2-INCH IRON ROD WITH CAP STAMPED "APEX LAND SURVEYING" TO BE SET AT ALL LOT CORNERS UPON FILING OF THIS PLAT. ALL FOUND PROPERTY MONUMENTS ARE SHOWN ON THE DRAWING.
6. THE BASIS OF BEARINGS FOR THIS PLAT ARE THE FOLLOWING:
DERIVED FROM TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983, CENTRAL ZONE, CONVERTED TO GROUND FROM THE ORIGIN OF AN NOS BENCH MARK 1903 LOCATED AT MIDLAND AIRPORT WITH A LATITUDE: 32°02'00.31769"(N) LONGITUDE: 102°05'54.47856(W) AND MATCHED THE MONUMENTS FOUND AS DESCRIBED BY A SPECIAL WARRANTY DEED INSTRUMENT #2017-10638, FILED ON APRIL 13, 2017.
7. THE CONVERSION FACTOR TO GRID IS 0.999916316. DISTANCES ARE CONVERTED TO GROUND DISTANCES.
8. PROJECT IS ZONED AS LIGHT INDUSTRIAL DISTRICT (LI).
9. EXISTING WATER, SEWER, ADJACENT PARCELS/STRUCTURES OBTAINED FROM THE CITY OF MIDLAND.
10. SELLING A PORTION OF THIS PLAT 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.
11. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
12. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

METES AND BOUNDS DESCRIPTION:

BEING A 6.412 ACRES (279,307 SQUARE FEET) TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER (NE/4) OF SECTION 36, BLOCK 39, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILROAD COMPANY SURVEY (T. & P. RR. CO. SURVEY) MIDLAND COUNTY, TEXAS; BEING A PORTION OF THAT CALLED 117.911 ACRES TRACT OF RECORD IN DOCUMENT NO. 2017-10638, DEED RECORDS, MIDLAND COUNTY, TEXAS (D.R.M.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 1/2-INCH IRON ROD SET MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2-INCH IRON ROD WITH CAP STAMPED "TX PS 6434" FOUND MARKING THE WESTERMOST SOUTHWEST CORNER OF THAT SAID 117.911 ACRES TRACT BEARS SOUTH 73°15'51" WEST, 250.52 FEET;

THENCE, NORTH 16°16'47" WEST, 457.28 FEET TO A 1/2-INCH IRON ROD SET MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH THE NORTHWEST CORNER OF THE SAID 117.911 ACRES TRACT BEARS SOUTH 73°43'16" WEST, 250.51 FEET;

THENCE, NORTH 73°43'16" EAST, 615.74 FEET WITH THE NORTH LINE OF THE SAID 117.911 ACRES TRACT, TO A 1/2-INCH IRON ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 14°17'52" EAST, 468.20 FEET TO AN 1/2-INCH IRON ROD SET MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 75°42'08" WEST, 362.50 FEET TO A 1/2-INCH IRON ROD W/CAP STAMPED "WEST CO. MIDLAND" FOUND MARKING A P.I. POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 73°15'51" WEST, 237.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.412 ACRES (279,307 SQ. FT.) OF LAND.

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ONCOR ELECTRIC DELIVERY COMPANY

BY: _____ DATE: _____

AT & T TEXAS

BY: Jerry Underwood DATE: 11/16/21

ATMOS ENERGY

BY: Mark Lieb Mark Lieb DATE: 11/16/21

SUDDENLINK COMMUNICATIONS

BY: Luis Montez Luis Montez DATE: 11/16/21

GRANDE COMMUNICATIONS

BY: Ruben Guerra DATE: 11/15/2021

0' 100' 200'



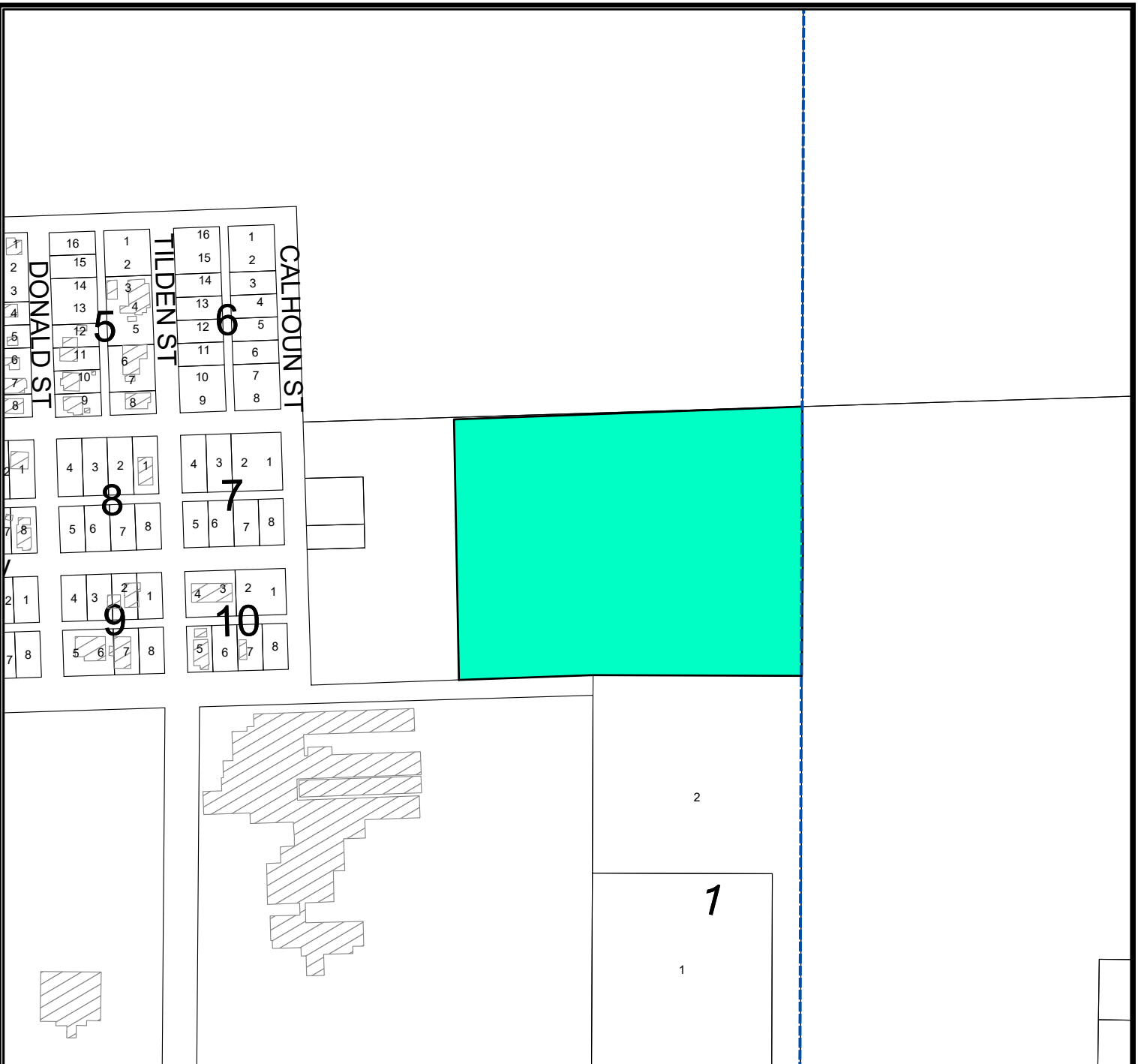
APEX Land Surveying
TBPLS Firm Registration
No. 101941-30
214 Wopiti Drive
Azle, TX 76020
(817) 565-6681

5313 50th St. Ste. D-8
Lubbock, TX. 79414

I, Rodric R. Reese, Registered Professional Land Surveyor No. 5883, do hereby certify that the map shown hereon was prepared under my direct supervision from a survey made on the ground, and that such map is an accurate representation of the subject property.

Rodric R. Reese 8/3/2021
Rodric R. Reese, R.P.L.S. No. 5883 Date

REV	DATE	BY	DESCRIPTION	PROJECT 2019.003-FUSE INDUSTRIAL PARK
1	8/3/21	AP	CHANGED NOTE 2	DRAWN BY: AP DATE: 07/06/2021
				FIELD CREW: AP DATE: 07/01/2021
				SCALE: 1"=100' PAGE: 1 OF 1



LOCATION MAP

SUB-21-0428

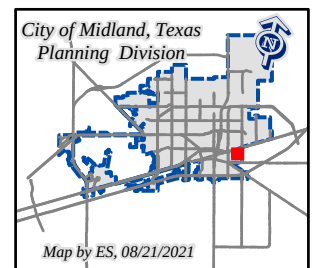
Scale: 1" = 3,000'

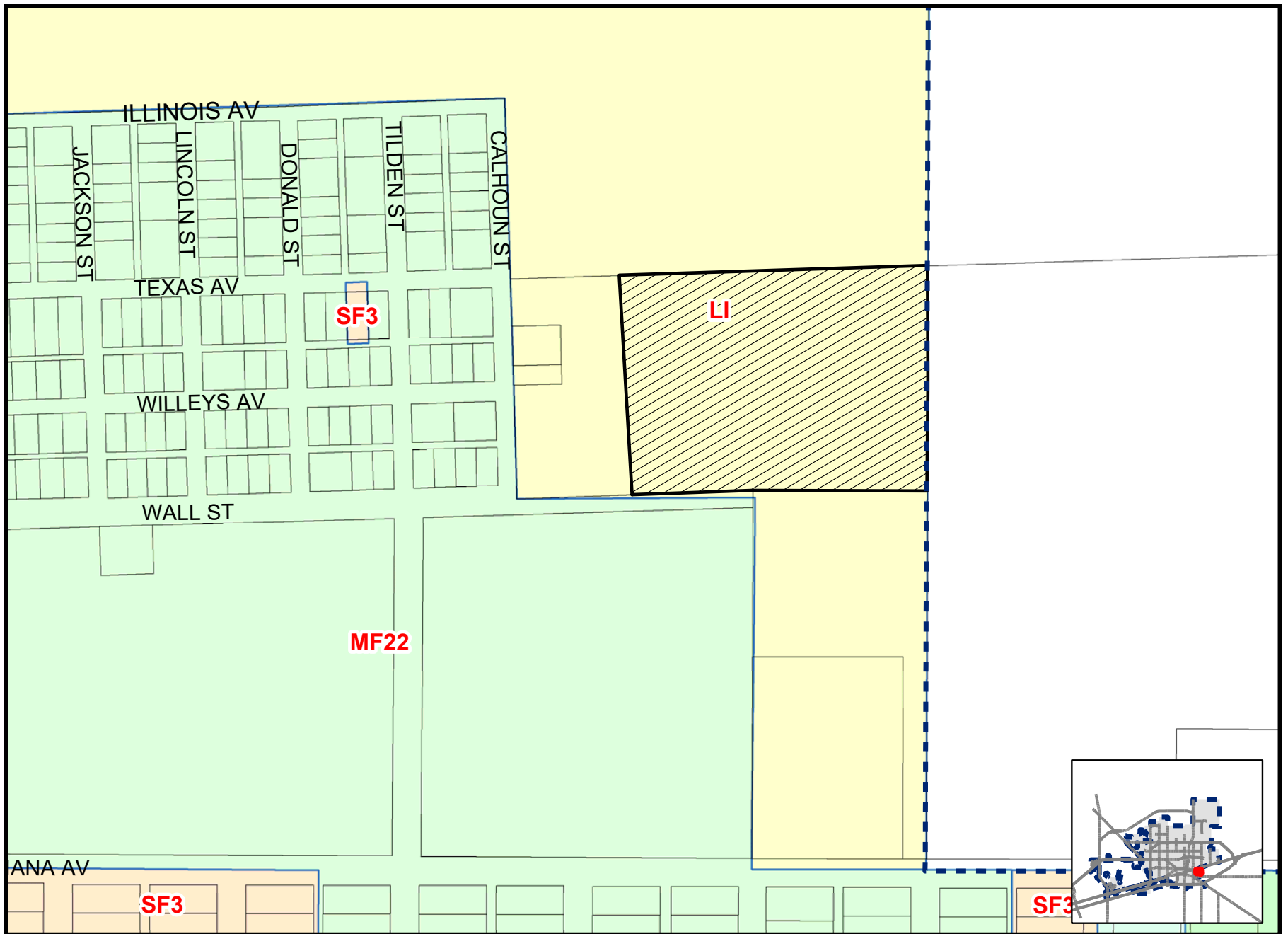
Proposed Plat of Fuse Industrial Park, Section 2, being a plat of a 6.41 acres tract of land located in the northeast quarter of Section 36, Block 39, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Generally located approximately 289 feet east of N. Calhoun Street and approximately 771 feet north of north of E. Indiana Street.
(Council District 2).

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: August 2, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion to approve Final Plat of Southwest Crossing, Section 14, being an 8.134 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 southwest corner of the intersection of West County Road 123 and South County Road 1235. Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Watson Professional Group Inc., is requesting to plat an 8.134-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR. Co Survey, into two (2) lots for development and to obtain septic permits.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

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

Preliminary Plat Approval:

The Preliminary Plat was approved by the Planning & Zoning Commission on August 2, 2021.

BUILDING CODE: (Approved)

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

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 7/19/21.

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 7/19/21.

DRAINAGE: Approved 7/19/21.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Fine as shown.

DIMENSION: * * *

OTHER: * * *

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 additions: future development must meet the requirements of IFC 2015 ed. and local ordinances

CODE COMPLIANCE: (Approved)

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

PLANNING:

All comments have been satisfied.

Staff recommends approval of the Final plat of Southwest Crossing, Section 14 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 Preliminary Plat
Application
Maps



Final Plat Application

Project Number: Sub-21-0408
Case Number: _____

Proposed Subdivision Plat Name: SOUTHWEST CROSSING ADDITION, SECTION 14

Legal Description (attached sealed Metes and Bounds): Being A 8.134 acre tract out of Section 13, Block 40,
T-2-S, T&P RR CO Survey, County Of Midland, Texas

Property Owner

Printed Name: Shepard Commercial Properties(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/septic permit

Plat Information

Total Acreage: 8.134

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'

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: 11/22/2021

Property Owner (printed): Ty Shepherd

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 Shepherd, 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 22 day of November, 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 # <u>10 931</u>	☒ Tax Certificates	☒ Recording Fee Check # <u>10932</u>
Received By: <u>[Signature]</u>	Date: <u>11-27-21</u>	

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

SOUTHWEST CROSSING, SECTION 14

BEING AN 8.134-ACRE TRACT OF LAND OUT OF THE
SECTION 13, BLOCK 40, T-2-S, T&P RR. CO SURVEY, IN MIDLAND COUNTY, TEXAS.

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, SHEPARD COMMERCIAL PROPERTIES LLC is the record owner of a 3.187 acre tract of land, being out of Section 13, Block 40, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, SHEPARD COMMERCIAL PROPERTIES LLC, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 14", an addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys and easements shown hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

SHEPARD COMMERCIAL PROPERTIES LLC
TY SHEPARD
Date

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

Whereas, ROOSTERFISH, LLC is the record owner of an 4.947 acre tract of land, being out of Section 13, Block 40, T-2-S, T & P RR CO. Survey, Midland County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, ROOSTERFISH, LLC, do hereby adopt this plat designating the herein above described property as "SOUTHWEST CROSSING, SECTION 14", an addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys and easements shown hereon, for the purpose and consideration herein expressed, and an easement of ingress and egress for trash location, and location and maintenance of trash containers, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith have been selected and approved by the Director of Utilities.

ROOSTERFISH LLC
Date

ACKNOWLEDGEMENT
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared TY SHEPARD, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2021, A.D.

Notary Public in and for the State of Texas

Printed name of Notary
My commission expires: _____

ACKNOWLEDGEMENT
STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, 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 executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2021, A.D.

Notary Public in and for the State of Texas

Printed name of Notary
My commission expires: _____

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



SURVEYOR'S CERTIFICATE

THE UNDERSIGNED DOES 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 THE LICENSED SURVEYOR'S PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

DATED: SEPTEMBER 2, 2021

W.D. WATSON
REGISTERED PROFESSIONAL LAND SURVEYOR
#1989

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Mark Lieb

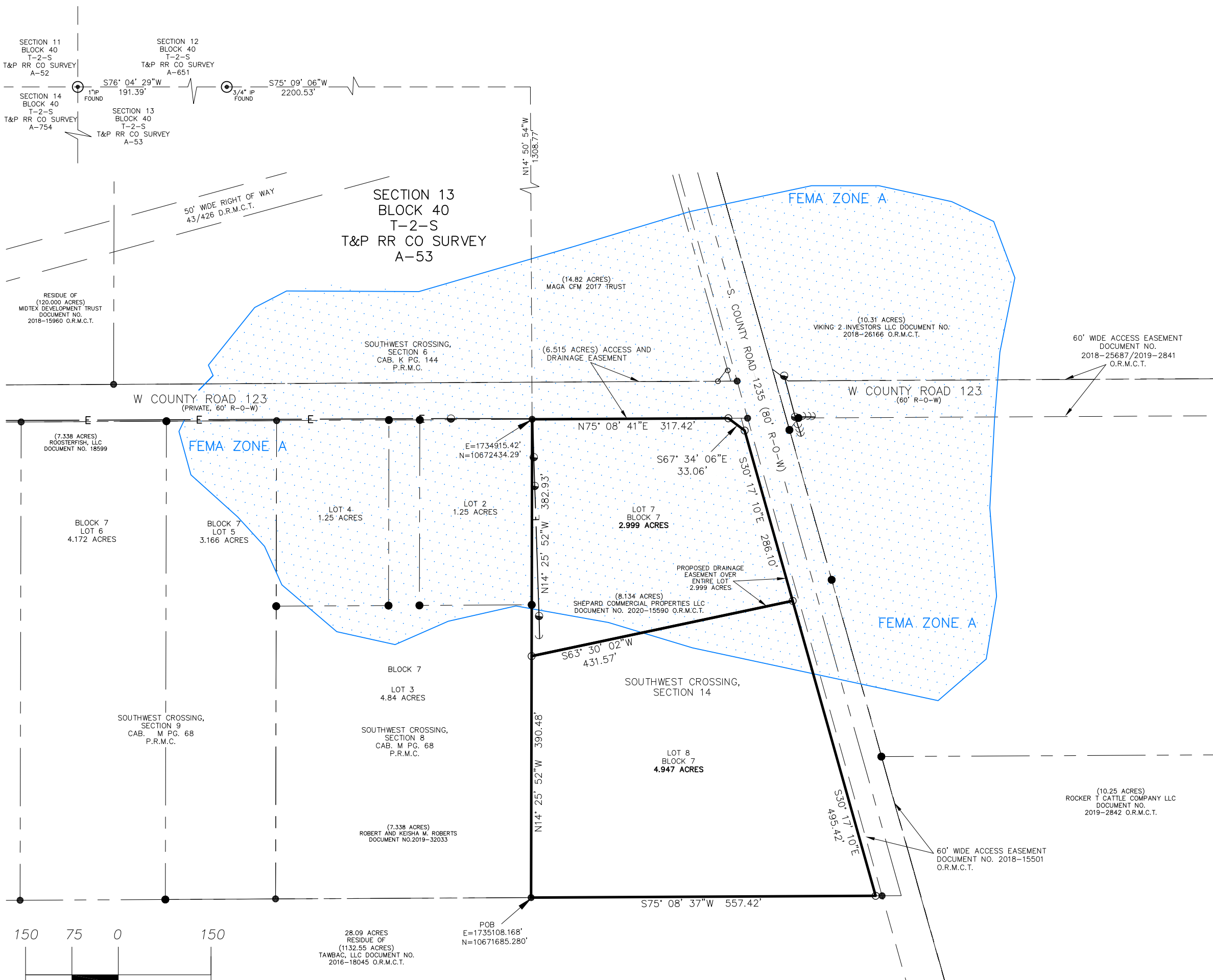
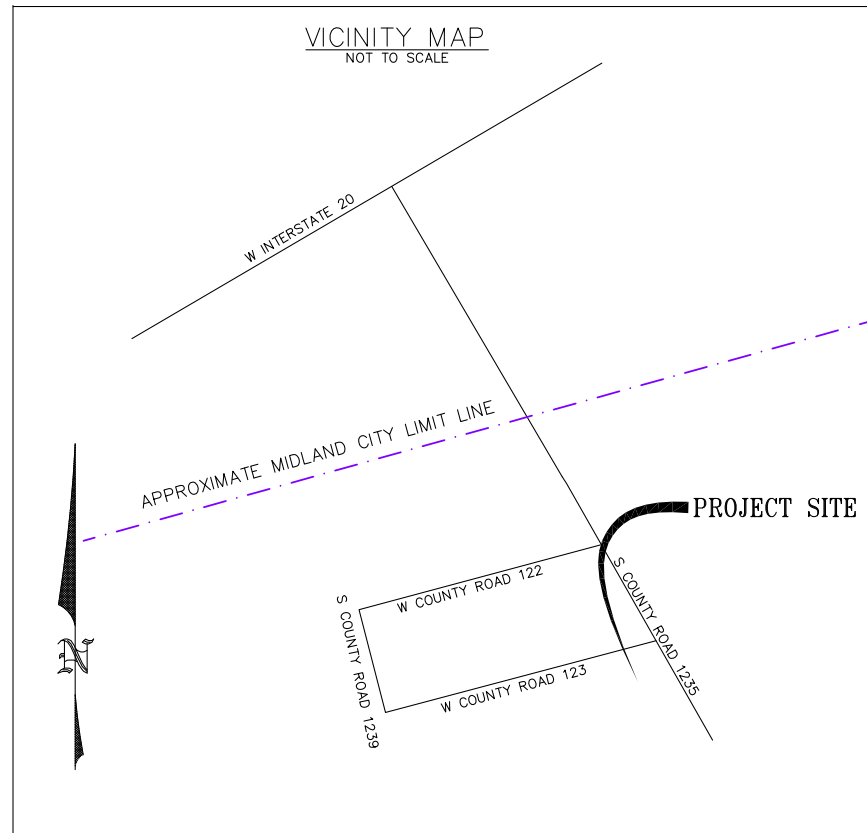
ATMOS ENERGY
BY: Mark Lieb

AT&T
BY: Guadalupe Hernandez

ONCOR ELECTRIC DELIVERY
BY: Pablo Villa Martinez

Luis Montez
SUDENLINK COMMUNICATION
BY: Luis Montez

GRANDE COMMUNICATION
BY: _____



SCALE 1" = 150'
GRID

LEGEND

- IRON PIPE FOUND
- IRON ROD WITH BLUE CAP MARKED "JFW FIRM #101173-00"
- DENOTES PROPOSED SUBDIVISION LINE
- DENOTES ADJACENT PROPERTIES
- DENOTES EXISTING ROAD
- DENOTES EXISTING EASEMENT
- DENOTES EXISTING FENCE
- D.R.M.C. DEED RECORDS OF MIDLAND COUNTY
- O.R.M.C.T. OFFICIAL RECORDS OF MIDLAND COUNTY TEXAS



CONSULTING ENGINEERS, LAND SURVEYORS & PLANNERS

JOB NO.: 20-1097 DRAFT AJ REV. 0

FILE: S: MIDLAND/15 ACRE SUB/ SW CROSSING.DWG

P.O. DRAWER 11186
MIDLAND, TEXAS 79702
(432) 520-9200
FAX (432) 520-9212
FIRM#10146900
wdwatson@wpg-us.com

CERTIFICATE OF APPROVAL
STATE OF TEXAS
COUNTY OF MIDLAND

This is to certify that the above and foregoing plat of "SOUTHWEST CROSSING, SECTION 14" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this the ____ day of _____, 2021, A.D.

REGGIE LAWRENCE, CHAIRMAN

ELIZABETH SHAUGHNESSY, SECRETARY

NOTE:

- BEARINGS, DISTANCES AND ACREAGE SHOWN HEREON ARE NAD83, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE"
- 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.
- 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 PART IN ZONE A AND IS WITHIN A 100-YEAR FLOOD HAZARD AREA OF WHICH A BASE FLOOD ELEVATION OF 28.32 FEET HAS BEEN DETERMINED AND IN ZONE X AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADMINISTRATION FLOOD BOUNDARY MAP, PANEL NO. 48329C0200F WITH A REVISED DATE OF SEPTEMBER 16, 2005.
- 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.
- MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES; AND, THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS, AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS MIDLAND COUNTY FROM ALL CLAIMS, DAMAGES, AND LOSSES ARISING OUT OF OR RESULTING FROM THE PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.
- APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.



LOCATION MAP

SUB-21-0408

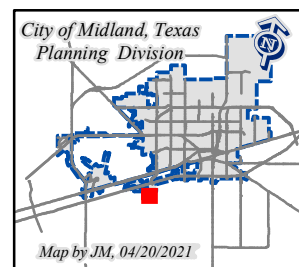
Scale: 1" = 200'

Plat of Southwest Crossing, Section 14, being an 8.134 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 southwest corner of the intersection of West County Road 123 and South County Road 1235. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





**Planning and Zoning
Commission**

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving a Final Plat of W.W. Harris Addition, Section 5 being a plat of a 0.829-acre tract of land located in the east half of the northwest quarter in the southeast quarter of Section 26, Block 39, T-1-S, T&P R.R. Co. Survey, City and County of Midland, Texas – Council District 2 (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X **Approve** **Deny** **Directional/Informational**

Current Zoning:

SF-3, Single-Family Housing District

Preliminary Plat Approval:

Preliminary Plat was approved by the Planning & Zoning Commission on September 20, 2021.

Final Plat Requirements:

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

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.

GIS: (Approved with Conditions)

Show other proposed lots.

ENGINEERING: (Approved)

IMPACT FEES: Note on plat face ok as shown.

ROW: Okay as shown.

PAVING: Existing paving on S.Edwards. No public improvements required at this time. Construction of curb will be required during building permit.

WATER: Existing 6-inch water main on E.Mississippi and S.Edwards. No public improvements required.

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

PRO RATA: None

SEWER: Existing 6-inch sewer pipe on S.Edwards Street along platted frontage. No public improvements required.

DRAINAGE: Drainage study not required for residential property since its considered in-fill.

EASEMENT: Show existing and proposed

SIDEWALKS: Required with building permit

DIMENSIONS: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

No objections to plat.

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

PLANNING:

Staff recommends approval of the Final Plat of W.W. Harris Addition, Section 5, subject to condition A.

Conditions:

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

Attachments:

Application
Final Plat
Maps



Final Plat Application

Project Number:

Case Number:

Sub-21-0386
P-21-1243

Proposed Subdivision Plat Name: **W.W. HARRIS ADDITION, SECTION 5**

Legal Description (attached sealed Metes and Bounds): **BEING A PLAT OF A 0.510 ACRES OF LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER IN THE SOUTHEAST QUARTER OF SECTION 26, BLOCK 39, T-1-S, T&P R.R. CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.**

Property Owner

Printed Name: **Jose Luis Zuniga**

Phone **(432) 553-6392**

Email **luispc40@hotmail.com**

Address **1605 E. Scharbauer**

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: **to divide tract into smaller tracts.**

Plat Information

Total Acreage: **0.51**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **3**

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: 11-17-21

Property Owner (printed):

Jose Luis Zuniga

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

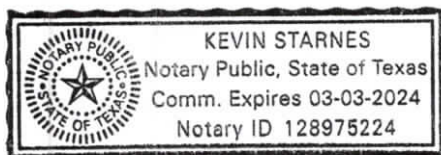
Before me, the undersigned authority, on this day personally appeared Ed Herman who, being by me duly sworn, upon oath says: That (s)he is authorized by Jose Luis Zuniga the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power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

Ed Herman
Authorized Agent (signature)

Subscribed and sworn to before me, this 17th day of November, 20 21, to certify which witness my hand and seal of office.

Kevin Starnes

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



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

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

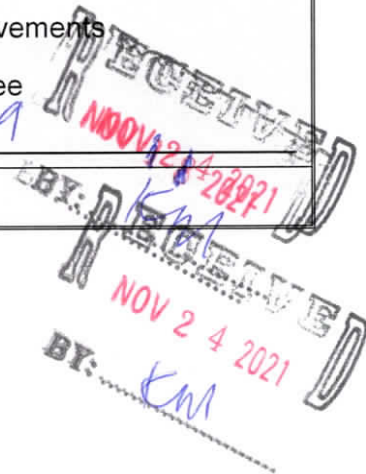
Check # 1718

☒ Tax Certificates

Check # 1719

Received By: 11/18/21

Date:



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

W.W. HARRIS ADDITION,
SECTION 5

BEING A PLAT OF A 0.510 ACRES OF LAND LOCATED IN THE
WEST HALF OF THE NORTHWEST QUARTER IN THE SOUTHEAST
QUARTER OF SECTION 26, BLOCK 39, T-1-S,
T&P R.R. CO. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A 0.510 ACRES OUT OF THE EAST HALF OF THE NORTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 26, BLOCK 39, T-1-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS, AND MORE
PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS W.W. HARRIS
ADDITION, SECTION 5, AN ADDITION TO THE CITY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE
FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

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

JOSE LUIS ZUNIGA

STATE OF TEXAS:

COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, JOSE LUIS ZUNIGA.

NOTARY PUBLIC

MIDLAND COUNTY, TEXAS

OWNER:

JOSE LUIS ZUNIGA

1605 E. SCHARBAUER

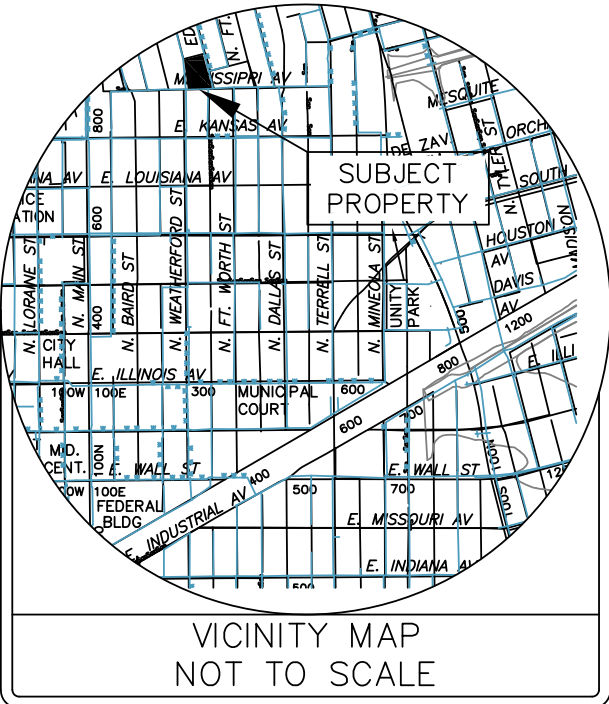
MIDLAND TX 79705

(432) 553-6392

luispc40@hotmail.com

NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 0.510 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN 3 TRACTS 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. NO OIL OR GAS WELLS IDENTIFIED WITHIN 500 FT. PERMITTED WELL RADIUS OR IN THE 135 FT.



VICINITY MAP
NOT TO SCALE

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



SCHUMANN
ENGINEERING CO.
A LATERAL LAND COMPANY

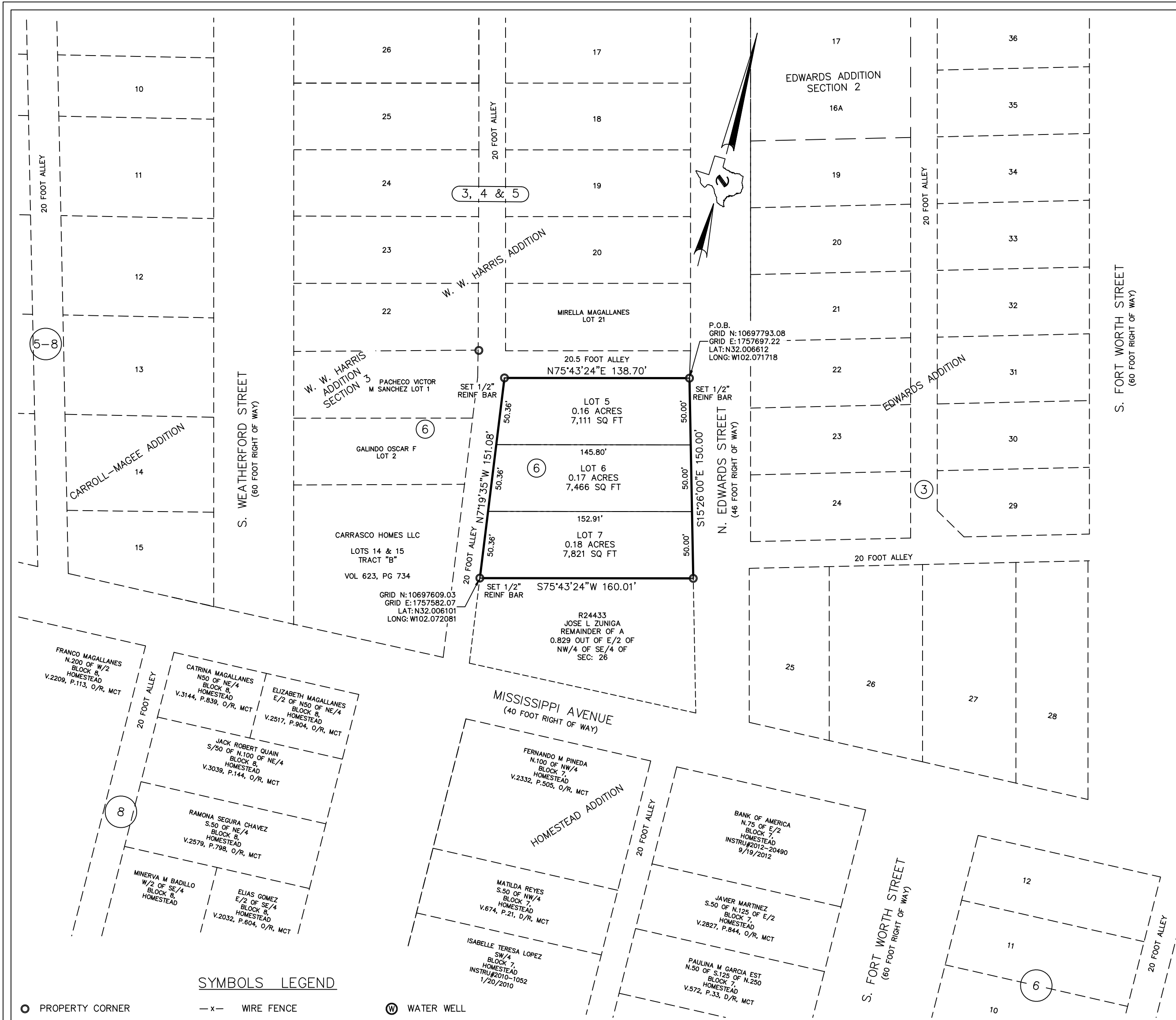
CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM NO. P1880 - TEXAS FIRM NO. 10149500

800 N. MARSHFIELD STREET
SUITE 100
MIDLAND, TEXAS 79701

 Packet
Page 7.46
December 20, 2021

W. W. HARRIS, SECTION 5

W. W. HARRIS, SECTION 5



SYMBOLS LEGEND

- PROPERTY CORNER
- x— WIRE FENCE
- ⊕ WATER WELL
- ⊙ POWER POLE
- RETIRED BREAKER BOX
- LOT LINES
- OVERHEAD ELECTRIC
- PROPERTY LINE
- ⊕ TELEPHONE PEDESTAL
- ⊙ 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

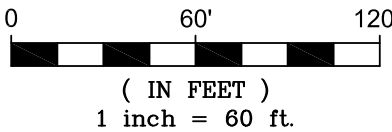
FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF W.W. HARRIS
ADDITION, SECTION 5, 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

GRAPHIC SCALE

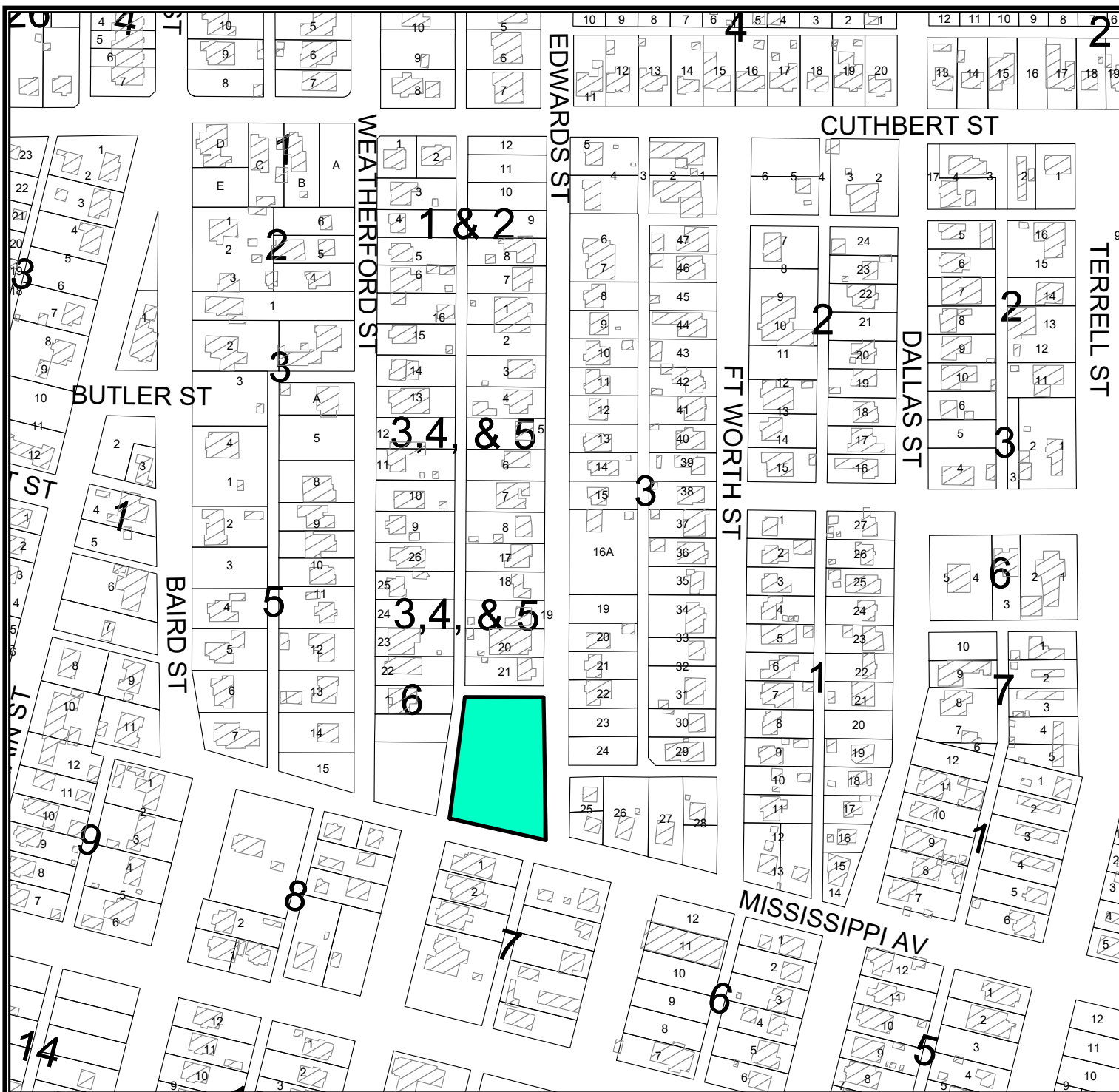


THAT I, RJ DAUM, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY
CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE
SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON
WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN
ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY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

RJ DAUM
TEXAS RPLS 4826

NO.	DATE	DESCRIPTION	BY	JOB NO.
3	11/1/21	FINAL PLAT	ELA	
2	8/17/21	PRELIMINARY PLAT	KDS	
1	11/30/20	SKETCH PLAN	KDS	

DRAWN BY:	KDS	DATE:	11/30/2020
CHECKED BY:	RJD	DRAWING NO.:	77200
	77,200	SHEET	1 OF 1



LOCATION MAP

SUB-21-0386

Scale: 1" = 250'

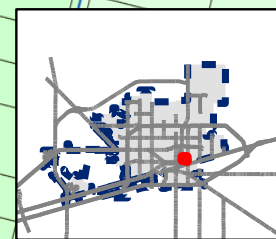
LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

Proposed Plat of W.W. Harris Addition, Section 5 being a plat of a 0.829 acre tract of land located the half of the Northwest quarter of the southeast quarter of Section 26, Block 39, T-1-S, T&P R.R. Co. Survey, City and County of Midland, Texas.

Generally located at the northwest corner of the intersection of Edwards Street and Mississippi Avenue (Council District 3).







Planning and Zoning Commission

Approved for Agenda:
Elizabeth Shaughnessy

MEETING DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving a request by Salvador Hernandez for a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Service on Lots 9-12, Block 37, College Heights, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of W. Front Street and Carlton Street. Council District 2) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Salvador Hernandez is requesting a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Services to develop a used car dealership.

Current Zoning:

C, Commercial District

Surrounding Zoning and Land Use:

The property to the north is zoned SF-2, Single Family District and is the location of single-family homes. The properties to the east, south, and west are zoned C, Commercial District, and the locations of commercial buildings including, a vacant building, Viva Villa Drive Thru, and Oncor Electric Delivery.

Analysis:

The applicant is requesting Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Services located at 2500 Front Street. Per section 4.03 Use Chart of the zoning ordinance, a car dealership is allowed in the C, Commercial District with a Specific Use Designation without Term.

The property has four (4) existing buildings and structures. The existing buildings will remain on site, except for the removal of one structure as shown in Exhibit A. The office building has a square footage of 432 square feet. The site plan illustrates nineteen (19) parking spaces, including six (6) for customers and thirteen (13) for car sales.

The proposed hours of operation are the following:

Monday through Saturday, 8:00 a.m. to 6:00 p.m.

The Automobile or Other Motorized Vehicle Sales and Services will need to comply with the standards as listed in Section 4.04.A.6 of the Zoning Ordinances.

6. Automobile or Other Motorized Vehicle Sales and Service Standards

- a. Allowed by Specific Use Designation, according to the permitted Use Chart.
- b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
- c. No intermittent or flashing lights shall be permitted.
- d. Luminaries shall be mounted at a height not to exceed 30 feet as measured vertically from the horizontal surface of the nearest parking pavement.
- e. All building façades shall be constructed with the same masonry materials that meet the masonry regulations for the zoning district in which the property is located.
- f. No exterior auditory devices shall be permitted.

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

Fire: (Approved)

No objection

Engineering: (Approved)

No objection.

Transportation: (Approved)

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

Building Code: (Approved)

No objections.

Planning:

The Future Land Use Map in the Tall City Tomorrow Comprehensive Plan calls for Urban-Medium uses in this area, encompassing a mix of housing types, neighborhood and community commercial, office, and service uses. Therefore, the development of a car dealership fit the recommendations of the Tall City Tomorrow Comprehensive Plan.

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation without Term for an Automobile or other Motorized Vehicle Sales and Services, subject to Condition A through D.

Conditions:

- A. That the Automobile and other Motorized Vehicle Sales and Service shall significantly conform to the Site Plan (Exhibit A) which is attached hereto and incorporated herein for all purposes.**
- B. That the development of the automobile or other motorized vehicle sales and services shall comply with the standards listed in Section 4.04. A.6 of the Zoning Ordinance.**
- C. That the days and hours of operation of the Automobile or other Motorized Vehicle Sales and Service shall be limited to:**

Monday through Saturday, from 8:00 a.m. to 6:00 p.m.

- D. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the Automobile Sales and Services to ensure that the conditions of this permit are satisfied**

Letters of Objection:

As of December 15, 2021, staff has not received any letters of objection.

Attachments:

Site Plan (Exhibit A)
Application
Maps



**Specific Use Designation
Application (Non-Alcohol)**

Case Number: SWD-21-018
Ord. Number: _____

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

Printed Name: Salvador Hernandez

Address: 605 S. Mineola St

City: Midland

Phone: (432) 631 1324

Email: Yesikacear0302@hotmail.com

State: TX

Zip: 79701

Property Owner

Printed Name: Francisco J Villarreal

Address: 401 W. Cowden

City: Midland

Phone: (432) 853 5284

Email: Javierovillalher78@gmail.com

State: TX

Zip: 79701

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: _____

Address: _____

City: _____

Phone: ()

Email: _____

State: _____

Zip: _____

Type of Permit:

SWD Zacateca Auto Sales

For Office Use Only

☒ with Term

☐ without Term

Is there any Code Enforcement action pending on property? ☐ Yes ☒ No

Street Address:

2500 W FRONT ST.

Legal Description

Lot: 11

Block: 37

Subdivision: College Heights

Current Zoning:

C

Maximum Floor Area:

100' x 90'

Maximum Occupancy:

Proposed hours and days of use or operation:

8:00 am - 6:00 PM

Reason for request:

MON - Sat
car dealership

Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: NA

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan showing
 - Parking (if applicable)
 - Building Footprint
- Digital Copies of Site Plan (PDF/JPEG)

RECEIVED
NOV 1 2 2021

BY:

Signatures

Applicant (signature): [Signature]

Date: 11/12/2021

Applicant (printed): SALVADOR HERNANDEZ

Property Owner (signature): Francisco J Villareal

Date: 11/12/2021

Property Owner (printed): Francisco J Villareal

The Specific Use Designation 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 Salvador Hernandez who, being by me duly sworn, upon oath says: That (s)he is authorized by Francisco J. Villareal 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 12 day of November, 2021, to certify which witness my hand and seal of office.



[Signature]

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☒ Site Plan in Digital Format (PDF/JPEG)

Check # Cash

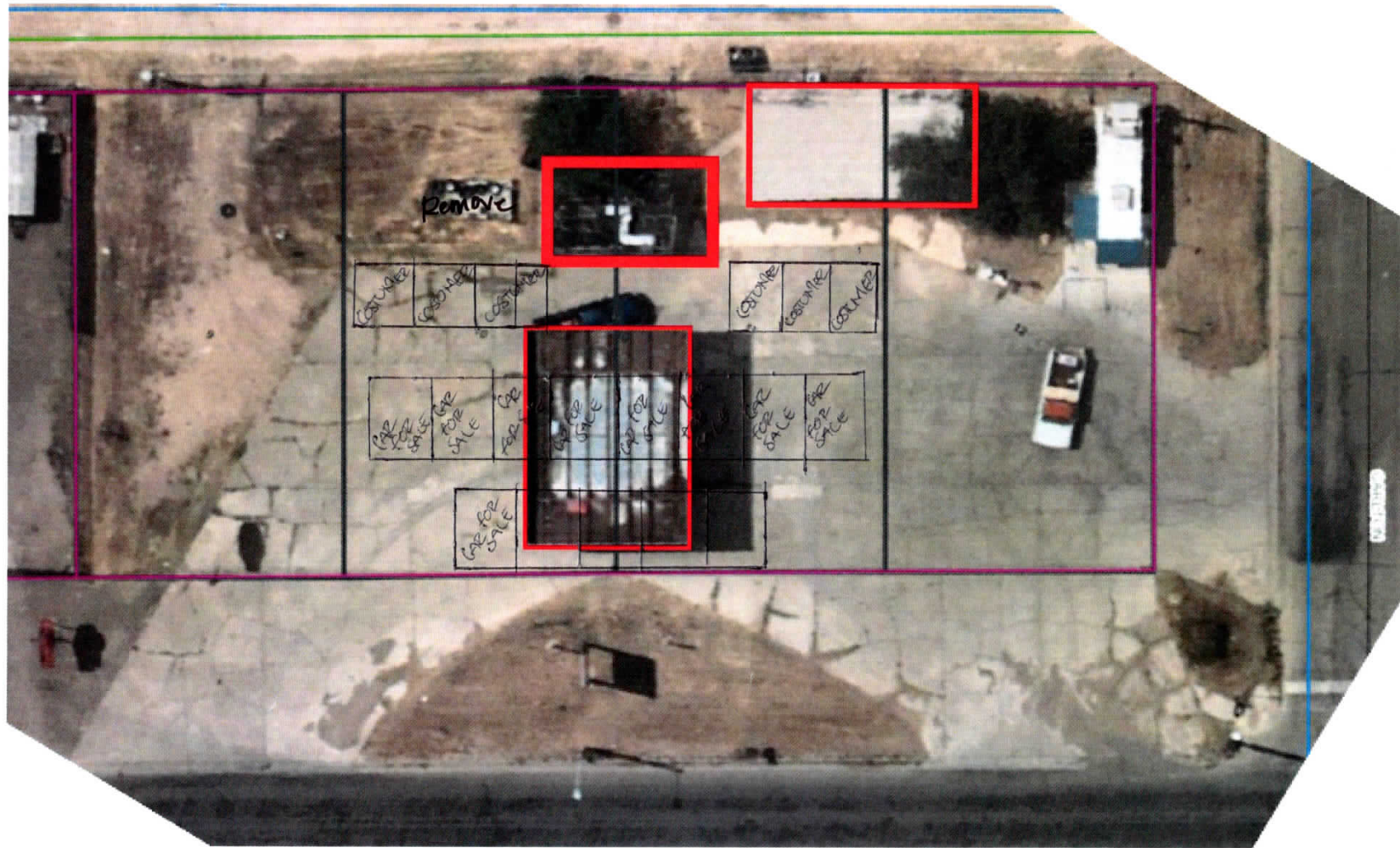
Received By: [Signature]

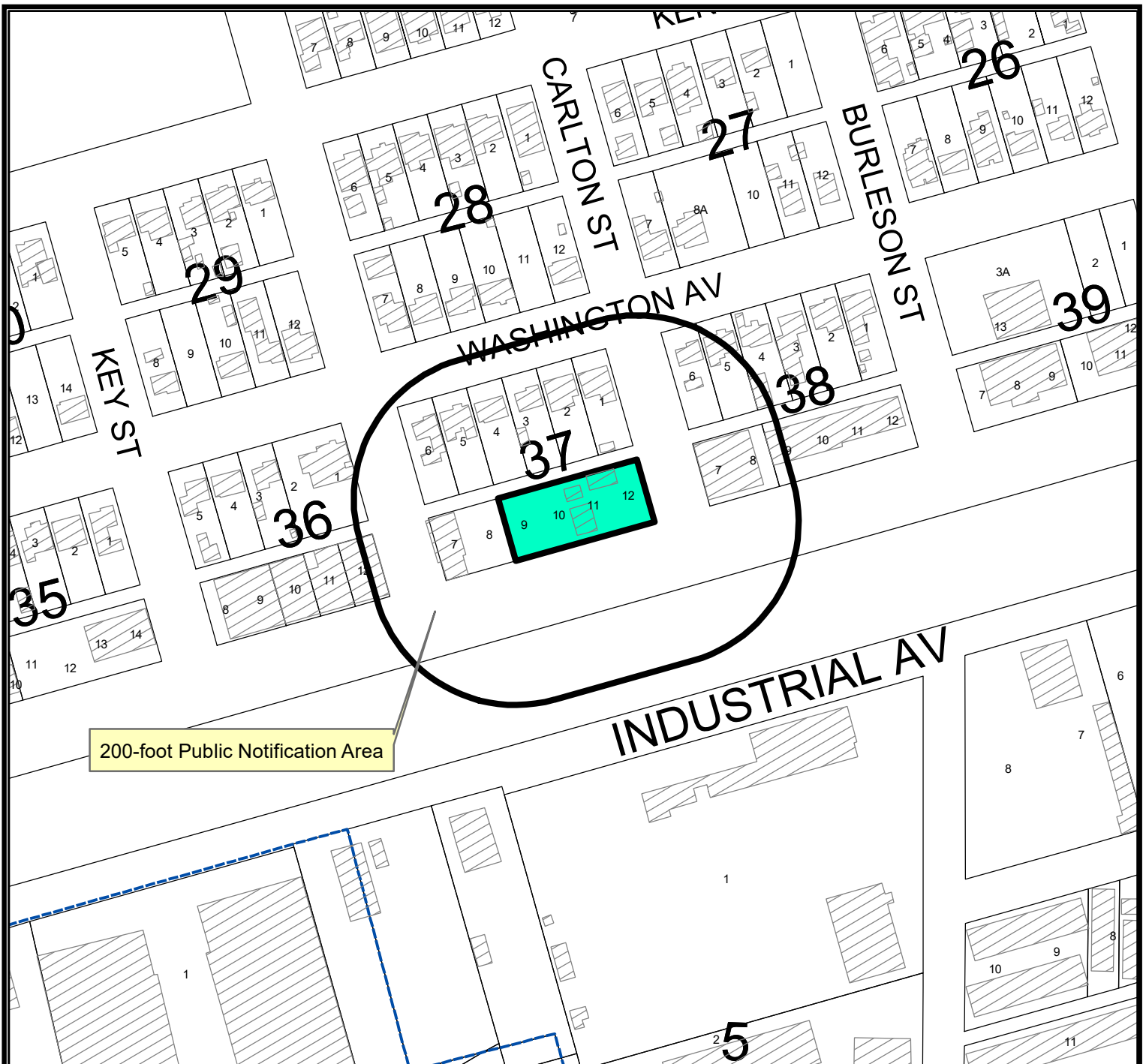
Date: NOV 12 2021

RECEIVED
NOV 12 2021

BY:

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





LOCATION MAP

SUDwo-21-0118

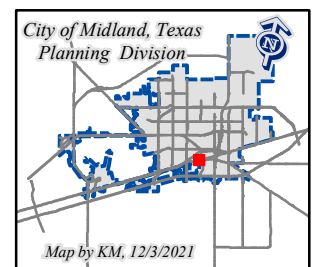
Scale: 1" = 200'

Consider a request by Salvador Hernandez for a Specific Use Designation without Term for Automobile or other Motorized Vehicle Sales and Service on Lots 9-12, Block 37, College Heights, City and county of Midland, Texas.

Generally located on the northwest corner of the intersection of W. Front Street and Carlton Street.
(Council District 2)

LEGEND

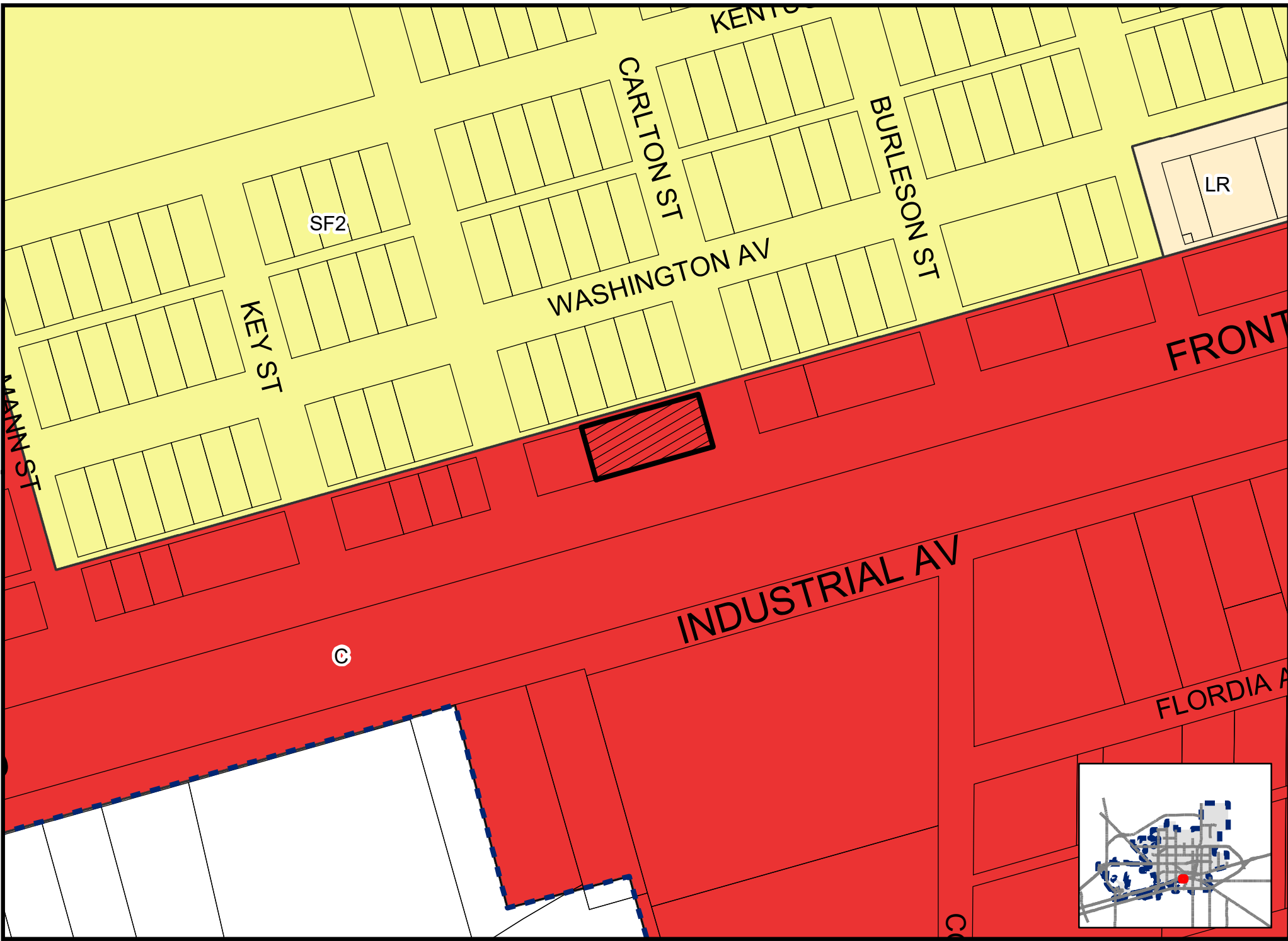
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

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

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













Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: A motion to approve a request by Faulk & Foster, for a Specific Use Designation without Term for the installation of a mono-pole cell tower on a 200 square foot portion of Lot 3, Block 1, Polo Club Addition, Section 3, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Garfield Street and Bluebird Lane - Council District 1)

Recommended Planning and Zoning Commission Action:

☐ Approve

☐ Deny

☒ Direction/Informational

Details of Request:

The applicant, Faulk & Foster, is requesting a Specific Use Designation without term for the installation of a 100-foot-tall mono-pole cell tower at 5110 N. Garfield Street, Midland, Texas 79705, the location of Holy Cross Evangelical Lutheran Church of Midland.

Current Zoning:

AE, Agricultural Estates District

Surrounding Zoning and Land Use:

The property is located at 5110 N. Garfield Street in an AE, Agricultural Estates District. The property to the north, east, and west are zoned AE, Agricultural Estates District and are utilized for single-family housing and a livestock barn. The properties to the south across Bluebird Lane are zoned PD, Planned Development District for a housing development and are utilized for single-family housing.

Analysis:

The applicant, Faulk and Foster is requesting a Specific Use Designation to be able to install and operate a 100-foot tall mono-pole cell tower on a lot owned by Holy Cross Evangelical Lutheran Church of Midland. The mono-pole cell tower will have an enclosed area of 50' by 40' and will have a 6-ft. block wall along the perimeter of the proposed area. The property is zoned AE, Agricultural Estates District, which allows for the installation of a mono-pole cell tower as long as the appropriate SUD permit has been issued. Per our City Zoning Ordinance, Section 4: Zoning Land use Regulations (20)(a)(i)(a) it does meet the 110' radius clearing fall of the tower. If the tower where to fall it would be contained within the church's property, however, it does fall within one of their building structures located on the northwest of the parking lot.

However, the City Zoning Code states the regulation of Wireless Communications Systems should "Discourage the location of towers in residential areas and minimize the total number of towers throughout the City". City Zoning Ordinance, Section 4: Zoning Land use Regulations (20)(a)(i)(a).

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

Fire: (Approved)

No objections.

Engineering: (Approved)

No objections.

Transportation: (Approved)

No objections.

Building Code: (Approved)

No objections.

Oil and Gas: (Approved)

No objections.

Planning:

The request is not in compliance with the Tall City Tomorrow Comprehensive Plan, Chapter 3, An Integrated Land Use Vision, which classifies this area as

Urban Residential, Large Lot or UR-LL. This area use emphasizes residential housing and open spaces. Furthermore, the City Zoning Code states that this type of construction should be discouraged in and around residential developments.

If this request of a Specific Use Designation without Term for the installation of a 100-foot tall mono-pole cell tower is approved, that it shall be subject to Condition A.

Conditions:

- A. That the site shall significantly conform to the site plan shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**

Letters of Objection:

As of December 15, 15, 2021, staff has received five letters of objection.

Attachments:

Application
Site Plan (Exhibit A)
Architectural Details (Exhibit B)
Inventory Report (Exhibit C)
Coverage Tower Locations
Dish Network Letter
Photomontage of Proposed Project
Objection Letters
Maps



**Specific Use Designation
Application (Non-Alcohol)**

Case Number:

Subwo-21-0025

Ord. Number: _____

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

Printed Name: Hemphill, LLC (John Wright, Director of Tower Operations)

Phone (405) 213-6927

Email jwright@hemphill.com

Address 1305 N Louisville Ave

City Tulsa

State OK

Zip 74115

Property Owner Holy Cross Evangelical Lutheran Church of Midland

Printed Name: (Allen Bell, Congregational Vice President)

Phone (432) 254-8510

Email allen.diana.bell@gmail.com

Address 5110 N Garfield Street

City Midland

State TX

Zip 79701

Representative (if different from Applicant or Property Owner)

Firm: Faulk & Foster

Phone (616) 490-9804

Email ralph.wyngarden@faulkandfoster.com

Printed Name: Ralph Wyngarden, Sr. Zoning Specialist

Address 678 Front Ave, Suite 255

City Grand Rapids

State MI

Zip 49504

Type of Permit: Specific Use Designation for Wireless Communication System (without Term)

For Office Use Only

☐ with Term ☐ without Term

Is there any Code Enforcement action pending on property? ☐ Yes ☒ No

Street Address: 5110 N Garfield Street, Midland, TX 79701

Legal Description Property ID: R000185162 PIN: 707000010030

Lot: 003 Block: 001 Subdivision: Polo Club Sec 3

Current Zoning: AE Agricultural Estate District

Maximum Floor Area: N/A - No proposed building

Maximum Occupancy: N/A - Unstaffed facility

Proposed hours and days of use or operation: 24/7/365

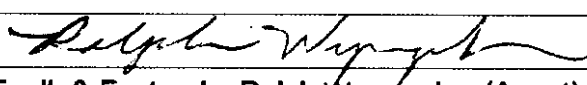
Reason for request: Construction of a Wireless Communication System facility consisting of a 100' stealth monopole and associated equipment within a 40' x 50' masonry walled compound.

Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: Stealth pole design internally conceals antennas. Modest height avoids need for aviation lighting at night. Please see photo simulations and other items provided. Service provided will benefit public safety, health, general welfare, and convenience.

Submittal and Fees

Items to be submitted with this application form:

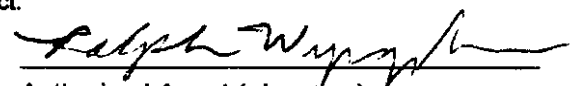
- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan showing
 - Parking (if applicable)
 - Building Footprint
- Digital Copies of Site Plan (PDF/JPEG)

Signatures	
Applicant (signature): 	Date: 11-19-21
Applicant (printed): Faulk & Foster, by Ralph Wyngarden (Agent)	
Property Owner (signature):	Date:
Property Owner (printed) : _____	
<i>The Specific Use Designation shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.</i> <i>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.</i>	

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.

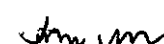
STATE OF TEXAS- MICHIGAN
COUNTY OF MIDLAND- KENT

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


Authorized Agent (signature)

Subscribed and sworn to before me, this 19th day of November, 20 21, to certify which witness my hand and seal of office.

Stephen King, Notary Public
State of Michigan, County of Kent
My Commission Expires 10/08/2027
Acting in the County of MICHIGAN

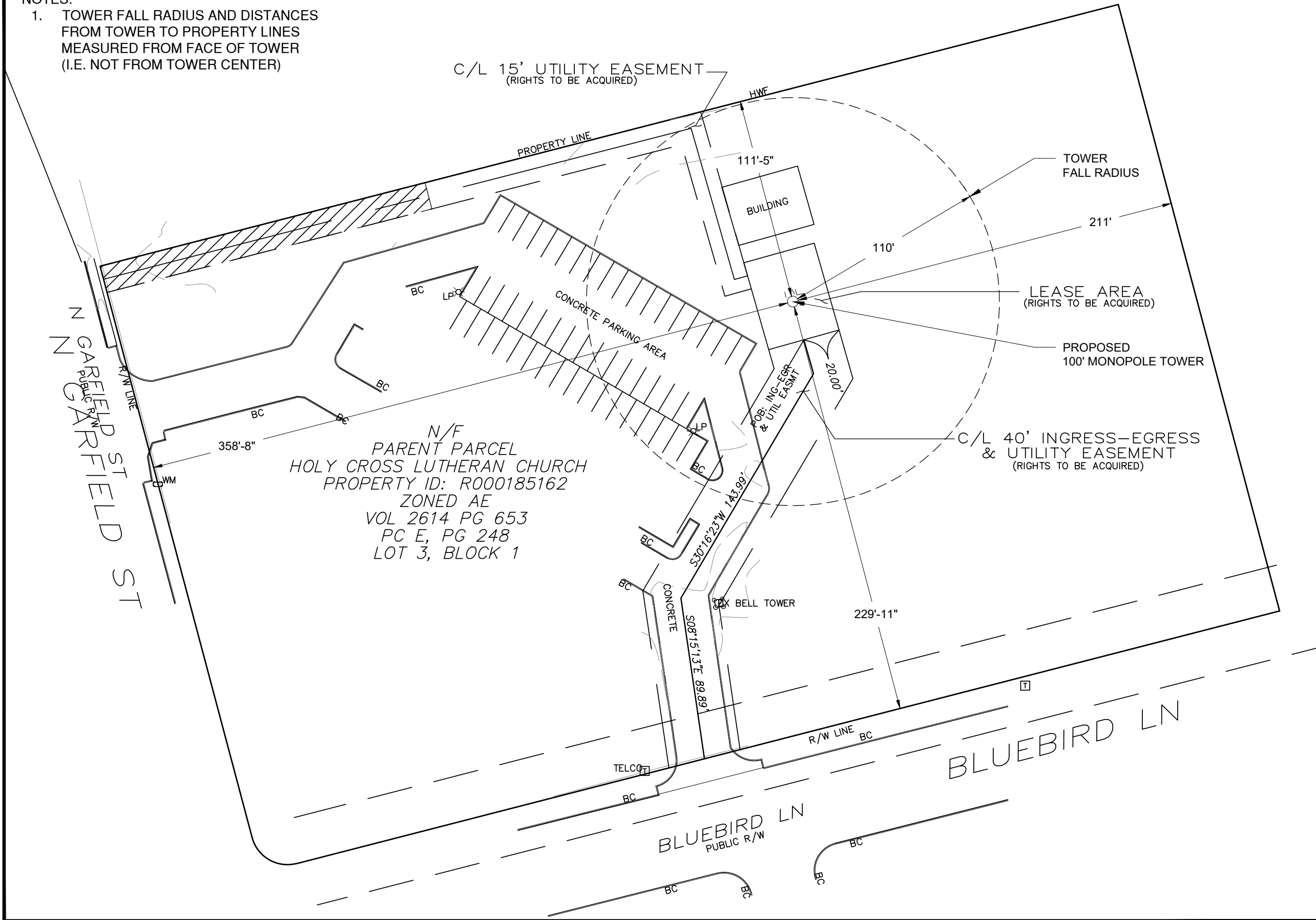

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS
KENT COUNTY, MICHIGAN

FOR OFFICE USE ONLY	
☐ Property Owner Authorization	☐ Dimensioned Site Plan
☐ Application Fee	☐ Site Plan in Digital Format (PDF/JPEG)
Check # _____	
Received By: _____	Date: _____

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

NOTES:

1. TOWER FALL RADIUS AND DISTANCES FROM TOWER TO PROPERTY LINES MEASURED FROM FACE OF TOWER (I.E. NOT FROM TOWER CENTER)





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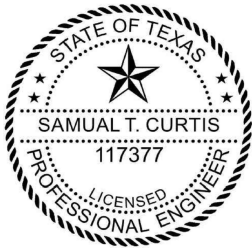


13431 BROADWAY EXT.,
SUITE 120, OKLAHOMA CITY,
OK 73114
405.753.7167

PROJECT NO:	1673
PROJECT NAME:	BLACK EAGLE
911 ADDRESS:	TBD
DRAWN BY:	RGH
CHECKED BY:	MK/SLT/JRH

ISSUED FOR:
APPROVAL

REV	DATE	DESCRIPTION
0	11/01/21	FOR APPROVAL



SAMUAL T. CURTIS, P.E.
LICENSED PROFESSIONAL
ENGINEERTEXAS NO. 117377

SCALE
#####

OVERALL
SITE PLAN

SHEET NUMBER:	REVISION:
C1-1	0

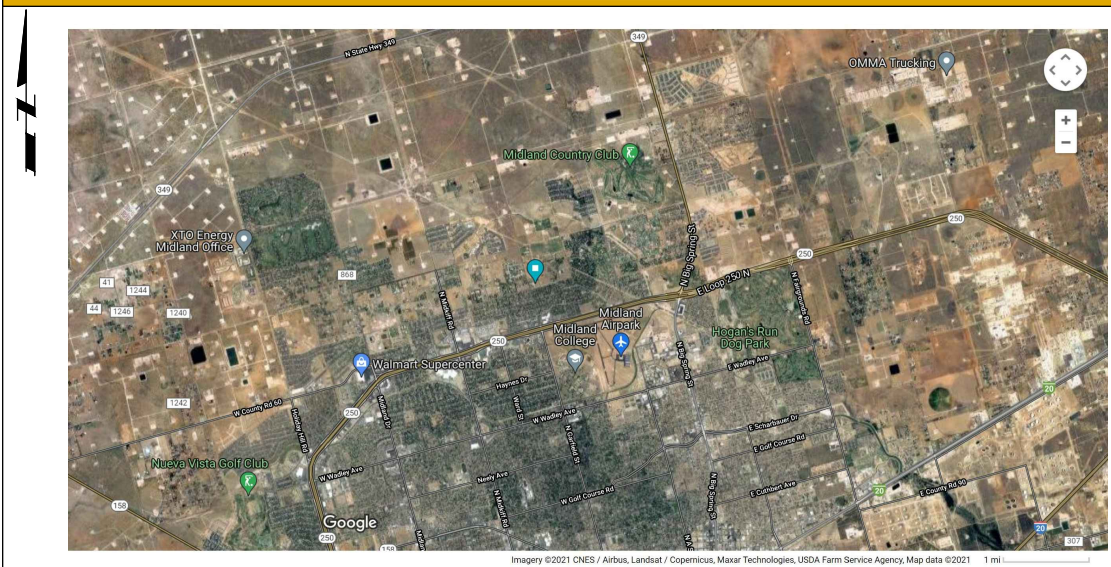
BLACK EAGLE

SITE: 1673

100' MONOPOLE TOWER

FOR MULTIPLE WIRELESS CARRIERS

VICINITY MAP



DIRECTIONS

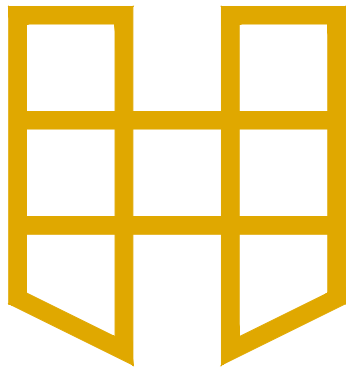
HEADING TO MIDLAND, TX VIA I-44 / 1-20 W, TAKE EXIT 144 FOR 1-20 TOWARD TX-250 MIDLAND. IN 1.3 MI. TURN RIGHT ONTO RAMP TO STATE HWY 250 LOOP. IN 2.1 MI. KEEP LEFT. THEN IN 0.9 MI. SLIGHT LEFT ONTO STATE HWY 250 LOOP W / E LOOP 250 N / LOOP 250 FRONTAGE ROAD. IN 0.9 MI. KEEP LEFT, THEN IN 1.2 MI. SLIGHT LEFT ONTO HWY 250 W / E LOOP 250 N.

CONTINUE ON STATE HWY 250 LOOP W FOR 2.4 MI. THEN TAKE THE EXIT TOWARD GARFIELD ST. MERGE ONTO W LOOP 250 N / LOOP 250 FRONTAGE RD. IN 0.2 MI. TURN RIGHT ONTO N GARFIELD ST. THEN IN 0.5 MI. TURN RIGHT ONTO HOLY CROSS LUTHERAN CHURCH PARKING LOT. SITE LEASE AREA IS ADJACENT TO NE CORNER OF PARKING LOT. SEE SHEETS C1-1 AND C1-2 FOR SITE INGRESS / EGRESS DETAILS.

PROJECT NOTES

HEMPHILL TOWER SITE DEVELOPMENT SPECIFICATIONS SUPPLEMENT THE CONSTRUCTION DRAWINGS. FACILITY IS NOT STAFFED AND NORMALLY NOT OCCUPIED.

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE CONSTRUCTION MANAGER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME

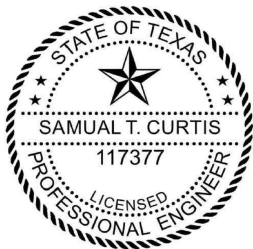


CONSULTING ENGINEER



STS
13431 BROADWAY EXT., SUITE 120,
OKLAHOMA CITY, OK 73114
405.753.7167

ENGINEER OF RECORD



SAMUAL T. CURTIS, P.E.
TEXAS NO. 117377
LICENSED PROFESSIONAL ENGINEER
TEXAS NO. 117377

ONE CALL SYSTEM



BEFORE YOU DIG, CALL MIDLAND LINE
LOCATION FOR LOCATION OF
UNDERGROUND UTILITIES. CALL 811

PROJECT DATA

SITE NUMBER	1673
SITE NAME	BLACK EAGLE
SITE ADDRESS	TBD, MIDLAND, TX
COUNTY	MIDLAND
ZONING CLASS	
POWER COMPANY	RELIANT ENERGY
CONTACT NAME	
TELEPHONE	866.222.7100
TELCO COMPANY	
CONTACT NAME	
TELEPHONE	
PROPERTY OWNER	HOLY CROSS LUTHERAN CHURCH
TELEPHONE	432.570.8149
HEMPHILL CONTACT	JOHN HEMPHILL
TELEPHONE	918.605.5639
SURVEY CONTACT	POINT TO POINT LAND SURVEYORS
TELEPHONE	678.565.4440
2C COORDINATES	
LAT 32° 02' 44.2" LONG -102° 06' 50.7"	
SURVEY AND 2C PROVIDED BY POINT TO POINT LAND SURVEYORS AND INCLUDED IN THIS SET OF DRAWINGS FOR REFERENCE ONLY.	

DRAWING INDEX

SHEET	SHEET TITLE	REV.
TS	TITLE SHEET	0
S1-1	SITE SURVEY	0
S1-2	SITE SURVEY	0
S1-3	SITE SURVEY	0
C1-1	OVERALL SITE PLAN	0
C2-1	COMPOUND LAYOUT	0
C3-1	TOWER ELEVATION	0
C3-3	GROUND EQUIPMENT DETAILS	0
C3-6	TRENCHING DETAILS	0
C4-1	ROADWAY AND COMPOUND DETAILS	0
C6-1	COMPOUND FENCE DETAILS	0
E1-1	ELECTRIC, LIGHTING, AND TELCO PLAN	0
E2-1	ELECTRICAL DETAILS	0
E3-1	GROUNDING PLAN	0
E4-1	GROUNDING DETAILS	0
G1-1	GENERAL NOTES	0
G1-2	GENERAL NOTES	0



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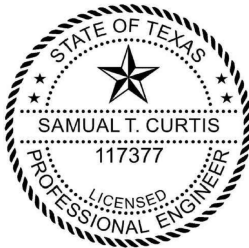


DRAFTING SERVICES
9 E 4TH ST. SUITE C-4
TULSA, OK 74103
918-215-7575

PROJECT NO:	1673
PROJECT NAME:	BLACK EAGLE
911 ADDRESS:	TBD
DRAWN BY:	RGH
CHECKED BY:	MK/SLT/JRH

ISSUED FOR:
APPROVAL

REV	DATE	DESCRIPTION
0	11/01/21	FOR APPROVAL



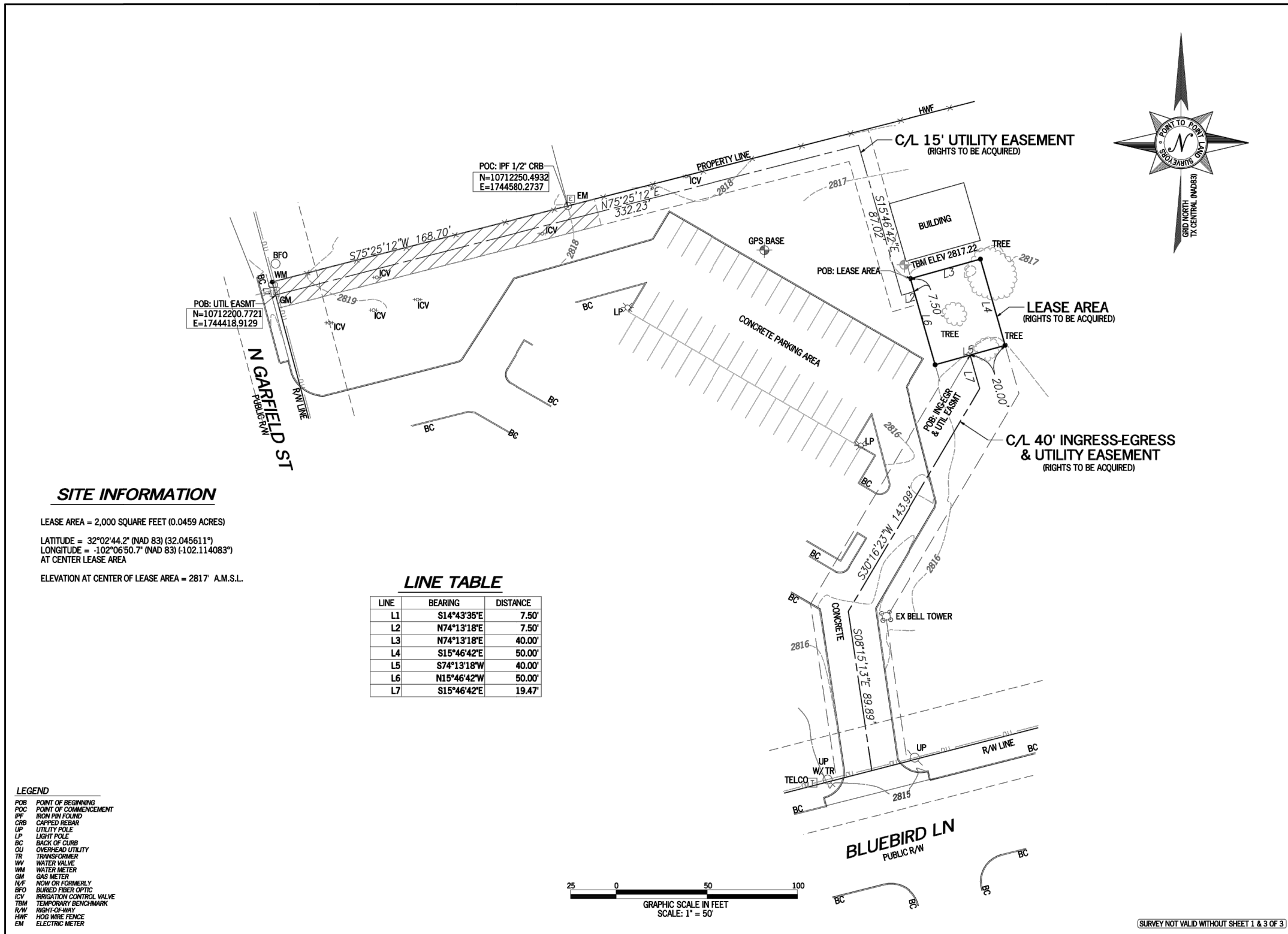
SAMUAL T. CURTIS, P.E.
TEXAS NO. 117377

SCALE
N.T.S.

TITLE SHEET

SHEET NUMBER:	REVISION:
TS	0

PACKET
Page 9.67
December 20, 2021



STATE OF TEXAS
REGISTERED
JUSTIN KYLE LAWRENCE
6589
PROFESSIONAL
LAND SURVEYOR

09/29/2021

NO. DATE REVISION

POINT TO POINT LAND SURVEYORS
100 Governors Trace, Ste. 103
Peachtree City, GA 30269
(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com
Texas Registration NO. 10194197

POINT TO POINT LAND SURVEYORS

HEMPHILL
1305 N. LOUISVILLE AVENUE
TULSA, OK 74115

BLACK EAGLE
SITE NO. 1673
NW 1/4 SECTION 3, BLOCK 'X',
H.P. HILLIARD SURVEY, ABSTRACT 12,
CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS

DRAWN BY: MK
CHECKED BY: JKL
APPROVED: D. MILLER
DATE: SEPTEMBER 29, 2021
P2P JOB #: 211355TX

SHEET:
2
OF 3

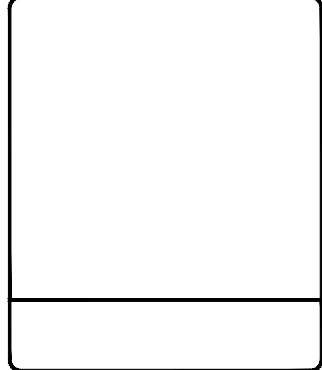
HEMPHILL®
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TULSA, OK 74115
(918) 834-2200

SURVEY PROVIDED BY:
POINT TO POINT LAND SURVEYORS
100 GOVERNORS TRACE,
STE. 103 PEACHTREE CITY,
GA 30269
678.565.4440

PROJECT NO: 1673
PROJECT NAME: BLACK EAGLE
911 ADDRESS: TBD
DRAWN BY: RGH
CHECKED BY: MK/SLT/JRH

ISSUED FOR:
APPROVAL

REV	DATE	DESCRIPTION
0	11/01/21	FOR APPROVAL



SCALE
N.T.S.

SITE SURVEY

SHEET NUMBER: **S1-2**
REVISION: **0**

LEGAL DESCRIPTION SHEET

LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING PART OF LOT 3, BLOCK 1, POLO CLUB ADDITION, A SUBDIVISION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS RECORDED IN PLAT CABINET E, PAGE 248, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, LYING IN THE NORTHWEST QUARTER OF SECTION 3, BLOCK "X", H.P. HILLIARD SURVEY, ABSTRACT 12, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1/2-INCH CAPPED REBAR FOUND LYING ON THE NORTHERN PROPERTY LINE OF SAID LOT 3, SAID REBAR MARKING THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, POLO CLUB ADDITION, A SUBDIVISION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS RECORDED IN PLAT CABINET B, PAGE 362, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND HAVING A TEXAS GRID NORTH, NAD 83, CENTRAL ZONE VALUE OF N: 10712250.4932 E: 1744580.2737;

THENCE RUNNING ALONG SAID PROPERTY LINE, SOUTH 75°25'12" WEST, 168.70' FEET TO A POINT ON THE RIGHT-OF-WAY LINE OF N GARFIELD STREET;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 14°43'35" EAST, 7.50 FEET TO A POINT HAVING A TEXAS GRID NORTH, NAD 83, CENTRAL ZONE VALUE OF N: 10712200.7721 E: 1744418.9129;

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING NORTH 75°25'12" EAST, 332.23 FEET TO A POINT;

THENCE, SOUTH 15°46'42" EAST, 87.02 FEET TO A POINT;

THENCE, NORTH 74°13'18" EAST, 7.50 FEET TO A POINT ON THE LEASE AREA;

THENCE RUNNING ALONG SAID LEASE AREA, NORTH 15°46'42" WEST, 7.50 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;

THENCE, NORTH 74°13'18" EAST, 40.00 FEET TO A POINT;

THENCE, SOUTH 15°46'42" EAST, 50.00 FEET TO A POINT;

THENCE, SOUTH 74°13'18" WEST, 40.00 FEET TO A POINT;

THENCE, NORTH 15°46'42" WEST, 50.00 FEET TO A POINT AND THE POINT OF BEGINNING.

BEARINGS BASED ON TEXAS GRID NORTH, NAD 83, CENTRAL ZONE.

SAID TRACT CONTAINS 0.046 ACRES (2,000 SQUARE FEET), MORE OR LESS.

15' UTILITY EASEMENT

TOGETHER WITH A 15-FOOT WIDE UTILITY EASEMENT, MEASURING 7.5 FEET EACH SIDE OF CENTERLINE LYING AND BEING PART OF LOT 3, BLOCK 1, POLO CLUB ADDITION, A SUBDIVISION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS RECORDED IN PLAT CABINET E, PAGE 248, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, LYING IN THE NORTHWEST QUARTER OF SECTION 3, BLOCK "X", H.P. HILLIARD SURVEY, ABSTRACT 12, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1/2-INCH CAPPED REBAR FOUND LYING ON THE NORTHERN PROPERTY LINE OF SAID LOT 3, SAID REBAR MARKING THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, POLO CLUB ADDITION, A SUBDIVISION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS RECORDED IN PLAT CABINET B, PAGE 362, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND HAVING A TEXAS GRID NORTH, NAD 83, CENTRAL ZONE VALUE OF N: 10712250.4932 E: 1744580.2737;

THENCE RUNNING ALONG SAID PROPERTY LINE, SOUTH 75°25'12" WEST, 168.70' FEET TO A POINT ON THE RIGHT-OF-WAY LINE OF N GARFIELD STREET;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 14°43'35" EAST, 7.50 FEET TO A POINT HAVING A TEXAS GRID NORTH, NAD 83, CENTRAL ZONE VALUE OF N: 10712200.7721 E: 1744418.9129 AND THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING NORTH 75°25'12" EAST, 332.23 FEET TO A POINT;

THENCE, SOUTH 15°46'42" EAST, 87.02 FEET TO A POINT;

THENCE, NORTH 74°13'18" EAST, 7.50 FEET TO THE ENDING AT A POINT ON THE LEASE AREA.

BEARINGS BASED ON TEXAS GRID NORTH, NAD 83, CENTRAL ZONE.

40' INGRESS-EGRESS & UTILITY EASEMENT

TOGETHER WITH A 40-FOOT WIDE INGRESS-EGRESS AND UTILITY EASEMENT, MEASURING 20 FEET EACH SIDE OF CENTERLINE LYING AND BEING PART OF LOT 3, BLOCK 1, POLO CLUB ADDITION, A SUBDIVISION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS RECORDED IN PLAT CABINET E, PAGE 248, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, LYING IN THE NORTHWEST QUARTER OF SECTION 3, BLOCK "X", H.P. HILLIARD SURVEY, ABSTRACT 12, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1/2-INCH CAPPED REBAR FOUND LYING ON THE NORTHERN PROPERTY LINE OF SAID LOT 3, SAID REBAR MARKING THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, POLO CLUB ADDITION, A SUBDIVISION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AS RECORDED IN PLAT CABINET B, PAGE 362, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND HAVING A TEXAS GRID NORTH, NAD 83, CENTRAL ZONE VALUE OF N: 10712250.4932 E: 1744580.2737;

THENCE RUNNING ALONG SAID PROPERTY LINE, SOUTH 75°25'12" WEST, 168.70' FEET TO A POINT ON THE RIGHT-OF-WAY LINE OF N GARFIELD STREET;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 14°43'35" EAST, 7.50 FEET TO A POINT HAVING A TEXAS GRID NORTH, NAD 83, CENTRAL ZONE VALUE OF N: 10712200.7721 E: 1744418.9129;

THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING NORTH 75°25'12" EAST, 332.23 FEET TO A POINT;

THENCE, SOUTH 15°46'42" EAST, 87.02 FEET TO A POINT;

THENCE, NORTH 74°13'18" EAST, 7.50 FEET TO A POINT ON THE LEASE AREA;

THENCE RUNNING ALONG SAID LEASE AREA, NORTH 15°46'42" WEST, 7.50 FEET TO A POINT;

THENCE, NORTH 74°13'18" EAST, 40.00 FEET TO A POINT;

THENCE, SOUTH 15°46'42" EAST, 50.00 FEET TO A POINT;

THENCE, SOUTH 74°13'18" WEST, 20.00 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID LEASE AREA AND RUNNING, SOUTH 15°46'42" EAST, 19.47 FEET TO A POINT;

THENCE, SOUTH 30°16'23" WEST, 143.99 FEET TO A POINT;

THENCE, SOUTH 08°15'13" EAST, 89.89 FEET TO THE ENDING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF BLUEBIRD LANE.

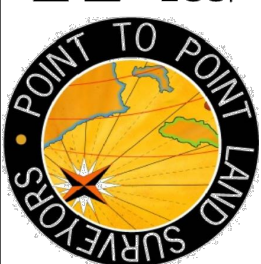
BEARINGS BASED ON TEXAS GRID NORTH, NAD 83, CENTRAL ZONE.



Signature of Justin Kyle Lawrence
09/29/2021

NO.	DATE	REVISION

* SPECIFIC PURPOSE SURVEY PREPARED BY:
POINT TO POINT LAND SURVEYORS
100 Governors Trace, Ste. 103
Peachtree City, GA 30269
(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com
Texas Registration NO. 10194197



SPECIFIC PURPOSE SURVEY PREPARED FOR:



BLACK EAGLE
SITE NO. 1673
NW 1/4 SECTION 3, BLOCK "X",
H.P. HILLIARD SURVEY, ABSTRACT 12,
CITY OF MIDLAND,
MIDLAND COUNTY, TEXAS

DRAWN BY: MK
CHECKED BY: JKL
APPROVED: D. MILLER
DATE: SEPTEMBER 29, 2021
P2P JOB #: 211355TX

SHEET:
3
OF 3

SURVEY NOT VALID WITHOUT SHEETS 1 & 2 OF 3



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TULSA, OK 74115
(918) 834-2200

SURVEY PROVIDED BY:

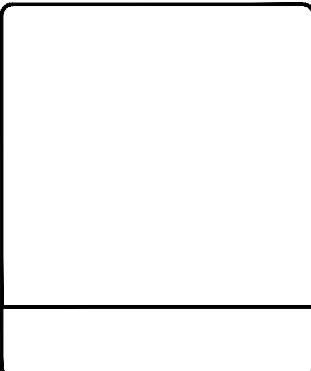
POINT TO POINT LAND SURVEYORS
100 GOVERNORS TRACE,
STE. 103 PEACHTREE CITY,
GA 30269
678.565.4440

PROJECT NO:	1673
PROJECT NAME:	BLACK EAGLE
911 ADDRESS:	TBD
DRAWN BY:	RGH
CHECKED BY:	MK/SLT/JRH

ISSUED FOR:

APPROVAL

REV	DATE	DESCRIPTION
0	11/01/21	FOR APPROVAL



SCALE

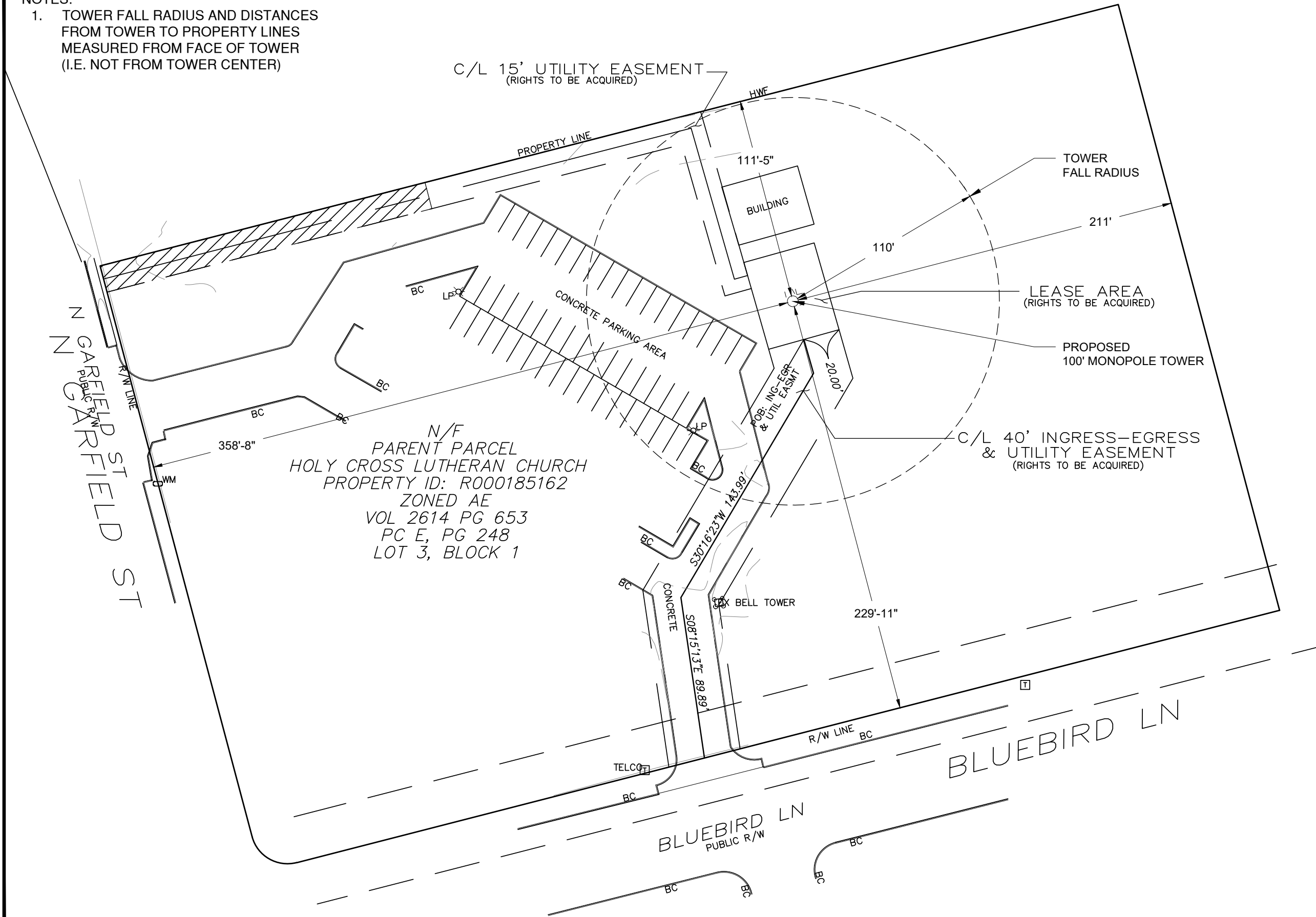
N.T.S.

SITE SURVEY

SHEET NUMBER:	REVISION:
S1-3	0

NOTES:

1. TOWER FALL RADIUS AND DISTANCES FROM TOWER TO PROPERTY LINES MEASURED FROM FACE OF TOWER (I.E. NOT FROM TOWER CENTER)



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TULSA, OK 74115
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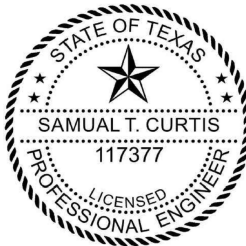
13431 BROADWAY EXT.,
SUITE 120, OKLAHOMA CITY,
OK 73114
405.753.7167

PROJECT NO:	1673
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SAMUAL T. CURTIS, P.E.
LICENSED PROFESSIONAL
ENGINEERTEXAS NO. 117377

SCALE

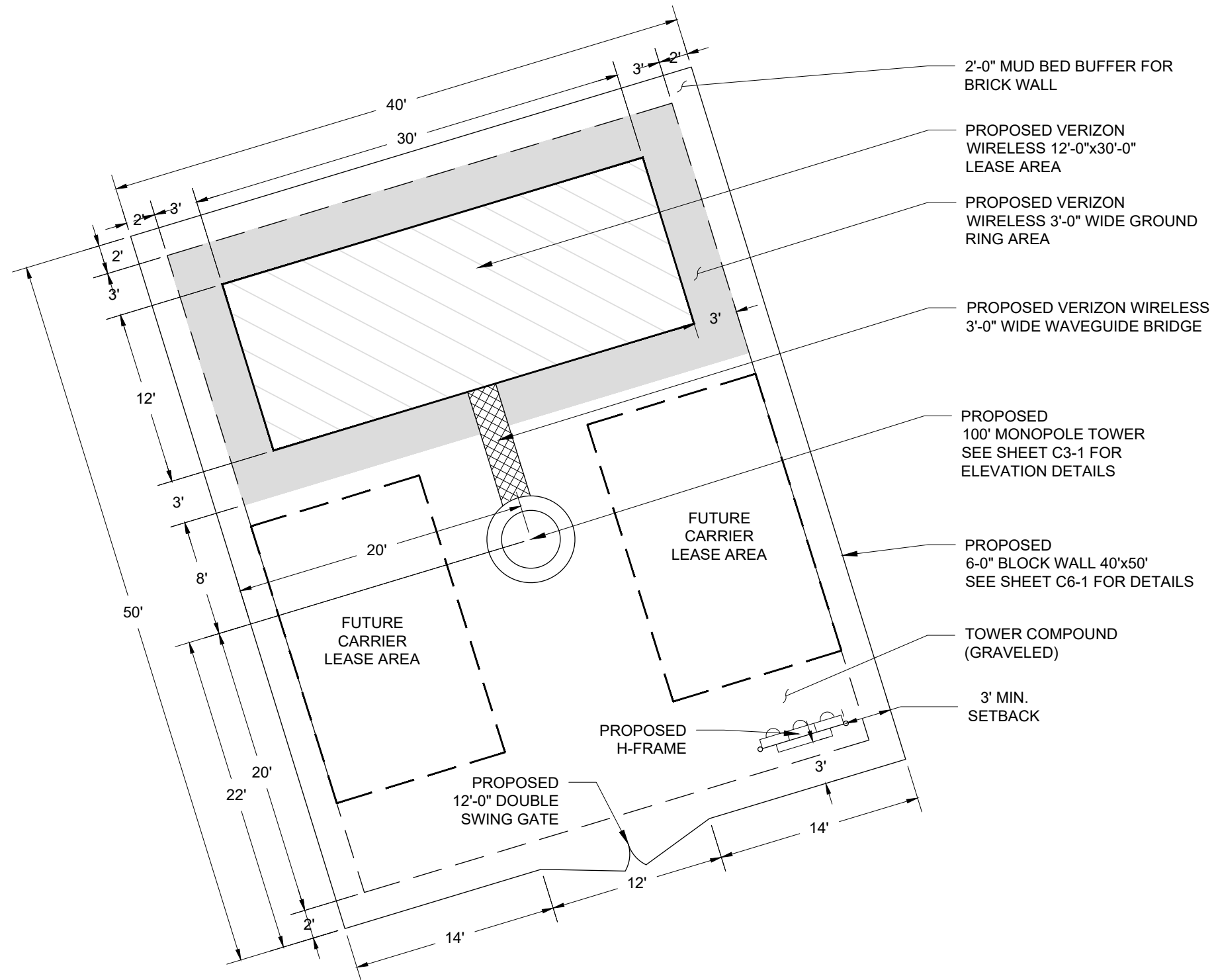
#####

OVERALL
SITE PLAN

SHEET NUMBER: REVISION:

C1-1 0

PACKET
Page9.71
December 20, 2021



- NOTES:
1. ALL COMPONENTS SHOWN ARE NEW CONSTRUCTION
 2. PLACEMENT OF VERIZON WIRELESS BUILDING AND H-FRAME WITHIN THE COMPOUND IS APPROXIMATE AND MAY VARY DEPENDING ON SITE CONDITIONS AT TIME OF CONSTRUCTION.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF APPROPRIATE EROSION CONTROL MEASURES, INCLUDING SILT FENCES, ON THE DOWN SLOPE SIDES OF ALL SOIL DISTURBING ACTIVITIES. SEE SHEET C4-1 DETAIL 1.
 4. THE GATE SHALL BE PAINTED WOOD



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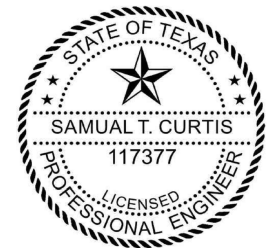
13431 BROADWAY EXT.,
SUITE 120, OKLAHOMA CITY,
OK 73114
405.753.7167

PROJECT NO:	1673
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ISSUED FOR:

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REV	DATE	DESCRIPTION
0	11/01/21	FOR APPROVAL



SAMUAL T. CURTIS, P.E.
LICENSED PROFESSIONAL
ENGINEER TEXAS NO. 117377

SCALE

1/8" = 1'-0"

**COMPOUND
LAYOUT**

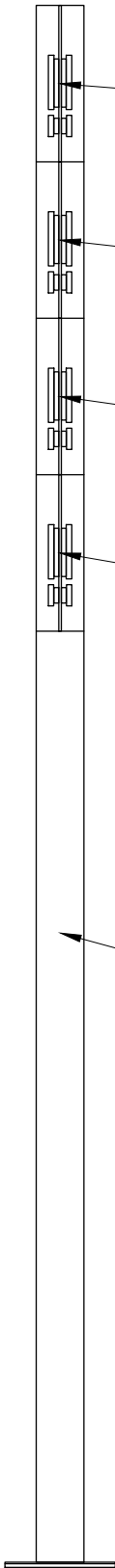
SHEET NUMBER: REVISION:

C2-1 0

PACKET
Page 9.72
December 20, 2021

THESE DRAWINGS ARE NOT INTENDED TO REFLECT THE STRUCTURAL INTEGRITY OF THE TOWER. THE PROPOSED ANTENNAS AND TRANSMISSION LINES SHOWN ARE REPRESENTATIVE IN NATURE AND DO NOT REFLECT THE ACTUAL CONFIGURATIONS REQUIRED. THE CONTRACTOR SHALL REFER TO THE STRUCTURAL ANALYSIS OF THIS TOWER SITE FOR THE APPROVED LOCATION AND CONFIGURATION OF ALL ANTENNAS AND TRANSMISSION LINES. ALL ANTENNAS MUST BE MOUNTED AND THE TRANSMISSION LINES CONFIGURED IN STRICT ACCORDANCE WITH THE STRUCTURAL ANALYSIS.

100'-0" TOP OF TOWER
(TOTAL HEIGHT)



VERIZON WIRELESS ANTENNAS AT
95'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT
85'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT
75'-0" RAD CENTER ELEVATION

FUTURE CARRIER ANTENNAS AT
65'-0" RAD CENTER ELEVATION

100' MONOPOLE TOWER

COMPOUND BLOCK WALL
SEE SHEET C6-1



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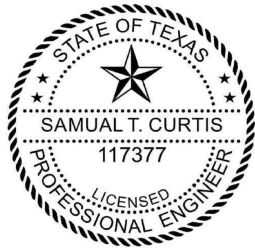
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OK 73114
405.753.7167

PROJECT NO:	1673
PROJECT NAME:	BLACK EAGLE
911 ADDRESS:	TBD
DRAWN BY:	RGH
CHECKED BY:	MK/SLT/JRH

ISSUED FOR:

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SCALE

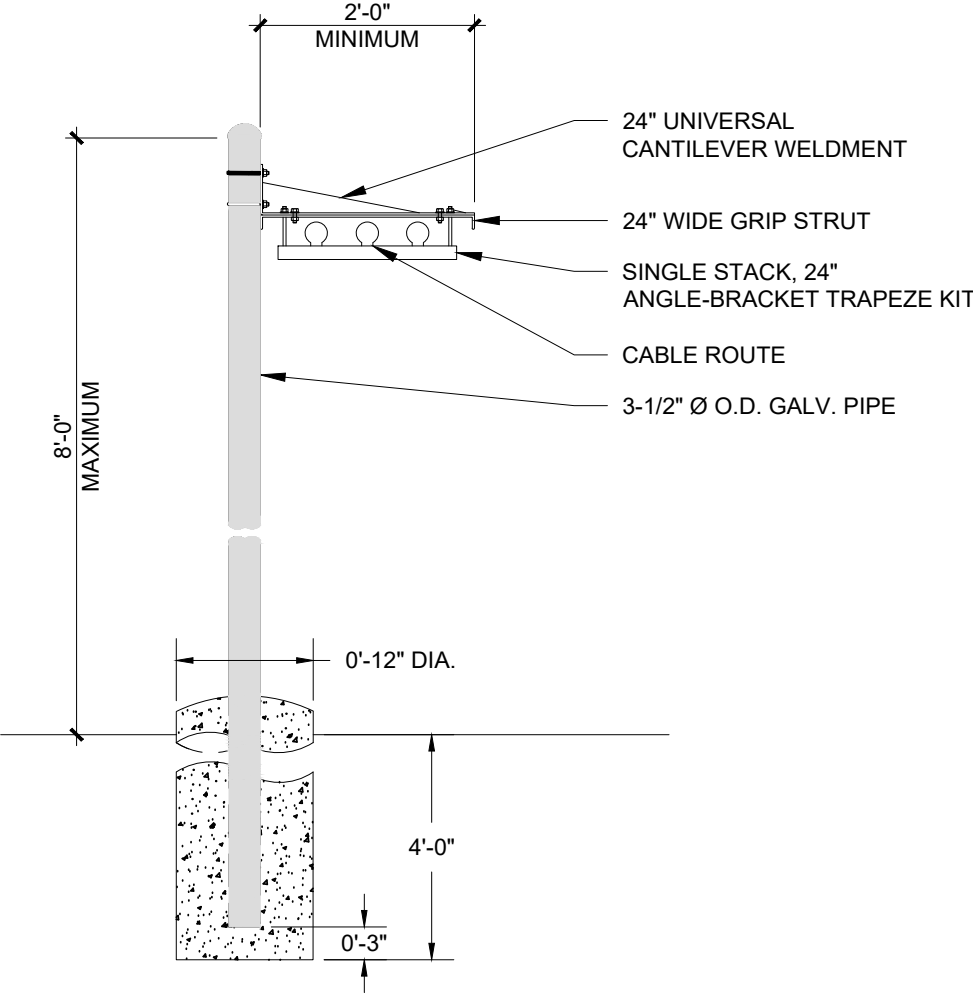
N.T.S.

TOWER
ELEVATION

SHEET NUMBER:	REVISION:
C3-1	0

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POSTS TO BE SPACED MINIMUM 4'-0" O.C. AND MAXIMUM 10'-0" O.C.



WAVEGUILDE BRIDGE DETAIL
SCALE: N.T.S.



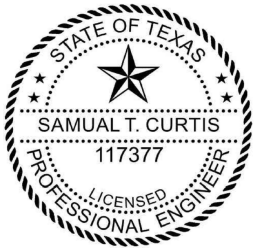

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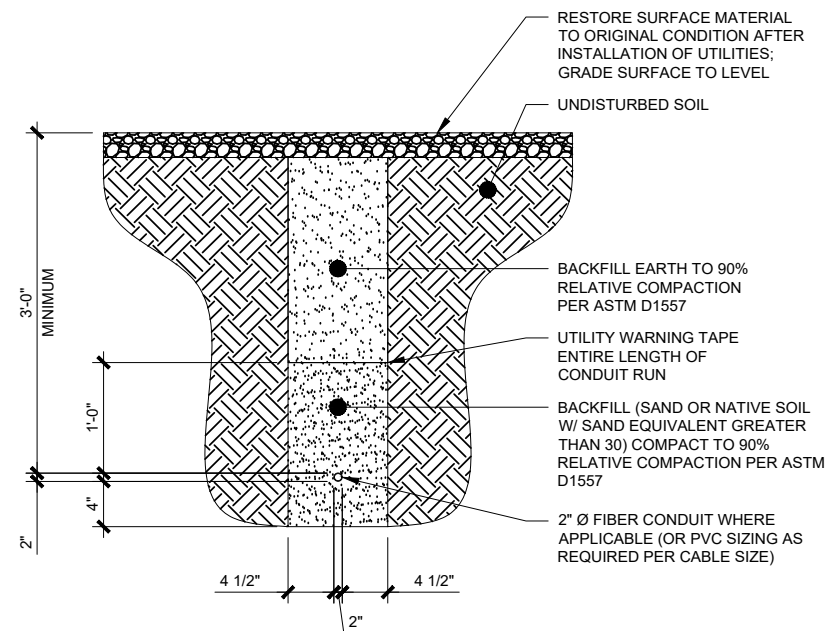
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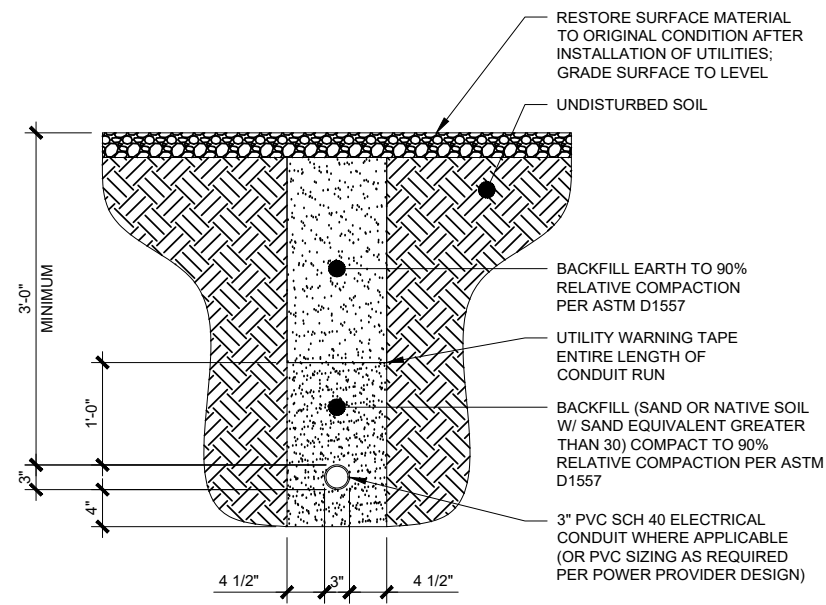
**GROUND
EQUIPMENT DETAILS**

SHEET NUMBER:	REVISION:
C3-3	0



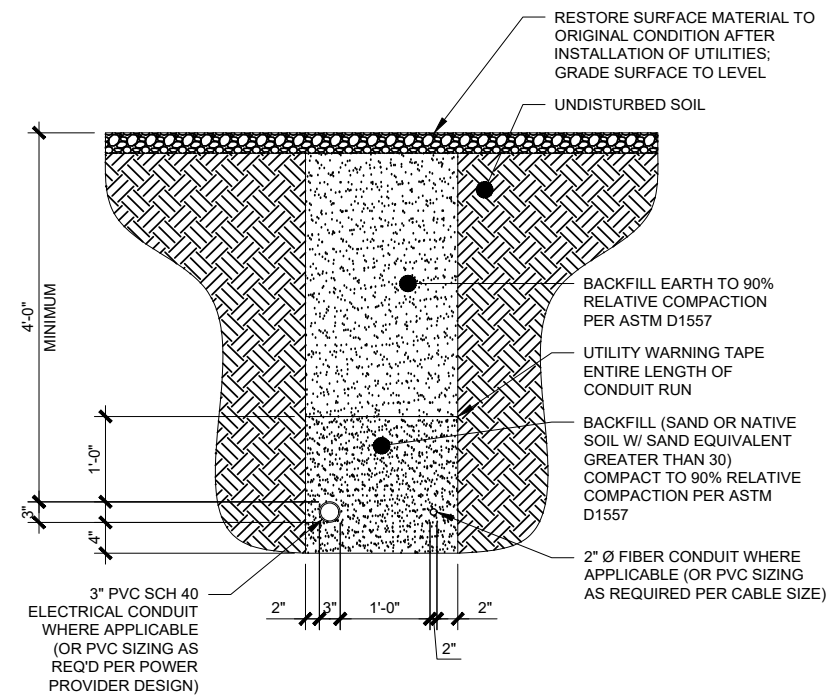
FIBER TRENCH DETAIL

SCALE: N.T.S.



ELECTRICAL TRENCH DETAIL

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DUAL TRENCH DETAIL

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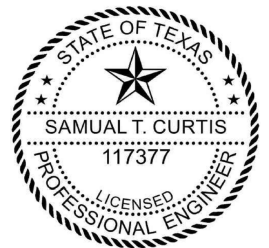
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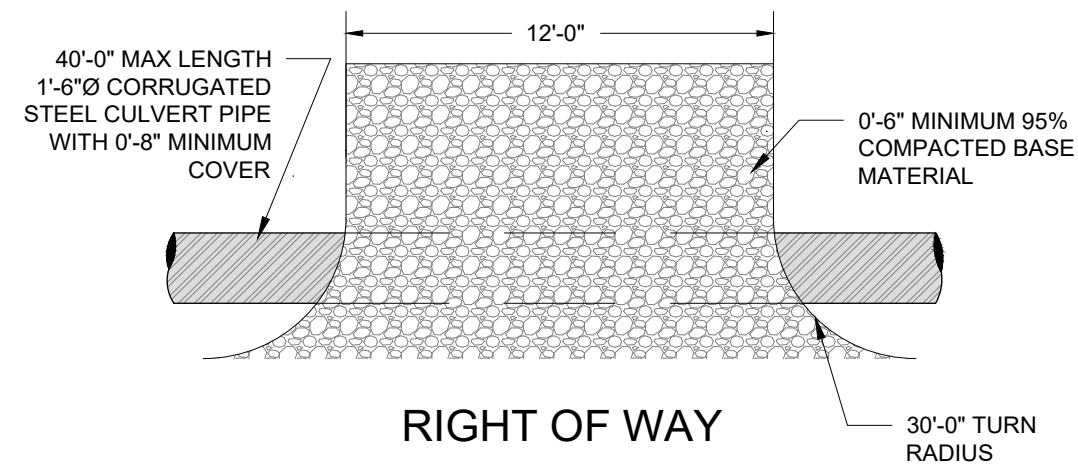
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TRENCHING DETAILS

SHEET NUMBER:	REVISION:
C3-6	0

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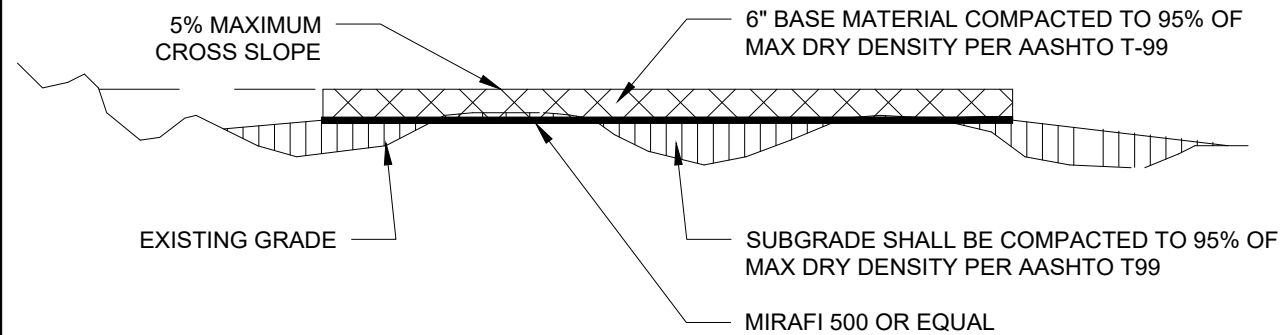


ENTRANCE DETAIL

SCALE: N.T.S.

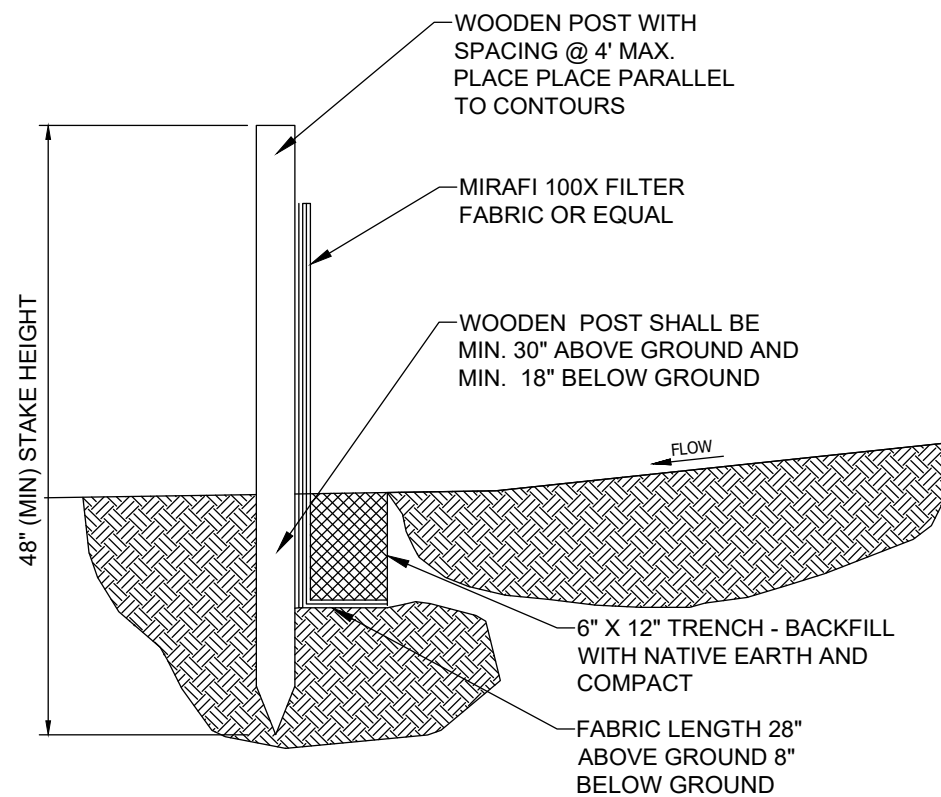


NOTE: IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN
ALL NECESSARY PERMITS TO ENSURE THAT THE
ENTRANCE MEETS ALL GOVERNING SPECIFICATIONS.



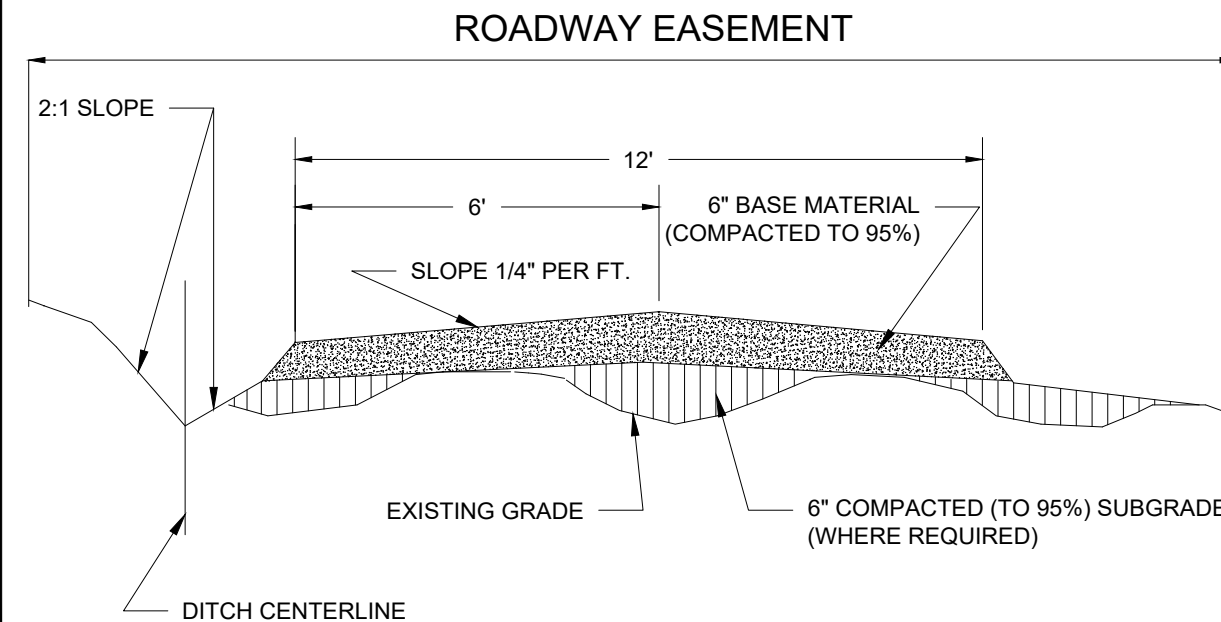
COMPOUND DETAIL

SCALE: N.T.S.



SILT FENCE DETAIL

SCALE: N.T.S.



ROADWAY DETAIL

SCALE: N.T.S.



CONSTRUCTION SEQUENCE

- 1- INSTALLATION OF SILT FENCE - PRIOR TO ANY EARTH MOVING OPERATIONS, AS REQUIRED.
- 2- INSTALLATION OF STABILIZED CONSTRUCTION ENTRANCE.
- 3- STRIPPING AND STOCK PILING OF TOPSOIL AND ROUGH GRADING. TEMPORARY STABILIZATION WITHIN 15 DAYS.
- 4- CONSTRUCTION OF UNDERGROUND IMPROVEMENTS.



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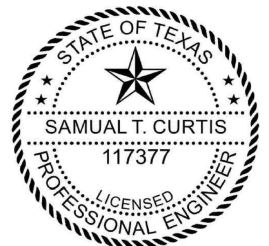
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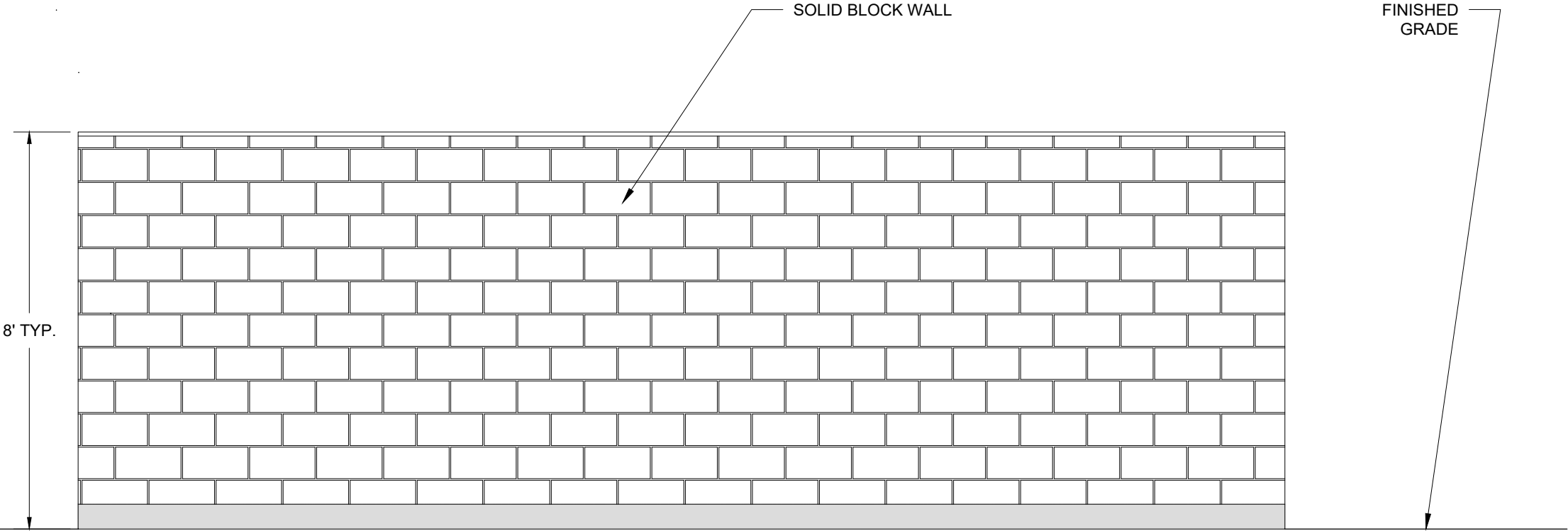
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ROADWAY AND
COMPOUND DETAILS

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ELEVATION VIEW
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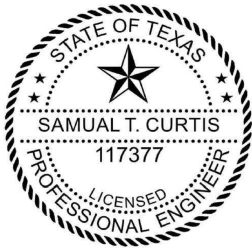


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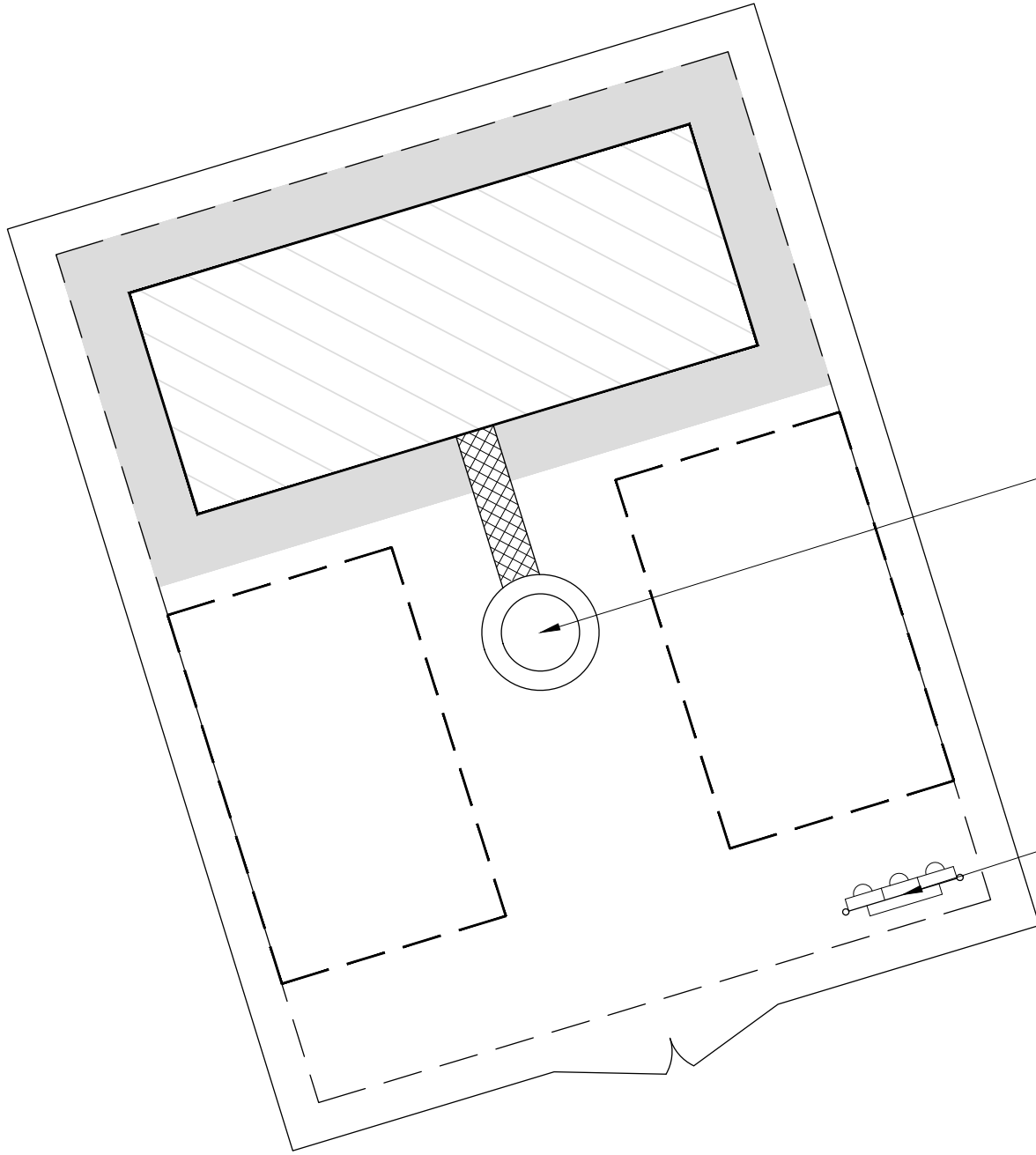


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COMPOUND
FENCE DETAILS

SHEET NUMBER:	REVISION:
C6-1	0



PROPOSED
100' MONOPOLE TOWER
SEE SHEET C3 FOR
ELEVATION DETAILS

PROPOSED
H-FRAME

- NOTES:**
- 1. FOR ADDITIONAL INFORMATION
REFERENCE C2-1
 - 2. COMPLETION OF ELECTRICAL SERVICE
SHALL BE PERFORMED BY LICENSED
ELECTRICAL CONTRACTOR



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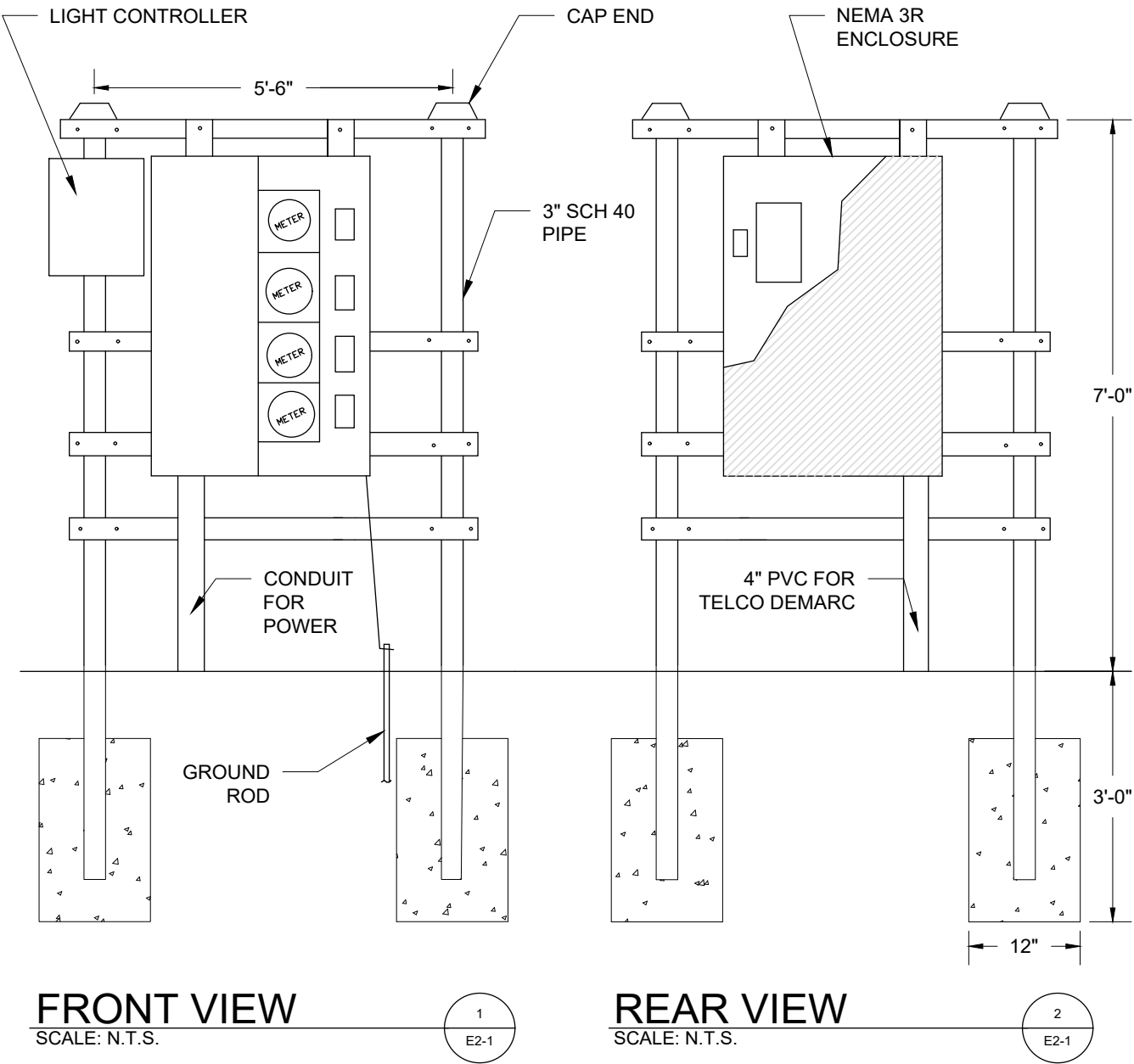
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ELECTRIC, LIGHTING
AND TELCO PLAN

SHEET NUMBER:	REVISION:
E1-1	0

NOTES

- 1 CONTRACTOR SHALL PROVIDE AND INSTALL MODULAR METERING MAIN, 120/240V, 400A, NEMA 3R WITH FOUR METER SOCKETS. METER CENTER SHALL BE FURNISHED WITH 200A METER AND 200A CIRCUIT BREAKER. CIRCUIT BREAKERS SHALL BE COVERED WITH LEXAN METER COVER.
- 2 CONTRACTOR SHALL PROVIDE AND INSTALL TELCO DEMARCATION BOX TO INCLUDE 48" X 48" X 12" NEMA 3R ENCLOSURE WITH BACKPLATE AND GFI RECEPTACLE (120V, 5A).
- 3 TOWER LIGHTING SHALL BE REQUIRED ON ALL TOWERS EXCEEDING 200' IN HEIGHT OR AS OTHERWISE REQUIRED BY FAA.
- 4 DIMENSIONS SHOWN ARE APPROXIMATE AND MAY BE ALTERED IN THE FIELD TO BETTER SUIT ACTUAL CONDITIONS OR EQUIPMENT RECEIVED.
- 5 ALL CONDUIT SHALL BE SCH. 40 PVC UNDERGROUND.
- 6 ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN GOOD WORKING CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND BY THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL MEET WITH APPROVAL OF ALL GOVERNING ENTITIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS AS ESTABLISHED BY ANSI, NEMA, NSFU, AND "UL" LISTED.
- 7 ALL CONDUIT SHALL HAVE A PULL STRING.
- 8 THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AS REQUIRED BY IBC, NEC, AND APPLICABLE CODES.
- 9 UNDERGROUND AND/OR OVERHEAD LINES SHALL BE OF THE SIZE AND MATERIAL NECESSARY TO MEET THE LOCAL CODE REQUIREMENTS.
- 10 ALL FRAME MEMBERS TO BE 1-5/8" X 1-5/8" P1000 UNISTRUT (EXCEPT FOR LEGS). CONNECT TO LEGS WITH U BOLTS




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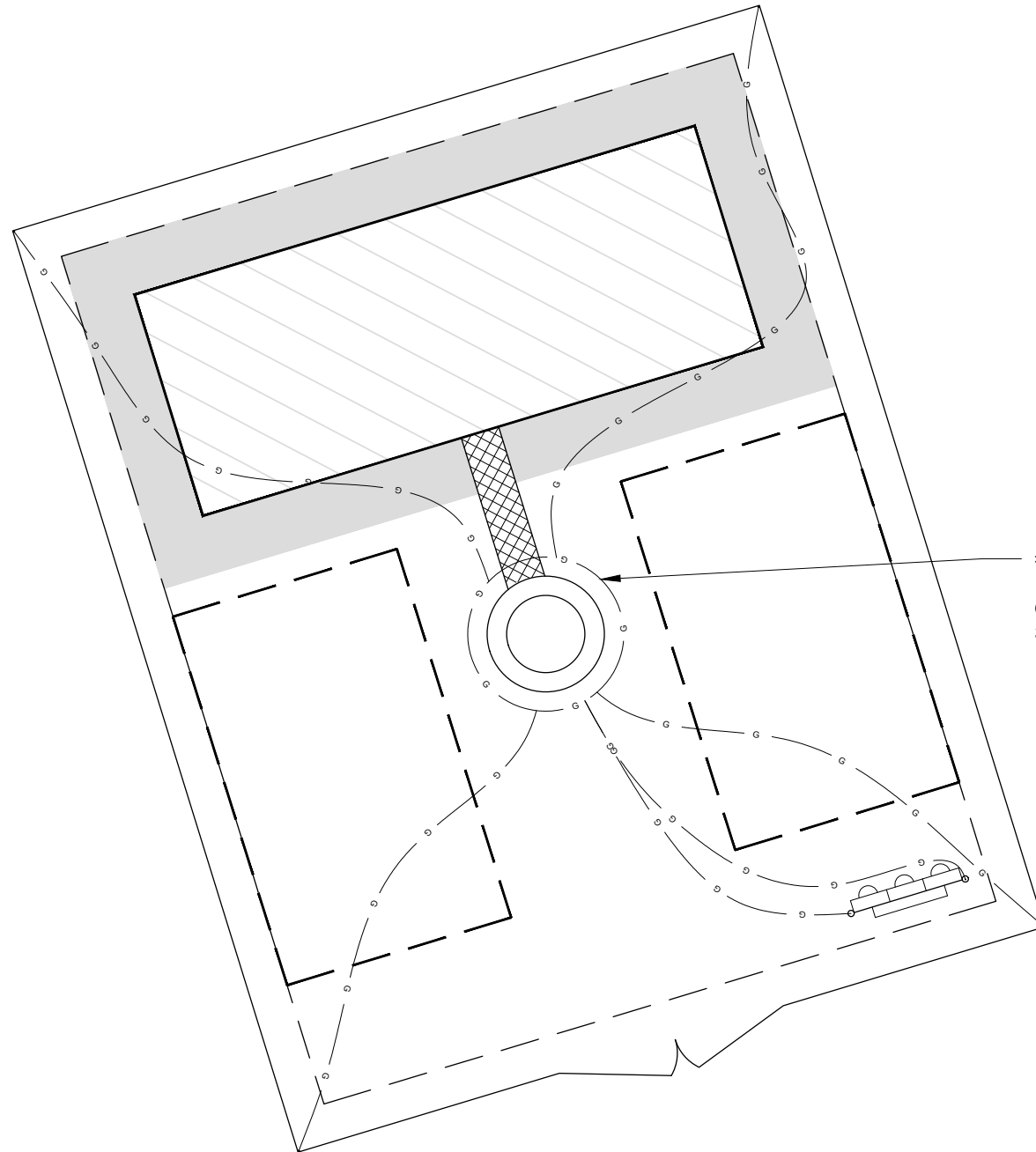
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ELECTRICAL
DETAILS

SHEET NUMBER:	REVISION:
E2-1	0



- NOTES:**
1. INFORMATION SHOWN IS FOR INFORMATION PURPOSES ONLY. DESIGN OF GROUNDING SYSTEM IS TO BE CONFIRMED BY LYNCOLE PRIOR TO INSTALLATION
 2. REFERENCE LYNCOLE DESIGN FOR INSTALLATION OF GROUNDING
 3. REFERENCE SHEET C2-1 FOR ADDITIONAL INFORMATION

THIS PLAN IS PROPOSED CONSTRUCTION FOR THE SUBJECT SITE.



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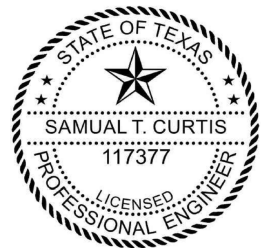


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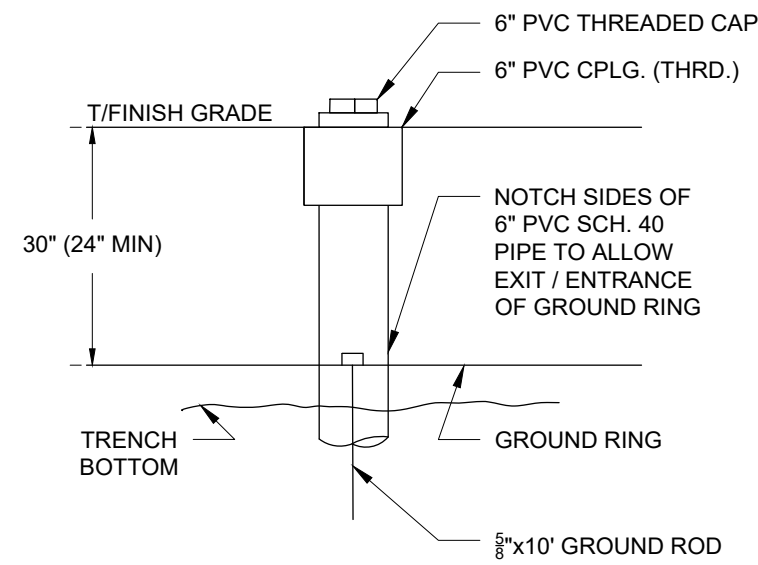
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GROUNDING PLAN

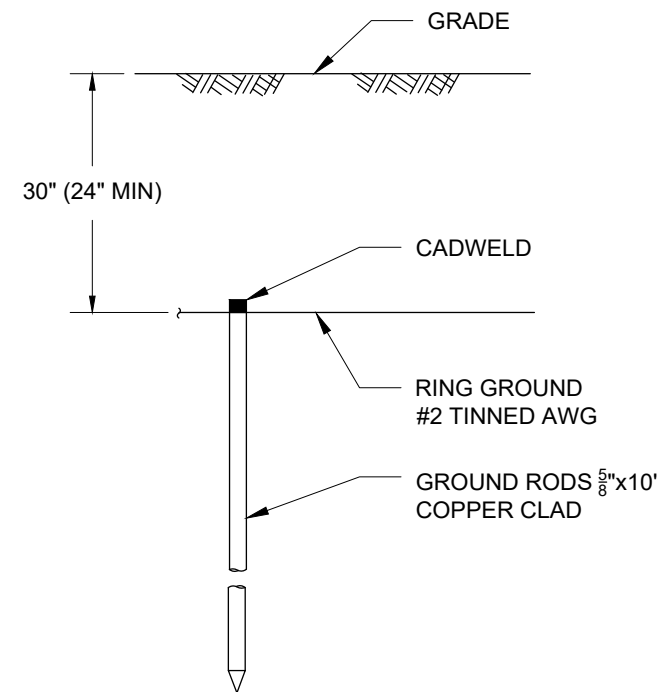
SHEET NUMBER:	REVISION:
E3-1	0

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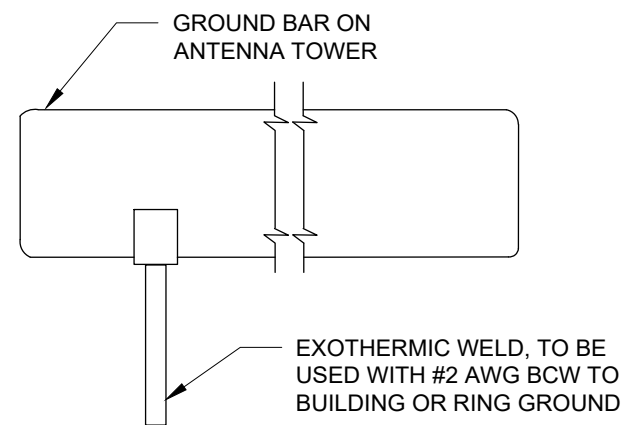
GROUNDING WELL

SCALE: N.T.S.



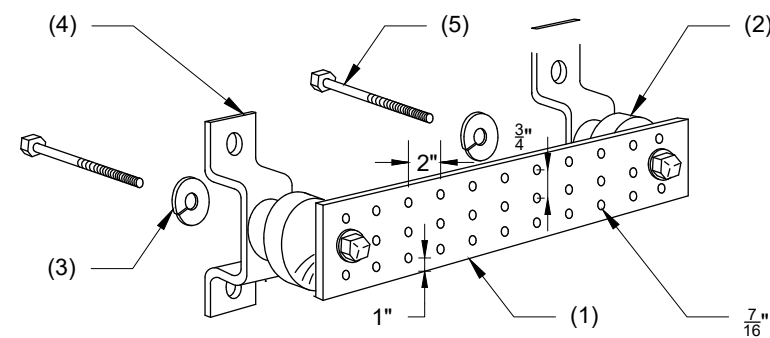
ROD AND RING GROUNDING

SCALE: N.T.S.



INSTALLATION OF GROUND WIRE TO GROUND BAR

SCALE: N.T.S.

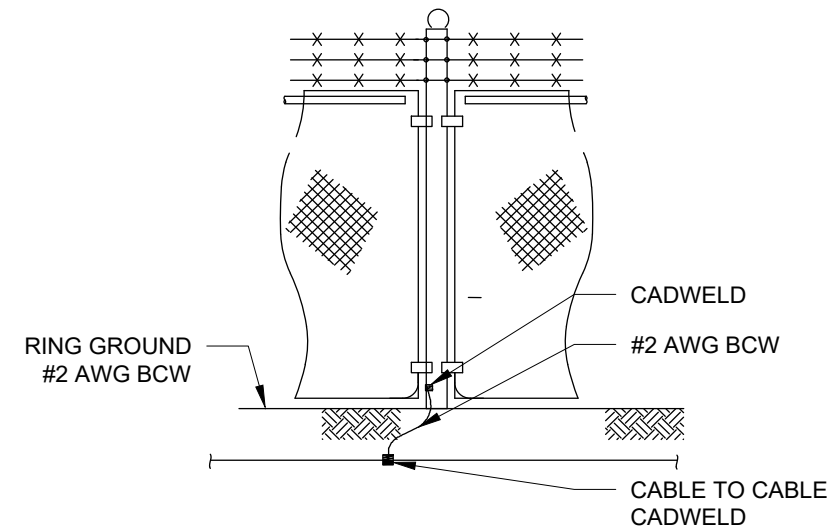


LEGEND

- (1) COPPER GROUND BAR, $\frac{1}{4}$ "x4"x20".
HOLE CENTERS TO MATCH NEMA
DOUBLE LUG CONFIGURATION
- (2) INSULATORS
- (3) $\frac{5}{8}$ " LOCKWASHERS
- (4) WALL MOUNTING BRACKET
- (5) $\frac{5}{8}$ -11x1" H.H.C.S. BOLTS

GROUND BAR DETAIL

SCALE: N.T.S.



1. THE #2 AWG, BCW, FROM THE RING GROUND SHALL BE CADWELDED TO THE POST, ABOVE GRADE.
2. VERTICAL POST SHALL BE BONDED TO THE RING AT EACH CORNER AND AT EACH GATE POST. AS A MINIMUM, ONE VERTICAL POST SHALL BE BONDED TO THE GROUND RING IN EVERY 100 FEET

FENCE GROUNDING

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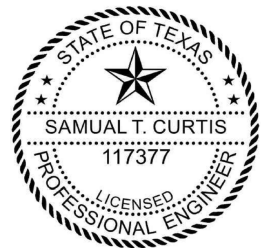
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GROUNDING
DETAILS

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E4-1 0

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CONSTRUCTION

GENERAL

General construction, electrical, tower and foundation drawings are interrelated. In performance of the work each contractor must refer to all drawings. Coordination is the responsibility of the general contractor.

SITE WORK

PART 1 - GENERAL

- 1. Work included: See Site Plan
- 2. Access road, turnaround areas and sites are constructed to provide a well-drained, easily maintained, even surface for material and equipment deliveries and maintenance personnel access.

3. SEQUENCING

- A. Confirm survey stakes and set elevation stakes prior to any construction.
- B. Grub the complete road (if applicable) and site area prior to foundation construction or placement of backfill or subbase materials.
- C. Construct temporary construction zone along access drive.
- D. Bring the site area to subbase course elevation and bring the access road to base course elevation prior to forming foundation.
- E. Soil stabilizer shall be Mirafi - 500X or equal.
- F. Grade, seed, fertilize and mulch disturbed areas immediately after bringing site and access road to base course elevation.
- G. Remove gravel from temporary construction zone to an authorized area or as directed by the owner's representative.

4. SUBMITTALS

- A. Before construction:
 - i. If landscaping is applicable to contract, submit two copies of the landscape plan under nursery letterhead. If a landscape allowance was included in the contract, provide an itemized listing of proposed costs on nursery letterhead (refer to plans for landscaping requirements).

5. WARRANTY

- A. In addition to the warranty on all construction covered in the contract documents, the contractor shall repair all damage and restore area as close to original condition as possible at site and surroundings.
- B. Disturbed area will reflect growth of new grass cover prior to final inspection.

PART 2 - PRODUCTS

1. MATERIALS

- A. Road and site materials shall conform to DOT specifications fill material - acceptable select fill shall be in accordance with State Department of Highway and Transportation standard specifications and approved by the owner's representative.
- B. Soil stabilizer shall be Mirafi - 500X or equal.

PART 3 - EXECUTION

1. INSPECTIONS

Local building inspectors shall be notified no less than 24 hours in advance of concrete pours, unless otherwise specified by jurisdiction.

2. PREPARATION

- A. Clear trees, brush and debris from site area and access road right-of-way.
- B. Prior to other excavation and construction, grub organic material to a minimum of six (6) inches below grade.
- C. Prior to placement of fill or base materials, roll the soil.
- D. Where unstable soil conditions are encountered, line the areas with stabilizer mat prior to placement of fill or base material.

3. INSTALLATION

- A. The site and turnaround areas shall be at the subbase course elevation prior to forming foundation. Grade or fill the site and access road as required in order that upon distribution of spoils resulting from foundation excavations, the resulting grade will correspond with said subbase course, elevations are to be calculated from finished grades or slopes indicated.
- B. Clear excess spoils, if any, from job site and do not spread beyond the limits of project area unless authorized by the owner's representative and agreed to by landowner.
- C. Bring the access road to base course elevations prior to use to permit construction and observation during construction of the site.
- D. Avoid creating depressions where water may pond.
- E. The contract shall include grading, banking and ditching, unless otherwise indicated.
- F. When improving an existing access road, grade the existing road to remove any organic matter and smooth the surface before placing fill or stone.
- G. Place fill or stone in six inch maximum lifts and compact before placing next lift.
- H. The top surface course shall extend a minimum of six inches beyond the site fence and shall cover the area as indicated.
- I. Apply riprap gravel to the slopes of all fenced areas and parking areas and all other slopes greater than 2:1.
- J. Apply seed, fertilizer and straw cover to all other disturbed areas, ditches, drainage and swales not otherwise ripped.
- K. Apply seed and fertilizer to surface conditions which will encourage rooting. Rake areas to be seeded to even the surface and loosen the soil.
- L. Sow seed in two directions to twice the quantity recommended by the seed producer.

4. PROTECTION

- A. Protect seeded areas from erosion by spreading straw to a uniform loose depth of 1 - 2 inches, stake and tie down as required. Use of erosion control mesh or mulch net will be an acceptable alternate.

- B. Protect all exposed areas against washouts and soil erosion, place straw bales at the inlet approaches to all new or existing culverts. Where the site or road areas have been elevated immediately adjacent to the rail line, stake erosion control fabric full length in the swale to prevent contamination of the rail ballast.

- 5. The required structural fill operation to the grades indicated for PCS equipment shelters shall be performed as follows:

- A. The structural fill material shall be placed in lifts not exceeding six inches in loose thickness.
- B. Each layer of structural fill material placed shall be compacted to a minimum of 95° of maximum density obtainable by ASTM compaction test designation D-337-66T for cohesive fill or 75% relative as determined by ASTM D-2049-64T for cohesionless fill, whichever is greater.
- C. The final grade of structural fill for all footings shall be capable of supporting the design soil bearing pressure load of 3,000 lbs. per square foot minimum.

FENCING AND GATE(S)

PART 1 - GENERAL

- 1. Work included: See plan for location of fence and gate(s).

2. QUALITY ASSURANCE

All steel materials utilized in conjunction with this specification will be galvanized or stainless steel. Weight of zinc coating of the fabric shall not be less than 12 ounces per square foot of material covered. Posts shall be hot-dipped galvanized.

3. SEQUENCING

If the site has been brought up to surface course elevation prior to the fence construction, fence post excavation spoils must be controlled to preclude contamination of said surface course.

4. SUBMITTALS

- A. Manufacturer's descriptive literature.
- B. Certificate or statement of compliance with the specifications.

PART 2 - PRODUCTS

1. FENCE MATERIAL

- A. All fabric wire, rails, hardware and other steel materials shall be hot-dipped galvanized.
- B. Fabric shall be six-foot height two-inch chain link mesh of No. 9 gauge wire. The fabric shall have a knuckled finish for the top selvages. Fabric shall conform to the specifications of ASTM A-392 Class 1.
- C. Barbed wire shall be double-strand, 12-1/2 gauge twisted wire strand with 14-gauge, 4-point round barbs spaced on five-inch centers, conforming to ASTM A121 Design # 12-4-5-14R Type 2.
- D. All posts shall be mechanical service pipe and shall be Type 1 ASTM F1083, High Strength (50 Ksi) Schedule 40 pipe, ASTM F1043 Group 1A, and of the following diameter (I.D. per fence industry standards).
 - Line 2 inches
 - Corner 3 inches
 - Gate 4 inches
- E. Gate posts shall be extended 12 inches, including dome cap, to provide for attachment of barbed wire.
- F. All top and brace rails shall be 1-1/2" diameter mechanical service pipe. Frames shall have welded corners.
- G. Gate frame and braces shall be 1-5/8" diameter Schedule 40 mechanical service pipe. Frames shall have welded corners.
- H. Gate frame shall have a full height vertical brace and a full width horizontal brace, secured in place by use of gate brace clamps.
- I. Gate hinges shall be Merchants Metal Model 6-4386-hinge adapter with Model 6-409, 188 degree attachment.
- J. The quide (latch assembly) shall be heavy industrial gate latch. Master Halco #17221.
- K. Latches and stops shall be provided for all gates.
- L. All stops shall have keepers capable of holding the gate leaf in the open position.
- M. A No. 7 gauge zinc coated tension wire shall be used at the bottom of the fabric terminated with bank clips at corner and gateposts, conforming to ASTM A824 Type II.
- N. A six-inch by 1/2-inch diameter eyebolt to hold tension wire shall be placed at the line posts.
- O. Stretcher bars shall be 3/16-inch by 3/4-inch or have equivalent cross-sectional area, and conform to ASTM F626, having a minimum zinc coating of 1.2oz/sq-ft.
- P. All corner gate and panels shall have a 3/8-inch truss rod with turnbuckles.
- Q. All posts except gateposts shall have a combination cap and barbed wire supporting arm. Gateposts shall have a dome cap.
- R. Other hardware includes but may not be limited to the clips, band clips and tension band clips.
- S. Barbed wire gate guards shall be fitted with dome caps.
- T. Barbed wire support arms shall be cast iron with set bolt and lock wire in the arm.
- U. All caps shall be cast steel.
- V. Where the use of concertina has been specified, 24-inch diameter coil barbed tape, stainless steel, cyclone fence model gap to Type III shall be furnished. It shall be supported above the top rail by use of six wire barbed wire arms positioned atop each line/corner post.



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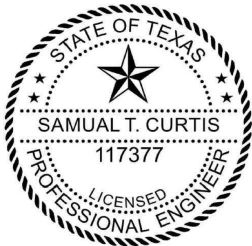
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**SAMUAL T. CURTIS, P.E.
LICENSED PROFESSIONAL
ENGINEERTEXAS NO. 117377**

SCALE

N.T.S.

GENERAL NOTES

SHEET NUMBER:	REVISION:
G1-1	0

PACKET
Page 9.82
December 20, 2021

PART 3 - EXECUTION

1. INSPECTION

To confirm proper depth and diameter of post hole excavations, all post holes will be excavated as per construction documents.

2. INSTALLATION

- A. Foundations shall have a minimum six-inch concrete cover under post.
- B. All fence posts shall be vertically plumb plus/minus one-quarter inch.
- C. At corner posts, gateposts and sides of gate frame, fabric shall be attached with stretcher and tension band-clips at fifteen inch intervals.
- D. At line posts, fabric shall be attached with band-clips at fifteen inch intervals.
- E. Fabric shall be attached to brace rails, tension wire and truss rods with tie clips at two foot intervals.
- F. A maximum gap of two inches will be permitted between the chain link fabric and the final grade.
- G. Gate shall be installed so locks are accessible from both sides.
- H. Gate hinge bolts shall have their threads peened or welded to prevent unauthorized removal.
- I. Concrete to be a minimum of 3,000 psi.

3. PROTECTION

Upon completion of erection, inspect fence material and paint field cuts or galvanizing breaks with zinc-based paint, color to match the galvanized metal.

Applicable Standards:

- ASTM-A120 Specification for pipe, steel black and hot-dipped, zinc coated (galvanized) welded and seamless.
- ASTM-A123 Zinc (hot-dipped galvanized) coated steel chain link fence fabric.
- ASTM-A153 Specification for zinc coating (hot-dip) on iron and steel hardware.
- ASTM-A392 Specification for zinc-coated steel chain link fence fabric.
- ASTM-A431 Specification for aluminum-coated steel chain link fence fabric.
- ASTM-A525 Standard specification for steel sheet zinc coated (galvanized) by the hot-dipped process.
- ASTM-A535 Specification for aluminum coated steel barbed wire.
- ASTM-A570 Specification for hot-rolled carbon steel sheet and strip, structural quality.
- Federal Specification RR-F-191 Fencing Wire and Post Metal (and Gates, Chain Link Fence Fabric and Accessories)

ELECTRICAL

1. Contractor shall review the contract documents prior to the ordering of the electrical equipment and starting the actual construction. Contractor shall issue a written notice of all findings to the architect listing any discrepancies or conflicting information.

2. Verify exact locations and mounting heights of electrical equipment with owner prior to installation.

3. All materials and equipment shall be new and in good working condition when installed and shall be of the best grade and of the same manufacturer throughout for each class or group of equipment. Materials shall be listed "J" where applicable. Materials shall meet with approval of all governing bodies having jurisdiction. Materials shall be manufactured in accordance with applicable standards established by ANSI, NEMA, NSFU and "UL" listed.

4. All conduit shall have a pull string.

5. Provide Project Manager with one set of complete electrical "As Installed" drawings at the completion of the job showing actual dimensions, routing and circuits.

6. The entire electrical installation shall be grounded as required by IBC, NEC and all applicable codes.

7. Patch, repair and paint any area that has been damaged in the course of the electrical work.

8. Wire and cable conductors shall be copper 600 amp, type THHN or THWN with a minimum size of #2 AWG color-coded. All rectifier drops shall be stranded to accept crimp connectors.

9. All chemical ground rods shall be "UL" approved.

10. Meter socket amperes, voltage, number of phases shall be as noted on the drawings, manufactured by Milbank or approved equal and shall be utility company approved.

11. CONDUIT

- A. Electrical metallic tubing shall have UL label; fitting shall be gland ring compression type.
- B. Flexible metallic conduit shall have UL listed label and may be used where permitted by code. Fittings shall be "Jake" or "Squeeze" type. All flexible conduits shall have full length ground wire.
- C. All underground conduit shall be PVC Schedule 40 with UV protection (unless noted otherwise) at a minimum depth of 24" below grade.

12. Contractor to coordinate with utility company for connection of temporary and permanent power to the site. The temporary power and all hookup costs are to be paid by the contractor.

13. All electrical equipment shall be labeled with permanent engraved plastic labels with white on blue background lettering (minimum letter height shall be 1/4"). Nameplates shall be fastened with stainless steel screws, not adhesive.

14. GROUNDING ELECTRODE SYSTEM

A. PREPARATION

- i. Surface Preparation:
All connections shall be made to bare metal. All painted surfaces shall be field inspected and modified to ensure proper contact. No washers are allowed between the items being grounded. All connections are to have a non-oxidizing agent applied prior to installation.
- ii. Ground Bar Preparation:
All copper ground bars shall be cleaned, polished and a non-oxidizing agent applied. No fingerprints or discolored copper will be permitted.
- iii. All grounding conductors shall run through seal tight wherever conductors run through walls, floors or ceilings. If conductors must run through EMT, both ends of conduit shall be grounded. Seal both ends of conduit with silicone caulk.

B. GROUND BARS

- i. All ground bars shall be 1/4" thick copper and of size indicated on drawings.

C. EXTERNAL CONNECTIONS

- i. All grounding connections shall be made by the exothermic weld process. Connections shall include all cable, splices, tee's, x's, etc. All cable to ground rods, ground rod splices and lightning protection systems are to be as indicated. All materials used (molds, welding metal, tools, etc.) shall be cadweld and installed per manufacturer's recommended procedures.

D. GROUND RODS

- i. All ground rods shall be 5/8" diameter by 10'-0" long "copperweld" or approved equal of the number and locations indicated.
Ground rods shall be driven full length vertically in undisturbed earth.

E. GROUND CONDUCTORS

- i. All ground conductors shall be standard tinned, solid bare copper, annealed and size indicated on drawings.

F. GROUND RING

- i. The external ground ring encircling the tower (if applicable) and future carrier shall be minimum size of No. 2 AWG solid tinned, bare copper conductor in direct contact with the earth at a depth specified on plan sheets and details. Conductor bends shall have a minimum bending radius of eight inches.
- ii. All external ground rings are to be joined together and all connections must be cadwelded. No lugs or clamps will be accepted.

G. FENCE / GATE

- i. Ground each gatepost, corner post and gate as indicated on drawing. Ground connections to fence posts and all other connections for the ground grid system shall be made by exothermic weld process and installed per manufacturer's recommendations and procedures and sprayed and cold-galvanized paint.



HEMPHILL®

**1305 NORTH LOUISVILLE AVE
TULSA, OK 74115
(918) 834-2200**



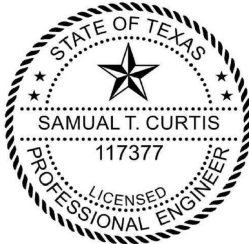
**13431 BROADWAY EXT.,
SUITE 120, OKLAHOMA CITY,
OK 73114
405.753.7167**

PROJECT NO:	1673
PROJECT NAME:	BLACK EAGLE
911 ADDRESS:	TBD
DRAWN BY:	RGH
CHECKED BY:	MK/SLT/JRH

ISSUED FOR:

APPROVAL

REV	DATE	DESCRIPTION
0	11/01/21	FOR APPROVAL



**SAMUAL T. CURTIS, P.E.
LICENSED PROFESSIONAL
ENGINEERTEXAS NO. 117377**

SCALE

N.T.S.

GENERAL NOTES

SHEET NUMBER:

G1-2

REVISION:

0

ONE-MILE INVENTORY REPORT

Applicant: Hemphill, LLC

Applications: Section 4.04.A.20.c.iii.(c)(i.) Interpretation/Specific Use Designation

Hemphill Site Name: 1673 Black Eagle

Project: 100' Stealth Monopole Tower with 8' lightning rod. Tower and ground equipment will be within a 40' x 50' masonry walled compound

Address: 5110 N Garfield Street, Midland, TX 79701

Property ID: R000185162

PIN: 707000010030

Zoning District: AE Agricultural Estate District

Land Owners: Holy Cross Evangelical Lutheran Church of Midland

In support of its Specific Use Designation application, Hemphill, LLC respectfully presents this report as required by Section 4.04.A.20.c.ii.(b):

(b) The applicant shall submit a report inventorying existing antenna support structures and antenna sites within a one-mile distance from the proposed site outlining opportunities for shared use as an alternative to the proposed one. In the case of co-location, the pro rata reimbursement to the initial applicant from the future provider shall not exceed 55 percent of the original cost for construction of the antenna support structure.

This proposed Hemphill site is being constructed to accommodate multiple providers but Verizon Wireless is the first provider committed to this location. Verizon's RF engineer has provided plots inventorying their existing site locations in the vicinity and showing the coverage (signal strength) and service footprints (best server) with and without the proposed Hemphill "Black Eagle" site at Holy Cross Evangelical Lutheran Church of Midland.

A one-mile radius search has disclosed two existing sites:

1. Crown Castle Standard Monopole

A 128' standard monopole with external antennas owned by Crown Castle is located at 32°02'12.1"N 102°07'41.7"W (West of Billingsley Blvd at the storage facility north of Hobby Lobby). A map and photo are included below.

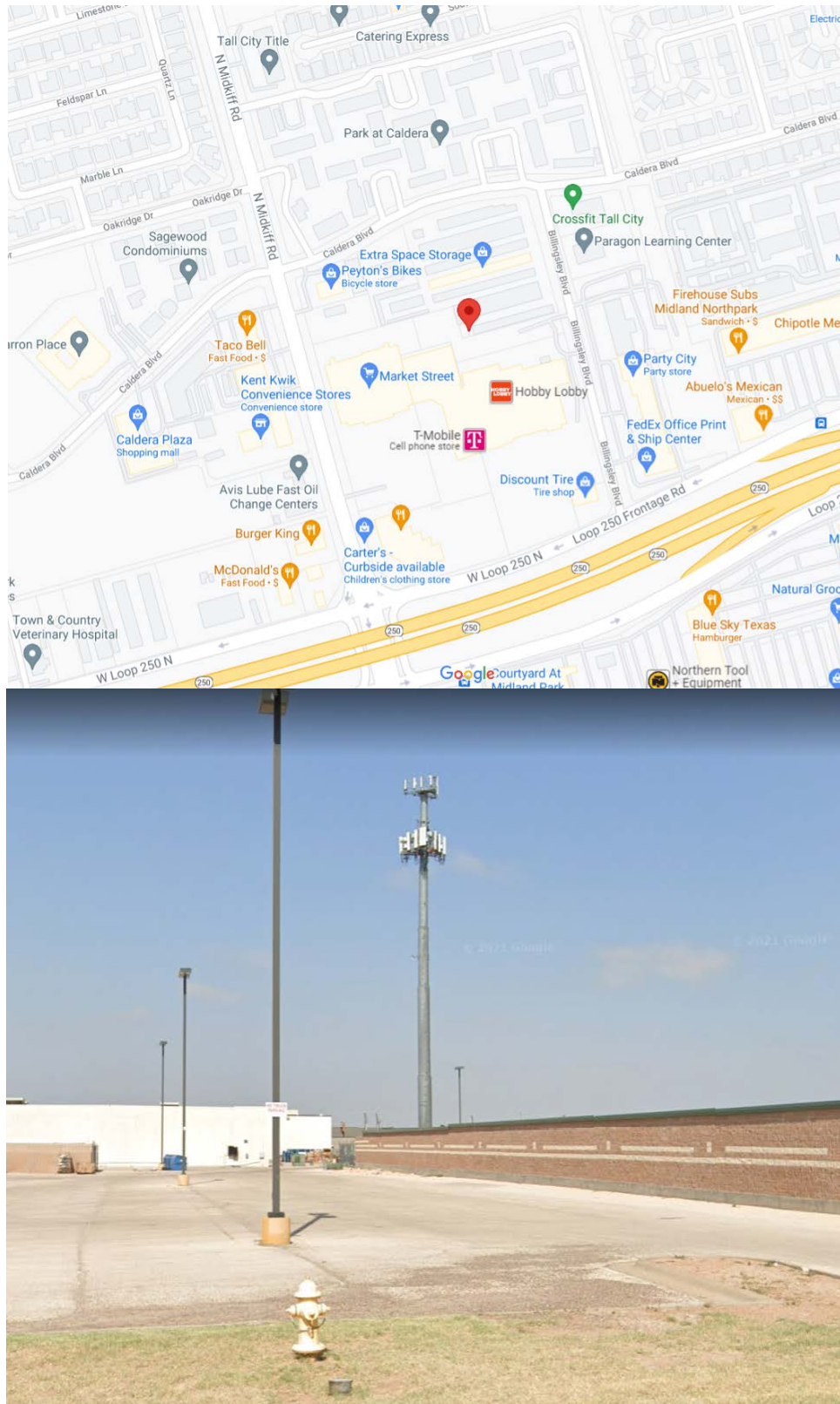
This location is outside of the proposed Hemphill location's service area where Verizon Wireless already has coverage from other locations (see excerpts from Verizon RF plots with relative site locations indicated below).

2. SBA Stealth Monopole

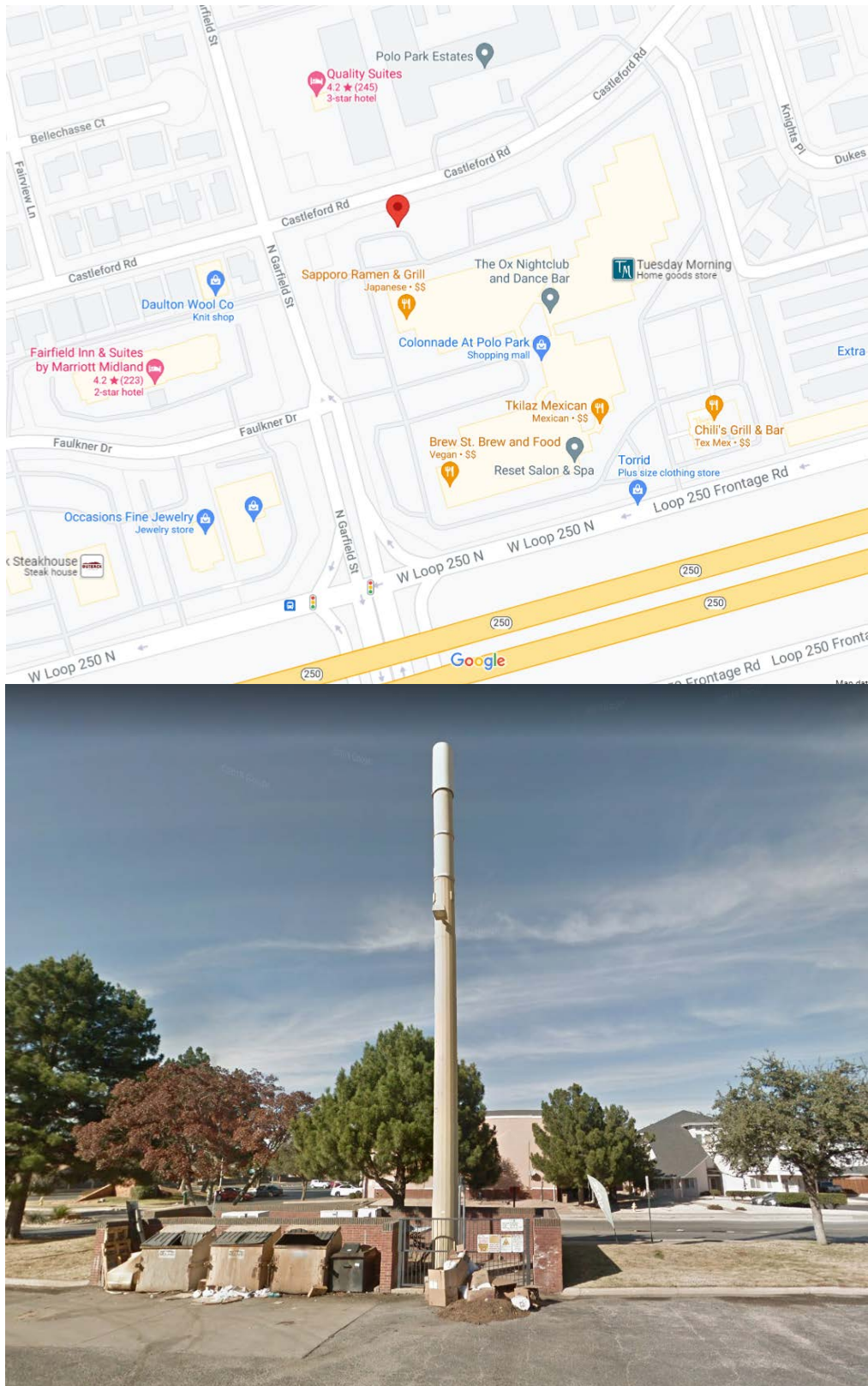
A 57' stealth monopole owned by SBA is located at 32°02'24.6"N 102°06'46.3"W (Southeast of the intersection of N Garfield Street and Castleford Drive in the Colonnade at Polo Park shopping mall area). A map and photo are included below.

This location is short in height and outside of the proposed Hemphill location's service area where Verizon Wireless already has coverage from other locations (see excerpts from Verizon RF plots with relative site locations indicated below).

Crown Castle 128' Monopole Map & Photo



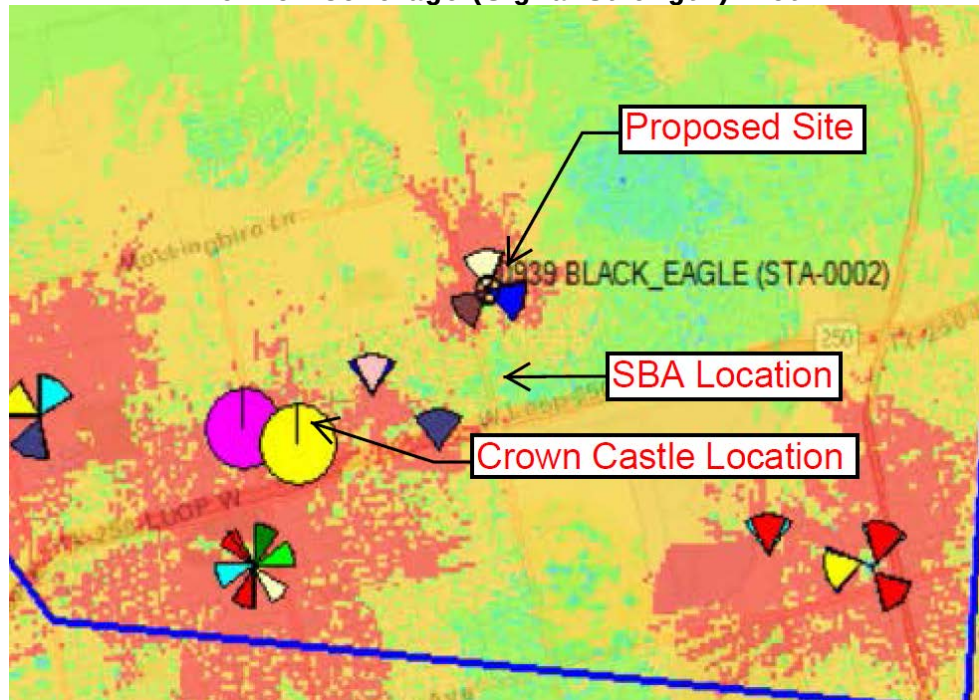
SBA 57' Stealth Monopole Map & Photo



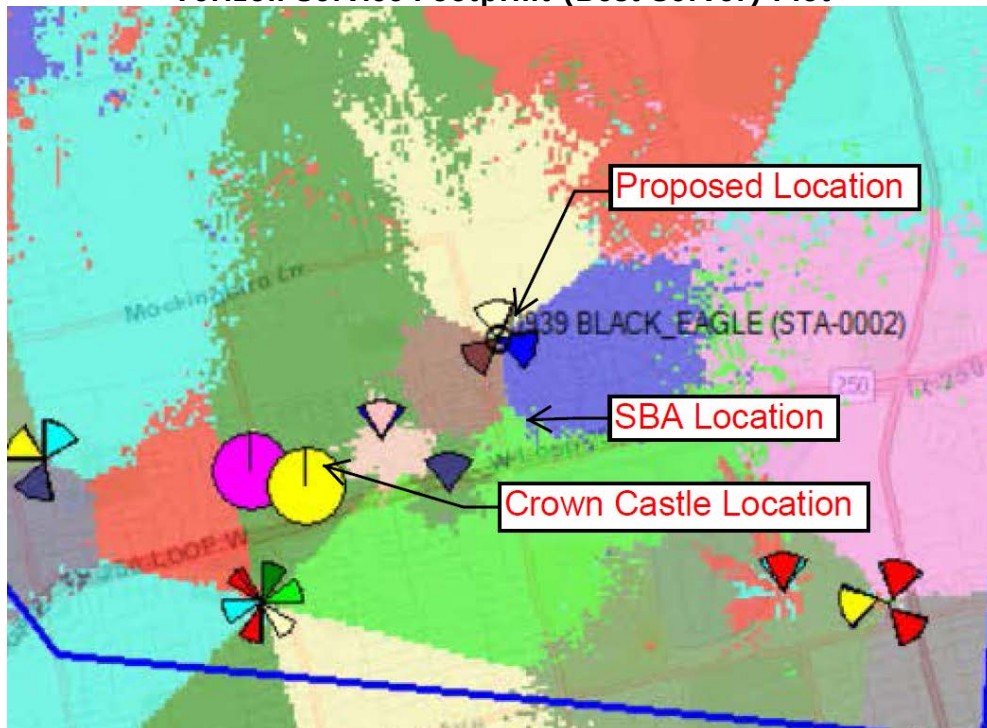
Crown Castle & SBA Locations Are Outside of Proposed Hemphill Site Service Area and Covered by Existing Verizon Sites

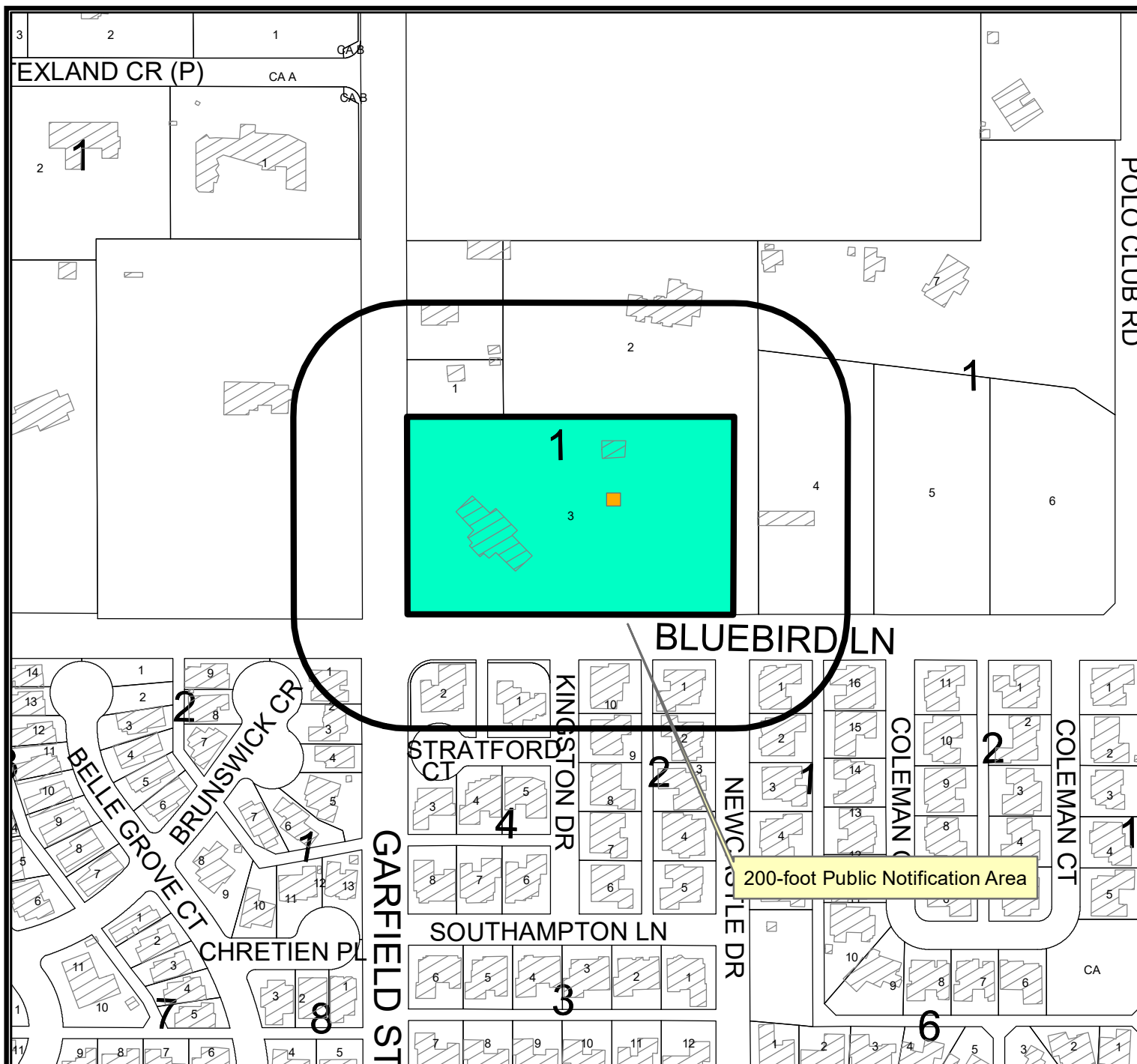
The Crown Castle and SBA sites are located outside of the proposed Hemphill site's service area where Verizon Wireless already has coverage from other locations. Consequently, they are not feasible alternatives to the proposed location.

Verizon Coverage (Signal Strength) Plot



Verizon Service Footprint (Best Server) Plot





LOCATION MAP

SUD-21-0025

Scale: 1" = 200'

A request by Faulk & Foster for a Specific Use Designation without Term for the installation of a Mono-pole Cell Tower on a portion of Lot 3, Block 1, Polo Club Addition, Section 3, City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of N. Garfield Street and Bluebird Lane - (Council District 2)

LEGEND

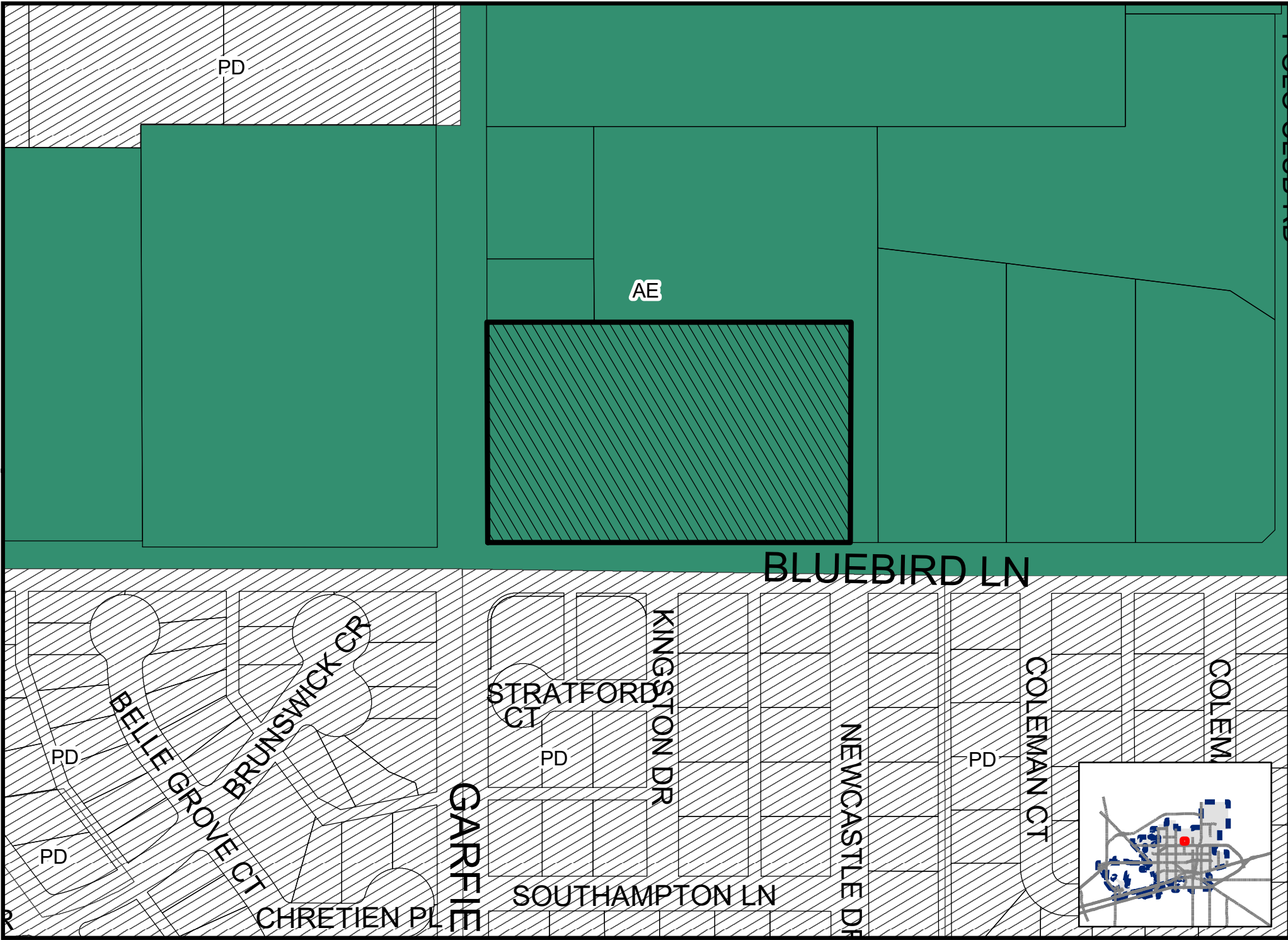
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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.



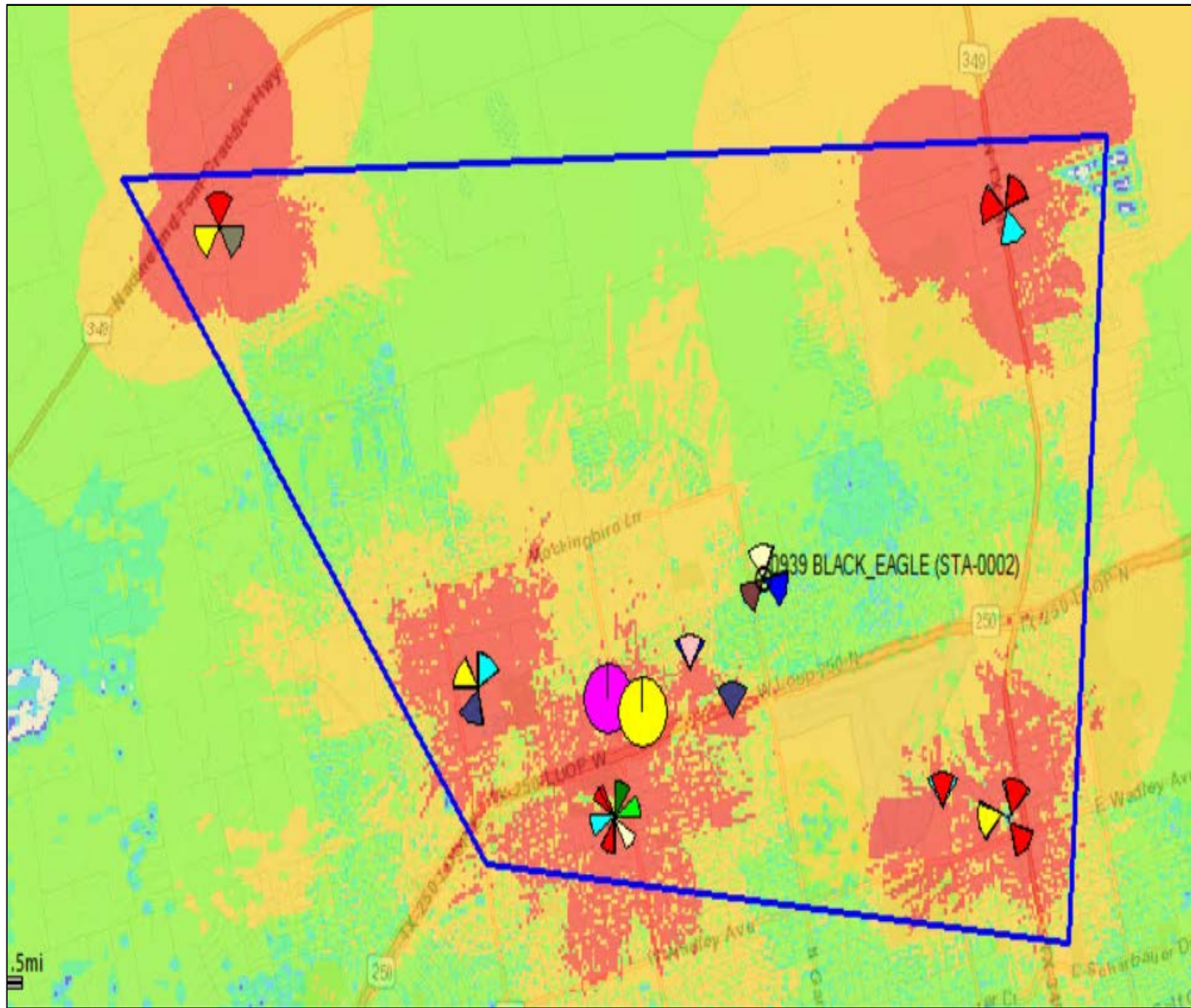


Black_Eagle Plots

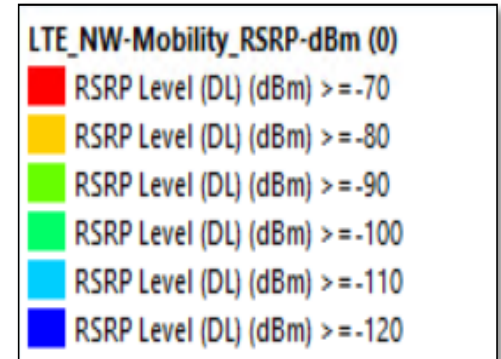
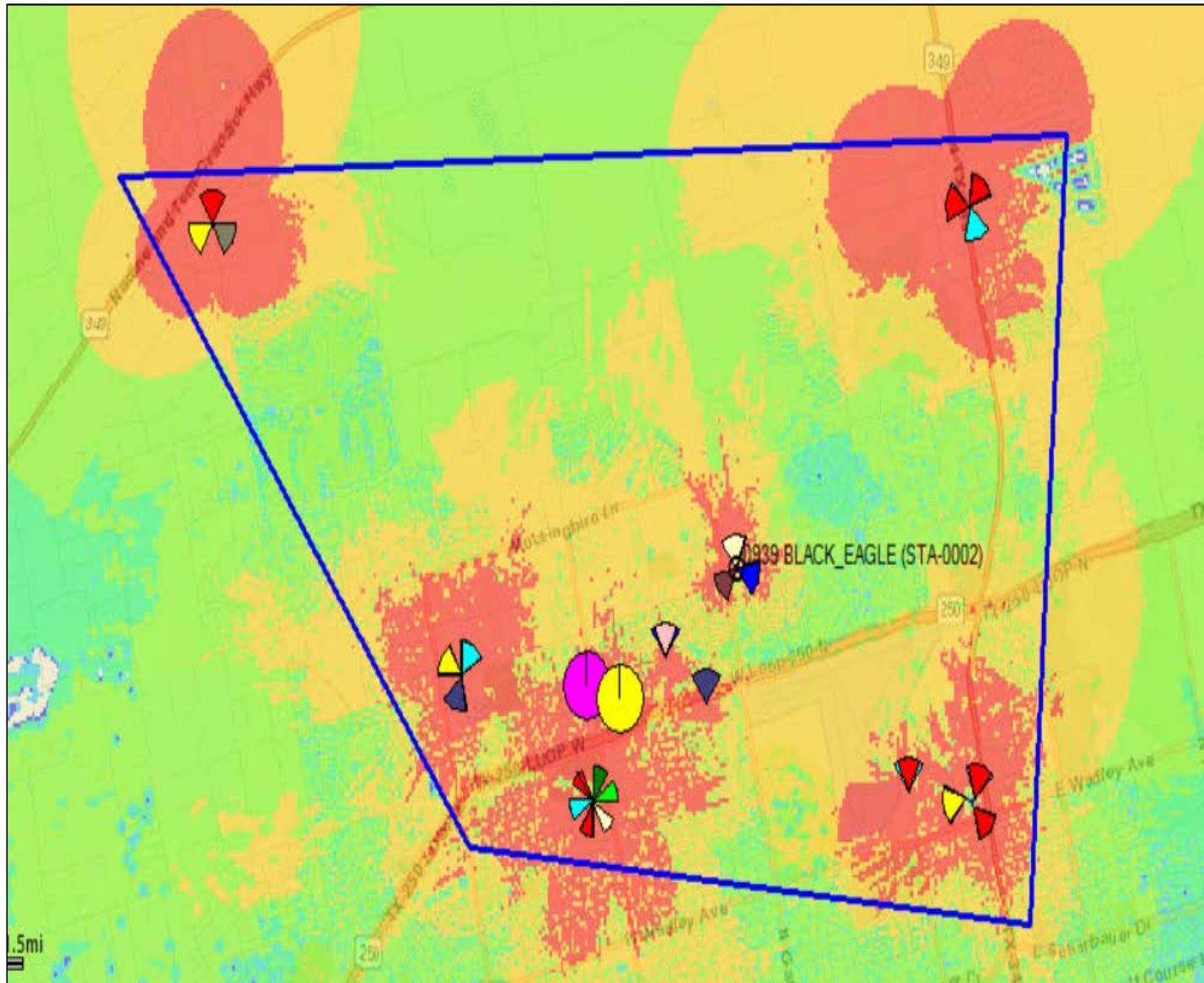
Prepared by: Smit Shah

October 26, 2021

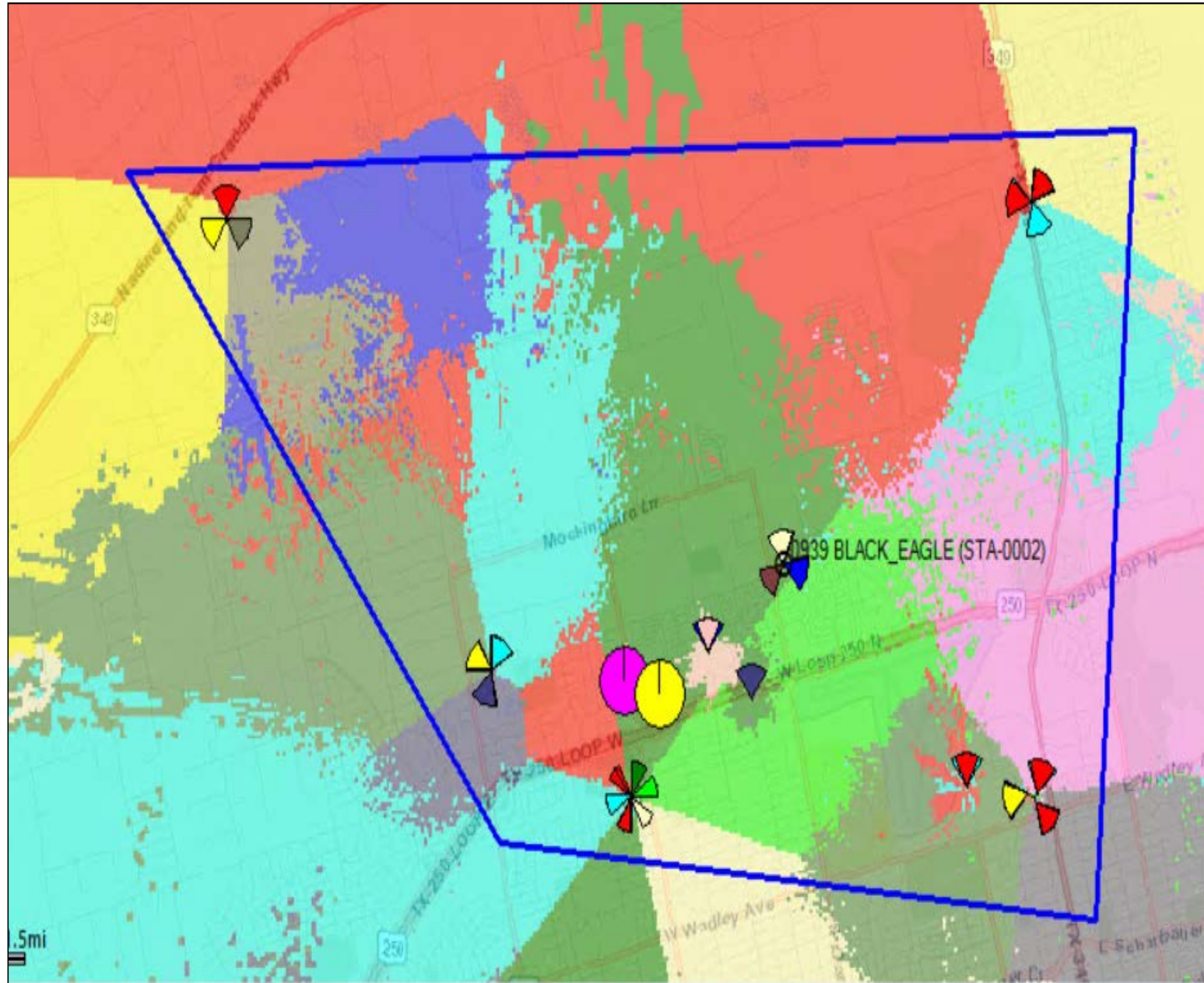
Coverage Plot – On air sites only



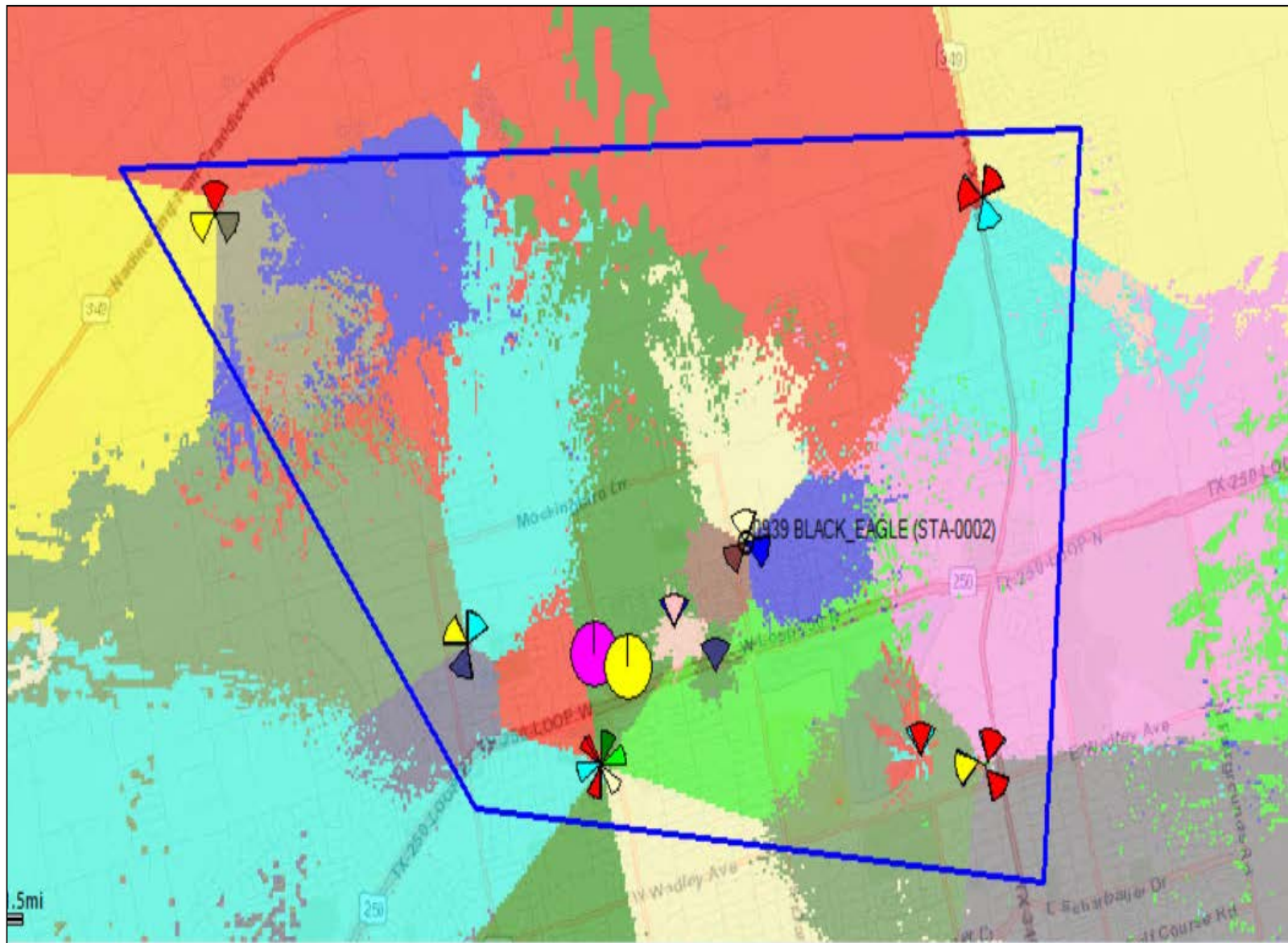
Coverage Plot – On air sites and proposed Hemphill location (Black_Eagle)



Best Server – On air sites only



Best Server – On air sites and proposed Hemphill location (Black_Eagle)





HEMPHILL®

November 15, 2021

Ron Corley
Sr. Site Acquisition Specialist
Dish Network
5701 S. Santa Fe Drive
Littleton, CO 80120

469-667-9584

NOTICE OF CO-LOCATION OPPORTUNITY
5110 N Garfield Street, Midland, TX 79701
Hemphill Site Name: 1673 Black Eagle

Dear Mr. Corley:

In compliance with City of Midland Zoning Ordinance Section 4.04.A.20.c.ii.(a) and as a part of our application for a Specific Use Designation we are providing this notice inviting you to apply for space on a proposed Hemphill site at 5110 N Garfield Street, Midland, TX 79701.

Detailed Site Information

Hemphill Site Name: 1673 Black Eagle

Latitude: 32° 02' 44.20" N

Longitude: 102° 06' 50.70" W

Ground Elevation: 2817' AMSL

Height: 100' AGL

Design: Stealth unipole with compartments at centerlines of 95' (Verizon), 85', 75', and 65' AGL.

Thank you for considering this opportunity. For more information, please contact me at your earliest convenience.


Monty Prewit
Hemphill LLC
mprewit@hemphill.com
512-992-5361

CC: Jeff Pinkstaff, Building Official
Elizabeth Shaughnessy, Planning Manager
Chuck Harrington, Development Services Director



VIEW 1: BEFORE



VIEW 1: AFTER



VIEW 2: BEFORE



VIEW 2: AFTER



VIEW 3: BEFORE



VIEW 3: AFTER



VIEW 4: BEFORE



VIEW 4: AFTER



VIEW 5: BEFORE



VIEW 5: AFTER



VIEW 6: BEFORE



VIEW 6: AFTER



VIEW 7: BEFORE



VIEW 7: AFTER



















CHARLIE QUALIA

December 15, 2021

City of Midland Planning Division
300 N. Lorraine
Midland, TX 79702

Re: Public Notice Regarding Specific Use Designation Without Term Mono-pole Cell Tower
P&Z Hearing on Monday, December 20, 2021 at 3:30pm
Case Number: SUDwo-21-0025
Case Name: Faulk & Foster

Gentlemen:

I am responding to the above referenced Planning and Zoning Commission Public Notice regarding the proposal to build a mono-pole cell tower near the intersection of Bluebird Lane and North Garfield Street, Midland, Midland County, Texas.

I am president of the Texland Estates Homeowners Association. Texland Estates is a neighborhood comprised of 17 homes on 2 acre lots located across the street west of the proposed tower site. This neighborhood is within the confines of the "Green Belt" zone of Midland, Texas which specifically requires no lots be less than 2 acres in size and no commercial enterprises/properties be established.

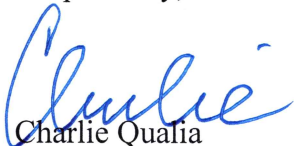
The Texland Estates neighborhood is unanimously and enthusiastically against the proposed mono-pole cell tower location.

The proposed tower site is located in an established neighborhood of single family homes where nobody wants to see a tower. Cell tower sites that I have seen are located on undeveloped land or farm and ranch land.

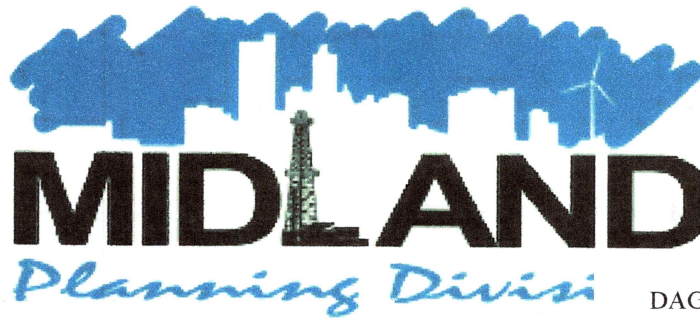
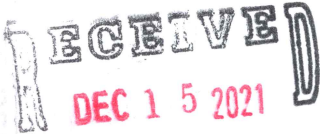
Having such a tower in an established neighborhood would likely devalue the property in the vicinity since nobody wants to see a shadow of a tower across their home as well as any blinking lights through the house.

I am sure an alternate site can be chosen so not to interfere with the surrounding neighborhood values or aesthetics.

Respectfully,


Charlie Qualia

mailed 12/13/21



DAGENHART KEITH
5515 NEWCASTLE DR
MIDLAND TX 79705

BY:

PUBLIC NOTICE

The **Planning & Zoning Commission** of the City of Midland, Texas, will hold a public hearing at **3:30 p.m.** on **Monday, December 20, 2021**, in the Council Chamber, City Hall, 300 N. Loraine Street, Midland, TX 79701, on a request by **Faulk & Foster** for a **Specific Use Designation without Term** on the following described property:

LEGAL DESCRIPTION: A portion of Lot 3, Block 1, Polo Club Addition, Section 3, City and County of Midland, Texas.

LOCATION: Generally located on the northeast corner of the intersection of N. Garfield Street and Bluebird Lane- (Council District 1)

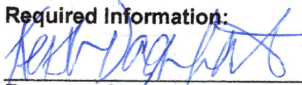
CURRENT ZONING: AE, Agricultural Estate District

SPECIFIC USE: For the installation of a mono-pole cell tower

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

I object to this request ☒ Comments:

Required Information:


Property Owner's Signature


Printed Name


Property Address (No P. O. Boxes) 79705

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

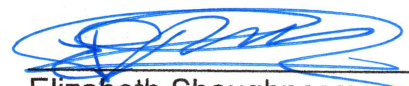
Notices Mailed: 17

Date Mailed: December 10, 2021

Case Number: SUDwo-21-0025

Case Name: Faulk & Foster

CF 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. 0

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



WALKER CLINT D & RISA R
WALKER
2108 BLUEBIRD LN
MIDLAND TX 79705

PUBLIC NOTICE

The **Planning & Zoning Commission** of the City of Midland, Texas, will hold a public hearing at **3:30 p.m.** on **Monday, December 20, 2021**, in the Council Chamber, City Hall, 300 N. Loraine Street, Midland, TX 79701, on a request by **Faulk & Foster** for a **Specific Use Designation without Term** on the following described property:

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LOCATION: Generally located on the northeast corner of the intersection of N. Garfield Street and Bluebird Lane- (Council District 1)

CURRENT ZONING: AE, Agricultural Estate District

SPECIFIC USE: For the installation of a mono-pole cell tower

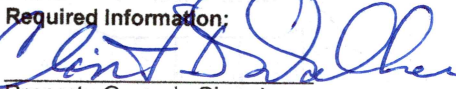
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I object to this request ☒ Comments:

SEE

ATTACHED DOCUMENT

Required Information:


Property Owner's Signature

CLINT D. WALKER
Printed Name

2108 BLUEBIRD LANE
MIDLAND, TEXAS 79705
Property Address (No P. O. Boxes)

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

Notices Mailed: 17

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December 15, 2021

City of Midland Planning Division
P.O. Box 1152
Midland, Texas 79702-1152

I am responding to the notification received via mail on December 14, 2021. The notification is brief as we have only 6 total days to respond and attend the meeting even though vacation was planned.

I am NOT in favor of the proposed 110' "stealth" tower at the proposed location.

The proposed site is in the "Green Belt" which is specifically sites no less than 2 acres with homes and agriculture crops and animals except for pigs. No commercial properties in the Green Belt unless related to farm or equine activities (i.e., barns).

The proposed site is just North of an established neighborhood and directly in front of my home. The majority of cell tower sites throughout Midland and Odessa are located on retail or commercial sites. The exception is a tower on a city of Midland water facility on the south side of Bluebird near Midland drive. Once again, not in the "Green Belt". The other cell tower sites that I have seen are on undeveloped land or farm and ranch land. Also, the proposed "stealth" tower will be visible from every window in front of my house and backyard as well as from multiple homes and residential developments.

The proposed cell tower is in direct air traffic patterns from Midland Airpark.

The proposed cell "stealth" tower would trespass across my property line in the event of a failure fall.

The proposed "stealth" cell tower will devalue my property as no one wants a shadow of a tower across their home as well as a blinking red light throughout their house. The construction of the proposed 110' "stealth" tower would be considered as a "Substantial Taking" from my point of view if the proposed construction moved forward.

I hope an alternative site could be chosen as to not affect anyone's value or aesthetics of their property.

Respectfully,



Clint Walker
2108 Bluebird Lane
Midland, Texas 79705

RECEIVED
DEC 15 2021



SINGH LALLBAHADUR
2206 STRATFORD CT
MIDLAND TX 79705-1712

BY:

PUBLIC NOTICE

The **Planning & Zoning Commission** of the City of Midland, Texas, will hold a public hearing at **3:30 p.m.** on **Monday, December 20, 2021**, in the Council Chamber, City Hall, 300 N. Loraine Street, Midland, TX 79701, on a request by **Faulk & Foster** for a **Specific Use Designation without Term** on the following described property:

LEGAL DESCRIPTION: A portion of Lot 3, Block 1, Polo Club Addition, Section 3, City and County of Midland, Texas.

LOCATION: Generally located on the northeast corner of the intersection of N. Garfield Street and Bluebird Lane- (Council District 1)

CURRENT ZONING: AE, Agricultural Estate District

SPECIFIC USE: For the installation of a mono-pole cell tower

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:

1. Eyesore 2. Significant amount of cancer causing RF signal

Required Information:

Lallbahadur Singh
Property Owner's Signature

Lallbahadur Singh
Printed Name

2206 Stratford Ct.
Property Address (No P. O. Boxes)

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

Notices Mailed: 17

Date Mailed: December 10, 2021

Case Number: SUDwo-21-0025

Case Name: Faulk & Foster

CF Planner's Initials

Elizabeth Shaughnessy
Planning Division Manager
Department of Development Services

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www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



RECEIVED
DEC 15 2021

PUBLIC NOTICE

BY: _____

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LOCATION: Generally located on the northeast corner of the intersection of N. Garfield Street and Bluebird Lane- (Council District 1)

CURRENT ZONING: AE, Agricultural Estate District

SPECIFIC USE: For the installation of a mono-pole cell tower

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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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CF 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. 0

www.MidlandTexas.gov

Planning Division • 300 N. Loraine, Midland TX 79702 • 432-685-7400



Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of NGL Addition, Section 2, being a plat of an 8.56-acre tract of land out of Section 14, Block 38, T-2-S, RR Co. Survey, Midland County, Texas. (Generally located on the south side of South County Road 1161, approximately 1,079-feet east of South County Road 1165. (Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to plat an 8.56-acre tract of land out of Section 14, Block 38, T-2-S, RR Co. Survey, Midland County, Texas. for ownership purposes.

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Departmental Review:

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

check the calculated distance between shown coordinates compared to shown distance on the east line of plat.

ENGINEERING: (Approved with Conditions)

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

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

PAVING: E CR 123 is sub-standard, construct to City Standards for entire platted frontage or request a deferral. [Reference City Code Section 11-2-4(A) 2(a)]

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral based on located in the South Midland Utility District. [Reference City Code Section 11-2-4(A) 2(a)]

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

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

SEWER: None existing. Construct wastewater to City standards along entire platted frontage or request a deferral. [Reference City Code Section 11-2-4(A) 2(a)]

For areas not served by wastewater that are platting for a septic permit.

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

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

DRAINAGE: Drainage study approved for platting on 12/13/2021.

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

SIDEWALKS: Required at building permit. However, tract located in county so request a deferral. [Reference City Code Section 11-2-4(A) 2(a)]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

FIRE: (Approved)

Recommend following the requirements of IFC 2015 ed.

CODE COMPLIANCE: (Approved)

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

GIS:

The call after the beginning point extends 32 feet south of the x and y coordinates for the southeast corner.

Health:

Yes, the health department will review application from the 1 proposed lot of NGL ADDITION SECTION 2, PLAT OF A 8.5 ACRE TRACT OF LAND OF SECTION 14, BLOCK 38, T-2-S, T. & P. RR. CO. SURVEY the lot is 8.5 acre to ensure the proposed plans on the application for the septic system and the existing meatal building will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING:

Correct the spelling error on the legal description from Ry to RR. [Informational]

Verify direction calls. See GIS comments. See Midland City Code 11-2-3(D)4.

The street name north of the property should be South County Road 1161.
[Informational]

Identify the Railroad Commission Oil and Gas pipelines (2015) and (2017) that run across the property. Midland City Code 11-2-3(D)4(e).

Label the existing utilities and access easement on the plat. See Midland City Code 11-2-3(H)3(11).

Staff recommends approval of the preliminary plat of NGL Addition, Section 2 subject to conditions A through D.

Conditions:

- A. Approval of this preliminary plat is subject to the final plat including a drawing of the boundary description which has been prepared by a registered surveyor and shall bear his seal, signature and date on each sheet and a statement that the boundary description shown thereon accurately describes the survey of the tract boundary conducted by said surveyor. Midland City Code 11-2-3(D)4

- B. Approval of this preliminary plat is conditioned upon the final plat identifying the Railroad Commission Oil +Gas Pipelines 92017) and Railroad Commission Well Lateral (2015). See Midland City Code 11-2-3(D)4(e).
- C. Approval of this preliminary plat is conditional upon the public improvements being completed prior to the approval of a final plat by the City or with an exemption when waived or deferred by the council. See Midland City Code 11-2-4(A)2(a).
- D. Approval of this preliminary plat is conditioned upon the final plat containing the existing utilities and access easement on the plat. See Midland City Code 11-2-3(H)3(11).

Attachments:

Proposed Preliminary Plat (Exhibit A)

Maps

Application



Preliminary Plat Application

Project Number: SUB-21-0438
Case Number: P-21-1229

Proposed Subdivision Plat Name: **OMG ADDITION SECTION 8**

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

Property Owner

Printed Name: **Javier Valles**

Phone **(432) 230-8040**

Email **javiervalles@gmail.com**

Address **4413 Verde Glen Court**

City **Midland**

State **TX**

Zip **79707**

Developer (if different than Owner) Printed Name:

Phone ()
Email

Address

City

State

Zip

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

Firm: **Schumann Engineering Co., Inc.**

Printed Name: **Eduardo L. Aleman**

Phone **(432) 684-5548**

Email
ealeman@schumannonline.net

Address **800 N. Mariefeld Suite 100**

City **Midland**

State **TX**

Zip **79701**

Current Zoning:

Reason for Platting: **to divide tracts into 4 lots and obtain septic permits.**

Plat Information

Total Acreage: **5.583**

Type: ☐ Single-Family Residential

☐ Multi-Family Residential

☐ Commercial

☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: **4**

Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

RECEIVED
NOV 08 2021
BY: CF

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature): x Javier Valles

Date: 11-4-21

Property Owner (printed): Javier Valles

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

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

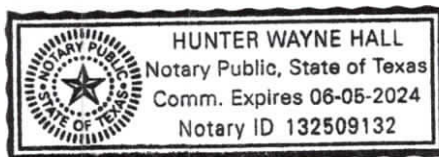
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo L. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 4th day of November, 20 21, to certify which witness my hand and seal of office.



HWH

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 1702

Received By: Wade Fugener

Date: 11-5-21

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

Provisions

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

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

Property Owner (signature): Maria L. Valles

Date: 11-4-21

Property Owner (printed): Maria Valles

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

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

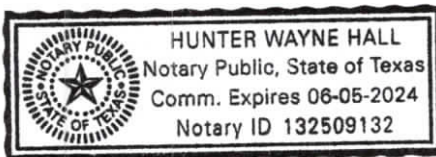
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

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

Eduardo J. Aleman
Authorized Agent (signature)

Subscribed and sworn to before me, this 4th day of November, 20 21, to certify which witness my hand and seal of office.



HWH

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 1702

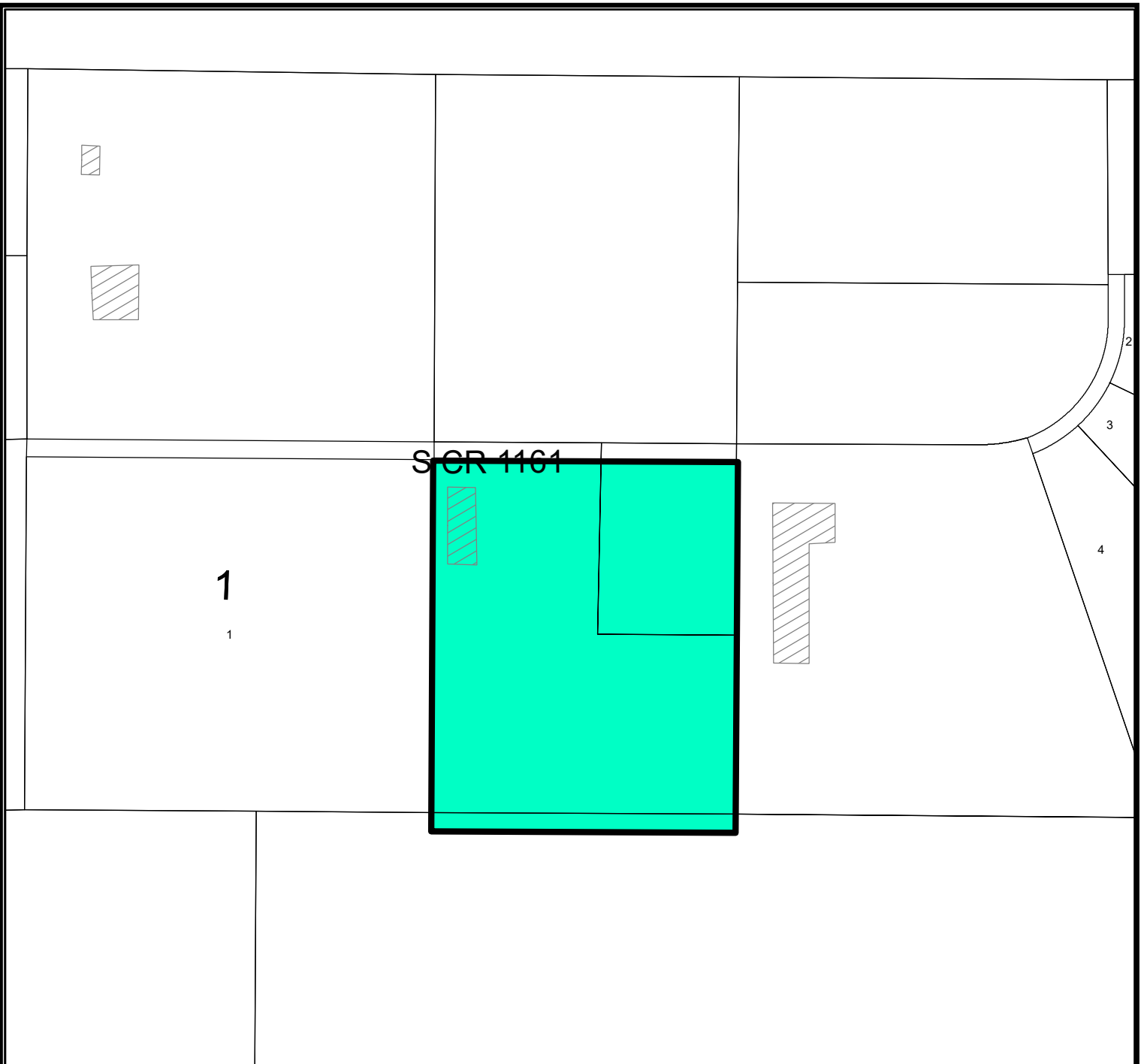
Received By: John F. [Signature]

Date: 11-5-21

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

PRELIMINARY PLAT





LOCATION MAP

SUB-21-0468

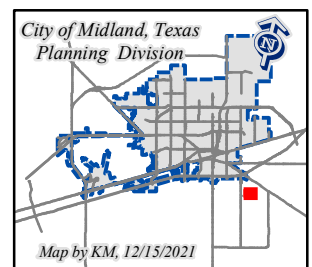
Scale: 1" = 200'

Proposed plat of NGL Addition, Section 2 being a plat of an 8.56-acre tract of land out of Section 14, Block 38, T-2-S, RR Co. Survey, Midland County, Texas.

Generally located on the south side of South County Road 1161, approximately 1,079-feet east of South County Road 1165. (ETJ, 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

DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Final Plat of Westcliff Addition, Section 5, being a residential re-plat of Lots 1 through 3, Block 6, Westcliff Addition, City and County of Midland, Texas. (Generally located at the northeast corner of the intersection of Princeton Avenue and Westcliff Drive. Council District 4)

Recommended Planning and Zoning Commission Action:

☒ Approve

☒ Deny

☐ Direction/Informational

Details of Request:

The applicant, S.W. Howell Inc., is requesting to re-plat Lots 1 through 3, Block 6, Westcliff Addition, into one (1) lot for the construction of a church.

Current Zoning:

2F, Two Family Dwelling (Duplex) District.

Preliminary Plat Approval:

A public hearing was held and the preliminary plat was approved at the December 7, 2020 Planning and Zoning Commission meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

BUILDING CODE: (Approved)

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

ENGINEERING: (Denied)

IMPACT FEES: Impact Fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: Westcliff Drive is not currently paved to City Standards. Construct Westcliff to City Standards along the platted frontage.

WATER: Water exists in Westcliff, however, it does not extend the full length of the platted frontage. Loop water line through the alley on the East side of the development or request a deferral.

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

PRO RATA: None.

SEWER: No Sewer Existing in Westcliff. Install Sewer line to City of Midland Standards along the alley to the east of the property or request a deferral. [Per Midland City Code Section 11-2-4(A)2(a)]

DRAINAGE: Drainage report required.

EASEMENTS: Okay as shown.

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.

No objections to plat.

FIRE: (Approved)

No additional comments,

All future development is required to meet all provision of the IFC 2015 ed.

CODE COMPLIANCE: (Approved)

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

PLANNING:

All department's comments have been satisfied.

Staff recommends denial of the final plat of Westcliff Addition, Section 5 provided however, that if it is approved, staff recommends that it should be subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is conditioned upon public improvements being completed prior to the approval of a final plat by the City. Or with an exception when waived or deferred by the Council. See Midland Code 11-2-4(A)2(a).
- B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps



Final Plat Application

Project Number: 34B-20-0360
Case Number: P-21-1012

Proposed Subdivision Plat Name: Westcliff Addition, Section 5

Legal Description (attached sealed Metes and Bounds): Lots 1-3, Block 6 Westcliff Addition

Property Owner Printed Name: <u>Exodus Church of God People</u>		Phone (612) 812-7062 Email <u>exoduschurch_midlandtx@yahoo.com</u>	
Address <u>1404 Westcliff Dr</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79703</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>S.W. Howell Inc.</u> Printed Name: <u>Janie Howell</u>		Phone (432) 367-5711 Email <u>j.howell@swhowell.com</u>	
Address <u>409 E 57th</u>	City <u>Odessa</u>	State <u>TX</u>	Zip <u>79762</u>

Current Zoning: 2F-Two Family Dwelling District

Reason for Platting: Combine 3 Lots into 1 for building site to construct a church.

Plat Information	Total Acreage: <u>.68</u>
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots:	Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" \$61.00

For plats that exceed 24" \$81.00

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

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

Property Owner (signature):

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.

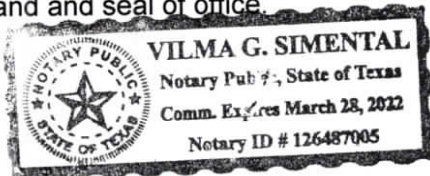
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Janie Howell who, being by me duly sworn, upon oath says: That (s)he is authorized by Exodus Church of God People, 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.

Janie Howell
Authorized Agent (signature)

Subscribed and sworn to before me, this 26th day of January, 20 21, to certify which witness my hand and seal of office.



Vilma D. Simental
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS



FOR OFFICE USE ONLY

BY: [Signature]

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☒ Plat in Digital Format (PDF/JPEG)

☐ Mylar n/p

☒ 1 Copy of Plat (11x17)

☐ CADD File

☒ Application Fee

☒ Title Opinion out of date

☐ Public Improvement

Check # 8172

☐ Tax Certificates n/p

☒ Recording Fee

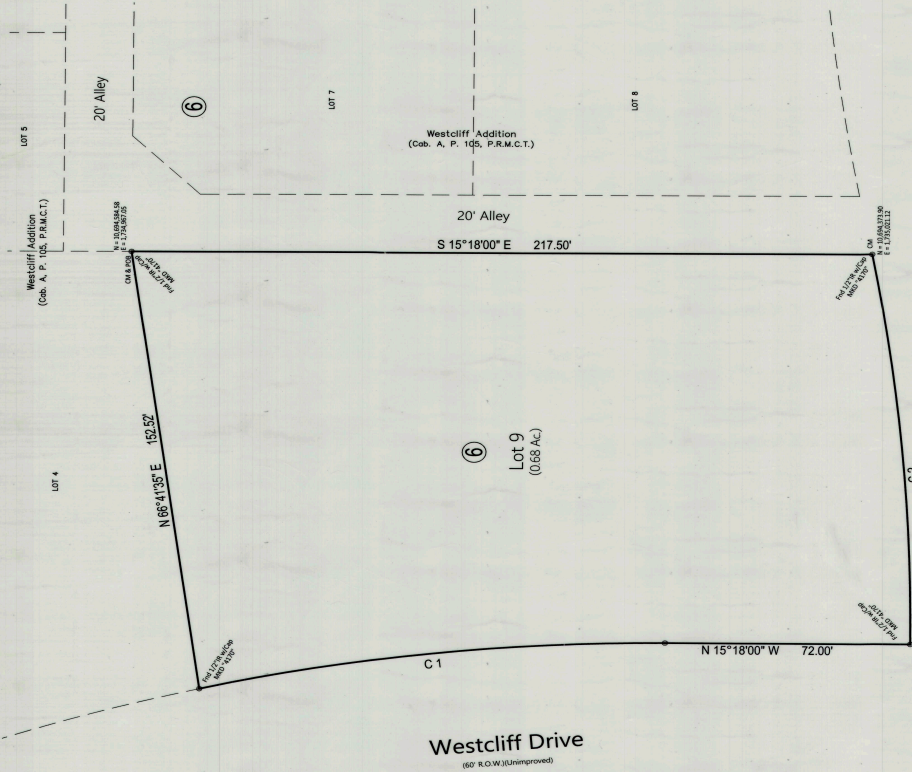
Check # 8173

Received By: Joseph Magallon

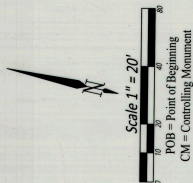
Date:

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

WESTCLIFF ADDITION, SECTION 5 BEING A REPLAT OF LOTS 1-3, BLOCK 6, WESTCLIFF ADDITION, AN ADDITION TO THE CITY OF MIDLAND AND BEING A SUBDIVISION OF 0.68 ACRES IN SECTION 30, BLOCK 39, T-1-S, T&P RY. CO. SURVEY, MIDLAND COUNTY, TEXAS



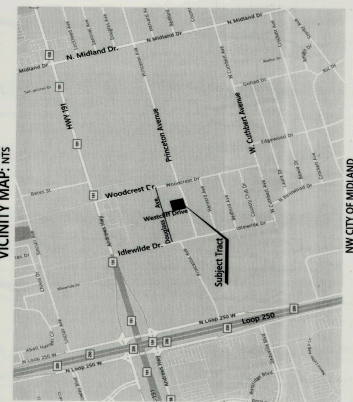
C U R V E D A T A				
NO.	DETA	ANGLE	RADIUS	LENGTH
1	1401.26	55.81	138.00	N 22° 18' 43" W 137.65
2	1038.08	77.21	135.00	N 69° 26' 03" W 134.80



NOTES:

1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. BEARINGS ARE RELATIVE TO THE EAST BOUNDARY LINE OF LOTS 1-3, BLOCK 6, WESTCLIFF ADDITION, SECTION 5, WHICH IS RECORDED IN CABINET A, PAGE 105. PLAT RECORDS OF MIDLAND COUNTY, TEXAS.
3. COORDINATES SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).
4. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOTS(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
5. THE PROPERTY SHOWN HEREON APPEARS TO BE IN ZONE "X" AS INTERPRETED FROM OUR FILE COPY OF FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, PANEL NO. 4832800182F DATED JANUARY 18, 2008. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THIS INFORMATION. THE LOCAL FLOOD PLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR VERIFICATION.
6. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLANNING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEE MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

VICINITY MAP: NTS



UTILITY COMPANY CERTIFICATE

This plat has been checked for accessibility of utilities.

STATE OF TEXAS
COUNTY OF MIDLAND

KNOW ALL MEN BY THESE PRESENTS

That I, Sam Howell, II, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown hereon were properly placed under my supervision.

DATED 05-04-2020



Mark Spivey Anna Energy
Robert R. Johnson Pottery & Blends
Vicki Vicki's
Louis Montez Louis Montez
Louis Montez Louis Montez

SURVEYOR'S CERTIFICATE

LUCY SISNEGA

Chairman of Planning and Zoning Commission

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

INSTRUMENT NUMBER: _____



S.W. HOWELL, INC.
488 East 5th Street, Suite 100
Midland, Texas 79701
Phone (409) 391-2311
FAX (409) 391-2312
TELETYPE (409) 391-2313
FACSIMILE (409) 391-2314
E-MAIL: showell@swhowell.com
WWW: www.swhowell.com

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, EXODUS CHURCH OF GOD are the record owners of Lots 1-3, Block 6, Westcliff Addition, an addition to the City of Midland, Midland County, Texas, recorded in Cabinet B, Page 176, Plat Records of Midland County, Texas, and more particularly described hereon:

FELD NOTES OF A 0.68 ACRE TRACT BEING LOTS 1-3, BLOCK 6, WESTCLIFF ADDITION, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS; RECORDED IN CABINET B, PAGE 176, PLAT RECORDS OF MIDLAND COUNTY, TEXAS; BEGINNING at a 1/2 inch iron rod with cap marked "RPLS 4170" found in the west line of a 20 foot wide north-south alley for the southeast corner of Lot 4, Block 6, Westcliff Addition, an addition to the City of Midland, Midland County, Texas, recorded in Cabinet B, Page 176, Plat Records of Midland County, Texas, and for the northeast corner of Lot 3 and Block 6 and thence:

THENCE S 15°18'00" E, with the west line of said 20 foot wide north-south alley and the east boundary line of Lot 3 and Lot 2 and 1 of said Block 6, 217.50 feet, to a 1/2 inch iron rod with cap marked "RPLS 4170" found in the north line of Princeton Avenue for the southeast corner of said Lot 1 and this tract;

THENCE N 15°18'00" W, with the east line of said Westcliff Drive and the west boundary line of said Lot 1, and thence with the west boundary line of said Lot 2, 72.00 feet, to a point for a Point of Curvature;

HENCE with the west line of said Westcliff Drive and the west boundary line of said Lot 2 and said Lot 3 and thence with the west line of said Westcliff Drive and the west boundary line of said Lot 3, 137.65 feet, to a 1/2 inch iron rod with cap marked "RPLS 4170" found in the east boundary line of Westcliff Drive for the southwest corner of said Lot 4 and for the northwest corner of said Lot 3 and for this tract;

THENCE N 69°41'35" E, with the south boundary line of said Lot 4 and the north boundary line of said Lot 3, 152.52 feet, to the Point of Beginning and containing 0.68 acres of land.

ACKNOWLEDGEMENT

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, EXODUS CHURCH OF GOD, do hereby adopt this plat designating the herein heron described property as "WESTCLIFF ADDITION, SECTION 5", an addition to the City of Midland, Midland County, Texas, Being a 0.68 acre tract of land in Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys and easements as shown hereon.

WITNESS my hand at Midland County, Texas this 8th day of December, 2020.

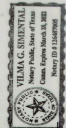
EXODUS CHURCH OF GOD PEOPLE

Ademolu Adeyemi Oluobajo
Ademolu Adeyemi Oluobajo, Pastor and Trustee
Oluwatunmbayo Rachael Oluobajo, Trustee

STATE OF TEXAS
COUNTY OF MIDLAND

This instrument was acknowledged before me on December 08, 2020, by Ademolu Adeyemi Oluobajo, Pastor and Trustee, of EXODUS CHURCH OF GOD PEOPLE.

My Commission Expires: March 20, 2022 *Vilma G. Simental*
Notary Public, State of Texas
Printed Name of Notary



STATE OF TEXAS
COUNTY OF MIDLAND

This instrument was acknowledged before me on December 08th, 2020, by Oluwatunmbayo Rachael Oluobajo, Trustee, of EXODUS CHURCH OF GOD PEOPLE.

My Commission Expires: March 20, 2022 *Vilma G. Simental*
Notary Public, State of Texas
Printed Name of Notary



CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "REPLAT OF LOTS 1-3, BLOCK 6, WESTCLIFF ADDITION" was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____, 2020.

ELIZABETH SHAUGHNESSY

Secretary of Planning and Zoning Commission

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

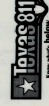
NO. _____ CABINET _____

DATE: _____ PAGE _____

INSTRUMENT NUMBER: _____



S.W. HOWELL, INC.
488 East 5th Street, Suite 100
Midland, Texas 79701
Phone (409) 391-2311
FAX (409) 391-2312
TELETYPE (409) 391-2313
FACSIMILE (409) 391-2314
E-MAIL: showell@swhowell.com
WWW: www.swhowell.com



SAM HOWELL, II
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4631



LOCATION MAP

SUB-20-0360

Scale: 1" = 250'

Proposed plat of Westcliff Addition, Section 5 being a re-plat of Lots 1 through 3, Block 6, Westcliff Addition, City and County of Midland, Texas.

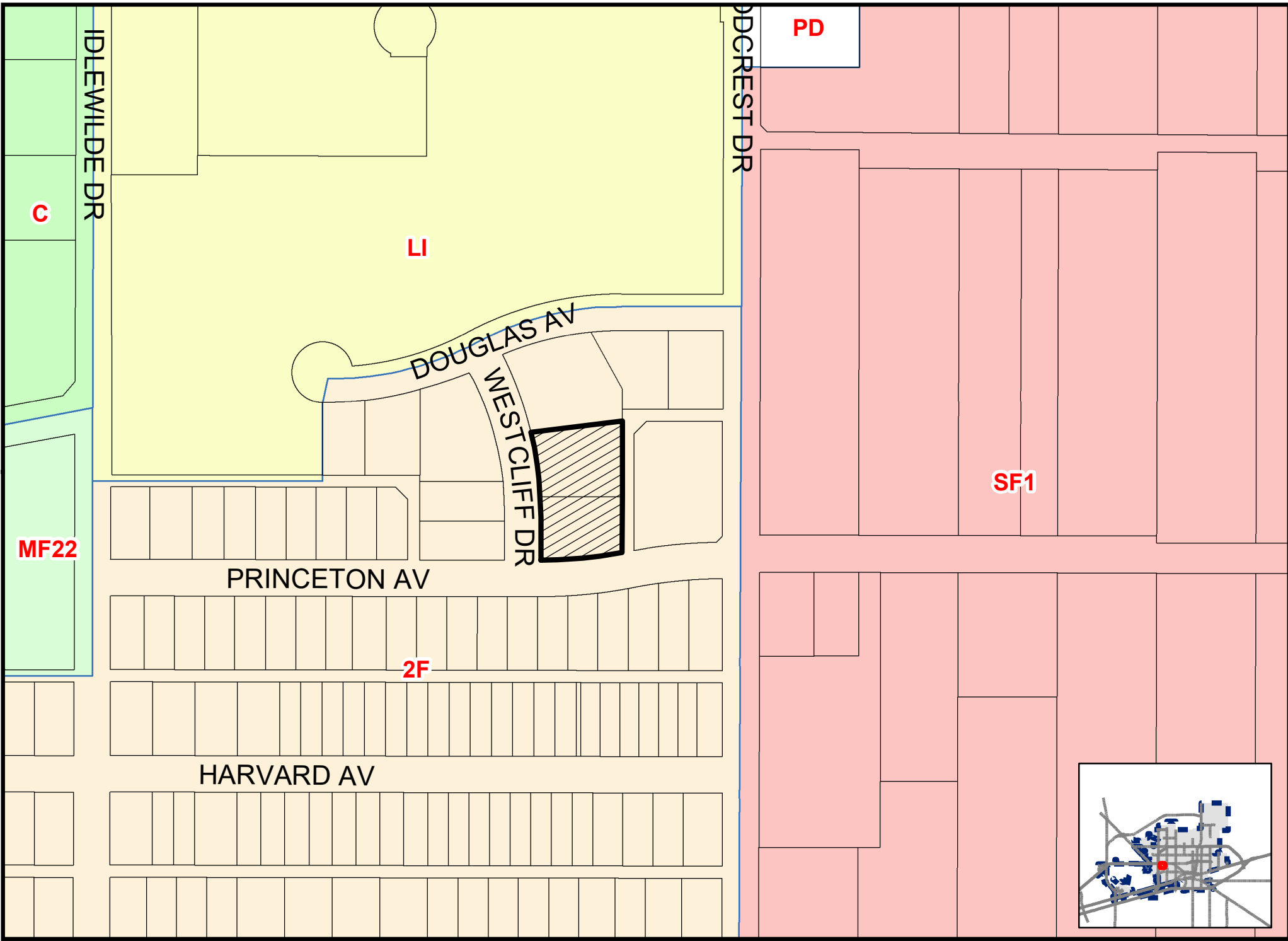
Generally located at the northeast corner of the intersection of Princeton Avenue and Westcliff Drive. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2020
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.













Planning and Zoning Commission

Approved for
Agenda:
Elizabeth Shaughnessy

MEETING DATE: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Cole Furqueron, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a Preliminary Plat of Kimber-Lea Addition, Section 14, being a 4.67-acre tract of land out of Lot 15, Block 10, Kimber-Lea Second Section, Blocks 8,9,10, & 11, an addition to the City and County of Midland, Texas. Generally located on the north side of Wadley Avenue, approximately 170 feet to the east of Midkiff Road - (Council District 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Maverick Engineering, is requesting to replat 4.67-acre tract of land out of Lot 15, Block 10, Kimber-Lea Second Section, Blocks 8,9,10,11 for commercial development and ownership purposes.

Current Zoning:

PD, Planned Development District for a Shopping Center.

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.

ENGINEERING: (Approved)

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

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

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

WATER: 24" water exists in Wadley Avenue south of tract, okay as is. No public water improvements required. [For the Applicant's information only.]

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

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

SEWER: 12" sewer exists in Wadley Avenue south of tract, okay as is. 6" sewer exists in alley north and east of tract, okay as is. No public improvements required. [For the Applicant's information only.]

DRAINAGE: Drainage report approved for platting purposes.

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – No fee expected with this plat. [For the Applicant's information only.]

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

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

FIRE: (Approved)

Future development must 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.

PLANNING: (Approved)

This property is in the process to change the zoning classification from PD, Planned Development District for a Shopping Center to RR, Regional Retail District.

No lot can be land lock. All lots shall front onto public streets. Therefore, please show all shared easements and identify any restrictive covenants that apply to common area, which is a requirement for approval of the preliminary plat. "The proposed preliminary plat shall conform to the following standards and shall contain the following information in addition to the requirements specified in [Section 11-2-3](#)"...Proposed use of lots and **restrictive covenants, if any common area is proposed.**" Midland City Code § 11-2-3(D)4(c).

Staff recommends approval of the preliminary plat of Kimber-Lea Addition, Section 14 subject to conditions A and B.

Conditions:

- A. Approval of this preliminary plat is conditioned upon it identifying on final plat the proposed shared easements and restrictive covenants that apply to common areas. See Midland City Code 11-2-3(D)4(c).
- B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas

Attachments:

Application
Proposed Preliminary Plat
Maps



Preliminary Plat Application

Project Number:

Case Number:

Sub-21-0469
P-21-1246**Proposed Subdivision Plat Name:** Kimber-Lea Addition, Section 14**Legal Description (attached sealed Metes and Bounds):** Being a 4.67 Acre Tract of Land out of Lot 15, Block 10, Kimber-Lea Second Section, Blocks 8, 9, 10, & 11, and Addition to the City and County of Midland, Texas**Property Owner**
Printed Name: 5G Legacy LLCPhone (432) 262-0999
Email

Address 11 Hanover

City Midland

State TX

Zip 79705

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

Total Acreage: 4.67

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

Number of Lots: 5

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**RECEIVED**
NOV 24 2021

BY:

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: _____

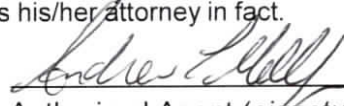
Property Owner (printed): _____

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.

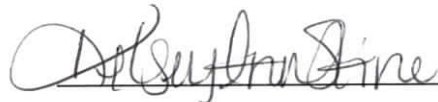
STATE OF TEXAS
COUNTY OF MIDLAND

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 5G Legacy 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 23rd day of November, 20 21, to certify which witness my hand and seal of office.





NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

☐ Plat in Digital Format (PDF/JPEG)

☐ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 3620

RECEIVED
NOV 24 2021

Received By: 

Date: _____

BY:

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

KIMBER-LEA ADDITION, SECTION 14

LOT 14
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 13
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 15A
KIMBER-LEA SECTION 9
CAB. 'D', PG. 188
P.A.M.C.T.

LOT 16
KIMBER-LEA SECTION 6
CAB. 'B', PG. 331
P.A.M.C.T.

LOT 17
KIMBER-LEA SECTION 7
CAB. 'B', PG. 332
P.A.M.C.T.

LOT 18
KIMBER-LEA SECTION 7
CAB. 'B', PG. 333
P.A.M.C.T.

LOT 19
KIMBER-LEA SECTION 8
CAB. 'B', PG. 332
P.A.M.C.T.

LOT 20
KIMBER-LEA SECTION 10
CAB. 'D', PG. 285
P.A.M.C.T.

LOT 11 & W/1/2 LOT 10
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

W/1/2 LOT 9 & E/1/2 LOT 10
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

W/1/2 LOT 8 & E/1/2 LOT 9
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 7 LESS E/1/2 & E/1/2 LOT 8
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 6 LESS E/1/2
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 5 & N/1/2 LOT 4 & E/1/2 OF LOT 6
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 4 & N/2 LOT 3
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 3 LESS N/2
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 2
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 1
KIMBER-LEA SECTION 2
CAB. 'AT', PG. 163
P.A.M.C.T.

LOT 23
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LOT 22
0.60-ACRES
26,148 SQFT

LOT 24
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51,426 SQFT

LOT 21
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NO. _____ CABINET _____
DATE _____ PAGE _____

PACKET

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP, FLOOD INSURANCE RATE MAP #48132C0049 & #48132C0086, BOTH DATED SEPTEMBER 16, 2005, THIS PROPERTY IS PARTIALLY WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN," AND PARTIALLY WITHIN THE SHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE SUBJECT TO THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

That I, GREGORY W. SHOULTS, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that a plat was prepared from an actual and accurate survey of the above described property, and that the same was properly located under my personal supervision or actual control, in accordance with the laws of the State of Texas.

**PRELIMINARY - THIS DOCUMENT
SHALL NOT BE RECORDED FOR
ANY PURPOSE**

GREGORY W. SHOULTS, P.L.S.
Major, Texas Department of Transportation (TX Dept 101)
1909 W. Wall Street, Suite C
Midland, TX 79701

1 THE CITY OF MIDLAND AND ITS EMPLOYEES, CONTRACTORS, AGENTS, SUCCESSORS AND ASSIGNS, SHALL HAVE THE FREE AND UNLIMITED RIGHT OF PASSAGE IN, ON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSES OF CONDUCTING THE BUSINESS OF THE CITY OF MIDLAND, INCLUDING BUT NOT LIMITED TO THE PURPOSES OF REPAIRING, IMPROVING, ALTERING, REPAIRING, MAINTAINING, ACQUIRING, POSSESSING, REMAINING, RELINQUISHING AND REMOING ANYTHING ON, IN, ON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN, INCLUDING BUT NOT LIMITED TO THE RIGHT OF ingress, EGRESS AND RECESS FOR SUCH PURPOSES IN, ON, OVER, UNDER, ACROSS, ALONG AND THROUGH THE PROPERTY DESCRIBED HEREIN.

2 I, AGENT, HAVE NO CLAIM OF ANY PART OF THE PROPERTY DESCRIBED HEREIN SUCH AS LIFE, DAMAGE, DEBTORY, BREACH, OR OTHER INTERESTS WITH THE CITY OF MIDLAND USE OF THE PROPERTY DEVELOPER EXCEPTEDS AND AGREES FOR FULLY. I, THE LEGAL REPRESENTATIVES, SUCCESSORS AND/OR ASSIGNS, THAT NO BUILDING, ROADWAYS, OR CURBS AND CITIES OF THE CITY OF MIDLAND SHALL BE AFFECTED BY THE CITY OF MIDLAND REMOVED OR ABOVE GROUND IMPROVEMENTS MUST BE OBTAINED FROM THE CITY OF MIDLAND, PRIOR TO INSTALLATION.

3 THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFERENCES IN THE FUNCTION OF THE STORMWATER FACILITY AND THE CITY OF MIDLAND SHALL HAVE THE RIGHT TO MITIGATE DEFERENCES IN THE FUNCTION OF THE STORMWATER FACILITY.

4 THE MAINTENANCE OF ANY STORMWATER FACILITY IN THE EASEMENT OF THE PROPERTY OWNER, THE RESPONSIBILITY OF THE PROPERTY OWNER OWNERS AGREE TO MAINTAIN THE FACILITY IN WORKING ORDER, WITH REPAIRS AND CORRECTIVE ACTION MADE AT THE PROPERTY OWNER'S EXPENSE. ANY VIOLATION OF THE CITY OF MIDLAND'S POLICY FOR INFRACTION BY THE CITY OF MIDLAND STORMWATER ADMINISTRATION OR THE CITY OF MIDLAND MAY BE SUBJECT TO THE CITY OF MIDLAND'S POLICY FOR INFRACTION.

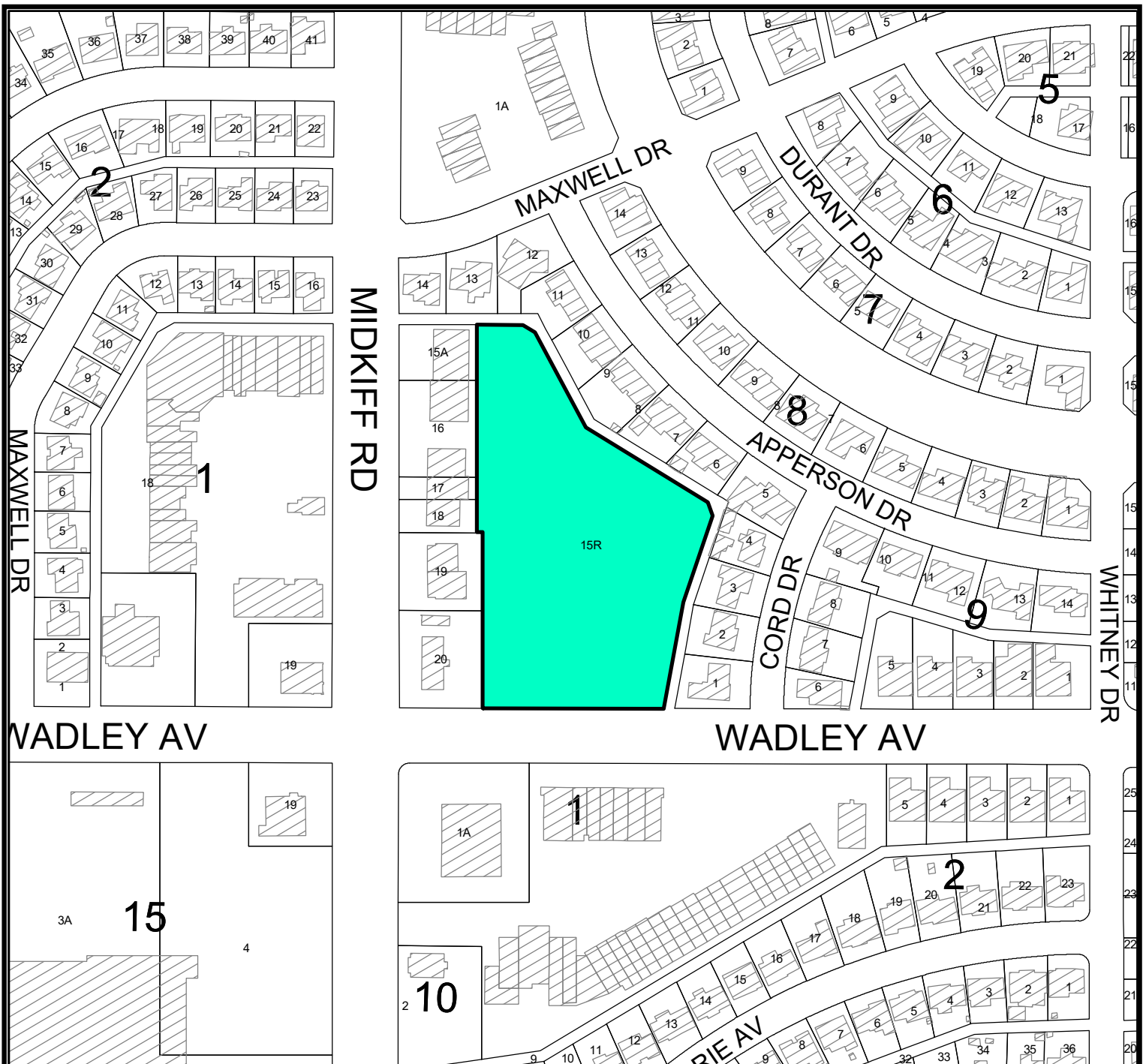
1. SELLING A PORTION OF THIS ADDITION BY MEETS AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983/SURVEY FOOT
4. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:
 - (1) THE REPRESENTED LOTS ARE REAPPORTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR;
 - (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

5. LOTS 21-24, BLOCK 10, THIS PLAT HEREBY ADOPT A BLANKET MUTUAL ACCESS, CROSS ACCESS, UTILITY, AND PARKING EASEMENT VIA ALL IMPROVED PAVES SURFACES OF THIS DEVELOPMENT.

6. 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.



December 20, 2021



LOCATION MAP

SUB-21-0458

Scale: 1" = 200'

Proposed plat of Kimber-Lea Addition, Section 14, being a 4.67-acre tract of land out of Lot 15, Block 10, Kimber-Lea Second Section, Blocks 8,9,10, & 11, an addition to the City and County of Midland, Texas.

Generally located on the north side of Wadley Avenue, approximately 170 feet to the east of Midkiff Road - (Council District 3)

LEGEND

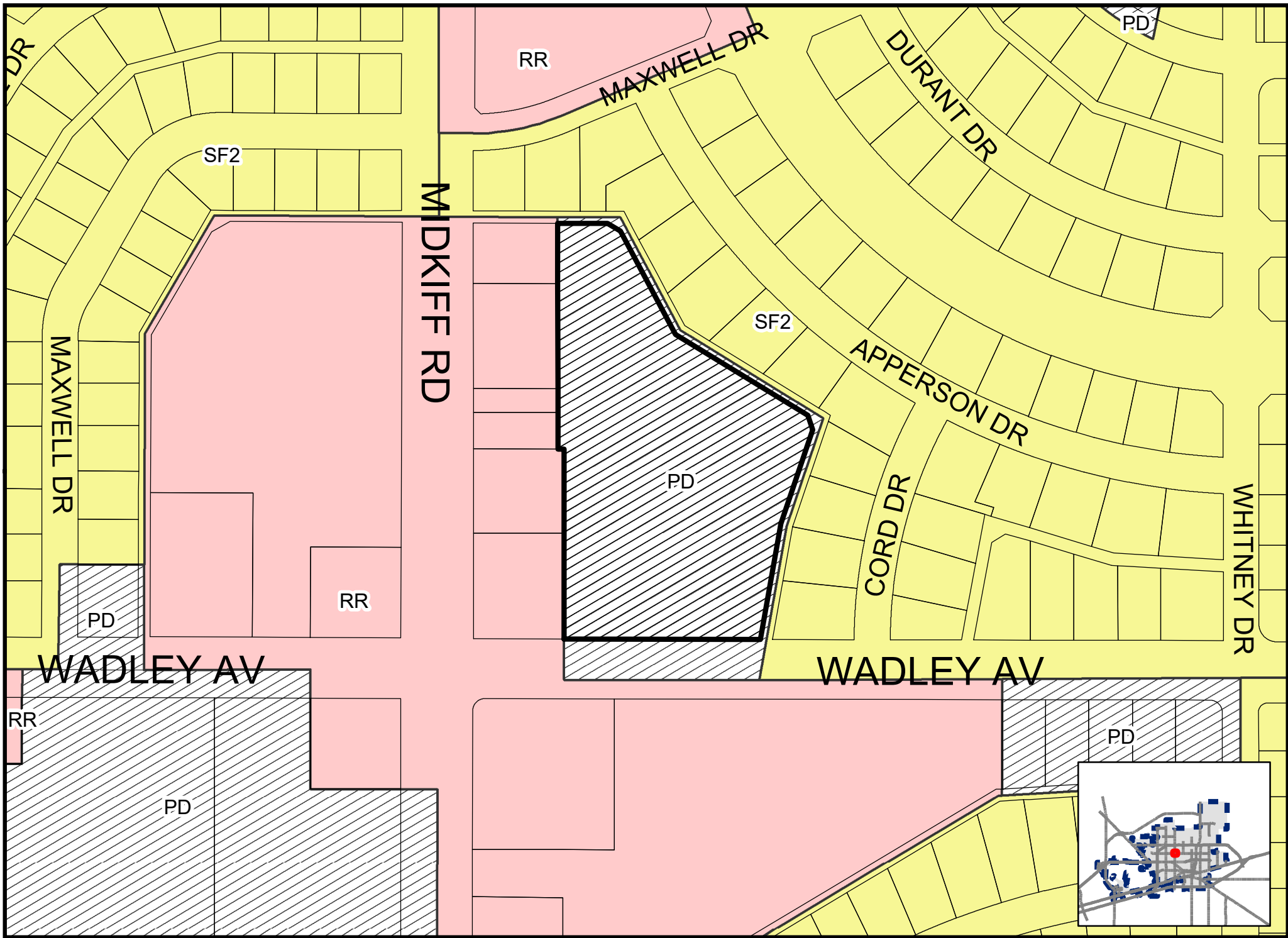
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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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: December 20, 2021

TO: PLANNING AND ZONING COMMISSION

FROM: Kelly Martinez, Senior Planner

SUBJECT: Motion approving with staff's recommended conditions a proposed Preliminary Plat of Wilshire Park Addition, Section 26, being a replat of Lots 1-28 and the west 28-feet of Lot 29, including a previously vacated 20-foot alley, and a previously vacated 0.57-acre portion of Blue Haven Court Right-of-Way, Block 168, Wilshire Park Addition, Section 11, City and County of Midland, Texas (Generally located on the southeast corner of the intersection of Graceland Drive and S. Loop 250 West. Council District 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Details of Request:

The applicant, Maverick Engineering, is requesting to replat Lots 1-28 and the west 28-feet of Lot 29, including a previously vacated 20-foot alley, and a previously vacated 0.57-acre portion of Blue Haven Court Right-of-Way, Block 168, Wilshire Park Addition, Section 11, City and County of Midland, Texas for ownership purposes.

Current Zoning:

O-2, Office District

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. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Approved)

Make sure that coordinate values shown on plat are compatible with GIS coordinates.

ENGINEERING: (Approved)

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

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

PAVING: W. LOOP 250 Frontage Road is TxDOT facility, built and maintained by TxDOT, no improvements required. Graceland and Beal Parkway are okay as is. No public paving improvements required. [For the Applicant's information only.]

WATER: 12" water exists along S Loop 250 west of tract, okay as is. 6" water exists in Graceland north of tract, okay as is. 12" water exists in Beal Parkway east of tract, okay as is. No public water improvements required. [For the Applicant's information only.]

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

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

SEWER: 8" sewer exists along S Loop 250 West of tract, okay as is. No public wastewater improvements required. [For the Applicant's information only.]

DRAINAGE: Drainage Report is approved for platting purposes.

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

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

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comments, "From the current Access Management Standards, 360' is the minimum spacing for a one-way road with posted speed of 45 mph. Post-development drainage/runoff should not be increased from pre-development conditions.

Any access to LP 250 will need to be permitted with TxDOT." [For the Applicant's information only.]

Access spacing will be required to adhere to the TxDOT Access Management Standards along the state highway. [Reference City Code Section 9-4-5(D).]

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

FIRE: (Approved)

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

CODE COMPLIANCE: (Approved)

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

PLANNING:

According to MCAD, the property owner is Mahendra Patel. The property owner must match with what is on record on MCAD or provide proof of ownership. See Midland City Code 11-2-3(A)1(a)2.

Under the Certificate of Approval, correct the spelling on the chairman's name (Lucy Sisniega). [Informational]

Verify the Point of Beginning and meets and bounds. See Midland City Code 11-2-3(D)4

Staff recommends approval of this preliminary plat for Wilshire Park Addition, Section 26 subject to conditions A through C.

Conditions:

- A. Approval of this preliminary plat is conditioned upon the final plat containing a complete certificate of approval. See Midland City Code 11-2-3(H)3(m)3
- B. Approval of this preliminary plat is subject to the final plat containing the accurate property owner. See Midland City Code 11-2-3(A)1(a)2.
- C. Approval of this preliminary plat is conditioned upon the final plat containing an accurate point of beginning and direction calls. See Midland City Code 11-2-3(D)4

Attachments:

Proposed Preliminary Plat (Exhibit A)
Maps
Application



Preliminary Plat Application

Project Number:

Case Number:

SUB 21-0446
P-21-1247

Proposed Subdivision Plat Name: Wilshire Park Addition, Section 26

Legal Description (attached sealed Metes and Bounds): Being Lots 1-28 and the West 28' of Lot 29, Block 168, Wilshire Park, Section 1 and the 20' Alley Adjacent to Lots 1-17, and a 0.57 Acre Portion of Blue Haven Court Right of Way Adjacent to Lots 7-29, Block 168, Wilshire Park Section 11, and Addition to the City of Midland, Midland County, Texas

Property Owner

Printed Name: Mahendra Patel - PNK Group Investments

Phone (432) 262-0999

Email

Address 7051 Sunset Blvd

City Hollywood

State CA

Zip 90028

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: O2

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage:

4.312

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

Number of Lots: 29

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

RECEIVED
NOV 24 2021

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: _____

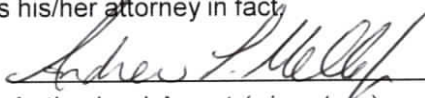
Property Owner (printed): _____

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.

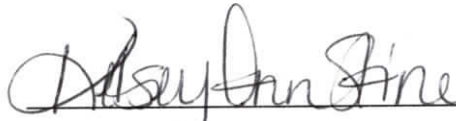
STATE OF TEXAS
COUNTY OF MIDLAND

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


Authorized Agent (signature)

Subscribed and sworn to before me, this 23rd day of November, 20 21, to certify which witness my hand and seal of office.




NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization

☒ 1 Copy of Dimensioned Plat

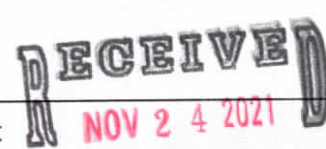
☐ Plat in Digital Format (PDF/JPEG)

☒ Application Fee

☒ 1 Copy of Plat (11x17)

Check # 3622

Received By: _____

Date: 

BY:

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

WILSHIRE PARK ADDITION, SECTION 26



VICINITY MAP
N.T.S.

 DENOTES FOUND MONUMENT AS NOTED
 DENOTES SET 1/2" IRON WITH RED CAP
 MARKED "MAVERICK FIRM #10194514"
 _____ DENOTES BOUNDARY LINE
 - - - - - DENOTES EXISTING ADJOINER LOT LINES

ONCOR ELECTRIC DELIVERY
BY:

NO. _____ CABINET _____
DATE _____ PAGE _____



1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM #: F-15089
SURVEY FIRM #: I0194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

**WILSHIRE PARK ADDITION
SECTION 26**

December 20, 2021

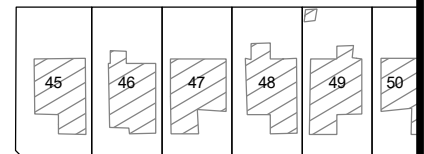
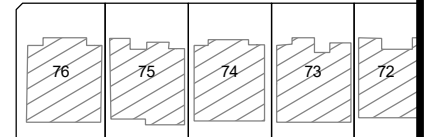
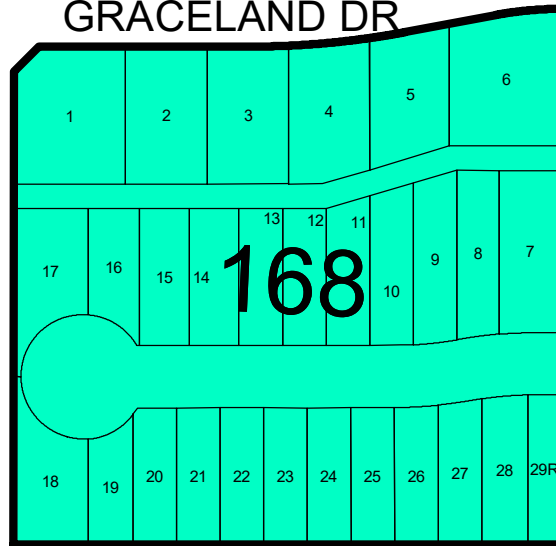
Page 13.165

PACKET

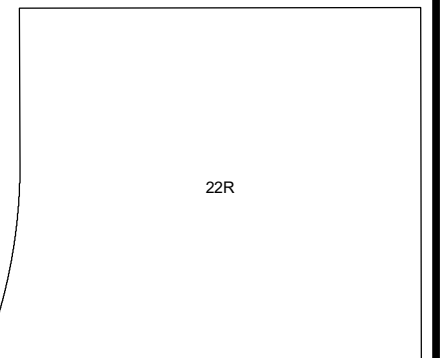
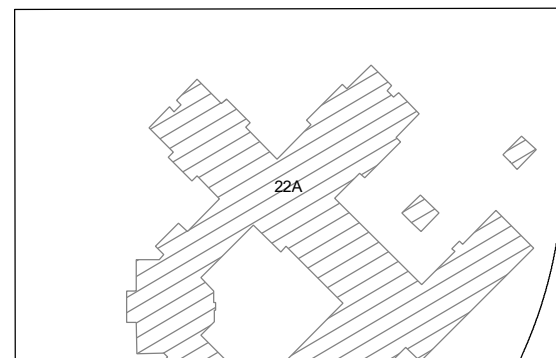
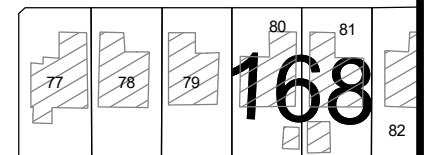
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LOOP 250

GRACELAND DR



BLUE



LOCATION MAP

SUB-21-0446

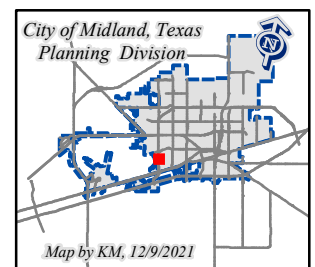
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Generally located on the southeast corner of the intersection of Graceland Drive and S. Loop 250 West. (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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