AGENDA FOR PLANNING AND ZONING
COMMISSION
April 06, 2020 – 3:30 PM
City Hall

Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, and via videoconference at or following the time specified, to consider the following:

Videoconference Information

Join Zoom Meeting: https://zoom.us/j/5025640077
Meeting ID: 502 564 0077

One tap mobile:
+13462487799,,5025640077# US (Houston)
+16699006833,,5025640077# US (San Jose)

Dial by your location:
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 929 436 2866 US (New York)
+1 253 215 8782 US
+1 301 715 8592 US
+1 312 626 6799 US (Chicago)
Meeting ID: 502 564 0077
Find your local number: https://zoom.us/u/adEOeT8q0P

Public comment will be allowed in person, via the above conference call number above, or in the "Chat" function in the video conference option.

Opening Item

1. Pledge of Allegiance

Announcements

Public Comment

2. 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

3. Consider a motion approving the following minutes:

   a. Planning & Zoning Commission Meeting Minutes for March 16, 2020.

4. Consider a proposed Final Plat of College Heights Addition, Section 7, being a residential re-plat of Lots 8 and 9, Block 27, College Heights, City and County of Midland, Texas. (Generally located on the north side of W. Washington Avenue, approximately 87 – feet east of Carlton Street. Council District 3)

5. Consider a proposed Final Plat of Freeland Addition, Section 12, being a plat of a 1.986 acre tract of land located in Section 33 and Section 40, Block 38, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the east side of North Elkins Road, approximately 155-feet north of East County Road 81. Council District 2)

6. Consider a proposed Final Plat of Green Hill Terrace, Section 17, being a residential re-plat of Lots 12 and 13, Block 2, Green Hill Terrace, and a previously vacated 0.15 acre portion of public access easement adjacent to said lot, City and County of Midland, Texas. (Generally located on the west side of Tattenham Corner, approximately 613 – feet west of Keenland Drive. Council District 1)

7. Consider a proposed Final Plat of JAM Addition, being a plat of a 2.03-acre tract of land located in Section 41, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1151, approximately 109-feet south of East County Road 85. Extraterritorial Jurisdiction)

8. Consider a proposed Final Plat of Orchid Alli, being a plat of a 5-acre tract of land located in the north part of the C.A. Miller Survey, Abstract Number 633, Block 38, T-2-S, Midland County, Texas. (Generally located on the south side of East County Road 130, approximately 2,188-feet east of Farm to Market 1213. Extraterritorial Jurisdiction)

9. Consider a proposed Final Plat of Sixtywest Ranch Estates, Section 2 being a re-plat of Lot 15, Sixtywest Ranch Estates, Midland County, Texas. (Generally located on the southeast corner of the intersection of North County Road 1283 and West County Road 60. Extraterritorial Jurisdiction)

10. Consider a proposed Preliminary Plat of Dyno Addition, being a 2-acre tract of land located in the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of FM 307, approximately 805-feet east of S. County Road 1130. Extraterritorial Jurisdiction)

11. Consider a proposed Final Plat of East Midland Addition, Section 21, being a residential replat of the south half of Block 55, and a previously vacated 0.128-acre portion of N. Adams Street right-of-way adjacent to said property, all out of East Midland Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Garden Lane and N. Jackson Street. Council District 2)

12. Consider a proposed Preliminary Plat of Greenwood Retail Addition, being a plat of a 4-acre tract of land located in the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of S. County Road 1130, approximately 422-feet north of Farm to Market Road 307. Extraterritorial Jurisdiction)

13. Consider a proposed Preliminary Plat of Empire Heights, Section 3, being a plat of a 6.005-acre tract of land located in Section 47, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 94, approximately 230-feet west of South County Road 1123. Extraterritorial Jurisdiction)

14. Consider a proposed Final Plat of W.C. Barber Addition Section 3, being a plat of a 0.814-acre tract of land and a 0.06-acre portion of previously vacated alley right-of-way, all located in the SE/4 of the NE/4 of Section 26, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Estes Avenue and North Main Street. Council District 2)

15. Consider a proposed Final Plat of Ashlin Place, Section 3, being a re-plat of the south 212 feet of Tract 31, Northwest Acres, City and County of Midland, Texas. (Generally located on the north side of W. Golf Course Road, approximately 466 feet east of Western Drive. Council District 3)

Public Hearings

16. Hold a public hearing and consider a request by Cork & Pig Tavern – Ally Village, LLC, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 5,460 square foot portion of Lot 2, Block 1, Corporate Plaza, Section 21, City and County of Midland, Texas. (Generally located on the south side of Spring Park Drive, approximately 685-feet east of N. Big Spring Street. Council District 2)

17. Hold a public hearing and consider a Final Plat of Cowden Addition, Section 5, being a residential re-plat of Lot 6, Block 34, Cowden Addition, and Lot 1, Block 34, Cowden Addition, Section 4, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Estes Avenue and North Marienfeld Street. Council District 3)

18. Hold a public hearing and consider a request by Elvira Garcia for a zone change from RR, Regional Retail District, to SF-3, Single-Family Dwelling District, on Lots 13 and 14, Block 145, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Baird Street, approximately 110-feet north of East Pennsylvania Avenue. Council District 2)

19. Hold a public hearing and consider a request by Maverick Engineering for a zone change from PD, Planned District for an Office Center to PD, Planned Development District for a Housing Development on Lot 2A, Block 1, Corporate Plaza, Section 20, City and County of Midland, Texas. (Generally located on the north side of Corporate Drive, approximately 550-

feet east of North Big Spring. Council District 2)

20. Hold a public hearing and consider a request by Maverick Engineering for a zone change from PD, Planned District for a Housing Development to an amended PD, Planned Development District for a Housing Development on Lots 19 through 31, Block 5; Lots 1 through 16, Block 8; Lots 1 through 9, Block 9; and Lots 1 through 4, Block 10; all out of Quail Ridge Addition, Section 6, Lots 10 through 20, Block 9; Lots 5 through 18, Block 10; and Lots 1 through 14, Block 11; all out of Quail Ridge Addition, Section 7; a 7.432-acre portion of Lot 1, Block 1, Quail Ridge Addition; and a previously vacated 0.004-acre portion of Beachwood Street right-of-way, Quail Ridge Addition, Section 2; City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Chukar Lane and Beachwood Street. Council District 2)

21. Hold a public hearing and consider a request by Garret Haley for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 6,166 square foot portion of Lot 2A, Block 1A, Midkiff Plaza Addition, Section 8, City and County of Midland, Texas. (Generally located on the south side of W. 250 Loop North, approximately 1,036-feet east of N. Midkiff Road. Council District 1)

22. Hold a public hearing and consider a request by Midland Platinum, LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a bar, on Lot 2A, Block 3, Westridge Park Addition, Section 10, City and County of Midland, Texas. (Generally located on the west side of Tradewinds Boulevard, approximately 300-feet south of Andrews Highway. Council District 4)

23. Hold a public hearing and consider a request by Alexandra Brinker for a Specific Use Designation With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,472 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. Garfield Street and Castleford Road. Council District 1)

24. Hold a public hearing and consider a request by Jorge Chavez for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 14, Block 1, Eastover Addition, City and County of Midland, Texas. (Generally located on the east side of N. Adams Street, approximately 80-feet south of E. Illinois Avenue. Council District 2)

25. Hold a public hearing and consider a request by Midland (King) DTP, LLC, for a zone change from LI, Light Industrial District to C, Commercial District on Lots 3 and 4, Block 2, Overstreet Addition, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Garden City Highway and King Street. Council District 2)

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.

PLANNING AND ZONING MINUTES
March 16, 2020
3:30 p.m.

The Planning and Zoning Commission convened in regular session in the Midland City Hall Council Chamber, 300 North Loraine, Midland, Texas, on, March 16, 2020.

Commissioners present: Josh Sparks, Dianne Williams, Warren Ivey, and Reggie Lawrence

Alternate Commissioners present: Stacy Grosse and Lucy Sisniega.

Commissioners absent: Kevin Williams, Chase Gardaphe, and Karmen Bryant.

Staff members present: Development Services Director Chuck Harrington, Planning Division Manager Cristina Odenborg Burns, Senior Planner Elizabeth Shaughnessy, Senior Planner Taslima Khandaker, Planner Glenda Arroyo-Cruz, and Administrative Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:34 p.m.

Opening Item

1. Pledge of Allegiance

Announcements

Development Services Director Chuck Harrington addressed the commission in regard to future plans for Planning and Zoning Commission meetings due to COVID-19.

Public Comment

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

   Commissioner Sparks opened and closed the public comment at 3:37 p.m. with no one wishing to speak.

Consent Items

Commissioner Lawrence moved to approve Consent Items, excluding item #10; seconded by Commissioner Sisniega.

The motion carried by the following vote: AYE: Williams, Ivey, Sparks, Lawrence, Sisniega, and Grosse. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant

3. Approved a motion approving the following minutes:

   a. Planning and Zoning Commission Meeting Minutes for March 2, 2020.

4. Approved a proposed Final Plat of Grassland Estates West, Section 12, being a plat of 29.782-acre tract of land located in Section 35, Block 40, T-1-S, T&P RR. Co. Survey, Midland County, Texas. (Generally located approximately 722-feet west of the intersection State Highway 158 and State Highway 191. Extraterritorial Jurisdiction)

5. Approved a proposed Final Plat of West End Addition, Section 24, being a residential re-plat of Lots 1 and 2, Block 114, West End Addition, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of College Avenue and South L Street. Council District 2)

6. Approved a proposed Preliminary Plat of Greenwood Terrace, Section 2, being a plat of a 3.83-acre tract of land located in the Northwest Quarter of Section 34, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 75, approximately 442-feet east of North County Road 1140. Extraterritorial Jurisdiction)

7. Approved a proposed Final Plat of Wakefield Addition, Section 5, being a plat of a 1.478-acre tract of land located in the northwest quarter of Section 7, Block 39, T-2-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of West Interstate 20, approximately 486-feet west of S. Wakefield Road. Council District 2)

8. Approved a reinstatement of an approved Preliminary Plat of Fuse Industrial Park being a plat of 6.335-Acres out of a 17.060-Acre Tract of land out of the NE/4 of Section 36, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located north of E. Indiana Avenue, approximately 721 feet east from South Tilden Street. Council District 2)

9. Approved a proposed Final Plat of Fuse Industrial Park, being a plat of a 6.335-acre tract of land located in the NE/4 of Section 36, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Indiana Avenue, approximately 721 feet of South Tilden Street. Council District 2)

10. Approved a proposed Final Plat of Hardy Addition, being a plat of a 20-acre tract of land located in Section 16, Block 38, T-1-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located on the northeast corner of the intersection of North County Road 1142 and East County Road 45. Extraterritorial Jurisdiction)

    Commissioner Lawrence moved to approve Consent Item #10; seconded by Commissioner Williams.

    The motion carried by the following vote: AYE: Williams, Sparks, Lawrence, Sisniega, and Grosse. NAY: None. ABSTAIN: Ivey. ABSENT: Wilton, Gardaphe, and Bryant.

11. Approved a proposed Preliminary Plat of Hog Pit, being a plat of a 12.549-acre tract of land located in Section 10, Block 40, T-2-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the northwest corner of the intersection of South County Road 1250 and West County Road 116. Extraterritorial Jurisdiction)

Public Hearings

12. Hold a public hearing and consider a request by 87th Street Partners, LLC, for the initial zoning of a 64.52-acre tract of land located in Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located approximately 733-feet west of the intersection of Tradewinds Boulevard and Thomason Drive. Extraterritorial Jurisdiction)

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

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

    The applicant, Andrew Mellen with Maverick Engineering, gave a summary of the project and was open for questions.

    Commissioner Williams asked if there are two more developments planned for this site. Mr. Mellen confirmed that yes there are two additional phases plans for this site.

    Commissioner Ivey asked if they were giving right-of-way. Mr. Mellen confirmed that 50 feet of Thomason would be given.

    The Commissioners discussed if an apartment complex has ever been approved near a school zone.

    Commissioner Sparks asked why it is being requested to be MF-22 instead of MF-16. Mr. Mellen explained it was a safeguard, so that if funding fell through for this project, a different project could be proposed.

    Commissioner Grosse asked what the max square footage. Mr. Mellen explained that he did not know the actual square footage of the actual buildings, but he stated the apartments range from 900 to 1300 square feet. The apartments will also be for lease, not purchase.

    The public hearing was closed at 3:51 p.m.

Commissioner Sisniega moved to approve a request by 87th Street Partners, LLC, for the initial zoning of a 64.52-acre tract of land located in Section 48, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located approximately 733-feet west of the intersection of Tradewinds Boulevard and Thomason Drive. Extraterritorial Jurisdiction); seconded by Commissioner Williams.

The motion carried by the following vote: AYE: Williams, Ivey, Sparks, Lawrence, Sisniega, and Grosse. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.

13. Hold a public hearing and consider a proposed Final Plat of Greathouse Addition, Section 16, being a residential re-plat of Lots 13, 14 and 15, Block 23, Greathouse Addition, Section 14, City and County of Midland, Texas. (Generally located on the north side of Balfour Court, approximately 279-feet west of Greathouse Avenue. Council District 1)

Planner Glenda Arroyo-Cruz gave an overview of the project. With no letters of objection received, staff recommended approval.

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

The applicant was present but deferred to staff.

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

Commissioner Lawrence moved to approve a proposed Final Plat of Greathouse Addition, Section 16, being a residential re-plat of Lots 13, 14 and 15, Block 23, Greathouse Addition, Section 14, City and County of Midland, Texas. (Generally located on the north side of Balfour Court, approximately 279-feet west of Greathouse Avenue. Council District 1); seconded by Commissioner Sisniega.

The motion carried by the following vote: AYE: Williams, Ivey, Sparks, Lawrence, Sisniega, and Grosse. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.

14. Hold a public hearing and consider a request by Midland (King) DTP, LLC, for a zone change from LI, Light Industrial District to C, Commercial District on Lots 3 and 4, Block 2, Overstreet Addition, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Garden City Highway and King Street. Council District 2)

Commissioner Sparks announced that item #14 was pulled from the agenda and would be moved to the next commission meeting.

Miscellaneous

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 3:55 p.m.

Josh Sparks, Chairman — Date

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

Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of College Heights Addition, Section 7, being a residential re-plat of Lots 8 and 9, Block 27, College Heights Addition, City and County of Midland, Texas. (Generally located on the north side of W. Washington Avenue, approximately 87 – feet east of Carlton Street. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

SF-2, Single Family Dwelling District.

Preliminary Plat Approval:

The applicant's properties are located at 2408 and 2406 W. Washington Avenue. The applicant, Aaron Burrell Land Surveyors, is seeking to re-plat the two properties into one (1).

The preliminary plat was approved at the January 6, 2020 Planning and Zoning Commission Meeting

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of College Heights Addition, Section 7 has been circulated to all city departments for their review.

Engineering: (Approved)

IMPACT FEES: Impact Fee statement provided.

ROW: Row okay as shown.

PAVING: Washington Ave paved to City Standards. No public paving

WATER: 6" water existing in the alley to the North of the site. No public water improvements are required.

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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" sewer existing in the alley to the North of the site. No public wastewater imporvments required.

DRAINAGE: No Drainage Report required.

EASEMENTS: Okay as shown.

SIDEWALKS: Sidewalks existing.

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.

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 departments' comments must be addressed as a condition of Final Plat approval and recordation.

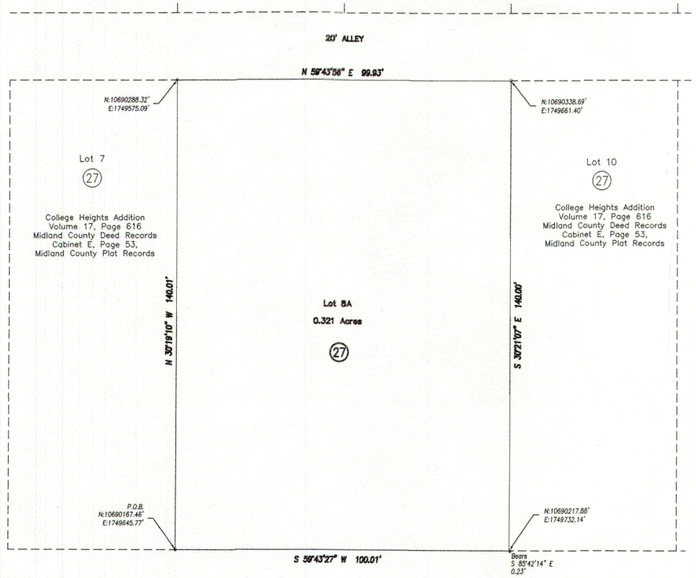
Conditions:

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

Attachments:

Final Plat
Application
Maps

COLLEGE HEIGHTS ADDITION, SECTION 7
BEING A REPLAT OF LOTS 8 AND 9, BLOCK 27, COLLEGE HEIGHTS ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS



WASHINGTON AVENUE
80' Right-of-Way

OWNERS' CERTIFICATE:

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS, I, MICHAEL SANDERS as the recorded owner of Lots 8 and 9, Block 27, College Heights Addition, City and County Of Midland, Texas, and more particularly shown hereon:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I, MICHAEL SANDERS, do hereby adopt this plat designating the heren above described property as "COLLEGE HEIGHTS ADDITION, SECTION 7" an Addition to the City of Midland, Midland County, Texas, and do hereby dedicate to the public use forever the streets, alleys, and easements shown thereon.

WITNESS our hands at Midland, Texas,
this the_____day of_____, 2020.

_____
MICHAEL SANDERS

ACKNOWLEDGMENT
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 MICHAEL SANDERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act as owner, and that he executed the same as the act for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____day of _____, 2020.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "COLLEGE HEIGHTS ADDITION, SECTION 7" was approved by proper action of the City Planning and Zoning Commission of the City of Midland, on this_____day of _____, 2020.

SIGNED:_____

PRINT:_____
Chairman

ATTEST:_____

PRINT:_____
Secretary

Legal Description for College Heights Addition, Section 7.

Being a 0.321 Acre Tract of Land and being all of Lot 8 and Lot 9, Block 27, College Heights Addition, City of Midland, Midland County, Texas.

Boundary more fully described as follows:

Beginning at (N:10690167.46', E:1749645.77') a ½" iron rod found in the north right of way line of Washington Avenue at the southeast corner of Lot 7, Block 21, College Heights Addition recorded in Cabinet E Page 53, Plat Records, being the southwest corner of this tract;

Thence North 30°19'10" West with the east line of said Lot 7, a distance of 140.01 feet to a ½" iron rod with cap marked 'ASB 5689' set in the south line of a 20 Foot Alley at the northeast corner of said Lot 7, being the northwest corner of this tract;

Thence North 59°43'56" East with the south line of said 20 Foot Alley, a distance of 99.93 feet to a ½" iron rod with cap marked 'ASB 5689' set at the northwest corner of Lot 10, said Block 27, being the northeast corner of this tract;

Thence South 30°21'07" East with the west line of said Lot 10, a distance of 140.00 feet to a point in the north right of way line of said Washington Avenue at the southwest corner of said Lot 10, being the southeast corner of this tract, whence a ½" iron rod found near this corner bears South 85°42'14" East, 0.23 feet;

Thence South 59°43'27" West with the north right of way line of said Washington Avenue, a distance of 100.01 feet to the Point of Beginning.

Containing 0.321 surface acres of land.

Bearings, distances and coordinates are based on the Texas Coordinate System, NAD 83, Central Zone (CORS).

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

SIGNED: _____
ATMOS ENERGY PRINT NAME

SIGNED: _____
ONCOR ELECTRIC DELIVERY PRINT NAME

SIGNED: _____
AT&T TEXAS PRINT NAME

SIGNED: _____
SUDDENLINK COMMUNICATIONS PRINT NAME

SIGNED: _____
GRANDE COMMUNICATIONS PRINT NAME

MAR 0 6 2020

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO._____CABINET_____
DATE____PAGE_____

PLANNING NOTE:

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..

LEGEND
- ● *Fd ½" Iron Rod*
- ○ *Set ½" Iron Rod*
- ——— *Underground Utility Easement*

Bearings shown on this survey are relative to the Texas Coordinate System, NAD 1983, Central Zone (CORS).

Scale 1" = 20'
0' 20'

Professional Land Surveying & Mapping
Aaron Burrell Land Surveyors, LLC
415 W. Wall St., Suite 204
Midland, Texas 79701
432-848-4439
P.O. Box 81041 asbsurveyors.com
Midland, Texas 79708
TBPLS Firm No. 10194217

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2019-588 FP

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
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.

OWNER:
MICHAEL SANDERS
2408 W WASHINGTON AVE
MIDLAND, TEXAS 79701
432-687-3876

FLOOD NOTE:
This Property is in Zone X and DOES NOT LIE within a Special Flood Hazard Area as graphically scaled onto FEMA Map No. 48329C0201F, Dated September 16, 2005, Prepared for Midland County, Texas.

THAT I, AARON S. BURRELL, 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 THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS

STATE OF TEXAS
REGISTERED
AARON SCOTT BURRELL
5689
PROFESSIONAL
LAND SURVEYOR

09 January 2020
DATE

_____
AARON SCOTT BURRELL TX RPLS 5689

FINAL PLAT
COLLEGE HEIGHTS ADDITION, SECTION 7

MIDLAND Planning Division

Final Plat Application

Project Number: Sub-19-0292
Case Number: P-20-0819

Proposed Subdivision Plat Name: College Height Addition, Section 7

Legal Description (attached sealed Metes and Bounds): Replat of Lots 8 & 9, Block 27, College Heights Addition, City & County of Midland, Texas

Property Owner Printed Name: Michael Sanders		Phone (432) 687-3876 Email	
Address 2408 W. Washington Ave	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: Aaron Burrell Land Surveyors, LLC Printed Name: Aaron Burrell		Phone (432) 848-4439 Email aaron@asbsurveyors.com	
Address 415 W. Wall St. #204	City Midland	State TX	Zip 79701

Current Zoning: SF2

Reason for Platting: turn 2 lots into 1

Plat Information	Total Acreage: 0.321	
Type: ☒ Single-Family Residential	☐ Multi-Family Residential	
☐ Commercial	☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 1	Number of Multi-Family Dwelling Units: 1	

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
MAR 06 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
- ☐ 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): Michael Glen Sanders Date: 2-10-20

Property Owner (printed): MICHAEL GLEN SANDERS

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 Aaron S. Burrell who, being by me duly sworn, upon oath says: That (s)he is authorized by Michael Sanders, 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 14th day of January, 2020 to certify which witness my hand and seal of office.

KAYLIE KIRKPATRICK
COMM. EXPIRES 6-21-2022
NOTARY ID 13161447-6

Kaylie Kirkpatrick
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

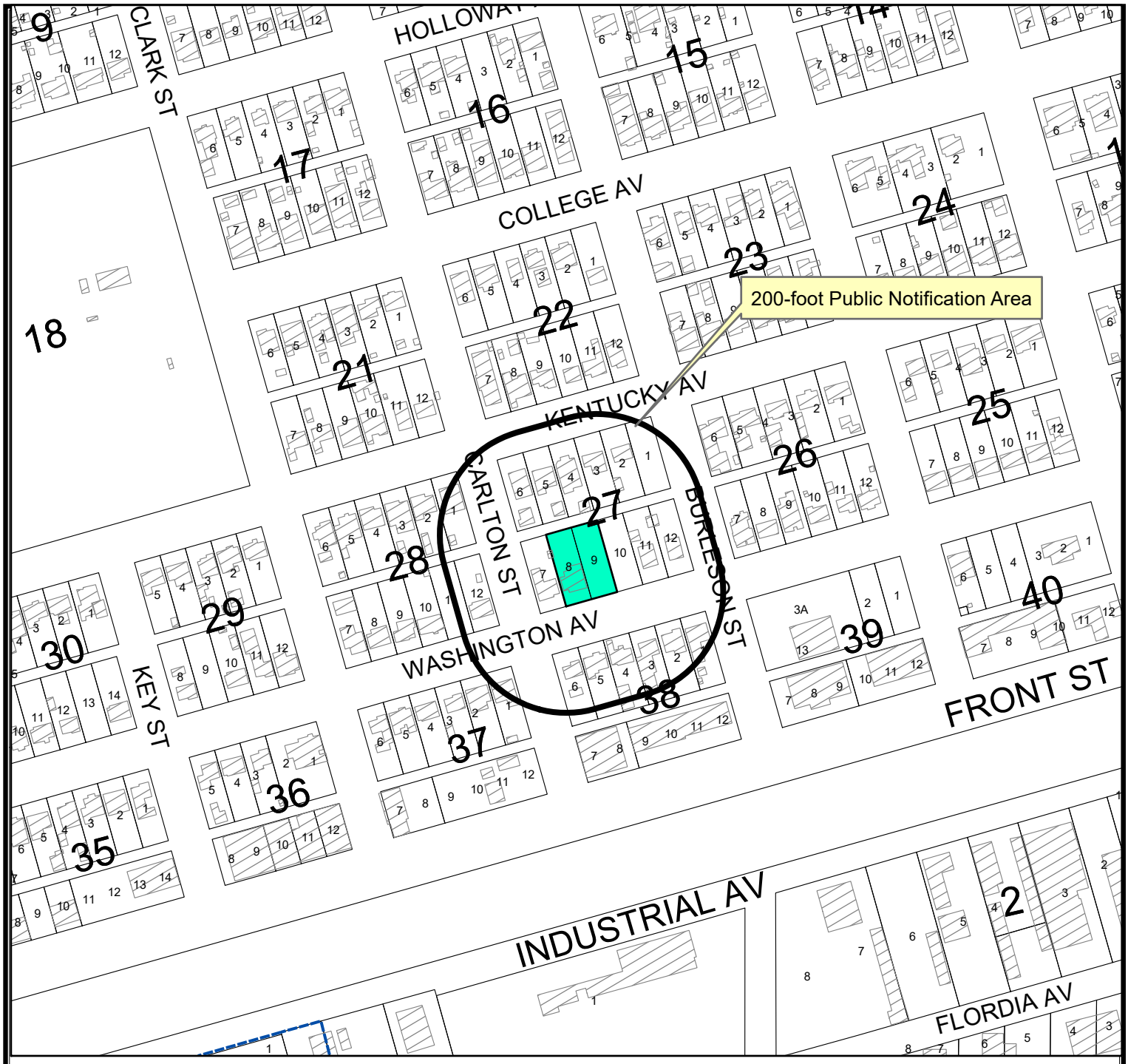
RECEIVED
MAR 06 2020
BY

****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) missing
☐ Mylar missing	☑ 1 Copy of Plat (11x17)	☑ Public Improvements
☑ Application Fee	☑ Title Opinion	☑ Recording Fee
Check # 8059	☑ Tax Certificates	Check # 8058
Received By: ES		Date: RECEIVED MAR 0 6 2020

BY: .....

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



LOCATION MAP

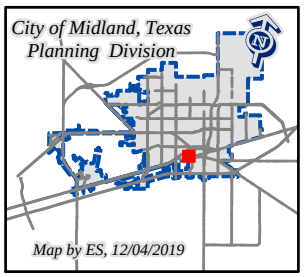
SUB-19-0735 **Scale: 1" = 400'**

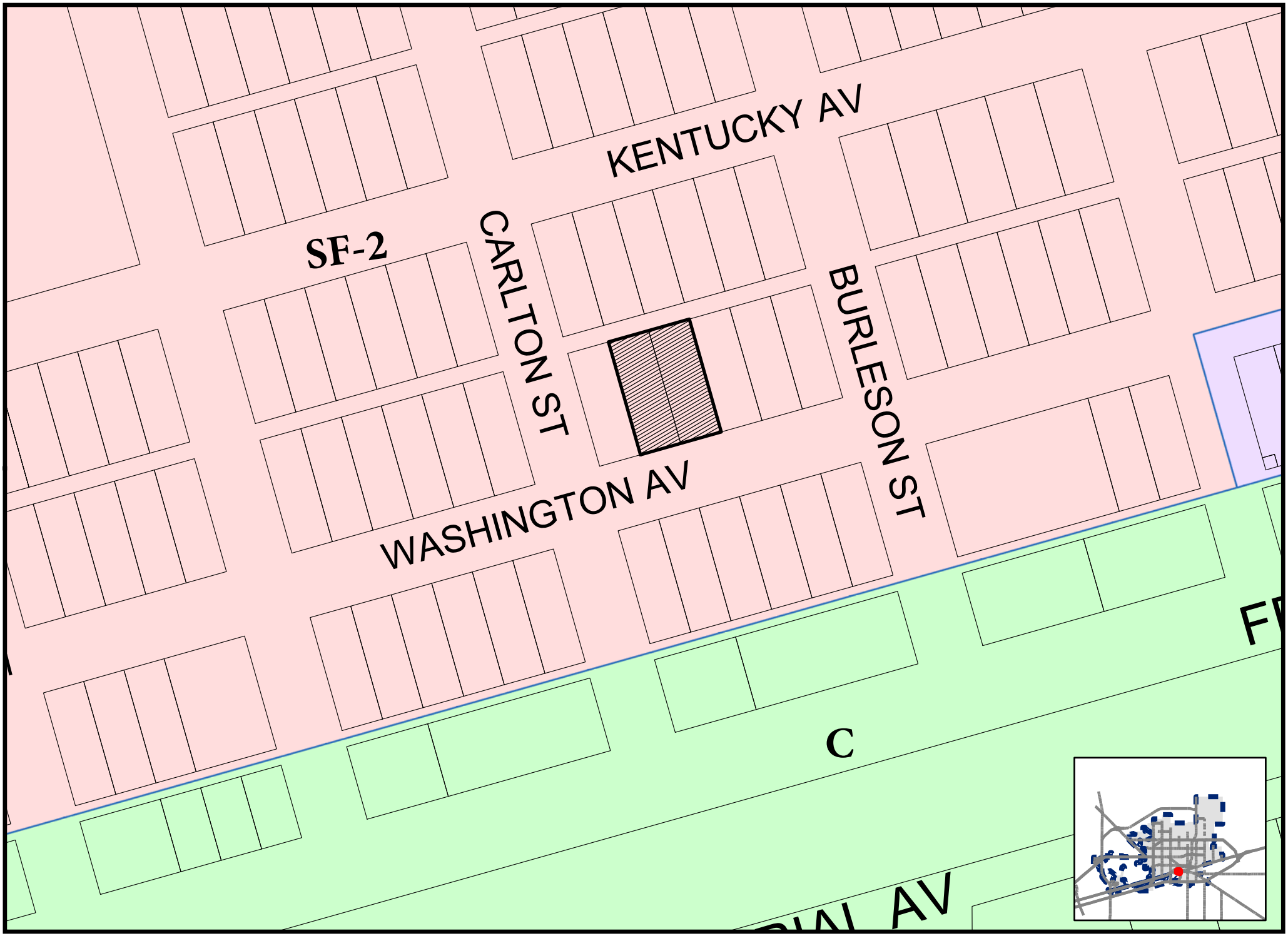
Consider a proposed plat of College Heights Addition, Section 7, being a re-plat of Lots 8 and 9, Block 27, College Heights Addition, City and County of Midland, Texas

Generally located on the north side of W. Washington Avenue, approximately 87 – feet east of Carlton Street. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 12/04/2019

SUB-19-0292

Scale: 1" = 200'

ZONING MAP

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

Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of Freeland Addition, Section 12, being a Plat of a 1.986 acre tract of land located in Section 33 and Section 40, Block 38, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the east side of North Elkins Road, approximately 155-feet north of East County Road 81. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

AE, Agricultural Estate District.

Preliminary Plat Approval:

The applicant, Moises Enrique Sanchez Velasco, is proposing to plat a 1.986 acre tract of land located in Section 33 and Section 40, Block 38, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas into one (1) lot to obtain a septic permit.

The preliminary plat was approved at the February 3, 2020 Planning and Zoning Commission Meeting

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of Freeland Addition, Section 12 has been circulated to all city departments for their review.

Engineering: (Approved)

*** Approved: Drainage study approved 1/29. Deferrals approved 3/6. ***

ROW: Okay as shown. 90' Right of way along Elkin Rd.

PAVING: NCR 1150 (Elkins Rd) roadway is not built to City Standards, construct to City standards for entire platted frontage. Deferred.

WATER: None existing. Construct to City standards along entire platted frontage, serving all lots with looped system. Water pressure and volume studies are required for all developments over 5 acres, serving 20 residences or more or multi-family sites, per Policy Statement. Deferred.

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: None existing. Construct to City standards along entire platted frontage, serving all lots within the subdivision and to adjacent lot lines along exterior roadways. Sewer capacity studies are required for all developments over 5 acres, serving 20 residences or more or multi-family sites, per Policy Statement. Deferred.

DRAINAGE: Drainage study approved.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit. Deferred.

DIMENSION: * * *

OTHER: All public infrastructure improvements and plat to comply with City of Midland – Engineering Services, Fire Department & Utilities Policy Statement – City Standards & Development Requirements. (Found on-line at:
http://www.midlandtexas.gov/DocumentCenter/View/2625)
New City standard details can be found on-line at:
http://www.midlandtexas.gov/DocumentCenter/View/4278/City-of-Midland-Standard-Details.

Transportation: (Approved)

No objections to plat.

Fire: (Awaiting)

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.

Code Administration: (Approved)

No objections. Septic tanks and their installation is regulated by the City of Midland Health Department. Permits and inspections are required.

Planning: (Approved)

All departments' comments must be addressed as a condition of Final Plat approval and recordation.

Conditions:

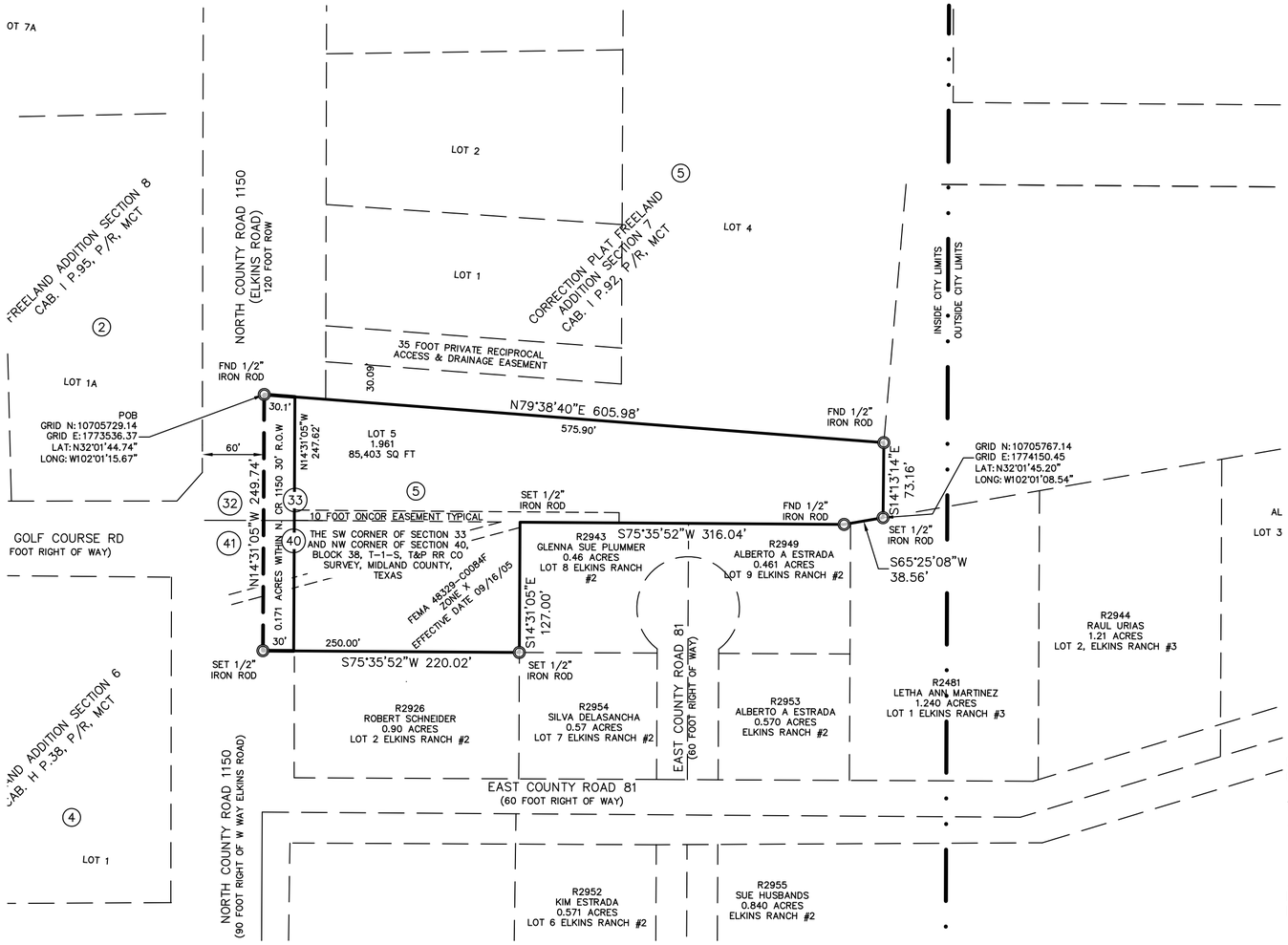
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

FREELAND ADDITION SECTION 12

BEING A PLAT OF A 2.132 ACRE TRACT OUT OF SECTION 33 AND 40, BLOCK 38, T-1-S, T&P RR CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS



GRAPHIC SCALE

0 100' 200'

(IN FEET)
1 inch = 100 ft.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTIONS 33 AND 40, BLOCK 38, T-1-S, T&P RR CO SURVEY AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS FREELAND ADDITION, SECTION 21, 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____ .

_____
MOISES ENRIQUE SANCHEZ VELASCO

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF _____, 20_____, MOISES ENRIQUE SANCHEZ VELASCO.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

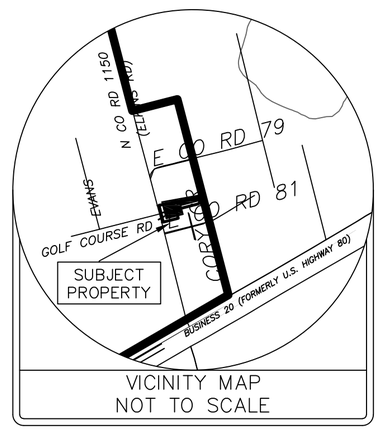
1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

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 2.132 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

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



VICINITY MAP
NOT TO SCALE

SYMBOLS LEGEND

- PROPERTY CORNER
- POWER POLE
- OVERHEAD ELECTRIC
- GAS METER
- WIRE FENCE
- RETIRED BREAKER BOX
- PROPERTY LINE
- GAS RISER
- WATER WELL
- LOT LINES
- TELEPHONE PEDESTAL
- SEWER MANHOLE

OWNER:

MOISES ENRIQUE SANCHEZ VELASCO
1320 NORTH FAIRGROUNDS ROAD APT. 312
MIDLAND TX 79706
(432) 703-7455
enriquevelasco007@gmail.com

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

_____
TEXAS RPLS 4826
RJ DAUM

STATE OF TEXAS
REGISTERED
RJ DAUM
4826
PROFESSIONAL
LAND SURVEYOR

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 FREELAND ADDITION, SECTION 12 WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

NO.	DATE	DESCRIPTION	BY
1	2/8/2020	FINAL PLAT	ELA

DRAWN BY: EA DATE: 5/16/19
CHECKED BY: CAK DRAWING NO.: 76812MS
JOB NO.: 76,812 SHEET 1 OF 1

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

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

FREELAND ADDITION, SECTION 12

FREELAND ADDITION, SECTION 12

MIDLAND Planning Division

Final Plat Application

Project Number: SUB-19-0220

Case Number: F-20-0812

Proposed Subdivision Plat Name: Freeland Addition Section 12

Legal Description (attached sealed Metes and Bounds): Being a plat of a 2.132 acre tract of Land out of Section 33 and Section 40, Block 38, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas.

Property Owner Printed Name: MoisesEnrique Sanchez Velasco		Phone (432) 703-7455-0327 Email enriquevelasco007@gmail.com	
Address 1320 North Fairgrounds Road Apt 312	City Midland	State TX	Zip 79703

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 Printed Name: Eduardo L. Aleman		Phone (432) 624-5548 Email ealeman@schumannonline.net	
Address 800 N. Marienfeld Suite 100	City Midland	State TX	Zip 79701

Current Zoning:

Reason for Platting: To obtain septic Permit.

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

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- 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
MAR 05 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

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

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

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

Property Owner (signature): [signature] Date: 2-28-2020

Property Owner (printed) : Moises E. Sanchez

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 Moises E. Sanchez, 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 28th day of February, 2019, to certify which witness my hand and seal of office.

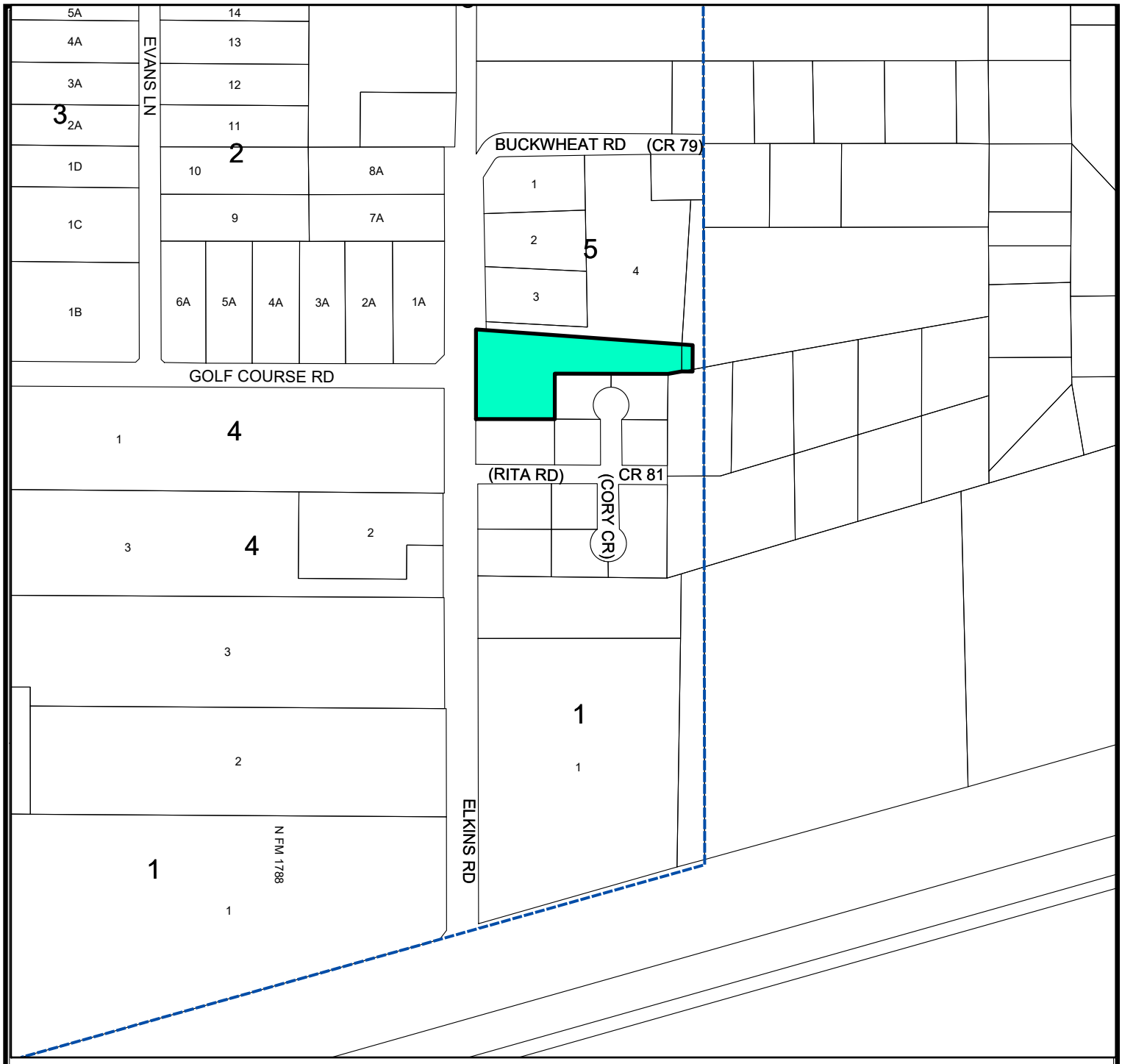
[signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

KEVIN STARNES
Notary ID 13061462-8
My Commission Expires
April 11, 2020

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 # 1361	☑ Tax Certificates	Check # 1362
Received By: EG		Date: MAR 05 2020

RECEIVED



LOCATION MAP

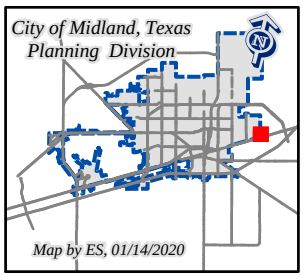
SUB-19-0220 **Scale: 1" = 400'**

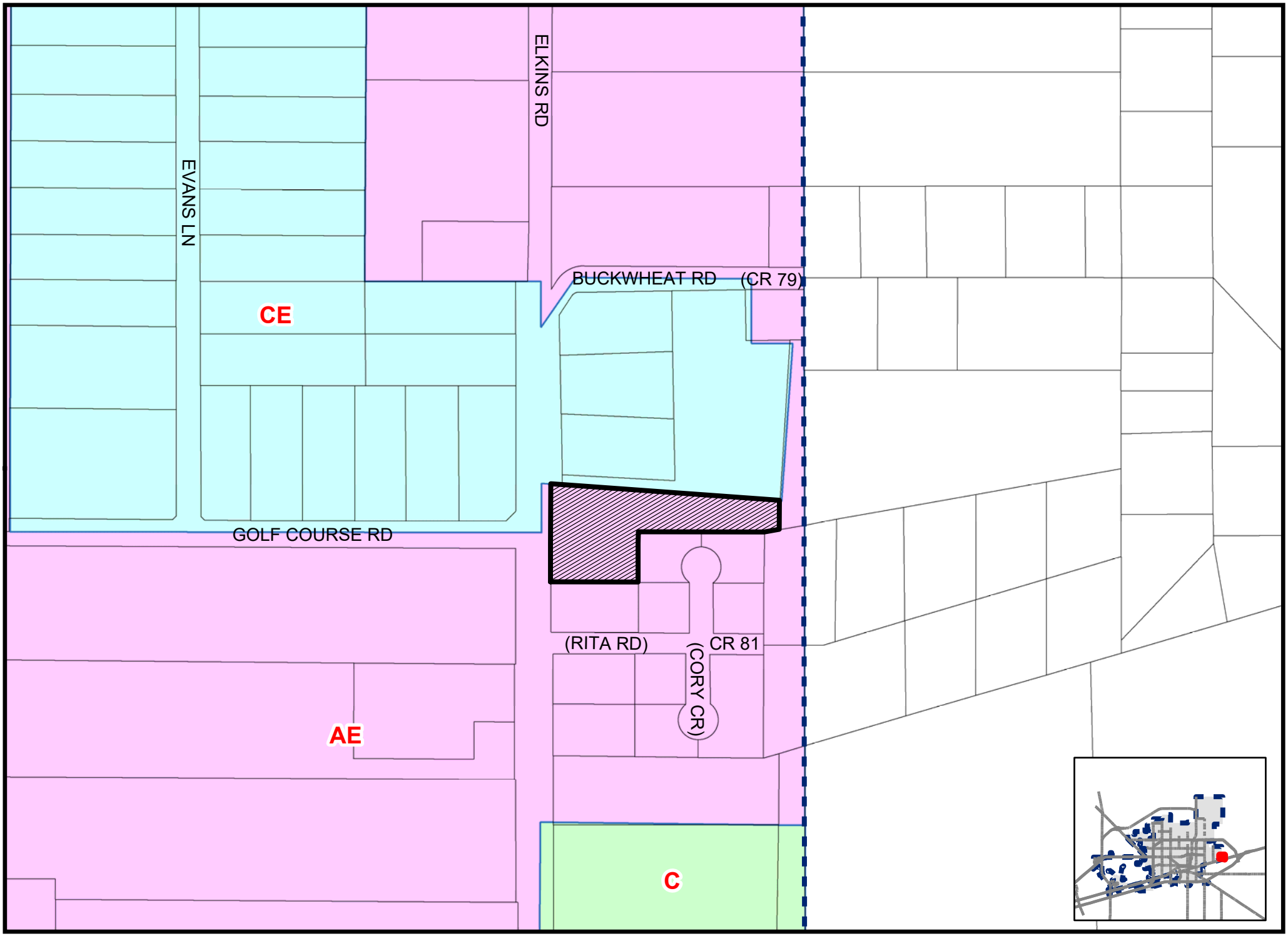
Proposed Plat of Freeland Addition, Section 12, being a Plat of a 1.98 acre tract of land out of Section 33 and Section 40, Block 38, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas.

Generally located on the east side of North Elkins Road, approximately 155-feet north of East County Road 81. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 1/15/2020

SUB-19-0220

Scale: 1" = 200'

ZONING MAP

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

Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of Green Hill Terrace, Section 17 being a residential re-plat of Lots 12 and 13, Block 2, Green Hill Terrace, and a previously vacated 0.15 acre portion of public access easement adjacent to said lot, City and County of Midland, Texas. (Generally located on the west side of Tattenham Corner, approximately 613 – feet west of Keenland Drive. Council District 1)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

SF-3, Single Family Dwelling District.

Preliminary Plat Approval:

The applicant's property is located at 4920 Tattenham Corner. The applicant, Brian Taylor, is seeking to plat the property into one (1) lot to include the adjacent Bridle Path, which was previously vacated, as part of the lot.

The preliminary plat was approved at the November 18, 2019 Planning and Zoning Commission Meeting

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of Green Hill Terrace, Section 17 has been circulated to all city departments for their review.

Engineering: (Approved)

ROW: ROW is okay as shown.

PAVING: Deferral approved 11.14.2019

WATER: 6” water exists along a utility easement north east of the 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 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: 6” sewer exists in alley north of tract, okay as is. No public wastewater improvements required.

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

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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.

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 with conditions)

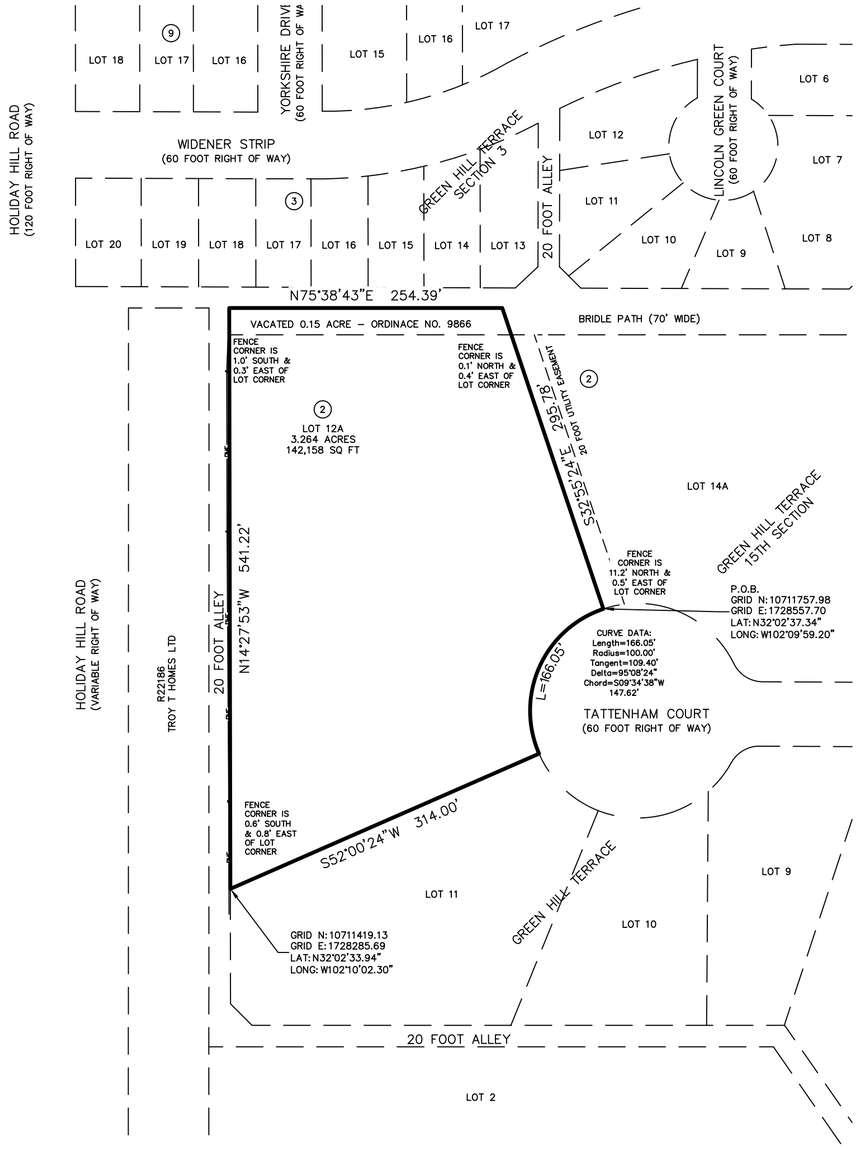
All departments' comments must be addressed as a condition of Final Plat approval and recordation.

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
Ordinance No. 6024 and 9866



GRAPHIC SCALE

0 100' 200'

(IN FEET)

1 inch = 100 ft.

GREEN HILL TERRACE SECTION 17

BEING A REPLAT OF LOTS 12 AND 13 BLOCK 2, GREEN HILL TERRACE AND A PREVIOUSLY VACATED 0.15 ACRE PORTION OF PUBLIC ACCESS EASEMENT ADJACENT TO SAID LOT CITY AND COUNTY OF MIDLAND, TEXAS

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE GREEN HILL TERRACE, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS GREEN HILL TERRACE SECTION 17, 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_____ .

_____

BRIAN TIMOTHY TAYLOR

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF _____, 20_____, BRIAN TIMOTHY TAYLOR.

_____

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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.

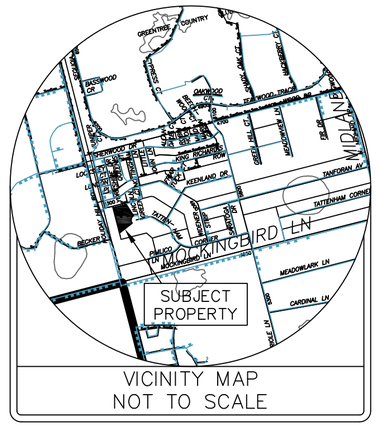
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.

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 3.264 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

5. THIS PROPERTY IS IN ZONE X AS PER FEMA FLOOD MAP 48329-C0066F, EFFECTIVE DATE SEPTEMBER 16, 2005.

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



VICINITY MAP
NOT TO SCALE

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 GREEN HILL TERRACE SECTION 17, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

OWNER:

BRIAN TIMOTHY TAYLOR
4920 TATTENHAM CORNER
MIDLAND TX 79707
(530) 391-6442
taylorbri@hotmail.com

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

_____
RJ DAUM
TEXAS RPLS 4826

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

NO.	DATE	DESCRIPTION	BY
2	1/20/2020	FINAL PLAT	KDS
1	10/02/2019	REVISED AS PER CITY	CAK

DRAWN BY: CAK DATE: 09/18/2019
CHECKED BY: RJD DRAWING NO.: 76806BT
JOB NO.: 76,806 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

GREEN HILL TERRACE, SECTION 17

MIDLAND Planning Division

Final Plat Application

Project Number: SUB-19-0281

Case Number: F-20-0814

Proposed Subdivision Plat Name: Green Hill Terrace Section 17

Legal Description (attached sealed Metes and Bounds): Being a Replat of Lots 12 & 13, Block 2, Greenhill Terrace & the adjacent Bridle Path, an Addition to the City of Midland, Midland County, Texas

Property Owner Printed Name: Brian Timothy Taylor		Phone (530) 391-6442 Email taylorbri@hotmail.com@gmail.com	
Address 4920 Tattenham	City Midland	State TX	Zip 79707
Developer *(if different than Owner)* Printed Name:		Phone ( ) Email	
Address	City	State	Zip
Representative *(if acting as Agent, see affidavit on page 2)* Firm: Schumann Engineering Co., Inc. Printed Name: Eduardo L. Aleman		Phone (432) 624-5548 Email ealeman@schumannonline.net	
Address 800 N. Marienfeld Suite 100	City Midland	State TX	Zip 79701

Current Zoning:

Reason for Platting: To make adjacent Britle Path a part of the original lot.

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

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 2 Signed Mylar (or more if applicant does not request a signed reproduction
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- 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'

MAR 0 5 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

☐ 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): Brian Taylor	Date:

Property Owner (printed): BRIAN TAYLOR

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 Brian Taylor, 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*)

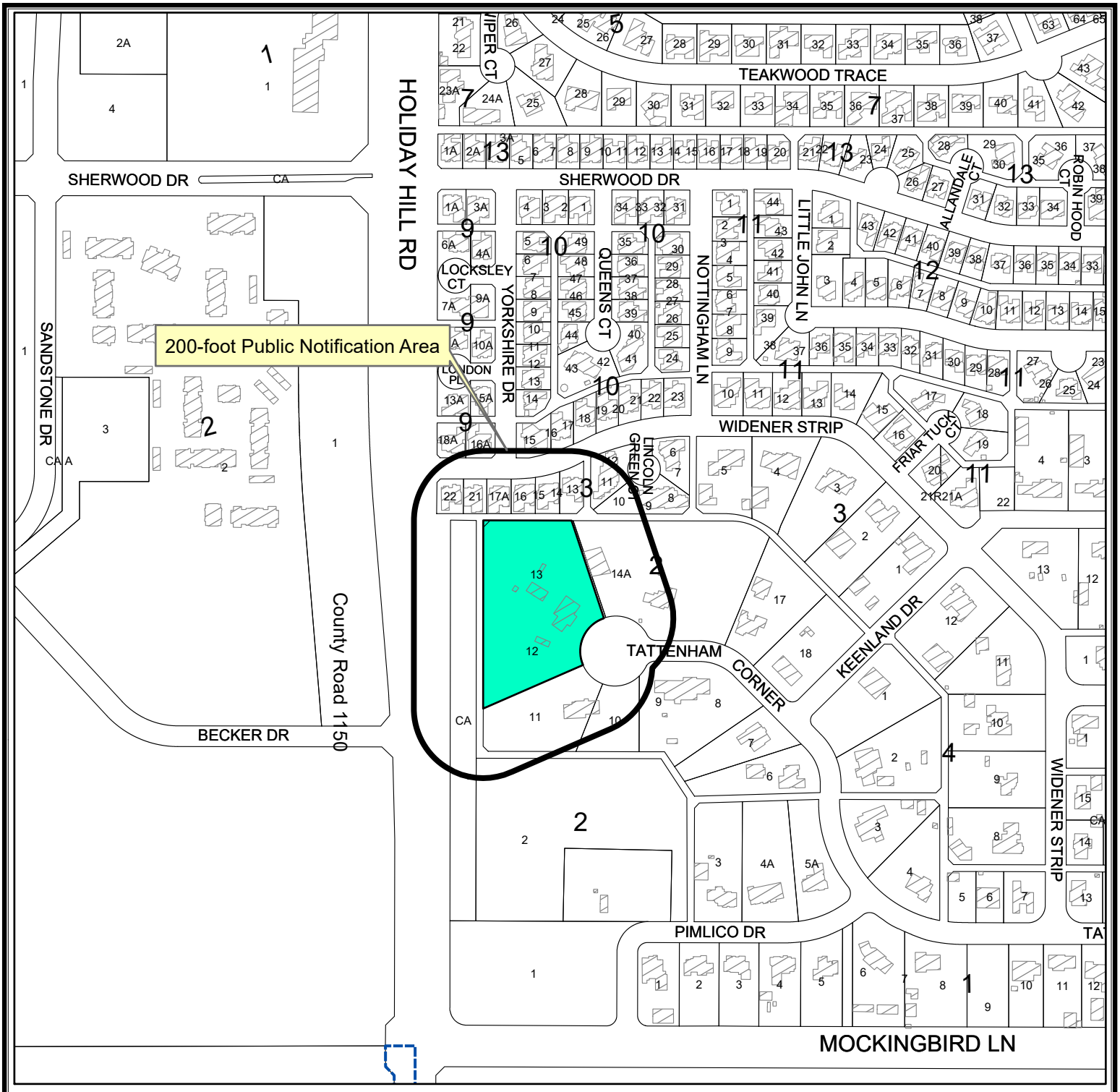
Subscribed and sworn to before me, this 18th day of February, 20~~19~~ 20, to certify which witness my hand and seal of office.

Kevin Starnes
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

KEVIN STARNES
Notary ID 13061462-8
My Commission Expires
April 11, 2020

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 # 1363	☑ Tax Certificates	Check # 1364
Received By: ES		Date: RECEIVED MAR 05 2020



LOCATION MAP

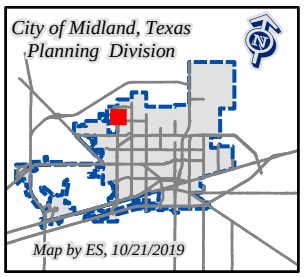
SUB-19-0281 **Scale: 1" = 400'**

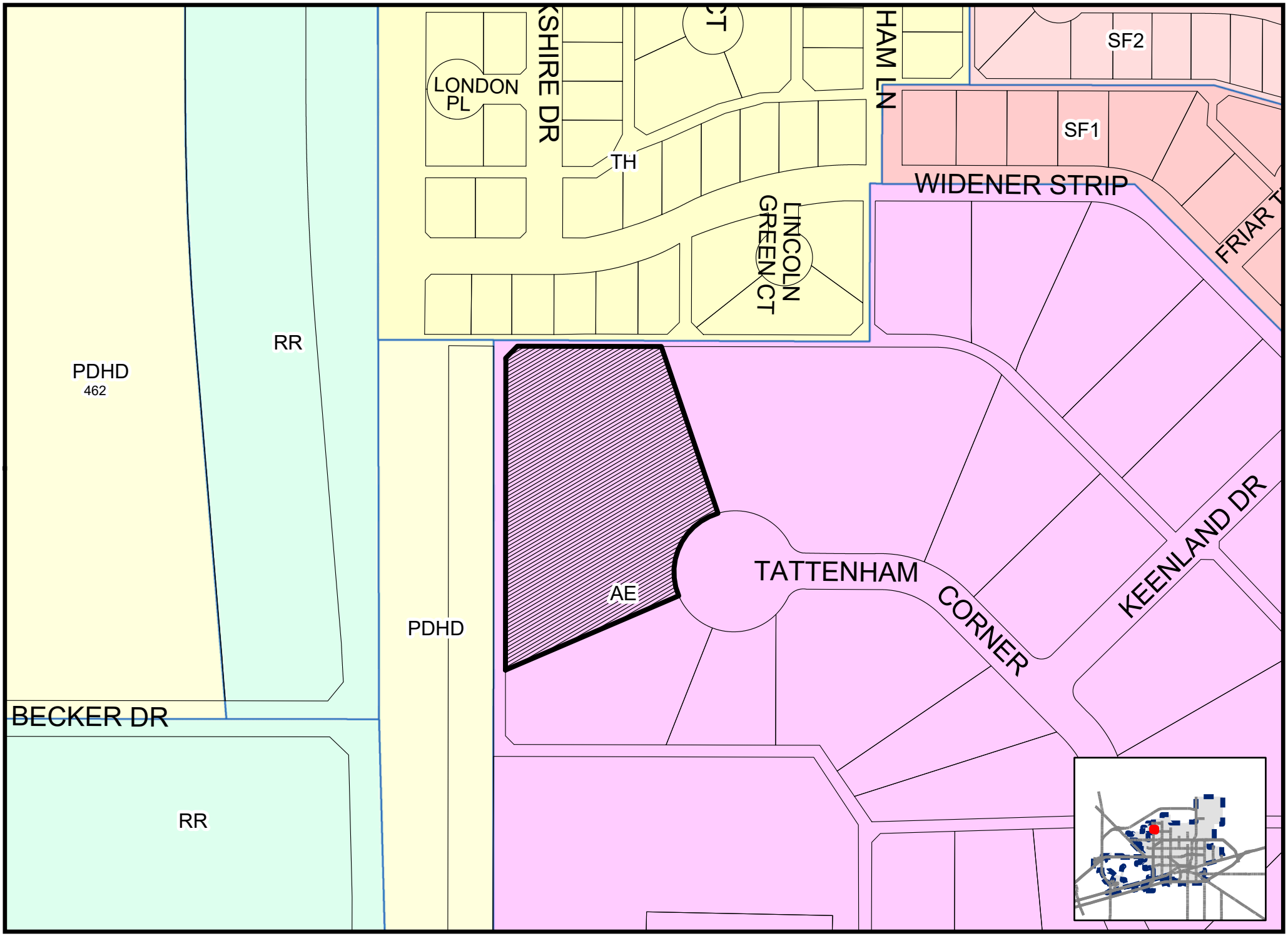
Consider aProposed Plat of Green Hill Terrace, Section 17, being a re-plat of Lots 12 and 13, Block 2, Green Hill Terrace, and a previously vacated 0.15 acre portion of public access easement adjacent to said lot, City and County of Midland, Texas.

Generally located on the west side of tattenham corner, approximately 613 – feet west of Keenland Drive. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 11/11/2019

SUB-19-0281

Scale: 1" = 200'

ZONING MAP

MI
PRI
OF
LCT, NOR IS IT DESIGNED
INFORMATION CONTAINED
THE USE OF THIS DATA.

Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of JAM Addition, being a plat of a 2.03-acre tract of land in Section 41, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the west side of North County Road 1151, approximately 109-feet south of East County Road 85. ETJ, Extraterritorial Jurisdiction)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant, Schumann Engineering, Co., Inc., is proposing to plat a 2.03 acre tract of land in Section 41, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas into one (1) lot to obtain a septic permit.

The preliminary plat was approved at the February 3, 2020 Planning and Zoning Commission Meeting.

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of JAM Addition has been circulated to all city departments for their review.

Engineering: (Approved)

ROW: Dedication of 30’ of ROW is fine, adjacent property owner will be responsible for an additional 30’ of ROW to make a total of 60’ ROW .

PAVING: Administratively deferred on January 21st, 2020.

WATER: Administratively deferred on January 21st, 2020.

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: Administratively deferred on January 21st, 2020.

DRAINAGE: Approved 1/2/20 for platting purposes.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Administratively deferred on January 21st, 2020.

DIMENSION: * * *

OTHER: * * ***

Transportation: (Approved)

No objections to plat.

Fire: (Approved)

No additional comments.

Code Compliance: (Approved)

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

Code Administration: (Approved)

No objections. All septic tanks and the installation of are regulated by the City of Midland Health Department.

Planning: (Approved with conditions)

All departments' comments must be addressed as a condition of Final Plat approval and recordation.

Conditions:

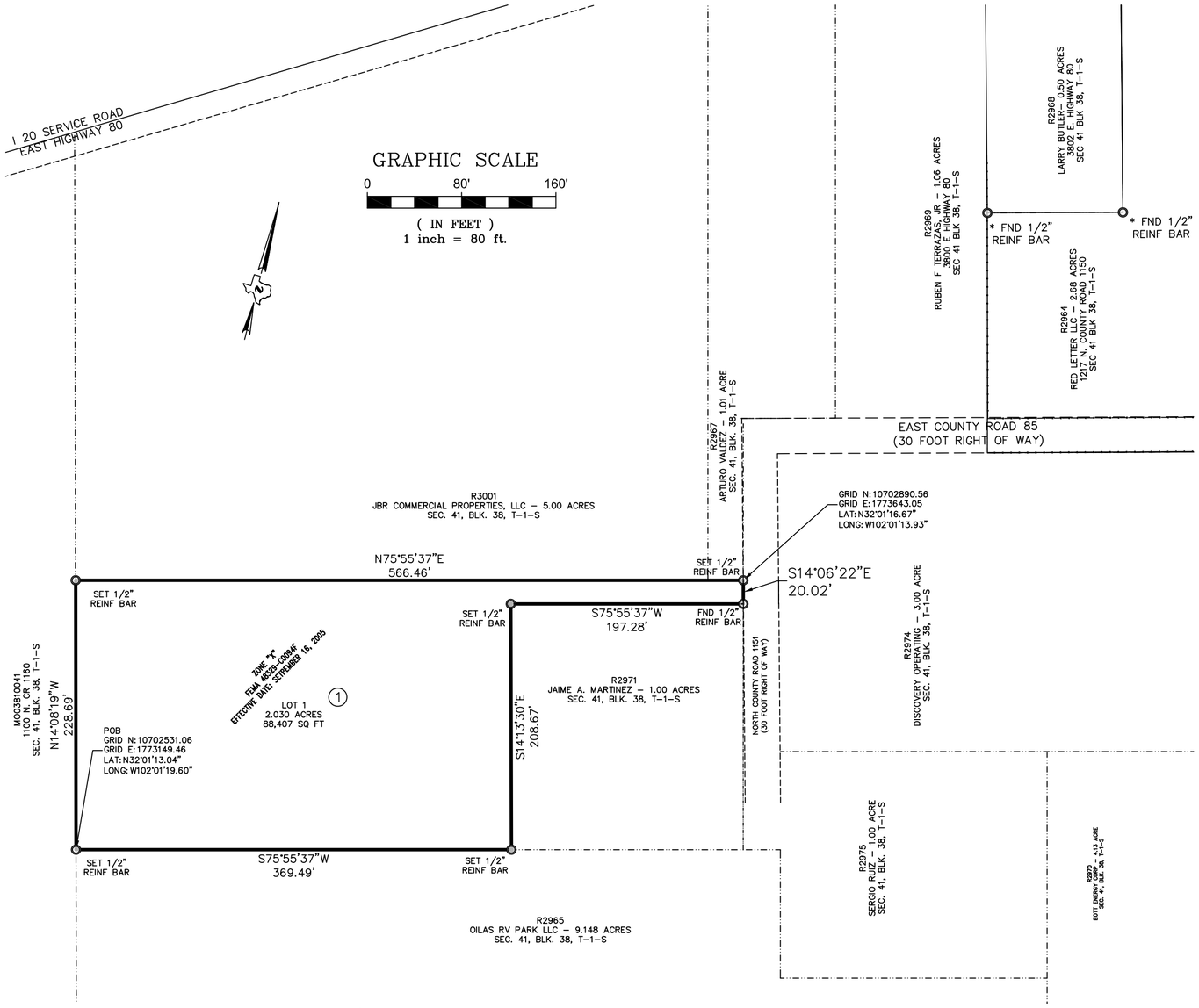
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

JAM ADDITION

BEING A PLAT OF A 2.030 ACRE TRACT OF LAND OUT OF SECTION 41, BLOCK 38, T-1-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS



STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN BLOCK 38, T-1-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS JAM ADDITION, 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.

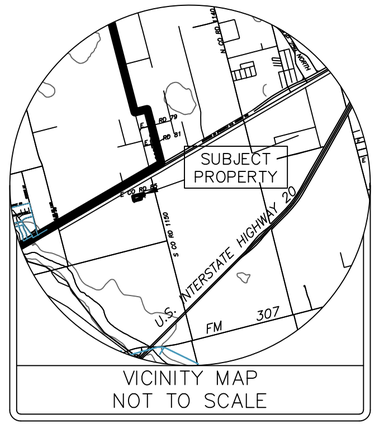
WITNESS MY HAND AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 20_____ .

_____
JAIME ALEJANDRO MARTINEZ ORTEGA

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF _____, 20_____, JAIME ALEJANDRO MARTINEZ ORTEGA.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS



SYMBOLS LEGEND

- PROPERTY CORNER
- POWER POLE
- OHE — OVERHEAD ELECTRIC
- GM — GAS METER
- WIRE FENCE
- RETIRED BREAKER BOX
- PROPERTY LINE
- GAS RISER
- WATER WELL
- LOT LINES
- TELEPHONE PEDESTAL
- 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 JAM ADDITION WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

OWNER:

JAIME ALEJANDRO MARTINEZ ORTEGA
1109 WEST KENTUCKY AVENUE
MIDLAND TX 79701
(432) 664-1232
Jaime.Martinez@twsupply.com

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

_____
RJ DAUM
TEXAS RPLS 4826

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 2.030 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

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

NO.	DATE	DESCRIPTION	BY

DRAWN BY: CAK
CHECKED BY: RJD
JOB NO.: 76,847
DATE: 08/09/2019
DRAWING NO.: 76847JM
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

JAM ADDITION

JAM ADDITION

MIDLAND
Planning Division

Final Plat Application

Project Number: SUB-19-0261
Case Number: P-20-0816

Proposed Subdivision Plat Name: *JAM Addition*

Legal Description (attached sealed Metes and Bounds): ***BEING A PLAT OF A 2.030 ACRE TRACT OF LAND OUT OF SECTION 41, BLOCK 38, T-1-S, T&P RR CO SURVEY, MIDLAND COUNTY, TEXAS***

Property Owner Printed Name: *Jaime Alejandro Martinez Ortega*		Phone *(432) 664-1232* Email *jaime.martinez@twsupply.com*	
Address *1109 West Kentucky Avenue*	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: *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 obtain Septic Permit.*

Plat Information	Total Acreage: *2.03*
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: *1*	Number of Multi-Family Dwelling Units:

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

Items to be submitted with this application form:

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

RECEIVED
MAR 05 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

☐ 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): Jaime A Martinez Date: 02/18/19 20

Property Owner (printed): Jaime A Martinez

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 Jaime Martinez 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 18th day of February, 2019 20, to certify which witness my hand and seal of office.

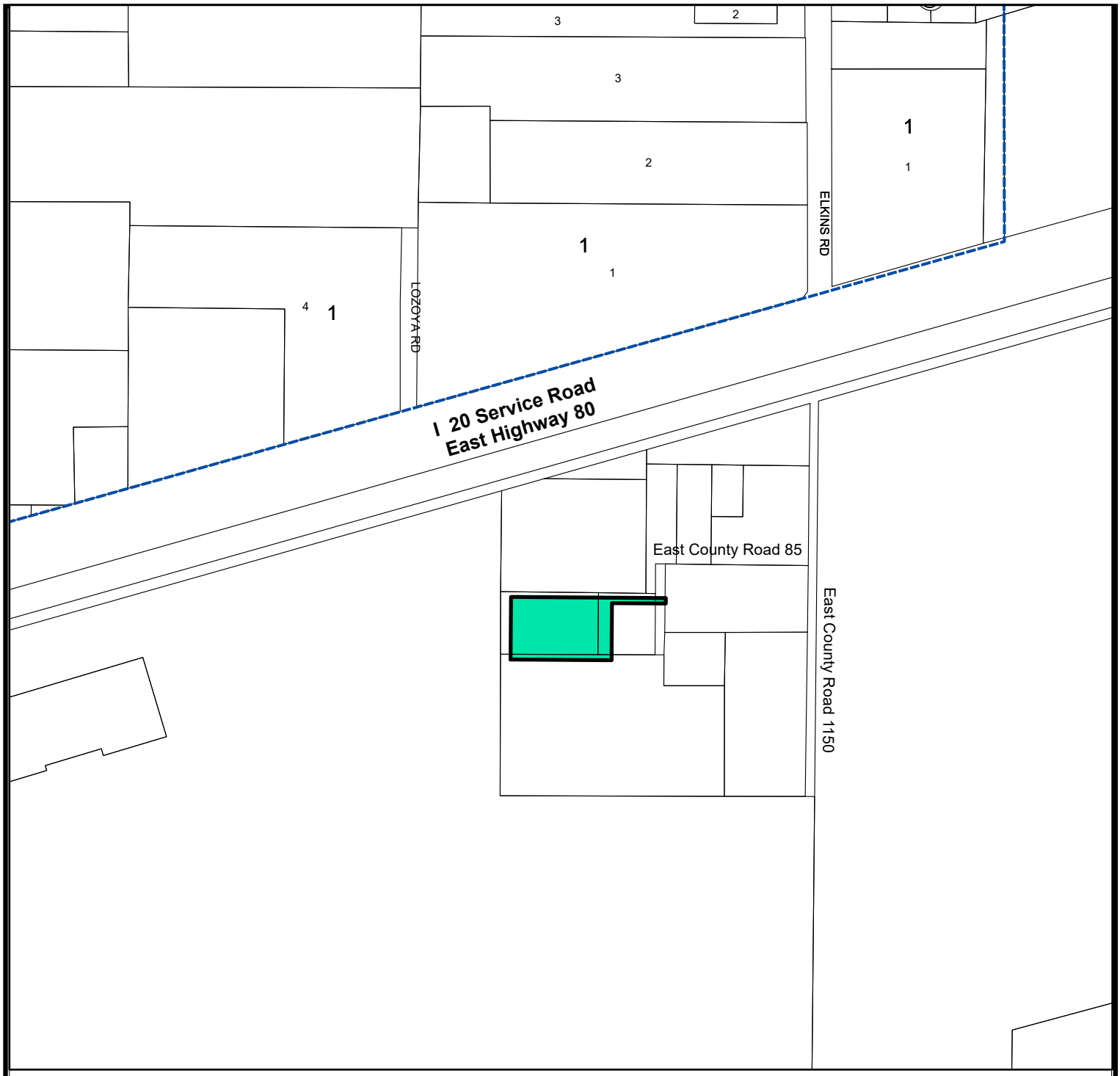
Kevin Starnes
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

KEVIN STARNES
Notary ID 13061462-8
My Commission Expires
April 11, 2020

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 # 1398	☑ Tax Certificates	Check # 1399
Received By: ES		Date:

RECEIVED
MAR 05 2020



LOCATION MAP

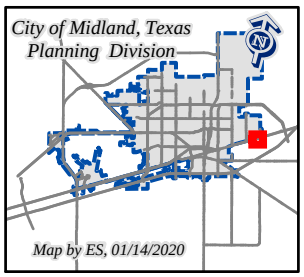
SUB-19-0265 **Scale: 1" = 400'**

Proposed Plat of JAM Addition, being a plat of a 2.03-acre tract-of-land out of Section 41, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas.

Generally located on the West side of North County Road 1150, approximately 109-feet South of East County Road 85. (Extraterritorial Jurisdiction)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of Orchid Alli, being a Plat of a 5-acre tract of land out of the north part of the C.A. Miller Survey, Abstract Number 633, Block 38, T-2-S, Midland County, Texas. (Generally located on the south side of East County Road 130, approximately 2,188-feet east of Farm to Market 1213. Extraterritorial Jurisdiction)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant's property is located on the south side of East County Road 130, approximately 2,188-feet east of Farm to Market 1213. The applicants, Magda Alvarado and Erika Saucedo, are seeking to plat the 5.00 Acre Tract of land into three (3) lots to obtain septic permits.

The preliminary plat was approved at the October 7, 2019 Planning and Zoning Commission Meeting

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of Orchid Alli has been circulated to all city departments for their review.

Engineering: (Approved)

*** Approved: Drainage study approved 11/7/19. Deferral approved 11/28/19. ***

ROW: Dedicate a total of 60’ ROW from section line for a total 120’ ROW for arterial roadway.

PAVING: E C R 130 road is sub-standard, construct to City Standards for entire platted frontage or request a deferral.

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

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: None existing. Construct wastewater to City standards along entire platted frontage, or request a deferral.
Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (A) Areas served by public water systems shall have lots of at least ½ acre.
Per TAC Title 30, Part 1 Chapter 285 Subchapter A, Rule 285.4(a) (1) (B) Areas NOT served by public water systems shall have lots of at least 1 acre.

DRAINAGE: Drainage study approved 11/7/19. Firm good.

EASEMENTS: Show existing and proposed.

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

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

No objections to plat.

Fire: (Approved)

No comments, ETJ.

Code Compliance: (Approved)

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

Code Administration: (Approved)

ETJ, no jurisdictions. All septic tanks and their installation is regulated by the City of Midland Health Department.

Planning: (Approved with conditions)

All departments' comments must be addressed as a condition of Final Plat approval and recordation.

Conditions:

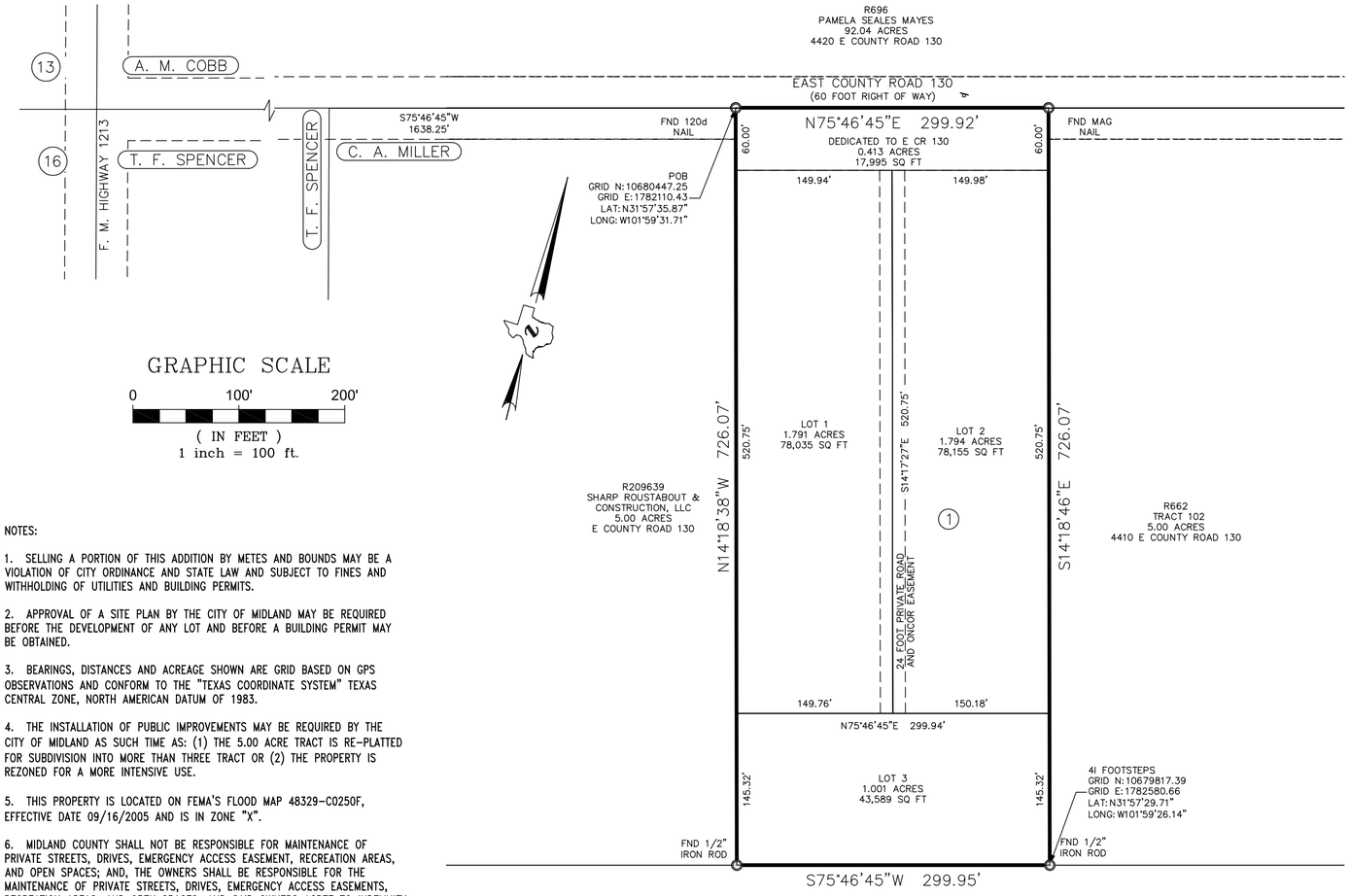
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

ORCHID ALLI

BEING A PLAT OF A 5.00 ACRE TRACT OF LAND OUT OF THE NORTH PART OF THE C. A. MILLER SURVEY, ABSTRACT 633, BLOCK 38, T-2-S, MIDLAND COUNTY, TEXAS



GRAPHIC SCALE

0 100' 200'

(IN FEET)
1 inch = 100 ft.

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 5.00 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN THREE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

5. THIS PROPERTY IS LOCATED ON FEMA'S FLOOD MAP 48329-C0250F, EFFECTIVE DATE 09/16/2005 AND IS IN ZONE "X".

6. MIDLAND COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENT, 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.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, WE ARE THE RECORD OWNERS OF A TRACT OF LAND SITUATED IN THE C. A. MILLER PRE-EMPTION SURVEY, 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 ORCHID ALLI, 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_____ .

_____ _____

MAGDA ALVARADO ERIKA SAUCEDO

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF _____, 20_____, MAGDA ALVARADO.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS_____DAY OF _____, 20_____, ERIKA SAUCEDO.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

OWNER:

MAGDA ALVARADO
4410 EAST COUNTY ROAD 130
MIDLAND, TX 79706
(432) 386-6989
adacardona15@gmail.com

ERIKA SAUCEDO
1201 W HICKS AVENUE
MIDLAND, TX 79704

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 ORCHID ALLI, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2019.

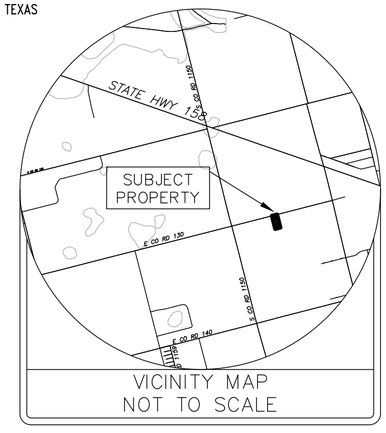
SIGNED: _____
CHAIRMAN JOSH SPARKS

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

STATE OF TEXAS
REGISTERED
RJ DAUM
4826
PROFESSIONAL
LAND SURVEYOR



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

NO.	DATE	DESCRIPTION	BY

DRAWN BY: CAK DATE: 6/11/2019
CHECKED BY: RJD DRAWING NO.: 76727MA
JOB NO.: 76,727 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
Fax (432) 684-6973

ORCHID ALLI

ORCHID ALLI

MIDLAND
Planning Division

Final Plat Application

Project Number: SUB-19-0033
Case Number: P-20-815

Proposed Subdivision Plat Name: ORCHID ALLI

Legal Description (attached sealed Metes and Bounds): Being a Plat of a 5.00 Acre Tract of Land out of the Northwest part of the C.A. Miller Pre-Emption Survey, Abstract 635, Block 38, T-2-S, Midland County, Texas

Property Owner Printed Name: Magda Alvarado Erika Saucedo		Phone (432) 386-6989 Email adacardona15@gmail.com	
Address 4410 East Co Rd 13 1201 W Hicks Avenue	City Midland Midland	State TX TX	Zip 79706 79704

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: Sandi Fuston		Phone (432) 684-5548 Email sandi@schumannonline.net	
Address 800 N Marienfeld Street Suite 100	City Midland	State TX	Zip 79701

Current Zoning:

Reason for Platting: To create multiple Tracts and to obtain septic permit

Plat Information	Total Acreage: 5.00 Acres
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☒ Extraterritorial Jurisdiction (ETJ) or ☐ City Limits	
Number of Lots: 3	Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat & 1 Extra Copy of 11X17
- 2 Signed Mylar (or more if applicant does not request a signed reproduction
- Autocad File Submitted
- 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
MAR 05 2020
By: .....

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

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 Erika Saucedo Date: 02-11-20

Property Owner (printed) : X Erika Saucedo

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 Cynthia Ann Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by Erika Saucedo, 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)
☐ Mylar missing.	☑ 1 Copy of Plat (11x17)	☐ Public Improvements ?
☑ Application Fee	☑ Title Opinion	☑ Recording Fee
Check # 1169	☑ Tax Certificates	Check # 1170
Received By: ES		Date: MAR 05 2020

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

☐ Applicant would like a reproduction made for their records

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

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

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

Property Owner (signature): [signature] Date: 12-11-19

Property Owner (printed): Magda Alvarado

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 CYNTHIA ANN KLATT who, being by me duly sworn, upon oath says: That (s)he is authorized by MAGDA ALVARADO, 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 11TH day of December, 2019, to certify which witness my hand and seal of office.

[signature]
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)
☐ Mylar	☐ 1 Copy of Plat (11x17)	☐ Public Improvements
☐ Application Fee	☐ Title Opinion	☐ Recording Fee
Check #_____	☐ Tax Certificates	Check #_____
Received By:		Date:

LOCATION MAP

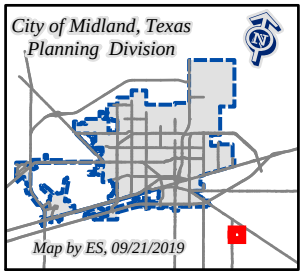
SUB-19-0233 **Scale: 1" = 400'**

Consider a proposed Plat of Orchid Alli, being a Plat of a 5-acre tract of land out of the north part of the C.A. Miller Survey, Abstract Number 633, Block 38, T-2-S, Midland County, Texas.

Generally located on the south side of East County Road 130, approximately 2,188-feet east of Farm to Market 1213. (Extraterritorial Jurisdiction)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of Sixtywest Ranch Estates, Section 2 being a re-plat of Lot 15, Sixtywest Ranch Estates, Midland County, Texas. (Generally located on the southeast corner of the intersection of North County Road 1283 and West County Road 60. ETJ, Extraterritorial Jurisdiction)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant, Justin Valdez, is proposing to re-plat Lot 15, Sixtywest Ranch Estates, Midland County, Texas into two (2) lots.

The preliminary plat was approved at the February 3, 2020 Planning and Zoning Commission Meeting

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of Sixtywest Ranch Estates, Section 2 has been circulated to all city departments for their review.

Engineering: (Approved)

*** Plat resubmitted and approved on 3/22/2020****

ROW: Ok as shown.

PAVING: Deferral request approved on 03/06/2020

WATER: Deferral request approved on 03/06/2020

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: Deferral request approved on 03/06/2020

DRAINAGE: Drainage accepted as submitted. Include the following drainage note on plat face -
Comply with the existing drainage analysis titled (Title Name) sealed by (Engineer Name), P.E. and approved by the City of Midland on (Date), or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland."

EASEMENTS: Ok as shown

SIDEWALKS: Deferral request approved on 03/06/2020

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved)

No objections to plat.

Fire: (Approved)

No additional comments.

Code Compliance: (Approved)

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

Code Administration: (Approved)

ETJ, no jurisdiction.

Planning: (Approved)

All departments' comments must be addressed as a condition of Final Plat approval and recordation.

Conditions:

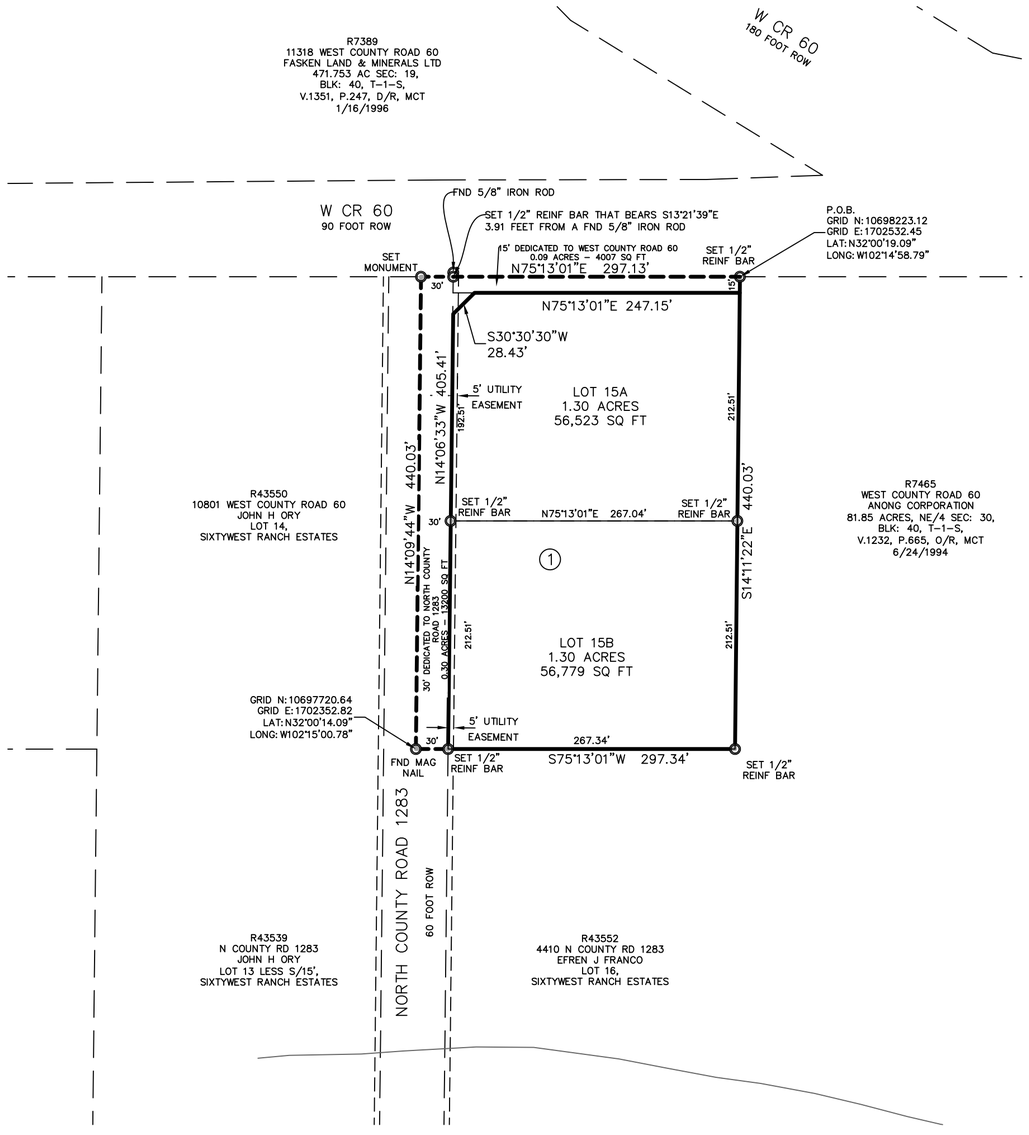
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

SIXTYWEST RANCH ESTATES, SECTION 2

BEING A REPLAT OF LOT 15, BLOCK 1, SIXTYWEST RANCH ESTATES MIDLAND COUNTY, TEXAS



GRAPHIC SCALE

0 100' 200'

(IN FEET)

1 inch = 100 ft.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE SIXTYWEST RANCH ESTATES, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS SIXTYWEST RANCH ESTATES, SECTION 2, AN ADDITION TO THE COUNTY OF MIDLAND, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS, ALLEY, AND EASEMENTS, (AND PARKWAYS) SHOWN HEREON.

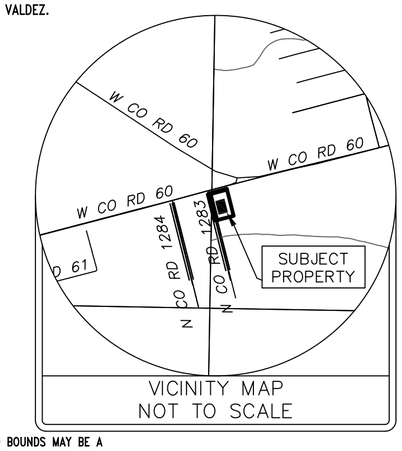
WITNESS MY HAND AT MIDLAND, TEXAS, THIS _____ DAY OF _____, 20 ____ .

_____
TOMMY VALDEZ

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____DAY OF _____, 20_____, TOMMY VALDEZ.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS



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

Comply with the existing drainage analysis titled Sixtywest Ranch Estates Section 2, sealed by Dean W. Rasmuson, P.E. and approved by the City of Midland on February 21st 2020, or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland.

OWNER:

TOMMY VALDEZ
3704 DENTCREST DRIVE
MIDLAND TX 79707
(432) 813-7769
justinrossv@gmail.com

NOTES:

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

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

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

4. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 3.00 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN TWO TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

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

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 SIXTYWEST RANCH ESTATES, SECTION 2. WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN JOSH SPARKS

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

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

NO.	DATE	DESCRIPTION	BY
1	1/25/20	Final Plat	ELA

DRAWN BY: KDS DATE: 8/23/2019
CHECKED BY: RJD PROJECT NO.: 76928JV
JOB NO.: 76,928 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

SIXTYWEST RANCH ESTATES, SECTION 2

SIXTYWEST RANCH ESTATES, SECTION 2

MIDLAND
Planning Division

Final Plat Application

Project Number: SUB-19-0269
Case Number: P-20-0813

Proposed Subdivision Plat Name: ***Sixtywest Ranch Estates Section 2***

Legal Description (attached sealed Metes and Bounds): ***Being a re-plat of Lot 15, Sictywest Ranch Estates, and addition to Midland County, Texas.***

Property Owner Printed Name: ***Tommy Valdez***		Phone ***(432) 813-7769*** Email ***justinrossx@gmail.com***	
Address ***3704 Dentcrest***	City ***Midland***	State ***TX***	Zip ***79707***
Developer *(if different than Owner)* Printed Name:		Phone ( ) Email	
Address	City	State	Zip
Representative *(if acting as Agent, see affidavit on page 2)* Firm: ***Schumann Engineering Co., Inc.*** Printed Name: ***Eduardo L. Aleman***		Phone ***(432) 624-5548*** Email ***ealeman@schumannonline.net***	
Address ***800 N. Marienfeld Suite 100***	City ***Midland***	State ***TX***	Zip ***79701***

Current Zoning:

Reason for Platting: ***To divide tract in half***

Plat Information	Total Acreage: ***3.002***
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): Tommy Valdez Date: 2-28-20

Property Owner (printed) : Tommy Valdez

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 Tommy Valdez, 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~~)

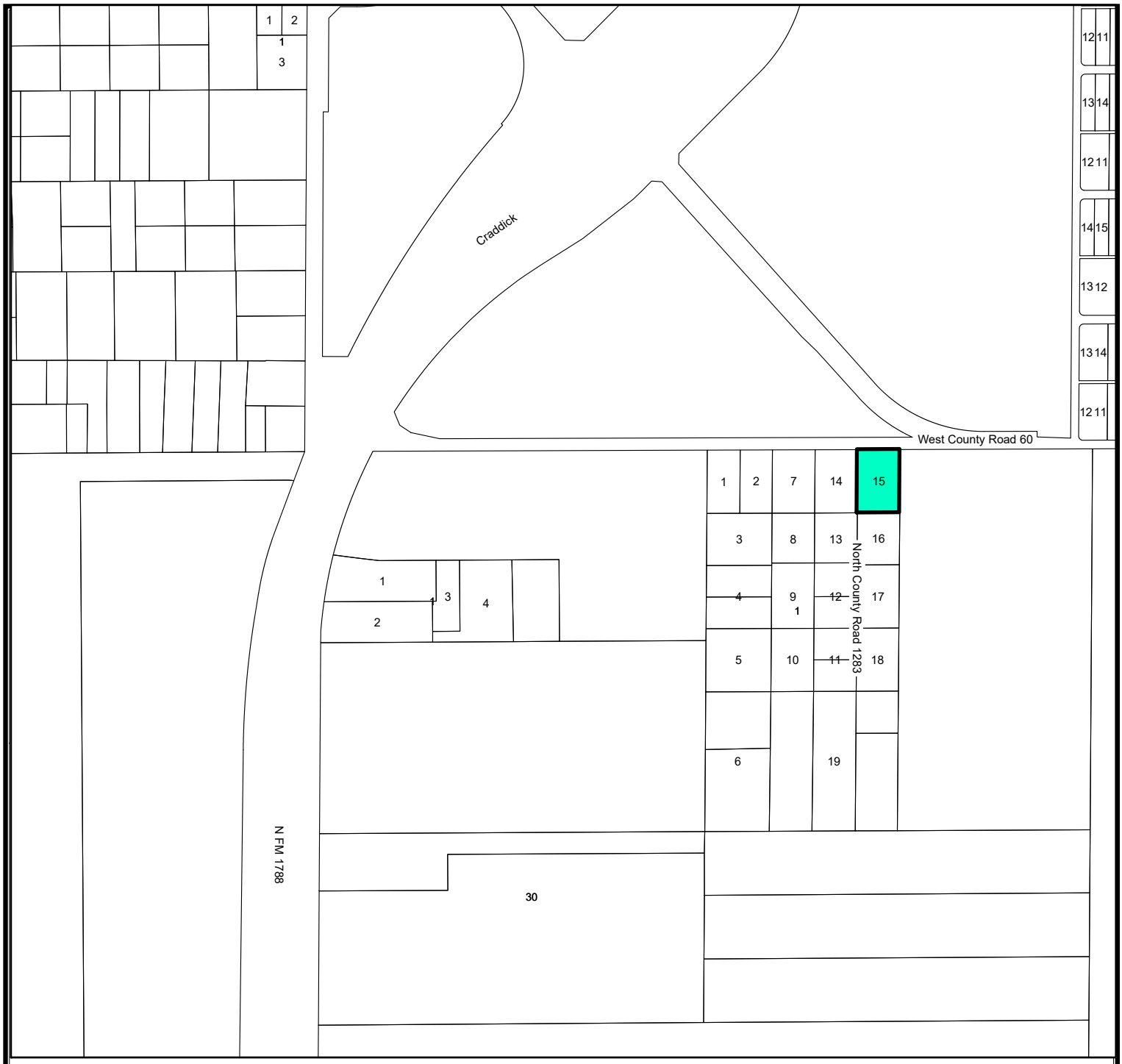
Subscribed and sworn to before me, this 28th day of February, 20 ~~19~~ 20, to certify which witness my hand and seal of office.

KEVIN STARNES
Notary ID 13061462-8
My Commission Expires
April 11, 2020

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 # 1394	☑ Tax Certificates	Check # 1393
Received By: ES		Date: MAR 05 2020



LOCATION MAP

SUB-19-0269

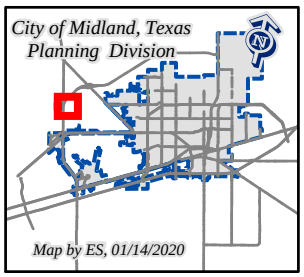
Scale: 1" = 600'

Proposed Plat of Sixtywest Ranch Estates, Section 2, being a Re-plat of Lot 15, Sixtywest Ranch Estates, Midland County Texas.

Generally located on the southeast corner of the intersection of North County Road 1283 and West County Road 60 (ETJ, Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Taslima Khandaker, Senior Planner**

SUBJECT: **Consider a proposed Preliminary Plat of Dyno Addition, being a 2-acre tract of land out of the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the north side of FM 307, approximately 805-feet east of S. County Road 1130. Extraterritorial Jurisdiction)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Skyline Civil Group, is proposing to plat a 2-acre tract of land out of the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas, into one (1) lot to obtain a septic permit.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

ROW: TXDOT comments - TxDOT comment, "We have been requesting that during replat/subdividing of the larger plat in this area to utilize shared access points to limit the number of access locations to help with safety and traffic operations.

These multiple requests have all contained the same message about our access management standards and need for shared access.

It looks like the biggest overall plat was in October 2017 (P-17-0182 Serapa Addition). Additional access will not be permitted until a master plan of development and access in accordance with our current access management standards are met. For this section the minimum access spacing is 425'.

PAVING: Farm to Market 307 road is TXDOT facility, built and maintained by TXDOT, no improvements required.

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

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

PRO RATA: NONE

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

DRAINAGE: **** Drainage study required. FEMA Firm data (zone, firm number, date) to be on plat face. If Drainage study exists, show compliance with approved drainage study by adding a note.

"Comply with the existing drainage analysis titled (Title Name) sealed by (Engineer Name), P.E. and approved by the City of Midland on (Date), or any revisions, corrections, amendments, or replacements of this drainage analysis that are approved by the City of Midland."

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required with building permit. However, subdivision located in county so request a deferral.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

TxDOT comment from sketch review, "We have been requesting that during replat/subdividing of the larger plat in this area to utilize shared access points to limit the number of access locations to help with safety and traffic operations.

These multiple requests have all contained the same message about our access management standards and need for shared access.

It looks like the biggest overall plat was in October 2017 (P-17-0182 Serapa Addition).

Additional access will not be permitted until a master plan of development and access in accordance with our current access management standards are met. For this section the minimum access spacing is 425'."

City comment - Add a note on the plat stating "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."

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

MIDLAND COUNTY:

Please see attached.

HEALTH:

Yes, the health department will review application from the 1 proposed lot of Dyno Addition, PLAT OF A 2 ACRE TRACT OF LAND WEST PART OF THE S/3 OF SECTION 47, BLOCK 38, T-1-S, T&P RR CO SURVEY MIDLAND CONTY TEXAS the lot is 2 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

PLANNING:

The property owner to the west of the plat boundary should be labeled as "Greenwood Retail Project, LLC".

Provide original Tax Certificate and Title Opinion at Final Plat stage.

Conditions:

A. That a drainage study is approved.

B. That all public improvements above are addressed.

C. That the technical items listed above are addressed.

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.

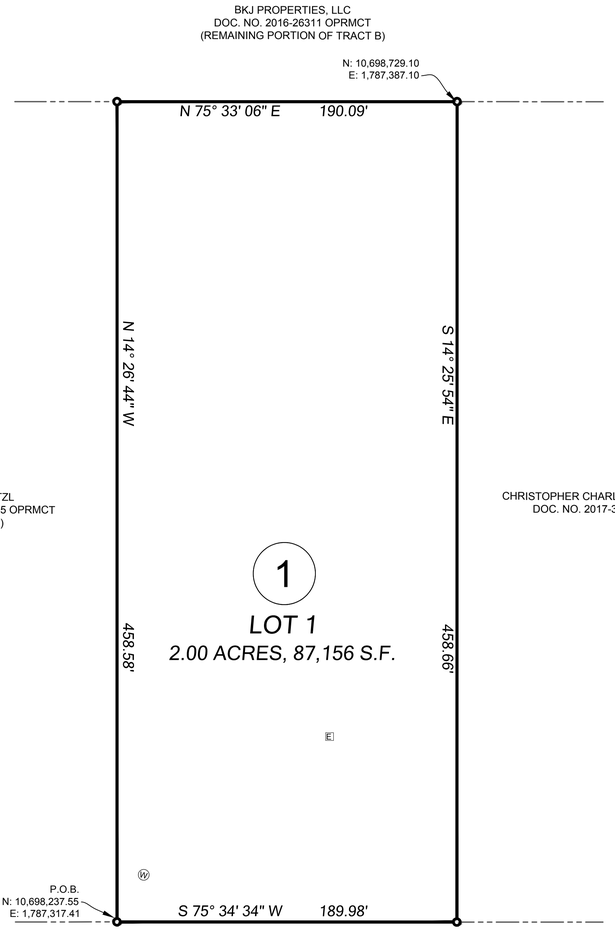
Attachments:

Proposed Preliminary Plat
Maps
Application
Midland County Comments

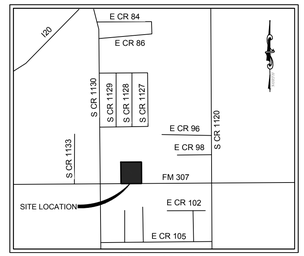
DYNO ADDITION

PRELIMINARY PLAT

A 2.00 ACRE TRACT OF LAND OUT OF THE WEST PART OF THE
S/3 OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR.
CO. SURVEY, MIDLAND COUNTY, TEXAS



FARM TO MARKET ROAD NO. 307 (100')
(ASPHALT SURFACE ROADWAY)



VICINITY MAP
N.T.S.

LEGEND

- FOUND 1/2" REBAR ROD WITH SURVEY CAP STAMPED BRADSHAW & ASSOC. (CONTROL MONUMENT)
- DENOTES UTILITY POWER POLE
- DENOTES GAS RISER
- DENOTES GAS METER
- DENOTES ELECTRIC METER
- DENOTES WATER METER
- DENOTES WATER VALVE
- DENOTES SEWER MANHOLE
- DENOTES LIGHTPOLE
- *STREET SIGN*
- *LANDSCAPED AREA*
- *BOLLARD*
- *TELEPHONE PEDESTAL*
- *DOWN GUY*
- *ASPHALT*
- DENOTES BOUNDARY LINE
- DENOTES ADJACENT LOT LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES FENCE LINE

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Dyno Kwik Lube, LP., is the record owner of a tract of land described as A 2.00 ACRE TRACT OF LAND REFERRED TO AS TRACT F, OUT OF A 124.77 ACRE TRACT OF LAND OUT OF THE SW/4 OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR.,CO. SURVEY, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Dyno Kwik Lube LP., being the owner of the land shown on this plat designated as DYNO ADDITION, an Addition to Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

_____day of _____, 2020.

_____
By: Jesse E. Ramos, President

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

_____ day of _____, 2020.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold , 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.

_____
Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

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

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, UNINCORPORATED AREA, COMMUNITY PANEL NO. 481239 0125 F AND BY MAP NUMBER 48329C0125F, DATED SEPTEMBER 16TH, 2009, THIS PROPERTY IS IN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

PROPERTY OWNER:
DYNO KWIK LUBE, LP
JESSE E. RAMOS, PRESIDENT
1300 RANKIN HIGHWAY
MIDLAND, MIDLAND COUNTY, TX 79701

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/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1986.*
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.*

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: _____

CERTIFICATE OF APPROVAL

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

the___ day of _____ 2020.

JOSH SPARKS
_____, CHAIRMAN

CRISTINA ODENBORG BURNS
_____, SECRETARY

Skyline CIVIL GROUP
Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-166 • Midland, Texas 79707
TX FIRM: 17171 • Tel: (432) 685-1226 • www.skylinecivilgroup.com

ARNOLD LAND SURVEYING & MAPPING
306 W. MAIN, EASTLAND, TX. 76448
OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

DYNO ADDITION

MIDLAND Planning Division

Preliminary Plat Application

Project Number: Sub-19-0304

Case Number: P-20-0821

Proposed Subdivision Plat Name: Drno Addition

Legal Description (attached sealed Metes and Bounds): Previously submitted.

Property Owner Printed Name: Jesse E. Ramos		Phone ( ) Email Previously Provided	
Address 1300 Rankin Hwy.	City Midland	State Tx	Zip 79701

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

Representative *(if acting as Agent, see affidavit on page 2)* Firm: Skyline Civil Group Printed Name: Stephen T. Marcum		Phone ( ) Email ↑ on file	
Address	City	State	Zip

Current Zoning: ETJ

Reason for Platting: Septic

Plat Information	Total Acreage: 2.00
Type: ☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☒ Extraterritorial Jurisdiction (ETJ)	
Number of Lots: 1	Number of Multi-Family Dwelling Units: N/A

Submittal and Fees

Items to be submitted with this application form:

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

RECEIVED MAR 11 2020

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): Jesse E. Ramos Date: 2-20-20

Property Owner (printed) : Jesse E. RAMOS

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 Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is authorized by Jesse E. Ramos, 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 11 day of March, 20 20, to certify which witness my hand and seal of office.

GORDON DAMAN Jr
Notary Public, State of Texas
Expires July 31, 2023
I.D.#12463569-9

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 # 5179

Received By: Date: 3/11/2020

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

LOCATION MAP

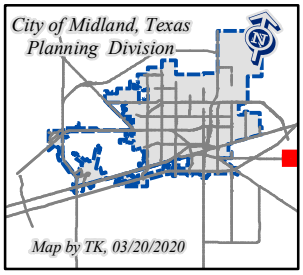
SUB-19-0304 **Scale: 1" = 200'**

Proposed plat of Dyno Addition, being a 2-acre tract of land out of the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the north side of FM 307, approximately 805-feet east of S. County Road 1130. (Extraterritorial Jurisdiction)

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.

March 18, 2020

City of Midland
Development Services
ATTN: Taslima Khandaker, Planner
300 N. Loraine Street
Midland, Texas 79702

RE: Preliminary Plat P-20-0821
Proposed Dyno Addition
(Sketch Plat P-19-0758 reviewed December 24, 2019)
Midland Appraisal District – portion of R000003091
http://iswdataclient.azurewebsites.net/webPropertyMap.aspx?dbkey=midlandcad&stype=name&sdata=BKJ&id=R000003091&time=201912241051022

Owner: Dyno Kwik Lube LP

Surveyor/Engineer: Skyline Civil Group LLC

Ms. Khandaker –
On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The 2.00-acre site is situated in a tract of land (noted above) located north of FM 301 east of S CR 1130. This property is located outside the city limits of the City of Midland. In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a sketch plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

The sketch plat has been reviewed for conformity with the adopted County Subdivision Regulations. The following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development:

Note: The comments that are struck-through are comments from the previous reviews of the sketch and preliminary plats which are addressed on this plat. The highlighted comments still need to be addressed.

https://www.co.midland.tx.us/documentcenter/view/2501

ARTICLE I PLATS

~~1. Coordinate with the County to confirm no duplication of names of features and/or improvements (Section 1.09)~~

2. Provide existing topography. (Section 1.15)

3. Provide proposed topography. (Section 1.16)

4. Provide a copy of all restrictions or restrictive convent, if applicable. (Section 1.18)
5. In addition, to the comments above, please add the following information on the with the preliminary/final plat:
    a. Provide executed owner's certificate with submittal of final plat. (Section 1.04)

ARTICLE III STREET CONSTRUCTION

Coordinate additional right-of-way dedication with County division of Roads and Bridges, as applicable.

ARTICLE IV ACCESS DRIVEWAYS TO COUNTY ROADS

Coordinate driveway permits with County Road and Bridge Department and TxDOT, as applicable.

https://www.co.midland.tx.us/Faq.aspx?QID=93

ARTICLE IX LOTS

1. Show the building setback lines on the face of the plat. (Section 9.2)
2. Lot does not conform to minimum lot size for a 2-acre lot. **Revise and resubmit.**

Note: Additional comments may apply with revised plat and/or lot configuration and/or size.

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,

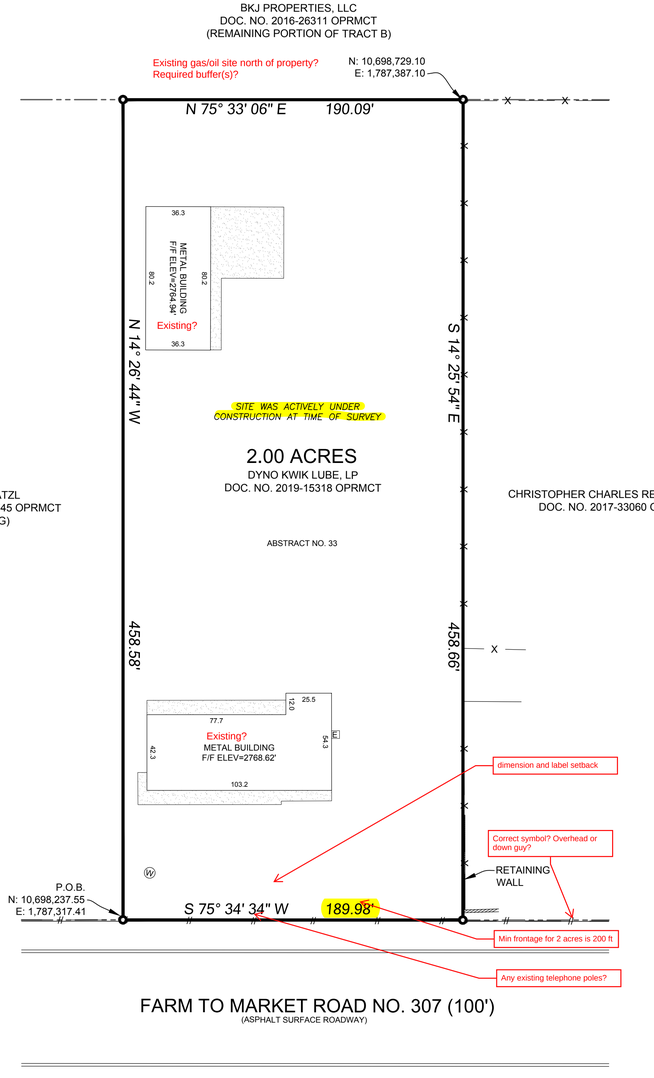
Jenifer Reiner AICP, CNU-A

Cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Jenny Hilton, Midland County

DYNO ADDITION

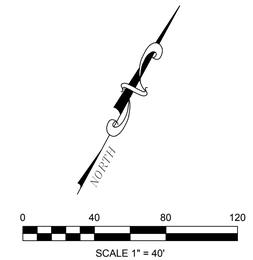
SKETCH PLAT

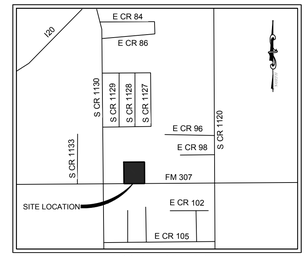
A 2.00 ACRE TRACT OF LAND REFERRED TO AS TRACT F,
OUT OF A 124.77 ACRE TRACT OF LAND OUT OF THE
SW/4 OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR.
CO. SURVEY, MIDLAND COUNTY, TEXAS



BECKY WATZL
DOC. NO. 2017-13745 OPRMCT
(TRACT G)

CHRISTOPHER CHARLES RENDON ET. UX.
DOC. NO. 2017-33060 OPRMCT





VICINITY MAP
N.T.S.

LEGEND

- FOUND 1/2" REBAR ROD WITH SURVEY CAP STAMPED BRADSHAW & ASSOC. (CONTROL MONUMENT)
- DENOTES UTILITY POWER POLE
- DENOTES LIGHTPOLE
- [R] DENOTES GAS RISER
- *STREET SIGN*
- [G] DENOTES GAS METER
- *LANDSCAPED AREA*
- [E] DENOTES ELECTRIC METER
- *BOLLARD*
- [W] DENOTES WATER METER
- *TELEPHONE PEDESTAL*
- [V] DENOTES WATER VALVE
- *DOWN GUY*
- [S] DENOTES SEWER MANHOLE
- *ASPHALT*
- DENOTES BOUNDARY LINE
- DENOTES ADJACENT LOT LINE
- EX OHE — DENOTES OVERHEAD ELECTRIC LINE
- X — X — X — X — DENOTES FENCE LINE

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Dyno Kwik Lube, LP., is the record owner of a tract of land described as A 2.00 ACRE TRACT OF LAND REFERRED TO AS TRACT F, OUT OF A 124.77 ACRE TRACT OF LAND OUT OF THE SW/4 OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR.,CO. SURVEY, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Dyno Kwik Lube LP., being the owner of the land shown on this plat designated as DYNO ADDITION, an Addition to Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

_____day of _____, 2019.

_____
By: Jesse E. Ramos, President

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

_____ day of _____, 2020.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold , 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.

_____
Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

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

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 HEREON ARE NAD83 (CORS96) LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND GPS BASE STATION.*

PROPERTY OWNER:
DYNO KWIK LUBE, LP
JESSE E. RAMOS, PRESIDENT
1300 RANKIN HIGHWAY
MIDLAND, MIDLAND COUNTY, TX 79701

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

_____
ATMOS ENERGY
BY: _____

_____
AT&T
BY: _____

_____
SUDDENLINK COMMUNICATION
BY: _____

Label name of property owner to south

_____
GRANDE COMMUNICATION
BY: _____

_____
ONCOR ELECTRIC DELIVERY
BY: _____

CERTIFICATE OF APPROVAL

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

the___ day of _____ 2019.

JOSH SPARKS
_____, CHAIRMAN

CRISTINA ODENBORG BURNS
_____, SECRETARY

Skyline CIVIL GROUP
Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-166 • Midland, Texas 79707
TX FIRM: 17171 • Tel: (432) 685-1226 • www.skylinecivilgroup.com

398 W. MAIN, EASTLAND, TX. 76448 ARNOLD LAND SURVEYING & MAPPING
OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

DYNO ADDITION

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST

ARTICLE I PLATS

- ✓ Plat required for any division into two (2) or more parts. (Section 1.01)
- ✓ Owners of property proposed to be subdivided must consult with the Planning Department at the City of Midland or the City of Odessa. (Section 1.02)
- ✓ Property within the City of Midland ETJ is subject to the plat requirements of the City of Midland or the City of Odessa, as applicable. (Section 1.02)
- ✓ City of Midland has jurisdiction for the approval of plats within its ETJ, unless waived. (Section 1.02)
- ✓ Plats shall meet the requirements of both the County of Midland and the City of Midland, where joint administration of platting authority occurs within the City ETJ. (Section 1.02)

Note: Executed Owner's Certificate (Section 1.04)

- Execute certificate for final plat.

- ✓ Plat must be prepared by an Engineer or Surveyor. (Section 1.05)
- ✓ Scale 1 in = 200 feet max. (Section 1.05)
- ✓ Sheet size 18" x 24" or 24" x 36". (Section 1.06)
- ✓ Key/Vicinity map. (Section 1.06)
- ✓ Notation or evidence that plat has been prepared from an actual survey on the ground. (Section 1.07)
- ✓ Boundary lines with bearings and distances. (Section 1.08)
- ✓ All block corners and angles in streets and alleys should be marked with a one-half inch steel pin approximately two (2) feet in length, or with a permanent marker. (Section 1.08)

Note: Label name of proposed subdivision, streets, parks, physical features (Section 1.09)

The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County Office of Emergency Management.

- Provide evidence with preliminary plat submittal of coordination with County.

- ✓ Show all existing permanent man-made structures. (Section 1.11)
- ✓ Label elevation of lowest floor for any proposed structure or substantially improved structures. (Section 1.12)
- ✓ Show the limits of the floodplain, as applicable. (Section 1.13)

NA Identify nonresidential structure(s) to be flood proofed, as applicable. (Section 1.14)

X Existing topography of the proposed subdivision in 2-foot contours. (Section 1.15)

- Provide this information with Preliminary Plat. Response letter may note if no change will be made to existing topography.

X **Proposed topography/grading in 2-foot contours. (Section 1.16)**

- Provide this information with Preliminary Plat. Response letter may note if no change will be made to existing topography.

✓ North arrow (Section 1.17)

✓ Scale (Section 1.17)

X **Copy of all restrictions or restrictive convent, as applicable. (Section 1.18)**

NA Development with private streets, drives, easements, recreation areas, and open spaces shall include the following note on the face of the plat. (Section 1.19)

"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."

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
- Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.

Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations, as approved on November 13, 2018 (https://midlandcountytx.swagit.com/play/11132018-1387, and the platting process outlined on the County website.

ARTICLE III STREET CONSTRUCTION

Note: Pavement and Construction standards available from County Roads and Bridges Administrator. (Sections 3.14 – 3.18)

ARTICLE IV ACCESS DRIVEWAYS TO COUNTY ROADS

Coordinate driveway permits with County Road and Bridge Department, as applicable.

https://www.co.midland.tx.us/Faq.aspx?QID=93

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST

ARTICLE IX LOTS

✓ The minimum lot size for subdivision of single-family dwellings utilizing individual on-site sewage facilities shall be one-acre (1.0) acre. (Section 9.1)

X **Building setback lines shall be fifty (50) feet from the edge of the right of way along all state or federal roads and highways.** (Section 9.2)

- Provide this information with Preliminary Plat.

X **The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats.** (Section 9.2)

- Provide this information with Preliminary Plat.

X **Lots shall have minimum road frontage as indicated by the following table (Section 9.3):**

- **Provide this information with Preliminary Plat.**

Lot Size	Minimum Frontage*
Less than one (1) acre or in cul-de-sac:	80 feet
Greater than or equal to one (1) acre but less than two (2) acres:	120 feet
Greater than or equal to two (2) acres but less than five (5) acres	**200 feet**

*Minimum cord length along a curve, and minimum frontage in cul-de-sacs shall be measured at the building line.

- If the alternative discussed above (private vs. County road) is selected, then confirm (dimension) that each proposed lot meets the minimum lot width above. Cul-de-sac lots meet lot width at front building setback:

✓ All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of the City or County, as applicable, and which has the required dedicated right of way. (Section 9.4)

ARTICLE XI ENFORCEMENT AND PENALTIES

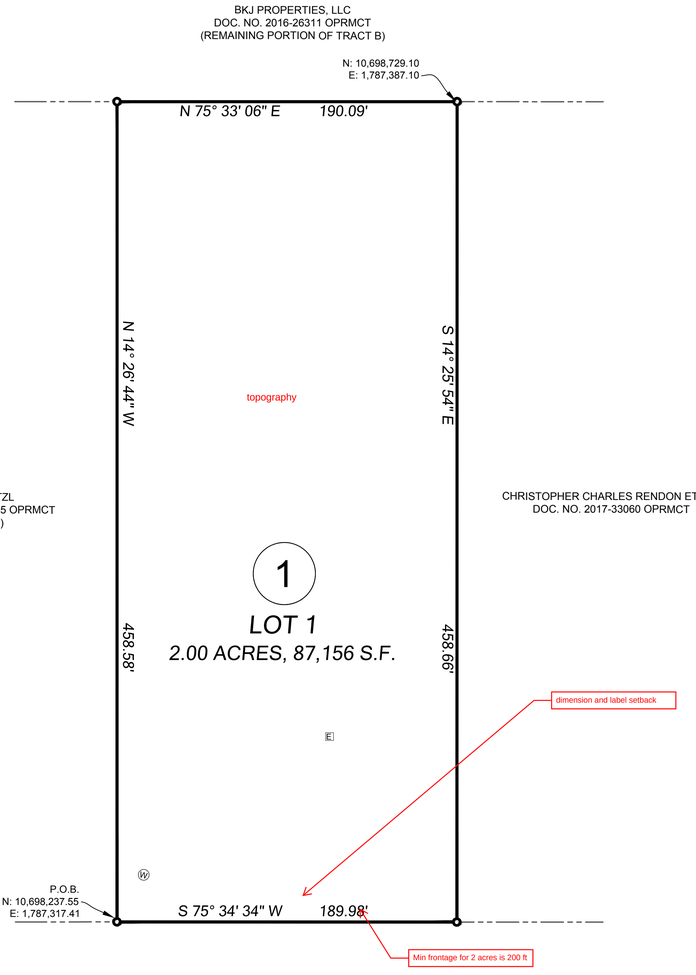
Please review this Article of the Midland County Subdivision Regulations available online at

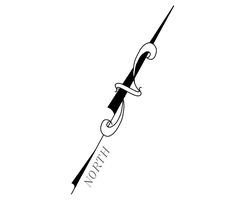
https://www.co.midland.tx.us/documentcenter/view/2501

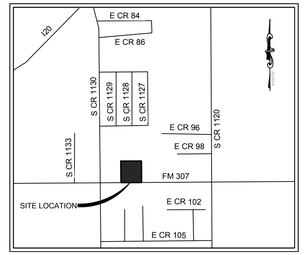
DYNO ADDITION

PRELIMINARY PLAT

A 2.00 ACRE TRACT OF LAND OUT OF THE WEST PART OF THE
S/3 OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR.
CO. SURVEY, MIDLAND COUNTY, TEXAS







VICINITY MAP
N.T.S.

LEGEND

- FOUND 1/2" REBAR ROD WITH SURVEY CAP STAMPED BRADSHAW & ASSOC. (CONTROL MONUMENT)
- DENOTES UTILITY POWER POLE
- DENOTES GAS RISER
- DENOTES GAS METER
- DENOTES ELECTRIC METER
- DENOTES WATER METER
- DENOTES WATER VALVE
- DENOTES SEWER MANHOLE
- DENOTES LIGHTPOLE
- *STREET SIGN*
- *LANDSCAPED AREA*
- *BOLLARD*
- *TELEPHONE PEDESTAL*
- *DOWN GUY*
- *ASPHALT*
- DENOTES BOUNDARY LINE
- DENOTES ADJACENT LOT LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES FENCE LINE

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Dyno Kwik Lube, LP., is the record owner of a tract of land described as A 2.00 ACRE TRACT OF LAND REFERRED TO AS TRACT F, OUT OF A 124.77 ACRE TRACT OF LAND OUT OF THE SW/4 OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR.,CO. SURVEY, MIDLAND COUNTY, TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Dyno Kwik Lube LP., being the owner of the land shown on this plat designated as DYNO ADDITION, an Addition to Midland County, Texas and whose name is subscribed hereto, do hereby dedicate to the public use forever the streets, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

_____day of _____, 2020.

_____
By: Jesse E. Ramos, President

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

_____ day of _____, 2020.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold , 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.

_____
Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

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

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, UNINCORPORATED AREA, COMMUNITY PANEL NO. 481239 0125 F AND BY MAP NUMBER 48329C0125F, DATED SEPTEMBER 16TH, 2005, THIS PROPERTY IS IN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

PROPERTY OWNER:
DYNO KWIK LUBE, LP
JESSE E. RAMOS, PRESIDENT
1300 RANKIN HIGHWAY
MIDLAND, MIDLAND COUNTY, TX 79701

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/COORDINATES TO THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1986.*
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.*

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: _____

CERTIFICATE OF APPROVAL

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

the___ day of _____ 2020.

JOSH SPARKS
_____, CHAIRMAN

CRISTINA ODENBORG BURNS
_____, SECRETARY

Skyline CIVIL GROUP
Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-166 • Midland, Texas 79707
TX FIRM: 17171 • Tel: (432) 685-1226 • www.skylinecivilgroup.com

398 W. MAIN, EASTLAND, TX. 76448
ARNOLD LAND SURVEYING & MAPPING
OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

DYNO ADDITION

Planning and Zoning Commission

MEETING DATE: **April 6, 2020**

TO: **Planning and Zoning Commission**

FROM: **Taslima Khandaker, Senior Planner**

SUBJECT: **Consider a proposed Final Plat of East Midland Addition, Section 21, being a replat of the south half of Block 55, and a previously vacated 0.128-acre portion of N. Adams Street right-of-way adjacent to said property, all out of East Midland Addition, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Garden Lane and N. Jackson Street. Council District 2)**

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

MH, Mobile Home District.

Preliminary Plat Approval:

The applicant, Schumann Engineering Co. Inc., is proposing to replat 1601 Garden Lane and a previously vacated 0.128-acre portion of N. Adamas Street right-of-way into six (6) lots for future development. The Preliminary Plat was approved on the January 21, 2020 Planning and Zoning Commission Meeting.

Final Plat Requirements:

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

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

Below are the departments' comments.

Building Code: (Approved)

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

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.

Engineering: (Approved)

IMPACT FEES: Impact Fee statement provided.

ROW: ROW okay as shown.

PAVING: Jackson and Garden are constructed to City standards. No public paving improvements required.

WATER: 4" Water existing in Garden. 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" Sewer existing in the alley to the North of the site. No public wastewater improvements required.

DRAINAGE: No Drainage Study Required.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with on Jackson Street with building permit. ADA ramps required at intersection.

DIMENSION: * * *

OTHER: * * *

Fire: (Approved)

No additional comments.

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.

Planning:

The residential replat was approved on the January 21, 2020 Planning and Zoning meeting.

Staff recommends approval subject to Condition A.

Conditions:

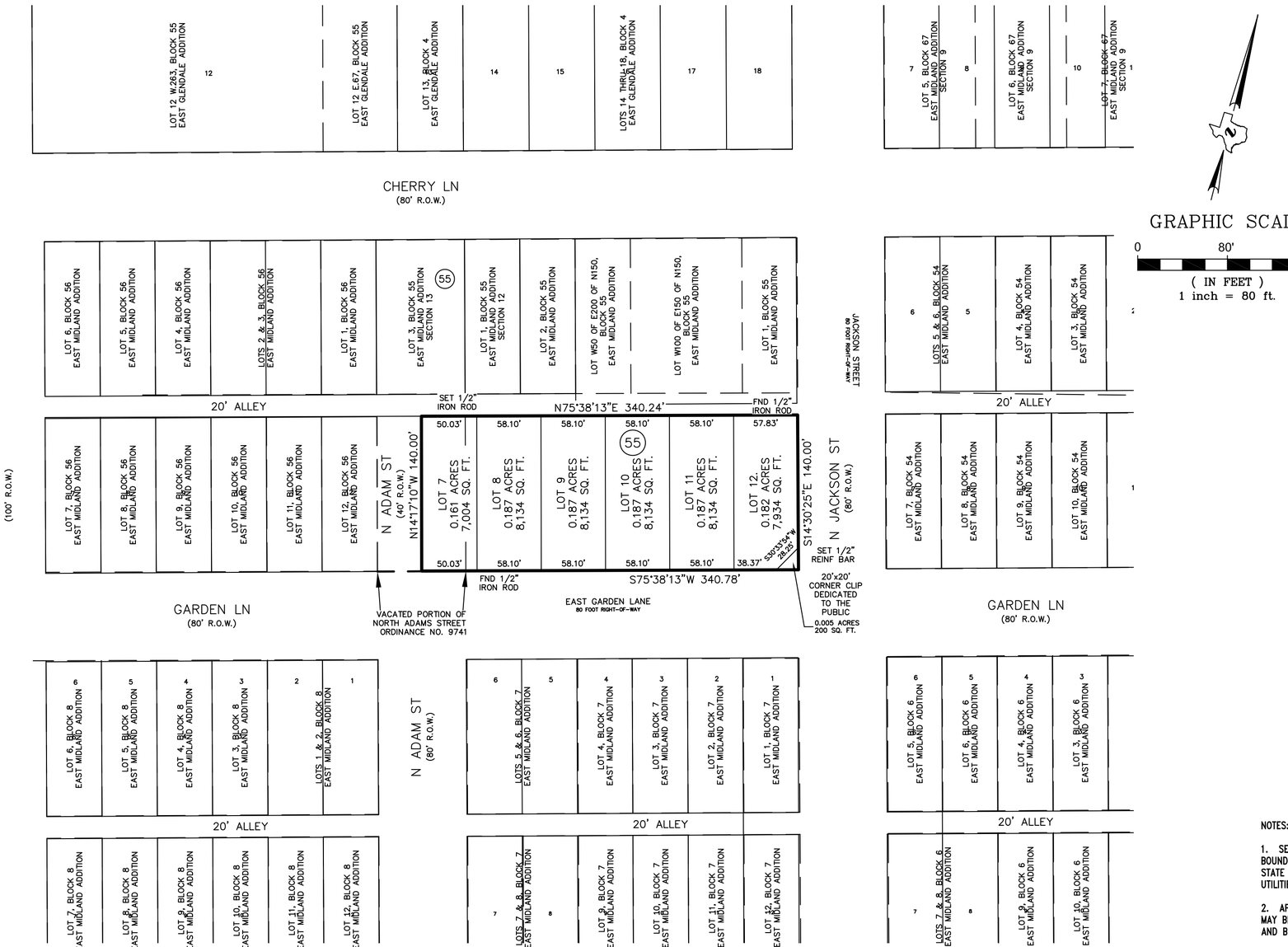
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

EAST MIDLAND ADDITION, SECTION 21

A REPLAT OF THE SOUTH HALF OF BLOCK 55, AND A PREVIOUSLY VACATED 0.128-ACRE PORTION OF N. ADAMS STREET RIGHT OF WAY ADJACENT TO SAID PROPERTY, EAST MIDLAND ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS



GRAPHIC SCALE

0 80' 160'

(IN FEET)
1 inch = 80 ft.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN THE SOUTH HALF OF BLOCK 55 AND THE EAST 40.03 FEET OF NORTH ADAMS STREET BETWEEN BLOCK 55 AND 56, ALL IN EAST MIDLAND ADDITION, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS EAST MIDLAND ADDITION, SECTION 21, 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_____.

_____. _____

GEORGE LARA GEORGE LARA II

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20_____, GEORGE LARA.

_____.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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.

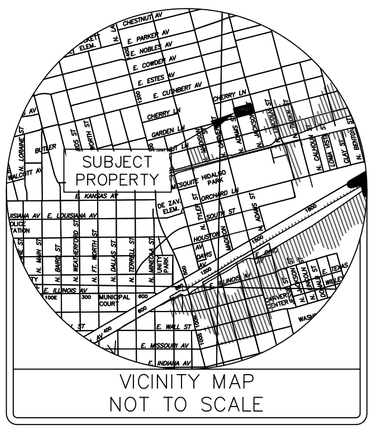
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THESE LOTS MAY BE DEVELOPED AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.

3. BEARINGS, DISTANCES AND COORDINATES CONFORM TO THE "TEXAS STATE PLANE COORDINATE SYSTEM" TEXAS CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.

4. ORDINANCE NO. 9741 IS THE VACATED PORTION OF NORTH ADAMS STREET IS LOCATED TO THE WEST OF THE PROPERTY.

5. THE INSTALLATION OF PUBLIC IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS: (1) THE 0.976 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN ONE TRACT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

6. 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.



SYMBOLS LEGEND

- PROPERTY CORNER
- POWER POLE
- OHE OVERHEAD ELECTRIC
- GM GAS METER
- WIRE FENCE
- RETIRED BREAKER BOX
- PROPERTY LINE
- G GAS RISER
- W WATER WELL
- LOT LINES
- TELEPHONE PEDESTAL
- S SEWER MANHOLE

OWNER:

GEORGE LARA SR.
& GEORGE LARA II
1601 GARDEN LANE
MIDLAND TX 79701
(432) 770-1763

CERTIFICATE OF APPROVAL

FOR APPROVAL BY THE COMMISSION:

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF EAST MIDLAND ADDITION, SECTION 21, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS DAY OF _____, 20_____.

SIGNED: _____.
CHAIRMAN JOSH SPARKS

ATTEST: _____.
SECRETARY CRISTINA ODENBORG BURNS

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20_____, GEORGE LARA, II.

_____.

NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

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

STATE OF TEXAS REGISTERED RJ DAUM 4826 PROFESSIONAL LAND SURVEYOR

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

NO.	DATE	DESCRIPTION	BY

DRAWN BY: KDS/AAC DATE: 9/5/19
CHECKED BY: RJD DRAWING NO.: 76,926
JOB NO.: 76926 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

EAST MIDLAND ADDITION, SECTION 21

MIDLAND
Planning Division

Final Plat Application

Project Number: SUB-19-0285
Case Number: P-20-0817

Proposed Subdivision Plat Name: **East Midland Addition Section ~~1~~ 21**

Legal Description (attached sealed Metes and Bounds): **Being A re-plat of a 1.096 acre tract, all of the S/2 of block 55 and East 40.03 feet of North Adams Street, between block 55, all in East Midland Addition, Midland County, Texas.**

Property Owner Printed Name: **George Lara**		Phone **(432) 770-1763** Email: **georgelarasr@gmail.com**	
Address **1601 Garden Lane**	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: **Schumann Engineering** Printed Name: **Eduardo L. Aleman**		Phone **(432) 624-5548** Email **ealeman@schumannonline.net**	
Address **800 N. Marienfeld Suite 100**	City **Midland**	State **TX**	Zip **79701**

Current Zoning:

Reason for Platting: **To divide into 6 tract and to include 40 ft ROW from Adams Street**

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

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

Items to be submitted with this application form:

- 2 FOLDED Copies of Dimensioned Plat
- 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
MAR 0 5 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
- ☐ 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): George L Sa Date: 12-11-19

Property Owner (printed) : George Lara SR

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 George Lara, 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 11th day of December, 2019, to certify which witness my hand and seal of office.

Kevin Starnes
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

NOTARY PUBLIC STATE OF TEXAS
KEVIN STARNES
Notary ID 13061462-8
My Commission Expires
April 11, 2020

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 # 1359	☑ Tax Certificates	Check # 1360
Received By:		Date: 315/20

Mylar Reproductions

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

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

Recording Fee (Payable to 'Midland County Clerk')

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

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

Property Owner (signature):	Date: 12-11-19
Property Owner (printed) : George Lara II	

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.

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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 Heman who, being by me duly sworn, upon oath says: That (s)he is authorized by George Lara II, 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. Heman
Authorized Agent *(signature)*

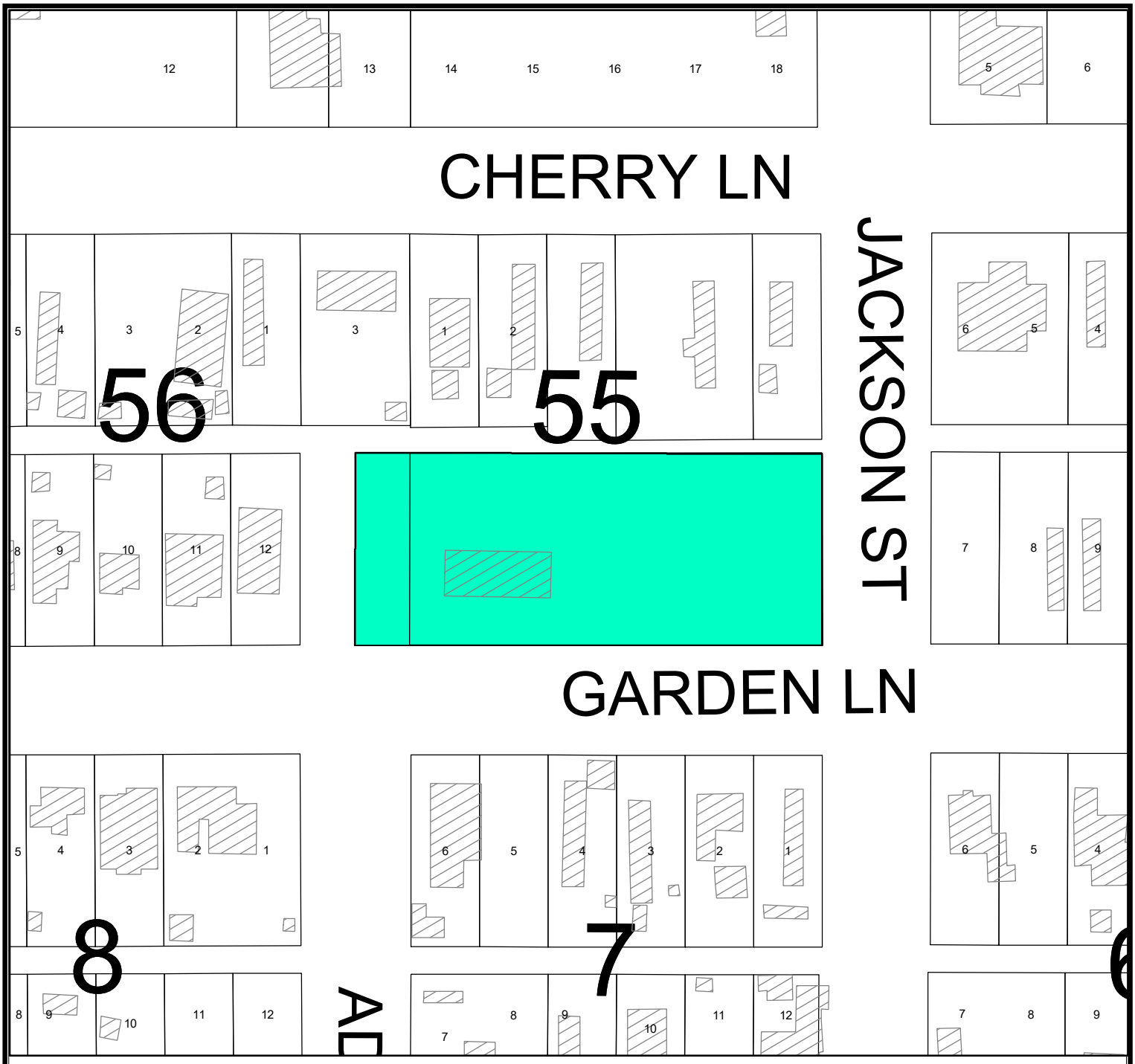
Subscribed and sworn to before me, this 11th day of December, 2019, to certify which witness my hand and seal of office.

KEVIN STARNES
Notary ID 13061462-8
My Commission Expires
April 11, 2020

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 # 1360
Received By:		Date:



LOCATION MAP

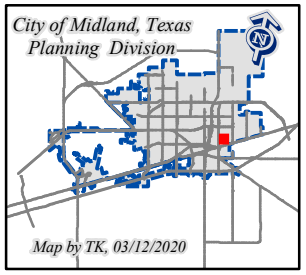
SUB-19-0285 **Scale: 1" = 200'**

Proposed plat of East Midland Addition, Section 21, being a replat of the south half of Block 55, and a previously vacated 0.128-acre portion of N. Adams Street right-of-way adjacent to said property, all out of East Midland Addition, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Garden Lane and N. Jackson Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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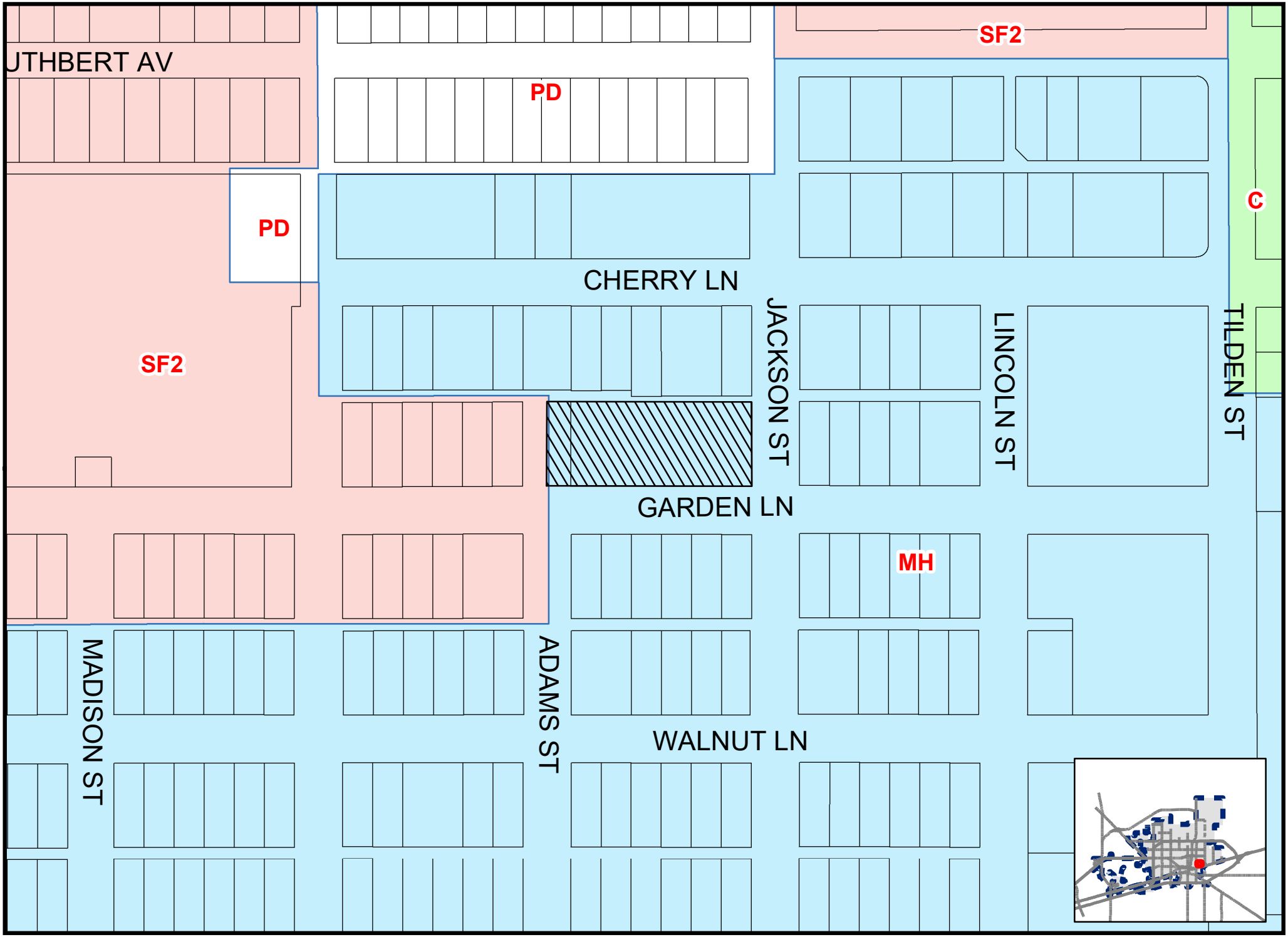

Map By TK, 12/21/2019

SUB-19-0285

Scale: 1" = 200'

ZONING MAP

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Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Taslima Khandaker, Senior Planner**

SUBJECT: **Consider a proposed Preliminary Plat of Greenwood Retail Addition, being a 4-acre tract of land located in the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of S. County Road 1130, approximately 422-feet north of Farm to Market Road 307. Extraterritorial Jurisdiction)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Skyline Civil Group, is proposing to plat a 4-acre tract of land located in the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas, to obtain a septic permit.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

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

BUILDING CODE: (Approved)

ETJ, no jurisdiction.

SURVEYOR: (Approved)

No comments.

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Note has been added to the face of the plat.

ROW: ROW is fine as shown.

PAVING: SCR 1130 road is sub-standard, construct to City Standards for entire platted frontage or request a deferral. FM 307 roadway okay as is. (If existing paved street with curb and gutter). No public paving improvements required.

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

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 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: None existing. Construct wastewater to City standards along entire platted frontage or request a deferral.

DRAINAGE: Drainage Study Required. FEMA Firm data to be on plat face.

EASEMENTS: Show existing and proposed.

SIDEWALKS: Required at building permit. If located in county request a deferral.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved with Conditions)

TxDOT comment, "We have been requesting that during replat/subdividing of the larger plat in this area to utilize shared access points to limit the number of access locations to help with safety and traffic operations.

These multiple requests have all contained the same message about our access management standards and need for shared access.

It looks like the biggest overall plat was in October 2017 (P-17-0182 Serapa Addition).

Additional access will not be permitted until a master plan of development and access in accordance with our current access management standards are met. For this section the minimum access spacing is 425'."

FIRE: (Approved)

No comments.

CODE COMPLIANCE: (Approved)

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

HEALTH:

Yes, the health department will review applications from the 1 proposed lots of Greenwood Retail Addition, 4 ACRE TRACT OF LAND OUT OF THE WEST OF THE S/3 OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY the lot is 4-acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

MIDLAND COUNTY:

Please see attached.

Also, if the applicant plans on connecting to SCR 1130, they will need a driveway permit.

PLANNING:

Provide Owner's name and address on plat. Must match City records and the Midland Central Appraisal District Records. MCAD records show the following owners:

SB III Investments LLC PO Box 10019 Midland, TX 79702	Hogan John D 2309 S. County RD 1087 Midland, TX 79706

Remove "W.D. Watts Survey, A-730 of Section 2, Block 38, T-2-S, T&P RR CO Survey" from the plat face, located south of the plat boundary.
Reword Note #3 to: "Barings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983".

The Owner's Certificate block has the plat labeled as Paul Avy Addition, Section 47. Change this to "Greenwood Retail Addition".

Provide Title Opinion and Tax Certificate at the Final Plat stage.

Conditions:

A. That a drainage study is approved.

B. That all public improvements above are addressed.

C. That the technical items listed above are addressed.

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.

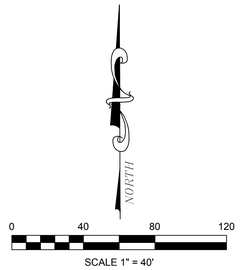
Attachments:

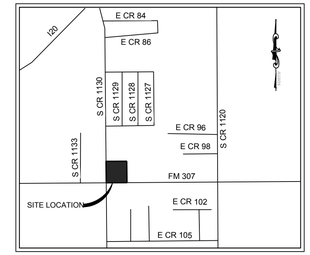
Proposed Preliminary Plat
Maps
Application
Midland County Comments

GREENWOOD RETAIL ADDITION

PRELIMINARY PLAT

A 4.00 ACRE TRACT OF LAND OUT OF THE WEST PART OF THE S/3,
OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY,
MIDLAND COUNTY, TEXAS



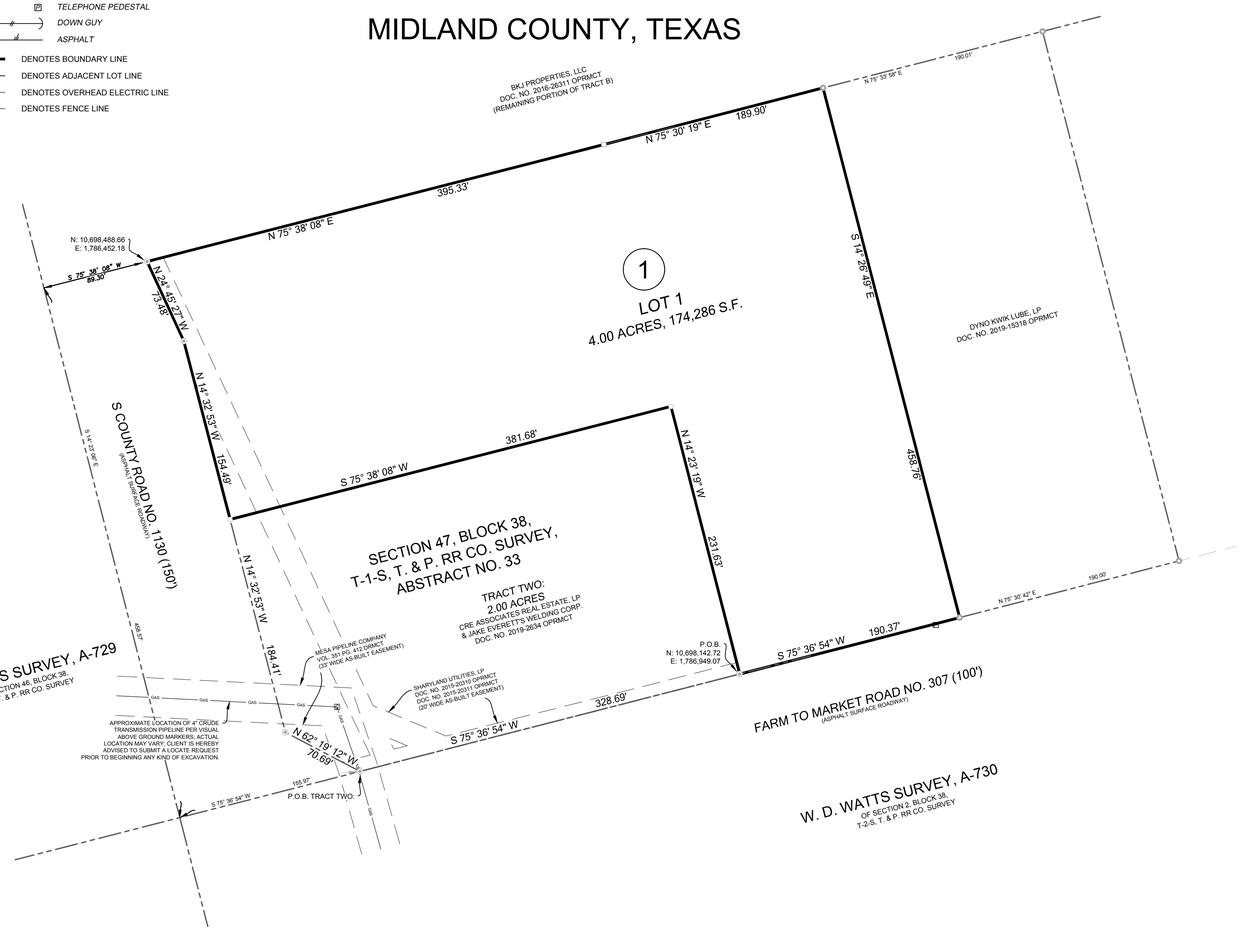


VICINITY MAP
N.T.S.

LEGEND

- DENOTES FOUND BRASS RIGHT OF WAY MONUMENT (CONTROL MONUMENT)
- DENOTES FOUND 1/2" REBAR ROD (CONTROL MONUMENT); UNLESS OTHERWISE NOTED HEREON PLAT
- DENOTES SET 1/2" REBAR ROD WITH SURVEY CAP STAMPED A.L.S. 6224; UNLESS OTHERWISE NOTED HEREON PLAT
- DENOTES UTILITY POWER POLE
- DENOTES GAS RISER
- DENOTES GAS METER
- DENOTES ELECTRIC METER
- DENOTES WATER METER
- DENOTES WATER VALVE
- DENOTES SEWER MANHOLE
- DENOTES LIGHTPOLE
- *STREET SIGN*
- *LANDSCAPED AREA*
- *BOLLARD*
- *TELEPHONE PEDESTAL*
- *DOWN GUY*
- *ASPHALT*
- DENOTES BOUNDARY LINE
- DENOTES ADJACENT LOT LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES FENCE LINE

MIDLAND COUNTY, TEXAS



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS CRE Associates Real Estate, LP. and Jake Everett's Welding Corp. , is the record owner of a tract of land described as A 4.00 ACRE TRACT OF LAND OUT OF AND PART OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR., CO. SURVEY, MIDLAND COUNTY TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That CRE Associates Real Estate, LP., Jake Everett's Welding Corp., & Becky Watz , being the owner of the land shown on this plat designated as PAUL AVY ADDITION, SECTION 47, 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, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

_____day of _____, 2020.

_____
By: Paul Ary, President (CRE)

_____day of _____, 2020.

_____
By: Ericka Ary Secretary (Jake)

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 John Doe , known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

_____ day of _____, 2020.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold , 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.

_____
Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

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

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, UNINCORPORATED AREA, COMMUNITY PANEL NO. 481239 0125 F AND BY MAP NUMBER 48329C0125F, DATED SEPTEMBER 16TH, 2005, THIS PROPERTY IS IN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

PROPERTY OWNER:
CRE ASSOCIATES REAL ESTATE, LP
AND JAKE EVERETT'S WELDING CORP.
PAUL ARY, PRESIDENT (CRE)
ERICKA ARY, SECRETARY (JAKE)
5 SAN MIGUEL SQAURE
ODDESS, TEXAS 79762

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 HEREON ARE NAD83 (CORS96), LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND GPS BASE STATION.*
4. *INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIOMAL 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'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: _____

CERTIFICATE OF APPROVAL

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

the ___ day of _____ 2020.

JOSH SPARKS

_____, CHAIRMAN

CRISTINA ODENBORG BURNS

_____, SECRETARY

Skyline CIVIL GROUP
Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-166 • Midland, Texas 79707
TX FIRM: 17171 • Tel: (432) 685-1226 • www.skylinecivilgroup.com

1918 E. ARNOLD LAND SURVEYING & MAPPING W. MAIN EASTLAND, TX. 76448
OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

GREENWOOD RETAIL ADDITION

MIDLAND
Planning Division

Preliminary Plat Application

Project Number: Sub-19-0303

Case Number: P-20-0812

Proposed Subdivision Plat Name: Greenwood Retail Addn.

Legal Description (attached sealed Metes and Bounds): Previously provided

Property Owner Printed Name: Paul Ary			Phone ( ) Email
Address: Previously Provided	City	State	Zip

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

Representative *(if acting as Agent, see affidavit on page 2)* Firm: Skyline Civil Group Printed Name: Stephen T. Mercum			Phone ( ) Email
Address: on file	City	State	Zip

Current Zoning: ~~Septics~~ N/A - ETJ

Reason for Platting: Septic

Plat Information	Total Acreage: 4.00
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'

RECEIVED
MAR 11 2020
BY: .....

Request for a Development Agreement

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

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

Provisions

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

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

Property Owner (signature): _____ Date: 2/10/2020

Property Owner (printed) : Paul Ary

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 Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is authorized by Paul Ary, 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 11 day of March, 2020, to certify which witness my hand and seal of office.

GORDON DAMAN Jr
Notary Public, State of Texas
Expires July 31, 2023
I.D.#12463569-9

_____
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 # 5180

Received By: _____ Date: 3/11/2020

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

LOCATION MAP

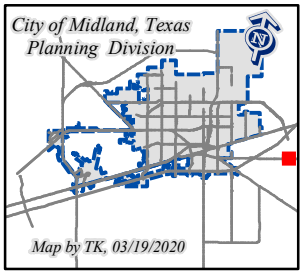
SUB-19-0303 **Scale: 1" = 200'**

Proposed plat of Greenwood Retail Addition, being a 4-acre tract of land located in the west part of the S/3 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.

Generally located on the east side of S. County Road 1130, approximately 422-feet north of Farm to Market Road 307. Extraterritorial Jurisdiction

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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March 18, 2020

City of Midland
Development Services
ATTN: Taslima Khandaker, Planner
300 N. Loraine Street
Midland, Texas 79702

RE: Preliminary Plat P-20-0822
Proposed Greenwood Retail Addition
(Sketch Plat P-19-0757 reviewed on December 24, 2019)
Midland Appraisal District – portion of R000003091
http://iswdataclient.azurewebsites.net/webPropertyMap.aspx?dbkey=midlandcad&stype=name&sdata=BKJ&id=R000003091&time=201912241051022

Owners:	CRE Associates Real Estate, LP
	Jake Everett's Welding Corp
	Becky Watzl
Surveyor/Engineer:	Skyline Civil Group LLC

Ms. Khandaker –
On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The 4.00-acre site is situated in a tract of land (noted above) generally located at the northwest corner of the intersection of FM 301 east of S CR 1130. Comprised of two (2) 2-acre lots, this property is located outside the city limits of the City of Midland. In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a preliminary plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

The preliminary plat has been reviewed for conformity with the adopted County Subdivision Regulations. The following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development:

Only 1 review comments from the Sketch Plat have been addressed. Resubmit Preliminary Plat. I have attached the marked up preliminary plat for reference.

ARTICLE I PLATS

1. Coordinate with the County to confirm no duplication of names of features and/or improvements (Section 1.09)
2. Provide existing topography. (Section 1.15)
3. Provide proposed topography. (Section 1.16)

4. Provide a copy of all restrictions or restrictive convent, if applicable. (Section 1.18)
5. In addition, to the comments above, please add the following information on the with the preliminary/final plat:
    a. Provide executed owner's certificate with submittal of final plat. (Section 1.04)

ARTICLE III STREET CONSTRUCTION

Coordinate additional right-of-way dedication with County division of Roads and Bridges, as applicable.

ARTICLE IV ACCESS DRIVEWAYS TO COUNTY ROADS

Coordinate driveway permits with County Road and Bridge Department and TxDOT, as applicable.

https://www.co.midland.tx.us/Faq.aspx?QID=93

ARTICLE IX LOTS

1. Show the building setback lines on the face of the plat. (Section 9.2)
2. ~~Lot 1 does not conform to minimum lot size for a 2-acre lot. Revise accordingly.~~

Note: Additional comments may apply with revised plat and/or lot configuration and/or size.

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,

Jenifer Reiner AICP, CNU-A

Cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Jenny Hilton, Midland County

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST

ARTICLE I PLATS

- ✓ Plat required for any division into two (2) or more parts. (Section 1.01)
- ✓ Owners of property proposed to be subdivided must consult with the Planning Department at the City of Midland or the City of Odessa. (Section 1.02)
- ✓ Property within the City of Midland ETJ is subject to the plat requirements of the City of Midland or the City of Odessa, as applicable. (Section 1.02)
- ✓ City of Midland has jurisdiction for the approval of plats within its ETJ, unless waived. (Section 1.02)
- ✓ Plats shall meet the requirements of both the County of Midland and the City of Midland, where joint administration of platting authority occurs within the City ETJ. (Section 1.02)

Note: Executed Owner's Certificate (Section 1.04)

- o Execute certificate for final plat.

- ✓ Plat must be prepared by an Engineer or Surveyor. (Section 1.05)
- ✓ Scale 1 in = 200 feet max. (Section 1.05)
- ✓ Sheet size 18" x 24" or 24" x 36". (Section 1.06)
- ✓ Key/Vicinity map. (Section 1.06)
- ✓ Notation or evidence that plat has been prepared from an actual survey on the ground. (Section 1.07)
- ✓ Boundary lines with bearings and distances. (Section 1.08)
- ✓ All block corners and angles in streets and alleys should be marked with a one-half inch steel pin approximately two (2) feet in length, or with a permanent marker. (Section 1.08)

Note: Label name of proposed subdivision, streets, parks, physical features (Section 1.09)

The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County Office of Emergency Management.

- o Provide evidence with preliminary plat submittal of coordination with County.

- ✓ Show all existing permanent man-made structures. (Section 1.11)
- ✓ Label elevation of lowest floor for any proposed structure or substantially improved structures. (Section 1.12)
- ✓ Show the limits of the floodplain, as applicable. (Section 1.13)

NA Identify nonresidential structure(s) to be flood proofed, as applicable. (Section 1.14)

X Existing topography of the proposed subdivision in 2-foot contours. (Section 1.15)

- o Provide this information with Preliminary Plat. Response letter may note if no change will be made to existing topography.

X **Proposed topography/grading in 2-foot contours. (Section 1.16)**

- Provide this information with Preliminary Plat. Response letter may note if no change will be made to existing topography.

✓ North arrow (Section 1.17)

✓ Scale (Section 1.17)

X **Copy of all restrictions or restrictive convent, as applicable. (Section 1.18)**

NA Development with private streets, drives, easements, recreation areas, and open spaces shall include the following note on the face of the plat. (Section 1.19)

"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."

- Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).
- Alternative: Approval of plat by both the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.

Additional information regarding required authorization of plats and plan by Commissioners Court is available in Article VIII of the Midland County Subdivision Regulations, as approved on November 13, 2018 (https://midlandcountytx.swagit.com/play/11132018-1387, and the platting process outlined on the County website.

ARTICLE III STREET CONSTRUCTION

Coordinate additional right-of-way dedication with County division of Roads and Bridges at time of additional development for each lot.

Pavement and Construction standards available from County Roads and Bridges Administrator. (Sections 3.14 – 3.18)

ARTICLE IV ACCESS DRIVEWAYS TO COUNTY ROADS

Coordinate driveway permits with County Road and Bridge Department, as applicable.

https://www.co.midland.tx.us/Faq.aspx?QID=93

ATTACHMENT A
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST

ARTICLE IX LOTS

✓ The minimum lot size for subdivision of single-family dwellings utilizing individual on-site sewage facilities shall be one-acre (1.0) acre. (Section 9.1)

X **Building setback lines shall be fifty (50) feet from the edge of the right of way along all state or federal roads and highways.** (Section 9.2)

- Provide this information with Preliminary Plat.

X **The building setback lines from all other streets and roads shall be twenty-five (25) feet. Building setback lines shall be shown on the Preliminary and Final Plats.** (Section 9.2)

- Provide this information with Preliminary Plat.

X **Lots shall have minimum road frontage as indicated by the following table (Section 9.3):**

- **Provide this information with Preliminary Plat.**

Lot Size	Minimum Frontage*
Less than one (1) acre or in cul-de-sac:	80 feet
Greater than or equal to one (1) acre but less than two (2) acres:	120 feet
Greater than or equal to two (2) acres but less than five (5) acres	**200 feet**

*Minimum cord length along a curve, and minimum frontage in cul-de-sacs shall be measured at the building line.

- If the alternative discussed above (private vs. County road) is selected, then confirm (dimension) that each proposed lot meets the minimum lot width above. Cul-de-sac lots meet lot width at front building setback:

✓ All lots shall abut and have direct access to a County street or road or abut and have direct access to a private or public road that has been constructed to the current construction standards of the City or County, as applicable, and which has the required dedicated right of way. (Section 9.4)

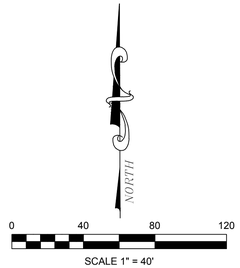
ARTICLE XI ENFORCEMENT AND PENALTIES

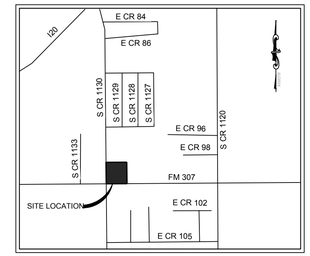
Please review this Article of the Midland County Subdivision Regulations available online at https://www.co.midland.tx.us/documentcenter/view/2501

GREENWOOD RETAIL ADDITION

SKETCH PLAT

TWO 2.00 ACRE TRACTS OF LAND OUT OF AND PART OF
SECTION 47, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY,
MIDLAND COUNTY, TEXAS





VICINITY MAP
N.T.S.

LEGEND

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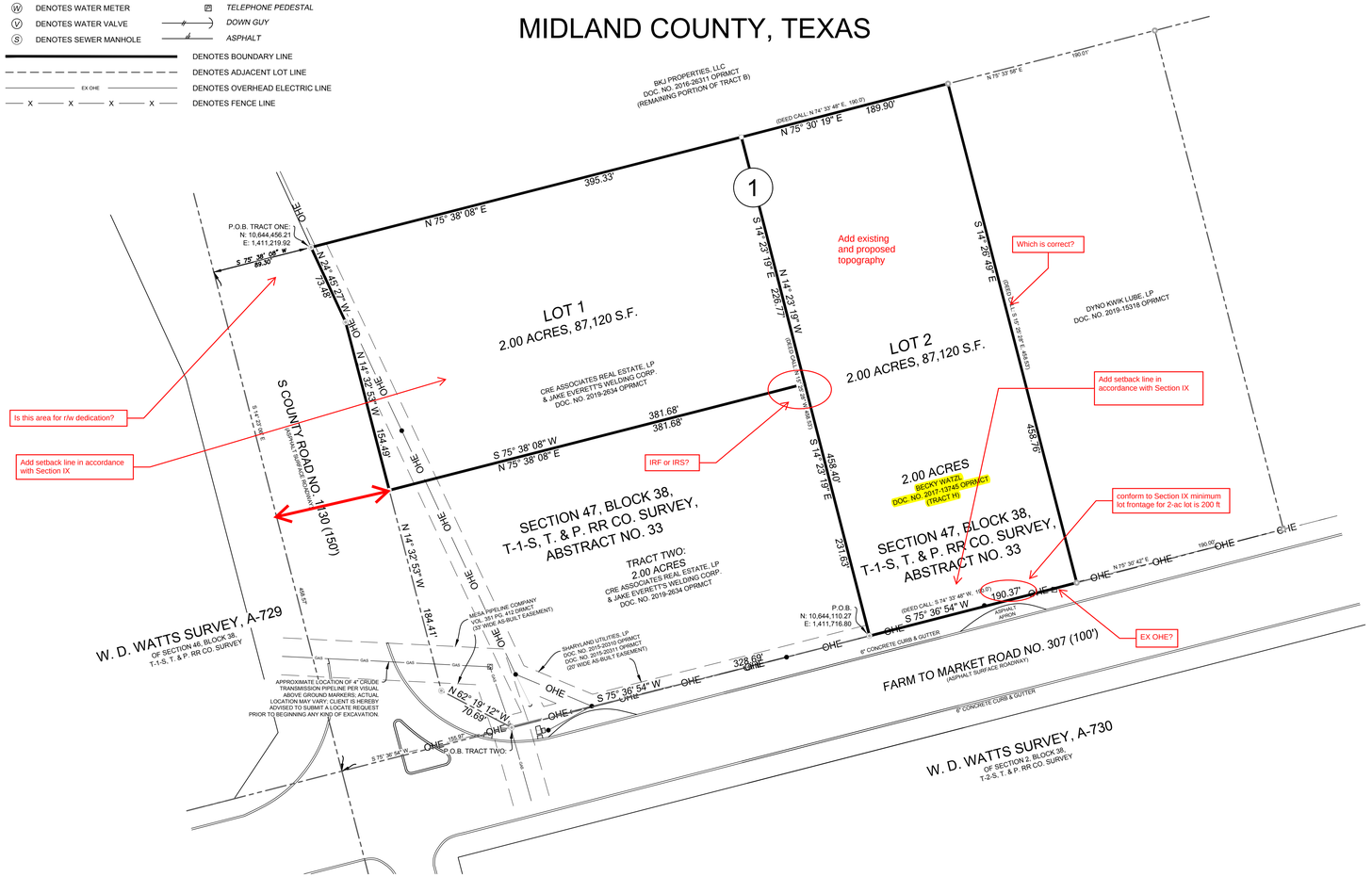
MIDLAND COUNTY, TEXAS



Add Becky Watzl

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS CRE Associates Real Estate, LP. and Jake Everett's Welding Corp. , is the record owner of a tract of land described as A 4.00 ACRE TRACT OF LAND OUT OF AND PART OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR., CO. SURVEY, MIDLAND COUNTY TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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WITNESS my hand at Midland, Texas, this

_____day of _____, 2020.

_____
By: Paul Ary, President (CRE)

_____day of _____, 2020.

_____
By: Ericka Ary Secretary (Jake)

Need each property owner to execute and be notarized:
1. CRE
2. Welding
3. Watzl

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 John Doe , known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

_____ day of _____, 2019.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

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That I, Barney Dan Arnold , 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.

_____
Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

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

NOTES:
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PROPERTY OWNER:
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PAUL ARY, PRESIDENT (CRE)
ERICKA ARY, SECRETARY (JAKE)
5 SAN MIGUEL SQAURE
ODDESS, TEXAS 79762

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: _____

CERTIFICATE OF APPROVAL

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

the___ day of _____ 2020.

JOSH SPARKS

_____, CHAIRMAN

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GREENWOOD RETAIL ADDITION

GREENWOOD RETAIL ADDITION

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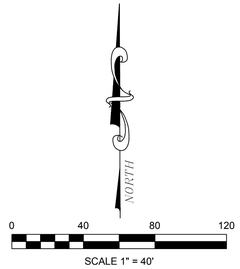

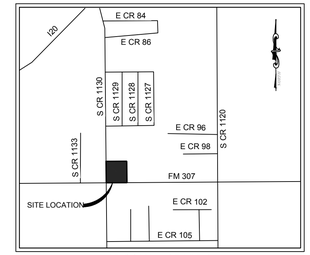

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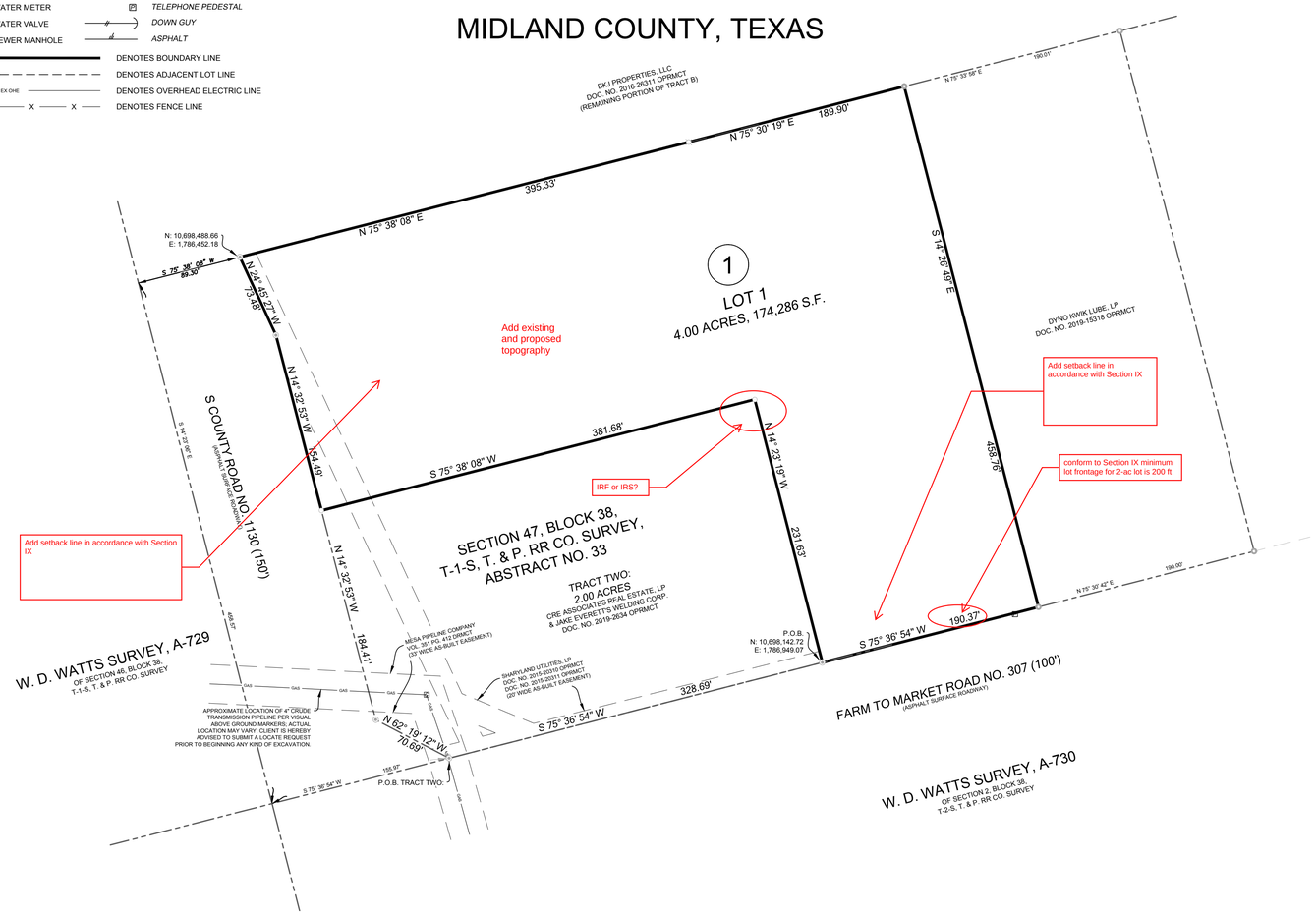
MIDLAND COUNTY, TEXAS



Add Becky Watzl

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By: Paul Ary, President (CRE)

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_____
By: Ericka Ary Secretary (Jake)

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2. Weilding
3. Watzl

ACKNOWLEDGEMENT

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

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Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO._____ CABINET____
DATE_____ PAGE_____

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, UNINCORPORATED AREA, COMMUNITY PANEL NO. 481239 0125 F AND BY MAP NUMBER 48329C0125F, DATED SEPTEMBER 16TH, 2009, THIS PROPERTY IS IN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

PROPERTY OWNER:
CRE ASSOCIATES REAL ESTATE, LP
AND JAKE EVERETT'S WELDING CORP.
PAUL ARY, PRESIDENT (CRE)
ERICKA ARY, SECRETARY (JAKE)
5 SAN MIGUEL SQAURE
ODDESS, TEXAS 79762

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4. *, 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'S CERTIFICATE
This plat has been checked for accessibility of utilities.

_____
ATMOS ENERGY
BY: _____

_____
AT&T
BY: _____

_____
SUDDENLINK COMMUNICATION
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_____
GRANDE COMMUNICATION
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ONCOR ELECTRIC DELIVERY
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This is to certify that the above and foregoing plat of "GREENWOOD RETAIL ADDITION", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

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JOSH SPARKS

_____, CHAIRMAN

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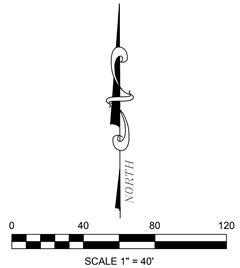
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

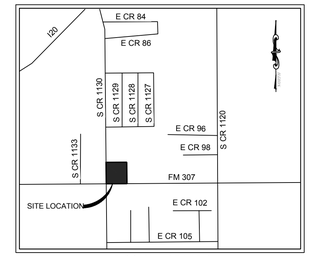
GREENWOOD RETAIL ADDITION

GREENWOOD RETAIL ADDITION

SKETCH PLAT

TWO 2.00 ACRE TRACTS OF LAND OUT OF AND PART OF
SECTION 47, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY,
MIDLAND COUNTY, TEXAS





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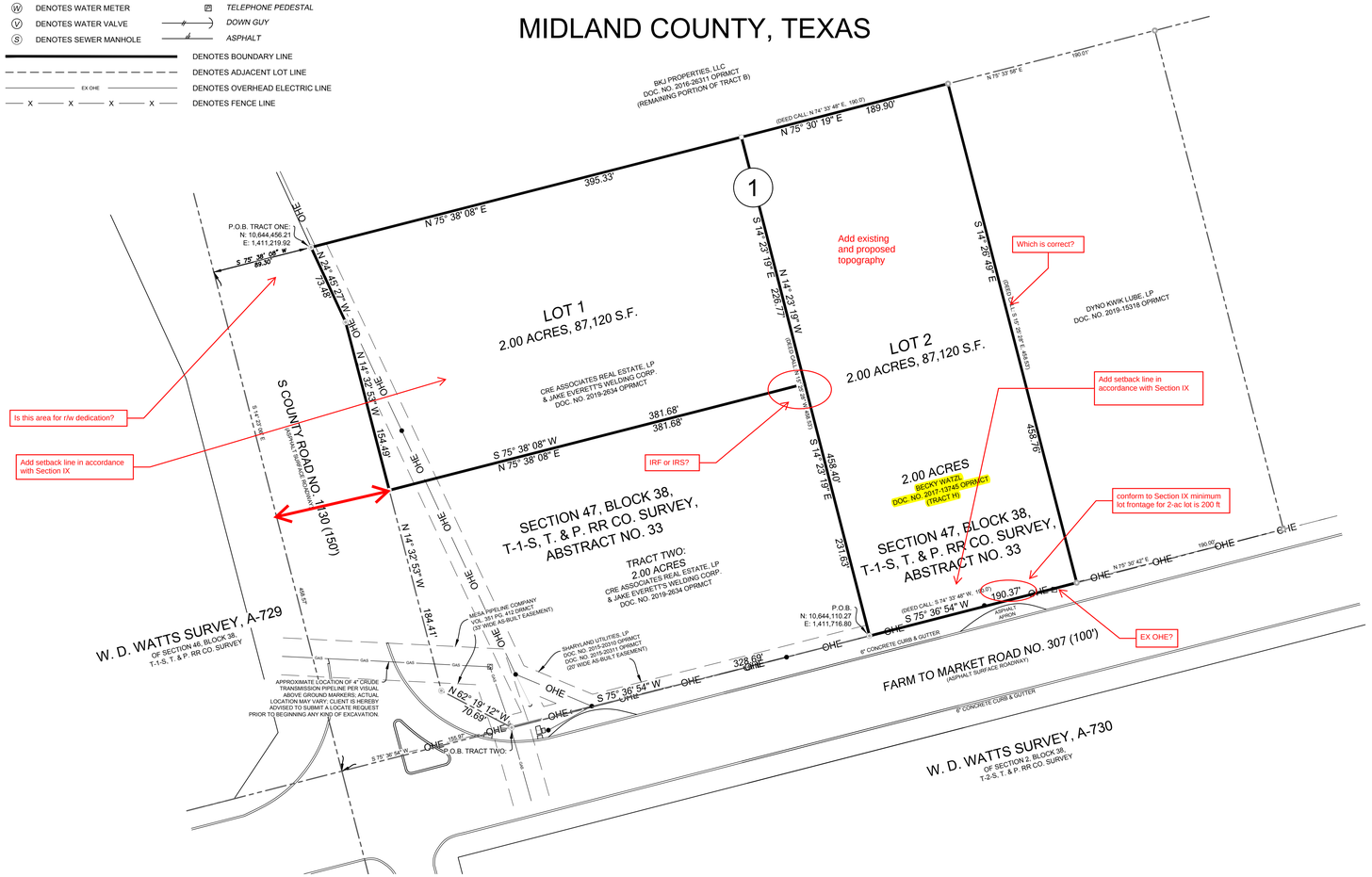
MIDLAND COUNTY, TEXAS



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OWNER'S CERTIFICATE

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BY: _____

_____
AT&T
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_____
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GREENWOOD RETAIL ADDITION

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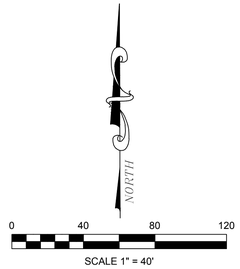

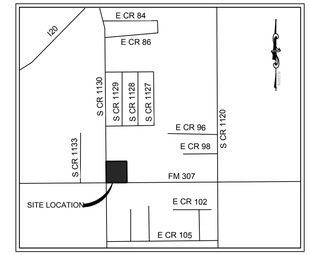

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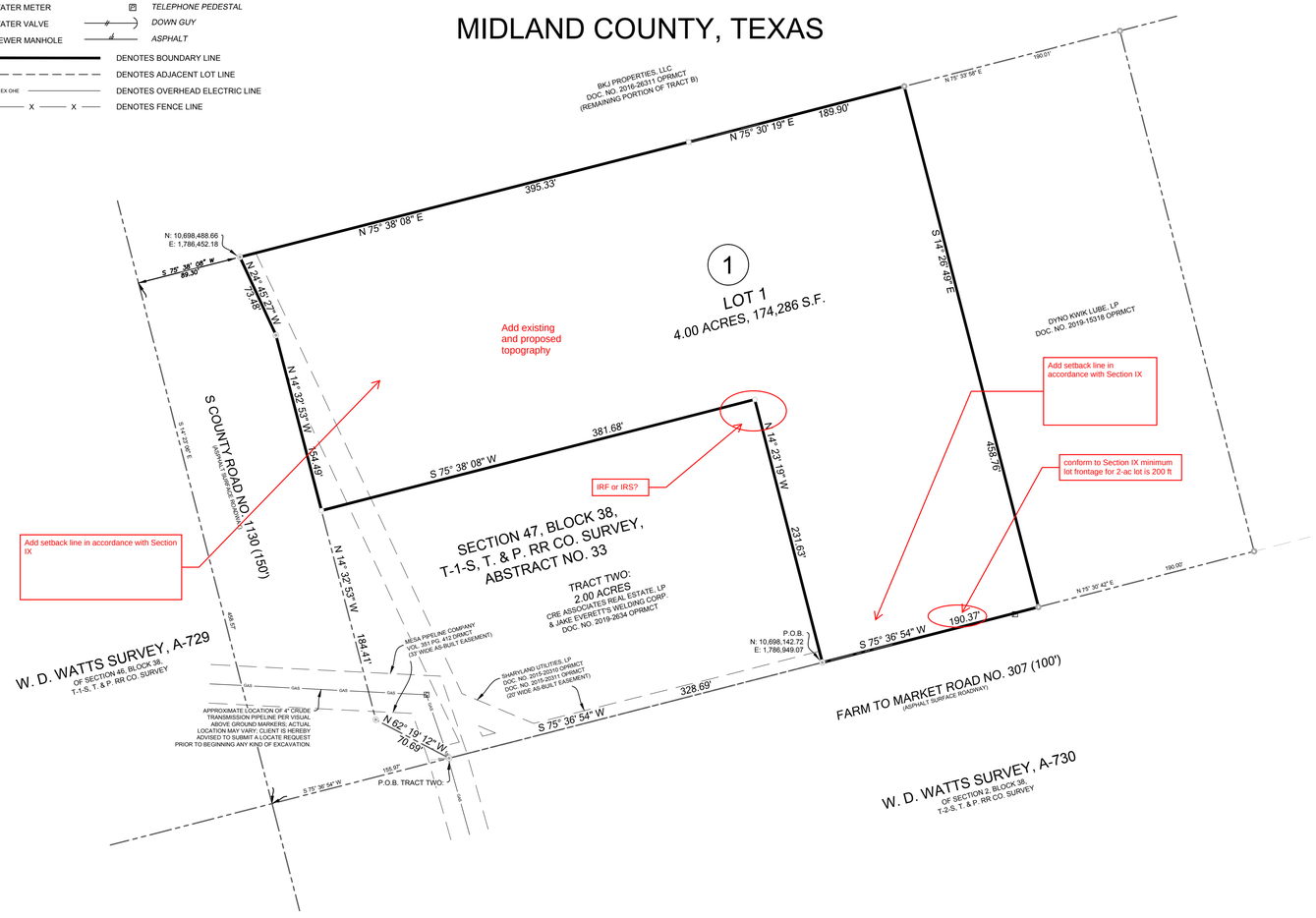

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4. *, INITIAL IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE PERMITTING PROCESS. ADDITIONAL IMPACT FEES OR INCREASES IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT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

UTILITY COMPANY'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: _____

CERTIFICATE OF APPROVAL

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

the___ day of _____ 2020.

JOSH SPARKS

_____, CHAIRMAN

CRISTINA ODENBORG BURNS

_____, SECRETARY

Skyline CIVIL GROUP
Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-166 • Midland, Texas 79707
TX FIRM: 17171 • Tel: (432) 685-1226 • www.skylinecivilgroup.com

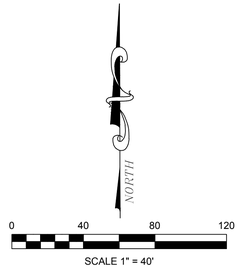
BARNEY D. ARNOLD LAND SURVEYING & MAPPING
306 W. MAIN, EASTLAND, TX. 76448
OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

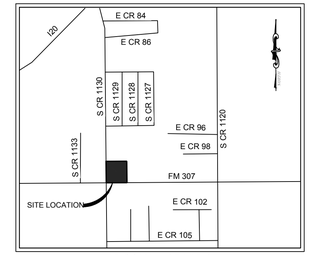
GREENWOOD RETAIL ADDITION

GREENWOOD RETAIL ADDITION

PRELIMINARY PLAT

A 4.00 ACRE TRACT OF LAND OUT OF THE WEST PART OF THE S/3,
OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR. CO. SURVEY,
MIDLAND COUNTY, TEXAS



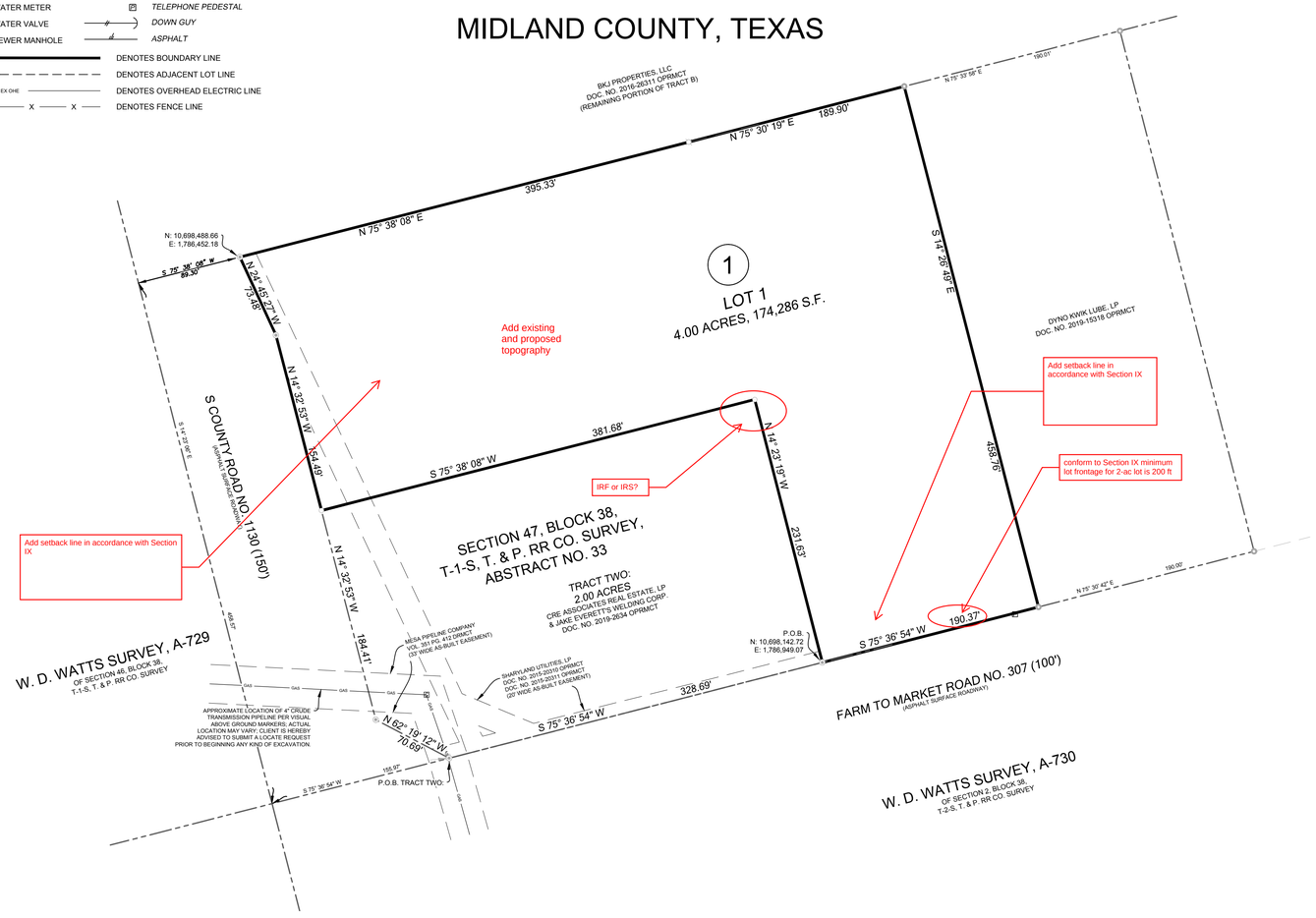


VICINITY MAP
N.T.S.

LEGEND

- DENOTES FOUND BRASS RIGHT OF WAY MONUMENT (CONTROL MONUMENT)
- DENOTES FOUND 1/2" REBAR ROD (CONTROL MONUMENT); UNLESS OTHERWISE NOTED HEREON PLAT
- DENOTES SET 1/2" REBAR ROD WITH SURVEY CAP STAMPED A.L.S. 6224; UNLESS OTHERWISE NOTED HEREON PLAT
- DENOTES UTILITY POWER POLE
- DENOTES GAS RISER
- DENOTES GAS METER
- DENOTES ELECTRIC METER
- DENOTES WATER METER
- DENOTES WATER VALVE
- DENOTES SEWER MANHOLE
- DENOTES LIGHTPOLE
- *STREET SIGN*
- *LANDSCAPED AREA*
- *BOLLARD*
- *TELEPHONE PEDESTAL*
- *DOWN GUY*
- *ASPHALT*
- DENOTES BOUNDARY LINE
- DENOTES ADJACENT LOT LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES FENCE LINE

MIDLAND COUNTY, TEXAS



Add Becky Watzl

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS CRE Associates Real Estate, LP. and Jake Everett's Welding Corp. , is the record owner of a tract of land described as A 4.00 ACRE TRACT OF LAND OUT OF AND PART OF SECTION 47, BLOCK 38, T-1-S, T. & P. RR., CO. SURVEY, MIDLAND COUNTY TEXAS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That CRE Associates Real Estate, LP., Jake Everett's Welding Corp., & Becky Watz, being the owner of the land shown on this plat designated as PAUL AVY ADDITION, SECTION 47, 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, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

_____day of _____, 2020.

_____
By: Paul Ary, President (CRE)

_____day of _____, 2020.

_____
By: Ericka Ary Secretary (Jake)

Need each property owner to execute and be notarized:
1. CRE
2. Weilding
3. Watzl

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 John Doe , known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

_____ day of _____, 2020.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold , 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.

_____
Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO._____ CABINET____
DATE_____ PAGE_____

NOTES:
ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR MIDLAND COUNTY, TEXAS, UNINCORPORATED AREA, COMMUNITY PANEL NO. 481239 0125 F AND BY MAP NUMBER 48329C0125F, DATED SEPTEMBER 16TH, 2009, THIS PROPERTY IS IN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

PROPERTY OWNER:
CRE ASSOCIATES REAL ESTATE, LP
AND JAKE EVERETT'S WELDING CORP.
PAUL ARY, PRESIDENT (CRE)
ERICKA ARY, SECRETARY (JAKE)
5 SAN MIGUEL SQAURE
ODDESS, TEXAS 79762

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 HEREON ARE NAD83 (CORS96); LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND GPS BASE STATION.*
4. *, 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'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: _____

CERTIFICATE OF APPROVAL

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

the___ day of _____ 2020.

JOSH SPARKS

_____, CHAIRMAN

CRISTINA ODENBORG BURNS

_____, SECRETARY

Skyline CIVIL GROUP
Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-166 • Midland, Texas 79707
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BARNEY D. ARNOLD LAND SURVEYING & MAPPING
306 W. MAIN, EASTLAND, TX. 76448
OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

GREENWOOD RETAIL ADDITION

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **4/6/2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Glenda Arroyo-Cruz, Planner**

SUBJECT: **Consider a proposed Preliminary Plat of Empire Heights, Section 3, being a plat of a 6.005-acre tract of land out of Section 47, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas. (Generally located on the south side of East County Road 94, approximately 230-feet west of South County Road 1123. Extraterritorial Jurisdiction)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Schumann Engineering, is proposing to plat a 6.005-acre tract of land out of Section 47, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas, into six (6) lots for ownership purposes.

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Engineering: (Approved with Conditions)

IMPACT FEES: Not implemented outside city limits.

ROW: ROW is fine as shown.

PAVING: East County Road 94 is sub-standard, construct to City Standards for entire platted frontage or request a deferral.

WATER: None existing. Construct water to City standards along entire platted frontage, or request a deferral.

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

DRAINAGE: Drainage study not required at this time.

EASEMENTS: Show existing and proposed. 60 ft. private access road is fine as shown.

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

DIMENSION: * * *

OTHER: * * *

Transportation: (Approved with Conditions)

Fire Department highly recommended City standard turnaround for Emergency Vehicle Access.

Fire: (Approved)

No comments.

Code Compliance: (Approved)

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

Building: (Approved)

ETJ, no jurisdiction.

Surveyor: (Approved)

No comments.

Health Department:

Yes, the health department will review applications from the 6 proposed lots of Empire Heights Addition, Section 3, plat of a 6 acre tract of land out of the northeast ¼ of section 47, Block 39,T-1-S, T&P. RR. Co. survey lots

3-8 is 1 acre to ensure the proposed plans on the application for the septic system will meet the setbacks from the water well on the property and the water wells on the adjacent properties.

Midland County:

See attached.

Planning:

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

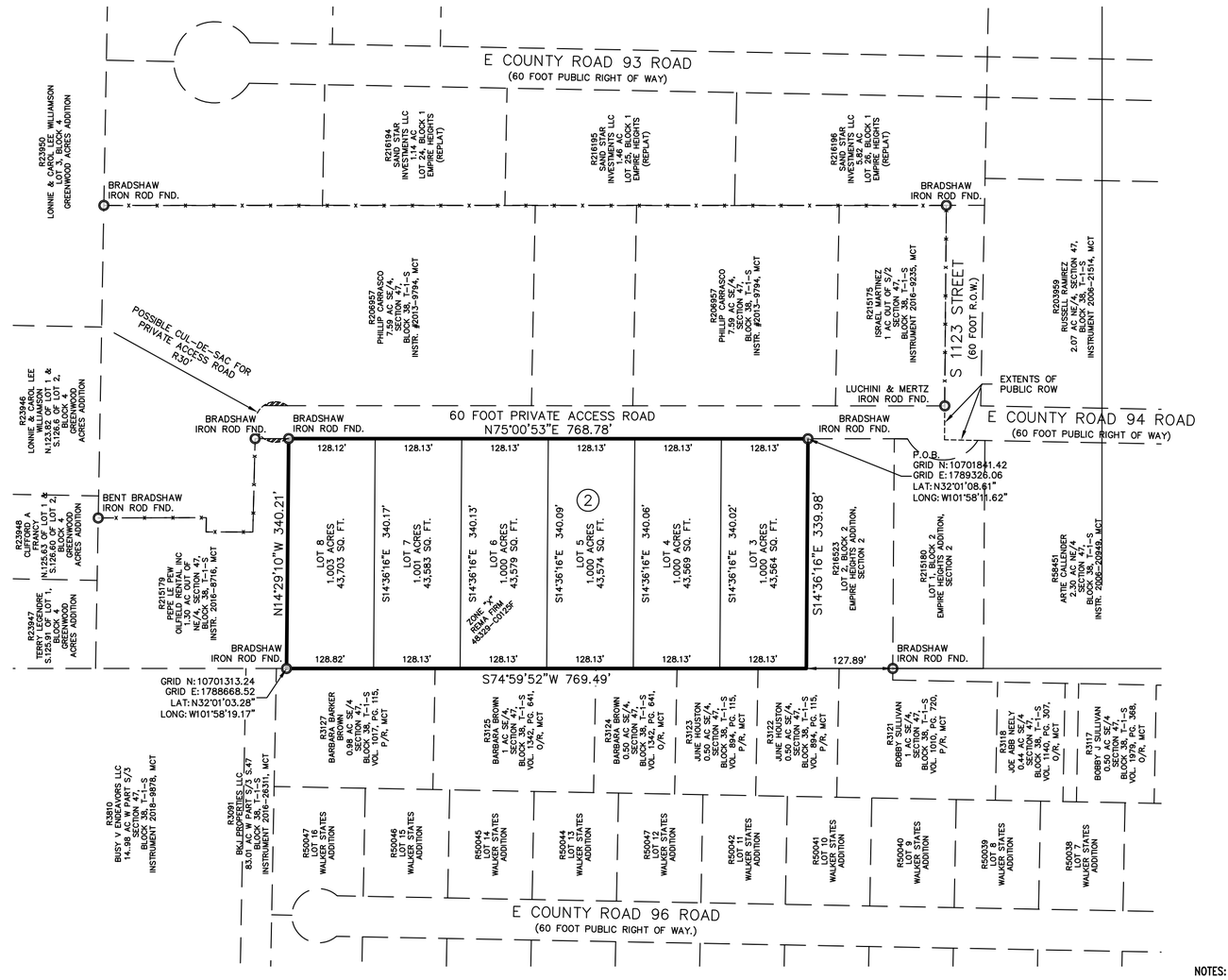
Conditions:

A. That the required public improvements 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
Map
Midland County comments



GRAPHIC SCALE

0 150' 300'

(IN FEET)
1 inch = 150 ft.

PRELIMINARY PLAT

EMPIRE HEIGHTS, SECTION 3

BEING A PLAT OF 6.005 ACRES,
OUT OF THE NORTHEAST/4 OF SECTION 47,
BLOCK 38, T-1-S,
T&P RR CO SURVEY,MIDLAND COUNTY,
TEXAS

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A 7.59 ACRE TRACT OF LAND SITUATED ON THE NORTHEAST/4 OF SECTION 47, BLOCK 38, T-1-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS EMPIRE HEIGHTS, SECTION 3, 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____.

_____.
PHILLIP CARRASCO

STATE OF TEXAS:
COUNTY OF MIDLAND:

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

_____.
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

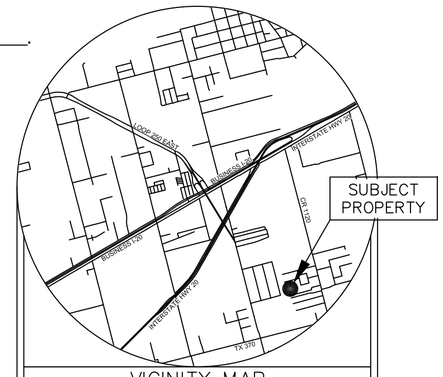
1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

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 6.003 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN SIX TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

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, AD 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.



VICINITY MAP
NOT TO SCALE

SYMBOLS LEGEND

- PROPERTY CORNER
- POWER POLE
- OHE OVERHEAD ELECTRIC
- GM GAS METER
- WIRE FENCE
- RETIRED BREAKER BOX
- PROPERTY LINE
- G GAS RISER
- W WATER WELL
- LOT LINES
- TELEPHONE PEDESTAL
- S SEWER MANHOLE

OWNER:

PHILLIP CARRASCO
PO BOX 10339
MIDLAND TX 79702
(432) 813-2457

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 EMPIRE HEIGHTS, SECTION 3, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN JOSH SPARKS

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

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

NO.	DATE	DESCRIPTION	BY
1	1/11/2020	PREPARED PRELIMINARY PLAT	KDS

DRAWN BY: KDS/AAC | DATE: 10/9/19
CHECKED BY: RJD | DRAWING NO.: 76,949
JOB NO.: 76949 | 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

EMPIRE HEIGHTS, SECTION 3

MIDLAND
Planning Division

Preliminary Plat Application

Project Number: SUB-19-0297
Case Number: P-20-811

Proposed Subdivision Plat Name: ***Empire Heights Section 3***

Legal Description (attached sealed Metes and Bounds): ***Being a plat of 6.005 acres out of the NE/4 of Section 47, Block 38, T-1-S, T&P RR Co. Survey, Midland County, Texas.***

Property Owner Printed Name: ***Phillip Carrasco***		Phone ***(432) 813-2457*** Email	
Address ***P.O. Box 10339***	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:

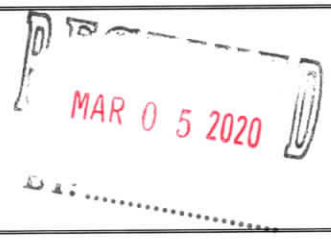
Reason for Platting: ***To divide tract into six 1 acre tracts***

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

Submittal 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): [signature] Date: 2/27/20

Property Owner (printed) : Phillip Carrasco

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Eduardo L. Aleman who, being by me duly sworn, upon oath says: That (s)he is authorized by Phillip Carrasco, 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 27th day of February, 20 ~~19~~ 20, to certify which witness my hand and seal of office.

KEVIN STARNES
Notary ID 13061462-8
My Commission Expires
April 11, 2020

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 # 1395

Received By: gac

RECEIVED
MAR 0 5 2020
By: .....

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

LOCATION MAP

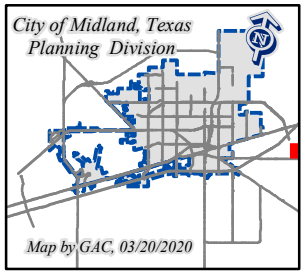
SUB-19-0297 **Scale: 1" = 400'**

Proposed Plat of Empire Heights, Section 3, being a plat of a 6.005-acre tract of land out of Section 47, Block 38, T-1-S, T&P. RR. Co. Survey, Midland County, Texas.

Generally located on the south side of East County Road 94, approximately 230-feet west of South County Road 94. (Extraterritorial Jurisdiction)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019
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.

March 17, 2020

City of Midland
Development Services
ATTN: Glenda Arroyo-Cruz, Planner
300 N. Loraine Street
Midland, Texas 79702

RE: Preliminary Plat P-20-0811
Empire Heights Addition, Section 3
(Sketch Plat P-19-0730 reviewed November 2019)

Part of NE/4, Section 47, Block 38, T-1-S, T&P RR CO Survey
http://iswdataclient.azurewebsites.net/webPropertyMap.aspx?dbkey=midlandcad&stype=name&sdata=Carrasco%20P&id=R000206957&time=201911260928026

Owner/Applicant: Phillip Carrasco
Surveyor/Engineer: Schumann Engineering Co.

Ms. Cruz –
On behalf of Midland County, Dunaway provides this review letter of the above project. Feel free to contact me if you need clarification or further information.

PROPERTY INFORMATION

The proposed 6.005-acre site is situated in a tract of land (noted above) located at the west end of E CR 94. This property is located outside the city limits of the City of Midland. In accordance with development regulations applicable to property located within the City extra-territorial jurisdiction (ETJ) and with the adopted County Subdivision Regulations, the applicant has submitted a preliminary plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS

The preliminary plat has been reviewed for conformity with the adopted County Subdivision Regulations. The following outlines revisions and/or additional information and procedures necessary to continue review and consideration of the proposed development:

Preliminary plat comments were provided in November 2019. Comments below which have been addressed are struck-through. New information and/or revisions may be a cause for new and/or additional comments.

ARTICLE I PLATS

~~1. Tie down SW corner of proposed addition - iron rod found or set. (Section 1.08)~~

2. Show existing and proposed topography (Sections 1.15 and 1.16)

3. Provide a copy of all restrictions or restrictive convent, if applicable. (Section 1.18)

~~4. Add the following note to the face of the plat if drives/streets/easements are to continue to be privately owned and maintained.~~

~~*"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."*~~

- ~~Adding the above statement to the plat is acknowledgment by the owner/developer that the private roads, drives, and/or easements will be maintained by the property owner(s).~~
- Alternative: Approval of plat by <u>both</u> the City and the County is required if the owner/developer desires for the streets/drives/easements to be accepted by and maintained by the County. Contact County Roads and Bridges Division for minimum standards and construction requirements for County roads.

5. In addition, to the comments above, please add the following information on the revised preliminary plat and/or on the final plat:

   a. Recommend providing evidence of shared access agreement.

   ~~b. Add Lot numbers and Block to title of plat.~~

   c. The names must not duplicate another name within the County or another municipality. The names should also not be similar in spelling or in pronunciation. Confirm name with County Office of Emergency Management.

   d. Provide executed owner's certificate with submittal of final plat. (Section 1.04)

   e. Label elevation of lowest floor for any proposed structure or substantially improved structures. (Section 1.12)

   f. Are nonresidential structures planned? Will they be flood proofed?

   g. Where does the public road end and the private access road begin. Show on plat.

   h. Label ownership of all lots and tracts shown on plat.

ARTICLE IX LOTS

~~1. The minimum lot size for subdivision of single-family dwellings utilizing individual on-site sewage facilities shall be one and one and one-half (1.5) acre. (Section 9.1) Provide additional information about planned water and waste water connections/facilities for this proposed addition OR adjust lot sizes to meet minimum.~~

2. Show the building setback lines on the face of the plat in coordination with the required dedication of right-of-way. (Section 9.2)

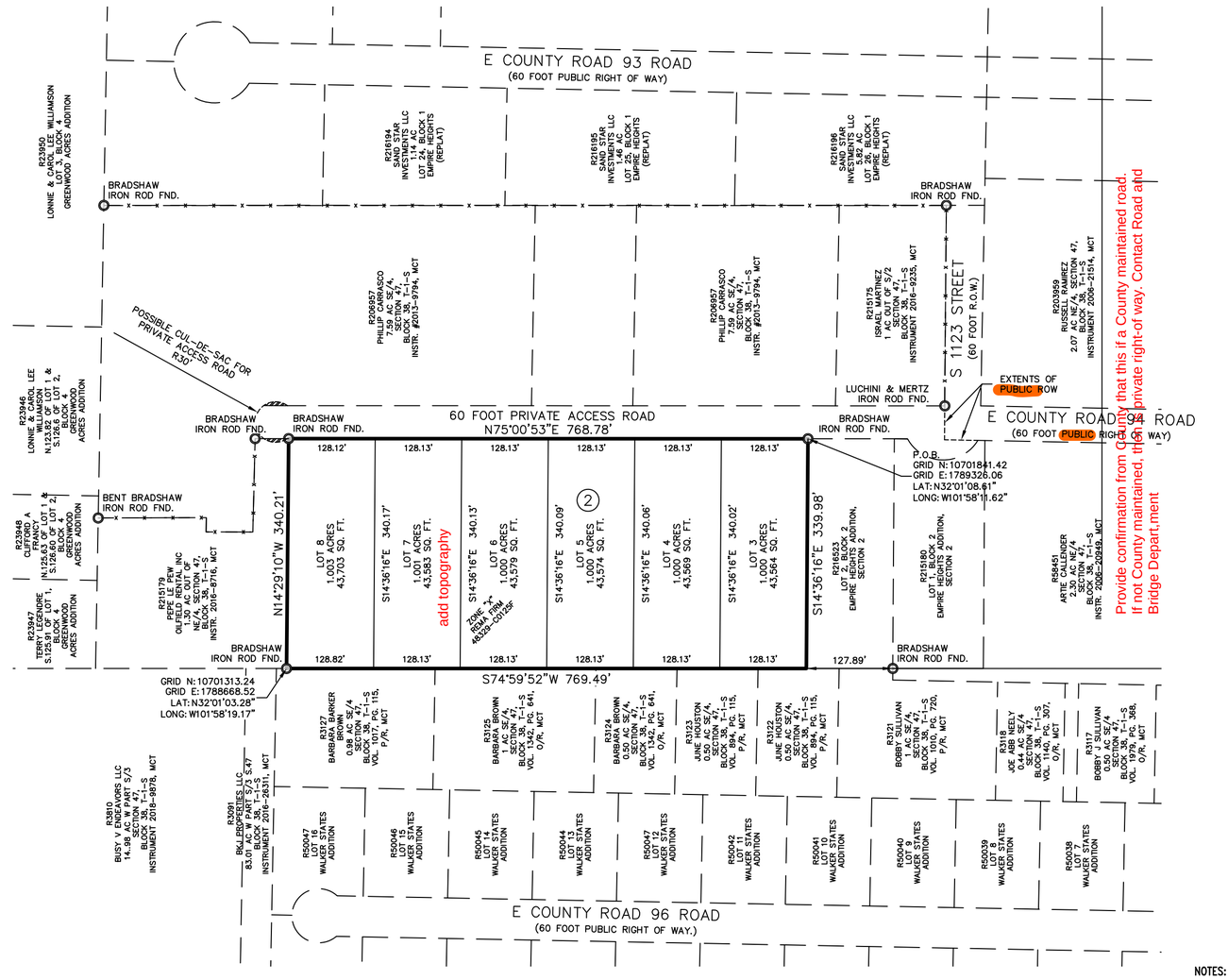
3. In addition, to the comments above, please add the following information on the final plat:
   a. Recommend including the remainder of the property around the existing house in the plat.
   b. Coordinate with the County to build streets to current County standards, including right-of-way dedication, if owner/develop desires that roads be accepted into County road system.

If you have any questions, please contact me at jreiner@dunawayassociates.com or call me at 817-335-1121.

Submitted for your consideration,

Jenifer Reiner AICP, CNU-A

Cc: Tim Hair, PLA, ASLA
Jason Kelliher, PE
Jessica Schuttler, PE
Jenny Hilton, Midland County



GRAPHIC SCALE

0 150' 300'

(IN FEET)
1 inch = 150 ft.

PRELIMINARY PLAT

EMPIRE HEIGHTS, SECTION 3

BEING A PLAT OF 6.005 ACRES,
OUT OF THE NORTHEAST/4 OF SECTION 47,
BLOCK 38, T-1-S,
T&P RR CO SURVEY,MIDLAND COUNTY,
TEXAS

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A 7.59 ACRE TRACT OF LAND SITUATED ON THE NORTHEAST/4 OF SECTION 47, BLOCK 38, T-1-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS EMPIRE HEIGHTS, SECTION 3, 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____.

_____.
PHILLIP CARRASCO

STATE OF TEXAS:
COUNTY OF MIDLAND:

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

_____.
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS

NOTES:

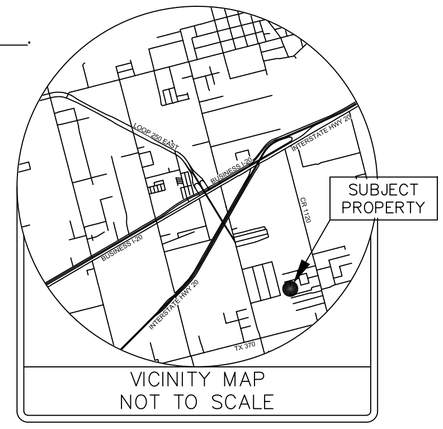
1. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

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 6.003 ACRE TRACT IS RE-PLATTED FOR SUBDIVISION INTO MORE THAN SIX TRACTS OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.

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, AD 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.



VICINITY MAP
NOT TO SCALE

SYMBOLS LEGEND

- PROPERTY CORNER
- POWER POLE
- OHE — OVERHEAD ELECTRIC
- GM — GAS METER
- x — WIRE FENCE
- RETIRED BREAKER BOX
- PROPERTY LINE
- G — GAS RISER
- W — WATER WELL
- LOT LINES
- TELEPHONE PEDESTAL
- S — SEWER MANHOLE

OWNER:

PHILLIP CARRASCO
PO BOX 10339
MIDLAND TX 79702
(432) 813-2457

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 EMPIRE HEIGHTS, SECTION 3, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN JOSH SPARKS

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

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

NO.	DATE	DESCRIPTION	BY
1	1/11/2020	PREPARED PRELIMINARY PLAT	KDS

DRAWN BY: KDS/AAC | DATE: 10/9/19
CHECKED BY: RJD | DRAWING NO.: 76,949
JOB NO.: 76949 | 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

EMPIRE HEIGHTS, SECTION 3

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **04/6/2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Glenda Arroyo-Cruz, Planner**

SUBJECT: **Consider a proposed Final Plat of W.C. Barber Addition Section 3, being a Plat of a 0.814-acre tract of land and a 0.06-acre portion of previously vacated alley right-of-way, all out of the SE/4 of the NE/4 of Section 26, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of West Estes Avenue and North Main Street. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

TH, Townhouse Dwelling District.

Preliminary Plat Approval:

The applicant's property is located on the southwest corner of the intersection of West Estes Avenue and North Main Street. The applicant, Schumann Engineering, is proposing to plat a 0.814-acre tract of land and a 0.06-acre portion of previously vacated alley right-of-way, all out of the SE/4 of the NE/4 of Section 26, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas, into seven (7) lots for future development of single-family homes.

The preliminary plat was approved at the April 1, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of W.C. Barber Addition, Section 3 has been circulated to all city departments for their review.

Engineering: (Approved)

*** Revised Plat Approved on 11/7/2019 ***

ROW: OK as shown

PAVING: Ok as shown.

WATER: The 8" line in Main St. shall be used for house services and is located on the northbound lane. Developer to construct water services, 20" water line cannot be used for individual water taps.

Note: David Diaz has been told he can connect to Main Street infrastructure before bond project, but not after. Give an estimated time to construction of 1.5 years when this was last discussed with City staff.

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: 12" Sewer exists in Main st. developer will be required to construct service lines

DRAINAGE: Drainage Study not required for development into single family residences. Development considered in fill. (Per email records from Shana McWilliams and Cindy Klatt).

EASEMENTS: Ok 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 additions.

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.

Code Administration: (Approved)

No issue with plat. All future structures must adhere to the International Building Codes, local city ordinances, setback requirements, and floodplain requirements if necessary.

Planning: (Approved)

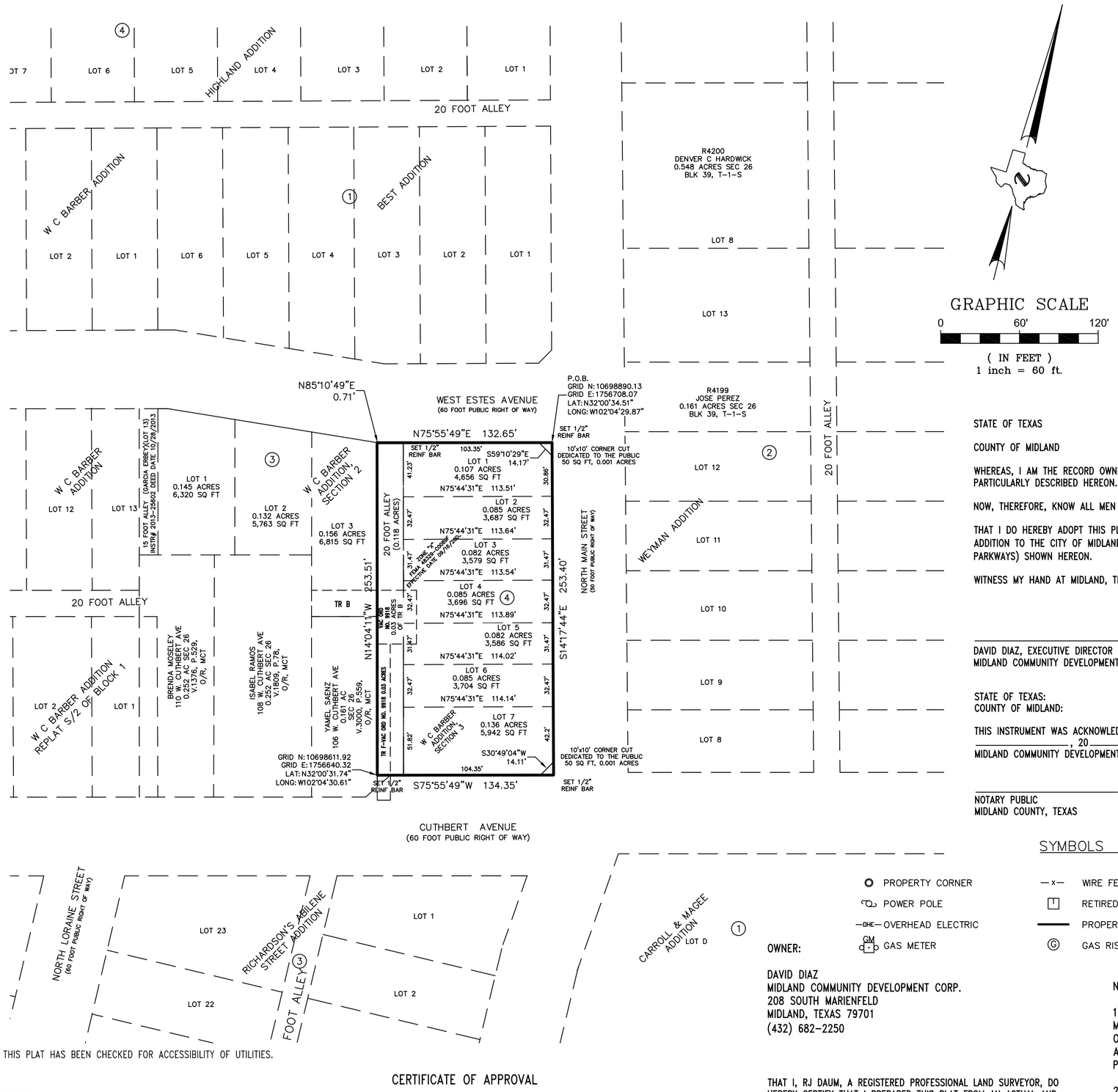
All departments' comments must be addressed as a condition of Final plat approval.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps



GRAPHIC SCALE

0 60' 120'

(IN FEET)
1 inch = 60 ft.

W. C. BARBER ADDITION SECTION 3

BEING A PLAT OF A 0.780 ACRE TRACT OF LAND INCLUDING THE VACATED 0.06 ACRE PORTION OF ALLEY RIGHT-OF-WAY, OUT OF THE NE/4 OF SECTION 26, BLOCK 39, T-1-S, T&P RR CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS.

STATE OF TEXAS

COUNTY OF MIDLAND

WHEREAS, I AM THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 26, BLOCK 39, T-1-S, T&P RR CO SURVEY, AND MORE PARTICULARLY DESCRIBED HEREON.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINABOVE DESCRIBED PROPERTY AS W. C. BARBER ADDITION, SECTION 3, 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.

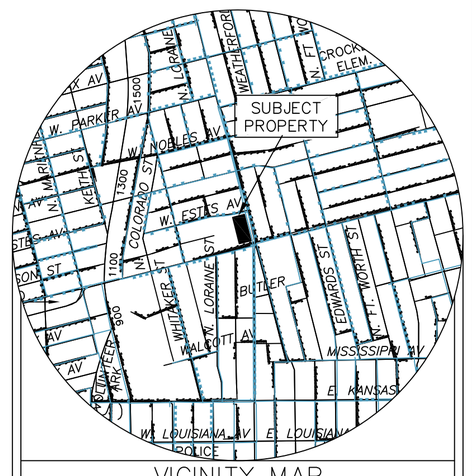
WITNESS MY HAND AT MIDLAND, TEXAS, THIS ____ DAY OF _____, 20____ .

_____
DAVID DIAZ, EXECUTIVE DIRECTOR
MIDLAND COMMUNITY DEVELOPMENT CORP.

STATE OF TEXAS:
COUNTY OF MIDLAND:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS____DAY OF _____, 20____, DAVID DIAZ, EXECUTIVE DIRECTOR, MIDLAND COMMUNITY DEVELOPMENT CORP.

_____
NOTARY PUBLIC
MIDLAND COUNTY, TEXAS



VICINITY MAP
NOT TO SCALE

SYMBOLS LEGEND

- PROPERTY CORNER
- POWER POLE
- OHE OVERHEAD ELECTRIC
- GM GAS METER
- WIRE FENCE
- RETIRED BREAKER BOX
- PROPERTY LINE
- G GAS RISER
- W WATER WELL
- LOT LINES
- TELEPHONE PEDESTAL
- S SEWER MANHOLE

OWNER:

DAVID DIAZ
MIDLAND COMMUNITY DEVELOPMENT CORP.
208 SOUTH MARIENFELD
MIDLAND, TEXAS 79701
(432) 682-2250

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

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.

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 W. C. BARBER ADDITION SECTION 3, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, ON THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAIRMAN JOSH SPARKS

ATTEST: _____
SECRETARY CRISTINA ODENBORG BURNS

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

DRAWN BY:	CG/KDS	DATE:	11/06/2018
CHECKED BY:	RJD	DRAWING NO.:	76450DD
JOB NO.:	76,450	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

W. C. BARBER ADDITION, SECTION 3

MIDLAND
Planning Division

Final Plat Application

Project Number: SUB-18-0144
Case Number: P-19-0528

Proposed Subdivision Plat Name: W.C. BARBER ADDITION SECTION 3

Legal Description (attached sealed Metes and Bounds): Being a Plat of a 0.780 Acre Tract of Land out of the Northeast/4 of Section 26, Block 39, T-1-S, T&P RR Co Survey, Midland County, Texas

Property Owner Printed Name: David Diaz, Midland Community Development Corp.		Phone (432) 682-2250 Email david@midlandcdc.org	
Address 208 South Marienfeld	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: Schumann Engineering Co., Inc. Printed Name: Cynthia A. Klatt		Phone (432) 684-5548 Email cindy@schumannonline.net	
Address P.O. Box 504	City Midland	State TX	Zip 79702-0504

Current Zoning:

Reason for Platting: To divide land into seven Tracts

Plat Information	Total Acreage: 1.399 Acres
Type: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Extraterritorial Jurisdiction (ETJ)	
Number of Residential Lots: 7	Number of Multi-Family Dwelling Units: 0

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

RECEIVED
APR 30 2019
CITY OF MIDLAND
PLANNING DIVISION OFFICE

Items to be submitted with this application form:

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

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

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

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

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

Property Owner (signature): David Diaz Date: 4-9-19

Property Owner (printed) : David Diaz, Exec. Dir, Midland Community Dev. Corp

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 Cynthia A. Klatt who, being by me duly sworn, upon oath says: That (s)he is authorized by Midland Community Development 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.

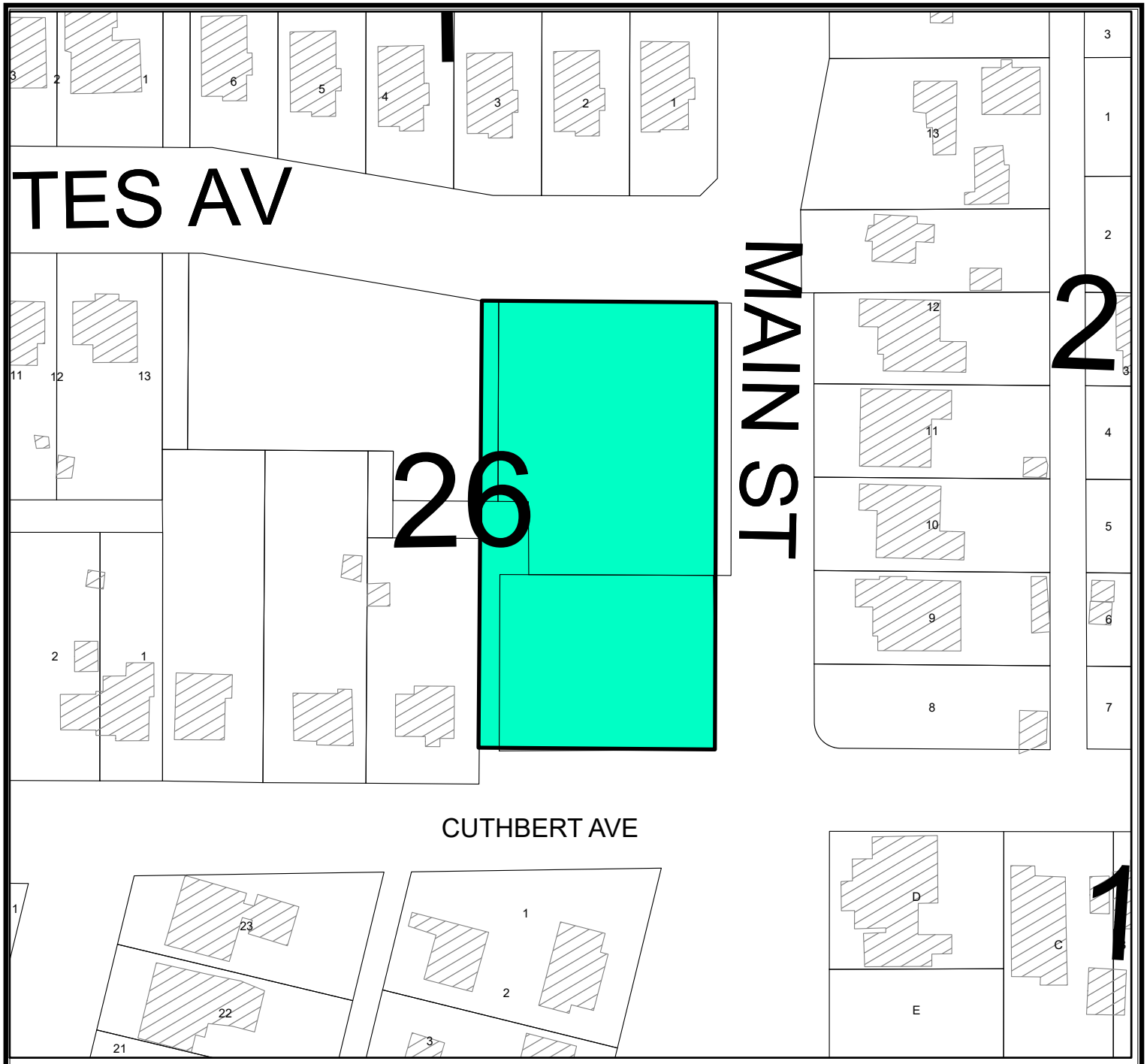
Cynthia A Klatt
Authorized Agent (*signature*)

Subscribed and sworn to before me, this 9TH day of April, 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

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



LOCATION MAP

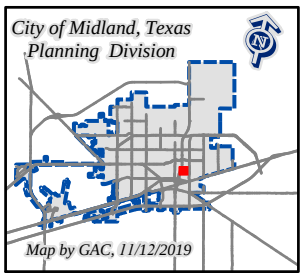
SUB-18-0144 **Scale: 1" = 400'**

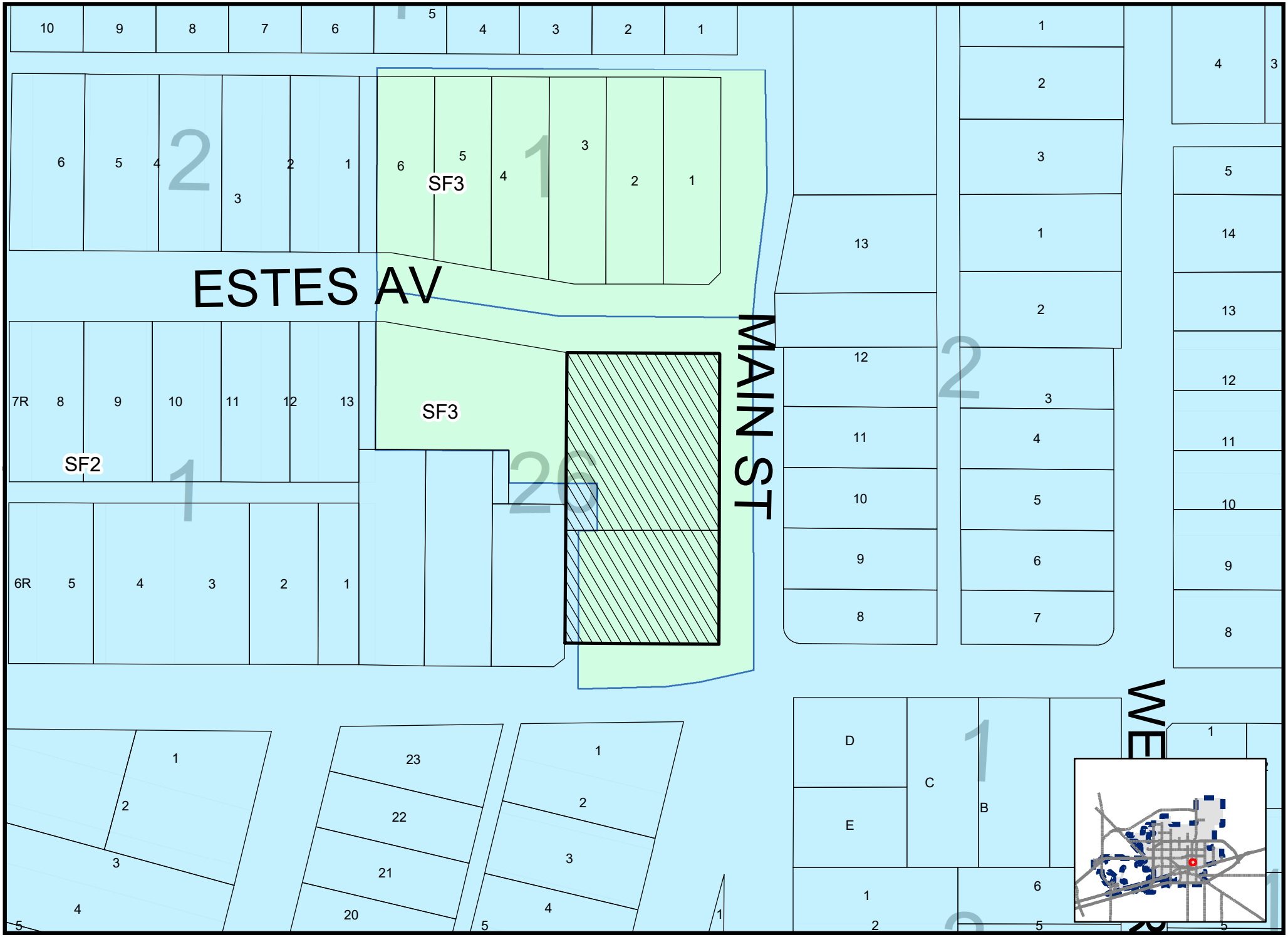
Consider a proposed plat of W.C. Barber Addition Section 3, being a Plat of a 0.814-acre tract of land and a 0.06-acre portion of previosly vacated right-of-way, all out of the SE/4 of the NE/4 of Section 26, Block 39, T-1-S, T&P, RR. Co. Survey, City and County of Midland, Texas.

Generally located on the southwest corner of the intersection of West Estes Avenue and North Main Street. Council District 2.

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By GAC, 11/12/2019

SUB-18-0144

Scale: 1" = 200'

ZONING MAP

© THE CITY OF MIDLAND - 2019: 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

MEETING DATE: **4/6/2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Landon Ochoa, Planning Intern**

SUBJECT: **Consider a proposed Final Plat of Ashlin Place, Section 3, being a re-plat of the south 212 feet of Tract 31, Northwest Acres, City and County of Midland, Texas. (Generally located on the north side of W. Golf Course Road, approximately 466 feet east of Western Drive. Council District 3)**

Recommended Planning and Zoning Commission Action:

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

Current Zoning:

SF-1, Single Family Dwelling District.

Preliminary Plat Approval:

The applicant's property is located at 1208 W. Golf Course Road. The applicant, Maverick Engineering, is seeking to re-plat the property into one (1) lot for ownership purposes. The preliminary plat was approved at the October 7, 2019 Planning and Zoning Commission Meeting.

Final Plat Requirements:

The official signed Mylar copies 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.

This proposed Final Plat of Ashlin Place, Section 3, has been circulated to all city departments for their review.

Engineering: (Approved)

ROW: Dedication ok as shown on W Golf Course Road.

PAVING: West Golf Course Road okay as is. No public paving improvements required.

WATER: 8" water exists in W Golf Course Road 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 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: 6” sewer exists in alley and 8” sewer exists in W Golf Course Road, okay as is. No public wastewater improvements required.

DRAINAGE: This plat is considered residential, a drainage study is not required at this time.

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.

Code Administration: (Approved)

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

Planning: (Approved)

All departments' comments must be addressed as a condition of Final Plat approval and recordation.

Conditions:

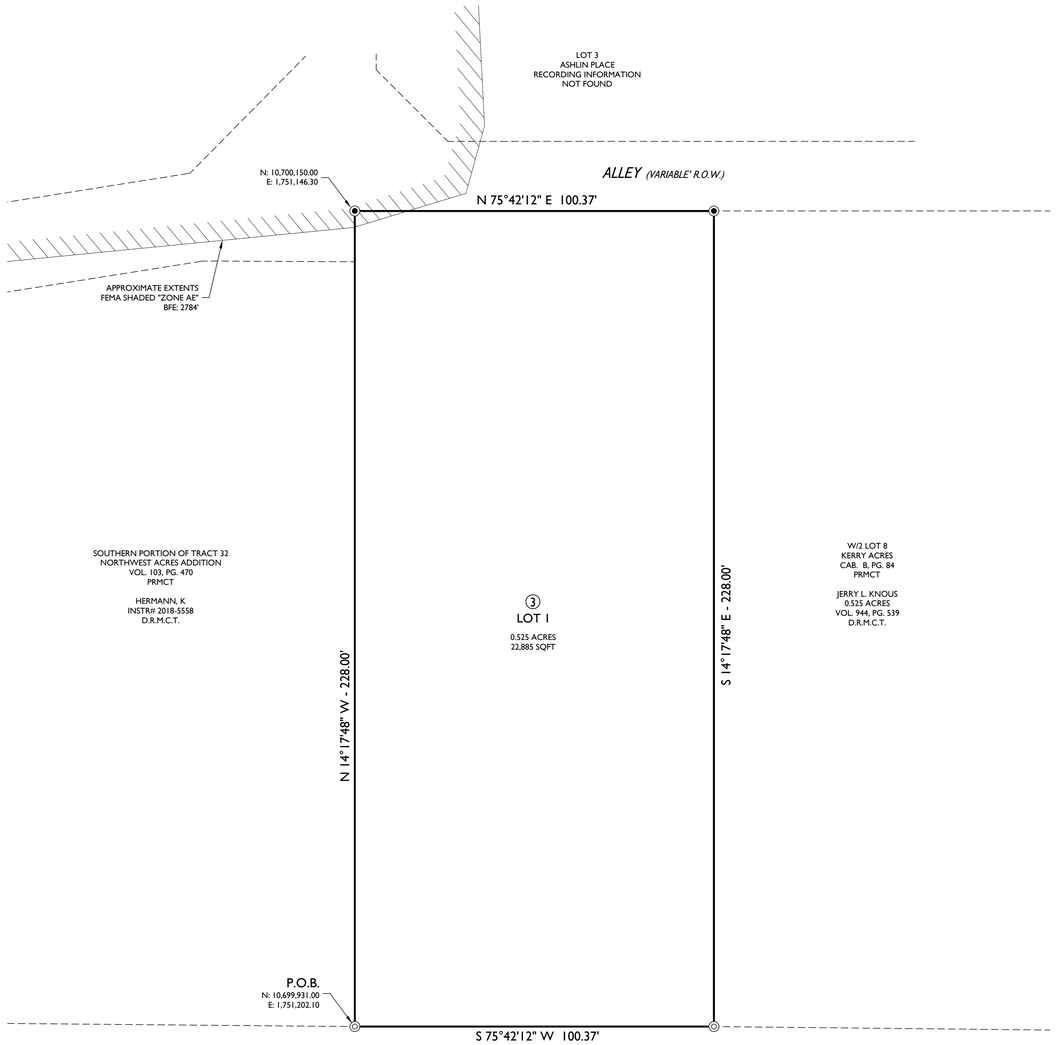
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

Attachments:

Proposed Final Plat
Application
Maps

ASHLIN PLACE, SECTION 3

BEING A RE-PLAT OF THE SOUTH 228-FEET OF THE SOUTH HALF OF TRACT 31, NORTHWEST ACRES ADDITION, CITY AND COUNTY OF MIDLAND, TEXAS



W GOLF COURSE ROAD (60' R.O.W.)

PROPERTY OWNER

WHITE HOUSE- MIDLAND, LLC
500 WEST WALL STREET
SUITE 300
MIDLAND, TEXAS 79701
DEED INSTRUMENT #2018-29000

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET _____

DATE _____ PAGE _____

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: _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS WHITE HOUSE-MIDLAND, LLC, is the record owner of a tract of land situated in Section 22, 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 WHITE HOUSE-MIDLAND, LLC, being the owner of the land shown on this plat designated as ASHLIN PLACE, SECTION 3, 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 _____, 20__.

_____
By: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

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

the _____ day of _____, 20__.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of ASHLIN PLACE, 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.

_____
JOSH SPARKS, CHAIRMAN

_____
CRISTINA ODENBORG BURNS, SECRETARY

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, PAUL WILSON, 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.

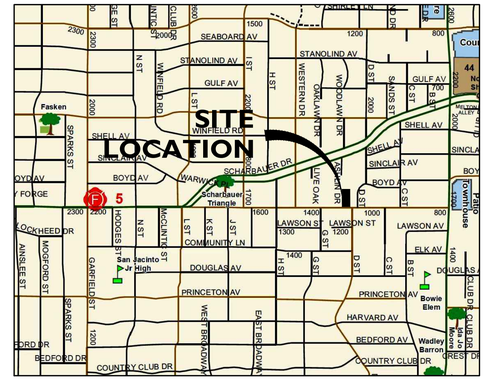
_____
PAUL WILSON RPLS#6135
Maverick Engineering (TX Firm #10194514)
1909 W. Wall Street, Suite, K
Midland, TX 79701

3 MARCH 2020

STATE OF TEXAS · REGISTERED · PAUL WILSON · 6135 · PROFESSIONAL · LAND SURVEYOR

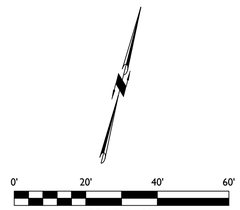
DEVELOPMENT NOTES

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



VICINITY MAP

N.T.S.



SCALE 1" = 20'

LEGEND

◉	DENOTES SET 1/2-INCH IRON ROD W/ CAP MARKED "MAVERICK FIRM #10194514"
◎	DENOTES FOUND 1/2" IRON ROD
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
———	DENOTES BOUNDARY LINE
- · - · - · -	DENOTES EXISTING EASEMENT LINE
— — — — —	DENOTES EXISTING ADJOINERS

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0089F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS WITHIN THE SHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND PARTIALLY WITHIN SHADED ZONE "AE" DESIGNATED AS "AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOOD, WITH A BASE FLOOD ELEVATION OF 2784 FEET"

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.

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

ASHLIN PLACE, SECTION 3

F:\2019\190119-WHITE HOUSE MIDLAND, LLC\1208 W. GOLF COURSE RE-PLAT\DRAWINGS\PLAT\190119 - FINAL PLAT.DWG

MIDLAND
Planning Division

Final Plat Application

Project Number: SUB-19-0266
Case Number: P-20-0825

Proposed Subdivision Plat Name: Ashlin Place, Section 3

Legal Description (attached sealed Metes and Bounds): Being a Re-plat of the South 228-feet of the south half of tract 31, Northwest Acres Addition, City and County of Midland, Texas

Property Owner Printed Name: White House Midland, LLC		Phone ( ) Email	
Address 500 W. Wall Street, Suite 300	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: Maverick Engineering Printed Name: Andrew L. Mellen		Phone (432) 262-0999 Email phuckaba@maverick-eng.com	
Address 1909 W. Wall Street, Ste. K	City Midland	State TX	Zip 79701

Current Zoning: SF1

Reason for Platting: Ownership purposes

Plat Information	Total Acreage: 0.521
Type: ☒ Single-Family Residential ☐ Commercial	☐ Multi-Family Residential ☐ Extraterritorial Jurisdiction (ETJ)
Number of Residential Lots: 1	Number of Multi-Family Dwelling Units: 0

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

Items to be submitted with this application form:

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

Mylar Reproductions

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

☐ Applicant would like a reproduction made for their records

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

Recording Fee (Payable to 'Midland County Clerk')

For plats 18" to 24" $61.00

For plats that exceed 24" $81.00

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

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

Property Owner (signature): David H. Arrington Date: 3/3/2020

Property Owner (printed): DAVID H. Arrington

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L. Mellen

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 3 day of March, 2020, to certify which witness my hand and seal of office.

Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

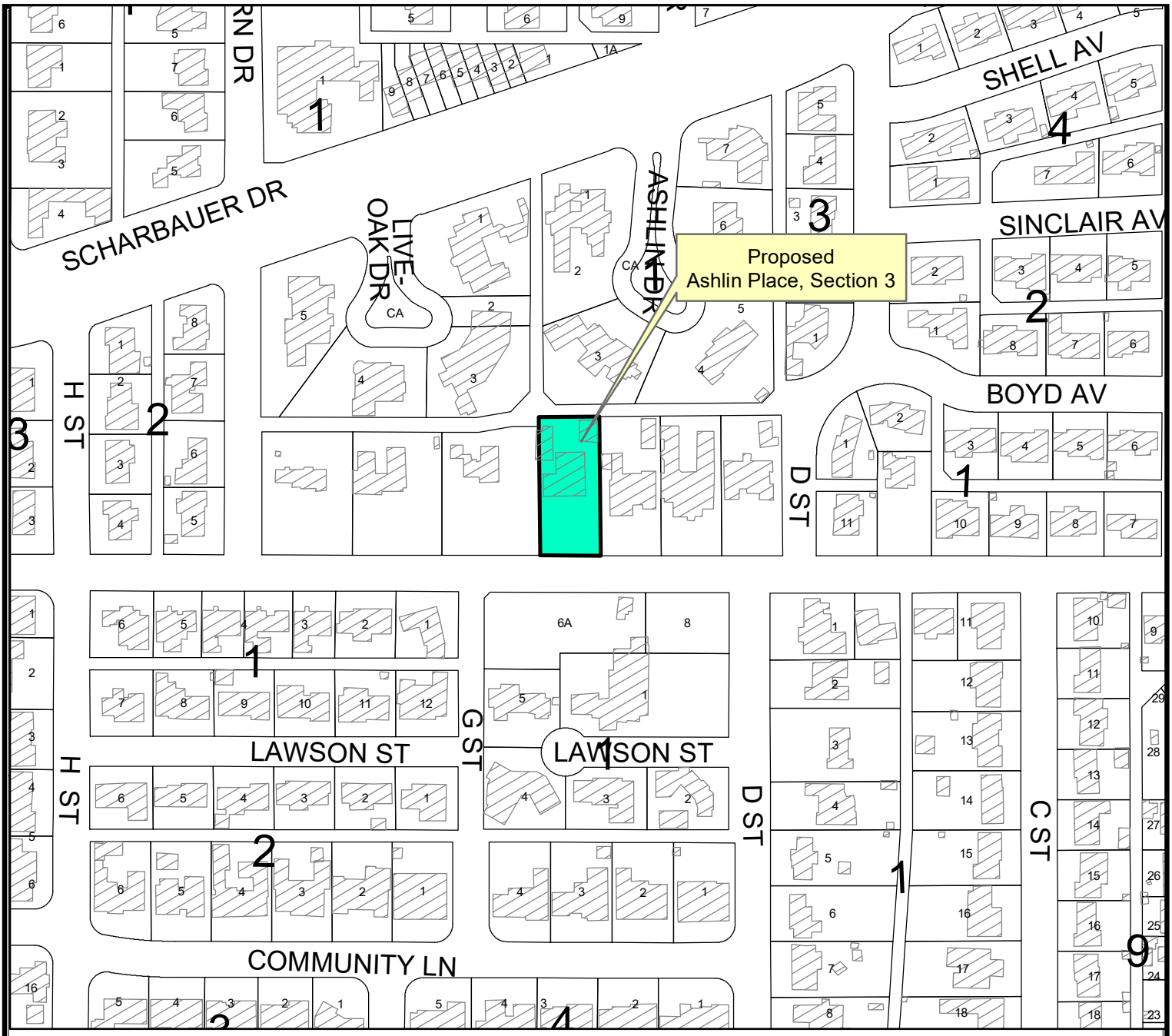
NOTARY PUBLIC STATE OF TEXAS
Kelsey Ann Stine
My Commission Expires
02/19/2022
ID No. 131456368

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

FOR OFFICE USE ONLY		
☑ Property Owner Authorization – missing	☑ 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 # 3130	☑ Tax Certificates	Check # [illegible]
Received By: Crystal Burns		Date: RECEIVED MAR 16 2020

BY: .....

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



LOCATION MAP

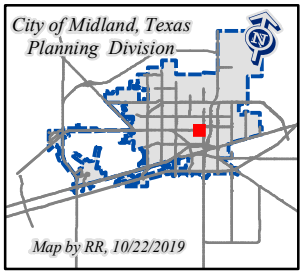
SUB-19-0266 **Scale: 1" = 150'**

Consider a proposed Plat of Ashlin Place, Section 3, being a plat of a 0.487 Acre Tract of Land out of Section 22, Block 39, T-1-S, T & P RR Co Survey, City and County of Midland, Texas.

Generally located on the north side of West Golf Course Road, approximately 465.7 feet east of Western Drive. Council District 3

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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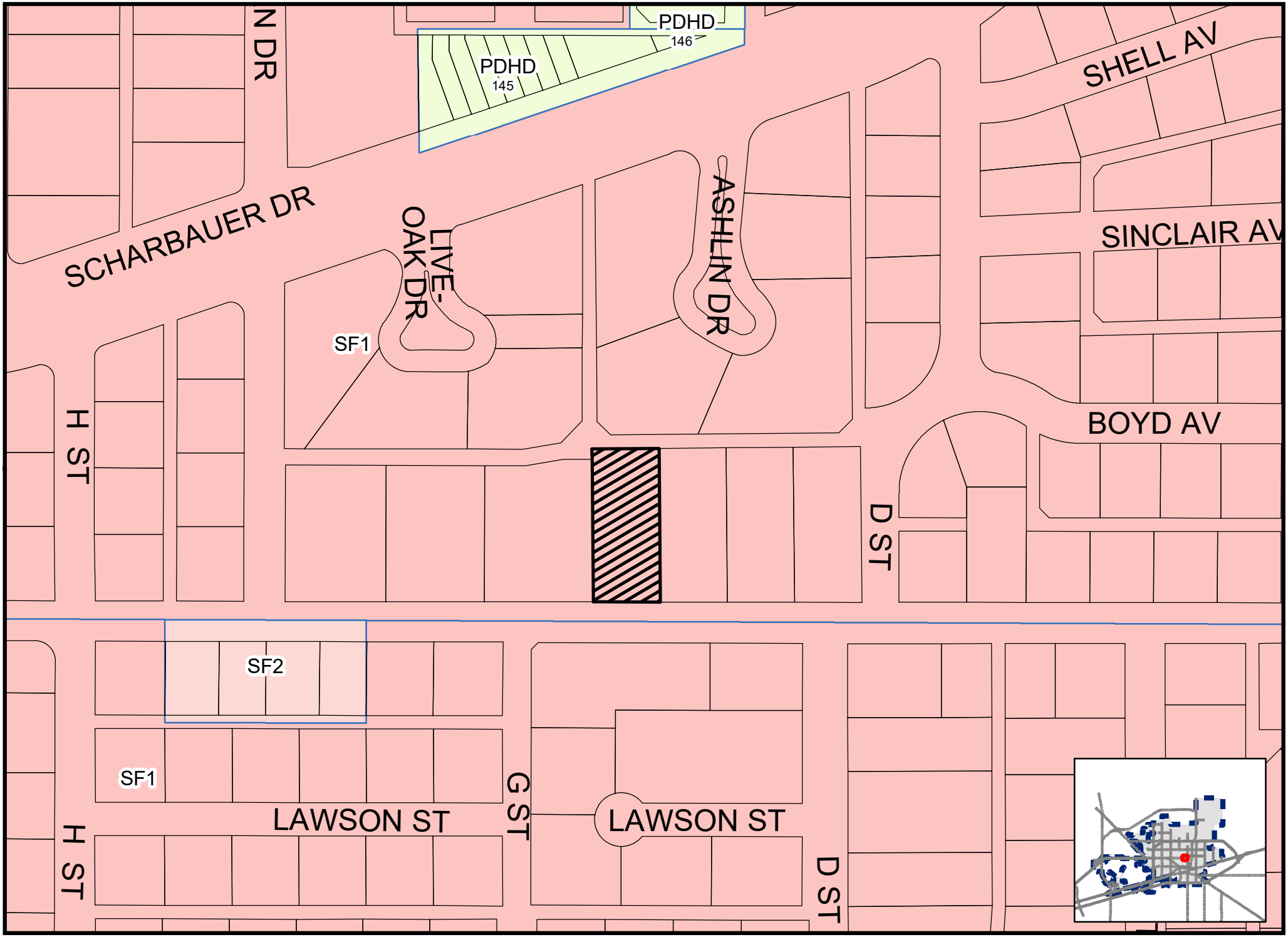
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

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



Map By RR, 10/02/2019

SUB-19-0266

Scale: 1" = 150'

ZONING MAP

© THE CITY OF MIDLAND - 2019: 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

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Hold a public hearing and consider a request by Cork & Pig Tavern – Ally Village, LLC, for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 5,460 square foot portion of Lot 2, Block 1, Corporate Plaza, Section 21, City and County of Midland, Texas. (Generally located on the south side of Spring Park Drive, approximately 685-feet east of N. Big Spring Street. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

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 200 Spring Park Drive, Suite 200, Midland, Texas 79705.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The property is located at 200 Spring Park Drive, Suite 200 in a RR, Regional Retail District. The property to the north is zoned RR, Regional Retail District, and the location of Ally Outdoor and Ally Cafe. The property to the east is zoned PD, Planning District for a Transitional District. This property is regulated by Ordnance No. 6728 and is the location of offices. The properties to the south are zoned SF-2, Single-Family Dwelling District, and the location of residences. The properties to the west, are zoned RR, Regional Retail District, and the location of Midland Self Storage and SoftSuds.

Analysis:

The property is located in a RR, Regional Retail District, which permits the sale of alcoholic beverages, for on-premises consumption in a restaurant with the approval of a Specific Use Designation with term. The applicant is proposing a restaurant Cork & Pig Tavern in the shopping center. Cork & Pig Tavern will be located in building "B", and will have a total square footage of 5,460, of which 3,900 square feet will be dedicated to the alcohol serviceable area.

The proposed site plan provides adequate access and internal circulation. A total of 229 shared parking spaces for all three (3) proposed buildings, of which 8 will be accessible spaces. The Restaurant will have a total occupancy of 89 people; therefore, 15 parking spaces will be required.

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

Monday through Thursday: 11:00 a.m. to 10:00 p.m.
Friday through Saturday: 11:00 a.m. to 11:00 p.m.
Sunday: 11:00 a.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.

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

Engineering: (Approved)

No objection.

Fire: (Approved)

No comments.

Transportation: (Approved)

No objection.

Code Administration: (Approved with Conditions)

The SUD for Cork and Pig is acceptable. The property must adhere to the current maximum occupant load of 89 patrons. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to* "Encourage the development of places where Midland residents can gather and socialize to build connections." (Tall City Tomorrow page 137) This request will aid in promoting investment in an established area with existing capital assets. This development will make full use of existing infrastructure, while also respecting the character of the surrounding neighborhood.
This Development will comply with Future Land Use map which calls for Regional Commercial (CR), which recommends areas that improve economic performance and opportunities for social interaction, by locating diverse and complementary uses in close proximity.

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

Conditions:

A. **That the alcoholic serviceable area of the restaurant shall be limited to approximately 3,900 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**

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

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

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

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

    Monday through Thursday: 11:00 a.m. to 10:00 p.m.
    Friday through Saturday: 11:00 a.m. to 11:00 p.m.
    Sunday: 11:00 a.m. to 9:00 p.m.

F. **That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**

G. **That in accordance with Section 9.07.E.3 of the Zoning Ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

As of April 1, 2020, staff has not received any letters of objections.

Attachments:

Floor Plan (Exhibit A)
Application
Maps
Ordinance No. 6728

NOTE: GENERAL REQUIREMENTS OF THE CONTRACT DOCUMENTS FOR CONTRACTOR

1) ALL PLAN DIMENSIONS ARE NOMINAL & TO FRAMING UNLESS NOTED OTHERWISE. CONTRACTOR SHALL USE WRITTEN DIMENSIONS ONLY. DO NOT SCALE DRAWINGS! DIMENSIONS ARE NOT ADJUSTABLE WITHOUT PRIOR WRITTEN APPROVAL FROM ARCHITECT OR ENGINEER.

2) SHOULD THE CONTRACTOR, SUBCONTRACTOR OR SUPPLIERS FIND ANY DISCREPANCY IN DIMENSIONS, NOTES OR SPECIFICATIONS THEY SHALL NOTIFY THE ARCHITECT AND RECEIVE CLARIFICATION BEFORE PROCEEDING WITH WORK OR ORDERING OF ANY MATERIAL. CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL, REPAIR OR REPLACEMENT OF ANY WORK OR MATERIALS SHOULD THE DESIGNER NOT BE CONSULTED.

3) IN CASE OF CONFLICT BETWEEN OR WITHIN THE VARIOUS CONTRACT DOCUMENTS, THE MORE STRINGENT (AS DETERMINED BY THE ARCHITECT) SHALL GOVERN, AND THE GREATER QUANTITY AND THE HIGHER QUALITY (AS DETERMINED BY THE ARCHITECT) SHALL BE FURNISHED. THIS RULE DOES NOT APPLY WHERE ONE REQUIREMENT IS SPECIFICALLY MODIFIED OR SUPERSEDED BY ANOTHER AND WHERE ADDITIONS TO, DELETIONS FROM, AND OTHER CHANGES ARE SPECIFICALLY MADE, AS IN ADDENDA, CONSTRUCTION CHANGE DIRECTIVES, MODIFICATIONS, CHANGE ORDER AND THE LIKE.

4) GENERAL CONTRACTOR AND SUBCONTRACTORS MUST SUBMIT SHOP DRAWING SUBMITTALS BEFORE ORDERING AND INSTALLING ALL FINISH MATERIALS, CABINETS, HARDWARE, SPECIALTIES, ETC., FOR APPROVAL BY ARCHITECT. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH REPLACEMENT OF UNAPPROVED WORK.

LEGEND

- ROUGH WOOD
- WOOD BLOCKING
- FINISH WOOD
- CONCRETE IN SECTION
- FACE BRICK IN SECTION
- STEEL IN SECTION LARGE SCALE
- BATT INSULATION
- RIGID INSULATION
- STUCCO/EFIS
- PLYWOOD
- SAND
- EARTH

SYMBOLS

WINDOW INDICATION:

WINDOW TYPE — K

ROOM INDICATION:

ROOM NAME — OFFICE
ROOM NUMBER — 200

ELEVATION INDICATION:

DETAIL NUMBER — 0-0.0
SHEET NUMBER

SECTION INDICATION:

SHEET NUMBER — 0-0.0
DETAIL NUMBER

DETAIL INDICATION:

DETAIL NUMBER — 3
SHEET NUMBER — A4.1

WALL TYPE INDICATION:

DETAIL NUMBER — A

WALL TYPES:

- DEMO WALL
- NEW WALL
- EXIST WALL
- 1 HR FIRE RATED WALL

DOOR INDICATION:

DETAIL NUMBER — 100

ABREVIATIONS

ABV.	ABOVE
A.D.	AREA DRAIN
ADD. ALT.	ADDITIVE ALTERNATE
A.F.F.	ABOVE FINISHED FLOOR
ALUM.	ALUMINUM
B.L.	BORROWED LIGHT
BM.	BEAM
BO	BOARD
CEM	CEMENT
CMU	CONCRETE MASONRY UNIT
CONC.	CONCRETE
C.O.	CLEAN OUT
CMU	CERAMIC TILE
ELEV.	ELEVATION
E.W.C.	ELECTRIC WATER COOLER
F.D.	FLOOR DRAIN
F.E.	FIRE EXTINGUISHER
FIN.	FINISH
FLR.	FLOOR
FTG.	FOOTING
GA.	GAUGE
GALV	GALVANIZED
GYP. BD	GYPSUM BOARD
H.M.	HOLLOW METAL
HORIZ	HORIZONTAL
H.P.	HIGH POINT
INSUL.	INSULATED, INSULATION
L.L.V.	LONG LEG VERTICAL
L.P.	LOW POINT
MAS.	MASONRY
MAT'L.	MATERIAL
MAX.	MAXIMUM
MIN.	MINIMUM
MISC.	MISCELLANEOUS
M.O.	MASONRY OPENING
MTD.	MOUNTED
N.I.C.	NOT IN CONTRACT
O.C.	ON CENTER
OVHD DOOR	OVERHEAD DOOR
PL.	PLATE
PREFAB.	PREFABRICATED
P.S.F.	POUNDS PER SQUARE FOOT
PT.	POINT
REINF.	REINFORCED/REINFORCING
REQ'D	REQUIRED
RM	ROOM
SIM.	SIMILAR
STD.	STANDARD
T.O.M.	TOP OF MASONRY
T.O.S.	TOP OF STEEL
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
V.C.T.	VINYL COMPOSITION TILE
W/	WITH
W.C.	WATER CLOSET
W.W.F.	WELDED WIRE FABRIC

BUILDING INFORMATION

PROJECT NAME ..... CORK AND PIG

PROJECT LOCATION ..... ALLY VILLIAGE
200 SPRING PARK DR. SUITE 200
MIDLAND, TEXAS

LEGAL DESCRIPTION

LOT 002, BLOCK 001, CORPORATE PLAZA
MIDLAND TEXAS, MIDLAND COUNTY, TEXAS

ZONING RR

USE GROUP A-2

CODE REVIEW

APPLICABLE CODES
2018 INTERNATIONAL BUILDING CODE
2018 INTERNATIONAL MECHANICAL CODE
2017 NATIONAL ELECTRICAL CODE
2018 INTERNATIONAL PLUMBING CODE
2018 INTERNATIONAL ENERGY CONSERVATION CODE
2015 INTERNATIONAL FIRE CODE

BUILDING SIZE

EXISTING BUILDING (BUILDING B) ..... 19,964 SQ. FT.
TENANT AREA ..... 4,560 SQ. FT.

OCCUPANT LOAD

DINING 86
KITCHEN 3
TOTAL 89

BUILDING IS SPRINKLED

NUMBER OF STORIES 1-STORY
SPECIAL USE REQUIREMENTS ..... NONE
AREA SEPARATION REQUIREMENTS ..... NONE (NON-SEPERATED USES)
CONSTRUCTION TYPE ..... TYPE -V B
MAX. EGRESS TRAVEL DISTANCE ..... 75'
MAX. EXIT ACCESS TRAVEL DISTANCE ..... 250'
BUILDING AREA ALLOWED ..... EXISTING

PLUMBING FACILITIES

	WATER CLOSETS		LAVATORIES	OTHERS
	MALE 1 PER 75	FEMALE 1 PER 75	1 PER 200	DRINKING FOUNTAIN
	1 REQ.	1 REQ.	1 REQ.	1 REQ.
PROVIDED	1 WC	2	4	SERVED
	2 UR			

DRAWING INDEX

1	A0.0	GENERAL NOTES/ COVER

ARCHITECTURAL

2	ADA	TAS/ADA PAGE 1
3	ADA	TAS/ADA PAGE 2
4	ADA	TAS/ADA PAGE 3
5	ADA	TAS/ADA PAGE 4
6	A-1.0	FLOOR PLAN
7	A-1.1	REFLECTED CEILING PLAN
8	A-1.2	FLOORING PLAN
9	A-1.3	FURNITURE PLAN
10	A-1.4	WALL SECTIONS
11	A-2.0	TOILET ROOM PLAN AND DETAILS
12	A-2.1	INTERIOR ELEVATIONS
13	A-2.2	FINISH SCHEDULES
14	A-3.0	ARCHITECTURAL SPECS

FOOD SERVICE

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16	FS-1.1	FOOD SERVICE EQUIPMENT FLOOR PLAN
17	FS2	FOOD SERVICE EQUIPMENT ELECTRICAL PLAN
18	FS3	FOOD SERVICE EQUIPMENT PLUMBING PLAN
19	FS3.1	FOOD SERVICE EQUIPMENT PLUMBING PLAN
20	FS4	FOOD SERVICE EQUIPMENT MECHANICAL PLAN
21	FS5	FOOD SERVICE EQUIPMENT FRAMING PLAN
22	FS6	FOOD SERVICE EQUIPMENT ELEVATIONS
23	FS6.1	FOOD SERVICE EQUIPMENT ELEVATIONS
24	FS7	FOOD SERVICE EQUIPMENT EH DETAILS
25	FS8	FOOD SERVICE EQUIPMENT EXHAUST HOODS
26	FS9	FOOD SERVICE EQUIPMENT EH SECTIONS
27	FS10	FOOD SERVICE EQUIPMENT EXHAUST HOODS
28	FS11	FOOD SERVICE EQUIPMENT EXHAUST HOODS
29	FS12	FOOD SERVICE EQUIPMENT EH ELEVATIONS
30	FS13	FOOD SERVICE EQUIPMENT EH DETAILS
31	FS14	FOOD SERVICE EQUIPMENT WALK-IN SPECS.
32	FS15	FOOD SERVICE EQUIPMENT WALK-IN DETAILS

M.P.E.

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34	M201	MECHANICAL FLOOR PLAN
35	M301	MECHANICAL DETAILS
36	M401	MECHANICAL SCHEDULES
37	MEP101	MEP SPECIFICATIONS
38	MEP201	MEP SPECIFICATIONS
39	MEP301	MEP ROOF PLAN
40	P101	PLUMBING PLAN COVER SHEET
41	P201	WASTE AND VENT PLAN
42	P301	PLUMBING PLAN
43	P401	PLUMBING DETAILS
44	P402	PLUMBING DETAILS
45	P501	PLUMBING RISERS
46	P502	PLUMBING RISERS
47	P601	PLUMBING SCHEDULES
48	E101	ELECTRICAL PLAN COVER SHEET
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50	E301	POWER PLAN
51	E401	ELECTRICAL DETAILS
52	E501	ELECTRICAL RISER AND SCHEDULES

SITE MAP

NORTH

LOCATION MAP

NORTH

PROJECT DIRECTORY

ARCHITECT:
FRANK RICHARDSON, AIA
10000 WATERSTONE WAY
MCKINNEY, TEXAS 75072
214.864.2504
FRANKRICHARDSONAIA@YAHOO.COM

MEP ENGINEER:
RICHARD NORRIS, P.E.
R. SQUARED CONSULTING ENGINEERS, INC.
214.548.5118
RNORRIS@R2ENGINEERS.COM

FOOD SERVICE CONSULTANT:
STEPHEN NACHTIGALL
TOP SHELF DESIGN
2898 WEST RIDGEVIEW CIRCLE
KAUFMAN, TX 75142
972.977.6497
STEPHEN@TOPSHELFDESIGN.COM

PROJECT COORDINATOR:
MIDLAND DCI, LLC
407 N. BIG SPRING, SUITE 204
MIDLAND, TEXAS 79701
432-352-0788
CONTACT: CHAD WALTERS

TEXAS ACCESSIBILITY STANDARDS
TEXAS ENERGY RATERS
PETER WALPER
432-967-4212

TENANT REPRESENTATIVE:
RICHARD PERRY
512.745.5288

DESIGN CONSULTANTS, INC.
DCI
CHAD WALTERS
432-352-0788
CHAD@MIDLAND-DCI.COM
WWW.MIDLAND-DCI.COM

CORK AND PIG
ALLY VILLIAGE
200 SPRING PARK DRIVE SUITE 200
MIDLAND, TEXAS
LOT 002, BLOCK 001
CORPORATE PLAZA

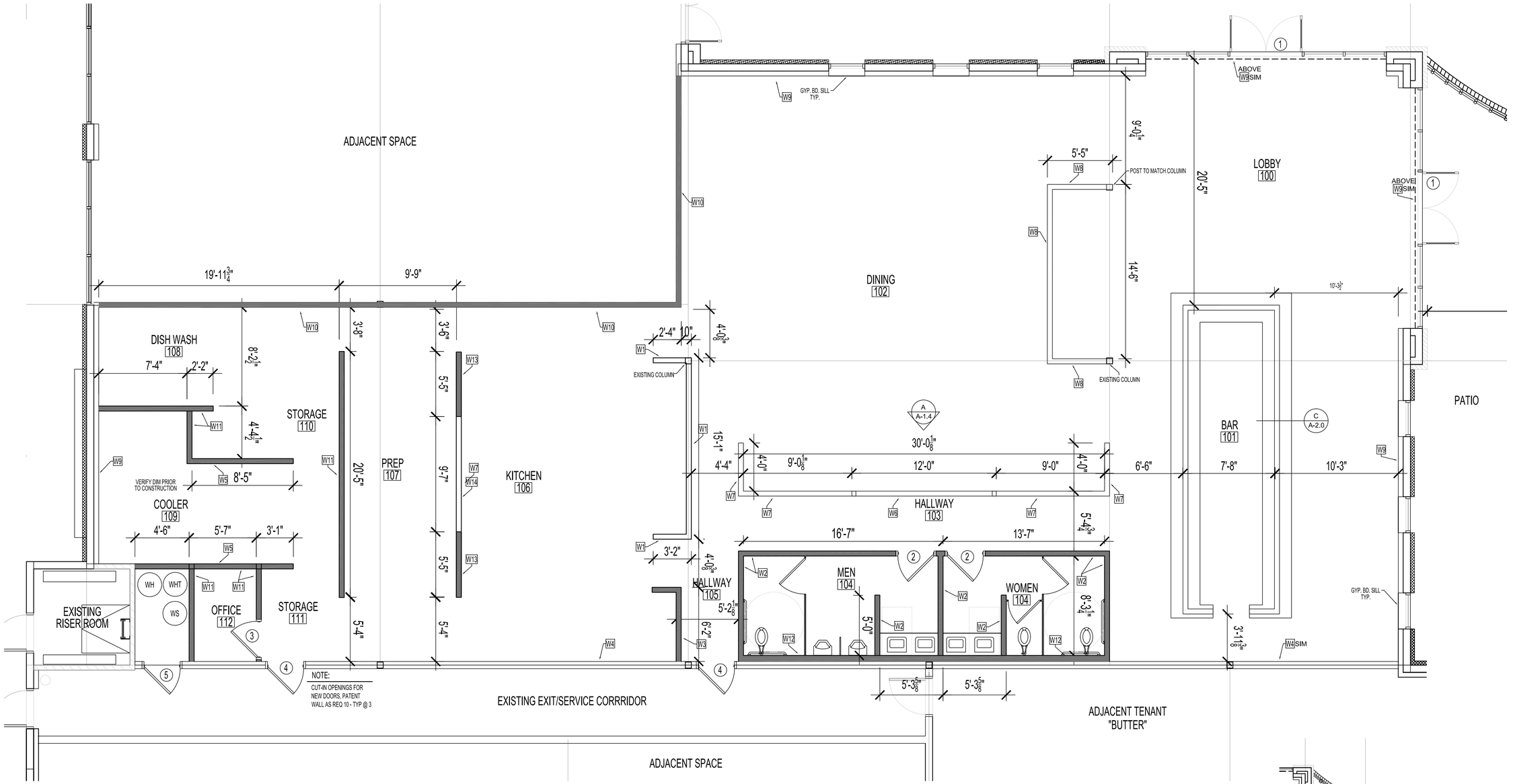
Cork & Pig Tavern

FRANK RICHARDSON, AIA
ARCHITECT
10000 WATERSTONE WAY
MCKINNEY, TEXAS 75072
214-864-2504

No.	Revision/Issue	Date
1	FINAL PLANS	12/17/19

Sheet 1 of 52

A0.0



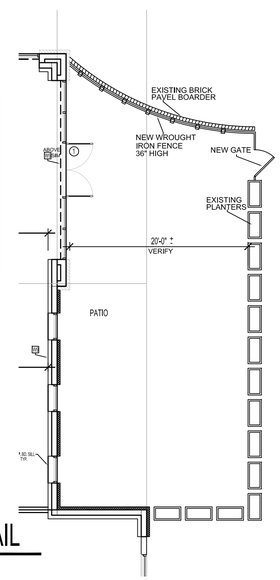
A
A-1.0
FLOOR PLAN
SCALE: 1/4" = 1'-0"

HARDWARE SCHEDULE

SET	DESCRIPTION
A	SOLID CORE WOOD DOOR - STAIN GRADE BIRCH KNOCK DOWN ALUMINUM FRAME 1½ PAIR McKINNEY HINGES #TA274 - 4½" x 4½" OVERHEAD MOUNTED CLOSER PUSH PLATE - ROCKWOOD 71A SATIN CHROME FINISH PULL HANDLE - ROCKWOOD BF150 SATIN CHROME FINISH 3 SILENCERS - 'IVES' #20 ROCKWOOD FLOOR MOUNTED DOOR STOP #440 2 KICK PLATES - 'IVES' #8400B4-15X32D MOUNT ON EACH SIDE OF DOOR
B	SOLID CORE WOOD DOOR - STAIN GRADE BIRCH KNOCK DOWN ALUMINUM FRAME ARROW LEVER TYPE DOOR HARDWARE 1½ PAIR McKINNEY HINGES #TA274 - 4½" x 4½" MORTISED PRIVACY SET 3 SILENCERS - 'IVES' #20 ROCKWOOD FLOOR MOUNTED DOOR STOP #440
C	HOLLOW METAL DOOR HOLLOW METAL FRAME ARROW EXIT DOOR HARDWARE - PUSH SIDE 1½ PAIR McKINNEY HINGES 4½" x 4½" W/ NON-REMOVEABLE PINS OVERHEAD MOUNTED CLOSER-180° NATIONAL GUARD THRESHOLD #425 KICK DOWN HOLD OPEN DEVICE 3 SILENCERS -'IVES' #20 KEYED ACCESS FROM OUTSIDE ONLY 2 KICK PLATES - 'IVES' #8400B4-15X32D MOUNT ON EACH SIDE OF DOOR

DOOR SCHEDULE

SYMBOL	SIZE	TYPE	FRAME	HDWR.	LOCATION
①	EXISTING PAIR 3'-0" X 7'-0"	GLASS DOOR	ALUMINUM	EXISTING	ENTRY
②	3'-0" X 7'-0"	SOLID CORE WOOD	KD ALUMINUM	A	RESTROOM, WH CLOSET
③	3'-0" X 7'-0"	SOLID CORE WOOD	KD ALUMINUM	B	OFFICE
④	3'-0" X 7'-0"	HOLLOW METAL	HM	C	CORRIDOR
⑤	3'-0" X 7'-0"	HOLLOW METAL	HM	B	UTILITY



B
A-1.0
PATIO DETAIL
SCALE: 1/8" = 1'-0"

REGISTERED ARCHITECT
JAMES RICHARDSON
STATE OF TEXAS

DCI
DESIGNERS CONSULTING INVESTMENT
CHAD WALTERS
432-352-0788
CHAD@MIDLAND-DCI.COM
WWW.MIDLAND-DCI.COM

CORK AND PIG
ALLY VILLIAGE
200 SPRING PARK DRIVE SUITE 200
MIDLAND, TEXAS
LOT 002, BLOCK 001
CORPORATE PLAZA

Cork & Pig Tavern

FRANK RICHARDSON, AIA
ARCHITECT
10000 WATERSTONE WAY
MCKINNEY, TEXAS 75072
214-864-2504

No.	Revision/Issue	Date
1	FINAL PLANS	12/17/19

Sheet 6 of 52

A-1.0

MIDLAND
Planning Division

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

Project Number: SUP-20-0074

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Cork & Pig Tavern - Ally Village, LLC		Phone (310) Email 977-5266	
Address 950 E. State Hwy 114, Ste 160	City Southlake	State Texas	Zip 76092

Property Owner Printed Name: GRIPP REAL ESTATE INVESTMENTS, LLC		Phone (214) Email 864-2504	
Address 200 SPRING PARK DRIVE, SUITE 105	City Midland	State Texas	Zip 79705

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

Street Address: 200 SPRING PARK DRIVE, SUITE 200

Business Name: CORK & PIG TAVERN

Legal Description
Lot: 002 Block: 001 Subdivision: CORPORATE PLAZA

Current Zoning: RESTAURANT USE WITH ON PREMISES ALCOHOL SALES

Reason for Request: Approval by City to file for TABC permit

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

Proposed/Current Days and Hours of Operation: MONDAY - THURSDAY - 11:00am - 10:00pm
SUNDAY 11:00am - 9:00pm FRIDAY - SATURDAY - 11:00am - 11:00pm

Proposed Days and Hours of Alcohol Service: same as hours open, subject to TABC laws and regulations

Total Square Footage of Business: 4560 indoor + 900 patio

Square Footage of Alcohol Serviceable Area: 3,000 indoor + 900 patio

Restroom Fixtures:				
	Men	**Toilets/Urinals:**	1 / 2	**Bathroom Sinks:** 2
	Women	**Toilets:**	2	**Bathroom Sinks:** 2

RECEIVED
MAR 10 2020

BY: .....

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):	Date: 3.10.20
Applicant (printed): EDUARD BUENAVENTURA	
Property Owner (signature):	Date:

Property Owner (printed) : _____

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.****

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):	Date:
Applicant (printed):	
Property Owner (signature):	Date: 03.09.20
Property Owner (printed) : FRANK ROBERTSON / GRIDD REAL ESTATE INVESTMENTS LLC	

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.

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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*)

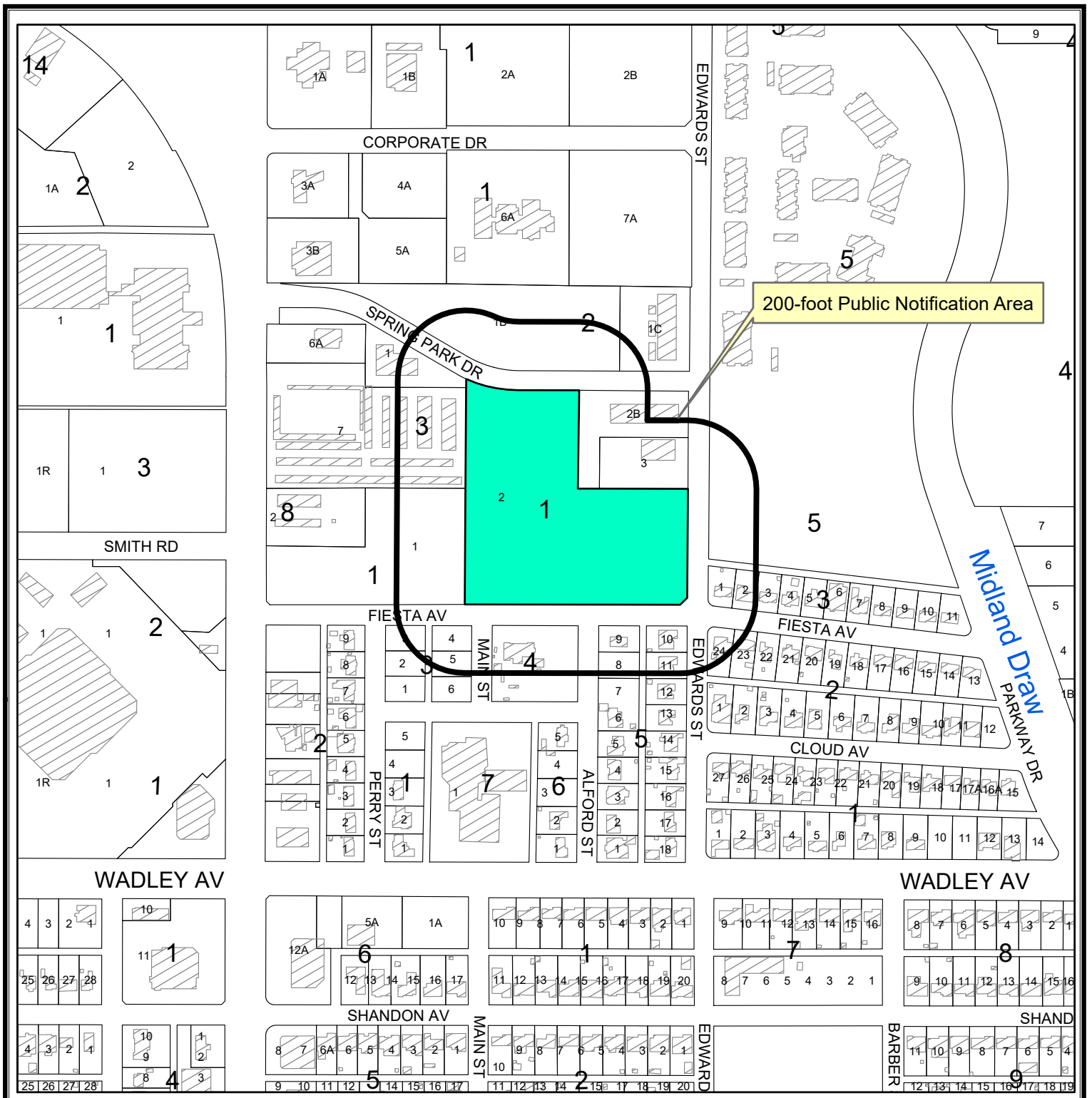
Subscribed and sworn to before me, this _____ day of _____, 20 ___, to certify which witness my hand and seal of office.

_____
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
☐ Application Fee	☐ Site Plan
Check #_____	☐ Plans in Digital Format (PDF/JPEG)
Received By:_____	Date:_____

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



LOCATION MAP

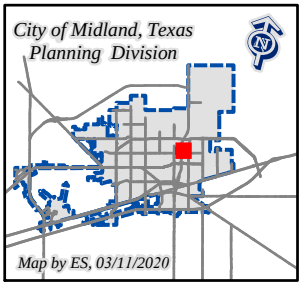
SUD-20-0074 **Scale: 1" = 400'**

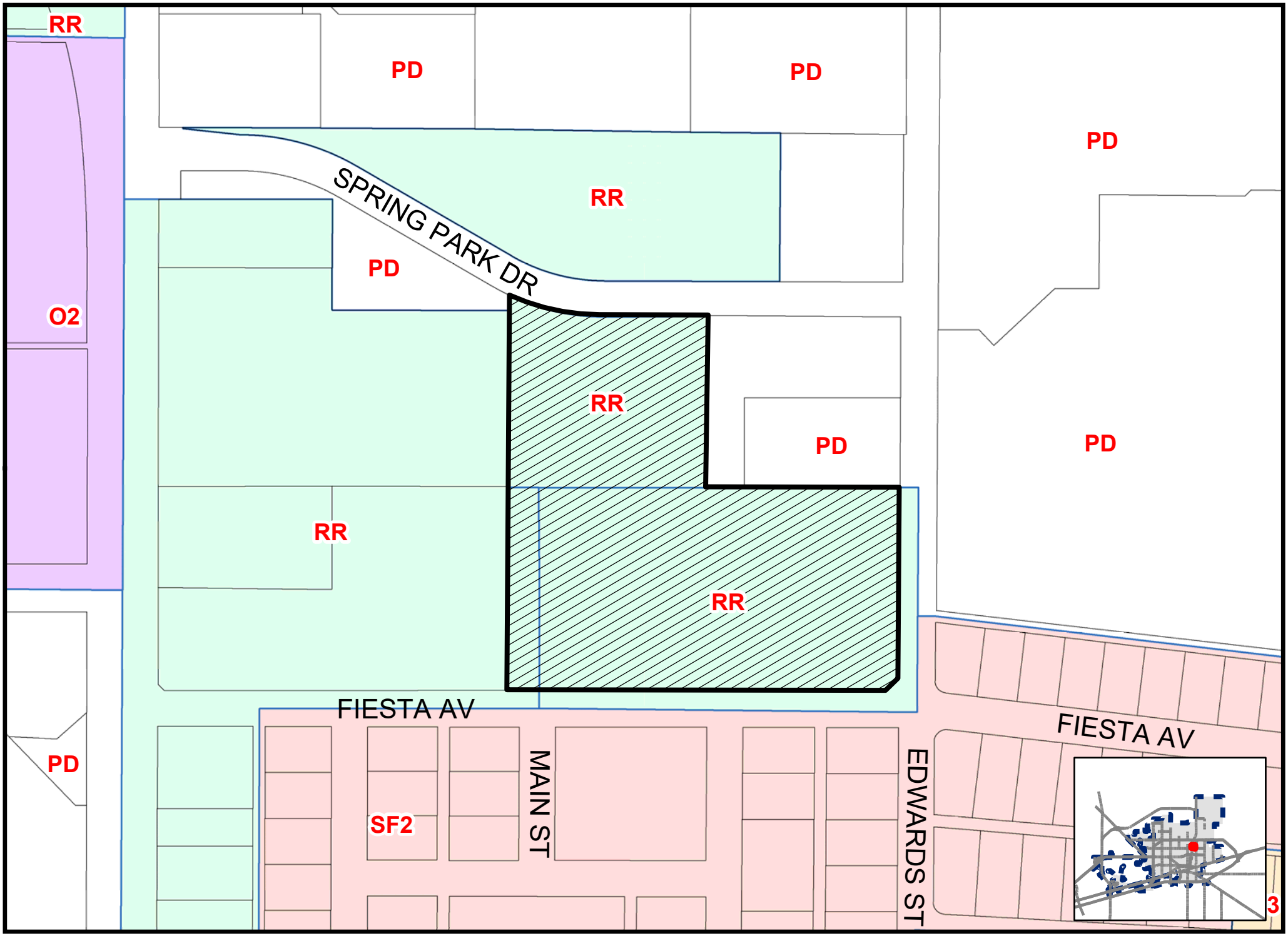
Consider a request by Cork & Pig Tavern – Ally Village, LLC for a Specific Use Designation with Term for the Sale of all Alcoholic Beverages, for on premises consumption in a restaurant, on a 5,460 square foot portion of Lot 2, Block 1, Corporate Plaza, Section 21, City and County of Midland, Texas.

Generally located on the south side of Spring Park Drive, approximately 685-feet east of N. Big Spring. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 3/20/2020

SUD-20-0074

Scale: 1" = 200'

ZONING MAP

2 4 2

NO PARKING FIRE LANE

Planning and Zoning Commission

MEETING DATE: **April 6, 2020**

TO: **Planning and Zoning Commission**

FROM: **Elizabeth Shaughnessy, Senior Planner**

SUBJECT: **Hold a public hearing and consider a Final Plat of Cowden Addition, Section 5 being a residential re-plat of Lot 6, Block 34, Cowden Addition, and Lot 1, Block 34, Cowden Addition, Section 4, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of West Estes Avenue and North Marienfeld Street. Council District 3)**

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant's property is located on the southeast corner of the intersection of West Estes Avenue and North Marienfeld Street. The applicant, Carrillo Realty Partners, LLC, is seeking to re-plat the property into one (1) lot.

Current Zoning:

RR, Regional Retail District. (The property was previously zoned residential in the preceding five years.)

Preliminary Plat Approval:

The plat qualified to go short form.

Final Plat Requirements:

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

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

ENGINEERING: (Approved)

ROW: ROW okay as shown.

PAVING: Big Spring, Estes, and Marienfeld are okay as is. No public paving improvements are required.

WATER: 6" water existing to the North on Estes and to the West on Marienfeld. 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" sewer existing to the South in the alley. No public wastewater improvements required.

DRAINAGE: Letter submitted by Stephen Marcum stating that site drainage remains unchanged for the re-plat.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

TxDOT comments, “This is already a developed area without direct access to BS 349 and access should not be allowed 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.

CODE ADMINISTRATION: (Approved)

Plat is acceptable. All future structures must adhere to the 2018 International Building Codes, local city ordinances, zoning requirements, 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)

Additional fire hydrants may be required to meet the fire flow needs of the project based on scope of development.

PLANNING:

All departments' comments have been satisfied.

Conditions:

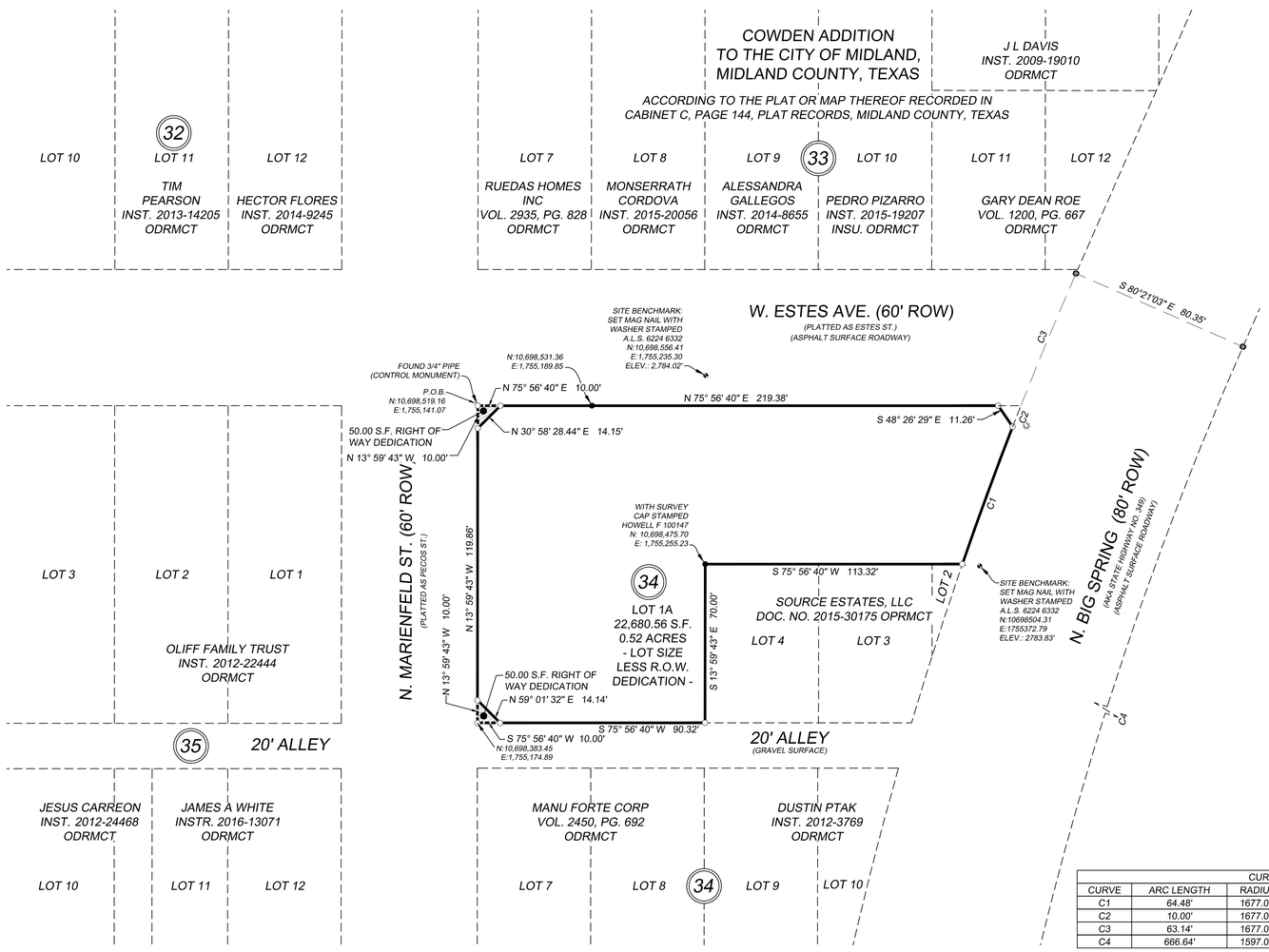
A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filling for recording with the County Clerk of Midland County, Texas.

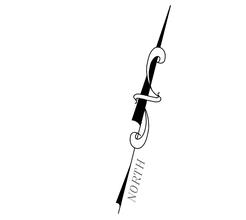
Attachments:

Proposed Final Plat
Application
Maps

COWDEN ADDITION, SECTION 5

BEING A RE-PLAT OF LOT 6, BLOCK 34, COWDEN ADDITION,
AND LOT 1, BLOCK 34, COWDEN ADDITION, SECTION 4,
CITY AND COUNTY OF MIDLAND, TX.





VICINITY MAP
N.T.S.

LEGEND

- DENOTES FOUND BRASS RIGHT OF WAY MONUMENT (CONTROL MONUMENT)
- DENOTES FOUND 1/2" REBAR ROD (CONTROL MONUMENT); UNLESS OTHERWISE NOTED HEREON PLAT
- DENOTES SET 1/2" REBAR ROD WITH SURVEY CAP STAMPED A.L.S. 6224; UNLESS OTHERWISE NOTED HEREON PLAT
- DENOTES BOUNDARY LINE
- DENOTES R.O.W. DEDICATION
- DENOTES ADJACENT LOT LINE

OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS Carrillo Realty Partners, LLC , is the record owner of a tract of land described as BEING A REPLAT OF LOT 6, BLOCK 34, COWDEN ADDITION, AND LOT 1, BLOCK 34, COWDEN ADDITION, SECTION 4, CITY AND COUNTY OF MIDLAND, TX.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Anne Carillo , being the owner of the land shown on this plat designated as COWDEN ADDITION, SECTION 5, 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, and easements shown thereon.

WITNESS my hand at Midland, Texas, this

_____day of _____, 2019.

_____
By: Anne Carillo

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 Anne Carrillo , known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he was acting as owner, and that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office this

_____ day of _____, 2019.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barney Dan Arnold , 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.

_____
Barney Dan Arnold , R.P.L.S.
Registration Number - 6224

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	64.48'	1677.02'	S 06° 12' 49" W	64.48'
C2	10.00'	1677.02'	S 06° 12' 49" W	10.00'
C3	63.14'	1677.02'	N 08° 33' 52" E	63.13'
C4	666.64'	1597.02'	S 02° 18' 55" E	661.81'

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS
NO._____ CABINET____
DATE_____ PAGE____

PROPERTY OWNER:
CARRILLO REALTY PARTNERS, LLC
ANNE CARRILLO, MANAGER
1109 N. BIG SPRING STREET
MIDLAND, TX 79701

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 HEREON ARE NAD83 (CORS96), LAMBERT GRID AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING CITY OF MIDLAND GPS BASE STATION.*

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: _____

CERTIFICATE OF APPROVAL

This is to certify that the above and foregoing plat of "COWDEN ADDITION, SECTION 5", was approved by proper action of the City Planning and Zoning Commission of the City of Midland, Texas on this

the ___ day of _____ 2019.

JOSH SPARKS

_____, CHAIRMAN

CRISTINA ODENBORG BURNS

_____, SECRETARY

Skyline CIVIL GROUP

Skyline Civil Group, LLC • 3323 N. Midland Drive, Suite 113-166 • Midland, Texas 79707
TX FIRM: 17171 • Tel: (432) 685-1226 • www.skylinecivilgroup.com

BARNEY D. ARNOLD LAND SURVEYING & MAPPING
906 W. MAIN EASTLAND, TX 76448
OFFICE:(254)629-8550 FAX:(254)629-8524
EMAIL: danny.arnoldsurvey@gmail.com
TBPLS FIRM NO. 101885-00

COWDEN ADDITION, SECTION 5

MIDLAND
Planning Division

Final Plat Application

Project Number: _____

Case Number: P-19-0006

Proposed Subdivision Plat Name: Cowden Addn., Section 5

Legal Description (attached sealed Metes and Bounds): Previously submitted

Property Owner Printed Name: Carrillo Partners Realty, LLC (Anne Carrillo)		Phone ( ) Email previously Provided	
Address 1109 N. Big Spring	City Midland	State Tx	Zip 79701

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

Representative *(if acting as Agent, see affidavit on page 2)* Firm: Skyline Civil Group Printed Name: Stephen T. Marcum		Phone ( ) Email previously Provided	
Address	City	State	Zip

Current Zoning: ReZone Pending to LR-2

Reason for Platting: Combine to 1 lot.

Plat Information	Total Acreage: 0.52
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
- 1 Signed Mylar (or more if applicant does not request a signed reproduction
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the 'City of Midland'
- Recording Fee – Payable to 'Midland County Clerk'

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

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

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

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

Property Owner (signature): Anne W Carrillo Date: 7.11.19

Property Owner (printed): Anne W Carrillo / Carrillo Realty Partners LLC

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 Stephen T. Marcum who, being by me duly sworn, upon oath says: That (s)he is authorized by Anne W. Carrillo, 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 12 day of July, 2019, to certify which witness my hand and seal of office.

GORDON DAMAN Jr
Notary Public, State of Texas
Expires July 31, 2023
I.D.#12463569-9

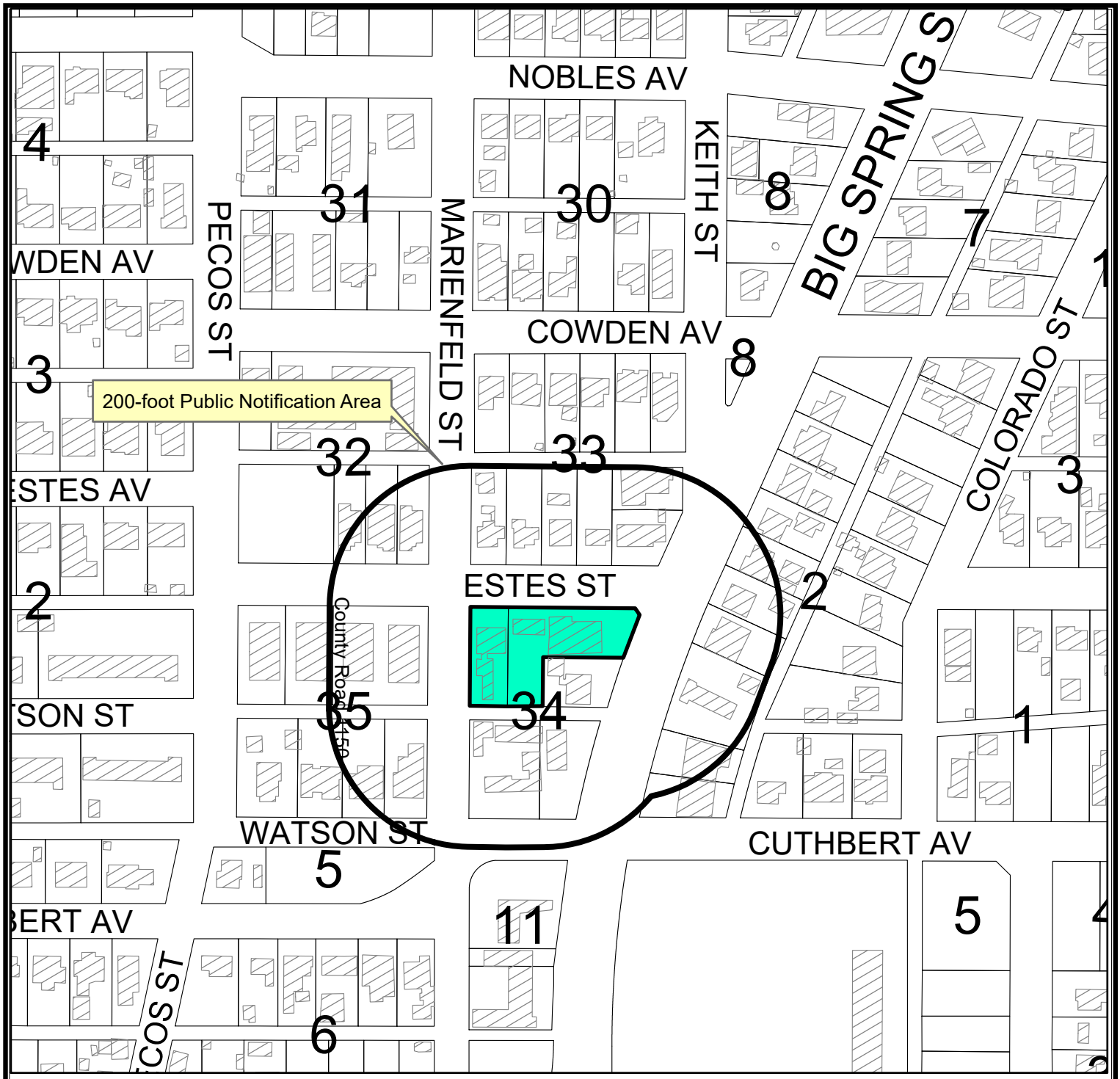
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

****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 No	☒ 1 Copy of Plat (11x17)	☒ Public Improvements
☒ Application Fee	☒ Title Opinion	☒ Recording Fee
Check # 5040	☐ Tax Certificates No	Check # 5043
Received By: RD		Date: ~~JUL 2 1 2019~~ RD

RECEIVED
PLANNING
JUL 12 2019
CITY OF BELLEVUE
PLANNING DIVISION OFFICE

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



LOCATION MAP

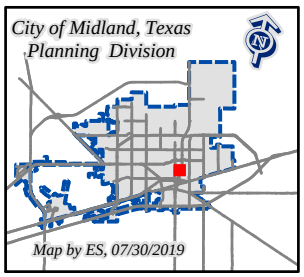
SUB-19-0238 **Scale: 1" = 200'**

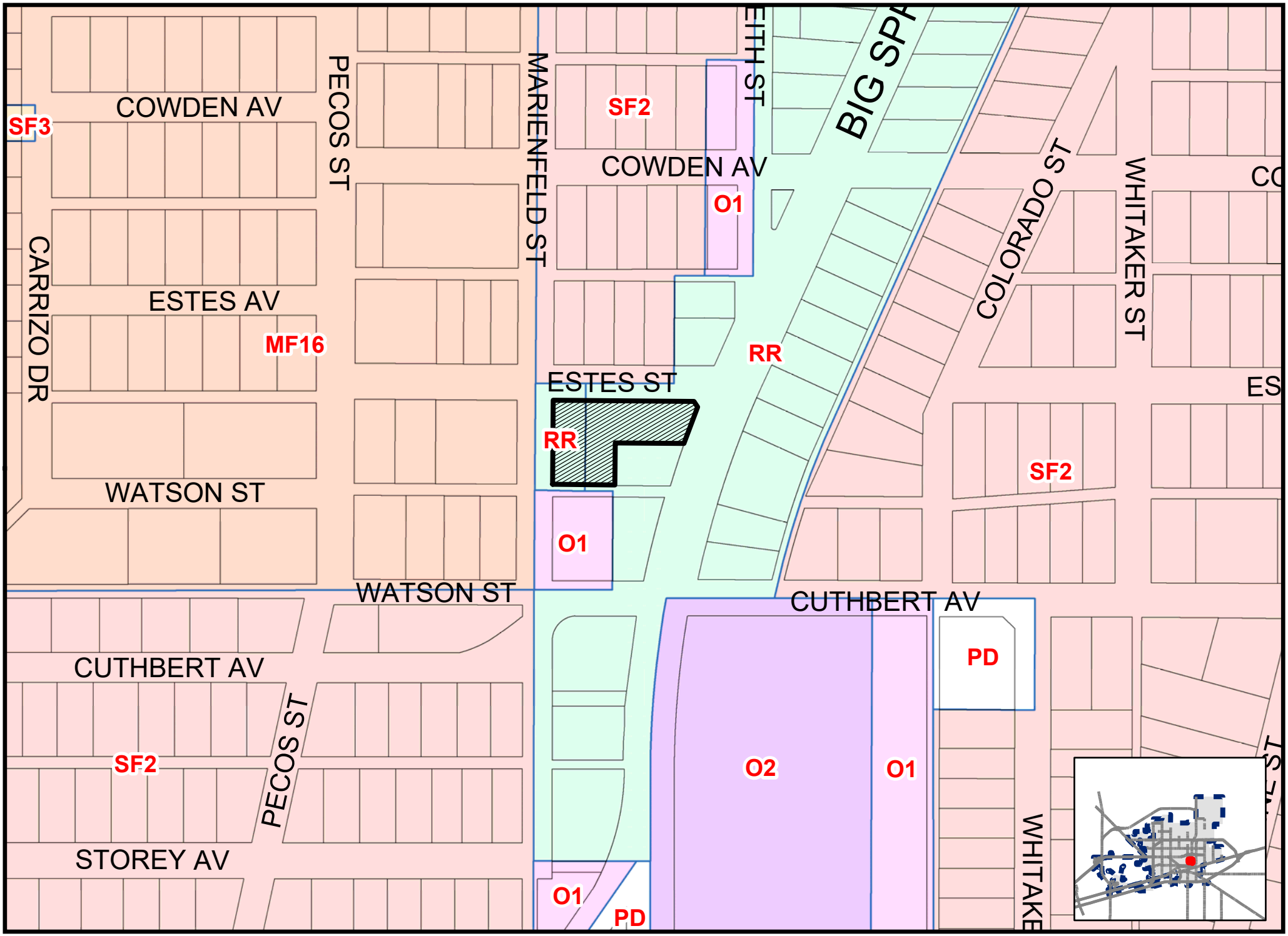
Consider a proposed Final Plat of Cowden Addition, Section 5 being a re-plat of Lot 6, Block 34, Cowden Addition, and Lot 1, Block 34, Cowden Addition, Section 4, City and County of Midland, Texas.

(Generally located on the southeast corner of the intersection of West Estes Avenue and North Marienfeld Street. – Council District 3)

L E G E N D

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS





Map By ES, 3/09/2020

SUB-19-0238

Scale: 1" = 200'

ZONING MAP

Nationsplan insurance
Auto • Home • Commercial • Life
685-4001
Liability as low as $35

1109
PRIVATE PROPERTY
SECURITY CAMERAS IN USE
ENTRANCE
ACCESS RAMP

STOP
STOP

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **4/6/2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Glenda Arroyo-Cruz, Planner**

SUBJECT: **Hold a public hearing and consider a request by Elvira Garcia for a zone change from RR, Regional Retail District, to SF-3, Single-Family Dwelling District, on Lots 13 and 14, Block 145, Southern Addition, City and County of Midland, Texas. (Generally located on the east side of South Baird Street, approximately 110-feet north of East Pennsylvania Avenue. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Elvira Garcia, is requesting approval of a zone change for the development of a single-family residential home.

Current Zoning:

RR, Regional Retail District.

Surrounding Zoning and Land Use:

The properties to the north are zoned C, Commercial District and the location of residential homes. The properties to the east are zoned SF-3, Single-Family Dwelling District and the location of residential homes. The properties to the south and west are zoned RR, Regional Retail District and the location of residential homes.

Analysis:

The property is located at 607 South Baird Street and is currently vacant. The applicant is proposing the development of a single-family residential home on this lot. The current zoning of this property is RR, Regional Retail District. Per the previous zoning ordinance, single-family detached dwellings were allowed within this zoning district. As of July 1, 2019, the new zoning ordinance does not allow the use of single-family detached dwellings within the RR, Regional Retail District.

The planning department has researched the surrounding neighborhood and based on the existing characteristics of the area, the zone change request to allow for a single-family detached dwelling would be appropriate. The closest single-family residential zoning near this property is on the east side, directly adjacent.

In addition to having the appropriate zoning for the development, the property meets the minimum lot requirements. The appropriate setbacks and maximum height must also be met as described in the SF-3, Single-Family Dwelling District Dimensional Regulations chart.

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

Engineering: (Approved)

No objection to zone change.

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

Fire: (Approved)

No objections.

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.

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.

Transportation: (Approved)

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

No objection to zone change.

Planning:

Per the Future Land Use map, this location is designated as Urban Medium - Neighborhood Center. Potential zoning for this area includes Single-Family Dwelling Districts; therefore, this zone change is in compliance with the Future Land Use plan. It would also support the existing neighborhood characteristics and uses of the area.

Staff recommends approval of this request for a zone change subject to condition A.

Conditions:

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

Letters of Objection:

As of April 1, 2020, staff has not received any letters of objection.

Attachments:

Application
Maps

MIDLAND Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: Z-19-0162

Case Number:

Applicant *(if acting as Agent, see affidavit on page 2)*
Printed Name: Elvira Garcia – Power Framers Construction
Phone (432) 661-1513
Email Powerco3040@gmail.com
Address 1500 Rolling Meadows | City Wellington | State FL | Zip 33414

Property Owner
Printed Name: Elvira Garcia – Power Framers Construction
Phone (432) 661-1513
Email
Address 1500 Rolling Meadows | City Wellington | State FL | Zip 33414

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

Street Address: 607 S. Baird

Legal Description
Lot: 13+14 Block: 145 Subdivision: Southern Addition

Current Zoning: Regional Retail
Proposed Zone: SF
(List by tracts if more than one district is requested)

Reason for Zone Change Request: We want to build a single family home

Present Use of Property: Vacant lot

Proposed Use of Property: Construction of a house

How would this zone change affect the public health, safety and welfare? this will not affect anything there is already homes around area.

Describe how conditions affecting the property have changed since present zoning designation: We have been trying to buy this lot for several years and in July 2019 the city changed the zoning.

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)

RECEIVED
DEC 18 2019
CITY OF MIDLAND
PLANNING DIVISION OFFICE

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

Applicant (signature): [signature] Date: 12/18/19

Applicant (printed): Elvira Garcia

Property Owner (signature): Date: 12/18/19

Property Owner (printed) :

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Elvira Garcia who, being by me duly sworn, upon oath says: That (s)he is the owner of 607 S. Baird or authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

JENNIFER GARCIA
MY COMMISSION # GG 335328
EXPIRES: May 15, 2023
Bonded Thru Notary Public Underwriters

[signature]
Authorized Agent (signature)

Subscribed and sworn to before me, this 24 day of March, 2020 to certify which witness my hand and seal of office.

[signature]
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

- [x] Property Owner Authorization
- [ ] Application Fee
- Check # waived
- Received By: [signature]
- [x] Dimensioned Site Plan
- [ ] Plans in Digital Format (PDF/JPEG)
- Date:

RECEIVED
DEC 18 2019
CITY OF MIDLAND
PLANNING DIVISION OFFICE

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

stewart title

Real partners. Real possibilities.

October 3, 2019

Power Framers Construction LLC
15600 Rolling Meadows Circle
Wellington, FL 33414

File No.:	530819
Seller:	Domingo Ortega Sr. and Rafaela Reyes Ortega
Buyer/Borrower:	Power Framers Construction LLC
Lender:	
Property Address:	607 S Baird Street, Midland, TX 79701

In connection with the above referenced transaction, enclosed herewith, please find the following:

Your original recorded document(s) to keep for your records.

1. Warranty Deed

If you should have any questions or need further assistance, please do not hesitate to contact the undersigned. Thank you.

Sincerely,

Ken Stover
Post Closing Specialist

Encl.

Stewart Title Company
206 North Main
Midland, TX 79701
(432) 687-3355 main (432) 687-3358 fax
lQuiroz@stewart.com

Midland County
Alison Haley
Midland County
Clerk

Instrument Number: 29908

eRecording - Real Property

Recorded On: September 27, 2019 10:12 AM

Number of Pages: 2

" Examined and Charged as Follows: "

Total Recording: $26.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	29908
Receipt Number:	20190927000034
Recorded Date/Time:	September 27, 2019 10:12 AM
User:	Amanda D
Station:	cc10299

Record and Return To:

ERX

STATE OF TEXAS
COUNTY OF MIDLAND

I hereby certify that this Instrument was FILED **In the File Number sequence on the date/time printed hereon, and was duly** RECORDED **In the Official Records of Midland County, Texas.**

Alison Haley
Midland County Clerk
Midland County, TX

Alison Haley

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF MIDLAND §

That **DOMINGO ORTEGA DIAZ AND RAFAELA REYES ORTEGA** (whether one or more hereinafter referred to as "Grantor") for and in consideration of $10.00 and other good and valuable consideration, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto **POWER FRAMERS CONSTRUCTION, LLC** (whether one or more, hereinafter referred to as "Grantee"), whose mailing address is **15600 ROLLING MEADOWS CIRCLE, WELLINGTON, FL 33414** all of that certain lot, tract or parcel of land situated in Midland County, Texas, and described as follows, to-wit:

STV-530819

Lots 13 and 14, Block 145, Southern Addition, an addition to the City of Midland, Midland County, Texas, according to the map or plat thereof of record in Volume 2, Page 2, Deed Records, Midland County, Texas.

SAVE AND EXCEPT For Grantor and Grantor's heirs, successors, and assigns forever, there is a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

SUBJECT TO and all oil and gas leases, easements, rights-of-way, and covenants and restrictions of record in the Office of the County Clerk of Midland County, Texas.

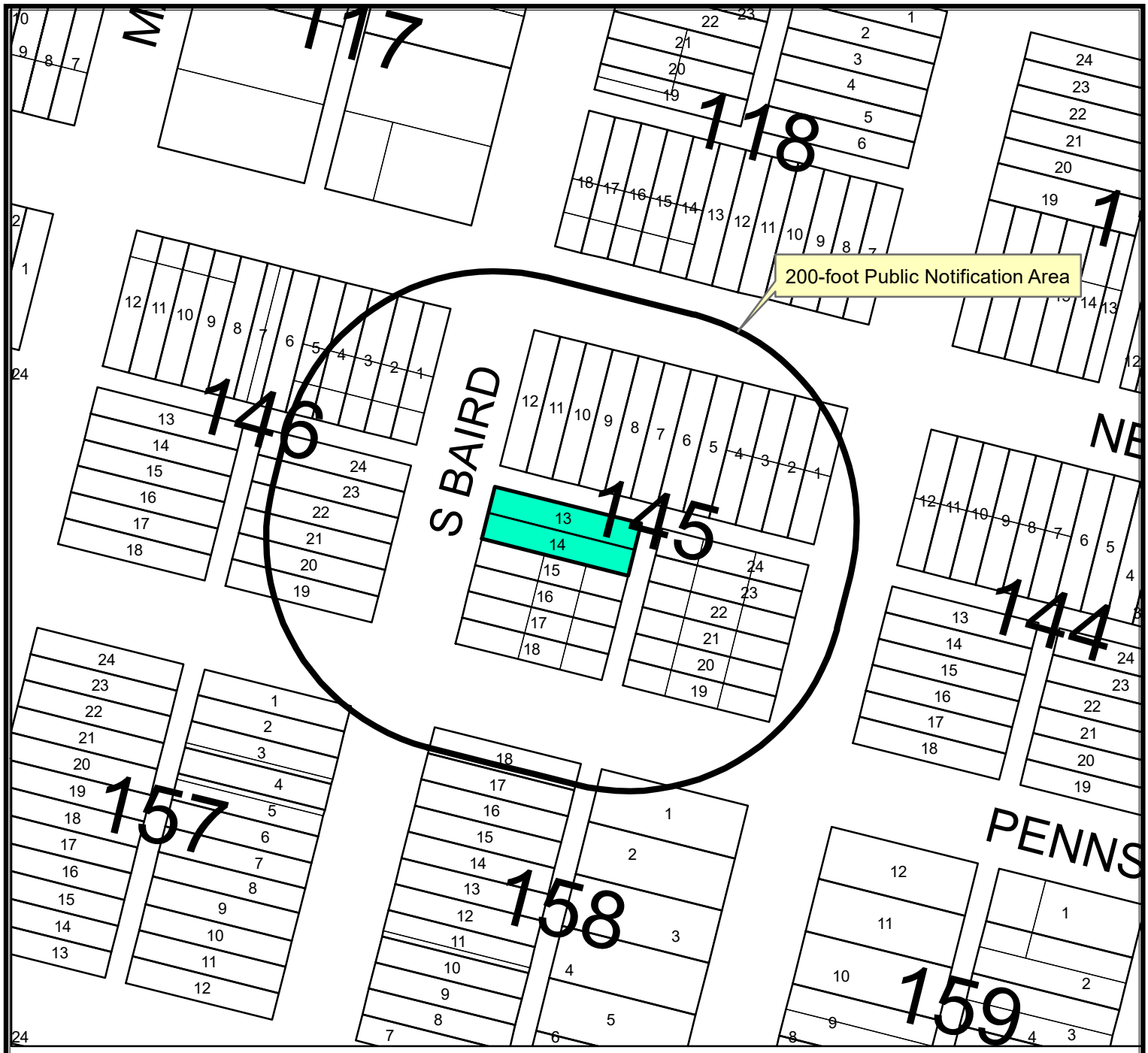
TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, Grantee's heirs, executors, administrators, successors and assigns forever, and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and assigns, to Warrant and Forever Defend, all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

Dated: 9/21/19

Domingo F. Ortega
DOMINGO ORTEGA DIAZ

RAFAELA REYES ORTEGA

California



LOCATION MAP

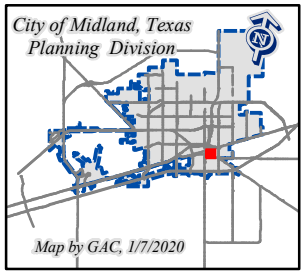
Z-19-0162 **Scale: 1" = 400'**

Consider a request by Elvira Garcia for a zone change from RR, Regional Retail District, to SF-3, Single-Family Dwelling District, on Lots 13 and 14, Block 145, Southern Addition, City and County of Midland, Texas.

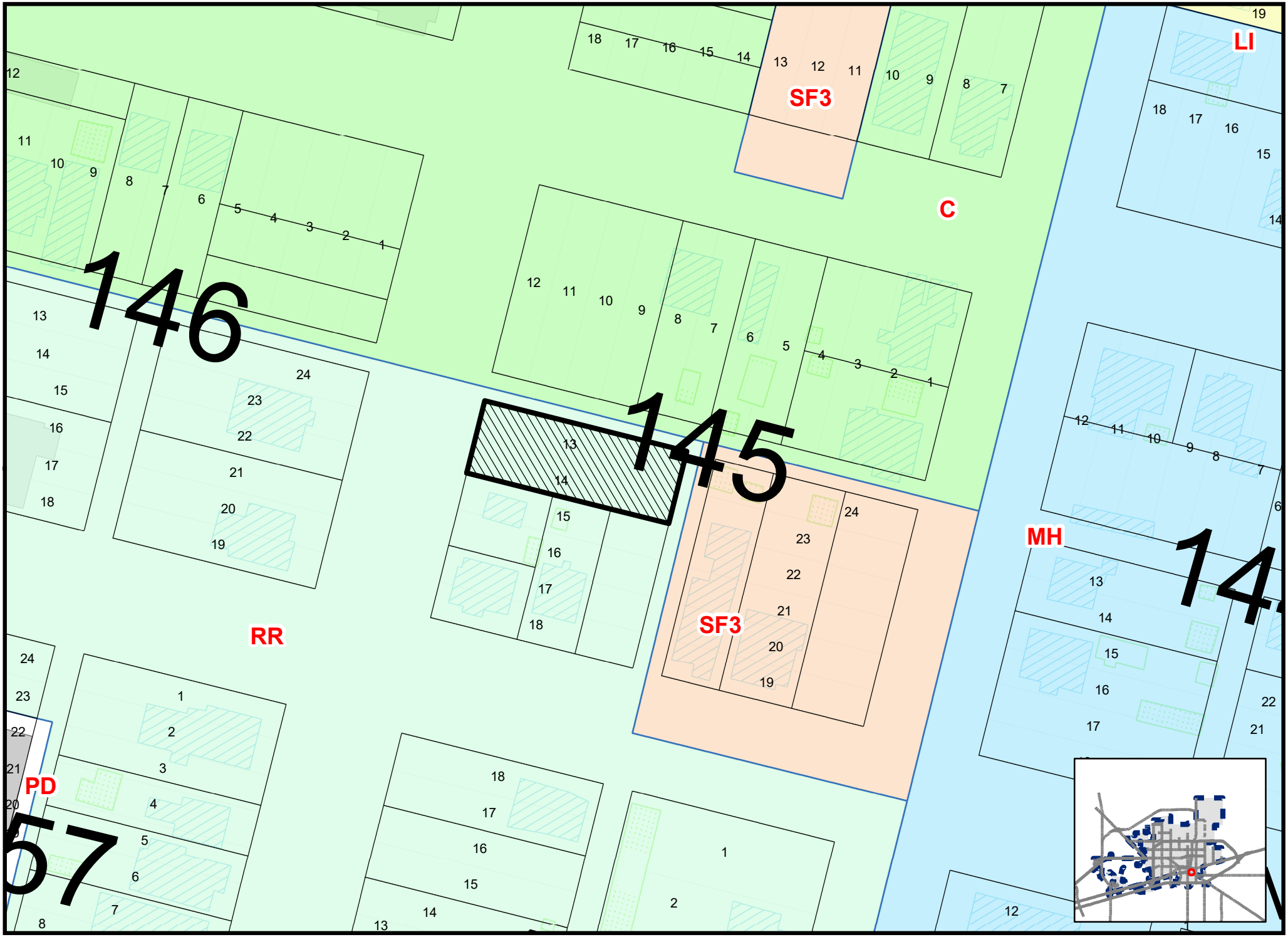
Generally located on the east side of South Baird Street, approximately 110-feet north of East Pennsylvania Avenue. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2019
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, 01/7/2020

Z-19-0162

Scale: 1" = 200'

ZONING MAP

© THE CITY OF MIDLAND - 2019: 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.

CHURCH OF
NEW BEGINNINGS
OF MIDLAND
STOP

2214
MIDLAND
Planning

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **4/6/2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Glenda Arroyo-Cruz, Planner**

SUBJECT: **Hold a public hearing and consider a request by Maverick Engineering for a zone change from a PD, Planned District for an Office Center to PD, Planned Development District for a Housing Development on Lot 2A, Block 1, Corporate Plaza, Section 20, City and County of Midland, Texas. (Generally located on the north side of Corporate Drive, approximately 550-feet east of North Big Spring. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Maverick Engineering, is requesting approval of a zone change for a Multi-Family dwelling development.

Current Zoning:

PD, Planned District for an Office Center. (Ordinance No. 8007)

Surrounding Zoning and Land Use:

The properties to the north are zoned, O-2, Office District and the location of vacant land. The property to east is zoned PD, Planned District for an Office Center and the location of vacant land. The property to the south is zoned PD, Planned District for an Office Center and the location of a medical facility. The properties to the west are zoned PD, Planned District for an Office Center and the location of a funeral home and Oil and Gas office building.

Analysis:

The property is located at 205 Corporate Drive and is currently vacant. This lot is currently regulated by Ordinance No. 8007 with an underlying zoning of O-1, Office District and was established March of 2001. The applicant is requesting a zone change to a PD, Planned Development District for a Housing Development to construct a 101,295 square foot Multi-Family apartment complex, on a 3.958-acre tract of land. The total amount of dwelling units proposed is 124 units, which is approximately 31.33 units per acre.

The site plan provided hereto as Exhibit "A" illustrates the proposed development for the property. As stated in the *City of Midland: Zoning Ordinance, Section 3, Zoning Districts, 3.13. MF-22, Multiple-Family Dwelling District, D. Development Standards, 6. Private Recreation Areas,*

a. *Recreation area required.*

    i. *All apartment complexes shall have at least one recreation area, in a location free of traffic hazards, easily accessible to all complex residents, and centrally located where topography permits.*

b. *Recreation Space Requirement.*

    i. *Not less than eight percent of the gross complex shall be devoted to recreational facilities, generally in a central location. In large complexes (two acres or larger) these maybe decentralized.*

The recreation space required for this complex would be approximately 8,103 square feet. The development is proposing to include approximately a 6,651 square foot clubhouse located towards the front of the property. Additional amenities include a swimming pool, pavilion with a BBQ area, furnished community room and theater room. The location of said amenities are centrally located within the apartment complex and would appear accessible to future residents.

Per the zoning ordinance, Multi-Family uses must include storage areas in all apartment units. As stated in the *City of Midland: Zoning Ordinance, Section 3, Zoning Districts, 3.13. MF-22, Multiple-Family Dwelling District*, *D. Development Standards, 5. Storage Uses,*

> *Every apartment unit shall have an enclosed storage area of not less than 30 square feet of Floor Area, eight feet high, exclusive of interior closet space.*

The development is proposing storage areas that range from approximately 10 square feet to 18 square feet in size. Studios will not have storage areas as shown on the plans provided. The proposed storage areas would not meet the minimum required; therefore, it would not meet the minimum required standards for storage areas as stated per this section of the code.

Parking requirements for Multi-Family uses should be calculated as stated per the *City of Midland: Zoning Ordinance, Section 6, Zoning and Development regulations, Off-Street Parking and Loading Requirements, D. Parking Space schedule, Multi-Family uses,*

> *2. Off-street parking shall be provided to meet the requirements of the residents and their guests in each apartment project according to the following standards:*
>
> *a. One space for each studio unit (i.e., an apartment containing only one main room)*
> *b. One and one-half spaces for each one-bedroom unit,*
> *c. Two spaces for each unit with two bedrooms,*
> *d. Two and one-half spaces for each unit with three or more bedrooms, plus one additional space for each four units in development.*

The required parking spaces for this complex, based on the breakdown of each apartment unit tabulation shown on Exhibit “A”, would be 213 parking spaces. The total amount of parking spaces being proposed and listed on Exhibit “A” is 209 uncovered parking spaces. Eleven (11) of the proposed will be clubhouse spaces and ten (10) will be Van ADA. The parking spaces proposed would not meet the minimum required; therefore, it would not meet the minimum required parking spaces as stated per this section of the code.

Additionally, as stated in the *City of Midland: Zoning Ordinance, Section 3, Zoning Districts, 3.13. MF-22, Multiple-Family Dwelling District*, *D. Development Standards, 3. Garages,*

> *A minimum of 25 percent of the total number of units in the complex shall have a one-car enclosed garage, 240 square feet minimum, attached or detached, per dwelling unit.*

The required garage units for this complex would be 31 enclosed garage units. The development is not proposing any garage units; therefore, it would not meet the minimum required garage units as stated per this section of the code.

The elevations provided illustrates the apartment complex will be a three (3) story building. It has a proposed height of 45 feet, including the pitched roof, which

meets the maximum height allowed per the MF-22, Multiple Family Dwelling District.

All proposed setbacks, minimum lot area, minimum floor areas for apartment units and building area coverage meet the minimum required stated in the MF-22, Multiple-Family Dwelling District. Additionally, the development will be required to adhere to all additional regulations described in *the City of Midland: Zoning Ordinance, Section 6. Zoning Development Regulations* and with the *City of Midland, Code of ordinances, Chapter 9. -Landscape Regulations*

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

Engineering: (Approved)

No objection to zone change.

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

Fire: (Approved)

No objections.

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.

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.

Transportation: (Approved)

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

No objection to zone change.

Planning:

Per the Future Land Use map, this location is designated as Urban-High. Potential zoning for this area includes Multi-Family Dwelling District; therefore, this zone change is in compliance with the Future Land Use plan. The mix of complementary uses within this area is encouraged for the commodity of the public. Economic performance can be improved with proper design and attention to traffic circulation and will not disrupt the characteristics of the area.

Staff recommends approval of this request for approval of a zone change subject to condition A through C.

Conditions:

A. **That the use and development of this property shall conform to the regulations of the MF-22, Multiple-Family Dwelling District, except for as stated below.**

B. **That the development of this property shall significantly conform to the site plan attached hereto and incorporated herein as Exhibit "A".**

C. **That the landscaping shall conform to the regulations set forth in Title XI, Chapter of the City Code.**

Letters of Objection:

As of April 1, 2020, staff has not received any letters of objection.

Attachments:
Proposed Site Plan (Exhibit A)
Elevations
Apartment Unit Layouts
Building Floor Plans
Clubhouse Plans
Application
Maps
Ordinance No. 8007

BUILDING TABULATION

TYPE	#BLDGS	UNITS/BLDG	UNIT TYPES	BLDG S.F.	TOTAL S.F.
A	1	124	A1-51, A2-6, B1-18, B2-31, B3-12, E1-6	101,295	101,295
					101,295
TOTAL	1	124			

UNIT TABULATION

UNIT TYPE	#UNITS	UNIT S.F.	TOTAL S.F.
A1 - ONE BEDROOM, ONE BATH	51	682	34,782
A2 - ONE BEDROOM, ONE BATH	6	720	4,320
B1 - TWO BEDROOM, ONE BATH	18	896	16,128
B2 - TWO BEDROOM, TWO BATH	31	975	30,225
B3 - TWO BEDROOM, TWO BATH	12	1020	12,240
E1 - STUDIO, ONE BATH	6	600	3,600
TOTAL			101,295

SITE DATA

- BUILDABLE ACRES 3.958
- UNITS/ACRE 31.33
- NO KNOWN FLOOD PLAIN

BUILDING KEY

1 — BUILDING NUMBER
A — BUILDING TYPE

SITE AMENITIES

- 6,651 S.F. CLUBHOUSE
- SWIMMING POOL
- PAVILION WITH BBQ
- FURNISHED COMMUNITY ROOM
- FURNISHED FITNESS ROOM
- THEATER ROOM

PARKING TABULATION

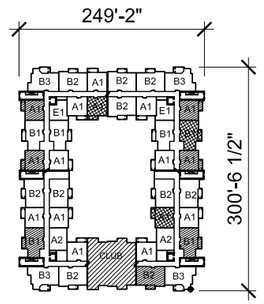
PARKING REQUIRED	
1.5 SPACE/ 1 BR	95
2.0 SPACE/ 2 BR	122
2.5 SPACE/ 3 BR	0
TOTAL REQUIRED	217
ADA SPACES (12)	11
PARKING PROVIDED	209
UNCOVERED SPACES	209
CLUB SPACES	11
STANDARD ADA	(0)
VAN ADA	(10)
TOTAL PROVIDED	209

ACCESSIBLE UNITS

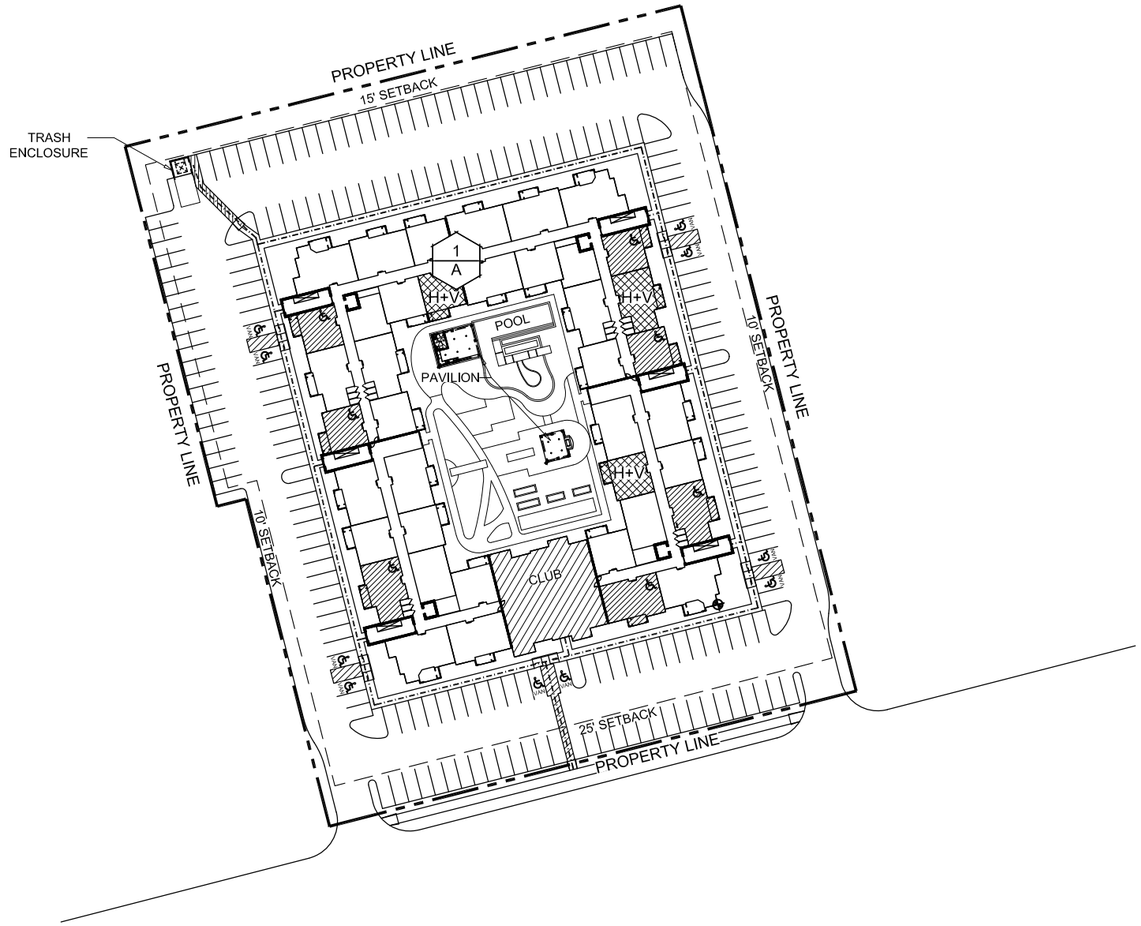
TOTAL UNITS	168
ADA (5%)	7
A1 (4)	
B1 (2)	
B2 (1)	
H+V (2%)	3
A1 (2)	
B1 (1)	

SITE LEGEND

- HANDICAP
- HEARING & VISUAL
- ACCESSIBLE ROUTE



BUILDING 'A' 3 STORY



GRAPHIC SCALE
100 50 0 50 100
(IN FEET)
1 INCH = 100 FEET

SITE PLAN

SCALE 1" = 100' - 0"

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A1.0
SITE PLAN

Copyright © 2020

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: 2-20-0172

Case Number:

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

Property Owner Printed Name: Kestrel Construction, LLC		Phone ( ) Email	
Address PO Box 50655	City Midland	State TX	Zip 79710

Representative *(if different from Applicant or Property Owner)* Firm: Maverick Engineering Printed Name: Andrew L. Mellen, PE		Phone (432) 262-0999 Email amellen@maverick-eng.com	
Address 1909 W. Wall St. Suite K	City Midland	State TX	Zip 79701

Street Address: 205 Corporate Drive

Legal Description
Lot: 2A Block: 1 Subdivision: Corporate Plaza Section 20

Current Zoning: PD

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

Reason for Zone Change Request: Advance the proposed project of a multi-family housing development.

Present Use of Property: Vacant

Proposed Use of Property: Mulit-family housing

How would this zone change affect the public health, safety and welfare? Will bring a much needed increase in the supply of and contribute to the overall leased/rent housing market in Midland

Describe how conditions affecting the property have changed since present zoning designation: None known.

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): Andrew L Mellen	Date: 2/25/20
Applicant (printed): Andrew Mellen	
Property Owner (signature): Kirk E Smith	Date: 2.25.20
Property Owner (printed) : KIRK E. SMITH	

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

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

Andrew L Mellen
Authorized Agent (*signature*)

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

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

Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

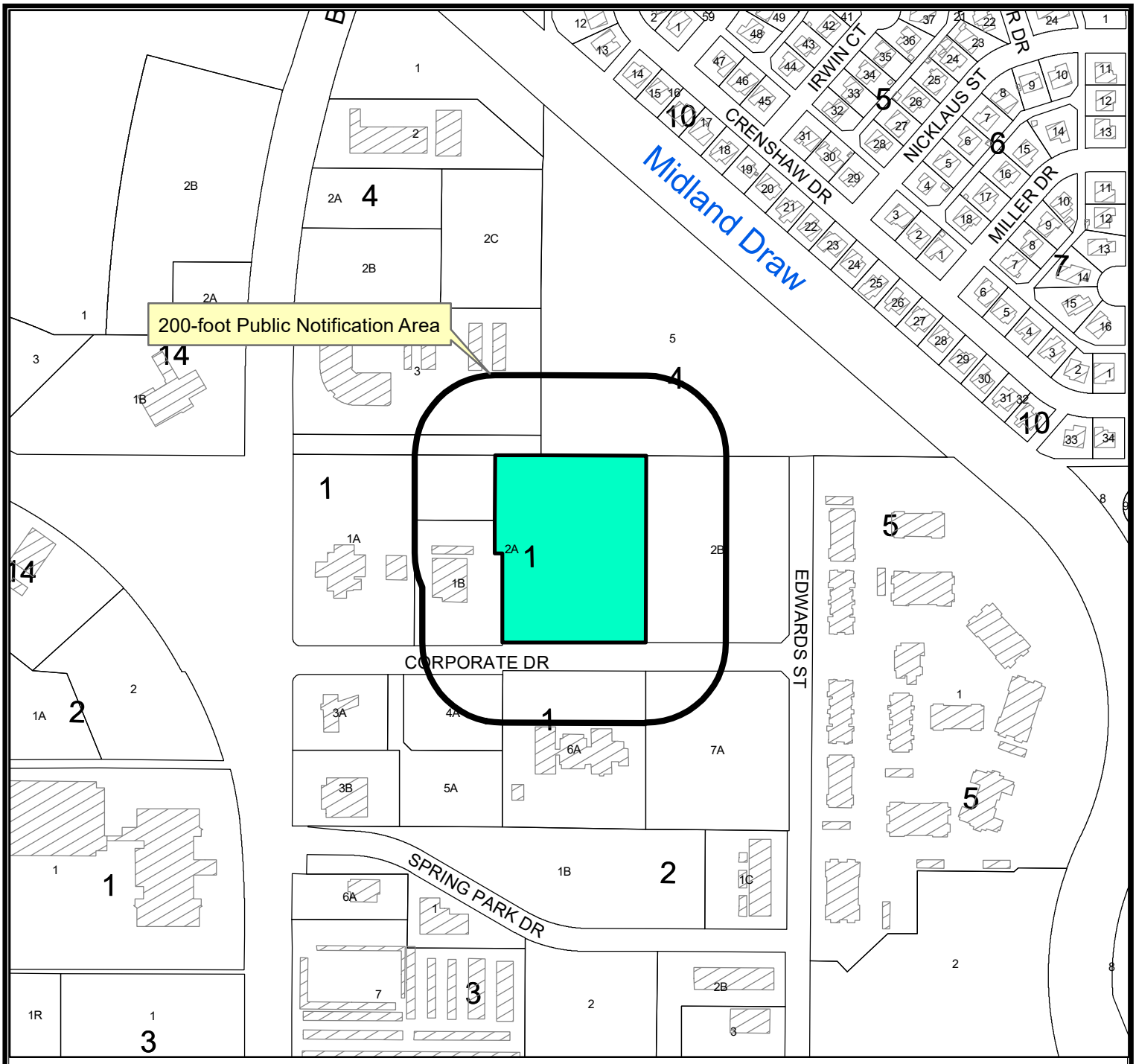
FOR OFFICE USE ONLY

☑ Property Owner Authorization	☒ Dimensioned Site Plan
☒ Application Fee	☒ Plans in Digital Format (PDF/JPEG)
Check # 3127	

RECEIVED
FEB 26 2020
BY: JM

Received By:	Date:

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



LOCATION MAP

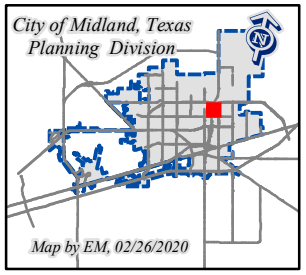
Z-20-0172 **Scale: 1" = 200'**

Consider a request by Maverick Engineering for a zone change from a PD, Planned District for an Office Center to PD, Planned Development District for a Housing Development on Lot 2A, Block 1, Corporate Plaza, Section 20, City and County of Midland, Texas.

Generally located on the north side of Corporate Drive, approximately 550-feet east of North Big Spring. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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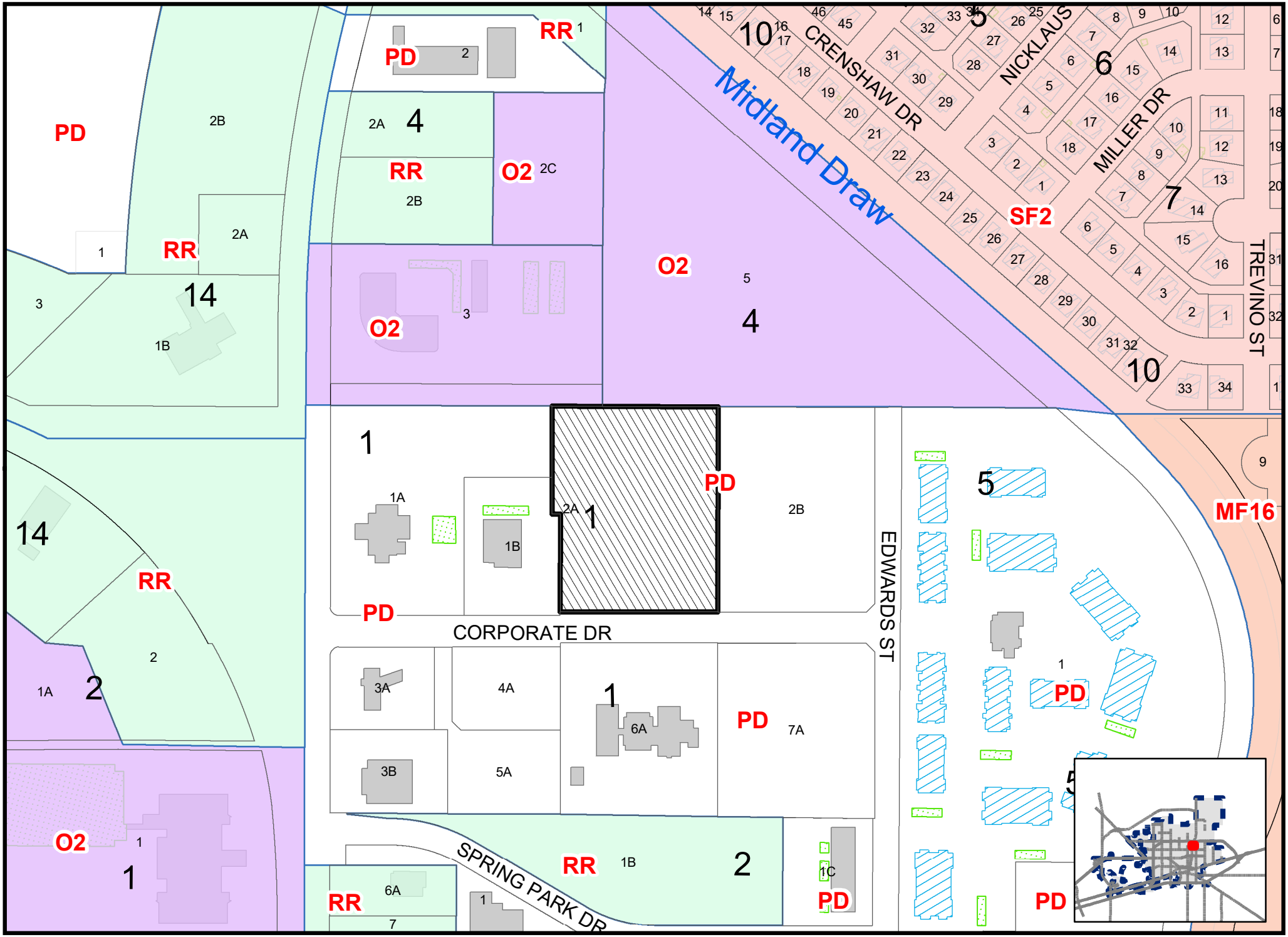

Map By GAC, 03/13/2020

Z-20-0172

Scale: 1" = 200'

ZONING MAP

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BUILDING TYPE 'A' - REAR ELEVATION

1/32"=1'-0"

BUILDING TYPE 'A' - FRONT ELEVATION

1/32"=1'-0"

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A3.3

BUILDING 'A' ELEVATIONS

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BUILDING TYPE 'A' - LEFT ELEVATION

1/32"=1'-0"

BUILDING TYPE 'A' - RIGHT ELEVATION

1/32"=1'-0"

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A3.4
BUILDING 'A' ELEVATIONS

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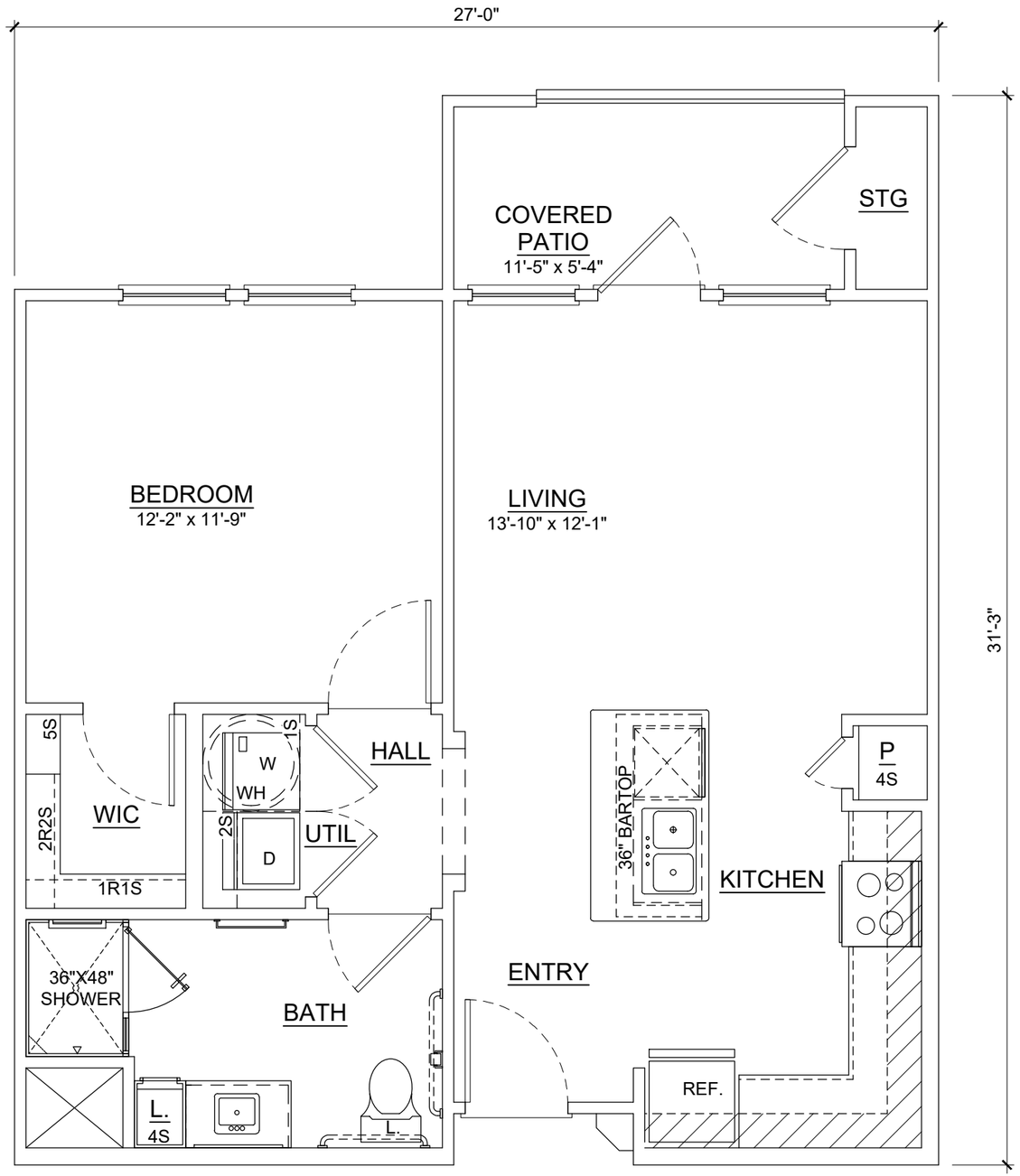

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

UNIT A1 - ONE BEDROOM, ONE BATH 682 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 66 S.F.
STORAGE = 15 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.0

UNIT A1

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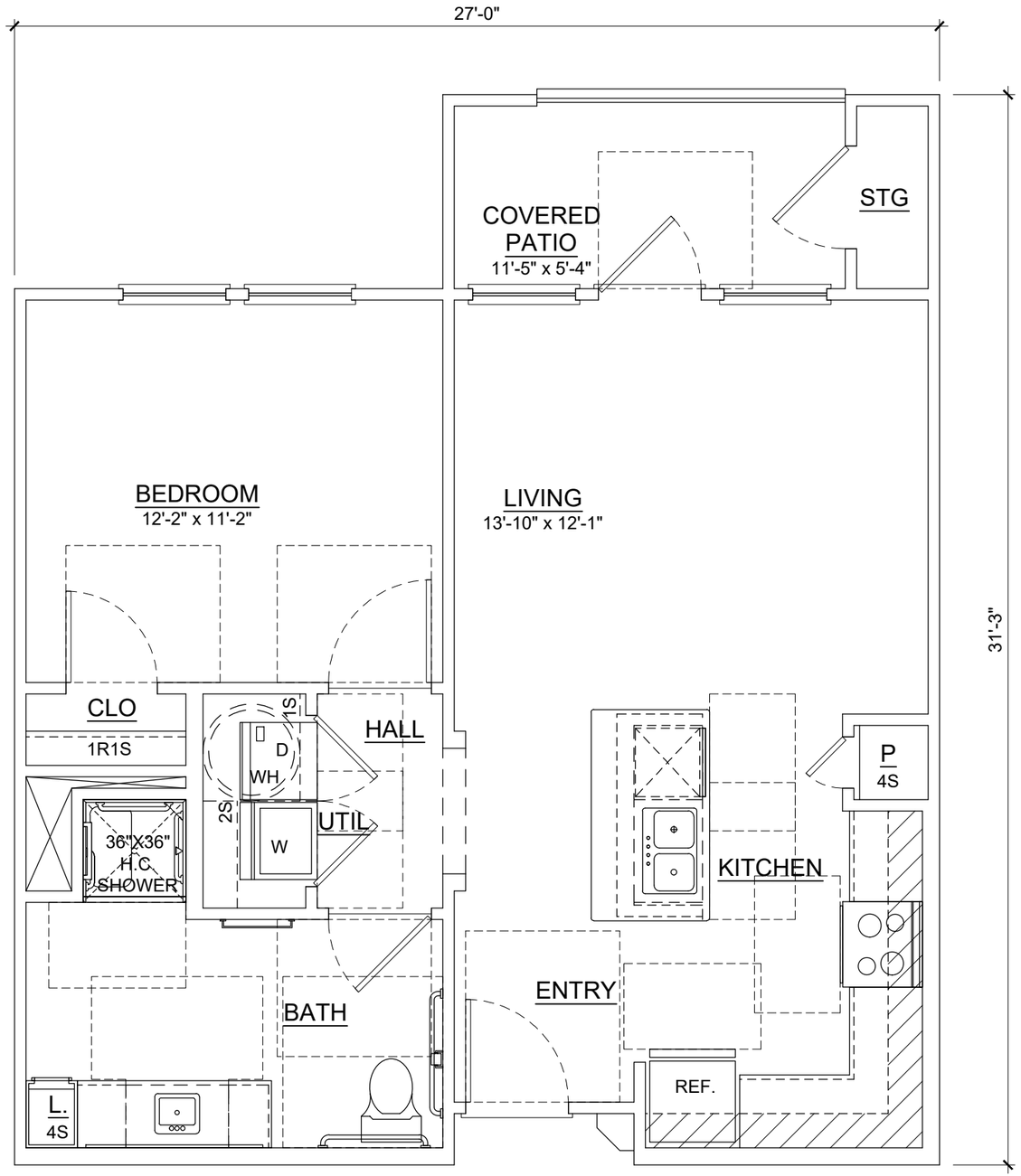

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

UNIT A1 HC - ONE BEDROOM, ONE BATH 682 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 66 S.F.
STORAGE = 15 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.1

UNIT A1 HC

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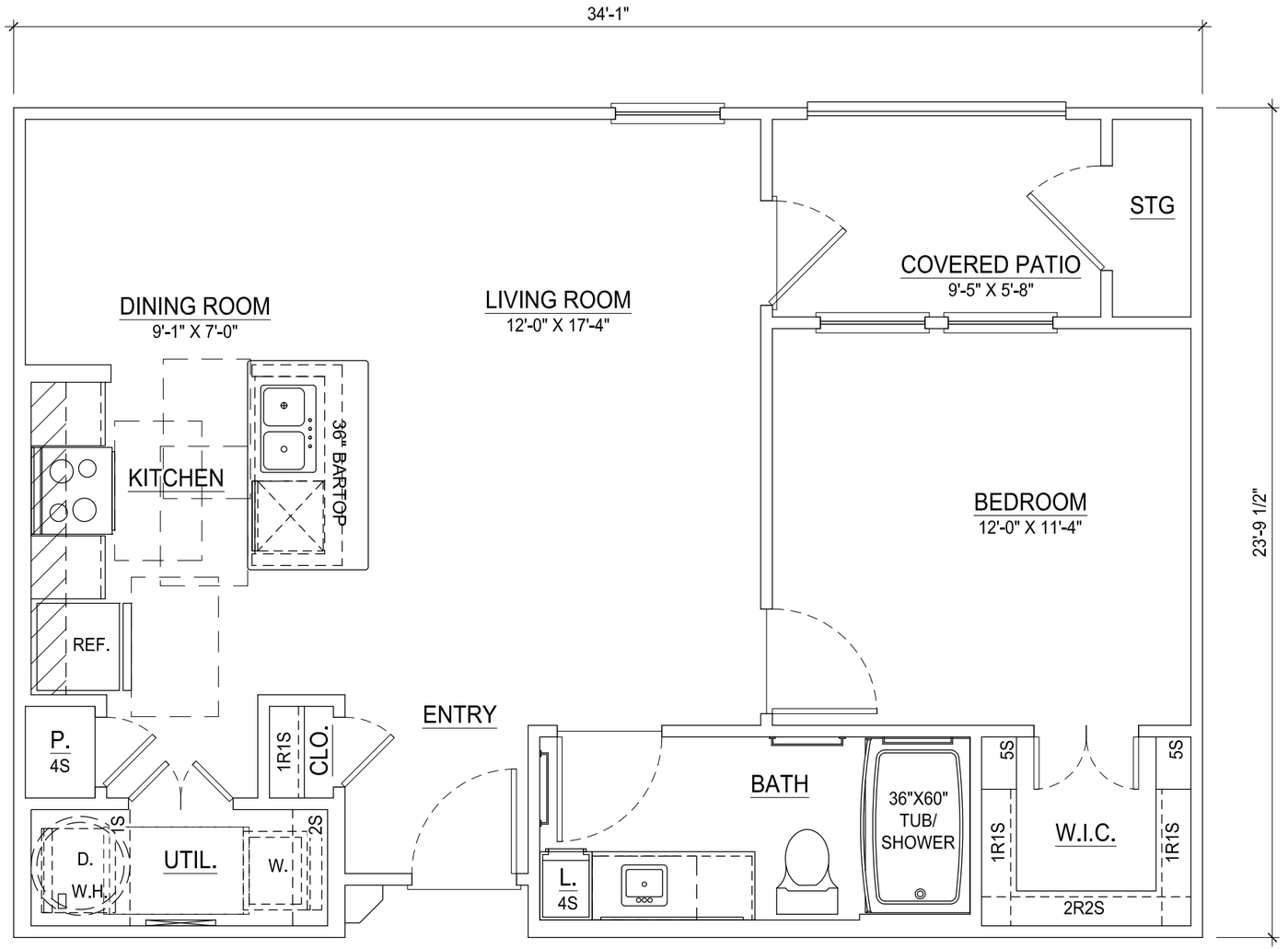

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

A2 UNIT - ONE BEDROOM, ONE BATH 720 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 65 S.F.
STORAGE = 12 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.2

UNIT A2

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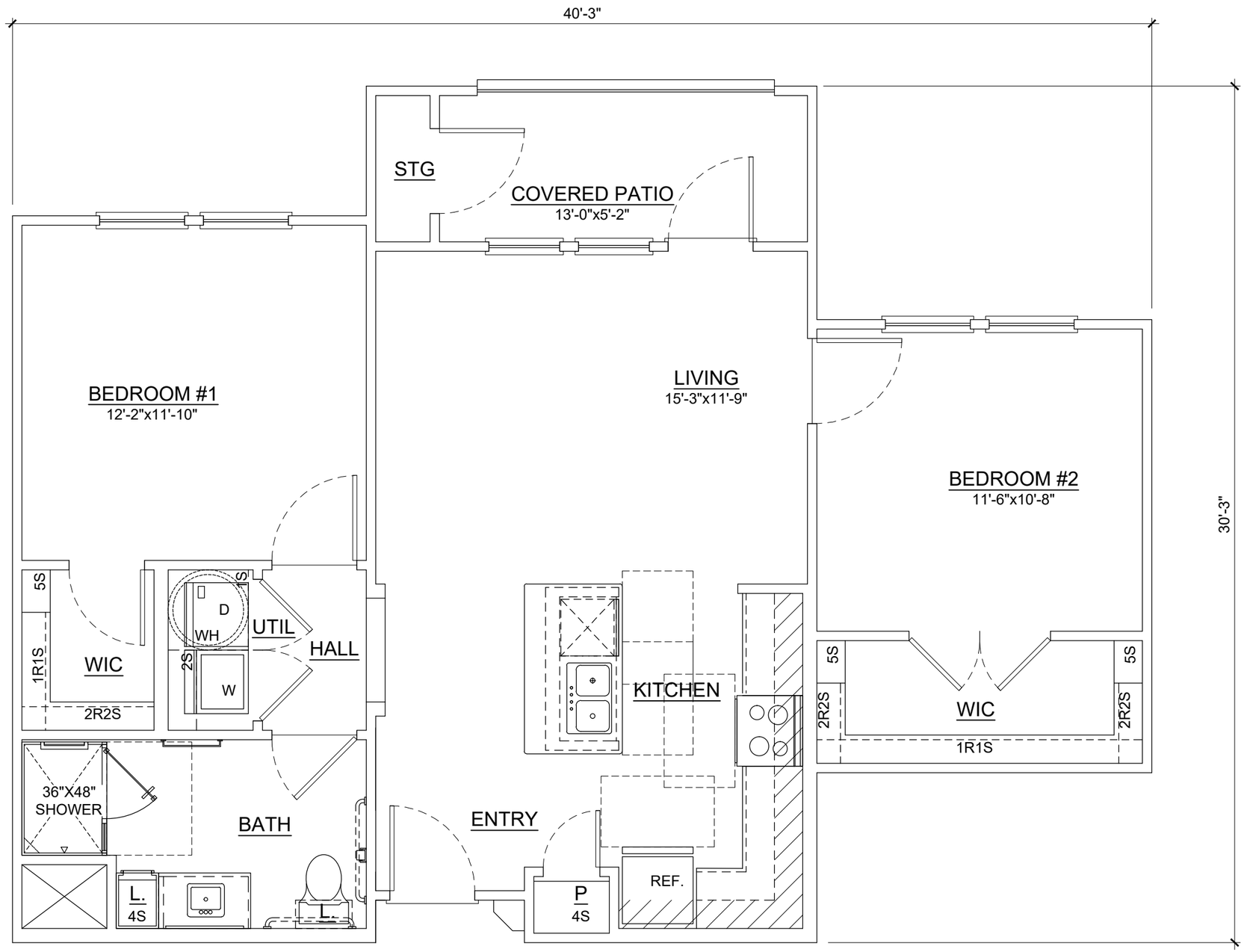

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

UNIT B1 - TWO BEDROOM, TWO BATH 896 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 53 S.F.
STORAGE = 14 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.3

UNIT B1

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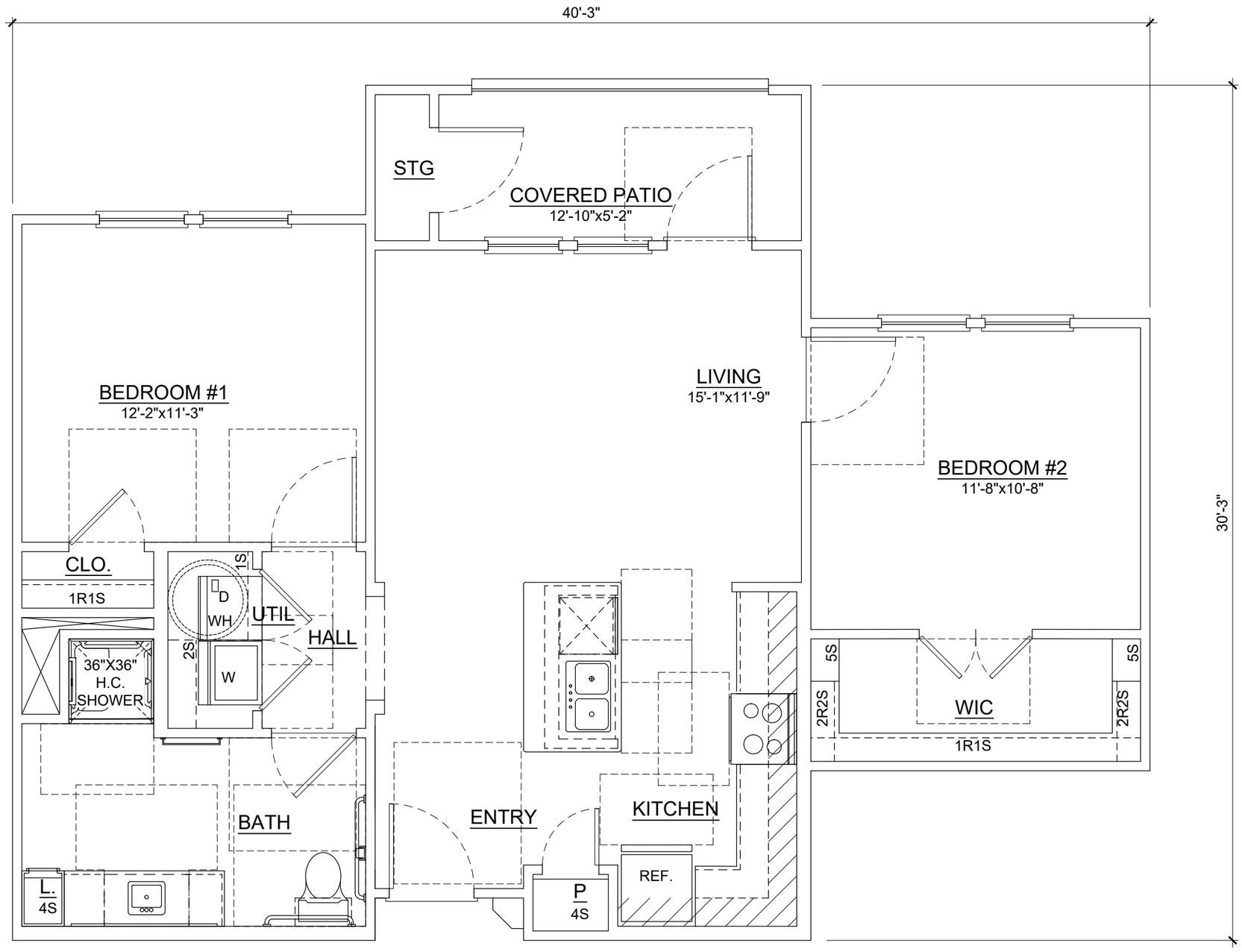

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

UNIT B1 HC - TWO BEDROOM, ONE BATH 896 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 52 S.F.
STORAGE = 14 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.4

UNIT B1 HC

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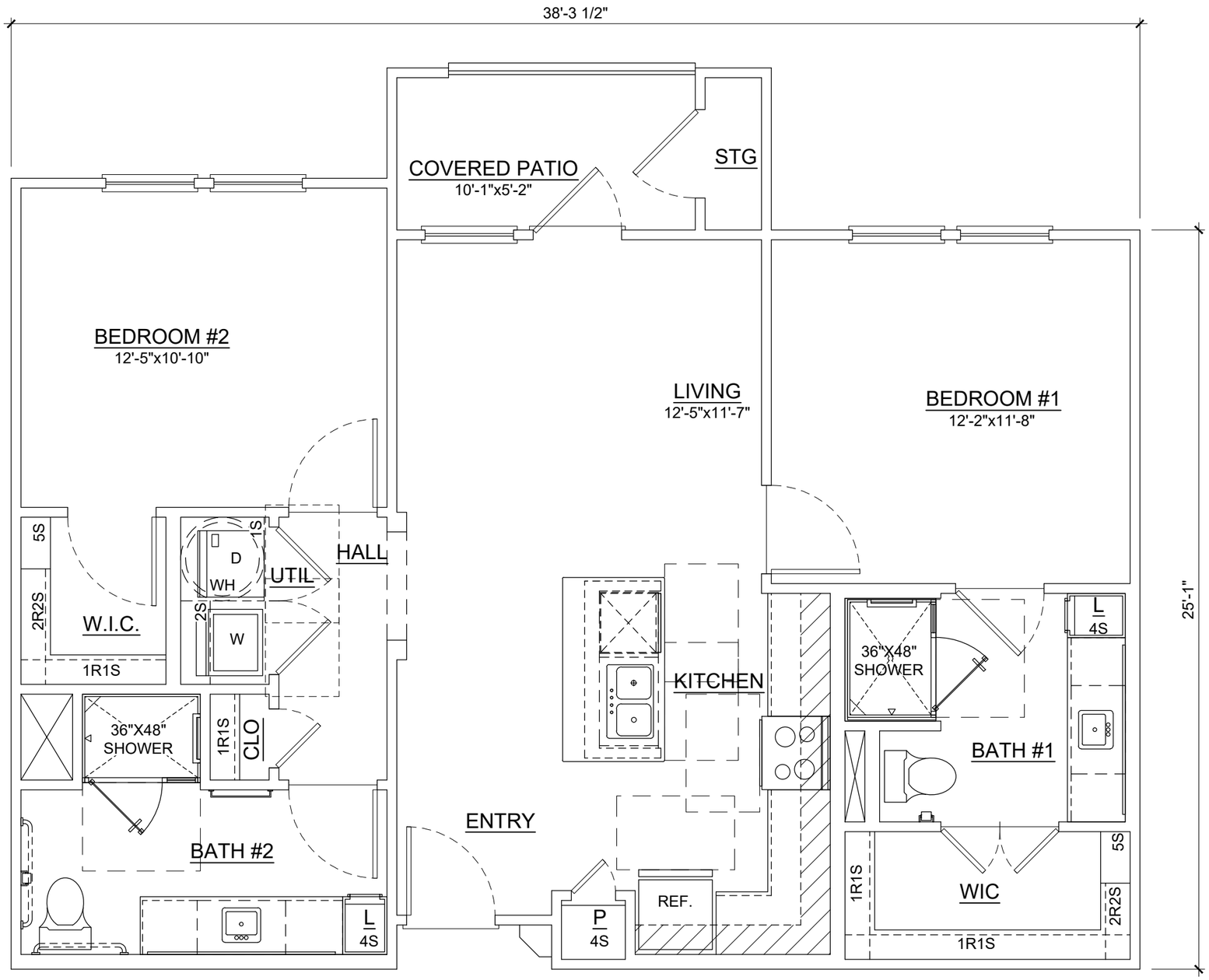

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

UNIT B2 - TWO BEDROOM, TWO BATH

975 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 118 S.F.
STORAGE = 18 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.5
UNIT B2

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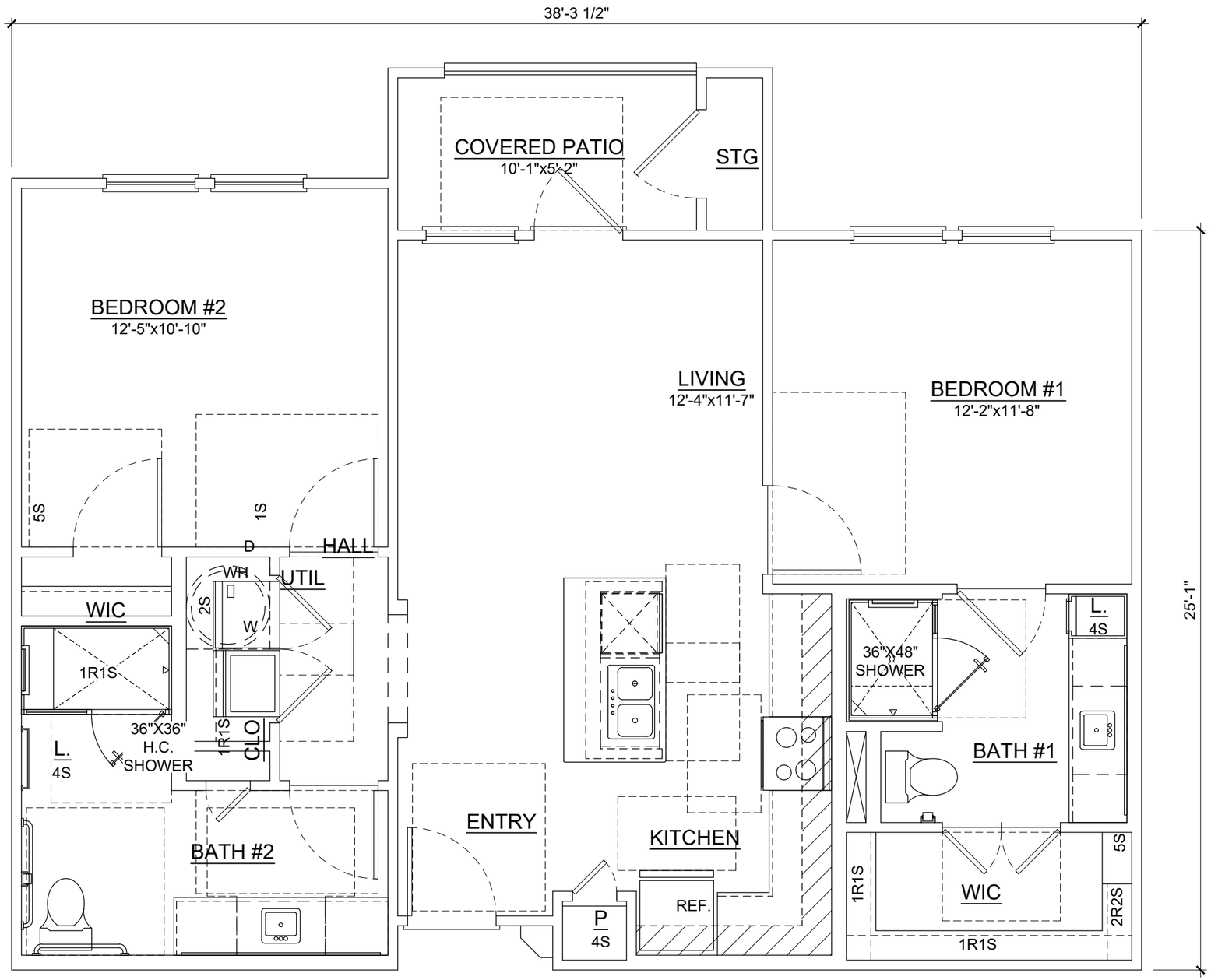

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

UNIT B2 HC - TWO BEDROOM, TWO BATH 975 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 118 S.F.
STORAGE = 18 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.6
UNIT B2 HC

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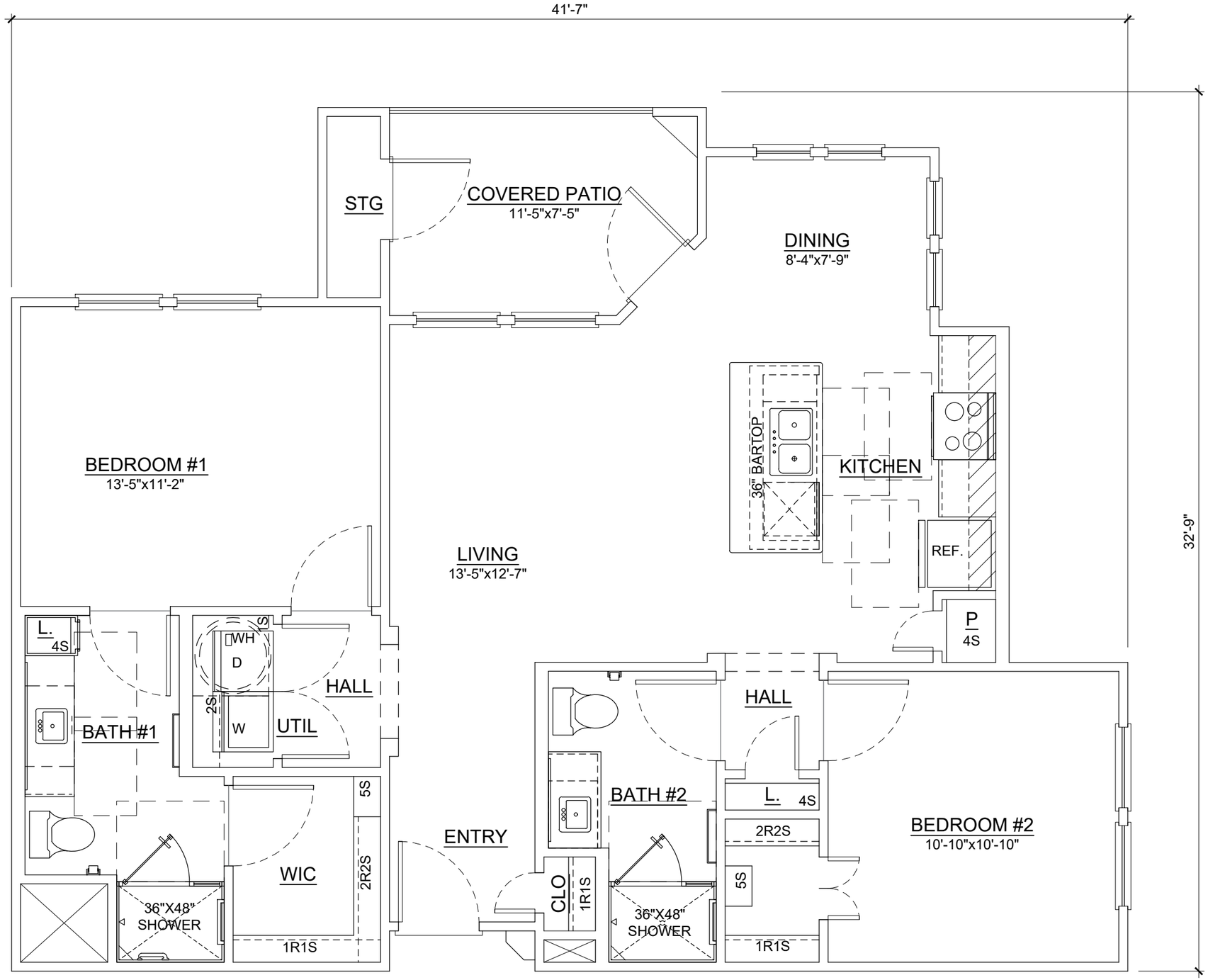

UNIT AMENITIES

-NINE FOOT CEILINGS
-COVERED PATIOS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS
-STORAGE CLOSET GREATER THAN 10 S.F.

UNIT B3 CORNER UNIT - TWO BEDROOM, TWO BATH 1020 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 118 S.F.
STORAGE = 18 S.F.

Cross architects

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MIDLAND, TEXAS

A2.7
UNIT B3

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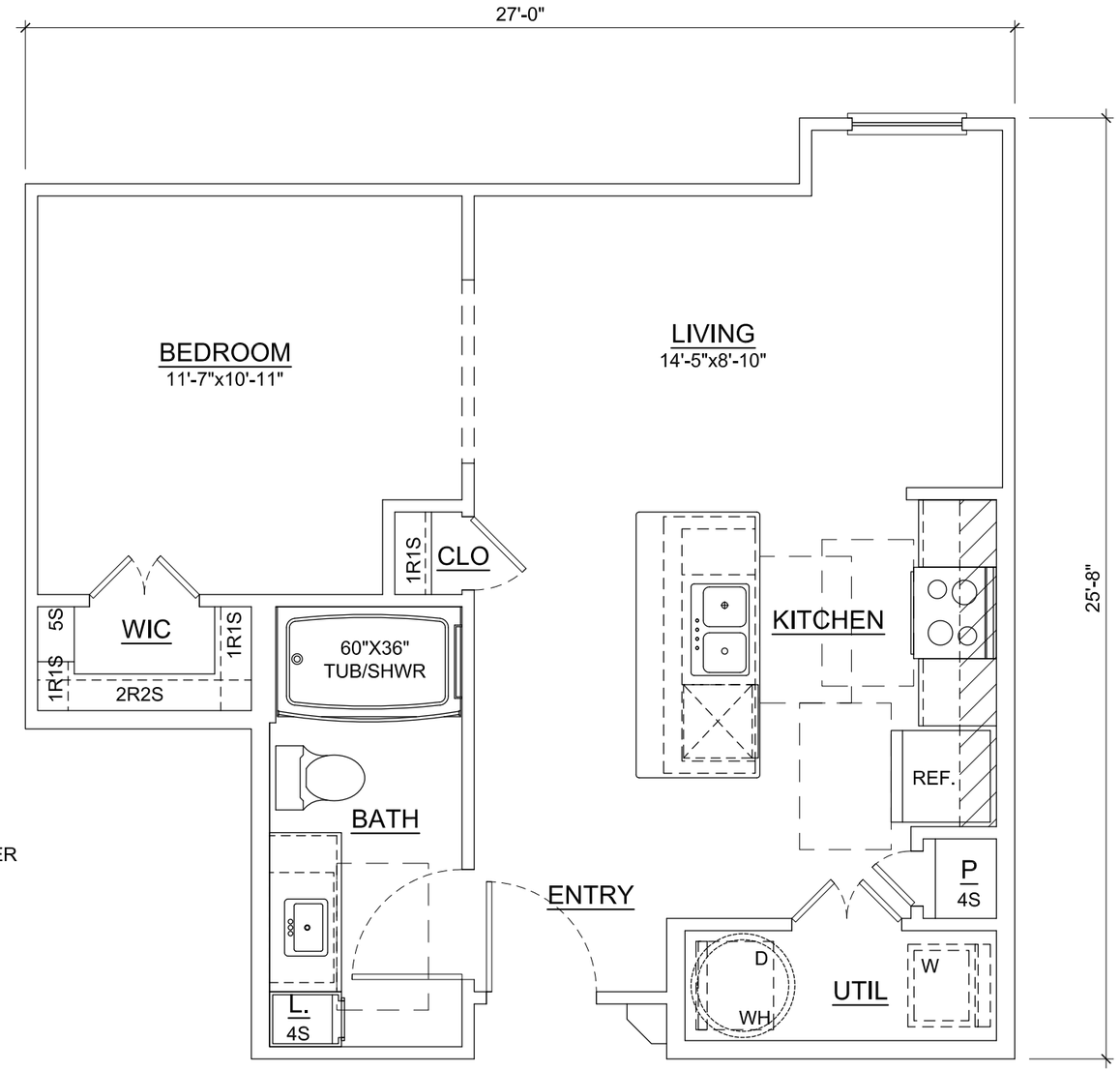

-NINE FOOT CEILINGS
-SELF CLEANING OVENS
-REFRIGERATOR WITH ICE MAKER
-MICROWAVE OVEN
-30% MASONRY ON EXTERIOR
-R15 WALLS/R30 CEILINGS

UNIT E1 - STUDIO, ONE BATH

600 S.F.

SCALE 1/4" = 1' - 0"

PATIO = 0 S.F.
STORAGE = 0 S.F.

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A2.8
UNIT E1

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FIRST FLOOR S.F. TOTALS

NET RENTABLE AREA	32,758 S.F.
COMMON AREA	3,844 S.F.
STAIRWAYS, BREEZEWAYS, AND CORRIDORS	10,555 S.F.
PRIVATE COVERED PATIO	2,298 S.F.
PRIVATE OUTSIDE STORAGE	542 S.F.

SECOND FLOOR S.F. TOTALS

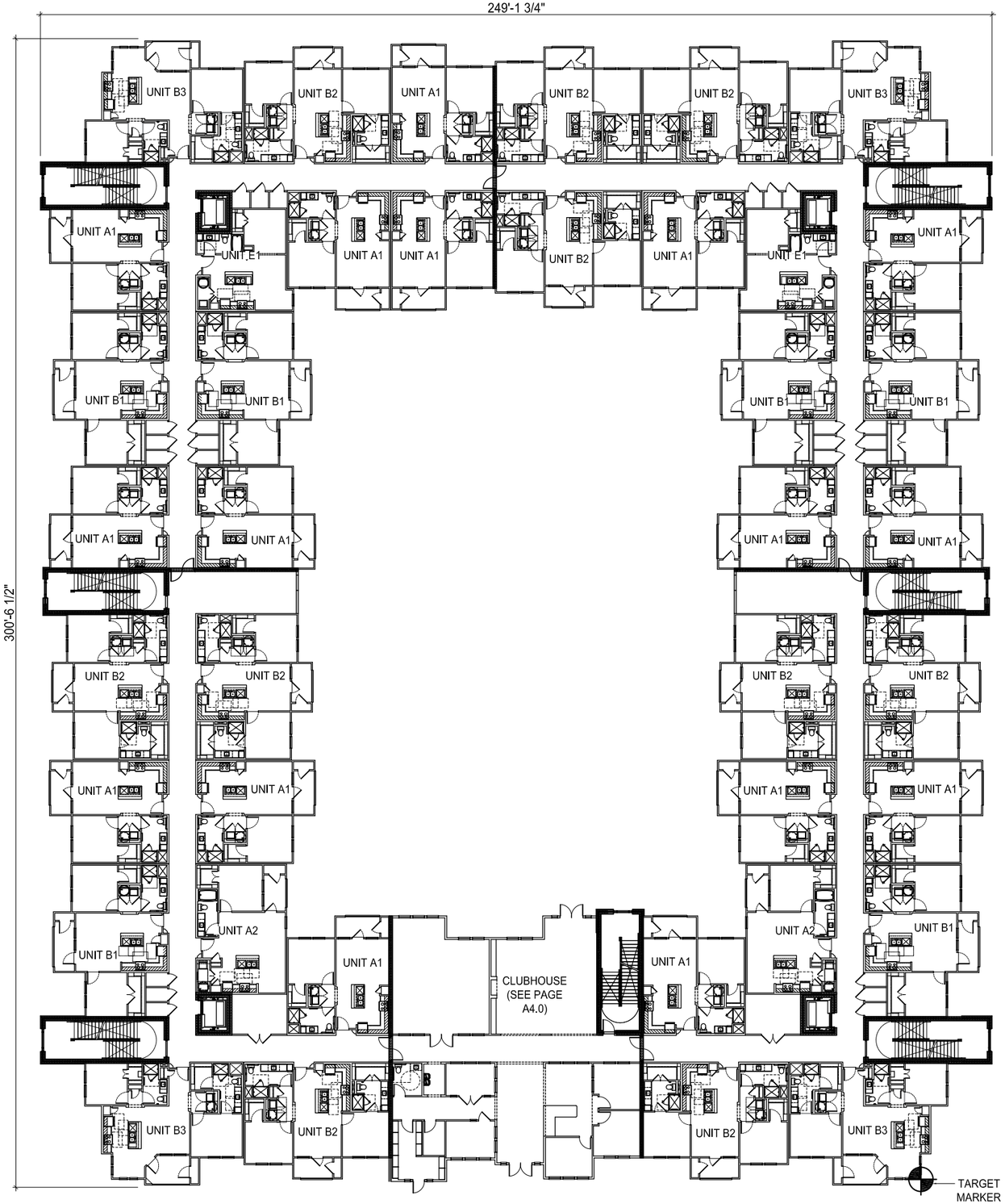
NET RENTABLE AREA	32,758 S.F.
COMMON AREA	2,807 S.F.
STAIRWAYS, BREEZEWAYS, AND CORRIDORS	10,555 S.F.
PRIVATE COVERED PATIO	2,298 S.F.
PRIVATE OUTSIDE STORAGE	542 S.F.

THIRD FLOOR S.F. TOTALS

NET RENTABLE AREA	35,779 S.F.
COMMON AREA	N/A
STAIRWAYS, BREEZEWAYS, AND CORRIDORS	11,012 S.F.
PRIVATE COVERED PATIO	2,545 S.F.
PRIVATE OUTSIDE STORAGE	603 S.F.

BUILDING 'A' S.F. TOTALS

NET RENTABLE AREA	101,295 S.F.
COMMON AREA	6,651 S.F.
STAIRWAYS, BREEZEWAYS, AND CORRIDORS	31,543 S.F.
PRIVATE COVERED PATIO	7,141 S.F.
PRIVATE OUTSIDE STORAGE	1,687 S.F.



BUILDING TYPE 'A' - FIRST FLOOR PLAN

1/32"=1'-0"

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A3.0
BUILDING 'A'
FLOOR PLAN

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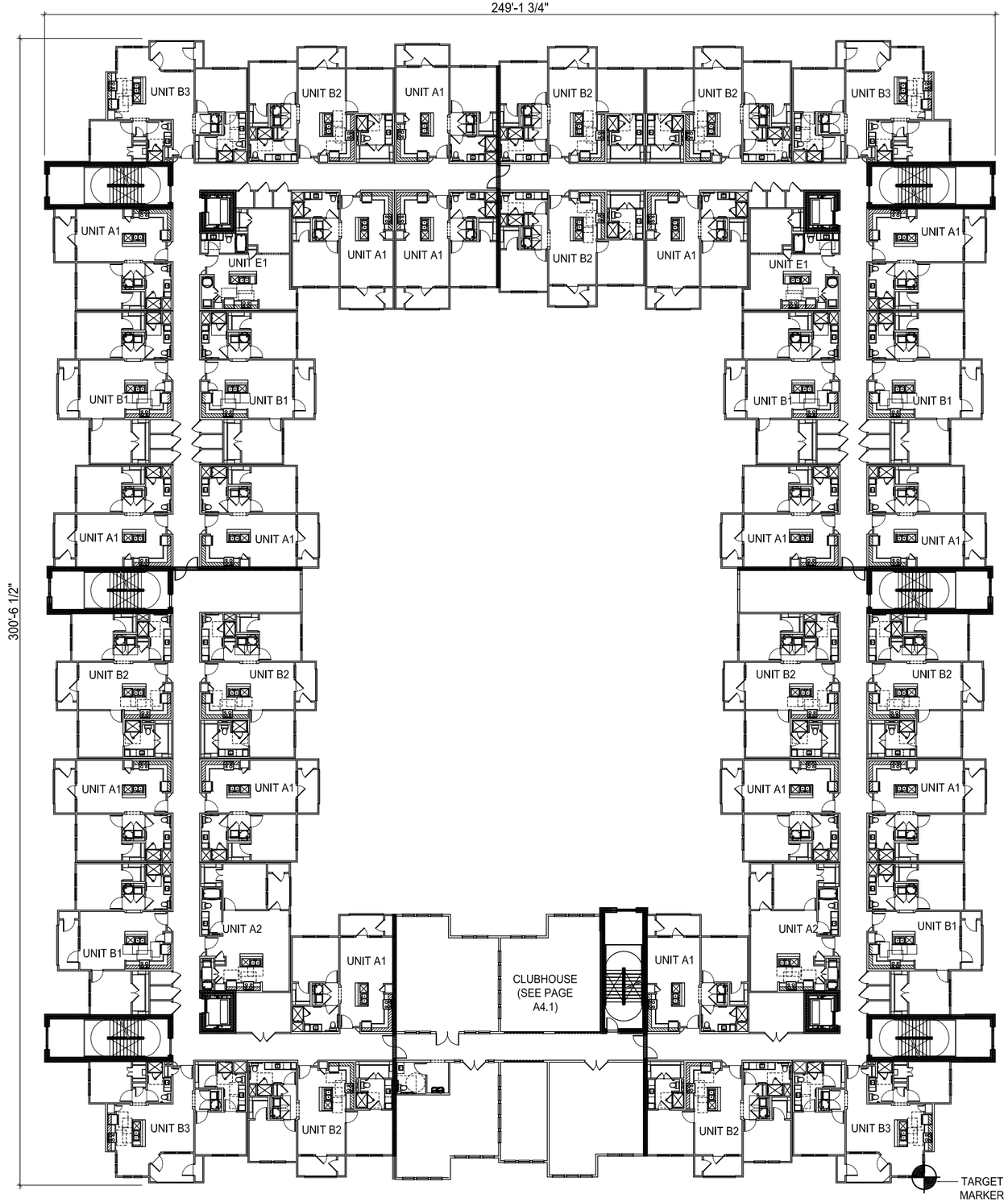

BUILDING TYPE 'A' - SECOND FLOOR PLAN

3/64"=1'-0"

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A3.1

BUILDING 'A'
FLOOR PLAN

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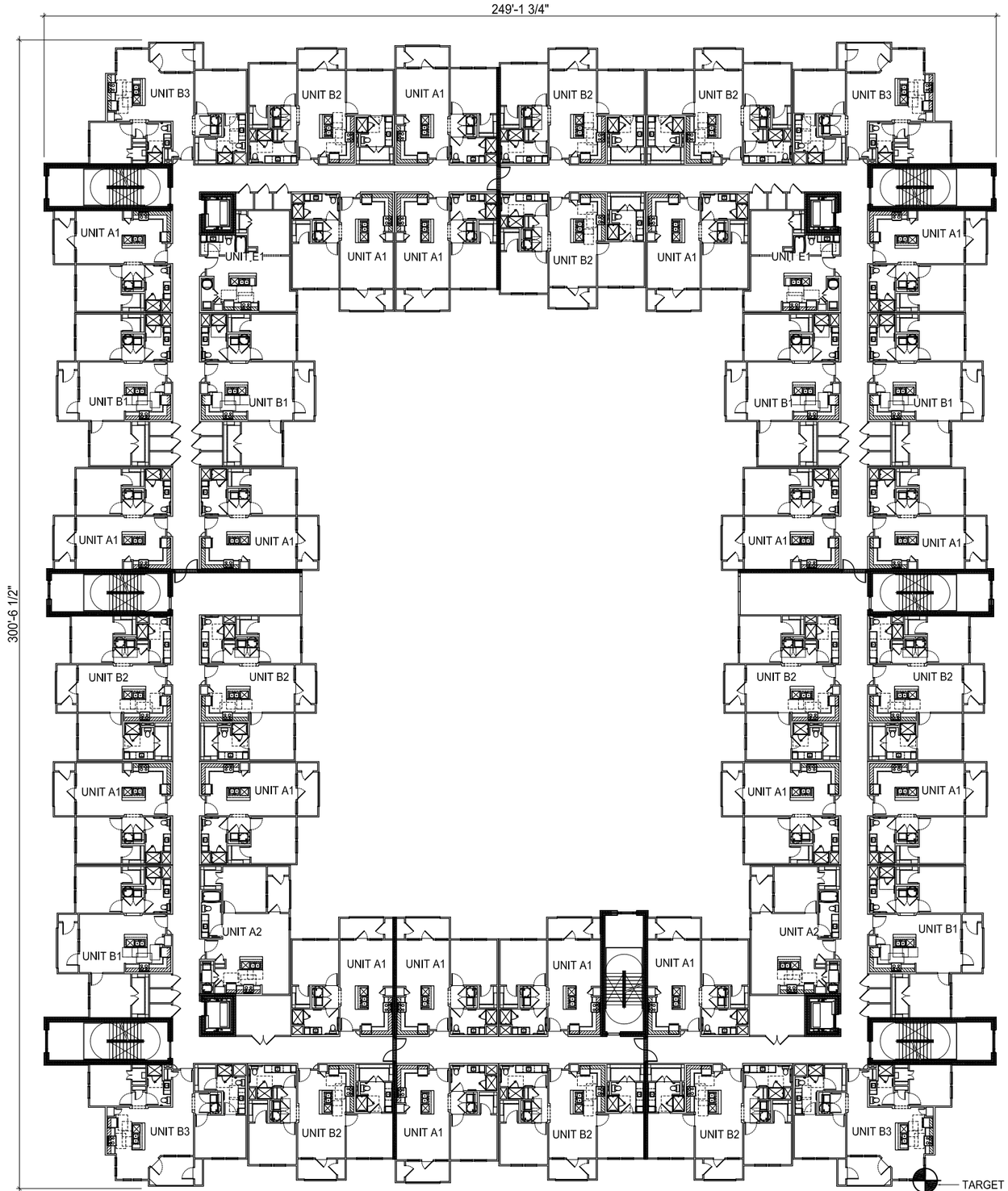

BUILDING TYPE 'A' - THIRD FLOOR PLAN

3/64"=1'-0"

Cross architects

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MIDLAND, TEXAS

A3.2

BUILDING 'A'
FLOOR PLAN

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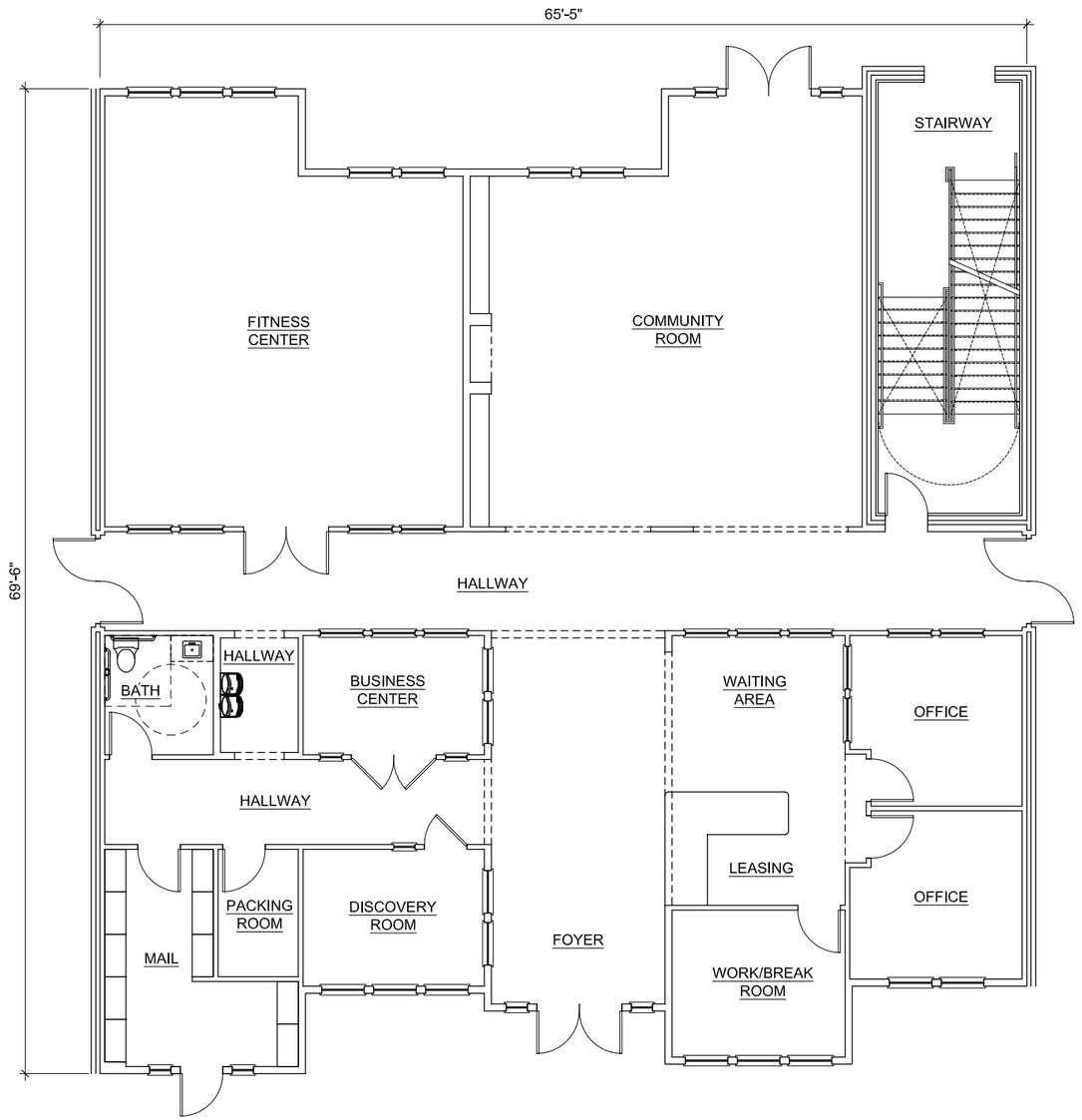

CLUBHOUSE - FIRST FLOOR PLAN

1/8"=1'-0"

Cross architects

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MIDLAND, TEXAS

A4.0
CLUBHOUSE FLOOR PLAN

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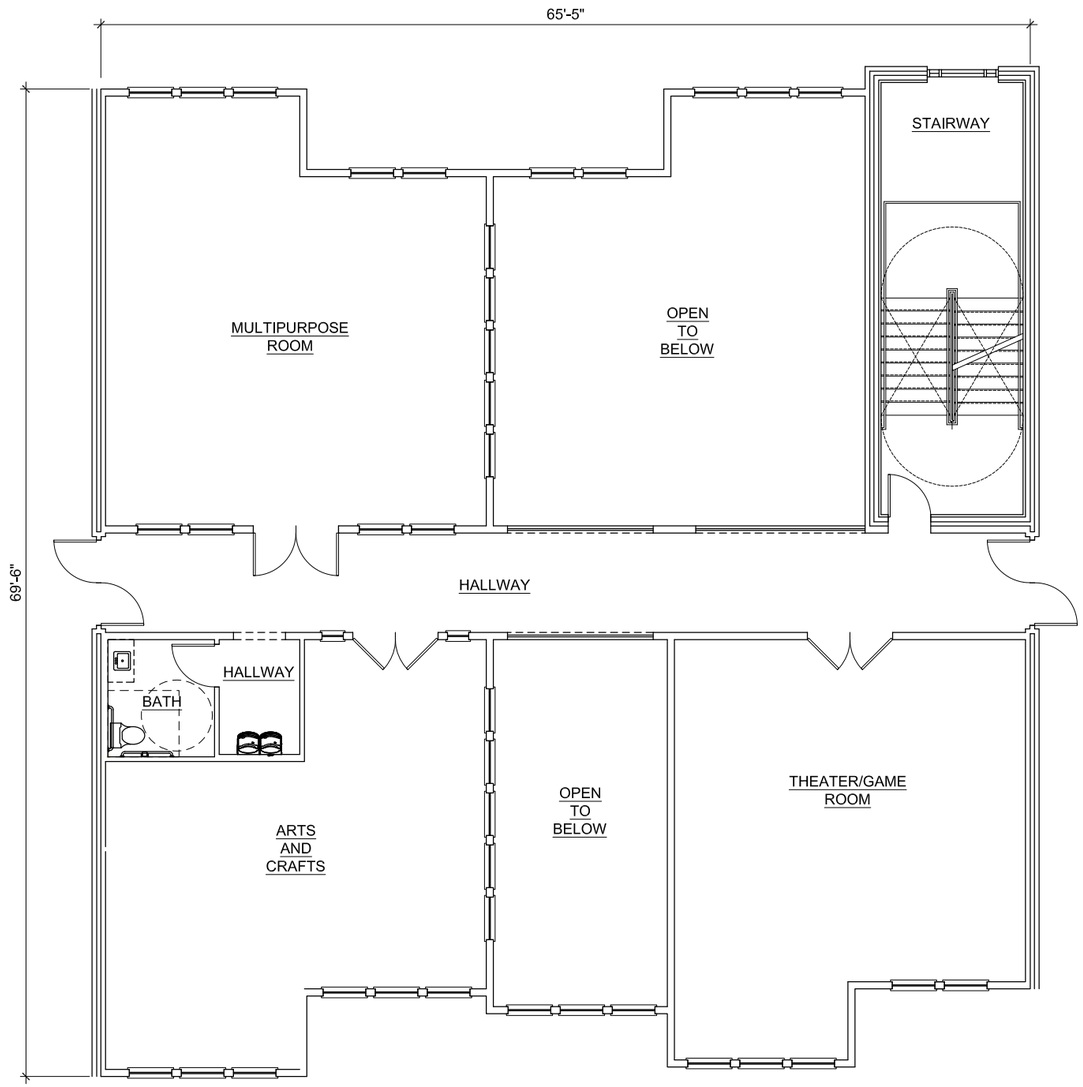

CLUBHOUSE - SECOND FLOOR PLAN

1/8"=1'-0"

Cross architects

MERRITT EDGE
MIDLAND, TEXAS

A4.1
CLUBHOUSE FLOOR PLAN

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ORDINANCE NO. 8007

AN ORDINANCE AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING THE PROPERTY DESCRIBED IN SECTION ONE HEREOF, WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR AN OFFICE CENTER, TO BE USED AS AN AMENDED PLANNED DISTRICT FOR AN OFFICE CENTER; PROVIDING FOR SUCH USE TO BE SUBJECT TO CERTAIN SPECIAL CONDITIONS AND RESTRICTIONS AS SET OUT HEREIN; PROVIDING THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE SITE PLAN, ORDINANCES, AND OTHER SPECIFICATIONS SET OUT AND REFERRED TO HEREIN; CONTAINING A CUMULATIVE CLAUSE AND EXPRESSLY REPEALING ORDINANCE NO. 5784; 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 the "Planned 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 PD, Planned District for an Office Center, and it shall be used as an Amended Planned District for an Office Center, subject to the special conditions and restrictions hereinafter set out, said property being described as follows:

Lots 1 through 5, Block 1, Corporate Plaza, City and County of Midland, Texas.

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

A. That Lots 1 and 3 shall be subject to the regulations of the O-2, Office District, except that the maximum building height shall be 80 feet;

B. That Lots 2, 4 and 5 shall be subject to the regulations of the O-1, Office District, except that the maximum building height shall be 40 feet;

C. That Lot 1 may also be permitted to be developed with a funeral home in accordance with Exhibit A, in all respects; and, that following initial development, any building expansion into the indicated "Future Expansion Area" must substantially conform to the building materials and architectural design of the initial construction.

D. That Ordinance Number 5784 shall be repealed.

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, and Ordinance No. 5784 is hereby expressly repealed.

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 with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION 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 27th day of February, A.D., 2001; and passed to second reading on motion of Council member Wood, seconded by Council member Bradford, by the following vote:

Council members voting "AYE": Wood, Bradford, Morgan, Dingus, Burns and Sinpson

Council members "ABSTAINING": Canon

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 Wood, **seconded by Council member** Bradford, **on the** 20th **day of** March, **A.D., 2001, at a regular meeting of the City Council:**

Council members voting "AYE": Wood, Bradford, Morgan, Dingus, Burns, Simpson and Canon

Council members voting "NAY": None

PASSED AND APPROVED THIS 20th **day of** March, **A.D., 2001.**

Robt. E. Burns, Mayor

ATTEST:

Kaylah J. McCord

Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:

Keith Stretcher, City Attorney

The
Springboard
Center
200

2214
TEXAS
117-3266

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **4/6/2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Glenda Arroyo-Cruz, Planner**

SUBJECT: **Hold a public hearing and consider a request by Maverick Engineering for a zone change from PD, Planned District for a Housing Development to an amended PD, Planned Development District for a Housing Development on Lots 19 through 31, Block 5; Lots 1 through 16, Block 8; Lots 1 through 9, Block 9; and Lots 1 through 4, Block 10; all out of Quail Ridge Addition, Section 6, Lots 10 through 20, Block 9; Lots 5 through 18, Block 10; and Lots 1 through 14, Block 11; all out of Quail Ridge Addition, Section 7; a 7.432-acre portion of Lot 1, Block 1, Quail Ridge Addition; and a previously vacated 0.004-acre portion of Beachwood Street right-of-way, Quail Ridge Addition, Section 2; City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Chukar Lane and Beachwood Street. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Maverick Engineering, is requesting approval of a zone change to continue the re-platting process for this residential development.

Current Zoning:

PD, Planned District for a Housing Development. (Ordinance No. 8536)

Surrounding Zoning and Land Use:

The properties to the north and east are zoned AE, Agriculture Estate District and the location of residential homes. The properties to the south are zoned PD, Planned District for a housing development and the location of residential homes. The property to the west is zoned TP, Technology Park District and the location of a public park.

Analysis:

The property is generally located on the northwest corner of the intersection of Chukar Lane and Beachwood Street. The applicant is requesting to amend the current planned district to adopt a new site plan for this residential subdivision. The new subdivision will not include the southern portion of the adopted exhibit, which is known as Quail Ridge Addition, Section 2, and will only focus on the northern portion of the area. This Planned District was established June of 2007 with an underlying zoning of 1F-3, One-Family Dwelling District. The equivalency of the previous zoning district is SF-3, Single-Family Dwelling District as listed in the new Zoning Ordinance.

This property is regulated by Ordinance No. 8536 and as stated in the *special conditions and restrictions, Section 2, Condition:*

1. *That the development of the property described in Section One hereof shall strictly conform to the conditions shown on the site plan marked as Exhibit "A", which is attached hereto and incorporated herein for all purposes.*

The applicant has provided a new site plan, attached hereto as "Exhibit A", which shows a revised lot layout for the next phases of the subdivision. The site will now have 115 lots; whereas, the previous site plan proposed 125. Lots 1 and 16 of Block 8 previously showed a common area. The new site plan is proposing to use this area as lots for residential development.

The site plan also indicates a new minimum front yard setback of 25 feet from the property line to the face of the finished out garage. All lots within this subdivision will also have a 10 foot utility easement along all public frontages.

All trash is being proposed to be picked up in front of the streets and no alleys are being shown in this subdivision. Additionally, all fencing will be a 6 foot wooden fence.

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

Engineering: (Approved)

No objection to zone change.

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

Fire: (Approved)

No objections.

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.

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.

Transportation: (Approved)

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

No objection to zone change.

Planning:

Per the future land use map, this area is designated as U-M, Urban Medium. Potential zoning for this area allows for Single-Family Dwelling Districts. This request is compatibility with the existing development in the neighborhood and allow for additional housing options for the community.

Staff recommends approval of this request for a zone change subject to following conditions:

Conditions:

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

B. **That the development of this property shall significantly conform to the site plan attached hereto and incorporated herein as Exhibit "A".**

C. **That the minimum front-yard setback shall be twenty-five (25) feet.**

Letters of Objection:

As of April 1, 2020, staff has not received any letters of objection.

Attachments:

Metes and Bounds (Exhibit A)
Quail Ridge Subdivision Site Plan (Exhibit B)
Application
Maps
Ordinance No. 8536

MAVERICK
ENGINEERING • SURVEY • WATER RESOURCES
1909 West Wall Street, Suite K • Midland, TX 79701
Tel: 432.262.0999 • Fax: 432.262.0989 • maverick-eng.com
ENGINEER FIRM #: F-15089 | SURVEY FIRM #: 10194514

Quail Ridge Addition, Section 8, a re-plat of portions of Quail Ridge Addition, Cab D Page 336, PRMCT, excluding a portion of Beachwood Street, a platted roadway out of Quail Ridge Addition, Section 2 Cab G Page 192

Commencing at a 1/2" IRF (N: 10,701,992.45, E: 1,766,248.13), NAD 83, Texas Central Zone) the Northwest Corner of Quail Ridge Addition, Section 6, Cabinet L, page 172, PRMCT;

Thence North 75°36'57" East 716.16 Feet along and with the North Line said Quail Ridge Addition, Section 6 and proposed Section 7 to a 1/2" IRF for the Northeast Corner of proposed Quail Ridge Addition, Section 7;

Thence South 37°13'05" East along and with the East line of said proposed Quail Ridge Addition, Section 7 (Seven), 218.89 Feet to a 1/2" IRS for the Northwest Corner and **Point of Beginning** of proposed Quail Ridge Addition, Section 8, Blocks 12 and 13:

Thence North 75°36'36" East 748.27 Feet to a 1/2" IRF for the Northeast Corner of this Survey;

Thence South 14°37'49" East along and with the West Right of Way of Chukar Lane 444.82 Feet to a 1/2" IRF for a Point of Curvature at the Southeast corner of Lot 18, on a Curve to the Right to the North Right of Way of Beachwood Street and the West Right of Way of Chukar Lane;

Thence South 30°56'58" West 28.18 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Tangency on the South Line of Block 12;

Thence South 75°30'02" West 61.87 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Tangency on the South Line of Block 12;

Thence North 59°26'42" West 28.25 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Intersection on the South Line of Block 12;

Thence South 75°37'32" West 17.17 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Intersection on the South Line of Block 12;

Thence, following a non-tangent curve to the right, with a radius of 20.00 Feet, a Delta Angle of 90°24'46", an arc length of 31.56 Feet, a Chord bearing South 30°17'42" West and a Chord Distance of 28.39 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Intersection on the North Right of Way of Beachwood Avenue;

Thence North 75°30'02" West 217.23 Feet to a 1/2" IRS Cap FIRM 10194514 to a Point of Curvature on the South Line of Block 12;

Thence following a curve to the left, with a radius of 229.48, a Delta Angle of 22°27'28", an arc length of 89.95 Feet, a Chord Bearing South 64°15'34" West and a Chord Distance of 89.37 Feet to a 1/2" IRS Cap FIRM 10194514 for a Point of Tangency on the North Line of Beachwood Street;

Thence South 52°34'41" West 94.88 Feet to a 1/2" IRS Cap FIRM 10194514 for the Southwest Corner of Block 12;

Thence North 37°13’05” West 564.29 Feet to the **Point of Beginning** of Block 12 and this Survey;

And also, Section 8, Block 1, commencing at a ½” IRF at a Point of Curvature on the Southeast Corner of Lot 18, Block 12, on the West Right of Way of Chukar Lane;

Thence crossing platted Beachwood Street, South 14°32’16” East 72.12 Feet to a 1/2” IRS Cap FIRM 10194514 to the Point of Beginning of Block 1;

Thence South 14°31’58 66.73 Feet to a 1/2” IRS Cap FIRM 10194514 at the intersection of the West Right of Way of Chukar Lane at the Southeast Corner of Block 12, Lot 18, Quail Ridge Addition, Section 8;

Thence South 14°32’16” East 72.12 Feet to a 1/2” IRS Cap FIRM 10194514 for the South Right of Way of said Beachwood Street and a Point of Intersection in the East Line of this Survey for a **Point of Beginning** of Block 1 in this Survey;

Thence South 14°31’58” East along and with the West Right of Way of Chukar Lane, 66.73 Feet to a 1/2” IRS Cap FIRM 10194514 for the Southeast Corner of proposed Quail Ridge Addition, Section 8 Block 1;

Thence South 75°23’42” West 396.75 Feet to a 1/2” IRS Cap FIRM 10194514 for the Southwest Corner of Block 1;

Thence North 36°53’53” West 80.45 Feet to a 1/2” IRS Cap FIRM 10194514 for the Northwest Corner of Block 1 and the South Right of Way of said platted Beachwood Street,

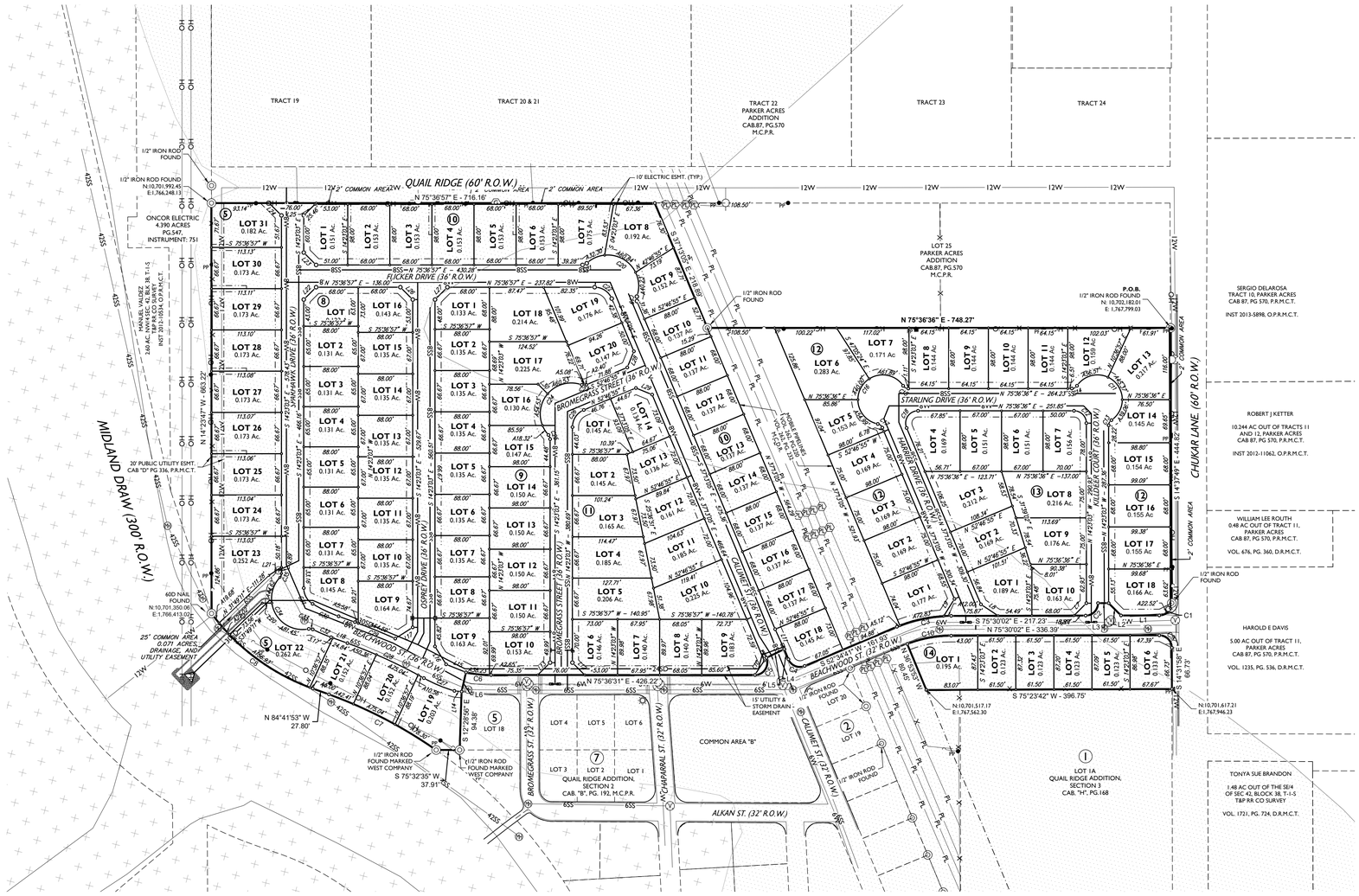
Thence along a non-tangent curve to the right with a radius of 197.00 Feet, a Delta angle of 21°05’41”, an Arc length of 72.53 Feet, a Chord bearing North 64°57’17”, and a Chord Distance of 72.12 Feet to a 1/2” IRS Cap FIRM 10194514 for a Point of Intersection on the North Line of Block 1;

Thence North 75°30’02” East 336.39 Feet to a Point of Curvature of a Curve on the North Line of Block 1,

Thence following a Curve to the Right with a Radius of 20.00 Feet, a Delta Angle of 90°33’27”, an Arc Length of 31.61 Feet, a Chord Bearing South 59°25’59” and a Chord Distance of 28.42 Feet to the Point of Beginning of Block 1, the combined area of these two tracts containing ± 7.432 acres.

www.maverick-eng.com
Texas RPLS - No. 6135
Maverick Engineering (FIRM – No. 10194514)
1909 W. Wall St., Suite K
Midland, TX 79701
432-262-0999

03/18/2020

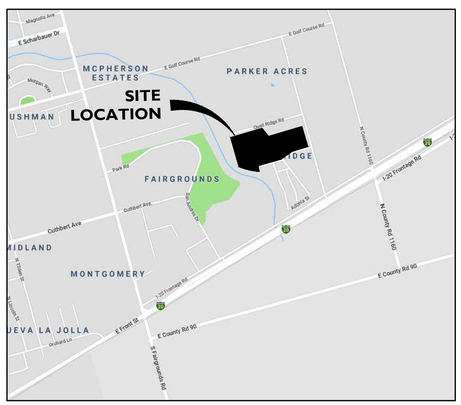


LEGEND

- DENOTES SET 1/2-INCH IRON ROD
- DENOTES FOUND MONUMENT AS NOTED
- DENOTES SAW CUT "X"
- DENOTES BENCH MARK
- DENOTES EXISTING FIRE HYDRANT
- DENOTES EXISTING GAS METER
- DENOTES EXISTING LIGHT POLE
- DENOTES EXISTING MANHOLE
- DENOTES EXISTING POWER POLE
- DENOTES EXISTING WATER METER
- DENOTES EXISTING WATER VALVE
- DENOTES BOUNDARY LINE
- DENOTES EXISTING EASEMENT LINE
- DENOTES EXISTING FENCE
- G — DENOTES EXISTING GAS LINE
- OH — DENOTES EXISTING OVERHEAD ELECTRIC LINE
- 8WW — DENOTES PROPOSED 8" SEWER LINE
- 8W — DENOTES PROPOSED 8" WATER LINE
- 6SS — DENOTES EXISTING 6" SEWER LINE
- PL — DENOTES EXISTING UNDERGROUND PIPELINE
- 6W — DENOTES EXISTING 6" WATER LINE
- DENOTES CONCRETE
- DENOTES FEMA ZONE "AE"
- DENOTES FEMA SHADED ZONE "X"

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	20.00'	31.27'	28.18'	N 30°56'58" E	89°35'25"
C2	20.00'	31.56'	28.39'	S 30°17'42" W	90°24'46"
C3	229.48'	89.95'	89.37'	S 64°15'34" W	22°27'28"
C4	20.00'	31.60'	28.42'	N 82°09'35" W	90°32'06"
C5	20.00'	39.27'	33.26'	S 19°21'28" W	112°30'04"
C6	190.95'	40.88'	40.81'	S 81°44'30" W	12°16'03"
C7	750.00'	195.76'	195.20'	N 76°55'52" W	14°57'17"
C8	350.00'	206.64'	203.65'	N 67°48'13" W	33°49'38"
C9	20.00'	31.61'	28.42'	N 59°25'59" W	90°33'27"
C10	197.00'	72.53'	72.12'	N 64°57'17" E	21°05'41"
C11	40.00'	140.95'	78.54'	N 59°23'13" W	201°53'39"
C12	20.00'	31.42'	28.29'	N 59°23'13" W	90°00'21"
C13	10.00'	9.76'	9.38'	N 13°35'17" E	55°56'39"
C14	10.00'	9.76'	9.38'	N 47°38'17" E	55°56'39"
C15	10.00'	9.76'	9.38'	S 76°25'04" E	55°56'39"
C16	40.00'	156.88'	73.99'	N 19°11'46" E	224°42'59"
C17	10.00'	9.76'	9.38'	S 65°11'24" E	55°56'39"
C18	20.00'	39.38'	33.32'	N 19°11'46" E	112°49'41"
C19	10.00'	7.48'	7.30'	S 15°48'04" E	42°50'00"
C20	50.00'	133.37'	97.20'	S 70°48'04" E	152°49'59"
C21	10.00'	7.48'	7.30'	N 54°11'57" E	42°50'00"
C22	30.00'	35.17'	33.19'	N 70°48'04" W	67°09'58"
C23	10.00'	7.48'	7.30'	S 74°11'56" W	42°50'00"
C24	50.00'	133.37'	97.20'	N 19°11'56" E	152°49'59"
C25	10.00'	7.48'	7.30'	S 35°48'03" E	42°50'00"
C26	30.00'	35.17'	33.19'	S 19°11'56" W	67°09'58"
C27	234.00'	53.62'	53.50'	N 81°41'37" W	13°07'46"
C28	838.00'	135.95'	135.80'	S 79°46'35" E	9°17'43"
C29	874.00'	70.17'	70.15'	N 82°07'48" W	4°36'00"
C30	226.06'	46.60'	46.52'	S 78°48'56" E	11°48'41"
C31	30.00'	30.64'	29.33'	S 43°38'49" E	58°31'33"
C32	262.06'	32.21'	32.19'	N 81°12'01" W	7°02'30"
C33	10.00'	6.69'	6.57'	S 83°08'56" W	38°20'35"
C34	50.00'	126.08'	95.23'	S 43°47'12" E	144°28'19"
C35	10.00'	7.48'	7.30'	N 07°01'58" E	42°50'00"
C36	20.00'	31.40'	28.28'	N 30°33'25" E	89°57'59"
C37	20.00'	13.53'	13.27'	S 33°48'00" E	38°44'58"
C38	20.00'	31.43'	28.29'	N 30°35'29" E	90°02'07"
C39	20.00'	31.15'	28.09'	N 59°46'54" W	89°13'40"
C40	20.00'	31.38'	28.26'	N 59°32'58" W	89°54'06"

LINE	BEARING	DISTANCE
L1	N 75°30'02" E	61.87'
L2	N 59°26'42" W	28.25'
L3	N 75°37'32" E	17.17'
L4	N 36°53'35" W	17.86'
L5	N 49°18'46" E	32.07'
L6	N 01°32'55" W	32.00'
L7	N 30°30'45" E	28.34'
L8	S 70°51'31" E	33.30'
L9	N 17°35'43" E	32.69'
L10	S 19°11'43" W	27.66'
L11	S 38°48'18" E	35.28'
L12	N 59°23'16" W	28.28'
L13	N 30°36'44" E	28.29'
L14	S 81°35'12" W	11.64'
L15	S 82°27'05" E	34.59'
L16	N 46°16'00" W	34.07'
L17	N 42°53'35" E	33.65'
L18	S 84°41'53" E	28.01'
L19	N 84°41'53" W	28.11'
L20	S 75°36'57" W	15.61'
L21	N 42°59'18" E	24.38'
L22	N 30°36'57" E	28.28'
L23	S 59°23'03" E	28.28'
L24	S 59°23'03" E	28.28'
L25	N 30°36'57" E	28.28'
L26	S 59°23'03" E	28.28'
L27	S 30°36'57" W	28.28'
L28	N 07°46'55" E	28.28'
L29	N 82°13'05" W	28.28'
L30	S 59°23'03" E	21.92'



VICINITY MAP

N.T.S.

FEMA FIRM NOTES:

ACCORDING TO FEMA'S N.F.I.P. FLOOD INSURANCE RATE MAP #48329C0093F, DATED SEPTEMBER 16, 2005, THIS PROPERTY IS PARTIALLY WITHIN THE ZONE "AE" BEING "AREAS DETERMINED TO BE WITHIN THE 1.0% ANNUAL CHANCE FLOOD" PER FEMA LOMR DATED MARCH 3, 2016 (CASE NO. 15-06-2420P), AND PARTIALLY WITHIN THE SHADED PORTION OF ZONE "X", BEING "AREAS TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND PARTIALLY WITHIN THE UNSHADED PORTION OF ZONE "X", DESIGNATED AS "AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN."

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

DEVELOPMENT NOTES:

- GENERAL: SITE PLAN IS FOR A PROPOSED ± 23.434-ACRE SINGLE FAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF 115 LOTS, LOCATED, SECTION 42, BLOCK, 38, T-1-S-, T&P RR. CO. SURVEY, CITY & COUNTY OF MIDLAND, TEXAS.
- ACCESS: THE SITE IS PLANNED IN THREE PHASES WITH FINAL ACCESS TO THREE EXISTING RIGHTS-OF-WAY: CHUKAR LANE, QUAIL RIDGE ROAD, AND BEACHWOOD STREET. ALL ACCESS POINTS ARE PLANNED FOR BOTH INGRESS AND EGRESS.
- SCREENING: ALL FENCING WILL BE 6' WOOD FENCING
- SETBACKS: 25' FRONT MINIMUM SETBACK TO THE FACE OF GARAGE WILL BE OBSERVED. 5' SIDE YARD SETBACKS TO BE PROVIDED. 5' REAR YARD SETBACKS WILL BE OBSERVED IN LOTS NOT ADJOINED BY A REAR ALLEY. NO FENCES OR ANY OTHER STRUCTURES MAY BE CONSTRUCTED WITHIN THE BUILDING SETBACK AREA ON CORNER LOTS.
- EASEMENTS: A 10' UTILITY EASEMENT WILL BE PROVISIONED ALONG ALL PUBLIC FRONTAGES FOR ALL LOTS WITHIN THE SUBDIVISION. A 10' GENERAL ELECTRIC EASEMENT WILL BE SITUATED ALONG SHARED LOT LINES OF PROPERTIES IDENTIFIED AS-NEEDED BY THE SERVICE PROVIDER. EXISTING FACILITIES COVERED WITHIN STANDING EASEMENTS WILL BE OBSERVED.
- TRASH: TRASH WILL BE PICKED UP IN FRONT OF STREETS WITH ROLL-OUT CARTS. THERE WILL BE NO ALLEYS IN THIS SUBDIVISION.
- UTILITIES: WET AND DRY UTILITIES WILL BE ROUTED IN THE CITY RIGHT OF WAY IN ACCORDANCE WITH THE CITY OF MIDLAND STANDARD UTILITY MAIN SPACING DETAIL 414. ALL UTILITIES WILL BE DESIGNED PER CITY OF MIDLAND STANDARDS AND SPECIFICATIONS.
- SITE LIGHTING: LIGHTING WILL BE IN CONFORMANCE WITH CITY OF MIDLAND STANDARDS AND SPECIFICATIONS.
- SIDEWALKS: SIDEWALKS WILL BE IN CONFORMANCE WITH THE CITY OF MIDLAND STANDARDS AND SPECIFICATIONS.

MAVERICK ENGINEERING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

REVISIONS	BY	APPR.	DATE

DRAWN BY: ADH
CHECKED BY: PRH
APPROVED BY:
DATE: 1/20/20
JOB: 180028

PDHD ZONING SITE PLAN

QUAIL RIDGE SUBDIVISION

BEING 23.434-ACRES OF LAND OUT OF SECTION 42, BLOCK 38, T-1-S, T&P RR. CO. SURVEY, CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

PRELIMINARY REVIEW:

THIS PLAN IS RELEASED ON THIS DAY JANUARY 21, 2020, FOR THE PURPOSES OF PLANNING APPROVAL. IT SHALL NOT BE USED FOR THE PURPOSES OF CONSTRUCTION.

SHEET SP-01 OF 01

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: 2-20-0167

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Quail Ridge Parnership Investments, LP			Phone ( ) Email
Address PO Box 50653	City Midland	State TX	Zip 79710

Property Owner Printed Name: Quail Ridge Parnership Investments, LP			Phone ( ) Email
Address PO Box 50653	City Midland	State TX	Zip 79710

Representative *(if different from Applicant or Property Owner)* Firm: Maverick Engineering Printed Name: Paladin Huckaba			Phone (432-) 262-0999 Email phuckaba@maverick-eng.com
Address 1909 W. Wall St., Suite K	City Midland	State TX	Zip 79701

Street Address: 2705 E Hwy 80

Legal Description Tract detailed in the attached legal.
Lot: Block: Subdivision:

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

Reason for Zone Change Request: Advance the residential re-plat of this acreage as proposed.

Present Use of Property: Vacant

Proposed Use of Property: Single family homes.

How would this zone change affect the public health, safety and welfare?
Positive beneficial land use stemming from the resulting development in-progress.

Describe how conditions affecting the property have changed since present zoning designation: None

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

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

BY: .....

RECEIVED JAN 22 2020

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date: 1/21/20
Applicant (printed): Paladin Huckaba	
Property Owner (signature): QUAIL RIDGE PARTNERSHIP INV., LP BY	Date: 1/22/20
Property Owner (printed): LOUIE CARAVEO	

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Quail Ridge Part Investments, LP 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 22nd day of January, 2020, to certify which witness my hand and seal of office.

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

Kelsey Ann Stine
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

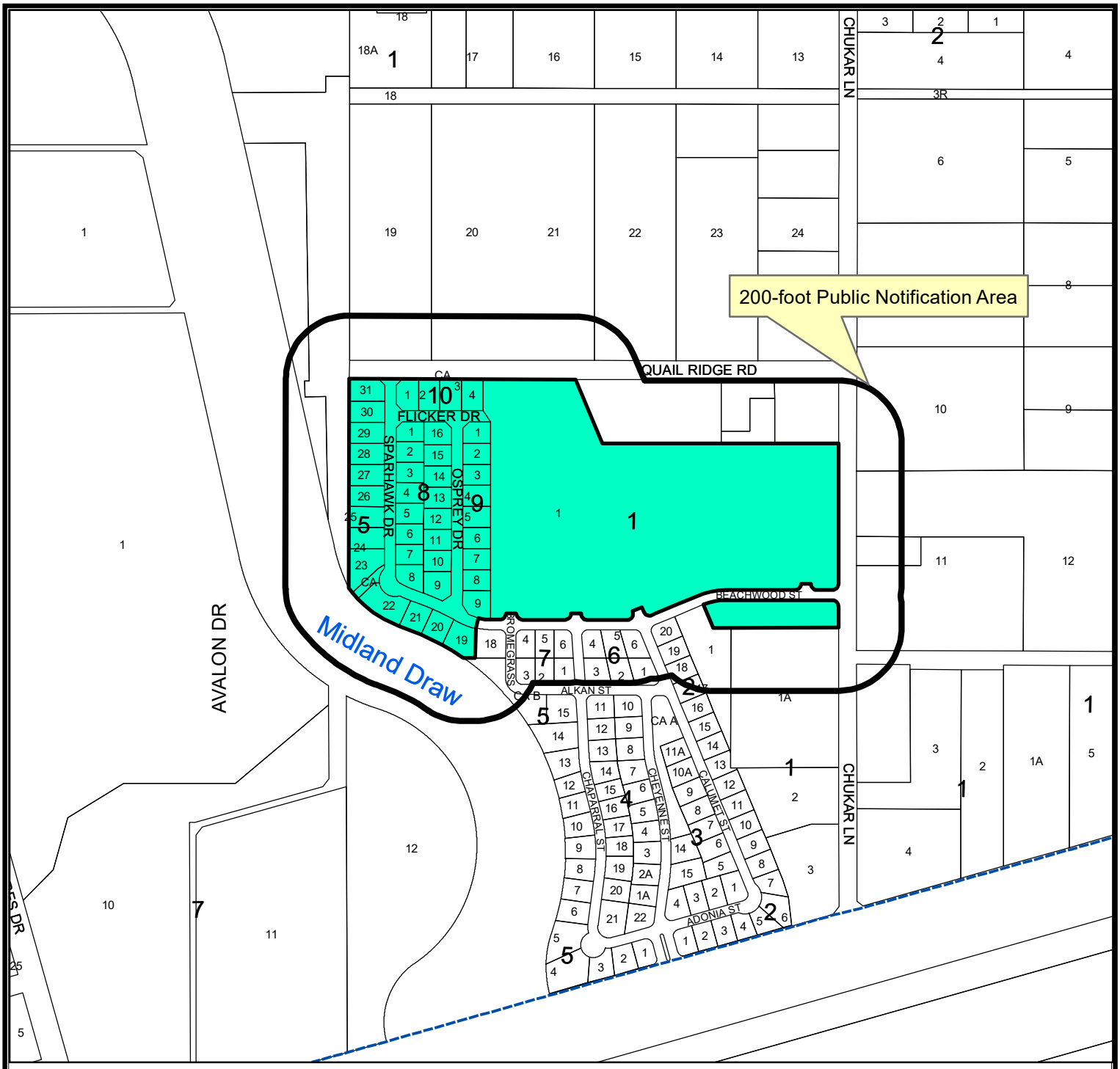
- ☑ Property Owner Authorization
- ☑ Application Fee
  Check # 3113
- ☑ Dimensioned Site Plan
- ☑ Plans in Digital Format (PDF/JPEG)

Received By: GAC

Date: JAN 22 2020

RECEIVED

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



LOCATION MAP

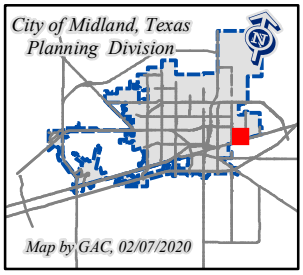
Z-20-0167 **Scale: 1" = 400'**

Consider a request by Maverick Engineering for a zone change from PD, Planned District for a Housing Development to an amended PD, Planned Development District for a Housing Development on:Lots 19 through 31, Block 5; Lots 1 through 16, Block 8; Lots 1 through 9, Block 9; and Lots 1 through 4, Block 10; all out of Quail Ridge Addition, Section 6; Lots 10 through 20, Block 9; Lots 5 through 18, Block 10; and Lots 1 through 14, Block 11; all out of Quail Ridge Addition, Section 7; a 7.432-acre portion of Lot 1, Block 1, Quail Ridge Addition; and a previously vacated 0.004 acre portion of Beachwood Street right-of-way, Quail Ridge Addition, Section 2; City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Chukar Lane and Beachwood Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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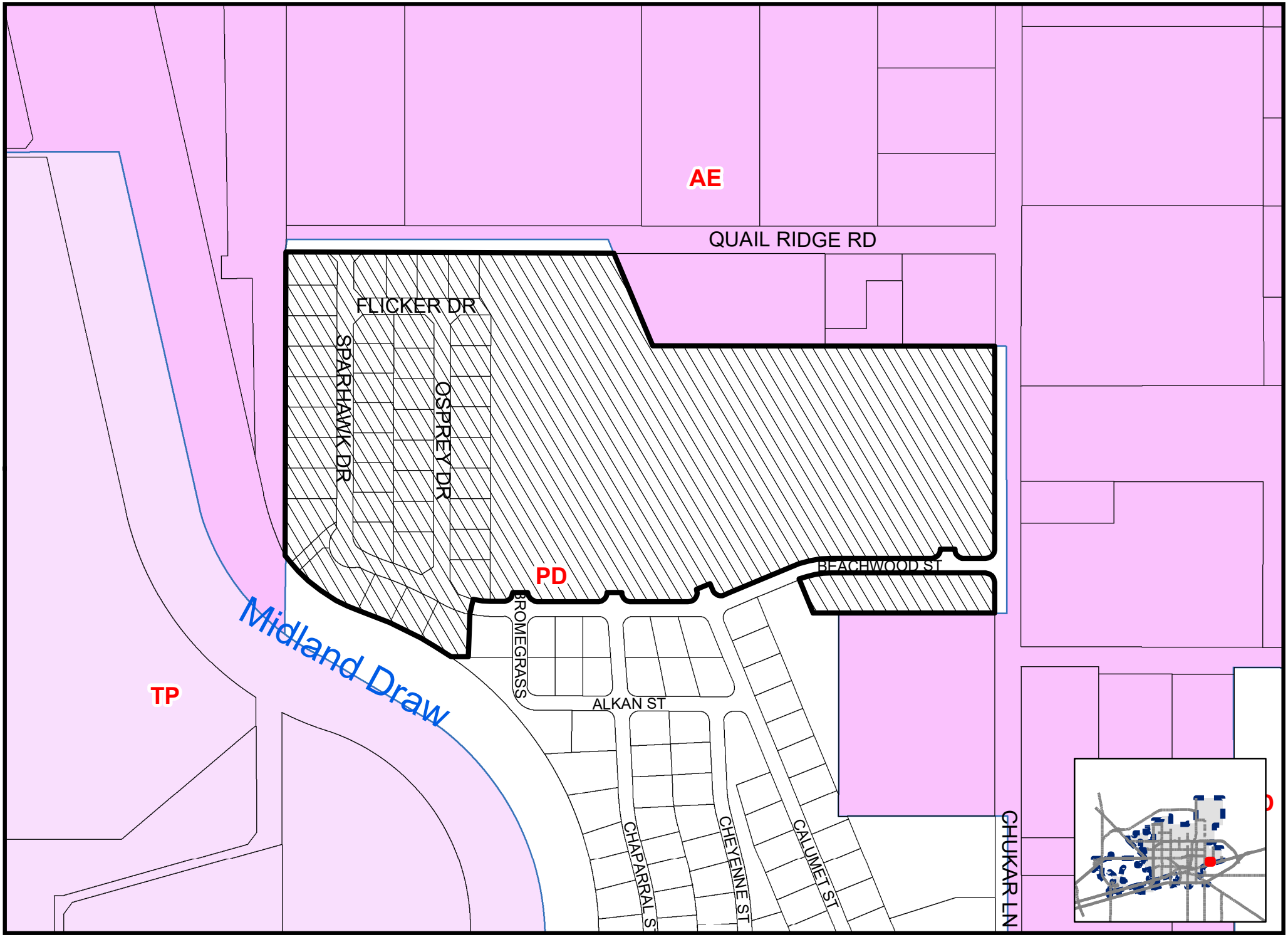
THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT, NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map By GAC, 02/7/2020

Z-20-0167

Scale: 1" = 200'

ZONING MAP

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ORDINANCE NO. 8536

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING A 41.16-ACRE TRACT OF LAND LOCATED IN SECTION 42, BLOCK 38, T-1-S, T & P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DISTRICT; PERMITTING A 2.50-ACRE TRACT OF LAND LOCATED IN SECTION 42, BLOCK 38, T-1-S, T & P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED AE, AGRICULTURAL ESTATE DISTRICT, TO BE USED AS A CE, COUNTRY ESTATE 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 the zoning districts 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 AE, Agriculture Estate District, and it shall be used as a PD, Planned District for a Housing Development, subject

This revised plan establishes a minimum width of 32 feet for all streets, whereas the original plan had some 25-foot streets. The street pattern in the area with the original 25-foot streets has been revised, and the lot sizes have been increased. The number of lots has been reduced from 220 to 205. In addition, two of the three streets intersecting Chukar Lane have been eliminated, and one new street intersecting Business I-20 has been added with approval by TxDOT. Two off-street parking spaces would be provided on each lot and a 15-foot front yard setback is still proposed. Lot widths average around 67 feet and the depth is around 87 feet. The attached Exhibit A would govern the actual lot sizes. Also on Exhibit A, there are three common areas that will be used as playgrounds. The office and clubhouse from the original plan have been eliminated. Instead, this land will be platted as two lots fronting onto Chukar Lane that will be rezoned to a CE District. Screening fences are planned where lots back toward public streets. Fence details are illustrated on Exhibit A. The fences will also be placed in common areas. The associated plat will contain restrictive covenants that will govern the ownership and maintenance responsibilities of the common areas. A fee will be collected from homeowners for maintenance purposes.

A total of 15 notices were mailed to adjoining property owners. One person spoke in opposition to this proposal during the Planning Commission meeting, and we have received two letters of opposition. The percentage of opposition will be provided during the May 22nd meeting. We continue to believe this is an opportunity for an adaptive reuse of property that would otherwise remain unproductive, as well as for adding to the supply of workforce housing. We concur in the Commission's recommendation for approval of this request.

CDS

Planning and Zoning Commission Meeting
Minutes from April 30, 2007

Z-07-014 - Hold a public hearing and consider a request by **West Company of Midland/Quail Ridge** for a *zone change* from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on of Lot 1, Block 1, Quail Ridge Addition; a 8,073-acre portion of Tract 25, Parker Acres; and a 5.588-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. (Generally located on the northeast corner of the intersection of Business 20 and Chukar Lane.)

Mr. Daniel Crow, 1010 Oneida St., Denver, CO, spoke as the representative of the applicant. He stated that the request was previously presented to the Planning and Zoning Commission on March 5, 2007. The Commission voted 6-1 to approve the request. He stated he withdrew the application before going to the City Council, because of the neighborhood opposition. Mr. Crow stated he met with the neighborhood and discussed the their concerns and submitted a new application and revised site plan. Mr. Crow also presented a slide presentation with new details regarding new access points, wider lots and streets. Mr. Crow discussed with the Commission the various types and size of homes that will be available. Workforce housing will be approximately 1,300 – 1,550 square feet and Associate level housing will be approximately 1,600 – 1,850 square feet. Mr. Crow commented that four common areas are being proposed and will be maintained by the Homeowners Association.

Mr. Compton presented the staff report. He stated the Commission recommended approval of an earlier request on March 5, 2007, but the City Council did not support the proposal. The applicant chose to withdraw the application at that meeting. After considering the comments received from surrounding property owners, the applicant developed a revised site plan and submitted a new application. Mr. Compton stated the revised site plan contains significant changes. A new entry is shown from the Business I-20 service road. Two roads entering from Chukar Lane have been eliminated. He stated the width of all roads has been increased to 32 feet. The office and clubhouse have been removed however, four common areas will be developed as recreation areas for the residents. He commented that all rear lots will be screened by at least a six-foot tall solid wood fence, but a more decorative fence with stucco and stone is proposed for the perimeter on Business I-20. The Staff recommends approval of the request subject to Conditions A – H of the staff report.

Chairman Hotchkiss asked if anyone in the audience wished to speak in favor of the request. There was none.

Chairman Hotchkiss asked if anyone in the audience wished to speak in opposition of the request. Mr. Wayne Young, 1301 Chukar Lane, spoke for the neighborhood. He stated

that the homeowners met with Mr. Crow regarding the development of the property. Mr. Young is still concerned about the traffic situation, and is not in favor of the request, but stated that Mr. Crow made significant changes to the proposal.

Chairman Hotchkiss asked if anyone else would like to speak in opposition of the request. There being none, the public hearing was closed.

Chairman Hotchkiss asked if the applicant had any further comments.

Mr. Crow discussed with the Commission the timeline for the proposed construction. He stated that the infrastructure and the first phase of construction would take place in June, with homes available for September, 2007.

Chairman Hotchkiss called for a motion. Ms. Ferguson made a motion to approve the request as submitted subject to Conditions A – H of the Staff Recommendation. Mr. Bergman seconded the motion and the motion passed unanimously.

PLANNING AND ZONING COMMISSION

April 30, 2007

CASE: Z-07-014.

REQUEST: Hold a public hearing and consider a request for a zone change from AE, Agriculture Estate District to PD, Planned District for a Housing Development; and CE, Country Estate District.

APPLICANT/OWNER: Banner Communities, LLC.

REPRESENTATIVE: West Company of Midland.

LEGAL DESCRIPTION: A 43.656-acre tract out of Section 42, Block 38, T-1-S, T&P Railway Company Survey, Midland County, Texas.

LOCATION: Northwest corner of Business I-20 and Chukar Lane.

ASSOCIATED CASE: P-06-02, Quail Ridge, Section 2.

DETAILS OF REQUEST:

1. This is the second time the Planning Commission has considered a zone change request on this land in the past few months. While the Commission recommended approval of an earlier request on March 5, 2007, the City Council did not support the proposal when it considered the application on April 10, 2007. After considering his options, the applicant chose to withdraw the application at that meeting. By doing so, he avoided the need to wait one year to have a request reconsidered. Following the Council's direction and considering the comments received from adjoining property owners, the applicant has developed a revised site plan, and has submitted a new application. As the Commission may recall, this property was developed as a manufactured home park prior to being annexed in 1982. The land was under a single ownership, with manufactured home spaces available for lease. The park was served with a private street and water system, and septic systems. The applicant's plan is to redevelop this land into a single-family residential neighborhood with public streets and new public water and sewer lines. Further, the land will be subdivided into individual lots, and each lot and respective home will be under a common ownership. The

homes will be modular homes, and not manufactured homes. The applicant proposes that all but two lots will be subject to the development regulations of the 1F-3 District, and to the conditions shown on the site plan, Exhibit A. The remaining two lots would be rezoned to a CE District.

SURROUNDING ZONING AND LAND USE:

2. The subject property is bounded on the north by Quail Ridge Road, on the east by Chukar Lane, on the south by Business I-20, and on the west by Midland Draw. The land to the north and east is zoned AE District, and is sparsely developed. The land south of Business I-20 is outside the City limit. The area west of Midland Draw is zoned IP-1 District, and is developed with a variety of commercial businesses.

ANALYSIS:

3. The proposed lot sizes as shown on Exhibit A do not meet the minimum 1F-3 District requirements of 50 feet of width, 100 feet of depth and 5,500 square feet of area. This is mainly because the public streets will follow the general alignment of the private streets established within the manufactured home park. Additionally, the streets are only 32 feet wide, instead of 50 or 60 feet, and there will be no public sidewalks internal to the site. If the streets were widened, the lots would be shallower than shown on the site plan.

   However, this revised site plan contains several significant changes, again in response to adjoining property owners and the City Council. Regarding streets, a new entry is shown from the Business I-20 service road, with a landscaped median. Two roads entering from Chukar Lane have been eliminated. (The first submittal removed all three streets from Chukar. However, we felt at least three public roads are needed.) A single street from Quail Ridge Drive remains unchanged. Finally, the width of all roads is now has been increased to 32 feet, whereas the original plan had some streets only 25 feet wide. Additional changes include a redesign of the street system for the area north of the Mobil pipeline, and an increase in lot size in this area. This change reduced the number of lots from 220 to 192. This yields a density of 4.4 dwelling units per acre, down from 5.0 dwelling units per acre on the original plan. He is still requesting a 15-foot front yard setback. Most lots will have garages, and some will be set up as a zero lot line condition on the plat. There are now two large lots, Lots 1A and 2, Block 1 shown at the northwest corner of Business I-20 and Chukar Lane. This property has been removed from the neighborhood, and will be sold as separate lots that will be subject to the CE District zoning regulations. The office and clubhouse from the original submittal have been removed. However, there are still four common areas that will be developed as

recreation areas for the residents. Regarding the matter of fences, all rear lots will be screened by at least a six-foot tall solid wood fence. However, where lots back toward Business I-20, a more decorative fence with a stucco finish and stone pilasters is planned, as shown on Exhibit A. Along the other streets, a solid wood fence with stone pilasters is proposed, except that metal posts are planned along the westernmost portion of Quail Ridge Road. Landscaping will be provided along Business I-20 in the form of three-inch caliper trees planted on 50-foot centers. A home owners association will be responsible for maintaining all common areas and landscaping.

We continue to believe that this is a reasonable development plan that can help provide a supply of workforce housing. We believe this revised plan represents an improvement from the original plan, particularly with a decrease in density, an increase in street width, and a street onto Business I-20 (TxDOT has already approved a street at this location).

STAFF RECOMMENDATION:

We recommend approval of this request for a zone change from AE, Agriculture Estate District to PD, Planned District for a Housing Development, subject to the following conditions:

A. **The development of this property shall conform to the regulations of the 1F-3, One-Family Dwelling District, except as otherwise stated below. Provided, however, that Lots 1A and 2, Block 1 shall be subject to CE District regulations.**

B. **The development of this property shall conform to the conditions shown on Exhibit A in all respects.**

C. **This property shall be platted prior to the issuance of any building permits.**

D. **Common areas shall be established as shown on the Exhibit A. Screening fences consistent with the conditions on Exhibit A shall be constructed and completed prior to the issuance of any Certificates of Occupancy.**

E. **Common areas internal to the site shall be developed as recreational areas.**

F. **The minimum front yard setback shall be 15 feet, except for Lots 1A and 2, Block 1, which shall conform to CE District regulations.**

G. **A minimum of two off-street parking spaces will be provided on each lot.**

H. **All landscaping shown on Exhibit A shall be irrigated with an underground sprinkler system, and shall be maintained in a healthy, growing condition.**

Cameron Walker, AICP
Planning Division Manager
Department of Development Services

Jim Compton, Senior Planner
Department of Development Services

Attachments:

Application
Maps
Exhibit A

Case Number: Z-07-014 ~~Z-06-025~~

CITY OF MIDLAND
Planning Division

APPLICATION TO CHANGE ZONING CLASSIFICATION

Applicant: West Company of Midland / Quail Ridge

Address: 110 W. Louisiana, Suite 110 (Street Address) 682-0588 (Phone)

Midland, Texas (City) (State) 79701 (Zip Code)

Property Owner: Banner Communities, LLC

Address: 10010 S. Oneida Street, Suite A-102 (Street Address) 303-770-4220 (Phone)

Denver, CO (City) (State) 80224 (Zip Code)

Street address and Legal Description of property (complete Lot, Block, and Subdivision Name description below, or, if not in a recorded plat, attach a Metes and Bounds Description. Describe by tracts if more than one zoning district is requested): Lot 1, Block 1, Quail Ridge Addition and 8.073 acre tract out of Tract 25, Parker Acres, and a 5.588 acre tract out of section 42, Block 38, T1S, T&P RR Company Survey, Midland Co, Tx.

Reason for requesting a zone change: Develop a residential housing development

PRESENT ZONE: AE REQUESTED ZONE: PDHD
(List by tracts if more than one zoning district is requested)

Present Use of Property: Vacant mobile home park

Proposed Use of Property: Work Force housing project

How will zone change affect the public health, safety and welfare? The requested zoning will have a positive affect on the public health, safety and welfare.

Describe how conditions affecting the property have changed since it was designated its present zone: Need for work force housing.

Will a Specific Use Permit with Term for alcoholic beverages sales be needed: ___ Yes _X_ No

20061175

RECEIVED
DEC - 5 2006

NOTE: If property owner is to be represented by an authorized agent, the agent should sign the property owner's name and his own on the lines provided above and complete the affidavit below.

A $400.00 filing fee shall accompany all requests for a single, standard zone change request. A multiple zone change proposal shall incur an additional $100.00 fee per district requested in excess of one. A $550.00 filing fee shall accompany all requests for a single PD, Planned District zone change request. A multiple PD proposal shall incur an additional $75.00 fee per additional district. If no public hearing is called, 80% of the fee will be refunded. If needed, a Traffic Impact Analysis may be required and a fee of up to $600.00 will be assessed.

NOTE: CD of Site Plan must be submitted in .pdf and .jpg format 10 days prior to hearing before City Council, in addition to the required eight (8) paper copies for internal routing purposes.

Property Owner: Banner Communities, LLC Date: 12-5-06

By: Max W. Richardson Date: 12-5-06
(If applicable - see note)

State of Texas §
County of Midland §

Before me, the undersigned authority, on this day personally appeared Max W. Richardson who, being by me duly sworn, upon oath says: That he is authorized by Banner Communities, LLC, the owner of the above described property, to fully represent him in this application and that he has the legal right, power and authority to sign said owner's name hereto as his attorney in fact.

Max W. Richardson
(Signature of Affiant)

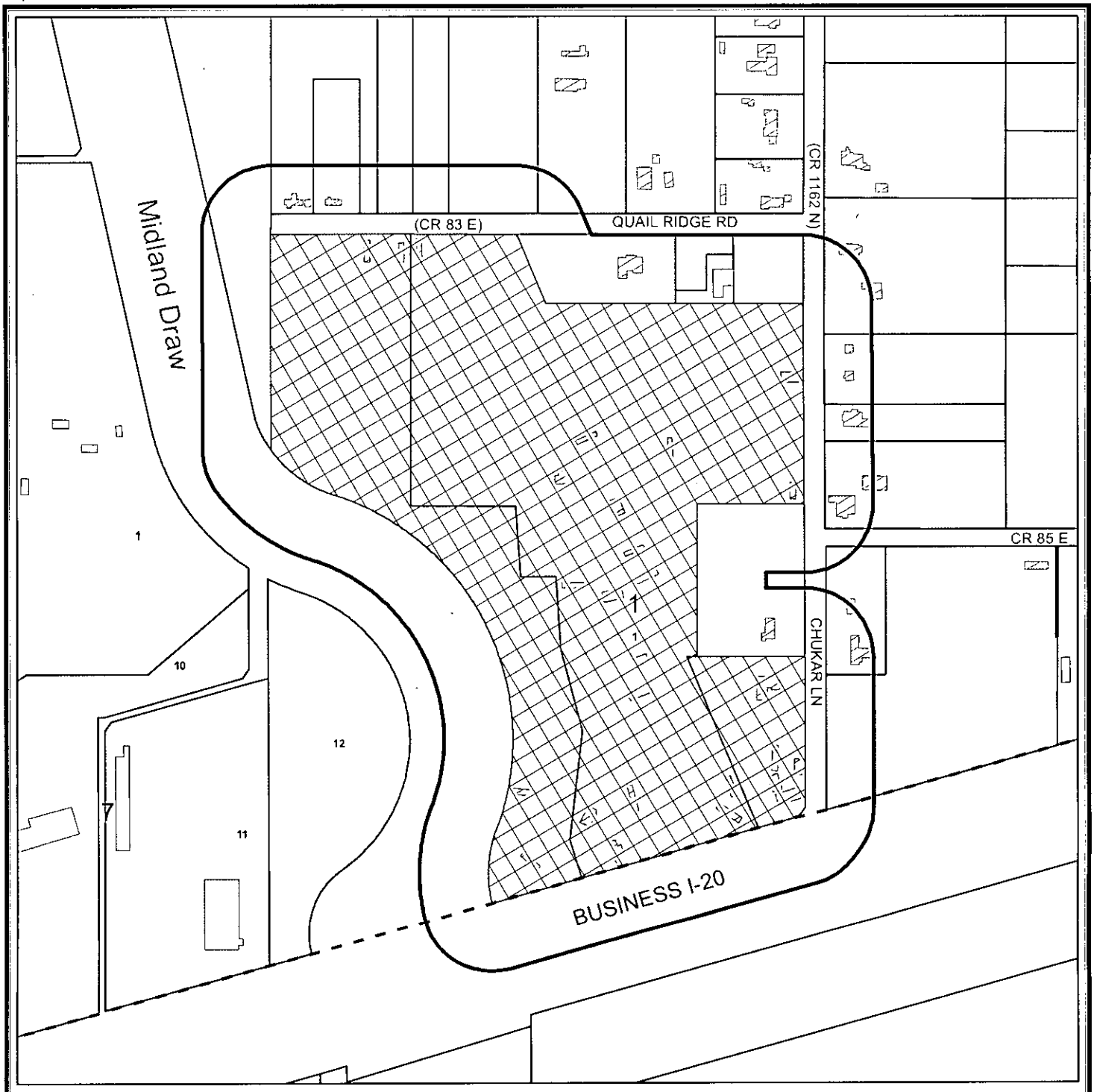
Subscribed and sworn to before me, by the said Max W. Richardson, this 5th day of December, 2006, to certify which witness my hand and seal of office.

JOHNNY RAY POINDEXTER
Notary Public, State of Texas
My Commission Expires 12-15-07

Notary Public, Midland County, Texas

FOR OFFICE USE ONLY
Rec'd By: CJ Date: 12/5/06
Assigned: JC
For: P+Z On: 1/2/07

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



PROPERTY OWNER NOTIFICATION MAP

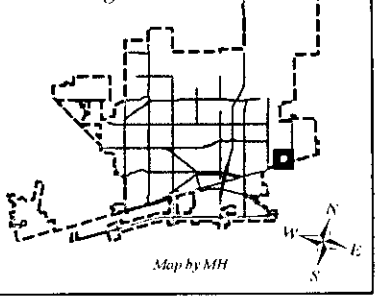
Z - 07 - 014 **Scale: 1" = 400'**

Consider a request for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on Lot 1, Block 1, Quail Ridge Addition; a 8.073-acre portion of Tract 25, Parker Acres; and a 5.588 acre tract of land out of Section 42, Block 38, T-1-S, T & P RR Co. Survey, City of Midland, Midland County, Texas.

LEGEND

- CITY LIMITS
- CITY PARCEL
- COUNTY PARCEL
- PUBLIC BLDGS
- PRIVATE BLDGS

City of Midland, Texas
Planning Division



Map by MH

to the special conditions and restrictions hereinafter set out, said property being described as follows:

A 41.16-acre tract of land located in Section 42, Block 38, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas, and more specifically described by metes and bounds in Exhibit "B", attached hereto and incorporated herein for all purposes.

SECTION TWO. That the development of the property described in Section One hereof shall conform to the regulations of the 1F-3, One-Family Dwelling District, except for the following conditions:

1. That the development of the property described in Section One hereof shall strictly conform to the conditions shown on the site plan marked as Exhibit "A", which is attached hereto and incorporated herein for all purposes.

2. That this property shall be platted prior to any development or the issuance of any building permit. Said plat must conform to the site plan (Exhibit "A"). All internal streets shall be dedicated as public right-of-way.

3. That the common areas shall be established adjacent to all streets where a lot backing condition occurs. Screening fences consistent with the details shown on Exhibit "A" shall be constructed adjacent to each lot prior to the issuance of a building permit. Provided, however, that the fence along Business I-20 shall be constructed with the initial development of this property.

4. That the locations on Exhibit "A" designated as Common Areas A, B, C, and D shall be developed as recreational areas.

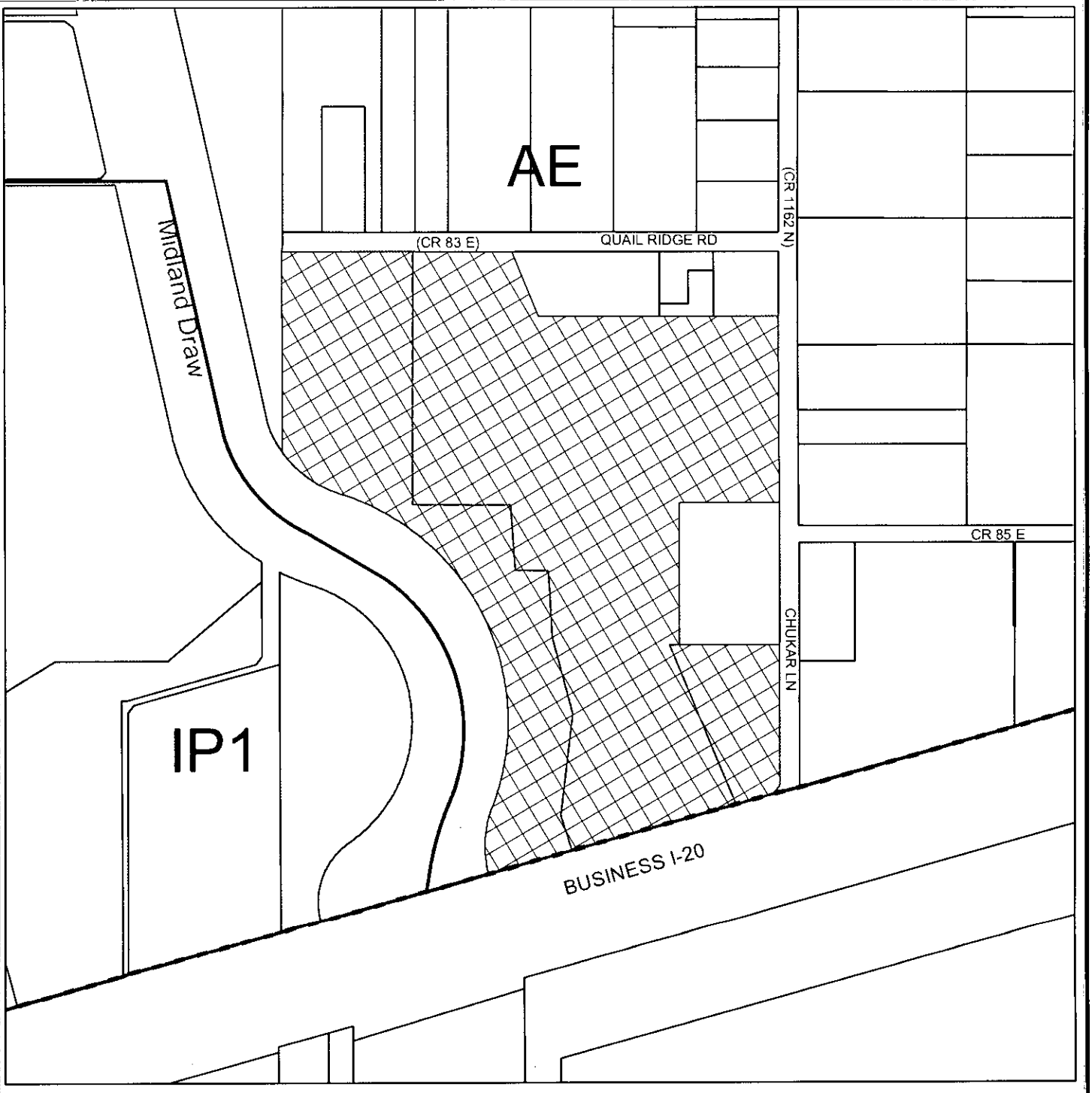
5. That the minimum front-yard setback shall be fifteen (15) feet.

6. That a minimum of two off-street parking spaces will be provided on each lot.

7. That the perimeter landscaping shall be irrigated with an underground sprinkler system and maintained in a healthy, growing condition by a homeowners association.

SECTION THREE. 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 AE, Agriculture Estate District, and it shall be used as a CE, Country Estate District, said property being described as follows:

A 2.50-acre tract of land located in Section 42, Block 38, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas, and more specifically described by metes and bounds in Exhibit "C", attached hereto and incorporated herein for all purposes.



ZONING MAP

Z - 07 - 014 **Scale: 1" = 450'**

Consider a request for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on Lot 1, Block 1, Quail Ridge Addition; a 8.073-acre portion of Tract 25, Parker Acres; and a 5.588 acre tract of land out of Section 42, Block 38, T-1-S, T & P RR Co. Survey, City of Midland, Midland County, Texas.

LEGEND

ZONING | CITY PARCELS | COUNTY PARCELS

SPECIFIC USE PERMITS | CITY LIMITS | PUBLIC BLDGS

ZONING DISTRICTS:

FD	FUTURE DEVELOPMENT	BP	BUSINESS PARK
PD	PLANNED DISTRICT	P	PARKING
AE	AGRICULTURE ESTATE	01, 02	OFFICE
CE	COUNTRY ESTATE	NS	NEIGHBORHOOD SERVICE
1F1, 1F2, 1F3	ONE-FAMILY DWELLING	LR1, LR2 ,LR3	LOCAL RETAIL
MH	MOBILE HOME DWELLING	C1, C2, C3	COMMERCIAL
TH	TOWNHOUSE DWELLING	IP ,IP1, IP2, IP3	INDUSTRIAL PARK
2F	TWO-FAMILY DWELLING	LI	LIGHT INDUSTRY
MF1, MF2	MULTIPLE FAMILY DWELLING	HI	HEAVY INDUSTRY

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

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

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

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

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 22nd day of May, A.D., 2007; and passed to second reading on motion of Council member Hailey, seconded by Council member Dingus, by the following vote:

Council members voting "AYE": Hailey, Dingus, Perry, Morgan, Canon, Simpson and Dufford

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 Perry, seconded by Council member Morgan, on the 26th day of June, A.D., 2007, at a regular meeting of the City Council:

Council members voting "AYE": Perry, Morgan, Dingus, Simpson, Dufford and Hailey

Council members voting "NAY": None

PASSED AND APPROVED THIS 26th day of June, A.D., 2007.

Michael J. Canon, Mayor

ATTEST:

Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:

Keith Stretcher, City Attorney

SITE PLAN

QUAIL RIDGE ADDITION, SECTION 2

BEING A REPLAT OF A PORTION OF LOT 1, BLOCK 1, QUAIL RIDGE ADDITION; AND A 8.073 ACRE TRACT OUT OF TRACT 25, PARKER ACRES, CITY AND COUNTY OF MIDLAND, TEXAS; AND A 5.588 ACRE TRACT OUT OF SECTION 42, BLOCK 38, T-1-S, T & P RR. COMPANY SURVEY, MIDLAND COUNTY, TEXAS.

NORTHEAST CORNER SECTION 42, BLOCK 38, T-1-S, T & P RR. CO. SURVEY, MIDLAND COUNTY, TEXAS.
N 15°14' W 3417.45'
N 74°55' E 1173.30'
SCALE 1" = 100'
UNPLATTED
CHUKAR LANE (COUNTY ROAD 1162-N)
60' RIGHT-OF-WAY
SOLID WOODEN FENCE WITH STONE COLLUMNS ALONG PROPERTY LINE
2' COMMON AREA FOR FENCE
S 14°43'00" E 583.62'
S 14°43'00" E 289.74'
439.74'
150.00'
N 75°23'00" E
323.30'
342.40'
S 75°23'00" W
MOBIL PIPELINE
MOBIL PIPELINE VOL 252, PAGE 220 MCDR VOL 252, PAGE 232 MDR
100' RIGHT-OF-WAY
AQUILA STREET
ADOMIA STREET
ANAMOSA STREET
CHEYENNE STREET
SALKAN STREET
BRYANWOOD STREET
CHALKSTONE STREET
CHAPARRAL STREET
BROMEGRASS STREET
COBBLESTONE STREET
COGHILL STREET
CHEYENNE STREET
BUSINESS I-20
250' RIGHT-OF-WAY
SOLID STUCCO VENEER FENCE WITH STONE COLLUMNS ALONG PROPERTY LINE
UNPLATTED
QUAIL RIDGE ROAD ROAD (COUNTY ROAD 63-E)
60' RIGHT-OF-WAY
SOLID WOODEN FENCE WITH 2-INCH METAL POSTS ALONG PROPERTY LINE
N 75°28'44" E 748.54'
S 36°56'47" E 219.52'
N 75°28'02" E 717.32'
2' COMMON AREA FOR FENCE
SOLID WOODEN FENCE WITH 2-INCH METAL POSTS ALONG PROPERTY LINE
N 14°31'42" W 663.78'
MIDLAND DRAW
300' RIGHT-OF-WAY
S 34°28'45" W 5.00'
N 56°17'24" W 20.00'
N 32°56'28" E 5.00'
A=27°44'59"
R=750.00'
T=185.26'
L=363.24'
CD=N 70°56'02" W
LC=359.70'
A=34°11'11"
R=350.00'
T=107.63'
L=208.83'
CD=N 67°42'56" W
LC=205.75'
A=60°17'52"
R=750.00'
L=789.30'
CD=N 25°22'19" W
LC=753.37'
A=34°21'13"
R=337.48'
L=104.32'
CD=N 72°23'59" W
LC=199.33
COMMON AREA
DRAINAGE EASEMENT
GAS EASEMENT
S 14°32'35" E 170.56'
N 14°32'35" W 194.00'
S 37°07'56" E 194.00'
S 37°07'56" E 144.99'
S 37°07'56" E 127.74'
S 07°14'56" E
S 14°32'35" E 134.00'
N 14°32'35" W 134.00'
N 84°48'31" W 27.80'
S 81°37'46" E 134.00'
S 18°41'58" E 131.94'
S 17°25'58" E
S 81°37'46" E 134.00'
S 08°22'14" W 134.00'
S 10°46'02" E
S 51°13'24" W
S 20°57'56" E
S 37°07'56" E 239.89'
S 37°07'56" E 142.50'
S 30°16'10" W
S 37°07'56" E

WEST COMPANY of Midland, Inc.

110 W. LOUISIANA AVE. SUITE 110 MIDLAND, TEXAS 79701-3414
OFFICE (432) 687-0865 FAX (432) 687-0868
Web Page: www.team-west.com

April 24, 2007

BEING a 41.16 acre tract of land out of Section 42, Block 38, T-1-S, T & P RR Company Survey, Midland County, Texas, of which a part hereof is located within Lot 1, Block 1, Quail Ridge Addition, an Addition to the City of Midland, Midland County, Texas, according to the Plat thereof recorded in Plat Cabinet "D", Page 339 of the Plat Records of Midland County, Texas, and 41.316 acre tract being more particularly described as follows:

BEGINNING at a point in the North Right-of-Way line of U.S. Highway 80, for the Southeast corner of this tract, from which the most Southerly Southeast corner of said Lot 1, the Southwest end of a corner clip located at the Northwest corner of the intersection of said U.S. Highway 80 with Chukar Lane (County Road 1162-North) bears N 59°39' 00" E, a distance of 135.72 feet;

THENCE S 59°39'00" W, along said South line of Lot 1 common with the North Right-of-Way line of U.S. Highway 80, a distance of 796.63 feet to a 1/2-inch iron rod found at or near the Northeast corner of the intersection of the North Right-of-Way line of U.S. Highway 80 and the East line of Scharbauer Draw, for the Southwest corner of this tract, said corner also being the beginning of a non-tangential circular curve to the right having a radius of 337.48 feet;

THENCE Northeasterly, along said curve and along the East line of said Scharbauer Draw, through a central angle of 34°21'13", an arc length of 202.35 feet and a chord bearing and distance of N 12°23'59" W – 199.33 feet to the Point of Reverse Curvature of a circular curve to the left having a radius of 750.00 feet;

THENCE continuing Northerly along said curve and along said East line of Scharbauer Draw, through a central angle of 60°17'52", an arc length of 789.30 feet and a chord bearing and distance of N 25°22'19" W, - 753.37 feet to the end of this curve;

THENCE S 34°28'45" W, a distance of 5.00 feet;

THENCE N 56°17'24" W, a distance of 20.00 feet;

THENCE N 32°56'28" E, a distance of 5.00 feet to the beginning of a non-tangential circular curve to the left having a radius of 750.00 feet;

THENCE Northwesterly, along said curve and along said East line of Scharbauer Draw, through a central angle of 27°44'59", an arc length of 363.24 feet and a chord bearing and distance of N 70°56'02" – 359.70 feet to the PT of this curve;

THENCE N 84°48'31" W, along said East line of Scharbauer Draw, a distance of 27.80 feet to the PC of a tangential circular curve to the right having a radius of 350.00 feet;

THENCE Northwesterly, along said curve and along said East line of Scharbauer Draw, through a central angle of 34°11'11", an arch length of 208.83 feet and a chord bearing and distance of N 67°42'56" W – 205.75 feet, to a 1/2-inch iron rod found in said East line of Scharbauer Draw, for a non-tangential end of this curve and for the most Westerly Southwest corner of this tract;

THENCE N 14°31'42" W, departing said East line of Scharbauer Draw, a distance of 663.78 feet to a 1/2-inch iron rod found in the South line of Quail Ridge Road (County Road 83-East), for the Northwest corner of this tract;

EXHIBIT B

THENCE N 75°28'02" E, along the South line of said Quail Ridge Road (County Road 83-East), a distance of 717.32 feet to a 1/2-inch iron rod found for the Northeast corner of this tract;

THENCE S 36°56'47" E, departing said Quail Ridge Road (County Road 83-East) and along an exterior line of said Lot 1, a distance of 219.52 feet to a point for an exterior corner of this tract;

THENCE N 75°28'44" E, along the most Easterly North line of said Lot 1, a distance of 748.54 feet to a 1/2-inch iron rod found in the West Right-of-Way line of said Chukar Lane (County Road 1162-North), at or near the Northeast corner of said Lot 1 for the Northeast corner of this tract;

THENCE S 14°43'00" E, along the East line of said Lot 1 common with the West Right-of-Way line of said Chukar Lane (County Road 1162-North), a distance of 583.62 feet to a 1/2-inch iron rod found for an exterior corner of said Lot 1 and an exterior corner of this tract;

THENCE S 75°23'00" W, along an exterior line of said Lot 1, a distance of 342.40 feet to a point for an interior corner of this tract and an interior corner of said Lot 1;

THENCE S 14°43'00" E, along an exterior line of said Lot 1, a distance of 443.43 feet to a 1/2-inch iron rod found for an interior corner of said Lot 1 and an interior corner of this tract;

THENCE N 75°23'00" E, along an exterior line of said Lot 1, a distance of 19.10 feet to a 1/2-inch iron rod found in the western boundary of a Mobil Pipeline Easement, as recorded in Volume 262, Page 232, Midland County Deed Records, for a corner of this tract;

THENCE S 37°07'56" E, a distance of 375.52 feet to a point for a corner of this tract;

THENCE S 32°27'00" E, a distance 66.00 feet to a point for a corner of this tract;

THENCE S 20°57'00" E, a distance of 93.00 feet to the Place of Beginning and containing 41.16 acres of land

QUAIL RIDGE
PD for Housing Development 1-F3

Job No. 2006-1175

EXHIBIT B

WEST COMPANY of Midland, Inc.

110 W. LOUISIANA AVE. SUITE 110 MIDLAND, TEXAS 79701-3414
OFFICE (432) 687-0865 FAX (432) 687-0868
Web Page: www.team-west.com

April 24, 2007

BEING a 2.50 acre tract of land out of Section 42, Block 38, T-1-S, T & P RR Company Survey, Midland County, Texas, of which a part hereof is located within Lot 1, Block 1, Quail Ridge Addition, an addition to the City of Midland, Midland County, Texas, according to the Plat recorded in Plat Cabinet "D", Page 336 of the Plat Records of Midland County, Texas and said 2.50 acre tract being more particularly described as follows:

BEGINNING at a point in the most Southerly Southeast corner of said Lot 1, located in the North Right-of-Way line of U.S. Highway 80 and at the Southwest end of a corner clip at the Northwest corner of the intersection of said U.S. Highway 80 with Chukar Lane (County Road 1162-North), for the most Southerly Southeast corner of this tract;

THENCE S 59°39'00" W, along the North Right-of-Way line of said U.S. Highway 80, a distance of 135.72 feet to a point for an exterior corner of this tract;

THENCE N 20°57'00" W, departing said Right-of-Way line, a distance of 93.00 feet to a point for an interior corner of this tract;

THENCE N 32°27'00" W, a distance of 66.00 feet to a point for an interior corner of this tract;

THENCE N 37°07'56" W, a distance of 375.52 feet to a point in the southern boundary of the Darrell Van Perry tract, as recorded in Volume 621, Page 170, Midland County Deed Records, and an exterior line of said Lot 1 for the northwest corner of this tract;

THENCE N 75°23'00" E, along an exterior line of said Lot 1, a distance of 323.30 feet to a 1/2-inch iron rod found in the West Right-of-Way line of said Chukar Lane (County Road 1162-North) for an exterior corner of said Lot 1 and an exterior corner of this tract;

THENCE S 14°43'00" E, along the West Right-of-Way line of said Chukar Lane (County Road 1162-North) common with the East line of said Lot 1, a distance of 439.74 feet to a point located at the North end of a corner clip found at the Northwest corner of the intersection of said Chukar Lane (County Road 1162-North) with U.S. Highway 80, for an exterior of said Lot 1 and an exterior corner of this tract;

THENCE S 22°10'00" W, along said corner clip, a distance of 31.99 feet to the POINT OF BEGINNING and containing 2.50 acres of land.

Quail Ridge
Country Estates Zoning

Job No. 2006-1175

EXHIBIT C

City Council Agenda

Approved for Agenda:
MJohnston
City Manager's Office

MEETING DATE: May 22, 2007

TO: CITY COUNCIL/CITY MANAGER

FROM: Cameron Walker, Planning Division Manager

SUBJECT: Z-07-014, Quail Ridge Zone Change

Purpose:

Hold a public hearing at 11:03 a.m. and consider an ordinance on a request by Banner Communities, LLC for a zone change from AE, Agriculture Estate District to PD, Planned District for a Housing Development.

Recommended City Council Action

☒ Approve ☐ Deny ☐ Direction/Informational

Fiscal Impact:

N/A

Discussion:

The City Council first considered a zone change request on the subject property on April 10, 2007. At that time, there was some neighborhood opposition, and the City Council was not comfortable with all issues. Consequently, the applicant withdrew his request. Later, he met with the neighbors and Council member Hailey. Based on these meetings, he has submitted a revised application. The Planning and Zoning Commission considered this new application on April 30, 2007, where it was recommended for approval by a vote of 9-0. The following is a summary of this plan, with significant changes to the plan highlighted.

The applicant owns a 43-acre tract of land at the northwest corner of Business I-20 and Chukar Lane. Prior to annexation in 1982, this land was developed as a manufactured home park with private streets, private water lines and septic systems. The applicant is proposing a redevelopment plan to develop a residential neighborhood consisting of modular housing. Also included are the subdivision of this land into individual lots, the dedication of public streets and the installation of public water and sewer lines. Each lot and the associated home would be under a common ownership. To accomplish this, the applicant is proposing a zone change to a Planned District for a Housing Development,

subject to the regulations of the 1F-3 District and a site plan.

STOP
CHAPARRAL

2604
2602

TEXAS
JYL-9624
SIERRA
GMC
TEXAS
LPL-9227

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Joseph Marynak, Planner**

SUBJECT: **Hold a public hearing and consider a request by Garret Haley for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 6,166 square foot portion of Lot 2A, Block 1A, Midkiff Plaza Addition, Section 8, City and County of Midland, Texas. (Generally located on the south side of W. 250 Loop North, approximately 1,036-feet east of N. Midkiff Road. Council District 1)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Garret Haley, is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages, for on premises consumption, in a restaurant at 3001 W. Loop 250 North, Building D.

Current Zoning:

PD, Planned District for a Shopping Center. (Ordinance 6398)

Surrounding Zoning and Land Use:

The properties to the north and west are zoned RR, Regional Retail District, and are the locations of shopping centers. The properties to the south and east are zoned PD, Planned District for a Shopping Center, and are the locations of shopping centers

Analysis:

The property is located in a PD, Planned District for a Shopping Center, governed by Ordinance 6398, which has an underlying zoning of RR, Regional Retail District. This zoning district permits the sale and on premises consumption of alcoholic beverages in a restaurant, with the approval of a Specific Use Designation with Term.

The site is located at 3001 W. Loop 250 North, Building D, and does not currently have a Specific Use Designation for sale and on premises consumption of alcoholic beverages. The serviceable area will have a maximum indoor floor area of 5,101 square feet with an additional 1,065 square feet of patio floor space. The site currently has adequate parking and restroom facilities. The applicant is requesting alcohol service hours as the following:

Monday through Saturday, 11:00 a.m. to 10:00 p.m.

The proposed hours of operation are the same as stated above.

Per Midland City Code 5.4.4. –Prohibited place of business

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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

Fire: (Approved)

No objections.

Engineering: (Approved)

No objection.

Transportation: (Approved)

No objection.

Building Code: (Approved)

The SUD for Blue Sky Burgers is acceptable provided that the property must adhere to the current maximum occupant load of 182 patrons. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4,* "Encourage the development of places where Midland residents can gather and socialize to build connections." (Tall City Tomorrow page 137) Blue Sky of Texas, will create a vibrant atmosphere where residents can feel relaxed and enjoy burgers along with beer and wine.

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

Conditions:

A. **That the serviceable area of the restaurant shall be limited to approximately 6,166 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**

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

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

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

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

Monday through Saturday, from 11:00 a.m. to 10:00 p.m.

F. **That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the sale of alcoholic beverages for on premises consumption to ensure that the conditions of this permit are satisfied.**

G. **That in accordance with Section 9.07.E.3 of the zoning ordinance, the restaurant shall be in operation within 120 days from the final adoption date of this ordinance.**

Letters of Objection:

As of April 1, 2020, staff has not received any letters of objection.

Attachments:

Floor Plan (Exhibit A)
Warranty Deed
Ordinance 6398
Application
Maps

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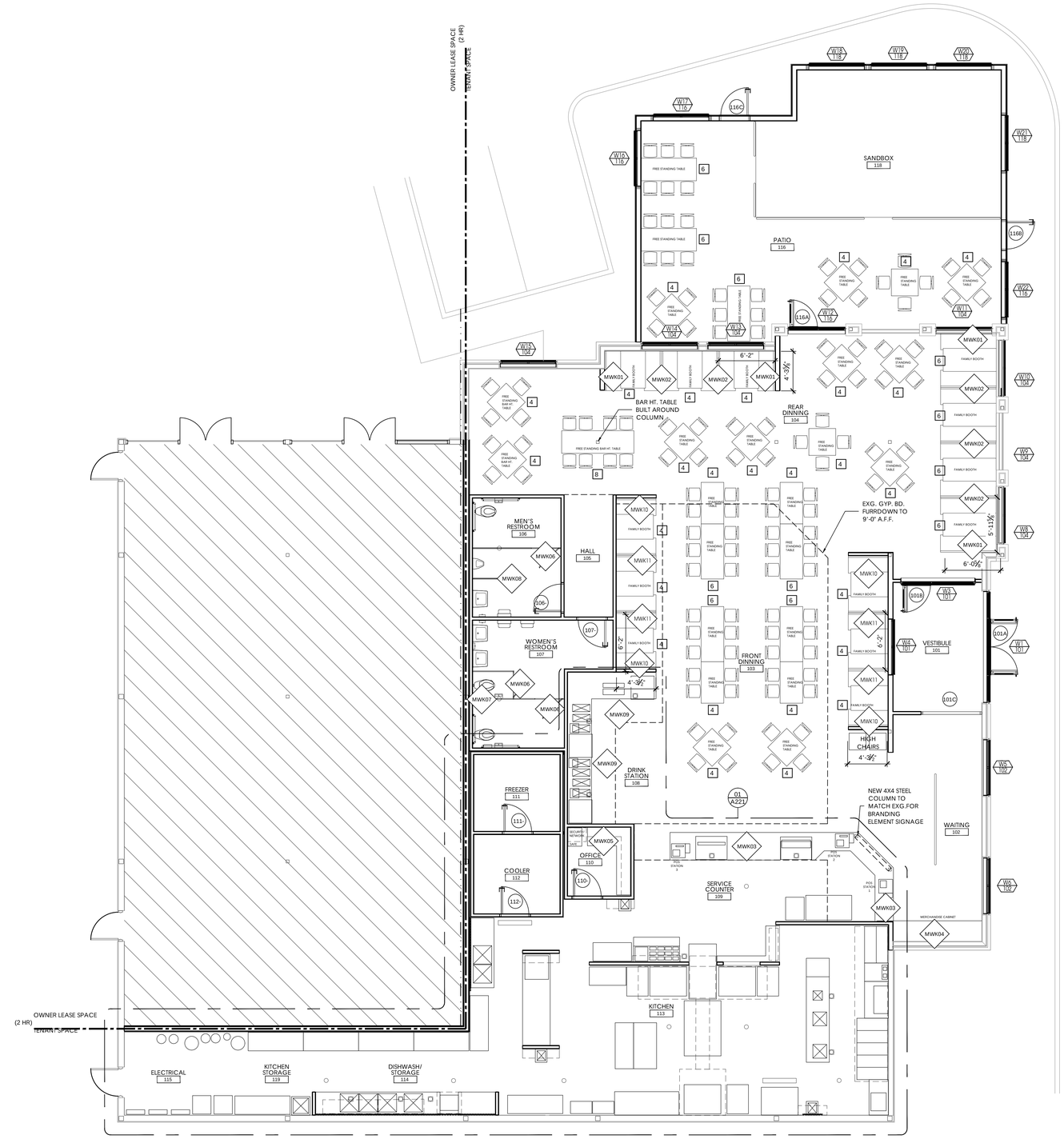


01 EQUIPMENT FLOOR PLAN

SCALE 3/16" = 1'-0"

MILLWORK TYPE LEGEND

Commercial Construction - Basis of Design Materials

Project Annotation -

- MWK01 - 20" X6'-0" SINGLE SIDED BENCH BOOTH SEAT W/ VINYL COVERED CUSHION
- MWK02 - 46" X6'-0" DOUBLE SIDED BENCH BOOTH SEAT W/ VINYL COVERED CUSHION
- MWK03 - POINT OF SALE (P.O.S.) SERVICE COUNTER
- MWK04 - SINGLE SIDED MECHANDISE CABINET
- MWK05 - Typical Office Cabinets
- MWK06 - Custom Toilet Partition w/ Door
- MWK07 - Custom Toilet Stall Divider Partition
- MWK08 - Custom Urinal Partition
- MWK09 - DRINK STATION
- MWK10 - 20" X4'-4" SINGLE SIDED BENCH BOOTH SEAT W/ VINYL COVERED CUSHION
- MWK11 - 46" X4'-4" DOUBLE SIDED BENCH BOOTH SEAT W/ VINYL COVERED CUSHION

DOOR AND STOREFRONT NOTES

116B, 116C — 3'-4"X7'-2"
- ALUMINUM DOOR
- ALUMINUM FRAME
- BUTT HINGES, CLOSER, PANIC, LATCHSET

110 — 3'-4"X7'2"
- 1-3/4" PAINTED WOOD VENEER
- BUTT HINGES
- DOOR STOP
- KEYED OFFICE SET

106, 107 — 3'-4"X7'-2"
- 1-3/4" RED OAK VENEER
- PLAIN SLICED
- BUTT HINGES
- CLOSER, PUSH/PULL

112, 111 — 3'-0"X7'-2" EQUIPMENT DOORS
- TEMPERED VIEW WINDOW
- HARDWARE BY MANUFACTURER

101A, W1 101 — 12'-1 ½"X9' (PR. 3'-0"X7'-2" DOORS)
- ALUMINUM STOREFRONT
- 1" TEMPERED INSULATION GLASS IN SIDE LIGHTS/TRANSOM
- ¼" TEMPERED TINT IN DOOR
- BUTT HINGES, CLOSER, PANIC, LATCHSET

1018, W3 101 — 8'X9' (3'-0"X7'-2" DOOR)
- ALUMINUM STOREFRONT
- 1" TEMPERED INSULATION GLASS IN SIDE LIGHTS/TRANSOM
- ¼" TEMPERED TINT IN DOOR
- BUTT HINGES, CLOSER, PANIC, LATCHSET

116A, W12 116 — 6'X9' (3'-0"X7'-2" DOOR)
- ALUMINUM STOREFRONT
- 1" TEMPERED INSULATION GLASS IN SIDE LIGHTS/TRANSOM
- ¼" TEMPERED TINT IN DOOR
- BUTT HINGES, CLOSER, PANIC, LATCHSET

W13 104, W4 101, W14 104, W11 104 — 6'X4'-6"
- ALUMINUM STOREFRONT WINDOW
- 1" INSULATED
- TINTED

W8 102, W5 102, W9 102, W6 102, W10 102, W7 102 — 6'X4'-6"
- ALUMINUM STOREFRONT WINDOW
- 1" TEMPERED INSULATED
- TINTED

W12 116, W11 116, W14 116 — 6'X4'-6" (OPERABLE)
- ALUMINUM STOREFRONT WINDOW
- 1" TEMPERED INSULATED
- TINTED

W20 118, W19 118, W18 118 — 6'X4'-6" (FIXED)
- ALUMINUM STOREFRONT WINDOW
- 1" TEMPERED INSULATED
- TINTED

101C — 6'-7"X8'-0" (CASED OPENING)

GENERAL NOTES

1. ALL KITCHEN EQUIPMENT AND RELATED TAGS ARE NOTED ON SHEET A221.
2. COORDINATE ALL TENANT SUPPLIED EQUIPMENT w/ STUD WALL CONSTRUCTION.
3. ALL EXISTING WINDOWS TO BE "AL-2" BY OWNER
4. ALL EXISTING DOORS BY OWNER; 1" TEMPERED, TENTED, INSULATED.

SEATING TABULATION

INTERIOR SEATING

(4) 6-TOP BOOTH:	24 SEATS
(9) 4-TOP BOOTH:	36 SEATS
(2) 4-TOP BAR HT. BOOTH:	8 SEATS
(1) 8-TOP BAR HT. TABLE:	8 SEATS
(4) 6-TOP TABLES:	24 SEATS
(12) 4-TOP TABLES:	48 SEATS
TOTAL INTERIOR SEATS:	148 SEATS

EXTERIOR SEATING

(4) 4-TOP BOOTH:	16 SEATS
(3) 6-TOP TABLES:	18 SEATS
TOTAL EXTERIOR SEATS:	34 SEATS
SEATING TOTAL:	182 SEATS

WCA Design Studio, LLC
ARCHITECTURE & PLANNING
2315 50TH ST. Suite A
Lubbock, TX 79412
806-702-8969
www.wcadesignstudio.com

NOT FOR CONSTRUCTION OR REGULATORY APPROVAL

REPRODUCTION FORBIDDEN WITHOUT WRITTEN PERMISSION FROM WCA DESIGN STUDIO, LLC.

BLUE SKY BURGERS - MIDLAND 01

3001 W LOOP 250 N END CAP
MIDLAND, TEXAS 79705

A215 EQUIPMENT FLOOR PLAN

PHASE 1 : PRICING SET

REVISIONS

SEE ADDED DRAWING: .

AOR: ---
PM: ZCG
QC: CMB

03/03/2020
DATE

PROJECT NUMBER
2019-5409

A215
SHEET NUMBER

THE DESIGNS REPRESENTED BY THESE PLANS ARE SUBJECT TO COPYRIGHT PROTECTION AS AN ARCHITECTURAL WORK UNDER 17 U.S.C. SEC. 102 KNOWN AS THE ARCHITECTURAL WORKS PROTECTION ACT OF 1990. UNAUTHORIZED USE OF THESE PLANS (INCLUDING FORM AND ARRANGEMENT OF SPACES, DATA AND OTHER ASPECTS OF THE DESIGN WILL SUBJECT THE INFRINGER TO DAMAGES AND/OR INJUNCTIVE ACTION AS PROVIDED BY FEDERAL LAW.

P:\2019\5000-COMM RM 1\2019-5409 BLUE SKY BURGERS - MIDLAND 01\SHEETS\SCHEMATIC - SITE PLAN REVIEW\A215 EQUIPMENT FLOOR PLAN.DWG

MIDLAND
Planning Division

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

Project Number: SUD-20-2073

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Garrett Haley		Phone (806) 722-1022 Email garrett@wheelhousetexas.com	
Address 6502 Slide Road, Suite #202	City Lubbock	State TX	Zip 79424

Property Owner Printed Name: Brady Collier		Phone (806) 722-1201 Email brady@wheelhousetexas.com	
Address 6502 Slide Road, Suite #202	City Lubbock	State TX	Zip 79424

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

Street Address: 3001 W Loop 250 N

Business Name: Blue Sky of Texas

Legal Description
Lot: 2A Block: 1A Subdivision: Midkiff Plaza, Section 8

Current Zoning: Planned Development District

Reason for Request: Our tenant, Blue Sky of Texas, intends to offer beer and wine on their restaurant menu

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

Proposed/Current Days and Hours of Operation: Monday - Saturday, 11am - 10pm

Proposed Days and Hours of Alcohol Service: Monday - Saturday, 11am - 10pm

Total Square Footage of Business: Leasable area: 5,101 SF, plus patio area: 1,065 SF

Square Footage of Alcohol Serviceable Area: 6,166 SF

Restroom Fixtures:			
	Men	**Toilets/Urinals:** one / one	**Bathroom Sinks:** two
	Women	**Toilets:** two	**Bathroom Sinks:** two

RECEIVED
MAR 10 2020
BY: .....

Submittal and Fees

Items to be submitted with this application form:

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

Signatures

Applicant (signature):	Date: 3/9/2020
Applicant (printed): Garrett Haley	
Property Owner (signature):	Date: 3/9/2020
Property Owner (printed): BRADY COLLIER, manager	

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
☐ Application Fee	☐ Site Plan
Check #_____	☐ Plans in Digital Format (PDF/JPEG)
Received By:_____	Date:_____

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

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS	§	
	§	KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF MIDLAND	§	

FOR VALUABLE CONSIDERATION, the receipt and adequacy of which are hereby acknowledged, and the further consideration of a certain promissory note of even date herewith in the principal amount recited therein (the ***"Note"***), executed by Grantee (hereinafter defined) and payable to the order of WELLINGTON STATE BANK, a Texas banking corporation (***"Lender"***), the payment of which Note is secured by the vendor's lien retained herein, and is additionally secured by a deed of trust of even date herewith, executed by Grantee to Todd Pope, Trustee, for the benefit of Lender, JANET S. WALTON, INDIVIDUALLY AND AS INDEPENDENT ADMINISTRATIX OF THE ESTATE OF JUDKINS WALTON, DECEASED CAUSE NO. P19473 (***"Grantor"***), for and in consideration of the sum of Ten Dollars ($10.00) cash and other good and valuable consideration paid by WH MID 3001 LOOP 250, LP, a Texas limited partnership (***"Grantee"***), whose mailing address is 6502 Slide Road, Suite 202, Lubbock, Texas 79424, HAS GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES GRANT, BARGAIN, SELL and CONVEY unto Grantee all that certain land situated in Midland County, Texas, and described on **Exhibit "A"** which is attached hereto and incorporated herein by reference for all purposes, together with all appurtenances thereon or in anywise appertaining thereto and all buildings, structures, fixtures and improvements located thereon (said land, improvements and appurtenances being herein together referred to as the "***Property***").

This conveyance is made subject to the Permitted Exceptions set forth in **Exhibit "B"** hereto, to the extent the same are valid and subsisting and affect the Property, and except for ad valorem taxes assessed against the Property for the calendar year in which this conveyance becomes effective (which are hereby assumed by Grantee), Grantee does not assume or in any manner agree to pay or indemnify Grantor for any indebtedness secured by any lien against, or interest in, the Property or any portion thereof.

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's heirs, legal representatives, successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's heirs, legal representatives, successors and assigns to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's heirs, legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof subject, however, as aforesaid, when the claim is by, through, and under Grantor, but not otherwise.

For the same consideration, Grantor hereby GRANTS, BARGAINS, SELLS and CONVEYS, without warranty express or implied, all interest, if any, of Grantor in (i) strips or gores, if any, between the Property and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Property.

To secure the payment of the Note, the vendor's lien and superior title are retained against the Property until the Note and all interest thereon is fully paid and satisfied according to its face, tenor, effect and reading, and Grantor, for value received from the Lender, as recited above, does hereby TRANSFER, ASSIGN, and SET OVER, without recourse, unto the Lender, its successors and assigns, said vendor's lien retained to secure the Note together with the superior title remaining in Grantor.

[SIGNATURE PAGE FOLLOWS]

EXECUTED this 30th day of December, 2019.

GRANTOR:

Janet S. Walton

Janet S. Walton, individually and
as Independent Administratix of the Estate of
Judkins Walton, Deceased Cause No. P19473

STATE OF TEXAS §
§
COUNTY OF MIDLAND §

This instrument was acknowledged before me on the 30th day of December, 2019, by Janet S. Walton, individually and as Independent Administratix of the Estate of Judkins Walton, Deceased Cause No. P19473.

NOTARY PUBLIC STATE OF TEXAS
RUBY KAMALI
My Notary ID # 125761745
Expires July 14, 2022

Name (Print):
Notary Public, State of Texas

After Recording, Return To:
WH MID 3001 LOOP 250, LP
6502 Slide Road, Suite 202
Lubbock, Texas 79424

EXHIBIT A

Legal Description of the Property

BEING 0.643 ACRE OF LAND, LYING IN AND BEING SITUATED OUT SECTION 16, BLOCK 39, T-1-S, T & P RR CO. SURVEY, MIDLAND COUNTY, TEXAS, BEING THE NORTHWEST PORTION OF LOT 2A, BLOCK 1A, MIDKIFF PLAZA, SECTION 8, AN ADDITION TO THE CITY OF MIDLAND RECORDED IN CABINET D, PAGE 332 OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND BEING ALL OF THAT SAME 0.643 ACRE TRACT CONVEYED TO JUDD WALTON BY DEED RECORDED IN VOLUME 1460, PAGE 521 OF THE OFFICIAL PUBLIC RECORDS OF MIDLAND COUNTY, TEXAS; SAID 0.643 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN AUGUST, 2019:

Beginning at point in the south r-o-w line of Loop 250 for the northerly common corner of said Lot 2A and Midkiff Plaza, Section 13, an addition to the City of Midland recorded in Cabinet F, Page 31 of said Plat Records, and the northwest corner hereof and from which a concrete monument with brass cap (TXDOT monument) found for an angle point of said r-o-w line bears South 60°46'10" West a distance of 234.13 feet along said r-o-w line;

THENCE North 60°46'10" East a distance of 199.98 feet along said r-o-w line to a point for the northeast corner hereof and from which an iron rod with aluminum cap found for an angle point of said r-o-w line bears North 60°46'10" East a distance of 284.66 feet along said r-o-w line;

THENCE South 14°20'57" East a distance of 170.20 feet to a 60D nail set for the southeast corner hereof;

THENCE South 75°26'51" West a distance of 193.27 feet to a 60D nail set in the common line of said Midkiff Plaza, Section 13 and said Lot 2A for the southwest corner hereof;

THENCE North 14°20'57" West a distance of 119.53 feet along said common line to the POINT OF BEGINNING and containing 0.643 acre of land, more or less.

EXHIBIT B
Permitted Exceptions

1. Oil and Gas Leases of record under Document No. 2019-2437 and 2019-3101, Official Records, Midland County, Texas as noted on survey by John G. Watson, RPLS No. 5498, of John F. Watson & Company, dated August 31, 2019.

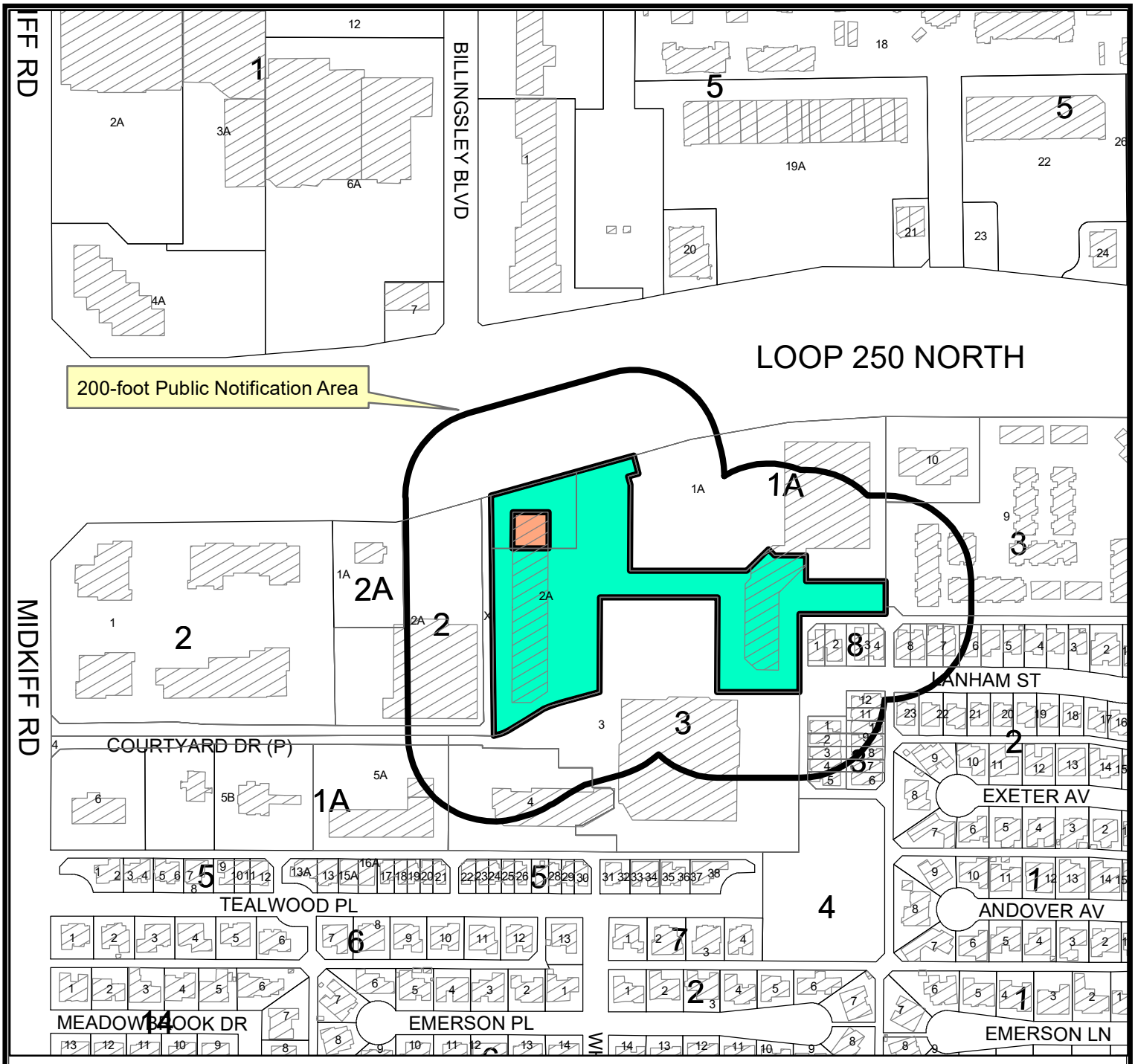
2. Easement to Energas of record in Volume 877, Page 85, Deed Records, Midland County, Texas as noted on survey by John G. Watson, RPLS No. 5498, of John F. Watson & Company, dated August 31, 2019.

3. Easements executed by Midland Plaza of record in Volume 783, Page 350 and 366, Deed Records, Midland County, Texas as noted on survey by John G. Watson, RPLS No. 5498, of John F. Watson & Company, dated August 31, 2019.

4. 10' TESCO Easement of record in Volume 737, Page 172, Deed Records, Midland County, Texas as noted on survey by John G. Watson, RPLS No. 5498, of John F. Watson & Company, dated August 31, 2019.

5. 30' Access, 20' Utility, and 26' Drainage Easement as shown on survey prepared by John F. Watson.

6. Easements rights of way and setback lines as shown on the plat of record in Cabinet D, Page 332, Plat Records, Midland County, Texas as noted on survey by John G. Watson, RPLS No. 5498, of John F. Watson & Company, dated August 31, 2019.



LOCATION MAP

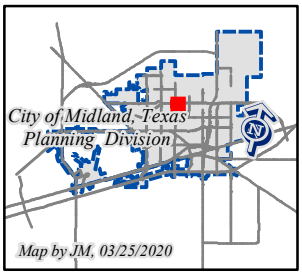
SUD-20-0073 **Scale: 1" = 333'**

Hold a public hearing and consider a request by Garret Haley for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a restaurant, on a 6,166 square foot portion of Lot 2A, Block 1A, Midkiff Plaza Addition, Section 8, City and County of Midland, Texas.

Generally located on the south side of W. Loop 250 N., approximately 1,036-feet east of N. Midkiff Road. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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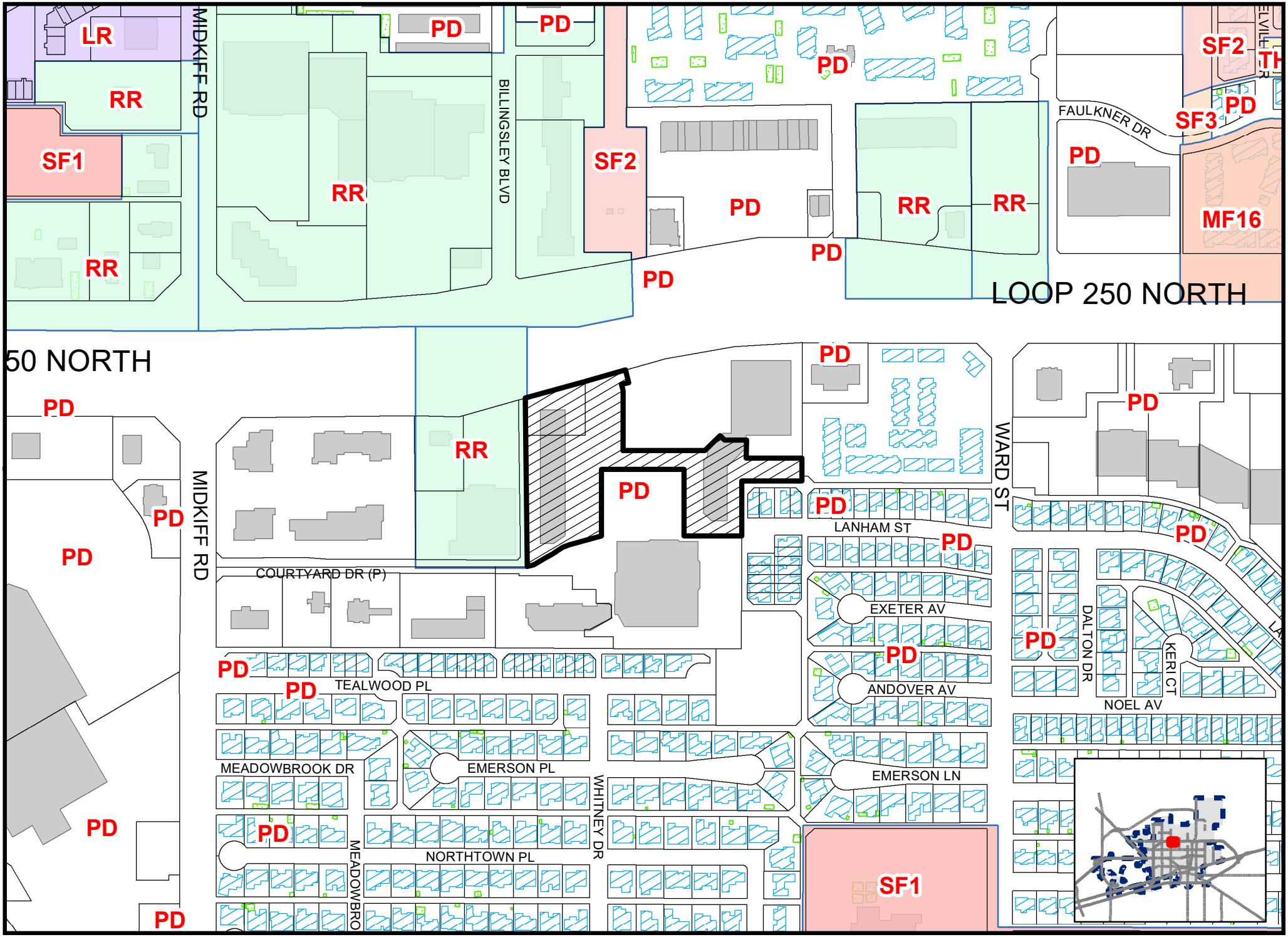

Map By JM, 3/27/2020

SUD-20-0073

Scale: 1" = 400'

ZONING MAP

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PR

ORDINANCE NO. 6398

AN ORDINANCE REPEALING ORDINANCE NO. 5965 AND AMENDING ORDINANCE NO. 5476 CREATING A "PLANNED DISTRICT" FOR A HOUSING PROJECT AND SHOPPING CENTER SO AS TO ADOPT DETAILED SITE PLAN 1 AND DETAILED SITE PLAN 2 WHICH WOULD PERTAIN TO A PORTION OF THE SHOPPING CENTER AREA AND TO ADD A NEW PARAGRAPH G TO SECTION TWO OF ORDINANCE NO. 5476; PROVIDING FOR 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 ONE THOUSAND DOLLARS ($1,000.00); 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 Ditricts" 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 repealing Ordinance No. 5965 and amending the "Planned District" created by Ordinance No. 5476 as 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 said Ordinance No. 5476 should be amended so as to adopt the attached Detailed Site Plan 1 and Detailed Site Plan 2, attached hereto as Exhibits "A" and "B", and made a part hereof for all legal purposes, which pertained to a portion of the shopping center area of the "Planned District".

SECTION TWO. That Section Two of said Ordinance No. 5476 is hereby amended so as to add a new Paragraph G to hereafter read as follows:

G. That development of the property shall meet the following special conditions:

1. That development of the property within the area shown on the attached detailed site plans identified as Exhibit "A", Detailed Site Plan 1, and Exhibit "B", Detailed Site Plan 2, shall conform in all respects to the regulations applicable to an "LR-2", Local Retail District, except where greater height limits are specified for office buildings on the site plan and, in addition, shall conform to the said site plans in all respects.

2. The maximum height of the office building identified on Exhibit "B", Detailed Site Plan 2, adjacent to Loop 250, shall be two (2) stories and shall not exceed forty-two (42) feet, including accessory structures such as chimneys, cooling towers, elevator bulkheads, penthouses, tanks, water towers, and other mechanical equipment and parapet walls which extend above roof level. The identified office building shall not exceed 25,100 square feet in gross building floor area.

3. The single story retail building identified on Exhibit "B", Detailed Site Plan 2, shall not exceed a maximum twenty (20) feet in height and a maximum 23,357 square feet in floor area.

4. That each building shown on Exhibit "A", Detailed Site Plan 1, and Exhibit "B", Detailed Site Plan 2, shall be constructed within the perimeter of the building lines as shown and dimensioned on said exhibits.

5. That areas identified as landscaped areas on Exhibit "A", Detailed Site Plan 1, and Exhibit "B", Detailed Site Plan 2, including those areas within the rights-of-way of Loop 250, which are not areas which would be devoted to required public sidewalks, shall be planted in natural plant materials and shall thereafter be maintained in a healthy, growing condition.

6. That entrances along those walls of buildings identified with an asterisk (*) on Exhibits "A" and "B" shall be exclusively public entrances to main retail, dining and other customer space, or to main office space and shall not include entrances to stock or service areas or noncustomer office areas supporting retail use, or to kitchen areas of the buildings.

7. That business signs shall be located only on the face of the building, except for the three (3) pole or pylon signs described on Exhibit "A", Detailed Site Plan 1.

8. That a final plat of that area described in Exhibit "B", Detailed Site Plan 2, shall be approved and filed of record in the Midland County Courthouse prior to the issuance of a building permit on any portion of the area within this tract.

SECTION THREE. That 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, and Ordinance No. 5965 is expressly repealed.

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 with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding one thousand dollars ($1,000.00).

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 law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 8th day of May, A.D., 1984; and passed to second reading on motion of Councilman Davidson, seconded by Councilman Hatfield, by the following vote:

Councilmen voting "AYE":	Davidson, Hatfield, Akins, Marcum and Hotchkiss
Councilmen voting "NAY":	None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Councilman Hotchkiss, seconded by Councilman Davidson, on the

22nd day of May, A.D., 1984, at a regular meeting of the City Council:

Councilmen voting "AYE": Hotchkiss, Davidson, Akins, and Hatfield

Councilmen voting "NAY": None

PASSED AND APPROVED THIS 22nd day of May, A.D., 1984.

G. Thane Akins, Mayor

ATTEST:

B. C. Clanton, City Secretary

APPROVED AS TO FORM:

J. M. Nuessle, City Attorney

BIG LOTS
FedEx Office

Midland Plaza
The UPS Store
Michaels
Aaron's
Pier 1 Imports
HILLIARD
OFFICE SOLUTIONS
Midland
Nails Lounge
Pier 1 Imports

Planning and Zoning Commission

Approved for Agenda:
Cristina Odenborg

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Joseph Marynak, Planner**

SUBJECT: **Hold a public hearing and consider a request by Midland Platinum, LLC., for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a bar, on Lot 2A, Block 3, Westridge Park Addition, Section 10, City and County of Midland, Texas. (Generally located on the west side of Tradewinds Boulevard, approximately 300-feet south of Andrews Highway. Council District 4)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Midland Platinum, LLC., is requesting a Specific Use Designation with Term for the sale of all alcoholic beverages, for on premises consumption, in a bar, at 1505 Tradewinds Boulevard.

Current Zoning:

PD, Planned District for a Shopping Center. (Ordinance 8364)

Surrounding Zoning and Land Use:

The properties to the north, south and east are zoned PD, Planned District for Shopping Centers, and are the locations of a restaurant, a shopping center, and a hotel, respectively. The properties to the east are zoned RR, Regional Retail District, and PD, Planned District for a Shopping Center, and are the locations of a car dealership and a vacant lot, respectively.

Analysis:

The property is located in a PD, Planned District for a Shopping Center, governed by Ordinance 8364, which has an underlying zoning of RR, Regional Retail District. This zoning district permits the sale and on premises consumption of alcoholic beverages in a bar, with the approval of a Specific Use Designation with Term.

The site is located at 1505 Tradewinds Boulevard, and does not currently have a Specific Use Designation for sale and on premises consumption of alcoholic beverages. The site currently has adequate parking and restroom facilities. The applicant is requesting alcohol service hours as the following:

Monday through Sunday from 4:00 p.m. to 12:00 a.m. (midnight)

The sale and on-premises consumption of alcoholic beverages will be limited to a 6,608-square foot portion of the hotel, which includes the dining area, bar area, outdoor patios, and meeting room space.

Per Midland City Code 5.4.4. –Prohibited place of business

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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

Fire: (Approved)

No objection.

Engineering: (Approved)

No objection.

Transportation: (Approved)

No objection.

Building Code: (Approved)

The SUD for Midland Platinum is acceptable. The property must adhere to the maximum occupant load of 218. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4,* "Encourage the development of places where Midland residents can gather and socialize to build connections." (Tall City Tomorrow page 137) Midland Platinum, LLC, will create a vibrant atmosphere where residents can feel relaxed and enjoy drinks.

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

Conditions:

A. **That the serviceable area of the bar shall be limited to approximately 6,608 square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**

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

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

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

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

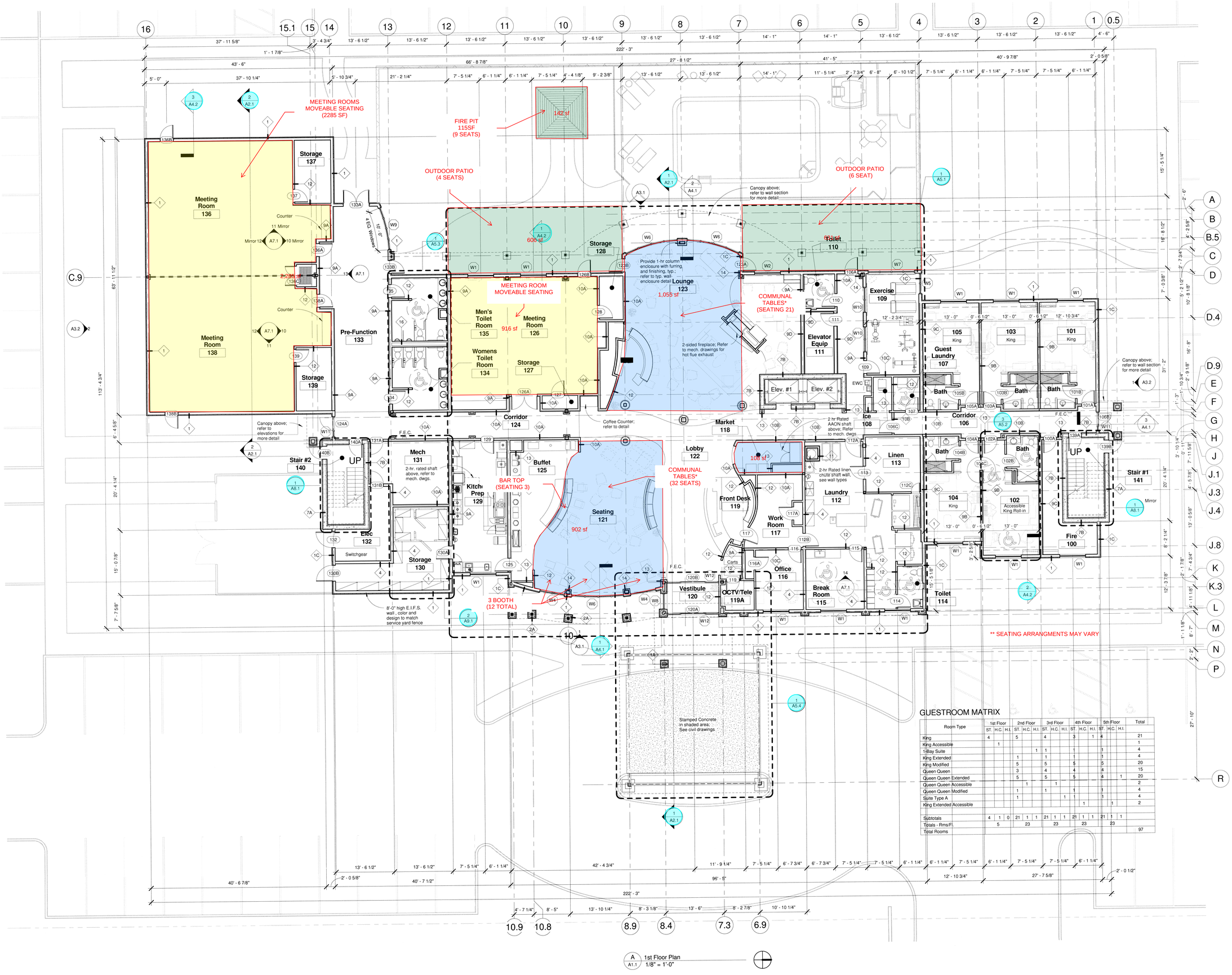
Monday through Sunday, from 4:00 p.m. to 12:00 a.m. (midnight)

Letters of Objection:

As of April 1, 2020, staff has not received any letters of objection.

Attachments:

Floor Plan (Exhibit A)
Ordinance 8364
Application
Maps



GUESTROOM MATRIX

Room Type	1st Floor			2nd Floor			3rd Floor			4th Floor			5th Floor			Total
	ST.	H.C.	H.I.	ST.	H.C.	H.I.	ST.	H.C.	H.I.	ST.	H.C.	H.I.	ST.	H.C.	H.I.	
King	4			5			4			3	1		4			21
King Accessible		1														1
1-Bay Suite						1	1			1			1			4
King Extended				1			1			1			1			4
King Modified				5			5			5			5			20
Queen Queen				3			4			4			4			15
Queen Queen Extended				5			5			5			4		1	20
Queen Queen Accessible					1			1								2
Queen Queen Modified				1			1			1			1			4
Suite Type A				1					1	1			1			4
King Extended Accessible											1			1		2
Subtotals	4	1	0	21	1	1	21	1	1	21	1	1	21	1	1	
Totals - Rms/Fl.	5			23			23			23			23			
Total Rooms																97

A1.1 1st Floor Plan
1/8" = 1'-0"

3di architecture
3di architecture
5314 Broadway,
Lancaster, New York 14086
Phone: 716.635.6170 Fax: 716.633.0872
www.3diarchitects.com

Rev. No.	Date	Description

REGISTERED ARCHITECT WALTER A SOBINA 19269 STATE OF TEXAS

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Electronic files may not accurately reflect the final as-built conditions. It is the responsibility of the user to verify all layouts, dimensions and other related information.

This document may not be used or copied without prior written consent.

Owner:
PLATINUM HOSPITALITY MANAGEMENT
Platinum Hospitality Management
226 Jackson Meadows (615) 277-1090
Hermitage, TN 37076 (615) 277-1095 Fax

Project Name:
COURTYARD Marriott
1505 Tradewinds Boulavard
Midland, TX 79706

Sheet Title:
1st Floor Plan

Drawn By:	Project Date:	Sheet No.
WAS MPD AJO	June 5, 2006	A1.1
3di Project No.: 05100		

MIDLAND
Planning Division

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

Project Number: SUD-20-0071

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Midland Platinum II LLC		Phone (615) 277 1100 Email vijay.patel@platinumcos.com	
Address 111 Broadway 3rd Fl	City Nashville	State TN	Zip 37201
Property Owner Printed Name: Midland Platinum II LLC		Phone (615) 405 4945 Email Legal@platinumcos.com	
Address 111 Broadway 3rd FL	City Nashville	State TN	Zip 37201
Representative *(if different from Applicant or Property Owner)* Firm: Platinum management services LLC Printed Name: Rich Tuckwell-Skuda		Phone (702) 569-8588 Email rich.tuckwell-skuda@platinumcos.com	
Address 111 Broadway 3rd Fl	City Nashville	State TN	Zip 37201

Street Address: 1505 Trackwinds Blvd

Business Name: Courtyard by Marriott Midland

Legal Description
Lot: 2A Block: Three Subdivision: Westridge Park Addition Section 10

Current Zoning: Commercial

Reason for Request: on premise consumption

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

Proposed/Current Days and Hours of Operation: 365 days, 7 days a week

Proposed Days and Hours of Alcohol Service: 4pm to 12pm 7days week

Total Square Footage of Business: 98,773 sqft.

Square Footage of Alcohol Serviceable Area:

Restroom Fixtures:	*Men*	**Toilets/Urinals:** 2	2	**Bathroom Sinks:** 3
	Women	**Toilets:** 3		**Bathroom Sinks:** 3

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): Vijay Patel	Date: 2/20/20
Applicant (printed): Vijay Patel	
Property Owner (signature): Vijay Patel	Date: 2/20/20
Property Owner (printed): Vijay Patel	

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~~ TENNESSEE
COUNTY OF ~~MIDLAND~~ DAVIDSON

Before me, the undersigned authority, on this day personally appeared Rick Tuckwell-Hyde who, being by me duly sworn, upon oath says: That (s)he is authorized by Vijay Patel, 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 20 day of February, 2020, to certify which witness my hand and seal of office.

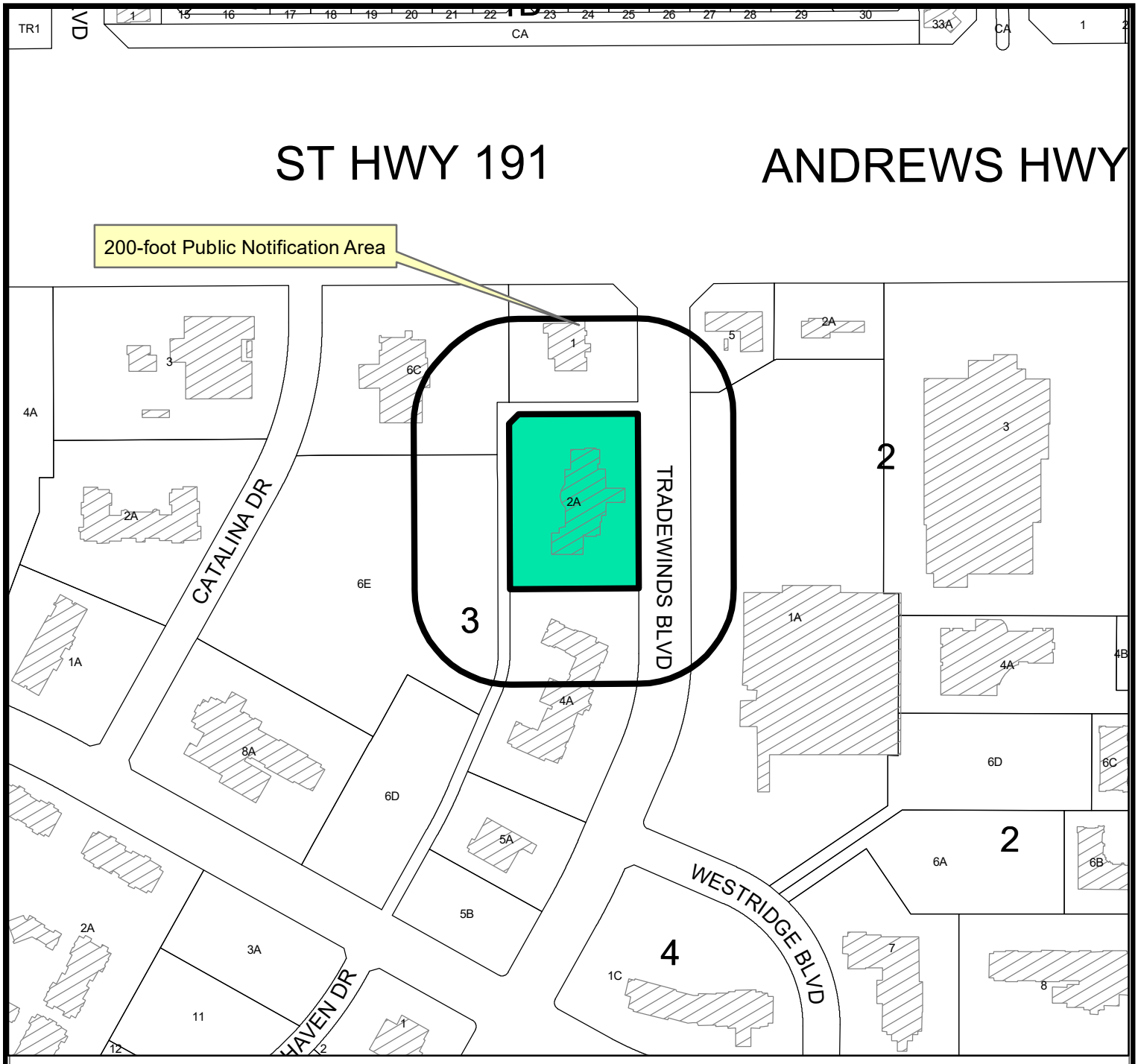
MICHELLE MURRAY HAB
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

NOTARY PUBLIC, ~~MIDLAND COUNTY, TEXAS~~ DAVIDSON COUNTY, TN

****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 #_____	☐ Plans in Digital Format (PDF/JPEG)
Received By:_____	Date:_____

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



LOCATION MAP

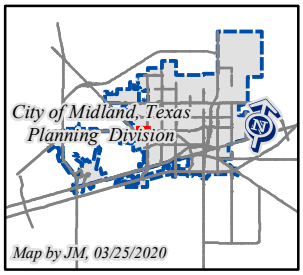
SUD-20-0071 **Scale: 1" = 300'**

Hold a public hearing and consider a request by Midland Platinum, LLC, for a Specific Use Designation with Term for the sale of all alcoholic beverages for on-premises consumption, in a bar, on Lot 2A, Block 3, Westridge Park Addition, Section 10, City and County of Midland, Texas.

Generally located on the west side of Tradewinds Boulevard, approximately 300-feet south of Andrews Highway (Council District 4)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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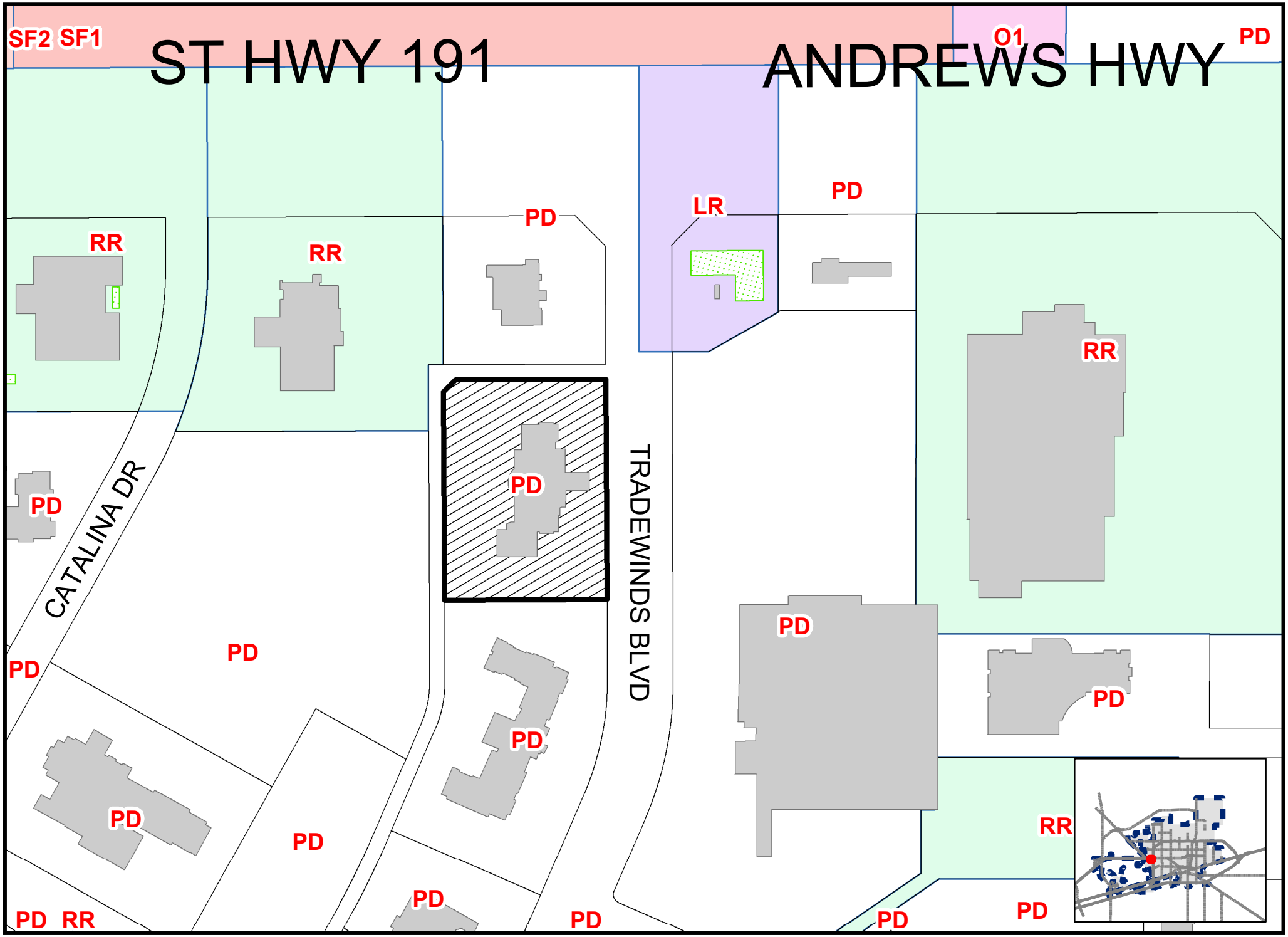

Map By JM, 3/30/2020

Z-20-0071

Scale: 1" = 200'

ZONING MAP

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ORDINANCE NO. 8364

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 2A, BLOCK 3, WESTRIDGE PARK ADDITION, SECTION 10, CITY AND COUNTY OF MIDLAND, TEXAS WHICH IS PRESENTLY ZONED PD, PLANNED DISTRICT FOR A SHOPPING CENTER TO BE USED AS AN AMENDED PLANNED DISTRICT FOR A SHOPPING CENTER; 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, by Ordinance No. 7981, adopted October 10, 2000, the City Council granted a "Planned District" for a Shopping Center; and

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 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 an Amended Planned District for a Shopping Center, as 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 PD, Planned District for a Shopping Center, and it shall be used as an Amended Planned District for a Shopping Center, said property being described as follows:

> Being all of Lot 2A, Block 3, Westridge Park Addition, Section 10, City and County of Midland, Texas.

SECTION TWO. That the use and development of this property as a hotel shall conform in all respects to the attached site plan (Exhibit "A") and elevation drawings (Exhibit "B"), except as otherwise stated below:

A. That the maximum building height for the hotel shall not exceed 61 feet as defined in the Zoning Code.

B. That signage on the property shall be limited to two (2) 48 square foot ground signs and three (3) wall signs.

C. That the landscaping shall conform to the Landscaping Ordinance, and all live materials shall be irrigated and kept in a healthy, growing condition.

D. That the dumpster screen shall be brick with a minimum height of five (5) feet.

E. That a fence on the west property line shall be wood with brick columns and a minimum height of six (6) feet.

F. That a minimum of 155 parking spaces shall be provided either on site or on the adjacent lot.

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 with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars ($2,000.00).

SECTION 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 22nd day of November, A.D., 2005; and passed to second reading on motion of Council member Hailey, seconded by Council member Morgan, by the following vote:

Council members voting "AYE": Hailey, Morgan, Perry, Dingus, Canon, Simpson and Dufford

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 Morgan, seconded by Council member Dufford, on the 13th day of December, A.D., 2005, at a regular meeting of the City Council:

Council members voting "AYE": Morgan, Dufford, Perry, Dingus, Canon, Simpson and Hailey

Council members voting "NAY": None

PASSED AND APPROVED THIS 13th day of December, A.D., 2005.

Michael J. Canon, Mayor

ATTEST:

Kaylah J. McCord

Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:

Keith Stretcher, City Attorney

STANDARD PARKING SPACES: 131
HANDICAPPED PARKING SPACES: 6
OVERALL TOTAL: 137

25 FOOT ALLEY
N74°20'20"E 249.85'

N29°27'09"E
28.59'

25 FOOT ALLEY
N15°42'24"W 254.23'

S15°41'34"E 274.24'

TRADEWINDS BOULEVARD

5 FOOT CONCRETE WALK

RAMP

12'x4'
ENTRANCE
SIGN

POOL EQUIP.

SPA

POOL

GAZEBO

LOUNGE

DROP-OFF
AREA

SERVICE
YARD

DUMPSTER
BRICK
ENCLOSURE

12'x4'
ENTRANCE SIGN
(OPTIONAL)

Edge of Asphalt

WESTRIDGE PARK ADDITION
SECTION 5
MIDLAND, TEXAS

PROJ. NO. 68927PH
DATE 11/09/05
DESIGNER CRUSE B. SUDDUTH
DRAWN BY KEVIN STARNES
JOB # 68,927
SHEET 1 OF 1

408 N. PECOS STREET
P. O. BOX 504
MIDLAND, TEXAS 79702
PH. (432)684-5548
FAX (432)684-6973
E-MAIL schuengr@aol.com

SCHUMANN ENGINEERING CO., INC.-CIVIL ENGINEERS\LAND SURVEYORS
PLANNING • BOUNDARY • TOPOGRAPHY • WELL LOCATIONS • PIPELINES

REV	DATE		DSN	DWN	CHK

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4 East Elevation
Scale: 1/16" = 1' 0"

2 North Elevation
Scale: 1/16" = 1' 0"

3 West Elevation
Scale: 1/16" = 1' 0"

1 South Elevation
Scale: 1/16" = 1' 0"

3di architects
91 North Forest, Williamsville, New York 14221
Phone: 716.635.6170 Fax: 716.635.6171
Email: 3di@3diarchitects.com
www.3diarchitects.com

Preliminary
Not for Construction
11 - 09 - 05

Rev. No.	Date	Description

Architect of Record

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Electronic files may not accurately reflect the final as-built conditions. It is the responsibility of the user to verify all layouts, dimensions and other related information.

This document may not be used or copied without prior written consent.

Owner:
Platinum Hospitality

Project Name:
Courtyard by Marriott
Midland, TX

Sheet Title:
Exterior Elevations

Drawn By:	Project Date:	Sheet No.
WAS MPD AJD	-	A300

Project No.:
05100

3di architects
91 North Forest, Williamsville, New York 14221
Phone: 716.635.6170 Fax: 716.635.6171
Email: 3di@3diarchitects.com
www.3diarchitects.com

Rev. No.	Date	Description

Errors may occur in the transmission of electronic files. 3di Architects are not responsible for any claims, damages or expenses arising out of the unauthorized use of the information contained in electronic files.

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This document may not be used or copied without prior written consent.

Project Logo:

Project Name:

Courtyard by Marriott

Midland, TX

Sheet Title:

Front Elevation Rendering

Drawn By:	Project Date:	Sheet No.
Project No.: 05100		AR-100

COURTYARD
Marriott
Sams

H-E-B

PENSKE
PENSKE

COURTYARD
Marriott
1505
FIRE LANE NO PARKING
FIRE LANE NO PARKING

Planning and Zoning Commission

Received for Agenda:
Cristina Odenborg Burns

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Eric Myers, Planner**

SUBJECT: **Hold a public hearing and consider a request by Alexandra Brinker for a Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,472 square foot portion of Lot 1, Block 8, Polo Park, Section 3, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of N. Garfield Street and Castleford Road. Council District 1)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Alexandra Brinker, is requesting to amend the Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant at 4610 N. Garfield Street D-1A.

Current Zoning:

PD, Planned District for a Shopping Center. (Ordinance 7771).

Surrounding Zoning and Land Use:

The property is located at 4610 N. Garfield Street D-1A, in a PD, Planned District for a Shopping Center, which is regulated by Ordinance No. 7771. The properties to the north are zoned O-1, Office District, and PD, Planned District for a Housing Development, and are the locations of Comfort Suites & Polo Park Retirement Center. The properties to the east are zoned SF-2, Single Family Dwelling District, and PD, Planned District for a Shopping Center are the locations of residences and Extra Space Storage, respectively. The properties to the west are

zoned PD, Planned District for a Housing Development**,** LR, Local Retail District, and PD, Planned District for a Shopping Center, and are the locations of residences, Fairfield Inn & Suites by Marriott Midland, and Talbots, respectively. The property to the south, across West Loop 250 North, is zoned SF-1, Single Family Dwelling District, and is the location of Midland Airpark.

Analysis:

The property is located at 4610 N. Garfield Street D-1A, in a PD, Planned District for a Shopping Center, which is regulated by Ordinance No. 7771. This zoning district permits the sale of all alcoholic beverages, for on-premises consumption, in a restaurant with the approval of a Specific Use Designation.

The restaurant, Brew Street, currently has a Specific Use Permit (Ordinance No. 9630) for the sale of alcoholic beverages for on-premises consumption. The alcohol serviceable area includes a maximum floor area of 2,935 square feet, which includes a patio. Currently, the allowed days and hours of alcoholic beverage sales is the following:

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

The applicant is requesting to expand their alcohol service hours to the following:

Monday through Wednesday from 10:00 a.m. to 10:00 p.m.
Thursday through Saturday from 10:00 a.m. to 11:00 p.m.
Sunday from 10:00 a.m. to 10:00 p.m.

Per Midland City Code 5.4.4. –Prohibited place of business

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

There are no churches, private schools, public schools, public school grounds, athletic stadium, public hospital within 300 feet measurement along the property lines of the street fronts, and from the front door in a direct line across intersection where they occur within this site.

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

Fire: (Approved)

No objections.

Engineering: (Approved)

No objection.

Transportation: (Approved)

No objection.

Building Code: (Approved)

The SUD for is acceptable provided that the property adheres to the current maximum occupant load of 90. Occupancy loads must be posted in accordance with section 1004.3 of the 2015 International Fire Code.

Planning:

The request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 6-Character Plan Goal 4, which is to* "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 this Specific Use Designation with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, subject to Condition A through F.

Conditions:

A. **That the serviceable area of the restaurant shall be limited to approximately 2,935 square feet, as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.**

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

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

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

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

Monday through Wednesday from 10:00 a.m. to 10:00 p.m.
Thursday through Saturday from 10:00 a.m. to 11:00 p.m.
Sunday from 10:00 a.m. to 10:00 p.m.

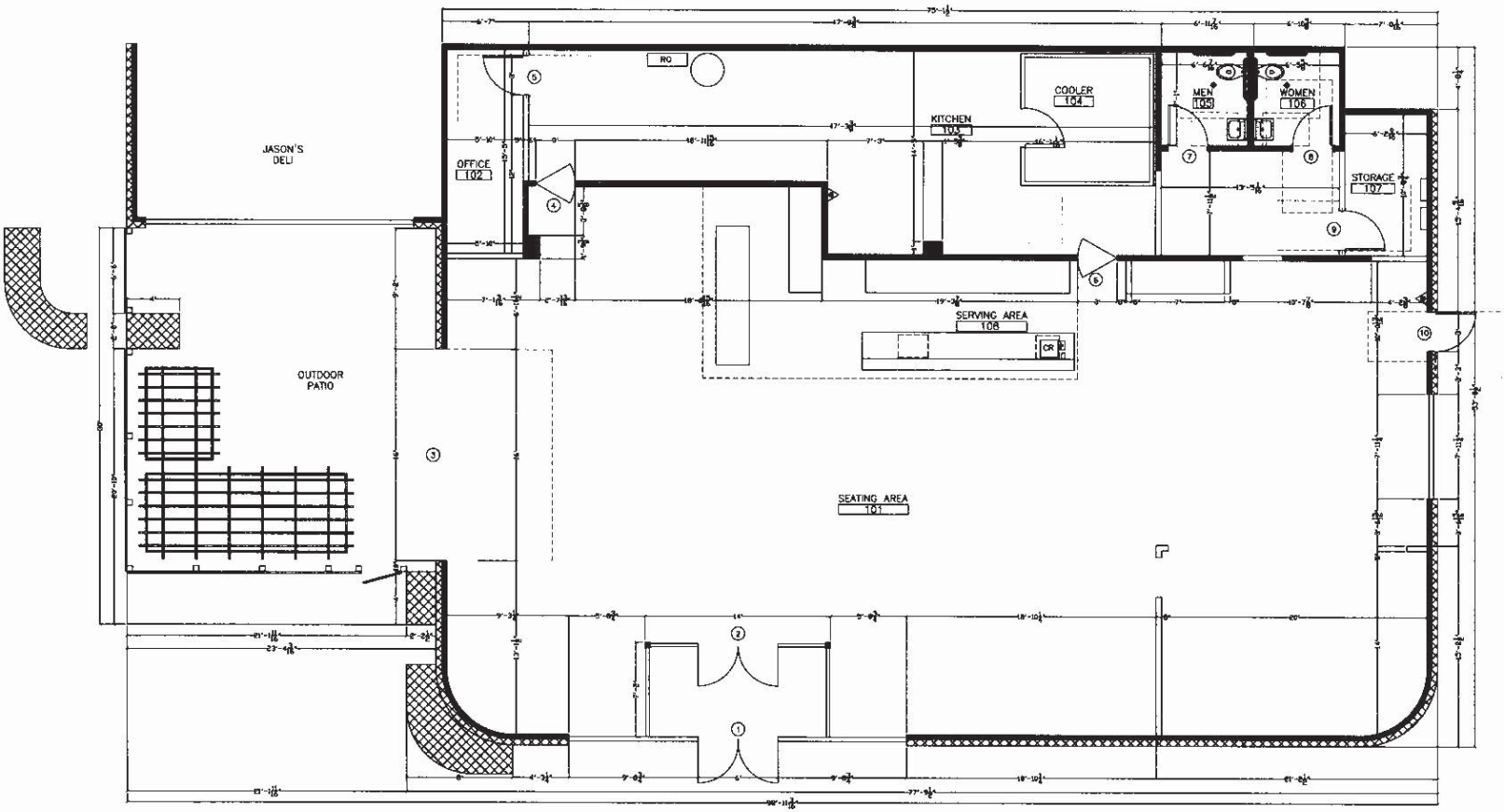
F. That Ordinance No. 9630 is hereby repealed.

Letters of Objection:

As of April 1, 2020, staff has not received any letters of objections.

Attachments:

Floor Plan (Exhibit A)
Ordinances No. 7771 and 9630
Application
Maps



1 FLOOR PLAN
Scale: 1/4" = 1'-0"

FLOOR PLAN LEGEND

EXISTING CONSTRUCTION

NEW CONSTRUCTION

General Notes

The Maximum Occupancy of this space is 99 including staff.

MIDLAND

PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

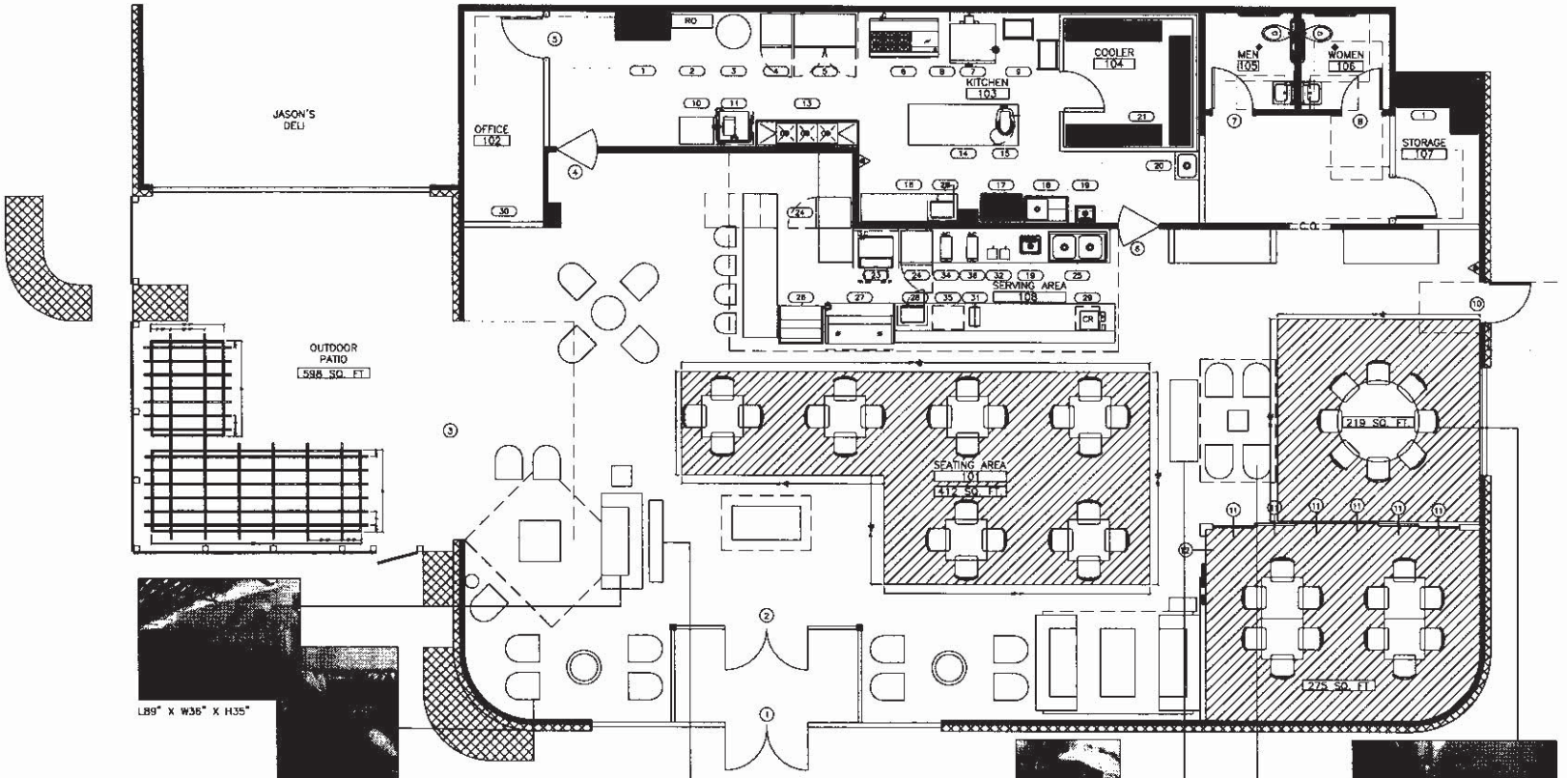
No.	Revision/Issue	Date

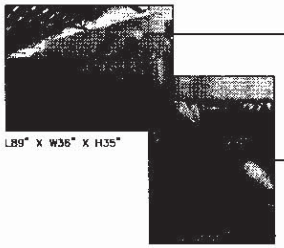
ROCIO JAQUEZ
9320 W 23RD ST
ODESSA, TEXAS 79763
915.526.3628

BREW STREET
4610 N GARFIELD ST., STE. 1
MIDLAND, TEXAS 79705

Project
Date: 04.29.2016
Scale: 1/4" = 1' - 0"

Sheet
A101





L89" X W36" X H35"

L28" X W30" X H41"

1 SEATING LAYOUT
Scale: 1/4" = 1'-0"

L38" X W14.5" X H84"

L35" X W30" X H33"

BOOK CASE:
L57" X W15.5" X H84"
WHITE CHAIR:
L37" X W28" X H53.5"

SEATING LAYOUT

ASSEMBLY WITHOUT FIXED SEATING

L35" X W30" X H33"

L70.5" X W17.5" X H81"

L29" X W32" X H42"

General Notes

The Maximum Occupancy of this space is 99 including staff.

MIDLAND

PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

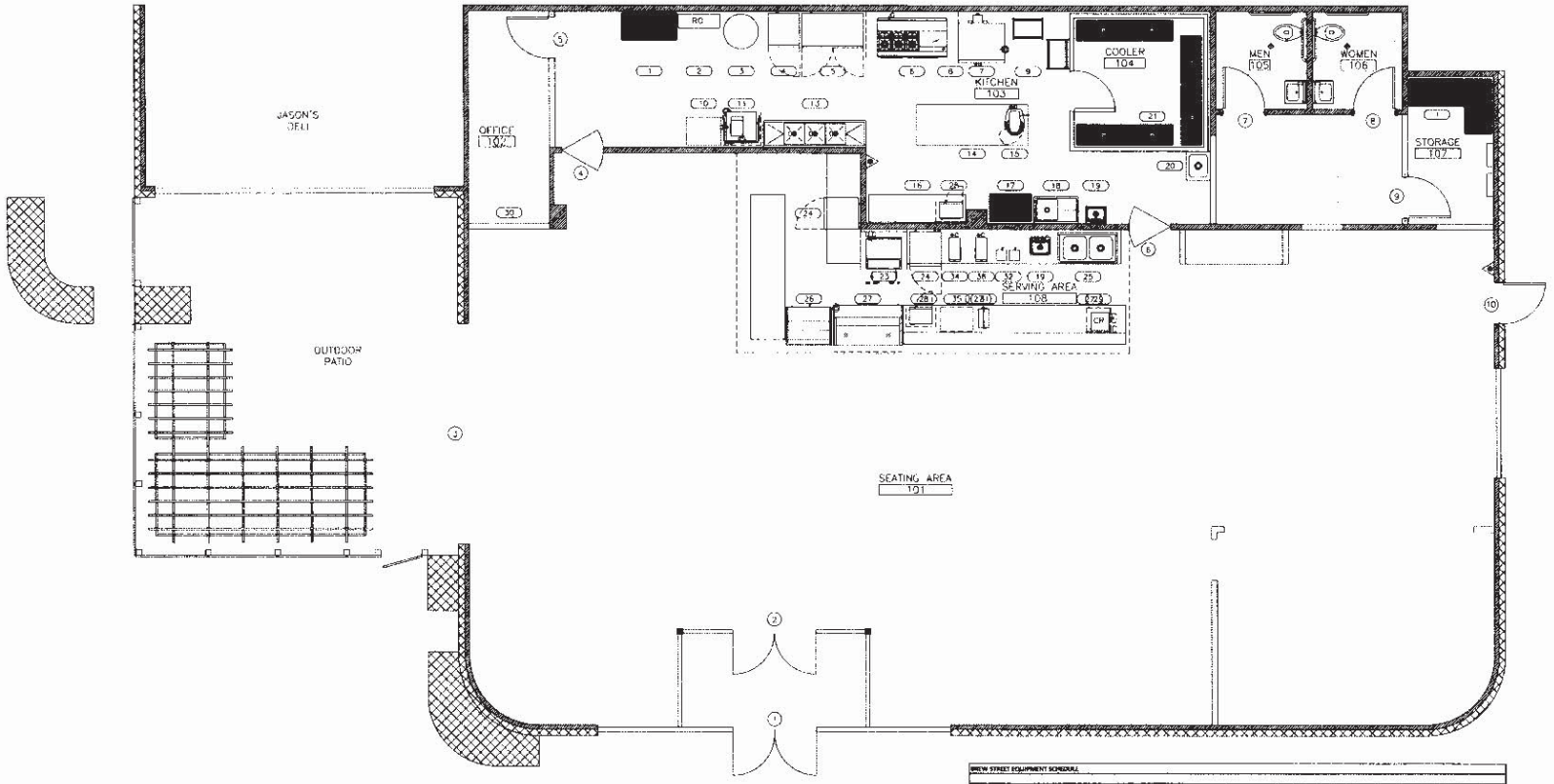
No.	Revision/Issue	Date
1	REVISION PER CITY	5/25/16

ROCIO JAQUEZ
9320 W 23RD ST
ODESSA, TEXAS 79763
915.526.3628

BREW STREET
4610 N GARFIELD ST., STE. 1
MIDLAND, TEXAS 79705

Project
Date: 05.25.2016
Scale: 1/4" = 1'-0"

Sheet: A101.2



1 EQUIPMENT PLAN
Scale: 1/4" = 1' 0"

BREW STREET EQUIPMENT SCHEDULE

Item No	Qty	Equipment Category	Manufacturer	Model Number	Amps	kW	HP	Volts	Phase	Plug	NEMA	Electrical Req'd	Cold Water (GPH)	Hot Water (GPH)	Drain Size (in)	Ambient Drain Size (in)	Gas Size (cu ft/hr)
1	1	Dishwashing Unit, Modular	Advance Tabco	NC-24ASR	-	-	-	-	-	-	-	-	-	-	-	-	-
2	1	R.O. Unit	Water World	10RO-GPD	6.0	-	-	115	1	X	5-15P	-	-	0.375	-	0.75	-
3	1	R.O. Unit			-	-	-	-	-	-	-	-	-	-	-	-	-
4	1	Refrigerator, Reach-In	True Food Service	T-23	9.6	0.33	1/3	115	1	X	5-15P	12	-	-	-	-	-
5	1	Freezer, Reach-In	True Food Service	T-49	9.6	0.83	1/3	115	1	X	5-15P	17	-	-	-	-	-
6	1	Range, Restaurant, Gas	Vulcan	60SS-6B-24GB-N	-	-	-	-	-	-	-	-	-	-	-	-	-
7	1	Oven, Convection, Gas	Vulcan	VC76GD	3.0	-	0.5	120	1	X	5-15P	20.5	-	-	-	-	0.75
8	1	Hood			-	-	-	-	-	-	-	-	-	-	-	-	-
9	2	Rack, Planter	Advance Tabco	UNI	-	-	-	-	-	-	-	-	-	-	-	-	-
10	1	Table, Work, 16gauge, Back Splash w/ Undershelf	Advance Tabco	FLG-360	-	-	-	-	-	-	-	-	-	-	-	-	-
11	1	Warmer/Merchandiser, Food Type, Low Temp	Hatco	Warm-in-Wall	11.4	-	0.75	115	1	-	-	60.5	-	-	-	2	-
12	1	Sink, HVF, 3comp, 14gauge	Advance Tabco	FS-3-1818-18RL	-	-	-	-	-	-	-	-	-	-	-	-	-
13	1	Table, Work, 16gauge, Flat Top w/ Undershelf	Advance Tabco	GS-368	-	-	-	-	-	-	-	-	-	-	-	-	-
14	1	Heater, Counter	Hobart Kitchen Essentials	HL200	8.0	-	0.5	115	1	X	5-15P	-	4	-	-	-	-
15	1	Table, Work, 16gauge, Back Splash w/ Undershelf	Advance Tabco	HG-247	-	-	-	-	-	-	-	-	-	-	-	-	-
16	1	Shelving Unit, Mobile	Advance Tabco	MC-2436	-	-	-	-	-	-	-	-	-	-	-	-	-
17	1	Sink, HSK, 1 comp, 18gauge	Advance Tabco	FE-1-1818-18-X	-	-	-	-	-	-	-	-	-	-	-	-	-
18	1	Hand Sink, Wall Mount	Advance Tabco	7-PS-54	-	-	-	-	-	-	-	-	-	-	-	-	-
19	1	Sink, Mop	Advance Tabco	9-SF-20	-	-	-	-	-	-	-	-	-	-	-	-	-
20	1	Shelves			-	-	-	-	-	-	-	-	-	-	-	-	-
21	1	Ice Maker, Undercounter	Manitowoc Ice	UR-0310A	10.7	1.2	-	115	1	X	5-15P	22	-	0.375	-	0.5	-
22	2	Refrigerator, Undercounter	True Food Service	TUC-27	3.9	-	0.3	115	1	X	5-15P	22	-	-	-	-	-
23	1	Sink, HSK, 2 comp, 16gauge	Advance Tabco	93-22-40	-	-	-	-	-	-	-	-	-	0.5	1.5	-	-
24	1	Display Case, Refrigerated	Turbo Air	TGM-4K-40SB	11.0	-	0.9	115	1	X	5-15P	-	-	-	-	-	-
25	1	Bakery Case, Non Refrigerated	True Food Service	TCGD-5S	5.9	-	-	115	1	-	-	4	-	-	-	-	-
26	1	Oven, Microwave	ACP, Inc.	RAM1075	14.0	1.5	-	120	1	X	5-15P	-	11.25	-	-	-	-
27	1	Point of Sale			-	-	-	-	-	-	-	-	-	-	-	-	-
28	1	Safe			-	-	-	-	-	-	-	-	-	-	-	-	-
29	1	Coffee Grinder	Bunn-O-Matic	35600.0000	21.0	-	0.75	120	1	X	5-15P	-	2	-	-	-	-
30	1	Blender, Beverage	Waring Commercial	MX1500XTX	13.0	-	-	120	1	X	-	-	-	-	-	-	-
31	1	Food Processor	Waring Commercial	WFP14SW	8.0	-	-	120	1	X	-	-	-	-	-	-	-
32	2	Hand Tea Brewer	Bunn-O-Matic	34800.0000	29.0	2.5	-	120	1	X	5-15P	-	8.1	0.75	-	-	-
33	1	Coffee Machine	Cafepalmire	SZ-ER-1A	28.0	2.5	-	120	1	X	5-15P	-	8.1	0.75	-	-	-

General Notes

The Maximum Occupancy of this space is 99 including staff.

MIDLAND
PERMITS & INSPECTIONS
APPROVED FOR CONSTRUCTION

No:	Revision/Issue	Date

Firm Name and Address

ROCIO JAQUEZ
9320 W 23RD ST
ODESSA, TEXAS 79763
915.526.3628

Project Name and Address

BREW STREET
4610 N GARFIELD ST., STE. 1
MIDLAND, TEXAS 79705

Project	Sheet
Date: 04.29.2016	A102
Scale: 1/4" = 1' - 0"	

MIDLAND
Planning Division

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

Project Number: SUD-20-0072

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Alexandra Brinker		Phone (432) 230-8841 Email alli@brewstreetbakery.com	
Address 4610 N. Garfield St. D-1A	City Midland	State TX	Zip 79705

Property Owner Printed Name: Colonnade at Polo Park Woodcrest LLC		Phone (817) 927-0050 Email info@woodcrestcapital.com	
Address 3113 S. University Dr. Suite 100	City Fort Worth	State TX	Zip 76109

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

Street Address: 4610 N. Garfield St. D-1A Midland, TX 79705

Business Name: Brew St.

Legal Description
Lot: 1 Block: 8 Subdivision: Polo Park Addition, Section 3

Current Zoning:

Reason for Request: Change of Hours & Alcohol Service hours

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

Proposed/Current Days and Hours of Operation: 6:30 AM - 10 PM Monday - Wednesday 6:30 AM - 11pm Thursday - Saturday 6:30 AM - 10pm Sunday

Proposed Days and Hours of Alcohol Service: 10 Am - 10 PM Monday - Wednesday 10 AM - 11pm Thursday - Saturday 10 AM - 10 PM Sunday

Total Square Footage of Business: 4472 sq. Ft

Square Footage of Alcohol Serviceable Area: 2935 sq Ft.

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 (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): Alli Brei	Date: 2-28-20
Applicant (printed): Alexandra Brinker	
Property Owner (signature):	Date:
Property Owner (printed) : _____	

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.****

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
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- Digital Copies of Floor Plan & Site Plan (PDF/JPEG)

Signatures

Applicant (signature): Alli Brei	Date: 2-28-20
Applicant (printed): Alexandra Brinker	
Property Owner (signature):	Date:
Property Owner (printed):	

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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

Colonnade at Polo Park Woodcrest Limited Partnership

Before me, the undersigned authority, on this day personally appeared Matthew Roberts 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 28th day of February 2020, to certify which witness my hand and seal of office.

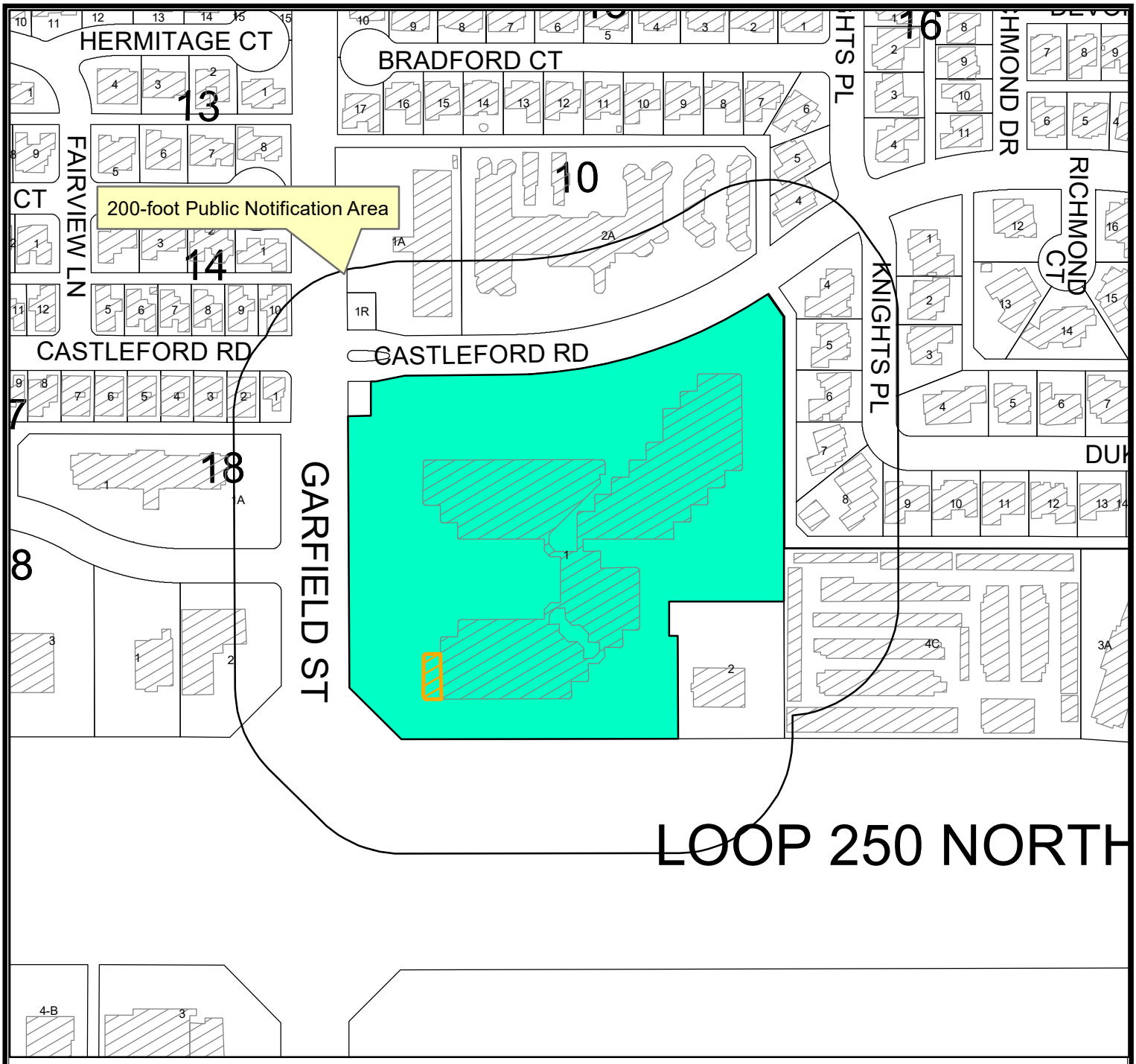
TERESA JO MANIRE
Notary Public
STATE OF TEXAS
ID#4210268
My Comm. Jan. 31, 2022

NOTARY PUBLIC [redacted] COUNTY, TEXAS
Tarrant

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

FOR OFFICE USE ONLY		
☒ Property Owner Authorization	☒ Dimensioned Floor Plan	RECEIVED FEB 28 2020
☒ Application Fee	☒ Site Plan	
Check # 300.00	☐ Plans in Digital Format (PDF/JPEG)	
Received By:	Date: BY:	

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



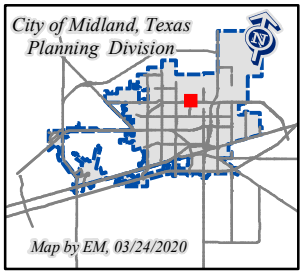
LOCATION MAP

SUD-20-0072 **Scale: 1" = 250'**

Consider a request for a Specific Use Designation With Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on a 4,472 square foot portion of Lot 1, Block 8, Polo Park , Section 3, City and County of Midland, Texas.Generally located on the southeast corner of the intersection of N. Garfield Street and Castleford Road. (Council District 1)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS
- SECTION OF BLDG BEING CONSIDERED



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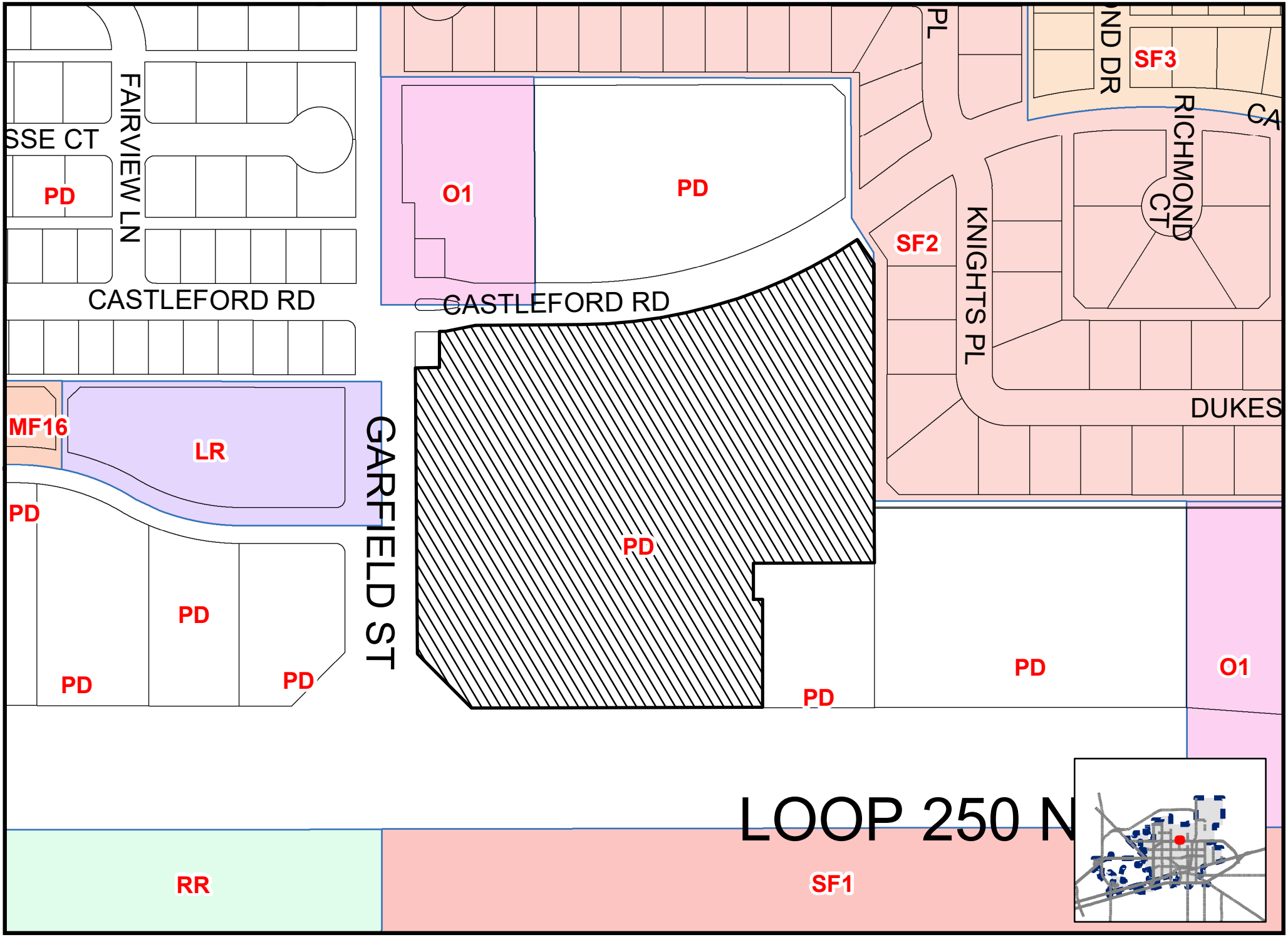
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



Map By EM, 03/06/2020

TLU-20-0072

Scale: 1" = 200'

ZONING MAP

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ORDINANCE NO. 7771

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

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

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

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

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

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

A. That the maximum sign area for all free standing signs for this development not exceed 640 square feet.

B. That no future free standing sign associated with this development be allowed on the Loop 250 frontage.

C. That the Site Plan (Exhibits A & B) be adhered to in regard to the locations and types of signs proposed for this development.

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

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

unconstitutional or invalid.

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

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

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

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

Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Brooks, seconded by Council member Cuevas, on the 22nd day of September, A.D., 1998, at a regular meeting of the City Council:

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

Council members voting "NAY": None

PASSED AND APPROVED THIS 22nd **day of** September **,**

A.D., 1998.

Robt. E. Burns, Mayor

ATTEST:

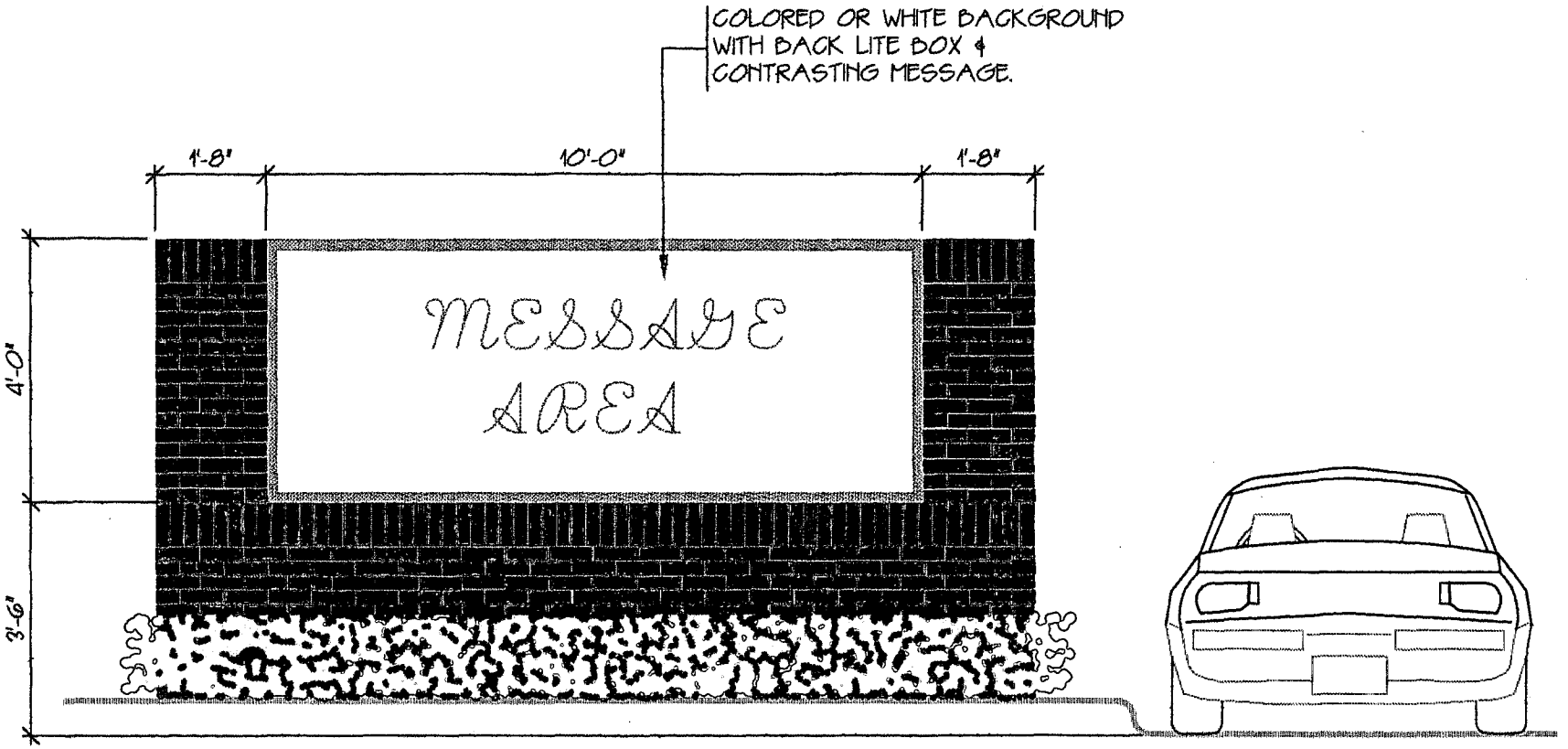
Kaylah J. McCord

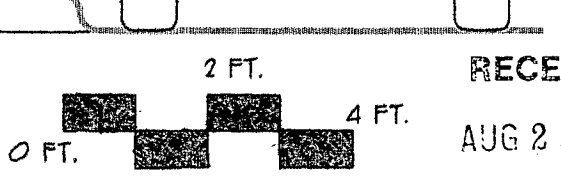
Kaylah J. McCord, City Secretary

APPROVED AS TO FORM:

Keith Stretcher, City Attorney

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





MONUMENT SIGN PROPOSAL

COLONADE SHOPPING CENTER
MIDLAND, TEXAS

RECEIVED
AUG 25 1998
PLANNING & DEVELOPMENT
CITY OF MIDLAND

VANDERGRIFF GROUP
ARCHITECTS • PLANNERS
312 N. BIG SPRING, SUITE 100 (915) 687-0781 MIDLAND, TEXAS
MEMBER AMERICAN INSTITUTE OF ARCHITECTS

8-11-98

EXHIBIT B CASE NO. Z-98-022

This Area is not in a Special Flood Hazard Area Zone A as shown on Panel #480477-0002-B of the 1978 Flood Hazard Boundary Map of Midland issued by the Federal Insurance Administration. It is in Census Tract #101.03.

BASIS OF BEARING, GRID BEARING RELATED TO NAD 83, TEXAS PLANE COORDINATE SYSTEM THROUGH CITY OF MIDLAND CONTROL MONUMENTS No. 3630 AND No 3632 THETA ANGLE = -0°33'29"

CASTLEFORD ROAD

Proposed Locations for
two Monument Signs along Garfield

N AZ256°11'53" 175.86

Lot 1, Block 8
10.79 Ac.

Lot 2, Block 8
0.78 Ac.

SHOGUR
LUCILLE'S
MACK THOMAS INTERIOR
TUESDAY MORNING
JULIAN GOLD
BACKSTAGE
CHILI'S
BLDG.
'A' 'B' 'C' 'E'

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

N AZ120°28'28" 127.07'

N AZ 76°36'29" 669.91'

N AZ346°37'14" 737.84'

GARFIELD STREET

POLO PARK SECTION 10

LOOP 250

No.	Direction	Length
1	N AZ310°48'02"	47.87
2	N AZ244°19'33"	30.95
3	N AZ255°11'53"	49.98

LEGEND

- Fnd. 1/2" iron rod.
- Set 1/2" iron rod.
- SWBT / Tel. vault
- SWBT manhole
- Sanitary Sewer manhole
- Fire hydrant
- Concrete curb
- Concrete curb / valley
- Texas Transformer box
- Gas Marker
- SWBT Telephone pedestal
- Texas Electric marker
- Cable T.V. pedestal
- Texas Pedestal
- Power pole w/ guy wire
- Light pole
- Water meter
- Traffic sign

SURVEYOR'S CERTIFICATE

The undersigned Registered Professional Land Surveyor (the "Surveyor") hereby certifies that (a) this plat of survey and the property description set forth hereon are true and correct and were prepared from an actual on-the-ground survey of the real property (the "Property") shown hereon; (b) such survey was conducted by the Surveyor or under his supervision; (c) all monuments shown hereon actually exist and the location, size and type of material thereof are correctly shown; (d) except as shown hereon, there are no encroachments onto the Property or protrusion therefrom, there are no improvements on the Property, there are no visible easements or right-of-way on the Property, and there are no visible discrepancies, conflicts, shortages in area, or boundary line conflicts; (e) the size, location and type of improvements are as shown hereon, and all are located within the boundaries of the Property and set back from the Property lines the distance indicated; (f) the distance from the nearest intersecting street or road is shown; (g) the Property has access to and from a public roadway; (h) all recorded easements have been correctly platted hereon; and (i) the boundaries, dimensions and other details shown hereon are true and correct.

The Surveyor expressly understands and agrees that (a) this certificate is made for the benefit of Federal Deposit Insurance Corporation as _____ ("FDIC") and for the benefit of Chicago Title Insurance Company ("Title Company") to issue a policy of title insurance insuring the validity and priority of such deed of trust lien; (b) both FDIC and Title Company are entitled to rely on this plat of survey as being true and accurate in all respects and upon this certificate as being true and accurate.

Executed this 31st day of March, 1998.

John Wallis
Registered Professional Land Surveyor No. 1972

STATE OF TEXAS · REGISTERED · JOHN WALLIS · 1972 · PROFESSIONAL LAND SURVEYOR

CASE NO. Z-98-022

Receivership Name: First Gibraltar
Asset Number: 1602-003008-00-1
Asset Name: Colonnade @ Polo Park
Property Description: NEC Garfield & Loop 250
John Wallis Tax ID#: 75-1928020

Survey Plat of Lots 1 and 2, Block 8, POLO PARK - SECTION III, an addition to the City of Midland, Midland County, Texas; Plat Cab. C, Pg 170

WALLIS LAND SURVEYORS
P.O. Box 4111
Midland, Texas 79704-4111
915/697-4790

Scale: 1"=100'	Date Mar.
By: JW	
Date: 3-30-98	

Drawing number: D-03-20-98

RECEIVED
AUG 25 1998
PLANNING & DEVELOPMENT
CITY OF MIDLAND

EXHIBIT A

ORDINANCE NO. 9630

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

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

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

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

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

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

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

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

A. That the serviceable area of the restaurant shall be limited to 5,141 contiguous square feet as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes.

B. That the enclosed patio area, as shown in Exhibit "A", shall have an exit only gate.

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

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

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

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

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

G. That Ordinance No. 9573 is hereby repealed.

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

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

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

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

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

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

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

Council members voting "NAY": None

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

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

Council members voting "NAY": None

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

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary

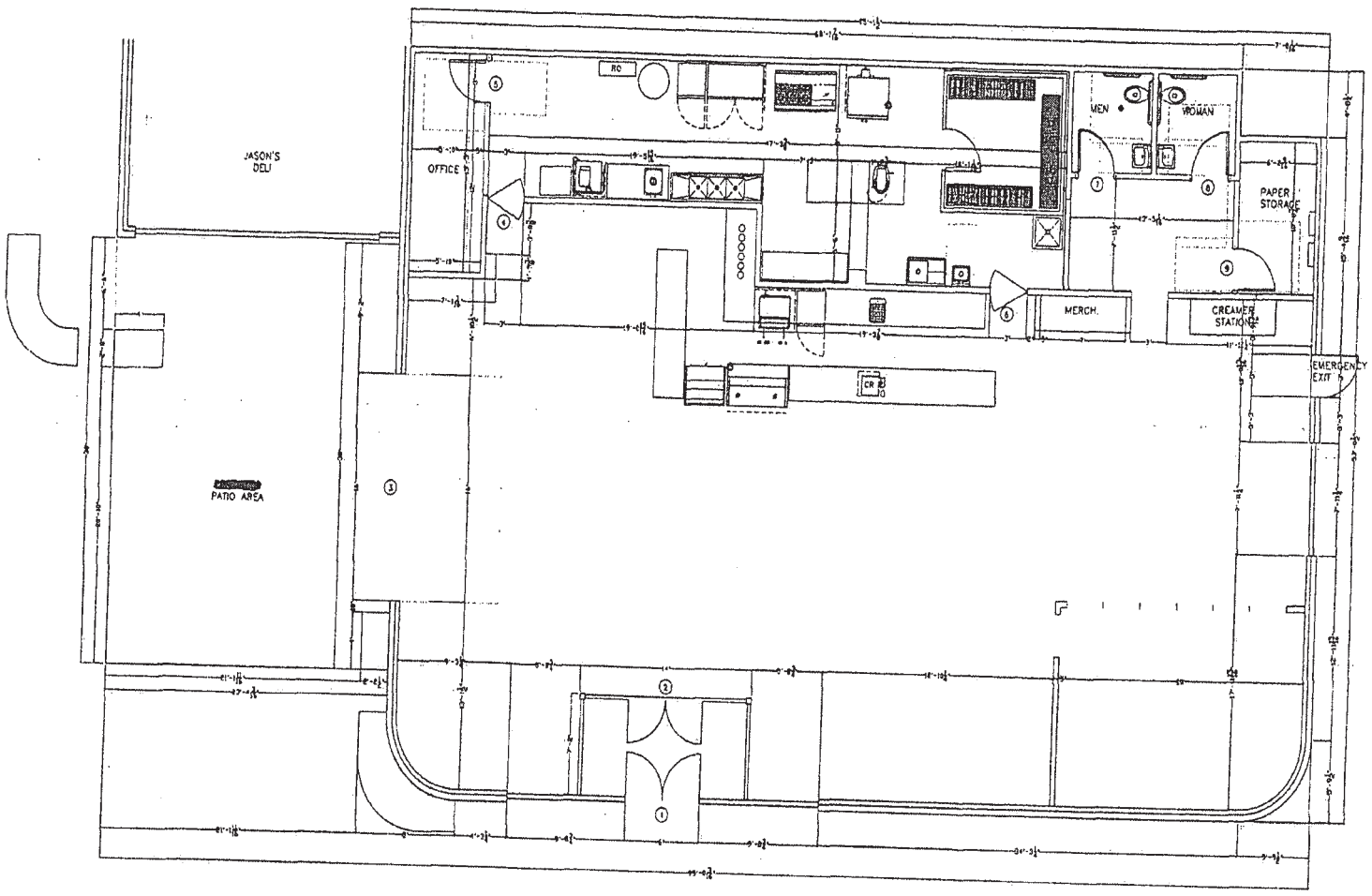
APPROVED AS TO CONTENT
AND COMPLETENESS:

Frank Salvato, Assistant City Manager

Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

John Ohnemiller, City Attorney



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

General Notes

No.	Revision/Issue	Date

ROCIO JAQUEZ
9320 W 23RD ST
ODESSA, TEXAS 79763
915.526.3528

BREW STREET
4610 N GARFIELD ST., STE. 1
MIDLAND, TEXAS 79705

Date
04.06.2018
Scale
1/4" = 1'-0"
Sheet
A102

EXHIBIT A

27.7

17.10

9630

City Council Agenda

APPROVED

Approved for Agenda:
fsalvato
City Manager's Office

MEETING DATE: January 24, 2017

TO: City Council / City Manager

FROM: Kierra Williams, Senior Planner

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

Purpose:

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

Recommended City Council Action

☒ Approve ☐ Deny ☐ Directional / Informational

Fiscal Impact:

No City funds are required to process this request.

Discussion:

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

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

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

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

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

The operating hours for the restaurant are as follows;

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

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

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

Blue Door

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

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

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

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

Wine Rack

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

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

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

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

Bill's Bistro

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

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

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

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

Chili's

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

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

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

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

Athenian Restaurant

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

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

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

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

Shogun

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

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

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

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

Churrasce Brazillian steakhouse

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

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

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

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

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

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

Engineering and Transportation:

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

Public Safety:

Comments from Fire are as follows:

> Means of egress shall meet the requirements of the IBC-2015 for its use.
>
> Portable fire extinguishers shall be approved.

Code Administration:

Code had no comments regarding the request.

Planning:

Planning finds the request in compliance with the comprehensive plan.

Conditions:

A. That the establishment shall not exceed 5,141 contiguous square feet in area , including the enclosed patio area, as shown in Exhibit "A", which is attached hereto and incorporated herein.

B. That the enclosed patio are as shown in Exhibit "A", which is attached hereto and incorporated herein, shall have an exit only gate.

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

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

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

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

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

G. That City of Midland Ordinance No. 9573 is hereby repealed.

Letters of Objection:

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

Attachments:

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

Case Number: SUP 16.0057

MIDLAND

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

I. APPLICATION

Applicant:

ALLI BIXLER/JUST US GIRLS LLC (Name) — 432 230-8844 (Phone)

5205 ELLEN JAYNE WAY 79707 (Address) — (Email)

Property Owner:

~~WOODCREST~~ COLONNADE LP (Name) — 432 638-7163 DENNIS SKAGGS (Phone)

3113 S. UNIVERSITY FT WORTH 76109 (Address) — (Email)

Operator (if different than the Applicant or Property Owner):

NA (Name) — (Phone)

(Address) — (Email)

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

Legal Description:

If Platted: Lot: _____ Block: _____ Subdivision: _____

If Unplatted: *Attach Metes & Bounds Description with Surveyor's Seal

Current Zoning: _____

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

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

Proposed Days and Hours of Alcoholic Beverage Sales: Operating Hours for restaurant and patio 6:30 am - 9 pm MONDAY-WEDNESDAY

[Serviceable hours: M-W, 10am-7pm; Th-Sat, 10am-11pm] 6:30 am-11 pm THURSDAY-SATURDAY

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

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

Women Toilets 1 Bathroom Sinks 1

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

II. FEE & SUBMITTALS

Application Fee ($300.00): $ 300.00

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

III. SIGNATURES

Applicant: Alli Bixler Date: 11-8-16

Property Owner: [signature] Date: 11-8-16

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

STATE of TEXAS
COUNTY OF MIDLAND

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

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

_____
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

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

ORDINANCE NO. 9573

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

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

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

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

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

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

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

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

A. That the maximum square footage of the restaurant shall be limited to 4,472 contiguous square feet as shown in the floor plan, which is attached hereto as Exhibit "A" and incorporated herein for all purposes.

B. That the occupancy of the restaurant shall not exceed the maximum occupancy determined by the Building Code and Fire Code.

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

D. That the days and hours of alcoholic beverage sales and consumption shall be limited to the following when not otherwise prohibited by law:

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

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

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

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

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

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

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

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

Council members voting "NAY": None

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

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

Council members voting "NAY": None

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

Jerry F. Morales, Mayor

ATTEST:

Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

Frank Salvato, Assistant City Manager

Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

John Ohnemiller, City Attorney

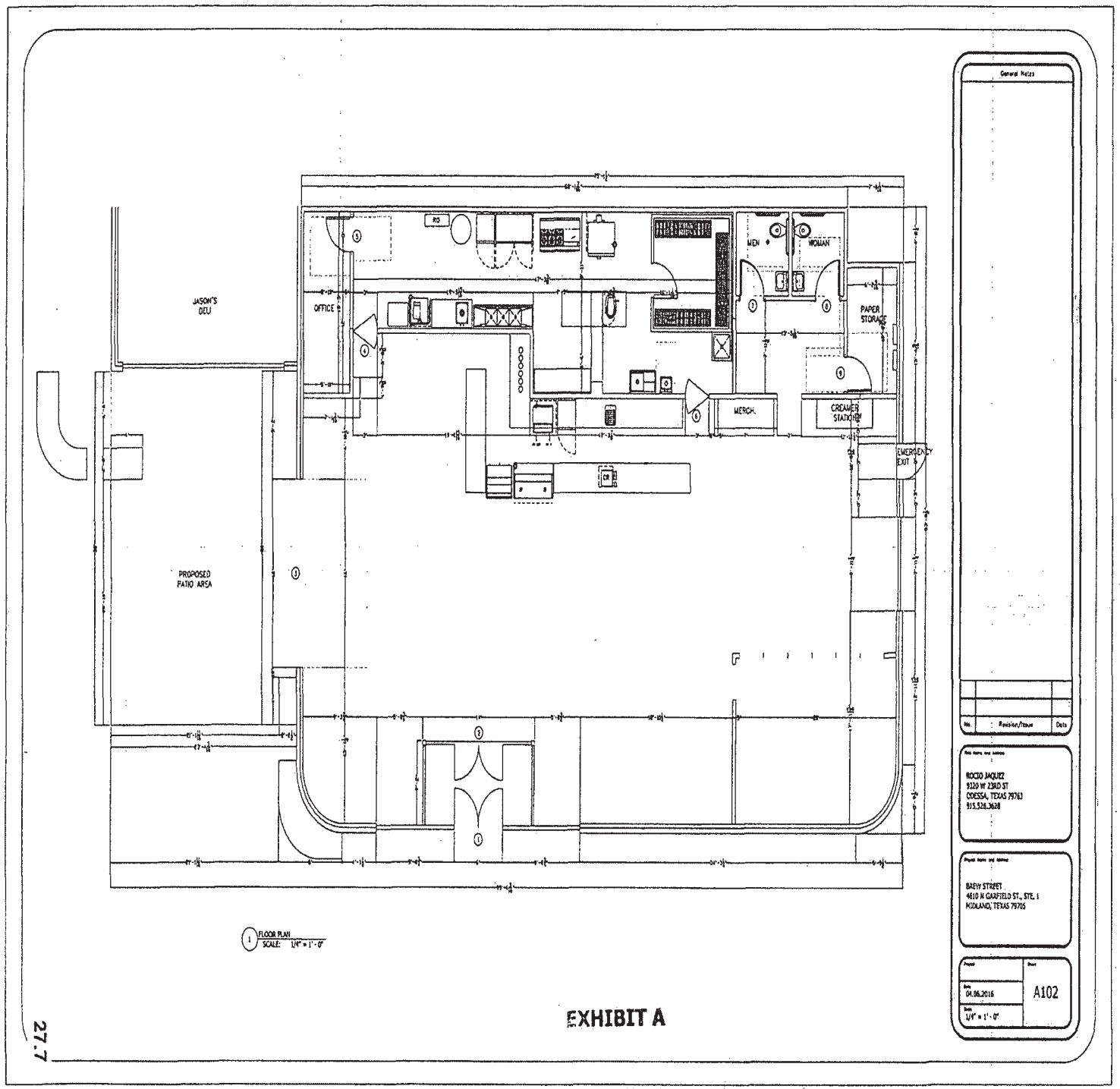
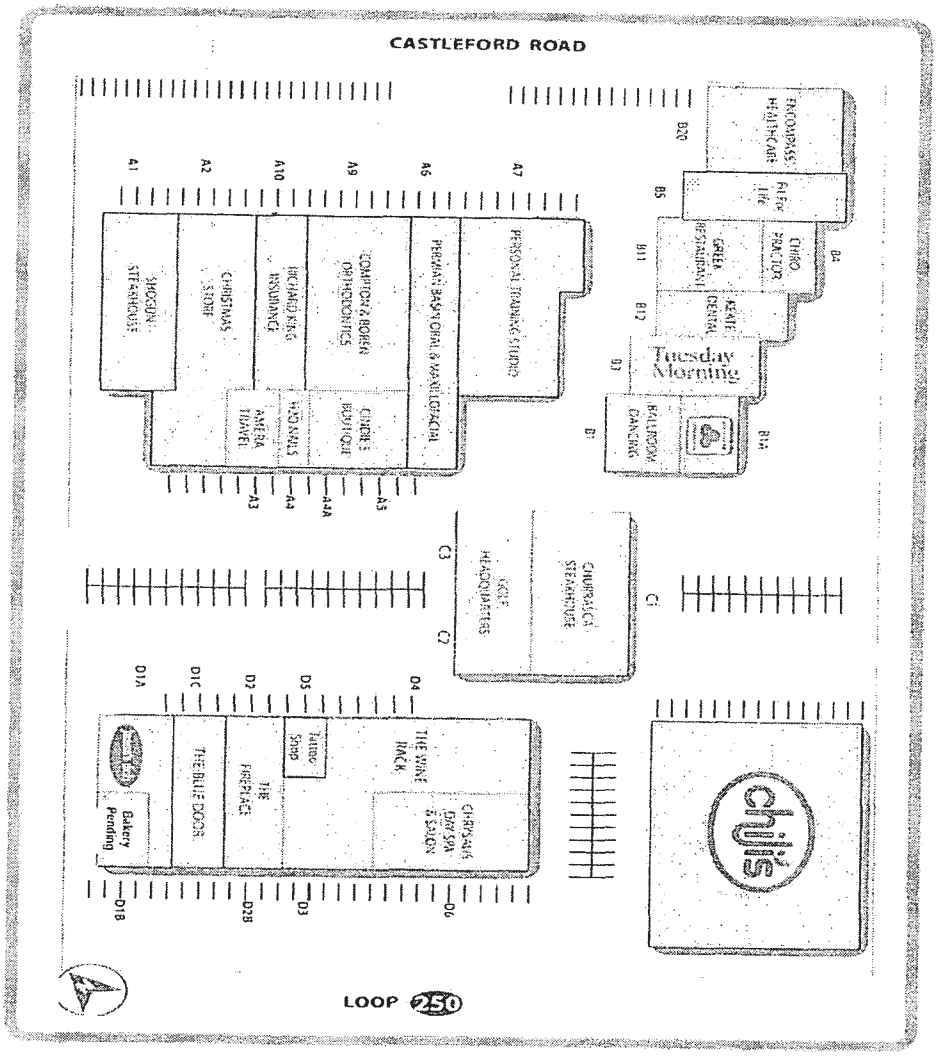

JASON'S DELI
OFFICE
RO
MEN
WOMAN
PAPER STORAGE
MERCH.
CREAMER STATION
EMERGENCY EXIT
CR
PROPOSED PATIO AREA
1 FLOOR PLAN
SCALE: 1/4" = 1'-0"
General Notes
No. Revision/Issue Date
ROCIO JAQUEZ
9320 W 23RD ST
ODESSA, TEXAS 79763
915.526.3628
BREW STREET
4610 N GARFIELD ST., STE. 1
MIDLAND, TEXAS 79705
Date
04.06.2016
Scale
1/4" = 1'-0"
Sheet
A102

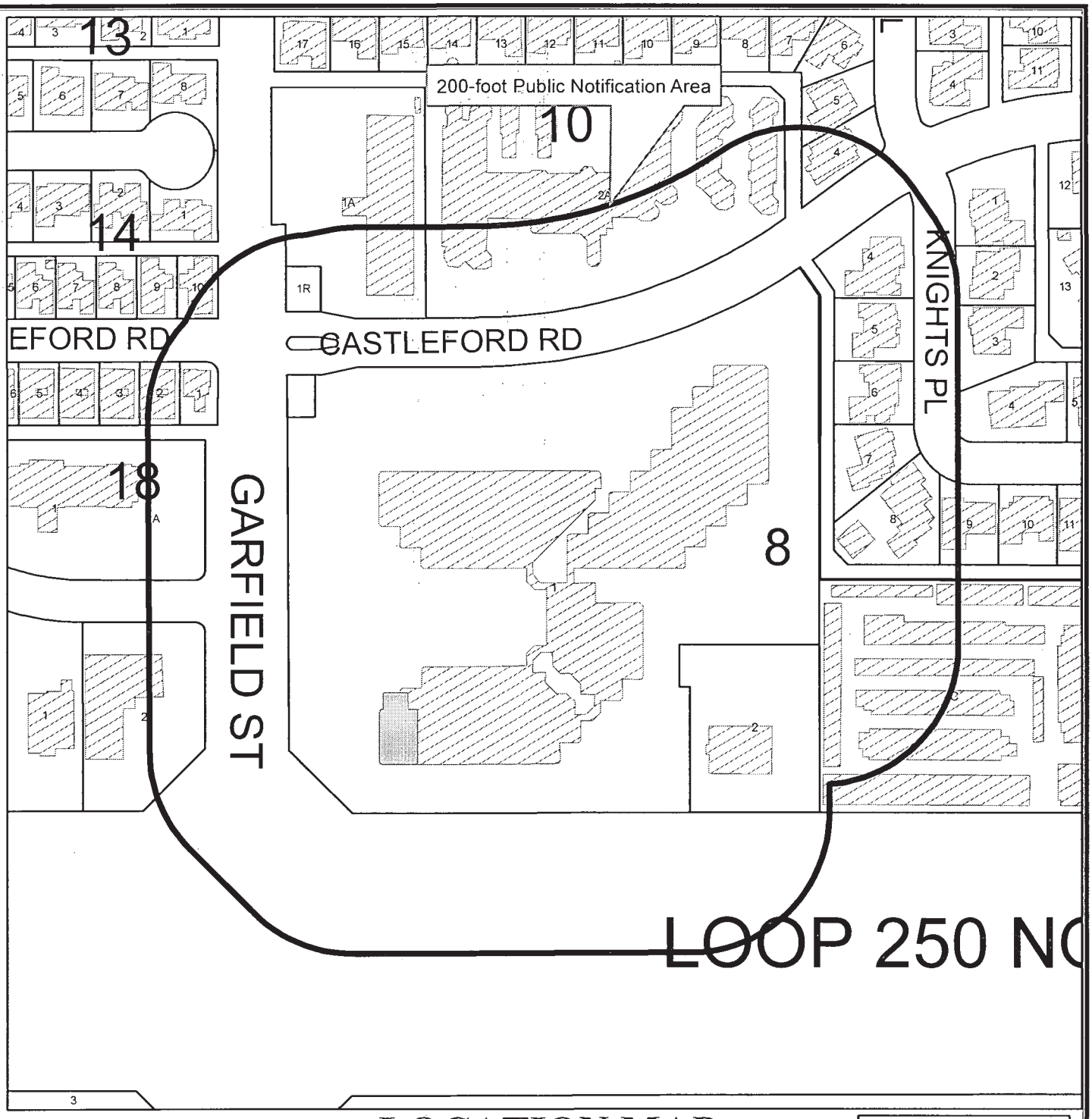
EXHIBIT A

Exhibit "A"



Initials _____ Initials _____

17.18



LOCATION MAP

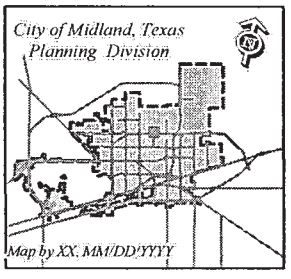
SUP- 16 -0057 **Scale: 1" = 200'**

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

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

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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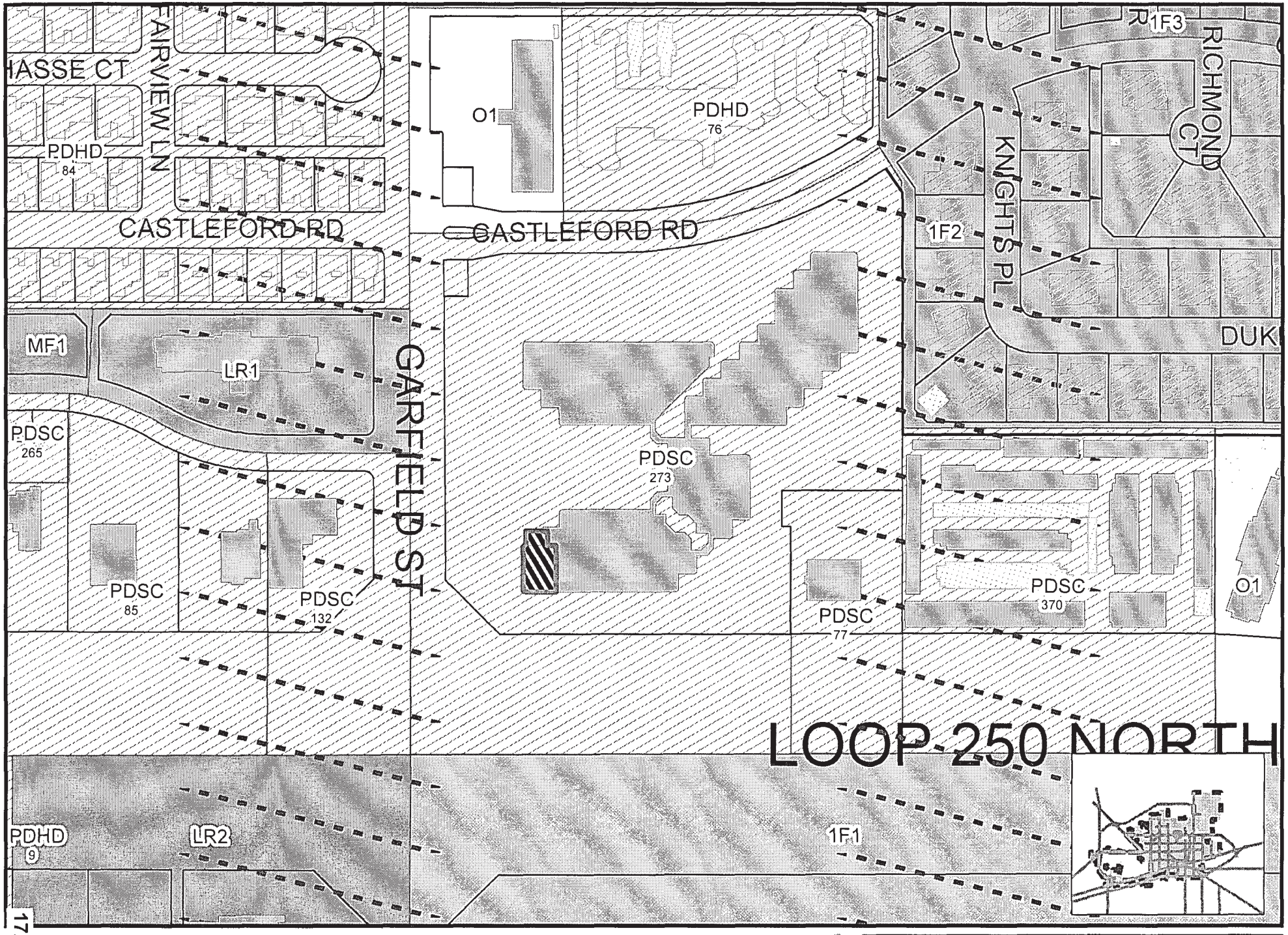

17.20

ip By KW, 11/22/2016

SUP- 16 - 0057

Scale: 1" = 200'

ZONING MAP

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SNOGUN
NOW OPEN
A KAYSER CHRISTMAS EXPERIENCE INC
TRAVEL
NAILS & SPA
Candies

17.21

17.22

17.23

17.24

17.25

FAIRFIELD
INN & SUITES
Marriott
SAPPORO Ramen & Grill
TACOMA

Jason's deli
GOLF HEADQUARTERS
Brew St.
BAKERY, COFFEE, & TEA
D1A
BAKERY, COFFEE, & TEA
BREW ST.

16 FT
15 FT 6 IN
ONE WAY
LP 250
GARFIELD ST
ONE WAY

SPA & NAILS

Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Eric Myers, Planner**

SUBJECT: **Hold a public hearing and consider a request by Jorge Chavez for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 14, Block 1, Eastover Addition, City and County of Midland, Texas. (Generally located on the east side of N. Adams Street, approximately 80-feet south of E. Illinois Avenue. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Jorge Chavez, is requesting a Zone Change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District, on Lot 14, Block 1, Eastover Addition, City and County of Midland, Texas.

Current Zoning:

MF-22, Multiple-Family Dwelling District.

Surrounding Zoning and Land Use:

The properties to the north are zoned SF-3, Single Family Dwelling District, and are currently vacant lots.

The properties to the east, south, and west are zoned MF-22, Multiple-Family Dwelling District, and are the locations of residences, vacant land, and Carver Elementary, respectively.

Analysis:

The property is located at 210 N. Adams Street, and is currently vacant. The applicant is proposing to build a home at this location.

Per the previous zoning ordinance, single-family detached dwellings were allowed in this zoning district. As of July 1, 2019, the new zoning ordinance does not allow the use of single-family detached dwellings within MF-22, Multiple-Family Dwelling District.

The planning department has researched the surrounding neighborhood and based on the existing characteristics of the area, the zone change request to allow for a single-family detached dwelling would be appropriate.

The dimensions of the property are approximately 40 feet by 80 feet and would not meet the dimensional regulations of the SF-3, Single Family Dwelling District. However, per the Zoning Ordinance section 4.08.D, “Any existing vacant lot platted prior to the zoning ordinance effective date that was legally conforming shall be deemed a conforming lot.” The property was platted prior to the effective date of the zoning ordinance; therefore, the lot would be suitable for the development of a home. The appropriate setbacks and maximum height must also comply with the residential zoning district dimensional regulations for the SF-3, Single Family Dwelling District.

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

Fire: (Approved)

No objections.

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 objection to zone change.

Property lies entirely within Special Flood Hazard Area Zone AE. Finish floor will be required to be build 1 foot above the base flood elevation.

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

Code: (Approved)

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

Transportation: (Approved)

Site drainage, utilities, driveway access, and traffic circulation may be adjusted during construction drawing review as necessary to receive building permit approval from Engineering and Traffic Operations.
No objection to zone change.

Planning:

Per the Future Land Use map, this location is designated as Urban-Residential Low. Potential zoning or this area includes Single-Family Dwelling Districts; therefore, this zone change complies with the Future Land Use plan. The surrounding lots consist of vacant lots and residences. This zone change will follow the existing characteristics of the surrounding neighborhood and provide additional housing for residents of the City of Midland.

Staff recommends approval of the zone change from MF-22, Multiple-Family Dwelling District to SF-3, Single-Family Dwelling District subject to condition A.

Conditions:

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

Letters of Objection:

Staff has not received any letters of objection as of April 1, 2020.

Attachments:

Application
Maps

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number: _____

Case Number: _____

Applicant *(if acting as Agent, see affidavit on page 2)* Printed Name: Jorge Chavez		Phone (432) 889-7005 Email Terre-Chavez@ymail.com	
Address 1611 N. Camesa Rd.	City Midland	State TX	Zip 79701

Property Owner Printed Name: Jorge Chavez		Phone (432) 889-7005 Email Terre-Chavez@ymail.com	
Address 1611 N. Camesa Rd.	City Midland	State TX	Zip 79701

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

Street Address: 210 N. Adams

Legal Description
Lot: 14 Block: 1 Subdivision: East Over Addition

Current Zoning: MF-22

Proposed Zone: SF-3
(List by tracts if more than one district is requested)

Reason for Zone Change Request: For TO build a house on the property.

Present Use of Property: Vacant

Proposed Use of Property: For a home.

How would this zone change affect the public health, safety and welfare? N/A

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

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)

RECEIVED
MAR 11 2020
BY:

Midland County
Alison Haley
Midland County
Clerk

RECEIVED
MAR 11 2020
BY: .....

Instrument Number: 5093

eRecording - Real Property

Recorded On: February 19, 2020 02:38 PM

Number of Pages: 2

" Examined and Charged as Follows: "

Total Recording: $26.00

********** **THIS PAGE IS PART OF THE INSTRUMENT** **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	5093
Receipt Number:	20200219000153
Recorded Date/Time:	February 19, 2020 02:38 PM
User:	Araceli R
Station:	cc10299

Record and Return To:
Corporation Service Company

COUNTY COURT
MIDLAND COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MIDLAND

I hereby certify that this Instrument was FILED **In the File Number sequence on the date/time printed hereon, and was duly** RECORDED **in the Official Records of Midland County, Texas.**

Alison Haley
Midland County Clerk
Midland County, TX

Alison Haley

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY OR DRIVERS LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF MIDLAND §

That **JULIO GUERRERO AND FELIS GUERRERO** whether one or more hereinafter referred to as "Grantor") for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00), and other valuable consideration, to Grantor cash in hand paid, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto **JORGE CHAVEZ DBA JC CHAVEZ CONSTRUCTION** whether one or more, hereinafter referred to as "Grantee"), whose mailing address **1611 N. LAMESA RD., MIDLAND, TX 79701** all that certain lot, tract or parcel of land situated in **MIDLAND** County, Texas, and described as follows, to wit:

Lot Fourteen (14), Block One (1), Eastover 2nd Addition, an addition to the City of Midland, Midland County, Texas according to the map or plat thereof of record in Volume 71, Page 494, Deed Records, Midland County, Texas.

SAVE AND EXCEPT all oil, gas and other minerals in, on and under said land as reserved by prior grantors; and SUBJECT TO all oil and gas leases, easements, rights-of-way, and covenants and restrictions of record in the Office of the County Clerk of **MIDLAND** County, Texas.

SLC - 1,324,116

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, Grantee's heirs, executors, administrators, successors and assigns forever, and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and assigns, to Warrant and Forever Defend, all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

EFFECTIVE AS OF 12th DAY OF February, 2020

Julio Guerrero
JULIO GUERRERO

Felis Guerrero
FELIS GUERRERO

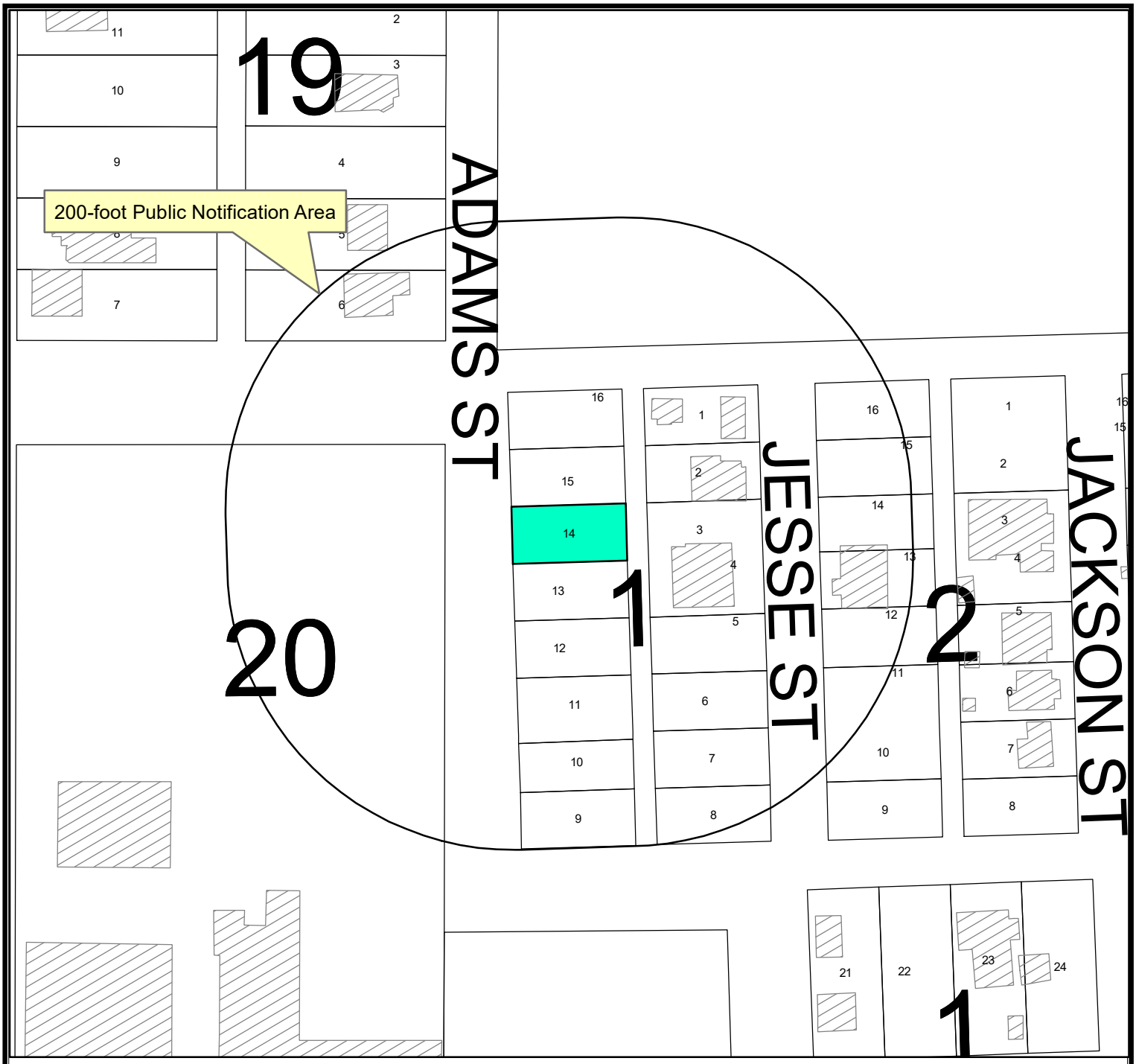
THE STATE OF **TEXAS** §
§
COUNTY OF **MIDLAND** §

This instrument was acknowledged before me this 12th day of February, 2020 by **JULIO GUERRERO AND FELIS GUERRERO.**

(SEAL)

IRMA V QUIROZ
NOTARY PUBLIC
ID# 10659398
State of Texas
Comm. Exp. 10-09-2020

Irma V. Quiroz
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



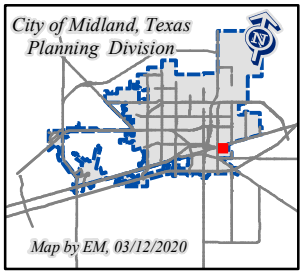
LOCATION MAP

Z-20-0175 **Scale: 1" = 100'**

Consider a request by Jorge Chavez, for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling, on Lot 14, Block 1, Eastover Addition, City and County of Midland, Texas. Generally located on the east side of N. Adams Street, approximately 80-feet south of E. Illinois Avenue. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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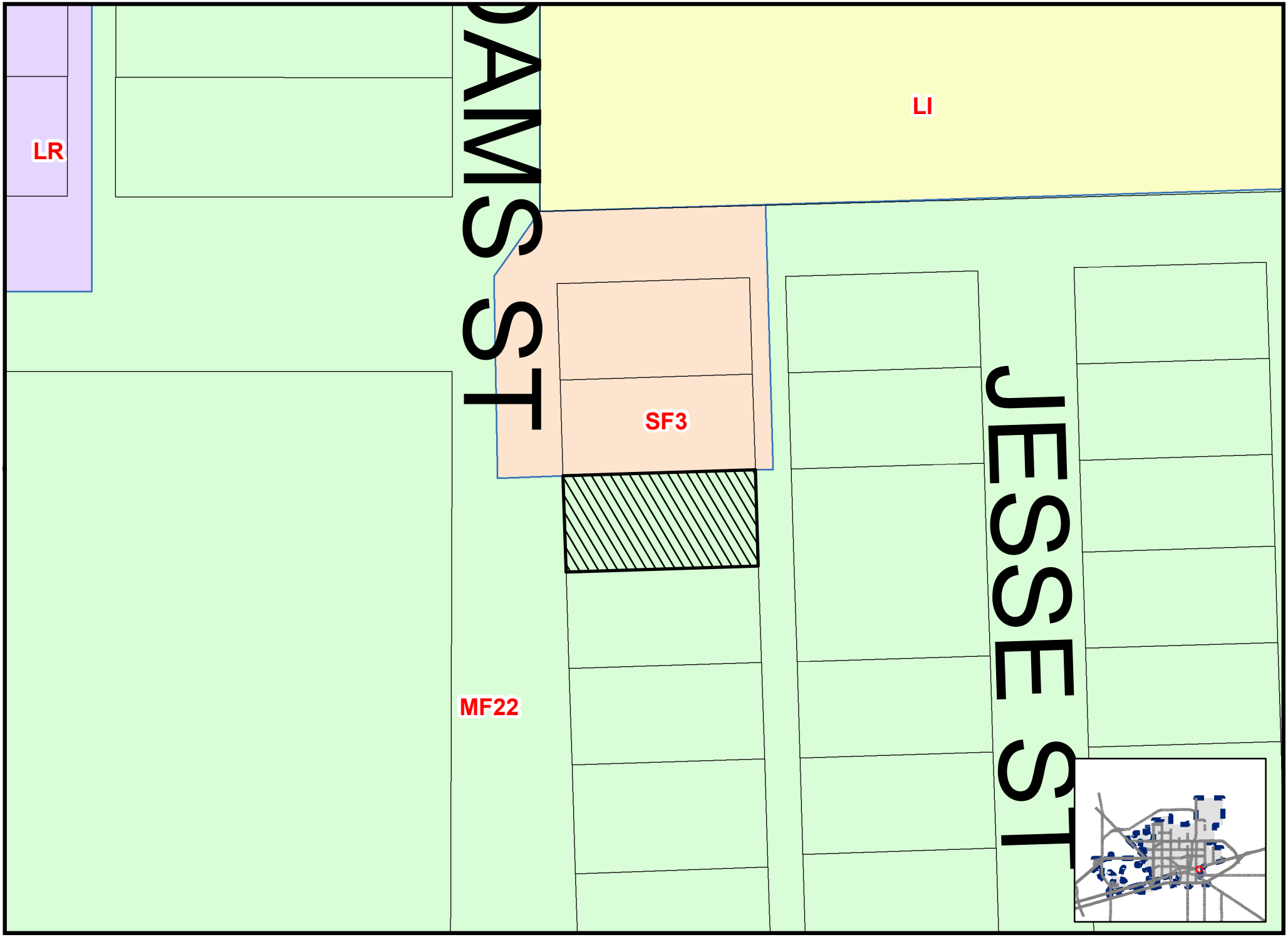

Map By EM, 3/12/2020

Z-20-0175

Scale: 1" = 50'

ZONING MAP

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E Illinois
STOP

2214
TEXAS
117-3266

Planning and Zoning Commission

Approved for Agenda:

MEETING DATE: **April 6, 2020**

TO: **PLANNING AND ZONING COMMISSION**

FROM: **Eric Myers, Planner**

SUBJECT: **Hold a public hearing and consider a request by Midland (King) DTP, LLC, for a zone change from LI, Light Industrial District to C, Commercial District on Lots 3 and 4, Block 2, Overstreet Addition, Section 2, City and County of Midland, Texas. (Generally located on the southwest corner of the intersection of Garden City Highway and King Street. Council District 2)**

Recommended Planning and Zoning Commission Action:

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

Details of Request:

The applicant, Midland (King) DTP, LLC, is requesting a Zone Change from LI, Light Industrial District to C, Commercial District on Lots 3 and 4, Block 2, Overstreet Addition, Section 2, City and County of Midland, Texas, to build a retail store.

Current Zoning:

LI, Light Industrial District.

Surrounding Zoning and Land Use:

The properties to the north, east, south, and west are zoned LI, Light Industrial District, and are the locations of industrial buildings.

Analysis:

The property is located at 2410 Garden City Highway and is currently vacant. The applicant is proposing to build a 9,000 square foot retail store.

Per the previous zoning ordinance, retail would have been permitted in the existing zoning district, but the zoning ordinance adopted on July 1, 2019, does not allow retail use in the LI, Light Industrial District.

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

Fire: (Approved)

No objections

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 objection to zone change.

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

Code: (Approved)

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

Transportation: (Approved)

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

No objection to zone change.

Planning:

Per the Future Land Use Map, this location is designated as a special study area. Although this area is primarily used for industrial purposes, Garden City Highway is a major corridor where retail uses would be appropriate.

Staff recommends **approval** of the zone change from LI, Light Industrial District to C, Commercial District.

Conditions:

A. That the use and development of this property shall conform to the regulations of the C, Commercial District.

Letters of Objection:

Staff has not received any objections as of March 11, 2020.

Attachments:

Application
Site Plan
Maps

MIDLAND
Planning Division

Zone Change/Planned District Amendment/Site Plan Approval

Project Number Z-26-0171

Case Number:

Applicant *(if acting as Agent, see affidavit on page 2)*		Phone (615) 370-0670
Printed Name: Midland (King) DTP, LLC		Email gglaser@gbtrealty.com
Address 9010 Overlook Blvd	City Brentwood	State TN / Zip 30727

Property Owner		Phone (432) 978-754
Printed Name: Alfredo Chavez		Email
Address 900 W. Florida Ave.	City Midland	State TX / Zip 79701

Representative *(if different from Applicant or Property Owner)*		Phone (615) 519-8208
Firm: GBT Realty Corporation		
Printed Name: Bob Gage		Email bgage@gbtrealty.com
Address 9010 Overlook Blvd	City Brentwood	State TN / Zip 37027

Street Address: 2410 Garden City Highway

Legal Description

Lot: 003 & 004 Block: 002 Subdivision: Overstreet Sec 2, City of Midland

Current Zoning: LI Light Industrial

Proposed Zone: C- Commercial
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Build a retail store

Present Use of Property: Vacant

Proposed Use of Property: Construct a 9,000 square foot retail store with parking and utilities on the 1.05 acre tract

How would this zone change affect the public health, safety and welfare?
The retail development would benifit the public and community. Neighboring busineses are supply and rental facilities

Describe how conditions affecting the property have changed since present zoning designation: This area of town is just north of Highway 20. It would benifit the community to have more retail developments and less industrial facilities.

Submittal and Fees

Items to be submitted with this application form:

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

Signature *(by property owner only – authorized agent must sign affidavit below)*	
Applicant (signature):	Date: 2-10-2020
Applicant (printed): Greg Glaser, Development Manager	
Property Owner (signature):	Date: 2-8-2020
Property Owner (printed) : Alfredo Chavez	

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

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

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

STATE OF ~~TEXAS~~ Tennessee
COUNTY OF ~~MIDLAND~~ Davidson

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

Authorized Agent (*signature*)

Subscribed and sworn to before me, this 10th day of February, 2020, to certify which witness my hand and seal of office.

JULIA FRANKS LOYD STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF DAVIDSON

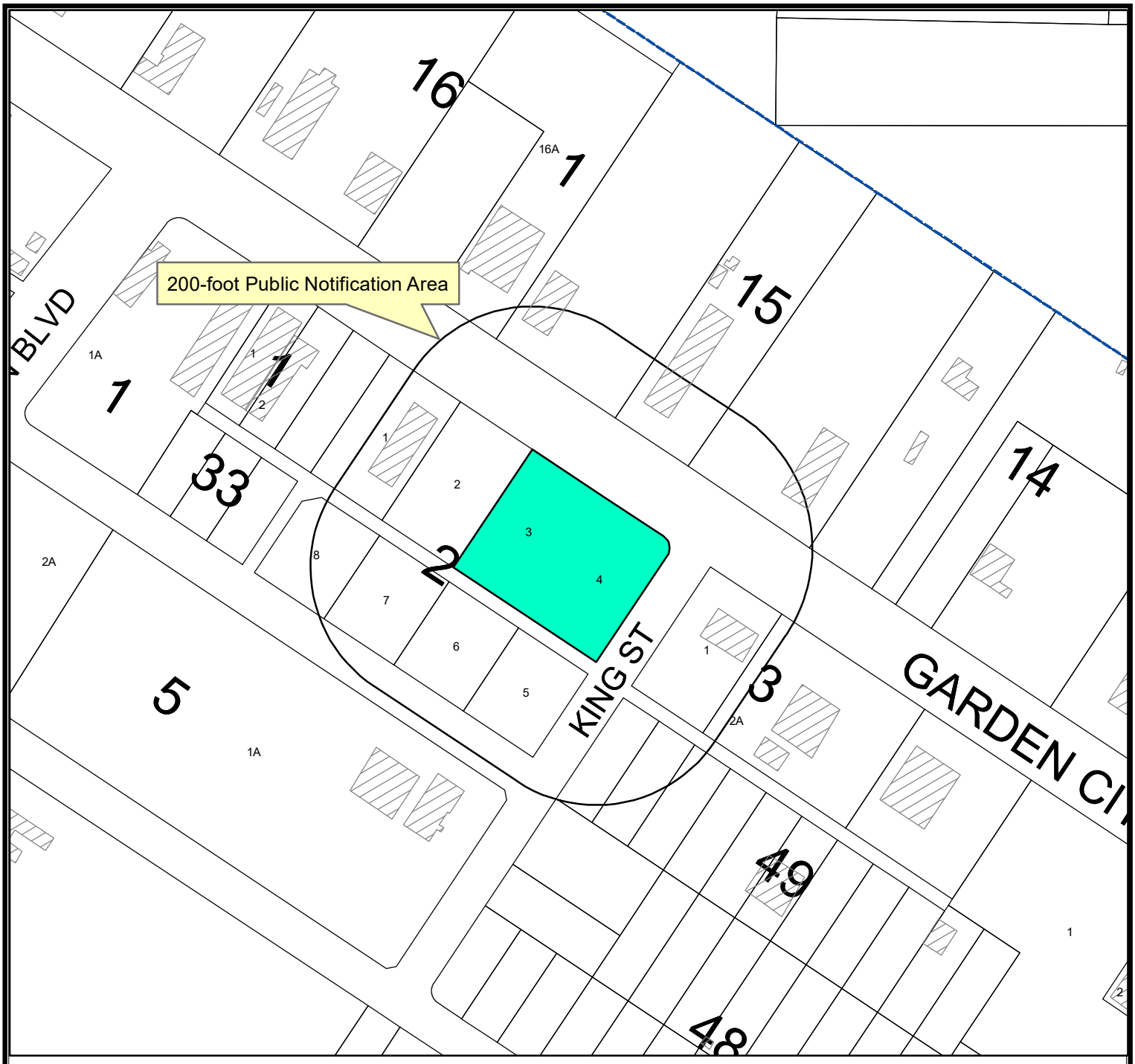
Julia Franks Loyd
NOTARY PUBLIC, ~~MIDLAND~~ Davidson COUNTY, ~~TEXAS~~ Tennessee

FOR OFFICE USE ONLY

☑ Property Owner Authorization	☐ Dimensioned Site Plan
☑ Application Fee	☑ Plans in Digital Format (PDF/JPEG)
Check # 023218	
Received By: Crystal Burns	Date: RECEIVED FEB 19 2020

BY: .....

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



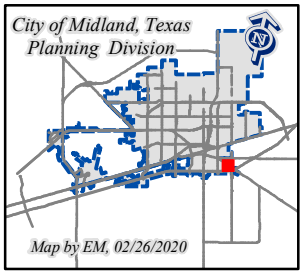
LOCATION MAP

Z-20-0171 **Scale: 1" = 200'**

Consider a request by Midland (King) DTP, LLC, for a zone change from LI, Light Industrial District to C, Commercial District on Lots 3 & 4, Block 2, Overstreet Addition, Section 2, City and County of Midland, Texas. Generally located on the southwest corner of the intersection of Garden City Highway and King Street. (Council District 2)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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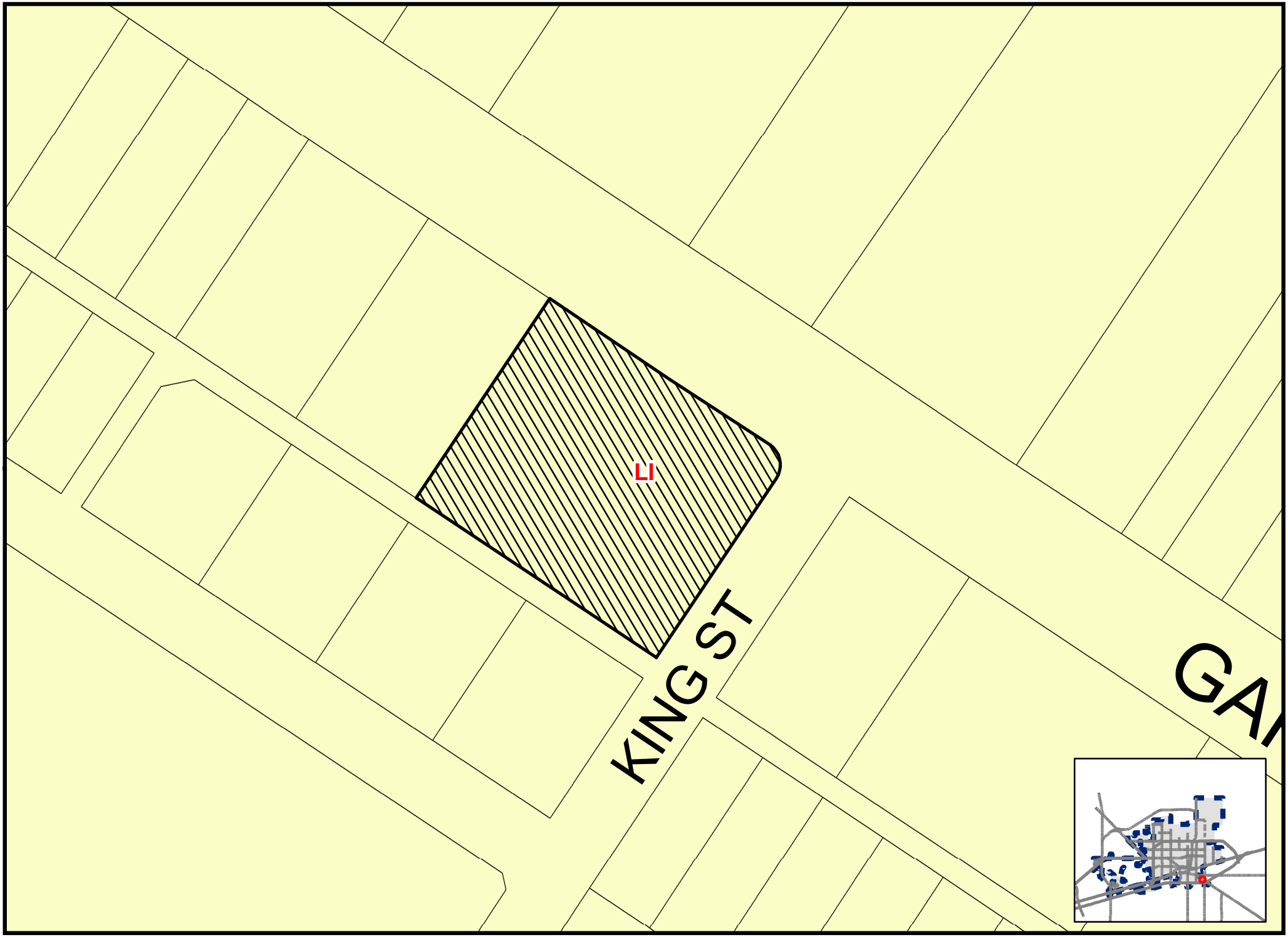

Map By EM, 2/26/2020

Z-20-0171

Scale: 1" = 100'

ZONING MAP

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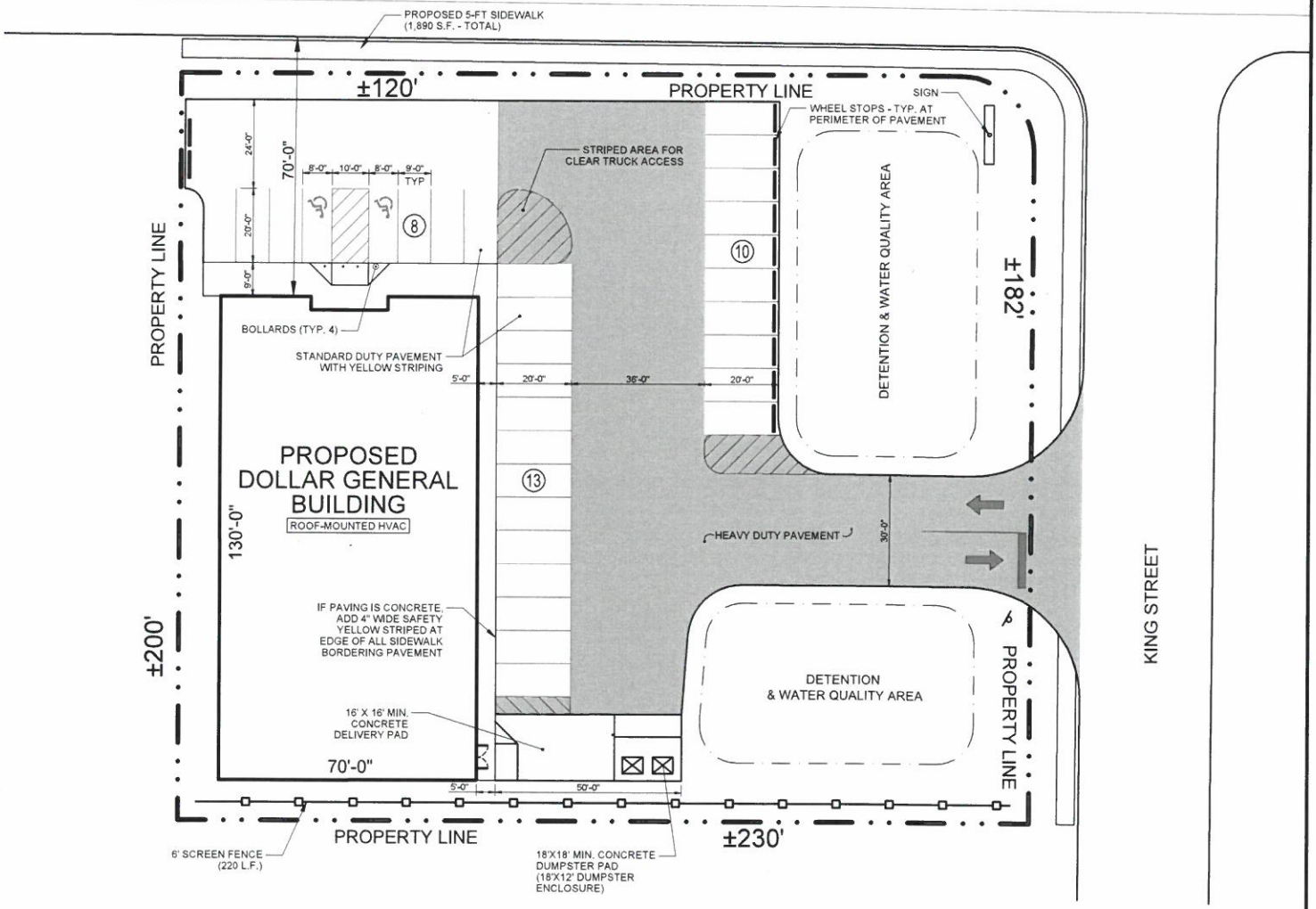
PRELIMINARY SITE PLAN

MIDLAND, TEXAS (140)
Garden City Highway (TX-158) & King Street

PROTOTYPE:	A	DEVELOPER		DESIGNER		DATE
BLDG/SALES SF:	9,026 / 7,263	Company:	GBT Realty Corp.	Company:	GBT Realty Corp.	01-28-20
ACREAGE:	1.05	Name:	Austin Rogers	Name:	Jacob Carter	
PARKING SPACES:	31	Phone #:	(615) 370-0670	Phone #:	(615) 370-0670	



NOTE:
DIMENSIONS SHOWN ALONG PROPERTY, RIGHT-OF-WAY, AND/OR LEASE LINES ARE PRELIMINARY AND SHOWN FOR INFORMATIONAL PURPOSES ONLY

NOTE:
PARKING REQUIRED BY CODE:
1 SPACE / 300 G.F.A. = 31 SPACES

RE-PLATTING REQUIRED

NORTH

SCALE = NTS

2405

King St
1900

PRECISION
HYDRAULIC
TECHNOLOGY
Parker Hose Assemblies