

Planned Districts
09/07/11

ID: 47

Case #: Z-96-044

Type: PDHD

Date: 12/17/96

ORDINANCE NO. 7575

UNDERLYING ORDINANCES:

5849/Z-81-063, 5684/Z-80-068, 5423/Z-78-108

ORDINANCE NO. 7575

SECTION ONE. That Item 2 of Paragraph G of Section Two of Ordinance No. 5849 is hereby amended to read in its entirety as follows:

2. That the four common areas shown on the general site plan shall be used for the purposes of access to each dwelling lot and for open space and recreation for the residents of this "Planned District". No building shall be constructed on any portion of such common areas. Provided, however, that Common Area "C" shown on the general site plan may be developed with three residential lots and related off-street parking area, in conformance to the attached Exhibit "A-1". The remaining portion of Common Area "C" is identified as Common Area "C-1" on Exhibit "A", and is subject to the same regulations contained in this subsection. No building permit shall be issued within Common Area "C" until a final plat of the subject property is approved by the Planning and Zoning Commission. Said plat shall be accompanied by an amended declaration of restrictive covenants, including Exhibits "A" and "B" to that instrument, that conform to the attached Exhibit "A-1".

ORDINANCE NO. 5849

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 restrictions hereinafter set out:

Said property is described as follows:

A 63.805 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 (deg) 20' 52" E., 621.92 feet; S. 74 (deg) 41' 08" W., 50 feet; and S. 15 (deg) 20' 52" E., 357.7 feet;

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

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

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

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

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

Thence N. 64 (deg) 22' 54" W., a distance of 1,391.57 feet to the Place of Beginning, containing 63.805 acres of land, more or less.

SECTION TWO. That said property shall be subject to the following conditions and restrictions:

A. That said "Planned District" for a Housing Development shall consist of one-family attached and detached dwellings, accessory buildings and uses and recreational and community service buildings and uses to serve the residents of the "Planned District", with the recreational and community service facilities which are to be permitted being specified on the amended general site plan for the "Planned District" attached hereto, marked Exhibit "A" and made a part hereof for all legal purposes. In addition detailed site plans for Block 1 and for Common Area F are hereby adopted, attached hereto, marked Exhibits "B" and "C" and made a part hereof for all legal purposes and that said exhibits shall become a part of this "Planned District" for all purposes and under the rules and regulations promulgated herein.

B. That no building permit shall be issued for any construction on any part of the property involved herein until a detailed site plan for that part of the development thereof has been reviewed by the Planning and zoning Commission and reviewed and approved by the City Council, all in accordance with the procedure applicable to a zoning change. Each such detailed site this ordinance and be placed on file in the office of the City Secretary, identified by the number of this ordinance and date adopted.

C. That the general site plan and subsequent detailed site plans shall be complied with in all respects.

D. That, in order to maintain the common areas and facilities thereon, a home-owners' association will be formed. The common areas will be conveyed without charge and free of all liens and encumbrances to a non-profit corporation of which each lot owner will become a member. Provisions shall be made for regular assessments to cover the expense of such maintenance.

E. That, prior to development of the "Planned District", a subdivision plat or plats, substantially conforming to the site plans, shall be submitted to and approved by the Planning and Zoning Commission of the City of Midland; and, in connection with said plat or plats, restrictive covenants covering said homeowners' association shall be submitted to and approved by the Planning and Zoning Commission and recorded by the City with the final plat.

F. That the following special conditions and restrictions shall apply to Area 1 as designated on the General Site Plan:

1. That development and use of said property shall be in accordance with the regulations applicable to a "1F-1", One-Family Dwelling District, as set out in the City Code, except as otherwise provided herein or as permitted or required on the general site plan and detailed site plans for said development.

2. Off Street Parking:

a. All off-street parking areas will be asphalt paved.

b. Each and every lot which contains a dwelling unit shall have a minimum of

two paved parking spaces located in an attached or detached garage (enclosed on three sides) on the lot, except two bedroom units may have a one-car garage, attached or detached, located on the lot. All garages, carports or similar facilities shall be constructed so as to be entered from alleyways (service drives) only and not from streets.

c. Within the common area of each and every cluster, as shown on the general site plan, a minimum of two each dwelling unit within said cluster shall be provided. Each cluster shall contain a minimum number of visitor parking spaces according to the following schedule:

Cluster No.	Min. Visitor Parking	Cluster No.	Min. Visitor Parking
1	8	14	8
2	14	15	14
3	16	16	16
4	14	17	14
5	16	18	16
6	8	19	14
7	8	20	16
8	14	21	14
9	16		
10	14		
11	16		
12	14		
13 14			

3. Area, Yard, and Coverage Regulations:

a. There shall be no required front, side or rear setback from the boundaries of any individual dwelling lot except as specified otherwise herein.

b. There shall be provided a front yard of not less than ten (10) feet in depth between any street right-of-way line, which ten (10) foot space shall be part of the common area.

c. There shall be not less than a ten (10) foot distance between any service drive (alley) right-of-way line and any lot line, which ten (10) foot space shall be part of the common area.

d. No portion of any dwelling or accessory building may extend beyond the boundaries of the lot on which it is located, except that eaves and roof extensions may extend into adjacent common areas a distance of not more than two and one-half (2 1/2) feet and into adjacent dwelling lots a distance of not more than one (1) foot, provided that easements for such extensions have been granted.

e. The maximum and minimum portion of any dwelling lot which shall be covered by any and all structures shall be as follows:

Maximum lot coverage	67%
Minimum lot coverage	46%

f. Common areas shall be provided within each designated cluster (as shown on the general site plan) for the purposes of access to each dwelling lot in the cluster and for open space and recreation for the residents of this "Planned

District". No, building shall be constructed on any portion of such common area. The specific site plan or plans shall designate not less than 41% of each cluster area as the common area within each cluster.

g. Within Common Areas A, B, C, E and F, there shall be provided a front yard of not less than twenty (20) feet in depth along all streets for all buildings and, except as shown on the general site plan, for all other facilities. A setback of not less than ten (10) feet from all other boundary lines shall be observed for all buildings and facilities.

h. There shall be a minimum separation of ten (10) feet between detached dwellings or detached portions of dwellings on adjacent lots. The minimum side yard setback for any portion of the main residential building which is not located on the side lot line shall be three (3) feet.

G. That the following special conditions and restrictions shall apply to Area 2, as designated on the general site plan:

1. That development and use of said property shall conform to all regulations applicable to a "TH", Townhouse District as set out in the City Code except as otherwise specified herein or on the general site plan and detailed site plans for said development.

2. That the four common areas as shown on the general site plan shall be used for the purposes of access to each dwelling lot and for open space and recreation for the residents of this "planned District". No building shall be constructed on any portion of such common areas.

3. Front yard setbacks shall be determined from the right-of-way line of the adjoining streets and shall include portions of the common area located between the right-of-way line of the street and the front property line of each lot.4. No portion of any building shall extend beyond the boundaries of the lot on which it is located.

4. No side yard shall be required adjacent to a lot line where the lot adjoins a common area.

ORDINANCE NO. 5684

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 "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 restrictions hereinafter set out.

Said property is described as follows:

A 6.289 acre tract of land in Section 5, 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 (deg) 20' 52" E., 621.92 feet; S. 74 (deg) 41' 08" W., 50 feet; and S. 15 (deg) 20' 52" B., 357.7 feet;

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

Thence N. 74 (deg) 39' 38" B., a distance of 1,792.42 feet;

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

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

Thence S. 74 (deg) 41' GB" W., along the north line of said F.M. 868, a distance of 661.78 feet;

Thence N. 64 (deg) 22' 54" W., a distance of 1,391.57 feet to the Place of Beginning, containing 63.805 acres of land, more or less.

SECTION TWO. That said property shall be subject to the following conditions and restrictions:

A. That said "Planned District" for a Housing Development shall consist of one-family attached and detached dwellings, accessory buildings and uses and recreational and community service buildings and uses to serve the residents of the "Planned District", with the recreational and community service facilities which are to be permitted being specified on the amended general site plan for the "Planned District" attached hereto, marked Exhibit "A" and made a part hereof for all legal purposes. In addition a detailed site plan for Common Area F is hereby adopted, attached hereto, marked Exhibit "B" and made a part hereof for all legal purposes and that said Exhibit "B" shall become a part of this "Planned District" for all purposes and under the rules and regulations promulgated herein.

B. That no building permit shall be issued for any construction on any part of the property involved herein until a detailed site plan for that part of the development thereof has been reviewed by the Planning and Zoning Commission and reviewed and approved by the City Council, all in accordance with the procedure applicable to a zoning change. Each such detailed site plan, upon final approval, shall automatically become a part of this ordinance and be placed on file in the office of the City Secretary, identified by the number of this ordinance and date and adopted.

C. That development and use of said property shall be in accordance with the regulations applicable to a "1F-1", One-Family Dwelling District, as set out in the City Code, except as otherwise provided herein or as permitted or required on the general site plan and detailed site plans for said development.

D. That the general site plan and subsequent detailed site plans shall be complied with in all respects.

E. That the following special conditions and restrictions shall apply to said development:

1. Off-Street Parking:

a. All off-street parking areas will be asphalt paved.

b. Each and every lot which contains a dwelling unit shall have a minimum of two paved parking spaces located in an attached or detached garage (enclosed on three sides) on the lot, except two bedroom units may have a one-car garage, attached or detached located on the lot. All garages, carports or similar

facilities shall be constructed so as to be entered from alleyways (service drives) only and not from streets.

c. Within the common area of each and every cluster, as shown on the general site plan, a minimum of two marked and paved parking spaces for visitor parking for each dwelling unit within said cluster shall be provided. Each cluster shall contain a minimum number of visitor parking spaces according to the following schedule:

Cluster No.	Min. Visitor Parking	Cluster No.	Min. Visitor No.
1	8	14	6
2	14	15	22
3	16	16	10
4	14	17	26
5	16	18	8
6	8	19	8
7	8	20	14
8	14	21	16
9	16	22	14
10	14	23	16
11	16	24	14
12	14	25	16
13	14	26	14

2. Area, Yard, and Coverage Regulations:

a. There shall be no required front, side or rear set-back from the boundaries of any individual dwelling lot except as specified otherwise herein.

b. There shall be provided a front yard of not less than ten (10) feet in depth between any street right-of-way line, which ten (10) foot space shall be part of the common area.

c. There shall be not less than a ten (10) foot distance between any service drive (alley) right-of-way line and any lot line, which ten (10) foot space shall be part of the common area.

d. No portion of any dwelling or accessory building may extend beyond the boundaries of the lot on which it is located, except that eaves and roof extensions may extend into adjacent common areas a distance of not more than two and one-half (2 1/2) feet and into adjacent dwelling lots a distance of not more than one (1) foot, provided that easements for such extensions have been granted.

e. The maximum and minimum portion of any dwelling lot which shall be covered by any and all structures shall be as follows:

Maximum lot coverage 67%

Minimum lot coverage 46%

f. Common areas shall be provided within each designated cluster (as shown on the general site plan) for the purposes of access to each dwelling lot in the cluster and for open space and recreation for the residents of this "Planned District. No building shall be constructed on any portion of such common area. The specific site plan or plans shall designate not less than 41% of each

cluster area as the common area within each cluster.

g. Within Common Areas A, B, C, E and F, there shall be provided a front yard of not less than twenty (20) feet in depth along all streets for all buildings and, except as shown on the general site plan, for all other facilities. A setback of riot less than ten (10) feet from all other boundary lines shall be observed for all buildings and facilities.

h. There shall be a minimum separation of ten (10) feet between detached dwellings or detached portions of dwellings on adjacent lots. The minimum side yard setback for any portion of the main residential building which is not located on the side lot line shall be three (3) feet.

3. That, in order to maintain the common areas and facilities thereon, a home-owners' association will be formed. The common areas will be conveyed without charge and free of all liens and encumbrances to a non-profit corporation of which each lot owner will become a member. Provisions shall be made for regular assessments to cover the expense of such maintenance.

4. That, prior to development of the "Planned District", a subdivision plat or plats, substantially conforming to the site plans, shall be submitted to and approved by the Planning and Zoning Commission of the City of Midland; and, in connection with said plat or plats, restrictive covenants covering said homeowners' association shall be submitted to and approved by the Planning and Zoning Commission and recorded by the City with the final plat.

ORDINANCE NO. 5423

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, all of which is presently zoned "1F-1", One-Family Dwelling District, and it shall be used as a "Planned District" subject to the special conditions and restrictions hereinafter set out.

Said property is described as follows:

A 63.805 acre tract of land in Section 2, Block X, H. P. Hilliard Survey, Midland County, Texas being Meadowpark Addition to the City of Midland, Midland County, Texas, further described as follows:

BEGINNING at a point in the East right-of-way line of North "A" Street, from which point the Southwest corner of Section 2, Block X, H. P. Hilliard Survey, Midland County, Texas bears S. 15 (deg) 20' 52" E. 621.92 feet; S. 74 (deg) 41' 08" W. 50 feet; and S. 15 (deg) 20' 52" E. 357.5 feet;

THENCE N. 150 20' 52" w., along the East right-of-way of said North "A" Street a distance of 906.77 feet;

THENCE N. 74 (deg) 39' 38" E., a distance of 1,792.42 feet;

THENCE S. 15 (deg) 13' 11" E., a distance of 1,780.36 feet to a point in the North line of F.M. 868;

THENCE S. 75 (deg) 21' 08" w., along the North line of said F.M. 868, a distance of 75.70 feet;

THENCE S. 74 (deg) 41' 08" W., along the North line of said F.M. 868, a distance of 661.78 feet;

THENCE N. 64 (deg) 22' 54" W., a distance of 1,391.57 feet to the PLACE OF BEGINNING; containing 63.805 acres of land, more or less.

SECTION TWO. That said property shall be subject to the following conditions and restrictions:

A. That said "Planned District" for a housing project shall consist of one-family attached and detached dwellings, accessory buildings and uses and recreational and community service buildings and uses to serve the residents of the "Planned District", with the recreational and community service facilities which are to be permitted being specified on the general site plan for the "Planned District" on file in the office of the City Secretary, identified as a part of this ordinance by number and date adopted.

B. That no building permit shall be issued for any construction on any part of the: property involved herein until a detailed site plan for that part of the development thereof has been reviewed by the Planning and Zoning Commission and reviewed and approved by the City Council, all in accordance with the procedures applicable to a zoning change. Each such detailed site plan, upon final approval, shall automatically become a part of this ordinance and be placed on file in the office of the City Secretary, identified by the number of this ordinance and date adopted.

C. That development and use of said property shall be in accordance with the regulations applicable to a "1F-1", One-Family Dwelling District, as set out in the City Code, except as otherwise provided herein or as permitted or required on the general site plan and detailed site plans for said development.

D. That the general site plan and subsequent detailed site plans shall be complied with in all respects.

E. That the following special conditions and restrictions shall apply to said development:

1. Off-Street Parking:

a. All off-street parking areas will be asphalt paved.

b. Each and every lot which contains a dwelling unit shall have a minimum of two paved parking spaces located in an attached or detached garage (enclosed on three sides) on the lot, except two bedroom units may have a one-car garage, attached or detached located on the lot. All garages, carports or similar facilities shall be constructed so as to be entered from alleyways (service drives) only and not from streets.

c. Each and every cluster, as shown on the general site plan, will contain a minimum of two marked and paved parking spaces for visitor parking within the common area of each cluster. Each cluster will contain a minimum number of visitor parking spaces according to the following schedule:

Cluster	Mm.	Cluster	Mm.
No. Visitor		No. Visitor	
Parking		Parking	
1	8	14	12

2	14	15	22
3	16	16	26
4	14	17	16
5	16	18	8
6	8	19	14
7	8	20	16
8	14	21	14
9	16	22	16
10	14	23	14
11	16	24	16
12	14	25	14
13	14		

d. In the event the owner/developer or the Meadowpark Owners Association elects to construct a clubhouse on Common Area F said clubhouse will provide a parking ratio of one space for each 150 square feet of floor area. The parking area for the clubhouse will be located in the southern portion of Common Area F.

2. Area, Yard, and Coverage Regulations:

a. There shall be no required front, side or rear set-back from the boundaries of any individual dwelling lot except as specified otherwise herein.

b. There shall be provided a front yard of not less than ten feet in depth between any street right of way line and any dwelling lot line, which ten foot space shall be part of the common area.

c. There shall be not less than a ten foot distance between any service drive (alley) right-of-way line and any lot line, which ten foot space shall be part of the common area.

d. No portion of any dwelling or accessory building may extend beyond the boundaries of the lot on which it is located, except that eaves and roof extensions may extend into adjacent common areas a distance of not more than 2 1/2 feet and into adjacent dwelling lots a distance of not more than one foot, provided that easements for such extensions have been granted.

e. The maximum and minimum portion of any dwelling lot which shall be covered by any and all structures shall be as follows:

Maximum lot coverage 67%
Minimum lot coverage 46%

f. Common areas shall be provided within each designated cluster (as shown on the general site plan) for the purposes of access to each dwelling lot in the cluster and for open space and recreation for the residents of this "Planned District". No building shall be constructed on any portion of such common area. The specific site plan or plans shall designate not less than 41% of each cluster area as the common area within each cluster.

g. Within Common Areas A through G, there shall be provided a front yard of not less than 20' in depth along all streets for all buildings and, except as shown on the general site plan, or all other facilities. A setback of not less than 10' from all other boundary lines shall be observed for all buildings and facilities.

h. There shall be a minimum separation of 10' between detached dwellings or detached portions of dwellings on adjacent lots. The minimum side yard setback

for any portion of the main residential building which is not located on the side lot line shall be 3'.

3. That, in order to maintain the common areas and facilities thereon a home-owners association will be formed. The common areas will be conveyed without charge and free of all liens and encumbrances to a non-profit corporation of which each lot owner will become a member. Provisions shall be made for regular assessments to cover the expense of such maintenance.

4. That, prior to development of this "Planned District", a subdivision plat or plats, substantially conforming to the site plans, shall be submitted to and approved by the Planning and Zoning Commission of the City of Midland; and, in connection with said plat or plats, restrictive covenants covering said homeowners' association shall be submitted to and approved by the Planning and Zoning Commission and recorded by the City with the final plat.