Effective March 16, 2020, Governor Greg Abbott authorized the temporary suspension of certain statutory provisions of the Texas Open Meetings Act. This Meeting of the Planning and Zoning Commission of the City of Midland is being held pursuant to such authorization and will limit face-to-face interactions for the purpose of slowing the spread of the Corona Virus (COVID19).

CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
PACKET
February 16, 2021 - 3:30 PM
Council Chambers – City Hall

Due to inclement weather, this meeting has been CANCELED.

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 using the following information:

VIDEOCONFERENCE INFORMATION

Please click the link below to join the webinar:
https://us02web.zoom.us/j/84109669380
Or iPhone one-tap :
US: +13462487799,,84109669380# or +12532158782,,84109669380#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 346 248 7799 or +1 253 215 8782 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866
Webinar ID: 841 0966 9380
International numbers available: https://us02web.zoom.us/u/kb09qmYhJJ

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. Consider a motion approving the Planning and Zoning Commission meeting minutes for February 1, 2021.

3. Consider a proposed Correction Plat of Legacy Addition, Section 10, being a plat of a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of McPherson Lane, approximately 141-feet west of Bunker Hill Road. Council District 4) (DEVELOPMENT SERVICES)

4. Consider a reinstatement of an approved Preliminary Plat of Gardens Addition, Section 9, being a residential re-plat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Avenue. Council District 3) (DEVELOPMENT SERVICES)

5. Consider a proposed Final Plat of Gardens Addition, Section 9, being a residential re-plat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Avenue. Council District 3) (DEVELOPMENT SERVICES)

6. Consider a proposed Preliminary Plat of Northwestern Addition, Section 17, being a plat of a 3.50-acre tract of land located in the northeast part of Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas. (Generally located on the north side of Cardinal Lane, approximately 2,406 – feet east of N. Midland Drive. Council District 1) (DEVELOPMENT SERVICES)

7. Consider a proposed Final Plat of Sheeler Addition, Section 9, being a re-plat of Lots 7 and 8, Block 2, Sheeler Addition, City and County of Midland, Texas. (Generally located on the west side of South K Street, approximately 146-feet north of W. Griffin Avenue. Council District 2) (DEVELOPMENT SERVICES)

8. Consider a proposed Final Plat of Sheeler Addition, Section 10, being a residential re-plat of Lots 17 and 18, Block 2, Sheeler Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Griffin Avenue and Fisher Street. Council District 2) (DEVELOPMENT SERVICES)

9. Consider a proposed Final Plat of Hannah Addition, Section 3, being a plat of a 15-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1230, approximately 2,660 feet south of West County Road 120. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

10. Consider a proposed Preliminary Plat of Pando Park Subdivision, being a plat of a 5.39-acre tract of land located in Section 44, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of Farm to Market Road 307, approximately 880 feet east of East Interstate 20. Extraterritorial Jurisdiction)

(DEVELOPMENT SERVICES)

11. Consider a proposed Preliminary Plat of Petroplex Addition, being a plat of a 10.00-acre tract of land located in Section 18, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 127, approximately 815 feet east of South County Road 1290. Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)

PUBLIC HEARINGS

12. Hold a public hearing and consider a proposed Preliminary Plat of Elmwood Addition, Section 7, being a residential replat of Lot 2, Block 19, Elmwood Addition, Section 3; Lots 1 through 12, Block 6, S. W. Estes Addition; and a previously vacated 0.2825-acre portion of alley right-of way adjacent to said lots; City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Big Spring Street and W. Kansas Avenue. Council District 2) (DEVELOPMENT SERVICES) (DEVELOPMENT SERVICES)

13. Hold a public hearing and consider a request by Ana M. Armendariz for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on premises consumption in a restaurant, on a 1,166 square foot portion of Lot 1, Block 27, Original Town, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Ohio Avenue and N. Colorado Street. Council District 2) (DEVELOPMENT SERVICES)

14. Hold a public hearing and consider a request by Cung Lian Ni for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 1,881 square foot portion of Block 1, less the 250-foot by 150-foot northwest corner and less the 224-foot by 150-foot southwest corner, Replat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of W. Wadley Avenue, approximately 277 feet east of N. Midkiff Road. Council District 3) (DEVELOPMENT SERVICES)

15. Hold a public hearing and consider a proposed Preliminary Plat of Hillcrest Acres, Section 14, being a residential re-plat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive. Council District 4) (DEVELOPMENT SERVICES)

16. Hold a public hearing and consider a request by IDEA Public Schools for the initial zoning of a 24.5578-acre tract of land located in Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located approximately 625 feet north of Briarwood Avenue and approximately 2,153 feet east of Avalon Drive. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)

17. Hold a public hearing and consider a request by Laramie Acquisitions, LLC for a zone change from PD, Planned Development District for a Transitional District to RR, Regional Retail District on Lot 1, Block 4, Amaron Addition, Section 5, City and County of Midland Texas. (Generally located on the northwest corner of the intersection of Wolcott Avenue and

Rankin Highway. Council District 2) (DEVELOPMENT SERVICES)

18. Hold a public hearing and consider a request by Dominic N. Salinas for a Temporary Special Permit for a Manufactured Home for a Caretakers, Manager's, or Guard's Residence on the east 129 feet of the west 279 feet of Block 93, East Midland Addition, City and County of Midland, Texas. (Generally located on the north side of East Front Street, approximately 285 feet west of Orchard Lane. Council Distract 2) (DEVELOPMENT SERVICES)

MISCELLANEOUS

Cristina Odenborg Burns
Planning Division Manager
Department of Development Services

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

CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION MINUTES
February 1, 2021
Council Chambers – City Hall

The City Council convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:32 p.m. on February 01, 2021.

Commissioners present:	Stacy Grosse, Dianne Williams, Chase Gardaphe, Zachary Deck, Emily Holeva, Adrian Carrasco
Commissioners absent:	Karmen Bryant, Reggie Lawrence, Lucy Sisniega
Staff members present:	Dalia Salinas, Cristina Odenborg Burns, Elizabeth Shaughnessy, Joseph Marynak, Charles Harrington, Valerie Sherman

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.)

The public comment period was opened at 3:33 p.m. With no one wishing to speak, the public comment period was closed 3:33 p.m.

CONSENT ITEMS

Commissioner Williams moved to approve the consent items; seconded by Commissioner Deck.

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

2. Consider a motion approving the Planning and Zoning Commission meeting minutes for January 19, 2021.

3. Consider a proposed Final Plat of Lone Star Trails II, Section 6, being a plat of a 19.77-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 Rio Place, approximately 330- feet west of Carriage Road. Council District 1)

4. Consider a proposed Final Plat of Arrow Estates being a plat of a 10.71-acre tract of land located in the northeast quarter of Section 28, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located at the northwest corner of the intersection of South County Road 1202 and West County Road 142. Extraterritorial Jurisdiction)

5. Consider a proposed Preliminary Plat of North Midkiff Addition, Section 4, being a plat of a 1.01-acre tract of land located in Section 9, Block X, HP Hilliard Survey, City and County of Midland, Texas. (Generally located on the north side of Happy Trail Drive, approximately 574 feet west of Whitman Drive. Council District 1)

6. Consider a proposed Final Plat of Southern Addition, Section 19, being a residential re-plat of Lot 4, Block 194, Southern Addition, and Lot 3, Block 2, South Park Addition, City and County of Midland, Texas. (Generally located on the east side of South Jefferson Street, approximately 156 feet south of East Florida Avenue. Council District 2)

7. Consider a proposed Preliminary Plat of Truelove Addition being a plat of a 60.57-acre tract of land located in Section 38, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of East Interstate 20, approximately 2,100 feet northeast of Loop 250. Extraterritorial Jurisdiction.)

8. Consider a proposed Final Plat of Westgate Acres Addition, Section 9, being a re-plat of Lot 9A, Block 10, Westgate Acres Addition, Section 8; and Lot 11, Westgate Acres Addition, City and County of Midland, Texas. (Generally located on the east side of North Loop 250 West, approximately 400 feet south of Princeton Avenue. Council District 4)

PUBLIC HEARINGS

9. Hold a public hearing and consider a request by Home Depot U.S.A., Inc. for a zone change from PD, Planned District for a Shopping Center to amended PD, Planned Development District for a Shopping Center on Lot 6, Block 45, Fairmont Park, Section 15, City and County of Midland, Texas. (Generally located on the south side of Henry Koontz Boulevard, approximately 535 feet west of N. Midland Drive. Council District 1)

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

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

   The applicant was present but deferred to staff.

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

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

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

MISCELLANEOUS

With no further items or business to come before the Commission, Commissioner Gardaphe adjourned the meeting at 3:39 p.m.

Reggie Lawrence, Chairman Date

Cristina Odenborg Burns, Planning Division Manager Date
Department of Development Services

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Cristina Odenborg Burns, Planning Division Manager**

SUBJECT: **Consider a proposed Correction Plat of Legacy Addition, Section 10, being a plat of a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of McPherson Lane, approximately 141-feet west of Bunker Hill Road. Council District 4) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

SF-3, Single Family Dwelling District.

Details of Request:

The applicant, Parkhill, is proposing a correction plat of Legacy Addition, Section 10, to correct some errors in the line table. The original plat of Legacy Addition, Section 10, was approved at the May 4, 2020 Planning and Zoning Commission meeting.

Final Plat Requirements:

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

Departmental Review:

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

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: (Approved with Conditions)

IMPACT FEES: Impact Fees note has been provided.

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

PAVING: Construct roadways to City Standards, along all platted frontage. Letter of Credit is on file for the construction of the proposed roadways according to the approved plans.

WATER: Water lines have been installed and punch list items will need to be determined and addressed prior to acceptance of the improvements.

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

PRO RATA: None.

SEWER: Sewer lines have been installed and punch list items will need to be determined and addressed prior to acceptance of the improvements.

DRAINAGE: Drainage improvements have been installed and punch list items will need to be determined and addressed prior to acceptance of the improvements.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

FIRE: (Approved)

No additional comments.

TRANSPORTATION: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 5 new intersections created at $500/intersection = $2,500. Fee shall be adjusted based on number of intersections if Final Plat is phased.

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.

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. The non-permitted wells identified are located outside the city limits on the plat.

PLANNING:

Staff recommends approval of the Correction Plat of Legacy Addition, Section 10, subject to Condition A.

Conditions:

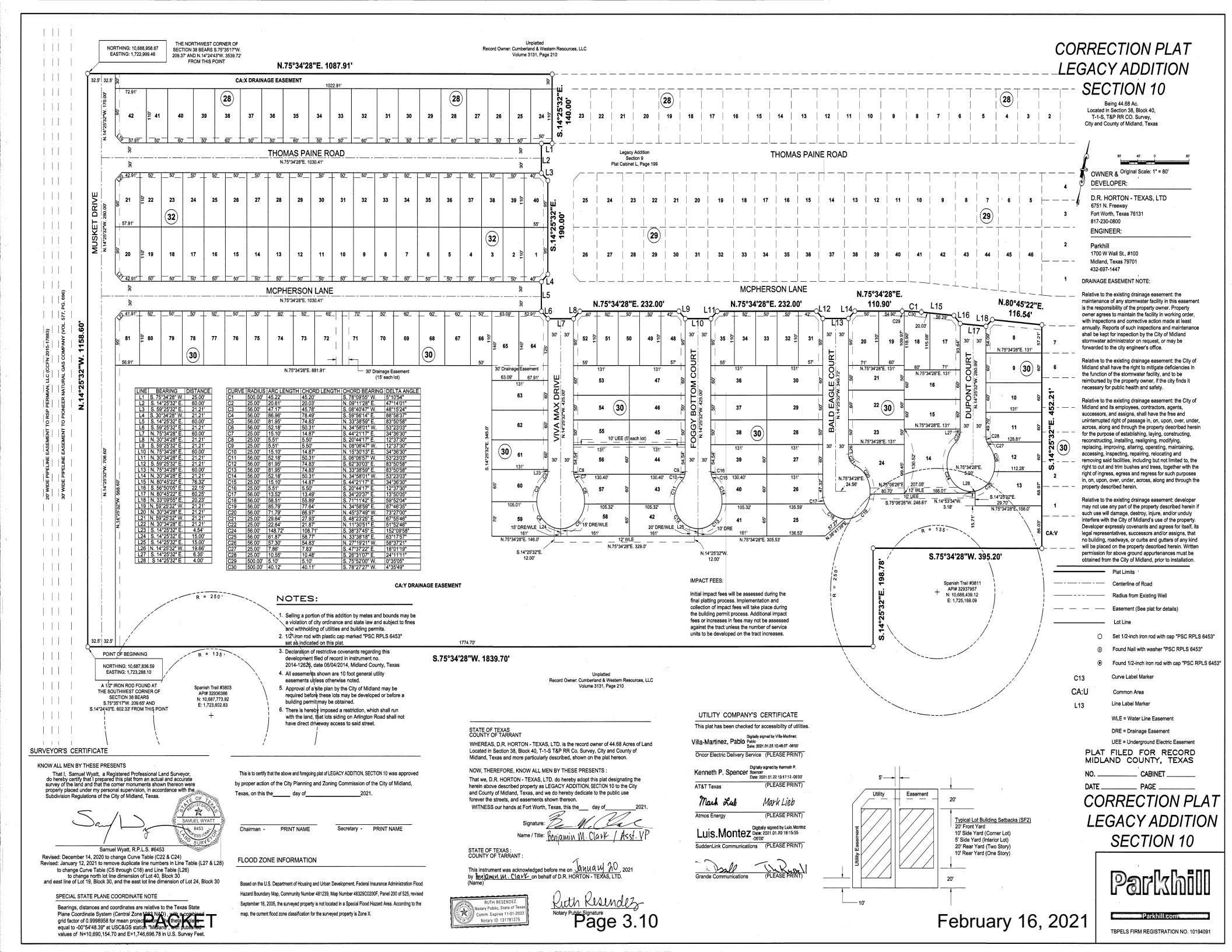
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Maps
Application

CORRECTION PLAT
LEGACY ADDITION
SECTION 10

Being 44.68 Ac.
Located in Section 38, Block 40,
T-1-S, T&P RR CO. Survey,
City and County of Midland, Texas



LINE	BEARING	DISTANCE
L1	S. 75°34'28" W.	25.00'
L2	S. 14°25'32" E.	60.00'
L3	S. 59°25'32" E.	21.21'
L4	S. 30°34'28" W.	21.21'
L5	S. 14°25'32" E.	60.00'
L6	S. 59°25'32" E.	21.21'
L7	N. 75°34'28" E.	60.00'
L8	N. 30°34'28" E.	21.21'
L9	S. 59°25'32" E.	21.21'
L10	N. 75°34'28" E.	60.00'
L11	N. 30°34'28" E.	21.21'
L12	S. 59°25'32" E.	21.21'
L13	N. 75°34'28" E.	60.00'
L14	N. 30°34'28" E.	21.21'
L15	N. 80°45'22" E.	76.32'
L16	S. 56°50'05" E.	22.19'
L17	N. 80°45'22" E.	60.25'
L18	N. 33°09'55" E.	20.23'
L19	N. 59°25'32" W.	21.21'
L20	N. 30°34'28" E.	21.21'
L21	N. 59°25'32" W.	21.21'
L22	N. 30°34'28" E.	21.21'
L23	S. 14°25'32" E.	4.54'
L24	S. 14°25'32" E.	15.00'
L25	S. 14°25'32" E.	15.00'
L26	N. 14°25'32" W.	19.66'
L27	S. 14°25'32" E.	6.35'
L28	S 14°25'32" E	4.00'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	500.00'	45.22'	45.20'	S. 78°09'55" W.	5°10'54"
C2	25.00'	20.61'	20.03'	N. 09°11'28" E.	47°14'01"
C3	56.00'	47.17'	45.78'	S. 08°40'47" W.	48°15'24"
C4	56.00'	86.96'	78.49'	S. 69°56'14" E.	88°58'37"
C5	56.00'	81.95'	74.83'	N. 33°38'59" E.	83°50'58"
C6	56.00'	52.18'	50.31'	N. 34°58'01" W.	53°23'03"
C7	25.00'	15.10'	14.87'	S. 44°21'17" E.	34°36'30"
C8	25.00'	5.51'	5.50'	S. 20°44'17" E.	12°37'30"
C9	25.00'	5.51'	5.50'	N. 08°06'47" W.	12°37'30"
C10	25.00'	15.10'	14.87'	N. 15°30'13" E.	34°36'30"
C11	56.00'	52.18'	50.31'	S. 06°06'57" W.	53°23'03"
C12	56.00'	81.95'	74.83'	S. 62°30'03" E.	83°50'58"
C13	56.00'	81.95'	74.83'	N. 33°38'59" E.	83°50'58"
C14	56.00'	52.18'	50.31'	N. 34°58'01" W.	53°23'03"
C15	25.00'	15.10'	14.87'	S. 44°21'17" E.	34°36'30"
C16	25.00'	5.51'	5.50'	S. 20°44'17" E.	12°37'30"
C17	56.00'	13.52'	13.49'	S. 34°20'37" E.	13°50'05"
C18	56.00'	58.51'	55.89'	S. 71°11'42" E.	59°52'04"
C19	56.00'	85.79'	77.64'	N. 34°58'59" E.	87°46'35"
C20	56.00'	71.79'	66.87'	N. 45°37'49" W.	73°27'00"
C21	25.00'	29.64'	27.93'	S. 48°23'25" E.	67°55'46"
C22	25.00'	22.64'	21.87'	N. 11°30'51" E.	51°52'46"
C23	56.00'	146.72'	108.71'	S. 36°37'45" E.	152°09'58"
C24	56.00'	61.87'	58.77'	N. 33°38'18" E.	63°17'57"
C25	56.00'	57.30'	54.83'	N. 27°19'21" W.	58°37'21"
C26	25.00'	7.86'	7.83'	S. 47°37'22" E.	18°01'19"
C27	25.00'	10.55'	10.46'	S. 26°31'07" E.	24°11'11"
C29	500.00'	5.10'	5.10'	S. 75°52'00" W.	0°35'05"
C30	500.00'	40.12'	40.11'	S. 78°27'27" W.	4°35'49"

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. 1/2" iron rod with plastic cap marked "PSC RPLS 6453" set as indicated on this plat.
3. Declaration of restrictive covenants regarding this development filed of record in instrument no. 2014-12626, date 06/04/2014, Midland County, Texas
4. All easements shown are 10 foot general utility easements unless otherwise noted.
5. 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.
6. There is hereby imposed a restriction, which shall run with the land, that lots siding on Arlington Road shall not have direct driveway access to said street.

IMPACT FEES:

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.

OWNER & DEVELOPER:

D.R. HORTON - TEXAS, LTD
6751 N. Freeway
Fort Worth, Texas 76131
817-230-0800

ENGINEER:

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

DRAINAGE EASEMENT NOTE:

Relative to the existing drainage easement: the maintenance of any stormwater facility in this easement is the responsibility of the property owner. Property owner agrees to maintain the facility in working order, with inspections and corrective action made at least annually. Reports of such inspections and maintenance shall be kept for inspection by the City of Midland stormwater administrator on request, or may be forwarded to the city engineer's office.

Relative to the existing drainage easement: the City of Midland shall have the right to mitigate deficiencies in the function of the stormwater facility, and to be reimbursed by the property owner, if the city finds it necessary for public health and safety.

Relative to the existing drainage easement: the City of Midland and its employees, contractors, agents, successors, and assigns, shall have the free and uninterrupted right of passage in, on, upon, over, under, across, along and through the property described herein for the purpose of establishing, laying, constructing, reconstructing, installing, realigning, modifying, replacing, improving, altering, operating, maintaining, accessing, inspecting, repairing, relocating and removing said facilities, including but not limited to, the right to cut and trim bushes and trees, together with the right of ingress, egress and regress for such purposes in, on, upon, over, under, across, along and through the property described herein.

Relative to the existing drainage easement: developer may not use any part of the property described herein if such use will damage, destroy, injure, and/or unduly interfere with the City of Midland's use of the property. Developer expressly covenants and agrees for itself, its legal representatives, successors and/or assigns, that no building, roadways, or curbs and gutters of any kind will be placed on the property described herein. Written permission for above ground appurtenances must be obtained from the City of Midland, prior to installation.

Plat Limits
Centerline of Road
Radius from Existing Well
Easement (See plat for details)
Lot Line
Set 1/2-inch iron rod with cap "PSC RPLS 6453"
Found Nail with washer "PSC RPLS 6453"
Found 1/2-inch iron rod with cap "PSC RPLS 6453"
C13 Curve Label Marker
CA:U Common Area
L13 Line Label Marker
WLE = Water Line Easement
DRE = Drainage Easement
UEE = Underground Electric Easement

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

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.

STATE OF TEXAS
REGISTERED
SAMUEL WYATT
6453
PROFESSIONAL
LAND SURVEYOR

Samuel Wyatt, R.P.L.S. #6453
Revised: December 14, 2020 to change Curve Table (C22 & C24)
Revised: January 12, 2021 to remove duplicate line numbers in Line Table (L27 & L28) to change Curve Table (C5 through C18) and Line Table (L26) to change north lot line dimension of Lot 40, Block 30 and east line of Lot 19, Block 30, and the east lot line dimension of Lot 24, Block 30

SPECIAL STATE PLANE COORDINATE NOTE

Bearings, distances and coordinates are relative to the Texas State Plane Coordinate System (Central Zone 1983 NAD), with accepted grid factor of 0.9998958 for mean project elevation. Theta angle equal to -00°54'48.39" at USC&GS station "Midland", with published values of N=10,690,154.70 and E=1,746,696.78 in U.S. Survey Feet.

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

Chairman - PRINT NAME

Secretary - PRINT NAME

FLOOD ZONE INFORMATION

Based on the U.S. Department of Housing and Urban Development, Federal Insurance Administration Flood Hazard Boundary Map, Community Number 481239, Map Number 48329C0200F, Panel 200 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.

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, D.R. HORTON - TEXAS, LTD. is the record owner of 44.68 Acres of Land Located in Section 38, Block 40, T-1-S T&P RR Co. Survey, City and County of Midland, Texas and more particularly described, shown on the plat hereon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS :

That we, D.R. HORTON - TEXAS, LTD. do hereby adopt this plat designating the herein above described property as LEGACY ADDITION, SECTION 10 to the City and County of Midland, Texas, and we do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS our hands at Fort Worth, Texas, this the ___ day of _____ 2021.

Signature:
Name / Title: Benjamin M. Clark / Asst. VP

STATE OF TEXAS :
COUNTY OF TARRANT :

This instrument was acknowledged before me on January 20, 2021 by Benjamin M. Clark on behalf of D.R. HORTON - TEXAS, LTD. (Name)

RUTH RESENDEZ
Notary Public, State of Texas
Comm. Expires 11-01-2023
Notary ID 131781375

Ruth Resendez
Notary Public Signature

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

Villa-Martinez, Pablo — Digitally signed by Villa-Martinez, Pablo Date: 2021.01.25 10:48:07 -06'00'
Oncor Electric Delivery Service (PLEASE PRINT)

Kenneth P. Spencer — Digitally signed by Kenneth P. Spencer Date: 2021.01.22 13:17:12 -06'00'
AT&T Texas (PLEASE PRINT)

Mark Lieb
Atmos Energy (PLEASE PRINT)

Luis.Montez — Digitally signed by Luis.Montez Date: 2021.01.20 18:15:55 -06'00'
SuddenLink Communications (PLEASE PRINT)

Grande Communications (PLEASE PRINT)

Parkhill
Parkhill.com
TBPELS FIRM REGISTRATION NO. 10194091

MIDLAND
Planning Division

Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Correction Plat Legacy Addition Section 10

Legal Description (attached sealed Metes and Bounds): Being 44.68 Ac. Located in Section 38, Block 40, T-1-S, T&P RR CO. Survey, City and County of Midland, Texas

Property Owner Printed Name: D.R. Horton - Texas, LTD.		Phone (817) 230-0800 Email	
Address 6751 N. Freeway	City Fort Worth	State TX	Zip 76131

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, Smith, & Cooper Printed Name: Josh Wallender (PSC Job # 01.9675.17 - 1PLT)		Phone (432) 697-1447 Email jwallender@team-psc.com	
Address 1700 West Wall, Suite 100	City Midland	State Texas	Zip 79701

Current Zoning: 1F3

Reason for Platting: Owner Wishes to pursue building permits

Plat Information	Total Acreage: 44.68
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Residential Lots: 133	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 2 EXTRA PROVIDED

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:

Property Owner (printed) : Assistant Vice President

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

[signature]
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 3 day of February, 2021, to certify which witness my hand and seal of office.

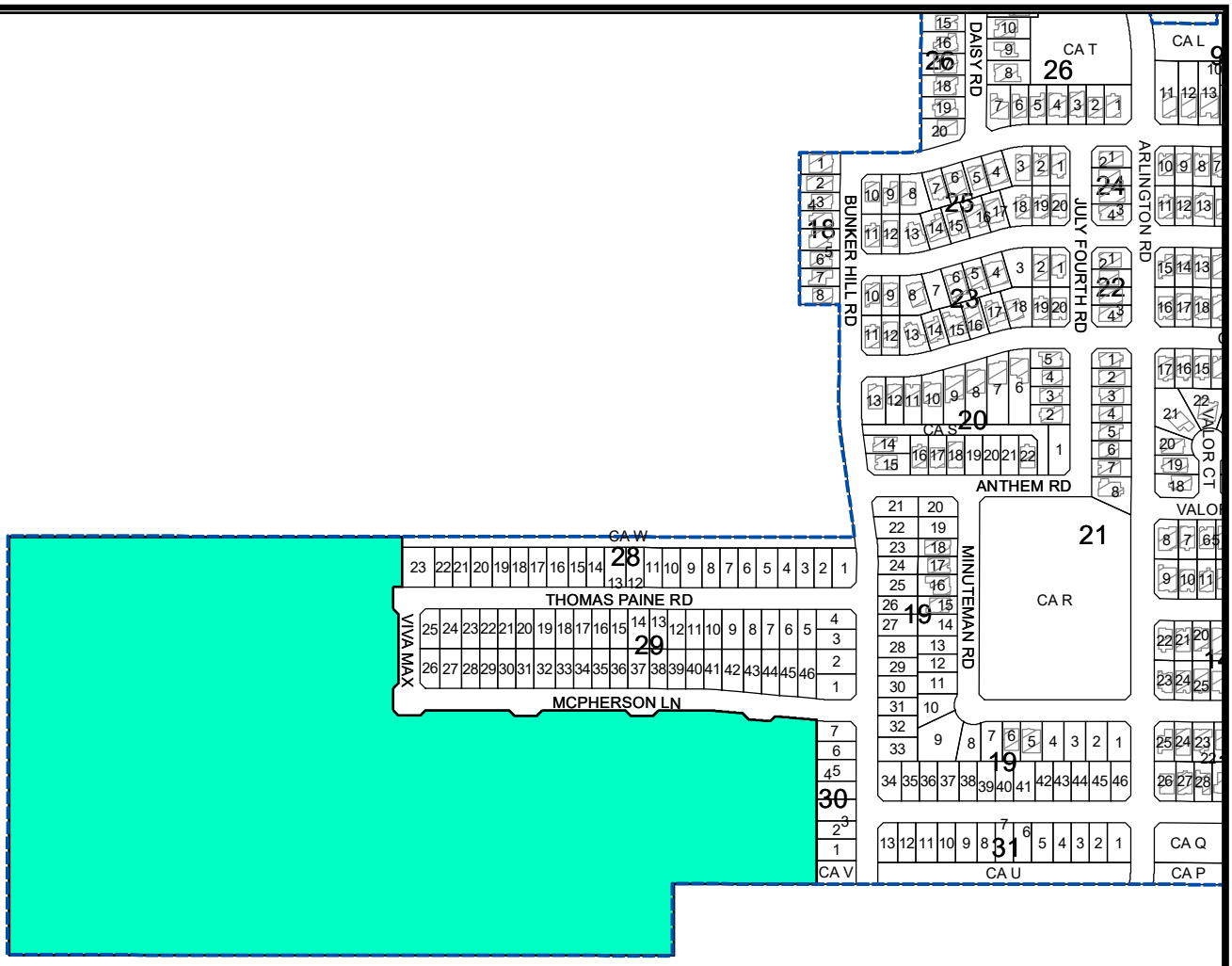
[signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

NOTARY PUBLIC STATE OF TEXAS
SHERI MULLINS
My Notary ID # 8145198
Expires October 10, 2022

****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 #_____	☐ Tax Certificates	Check #_____
Received By:		Date:

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



LOCATION MAP

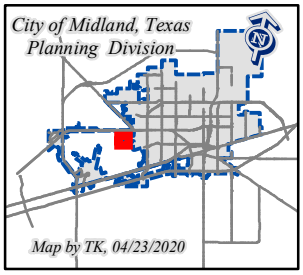
P-21-1026 **Scale: 1" = 250'**

Proposed Correction Plat of Legacy Addition, Section 10, being a plat of a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

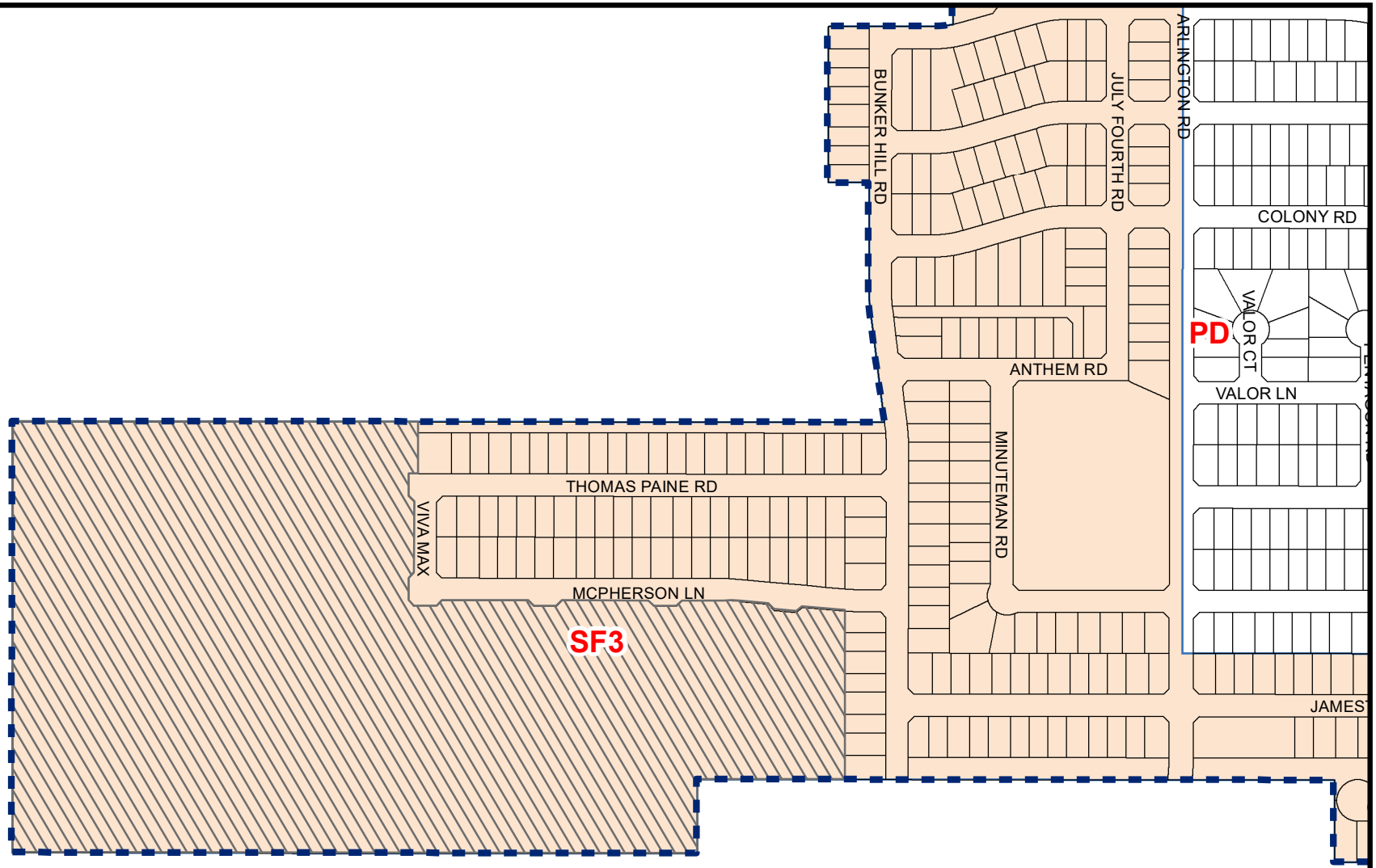
Generally located on the south side of McPherson Lane, approximately 141-feet west of Bunker Hill Road. (Council District 4)

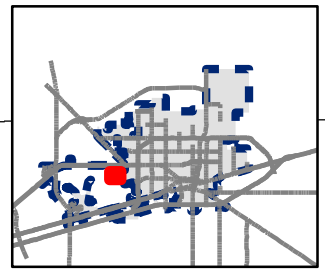
L E G E N D

- 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.





Map By TK, 04/23/2020 PACKET **P-21-1026** **Scale: 1" = 200'** **ZONING MAP**

© 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 FOR MAKING DECISIONS. DECISIONS SHOULD RELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a reinstatement of an approved Preliminary Plat of Gardens Addition, Section 9, being a residential Re-Plat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Avenue. Council District 3) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Details of Request:

The applicant's property is located at 2900, 2906 and 2908 W. Ohio Avenue. The applicant, Schumann Engineering Co. Inc., is seeking to replat the property into one (1) lot for a future development of a family transitional housing operated by Family Promise of Midland.

- Per Section 11-2-7-(A)-(3)-(a)-(1), any properties zoned for a residential use to not more than two residential units per lot during the preceding five years are considered to be residential replat.
- As this property was rezoned from 2F, Two Family Dwelling District to MF-16, Multiple Family Dwelling District on September 25, 2018, a public hearing is required.

Current Zoning:

MF-16, Multiple Family Dwelling District.

The Preliminary Plat attached hereto has been circulated to all City departments for review.

Departmental Review:

ENGINEERING: (Approved with Conditions)

INCLUDE THE FOLLOWING NOTE REGARDING IMPACT FEES ON PLAT FACE: Initial Impact Fees will be assessed during the final platting process. Implementation and collection of impact fees will take place during the permitting process. Additional impact fees or increases in fees may not be assessed against the tract unless the number of service units to be developed on the tract increases.

ROW: Okay as shown.

PAVING: Existing paving on W. Ohio okay, no public paving improvements required.

WATER: Existing 8” water in Ohio, no public water improvements required.

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

PRO RATA: None.

SEWER: Existing sewer in Ward and alley north of lots, no public sewer improvements required.

DRAINAGE: Drainage study approved 11.14.2019 for platting purposes.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

No objections to plat.

CODE ADMINISTRATION: (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.

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.

FIRE: (Approved)

No comments.

SURVEYOR: (Approved)

Show state plane coordinates on two corners of subdivision.

PLANNING:

The lot number should be 7A.

Provide two northings and eastings and a point of beginning.

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

Staff recommends approval of the preliminary plat of Gardens Addition, Section 9, subject to conditions A and B.

Conditions:

A. That the technical items listed above are addressed.

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

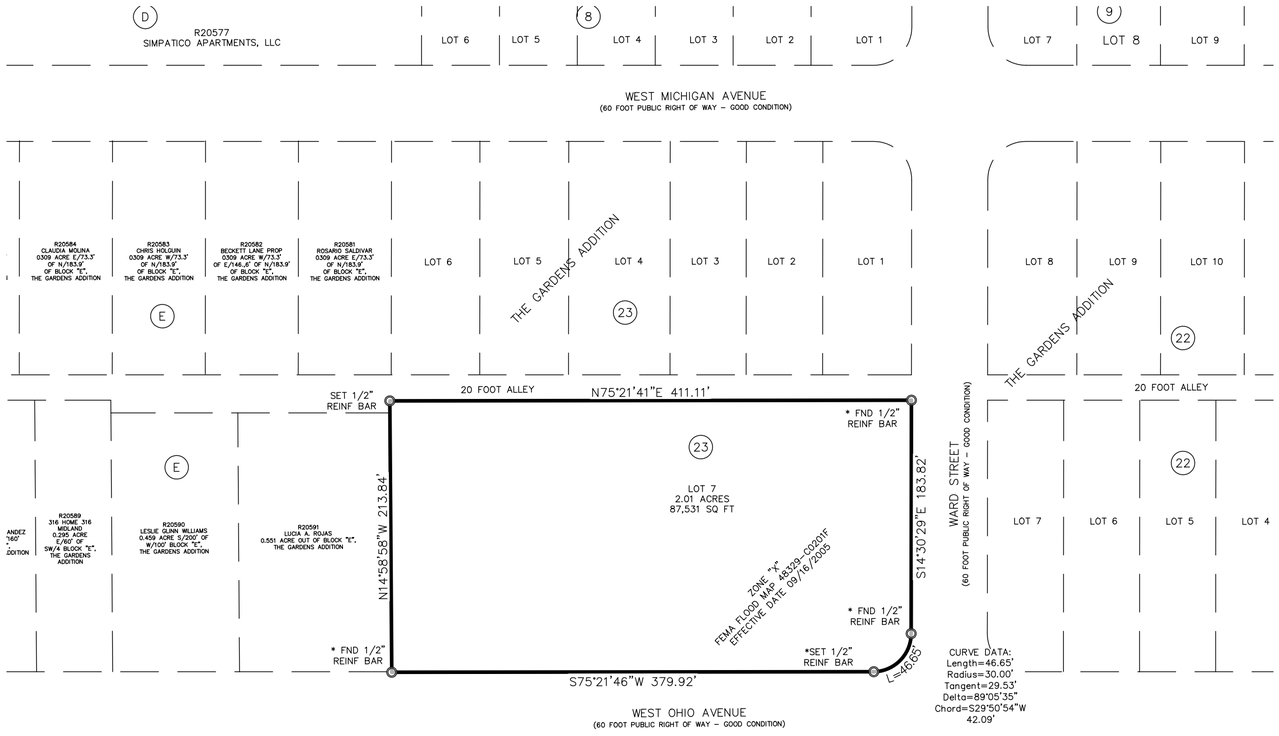
Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

THE GARDENS ADDITION SECTION 9

BEING A RE-PLAT OF THE SOUTH HALF OF BLOCK 23, GARDENS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.



THE GARDENS ADDITION

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, WE ARE THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE GARDENS ADDITION, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS THE GARDENS ADDITION SECTION 9, 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 . ____

_____
FAMILY PROMISE OF MIDLAND TX INC.
THOMAS MILLER, EXECUTIVE DIRECTOR

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 20____, FAMILY PROMISE OF MIDLAND TX INC., THOMAS MILLER, EXECUTIVE DIRECTOR.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

FAMILY PROMISE OF MIDLAND TX INC.
THOMAS MILLER, EXECUTIVE DIRECTOR
3500 NORTH "A" STREET SUITE 1400
MIDLAND, TEXAS 79705
(432) 688-7710

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.

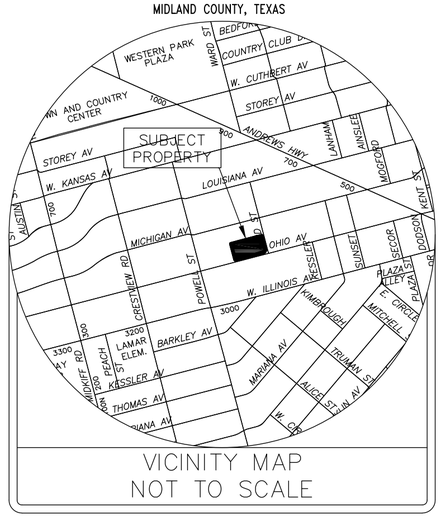
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.

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.

GRAPHIC SCALE

0 80' 160'

(IN FEET)
1 inch = 80 ft.



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 THE GARDENS ADDITION, SECTION 9, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2018.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG

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

_____
RJ DAUM
RPLS 4826

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO._____ CABINET ____
DATE_____PAGE_____

NO.	DATE	DESCRIPTION	BY

DRAWN BY: CAK
DATE: 07/30/2018
CHECKED BY: RJD
DRAWING NO.: 76290TM
JOB NO.: 76,290
SHEET 1 OF 1

SCHUMANN ENGINEERING CO.
A LATERAL LAND COMPANY
CIVIL ENGINEERING - LAND SURVEYING
800 N. MARIENFELD STREET SUITE 100 MIDLAND, TEXAS 79701
TEXAS FIRM No. F1880 - TEXAS FIRM No. 10149500
Office (432) 684-5548
Fax (432) 684-6973

THE GARDENS ADDITION, SECTION 9

MIDLAND Planning Division

Preliminary Plat Application

Project Number: SUB-19-0109
Case Number: P-19-0752

Proposed Subdivision Plat Name: THE GARDENS ADDITION SECTION 9

Legal Description (attached sealed Metes and Bounds): Being a Re-plat of the South half of Block 23, Gardens Addition, an Addition to the City and County of Midland, Texas

Property Owner Printed Name: Family Promise of Midland TX Inc. Thomas Miller, Executive Director		Phone (432) 688-7710 Email ( ) tmiller@familypromiseofmidland.com	
Address 3500 North "A" Suite 1400	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 Aleman		Phone (432) 684-5548 Email ealeman@schumannonline.net	
Address 800 N Marienfeld Street Suite 100	City Midland	State TX	Zip 79701

Current Zoning:

Reason for Platting: To concolidate all properties to develop family transitional housing

Plat Information	Total Acreage: 2.014 Acres
Type: ☐ Single-Family Residential ☒ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Residential Lots: 1	Number of Multi-Family Dwelling Units: 6

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'

CITY OF MIDLAND PLANNING DIVISION OFFICE
DEC 11 2019
RECEIVED

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): Thomas J Miller Date: 12-11-19

Property Owner (printed) : Thomas J. Miller

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Cynthia Ann Klatt
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 11TH day of December, 20 19, to certify which witness my hand and seal of office.

Patricia Y. Schumann
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

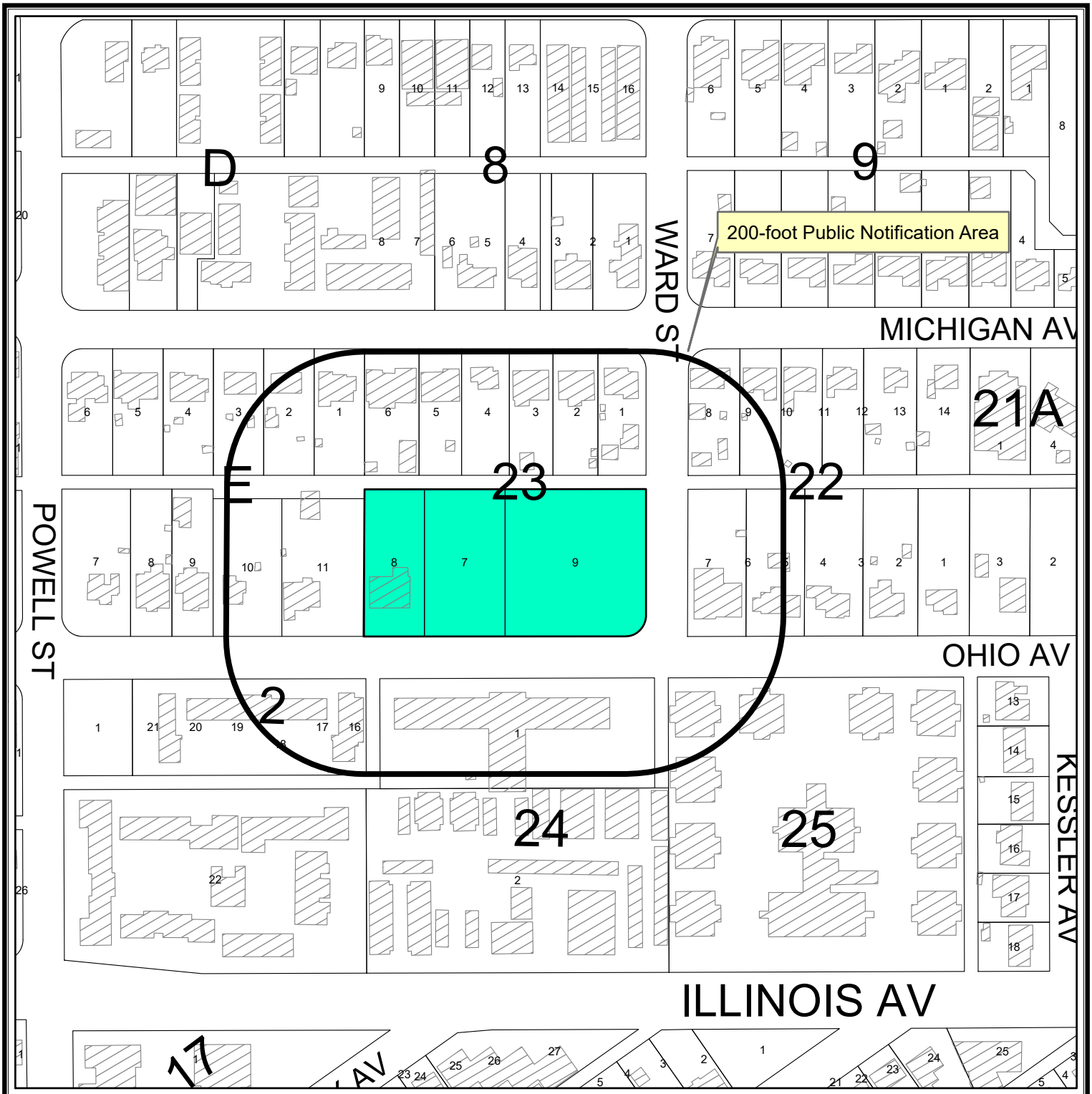
PATRICIA Y SCHUMANN
Notary ID #3132121
My Commission Expires
February 4, 2022

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 # 1307		
Received By: ES	Date:	

RECEIVED
DEC 11 2019
CITY OF MIDLAND
PLANNING/DIVISION OFFICE

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



LOCATION MAP

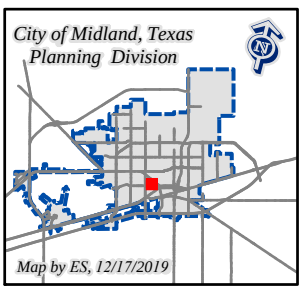
SUB-18-0109 **Scale: 1" = 200'**

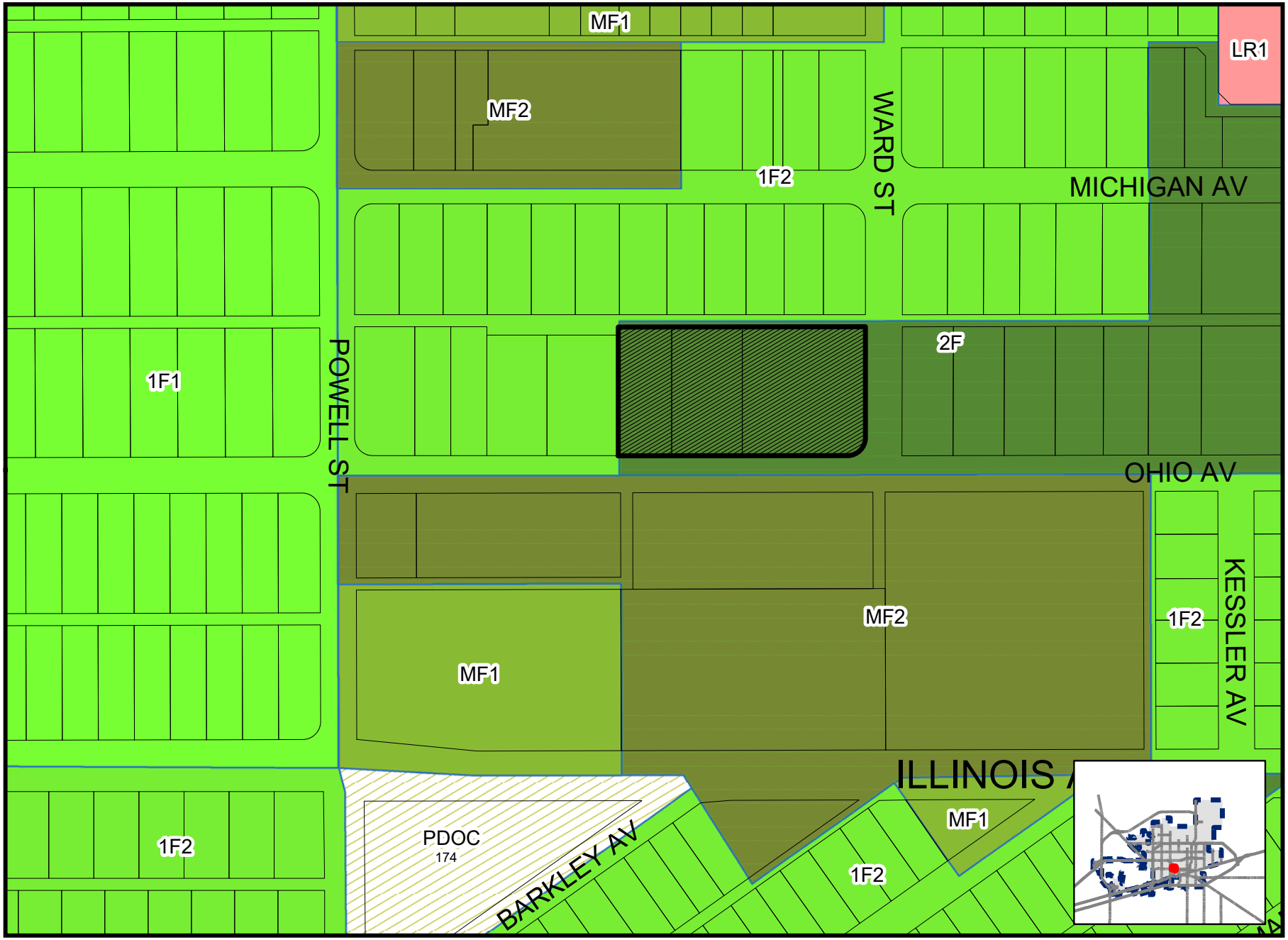
Consider a proposed plat of Garden Addition, Section 9, being a residential replat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Street. (Council District 3),

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 08/09/2018

Z-18-0036

Scale: 1" = 200'

ZONING MAP

© THE CITY OF MIDLAND - 2017 & THIS MAP IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN MAKING ANY OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of Gardens Addition, Section 9, being a residential re-plat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Avenue. Council District 3) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

MF-16, Multiple Family Dwelling District.

Preliminary Plat Approval:

The applicant's property is located at 2900, 2906 and 2908 W. Ohio Avenue. The applicant, Schumann Engineering Co. Inc., is seeking to replat the property into one (1) lot for the future development of family transitional housing operated by Family Promise of Midland. The Preliminary Plat was approved at the January 06, 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.

Departmental Review:

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

Below are the departments' comments.

Engineering: Approved

IMPACT FEES: Impact fee statement okay as shown.

ROW: Okay as shown.

PAVING: Existing paving on W. Ohio okay, no public paving improvements required.

WATER: Existing 8” water in Ohio, no public water improvements required.

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

PRO RATA: None.

SEWER: Existing sewer in Ward and alley north of lots, no public sewer improvements required.

DRAINAGE: Drainage study approved 11.14.2019 for platting purposes.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: Approved with Conditions

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

No objections to plat.

Fire: Approved

No additional comments.

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 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.

Planning: Approved

All of the department's comments have been satisfied.

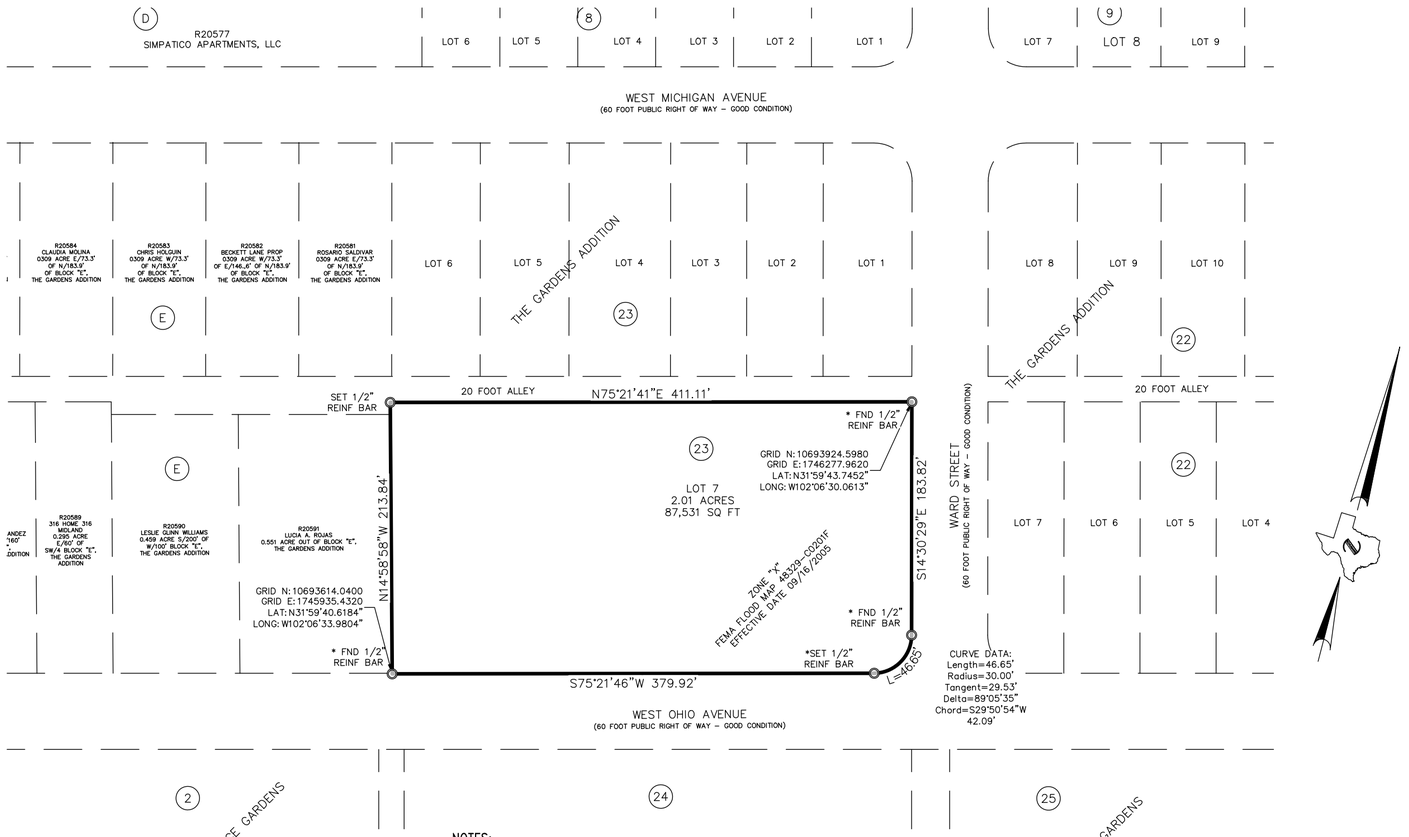
Staff recommends approval of the Final Plat of Garden Addition, Section 9, subject to condition A.

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



GARDENS ADDITION SECTION 9

BEING A RE-PLAT OF THE SOUTH HALF OF BLOCK 23, GARDENS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, WE ARE THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE GARDENS ADDITION, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS THE GARDENS ADDITION SECTION 9, 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 . ____

_____
FAMILY PROMISE OF MIDLAND TX INC.
THOMAS MILLER, EXECUTIVE DIRECTOR

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF _____, 20_____, FAMILY PROMISE OF MIDLAND TX INC., THOMAS MILLER, EXECUTIVE DIRECTOR.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

FAMILY PROMISE OF MIDLAND TX INC.
THOMAS MILLER, EXECUTIVE DIRECTOR
3500 NORTH "A" STREET SUITE 1400
MIDLAND, TEXAS 79705
(432) 688-7710

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.

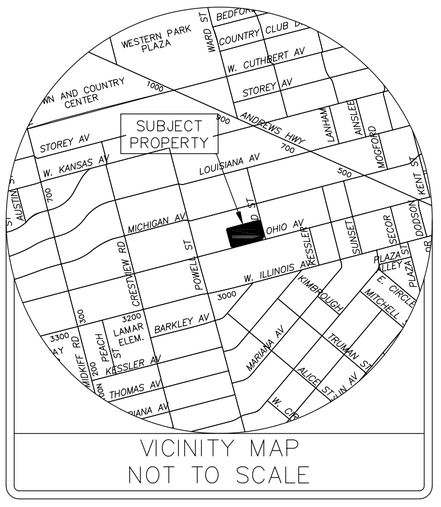
3. BEARINGS, DISTANCES AND ACREAGE SHOWN ARE GRID BASED ON GPS OBSERVATIONS AND CONFORM TO THE "TEXAS COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

4. 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.

GRAPHIC SCALE

0 80' 160'

(IN FEET)
1 inch = 80 ft.



VICINITY MAP
NOT TO SCALE

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 THE GARDENS ADDITION, SECTION 9, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2018.

SIGNED: _____
CHAIRMAN REGGIE LAWRENCE

ATTEST: _____
SECRETARY CRISTINA ODENBORG

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

_____
RJ DAUM
RPLS 4826

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO._____CABINET _____
DATE_____PAGE_____

NO.	DATE	DESCRIPTION	BY
1	1/20/20	FINAL PLAT	KDS

DRAWN BY: CAK
CHECKED BY: RJD
JOB NO.: 76,290
DATE: 07/30/2018
DRAWING NO.: 76290TM
SHEET 1 OF 1

SCHUMANN ENGINEERING CO.
A LATERAL LAND COMPANY
CIVIL ENGINEERING - LAND SURVEYING
TEXAS FIRM No. F1880 - TEXAS FIRM No. 10149500
800 N. MARIENFELD STREET
SUITE 100
MIDLAND, TEXAS 79701
Office (432) 684-5548

THE GARDENS ADDITION, SECTION 9

MIDLAND Planning Division

Final Plat Application

Project Number: SUB-18-0109

Case Number: P21-1009

Proposed Subdivision Plat Name: *The Gardens Addition Section 9*

Legal Description (attached sealed Metes and Bounds): ***Being a re-plat of the South half of Block 23, Gardens addition, City and County of Midland, Texas.***

Property Owner Printed Name: ***Family Promise***		Phone ***(432)688-7710*** Email ***tmiller@familypromiseofmidland.com***	
Address ***3500 North A Street, Suite 1400***	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: ***Consolidating adjacent properties to develop additional family transitional housing.***

Plat Information	Total Acreage: ***2.014***
Type: ☐ Single-Family Residential ☐ Commercial	☐ Multi-Family Residential ☐ 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'

RECEIVED
JAN 25 2021
BY: .....

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

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

Recording Fee (Payable to 'Midland County Clerk')
For plats 18" to 24" $61.00
For plats that exceed 24" $81.00
For related documents, $26.00 for first page, $4.00 for each additional page.

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

Property Owner (signature): Thomas J Miller Date: 1-22-21

Property Owner (printed): Thomas J. Miller

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Thomas Miller, 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 Jr. Aleman
Authorized Agent (signature)

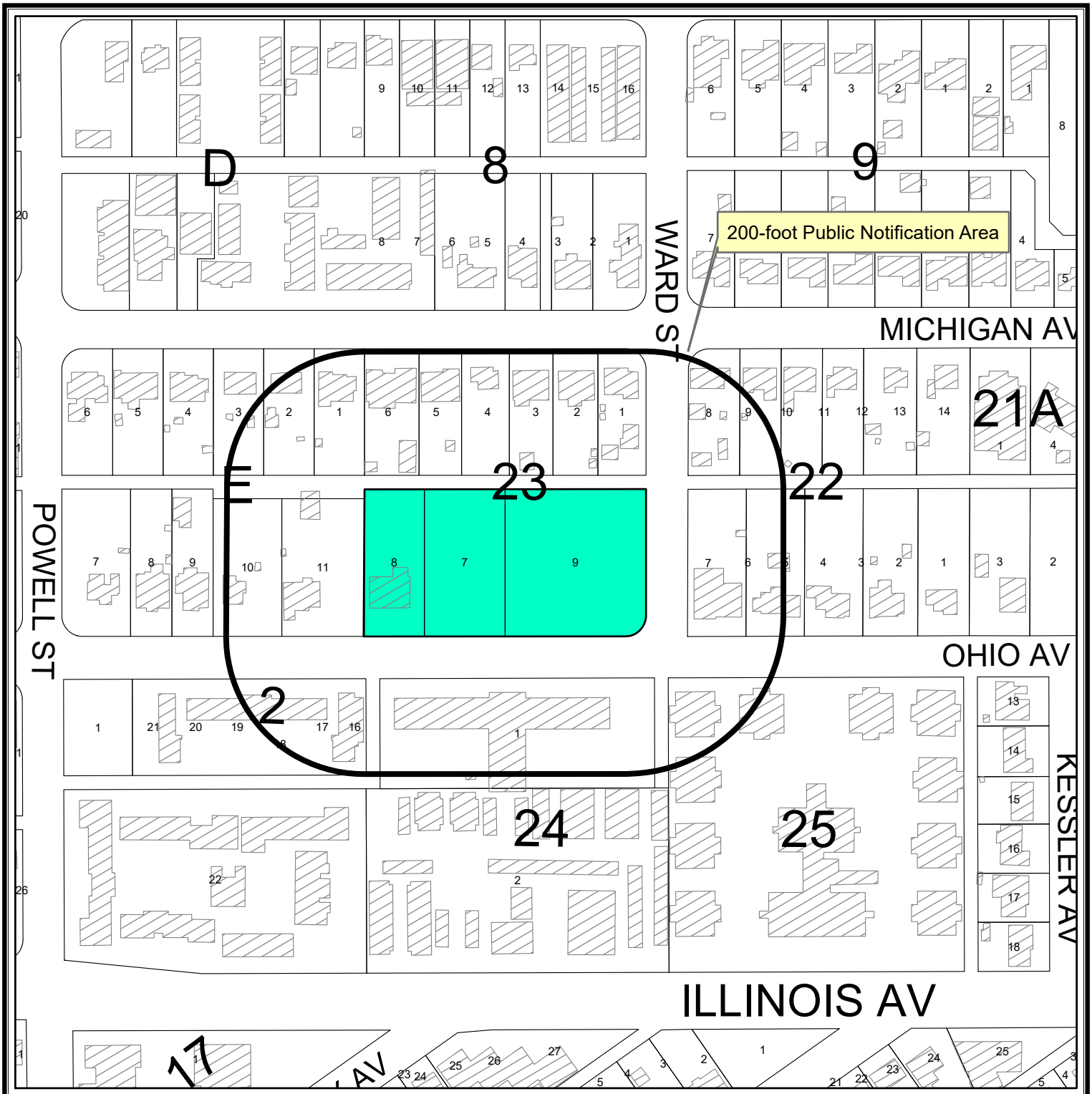
Subscribed and sworn to before me, this 21st day of January, 2021, to certify which witness my hand and seal of office.

HUNTER WAYNE HALL
Notary Public, State of Texas
Comm. Expires 06-05-2024
Notary ID 132509132

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ 1 Copy of Dimensioned Plat	☑ Plat in Digital Format (PDF/JPEG)
☑ Mylar missing	☑ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☑ Title Opinion	☑ Recording Fee
Check # 1556	☑ Tax Certificates	Check # 1555
Received By:		Date: JAN 25 2021



LOCATION MAP

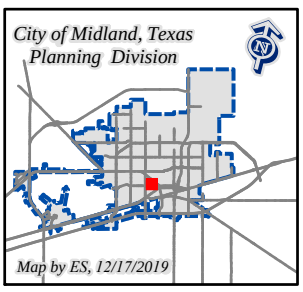
SUB-18-0109 **Scale: 1" = 200'**

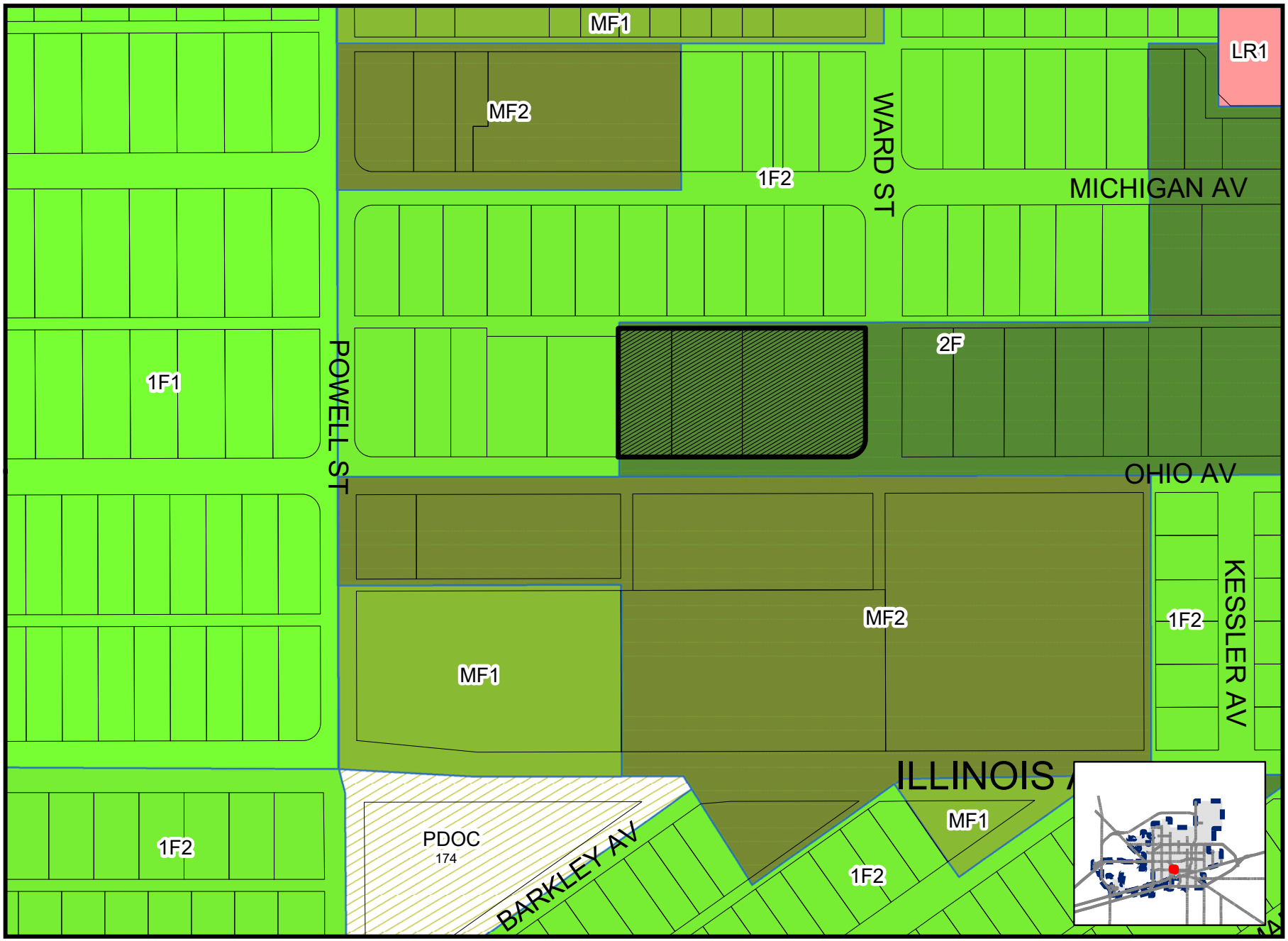
Consider a proposed plat of Garden Addition, Section 9, being a residential replat of the south half of Block 23, Gardens Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Ward Street and W. Ohio Street. (Council District 3),

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 08/09/2018

Z-18-0036

Scale: 1" = 200'

ZONING MAP

© THE CITY OF MIDLAND - 2017 & THIS MAP IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Preliminary Plat of Northwestern Addition, Section 17, being a plat of a 3.50-acre tract of land located in the northeast part of Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas (Generally located on the north side of Cardinal Lane, approximately 2,406 – feet east of N. Midland Drive. Council District 1) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Details of Request:

The property owner, Drew Scott, is proposing to plat a 3.50-acre tract of land located in the northeast part of Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas, into one (1) lot for ownership purposes.

Current Zoning:

AE, Agricultural Estate District.

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

Departmental Review:

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact Fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: Cardinal Lane is not paved to City of Midland Standards. Pave Cardinal according to City Standards along the platted frontage or request a deferral.

WATER: Water existing in Cardinal Lane. No public water improvements required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 1, 2019 - Fire hydrants shall be spaced no more than 400' apart, 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: PID Phase 1. Fee required is $13.00 per linear foot of property frontage. Pro-rata has been paid in full.

SEWER: No sewer existing. install Wastewater line according to City Standards along the platted frontage or request a deferral.

DRAINAGE: Drainage report received and under review.

EASEMENTS: Show existing and proposed.

SIDEWALKS: required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

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

No objections to plat.

FIRE: (Approved)

No objections to Plat

All future development is required to meet the IFC 2015 ed as well as all locally adopted ordinances.

CODE COMPLIANCE: (Approved)

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

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.

SURVEYOR: (Approved)

No comments.

HEALTH:

Yes, the health department will review application from the 1 proposed lot of Northwestern Addition, Section 17, PLAT OF A 3.5 ACRE TRACT OF LAND OUT OF WEST HALF OF A 7 ACRE TRACT OUT OF THE NE/4 OF SECTION 5, BLOCK X, H.P. HILLIARD SURVEY, CITY OF MIDLAND, MIDLAND COUNTY TEXAS the lot is 3.5 acre property owner must contact the CRMWD pipeline to get the setback to their lines before any excavation can occur to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Colorado River Municipal Water District:

Please refer to the letter provided by Kevin W. Krueger, PE.

PLANNING:

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

Staff recommends approval of the preliminary plat of Northwestern Addition, Section 17, subject to conditions A through C.

Conditions:

A. That the required public improvements are adequately met.

B. That a drainage study is approved.

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

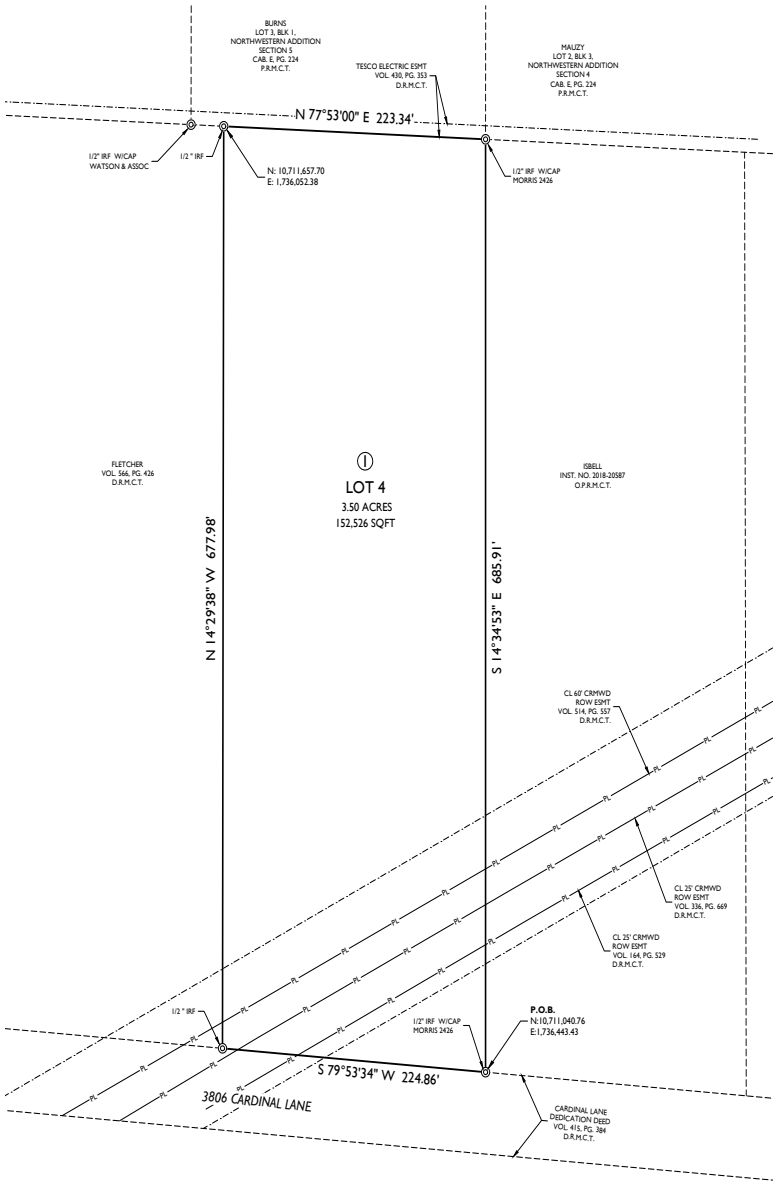
Attachments:

Proposed Preliminary Plat
Application
Map

PRELIMINARY PLAT

NORTHWESTERN ADDITION, SECTION 17

BEING A 3.50 ACRE TRACT OF LAND OUT OF THE NORTHEAST QUARTER OF SECTION 5, BLOCK X, H. P. HILLIARD SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS DREW SCOTT, is the record owner of a tract of land situated in Section 5, Block "X", H.P. Hilliard Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That DREW SCOTT, being the owner of the land shown on this plat designated as NORTHWESTERN ADDITION, SECTION 17, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage collection, utility facility access and maintenance, location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith has been selected and approved by the Director of Utilities.

WITNESS my hand at _____ - ___M.

the _____ day of _____, 2021.

By: DREW SCOTT

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF ECTOR

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

the _____ day of _____ 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of NORTHWESTERN ADDITION, SECTION 17, was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

_____ day of _____ 2021.

REGGIE LAWRENCE, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

GREGORY W. SHOULTS, R.P.L.S.
Maverick Engineering, Inc. - TBPELS #10194514
1909 W. Wall Street, Suite K
Midland, TX 79701

PRELIMINARY - THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0067F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN ZONE "X4", DESIGNATED AS "AREAS SUBJECT TO INUNDATION BY 1-PERCENT-ANNUAL-CHANCE SHALLOW FLOODING (USUALLY AREAS OF PONDING WHERE AVERAGE DEPTHS ARE BETWEEN ONE AND THREE FEET. BASE FLOOD ELEVATIONS (BFES) DERIVED FROM DETAILED HYDRAULIC ANALYSES ARE SHOWN IN THIS ZONE; MANDATORY FLOOD INSURANCE PURCHASE REQUIREMENTS AND FLOODPLAIN MANAGEMENT STANDARDS APPLY."

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

DEVELOPMENT NOTES

1. *SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.*
2. *APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.*
3. *BASIS OF BEARINGS, COORDINATES AND DISTANCES ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, U.S. SURVEY FOOT.*
4. *THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:*
   (1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR.
   (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. *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.*

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDDENLINK COMMUNICATION
BY: _____

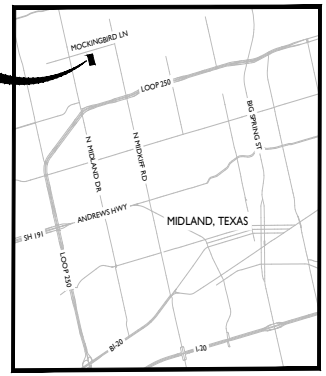
GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____

PROPERTY OWNER

DREW SCOTT
5616 DREXEL COURT
MIDLAND, TEXAS 79707
DEED INSTRUMENT # 2018-15443

SITE LOCATION



VICINITY MAP

N.T.S.

LEGEND

◎	DENOTES FOUND MONUMENT AS NOTED
O.P.R.M.C.T.	DENOTES OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DENOTES DEED RECORDS, MIDLAND CO., TX
P.R.M.C.T.	DENOTES PLAT RECORDS, MIDLAND CO., TX
———	DENOTES BOUNDARY LINE
- - - - - -	DENOTES EXISTING PROPERTY LINE
———PL———	DENOTES EXISTING UNDERGROUND PIPELINE
·—·—·—·	DENOTES EXISTING EASEMENT LINE

MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

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

NORTHWESTERN ADDITION, SECTION 17

MIDLAND
Planning Division

Preliminary Plat Application

Project Number: SUB-20-0385
Case Number: P-21-1008

Proposed Subdivision Plat Name: Northwestern Addition, Section 17

Legal Description (attached sealed Metes and Bounds): Being a 3.50 Acre Tract of Land out of the Northeast Quarter of Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas

Property Owner Printed Name: Drew Scott		Phone ( ) Email	
Address 5616 Drexel Courty	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: Maverick Engineering Printed Name: Paladin Huckaba		Phone (432)262.0999 Email	
Address 1909 W Wall St Ste K	City Midland	State TX	Zip 79701

Current Zoning: AE

Reason for Platting: Ownership Purposes

Plat Information	Total Acreage:	3.50
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)		
Number of Lots: 1	Number of Multi-Family Dwelling Units:	

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

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

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Property Owner (signature):	Date:
Property Owner (printed) : Drew Scott	

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 Drew Scott or is authorized by _____ the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L Mellen
Authorized Agent (*signature*)

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

Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

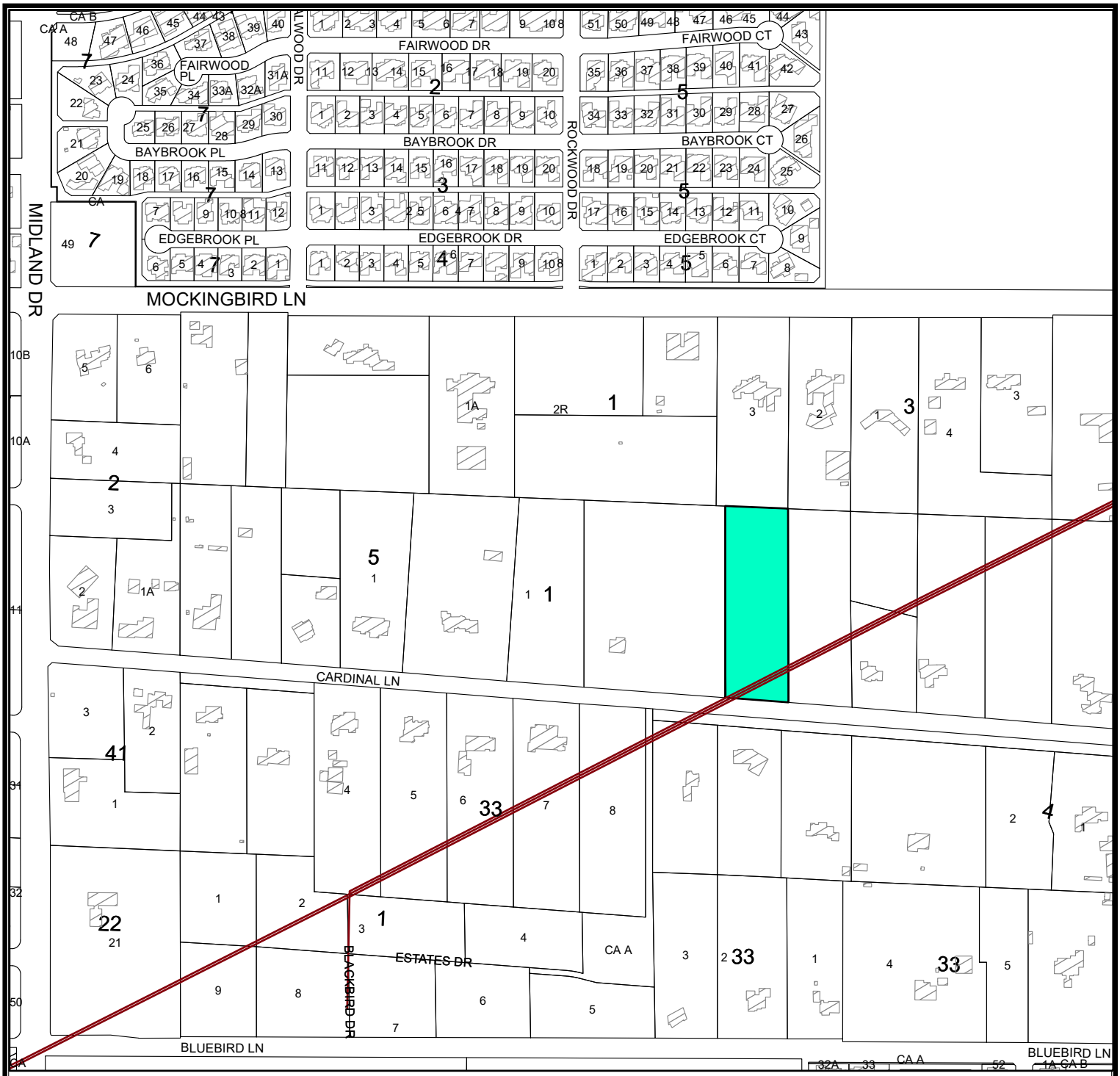
NOTARY PUBLIC STATE OF TEXAS
Kelsey Ann Stine
My Commission Expires
02/19/2022
ID No. 131456388

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 # 3343		
Received By:	Date: JAN 22 2021	RECEIVED

BY: .....

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



LOCATION MAP

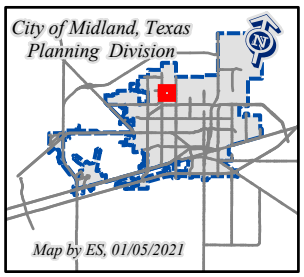
SUB-20-0385 **Scale: 1" = 250'**

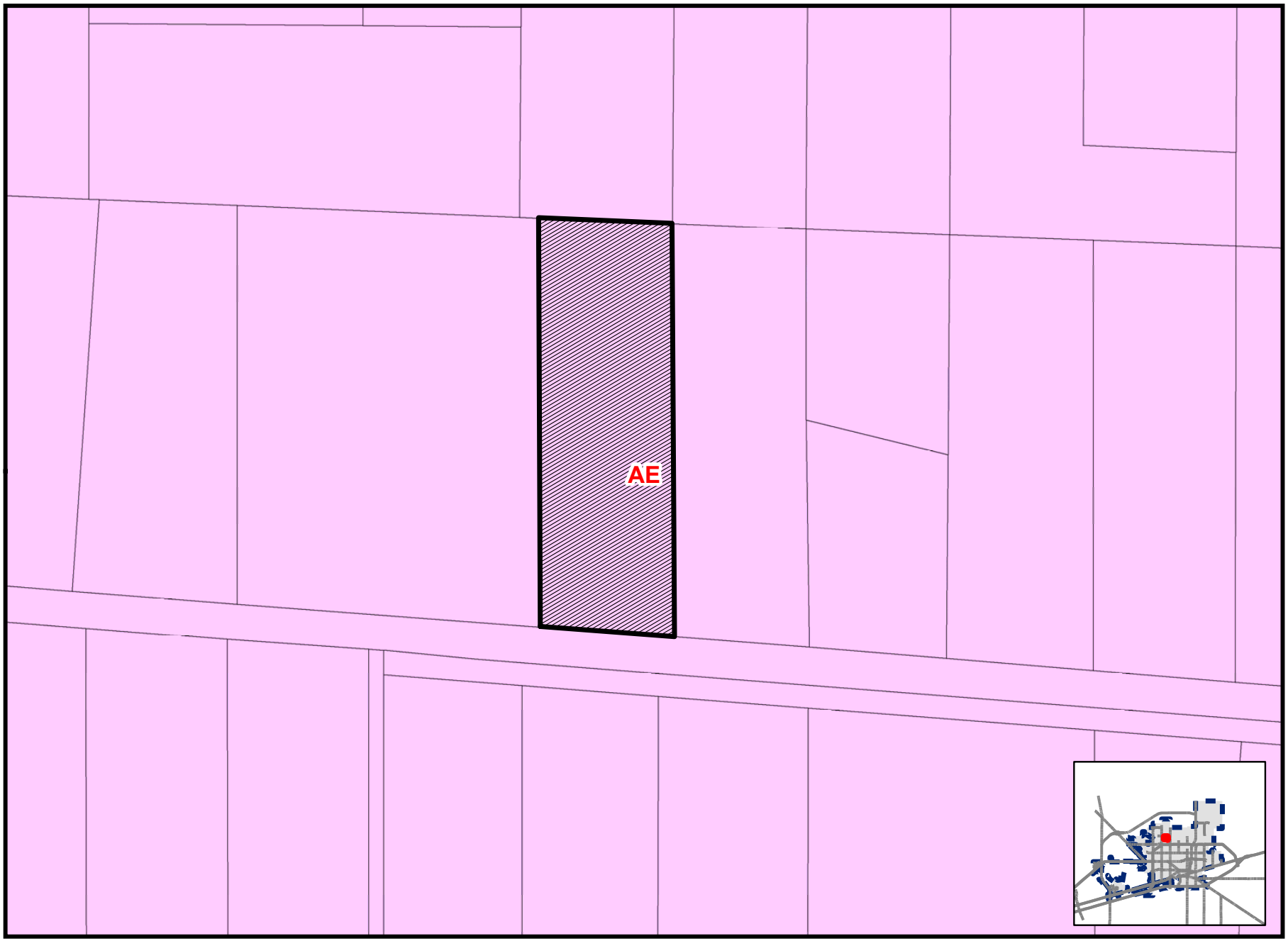
Proposed Plat of Northwestern Addition, Section 17, being a plat of a 3.50 acre tract of land, located in the northeast part of Section 5, Block X, H.P. Hilliard Survey, City and County of Midland, Texas.

Generally located on the north side of Cardinal Lane, approximately 2,406 – feet east of N. Midland Drive. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 01/07/2021

SUD-20-0385

Scale: 1" = 200'

ZONING MAP

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Valerie A. Sherman, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of Sheeler Addition, Section 9, being a re-plat of Lots 7 and 8, Block 2, Sheeler Addition, City and County of Midland, Texas. (Generally located on the west side of South K Street, approximately 146-feet north of W. Griffin Avenue. Council District 2) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

MH, Manufactured Housing District.

Preliminary Plat Approval:

The applicant, Schuman Engineering Co., Inc., is proposing to re-plat Lots 7 and 8, Block 2, Sheeler Addition, City and County of Midland, Texas, to reconfigure the lots. The preliminary plat was approved at the May 18, 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 the final approval have been met.

Departmental Review:

The proposed Final Plat of Sheeler Addition, Section 9, has been circulated to all City departments for their review. The comments are below.

Engineering: (Approved)

IMPACT FEES: Impact Fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: South K Street paved to city standards. No public paving improvements required.

WATER: 6" water existing in South K Street. No public water improvements required.

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

PRO RATA: None.

SEWER: 6" wastewater existing in South K Street. No public wastewater improvements required.

DRAINAGE: No drainage report required.

EASEMENTS: Easements are 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.

Code Compliance: (Approved)

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

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 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.

Planning: (Approved with Conditions)

All department's comments must be addressed as a condition of Final Plat approval.

Staff recommends approval of the Final Plat of Sheeler Addition, Section 9, subject to condition A.

Conditions:

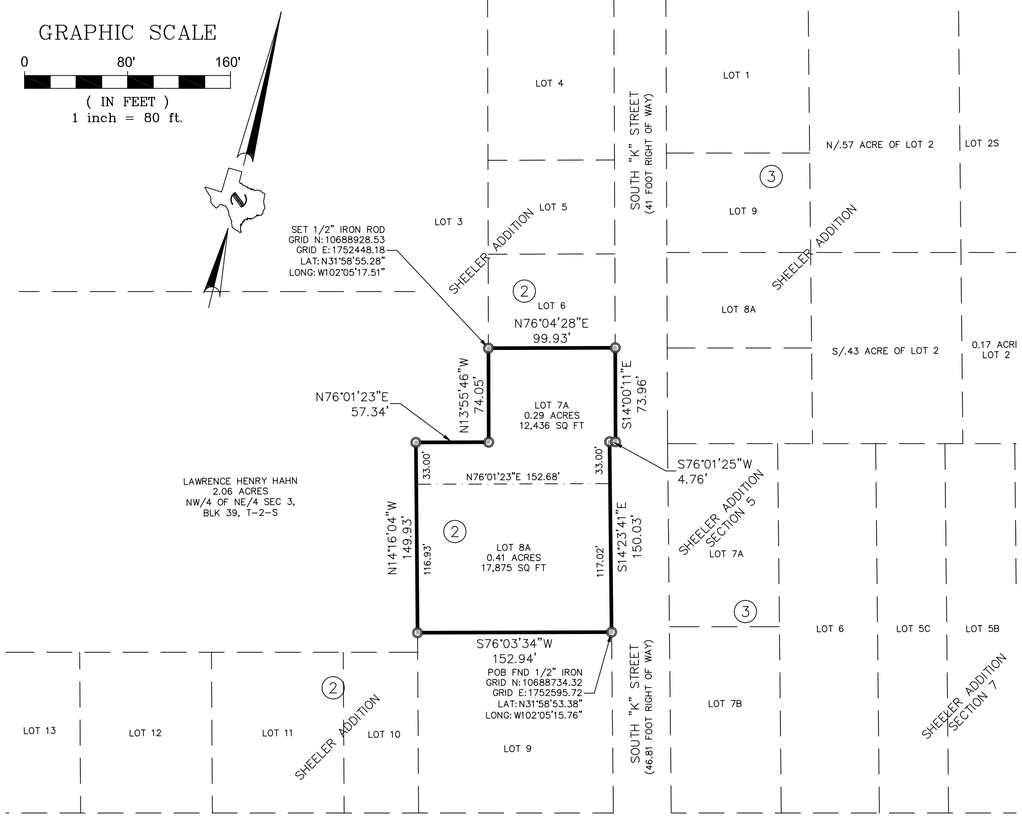
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.

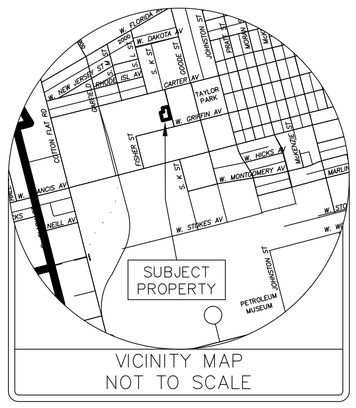
Attachments:

Proposed Final Plat
Application
Map

SHEELER ADDITION SECTION 9

BEING A REPLAT OF LOTS 7 AND 8, BLOCK 2, SHEELER ADDITION, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS





VICINITY MAP
NOT TO SCALE

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, WE ARE THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE SHEELER ADDITION, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS SHEELER ADDITION SECTION 9, 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____ .

_____
ELDA MAE EGGLESTON ALLEN

_____
MALLIE EDITH EGGLESTON MEEKS
POA HARLEY DALE MEEKS

_____
HARLEY D. MEEKS

_____
LUTHER DON MEEKS

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, ELDA MAE EGGLESTON ALLEN.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, MALLIE EDITH EGGLESTON MEEKS.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, HARLEY D. MEEKS.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____, LUTHER DON MEEKS.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

SYMBOLS LEGEND

PROPERTY CORNER	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 SHEELER ADDITION SECTION 9. WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 20____.

SIGNED: _____
CHAIRMAN REGGIE LAWRENCE

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

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

_____
RJ DAUM
TEXAS RPLS 4826

OWNER:

ELDA ALLEN
P. O. BOX 3692
MIDLAND, TX 79702
(432) 631-6020
eldaallen5@gmail.com

OWNER:

M. EDITH E. MEEKS
HARLEY D. MEEKS
LUTHER DON MEEKS
1308 S. K STREET
MIDLAND, TX 79702

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 0.70 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN TWO TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO._____CABINET _____
DATE_____PAGE_____

NO.	DATE	DESCRIPTION	BY
1	7/24/20	FINAL PLAT	KDS

DRAWN BY: CAK
CHECKED BY: RJD
JOB NO.: 77,084
DATE: 12/18/2019
DRAWING NO.: 77084SK
SHEET 1 OF 1

SCHUMANN ENGINEERING CO.
A LATERAL LAND COMPANY
CIVIL ENGINEERING - LAND SURVEYING
800 N. MARIENFELD STREET SUITE 100 MIDLAND, TEXAS 79701
TEXAS FIRM No. F1880 - TEXAS FIRM No. 10149500
Office (432) 684-5548

SHEELER ADDITION, SECTION 9

PACKET
Page 7.43
February 16, 2021

MIDLAND
Planning Division

Final Plat Application

Project Number: SUB-20-0309
Case Number: P-21-1013

Proposed Subdivision Plat Name: ***Sheeler Addition, Section 9***

Legal Description (attached sealed Metes and Bounds): ***Being a Re-plat of lots 7 & 8, Block 2, Sheeler Addition, an Addition to the City and County of Midland, Texas. .***

Property Owner Printed Name: ***Elda Allen, M. Edith E. Meeks, Harley D. Meeks & Luther Don Meeks***		Phone ***(432) 631-6020*** Email ***eldaallen5@gmail.com***	
Address ***P.O. Box 3692 1308 S. K Street***	City ***Midland***	State ***TX***	Zip ***79702***
Developer *(if different than Owner)* Printed Name:		Phone ( ) Email	
Address	City	State	Zip
Representative *(if acting as Agent, see affidavit on page 2)* Firm: ***Schumann Engineering Co., Inc.*** Printed Name: ***Eduardo L. Aleman***		Phone ***(432) 684-5548*** Email ***ealeman@schumannonline.net***	
Address ***800 N. Marienfeld Suite 100***	City ***Midland***	State ***TX***	Zip ***79701***

Current Zoning:

Reason for Platting: ***To change configuration of Lots.***

Plat Information	Total Acreage: ***.70***
Type: ☐ Single-Family Residential ☐ Commercial	☐ Multi-Family Residential ☐ 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)
- 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): X Harley D Meeks Date: 1-27-21

Property Owner (printed) : Harley Dale Meeks

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Harley D. Meeks 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 27 day of January, 20 ~~19~~ 21, to certify which witness my hand and seal of office.

HUNTER WAYNE HALL
Notary Public, State of Texas
Comm. Expires 06-06-2024
Notary ID 132509132

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

X Property Owner Authorization	X 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	X 1 Copy of Plat (11x17)	☐ Public Improvements
X Application Fee	X Title Opinion	X Recording Fee
Check # 1559	X Tax Certificates	Check #
Received By: VSheets		Date:

RECEIVED
JAN 27 2021
BY: VS

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

☐ Applicant would like a reproduction made for their records

☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')
For plats 18" to 24" $61.00
For plats that exceed 24" $81.00
For related documents, $26.00 for first page, $4.00 for each additional page.

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

Property Owner (signature): X Harley D Meeks POA Edoh Maha | Date: 1-27-21

Property Owner (printed) : Harley D Meeks

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Edwardo J. Aleman
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 27 day of January, 2021, to certify which witness my hand and seal of office.

HUNTER WAYNE HALL
Notary Public, State of Texas
Comm. Expires 06-05-2024
Notary ID 132509132

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check #_____	☐ Tax Certificates	Check #_____
Received By:		Date:

RECEIVED
JAN 27 2021
BY: .....

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

☐ Applicant would like a reproduction made for their records

☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')
For plats 18" to 24" $61.00
For plats that exceed 24" $81.00
For related documents, $26.00 for first page, $4.00 for each additional page.

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

Property Owner (signature): X D MEEKS Date: 1-27-21

Property Owner (printed): LUTHER DON MEEKS

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 Akeman who, being by me duly sworn, upon oath says: That (s)he is authorized by Don Meeks, 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 Akeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 27th day of January, 2021, to certify which witness my hand and seal of office.

HUNTER WAYNE HALL
Notary Public, State of Texas
Comm. Expires 06-05-2024
Notary ID 132509132

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check #_____	☐ Tax Certificates	Check #_____
Received By:		Date:

RECEIVED
JAN 27 2021
BY: .....

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

☐ Applicant would like a reproduction made for their records

☐ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')

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

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

Property Owner (signature): X Elda Allen Elda Eggleston Allen | Date: 1-27-21

Property Owner (printed) : Elda Allen Elda Eggleston Allen

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Ed Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Elda Allen, 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 27 day of January, 20 ~~19~~ 21, to certify which witness my hand and seal of office.

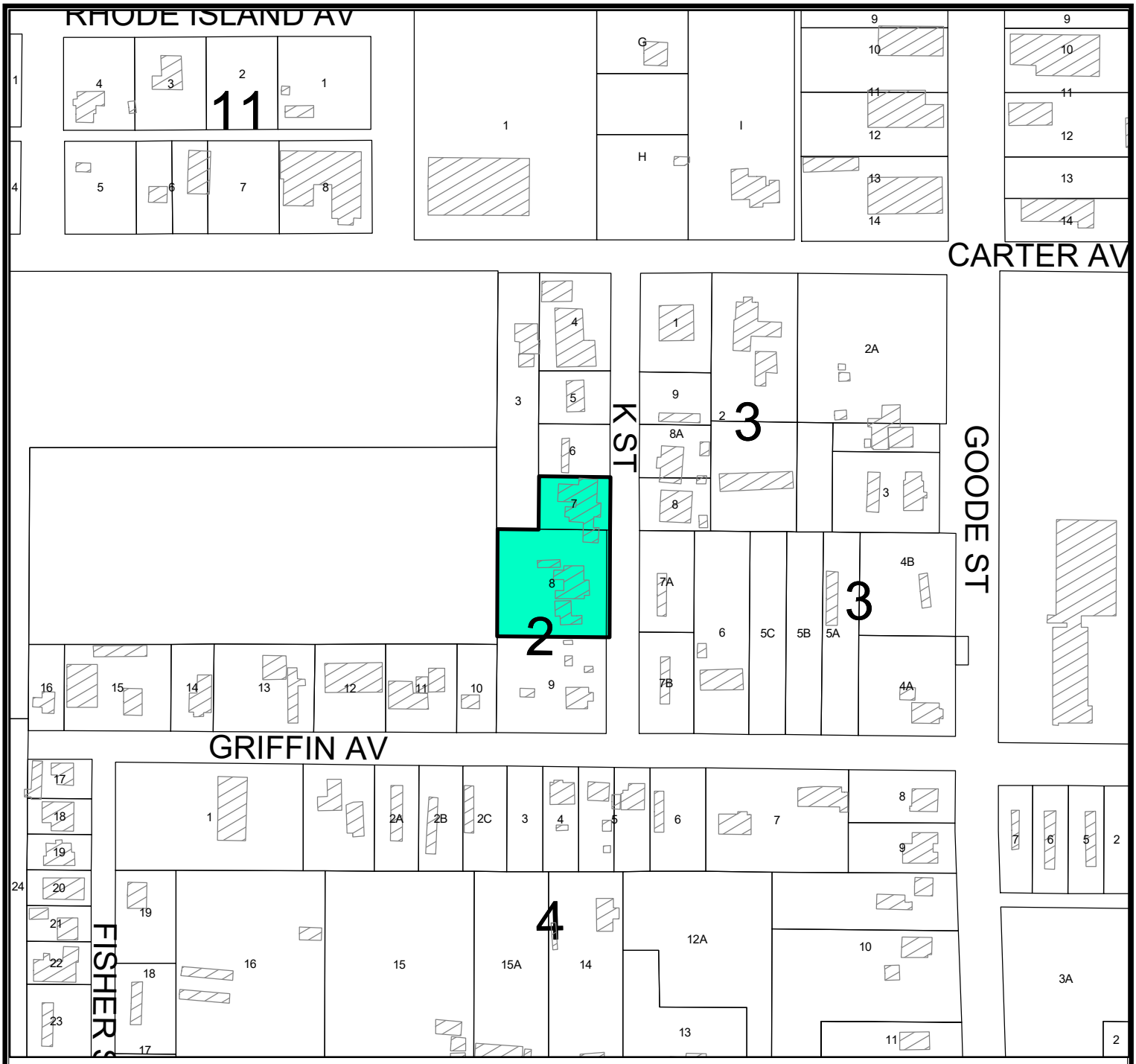
HUNTER WAYNE HALL
Notary Public, State of Texas
Comm. Expires 06-05-2024
Notary ID 132509132

Hunter
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☐ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check #_____	☐ Tax Certificates	Check #_____
Received By:		Date:

RECEIVED
JAN 27 2021
BY: .....



LOCATION MAP

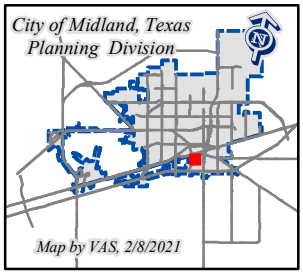
SUB-20-0309 **Scale: 1" = 200'**

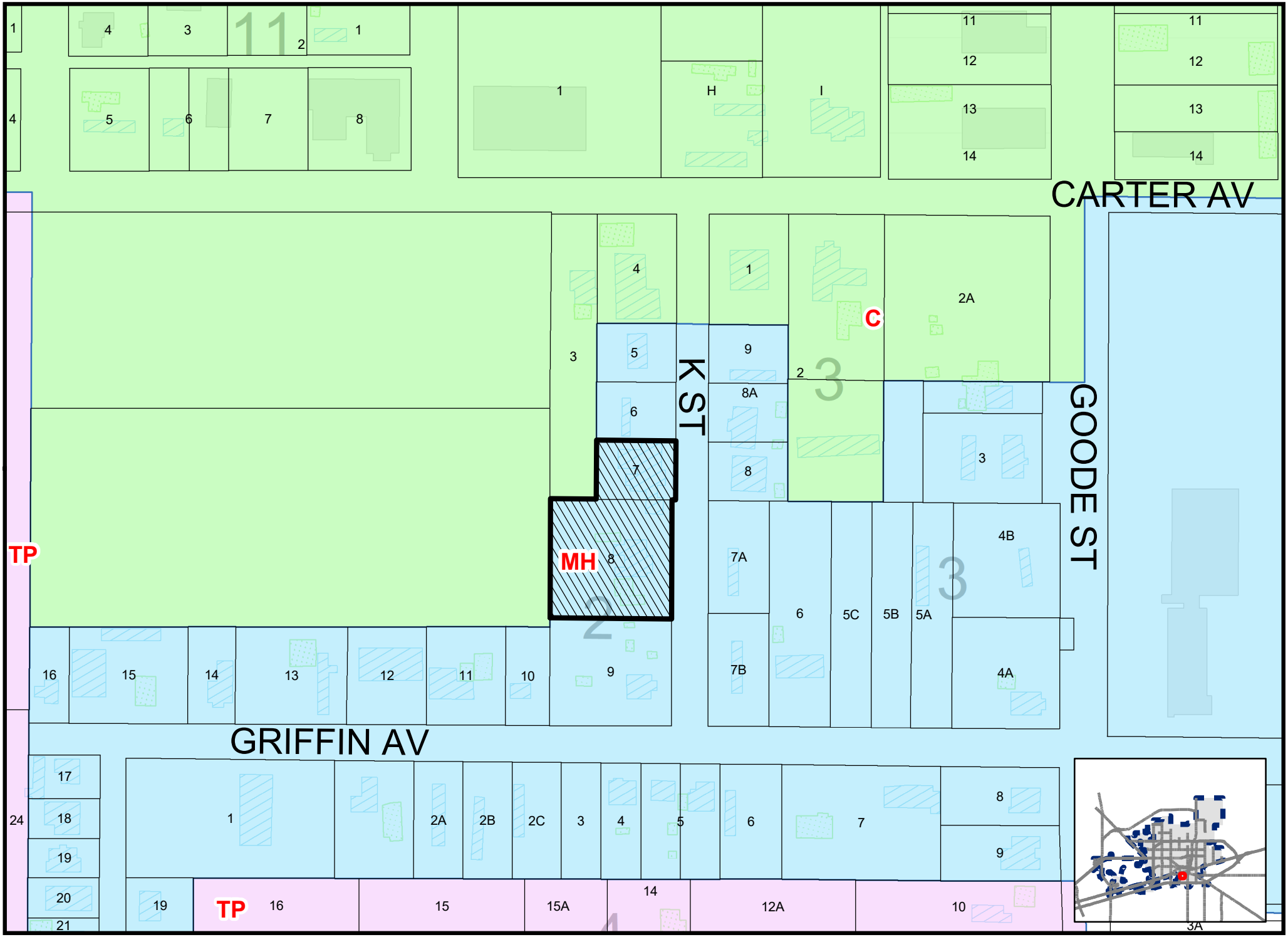
Proposed plat of Sheeler Addition, Section 9, being a re-plat of Lots 7 and 8, Block 2, Sheeler Addition, City and County of Midland, Texas.

Generally located on the west side of South K Street, approximately 146-feet north of W. Griffin Avenue. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By GAC, 04/28/2020 PACKET SUB-20-0309 Scale: 1" = 200' Page 7.50

ZONING MAP

February 16, 2021

© 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 PERFORMING OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Valerie A. Sherman, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of Sheeler Addition, Section 10, being a residential re-plat of Lots 17 and 18, Block 2, Sheeler Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Griffin Avenue and Fisher Street. Council District 2) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

MH, Manufactured Housing District.

Preliminary Plat Approval:

The applicant, S. W. Howell, Inc., is proposing to re-plat Lots 17 and 18, Block 2, Sheeler Addition, City and County of Midland, Texas, into one (1) lot to combine the two existing lots. 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 the final approval have been met.

Departmental Review:

The proposed Final Plat of Sheeler Addition, Section 10, has been circulated to all City departments for their review. The comments are below.

GIS:

Something is off with the beginning point. It encroaches what we have as lot 24 block 2 off Sheeler Section 7. I checked the survey for Section 7, and it seems to be correct. The other thing is that lot 24 is already taken by Sheeler Section 7 plat.

Engineering: (Approved)

ROW: ROW is fine as shown on W. Griffin Ave. and S Fisher St.

PAVING: Fisher roadway is okay as shown.

WATER: 6” water exists in Fisher Street, okay as is. No public water improvements required. 6” water exists in Griffin east of tract, okay as is. No public water improvements required.

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

PRO RATA: None.

SEWER: 6” sewer exists in Fisher Street, okay as is. No public wastewater improvements required.

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

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No additional comments.

Code Compliance: (Approved)

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

Building: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 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.

Planning: (Approved)

This should be Lot 25, as there already is a Lot 24, Block 2.

Label a point of beginning (POB).

The date in the Acknowledgement and Certificate of Approval should be 2021.

All department's comments must be addressed as a condition of Final Plat approval.

Staff recommends approval of the Final Plat of Sheeler Addition, Section 10, subject to condition A.

Conditions:

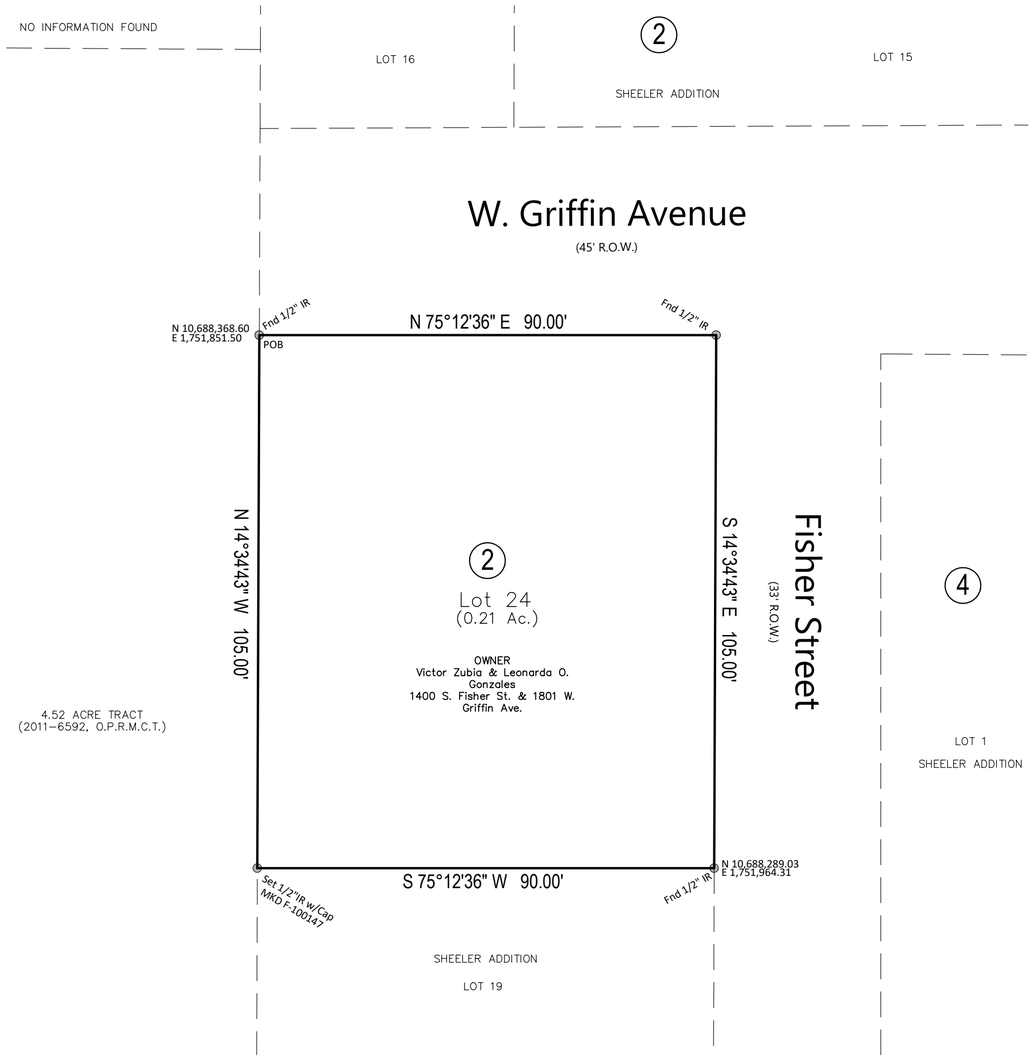
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.

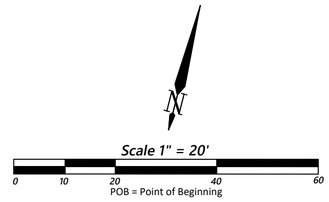
Attachments:

Proposed Final Plat
Application
Map

SHEELER ADDITION, SECTION 10

BEING A REPLAT OF LOTS 17 & 18, BLOCK 2, SHEELER ADDITION
AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS





LEGEND

= PROPERTY LINE

= PROPERTY CORNER

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 PLAT OF SHEELER ADDITION RECORDED IN CABINET C, PAGE 181, 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 LOT(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. 48329C0202F DATED SEPTEMBER 16, 2005. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THIS INFORMATION; THE LOCAL FEMA FLOOD PLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR VERIFICATION.
6. INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

UTILITY COMPANY CERTIFICATE

This plat has been check for accessibility of utilities.

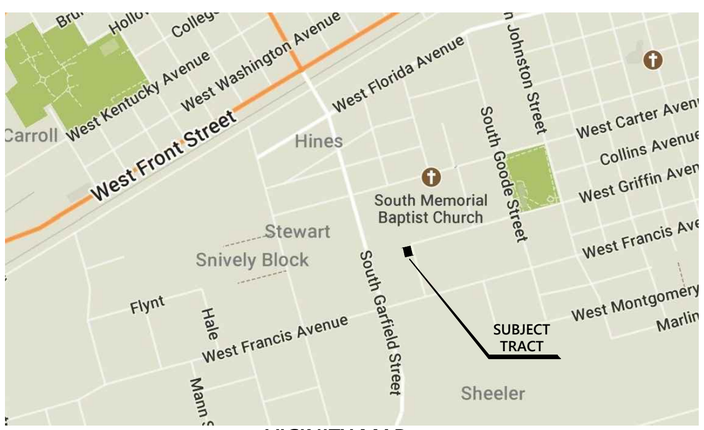
Atmos Energy

Oncor Electric Delivery

A T & T

Grande Communications

SuddenLink Communications



VICINITY MAP NTS

Texas 811
Know what's below.
Call before you dig.

SURVEYOR'S CERTIFICATE

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 _____

S. W. HOWELL, INC.

STATE OF TEXAS
REGISTERED
SAM HOWELL II
4631
PROFESSIONAL
LAND SURVEYOR

SAM HOWELL, II
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4631

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, Victor Zubia Gonzales and Leonarda Ortega Gonzales are the record owners of Lot 17 and Lot 18, Block 2, Sheeler Addition, an addition to the City of Midland, Midland County, Texas, and more particularly described hereon:

FIELD NOTES OF A 0.21 ACRE TRACT OF LAND BEING LOTS 17 AND 18, BLOCK 2, SHEELER ADDITION, RECORDED IN CABINET C, PAGE 181, PLAT RECORDS OF MIDLAND COUNTY, TEXAS, MIDLAND COUNTY, TEXAS:

BEGINNING at a 1/2 inch iron rod found in the south Right of Way line of West Griffin Avenue and the east boundary line of a 4.52 acre tract described in Instrument Number 2011-6592, Official Public Records of Midland County, Texas, for the northwest corner of Lot 17, Block 2, Sheeler Addition, an addition to the City of Midland, Midland County, Texas, recorded in Cabinet C, Page 181, Plat Records of Midland County, Texas, and for this tract;

THENCE N 75°12'36" E, with the south Right of Way line of said W. Griffin Avenue and the north boundary line of said Lot 17, 90.00 feet, to a 1/2 inch iron rod found in the south Right of Way line of said W. Griffin Avenue and the west Right of Way line of Fisher Street for the northeast corner of said Lot 17 and this tract;

THENCE S 14°34'43" E, with the west Right of Way line of said Fisher Street and the east boundary line of said Lot 17 and Lot 18 of said Block 2, 105.00 feet, to a 1/2 inch iron rod found for the northeast corner of said Lot 19 of said Block 2 and for the southeast corner of said Lot 18 and this tract;

THENCE S 75°12'36" W, with the north boundary line of said Lot 19 and the south boundary line of said Lot 18, 90.00 feet, to a 1/2 inch iron rod with cap marked "Howell F-100147" set in the east boundary line of said 4.52 acre tract for the southwest corner of said Lot 18 and this tract;

THENCE N 14°34'43" W, with the east boundary line of said 4.52 acre tract and the west boundary line of said Lot 18 and said Lot 17, 105.00 feet, to the Point of Beginning and containing 0.21 acres of land.

ACKNOWLEDGEMENT

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Victor Zubia Gonzales and Leonarda Ortega Gonzales do hereby adopt this plat designating the hereon described property as "SHEELER ADDITION, Section 10" Being a 0.21 acre tract of land in City of Midland, 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 _____day of _____, 2020.

Victor Zubia Gonzales

Leonarda Ortega Gonzales

STATE OF TEXAS
COUNTY OF MIDLAND

This instrument was acknowledged before me on _____ , 2020, by Victor Zubia Gonzales.

My Commission Expires: _____

Notary Public, State of Texas

Printed Name of Notary

STATE OF TEXAS
COUNTY OF MIDLAND

This instrument was acknowledged before me on _____ , 2020, by Leonarda Ortega Gonzales.

My Commission Expires: _____

Notary Public, State of Texas

Printed Name of Notary

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "SHEELER ADDITION, SECTION 10," was approved by proper action of the Planning and Zoning Commission of the City of Midland, Texas, on this _____ day of _____ , 2020.

REGGIE LAWRENCE
Chairman of Planning and Zoning Commission

CRISTINA ODENBORG-BURNS
Secretary of Planning and Zoning Commission

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO._____ CABINET _____

DATE: _____ PAGE _____

INSTRUMENT NUMBER: _____

S.W. HOWELL, INC.
409 East 57th Street, Odessa, Texas, 79762
Phone: (432) 367-5711
swh@swhowell.com
TEXAS SURVEYING FIRM #F-100147-00
TEXAS ENGINEERING FIRM #F-173
Engineering, Surveying and Land Planning

Job Number:	Drawn by:	Date:
20-36263	RJD	August, 2020

Owner Information:

Name: Victor Zubia and Leonarda Ortega Gonzales

Address: 1400 S. Fisher Street & 1801 W. Griffin Avenue
Midland, Texas 79701

MIDLAND Planning Division

Final Plat Application

Project Number:_____

Case Number:_____

Proposed Subdivision Plat Name: Sheeler Addition, Section 10

Legal Description (attached sealed Metes and Bounds): Lots 17 and 18, BLock 2, Sheeler Addition
Recorded in Cabinet C, Page 181, Plat Records of Midland County, Texas

Property Owner Printed Name: Victor Zubia Gonzales & Leonarda O. Gonzalez		Phone (432) 664-6076 Email alexlove1945@gmail.com	
Address 1400 Fisher Street	City Midland	State TX	Zip 79701

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

Representative *(if acting as Agent, see affidavit on page 2)* Firm: S.W. Howell, Inc. Printed Name: Janie Howell		Phone (432) 367-5711 Email j.howell@swhowell.com	
Address 409 E 57th Street	City Odessa	State TX	Zip 79762

Current Zoning: MH Mobile Home Dwelling District

Reason for Platting:_____
Combine two lots into one

Plat Information	Total Acreage: 0.21 acres
Type: ■ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 1	Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

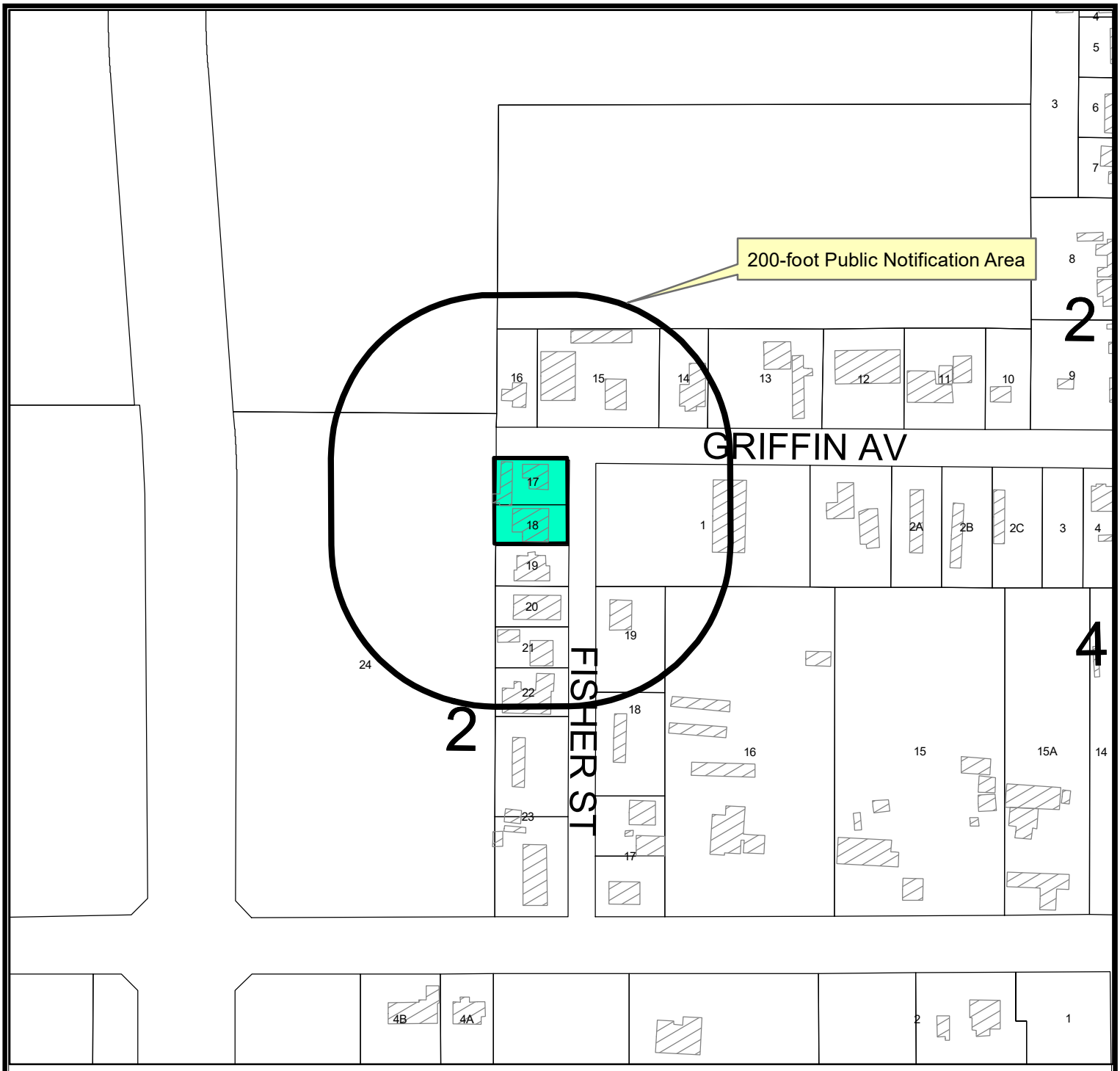
Janie Howell

Victor and Leonarda Gonzalez

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

FOR OFFICE USE ONLY

Recording Fee



LOCATION MAP

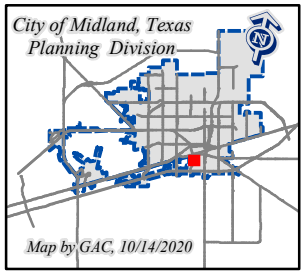
SUB-20-0361 **Scale: 1" = 400'**

Proposed plat of Sheeler Addition, Section 10, being a re-plat of Lots 17 and 18, Block 2, Sheeler Addition, City and County of Midland, Texas.

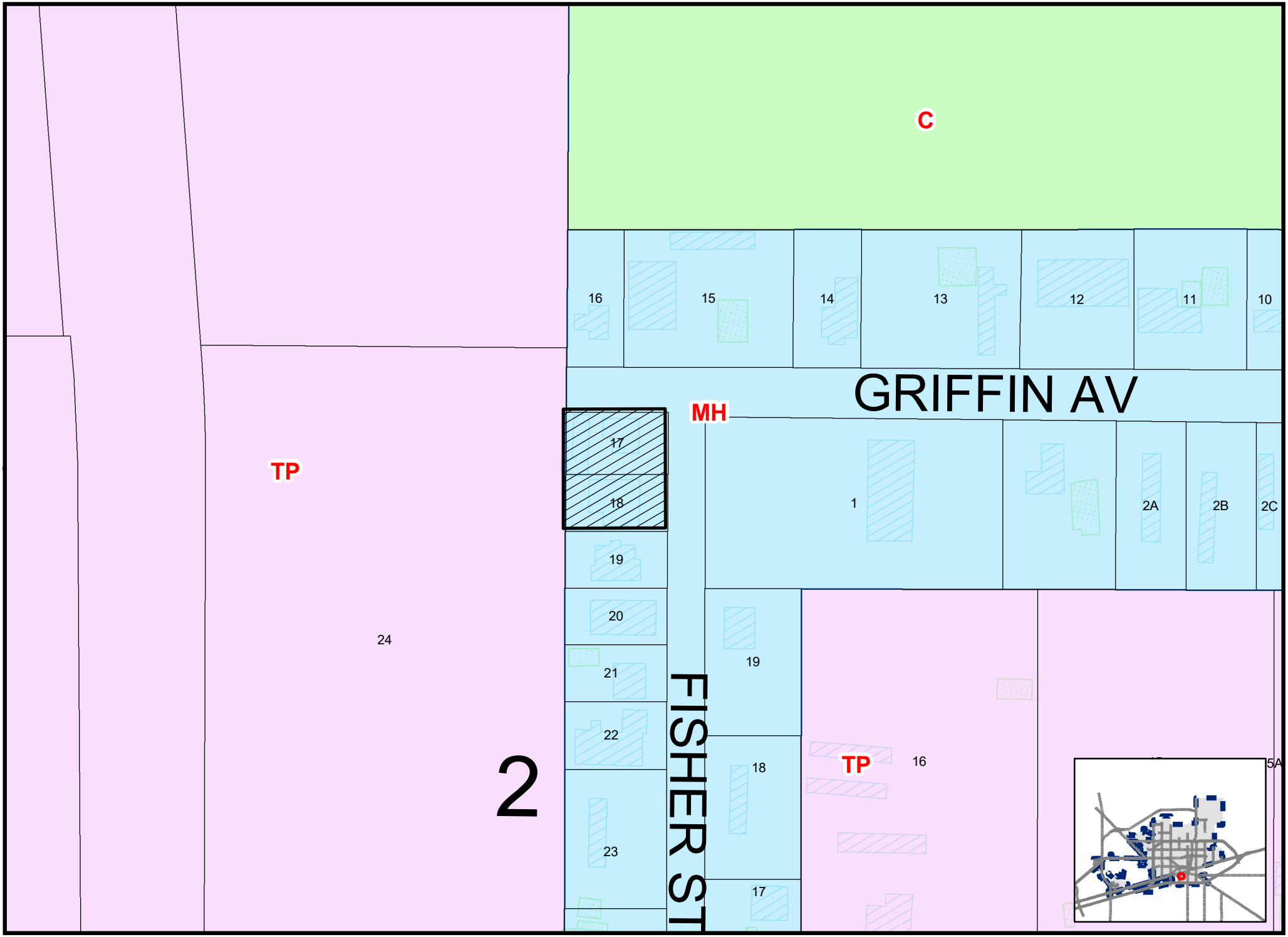
Generally located on the southwest corner of the intersection of West Griffin Avenue and Fisher Street. (Council District 2)

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.



Map By GAC, 09/8/2020

PACKET

SKB-20-0361

Scale: 1" = 200'

ZONING MAP

February 16, 2021

© 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 FOR MAKING DECISIONS. GET SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Joseph Marynak, Planner**

SUBJECT: **Consider a proposed Final Plat of Hannah Addition, Section 3, being a plat of a 15-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the west side of South County Road 1230, approximately 2,660 feet south of West County Road 120. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Preliminary Plat Approval:

The applicant, Landgraf, Crutcher & Associates, is proposing to plat a 15-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas, into five (5) lots for ownership purposes. The Preliminary Plat was approved at the June 15, 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.

Departmental Review:

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

Below are the departments' comments.

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

ENGINEERING: (Approved with Conditions)

ROW: ROW okay as shown.

PAVING: Deferral approved by the City of Midland on 2/3/2020

WATER: Deferral approved by City of Midland on2/3/2020.

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 2/3/2020

DRAINAGE: Drainage report approved by City of Midland.

EASEMENTS: okay as shown.

SIDEWALKS: Deferral approved by City of Midland on 2/3/2020.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

Driveway permits required from Midland County for access to CR 1232.

No objections to plat.

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

PLANNING:

The chairman of the Planning and Zoning Commission is Reggie Lawrence

Staff recommends approval of the Final Plat of Hannah Addition, Section 3, subject to condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Maps
Application

VICINITY MAP
NOT TO SCALE

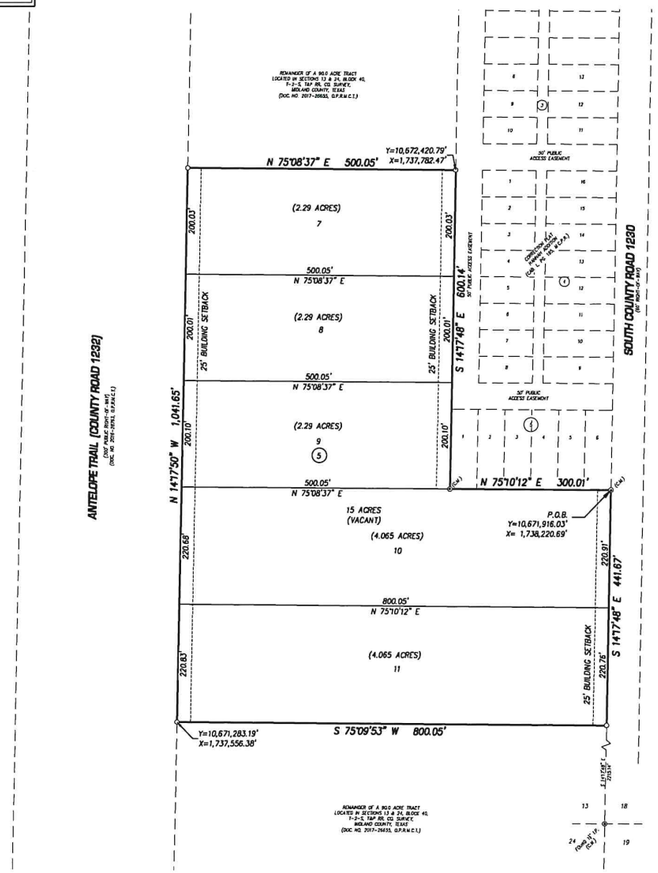
FINAL PLAT

HANNAH ADDITION, SECTION 3

BEING A 15-ACRE TRACT

LOCATED IN SECTION 13 BLOCK 40, T-2-S, T&P RR CO. SURVEY

MIDLAND COUNTY, TEXAS



LEGAL DESCRIPTION
OF A 15 ACRE TRACT OF LAND LOCATED IN
SECTION 13 BLOCK 40, T-2-S
T&P RR CO. SURVEY,
MIDLAND COUNTY, TEXAS

BEING A 15 ACRE PORTION OF THAT CERTAIN 90.0 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2017-2655 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS IN SECTION 13 BLOCK 40, T-2-S, T&P RR CO. SURVEY, MIDLAND COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT (Y=10,671,916.03' AND X=1,738,220.69') A ½" IRON ROD WITH CAP MARKED "WEST CO." (CONTROL MONUMENT) FOUND AT THE SOUTHEAST CORNER OF CORRECTION PLAT HANNAH ADDITION AS DESCRIBED IN CABINET I, PAGE 193, MIDLAND COUNTY PLAT RECORDS AND BEING AN ELL CORNER OF THIS TRACT;

THENCE SOUTH 14°17'48" EAST WITH THE EAST LINE OF SAID 90.0 ACRE TRACT AND THE WEST LINE OF SOUTH COUNTY ROAD 1232, A DISTANCE OF 441.67 FEET TO A ½" IRON ROD SET WITH PLASTIC CAP STAMPED "LCA ODESSA TX" FOR THE SOUTHEAST CORNER OF THIS TRACT, WHENCE A 1 ½" IRON PIPE (CONTROL MONUMENT) FOUND AT THE COMMON CORNER OF SECTIONS 13, 18, 19 AND 24 BEARS SOUTH 14°17'48" EAST A DISTANCE OF 2,215.14 FEET;

THENCE SOUTH 75°09'53" WEST A DISTANCE OF 800.05 FEET TO A ½" IRON ROD WITH PLASTIC CAP STAMPED "LCA ODESSA TX" SET IN THE EAST RIGHT-OF-WAY LINE OF ANTELOPE TRAIL, A 300' RIGHT-OF-WAY DESCRIBED IN DOC. NO. 2016-28763, O.P.R.M.C.T. FOR SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 14°17'50" WEST WITH THE EAST RIGHT-OF-WAY LINE OF SAID ANTELOPE TRAIL, A DISTANCE OF 1,041.65 FEET TO A ½" IRON ROD WITH PLASTIC CAP MARKED "LCA ODESSA TX" SET IN THE EAST RIGHT-OF-WAY LINE OF SAID ANTELOPE TRAIL FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 75°08'37" EAST A DISTANCE OF 500.05 FEET TO A ½" IRON ROD WITH CAP MARKED "LCA ODESSA TX" SET IN THE WEST BOUNDARY OF SAID CORRECTION PLAT HANNAH ADDITION FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 14°17'48" EAST WITH THE WEST BOUNDARY OF SAID CORRECTION PLAT HANNAH ADDITION, A DISTANCE OF 600.14 FEET TO A ½" IRON ROD WITH PLASTIC CAP MARKED "WEST CO." (CONTROL MONUMENT) FOUND AT THE SOUTHWEST CORNER OF SAID CORRECTION PLAT HANNAH ADDITION AND BEING AN INTERIOR ELL CORNER FOR THIS TRACT;

THENCE NORTH 75°10'12" EAST ALONG THE SOUTH BOUNDARY OF SAID CORRECTION PLAT HANNAH ADDITION, A DISTANCE OF 300.01 FEET TO THE POINT OF THE BEGINNING CONTAINING 15 SURFACE ACRES OF LAND.

BEARINGS, DISTANCES AND COORDINATES ARE RELATIVE TO THE TEXAS COORDINATE SYSTEM, 1983 NAD, CENTRAL ZONE, BASED ON THE CITY OF MIDLAND GPS CONTROL MONUMENT "44/93" (Y=10,678,824.35' AND X=1,737,826.30') WITH A THETA ANGLE OF -00°56'40" WITH A COMBINED GRID FACTOR OF 0.9998884633 AS PUBLISHED IN US SURVEY FEET. ACREAGE STATED HEREIN IS AVERAGE SURFACE.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, VETERAN FABRICATION, DO HEREBY ADOPT THIS PLAT OF HANNAH ADDITION, SECTION 3, BEING A 15-ACRE TRACT IN SECTION 13 BLOCK 40, T-2-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY AND EASEMENTS SHOWN THEREON FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND AN EASEMENT OF EGRESS AND INGRESS FOR TRASH COLLECTION, AND LOCATION AND MAINTENANCE OF TRASH CONTAINERS, AND AS A CONDITION OF SAID EASEMENT THAT NO CONSTRUCTION SHALL COMMENCE ON THE SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THERE WITH HAVE BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

VETERANS FABRICATION INC.
GERALD PETE FUENTES, PRESIDENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED GERALD PETE FUENTES, PRESIDENT, 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 CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF

OFFICE THIS ____ DAY OF _____ 2020.

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

GENERAL NOTES

1. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THIS LOT MAY BY DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
2. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
3. COMPLY WITH THE EXISTING DRAINAGE ANALYSIS TITLED HANNAH ADDITION SECTION 3, SEALED BY EZEKIEL BRYAND, P.E., AND APPROVED BY THE CITY OF MIDLAND ON AUGUST 26,2020, OR ANY REVISIONS, CORRECTIONS, AMENDMENTS, OR REPLACEMENTS OF THIS DRAINAGE ANALYSIS THAT ARE APPROVED BY THE CITY OF MIDLAND.
4. 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 TRACT UNLESS THE NUMBER OF SERVICE UNITS TO BE DEVELOPED ON THE TRACT INCREASES.
5. 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.
6. THE SUBJECT PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE A SPECIAL FLOOD HAZARD AREA) ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP NO. 48329C0200F, MAP REVISED: SEPTEMBER 16, 2005.

100' 0 100'
SCALE : 1" = 100'

LEGEND

- ⊕ FOUND 1/2" I.R. W/CAP MARKED "WEST CO." UNLESS OTHERWISE NOTED
- ○ SET 1/2" I.R. W/CAP MARKED "LCA ODESSA TX"
- ⊛ CONTROL MONUMENT (C.M.)

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: THAT I, JOHN F. LANDGRAF, 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 PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

_____
JOHN F. LANDGRAF, R.P.L.S. NO. 2410

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION: THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT HANNAH, SECTION 3, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS ____ DAY OF_____ , 2020.

SIGNED: _____
CHAIRMAN OF PLANNING & ZONING
JOSH SPARKS

SIGNED: _____
SECRETARY OF PLANNING & ZONING
CRISTINA ODENBORG BURNS

THE UTILITY COMPANIES CERTIFICATE
THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES

_____ ATMOS ENERGY
_____ GRANDE COMMUNICATIONS
_____ ONCOR ELECTRIC
_____ AT&T TELEPHONE COMPANY
_____ SUDDENLINK COMMUNICATIONS

OWNER: VETERANS FABRICATION INC.
GERALD PETE FUENTES
P.O. BOX 50622
MIDLAND, MIDLAND COUNTY, TEXAS 79710
PHONE: (432)-636-5982

ENGINEER: LANDGRAF, CRUTCHER & ASSOC. INC.
521 NORTH TEXAS
ODESSA, TEXAS 79761-5131
PHONE: (432) 332-5058

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

No. _____ CABINET _____

DATE _____ PAGE _____

ENG. ____ R.T. ____
SRVY. ____ DFT. ____

LCA JOB No. 2020-022.2

HANNAH ADDITION, SECTION 3

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

LCA Job # 20-022

MIDLAND Planning Division

Final Plat Application

Project Number: SUB-20-0332

Case Number: P-20-0955

Proposed Subdivision Plat Name: Hannah Addition Section 3

Legal Description (attached sealed Metes and Bounds): Being a 15-Acre tract located in Section 13, Block 40, T-2-S, T&P RR. Co. Survey Midland County, Texas.

Property Owner Printed Name: Veteran Fabrication Inc.		Phone ( ) Email	
Address PO Box 50822	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: 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: Ownership purposes

Plat Information	Total Acreage: 15- Acres
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Residential Lots:	Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

RECEIVED
OCT 19 2020
BY: .....

Mylar Reproductions

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

☒ Applicant would like a reproduction made for their records -2nd Mylar was sent for LCA 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 Veteran Fabrication Inc./ Jerry Fuentes 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 19th day of October, 20 20, to certify which witness my hand and seal of office.

Melanie Martinez
My Commission Expires
12/09/2022
ID No. 130046270

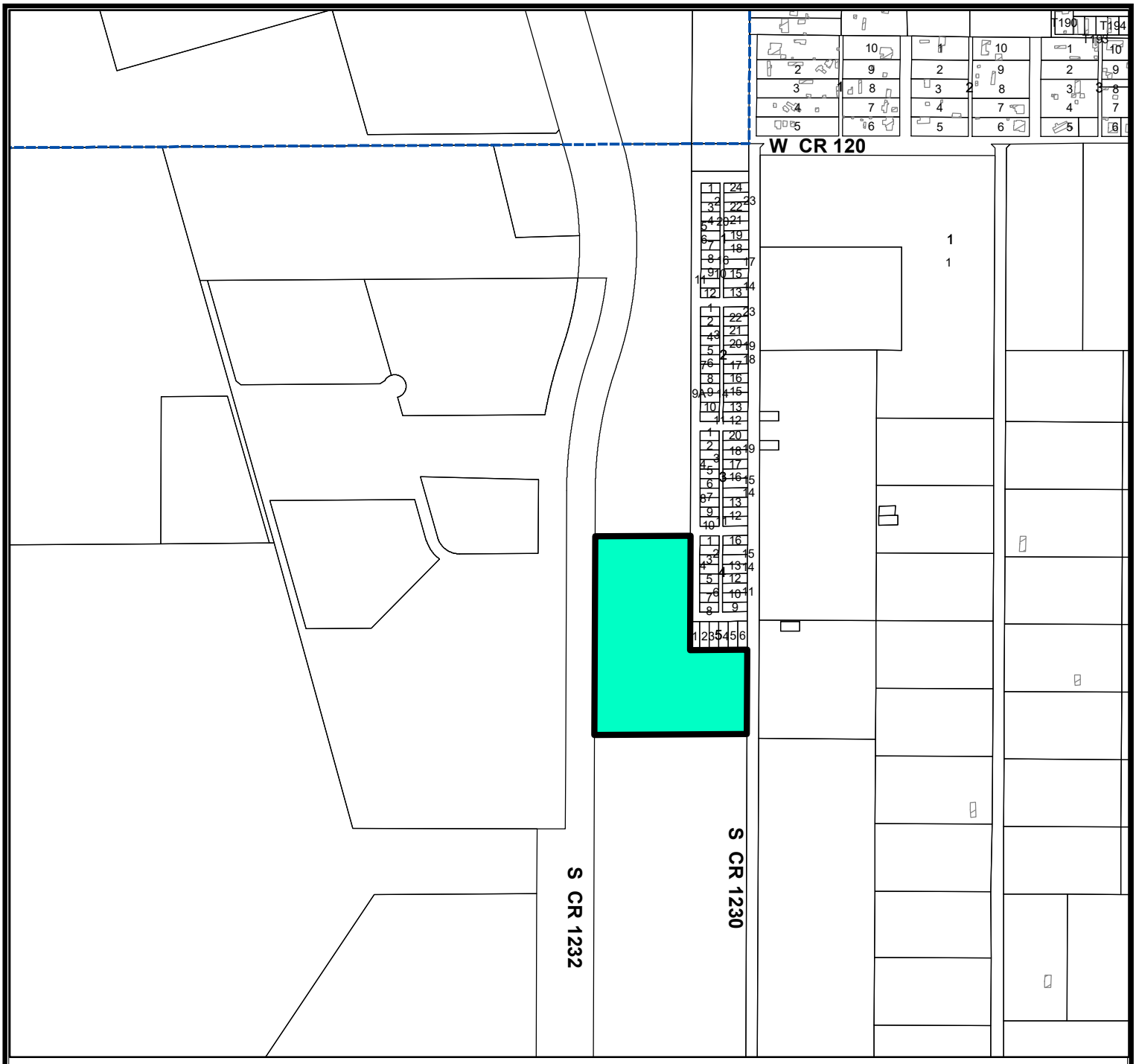
Melanie Martinez
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****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 # 38607	☑ Tax Certificates	Check # 38608
Received By: gac		Date: OCT 19 2020

RECEIVED
By: .....

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



LOCATION MAP

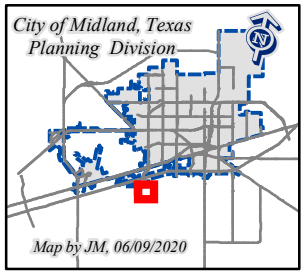
P-20-0857 **Scale: 1" = 750'**

Preliminary Plat of Hannah Addition, Section 3, being a 15-acre tract of land located in Section 13, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the west side of South County Road 1230, approximately 2,660 feet south of West County Road 120. (Extraterritorial Jurisdiction)

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:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Joseph Marynak, Planner**

SUBJECT: **Consider a proposed Preliminary Plat of Pando Park Subdivision, being a plat of a 5.39-acre tract of land located in Section 44, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of Farm to Market Road 307, approximately 880 feet east of East Interstate 20. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Details of Request:

The applicant, S. W. Howell, Inc., is requesting to plat this property into one (1) lot for the purpose of combining parcels.

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)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee statement okay as shown.

ROW: ROW okay as shown.

PAVING: I-20 and FM 307 are TxDOT roadways and will be maintained by them. No paving improvements required.

WATER: No water existing. Install water lines along the platted frontage 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: None sewer utilities existing. Install wastewater lines along the platted frontage or request a deferral

DRAINAGE: Drainage Study required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

TxDOT comment, “No access will be allowed to Interstate 20 since there is not frontage roads at this location. It appears that the western part of this area is currently being utilized as an RV Park and a burrito stand on the east side abutting FM 307. It appears there is currently 3 access points for this 5.39 acre tract. The one located approximately in the middle on FM 307 should be removed.”

Recommend providing shared access easement to the property to east.

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

PLANNING:

Remove label from the previous lot 2 unless this property is to be platted into two separate lots instead of one. If two lots are proposed, the lot boundaries should be solid, not dashed.

Verify northings and eastings. Property appears to be shifted approximately 7 feet east.

Dates under the acknowledgement should be 2021

Property owner information, including the mailing address, must match what is on record at the Midland Central Appraisal District, which also shows Eulalia Garcia as owner of a portion of the proposed plat.

Staff recommends approval of the preliminary plat of Pando Park Subdivision, subject to conditions A through D.

Conditions:

A. That the technical items listed above are addressed.

B. That the required public improvements are adequately met.

C. That a drainage study is approved.

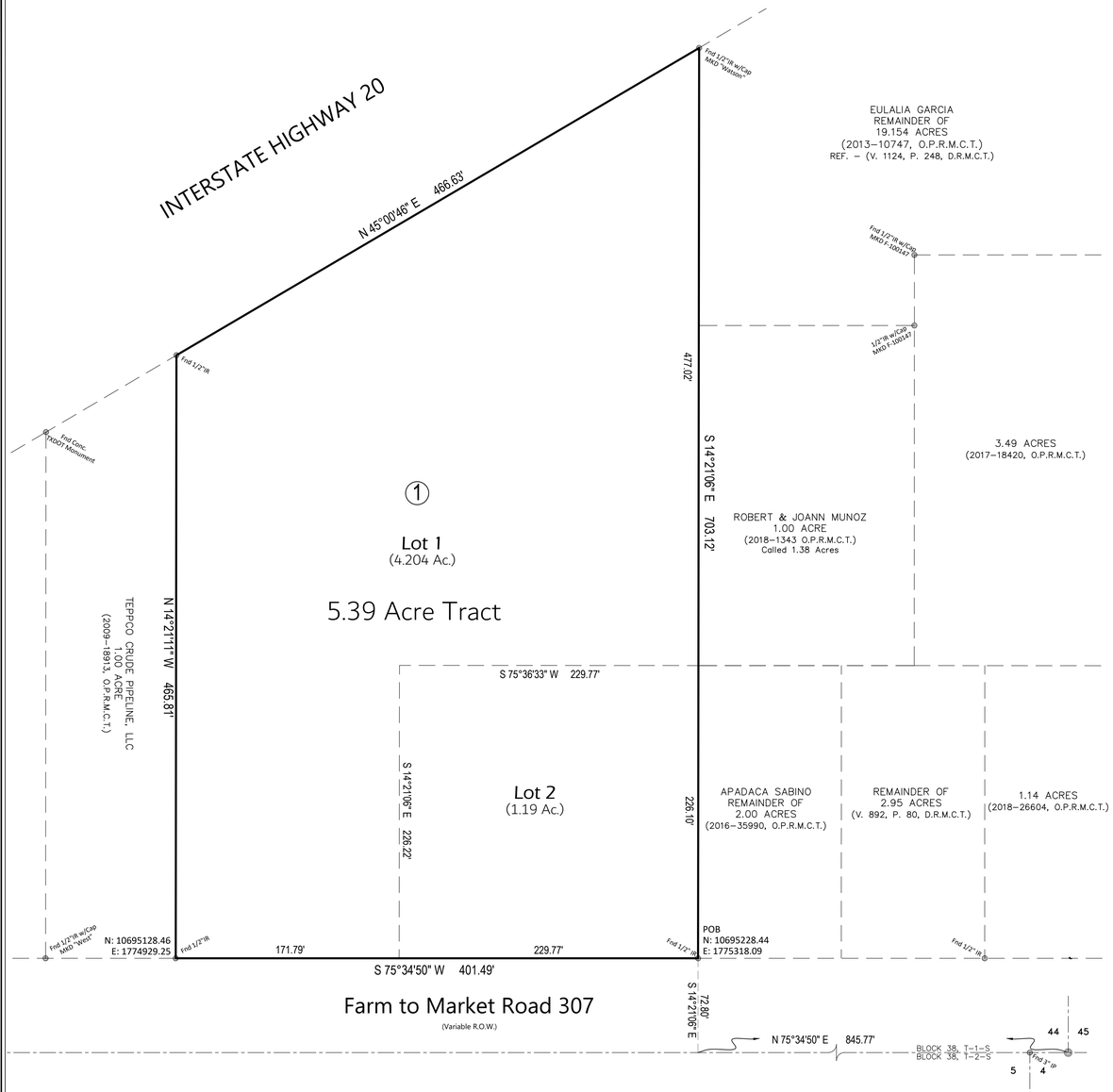
D. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Application
Maps

PANDO PARK SUBDIVISION

BEING A SUBDIVISION OF 5.39 ACRES IN THE SOUTHEAST PART OF SECTION 44 BLOCK 38, T-1-S, T&P RY. CO. SURVEY, MIDLAND COUNTY, TEXAS



LEGEND

= PROPERTY LINE

○ = PROPERTY CORNER

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/DISTANCES/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

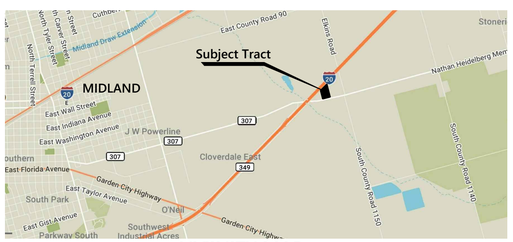
3. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOT(S) MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.

4. 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. 48329C0094F DATED SEPTEMBER 16, 2005. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THIS INFORMATION; THE LOCAL FEMA FLOOD PLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR VERIFICATION.

5. ANY PERSON WHO DESIRES TO ERECT A NEW STRUCTURE OR REBUILD, REPLACE OR ENLARGE AN EXISTING STRUCTURE, ESTABLISH A NEW USE OR SUBSTANTIALLY CHANGE AN EXISTING USE IN THE AOZ-4 MUST APPLY FOR AND RECEIVE A PERMIT. A PERMIT SHALL BE GRANTED UNLESS THE NEW STRUCTURE OR THE NEW USE WOULD BE A HEIGHT HAZARD OR A PROHIBITED LAND USE AS SET FORTH IN SECTIONS 11-11-8, 11-11-9, AND TABLE 1 OF THIS CHAPTER OR WOULD OTHERWISE VIOLATE THIS CHAPTER. APPLICATIONS FOR PERMITS SHALL BE SUBMITTED TO AND ISSUED BY THE CITY OF MIDLAND BUILDING OFFICIAL.

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

7. 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.



VICINITY MAP NTS

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, Bernice Pando and Elsa Pando are the record owners of a tract of land situated in Section 44, Block 38, T-1-S, T&P Ry. Co. Survey, Midland County, Texas and more particularly described hereon:

FIELD NOTES OF A 5.39 ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 44, BLOCK 38, T-1-S, T&P RY. CO. SURVEY, MIDLAND COUNTY, TEXAS:

BEGINNING at a 1/2" iron rod found in the North Right of Way line of Farm to Market Road 307 for the southwest corner of a tract being the Remainder of a 2.00 acre tract described in Instrument Number 2016-35990, Official Public Records of Midland County, Texas, and for the southeast corner of this tract, from which the southeast corner of Section 44, Block 38, T-1-S, T&P Ry. Co. Survey, Midland County, Texas , bears S 14°21'06" E, 72.80 feet and N 75°34'50" E, 845.77 feet;

THENCE S 75°34'50" W, with the North Right of Way line of said FM 307, 401.49 feet, to a 1/2" iron rod found for the southeast corner of a 1.00 acre tract described in Instrument Number 2009-18919, Official Public Records of Midland County, Texas, and for the southwest corner of this tract;

THENCE N 14°21'11" W, with the East boundary line of said 1.00 acre tract, 465.81 feet, to a 1/2" iron rod found in the South Right of Way line of Interstate Highway 20 for the northeast corner of said 1.00 acre tract and for the northwest corner of this tract;

THENCE N 45°0046" E, with the South Right of Way line of said IH 20, 466.63 feet, to a 1/2" iron rod with cap marked "Watson" found for the northwest corner of a tract being the remainder of a 19.154 acre tract recorded in Volume 1142, Page 248, Deed Records of Midland County, Texas, and for the northeast corner of this tract;

THENCE S 14°21'06" E, with the West boundary line of said 19.154 acre remainder and with the West boundary line of said 2.00 acre remainder, 703.12 feet, to the Point of Beginning and containing 5.39 acres of land.

ACKNOWLEDGEMENT

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Bernice Pando and Elsa Pando, do hereby adopt this plat designating the herein hereon described property as "PANDO PARK SUBDIVISION," Being a 5.39 acre tract of land in, Section 44, Block 38, T-1-S, T&P Ry. Co. Survey, 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 _____ day of _____, 2020.

_____ _____
Bernice Pando, Executrix of the Estate of Victor Manuel Pando — Elsa Pando

STATE OF TEXAS
COUNTY OF MIDLAND

This instrument was acknowledged before me on _____, 2020, by Bernice Pando, Executrix of the Estate of Victor Manuel Pando.

My Commission Expires:_____ _____
Notary Public, State of Texas

_____
Printed Name of Notary

STATE OF TEXAS
COUNTY OF MIDLAND

This instrument was acknowledged before me on _____, 2020, by Elsa Pando.

My Commission Expires:_____ _____
Notary Public, State of Texas

_____
Printed Name of Notary

CERTIFICATE OF APPROVAL

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

_____ _____
REGGIE LAWRENCE
Chairman of Planning and Zoning

CRISTINA ODENBORG BURNS
Commission Secretary of Planning and Zoning Commission

UTILITY COMPANY CERTIFICATE

This plat has been check for accessibility of utilities.

_____
Atmos Energy

_____
Oncor Electric Delivery

_____
A T & T

_____
Grande Communications

_____
SuddenLink Communications

SURVEYOR'S CERTIFICATE

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:_____

S.W. HOWELL, INC.

SAM HOWELL, II
REGISTERED PROFESSIONAL LAND SURVEYOR, 4631

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Texas811 Know what's below. Call before you dig.

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE: _____ PAGE _____

INSTRUMENT NUMBER: _____

S.W. HOWELL, INC.
409 East 57th Street, Odessa, Texas, 79762
Phone: (432) 367-5711
swh@swhowell.com
TEXAS SURVEYING FIRM #FF-100147-00
TEXAS ENGINEERING FIRM #FF-173
Engineering, Surveying and Land Planning

Job Number:	Drawn by:	Date:
20-36358	RJD	December, 2020

Owner Information:	
Name:	BERNICE PANDO
Address:	3801 FM 307, MIDLAND, TX 79706
Name:	ELSA PANDO
Address:	3719 FM 307, MIDLAND, TX 79706

MIDLAND
Planning Division

Preliminary Plat Application

Project Number: SUB-20-0384
Case Number: P-21-1004

Proposed Subdivision Plat Name: Pando Park Subdivision

Legal Description (attached sealed Metes and Bounds):

Section 44, Block 38, T-1-S, T&P Ry. Co. Survey Midland County, Texas

Property Owner Printed Name: Elsa Pando		Phone (432) 557-6443 Email	
Address 5702 E Ct. Rd. 128	City Midland	State TX	Zip 79706

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

Representative *(if acting as Agent, see affidavit on page 2)* Firm: S.W. Howell, Inc. Printed Name: Janie Howell		Phone (432) 367-5711 Email j.howell@swhowell.com	
Address 409 E 57th Street	City Odessa	State TX	Zip 79762

Current Zoning:

Reason for Platting: Combine two lots into one

Plat Information	Total Acreage:	5.39 acres

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

Number of Lots: 1 | Number of Multi-family Dwelling Units:

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

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

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

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

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

Property Owner (signature): Date: _____

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 Janie Howell who, being by me duly sworn, upon oath says: That (s)he is the owner of Pando Park Subdivision or is authorized by Mediation Agreement 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 20th day of January, 20 21, to certify which witness my hand and seal of office.

VILMA G. SIMENTAL
Notary Public, State of Texas
Comm. Expires March 28, 2022
Notary ID # 126487005

Vilma G Simental
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☑ 1 Copy of Dimensioned Plat	☐ Plat in Digital Format (PDF/JPEG) will send
☑ Application Fee	☑ 1 Copy of Plat (11x17)	
Check # 8160		
Received By: V.Sherman	Date: 1-20-2021	

JAN 20 2021

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

LOCATION MAP

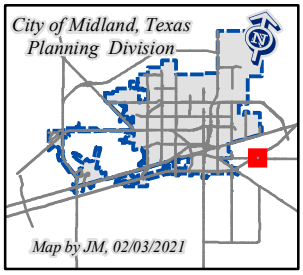
SUB-20-0384 **Scale: 1" = 550**

Proposed plat of Pando Park Subdivision, being a plat of a 5.39-acre tract of land located in Section 44, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the north side of Farm to Market Road 307, approximately 880 feet east of East Interstate 20. (Extraterritorial Jurisdiction)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Joseph Marynak, Planner**

SUBJECT: **Consider a proposed Preliminary Plat of Petroplex Addition, being a plat of a 10.00-acre tract of land located in Section 18, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of West County Road 127, approximately 815 feet east of South County Road 1290. Extraterritorial Jurisdiction). (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

_X_ **Approve** _____ **Deny** _____ **Directional/Informational**

Details of Request:

The applicant, Landgraf, Crutcher, & Associates, is requesting to plat this property into two (2) lots 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)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact fee statement okay as shown.

ROW: Indicate the ROW width for WCR 127 and WCR 128.

PAVING: WCR 127 and WCR 128 not paved to City Standards. Pave WCR 127 and WCR 128 to City of Midland Standards along the platted frontage, or request a deferral.

WATER: No existing water utilities. Install water lines according to City of Midland Standards along the platted frontage 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 existing sewer utilities. Install wastewater lines along the platted frontage in accordance with City Standards, or request a deferral.

DRAINAGE: Drainage Study Required.

EASEMENTS: Show Existing and proposed.

SIDEWALKS: required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No objections to plat.

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

MIDLAND COUNTY ROAD AND BRIDGE:

They will need permits from Road & Bridge to tie into the road.

PLANNING:

Update the plat name in the Certificate of Approval.

The secretary under the Certificate of Approval should be Cristina, not Christina.

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

Conditions:

A. That the technical items listed above are addressed.

B. That the required public improvements are adequately met.

C. That a drainage study is approved.

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

Attachments:

Proposed Preliminary Plat
Application
Maps

LCA Job # 20-061

MIDLAND Planning Division

Preliminary Plat Application

Project Number: SUB-20-0381

Case Number: P-21-1005

Proposed Subdivision Plat Name: Petroplex Addition

Legal Description (attached sealed Metes and Bounds): Being a 10.00 tract located in Section 18, Block 40 T-2-S T&P RR CO. Survey Midland County, Texas

Property Owner Printed Name: Petroplex Properties II LLC		Phone ( ) Email	
Address 10497 Town and Country Way Ste 930	City Houston	State TX	Zip 77024

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 lca@lcaodessa.com	
Address 521 N. Texas Avenue	City Odessa	State TX	Zip 79761

Current Zoning: Property is not zoned

Reason for Platting: Splitting property into two lots, ownership purposes

Plat Information	Total Acreage: 10.00
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Residential Lots:	Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

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

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

Property Owner (signature):	Date:

Property Owner (printed) : _____

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

Randy Anderson
Authorized Agent (*signature*)

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

Melanie Martinez
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

NOTARY PUBLIC STATE OF TEXAS
Melanie Martinez
My Commission Expires
12/09/2022
ID No. 130046270

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 # 38816		

RECEIVED
JAN 20 2021
BY:

Received By: Joseph Marquez	Date:

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

LCA

ENVIRONMENTAL • CIVIL ENGINEERING • LAND SURVEYING
521 North Texas
Odessa, Texas 79761
(432) 332-5058 • 580-8812
FAX (432) 332-8812

LETTER OF TRANSMITTAL

DATE: 1/20/21	JOB NO. 20-061.1
ATTENTION: Cristina Odenborg Burns	

TO: City of Midland- Planning
300 N. Loraine
Midland, Texas 79701

☒ Delivered
☐ Picked Up ☐ Mailed

RE: Petroplex Addition- Preliminary Plat

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Specifications ☐ Samples ☐ SWPPP

☐ Copy of letter ☐ Change Order ☐ Electronic File (☐ Read Only ☐ Dwg)

COPIES	DATE	NO.	DESCRIPTION
1			Preliminary Application & Fee
1			Folded Copy of Plat
1			11X17 Copy of Plat
1			Digital Copies Via Email
1			Authorization Letter

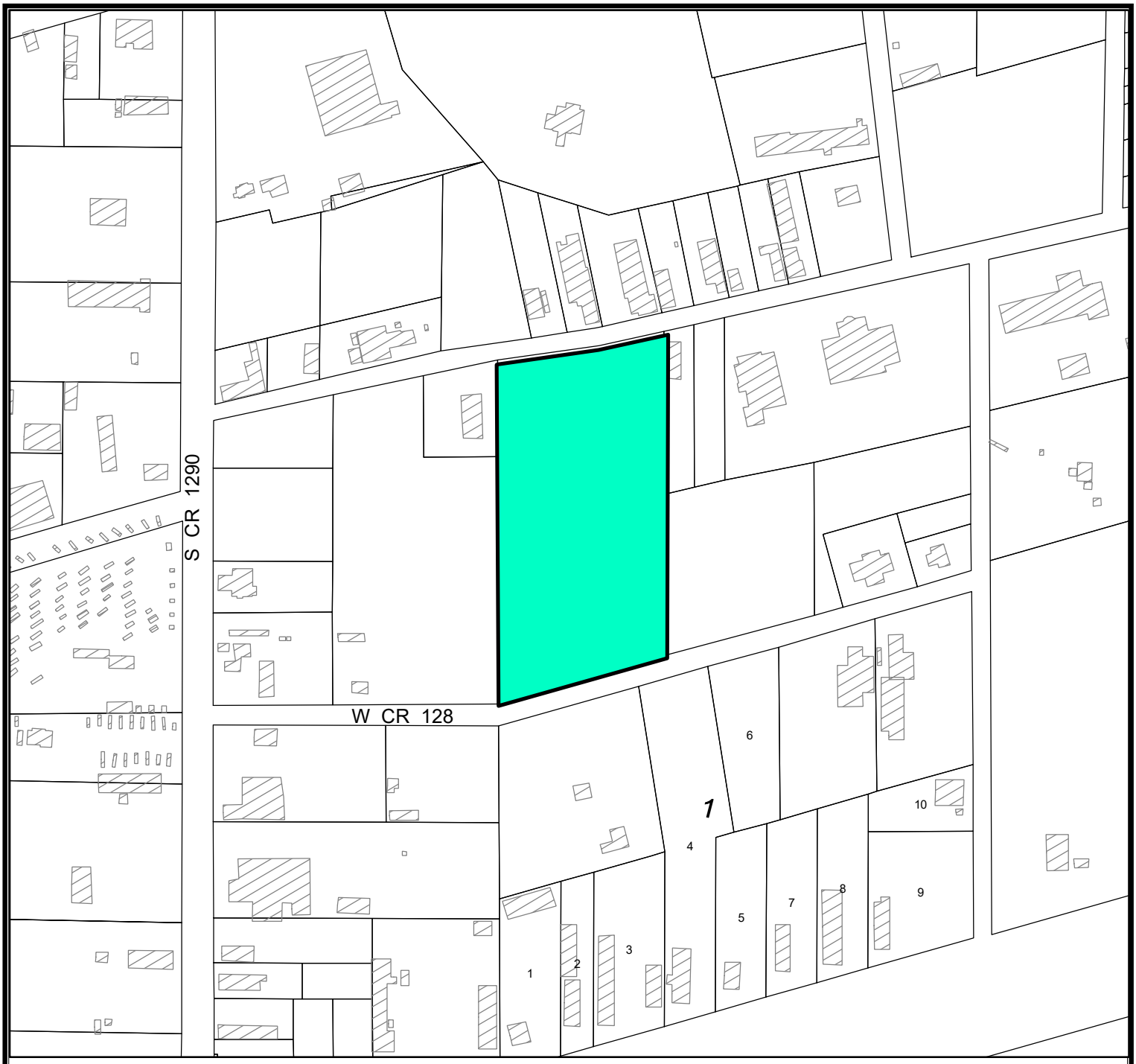
THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Electronic File accompanied with signed hard copy.
☒ For your use ☐ Approved as noted Hard copy rules in ALL conflicts.
☐ As requested ☐ Returned for corrections
☐ Review and comment
☐ FOR BIDS USE _____, 20___

REMARKS:

COPY TO: File

SIGNED: Melanie Martinez
Melanie Martinez



LOCATION MAP

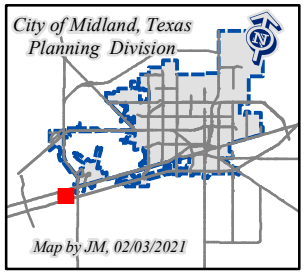
SUB-20-0381 **Scale: 1" = 400'**

Proposed plat of Petroplex Addition, being a plat of a 10.00-acre tract of land located in Section 18, Block 40, T-2-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the south side of West County Road 127, approximately 815 feet east of South County Road 1290. (Extraterritorial Jurisdiction).

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Hold a public hearing and consider a proposed Preliminary Plat of Elmwood Addition, Section 7, being a residential replat of Lot 2, Block 19, Elmwood Addition, Section 3; Lots 1 through 12, Block 6, S. W. Estes Addition; and a previously vacated 0.2825-acre portion of alley right-of way adjacent to said lots; City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of N. Big Spring Street and W. Kansas Avenue. Council District 2) (DEVELOPMENT SERVICES) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Details of Request:

The applicant, YMCA of Midland, is proposing to replat the property into one (1) lot. This plat is considered a residential replat, which requires a public hearing.

Current Zoning:

O-1 and O-2, Office District, in part, and SF-2, Single Family Dwelling District, in part.

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 2017 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, and

floodplain requirements if necessary.

SURVEYOR: (Approved)

Point of commencing should be labeled point of beginning.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Provide the following general note on the plat face:

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

ROW: ROW okay as shown.

PAVING: Big Spring St. is a TxDOT road and will be maintained by them. Plat will be sent to TxDOT for their review. W. Kansas AV and Whitakers St. is already paved to City Standards. No paving improvements required.

WATER: 8” Water existing in W. Kansas Av. 6” Water existing in Whitaker St. and Big Spring St.. No water improvements required.

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

PRO RATA: None

SEWER: 6” Sewer existing in W. Kansas, Whitaker St., and Big Spring St.. No wastewater improvements required.

DRAINAGE: Site is already developed. Drainage report will be required during the building permit if additional construction is required.

EASEMENTS: Show existing and proposed.

SIDEWALKS: required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comment, “Most of this site is fully developed with existing access to BS 349(Big Spring). No additional access to BS 349 should be allowed. If they develop the SE

portion, changes in drainage should be evaluated to not increase drainage runoff to BS 349."

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

No objections to plat.

FIRE: (Approved)

No objections

Any future development is required to meet the IFC 2015 ed. and all locally adopted ordinances.

CODE COMPLIANCE: (Approved with Compliance)

No Oil and Gas issues.

CRMWD:

No Comments.

PLANNING:

Label a point of beginning (POB).

Staff recommends approval of the preliminary plat of Elmwood Addition, Section 7, subject to conditions A and B.

Conditions:

A. That the technical items listed above are addressed.

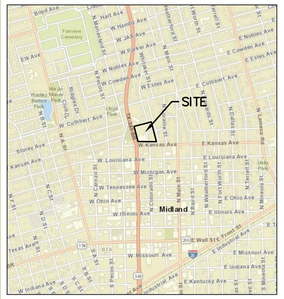
B. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Preliminary Plat
Maps
Application

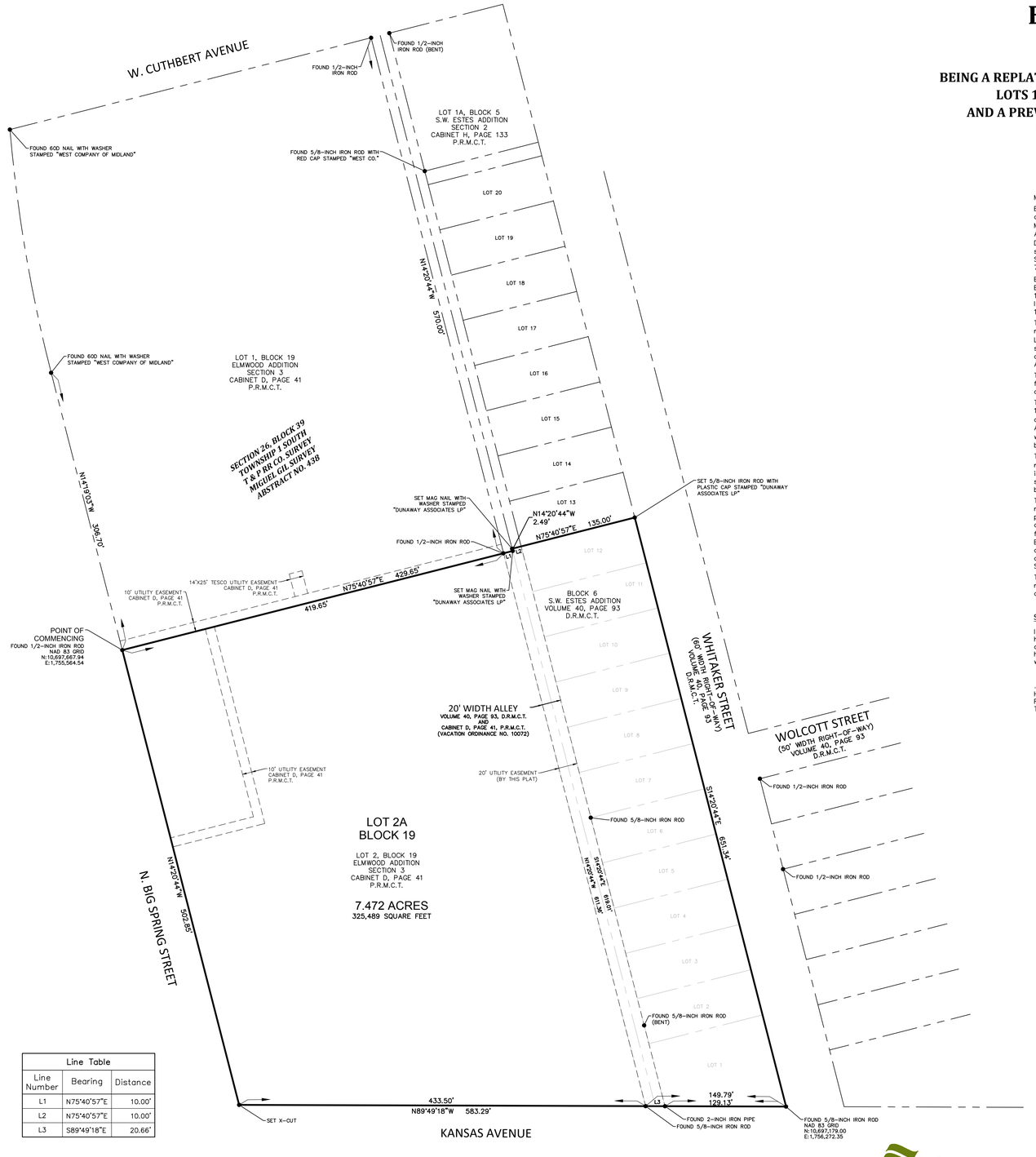
ELMWOOD ADDITION
SECTION 7

**BEING A REPLAT OF LOT 2, BLOCK 19, ELMWOOD ADDITION, SECTION 3;
LOTS 1 THROUGH 12, BLOCK 6, S.W. ESTES ADDITION;
AND A PREVIOUSLY VACATED 0.2825-ACRE PORTION OF ALLEY
RIGHT-OF-WAY ADJACENT TO SAID LOTS
CITY AND COUNTY OF MIDLAND, TEXAS**



VICINITY MAP
NOT TO SCALE

0 60'
SCALE 1"= FEET 60'



Line Table		
Line Number	Bearing	Distance
L1	N75°40'57"E	10.00'
L2	N75°40'57"E	10.00'
L3	S89°49'18"E	20.66'

ENGINEER/SURVEYOR

DUNAWAY ASSOCIATES, L.P.
550 Bailey Avenue
Suite 400
Fort Worth, Texas 76107
(817) 632-4761 (DIRECT PHONE)
Contact: Hal Mollenkopf

OWNER

Midland YMCA
800 N. Big Spring Street
Midland, Texas 79701
(432) 682-2551 (PHONE)
Contact: Ms. Christine R. Bearden

CERTIFICATE OF APPROVAL

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

_____
REGGIE LAWRENCE, CHAIRMAN

_____
CRISTINA ODENBORG BURNS, SECRETARY

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

ATMOS ENERGY Print Name:

ONCOR ELECTRIC DELIVERY Print Name:

SUDDENLINK Print Name:

GRANDE COMMUNICATIONS Print Name:

AT&T-TEXAS Print Name:

OWNER'S CERTIFICATE

STATE OF TEXAS, COUNTY OF MIDLAND:

WHEREAS Midland YMCA, is the record owner of a tract of land situated in Section 26, Block 39, Township 1 South, T. & P. RR. Co. Survey, Miguel Gil Survey Abstract No. 438, County of Midland, and more particularly described hereon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Midland YMCA, do hereby adopt this plat designating the herein above described property as YMCA ADDITION, to the City of Midland, Texas, and we do hereby dedicate to the public use forever the streets, alleys, and easements shown hereon.

WITNESS our hands at Midland, Texas, this the _____ day of _____ 2021.

_____
Representative of: Midland YMCA

STATE OF TEXAS, COUNTY OF MIDLAND:

This instrument was acknowledged before me on _____ _____ , 2021,

by _____ on behalf of Midland YMCA

_____
Notary Public Signature

METES AND BOUNDS DESCRIPTION

BEING a replat of 7.472 acres of Lot 2, Block 19, Elmwood Addition, Section 3, an addition to the City of Midland, as recorded in Cabinet D, Page 41, Plat Records of Midland County, Texas (P.R.M.C.T.) and Lots 1 through 12, Block 6, S.W. Estes Addition, an addition to the City of Midland, as recorded in Volume 40, Page 93, Deed Records of Midland County, Texas (D.R.M.C.T.) and a 20' alley dedicated in said additions, all out of Section 26, Block 39, Township 1 South, T & P RR Co. Survey, Miguel Gil Survey, Abstract No. 438, City and County of Midland, Texas, said 7.472 acre tract and more particularly described as follows.

BEGINNING at a found 1/2 inch iron rod for the northwest corner of said Lot 2, Block 19, Elmwood Addition, Section 3, and the southwest corner of Lot 1, Block 19, said Elmwood Addition, Section 3, said corner being on the east right-of-way line of Big Spring Street, said corner being locatable by NAD83 Grid Coordinate N= 10,697,667.94, E= 1,755,564.54;

THENCE North 75 degrees 40 minutes 57 seconds East, departing said east right-of-way line and along the south line of said Lot 1 and the north line of said Lot 2, passing at a distance of 419.65 feet a found 1/2 inch iron rod for the southeast corner of said Lot 1 and the northeast corner of said Lot 2, continuing a total distance of 429.65 feet to a set mag nail with washer stamped 'DUNAWAY ASSOCIATES LP' for corner;

THENCE North 14 degrees 20 minutes and 44 seconds West, a distance of 2.49 feet to a set mag nail with washer stamped 'DUNAWAY ASSOCIATES LP' for an ell corner;

THENCE North 75 degrees 40 minutes 57 seconds East, passing at a distance of 10.00 feet the northwest corner of said Lot 12 Block 6, continuing a total distance of 135.00 feet to a set 5/8 inch iron rod with plastic cap stamped 'DUNAWAY ASSOCIATES LP' for the northeast corner of said Lot 12, said corner being on the west right-of-way line of Whitaker Street (60' width right-of-way), as dedicated by plat for the S.W. Estes Addition, recorded in Volume 40, Page 93, D.R.M.C.T.;

THENCE South 14 degrees 20 minutes 44 seconds East, along the west right-of-way of said Whitaker Street, a distance of 651.34 feet to a found 5/8 inch iron rod for the southeast corner of said Lot 1, Block 6, S.W. Estes Addition, said corner being on the north right-of-way line of Kansas Avenue, said corner being locatable by NAD83 Grid Coordinate N= 10,697,179.00, E= 1,756,272.35;

THENCE North 89 degrees 49 minutes 18 seconds West, departing said west right-of-way line and along the north right-of-way Line of said Kansas Avenue, passing at a distance of 129.13 feet a found 2 inch iron pipe for the southwest corner of said Lot 1, Block 6, S.W. Estes Addition, passing at a distance of 149.79 feet a found 5/8 inch iron rod for the southeast corner of said Lot 2, Block 19, Elmwood Addition, continuing a total a distance of 583.29 feet to a set X-cut in concrete for the southwest corner of said Lot 2 Block 19, Elmwood Addition, said corner being on the east right-of-way line of the aforementioned Big Spring Street;

THENCE North 14 degrees 20 minutes 44 seconds West, along said east right-of-way line, a distance of 502.85 feet to the POINT OF BEGINNING and containing 325,489 square feet or 7.472 acres of land more or less.

SURVEYOR'S CERTIFICATE:

I, Hal Mollenkopf, 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 hereon were placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Midland, Texas.

STATE OF TEXAS
REGISTERED
HAL MOLLENKOPF
5439
PROFESSIONAL
LAND SURVEYOR

_____
Hal Mollenkopf
Registered Professional Land Surveyor
Texas Registration No. 5439

NOTES:

1. The basis of the bearings shown hereon is the Texas State Plane Coordinate System of 1983, Central Zone, (NAD 83). All bearings and distances shown hereon are NAD 83 Surface values using a scale factor of 0.999899.
2. Selling a portion of this addition by metes and bounds may be a violation of city ordinance and state law and subject to fines and withholding of utilities and building permits.
3. Any utility company, developer or other entity installing, repairing, maintaining or relocating a utility line or permanent improvement within utility easements must restore the premises as nearly as possible to its original condition following any such work at its sole expense.
4. 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.
5. A blanket refuse easement of ingress and egress for garbage and trash collection purposes is hereby granted.
6. All property corners are set 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOCIATES LP" unless otherwise noted.
7. 20' Width Alley (Vacation Ordinance No. 10072) as recorded in Volume 40, Page 93, D.R.M.C.T. and Cabinet D, Page 41, P.R.M.C.T. will be retained by the City of Midland as a utility easement.

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
FIRM REGISTRATION 10098100

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO._____CABINET_____

DATE_____PAGE_____

PLOTTED BY: James Grabella On: Tuesday, January 12, 2021 AT: 3:10 PM FILEPATH: O:\Projects\Ymca\4001.006\001\Survey\Drawings\4006.01.001 - YMCA 4B PLAT.dwg

METES AND BOUNDS DESCRIPTION

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BEGINNING at a found 1/2 inch iron rod for the northwest corner of said Lot 2, Block 19, Elmwood Addition, Section 3, and the southwest corner of Lot 1, Block 19, said Elmwood Addition, Section 3, said corner being on the east right-of-way line of Big Spring Street, said corner being locatable by NAD83 Grid Coordinate N= 10,697,667.94, E= 1,755,564.54;

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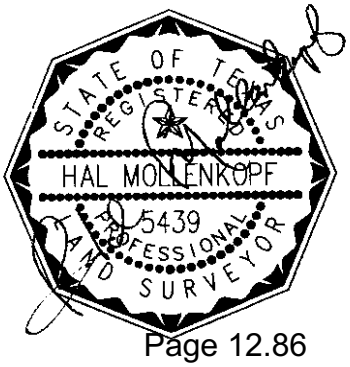
THENCE North 14 degrees 20 minutes 44 seconds West, along said east right-of-way line, a distance of 502.85 feet to the POINT OF BEGINNING and containing 325,489 square feet or 7.472 acres of land more or less.



MIDLAND
Planning Division

Preliminary COB ~~Sketch~~ Plat Application

Project Number: SUB-20-0379
Case Number: P-21-1006

Proposed Subdivision Plat Name: YMCA Addition

Legal Description (attached sealed Metes and Bounds): BEING of 7.472 acres of Lot 2, Block 19, Elmwood Addition, Section 3, as recorded in Cabinet D, Page 41, P.R.M.C.T. and Lots 1 through 12, Block 6, S.W. Estes Addition, as recorded in Volume 40, Page 93, D.R.M.C.T. and a 20' alley dedicated in said additions, all out of Section 26, Block 39, Township 1 South, T & P RR Co. Survey, Miguel Gil Survey, Abstract No. 438, City and County of Midland, Texas

Property Owner Printed Name: YMCA of Midland		Phone (432) 682-2551 Email cthomas@midlandymca.org	
Address 800 N Big Spring St	City Midland	State TX	Zip 79701

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

Representative *(if acting as Agent, see affidavit on page 2)* Firm: _____ Printed Name:		Phone (432) 682-2551 Email	
Address	City	State	Zip

Reason for Platting: Create one (1) platted lot

Plat Information	Total Acreage: 7.472
Type: ☐ Single-Family Residential ■ Commercial	☐ Multi-Family Residential ☐ Extraterritorial Jurisdiction (ETJ)
Number of Lots: 1	Number of Multi-Family Dwelling Units: NA

Fees and Submittals

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'

The Sketch 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.

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 Christine Bearden who, being by me duly sworn, upon oath says: That (s)he is the owner of ~~_____~~ or is authorized by Midland YMCA 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.

Christine R. Bearden
Authorized Agent (*signature*)

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

DALIA SALINAS
My Notary ID # 128541568
Expires March 9, 2023

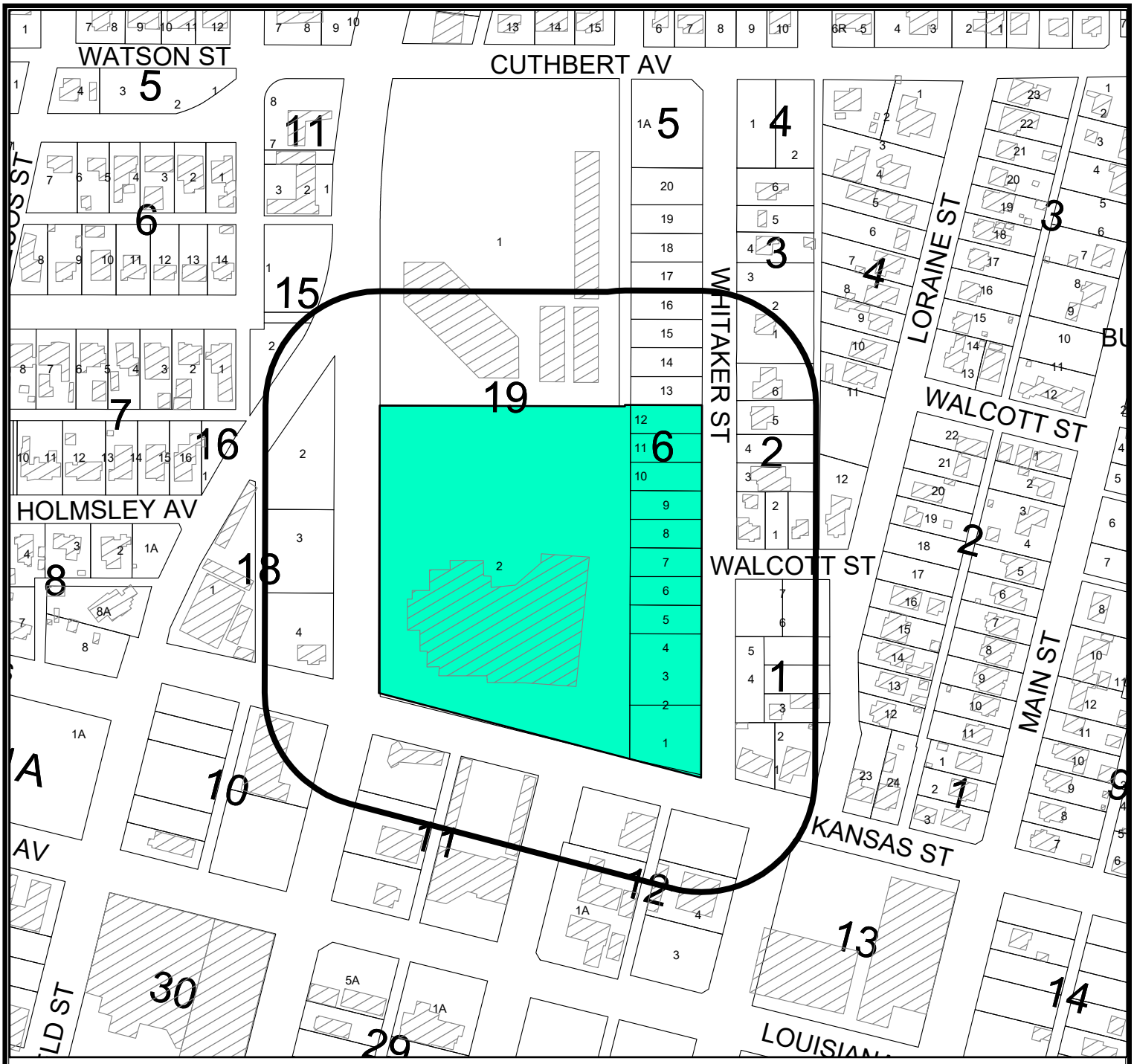
Dalia Salinas
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☐ 1 Copy of Dimensioned Plat	☑ Plat in Digital Format (PDF/JPEG)
☑ Application Fee	☑ 1 Copy of Plat (11x17)	
Check # CC		
Received By: Crystal Burns	Date:	RECEIVED JAN 21 2021

BY: .....

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



LOCATION MAP

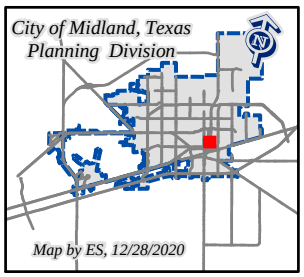
SUB-20-0379 **Scale: 1" = 250'**

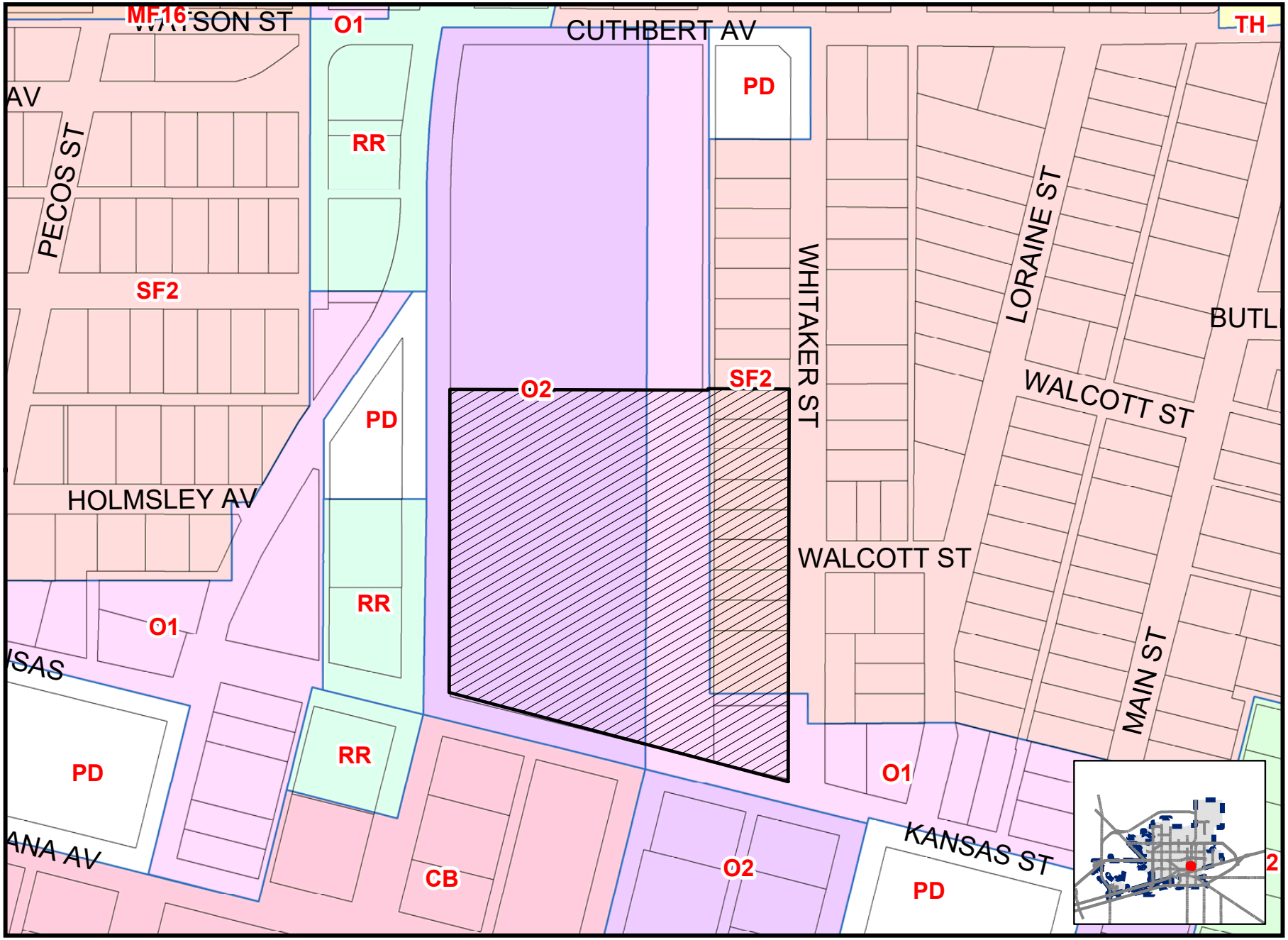
Proposed Plat of Elmwood Addition, Section 7, being a re-plat of Lot 2, Block 19, Elmwood Addition, Section 3; Lots 1 through 12, Block 6, S. W. Estes Addition; and a previously vacated 0.2825-acre portion of alley right-of way adjacent to said lots; City and County of Midland, Texas.

Generally located on the northeast corner of the intersection of N. Big Spring Street and W. Kansas Avenue. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 12/28/2020

SUB-20-0379

Scale: 1" = 200'

ZONING MAP

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Hold a public hearing and consider a request by Ana M. Armendariz for a Specific Use Designation with Term for the Sale of all alcoholic beverages, for on premises consumption in a restaurant, on a 1,166 square foot portion of Lot 1, Block 27, Original Town, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of W. Ohio Avenue and N. Colorado Street. Council District 2) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

CB, Central Business District.

Details of Request:

The applicant is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption in a restaurant at 305 W. Ohio Avenue Midland, Texas 79705.

Surrounding Zoning and Land Use:

The property is located at 305 W. Ohio Avenue, in the CB, Central Business District. The properties to the north, east, south, and west are zoned CB, Central Business District, and the location of an office building, parking lots, and a vacant building

Analysis:

Cora's Bistro is requesting a Specific Use Designation for the property located at 305 W. Ohio Avenue to be able to sell all alcoholic beverages for on premises consumption, within a restaurant. The property is zoned CB, Central Business District, which allows

the consumption of alcoholic beverages with the approval of a Specific Use Designation.

The restaurant is currently in operation. The floor plan attached hereto as “Exhibit A” illustrates that the establishment will have a total square footage of 1,166 square feet, with an alcohol serviceable area of 583 square feet.

The restaurant has the following hours of operation:

Monday through Friday from 7:00 a.m. to 2:00 p.m.
Saturday from 8:00 a.m. to 12:00 p.m. (noon)

The applicant is proposing the following hours for alcoholic beverage service:

Monday through Saturday from 7:00 a.m. to 12:00 a.m. (Midnight)
Sunday from 12:00 p.m. (noon) to 9:00 p.m.

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

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

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

Engineering: (Approved)

No objection.

Fire: (Approved)

No objections.

Transportation: (Approved)

No objection to zone change.

Code Administration: (Approved)

The SUD for Cora's is acceptable. The property must adhere to the occupant load of 38 persons. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive plan, Chapter 6 Character Plan - Goal 4, “Encourage the development of places where Midland residents can gather and socialize to build connections” (Tall City tomorrow, page 137).

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

Conditions:

A. **That the serviceable area of the restaurant shall be limited to approximately 583 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**

B. **That the days and hours of alcoholic beverage sales and consumption shall be limited to:**

    Monday through Saturday from 7:00 a.m. to 12:00 a.m. (Midnight)
    Sunday from 12:00 p.m. (noon) to 9:00 p.m.

C. **That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.**

D. **That the establishment shall meet all requirements of the Fire Department and Code Administration.**

E. **That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.**

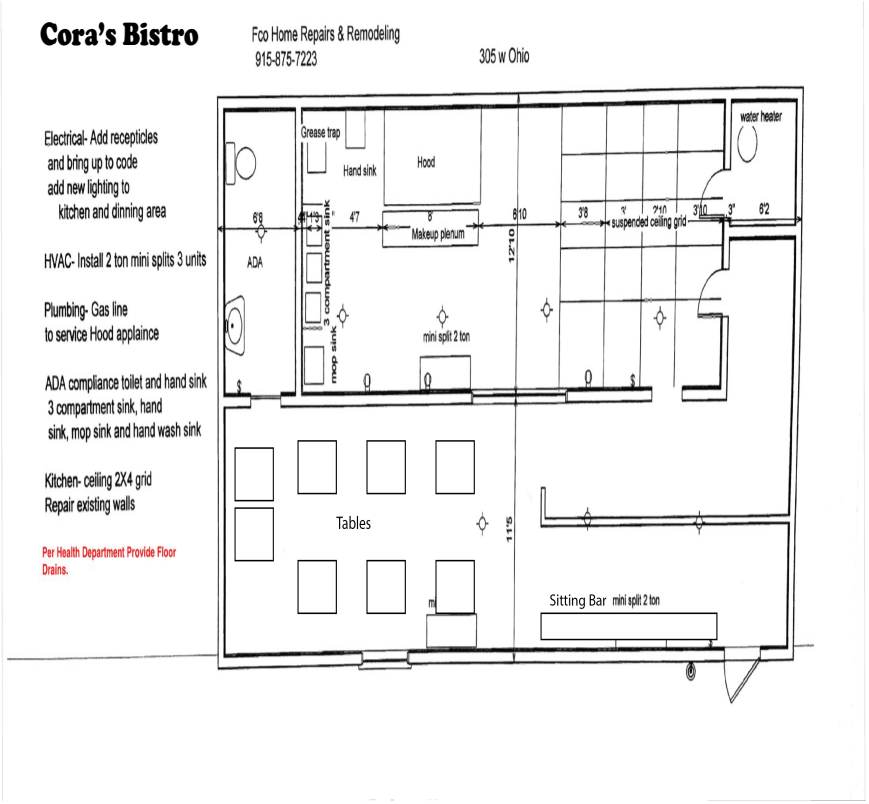
Letters of Objection:

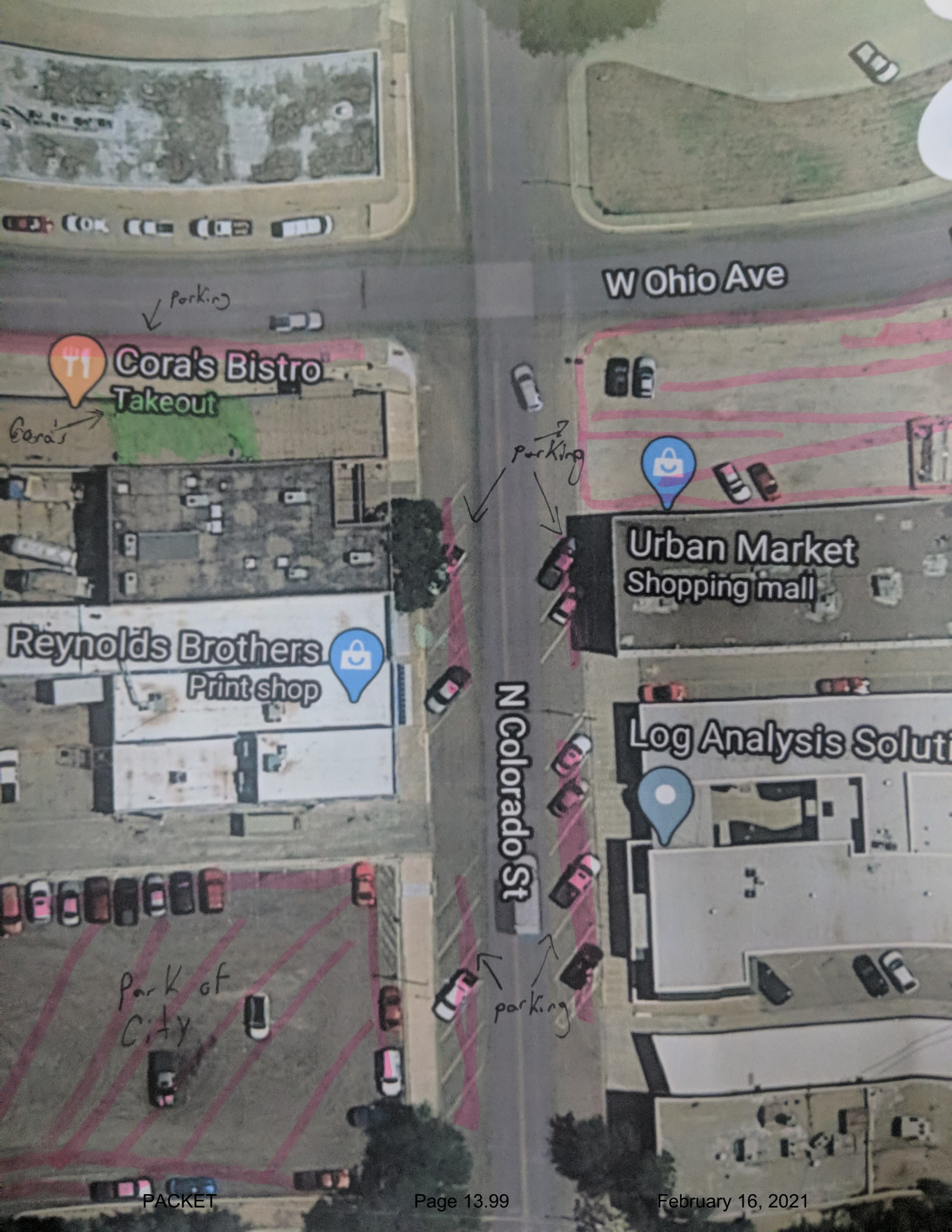
As of February 10, 2021, staff has not received any letters of objections.

Attachments:

Floor Plan (Exhibit A)
Site Plan
Application
Maps

Floor Plan (Exhibit A)




W Ohio Ave
Parking
Cora's Bistro
Takeout
Cora's
Parking
Urban Market
Shopping mall
Reynolds Brothers
Print shop
N Colorado St
Log Analysis Soluti
Park of
City
parking

MIDLAND Planning Division

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

Project Number: SUD-21-0094

Case Number:

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Ana M Armendariz		Phone (432) 413-6503 Email Corasbistro@gmail.com	
Address 4915 Belle Grove Ct.	City Midland	State TX	Zip 79705
Property Owner Printed Name: Sonny Aguilar		Phone (432) 352-6386 Email	
Address P.O Box 7747	City Midland	State TX	Zip 79708
Representative *(if different from Applicant or Property Owner)* Firm: Printed Name:		Phone ( ) Email	
Address	City	State	Zip

Street Address: ~~305~~ ~~305~~ 305 W. Ohio Ave. Midland, TX. 79705

Business Name: Cora's Bistro

Legal Description
Lot: 1 Block: 27 Subdivision: Original Town

Current Zoning: Commercial

Reason for Request: Beer & Wine

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

Proposed/Current Days and Hours of Operation: M-F: 7am-2pm Sat: 8am-12pm

Proposed Days and Hours of Alcohol Service: M-F: 7am-2pm Evening Th, F, & S 5pm-9pm
Sat: 8am-12 pm.

Total Square Footage of Business: 1166

Square Footage of Alcohol Serviceable Area: 583

Restroom Fixtures: Men Shared < Women	**Toilets/Urinals:** 1	**Bathroom Sinks:** 1
	Toilets: 1	**Bathroom Sinks:** 1

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Floor Plan showing:
  - Seating
  - Exits
  - Restrooms
  - Kitchen (if applicable)
  - Total Square Footage
  - Serviceable Square Footage
- Dimensioned Site Plan showing:
  - Parking
  - Business Footprint
- Digital Copies of Floor Plan & Site Plan (PDF/JPEG)

Signatures

* Applicant (signature): Ana M. Armendariz	Date: 12/30/20
Applicant (printed): Ana M. Armendariz	
Property Owner (signature):	Date: 12/30/20
Property Owner (printed): Sonny Aguilar	

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

_____
Authorized Agent (*signature*)

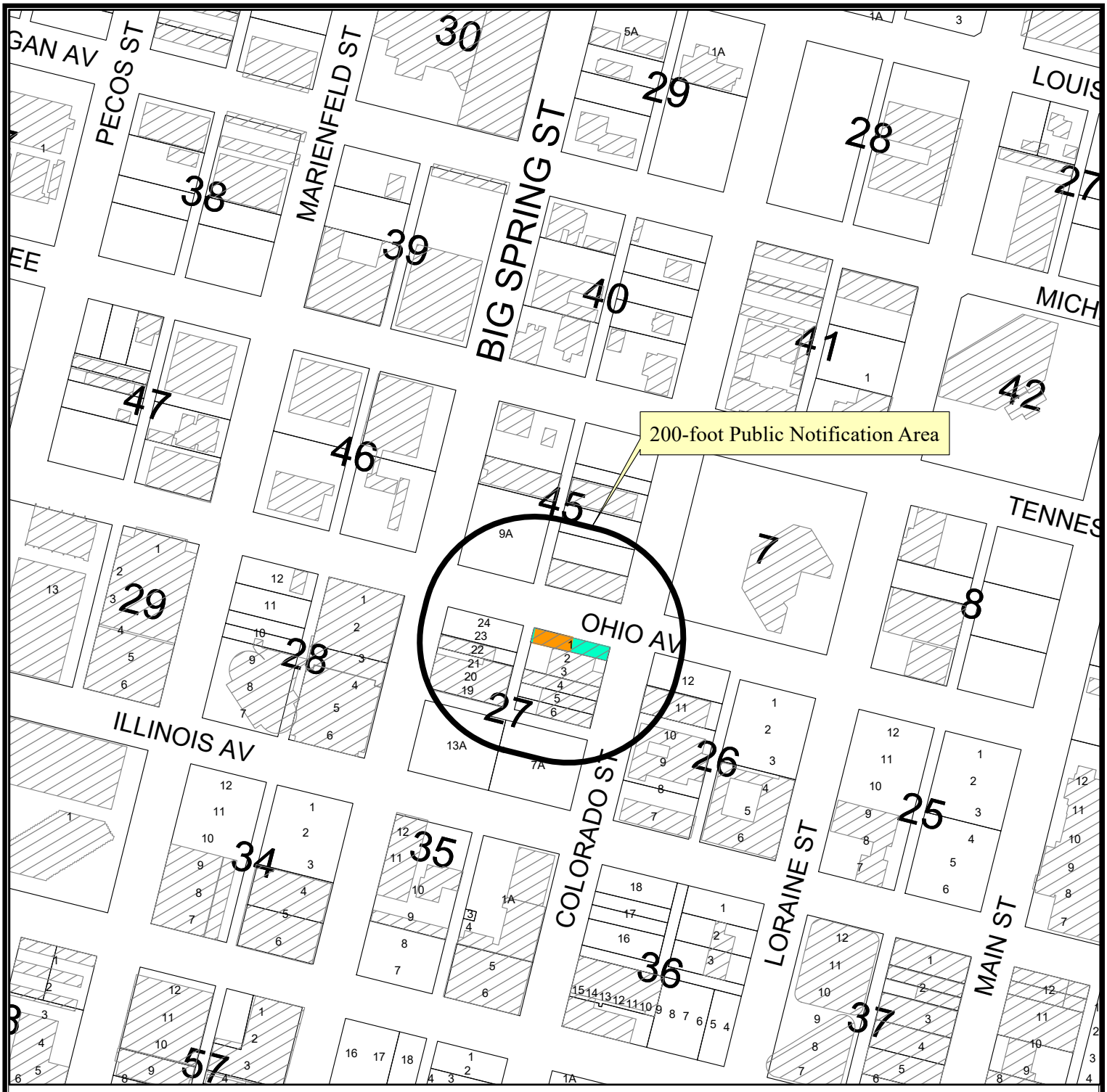
Subscribed and sworn to before me, this _____ day of _____, 20 ___, to certify which witness my hand and seal of office.

_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☑ Property Owner Authorization	☐ Dimensioned Floor Plan	RECEIVED JAN 0 4 2021
☑ Application Fee	☐ Site Plan	
Check # CCA	☐ Plans in Digital Format (PDF/JPEG)	
Received By: Joseph Marynak	Date:	BY:

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



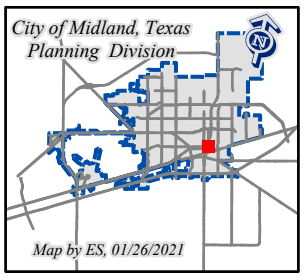
LOCATION MAP

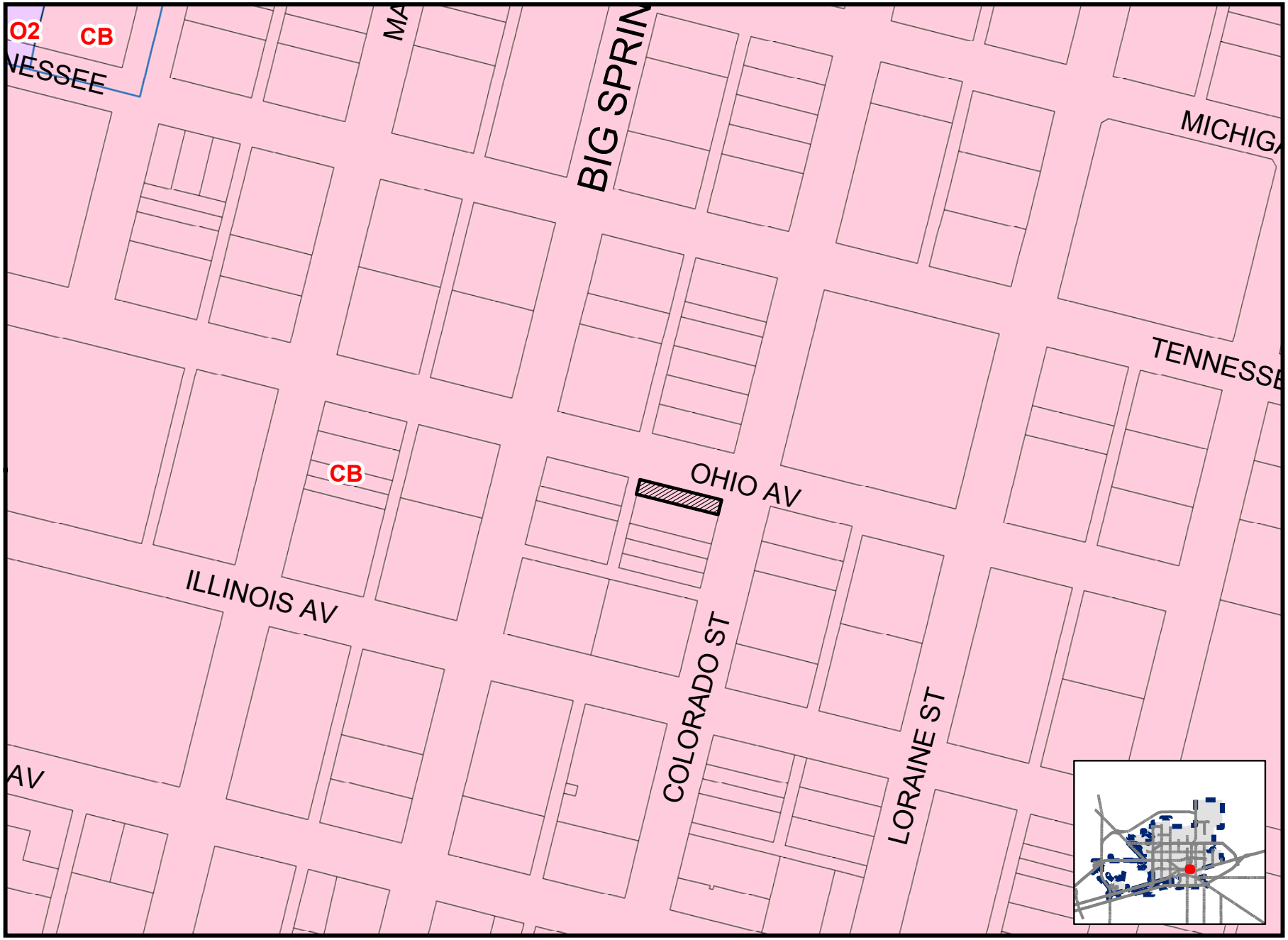
SUD-21-0094 **Scale: 1" = 250'**

Consider a request by Ana M. Armandariz for a Specific Use Designation with Term for the Sale of all alcoholic beverages, for on premises consumption in a restaurant, on a 1,166 square foot portion of Lot 1, Block 27, Original Town, City and County of Midland, Texas.
Generally located on the southwest corner of the intersection of W. Ohio Avenue and N. Colorado Street (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 01/26/2021

SUD-21-0094

Scale: 1" = 200'

ZONING MAP

NOR IS IT DESIGNED
INFORMATION CONTAINED
THE USE OF THIS DATA.

OPEN

STOP

ALLEY
CLOSED
ATM
ALLEY
CLOSED

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Valerie A. Sherman, Senior Planner**

SUBJECT: **Hold a public hearing and consider a request by Cung Lian Ni for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 1,881 square foot portion of Block 1, less the 250-foot by 150-foot northwest corner and less the 224-foot by 150-foot southwest corner, Replat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas. (Generally located on the south side of W. Wadley Avenue, approximately 277 feet east of N. Midkiff Road. Council District 3) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The property is located at 3211 W. Wadley Avenue, Suite 3A, in the RR, Regional Retail District. The property to the north across W. Wadley Avenue is zoned SF2, Single-Family Dwelling District, and the location of residences. The property to the east is zoned PD, Planned Development District for a Housing Development, and the location of duplex residences. The property to the south is zoned SF2, Single-Family Dwelling District and the location of residences. The property to the west is zoned RR, Regional Retail District and the location of Whataburger and Walgreens.

Analysis:

Cung Lian Ni is requesting a Specific Use Designation for the property located at 3211 W. Wadley Avenue, Suite 3A, to be able to sell all alcoholic beverages for on premises consumption, within a restaurant. The property is zoned RR, Regional Retail District,

which allows the consumption of alcoholic beverages with the approval of a Specific Use Designation.

The floor plan attached hereto as “Exhibit A” illustrates that the establishment, will have a total square footage of 1,881 square feet, with an alcohol serviceable area of 723 square feet.

The applicant is requesting the following hours of operation and alcohol service:

Monday through Sunday from 10:00 a.m. to 3:00 p.m. and from 5:00 p.m. to 9:00 p.m.

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

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

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

Departmental Review:

Engineering: (Approved)

No objections.

Building Code: (Approved with Conditions)

The SUD for Tokyo 1 is acceptable. The property must adhere to the current maximum occupant load of 53 for the alcohol serviceable area. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Fire: (Approved)

No objections.

Transportation: (Approved)

No objection to zone change.

Code Administration: (Approved)

No comments.

Planning:

This request is in compliance with the Tall City Tomorrow Comprehensive plan, Chapter

6 Character Plan - Goal 4, “Encourage the development of places where Midland residents can gather and socialize to build connections” (Tall City tomorrow, page 137).

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

Conditions:

A. That the serviceable area of the restaurant shall be limited to approximately 723 square feet as shown in Exhibit “A”, which is attached hereto and incorporated herein for all purposes.

B. That the days and hours of alcoholic beverages sales and consumption shall be limited to:

> **Monday through Sunday from 10:00 a.m. to 3:00 p.m. and from 5:00 p.m. to 9:00 p.m.**

C. That the occupancy of the establishment shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

D. That the establishment shall meet all requirements of the Fire Department and Code Administration.

E. That the sale and on-premises consumption of alcoholic beverages shall conform to applicable state and local laws.

Letters of Objection:

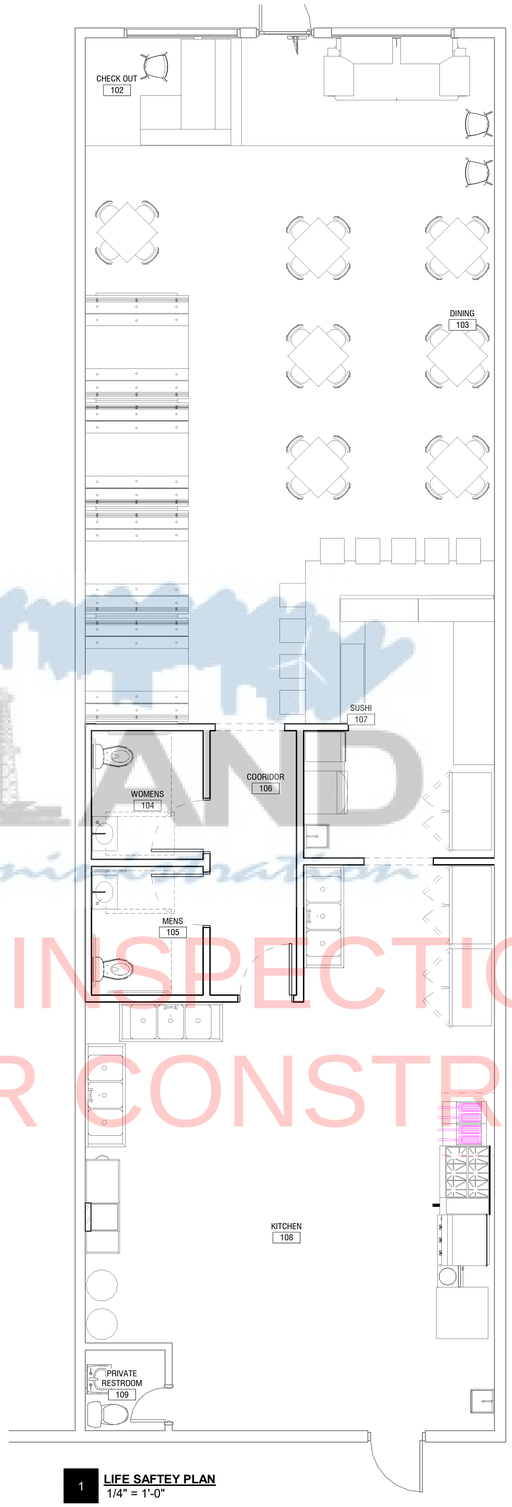
As of February 10, 2021, staff has not received any letters of objections.

Attachments:

Floor Plan (Exhibit A)
Application
Maps

OCCUPANT AND FIXTURE LOAD SCHEDULE

Level	Number	Name	Room Calcs		Room Capacity	Male Water Closet Load	Plumbing Loads	Female Water Closet Load	Plumbing Loads	Female Lav Load	Required Female Lavs	Male Lav Load	Plumbing Loads		Plumbing Loads
			Area	SF Per Person			Required WC (Male)		Required WC (Female)				Required Male Lavs	Drinking Fountain Load	Required Drinking Fountains
LEVEL 1	101	WAITING	92	15	7	75	0.04	75	0.04	200	0.02	200	0.02	500	0.013
LEVEL 1	102	CHECK OUT	57	30	2	500	0.00	500	0.00	750	0.00	750	0.00	1000	0.002
LEVEL 1	103	DINING	723	15	49	75	0.32	75	0.32	200	0.12	200	0.12	500	0.097
LEVEL 1	104	WOMENS	49												
LEVEL 1	105	MENS	49												
LEVEL 1	106	COORIDOR	77	0		0		0		0		0		0	
LEVEL 1	107	SUSHI	156	200	1	75	0.01	75	0.01	200	0.00	200	0.00	500	0.003
LEVEL 1	108	KITCHEN	656	200	4	75	0.03	75	0.03	200	0.01	200	0.01	500	0.008
LEVEL 1	109	PRIVATE RESTROOM	22												
			1881		63		0.41		0.41		0.15		0.15		0.123



1 **LIFE SAFTEY PLAN**
1/4" = 1'-0"

BUILDING CODE SUMMARY

Name of Project: CUNG LIAN NU New Restaurant
Address: IMPERIAL SHOPPING CENTER SUITE 3A Midland, Tx
Proposed Use: Restaurant
Owner or Authorized Agent: MIDLAND, TEXAS* Phone:
Owned By: __ City / County ● Private __TX__State
Code Enforcement Jurisdiction: CITY OF MIDLAND County: MIDLAND

Zoning: *****
Land Use: *****
Lot Area: **** acres (MIDLAND, TEXAS sf)
Building Footprint Area:
Lot Coverage: 0.00%
Floor Area Ratio: 0.00 : 0

SCOPE OF WORK: MIDLAND, TEXAS*

Construction shall include all associated, mechanical, electrical, plumbing, as required for occupancy.

APPLICABLE CODES / ORDINANCES:

BUILDING CODES:
2018 International Building Code (IBC) with City of MIDLAND, TEXASammendments - Ordinance
2018 International Mechanical Code (IMC) with City of MIDLAND, TEXASammendments - Ordinance
2018 International Plumbing Code (IPC) with City of MIDLAND, TEXASammendments - Ordinance
2018 International Fire Code (IFGC) with City of MIDLAND, TEXASammendments - Ordinance
2017 National Electric Code (NEC) with City of MIDLAND, TEXASammendments - Ordinance

ZONING:
*****
OTHER STANDARDS:

2010 ADA Standards for Accessible Design
2012 Texas Accessibilty Standards (TAS)

OCCUPANCY:

Primary Occupancy: __ Assembly __ A1 __ A2 __ A3 __ A4 __ A5
● Business
__ Educational
__ Factory / Industrial __ F1 __ F2
__ High Hazard __ H1 __ H2 __ H3 __ H4
__ Institutional __ I1 __ I2 __ I3 __ I4
__ Mercantile
__ Residential __ R1 __ R2 __ R3 __ R4
__ Storage __ S1 __ S2 __ High-Piled
__ Utility
__ Parking Garage __ Open __ Enclosed __ Repair

Secondary Occupancy: N/A

Mixed Occupancy __ Yes ● No Separation:● Exception:__

GENERAL BUILDING DATA:

Construction Type: __ IA __ IB __ IIA ● IIB __ IIIA __ IIIB __ IV __ VA __VB

Mixed Construction: ● No __ Yes Types:_____

Sprinklers: ● No __ Yes __ NFPA 13 __NFPA 13R __ NFPA 13D

Standpipes: ● No __ Yes Class: __ I __ II __ III __ Wet

Fire District: ● No __ Yes

Building Height: NA

Mezzanine: ● No __ Yes

High Rise: ● No __ Yes

LIFE SAFETY REQUIREMENTS:

Emergency Lighting: __ No ● Yes

Exit Signs: __ No ● Yes

Fire Alarm: ● No __ Yes

Smoke Detection System: __ No ● Yes

Panic Hardware: ● No __ Yes

Emergency Standby Power System: ● No __ Yes

MIDLAND Code Administration
PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

H3 DIGITAL DESIGN
H3 DIGITAL DESIGN
200 WEST ILLINOIS
SUITE 120 MIDLAND
TEXAS, 79701
432.559.4859
tj@hddwtx.com

CLIENT

CUNG LIAN NI

INTERIOR RENOVATION FOR RESTAURANT

IMPERIAL SHOPPING CENTER SUITE 3A Midland, Tx

CODE INFORMATION

Project no. H3C20018
scale: As indicated
date: 9.23.2020

Revisions

NO	DATE	DESCRIPTION

PERMIT

A-000

MIDLAND Planning Division

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

Project Number: SUP-21-0093

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: CUNG LIAN NI		Phone (432) 349 6529 Email NICUNG6@GMIAL.com	
Address 3211 W. Wadley Ave Suite 3A	City Midland	State TX	Zip 79705

Property Owner Printed Name: Imperial Shopping Center I, LTD		Phone (432) 697-6401 Email cassidy@imperialshoppingcenter.com	
Address 3211 W. Wadley Ave	City Midland	State TX	Zip 79705

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

Street Address: 3211 W. Wadley Ave. Suite 3A

Business Name: Tokyo I

Legal Description
Lot: A0.20 Block: 1 Subdivision: Imperial Heights

Current Zoning:

Reason for Request: OPEN the RESTAURAN

Type of Business *(restaurant, bar, lounge, nightclub, etc.)*: Sit down casual restaurant

Proposed/Current Days and Hours of Operation: 7 days a week 8 hrs per day

Proposed Days and Hours of Alcohol Service: 7 day a week 8 hrs per day

Total Square Footage of Business: 2100

Square Footage of Alcohol Serviceable Area: 800

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

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Floor Plan showing:
  - Seating
  - Exits
  - Restrooms
  - Kitchen
  - Total Square Footage
  - Serviceable Square Footage
- Dimensioned Site Plan showing:
  - Parking
  - Business Footprint
- Digital Copies of Floor Plan & Site Plan (PDF/JPEG)

Signatures

Applicant (signature):	Date: 10.20.2020
Applicant (printed): CUNG LIAN NI	
Property Owner (signature):	Date: 10.20.2020
Property Owner (printed): Sean A. Molloy	

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Sean Molloy who, being by me duly sworn, upon oath says: That (s)he is authorized by Imperial Shopping Center, 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 20th day of Oct, 20 20, to certify which witness my hand and seal of office.

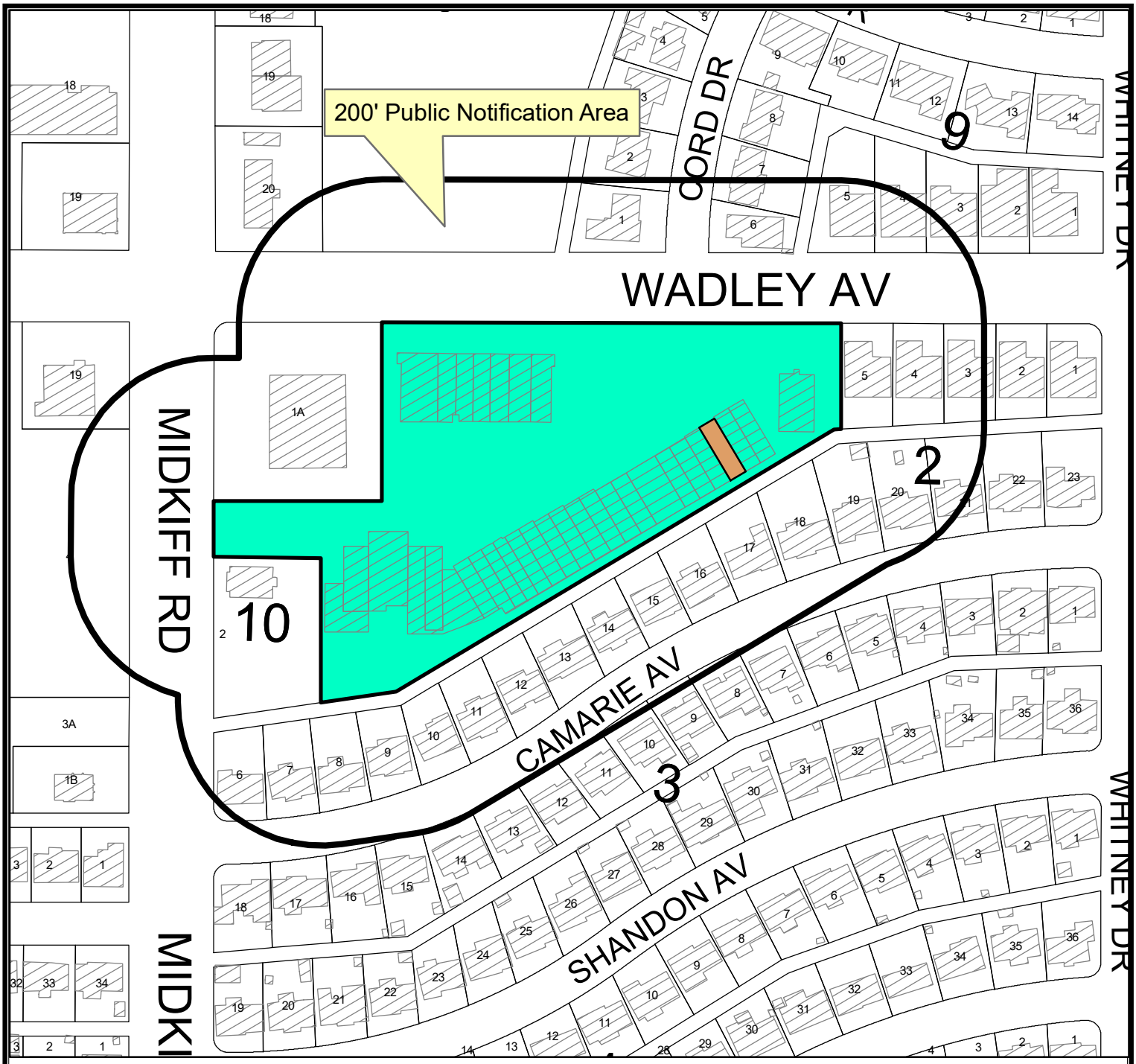
RITA G HERNANDEZ
Notary ID #130111939
My Commission Expires
February 10, 2023

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

FOR OFFICE USE ONLY		
☑ Property Owner Authorization	☑ Dimensioned Floor Plan	
☐ Application Fee	☑ Site Plan	
Check # credit card	☐ Plans in Digital Format (PDF/JPEG) online	RECEIVED JAN 07 2021
Received By: EJ	Date:	BY: .....

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



LOCATION MAP

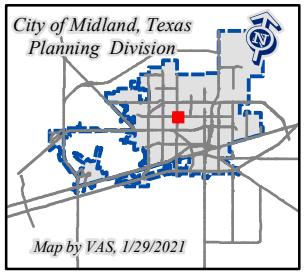
SUD-21-0093 **Scale: 1" = 200'**

Consider a request by Cung Lian Ni for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 1,881 square foot portion of Block 1, less the 250-foot by 150-foot northwest corner and less the 224-foot by 150-foot southwest corner, Replat of Block 1 and 2, Imperial Heights Addition, City and County of Midland, Texas.

Generally located on the south side of W. Wadley Avenue, approximately 277 feet east of N. Midkiff Road. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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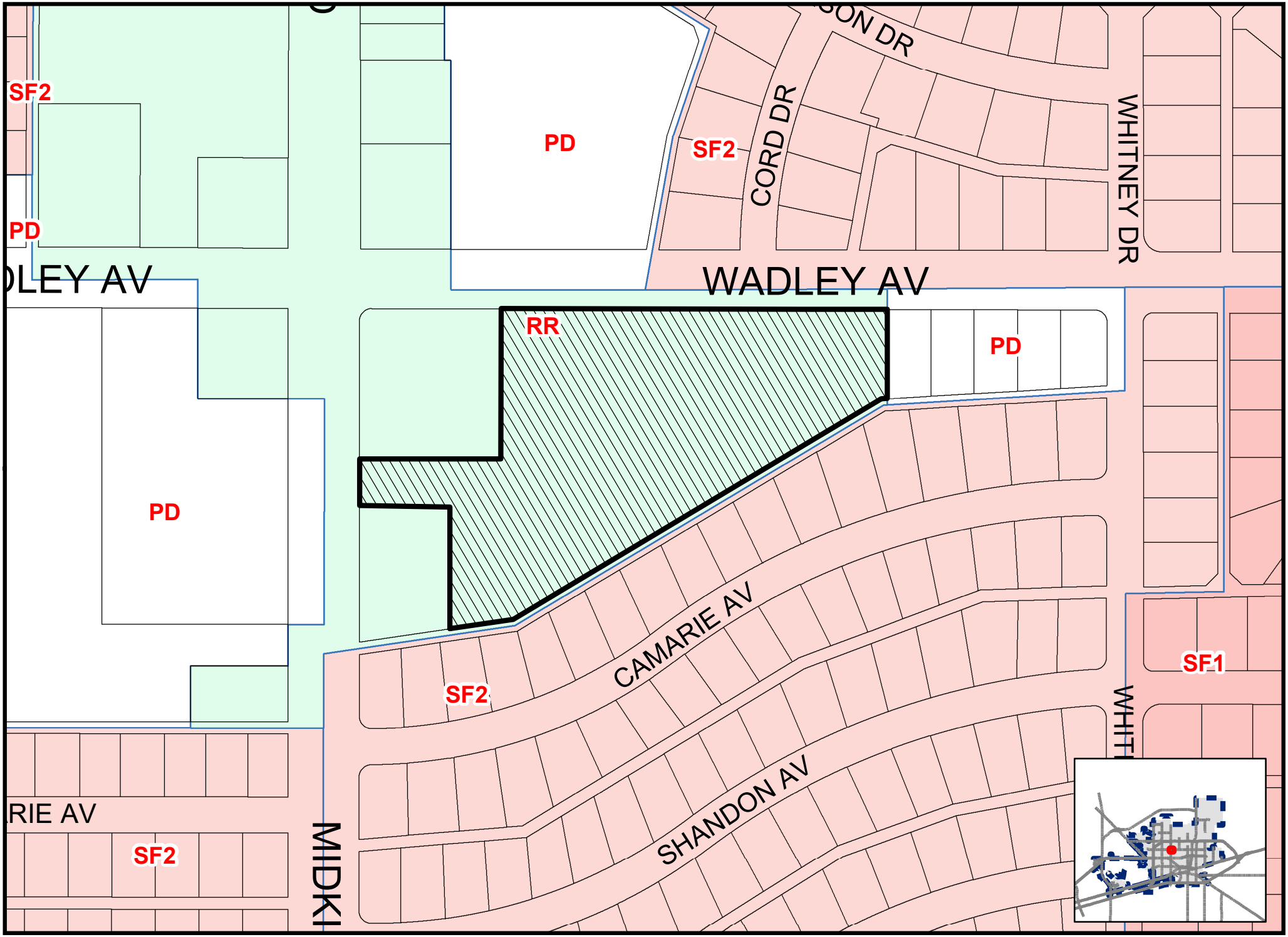
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map By VAS, 1/29/2021

PACKET

SKD-21-0093

Scale: 1" = 200'

ZONING MAP

February 16, 2021

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OPEN

SHEAR KOUNTRY
Hair and Nail
Salon
Fancy
Flowers
Full Service Florist
ROYALTY
Finishes
Edward Jones
DANCE CENTER
SHEAR KOUNTRY
TOKYO I
ROYALTY FINISHES
EDWARD JONES
JK DANCE CENTER
GMC

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Valerie A. Sherman, Senior Planner**

SUBJECT: **Hold a public hearing and consider a proposed Preliminary Plat of the Hillcrest Acres, Section 14, being a residential re-plat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive. Council District 4) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Details of Request:

The property owner, Safe Place of the Permian Basin, is proposing to re-plat the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas, into one (1) lot. This is considered a residential replat, which requires a public hearing.

Current Zoning:

SF1, Single-Family Dwelling District.

Departmental Review:

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

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact Fee Statement okay as shown.

ROW: ROW okay as shown.

PAVING: Extension of paved "backage road" required along length of property. Secondary access to the rear is strongly recommended with site design.

Andrews Highway is TxDOT ROW and will be maintained by them.

WATER: 6-inch water line existing along part of the platted frontage. Extend this water line completely across the platted frontage.

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: Sewer already existing in Woodcrest Dr. and the backage road. No wastewater improvements required.

DRAINAGE: Drainage Report Approved by City of Midland.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comment, “Based on current speed limit for BS 158 (Andrews Highway), the access spacing requirement is 425’. If this is a change of use of this site, the 2 existing access points on the east end of this site should be removed and any new access points should be the spacing requirements. Post development drainage/runoff should not be increased from pre-development conditions.”

Extension of paved "backage road" required along length of property. Secondary access to the rear is strongly recommended with site design.

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

No objections to plat.

FIRE: (Approved)

No objections.

Any future development is required to meet the IFC 2015 ed. and all locally adopted ordinances.

CODE COMPLIANCE: (Approved)

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

SURVEYOR: (Approved)

No 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.

PLANNING: (Approved with Conditions)

The legal description should read: “Proposed plat of Hillcrest Acres, Section 14, being a re-plat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland., Texas.”

Staff recommends approval of the preliminary plat of Hillcrest Acres, Section 14, subject to conditions A through C.

Conditions:

A. That the required public improvements are adequately met.

B. That the technical items be addressed.

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

Letters of Objection:

Staff has not received any letters of objection as of February 10, 2021.

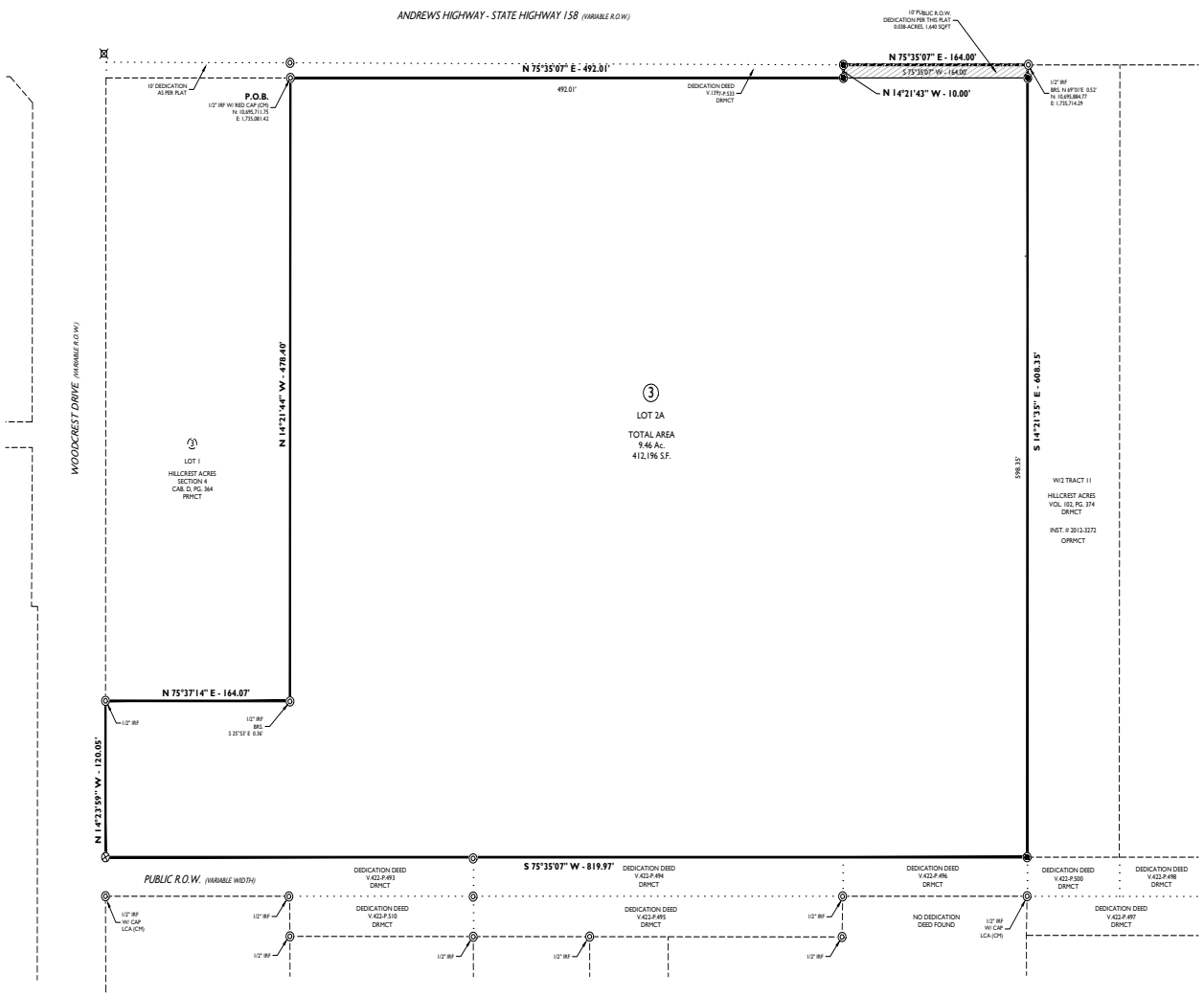
Attachments:

Proposed Preliminary Plat
Application
Maps

PRELIMINARY PLAT

HILLCREST ACRES, SECTION 14

BEING A REPLAT OF THE WEST HALF OF THE NORTH HALF OF TRACT 11 AND THE NORTH HALF OF TRACTS 12, 13, AND 14, HILLCREST ACRES, AND ALL OF LOT 2, BLOCK 3, HILLCREST ACRES, SECTION 10, AN ADDITION TO THE CITY AND COUNTY OF MIDLAND, TEXAS



PROPERTY OWNER

SAFE PLACE OF THE PERMIAN BASIN
P.O. BOX 11331
MIDLAND, TX 79702
DEED INSTRUMENT #2015-15041

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

DEVELOPMENT NOTES

1. *SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.*
2. *APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF THE 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, U.S. SURVEY FEET.*
4. *THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS:*
   (1) THE REPRESENTED LOT IS REPLATTED FOR SUBDIVISION INTO MORE THAN ONE LOT OR ·
   (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
5. *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.*

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0201F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS SAFE PLACE OF THE PERMIAN BASIN, is the record owner of a tract of land situated in Section 30, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SAFE PLACE OF THE PERMIAN BASIN, being the owner of the land shown on this plat designated as HILLCREST ACRES, SECTION 14, an Addition to the City of Midland, Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon; and do hereby give an easement of ingress and egress to the City of Midland for garbage collection, utility facility access and maintenance, location and maintenance of trash containers and access thereto, and condition said easement that no construction shall commence on said lot or lots until the exact location of said containers therewith has been selected and approved by the Director of Utilities.

WITNESS my hand at _____ - ___M,

the _____ day of _____ 2021.

By: _____ TITLE

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

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

_____ day of _____ 2021.

REGGIE LAWRENCE, CHAIRMAN

CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, GREGORY W. SHOULTS, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this plat was prepared from an actual survey of the property made by me and that all boundary corners and monuments shown thereon were properly placed under my supervision, in accordance with the subdivision regulations of the City of Midland.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

GREGORY W. SHOULTS
Registered Professional Land Surveyor
Maverick Engineering, LLC
1909 W. Wall Street, Suite K
Midland, TX 79701

UTILITY COMPANY'S CERTIFICATE

This plat has been checked for accessibility of utilities.

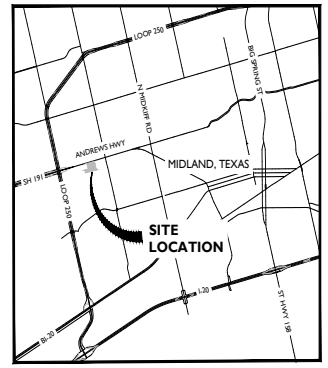
ATMOS ENERGY
BY: _____

AT&T
BY: _____

SUDDENLINK COMMUNICATION
BY: _____

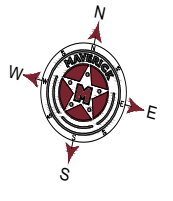
GRANDE COMMUNICATION
BY: _____

ONCOR ELECTRIC DELIVERY
BY: _____



VICINITY MAP

N.T.S.



0' 50' 100' 150'

SCALE 1" = 50'

LEGEND

◎	DENOTES FOUND CORNER AS NOTED
◉	DENOTES SET ½" IR W/ RED PLASTIC CAP MARKED "MAVERICK FIRM# 10194514"
⊠	DENOTES FOUND CITY OF MIDLAND BENCH MARK
———	DENOTES BOUNDARY LINE
– – – –	DENOTES EXISTING PROPERTY LINE
—·—·—	DENOTES EXISTING EASEMENT LINE
· · · · ·	DENOTES HISTORICAL LOT LINES
O.R.M.C.T.	DENOTES OFFICIAL RECORDS, MIDLAND CO., TX
D.R.M.C.T.	DENOTES DEED RECORDS, MIDLAND CO., TX
P.R.M.C.T.	DENOTES PLAT RECORDS, MIDLAND CO., TX

MAVERICK
ENGINEERING / SURVEY / WATER RESOURCES

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

HILLCREST ACRES, SECTION 14

Drawing: P:\2020\2020138-KNOTT@BERRY LOAFE PL ADD, CHILDS\DRAWINGS\PLAT\2020138 PRELIMINARY PLAT.DWG Last Saved By: P.Austin on 1/19/21

MIDLAND
Planning Division

Preliminary Plat Application

Project Number: SUB-20-0380

Case Number: P-21-1007

Proposed Subdivision Plat Name: Hillcrest Acres, Section 14

Legal Description (attached sealed Metes and Bounds): Being a Replat of the West Half of the North Half of Tract 11 and the North Half of Tracts 12, 13, and 14, Hillcrest Acres, and all of Lot 2, Block 3, Hillcrest Acres, Section 10, an Addition to the City and County of Midland, Texas

Property Owner Printed Name: Safe Place of the Permian Basin		Phone ( ) Email	
Address PO Box 11331	City Midland	State TX	Zip 79702

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

Representative *(if acting as Agent, see affidavit on page 2)* Firm: Maverick Engineering Printed Name: Paladin Huckaba		Phone (432)262.0999 Email	
Address 1909 West Wall St Ste K	City Midland	State TX	Zip 79701

Current Zoning: SF1

Reason for Platting: Ownership Purposes

Plat Information	Total Acreage:	9.46

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

Number of Lots: 1	Number of Multi-Family Dwelling Units:

Submittal and Fees

Items to be submitted with this application form:

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

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature):	Date:

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

Andrew L Mellen
Authorized Agent (*signature*)

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

Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

Kelsey Ann Stine
My Commission Expires
02/19/2022
ID No. 131456388

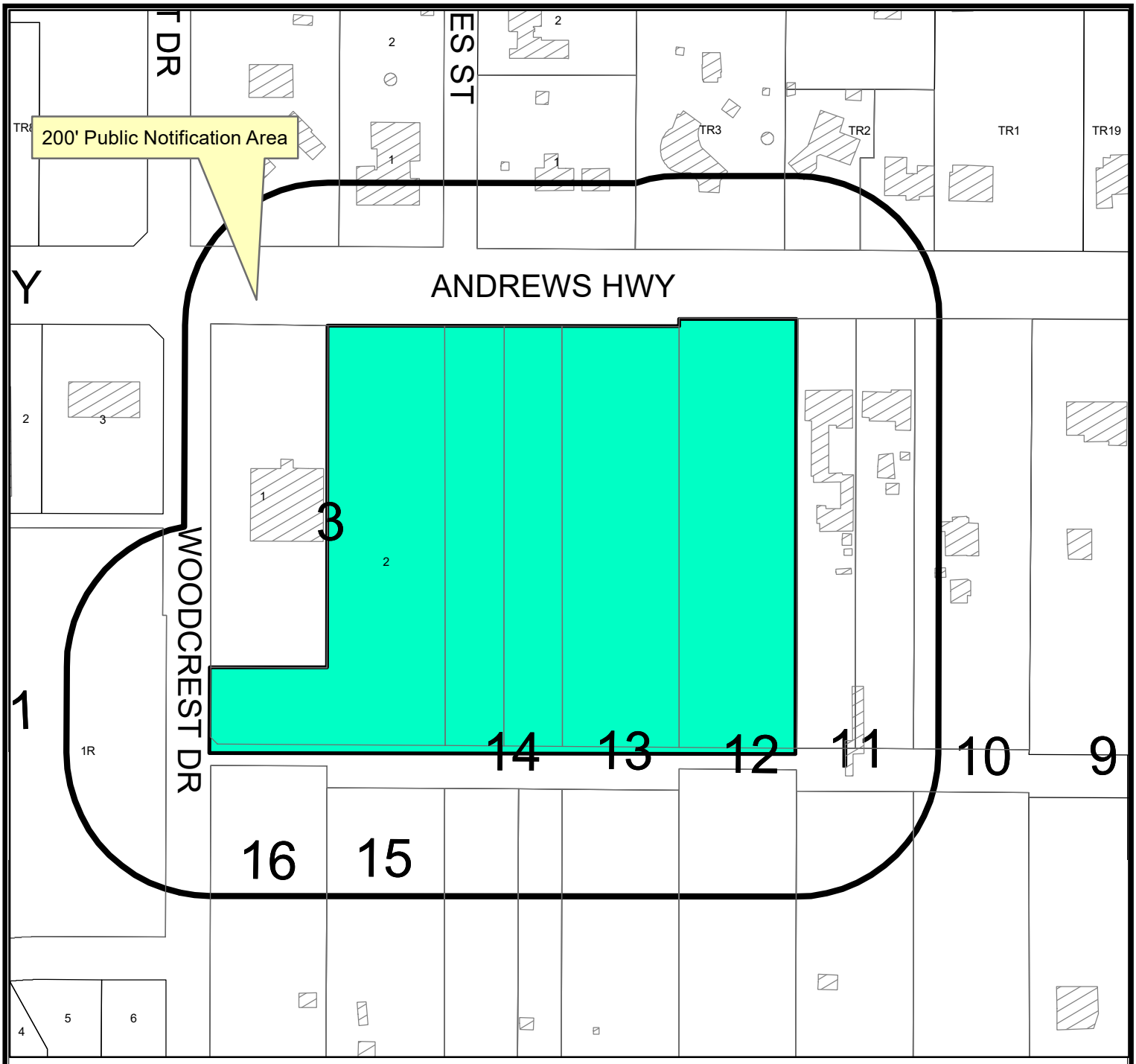
FOR OFFICE USE ONLY

- ☑ Property Owner Authorization
- ☑ Application Fee
- Check # 3342
- ☑ 1 Copy of Dimensioned Plat
- ☑ 1 Copy of Plat (11x17)
- ☑ Plat in Digital Format (PDF/JPEG)

Received By: _____ Date: RECEIVED JAN 22 2021

BY: .....

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



LOCATION MAP

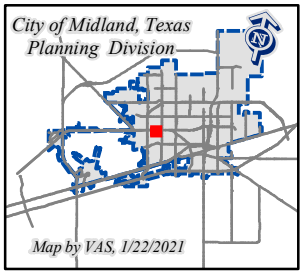
SUB-20-0380 **Scale: 1" = 200'**

Proposed Plat of Hillcrest Acres, Section 14, being a replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas.

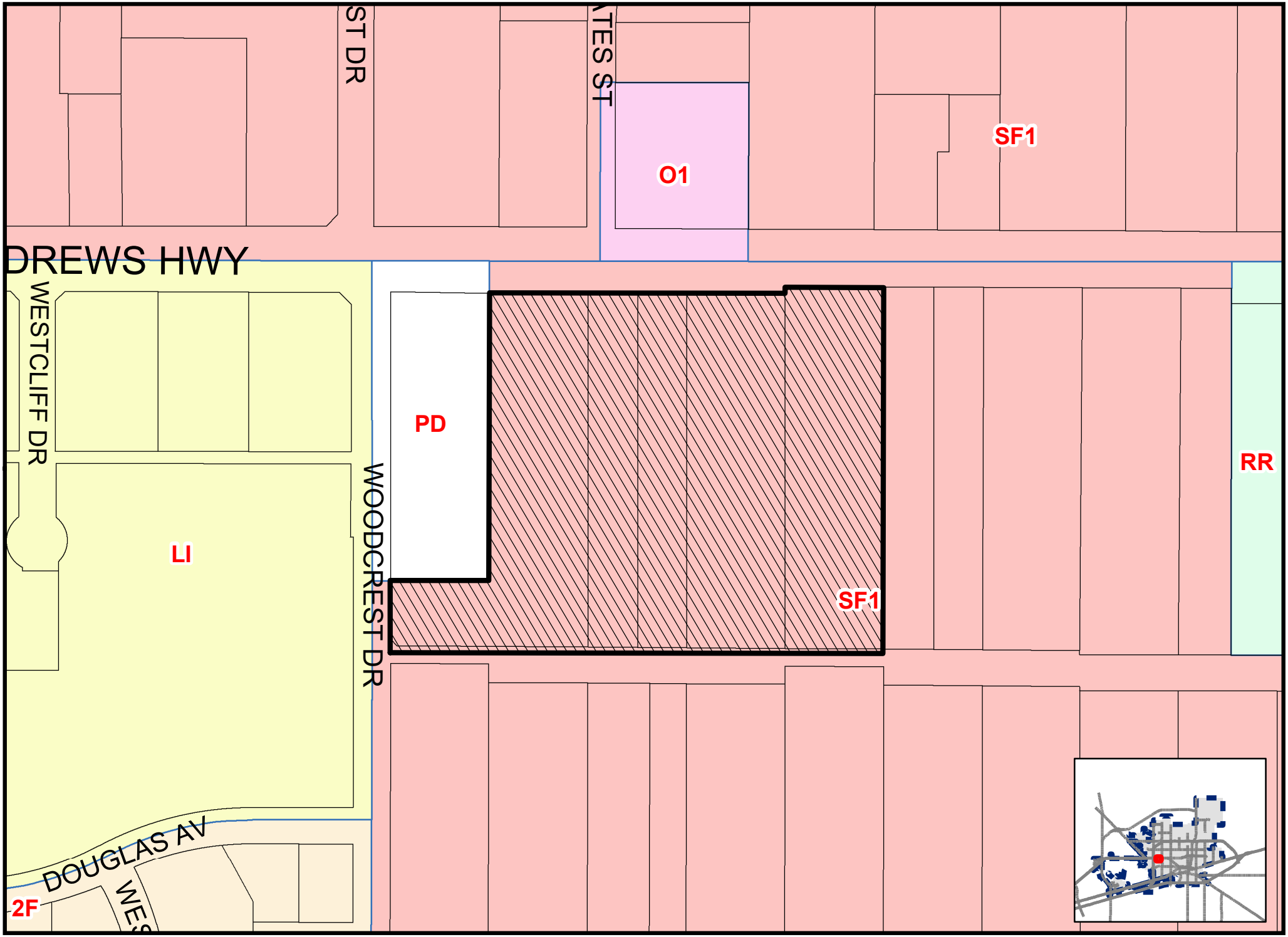
Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive. (Council District 4)

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.



Map By VAS, 1/22/2021

PACKET

SKB-20-0380

Scale: 1" = 200'

ZONING MAP

© 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 SOURCE FOR DECISIONS MADE SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

February 16, 2021

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Valerie A. Sherman, Senior Planner**

SUBJECT: **Hold a public hearing and consider a request by IDEA Public Schools, for the initial zoning of a 24.5578-acre tract of land located in Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located approximately 625 feet north of Briarwood Avenue and approximately 2,153 feet east of Avalon Drive. Extraterritorial Jurisdiction) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

ETJ, Extraterritorial Jurisdiction

Surrounding Zoning and Land Use:

The properties to the north and east are located in the ETJ, Extraterritorial Jurisdiction, and the location of vacant land. The property to the south is zoned PD, Planned District for a Recreation Center, and the location of the Bush Tennis Center. The properties to the west are zoned PD, Planned District for a Housing Development, and SF1, Single-Family Dwelling District, and the locations of an apartment complex and vacant land, respectively.

Analysis:

The applicant, IDEA Public Schools, is requesting for the initial zoning of the land to be annexed to be LR, Local Retail District, to develop a school.

The site is currently in the process of being annexed into City Limits.

Departmental Review:

This case has been circulated to and reviewed by all pertinent City departments for internal review and has received no objections. Their comments are as follows.

Engineering: (Approved)

No objections to zone change.

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

Transportation: (Approved)

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

No objection to zone change.

Fire: (Approved)

All future development will be required to meet the requirements of IFC 2015 ed. and local ordinances. Including the addition of fire hydrants.

Code Administration: (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.

Oil and Gas: (Approved)

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

Planning:

The Future Land Use Map in Tall City Tomorrow Comprehensive Plan calls for Urban-Medium uses in this location, encompassing a mix of housing types, neighborhood and community commercial, office and service uses.

Since this request is in compliance with the comprehensive plan, staff recommends approval of this initial zoning of LR, Local Retail District, subject to condition A.

Condition:

A. That the use and development of this property shall conform to the regulations of the LR, Local Retail District.

Letters of Objection:

As of February 10, 2021, staff has received no letters of objection to this request.

Attachments:

Metes and Bounds (Exhibit A)
Annexation Exhibit
Application
Maps
Petition

EXHIBIT B

DESCRIPTION – IDEA BUSH SCHOOL SITE

BEING a 24.5578 acre tract lying and being situated in Section 24, Block 40, T-1-S, T & P RR Co. Survey, in the City of Midland, Midland County, Texas and being a portion of that certain tract described in General Warranty Deed to Henry Energy LP, recorded in Document Number 2010-5636, Official Public Records, Midland County, Texas (O.P.R.M.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING (N: 10,705,115.47; E: 1,726,318.49) at a set 1/2 inch iron rod with red plastic cap marked "WEST CO. MIDLAND" (hereinafter referred to as a set iron rod) located on the west line of the remainder of said Henry Energy LP tract; said set iron rod also being located South 14 degrees 26 minutes 45 seconds East, 539.84 feet from a 1/2 inch iron rod with yellow plastic cap marked "LCA" found for the northwest corner of said Henry Energy LP tract; said Beginning Point also being on the east line of that certain tract described in deed to Los Conchos Ventures LLC, recorded in Document Number 2019-6368, O.P.R.M.C.T.;

THENCE North 14 degrees 26 minutes 45 seconds West, along the west line of said Henry Energy LP tract and the east line of said Los Conchos Ventures LLC tract, at a distance of 310.36 pass the northeast corner of said Los Conchos Ventures LLC tract and a southeast corner of that certain tract described in deed to Exxon Mobil Corp., recorded in Document Number 2015-9803, O.P.R.M.C.T., and continuing for a total distance of 539.84 feet to a 1/2 inch iron rod with yellow plastic cap marked "LCA" found for the northwest corner of said Henry Energy LP tract; said iron rod also being located at an angle point in the south line of said Exxon Mobil Corp. tract;

THENCE North 75 degrees 33 minutes 16 seconds East, along the north line of said Henry Energy LP tract and the south line of said Exxon Mobil Corp. tract, a distance of 2112.61 feet a 1/2 inch iron rod with yellow plastic cap marked "LCA" found for the northeast corner of said Henry Energy LP tract;

THENCE South 14 degrees 22 minutes 54 seconds East, along the east line of said Henry Energy LP tract, a distance of 190.28 feet to a set 1/2 inch iron rod with red plastic cap marked "WEST CO. MIDLAND" (hereinafter referred to as a set iron rod) for the most northerly southeast corner of said Henry Energy LP tract;

THENCE South 75 degrees 34 minutes 48 seconds West, along the south line of said Henry Energy LP tract, a distance of 20.22 feet to a 1/2 inch iron rod with yellow plastic cap marked "LCA" found for the beginning of a curve to the left having a radius of 655.00 feet and a chord bearing South 68 degrees 18 minutes 16 seconds West, 165.90 feet;

THENCE Southwesterly, along said curve to left and the south line of said Henry Energy LP tract, through a central angle of 14 degrees 33 minutes 04 seconds, an arc distance of 166.35 feet to a set iron rod for the end of said curve;

(Description continued on Page 2 of 2)

(Description continued from Page 1 of 2)

THENCE South 61 degrees 07 minutes 17 seconds West, along the south line of said Henry Energy LP tract, a distance of 602.14 feet to a set iron rod for the beginning of a curve to the right having a radius of 725.00 feet and a chord bearing South 68 degrees 00 minutes 47 seconds West, 183.63 feet;

THENCE Southwesterly, along said curve to the right and the south line of said Henry Energy LP tract, an arc distance of 184.12 feet to found 1/2 inch iron rod with yellow plastic cap marked "LCA" for the end of said curve;

THENCE South 75 degrees 59 minutes 21 seconds West, along the south line of said Henry Energy LP tract, a distance of 20.59 feet to a set iron rod;

THENCE South 74 degrees 25 minutes 12 seconds West, a distance of 325.00 feet to a set iron rod;

THENCE South 14 degrees 27 minutes 18 seconds East, a distance of 319.93 feet to a 1/2 inch iron rod with yellow plastic cap marked "LCA" found at an angle point in the south line of said Henry Energy LP tract;

THENCE South 58 degrees 06 minutes 36 seconds West, a distance of 456.71 feet to a set iron rod;

THENCE South 75 degrees 17 minutes 44 seconds West, along the south line of said Henry Energy LP tract and said north right-of-way line, a distance of 381.25 feet to the Point of Beginning and containing 24.5578 acres of land.

Notes:

Coordinates, Bearings, Distances and Areas mentioned herein are Lambert Grid and conform to the "Texas Coordinate System", Texas Central Zone 4203, North American Datum 1983.

Kerry M Hoefner
13 JAN, 2021

MIDLAND Planning Division

Annexation/Initial Zoning Application

Project Number: A-20-0023

Case Number: Z-20-0201

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Larry H. Walker, PE		Phone (432)528-3159 Email lwalker@team-west.com	
Address 110 W. Louisiana St. Suite 110	City Midland	State Texas	Zip 79701

Property Owner Printed Name: IDEA PUBLIC SCHOOLS		Phone (432)528-3159 Email lwalker@team-west.com	
Address 2115 W. PIKE BLVD.	City WESLACEO	State Texas	Zip 78596

Representative *(if different from Applicant or Property Owner)* Firm: WEST COMPANY OF MIDLAND, LLC Printed Name: Larry H. Walker, PE		Phone (432)528-3159 Email lwalker@team-west.com	
Address 110 W. Louisiana St. Suite 110	City Midland	State Texas	Zip 79701

Street Address: Navasoto and Briarwood

Legal Description
Lot: Block: Subdivision:

Current Zoning: N/A	**Proposed Zone:** *(List by tracts if more than one district is requested)*

Reason for Annexation/Zone Change Request:
Property is being platted and will be used for a New K12 Academy and Prepatory school site

Present Use of Property: Agricultural

Proposed Use of Property: New K12 Academy and Prepatory School Site

How would this annexation/zone change affect the public health, safety and welfare?
Annexation of this propertrty would allow for a New K12 Academy and Prepatory school to be built that would benefit the entire area.

Describe how this annexation/zone change will affect adjacent properties:
Adjacent properties are currently oil production and multifamily to the West, The Bush Tennis Center is directly to the East and single family development is located across Briarwood to the South. Addition of this property will provide a new resource for families in the area and provide additional infrastucture for adjacent properties with no negative impacts.

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

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

OCT 19 2020

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date: 10/13/20
Applicant (printed): Larry H. Walker, PE	
Property Owner (signature): DocuSigned by:	Date: 10/1/2020
Property Owner (printed) : Carlo Hershberger, Co-Chief Financial Officer IDEA Public Schools	

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Larry H. Walker who, being by me duly sworn, upon oath says: That (s)he is authorized by Carlo Hershberger, 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 13th day of October, 2020, to certify which witness my hand and seal of office.

KAREN S WHITE
My Notary ID # 130032445
Expires November 20, 2022

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- ☑ Property Owner Authorization
- ☑ Application Fee
- Check # 25685
- ☑ Metes and Bounds (Sealed by Surveyor)
- ☑ Files in Digital Format (PDF/JPEG)
- ☐ Petition

Received By: gac Date:

RECEIVED
OCT 19 2020
BY:

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

PETITION FOR ANNEXATION

Dear City of Midland:

As current owner of the tract(s) of land described in Exhibit(s) "A" & "B" (the "Property"), said Exhibit(s) being attached hereto and incorporated herein, IDEA PUBLIC SCHOOLS ("Owner") submits this petition for annexation and hereby requests that the Property be added to and annexed to the City of Midland.

Signature of Owner or Owner's Authorized Representative

LARRY H. WALKER, P.E.

Printed Name

V.P. ENGINEERING

Title

THE STATE OF Texas §
§
COUNTY OF Midland §

This instrument was acknowledged before me on the 13th day of January, 2021, by Larry H. Walker in the capacity herein stated.

MY COMMISSION EXPIRES

11/20/2022

Notary Public, State of Texas

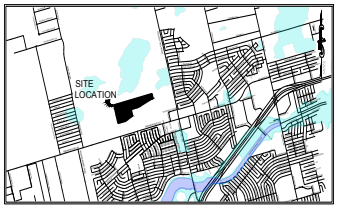
KAREN S WHITE
My Notary ID # 130032445
Expires November 20, 2022

EXHIBIT A

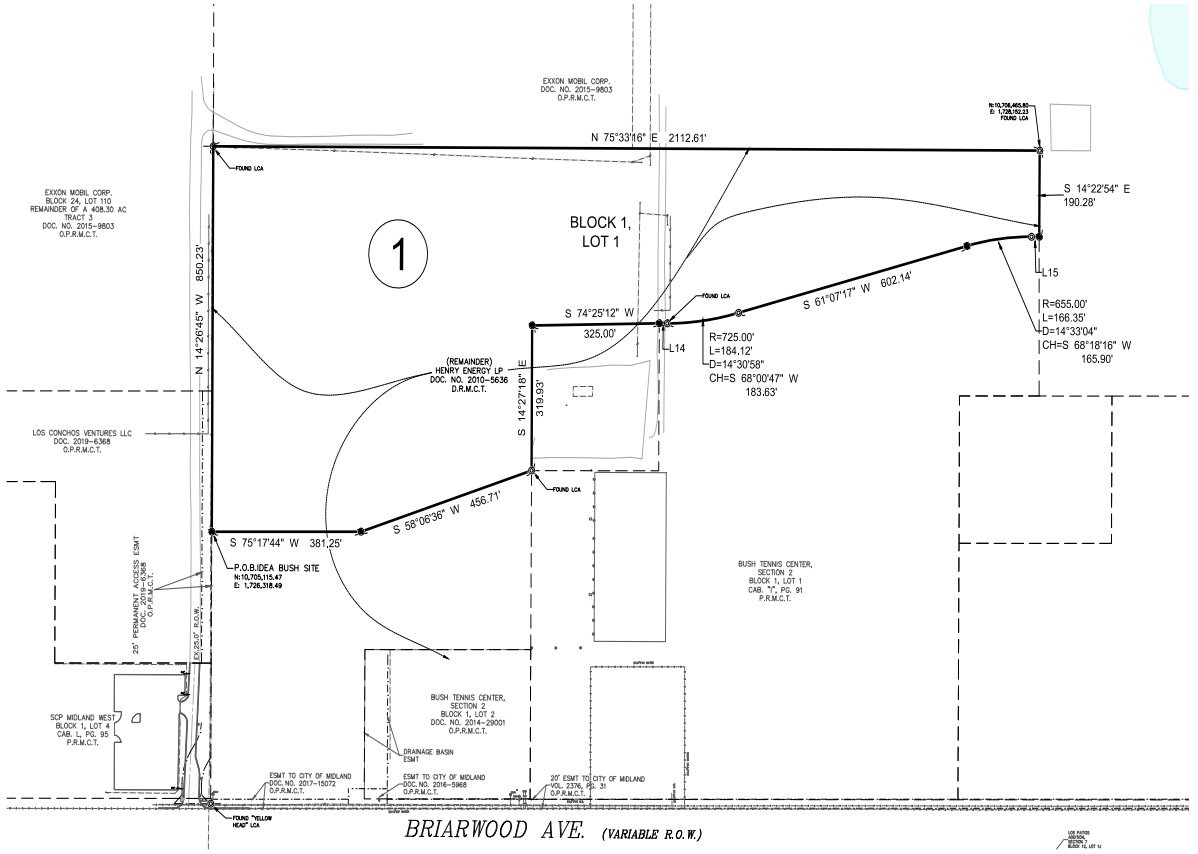
ANNEXATION EXHIBIT

IDEA BUSH SITE - 24.5578 ACRES

LOCATED IN SECTION 24, BLOCK 40, T-1-S, T & P RR Co. SURVEY,
CITY AND COUNTY OF MIDLAND, TEXAS

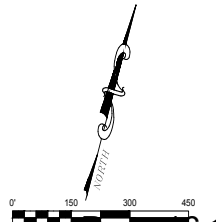


VICINITY MAP
(NOT TO SCALE)



LEGEND

- DENOTES SET ⅝" IRON ROD w/ RED PLASTIC CAP MARKED "WEST CO. MIDLAND"
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES BOUNDARY LINE
- DENOTES LOT LINES
- DENOTES ADJACENT DEED OR PROPERTY LINE
- DENOTES FUTURE EASEMENT LINE
- DENOTES EXISTING EASEMENT LINE
- D.R.M.C.T. DEED RECORDS, MIDLAND COUNTY, TEXAS
- P.R.M.C.T. PUBLIC RECORDS, MIDLAND COUNTY, TEXAS
- P.R.M.C.T. PLAT RECORDS, MIDLAND COUNTY, TEXAS
- C.C.# COUNTY CLERK'S INSTRUMENT NUMBER



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

KERRY M. HOEFNER, R.P.L.S. 4562
2713 CANTRELL ST.
IRVING, TX 75062
214.714.2340

13 JAN, 2021

OWNER:
IDEA Public Schools
2115 W. Pike Blvd.
Weslaco, Texas 78596

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

JANUARY 13, 2021
IDEA BUSH SCHOOL SITE

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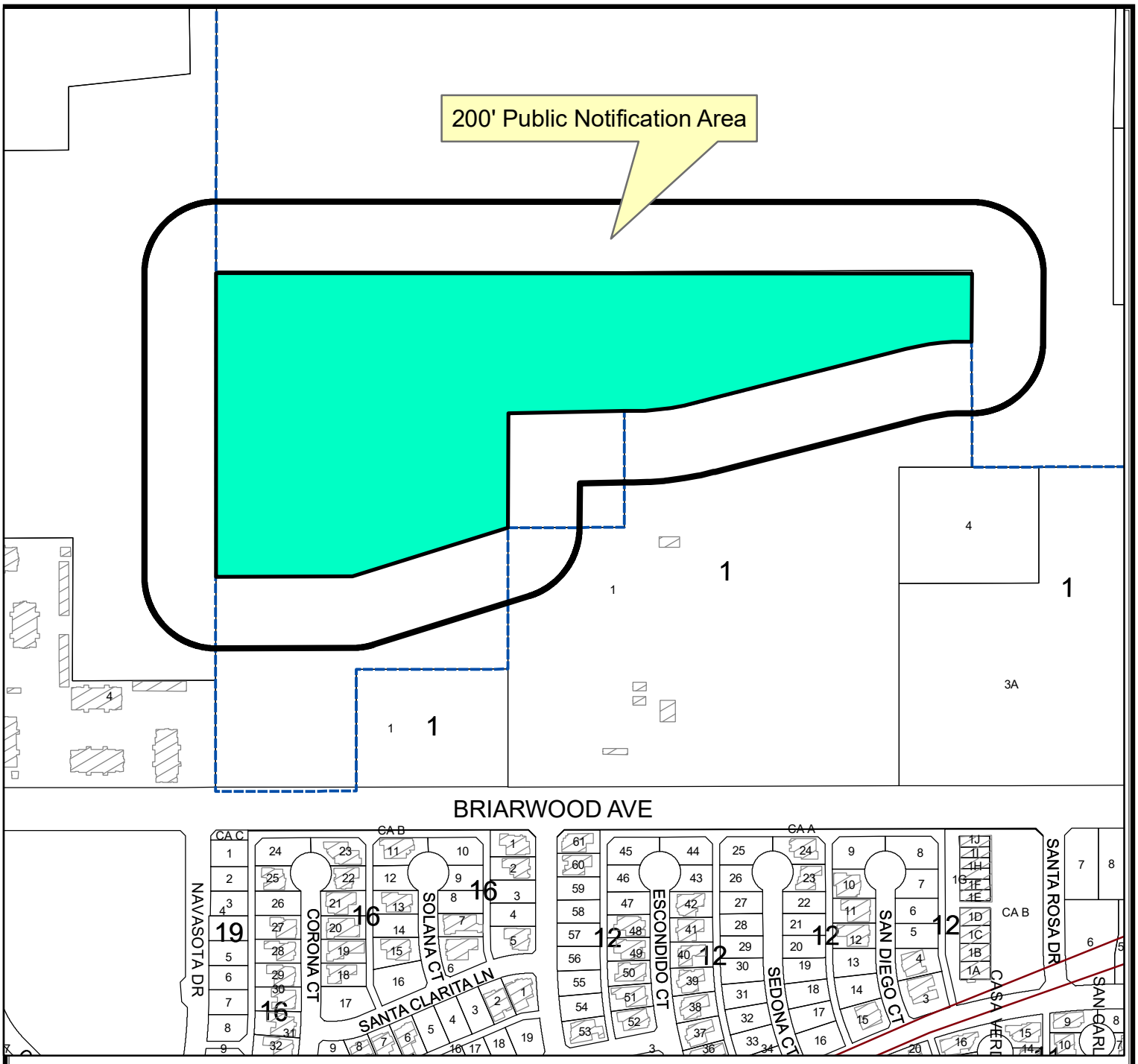
E:_03_WESTCO\2020\2020-0103 IDEA - BUSH\DIBUJOS\2020-0103 ANNEX EXHIBIT 2021-01-13.DWG



LOCATION MAP

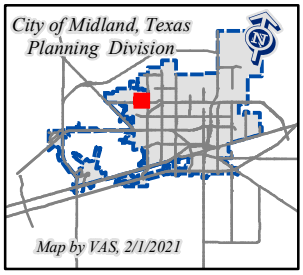
Z-20-0201 **Scale: 1" = 400'**

Consider a request for the initial zoning of a 24.5578-acre tract of land located in Section 24, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located approximately 625 feet north of Briarwood Avenue and approximately 2,153 feet east of Avalon Drive. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Joseph Marynak, Planner**

SUBJECT: **Hold a public hearing and consider a request by Laramie Acquisitions, LLC for a zone change from PD, Planned Development District for a Transitional District to RR, Regional Retail District on Lot 1, Block 4, Amaron Addition, Section 5, City and County of Midland Texas. (Generally located on the northwest corner of the intersection of Wolcott Avenue and Rankin Highway. Council District 2) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

PD, Planned Development District for a Transitional District (Ordinance No. 8264)

Details of Request:

The applicant, Laramie Acquisitions, LLC is requesting to rezone the property located at 2010 Rankin Highway for redevelopment.

Surrounding Zoning and Land Use:

The properties to the north are zoned RR, Regional Retail District and PD, Planned Development District for a Shopping Center and the locations of vacant land and a car dealership, respectively. The properties to the east are zoned PD, Planned Development District for a Shopping Center and RR, Regional Retail District and the locations of a restaurant and a shopping center, respectively. The property to the south is zoned PD, Planned Development District for a Shopping Center and the location of a shopping center. The property to the west is zoned TP, Technology Park District and the location of a storage yard.

Analysis:

The property in question is currently zoned PD, Planned Development District for a Transitional District. As intended by Ordinance No. 8264, this property is presently being used as an office complex and shop. The applicant is proposing to rezone this property to RR, Regional Retail District in order to develop a restaurant.

Departmental Review:

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

Fire: (Approved)

No objection to zone change.

Building: (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: (Approved)

No objections to zoning/zone change.

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

Code: (Approved)

No Oil and Gas issues.

Transportation: (Approved)

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

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

No objection to zone change.

Planning:

This property is located on a major arterial street, making it the ideal location for retail. It is also located next to several existing retail centers, which include convenience stores,

restaurants, and an automotive part store. Therefore, re-zoning this property to the RR, Regional Retail District would fit well with the character of this area.

Staff recommends approval of this zone change from PD, Planned Development District for a Transitional District to RR, Regional Retail District, subject to condition A.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of February 10, 2021

Attachments:

Application
Maps
Ordinance No. 8264

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: 2-21-0210

Case Number:

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Laramie Acquisitions, LLC		Phone (214) 335-4702 Email chaynes@haynesdevco.com	
Address 4024 Goodfellow Drive	City Dallas	State TX	Zip 75229
Property Owner Printed Name: SWEPI LP		Phone (832) 337-6543 Email jared.cole@shell.com	
Address 150 N. Dairy Ashford, Bldg. A	City Houston	State TX	Zip 77079
Representative *(if different from Applicant or Property Owner)* Firm: Laramie Acquisitions, LLC Printed Name: Coy Haynes		Phone (214) 335-4702 Email chaynes@haynesdevco.com	
Address 8214 Westchester, Suite 950	City Dallas	State TX	Zip 75225

Street Address: 2010 Rankin Highway

Legal Description
Lot: 1 Block: 4 Subdivision: Amaron Addition Section 5

Current Zoning: 2010 Rankin - PD,

Proposed Zone: RR
(List by tracts if more than one district is requested)

Reason for Zone Change Request: We want to change the zoning from a PD to RR

Present Use of Property: Metal Building Offices

Proposed Use of Property: Restaurants

How would this zone change affect the public health, safety and welfare? It would allow for new restaurants to service the area.

Describe how conditions affecting the property have changed since present zoning designation: When these buildings and PD were put in place, the only retail area was McDonald's, Sonic and Tractor Supply. Now there is a Walmart and countless other retail users.

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

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

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature): Coy Haynes	Date: 1/11/21
Applicant (printed): Coy Haynes	
Property Owner (signature): Jim Ketter	Date: 1/9/21
Property Owner (printed) : Jim Ketter	

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Jim Ketter who, being by me duly sworn, upon oath says: That (s)he is ~~the owner of~~ authorized by SWEPI LP, the owner of the above described property, to fully represent ~~himself~~ SWEPI LP 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.

Jim Ketter
Authorized Agent (*signature*) Jim Ketter

Subscribed and sworn to before me, this 07 day of January, 2021, to certify which witness my hand and seal of office.

Lisa Marie Offield

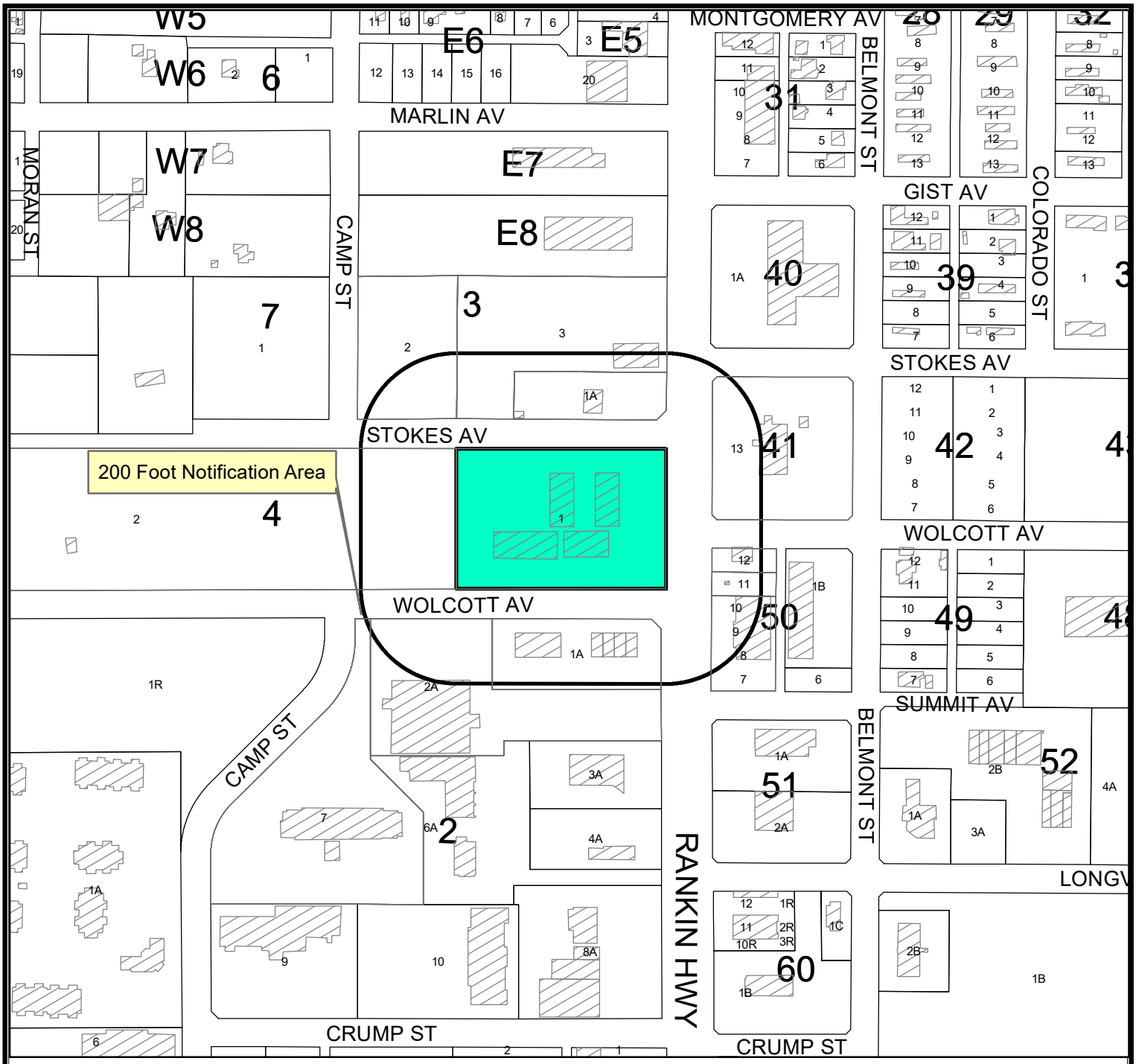
LISA MARIE OFFIELD
Notary Public, State of Texas
Comm. Expires 02-26-2023
Notary ID 130130507

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

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

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



LOCATION MAP

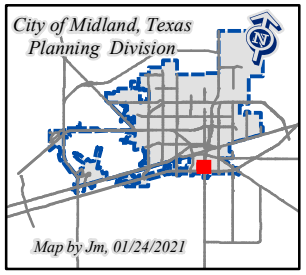
Z-21-0210 **Scale: 1" = 300'**

Consider a request by Laramie Acquisitions, LLC for a zone change from PD, Planned Development District to RR, Regional Retail District on Lot 1, Block 4, Amaron Addition, Section 5, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Wolcott Avenue and Rankin Highway. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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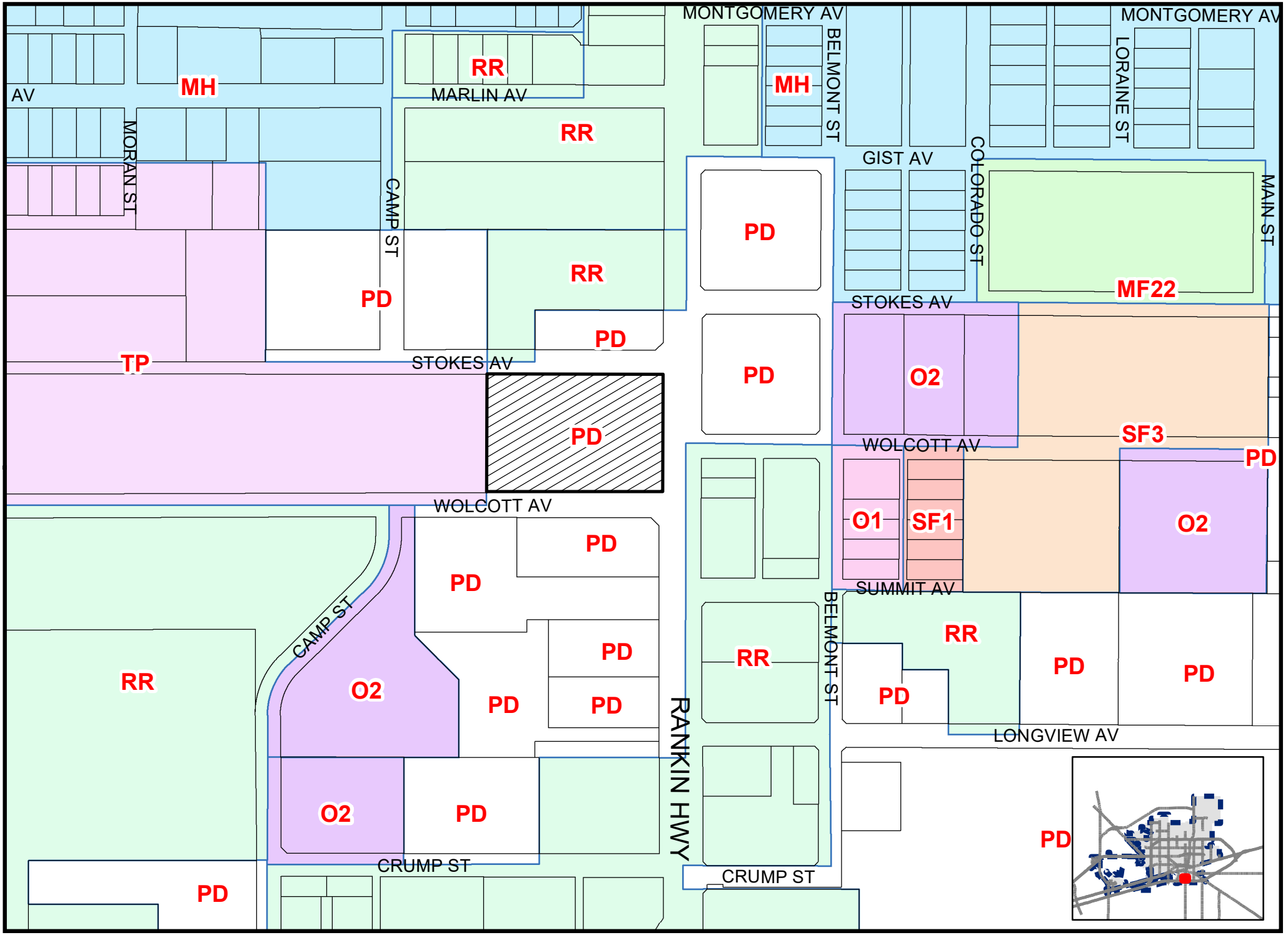
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map By JM, 01/24/2021

PACKET-0210

Scale: 1" = 300'

ZONING MAP

February 16, 2021

© 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 SOURCE FOR DECISIONS MADE SOLELY ON THE INFORMATION CONTAINED HEREIN. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.

ORDINANCE NO. 8264

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 3.33 ACRE TRACT OF LAND OUT OF SECTION 3, BLOCK 39, T-2-S, T & P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT TO BE USED AS PD, PLANNED DISTRICT FOR A TRANSITION DISTRICT; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS ($2,000.00); AND ORDERING PUBLICATION

WHEREAS, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter and the State law with reference to the creation of "Planned Districts" under the zoning ordinance regulations and zoning map, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by the creation of a PD, Planned District for a Transition District set out hereinafter and subject to the conditions and restrictions set out hereinafter;

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

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned LR-2, Local Retail District, and it shall be used as a PD, Planned District for a Transition District, subject to the special conditions and restrictions hereinafter set out, said property being described as follows:

A 3.33 acre tract of land out of Section 3, Block 39, T-2-S, T & P RR Co. Survey

City and County of Midland, Texas.

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

A. That the use of this property as an office complex with a shop building shall conform to Exhibit A (site plan) and Exhibit B (elevation drawings);

B. That the shop building may be used for the storage and maintenance of oil-field related equipment, provided that all such uses shall be conducted within the enclosed shop;

C. That outdoor storage on this tract shall be strictly prohibited;

D. That all landscaping shall be installed as indicated on the site plan shall be irrigated and maintained in a healthy, growing condition;

E. That all building lighting shall be directed downward and that no lighting shall be directed upward except for lighting of the United States flag.

F. That a Certificate of Occupancy shall be obtained to ensure that all conditions of this ordinance are met prior to use of the property.

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

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

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

SECTION SIX. The penalty for violation of this ordinance shall be in accordance

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 28th day of September, A.D., 2004; and passed to second reading on motion of Council member Dingus, seconded by Council member Hailey, by the following vote:

Council members voting "AYE": Dingus, Hailey, Perry, Morgan, Canon and Simpson

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Dingus, seconded by Council member Dufford, on the 12th day of October, A.D., 2004, at a regular meeting of the City Council:

Council members voting "AYE": Dingus, Dufford, Perry, Morgan, Canon, Simpson and Hailey

Council members voting "NAY": None

PASSED AND APPROVED THIS 12th day of October, A.D., 2004.

Michael J. Canon, Mayor

ATTEST:

Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:

Keith Stretcher, City Attorney

Ord 8264

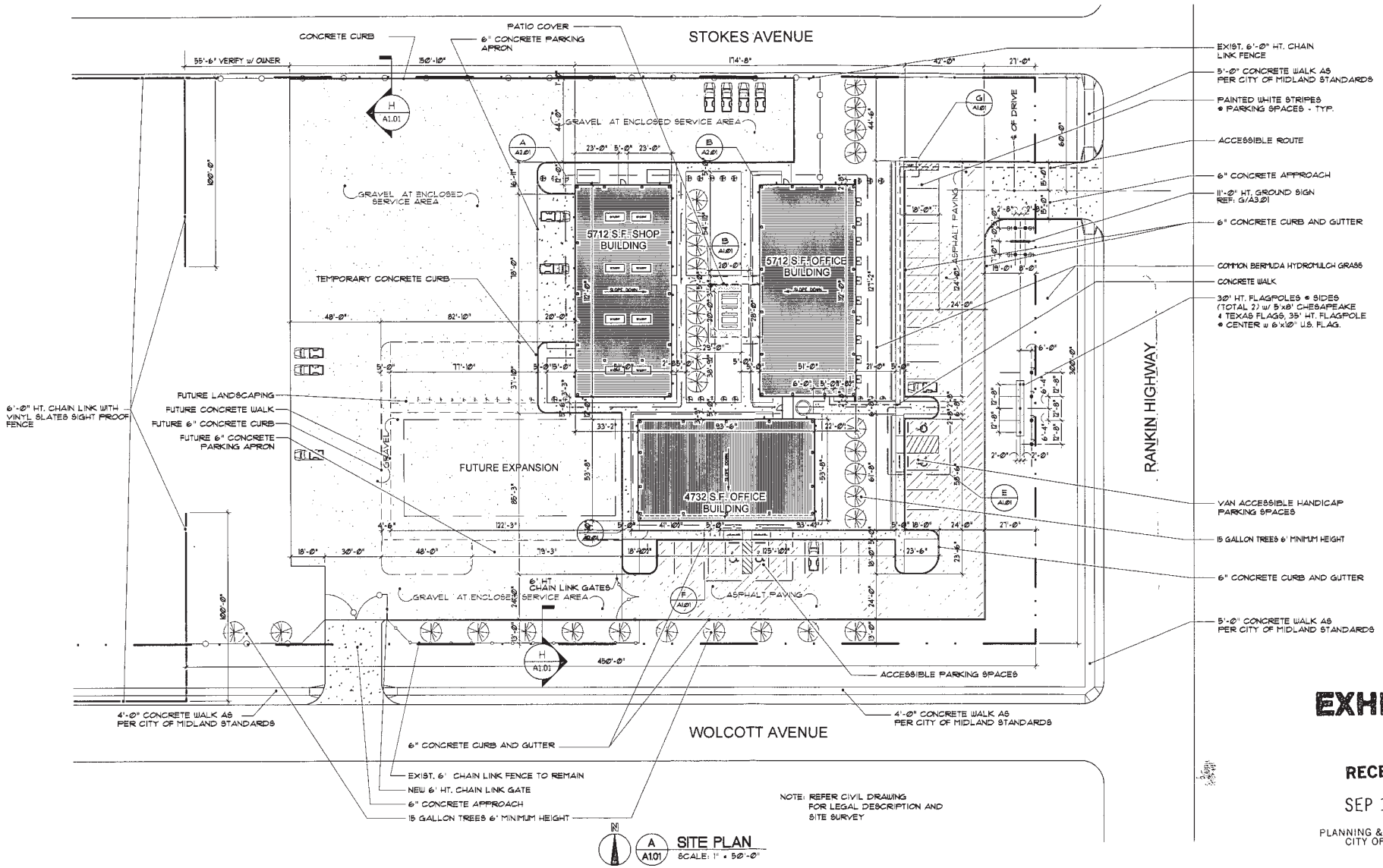


EXHIBIT A

RECEIVED
SEP 13 2004
PLANNING & DEVELOPMENT
CITY OF MIDLAND

CASE NO. Z-04-015

CHESAPEAKE ENERGY CORPORATION
MIDLAND, TEXAS
WOLCOTT AVENUE and RANKIN HIGHWAY
MIDLAND, TEXAS

Elliott Associates Architects
Oklahoma City, OK 73104
405-232-9554

February 10, 2005

Page 17.158

Ord 8264

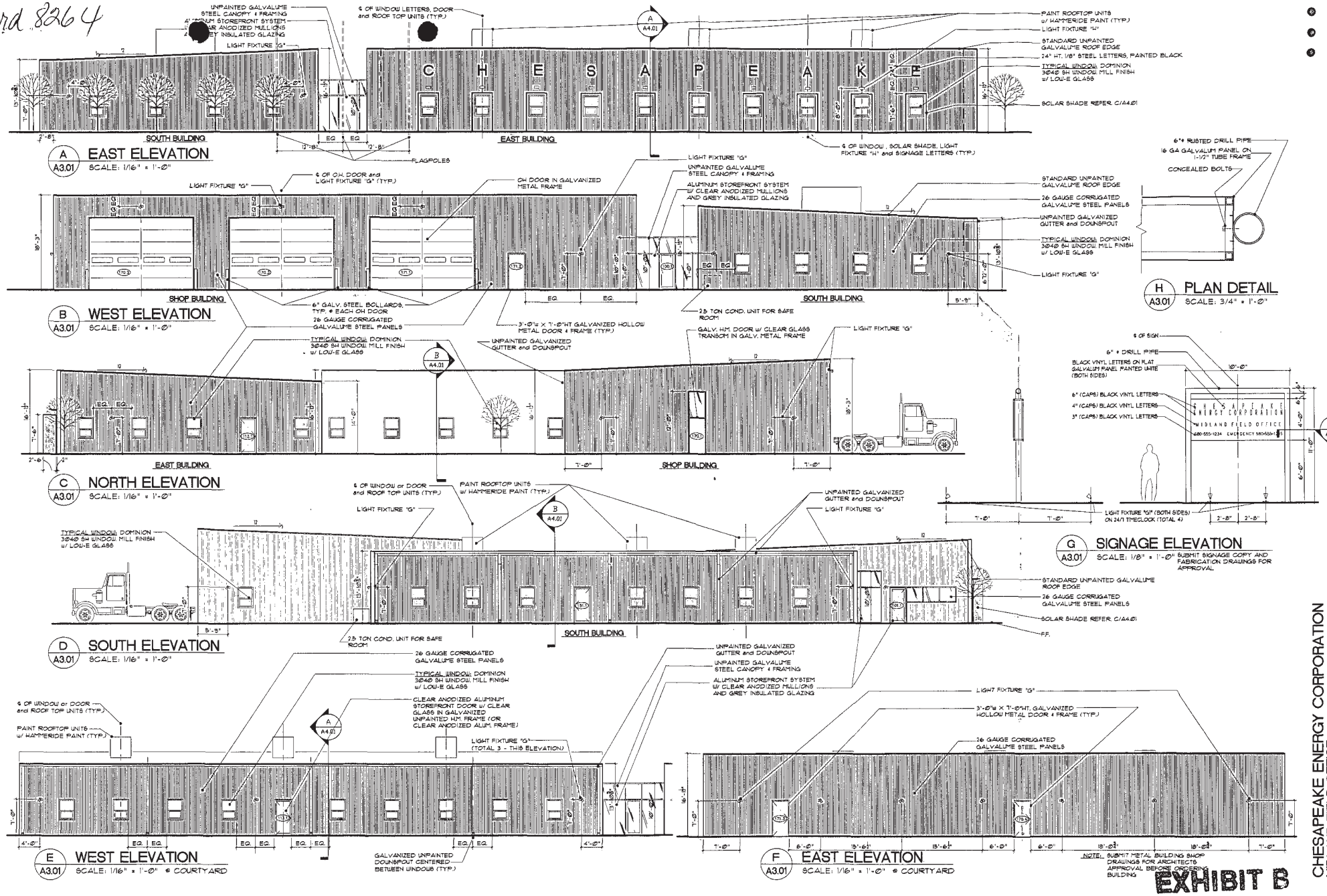


EXHIBIT B

CHESAPEAKE ENERGY CORPORATION
MIDLAND FIELD OFFICE
WOLCOTT AVENUE and RANKIN HIGHWAY
MIDLAND, TEXAS

Elliott Associates Architects
35 Harrison Avenue Oklahoma City, OK
405-232-9554

City Council Agenda

Approved for Agenda:
MJohnston
City Manager's Office

MEETING DATE: September 28, 2004

TO: CITY COUNCIL/CITY MANAGER

FROM: Cameron Walker, Planning Division Manager

SUBJECT: Z-04-015, Chesapeake Energy Corporation.

Purpose:

At 11:06, hold a public hearing and consider a request for a zone change from LR-2, Local Retail District to PD, Planned District for an Transition District.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Direction/Informational

Fiscal Impact:

N/A

Discussion:

Chesapeake Energy proposes to construct a new office complex with a three-bay shop for truck parking, storage, and equipment maintenance work for their Midland based well-service operations. The office use is allowed in the LR-2 district, however, the uses planned for the shop are limited to a commercial district. Thus, a zone change is needed.

The complex will initially consist of three buildings; a fourth may be added if expansion is warranted. The buildings will be 4,700 to 5,700 square feet in area, one-story in height, and constructed of metal. At the Planning and Zoning Commission meeting, concern was expressed over the intended metal facade, and the Commission recommended that elevation drawings be submitted. The applicant has supplied elevation drawings, but no changes have been made in regards to the building material.

Landscaping will consist of grass, shrubs, and over thirty trees, which will be 15-gallon size and at least 6-feet in height. Regarding signage, the site plan shows an 11-foot, externally lit business sign near the north driveway, plus a wall sign on the main building.

This zone change request applies to only a 3.33-acre portion of the 12.47 total acreage owned by Chesapeake. The applicant has expressed a need for outdoor storage of oil-field related equipment, but is aware that such storage would be prohibited on the office tract. The remaining acreage is in the IP-1, Industrial Park District, in which outdoor storage is permitted provided that a six-foot screening fence is erected. Open chain link fence is planned along Wolcott Avenue and Stokes Avenue. A slatted chain link fence will be installed along the PD and IP-1 zoning boundaries to ensure adequate screening of any outdoor storage.

Attachments:

Application
Maps
Exhibit A - Site Plan
Exhibit B - Elevation Drawings
Exhbit C - Illustrative Rendering

CDS

DRIVE THRU OIL CH
DRIVE THRU
25½ OFF
ANY OIL CHANGE

DISCOUNT TIRE
FAMILY DOLLAR
CICIS
BUFFET TO-GO
verizon

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg Burns

MEETING DATE: **February 16, 2021**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Joseph Marynak, Planner**

SUBJECT: **Hold a public hearing and consider a request by Dominic N. Salinas for a Temporary Special Permit for a Manufactured Home for a Caretakers, Manager's, or Guard's Residence on the east 129 feet of the west 279 feet of Block 93, East Midland Addition, City and County of Midland, Texas. (Generally located on the north side of East Front Street, approximately 285 feet west of Orchard Lane. Council Distract 2) (DEVELOPMENT SERVICES)**

Recommended Planning and Zoning Commission Action:

__X__ **Approve** _____ **Deny** _____ **Directional/Informational**

Current Zoning:

LI, Light Industrial District

Surrounding Zoning:

This property is currently zoned LI, Light Industrial District and the location of a tire shop. The property to the north is zoned PD, Planned Development District for a Housing Development and the location of manufactured housing. The properties to the east, south, and west are zoned LI, Light Industrial District and the locations of a defunct bar, vacant land, and a church, respectively.

Analysis:

The applicant has recently experienced several security issues and is requesting a permit to establish a temporary manufactured home to serve as an overnight guard's residence.

Per Section 4.04.A.2.m of the Zoning Ordinance, a temporary special permit for a manufactured home to be used as a caretaker's, manager's, or guard's residence may be issued upon satisfactory proof of conditions constituting a genuine need.

Additionally, the manufactured home must not exceed 1,000 square feet of gross floor area, shall not be located less than 30 feet from any other structure or from any lot line of an adjacent lot or parcel, and shall not be rented or used for any commercial purpose. Furthermore, the permit can be issued for a period of up to two years and may not be renewed.

The proposed site plan (Exhibit A) shows the manufactured home will consist of 210 square feet and will meet the required setbacks. Additionally, the manufactured home will be used as a residence for one of Mr. Salinas's employees who will also act as on-site security.

Departmental Review:

This request has been circulated to all pertinent City departments for review. Below are the departments's comments:

Engineering: (Approved)

No objections.

Transportation: (Approved)

No comment.

Fire: (Approved)

No objection.

Building Code: (Approved)

No objections.

Code Compliance: (Approved)

No oil and Gas issues.

Planning:

This Temporary Special Permit for a Manufactured Home complies with the requirements as described in section 4.04.A.2.m of the Zoning Ordinance, which provides restrictions for the placement of manufactured homes for a temporary caretaker's, manager's, or guard's residence.

Therefore, staff recommends approval of this temporary special permit, subject to conditions A through E.

Conditions:

A. That the placement of the temporary manufactured home shall significantly conform

to the Site Plan (Exhibit A)

B. That the temporary manufactured home shall not exceed 210 square feet in gross floor area.

C. That the temporary manufactured home shall not be rented out or used for any commercial purpose.

D. That the permit for the temporary manufactured home shall be valid for two (2) years until February 15, 2022, and shall not be renewed thereafter.

E. That the placement and connection to utilities of the temporary manufactured home shall be subject to review by the Building Official of the City of Midland.

Letters of Objection:

As of February 10, 2021, staff has not received any letters of objection.

Attachments:

Site Plan (Exhibit A)
Application
Maps
Section 4.04.A.2.m of the Zoning Ordinance.

N
CLAY
ORCHARD
210 sq ft
7
30
55
35
51
1937
1933
1925

Case # TLU-21-0077

MIDLAND
Planning Division

SPECIAL TEMPORARY PERMIT FOR A MANUFACTURED HOME APPLICATION

For Occupancy by a Caretaker, Manager, or Guard

I. APPLICATION

Property Owner:
Dominic N. Salinas (Name) — 432-683-7923 (Phone)
1933 E. Front Midland, Tx. 79701 (Address) — NSTireGuys@Gmail.Com (Email)

Manufactured Home Owner:
Dominic N. Salinas (Name) — 432-683-7923 (Phone)
1933 E. Front Midland, Tx. 79701 (Address) — NSTireGuys@Gmail.Com (Email)

Relationship to Owner: _____

Proposed Manufactured Home Occupant:
Chaz Lee (Name) — 432-530-4686 (Phone)
1933 E. FRONT (Current Address) — _____ (Email)

Relationship to Owner: Employee

Street Address: 1933. E. FRONT

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

Zoning Classification: _____

Reason in Applicant's opinion, for request and applicant's need: Onsite Security and employee housing.

Have you considered any alternatives to a manufactured home? If so, please comment: Yes but they are to expensive for me being a small business owner.

Is this a new application or a request for an extension? New

If an extension, when was the original permit approved? _____

Case Number: _____

The applicant hereby certifies that the information contained herein is accurate and that, if the requested permit is approved:

a) the manufactured home shall only be used as authorized by this permit;
b) the manufactured home shall not exceed 1,000 square feet;
c) the manufactured home shall not be rented out or used for any commercial purpose; and
d) the manufactured home shall be removed from the premises at the expiration of the approved permit (unless and extension is granted) or when it is no longer needed for the reason stated above, whichever is sooner.
e) the manufactured home shall be located no less than 30 feet from any other structure or from any lot line of an adjacent lot or parcel; and
f) the manufactured home shall observe all area regulations applicable to single family residences unless the Planning and Zoning Commission specifically approves and exception when the permit is approved.

II. FEE & SUBMITTALS

Application Fee ($100.00) $ 12024

1 FOLDED Copy of Site Plan √

Digital Copies of Site Plan (PDF & JPEG) _____

III. SIGNATURE

The maximum term for a permit is two (2) years. Said permit may be renewed for successive two-year periods.

The Planning and Zoning Commission may impose any special conditions, restrictions, limitations on such permits as it deems to be in the public interest after public hearing on said application. The Planning and Zoning Commission reserves at all times the right and power to revoke any such permit for violation of any of its terms after a hearing at which the holder has been given at least twenty (20) days' notice.

A written notice stating the time and place of the public hearing and purpose of the request will be sent, by mail, to land owners within 200 feet of lot or property as described above not less than fifteen (15) days prior to the public hearing.

_____ Date: 1-14-21
Signature of Applicant (Manufactured Home Owner)

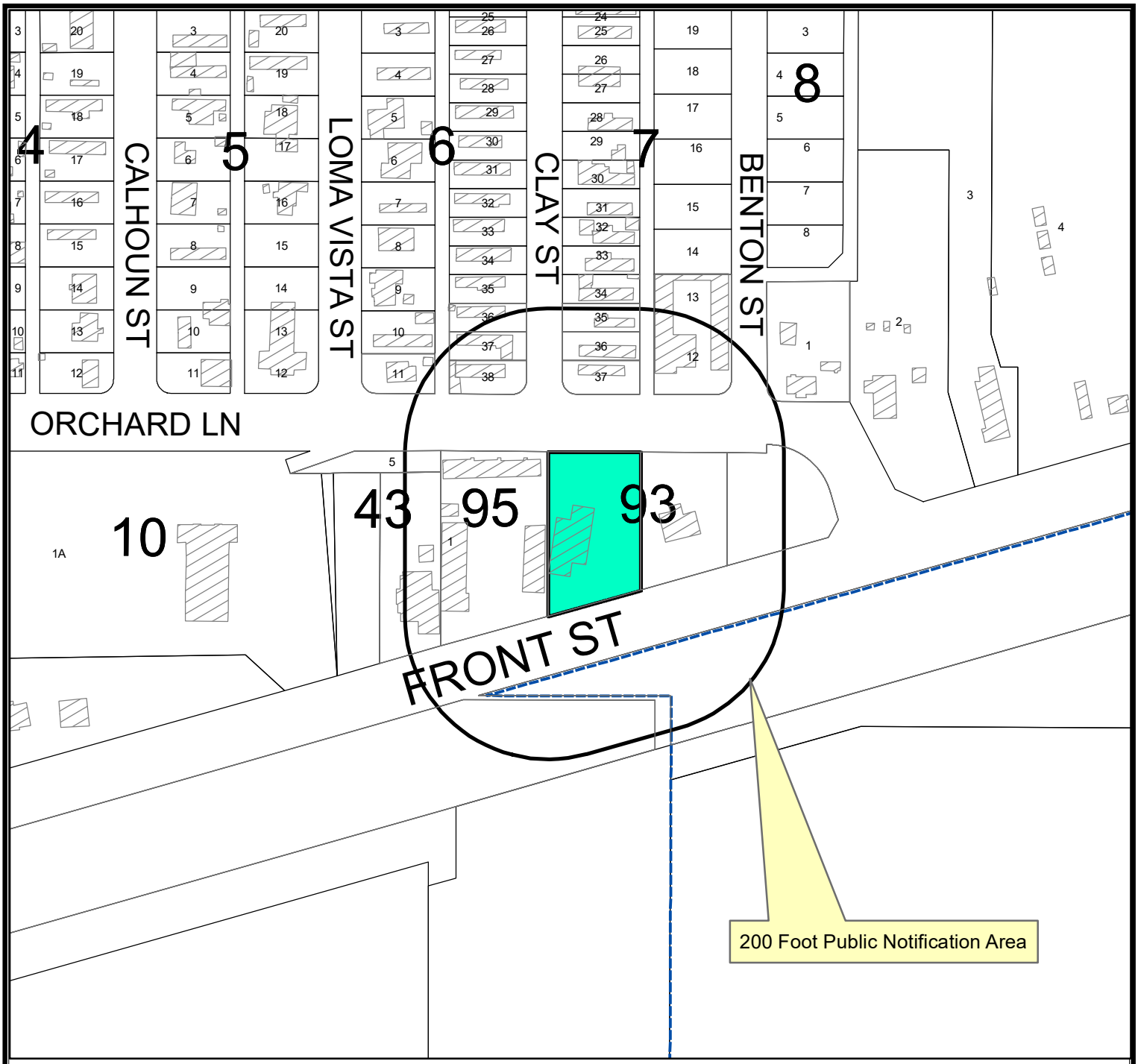
_____ Date: 1-14-21
Signature of Landowner if other than Applicant

FOR OFFICE USE ONLY

Received By: COB Date: 1/14/2021 Assigned: _____

For: _____ On: _____

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



LOCATION MAP

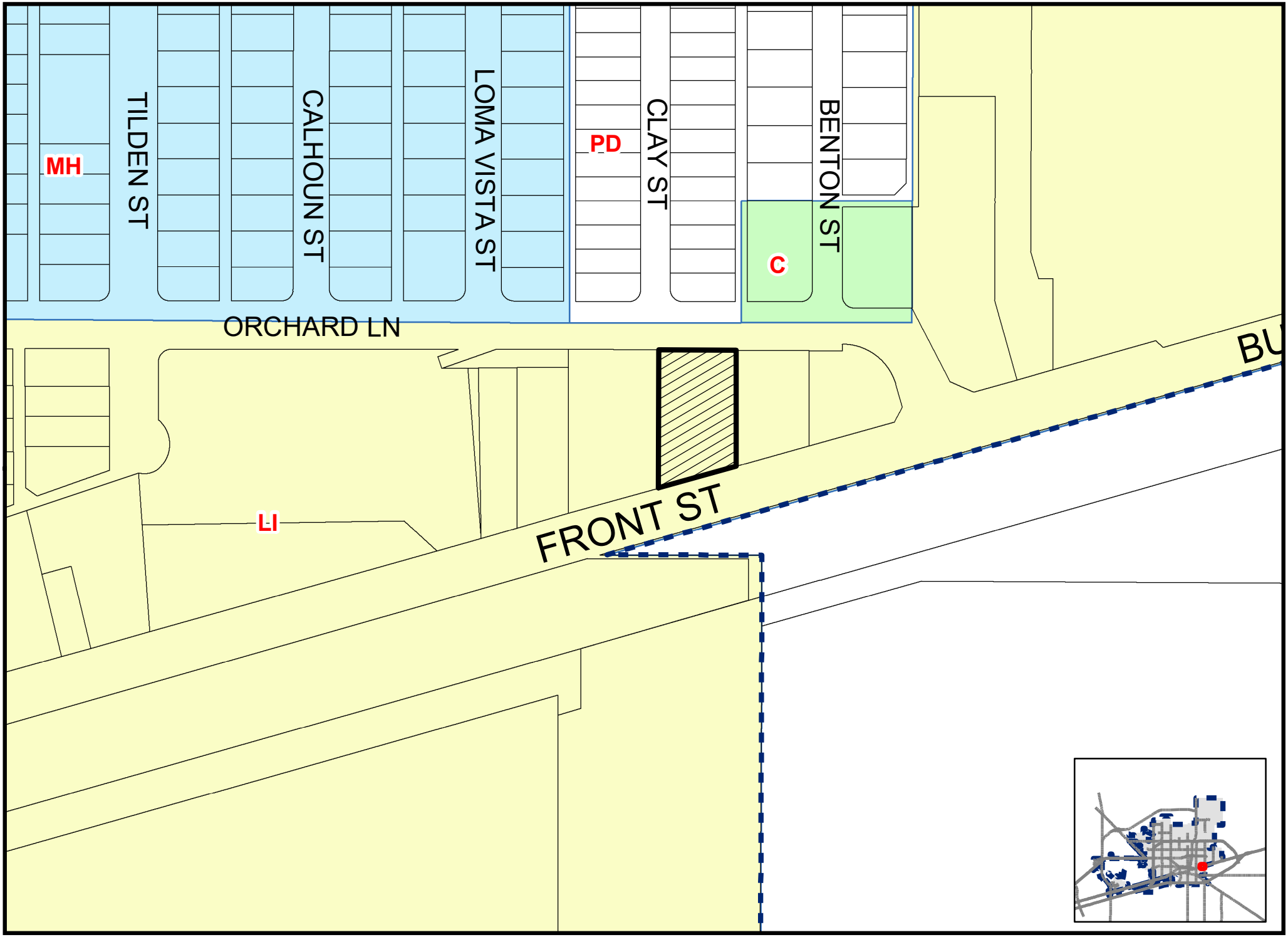
TLU-21-0077 **Scale: 1" = 200'**

Consider a request for by Dominic N Salinas Temporary Special Permit for a Manufactured Home for a caretakers, manager's, or guard's residence on the east 129 feet of the west 279 feet of Block 93, East Midland Addition, City and County of Midland, Texas.

Generally located on the north side of East Front Street approximately 285 feet west of Orchard Lane. (Council Distract 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



Map By Jm, 02/09/2021

PACKET

ZLU-21-0077

Scale: 1" = 200'

ZONING MAP

February 16, 2021

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in writing and shall be filed with the building official. Such application shall set forth the name and address of the property owner and the address and legal description of the proposed **Manufactured Home Mini-Park**. The initial license application shall be accompanied by a site plan as required herein. A revised site plan shall be submitted and approved prior to any change in the required elements of the site plan as specified herein. A fee, according to the **Fee Schedule,** shall accompany the application and any filing of a revised site plan, payable to the City, which shall be an application fee and inspection fee for the examination of the site plan, and shall not be returned whether a license is granted or not.

(b) Upon the approval of an application an annual license shall be issued. This license shall be for a period of one year and shall be renewed on January 1 of each succeeding year after the date of the first license. This nontransferable license may be obtained from the city inspection office.

(c) Cancellation of license. Upon any violation of the provisions of this section, the building official shall notify the owner of the **Manufactured Home Mini-Park** that his license is cancelled, which cancellation shall become effective ten days from the date of notice and shall be in addition to any other penalty provided in the Zoning Ordinance or City Code. In case of such cancellation, the licensee shall have the right to appeal to the City Council within ten days. Such appeal shall be by written petition addressed to the City Council. A new license may be issued if the circumstances leading to revocation have been remedied and a new license fee paid.

iii. Site plan requirements. Before any manufactured home may be emplaced in or upon any **Manufactured Home Mini-Park** or portion thereof, a site plan containing the following listed information must be submitted, reviewed by the building official and approved in accordance with the provisions of this section:

(a) Name and address of property owner.

(b) Location and legal description of the proposed **Manufactured Home Mini-Park**.

(c) The area, dimensions and boundaries of the tract of land proposed for such park.

(d) The number, location and size of all proposed manufactured home spaces.

(e) The location, width and types of all private driveways and walkways, if any.

(f) The location and details of any fences around the boundaries of the park.

(g) The location and types of all permanent buildings within the proposed **Manufactured Home Park**.

(h) The location and types of gas, electrical, water and sewer lines.

(i) The setbacks to be observed by manufactured homes, attached accessory structures and detached accessory structures as required to conform to **4.04.A.2.h.iv Manufactured Home Mini-Parks**.

(j) All public sidewalks, curbs and gutters and paved parking spaces as required herein.

l. More than one family per unit prohibited

It shall be unlawful for more than one family to use one unit as a living or sleeping quarters in any **Manufactured Home Park**, **Manufactured Home Mini-Park**, or **Vacation Travel Trailer Park**.

m. Temporary Special permits

Upon satisfactory proof that the applicant qualifies for one of the exceptions set out hereinafter in **4.04.A.2.m.iii below**, temporary special permits may be issued by the **Planning and Zoning Commission** for manufactured homes as provided herein. Such permit for a manufactured home may be issued for any specified location (unless otherwise restricted herein) within the City, subject to the following rules and regulations:

i. Only one manufactured home may be covered by the application for special permit (which must be filed with the director of planning and development on a form prescribed by him, not less than 20 days before such application is considered by the **Planning and Zoning Commission**).

ii. The application shall be processed as provided for applications for manufactured home or **Vacation Travel Trailer Park** licenses in all the preceding subsections of this section and subject to the same requirements regarding utilities, sewer connections, drainage and removal of trash and garbage for manufactured homes, but the application fee shall be determined by a fee spreadsheet and no annual license shall be required. The use and occupancy of any manufactured home shall be subject to all other ordinances, rules and regulations of the City applicable to single-family residences.

iii. Special permits may be issued as follows:

(a) Special hardship permits. Upon satisfactory proof of medical or other conditions constituting a genuine hardship, a special hardship permit may be issued to the owner of a manufactured home for location on a lot or tract owned by him or a member of his family and which shall only be occupied by such owner and his family or other member or members of his family and shall never be rented out or used for any commercial purposes whatsoever. However, medical or other conditions constituting a genuine hardship shall not be a financial hardship or the inability to merely accommodate the effective use of the property. No such permit may be issued for a parcel of property for a period of more than two years, provided however, that the **Planning and Zoning Commission** may, upon subsequent application, approve renewals of such permits for successive periods of not more than two years each for as long as the hardship exists. Each renewal of any such permit shall require a separate determination of hardship and any request for renewal may be disapproved. In considering whether to approve any permit renewal request, the **Planning and Zoning Commission** shall consider the following:

(i) Whether the original need has continued to the same or a greater degree or, if the degree of need has lessened, whether it constitutes a genuine hardship;

(ii) Whether the hardship justifies any adverse effect on the value, development, or enjoyment of the use of property in the vicinity which may exist or be anticipated; and

(iii) Any alternatives for relieving the hardship which the **Planning and Zoning Commission** considers appropriate.

(b) Special Permit for caretaker's, manager's, or guard's residence. Upon satisfactory proof of conditions constituting a genuine need, a special permit may be issued for a manufactured home to be located where not otherwise permitted by the zoning ordinance, on a lot or tract owned by the applicant and to be used as caretaker's, manager's or guard's residence. Provided, however, that such manufactured home shall not contain in excess of 1,000 square feet of gross floor area and shall be located not less than 30 feet from any other structure or from any lot line of an adjacent lot or parcel of land and shall never be rented out or used for any commercial purpose whatsoever. Provided further that no such permit may be issued for a parcel of property for a period of more than two years and no renewal of such a permit shall be approved which would extend the total period to more than two years. Provided, however, that the preceding two-year limitation shall not apply to such permits issued prior to April 12, 1977, other than as to renewals thereof subsequent to said date.

iv. The **Planning and Zoning Commission** may impose any reasonable conditions, restrictions, or limitations on such permits as it deems to be in the public interest after full hearing on said application.

The applicants for such permits shall submit accurate site plans, dimensioned to show minimum distances from property lines and other structures on the property and containing any other information pertinent to the positioning and use of the manufactured home on the property, for review and approval as a part of their applications. Any manufactured home permitted shall observe all area regulations applicable to single-family residences unless the **Planning and Zoning Commission** specifically approves an exception to such requirements in its approval of the temporary special permit.

v. No such special permit shall be issued until after a hearing before the **Planning and Zoning Commission** following written notice of the time, place and purpose thereof to the applicant and to the owners of all other property within 200 feet of the lot or tract of land for which the permit is sought. Said notice shall be given by first class U.S. mail (deposited in the city post office not less than 15 days prior to the hearing) addressed to the parties entitled to receive the same as the ownership appears on the last approved city tax roll.

vi. No application requesting a temporary special permit on any property which has been the subject of a previous request for a temporary special permit that was denied by the **Planning and Zoning Commission** shall be considered by the **Planning and Zoning Commission** before the expiration of six months from the date of such previous denial.

vii. Revocation of a special permit may occur for any violation of the special permit terms. If a violation is identified by the City, then the City shall send notice to the permit holder of the violation and hold a hearing within 30 days, but not earlier than 20 days from the date the notice is sent by the City. At the hearing, the **Planning and Zoning Commission** shall consider evidence of the violation and allow the permit holder to respond to the evidence. The **Planning and Zoning Commission** shall render a decision whether to revoke the permit after the hearing.

n. Parking restrictions

i. No person shall park, place or locate any trailer, trailer house, manufactured home, motor home, vacation travel trailer, or other unit which is designed or used as living or sleeping quarters, within any block, on any street (public or private), alley, or public park within the City for a period longer than four hours, in any 24-hour period, except that a vacation travel trailer as defined herein may be parked and occupied by a non-Midland resident on the street abutting the property of the Midland resident that he is visiting, for a period not exceeding 48 hours per 30-day period, and except that a Midland resident may place or park but not occupy his vacation travel trailer on the street adjacent to his residence while engaged in active loading or unloading for a period not exceeding 48 hours in a five-day period. In no event shall the vacation travel trailer be parked on a public street where the vacation travel trailer is closer than 40 feet to the near curb-line, traveled portion or extension thereof of an intersecting public street or highway.

ii. No person shall park or locate any manufactured home upon any private lot, tract or parcel of land owned by any person, for a period longer than four hours in any 24-hour period.

iii. No person shall park, place or locate any vacation travel trailer or other such unit as defined herein on any private lot, tract, or parcel of land within a residence area of the City except in compliance with Title X, "Traffic Regulations," Chapter 13, "Parking Prohibited," Section 5, "Parking in residence districts," of the Midland City Code.

iv. No person shall occupy or use as living or sleeping quarters any vacation travel trailer or other such unit as defined herein, on any private lot, tract or parcel of land within the City, except

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1933