

ORDINANCE NO. 6133

AN ORDINANCE AMENDING ORDINANCE NO. 5849 WHICH CREATED A "PLANNED DISTRICT" FOR A HOUSING DEVELOPMENT SO AS TO DELETE 15.017 ACRES, MORE OR LESS, FROM THE AREA COVERED BY SAID ORDINANCE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; 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 amendment 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 Section One of Ordinance No. 5849 is hereby amended to hereafter read as follows:

SECTION ONE. That Chapter One, 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 "Planned District" for a Housing Development, and it shall be used as an Amended "Planned District" for a Housing Development, subject to the special conditions and restriction hereinafter set out:

Said property is described as follows:

A 48.788 acre tract of land in Section 2, Block X, H. P. Hilliard Survey, Midland County, Texas, being more fully described by metes and bounds as follows:

Beginning at a point in the east right-of-way line of North "A" Street, from which point the SW corner of said Section 2 bears S. 15° 20' 52" E., 621.92 feet; S. 74° 41' 08" W., 50 feet; and S. 15° 20' 52" E., 357.7 feet;

Thence N. 15° 20' 52" W., along the east right-of-way line of said North "A" Street a distance of 906.77 feet;

Thence N. 74° 39' 38" E., a distance of 1,792.42 feet;

Thence S. 15° 13' 11" E., a distance of 1,780.36 feet to a point in the north line of F.M. 868;

Thence S. 75° 21' 08" W., along the north line of said F.M. 868, a distance of 75.70 feet;

Thence S. 74° 41' 08" W., along the north line of said F.M. 868, a distance of 661.78 feet;

Thence N. 64° 22' 54" W., a distance of 1,391.57 feet to the place of beginning, containing 63.805 acres of land, more or less.

SAVE AND EXCEPT 15.017 acres in Section 2, Block X, H. P. Hilliard Survey, Midland County, Texas, being more fully described by metes and bounds as follows:

Beginning at a point which bears N. 15° 20' 52" W. a distance of 1,886.19 feet and N. 74° 41' 08" a distance of 50.00' from the SW corner of said Section 2, said point being the NW corner of this tract;

Thence N. 74° 39' 38" E. a distance of 1,792.42 feet to a point being the NE corner of this tract;

Thence S. 15° 13' 11" E., a distance of 400.81 feet to a point being the SE corner of this tract;

Thence S. 74° 46' 49" W. a distance of 472.09 feet to a point of curvature;

Thence along a curve, said curve having a radius of 10.00 feet, a delta angle of 90° 00' 00", tangent lengths of 10.00 feet, and a chord of 14.14 feet bearing S. 29° 46' 49" W., to a point;

Thence N. 15° 13' 11" W. a distance of 60.00 feet to a point;

Thence S. 74° 46' 49" W. a distance of 1,123.04 feet to a point of curvature;

Thence along a curve to the left, said curve having a radius of 140.00 feet, a delta angle of 20° 15' 36", tangent length of 25.01 feet, and a chord of 49.25 feet bearing S. 64° 39' 01" W., to a point;

Thence S. 54° 31' 13" W., a distance of 103.22 feet to a point of curvature;

Thence around a curve to the right, said curve having a radius of 90.00 feet, a delta angle of 20° 15' 36", tangent lengths of 16.08 feet, and a chord of 31.66 feet bearing S. 64° 23' 39" W., to a point of curvature;

Thence around a curve to the right, said curve having a radius of 10.00 feet, a delta angle of 90° 07' 41", tangent lengths of 10.02 feet, and a chord of 14.16 feet bearing N. 60° 24' 43" W., to a point;

Thence N. 15° 20' 52" W., a distance of 387.26 feet to the place of beginning.

SECTION TWO. 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 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 City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance, together with the general penalty provision contained in Section 1-3-1 of the City Code of Midland, Texas, 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 14th day of December, A.D., 1982; and passed to second reading on motion of Councilman Sloan, seconded by Councilman Hatfield, by the following vote:

Councilmen voting "AYE":	Sloan, Hatfield, Akins, Thomas, Marcum and Davidson
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Councilmen voting "NAY":	None
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The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Councilman Sloan, seconded by Councilman Davidson, on the 11th day of January, A.D., 1983, at a regular meeting of the City Council:


Councilmen voting "AYE": Sloan, Davidson, Akins, Hatfield and Marcum

Councilmen voting "NAY": None

PASSED AND APPROVED THIS 11th day of January, A.D., 1983.

  
G. Thane Akins, Mayor

ATTEST:

  
J. W. McCullough, City Secretary

APPROVED AS TO FORM:

  
J. M. Nuessle, City Attorney

D. 7-2-73

MEADOWPARK ADDITION, PHASE I

PD CRITERIA

1. Location:

Northeast corner of F.M. 868 (proposed Loop 250) and North "A" Street, City of Midland, Midland County, Texas.

2. Area:

18.882 acres, including streets, alleys, and common areas

Cluster Areas:

<u>Cluster No.</u>	<u>Sq. Ft.</u>	<u>Acres</u>
7	40,345	0.93
8	59,346	1.36
9	69,194	1.61
10	64,320	1.48
11	72,351	1.66
12	58,656	1.35
13	58,701	1.35

Common Area Per Cluster:

<u>Cluster/Lot No.</u>	<u>Sq. Ft.</u>	<u>Acres</u>	<u>% Open Space</u>
7 3A	27,852	0.64	69.0%
8 10A	27,312	0.63	46.0%
9 18A	32,110	0.74	45.9%
10 25A	30,396	0.70	47.3%
11 33A	35,011	0.80	48.4%
12 40A	26,826	0.62	45.7%
13 47A	25,413	0.58	43.3%

3. Housing Type and Regulations:

Single Family attached and detached patio homes set in cluster arrangements, all 0' lot-line, 1 and 2 story.

This phase will conform to the regulations applicable to the "IF-1", One Family Dwelling District as herein stated or as shown on the site plan of this phase.

EXHIBIT "B"  
Ordinance 5849 Detailed site Plan  
sheet No 1 of 3 Phase I 3 sheets

Ord 5423

-1-

RECEIVED

MAR 21 1979

Adopted  
March 27, 1979 PLANNING, INSP. & C.D.  
CITY OF MIDLAND

4. Density:

2.5 D.U./Ac. (gross)

3.2 D.U./Ac. (net)

5. Minimum Building Setbacks:

As per site plan and Ordinance No. 5423

6. Off-Street Parking:

As per Ordinance No. 5423

7. Minimum and Maximum Lot Coverage by Buildings:

Minimum Lot Coverage - 46%

Maximum Lot Coverage - 67%

8. Conditions to be observed along common boundaries of lots (common lots lines).

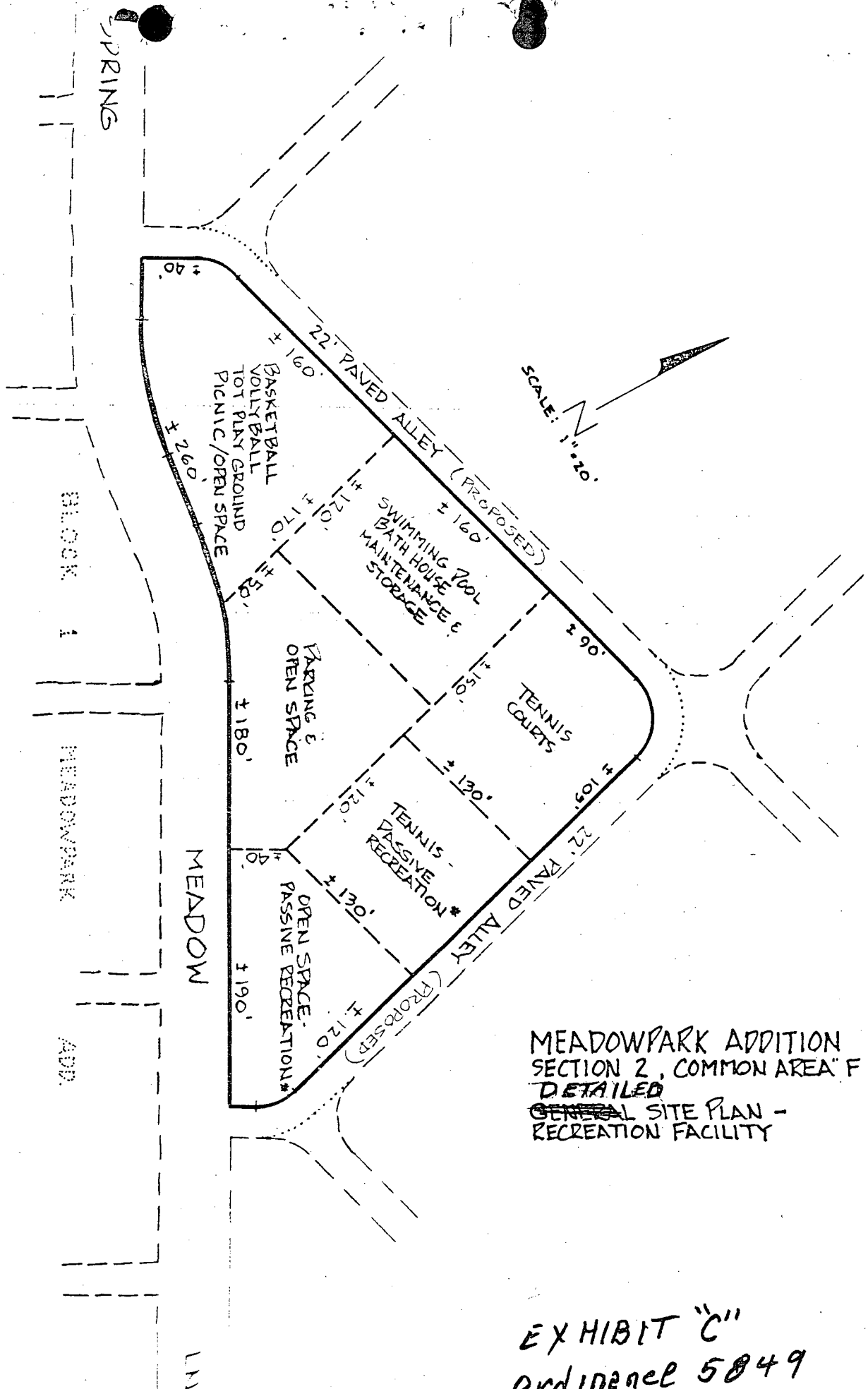
- a. In some locations, a building setback line(s) is (are) shown adjoining a common lot line on the associated site plan, with said building setback line(s) showing the manner in which at least a ten (10) foot separation is to be observed between buildings on the lots which share the common boundary line, as required by Section Two, paragraph E.2.h., of Ordinance 5423. Where no such building setback line(s) is (are) shown, a side yard setback of not less than five (5) feet shall be observed on each lot, thus providing for a minimum ten foot building separation.
- b. Alternatively, buildings on the adjoining lots may be attached along the common lot line or may be detached and observe the minimum required ten (10) foot separation in a different manner, provided the owners of said lots obtain City of Midland building permits simultaneously and, at the time of application for such building permits, jointly submit a site plan which shows in what manner all requirements of Ordinance 5423, including requirements for all setbacks and building separations, will be observed in the development of said lots. Such site plans shall be filed of record in the Office of the City Secretary and shall thenceforth govern the development of the lots affected by said plans.

9. Sidewalks:

Waived on the south side of Meadowpark Drive and Spring Meadow Lane; on the west side of Pine Meadow Drive; on the east side of North "A" Street; and on the north side of F.M. 868 (proposed Loop 250).

Sheet 2 of 3  
Ordinance 5849

P 2  
New Ord. #  
5849  
Amended  
Ord 5423  
Adapted  
March 27, 1979  
J. M. M.



MEADOWPARK ADDITION  
 SECTION 2, COMMON AREA F  
 DETAILED  
 GENERAL SITE PLAN -  
 RECREATION FACILITY

EXHIBIT "C"  
 Ordinance 5049