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

AGENDA FOR PLANNING AND ZONING
COMMISSION
May 04, 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 using the following information:

Videoconference Information

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

One tap mobile:
+13462487799,5025640077#
+16699006833,5025640077#

Dial any of the following numbers:
+1 346 248 7799
+1 669 900 6833
+1 929 436 2866
+1 253 215 8782
+1 301 715 8592
+1 312 626 6799
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.

The Planning and Zoning Commission of the City of Midland shall meet at or following the above-specified time to consider the following:

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:
   

4. Consider a proposed Final Plat of Chase Five Addition, Section 2, being a re-plat of Lot 1, Block 1, Chase Five Addition, Midland County, Texas. (Generally located on the east side of Farm-to-Market 1213, approximately 225-feet south of East County Road 132. Extraterritorial Jurisdiction)

5. Consider a proposed Preliminary Plat of Bankhead Addition, Section 12, being a plat of a 1.098-acre tract of land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of W. Front Street, approximately 475 feet east of W. Wall Street. Council District 2)

6. Consider a proposed Final Plat of Legacy Addition, Section 10, being a 44.68-acre tract of land located in Section 34, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of McPherson Lane, approximately 141-feet west of Bunker Hill Road. Council District 4)

**Public Hearings**

7. Hold a public hearing and consider a proposed Preliminary Plat of Johnson & Moran Addition, Section 7, being a residential replat of Lots 1 and 2, Block A-1, Resubdivision of Tracts A & The East Half of B, Johnson & Moran Addition, City and County of Midland Texas. (Generally located on the southwest corner of the intersection of West Cuthbert Avenue and North Garfield Street. Council District 3)

**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.
The Planning and Zoning Commission convened in regular session in the Midland City Hall Council Chamber, 300 North Loraine, Midland, Texas, on, April 20, 2020.

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

Alternate Commissioners present: Lucy Sisniega.

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

Staff members present: Planning Division Manager Cristina Odenborg Burns, Senior Planner Taslima Khandaker, Planner Glenda Arroyo-Cruz, and Administrative Clerk Dalia Salinas.

Chairman Sparks called the meeting to order at 3:30 p.m.

**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.)

Public comment was opened at 3:32 p.m. With no wishing to speak, public comment was closed at 3:33 p.m.

**Consent Items**

Commissioner Ivey requested to consider item 6 separately. Commissioner Lawrence moved to approve Consent Agenda items 3 through 5; seconded by Commissioner Sisniega.

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

3. Approved a motion approving the following minutes:

4. Approved a proposed Final Plat of Lone Star Trails II, Section 3, being a plat of a 29.42-acre tract of land located in Section 7, Block 38, T-1-S, T&P RR. Co. Survey, City and County of Midland, Texas. (Generally located east of the intersection of Husk Street and Outlaw Court. Council District 1)

5. Approved a proposed Final Plat of Midland International Airport Industrial Park, Section 8, being a 21.156-acre replat of a 0.03-acre portion of Lot 1A, Block 1; a 0.03-acre portion of Lot 1A, Block 2; a 0.13-acre portion of Lot 2A, Block 2; and a 21.12-acre portion of Lot 1A, Block 13, including a Utility Easement, Railroad Spur, and Earhart Drive right-of-way, all out of Midland International Airport Industrial Park Addition, City and County of Midland, Texas. (Generally located on the east side of La Force Boulevard, approximately 1,148-feet south of Windecker Street. Council District 1)

6. Approved a reinstatement of an approved Preliminary Plat of Midland International Airport Industrial Park, Section 8, being a replat of Lot 1A and Lots 2 through 5, Block 1; Lots 1A and 2A, Block 2; a 23.21-acre portion of Lot 1A, Block 13; a 1.10-acre portion of Earhart street right-of-way adjacent to Lots 1A and 2A, Block 2; plus a 1.64-acre Utility Easement and Railroad Spur, Midland International Airport Industrial Park Addition; and a 13.04-acre tract of land out of Section 8, Block 40, T-2-S, T&P Railroad Company Survey; all located in the City and County of Midland, Texas. (Generally located northeast of the intersection of La Force Boulevard and W. State Highway 80. Council District 1).

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

Commissioner Sparks asked for confirmation that nothing had been changed from the original application.

Planning Division Manager Cristina Odenborg Burns explained that only a portion of the preliminary plat had been approved in the previous item.

Commissioner Ivey moved to approve Consent Agenda item 6; seconded by Commissioner Williams.

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

Public Hearings

7. Hold a public hearing and consider a request by Patrick Brown, for a zone change from AE, Agricultural Estate District, to PD, Planned Development District for a Housing Development on Lots 2 and 3, Block 1, Jaden Kate Addition, City and County of Midland, Texas. (Generally located on northwest corner of the intersection of N. Elkins Road and Arapahoe Road. Council District 1)

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

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

The applicant was present but deferred to staff.

The public hearing was closed at 3:45 p.m.
Commission Lawrence moved to approve a request by Patrick Brown, for a zone change from AE, Agricultural Estate District, to PD, Planned Development District for a Housing Development on Lots 2 and 3, Block 1, Jaden Kate Addition, City and County of Midland, Texas. (Generally located on northwest corner of the intersection of N. Elkins Road and Arapahoe Road. Council District 1); seconded by Commissioner Williams.

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

8. 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)

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 3:49 p.m.

The representative, Andrew Mellen with Maverick Engineering, was present. Mr. Mellen explained how the ADA requirements are being met. Also present to answer questions was the applicant/owner Colby Denison.

Commissioner Lawrence and Commissioner Sparks asked for clarification on the storage and parking issues the commission had noted in the previous meeting.

Mr. Denison explained that the units are for senior living and 25% of the units are dual occupants with no children allowed. He went on to explain that less parking and storage is allowed for senior living facilities because the facility does provide transportation. He explained that each unit has its own storage, but they do offer separate units that can be rented for additional storage.

Commissioner Sparks asked what the screening process for seniors who are wanting to lease is. Mr. Denison explained that HUD will be doing the primary mortgage and screening for these units.

The public hearing was closed at 4:04 p.m.

Commissioner Williams moved to approve 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); seconded by Commissioner Sisniega.

Commissioner Ivey asked if the planning division had additional information that lead them to recommended approval. Planning Division Manager Cristina Odenborg Burns explained that typically a variance is considered for multi-family developments that offer affordable units or units to special age groups.

The motion carried by the following vote: AYE: Sparks, Lawrence, Sisniega, Williams, and Ivey. NAY: None. ABSTAIN: None. ABSENT: Wilton, Gardaphe, and Bryant.
9. Hold a public hearing and consider a request by Jose Ramos for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 12, Block 30, Moody Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of S. Carver Street and E. Wall Street. Council District 2)

Planning Manager Cristina Odenborg Burns gave an overview of the project. With no letters of objection received, staff recommended approval.

The public hearing was opened at 4:08 p.m.

The applicant was not present.

The public hearing was closed at 4:09 p.m.

Commissioner Lawrence moved to approve a request by Jose Ramos for a Zone Change from MF-22, Multiple-Family Dwelling District, to SF-3, Single Family Dwelling District, on Lot 12, Block 30, Moody Addition, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of S. Carver Street and E. Wall Street. Council District 2); seconded by Commissioner Williams.

Commissioner Sparks commented that changes should be made on the city’s end to make it easier for builders to not have to go through a zone change to get these types of project done.

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

**Miscellaneous**

With no further items or business to come before the Commission, Chairman Sparks adjourned the meeting at 4:11 p.m.

Josh Sparks, Chairman  

Cristina Odenborg Burns, Planning Division Manager  

Development Services Department
MEETING DATE: May 4, 2020

TO: Planning and Zoning Commission

FROM: Taslima Khandaker, Senior Planner

SUBJECT: Consider a proposed Final Plat of Chase Five Addition, Section 2, being a re-plat of Lot 1, Block 1, Chase Five Addition, Midland County, Texas. (Generally located on the east side of Farm-to-Market 1213, approximately 225-feet south of East County Road 132. Extraterritorial Jurisdiction)

Recommended Planning and Zoning Commission Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Current Zoning:

ETJ, Extraterritorial Jurisdiction.

Preliminary Plat Approval:

The applicant, William H. Smith & Associates is proposing to re-plat Lot 1, Block 1, Chase Five Addition, Midland County, Texas, into four (4) lots. The Preliminary Plat was approved at the December 2, 2019 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.

Code Compliance: (Approved)

Not in the City limits- no oil or gas jurisdiction.
Fire: (Approved)
No comments.

Building Code: (Approved)
ETJ, no jurisdiction.

Transportation: (Approved)
No objections to plat.

Engineering: (Approved)

ROW: ROW okay as shown.

PAVING: Deferral approved by City of Midland.

WATER: Deferral approved by City of Midland.

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 approved by City of Midland.

DRAINAGE: Drainage Study approved for platting.

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: ***

OTHER: ***

Midland County: 
Please see attached.

Planning:
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
Midland County Comments
**Proposed Subdivision Plat Name:** Chase Five Addition, Section 2

**Legal Description (attached sealed Metes and Bounds):** Being a Replat of Lot 1, Block 1, Chase Five Addition, Midland County, Texas

---

**Property Owner**

<table>
<thead>
<tr>
<th>Printed Name</th>
<th>Phone (575) 748-1288</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chase Energy Services, LLC</td>
<td>Email <a href="mailto:STACIS@MEC.COM">STACIS@MEC.COM</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>P.O. Box 1832</td>
<td>Artesia</td>
<td>NM</td>
<td>88211</td>
</tr>
</tbody>
</table>

---

**Developer (if different than Owner)**

<table>
<thead>
<tr>
<th>Printed Name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

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

<table>
<thead>
<tr>
<th>Firm</th>
<th>Phone (575) 748-5555</th>
</tr>
</thead>
<tbody>
<tr>
<td>William H. Smith &amp; Associates</td>
<td>Email <a href="mailto:adehoyos@whsmithhpc.com">adehoyos@whsmithhpc.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>604 S. 13th St.</td>
<td>Artesia</td>
<td>NM</td>
<td>88210</td>
</tr>
</tbody>
</table>

---

**Current Zoning:** Residential

**Reason for Platting:** Splitting Lot 1 into 4 separate tracts.

---

**Plat Information**

<table>
<thead>
<tr>
<th>Type</th>
<th>Total Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential</td>
<td>41.94</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td>Extraterritorial Jurisdiction (ETJ)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Lots</th>
<th>Number of Multi-Family Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td></td>
</tr>
</tbody>
</table>

---

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

**Items to be submitted with this application form:**

- 2 FOLDED Copies of Dimensioned Plat
- 1 Signed Mylar (or more if applicant does not request a signed reproduction
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the ‘City of Midland’
- Recording Fee – Payable to ‘Midland County Clerk’
Mylar Reproductions
This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

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

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

Signature (by property owner only – authorized agent must sign affidavit below)
Property Owner (signature):  
Date: 10/14/19

Property Owner (printed):  C. M. CHASE, PRESIDENT.

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

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared, Albert De Hoyos who, being by me duly sworn, upon oath says: That (s)he is authorized by Chance M. Chase, 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 17th day of October, 2019, 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.**
<table>
<thead>
<tr>
<th>FOR OFFICE USE ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Property Owner Authorization</td>
</tr>
<tr>
<td>✓ Mylar</td>
</tr>
<tr>
<td>✓ Application Fee</td>
</tr>
<tr>
<td>Check # 376</td>
</tr>
</tbody>
</table>

Received By: [Signature]  
Date: APR 02 2020  
BY: 

**Application will not be considered for scheduling until reviewed by a planner.**
Consider a proposed plat of Chase Five Addition, Section 2 being a re-plat of Lot 1, Block 1, Chase Five Addition, Midland County, Texas. Generally located on the east side of Farm-to-Market 1213, approximately 225-feet south of East County Road 132. Extraterritorial Jurisdiction

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

LOCATION MAP

SUB-19-0280

Scale: 1" = 500'

©THE CITY OF MIDLAND - 2019
THE CITY OF MIDLAND MIGHT NOT BE RESPONSIBLE FOR ANY DECISIONS BASED ONLY ON THE USE OF THIS DATA.
April 13, 2020

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

RE:  Final Plat
Chase Five Addition, Section 2
(Preliminary Plat P-19-0711 review November 1, 2019)
(Sketch Plat P-19-0687 reviewed October 5, 2019)
Part of TF Spencer Survey
https://goo.gl/maps/45Wdb3XVVAw4LKbz8

Owner/Applicant:        Chase Energy Services LLC
Surveyor/Engineer:      WHS Engineering Co.

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 41.94-acre site is situated in a tract of land (noted above) located on the east side of FM 1213. 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 final plat application with the City of Midland which has been distributed to the County for review.

COUNTY SUBDIVISION REGULATIONS
The final 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.

ARTICLE I PLATS
1.  Review comments from Sketch Plat:
   a.  Tie down SW corner of proposed addition - iron rod found or set. (Section 1.08)
   b.  Show existing and proposed topography (Sections 1.15 and 1.16)
   c.  Provide a copy of all restrictions or restrictive convent, if applicable. (Section 1.18)
2. **Review comments from Preliminary Plat:**
   
a. Consider how to comply with flood plain development regulations. Provide information about location, including setbacks, for proposed structures on the preliminary plat. In addition, please verify the SFHA and the Zone. [https://map1.msc.fema.gov/idms/IntraView.cgi?ROT=0&O_X=12035&O_Y=1284&O_ZM=0.338272&O_SX=1600&O_SY=869&O_DPI=400&O_TH=89365999&O_EN=90001169&O_PG=1&O_MP=1&CT=0&DI=0&WD=14400&HT=10341&JX=1912&JY=929&MPT=0&MPS=0&ACT=2&KEY=89365700&ITEM=1&PICK_VIEW_CENTER.x=256&PICK_VIEW_CENTER.y=533&R1=VOUT]

b. Coordinate required driveway permits with TxDOT, as applicable.

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.

3. **Review comments for Final Plat:**
   
a. Confirm floodplain information (SFHA and Zone) labeled on plat and show floodplain on final plat.

b. Show limits of floodplain on final plat (Section 1.13)

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  
Ellen Phillips, Planning Analyst  
Jenny Hilton, Midland County  
Andrew Avis, Midland County
ATTACHMENT
MIDLAND COUNTY
SUBDIVISION REGULATIONS CHECKLIST – FINAL PLAT

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 after Midland City Council approval
✓ 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)
  o 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.
✓ Show all existing permanent man-made structures. (Section 1.11)
NA Label elevation of lowest floor for any proposed or substantially improved structures. (Section 1.12)

X 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)
✓ Existing topography of the proposed subdivision in 2-foot contours. (Section 1.15)
  o In accordance with City of Midland final plat requirements, topography is not required to be shown on final plat.
✓ Proposed topography/grading in 2-foot contours. (Section 1.16)
✓ North arrow (Section 1.17)
✓ Scale (Section 1.17)
✓ Copy of all restrictions or restrictive convent, as applicable. (Section 1.18)

✓ 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."

ARTICLE IX LOTS

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

Note: Building setback lines be fifty (50) feet from the edge of the right of way along all state or federal roads and highways. 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)

 o In accordance with City of Midland final plat requirements, building setbacks are not required to be shown on final plat.

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

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Minimum Frontage*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than one (1) acre or in cul-de-sac:</td>
<td>80 feet</td>
</tr>
<tr>
<td>Greater than or equal to one (1) acre but less than two (2) acres:</td>
<td>120 feet</td>
</tr>
<tr>
<td>Greater than or equal to two (2) acres but less than five (5) acres</td>
<td>200 feet</td>
</tr>
</tbody>
</table>

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

✓ 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://midlandcountytx.swagit.com/play/11132018-1387](https://midlandcountytx.swagit.com/play/11132018-1387)

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](https://midlandcountytx.swagit.com/play/11132018-1387), and the platting process outlined on the County website.)
MEETING DATE: May 4, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Senior Planner

SUBJECT: Consider a proposed Preliminary Plat of Bankhead Addition, Section 12, being a plat of a 1.098-acre tract of land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas. (Generally located on the south side of W. Front Street, approximately 475 feet east of W. Wall Street. Council District 2)

Recommended Planning and Zoning Commission Action:

☑ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant, John Cowan & Associates, Inc., is proposing to plat a 1.098 acre tract of land into one (1) lot for a commercial development.

Current Zoning:

C, Commercial District.

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

BUILDING CODE: (Approved)

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

SURVEYOR: (Approved)

No comments.
ENGINEERING: (Approved)

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

ROW: TxDOT comment, “Only 1 access to BI 20 should be allowed for this site if it is a change in development/use from what was originally approved access. If possible, provide cross access to the property to the east as well to reduce access locations if this property gets developed.”

PAVING: Front St. is TX DOT facility, built and maintained by TX DOT, no improvements required.

WATER: Existing water connection confirmed by surveyor. No public improvements required.

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

PRO RATA: NONE

SEWER: Existing sewer connection confirmed by surveyor. No public improvements required.

DRAINAGE: Drainage report submitted to our office along with building permit. Approval is pending upon a re-submittal as of 04/14/2020.

In addition, the following note will need to be added- “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.

DIMENSION: ***

OTHER: ***

TRANSPORTATION: (Approved)

TxDOT comment, “Only 1 access to BI 20 should be allowed for this site if it is a change in development/use from what was originally approved access. If possible, provide
cross access to the property to the east as well to reduce access locations if this property gets developed."

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

No objections to plat.

FIRE: (Approved)

Future development shall meet all requirements of the 2015 ed. of the IFC and adopted city amendments.

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.

PERMIAN BASIN METROPOLITAN PLANNING ORGANIZATION:

No comment.

COLORADO RIVER MUNICIPAL WATER DISTRICT:

No comments.

PLANNING:

The legal description should read “Being a 1.098-acre tract of land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas”.

The plat boundary lines should be heavier than those of other lots.

Remove Notes #1 and #2. And label the section as “Notes”. Renumber notes 9 through 15 or add those that are missing.

Note #3 should read: "Bearings/distances/coordinates to the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983”.

Remove building footprint and concrete pad.

Remove contour lines at Final Plat stage.

Remove “Call 1.098 acres Roberto Aleman and Lilia Aleman to Ramon S Carrasco and Diana L. Villarreal. Doc No 2017-9155, March 26, 2017” within the plat boundary.
Center the Block Number and Lot Number within the plat boundary. Should read “Block 6, Lot 2”.

The abutting property owner located to the southeast of the plat should be labeled as “Bankhead Addition, Section 9” not Wholesalers Property Co.

Provide Title Opinion at Final Plat stage.

Provide Tax Certificate at Final Plat stage.

Provide the “Plat Filed for Record” block on the plat.

Staff recommends approval of the Preliminary Plat of Bankhead Addition, Section 12, subject to conditions A and B.

Conditions:

A. That the technical items listed above are addressed.

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

Attachments:

Proposed Preliminary Plat Application Maps
**Preliminary Plat Application**

**Project Number:** P-20-0828

**Case Number:**

**Proposed Subdivision Plat Name:** Bankhead Addition, Section 12

**Legal Description (attached sealed Metes and Bounds):** Part of Section 33, Block 39, Township 1 South of the Texas Pacific Railway Company Survey, Abstract No. 45, City of Midland, Midland Couty, Texas

**Property Owner**

**Printed Name:** Ramon S. Carrasco and Diana L. Villarreal

**Address:** 704 Spraberry Dr.

**City:** Midland

**State:** TX

**Zip:** 79703

**Phone:** (432) 664-7550

**Email:**

---

**Developer (if different than Owner)**

**Printed Name:** GBT Realty Corporation

**Address:** 9010 Overlook Boulevard

**City:** Brentwood

**State:** TN

**Zip:** 37027

**Phone:** (615) 370-0670

**Email:** gglaser@gbtrealty.com

---

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

**Firm:** John Cowan & Associates, Inc.

**Printed Name:** PHILIP CORNETT

**Address:** 10147 CR 135

**City:** Flint

**State:** TX

**Zip:** 75762

**Phone:** (903) 581-2238 ext. 16

**Email:** pcornett@jcowaninc.com

---

**Current Zoning:** BP - I-20 Business Park District

**Reason for Platting:** Subdivide lot for commercial use.

**Plat Information**

**Type:**
- ☑ Commercial

**Number of Lots:** 1

**Total Acreage:** 1.098

**Submittal and Fees**

Items to be submitted with this application form:
- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the ‘City of Midland’

---

**Request for a Development Agreement**

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

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

---

**RECEIVED**

APR 08 2020

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

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

Property Owner (signature): 

Date: 

Property Owner (printed):

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

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

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 Philip Comett 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 1\textsuperscript{st} day of April, 2020, to certify which witness my hand and seal of office.

ALISSA RECORD
Notary Public, State of Texas
Comm. Expires 04-29-2023
Notary ID 131692744

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 #: 2526

Received By:  

Date: APR 08 2020

**Application will not be considered for scheduling until reviewed by a planner.**
Proposed plat of Bankhead Addition, Section 12, being a plat of a 1.098-acre tract-of-land located in Section 33, Block 39, T-1-S, T&P. RR. Co. Survey, City and County of Midland, Texas.

Generally located on the south side of W. Front Street, approximately 475 feet east of W. Wall Street. (Council District 2)
TO: Planning and Zoning Commission
FROM: Taslima Khandaker, Senior Planner
SUBJECT: Consider a proposed Final Plat of Legacy Addition, Section 10, being a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas. (Generally located on the south side of Mcpherson Lane, approximately 141-feet west of Bunker Hill Road. Council District 4)

Recommended Planning and Zoning Commission Action:

☒ Approve  ☐ Deny  ☐ Direction/Informational

Details of Request:

The applicant, Parkhill, Smith, & Cooper is proposing to plat a 44.68-acre tract of land located in Section 38, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, into one hundred and thirty three (133) lots for the development of single family homes.

Current Zoning:

SF-3, Single Family Dwelling District.

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

BUILDING CODE: (Awaiting Comments)

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Impact Fees note has been provided.

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

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

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

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

PRO RATA: None.

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

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

EASEMENTS: Okay as shown.

SIDEWALKS: Required with building permit.

DIMENSION: * * *

OTHER: * * *

FIRE: (Awaiting Comments)

TRANSPORTATION: (Approved with Conditions)

STREET NAME AND TRAFFIC CONTROL SIGN FEE – Estimated fee due at Final Plat submittal = 5 new intersections created at $500/intersection = $2,500. Fee shall be adjusted based on number of intersections if Final Plat is phased. No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review.

No objections to plat.

CODE COMPLIANCE: (Approved)

No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. The non-permitted wells identified are located outside the city limits on the plat.
GIS:

The proposed plat has block 33 when it should be block 30 and block 31 should be block 32.

PLANNING:

Staff recommends approval subject to Condition A.

Conditions:

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

Attachments:

Proposed Final Plat
Application
Maps
Proposed Subdivision Plat Name: Legacy Addition Section 10

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

Property Owner
Printed Name: D.R. Horton - Texas, LTD.
Address 6751 N. Freeway City Fort Worth State TX Zip 76131

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

Representative (if acting as Agent, see affidavit on page 2)
Firm: Parkhill, Smith, & Cooper
Printed Name: Josh Wallender (PSC Job # 01.9675.17 - 1PLT)
Address 1700 West Wall, Suite 100 City Midland State Texas Zip 79701

Current Zoning: 1F3

Reason for Platting: Owner Wishes to pursue building permits

Plat Information
Type: □ Single-Family Residential □ Multi-Family Residential
□ Commercial □ Extraterritorial Jurisdiction (ETJ)
Number of Residential Lots: 133 Number of Multi-Family Dwelling Units:

Total Acreage: 44.68

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

Items to be submitted with this application form:
- 2 FOLDED Copies of Dimensioned Plat
- 1 Signed Mylar (or more if applicant does not request a signed reproduction
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Original Tax Certificates (Midland Central Appraisal District – MCAD)
- Title Opinion/Policy (dated less than 90 days)
- Application Fee – Payable to the ‘City of Midland’
- Recording Fee – Payable to ‘Midland County Clerk’
Mylar Reproductions
This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City’s records if needed. (Applicant can submit additional signed mylar instead of reproduction.)
☑ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own 2 EXTRA PROVIDED

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

Signature (by property owner only – authorized agent must sign affidavit below)
Property Owner (signature): 
Property Owner (printed): Todd Horton
Date: 4/15/2020

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 Shelly Freeman who, being by me duly sworn, upon oath says: That (s)he is authorized by D.R. Horton - Texas, LTD., the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner’s name hereto as his/her attorney in fact.
Shelly Freeman
Authorized Agent (signature)

Subscribed and sworn to before me, this 16 day of April, 2020, to certify which witness my hand and seal of office.

Sheri Mullins
NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

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

Final Plat Application 2 Revised 12/6/16
**Application will not be considered for scheduling until reviewed by a planner.**

Final Plat Application 3  Revised 12/6/16

**FOR OFFICE USE ONLY**

<table>
<thead>
<tr>
<th>☐ Property Owner Authorization</th>
<th>☐ 1 Copy of Dimensioned Plat</th>
<th>☐ Plat in Digital Format (PDF/JPEG)</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Mylar</td>
<td>☐ 1 Copy of Plat (11x17)</td>
<td>☐ Public Improvements</td>
</tr>
<tr>
<td>☐ Application Fee</td>
<td>☐ Title Opinion</td>
<td>☐ Recording Fee</td>
</tr>
<tr>
<td>Check #_______________________</td>
<td>☐ Tax Certificates</td>
<td>Check #________________________</td>
</tr>
</tbody>
</table>

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

Generally located on the south side of Mcpherson Lane, approximately 141-feet west of Bunker Hill Road. (Council District 4)
MEETING DATE: May 4, 2020

TO: PLANNING AND ZONING COMMISSION

FROM: Taslima Khandaker, Senior Planner

SUBJECT: Hold a public hearing and consider a proposed Preliminary Plat of Johnson & Moran Addition, Section 7, being a replat of Lots 1 and 2, Block A-1, Resubdivision of Tracts A & The East Half of B, Johnson & Moran Addition, City and County of Midland Texas. (Generally located on the southwest corner of the intersection of West Cuthbert Avenue and North Garfield Street. Council District 3)

Recommended Planning and Zoning Commission Action:

☑ Approve ☐ Deny ☐ Direction/Informational

Details of Request:

The applicant, the City of Midland, is proposing to replat 2303 W. Cuthbert Avenue and 2301 West Cuthbert Avenue, into one (1) lot to dedicate right-of-way for the development of a traffic circle.

Current Zoning:

SF-2, Single Family Housing District.

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

BUILDING CODE: (Approved)

No objections.

SURVEYOR: (Approved)

There is a later plat that shows corrected address of property owner.
ENGINEERING: (Approved with Conditions)

IMPACT FEES: No impact fees will be assessed.

ROW: ROW okay as shown.

PAVING: Cuthbert and Garfield are already paved to City standards. No paving improvements required.

WATER: Water existing in Cuthbert and Garfield. No water improvements required.

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

PRO RATA: None.

SEWER: Sewer existing in the alley to the south of the property. No wastewater improvements required.

DRAINAGE: No drainage report required.

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 comments regarding the preliminary plat.

CODE COMPLIANCE: (Approved)

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

PLANNING:
The east property line bearing should read “S14 35 36E”.

The south property line bearing south read “S75 24 25W”.

This plat qualifies as a Residential Replat. A public hearing is required.

Provide “Plat Filed for Record” block.

Provide the location of the utility poles located on plat boundary.

Add another Northing and Easting on plat boundary.

Label the section with notes, as “Notes”.

**Conditions:**

A. That the technical items listed above are addressed.

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

**Attachments:**

Proposed Preliminary Plat
Maps
Application
Johnson & Moran Addition
Section 7
Being a replat of Lots 1 and 2, Block A1, Johnson & Moran Addition, City and County of Midland, Texas

State of Texas
County of Midland

Whereas, We are the record owner of Lot 2, Block A-1, of the Resubdivision of Tracts "A" & the East half of "B", Johnson & Moran Addition as shown in Vol. 122, Pg. 283.

Now, Therefore, Know all men by these presents:

That we do hereby adopt this plat designating the hereinabove described property as Johnson & Moran Addition, Section 7, an addition to the City of Midland, and do hereby dedicate to the public use forever the streets and alley shown hereon.

Witness my hand at Midland, Texas, this ___ day of _______ 2020.

Robert M. Cunningham
Brenda Cunningham

State of Texas
County of Midland

This instrument was acknowledged before me on this ___ day of _______ 2020, Robert M. Cunningham and wife Brenda Cunningham.

Notary Public
Midland County, Texas

State of Texas
County of Midland

Whereas, The City of Midland is the record owner of Lot 1, Block A-1, of the Resubdivision of Tracts "A" & the East half of "B", Johnson & Moran Addition as shown in Vol. 122, Pg. 283.

Now, Therefore, Know all men by these presents:

That the City of Midland does adopt this plat designating the hereinabove described property as Johnson & Moran Addition, Section 7, an addition to the City of Midland, and do hereby dedicate to the public use forever the streets and alley shown hereon.

Witness my hand at Midland, Texas, this ___ day of _______ 2020.

Richard A. Shelton, RPLS 4356
City of Midland 435-685-7372
Bearings, distances and coordinates based on the Texas State Plane Coordinate System, Texas Central Zone, North American Datum of 1983

S.I.R.=Set Iron Rod

CERTIFICATE OF APPROVAL
FOR APPROVAL BY THE COMMISSION:

This is to certify that the above and forgoing plat of Johnson & Moran 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: Chairman, Josh Sparks
Attest: Secretary, Cristina Eldenburg Burns

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

"Selling a portion of this addition by metes and bounds may be a violation of City ordinance and state law and subject to fines and withholding of utilities and building permits."

"Approval of a site plan by the City of Midland may be required before these lots may be developed and before a building permit may be obtained."

Courtney Sharp, City Manager
## Preliminary Plat Application

**Project Number:** SUB-20-0330  
**Case Number:** P-20-0835

### Proposed Subdivision Plat Name:
Johnson and Moran Addition, Section 7

### Legal Description (attached sealed Metes and Bounds):
Lots 1 and 2, Block A1, Johnson and Moran Addition, City and County of Midland, Texas

### Property Owner

<table>
<thead>
<tr>
<th>Printed Name</th>
<th>Phone ( )</th>
<th>N/A</th>
<th>Email</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert M. Cunningham</td>
<td></td>
<td></td>
<td></td>
<td>2 East Windsor Hills Circle</td>
<td>Conroe</td>
<td>TX</td>
<td></td>
</tr>
<tr>
<td>Brenda Cunningham</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>77384</td>
</tr>
</tbody>
</table>

### Developer (if different than Owner)

<table>
<thead>
<tr>
<th>Printed Name</th>
<th>Phone ( )</th>
<th></th>
<th>Email</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Midland</td>
<td>(432) 685-7287</td>
<td></td>
<td></td>
<td>300 N. Loraine</td>
<td>Midland</td>
<td>TX</td>
<td>79702</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Firm</th>
<th>Phone ( )</th>
<th></th>
<th>Email</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Midland</td>
<td></td>
<td></td>
<td></td>
<td>(same as above)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Current Zoning:
SF-2

### Reason for Platting:
Dedication of ROW for roadway improvement project

### Plat Information

<table>
<thead>
<tr>
<th>Type</th>
<th>Total Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential</td>
<td>0.382 ac</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td>Extraterritorial Jurisdiction (ETJ)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Lots</th>
<th>Number of Multi-Family Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### 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

[Signature]
Date: APR 14 2020
Provisions
A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved, or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

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

Property Owner (signature): ___________________________ Date: ____________

Property Owner (printed): Robert M. Cunningham

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

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

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Michael Pecelli, who, being by me duly sworn, upon oath says: That (s)he is the owner of __________________ or is authorized by Robert Cunningham, 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 April, 2020, to certify which witness my hand and seal of office.

NATALIE SAWYER
Notary ID #1317544447
My Commission Expires October 18, 2022

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 # Waived

Received By: ___________________________ Date: ___________________ APR 14 2020

BY: ___________________________

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

Preliminary Plat Application 2 Revised 07/01/19
Proposed plat of Johnson & Moran Addition, Section 7, being a replat of Lots 1 and 2, Block A-1, Resubdivision of Tracts A & The East Half of B, Johnson & Moran Addition, City and County of Midland Texas.

Generally located on the southwest corner of the intersection of West Cuthbert Avenue and North Garfield Street. (Council District 3)

LEGEND

- CITY LIMITS
- PARCEL
- PRIVATE BLDGS

SCALE: 1" = 250'

SUB-20-0330

LOCATION MAP