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POSTED CITY SECRETARY
DALLAS, TX

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

City Plan Commission

March 23, 2023

Briefing - 9:00 AM

Public Hearing - 12:30 PM

CITY PLAN COMMISSION
THURSDAY, MARCH 23, 2023
AGENDA

BRIEFINGS: **Videoconference/5ES*** **9:00 a.m.**

(The City Plan Commission may be briefed on any item on the agenda if it becomes necessary.)

PUBLIC HEARINGS: **Videoconference/Council Chambers*** **12:30 p.m.**

Public hearings will not be heard before 12:30 p.m.

PURPOSE: To consider the attached agendas.

*** All meeting rooms and chambers are located in Dallas City Hall, 1500 Marilla, Dallas, Texas**

The City Plan Commission meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall. Individuals who wish to listen to the meeting, may participate by video by joining Cisco Webex Link: https://bit.ly/CPC032323 or by calling the following phone number: ***Webinar number: 2494 368 0744*** (Webinar password: dallas (325527 from phones)) and by ***phone:*** +1-469-210-7159 United States Toll (Dallas) or +1-408-418-9388 United States Toll (*Access code: 2494 368 0744*) ***Password (if required)*** 325527.

Individuals and interested parties wishing to speak must register with the Planning and Urban Design Department by registering online at https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx or call (214) 670-4209, by 3:00 p.m., Wednesday, March 22, 2023, eighteen (18) hours prior to the meeting date and time.

Las personas y las partes interesadas que deseen hablar deben registrarse en el Departamento de Planificación y Diseño Urbano registrándose en línea en https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx o llamando al (214) 670-4209, antes de las 3:00 p.m. del miércoles 22 de marzo de 2023, dieciocho (18) horas antes de la fecha y hora de la reunión.

The public is encouraged to attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols. The City of Dallas will make "Reasonable Accommodations/Modifications" to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation(interpreter) to fully participate in the meeting should notify the Planning and Urban Design Department by emailing yolanda.hernandez@dallas.gov, calling (214) 670-4209 or TTY (800) 735-2989, at least seventy-two (72) hours (3 days) prior to the scheduled meeting. A video stream of the meeting will be available twenty-four (24) hours after adjournment by visiting https://dallastx.new.swagit.com/views/113.

Se anima al público a asistir a la reunión virtualmente; sin embargo, la audiencia está disponible para aquellos que deseen asistir en persona siguiendo todos los protocolos actuales de salud pública relacionados con la pandemia. La ciudad de Dallas llevará a cabo "Adecuaciones/Modificaciones Razonables" a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio, y/o traducción (intérprete) para poder participar de forma íntegra en la reunión debe notificar a Departamento de Planificación y Diseño Urbano enviando un correo electrónico a yolanda.hernandez@dallas.gov, llamando al (214) 670-4209 o TTY (800) 735-2989, por lo menos setenta y dos (72) horas (3 días) antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en https://dallastx.new.swagit.com/views/113.

AGENDA
CITY PLAN COMMISSION MEETING
THURSDAY, MARCH 23, 2023
ORDER OF BUSINESS

The City Plan Commission meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall. Individuals who wish to speak in accordance with the City Plan Commission Rules of Procedure must sign up with the Department of Planning and Urban Design's Office.

The public is encouraged to attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols.

The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the City Plan Commission meeting on Spectrum Cable Channel 16 and bit.ly/cityofdallastv:

https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m436950f61880dcae62e01f5d203637da

Public hearings will not be heard before 12:30 p.m.

BRIEFING ITEMS:	Item 1-2
APPROVAL OF MINUTES	
ACTION ITEMS:	
ZONING CASES – CONSENT	Item 3-9
ZONING CASES – UNDER ADVISEMENT	Item 10
ZONING CASES – INDIVIDUAL	Items 11-13
SPECIAL PROVISION SIGN DISTRICT	Item 14
DEVELOPMENT CODE AMENDMENT	Item 15
SUBDIVISION DOCKET:	
SUBDIVISION CASES – CONSENT	Items 16-34
SUBDIVISION CASES – RESIDENTIAL REPLATS	Items 35-41
LANDMARK COMMISSION APPEAL:	Item 42
OTHER MATTERS:	
ITEM FOR RECONSIDERATION – UNDER ADVISEMENT	Item 43
CONSIDERATION OF APPOINTMENTS TO CPC COMMITTEES	
ADJOURMENT	

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propriedad."

CALL TO ORDER

BRIEFINGS:

1. 23-843 ForwardDallas - Planning and Urban Design Department to provide an update on the ForwardDallas Comprehensive Land Use Plan Update, including a review of engagement efforts to date, an initial draft land use framework for discussion and feedback, and project next steps.

   Andrea Gilles, Assistant Director, Community Planning, Planning & Urban Design
   Lawrence Agu III, Chief Planner, Technology, Innovation & Policy, Planning & Urban Desig
   Brian Price, Supervisor-Service Area Planning, Technology, Innovation & Policy, Planning & Urban Design
   Chalonda Mangwiro-Johnson, Supervisor, Planning Engagement, Planning & Urban Des
   Patrick Blaydes, Senior Planner, Area Planning, Planning & Urban Design
   Asma Shaikh, Senior Planner, Technology, Innovation & Policy, Planning & Urban Design

2. 23-844 Zoning classification and processes for institutional uses.

   Jenniffer Allgaier, Senior Planner, Planning and Urban Design

PUBLIC TESTIMONY:

APPROVAL OF MINUTES:

Approval of Minutes of the March 2, 2023 City Plan Commission Hearing.

ACTIONS ITEMS:

Zoning Cases - Consent:

3. 23-845 An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned a TH-3(A) Townhouse District with H/118 Zion Hill Missionary Baptist Church Historic Overlay and an R-5(A) Single Family District, on the northwest and northeast corners of Morrell Avenue and Fernwood Avenue.

   Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
   Applicant: Dallas Light House LLC
   Representative: Paul Carden
   Planner: Michael Pepe
   Council District: 4
   Z212-206(MP)

Attachments: Z212-206(MP)_Case Report

4. 23-846 An application for an amendment to and an expansion of Planned Development District No. 597 on property zoned an NC Neighborhood Commercial Subdistrict and an MF-2(A) Multifamily Subdistrict with deed restrictions [Z078-207] within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Pennsylvania Avenue and Holmes Street.
Staff Recommendation: **Approval**, subject to a revised conceptual plan, a development plan, and conditions.
Applicant: St. Phillip's School and Community Center
Representative: David Martin, Winstead PC
Planner: Michael Pepe
Council District: 7
Z212-306(MP)

Attachments: Z212-306(MP)_Case Report
Z212-306(MP)_Conceptual Plan
Z212-306(MP)_Development Plan

5. 23-847 An application for a Specific Use Permit for a commercial bus station and terminal on property zoned a CS Commercial Service District partially within a D Liquor Control Overlay, on the west corner of Terry Street and South Peak Street.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan and conditions.
Applicant/Representative: Ramon Aranda
Planner: Jennifer Muñoz
Council District: 2
Z212-335(JM)

Attachments: Z212-335(JM)_Case Report
Z212-335(JM)_Site/Landscape Plan

6. 23-848 An application for a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 6A within Planned Development District No. 830, the Davis Street Special Purpose District, at the northeast corner of North Hampton Road and West Jefferson Boulevard.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions.
Applicant: Line 5 Holdings LP
Representative: Andrew Ruegg, Masterplan
Planner: Ryan Mulkey
Council District: 1
Z212-350(RM)

Attachments: Z212-350(RM)_Case Report
Z212-350(RM)_Site/Landscape Plan

7. 23-849 An application for an MU-2 Mixed Use District on property zoned an IR Industrial/Research District, on the southeast line of Empire Central Drive, northeast of Harry Hines Boulevard.
Staff Recommendation: **Approval.**
Applicant: Slate Properties
Representative: Rob Baldwin, Baldwin Associates
Planner: Ryan Mulkey
Council District: 2
Z223-103(RM)

Attachments: Z223-103(RM)_Case Report
Z223-103(RM)_Traffic Impact Study

8. 23-850 An application for an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District, on the northwest line of Empire Central Drive, northeast of Harry Hines Boulevard.
Staff Recommendation: **Approval.**
Applicant: Kaminski Development Corporation
Representative: Rob Baldwin, Baldwin Associates
Planner: Ryan Mulkey
Council District: 2
Z223-115(RM)

Attachments: Z223-115(RM)_Case Report

9. 23-851 An application for a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the west corner of Lemmon Avenue and Herschel Avenue.
Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.
Applicant: 4401 Lemmon Avenue, LLC
Representative: Aaron Hawkins
Planner: Andreea Udrea
Council District: 14
Z223-131(AU)

Attachments: Z223-131(AU)_Case Report
Z223-131(AU)_Site Plan

Zoning Cases - Under Advisement:

10. 23-853 An application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District, at the southwest corner of North Jim Miller Road and Elam Road.
Staff Recommendation: **Approval.**
Applicant: Fuad Hamed
Postpone From: February 2, 2023.
U/A From: February 16, 2023.
Planner: Jennifer Muñoz
Council District: 8
Z212-280(JM)

Attachments: Z212-280(JM)_Case Report

Zoning Cases - Individual:

11. 23-852 An application for an FWMU-5 Walkable Urban Mixed Use Form Subdistrict on property zoned an R-5(A) Single Family Subdistrict and an NC(E) Neighborhood Commercial Enhanced Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest line of 2nd Street, between Garden Lane and Vannerson Drive.
Staff Recommendation: **Approval.**
Applicant: Watermark South LLC
Representative: Karl Crawley, Masterplan Texas
Planner: Jennifer Muñoz
Council District: 7
Z212-299(JM)

Attachments: Z212-299(JM)_Case Report

12. 23-854 An application for an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District, on the south line of Ranchero Lane, between Mona Lane and Duncanville Road.
Staff Recommendation: **Approval**.
Applicant: CCM Engineering
Planner: Michael Pepe
Council District: 3
Z212-344(MP)

Attachments: Z212-344(MP)_Case Report

13. 23-855 An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District and a P(A) Parking District, on the south line of Glenfield Avenue, west of South Hampton Road.
Staff Recommendation: **Hold under advisement until April 20, 2023.**
Applicant: Michelle Avila [Sole Owner]
Planner: Ryan Mulkey
Council District: 3
Z223-117(RM)

Attachments: Z223-117(RM)_Case Report

Special Provision Sign District:

14. 23-856 An application to expand and create a new subdistrict within the McKinney Avenue Sign District on property within the McKinney Avenue Sign District and the Uptown Sign District zoned Planned Development District No. 193, Subdistrict 160, on the southwest corner of Fairmount Street and McKinney Avenue.
Staff Recommendation: **Approval**, subject to conditions.
Special Sign District Advisory Committee Recommendation: **Approval**, subject to conditions.
Applicant: FocusEGD
Representative: Chris Bauer
Planner: Jason Pool
Council District: 14
SPSD212-001(JP)

Attachments: SPSD212-001(JP)_Case Report

Development Code Amendments:

15. 23-857 Consideration of amending Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.217(b)(20) and 51A-4.217(b)(11.1) "Temporary inclement weather shelter" and related sections with consideration being given to appropriate spacing requirements between temporary inclement weather shelters and the central business district.
Staff Recommendation: **Approval.**
Zoning Ordinance Advisory Committee Recommendation: **Approval.**
Planner: Mike King
Council District: All
DCA223-004(MK)

Attachments: DCA223-004(MK)_Case Report

SUBDIVISION DOCKET:

Consent Items:

16. 23-858 An application to replat a 0.155-acre tract of land containing a portion of Lots 9 and 10 in City Block 1/2462 to create one lot on property located on Miles Street, southwest of Bowser Avenue.
Applicant/Owner: Kamran Zia
Surveyor: Duenes Land Surveying, LLC
Application Filed: February 22, 2023
Zoning: PD 193 MF-2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-079

Attachments: S223-079_Case Report
S223-079_Plat

17. 23-859 An application to replat a 0.595-acre tract of land containing all of Lots 10, 11, and 12 in City Block B/2104 to create one lot on property located on Samuell Boulevard at Sibley Street, southwest corner.
Applicant/Owner: One Samuell, LLC
Surveyor: Centro Resources
Application Filed: February 22, 2023
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-080

Attachments: S223-080_Case Report
S223-080_Plat

18. 23-860 An application to replat a 1.906-acre tract of land containing all of Lots 2 and 3 in City Block C/8042 to create one lot on property located on Kingsley Road, west of Jupiter Road.
Applicant/Owner: Pramukhraj Enterprise, LLC
Surveyor: Peiser & Mankin Surveying, LLC
Application Filed: February 22, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 10
S223-081

Attachments: S223-081-Case Report
S223-081_Plat_1 of 2
S223-081_Plat_2 of 2

19. 23-861 An application to replat a 0.6136-acre tract of land containing all of Lots 7, 8, and 9 in City Block 1/949 and a portion of tract of land in City Block 1/949 to create one lot on property located on Maple Avenue, north of McKinney Avenue.
Applicant/Owner: Pasha & Sina, Inc.
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 22, 2023
Zoning: PD 193 (HC)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 14
S223-082

Attachments: S223-082_Case Report
S223-082_Plat

20. 23-862 An application to create four 11,038 square foot lots from a 1.014-acre tract of land in City Block 6725 on property located on Leroy Road, north of Limestone Drive.
Applicant/Owner: DLG Investment Capital, LLC
Surveyor: Burns Surveying
Application Filed: February 22, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 5
S223-083

Attachments: S223-083_Case Report
S223-083_Plat

21. 23-863 An application to create one 11.55-acre lot from a tract of land in City Block 8321 on property located on Blanco Drive at Witt Road, southeast corner.
Applicant/Owner: Wintergreen Logistics Owner, LP
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 22, 2023
Zoning: PD 761
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-084

Attachments: S223-084_Case Report
S223-084_Plat

22. 23-864 An application to create one 16.8924-acre lot from a tract of land in City Block 8322 on property located on Bonnie View Road, north of Wintergreen Road.
Applicant/Owner: Wintergreen Logistics Owner, LP
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: PD 761
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-085

Attachments: S223-085_Case Report
S223-085_Plat

23. 23-865 An application to replat a 0.343-acre tract of land containing portion of Lot 2 and all of Lots 3 through 7 in City Block A/3438 to create one lot on property located on West Davis Street, west of Cedar Hill Avenue.
Applicant/Owner: TIN DIK Enterprises, Inc.
Surveyor: Peiser & Mankin Surveying, LLC
Application Filed: February 23, 2023
Zoning: PD 830 (Subdistrict 6)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 1
S223-087

Attachments: S223-087_Case Report
S223-087_Plat

24. 23-866 An application to create one 3.00-acre lot from a tract of land in City Block 8019 on property located on Ledbetter Drive at South Walton Walker Boulevard, south corner.
Applicant/Owner: RDZ Realty Investments, LLC
Surveyor: Votex Surveying Company
Application Filed: February 23, 2023
Zoning: LI
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 3
S223-088

Attachments: S223-088_Case Report
S223-088_Plat

25. 23-867 An application to create one 2.000-acre lot from a tract of land in City Block 9/8830 on property located on Garden Grove Drive, north of Ravenview Road.
Applicant/Owner: Francesco Salluzzo
Surveyor: ARA Surveying
Application Filed: February 23, 2023
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-089

Attachments: S223-089_Case Report
S223-089_Plat

26. 23-868 An application to replat a 0.967-acre tract of land containing all of lots 1 through 6 in City Block 2/7108 to create one lot on property located on Singleton Boulevard, between Borger Street and Crossman Avenue.
Applicant/Owner: FWLB Singleton, LP
Surveyor: Urban Strategy
Application Filed: February 23, 2023
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-090

Attachments: S223-090_Case Report
S223-090_Plat

27. 23-869 An application to create one 17.2643-acre lot from a tract of land in City Block 1/8048 on property located on International Parkway, south of Lindon B. Johnson Freeway.
Applicant/Owner: Core5 Perimeter Building B, LLC, Core5 Perimeter Building C, LLC
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-091

Attachments: S223-091_Case Report
S223-091_Plat

28. 23-870 An application to create one 5.7818-acre lot from a tract of land in City Block 7264 on property located on Singleton Boulevard at Sylvan Avenue, southwest corner.
Applicant/Owner: Lantower Singleton Dallas, LP
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: PD 1086 (tract 1 and 2)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-092

Attachments: S223-092_Case Report
S223-092_Plat

29. 23-871 An application to replat a 2.2463-acre tract of land containing part of Lot 1 and all of Lots 2 through 5 and Lots 13 through 16 in City Block 286 and all of Lots 16 through 23 in City Block C/483 to create one lot on property located on Elm Street, south of Indian Street.
Applicant/Owner: Uplift Education
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: PD 269 (Tract A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-093

Attachments: S223-093_Case Report
S223-093_Plat

30. 23-872 An application to create one 1.390-acre lot from a tract of land in City Block 5438 on property located on Town North Drive at West Northwest Highway / State Highway Loop 12, northeast corner.
Applicant/Owner: White Rock Fellowship
Surveyor: Gonzalez & Schneeberg Engineers-Surveyors
Application Filed: February 24, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-096

Attachments: S223-096_Case Report
S223-096_Plat

31. 23-873 An application to create one 1.175-acre lot from a tract of land in City Block 5439 on property located on Arboreal Drive at West Northwest Highway / State Highway Loop 12, northeast corner.
Applicant/Owner: White Rock Fellowship
Surveyor: Gonzalez & Schneeberg Engineers-Surveyors
Application Filed: February 24, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-097

Attachments: S223-097_Case Report
S223-097_Plat

32. 23-874 An application to create one 1.01-acre lot from a tract of land in City Block 3766 on property located on Clarendon Drive, east of Beckley Avenue.
Applicant/Owner: FJMI, LLC
Surveyor: Eagle Surveying, LLC
Application Filed: February 24, 2023
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 4
S223-098

Attachments: S223-098_Case Report
S223-098_Plat

33. 23-875 An application to create one 7.257-acre lot from a tract of land in City Block 5361 on property located on Garland Road at terminus of Centerville Road.
Applicant/Owner: Shoreline Church Dallas
Surveyor: Spiars Engineering, Inc.
Application Filed: February 24, 2023
Zoning: PD 1095
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-099

Attachments: S223-099_Case Report
S223-099_Plat

34. 23-876 An application to replat a 1.233-acre tract of land containing all of Lot 3A in City Block G/6364 to create one 0.372-acre lot and one 0.860-acre lot on property located on Lucky Lane at Doug Drive, northwest corner.
Applicant/Owner: Kapilashwar-Maruti Limited Partnership
Surveyor: A&W Surveyors, Inc.
Application Filed: February 26, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-101

Attachments: S223-101_Case Report
S223-101_Plat

Residential Replats:

35. 23-877 An application to replat a 0.344-acre tract of land containing all of Lots 11 and 12 in City Block 9/4108 to create one lot on property located on Seevers Avenue at McVey Avenue, northeast corner.
Applicant/Owner: Mission Outreach Holiness Church
Surveyor: Texas Heritage Surveying, LLC
Application Filed: February 22, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 4
S223-077

Attachments: S223-077_Case Report
S223-077_Plat

36. 23-878 An application to replat a 0.324-acre tract of land containing all of Lot 13 in City Block 2/7158 to create one 5,842 square feet lot and one 8,267 square feet lot on property located on Hammerly Drive, south of Morris Street.
Applicant/Owner: Lux Home Corporation
Surveyor: Burns Surveying
Application Filed: February 22, 2023
Zoning: R-5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-078

Attachments: S223-078_Case Report
S223-078_Plat

37. 23-879 An application to replat a 0.617-acre tract of land containing all of Lot 79A in City Block 2251 to create four lots ranging in size from 6,002 square foot to 8,831 square foot on property located on Colonial Avenue, southeast of Faye Street.
Applicant/Owner: Keth Vibol
Surveyor: data Land Service Corporation
Application Filed: February 23, 2023
Zoning: PD 595 D(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 7
S223-086

Attachments: S223-086_Case Report
S223-086_Plat

38. 23-880 An application to replat a 0.2626-acre (11,437 square foot) tract of land containing all of Lot 1 in City Block 4/5170 and an abundant portion of alley in City Block 4/5170 to create one lot on property located on Preston Park Drive at Purdue Avenue northwest corner.
Applicant/Owner: Patrick and Caroline Floeck
Surveyor: PJB Surveying, LLC
Application Filed: February 23, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 13
S223-094

Attachments: S223-094_Case Report
S223-094_Plat

39. 23-881 An application to replat a 2.059-acre tract of land containing all of Lot 1 in City Block A/3958 and a tract of land in City Block A/3958 to create 9 lots ranging in size from 8,339 square feet to 12,276 square feet on property located between Montclair Avenue and Neal Street, north of Bradley Street.
Applicant/Owner: Sage Louetta, LTD
Surveyor: Gonzalez & Schneeberg Engineers-Surveyors
Application Filed: February 24, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval** subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-095

Attachments: S223-095_Case Report
S223-095_Plat

40. 23-882 An application to replat a 0.501-acre (21,828 square feet) tract of land containing all of Lot 13 in City Block 9/6220 to create one 10,009 square feet lot and one 11,819 square feet lot on property located on Elmada Lane at Walnut Hill Lane, southeast corner.
Applicant/Owner: Stefanos and Beverly Smirnis
Surveyor: A&W Surveyors, Inc.
Application Filed: February 24, 2023
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-100

Attachments: S223-100_Case Report
S223-100_Plat

41. 23-883 An application to replat a 0.21-acre (9,290 square feet) tract of land containing all of Lots 1 through 4 in City Block 4/2541 to create one lot on property located on Hodge Street, south of C F Hawn Freeway / Interstate Highway 175.
Applicant/Owner: Nabad Properties, LLC
Surveyor: CBG Surveying Texas, LLC
Application Filed: February 24, 2023
Zoning: PD 595 R-5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 7
S223-102

Attachments: S223-102_Case Report
S223-102_Plat

Landmark Commission Appeal:

42. 23-884 An appeal of the Landmark Commission's decision of denial without prejudice to demolish primary residential structure using standard, structure poses an imminent threat to public health or safety.
Staff Recommendation: **Denial without prejudice.**
Landmark Commission Recommendation: **Denial without prejudice.**
Planner: Rhonda Dunn
Council District: 4
Location: 338 S. Fleming Avenue
CD223-003(RD)

Attachments: CD223-003(RD)_The Record
CD223-003(RD)_City Brief
CD223-003(RD)_Appellant Brief

OTHER MATTERS:

Items for Reconsideration:

43. 23-885 **Authorization of a Hearing**

1. Suspension of CPC Rules of Procedure Section 4(c)(2) to allow reconsideration of Authorization of a Hearing "Consideration of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres with consideration being given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations."
   UA From: February 16, 2023.

If #1 is approved, then consideration of #2.

2. Reconsideration of action taken on September 6, 2018, which was to recommend approval of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres with the area amended to include the area bounded by Turtle Creek Greenbelt on the west, Avondale Avenue and North Fitzhugh Avenue on the north, Katy Trail on the east and including the southernmost lot on Stonebridge Drive on the south with consideration being given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. **This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.**
   UA From: February 16, 2023.

If #2 is approved, then consideration of #3.

3. Consideration of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres with consideration being given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. **This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.**
   Postpone From: February 2, 2023.
   UA From: February 16, 2023.
   Planner: Megan Wimer
   Council District: 14

Attachments: AH Memorandum Turtle Creek
AH Memorandum 9-6-2018

Consideration of Appointments to CPC Committees:

ADJOURNMENT

CITY PLAN COMMISSION PUBLIC COMMITTEE MEETINGS

Tuesday, March 28, 2023

COMPREHENSIVE LAND USE PLAN COMMITTEE (CLUP) MEETING – Tuesday, March 28, 2023, at 8:30 a.m., at City Hall 6ES and by videoconference, to facilitate a working session with CLUP members on the future placetype map.

Tuesday, April 11, 2023

SPECIAL SIGN DISTRICT ADVISORY COMMITTEE (SSDAC) MEETING - Tuesday, April 11, 2023, at 10:00 a.m., in Room 5BN at City Hall and by video conference via https://bit.ly/SSDAC041123.

ARTS DISTRICT SIGN ADVISORY COMMITTEE (ADSAC) MEETING - Tuesday, April 11, 2023, at 11:00 a.m., in Room 5BN at City Hall and by video conference via https://bit.ly/ADSAC041123.

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]

2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]

3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]

4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]

5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]

6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]

7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-843 **Item #:** 1.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

ForwardDallas - Planning and Urban Design Department to provide an update on the ForwardDallas Comprehensive Land Use Plan Update, including a review of engagement efforts to date, an initial draft land use framework for discussion and feedback, and project next steps.

Andrea Gilles, Assistant Director, Community Planning, Planning & Urban Design
Lawrence Agu III, Chief Planner, Technology, Innovation & Policy, Planning & Urban Design
Brian Price, Supervisor-Service Area Planning, Technology, Innovation & Policy, Planning & Urban Design
Chalonda Mangwiro-Johnson, Supervisor, Planning Engagement, Planning & Urban Design
Patrick Blaydes, Senior Planner, Area Planning, Planning & Urban Design
Asma Shaikh, Senior Planner, Technology, Innovation & Policy, Planning & Urban Design

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City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-844 **Item #:** 2.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

Zoning classification and processes for institutional uses.
Jenniffer Allgaier, Senior Planner, Planning and Urban Design

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City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-845 **Item #:** 3.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned a TH-3(A) Townhouse District with H/118 Zion Hill Missionary Baptist Church Historic Overlay and an R-5(A) Single Family District, on the northwest and northeast corners of Morrell Avenue and Fernwood Avenue.
Staff Recommendation: **Approval**, subject to deed restrictions volunteered by the applicant.
Applicant: Dallas Light House LLC
Representative: Paul Carden
Planner: Michael Pepe
Council District: 4
Z212-206(MP)

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CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Michael V. Pepe

FILE NUMBER: Z212-206(MP) **DATE FILED:** March 4, 2022

LOCATION: Northwest and northeast corners of Morrell Avenue and Fernwood Avenue

COUNCIL DISTRICT: 4

SIZE OF REQUEST: 1.14 Acres **CENSUS TRACT:** 48113021000

REPRSENTATIVE: Paul Carden

OWNER/APPLICANT: Dallas Light House LLC

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned a TH-3(A) Townhouse District with H/118 Zion Hill Missionary Baptist Church Historic Overlay and an R-5(A) Single Family District.

SUMMARY: The purpose of this request is to allow for commercial uses within the existing building.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The area of request is currently zoned a TH-3(A) Townhouse District and an R-5(A) Single Family District and is currently developed with a church and associated surface parking.

- The applicant is proposing to utilize the existing structure with theater and office uses. The applicant plans to improve the existing parking lot, east of Fernwood, for continued use as parking.

- The existing structure at 909 Morrell Avenue, the primary building of the existing church, is designated H/118 Zion Hill Missionary Baptist Church Historic Overlay. Changes or alterations to this portion of the site require compliance with Section 51A-4.501 Historic Overlay District and the specific historic overlay for the property. A certificate of appropriateness is required for any proposed exterior alterations or repairs.

- The applicant has volunteered deed restrictions which prohibit uses which may be considered incompatible with nearby residential. The remaining uses should be appropriate for neighborhood scale commercial.

- According to code, the purpose of the Community Retail District is to provide for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities. The development standards, site limitations, and deed restrictions all function to limit the site to only allowing retail and service uses that are complimentary to the surrounding area in intensity and scale.

Zoning History:

There has been one zoning case in the area in the last five years.

1. **Z212-305:** On January 25, 2023, City Council approved an application for an MF-2(A) Multifamily District on property zoned an R-5(A) Single Family District and an LI Light Industrial District generally located on the northeast and southeast corners of Grant Street and Ridge Street, west of the terminus of Grant Street, and north of the terminus of Ridge Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Morrell Avenue	Community Collector	40 feet / 60 feet
Fernwood Avenue	Local	60 feet
Harlandale Avenue	Local	40 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

Policy 1.1.4 Capitalize on transit oriented development opportunities.

1.1.4.1 Maximize development opportunities around DART stations.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

GOAL 2.2 ENGAGE IN STRATEGIC ECONOMIC DEVELOPMENT

Policy 2.2.1 Focus economic development efforts on revitalization of the Trinity River Corridor.

Policy 2.2.2 Maximize development opportunities around DART stations.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.1 Promote pedestrian friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.4 Enhance retail, industrial and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Neighborhood Plus Plan

Goal 6.3 Align planning, funding and community investments within a quarter mile of DART stations to promote transit-oriented development.

Land Use:

	Zoning	Land Use
Site	TH-3(A) Townhouse District, R-5(A) Single Family District	Church, Surface Parking
North	R-5(A) Single Family District	Single Family
East	R-5(A) Single Family District	Single Family
South	TH-3(A) Townhouse District, R-5(A) Single Family District	Single Family
West	MF-2(A) Multifamily District	Multifamily

Land Use Compatibility:

The area of request currently is developed as a roughly 15,000 square foot building formerly used as a church and its associated surface parking. The area of request is bordered to the north by a 25-foot alley, beyond which are single family homes. Properties east of the existing surface parking are single family homes. Across Morrell Avenue, there are two blocks of single-family homes developed under R-5(A) and TH-3(A) zoning. Across Harlandale Avenue to the west, property is developed as multifamily.

The proposed CR Community Retail District with deed restrictions would permit only low-impact commercial uses that are generally compatible with residential areas. According to code, the purpose of the Community Retail District is to provide for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities. The uses that remain permitted on the property are not typically related with tangible impact on residential properties. Redevelopment of the site under commercial zoning would likely require improvement of the surface parking with Article X landscaping, buffering, and proper screening. These requirements would enhance the compatibility of the church and parking sites with surrounding residential.

The proposed change allows for neighborhood scale businesses to operate within walking distance to area residences and DART rail stations. The change would also encourage the adaptive reuse of the historic structure, which would likely not be feasibly reused under TH-3(A) zoning, as this only allows for residential uses on individual lots.

Described below is a comparison of the uses of the existing zoning and of the proposed CR zoning with deed restrictions. The CR with deed restrictions allows the applicant to permit one of their proposed uses, a theater, while restricting out several uses in CR which could impact the surrounding residential. The remaining uses are generally appropriate in close proximity to a neighborhood due their limited intensity and the constraints on the site. The development standards, site limitations, and deed restrictions all function to limit the site to only allowing retail and service uses that are complimentary to the surrounding area in intensity and scale.

LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200

	Existing	Proposed
Use	**TH-3(A) and R-5(A)**	**CR with DR**
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICES USES		
Bus or rail transit vehicle maintenance or storage facility		
Catering service		•
Commercial cleaning or laundry plant		
Custom business services		*Prohibited by DR*
Custom woodworking, furniture construction, or repair		
Electronics service center		*Prohibited by DR*
Job or lithographic printing		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		*Prohibited by DR*
Technical school		
Tool or equipment rental		*Prohibited by DR*
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		
Alcoholic beverage manufacturing		
Gas drilling and production	S	*Prohibited by DR*
Gas pipeline compressor station		
Industrial (inside)		

	Existing	Proposed
Use	**TH-3(A) and R-5(A)**	**CR with DR**
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	S	*Prohibited by DR*
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	S	•
Cemetery or mausoleum	S	S
Child-care facility	S	•
Church	•	•
College, university, or seminary	S	•
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions	S (TH-3(A) only)	
Convent or monastery	S	•
Foster home	S	
Halfway house		
Hospital		*Prohibited by DR*
Library, art gallery, or museum	S	•
Public or private school	S	R
LODGING USES		
Extended stay hotel or motel		
Hotel or motel		•
Lodging or boarding house		*Prohibited by DR*
Overnight general-purpose shelter		*Prohibited by DR*
MISCELLANEOUS USES		
Carnival or circus (temporary)	[Special]	[Special]
Hazardous waste management facility		

	Existing	Proposed
Use	**TH-3(A) and R-5(A)**	**CR with DR**
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment		*Prohibited by DR*
Financial institution without drive-in window		•
Financial institution with drive-in window		*Prohibited by DR*
Medical clinic or ambulatory surgical center		•
Office		•
RECREATION USES		
Country club with private membership	S	•
Private recreation center, club, or area	S	•
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house		S
Duplex	• (TH-3(A) only)	
Group residential facility		
Handicapped group dwelling unit	• per 4.209	• per 4.209
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		
Residential hotel		
Retirement housing		
Single family	•	
RETAIL AND PERSONAL SERVICE USES		
Ambulance service		*Prohibited by DR*
Animal shelter or clinic without outside runs		*Prohibited by DR*
Animal shelter or clinic with outside runs		
Auto service center		*Prohibited by DR*
Business school		*Prohibited by DR*
Car wash		*Prohibited by DR*

	Existing	Proposed
Use	**TH-3(A) and R-5(A)**	**CR with DR**
Commercial amusement (inside)		• (Some require S)
Commercial amusement (outside)		*Prohibited by DR*
Commercial motor vehicle parking		
Commercial parking lot or garage		•
Convenience store with drive-through		*Prohibited by DR*
Dry cleaning or laundry store		•
Furniture store		•
General merchandise or food store 3,500 square feet or less		•
General merchandise or food store 3,500 square feet or greater		*Prohibited by DR*
General merchandise or food store greater than 100,000 square feet		*Prohibited by DR*
Home improvement center, lumber, brick or building materials sales yard		*Prohibited by DR*
Household equipment and appliance repair		*Prohibited by DR*
Liquefied natural gas fueling station		•
Motor vehicle fueling station		*Prohibited by DR*
Mortuary, funeral home, or commercial wedding chapel.		*Prohibited by DR*
Nursery, garden shop, or plant sales		•
Outside sales		
Paraphernalia shop		*Prohibited by DR*
Pawn shop		*Prohibited by DR*
Personal service use		•
Restaurant without drive-in or drive-through service		•
Restaurant with drive-in or drive-through service		*Prohibited by DR*
Swap or buy shop		*Prohibited by DR*
Taxidermist		
Temporary retail use		•
Theater		•
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		

	Existing	Proposed
Use	**TH-3(A) and R-5(A)**	**CR with DR**
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley	S	
Railroad passenger station		
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	•	•
Transit passenger station or transfer center	S	S
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station		*Prohibited by DR*
Electrical generating plant		
Electrical substation	S	*Prohibited by DR*
Local utilities	S / R	S / R
Police or fire station	S	•
Post office	S	•
Radio, television, or microwave tower		S
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	(Special)	(Special)
Utility or government installation other than listed	S	S
Water treatment plant		
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		

	Existing	Proposed
Use	**TH-3(A) and R-5(A)**	**CR with DR**
Mini warehouse		*Prohibited by DR*
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center		*Prohibited by DR*
Recycling collection center		*Prohibited by DR*
Recycling drop-off container	(Special)	(Special)
Recycling drop-off for special occasion collection	(Special)	(Special)
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Warehouse		

Development Standards

The proposed CR with deed restrictions would allow neighborhood compatible uses within the bounds of the development standards described above.

Although the maximum height would technically increase from 36 feet to 54 feet, the change would be limited by residential proximity slope. The site is surrounded by residential zoning which projects RPS from all sides. As such, the majority of the site would be limited to 26 feet, with a maximum height of about 30 feet in the centermost section of the site. In combination with required landscape buffering, screening, and 20-foot setback, the alley would further buffer residential to the north by an additional 25 feet in the event of redevelopment. The same buffering, screening, and 20-foot side setback would apply on the eastern side of the property.

Development Standards Comparison Chart

Standard	Existing: TH-1(A)	Existing: R-5(A)	Proposed: CR with DR
Front setback	0' min	20' min	15' min* 20' Min Effective on eastern lots
Side setback	SF: 0' min Duplex: 5' min Other: 10' min	5' min	20' adjacent residential 0'
Rear setback	SF: 0' min Duplex: 10' min Other: 10' min	5' min	20' adjacent residential 0'
FAR Max / Density	None / 12 DUAC	None	0.5 office 0.75 all uses
Height	36'	30'	54'** (Effective height 26 '- 30' max) 4 stories
Max Lot Coverage	60% residential 25% non-res	45% residential 25% non-res	60%
Special standards	None	None	*Blockface continuity **Proximity slope Visual Intrusion
Primary Uses	Single Family, Duplex	Single Family	Retail and personal services, GMFS<3,500, Office, *Theater*

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

Parking must be provided in accordance with the Dallas Development Code. The off-street parking requirement for a theater use is one space per 28 square feet of seating area. The off-street parking requirement for an office use is one space per 333 square feet of floor area.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is located closest an "I" MVA cluster. Properties to the south are located within an "H" MVA cluster.

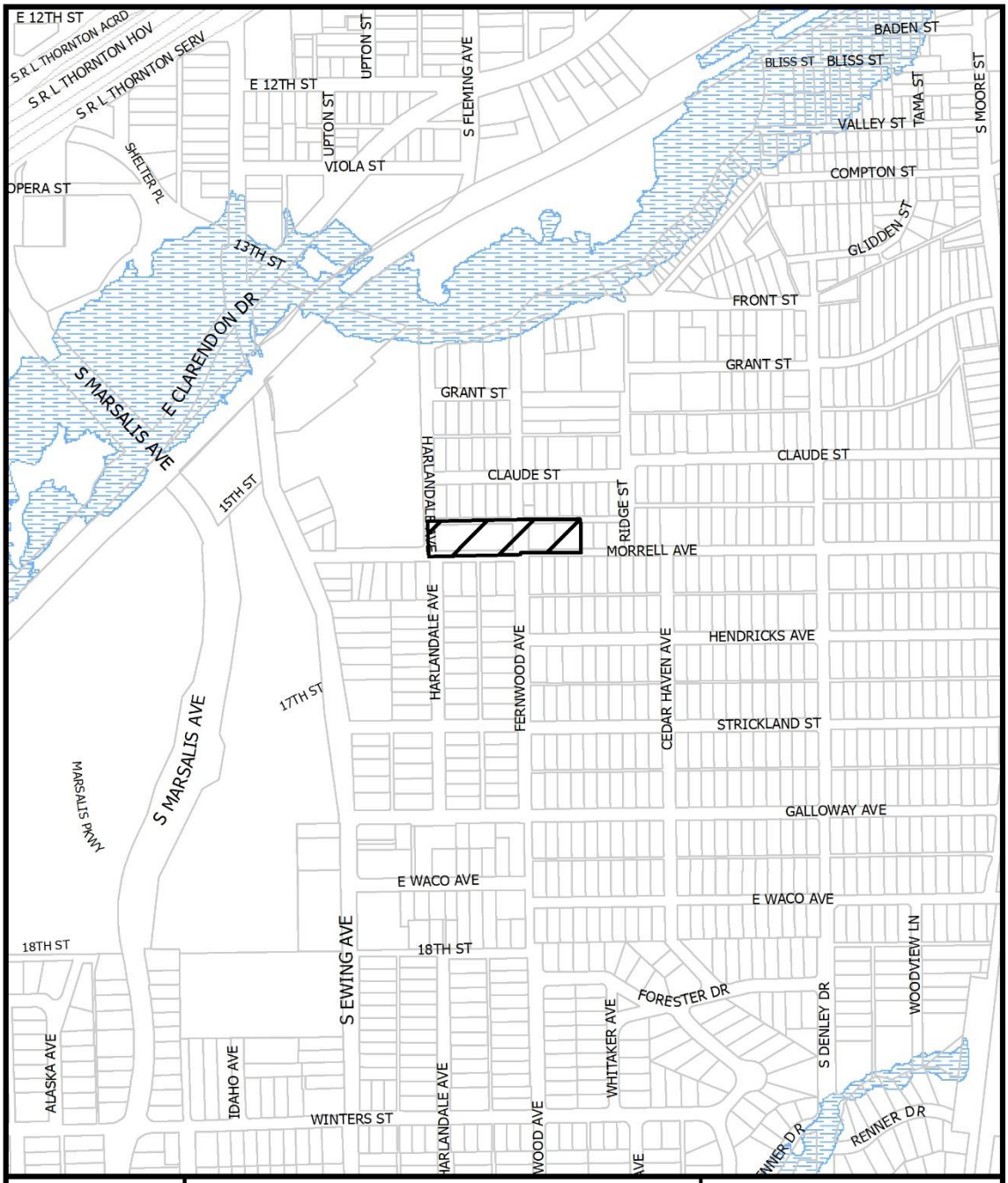
List of Officers

Dallas Lighthouse LLC
Andrew Ramler

Draft Deed Restrictions volunteered by the Applicant

1. The following uses are prohibited:

   a) Building repair and maintenance shop.
   b) Custom business services.
   c) Electronics service center.
   d) Hospital
   e) Medical or scientific laboratory.
   f) Tool or equipment rental.
   g) Gas drilling and production.
   h) Temporary concrete or asphalt batching plant.
   i) Overnight general-purpose shelter.
   j) Financial institution with drive-in window.
   k) Alcoholic beverage establishments.
   l) Alternative Financial Establishment
   m) Ambulance service.
   n) Animal shelter or clinic without outside runs.
   o) Auto service center.
   p) Business school.
   q) Car wash.
   r) Commercial amusement (outside).
   s) Convenience store with drive-through.
   t) General merchandise or food store greater than 3,500 square feet.
   u) General merchandise or food store 100,000 square feet or more.
   v) Home improvement center, lumber, brick or building materials sales yard.
   w) Household equipment and appliance repair.
   x) Lodging or boarding house.
   y) Liquor store.
   z) Household equipment and appliance repair.
   aa) Mortuary, funeral home, or commercial wedding chapel.
   bb) Motor vehicle fueling station.
   cc) Paraphernalia shop.
   dd) Pawn shop.
   ee) Restaurant with drive-in or drive-through service.
   ff) Swap or buy shop.
   gg) Electrical Substation
   hh) Mini-Warehouse
   ii) Commercial radio and television transmitting station.
   jj) Recycling buy-back center.
   kk) Recycling collection center.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OPERA ST
VIOLA ST
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FRONT ST
GRANT ST
CLAUDE ST
HARLANDALE AVE
RIDGE ST
MORRELL AVE
15TH ST
17TH ST
FERNWOOD AVE
CEDAR HAVEN AVE
HENDRICKS AVE
STRICKLAND ST
GALLOWAY AVE
MARSALIS PKWY
E WACO AVE
18TH ST
S EWING AVE
FORESTER DR
WHITAKER AVE
S DENLEY DR
WOODVIEW LN
ALASKA AVE
IDAHO AVE
WINTERS ST
WOOD AVE
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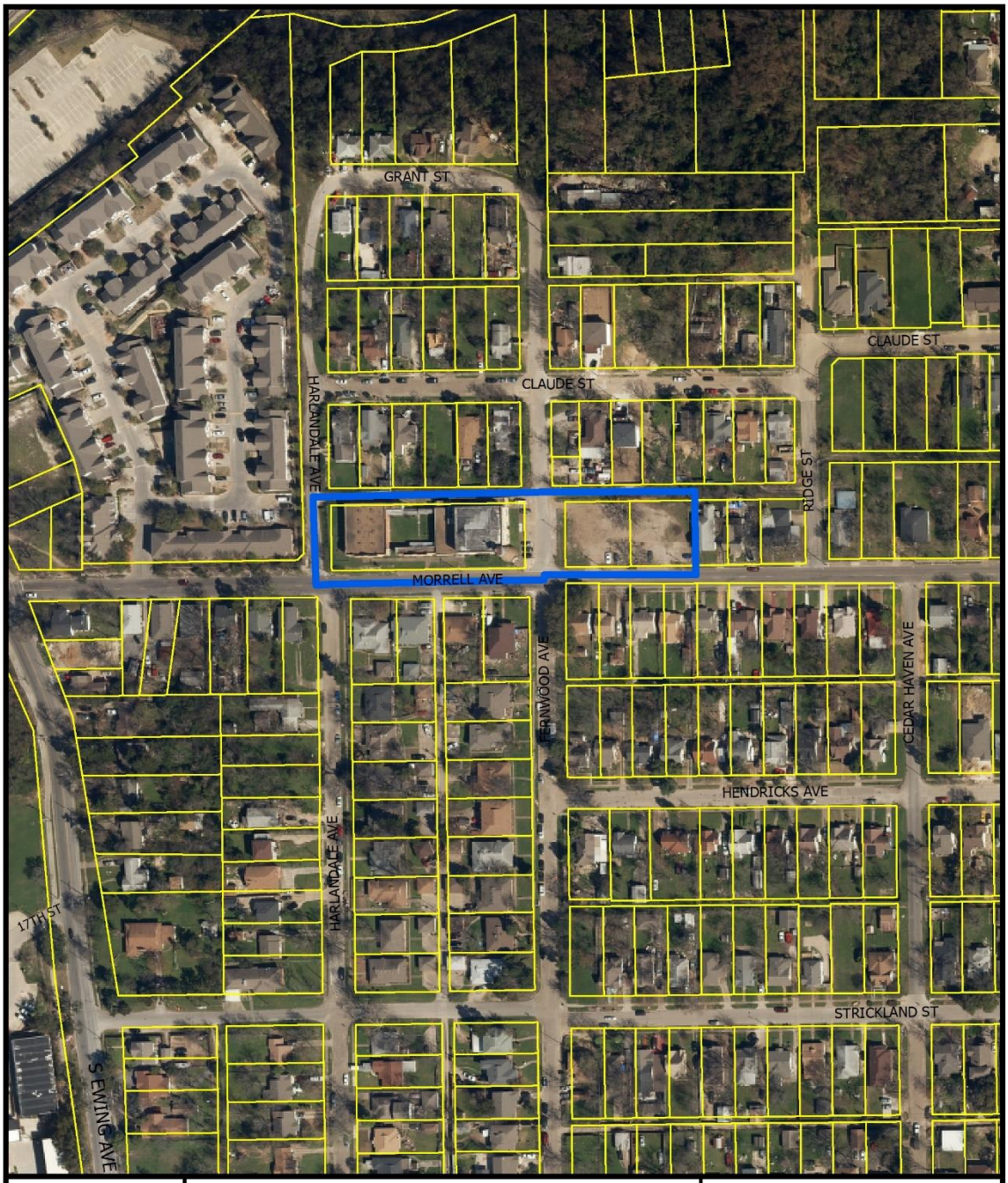
VICINITY MAP
Case no: Z212-206
Date: 3/8/2023



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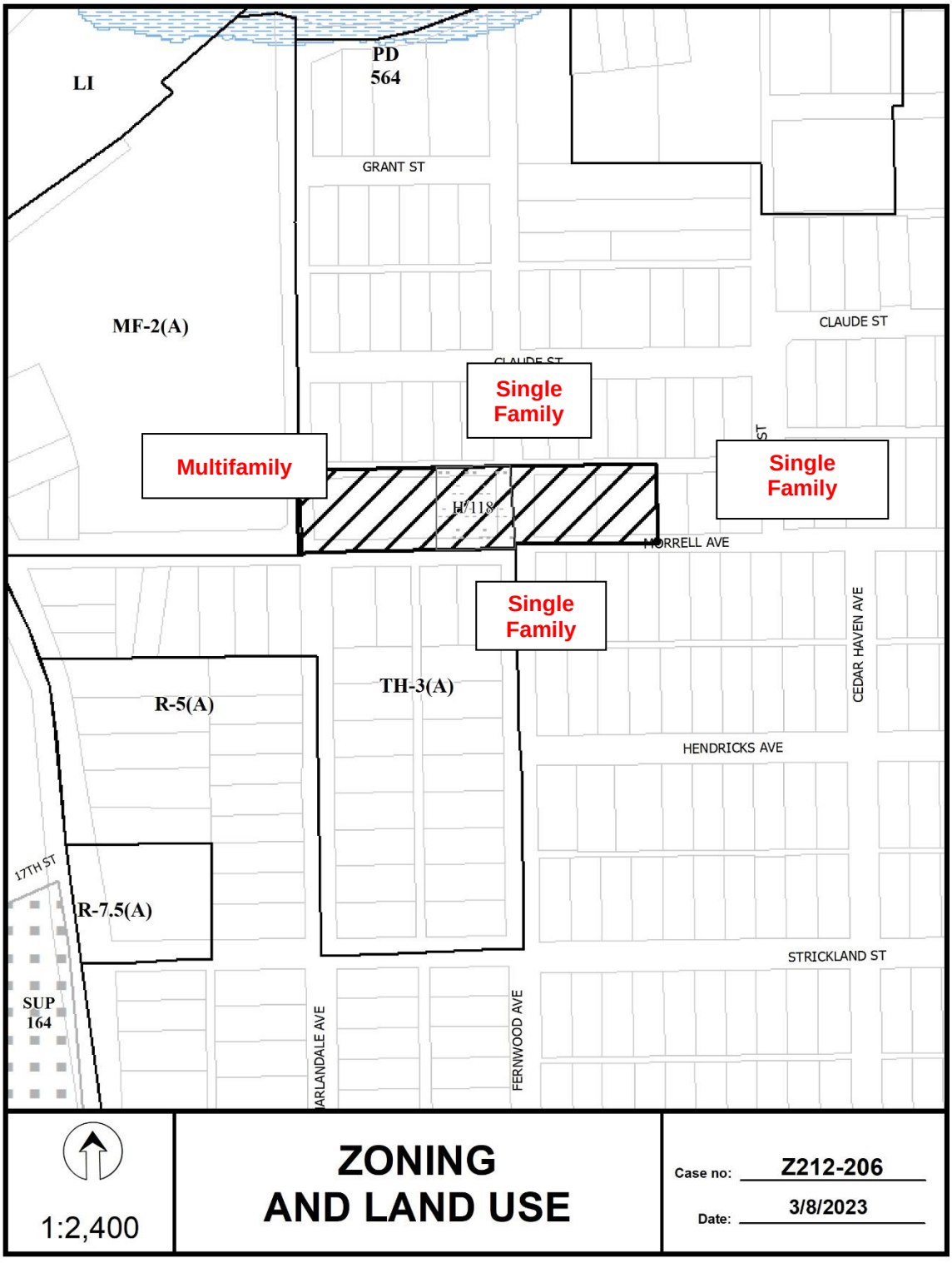
AERIAL MAP

Case no: Z212-206

Date: 3/8/2023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Multifamily
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Single
Family
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Single
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TH-3(A)
R-5(A)
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164
FERNWOOD AVE
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ZONING
AND LAND USE
Case no: Z212-206
Date: 3/8/2023

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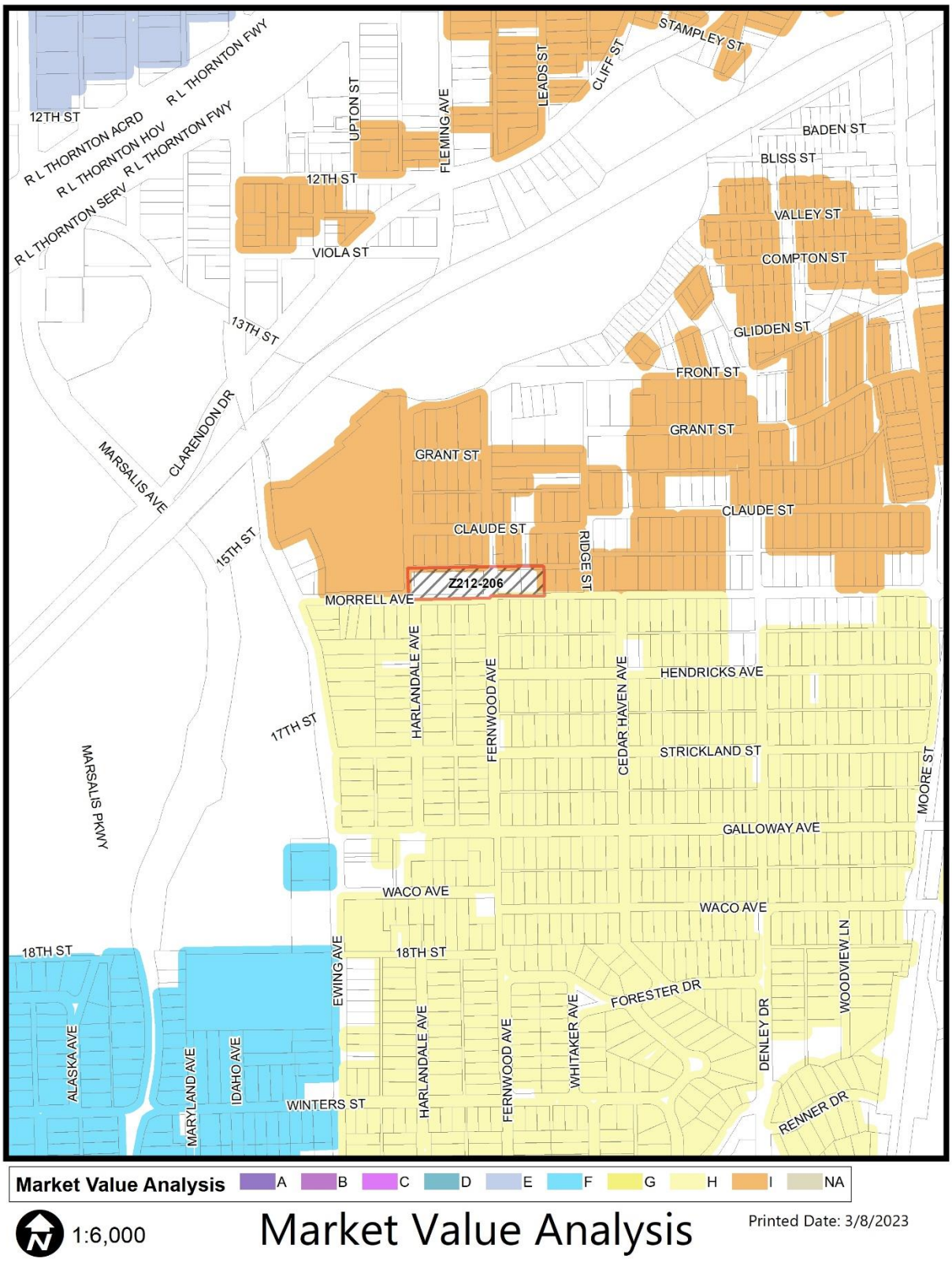
ZONING HISTORY
Case no: Z212-206
Date: 3/8/2023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FLEMING AVE
LEADS ST
CLIFF ST
STAMPLEY ST
BADEN ST
BLISS ST
VALLEY ST
COMPTON ST
GLIDDEN ST
FRONT ST
GRANT ST
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MORRELL AVE
HARLANDALE AVE
FERNWOOD AVE
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HENDRICKS AVE
STRICKLAND ST
MOORE ST
GALLOWAY AVE
WACO AVE
WACO AVE
18TH ST
18TH ST
EWING AVE
FORESTER DR
WOODVIEW LN
DENLEY DR
WHITAKER AVE
HARLANDALE AVE
FERNWOOD AVE
WINTERS ST
RENNER DR
ALASKA AVE
MARYLAND AVE
IDAHO AVE
VIOLA ST
12TH ST
13TH ST
15TH ST
17TH ST
CLARENDON DR
MARSALIS AVE
MARSALIS PKWY
Market Value Analysis
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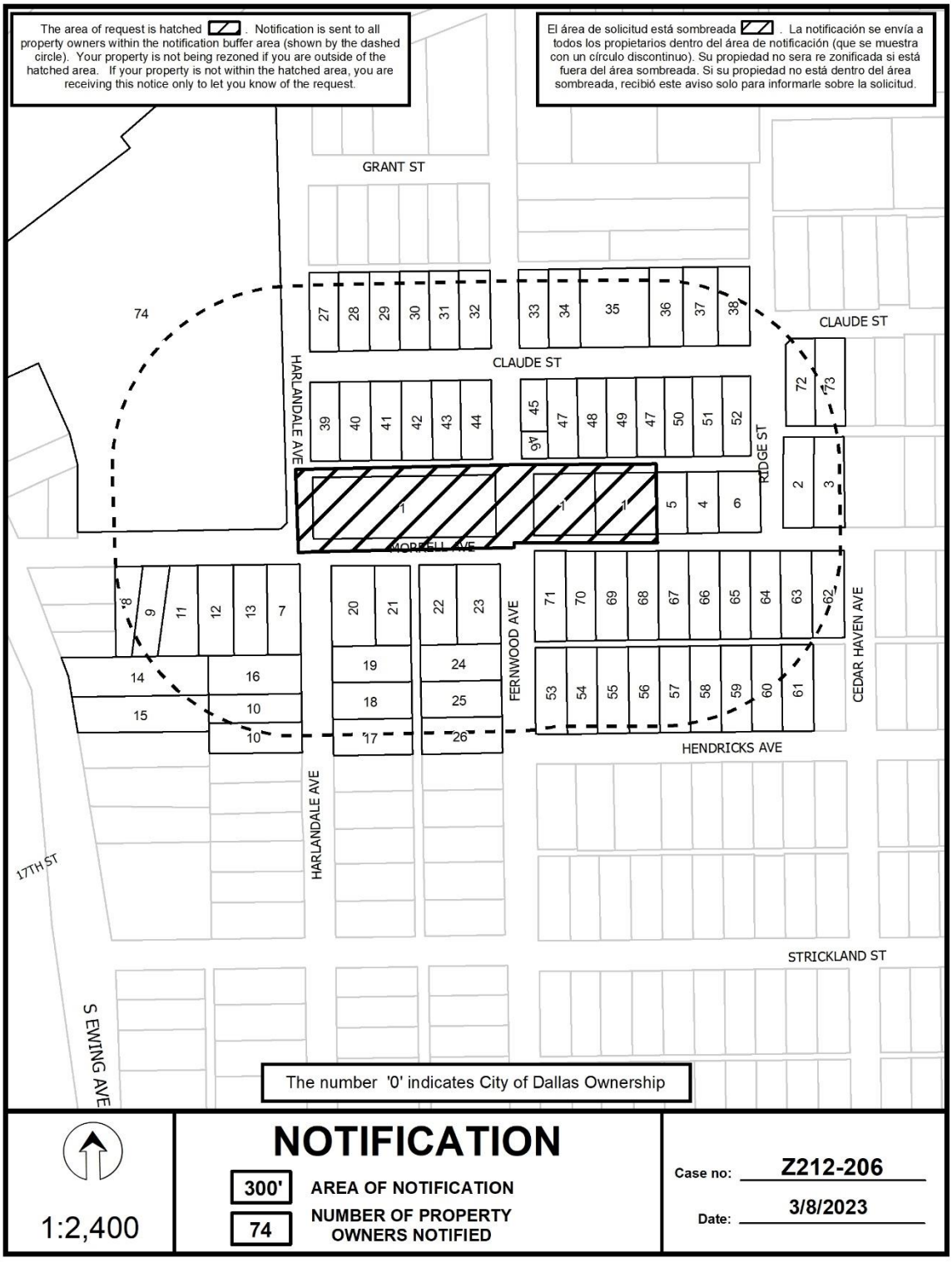
Market Value Analysis
Printed Date: 3/8/2023


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no sera re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
GRANT ST
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FERNWOOD AVE
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HENDRICKS AVE
HARLANDALE AVE
17TH ST
STRICKLAND ST
S EWING AVE
74
The number '0' indicates City of Dallas Ownership
NOTIFICATION
300'
AREA OF NOTIFICATION
74
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: Z212-206
Date: 3/8/2023

03/08/2023

Notification List of Property Owners

Z212-206

74 Property Owners Notified

Label #	*Address*		*Owner*
1	907	MORRELL AVE	DALLAS LIGHTHOUSE LLC
2	1103	MORRELL AVE	RAY JOE & YVONNE
3	1107	MORRELL AVE	CARRJOHNSON FERDICIA
4	1019	MORRELL AVE	SANTIAGO FRANCISCO ADAN P &
5	1017	MORRELL AVE	Taxpayer at
6	1027	MORRELL AVE	Taxpayer at
7	834	MORRELL AVE	EUROMED SERVICES LLC
8	812	MORRELL AVE	MARQUEZ ENRIQUE &
9	816	MORRELL AVE	LUNA JOSE DE JESUS
10	923	HARLANDALE AVE	EL GAYO LLC
11	820	MORRELL AVE	BROWN MONTE L
12	824	MORRELL AVE	DELACRUZ MARIA GUADALUPE EST OF
13	828	MORRELL AVE	PAGE GARY E
14	914	S EWING AVE	CARRENO ROGELIO &
15	918	S EWING AVE	HATCH RUTH ANN
16	915	HARLANDALE AVE	PITTS ERNESTINE EST OF
17	920	HARLANDALE AVE	GAMINO JOSE LUIS
18	916	HARLANDALE AVE	TORRES ALBERTO
19	912	HARLANDALE AVE	MCCULLER WILLIAM JASON &
20	904	MORRELL AVE	WILSON ALCINE HOLLINS
21	906	MORRELL AVE	MARTINEZ JESUS BARRERA &
22	912	MORRELL AVE	THOMAS IVING R
23	916	MORRELL AVE	PAZ MARIA GUADALUPE SANCHEZ
24	913	FERNWOOD AVE	MARTINEZ MARIA
25	917	FERNWOOD AVE	SOUTHSIDE RENTAL PROPERTIES LLC
26	921	FERNWOOD AVE	WESTBROOK SHERI &

03/08/2023

Label #	*Address*		*Owner*
27	903	CLAUDE ST	ELLIS BETTYE JEAN
28	907	CLAUDE ST	RODRIGUEZ ANNA MARIA
29	911	CLAUDE ST	JIMENEZSANCHEZ JUAN A &
30	915	CLAUDE ST	OCCM INC
31	919	CLAUDE ST	LEWIS TANZA L
32	923	CLAUDE ST	LEWIS TANZA
33	1003	CLAUDE ST	VARGASCEPEDA THOMAS &
34	1009	CLAUDE ST	VENEGAS MARCOS
35	1015	CLAUDE ST	CELIS SAUL
36	1019	CLAUDE ST	FLORES FELICIANO &
37	1023	CLAUDE ST	BRISENO JOSE LUIS
38	1029	CLAUDE ST	LIMON JESUS & SUSANA
39	902	CLAUDE ST	Taxpayer at
40	906	CLAUDE ST	BELTRAN LORENA
41	910	CLAUDE ST	JENKINS SANDRA
42	914	CLAUDE ST	HOLLYWOOD HOMES
43	918	CLAUDE ST	DAVIS ALICE KATHERINE
44	922	CLAUDE ST	JONES LONNIE
45	1002	CLAUDE ST	Taxpayer at
46	806	FERNWOOD AVE	BALDWIN ROSIE BELL
47	1006	CLAUDE ST	GOMEZ AVELINO H
48	1010	CLAUDE ST	MARTINEZ BRAULIO &
49	1016	CLAUDE ST	MOSLEY RUEBEN JR ET AL
50	1020	CLAUDE ST	MARTINEZ ALFREDO F &
51	1024	CLAUDE ST	JONES ODIS CROWDER &
52	1028	CLAUDE ST	GONZALEZ JOSE R &
53	1003	HENDRICKS AVE	FAGAN MARY ESTATE OF &
54	1007	HENDRICKS AVE	GARZA CHRISTINA
55	1011	HENDRICKS AVE	SMITH ANNIE MAE
56	1015	HENDRICKS AVE	IPINA ERICA
57	1019	HENDRICKS AVE	HERNANDEZ WILFREDO &

03/08/2023

Label #	*Address*		*Owner*
58	1023	HENDRICKS AVE	TALLEY PRECIOUS
59	1027	HENDRICKS AVE	COLMENERO MARTIN A &
60	1031	HENDRICKS AVE	TAYLOR CHARLOTTE
61	1035	HENDRICKS AVE	DOBBINS INADER G FAMILY TRUST
62	1038	MORRELL AVE	Taxpayer at
63	1034	MORRELL AVE	MILLER SARAH ANN
64	1030	MORRELL AVE	RIVERA ROSARIO & HUGO
65	1026	MORRELL AVE	CHAMBERS HENRY
66	1022	MORRELL AVE	RODRIGUEZ IGNACIO C &
67	1018	MORRELL AVE	PENEDADIAZ VICTORINA
68	1014	MORRELL AVE	SANCHEZ PROPERTY MANAGEMENT INC
69	1010	MORRELL AVE	OSTIGUIN FRANCISCO &
70	1006	MORRELL AVE	ZEPEDA CESAR
71	1002	MORRELL AVE	Taxpayer at
72	1108	CLAUDE ST	POLVADO LANCE &
73	1110	CLAUDE ST	RODRIGUEZ NICHOLAS AARON &
74	822	HANSZEN ST	SDC EWING INVESTMENTS LP

Agenda Information Sheet

File #: 23-846 **Item #:** 4.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for an amendment to and an expansion of Planned Development District No. 597 on property zoned an NC Neighborhood Commercial Subdistrict and an MF-2(A) Multifamily Subdistrict with deed restrictions [Z078-207] within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of Pennsylvania Avenue and Holmes Street.
Staff Recommendation: **Approval**, subject to a revised conceptual plan, a development plan, and conditions.
Applicant: St. Phillip's School and Community Center
Representative: David Martin, Winstead PC
Planner: Michael Pepe
Council District: 7
Z212-306(MP)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Michael V. Pepe

FILE NUMBER: Z212-306(MP) **DATE FILED:** March 8, 2022

LOCATION: On the south corner of Pennsylvania Avenue and Holmes Street

COUNCIL DISTRICT: 7

SIZE OF REQUEST: 0.7736 acres **CENSUS TRACT:** 48113020900

APPLICANT/OWNER: St. Phillip's School and Community Center

REPRESENTATIVE: David Martin, Winstead PC

REQUEST: An application for an amendment to and an expansion of Planned Development District No. 597 on property zoned an NC Neighborhood Commercial Subdistrict and an MF-2(A) Multifamily Subdistrict with deed restrictions [Z078-207] within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of this request is to allow community service center and food or beverage store uses in the existing building.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan, a development plan, and conditions.

PLANNED DEVELOPMENT DISTRICT NO. 595

https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20595.pdf

PLANNED DEVELOPMENT DISTRICT NO. 597

https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20597.pdf

BACKGROUND INFORMATION:

- The site is currently located within the NC Neighborhood Commercial Subdistrict and the MF-2(A) Multifamily Subdistrict within Planned Development District No. 595.
- On September 26, 2001, City Council approved Planned Development District No. 595, the South Dallas / Fair Park Special Purpose District.
- The current use of the site is a 4,500 square foot church building constructed in 2005. The applicant intends to reuse the existing building.
- The applicant is requesting to expand the adjacent PD No. 597 in order to permit the food and beverage store use and community service center use.
- The proposed tract within the PD would accommodate the reuse of the existing building with the proposed uses.
- The portion of the property within the MF-2(A) Subdistrict includes DR Z078-207. These restrictions were put in place with the approval of the MF-2(A) subdistrict in 2004, and restrict this portion of the property to no more than three residential units if developed as residential. The deed restrictions are planned to be left in place as the applicant does not propose to develop this portion of the site.

Zoning History:

There has been one zoning case in the area in the past five years.

1. **Z190-367:** On June 9, 2021, City Council approved an amendment to and expansion of Planned Development District No. 597, in an area generally bound by both sides of Peabody Avenue, Julius Schepps Freeway, Panama Place, and Holmes Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing / Proposed ROW
Pennsylvania Avenue	Community Collector	60-foot ROW
Holmes Street	Local	50-foot ROW

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006, outlining several goals and policies which serve as a framework for assisting in evaluating the applicant's request. The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Policy 5.2.4 Enhance retail, industrial and business operations.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Area Plans:

South Dallas Fair Park Economic Development Plan

The South Dallas Fair Park Economic Development Plan focuses on providing economic development revitalization strategy recommendations for the Dallas/Fair Park commercial corridor. It provides an analysis of the current conditions of the area, including land use and demographics. Development plan studies of both the neighborhood and community commercial areas are also done to guide zoning and prevent potential negative impacts of mixed use development. Current revitalization initiatives in both the public and private sector were outlined and followed by these fundamental objectives guiding corridor revitalization:

Objective One: Holistic Strategy

Objective Two: Improve Basic Attributes

Objective Three: Increase Resources

Objective Four: Financial Support and Technical Assistance

Objective Five: Encourage Corridor Reinvestment

The applicant's request complies with the recommendations of the South Dallas Fair Park Economic Development Plan. The proposed development furthers objectives One, Two, and Five. The fundamental objectives listed above are overall intended to encourage revitalization and reinvestment within the existing framework. The proposed change furthers the goal to improve the basic attributes, among which are landscaping, urban design, and access to goods and services. The reactivation and continued maintenance of this underutilized space encourages the property-by-property revitalization called for by this plan.

Trinity River Corridor Comprehensive Land Use Plan

The Trinity River Corridor Comprehensive Land Use Study was adopted by City Council in March 2005 and later revised in December 2009.

The Trinity River Corridor is a unified collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water

and green spaces that is the Trinity River. Additionally, The Trinity River Corridor is the City's model for economic growth without physical, social, or economic barriers, which attracts residents and visitors to live, learn, work, shop, and play within a cosmopolitan urban core, and alongside the river's meandering environment.

Five objectives for future development in the Trinity Corridor add detail to the 2050 Vision Statement. They provide guidance that shapes this plan's recommendations for each part of this very large corridor. The five objectives are:

- Reconnect North and South Dallas
- Establish the role of economic development along the Trinity River
- Create a vibrant central city
- Establish the Trinity River floodplain as the front yard of the City
- Enhance the city's urban form to increase the appeal of urban life

The property is located within the North Trinity Forest Planning District within the larger Trinity Corridor Plan. Within this planning district, the site is at the center of the Forest Heights Neighborhood Study Area. According to the plan, the Forest Heights community has an active group of residents and leaders. Its Community Development Corporation has focused on revitalization of this part of the city and their work is reflected in this study area's plans. The Forest Heights Neighborhood Study Area is bounded by Lamar Street on the west, Martin Luther King on the north and IH-45 on most of its southeastern side.

The Land Use Opportunity Plan for this area retains its existing single family neighborhood character by designating the central part of the study area for Residential – Neighborhood Infill. Retail – Community uses are planned along Martin Luther King Jr. Boulevard and at the southern tip of the study area where Lamar Street intersects IH-45. The public uses identified within the study area reflect existing and planned schools, churches and civic institutions.

The Land Use Opportunity Plan describes the subject property as Church / School / Civic. This category represents nonprofit, public or semi-public uses such as churches, synagogues, public and private schools, post offices, libraries, community centers, fire stations, and other government/municipal facilities. This role within the subarea indicates the plan envisioned this site as part of a larger neighborhood serving non-profit complex, as opposed to retail or commercial. The proposed change would allow the site to more accurately reflect this concept as it would allow non-profit community services to be distributed on site in collaboration with other church and school institutions.

Based on this, staff assesses the applicant's proposed expansion of PD No. 597 to be suitable to the objectives of the study area. Staff therefore finds the applicant's request to be consistent with the overall goals and policies of the Trinity River Corridor Comprehensive Land Use Study.

The 360 Plan

The 360 Plan is a strategic document that sets a clear, cohesive vision for Downtown Dallas and its surrounding neighborhoods, guiding the City Center to continued, long-term success. The plan was adopted by City Council in April 2011 and updated in 2015, 2016, and 2017. The area of request is located within the South Dallas / Fair Park area of the plan.

The applicant's proposal to activate underutilized commercial space by offering community services meets the 360's strategy to Build Complete Neighborhoods through the following goal:

3 Grow a Diverse Mix of Services and Retail

Surrounding Land Uses:

	Zoning	Land Use
Site	NC Neighborhood Commercial and MF-2(A) Multifamily within Planned Development District No. 595 with deed restrictions Z078-207	Vacant Structure
Northwest	FWMU-3 Form Subdistrict within Planned Development District No. 595	Undeveloped, Retail
Southwest	MF-2(A) Multifamily Subdistrict within Planned Development District No. 595	Single Family
Southeast	MF-2(A) Multifamily Subdistrict within Planned Development District No. 595	Undeveloped
Northeast	Planned Development District No. 597	Community Service Center, Private School, Food or Beverage Store, Single Family

Land Use Compatibility:

The property is currently located within the NC Neighborhood Commercial Subdistrict of Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, which generally allows small scale commercial uses. The southeast 58 feet of the

property are located within the MF-2(A) Multifamily subdistrict, which primarily allows residential uses. This portion of the property includes DR Z078-207, which restrict this portion of the property to no more than three residential units if developed as residential. The deed restrictions are planned to be left in place as the applicant does not propose to develop this portion of the site.

Across Pennsylvania Avenue to the northwest are retail uses and an undeveloped property. Properties across Holmes Street to the northeast include the existing community service center and food or beverage store uses, and a single-family home. Property southeast of the site is currently undeveloped. Properties across the alley to the southwest are single-family homes. The proposed change allows the additional uses of food or beverage store and community service center but removes other potential commercial uses from the site.

The Dallas Development Code definition of a community service center is “A multi-functional facility where a combination of social, recreational, welfare, health, habilitation, or rehabilitation services are provided to the public. For purposes of this definition, a facility where only business transactions or administrative, educational, school support, counseling, informational, referral, or out-patient medical, dental, or optical treatment services (or any combination of these activities) take place is not considered to be a community service center.”

Within the PD, the food or beverage store use is defined as “a store for the distribution or sale of food or beverages. The term “food or beverage store” includes a food pantry, grocery, delicatessen, and specialty foods store.” With the proposed zoning, the existing community pantry could use the existing building on the subject site to provide a variety of services including education, counseling, food and clothing distribution, and social work.

Generally, commercial uses are permitted along the Pennsylvania Avenue corridor, both under the site’s existing zoning and along the north side of Pennsylvania Avenue. The corridor contains a mix of commercial businesses, multifamily, and institutional uses, primarily St. Phillips School, which constitutes the remainder of PD No. 597. The location of the proposed use would provide services within walking distance to area homes.

The proposed development plan matches the existing building, with minor changes to allow for improved accessibility. The proposed plan locates the primary structure close to the primary street corner, which both distances the use from nearby residential and provides for a more pedestrian oriented design. The plan includes an open space buffer

on the southwest side of the site in the area currently zoned an MF-2(A) Subdistrict within PD No. 595. The site also borders a ten-foot alley which provides further buffer between the subject site and nearby homes.

The revised conceptual plan is only necessary to depict the addition of Tract 3, and does not modify any further aspects of this exhibit.

Development Standards:

DISTRICT	SETBACKS		Height Stories	Lot Coverage	Special Standards	Primary Uses
	Front	Side/Rear				
Existing PD 595 NC	0' or 15'	0' or 5' 15' adj res 0' or 5' 15' adj res	30' 2	40%	RPS	Office, Retail
Existing PD 595 MF-2 with DR	15'	15'	36'	60%	RPS	1 - 3 dwelling units
Proposed PD 597 Tract 3	0'	5' (No rear yard on property)	36'* *(Limited by RPS to 26'-30')	50% for proposed use Others: 45% res 25% non-res	RPS	Multifamily, community service center and food and beverage store

The proposed development standards are intended to encourage the reuse of the existing structure while maintaining appropriate design in the event the property was to be developed with a different use.

The majority of the Pennsylvania Avenue façade is located about 15 feet from this property line. It also includes a raised patio which could be considered a structure for setback purposes, and the front of this structure is located at the property line. The front setback along Holmes Street would be ten feet. The side setback along Holmes, where there is residential adjacency, would be 15 feet, which would lie in the open space proposed to be preserved by the applicant. On Pennsylvania Avenue, the side setback would be five feet to accommodate the existing building, but this adjacency is further buffered by the ten foot alley which separates this property and nearby homes. The height, although 36 feet under PD 597, would be limited to 26 feet on the majority of the site by residential proximity slope.

When developing uses other than a food or beverage store or community service center, typical MF-2(A) setbacks and other development standards will apply.

Parking:

The proposed development is required to provide parking in accordance with Chapter 51A and PD No. 597. PD No. 597 is considered one lot for purposes of off-street parking. Required parking for the food or beverage store and community service center uses is one space per 200 square feet of floor area. A 4,537 square foot building with the proposed uses would require 23 spaces total. The existing site and development plan include 17 spaces, and the remaining six are planned to be provided remotely with the remainder of the St. Phillips site.

Landscaping:

Landscaping on the property must be provided in accordance with PD No. 597, which calls for landscaping to be provided in accordance with Article X, as amended, for this use.

Market Value Analysis

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The area of request is not located within an MVA cluster, but surrounding properties are located within the “I” MVA category.

List of Officers

Board of Trustees and Officers – St. Philip's School & Community Center

Officers

Tim Weil, *Chair*
Paula Mitchell, *Vice-Chair*
Melissa Orth, *Treasurer*
Marci McLean, *Secretary*

Members at Large

Brent Alfred
Cynammon Burns Allen
Aubrey Connatser
Mark Copeland
Candace Crespo
Grace Daniels
Angie Esposito
Sherelle Evans
Susan Fisk
Leila Gary
Gwendolyn George
Michael Guidry
Kevin Hall
Will Haynes
Sarah Hinkley
John Kiser
Dianne Livings
David D. Martin
David R. Martin
Dennis Palmer
Paul Rasmussen
Crystal Ross
Elizabeth Saab
Dottie Singhal
Arnold Spencer
Carter Tollerson
Kelly Turco
Wayne Warren
Lisa Williams

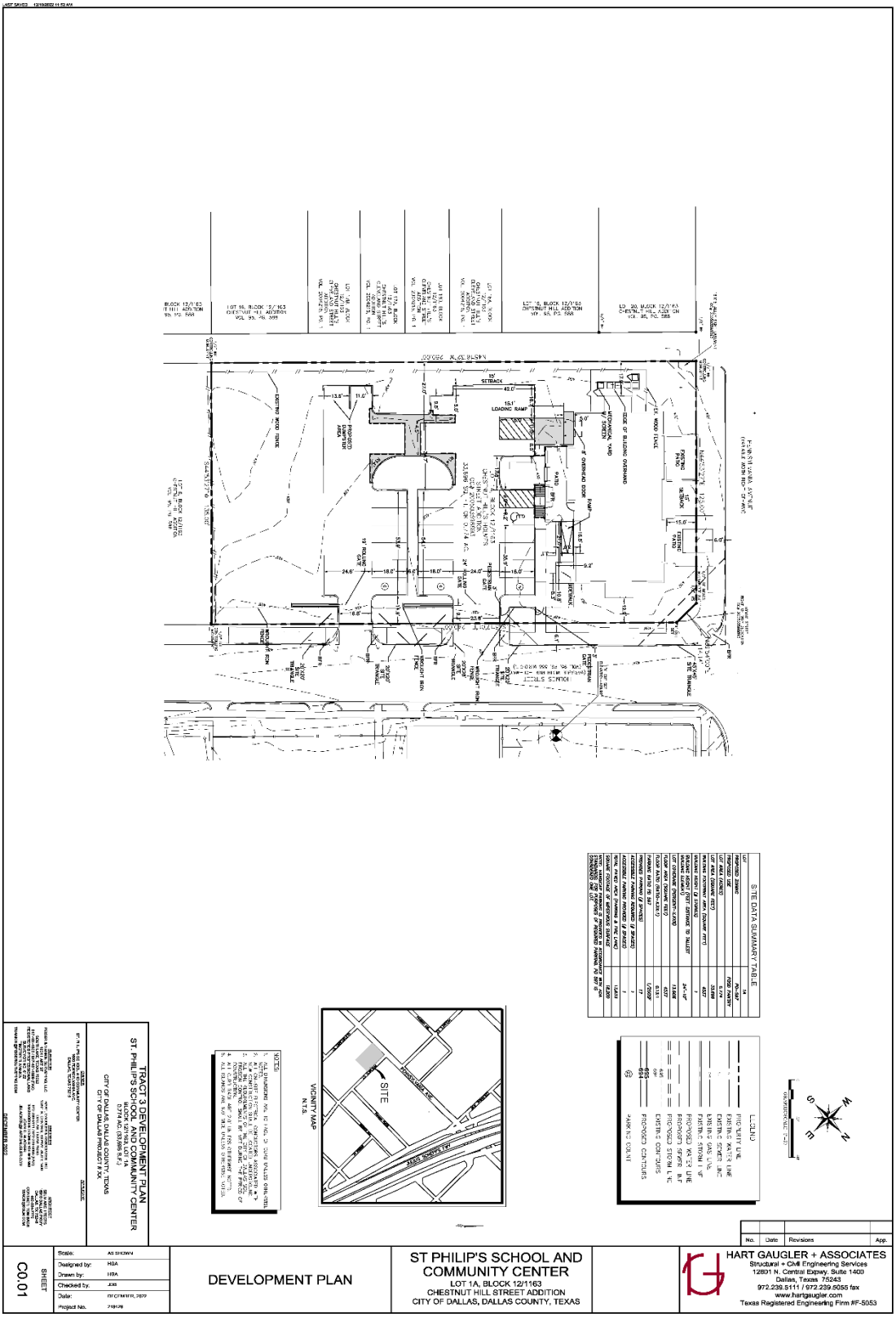
Ex-Officio Members

David Cowling
Immediate Past Board Chair
Rob Landon
Interim Foundation
Tina Stansbury
Friends of St. Philip's
Sahar Haque
Junior League of Dallas
Sherilyn Rudolph
PSA President

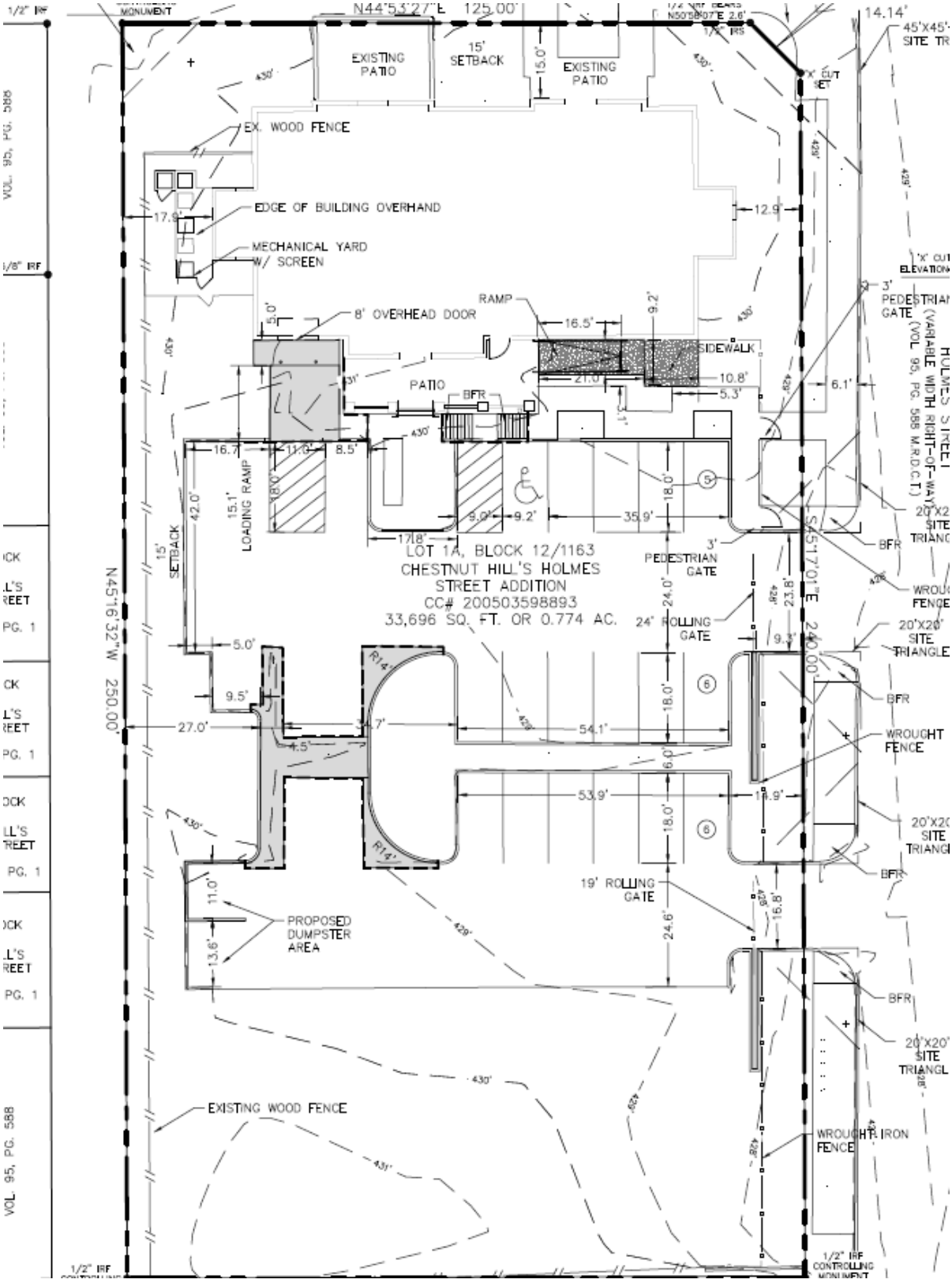
Perot Family Headmaster

Dr. Terry J. Flowers

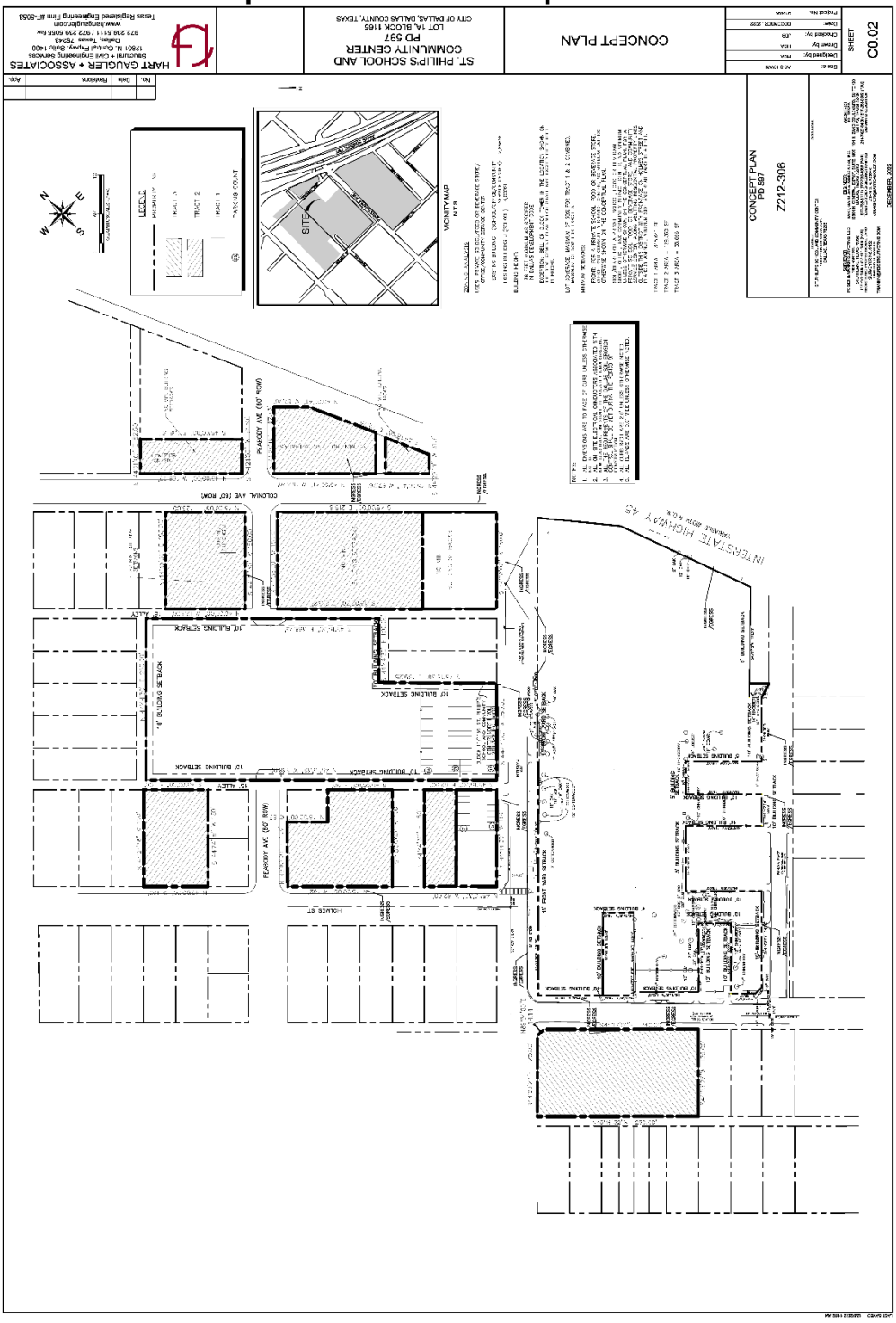
Proposed Development Plan



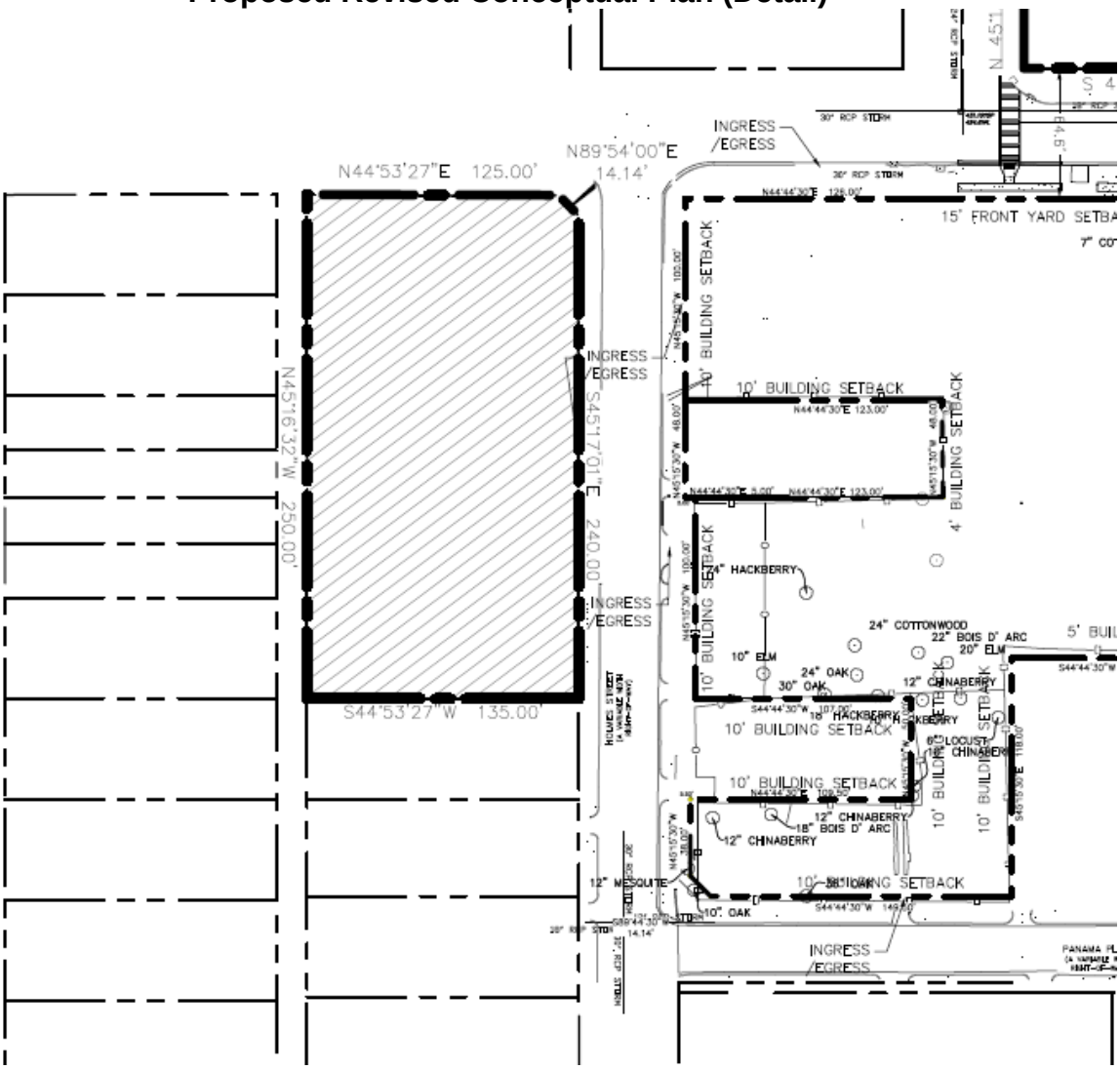
Proposed Development Plan (Detail)



Proposed Revised Conceptual Plan



Proposed Revised Conceptual Plan (Detail)



Proposed PD Conditions
(All changes highlighted)

ARTICLE 597.

PD 597.

SEC. 51P-597.101. LEGISLATIVE HISTORY.

PD 597 was established by Ordinance No. 24564, passed by the Dallas City Council on March 28, 2001. Ordinance No. 24564 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. (Ord. Nos. 19455; 24564; 25163; 27635)

SEC. 51P-597.102. PROPERTY LOCATION AND SIZE.

PD 597 is established on property fronting on the northeast line of Holmes Street, on the southeast line of Pennsylvania Avenue, on the northwest line of Pennsylvania Avenue between ~~Holmes~~Cleveland Street and Julius Schepps Freeway, and on the northwest and southeast lines of Peabody Avenue between Holmes Street and Julius Schepps Freeway. The size of PD 597 is approximately ~~14.43~~_____acres. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated the definitions and interpretations in Chapter 51A apply to this article. In this article, FOOD OR BEVERAGE STORE means a store for the distribution or sale of food or beverages. The term “food or beverage store” includes a food pantry, grocery, delicatessen, and specialty foods store.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.103.1 EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 597A: conceptual plan.

(2) Exhibit 597B: Tract 1 development plan.

(3) Exhibit 597C: traffic management plan.

(4) Exhibit 597D: Tract 1 landscape plan. (Ord 31892)

(5) Exhibit 597E: Tract 3 development plan.

SEC. 51P-597.103.2 CREATION OF TRACTS.

This district is divided into ~~two~~three tracts: Tract 1 ~~and~~, Tract 2, and Tract 3. The boundaries of each tract are as shown on the conceptual plan (Exhibit 597A). (Ord 31892)

SEC. 51P-597.104. MAIN USES PERMITTED.

(d) Except as provided in this section, the only main uses permitted are those main uses permitted in the MF-2(A) Multifamily District, subject to the same conditions applicable in the MF-2(A) Multifamily District, as set out in Chapter 51A. For example, a use permitted in the MF-2(A) Multifamily District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the MF-2(A) Multifamily District is subject to DIR in this district, etc.

(e) The following additional main uses are permitted by right:

-- Community service center.
-- Food or beverage store.
-- Office *[only allowed in Building I as shown on the conceptual plan]*.
-- Private school.

(f) For purposes of this article, private school includes recreation areas and athletic facilities including but not limited to: playgrounds, art installations, parks, game courts, swimming pools, and playing fields in conjunction with a private school use. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.105. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.105.1 CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan. If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. 31892)

SEC. 51P-597.106. DEVELOPMENT PLAN.

(g) Tract 1. For a community center, food or beverage store, and private school, development and use of Tract 1 must comply with the Tract 1 development plan (Exhibit 597B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(h) Tract 2.

(1) For a community center, food or beverage store, office, and private school, a development plan must be approved by the city plan commission before issuance of any building permit to authorize work on Tract 2. If there is a conflict between the text of this article and the development plan, the text of this article controls.

(2) Development plans may be submitted in phases and may include any portion of the Property.

(i) Tract 3. For a community center or food or beverage store, development and use of Tract 3 must comply with the Tract 3 development plan (Exhibit 597E). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(j) ~~(c)~~ No development plan is required for the renovation or re-utilization of buildings existing prior to March 28, 2001.

(k) ~~(d)~~ For all other permitted uses, no development plan is required, and Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, development schedule, or landscape plan do not apply.

(l) ~~(e)~~ The property may be developed in phases as shown on the conceptual plan. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.107. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front yard.

(1) For a community service center, food or beverage store, and private school, no minimum front yard unless otherwise shown on the conceptual plan.

(2) For all other permitted uses, minimum front yard is 15 feet.

(b) Side and rear yard.

(1) Except as provided in this subsection, for a community service center, food or beverage store, office, and private school, no minimum side and rear yard unless otherwise shown on the conceptual plan. In Tract 3, minimum side and rear yard for a community service center or food or beverage store uses is five feet along the southwestern boundary and 15 feet along the southeastern boundary.

(2) Unless otherwise shown on the conceptual plan, for a community service center, food or beverage store, and private school, abutting residential property lines outside this district with frontage on Holmes Street and Peabody Avenue, minimum side and rear yard is four feet. This paragraph does not apply to Tract 3.

(3) For all other permitted uses:

(A) No minimum side and rear yard for single family structures.

(B) Minimum side yard for duplex structures is five feet.

(C) Minimum side yard for other permitted structures is 10 feet.

(D) Minimum rear yard for duplex structures is 10 feet.

(E) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, LI, IR, IM, mixed use, or multiple commercial district.

(c) Density. No maximum dwelling unit density.

(d) Height.

(1) Residential proximity slope. For a community service center, food or beverage store, office, and private school, the residential proximity slope does not apply. For all other permitted uses, the residential proximity slope regulations in Chapter 51A apply.

(A) Residential proximity slope shall apply for any permitted uses in Tract 3.

(2) Maximum height. Except as provided in Section 51A-4.408(a)(2), and unless further restricted under Paragraph (1), maximum structure height is 36 feet excluding a bell or clock tower in the location shown on the development plan which may not exceed 50 feet in height.

(e) Lot coverage.

(1) For a community service center, food or beverage store, office, and private school located in Tract 1 and Tract 2, maximum lot coverage for Tracts 1 and 2 combined is 50 percent.

(2) For a community service center, food or beverage store, and private school located in Tract 3, maximum lot coverage for Tract 3 is 50 percent.

(3) ~~(2)~~ For all other permitted uses, maximum lot coverage is 45 percent for residential structures and 25 percent for nonresidential structures.

(4) ~~(3)~~ Surface parking lots and underground parking structures are not included in lot coverage calculation.

(5) ~~(4) The property is~~Tract 1 and Tract 2 are considered one lot for purposes of lot coverage calculations.

(f) Lot size. Minimum lot size for residential uses is as per the MF-2(A) district standards.

(g) Stories.

(1) For a private school, maximum number of stories is two, excluding a bell or clock tower as provided in Section 51P-597.107(d)(2).

(2) For all other permitted uses, no maximum number of stories.

(h) Floor area.

(1) For a community service center, food or beverage store, office, and private school located on Tract 1 and Tract 2, maximum combined floor area is 180,000 square feet.

(2) For office use, maximum floor area is 5,000 square feet.

(3) For all other permitted uses, no maximum floor area. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.108. OFF-STREET PARKING AND LOADING.

(a) For a private school, one and one-half off-street parking spaces are required for each kindergarten and elementary school classroom, but in no event may there be less than 76 off-street parking spaces. Off-street parking must be provided as shown on the Tract 1 development plan. Temporary off-street parking is permitted for only 15 minutes during student drop-off and pick-up in the southwest quadrant of Pennsylvania Avenue and Colonial Avenue in the location shown on the Tract 1 development plan.

(b) For all other permitted uses, consult the use regulations (Division 51A-4.200) for the specific off-street parking requirements for each use. Consult the off-street parking and loading regulations (Division 51A-4.300 et seq.) for information regarding off-street parking and loading generally.

(c) Notwithstanding Section 51A-4.324(b)(1), special parking may be located in a parking lot having frontage on Colonial Avenue and on Peabody Avenue east of the playing fields in this district to serve non-residential uses located outside this district.

(d) The Property is considered one lot for purposes off off-street parking requirements.

(e) For a community service center, food or beverage store, office, and private school, parking may be located within a required front yard.

(f) Parking for a food or beverage store use is one space per 200 square feet of floor area.

(g) Two loading spaces are required as shown on the Tract 1 development plan. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.109. TRAFFIC MANAGEMENT PLAN.

(a) In general. The operation of the uses of Tract 1 and Tract 2 must comply with the traffic management plan (Exhibit 597C).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by March 1, 2010. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1st of every odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(d) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion. (Ord. Nos. 27635; 31892)

SEC. 51P-597.110. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.111. LANDSCAPING.

(a) For a community service center, food or beverage store, office, and private school located on Tract 1, landscaping must be provided as shown on the Tract 1 landscape plan (Exhibit 597D). Landscaping for each phase must be installed within six months after the issuance of a certificate of occupancy for that phase of development.

(b) For a community service center, food or beverage store, and private school located at a setback less than 10 feet from an abutting residential property line outside the district with frontage on Holmes Street and Peabody Avenue and a building facade facing the abutting residential property, plantings and landscape treatments may include trellises with vines, but must be mounted on the portion of the building facade adjacent to the residential property line. This paragraph does not apply to Tract 3.

(c) For all other permitted uses, landscaping must be provided in accordance with Article X.

(d) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.112. LANDSCAPING IN THE PARKWAY.

(a) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping

requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, and $2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(b) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the right-of-way. (Ord. 27635)

SEC. 51P-597.113. LIGHTING.

Athletic field and parking lot lighting must be directed away from surrounding properties. Athletic field light poles may not exceed 60 feet in height. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.114. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.115. ACCESS.

Ingress and egress must be provided as shown on the development plan. No other ingress and egress is permitted. (Ord. Nos. 24564; 25163; 27635)

SEC. 51P-597.116. FENCES.

(a) For a community service center, food or beverage store, office, or private school a perimeter fence is permitted.

(b) For a community service center, food or beverage store, and private school located at a setback less than 10 feet from an abutting residential property line outside the district with frontage on Holmes Street and Peabody Avenue, a six-foot wood fence is required along the setback from the residential property.

(c) For a community center or food or beverage store in Tract 3:

(1) A fence consisting of wrought-iron material having more than 50 percent open surface area may be located on the Property in the area shown on the Tract 3 development plan, between the Holmes façade and property line.

(2) Maximum height of fences is 8 feet.

(3) Fences may include rolling gates.

(d) ~~(c)~~ For all other uses, fences must be located in accordance with Chapter 51A. (Ord. Nos. 24564; 25163; 27635; 31892)

SEC. 51P-597.117. ADDITIONAL PROVISIONS.

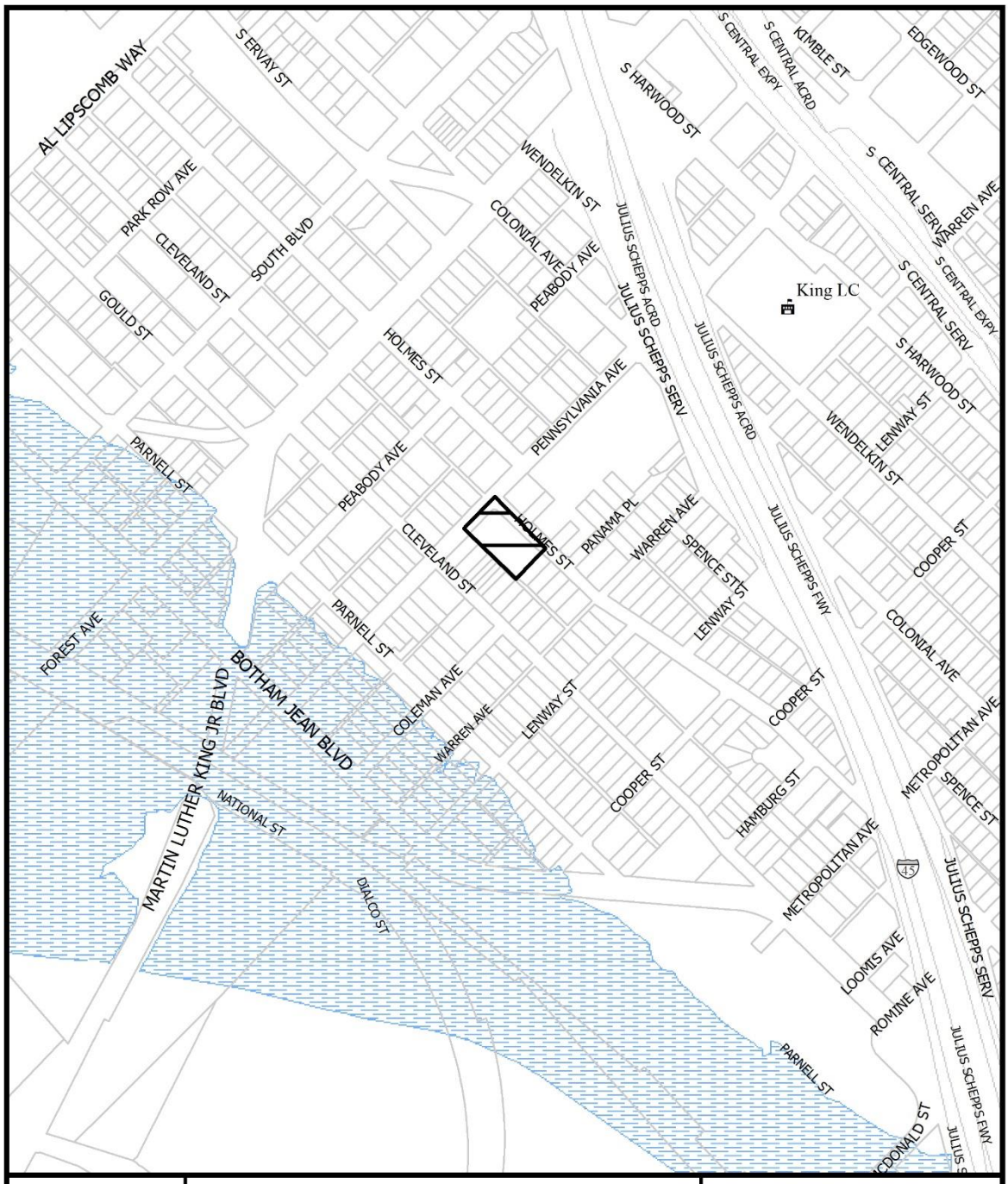
(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 24564; 25163; 26102; 27635; 31892)

SEC. 51P-597.118. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit or a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 24564; 25163; 26102; 27635)



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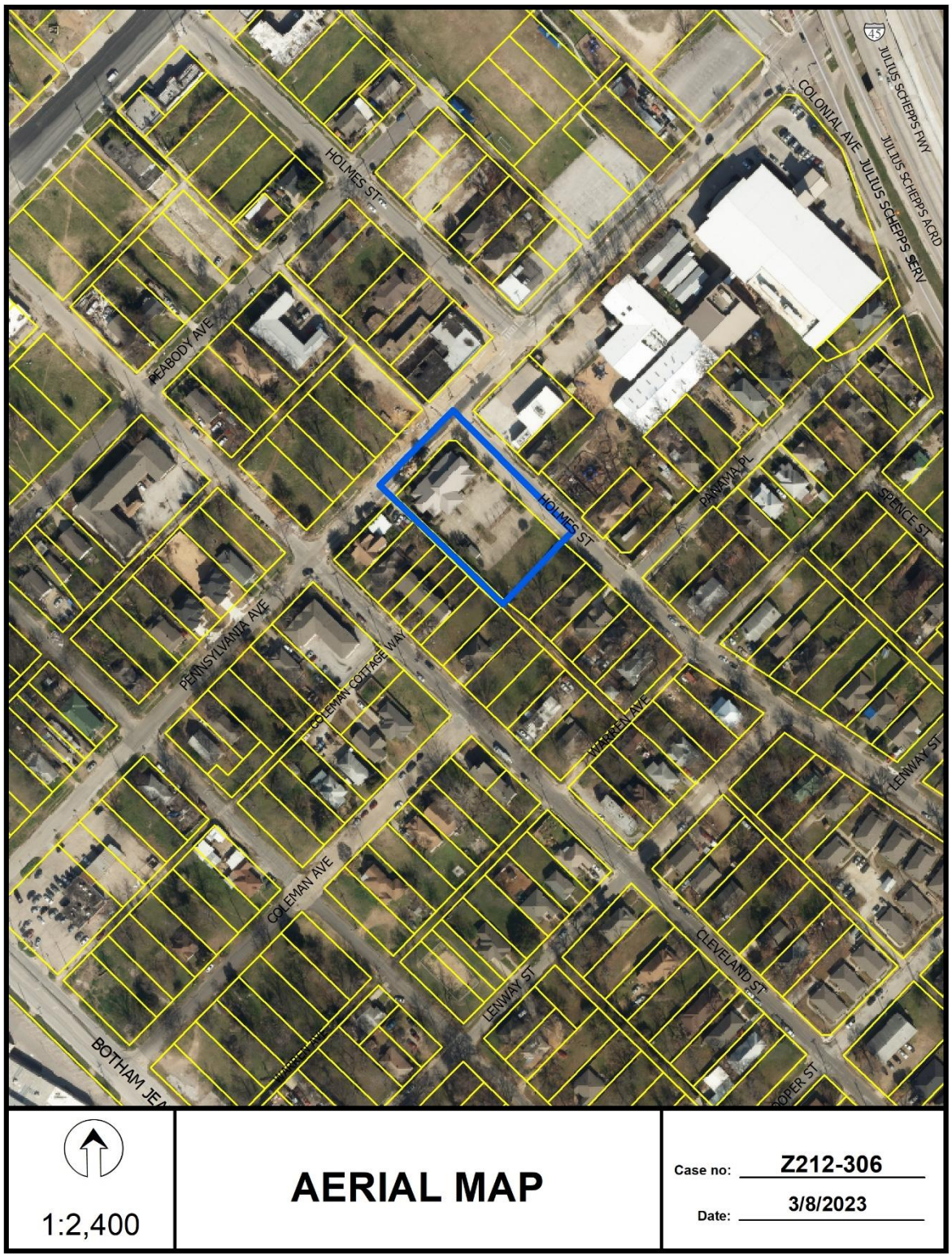
VICINITY MAP

Case no: Z212-306

Date: 3/8/2023



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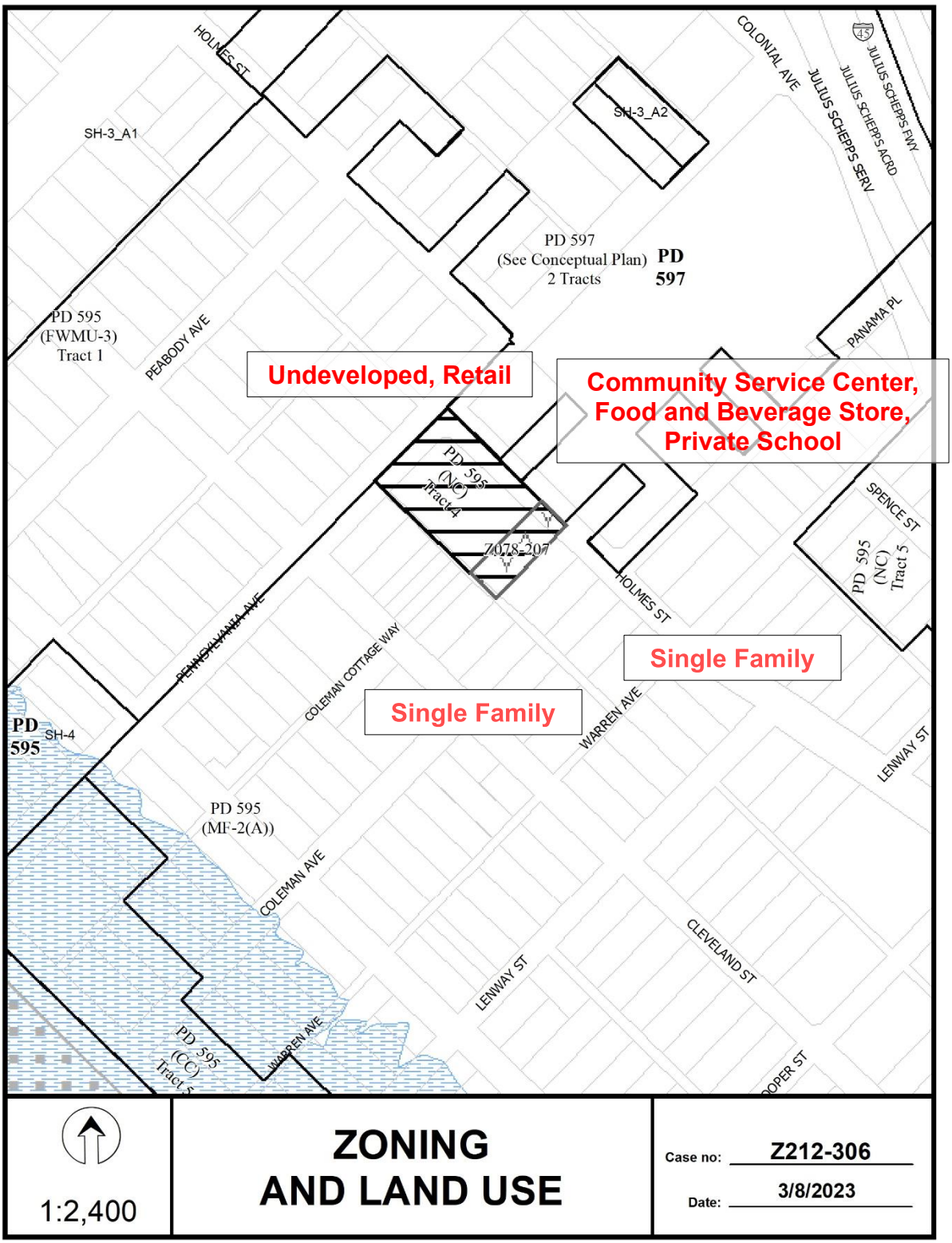
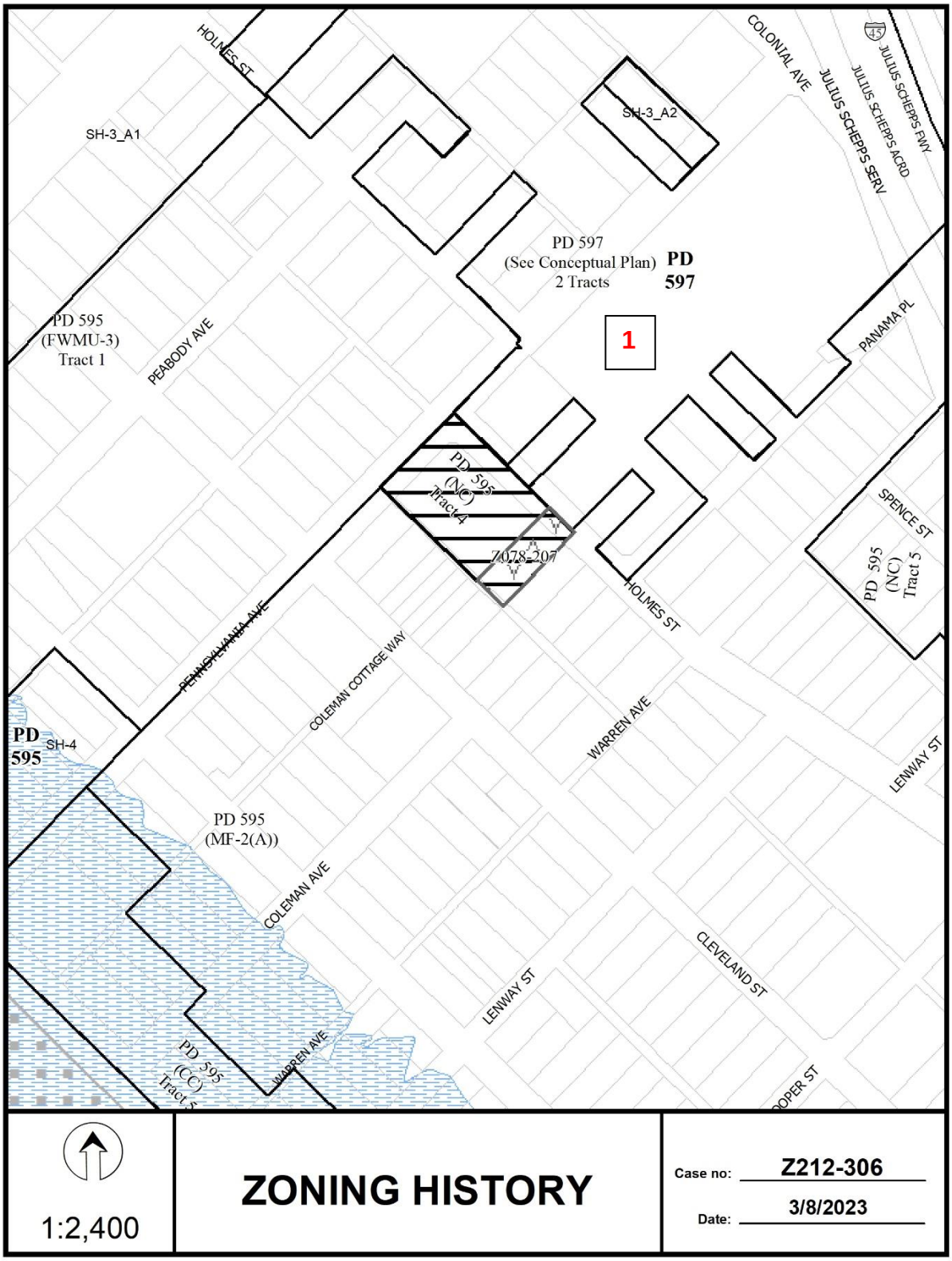
AERIAL MAP

Case no: Z212-306

Date: 3/8/2023


HOLMES ST
SH-3_A1
SH-3_A2
COLONIAL AVE
JULIUS SCHEPPS FWY
JULIUS SCHEPPS ACRD
JULIUS SCHEPPS SERV
PD 597
(See Conceptual Plan)
2 Tracts
PD 597
PD 595
(FWMU-3)
Tract 1
PEABODY AVE
PANAMA PL
Undeveloped, Retail
Community Service Center,
Food and Beverage Store,
Private School
PD 595
(NC)
Tract 4
Z078-207
SPENCE ST
PD 595
(NC)
Tract 5
HOLMES ST
PENNSYLVANIA AVE
COLEMAN COTTAGE WAY
Single Family
Single Family
WARREN AVE
LENWAY ST
PD
595
SH-4
PD 595
(MF-2(A))
COLEMAN AVE
CLEVELAND ST
LENWAY ST
PD 595
(CC)
Tract 5
WARREN AVE
COOPER ST
1:2,400
ZONING
AND LAND USE
Case no: Z212-306
Date: 3/8/2023


HOLMES ST
SH-3_A1
SH-3_A2
COLONIAL AVE
JULIUS SCHEPPS FWY
JULIUS SCHEPPS ACRD
JULIUS SCHEPPS SERV
PD 597
(See Conceptual Plan)
2 Tracts
PD 597
1
PD 595
(FWMU-3)
Tract 1
PEABODY AVE
PANAMA PL
PD 595
(NC)
Tract 4
Z078-207
SPENCE ST
PD 595
(NC)
Tract 5
HOLMES ST
PENNSYLVANIA AVE
COLEMAN COTTAGE WAY
WARREN AVE
LENWAY ST
PD
595
SH-4
PD 595
(MF-2(A))
COLEMAN AVE
CLEVELAND ST
LENWAY ST
PD 595
(CC)
Tract 5
WARREN AVE
COOPER ST
1:2,400
ZONING HISTORY
Case no: Z212-306
Date: 3/8/2023

Market Value Analysis A B C D E F G H I NA

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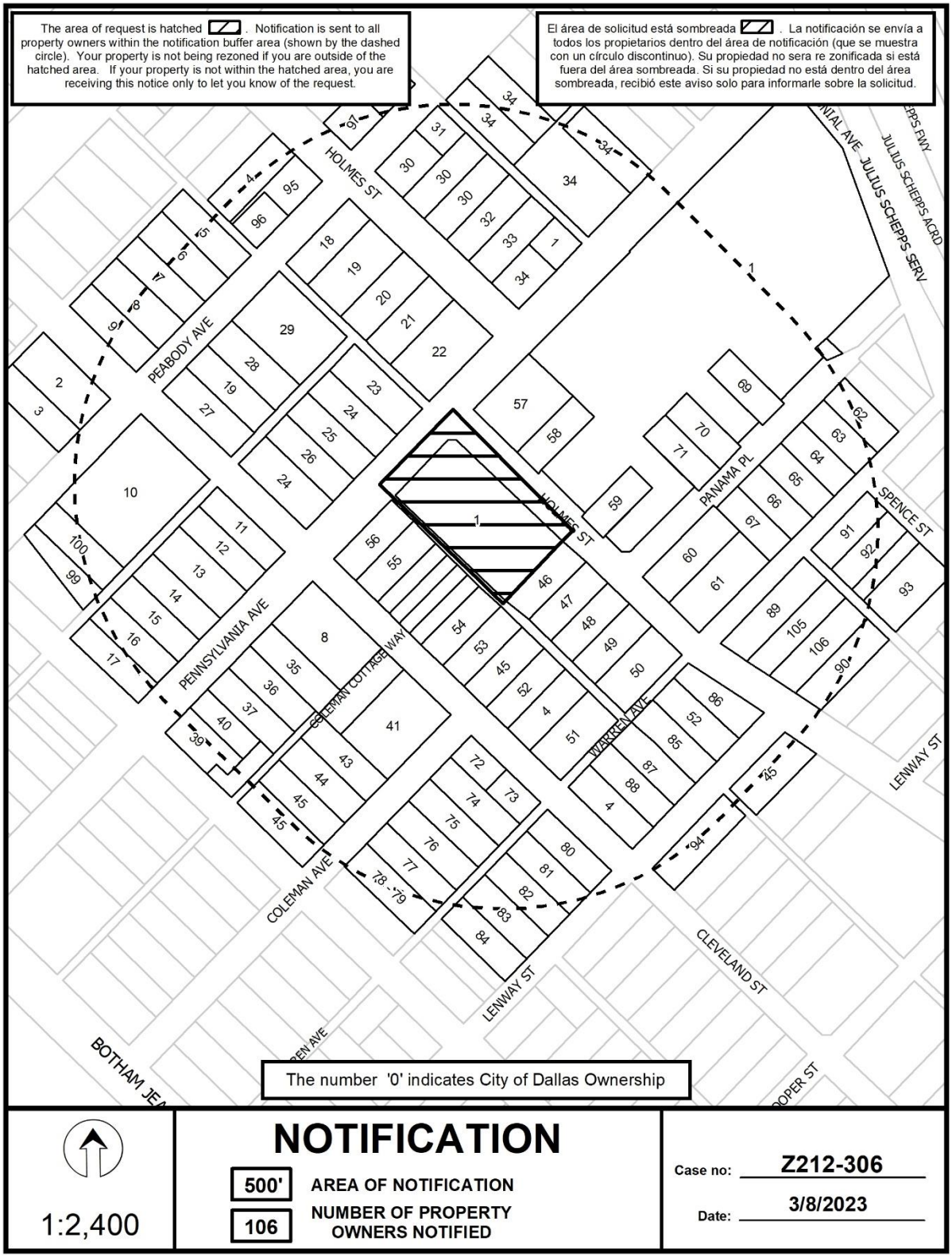
Market Value Analysis

Printed Date: 3/8/2023


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no sera re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
HOLMES ST
PEABODY AVE
PENNSYLVANIA AVE
COLEMAN COTTAGE WAY
COLEMAN AVE
WARREN AVE
PANAMA PL
SPENCE ST
LENWAY ST
CLEVELAND ST
JULIUS SCHEPPS SERV
JULIUS SCHEPPS ACRD
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
500'
AREA OF NOTIFICATION
106
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: Z212-306
Date: 3/8/2023

03/08/2023

Notification List of Property Owners

Z212-306

106 Property Owners Notified

Label #	*Address*		*Owner*
1	1609	PENNSYLVANIA AVE	ST PHILIPS SCHOOL & COMMUNITY CENTER
2	1325	PEABODY AVE	RELIANT HOLDINGS LLC
3	1319	PEABODY AVE	CASABLANCA REAL ESTATE LLC
4	3017	HOLMES ST	WFMF LLC
5	1417	PEABODY AVE	PARKER DOUGLAS
6	1413	PEABODY AVE	PARKER DOUGLAS
7	1409	PEABODY AVE	CHRISTIAN MYRA LEE HAMMONDS ET AL
8	1405	PEABODY AVE	FOREST HEIGHTS NEIGHBORHOOD
9	1401	PEABODY AVE	TORRES JOSE CARMEN MARTINEZ
10	1314	PEABODY AVE	PEABODY MANOR LLC
11	1325	PENNSYLVANIA AVE	BLAIR LORAINE DANIELS
12	1323	PENNSYLVANIA AVE	LEWIS A B JR
13	1317	PENNSYLVANIA AVE	FREEMAN VELMA B EVANS
14	1313	PENNSYLVANIA AVE	BOWIE BRANDON C
15	1309	PENNSYLVANIA AVE	RICHARDSON GWENDOLYN
16	1305	PENNSYLVANIA AVE	DFW REALTY SERVICES LLC
17	1301	PENNSYLVANIA AVE	COX BERTHA MAE EST OF
18	1506	PEABODY AVE	TAYLOR JACQUELYN D
19	3105	HOLMES ST	1600 PENNSYLVANIA INC
20	3109	HOLMES ST	CHEN KATIE
21	3115	HOLMES ST	JAMES R BROWN REVOCABLE
22	3127	HOLMES ST	JACKSON TROY
23	1419	PENNSYLVANIA AVE	B&J WHOLESALE RTL LIQUOR
24	1415	PENNSYLVANIA AVE	MAX DATA LLC
25	1409	PENNSYLVANIA AVE	ANDOR PROPERTIES LLC
26	1405	PENNSYLVANIA AVE	GLENDA HURLEY TRUSTEE

03/08/2023

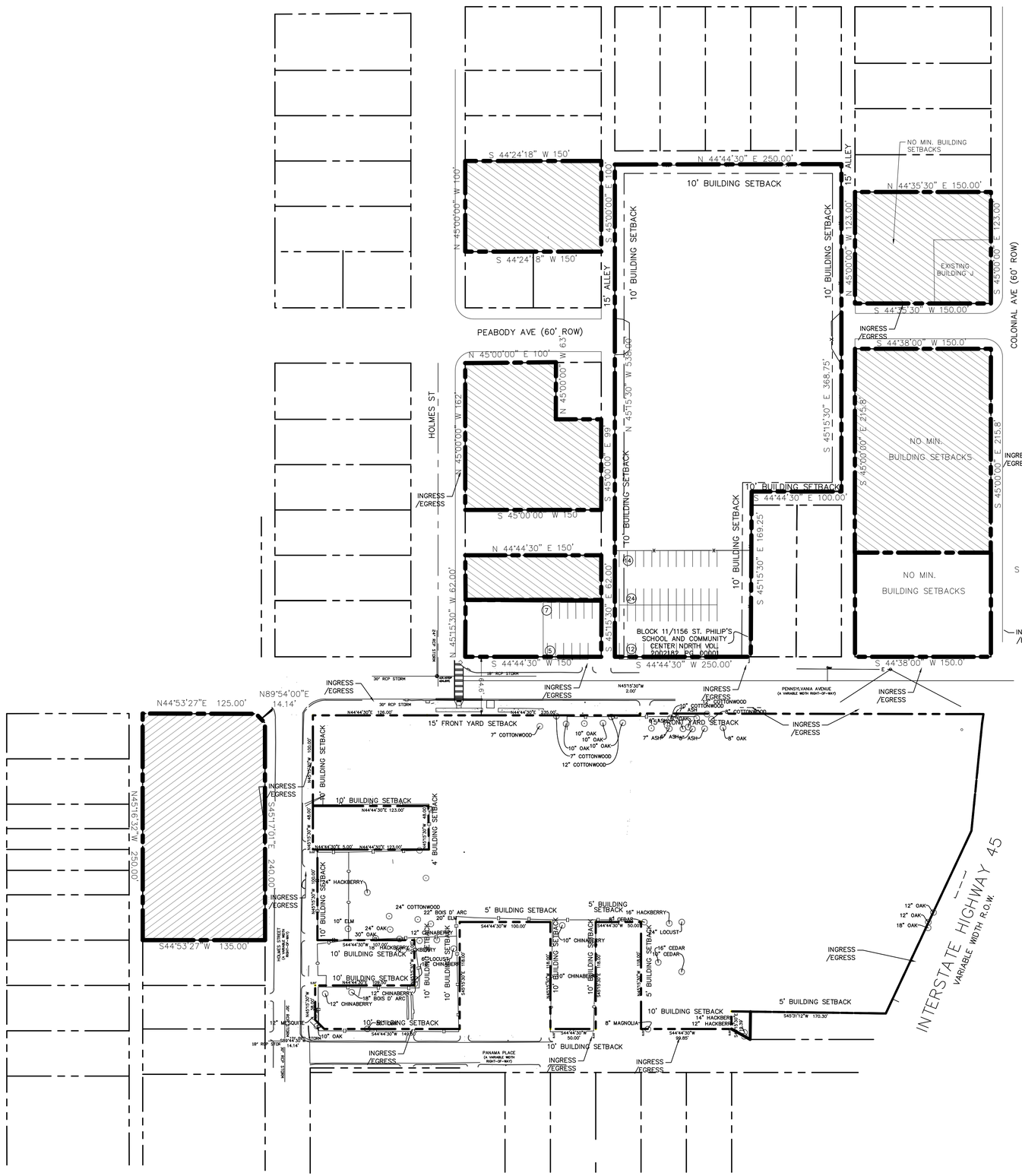
Label #	*Address*		*Owner*
27	1400	PEABODY AVE	COVARRUBIAS JUAN
28	1410	PEABODY AVE	WISELILY SERVISES LLC
29	1414	PEABODY AVE	JMV INVESTMENTS
30	3102	HOLMES ST	ST PHILIPS SCHOOL AND
31	1608	PEABODY AVE	MARSH HORACE
32	3112	HOLMES ST	EASTER AVAN SR LIFE ESTATE
33	3116	HOLMES ST	ST PHILIPS SCHOOL & COMMUNITY
34	3120	HOLMES ST	1600 PENNSYLVANIA
35	1316	PENNSYLVANIA AVE	PARKER BILLY
36	1312	PENNSYLVANIA AVE	MAX DATA LLC
37	1308	PENNSYLVANIA AVE	KELLEY DAPORSCHA
38	3208	PARNELL ST	GRINSTEIN CARMEN
39	1300	PENNSYLVANIA AVE	TERRELL ENTERPRISES INC
40	1304	PENNSYLVANIA AVE	GILLASPIE ALEX
41	1319	COLEMAN AVE	Taxpayer at
42	3211	CLEVELAND ST	Taxpayer at
43	1315	COLEMAN AVE	MONTGOMERY JAMES &
44	1311	COLEMAN AVE	PRICE MRS LORENE &
45	1307	COLEMAN AVE	SP 1600 PENN FOUNDATION
46	3221	HOLMES ST	SP 1600 PENN FOUNDATION
47	3227	HOLMES ST	REYES MARCO
48	3303	HOLMES ST	PUEBLA HUGO
49	3305	HOLMES ST	RUIZ MAXIMINO
50	3309	HOLMES ST	CIS INVESTMENT
51	3304	CLEVELAND ST	NEWSOME EMILY
52	3228	CLEVELAND ST	1600 PENNSYLVANIA
53	3220	CLEVELAND ST	SAKA RAMAN &
54	3216	CLEVELAND ST	LEWIS SUSAN
55	3204	CLEVELAND ST	LYONS XAVIER DEMOND
56	3200	CLEVELAND ST	HEARD VINCENT C
57	1502	PENNSYLVANIA AVE	ST PHILIPS SCHOOL AND COMMUNITY

03/08/2023

Label #	*Address*		*Owner*
58	3208	HOLMES ST	DAVIS JERI D
59	3222	HOLMES ST	TODD CLIFTON JR LF EST
60	3300	HOLMES ST	ST PHILLIPS SCHOOL & COMMUNITY CENTER
61	3306	HOLMES ST	MAY DONALD
62	1622	PANAMA PL	CONNER ROSIE LEE EST OF &
63	1616	PANAMA PL	LILIAN LEASINGS LLC
64	1612	PANAMA PL	BREWER MADELYN LIFE ESTATE
65	1608	PANAMA PL	JONES ANDREA M
66	1604	PANAMA PL	CARHEE LESTER
67	1600	PANAMA PL	WILLIAMS JERLINE
68	1627	PANAMA PL	ST PHILIPS SCHOOL &
69	1613	PANAMA PL	CROWE GWEN &
70	1605	PANAMA PL	ADAMS MARY
71	1601	PANAMA PL	RUFFIN ROBERT EST OF
72	1324	COLEMAN AVE	STOCKARD JANICE DALE
73	1326	COLEMAN AVE	JOHNSON FASHION L
74	1314	COLEMAN AVE	STREIFF INVESTMENTS LLC
75	1310	COLEMAN AVE	LAWLER RONNIE
76	1308	COLEMAN AVE	NELSONADAMS DENISE ROSE
77	1306	COLEMAN AVE	EAST LEGON LP
78	1304	COLEMAN AVE	LOVE ANNIE BELL EST OF &
79	1304	COLEMAN AVE	LOVE ANNIE BELL &
80	1327	LENWAY ST	ALFARO COSME
81	1323	LENWAY ST	MONTGOMERY JAMES RUSSELL
82	1317	LENWAY ST	MCGEE YLONDA
83	1315	LENWAY ST	FOREST HEIGHTS
84	1309	LENWAY ST	COLE ALVIN
85	1413	LENWAY ST	Taxpayer at
86	1419	LENWAY ST	SANTOS SALAVIA
87	1409	LENWAY ST	FOREMAN BOBBY JOE &
88	1405	LENWAY ST	HARDING LEONARD ISAAC JR

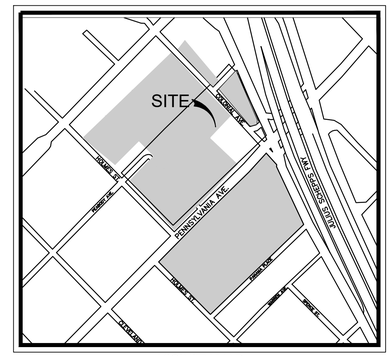
03/08/2023

Label #	*Address*		*Owner*
89	3400	HOLMES ST	WALKER TRAVIS
90	3412	HOLMES ST	BONILLAVELEZ ANA LAURA
91	3401	SPENCE ST	AGUILAR ADRIAN
92	3405	SPENCE ST	ACERTS INC
93	3413	SPENCE ST	FOXSMITH TIMOTHY J &
94	3500	CLEVELAND ST	CHAPA JUAN RODOLFO &
95	1507	PEABODY AVE	HAWKINS SHARON
96	1501	PEABODY AVE	CASTANEDA REGULO &
97	1601	PEABODY AVE	HERNANDEZ JUAN & MARIA
98	1605	PEABODY AVE	NARVAEZ MARCOS & MARIA
99	1304	PEABODY AVE	QUEMADA MARIA G
100	1306	PEABODY AVE	LOFTIS BARBARA
101	3212	CLEVELAND ST	FOREST HEIGHTS NEIGHBORHOOD
102	3214	CLEVELAND ST	ETANISLAO ERICA
103	3208	CLEVELAND ST	HARRIS LARRY
104	3210	CLEVELAND ST	BROOKS GLORIA
105	3404	HOLMES ST	LEE DOROTHY
106	3406	HOLMES ST	SPRIGGINS REGINA & JOHN



LEGEND

- PROPERTY LINE
- TRACT 3
- TRACT 2
- TRACT 1
- (22) PARKING COUNT



VICINITY MAP
N.T.S.

ZONING ANALYSIS

USES: PRIVATE SCHOOL/FOOD OR BEVERAGE STORE/ OFFICE/COMMUNITY SERVICE CENTER

EXISTING BUILDING I (SCHOOL/OFFICE/COMMUNITY SERVICE CENTER): 2,866SF

EXISTING BUILDING J (SCHOOL): 4,000SF

BUILDING HEIGHT:

36 FEET MAXIMUM AS SPECIFIED IN DALLAS DEVELOPMENT CODE

EXCEPTION: BELL OR CLOCK TOWER IN THE LOCATION SHOWN ON THE DEVELOPMENT PLAN WHICH SHALL NOT EXCEED FIFTY FEET IN HEIGHT.

LOT COVERAGE: MAXIMUM OF 50% FOR TRACT 1 & 2 COMBINED; MAXIMUM OF 50% FOR TRACT 3.

MINIMUM SETBACKS:

FRONT: FOR A PRIVATE SCHOOL, FOOD OR BEVERAGE STORE, OFFICE AND COMMUNITY SERVICE CENTER, NO MINIMUM UNLESS OTHERWISE SHOWN ON THE CONCEPTUAL PLAN.

SIDE/REAR: FOR A PRIVATE SCHOOL, FOOD OR BEVERAGE STORE, OFFICE, AND COMMUNITY SERVICE CENTER, NO MINIMUM UNLESS OTHERWISE SHOWN ON THE CONCEPTUAL PLAN. FOR A PRIVATE SCHOOL, FOOD, OR BEVERAGE STORE, AND COMMUNITY SERVICE CENTER, ALONG ABUTTING RESIDENTIAL PROPERTY LINES OUTSIDE THIS DISTRICT WITH FRONTAGE ON HOLMES STREET AND PEABODY AVENUE, MINIMUM SIDE AND REAR YARD IS 4 FEET.

TRACT 1 AREA = 345,641 SF

TRACT 2 AREA = 129,360 SF

TRACT 3 AREA = 33,696 SF

NOTES:

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. ALL ON-SITE ELECTRICAL CONDUCTORS ASSOCIATED WITH NEW CONSTRUCTION SHALL BE LOCATED UNDERGROUND.
3. ALL THE REQUIREMENTS OF THE DALLAS SOIL EROSION CONTROL SHALL BE MET DURING THE PERIOD OF CONSTRUCTION.
4. ALL CURB RADII ARE 2.0' UNLESS OTHERWISE NOTED.
5. ALL ISLANDS ARE 9.0' WIDE UNLESS OTHERWISE NOTED.

CONCEPT PLAN
PD 597

Z212-306

OWNER
ST. PHILIP'S SCHOOL AND COMMUNITY CENTER
1600 PENNSYLVANIA AVE.
DALLAS, TEXAS 75215

APPLICANT

SURVEYOR
PEISER & MANKIN SURVEYING, LLC
1604 HART ST.
SOUTHLAKE, TEXAS 76092
817-481-1806 / 817-481-1809 (FAX)
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6122
TIMOTHY R. MANKIN
TMANKIN@PEISERSURVEYING.COM

ENGINEER
HART, GAUGLER & ASSOCIATES, INC.
12801 N. CENTRAL EXPWY. SUITE 1400
DALLAS, TEXAS 75243
972-239-5111 / 972-239-5055 (FAX)
TEXAS REGISTERED ENGINEERING FIRM #F-5053
JOHN D. BLACKER
JBLACKER@HARTGAUGLER.COM

ARCHITECT
KAI TEXAS
101 N. ZANG BOULEVARD, SUITE 100
DALLAS, TEXAS 75208
214-7427-0400 / 817-288-0952 (FAX)
DERWIN BROUGHTON

DECEMBER, 2022

No.	Date	Revisions	App.

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Structural + Civil Engineering Services
12801 N. Central Expwy. Suite 1400
Dallas, Texas 75243
972.239.5111 / 972.239.5055 fax
www.hartgaugler.com
Texas Registered Engineering Firm #F-5053

ST. PHILIP'S SCHOOL AND COMMUNITY CENTER
PD 597
LOT 1A, BLOCK 1165
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CONCEPT PLAN

Scale:	AS SHOWN
Designed by:	HGA
Drawn by:	HGA
Checked by:	JDB
Date:	DECEMBER, 2022
Project No.	219029

SHEET
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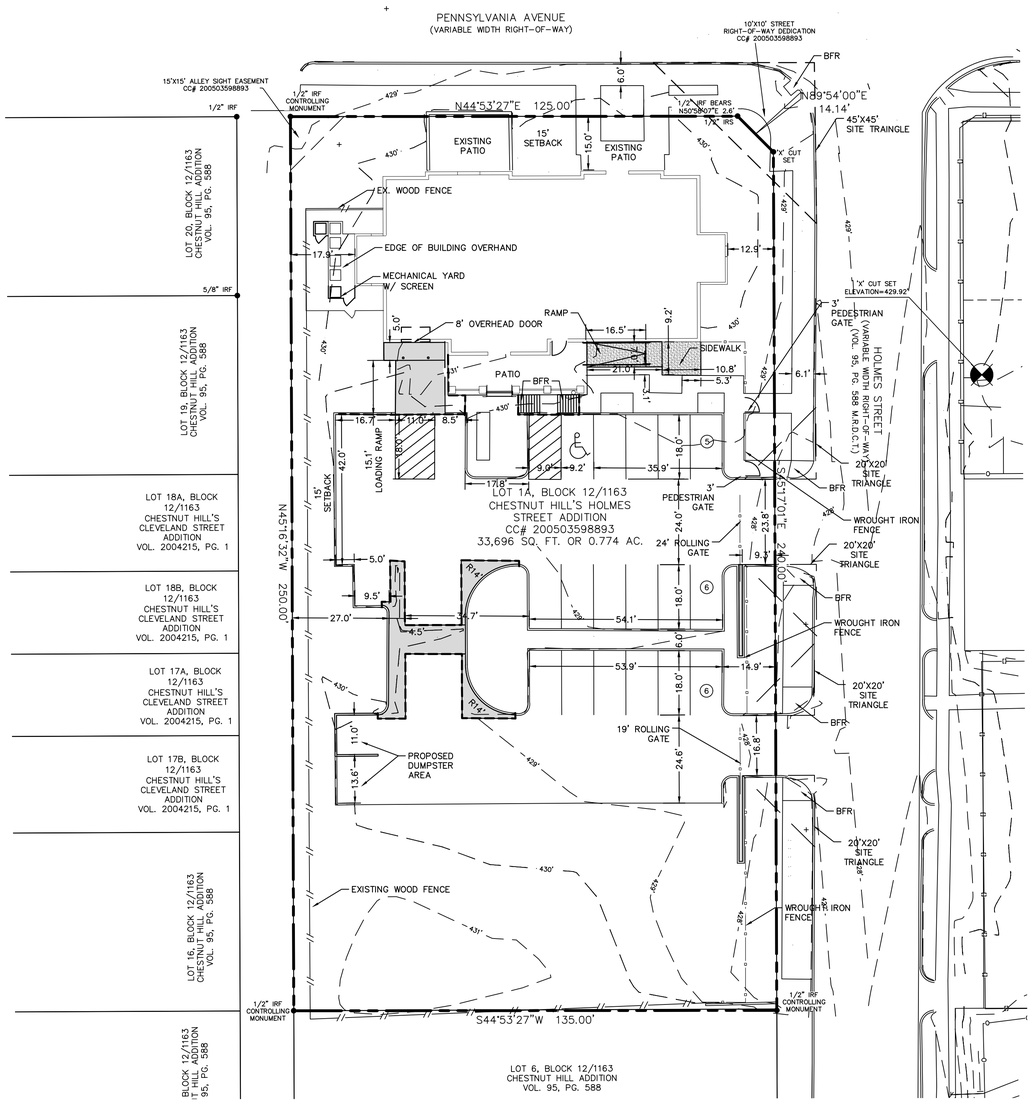
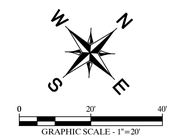
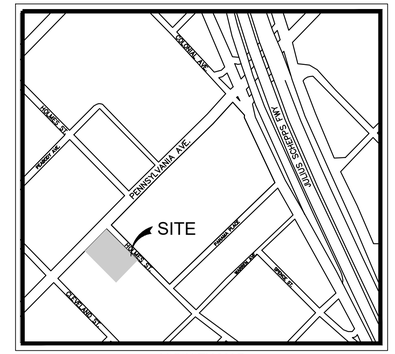




SITE DATA SUMMARY TABLE	
LOT	1A
PROPOSED ZONING	PD-597
PROPOSED USE	FOOD PANTRY
LOT AREA (ACRES)	0.774
LOT AREA (SQUARE FEET)	33,696
BUILDING FOOTPRINT AREA (SQUARE FEET)	4537
BUILDING HEIGHT (# STORIES)	1
BUILDING HEIGHT (FEET-DISTANCE TO TALLEST BUILDING ELEMENT)	24'-10"
LOT COVERAGE (PERCENT-X.XX%)	13.50%
FLOOR AREA (SQUARE FEET)	4537
FLOOR RATIO (RATIO-X.XX:1)	0.13:1
PARKING RATIO PD 597	1/200SF
PROVIDED PARKING (# SPACES)	17
ACCESSIBLE PARKING REQUIRED (# SPACES)	1
ACCESSIBLE PARKING PROVIDED (# SPACES)	1
TOTAL PAVED AREA (PARKING & FIRE LANE)	13,633
SQUARE FOOTAGE OF IMPERVIOUS SURFACE	18,200
NOTE: HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS; FOR PURPOSES OF REQUIRED PARKING, PD 597 IS CONSIDERED ONE LOT.	

LEGEND

- PROPERTY LINE
- W — EXISTING WATER LINE
- SS — EXISTING SEWER LINE
- GAS — EXISTING GAS LINE
- EXISTING STORM LINE
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- PROPOSED STORM LINE
- 695 / 694 — EXISTING CONTOURS
- 695 / 694 — PROPOSED CONTOURS
- (22) — PARKING COUNT



VICINITY MAP
N.T.S.

NOTES:

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. ALL ON-SITE ELECTRICAL CONDUCTORS ASSOCIATED WITH NEW CONSTRUCTION SHALL BE LOCATED UNDERGROUND.
3. ALL THE REQUIREMENTS OF THE CITY OF DALLAS SOIL EROSION CONTROL SHALL BE MET DURING THE PERIOD OF CONSTRUCTION.
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TRACT 3 DEVELOPMENT PLAN
ST. PHILIP'S SCHOOL AND COMMUNITY CENTER
BLOCK 12/1163, LOT 1A
0.774 AC. (33,696 S.F.)

CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY OF DALLAS PROJECT # XX

OWNER
ST. PHILIP'S SCHOOL AND COMMUNITY CENTER
1600 PENNSYLVANIA AVE.
DALLAS, TEXAS 75215

APPLICANT

SURVEYOR
PEISER & MANKIN SURVEYING, LLC
1604 HART ST.
SOUTHLAKE, TEXAS 76092
817-481-1806 / 817-481-1809 (FAX)
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6122
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972-239-5111 / 972-239-5055 (FAX)
TEXAS REGISTERED ENGINEERING FIRM #F-5053
JOHN D. BLACKER
JBLACKER@HARTGAUGLER.COM

ARCHITECT
SBLM ARCHITECTS
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TBACH@SBLM.COM

DECEMBER 2022

No.	Date	Revisions	App.

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Structural + Civil Engineering Services
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Dallas, Texas 75243
972.239.5111 / 972.239.5055 fax
www.hartgaugler.com
Texas Registered Engineering Firm #F-5053

ST PHILIP'S SCHOOL AND COMMUNITY CENTER
LOT 1A, BLOCK 12/1163
CHESTNUT HILL STREET ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DEVELOPMENT PLAN

Scale:	AS SHOWN
Designed by:	HGA
Drawn by:	HGA
Checked by:	JDB
Date:	DECEMBER, 2022
Project No.	219129

SHEET
C0.01

IMAGES
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Agenda Information Sheet

File #: 23-847 **Item #:** 5.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Specific Use Permit for a commercial bus station and terminal on property zoned a CS Commercial Service District partially within a D Liquor Control Overlay, on the west corner of Terry Street and South Peak Street.
Staff Recommendation: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan and conditions.
Applicant/Representative: Ramon Aranda
Planner: Jennifer Muñoz
Council District: 2
Z212-335(JM)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Jennifer Muñoz

FILE NUMBER: Z212-335(JM) **DATE FILED:** September 2, 2022

LOCATION: West corner of Terry Street and South Peak Street

COUNCIL DISTRICT: 2

SIZE OF REQUEST: ±1.44 acres **CENSUS TRACT:** 48113002400

APPLICANT / REPRESENTATIVE: Ramon Aranda

OWNER: Samadian Family Limited Partnership

REQUEST: An application for a Specific Use Permit for a commercial bus station and terminal on property zoned a CS Commercial Service District partially within a D Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow an existing structure to be used as a commercial bus station and terminal.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan and conditions.

BACKGROUND INFORMATION:

- The property is currently zoned a CS Commercial Service District, which requires a Specific Use Permit for the operation of a commercial bus station and terminal use. The use is also only permitted by SUP with no residential districts within 500 feet of the site. The surrounding area beyond 500 feet is zoned non-residential districts.
- Chapter 51A defined a commercial bus station and terminal as a facility operated as a bus or shuttle passenger station or transfer center serving a privately owned transit operation.
- The applicant proposed to have a maximum of two buses on the property at a time. As presented in the SUP conditions and associated plan, the use would comply with additional requirements for providing a lobby/waiting area, seating, and loading/unloading of passengers within the property boundaries and outside of the right-of-way.

Zoning History: There have been one board of adjustment request and no zoning change requests in the area within the last five years.

1. **BDA189-007:** On January 16, 2019, the Board of Adjustment approved an alternate landscape plan in conjunction with a 26,000 sqft. addition. **[*subject site; however, the addition was not completed.*]**

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW	Proposed ROW
Terry Street	Local Street	50 feet	--
Peak Street	Local Street	60 feet	--
Santa Fe Avenue	Local Street	30 feet	--

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards, if required. Peak Street and Terry Street are TxDOT rights-of-way and driveways on these frontages may require a spacing variance. The applicant's representative was working with TxDOT at the time of this report.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is supported by the following goals:

TRANSPORTATION ELEMENT:

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

The request does not require improvements to sidewalks, yet the applicant has agreed to match and upgrade the South Peak Street sidewalks to be a consistent six feet-in-width. This encourages pedestrians to walk and provides a connection to the Santa Fe Trail system.

Surrounding Land Uses:

	Zoning	Land Use
Site	CS Commercial Service District w/D Overlay	Vacant building, warehouse, and machinery, heavy equipment or truck sales and service
Northwest	CS Commercial Service District	Office, showroom, warehouse, auto service center, office, personal service, and vehicle display, sales, and service
Northeast	CS Commercial Service District	Undeveloped, office, showroom, warehouse, vehicle display, sales, and service, vehicle or engine repair or maintenance, and off-premise sign
Southeast	CS Commercial Service District	Expressway
Southwest	CS Commercial Service District	Vehicle or engine repair or maintenance, vacant building, mini-warehouse, and off-premise sign

Land Use Compatibility:

The property has hosted an array of auto-related and warehouse uses over the years. The surrounding properties are also zoned for commercial service and industrial uses. A majority of adjacent parcels contain auto-related uses.

The Santa Fe Trail is located to the northwest, along with office, showroom, warehouse, auto service center, office, personal service, and vehicle display, sales, and services uses Undeveloped tracts, office, showroom, and warehouse, vehicle display, sales, and service, vehicle or engine repair or maintenance, and off-premise sign uses can be found to the northeast. The ERL Thornton Expressway is located to the southeast. Adjacent and farther southwest are a vehicle or engine repair or maintenance, vacant building, mini-warehouse, and an off-premise sign all along Terry Street.

According to DCAD records, two buildings exist erected in 1976 and 1980 with a combined total of 10,998 square feet of floor area. The portion of the structure proposed for the commercial bus station and terminal use is at the east end of the site, at the intersection of Terry and South Peak Streets. According to the proposed site plan, the bus terminal would contain about 2,070 square feet, which is the portion of the structure built in 1980. The representative describes the operation as operating from 7:00 am to 10:00 pm with a total fleet in Texas of eight buses, each with a seating capacity of 42 passengers. A maximum of two buses would be on-site at once. The destinations include Austin, San Antonio, and Laredo, Texas. There are two buses departing in the morning and two departing in the evening. However, from Thanksgiving to New Year's Day, there are typically six departures per day. The bus terminal operates seven days a week. Maintenance of buses is done off-site.

The property has not been adequately maintained and currently has a deteriorated fence with barbed wire along the Santa Fe Avenue frontage, adjacent to the Santa Fe Trail. In general, landscaping does not exist on the property. Sidewalks are uneven in width and appearance/location. However, the applicant has agreed to provide consistent sidewalks along the Peak Street frontage at a width of six feet. Fencing improvements are noted on the site plan and indicate that the eight-foot metal fence section will be replaced and the eight-foot masonry fence will be repainted, both along Santa Fe Avenue and the trail frontage. Two additional lights internal along the Santa Fe Avenue frontage are proposed, as well. Landscaping improvements are proposed, despite not being required by code. These are described in the landscaping section of this report.

Additional provisions to operate this land use require a minimum distance of 500 feet from residential districts. All properties within 500 feet are zoned either a CS Commercial Service, IM Industrial Manufacturing, or IR Industrial Research District. None of these districts permit residential uses nor are they considered residential districts.

Furthermore, a lobby or waiting room is required with a minimum 200 square feet and one seat per 25 square feet of floor area. The proposed plan indicates there will be a 765-square-foot waiting area with 32 seats provided.

Loading and unloading of passengers is prohibited in the public right-of-way. The portion of the site fronting along South Peak Street has a canopy which will be used for passenger loading/unloading, as indicated on the plan.

Lastly, the outdoor sale of general merchandise or food is prohibited. None has been indicated in the proposed plan or conditions.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff has determined the request complies with the additional provisions to operate the proposed commercial bus station and terminal and general provisions for consideration of approval of the SUP have been met because the request is consistent with the character of the neighborhood and does not pose a negative impact. Overall, the improvements to landscaping and sidewalks proposed along with general maintenance of the fencing and structures will add a significant benefit to this property located in vicinity of the Santa Fe Trail.

Parking:

Parking must be provided in accordance with the Dallas Development Code. A commercial bus station and terminal use shall provide one off-street parking space per 200 square feet of floor area plus one space per five seats of manufacturer's rated seating capacity for the maximum number of vehicles/buses on site during any one-hour time period. The site plan indicates the floor area is 2,070 square feet (11 spaces required) and the maximum number of buses is two with 42 seats (84/5=17) each requiring a total of 28 parking spaces. The site plan shows a total of 31 off-street parking spaces provided.

Landscaping:

The landscaping requirements of Article X of the Dallas Development Code apply, as amended. If no building permit or paving permit with greater than 2,000 square feet is requested, no additional landscaping will be required. However, in an effort to improve the overall appearance of the property located adjacent to the Santa Fe Trail, the applicant has agreed to add landscaping as a condition to the SUP. The combined site/landscape plan indicate three bald cypress trees and four crepe myrtles are to be provided on the western portion of the site and in the parking lot. Eight planters with seasonal plants will be provided along the Peak Street frontage. All items will be required to be maintained in a healthy growing condition.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA cluster, nor is it adjacent to other MVA clusters. Sporadically, properties farther northwest are within the “D” cluster and to the northeast are within the “G” cluster.

List of Partners

Samadian Family Limited Partnership:

Malek Samadian—President

Linda Samadian—Secretary

Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a commercial bus station and terminal.

2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.

3. TIME LIMIT: This specific use permit expires on_____, (five-year period from the passage of this ordinance) but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPE PLAN: Landscaping must be provided as shown on the attached site/landscape plan and maintained in accordance with Article X of the Dallas Development Code, as amended.

5. LOADING AND UNLOADING: No loading or unloading of passengers is permitted in the public right-of-way.

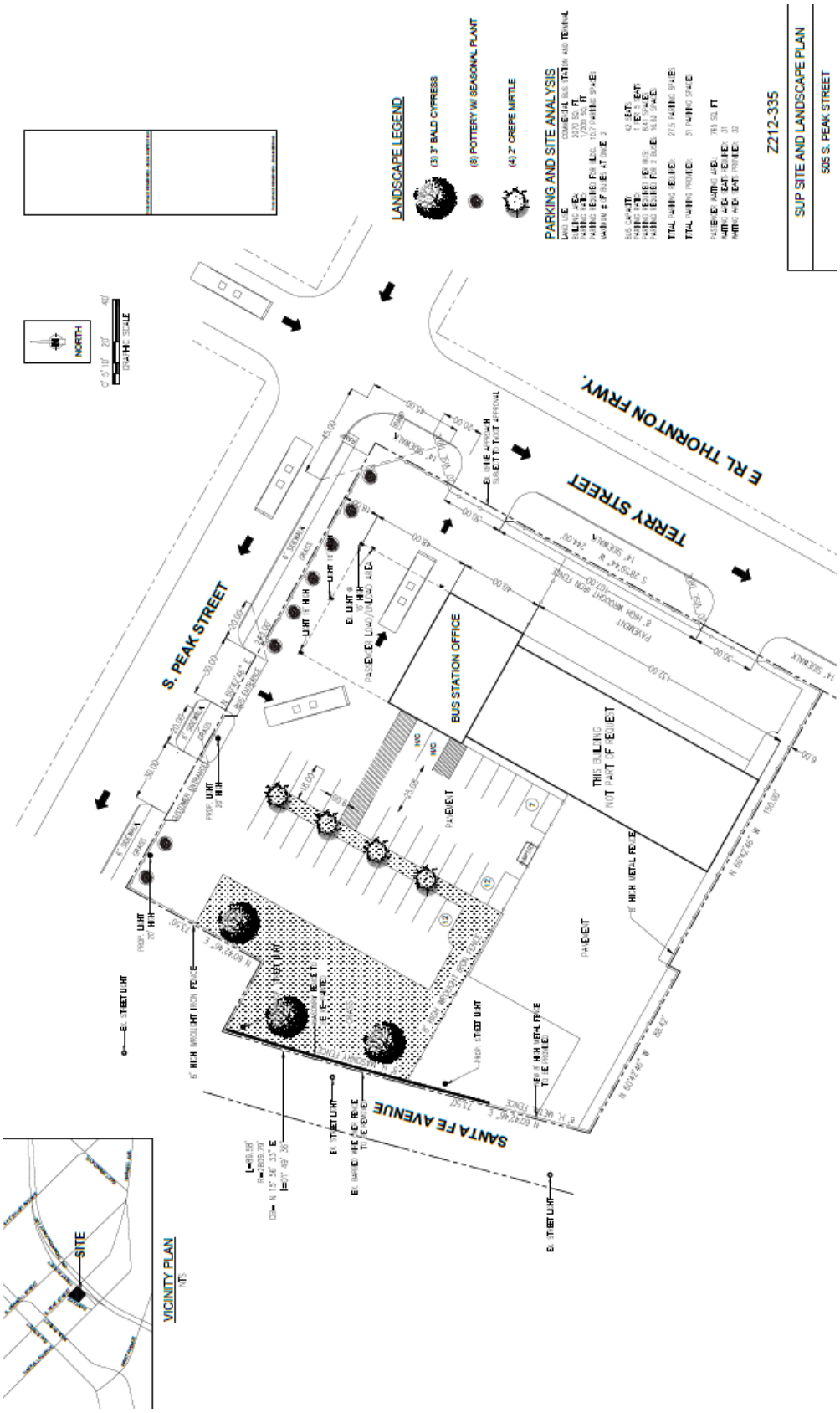
6. MAXIMUM FLOOR AREA: The maximum floor area for the commercial bus station and terminal is 2,070 square feet in the location shown on the attached site plan.

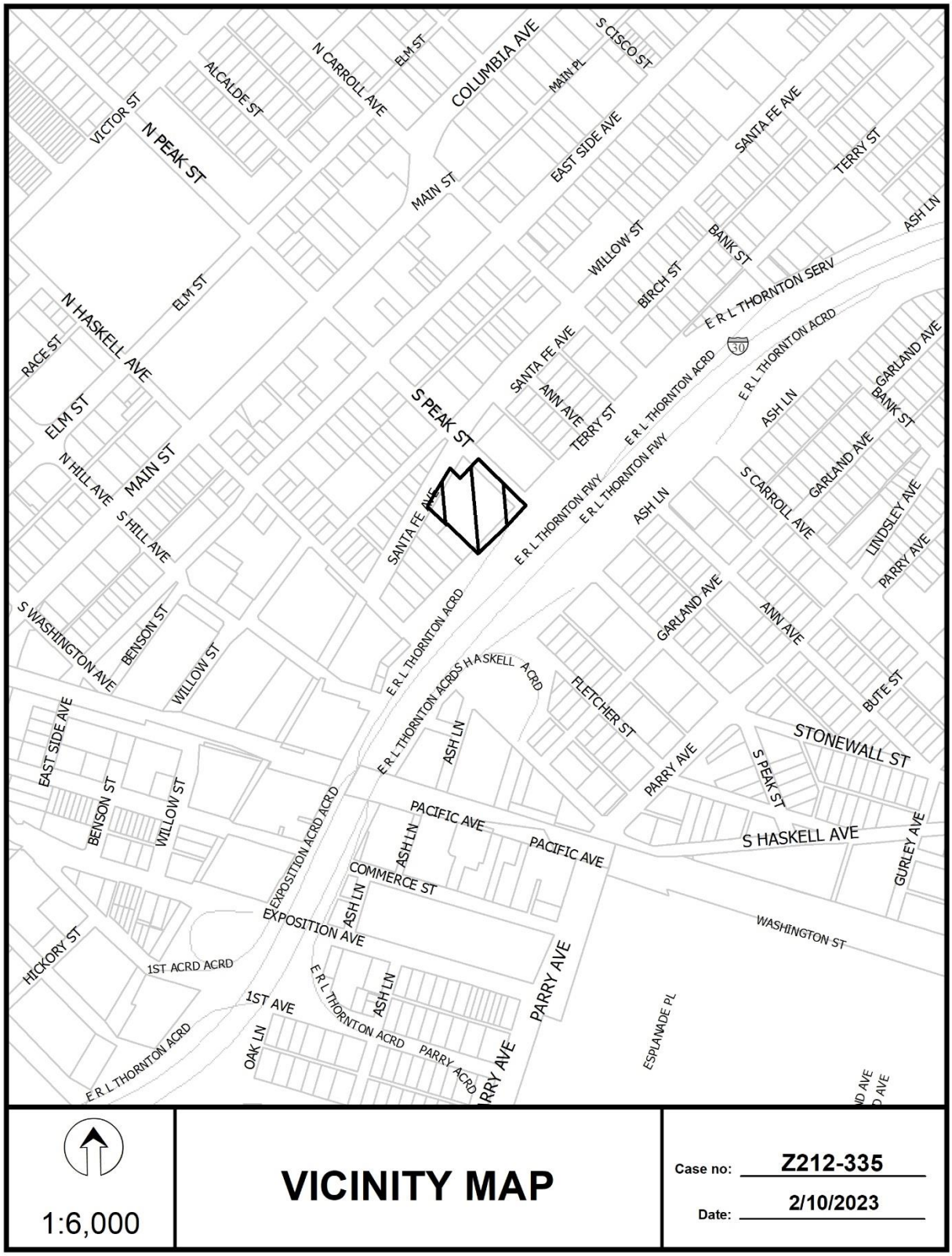
7. SIDEWALKS: Sidewalks must be provided in the location shown on the attached site/landscape plan.

8. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.

9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Proposed Site Plan





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VICINITY MAP

Case no: Z212-335

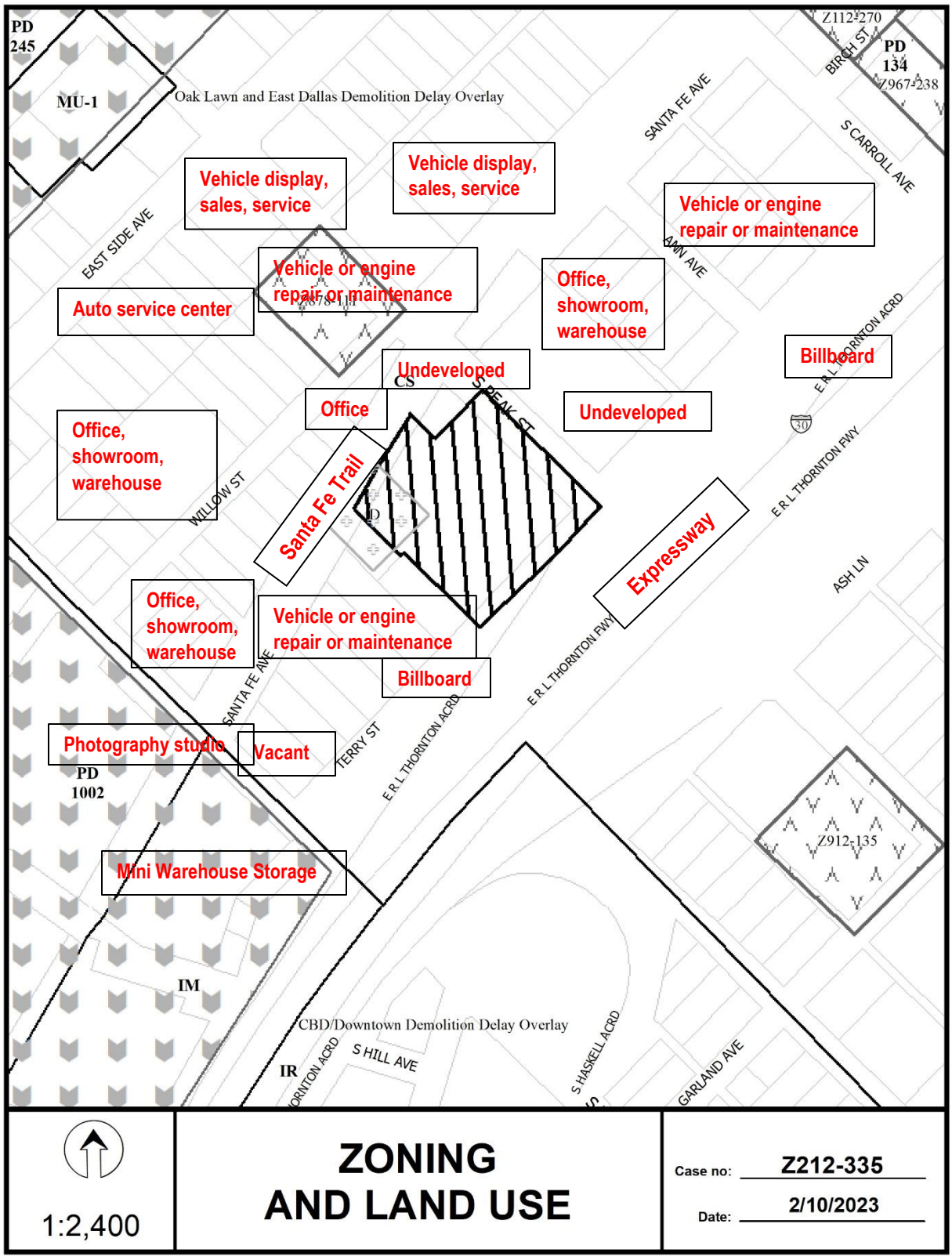
Date: 2/10/2023

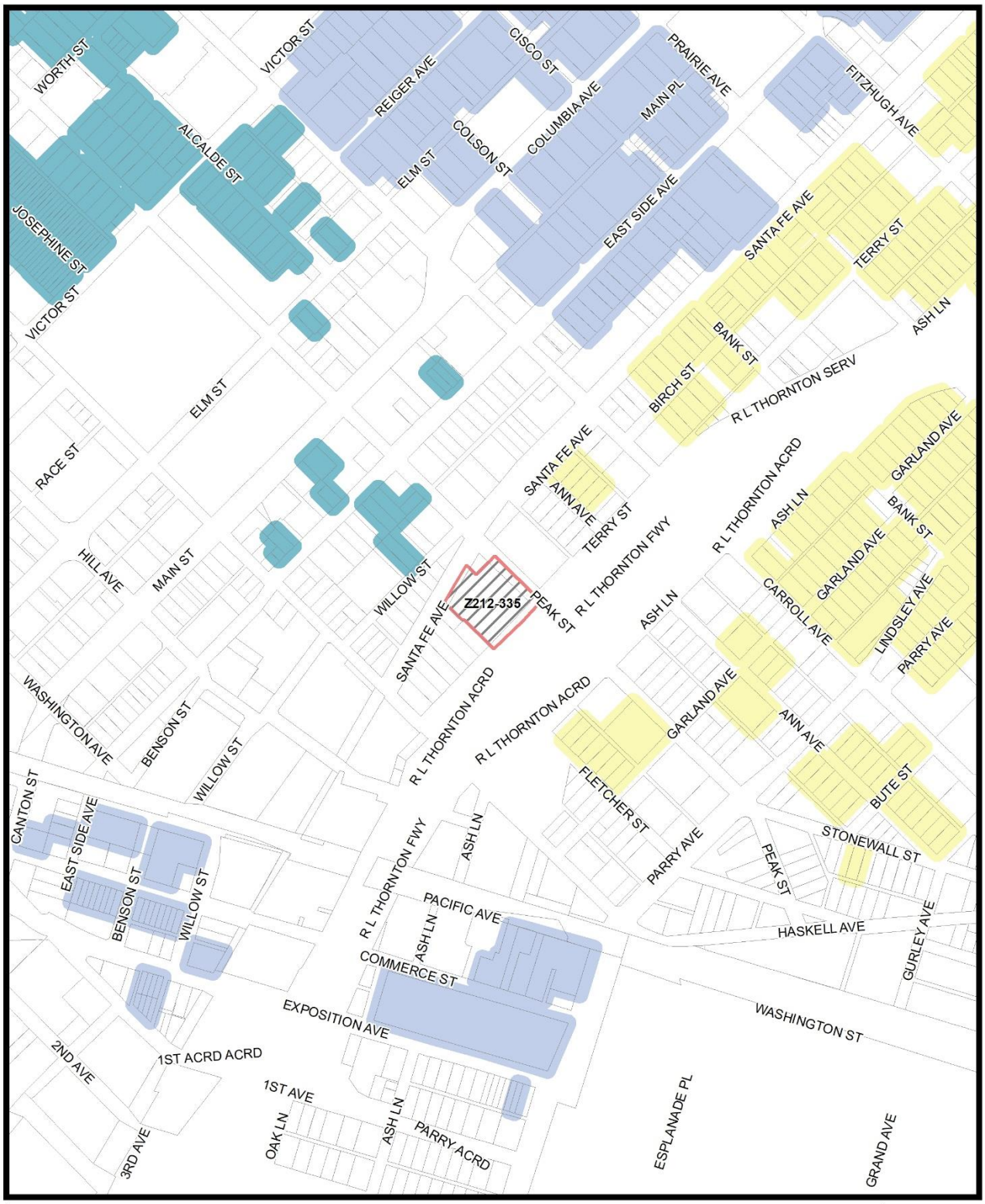
1:2,400

AERIAL MAP

Case no: Z212-335

Date: 2/10/2023


PD 245
MU-1
Oak Lawn and East Dallas Demolition Delay Overlay
Z112-270
PD 134
Z967-238
BIRCH ST
SANTA FE AVE
S CARROLL AVE
EAST SIDE AVE
Vehicle display, sales, service
Vehicle display, sales, service
Vehicle or engine repair or maintenance
Vehicle or engine repair or maintenance
Auto service center
Z878-114
Office, showroom, warehouse
AMN AVE
Billboard
E R L THORNTON ACRD
Undeveloped
CS
S PEAK ST
Office
Undeveloped
Office, showroom, warehouse
WILLOW ST
Santa Fe Trail
LD
Expressway
E R L THORNTON FWY
ASH LN
Office, showroom, warehouse
Vehicle or engine repair or maintenance
Billboard
SANTA FE AVE
E R L THORNTON FWY
Photography studio
Vacant
PD 1002
TERRY ST
E R L THORNTON ACRD
Z912-135
Mini Warehouse Storage
IM
CBD/Downtown Demolition Delay Overlay
IR
S HILL AVE
S HASKELL ACRD
GARLAND AVE
1:2,400
ZONING AND LAND USE
Case no: Z212-335
Date: 2/10/2023



Market Value Analysis A B C D E F G H I NA

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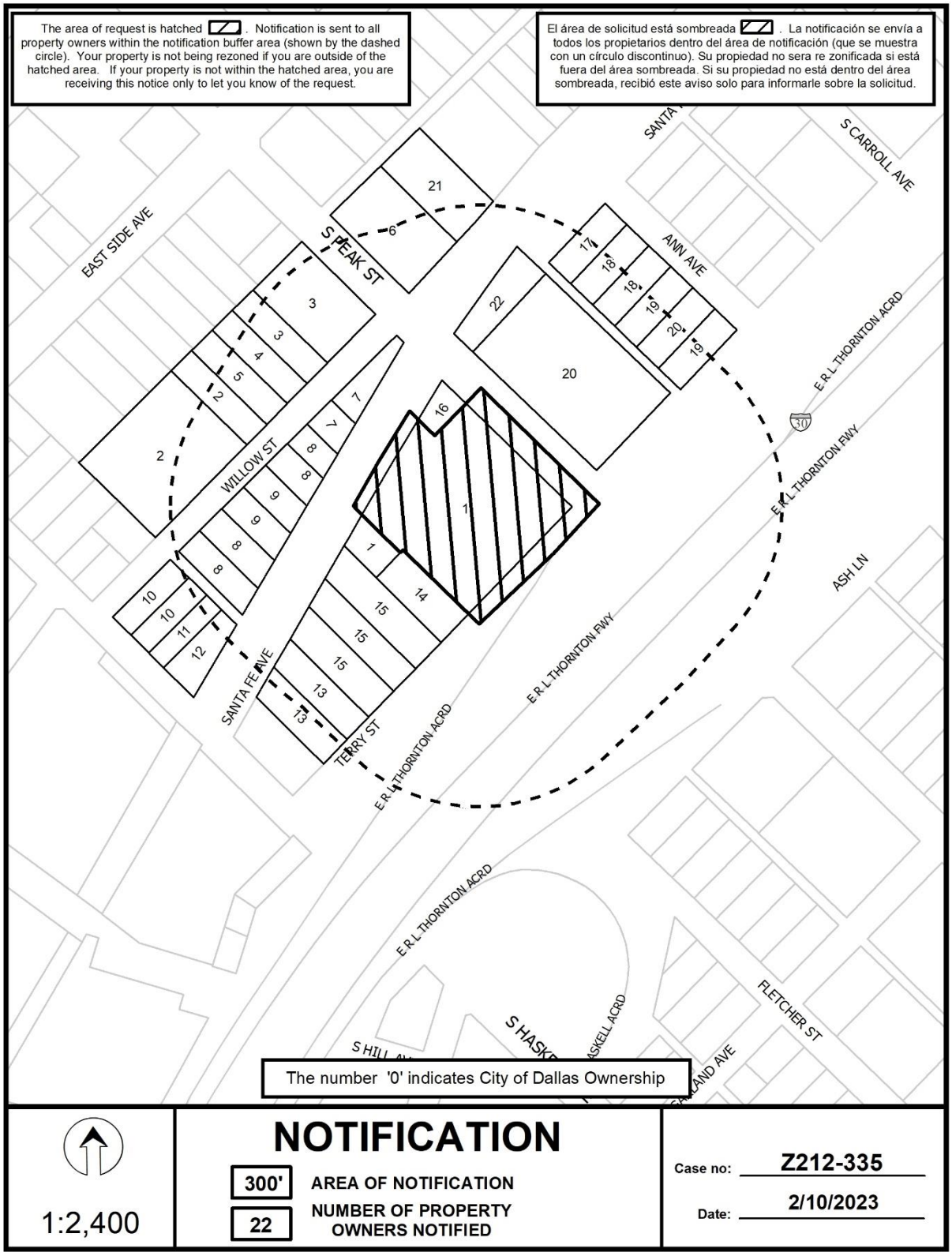
Market Value Analysis

Printed Date: 2/10/2023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EAST SIDE AVE
S PEAK ST
WILLOW ST
SANTA FE AVE
TERRY ST
ANN AVE
S CARROLL AVE
E R L THORNTON ACRD
E R L THORNTON FWY
ASH LN
FLETCHER ST
The number '0' indicates City of Dallas Ownership
NOTIFICATION
300'
AREA OF NOTIFICATION
22
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: Z212-335
Date: 2/10/2023

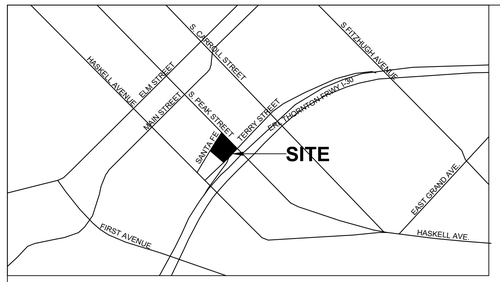
02/10/2023

Notification List of Property Owners

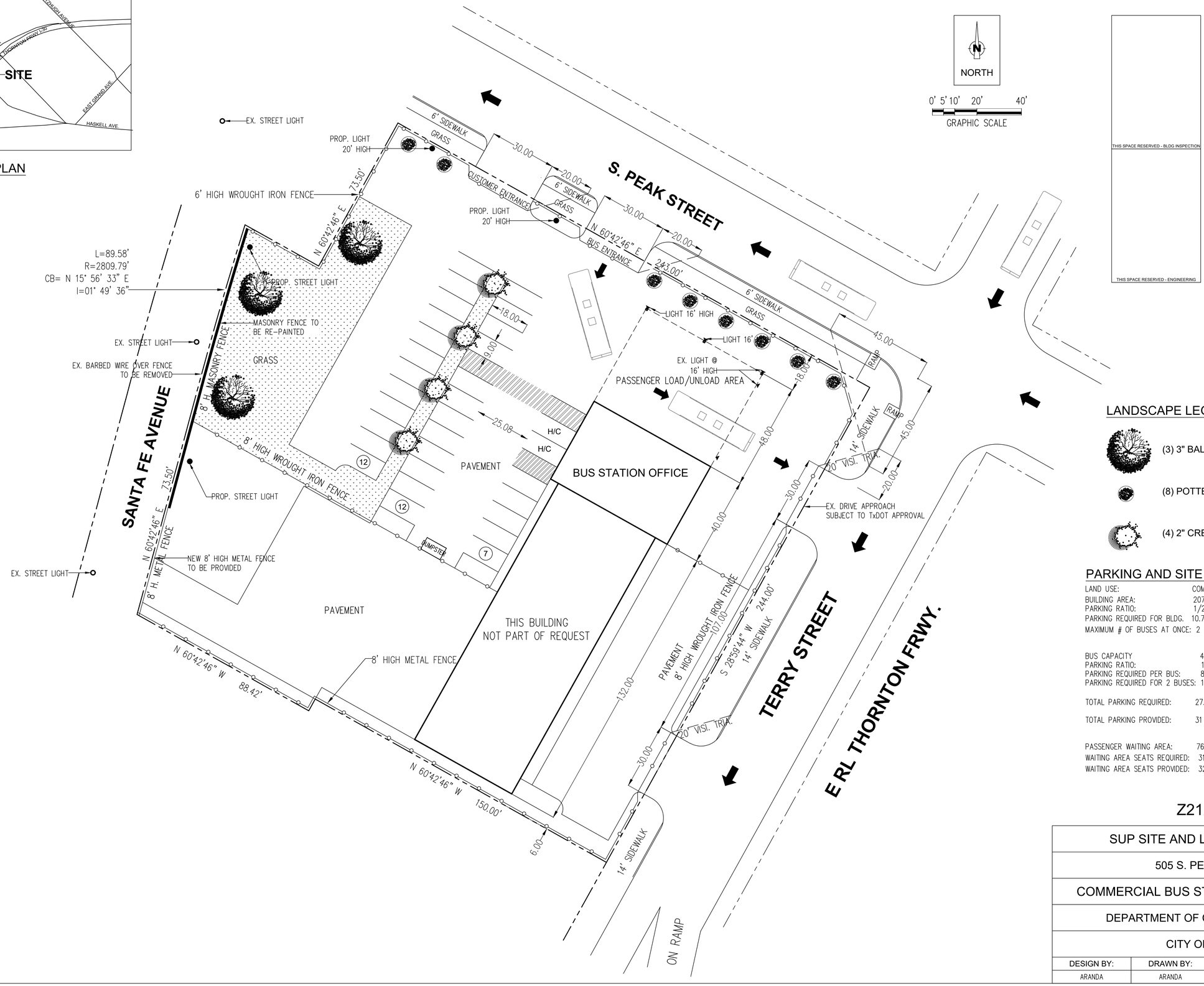
Z212-335

22 Property Owners Notified

Label #	*Address*		*Owner*
1	4210	SANTA FE AVE	SAMADIAN FAMILY LIMITED PARTNERSHIP
2	4201	WILLOW ST	HINCKLEY HAL GREGORY SR
3	4219	WILLOW ST	ESPARZA JOSE DE JESUS
4	4217	WILLOW ST	4311 WILLOW PTNRS LLC
5	4213	WILLOW ST	JGT HOLDINGS LLC
6	4307	WILLOW ST	DELAROSA PEDRO
7	4226	WILLOW ST	ARELLANO VIRGINIA LISETTE
8	4210	WILLOW ST	JGT HOLDINGS LLC
9	4204	WILLOW ST	JGT HOLDINGS LLC
10	400	S HASKELL AVE	ANDERSON BRENT
11	406	S HASKELL AVE	ORCHARD JAMES W III
12	412	S HASKELL AVE	JGT HOLDINGS, LLC
13	4111	TERRY ST	HOLY DAVID E
14	4203	TERRY ST	HOLY DRILLING LLC
15	4115	TERRY ST	RODRIGUEZ JAVIER
16	501	N PEAK ST	VEGA MIKE
17	405	ANN AVE	SANCHEZ RAFAEL
18	409	ANN AVE	SANCHEZ RAFAEL
19	505	ANN AVE	SAFE CAPITAL INVESTMENTS LLC
20	509	ANN AVE	PICCOLA FAMILY LTD PS
21	4311	WILLOW ST	4311 WILLOW PARTNERS LLC
22	500	S PEAK ST	KORDI MORTEZA & MOHAMMAD



VICINITY PLAN
NTS



LANDSCAPE LEGEND

(3) 3" BALD CYPRESS

(8) POTTERY W/ SEASONAL PLANT

(4) 2" CREPE MIRTLE

PARKING AND SITE ANALYSIS

LAND USE:	COMMERCIAL BUS STATION AND TERMINAL
BUILDING AREA:	2070 SQ. FT.
PARKING RATIO:	1/200 SQ. FT.
PARKING REQUIRED FOR BLDG.	10.7 PARKING SPACES
MAXIMUM # OF BUSES AT ONCE:	2
BUS CAPACITY	42 SEATS
PARKING RATIO:	1 PER 5 SEATS
PARKING REQUIRED PER BUS:	8.41 SPACES
PARKING REQUIRED FOR 2 BUSES:	16.82 SPACES
TOTAL PARKING REQUIRED:	27.5 PARKING SPACES
TOTAL PARKING PROVIDED:	31 PARKING SPACES
PASSENGER WAITING AREA:	765 SQ. FT.
WAITING AREA SEATS REQUIRED:	31
WAITING AREA SEATS PROVIDED:	32

Z212-335

SUP SITE AND LANDSCAPE PLAN

505 S. PEAK STREET

COMMERCIAL BUS STATION AND TERMINAL

DEPARTMENT OF CURRENT PLANNING

CITY OF DALLAS

DESIGN BY:	DRAWN BY:	DATE:	SCALE:
ARANDA	ARANDA	MARCH 7, 2023	1" = 20'

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-848 **Item #:** 6.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 6A within Planned Development District No. 830, the Davis Street Special Purpose District, at the northeast corner of North Hampton Road and West Jefferson Boulevard.
Staff Recommendation: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions.
Applicant: Line 5 Holdings LP
Representative: Andrew Ruegg, Masterplan
Planner: Ryan Mulkey
Council District: 1
Z212-350(RM)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Ryan Mulkey, AICP

FILE NUMBER: Z212-350(RM) **DATE FILED:** September 22, 2022

LOCATION: Northeast corner of North Hampton Road and West Jefferson Boulevard

COUNCIL DISTRICT: 1

SIZE OF REQUEST: Approx. 0.47 acre **CENSUS TRACT:** 48113004500

REPRESENTATIVE: Andrew Ruegg, Masterplan

OWNER/APPLICANT: Line 5 Holdings LP

REQUEST: An application for a Specific Use Permit for a motor vehicle fueling station on property zoned Subdistrict 6A within Planned Development District No. 830, the Davis Street Special Purpose District.

SUMMARY: The purpose of the request is to allow a motor vehicle fueling station on the site. [7-Eleven]

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/landscape plan and conditions.

BACKGROUND INFORMATION:

- The area of request is currently zoned Subdistrict 6A within Planned Development District No. 830, the Davis Street Special Purpose District. The site is currently developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station.

- Under the current zoning, the general merchandise or food store is permitted by right if it has 50,000 square feet of floor area or less. The square footage of this use is 2,426 square feet, so it is permitted by right. The motor vehicle fueling station is permitted by Specific Use Permit only.

- On August 8, 2012, City Council approved Subdistrict 6A within PD No. 830. Whereas a motor vehicle fueling station was previously prohibited on the property, this zoning change allowed the use subject to an SUP.

- At this time, City Council also approved SUP No. 1971 for a motor vehicle fueling station for a ten-year period with eligibility for automatic renewal for additional ten-year periods.

- SUP No. 1971 expired on August 8, 2022. The applicant did not file an application to automatically renew the SUP, which would have been due after the 180th day (February 9, 2022) but before the 120th day (April 10, 2022) before the expiration of the SUP. They also did not file an application for a regular renewal of the SUP before its expiration date. Therefore, the applicant is required to request a new SUP to continue the use of the property as a motor vehicle fueling station.

- With this request for a new SUP, the applicant proposes the same conditions and site plan as the original SUP No. 1971. This includes the original time limit of ten years with eligibility for automatic renewal for additional ten-year periods.

Zoning History:

There has been one zoning case in the area in the last five years.

1. **Z190-196:** On June 24, 2020, City Council approved an amendment to Planned Development District No. 409 for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school with H/144 Historic Overlay No. 144 at the southeast corner of West Jefferson Boulevard and Tennant Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Hampton Road	Principal Arterial	100 feet
West Jefferson Boulevard	Principal Arterial	100 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Land Use:

	Zoning	Land Use
Site	Subdistrict 6A within PD No. 830 with a D-1 Overlay	General merchandise or food store 3,500 square feet or less, motor vehicle fueling station
North	Subdistrict 6 within PD No. 830 with a D Overlay	Auto service center
East	R-7.5(A)	Single family
South	R-7.5(A)	Single family
West	Subdistrict 6 within PD No. 830 with a D-1 Overlay and SUP No. 1919 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet	General merchandise or food store greater than 3,500 square feet, alcohol sales

Land Use Compatibility:

The area of request is currently developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station. North and west of the request area are commercial uses including auto service center and general merchandise or food store greater than 3,500 square feet. To the east and south are single family uses. Staff finds the requested motor vehicle fueling station to be compatible with surrounding uses in the area.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff supports the applicant's request and finds that the continued use of the site as a motor vehicle fueling station will not be detrimental to surrounding properties. Staff also supports the applicant's requested time limit of ten years with eligibility for automatic renewal for additional ten-year periods, which was the time limit approved with the previous SUP No. 1971.

Landscaping:

Any new development on the property will require landscaping in accordance with the landscaping requirements in Article X, as amended. No new development or expansion is proposed; therefore, no additional landscaping is required.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a motor vehicle fueling station is two spaces. The parking requirement for a general merchandise or food store 3,500 square feet or less is one space per 200 square feet of floor area.

The area of the general merchandise or food store is 2,400 square feet, which requires a minimum of 12 parking spaces. Combined with the two spaces required of the motor vehicle fueling station, a minimum of 14 parking spaces are required. As demonstrated on the proposed site plan, 14 parking spaces are provided on the site.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is not currently in an MVA cluster but abuts a “C” MVA cluster to the east. There is also a “D” MVA cluster to the south.

List of Officers

Line 5 Holdings LP

Benny Boyd, General Partner
Ronald Berlin, Manager

PROPOSED CONDITIONS

1. USE: The only use authorized by this specific use permit is a motor vehicle fueling station.

2. SITE PLAN: Use and development of the Property must comply with the attached site/landscape plan.

3. TIME LIMIT: This specific use permit expires on (ten years from the passage of this ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPING: Landscaping must be provided as shown on the attached site/landscape plan.

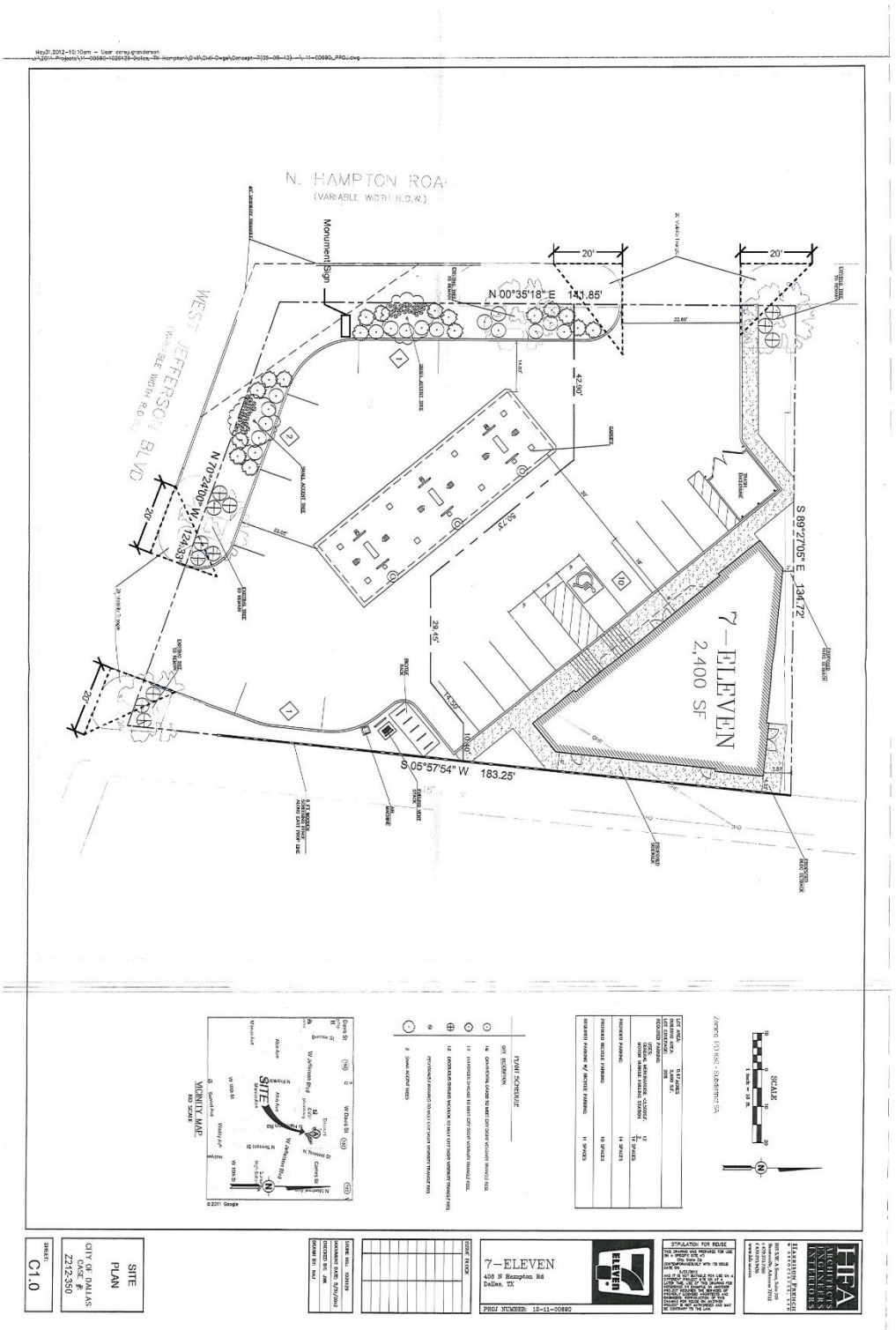
5. INGRESS-EGRESS: Ingress and egress must be provided in the location shown on the attached site/landscape plan. No other ingress or egress is permitted.

6. PARKING: Parking must be located as shown on the attached site/landscape plan.

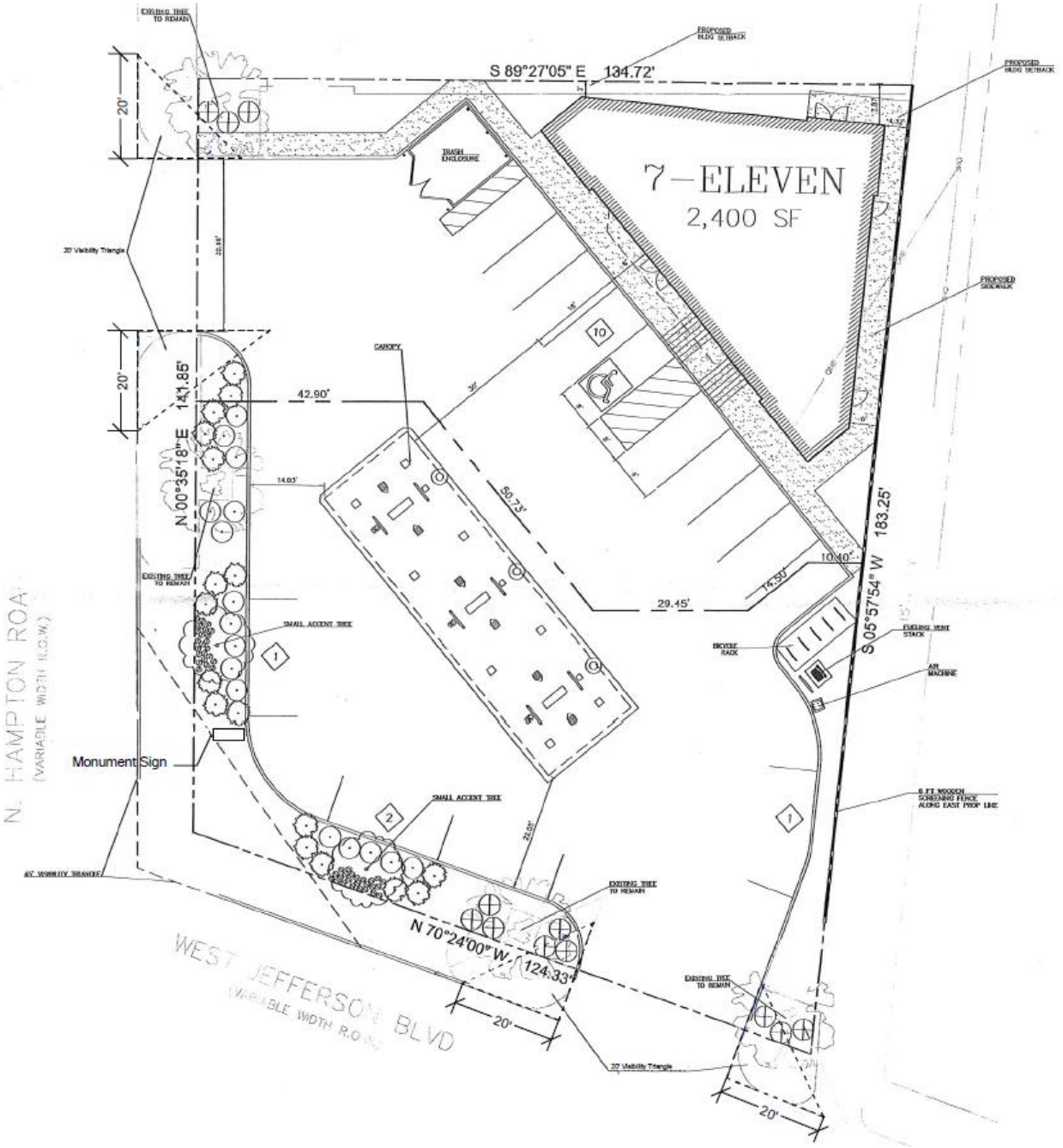
7. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

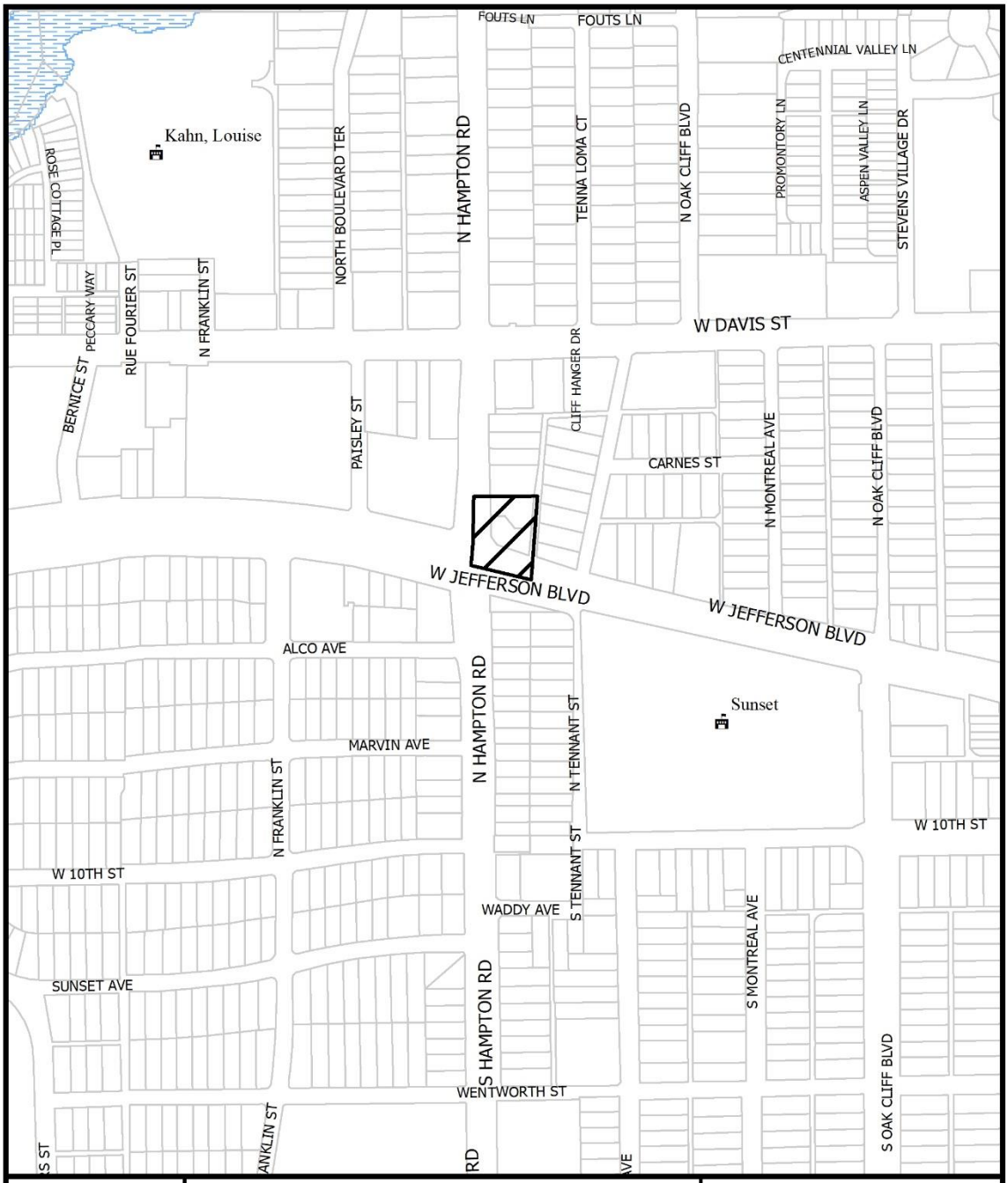
8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

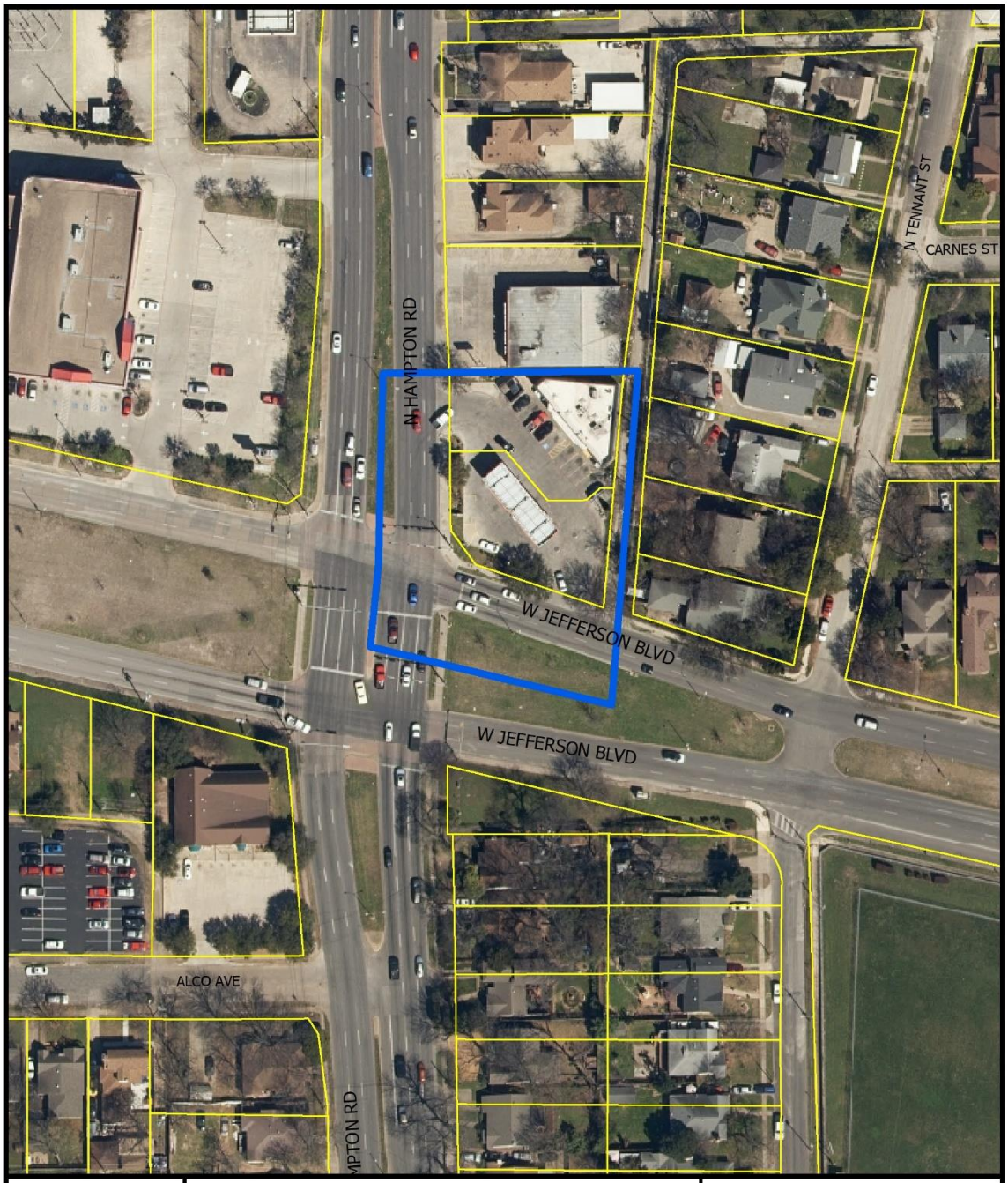
PROPOSED SITE PLAN



PROPOSED SITE PLAN (ENLARGED)




FOUTS LN
FOUTS LN
CENTENNIAL VALLEY LN
Kahn, Louise
ROSE COTTAGE PL
PECCARY WAY
RUE FOURIER ST
N FRANKLIN ST
NORTH BOULEVARD TER
N HAMPTON RD
TENNA LOMA CT
N OAK CLIFF BLVD
PROMONTORY LN
ASPEN VALLEY LN
STEVENS VILLAGE DR
W DAVIS ST
BERNICE ST
PAISLEY ST
CLIFF HANGER DR
CARNES ST
N MONTREAL AVE
N OAK CLIFF BLVD
W JEFFERSON BLVD
W JEFFERSON BLVD
ALCO AVE
Sunset
MARVIN AVE
N TENNANT ST
W 10TH ST
W 10TH ST
WADDY AVE
S TENNANT ST
SUNSET AVE
S MONTREAL AVE
S HAMPTON RD
WENTWORTH ST
S OAK CLIFF BLVD
1:4,800
VICINITY MAP
Case no: Z212-350
Date: 3/8/2023



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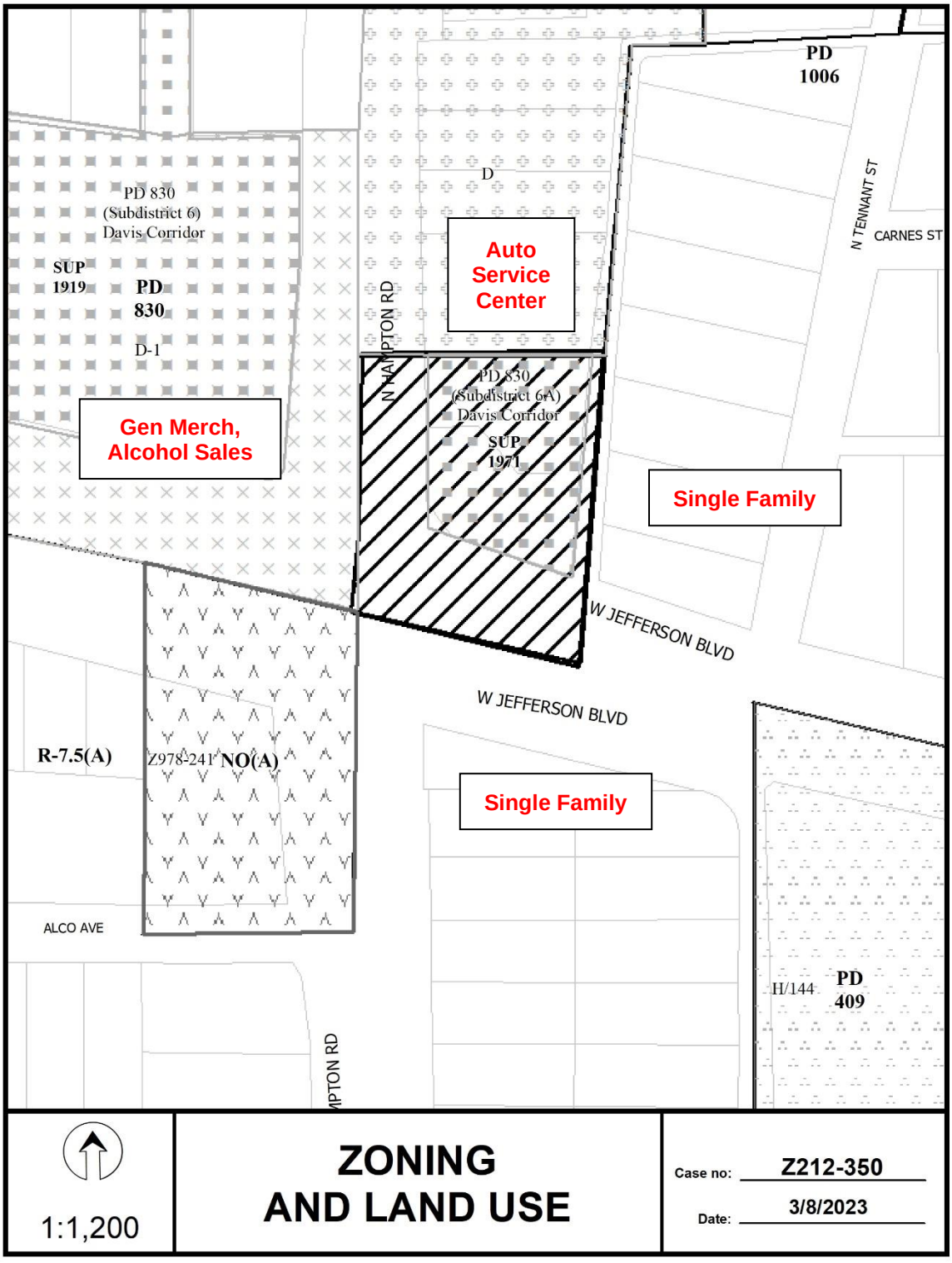
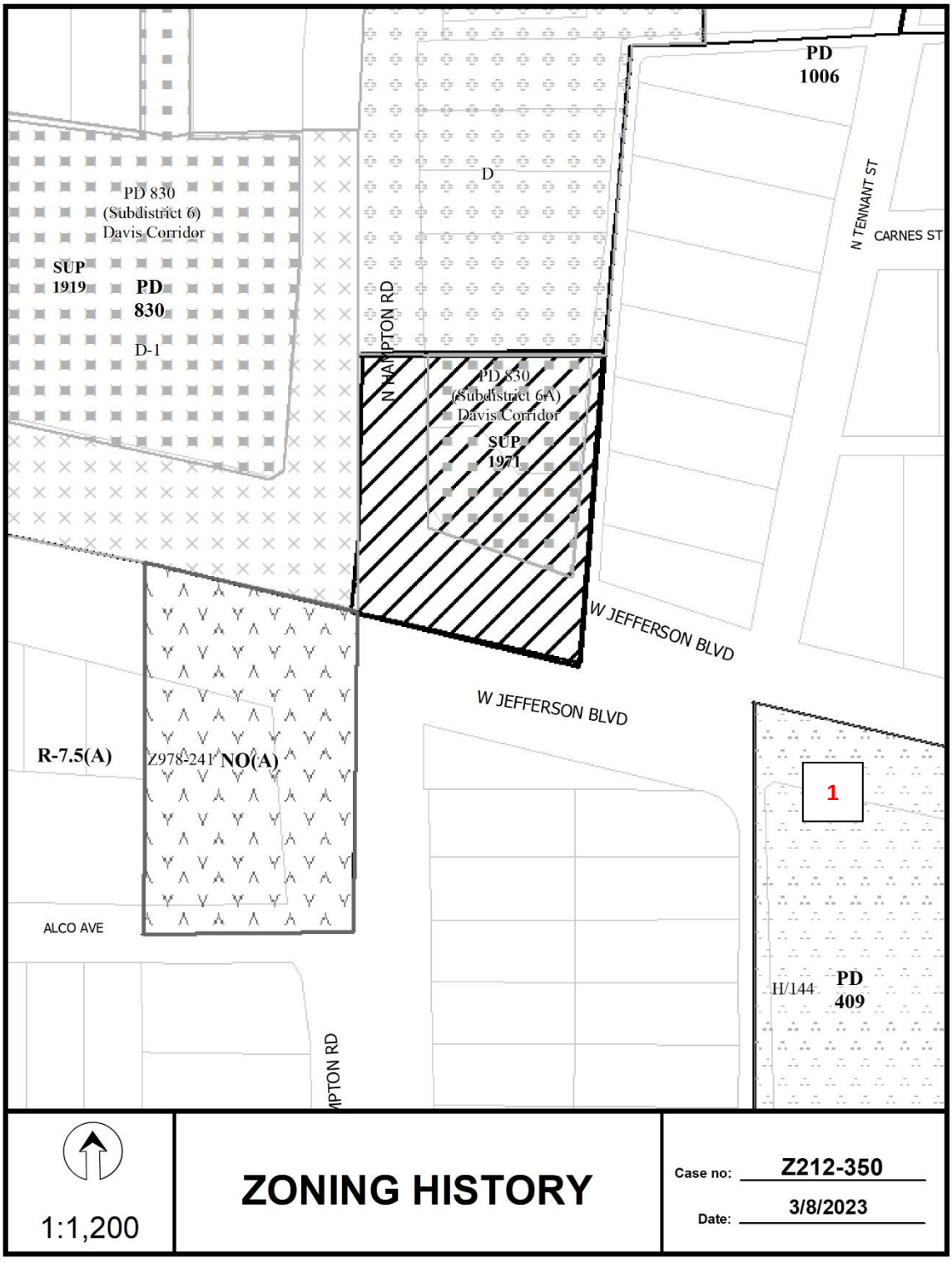
AERIAL MAP

Case no: Z212-350

Date: 3/8/2023


PD
1006
D
PD 830
(Subdistrict 6)
Davis Corridor
SUP
1919
PD
830
D-1
Auto
Service
Center
N HAMPTON RD
N TENNANT ST
CARNES ST
PD 830
(Subdistrict 6A)
Davis Corridor
SUP
1971
Gen Merch,
Alcohol Sales
Single Family
W JEFFERSON BLVD
W JEFFERSON BLVD
R-7.5(A)
Z978-241
NO(A)
Single Family
ALCO AVE
H/144
PD
409
MPTON RD
1:1,200
ZONING
AND LAND USE
Case no: Z212-350
Date: 3/8/2023


PD
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D
PD 830
(Subdistrict 6)
Davis Corridor
SUP
1919
PD
830
D-1
N HAMPTON RD
PD 830
(Subdistrict 6A)
Davis Corridor
SUP
1971
N TENNANT ST
CARNES ST
W JEFFERSON BLVD
W JEFFERSON BLVD
R-7.5(A)
Z978-241
NO(A)
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H/144
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MPTON RD
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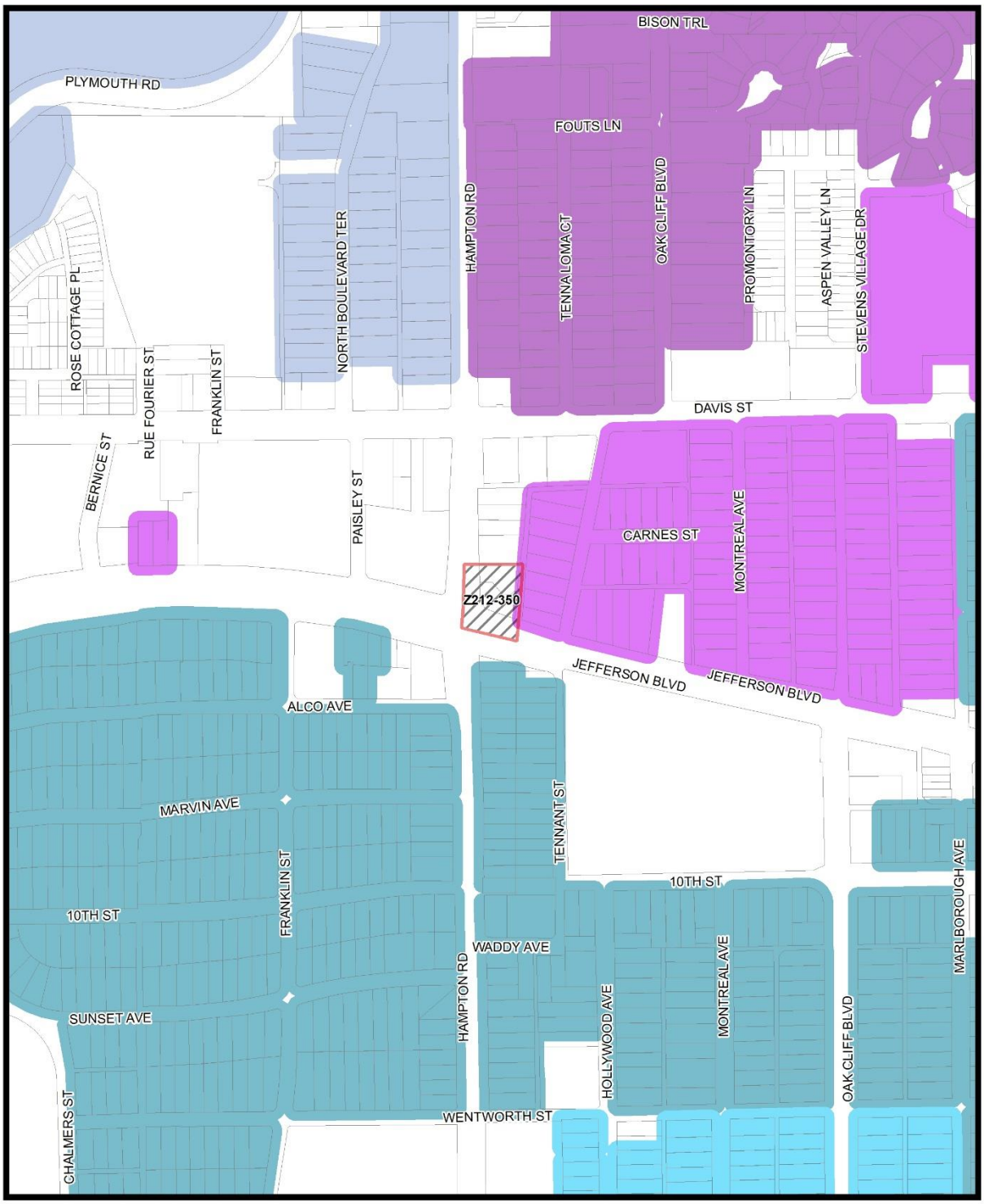
ZONING HISTORY
Case no: Z212-350
Date: 3/8/2023


BISON TRL
PLYMOUTH RD
FOUTS LN
HAMPTON RD
TENNALOMA CT
OAK CLIFF BLVD
PROMONTORY LN
ASPEN VALLEY LN
STEVENS VILLAGE DR
NORTH BOULEVARD TER
ROSE COTTAGE PL
RUE FOURIER ST
FRANKLIN ST
DAVIS ST
BERNICE ST
PAISLEY ST
CARNES ST
MONTREAL AVE
Z212-350
JEFFERSON BLVD
JEFFERSON BLVD
ALCO AVE
MARVIN AVE
TENNANT ST
10TH ST
10TH ST
FRANKLIN ST
WADDY AVE
MARLBOROUGH AVE
HAMPTON RD
SUNSET AVE
HOLLYWOOD AVE
MONTREAL AVE
OAK CLIFF BLVD
WENTWORTH ST
CHALMERS ST
Market Value Analysis
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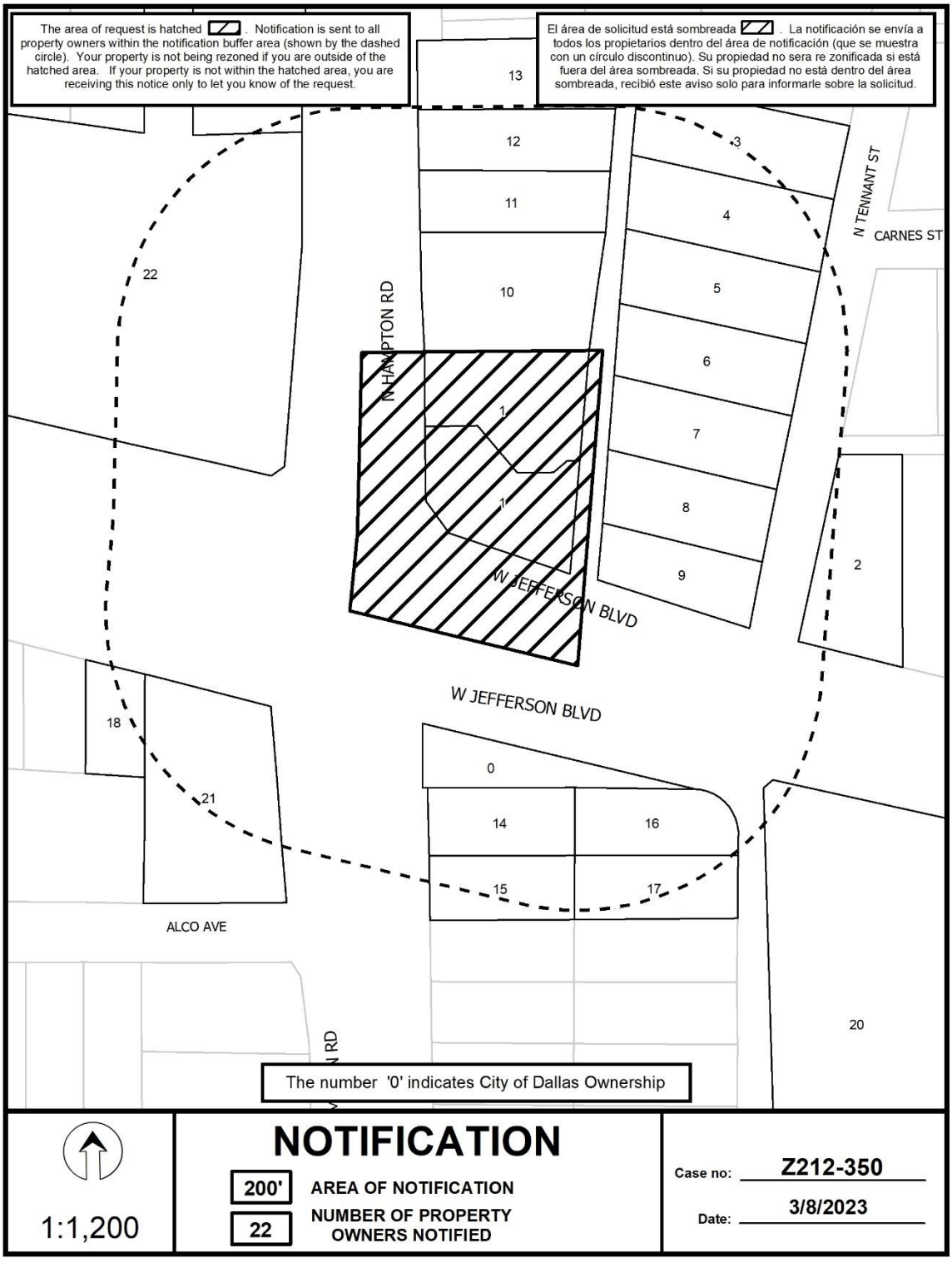
NA
1:4,800
Market Value Analysis
Printed Date: 3/8/2023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N TENNANT ST
CARNES ST
N HAMPTON RD
W JEFFERSON BLVD
W JEFFERSON BLVD
ALCO AVE
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
22
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: Z212-350
Date: 3/8/2023

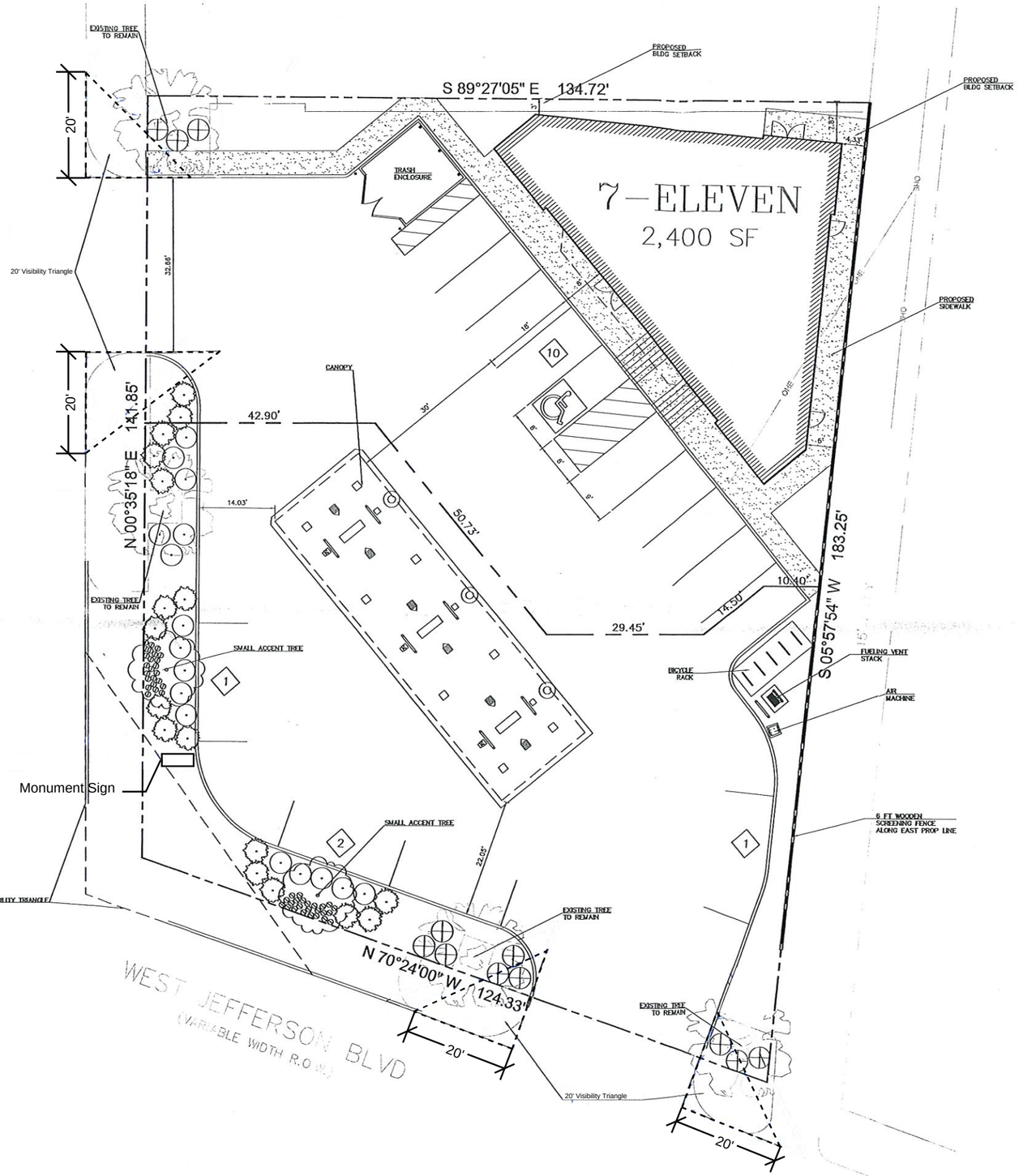
03/08/2023

Notification List of Property Owners

Z212-350

22 Property Owners Notified

Label #	*Address*		*Owner*
1	408	N HAMPTON RD	LINE 5 HOLDINGS LP
2	2241	W JEFFERSON BLVD	LUGO DELIA M
3	503	N TENNANT ST	THOMPSON CASEY W
4	423	N TENNANT ST	PUENTE GLORIA & ERNESTO
5	419	N TENNANT ST	VILLANUEVA MAGDALENA
6	415	N TENNANT ST	ONTIVEROS MIGUEL G &
7	411	N TENNANT ST	CHANDLER CATHY EST OF
8	407	N TENNANT ST	CASTILLO MARIA
9	403	N TENNANT ST	TIMMONS ERNEST LEE
10	414	N HAMPTON RD	HALLE PROPERTIES LLC
11	422	N HAMPTON RD	VLADIKOVICH ARTUR
12	426	N HAMPTON RD	426 NORTH HAMPTON LAND TRUST THE
13	502	N HAMPTON RD	MITCHELL LEE L & YANKO L
14	302	N HAMPTON RD	CERVANTES RICHARD F
15	222	N HAMPTON RD	GREENFIELD VIRGINIA
16	331	N TENNANT ST	CERVANTES MARY F
17	327	N TENNANT ST	IBARRA KEZIA KEREN &
18	2414	W JEFFERSON BLVD	DORWARD JAMES CALVIN
19	509	N HAMPTON RD	GPM RE LLC
20	2120	W JEFFERSON BLVD	Dallas ISD
21	2409	ALCO AVE	2409 ALCO AVENUE LLC
22	2427	W JEFFERSON BLVD	DALLAS YANKEES LLC



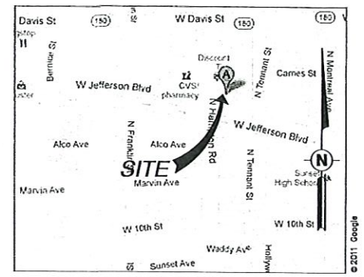
SCALE
10 0 10 20
1 inch = 10 ft.

Zoning: PD 830 - Subdistrict 6A

LOT AREA:	0.47 ACRES	
BUILDING AREA:	2,400 S.F.	
LOT COVERAGE:	20%	
REQUIRED PARKING:		
USES:		
GENERAL MERCHANDISE <3,500S.F.	12	
MOTOR VEHICLE FUELING STATION	2	
	14 SPACES	
PROVIDED PARKING:	14 SPACES	
PROVIDED BICYCLE PARKING:	10 SPACES	
REQUIRED PARKING W/ BICYCLE PARKING:	11 SPACES	

PLANT SCHEDULE

QTY	DESCRIPTION
16	ORNAMENTAL GRASS TO MEET CITY SIGHT VISIBILITY TRIANGLE REQ.
17	EVERGREEN SHRUBS TO MEET CITY SIGHT VISIBILITY TRIANGLE REQ.
12	DECIDUOUS SHRUBS W/COLOR TO MEET CITY SIGHT VISIBILITY TRIANGLE REQ.
	PERENNIALS / ANNUALS TO MEET CITY SIGHT VISIBILITY TRIANGLE REQ.
2	SMALL ACCENT TREES



VICINITY MAP
NO SCALE

HFA ARCHITECTS ENGINEERS INTERIORS
HARRISON FRENCH & ASSOCIATES, LTD
809 S.W. A Street, Suite 201
Bentonville, Arkansas 72712
t 479.273.7780
f 479.273.9436
www.hfa-ae.com

STIPULATION FOR REUSE
THIS INFORMATION IS NOT APPROVED FOR USE ON A SPECIFIC SITE AT CONTRACT AWARD/OUT
DATE ON 7/31/2013
CONTRACTOR PROJECT WITH ITS ISSUE
CONTRACTOR PROJECT WITH HFA ON A SPECIFIC SITE IS NOT APPROVED FOR USE ON ANOTHER PROJECT. LICENSED PROFESSIONALS AND PROJECT LICENSED PROFESSIONALS AND DRAWING FOR REUSE ON ANOTHER PROJECT WITHOUT WRITTEN CONSENT MAY BE CONTRARY TO THE LAW.

7-ELEVEN
408 N Hampton Rd
Dallas, TX
PROJ NUMBER: 12-11-00690

ISSUE BLOCK

STORE NO.: 1029129
DOCUMENT DATE: 5/31/2012
CHECKED BY: JNK
DRAWN BY: NAJ

SITE PLAN

CITY OF DALLAS CASE #: Z212-350

SHEET: C1.0

May 31, 2012 - 10:10am — User: corey.granderson
\\2011-Projects\13-00690-1029129-Dallas_TX-Hampton\Civil\Civil-Dwgs\Concepts-7(08-08-12).dwg — 13-00690_PRO.dwg

Agenda Information Sheet

File #: 23-849 **Item #:** 7.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for an MU-2 Mixed Use District on property zoned an IR Industrial/Research District, on the southeast line of Empire Central Drive, northeast of Harry Hines Boulevard.
Staff Recommendation: **Approval.**
Applicant: Slate Properties
Representative: Rob Baldwin, Baldwin Associates
Planner: Ryan Mulkey
Council District: 2
Z223-103(RM)

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CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Ryan Mulkey, AICP

FILE NUMBER: Z223-103(RM) **DATE FILED:** October 4, 2022

LOCATION: Southeast line of Empire Central Drive, northeast of Harry Hines Boulevard

COUNCIL DISTRICT: 2

SIZE OF REQUEST: Approx. 1.85 acres **CENSUS TRACT:** 48113000409

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER: Robert Bard and Maria Colmenaro [Sole Owners]

APPLICANT: Slate Properties

REQUEST: An application for an MU-2 Mixed Use District on property zoned an IR Industrial/Research District.

SUMMARY: The purpose of the request is to allow multifamily on the site.

STAFF RECOMMENDATION: **Approval.**

BACKGROUND INFORMATION:

- The area of request is currently zoned an IR Industrial/Research District and is developed with office, warehouse, and commercial amusement (inside) uses.
- The applicant proposes to redevelop the property with multifamily.
- To accomplish this, they request an MU-2 Mixed Use District.
- According to Chapter 51A, the MU-2 District is intended to provide for the development of medium density retail, office, hotel, and/or multifamily residential uses in combination on single or contiguous building sites; and to encourage innovative and energy conscious design, efficient circulation systems, the conservation of land, and the minimization of vehicular travel.
- The applicant has not indicated an intent to provide affordable units as part of the development. However, an MU-2 District would be entitled to development bonuses if affordable units are provided. These bonuses are detailed in the report.

Zoning History:

There have been three zoning cases in the area in the last five years.

1. **Z201-200:** On November 10, 2021, City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the northwest line of Empire Central Drive, southwest of Mohawk Drive.
2. **Z201-201:** On August 11, 2021, City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the northwest side of the intersection of Empire Central Drive and Forest Park Road.
3. **Z223-115:** On October 17, 2022, staff received an application for an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District on the northwest line of Empire Central Drive, northeast of Harry Hines Boulevard. [Scheduled for the March 23, 2023 City Plan Commission meeting]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Empire Central Drive	Community Collector	60 feet
Harry Hines Boulevard	Principal Arterial	130 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

NEIGHBORHOOD PLUS

POLICY 5.1 Encourage a wider range of well designed and affordable housing types as a response to emerging homeownership preferences.

POLICY 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

Land Use:

	Zoning	Land Use
Site	IR	Office, warehouse, commercial amusement (inside)
Northwest	IR, MF-2(A)	Outside storage, single family, multifamily
Northeast	IR	Outside storage, office showroom/warehouse
East	Subdistrict 2A within PD No. 759	Multifamily
Southeast	IR, MU-2	Office showroom/warehouse, commercial parking lot or garage
Southwest	IR, MU-2	Office, community service center, commercial parking lot or garage

Land Use Compatibility:

The area of request is currently developed with office, warehouse, and commercial amusement (inside) uses. Northwest of the request area along Empire Central Drive are outside storage and multifamily uses zoned an IR District. Further northwest are single family and multifamily uses zoned an MF-2(A) Multifamily District. To the northeast are outside storage and office showroom/warehouse uses zoned an IR District.

Due east of the site is multifamily zoned Subdistrict 2A within PD No. 759. Southeast of the request area is office showroom/warehouse zoned an IR District, plus a commercial parking lot or garage zoned an MU-2 District. To the southwest are office and community service center uses zoned an IR District, plus the same commercial parking lot or garage zoned an MU-2 District.

Although surrounding zoning districts and land uses are varied, staff finds the applicant's request to be compatible with surrounding uses in the area.

Staff supports the applicant's request and finds the proposed rezoning from an IR District to an MU-2 District to be compatible with the surrounding area, which is transitioning from heavy commercial and industrial zoning to multifamily and mixed use zoning. The proposed change represents a reduction in allowable height and the addition of massing conditions including urban form setback and tower spacing.

Although the applicant has not indicated an intent to provide affordable units as part of the development, an MU-2 District would be entitled to development bonuses if affordable

units are provided. These development bonuses, and the development standards of the existing and proposed zoning districts, are detailed below.

Development Standards

Following is a comparison of the development standards of the current IR District and the proposed MU-2 District.

District	Setback		Density	FAR	Height	Lot Cvrg.	Special Standards
	Front	Side/Rear					
Ex: IR	15’	30’ adj to res Other: No min	No max	2.0 FAR overall 0.75 office/retail 0.5 retail	200’ 15 stories	80%	Proximity Slope Visual Intrusion
Prop: MU-2	15’	20’ adj to res Other: No min	50 du/ac (No MUP) 75 du/ac (MUP=2) 100 du/ac (MUP=3)	1.6 FAR base 2.0 FAR max + bonus for res	135’ 10 stories 180’ 14 stories w/retail	80%	Proximity Slope U-form Setback Tower Spacing Visual Intrusion

Following is a detail of the development bonuses available in an MU-2 District if affordable units are provided at various percentages and income bands.

District	Density	FAR
MU-2 5% at 61-80%*	90 du/ac (No MUP) 115 du/ac (MUP=2) 140 du/ac (MUP=3)	Remove FAR for res
MU-2 10% at 61-80%*	105 du/ac (No MUP) 125 du/ac (MUP=2) 155 du/ac (MUP=3)	Remove FAR for res
MU-2 10% at 61-80%, 5% at 81-100%*	125 du/ac (No MUP) 150 du/ac (MUP=2) 175 du/ac (MUP=3)	Remove FAR for res

* Property is located in an “E” MVA area

To obtain the development bonuses listed above, the applicant would also need to adhere to the design standards for mixed-income housing provided in Chapter 51A. In general, these standards prioritize pedestrians and follow design principles compatible with the

City of Dallas Complete Streets program. Development must also follow additional regulations related to fencing, parking location and design, transparency, and ground-floor doorways. Development must also include sidewalks, pedestrian lighting, and open space.

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200

	Existing	Proposed
Use	**IR**	**MU-2**
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop	R	
Bus or rail transit vehicle maintenance or storage facility	R	
Catering service	•	•
Commercial cleaning or laundry plant	R	
Custom business services	•	•
Custom woodworking, furniture construction, or repair	•	
Electronics service center	•	•
Job or lithographic printing	R	
Labor hall	★	S
Machine or welding shop	R	
Machinery, heavy equipment, or truck sales and services	R	
Medical or scientific laboratory	•	•
Technical school	•	
Tool or equipment rental	•	•
Vehicle or engine repair or maintenance	•	
INDUSTRIAL USES		

Use	IR	MU-2
Alcoholic beverage manufacturing	R	
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)	★	
Industrial (inside) for light manufacturing	•	
Industrial (outside)	★	
Medical/infectious waste incinerator	S	
Metal salvage facility		
Mining		
Municipal waste incinerator	S	
Organic compost recycling facility	S	
Outside salvage or reclamation		
Pathological waste incinerator	S	
Temporary concrete or asphalt batching plant	★	★
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	•	•
Cemetery or mausoleum	S	S
Child-care facility	•	•
Church	•	•
College, university, or seminary	•	•
Community service center	•	S
Convalescent and nursing homes, hospice care, and related institutions		R
Convent or monastery		•
Foster home		•
Halfway house		S
Hospital	R	S
Library, art gallery, or museum		•
Public or private school	S	S
LODGING USES		
Extended stay hotel or motel	S	S
Hotel or motel	R	R
Lodging or boarding house	•	
Overnight general purpose shelter	★	★
MISCELLANOUS USES		
Carnival or circus (temporary)	★	★
Hazardous waste management facility	★	
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment	S	S

Use	IR	MU-2
Financial institution without drive-in window	•	•
Financial institution with drive-in window	R	D
Medical clinic or ambulatory surgical center	•	•
Office	•	•
RECREATION USES		
Country club with private membership	•	•
Private recreation center, club, or area	•	•
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house		•
Duplex		•
Group residential facility		★
Handicapped group dwelling unit		
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		•
Residential hotel		•
Retirement housing		•
Single family		
RETAIL AND PERSONAL SERVICE USES		
Ambulance service		
Animal shelter or clinic without outside runs	•	R
Animal shelter or clinic with outside runs	★	
Auto service center	R	R
Business school	•	•
Car wash	R	R
Commercial amusement (inside)	★	★
Commercial amusement (outside)		S
Commercial motor vehicle parking	★	
Commercial parking lot or garage	R	R
Convenience store with drive-through	S	S
Dry cleaning or laundry store	•	•
Furniture store	•	•
General merchandise or food store 3,500 square feet or less	•	•
General merchandise or food store greater than 3,500 square feet		S
Home improvement center, lumber, brick or building materials sales yard	R	
Household equipment and appliance repair	•	•
Liquefied natural gas fueling station	★	

Use	IR	MU-2
Motor vehicle fueling station	•	•
Nursery, garden shop, or plant sales		•
Outside sales		
Paraphernalia shop	S	S
Pawn shop	•	
Personal service use	•	•
Restaurant without drive-in or drive-through service	R	R
Restaurant with drive-in or drive-through service	D	D
Surface parking		
Swap or buy shop		S
Taxidermist	•	
Temporary retail use	•	
Theater	•	•
Truck stop	S	
Vehicle display, sales, and service	R	
TRANSPORTATION USES		
Airport or landing field	S	
Commercial bus station and terminal	R	
Heliport	R	
Helistop	R	S
Private street or alley		
Railroad passenger station	S	S
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)	S	
Transit passenger shelter	•	•
Transit passenger station or transfer center	★	★
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station	•	•
Electrical generating plant		
Electrical substation	•	•
Local utilities	★	★
Police or fire station	•	•
Post office	•	•
Radio, television, or microwave tower	R	S
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	S
Water treatment plant	S	

Use	IR	MU-2
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal	R	
Livestock auction pens or sheds		
Manufactured building sales lot	R	
Mini-warehouse	•	S
Office showroom/warehouse	•	
Outside storage	R	
Petroleum product storage and wholesale		
Recycling buy-back center	★	★
Recycling collection center	★	★
Recycling drop-off container	★	★
Recycling drop-off for special occasion collection	★	★
Sand, gravel, or earth sales and storage		
Trade center	•	
Vehicle storage lot		
Warehouse	R	

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for multifamily is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

If the applicant provides affordable units as part of the development, the off-street parking requirement for multifamily can be reduced to a minimum of 0.5 space per dwelling unit, provided that at least 15 percent of the required parking is available for guest parking. This would simply be the *minimum* number of required spaces – the applicant could still provide additional spaces in excess of the required minimum.

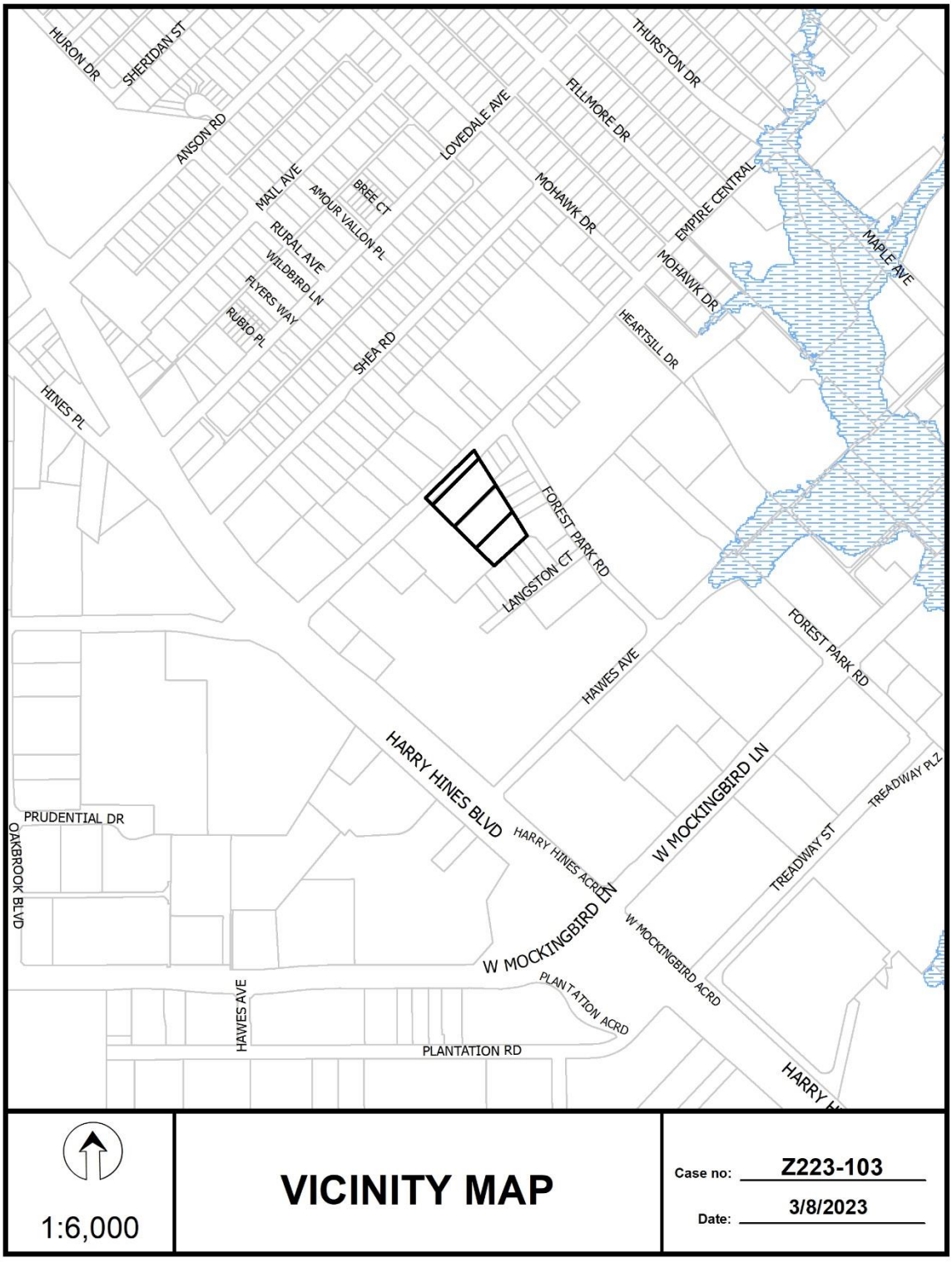
Market Value Analysis:

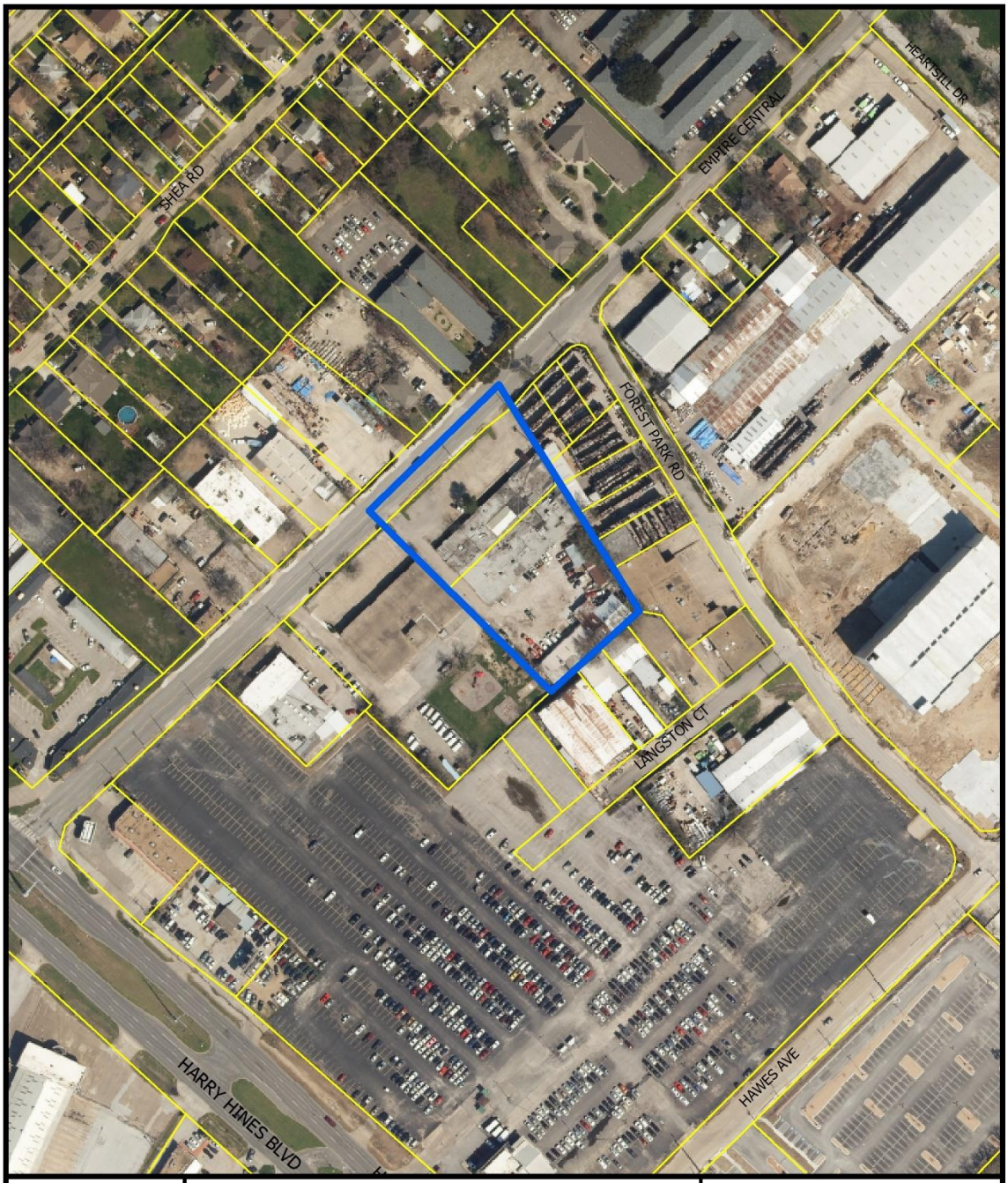
Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is not currently in an MVA cluster, but there is an “H” MVA cluster to the north. There are also some “E” MVA clusters to the northeast and east.

List of Officers

Slate Properties

Reid Beucler, Manager


HURON DR
SHERIDAN ST
ANSON RD
MAIL AVE
BREE CT
AMOUR VALLON PL
RURAL AVE
WILDBIRD LN
FLYERS WAY
RUBIO PL
LOVEDALE AVE
FILLMORE DR
THURSTON DR
MOHAWK DR
EMPIRE CENTRAL
MAPLE AVE
MOHAWK DR
HEARTSILL DR
SHEA RD
HINES PL
FOREST PARK RD
LANGSTON CT
HAWES AVE
FOREST PARK RD
HARRY HINES BLVD
HARRY HINES ACRD
W MOCKINGBIRD LN
TREADWAY ST
TREADWAY PLZ
PRUDENTIAL DR
OAKBROOK BLVD
W MOCKINGBIRD LN
W MOCKINGBIRD ACRD
PLANTATION ACRD
HAWES AVE
PLANTATION RD
HARRY H
1:6,000
VICINITY MAP
Case no: Z223-103
Date: 3/8/2023



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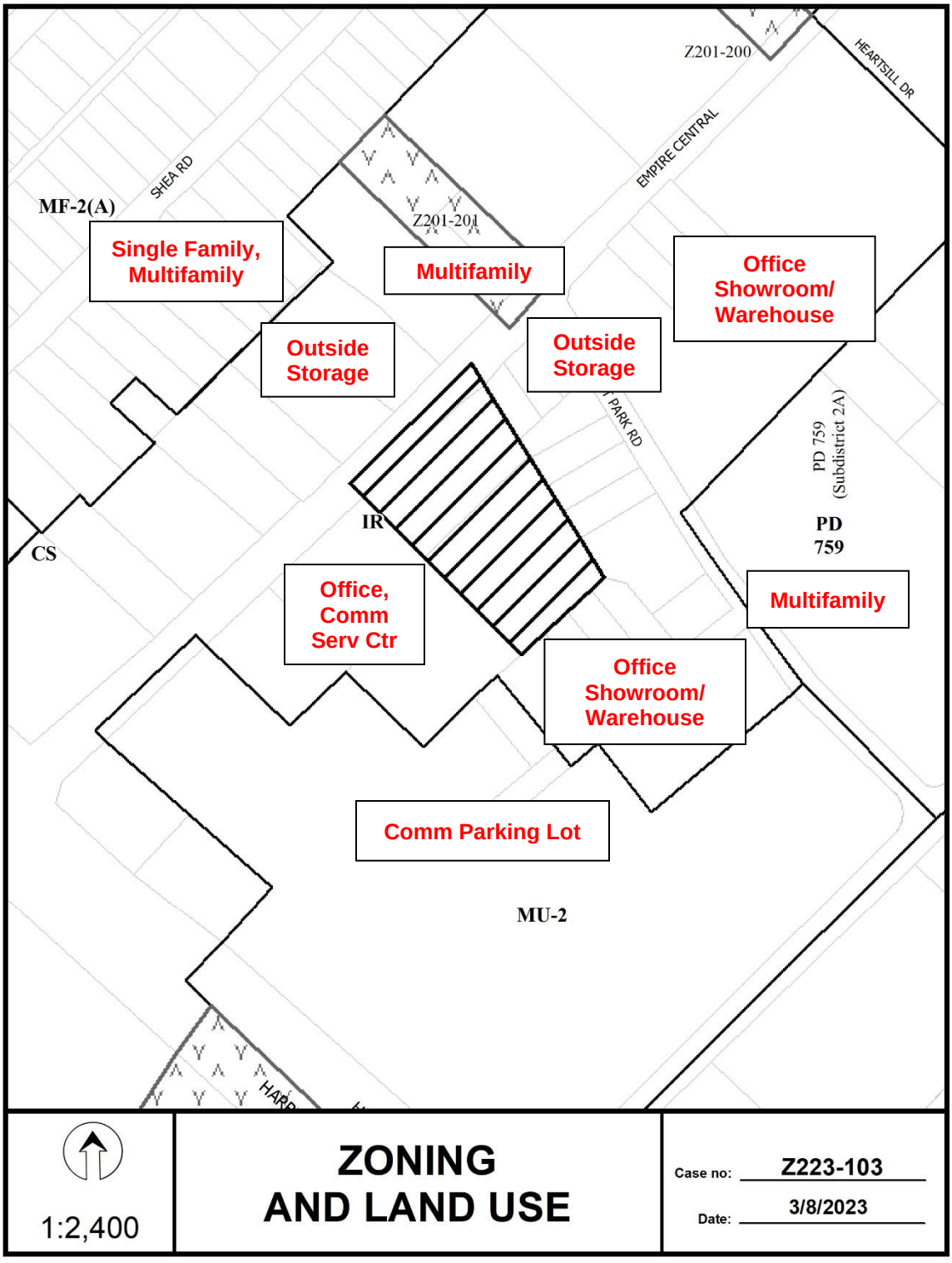
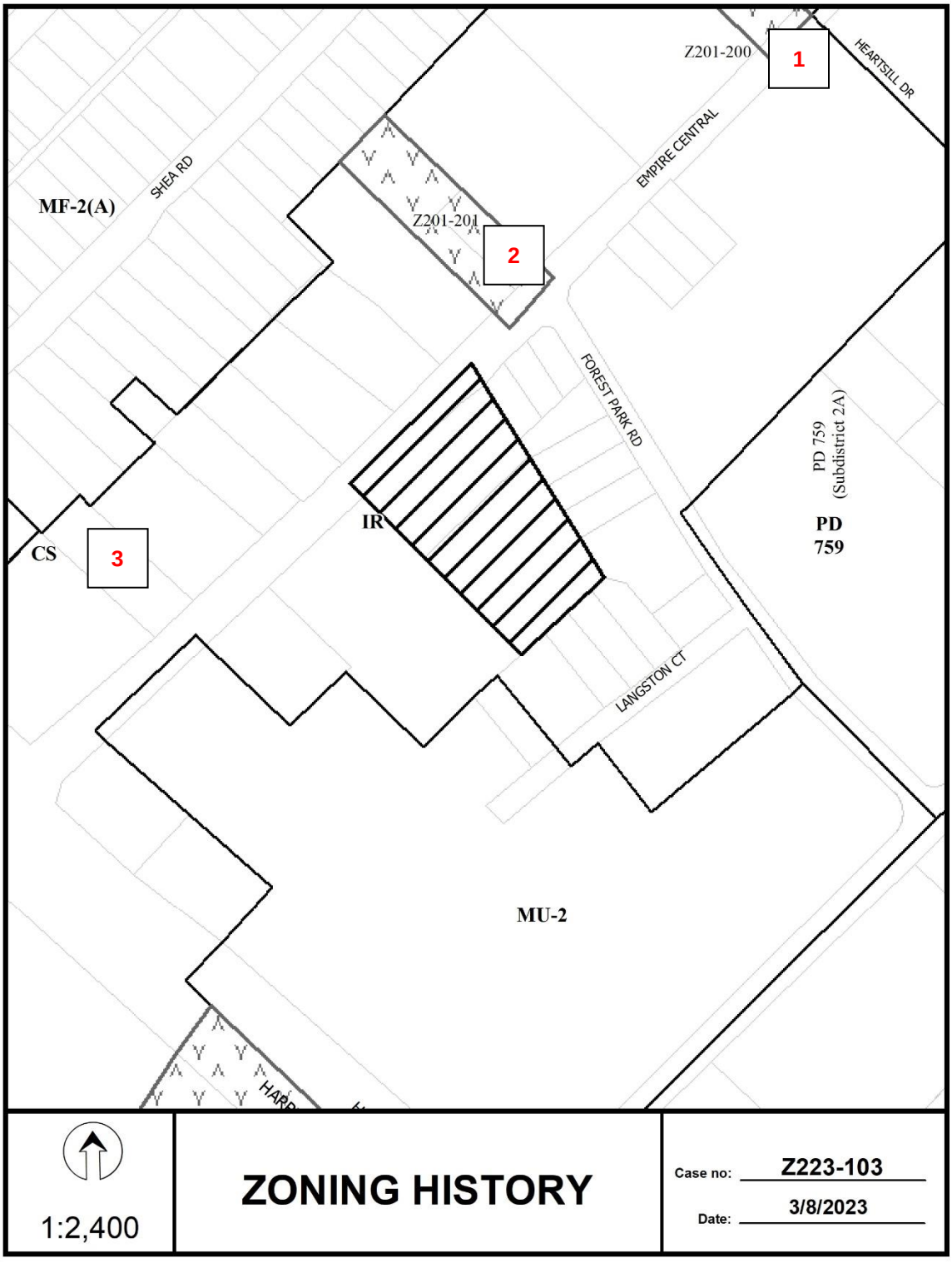
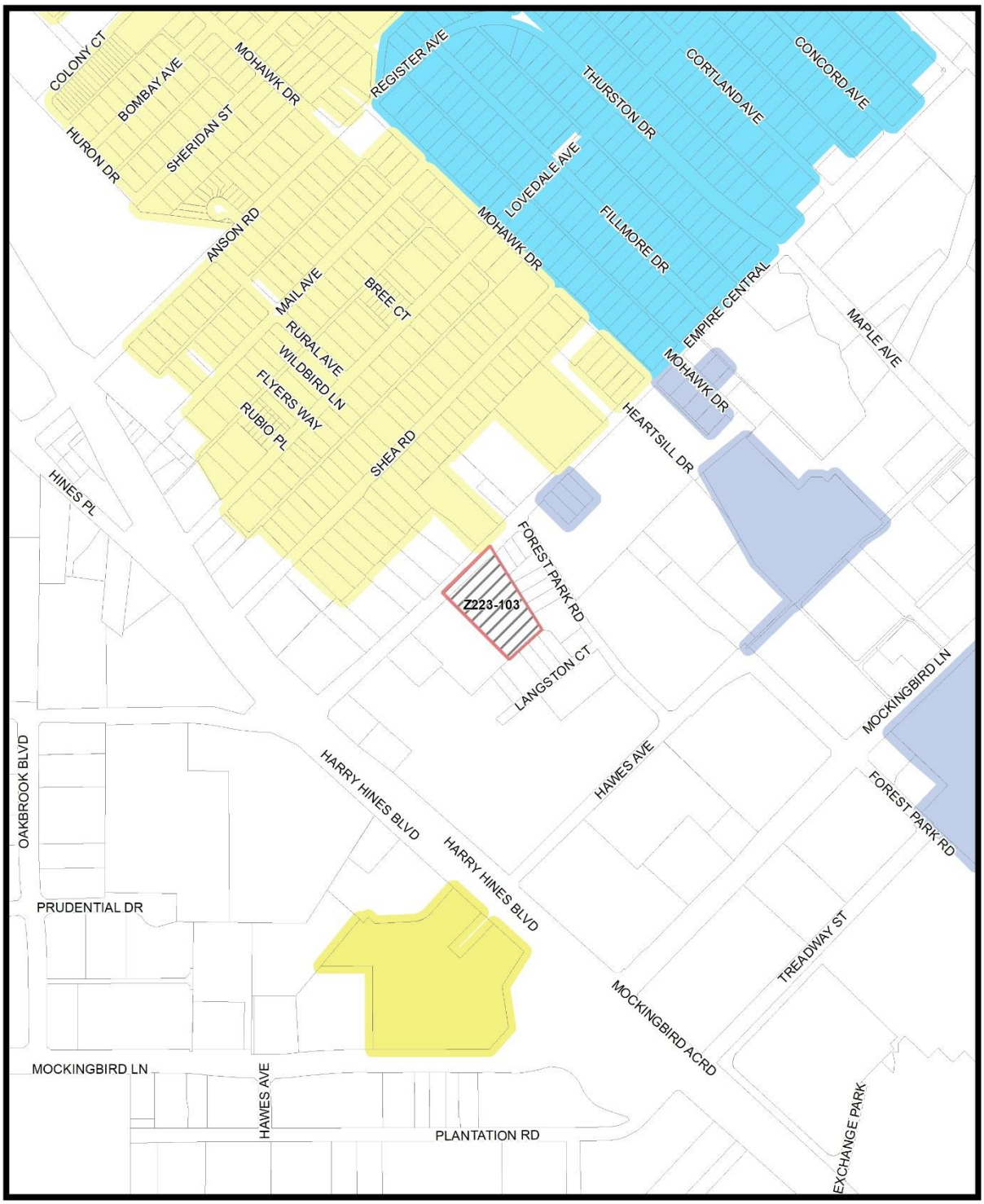
AERIAL MAP

Case no: Z223-103

Date: 3/8/2023


Z201-200
HEARTSILL DR
EMPIRE CENTRAL
SHEA RD
MF-2(A)
Z201-201
Single Family, Multifamily
Multifamily
Office Showroom/ Warehouse
Outside Storage
Outside Storage
PARK RD
PD 759 (Subdistrict 2A)
PD 759
IR
CS
Office, Comm Serv Ctr
Multifamily
Office Showroom/ Warehouse
Comm Parking Lot
MU-2
1:2,400
ZONING AND LAND USE
Case no: Z223-103
Date: 3/8/2023


Z201-200
1
HEARTSILL DR
EMPIRE CENTRAL
SHEA RD
MF-2(A)
Z201-201
2
FOREST PARK RD
PD 759
(Subdistrict 2A)
PD
759
IR
CS
3
LANGSTON CT
MU-2
1:2,400
ZONING HISTORY
Case no: Z223-103
Date: 3/8/2023



Market Value Analysis A B C D E F G H I NA

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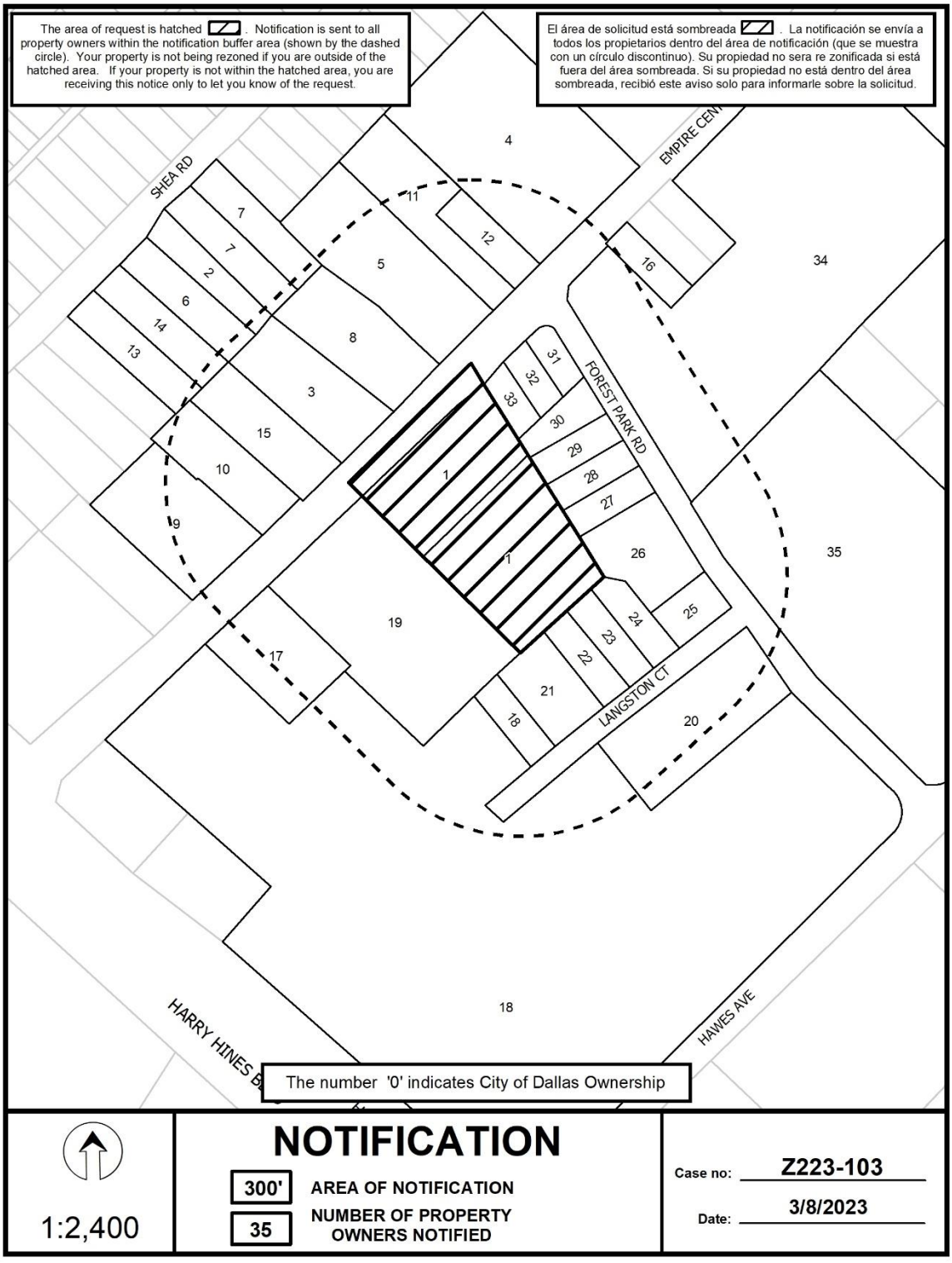
Market Value Analysis

Printed Date: 3/8/2023


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no sera re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
SHEA RD
EMPIRE CEN
FOREST PARK RD
LANGSTON CT
HAWES AVE
HARRY HINES B
The number '0' indicates City of Dallas Ownership
NOTIFICATION
300'
AREA OF NOTIFICATION
35
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: Z223-103
Date: 3/8/2023

03/08/2023

Notification List of Property Owners

Z223-103

35 Property Owners Notified

Label #	*Address*		*Owner*
1	2102	EMPIRE CENTRAL	BARD ROBERT E &
2	2106	SHEA RD	JIMENEZ ASHLEY &
3	2103	EMPIRE CENTRAL	Taxpayer at
4	2145	EMPIRE CENTRAL	IGLESIA DE CRISTO EMPIRE CENTRAL
5	2121	EMPIRE CENTRAL	WSP EMPIRE CENTRAL LLC
6	2102	SHEA RD	PEREZ DANIEL C &
7	2116	SHEA RD	SHEA LOTS I LP
8	2115	EMPIRE CENTRAL	Taxpayer at
9	2033	EMPIRE CENTRAL	Taxpayer at
10	2043	EMPIRE CENTRAL	VANDELAY MUSIC LLC
11	2133	EMPIRE CENTRAL	Taxpayer at
12	2137	EMPIRE CENTRAL	Taxpayer at
13	2046	SHEA RD	MY3GT LIVING TRUST
14	2050	SHEA RD	GARZA JUAN SANCHES
15	2053	EMPIRE CENTRAL	Taxpayer at
16	2148	EMPIRE CENTRAL	Taxpayer at
17	2030	EMPIRE CENTRAL	CIK LP
18	6814	HARRY HINES BLVD	DLF HINES LLC
19	2040	EMPIRE CENTRAL	GIRLS INCORPORATED OF
20	6835	FOREST PARK RD	SONG JIN HEE
21	2119	LANGSTON CT	DERUTA LLC
22	2123	LANGSTON CT	FORESTPARK SERVICES LLC
23	2127	LANGSTON CT	VALDEZ FRANCISCO EST OF
24	2131	LANGSTON CT	MCRAE MICHAEL C
25	6901	FOREST PARK RD	FORD LEVERNE R &
26	6911	FOREST PARK RD	6911 FOREST PARK LLC

03/08/2023

Label #	*Address*		*Owner*
27	6921	FOREST PARK RD	IMPRUNETTA LLC
28	6925	FOREST PARK RD	Taxpayer at
29	6929	FOREST PARK RD	Taxpayer at
30	6931	FOREST PARK RD	Taxpayer at
31	2130	EMPIRE CENTRAL	Taxpayer at
32	2126	EMPIRE CENTRAL	Taxpayer at
33	2122	EMPIRE CENTRAL	Taxpayer at
34	6930	FOREST PARK RD	Taxpayer at
35	2223	HAWES AVE	JDFW IV LLC

LAMBETH ENGINEERING

Preliminary Traffic Assessment

To: Mr. Dylan Leonoudakis, Slate Properties

From: Christy Lambeth, P.E., PTOE, Lambeth Engineering Associates, PLLC, *F-19508*

Date: 2/17/2023

Re: Preliminary Traffic Assessment for Slate EC2 at 2102 Empire Central Drive

Introduction

The services of Lambeth Engineering Associates, PLLC, (Lambeth Engineering) were retained to conduct a Preliminary Traffic Assessment (PTA) for the proposed development, Slate EC2 located at 2102 Empire Central Drive in Dallas, Texas. The purpose of this PTA is to evaluate the need, if any, for enhancement of safe traffic flow because of this development and to determine whether a Traffic Impact Analysis (TIA) should be provided. Below is a summary of the assessment.

- **Driveway Spacing** – There are Two (2) driveways for the site, both off Empire Central Drive. City of Dallas spacing requirements are satisfied for both driveways.
- **Sight Distance Analysis** – The City of Dallas requirements are satisfied for both driveways.
- **Parking** – Parking will meet or exceed parking requirements. (Site plan has not been finalized.)
- **Truck Loading/Unloading** –Trucks will load/unload on the property, in a designated area near the elevators and mail room.

Project Description

The project site is located at 2102 Empire Central Drive, Dallas, Texas. The PTA is submitted to support a zoning change request from Industrial Research District (IR) to zoning to accommodate multifamily. The site is currently occupied (Google Maps notes occupied by Lopez Generators and Continental MCM Ballroom & Decorations). The development is projected to be completed in 2024 and will contain 210 mid-rise, multifamily units.

A vicinity map illustrating existing roadway configurations is provided in **Exhibit 1.** The site plan for the proposed development is attached.

Roadway Network

Slate EC2 development is surrounded by the following roadways:

- Empire Central Drive
  - Existing Cross Section: Four-lane, undivided roadway
  - Speed Limit: 30 MPH
  - Thoroughfare Plan Designation: Community Collector, S-4-U

- Harry Hines Boulevard
  - Existing Cross Section: Six-lane, divided roadway
  - Speed Limit: 45 MPH
  - Thoroughfare Plan Designation: Principal Arterial, S-8-D
- Forest Park Road
  - Existing Cross Section: Two-lane, undivided roadway
  - Speed Limit: 30 MPH
  - Thoroughfare Plan Designation: Local Road

Pedestrian Connections

There are existing sidewalks along both sides of Empire Central Drive between Harry Hines Boulevard and Forest Park Road, except just north of Harry Hines Boulevard.

Projected Site Traffic Volumes

Traffic generated by the development, known as trip generation, is calculated based upon methods and rates published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual,* 11th Edition. The resulting trip generation volume for the site is shown in **Table *1***.

Table 1. Trip Generation Summary

ITE #	Use	Quantity	Weekday	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
221	Multifamily Housing (Mid-Rise)	210 Units	955	81	19	62	82	50	32

Access Spacing Review

The City of Dallas requires driveways to be spaced a minimum distance from streets and other driveways. The June 2004 *City of Dallas Off-Street Parking and Driveways Handbook* notes, "The minimum distance between driveways, measured from edges of driveway throats, is normally 20 feet except for local streets."

Figure 4.61 of the City of Dallas 2019 *Street Design Manual* illustrates that commercial driveways should be 100 feet from intersections.

The access spacing review for the proposed development is summarized below in **Table 2**. Both proposed driveway locations satisfy the City's driveway spacing criteria.

Table 2. Access Driveway Spacing Summary

Spacing Between	City of Dallas Access Spacing Distance (Feet)	Provided Access Spacing Distance (Feet)	Satisfies Spacing Criteria?
Empire Central Dr.			
Girls Inc. Driveway and Driveway 1	20	~185	YES
Driveway 1 and Driveway 2	20	~190	YES
Driveway 2 and Forest Park Rd.	100	~170	YES

Truck Loading and Unloading

Trucks will not be allowed to load off Empire Central Place. A temporary moving truck parking space will be available near the elevators and delivery trucks will be able to pull in and park or temporarily park near the entry leading to the mail room.

Sight Distance Analysis

City of Dallas' sight distance criteria were evaluated considering Table 4.6 of the September 2019 *City of Dallas Street Design Manual*. Empire Central Drive was evaluated with the posted speed limit of 30 MPH and a two-lane undivided roadway (S-2-U). Since the adjacent section of Empire Central Drive is 44 feet wide, it was also evaluated for a speed limit of 45 MPH and a four-lane undivided road (S-4-U). The higher speed limit can be considered conservative. Sight distance analysis is based upon on-site observations. The results are summarized in **Table 3**.

Table 3. City of Dallas Sight Distance Summary

Intersection	Speed Limit	Left Side (Feet)*				Right Side (Feet)**			
		Desirable Minimum	Safety Minimum	Provided	Criteria?	Desirable Minimum	Safety Minimum	Provided	Criteria?
Empire Central Dr. at Driveway 1	30 MPH	315	145	>500	YES	580	325	>900	YES
Empire Central Dr. at Driveway 2	30 MPH	315	145	>500	YES	580	325	>900	YES

*Evaluated considering Local Street S-2-U 30 MPH criteria
**Evaluated considering Minor Arterial S-4-U 45 MPH criteria

As illustrated in Figure 3.9 of the City of Dallas *Street Design Manual*, 20'x20' visibility triangles are required at street-driveway intersections. Visibility triangles will provided with the Civil Engineering plans.

The City of Dallas requirements sight distance criteria are satisfied for both driveways.

Parking Analysis

The City of Dallas Section 51A-4.209 requires parking for multifamily uses based on the number of bedrooms. If the parking is for residents only, the site is required to have a minimum of one space per bedroom, plus 0.25 spaces per dwelling unit for guests if the residential parking is restricted. There will be open spaces available for residents and guests. Therefore, additional guest parking is not required.

Will provide parking to satisfy the Cit's requirements.

Traffic Operations

Lambeth Engineering conducted two (2) site visits. The following observations were made:

- Traffic flows well on all streets around the site.
- Traffic observations were conducted at each driveway location. There are many gaps in traffic throughout the day in both directions on Empire Central Drive.

The following recommendations are made to enhance traffic safety:

- City should consider repainting the pavement markings, including center line and lane lines between Harry Hines Boulevard and Forest Park Road
- City should consider repainting the crosswalks at the intersection of Empire Central Drive and Forest Park Road

Crash Analysis

According to the CRIS Query results from 2018 - 2023, there was only one (1) reported crash in 2021 on Empire Centeral Drive, in vicinity of the site, with minor injuries. The CRIS Query results are provided in the **Appendix**.

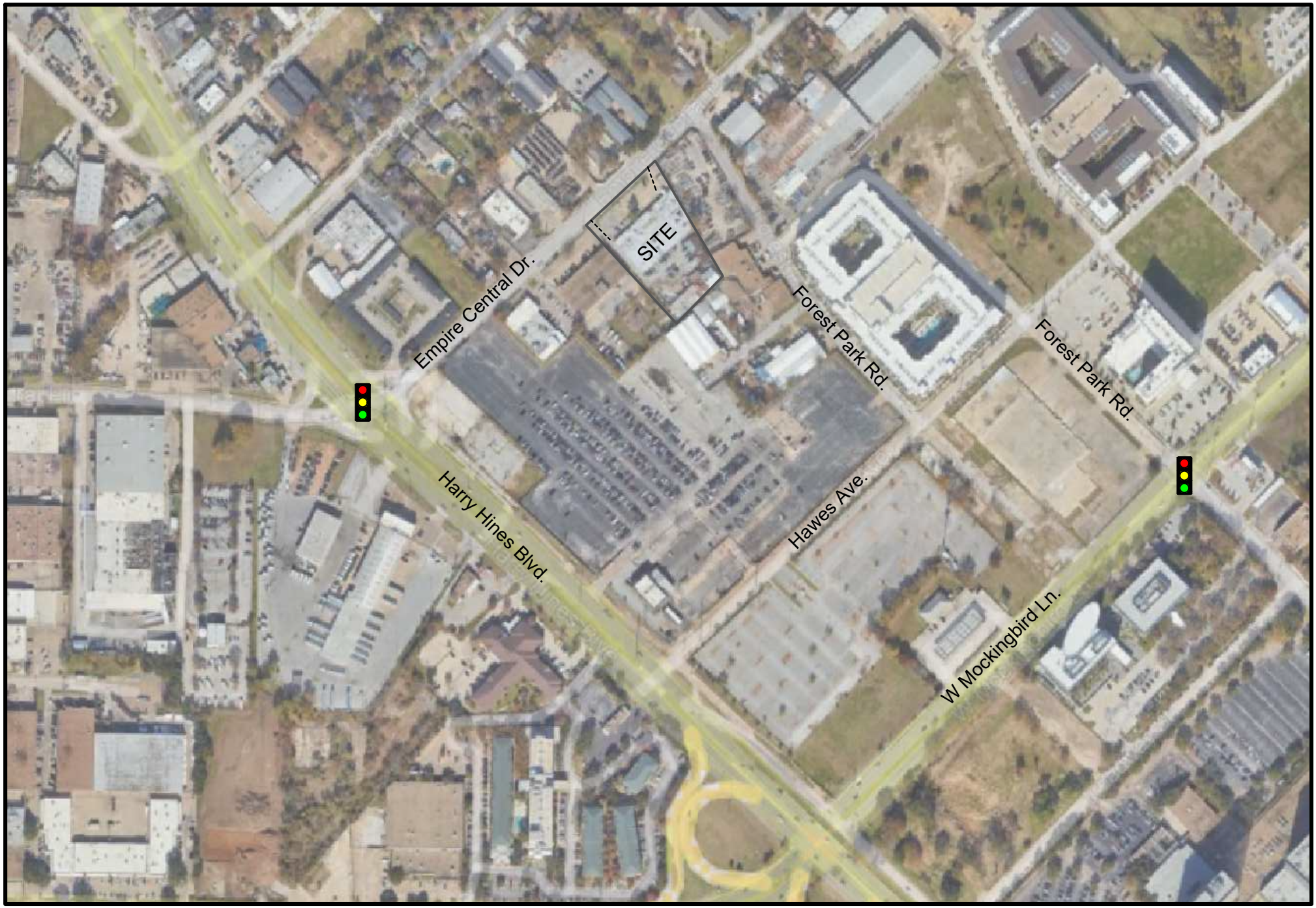
Summary

The additional site-related traffic resulting from the proposed Slate EC2 development is not expected to have a significant impact on the traffic flow in this area.

The proposed driveways satsify the City's spacing criteria and are not expected to create traffic congestion or have a significant impact on the roadway network. All sight distances satisfy the City's requirements.

Based upon field observations, the existing roadway network is able to accommodate the projected traffic volumes generated by the proposed development. Therefore, it is recommended a TIA not be required for this site.

END



NORTH

1 Vicinity Map
Not to Scale

Slate Empire Central 2

Harry Hines Boulevard at Empire Central Plaza
Dallas, Texas

L.A.M.B.E.T.H. ENGINEERING
TEXAS REGISTERED ENGINEERING FIRM F-19508

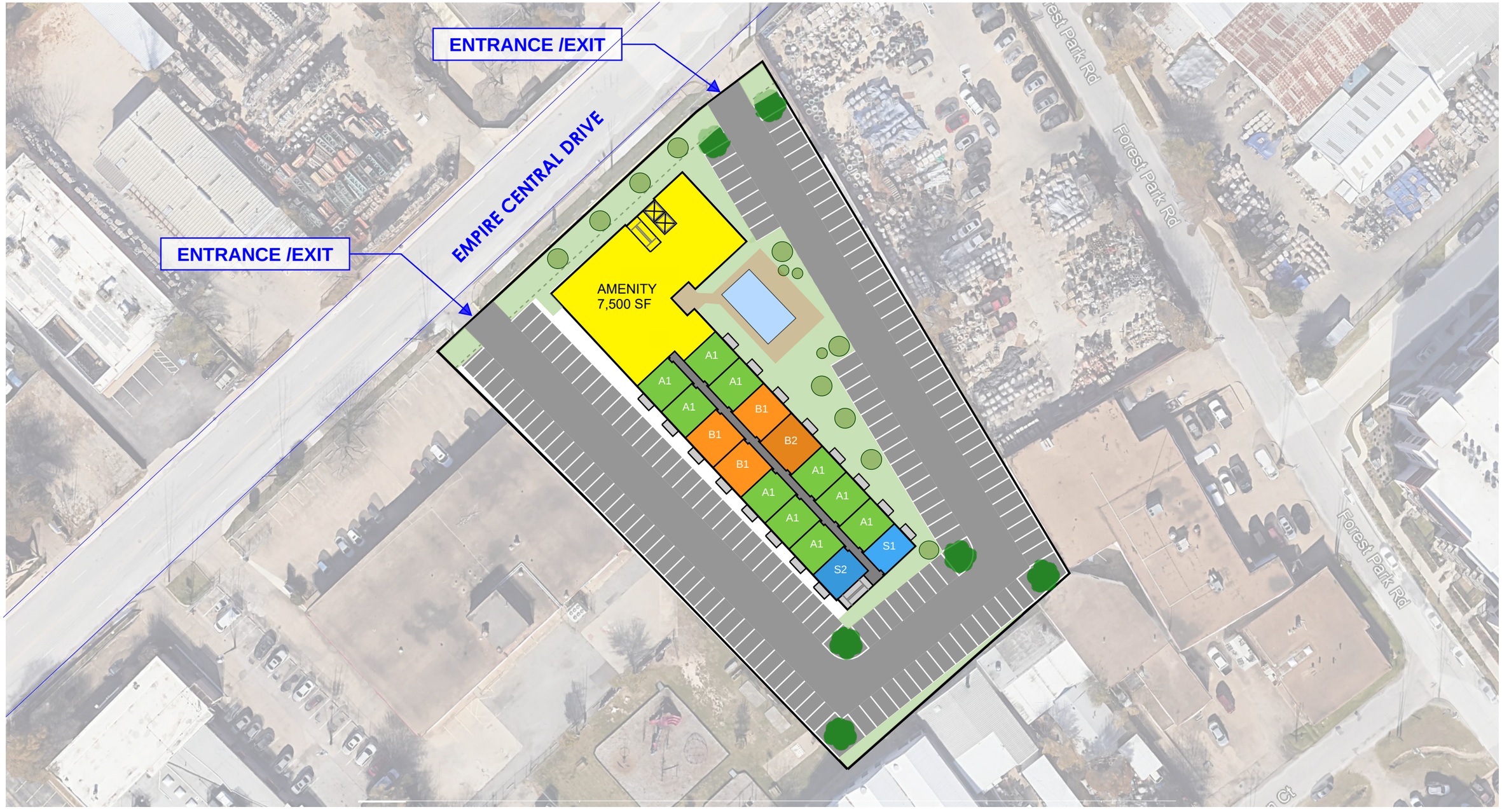
Map Obtained from Google Earth 10.04.22

Appendix

Site Pictures

Site Plan

CRIS Query Results



DRAFT

Concept PLAN

parmadesign

architecture . art . sculpture

Slate Empire Central 2

Empire Central Place

Driveway 1 — Looking Left

Driveway 1 — Looking Right

Driveway 1 — Looking Across

Driveway 2 — Looking Across

Driveway 2 — Looking Left

Driveway 2 — Looking Right

Slate Empire Central 2

Nearby Intersections

Harry Hines Boulevard at Empire Central Place — Westbound Approach

Harry Hines Boulevard at Empire Central Place — Southbound Approach

Empire Central Place at Forest Park Road — Northbound Approach

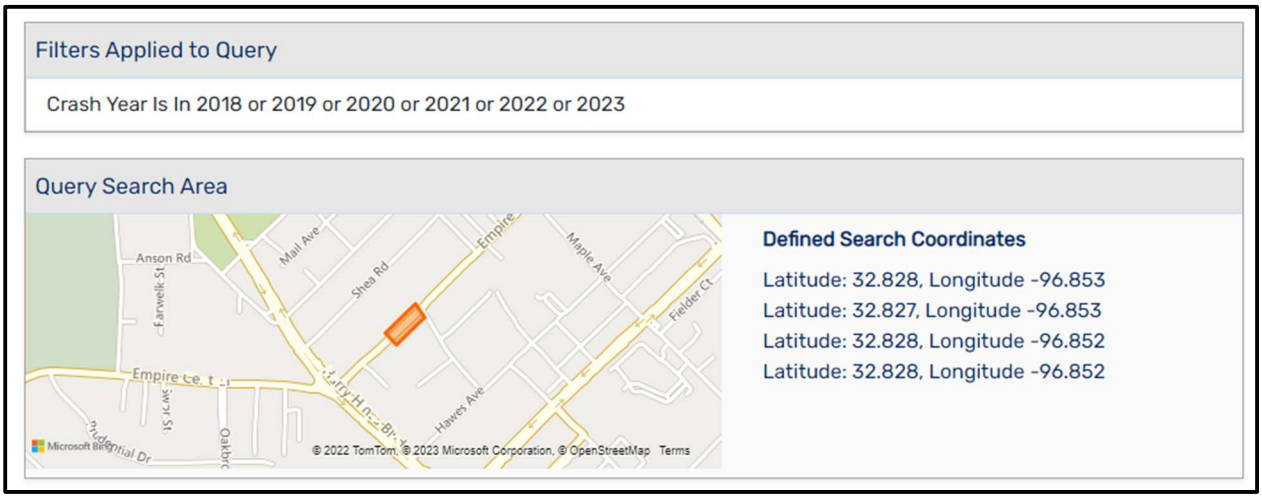
Forest Park Road at Hawes Avenue — Eastbound Approach

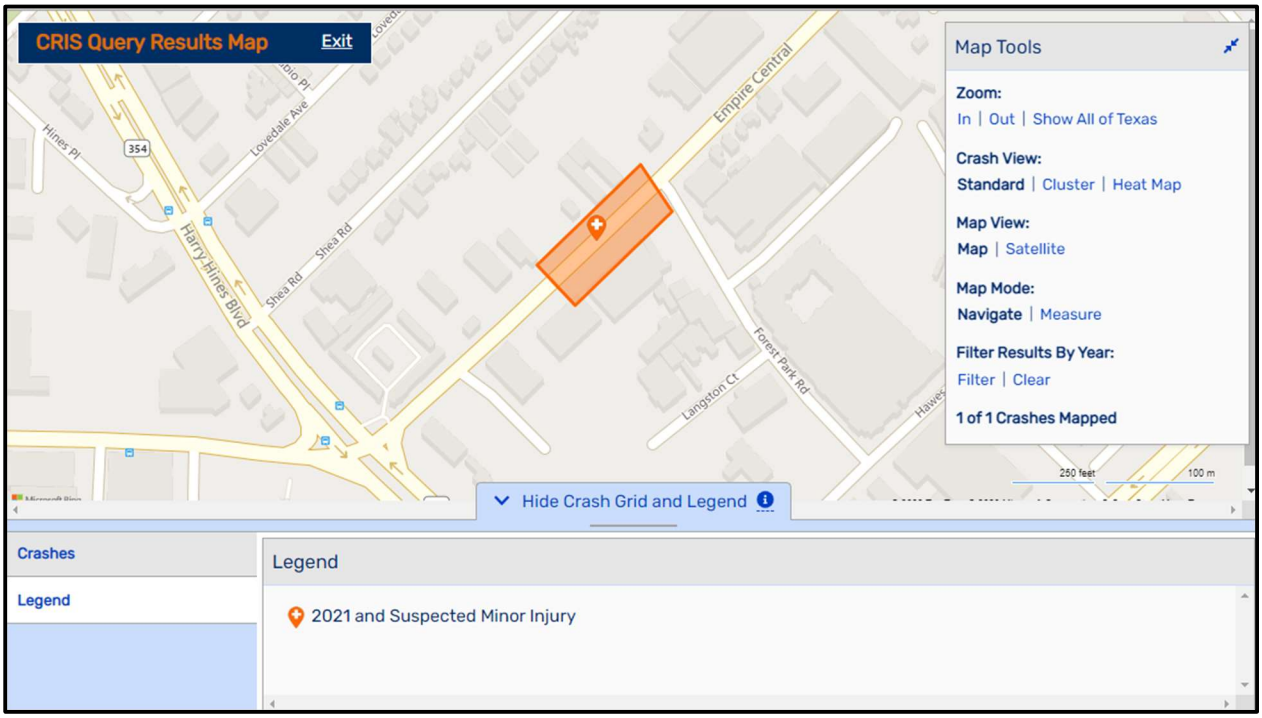
W Mockingbird Lane at Forest Park Road — Looking at Southbound Approach

W Mockingbird Lane at Forest Park Road — Eastbound Approach

CRIS Crash Data

Empire Central Place between Forest Park Road and
Girls Inc. of Metropolitan Dallas Driveway





Data proved by:
https://cris.dot.state.tx.us/public/Query/app/query-builder

Agenda Information Sheet

File #: 23-850 **Item #:** 8.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District, on the northwest line of Empire Central Drive, northeast of Harry Hines Boulevard.
Staff Recommendation: **Approval.**
Applicant: Kaminski Development Corporation
Representative: Rob Baldwin, Baldwin Associates
Planner: Ryan Mulkey
Council District: 2
Z223-115(RM)

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Ryan Mulkey, AICP

FILE NUMBER: Z223-115(RM) **DATE FILED:** October 17, 2022

LOCATION: Northwest line of Empire Central Drive, northeast of Harry Hines Boulevard

COUNCIL DISTRICT: 2

SIZE OF REQUEST: Approx. 0.54 acre **CENSUS TRACT:** 48113000410

REPRESENTATIVE: Rob Baldwin, Baldwin Associates

OWNER: Robert Cloud and Ruth Womak Trust

APPLICANT: Kaminski Development Corporation

REQUEST: An application for an MF-2(A) Multifamily District on property zoned an IR Industrial/Research District.

SUMMARY: The purpose of the request is to allow multifamily on the site.

STAFF RECOMMENDATION: **Approval.**

BACKGROUND INFORMATION:

- The area of request is currently zoned an IR Industrial/Research District and is undeveloped.
- The applicant proposes to develop the property with multifamily.
- To accomplish this, they are request an MF-2(A) Multifamily District.
- The applicant has not indicated an intent to provide affordable units as part of the development. However, an MF-2(A) District would be entitled to development bonuses if affordable units are provided. These bonuses are detailed in the report.

Zoning History:

There have been three zoning cases in the area in the last five years.

1. **Z189-149:** On March 25, 2020, City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CS Commercial Service District east of Harry Hines Boulevard, at the terminus of Mail Avenue, to the southeast.
2. **Z201-201:** On August 11, 2021, City Council approved an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the northwest side of the intersection of Empire Central Drive and Forest Park Road.
3. **Z223-103:** On October 4, 2022, staff received an application for an MU-2 Mixed Use District on property zoned an IR Industrial/Research District on the southeast line of Empire Central Drive, northeast of Harry Hines Boulevard. [Scheduled for the March 23, 2023 City Plan Commission meeting]

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Empire Central Drive	Community Collector	60 feet
Harry Hines Boulevard	Principal Arterial	130 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply

with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

NEIGHBORHOOD PLUS

POLICY 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

POLICY 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

Land Use:

	Zoning	Land Use
Site	IR	Undeveloped
Northwest	CS, MF-2(A)	General merchandise or food store greater than 3,500 square feet, surface parking, single family
Northeast	IR	Vehicle display, sales, and service
Southeast	IR, MU-2	Office, commercial parking lot or garage
Southwest	IR	Hotel or motel

Land Use Compatibility:

The area of request is currently undeveloped. To the northwest is a general merchandise or food store greater than 3,500 square feet zoned a CS Commercial Service District as well as surface parking and single family uses zoned an MF-2(A) District. Northeast of

the request area is a vehicle display, sales, and service use zoned an IR District. To the southeast across Empire Central Drive is an office zoned an IR District, plus a commercial parking lot or garage zoned an MU-2 District. Southwest is a hotel or motel zoned an IR District. Although surrounding zoning districts and land uses are varied, staff finds the applicant's request to be compatible with surrounding uses in the area.

Staff supports the applicant's request and finds the proposed downzoning from an IR District to an MF-2(A) District to be compatible with the surrounding area, which is transitioning from heavy commercial and industrial zoning to multifamily and mixed use zoning. Although the applicant has not indicated an intent to provide affordable units as part of the development, an MF-2(A) District would be entitled to development bonuses if affordable units are provided. These development bonuses, and the development standards of the existing and proposed zoning districts, are detailed below.

Development Standards

District	Setback		Density	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
Ex: IR	15'	30' adj to res Other: No min	No max	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution and storage, supporting office and retail
Prop: MF-2(A)	15'	15'	Min lot 1,000 sf 800 sf – E 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR	36'	60%	Proximity Slope	Multifamily, duplex, single family
MIH: MF-2(A)*			No min lot area per dwelling unit	85'	85%	Proximity Slope U-form Setback	

* Property is located in an "H" MVA area. Would require 5% at 81-100%.

To obtain the development bonuses listed above, the applicant would also need to adhere to the design standards for mixed-income housing provided in Chapter 51A. In general, these standards prioritize pedestrians and follow design principles compatible with the City of Dallas Complete Streets program. Development must also follow additional regulations related to fencing, parking location and design, transparency, and ground-floor doorways. Development must also include sidewalks, pedestrian lighting, and open space.

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing and proposed zoning districts.

LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200

	Existing	Proposed
Use	**IR**	**MF-2(A)**
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop	R	
Bus or rail transit vehicle maintenance or storage facility	R	
Catering service	•	
Commercial cleaning or laundry plant	R	
Custom business services	•	
Custom woodworking, furniture construction, or repair	•	
Electronics service center	•	
Job or lithographic printing	R	
Labor hall	★	
Machine or welding shop	R	
Machinery, heavy equipment, or truck sales and services	R	
Medical or scientific laboratory	•	
Technical school	•	
Tool or equipment rental	•	
Vehicle or engine repair or maintenance	•	
INDUSTRIAL USES		
Alcoholic beverage manufacturing	R	
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)	★	

Use	IR	MF-2(A)
Industrial (inside) for light manufacturing	•	
Industrial (outside)	★	
Medical/infectious waste incinerator	S	
Metal salvage facility		
Mining		
Municipal waste incinerator	S	
Organic compost recycling facility	S	
Outside salvage or reclamation		
Pathological waste incinerator	S	
Temporary concrete or asphalt batching plant	★	★
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	•	S
Cemetery or mausoleum	S	S
Child-care facility	•	S
Church	•	•
College, university, or seminary	•	S
Community service center	•	S
Convalescent and nursing homes, hospice care, and related institutions		R
Convent or monastery		•
Foster home		•
Halfway house		
Hospital	R	S
Library, art gallery, or museum		S
Public or private school	S	S
LODGING USES		
Extended stay hotel or motel	S	
Hotel or motel	R	
Lodging or boarding house	•	•
Overnight general purpose shelter	★	
MISCELLANOUS USES		
Carnival or circus (temporary)	★	★
Hazardous waste management facility	★	
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment	S	
Financial institution without drive-in window	•	
Financial institution with drive-in window	R	
Medical clinic or ambulatory surgical center	•	
Office	•	

Use	IR	MF-2(A)
RECREATION USES		
Country club with private membership	•	R
Private recreation center, club, or area	•	S
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house		•
Duplex		•
Group residential facility		★
Handicapped group dwelling unit		★
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		•
Residential hotel		•
Retirement housing		•
Single family		•
RETAIL AND PERSONAL SERVICE USES		
Ambulance service		
Animal shelter or clinic without outside runs	•	
Animal shelter or clinic with outside runs	★	
Auto service center	R	
Business school	•	
Car wash	R	
Commercial amusement (inside)	★	
Commercial amusement (outside)		
Commercial motor vehicle parking	★	
Commercial parking lot or garage	R	
Convenience store with drive-through	S	
Dry cleaning or laundry store	•	
Furniture store	•	
General merchandise or food store 3,500 square feet or less	•	
General merchandise or food store greater than 3,500 square feet		
Home improvement center, lumber, brick or building materials sales yard	R	
Household equipment and appliance repair	•	
Liquefied natural gas fueling station	★	
Motor vehicle fueling station	•	
Nursery, garden shop, or plant sales		
Outside sales		
Paraphernalia shop	S	

Use	IR	MF-2(A)
Pawn shop	•	
Personal service use	•	
Restaurant without drive-in or drive-through service	R	
Restaurant with drive-in or drive-through service	D	
Surface parking		
Swap or buy shop		
Taxidermist	•	
Temporary retail use	•	
Theater	•	
Truck stop	S	
Vehicle display, sales, and service	R	
TRANSPORTATION USES		
Airport or landing field	S	
Commercial bus station and terminal	R	
Heliport	R	
Helistop	R	
Private street or alley		
Railroad passenger station	S	
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)	S	
Transit passenger shelter	•	•
Transit passenger station or transfer center	★	S
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station	•	
Electrical generating plant		
Electrical substation	•	S
Local utilities	★	★
Police or fire station	•	S
Post office	•	
Radio, television, or microwave tower	R	S
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	S
Water treatment plant	S	
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal	R	

Use	IR	MF-2(A)
Livestock auction pens or sheds		
Manufactured building sales lot	R	
Mini-warehouse	•	
Office showroom/warehouse	•	
Outside storage	R	
Petroleum product storage and wholesale		
Recycling buy-back center	★	
Recycling collection center	★	
Recycling drop-off container	★	★
Recycling drop-off for special occasion collection	★	★
Sand, gravel, or earth sales and storage		
Trade center	•	
Vehicle storage lot		
Warehouse	R	

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for multifamily is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

If the applicant provides affordable units as part of the development, the off-street parking requirement for multifamily can be reduced to a minimum of 0.5 space per dwelling unit, provided that at least 15 percent of the required parking is available for guest parking. This would simply be the *minimum* number of required spaces – the applicant could still provide additional spaces in excess of the required minimum.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials

and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is not currently within an MVA cluster, but there is an “H” MVA cluster to the north.

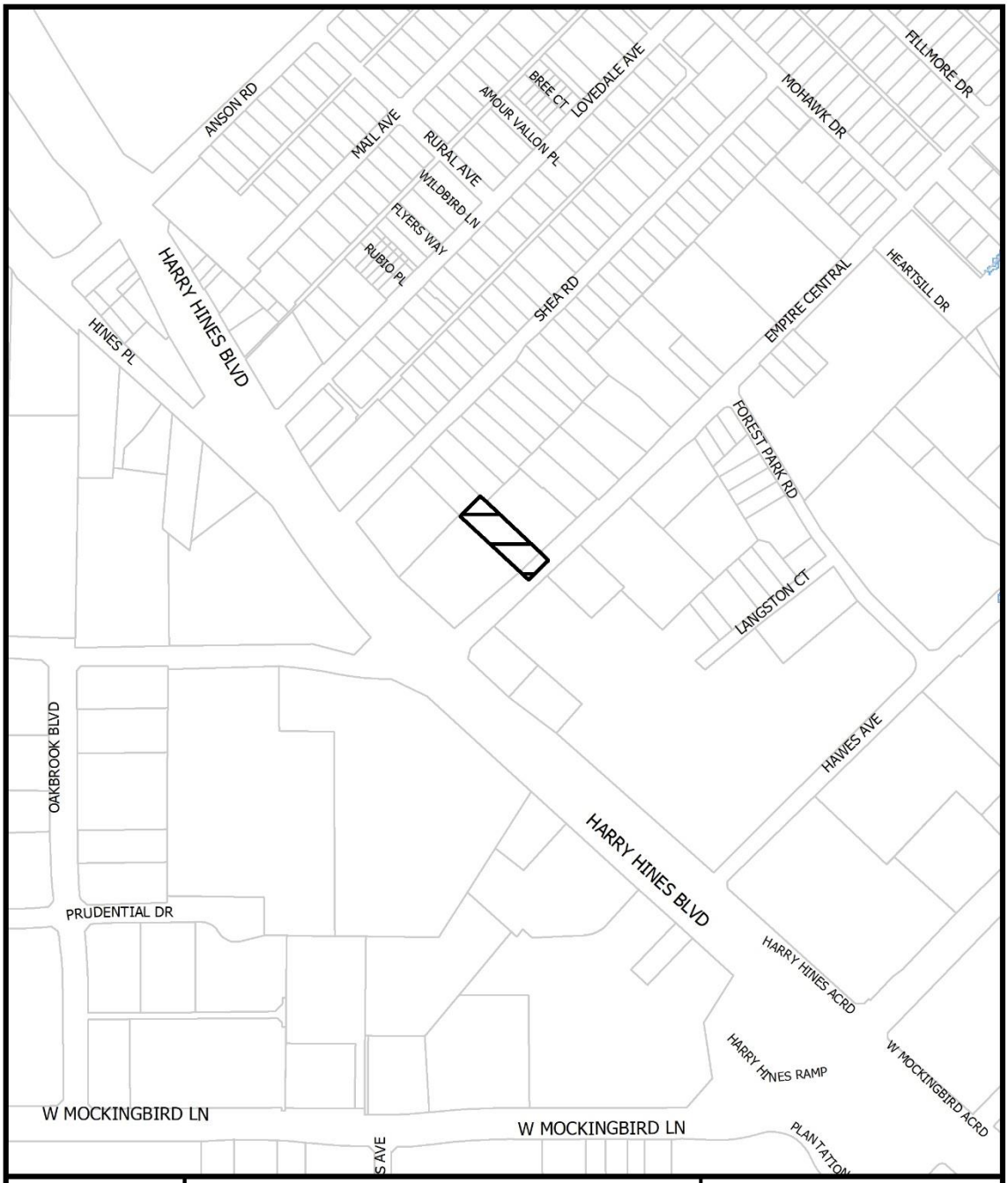
List of Officers

Robert Cloud and Ruth Womak Trust

Thomas Denman, Trustee

Kaminski Development Corporation

Scott Eller, PLLC
Bruce Kaminski, Owner


ANSON RD
MAIL AVE
RURAL AVE
WILDBIRD LN
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AMOUR VALLON PL
BREE CT
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FILLMORE DR
HARRY HINES BLVD
HINES PL
SHEA RD
EMPIRE CENTRAL
HEARTSILL DR
FOREST PARK RD
LANGSTON CT
HAWES AVE
OAKBROOK BLVD
PRUDENTIAL DR
HARRY HINES BLVD
HARRY HINES ACRD
HARRY HINES RAMP
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VICINITY MAP
Case no: Z223-115
Date: 3/8/2023

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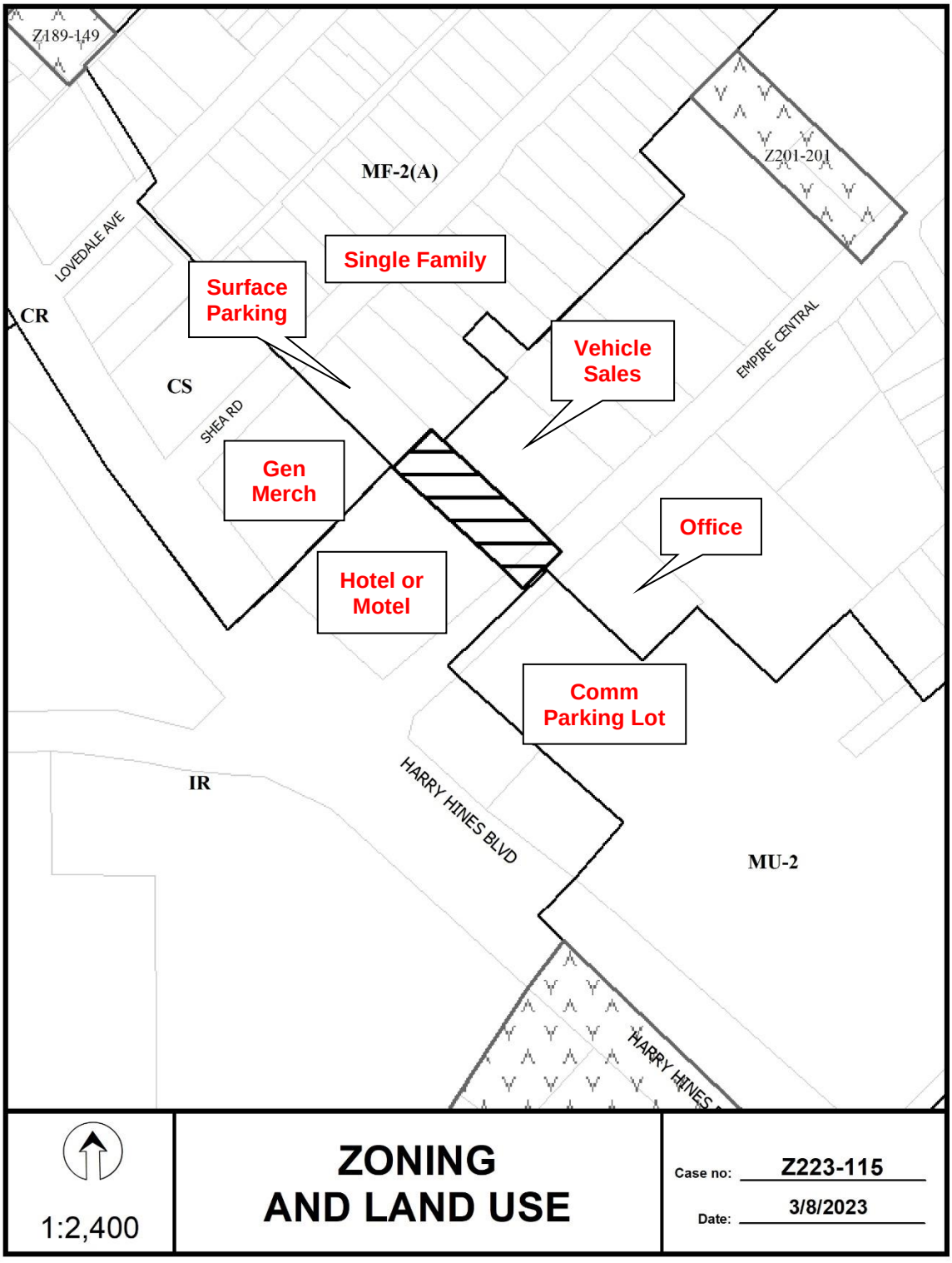
AERIAL MAP

Case no: Z223-115

Date: 3/8/2023


Z189-149
MF-2(A)
Z201-201
LOVEDALE AVE
Single Family
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Vehicle Sales
EMPIRE CENTRAL
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SHEA RD
Gen Merch
Office
Hotel or Motel
Comm Parking Lot
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ZONING AND LAND USE
Case no: Z223-115
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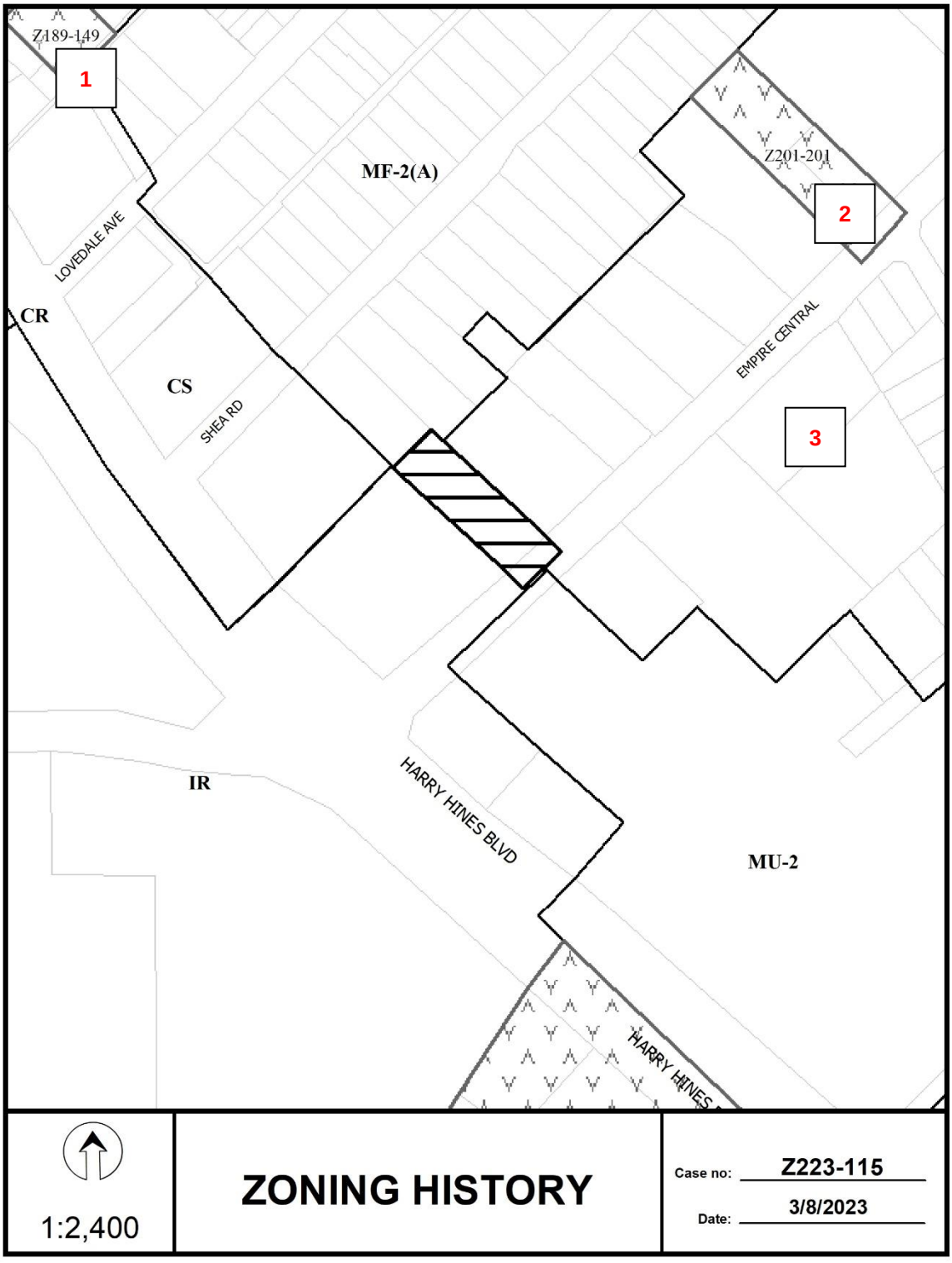
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MU-2
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ZONING HISTORY
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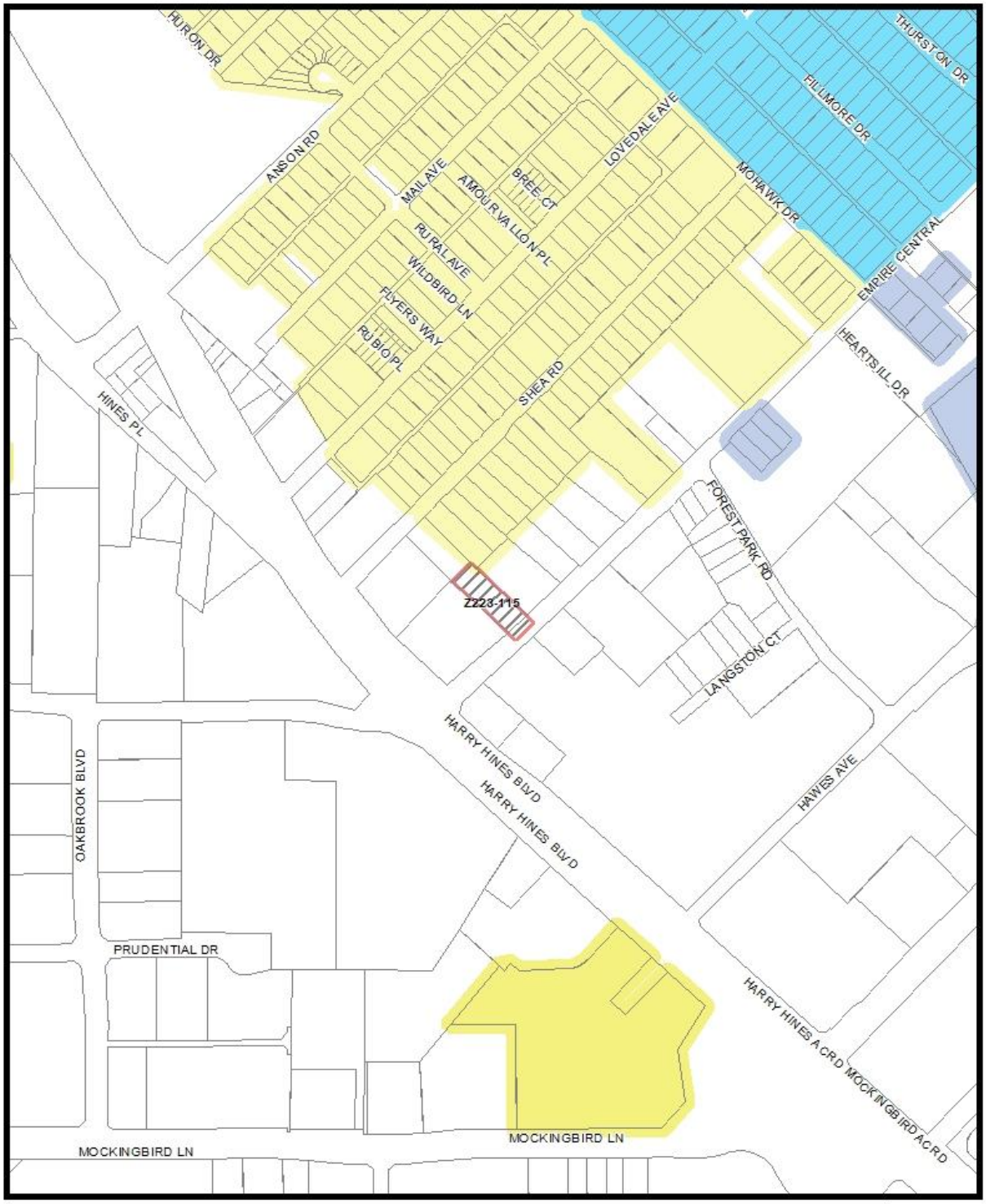
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BREE CT
LOVEDALE AVE
THURSTON DR
FILLMORE DR
MOHAWK DR
EMPIRE CENTRAL
RURAL AVE
WILDBIRD LN
FLYERS WAY
RUBIO PL
SHEA RD
HEARTSILL DR
HINES PL
FOREST PARK RD
Z223-115
LANGSTON CT
HARRY HINES BLVD
HARRY HINES BLVD
HAWES AVE
OAKBROOK BLVD
PRUDENTIAL DR
HARRY HINES ACRD
MOCKINGBIRD ACRD
MOCKINGBIRD LN
MOCKINGBIRD LN
Market Value Analysis
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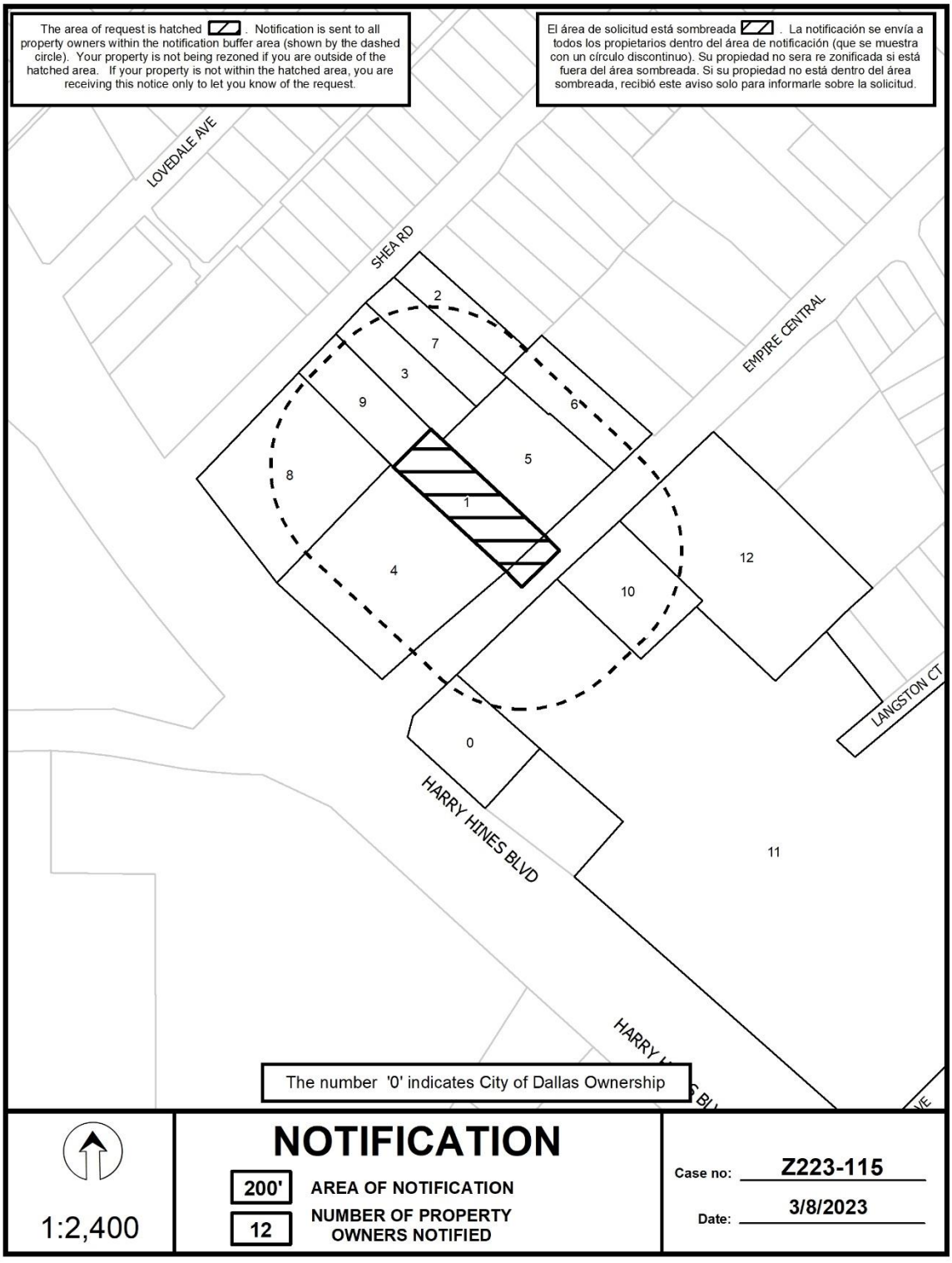
NA
1:4,800
Market Value Analysis
Printed Date: 3/8/2023


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
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LOVEDALE AVE
SHEA RD
EMPIRE CENTRAL
LANGSTON CT
HARRY HINES BLVD
1
2
3
4
5
6
7
8
9
10
11
12
0
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
12
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: Z223-115
Date: 3/8/2023

03/08/2023

Notification List of Property Owners

Z223-115

12 Property Owners Notified

Label #	*Address*		*Owner*
1	2025	EMPIRE CENTRAL	CLOUD ROBERT & RUTH WOMACK
2	2040	SHEA RD	ONTIVEROS ELEANOR T
3	2030	SHEA RD	Taxpayer at
4	7002	HARRY HINES BLVD	MANOR HOSPITALITY CORP
5	2033	EMPIRE CENTRAL	Taxpayer at
6	2043	EMPIRE CENTRAL	VANDELAY MUSIC LLC
7	2034	SHEA RD	ONTIVEROS LARRY & NORA
8	7114	HARRY HINES BLVD	Taxpayer at
9	2020	SHEA RD	HHS PROPERTIES LLC
10	2030	EMPIRE CENTRAL	CIK LP
11	6814	HARRY HINES BLVD	DLF HINES LLC
12	2040	EMPIRE CENTRAL	GIRLS INCORPORATED OF

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-851 **Item #:** 9.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, at the west corner of Lemmon Avenue and Herschel Avenue.
Staff Recommendation: **Approval** for a five-year period, subject to a site plan and conditions.
Applicant: 4401 Lemmon Avenue, LLC
Representative: Aaron Hawkins
Planner: Andreea Udrea
Council District: 14
Z223-131(AU)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Andreea Udrea, PhD, AICP

FILE NUMBER: Z223-131(AU) **DATE FILED:** November 15, 2022

LOCATION: West corner of Lemmon Avenue and Herschel Avenue

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approx. 0.44 Acres **CENSUS TRACT:** 48113000608

OWNER/APPLICANT: 4401 Lemmon Avenue, LLC

REPRESENTATIVE: Aaron Hawkins

REQUEST: An application for a Specific Use Permit for a drive-through restaurant on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The purpose of the request is to allow the redevelopment of the property with a drive-through restaurant.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to a site plan and conditions.

PD No. 193:
https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=193-I

BACKGROUND INFORMATION:

- The area of request is currently zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District. The GR Subdistrict allows the use by Specific Use Permit.
- The property is currently developed with a vacant 2,160-square-foot-office building. The most recent certificate of occupancy was issued on April 24, 2009 for an office use (Money Max).
- The applicant proposes to redevelop the site with an 820-square-foot drive-through restaurant, which will be served by a dual drive-through lane design. The restaurant will have a walk-up window and will contain no inside seating areas.
- On January 18,2023, the Board of Adjustment approved an application for a variance to the off-street parking regulations to provide only four of the required eight off-street parking spaces, subject to a site plan.

Zoning History:

There has been no recent zoning activity in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Lemmon Avenue	Principal Arterial	90 feet/90 feet ROW
Herschel Avenue	Local Street	50 feet ROW

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Area Plan:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

While applicant's proposal to develop the site with an auto-oriented use is not completely consistent with objectives one (1) and three (3), the applicant proposes elements to ensure compatibility with surrounding development and to encourage walkability, consistent with objectives four (4), six (6) and seven (7). Specifically, the site plan layout ensures the frontage along Lemmon Avenue is multimodal and pedestrian safe, by indicating just one driveway along Lemmon Avenue, 15 feet wide, a six-foot sidewalk, street and side landscape buffers, and an area for a bus shelter for transit. The proposed site plan includes a walk-up window with direct access from Lemmon Avenue sidewalk. A screening wall is proposed along the rear property line, along the alley that is separating the area of request from the adjacent single family neighborhood.

Surrounding Land Uses:

	Zoning	Land Use
Site	GR Subdistrict in PDD No. 193	Vacant building
Northwest	GR Subdistrict in PDD No. 193	Retail, Restaurant, Office
North	GR Subdistrict in PDD No. 193	Medical office
Northeast	GR Subdistrict in PDD No. 193	Retail
East	GR Subdistrict in PDD No. 193	Restaurant without drive-through
Southeast	GR Subdistrict in PDD No 193	Restaurant with drive-though
South Southwest	CD 16 – Conservation District Rawlins, SUP No. 1232	Single family; Private street

Land Use Compatibility:

The area of request contains a 2,160-square-foot building, currently vacant. The applicant proposes to redevelop the site with an 820-square-foot drive-through restaurant, which

will be served by a dual drive-through lane design. The restaurant will have a walk-up window and will contain no inside seating areas. The request site is surrounded by a combination of retail, office, restaurant with and without drive-through windows, personal service uses along Lemmon Avenue; and by single family uses on the west and southwest in the rear of the property. Herschel Avenue dead-ends at the site; therefore, the commercial and residential type of traffic patterns are separated. The site is separated by alley from the single family uses.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Considering:

- the development pattern of the area, with a combination of more pedestrian-friendly uses and layout and some car-oriented layout along Lemmon Avenue,
- the separation from the adjacent neighborhood and the screening wall proposed along the rear property line,
- provisions contained in PD No. 193 regarding outdoor loudspeakers that ensure minimum disturbance to the residential adjacency,

Staff considers the proposal compatible with the existing development pattern of the area. Staff recommends approval for a for a five-year period, subject to a site plan and conditions. The time period recommendation is intending to allow the SUP to be reevaluated together with the surrounding areas after a consistent period of time that allows the proposal to be developed and continued operation for few years.

Landscaping:

Landscaping must be provided in accordance with the landscaping requirements of PD No. 193, the Oak Lawn Special Purpose District. The proposed site plan layout ensures the possibility to comply with landscape requirements per PD No. 193.

Parking:

Pursuant to PD No. 193, a drive-through restaurant requires one (1) space per 100 square feet of floor area. Therefore, the proposed ±820-square-foot restaurant requires 8 spaces. On January 18, 2023, the Board of Adjustment approved an application for a variance to the off-street parking regulations to provide only four of the required eight off-street parking spaces, subject to a site plan. PD No. 193 does not dictate specific stacking requirements. However, the stacking depicted on the site plan complies and is acceptable for staff.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA cluster. However, the site is located adjacent to a “C” MVA cluster to the southwest. A “D” MVA cluster is located further to the southeast.

List of Partners

4401 Lemmon Avenue, LLC
Charlie Corson
Robert Williams

Proposed SUP Conditions

1. USE: The only use authorized by this specific use permit is a drive-through restaurant.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on_____, (five-year period from the passage of this ordinance).

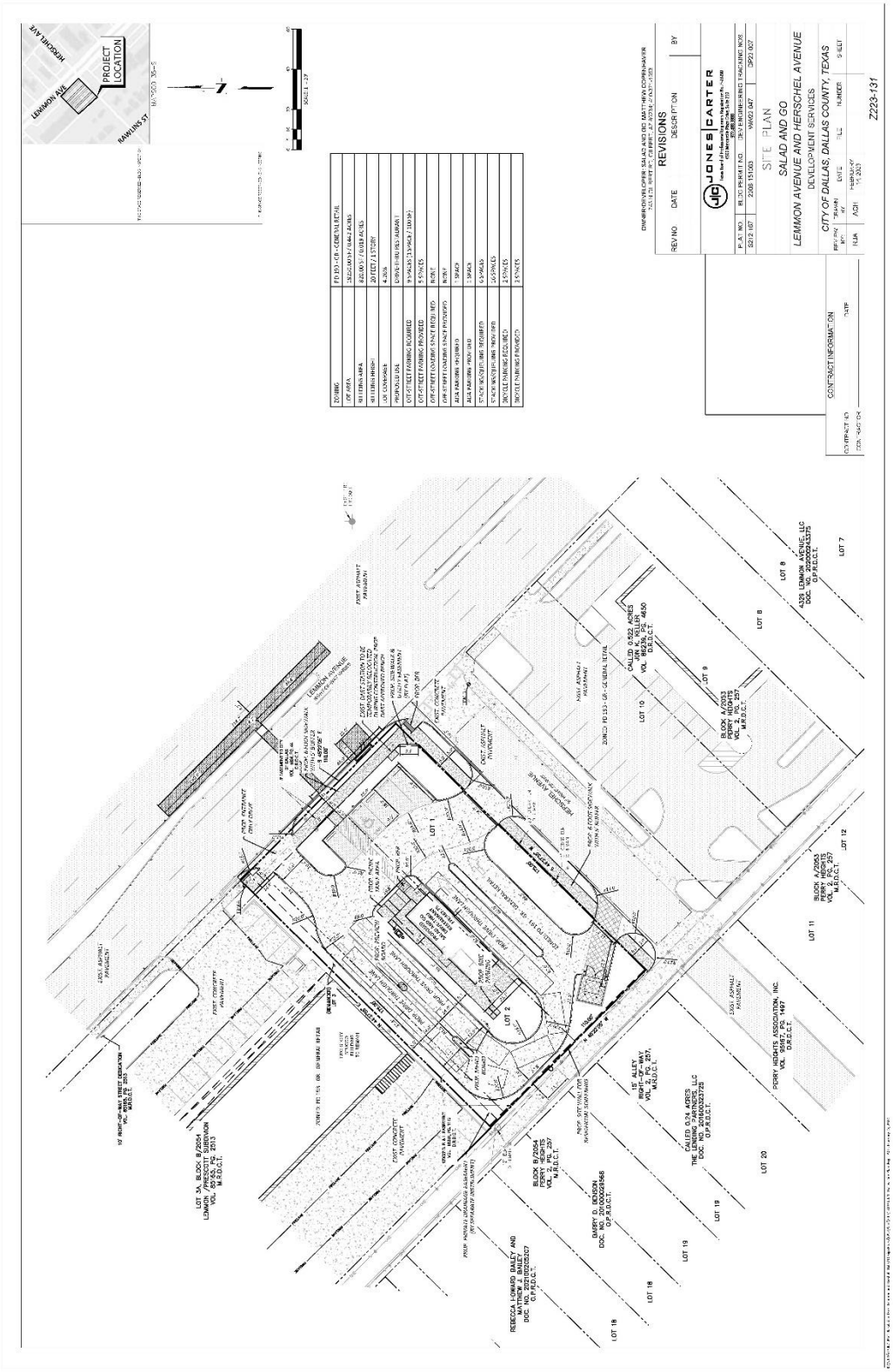
4. MAXIMUM FLOOR AREA: The maximum floor area for drive-through restaurant is 820 square feet in the location shown on the attached site plan.

5. INGRESS-EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

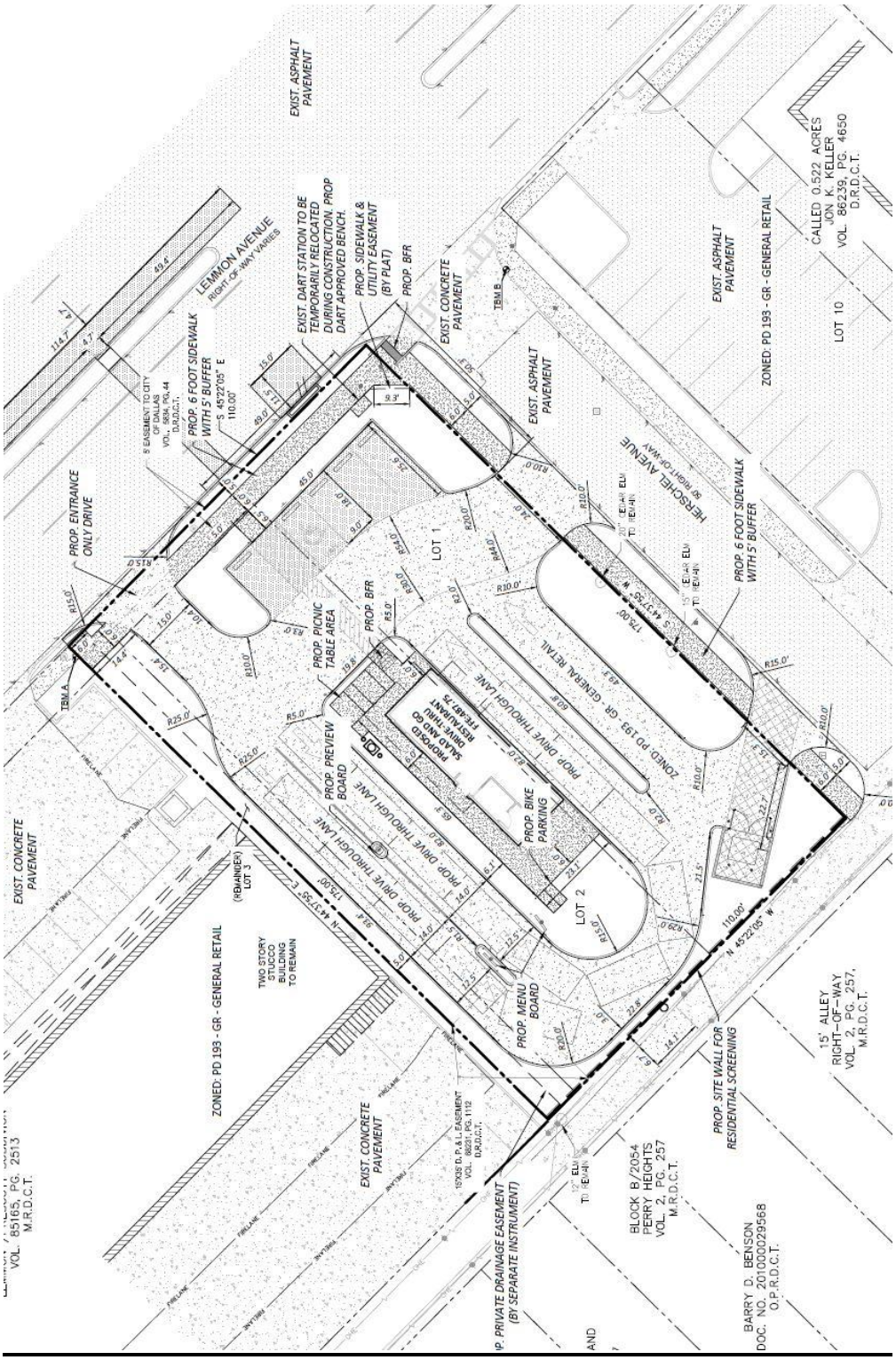
6. MAINTENANCE: The entire Property must be properly maintained in a state of good repair and neat appearance.

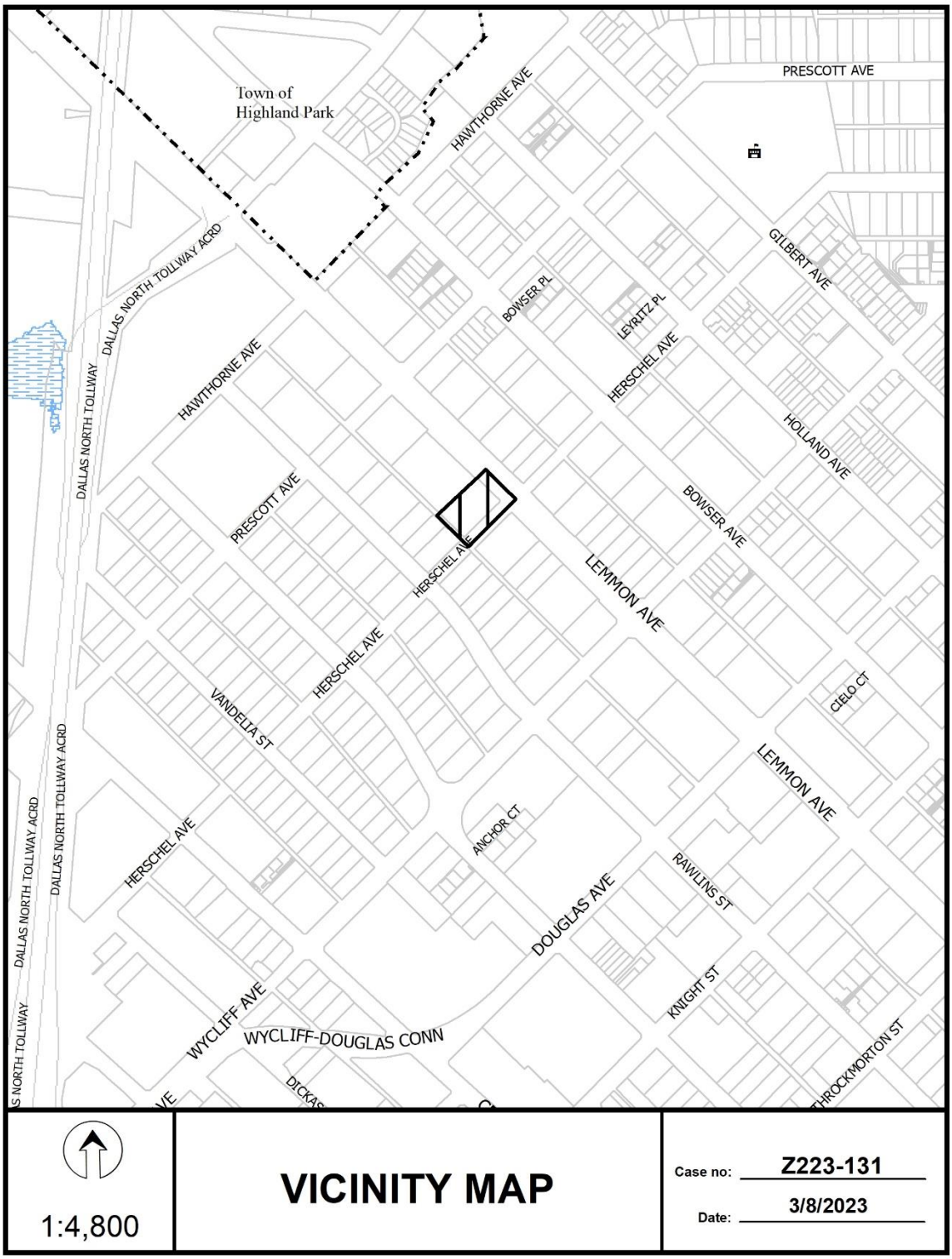
7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas

Proposed Site Plan



Proposed Site Plan
(enlarged)



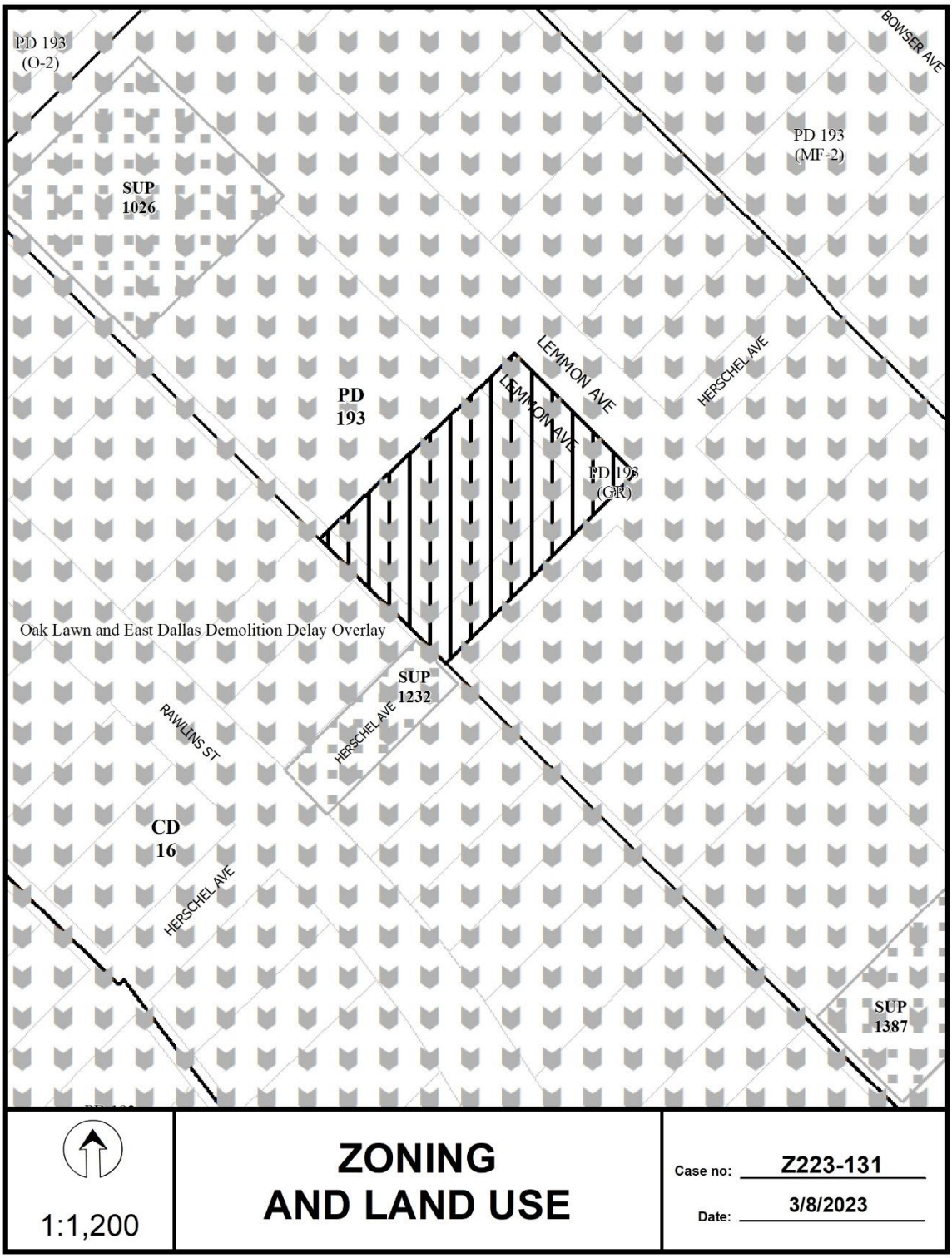

Town of
Highland Park
PRESCOTT AVE
HAWTHORNE AVE
GILBERT AVE
BOWSER PL
LEYRITZ PL
HERSCHEL AVE
HOLLAND AVE
DALLAS NORTH TOLLWAY ACRD
DALLAS NORTH TOLLWAY
HAWTHORNE AVE
PRESCOTT AVE
BOWSER AVE
HERSCHEL AVE
LEMMON AVE
VANDELIA ST
HERSCHEL AVE
CIELO CT
LEMMON AVE
ANCHOR CT
HERSCHEL AVE
RAWLINS ST
DOUGLAS AVE
KNIGHT ST
WYCLIFF AVE
WYCLIFF-DOUGLAS CONN
THROCKMORTON ST
1:4,800
VICINITY MAP
Case no: Z223-131
Date: 3/8/2023

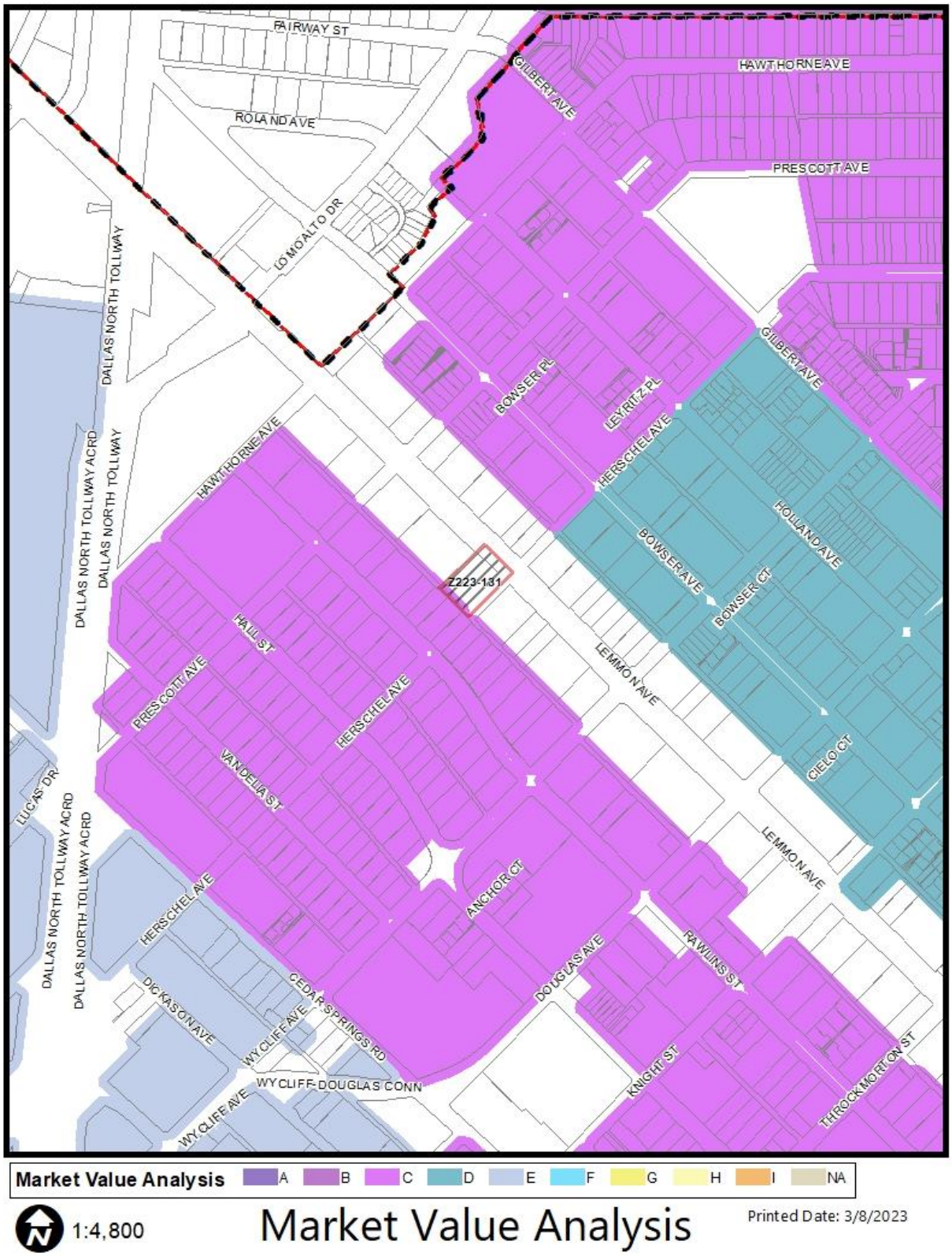
1:1,200

AERIAL MAP

Case no: Z223-131

Date: 3/8/2023


PD 193
(O-2)
BOWSER AVE
PD 193
(MF-2)
SUP
1026
LEMMON AVE
LEMMON AVE
HERSCHEL AVE
PD
193
PD 193
(GR)
Oak Lawn and East Dallas Demolition Delay Overlay
SUP
1232
HERSCHEL AVE
RAWLINS ST
CD
16
HERSCHEL AVE
SUP
1387
1:1,200
ZONING
AND LAND USE
Case no: Z223-131
Date: 3/8/2023


FAIRWAY ST
ROLAND AVE
LOMO ALTO DR
GILBERT AVE
HAWTHORNE AVE
PRESCOTT AVE
DALLAS NORTH TOLLWAY
DALLAS NORTH TOLLWAY ACRD
BOWSER PL
LEYRITZ PL
HERSCHEL AVE
HOLLAND AVE
BOWSER AVE
BOWSER CT
Z223-131
HALL ST
LEMMON AVE
CIELO CT
VANDELIA ST
LUCAS DR
ANCHOR CT
DOUGLAS AVE
RAWLINS ST
DICKASON AVE
CEDAR SPRINGS RD
WYCLIFF AVE
WYCLIFF-DOUGLAS CONN
KNIGHT ST
THROCKMORTON ST
Market Value Analysis
A
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C
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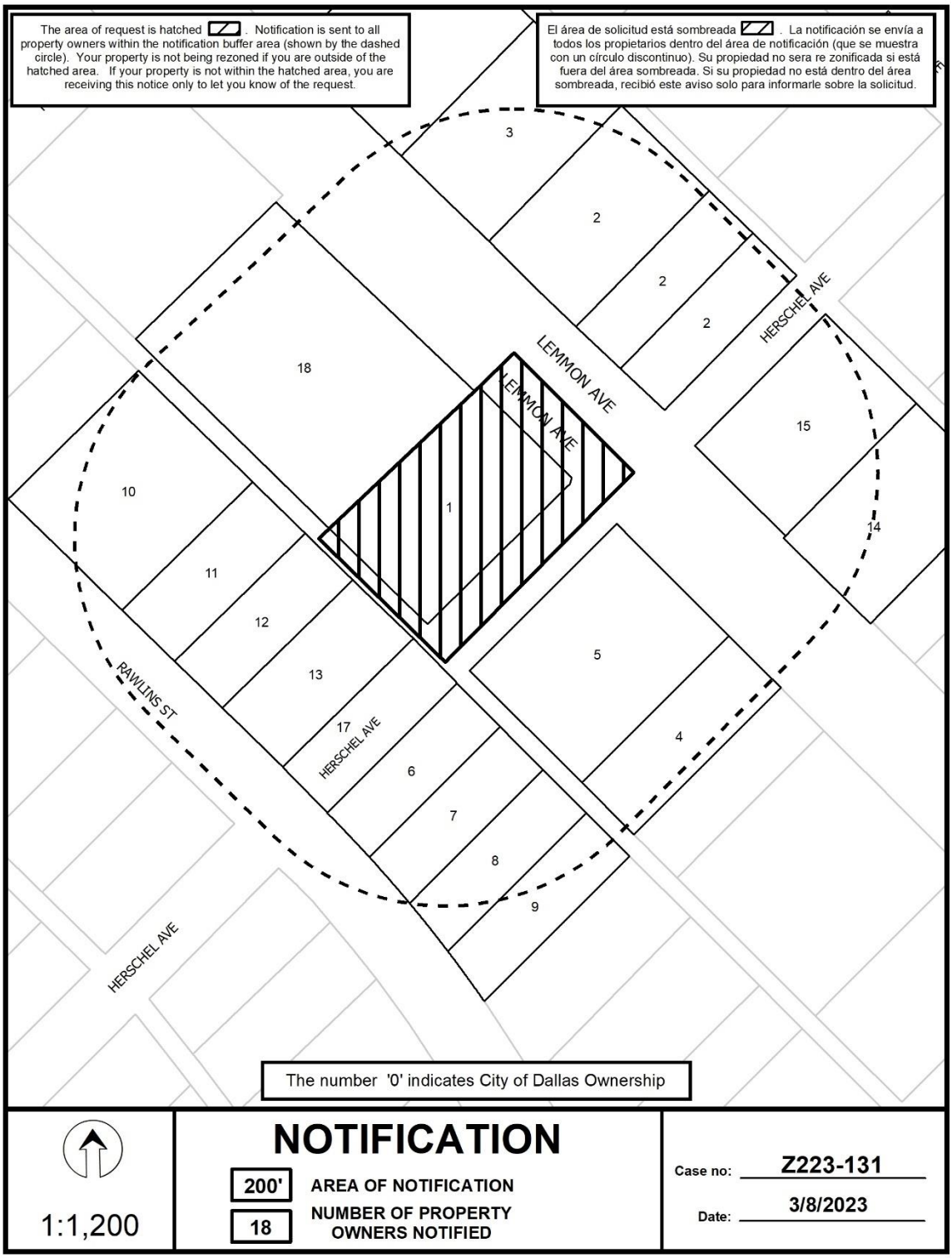
NA
1:4,800
Market Value Analysis
Printed Date: 3/8/2023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3
2
2
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18
LEMMON AVE
LEMMON AVE
HERSCHEL AVE
15
14
10
1
11
12
13
5
4
RAWLINS ST
17
HERSCHEL AVE
6
7
8
9
HERSCHEL AVE
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
18
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: Z223-131
Date: 3/8/2023

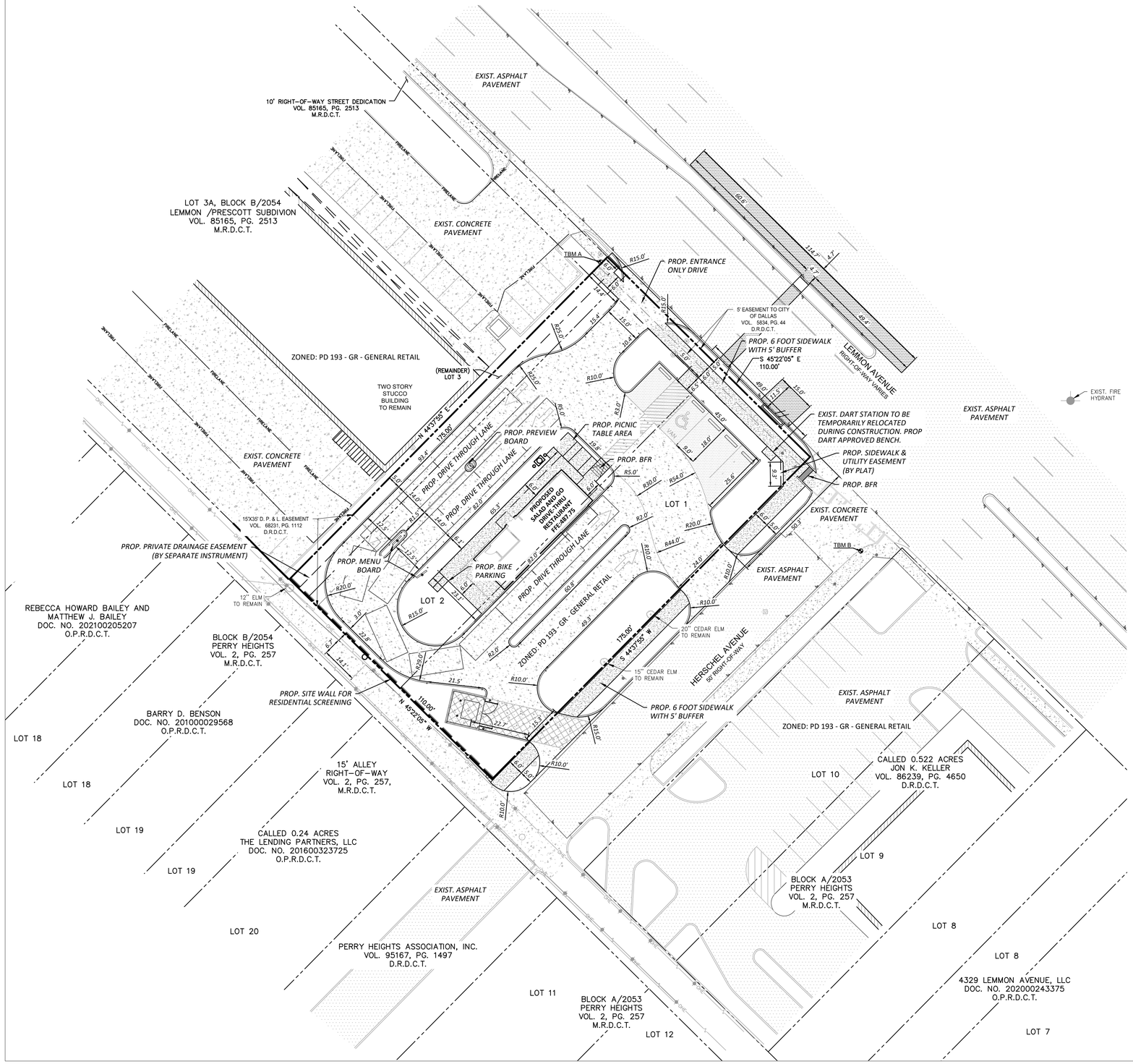
03/08/2023

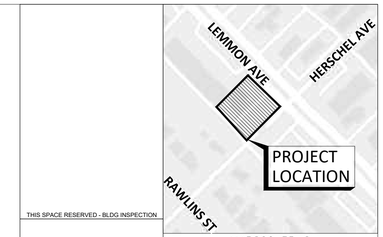
Notification List of Property Owners

Z223-131

18 Property Owners Notified

Label #	*Address*		*Owner*
1	4401	LEMMON AVE	4401 LEMMON AVENUE LLC
2	4402	LEMMON AVE	CCCP LLC
3	4416	LEMMON AVE	JRXL INC
4	4329	LEMMON AVE	4329 LEMMON AVENUE LLC
5	4341	LEMMON AVE	KELLER JON K
6	4338	RAWLINS ST	KINNEY DELANE R &
7	4334	RAWLINS ST	SINKULE DARYL JOHN LIV TR &
8	4330	RAWLINS ST	ALCOCER FERNANDO
9	4326	RAWLINS ST	HORN WILLIAM C &
10	4420	RAWLINS ST	DURANTE MICHAEL P
11	4412	RAWLINS ST	BAILEY REBECCA HOWARD &
12	4406	RAWLINS ST	BENSON BARRY D &
13	4402	RAWLINS ST	KING WILLIAM S &
14	4330	LEMMON AVE	CHIPOTLE MEXICAN GRILL
15	4334	LEMMON AVE	CM LEMMON I LP
16	4428	LEMMON AVE	IS TEX FAMILY PS LP
17	4340	RAWLINS ST	PERRY HTS NEIGHBORHOOD
18	4411	LEMMON AVE	PARKLANE INVESTMENTS INC





ZONING	PD 193 - GR - GENERAL RETAIL
LOT AREA	19250.00 SF / 0.442 ACRES
BUILDING AREA	820.00 SF / 0.019 ACRES
BUILDING HEIGHT	20 FEET / 1 STORY
LOT COVERAGE	4.26%
PROPOSED USE	DRIVE-THRU RESTAURANT
OFF-STREET PARKING REQUIRED	9 SPACES (1 SPACE / 100 SF)
OFF-STREET PARKING PROVIDED	5 SPACES
OFF-STREET LOADING SPACE REQUIRED	NONE
OFF-STREET LOADING SPACE PROVIDED	NONE
ADA PARKING REQUIRED	1 SPACE
ADA PARKING PROVIDED	1 SPACE
STACKING/QUEUING REQUIRED	6 SPACES
STACKING/QUEUING PROVIDED	16 SPACES
BICYCLE PARKING REQUIRED	2 SPACES
BICYCLE PARKING PROVIDED	2 SPACES

OWNER/DEVELOPER: SALAD AND GO, MATTHEW COPENHAVER
743 N GILBERT RD, GILBERT, AZ 85234; 410-371-1563

REVISIONS

REV NO.	DATE	DESCRIPTION	BY

JONES | CARTER
Texas Board of Professional Engineers Registration No. F-23290
4500 Mercantile Plaza Drive, Suite 210
972.488.3880

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.	
S212-167	2206-151063	WW22-047	DP22-007

SITE PLAN

SALAD AND GO

LEMMON AVENUE AND HERSCHEL AVENUE

DEVELOPMENT SERVICES

CITY OF DALLAS, DALLAS COUNTY, TEXAS

CONTRACT INFORMATION
CONTRACT NO. _____ DATE _____
CONTRACTOR _____

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
RJA	ACH	FEBRUARY 14, 2023			

Z223-131

K:\17007\17007-0034-00 Salad and Go - Lemmon and Hershel - Dall\2 Design Phase\CAD\Plans\Site\17007-0034 - Dallas - Site Plan.dwg ACH: February 23, 2023

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-853 **Item #:** 10.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District, at the southwest corner of North Jim Miller Road and Elam Road.
Staff Recommendation: **Approval.**
Applicant: Fuad Hamed
Postpone From: February 2, 2023.
U/A From: February 16, 2023.
Planner: Jennifer Muñoz
Council District: 8
Z212-280(JM)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Jennifer Muñoz

FILE NUMBER: Z212-280(JM) **DATE FILED:** June 14, 2022

LOCATION: Southwest corner of North Jim Miller Road and Elam Road

COUNCIL DISTRICT: 8

SIZE OF REQUEST: ± 0.310 acres **CENSUS TRACT:** 48113009304

APPLICANT/OWNER: Fuad Hamed [Sole Owner]

REQUEST: An application for an MF-1(A) Multifamily District on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes a multifamily development.

STAFF RECOMMENDATION: **Approval.**

Multifamily Districts [Ref. Sec. 51A-4.116(a) for MF-1(A)]:
https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-76262

Single Family Districts [Ref. Sec. 51A-4.112(f) for R-7.5(A)]:
https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-75376

PRIOR CPC ACTION: On February 16, 2023, this case was held to allow for a neighborhood meeting. The meeting occurred on March 7, 2023. No changes have been made to the request.

BACKGROUND INFORMATION:

- The area of request is zoned an R-7.5(A) Single Family District and consists of an undeveloped tract of land with about 13,513.05 square feet.

- The initial zoning change request was for a CR Community Retail District; however, based on development goals for the property, the applicant amended the application to a request for an MF-1(A) Multifamily District.

- The applicant is requesting the rezoning of the property to an MF-1(A) Multifamily District to develop it with a multifamily use. Since the site is not platted, the legal build site exemptions and/or platting requirements will apply once the zoning is established (see Sec. 51A-4.601 and Sec. 51A-8.100).

Zoning History:

There have been no recent zoning changes requested in the area within the past five years

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
North Jim Miller Road	Minor Arterial, M-6-D(A)	Variable/100 feet
Elam Road	Principal Arterial, M-6-D(A)	60 feet/100 feet

Traffic:

The Engineering Division of the Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

Comprehensive Plan

The *forwardDallas! Comprehensive Plan*, adopted by City Council in June 2006, outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request is consistent with the following goals and policies of the comprehensive plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS
Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH
Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY
Policy 5.1.3 Encourage complementary building height, scale, design, and character.

- New development should be appropriate to the context of its location in density, intensity, and size, particularly when adjacent to existing residential areas, historic or conservation districts.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY
Policy 5.2.1 Maintain neighborhood scale and character.

NEIGHBORHOOD PLUS

GOAL 4.3 ENHANCE NEIGHBORHOOD DESIRABILITY BY IMPROVING INFRASTRUCTURE, HOUSING STOCK, RECREATION, AND SAFETY.

GOAL 6.2 EXPAND AFFORDABLE HOUSING OPTIONS AND ENCOURAGE ITS DISTRIBUTION THROUGHOUT THE CITY AND REGION.

	Zoning	Land Use
Site	R-7.5(A) Single Family District	Undeveloped
North	R-7.5(A) Single Family District	School, undeveloped, and church
East	MF-2(A) Multifamily District	Multifamily
South	R-7.5(A) Single Family District	Single family and undeveloped
West	R-7.5(A) Single Family District	Single family and undeveloped

Land Use Compatibility:

The site is comprised of an unplatted tract of land with over 13,513 square feet of area zoned an R-7.5(A) Single Family District. The site is undeveloped. The oldest Historic Aerials indicate the property has remained undeveloped for over 70 years. The applicant is seeking to develop the property with a townhouse-style multifamily use. Surrounding land uses include a public school, undeveloped, and churches to the north; multifamily to the east; and single family and undeveloped lots to the south and west.

The site is located at the edge of a single-family subdivision; however, it remains unplatted and undeveloped. Furthermore, the property fronts North Jim Miller Road and Elam Road, both major thoroughfares. If the site requires platting, additional right-of-way and a corner clip at the intersection of the two thoroughfares will be required, further reducing the site and restricting the development of this parcel. The applicant has requested the MF-1(A) District to maximize the remaining lot area and in hopes of meeting the legal build site requirements and avoiding platting.

The proposed zoning is intended to provide additional housing options within the neighborhood. While this block is largely composed of single-family zoning and uses or undeveloped lots, the adjacent block to the east is a multifamily development. The need for infill as an opportunity for gentle density at the fringe of the established single-family neighborhood is supported by the comprehensive plan, planning principles, and is generally compatible with the surrounding land uses. Although a general zoning change does not guarantee a particular use or type of development on a property, the proposed MF-1(A) District adds five additional residential uses beyond those uses already permitted under the current zoning classification of the request site. These include:

1. College dormitory, fraternity, or sorority house.
2. Duplex.
3. Group residential/handicapped group residential.
4. Multifamily.
5. Retirement housing.

Staff supports the requested zoning change and finds that the proposed development will enhance the neighborhood's desirability with improved infrastructure, a moderate increase in density, and an additional housing choice with access to neighborhood parks and schools.

Development Standards:

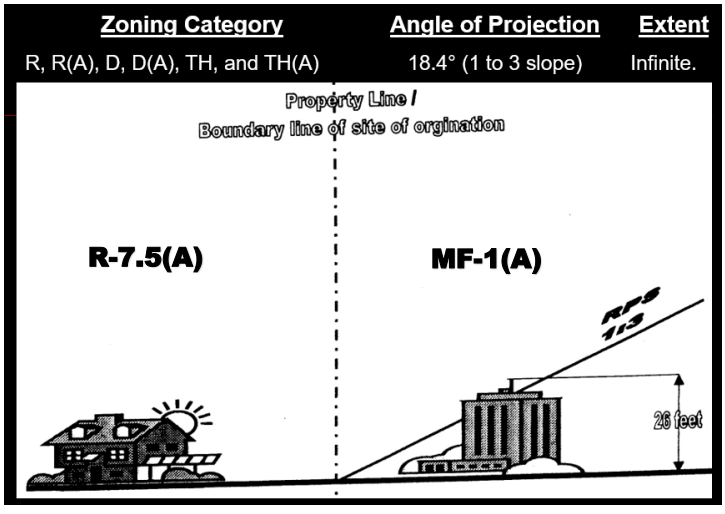
The following is a comparison table showing differences in development standards between the current R-7.5(A) District and the proposed MF-1(A) Multifamily District.

District	Setbacks		Height	Lot Coverage[1]	Density/FAR	Special Standards
	Front	Side/Rear				
Existing: R-7.5(A)	25'	5'/10' single family 10'/15' for other permitted structures	30' No max stories	45% for residential structures 25% for nonresidential structures	No max density; however, a single family use is defined as one dwelling per lot. No max FAR Min lot area for residential use is 7,500 sq. ft.	FYSB Continuity
Proposed: MF-1(A) Multifamily	15' Block continuity applies	0'/0' single family 5'/10' for duplex 10'/15' for other permitted structures	36' No max stories	60% for residential structures, 25% for nonresidential structures	No max density; however, the lot area increases by bedroom count. No max FAR	FYSB Continuity RPS

[1]Lot coverage includes above-ground parking structures but does not include surface parking lots or other paving.

Properties in the R-7.5(A) District are defined as sites of origination in the application of the residential proximity slope (RPS) requirements. The proposed rezoning would change the subject site from a site of origination, to a site required to comply with the originating RPS requirements from the R-7.5(A) District remaining to the north, south, and west.

This means that the proposed multifamily development on the site will only reach the height of 36 feet permitted by the proposed MF-1(A) District if the structures on the lot are appropriately setback according to the 3:1 ratio for properties in the R(A) Districts. The minimum separation to exceed 26-feet-in-height is 78 feet (78/3=26). Considering the adjacency to the south and the width of the lot (100 feet pre-future right-of-way dedication), exceeding 26-feet-in-height is unlikely for the proposed multifamily development.



Landscaping:

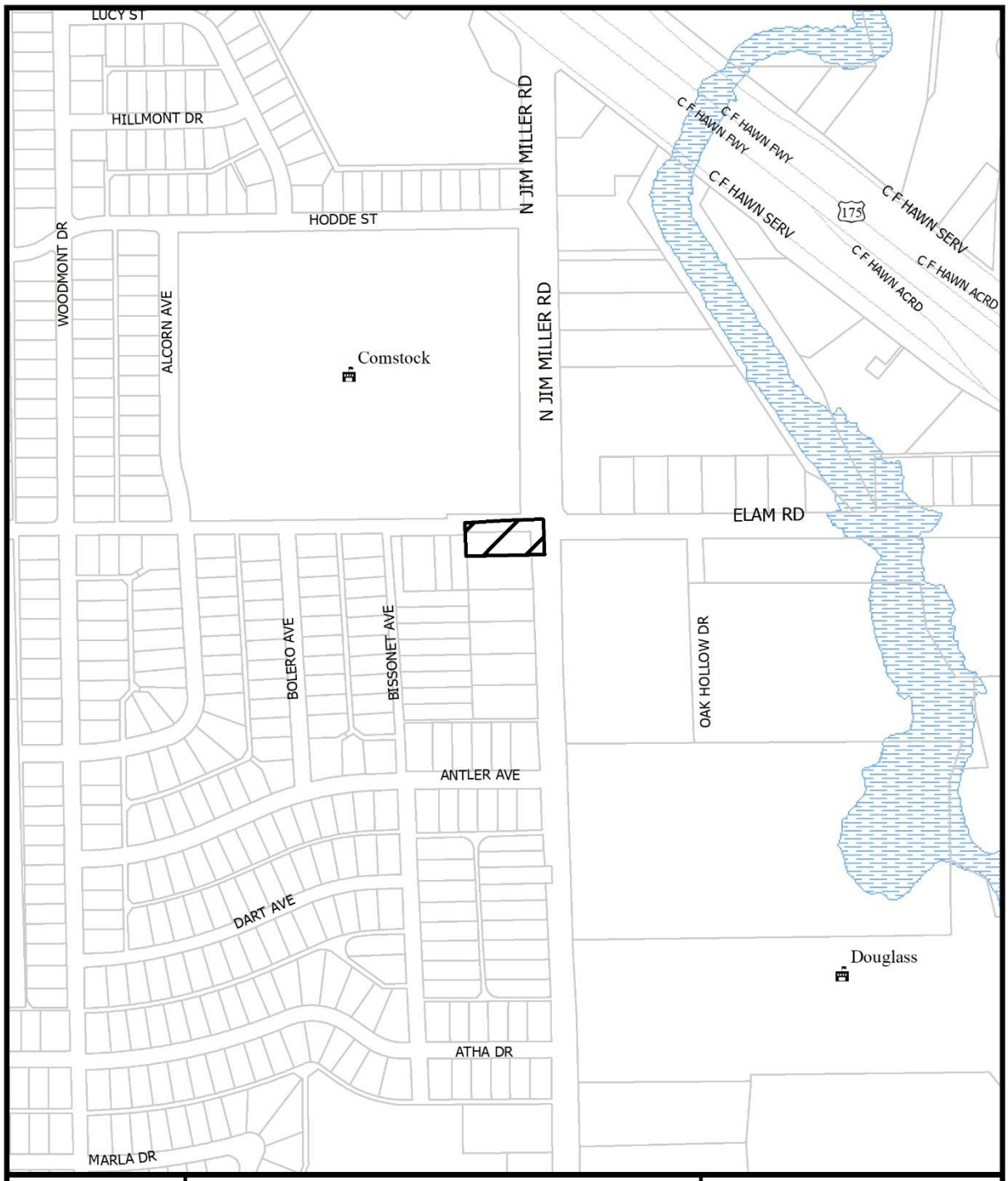
Landscaping must be provided in accordance with the landscaping requirements in Article X of the Dallas Development Code, as amended. If the proposed MF-1(A) District is granted, the applicant was made aware of the residential buffer adjacency requirement for the proposed "other use" as identified in Article X. A landscape area must be provided along that portion of the perimeter of a lot where residential adjacency exists. The residential buffer zone must have an average depth of 10 feet, a minimum depth of five feet, and a maximum depth of 30 feet. No portion of the residential buffer zone may exceed 10 percent of the lot depth excluding paved surfaces at points of vehicular and pedestrian ingress or egress.

Parking:

Off-street parking must be provided in accordance with Division 51A-4.200 for all uses to be located on the property. For a multifamily use, one off-street parking space is required per bedroom and one additional quarter space per dwelling unit for guest parking are required (See Sec. 51A-4.209(b)(5).

Market Value Analysis

Market Value Analysis (MVA) is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to target intervention strategies more precisely in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strengths or weaknesses. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets. The site is not within an identifiable MVA cluster; however, it is adjacent to a "G" MVA Cluster to the south and across North Jim Miller Road to the east.


LUCY ST
HILLMONT DR
HODDE ST
WOODMONT DR
ALCORN AVE
N JIM MILLER RD
N JIM MILLER RD
C F HAWN FWY
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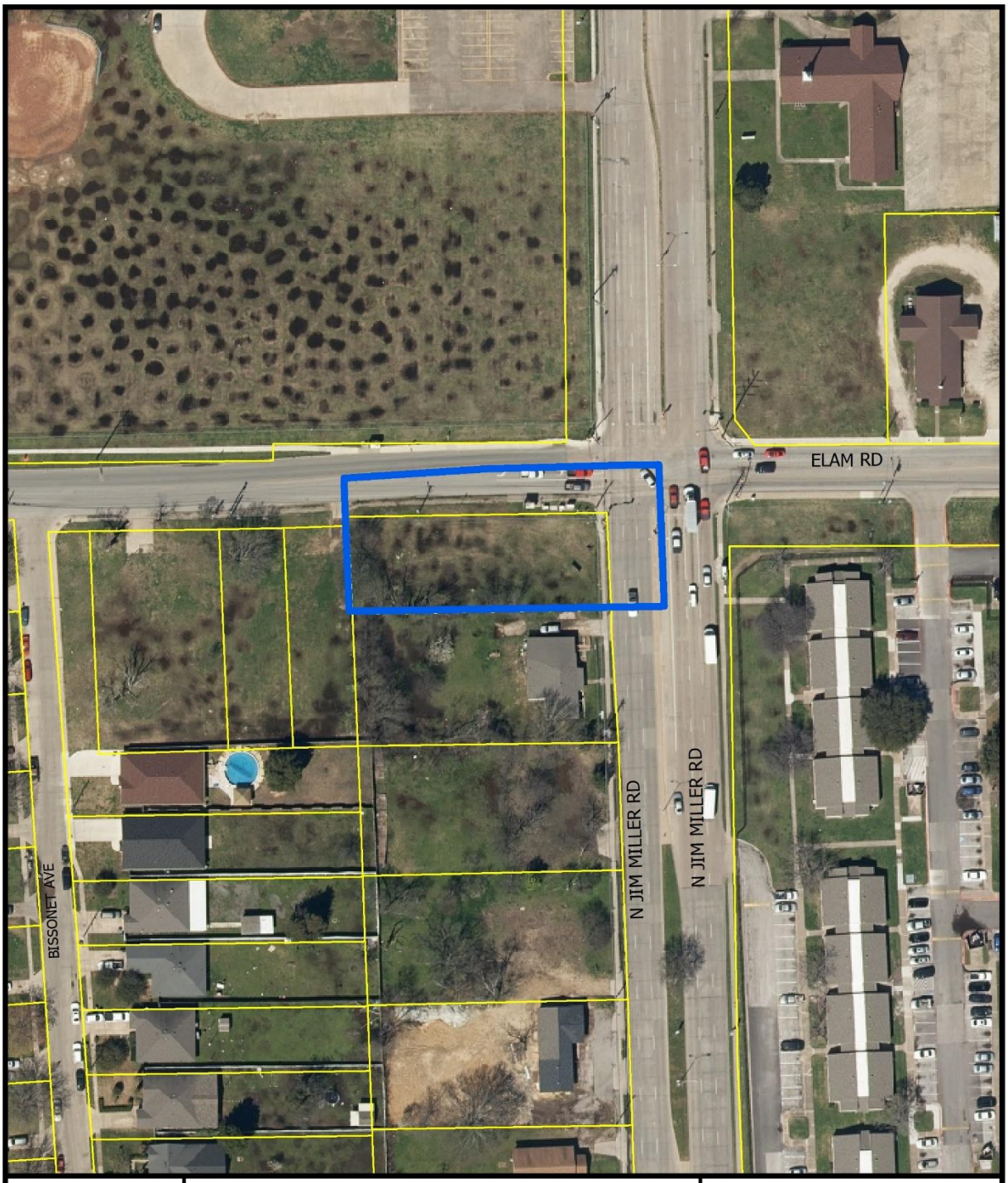
C F HAWN SERV
C F HAWN SERV
C F HAWN ACRD
C F HAWN ACRD
175
Comstock
ELAM RD
OAK HOLLOW DR
BOLERO AVE
BISSONET AVE
ANTLER AVE
DART AVE
ATHA DR
MARLA DR
Douglass
1:4,800
VICINITY MAP
Case no: Z212-280
Date: 10/19/2022

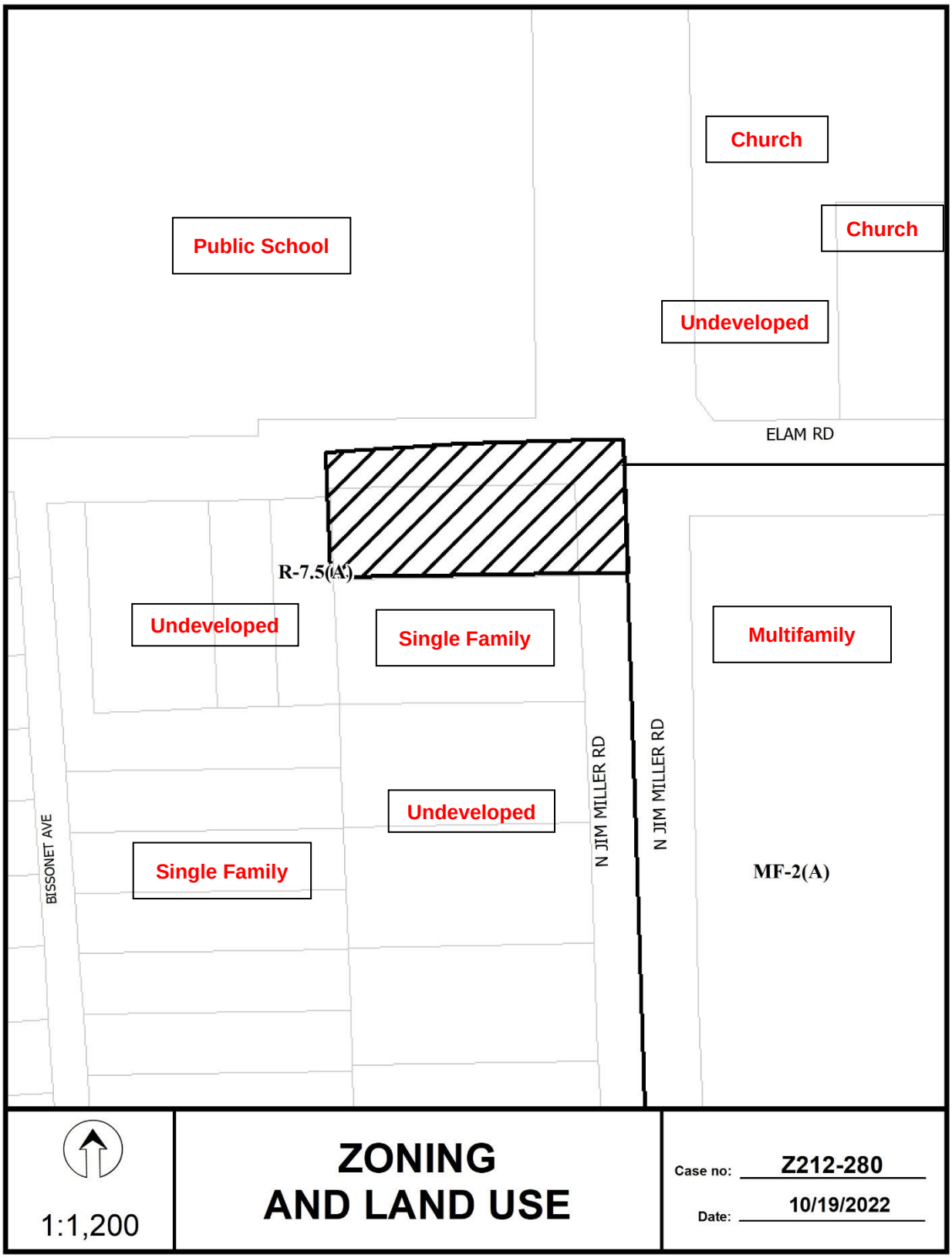


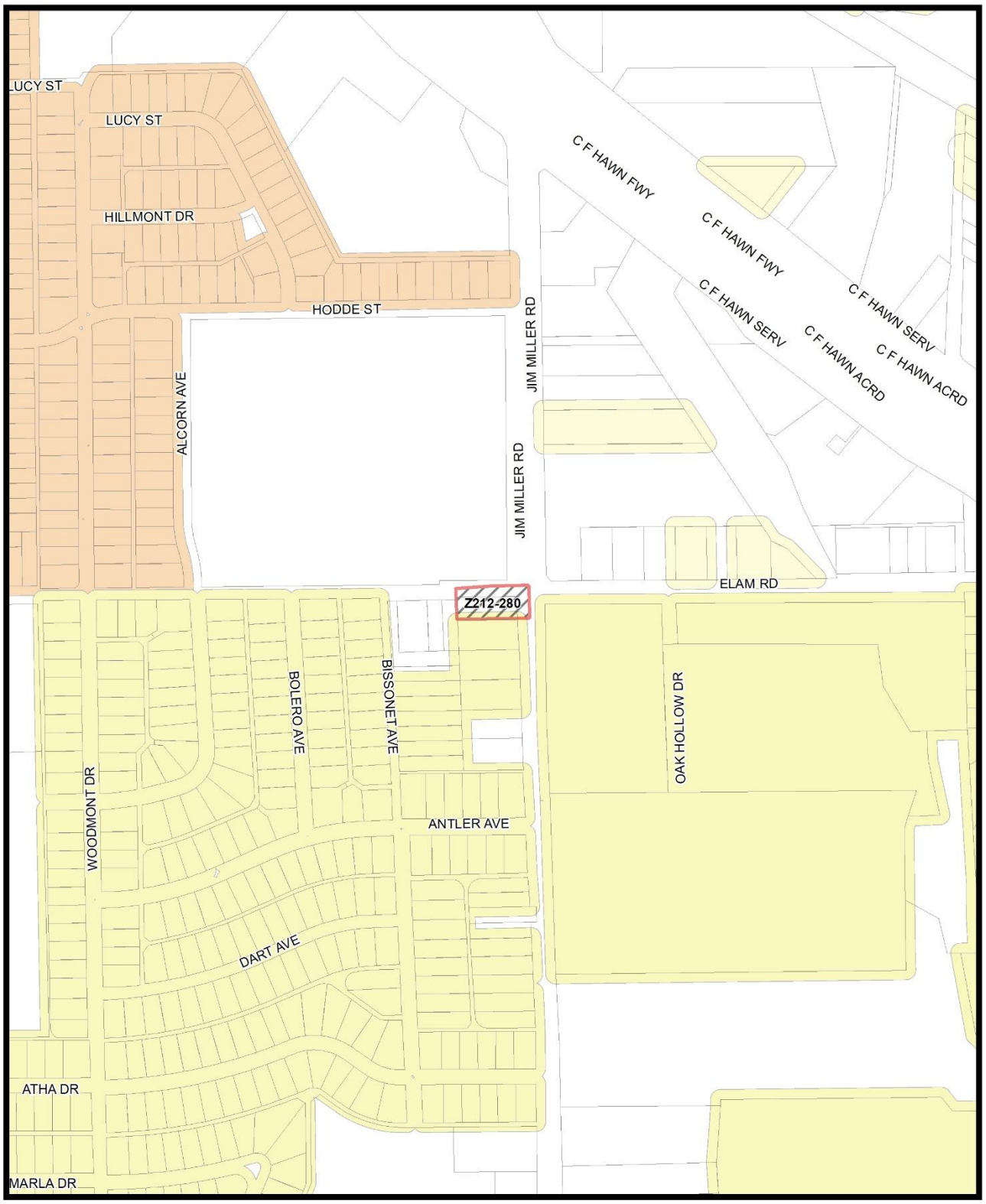
1:1,200

AERIAL MAP

Case no: Z212-280

Date: 10/19/2022


Church
Church
Public School
Undeveloped
ELAM RD
R-7.5(A)
Undeveloped
Single Family
Multifamily
N JIM MILLER RD
N JIM MILLER RD
Undeveloped
BISSONET AVE
Single Family
MF-2(A)
1:1,200
ZONING
AND LAND USE
Case no: Z212-280
Date: 10/19/2022


LUCY ST
LUCY ST
HILLMONT DR
HODDE ST
ALCORN AVE
JIM MILLER RD
JIM MILLER RD
C F HAWN FWY
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C F HAWN SERV
C F HAWN SERV
C F HAWN ACRD
C F HAWN ACRD
ELAM RD
Z212-280
BOLERO AVE
BISSONET AVE
OAK HOLLOW DR
WOODMONT DR
ANTLER AVE
DART AVE
ATHA DR
MARLA DR
MVACluster
A
B
C
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F
G
H
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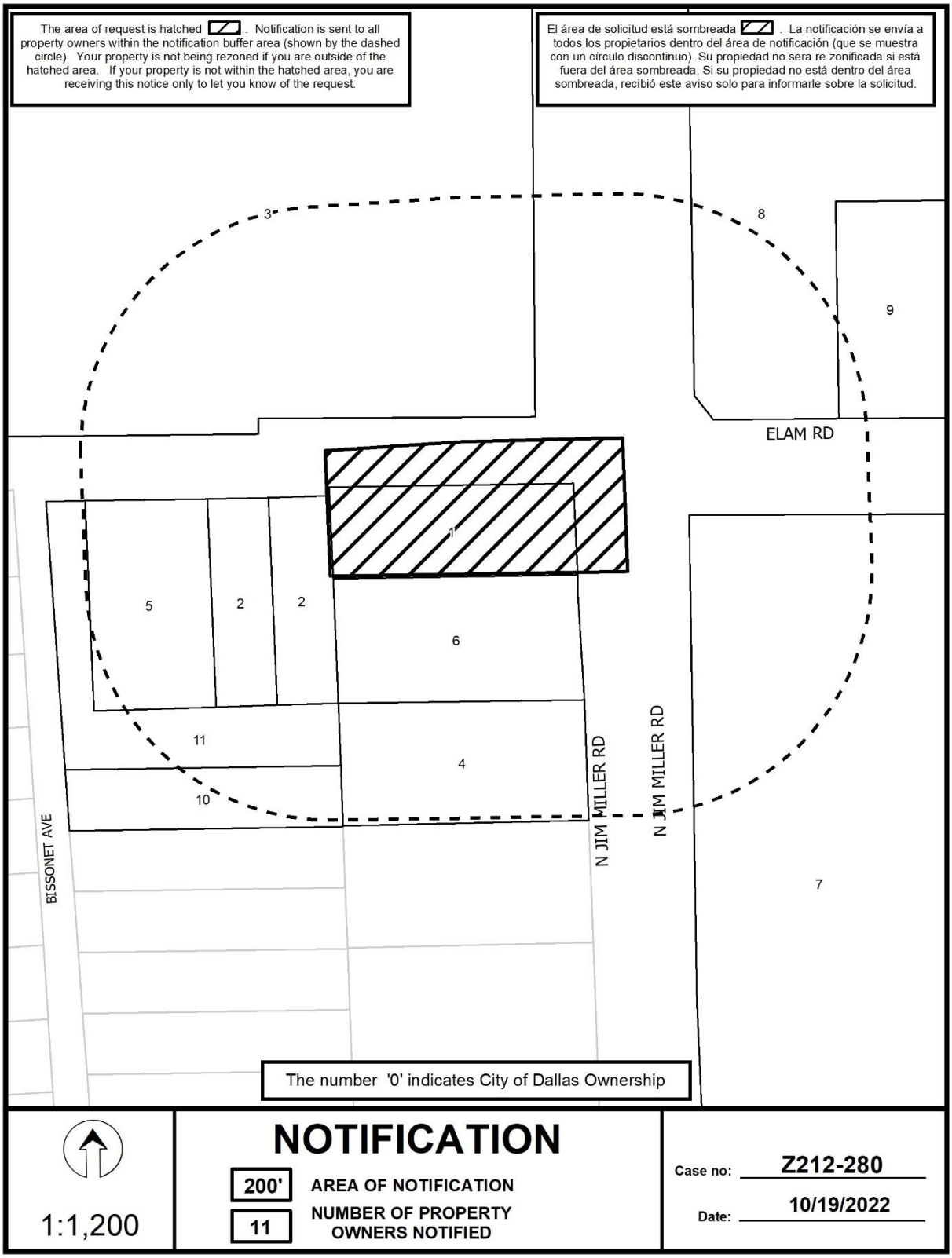
NA
1:4,800
Market Value Analysis
Printed Date: 10/19/2022


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no sera re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
3
8
9
ELAM RD
1
5
2
2
6
11
4
10
BISSONET AVE
N JIM MILLER RD
N JIM MILLER RD
7
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
11
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: Z212-280
Date: 10/19/2022

10/19/2022

Notification List of Property Owners

Z212-280

11 Property Owners Notified

Label #	*Address*		*Owner*
1	451	N JIM MILLER RD	HAMED FUAD
2	7014	ELAM RD	PEREZ MARIA DEJESUS &
3	7044	HODDE ST	Dallas ISD
4	441	JIM MILLER RD	MILLER LEROY
5	7006	ELAM RD	GREAT COMMISSION
6	447	S JIM MILLER RD	HICKS DAISY
7	7250	ELAM RD	7250 ELAM ROAD LLC
8	516	N JIM MILLER RD	GOODWILL BAPTIST CHURCH
9	7115	ELAM RD	ELAM ROAD CHURCH OF THE LIVING GOD
10	442	BISSONET AVE	HARRIS RENE
11	446	BISSONET AVE	PEDROZA BRENDA &

Agenda Information Sheet

File #: 23-852 **Item #:** 11.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for an FWMU-5 Walkable Urban Mixed Use Form Subdistrict on property zoned an R-5(A) Single Family Subdistrict and an NC(E) Neighborhood Commercial Enhanced Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest line of 2nd Street, between Garden Lane and Vannerson Drive.
Staff Recommendation: **Approval.**
Applicant: Watermark South LLC
Representative: Karl Crawley, Masterplan Texas
Planner: Jennifer Muñoz
Council District: 7
Z212-299(JM)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Jennifer Muñoz

FILE NUMBER: Z212-299(JM) **DATE FILED:** July 12, 2022

LOCATION: Southwest line of 2nd Street, between Garden Lane and Vannerson Drive

COUNCIL DISTRICT: 7

SIZE OF REQUEST: ± 9.83 acres **CENSUS TRACT:** 48113020800

REPRESENTATIVE: Karl Crawley, Masterplan Texas

OWNER/APPLICANT: Watermark South LLC

REQUEST: An application for an FWMU-5 Walkable Urban Mixed Use Form Subdistrict on property zoned an R-5(A) Single Family Subdistrict and an NC(E) Neighborhood Commercial Enhanced Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The purpose of the request is to allow an existing church to expand services provided.

STAFF RECOMMENDATION: **Approval.**

PD No. 595:
https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=595

Article XIII Form Districts:
https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-93607

BACKGROUND INFORMATION:

- On September 26, 2001, the City Council established Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District. The PD contains over 3,324 acres. This PD is unique in how rezoning requests can follow general zone categories including form districts.

- The area of request is zoned an R-5(A) Single Family Subdistrict where it is developed with a former school building [Pearl C. Anderson Learning Center] established in 1963. The structure is now repurposed as a church [Watermark Church]. The remaining three-quarters of an acre zoned an NC(E) Neighborhood Commercial Enhanced Subdistrict fronts along 2nd Avenue and contains surface parking for the old school and existing church use.

- The applicant proposes to expand services offered by the church while maintaining the existing structure.

- The Walkable Urban Mixed Use (WMU) form districts are intended to accommodate a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment. The proposed FWMU-5 Subdistrict will permit the requested land uses while allowing for future application of development types that are complementary to the adjacent residential neighborhoods and support the future vision for the area.

Zoning History:

There have been three zoning cases in the area in the last five years.

1. **Z189-169:** On May 22, 2019, the City Council denied an application for a Specific Use Permit for an open-enrollment charter school use on property zoned a CR Community Retail District with existing deed restrictions [Z045-125], on the northwest side of Dixon Avenue, at the terminus of Wullschleger Lane.
2. **Z190-262:** On April 28, 2022, the City Council denied an application to amend Planned Development District No. 369 located south of South 2nd Avenue and east of the Southern Pacific Railroad right-of-way.
3. **Z212-354:** On March 2, 2023, the City Plan Commission recommended denial of an application for a D(A) Duplex Subdistrict on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southeast line of Sidney Street, northeast of 2nd Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
2nd Avenue	Principal Arterial	80 feet
Garden Lane	Local	50 feet
Vannerson Drive	Local	35 feet
Bradshaw Street	Local	40 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards if a permit is requested.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The applicant's request for an FWMU-5 Subdistrict is consistent with the goals and policies noted below.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

1.1.5.1 Recognize adopted area/neighborhood plans in guiding development and zoning decisions.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

2.5.1.2 Support efforts to maintain distinctive identities of existing neighborhoods and ensure high-quality development of new neighborhoods.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.1 Maintain neighborhood scale and character.

Area Plans:

Hatcher Station Area Plan

Adopted in 2013, the Hatcher Station Area Plan was developed through the HUD Community Challenge Planning Grant program and is intended to spur transformation of Dallas DART station areas through catalytic projects, public-private partnerships, and reuse and rehabilitation of existing buildings. The study area is approximately four miles east of Downtown Dallas. Scyene Road is a major east-west oriented six-lane thoroughfare that forms a belt across the center of the area. The Hatcher Station is located at the intersections of Scyene Road and Hatcher Street intersection. The study area is within relative proximity to Fair Park and the Trinity forest. The plan details specific initiatives to create a better future for the area, with attention to improving safety and multi-modal connectivity, reinvigorating affordable housing, and establishing strategies and guidelines to create a thriving transit-oriented neighborhood over the long term.

The Hatcher Station Area Plan includes a land use concept plan that defines the primary land use types that comprise the area and recommends appropriate locations for these land use types within the study area. The land use concept plan identifies the area of request as appropriate for the main street land use type, which concentrates pedestrian

activity along a walkable corridor with places for living, working and shopping. These areas should feature one-to-four-story high buildings placed at the sidewalk edge, and high-quality pedestrian environments with wide sidewalks, trees, sidewalk cafes, and outdoor dining.

The Hatcher Station Area Plan further identifies the subject site located along 2nd Avenue was historically an active commercial corridor. While current use and conditions are not optimal, a good urban fabric exists for reinvigorating 2nd Avenue into a historic "main street" type environment with small shop fronts facing the street.

The proposed WMU-5 Subdistrict is a low intensity walkable mixed-use district that can support the development types and land uses meeting the parameters of the main street land use type. Staff finds that the applicant's proposal is consistent with the Hatcher Station Area Plan.

South Dallas/Fair Park Economic Development Plan

The area of request is also located within the study area of the South Dallas/Fair Park Economic Development Plan. Adopted in 2001, this plan focuses on providing economic development revitalization strategy recommendations for the South Dallas/Fair Park commercial corridor. The study area is located southeast of the I-30 HOV, south of South Haskell Avenue, west of Hatcher Street, east of South Lamar Street and just north of William Blair, Jr. Park. It includes landmarks such as the South Boulevard Park – Park Row Historic District, Fair Park, the Cotton Bowl Stadium, and the Starplex Pavilion.

The two primary goals of the plan are to 1) address impacts of high intensity land uses along commercial corridors in adjacent residential neighborhoods through a Planned Development District; and 2) create economic development strategies to encourage desirable development along the business corridors.

Because the South Dallas/Fair Park Economic Development Plan is principally concerned with economic development along the area's business corridors, it does not easily apply to the applicant's proposal. However, an argument could be made that because the plan is intended to protect existing residential areas, context sensitive request made for a WMU-5 Subdistrict conforms to the intent of the plan.

Land Use:

	Zoning	Land Use
Site	PD No. 595, R-5(A) and NC(E) Subdistricts	Church, medical clinic, and office
North	PD No. 595, R-5(A) and NC(E) Subdistricts	Restaurant, office, general merchandise or food store, and single family
East	PD No. 595, R-5(A) and NC(E) Subdistricts	Office, hotel, and single family
South	MF-1(A) Multifamily and R-5(A) Single Family Subdistricts	Multifamily and undeveloped
West	R-5(A) Single Family Subdistrict	Single family

Land Use Compatibility:

The subject property is composed of one large tract containing the former school structure which has been repurposed and renovated as a church use. An alley is located along the northern frontage with remaining lots on the northwest fronting along 2nd Avenue composing the majority of the existing surface parking for the church use.

Surrounding uses include restaurant, office, general merchandise or food store, and single family across 2nd Avenue to the north. To the east are office, hotel, and single family uses. Across Bradshaw Street is a multifamily development, with additional undeveloped land adjacent to the property boundary and on the north side of the street. A well-developed single-family neighborhood exists to the west and southwest.

While the applicant's intent with the rezoning request is to provide additional services to the community within the existing structure, the request made reflects the goals for long-term development of the property, in compliance with the vision for the Hatcher Station area. Staff finds the expansion of the services the church provides to include land uses permitted by the FWMU-5 Subdistrict compatible with the surrounding area, supportive of goals in the comprehensive plan, and area plan.

Overview of Form Districts

Form-based zoning differs from traditional zoning in that development standards focus primarily on the form of the building rather than its intended land use. Under form-based zoning, the desired form of buildings is typically more urban in style. Buildings are constructed with multiple stories and are located at the front of the site, closer to the

street. This, coupled with enhanced standards for transparency, building articulation, and pedestrian amenities, are intended to ensure an active streetscape.

Another key feature that lends itself to a more urban development form is a requirement that buildings fill a percentage of the width of the lot with the building façade. This street frontage requirement creates a streetscape that encourages and supports pedestrian activity and screens parking. Benefits to property owners include additional buildable area on the site; increased height, density, and floor area; and reduced parking requirements that encourage the use of multi-modal transportation.

The proposed FWMU-5 Subdistrict is classified as low intensity among the several WMU Walkable Mixed Use districts within Article XIII. The WMU districts are intended to accommodate a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment. Although parcels of any size are eligible for a WMU district, Article XIII indicates these districts are intended for locations where a sufficient critical mass of dense, walkable urban mixed-use development exists or is definitely planned. This critical mass is present when:

(A) The surrounding area consists of at least 40 acres of existing or definitely planned WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics;

(B) The surrounding area consists of at least 25 acres proposed by and is part of and adopted area plan pursuant to *forwardDallas!* for WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics; or

(C) The applicant demonstrates that the surrounding area is at least 25 acres and is or will be a mix of dense residential, commercial, and other uses that will achieve the intent of this article for increased walkability, reduced vehicular trip generation, and reduced parking demand.

Article XIII also states that the WMU districts are appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to forwardDallas! has been adopted.

Staff finds the area of request to be appropriate for a WMU-5 District due to its proximity to existing multifamily and mixed-use zoning and comparable planned development zoning. The area of request is also part of the adopted Hatcher Station Area Plan, which recommends a main street land use type, which concentrates pedestrian activity along a walkable corridor with places for living, working and shopping. These areas should feature one-to-four-story high buildings placed at the sidewalk edge, and high-quality pedestrian

environments with wide sidewalks, trees, sidewalk cafes, and outdoor dining. The qualities described in the plan are provided in the design standards integrated with the WMU-5 District proposed.

This is further supported by the Vision Illustration map of the comprehensive plan, which designates the request area as compatible with the recommendations for the Urban Neighborhoods building block in South Dallas. These neighborhoods are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services.

Land Use Comparison

Form-based zoning in Article XIII achieves complementary urban form by regulating land uses through several development types that allow different use categories. For example, the multifamily living use category is allowed under the Apartment (Apt.) development type.

The purpose of this zoning request is to allow the church to expand services provided to the community. These include catering, educational, office, medical, retail, and personal service uses. The applicant's proposed use of the site would fall under a variety of uses highlighted in the table below. However, the WMU-5 District would also allow other development types and use categories. Following is a comparison table showing differences in the permitted uses between the current R-5(A) and NC(E) Subdistricts of PD No. 595 and the applicant's requested WMU-5 District.

Land Use Comparison Chart

Existing: R-5(A)	**Existing: NC(E)**	**Proposed: FWMU-5**
Agricultural uses. -- Crop production.	Agricultural uses. -- Community garden. -- Market garden. *[SUP]*	
Commercial and business service uses. -- None permitted.	Commercial and business service uses. -- Catering service. *[SUP]*	

Land Use Comparison Chart

Existing: R-5(A)	Existing: NC(E)	Proposed: FWMU-5
Industrial uses. -- Gas drilling and production. *[SUP]* -- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*	Industrial uses. -- None permitted.	Fabrication uses. -- Gc, all stories: Light manufacturing, research and development, vehicle service.
Institutional and community service uses. -- Adult day care facility. *[SUP]* -- Cemetery or mausoleum. *[SUP]* -- Child-care facility. *[SUP]* -- Church. -- College, university or seminary. *[SUP]* -- Community service center. *[SUP]* -- Convent or monastery. *[SUP]* -- Foster home. *[SUP]* -- Library, art gallery, or museum. *[SUP]* -- Public or private school. *[SUP]*	Institutional and community service uses. -- Adult day care facility. -- Child-care facility. -- Church. -- Community service center. *[SUP]* -- Library, art gallery, or museum. -- Public or private school. *[SUP]*	Civic use categories. -- Ss, ground story only: Community service *[SUP]*, museum, library; daycare; educational; government service, except detention center, jail, or prison; social service *[SUP]*; transit station -- Ts, ground story only: Community service *[SUP]*, museum, library -- Civ: Community service *[SUP]*, museum, library; daycare; educational; government service, except detention center, jail, or prison; detention center, jail, or prison *[SUP]*; transit station Place of worship use categories. -- Mu, Ss, ground story only: Place of worship -- Civ: Place of worship
Lodging uses. -- None permitted.	Lodging uses. -- None permitted.	
Miscellaneous uses. -- Carnival or circus (temporary). *[By special authorization of the building official.]* -- Temporary construction or sales office.	Miscellaneous uses. -- Temporary construction or sales office.	
Office uses. -- None permitted.	Office uses. -- Financial institution without drive-in window. -- Medical clinic or ambulatory surgical center.	Office use categories. -- Mu, Ss, Gc: medical, office -- Ts, ground story only: Office

Land Use Comparison Chart

Existing: R-5(A)	Existing: NC(E)	Proposed: FWMU-5
	[Plasma or blood donation center prohibited.] -- Office.	
Recreation uses. -- Country club with private membership. *[SUP]* -- Private recreation center, club, or area. *[SUP]* -- Public park, playground, or golf course.	Recreation uses. -- Private recreation center, club, or area. *[SUP]* -- Public park, playground, or golf course.	Civic use categories. -- O: Park or open space, utilities
Residential uses. -- Handicapped group dwelling unit. *[See Section 51A-4.209(3.1).]* -- Single family.	Residential uses. -- Live-work unit. *[Only one dwelling unit per lot.]*	Residential use categories. -- Mu (upper stories), Ts, Th, Mh: Single-family living, multifamily living, group living -- Apt (all stories): Multifamily living, group living
Retail and personal service uses. -- None permitted.	Retail and personal service uses. -- Auto service center. [*By SUP in NC(E) Enhanced only.]* -- Commercial parking lot or garage. *[SUP]* -- Dry cleaning or laundry store. -- Furniture store. *[5,000 square feet or less.]* -- General merchandise store. *[Must be 3,500 square feet or less.]* -- Mortuary, funeral home, or commercial wedding chapel. *[SUP]* -- Motor vehicle fueling station. *[By SUP in NC(E) Enhanced only.]* -- Personal service uses. *[Massage establishment and tattoo or body piercing studio prohibited.]* -- Restaurant without drive-in or drive-through service. *[RAR]*	Retail use categories. -- Mu, Ss, ground story only: Drive-thru facility *[SUP]*, restaurant or bar, retail sales, vehicle sales -- Gc: Drive-thru facility *[SUP]* Service and entertainment use categories. -- Mu, Ss, Gc: Commercial amusement (inside) *[SUP]*; indoor recreation; personal service, including animal care Commerce use categories. -- Mu, Gc, O: Commercial parking *[SUP in O]* -- Mu upper stories, Gc: Overnight lodging -- Mu upper stories, Gc: Self-service storage *[SUP]*
Transportation uses. -- Private street or alley. *[SUP]*	Transportation uses. -- Transit passenger shelter.	Commerce use categories. -- Mu upper stories, Gc: Passenger terminal limited to a helistop

Land Use Comparison Chart

Existing: R-5(A)	Existing: NC(E)	Proposed: FWMU-5
-- Transit passenger shelter. *[See Section 51A-4.211.]* -- Transit passenger station or transfer center. *[SUP]*		
Utility and public service uses. -- Electrical substation. *[SUP]* -- Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4).]* -- Police or fire station. *[SUP]* -- Radio, television, or microwave tower. *[SUP]* -- Tower/antenna for cellular communication. *[See Section 51A-4.212(10.1).]* -- Utility or government installation other than listed. *[SUP]*	Utility and public service uses. -- Local utilities. *[SUP or RAR may be required. See Section 51A-4.212(4), "Local utilities."]* -- Police or fire station. *[SUP]* -- Post office. *[SUP]* -- Tower/antenna for cellular communication. *[SUP]*	
Wholesale, distribution, and storage uses. -- Recycling drop-off container. *[See Section 51A-4.213(11.2).]* -- Recycling drop-off for special occasion collection. *[See Section 51A-4.213(11.3).]*	Wholesale, distribution, and storage uses. -- None permitted.	

Development Standards:

Beyond the regulation of land uses through development types in Article XIII, each development type includes more traditional development standards (setbacks, density, height, etc.) in addition to enhanced development standards that contribute to a pedestrian friendly environment (street frontage, parking setbacks, transparency, etc.).

Following is a comparison table showing differences between the development standards of the current R-5(A) and NC(E)Subdistrict and the proposed FWMU-5 Subdistrict. Since the proposed form subdistrict bases the yard, lot, and space regulations on the proposed development types, the most and least intensive types allowed by the subdistrict are provided below.

Part of applying the yard, lot, and space requirements within a form subdistrict is determining the type of street frontage exists due to the blockface configuration. The longest street is considered a primary street, which dictates the development standards as noted below. For this site, Garden Lane and Vannerson Drive are primary streets. 2nd Avenue and Bradshaw Street fail to be primary streets and are therefore side streets.

REGU-LATION	**EXISTING** PD 595 R-5(A)	**EXISTING** PD 595 NC(E)	**PROP. WMU-5 (F)** Dev Type: Mixed Use Shopfront	**PROP. WMU-5 (F)** Dev Type: Civic Building
Front Yard Setback	20’	0’ **OR** Up to 15’ landscaped Up to 5’ w/wider sidewalks	5’/15’—primary/side 0’—service 90% req. frontage	20’/0’ primary 10’/0’ side 0’/0’ service No req. frontage
Parking Setback	None	30’	30’ primary 5’—side/service 10’—SFD adj. 5’—MFD, nonres, alley	20’ primary 5’—side/service 10’—SFD abutting 5’—MFD, nonres, alley
Side and Rear Yard Setback	5’/5’—SF 10’—others	0’/0’ **OR** 5’/5’ if provided **OR** 15’/15’ w/resadj.	**Side:** 15’—SFD adj. 0’/5’—MFD, nonres adj 5’—alley **Rear:** 15’—SFD adj. 5’—MFD, nonres adj 5’—alley 10’—service	10’/10’
Dwelling Unit Density **FAR** **0Min Lot Size**	No DUD; only SF permitted. No FAR max. 1 Dwelling Unit/ 5,000 sq. ft. = 8 DUs per acre	0.5 FAR.	NONE	NONE

REGU-LATION	EXISTING PD 595 R-5(A)	EXISTING PD 595 NC(E)	PROP. WMU-5 (F) Dev Type: Mixed Use Shopfront	PROP. WMU-5 (F) Dev Type: Civic Building
Height	30’	30’ 2 stories	**Based on WMU-5:** 5 stories, 2 stories minimum, 80’	
RPS	Yes	Yes	Yes	
Lot Cover-age	45% res. 25% nonres.	40%	100%	60% Lot width min. 30’
Off-Street Parking & Loading	51A 30’ Addt’l setback from curb Parking screening	51A	51A Parking setbacks	51A Parking setbacks
Land-scaping	51A/X plus 595	51A/X plus 595	51A/X plus 595	51A/X plus 595
Screen-ing	51A	51A	51A	51A
Signs	Nonbusiness	Business	Business	Business
Design Stand-ards	None	None	Story height, ground and upper story transparency, entrance, blank wall, active use on ground story, open space (8% of build site), streetscapes with required pedestrian amenities.	

<u>Landscaping</u>:

Landscaping will be provided in accordance with the landscaping requirements in PD No. 595 and Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the applicant would be required to comply with standard parking ratios at permitting.

Market Value Analysis:

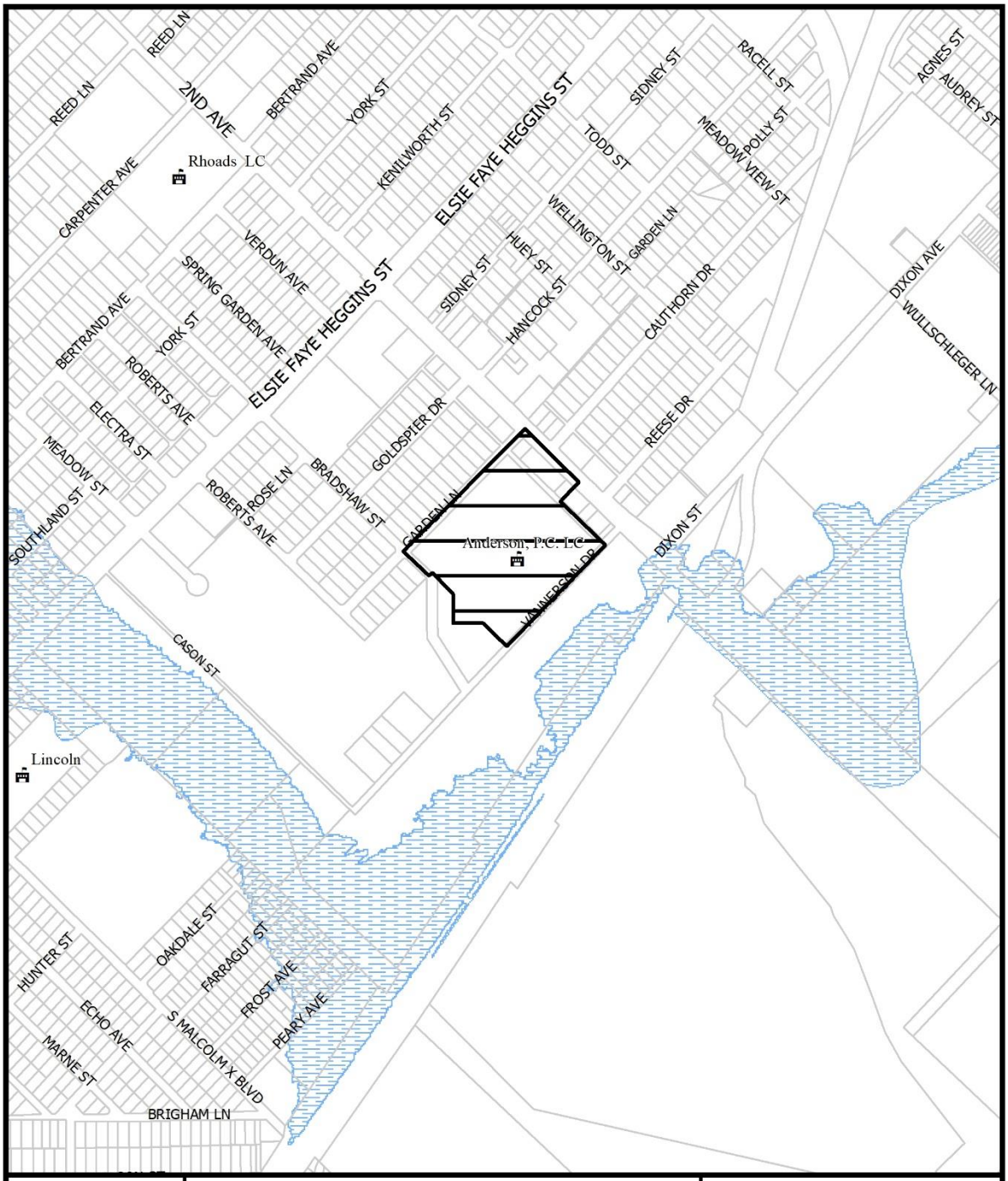
Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is not located within an MVA cluster but is surrounded by "I" MVA clusters in all directions.

List of Officers

Watermark South Dallas, LLC

Board Officers:

- Blake Holmes
- Todd Anders
- Ben Caldwell
- Mickey Friedrich
- Kyle Thompson
- James Proctor, Director of Facilities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BERTRAND AVE
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KENILWORTH ST
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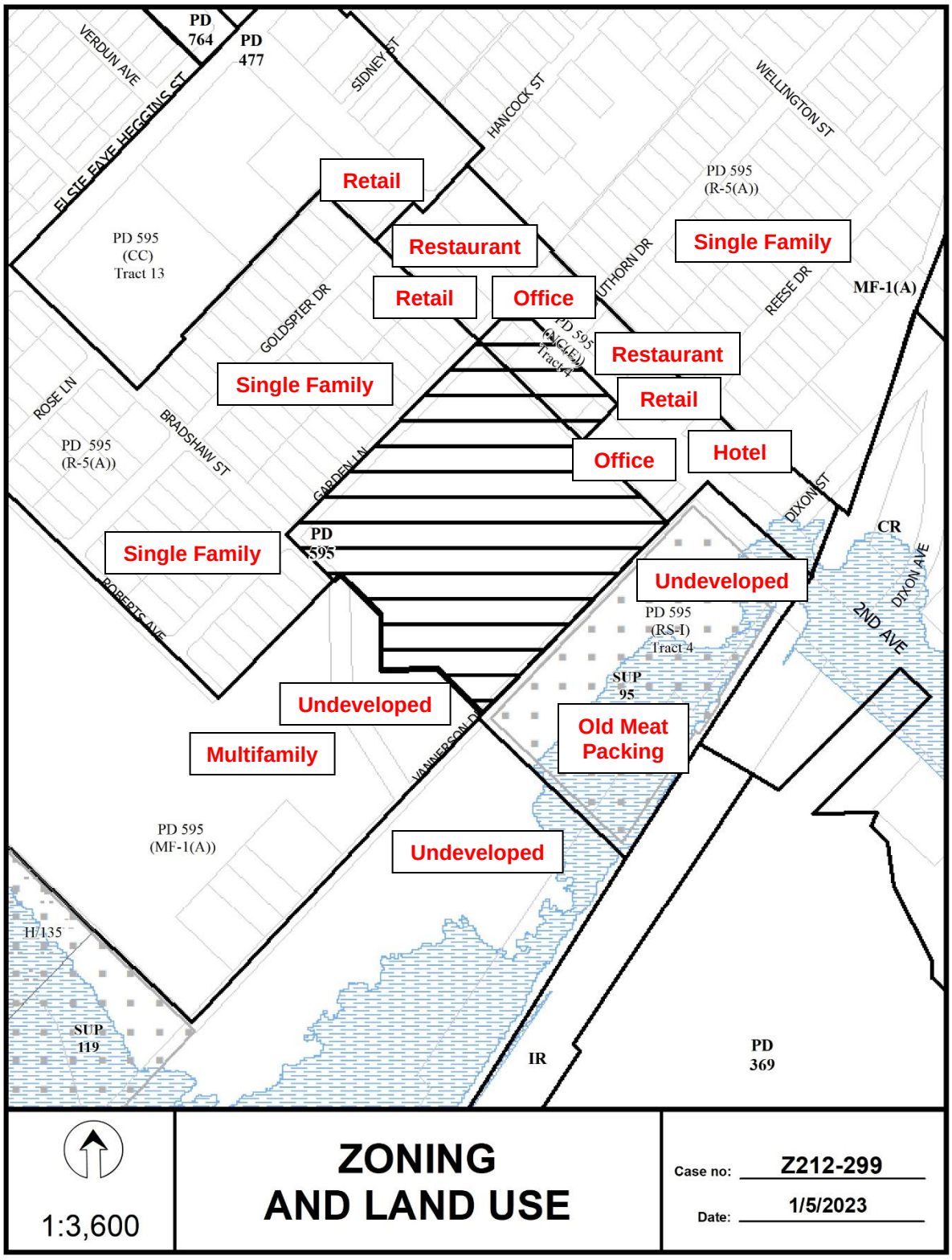
SIDNEY ST
RACELL ST
AGNES ST
AUDREY ST
TODD ST
MEADOW POLLY ST
MEADOW VIEW ST
CARPENTER AVE
Rhoads LC
WELLINGTON ST
GARDEN LN
VERDUN AVE
SPRING GARDEN AVE
HUEY ST
HANCOCK ST
CAUTHORN DR
DIXON AVE
WULLSCHLEGER LN
ROBERTS AVE
ELECTRA ST
GOLDSPIER DR
REESE DR
MEADOW ST
SOUTHLAND ST
ROBERTS ROSE LN
BRADSHAW ST
GARDEN LN
Anderson, P.C. LC
VANNERSON DR
DIXON ST
CASON ST
Lincoln
OAKDALE ST
HUNTER ST
FARRAGUT ST
FROST AVE
ECHO AVE
PEARY AVE
S MALCOLM X BLVD
MARNE ST
BRIGHAM LN
1:7,200
VICINITY MAP
Case no: Z212-299
Date: 1/5/2023

1:3,600

AERIAL MAP

Case no: Z212-299

Date: 1/5/2023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PD 477
VERDUN AVE
ELSIE FAYE HEGGINS ST
SIDNEY ST
HANCOCK ST
WELLINGTON ST
PD 595 (R-5(A))
Retail
Restaurant
Retail
Office
Single Family
MF-1(A)
PD 595 (CC) Tract 13
GOLDSPIER DR
UTHORN DR
REESE DR
PD 595 (CC-E) Tract 4
Restaurant
Retail
Single Family
ROSE LN
BRADSHAW ST
PD 595 (R-5(A))
GARDEN LN
Office
Hotel
DIXON ST
CR
PD 595
Single Family
Undeveloped
ROBERTS AVE
PD 595 (RS-I) Tract 4
DIXON AVE
2ND AVE
SUP 95
Undeveloped
Old Meat Packing
Multifamily
VANNERSON DR
PD 595 (MF-1(A))
Undeveloped
H/135
SUP 119
IR
PD 369
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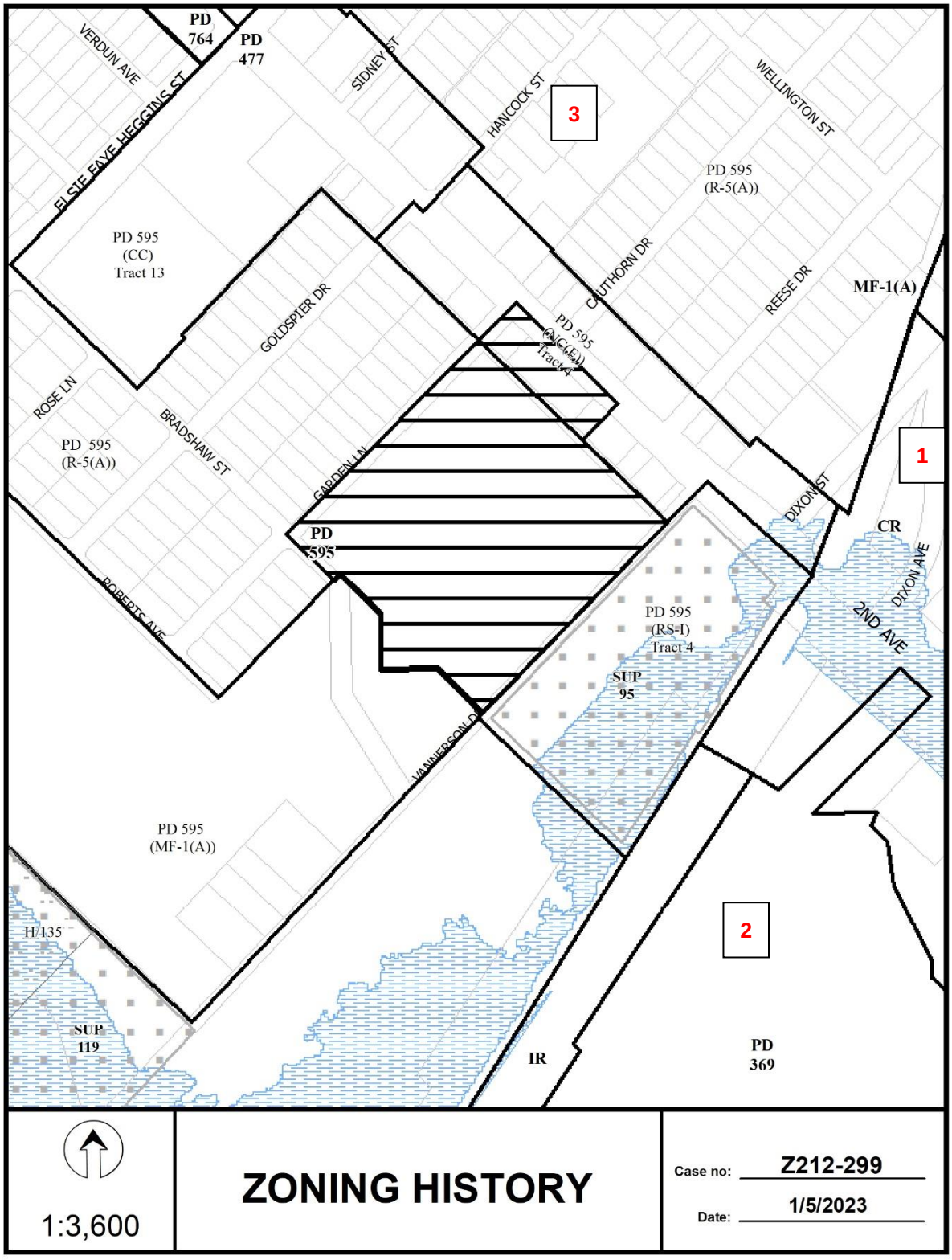
ZONING AND LAND USE
Case no: Z212-299
Date: 1/5/2023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VANNERSON DR
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SUP 119
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PD 369
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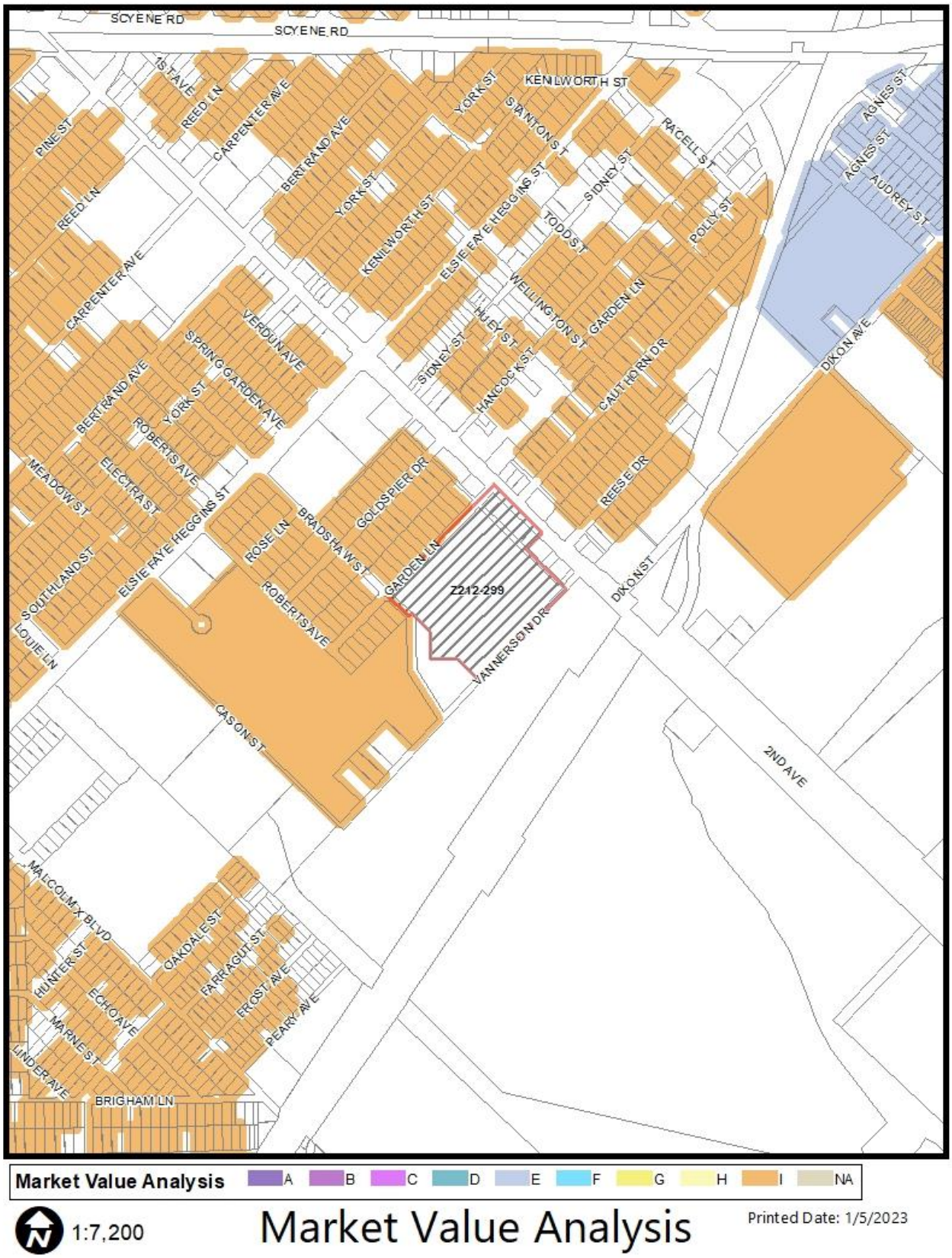
ZONING HISTORY
Case no: Z212-299
Date: 1/5/2023



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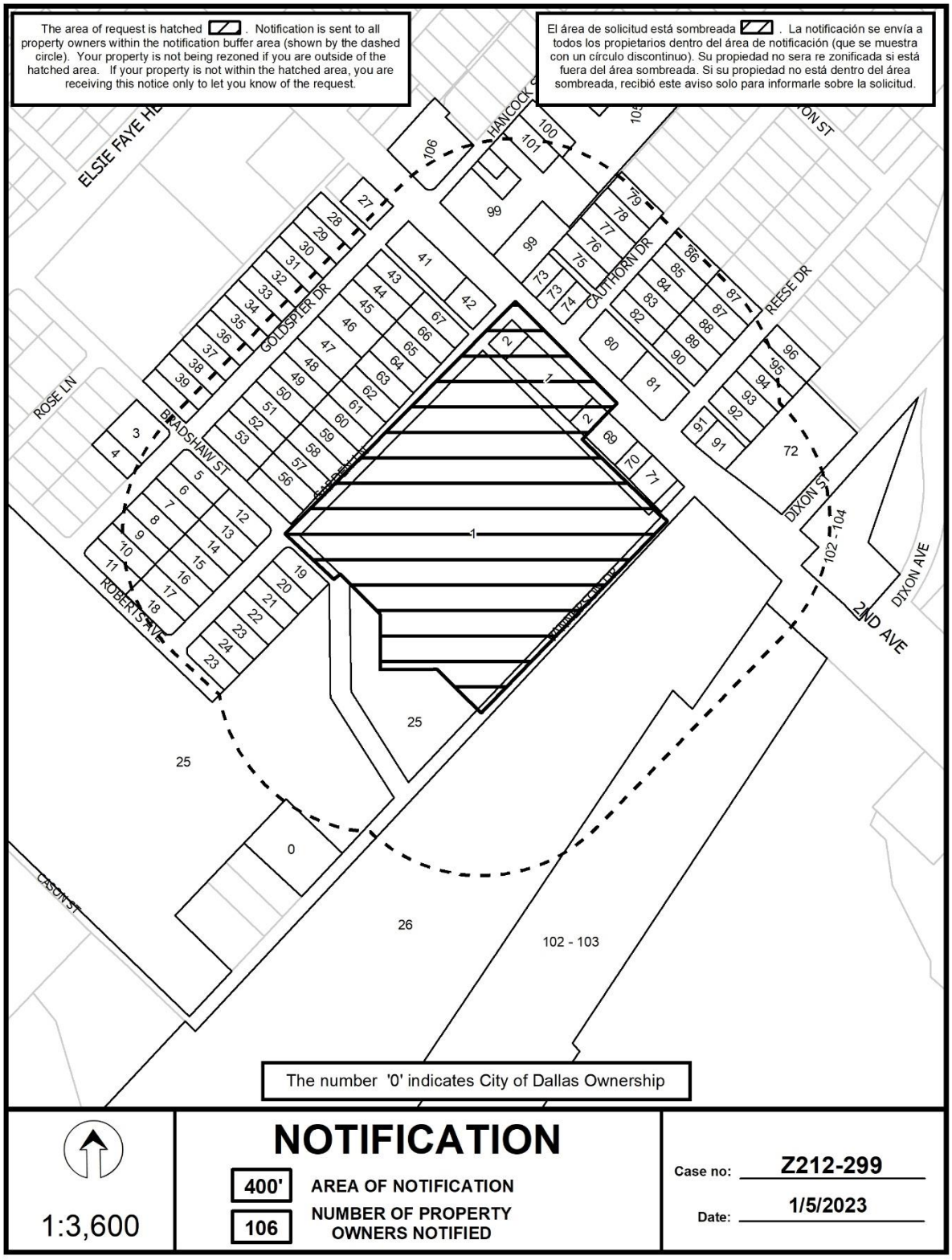
Market Value Analysis

Printed Date: 1/5/2023


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no sera re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
ELSIE FAYE HE
HANCOCK
DIXON ST
GOLDSPIER DR
CAUTHORN DR
REESE DR
ROSE LN
BRADSHAW ST
ROBERTS AVE
DIXON ST
DIXON AVE
2ND AVE
CASON ST
102 - 104
102 - 103
The number '0' indicates City of Dallas Ownership
NOTIFICATION
400' AREA OF NOTIFICATION
106 NUMBER OF PROPERTY OWNERS NOTIFIED
1:3,600
Case no: Z212-299
Date: 1/5/2023

01/05/2023

Notification List of Property Owners

Z212-299

106 Property Owners Notified

Label #	*Address*		*Owner*
1	3400	GARDEN LN	WATERMARK SOUTH DALLAS LLC
2	5003	2ND AVE	WATERMARK SOUTH DALLAS LLC
3	3227	GOLDSPIER DR	MEADOWS EPPIE L
4	3219	GOLDSPIER DR	2310 ROCK STREET LLC
5	3226	GOLDSPIER DR	SALTER DELORES
6	3222	GOLDSPIER DR	Taxpayer at
7	3218	GOLDSPIER DR	Taxpayer at
8	3214	GOLDSPIER DR	YOUNG ARTHUR N
9	3210	GOLDSPIER DR	WIGGINS MARTIN
10	3206	GOLDSPIER DR	MIRAMAR MCB DFW SFR I LP
11	3202	GOLDSPIER DR	SHEPHERD ALONZO
12	3227	GARDEN LN	MOLINA LACY NOEL &
13	3223	GARDEN LN	RICHARDSON CREATHOMAS
14	3219	GARDEN LN	GRIFFIN KON NEADRA
15	3215	GARDEN LN	Taxpayer at
16	3211	GARDEN LN	PCLO LLC
17	3207	GARDEN LN	NED INVESTMENTS LLC
18	3203	GARDEN LN	RIOS JEREMIAS &
19	3226	GARDEN LN	SALTER LOVIS
20	3222	GARDEN LN	Taxpayer at
21	3218	GARDEN LN	DANIELS LINDA D &
22	3214	GARDEN LN	TEKELEMARIYAM YEWUBDAR &
23	3210	GARDEN LN	WORKS G W & CO
24	3206	GARDEN LN	CHAVES JESUS JOSE &
25	5026	BRADSHAW ST	ROSEMONT MEADOW LANE APTS LLC
26	5219	2ND AVE	SJR SECOND AVE REALTY LP

01/05/2023

Label #	*Address*		*Owner*
27	4815	2ND AVE	SBW PROPERTIES LLC
28	3411	GOLDSPIER DR	S D HOME DESIGNS LLC SERIES C
29	3407	GOLDSPIER DR	BIGGINS KELVIN R
30	3403	GOLDSPIER DR	SALINAS CECILIA BRISEIDA
31	3339	GOLDSPIER DR	HARDEMAN ELLA
32	3335	GOLDSPIER DR	PHILLIPS ELECTOR
33	3331	GOLDSPIER DR	WARREN FAYETTE Y
34	3327	GOLDSPIER DR	KNIGHT FREDDIE M
35	3323	GOLDSPIER DR	RG HEATH LLC
36	3319	GOLDSPIER DR	JOHNSON BILLY
37	3315	GOLDSPIER DR	WALCHER MARTIN RAY
38	3311	GOLDSPIER DR	RIOS JEREMIAS A &
39	3307	GOLDSPIER DR	Taxpayer at
40	3303	GOLDSPIER DR	WALTON JOE E SR
41	4915	S 2ND AVE	KRISHNA MIA LLC
42	4919	2ND AVE	Taxpayer at
43	3410	GOLDSPIER DR	DURAN ANGEL MARTINEZ &
44	3406	GOLDSPIER DR	Taxpayer at
45	3402	GOLDSPIER DR	LBK STARR REALTY LLC
46	3334	GOLDSPIER DR	Taxpayer at
47	3330	GOLDSPIER DR	Taxpayer at
48	3326	GOLDSPIER DR	TINOCO EDUARDA &
49	3322	GOLDSPIER DR	JACKSON EMMA EST OF
50	3318	GOLDSPIER DR	IBRA LLC
51	3314	GOLDSPIER DR	Taxpayer at
52	3310	GOLDSPIER DR	MULLEN AARON L
53	3306	GOLDSPIER DR	CHAMBERS THOMAS
54	3302	GOLDSPIER DR	CHAMBERS THOMAS M
55	3301	GARDEN LN	GUINN ODESSA
56	3307	GARDEN LN	HARPER YOLANDA
57	3311	GARDEN LN	SALTER LOVIS & BETTY

01/05/2023

Label #	*Address*		*Owner*
58	3315	GARDEN LN	Taxpayer at
59	3319	GARDEN LN	BAUGH PATRICIA A
60	3323	GARDEN LN	CASSELBERRY DONALD
61	3327	GARDEN LN	S D HOME DESIGN LLC
62	3331	GARDEN LN	ROLFE LEVESTER JR
63	3335	GARDEN LN	KELLY JACKSON &
64	3339	GARDEN LN	ROBINSON JIMMY T
65	3403	GARDEN LN	SWEET TIMOTHY
66	3407	GARDEN LN	AGUIRRE VICTORIA CARIAS
67	3411	GARDEN LN	SIMS GEORGE
68	5041	2ND AVE	EQUITY TRUST COMPANY CUSTODIAN FBO &
69	5033	S 2ND AVE	LIM & DANG INC
70	5037	S 2ND AVE	PHNOM KULANE TRUST THE
71	5041	2ND AVE	EQUITY TRUST COMPANY CUSTODIAN FBO &
72	5122	2ND AVE	PATEL SUNIL C
73	4922	S 2ND AVE	OLUSANYA KIM
74	4930	2ND AVE	BURNETT JIMMY
75	3511	CAUTHORN DR	Taxpayer at
76	3517	CAUTHORN DR	GARCIA JOSE ADAN & ESMERALDA
77	3519	CAUTHORN DR	DRAIN KINGS LLC
78	3525	CAUTHORN DR	RAMIREZ ROBERTO BERMUDEZ &
79	3529	CAUTHORN DR	WALLACE FAYRENE EST OF
80	5002	S 2ND AVE	DALLAS KING JR LLC
81	5018	2ND AVE	KHOU KIM LLC
82	3510	CAUTHORN DR	GARCIA JESSICA
83	3514	CAUTHORN DR	GARCIA JESSICA
84	3518	CAUTHORN DR	MORALES FELIX &
85	3522	CAUTHORN DR	RODRIGUEZ LUZ MARIA
86	3526	CAUTHORN DR	SARMIENTO ERVIS ROEL
87	3529	REESE DR	WORKS GEORGE W
88	3519	REESE DR	Taxpayer at

01/05/2023

Label #	*Address*		*Owner*
89	3517	REESE DR	PAXTON MILDRED
90	3511	REESE DR	SMITH BOBBY
91	5102	2ND AVE	D & D PROPERTIES
92	3510	REESE DR	AUGUSTUS DANNY &
93	3514	REESE DR	SUN LAND RESERVE OF AMERICA INC
94	3518	REESE DR	GRANDADDYS PROPERTIES LLC
95	3522	REESE DR	MEGERSA TEFFERA
96	3524	REESE DR	WOODS SONYA M &
97	3514	HANCOCK ST	LEVINGTON JOSEPH
98	3420	HANCOCK ST	LEVINGSTON JOSEPH &
99	4910	2ND AVE	LEVINGSTON JOSEPH
100	3530	HANCOCK ST	MINAFEE HORACE
101	3522	HANCOCK ST	MARTINEZBARRIENTO MANUEL D &
102	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
103	9999	NO NAME ST	UNION PACIFIC RR CO
104	4401	LINFIELD RD	ST LOUIS S W RAILWAY CO
105	3610	HANCOCK ST	BEGINNERS BAPTIST CHURCH
106	4818	S 2ND AVE	MANANDHAR SARAD &

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-854 **Item #:** 12.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District, on the south line of Ranchero Lane, between Mona Lane and Duncanville Road.
Staff Recommendation: **Approval**.
Applicant: CCM Engineering
Planner: Michael Pepe
Council District: 3
Z212-344(MP)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Michael Pepe

FILE NUMBER: Z212-344(MP) **DATE FILED:** September 16, 2022

LOCATION: South line of Ranchero Lane, between Mona Lane and Duncanville Road

COUNCIL DISTRICT: 3

SIZE OF REQUEST: ±12.26 acres **CENSUS TRACT:** 48113016533

APPLICANT: CCM Engineering

OWNER: Willian E Hymes Revocable Trust

REQUEST: An application for an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District.

SUMMARY: The purpose of the request is to change the minimum lot size for residential development from 10,000 square feet per lot to 7,500 square feet per lot.

STAFF RECOMMENDATION: **Approval.**

BACKGROUND INFORMATION:

- The property is currently undeveloped.
- The proposed use is single family housing.
- The property is accessed from Ranchero Lane.
- The proposed change would not alter the allowable uses. Primarily, it would change the minimum lot size for residential development from 10,000 square feet per lot to 7,500 square feet per lot.

Zoning History:

There have not been any zoning cases in the area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Ranchero Lane	Local	55 feet ROW

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 and outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design, and character.

NEIGHBORHOOD PLUS

GOAL 4.3 Enhance neighborhood desirability by improving infrastructure, housing stock, recreation, and safety.

GOAL 5.1 Encourage a wider range of well-designed and affordable housing types as a response to emerging homeownership preferences.

GOAL 5.2 Encourage infill development and existing home improvements in target neighborhoods to attract and retain homeowners.

Land Use:

	Zoning	Land Use
Site	R-10(A) Single Family District	Undeveloped / Single Family
North	R-10(A) Single Family District	Single Family
East	R-7.5(A) Single Family District	Single Family
South	R-10(A) Single Family District, City of Duncanville	Undeveloped, Single Family
West	R-10(A) Single Family District	Single Family

Land Use Compatibility:

The area of request is an approximately 12.26-acre undeveloped parcel with access to Ranchero Lane and is currently zoned an R-10(A) District. Properties to the north and west are developed as single family and zoned an R-10(A) District. South of the subject site, there is an undeveloped parcel zoned an R-10(A) District and the city limits of Duncanville. Property east of the site is developed as single-family under an R-7.5(A) District.

The proposed change in zoning does not alter the permitted uses on the property. Staff supports the request as it does not significantly the allowable land uses or development pattern under which the property can be developed.

Development Standards

DISTRICT	SETBACKS		Minimum Lot Size	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-10(A) Single Family	30’	6’	1 Dwelling Unit / 10,000 sq. ft.	30’	45%	None	Single family
R-7.5(A) Single Family	25’	5’	1 Dwelling Unit / 7,500 sq. ft.	30’	45%	None	Single family

The primary difference between the existing R-10(A) and R-7.5(A) districts is the minimum lot size, which would be reduced from 10,000 square feet to 7,500 square feet. 7,500 square feet is the allowable minimum on all of the properties to the east. 10,000 square feet is the allowable minimum on all of the properties to the west.

Generally, minimum residential lot sizes can be a barrier to the development of housing and reduce the flexibility under which homes can be built. Although under the proposed zoning the applicant could plat lots as low as 7,500 square feet, lots within a proposed subdivision could be larger, as there is no maximum on the lot size in R-7.5(A) zoning.

For example, the proposed change could allow for some homes on lots of 8,000 square feet, and others on lots of greater than 10,000.

This may be necessary in portions of a development to allow amenities and infrastructure to be installed near homes while maintaining an overall lot pattern. As residential development generally must account for a degree of space for streets, infrastructure, and other amenities, a degree of variety in lot sizes can allow for a more cohesive layout when conditions necessitate a slightly smaller lot size. As such, staff supports the proposed change in order to accomplish city policies of promoting cohesive development and providing housing diversity.

The proposed change also slightly alters the minimum front setback from 30 feet to 25 feet and alters the side and rear setbacks from 6 feet to 5 feet. It does not alter the maximum height, lot coverage, or uses. As such, residential development under the current zoning would appear similarly in height, massing, and orientation as would under the proposed zoning.

Complete review for the requirements of an appropriate residential subdivision will be assessed at the platting and permitting phase of development.

Landscaping:

Landscaping and tree preservation must be provided in accordance with the requirements in Article X, as amended.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a single-family use in an R-7.5(A) District is one space per unit.

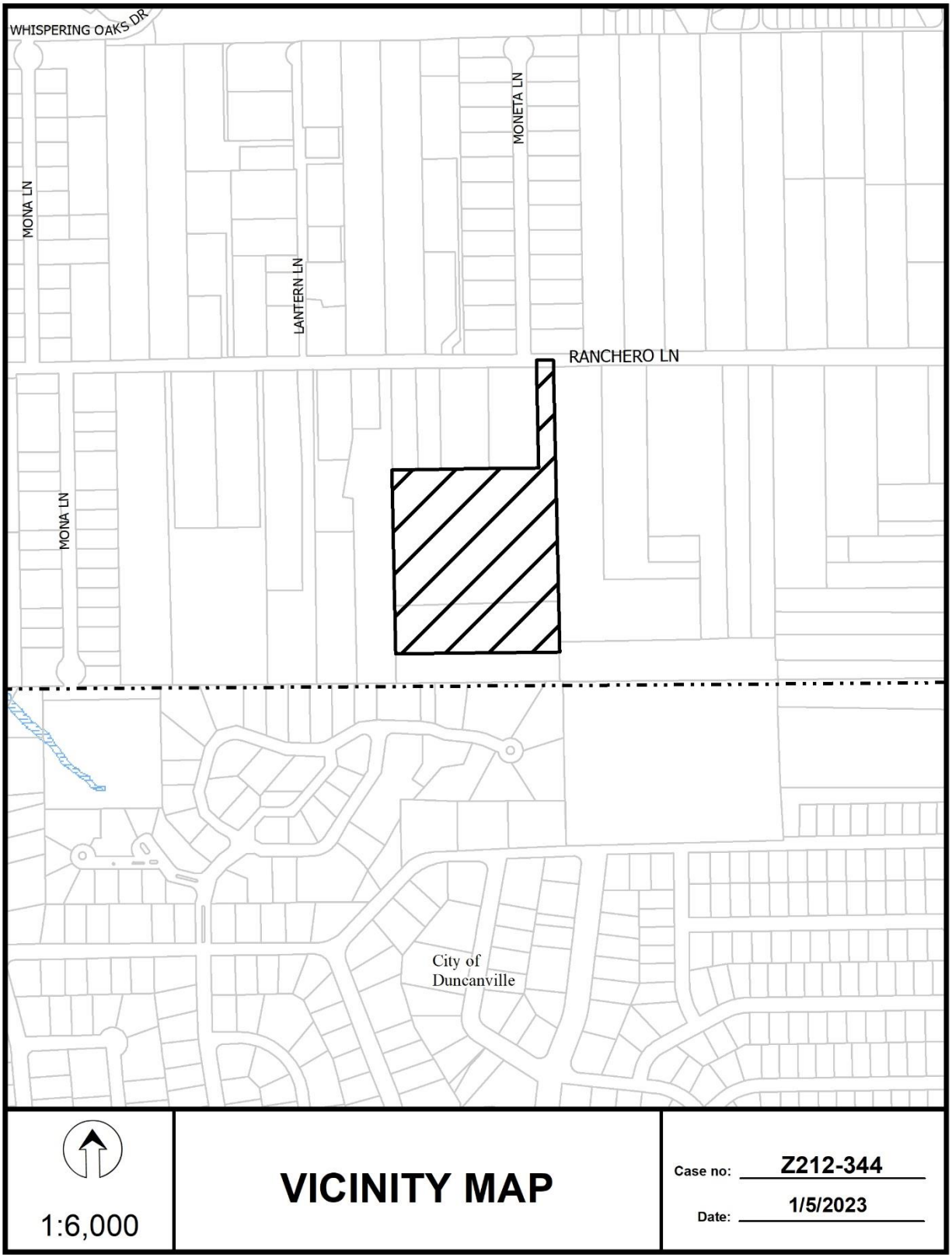
Market Value Analysis:

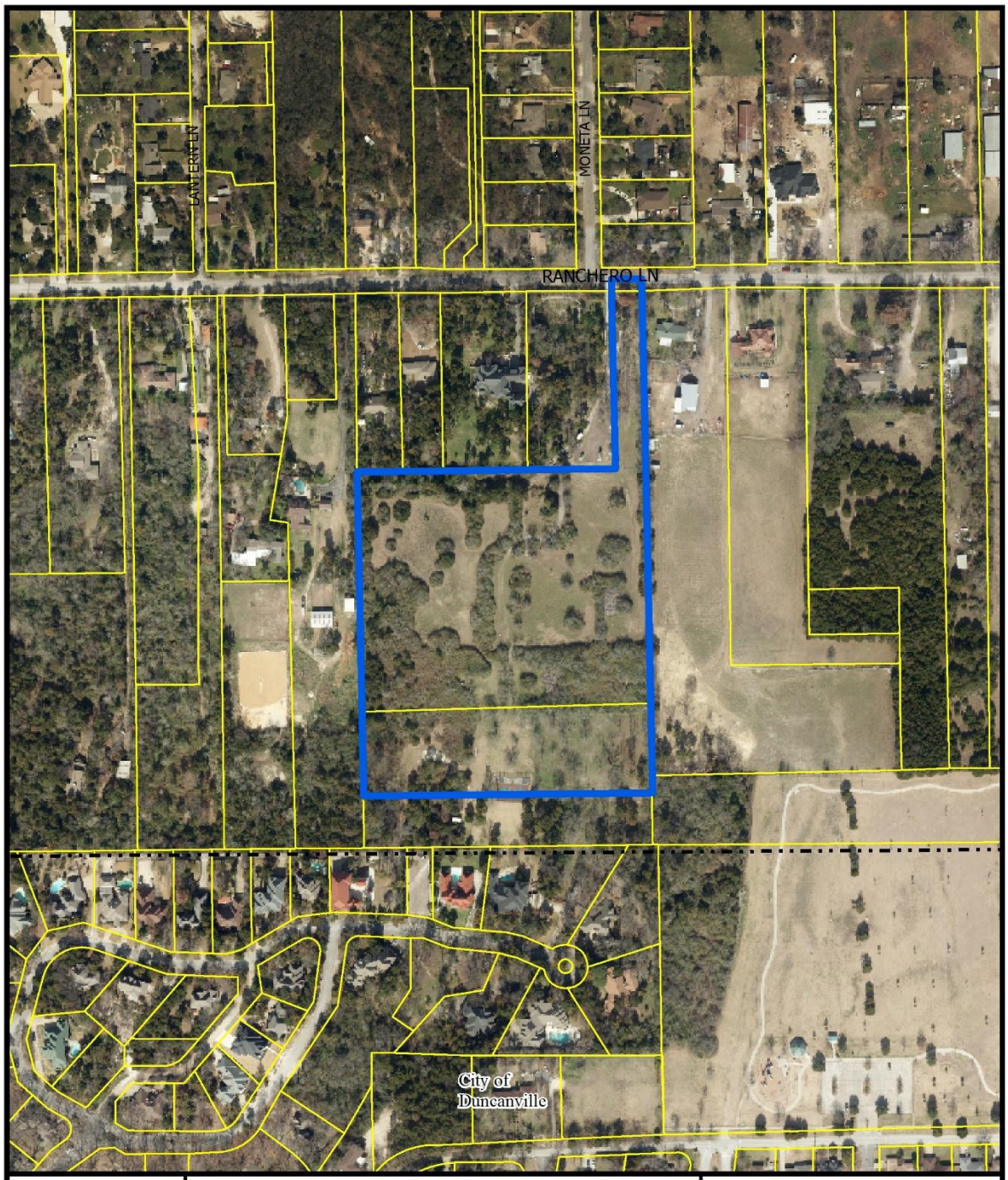
Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the

strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is located within an “F” MVA cluster.

LIST OF PARTNERS/PRINCIPALS/OFFICERS

This property is a Sole Proprietorship to WILLIAMS E. HYMES REVOCABLE TRUST.


WHISPERING OAKS DR
MONETA LN
MONA LN
LANTERN LN
RANCHERO LN
MONA LN
City of
Duncanville
1:6,000
VICINITY MAP
Case no: Z212-344
Date: 1/5/2023



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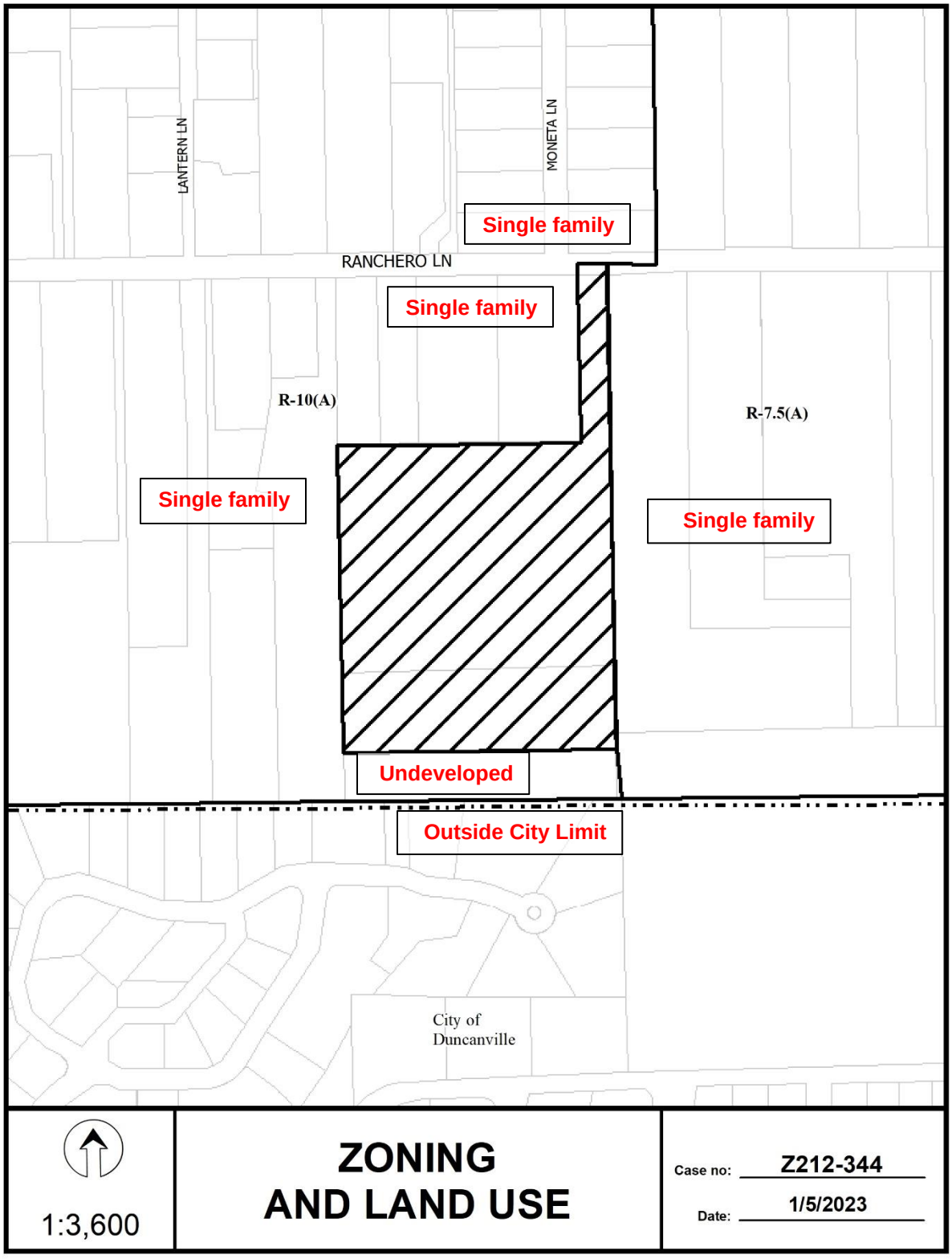
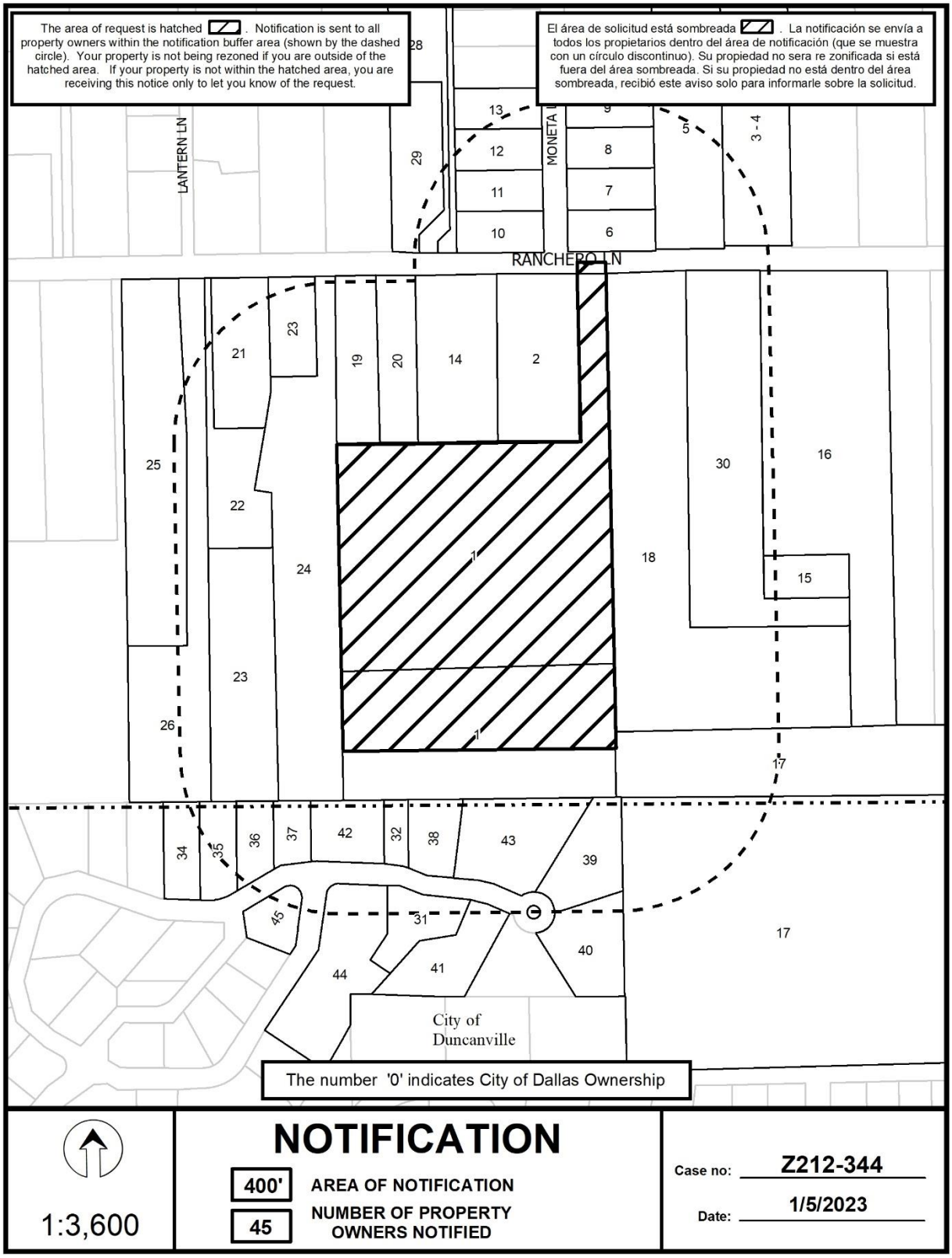
AERIAL MAP

Case no: Z212-344

Date: 1/5/2023


LANTERN LN
MONETA LN
Single family
RANCHERO LN
Single family
R-10(A)
R-7.5(A)
Single family
Single family
Undeveloped
Outside City Limit
City of
Duncanville
1:3,600
ZONING
AND LAND USE
Case no: Z212-344
Date: 1/5/2023

LA JOLLA LN
WESLEY CHAPEL LN
EL SOL ST
FITE LN
RONRYAN RD
MONETA LN
MONA LN
LANTERN LN
RANCHERO LN
MONA LN
Z212-344
EQUESTRIAN TRL
CHURCHILL DOWNS
BELMONT PL
POLO CT
LODEMA LN
HILL CITY DR
LA PLATA DR
SCIO DR
LONDON LN
RED BIRD LN
JUNGLE DR
LADY LN
BAYLESS LN
RIDGE ROCK LN
RITA LN
OMAHA LN
SCIO DR
Market Value Analysis
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 1/5/2023


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no sera re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
LANTERN LN
MONETA
RANCHERO LN
City of Duncanville
The number '0' indicates City of Dallas Ownership
NOTIFICATION
400' AREA OF NOTIFICATION
45 NUMBER OF PROPERTY OWNERS NOTIFIED
1:3,600
Case no: Z212-344
Date: 1/5/2023

01/05/2023

Notification List of Property Owners

Z212-344

45 Property Owners Notified

Label #	*Address*		*Owner*
1	5320	RANCHERO LN	HYMES WILLIAM E REVOCABLE TRUST
2	5320	RANCHERO LN	CARDOZA JUVENTINO & JEANIE
3	5237	RANCHERO LN	AGUILAR JESUS & BLANCA
4	5237	RANCHERO LN	AGUILAR JESUS & BLANCA
5	5301	RANCHERO LN	CARDOZA JUAN JAVIER
6	5323	RANCHERO LN	SERRATO ISMAEL JR &
7	5338	MONETA LN	PUENTES RAMON HERRERA &
8	5328	MONETA LN	CAVAZOS JESUS M
9	5318	MONETA LN	NULISCH LARRY V SR & F
10	5347	MONETA LN	ISBON SHIRLEY JUNE
11	5337	MONETA LN	MENDOZA JESSE
12	5327	MONETA LN	CERDA CRYSTAL GUADALUPE
13	5317	MONETA LN	DAVIS JANIS RHEA
14	5438	RANCHERO LN	CARDOZA JUVENTINO & JEANIE
15	5226	RANCHERO LN	BENAVIDES GUSTAVO &
16	5226	RANCHERO LN	BENAVIDES GUSTAVO
17	5206	RANCHERO LN	DUNCANVILLE CITY OF
18	5316	RANCHERO LN	CARDOZA ALFONSO C
19	5454	RANCHERO LN	PARKER RANDLETT JR
20	5448	RANCHERO LN	CARDOZA JUVENTION
21	5544	RANCHERO LN	ROBLES BIANCA &
22	5548	RANCHERO LN	WEBB JAMES
23	5548	RANCHERO LN	VULY FAMILY LIVING TRUST
24	5510	RANCHERO LN	VULY FAMILY LIVING TRUST
25	5612	RANCHERO LN	BRUNER DON WILLIAM
26	5606	RANCHERO LN	SANCHEZ ARTURO & GABRIELA

01/05/2023

Label #	*Address*		*Owner*
27	5511	RANCHERO LN	BEEKMAN GARY JOHN
28	5511	RANCHERO LN	VANROOY STEPHEN T
29	5511	RANCHERO LN	CAMSTAM LP
30	5310	RANCHERO LN	AGUILAR CANDELARIO
31	100	CHURCHILL DOWNS	HAGWOOD JAMES
32	100	CHURCHILL DOWNS	THOROUGHBRED HILLS HOA
33	100	CHURCHILL DOWNS	THOROUGHBRED HILLS HOA
34	8	EQUESTRIAN TRL	PRICE SHARON K &
35	6	EQUESTRIAN TRL	GUDMUNDSON GLEN &
36	4	EQUESTRIAN TRL	PARK DONGRAE & OK HEE
37	2	EQUESTRIAN TRL	JOURDEN RANDY &
38	5	CHURCHILL DOWNS	MARKO DAVID LARRY
39	11	CHURCHILL DOWNS	WILLIAMS CAROLYN A
40	10	CHURCHILL DOWNS	WARREN MELVIN L & QUEEN E
41	6	CHURCHILL DOWNS	HAGWOOD JAMES W
42	1	CHURCHILL DOWNS	RUGWANI MADAN M & SANDHYA M
43	7	CHURCHILL DOWNS	HYMES WILLIAM E & SUSAN R
44	2	CHURCHILL DOWNS	MOSER RICHARD S &
45	11	BELMONT PL	HUGHES CARROLL H &

Agenda Information Sheet

File #: 23-855 **Item #:** 13.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District and a P(A) Parking District, on the south line of Glenfield Avenue, west of South Hampton Road.
Staff Recommendation: **Hold under advisement until April 20, 2023.**
Applicant: Michelle Avila [Sole Owner]
Planner: Ryan Mulkey
Council District: 3
Z223-117(RM)

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Ryan Mulkey, AICP

FILE NUMBER: Z223-117(RM) **DATE FILED:** October 21, 2022

LOCATION: South line of Glenfield Avenue, west of South Hampton Road

COUNCIL DISTRICT: 3

SIZE OF REQUEST: Approx. 1.8 acres **CENSUS TRACT:** 48113010804

OWNER/APPLICANT: Michelle Avila [Sole Owner]

REQUEST: An application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District and a P(A) Parking District.

SUMMARY: The purpose of the request is to allow residential uses on the site.

STAFF RECOMMENDATION: **Hold under advisement until April 20, 2023.**

BACKGROUND INFORMATION:

- The area of request is currently zoned an NO(A) Neighborhood Office District and a P(A) Parking District. The request area is currently undeveloped.
- The applicant proposes to develop the property with residential uses.
- To accomplish this, they request an MF-2(A) Multifamily District.
- Although the applicant has not indicated an intent to provide affordable units as part of the development, a multifamily use in an MF-2(A) District would be entitled to development bonuses if affordable units are provided. These bonuses are detailed in the report.
- The applicant has also applied to volunteer deed restrictions that would further restrict development of the property. As of the docket publication, however, the applicant has not submitted the conditions of these volunteered deed restrictions. Therefore, staff's recommendation is to hold the case under advisement until the April 20 CPC meeting.

Zoning History:

There have been no zoning cases in the area in the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Glenfield Avenue	Local Street	-
South Hampton Road	Principal Arterial	100 feet

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006 outlining several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.2 Focus on Southern Sector development opportunities.

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.

1.1.5.4 Provide appropriate transitions between non-residential uses and neighborhoods to protect stability and quality of life.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

1.3.1.1 Encourage creation of diverse housing types by establishing ways to foster such development and find ways to foster homeownership.

1.3.1.7 Implement zoning tools to accommodate alternative housing products.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

2.1.1.7 Encourage a range of housing options through zoning regulations while being transparent and predictable to property owners and prospective developers.

2.1.1.8 Promote development of sustainable and quality housing through zoning regulations that provide for higher densities at appropriate infill and greenfield site locations in order to attract and retain urban homeowners.

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector.

2.1.3.1 Focus economic development efforts on encouraging the development of strong neighborhoods in the Southern Sector that include housing for all income segments, quality schools, and recreational amenities.

NEIGHBORHOOD PLUS

POLICY 5.1 Encourage a wider range of well designed and affordable housing types as a response to emerging homeownership preferences.

POLICY 6.2 Expand affordable housing options and encourage its distribution throughout the city and region.

Land Use:

	Zoning	Land Use
Site	NO(A), P(A)	Undeveloped
North	R-7.5(A), CR with a D Overlay	Single family, general merchandise or food store 3,500 square feet or less, personal service use, office
East	CR with a D Overlay	Medical clinic or ambulatory surgical center, general merchandise or food store 3,500 square feet or less
South	Tracts 1, 3, 4, and 7 within PD No. 128	Office, hospital (vacant)
West	R-7.5(A)	Single family

Land Use Compatibility:

The area of request is currently undeveloped. To the north and west are primarily single family uses. To the east are primarily commercial uses, and to the south are office uses as well as a vacant structure that used to be used as a hospital. Staff finds the applicant's request to be compatible with surrounding land uses.

Staff supports the applicant's request for an MF-2(A) District, which would permit single family, duplex, and multifamily uses on the property. The proposal would provide an appropriate transition between the commercial uses fronting South Hampton Road to the east and the less dense single family uses to the west. It also presents an opportunity to increase the city's stock of denser housing on a property that has not been developed under the current zoning. The request also complies with many of the housing related goals of the Comprehensive Plan and Neighborhood Plus plan to remove barriers to more

diverse and affordable single family homeownership options including small-lot single family, duplexes, and townhomes.

Although the applicant has not indicated an intent to provide affordable units as part of the development, a multifamily use in an MF-2(A) District would be entitled to development bonuses if affordable units are provided. These development bonuses, and the development standards of the existing and proposed districts, are detailed below.

Development Standards

District	Setback		Density	Height	Lot Cvrg.	Special Standards	Primary Uses
	Front	Side/Rear					
Ex 1: NO(A)	15’	20’ adj to res Other: No min	0.5 FAR	30’ 2 stories	50%	Proximity Slope Visual Intrusion	Office
Ex 2: P(A)	10’ adj to res						Surface parking
Prop 2: MF-2(A)	15’	15’	Min lot 1,000 sf 800 sf – E 1,000 sf – 1BR 1,200 sf – 2BR +150 sf each add BR	36’	60%	Proximity Slope	Multifamily, duplex, single family
MIH: MF-2(A)*			No min lot area per dwelling unit	85’	85%	Proximity Slope U-form setback	

* Property is located in a “G” MVA area. Would require 5% at 81-100%.

To obtain the development bonuses listed above, the applicant would also need to adhere to the design standards for mixed-income housing provided in Chapter 51A. In general, these standards prioritize pedestrians and follow design principles compatible with the City of Dallas Complete Streets program. Development must also follow additional regulations related to fencing, parking location and design, transparency, and ground-floor doorways. Development must also include sidewalks, pedestrian lighting, and open space.

If the property is developed under the requested MF-2(A) District, it would be subject to the residential proximity slope restriction. This restriction would begin at the shared property line of a site of origination – in this case, the surrounding R-7.5(A) district – and restrict the height of buildings to 26 feet for the first 78 feet from the shared property line. This would effectively restrict the maximum height of buildings to 26 feet for the half of the site that abuts the R-7.5(A) District. From that point, height of buildings could gradually

increase at a 1:3 slope up to the maximum allowable height. This restriction would still apply if mixed income units were provided as part of a multifamily development.

Land Use Comparison

Following is a comparison table showing differences in permitted uses between the existing R-7.5(A) District and the requested MF-2(A) District. Uses of note are highlighted in yellow.

LEGEND

	Use prohibited
•	Use permitted by right
S	Use permitted by Specific Use Permit
D	Use permitted subject to Development Impact Review
R	Use permitted subject to Residential Adjacency Review
★	Consult the use regulations in Section 51A-4.200

	Existing	Proposed
Use	**R-7.5(A)**	**MF-2(A)**
AGRICULTURAL USES		
Animal production		
Commercial stable		
Crop production	•	•
Private stable		
COMMERCIAL AND BUSINESS SERVICE USES		
Building repair and maintenance shop		
Bus or rail transit vehicle maintenance or storage facility		
Catering service		
Commercial cleaning or laundry plant		
Custom business services		
Custom woodworking, furniture construction, or repair		
Electronics service center		
Job or lithographic printing		
Labor hall		
Machine or welding shop		
Machinery, heavy equipment, or truck sales and services		
Medical or scientific laboratory		
Technical school		
Tool or equipment rental		
Vehicle or engine repair or maintenance		
INDUSTRIAL USES		

Use	R-7.5(A)	MF-2(A)
Alcoholic beverage manufacturing		
Gas drilling and production	S	S
Gas pipeline compressor station		
Industrial (inside)		
Industrial (inside) for light manufacturing		
Industrial (outside)		
Medical/infectious waste incinerator		
Metal salvage facility		
Mining		
Municipal waste incinerator		
Organic compost recycling facility		
Outside salvage or reclamation		
Pathological waste incinerator		
Temporary concrete or asphalt batching plant	★	★
INSTITUTIONAL AND COMMUNITY SERVICE USES		
Adult day care facility	S	S
Cemetery or mausoleum	S	S
Child-care facility	S	S
Church	•	•
College, university, or seminary	S	S
Community service center	S	S
Convalescent and nursing homes, hospice care, and related institutions		R
Convent or monastery	S	•
Foster home	S	•
Halfway house		
Hospital		S
Library, art gallery, or museum	S	S
Public or private school	S	S
LODGING USES		
Extended stay hotel or motel		
Hotel or motel		
Lodging or boarding house		•
Overnight general-purpose shelter		
MISCELLANOUS USES		
Carnival or circus (temporary)	★	★
Hazardous waste management facility		
Placement of fill material		
Temporary construction or sales office	•	•
OFFICE USES		
Alternative financial establishment		

Use	R-7.5(A)	MF-2(A)
Financial institution without drive-in window		
Financial institution with drive-in window		
Medical clinic or ambulatory surgical center		
Office		
RECREATION USES		
Country club with private membership	S	R
Private recreation center, club, or area	S	S
Public park, playground, or golf course	•	•
RESIDENTIAL USES		
College dormitory, fraternity, or sorority house		•
Duplex		•
Group residential facility		★
Handicapped group dwelling unit	★	★
Manufactured home park, manufactured home subdivision, or campground		
Multifamily		•
Residential hotel		•
Retirement housing		•
Single family	•	•
RETAIL AND PERSONAL SERVICE USES		
Ambulance service		
Animal shelter or clinic without outside runs		
Animal shelter or clinic with outside runs		
Auto service center		
Business school		
Car wash		
Commercial amusement (inside)		
Commercial amusement (outside)		
Commercial motor vehicle parking		
Commercial parking lot or garage		
Convenience store with drive-through		
Dry cleaning or laundry store		
Furniture store		
General merchandise or food store 3,500 square feet or less		
General merchandise or food store greater than 3,500 square feet		
Home improvement center, lumber, brick or building materials sales yard		
Household equipment and appliance repair		
Liquefied natural gas fueling station		

Use	R-7.5(A)	MF-2(A)
Motor vehicle fueling station		
Nursery, garden shop, or plant sales		
Outside sales		
Paraphernalia shop		
Pawn shop		
Personal service use		
Restaurant without drive-in or drive-through service		
Restaurant with drive-in or drive-through service		
Surface parking		
Swap or buy shop		
Taxidermist		
Temporary retail use		
Theater		
Truck stop		
Vehicle display, sales, and service		
TRANSPORTATION USES		
Airport or landing field		
Commercial bus station and terminal		
Heliport		
Helistop		
Private street or alley	S	
Railroad passenger station		
Railroad yard, roundhouse, or shops		
STOL (short take-off or landing port)		
Transit passenger shelter	★	•
Transit passenger station or transfer center	S	S
UTILITY AND PUBLIC SERVICE USES		
Commercial radio or television transmitting station		
Electrical generating plant		
Electrical substation	S	S
Local utilities	★	★
Police or fire station	S	S
Post office		
Radio, television, or microwave tower	S	S
Refuse transfer station		
Sanitary landfill		
Sewage treatment plant		
Tower/antenna for cellular communication	★	★
Utility or government installation other than listed	S	S
Water treatment plant		

Use	R-7.5(A)	MF-2(A)
WHOLESALE, DISTRIBUTION, AND STORAGE USES		
Auto auction		
Building mover's temporary storage yard		
Contractor's maintenance yard		
Freight terminal		
Livestock auction pens or sheds		
Manufactured building sales lot		
Mini warehouse		
Office showroom/warehouse		
Outside storage		
Petroleum product storage and wholesale		
Recycling buy-back center		
Recycling collection center		
Recycling drop-off container	★	★
Recycling drop-off for special occasion collection	★	★
Sand, gravel, or earth sales and storage		
Trade center		
Vehicle storage lot		
Warehouse		

Landscaping:

Landscaping will be provided in accordance with the landscaping requirements in Article X, as amended. Under the proposed MF-2(A) District, a residential buffer zone would apply to a multifamily development adjacent to single family.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for single family not in an R-7.5(A), R-5(A), or TH district is two spaces. The parking requirement for a duplex is two spaces per dwelling unit.

The parking requirement for multifamily is one space per bedroom with a minimum of one space per dwelling unit. An additional one-quarter space per dwelling unit must be provided for guest parking if the required parking is restricted to resident parking only. No additional parking is required for accessory uses that are limited principally to residents.

If the applicant provides affordable units as part of a multifamily development, the off-street parking requirement for this use can be reduced to a minimum of 0.5 space per dwelling unit, provided that at least 15 percent of the required parking is available for

guest parking. This would simply be the *minimum* number of required spaces – the applicant could still provide additional spaces in excess of the required minimum.

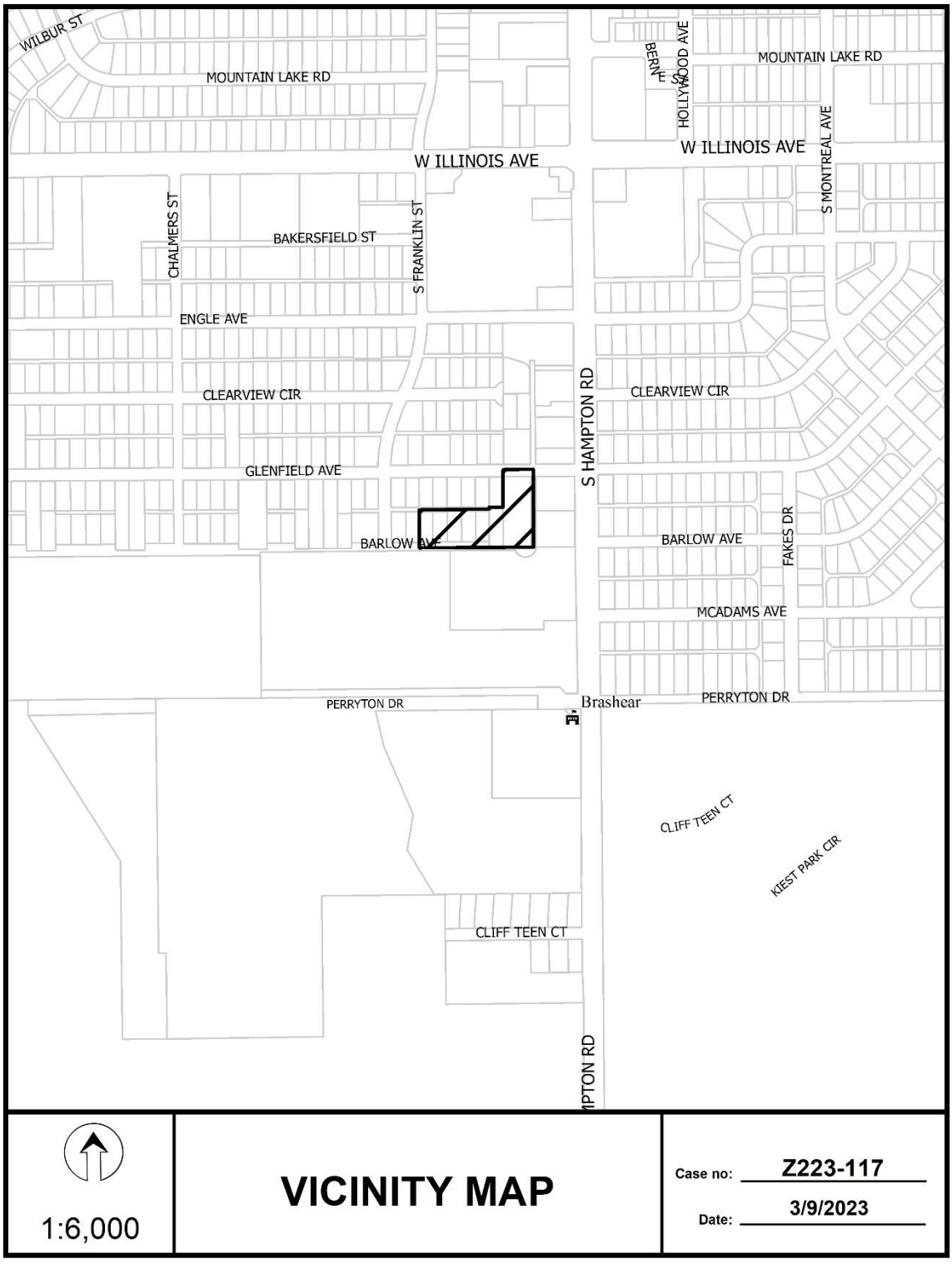
The applicant will be required to comply with standard parking ratios at permitting.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of request is not currently within an MVA cluster but abuts a “G” MVA cluster to the north and west. East of the request area across South Hampton Road is an “F” MVA cluster.

PROPOSED DEED RESTRICTIONS

Staff's recommendation is to hold the item under advisement until April 20, 2023 so the applicant can submit the conditions of their volunteered deed restrictions.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BARLOW AVE
S HAMPTON RD
BERNE ST
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S MONTREAL AVE
CLEARVIEW CIR
BARLOW AVE
FAKES DR
MCADAMS AVE
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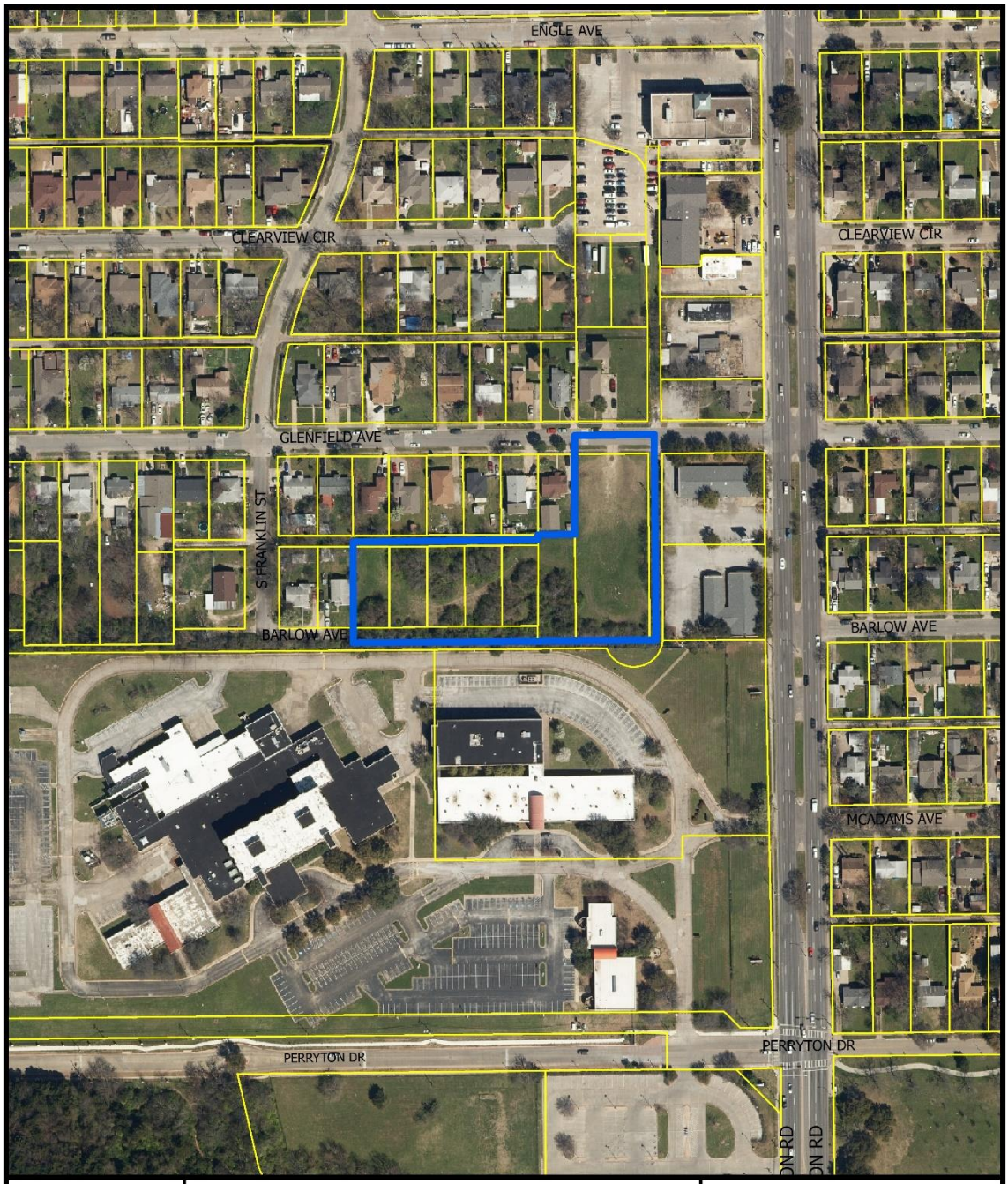
VICINITY MAP
Case no: Z223-117
Date: 3/9/2023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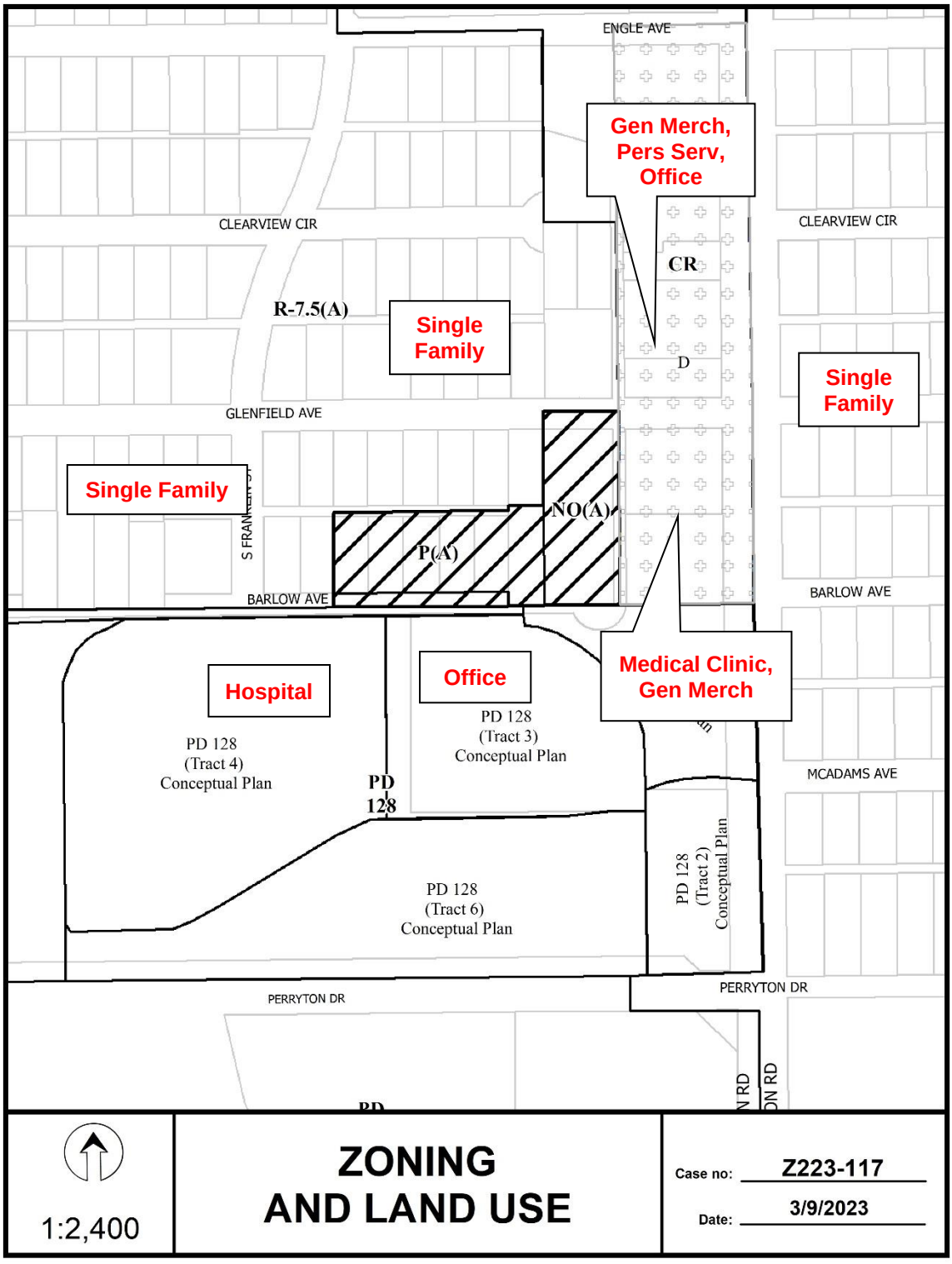
ENGLE AVE
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Single Family
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S FRANKLIN ST
NO(A)
P(A)
BARLOW AVE
BARLOW AVE
Hospital
Office
Medical Clinic, Gen Merch
PD 128 (Tract 4) Conceptual Plan
PD 128 (Tract 3) Conceptual Plan
PD 128
MCADAMS AVE
PD 128 (Tract 2) Conceptual Plan
PD 128 (Tract 6) Conceptual Plan
PERRYTON DR
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ZONING AND LAND USE
Case no: Z223-117
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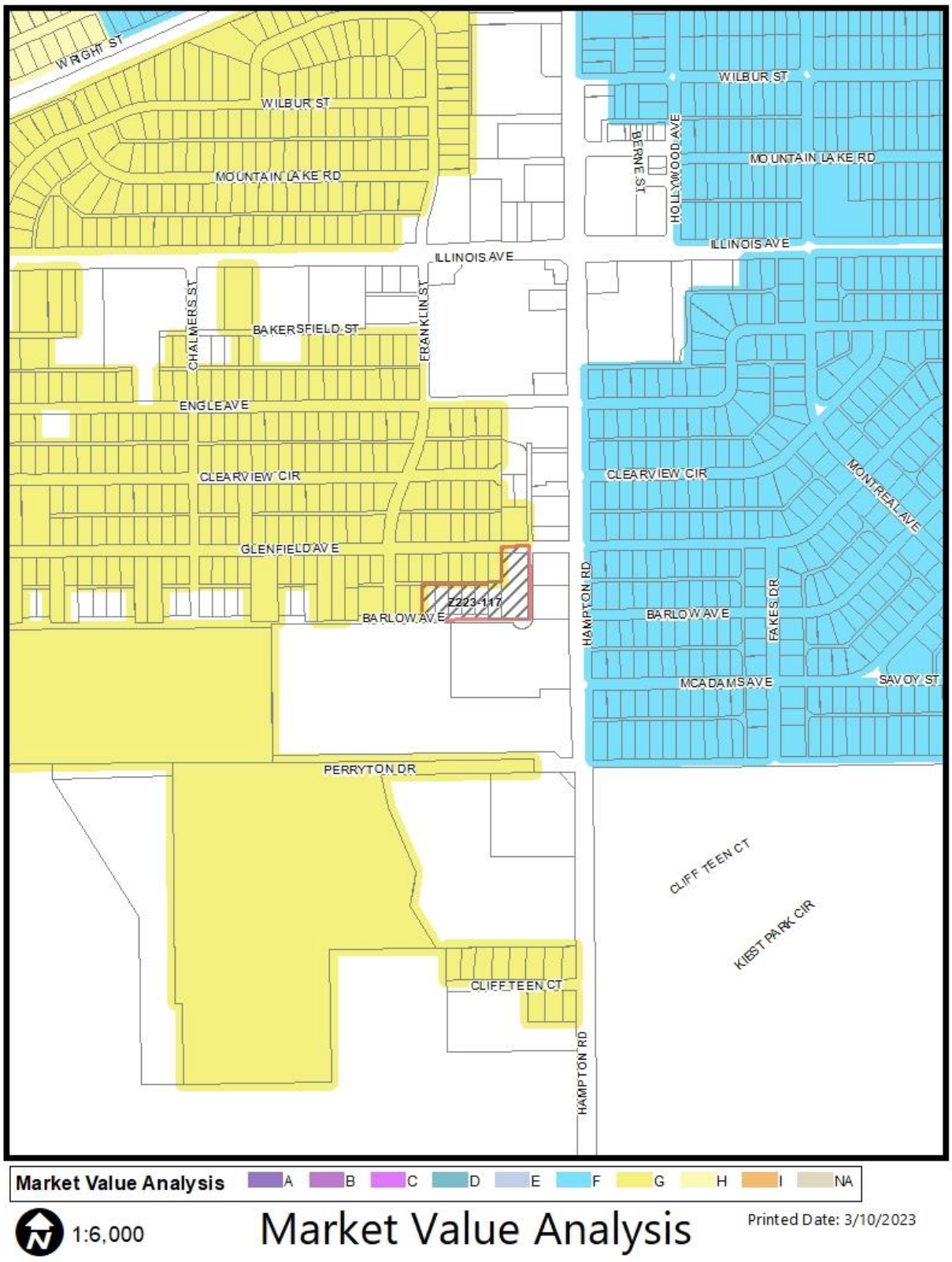
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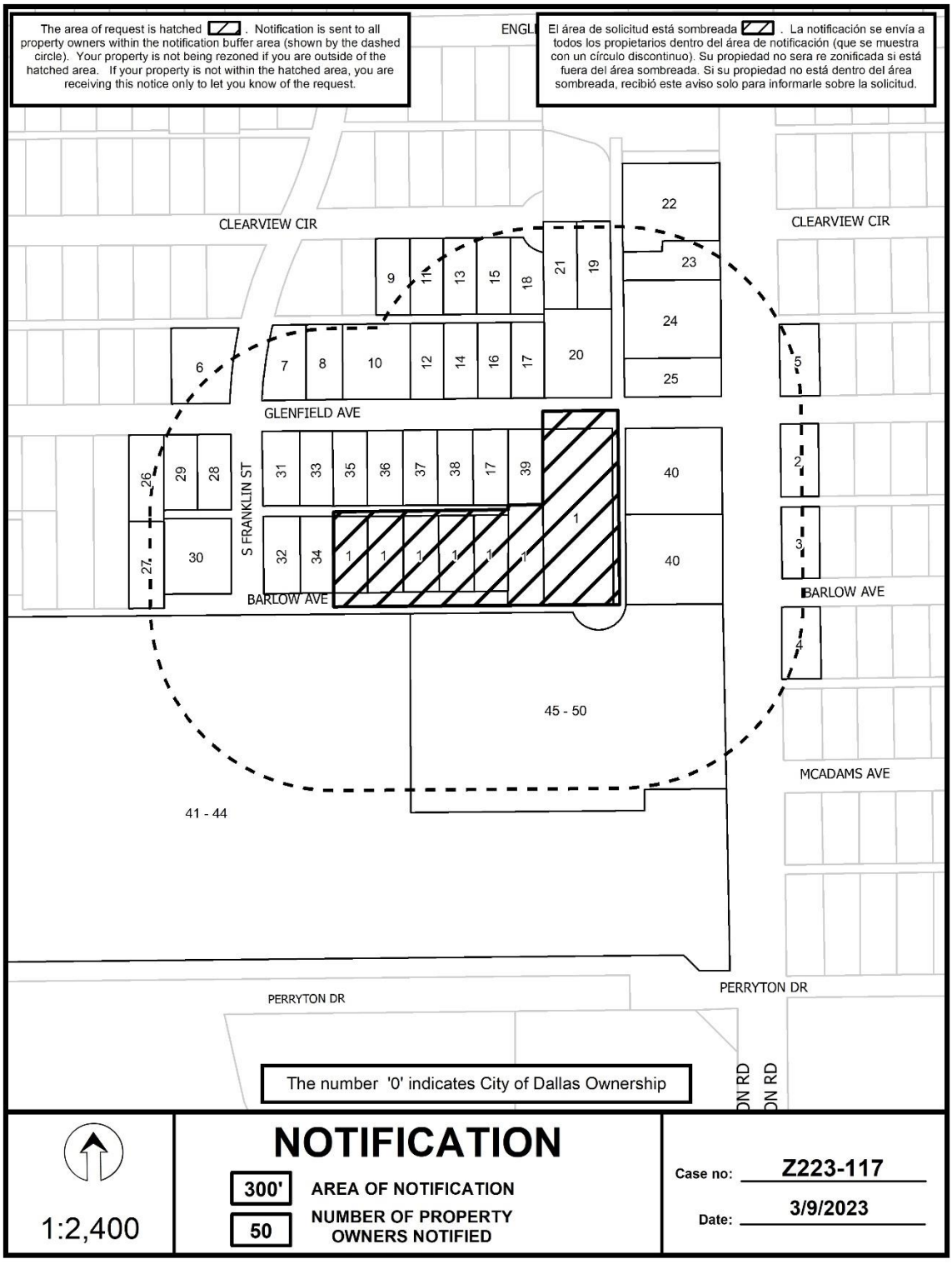
Printed Date: 3/10/2023


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no sera re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
CLEARVIEW CIR
CLEARVIEW CIR
GLENFIELD AVE
S FRANKLIN ST
BARLOW AVE
BARLOW AVE
MCADAMS AVE
PERRYTON DR
PERRYTON DR
45 - 50
41 - 44
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
300'
AREA OF NOTIFICATION
50
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: Z223-117
Date: 3/9/2023

03/09/2023

Notification List of Property Owners

Z223-117

50 Property Owners Notified

Label #	*Address*		*Owner*
1	2449	BARLOW AVE	AVILA MICHELE &
2	2334	GLENFIELD AVE	ALVARADO LEODEGARIO &
3	2335	BARLOW AVE	PEREZ FILIBERTO &
4	2334	BARLOW AVE	CAZARES OSIEL GOMEZ &
5	5	GLENFIELD AVE	LEYVA JOSE A
6	2507	GLENFIELD AVE	GONZALEZ FRANCISCO
7	2457	GLENFIELD AVE	CASTILLO EILEEN
8	2453	GLENFIELD AVE	GARCIA ELEAZAR
9	2444	CLEARVIEW CIR	JARILLO ANGEL R & MARIA ORTIZ
10	2445	GLENFIELD AVE	TORRES CIRILO PEREZ
11	2438	CLEARVIEW CIR	KINCADE EBONI &
12	2439	GLENFIELD AVE	CRUZ LAURA LILIANA M &
13	2434	CLEARVIEW CIR	SANCHEZ SALVADOR
14	2435	GLENFIELD AVE	TIDWELL GARY L
15	2430	CLEARVIEW CIR	MABRY IRMA
16	2431	GLENFIELD AVE	DURAN VICTOR M
17	2427	GLENFIELD AVE	VILLALPANDO MANUEL & LUDY
18	2426	CLEARVIEW CIR	DAVIS CLARENCE J
19	2421	GLENFIELD AVE	Taxpayer at
20	2423	GLENFIELD AVE	VILLALPANDO MANUEL &
21	2420	CLEARVIEW CIR	Taxpayer at
22	2719	S HAMPTON RD	REPAIR REPUBLIC LLC
23	2727	S HAMPTON RD	SARMIENTO FRANCISCO
24	2729	S HAMPTON RD	JOYCE FLORIST OF DALLAS
25	2743	S HAMPTON RD	JOYCE FLORIST OF DALLAS INC
26	2510	GLENFIELD AVE	ALONSO OSCAR F

03/09/2023

Label #	*Address*		*Owner*
27	2510	BARLOW AVE	ALONSO OSCAR F &
28	2502	GLENFIELD AVE	DEGARCIA IRENE MEZA
29	2506	GLENFIELD AVE	CORNEJO ANA C AVILES
30	2501	BARLOW AVE	MARTINEZ JOHHNY
31	2458	GLENFIELD AVE	SEGURA SANTIAGO & ANNA D
32	2457	BARLOW AVE	MARTINEZ CELIA ESMERALDA &
33	2454	GLENFIELD AVE	ROCAMONTES MORGAN T
34	2453	BARLOW AVE	Taxpayer at
35	2450	GLENFIELD AVE	ALNA 2 HOLDINGS LLC
36	2442	GLENFIELD AVE	VALLEJO GRACIELA
37	2434	GLENFIELD AVE	PEREZ ENEDELIA &
38	2432	GLENFIELD AVE	MORALES JUAN CARLOS
39	2426	GLENFIELD AVE	HERRERA MARIA DELALUZ
40	2811	S HAMPTON RD	MAPLE MARKETING LLC
41	2949	S HAMPTON RD	DALLAS SW OSTEOPATHIC PHYSICIANS INC
42	2929	S HAMPTON RD	DALLAS COLLEGE
43	2929	S HAMPTON RD	DALLAS SOUTHWEST OSTEOPATHIC
44	2949	S HAMPTON RD	DALLAS SW OSTEOPATHIC
45	2909	S HAMPTON RD	DALLAS SW OSTEOPATHIC
46	2909	S HAMPTON RD	BOWERS CHRISTOPHER G
47	2909	S HAMPTON RD	DALLAS SOUTHWEST
48	2909	S HAMPTON RD	DALLAS SOUTHWEST
49	2909	S HAMPTON RD	DALLAS SOUTHWEST OSTEOPATHIC
50	2909	S HAMPTON RD	DALLAS SOUTHWEST OSTEOPATHIC

Agenda Information Sheet

File #: 23-856 **Item #:** 14.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to expand and create a new subdistrict within the McKinney Avenue Sign District on property within the McKinney Avenue Sign District and the Uptown Sign District zoned Planned Development District No. 193, Subdistrict 160, on the southwest corner of Fairmount Street and McKinney Avenue.
Staff Recommendation: **Approval**, subject to conditions.
Special Sign District Advisory Committee Recommendation: **Approval**, subject to conditions.
Applicant: FocusEGD
Representative: Chris Bauer
Planner: Jason Pool
Council District: 14
SPSD212-001(JP)

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

Planner: Jason Pool

FILE NUMBER: SPSD212-001(JP) **DATE INITIATED:** September 7, 2022

LOCATION: Southwest corner of Fairmount Street and McKinney Avenue

COUNCIL DISTRICT: 14

SIZE OF REQUEST: Approximately 2.07 acres **CENSUS TRACT:** 18.00

REPRESENTATIVE: Chris Bauer

APPLICANT: FocusEGD

OWNER: Murphy Plaza, LLC

REQUEST: An application to expand and create a new subdistrict within the McKinney Avenue Sign District on property within the McKinney Avenue Sign District and the Uptown Sign District zoned Planned Development District No. 193, Subdistrict 160.

SUMMARY: The purpose of this request is to create a new subdistrict, entirely within the McKinney Avenue Sign District, that would consolidate all sign provisions for the subject site. Currently, the sign provisions for the southwest portion of the site are provided by the Uptown Sign District, while the northeast portion of the site is provided by the McKinney Avenue Sign District (Spine subdistrict).

SSDAC RECOMMENDATION: **Approval**, subject to conditions.

STAFF RECOMMENDATION: **Approval**, subject to conditions.

BACKGROUND INFORMATION:

- In general, the purpose of Article VII, the sign ordinance, is to promote health, safety, welfare, convenience, and enjoyment of the public, and, in part to achieve safety, communications efficiency, and landscape quality and preservation. This purpose can be found in 51A-7.101.

- Special Provision Sign Districts (SPSDs) are overlay districts established for the purpose of enhancing, preserving, or developing the character, quality, and property values of areas unique character and special development potential, and to protect public welfare. The purpose and provisions for creating a special provision sign district can be found in 51A-7.500. These overlays are applied to the base zoning provisions for signs, either a business zoning district or a non-business zoning district. The base zoning provisions for the area of request are for a business zoning district. These provisions can be found in 51A-7.300.

- Special Provision Sign District permitting procedures require a Certificate of Appropriateness (CA) for all signs within the district as part of the permit review. In most of SPSDs, including the McKinney Avenue and Uptown sign districts, signs that do not meet the criteria for expedited review in 51A-7.505(3), require the CA to be issued through the Committee review process outlined in 51A-7.7.505(5). Signs reviewed by the Committee are evaluated by the Special Sign District Advisory Committee (SSDAC) and either approved or denied by City Plan Commission (CPC) based on the sign's appropriateness to the sign district, with special attention to economic structure, and its effect on surrounding properties.

- The subject site lies within two special provision sign districts. The Uptown Sign District overlays the southwest portion of the property, while the northeast portion is overlayed by the McKinney Avenue Sign District (Spine Subdistrict).

- The site is surrounded entirely by Special Provision Sign District overlays. On the south and southwest is the Uptown Sign District, on the northwest the McKinney Avenue Peripheral Subdistrict, and on the northeast and east is the McKinney Avenue Spine Subdistrict.

- The Uptown Sign District was created on August 26, 1987. These provisions can be found in 51A-7.1100. This sign district is generally bounded by Fairmount Street and Cedar Springs on the north, a line between Pearl Street and Olive Street on the south, a line between Thomas Avenue and McKinney Avenue on the east, and a line between Cedar Springs Road and Randall Street on the west.

  The purpose of the Uptown Sign District is to:

  1. Regulate both the construction of new signs and the alteration of existing signs with a view towards enhancing, preserving, and developing the unique character of this district.

2. The general objectives of this division include those listed in 51A-7.101 as well as aesthetic consideration to insure that signs are appropriate to the architecture of the district, do no obscure significant architectural features of its buildings, and lend themselves to the developing character of the area.

The Uptown Sign District overlays the southwest portion of the request site along a line extended northwest from the termination of Leonard Street on the northeastern edge of the Uptown Sign District.

- The McKinney Avenue Sign District was created on December 11, 1991. These provisions can be found in 51A-71500. The SPSD is divided into three subdistricts known as the Spine, Quadrangle, and Peripheral Subdistricts. This sign district is generally bounded by Lemmon Avenue on the north, Fairmount Street on the south, McKinney Avenue and Oak Grove Avenue on the east, and McKinney Avenue and Laclede Street on the west.

  The purpose of the McKinney Avenue Sign District is to:
  1. To protect the historical and architectural character of this district from inappropriate signs in terms of number (clutter), style, color, and materials.

  2. To ensure that significant architectural features in this district are not obscured.

  3. To encourage signs that are complimentary to the architectural styles and historical nature of the buildings and trolley in this district.

  4. To ensure that the size and orientation of signs are geared toward the high number of pedestrians in this district.

  5. To attract the public to the goods and services available in the district by enhancing the aesthetic quality of signs in this district.

  6. To encourage artistic, creative, and innovative signs that reflect the themes of the area.

  7. To promote safety, communications efficiency, and landscape quality and preservation as described in Section 51A-7.101.

  The McKinney Avenue Sign District overlays the northeast portion of the property along a line extended northwest from the termination of Leonard Street on the southwest edge of the Spine Subdistrict within the McKinney Avenue Sign District.

  The Spine Subdistrict:
  The Spine Subdistrict is linear in shape and generally overlays the lots along both sides of McKinney Avenue from Lemmon Avenue on the north to Fairmount Street on the south. The base zoning for signs in this area are for business zoning districts. The overlay regulations, in general, are more restrictive than base zoning regulations with material, color, and location restrictions as well as smaller sign allowances.

The Quadrangle Subdistrict:
The Quadrangle Subdistrict overlays the Quadrangle shopping center located directly north of the subject site. The base zoning for signs in this area are for non-business zoning districts. The overlay regulations are not as restrictive as base zoning regulations in this subdistrict. These regulations include provisions for larger detached signs, as well as the largest allowance of the sign district as a whole. By comparison, the attached sign regulations stay consistent with what is provided for in the Spine subdistrict.

PD No. 9 and the Peripheral Subdistrict:
Adjacent to the subject site to the northwest are overlays for Planned Development District No. 9 and the Peripheral Subdistrict of the McKinney Avenue Sign District. For the purposes of signs, this area is considered to be a non-business zoning district, based on the main uses and modifications made by the PD to the sign regulations. Most of the main uses provided for in this planned development district, pertain primarily to a Neighborhood Service District, which is a non-business zoning sign district. This analysis is consistent with the current base zoning for most of the remaining portions of the Peripheral Subdistrict, and historically, for all of the Peripheral Subdistrict at the time of its adoption. Currently, the base zoning for some of the SPSD subdistrict has been changed to a business zoning district. The Peripheral Subdistrict sign provisions include a modification allowing for detached signs to be located in an area that is restricted by non-business zoning provisions, between two-feet and 10-feet above grade. These provisions also restrict signs beyond what non-business zoning districts allow, by restricting each lot to 30-square feet of total signage. The Subdistrict restricts provisions for all signs, even further, by not allowing detached signs to be utilized on a lot where attached signs are utilized.

- The zoning for this site was recently amended under Z190-328 in March of 2021, to Planned Development Subdistrict No. 160 for a (HC) Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District. This was granted to allow the site a high-rise office development with restaurant and retail uses on the ground floor and for new standards for height and floor area ratio.

- The request site was previously developed as a restaurant and a personal service use. The new development, when completed, will include a 29-story office tower, nine-story office podium, and six-story parking podium.

- With regard to this application to create a new McKinney Ave subdistrict, the purpose is to consolidate the sign provisions for the subject site. The new subdistrict is to be located within the McKinney Avenue Sign District with provisions similar to the Spine subdistrict. The new subdistrict would provide conditions for the use of plastic faces on channel letters, additional projection and locations on flat attached signs, blade signs, monument signs, and window art displays.

- On November 8, the Special Sign District Advisory Committee recommended approval subject to conditions, with a revision to Section 51A-7.1508(f), which includes additional provisions limiting the number of multi-tenant monument signs to one, with the remaining two signs being limited to single-tenant monument signs not to exceed 50-square-feet.

STAFF ANALYSIS:

The purpose of this request is to create a new subdistrict, entirely within the McKinney Avenue Sign District, that would consolidate all sign provisions for the subject site. Currently, the sign provisions for the southwest portion of the site are provided by the Uptown Sign District, while the northeast portion of the site is provided by the McKinney Avenue Sign District (Spine subdistrict). The request, within the new subdistrict, is to provide conditions for the use of plastic faces on channel letters, additional projection and locations on flat attached signs, blade signs, monument signs, and window art displays.

Due to the overall change of use on the property (from single occupant buildings to a mixed-use high-rise), the nature of the site development, and the consistency with the purpose and intent for Special Provision Sign Districts; staff is in support of the request subject to conditions.

The applicant states that the sign allowances are confusing, and the request is necessary to aid in attracting prospective tenants. The approved sign provisions will provide consistent overlay simplicity and unity for the sign requirements throughout the site. The new overlay maintains the Certificate of Appropriateness process consistent with the rest of the district requiring committee review for CAs on all signs not meeting director approval criteria. This will help to ensure larger and more impactful signs stay appropriate to the district and do not negatively affect surrounding properties.

Generally, signs allowed in the Uptown and McKinney Avenue Sign Districts are different from signs allowed under general provisions for signs in business zoning districts by requiring signs that are smaller and that have more limitations and restrictions on materials, color, and location. The McKinney Avenue Sign District currently contains three subdistricts (Spine, Quadrangle, & Peripheral) each with slightly different provisions pertaining each of these aspects.

The requested provisions for the new McKinney Avenue Maple Subdistrict attempt to maintain consistency with the McKinney Avenue Spine Subdistrict with a few key variations specific to this site as outlined below:

- 51A-7.1504(a)(2) and (e) define and provide for Blade signs. This is a new sign type to this SPSD and would remain specific to this subdistrict. These signs are proposed to be similar to projecting signs, however a distinction is made that specifies the sign have multiple faces with messages perpendicular to the façade. These signs would be limited to the Fairmont Street façade and could not be used in conjunction with any other projecting signs. The horizontal separation provision, similar to provisions for projecting signs with the Uptown Sign District, is intended to limit the amount of blade signs on the façade to approximately one per first floor

tenant. The size of these signs is consistent with what is allowed under base zoning provisions for business zoning districts, yet, unlike business zoning provisions, these signs can be used in conjunction with detached signs. Staff acknowledges these signs are an important factor in identifying first floor tenants to both pedestrian and vehicular traffic, since flat attached signs can be difficult to see from close proximity to the building or extreme angles and supports the provision as written.

- 51A-7.1504(a)(13) and (g) define and provide for Window Art Displays. This provision is similar to a provision within the Downtown Sign District (51A-7.915). These provisions, as proposed, are intended to limit these displays to the three, ground floor windows at the northwest end of the façade along Fairmont Street. Staff supports this requirement due to the displays being interior to the windows, the lack of impact on the right-of-way, and the nature of message.

- 51A-7.1506(b)(1)(D) allows for an additional use of plastic when applied to individual channel letters. Staff supports this provision due the high level of glass on each façade. Current conditions restrict signs to either sign cabinets with metal faces or reverse channel letters (halo-lit w/ metal faces). Staff feels that individual channel letters are less impactful on the building's architecture due to their reduced coverage over that of a sign cabinet and therefore more in line with the purpose of the Special Provision Sign District. Halo-lighting individual channel letters produces unique obstacles and undesirable effects on a glass surface. In general, signs mounted to glass must be attached at the mullion via a sign frame. This frame provides for an inconsistent surface and overall increased distance of the halo-lit sign from the surface that the light needs to reflect from. This can be overcome with a backplate; however, this defeats the purpose of reducing the impact of the sign on the architectural features of the facade. This increased distance and inconsistent surface coupled with the reflective nature of the glass (allowing the viewer to see behind the sign) cause major inconsistencies, as well as ineffectiveness in halo-lighting, making this application very difficult, if not impossible to read at night. In general, even when done effectively, halo-lighting is more difficult to read at night than a back-lit channel letter with a translucent face, especially from a distance or at extreme height. For these reasons, staff can acknowledge the necessity for back-lit channel letters with plastic faces. Staff can fully support this provision in light of the prohibition of the use of trim cap. Staff concludes this material is not complimentary to this subdistrict or to the district as a whole. The absence of trim cap requires back-lit, plastic face channel letters to be of more modern and secure construction, which complements the architecture of this specific development as well as providing greater longevity and enhancing the aesthetic quality of the sign.

- 51A-7.1506(c)(1) removes the type of light source restrictions within in this subdistrict. Staff supports this request based on LED being the industry standard for lighting sources in illuminated signs. Both the Uptown and McKinney Avenue sign districts were written prior to LED. The original intent was to prohibit light sources such as metal halide and florescent. These sources, as well as those originally provided for, have been replaced by much more efficient and less visually

obtrusive LED alternatives. Currently, LED replacements have since been developed for safer and more efficient applications of each of the provided for light sources as well as less visually obtrusive versions of all other sign lighting sources. Staff feels the use of LED lighting is appropriate to this type of development, in line with the intent of the overall district, and supports the idea of this being the primary source of lighting for signs.

- 51A-7.1507(a)(1) allows for flat attached signs to be located on any upper façade regardless of whether it is adjacent to a right-of-way. In general, signs located on upper facades are intended to be viewed from a distance beyond the adjacent right-of-way. In many cases, even when located on a façade adjacent to the right-of-way, these signs are not visible from this right-of-way without looking straight up. For this development, the tallest within either of the sign districts, this provision will mainly apply to the northwest façade and a portion of the southwest façade. Based on most of the immediately surrounding uses of these facades being businesses, staff does not feel this will have a heavy negative effect. However, there are two existing multi-family developments to the northeast (the Gables McKinney, approximately 150-feet) and northwest (the Selene, approximately 375-feet). The tallest of these multi-family developments is 14 stories. The conditions address these two developments by including a provision to limit the signs on an upper façade below the 14th floor to no more than two per façade.

- 51A-1507(c)(1) provides for flat attached signs to project up to 18-inches from the façade. Staff's understanding of the original intent of the eight-inch provision was geared toward prohibiting the use of back-lit, plastic-faced sign cabinets and signs that utilize non-authorized lighting sources. Plastic-faced sign cabinets and non-authorized lighting sources require signs to have more depth (and thus projection from the building) to avoid "hot spots" or areas of uneven lighting across the face of the sign. By reducing the depth of a sign, "hot spots" would be unavoidable without a metal-face cabinet with routed graphics. Staff feels that based on the original intent of the provision and the use of unauthorized lighting sources being obsolete; the eight-inch limitation is no longer relevant. This paired with the use of structural frames (that will be required to mount most modern signs on a glass façade) make the base business zoning provisions (allowing for signs, not considered projecting signs, to project up to 18-inches from the façade) appropriate.

- 51A-7.1508(f) provide for detached signs within this subdistrict. Under base business zoning district provisions, multi-tenant monument signs with a five-foot setback are allowed to have an effective area up to 125-square-feet. Staff concludes that consistency to base zoning is adequate for any identification or directional information needed on the site. The proposed provisions also limit these signs to a maximum height of six-feet. Additionally, under the base business zoning district provisions, all detached signs on the same premise must be located a minimum of 200-feet apart as per 51A-7.304(b)(5). Under the proposed provisions, the separation of detached signs is to be reduced by 25-feet. This provision is included, mainly, to provide for detached signs located on the Maple Street frontage. As a note, these signs will most likely require Committee review

for Certificates of Appropriateness, due to setback and/or size, therefore staff is in support of this provision as written.

- On December 13, 2022, the SSDAC revised conditions for detached signs limit the site to one multi-tenant monument sign and two single-tenant monument signs. Both staff and the applicant are in support of the revised conditions.

The following is a staff assembled table that contrasts what is allowed for signs under the provisions for business zoning districts, the Uptown Sign District, the McKinney Avenue Spine Subdistrict, and the proposed McKinney Avenue Maple Subdistrict. This comparison table shows that the applicant intends to seek provisions consistent with the McKinney Avenue Spine Subdistrict with some exceptions. These exceptions are related to materials (additional use of plastic), flat attached signs (additional projection and location), detached signs (adjustments to setback, spacing, & effective area provisions), blade signs (larger, more specific projecting signs), and window display signs.

The chart has been revised to include the Special Sign District Advisory Committee's recommended revised conditions to detached signs.

SPSD212-001(JP)

TYPE OF SIGN	BASE ZONING	UPTOWN SPSD	MCKINNEY AVE SPSD (Spine)	MCKINNEY AVE SPSD (Maple)
ALL SIGNS	Base zoning provisions: • Generally, no signs in ROW	In addition to base zoning: • Provisions for overhanging ROW	In addition to base zoning: • Provisions for overhanging ROW	Same as Spine Subdistrict, except:
	• No roof signs or overhanging roof	• No sign projects above roof line	• No sign projects above roof line	
	• Rotation permitted	• No movement allowed	• Rotation permitted	
	• No restrictions on color, material, or type styles	• Use of plastic restricted (metal faces) • No florescent colors • Suggested type styles (serif-based)	• Use of plastic restricted (metal faces) • No florescent colors • Suggested type styles (serif-based)	• Provision for plastic faces on individual channel letters, provided no trim cap
DIGITAL	• Any sign can be digital w/ conditions	• Prohibited - Brightness change	• Prohibited - Brightness change	• Same as Spine subdistrict
ATTACHED (Gen.) Upper Facades - Uptown - Above 1st floor windows or 16' - McKinney Ave - Above 36'	Base zoning provisions: • Combined effective area for all signs: - Primary facade - 25% - Secondary facade - 15%	In addition to base zoning: • Max area for any sign is 30 sf, except: - Painted applied signs, upper level signs, & marquee signs	In addition to base zoning: • Combined effective area for all signs: - Lower facade - 10% of lower facade - Upper facade - 5% of lower facade	Same as Spine Subdistrict, except:
	• Eight word limit for words over 4"	• Word limit based on sign type	• No small words on upper facades	
	• Can project up to 4' above surface to which sign is attached	• No sign allowed to project between 8" & 12" horizontally from surface	• Projection based on sign type	
	• Can be mounted at edge of roof	• No sign projects above roof line	• No sign projects above roof line	
	• Signs can be installed on any facade	• Signs can be installed on any facade	• Restricted to facades facing ROW adjacent to lot	• Provision for flat attached signs on all upper facades
CANOPY /Arcades in McKinney Ave	• Allowed as attached sign - No specific regulations	• No vertical projection • 2" horizontal projection; 30 sf max. • Max. per facade 20 x # of entrances	• Allowed as attached sign - No specific regulations • Flat attached signs allowed on arcades	• Allowed as attached sign - No specific regulations • Flat attached signs allowed on arcades
FLAT ATTACHED	• Allowed as attached sign • Max. 18" projection	In addition to base zoning • Max. 8" projection	In addition to base zoning • Max. 8" projection	Same as Spine Subdistrict, except: • Max. 18" projection
	• No restriction on number	Type B Facade (not 20%-50% windows) • One per facade, per premise; 8 words	• No restriction on number	
MARQUEE	• Allowed as attached sign - No specific regulations	• One per facade - Max. 90 sf/ea • Must be parallel to facade • Min. height 2'-0" • No length restriction • All words must be changeable	• One/premise/theater use - Max. 100 sf • Be above bottom of 2nd fl windows • Max. Height between 2'-6" & 6'-0" • Max. Length N.T.E. 1/2 of facade • No restrictions on word type	Same as Spine Subdistrict
PROJECTING	Base zoning provisions: • One/premise or non-res. occupant • Prohibited on premise w/ detached sign	In addition to base zoning • Be below 32' A.F.F. • Min. 16' from other projecting signs	In addition to base zoning • Be below 36' A.F.F.	Same as Spine Subdistrict, except: • Prohibited on Fairmont facade when blade sign/s are maintained
	• Max. 20 sf	• Max. 20 sf	• Max. 8 sf (below bottom of 2nd floor windows) & 15 sf (if above)	
	• Max. 4' projection	• Project from 18" up to 2' behind curb	• Max. 4' projection	
	• Special provision for up to 60 sf			

TYPE OF SIGN	BASE ZONING	UPTOWN SPSD	MCKINNEY AVE SPSD (Spine)	MCKINNEY AVE SPSD (Maple)
WINDOW	In addition to attached signs • Max. 15% of window	In addition to base zoning • Max. 25% of window	In addition to base zoning • Max. 25% of window or 10% of the facade area, whichever is less • If neon, max. 15% of window	Same as Spine Subdistrict
	• Must be located in bottom 1/3 of window	• No location restrictions	• Prohibited on upper facades	
		• Max. 8" letter height • No taped signs		
DETACHED	In addition to attached signs	In addition to base zoning	In addition to base zoning	Same as Spine Subdistrict, except:
	• 1 per frontage	• 1 per 220' of frontage	• 1 per frontage	• 1 monument sign per frontage
	• Allowances based on setbacks - Min. 0' setback - Max. 200 sf - Max. 35' height	• Allowances based on setbacks - Min. 5' setback - Max. 120 sf - Max. 20' height	• Allowances based on setbacks - Min. 5' setback - Max. 20 sf (S); 150 sf (Q); 15 sf (P) - Max. height - 20'	• Allowances based on setbacks & sign type: - Min. 5' setback - Max. height - 6' - Multi-tenant - Max. 125 sf - Limit one - Single-tenant - Max. 50 sf - Limit two
	• Min. 200' spacing; Monuments required if < 250' of non-business zoning district			• Min. 175' spacing; Monument signs are required
MOVEMENT CONTROL (DIRECTIONALS)	• Max. 2 sf & 2' height	• Max. 4 sf & 2'-6" height	• Allowed under base zoning provisions	• Allowed under base zoning provisions
	• No limit on number	• Limit to 2 signs per vehicle entrance		
	• Directional information only	• Use or Directional information only		
	• Must be on private property	• Can be non-premise & in ROW - Min. 5' from back of curb		
		• No red, green, or external lighting		
SPECIAL PURPOSE (BANNERS)	• Prohibited	• Attached & detached allowed • (3) (30) day periods & (1) 45 day/year	• Prohibited	• Prohibited
BLADE SIGNS	• No provisions	• No provisions	• No provisions	• Limited to Fairmont Street facade
	• Allowed as projecting signs	• Allowed as projecting signs	• Allowed as projecting signs	• Max. 20 sf
				• 4' maximum projection
				• Must be located between 12' A.F.F. & 36' A.F.F. (within lower facade)
				• Must have min. 25' horizontal spacing
WINDOW ART DISPLAY	• No provisions	• No provisions	• No Provisions	• Limited to being located within ground floor windows on the Fairmount Street facade

SSDAC Action:

December 13, 2022

SPSD 212-001(JP)

Motion: It was moved to **approve** an expansion of and the creation of a new subdistrict within the McKinney Avenue Sign District on property within the McKinney Avenue Sign District and the Uptown Sign District, subject to revised conditions for detached signs in 51A-7.1508(f) as follows: 1) limit multi-tenant monument signs to one, not to exceed 150-square-feet and 2) limit single-tenant monument signs to two, not to exceed 50-square-feet on property zoned the McKinney Avenue Sign District and the Uptown Sign District within Planned Development District No. 193, Subdistrict 160.

Maker:	Carpenter	
Second:	Peadon	
Result:	Carried: 4 to 0	
	For:	4 - Peadon, Dumas, Webster, and Carpenter
	Against:	0 - none
	Absent:	2 - Haqq, Hardin
	Conflict:	0 - none
	Speakers:	Chris Bauer of FocusEGD Jeff DeBruin of Trammel Crow Maddy Pollock of Trammell Crow

List of Property Owners

Zoning Application for 2401, 2421, and 2425 McKinney Ave. & 2507 Fairmount St.

2401 McKinney, LLC
2100 McKinney, Suite 800
Dallas, Texas 75201

Murphy Plaza, LLC
Attn: Martin Adler
P.O. Box 941428
Plano, Texas 75094

Officers and Directors

Applicant: **2401 McKinney, LLC**

Managing Member: **2401 McKinney Venture. LLC**

Sole Member: **TCDFW Office Development, Inc.**

Chief Executive Officer and President	Scott A. Krikorian
President	Scott A. Krikorian
Executive Vice President	Adam B. Nims
Executive Vice President	Adam Saphier
Executive Vice President	Adam Weers
Executive Vice President	John A. Stirek
Executive Vice President	Lindsey S. Caplan
Executive Vice President	Lisa Sher
Executive Vice President	Michael J. Lafitte
Executive Vice President	Nick Buehner
Senior Vice President	Joel Behrens
Vice President	Thomas E. Finan
Secretary	Rebecca M. Savino
Assistant Secretary & General Counsel	Lisa Sher
Treasurer	Lindsey S. Caplan

Owner: **Murphy Plaza, LLC**

Manager	Matt W. Barrier
Manager	Mike A. Thomas

PROPOSED CONDITIONS

Division 51A-7.1500. Provisions for McKinney Avenue Sign District.

SEC. 51A-7.1501. DESIGNATION OF SIGN DISTRICT.

A special provision sign district is hereby created to be known as the McKinney Avenue Sign District. The McKinney Avenue Sign District is that area within the following described boundaries:

(Contains revised metes and bounds for the McKinney Avenue Sign District)

SEC. 51A-7.1501. DESIGNATION OF SIGN DISTRICT.

A special provision sign district is hereby created to be known as the McKinney Avenue Sign District. The McKinney Avenue Sign District is that area within the following described boundaries:

(Contains revised metes and bounds for the McKinney Avenue subdistricts – Spine, Maple, Quadrangle, and Peripheral)

SEC. 51A-7.1503. PURPOSE.

The purpose of this division is to regulate both the construction of new signs and the alterations of existing signs with a view towards enhancing, preserving, and developing the unique character of this district. These sign regulations have been developed with the following objectives in mind:

(a) To protect the historical and architectural character of this district from inappropriate signs in terms of number (clutter), style, color, and materials.

(b) To ensure that significant architectural features in this district are not obscured.

(c) To encourage signs that are complimentary to the architectural styles and historical nature of the buildings and trolley in this district.

(d) To ensure that the size and orientation of signs are geared toward the high number of pedestrians in this district.

(e) To attract the public to the goods and services available in the district by enhancing the aesthetic quality of signs in this district.

(f) To encourage artistic, creative, and innovative signs that reflect the themes of the area.

(g) To promote safety, communications efficiency, and landscape quality and preservation as described in Section 51A-7.101. (Ord. 21145)

SEC. 51A-7.1504. DEFINITIONS.

(a) Unless the context clearly indicates otherwise, in this division:

(1) ARCADE means any structure that is attached to a building and neither fully enclosed on all sides nor structural to the building itself, which is covered by a roof having the primary function of weather protection for a walkway.

(2) BLADE SIGN means a multi-face attached sign in the Maple Subdistrict containing messages that are perpendicular to the building façade.

(~~2~~ 3) FLAT ATTACHED SIGN means an attached sign projecting from a building and parallel to the building facade.

(~~3~~ 4) HIGHRISE BUILDING means a building that has a height of more than 36 feet.

(~~4~~ 5) LOWER FACADE means the area of a highrise building facade that is 36 feet or less above grade when measured vertically.

(~~5~~ 6) LOWRISE BUILDING means a building that has a height of 36 feet or less.

(~~6~~ 7) MARQUEE SIGN means a sign attached to, applied on, or supported by a permanent canopy projecting over a pedestrian street entrance of a building, and consisting primarily of changeable panels, words, or characters.

(~~7~~ 8) PAINTED APPLIED SIGN means a sign painted directly onto the exterior facade of a building, not including doors and windows.

(~~8~~ 9) PROJECTING ATTACHED SIGN means an attached sign projecting 18 or more inches from a building.

(~~9~~ 10) SMALL WORD means a word with no character that exceeds four inches in height.

(~~10~~ 11) THIS DISTRICT means the McKinney Avenue Sign District.

(~~11~~ 12) UPPER FACADE means the area of a highrise building facade that is more than 36 feet above grade when measured vertically.

(13). WINDOW ART DISPLAY means an exhibit or arrangement placed within a street level storefront window in the Maple Subdistrict.

(~~12~~ 14) WINDOW SIGN means a sign painted or affixed to a window.

(b) Except as otherwise provided in this section, the definitions contained in Sections 51A-2.102 and 51A-7.102 apply to this division. In the event of a conflict, this section controls. (Ord. 21145)

SEC. 51A-7.1505. SIGN PERMIT REQUIREMENTS.

The regulations relating to the erection of all signs in this district are expressly modified as follows:

(a) No person may alter, erect, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city. This section does not apply to government signs described in Section 51A-7.207.

(b) The procedure for obtaining a sign permit is outlined in Section 51A-7.505. Section 51A-7.602 does not apply to signs in this district. (Ord. 21145)

SEC. 51A-7.1506. SPECIAL PROVISIONS FOR ALL SIGNS.

The regulations relating to the erection of all signs in this district are expressly modified as follows:

(a) Signs in right-of-way. Signs in this district are permitted to overhang the public right-of-way subject to city franchising requirements.

(b) Materials.

(1) The use of plastic is prohibited, except when it is:

(A) used as a decoration (as opposed to a character) on the exterior face of a sign, in which case no more than five percent of the effective area of the sign may consist of plastic;

(B) placed behind the exterior face of a sign in places where that face has been cut in the shape of a character; or

(C) used in or on a marquee sign.

(D) used as the exterior face of individual channel letters in the Maple Subdistrict where channel letters are either trim-capless or use metal fabricated retainers.

(2) Although not required, painted applied signs and enameled metal sheet signs are encouraged.

(c) Lighting.

(1) The only light sources that may be used to illuminate a sign are cold cathode, neon, and incandescent lamps. This paragraph does not apply in the Maple Subdistrict.

(2) A light source external to a sign may illuminate a sign if the light does not cross into either a public right-of-way or a residential zoning district.

(3) Illuminated signs on translucent fabric are encouraged.

(4) No light used to illuminate a sign may turn on or off, or change its brightness more than twice a day.

(d) Colors. Fluorescent and neon colors on signs are prohibited. (Ord. 21145)

SEC. 51A-7.1507. SPECIAL PROVISIONS FOR ATTACHED SIGNS.

The regulations relating to the erection of attached signs in this district are expressly modified as follows:

(a) Location restrictions.

(1) Except as provided in this subsection, ~~N~~no attached sign may be erected on a facade unless it faces a public right-of-way that is adjacent to the lot where the sign is proposed to be located.

(2) In the Maple Subdistrict, flat attached signs may be located on any façade but only two flat attached signs may be located on each façade below then the lower façade and the 14th floor.

(~~2~~ 3) No small words may be on an attached sign erected partially or totally within an upper facade in either the Spine, Maple, or Quadrangle Subdistricts.

(~~3~~ 4) In the Peripheral Subdistrict, no attached sign may be erected on:

(A) an upper facade; or

(B) a lot where a detached sign is erected.

(b) Effective area.

(1) Spine, Maple, and Quadrangle Subdistricts. In the Spine, Maple and Quadrangle Subdistricts, the combined effective area of all attached signs:

(A) on a lowrise building or a lower facade may not exceed ten percent of the total area of the building facade or the lower facade, as the case may be; and

(B) on an upper facade may not exceed five percent of the total area of the lower facade.

(2) Peripheral Subdistrict. In the Peripheral Subdistrict, the combined effective area of all attached signs on a lowrise building or a lower facade may not exceed eight percent of the total area of the building facade or the lower facade, as the case may be.

(c) Flat attached signs.

(1) No flat attached sign may project more than eight inches from a building, except in the Maple Subdistrict flat attached signs may project up to 18 inches from a building.

(2) A flat attached sign may be erected on an arcade, but it may not project above the roof of the attached building.

(d) Projecting attached signs.

(1) A projecting attached sign may be erected on an arcade, but it may not project above the roof of the attached building.

(2) No projecting attached sign may be erected partially or totally within an upper facade.

(3) No face of a projecting attached sign erected below the bottom of a second story window may exceed eight square feet.

(4) No face of a projecting attached sign erected above the bottom of a second story window may exceed 15 square feet.

(5) In the Maple Subdistrict, projecting attached signs are prohibited on a façade that maintains one or more blade signs.

(e) Blade signs in the Maple Subdistrict:

(1) may only be located on a façade facing Fairmont Street;

(2) may not exceed 20 square feet in effective area;

(3) may not be lower than 12 feet above grade or outside of the lower façade;

(4) may not be more than four feet from the façade or above a roof of a building.

(5) must maintain a minimum 25 foot horizontal separation from all other blade signs.

(~~e~~ f) Marquee signs.

(1) No marquee sign may:

(A) exceed 100 square feet in effective area;

(B) be longer than one-half of the length of the frontage of the building to which the marquee is attached; and

(C) be located above the bottom of a second story window.

(2) A marquee sign must:

(A) be parallel to the surface to which it is attached; and

(B) have a height dimension between two and six feet.

(3) No premise may have more than one marquee sign.

(4) A marquee sign may be erected only on a building that contains a theater use.

(5) A marquee sign may consist of up to 100 percent plastic.

(~~f~~ g) Window signs.

(1) Except as modified by Paragraph (2), the effective area of a window sign may not exceed more than 25 percent of the area of a window or 10 percent of the facade area, whichever is less.

(2) If a window sign uses neon bulbs, the effective area of that sign may not exceed more than 15 percent of the area of a window.

(3) No window sign may be erected on an upper facade. (Ord. 21145)

(g h) Window Art Displays on the ground floor of a building are allowed subject to the following regulations:

(1) A window art display must be located within a window on a facade facing Fairmont Street and may contain only a promotional message, generic graphics (including three-dimensional artifacts or objects), cultural event or activity, merchandize only if sold by a tenant occupying space within the premise, a message identifying the sponsor of the display, or a message referring to the sale or lease of the premises.

(2) No sign permit or certificate of appropriateness is required to erect or remove a window art display.

SEC. 51A-7.1508. SPECIAL PROVISIONS FOR DETACHED SIGNS.

The regulations relating to the erection of detached signs in this district are expressly modified as follows:

(a) No detached sign may:

(1) exceed 20 feet in height; or

(2) be located within five feet of any public right-of-way.

(b) Except in the Maple Subdistrict, Iif a detached sign has an effective area of more than 10 square feet, it must be located at least 10 feet from any public right-of-way.

(c) Except in the Maple Subdistrict, Nno detached sign may have an effective area of more than:

(1) 150 square feet if the sign is located in the Quadrangle;

(2) 20 square feet if the sign is located in the Spine Subdistrict; and

(3) 15 square feet if the sign is located in the Peripheral Subdistrict.

(d) In the Peripheral Subdistrict, no detached sign may be erected on a lot where an attached sign is erected.

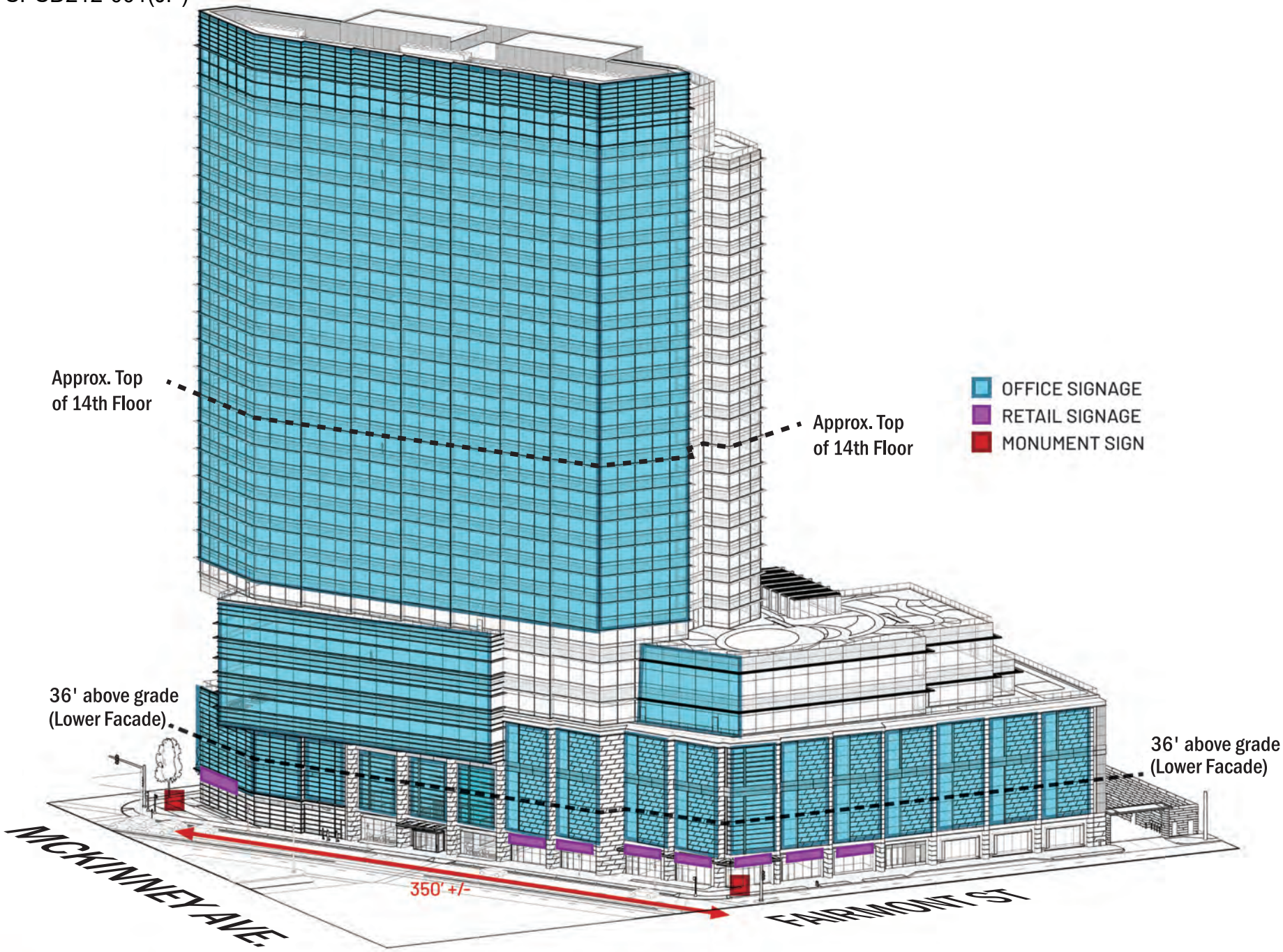
(e) Detached non-premise signs are prohibited in this district. (Ord. 21145)

(f) In the Maple Subdistrict, except for movement control signs as provided in Section 51A-7.205(e), detached signs are allowed as provided:

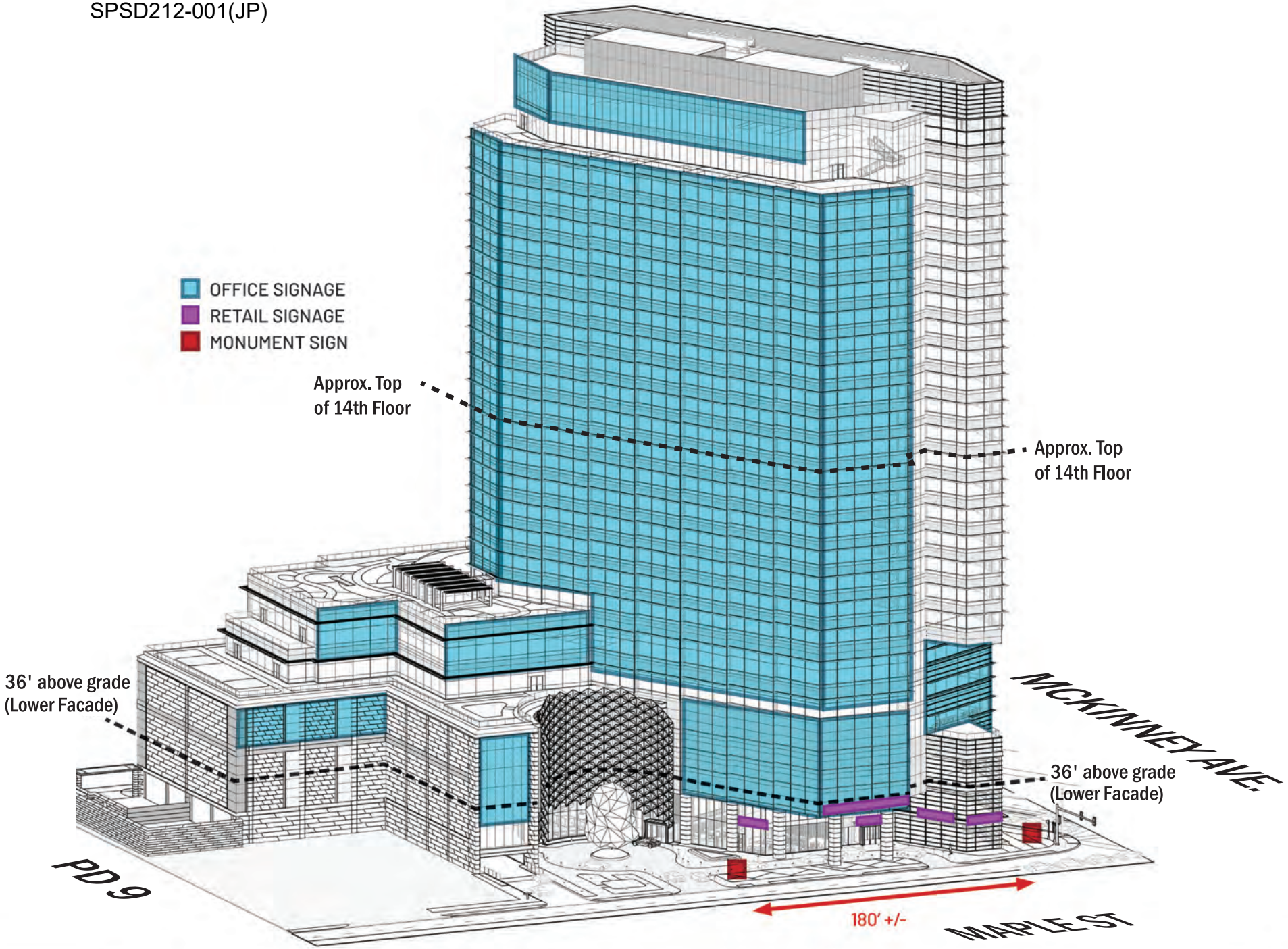
(1) one multi-tenant monument sign is permitted, not to exceed 125 square feet in effective area or six feet in height;

(2) two single-tenant monument signs are permitted not to exceed 50 square feet in effective area or six feet in height and;

(3) each monument sign must maintain a minimum separation of 175 feet from all other monument signs within the subdistrict.

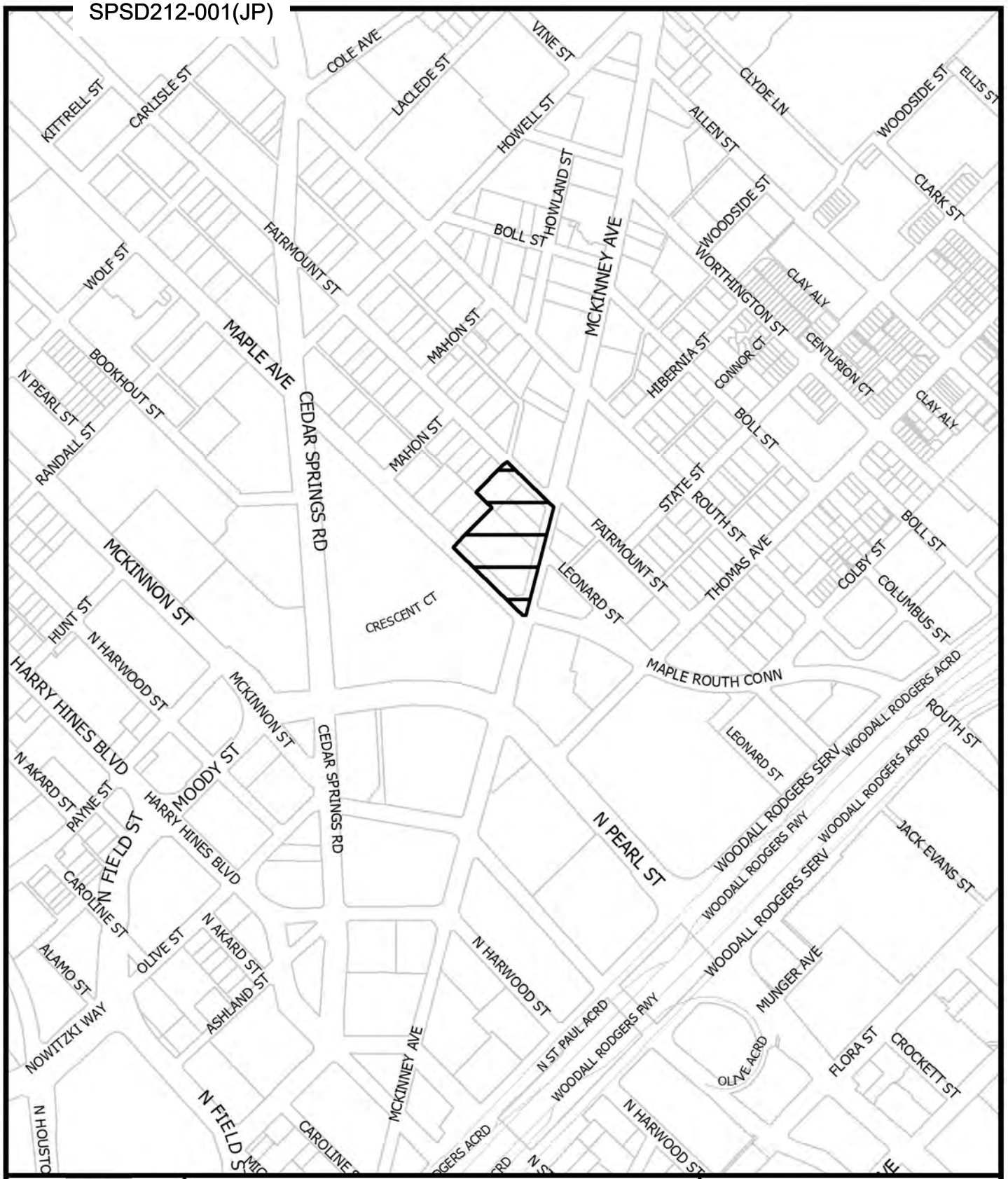


EAST/NORTH FACADES



WEST/SOUTH FACADES

SPSD212-001(JP)



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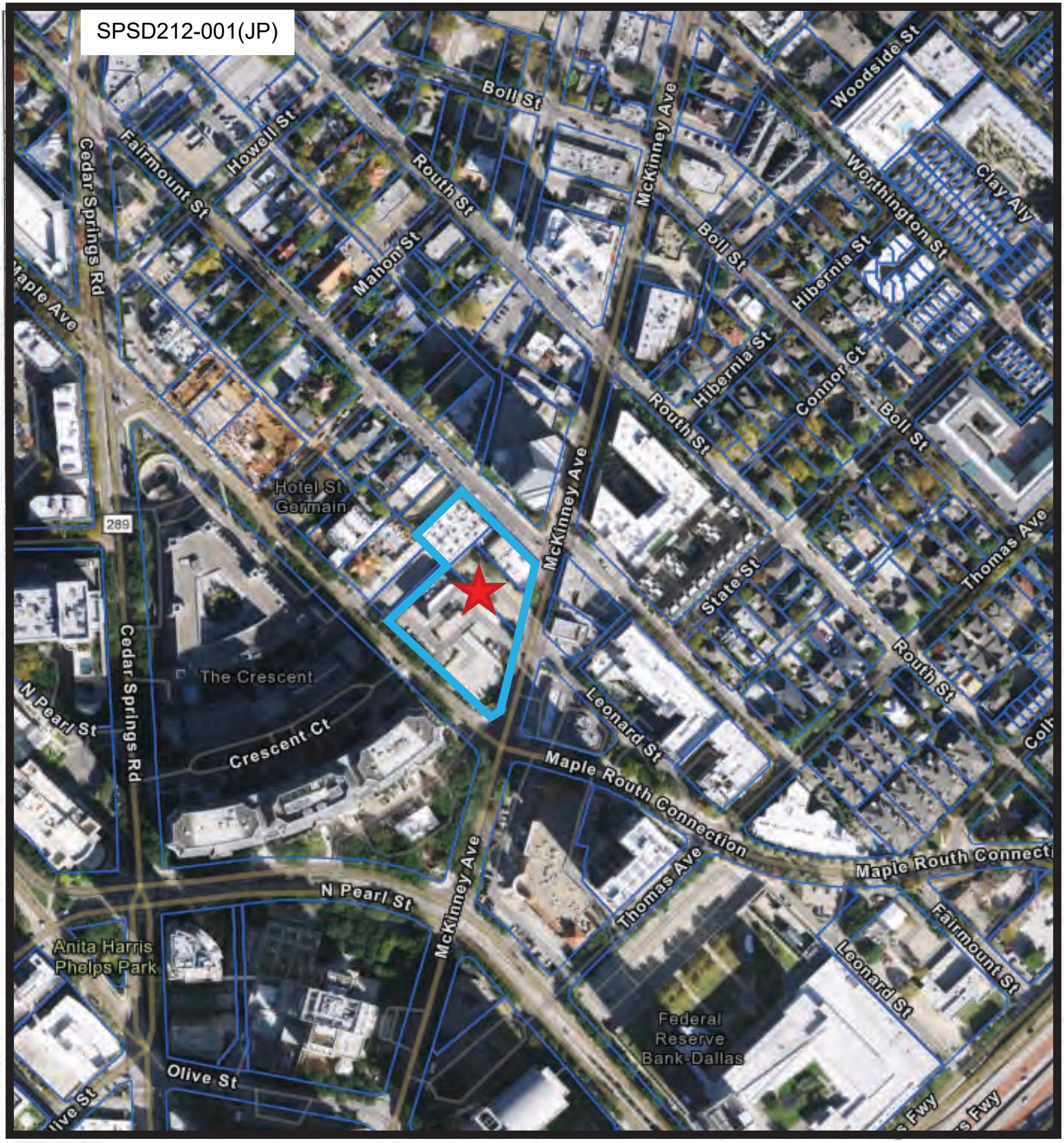
VICINITY MAP

Case no: SPSD212-001

Date: 2/16/2023



AERIAL MAP

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)

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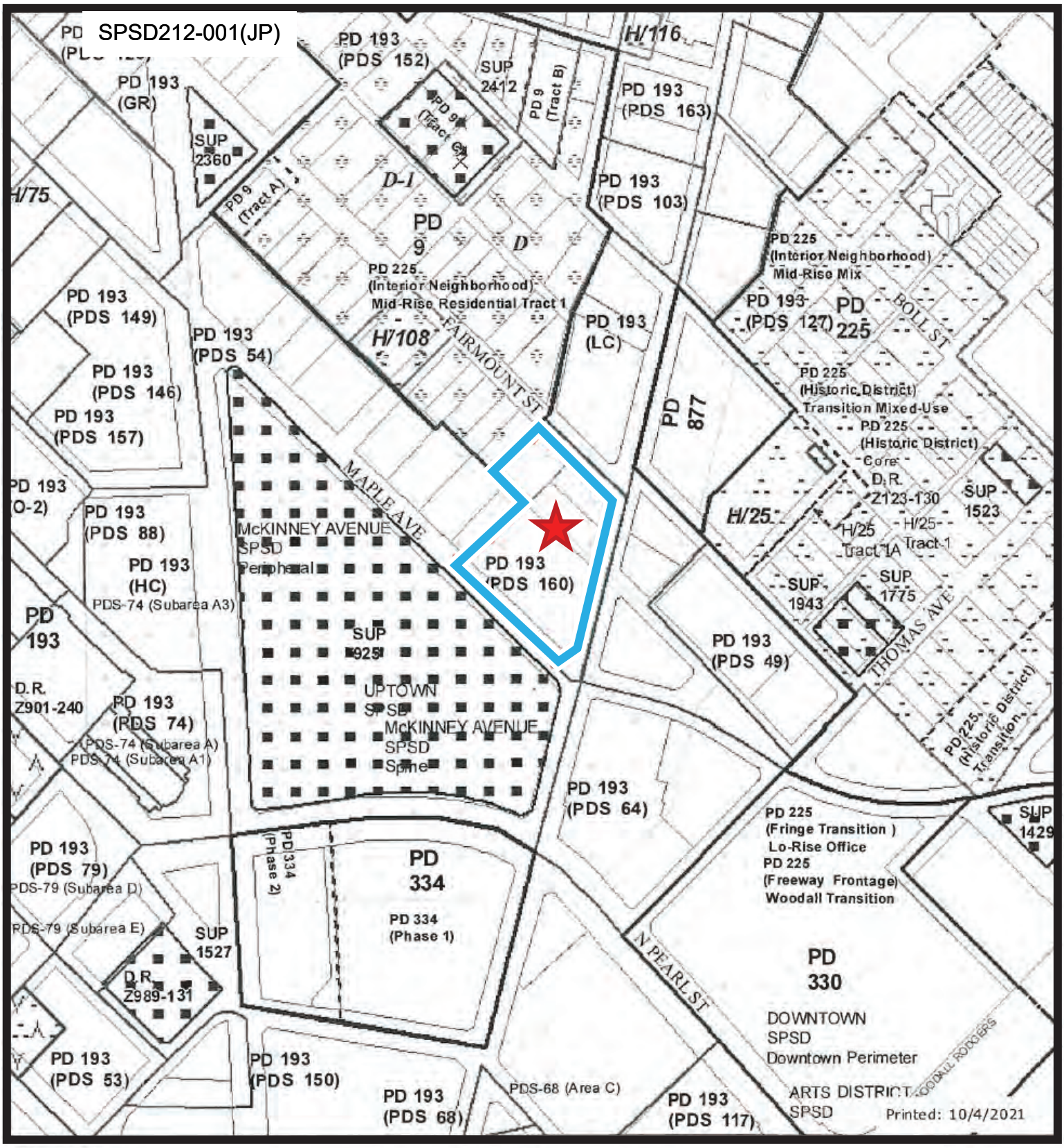

Legend

City Limits
School
Floodplain
100 Year Flood Zone
Mills Creek
Peak's Branch
X Protected by Levee
Parks
railroad
Certified Parcels
Base Zoning
PD193 Oak Lawn
Dallas Environmental Corridors
SPSD Overlay
Deed Restrictions
SUP
Dry Overlay
D
D-1
CP
SP
MD Overlay
Historic Subdistricts
Historic Overlay
Height Map Overlay
CD Subdistricts
PD Subdistricts
PDS Subdistricts
NSO Subdistricts
NSO_Overlay
Escarpment Overlay
Parking Management Overlay
Shopfront Overlay

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)

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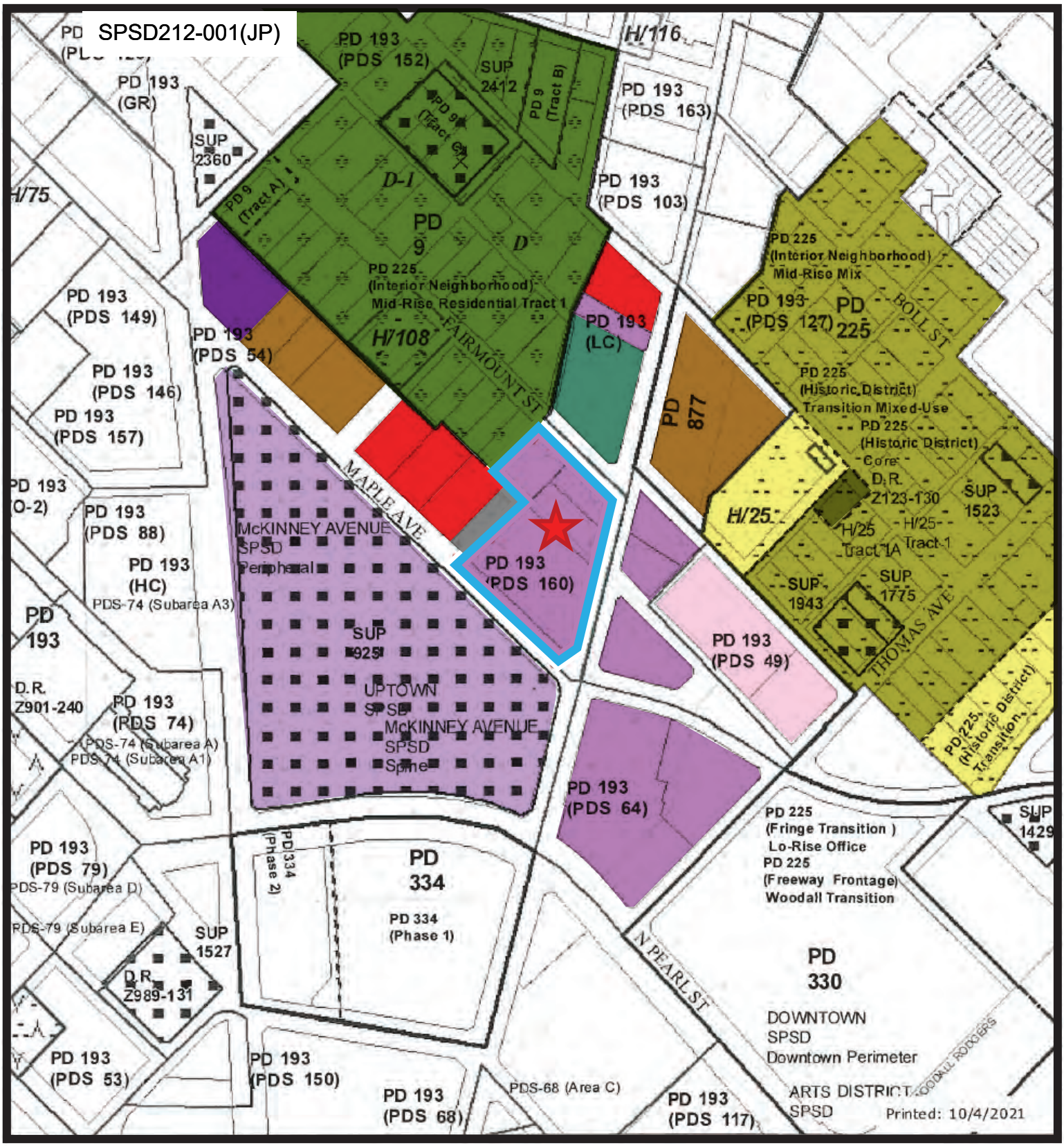


SURROUNDING USES

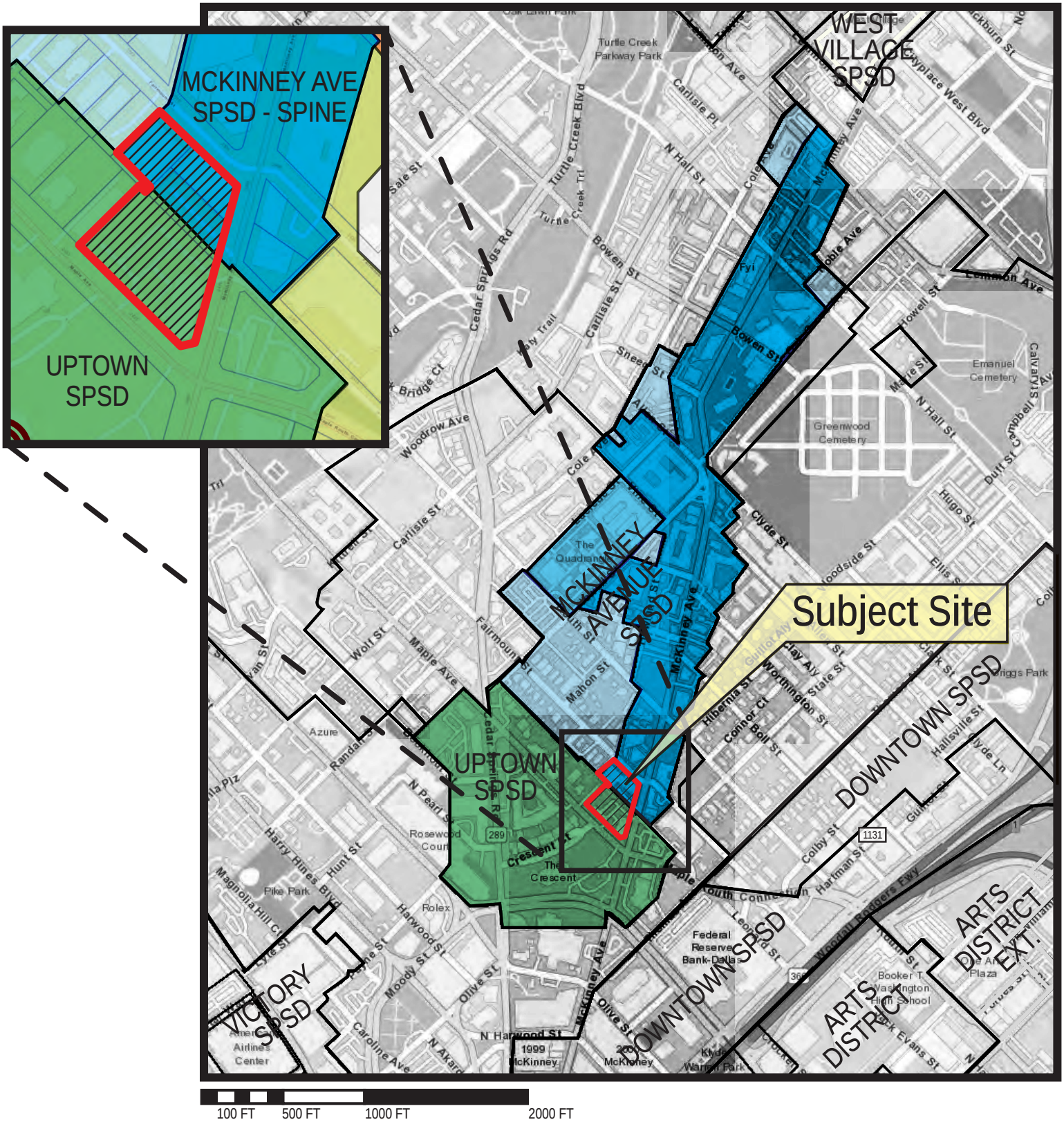
- **Parking**
- **Multi-Family**
- **Office**
- **Lodging**
- **Restaurant**
- **Mixed Use**
  - Hotel
  - Restaurant
  - Retail
  - Office
- **Mixed Use**
  - Restaurant
  - Bank
- **Mixed Use**
  - Office
  - Restaurant
  - Retail
- **PD 9**
  - Lodging
  - Office
  - Restaurant
  - Retail
  - Personal Service
- **PD 225 (Historic Core)**
  - Single Family
  - Multi-Family
  - Lodging
  - Office
  - Restaurant
  - Retail
  - Personal Service
- **PD 225 (Historic NS)**
  - Multi-Family
- **PD 225 (Historic Transition MU)**
  - Multi-Family

SPSD212-001(JP)

CURRENT CONDITIONS

SPSD 212-001(JP)

SUBJECT SITE - SWC OF FAIRMONT ST & MCKINNEY AVE



LEGEND

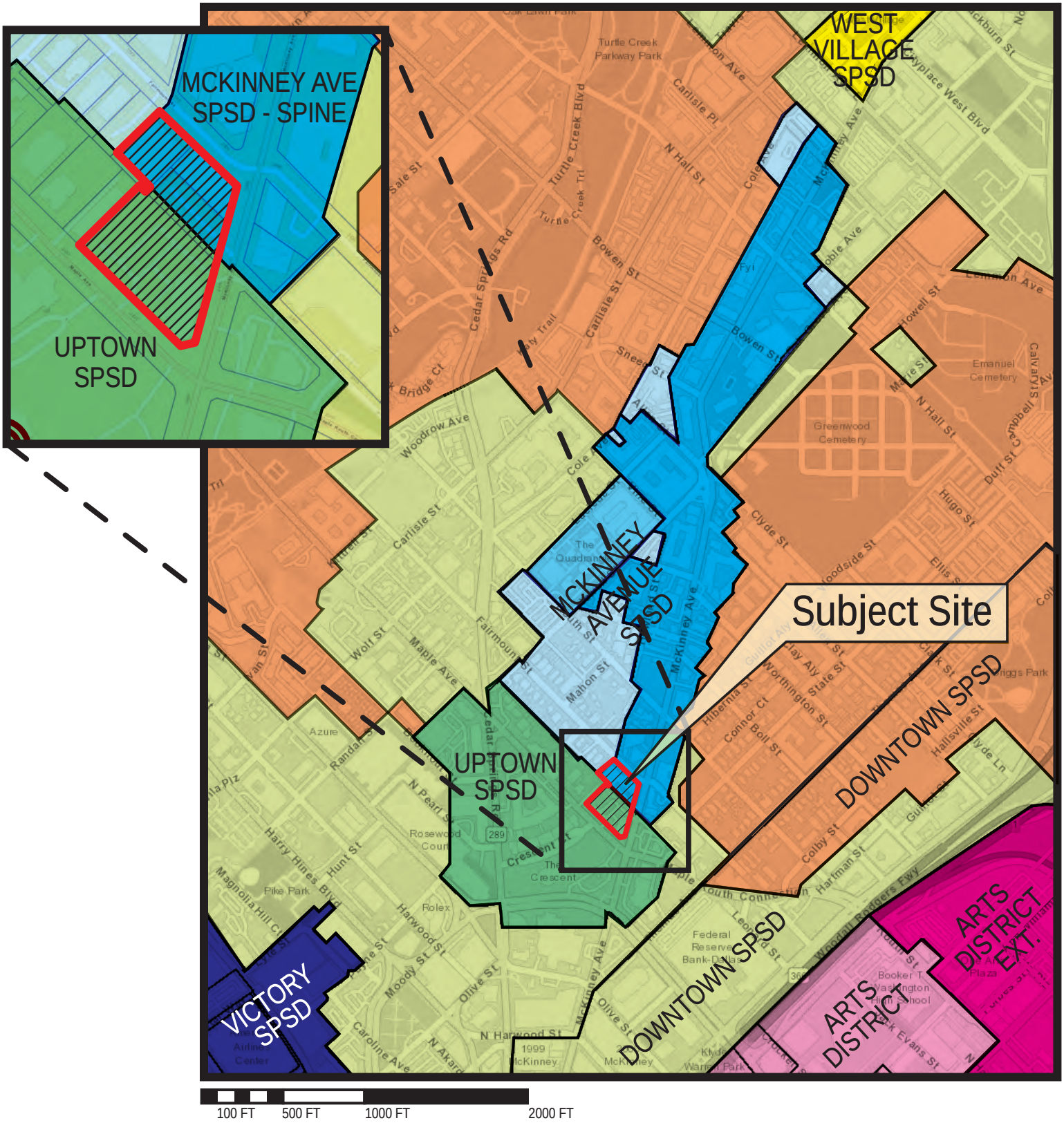
- Subject Site
- Uptown Sign District
- McKinney Ave. Sign District - Spine Subdistrict
- McKinney Ave. Sign District - Quadrangle Subdistrict
- McKinney Ave. Sign District - Peripheral Subdistrict

SPSD212-001(JP)
SPSD212-001(JP)

SIGN DISTRICTS

SPSD 212-001(JP)

SUBJECT SITE - SWC OF FAIRMONT ST & MCKINNEY AVE



LEGEND

- Subject Site
- Uptown Sign District
- McKinney Ave. Sign District - Spine Subdistrict
- McKinney Ave. Sign District - Quadrangle Subdistrict
- McKinney Ave. Sign District - Peripheral Subdistrict
- Victory Sign District | **West Village Sign District**
- Arts Distinct | **Arts District Extension**
- Business Zoning District **
- Non-Business Zoning District **

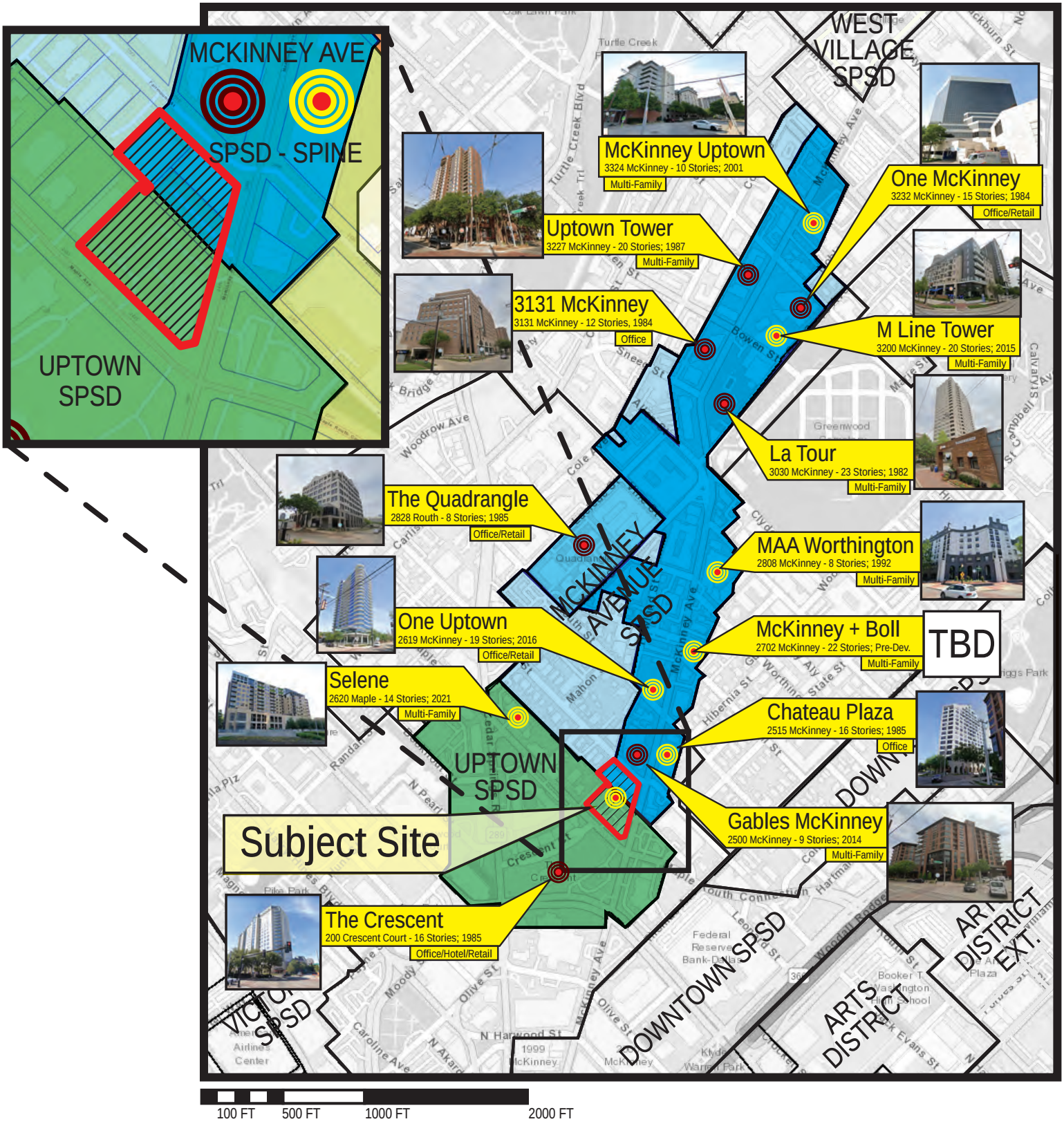
** - May include additional Planned Development provisions

SPSD212-001(JP)

HIGH-RISE BUILDINGS

SUBJECT SITE - SWC OF FAIRMONT ST & MCKINNEY AVE

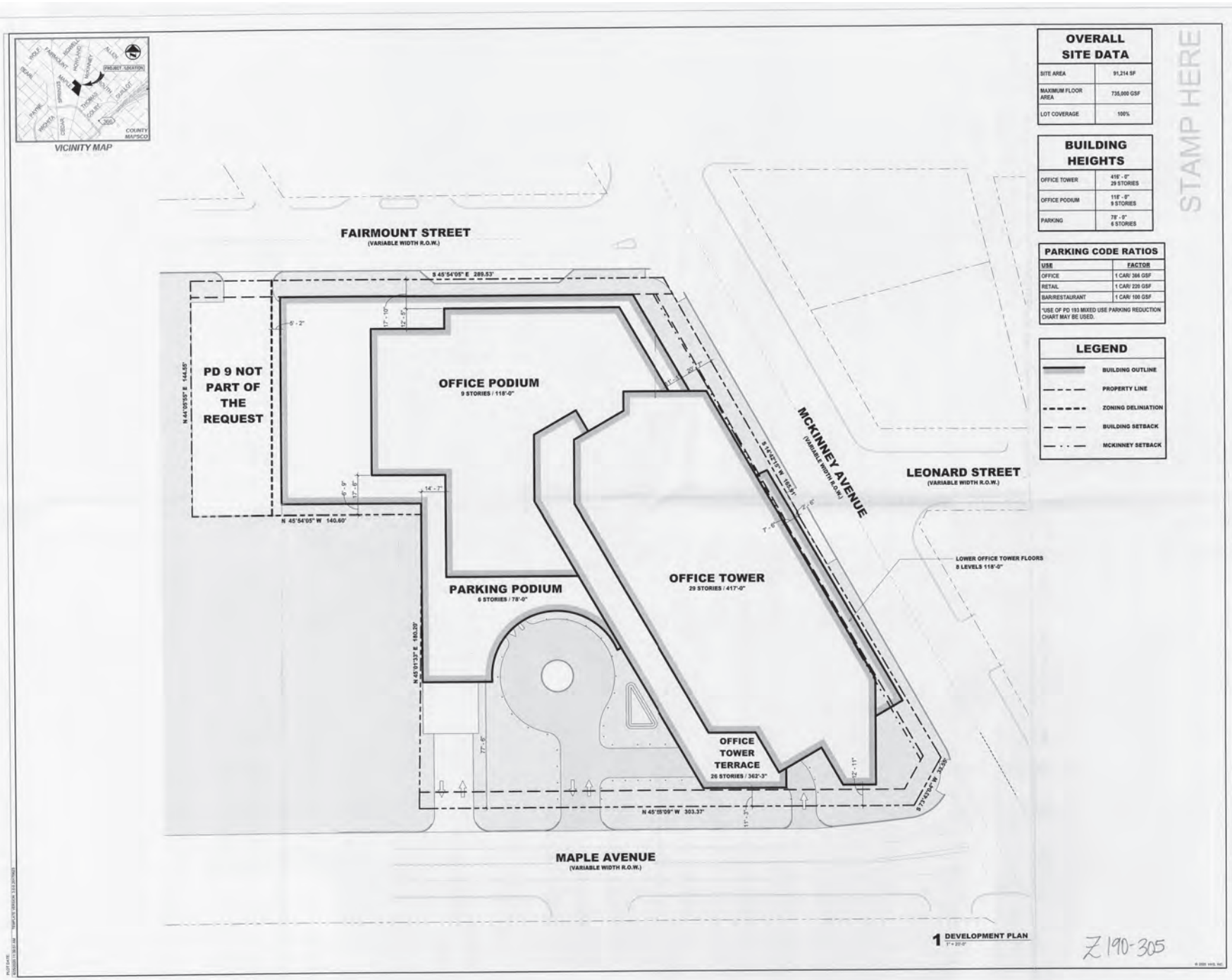
SPSD 212-001(JP)



LEGEND

- Subject Site
- Uptown Sign District
- McKinney Ave. Sign District - Spine Subdistrict
- McKinney Ave. Sign District - Quadrangle Subdistrict
- McKinney Ave. Sign District - Peripheral Subdistrict
- Hi-rise* constructed prior to SPSDs
- Hi-rise* constructed post SPSDs

* - Buildings having more than **six stories above grade**



OVERALL SITE DATA	
SITE AREA	91,214 SF
MAXIMUM FLOOR AREA	735,000 GSF
LOT COVERAGE	100%

BUILDING HEIGHTS	
OFFICE TOWER	418' - 0" 29 STORIES
OFFICE PODIUM	118' - 0" 9 STORIES
PARKING	78' - 0" 6 STORIES

PARKING CODE RATIOS	
USE	FACTOR
OFFICE	1 CAR/ 366 GSF
RETAIL	1 CAR/ 220 GSF
BAR/RESTAURANT	1 CAR/ 100 GSF

*USE OF PD 193 MIXED USE PARKING REDUCTION CHART MAY BE USED.

LEGEND

- BUILDING OUTLINE
- PROPERTY LINE
- ZONING DELINIATION
- BUILDING SETBACK
- MCKINNEY SETBACK

STAMP HERE

PICKARD CHILTON
HKS

DESIGN ARCHITECT
PICKARD CHILTON
980 CHAPEL ST
NEW HAVEN, CT 06510

ARCHITECT OF RECORD
HKS, INC.
350 N SAINT PAUL ST
SUITE 100
DALLAS, TX 75201

STRUCTURAL ENGINEER
BROCKETTE DAVIS DRAKE
4144 NORTH CENTRAL EXPWY
SUITE 1100
DALLAS, TX 75204

MEP ENGINEER
PURDY MCGUIRE, INC.
17304 DALLAS PKWY
SUITE 3000
DALLAS, TX 75248

LANDSCAPE ARCHITECT
CJB
711 LOUISIANA
SUITE 111
HOUSTON, TX 77002

CIVIL ENGINEER
PACHECO KOCH
7557 RAMBLER ROAD ST. 1400
DALLAS, TEXAS 75231

PARKING CONSULTANT
HIMA PARKING, LLC
9606 GREAT HILLS TR. SUITE 150 W
AUSTIN, TEXAS 78759

2401 MCKINNEY
DALLAS, TEXAS

Trammell Crow Company
OWNER
TRAMMELL CROW COMPANY
2100 MCKINNEY AVE, SUITE 800
DALLAS, TEXAS 75201

INTERIM REVIEW ONLY
These documents are incomplete, and are released for interim review only and are not intended for regulatory approval, permit, or construction purposes.
Architect
Arch. Reg. #
Date

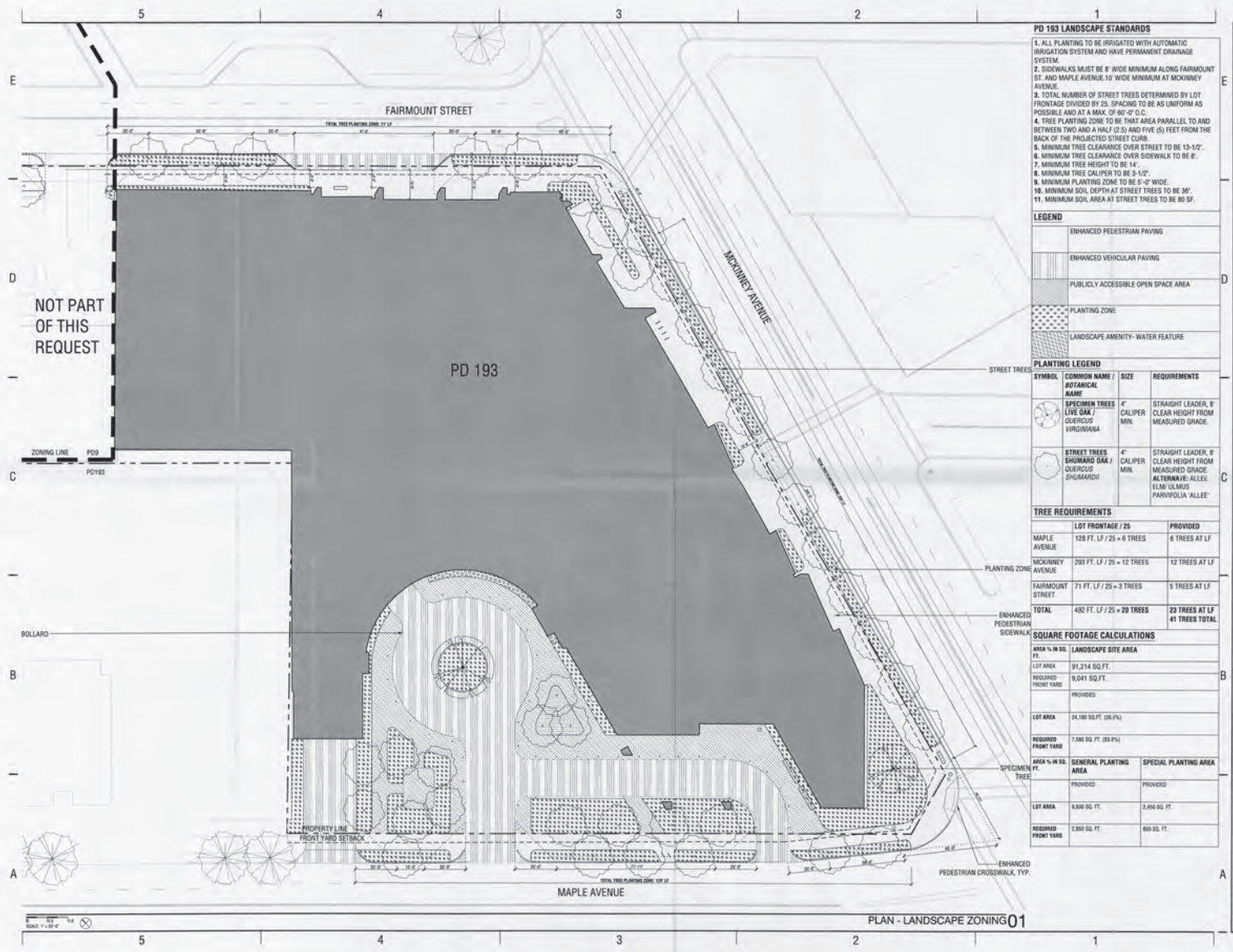
KEY PLAN

REVISION
NO. DESCRIPTION DATE

HKS PROJECT NUMBER
23899.000
DATE
05/05/20
ISSUE

SHEET TITLE
DEVELOPMENT PLAN

SHEET NO.
1



PLAN - LANDSCAPE ZONING 01

PD 193 LANDSCAPE STANDARDS

1. ALL PLANTING TO BE IRRIGATED WITH AUTOMATIC IRRIGATION SYSTEM AND HAVE PERMANENT DRAINAGE SYSTEM.
2. SIDEWALKS MUST BE 8' WIDE MINIMUM ALONG FAIRMOUNT ST. AND MAPLE AVENUE.10' WIDE MINIMUM AT MCKINNEY AVENUE.
3. TOTAL NUMBER OF STREET TREES DETERMINED BY LOT FRONTAGE DIVIDED BY 25. SPACING TO BE AS UNIFORM AS POSSIBLE AND AT A MAX. OF 60'-0" O.C.
4. TREE PLANTING ZONE TO BE THAT AREA PARALLEL TO AND BETWEEN TWO AND A HALF (2.5) AND FIVE (5) FEET FROM THE BACK OF THE PROJECTED STREET CURB.
5. MINIMUM TREE CLEARANCE OVER STREET TO BE 13-1/2'.
6. MINIMUM TREE CLEARANCE OVER SIDEWALK TO BE 8'.
7. MINIMUM TREE HEIGHT TO BE 14'.
8. MINIMUM TREE CALIPER TO BE 3-1/2".
9. MINIMUM PLANTING ZONE TO BE 5'-0" WIDE.
10. MINIMUM SOIL DEPTH AT STREET TREES TO BE 36".
11. MINIMUM SOIL AREA AT STREET TREES TO BE 80 SF.

LEGEND

	ENHANCED PEDESTRIAN PAVING
	ENHANCED VEHICULAR PAVING
	PUBLICLY ACCESSIBLE OPEN SPACE AREA
	PLANTING ZONE
	LANDSCAPE AMENITY- WATER FEATURE

PLANTING LEGEND

SYMBOL	COMMON NAME / *BOTANICAL NAME*	SIZE	REQUIREMENTS
	SPECIMEN TREES LIVE OAK / *QUERCUS VIRGINIANA*	4" CALIPER MIN.	STRAIGHT LEADER, 8' CLEAR HEIGHT FROM MEASURED GRADE.
	STREET TREES SHUMARD OAK / *QUERCUS SHUMARDII*	4" CALIPER MIN.	STRAIGHT LEADER, 8' CLEAR HEIGHT FROM MEASURED GRADE. **ALTERNATE:** ALLEE ELM/ ULMUS PARVIFOLIA 'ALLEE'

TREE REQUIREMENTS

	LOT FRONTAGE / 25	PROVIDED
MAPLE AVENUE	128 FT. LF / 25 = 6 TREES	6 TREES AT LF
MCKINNEY AVENUE	293 FT. LF / 25 = 12 TREES	12 TREES AT LF
FAIRMOUNT STREET	71 FT. LF / 25 = 3 TREES	5 TREES AT LF
TOTAL	492 FT. LF / 25 = **20 TREES**	**23 TREES AT LF 41 TREES TOTAL**

SQUARE FOOTAGE CALCULATIONS

AREA % IN SQ. FT.	LANDSCAPE SITE AREA
LOT AREA	91,214 SQ.FT.
REQUIRED FRONT YARD	9,041 SQ.FT.
	PROVIDED
LOT AREA	24,180 SQ.FT. (26.5%)
REQUIRED FRONT YARD	7,580 SQ. FT. (83.8%)

AREA % IN SQ. FT.	GENERAL PLANTING AREA	SPECIAL PLANTING AREA
	PROVIDED	PROVIDED
LOT AREA	9,500 SQ. FT.	2,450 SQ. FT.
REQUIRED FRONT YARD	7,850 SQ. FT.	600 SQ. FT.

TCC MCKINNEY AND MAPLE
DALLAS, TX

OJB | THE OFFICE OF JAMES BURNETT
LANDSCAPE ARCHITECTURE
1845 WOODALL RODGERS FWY. SUITE 1233
DALLAS, TX 75201

INTERIM REVIEW ONLY
Landscape Architect: James Burnett
Registration No.: 1333
Date: 05/11/2020

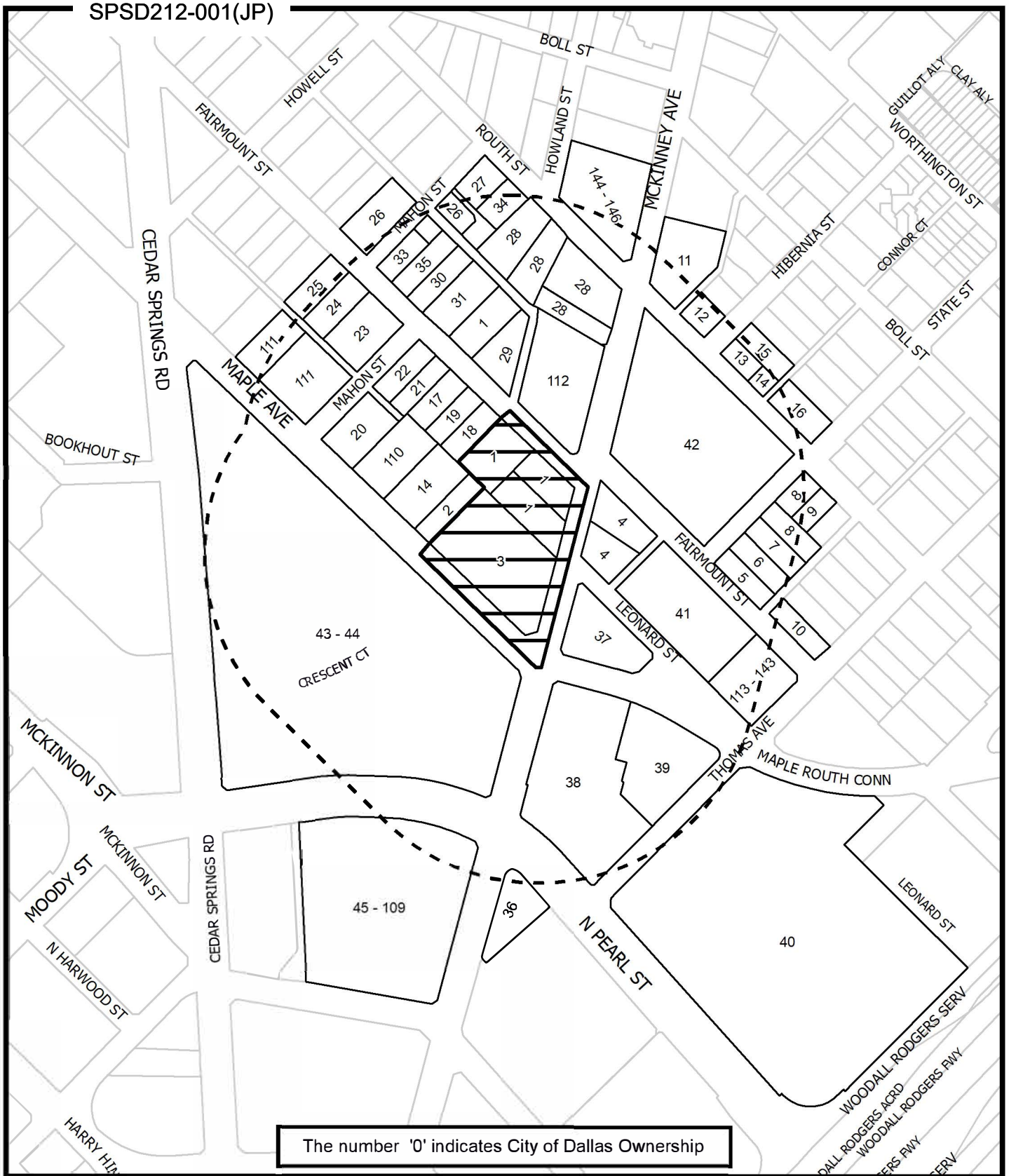
Rev	Date	Description
	05/11/2020	ZONING SUBMITTAL

Drawing Title
ZONING LANDSCAPE PLAN

Drawing Number
L001

Z190-305

SPSD212-001(JP)



NOTIFICATION

1:3,600

500' AREA OF NOTIFICATION

146 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: SPSD212-001

Date: 2/16/2023

02/16/2023

Notification List of Property Owners

SPSD212-001

146 Property Owners Notified

Label #	*Address*		*Owner*
1	2507	FAIRMOUNT ST	MURPHY PLAZA LLC
2	2504	MAPLE AVE	PASHA & SINA INC
3	2401	MCKINNEY AVE	2401 MCKINNEY LLC
4	2400	MCKINNEY AVE	MCKINNEY OH LLC
5	2500	STATE ST	MCBRIDE THOMAS R
6	2504	STATE ST	CHASE SPRING CREEK LLC
7	2508	STATE ST	PELLETIER GEORGE TRUSTEE
8	2512	STATE ST	PELLETIER GEORGE A
9	2317	ROUTH ST	PELLETIER GEORGE ET AL
10	2501	THOMAS AVE	5701 MAIN STREET LLC
11	2602	MCKINNEY AVE	SL6 MCKINNEY LP
12	2601	HIBERNIA ST	FATIMA LLC
13	2600	HIBERNIA ST	HIBERNIA INVESTMENT LLC
14	2414	ROUTH ST	PASHA & SINA INC
15	2604	HIBERNIA ST	NICHOLS DOUGLAS R &
16	2601	STATE ST	ALLORA LLC
17	2521	FAIRMOUNT ST	BLL LP
18	2515	FAIRMOUNT ST	MURPHY PLAZA LLC
19	2517	FAIRMOUNT ST	LWO REAL ESTATE II LLC
20	2516	MAPLE AVE	HEYMANN CLAIRE L
21	2525	FAIRMOUNT ST	BLL LP
22	2527	FAIRMOUNT ST	KAME YUGEN SEKININ JIGYO
23	2603	FAIRMOUNT ST	2603 FAIRMOUNT INVESTORS
24	2611	FAIRMOUNT ST	DCMS FOUNDATION
25	2701	FAIRMOUNT ST	MAPLE MARKETING CORP
26	2700	FAIRMOUNT ST	MORTON PRODUCTION INC &

Label #	*Address*		*Owner*
27	2707	ROUTH ST	TURTLE CREEK MANOR INC
28	2609	ROUTH ST	OR ASSET HOLDINGS LP
29	2520	FAIRMOUNT ST	2520 FAIRMOUNT STREET
30	2600	FAIRMOUNT ST	2600 FAIRMOUNT LLC
31	2530	FAIRMOUNT ST	KORNYE GEORGE W &
32	2512	MAHON ST	GINSBURG BROOKE &
33	2610	FAIRMOUNT ST	GINSBURG BROOKE MINORS
34	2703	ROUTH ST	DAYTON JOHN W
35	2604	FAIRMOUNT ST	SMITH SHARON HAYSLIP
36	2120	MCKINNEY AVE	MCPP 2100 MCKINNEY LLC
37	2324	MCKINNEY AVE	MAPLE AND MCKINNEY L P
38	2222	MCKINNEY AVE	AMREIT UPTOWN DALLAS LP
39	2212	MCKINNEY AVE	MRT UPTOWN RESIDENTIAL LLC
40	2200	N PEARL ST	FEDERAL RESERVE BANK OF
41	2332	LEONARD ST	GIVENS RECORDS DEV LP
42	2500	MCKINNEY AVE	LG ROUTH LP
43	100	CRESCENT CT	GPIF TC OWNER LLC
44	100	CRESCENT CT	CRESCENT TC INVESTORS LP
45	2121	MCKINNEY AVE	CRESCENT RCD OWNER LLC
46	2525	N PEARL ST	STRONG ASA & NANCY
47	2525	N PEARL ST	ADELGLASS JEFFREY &
48	2525	N PEARL ST	SONNENSCHEIN INVESTMENTS LTD
49	2525	N PEARL ST	HIXSON WALTER A
50	2525	N PEARL ST	CHEW ALBERT E III & GEORGINA
51	2525	N PEARL ST	RAK PROPERTIES INC
52	2525	N PEARL ST	CLIFTON MATTHEW & EMILY
53	2525	N PEARL ST	COTTEL WILLIS I TRUSTEE
54	2525	N PEARL ST	MAROON CREEK TRUST
55	2525	N PEARL ST	DYMERSKA JUSTYNA
56	2525	N PEARL ST	QUIST SHARON S
57	2525	N PEARL ST	MOSER FAMILY TRUST

Label #	*Address*		*Owner*
58	2525	N PEARL ST	PEJOVICH 2020 BRENDA
59	2525	N PEARL ST	LAT REAL ESTATE LLC
60	2525	N PEARL ST	WALLACE BJ & MARJORIE K
61	2525	N PEARL ST	P2 RE INVESTMENTS LLC
62	2525	N PEARL ST	POWELL MARK W
63	2525	N PEARL ST	DAS NATASHA
64	2525	N PEARL ST	TOELLER GARY RICHARD & ANNE S TRUSTEES
65	2525	N PEARL ST	HASHEM OMAR & MIASSAR
66	2525	N PEARL ST	FONBERG PETER
67	2525	N PEARL ST	GLAZER MICHAEL S
68	2525	N PEARL ST	SMITH LINDA J
69	2525	N PEARL ST	ABOU QAMAR MAAMOUN Y
70	2525	N PEARL ST	MITCHELL F LANE
71	2525	N PEARL ST	GALLETTA NANCY J
72	2525	N PEARL ST	BAILEY CHARLES R & VIRGINIA H
73	2525	N PEARL ST	KLS INVESTMENTS LLC
74	2525	N PEARL ST	FDRE LLC
75	2525	N PEARL ST	ROBINSON MATTHEW SCOTT &
76	2525	N PEARL ST	NORMAN DANIEL A JR
77	2525	N PEARL ST	EDWARDS THOMAS CHARLES &
78	2525	N PEARL ST	MULTIPLE REALTY LLC
79	2525	N PEARL ST	DIXON GENE JR & VICTORIA
80	2525	N PEARL ST	BROWER SHANNON
81	2525	N PEARL ST	DARWISH DANA
82	2525	N PEARL ST	YAMINI SARA M
83	2525	N PEARL ST	QUIST SHARON S
84	2525	N PEARL ST	1013 NW LOOP 410 VENTURE
85	2525	N PEARL ST	MITCHELL KEITH & LOIS TRUST THE
86	2525	N PEARL ST	CLEAVE ROCERT C VAN
87	2525	N PEARL ST	HAUSLEIN FERDINAND A JR
88	2525	N PEARL ST	GIAMARTINO EMMA & VINCENT

Label #	*Address*		*Owner*
89	2525	N PEARL ST	LEE JAMES J & DORIS P
90	2525	N PEARL ST	SMITH BRADLEY A
91	2525	N PEARL ST	DOUGLASS GREGORY
92	2525	N PEARL ST	NURENBERG PAMELA &
93	2525	N PEARL ST	MARTIN JACK L &
94	2525	N PEARL ST	HAFFAR NABILA
95	2525	N PEARL ST	MACRAE TERRY A & MARY H FAMILY
96	2525	N PEARL ST	WEBB CARL B
97	2525	N PEARL ST	ROSS STEPHANIE REVOCABLE TRUST
98	2525	N PEARL ST	SCHAKE ERIC
99	2525	N PEARL ST	RINEARSON LEIGH REVOCABLE LIVING
100	2525	N PEARL ST	SCHNITZER KENNETH LEE JR
101	2525	N PEARL ST	MAYER SUSAN HOLLINSWORTH
102	2525	N PEARL ST	KARKOUTLY AMAN &
103	2525	N PEARL ST	FREEMAN JOSHUA SR &
104	2525	N PEARL ST	QUINN TERRENCE JEROME &
105	2525	N PEARL ST	WAGNER DUER III
106	2525	N PEARL ST	HADDOCK RON W &
107	2525	N PEARL ST	SOLOMON WILLIAM T & GAY F
108	2525	N PEARL ST	LARKIN JOHN G &
109	2525	N PEARL ST	RIBMAN JAMES W & DARCY L
110	2512	MAPLE AVE	HEIDARI ALI
111	2610	MAPLE AVE	2620 MAPLE OWNER LLC
112	2515	MCKINNEY AVE	CHATEAU PLAZA HOLDINGS LP
113	2300	LEONARD ST	AUSSIE PROPERTIES LLC
114	2300	LEONARD ST	KELLY JOSEPH T & BONNIE L
115	2300	LEONARD ST	RUBDOWN LLC
116	2300	LEONARD ST	BONNEVILLE LP
117	2300	LEONARD ST	BOSWELL MARK S
118	2300	LEONARD ST	VERSES SOCRATES & JUDY
119	2300	LEONARD ST	RANDALL PAMELA G

Label #	*Address*		*Owner*
120	2300	LEONARD ST	SASSIG PROPERTIES LLC
121	2300	LEONARD ST	GLOGAU A I REVOCABLE TRUST &
122	2300	LEONARD ST	LABEN GARY S &
123	2300	LEONARD ST	SPOOR CLAYTON & PAYTON
124	2300	LEONARD ST	SAUS PROPERTIES LLC SERIES 3
125	2300	LEONARD ST	SAUS PPTIES LLC SERIES 8
126	2300	LEONARD ST	SMITH CHARISSA L &
127	2300	LEONARD ST	ROMERO LAURA MARINA L
128	2300	LEONARD ST	TUCKER JOHN IV
129	2300	LEONARD ST	MARSHALL CHRIS
130	2300	LEONARD ST	BREAK POINT LLC
131	2300	LEONARD ST	SIERS SCOTT A
132	2300	LEONARD ST	OLEARY TIMOTHY P
133	2300	LEONARD ST	DALEHITE JESSE J III
134	2300	LEONARD ST	BROWN JON STEFAN
135	2300	LEONARD ST	BOOKSTAFF HOWARD & EVAN
136	2300	LEONARD ST	RANDALL PAMELA
137	2300	LEONARD ST	SIERS SCOTT ANDREW
138	2300	LEONARD ST	SAUS PROPERTIES LLC
139	2300	LEONARD ST	EATON PAUL
140	2300	LEONARD ST	AREFI GINO R
141	2300	LEONARD ST	FICHTER MARK L &
142	2300	LEONARD ST	DALLAS METRO CLUB LLC
143	2300	LEONARD ST	CINCO AMIGOS LLC
144	2619	MCKINNEY AVE	ONE DALLAS UPTOWN VENTURE LLC
145	2619	MCKINNEY AVE	ONE UPTOWN VENTURE LLC
146	2619	MCKINNEY AVE	ONE UPTOWN VENTURE LLC

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-857 **Item #:** 15.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

Consideration of amending Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.217(b)(20) and 51A-4.217(b)(11.1) "Temporary inclement weather shelter" and related sections with consideration being given to appropriate spacing requirements between temporary inclement weather shelters and the central business district.
Staff Recommendation: **Approval.**
Zoning Ordinance Advisory Committee Recommendation: **Approval.**
Planner: Mike King
Council District: All
DCA223-004(MK)

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CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

PLANNER: Mike King

FILE NUMBER: DCA223-004(MK) **DATE INITIATED:** January 19, 2023

TOPIC: Development Code Amendment to consider spacing requirements between temporary inclement weather shelters and the central business district

COUNCIL DISTRICT: All **CENSUS TRACTS:** All

PROPOSAL: Consideration of amending Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.217(b)(20) and 51A-4.217(b)(11.1) "Temporary inclement weather shelter" and related sections with consideration being given to appropriate spacing requirements between temporary inclement weather shelters and the central business district.

SUMMARY: The proposed code amendments considers appropriate spacing between temporary inclement weather shelters and the central business district. The purpose of the proposed amendments is to align zoning regulations with the Master Emergency Operations Plan framework goal of providing shelter services in the event of inclement weather emergencies.

ZOAC AND STAFF RECOMMENDATION: **Approval**.

BACKGROUND INFORMATION:

- The following timeline outlines the events which led to the creation of Section 51A-4.217(b)(11.1), “Temporary inclement weather shelter”.
  - On April 17, 2019, the Office of Homeless Solutions (OHS) briefed full City Council on Inclement Weather. Direction was given to modify and refine terminology, clarify operation of temporary inclement weather shelters, and explore options to amend Chapter 51A.
  - On May 2, 2019, the Citizen Homelessness Commission (CHC) convened a special called meeting to discuss inclement weather sheltering.
  - On May 15, 2019, the Office of Homeless Solutions briefed full City Council on Inclement Weather. City Council supported staff recommendation to establish a new use in Chapter 51A.
  - On June 20, 2019, staff gave a presentation on overview of temporary inclement weather shelter and potential code amendments to Chapter 51 and 51A to ZOAC. The committee asked questions throughout the presentation and requested the Office of Homeless Solutions provide prior Citizen Homeless Commission and City Council involvement and feedback, community feedback, and highlights on the Temporary Inclement Weather Shelter Program as being drafted for the new Chapter 45.
  - On August 15, 2019, the Office of Homeless Solutions gave a presentation on the Temporary Inclement Weather Shelter Program to ZOAC. ZOAC requested that this item be delayed in returning to ZOAC until after the Citizen Homeless Commission meeting scheduled for September 12, 2019.
  - On September 12, 2019, the Office of Homeless Solutions briefed the Citizen Homelessness Commission on an update of the Temporary Inclement Weather Shelter Program. The committee asked questions at the conclusion of the presentation relating to procedure and process of the program.
  - On September 19, 2019, the Zoning Ordinance Advisory Committee (ZOAC) considered this issue and voted to recommend the proposal move to City Plan Commission (CPC).
  - On November 21, 2019, staff briefed the City Plan Commission (CPC) on Temporary Inclement Weather Shelters.
  - On December 10, 2019, the Office of Homeless Solutions was scheduled to brief the Housing and Homeless Solutions Council Committee on an update of the Temporary Inclement Weather Shelter Program. However, the committee moved to hold the item for briefing until the January committee meeting but have City Plan

Commission move forward with the land use portion in Chapter 51 and Chapter 51A of the two-pronged approach.

- On January 9, 2020, the City Plan Commission (CPC) considered the proposed amendment and recommended approval.
- On January 14, 2020, the Housing and Homelessness Committee was briefed by the Office of Homelessness (OHS) on "Inclement Weather Program Update, Zoning Use, and Consideration of One-Site Winter Plan" and received approval to forward the item to full City Council.
- The two items for the creation of Chapter 45 and the Development Code Amendment to add the new specific temporary inclement weather shelter use were held under advisement at the June 24 and September 23, 2020 City Council meetings.
- The items returned on November 11, 2020 and were approved with a motion to add a provision in the Dallas Development Code which reads, "Except at the Kay Bailey Hutchison Convention Center and other city-owned facilities, this accessory use may not operate within 0.5 mile of the central business district."

- The purpose of Chapter 45 within the Dallas City Code "is to establish standards for the operation of temporary shelters during times of inclement weather by entities that assure the compatibility of shelter activities with surrounding uses and provide a safe place for individuals and families to obtain temporary shelter." Temporary inclement weather shelters may only operate during specific cold and hot weather conditions and do not include shelters used for disaster relief from extreme weather events like floods, tornados, and hurricanes.

- The Office of Emergency Management (OEM) and the Office of Homelessness Solutions (OHS) request an amendment to Sections 51-4.217(b)(20) and 51A-4.217(b)(11.1), "Temporary inclement weather shelter" for relief to the current requirement for a facility that is leased by the city within a half-mile of the CBD.
- On February 28, 2023, the Zoning Ordinance Advisory Committee (ZOAC) considered this issue and voted to recommend the proposal move to City Plan Commission (CPC).

STAFF ANALYSIS:

Temporary inclement weather shelters are currently prohibited from operating within a half-mile of the central business district (CBD), as shown in the attached map, unless they are located in the Kay Baily Hutchison Convention Center or in a city-owned facility. It has been determined that leased property is not equivalent to owned property, even though both require City Council approval. Therefore, a code amendment is required to operate a temporary inclement weather shelter within a city-leased facility within a half-mile of the CBD.

Based on the current estimates, in addition to existing city-owned facilities, one more facility is needed within a half-mile of the CBD to protect the city's unsheltered population from hot and cold conditions. During recent inclement weather events, some city-leased facilities have operated under the authority of the COVID-19 Disaster Declaration since Chapter 45 "Temporary Inclement Weather Shelter Program" does not apply to a shelter established as disaster relief. The proposed code amendment has been presented with urgency because there is concern that when the COVID-19 Disaster Declaration ends, which is expected before the Summer of 2023, services for temporary inclement weather shelters will be unavailable in city-leased facilities within a half-mile of the CBD.

An amendment to the spacing requirements to allow temporary inclement weather shelters in city-leased facilities within a half-mile of the CBD is recommended because it is consistent with the spirit and intent of the original spacing requirement and it allows the city to effectively manage crisis weather events by having resources available near unsheltered persons, emergency services, and OEM and OHS bases of operations.

ZOAC RECOMMENDED AMENDMENTS:

Section 51A-4.217, “Accessory Uses,”

(b) Specific Accessory Uses.

(11.1) Temporary inclement weather shelter.

(A) Definition: A facility that offers shelter during times of inclement weather in compliance with Chapter 45.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

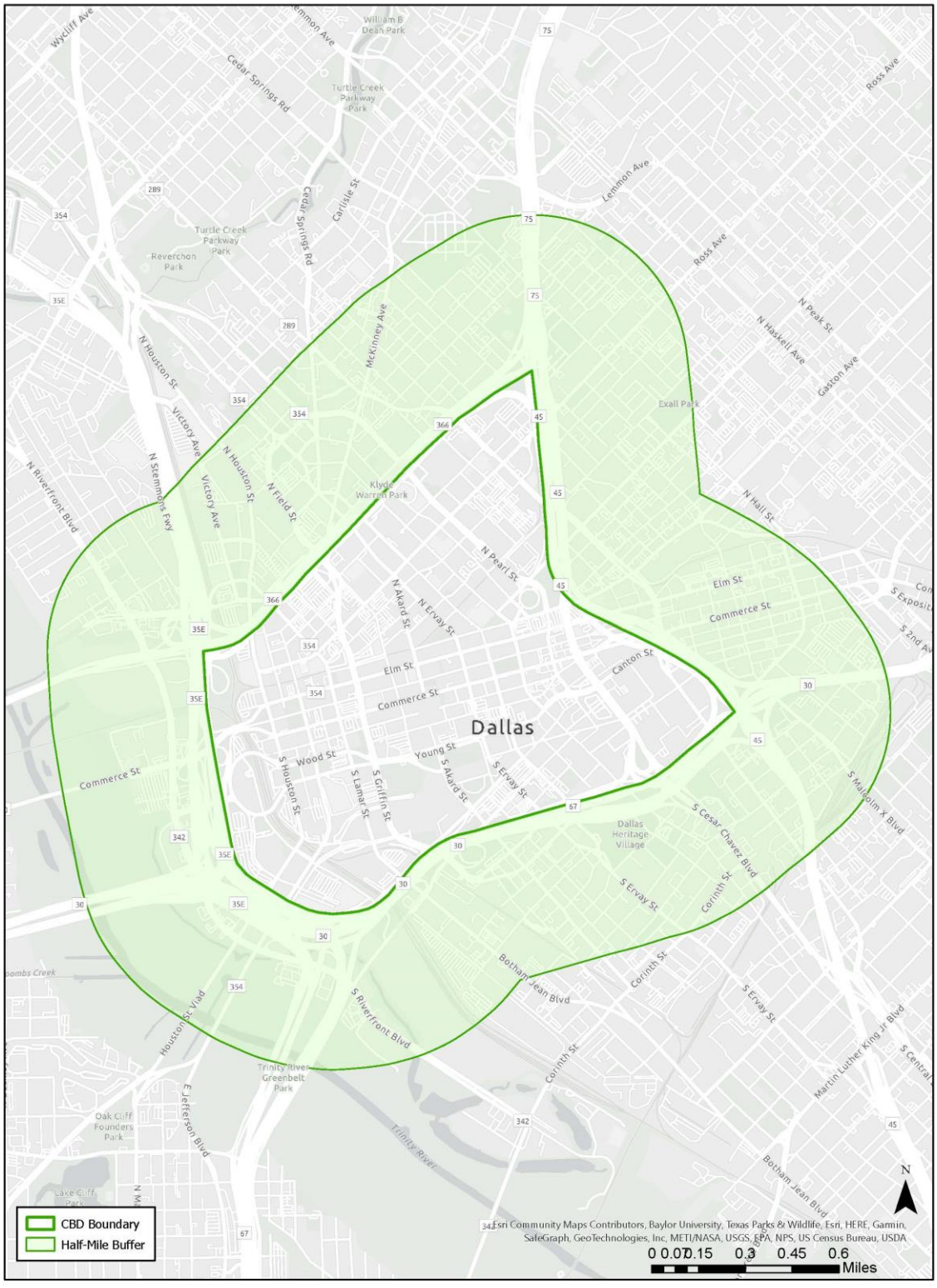
(E) Additional provisions:

(i) This use must comply with the regulations in Chapter 45.

(ii) This use may only operate in conjunction with a valid certificate of occupancy for a permitted main use. This use is not allowed in conjunction with single family, duplex, townhouse, or handicapped group dwelling unit.

(iii) Except at the Kay Bailey Hutchison Convention Center and other city-owned or leased facilities, this accessory use may not operate within 0.5 mile of the central business district.

(iv) The area restrictions in Subsection (a)(3) do not apply to this use.



City of Dallas

Central Business District and Surrounding 0.5 mile

Prepared By:
City of Dallas Development Services, GIS Division
Source:
City of Dallas Development Services
Printed Date:
12/01/2022

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-858 **Item #:** 16.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.155-acre tract of land containing a portion of Lots 9 and 10 in City Block 1/2462 to create one lot on property located on Miles Street, southwest of Bowser Avenue.
Applicant/Owner: Kamran Zia
Surveyor: Duenes Land Surveying, LLC
Application Filed: February 22, 2023
Zoning: PD 193 MF-2
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-079

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CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-079 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Miles Street, southwest of Bowser Avenue

DATE FILED: February 22, 2023 **ZONING:** PD 193 MF-2

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20193.pdf

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 0.155-acres **MAPSCO:** 34R

APPLICANT/OWNER: Kamran Zia

REQUEST: An application to replat a 0.155-acre tract of land containing a portion of Lots 9 and 10 in City Block 1/2462 to create one lot on property located on Miles Street, southwest of Bowser Avenue.

SUBDIVISION HISTORY:

1. S212-221 was a request north of the present request to replat a 0.30-acre tract of land containing all of Lots 1 and 2 in City Block 2/2475 to create one 6,099-square foot lot and one 7,000-square foot lot on property located on Dorothy Avenue, southwest of Bowser Avenue. The request was approved on June 16, 2022 but has not been recorded.

2. S201-611 was a request northwest of the present request to replat a 1.227-acre tract of land containing all of Lots 1, 2, 3, and 4 in City Block A/2477 and a tract of land in City Block 2474, and to abandon a portion of an alley to create one lot on property located on Lemmon Avenue, between Versailles Avenue and Dorothy Avenue. The request was approved on April 8, 2021 but has not been recorded.

3. S189-042 was a request southwest of the present request to replat a 2.41-acre tract of land containing all of Lots 32 through 45A to create one lot on property located on Cedarplaza Lane between Cedar Springs Road and Lemmon Avenue. The request was approved on December 13, 2018 and recorded September 19, 2021.

4. S178-053 was a request northeast of the present request to replat a 1.469-acre tract of land containing all of Lots 1 through 17 in City Block 4/2470 to create a 22-lot shared access area development with two common areas on property located on Miles Street at Holland Avenue, east corner. The request was approved on January 4, 2018 and recorded on September 9, 2019.

STAFF RECOMMENDATION: The request complies with the requirements of PD 193 MF-2; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)
13. Submit drainage, paving, etc. plans prepared by a licensed (TX) Professional Engineer to Permit Center, Oak Cliff Municipal Center (i.e., non-311T/DP). *Section 51A- 8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)*
14. Comply with PD 193 *City Code- per P*

Survey (SPRG) Conditions:

15. Prior to final plat, submit a completed final plat checklist and all supporting documents.

16. On the final plat, show recording information on all existing easements within 150 feet of the property.

17. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

18. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.

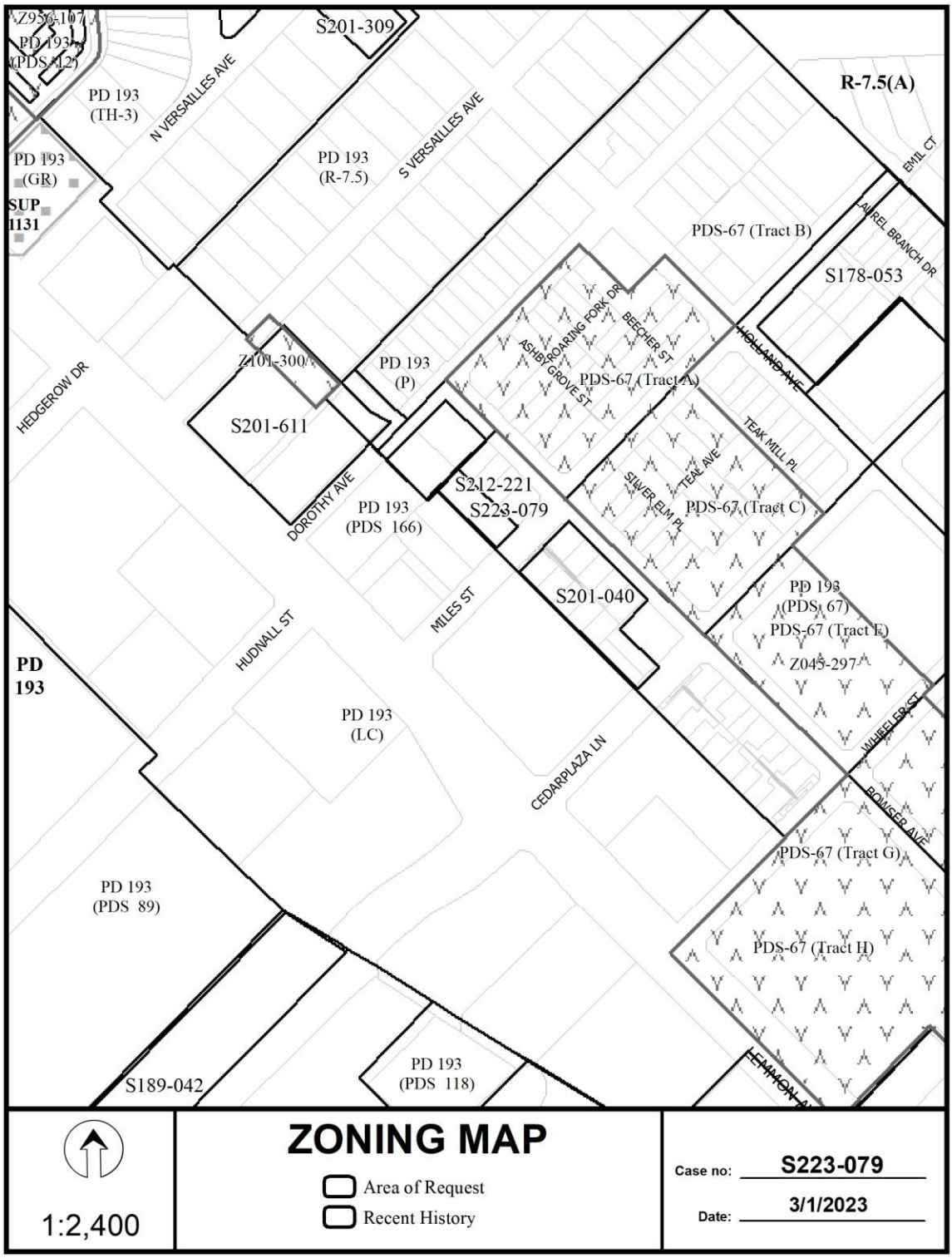
19. On the final plat, chose a new or different addition name. Platting Guidelines.

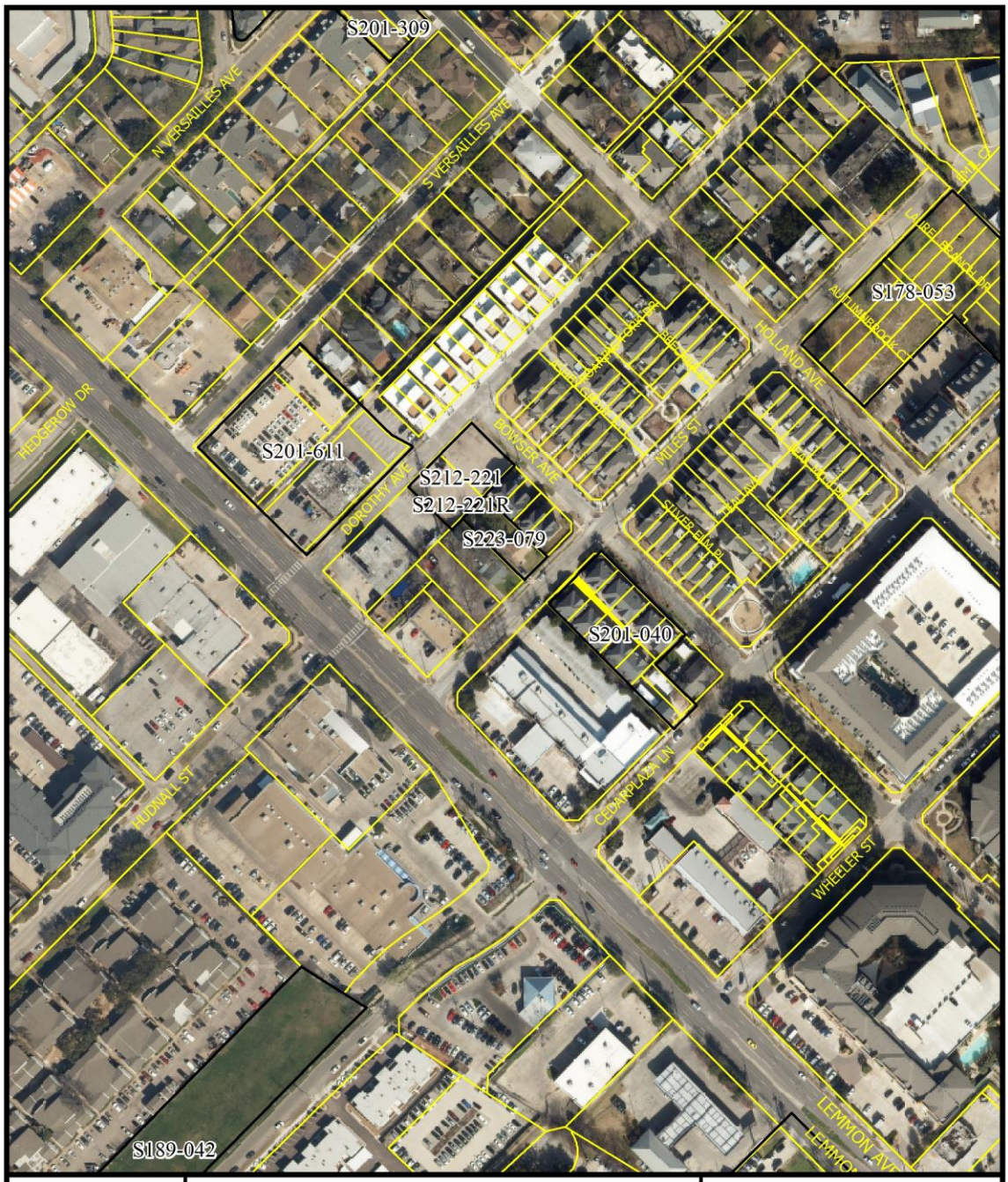
Dallas Water Utilities Conditions:

20. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

21. On the final plat, identify the property as Lot 9A in City Block 1/2462. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


Z956-107
PD 193
(PDS 12)
S201-309
PD 193
(TH-3)
N VERSAILLES AVE
S VERSAILLES AVE
R-7.5(A)
EMIL CT
PD 193
(GR)
SUP
1131
PD 193
(R-7.5)
PDS-67 (Tract B)
LAUREL BRANCH DR
S178-053
HOLLAND AVE
BEECHER ST
ASHBROOK GROVE ST
ROARING FORK DR
PDS-67 (Tract A)
Z101-300
PD 193
(P)
HEDGEROW DR
S201-611
TEAK MILL PL
TEAK AVE
SILVER ELM PL
PDS-67 (Tract C)
DOROTHY AVE
S212-221
S223-079
PD 193
(PDS 166)
S201-040
PD 193
(PDS 67)
PDS-67 (Tract E)
Z045-297
HUDNALL ST
MILES ST
PD
193
PD 193
(LC)
WHEELER ST
CEDARPLAZA LN
BONNER AVE
PDS-67 (Tract G)
PD 193
(PDS 89)
PDS-67 (Tract H)
S189-042
PD 193
(PDS 118)
LEMMON AV
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-079
Date: 3/1/2023



AERIAL MAP

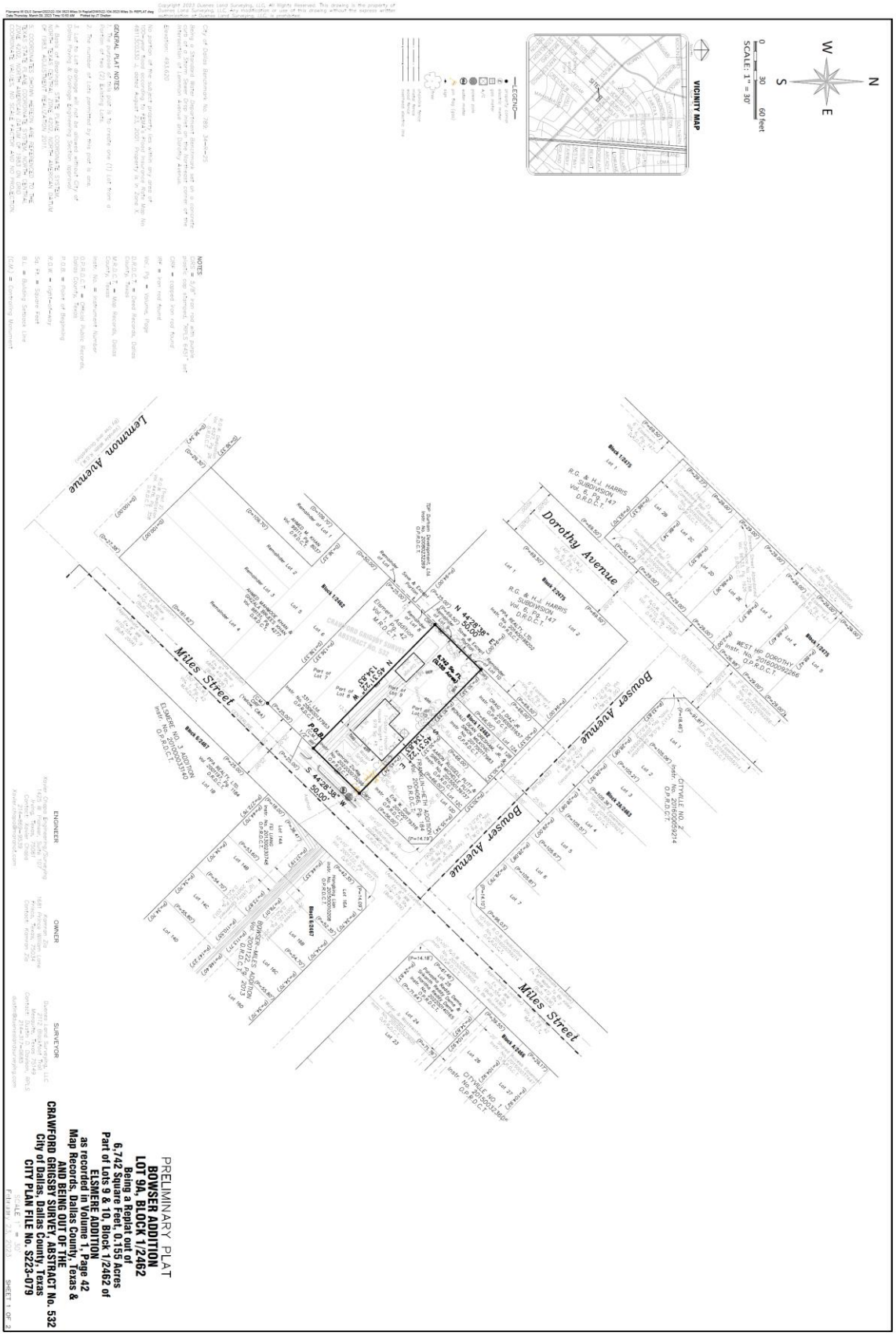
1:2,400

Area of Request

Recent History

Case no: S223-079

Date: 3/1/2023


PRELIMINARY PLAT
BOWSER ADDITION
LOT 9A, BLOCK 1/2462
6,742 Square Feet, 0.155 Acres
Part of Lots 9 & 10, Block 1/2462 of
ELSMERE ADDITION
as recorded in Volume 1, Page 42
Map Records, Dallas County, Texas &
AND BEING OUT OF THE
CRAWFORD GRIGSBY SURVEY, ABSTRACT No. 532
City of Dallas, Dallas County, Texas
CITY PLAN FILE No. S223-079
VICINITY MAP
LEGEND
NOTES
GENERAL PLAT NOTES
Lemmon Avenue
Miles Street
Bowser Avenue
Dorothy Avenue
P.O.B.
N 44°28'38" E 50.00'
S 44°28'38" W 50.00'
ENGINEER
OWNER
SURVEYOR

OWNER'S CERTIFICATE

STATE OF TEXAS)(
COUNTY OF DALLAS)(

WHEREAS, Kamran Zia, is the owner of a 6,742 square foot (0.155 acre) tract of land situated in the CRAWFORD GRIGSBY SURVEY, ABSTRACT NUMBER 532, City of Dallas, Dallas County, Texas, same being a portion of Lots 9 & 10, Block 1/2462, of Elsmere Addition, an Addition to the City of Dallas, Dallas County, Texas, recorded in Volume 1, Page 42, Map Records, Dallas County, Texas, further being that certain tract of land conveyed to Kamran Zia, by Warranty Deed with Vendor's Lien recorded in Instrument Number 202200075296, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found (Controlling Monument) in the northwest right-of-way line of Miles Street (50' R.O.W.), (Volume 1, Page 42, Map Records, Dallas County, Texas), same being the east corner of a portion of Lot 8, of said Addition, from which a 1/2" iron rod with Yellow plastic cap stamped, "C&A" found (Controlling Monument) bears South 44 degrees 28 minutes 38 seconds West, for 50.00 feet;

THENCE North 45 degrees 31 minutes 22 seconds West, departing said northwest right-of-way line, along the northeasterly line of said portion of Lot 8, for a distance of 134.83 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set, same being the north corner of said portion of Lot 8 and being the east corner of the Remainder of Lot 8 (Save & Except Tract) and the south corner of the Remainder of Lot 9 (Save & Except Tract), of said Addition;

THENCE North 44 degrees 28 minutes 38 seconds East, for a distance of 50.00 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set, same being the east corner of the Remainder of Lot 10 (Save & Except Tract), of said Addition, further being in the southwesterly line of Lot 12A, Block 1/2462, of FRANKLIN-HETH ADDITION, an Addition to the City of Dallas, recorded in Volume 2004066, Page 184, Deed Records, Dallas County, Texas;

THENCE South 45 degrees 31 minutes 22 seconds East, along the southwesterly line of said Addition, for a distance of 134.83 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set in the northwest right-of-way line of aforementioned Miles Street, same being the south corner of Lot 12D, of said Addition;

THENCE South 44 degrees 28 minutes 38 seconds West, along said northwest right-of-way line, for a distance of 50.00 feet, to the POINT OF BEGINNING and containing 6,742 square feet or 0.155 acres of land, more or less.

OWNERS DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Kamran Zia, do hereby adopt this plat, designating the hereon described property as BOWSER ADDITION, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas, Texas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

By: Kamran Zia

_____ _____
Owner

STATE OF TEXAS)(
COUNTY OF DALLAS)(

BEFORE ME, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared Kamran Zia known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purposes and considerations therein expressed and in the capacity therein stated.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

_____
NOTARY PUBLIC in and for the State of Texas

SURVEYOR'S STATEMENT

I, Dustin D. Davison, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and from other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended) and the Texas Local Government Code, Chapter 212. I further affirm that the monumentation shown hereon was either found in place or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d)&(e); and that the digital drawing file accompanying this plat is a precise representation of this Signed and Record Final Plat.

Dated this the _____day of _____, 2023.

PRELIMINARY
RELEASED 02/23/23 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

_____
Dustin D. Davison, RPLS No. 6451

STATE OF TEXAS)(
COUNTY OF DALLAS)(

BEFORE ME, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared Dustin D. Davison, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this _____ day of _____ 2023.

_____
NOTARY PUBLIC in and for the State of Texas

PRELIMINARY PLAT
BOWSER ADDITION
LOT 9A, BLOCK 1/2462
Being a Replat out of
6,742 Square Feet, 0.155 Acres
Part of Lots 9 & 10, Block 1/2462 of
ELSMERE ADDITION
as recorded in Volume 1, Page 42
Map Records, Dallas County, Texas &
AND BEING OUT OF THE
CRAWFORD GRIGSBY SURVEY, ABSTRACT No. 532
City of Dallas, Dallas County, Texas
CITY PLAN FILE No. S223-079

SCALE 1" = 20'
February 23, 2023 SHEET 2 OF 2

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City Plan Commission Date: 03/23/2023 16(g) S223-079

N

W E

S

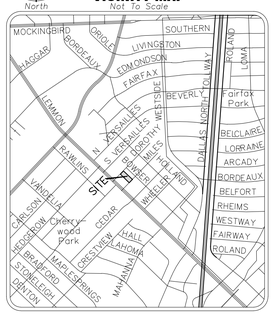
0 30 60 feet

SCALE: 1" = 30'

VICINITY MAP

North

Not To Scale



—LEGEND—

- property corner
- (E) electric meter
- (GM) gas meter
- A/C
- power pole
- (WM) water meter
- pin flag (gas)
- sign
- tree
- chainlink fence
- metal fence
- wood fence
- overhead electric line

City of Dallas Benchmark No. 789: 34-R-2S

Being a Standard Water Department Benchmark set on a concrete curb of a Storm Sewer Drop Inlet on the Northeast corner of the Intersection of Lemmon Avenue and Dorothy Avenue.

Elevation: 493.620

No portion of the subject property lies within any area of 100-year flood according to FEMA's Flood Insurance Rate Map No. 48113C0330 J, dated August 23, 2001. Property is in Zone X.

GENERAL PLAT NOTES:

1. The purpose of this plat is to create one (1) Lot from a Portion of two (2) Existing Lots.

2. The number of Lots permitted by this plat is one.

3. Lot to Lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section approval.

4. Basis of Bearings: STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION 2011.

5. COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE FACTOR AND NO PROJECTION.

NOTES:

CIRS = 5/8" iron rod with purple plastic cap stamped, "RPLS 6451" set

CIRF = capped iron rod found

IRF = iron rod found

Vol., Pg. = Volume, Page

D.R.D.C.T. = Deed Records, Dallas County, Texas

M.R.D.C.T. = Map Records, Dallas County, Texas

Instr. No. = Instrument Number

O.P.R.D.C.T. = Official Public Records, Dallas County, Texas

P.O.B. = Point of Beginning

R.O.W. = right-of-way

Sq. Ft. = Square Feet

B.L. = Building Setback Line

(C.M.) = Controlling Monument

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Filename:W:\DLS Server\2022\22-104 3433 Miles St Replat\DWG\22-104-3433 Miles St- REPLAT.dwg
Date:Thursday, March 09, 2023 Time:10:59 AM Plotted by:JT Stokes

ENGINEER

Xavier Chapa Engineering/Surveying
1425 W. Pioneer, Suite 107
Irving, Texas, 75061
Contact: Xavier Chapa
214-869-9539
Xavier.chapa@maranot.com

OWNER

Kamran Zia
1681 Prince William Lane
Frisco, Texas, 75034
Contact: Kamran Zia

SURVEYOR

Duenes Land Surveying, LLC
2112 Blackfoot Trail
Mesquite, Texas 75149
Contact: Dustin D. Davison, RPLS
214-317-0685
dustin@dueneslandsurveying.com

PRELIMINARY PLAT

BOWSER ADDITION
LOT 9A, BLOCK 1/2462

Being a Replat out of
6,742 Square Feet, 0.155 Acres
Part of Lots 9 & 10, Block 1/2462 of
ELSMERE ADDITION
as recorded in Volume 1, Page 42
Map Records, Dallas County, Texas &
AND BEING OUT OF THE
CRAWFORD GRIGSBY SURVEY, ABSTRACT No. 532
City of Dallas, Dallas County, Texas
CITY PLAN FILE No. S223-079

SCALE 1" = 30'

February 23, 2023

OWNER'S CERTIFICATE

STATE OF TEXAS)(
COUNTY OF DALLAS)(

WHEREAS, Kamran Zia, is the owner of a 6,742 square foot (0.155 acre) tract of land situated in the CRAWFORD GRIGSBY SURVEY, ABSTRACT NUMBER 532, City of Dallas, Dallas County, Texas, same being a portion of Lots 9 & 10, Block 1/2462, of Elsmere Addition, an Addition to the City of Dallas, Dallas County, Texas, recorded in Volume 1, Page 42, Map Records, Dallas County, Texas, further being that certain tract of land conveyed to Kamran Zia, by Warranty Deed with Vendor's Lien recorded in Instrument Number 202200075296, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found (Controlling Monument) in the northwest right-of-way line of Miles Street (50' R.O.W.), (Volume 1, Page 42, Map Records, Dallas County, Texas), same being the east corner of a portion of Lot 8, of said Addition, from which a 1/2" iron rod with Yellow plastic cap stamped, "C&A" found (Controlling Monument) bears South 44 degrees 28 minutes 38 seconds West, for 50.00 feet;

THENCE North 45 degrees 31 minutes 22 seconds West, departing said northwest right-of-way line, along the northeasterly line of said portion of Lot 8, for a distance of 134.83 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set, same being the north corner of said portion of Lot 8 and being the east corner of the Remainder of Lot 8 (Save & Except Tract) and the south corner of the Remainder of Lot 9 (Save & Except Tract), of said Addition;

THENCE North 44 degrees 28 minutes 38 seconds East, for a distance of 50.00 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set, same being the east corner of the Remainder of Lot 10 (Save & Except Tract), of said Addition, further being in the southwesterly line of Lot 12A, Block 1/2462, of FRANKLIN-HETH ADDITION, an Addition to the City of Dallas, recorded in Volume 2004066, Page 184, Deed Records, Dallas County, Texas;

THENCE South 45 degrees 31 minutes 22 seconds East, along the southwesterly line of said Addition, for a distance of 134.83 feet, to a 5/8" iron rod with Purple plastic cap stamped, "RPLS 6451" set in the northwest right-of-way line of aforementioned Miles Street, same being the south corner of Lot 12D, of said Addition;

THENCE South 44 degrees 28 minutes 38 seconds West, along said northwest right-of-way line, for a distance of 50.00 feet, to the POINT OF BEGINNING and containing 6,742 square feet or 0.155 acres of land, more or less.

Copyright 2023 Duenes Land Surveying, LLC. All Rights Reserved. This drawing is the property of Duenes Land Surveying, LLC. Any modification or use of this drawing without the express written authorization of Duenes Land Surveying, LLC, is prohibited.

Filename:W:\D.S.S Server\2022\22-104-3823 Miles St Replat\DWG\22-104-3823 Miles St- REPLAT.dwg
Date:Thursday, March 09, 2023 Time:10:00 AM Plotted by:JP Shelton

OWNERS DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Kamran Zia, do hereby adopt this plat, designating the hereon described property as BOWSER ADDITION, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas, Texas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

By: Kamran Zia

_____ _____
Owner

STATE OF TEXAS)(
COUNTY OF DALLAS)(

BEFORE ME, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared Kamran Zia known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purposes and considerations therein expressed and in the capacity therein stated.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

_____
NOTARY PUBLIC in and for the State of Texas

SURVEYOR'S STATEMENT

I, Dustin D. Davison, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and from other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended) and the Texas Local Government Code, Chapter 212. I further affirm that the monumentation shown hereon was either found in place or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d)&(e); and that the digital drawing file accompanying this plat is a precise representation of this Signed and Record Final Plat.

Dated this the _____day of _____, 2023.

PRELIMINARY
RELEASED 02/23/23 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

_____
Dustin D. Davison, RPLS No. 6451

STATE OF TEXAS)(
COUNTY OF DALLAS)(

BEFORE ME, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared Dustin D. Davison, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this _____ day of _____ 2023.

_____
NOTARY PUBLIC in and for the State of Texas

PRELIMINARY PLAT
BOWSER ADDITION
LOT 9A, BLOCK 1/2462
Being a Replat out of
6,742 Square Feet, 0.155 Acres
Part of Lots 9 & 10, Block 1/2462 of
ELSMERE ADDITION
as recorded in Volume 1, Page 42
Map Records, Dallas County, Texas &
AND BEING OUT OF THE
CRAWFORD GRIGSBY SURVEY, ABSTRACT No. 532
City of Dallas, Dallas County, Texas
CITY PLAN FILE No. S223-079

SCALE 1" = 30'
February 23, 2023

Agenda Information Sheet

File #: 23-859 **Item #:** 17.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.595-acre tract of land containing all of Lots 10, 11, and 12 in City Block B/2104 to create one lot on property located on Samuell Boulevard at Sibley Street, southwest corner.
Applicant/Owner: One Samuell, LLC
Surveyor: Centro Resources
Application Filed: February 22, 2023
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-080

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-080 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Samuell Boulevard at Sibley Avenue, southwest corner

DATE FILED: February 22, 2023 **ZONING:** RR

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 0.595-acres **MAPSCO:** 45E

APPLICANT/OWNER: One Samuell, LLC

REQUEST: An application to replat a 0.595-acre tract of land containing all of Lots 10, 11, and 12 in City Block B/2104 to create one lot on property located on Samuell Boulevard at Sibley Avenue, southwest corner.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the RR Regional Retail District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Sibley Avenue. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

16. On the final plat, dedicate a minimum 10-foot by 10-foot corner clip (via fee simple or street easement) at the intersection of Sibley Avenue and Samuell Boulevard. Section 51A 8.602(d)(1)

17. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. Section 51A 8.602(d)(1), 51A 8.608(a)

18. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Samuell Boulevard & the alley. *Section 51A-8.602(e)*

Survey (SPRG) Conditions:

19. Prior to final plat, submit a completed final plat checklist and all supporting documents.

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

22. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.

Dallas Water Utilities Conditions:

23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

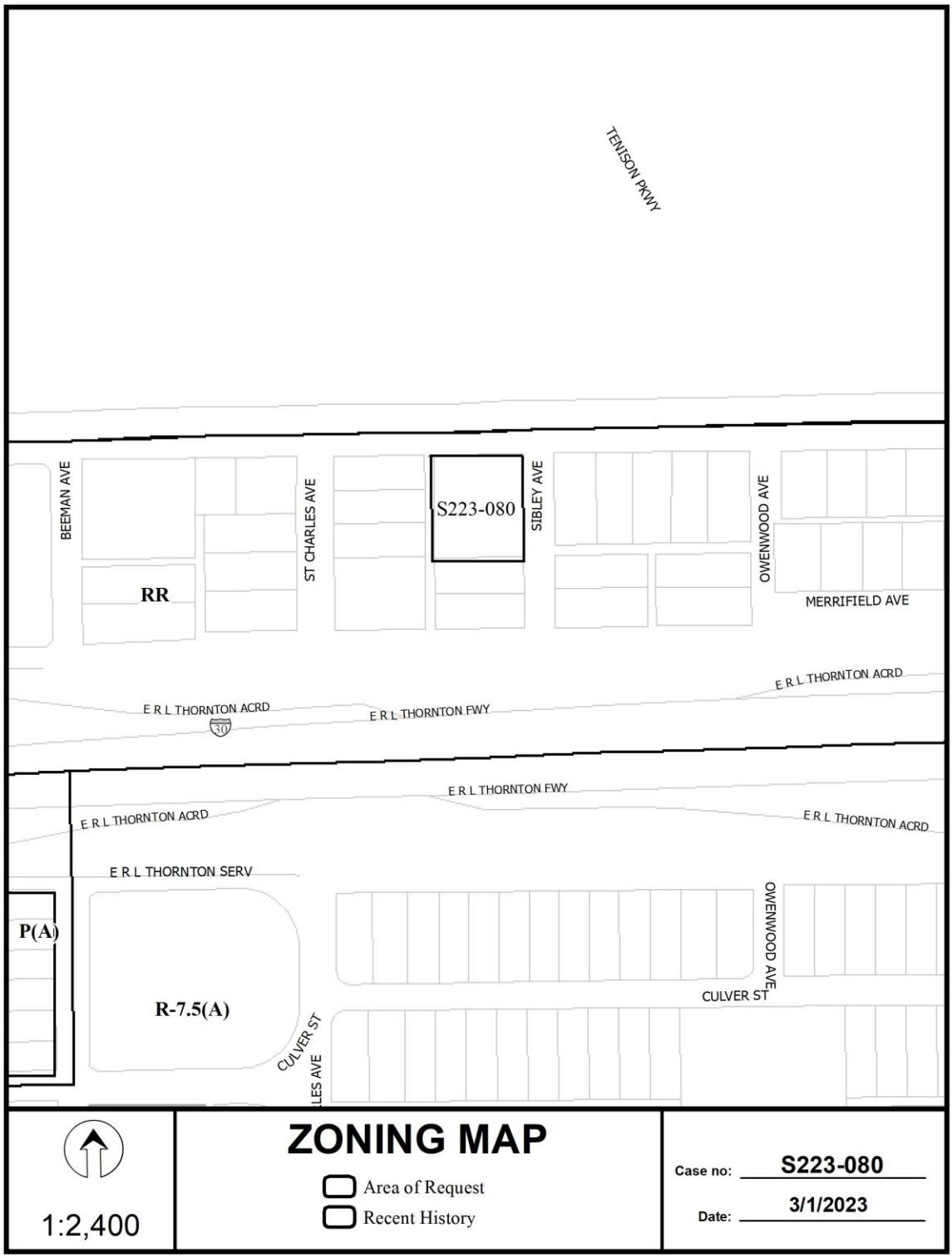
24. Prior to final plat, provide documentation to Real Estate Department to ensure fencing located in the right-of-way of Sibley Avenue is relocated into boundary of the property or removed.

25. On the final plat, change “Samuel Boulevard Formerly (East Pike) Formerly (Orphans Home Road)(Formerly State Highway 15)” to “Samuell Boulevard (F.K.A. East Pike)”. Section 51A-8.403(a)(1)(A)(xii)

26. On the final plat, change “East R.L. Thornton Freeway (Interstate State Highway 15)” to “R.L. Thornton Freeway / Interstate Highway No. 30 (A.K.A. U.S. Highway No. 67)” Section 51A-8.403(a)(1)(A)(xii)

27. On the final plat, change “Sibley Street” to “Sibley Avenue”. Section 51A-8.403(a)(1)(A)(xii)

28. On the final plat, identify the property as Lot 10A in City Block B/2104. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


TENISON PKWY
BEEMAN AVE
ST CHARLES AVE
S223-080
SIBLEY AVE
OWENWOOD AVE
MERRIFIELD AVE
RR
E R L THORNTON ACRD
E R L THORNTON FWY
E R L THORNTON ACRD
E R L THORNTON FWY
E R L THORNTON ACRD
E R L THORNTON ACRD
E R L THORNTON SERV
P(A)
R-7.5(A)
OWENWOOD AVE
CULVER ST
CULVER ST
LES AVE
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-080
Date: 3/1/2023

1:2,400

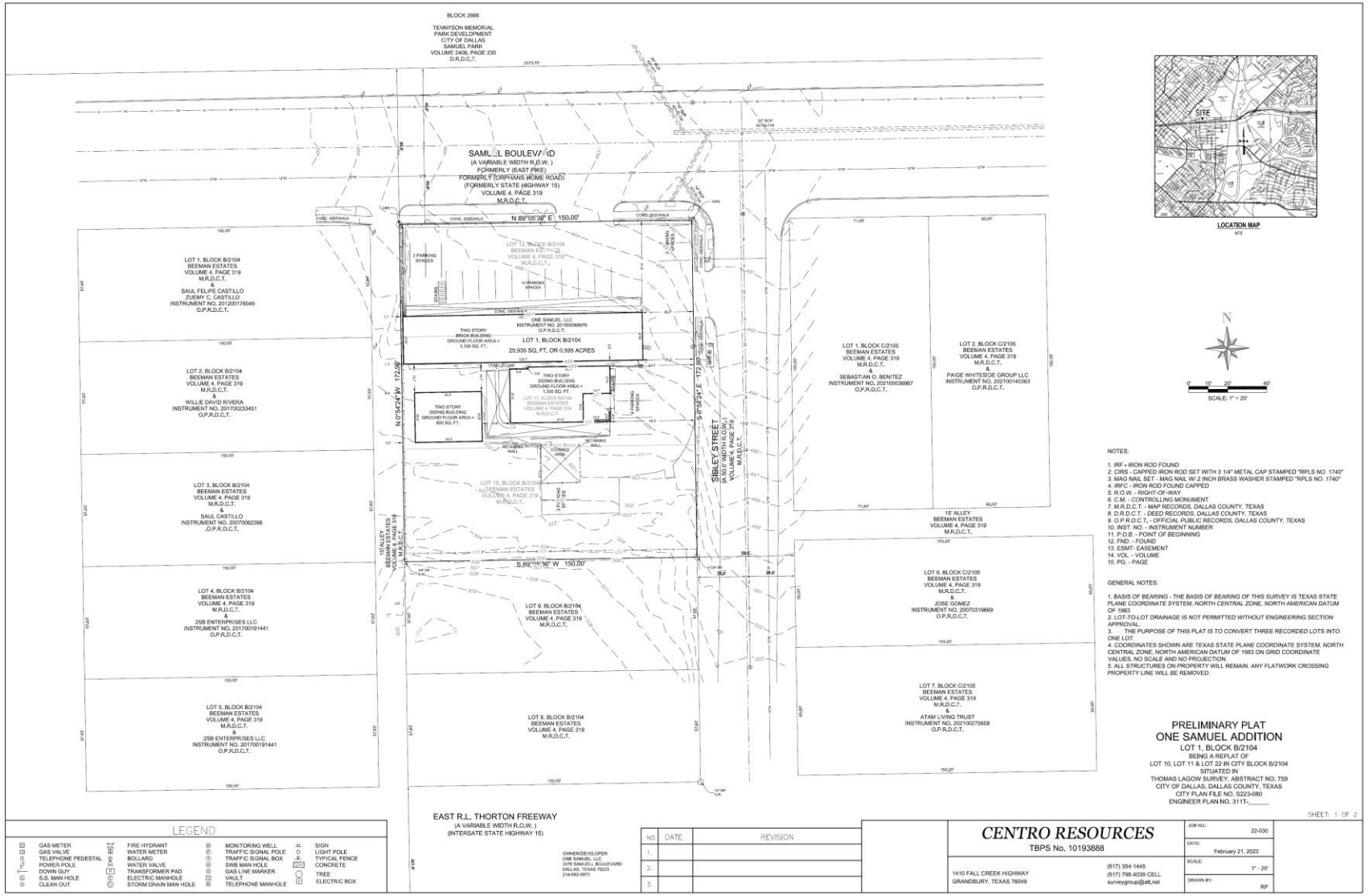
AERIAL MAP

Area of Request

Recent History

Case no: S223-080

Date: 3/1/2023



S223-080

17(f)

City Plan Commission Date: 03/23/2023

OWNERS CERTIFICATE

STATE OF TEXAS –
COUNTY OF DALLAS –

WHEREAS One Samuel LLC is the sole owners of a tract contain 10.0556 acre tract of land out of the Thomas Lagow Survey, Abstract No. 759 and in the City Block B/2104, City of Dallas, Dallas County, Texas, being all of that certain tract of land conveyed to Samuel LLC tract, some point being the northwest corner of said Lot 10, Block B/2104; said point also being in the east line of Samuell Boulevard (a 80.0 foot width right-of-way) and the south right-of-way line of Stacy Street (a 50.0 foot width right-of-way);

THENCE S 89 degrees 56 minutes 30 seconds W, along the common line of said Lot 9, Block B/2104 and Lot 10, Block B/2104, a distance of 150.00 feet to 5/8 inch found for corner; said point being the northwest corner of said Lot 9, Block B/2104, same point being the northeast corner of said Lot 8, Block B/2104; said point also being in the east line of a 15 foot alley as shown on plat recorded in Volume 4, Page 319, Map Records, Dallas County, Texas;

THENCE N 00 degrees 04 minutes 24 seconds W, along the east line of said 15 foot alley, a distance of 172.00 feet to a 5/8 inch found for corner; said point being the northwest corner of said Lot 10, Block B/2104, same point being the south line of said Stacy Street;

THENCE N 89 degrees 56 minutes 30 seconds E, along the southern line of said Samuell Boulevard, a distance of 150.00 feet to the POINT of BEGINNING and containing 25,555 square feet and 0.586 acre of computed land.

OWNERS DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That ONE SAMUEL LLC, acting by and through the undersigned, its duly authorized agent, do hereby adopt this subdivision plat designating the hereinabove described property as Lot 1, Block B/2104 **ONE SAMUEL ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown. **Said** easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. **All** and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, **and all** public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. **Any** public utility shall have the right to relocate any private property for the purpose of reading meters and maintenance of service, provided the utility restores the property to its original condition.

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. The minimum clearance of water and wastewater facilities from all points of the outside wall of any building shall be nine and one-half feet (9.5') for wastewater services from the main to the curb of pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas. Sidewalks shall be constructed by the builder as required by City Council Resolutions No. 87-3287 and in accordance with the requirements of the Director of Public Works.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

ONE SAMUEL, LLC

BY:_____

PRINTED NAME:_____

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____ (OWNER) known to me to be the person or persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2023.

_____
Notary Public in and for Dallas County

SURVEYOR'S STATEMENT

I, Larry Tormen, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other relative documentation; and that this plat substantially complies with the Rules of Practice and Procedure as adopted by the Texas Board of Professional Land Surveying; and the Platting Ordinance (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monuments shown hereon were found or placed under my supervision on the ground, and that the plat complies with the City of Dallas monument representation of this Signed Final Plat.

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

_____ Date
Larry Tormen
Registered Professional Land Surveyor No. 1740

STATE OF TEXAS:
COUNTY OF DALLAS:

BEFORE me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Larry Tormen, known to me to be the person or persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity herein stated and the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____
Notary Public in and for Dallas County, Texas

NOTES:

1. IRF - IRON ROD FOUND
2. CIRS - CAPPED IRON ROD SET WITH 3 1/4" METAL CAP STAMPED "RPLS NO. 1740"
3. MONUMENT - FOUND 1/2 INCH BRASS HUGHES STAMPED "RPLS NO. 1740"
4. IRFC - IRON ROD FOUND CAPPED
5. R.O.W. - RIGHT-OF-WAY
6. POB - POINT OF BEGINNING
7. M.R.D.C.T. - MAP RECORDS, DALLAS COUNTY, TEXAS
8. D.R.D.C.T. - DEED RECORDS, DALLAS COUNTY, TEXAS
9. O.P.R.D.C.T. - OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
10. INST NO. - INSTRUMENT NUMBER
11. FND. - FOUND
12. FND. - FOUND
13. ESMT. - EASEMENT
14. VOL. - VOLUME
15. PG. - PAGE

GENERAL NOTES:

1. BASIS OF BEARING - THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983.
2. LOT-TO-LOT DRAINAGE IS NOT PERMITTED WITHOUT ENGINEERING SECTION APPROVAL.
3. THE PURPOSE OF THIS PLAT IS TO CONVERT THREE RECORDED LOTS INTO ONE LOT.
4. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES. ALL DISTANCES SHOWN ARE GRID VALUES.
5. ALL STRUCTURES ON PROPERTY WILL REMAIN. ANY FLATWORK CROSSING PROPERTY LINE WILL BE REMOVED.

LEGEND

GAS METER	FIRE HYDRANT	MONITORING WELL	SIGN	LIGHT POLE	
GAS VALVE	WATER METER	TRAFFIC SIGNAL POLE	TRAFFIC SIGNAL BOX	TRAFFIC SIGNAL BOX	
TELEPHONE RISER	WATER VALVE	SWB MAN HOLE	CONCRETE		
POWER POLE	GUY ANCHOR	CABLE TV MARKER	TREE	ELECTRIC BOX	
ELECTRIC MANHOLE	ELECTRIC MANHOLE	VAULT			
SS MAN HOLE	STORM DRAIN MAN HOLE	TELEPHONE MANHOLE			
CLEAN OUT					

NO.	DATE	REVISION
1.		
2.		
3.		

OWNER/DEVELOPER:
ONE SAMUEL, LLC
3976 SAMUELL BOULEVARD
ROWLETT, TEXAS 75033
214-662-6973

CENTRO RESOURCES
TBPS No. 10193888

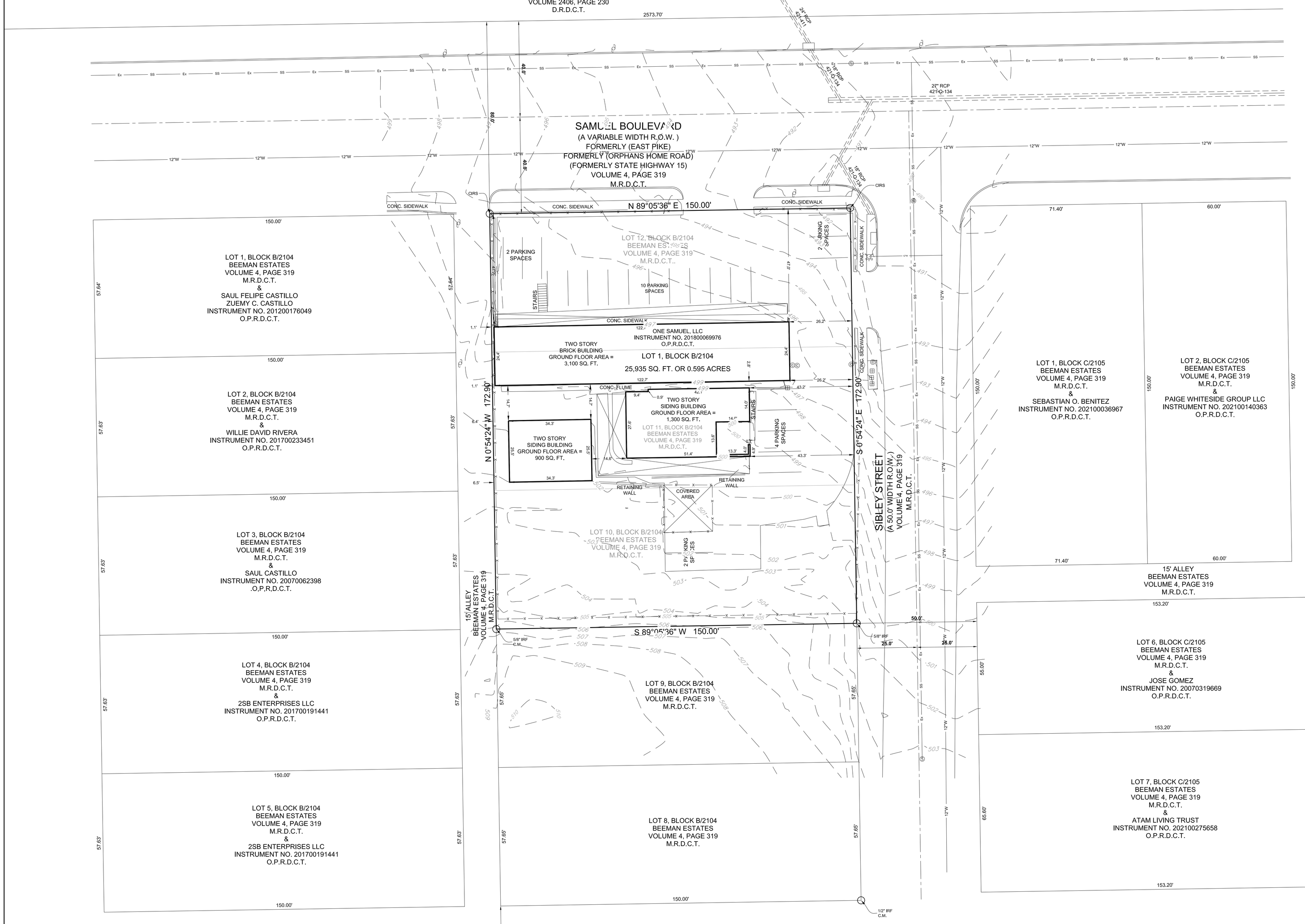
1475 HERITAGE PKWY., STE 217
GRANBURY, TEXAS 76049

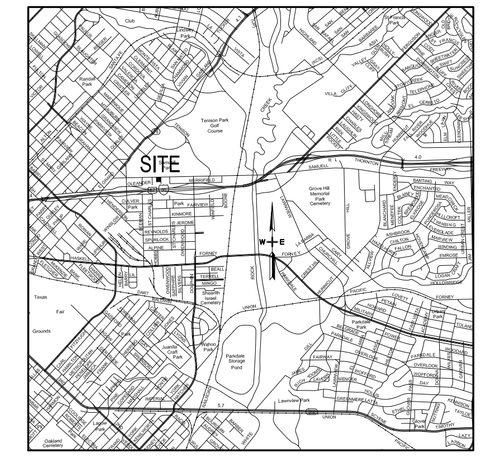
(817) 304- 1445
(817) 798-4039 CELL
kurtwygmore@att.net

PRELIMINARY PLAT
ONE SAMUEL ADDITION
LOT 1, BLOCK B/2104
BEING A REPLAT OF
LOT 10, LOT 11 & LOT 12 IN CITY BLOCK B/2104
SITUATED IN
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S222-080
ENGINEER PLAN NO. 311T-____

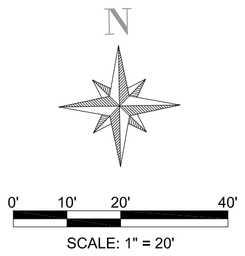
JOB NO.:	2017
DATE:	February 21, 2023
SCALE:	########
DRAWN BY:	RP

SHEET 2 OF 2





LOCATION MAP
NTS



SCALE: 1" = 20'

NOTES:

1. IRF - IRON ROD FOUND
2. CIRS - CAPPED IRON ROD SET WITH 3 1/4" METAL CAP STAMPED "RPLS NO. 1740"
3. MAG NAIL SET - MAG NAIL W/ 2 INCH BRASS WASHER STAMPED "RPLS NO. 1740"
4. IRFC - IRON ROD FOUND CAPPED
5. R.O.W. - RIGHT-OF-WAY
6. C.M. - CONTROLLING MONUMENT
7. M.R.D.C.T. - MAP RECORDS, DALLAS COUNTY, TEXAS
8. D.R.D.C.T. - DEED RECORDS, DALLAS COUNTY, TEXAS
9. O.P.R.D.C.T. - OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
10. INST. NO. - INSTRUMENT NUMBER
11. P.O.B. - POINT OF BEGINNING
12. FND. - FOUND
13. ESMT- EASEMENT
14. VOL. - VOLUME
15. PG. - PAGE

GENERAL NOTES:

1. BASIS OF BEARING - THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983
2. LOT-TO-LOT DRAINAGE IS NOT PERMITTED WITHOUT ENGINEERING SECTION APPROVAL.
3. THE PURPOSE OF THIS PLAT IS TO CONVERT THREE RECORDED LOTS INTO ONE LOT.
4. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
5. ALL STRUCTURES ON PROPERTY WILL REMAIN. ANY FLATWORK CROSSING PROPERTY LINE WILL BE REMOVED.

PRELIMINARY PLAT
ONE SAMUEL ADDITION
LOT 1, BLOCK B/2104
BEING A REPLAT OF
LOT 10, LOT 11 & LOT 22 IN CITY BLOCK B/2104
SITUATED IN
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-080
ENGINEER PLAN NO. 311T-_____

LEGEND

GAS METER	FIRE HYDRANT	MONITORING WELL	SIGN
GAS VALVE	WATER METER	TRAFFIC SIGNAL POLE	LIGHT POLE
TELEPHONE PEDESTAL	BOLLARD	TRAFFIC SIGNAL BOX	TYPICAL FENCE
POWER POLE	WATER VALVE	SWB MAN HOLE	CONCRETE
DOWN GUY	TRANSFORMER PAD	GAS LINE MARKER	TREE
S.S. MAN HOLE	ELECTRIC MANHOLE	VAULT	ELECTRIC BOX
CLEAN OUT	STORM DRAIN MAN HOLE	TELEPHONE MANHOLE	

OWNER/DEVELOPER:
ONE SAMUEL, LLC
3076 SAMUELL BOULEVARD
DALLAS, TEXAS 75223
214-682-5973

NO.	DATE	REVISION
1.		
2.		
3.		

CENTRO RESOURCES
TBPS No. 10193888
1410 FALL CREEK HIGHWAY
GRANDBURY, TEXAS 76049
(817) 354-1445
(817) 798-4039 CELL
surveygroup@att.net

JOB NO.:	22-030
DATE:	February 21, 2023
SCALE:	1" - 20'
DRAWN BY:	RP

OWNER'S CERTIFICATE

STATE OF TEXAS ~
COUNTY OF DALLAS ~

WHEREAS One Samuell LLC is the sole owners of a that certain 0.0595 acre tract of land out of the Thomas Lagow Survey, Abstract No. 759 and in the City Block B/2104, City of Dallas, Dallas County, Texas, being all of that certain tract of land conveyed to One Samuell LLC by Special Warranty Deed as recorded in Instrument No. 201800069976, Official Public Records, Dallas County, Texas, being all of Lot 10, Lot 11 and Lot 12, Block B/2104, Beeman Estates, according to the plat thereof recorded in Volume 4. Page 319, Map Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a set capped 1/2 inch iron rod with a 3 1/4 inch metal cap stamped "RPLS 1740" at the northeast corner of said Lot 12, Block B/2104, said point being the northeast corner of said One Samuell LLC tract, same point being at the intersection of the south right-of-way line of Samuell Boulevard (a 80.0 foot width right-of-way) and the west right-of-way Sibley Street (a 50.0 foot width right-of-way);

THENCE S 00 degrees 54 minutes 24 seconds E, departing the south line of said Samuell Boulevard and along the west line of said Sibley Street, a distance of 172.90 feet to a 5/8 inch iron rod found for corner, said point being the southeast corner of said One Samuell LLC tract, same point being the southeast corner of said Lot 10, Block B/2104, said point also being in the northeast corner of Lot 9, Block B/2104, Beeman Estates, according to the plat thereof recorded in Volume 4. Page 319, Map Records, Dallas County, Texas;

THENCE S 89 degrees 36 minutes 30 seconds W, along the common line of said Lot 9, Block B/2104 and Lot 10, Block B/2104, a distance of 150.00 feet to 5/8 inch iron rod found for corner, said point being the northwest corner of said Lot 9, Block B/2104, same point being the southwest corner of said Lot 10, Block B/2104, said point being in the east line of a 15 foot alley as shown on plat recorded in Volume 4, Page 319, Map Records, Dallas County, Texas;

THENCE N 00 degrees 54 minutes 24 seconds W, along the east line of said 15 foot alley, a distance of 172.90 feet to a 5/8 inch iron found for corner, said point being the northwest corner of said Lot 12, Block B/2104, same point being the south line of said Samuell Boulevard;

THENCE N 89 degrees 05 minutes 36 seconds E, along the southerly line of said Samuell Boulevard, a distance of 150.00 feet to the POINT of BEGINNING and containing 25,935 square feet and 0.595 acre of computed land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That ONE SAMUEL, LLC, **acting by and through their duly authorized agents, do hereby adopt this plat, designating the herein described property as Lot 1,Block B/2104, ONE SAMUEL ADDITION, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of Ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).**

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas. Sidewalks shall be constructed by the builder as required by City Council Resolutions No. 68-1038 and in accordance with the requirements of the Director of Public Works.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

ONE SAMUEL, LLC

BY: _____

PRINTED NAME: _____

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, OWNER **known to me to be the person or persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same in the capacity herein stated.**
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ___ day of _____, 2023.

_____
Notary Public in and for Dallas County

SURVEYOR'S STATEMENT

I, Larry Turman, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

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

_____ _____
Larry Turman — Date
Registered Professional Land Surveyor, No. 1740

STATE OF TEXAS:
COUNTY OF DALLAS:

BEFORE me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Larry Turman, known to me to be the person or persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity herein stated and the act and deed of said company.
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____ 2023.

_____
Notary Public in and for Dallas County, Texas

NOTES:

1. IRF - IRON ROD FOUND
2. CIRS - CAPPED IRON ROD SET WITH 3 1/4" METAL CAP STAMPED "RPLS NO. 1740"
3. MAG NAIL SET - MAG NAIL W/ 2 INCH BRASS WASHER STAMPED "RPLS NO. 1740"
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6. C.M. - CONTROLLING MONUMENT
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15. PG. - PAGE

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PRELIMINARY PLAT
ONE SAMUEL ADDITION
LOT 1, BLOCK B/2104
BEING A REPLAT OF
LOT 10, LOT 11 & LOT 22 IN CITY BLOCK B/2104
SITUATED IN
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-080
ENGINEER PLAN NO. 311T-_____

LEGEND

GAS METER	FIRE HYDRANT	MONITORING WELL	SIGN
GAS VALVE	WATER METER	TRAFFIC SIGNAL POLE	LIGHT POLE
TELEPHONE PEDESTAL	BOLLARD	TRAFFIC SIGNAL BOX	TYPICAL FENCE
POWER POLE	WATER VALVE	SWB MAN HOLE	CONCRETE
DOWN GUY	TRANSFORMER PAD	GAS LINE MARKER	TREE
S.S. MAN HOLE	ELECTRIC MANHOLE	VAULT	ELECTRIC BOX
CLEAN OUT	STORM DRAIN MAN HOLE	TELEPHONE MANHOLE	

OWNER/DEVELOPER:
ONE SAMUEL, LLC
3076 SAMUELL BOULEVARD
DALLAS, TEXAS 75223
214-682-5973

NO.	DATE	REVISION
1.		
2.		
3.		

CENTRO RESOURCES
TBPS No. 10193888
1475 HERITAGE PKWY., STE 217
GRANDBURY, TEXAS 76049
(817) 354-1445
(817) 798-4039 CELL
surveygroup@att.net

JOB NO.: 20-017
DATE: February 21, 2023
SCALE: ########
DRAWN BY: RP

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-860 **Item #:** 18.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 10

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 1.906-acre tract of land containing all of Lots 2 and 3 in City Block C/8042 to create one lot on property located on Kingsley Road, west of Jupiter Road.
Applicant/Owner: Pramukhraj Enterprise, LLC
Surveyor: Peiser & Mankin Surveying, LLC
Application Filed: February 22, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 10
S223-081

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-081 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Kingsley Road, west of Jupiter Road

DATE FILED: February 22, 2023 **ZONING:** IR

CITY COUNCIL DISTRICT: 10 **SIZE OF REQUEST:** 1.906-acres **MAPSCO:** 28Q

APPLICANT/OWNER: Pramukhraj Enterprise, LLC

REQUEST: An application to replat a 1.906-acre tract of land containing all of Lots 2 and 3 in City Block C/8042 to create one lot on property located on Kingsley Road, west of Jupiter Road.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the IR Industrial Research District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, add the note: “TxDOT approval may be required for any driveway modification or new access point(s).” No citation.

16. Provide approval from the City of Garland for any work within their jurisdiction.

Survey (SPRG) Conditions:

17. Prior to final plat, submit a completed final plat checklist and all supporting documents.

18. On the final plat, show recording information on all existing easements within 150 feet of the property.

19. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

20. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

21. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU

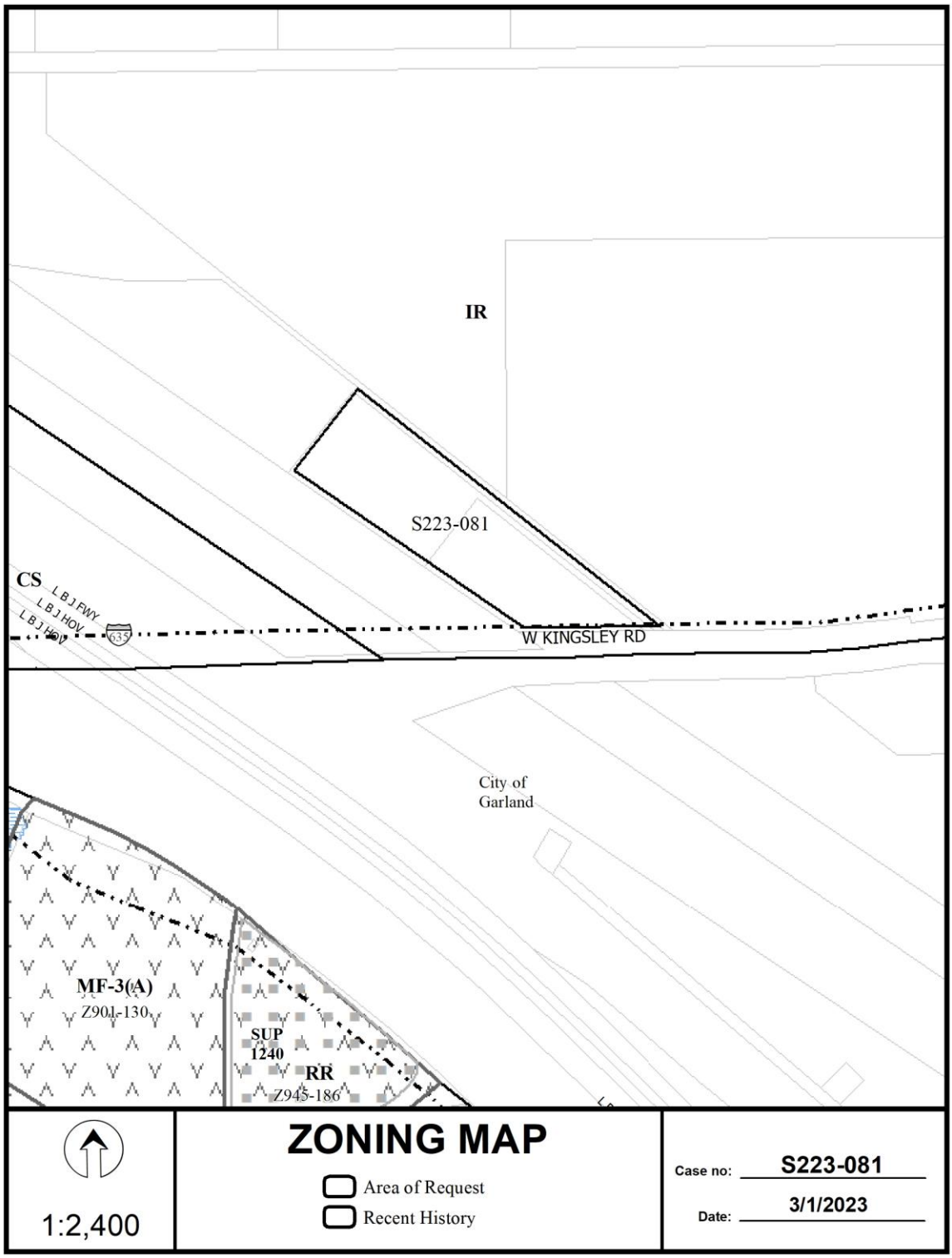
easement size 20’ for one utility and 25’ for both water and sewer. Larger diameter or deeper mains may require additional width.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

22. Prior to final plat, submit documentation to Real Estate to ensure fencing along the north portion of the property is not located in City right-of-way.

23. On the final plat, change “Kingsley Road (County Road No. 171)” to “Kingsley Road”. Section 51A-8.403(a)(1)(A)(xii)

24. On the final plat, identify the property as Lot 2A in City Block C/8042. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


IR
S223-081
CS
LBJ FWY
LBJ HOV
W KINGSLEY RD
City of
Garland
MF-3(A)
Z901-130
SUP
1240
RR
Z945-186
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-081
Date: 3/1/2023

1:2,400

AERIAL MAP

Area of Request

Recent History

Case no: S223-081

Date: 3/1/2023

PRELIMINARY PLAT
PRAMUKHRAJ DEVELOPING
ADDITION NO. 2
LOT 2R, BLOCK C/8042
BEING ALL OF LOTS 2 AND 3, BLOCK C/8042, PRAMUKHRAJ DEVELOPING ADDITION
OUT OF THE A.G. COLLINS SURVEY, ABSTRACT NO. 329
CITY OF DALLAS, DALLAS COUNTY, TEXAS
DATE: 3/21/2023
SCALE: 1" = 30'
DRAWN BY: TPM
CHECKED BY: MM
PAGE SIZE: 24 X 36
JOB NO.: 2022-0004
SHEET 1 OF 2
PEISER & MANKIN SURVEYING, LLC
www.peisersurveying.com
1604 HART STREET
COLLEYVILLE, TEXAS 76034
817-481-1804 (O)
FIRM NO. 100999-00
COMMERCIAL
RESIDENTIAL
BOUNDARIES
TOPOGRAPHIC
OWNER:
PRAMUKHRAJ ENTERPRISE, LLC
1604 HIGHWAY 34 SOUTH
KAUFMAN, TEXAS 75142
214-662-2466 (O)
972-963-4275 (P)
CONTACT: HANTMANAR (TONY) PATEL
ENGINEERING PLAN NO. 3117—
S223-081
PRELIMINARY
RELEASED 3/21/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES
LEGEND
1. ESMT. = EASEMENT
2. VOL., PG., D.R.D.C.T. = VOLUME, PAGE, DEED RECORDS, DALLAS COUNTY, TEXAS
3. O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
4. IRF = IRON ROD FOUND
5. MNF = MAG NAIL FOUND
6. MANKIN SURV. CAP = 5/8" IRON ROD FOUND WITH RED "PEISER & MANKIN SURV. CAP" DOME CAP
7. NOT NO. = NOTCH NO.
8. INTERSECT MARKER = 5/8" IRON ROD WITH YELLOW "PEISER CAP"
9. PSC = PEISER
10. PMC = PEISER & MANKIN
LEGEND
GAS METER
WATER VALVE
FIRE HYDRANT
WATER MANHOLE
SIGN
TELEPHONE PEDESTAL
FIBER OPTIC MARKER
TELEPHONE MANHOLE
TYPICAL FENCE
POWER POLE
GUY WIRE
CHAIN LINK
SSMH MANHOLE
CONCRETE
SS MANHOLE
VAULT
COVERED AREA
ELECTRIC METER
STORM DRAIN MANHOLE
HANDICAP SPACE
CLEAN OUT
VICINITY MAP
NOT TO SCALE
MAPSCO PAGE 28Q
SITE
GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.
NORTH
LEGEND LINE
PROPERTY LINE
ADJOINER LINE
RIGHT-OF-WAY LINE
CENTERLINE
WATER LINE
OVERHEAD SERVICE LINE
STORM WATER LINE
BUILDING LINE
STREET CENTERLINE
GENERAL NOTES:
1. Bearing System: Texas Coordinate System, North Central Zone (4202), North American Datum of 1983, Adjustment realization 2011.
2. The purpose of this plat is to create 1 lot from 2 existing lots.
3. This plat is subject to all requirements of the Subdivision Ordinance, Engineering Division approval.
4. Selling a portion of this addition by metes and bounds is prohibited.
5. Coordinates shown are Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983, on Grid Coordinate Values, no scale and no project combined factor.
6. Elevations shown hereon refer to North American Vertical Datum of 1988 (NAVD 88) as established by GPS observations using Leica Geosystems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) Methods.
KINGSLEY ROAD
(COUNTY ROAD NO. 119)
(A VARIABLE WIDTH RIGHT-OF-WAY)
POINT OF BEGINNING
LOT 2R, BLOCK C/8042
23,020 SQ. FT.
OR 1.806 ACRES
LOT 1, BLOCK 1
VOL. 4003 PG. 5170
D.R.D.C.T.
LOT 2, BLOCK C/8042
PRAMUKHRAJ DEVELOPING ADDITION
INST. NO. 20090089089
O.P.R.D.C.T.
LOT 3, BLOCK C/8042
PRAMUKHRAJ DEVELOPING ADDITION
INST. NO. 20090089089
O.P.R.D.C.T.
LOT 4, BLOCK C/8042
PRAMUKHRAJ DEVELOPING ADDITION
INST. NO. 20090089089
O.P.R.D.C.T.
LOT 5, BLOCK C/8042
PRAMUKHRAJ DEVELOPING ADDITION
INST. NO. 20090089089
O.P.R.D.C.T.
LOT 1, BLOCK 1
VOL. 4003 PG. 5170
D.R.D.C.T.
LOT 1, BLOCK 1
VOL. 4003 PG. 5170
D.R.D.C.T.
CITY BLOCK 8050
CITY BLOCK 8042
CITY BLOCK 8043
CITY LIMIT
ORDINANCE NO. 19990
CITY OF GARLAND
VOL. 87183, PG. 1113
D.R.D.C.T.
KANSAS CITY SOUTHERN RAILROAD
(S.C. & S.F. RAILROAD)
A.G. COLLINS SURVEY
ABSTRACT NO. 329
NATHAN PORTER SURVEY
ABSTRACT NO. 1173
DALLAS POWER & LIGHT COMPANY
VOL. 3326, PG. 45, D.R.D.C.T.
(UNDERGROUND)
DALLAS POWER & LIGHT COMPANY
VOL. 3326, PG. 45, D.R.D.C.T.
(OVERHEAD)
COUNTY OF DALLAS
VOL. 81116, PG. 1120
D.R.D.C.T.
COUNTY OF DALLAS
VOL. 81116, PG. 1120
D.R.D.C.T.
CITY OF GARLAND
VOL. 87183, PG. 1113
D.R.D.C.T.
CITY OF GARLAND
VOL. 87183, PG. 1113
D.R.D.C.T.
VOL. 2272, PG. 365
D.R.D.C.T.
VOL. 2272, PG. 365
D.R.D.C.T.
VOL. 4003, PG. 5170
D.R.D.C.T.
VOL. 4003, PG. 5170
D.R.D.C.T.
VOL. 4003, PG. 5170

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

Whereas, Pramukhraj Enterprise, LLC, is the sole owner of a tract of land situated in the A.G. Collins Survey, Abstract No. 329, in City of Dallas Block No. 8042, Dallas County, Texas, and being a part of Lot 2, Block C/8042 of Pramukhraj Developing Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 20180081553, of the Official Public Records of Dallas County, Texas, (the "Official Public Records"), and being all of Lots 3 and 4, Block C/8042 of Pramukhraj Developing Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 20180081554, Official Public Records, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with yellow plastic cap stamped "Pacheco Koch" found for the northeast corner of Lot 4, said Pramukhraj Developing Addition, same being in the north right-of-way line of Kingsley Road (variable width right-of-way);

THENCE South 88 deg 58 min. 22 sec. West, along the common line of said Lot 3 and said Kingsley Road, a distance of 99.07 feet to a 5/8 inch iron rod found for angle point;

THENCE South 89 deg 19 min. 29 sec. West, continuing along the common line of said Lot 3 and said Kingsley Road, a distance of 124.19 feet to a 1/2 inch iron rod with yellow "Brittain" plastic cap found for the southwest corner of said Lot 3, same being in the northeasterly line of a tract of land conveyed to Dallas Power & Light Company by deed recorded in Volume 4440, Page 378, Deed Records, Dallas County, Texas;

THENCE North 55 deg 41 min. 18 sec. West, along the common line of said Lot 2 and said Dallas Power & Light Company tract, passing at a distance of 198.92 feet the west corner of said Lot 2, same being the south corner of said Lot 3, and continuing for a total distance of 457.80 feet to a 1/2 inch iron rod found for the west corner of said Lot 3, same being the most westerly south corner of aforesaid Lot 4;

THENCE along the common line of said Lots 3 and 4, as follows:

North 38 deg 02 min. 22 sec. East, a distance of 168.97 feet to an "X" cut found for the north corner of said Lot 3, same being an internal corner of said Lot 4;

South 89 deg 58 min. 38 sec. East, a distance of 415.00 feet to the POINT OF BEGINNING and containing 83,020 square feet or 1.906 acres of surveyed land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, **PRAMUKHRAJ ENTERPRISE LLC**, ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, **NAVINKUMAR PATEL (MANAGER)**, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **PRAMUKHRAJ DEVELOPING ADDITION NO. 2**, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY AND ALL STREETS AND ALLEYS SHOWN THEREON. THE EASEMENTS AND PUBLIC USE AREAS SHOWN HEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE USE OF THE PUBLIC FOR FIRE PROTECTION AND EMERGENCY PURPOSES. ALL PUBLIC USE AREAS SHALL BE MAINTAINED IN A NEAT AND ATTRACTIVE CONDITION AND THE MAINTENANCE OF PAVING IN THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, SAID EASEMENTS BEING RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE SAME. ALL AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANYWAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE (EXCEPT UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY)

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS ADDITIONAL EASEMENT AREA IS ALSO CONVEYED FOR INSTALLATION AND MAINTENANCE OF WATER AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE. ANY DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF DALLAS, TEXAS.

WITNESS my hand this the _____ day of _____, 2023

PRAMUKHRAJ ENTERPRISE, LLC

_____
NAVINKUMAR PATEL (MANAGER)

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Navinkumar Patel, Manager of Pramukhraj Enterprise, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity therein stated and the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____
Notary Public in and for _____ County

SURVEYOR'S STATEMENT

I, TIMOTHY R. MANKIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION FROM RECORDED DOCUMENTATION, EXISTING CALLED MONUMENTS, AND FIELD MEASURE MONUMENTATION. EXISTING CALLED MONUMENTS ARE FOUND OR PLACED AS REQUIRED BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYING, THE CITY OF DALLAS DEVELOPMENT CODE, AND THE CITY OF DALLAS SURVEY MANUAL. THE CITY OF DALLAS MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH CHAPTER 212 I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF DALLAS DEVELOPMENT CODE, SEC. 51A-8.617 (A)(B)(C)(D) & (E), AND THAT THE PROPERTY CORNERS FOR THE SUBDIVISION WILL BE PLACED BY THE DATE OF SIGNED FINAL PLAT. ACCORDING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SURVEY.

_____ _____
TIMOTHY R. MANKIN DATE
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6122

PRELIMINARY
RELEASED 2/15/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED TIMOTHY R. MANKIN, REGISTERED PROFESSIONAL LAND SURVEYOR, WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2023

_____
NOTARY PUBLIC IN AND FOR TARRANT COUNTY, TEXAS

PRELIMINARY PLAT
PRAMUKHRAJ DEVELOPING ADDITION NO. 2
LOT 2R, BLOCK C/8042

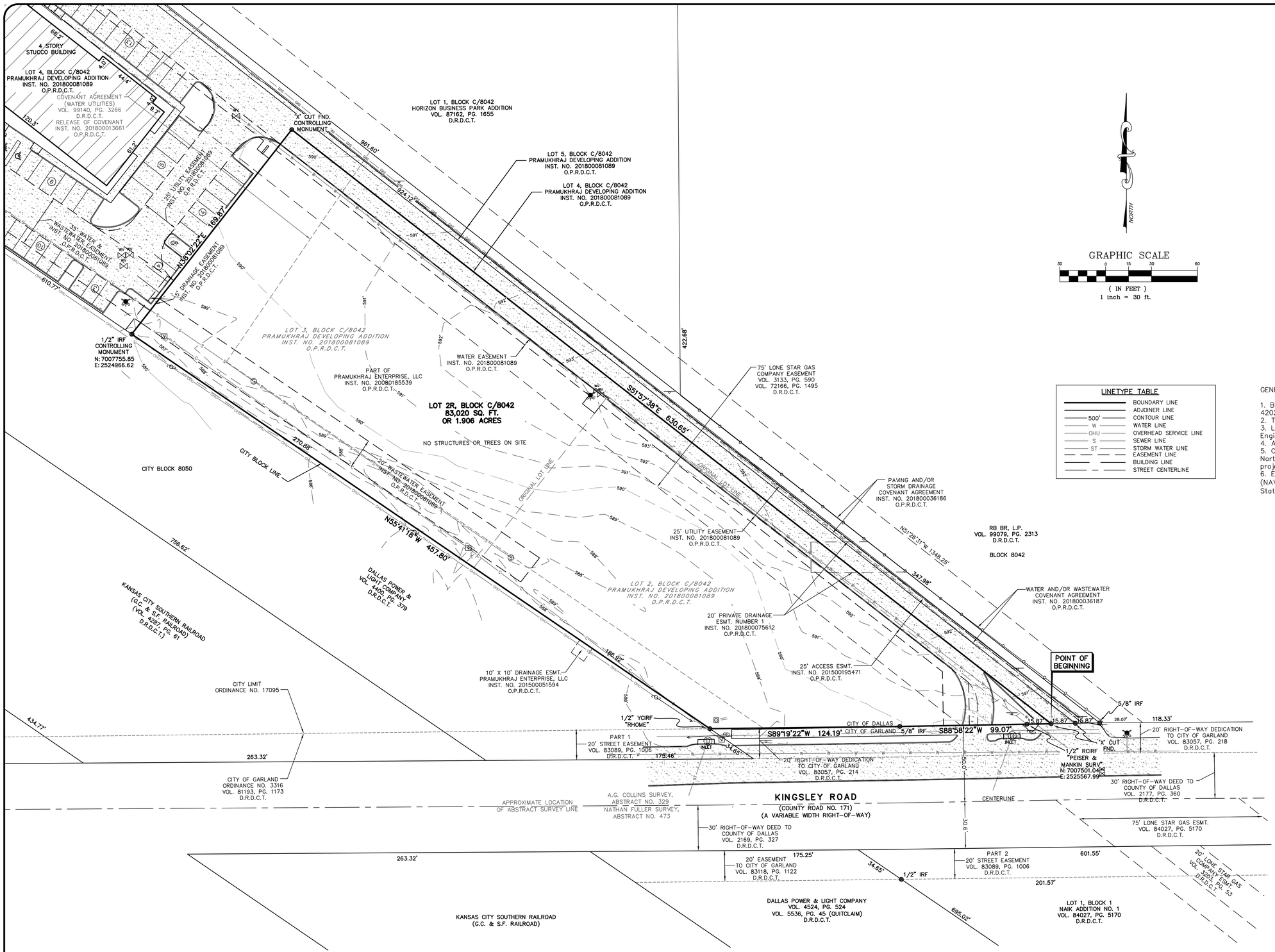
BEING ALL OF LOTS 2 AND 3, BLOCK C/8042, PRAMUKHRAJ DEVELOPING ADDITION
OUT OF THE A.G. COLLINS SURVEY, ABSTRACT NO. 329
CITY OF DALLAS, DALLAS COUNTY, TEXAS
DATE PREPARED: FEBRUARY 15, 2023
ENGINEERING PLAN NO. 317[illegible]

OWNER:
PRAMUKHRAJ ENTERPRISE, LLC
1604 HWY 34 SOUTH
KALEVILLE, TX 77444
214-682-2466 (O)
CONTACT: NAVINKUMAR (TONY) PATEL

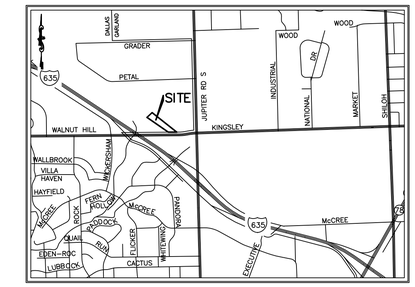
PEISER & MANKIN SURVEYING, LLC
www.peisermankinsurveying.com
1604 HWY 34 SOUTH
KALEVILLE, TX 77444
817-481-1806 (O)
FIRM NO. 100999-00

JOB NO.	21-11729-2
DATE	02/15/2023
SCALE	1" = 30'
DRAWN BY	JCB
CHECKED BY	TRM

SHEET 2 OF 2



VICINITY MAP
NOT TO SCALE
MAPSCO PAGE 28Q



GRAPHIC SCALE

30 0 15 30 60

(IN FEET)
1 inch = 30 ft.

LINETYPE TABLE

———	BOUNDARY LINE
———	ADJOINER LINE
500'	CONTOUR LINE
W	WATER LINE
OHU	OVERHEAD SERVICE LINE
S	SEWER LINE
ST	STORM WATER LINE
– – –	EASEMENT LINE
———	BUILDING LINE
—— – ——	STREET CENTERLINE

GENERAL NOTES:

1. Basis of Bearing: State Plane Coordinate System, North Texas Central Zone 4202, North American Datum of 1983. Adjustment realization 2011.
2. The purpose of this plat is to create 1 lot from 2 existing lots.
3. Lot-to-lot drainage will not be allowed without property City of Dallas Engineering Division approval.
4. Access to Kingsley Road requires City of Garland approval.
5. Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983, on Grid Coordinate Values, no scale and no projection.
6. Elevations shown hereon refer to North American Vertical Datum of 1988 (NAVD88), as derived locally from Allterra Central's Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) Methods.

LEGEND

1. ESMT. – EASEMENT
2. D.R.D.C.T. – DEED RECORDS, DALLAS COUNTY, TEXAS
3. O.P.R.D.C.T. – OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
4. IRF – IRON ROD FOUND
5. RCIRF – IRON ROD FOUND WITH RED "PEISER & MANKIN SURV" CAP
6. YCIRF – IRON ROD FOUND WITH YELLOW PLASTIC CAP
7. INST. NO. – INSTRUMENT NUMBER
8. VOL. – VOLUME
9. PG. – PAGE
10. FND – FOUND

PRELIMINARY

RELEASED 2/15/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES.

LEGEND

GAS METER	FIRE HYDRANT	(W)	WATER MANHOLE		SIGN
IRR. CONTROL VALVE	WATER METER	(P)	TRAFFIC SIGNAL POLE		LIGHT POLE
TELEPHONE PEDESTAL	FUEL PORT	(T)	TELEPHONE MANHOLE	–X–	TYPICAL FENCE
POWER POLE	WATER VALVE	(H)	SWB MANHOLE		CONCRETE
DOWN GUY	TRANSFORMER PAD	(G)	GAS MANHOLE		BOLLARD
S.S. MANHOLE	ELECTRIC METER	(V)	VAULT		COVERED AREA
CLEAN OUT	STORM DRAIN MANHOLE		HANDICAP SPACE	A/C	A/C PAD

PRELIMINARY PLAT
PRAMUKHRAJ DEVELOPING ADDITION NO. 2
LOT 2R, BLOCK C/8042

BEING ALL OF LOTS 2 AND 3, BLOCK C/8042, PRAMUKHRAJ DEVELOPING ADDITION
OUT OF THE A.G. COLLINS SURVEY, ABSTRACT NO. 329
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. ~~S223-087~~ S223-081
ENGINEERING PLAN NO. 311T-___

OWNER:

PRAMUKHRAJ ENTERPRISE, LLC
1604 HIGHWAY 34 SOUTH
TERRELL, TEXAS 75160
214-682-2466 (O)
972-563-4275 (F)
CONTACT: NAVNITKUMAR (TONY) PATEL

JOB NO.:	P-1176P4
DATE:	12/12/2022
SCALE:	1" = 30'
DRAWN BY:	T.R.M.
CHECKED BY:	J.B.W.

PEISER & MANKIN SURVEYING, LLC
www.peisersurveying.com
1604 HART STREET
SOUTHLAKE, TEXAS 76092
817-481-1806 (O)
FIRM NO. 100999-00

COMMERCIAL
RESIDENTIAL
BOUNDARIES
TOPOGRAPHY
MORTGAGE

Texas Society of Professional Surveyors
Member Since 1977

SHEET 1 OF 2

OWNER'S CERTIFICATE

STATE OF TEXAS:
COUNTY OF DALLAS:

Whereas, Pramukhraj Enterprise, LLC, is the sole owner of a tract of land situated in the A.G. Collins Survey, Abstract No. 329, in City of Dallas Block No. 8042, Dallas County, Texas, and being a part of that certain tract of land conveyed to Pramukhraj Enterprise, LLC by Special Warranty Deed with Vendor's Lien recorded in Instrument No. 20080185539, of the Official Public Records of Dallas County, Texas, lien released by Release of Lien recorded in Instrument No. 200900048628, said Official Public Records, and being all of Lots 2 and 3, Block C/8042, Pramukhraj Developing Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 201800081089, said Official Public Records, and being more particularly described as follows:

BEGINNING at an 'X' cut found for the southeast corner of said 3, same being the most southerly southwest corner of Lot 4, said Pramukhraj Developing Addition, same being in the north right-of-way line of Kingsley Road (variable width right-of-way);

THENCE South 88 deg. 58 min. 22 sec. West, along the common line of said Lot 3 and said Kingsley Road, passing at a distance of 15.87 feet, a 1/2 inch iron rod with "Peiser & Mankin SURV" red plastic cap found for the southeast corner of aforesaid Lot 2, and continuing along the common line of said Lot 2 and said Kingsley Road, a total distance of 99.07 feet to a 5/8 inch iron rod found for angle point;

THENCE South 89 deg. 19 min. 22 sec. West, continuing along the common line of Lot 2 and said Kingsley Road, a distance of 124.19 feet to a 1/2 inch iron rod with yellow "Rhome" plastic cap found for the southwest corner of said Lot 2, same being in the northeasterly line of a tract of land conveyed to Dallas Power & Light Company by deed recorded in Volume 4440, Page 379, Deed Records, Dallas County, Texas;

THENCE North 55 deg. 41 min. 18 sec. West, along the common line of said Lot 2 and said Dallas Power & Light Company tract, passing at a distance of 186.92 feet the west corner of said Lot 2, same being the south corner of aforesaid Lot 3, and continuing along the common line of said Lot 3 and said Dallas Power & Light Company tract, a total distance of 457.80 feet to a 1/2 inch iron rod found for the west corner of said Lot 3, same being the most westerly south corner of aforesaid Lot 4;

THENCE along the common line of said Lots 3 and 4 as follows:

North 38 deg. 02 min. 22 sec. East, a distance of 169.87 feet to an 'X' cut found for the north corner of said Lot 3, same being an internal corner of said Lot 4;

South 51 deg. 57 min. 38 sec. East, a distance of 630.65 feet to the POINT OF BEGINNING and containing 83,020 square feet or 1.906 acres of computed land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, **PRAMUKHRAJ ENTERPRISE, LLC**, ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, **NAVNITKUMAR PATEL, MANAGER**, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **PRAMUKHRAJ DEVELOPING ADDITION NO. 2**, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED, OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE SAME. ALL, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM AND UPON THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY.)

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS. ADDITIONAL EASEMENT AREA IS ALSO CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANOUTS, FIRE HYDRANTS, WATER SERVICES AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE, AND DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF DALLAS, TEXAS.

WITNESS my hand this the _____ day of _____, 2023.

PRAMUKHRAJ ENTERPRISE, LLC

_____
NAVNITKUMAR PATEL (MANAGER)

STATE OF TEXAS:
COUNTY OF _____:

BEFORE me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Navnitkumar Patel, Manager of Pramukhraj Enterprise, LLC, known to me to be the person or persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity herein stated and the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____
Notary Public in and for _____ County

SURVEYOR'S STATEMENT

I, TIMOTHY R. MANKIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYING, THE CITY OF DALLAS DEVELOPMENT CODE (ORDINANCE NO. 19455, AS AMENDED), AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF DALLAS DEVELOPMENT CODE, SEC. 51A-8.617 (A)(B)(C)(D) & (E); AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

_____ _____
TIMOTHY R. MANKIN DATE
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6122

PRELIMINARY

RELEASED 2/15/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES.

STATE OF TEXAS:
COUNTY OF TARRANT:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED TIMOTHY R. MANKIN, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2023.

_____
NOTARY PUBLIC IN AND FOR TARRANT COUNTY, TEXAS

PRELIMINARY PLAT
PRAMUKHRAJ DEVELOPING ADDITION NO. 2
LOT 2R, BLOCK C/8042

BEING ALL OF LOTS 2 AND 3, BLOCK C/8042, PRAMUKHRAJ DEVELOPING ADDITION
OUT OF THE A.G. COLLINS SURVEY, ABSTRACT NO. 329
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-081
ENGINEERING PLAN NO. 311T-___

OWNER:

PRAMUKHRAJ ENTERPRISE, LLC
1604 HIGHWAY 34 SOUTH
TERRELL, TEXAS 75160
214-682-2466 (O)
972-563-4275 (F)
CONTACT: NAVNITKUMAR (TONY) PATEL

JOB NO.:	P-1176P4
DATE:	12/12/2022
SCALE:	1" = 30'
DRAWN BY:	T.R.M.
CHECKED BY:	J.B.W.

PEISER & MANKIN SURVEYING, LLC
www.peisersurveying.com
1604 HART STREET
SOUTHLAKE, TEXAS 76092
817-481-1806 (O)
FIRM NO. 100999-00

COMMERCIAL
RESIDENTIAL
BOUNDARIES
TOPOGRAPHY
MORTGAGE

Texas Society of Professional Surveyors
Member Since 1977

SHEET 2 OF 2

Agenda Information Sheet

File #: 23-861 **Item #:** 19.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.6136-acre tract of land containing all of Lots 7, 8, and 9 in City Block 1/949 and a portion of tract of land in City Block 1/949 to create one lot on property located on Maple Avenue, north of McKinney Avenue.
Applicant/Owner: Pasha & Sina, Inc.
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 22, 2023
Zoning: PD 193 (HC)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 14
S223-082

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-082 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Maple Avenue, north of McKinney Avenue

DATE FILED: February 22, 2023 **ZONING:** PD 193(HC)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20193.pdf

CITY COUNCIL DISTRICT: 14 **SIZE OF REQUEST:** 0.6136-acres **MAPSCO:** 45F

APPLICANT/OWNER: Pasha & Sina, Inc.

REQUEST: An application to replat a 0.6136-acre tract of land containing all of Lots 7, 8, and 9 in City Block 1/949 and a portion of tract of land in City Block 1/949 to create one lot on property located on Maple Avenue, north of McKinney Avenue.

SUBDIVISION HISTORY:

1. S212-265 was a request northeast of the present request to replat a 1.026-acre tract of land containing all of Lots 1 through 4 in City Block A/554 to create one lot on property located on McKinney Avenue, between Routh Street and Boll Street. The request was approved on August 4, 2022 but has not been recorded.

2. S201-776 was a request northeast of the present request to create a 1.1420-acre lot from a tract of land in City Block 561 on property located on McKinney Avenue at Boll Street, east corner. The request was approved on October 21, 2021 but has not been recorded.

3. S189-239 was a request northwest of the present request to replat a 1.061-acre tract of land containing all of Lot 1A in City Block 3/950 and part of an abandoned right-of-way to create one lot on property located on Maple Avenue at Mahon Street, north corner. The request was approved on July 11, 2019 but has not been recorded.

4. S189-079 was a request northwest of the present request to replat a 1.061-acre tract of land containing all of Lot 1A, Lot 9A in City Block 3/950 and part of right - of-way to be abandoned along north line of Maple Avenue to create one lot on property located on Maple Avenue at Mahon Street, west corner. The request was withdrawn December 18, 2018.

5. S178-217 was a request southeast of the present request to replat a 10.26-acre tract of land containing all of Lots 1 through 7 in City Block I/546, all of Lots 1A in City Block G/452, 4A in City Block F/547 portion of an abandoned Leonard Street, and abandoned Colby Street to create one 1.93-acre lot and one 8.33-acre lot on property located on N. Pearl Street at Woodall Rodgers Freeway, north corner. The request was approved June 21, 2018 and recorded January 29, 2020.

STAFF RECOMMENDATION: The request complies with the requirements of PD 193 (HC); therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure

require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

15. Comply with PD 193 *City Code- per PD*

Survey (SPRG) Conditions:

16. Prior to final plat, submit a completed final plat checklist and all supporting documents.

17. On the final plat, show recording information on all existing easements within 150 feet of the property.

18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

19. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

20. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

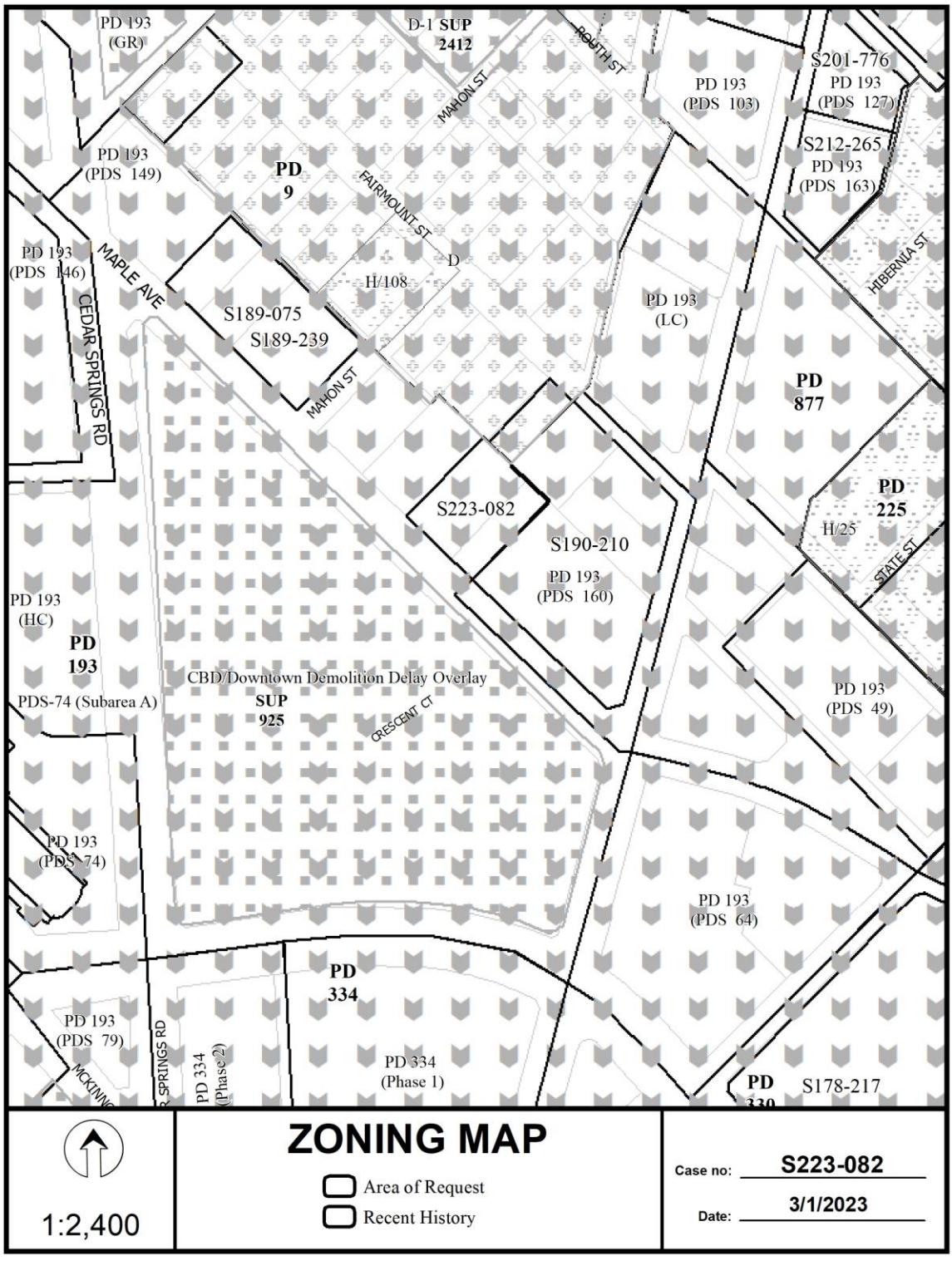
21. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

22. On the final plat, change “Mahon Street (Formerly Grace)” to “Mahon Street (F.K.A. Marlin Street)”. Section 51A-8.403(a)(1)(A)(xii)

23. On the final plat, change “Fairmount Street (Formerly Peak Street)” to “Fairmount Street (F.K.A. Peak Street)”. Section 51A-8.403(a)(1)(A)(xii)

24. On the final plat, identify the property as Lot 7A in City Block 1/949. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


PD 193 (GR)
D-1 SUP 2412
ROUTH ST
MAHON ST
S201-776
PD 193 (PDS 103)
PD 193 (PDS 127)
S212-265
PD 193 (PDS 163)
PD 193 (PDS 149)
PD 9
FAIRMOUNT ST
D
H/108
PD 193 (PDS 146)
MAPLE AVE
CEDAR SPRINGS RD
S189-075
S189-239
MAHON ST
HIBERNIA ST
PD 193 (LC)
PD 877
S223-082
S190-210
PD 193 (PDS 160)
PD 225
H/25
STATE ST
PD 193 (HC)
PD 193
PDS-74 (Subarea A)
CBD/Downtown Demolition Delay Overlay
SUP 925
CRESCENT CT
PD 193 (PDS 49)
PD 193 (PDS 74)
PD 193 (PDS 64)
PD 334
PD 193 (PDS 79)
MCKINNON
CEDAR SPRINGS RD
PD 334 (Phase 2)
PD 334 (Phase 1)
PD 330
S178-217
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-082
Date: 3/1/2023

AERIAL MAP

1:2,400

Area of Request

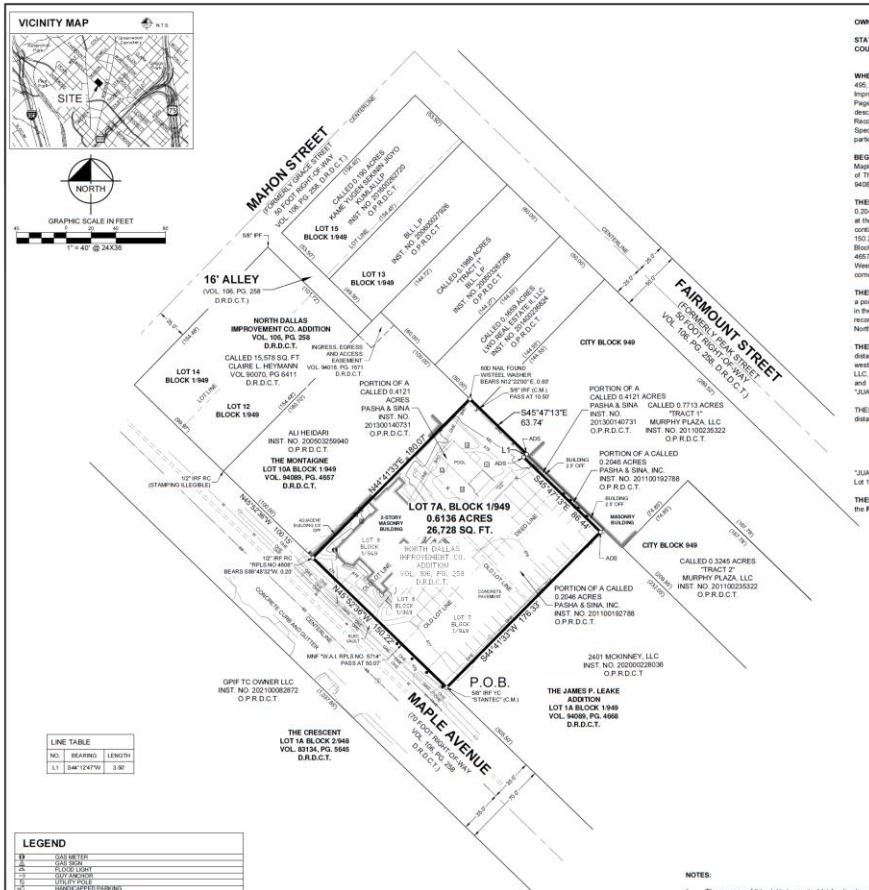
Recent History

Case no: S223-082

Date: 3/1/2023

S223-082

City Plan Commission Date: 03/23/2023 19(f)



LINE TABLE		
NO.	BEARING	LENGTH
L1	S46°12'47"W	3.50'

LEGEND

GM	GAS METER
GS	GAS SIGN
FL	FLOOD LIGHT
GY	GUY ANCHOR
PP	UTILITY POLE
HP	HANDICAPPED PARKING
SIGN	SIGN
SC	SANITARY SEWER CLEAN-OUT
SMH	SANITARY SEWER MANHOLE
SD	STORM SEWER DRAIN
FDC	FIRE DEPT. CONNECTION
FH	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
UB	UNKNOWN BOX
TB	TELEPHONE BOX LOCKED
EM	ELECTRIC METER
EB	ELECTRIC BOX
POB	POINT OF BEGINNING
SQ. FT.	SQUARE FEET
VOL.	VOLUME
PG.	PAGE
C.M.	CONTROLLING MONUMENT
INST. NO.	INSTRUMENT NUMBER
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IRF	IRON ROD FOUND
IRF RC	IRON ROD FOUND WITH RED PLASTIC CAP
IRF YC	IRON ROD FOUND WITH YELLOW PLASTIC CAP
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
(XX.XX')	RECORD DIMENSION
ADS	5/8" IRON ROD WITH 3-1/4" ALUMINUM DISK STAMPED "JUA-KHA" SET

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	ADJOINING PROPERTY LINE
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SS	SANITARY SEWER LINE
SD	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
	FENCE

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OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Pasha & Sina, Inc., is the sole owner of those tracts of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas Blocks 949 and 1/949, Dallas County, Texas, and being all of Lots 7, 8, and 9, Block 1/949, North Dallas Improvement Co. Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 106, Page 258, Deed Records, Dallas County, Texas (D.R.D.C.T.), and being a portion of a called 0.2046 acre tract of land described in a Special Warranty Deed to Pasha & Sina, Inc., recorded in Instrument No. 201000192788, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being a portion of a called 0.4121 acre tract of land described in a Special Warranty Deed to Pasha & Sina, Inc., recorded in Instrument No. 201300140731, O.P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with yellow plastic cap stamped "STANTEC" found in the northeasterly right-of-way line of Maple Avenue (a 70-foot right-of-way, Volume 106, Page 258, D.R.D.C.T.) at the most westerly corner of Lot 1A, Block 1/949, of The James P. Leake Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 94089, Page 4668, D.R.D.C.T., and being the most southerly corner of said 0.2046 acre tract;

THENCE North 45°52'36" West, with said northeasterly right-of-way line of Maple Avenue and the southwesterly line of said 0.2046 acre tract, passing at a distance of 50.07 feet, a mag nail with a steel washer stamped "W.A.I. RPLS No. 5714" found at the most westerly corner of said 0.2046 acre tract, same being the most southerly corner of said 0.4121 acre tract, and continuing with said northeasterly right-of-way line and the southwest line of said 0.4121 acre tract for a total distance of 150.22 feet to a point at the most westerly corner of said 0.4121 acre tract, and being the most southerly corner of Lot 10A, Block 1/949, of The Montaigne, an addition to the City of Dallas, Texas, according to the plat thereof recorded in 94089, Page 4657, D.R.D.C.T., from which a 1/2-inch iron rod with red plastic cap stamped "RPLS No. 4608" found bears South 89°48'32" West, a distance of 0.20 feet, and a 1/2-inch iron rod with red plastic cap (illegible stamping) found at the most westerly corner of said Lot 10A bears North 45°52'36" West, a distance of 100.15 feet;

THENCE North 44°41'33" East, with the common line of said 0.4121 acre tract and said Lot 10A, a distance of 180.07 feet to a point at the most northerly corner of said 0.4121 acre tract, same being the most easterly corner of said Lot 10A, and being in the southwest line of a called 0.1659 acre tract of land described in a General Warranty Deed to LWO Real Estate II, LLC, recorded in Instrument No. 201400239824, O.P.R.D.C.T., from which a 60D nail with steel washer (no stamping) found bears North 12°22'09" East, a distance of 0.60 feet;

THENCE South 45°47'13" East, with the common line of said 0.4121 acre tract and said 0.1659 acre tract, passing at a distance of 10.50 feet, a 5/8-inch iron rod found at the most southerly corner of said 0.1659 acre tract, same being the most westerly corner of a called 0.7713 acre tract of land designated as "Tract 1" in a Special Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 201100235322, O.P.R.D.C.T., and continuing with the common line of said 0.4121 acre tract and said 0.7713 acre tract, a distance of 63.74 feet to a 5/8-inch iron rod with a 3-1/4 inch aluminum disk stamped "JUA-KHA" set for corner;

THENCE over and across said 0.4121 acre tract and the aforementioned 0.2046 acre tract, the following courses and distances:

South 44°12'47" West, a distance of 3.50 feet to a 5/8-inch iron rod with a 3-1/4 inch aluminum disk stamped "JUA-KHA" set for corner;

South 45°47'13" East, a distance of 86.44 feet to a 5/8-inch iron rod with a 3-1/4 inch aluminum disk stamped "JUA-KHA" set in the southeasterly line of said 0.2046 acre tract, and being in the northwesterly line of the aforementioned Lot 1A, Block 1/949, of The James P. Leake Addition;

THENCE South 44°41'33" West, with the common line of said 0.2046 acre tract and said Lot 1A, a distance of 178.33 feet to the **POINT OF BEGINNING** and containing a computed area of 26,728 square feet or 0.6136 acres of land.

NOTES:

1. The purpose of this plat is to create 1 lot for development from 3 previously platted lots and unplatted land.
2. Lot to Lot Drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section Approval.
3. The Building located on the Subject Tract and appurtenant improvements to be demolished.
4. Bearings shown hereon are based on the State Plane Coordinate System of Texas, North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.
5. The distance dimensions and coordinates shown hereon are ground/surface values based on the State Plane Coordinate System of Texas, North Central Zone 4202, North American Datum of 1983, U.S. Survey Feet (sFT), scaled from base point 0.0 using a Project Combined Factor (PCF) of 1.000136506. To obtain a grid distance or coordinates, multiply the ground distance or coordinate value by the Project Combined Factor (PCF) of 0.999863513.
6. A Tree Exhibit prepared for the subject property as a separate exhibit and provided with submittal.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **Pasha & Sina, Inc.,** acting by and through their duly authorized agents, do hereby adopt this plat, designating the herein described property as **JOEY MAPLE AVENUE,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, Texas, this the _____ day of _____, 20_____

Pasha & Sina, Inc.

By: _____
Name:
Title:

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of_____, 20_____

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Craig D. Bartosh, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumention shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 20_____.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT - 02/22/2023

Craig D. Bartosh
Registered Professional Land Surveyor No. 6459
Kimley-Horn and Assoc., Inc.
13455 Noel Road
Two Galleria Office Tower
Suite 700
Dallas, Texas 75240
Ph. (972) 770-1300
craig.bartosh@kimley-horn.com

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Craig D. Bartosh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of_____, 20_____

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
JOEY MAPLE AVENUE
LOT 7A, BLOCK 1/949
BEING A REPLAT OF LOTS 7, 8, AND 9, BLOCK 1/949, NORTH DALLAS IMPROVEMENT CO. ADDITION, AND
BEING 0.6136 ACRES IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-082

OWNER:
PASHA & SINA, INC
15175 QUORUM DRIVE
ADDISON, TEXAS 75001
CONTACT MOHSEN HEIDARI
PHONE: 214-394-0633
EMAIL: mohsen@arthurdallas.com

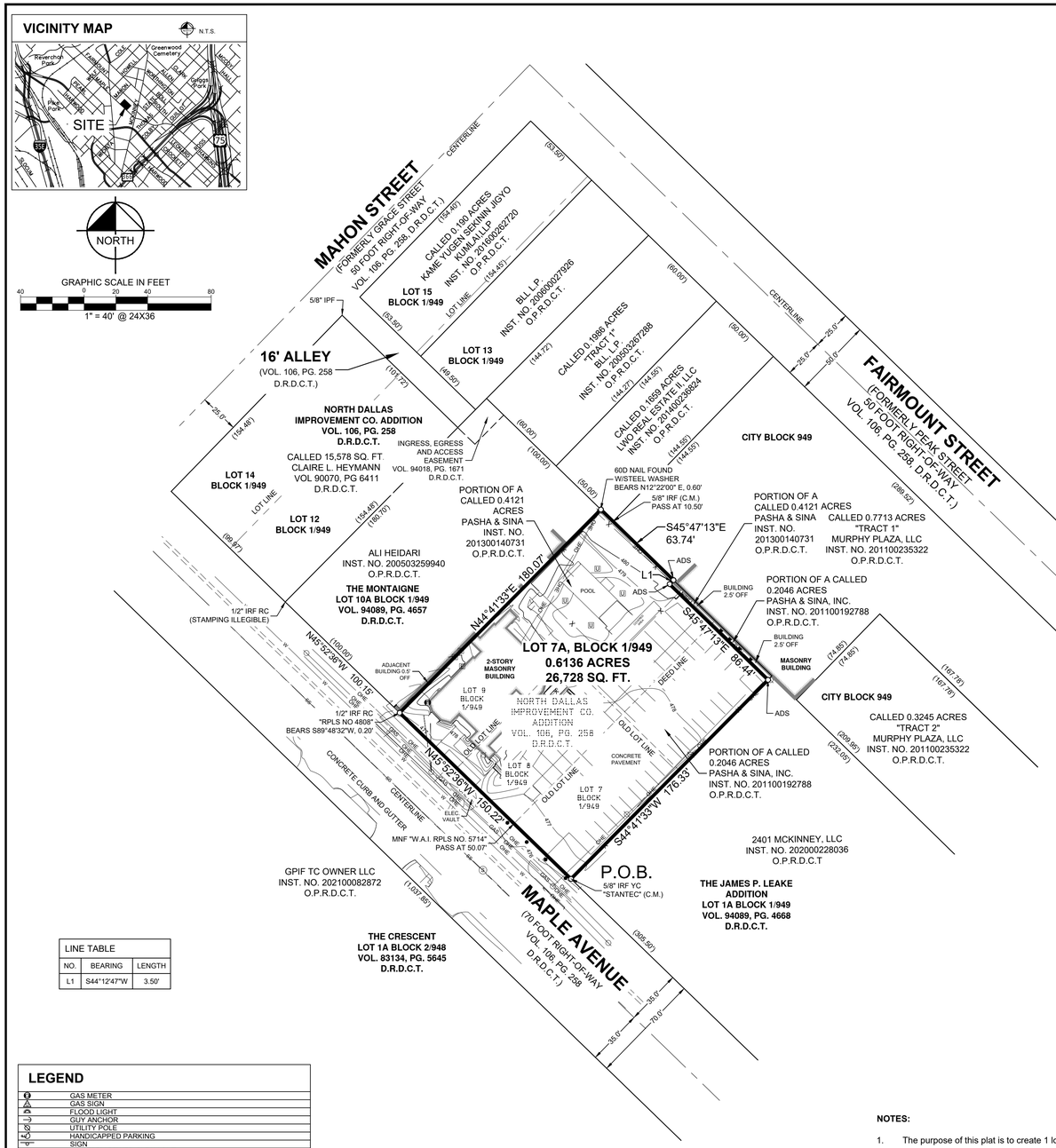
SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: CRAIG D. BARTOSH, R.P.L.S.
PHONE: 972-770-1300
EMAIL: CRAIG.BARTOSH@KIMLEY-HORN.COM

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: SARAH SCOTT, P. E.
PHONE: 972-770-1300
EMAIL: SARAH.SCOTT@KIMLEY-HORN.COM

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	CDB	DJD	Feb. 2023	064613600	1 OF 1

G:\Projects\064613600\2.0 Design\2.2 Survey\Drawings\064613600_S223-082_JOEY MAPLE AVENUE.dwg, 2/22/2023 3:54:34 PM, craig.bartosh



LINE TABLE		
NO.	BEARING	LENGTH
L1	S44°12'47"W	3.50'

LEGEND

	GAS METER
	GAS SIGN
	FLOOD LIGHT
	GUY ANCHOR
	UTILITY POLE
	HANDICAPPED PARKING
	SIGN
	SANITARY SEWER CLEAN OUT
	SANITARY SEWER MANHOLE
	STORM SEWER DRAIN
	FIRE DEPT. CONNECTION
	FIRE HYDRANT
	WATER METER
	WATER VALVE
	UNIDENTIFIED BOX
	TRAFFIC BOLLARD
	ELECTRIC METER
	ELECTRIC BOX
P.O.B.	POINT OF BEGINNING
SQ. FT.	SQUARE FEET
VOL.	VOLUME
PG.	PAGE
C.M.	CONTROLLING MONUMENT
INST. NO.	INSTRUMENT NUMBER
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IRF	IRON ROD FOUND
IRF RC	IRON ROD FOUND WITH RED PLASTIC CAP
IRF YC	IRON ROD FOUND WITH YELLOW PLASTIC CAP
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
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LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	ADJOINING PROPERTY LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
	FENCE

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COUNTY OF DALLAS §

WHEREAS, Pasha & Sina, Inc., is the sole owner of those tracts of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas Blocks 949 and 1/949, Dallas County, Texas, and being all of Lots 7, 8, and 9, Block 1/949, North Dallas Improvement Co. Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 106, Page 258, Deed Records, Dallas County, Texas (D.R.D.C.T.), and being a portion of a called 0.2046 acre tract of land described in a Special Warranty Deed to Pasha & Sina, Inc., recorded in Instrument No. 201100192788, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being a portion of a called 0.4121 acre tract of land described in a Special Warranty Deed to Pasha & Sina, Inc., recorded in Instrument No. 201300140731, O.P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with yellow plastic cap stamped "STANTEC" found in the northeasterly right-of-way line of Maple Avenue (a 70-foot right-of-way, Volume 106, Page 258, D.R.D.C.T.) at the most westerly corner of Lot 1A, Block 1/949, of The James P. Leake Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 94089, Page 4668, D.R.D.C.T., and being the most southerly corner of said 0.2046 acre tract;

THENCE North 45°52'36" West, with said northeasterly right-of-way line of Maple Avenue and the southwesterly line of said 0.2046 acre tract, passing at a distance of 50.07 feet, a mag nail with a steel washer stamped "W.A.I. RPLS No. 5714" found at the most westerly corner of said 0.2046 acre tract, same being the most southerly corner of said 0.4121 acre tract, and continuing with said northeasterly right-of-way line and the southwest line of said 0.4121 acre tract for a total distance of 150.22 feet to a point at the most westerly corner of said 0.4121 acre tract, and being the most southerly corner of Lot 10A, Block 1/949, of The Montaigne, an addition to the City of Dallas, Texas, according to the plat thereof recorded in 94089, Page 4657, D.R.D.C.T., from which a 1/2-inch iron rod with red plastic cap stamped "RPLS No. 4808" found bears South 89°48'32" West, a distance of 0.20 feet, and a 1/2-inch iron rod with red plastic cap (illegible stamping) found at the most westerly corner of said Lot 10A bears North 45°52'36" West, a distance of 100.15 feet;

THENCE North 44°41'33" East, with the common line of said 0.4121 acre tract and said Lot 10A, a distance of 180.07 feet to a point at the most northerly corner of said 0.4121 acre tract, same being the most easterly corner of said Lot 10A, and being in the southwest line of a called 0.1659 acre tract of land described in a General Warranty Deed to LWO Real Estate II, LLC, recorded in Instrument No. 201400236824, O.P.R.D.C.T., from which a 60D nail with steel washer (no stamping) found bears North 12°22'00" East, a distance of 0.60 feet;

THENCE South 45°47'13" East, with the common line of said 0.4121 acre tract and said 0.1659 acre tract, passing at a distance of 10.50 feet, a 5/8-inch iron rod found at the most southerly corner of said 0.1659 acre tract, same being the most westerly corner of a called 0.7713 acre tract of land designated as "Tract 1" in a Special Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 201100235322, O.P.R.D.C.T., and continuing with the common line of said 0.4121 acre tract and said 0.7713 acre tract, a distance of 63.74 feet to a 5/8-inch iron rod with a 3-1/4 inch aluminum disk stamped "JUA-KHA" set for corner;

THENCE over and across said 0.4121 acre tract and the aforementioned 0.2046 acre tract, the following courses and distances:

South 44°12'47" West, a distance of 3.50 feet to a 5/8-inch iron rod with a 3-1/4 inch aluminum disk stamped "JUA-KHA" set for corner;

South 45°47'13" East, a distance of 86.44 feet to a 5/8-inch iron rod with a 3-1/4 inch aluminum disk stamped "JUA-KHA" set in the southeasterly line of said 0.2046 acre tract, and being in the northwesterly line of the aforementioned Lot 1A, Block 1/949, of The James P. Leake Addition;

THENCE South 44°41'33" West, with the common line of said 0.2046 acre tract and said Lot 1A, a distance of 176.33 feet to the **POINT OF BEGINNING** and containing a computed area of 26,728 square feet or 0.6136 acres of land.

NOTES:

1. The purpose of this plat is to create 1 lot for development from 3 previously platted lots and unplatted land.
2. Lot to Lot Drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section Approval.
3. The Building located on the Subject Tract and appurtenant improvements to be demolished.
4. Bearings shown hereon are based on the State Plane Coordinate System of Texas, North Central Zone 4202, North American Datum of 1983, Adjustment Realization 2011.
5. The distance dimensions and coordinates shown hereon are ground/surface values based on the State Plane Coordinate System of Texas, North Central Zone 4202, North American Datum of 1983, U.S. Survey Feet (sFT), scaled from base point 0,0 using a Project Combined Factor (PCF) of 1.000136506. To obtain a grid distance or coordinates, multiply the ground distance or coordinate value by the Project Combined Factor (PCF) of 0.999863513.
6. A Tree Exhibit prepared for the subject property as a separate exhibit and provided with submittal.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **Pasha & Sina, Inc.,** acting by and through their duly authorized agents, do hereby adopt this plat, designating the herein described property as **JOEY MAPLE AVENUE,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, Texas, this the _____ day of _____, 20_____.

Pasha & Sina, Inc.

By: _____
Name:
Title:

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of_____ 20_____.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Craig D. Bartosh, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 20_____.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT - 02/22/2023

Craig D. Bartosh
Registered Professional Land Surveyor No. 6459
Kimley-Horn and Assoc., Inc.
13455 Noel Road
Two Galleria Office Tower
Suite 700
Dallas, Texas 75240
Ph. (972) 770-1300
craig.bartosh@kimley-horn.com

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Craig D. Bartosh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 20_____.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
JOEY MAPLE AVENUE
LOT 7A, BLOCK 1/949
BEING A REPLAT OF LOTS 7, 8, AND 9, BLOCK 1/949,
NORTH DALLAS IMPROVEMENT CO. ADDITION,
AND
BEING 0.6136 ACRES IN THE JOHN GRIGSBY SURVEY,
ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-082

OWNER:
PASHA & SINA, INC
15175 QUORUM DRIVE
ADDISON, TEXAS 75001
CONTACT:MOHSEN HEIDARI
PHONE: 214-394-0633
EMAIL:mohsen@arthurdallas.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: CRAIG D. BARTOSH, R.P.L.S.
PHONE: 972-770-1300
EMAIL: CRAIG.BARTOSH@KIMLEY-HORN.COM

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: SARAH SCOTT, P. E.
PHONE: 972-770-1300
EMAIL: SARAH.SCOTT@KIMLEY-HORN.COM

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Tel. No. (972) 770-1300
FIRM # 10115500
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	CDB	DJD	Feb. 2023	064613600	1 OF 1

DWG NAME: K:\DAL_SURVEY\064613600-4059-JOEY UPTOWN DALLAS\SIGNED\064613600-JOEY UPTOWN DALLAS_PP.DWG PLOTTED BY: BARTOSH, CRAIG 2/23/2023 8:34 AM LAST SAVED: 2/21/2023 1:56 PM

Agenda Information Sheet

File #: 23-862 **Item #:** 20.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create four 11,038 square foot lots from a 1.014-acre tract of land in City Block 6725 on property located on Leroy Road, north of Limestone Drive.
Applicant/Owner: DLG Investment Capital, LLC
Surveyor: Burns Surveying
Application Filed: February 22, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 5
S223-083

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-083 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Leroy Road, north of Limestone Drive

DATE FILED: February 22, 2023 **ZONING:** R-7.5(A)

CITY COUNCIL DISTRICT: 5 **SIZE OF REQUEST:** 1.014-acres **MAPSCO:** 59G

APPLICANT/OWNER: DLG Investment Capital, LLC

REQUEST: An application to create four 11,038 square foot lots from a 1.014-acre tract of land in City Block 6725 on property located on Leroy Road, north of Limestone Drive.

SUBDIVISION HISTORY:

1. S190-144 was a request west of the present request to create a 0.28-acre lot from a tract of land in City Block 6724 on property located on Leroy Road, south of Bruton Road. The request was approved on June 18, 2020 and recorded November 18, 2021.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

- The properties to the north, east, and south of the request have lot widths ranging in size from 52 feet to 206 feet and lot areas ranging in size from 10,451 square feet to 43,818 square feet and are zoned the R-7.5(A) Single Family District. *(Please refer to the existing area analysis)*

The request is to create four lots with a widths of 52 feet and lot area of 11,038 Square feet each in the R-7.5(A) Single Family District.

The lots are being created from a tract of land; therefore, it does not qualify for a residential replat and can be approved on the consent agenda.

Staff concludes that there is not an established lot pattern in the immediate area of the request and the request complies with the requirements of Section 51A-8.503 and R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.

2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.

3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*

4. The number and location of fire hydrants must comply with the Dallas Fire Code.

5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is four.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Leroy Road. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

16. Provide 20 feet all-weather paving material for Leroy Road along the proposed plat per the City of Dallas standard. *51A 8.604(b)(2)*

Survey (SPRG) Conditions:

17. Prior to final plat, submit a completed final plat checklist and all supporting documents.

18. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

19. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

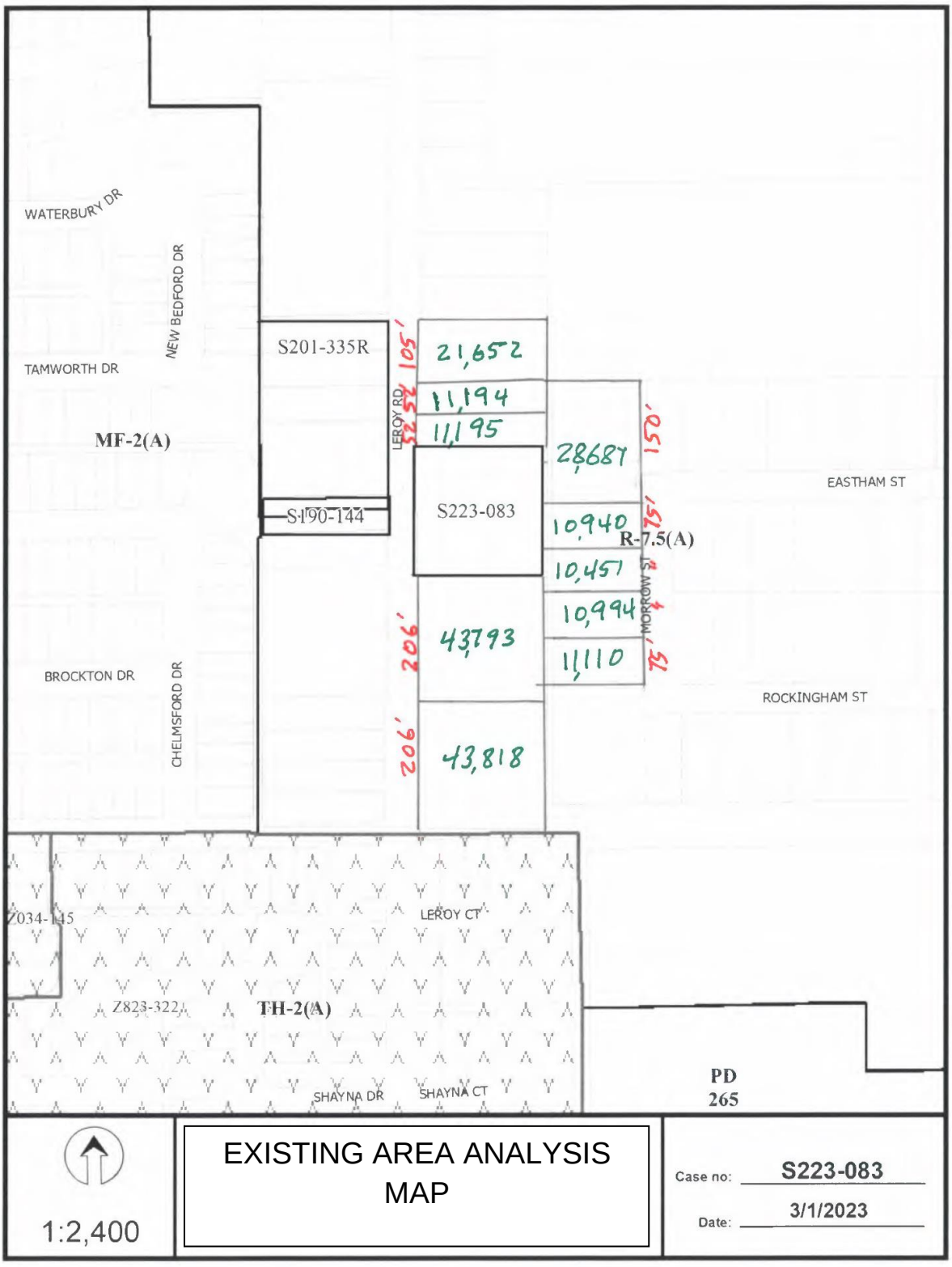
22. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

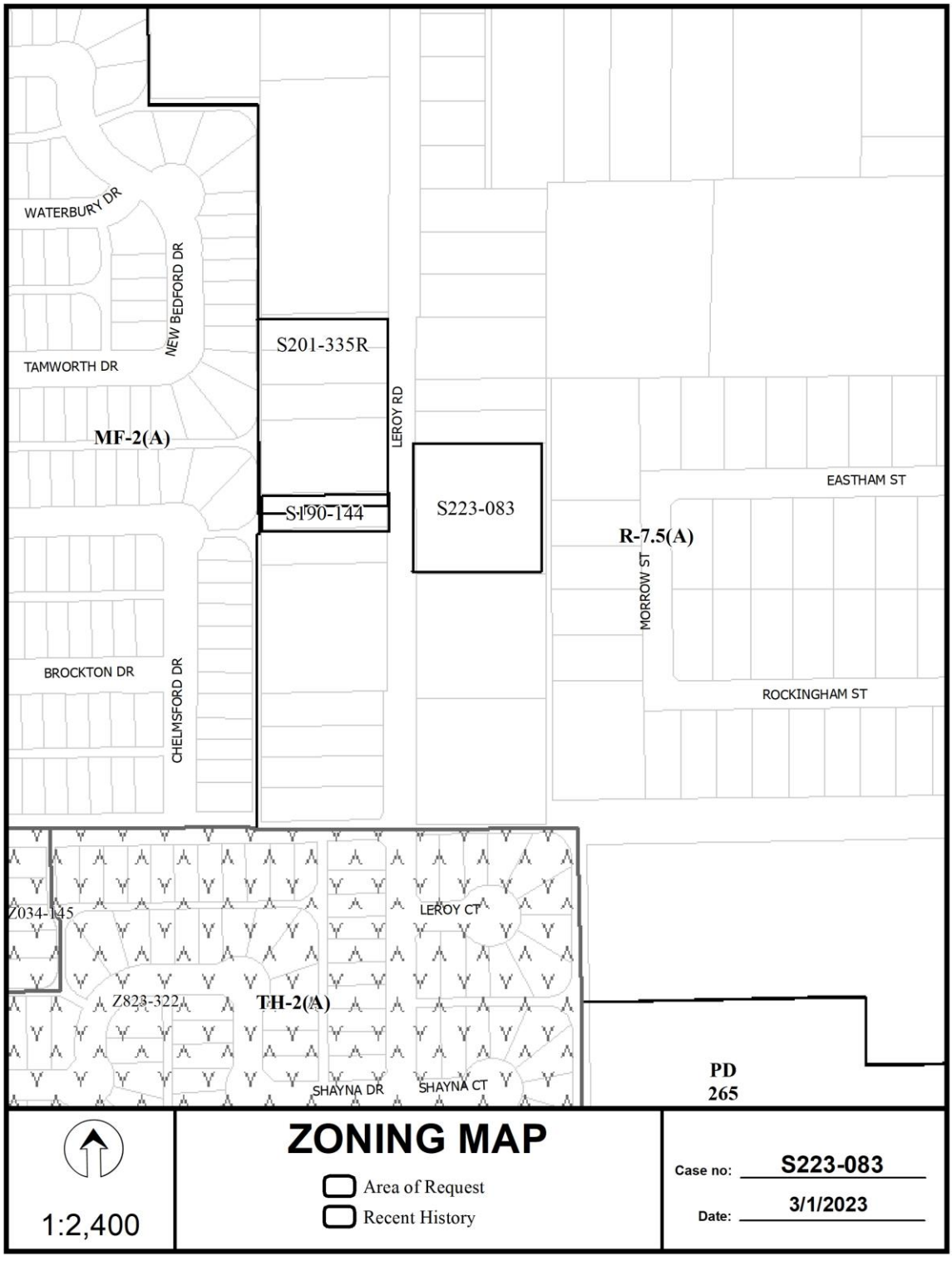
23. Existing and any proposed Water and Wastewater Easements must be shown and/or increased to conform to current design standards. **Notice:** Minimum DWU easement size 20' for one utility and 25' for both water and sewer. Larger diameter or deeper mains may require additional width.

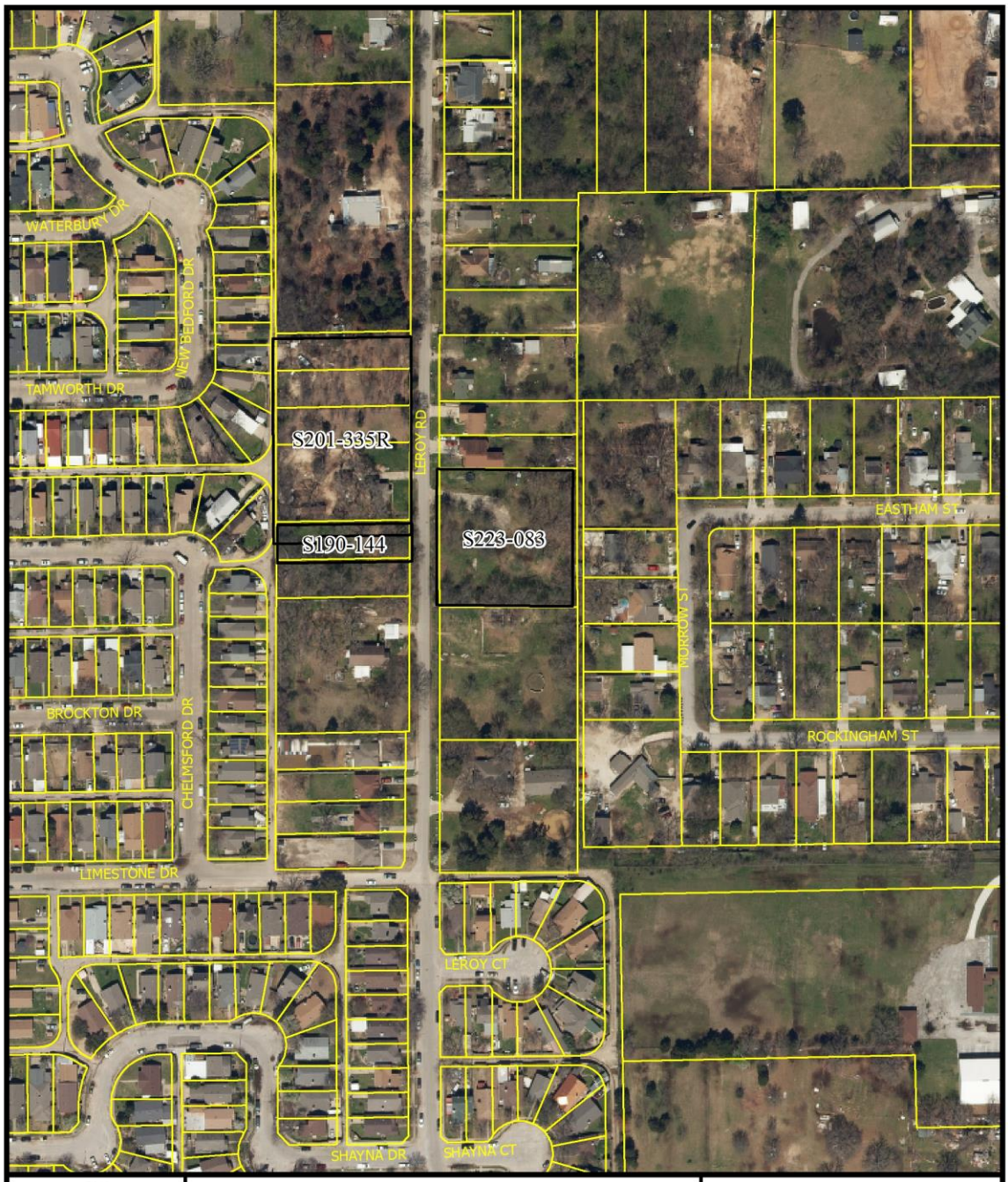
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

24. On the final plat, change "Leroy Road" to "Leroy Road (A.K.A. Le Roy Road)" Section 51A-8.403(a)(1)(A)(xii)

25. On the final plat, identify the property as Lots 6A-6D in City Block 6725. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


WATERBURY DR
NEW BEDFORD DR
TAMWORTH DR
MF-2(A)
S201-335R
S190-144
LEROY RD
105'
52.52'
21,652
11,194
11,195
28,687
150'
S223-083
EASTHAM ST
10,940
75'
R-7.5(A)
10,451
MORROW ST
10,994
11,110
75'
206'
43,793
BROCKTON DR
CHELMSFORD DR
ROCKINGHAM ST
206'
43,818
Z034-145
LEROY CT
Z823-322
TH-2(A)
SHAYNA DR
SHAYNA CT
PD
265
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-083
Date: 3/1/2023


WATERBURY DR
NEW BEDFORD DR
TAMWORTH DR
S201-335R
LEROY RD
MF-2(A)
S190-144
S223-083
EASTHAM ST
R-7.5(A)
MORROW ST
BROCKTON DR
CHELMSFORD DR
ROCKINGHAM ST
Z034-145
LEROY CT
Z823-322
TH-2(A)
SHAYNA DR
SHAYNA CT
PD
265
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-083
Date: 3/1/2023



1:2,400

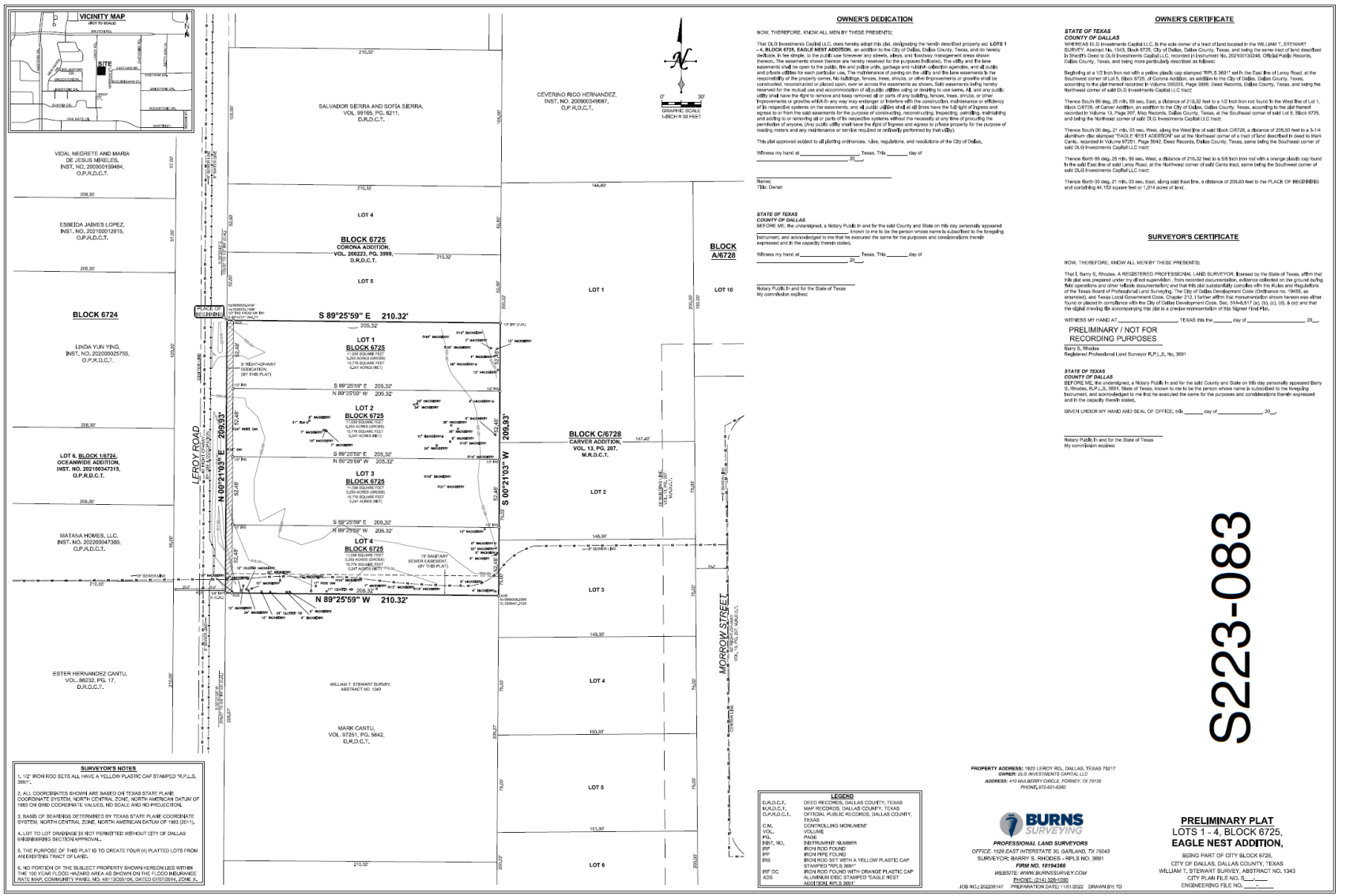
AERIAL MAP

Area of Request

Recent History

Case no: S223-083

Date: 3/1/2023



OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That DLG Investments Capital LLC, does hereby adopt this plat, designating the herein described property as: **LOTS 1 – 4, BLOCK 6725, EAGLE NEST ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon, The easements shown thereon are hereby reserved for the purposes indicated, The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use, The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner, No buildings, fences, trees, shrubs, or other Improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown, Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same, All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other Improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective systems on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone, (Any public utility shall have the right of Ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

Name:
Title: Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public In and for the said County and State on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing Instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

Notary Public In and for the State of Texas
My commission expires:

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS DLG Investments Capital LLC, is the sole owner of a tract of land located in the WILLIAM T. STEWART SURVEY, Abstract No. 1343, Block 6725, City of Dallas, Dallas County, Texas, and being the same tract of land described in Sheriff's Deed to DLG Investments Capital LLC, recorded in Instrument No. 202101030248, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a 1/2 Inch Iron rod with a yellow plastic cap stamped "RPLS 3691" set In the East line of Leroy Road, at the Southwest corner of Lot 5, Block 6725, of Corona Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded In Volume 200223, Page 3999, Deed Records, Dallas County, Texas, and being the Northwest corner of said DLG Investments Capital LLC tract;

Thence South 89 deg. 25 mIn. 59 sec. East, a distance of 210.32 feet to a 1/2 Inch Iron rod found In the West Rne of Lot 1, Block C/6728, of Carver Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded In Volume 13, Page 207, Map Records, Dallas County, Texas, at the Southeast corner of said Lot 5, Block 6725, and being the Northeast corner of said DLG Investments Capital LLC tract;

Thence South 00 deg. 21 mIn. 03 sec. West, along the West line of said Block C/6728, a distance of 209.93 feet to a 3-1/4 aluminum disc stamped "EAGLE NEST ADDITION" set at the Northeast corner of a tract of land described In deed to Mark Cantu, recorded In Volume 97251, Page 5642, Deed Records, Dallas County, Texas, same being the Southeast corner of said DLG Investments Capital LLC tract;

Thence North 89 deg. 25 mIn. 59 sec. West, a distance of 210.32 feet to a 5/8 Inch Iron rod with a orange plastic cap found In the said East line of said Leroy Road, at the Northwest corner of said Cantu tract, same being the Southwest corner of said DLG Investments Capital LLC tract;

Thence North 00 deg. 21 mIn. 03 sec. East, along said East line, a distance of 209.93 feet to the PLACE OF BEGINNING and containing 44,153 square feet or 1.014 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Barry S. Rhodes, A REGISTERED PROFESSIONAL LAND SURVEYOR, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, The City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212, I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a), (b), (c), (d), & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 20__.

PRELIMINARY / NOT FOR RECORDING PURPOSES

Barry S. Rhodes
Registered Professional Land Surveyor R.P.L.S. No. 3691

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public In and for the said County and State on this day personally appeared Barry S. Rhodes, R.P.L.S. 3691, State of Texas, known to me to be the person whose name is subscribed to the foregoing Instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and In the capacity therein stated,

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20__.

Notary Public In and for the State of Texas
My commission expires:

SURVEYOR'S NOTES

1. 1/2" IRON ROD SETS ALL HAVE A YELLOW PLASTIC CAP STAMPED "R.P.L.S. 3691".
2. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
3. BASIS OF BEARINGS DETERMINED BY TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).
4. LOT TO LOT DRAINAGE IS NOT PERMITTED WITHOUT CITY OF DALLAS ENGINEERING SECTION APPROVAL.
5. THE PURPOSE OF THIS PLAT IS TO CREATE FOUR (4) PLATTED LOTS FROM AN EXISTING TRACT OF LAND.
6. NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48113C0915K, DATED 07/07/2014, ZONE X.

LEGEND

D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS	IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "RPLS 3691"
IRF OC	IRON ROD FOUND WITH ORANGE PLASTIC CAP
ADS	ALUMINUM DISC STAMPED "EAGLE NEST ADDITION, RPLS 3691"

PROPERTY ADDRESS: 1922 LEROY RD., DALLAS, TEXAS 75217
OWNER: DLG INVESTMENTS CAPITAL LLC
ADDRESS: 410 MULBERRY CIRCLE, FORNEY, TX 75126
PHONE: 972-921-6260

BURNS SURVEYING
PROFESSIONAL LAND SURVEYORS
OFFICE: 1529 EAST INTERSTATE 30, GARLAND, TX 75043
SURVEYOR: BARRY S. RHODES - RPLS NO. 3691
FIRM NO. 10194366
WEBSITE: WWW.BURNSSURVEY.COM
PHONE: (214) 328-1090

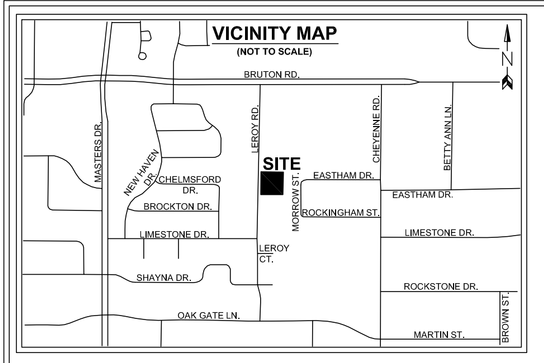
JOB NO.: 202206147 PREPARATION DATE: 11/01/2022 DRAWN BY: TD

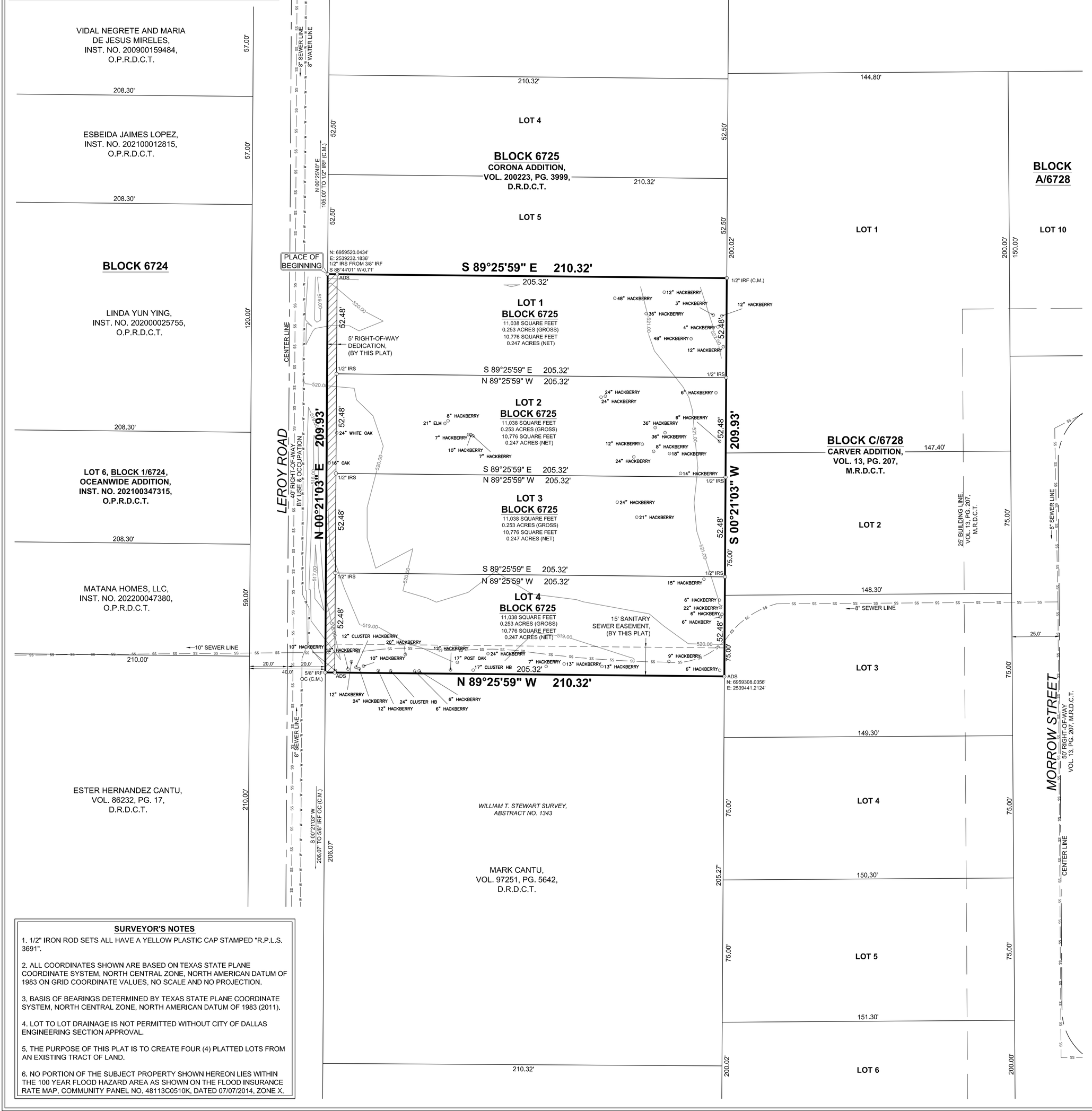
PRELIMINARY PLAT
LOTS 1 - 4, BLOCK 6725,
EAGLE NEST ADDITION,
BEING PART OF CITY BLOCK 6725,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
WILLIAM T. STEWART SURVEY, ABSTRACT NO. 1343
CITY PLAN FILE NO. S_____
ENGINEERING FILE NO. _____

S223-083

S223-083

City Plan Commission Date: 03/23/2023 20(g)





SURVEYOR'S NOTES

1. 1/2" IRON ROD SETS ALL HAVE A YELLOW PLASTIC CAP STAMPED "R.P.L.S. 3691".

2. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

3. BASIS OF BEARINGS DETERMINED BY TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).

4. LOT TO LOT DRAINAGE IS NOT PERMITTED WITHOUT CITY OF DALLAS ENGINEERING SECTION APPROVAL.

5. THE PURPOSE OF THIS PLAT IS TO CREATE FOUR (4) PLATTED LOTS FROM AN EXISTING TRACT OF LAND.

6. NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48113C0510K, DATED 07/07/2014, ZONE X.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That DLG Investments Capital LLC, does hereby adopt this plat, designating the herein described property as: **LOTS 1 - 4, BLOCK 6725, EAGLE NEST ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same, All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective systems on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Name:
Title: Owner

STATE OF TEXAS
COUNTY OF DALLAS
BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS
WHEREAS DLG Investments Capital LLC, is the sole owner of a tract of land located in the WILLIAM T. STEWART SURVEY, Abstract No. 1343, Block 6725, City of Dallas, Dallas County, Texas, and being the same tract of land described in Sheriff's Deed to DLG Investments Capital LLC, recorded in Instrument No. 202100130248, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set in the East line of Leroy Road, at the Southwest corner of Lot 5, Block 6725, of Corona Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 200223, Page 3999, Deed Records, Dallas County, Texas, and being the Northwest corner of said DLG Investments Capital LLC tract;

Thence South 89 deg. 25 min. 59 sec. East, a distance of 210.32 feet to a 1/2 inch iron rod found in the West line of Lot 1, Block C/6728, of Carver Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 13, Page 207, Map Records, Dallas County, Texas, at the Southeast corner of said Lot 5, Block 6725, and being the Northeast corner of said DLG Investments Capital LLC tract;

Thence South 00 deg. 21 min. 03 sec. West, along the West line of said Block C/6728, a distance of 209.93 feet to a 3-1/4 aluminum disc stamped "EAGLE NEST ADDITION" set at the Northeast corner of a tract of land described in deed to Mark Cantu, recorded in Volume 97251, Page 5642, Deed Records, Dallas County, Texas, same being the Southeast corner of said DLG Investments Capital LLC tract;

Thence North 89 deg. 25 min. 59 sec. West, a distance of 210.32 feet to a 5/8 inch iron rod with a orange plastic cap found in the said East line of said Leroy Road, at the Northwest corner of said Cantu tract, same being the Southwest corner of said DLG Investments Capital LLC tract;

Thence North 00 deg. 21 min. 03 sec. East, along said East line, a distance of 209.93 feet to the PLACE OF BEGINNING and containing 44,153 square feet or 1.014 acres of land.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **I**, Barry S. Rhodes, A REGISTERED PROFESSIONAL LAND SURVEYOR, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision , from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, The City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. **I** further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a), (b), (c), (d), & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 20__.

PRELIMINARY / NOT FOR RECORDING PURPOSES

Barry S. Rhodes
Registered Professional Land Surveyor R.P.L.S. No. 3691

STATE OF TEXAS
COUNTY OF DALLAS
BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Barry S. Rhodes, R.P.L.S. 3691, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated,

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

LEGEND

D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
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PROPERTY ADDRESS: 1922 LEROY RD., DALLAS, TEXAS 75217
OWNER: *DLG INVESTMENTS CAPITAL LLC*
ADDRESS: *410 MULBERRY CIRCLE, FORNEY, TX 75126*
PHONE: 972-921-6260

BURNS SURVEYING
PROFESSIONAL LAND SURVEYORS
OFFICE: 1529 EAST INTERSTATE 30, GARLAND, TX 75043
SURVEYOR: BARRY S. RHODES - RPLS NO. 3691
FIRM NO. 10194366
WEBSITE: WWW.BURNSSURVEY.COM
PHONE: (214) 326-1090
JOB NO.: 202206147 PREPARATION DATE: 11/01/2022 DRAWN BY: TD

PRELIMINARY PLAT
LOTS 1 - 4, BLOCK 6725,
EAGLE NEST ADDITION,

BEING PART OF CITY BLOCK 6725,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
WILLIAM T. STEWART SURVEY, ABSTRACT NO. 1343
CITY PLAN FILE NO. S___-____
ENGINEERING FILE NO. ____-_____

S223-083

Agenda Information Sheet

File #: 23-863 **Item #:** 21.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 11.55-acre lot from a tract of land in City Block 8321 on property located on Blanco Drive at Witt Road, southeast corner.
Applicant/Owner: Wintergreen Logistics Owner, LP
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 22, 2023
Zoning: PD 761
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-084

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-084 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Blanco Drive at Witt Road, southeast corner

DATE FILED: February 22, 2023 **ZONING:** PD 761

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20761.pdf

CITY COUNCIL DISTRICT: 8 **SIZE OF REQUEST:** 11.55-acres **MAPSCO:** 76R

APPLICANT/OWNER: Wintergreen Logistics Owner, LP

REQUEST: An application to create one 11.55-acre lot from a tract of land in City Block 8321 on property located on Blanco Drive at Witt Road, southeast corner.

SUBDIVISION HISTORY:

1. S178-089 was a request south of the present request to replat a 96.3-acre tract of land containing part of Lot 1 in City Block B/8313; part of Lot 1 in City Block A/8314, parts of City Blocks 3813, 8320, 8322, and a portion of Blanco Drive to be abandoned to create one 5.748-acre lot, one 28.725-acre lot, one 52.172-acre lot; and 9.220 acres of right-of-way from property located on Logistics Drive, east of Bonnie View Road. The request was approved February 15, 2018 and recorded August 4, 2020.

STAFF RECOMMENDATION: The request complies with the requirements of PD 761; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 30 feet of right-of-way (via fee simple) from the established center line of Blanco Drive. *Section 51A 8.602(c)*

16. On the final plat, dedicate 30 feet of right-of-way (via fee simple) from the established center line of Witt Road. *Section 51A 8.602(c)*

17. On the final plat, dedicate a minimum 20-foot by 20-foot corner clip (via fee simple or street easement) at the intersection of Wintergreen Road & Blanco Drive. Section 51A 8.602(d)(1)

18. Construct one-half of the Blanco Drive thoroughfare requirements along the entire length of the proposed plat per the City of Dallas standard. *51A 8.604(b)(3)*

19. Provide approval from the City of Lancaster for any work within their jurisdiction.

20. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility

and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608*

21. Comply with PD 761 *City Code- per PD*

Survey (SPRG) Conditions:

22. Prior to final plat, submit a completed final plat checklist and all supporting documents.

23. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

24. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

25. On the final plat, show recording information on all existing easements within 150 feet of the property.

26. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

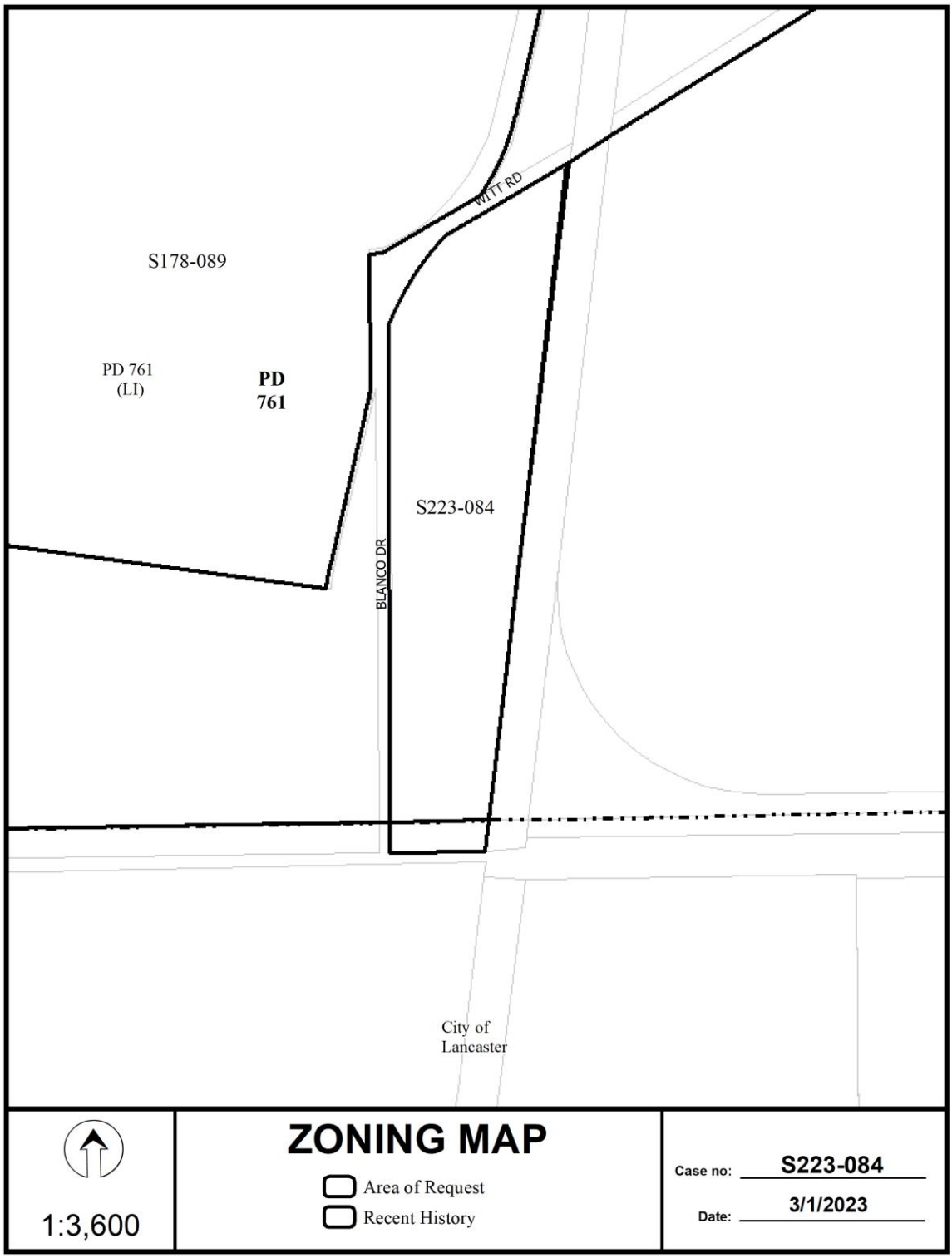
27. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

28. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

29. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

30. On the final plat, identify the property as Lot 1 in City Block A/8321. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


WITT RD
S178-089
PD 761
(LI)
PD
761
S223-084
BLANCO DR
City of
Lancaster
ZONING MAP
Area of Request
Recent History
1:3,600
Case no: S223-084
Date: 3/1/2023

1:3,600

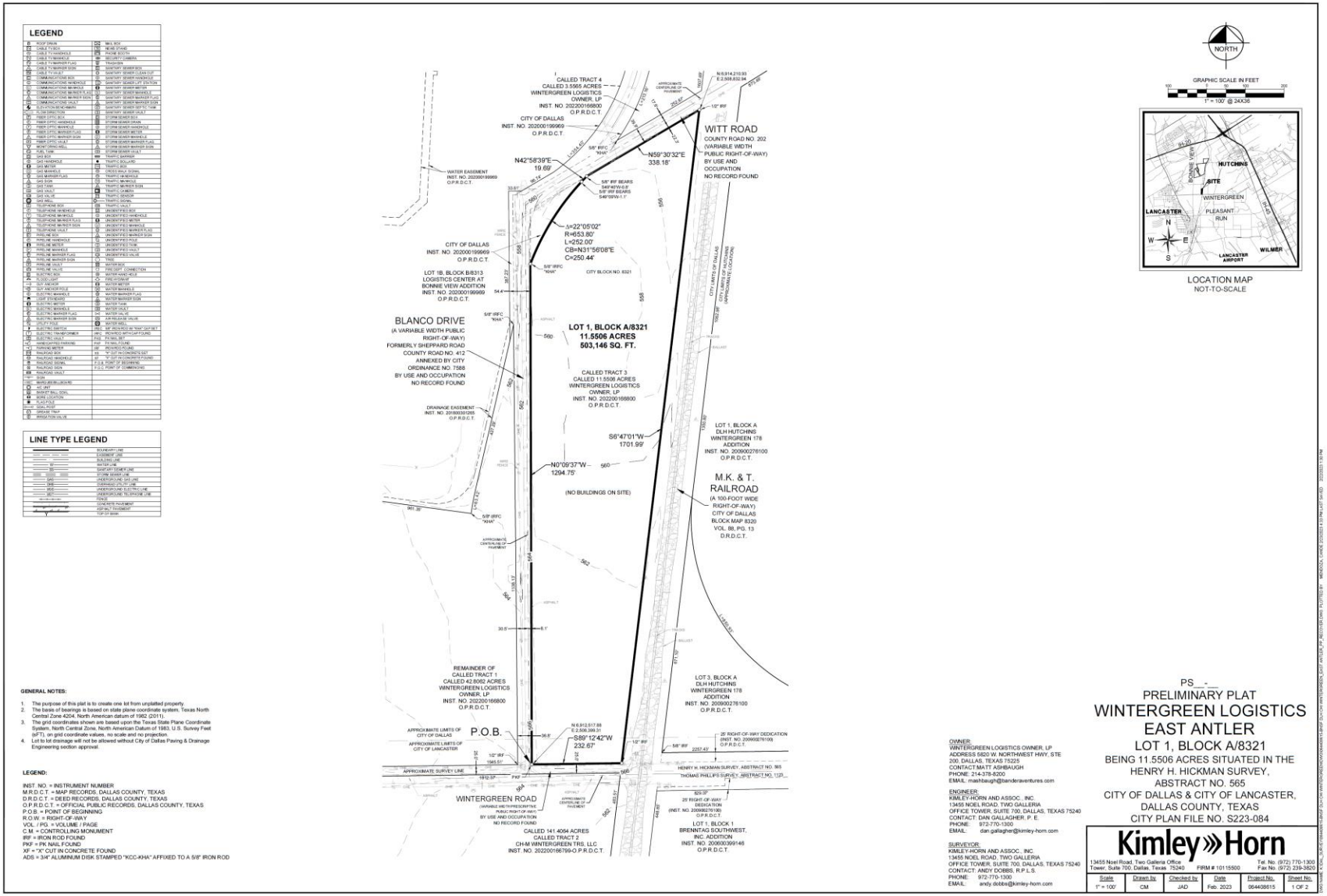
AERIAL MAP

Area of Request

Recent History

Case no: S223-084

Date: 3/1/2023



S223-084

21(f)

City Plan Commission Date: 03/23/2023

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Wintergreen Logistics Owner, LP, are the owners of a 11.5506 acre tract of land situated in the Henry H. Hickman Survey, Abstract No. 565, Dallas City Block No. 8321, City of Dallas and City of Lancaster, Texas and being all of a called 11.5506 acre tract described as Tract 3 in Special Warranty Deed to Wintergreen Logistics Owner, LP recorded in Instrument No. 202200186800 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a PK-Nail found at the intersection of the north right-of-way line of Wintergreen Road (a variable width prescriptive public right-of-way) and the east right-of-way line of Blanco Drive (a variable width public right-of-way);

THENCE with the said east right-of-way line of Blanco Drive, North 0°09'37" West, a distance of 1,264.75 feet to a 5/8" iron rod with red "KHA" cap found for corner at the intersection of the said east right-of-way line of Blanco Drive and the south right-of-way line of Witt Road (a variable width public right-of-way) and the beginning of a non-tangent curve to the right having a central angle of 22°05'02", a radius of 653.80 feet, a chord bearing and distance of North 31°56'08" East, 250.44 feet;

THENCE with the said south right-of-way line of Witt Road, the following courses and distances:

Along said non-tangent curve to the right, an arc distance of 252.00 feet to a point for corner from which a 5/8" iron rod found bears South 49°09' West, 1.1 feet;

North 42°58'39" East, a distance of 19.69 feet to a point for corner from which a 5/8" iron rod found bears South 49°40' West, 0.8 feet;

North 59°30'32" East, a distance of 338.18 feet to a 1/2" iron rod found for the intersection of the said south right-of-way line of Witt Road and the west line of the M.K. & T. Railroad (a 100-foot wide right-of-way);

THENCE with the said west line of the M.K. & T. Railroad, South 6°47'01" West, a distance of 1,701.99 feet to a 1/2" iron rod found for the intersection of the said west line of the M.K. & T. Railroad and the said north right-of-way line of Wintergreen Road;

THENCE with the said north right-of-way line of Wintergreen Road, South 89°12'42" West, a distance of 232.67 feet to the **POINT OF BEGINNING** and containing 11.5506 acres or 503,146 square feet of land.

The Director of Development Services of the City of Lancaster, Texas, hereby certifies that to the best of their knowledge or belief, this subdivision plat conforms to all requirements of the Subdivision Regulations, or as may have been amended or modified, as allowed by the Planning and Zoning Commission as to which her approval is required.

_____ _____
Director of Development Services Date

CITY CERTIFICATION FOR THE CITY OF LANCASTER

Approval:

_____ _____
Chairman, Planning and Zoning Commission Date
Attest:

ATTEST:

_____ _____
Signature Date

_____
Name & Title

OWNER'S DEDICATION FOR THE CITY OF DALLAS:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **WINTERGREEN LOGISTICS OWNER, LP,** acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat, designating the herein described property as **WINTERGREEN LOGISTICS EAST ANTLER,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility)

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, _____, this _____ day of _____, 2023.

WINTERGREEN LOGISTICS OWNER, LP
a Texas Foreign Limited Partnership

By: _____
Name: Matt Ashbaugh
Title: Partner

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared, Matt Ashbaugh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same on behalf of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

OWNER'S DEDICATION FOR THE CITY OF LANCASTER

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **WINTERGREEN LOGISTICS OWNER, LP,** do hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as **WINTERGREEN LOGISTICS EAST ANTLER,** an addition to the City of Lancaster, and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone.

There are no easements to the City of Lancaster proposed on this Plat. Lancaster will not be responsible for maintenance of any easements.

Witness our hands at Dallas, Texas, this _____ day of _____, 2023.

By: **WINTERGREEN LOGISTICS OWNER, LP** a Texas Foreign Limited Partnership

_____
Matt Ashbaugh, Parther

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Matt Ashbaugh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT FOR THE CITY OF DALLAS

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212.1 further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT FOR THE CITY OF LANCASTER

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Subdivision Regulations of the City of Lancaster.

Dated this the _____ day of _____, 2023.

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

PS___-___
PRELIMINARY PLAT
WINTERGREEN LOGISTICS EAST ANTLER
LOT 1, BLOCK A/8321
BEING 11.5506 ACRES SITUATED IN THE HENRY H. HICKMAN SURVEY, ABSTRACT NO. 565
CITY OF DALLAS & CITY OF LANCASTER, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-084

OWNER:
WINTERGREEN LOGISTICS OWNER, LP
ADDRESS 5820 W. NORTHWEST HWY, STE 200, DALLAS, TEXAS 75225
CONTACT: MATT ASHBAUGH
PHONE: 214-378-8200
EMAIL: mashbaugh@banderaventures.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-770-1300
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CM	JAD	Feb. 2023	064408615	2 OF 2

S223-084

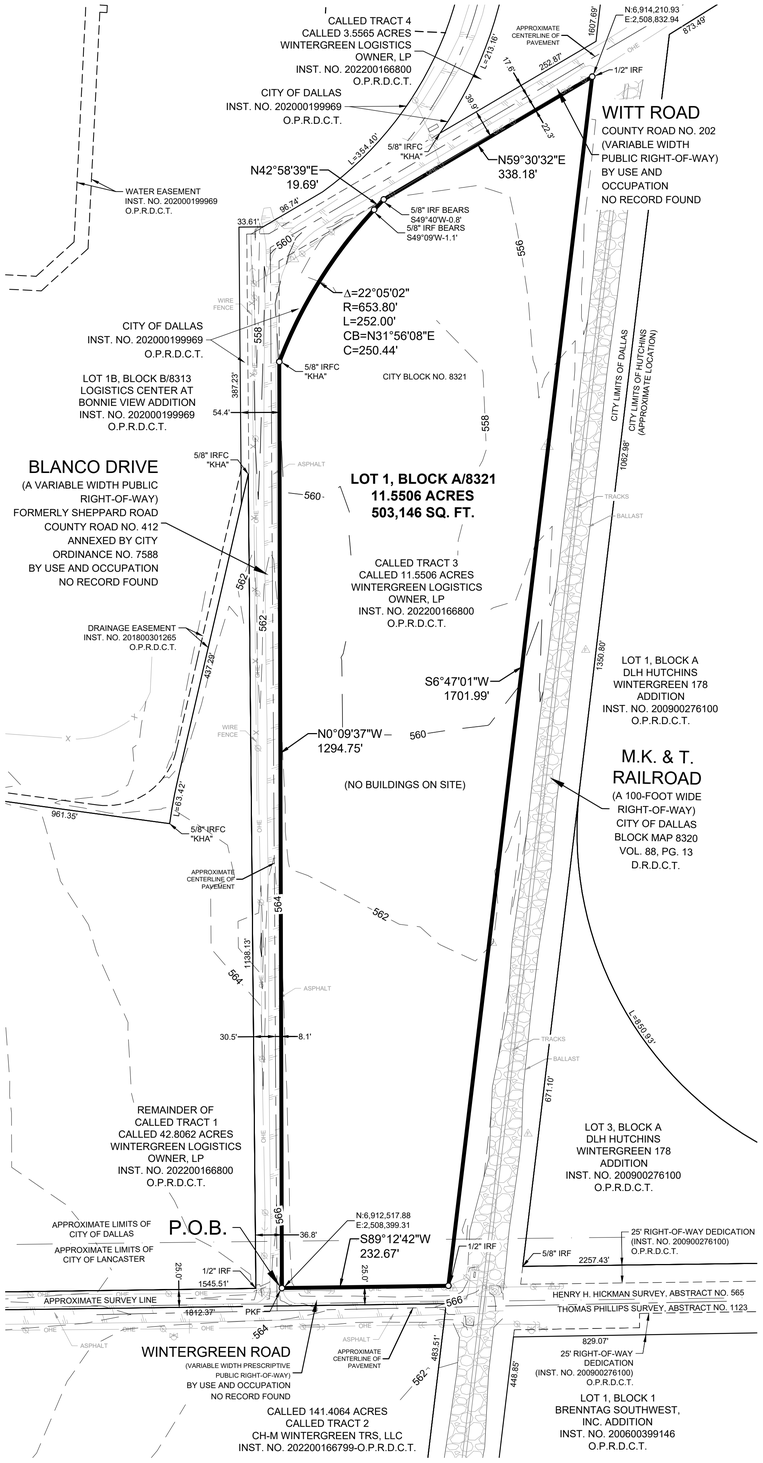
City Plan Commission Date: 03/23/2023 21(g)

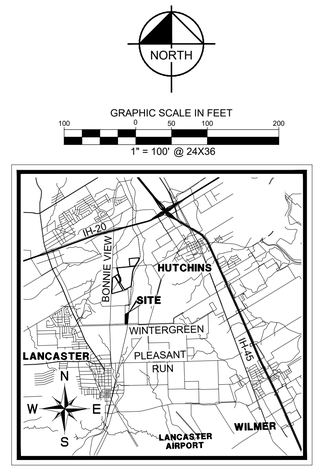
LEGEND

RD	ROOF DRAIN	MB	MAIL BOX
CTV	CABLE TV BOX	NS	NEWS STAND
CTV	CABLE TV HANDHOLE	PB	PHONE BOOTH
CTV	CABLE TV MANHOLE	SC	SECURITY CAMERA
CTV	CABLE TV MARKER FLAG	TB	TRASH BIN
CTV	CABLE TV MARKER SIGN	SSB	SANITARY SEWER BOX
CTV	CABLE TV VAULT	SSCO	SANITARY SEWER CLEAN OUT
COM	COMMUNICATIONS BOX	SSH	SANITARY SEWER HANDHOLE
COM	COMMUNICATIONS HANDHOLE	SSLS	SANITARY SEWER LIFT STATION
COM	COMMUNICATIONS MANHOLE	SSM	SANITARY SEWER METER
COM	COMMUNICATIONS MARKER FLAG	SSMH	SANITARY SEWER MANHOLE
COM	COMMUNICATIONS MARKER SIGN	SSMF	SANITARY SEWER MARKER FLAG
COM	COMMUNICATIONS VAULT	SSMS	SANITARY SEWER MARKER SIGN
EB	ELEVATION BENCHMARK	SST	SANITARY SEWER SEPTIC TANK
FO	FLOW DIRECTION	SSV	SANITARY SEWER VAULT
FO	FIBER OPTIC BOX	SSB	STORM SEWER BOX
FO	FIBER OPTIC HANDHOLE	SSD	STORM SEWER DRAIN
FO	FIBER OPTIC MANHOLE	SSH	STORM SEWER HANDHOLE
FO	FIBER OPTIC MARKER FLAG	SSM	STORM SEWER METER
FO	FIBER OPTIC MARKER SIGN	SSMH	STORM SEWER MANHOLE
FO	FIBER OPTIC VAULT	SSMF	STORM SEWER MARKER FLAG
MW	MONITORING WELL	SSMS	STORM SEWER MARKER SIGN
FT	FUEL TANK	SSV	STORM SEWER VAULT
GB	GAS BOX	TB	TRAFFIC BARRIER
GH	GAS HANDHOLE	TBO	TRAFFIC BOLLARD
GM	GAS METER	TB	TRAFFIC BOX
GM	GAS MANHOLE	CWS	CROSS WALK SIGNAL
GMF	GAS MARKER FLAG	TH	TRAFFIC HANDHOLE
GS	GAS SIGN	TM	TRAFFIC MANHOLE
GT	GAS TANK	TMS	TRAFFIC MARKER SIGN
GV	GAS VAULT	TC	TRAFFIC CAMERA
GV	GAS VALVE	TS	TRAFFIC SENSOR
GW	GAS WELL	TS	TRAFFIC SIGNAL
TB	TELEPHONE BOX	TV	TRAFFIC VAULT
TH	TELEPHONE HANDHOLE	UB	UNIDENTIFIED BOX
TM	TELEPHONE MANHOLE	UH	UNIDENTIFIED HANDHOLE
TMF	TELEPHONE MARKER FLAG	UM	UNIDENTIFIED METER
TMS	TELEPHONE MARKER SIGN	UM	UNIDENTIFIED MANHOLE
TV	TELEPHONE VAULT	UMF	UNIDENTIFIED MARKER FLAG
PB	PIPELINE BOX	UMS	UNIDENTIFIED MARKER SIGN
PH	PIPELINE HANDHOLE	UP	UNIDENTIFIED POLE
PM	PIPELINE METER	UT	UNIDENTIFIED TANK
PM	PIPELINE MANHOLE	UV	UNIDENTIFIED VAULT
PMF	PIPELINE MARKER FLAG	UV	UNIDENTIFIED VALVE
PMS	PIPELINE MARKER SIGN	TREE	TREE
PV	PIPELINE VAULT	WB	WATER BOX
PV	PIPELINE VALVE	FDC	FIRE DEPT. CONNECTION
ED	ELECTRIC BOX	WHH	WATER HAND HOLE
FL	FLOOD LIGHT	FH	FIRE HYDRANT
GA	GUY ANCHOR	WM	WATER METER
GAP	GUY ANCHOR POLE	WM	WATER MANHOLE
EM	ELECTRIC MANHOLE	WMF	WATER MARKER FLAG
LS	LIGHT STANDARD	WMS	WATER MARKER SIGN
EM	ELECTRIC METER	WT	WATER TANK
EM	ELECTRIC MANHOLE	WV	WATER VAULT
EMF	ELECTRIC MARKER FLAG	WV	WATER VALVE
EMS	ELECTRIC MARKER SIGN	ARV	AIR RELEASE VALVE
UP	UTILITY POLE	WW	WATER WELL
ES	ELECTRIC SWITCH	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
ET	ELECTRIC TRANSFORMER	IRFC	IRON ROD WITH CAP FOUND
EV	ELECTRIC VAULT	PKS	PK NAIL SET
HP	HANDICAPPED PARKING	PKF	PK NAIL FOUND
PM	PARKING METER	IRF	IRON ROD FOUND
RB	RAILROAD BOX	XS	"X" CUT IN CONCRETE SET
RH	RAILROAD HANDHOLE	XF	"X" CUT IN CONCRETE FOUND
RS	RAILROAD SIGNAL	P.O.B.	POINT OF BEGINNING
RS	RAILROAD SIGN	P.O.C.	POINT OF COMMENCING
RV	RAILROAD VAULT		
S	SIGN		
MB	MARQUEE/BILLBOARD		
AC	A/C UNIT		
BB	BASKET BALL GOAL		
BL	BORE LOCATION		
FP	FLAG POLE		
GP	GOAL POST		
GT	GREASE TRAP		
IV	IRRIGATION VALVE		

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
	TOP OF BANK





LOCATION MAP
NOT-TO-SCALE

GENERAL NOTES:

1. The purpose of this plat is to create one lot from unplatted property.
2. The basis of bearings is based on state plane coordinate system, Texas North Central Zone 4204, North American datum of 1982 (2011).
3. The grid coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983, U.S. Survey Feet (sFT), on grid coordinate values, no scale and no projection.
4. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.

LEGEND:

INST. NO. = INSTRUMENT NUMBER
M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
VOL. / PG. = VOLUME / PAGE
C.M. = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
PKF = PK NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
ADS = 3/4" ALUMINUM DISK STAMPED "KCC-KHA" AFFIXED TO A 5/8" IRON ROD

PS__-__
PRELIMINARY PLAT
WINTERGREEN LOGISTICS EAST ANTLER
LOT 1, BLOCK A/8321
BEING 11.5506 ACRES SITUATED IN THE HENRY H. HICKMAN SURVEY, ABSTRACT NO. 565
CITY OF DALLAS & CITY OF LANCASTER, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-084

OWNER:
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ADDRESS 5820 W. NORTHWEST HWY, STE 200, DALLAS, TEXAS 75225
CONTACT:MATT ASHBAUGH
PHONE: 214-378-8200
EMAIL: mashbaugh@banderaventures.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-770-1300
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
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CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	CM	JAD	Feb. 2023	064408615	1 OF 2

DWG NAME: K:\DAL_SURVEY\064408615-BNSF DLH CH\ WINTERGREEN\DWG\064408615-BNSF DLH CH WINTERGREEN_EAST ANTLER_PP_RECOVER.DWG PLOTTED BY MENDOZA, CANDE 2/23/2023 4:33 PM LAST SAVED 2/22/2023 1:30 PM

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Wintergreen Logistics Owner, LP, are the owners of a 11.5506 acre tract of land situated in the Henry H. Hickman Survey, Abstract No. 565, Dallas City Block No. 8321, City of Dallas and City of Lancaster, Texas and being all of a called 11.5506 acre tract described as Tract 3 in Special Warranty Deed to Wintergreen Logistics Owner, LP recorded in Instrument No. 202200166800 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a PK-Nail found at the intersection of the north right-of-way line of Wintergreen Road (a variable width prescriptive public right-of-way) and the east right-of-way line of Blanco Drive (a variable width public right-of-way);

THENCE with the said east right-of-way line of Blanco Drive, North 0°09'37" West, a distance of 1,294.75 feet to a 5/8" iron rod with red "KHA" cap found for corner at the intersection of the said east right-of-way line of Blanco Drive and the south right-of-way line of Witt Road (a variable width public right-of-way) and the beginning of a non-tangent curve to the right having a central angle of 22°05'02", a radius of 653.80 feet, a chord bearing and distance of North 31°56'08" East, 250.44 feet;

THENCE with the said south right-of-way line of Witt Road, the following courses and distances:

Along said non-tangent curve to the right, an arc distance of 252.00 feet to a point for corner from which a 5/8" iron rod found bears South 49°09' West, 1.1 feet;

North 42°58'39" East, a distance of 19.69 feet to a point for corner from which a 5/8" iron rod found bears South 49°40' West, 0.8 feet;

North 59°30'32" East, a distance of 338.18 feet to a 1/2" iron rod found for the intersection of the said south right-of-way line of Witt Road and the west line of the M.K. & T. Railroad (a 100-foot wide right-of-way);

THENCE with the said west line of the M.K. & T. Railroad, South 6°47'01" West, a distance of 1,701.99 feet to a 1/2" iron rod found for the intersection of the said west line of the M.K. & T. Railroad and the said north right-of-way line of Wintergreen Road;

THENCE with the said north right-of-way line of Wintergreen Road, South 89°12'42" West, a distance of 232.67 feet to the **POINT OF BEGINNING** and containing 11.5506 acres or 503,146 square feet of land.

The Director of Development Services of the City of Lancaster, Texas, hereby certifies that to the best of their knowledge or belief, this subdivision plat conforms to all requirements of the Subdivision Regulations, or as may have been amended or modified, as allowed by the Planning and Zoning Commission as to which her approval is required.

_____ _____
Director of Development Services Date

CITY CERTIFICATION FOR THE CITY OF LANCASTER

Approval:

_____ _____
Chairman, Planning and Zoning Commission Date
Attest:

ATTEST:

_____ _____ _____
Signature Date

_____
Name & Title

OWNER'S DEDICATION FOR THE CITY OF DALLAS:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **WINTERGREEN LOGISTICS OWNER, LP,** acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat, designating the herein described property as **WINTERGREEN LOGISTICS EAST ANTLER,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, _____, this _____ day of _____, 2023.

WINTERGREEN LOGISTICS OWNER, LP
a Texas Foreign Limited Partnership

By: _____
Name: Matt Ashbaugh
Title: Partner

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared, Matt Ashbaugh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same on behalf of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

OWNER'S DEDICATION FOR THE CITY OF LANCASTER

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **WINTERGREEN LOGISTICS OWNER, LP,** do hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as **WINTERGREEN LOGISTICS EAST ANTLER**, an addition to the City of Lancaster, and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone.

There are no easements to the City of Lancaster proposed on this Plat. Lancaster will not be responsible for maintenance of any easements.

Witness our hands at Dallas, Texas, this _____ day of _____, 2023.

By: **WINTERGREEN LOGISTICS OWNER, LP** a Texas Foreign Limited Partnership

_____
Matt Ashbaugh, Parther

STATE OF _____§
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Matt Ashbaugh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT FOR THE CITY OF DALLAS

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

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

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT FOR THE CITY OF LANCASTER

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Subdivision Regulations of the City of Lancaster.

Dated this the _____ day of _____, 2023.

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

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

PS__-__
PRELIMINARY PLAT
WINTERGREEN LOGISTICS EAST ANTLER
LOT 1, BLOCK A/8321
BEING 11.5506 ACRES SITUATED IN THE HENRY H. HICKMAN SURVEY, ABSTRACT NO. 565
CITY OF DALLAS & CITY OF LANCASTER, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-084

OWNER:
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ADDRESS 5820 W. NORTHWEST HWY, STE 200, DALLAS, TEXAS 75225
CONTACT:MATT ASHBAUGH
PHONE: 214-378-8200
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CM	JAD	Feb. 2023	064408615	2 OF 2

DWG NAME: K:\DAL_SURVEY\064408615-BNSF DLH CH\ WINTERGREEN\DWG\064408615-BNSF DLH CH WINTERGREEN, EAST ANTLER_PP_RECOVER.DWG PLOTTED BY MENDOZA, CANDE 2/23/2023 4:34 PM LAST SAVED 2/22/2023 1:30 PM

Agenda Information Sheet

File #: 23-864 **Item #:** 22.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 16.8924-acre lot from a tract of land in City Block 8322 on property located on Bonnie View Road, north of Wintergreen Road.
Applicant/Owner: Wintergreen Logistics Owner, LP
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: PD 761
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-085

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-085 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Bonnie View Road, north of Wintergreen Road

DATE FILED: February 23, 2023 **ZONING:** PD 761

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20761.pdf

CITY COUNCIL DISTRICT: 8 **SIZE OF REQUEST:** 16.8924-acres **MAPSCO:** 76R

APPLICANT/OWNER: Wintergreen Logistics Owner, LP

REQUEST: An application to create one 16.8924-acre lot from a tract of land in City Block 8322 on property located on Bonnie View Road, north of Wintergreen Road.

SUBDIVISION HISTORY:

1. S201-607 was a request southwest of the present request to create one 10.4567-acre lot and one 13.1762-acre lot from a 23.6329-acre tract of land in City Block 8322 and 8323 on property located on Bonnie View Road, north of Wintergreen Road. The request was approved on April 8, 2021 but has not been recorded.

2. S189-283 was a request north of the present request to replat a 58.2661-acre tract of land containing all of Lot 1 in City Block A/8313, and a tract of land in City Block 8313 to create one lot on property located on Bonnie View Road, south of Telephone Road. The request was approved on September 5, 2019 and recorded June 22, 2022.

3. S189-199 was a request west of the present request to create one 9.9577-acre lot from a tract of land containing part of City Blocks 8322 and 8323 on property located on Bonnie View Road at Logistics Drive, southeast corner. The request was approved on June 7, 2018 and recorded September 11, 2019.

4. S178-198 was a request northeast of the present request to create one 31.1007-acre lot from a tract of land containing part of City Blocks 8313 and 8314 on property located on Logistics Drive at Bonnie View Road, west of Blanco Drive. The request was approved June 7, 2018 and recorded March 26, 2019.

5. S178-089 was a request east of the present request to replat a 96.3-acre tract of land containing part of Lot 1 in City Block B/8313; part of Lot 1 in City Block A/8314, parts of City Blocks 3813, 8320, 8322, and a portion of Blanco Drive to be abandoned to create one 5.748-acre lot, one 28.725-acre lot, one 52.172-acre lot; and 9.220 acres of right-of-way from property located on Logistics Drive, east of Bonnie View Road. The request was approved February 15, 2018 and recorded August 4, 2020.

STAFF RECOMMENDATION: The request complies with the requirements of PD 761; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate a minimum 10-foot by 10-foot corner clip (via Fee Simple or Street Easement) at the intersection of Bonnie View Road and Logistics Drive. Section 51A 8.602(d)(1)

16. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. Section 51A 8.602(d)(1), 51A 8.608(a)

17. Existing drainage conveyance within the property is required to be sized in compliance with Section 51A-8.611(a)(1) of the City of Dallas Code.

18. Comply with PD 761 *City Code- per PD*

Survey (SPRG) Conditions:

19. Prior to final plat, submit a completed final plat checklist and all supporting documents.

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

22. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.

Dallas Water Utilities Conditions:

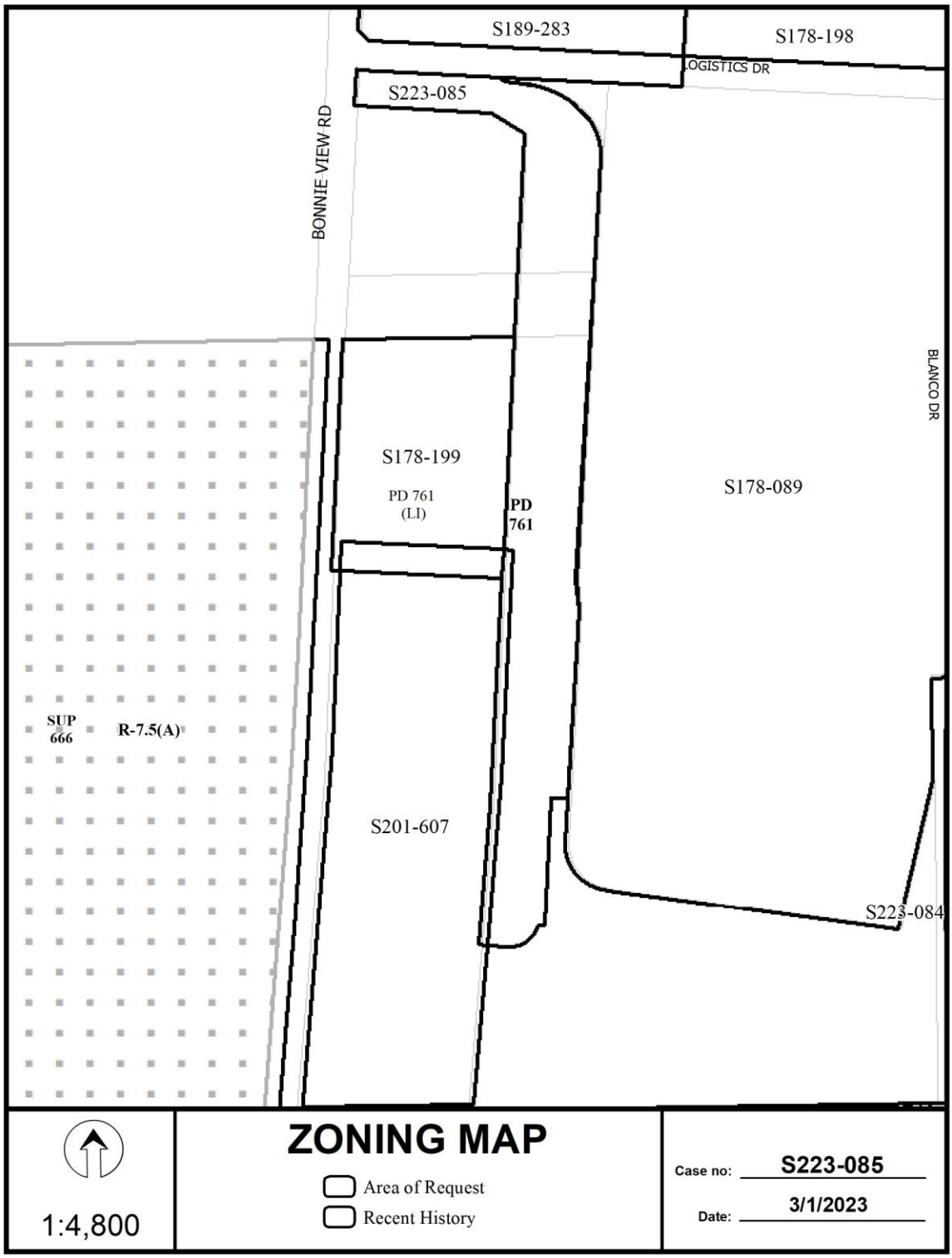
23. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

24. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

25. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

26. On the final plat, identify the property as Lot 1A in City Block A/8314. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


S189-283
S178-198
LOGISTICS DR
S223-085
BONNIE VIEW RD
BLANCO DR
S178-199
PD 761
(LI)
PD
761
S178-089
SUP
666
R-7.5(A)
S201-607
S223-084
ZONING MAP
Area of Request
Recent History
1:4,800
Case no: S223-085
Date: 3/1/2023

1:4,800

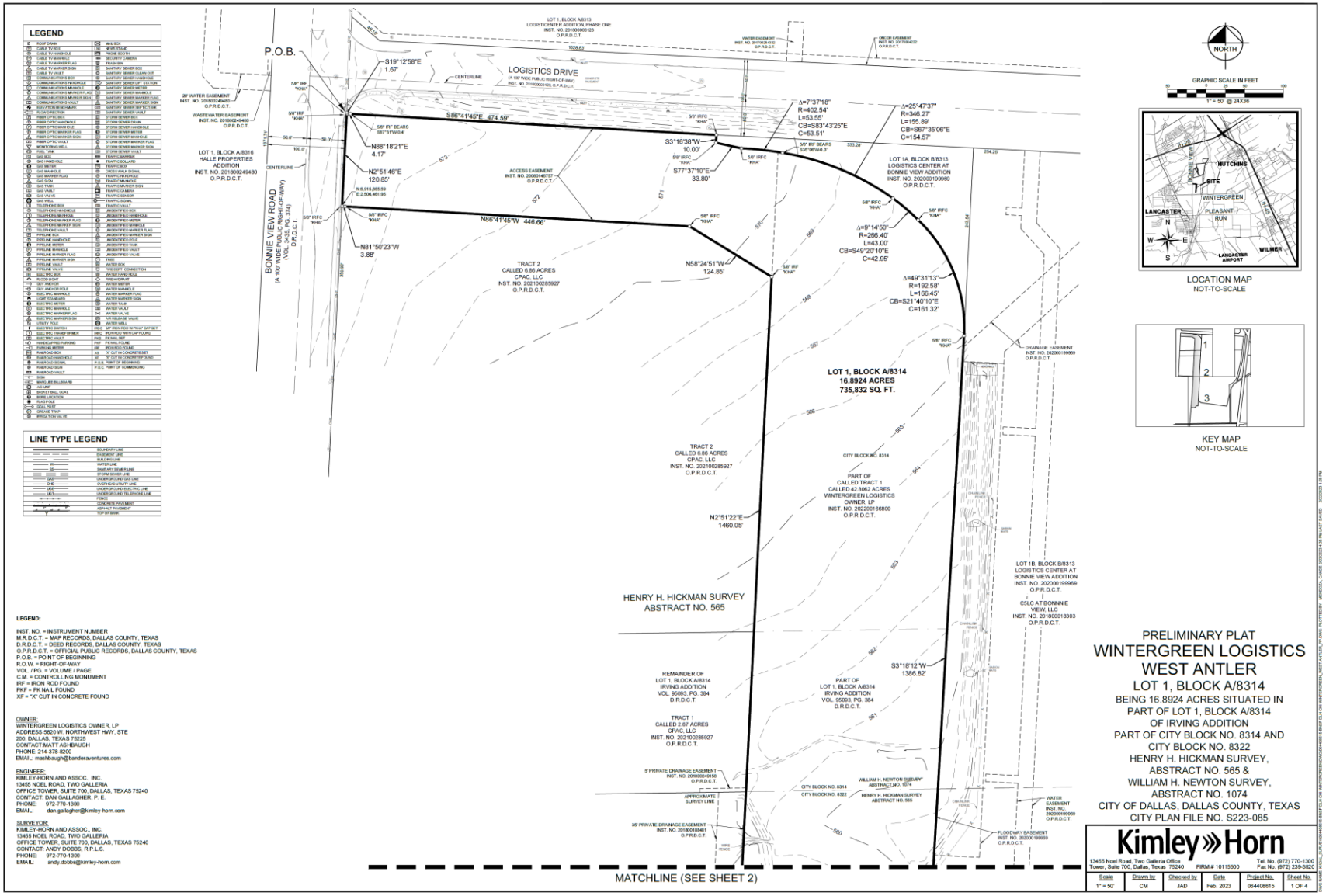
AERIAL MAP

Area of Request

Recent History

Case no: S223-085

Date: 3/1/2023



S223-085

22(f)

City Plan Commission Date: 03/23/2023

S223-085

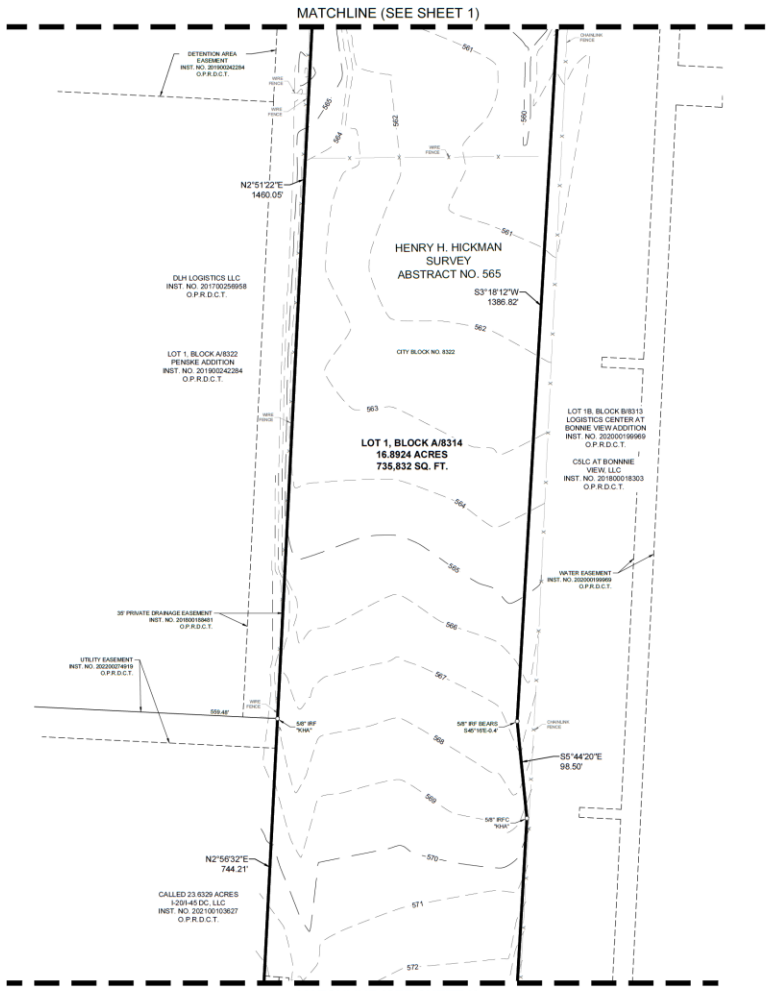
City Plan Commission Date: 03/23/2023 22(g)

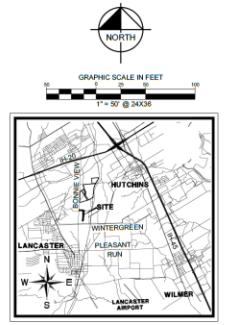
LEGEND

ROOF DRAIN		MAIL BOX	
CABLE TV BOX		NEWS STAND	
CABLE TV HANDHOLE		PHONE BOOTH	
CABLE TV MANHOLE		SECURITY CAMERA	
CABLE TV MARKER FLAG		TRANSFORMER	
CABLE TV MARKER SIGN		SANITARY SEWER BOX	
CABLE TV VAULT		SANITARY SEWER CLEAN OUT	
COMMUNICATIONS BOX		SANITARY SEWER HANDHOLE	
COMMUNICATIONS HANDHOLE		SANITARY SEWER LIFT STATION	
COMMUNICATIONS MANHOLE		SANITARY SEWER METER	
COMMUNICATIONS MARKER FLAG		SANITARY SEWER MANHOLE	
COMMUNICATIONS MARKER SIGN		SANITARY SEWER MARKER FLAG	
COMMUNICATIONS VAULT		SANITARY SEWER MARKER SIGN	
ELEVATION BENCHMARK		SANITARY SEWER VENT TANK	
ELEVATION MARKER		SANITARY SEWER VAULT	
FIBER OPTIC BOX		STORM SEWER BOX	
FIBER OPTIC HANDHOLE		STORM SEWER DRAIN	
FIBER OPTIC MANHOLE		STORM SEWER HANDHOLE	
FIBER OPTIC MARKER FLAG		STORM SEWER METER	
FIBER OPTIC MARKER SIGN		STORM SEWER MANHOLE	
FIBER OPTIC VAULT		STORM SEWER MARKER FLAG	
MONITORING WELL		STORM SEWER MARKER SIGN	
FUEL TANK		STORM SEWER VAULT	
GAS BOX		TRAFFIC BOX	
GAS HANDHOLE		TRAFFIC BOLLARD	
GAS METER		TRAFFIC BOX	
GAS MANHOLE		CROSS WALK SIGNAL	
GAS MARKER FLAG		TRAFFIC HANDHOLE	
GAS SIGN		TRAFFIC MANHOLE	
GAS TANK		TRAFFIC MARKER SIGN	
GAS VAULT		TRAFFIC CAMERA	
GAS VALVE		TRAFFIC SENSOR	
GAS WELL		TRAFFIC SIGNAL	
HYDRAULIC BOX		UNDERSPECIFIED BOX	
TELEPHONE HANDHOLE		UNDERSPECIFIED BOX	
TELEPHONE MANHOLE		UNDERSPECIFIED HANDHOLE	
TELEPHONE MARKER FLAG		UNDERSPECIFIED METER	
TELEPHONE MARKER SIGN		UNDERSPECIFIED MANHOLE	
TELEPHONE VAULT		UNDERSPECIFIED MARKER FLAG	
PIPELINE BOX		UNDERSPECIFIED MARKER SIGN	
PIPELINE HANDHOLE		UNDERSPECIFIED POLE	
PIPELINE METER		UNDERSPECIFIED TANK	
PIPELINE MANHOLE		UNDERSPECIFIED VAULT	
PIPELINE MARKER FLAG		UNIDENTIFIED VALVE	
PIPELINE MARKER SIGN		VENT	
PIPELINE VAULT		WATER BOX	
PIPELINE VALVE		FIRE/DEPT. CONNECTION	
ELECTRIC BOX		WATER HAND HOLE	
FLOOD LIGHT		FIRE HYDRANT	
GUY ANCHOR		WATER METER	
GUY ANCHOR POLE		WATER MANHOLE	
ELECTRIC MANHOLE		WATER MARKER FLAG	
LIGHT STANDARD		WATER MARKER SIGN	
ELECTRIC METER		WATER TANK	
ELECTRIC MANHOLE		WATER VAULT	
ELECTRIC MARKER FLAG		WATER VALVE	
ELECTRIC MARKER SIGN		AIR RELEASE VALVE	
UTILITY POLE		WATER WELL	
ELECTRIC SWITCH		3/8" IRON ROD W/ "RAM" CAP SET	
ELECTRIC TRANSFORMER		IRON ROD WITH CAP FOUND	
ELECTRIC VAULT		PK NAIL SET	
HANDICAPPED PARKING		PK NAIL FOUND	
PARKING METER		IRON ROD FOUND	
RAILROAD BOX		"X" CUT IN CONCRETE SET	
RAILROAD HANDHOLE		"X" CUT IN CONCRETE FOUND	
RAILROAD SIGNAL		P.O.B. POINT OF BEGINNING	
RAILROAD SIGN		P.O.C. POINT OF COMMENCING	
RAILROAD VAULT			
SIGN			
MARQUEE/BILLBOARD			
A/C UNIT			
BASKETBALL GOAL			
BENCH STATION			
FLAG POLE			
GOAL POST			
GREASE TRAP			
IRRIGATION VALVE			

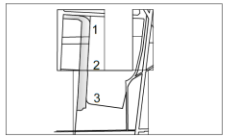
LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHP	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
	TOP OF BANK





LOCATION MAP
NOT-TO-SCALE



KEY MAP
NOT-TO-SCALE

LEGEND:

INST. NO. = INSTRUMENT NUMBER
M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
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VOL. / PG. = VOLUME / PAGE
C.M. = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
PKF = PK NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND

PRELIMINARY PLAT
WINTERGREEN LOGISTICS
WEST ANTLER
LOT 1, BLOCK A/8314

BEING 16.8924 ACRES SITUATED IN
PART OF LOT 1, BLOCK A/8314
OF IRVING ADDITION
PART OF CITY BLOCK NO. 8314 AND
CITY BLOCK NO. 8322
HENRY H. HICKMAN SURVEY,
ABSTRACT NO. 565 &
WILLIAM H. NEWTON SURVEY,
ABSTRACT NO. 1074
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-085

OWNER:
WINTERGREEN LOGISTICS OWNER, LP
ADDRESS 5820 W. NORTHWEST HWY, STE 200, DALLAS, TEXAS 75225
CONTACT: MATT ASHBAUGH
PHONE: 214-378-8200
EMAIL: mashbaugh@banderaventures.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-770-1300
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
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CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Tel. No. (972) 770-1300
Fax No. (972) 239-3820
FIRM # 10115500

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CM	JAD	Feb. 2023	064408615	2 OF 4

\\KHDFW-FILE\Projects\064408615\Design\Civil\Plat\WEST ANTLER_PLAT.dwg, PLOTTED BY: BRENDON.CRANE, 2/23/2023 1:35 PM

S223-085

City Plan Commission Date: 03/23/2023 22(h)

MATCHLINE (SEE SHEET 2)

LEGEND

R	ROOF DRAIN	MB	MAIL BOX
CT	CABLE TV BOX	MS	MEDIA STAND
CM	CABLE TV MANHOLE	PB	PHONE BOOTH
CV	CABLE TV VAULT	SC	SECURITY CAMERA
CF	CABLE TV MARKER FLAG	TR	TRASH BIN
CS	CABLE TV MARKER SIGN	SI	SANITARY SEWER BOX
CB	CABLE TV VAULT	O	SANITARY SEWER CLEAN OUT
C	COMMUNICATIONS BOX	SC	SANITARY SEWER HANDHOLE
CH	COMMUNICATIONS HANDHOLE	LS	SANITARY SEWER LIFT STATION
CM	COMMUNICATIONS MH/HOLE	M	SANITARY SEWER METER
C	COMMUNICATIONS MH/REST PLUG	SV	SANITARY SEWER MANHOLE
CS	COMMUNICATIONS MH/REST SIGN	SF	SANITARY SEWER MARKER FLAG
CV	COMMUNICATIONS VAULT	SS	SANITARY SEWER MARKER SIGN
	ELEVATION BENCHMARK	ST	SANITARY SEWER SEPTIC TANK
FD	FLOW DIRECTION	SV	SANITARY SEWER VAULT
FI	FIBER OPTIC BOX	DI	STORM SEWER BOX
FH	FIBER OPTIC HANDHOLE	DR	STORM SEWER DRAIN
FM	FIBER OPTIC MANHOLE	SH	STORM SEWER HANDHOLE
FV	FIBER OPTIC MARKER FLAG	SM	STORM SEWER METER
FS	FIBER OPTIC MARKER SIGN	DI	STORM SEWER MANHOLE
FV	FIBER OPTIC VAULT	SF	STORM SEWER MARKER FLAG
W	MONITORING WELL	SS	STORM SEWER MARKER SIGN
GV	GAS VALVE	SV	STORM SEWER VAULT
GB	GAS BOX	TB	TRAFFIC BARRIER
GH	GAS HANDHOLE	B	TRAFFIC BOLLARD
GM	GAS METER	TB	TRAFFIC BOX
GS	GAS MANHOLE	CW	CROSS WALK SIGNAL
GF	GAS MARKER FLAG	TH	TRAFFIC MH/HOLE
GS	GAS SIGN	TS	TRAFFIC MH/HOLE
GS	GAS TANK	TS	TRAFFIC MH/REST SIGN
GV	GAS VAULT	TC	TRAFFIC CAMERA
GW	GAS WELL	TS	TRAFFIC SIGNAL
G	GAS WELL	TS	TRAFFIC SIGNAL
TB	TELEPHONE BOX	TV	TRAFFIC VAULT
TH	TELEPHONE HANDHOLE	UI	UNIDENTIFIED BOX
TM	TELEPHONE MH/HOLE	UH	UNIDENTIFIED HANDHOLE
TM	TELEPHONE MH/REST PLUG	UM	UNIDENTIFIED METER
TS	TELEPHONE MH/REST SIGN	UM	UNIDENTIFIED MH/HOLE
TV	TELEPHONE VAULT	UF	UNIDENTIFIED MARKER FLAG
PI	PIPELINE BOX	US	UNIDENTIFIED MARKER SIGN
PH	PIPELINE HANDHOLE	UP	UNIDENTIFIED POLE
PM	PIPELINE MH/HOLE	UT	UNIDENTIFIED TANK
PM	PIPELINE METER	UV	UNIDENTIFIED VAULT
PF	PIPELINE MARKER FLAG	UV	UNIDENTIFIED VALVE
PS	PIPELINE MARKER SIGN	V	VENT
PV	PIPELINE VAULT	WB	WATER BOX
PV	PIPELINE VALVE	WC	WATER DEPT. CONNECTION
E	ELECTRIC BOX	WH	WATER HANDHOLE
EL	FLOOD LIGHT	WH	WATER HYDRANT
GY	GUY ANCHOR	WM	WATER METER
GY	GUY ANCHOR POLE	WM	WATER MH/HOLE
LP	LIGHT POLE W/ BANNER	WF	WATER MARKER FLAG
LP	LIGHT POLE/BASE	WS	WATER MARKER SIGN
EM	ELECTRIC METER	WT	WATER TANK
EV	ELECTRIC MH/HOLE	WV	WATER VAULT
EF	ELECTRIC MARKER FLAG	WV	WATER VALVE
ES	ELECTRIC MARKER SIGN	AV	AIR RELEASE VALVE
PP	UTILITY POLE	WW	WATER WELL
S	ELECTRIC SWITCH	IRF/C	5/8" IRON ROD W/ "KHA" CAP SET
T	ELECTRIC TRANSFORMER	IRF/C	IRON ROD WITH CAP FOUND
EV	ELECTRIC VAULT	PK/S	PK NAIL SET
HC	HANDICAPPED PARKING	PK/F	PK NAIL FOUND
MP	METER POLE	MF	"X" CUT FOUND
RB	RAILROAD BOX	MS	"X" CUT IN CONCRETE SET
RH	RAILROAD HANDHOLE	XF	"X" CUT IN CONCRETE FOUND
RS	RAILROAD SIGNAL	P.O.B.	POINT OF BEGINNING
RS	RAILROAD SIGN	P.O.C.	POINT OF COMMENCING
RV	RAILROAD VAULT		
SIGN	SIGN		
BBC	BURY LINE/BILLBOARD		
AC	AC UNIT		
BS	BASKETBALL GOAL		
M	MANHOLE COVER		
FLAG	FLAG POLE		
GOAL	GOAL POST		
GT	GREASE TRAP		
IV	IRRIGATION VALVE		

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
SD	STORM SEWER LINE
OHP	OVERHEAD UTILITY LINE
GAS	GAS LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
	TOP OF BANK

N2°56'32"E
744.21'

S3°18'15"W
620.02'

NO BUILD EASEMENT
INST. NO. 202200274919
O.P.R.D.C.T.

TEMPORARY CONSTRUCTION EASEMENT
INST. NO. 202200274919
O.P.R.D.C.T.

WATER EASEMENT
INST. NO. 202000199969
O.P.R.D.C.T.

HENRY H. HICKMAN SURVEY
ABSTRACT NO. 565

LOT 1, BLOCK A/8314
16.8924 ACRES
735,832 SQ. FT.

PART OF
CALLED TRACT 1
CALLED 42.8062 ACRES
WINTERGREEN LOGISTICS
OWNER, LP
INST. NO. 202200166800
O.P.R.D.C.T.

LOT 1B, BLOCK B/8313
LOGISTICS CENTER AT
BONNIE VIEW ADDITION
INST. NO. 202000199969
O.P.R.D.C.T.

CSLC AT BONNINIE
VIEW, LLC
INST. NO. 20180001803
O.P.R.D.C.T.

CITY BLOCK NO. 8322
CALLED 23.6329 ACRES
I-20/I-45 DC, LLC
INST. NO. 202100103627
O.P.R.D.C.T.

5/8" IRF BEARS
S38°32'W 0.2'

N87°08'38"W
55.65'

5/8" IRFC
"KHA"

CHAINLINK FENCE

N4°43'05"E 458.69'

S2°51'22"W 420.66'

DRAINAGE EASEMENT
INST. NO. 201803031285
O.P.R.D.C.T.

5/8" IRF
"KHA"

N86°55'39"W
10.77'

Δ=74°53'14"
R=14.50'
L=18.95'
CB=S55°37'44"W
C=17.63'

N6,913,115.78
E 2,506,889.21

N85°15'17"W
96.37'

Δ=77°02'39"
R=90.50'
L=121.69'
CB=S56°42'27"W
C=112.73'

REMAINDER OF
CALLED TRACT 1
CALLED 42.8062 ACRES
WINTERGREEN LOGISTICS
OWNER, LP
INST. NO. 202200166800
O.P.R.D.C.T.

LEGEND:

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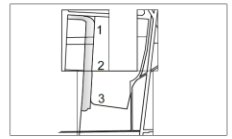
XF = "X" CUT IN CONCRETE FOUND

NORTH

GRAPHIC SCALE IN FEET
50 0 25 50 100
1" = 50' @ 24X36

LOCATION MAP
NOT-TO-SCALE



KEY MAP
NOT-TO-SCALE

PRELIMINARY PLAT
WINTERGREEN LOGISTICS
WEST ANTLER
LOT 1, BLOCK A/8314
BEING 16.8924 ACRES SITUATED IN
PART OF LOT 1, BLOCK A/8314
OF IRVING ADDITION
PART OF CITY BLOCK NO. 8314 AND
CITY BLOCK NO. 8322
HENRY H. HICKMAN SURVEY,
ABSTRACT NO. 565 &
WILLIAM H. NEWTON SURVEY,
ABSTRACT NO. 1074
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-085

OWNER:
WINTERGREEN LOGISTICS OWNER, LP
ADDRESS: 5820 W. NORTHWEST HWY. STE
200, DALLAS, TEXAS 75225
CONTACT: MATT ASHBAUGH
PHONE: 214-378-8200
EMAIL: mashbaugh@banderaventures.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-770-1300
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
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CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Tel. No. (972) 770-1300
Fax No. (972) 239-3820
FIRM # 10115500

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CM	JAD	Feb. 2023	064408515	3 OF 4

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, WINTERGREEN LOGISTICS OWNER, LP, is the owner of a 16.8924 acre tract of land in the William H. Newton Survey, Abstract No. 1074 and the Henry H. Hickman Survey, Abstract No. 565, City of Dallas and City of Lancaster, Texas, part of Dallas City Block No. 8314 and No. 8322, being a portion of a called 42.8062 acre tract of land described as Tract 1 in Special Warranty Deed to Wintergreen Logistics Owner, LP, recorded in Instrument No. 20220100018000 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with "KHA" cap found at the intersection of the south right-of-way line of Logistics Drive (a 100-foot right-of-way) and the southerly right-of-way line of Bonnie View Road (a 100-foot public right-of-way);

THENCE with the said south right-of-way line of Logistics Drive, the following courses and distances:

South 19°12'26" East, a distance of 1.67 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 88°19'21" East, a distance of 4.17 feet to a point for corner from which a 5/8" iron rod found bears South 87°31' West, 0.4 feet;

South 89°41'45" East, a distance of 474.59 feet to a 5/8" iron rod with red "KHA" cap found for the northwest corner of Logistics Drive Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 20200018998 of said Official Public Records;

THENCE departing the said south right-of-way line of Logistics Drive and with the line of said Logistics Center at Bonnie View Addition, the following courses and distances:

South 31°18'28" West, a distance of 10.00 feet to a 5/8" iron rod with red "KHA" cap found for corner;

South 71°37'10" East, a distance of 33.65 feet to a 5/8" iron rod with red "KHA" cap found for the beginning of a non-tangent curve to the right having a central angle of 7°37'18", a radius of 402.84 feet, a chord bearing and distance of South 67°47'27" East, 53.51 feet;

Along said non-tangent curve to the right, an arc distance of 53.55 feet to a point for corner and the beginning of curve to the right said point a 5/8" iron rod found bears South 35°06' West, 0.3 feet;

Along said curve to the right, an arc distance of 155.89 feet to a 5/8" iron rod with red "KHA" cap found for corner and the beginning of a curve to the right having a central angle of 9°14'50", a radius of 288.40 feet, a chord bearing and distance of South 40°20'10" East, 41.91 feet;

Along said curve to the right, an arc distance of 42.00 feet to a 5/8" iron rod with red "KHA" cap found for corner and the beginning of a curve to the right having a central angle of 47°31'13", a radius of 192.88 feet, a chord bearing and distance of South 31°47'01" East, 161.32 feet;

Along said curve to the right, an arc distance of 166.40 feet to a 5/8" iron rod with red "KHA" cap found for corner;

South 7°18'12" West, a distance of 1,366.82 feet to a point for corner from which a 5/8" iron rod found bears South 45°19' East, 0.4 feet;

South 5°44'20" East, a distance of 88.50 feet to a 5/8" iron rod with red "KHA" cap found for corner;

South 7°18'15" West, a distance of 620.02 feet to a 5/8" iron rod with red "KHA" cap found for corner;

THENCE departing the said line of Logistics Center at Bonnie View Addition and over and across said called 42.8062 acre tract the following courses and distances:

North 87°08'38" West, a distance of 55.65 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 82°55'39" West, a distance of 110.77 feet to a 5/8" iron rod with red "KHA" cap found for the beginning of a curve to the left having a central angle of 74°53'14", a radius of 14.50 feet, a chord bearing and distance of South 55°37'46" West, 17.63 feet;

Along said curve to the left, an arc distance of 18.95 feet to a 5/8" iron rod with red "KHA" cap found for the beginning of a reverse curve to the right having a central angle of 71°02'29", a radius of 89.50 feet, a chord bearing and distance of South 56°42'27" West, 113.73 feet;

Along said reverse curve to the right, an arc distance of 121.69 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 87°19'31" West, a distance of 96.37 feet to a 5/8" iron rod with red "KHA" cap found for corner on the east line of a called 23.8329 acre tract of land described in Special Warranty Deed to 1020-45 DC, LLC recorded in Instrument No. 20170010383 of said Official Public Records;

THENCE with the said east line of the called 23.8329 acre tract the following courses and distances:

North 4°44'04" East, a distance of 468.60 feet to a point for corner from which a 5/8" iron rod found bears South 29°20' West, 0.2 feet;

North 2°56'20" East, a distance of 744.21 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 2°51'22" East, a distance of 1,460.05 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 58°24'51" West, a distance of 124.65 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 89°41'45" West, a distance of 446.65 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 81°30'23" West, a distance of 3.38 feet to a 5/8" iron rod with red "KHA" cap found for corner in the east right-of-way line of said Bonnie View Road;

THENCE with said east right-of-way line of Bonnie View Road, North 2°51'46" East, a distance of 120.85 feet to the **POINT OF BEGINNING** containing 16.8924 acres or 735,820 square feet; and

OWNERS DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **WINTERGREEN LOGISTICS OWNER, LP**, acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat designating the hereinabove described property as **WINTERGREEN LOGISTICS, WEST ANTLER** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and flooding management easements shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of their respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to or from its respective easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems. No utility shall place or cause to be placed upon said utility easements any type of pavement or material that cannot be removed by that utility, but all costs for the excavation, removal, or replacement of such pavement or material shall be paid by the owner of the property. It is understood that in the event it becomes necessary for any utility to excavate or tear up the pavement within the utility easements as a result of the use thereof for the purpose above mentioned, the utility shall not be required to replace the pavement and shall only be required to backfill the excavation. Any utility shall have the right to relocate its facilities within the easement at the expense of the property owner. All modifications to these filed plans must be processed through the City of Dallas.

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water valves, and other appurtenances as may be required to serve adjacent lots. Fences, trees, shrubs, or other improvements or growths which may be granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, this _____ day of _____, 2023

WINTERGREEN LOGISTICS OWNER, LP
a Texas Foreign Limited Partnership

By: _____
Name: Matt Ashbaugh
Title: Partner

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared, Matt Ashbaugh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT:

I, J. Andy Dobbs, Registered Professional Land Surveyor, do hereby declare that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation, and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying as adopted by the Texas Department of Insurance, Property and Casualty Insurance Division, and the City of Dallas Development Code. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code.

Dated this the _____ day of _____, 2023.

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972.770.1300
andy.dobbs@kimley-horn.com

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

GENERAL NOTES:

1. The purpose of this plat is to create one lot from unplatted property and a portion of a previously platted lot.
2. The basis of bearings is the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 (2011).
3. The grid coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983.
4. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48113C0332J, for Dallas County, Texas and incorporated areas, dated August 23, 2011, this property is located within Zone X and Zone AE

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

Zone AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

PRELIMINARY PLAT
WINTERGREEN LOGISTICS
WEST ANTLER
LOT 1, BLOCK A/8314
BEING 16.8924 ACRES SITUATED IN PART OF LOT 1, BLOCK A/8314 OF IRVING ADDITION
PART OF CITY BLOCK NO. 8314 AND CITY BLOCK NO. 8322
HENRY H. HICKMAN SURVEY, ABSTRACT NO. 565 & WILLIAM H. NEWTON SURVEY, ABSTRACT NO. 1074
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-085

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

OWNER:
WINTERGREEN LOGISTICS OWNER, LP
ADDRESS: 5830 N. NORTHWEST HWY, STE 200, DALLAS, TEXAS 75225
CONTACT: MATT ASHBAUGH
PHONE: 214-370-8200
EMAIL: mashbaugh@panteraventures.com

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, P.E.
PHONE: 972.770.1300
EMAIL: andy.dobbs@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, P.E.
PHONE: 972.770.1300
EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn

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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Fax No. (972) 239-3820

Scale	Drawn By	Checked By	Date	Project No.
N/A	CM	JAD	Feb. 2023	064408815

FIRM # 10115500

Sheet No. 4 OF 4

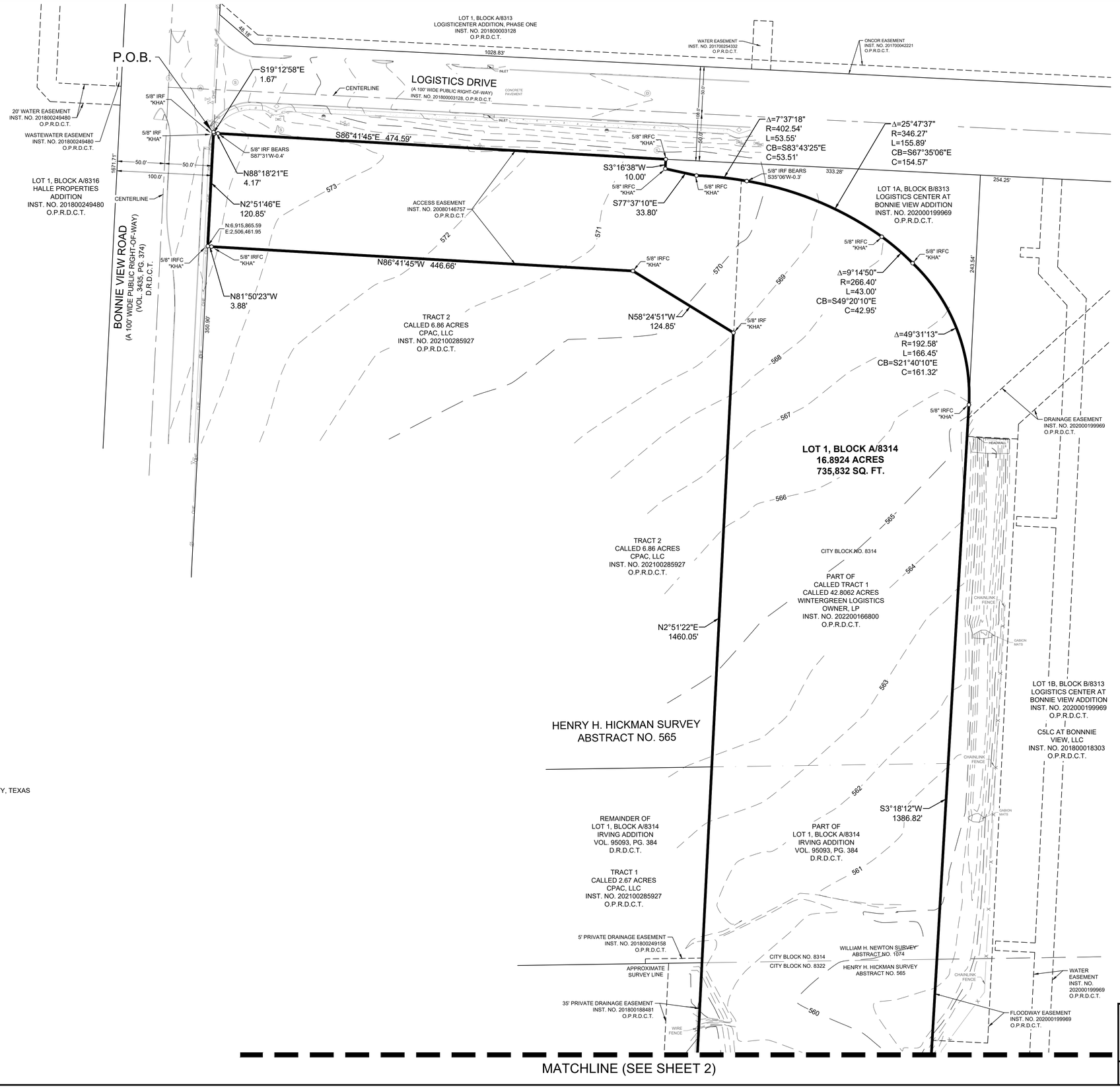
DWG NAME: K:\DAL_SUR\JEY\064408815-BNSF DLH CH\ WINTERGREEN\DWG\064408815-BNSF DLH CH\ WINTERGREEN_WEST ANTLER_RP.DWG PLOTTED BY: MENDOZA, CHADE 2/23/2023 4:37 PM LAST SAVED: 2/23/2023 1:39 PM

LEGEND

	ROOF DRAIN		MAIL BOX
	CABLE TV BOX		NEWS STAND
	CABLE TV HANDHOLE		PHONE BOOTH
	CABLE TV MANHOLE		SECURITY CAMERA
	CABLE TV MARKER FLAG		TRASH BIN
	CABLE TV MARKER SIGN		SANITARY SEWER BOX
	CABLE TV VAULT		SANITARY SEWER CLEAN OUT
	COMMUNICATIONS BOX		SANITARY SEWER HANDHOLE
	COMMUNICATIONS HANDHOLE		SANITARY SEWER LIFT STATION
	COMMUNICATIONS MANHOLE		SANITARY SEWER METER
	COMMUNICATIONS MARKER FLAG		SANITARY SEWER MANHOLE
	COMMUNICATIONS MARKER SIGN		SANITARY SEWER MARKER FLAG
	COMMUNICATIONS VAULT		SANITARY SEWER MARKER SIGN
	ELEVATION BENCHMARK		SANITARY SEWER SEPTIC TANK
	FLOW DIRECTION		SANITARY SEWER VAULT
	FIBER OPTIC BOX		STORM SEWER BOX
	FIBER OPTIC HANDHOLE		STORM SEWER DRAIN
	FIBER OPTIC MANHOLE		STORM SEWER HANDHOLE
	FIBER OPTIC MARKER FLAG		STORM SEWER METER
	FIBER OPTIC MARKER SIGN		STORM SEWER MANHOLE
	FIBER OPTIC VAULT		STORM SEWER MARKER FLAG
	MONITORING WELL		STORM SEWER MARKER SIGN
	FUEL TANK		STORM SEWER VAULT
	GAS BOX		TRAFFIC BARRIER
	GAS HANDHOLE		TRAFFIC BOLLARD
	GAS METER		TRAFFIC BOX
	GAS MANHOLE		CROSS WALK SIGNAL
	GAS MARKER FLAG		TRAFFIC HANDHOLE
	GAS SIGN		TRAFFIC MANHOLE
	GAS TANK		TRAFFIC MARKER SIGN
	GAS VAULT		TRAFFIC CAMERA
	GAS VALVE		TRAFFIC SENSOR
	GAS WELL		TRAFFIC SIGNAL
	TELEPHONE BOX		TRAFFIC VAULT
	TELEPHONE HANDHOLE		UNIDENTIFIED BOX
	TELEPHONE MANHOLE		UNIDENTIFIED HANDHOLE
	TELEPHONE MARKER FLAG		UNIDENTIFIED METER
	TELEPHONE MARKER SIGN		UNIDENTIFIED MANHOLE
	TELEPHONE VAULT		UNIDENTIFIED MARKER FLAG
	PIPELINE BOX		UNIDENTIFIED MARKER SIGN
	PIPELINE HANDHOLE		UNIDENTIFIED POLE
	PIPELINE METER		UNIDENTIFIED TANK
	PIPELINE MANHOLE		UNIDENTIFIED VAULT
	PIPELINE MARKER FLAG		UNIDENTIFIED VALVE
	PIPELINE MARKER SIGN		TREE
	PIPELINE VAULT		WATER BOX
	PIPELINE VALVE		FIRE DEPT. CONNECTION
	ELECTRIC BOX		WATER HAND HOLE
	FLOOD LIGHT		FIRE HYDRANT
	GUY ANCHOR		WATER METER
	GUY ANCHOR POLE		WATER MANHOLE
	ELECTRIC MANHOLE		WATER MARKER FLAG
	LIGHT STANDARD		WATER MARKER SIGN
	ELECTRIC METER		WATER TANK
	ELECTRIC MANHOLE		WATER VAULT
	ELECTRIC MARKER FLAG		WATER VALVE
	ELECTRIC MARKER SIGN		AIR RELEASE VALVE
	UTILITY POLE		WATER WELL
	ELECTRIC SWITCH	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
	ELECTRIC TRANSFORMER	IRFC	IRON ROD WITH CAP FOUND
	ELECTRIC VAULT	PKS	PK NAIL SET
	HANDICAPPED PARKING	PKF	PK NAIL FOUND
	PARKING METER	IRF	IRON ROD FOUND
	RAILROAD BOX	XS	"X" CUT IN CONCRETE SET
	RAILROAD HANDHOLE	XF	"X" CUT IN CONCRETE FOUND
	RAILROAD SIGNAL	P.O.B.	POINT OF BEGINNING
	RAILROAD SIGN	P.O.C.	POINT OF COMMENCING
	RAILROAD VAULT		
	SIGN		
	MARQUEE/BILLBOARD		
	A/C UNIT		
	BASKET BALL GOAL		
	BORE LOCATION		
	FLAG POLE		
	GOAL POST		
	GREASE TRAP		
	IRRIGATION VALVE		

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
STM	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
TOP	TOP OF BANK



MATCHLINE (SEE SHEET 2)

NORTH

GRAPHIC SCALE IN FEET
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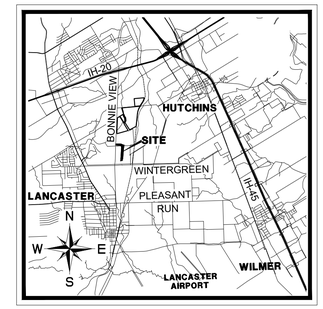
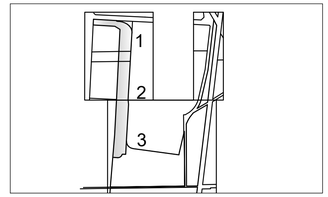
1" = 50' @ 24X36



LOCATION MAP
NOT-TO-SCALE



KEY MAP
NOT-TO-SCALE

LEGEND:

INST. NO. = INSTRUMENT NUMBER
M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
VOL. / PG. = VOLUME / PAGE
C.M. = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
PKF = PK NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND

OWNER:
WINTERGREEN LOGISTICS OWNER, LP
ADDRESS 5820 W. NORTHWEST HWY, STE
200, DALLAS, TEXAS 75225
CONTACT:MATT ASHBAUGH
PHONE: 214-378-8200
EMAIL: mashbaugh@banderaventures.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-770-1300
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

PRELIMINARY PLAT

WINTERGREEN LOGISTICS
WEST ANTLER

LOT 1, BLOCK A/8314

BEING 16.8924 ACRES SITUATED IN
PART OF LOT 1, BLOCK A/8314
OF IRVING ADDITION
PART OF CITY BLOCK NO. 8314 AND
CITY BLOCK NO. 8322
HENRY H. HICKMAN SURVEY,
ABSTRACT NO. 565 &
WILLIAM H. NEWTON SURVEY,
ABSTRACT NO. 1074
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-085

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Tel. No. (972) 770-1300
FIRM # 10115500
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CM	JAD	Feb. 2023	064408615	1 OF 4

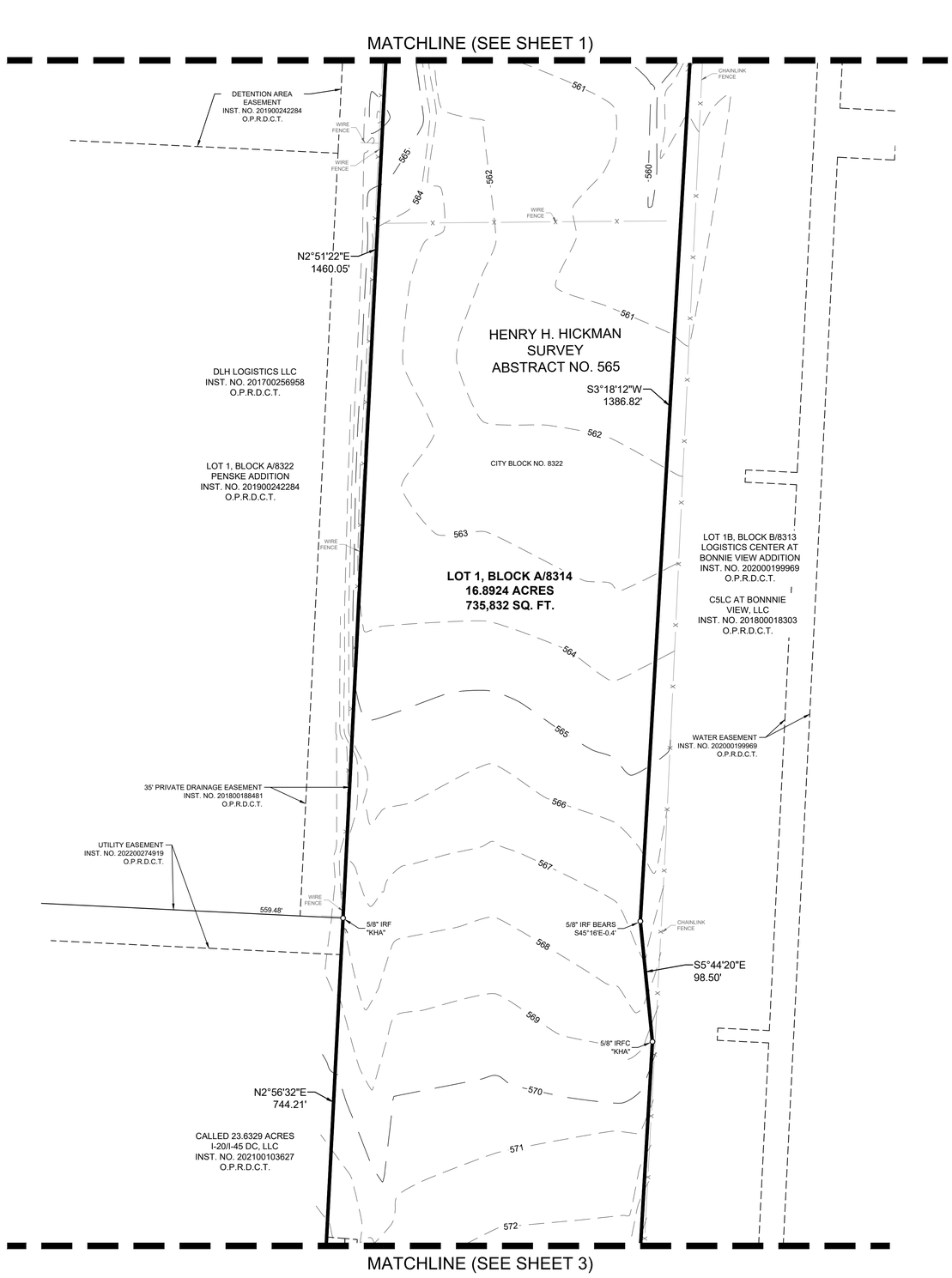
DWG NAME: K:\DAL_SURVEY\064408615-BNSF DLH CH\ WINTERGREEN\DWG\064408615-BNSF DLH CH WINTERGREEN_WEST ANTLER_PP.DWG PLOTTED BY: MENDOZA, CANDICE 2/23/2023 1:35 PM LAST SAVED: 2/22/2023 1:28 PM

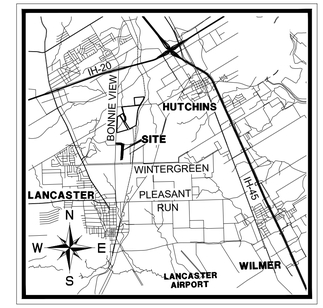
LEGEND

RD	ROOF DRAIN	MB	MAIL BOX
CATV	CABLE TV BOX	NS	NEWS STAND
CATV	CABLE TV HANDHOLE	PB	PHONE BOOTH
CATV	CABLE TV MANHOLE	SC	SECURITY CAMERA
CATV	CABLE TV MARKER FLAG	TB	TRASH BIN
CATV	CABLE TV MARKER SIGN	SSB	SANITARY SEWER BOX
CATV	CABLE TV VAULT	SSCO	SANITARY SEWER CLEAN OUT
COMM	COMMUNICATIONS BOX	SSH	SANITARY SEWER HANDHOLE
COMM	COMMUNICATIONS HANDHOLE	SSLS	SANITARY SEWER LIFT STATION
COMM	COMMUNICATIONS MANHOLE	SSM	SANITARY SEWER METER
COMM	COMMUNICATIONS MARKER FLAG	S	SANITARY SEWER MANHOLE
COMM	COMMUNICATIONS MARKER SIGN	SSMF	SANITARY SEWER MARKER FLAG
COMM	COMMUNICATIONS VAULT	SSMS	SANITARY SEWER MARKER SIGN
EBM	ELEVATION BENCHMARK	SEPTIC	SANITARY SEWER SEPTIC TANK
FLOW	FLOW DIRECTION	SSV	SANITARY SEWER VAULT
FOB	FIBER OPTIC BOX	SD	STORM SEWER BOX
FOH	FIBER OPTIC HANDHOLE	DRAIN	STORM SEWER DRAIN
FOM	FIBER OPTIC MANHOLE	SSH	STORM SEWER HANDHOLE
FOMF	FIBER OPTIC MARKER FLAG	SSM	STORM SEWER METER
FOMS	FIBER OPTIC MARKER SIGN	SM	STORM SEWER MANHOLE
FOV	FIBER OPTIC VAULT	SSMF	STORM SEWER MARKER FLAG
MW	MONITORING WELL	SSMS	STORM SEWER MARKER SIGN
FUEL	FUEL TANK	SSV	STORM SEWER VAULT
GAS	GAS BOX	TB	TRAFFIC BARRIER
GAS	GAS HANDHOLE	TBOL	TRAFFIC BOLLARD
GAS	GAS METER	TB	TRAFFIC BOX
GAS	GAS MANHOLE	CWS	CROSS WALK SIGNAL
GAS	GAS MARKER FLAG	TH	TRAFFIC HANDHOLE
GAS	GAS SIGN	TM	TRAFFIC MANHOLE
GAS	GAS TANK	TMS	TRAFFIC MARKER SIGN
GAS	GAS VAULT	TC	TRAFFIC CAMERA
GAS	GAS VALVE	TS	TRAFFIC SENSOR
GAS	GAS WELL	TS	TRAFFIC SIGNAL
TEL	TELEPHONE BOX	TV	TRAFFIC VAULT
TEL	TELEPHONE HANDHOLE	UB	UNIDENTIFIED BOX
TEL	TELEPHONE MANHOLE	UH	UNIDENTIFIED HANDHOLE
TEL	TELEPHONE MARKER FLAG	UM	UNIDENTIFIED METER
TEL	TELEPHONE MARKER SIGN	UM	UNIDENTIFIED MANHOLE
TEL	TELEPHONE VAULT	UMF	UNIDENTIFIED MARKER FLAG
PL	PIPELINE BOX	UMS	UNIDENTIFIED MARKER SIGN
PL	PIPELINE HANDHOLE	UP	UNIDENTIFIED POLE
PL	PIPELINE METER	UT	UNIDENTIFIED TANK
PL	PIPELINE MANHOLE	UV	UNIDENTIFIED VAULT
PL	PIPELINE MARKER FLAG	UV	UNIDENTIFIED VALVE
PL	PIPELINE MARKER SIGN	TREE	TREE
PL	PIPELINE VAULT	WB	WATER BOX
PL	PIPELINE VALVE	FDC	FIRE DEPT. CONNECTION
ELEC	ELECTRIC BOX	WHH	WATER HAND HOLE
FL	FLOOD LIGHT	FH	FIRE HYDRANT
GA	GUY ANCHOR	WM	WATER METER
GAP	GUY ANCHOR POLE	W	WATER MANHOLE
ELEC	ELECTRIC MANHOLE	WMF	WATER MARKER FLAG
LS	LIGHT STANDARD	WMS	WATER MARKER SIGN
ELEC	ELECTRIC METER	WT	WATER TANK
ELEC	ELECTRIC MANHOLE	WV	WATER VAULT
ELEC	ELECTRIC MARKER FLAG	WV	WATER VALVE
ELEC	ELECTRIC MARKER SIGN	ARV	AIR RELEASE VALVE
UP	UTILITY POLE	WW	WATER WELL
	ELECTRIC SWITCH	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
T	ELECTRIC TRANSFORMER	IRFC	IRON ROD WITH CAP FOUND
ELEC	ELECTRIC VAULT	PKS	PK NAIL SET
	HANDICAPPED PARKING	PKF	PK NAIL FOUND
	PARKING METER	IRF	IRON ROD FOUND
RR	RAILROAD BOX	XS	"X" CUT IN CONCRETE SET
RR	RAILROAD HANDHOLE	XF	"X" CUT IN CONCRETE FOUND
RR	RAILROAD SIGNAL	P.O.B.	POINT OF BEGINNING
RR	RAILROAD SIGN	P.O.C.	POINT OF COMMENCING
RR	RAILROAD VAULT		
	SIGN		
	MARQUEE/BILLBOARD		
	A/C UNIT		
	BASKET BALL GOAL		
	BORE LOCATION		
	FLAG POLE		
	GOAL POST		
GT	GREASE TRAP		
	IRRIGATION VALVE		

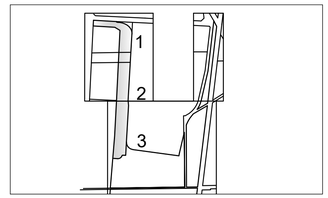
LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
	TOP OF BANK





LOCATION MAP
NOT-TO-SCALE



KEY MAP
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LEGEND:

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PRELIMINARY PLAT

WINTERGREEN LOGISTICS
WEST ANTLER

LOT 1, BLOCK A/8314

BEING 16.8924 ACRES SITUATED IN
PART OF LOT 1, BLOCK A/8314
OF IRVING ADDITION
PART OF CITY BLOCK NO. 8314 AND
CITY BLOCK NO. 8322
HENRY H. HICKMAN SURVEY,
ABSTRACT NO. 565 &
WILLIAM H. NEWTON SURVEY,
ABSTRACT NO. 1074
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-085

OWNER:
WINTERGREEN LOGISTICS OWNER, LP
ADDRESS 5820 W. NORTHWEST HWY, STE 200, DALLAS, TEXAS 75225
CONTACT:MATT ASHBAUGH
PHONE: 214-378-8200
EMAIL: mashbaugh@banderaventures.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-770-1300
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
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Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CM	JAD	Feb. 2023	064408615	2 OF 4

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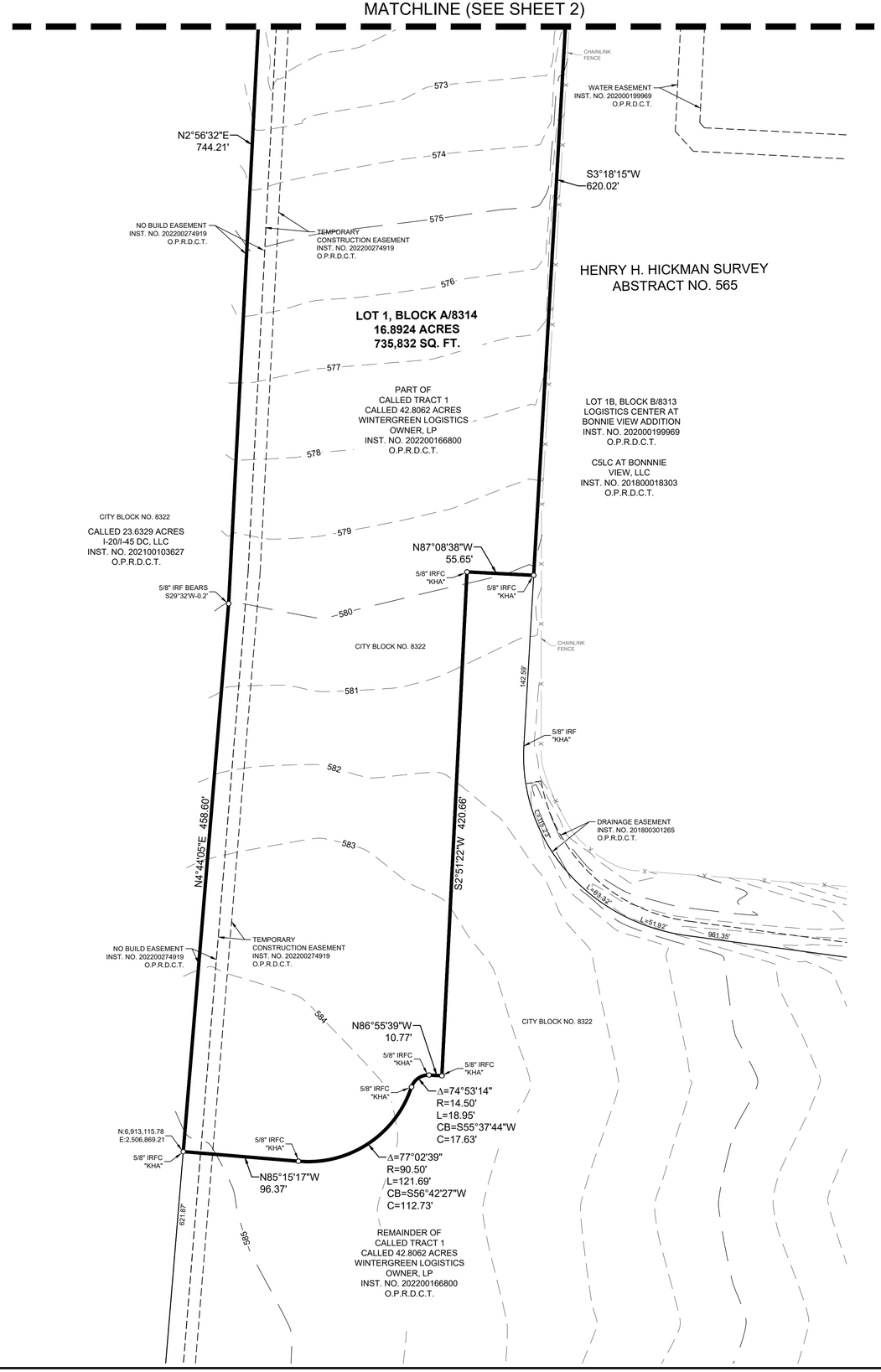
LEGEND

RD	ROOF DRAIN	MB	MAIL BOX
CATV	CABLE TV BOX	NS	NEWS STAND
CATV	CABLE TV HANDHOLE	PB	PHONE BOOTH
CATV	CABLE TV MANHOLE	SC	SECURITY CAMERA
CATV	CABLE TV MARKER FLAG	TB	TRASH BIN
CATV	CABLE TV MARKER SIGN	SS	SANITARY SEWER BOX
CATV	CABLE TV VAULT	SS	SANITARY SEWER CLEAN OUT
COM	COMMUNICATIONS BOX	SS	SANITARY SEWER HANDHOLE
COM	COMMUNICATIONS HANDHOLE	SS	SANITARY SEWER LIFT STATION
COM	COMMUNICATIONS MANHOLE	SS	SANITARY SEWER METER
COM	COMMUNICATIONS MARKER FLAG	SS	SANITARY SEWER MANHOLE
COM	COMMUNICATIONS MARKER SIGN	SS	SANITARY SEWER MARKER FLAG
COM	COMMUNICATIONS VAULT	SS	SANITARY SEWER MARKER SIGN
EB	ELEVATION BENCHMARK	SS	SANITARY SEWER SEPTIC TANK
FO	FLOW DIRECTION	SS	SANITARY SEWER VAULT
FO	FIBER OPTIC BOX	SD	STORM SEWER BOX
FO	FIBER OPTIC HANDHOLE	SD	STORM SEWER DRAIN
FO	FIBER OPTIC MANHOLE	SD	STORM SEWER HANDHOLE
FO	FIBER OPTIC MARKER FLAG	SD	STORM SEWER METER
FO	FIBER OPTIC MARKER SIGN	SD	STORM SEWER MANHOLE
FO	FIBER OPTIC VAULT	SD	STORM SEWER MARKER FLAG
MW	MONITORING WELL	SD	STORM SEWER MARKER SIGN
FT	FUEL TANK	SD	STORM SEWER VAULT
GAS	GAS BOX	TB	TRAFFIC BARRIER
GAS	GAS HANDHOLE	TB	TRAFFIC BOLLARD
GAS	GAS METER	TB	TRAFFIC BOX
GAS	GAS MANHOLE	TS	CROSS WALK SIGNAL
GAS	GAS MARKER FLAG	TS	TRAFFIC HANDHOLE
GAS	GAS SIGN	TS	TRAFFIC MANHOLE
GAS	GAS TANK	TS	TRAFFIC MARKER SIGN
GAS	GAS VAULT	TS	TRAFFIC CAMERA
GAS	GAS VALVE	TS	TRAFFIC SENSOR
GAS	GAS WELL	TS	TRAFFIC SIGNAL
TEL	TELEPHONE BOX	TB	TRAFFIC VAULT
TEL	TELEPHONE HANDHOLE	UB	UNIDENTIFIED BOX
TEL	TELEPHONE MANHOLE	UH	UNIDENTIFIED HANDHOLE
TEL	TELEPHONE MARKER FLAG	UM	UNIDENTIFIED METER
TEL	TELEPHONE MARKER SIGN	UM	UNIDENTIFIED MANHOLE
TEL	TELEPHONE VAULT	UM	UNIDENTIFIED MARKER FLAG
UP	PIPELINE BOX	UM	UNIDENTIFIED MARKER SIGN
UP	PIPELINE HANDHOLE	UP	UNIDENTIFIED POLE
UP	PIPELINE METER	UT	UNIDENTIFIED TANK
UP	PIPELINE MANHOLE	UV	UNIDENTIFIED VAULT
UP	PIPELINE MARKER FLAG	UV	UNIDENTIFIED VALVE
UP	PIPELINE MARKER SIGN	TREE	TREE
UP	PIPELINE VAULT	WB	WATER BOX
UP	PIPELINE VALVE	FDC	FIRE DEPT. CONNECTION
ELEC	ELECTRIC BOX	WH	WATER HAND HOLE
FL	FLOOD LIGHT	FH	FIRE HYDRANT
GA	GUY ANCHOR	WM	WATER METER
GA	GUY ANCHOR POLE	WM	WATER MANHOLE
ELEC	ELECTRIC MANHOLE	WM	WATER MARKER FLAG
LS	LIGHT STANDARD	WM	WATER MARKER SIGN
ELEC	ELECTRIC METER	WT	WATER TANK
ELEC	ELECTRIC MANHOLE	WV	WATER VAULT
ELEC	ELECTRIC MARKER FLAG	WV	WATER VALVE
ELEC	ELECTRIC MARKER SIGN	AR	AIR RELEASE VALVE
UP	UTILITY POLE	WW	WATER WELL
	ELECTRIC SWITCH	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
ELEC	ELECTRIC TRANSFORMER	IRFC	IRON ROD WITH CAP FOUND
ELEC	ELECTRIC VAULT	PKS	PK NAIL SET
	HANDICAPPED PARKING	PKF	PK NAIL FOUND
PM	PARKING METER	IRF	IRON ROD FOUND
RR	RAILROAD BOX	XS	"X" CUT IN CONCRETE SET
RR	RAILROAD HANDHOLE	XF	"X" CUT IN CONCRETE FOUND
RR	RAILROAD SIGNAL	P.O.B.	POINT OF BEGINNING
RR	RAILROAD SIGN	P.O.C.	POINT OF COMMENCING
RR	RAILROAD VAULT		
SIGN	SIGN		
MQ	MARQUEE/BILLBOARD		
AC	A/C UNIT		
BB	BASKET BALL GOAL		
BL	BORE LOCATION		
FP	FLAG POLE		
GP	GOAL POST		
GT	GREASE TRAP		
IV	IRRIGATION VALVE		

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT
	TOP OF BANK



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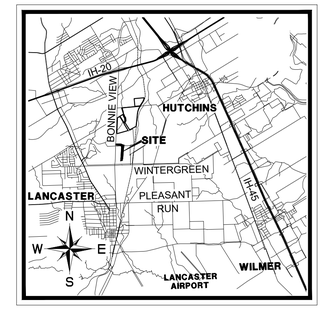
NORTH

GRAPHIC SCALE IN FEET
50 0 25 50 100
1" = 50' @ 24X36



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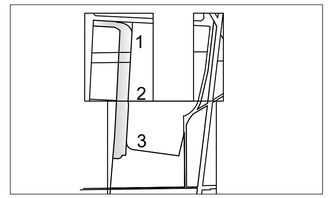

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CONTACT:MATT ASHBAUGH
PHONE: 214-378-8200
EMAIL: mashbaugh@banderaventures.com

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PRELIMINARY PLAT
WINTERGREEN LOGISTICS
WEST ANTLER
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BEING 16.8924 ACRES SITUATED IN
PART OF LOT 1, BLOCK A/8314
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PART OF CITY BLOCK NO. 8314 AND
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HENRY H. HICKMAN SURVEY,
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OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Wintergreen Logistics Owner, LP, is the owner of a 16.8924 acre tract of land situated in the William H. Newton Survey, Abstract No. 1074 and the Henry H. Hickman Survey, Abstract No. 565, City of Dallas and City of Lancaster, Texas, part of Dallas City Block No. 8314 and No. 8322, being a portion of a called 42.8062 acre tract of land described as Tract 1 in Special Warranty Deed to Wintergreen Logistics Owner, LP recorded in Instrument No. 202200166800 of the Official Public Records of Dallas County, Texas and a portion of Lot 1, Block A/8314 of Irving Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 95093, Page 384 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with red "KHA" cap found at the intersection of the south right-of-way line of Logistics Drive (a 100-foot wide public right-of-way) and the east right-of-way line of Bonnie View Road (a 100-foot wide public right-of-way);

THENCE with the said south right-of-way line of Logistics Drive, the following courses and distances:

South 19°12'58" East, a distance of 1.67 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 88°18'21" East, a distance of 4.17 feet to a point for corner from which a 5/8" iron rod found bears South 87°31' West, 0.4 feet;

South 86°41'45" East, a distance of 474.59 feet to a 5/8" iron rod with red "KHA" cap found for the northwest corner of Logistics Center at Bonnie View Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 202000199969 of said Official Public Records;

THENCE departing the said south right-of-way line of Logistics Drive and with the line of said Logistics Center at Bonnie View Addition, the following courses and distances:

South 3°16'38" West, a distance of 10.00 feet to a 5/8" iron rod with red "KHA" cap found for corner;

South 77°37'10" East, a distance of 33.80 feet to a 5/8" iron rod with red "KHA" cap found for the beginning of a non-tangent curve to the right having a central angle of 7°37'18", a radius of 402.54 feet, a chord bearing and distance of South 83°43'25" East, 53.51 feet;

Along said non-tangent curve to the right, an arc distance of 53.55 feet to a point for corner and the beginning of curve to the right having a central angle of 25°47'37", a radius of 346.27 feet, a chord bearing and distance of South 67°35'06" East, 154.57 feet, from said point a 5/8" iron rod found bears South 35°06' West, 0.3 feet;

Along said curve to the right, an arc distance of 155.89 feet to a 5/8" iron rod with red "KHA" cap found for corner and the beginning of a curve to the right having a central angle of 9°14'50", a radius of 266.40 feet, a chord bearing and distance of South 49°20'10" East, 42.95 feet;

Along said curve to the right, an arc distance of 43.00 feet to a 5/8" iron rod with red "KHA" cap found for corner and the beginning of a curve to the right having a central angle of 49°31'13", a radius of 192.58 feet, a chord bearing and distance of South 21°40'10" East, 161.32 feet;

Along said curve to the right, an arc distance of 166.45 feet to a 5/8" iron rod with red "KHA" cap found for corner;

South 3°18'12" West, a distance of 1,386.82 feet to a point for corner from which a 5/8" iron rod found bears South 45°16' East, 0.4 feet;

South 5°44'20" East, a distance of 98.50 feet to a 5/8" iron rod with red "KHA" cap found for corner;

South 3°18'15" West, a distance of 620.02 feet to a 5/8" iron rod with red "KHA" cap found for corner;

THENCE departing the said line of Logistics Center at Bonnie View Addition and over and across said called 42.8062 acre tract, the following courses and distances:

North 87°08'38" West, a distance of 55.65 feet to a 5/8" iron rod with red "KHA" cap found for corner;

South 2°51'22" West, a distance of 420.66 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 86°55'39" West, a distance of 10.77 feet to a 5/8" iron rod with red "KHA" cap found for the beginning of a curve to the left having a central angle of 74°53'14", a radius of 14.50 feet, a chord bearing and distance of South 55°37'44" West, 17.63 feet;

Along said curve to the left, an arc distance of 18.95 feet to a 5/8" iron rod with red "KHA" cap found for the beginning of a reverse curve to the right having a central angle of 77°02'39", a radius of 90.50 feet, a chord bearing and distance of South 56°42'27" West, 112.73 feet;

Along said reverse curve to the right, an arc distance of 121.69 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 85°15'17" West, a distance of 96.37 feet to a 5/8" iron rod with red "KHA" cap found for corner in the east line of a called 23.6329 acre tract of land described in Special Warranty Deed to I-20/I-45 DC, LLC recorded in Instrument No. 202100103627 of said Official Public Records;

THENCE with the said east line of the called 23.6329 acre tract, the following courses and distances:

North 4°44'04" East, a distance of 458.60 feet to a point for corner from which a 5/8" iron rod found bears South 29°32' West, 0.2 feet;

North 2°56'32" East, a distance of 744.21 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 2°51'22" East, a distance of 1,460.05 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 58°24'51" West, a distance of 124.85 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 86°41'45" West, a distance of 446.66 feet to a 5/8" iron rod with red "KHA" cap found for corner;

North 81°50'23" West, a distance of 3.88 feet to a 5/8" iron rod with red "KHA" cap found for corner in the east right-of-way line of said Bonnie View Road;

THENCE with said east right-of-way line of Bonnie View Road, North 2°51'46" East, a distance of 120.85 feet to the **POINT OF BEGINNING** containing 16.8924 acres or 735,832 square feet of land.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **WINTERGREEN LOGISTICS OWNER, LP,** acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat, designating the herein described property as **WINTERGREEN LOGISTICS WEST ANTLER,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, _____, this _____ day of _____, 2023.

WINTERGREEN LOGISTICS OWNER, LP
a Texas Foreign Limited Partnership

By: _____
Name: Matt Ashbaugh
Title: Partner

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared, Matt Ashbaugh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same on behalf of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT:

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

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

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
KIMLEY-HORN AND ASSOC., INC.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300
andy.dobbs@kimley-horn.com

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

GENERAL NOTES:

1. The purpose of this plat is to create one lot from unplatted property and a portion of a previously platted lot.
2. The basis of bearings is based on state plane coordinate system, Texas North Central Zone 4204, North American datum of 1982 (2011).
3. The grid coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983, U.S. Survey Feet (sFT), on grid coordinate values, no scale and no projection.
4. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48113C0320J, for Dallas County, Texas and incorporated areas, dated August 23, 2011, this property is located within Zone X and Zone AE.

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

Zone AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

PRELIMINARY PLAT

WINTERGREEN LOGISTICS WEST ANTLER

LOT 1, BLOCK A/8314

BEING 16.8924 ACRES SITUATED IN
PART OF LOT 1, BLOCK A/8314
OF IRVING ADDITION
PART OF CITY BLOCK NO. 8314 AND
CITY BLOCK NO. 8322
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CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-085

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City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-865 **Item #:** 23.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.343-acre tract of land containing portion of Lot 2 and all of Lots 3 through 7 in City Block A/3438 to create one lot on property located on West Davis Street, west of Cedar Hill Avenue.
Applicant/Owner: TIN DIK Enterprises, Inc.
Surveyor: Peiser & Mankin Surveying, LLC
Application Filed: February 23, 2023
Zoning: PD 830 (Subdistrict 6)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 1
S223-087

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CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-087 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Davis Street, west of Cedar Hill Avenue

DATE FILED: February 23, 2023 **ZONING:** PD 830 (Subdistrict 6)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20830.pdf

CITY COUNCIL DISTRICT: 1 **SIZE OF REQUEST:** 0.343-acres **MAPSCO:** 54C

APPLICANT/OWNER: TIN DIK Enterprises, Inc.

REQUEST: An application to replat a 0.343-acre tract of land containing portion of Lot 2 and all of Lots 3 through 7 in City Block A/3438 to create one lot on property located on Davis Street, west of Cedar Hill Avenue.

SUBDIVISION HISTORY:

1. S212-120 was a request southwest of the present request to replat a 0.232-acre tract of land containing part of Lots 8 and 9 in City Block 7/3197 to create one lot on property located on Davis Street, east of Van Buren Avenue. The request was approved on March 24, 2022 but has not been recorded.

2. S201-773 was a request south of the present request to replat a 1.239-acre tract of land containing all of Lots 11 through 19 in City Block 25/3145 to create one lot on property located on West Eight Street at Adams Avenue, southwest corner. The request was approved on October 21, 2021 but has not been recorded.

3. S201-772 was a request south of the present request to replat a 1.239-acre tract of land containing all of Lots 11 through 19 in City Block 25/3145 to create on lot on property located on West Eight Street at Adams Avenue southwest corner. The request was approved on October 21, 2021 but has not been recorded.

4. S189-222 was a request south of the present request to replat a 1.239-acre tract of land containing all of Lots 11 through 19 in City Block 25/3145 to create one lot on property located on the south line of Eighth Street at Adams Avenue, southwest corner; and an application to replat a 1.412-acre tract of land containing all of Lots 1 through 10 in City Block 24/3144 (4/3144 Dallas County Plat) to create three lots of areas containing 31,790 square feet, 4,279 square feet, and 25,728 square feet respectively on property located on north line of Eighth Street between Adams Street and Llewellyn Avenue. The request was approved on June 20, 2019 and was withdrawn September 23, 2021.

5. S178-152 was a request south of the present request to replat a 2.661-acre tract of land containing all of Lots 1 through 10 in City Block 4/3144 and all of Lots 11 through 19 in City Block 25/3145 to create one 1.4210-acre lot and one 1.2401-acre lot on property located on Eighth Street, between Llewellyn Avenue and Adams Avenue. The request was withdrawn on April 19, 2018.

STAFF RECOMMENDATION: The request complies with the requirements of PD 830 (Subdistrict 6); therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure

require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 40 feet of right-of-way (via fee simple) from the established center line of Davis Street. *Section 51A 8.602(c)*

16. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Fouraker Street. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

17. On the final plat, add the note: “TxDOT approval may be required for any driveway modification or new access point(s).” No citation.

18. Comply with PD 830 *City Code- per PD*

Survey (SPRG) Conditions:

19. Prior to final plat, submit a completed final plat checklist and all supporting documents.

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

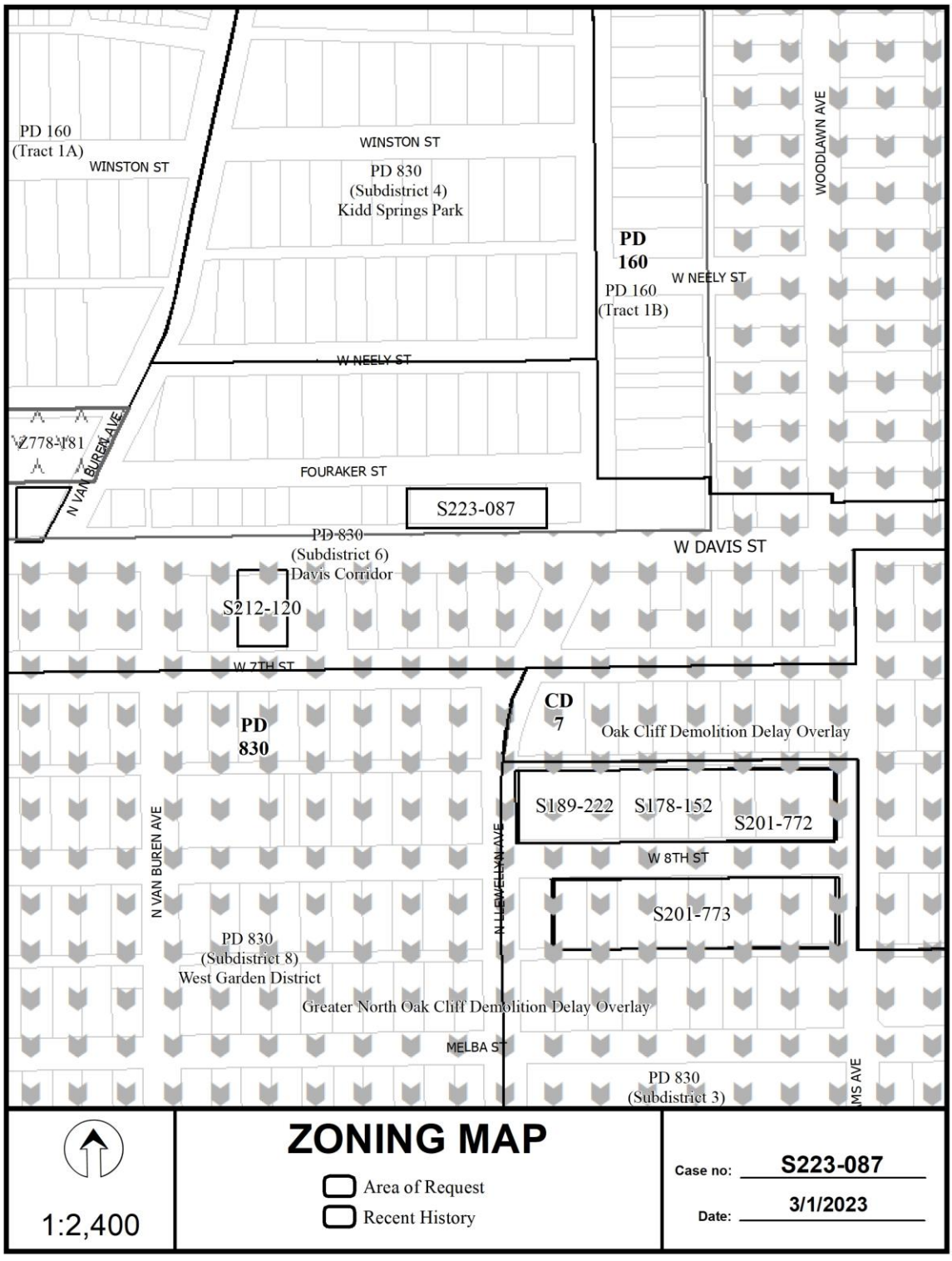
Dallas Water Utilities Conditions:

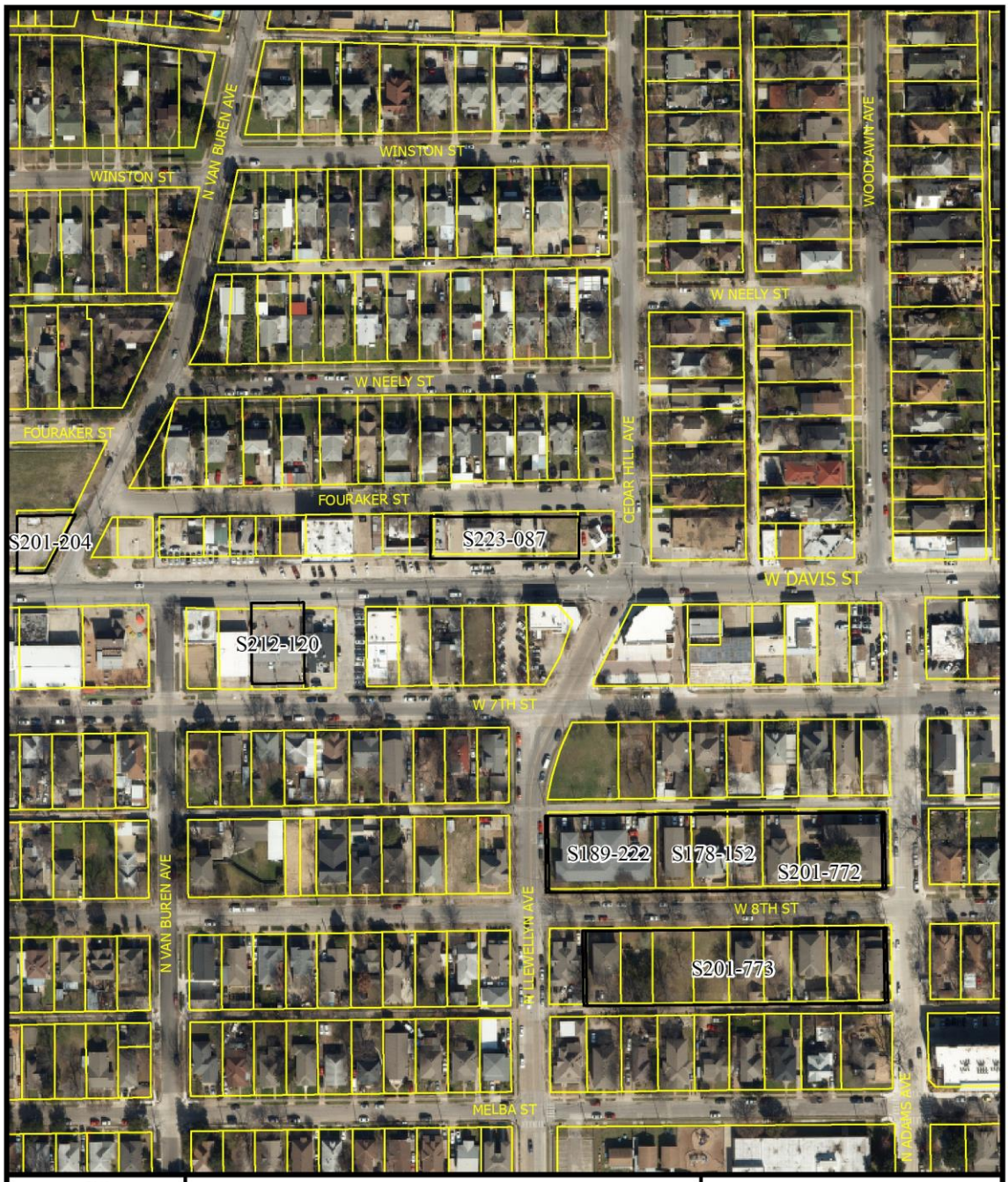
22. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

23. On the final plat, change “West Davis Street (Highway 80)” to “Davis Street”. Section 51A-8.403(a)(1)(A)(xii)

24. On the final plat, identify the property as Lot 2A in City Block A/3438. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


PD 160
(Tract 1A)
WINSTON ST
WINSTON ST
PD 830
(Subdistrict 4)
Kidd Springs Park
WOODLAWN AVE
PD
160
W NEELY ST
PD 160
(Tract 1B)
W NEELY ST
Z778-181
N VAN BUREN AVE
FOURAKER ST
S223-087
PD 830
(Subdistrict 6)
Davis Corridor
W DAVIS ST
S212-120
W 7TH ST
CD
7
Oak Cliff Demolition Delay Overlay
PD
830
S189-222
S178-152
S201-772
W 8TH ST
N VAN BUREN AVE
N LLEWELLYN AVE
S201-773
PD 830
(Subdistrict 8)
West Garden District
Greater North Oak Cliff Demolition Delay Overlay
MELBA ST
PD 830
(Subdistrict 3)
MS AVE
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-087
Date: 3/1/2023



AERIAL MAP

1:2,400

Area of Request

Recent History

Case no: S223-087

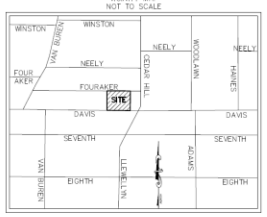
Date: 3/1/2023

S223-087

23(f)

City Plan Commission Date: 03/23/2023

VICINITY MAP
NOT TO SCALE



GENERAL NOTES:
1. BASIS OF BEARING – STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ADJUSTMENT REALIZATION 2011.
2. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
3. THE PURPOSE OF THIS PLAT IS TO CREATE ONE LOT FROM FIVE PLATTED LOTS AND A PORTION OF A ONE PLATTED LOT FOR COMMERCIAL USE.
4. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

LEGEND
IRF – IRON ROD FOUND
D.R.D.C.T. – DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. – OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
INST. NO. – INSTRUMENT NUMBER
VOL. – VOLUME
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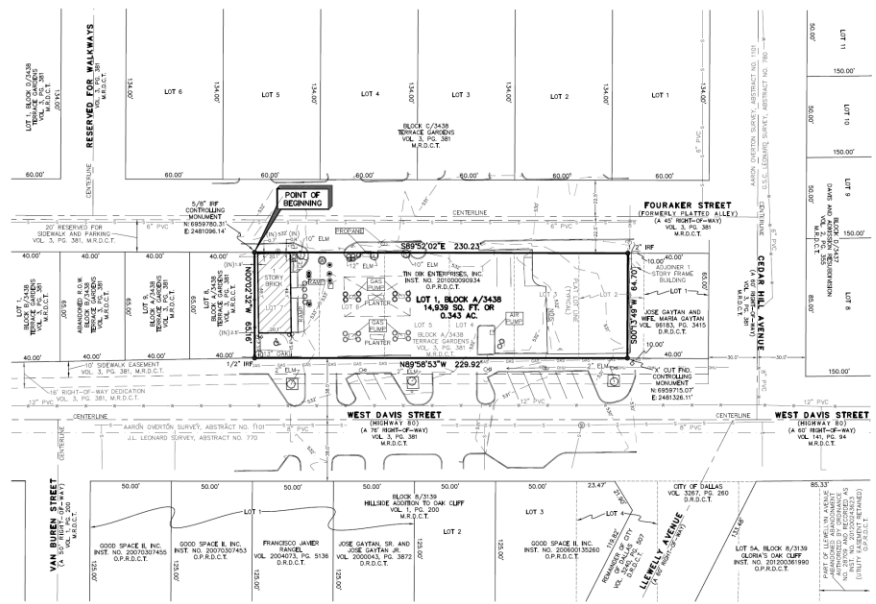
BUILDING TO REMAIN



GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.

UNETYPE TABLE

	BOUNDARY LINE
	ADJOINER LINE
530'	CONTOUR LINE
W	WATER LINE
OHU	OVERHEAD SERVICE LINE
S	SEWER LINE
GAS	GAS LINE
	EASEMENT LINE
	STREET CENTERLINE
	CHAIN LINK FENCE

LEGEND

GAS METER	FIRE HYDRANT	WATER MANHOLE	SIGN
IRR. CONTROL VALVE	WATER METER	PAYPHONE	LIGHT POLE
TELEPHONE PEDESTAL	FUEL PORT	1"X1" METAL LID	TYPICAL FENCE
POWER POLE	WATER VALVE	MONITORING WELL	CONCRETE
DOWN GUY	TRANSFORMER PAD	2'X2' METAL LID	BOLLARD
S.S. MANHOLE	ELECTRIC METER	VAULT	COVERED AREA
CLEAN OUT	STORM DRAIN MANHOLE	HANDICAP SPACE	A/C PAD

SURVEYOR'S STATEMENT

I, TIMOTHY R. MANKIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE CITY OF DALLAS DEVELOPMENT CODE (ORDINANCE NO. 19455, AS AMENDED), AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF DALLAS DEVELOPMENT CODE, SEC. 51A-8.617 (A)(3)(C)(D) & (E); AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE. RELEASED FOR REVIEW 2/3/2023

TIMOTHY R. MANKIN DATE
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6122

STATE OF TEXAS:
COUNTY OF TARRANT:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED TIMOTHY R. MANKIN, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2023.

_____
NOTARY PUBLIC IN AND FOR TARRANT COUNTY, TEXAS

OWNER'S CERTIFICATE:

STATE OF TEXAS)(
COUNTY OF DALLAS)(

WHEREAS TIN DIK ENTERPRISES, INC., is the sole owner of that certain 0.343 acre tract of land situated in the Aaron Overton Survey, Abstract No. 1101, and being all that certain tract of land conveyed to Tin Dik Enterprises, Inc., by Special Warranty Deed with Vendor's Lien recorded in Instrument Number 20120009834, Official Public Records, Dallas County, Texas, and being a portion of Lot 2, and all of Lots 3, 4, 5, 6, and 7, Block A/3438, Terrace Gardens, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 3, Page 381, Map Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northeast corner of said Tin Dik tract, same being the northwest corner of said Lot 7, same being the northeast corner of Lot 8, said Block A/3438, same being in the south right-of-way line of Fouraker Street (a 45 foot right-of-way) (formerly platted alley per Volume 3, Page 381, said Map Records);

THENCE South 89 deg. 52 min. 02 sec. East, along the common line of said Block A/3438 and said Fouraker Street, a distance of 230.23 feet to a 1/2 inch iron rod found for the northeast corner of said Tin Dik tract, same being the northwest corner of that certain tract of land conveyed to Jose Gaytan and wife, Maria Gaytan, by deed recorded in Volume 98183, Page 3415, Deed Records, Dallas County, Texas;

THENCE South 00 deg. 13 min. 49 sec. West, through the interior of said Block A/3438 and along the common line of said Tin Dik tract and said Gaytan tract, a distance of 64.70 feet to an 'X' cut found for the southeast corner of said Tin Dik tract, same being in the south line of said Block A/3438, same being the southwest corner of said Gaytan tract, same being in the north line of West Davis Street (Highway 80) (a 76 foot right-of-way);

THENCE North 89 deg. 58 min. 53 sec. West, along the common line of said Tin Dik tract, said Block A/3438, and said West Davis Street, a distance of 229.92 feet to a 1/2 inch iron rod found for the southwest corner of said Tin Dik tract, same being the southwest corner of aforesaid Lot 7, same being the southeast corner of aforesaid Lot 8, said Block A/3438;

THENCE North 00 deg. 02 min. 32 sec. West, along the common line of said Tin Dik tract, and said Lots 7 and 8, a distance of 65.16 feet to the POINT OF BEGINNING and containing 14,939 square feet or 0.343 acre of computed land, more or less.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TIN DIK ENTERPRISES, INC., ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **TIN DIK ADDITION,** AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES; AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE SAME. ALL AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY).

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS. ADDITIONAL EASEMENT AREA IS ALSO CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANOUTS, FIRE HYDRANTS, WATER SERVICES AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE, AND DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF DALLAS, TEXAS.

WITNESS MY HAND THIS THE _____ DAY OF _____, 2023.

TIN DIK ENTERPRISES, INC.

BY: _____
SHAM SUDDUHA, OWNER

STATE OF TEXAS:
COUNTY OF _____:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED SHAM SUDDUHA, OWNER OF TIN DIK ENTERPRISES, INC., KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF _____ 2023.

_____
NOTARY PUBLIC IN AND FOR _____ COUNTY

The lien holder or mortgagee concurs with the Owner's Certificate and agrees to subordinate its interests to the provisions of the Owner's Dedication.

Lien holder:
[Bank/mortgagee]

By: _____

Name: _____

Title: _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on _____ (date of acknowledgement) by _____ (name of person who signed), as _____ (title of officer–usually president or secretary, of _____ (name of business), a _____ (state of business, i.e., LLC, Corp, etc.), on behalf of the _____ (LLC, Corp., etc.).

_____
Notary Public in and for the State of Texas

OWNER:
TIN DIK ENTERPRISES, INC.
SHAM SUDDUHA
619 W. DAVIS STREET
DALLAS, TEXAS 75208
214–663–0767
SHAGOR33@HOTMAIL.COM

ENGINEER:

HOUSHANG JAHVANI
JAHVANI CONSULTING ENGINEERS, INC.
2121 N. JOSEY LANE, SUITE 200
CARROLLTON, TEXAS 75006
214–718–9469
JAHVANI@HOTMAIL.COM

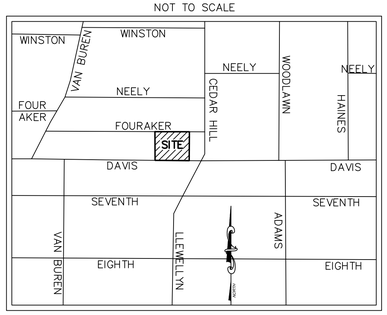
PRELIMINARY PLAT
TIN DIK ADDITION
LOT 1, BLOCK A/3438
A REPLAT OF LOTS 3–7 AND A PORTION OF LOT 2, BLOCK A/3438
TERRACE GARDENS
AARON OVERTON SURVEY, ABSTRACT NO. 1101
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223–087
ENGINEERING PLAN NO. _____

JOB NO.:	22-1201
DATE:	1/16/2023
FIELD DATE:	1/3/2022
SCALE:	1" = 30'
FIELD:	A.R.H.
DRAWN:	J.M.R.
CHECKED:	T.R.M.

PEISER & MANKIN SURVEYING, LLC
www.peisersurveying.com
1604 HART STREET
SOUTHLAKE, TEXAS 76092
817–481–1806 (O)
COMMERCIAL
RESIDENTIAL
BOUNDARIES
TOPOGRAPHY
MORTGAGE
tmankin@peisersurveying.com FIRM No. 100999–00
Texas Society of Professional Surveyors
Member Since 1972

SHEET 1 OF 1

VICINITY MAP
NOT TO SCALE



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D.R.D.C.T. – DEED RECORDS, DALLAS COUNTY, TEXAS
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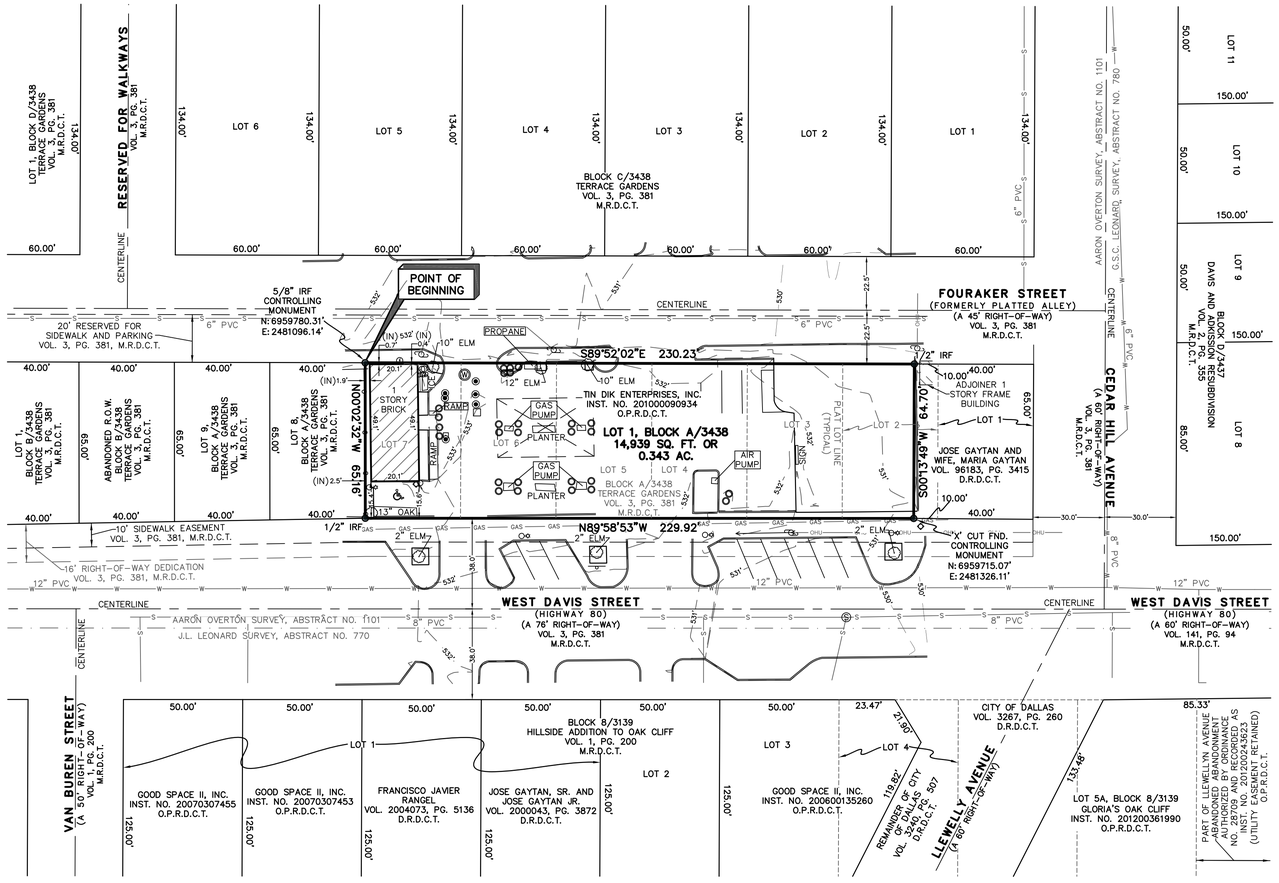
BUILDING TO REMAIN



GRAPHIC SCALE
30 0 15 30 60
(IN FEET)
1 inch = 30 ft.

NORTH

LINETYPE TABLE

	BOUNDARY LINE
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OHU	OVERHEAD SERVICE LINE
S	SEWER LINE
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	EASEMENT LINE
	STREET CENTERLINE
	CHAIN LINK FENCE

LEGEND

GAS METER	FIRE HYDRANT	WATER MANHOLE		SIGN
IRR. CONTROL VALVE	WATER METER	PAYPHONE		LIGHT POLE
TELEPHONE PEDESTAL	FUEL PORT	1'X1' METAL LID	–X–	TYPICAL FENCE
POWER POLE	WATER VALVE	MONITORING WELL		CONCRETE
DOWN GUY	TRANSFORMER PAD	2'X2' METAL LID		BOLLARD
S.S. MANHOLE	ELECTRIC METER	VAULT		COVERED AREA
CLEAN OUT	STORM DRAIN MANHOLE	HANDICAP SPACE	A/C	A/C PAD

SURVEYOR'S STATEMENT

I, TIMOTHY R. MANKIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE CITY OF DALLAS DEVELOPMENT CODE (ORDINANCE NO. 19455, AS AMENDED), AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF DALLAS DEVELOPMENT CODE, SEC. 51A–8.617 (A)(B)(C)(D) & (E); AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

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TIMOTHY R. MANKIN DATE
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6122

STATE OF TEXAS:
COUNTY OF TARRANT:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED TIMOTHY R. MANKIN, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2023.

_____
NOTARY PUBLIC IN AND FOR TARRANT COUNTY, TEXAS

OWNER'S CERTIFICATE:

STATE OF TEXAS)(
COUNTY OF DALLAS)(

WHEREAS TIN DIK ENTERPRISES, INC., is the sole owner of that certain 0.343 acre tract of land situated in the Aaron Overton Survey, Abstract No. 1101, and being all that certain tract of land conveyed to Tin Dik Enterprises, Inc., by Special Warranty Deed with Vendor's Lien recorded in Instrument Number 201000090934, Official Public Records, Dallas County, Texas, and being a portion of Lot 2, and all of Lots 3, 4, 5, 6, and 7, Block A/3438, Terrace Gardens, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 3, Page 381, Map Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of said Tin Dik tract, same being the northwest corner of said Lot 7, same being the northeast corner of Lot 8, said Block A/3438, same being in the south right–of–way line of Fouraker Street (a 45 foot right–of–way) (formerly platted alley per Volume 3, Page 381, said Map Records);

THENCE South 89 deg. 52 min. 02 sec. East, along the common line of said Block A/3438 and said Fouraker Street, a distance of 230.23 feet to a 1/2 inch iron rod found for the northeast corner of said Tin Dik tract, same being the northwest corner of that certain tract of land conveyed to Jose Gaytan and wife, Maria Gaytan, by deed recorded in Volume 96183, Page 3415, Deed Records, Dallas County, Texas;

THENCE South 00 deg. 13 min. 49 sec. West, through the interior of said Block A/3438 and along the common line of said Tin Dik tract and said Gaytan tract, a distance of 64.70 feet to an 'X' cut found for the southeast corner of said Tin Dik tract, same being in the south line of said Block A/3438, same being the southwest corner of said Gaytan tract, same being in the north line of West Davis Street (Highway 80) (a 76 foot right–of–way);

THENCE North 89 deg. 58 min. 53 sec. West, along the common line of said Tin Dik tract, said Block A/3438, and said West Davis Street, a distance of 229.92 feet to a 1/2 inch iron rod found for the southwest corner of said Tin Dik tract, same being the southwest corner of aforesaid Lot 7, same being the southeast corner of aforesaid Lot 8, said Block A/3438;

THENCE North 00 deg. 02 min. 32 sec. West, along the common line of said Tin Dik tract, and said Lots 7 and 8, a distance of 65.16 feet to the POINT OF BEGINNING and containing 14,939 square feet or 0.343 acre of computed land, more or less.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TIN DIK ENTERPRISES, INC., ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **TIN DIK ADDITION,** AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE SAME. ALL, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY).

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS. ADDITIONAL EASEMENT AREA IS ALSO CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANOUTS, FIRE HYDRANTS, WATER SERVICES AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE, AND DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF DALLAS, TEXAS.

WITNESS MY HAND THIS THE _____ DAY OF _____, 2023,

TIN DIK ENTERPRISES, INC.

BY: _____
SHAM SUDDUHA, OWNER

STATE OF TEXAS:
COUNTY OF _____:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED SHAM SUDDUHA, OWNER OF TIN DIK ENTERPRISES, INC., KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF _____, 2023.

_____
NOTARY PUBLIC IN AND FOR _____ COUNTY

The lien holder or mortgagee concurs with the Owner's Certificate and agrees to subordinate its interests to the provisions of the Owner's Dedication.

Lien holder:
[Bank/mortgagee]

By: _____

Name: _____

Title: _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on _____ (date of acknowledgement) by _____ (name of person who signed), as _____ (title of officer–usually president or secretary, of _____ (name of business), a _____ (state of business, i.e., LLC, Corp, etc.), on behalf of the _____ (LLC, Corp., etc.).

_____
Notary Public in and for the State of Texas

OWNER:
TIN DIK ENTERPRISES, INC.
SHAM SUDDUHA
619 W. DAVIS STREET
DALLAS, TEXAS 75208
214–663–0767
SHAGOR33@HOTMAIL.COM

ENGINEER:
HOUSHANG JAHVANI
JAHVANI CONSULTING ENGINEERS, INC.
2121 N. JOSEY LANE, SUITE 200
CARROLLTON, TEXAS 75006
214–718–9469
JAHVANI@HOTMAIL.COM

PRELIMINARY PLAT
TIN DIK ADDITION
LOT 1, BLOCK A/3438
A REPLAT OF LOTS 3–7 AND A PORTION OF LOT 2, BLOCK A/3438
TERRACE GARDENS
AARON OVERTON SURVEY, ABSTRACT NO. 1101
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223–087
ENGINEERING PLAN NO. _____

JOB NO.:	22–1206
DATE:	1/16/2023
FIELD DATE:	1/3/2023
SCALE:	1" = 30'
FIELD:	A.R.M.
DRAWN:	J.M.N.
CHECKED:	T.R.M.

PEISER & MANKIN SURVEYING, LLC
www.peisersurveying.com
1604 HART STREET
SOUTHLAKE, TEXAS 76092
817–481–1806 (O)
tmankin@peisersurveying.com
FIRM No. 100999–00
COMMERCIAL
RESIDENTIAL
BOUNDARIES
TOPOGRAPHY
MORTGAGE
Texas Society of Professional Surveyors
Member Since 1977

SHEET 1 OF 1

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-866 **Item #:** 24.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 3.00-acre lot from a tract of land in City Block 8019 on property located on Ledbetter Drive at South Walton Walker Boulevard, south corner.
Applicant/Owner: RDZ Realty Investments, LLC
Surveyor: Votex Surveying Company
Application Filed: February 23, 2023
Zoning: LI
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 3
S223-088

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-088 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Ledbetter Drive at Walton Walker Boulevard / State Highway Loop No. 12, south corner

DATE FILED: February 23, 2023 **ZONING:** LI

CITY COUNCIL DISTRICT: 3 **SIZE OF REQUEST:** 3.00-acres **MAPSCO:** 52T

APPLICANT/OWNER: RDZ Realty Investments, LLC

REQUEST: An application to create one 3.00-acre lot from a tract of land in City Block 8019 on property located on Ledbetter Drive at Walton Walker Boulevard / State Highway Loop No. 12, south corner.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the LI Light Industrial District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments

must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Walton Walker Boulevard / State Highway Loop No. 12. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

16. On the final plat, add the note: “TxDOT approval may be required for any driveway modification or new access point(s).” No citation.

Survey (SPRG) Conditions:

17. Prior to final plat, submit a completed final plat checklist and all supporting documents.

18. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

19. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

22. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

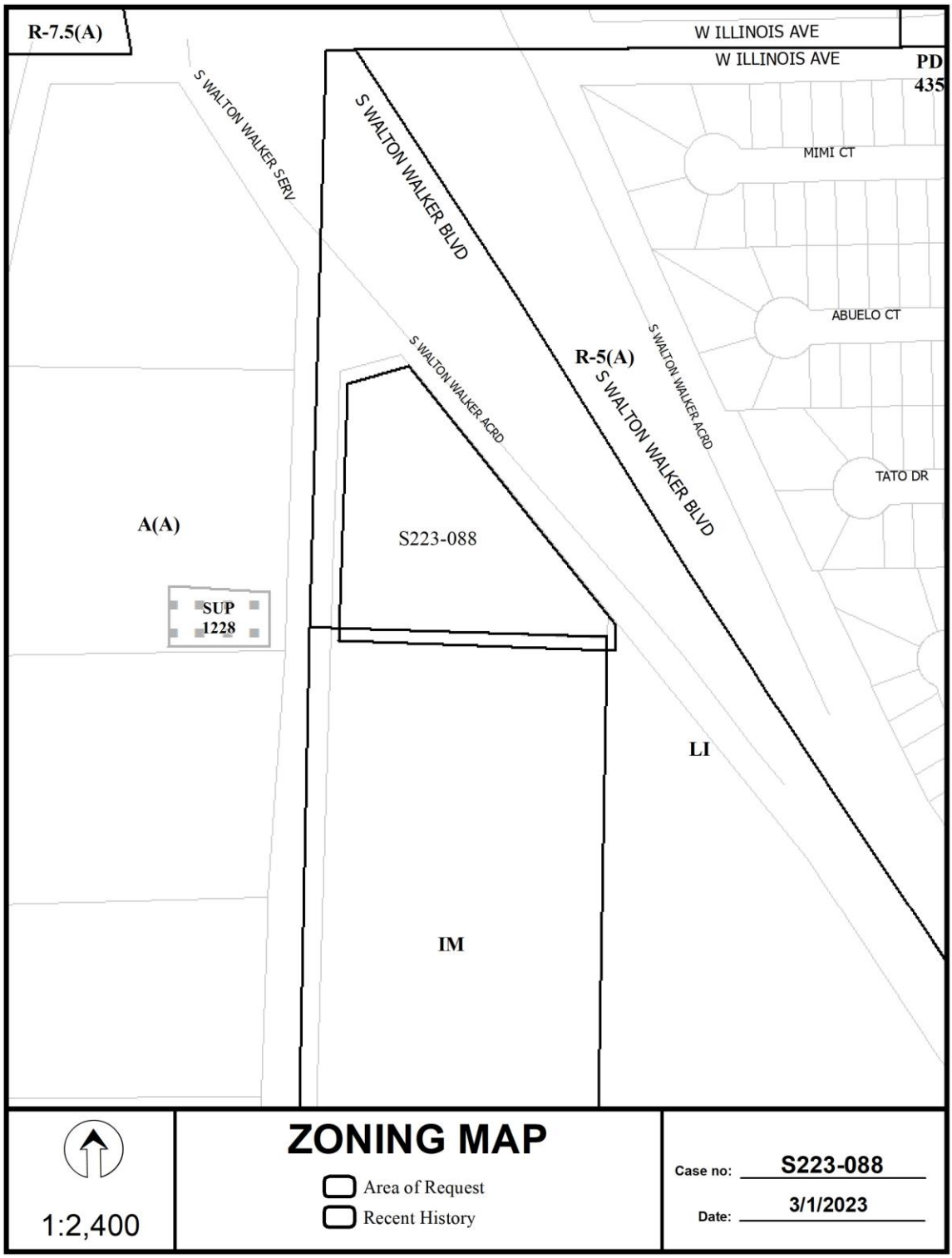
23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

24. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

25. On the final plat, change “Walton Walker Boulevard (State Highway Loop No. 12)” to “Walton Walker Boulevard / State Highway Loop No. 12”. Section 51A-8.403(a)(1)(A)(xii)

26. On the final plat, identify the property as Lot 1 in City Block 2/8019. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


R-7.5(A)
W ILLINOIS AVE
W ILLINOIS AVE
PD 435
S WALTON WALKER SERV
S WALTON WALKER BLVD
MIMI CT
ABUELO CT
S WALTON WALKER ACRD
R-5(A)
S WALTON WALKER BLVD
S WALTON WALKER ACRD
TATO DR
A(A)
S223-088
SUP 1228
LI
IM
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-088
Date: 3/1/2023

1:2,400

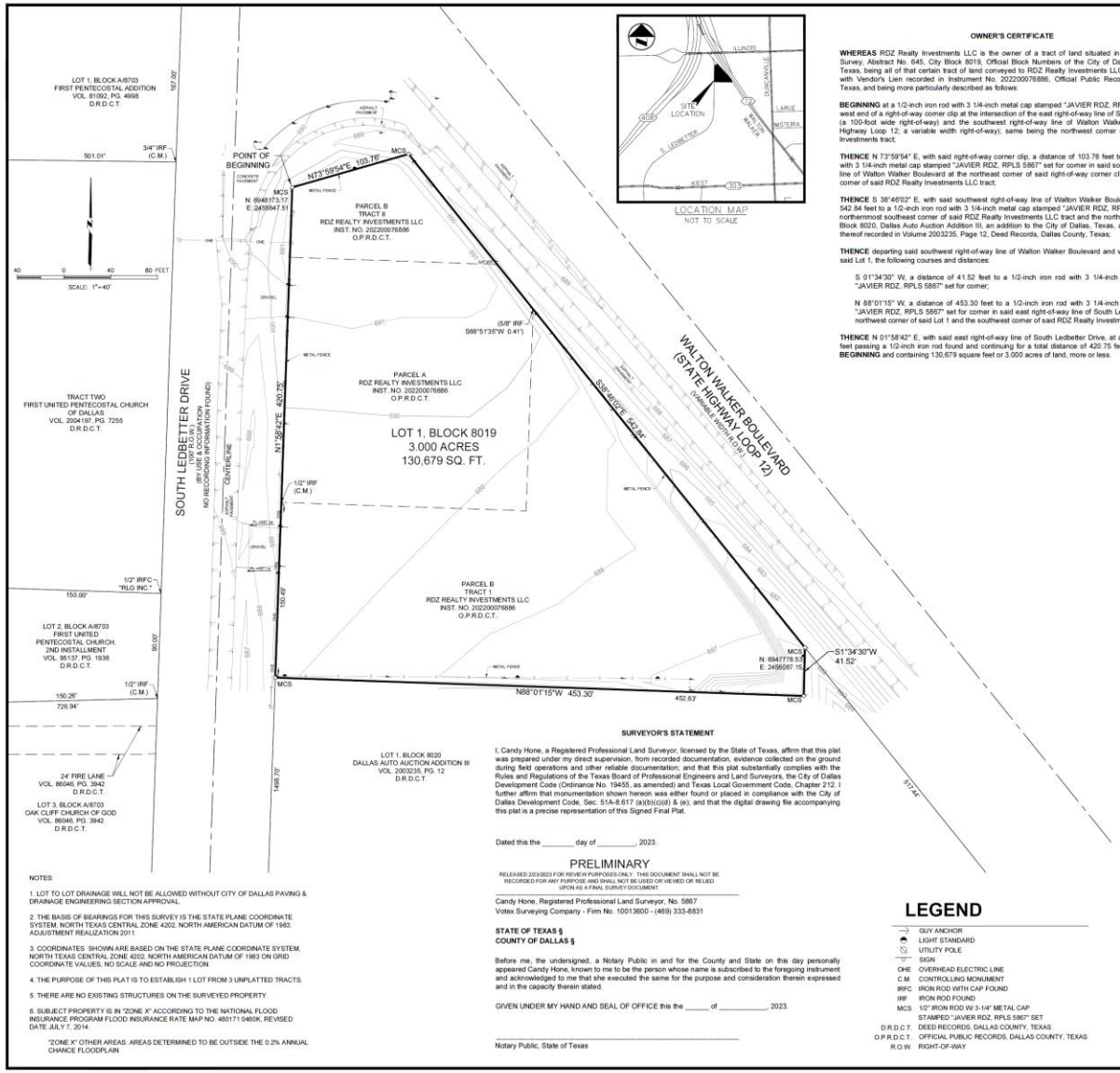
AERIAL MAP

Area of Request

Recent History

Case no: S223-088

Date: 3/1/2023



NOTES:

1. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.

2. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION 2011.

3. COORDINATES SHOWN ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

4. THE PURPOSE OF THIS PLAT IS TO ESTABLISH 1 LOT FROM 3 UNPLATTED TRACTS.

5. THERE ARE NO EXISTING STRUCTURES ON THE SURVEYED PROPERTY.

6. SUBJECT PROPERTY IS IN "ZONE X" ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 48017 1 0450K, REVISED DATE JULY 7, 2014

"ZONE X" OTHER AREAS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

OWNER'S CERTIFICATE

WHEREAS RDZ Realty Investments LLC is the owner of a tract of land situated in the James Hughes Survey, Abstract No. 645, City Block 8019, Official Block Numbers of the City of Dallas, Dallas County, Texas, being all of that certain tract of land conveyed to RDZ Realty Investments LLC by Warranty Deed with Vendor's Lien recorded in Instrument No. 202200076886, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set at the west end of a right-of-way corner clip at the intersection of the east right-of-way line of South Ledbetter Drive (a 100-foot wide right-of-way) and the southwest right-of-way line of Walton Walker Boulevard (State Highway Loop 12; a variable width right-of-way); same being the northwest corner of said RDZ Realty Investments tract;

THENCE N 73°59'54" E, with said right-of-way corner clip, a distance of 103.76 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set for corner in said southwest right-of-way line of Walton Walker Boulevard at the northeast corner of said right-of-way corner clip and the northeast corner of said RDZ Realty Investments LLC tract;

THENCE S 38°46'02" E, with said southwest right-of-way line of Walton Walker Boulevard, a distance of 542.84 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set at the northernmost southeast corner of said RDZ Realty Investments LLC tract and the northeast corner of Lot 1, Block 8020, Dallas Auto Auction Addition III, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 2003235, Page 12, Deed Records, Dallas County, Texas;

THENCE departing said southwest right-of-way line of Walton Walker Boulevard and with the north line of said Lot 1, the following courses and distances:

S 01°34'30" W, a distance of 41.52 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set for corner;

N 88°01'15" W, a distance of 453.30 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set for corner in said east right-of-way line of South Ledbetter Drive at the northwest corner of said Lot 1 and the southwest corner of said RDZ Realty Investments LLC tract;

THENCE N 01°58'42" E, with said east right-of-way line of South Ledbetter Drive, at a distance of 150.49 feet passing a 1/2-inch iron rod found and continuing for a total distance of 420.75 feet to the **POINT OF BEGINNING** and containing 130,679 square feet or 3.000 acres of land, more or less.

SURVEYOR'S STATEMENT

I, Candy Hone, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended) and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

PRELIMINARY

RELEASED 2/23/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

_____
Candy Hone, Registered Professional Land Surveyor, No. 5867
Votex Surveying Company - Firm No. 10013600 - (469) 333-8831

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned, a Notary Public in and for the County and State on this day personally appeared Candy Hone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ of _____, 2023.

_____
Notary Public, State of Texas

LEGEND

	GUY ANCHOR
	LIGHT STANDARD
	UTILITY POLE
	SIGN
OHE	OVERHEAD ELECTRIC LINE
C.M.	CONTROLLING MONUMENT
IRFC	IRON ROD WITH CAP FOUND
IRF	IRON ROD FOUND
MCS	1/2" IRON ROD W/ 3-1/4" METAL CAP STAMPED "JAVIER RDZ, RPLS 5867" SET
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY

OWNER
RDZ REALTY INVESTMENTS, LLC
CONTACT: JAVIER RODRIGUEZ
5317 KIMANIS ROAD
DALLAS, TEXAS 75236
PH. (---) --------
EMAIL: firstclassautoinc@yahoo.com

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That RDZ Realty Investments LLC, acting by and through their duly authorized agents, do hereby adopt this plat, designating the herein described property as **METRO PACIFIC ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Dallas, Texas.

WITNESS my hand this the ____ day of _____, 2023.

By: RDZ Realty Investments LLC,
a Texas limited liability company

_____
Javier Rodriguez, Manager

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the County and State on this day personally appeared Javier Rodriguez, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____
Notary Public, State of Texas

LIEN HOLDER'S SUBORDINATION AGREEMENT

The lien holder or mortgagee concurs with the Owner's Certificate and agrees to subordinate its interests to the provisions of the Owner's Dedication.

Lien holder:
[Bank/mortgagee]

By: _____
Name: _____
Title: _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on _____ (date of acknowledgement) by _____ (name of person who signed), as _____ (title of officer-usually president or secretary, of _____ (name of business), a _____ (state of business, i.e., LLC, Corp, etc.), on behalf of the _____ (LLC, Corp., etc.).

_____
Notary Public in and for the State of Texas

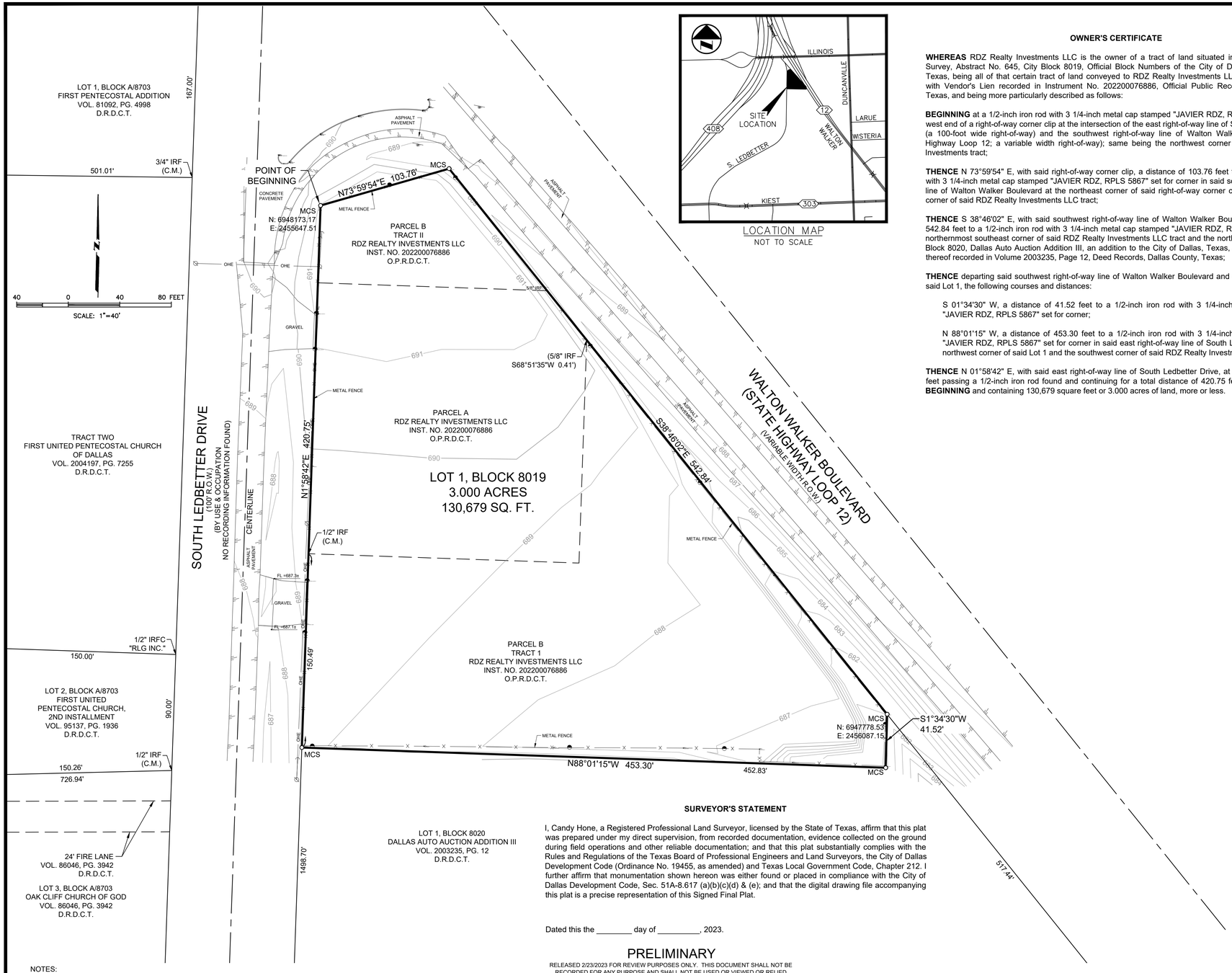
PRELIMINARY PLAT
JAVIER RDZ ADDITION
LOT 1, BLOCK 8019
OUT OF
CITY OF DALLAS BLOCK 8019 &
JAMES HUGHES SURVEY, ABSTRACT NO. 645
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-088

VOTEX SURVEYING COMPANY -- TBPLS FIRM NO.: 10013600
10440 N. CENTRAL EXPWY, STE. 800 DALLAS, TEXAS 75231
PH. (469) 333-8831; candy@votexsurveying.com
PROJECT NO. 2022-057

S223-088

24(f)

City Plan Commission Date: 03/23/2023



LOCATION MAP
NOT TO SCALE

NOTES:

1. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.

2. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION 2011.

3. COORDINATES SHOWN ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

4. THE PURPOSE OF THIS PLAT IS TO ESTABLISH 1 LOT FROM 3 UNPLATTED TRACTS.

5. THERE ARE NO EXISTING STRUCTURES ON THE SURVEYED PROPERTY.

6. SUBJECT PROPERTY IS IN "ZONE X" ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 480171 0460K, REVISED DATE JULY 7, 2014.

"ZONE X" OTHER AREAS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

SURVEYOR'S STATEMENT

I, Candy Hone, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended) and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

PRELIMINARY

RELEASED 2/23/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Candy Hone, Registered Professional Land Surveyor, No. 5867
Votex Surveying Company - Firm No. 10013600 - (469) 333-8831

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned, a Notary Public in and for the County and State on this day personally appeared Candy Hone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ of _____, 2023.

_____
Notary Public, State of Texas

LEGEND

	GUY ANCHOR
	LIGHT STANDARD
	UTILITY POLE
	SIGN
OHE	OVERHEAD ELECTRIC LINE
C.M.	CONTROLLING MONUMENT
IRFC	IRON ROD WITH CAP FOUND
IRF	IRON ROD FOUND
MCS	1/2" IRON ROD W/ 3-1/4" METAL CAP STAMPED "JAVIER RDZ, RPLS 5867" SET
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY

OWNER'S CERTIFICATE

WHEREAS RDZ Realty Investments LLC is the owner of a tract of land situated in the James Hughes Survey, Abstract No. 645, City Block 8019, Official Block Numbers of the City of Dallas, Dallas County, Texas, being all of that certain tract of land conveyed to RDZ Realty Investments LLC by Warranty Deed with Vendor's Lien recorded in Instrument No. 202200076886, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set at the west end of a right-of-way corner clip at the intersection of the east right-of-way line of South Ledbetter Drive (a 100-foot wide right-of-way) and the southwest right-of-way line of Walton Walker Boulevard (State Highway Loop 12; a variable width right-of-way); same being the northwest corner of said RDZ Realty Investments tract;

THENCE N 73°59'54" E, with said right-of-way corner clip, a distance of 103.76 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set for corner in said southwest right-of-way line of Walton Walker Boulevard at the northeast corner of said right-of-way corner clip and the northeast corner of said RDZ Realty Investments LLC tract;

THENCE S 38°46'02" E, with said southwest right-of-way line of Walton Walker Boulevard, a distance of 542.84 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set at the northernmost southeast corner of said RDZ Realty Investments LLC tract and the northeast corner of Lot 1, Block 8020, Dallas Auto Auction Addition III, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 2003235, Page 12, Deed Records, Dallas County, Texas;

THENCE departing said southwest right-of-way line of Walton Walker Boulevard and with the north line of said Lot 1, the following courses and distances:

S 01°34'30" W, a distance of 41.52 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set for corner;

N 88°01'15" W, a distance of 453.30 feet to a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "JAVIER RDZ, RPLS 5867" set for corner in said east right-of-way line of South Ledbetter Drive at the northwest corner of said Lot 1 and the southwest corner of said RDZ Realty Investments LLC tract;

THENCE N 01°58'42" E, with said east right-of-way line of South Ledbetter Drive, at a distance of 150.49 feet passing a 1/2-inch iron rod found and continuing for a total distance of 420.75 feet to the **POINT OF BEGINNING** and containing 130,679 square feet or 3.000 acres of land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That RDZ Realty Investments LLC, acting by and through their duly authorized agents, do hereby adopt this plat, designating the herein described property as **METRO PACIFIC ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Dallas, Texas.

WITNESS my hand this the ____ day of _____, 2023.

By: RDZ Realty Investments LLC,
a Texas limited liability company

_____
Javier Rodriguez, Manager

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the County and State on this day personally appeared Javier Rodriguez, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____
Notary Public, State of Texas

LIEN HOLDER'S SUBORDINATION AGREEMENT

The lien holder or mortgagee concurs with the Owner's Certificate and agrees to subordinate its interests to the provisions of the Owner's Dedication.

Lien holder:
[Bank/mortgagee]

By: _____
Name: _____
Title: _____

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on _____ (date of acknowledgement) by _____ (name of person who signed), as _____ (title of officer-usually president or secretary, of _____ (name of business), a _____ (state of business, i.e., LLC, Corp, etc.), on behalf of the _____ (LLC, Corp., etc.).

_____
Notary Public in and for the State of Texas

OWNER
RDZ REALTY INVESTMENTS, LLC
CONTACT: JAVIER RODRIGUEZ
5317 KIWANIS ROAD
DALLAS, TEXAS 75236
PH. (---) ---------
EMAIL: firstclassautoinc@yahoo.com

PRELIMINARY PLAT
JAVIER RDZ ADDITION
LOT 1, BLOCK 8019
OUT OF
CITY OF DALLAS BLOCK 8019 &
JAMES HUGHES SURVEY, ABSTRACT NO. 645
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-088

VOTEX SURVEYING COMPANY – TBPLS FIRM NO. 10013600
10440 N. CENTRAL EXPWY, STE. 800 DALLAS, TEXAS 75231
PH. (469) 333-8831; candy@votexsurveying.com
PROJECT NO. 2022-057

Agenda Information Sheet

File #: 23-867 **Item #:** 25.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 2.000-acre lot from a tract of land in City Block 9/8830 on property located on Garden Grove Drive, north of Ravenview Road.
Applicant/Owner: Francesco Salluzzo
Surveyor: ARA Surveying
Application Filed: February 23, 2023
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 8
S223-089

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-089 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Garden Grove Drive, north of Ravenview Road

DATE FILED: February 23, 2023 **ZONING:** R-10(A)

CITY COUNCIL DISTRICT: 8 **SIZE OF REQUEST:** 2.000acres **MAPSCO:** 69A-H

APPLICANT/OWNER: Francesco Salluzzo

REQUEST: An application to create one 2.000-acre lot from a tract of land in City Block 9/8830 on property located on Garden Grove Drive, north of Ravenview Road.

SUBDIVISION HISTORY:

1. S212-266 was a request north of the present request to create one 87,122-square foot lot from a tract of land in City Block A/7187 on property located on Garden Grove Drive, south of Rylie Crest Drive. The request was approved on August 4, 2022 but has not been recorded.

2. S212-131 was a request south of the present request to create 7 residential lots ranging in size from 0.23 acre (10,033 square feet) to 0.25 acre (10,931 square feet) from a 1.64-acre tract of land in City Block 8828 on property located on Ravenview Road at Garden Grove Drive, northwest corner. The request was approved on April 7, 2022 but has not been recorded.

3. S212-028 was a request northwest of the present request to create one 1.0-acre lot from a tract of land in City Block 8828 on property located on Garden Grove Drive, north of Ravenview Road. The request was approved on December 2, 2021 but has not been recorded.

4. S178-061 was a request south of the present request to create one 37.507-acre lot from a tract of land in City Block 8830 on property located at 12400 Ravenview Road, east of Garden Grove Drive. The request was approved on January 18, 2018 and recorded August 24, 2022.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

- The properties to the north and south of the request have lot widths ranging in size from 126 feet to 797 feet and lot areas ranging in size from 87,079 square feet to 262,542 square feet and are zoned the R-10A) Single Family District. *(Please refer to the existing area analysis)*

The request is to create one lot with a width of 160 feet and lot area of 87,120 Square feet in the R-10(A) Single Family District.

The lot is being created from a tract of land; therefore, it does not qualify for a residential replat and can be approved on the consent agenda.

Staff concludes that there is not an established lot pattern in the immediate area of the request and the request complies with the requirements of Section 51A-8.503 and R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Garden Grove Drive. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

Survey (SPRG) Conditions:

16. Prior to final plat, submit a completed final plat checklist and all supporting documents.

17. On the final plat, show recording information on all existing easements within 150 feet of the property.

18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

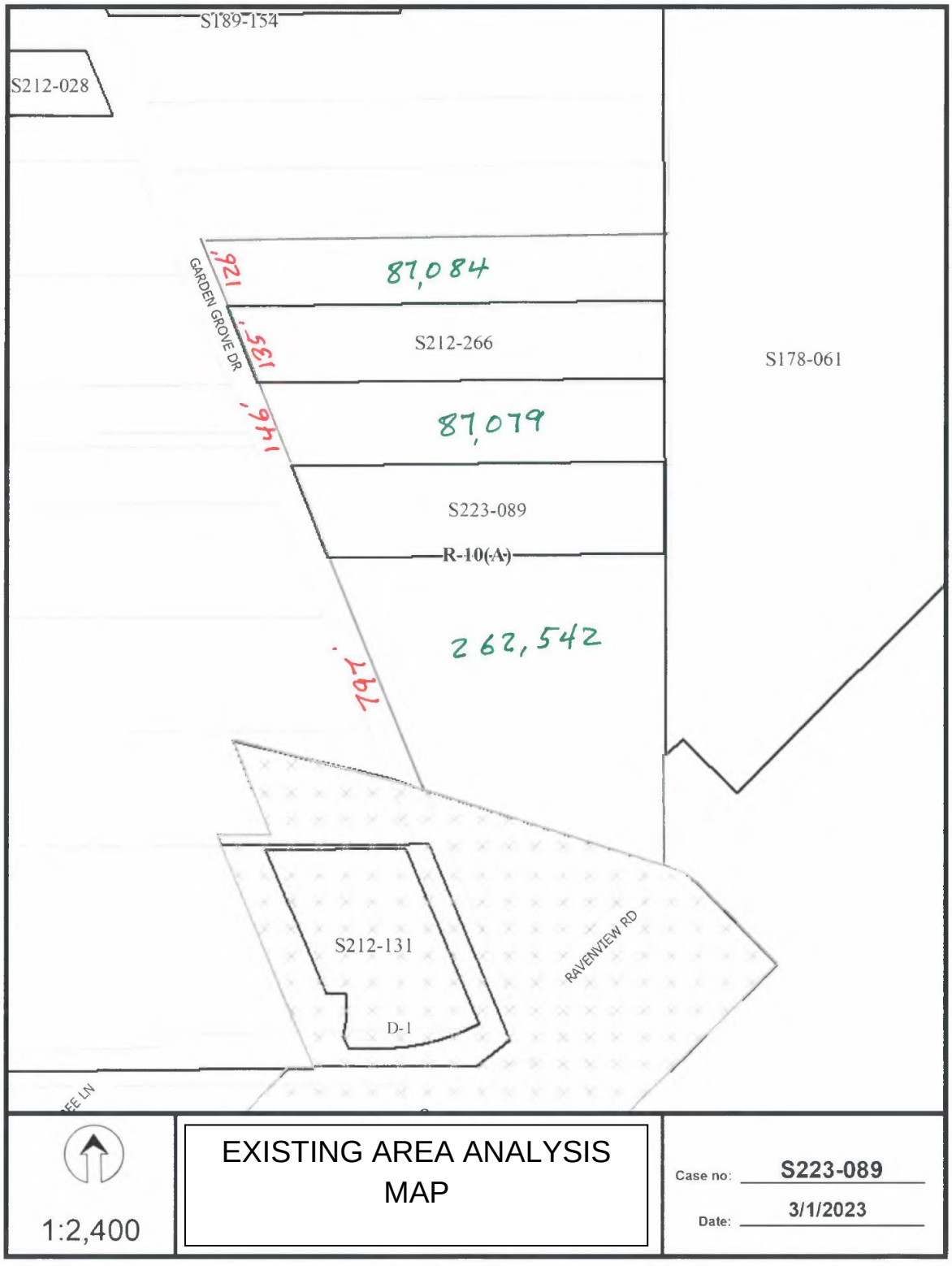
Dallas Water Utilities Conditions:

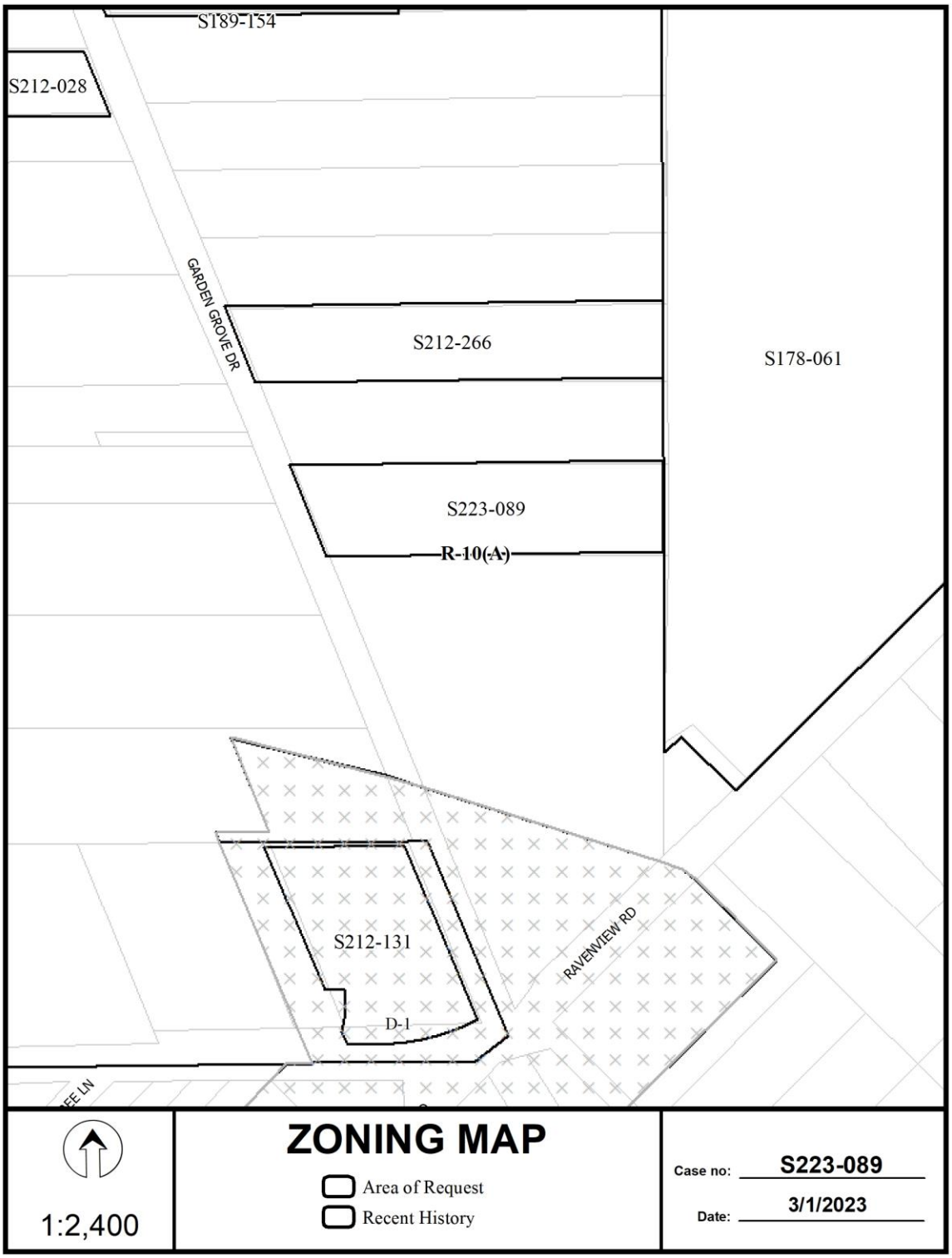
19. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

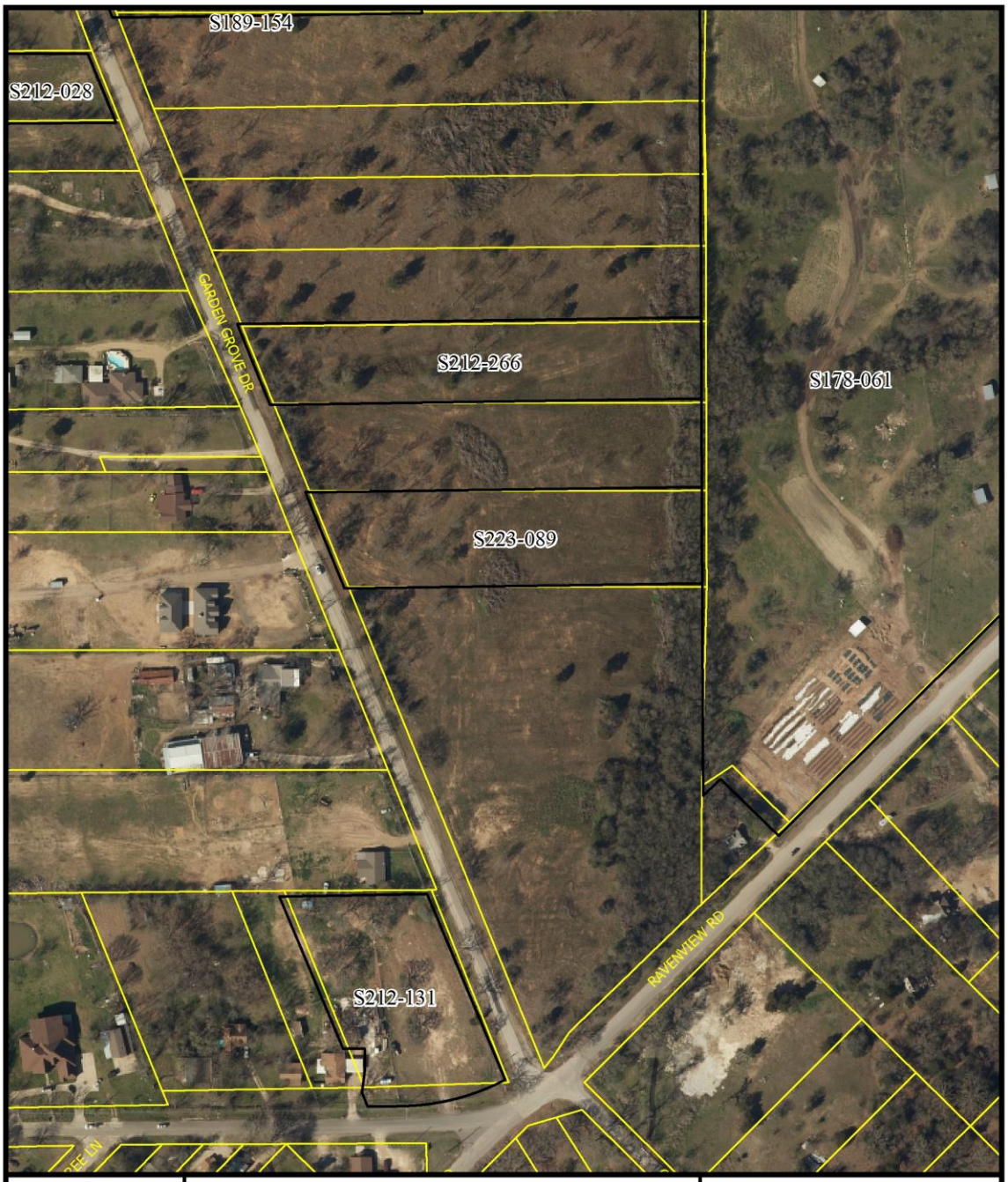
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

20. On the final plat, change “Garden Grove Drive” to “Garden Grove Drive (F.K.A. Crawford Road)”. Section 51A-8.403(a)(1)(A)(xii)

21. On the final plat, identify the property as Lot 1 in City Block 10/8830. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


S189-154
S212-028
GARDEN GROVE DR
87,084
S212-266
S178-061
87,079
S223-089
R-10(A)
262,542
S212-131
RAVENVIEW RD
D-1
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-089
Date: 3/1/2023


S189-154
S212-028
GARDEN GROVE DR
S212-266
S178-061
S223-089
R-10(A)
S212-131
RAVENVIEW RD
D-1
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-089
Date: 3/1/2023

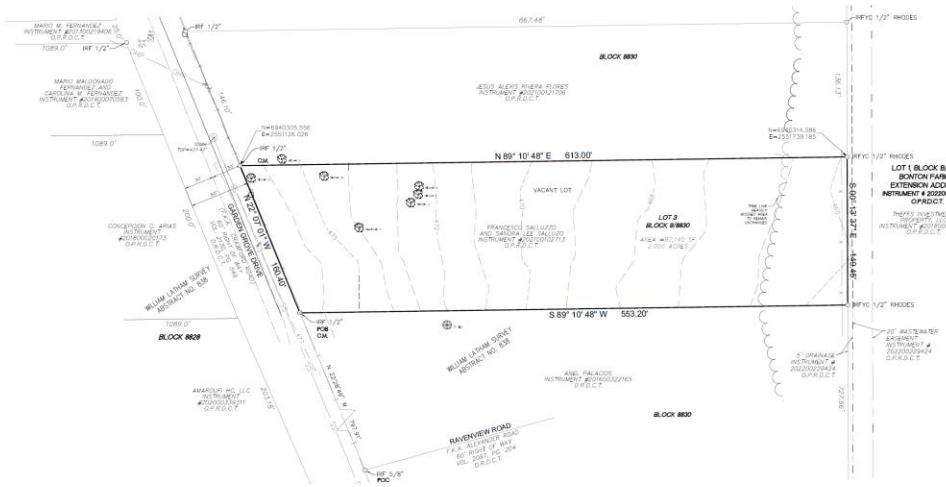


1:2,400

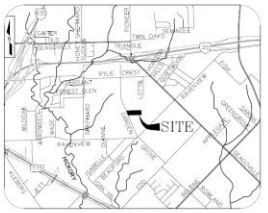
AERIAL MAP

Area of Request
Recent History

Case no: S223-089
Date: 3/1/2023



VICINITY MAP
(NOT TO SCALE)



LEGEND

(C.M.)	CONTROLLING MONUMENT		TELEPHONE BOX
VOL./PG.	VOLUME/PAGE		UTILITY POLE
O.P.R.D.C.T.	OFFICIAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS	—OHP—	OVERHEAD POWER LINE
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS	—×—×—	BARBWIRE FENCE
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS		SANITARY SEWER MANHOLE
POB	POINT OF BEGINNING		WATER VALVE
POC	POINT OF COMMENCEMENT		FIRE HYDRANT
○ IRFYC	IRON ROD FOUND WITH YELLOW CAP STAMPED "RHODES"		
⊙ IPF	IRON PIPE FOUND (AS NOTED)		
○ IRF	IRON ROD FOUND (AS NOTED)		

SURVEYOR'S STATEMENT

I, Anel Rodriguez, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Section 51A–8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this signed final plat.

Dated this the _____ day of _____, 2023.

PRELIMINARY , THIS DRAWING SHALL NOT BE RECORDED FOR ANY PURPOSE

_____
Anel Rodriguez
Texas Registered Professional Land Surveyor No. 6671

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Anel Rodriguez known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DALLAS §

BEING a 87,140 square foot or 2.000 acre tract of land, situated in the William Latham Survey, Abstract Number 838, City and County of Dallas, Texas, being part of City Block 8830, and being all of a tract of land, described in a General Warranty Deed to Francesco Salluzzo and Sandra Lee Salluzzo, recorded in Instrument No. 202100102713, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found at the intersection of the East right of way line of Garden Grove Drive, a 60 foot right-of-way, created in Volume 2130, Page 549, Deed Records of Dallas County, Texas (D.R.D.C.T.), with the North right of way line of Ravenview Road, a 60 foot right-of-way, created in Volume 2097, Page 204 (D.R.D.C.T.), and being the Southwest corner of the remainder of a tract of land described in a Deed to Anel Palacios, recorded Instrument 201600322165 (O.P.R.D.C.T.);

THENCE North 22 degrees 28 minutes 49 seconds West, with the East right of way line of said Garden Grove Drive, a distance of 797.91 feet to a 1/2 inch iron rod found (Controlling Monument) at the Northwest corner of said Palacios tract, same being the Southwest corner of said Salluzzo 2.000 acre tract, and being *THE POINT OF BEGINNING* of the herein described tract;

THENCE North 22 degrees 07 minutes 01 seconds West, continuing with the East right of way line of said Garden Grove Drive, a distance of 160.40 feet to a 1/2 inch iron rod found (Controlling Monument) for the Northwest corner of said Salluzzo tract, same being the Southwest corner of a tract of land described in a Deed to Jesus Alexis Rivera Flores, recorded in Instrument 202100121706 (O.P.R.D.C.T.);

THENCE North 89 degrees 10 minutes 48 seconds East, with the common line between the North line of said Salluzzo tract and the South line of said Rivera Flores tract, a distance of 613.00 feet to a 1/2 inch iron rod with yellow cap stamped "Rhodes" found for the common East corner between said Salluzzo tract and said Rivera Flores tract, same being in the West line of Lot 1, Block B/8831, Bonton Farms Extension Addition, an Addition to the City of Dallas, recorded in Instrument 202200229424 (O.P.R.D.C.T.);

THENCE South 00 degrees 13 minutes 37 seconds East, with the common line between the East line of said Salluzzo tract, and the West line of said Lot 1, a distance of 149.45 feet to a 1/2 inch iron rod with yellow cap stamped "Rhodes" found for the common East corner between said Salluzzo tract and, said Palacios tract;

THENCE South 89 degrees 10 minutes 48 seconds West, with the common line between the South line of said Salluzzo tract, and the North line of said Palacios tract, a distance of 553.20 feet to the *POINT OF BEGINNING* and containing 87,140 square feet or 2.000 acres of land more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Francesco Salluzzo and Sandra Lee Salluzzo, do hereby adopt this plat, designating the herein described property as **GIARDINO BOSCATO**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of, _____ 2023.

_____
Francesco Salluzzo
Owner

_____
Sandra Lee Salluzzo
Owner

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Francesco Salluzzo and Sandra Lee Salluzzo known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

GENERAL NOTES:

1. All bearings shown are based on the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983, (2011).

2. Lot to lot drainage will not be allowed without City of Dallas Paving and Drainage Engineering Division approval.

3. The purpose of this plat is to Create 1 Lot.

4. The coordinates shown hereon are Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 grid coordinate values. No scale and no projection.

OWNER:

FRANCESCO SALLUZZO
12100 GARDEN GROVE DRIVE
DALLAS, TX 75243

SURVEYOR

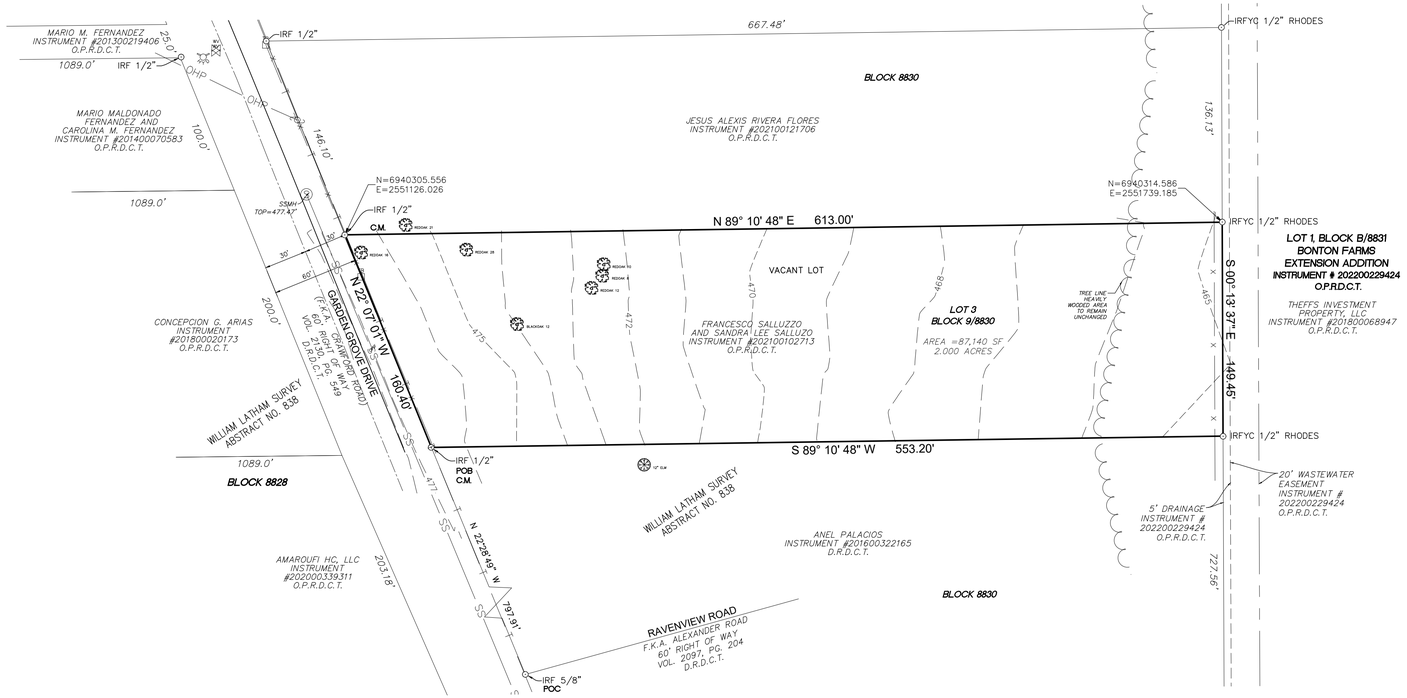
ARA SURVEYING
3510 KARINGHAM LANE
MELISSA, TEXAS 75454
TEL:(972) 940-4172
TBPELS NO. 10194713
ANEL RODRIGUEZ, RPLS
anrodriguez@araesurveying.com

PRELIMINARY PLAT
GIARDINO BOSCATO
LOT 3, BLOCK 9/8930

BEING A 2.000 ACRES SITUATED IN THE WILLIAM LATHAM SURVEY, ABSTRACT NO. 838 CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE: S223-089
ENGINEERING NUMBER: ___ - ___

S223-089

City Plan Commission Date: 03/23/2023 25(g)



LEGEND

(C.M.)	CONTROLLING MONUMENT
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M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
⊙ IRFYC	IRON ROD FOUND WITH YELLOW CAP STAMPED "RHODES"
◎ IPF	IRON PIPE FOUND (AS NOTED)
⊙ IRF	IRON ROD FOUND (AS NOTED)

TB	TELEPHONE BOX
	UTILITY POLE
—OHP—	OVERHEAD POWER LINE
—X— X—	BARWIRE FENCE
S	SANITARY SEWER MANHOLE
WV	WATER VALVE
	FIRE HYDRANT

SURVEYOR'S STATEMENT

I, Anel Rodríguez, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Section 51A–8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this signed final plat.

Dated this the _____ day of _____ , 2023.

PRELIMINARY , THIS DRAWING SHALL NOT BE RECORDED FOR ANY PURPOSE

_____
Anel Rodríguez
Texas Registered Professional Land Surveyor No. 6671

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Anel Rodriguez known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DALLAS §

BEING a 87,140 square foot or 2.000 acre tract of land, situated in the William Latham Survey, Abstract Number 838, City and County of Dallas, Texas, being part of City Block 8830, and being all of a tract of land, described in a General Warranty Deed to Francesco Salluzzo and Sandra Lee Salluzzo, recorded in Instrument No. 202100102713, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod found at the intersection of the East right of way line of Garden Grove Drive, a 60 foot right–of–way, created in Volume 2130, Page 549, Deed Records of Dallas County, Texas (D.R.D.C.T.), with the North right of way line of Ravenview Road, a 60 foot right–of–way, created in Volume 2097, Page 204 (D.R.D.C.T.), and being the Southwest corner of the remainder of a tract of land described in a Deed to Anel Palacios, recorded Instrument 201600322165 (O.P.R.D.C.T.),

THENCE North 22 degrees 28 minutes 49 seconds West, with the East right of way line of said Garden Grove Drive, a distance of 797.91 feet to a 1/2 inch iron rod found (Controlling Monument) at the Northwest corner of said Palacios tract, same being the Southwest corner of said Salluzzo 2.000 acre tract, and being **THE POINT OF BEGINNING** of the herein described tract;

THENCE North 22 degrees 07 minutes 01 seconds West, continuing with the East right of way line of said Garden Grove Drive, a distance of 160.40 feet to a 1/2 inch iron rod found (Controlling Monument) for the Northwest corner of said Salluzzo tract, same being the Southwest corner of a tract of land described in a Deed to Jesus Alexis Rivera Flores, recorded in Instrument 202100121706 (O.P.R.D.C.T.);

THENCE North 89 degrees 10 minutes 48 seconds East, with the common line between the North line of said Salluzzo tract and the South line of said Rivera Flores tract, a distance of 613.00 feet to a 1/2 inch iron rod with yellow cap stamped "Rhodes" found for the common East corner between said Salluzzo tract and said Rivera Flores tract, same being in the West line of Lot 1, Block B/8831, Bonton Farms Extension Addition, an Addition to the City of Dallas, recorded in Instrument 202200229424 (O.P.R.D.C.T.);

THENCE South 00 degrees 13 minutes 37 seconds East, with the common line between the East line of said Salluzzo tract, and the West line of said Lot 1, a distance of 149.45 feet to a 1/2 inch iron rod with yellow cap stamped "Rhodes" found for the common East corner between said Salluzzo tract and, said Palacios tract;

THENCE South 89 degrees 10 minutes 48 seconds West, with the common line between the South line of said Salluzzo tract, and the North line of said Palacios tract, a distance of 553.20 feet to the **POINT OF BEGINNING** and containing 87,140 square feet or 2.000 acres of land more or less.

GENERAL NOTES:

1. All bearings shown are based on the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983, (2011).

2. Lot to lot drainage will not be allowed without City of Dallas Paving and Drainage Engineering Division approval.

3. The purpose of this plat is to Create 1 Lot.

4. The coordinates shown hereon are Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 grid coordinate values. No scale and no projection.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Francesco Salluzzo and Sandra Lee Salluzzo, do hereby adopt this plat, designating the herein described property as **GIARDINO BOSCATO,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of, _____, 2023.

_____
Francesco Salluzzo
Owner

_____
Sandra Lee Salluzzo
Owner

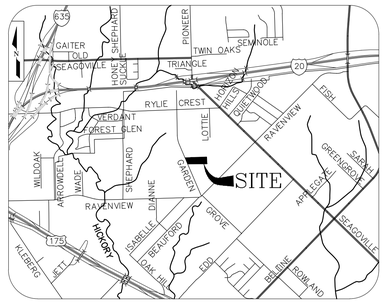
STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Francesco Salluzzo and Sandra Lee Salluzzo known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas



VICINITY MAP
(NOT TO SCALE)

GRAPHIC SCALE
0 50 100
(IN FEET)
1 inch = 50 ft.

OWNER:

FRANCESCO SALLUZZO
12100 GARDEN GROVE DRIVE
DALLAS, TX 75243

SURVEYOR

ARA SURVEYING
3615 KARNAGHAN LANE
MELISSA, TEXAS 75454
TEL.(972) 948-4172
TBPELS NO. 10194713
ANEL RODRIGUEZ, RPLS
arodriguez@arasurveying.com

PRELIMINARY PLAT

GIARDINO BOSCATO

LOT 3, BLOCK 9/8830

BEING A 2.000 ACRES SITUATED IN THE WILLIAM LATHAM SURVEY, ABSTRACT NO. 838 CITY OF DALLAS, DALLAS COUNTY, TEXAS CITY PLAN FILE: S223-089 ENGINEERING NUMBER: ____ - ____

Plotted by: 12147 Plot Date: 2/23/2023 2:41 PM
Drawing: G:\My Drive\Survey\23010-12100 Garden Grove Dr Dallas-Francesco\05_CAD\Civil3D\23010-12100 Garden Grove Dr Dallas-Francesco.dwg Saved By: 12147 Save Time: 2/23/2023 2:39 PM

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-868 **Item #:** 26.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.967-acre tract of land containing all of lots 1 through 6 in City Block 2/7108 to create one lot on property located on Singleton Boulevard, between Borger Street and Crossman Avenue.
Applicant/Owner: FWLB Singleton, LP
Surveyor: Urban Strategy
Application Filed: February 23, 2023
Zoning: CR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-090

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-090 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Singleton Boulevard, between Borger Street and Crossman Avenue

DATE FILED: February 23, 2023 **ZONING:** CR

CITY COUNCIL DISTRICT: 6 **SIZE OF REQUEST:** 0.967-acres **MAPSCO:** 44P

APPLICANT/OWNER: FWLB Singleton, LP

REQUEST: An application to replat a 0.967-acre tract of land containing all of lots 1 through 6 in City Block 2/7108 to create one lot on property located on Singleton Boulevard, between Borger Street and Crossman Avenue.

SUBDIVISION HISTORY:

1. S212-013 was a request southwest of the present request to replat a 2.047-acre tract of land containing all of Lots 41 through 47, 50, 51, 52A in City Block 7257; all of Lots 60, 61, 62A, and 63A in City Block 1/7257; and abandoned Bedford Street to create one lot on property located on Borger Street, south of Singleton Boulevard. The request was approved on November 4, 2021 but has not been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of the CR Community Retail District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 50-feet of right-of-way (via fee simple) from the established center line of Singleton Boulevard. *Section 51A 8.602(c)*

16. On the final plat, dedicate a minimum 10-foot by 10-foot corner clip (via fee simple or street easement) at the intersection of Singleton Boulevard and Crossman Avenue. Section 51A 8.602(d)(1)

17. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Borger Street and the alley. *Section 51A-8.602(e)*

18. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Crossman Avenue and the alley. *Section 51A-8.602(e)*

19. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608*

Survey (SPRG) Conditions:

20. Prior to final plat, submit a completed final plat checklist and all supporting documents.

21. On the final plat, show recording information on all existing easements within 150 feet of the property.

22. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

23. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

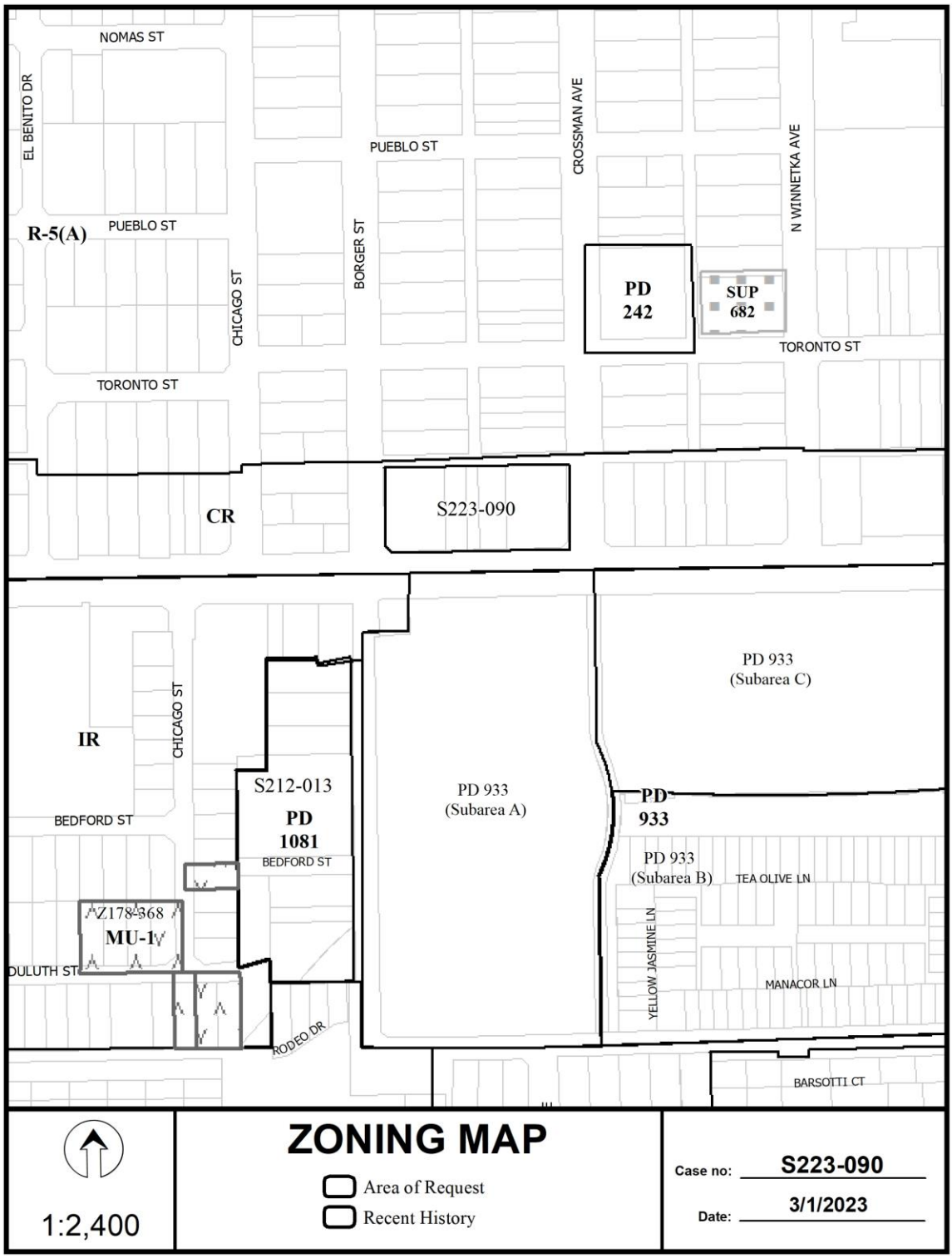
24. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

25. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

26. On the final plat, add a label for (F.K.A. Patrick Street) to Borger Street south of Singleton Boulevard. Section 51A-8.403(a)(1)(A)(xii)

27. On the final plat, identify the property as Lot 1A in City Block 2/7108. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).

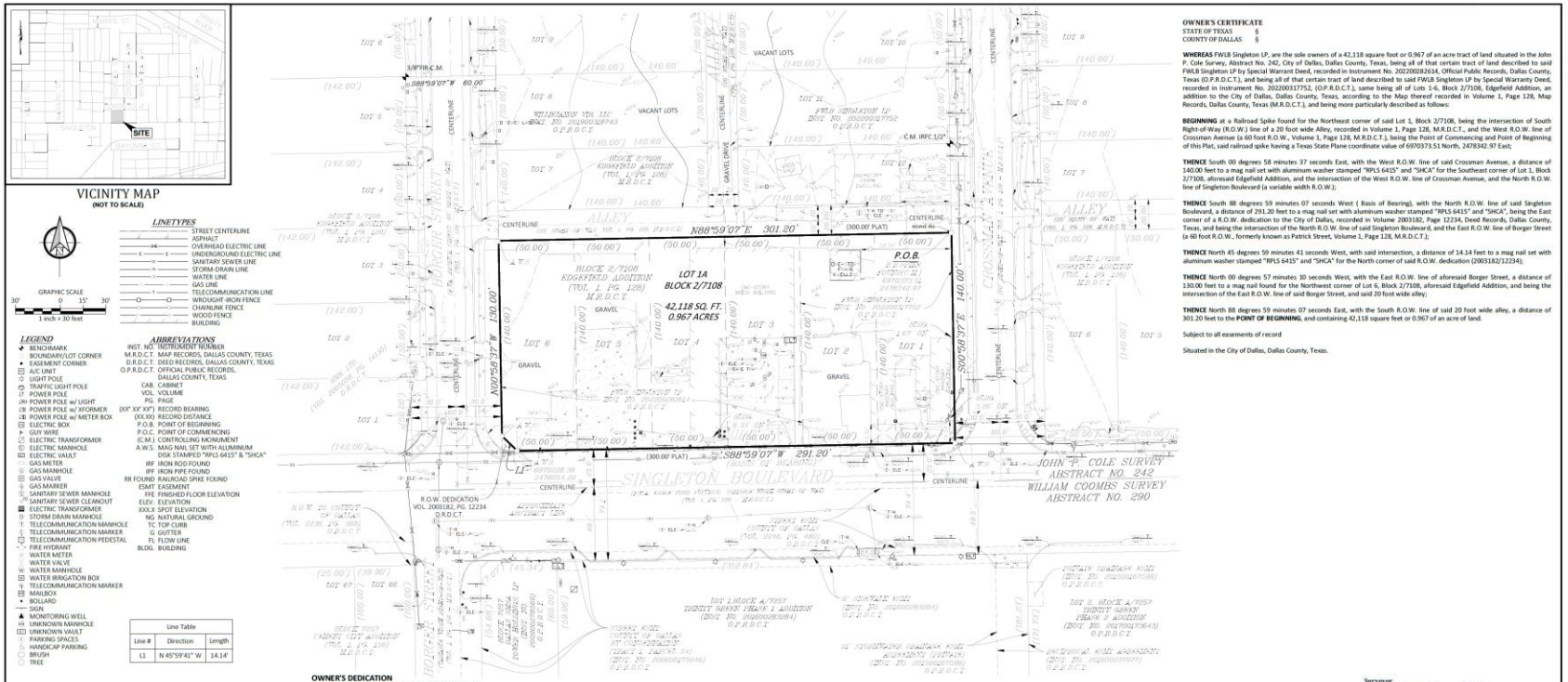

NOMAS ST
EL BENITO DR
PUEBLO ST
CROSSMAN AVE
N WINNETKA AVE
R-5(A)
PUEBLO ST
BORGER ST
CHICAGO ST
PD 242
SUP 682
TORONTO ST
TORONTO ST
CR
S223-090
PD 933 (Subarea C)
IR
CHICAGO ST
S212-013
PD 1081
PD 933 (Subarea A)
PD 933
BEDFORD ST
BEDFORD ST
PD 933 (Subarea B)
TEA OLIVE LN
Z178-368
MU-1
DULUTH ST
YELLOW JASMINE LN
MANACOR LN
RODEO DR
BARSOTTI CT
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-090
Date: 3/1/2023

NOMAS ST
EL BENITO DR
PUEBLO ST
PUEBLO ST
BORGER ST
CHICAGO ST
TORONTO ST
TORONTO ST
S223-090
SINGLETON BLVD
S212-013
BEDFORD ST
BEDFORD ST
CHICAGO ST
DULUTH ST
DULUTH ST
N WINNETKA AVE
TORONTO ST
1:2,400
AERIAL MAP
Area of Request
Recent History
Case no: S223-090
Date: 3/1/2023

S223-090

26(f)

City Plan Commission Date: 03/23/2023



VICINITY MAP
(NOT TO SCALE)

GRAPHIC SCALE
30' 0 15' 30'
1 inch = 30 feet

LINETYPES
- STREET CENTERLINE
- ASPHALT
- OVERHEAD ELECTRIC LINE
- UNDERGROUND ELECTRIC LINE
- SANITARY SEWER LINE
- STORM-DRAIN LINE
- WATER LINE
- GAS LINE
- TELECOMMUNICATION LINE
- WROUGHT-IRON FENCE
- CHAINLINK FENCE
- WOOD FENCE
- BUILDING

LEGEND
- BENCHMARK
- BOUNDARY/LOT CORNER
- EASEMENT CORNER
- A/C UNIT
- LIGHT POLE
- TRAFFIC LIGHT POLE
- POWER POLE
- POWER POLE w/ LIGHT
- POWER POLE w/ XFORMER
- POWER POLE w/ METER BOX
- ELECTRIC BOX
- GUY WIRE
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC VAULT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- GAS MARKER
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- ELECTRIC TRANSFORMER
- STORM DRAIN MANHOLE
- TELECOMMUNICATION MANHOLE
- TELECOMMUNICATION MARKER
- TELECOMMUNICATION PEDESTAL
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- WATER MANHOLE
- WATER IRRIGATION BOX
- TELECOMMUNICATION MARKER
- MAILBOX
- BOLLARD
- SIGN
- MONITORING WELL
- UNKNOWN MANHOLE
- UNKNOWN VAULT
- PARKING SPACES
- HANDICAP PARKING
- BRUSH
- TREE

ABBREVIATIONS
- INST. NO. INSTRUMENT NUMBER
- M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- CAB. CABINET
- VOL. VOLUME
- PG. PAGE
- (00° XX' XX") RECORD BEARING
- (XX.XX) RECORD DISTANCE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- (C.M.) CONTROLLING MONUMENT
- A.W.S. MAG NAIL SET WITH ALUMINUM DISK STAMPED "RPLS 6415" & "SHCA"
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- RR FOUND RAILROAD SPIKE FOUND
- ESMT EASEMENT
- FFE FINISHED FLOOR ELEVATION
- ELEV. ELEVATION
- XXX.X SPOT ELEVATION
- NG NATURAL GROUND
- TC TOP CURB
- G GUTTER
- FL FLOW LINE
- BLDG. BUILDING

Line Table		
Line #	Direction	Length
L1	N 45°59'41" W	14.14'

PURPOSE NOTE:
The purpose of this plat is to create one lot of record from an existing six platted lots.

GENERAL NOTES

1. BASIS OF BEARING IS STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.
2. VERTICAL DATUM IS NAVD88 GEOID12B, AS DERIVED BY GNSS FROM THE TRIMBLE RTK NETWORK.
3. NOT ALL LOT LINES OUTSIDE OF THE BOUNDARY OF THE SUBJECT PROPERTY SHOW HEREON HAVE BEEN SURVEYED AND ARE SHOWN AS GRAPHICAL DEPICTION BASED ON RECORDED INFORMATION AND TAX MAPS.
4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
5. ALL STRUCTURES ON SITE TO BE DEMOLISHED.

OWNER'S DEDICATION
NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **FWLB SINGLETON,** acting by and through it's duly authorized agent, Frank Nuchereno, do hereby adopt this plat, designating the herein described property as **SINGLETON HELLO CARWASH ADDITION,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

OWNER: FWLB SINGLETON LP
a Texas limited partnership

By: _____ Date: _____
Frank Nuchereno, Owner

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said County and State, on this day personally appeared Frank Nuchereno, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this ____ day of _____, 2023.

_____
Notary Public, in and for the State of Texas

SURVEYOR'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DALLAS §

I, CLIFFORD E. CAMERON, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the rules and regulations of the Texas Board of Professional Land Surveying and the City of Dallas, Texas development codes and ordinances. I further affirm that monumentation shown hereon was either found or set as shown hereon under my direction and supervision.

Dated this the ___ day of _____, 2023.

_____
Clifford E. Cameron
Texas Registered Professional Land Surveyor No. 6415

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

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared Clifford E. Cameron, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this the ___ day of _____, 2023.

_____
Notary Public, in and for the State of Texas

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS FWLB Singleton LP, are the sole owners of a 42,118 square foot or 0.967 of an acre tract of land situated in the John P. Cole Survey, Abstract No. 242, City of Dallas, Dallas County, Texas, being all of that certain tract of land described to said FWLB Singleton LP by Special Warrant Deed, recorded in Instrument No. 202200282614, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being all of that certain tract of land described to said FWLB Singleton LP by Special Warranty Deed, recorded in Instrument No. 202200317752, (O.P.R.D.C.T.), same being all of Lots 1-6, Block 2/7108, Edgefield Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 1, Page 128, Map Records, Dallas County, Texas (M.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a Railroad Spike found for the Northeast corner of said Lot 1, Block 2/7108, being the intersection of South Right-of-Way (R.O.W.) line of a 20 foot wide Alley, recorded in Volume 1, Page 128, M.R.D.C.T., and the West R.O.W. line of Crossman Avenue (a 60 foot R.O.W., Volume 1, Page 128, M.R.D.C.T.), being the Point of Commencing and Point of Beginning of this Plat, said railroad spike having a Texas State Plane coordinate value of 6970373.51 North, 2479342.97 East;

THENCE South 00 degrees 58 minutes 37 seconds East, with the West R.O.W. line of said Crossman Avenue, a distance of 140.00 feet to a mag nail set with aluminum washer stamped "RPLS 6415" and "SHCA" for the Southeast corner of Lot 1, Block 2/7108, aforesaid Edgefield Addition, and the intersection of the West R.O.W. line of Crossman Avenue, and the North R.O.W. line of Singleton Boulevard (a variable width R.O.W.);

THENCE South 88 degrees 59 minutes 07 seconds West (Basis of Bearing), with the North R.O.W. line of said Singleton Boulevard, a distance of 291.20 feet to a mag nail set with aluminum washer stamped "RPLS 6415" and "SHCA", being the East corner of a R.O.W. dedication to the City of Dallas, recorded in Volume 2003182, Page 12234, Deed Records, Dallas County, Texas, and being the intersection of the North R.O.W. line of said Singleton Boulevard, and the East R.O.W. line of Borger Street (a 60 foot R.O.W., formerly known as Patrick Street, Volume 1, Page 128, M.R.D.C.T.);

THENCE North 45 degrees 59 minutes 41 seconds West, with said intersection, a distance of 14.14 feet to a mag nail set with aluminum washer stamped "RPLS 6415" and "SHCA" for the North corner of said R.O.W. dedication (2003182/12234);

THENCE North 00 degrees 57 minutes 10 seconds West, with the East R.O.W. line of aforesaid Borger Street, a distance of 130.00 feet to a mag nail found for the Northwest corner of Lot 6, Block 2/7108, aforesaid Edgefield Addition, and being the intersection of the East R.O.W. line of said Borger Street, and said 20 foot wide alley;

THENCE North 88 degrees 59 minutes 07 seconds East, with the South R.O.W. line of said 20 foot wide alley, a distance of 301.20 feet to the **POINT OF BEGINNING**, and containing 42,118 square feet or 0.967 of an acre of land.

Subject to all easements of record

Situated in the City of Dallas, Dallas County, Texas.

Civil	Surveyor	Owner
Urban Strategy 4222 Main St. Dallas, TX 75226 www.urbanstrategy.us 214-295-5775	Clifford E. Cameron, RPLS Texas License No 6415 Urban Strategy 1100 E. Campbell, Ste 210 214-396-2339 cliffc@urbanstrategy.us TBPELS Firm No. 10194661	FWLB Singleton LP CONTACT: Frank Nuchereno 6631 Larmanda St. Dallas, TX 75231 214-683-9450 frank@hellocarwash.com

URBAN STRATEGY
4222 Main Street, Dallas, Texas 75226
Firm Registration #F-11052, 214, 969-1139
www.urbanstrategy.us

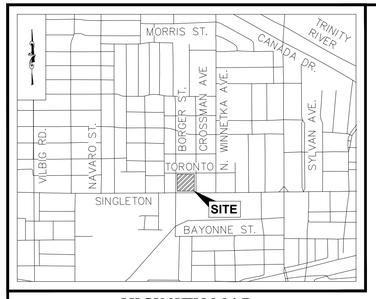
PRELIMINARY PLAT
0.967 ACRES / 42,118 SQUARE FEET

LOT 1A, BLOCK 2/7108
SINGLETON HELLO CARWASH ADDITION

A REPLAT OF LOTS 1-6, BLOCK 2/7108, EDGEFIELD ADDITION
RECORDED IN VOL. 1, PG. 128, IN THE
MAP RECORDS OF DALLAS COUNTY, TEXAS
OUT THE JOHN P. COLE SURVEY , ABSTRACT NO. 242
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE No. S223-090
ENGINEERING PLAN No. XXXX-_____

ISSUE DATE: 02/22/2023 | JOB NO: 226551 | SCALE: 1 inch = 30 feet | PAGE 1 OF 1



VICINITY MAP
(NOT TO SCALE)

GRAPHIC SCALE
30' 0 15' 30'
1 inch = 30 feet

LINETYPES

- STREET CENTERLINE
- ASPHALT
- OHE — OVERHEAD ELECTRIC LINE
- E — E — UNDERGROUND ELECTRIC LINE
- SS — SANITARY SEWER LINE
- STM — STORM-DRAIN LINE
- W — WATER LINE
- G — GAS LINE
- T — TELECOMMUNICATION LINE
- WROUGHT-IRON FENCE
- CHAINLINK FENCE
- WOOD FENCE
- BUILDING

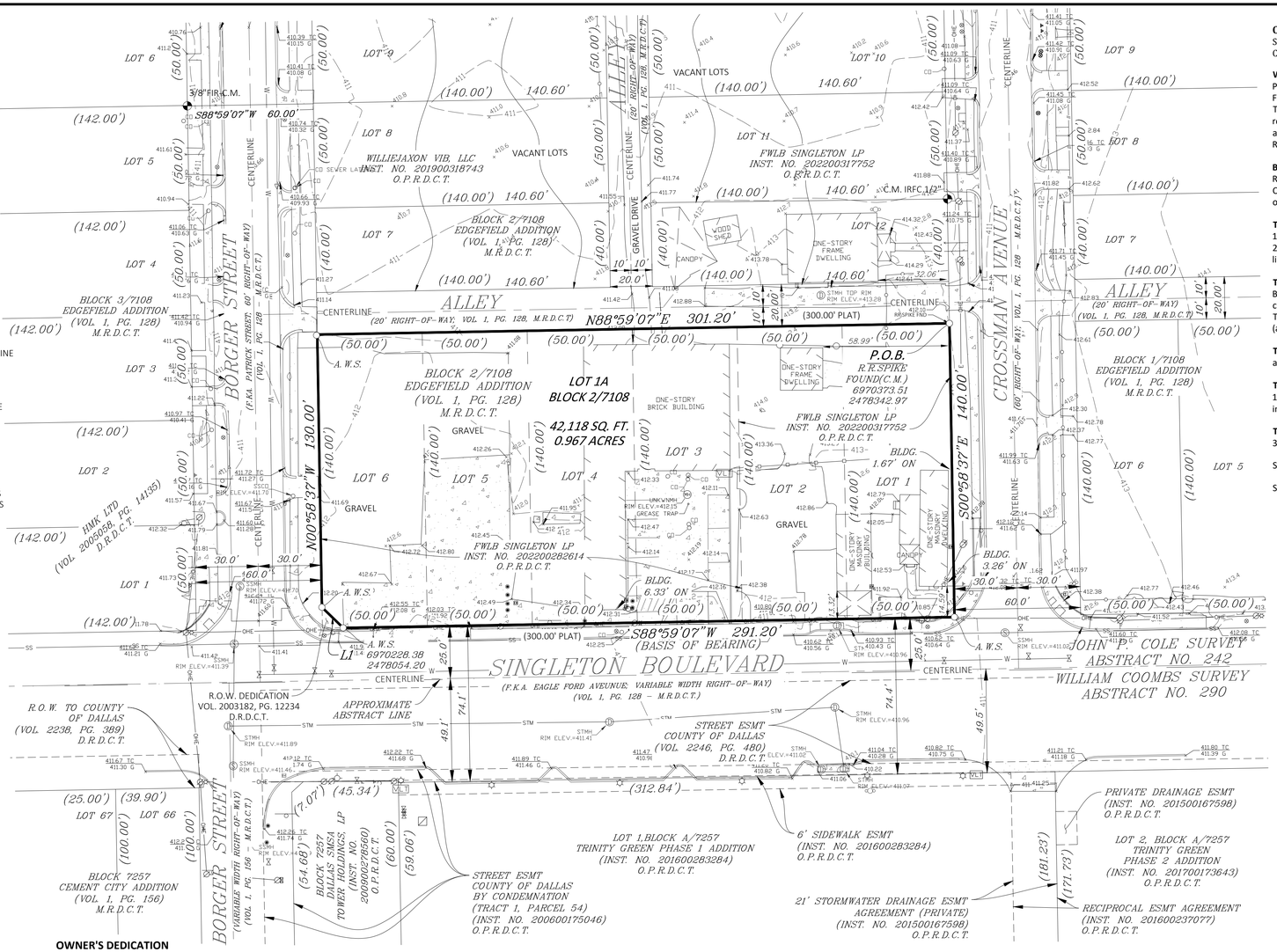
LEGEND

- BENCHMARK
- BOUNDARY/LOT CORNER
- EASEMENT CORNER
- A/C UNIT
- LIGHT POLE
- TRAFFIC LIGHT POLE
- POWER POLE
- POWER POLE w/ LIGHT
- POWER POLE w/ XFORMER
- POWER POLE w/ METER BOX
- ELECTRIC BOX
- GUY WIRE
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC VAULT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- GAS MARKER
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- ELECTRIC TRANSFORMER
- STORM DRAIN MANHOLE
- TELECOMMUNICATION MANHOLE
- TELECOMMUNICATION MARKER
- TELECOMMUNICATION PEDESTAL
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- WATER MANHOLE
- WATER IRRIGATION BOX
- TELECOMMUNICATION MARKER
- MAILBOX
- BOLLARD
- SIGN
- MONITORING WELL
- UNKNOWN MANHOLE
- UNKNOWN VAULT
- PARKING SPACES
- HANDICAP PARKING
- BRUSH
- TREE

ABBREVIATIONS

INST. NO.	INSTRUMENT NUMBER
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
CAB.	CABINET
VOL.	VOLUME
PG.	PAGE
(XX° XX' XX")	RECORD BEARING
(XX.XX)	RECORD DISTANCE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
(C.M.)	CONTROLLING MONUMENT
A.W.S.	MAG NAIL SET WITH ALUMINUM DISK STAMPED "RPLS 6415" & "SHCA"
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
RR FOUND	RAILROAD SPIKE FOUND
ESMT	EASEMENT
FFE	FINISHED FLOOR ELEVATION
ELEV.	ELEVATION
XXX.X	SPOT ELEVATION
TC	TOP CURB
G	GUTTER
FL	FLOW LINE
BLDG.	BUILDING

Line Table		
Line #	Direction	Length
L1	N 45°59'41" W	14.14'



OWNER'S DEDICATION
NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **FWLB SINGLETON,** acting by and through it's duly authorizaed agent, Frank Nuchereno, do hereby adopt this plat, designating the herein described property as **SINGLETON HELLO CARWASH ADDITION,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

OWNER: FWLB SINGLETON LP
a Texas limited partnership

By: _____ Date: _____
Frank Nuchereno, Owner

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said County and State, on this day personally appeared Frank Nuchereno, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this ___ day of _____, 2023.

_____
Notary Public, in and for the State of Texas

PURPOSE NOTE:
The purpose of this plat is to create one lot of record from an existing six platted lots.

GENERAL NOTES

1. BASIS OF BEARING IS STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT REALIZATION 2011.
2. VERTICAL DATUM IS NAVD88 GEOID12B, AS DERIVED BY GNSS FROM THE TRIMBLE RTK NETWORK.
3. NOT ALL LOT LINES OUTSIDE OF THE BOUNDARY OF THE SUBJECT PROPERTY SHOW HEREON HAVE BEEN SURVEYED AND ARE SHOWN AS GRAPHICAL DEPICTION BASED ON RECORDED INFORMATION AND TAX MAPS.
4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
5. ALL STRUCTURES ON SITE TO BE DEMOLISHED.

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS FWLB Singleton LP, are the sole owners of a 42,118 square foot or 0.967 of an acre tract of land situated in the John P. Cole Survey, Abstract No. 242, City of Dallas, Dallas County, Texas, being all of that certain tract of land described to said FWLB Singleton LP by Special Warrant Deed, recorded in Instrument No. 202200282614, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being all of that certain tract of land described to said FWLB Singleton LP by Special Warranty Deed, recorded in Instrument No. 202200317752, (O.P.R.D.C.T.), same being all of Lots 1-6, Block 2/7108, Edgefield Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 1, Page 128, Map Records, Dallas County, Texas (M.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a Railroad Spike found for the Northeast corner of said Lot 1, Block 2/7108, being the intersection of South Right-of-Way (R.O.W.) line of a 20 foot wide Alley, recorded in Volume 1, Page 128, M.R.D.C.T., and the West R.O.W. line of Crossman Avenue (a 60 foot R.O.W., Volume 1, Page 128, M.R.D.C.T.), being the Point of Commencing and Point of Beginning of this Plat, said railroad spike having a Texas State Plane coordinate value of 6970373.51 North, 2478342.97 East;

THENCE South 00 degrees 58 minutes 37 seconds East, with the West R.O.W. line of said Crossman Avenue, a distance of 140.00 feet to a mag nail set with aluminum washer stamped "RPLS 6415" and "SHCA" for the Southeast corner of Lot 1, Block 2/7108, aforesaid Edgefield Addition, and the intersection of the West R.O.W. line of Crossman Avenue, and the North R.O.W. line of Singleton Boulevard (a variable width R.O.W.);

THENCE South 88 degrees 59 minutes 07 seconds West (Basis of Bearing), with the North R.O.W. line of said Singleton Boulevard, a distance of 291.20 feet to a mag nail set with aluminum washer stamped "RPLS 6415" and "SHCA", being the East corner of a R.O.W. dedication to the City of Dallas, recorded in Volume 2003182, Page 12234, Deed Records, Dallas County, Texas, and being the intersection of the North R.O.W. line of said Singleton Boulevard, and the East R.O.W. line of Borger Street (a 60 foot R.O.W., formerly known as Patrick Street, Volume 1, Page 128, M.R.D.C.T.);

THENCE North 45 degrees 59 minutes 41 seconds West, with said intersection, a distance of 14.14 feet to a mag nail set with aluminum washer stamped "RPLS 6415" and "SHCA" for the North corner of said R.O.W. dedication (2003182/12234);

THENCE North 00 degrees 57 minutes 10 seconds West, with the East R.O.W. line of aforesaid Borger Street, a distance of 130.00 feet to a mag nail found for the Northwest corner of Lot 6, Block 2/7108, aforesaid Edgefield Addition, and being the intersection of the East R.O.W. line of said Borger Street, and said 20 foot wide alley;

THENCE North 88 degrees 59 minutes 07 seconds East, with the South R.O.W. line of said 20 foot wide alley, a distance of 301.20 feet to the **POINT OF BEGINNING**, and containing 42,118 square feet or 0.967 of an acre of land.

Subject to all easements of record

Situated in the City of Dallas, Dallas County, Texas.

SURVEYOR'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DALLAS §

I, CLIFFORD E. CAMERON, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the rules and regulations of the Texas Board of Professional Land Surveying and the City of Dallas, Texas development codes and ordinances. I further affirm that monumentation shown hereon was either found or set as shown hereon under my direction and supervision.

Dated this the ___ day of _____, 2023.

_____
Clifford E. Cameron
Texas Registered Professional Land Surveyor No. 6415

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

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared Clifford E. Cameron, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this the ___ day of _____, 2023.

_____
Notary Public, in and for the State of Texas

Civil
Urban Strategy
4222 Main St.
Dallas, TX 75226
www.urbanstrategy.us
214-295-5775

Surveyor
Clifford E. Cameron, RPLS
Texas License No 6415
Urban Strategy
1100 E. Campbell, Ste 210
214-396-2339
cliffc@urbanstrategy.us
TBPELS Firm No. 1019461

Owner
FWLB Singleton LP
CONTACT: Frank Nuchereno
6631 Larmanda St.
Dallas, TX 75231
214-683-9450
frank@hellocarwash.com

URBAN STRATEGY
4222 Main Street, Dallas, Texas 75226
Firm Registration #F-22253, 214.369.2339
www.urbanstrategy.us

PRELIMINARY PLAT

0.967 ACRES / 42,118 SQUARE FEET

LOT 1A, BLOCK 2/7108
SINGLETON HELLO CARWASH ADDITION

A REPLAT OF LOTS 1-6, BLOCK 2/7108, EDGEFIELD ADDITION
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CITY PLAN FILE No. S223-090
ENGINEERING PLAN No. XXXX-_____

ISSUE DATE: 02/27/2023 | JOB NO. 22653.1 | SCALE: 1 inch = 30 feet | PAGE 1 OF 1

FILE NAME: S:\Y-22653.1-PRELIMINARY PLAT (C)-S223-090.DWG
FILE LOCATION: S:\Survey (Team Folder)\Projects\2022\22653.1-1213 Singleton Hello Carwash\ACAD\Preliminary Plat\SY-22653.1-Preliminary Plat (c)-S223-090.dwg
LAYOUT: Layout1
LAST EDITOR: Clifford Cameron
PLOTTED ON: 2/24/2023 1:09 PM

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-869 **Item #:** 27.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 17.2643-acre lot from a tract of land in City Block 1/8048 on property located on International Parkway, south of Lindon B. Johnson Freeway.
Applicant/Owner: Core5 Perimeter Building B, LLC, Core5 Perimeter Building C, LLC
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-091

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-091 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: International Parkway, south of Lyndon B. Johnson Freeway / Interstate Highway No. 635

DATE FILED: February 23, 2023 **ZONING:** IR

CITY COUNCIL DISTRICT: 9 **SIZE OF REQUEST:** 17.2643-acres **MAPSCO:** 29X

APPLICANT/OWNER: Core5 Perimeter Building B, LLC, Core5 Perimeter Building C, LLC

REQUEST: An application to create one 17.2643-acre lot from a tract of land in City Block 1/8048 on property located on International Parkway, south of Lyndon B. Johnson Freeway / Interstate Highway No. 635.

SUBDIVISION HISTORY:

1. S201-608 was a request west of the present request to create one 23.074-acre lot from a tract of land in City Block 8048 on property located at 12900 L B J Freeway, at the terminus of International Parkway. The request was approved on April 8, 2021 but has not been recorded.

STAFF RECOMMENDATION: The request complies with the requirements of the IR Industrial Research District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, add the note: “TxDOT approval may be required for any driveway modification or new access point(s).” No citation.

16. Provide a turn-around per the City of Dallas Standards at the end of International Parkway. *Section 51A-8.506(b)*

17. Provide approval from the City of Garland for any work within their jurisdiction.

18. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608*

Flood Plain Conditions:

19. On the final plat, determine the 100-year water surface elevation across this addition.

20. On the final plat, dedicate floodway easement, floodway management area or floodway easement (within common area), with the appropriate easement statement included on the face of the Plat. *51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V*

21. On the final plat, include additional paragraph in Owner's Certificate (pertaining to the floodplain). *51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V*

22. On the final plat, specify minimum fill and minimum finished floor elevations. *Section 51A-8.611(d), Trinity Watershed Management.*

23. On the final plat, show the natural channel set back from the crest of the natural channel. *Section 51A-8.611(d), Trinity Watershed Management.*

24. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. *Section 51A-8.617(d)(1), (2), (3), and (4)*

25. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

Survey (SPRG) Conditions:

26. Prior to final plat, submit a completed final plat checklist and all supporting documents.

27. On the final plat, show recording information on all existing easements within 150 feet of the property.

28. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

29. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

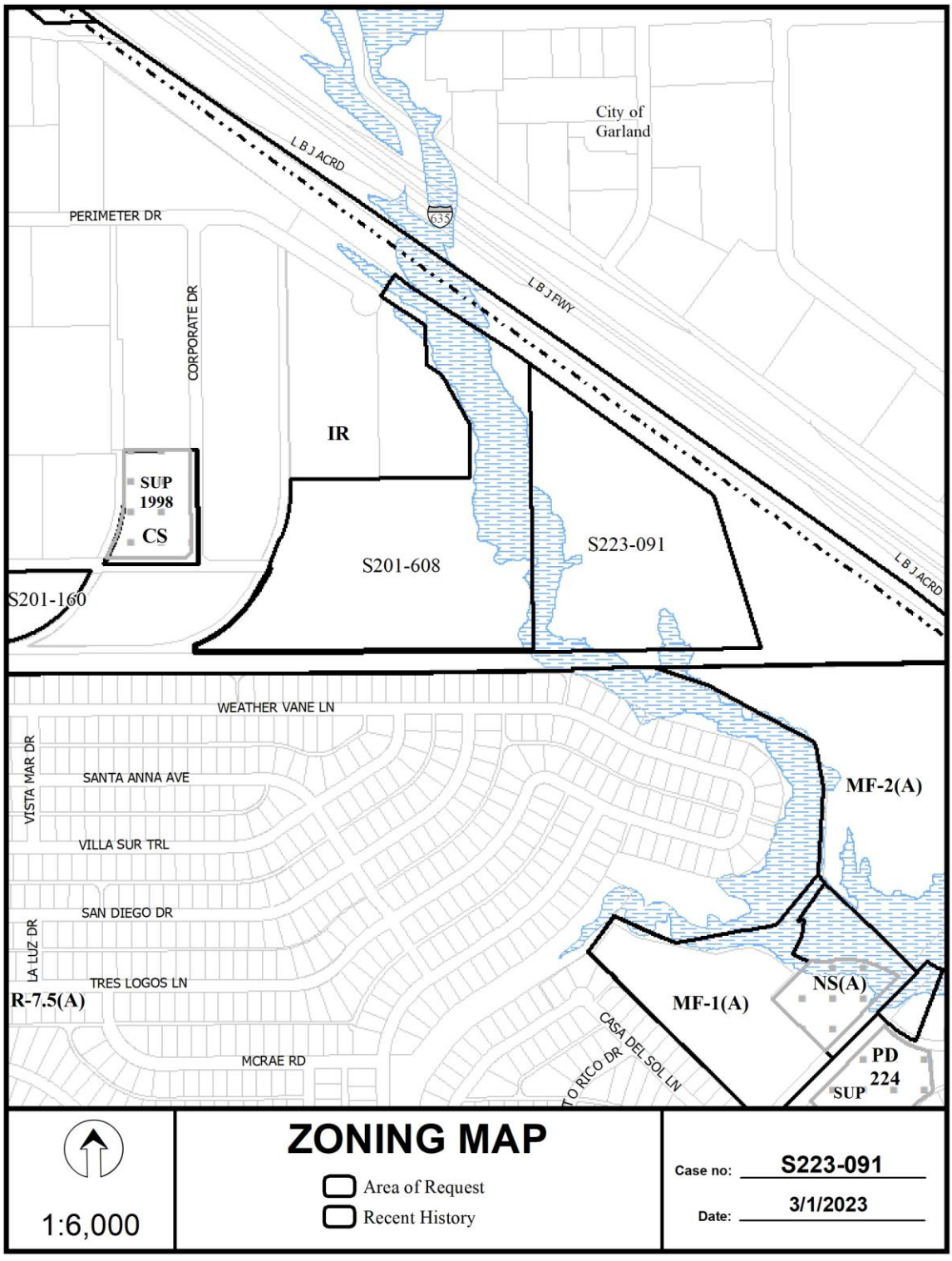
30. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

31. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

32. On the final plat, change "Interstate Highway 635" to "Lyndon B. Johnson Freeway / Interstate Highway No. 635". Section 51A-8.403(a)(1)(A)(xii)

33. On the final plat, identify the property as Lot 4 in City Block E/8048. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


City of Garland
L B J ACRD
PERIMETER DR
635
L B J FWY
CORPORATE DR
IR
SUP 1998
CS
S201-608
S223-091
S201-160
L B J ACRD
WEATHER VANE LN
VISTA MAR DR
SANTA ANNA AVE
MF-2(A)
VILLA SUR TRL
SAN DIEGO DR
LA LUZ DR
TRES LOGOS LN
R-7.5(A)
MF-1(A)
NS(A)
CASA DEL SOL LN
MCRAE RD
PD 224
SUP
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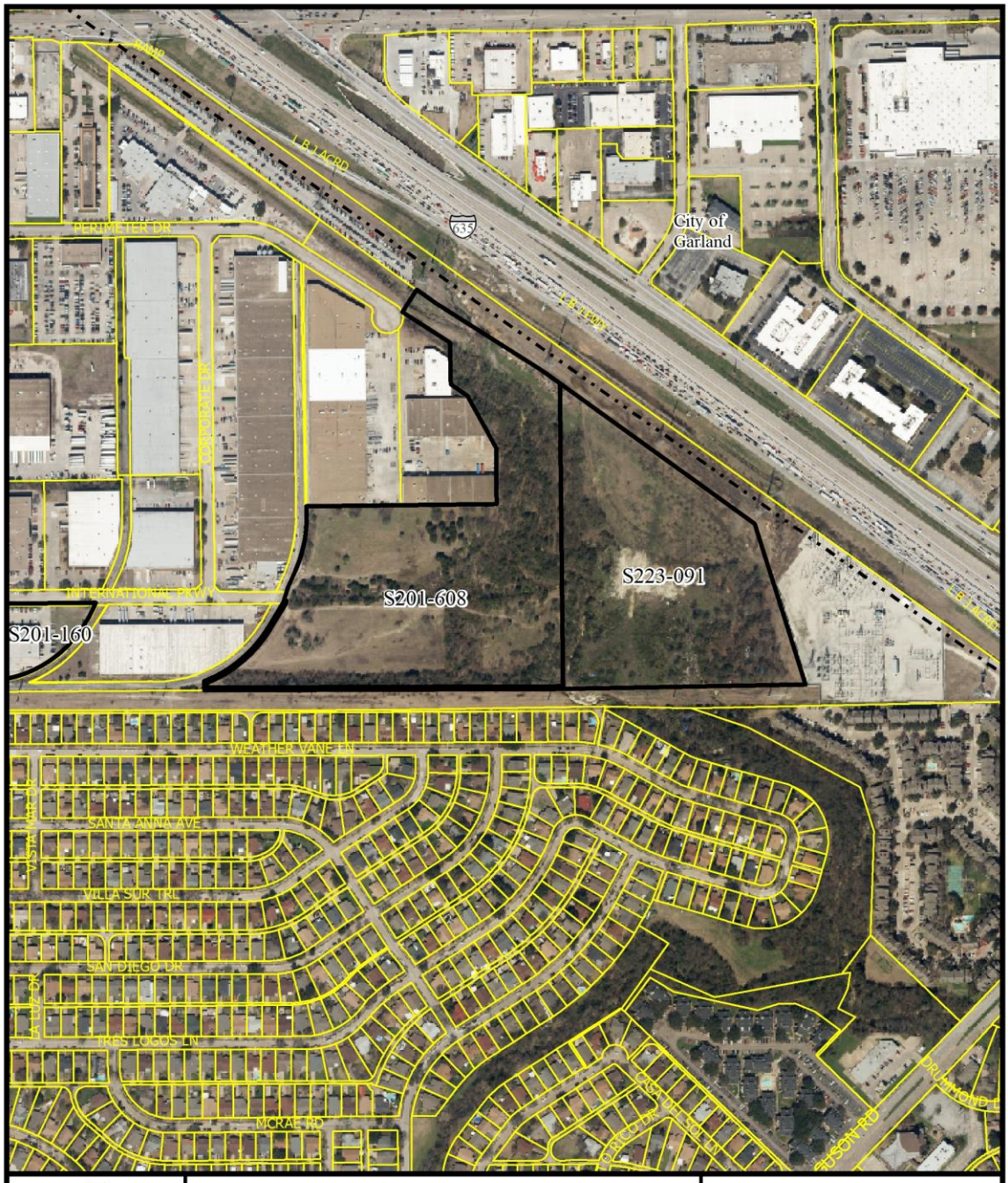
ZONING MAP
Area of Request
Recent History
Case no: S223-091
Date: 3/1/2023



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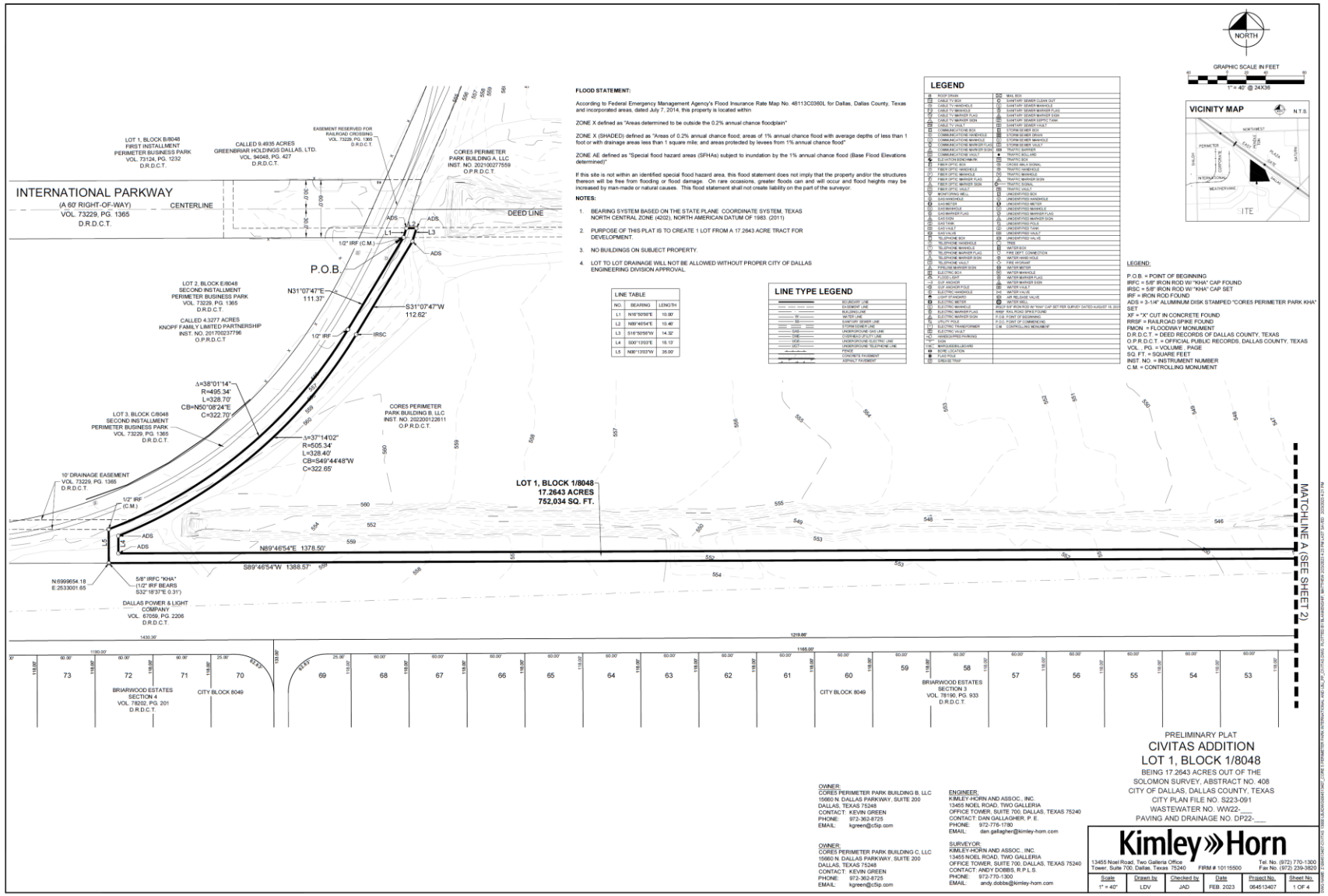
AERIAL MAP

Area of Request

Recent History

Case no: S223-091

Date: 3/1/2023



FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48113C0360L for Dallas, Dallas County, Texas and incorporated areas, dated July 7, 2014, this property is located within

ZONE X defined as "Areas determined to be outside the 0.2% annual chance floodplain"

ZONE X (SHADED) defined as "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood"

ZONE AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

NOTES:

1. BEARING SYSTEM BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. (2011)
2. PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM A 17.2643 ACRE TRACT FOR DEVELOPMENT.
3. NO BUILDINGS ON SUBJECT PROPERTY.
4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

LINE TABLE		
NO.	BEARING	LENGTH
L1	N16°50'58"E	10.00'
L2	N89°46'54"E	10.46'
L3	S16°50'58"W	14.32'
L4	S00°13'03"E	18.13'
L5	N00°13'03"W	35.00'

LINE TYPE LEGEND

BOUNDARY LINE
EASEMENT LINE
BUILDING LINE
WATER LINE
SANITARY SEWER LINE
STORM SEWER LINE
GAS UNDERGROUND GAS LINE
OHE OVERHEAD UTILITY LINE
UGE UNDERGROUND ELECTRIC LINE
UCT UNDERGROUND TELEPHONE LINE
FENCE
CONCRETE PAVEMENT
ASPHALT PAVEMENT

LEGEND

ROOF DRAIN	MAIL BOX
CABLE TV BOX	SANITARY SEWER CLEAN OUT
CABLE TV HANDHOLE	SANITARY SEWER MANHOLE
CABLE TV MANHOLE	SANITARY SEWER MARKER FLAG
CABLE TV MARKER FLAG	SANITARY SEWER MARKER SIGN
CABLE TV MARKER SIGN	SANITARY SEWER SEPTIC TANK
CABLE TV VAULT	SANITARY SEWER VAULT
COMMUNICATIONS BOX	STORM SEWER BOX
COMMUNICATIONS HANDHOLE	STORM SEWER DRAIN
COMMUNICATIONS MANHOLE	STORM SEWER MANHOLE
COMMUNICATIONS MARKER FLAG	STORM SEWER VAULT
COMMUNICATIONS MARKER SIGN	TRAFFIC BARRIER
COMMUNICATIONS VAULT	TRAFFIC BOLLARD
ELEVATION BENCHMARK	TRAFFIC BOX
FIBER OPTIC BOX	CROSS WALK SIGNAL
FIBER OPTIC HANDHOLE	TRAFFIC HANDHOLE
FIBER OPTIC MANHOLE	TRAFFIC MANHOLE
FIBER OPTIC MARKER FLAG	TRAFFIC MARKER SIGN
FIBER OPTIC MARKER SIGN	TRAFFIC SIGNAL
FIBER OPTIC VAULT	TRAFFIC VAULT
MONITORING WELL	UNIDENTIFIED BOX
GAS HANDHOLE	UNIDENTIFIED HANDHOLE
GAS METER	UNIDENTIFIED METER
GAS MANHOLE	UNIDENTIFIED MANHOLE
GAS MARKER FLAG	UNIDENTIFIED MARKER FLAG
GAS SIGN	UNIDENTIFIED MARKER SIGN
GAS VALVE	UNIDENTIFIED TANK
GAS VAULT	UNIDENTIFIED VAULT
GAS VALVE	UNIDENTIFIED VAULT
TELEPHONE BOX	UNIDENTIFIED VALVE
TELEPHONE HANDHOLE	TREE
TELEPHONE MANHOLE	WATER BOX
TELEPHONE MARKER FLAG	FIRE DEPT. CONNECTION
TELEPHONE MARKER SIGN	WATER HAND HOLE
TELEPHONE VAULT	FIRE HYDRANT
PAYLINE MARKER SIGN	WATER METER
ELECTRIC BOX	WATER MANHOLE
GUY WIRE	WATER MARKER FLAG
GUY ANCHOR	WATER MARKER SIGN
GUY ANCHOR POLE	WATER VAULT
ELECTRIC HANDHOLE	WATER VALVE
LIGHT STANDARD	AIR RELEASE VALVE
ELECTRIC METER	WATER WELL
ELECTRIC MANHOLE	IRS/CP 5/8" IRON ROD W/ "KHA" CAP SET PER SURVEY DATED AUGUST 15, 2022
ELECTRIC MARKER FLAG	AMSF WAL ROAD SPIKE FOUND
ELECTRIC MARKER SIGN	P.O.B. POINT OF BEGINNING
ELECTRIC POLE	P.O.C. POINT OF COMMENCING
ELECTRIC TRANSFORMER	C.M. CONTROLLING MONUMENT
ELECTRIC VAULT	
OVERHEAD POWERS	
SIGN	
MARSH/BOG/LAKE/POND	
BORE LOCATION	
FLAG POLE	
GREASE TRAP	

LEGEND:

P.O.B. = POINT OF BEGINNING
IRFC = 5/8" IRON ROD W/ "KHA" CAP FOUND
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
ADS = 3-1/4" ALUMINUM DISK STAMPED "CORES PERIMETER PARK KHA" SET
XF = "X" CUT IN CONCRETE FOUND
RRSF = RAILROAD SPIKE FOUND
FMON = FLOODWAY MONUMENT
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
VOL., PG. = VOLUME, PAGE
SQ. FT. = SQUARE FEET
INST. NO. = INSTRUMENT NUMBER
C.M. = CONTROLLING MONUMENT

NORTH

GRAPHIC SCALE IN FEET
1" = 40' @ 24X36

VICINITY MAP
N.T.S.

OWNER:
CORES PERIMETER PARK BUILDING B, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@c5ip.com

OWNER:
CORES PERIMETER PARK BUILDING C, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@c5ip.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-776-1780
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

PRELIMINARY PLAT
CIVITAS ADDITION
LOT 1, BLOCK 1/8048
BEING 17.2643 ACRES OUT OF THE
SOLOMON SURVEY, ABSTRACT NO. 408
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-091
WASTEWATER NO. WW22-___
PAVING AND DRAINAGE NO. DP22-___

Kimley»Horn

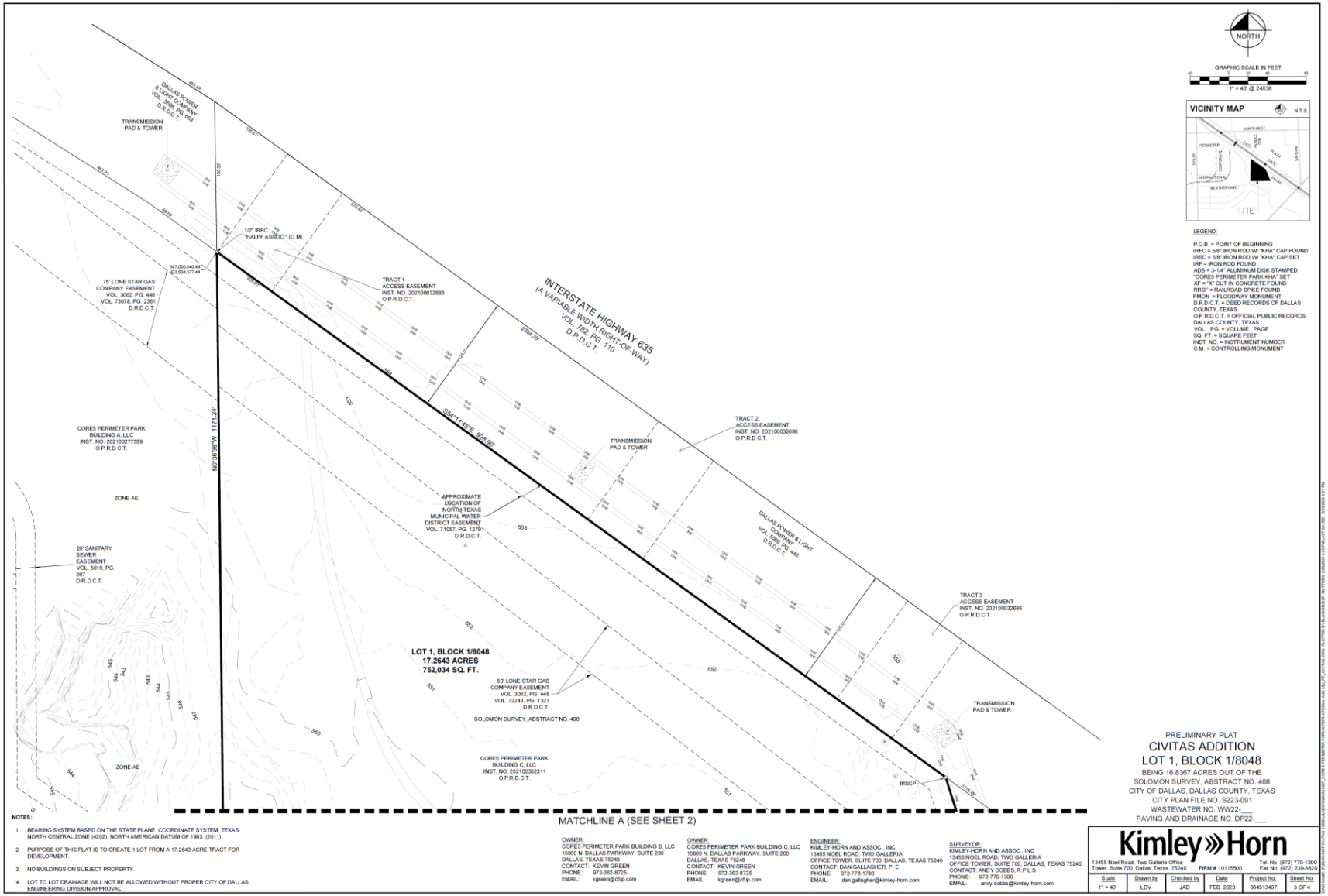
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	LDV	JAD	FEB. 2023	064513407	1 OF 4

S223-091

City Plan Commission Date: 03/23/2023 27(g)

MATCHLINE A (SEE SHEET 1)
MATCHLINE B (SEE SHEET 3)
LOT 1, BLOCK 1/8048
17.2643 ACRES
752,034 SQ. FT.
N0°36'38"W 1171.24'
S89°55'57"W 939.83'
S11°26'52"E 650.21'
S11°20'32"E 650.21'
DEED LINE
ZONE X
ZONE AE
ZONE X (SHADED)
APPROXIMATE LIMIT OF F.E.M.A. 100-YEAR FLOODPLAIN
APPROXIMATE LOCATION OF ABSTRACT LINE
SOLOMON SURVEY, ABSTRACT NO. 408
20' SANITARY SEWER EASEMENT VOL. 9818 PG. D.R.D.C.T.
CORE/3 PERIMETER PARK BUILDING B, LLC INST. NO. 20070027759 O.P.R.D.C.T.
10' SANITARY SEWER EASEMENT VOL. 9818 PG. 2436 D.R.D.C.T.
15' SANITARY SEWER EASEMENT VOL. 79134 PG. 51 D.R.D.C.T.
CORE/3 PERIMETER PARK BUILDING B, LLC INST. NO. 20070027759 O.P.R.D.C.T.
SANITARY SEWER EASEMENT VOL. 9818 PG. 96 D.R.D.C.T.
CORE/3 PERIMETER PARK BUILDING C, LLC INST. NO. 20100302311 O.P.R.D.C.T.
SANITARY SEWER EASEMENT VOL. 9818 PG. 96 D.R.D.C.T.
DALLAS POWER & LIGHT COMPANY VOL. 2206 PG. 310 D.R.D.C.T.
DALLAS POWER & LIGHT COMPANY VOL. 2206 PG. 310 D.R.D.C.T.
BLOCKWAY MANAGEMENT AREA DEDICATED TO THE CITY OF DALLAS BLOCK 8049
15' ALLEY VOL. 79190 PG. 833 D.R.D.C.T.
CITY BLOCK 8049
THALFF ASSOC." (C.M.)
N89°48'54"E 1326.57'
N0°36'38"W 1326.57'
N0°36'38"W 1326.57'
N0°36'38"E 1326.57'
N0°36'38"E 1326.57'
N0°36'38"E



NOTES:

1. BEARING SYSTEM BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. (2011)
2. PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM A 17.2643 ACRE TRACT FOR DEVELOPMENT.
3. NO BUILDINGS ON SUBJECT PROPERTY.
4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

PRELIMINARY PLAT
CIVITAS ADDITION
LOT 1, BLOCK 1/8048
BEING 16.8367 ACRES OUT OF THE SOLOMON SURVEY, ABSTRACT NO. 408
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-091
WASTEWATER NO. WW22-___
PAVING AND DRAINAGE NO. DP22-___

OWNER:
CORES PERIMETER PARK BUILDING B, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@cdp.com

OWNER:
CORES PERIMETER PARK BUILDING C, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@cdp.com

ENGINEER:
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13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	LDV	JAD	FEB. 2023	064513407	3 OF 4

S223-091

27(i)

City Plan Commission Date: 03/23/2023

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, CORES PERIMETER PARK BUILDING C, LLC and CORES PERIMETER PARK BUILDING B, LLC, are the owners of a tract of land situated in the Solomon Survey, Abstract No.408, City of Dallas, Dallas County, Texas and being all of a tract of land described in Special Warranty Deed to CORES PERIMETER PARK BUILDING C, LLC, recorded in Instrument No. 202100302311 of the Official Public Records of Dallas County, Texas, and being a portion of a tract of land described in Special Warranty Deed to CORES PERIMETER PARK BUILDING B, LLC recorded in Instrument No. 202200122611, of said Official Public Records, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for the northeast corner of said Lot 3, Block C/8048, Second Installment Perimeter Business Park, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 73229, Page 1365, Deed Records, Dallas County, Texas and being the southeast corner of the east terminus of International Parkway (a 60 foot wide right-of-way);

THENCE with said east terminus of International Parkway, North 16°50'56" East, a distance of 10.00 feet to a 3-1/4" aluminum disk stamped "CORES PERIMETER PARK KHA" set for corner;

THENCE departing said east terminus of International Parkway, and over and across said CORE 5 tract (Building B), the following courses and distances:

North 89°46'54" East, a distance of 10.46 feet to a 3-1/4" aluminum disk stamped "CORES PERIMETER PARK KHA" set for corner;
South 16°50'56" West, a distance of 14.32 feet to a 3-1/4" aluminum disk stamped "CORES PERIMETER PARK KHA" set for corner;
South 31°07'47" West, a distance of 112.62 feet to a 3-1/4" aluminum disk stamped "CORES PERIMETER PARK KHA" set for corner and being the beginning of a tangent curve to the right with a radius of 535.34 feet, a central angle of 37°14'02", and a chord bearing and distance of South 49°44'48" West, 322.65 feet;
In a southwesterly direction, with said tangent curve to the right, an arc distance of 328.40 feet to a 3-1/4" aluminum disk stamped "CORES PERIMETER PARK KHA" set for corner;
South 00°13'03" East, a distance of 18.13 feet to a 3-1/4" aluminum disk stamped "CORES PERIMETER PARK KHA" set for corner;
North 89°46'54" East, a distance of 1,378.50 feet to a 3-1/4" aluminum disk stamped "CORES PERIMETER PARK KHA" set for corner in the east line of said CORE 5 tract (Building B) and in the west line of said CORE5 tract (Building C);

THENCE with the east line of said CORE 5 tract (Building B) and with the east line of a tract of land described in Special Warranty deed to CORES PERIMETER PARK BUILDING A, LLC, recorded in Instrument No. 202106277559, of said Official Public Records and with the west line of said CORE5 tract (Building C), North 00°36'38" West, a distance of 1,171.24 feet to a 1/2" iron rod with cap stamped "HALFF ASSOCC." found for the northwest corner of said CORE5 tract (Building C) and the northeast corner of said CORE5 tract (Building A), and being the common corner or two tracts of land described in Deed to Dallas Power & Light, recorded in Volume 5509, Page 446 and Volume 5586, Page 683 of said Deed Records;

THENCE with the north line of said CORE5 tract (Building C) and the south line of said Dallas Power & Light tract (Volume 5509, Page 446), South 54°11'45" East, a distance of 928.90 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set per survey dated August 18, 2021 for corner;

THENCE with the east line of said CORE5 tract (Building C) and the west line of said Dallas Power & Light tract (Volume 710, Page 1510), South 17°26'32" East, a distance of 650.21 feet to a rail road spike found for the southeast corner of said 16.84 acres tract;

THENCE with the south line of said 16.84 acre tract and the north line of said Dallas Power & Light tract (Volume 710, Page 1510), South 88°55'57" West, a distance of 935.83 feet to a 5/8" iron rod with cap stamped "HALFF ASSOCC." found for the southwest corner of said called 16.84 acres tract and the southeast corner of said called 23.0740 acre tract and being a common corner of said Dallas Power & Light Company tract (Volume 710, Page 1510) and a tract of land described in Deed to Dallas Power & Light Company, recorded in Volume 67059, Page 2206, of said Deed Records;

THENCE with the north line of said Dallas Power & Light Company tract (Volume 67059, Page 2206), South 89°46'54" West, a distance of 1,388.57 feet to a 5/8" iron rod with "KHA" cap found for the southeast corner of said Lot 3, Block C/8048, from which a 1/2" iron rod found bears South 32°18'37" East, a distance of 0.31 feet;

THENCE with the east line of said Lot 3, Block C/8048, the following courses and distances:

North 00°13'03" West, a distance of 35.00 feet to a 1/2" iron rod found for corner and being the beginning of a non-tangent curve to the left with a radius of 495.34 feet, a central angle of 38°01'14", and a chord bearing and distance of North 50°08'24" East, 322.70 feet;
In an northeasterly direction, with said non-tangent curve to the left, an arc distance of 328.70 feet to a 1/2" iron rod found for corner;
North 31°07'47" East, a distance of 111.37 feet to the **POINT OF BEGINNING** and containing 752,034 square feet or 17.2643 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **CORES PERIMETER PARK BUILDING C, LLC and CORES PERIMETER PARK BUILDING B, LLC,** acting by and through its duly authorized agent, do hereby adopt this plat, designating the herein described property as **CIVITAS ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 20___.

CORES PERIMETER PARK BUILDING C, LLC

By_____
Signature

By_____
Name - Title

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20___.

_____
Notary Public in and for the State of Texas

CORES PERIMETER PARK BUILDING B, LLC

By_____
Signature

By_____
Name - Title

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20___.

_____
Notary Public in and for the State of Texas

NOTES:

1. BEARING SYSTEM BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. (2011)
2. PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM A 17.2643 ACRE TRACT FOR DEVELOPMENT.
3. NO BUILDINGS ON SUBJECT PROPERTY.
4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

SURVEYOR'S STATEMENT

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended) and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 20___.

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

J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20___.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
CIVITAS ADDITION
LOT 1, BLOCK 1/8048
BEING 17.2643 ACRES OUT OF THE
SOLOMON SURVEY, ABSTRACT NO. 408
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-091
WASTEWATER NO. WW22-___
PAVING AND DRAINAGE NO. DP22-___

OWNER:
CORES PERIMETER PARK BUILDING B, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
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ENGINEER:
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CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-776-1780
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
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OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
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13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
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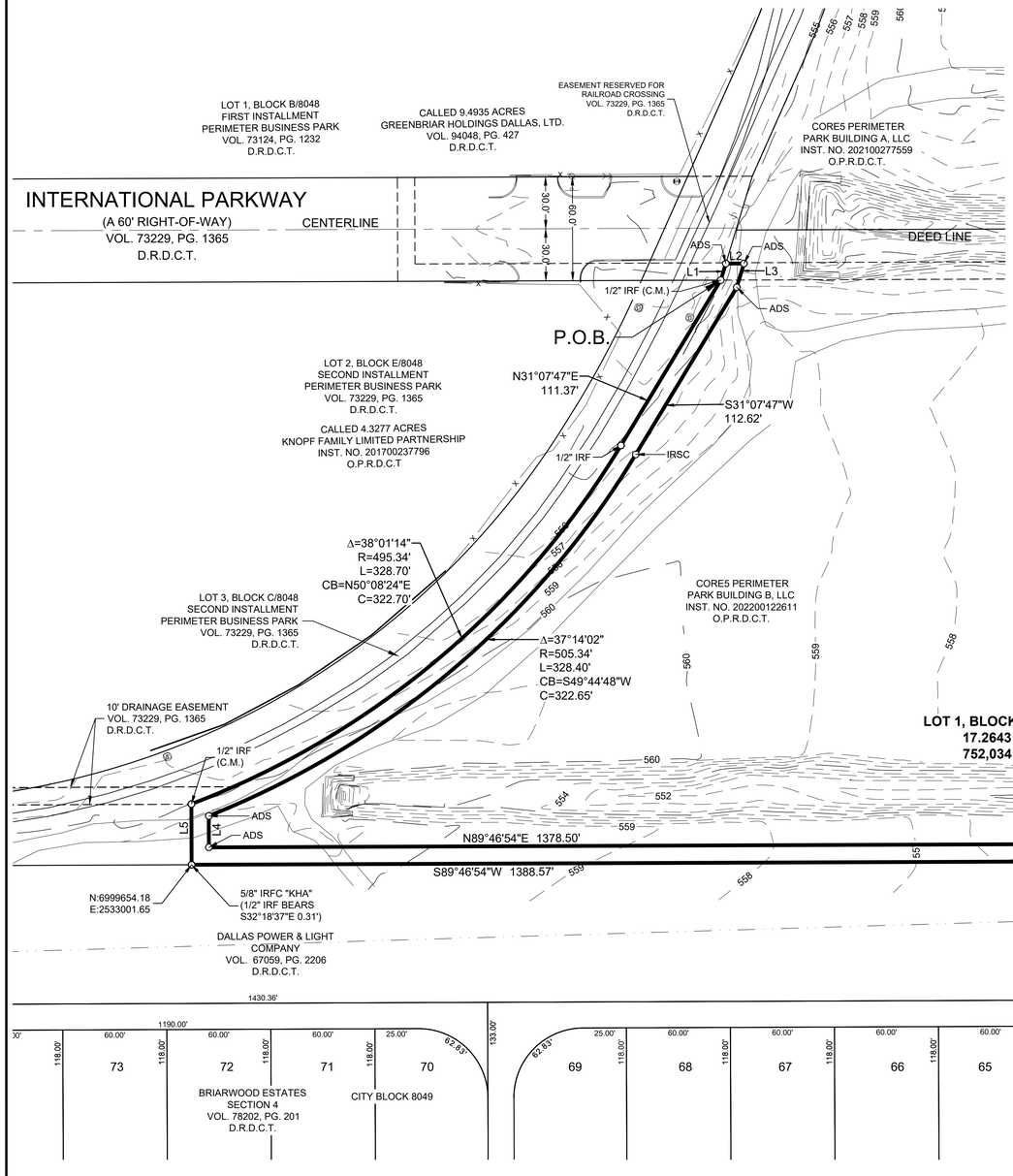
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	LDV	JAD	FEB. 2023	064513407	4 OF 4

I:\DFW\Civil\064513407 - Civitas Addition\Design\Plat\PRELIMINARY PLAT.dwg, 2/28/2023 4:13:56 PM, Lauren Vaughn, Kimley-Horn

S223-091

27(j)

City Plan Commission Date: 03/23/2023



FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48113C0360L for Dallas, Dallas County, Texas and incorporated areas, dated July 7, 2014, this property is located within

ZONE X defined as "Areas determined to be outside the 0.2% annual chance floodplain"

ZONE X (SHADED) defined as "Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood"

ZONE AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

NOTES:

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LINE TABLE		
NO.	BEARING	LENGTH
L1	N16°50'56"E	10.00'
L2	N89°46'54"E	10.46'
L3	S16°50'56"W	14.32'
L4	S00°13'03"E	18.13'
L5	N00°13'03"W	35.00'

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT

LEGEND

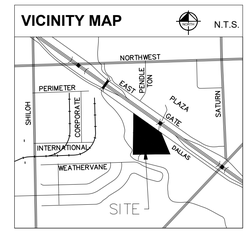
	ROOF DRAIN		MAIL BOX
CATV	CABLE TV BOX		SANITARY SEWER CLEAN OUT
	CABLE TV HANDHOLE	S	SANITARY SEWER MANHOLE
	CABLE TV MANHOLE		SANITARY SEWER MARKER FLAG
	CABLE TV MARKER FLAG		SANITARY SEWER MARKER SIGN
	CABLE TV MARKER SIGN		SANITARY SEPTIC TANK
CATV	CABLE TV VAULT		SANITARY SEWER VAULT
	COMMUNICATIONS BOX		STORM SEWER BOX
	COMMUNICATIONS HANDHOLE		STORM SEWER DRAIN
C	COMMUNICATIONS MANHOLE	D	STORM SEWER MANHOLE
	COMMUNICATIONS MARKER FLAG		STORM SEWER VAULT
	COMMUNICATIONS MARKER SIGN		TRAFFIC BARRIER
	COMMUNICATIONS VAULT		TRAFFIC BOLLARD
	ELEVATION BENCHMARK	TB	TRAFFIC BOX
	FIBER OPTIC BOX		CROSS WALK SIGNAL
	FIBER OPTIC HANDHOLE		TRAFFIC HANDHOLE
	FIBER OPTIC MANHOLE		TRAFFIC MANHOLE
	FIBER OPTIC MARKER FLAG		TRAFFIC MARKER SIGN
	FIBER OPTIC MARKER SIGN		TRAFFIC SIGNAL
	FIBER OPTIC VAULT		TRAFFIC VAULT
	MONITORING WELL		UNIDENTIFIED BOX
	GAS HANDHOLE		UNIDENTIFIED HANDHOLE
	GAS METER		UNIDENTIFIED METER
G	GAS MANHOLE	U	UNIDENTIFIED MANHOLE
	GAS MARKER FLAG		UNIDENTIFIED MARKER FLAG
	GAS SIGN		UNIDENTIFIED MARKER SIGN
GAS	GAS TANK		UNIDENTIFIED POLE
	GAS VAULT		UNIDENTIFIED TANK
	GAS VALVE		UNIDENTIFIED VAULT
	TELEPHONE BOX		UNIDENTIFIED VALVE
	TELEPHONE HANDHOLE		TREE
T	TELEPHONE MANHOLE		WATER BOX
	TELEPHONE MARKER FLAG		FIRE DEPT. CONNECTION
	TELEPHONE MARKER SIGN		WATER HAND HOLE
	TELEPHONE VAULT		FIRE HYDRANT
	PIPELINE MARKER SIGN		WATER METER
	ELECTRIC BOX		WATER MANHOLE
	FLOOD LIGHT		WATER MARKER FLAG
	GUY ANCHOR		WATER MARKER SIGN
	GUY ANCHOR POLE		WATER VAULT
E	ELECTRIC HANDHOLE		WATER VALVE
	LIGHT STANDARD		AIR RELEASE VALVE
	ELECTRIC METER		WATER WELL
E	ELECTRIC MANHOLE	IRSCP	5/8" IRON ROD W/ "KHA" CAP SET PER SURVEY DATED AUGUST 18, 2021
	ELECTRIC MARKER FLAG	RRSF	RAIL ROAD SPIKE FOUND
	ELECTRIC MARKER SIGN	P.O.B.	POINT OF BEGINNING
	UTILITY POLE	P.O.C.	POINT OF COMMENCING
T	ELECTRIC TRANSFORMER	C.M.	CONTROLLING MONUMENT
E	ELECTRIC VAULT		
	HANDICAPPED PARKING		
	SIGN		
	MARQUEE/BILLBOARD		
	BORE LOCATION		
	FLAG POLE		
	GREASE TRAP		

NORTH

GRAPHIC SCALE IN FEET
40 0 20 40 80
1" = 40' @ 24X36

VICINITY MAP

N.T.S.



LEGEND:

P.O.B. = POINT OF BEGINNING
IRFC = 5/8" IRON ROD W/ "KHA" CAP FOUND
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
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ADS = 3-1/4" ALUMINUM DISK STAMPED "CORE5 PERIMETER PARK KHA" SET
XF = "X" CUT IN CONCRETE FOUND
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PRELIMINARY PLAT

CIVITAS ADDITION

LOT 1, BLOCK 1/8048

BEING 17.2643 ACRES OUT OF THE
SOLOMON SURVEY, ABSTRACT NO. 408
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-091
WASTEWATER NO. WW22-___
PAVING AND DRAINAGE NO. DP22-___

OWNER:
CORE5 PERIMETER PARK BUILDING B, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@c5ip.com

OWNER:
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15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@c5ip.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-776-1780
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
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EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn
13455 Noel Road, Two Galleria Office
Tower, Suite 700, Dallas, Texas 75240
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40"	LDV	JAD	FEB. 2023	064513407	1 OF 4

DWG NAME: Z:\064513407-CIVITAS 13000 LB\DWG\064513407_CORE 5 PERIMETER PARK INTERNATIONAL AND LBJ_PP_CIVITAS.DWG PLOTTED BY:BLANKENSHIP, MATTHEW 2/23/2023 4:23 PM LAST SAVED 2/23/2023 4:21 PM

MATCHLINE B (SEE SHEET 3)

MATCHLINE A (SEE SHEET 1)

NORTH

GRAPHIC SCALE IN FEET
40 0 20 40 80
1" = 40' @ 24X36

VICINITY MAP

N.T.S.

20' SANITARY SEWER EASEMENT VOL. 5819, PG. 367 D.R.D.C.T.

CORE5 PERIMETER PARK BUILDING A, LLC INST. NO. 202100277559 O.P.R.D.C.T.

DEED LINE

ZONE X (SHADED)

10' SANITARY SEWER EASEMENT VOL. 73136, PG. 2428 D.R.D.C.T.

ZONE X

N0°36'38"W 1171.24'

SANITARY SEWER EASEMENT VOL. 5818, PG. 56 D.R.D.C.T.

15' SANITARY SEWER EASEMENT VOL. 75134, PG. 51 D.R.D.C.T.

CORE5 PERIMETER PARK BUILDING B, LLC INST. NO. 202200122611 O.P.R.D.C.T.

ZONE AE

CORE5 PERIMETER PARK BUILDING C, LLC INST. NO. 202100302311 O.P.R.D.C.T.

ZONE X

SOLOMON SURVEY, ABSTRACT NO. 408

APPROXIMATE LIMIT OF F.E.M.A. 100-YEAR FLOODPLAIN

LOT 1, BLOCK 1/8048
17.2643 ACRES
752,034 SQ. FT.

S17°26'32"E 650.21'

SANITARY SEWER EASEMENT VOL. 601, PG. 888 D.R.D.C.T.

DALLAS POWER & LIGHT COMPANY VOL. 710, PG. 1510 D.R.D.C.T.

APPROXIMATE LOCATION OF NORTH TEXAS MUNICIPAL WATER DISTRICT EASEMENT VOL. 71057, PG. 1279 D.R.D.C.T.

ADS
5/8" IRF
"HALFF ASSOC." (C.M.)

N89°46'54"E 1378.50'

S89°46'54"W 1388.57'

S88°55'57"W 935.83'

RRSF (C.M.)

APPROXIMATE LOCATION OF ABSTRACT LINE

DALLAS POWER & LIGHT COMPANY VOL. 67059, PG. 2206 D.R.D.C.T.

N:6,999,659.48
E:2,534,390.03

SANITARY SEWER EASEMENT VOL. 5818, PG. 56 D.R.D.C.T.

DALLAS POWER & LIGHT COMPANY VOL. 710, PG. 1510 D.R.D.C.T.

1685.62'

1219.86'

15' ALLEY VOL. 78190, PG. 933 D.R.D.C.T.

CITY BLOCK 8049

52	51	50	49	48	47
60.00'	60.00'	60.00'	64.21'	33.51'	
118.00'	118.00'	118.00'	119.22'	71.34'	132.19'

13.42' 71.80' 79.99'

FLOODWAY MANAGEMENT AREA DEDICATED TO THE CITY OF DALLAS BLOCK 8049

232.93'

490.06'

FERGUSON APARTMENTS LLC INST. NO. 202100092976 O.P.R.D.C.T.

LEGEND

ROOF DRAIN	MAIL BOX
CABLE TV BOX	SANITARY SEWER CLEAN OUT
CABLE TV HANDHOLE	SANITARY SEWER MANHOLE
CABLE TV MANHOLE	SANITARY SEWER MARKER FLAG
CABLE TV MARKER FLAG	SANITARY SEWER MARKER SIGN
CABLE TV MARKER SIGN	SANITARY SEWER SEPTIC TANK
CABLE TV VAULT	SANITARY SEWER VAULT
COMMUNICATIONS BOX	STORM SEWER BOX
COMMUNICATIONS HANDHOLE	STORM SEWER DRAIN
COMMUNICATIONS MANHOLE	STORM SEWER MANHOLE
COMMUNICATIONS MARKER FLAG	STORM SEWER VAULT
COMMUNICATIONS MARKER SIGN	TRAFFIC BARRIER
COMMUNICATIONS VAULT	TRAFFIC BOLLARD
ELEVATION BENCHMARK	TRAFFIC BOX
FIBER OPTIC BOX	CROSS WALK SIGNAL
FIBER OPTIC HANDHOLE	TRAFFIC HANDHOLE
FIBER OPTIC MANHOLE	TRAFFIC MANHOLE
FIBER OPTIC MARKER FLAG	TRAFFIC MARKER SIGN
FIBER OPTIC MARKER SIGN	TRAFFIC SIGNAL
FIBER OPTIC VAULT	TRAFFIC VAULT
MONITORING WELL	UNIDENTIFIED BOX
GAS HANDHOLE	UNIDENTIFIED HANDHOLE
GAS METER	UNIDENTIFIED METER
GAS MANHOLE	UNIDENTIFIED MANHOLE
GAS MARKER FLAG	UNIDENTIFIED MARKER FLAG
GAS SIGN	UNIDENTIFIED MARKER SIGN
GAS TANK	UNIDENTIFIED POLE
GAS VAULT	UNIDENTIFIED TANK
GAS VALVE	UNIDENTIFIED VAULT
TELEPHONE BOX	UNIDENTIFIED VALVE
TELEPHONE HANDHOLE	TREE
TELEPHONE MANHOLE	WATER BOX
TELEPHONE MARKER FLAG	FIRE DEPT. CONNECTION
TELEPHONE MARKER SIGN	WATER HAND HOLE
TELEPHONE VAULT	FIRE HYDRANT
PIPELINE MARKER SIGN	WATER METER
ELECTRIC BOX	WATER MANHOLE
FLOOD LIGHT	WATER MARKER FLAG
GUY ANCHOR	WATER MARKER SIGN
GUY ANCHOR POLE	WATER VAULT
ELECTRIC HANDHOLE	WATER VALVE
LIGHT STANDARD	AIR RELEASE VALVE
ELECTRIC METER	WATER WELL
ELECTRIC MANHOLE	IRSCP 5/8" IRON ROD W/ "KHA" CAP SET PER SURVEY DATED AUGUST 18, 2021
ELECTRIC MARKER FLAG	RRSF RAIL ROAD SPIKE FOUND
ELECTRIC MARKER SIGN	P.O.B. POINT OF BEGINNING
UTILITY POLE	P.O.C. POINT OF COMMENCING
ELECTRIC TRANSFORMER	C.M. CONTROLLING MONUMENT
ELECTRIC VAULT	
HANDICAPPED PARKING	
SIGN	
MARQUEE/BILLBOARD	
BORE LOCATION	
FLAG POLE	
GREASE TRAP	

LEGEND:

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NOTES:

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2. PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM A 17.2643 ACRE TRACT FOR DEVELOPMENT.
3. NO BUILDINGS ON SUBJECT PROPERTY.
4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

OWNER:
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15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@c5ip.com

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CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

PRELIMINARY PLAT

CIVITAS ADDITION
LOT 1, BLOCK 1/8048

BEING 17.2643 ACRES OUT OF THE
SOLOMON SURVEY, ABSTRACT NO. 408
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-091
WASTEWATER NO. WW22-___
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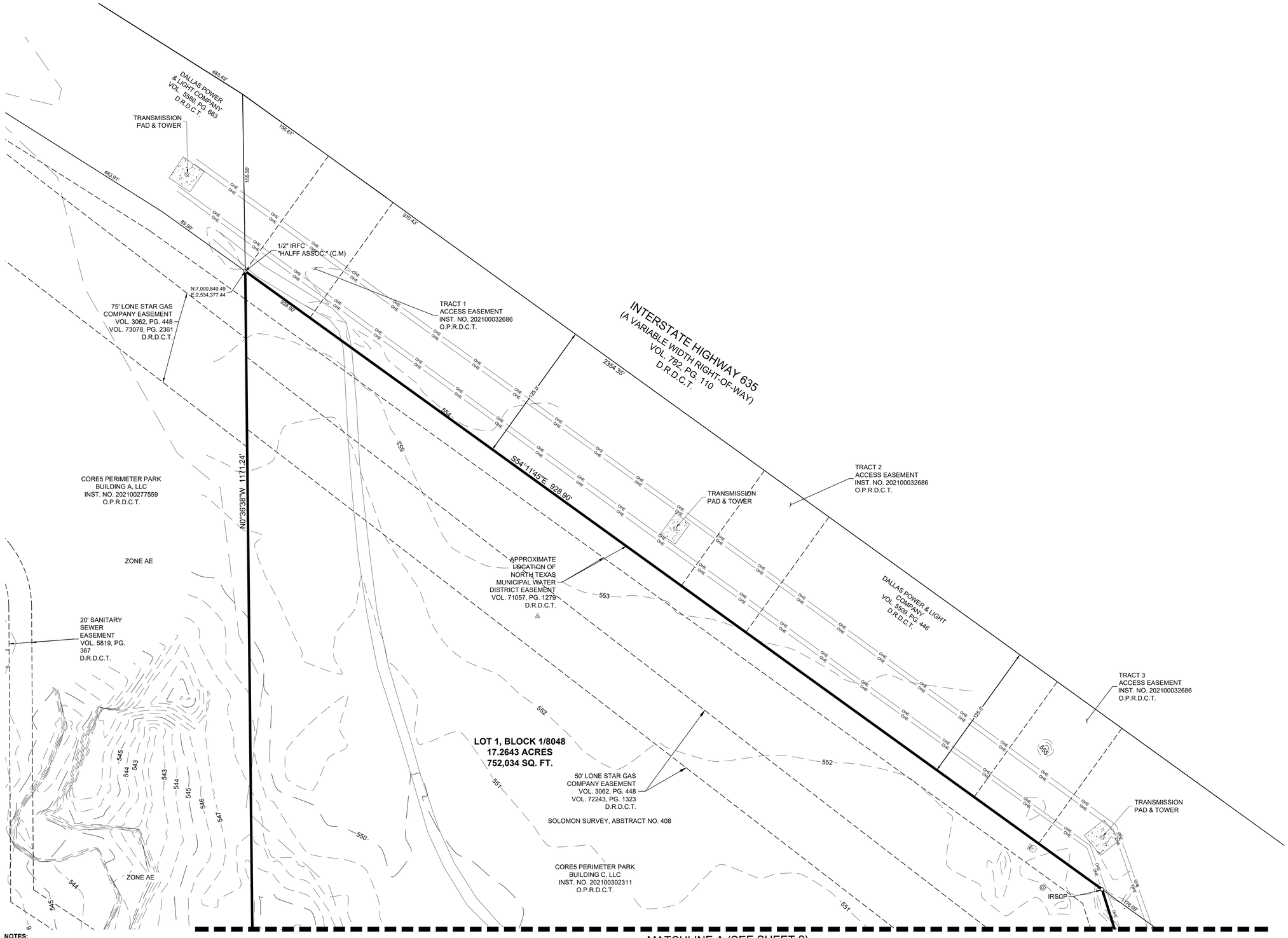
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40"	LDV	JAD	FEB. 2023	064513407	2 OF 4

DWG NAME: Z:\064513407-CIVITAS 13000 LBJ\DW\064513407_CORE 5 PERIMETER PARK INTERNATIONAL AND LBJ_PP_CIVITAS.DWG PLOTTED BY:BLANKENSHIP, MATTHEW 2/23/2023 4:23 PM LAST SAVED 2/23/2023 4:21 PM



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40 0 20 40 80
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VICINITY MAP N.T.S.

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4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

PRELIMINARY PLAT

CIVITAS ADDITION
LOT 1, BLOCK 1/8048

BEING 16.8367 ACRES OUT OF THE
SOLOMON SURVEY, ABSTRACT NO. 408
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-091
WASTEWATER NO. WW22-___
PAVING AND DRAINAGE NO. DP22-___

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OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, CORE5 PERIMETER PARK BUILDING C, LLC and CORE5 PERIMETER PARK BUILDING B, LLC, are the owners of a tract of land situated in the Solomon Survey, Abstract No.408, City of Dallas, Dallas County, Texas and being all of a tract of land described in Special Warranty Deed to CORE5 PERIMETER PARK BUILDING C, LLC, recorded in Instrument No. 202100302311 of the Official Public Records of Dallas County, Texas, and being a portion of a tract of land described in Special Warranty Deed to CORE5 PERIMETER PARK BUILDING B, LLC recorded in Instrument No. 202200122611, of said Official Public Records, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for the northeast corner of said Lot 3, Block C/8048, Second Installment Perimeter Business Park, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 73229, Page 1365, Deed Records, Dallas County, Texas and being the southeast corner of the east terminus of International Parkway (a 60 foot wide right-of-way);

THENCE with said east terminus of International Parkway, North 16°50'56" East, a distance of 10.00 feet to a 3-1/4" aluminum disk stamped "CORE5 PERIMETER PARK KHA" set for corner;

THENCE departing said east terminus of International Parkway, and over and across said CORE 5 tract (Building B), the following courses and distances:

North 89°46'54" East, a distance of 10.46 feet to a 3-1/4" aluminum disk stamped "CORE5 PERIMETER PARK KHA" set for corner;
South 16°50'56" West, a distance of 14.32 feet to a 3-1/4" aluminum disk stamped "CORE5 PERIMETER PARK KHA" set for corner;
South 31°07'47" West, a distance of 112.62 feet to a 3-1/4" aluminum disk stamped "CORE5 PERIMETER PARK KHA" set for corner and being the beginning of a tangent curve to the right with a radius of 505.34 feet, a central angle of 37°14'02", and a chord bearing and distance of South 49°44'48" West, 322.65 feet;
In a southwesterly direction, with said tangent curve to the right, an arc distance of 328.40 feet to a 3-1/4" aluminum disk stamped "CORE5 PERIMETER PARK KHA" set for corner;
South 00°13'03" East, a distance of 18.13 feet to a 3-1/4" aluminum disk stamped "CORE5 PERIMETER PARK KHA" set for corner;
North 89°46'54" East, a distance of 1,378.50 feet to a 3-1/4" aluminum disk stamped "CORE5 PERIMETER PARK KHA" set for corner in the east line of said CORE 5 tract (Building B) and in the west line of said CORE5 tract (Building C);

THENCE with the east line of said CORE 5 tract (Building B) and with the east line of a tract of land described in Special Warranty deed to CORE5 PERIMETER PARK BUILDING A, LLC, recorded in Instrument No. 202100277559, of said Official Public Records and with the west line of said CORE5 tract (Building C), North 00°36'38" West, a distance of 1,171.24 feet to a 1/2" iron rod with cap stamped "HALFF ASSOCC." found for the northwest corner of said CORE5 tract (Building C) and the northeast corner of said CORE5 tract (Building A), and being the common corner or two tracts of land described in Deed to Dallas Power & Light, recorded in Volume 5509, Page 446 and Volume 5586, Page 663 of said Deed Records;

THENCE with the north line of said CORE5 tract (Building C) and the south line of said Dallas Power & Light tract (Volume 5509, Page 446), South 54°11'45" East, a distance of 928.90 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set per survey dated August 18, 2021 for corner;

THENCE with the east line of said CORE5 tract (Building C) and the west line of said Dallas Power & Light tract (Volume 710, Page 1510), South 17°26'32" East, a distance of 650.21 feet to a rail road spike found for the southeast corner of said 16.84 acres tract;

THENCE with the south line of said 16.84 acre tract and the north line of said Dallas Power & Light tract (Volume 710, Page 1510), South 88°55'57" West, a distance of 935.83 feet to a 5/8" iron rod with cap stamped "HALFF ASSOCC." found for the southwest corner of said called 16.84 acres tract and the southeast corner of said called 23.0740 acre tract and being a common corner of said Dallas Power & Light Company tract (Volume 710, Page 1510) and a tract of land described in Deed to Dallas Power & Light Company, recorded in Volume 67059, Page 2206, of said Deed Records;

THENCE with the north line of said Dallas Power & Light Company tract (Volume 67059, Page 2206), South 89°46'54" West, a distance of 1,388.57 feet to a 5/8" iron rod with "KHA" cap found for the southeast corner of said Lot 3, Block C/8048, from which a 1/2" iron rod found bears South 32°18'37" East, a distance of 0.31 feet;

THENCE with the east line of said Lot 3, Block C/8048, the following courses and distances:

North 00°13'03" West, a distance of 35.00 feet to a 1/2" iron rod found for corner and being the beginning of a non-tangent curve to the left with a radius of 495.34 feet, a central angle of 38°01'14", and a chord bearing and distance of North 50°08'24" East, 322.70 feet;
In an northeasterly direction, with said non-tangent curve to the left, an arc distance of 328.70 feet to a 1/2" iron rod found for corner;
North 31°07'47" East, a distance of 111.37 feet to the **POINT OF BEGINNING** and containing 752,034 square feet or 17.2643 acres of land.

Bearing system based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. Adjustment Realization 2011.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **CORE5 PERIMETER PARK BUILDING C, LLC and CORE5 PERIMETER PARK BUILDING B, LLC,** acting by and through its duly authorized agent, do hereby adopt this plat, designating the herein described property as **CIVITAS ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 20____.

CORE5 PERIMETER PARK BUILDING C, LLC

By:_____
Signature

By:_____
Name - Title

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20____.

_____
Notary Public in and for the State of Texas

CORE5 PERIMETER PARK BUILDING B, LLC

By:_____
Signature

By:_____
Name - Title

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20____.

_____
Notary Public in and for the State of Texas

NOTES:

1. BEARING SYSTEM BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. (2011)
2. PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM A 17.2643 ACRE TRACT FOR DEVELOPMENT.
3. NO BUILDINGS ON SUBJECT PROPERTY.
4. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

SURVEYOR'S STATEMENT

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 20____.

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

J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____ 20____.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
CIVITAS ADDITION
LOT 1, BLOCK 1/8048
BEING 17.2643 ACRES OUT OF THE
SOLOMON SURVEY, ABSTRACT NO. 408
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-091
WASTEWATER NO. WW22-___
PAVING AND DRAINAGE NO. DP22-___

OWNER:
CORE5 PERIMETER PARK BUILDING B, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@c5ip.com

OWNER:
CORE5 PERIMETER PARK BUILDING C, LLC
15660 N. DALLAS PARKWAY, SUITE 200
DALLAS, TEXAS 75248
CONTACT: KEVIN GREEN
PHONE: 972-362-8725
EMAIL: kgreen@c5ip.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: DAN GALLAGHER, P. E.
PHONE: 972-776-1780
EMAIL: dan.gallagher@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	LDV	JAD	FEB. 2023	064513407	4 OF 4

DWG NAME: Z:\064513407-CIVITAS 13000 LBJ\DWG\064513407_CORE 5 PERIMETER PARK INTERNATIONAL AND LBJ_PP_CIVITAS.DWG PLOTTED BY:BLANKENSHIP, MATTHEW 2/23/2023 4:23 PM LAST SAVED 2/23/2023 4:21 PM

Agenda Information Sheet

File #: 23-870 **Item #:** 28.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 5.7818-acre lot from a tract of land in City Block 7264 on property located on Singleton Boulevard at Sylvan Avenue, southwest corner.
Applicant/Owner: Lantower Singleton Dallas, LP
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: PD 1086 (tract 1 and 2)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-092

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-092 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Singleton Boulevard at Sylvan Avenue, southwest corner

DATE FILED: February 23, 2023 **ZONING:** PD 1086 (tract 1 and 2)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%201086.pdf

CITY COUNCIL DISTRICT: 6 **SIZE OF REQUEST:** 5.7818-acres **MAPSCO:**44P

APPLICANT/OWNER: Lantower Singleton Dallas, LP

REQUEST: An application to create one 5.7818-acre lot from a tract of land in City Block 7264 on property located on Singleton Boulevard at Sylvan Avenue, southwest corner.

SUBDIVISION HISTORY:

1. S189-135 was a request southwest of the present request to replat a 2.265-acre tract of land containing all of Lots 1 through 4 in City Block 12/7265, all of Lots 1 through 12 in City Block 9/7265, part of abandoned Winnetka Avenue, and part of an abandoned alley to create a 27-lot shared access development with lots ranging in size from 2,071 square feet to 7,449 square feet on property located between Duluth Street and Bayonne Street, west of Conklin Street. The request was approved on March 21, 2019 and recorded April 2, 2021.

STAFF RECOMMENDATION: The request complies with the requirements of PD 1086 (tract 1 and 2); therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 50 feet of right-of-way (via Fee Simple) from the established centerline of Singleton Boulevard. Sections 51A-8.602(c).

16. On the final plat, dedicate 50 feet of right-of-way (via Fee Simple) from the established centerline of Sylvan Avenue. Sections 51A-8.602(c).

17. On the final plat, dedicate 28 feet of right-of-way (via Fee Simple or Street Easement) from the established centerline of Obenchain Street. *Sections 51A-8.602(c), 51A-8.604(c).*

18. On the final plat, dedicate 28 feet of right-of-way (via Fee Simple or Street Easement) from the established centerline of Duluth Street. *Sections 51A-8.602(c), 51A-8.604(c).*

19. On the final plat, dedicate a minimum 20-foot by 20-foot corner clip (via Fee Simple or Street Easement) at the intersection of Duluth Street & Sylvan Avenue. Section 51A 8.602(d)(1)

20. On the final plat, dedicate a minimum 20-foot by 20-foot corner clip (via Fee Simple or Street Easement) at the intersection of Duluth Street & Obenchain Street. Section 51A 8.602(d)(1)

21. On the final plat, dedicate a minimum 20-feet by 20-feet corner clip (via Fee Simple or Street Easement) at the intersection of Obenchain Street and Singleton Boulevard. Section 51A 8.602(d)(1)

22. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. Section 51A 8.602(d)(1), 51A 8.608(a)

23. Existing drainage conveyance within the property is required to be sized in compliance with Section 51A-8.611(a)(1) of the City of Dallas Code.

24. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608.*

25. Comply with PD 1086 *City Code- per PD*

Survey (SPRG) Conditions:

26. Prior to final plat, submit a completed final plat checklist and all supporting documents.

27. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

28. On the final plat, show recording information on all existing easements within 150 feet of the property.

29. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

30. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

31. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

32. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

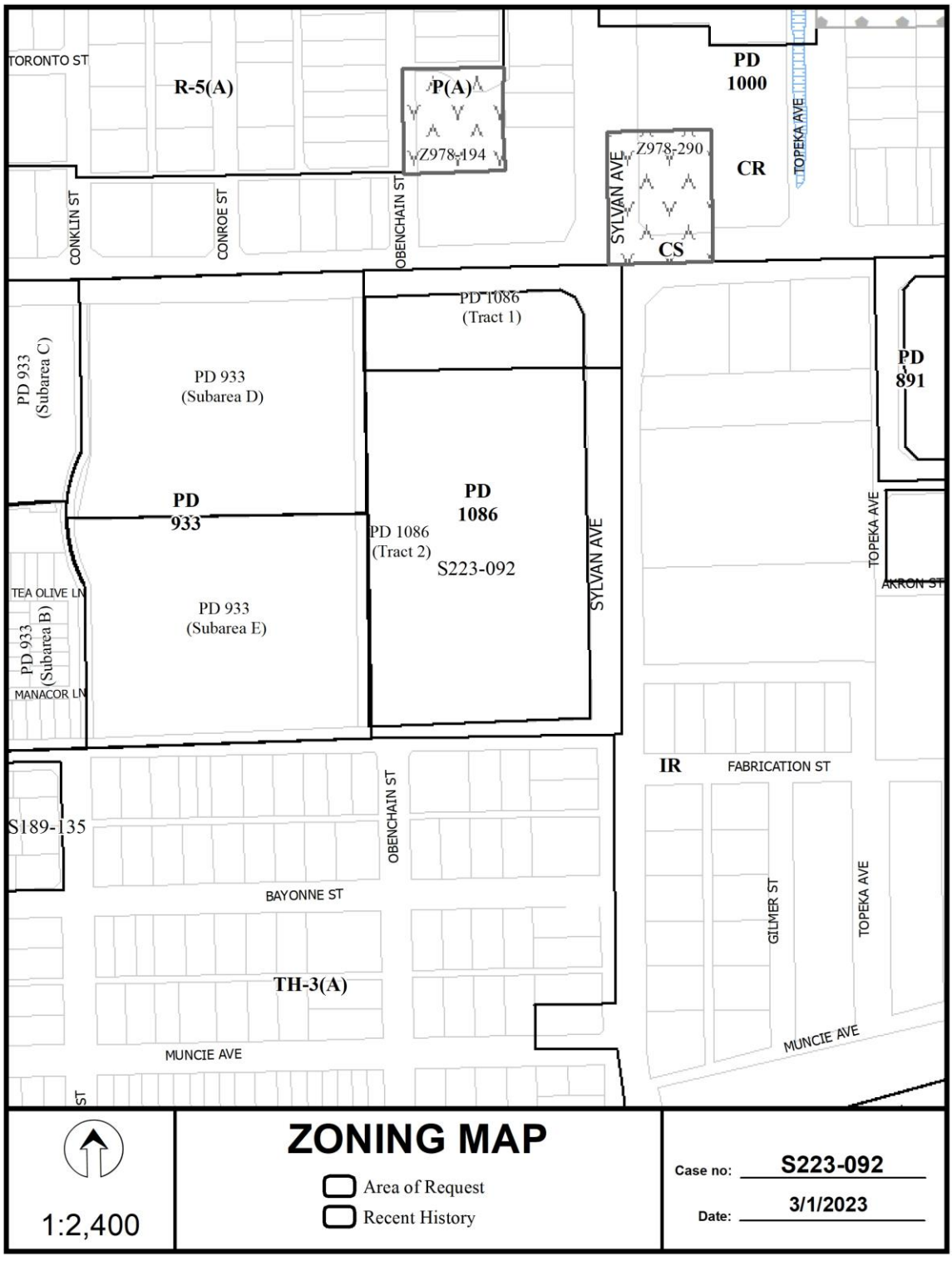
33. On the final plat, change “Singleton Boulevard (Formerly Eagle Ford Road)” to “Singleton Boulevard (F.K.A. Eagle Ford Road)”. Section 51A-8.403(a)(1)(A)(xii)

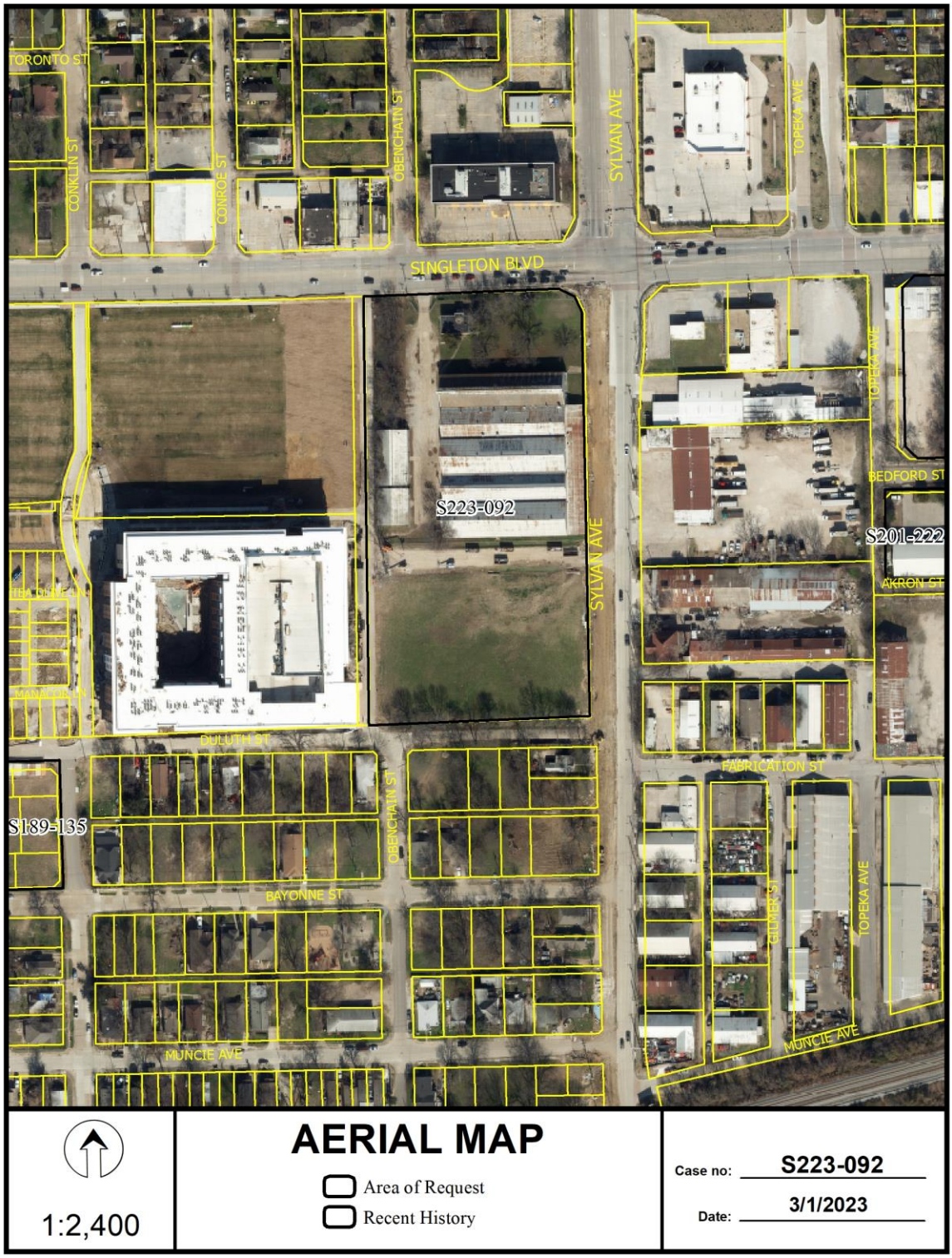
34. On the final plat, change “Sylvan Avenue (Formerly Browder Street)” to “Sylvan Avenue (A.K.A. Sylvan Street) (F.K.A. Browder Street)”. Section 51A-8.403(a)(1)(A)(xii)

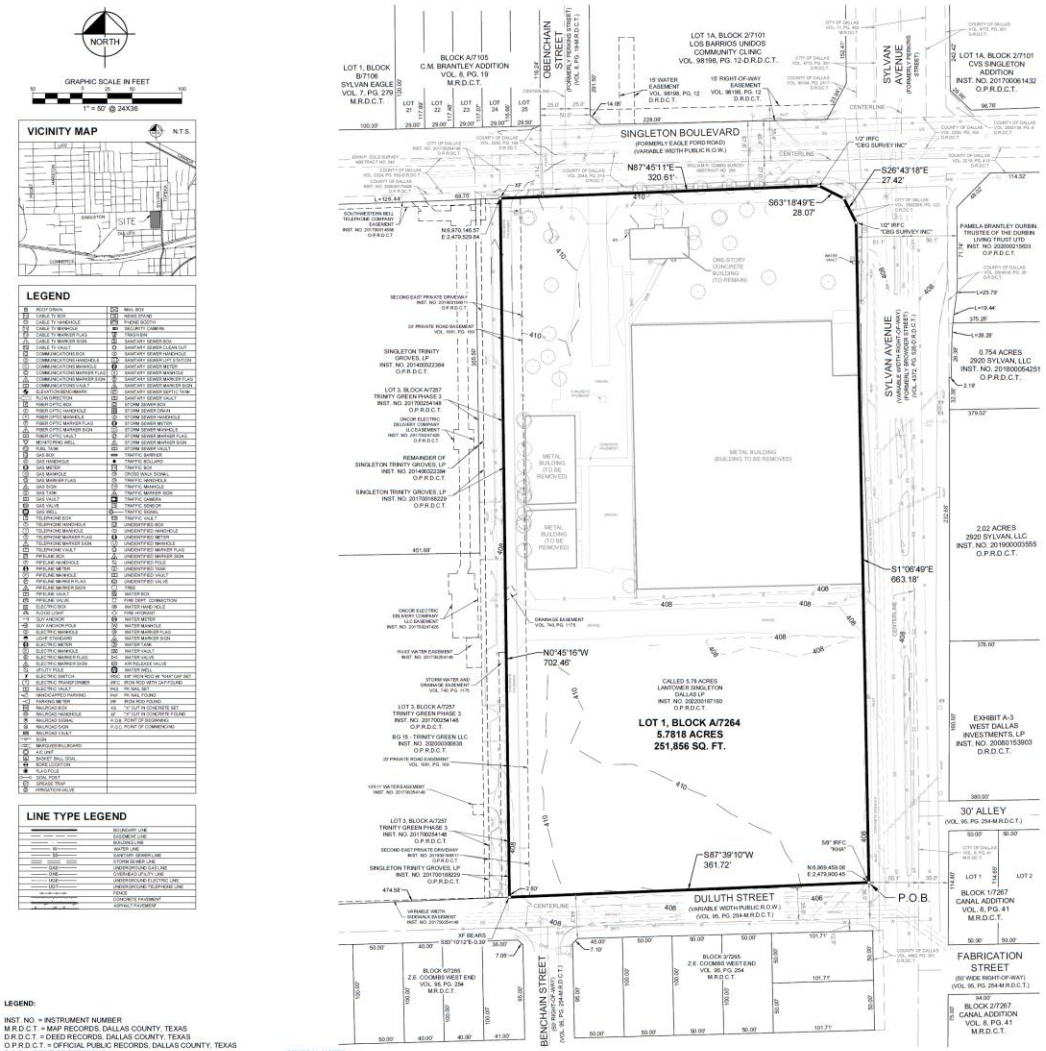
35. On the final plat, change “Benchain Street” to “Obenchain Street” on southern label. Section 51A-8.403(a)(1)(A)(xii)

36. On the final plat, change “Fabrication Street” to “Fabrication Street (F.K.A. Williams Street)”. Section 51A-8.403(a)(1)(A)(xii)

37. On the final plat, identify the property as Lot 1 in City Block A/7264. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


TORONTO ST
R-5(A)
P(A)
Z978-194
PD 1000
Z978-290
CR
CS
TOPEKA AVE
SYLVAN AVE
CONKLIN ST
CONROE ST
OBENCHAIN ST
PD 1086 (Tract 1)
PD 933 (Subarea C)
PD 933 (Subarea D)
PD 891
PD 933
PD 1086
PD 1086 (Tract 2)
S223-092
TOPEKA AVE
AKRON ST
TEA OLIVE LN
PD 933 (Subarea B)
PD 933 (Subarea E)
MANACOR LN
IR
FABRICATION ST
S189-135
OBENCHAIN ST
BAYONNE ST
GILMER ST
TOPEKA AVE
TH-3(A)
MUNCIE AVE
MUNCIE AVE
ST
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-092
Date: 3/1/2023


TORONTO ST
CONKLIN ST
CONROE ST
OBENCHAIN ST
SYLVAN AVE
TOPEKA AVE
SINGLETON BLVD
S223-092
BEDFORD ST
S201-222
AKRON ST
MANADUE
BULUTH ST
FABRICATION ST
S189-135
BAYONNE ST
GILMER ST
MUNCIE AVE
1:2,400
AERIAL MAP
Area of Request
Recent History
Case no: S223-092
Date: 3/1/2023



LEGEND:

INST. NO. = INSTRUMENT NUMBER
M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
VOL / PG. = VOLUME / PAGE
C.M. = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
PKF = PK NAIL FOUND
'X' = "X" CUT IN CONCRETE FOUND
ADS = 3/4" ALUMINUM DISK STAMPED "SL-KHA" AFFIXED TO A 5/8" IRON ROD

GENERAL NOTES:

1. The purpose of this plat is to create one lot from unplatted property.
2. The basis of bearings is based on state plane coordinate system, Texas North Central Zone 4204, North American datum of 1992 (2011).
3. The grid coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983, U.S. Survey Feet (sFT), on grid coordinate values, no scale and no projection.
4. Lot to lot drainage will not be allowed without city of dallas paving & drainage engineering section approval.

OWNER:
LANTOWER SINGLETON DALLAS, LP
2218 BRYAN STREET, SUITE 400
DALLAS, TX 75201
CONTACT: PHILIPPE LAPOINTE
PHONE: 214-421-4400
EMAIL: plapointe@hf-reit.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: AARON GRAVES, P. E.
PHONE: 972-770-1300
EMAIL: aaron.graves@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Lantower Singleton Dallas, LP, are the owners of a 5.7818 acre tract of land situated in the William Combs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas, being a portion of Dallas City Block No. 7264, being all of a called 5.78 acre tract of land described in Special Warranty Deed to Lantower Singleton Dallas LP recorded in Instrument No. 202200187160 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with red plastic "KHA" cap set at the intersection of the west right-of-way line of Sylvan Avenue (a variable width right-of-way) and the north right-of-way line of Duluth Street (a variable width right-of-way);

THENCE departing the said west right-of-way line of Sylvan Avenue and said north right-of-way line of Duluth Street, South 87°39'10" West, a distance of 361.72 feet to a point for corner at the southeast corner of Lot 3, Block A/7257 of Trinity Green Phase 3, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201700254148 of said Official Public Records;

THENCE departing the said north right-of-way line of Duluth Street and with the east line of said Lot 3, Block A/7257, North 0°45'16" West, a distance of 702.46 feet to an "X"-cut found in the south right-of-way line of Singleton Boulevard (a variable width right-of-way) and for the northeast corner of said Lot 3, Block A/7257;

THENCE with the said south right-of-way line of Singleton Boulevard, the following courses and distances:

North 87°45'11" East, a distance of 320.61 feet to a 1/2" iron rod with "CBG SURVEY INC" cap found;

South 63°18'49" East, a distance of 28.07 feet to a 1/2" iron rod with "CBG SURVEY INC" cap found;

South 26°43'18" East, a distance of 27.42 feet to a 1/2" iron rod with "CBG SURVEY INC" cap found at the intersection of the said south right-of-way line of Singleton Boulevard and the said west right-of-way line of Sylvan Avenue;

THENCE with the said west right-of-way line of Sylvan Avenue, South 1°06'49" East, a distance of 663.18 feet to the **POINT OF BEGINNING** and containing 5.7818 acres or 251,586 square feet of land.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **LANTOWER SINGLETON DALLAS, LP,** acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat, designating the herein described property as **LANTOWER SINGLETON,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, if said description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, _____ this _____ day of _____ 2023.

LANTOWER SINGLETON DALLAS, LP
a Delaware limited partnership

By _____
Name: Philippe Lapointe
Title: President

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared, Philippe Lapointe, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same on behalf of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT:

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____ 2023.

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
KIMLEY-HORN AND ASSOC., INC.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300
andy.dobbs@kimley-horn.com

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE
this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
LANTOWER SINGLETON
LOT 1, BLOCK A/7264
BEING 5.7818 ACRES SITUATED IN
CITY BLOCK NO. 7264
WILLIAM COMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN NO. S223-092

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

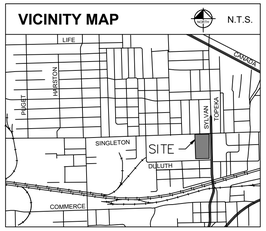
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CM	JAD	Feb. 2023	064527509	1 OF 1

S223-092

28(g)

City Plan Commission Date: 03/23/2023

VICINITY MAP

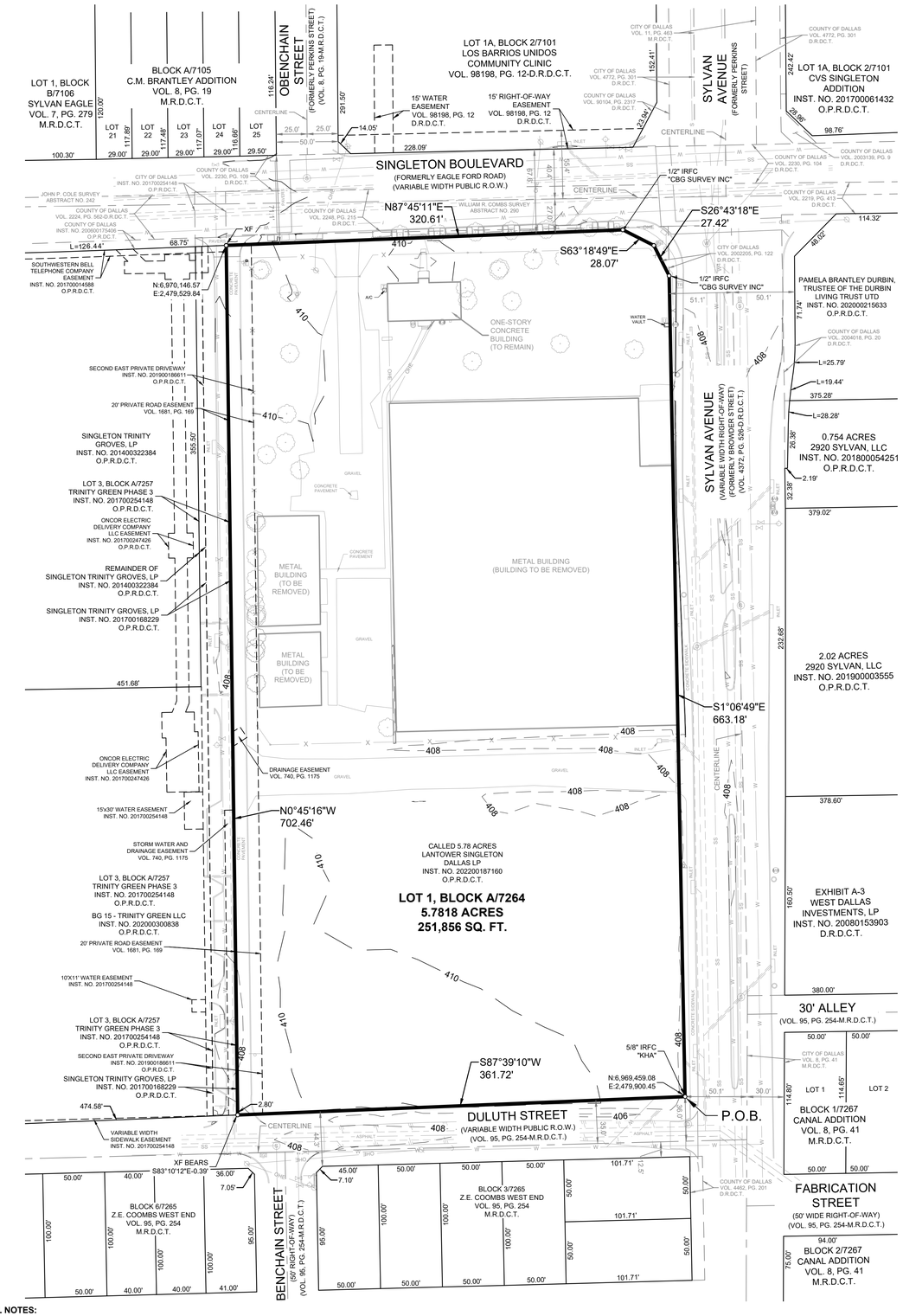


LEGEND

	ROOF DRAIN		MAIL BOX
	CABLE TV BOX		NEWS STAND
	CABLE TV HANDHOLE		PHONE BOOTH
	CABLE TV MANHOLE		SECURITY CAMERA
	CABLE TV MARKER FLAG		TRASH BIN
	CABLE TV MARKER SIGN		SANITARY SEWER BOX
	CABLE TV VAULT		SANITARY SEWER CLEAN OUT
	COMMUNICATIONS BOX		SANITARY SEWER HANDHOLE
	COMMUNICATIONS HANDHOLE		SANITARY SEWER LIFT STATION
	COMMUNICATIONS MANHOLE		SANITARY SEWER METER
	COMMUNICATIONS MARKER FLAG		SANITARY SEWER MANHOLE
	COMMUNICATIONS MARKER SIGN		SANITARY SEWER MARKER FLAG
	COMMUNICATIONS VAULT		SANITARY SEWER MARKER SIGN
	ELEVATION BENCHMARK		SANITARY SEWER SEPTIC TANK
	FLOW DIRECTION		SANITARY SEWER VAULT
	FIBER OPTIC BOX		STORM SEWER BOX
	FIBER OPTIC HANDHOLE		STORM SEWER DRAIN
	FIBER OPTIC MANHOLE		STORM SEWER HANDHOLE
	FIBER OPTIC MARKER FLAG		STORM SEWER METER
	FIBER OPTIC MARKER SIGN		STORM SEWER MANHOLE
	FIBER OPTIC VAULT		STORM SEWER MARKER FLAG
	MONITORING WELL		STORM SEWER MARKER SIGN
	FUEL TANK		STORM SEWER VAULT
	GAS BOX		TRAFFIC BARRIER
	GAS HANDHOLE		TRAFFIC BOLLARD
	GAS METER		TRAFFIC BOX
	GAS MANHOLE		CROSS WALK SIGNAL
	GAS MARKER FLAG		TRAFFIC HANDHOLE
	GAS SIGN		TRAFFIC MANHOLE
	GAS TANK		TRAFFIC MARKER SIGN
	GAS VAULT		TRAFFIC CAMERA
	GAS VALVE		TRAFFIC SENSOR
	GAS WELL		TRAFFIC SIGNAL
	TELEPHONE BOX		TRAFFIC VAULT
	TELEPHONE HANDHOLE		UNIDENTIFIED BOX
	TELEPHONE MANHOLE		UNIDENTIFIED HANDHOLE
	TELEPHONE MARKER FLAG		UNIDENTIFIED METER
	TELEPHONE MARKER SIGN		UNIDENTIFIED MANHOLE
	TELEPHONE VAULT		UNIDENTIFIED MARKER FLAG
	PIPELINE BOX		UNIDENTIFIED MARKER SIGN
	PIPELINE HANDHOLE		UNIDENTIFIED POLE
	PIPELINE METER		UNIDENTIFIED TANK
	PIPELINE MANHOLE		UNIDENTIFIED VAULT
	PIPELINE MARKER FLAG		UNIDENTIFIED VALVE
	PIPELINE MARKER SIGN		TREE
	PIPELINE VAULT		WATER BOX
	PIPELINE VALVE		FIRE DEPT. CONNECTION
	ELECTRIC BOX		WATER HAND HOLE
	FLOOD LIGHT		FIRE HYDRANT
	GUY ANCHOR		WATER METER
	GUY ANCHOR POLE		WATER MANHOLE
	ELECTRIC MANHOLE		WATER MARKER FLAG
	LIGHT STANDARD		WATER MARKER SIGN
	ELECTRIC METER		WATER TANK
	ELECTRIC MANHOLE		WATER VAULT
	ELECTRIC MARKER FLAG		WATER VALVE
	ELECTRIC MARKER SIGN		AIR RELEASE VALVE
	UTILITY POLE		WATER WELL
	ELECTRIC SWITCH	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
	ELECTRIC TRANSFORMER	IRFC	IRON ROD WITH CAP FOUND
	ELECTRIC VAULT	PKS	PK NAIL SET
	HANDICAPPED PARKING	PKF	PK NAIL FOUND
	PARKING METER	IRF	IRON ROD FOUND
	RAILROAD BOX	XS	"X" CUT IN CONCRETE SET
	RAILROAD HANDHOLE	XF	"X" CUT IN CONCRETE FOUND
	RAILROAD SIGNAL	P.O.B.	POINT OF BEGINNING
	RAILROAD SIGN	P.O.C.	POINT OF COMMENCING
	RAILROAD VAULT		
	SIGN		
	MARQUEE/BILLBOARD		
	A/C UNIT		
	BASKET BALL GOAL		
	BORE LOCATION		
	FLAG POLE		
	GOAL POST		
	GREASE TRAP		
	IRRIGATION VALVE		

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT



GENERAL NOTES:

1. The purpose of this plat is to create one lot from unplatted property.
2. The basis of bearings is based on state plane coordinate system, Texas North Central Zone 4204, North American datum of 1982 (2011).
3. The grid coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983, U.S. Survey Feet (sFT), on grid coordinate values, no scale and no projection.
4. Lot to lot drainage will not be allowed without city of dallas paving & drainage engineering section approval.

LEGEND:

INST. NO. = INSTRUMENT NUMBER
M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
VOL. / PG. = VOLUME / PAGE
C.M. = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
PKF = PK NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
ADS = 3/4" ALUMINUM DISK STAMPED "SL-KHA" AFFIXED TO A 5/8" IRON ROD

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Lantower Singleton Dallas, LP, are the owners of a 5.7818 acre tract of land situated in the William Combs Survey, Abstract No. 290, City of Dallas, Dallas County, Texas, being a portion of Dallas City Block No. 7264, being all of a called 5.78 acre tract of land described in Special Warranty Deed to Lantower Singleton Dallas LP recorded in Instrument No. 202200187160 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with red plastic "KHA" cap set at the intersection of the west right-of-way line of Sylvan Avenue (a variable width right-of-way) and the north right-of-way line of Duluth Street (a variable width right-of-way);

THENCE departing the said west right-of-way line of Sylvan Avenue and said north right-of-way line of Duluth Street, South 87°39'10" West, a distance of 361.72 feet to a point for corner at the southeast corner of Lot 3, Block A/7257 of Trinity Green Phase 3, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201700254148 of said Official Public Records;

THENCE departing the said north right-of-way line of Duluth Street and with the east line of said Lot 3, Block A/7257, North 0°45'16" West, a distance of 702.46 feet to an "X"-cut found in the south right-of-way line of Singleton Boulevard (a variable width right-of-way) and for the northeast corner of said Lot 3, Block A/7257;

THENCE with the said south right-of-way line of Singleton Boulevard, the following courses and distances:

North 87°45'11" East, a distance of 320.61 feet to a 1/2" iron rod with "CBG SURVEY INC" cap found;

South 63°18'49" East, a distance of 28.07 feet to a 1/2" iron rod with "CBG SURVEY INC" cap found;

South 26°43'18" East, a distance of 27.42 feet to a 1/2" iron rod with "CBG SURVEY INC" cap found at the intersection of the said south right-of-way line of Singleton Boulevard and the said west right-of-way line of Sylvan Avenue;

THENCE with the said west right-of-way line of Sylvan Avenue, South 1°06'49" East, a distance of 663.18 feet to the **POINT OF BEGINNING** and containing 5.7818 acres or 251,586 square feet of land.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **LANTOWER SINGLETON DALLAS, LP,** acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat, designating the herein described property as **LANTOWER SINGLETON,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, _____, this _____ day of _____, 2023.

LANTOWER SINGLETON DALLAS, LP
a Delaware limited partnership

By: _____
Name: Philippe Lapointe
Title: President

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared, Philippe Lapointe, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same on behalf of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT:

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
KIMLEY-HORN AND ASSOC., INC.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300
andy.dobbs@kimley-horn.com

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
LANTOWER SINGLETON
LOT 1, BLOCK A/7264
BEING 5.7818 ACRES SITUATED IN
CITY BLOCK NO. 7264
WILLIAM COMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN NO. S223-092

OWNER:
LANTOWER SINGLETON DALLAS, LP
2218 BRYAN STREET, SUITE 400
DALLAS, TX 75201
CONTACT: PHILIPPE LAPOINTE
PHONE: 214-421-4400
EMAIL: plapointe@hr-reit.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: AARON GRAVES, P. E.
PHONE: 972-770-1300
EMAIL: aaron.graves@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Tel. No. (972) 770-1300
FIRM # 10115500
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CM	JAD	Feb. 2023	064527509	1 OF 1

DWG NAME: K:\DAL_SURVEY\064527509-LANTOWER SINGLETON ATLAS METALS DALLAS\DWG\064527509-LANTOWER SINGLETON ATLAS METALS DALLAS_PP-NO ROW DEDICATION.DWG PLOTTED BY MENDOZA, CANDE 2/23/2023 1:44 PM LAST SAVED 2/23/2023 10:46 AM

Agenda Information Sheet

File #: 23-871 **Item #:** 29.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 2.2463-acre tract of land containing part of Lot 1 and all of Lots 2 through 5 and Lots 13 through 16 in City Block 286 and all of Lots 16 through 23 in City Block C/483 to create one lot on property located on Elm Street, south of Indian Street.
Applicant/Owner: Uplift Education
Surveyor: Kimley-Horn and Associates, Inc.
Application Filed: February 23, 2023
Zoning: PD 269 (Tract A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 2
S223-093

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-093 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Elm Street, south of Indian Street

DATE FILED: February 23, 2023 **ZONING:** PD 269 (Tract A)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20269.pdf

CITY COUNCIL DISTRICT: 2 **SIZE OF REQUEST:** 2.2463-acres **MAPSCO:** 45M

APPLICANT/OWNER: Uplift Education

REQUEST: An application to replat a 2.2463-acre tract of land containing part of Lot 1 and all of Lots 2 through 5 and Lots 13 through 16 in City Block 286 and all of Lots 16 through 23 in City Block C/483 to create one lot on property located on Elm Street, south of Indian Street.

SUBDIVISION HISTORY:

1. S212-320 was a request southwest of the present request to replat a 3.0932-acre tract of land containing all of Lot 2 in City Block A/280 and part of an abandoned right-of-way to create one lot on property located between Pacific Avenue and Elm Street, southwest of Good Latimer Expressway. The request was approved on September 15, 2022 but has not been recorded.

2. S189-252 was a request south of the present request to replat a 0.460-acre tract of land containing all of Lot 3 in City Block A/183 and part of City Block 183 to create one lot on property located at 2618 Main Street, east of South Good Latimer Expressway. The request was approved on August 1, 2019 and recorded on May 6, 2021.

3. 189-223 was a request southwest of the present request to create one 0.998-acre lot from a tract of land in City Blocks 170 and 182 on property located on Main Street at Good Latimer Expressway, northwest corner. The request was approved on June 20, 2019 but has not been recorded.

4. S189-191 was a request southeast of the present request to create a 0.719-acre lot containing all of Lots 1 through 5 in City Block 13/191 on property located on Commerce Street at Malcolm X Boulevard, southwest corner. The request was approved on May 16, 2019 and recorded June 26, 2021.

5. S178-058 was a request south of the present request to create one 0.230-acre lot from a tract of land containing part of City Block 183 on property located at 2618 Main Street, east of South Good Latimer Expressway. The request was approved January 4, 2018 and recorded October 23, 2018.

STAFF RECOMMENDATION: The request complies with the requirements of PD 269 (Tract A); therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)
13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 7.5 feet of right-of-way (via Fee Simple) from the established centerline at the intersection of Alley. Sections 51A-8.602(c).

16. On the final plat, dedicate 28 feet of right-of-way (via Fee Simple or Street Easement) from the established centerline at the intersection of Indiana Street. Sections 51A-8.602(c), 51A 8.604(c).

17. On the final plat, dedicate 28 feet of right-of-way (via Fee Simple or Street Easement) from the established centerline at the intersection of Monument Street. Sections 51A-8.602(c), 51A 8.604(c).

18. On the final plat, dedicate 28 feet of right-of-way (via Fee Simple or Street Easement) from the established centerline at the intersection of Crowdus Street. Sections 51A-8.602(c), 51A 8.604(c).

19. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via Fee Simple or Street Easement) at the intersection of Indiana Street and Crowdus Street. Section 51A 8.602(d)(1)

20. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. Section 51A 8.602(d)(1), 51A 8.608(a)

21. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Alley and Monument Street. *Section 51A-8.602(e)*

22. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Alley and Crowdus Street. *Section 51A-8.602(e)*

23. On the final plat, dedicate a 13-foot by 13-foot Alley Sight Easement at the intersection of Alley and Elm Street. *Section 51A-8.602(e)*

Flood Plain Conditions:

24. Comply with Mill Creek drainage requirements. Finish floor elevation must be 3’ above nearest inlet, top of curb. *51A 8.611(d), C.9 of Mill Creek, Master Drainage Plan Study*

25. Comply with PD 269 *City Code- per PD*

Survey (SPRG) Conditions:

26. Prior to final plat, submit a completed final plat checklist and all supporting documents.

27. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

28. On the final plat, show recording information on all existing easements within 150 feet of the property.

29. On the final plat, all utility easement abandonments must be shown with the correct recording information. Platting Guidelines.

30. On the final plat, list utility easements as retained within street abandonments when stated in the abandonment ordinance or follow the City of Dallas standard affidavit requirements.

31. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

32. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

33. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

34. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

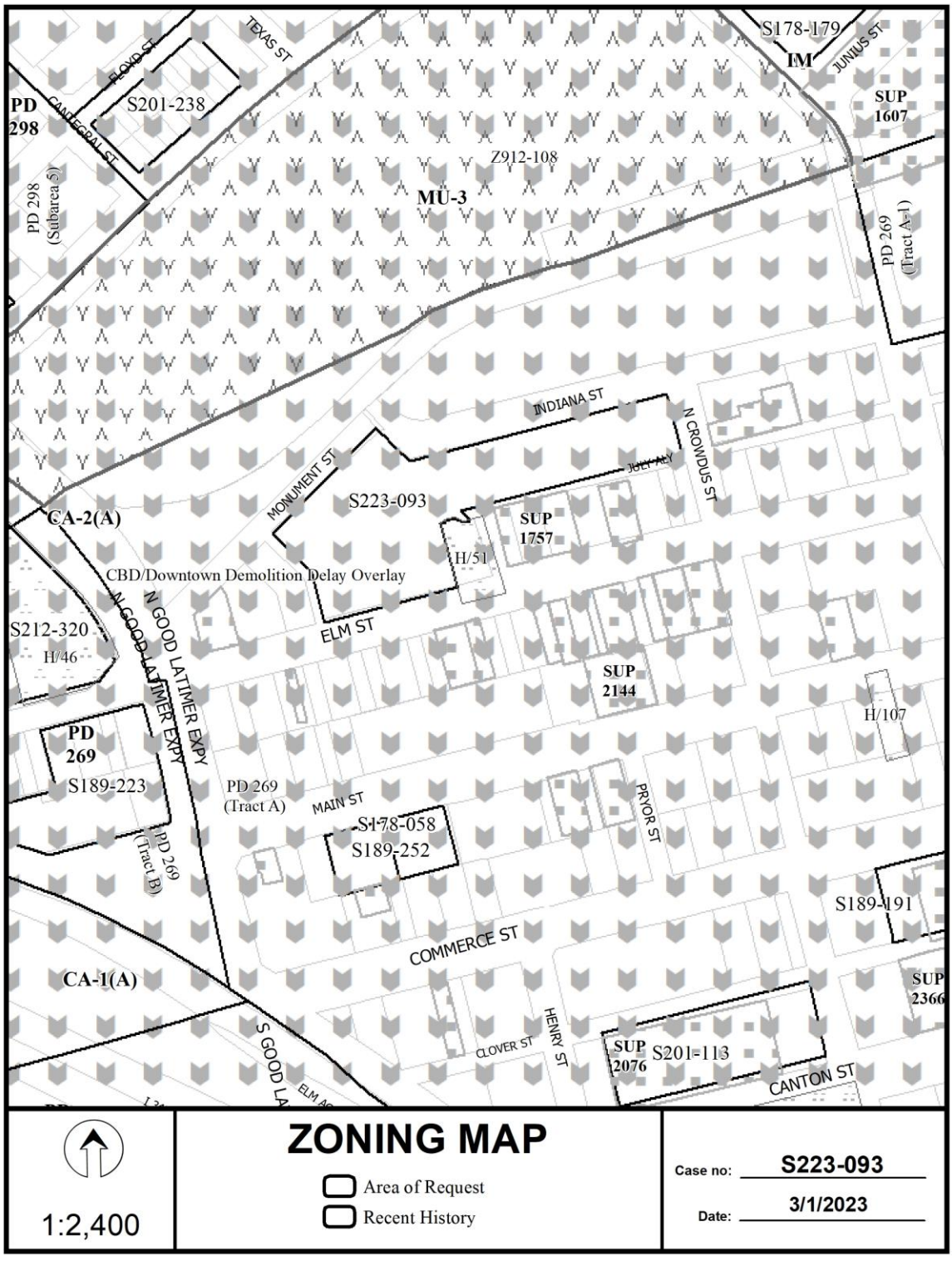
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

35. On the final plat, show on plat abandonment for Alley Vol. Y, Pg. 676 and Cantegral Street as follows: “Abandonment authorized by Ordinance No._____, recorded as Inst. Nos. (Cert. No. _____, QCD No. _____). Utility Easements retained.

36. On the final plat, change “July Alley” to “July Alley (F.K.A. Oak Alley)”. Section 51A-8.403(a)(1)(A)(xii)

37. On the final plat, change “North Crowdus Street” to “Crowdus Street”. Section 51A-8.403(a)(1)(A)(xii)

38. On the final plat, identify the property as Lot 1B in City Block 286. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


S178-179
IM
JUNIUS ST
TEXAS ST
FLOYD ST
CANTEGRAL ST
PD 298
S201-238
SUP 1607
Z912-108
MU-3
PD 298 (Subarea 5)
PD 269 (Tract A-1)
INDIANA ST
N CROWDUS ST
JULI ALY
MONUMENT ST
S223-093
SUP 1757
CA-2(A)
H/51
CBD/Downtown Demolition Delay Overlay
N GOOD LATIMER EXPY
ELM ST
S212-320
H/46
SUP 2144
H/107
PD 269
S189-223
PD 269 (Tract A)
MAIN ST
S178-058
S189-252
PRYOR ST
PD 269 (Tract B)
S189-191
COMMERCE ST
CA-1(A)
SUP 2366
CLOVER ST
HENRY ST
SUP 2076
S201-113
CANTON ST
S GOOD LA
ELM AV
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-093
Date: 3/1/2023

1:2,400

AERIAL MAP

Area of Request

Recent History

Case no: S223-093

Date: 3/1/2023

PRELIMINARY PLAT
UPLIFT DEEP ELLUM
LOT 1A, BLOCK A/286
BEING 2.2463 ACRES SITUATED IN PART
OF LOT 1 ALL OF LOTS 2, 3, 4, 5, 13, 14, 15,
16, BLOCK 286, SHEPHARD'S MONUMENT
TRIANGLE ADDITION
ALL OF LOTS 16, 17, 18, 19, 20, 21, 22 AND
23, BLOCK C/483, McCOY'S ADDITION
PART OF CANTEGRAL STREET, PART OF A
CALLED 15-FOOT WIDE ALLEY
JOHN GRIGSBY SURVEY,
ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-093
VICINITY MAP
NOT TO SCALE
LEGEND
LINE TYPE LEGEND
GRAPHIC SCALE IN FEET
NORTH
MONUMENT STREET
(GE RIGHT-OF-WAY)
(VOL 1, PG. 676, D.R.D.C.T.)
13' ALLEY
(VOL 1, PG. 676, M.R.D.C.T.)
ELM STREET
(60' RIGHT-OF-WAY)
(ORDINANCE BOOK 1A, PG. 131)
JULY ALLEY
(FORMERLY KNOWN AS CANTEGRAL STREET)
(VOL 87, PG. 22)
(D.R.D.C.T.)
JULY ALLEY
(VOL 150, PG. 407, M.R.D.C.T.)
INDIANA STREET
(60' RIGHT-OF-WAY)
(VOL 150, PG. 470, M.R.D.C.T.)
N. CROWDUS STREET
(50' RIGHT-OF-WAY)
(VOL 150, PG. 470, M.R.D.C.T.)
P.O.B.
LOT 1A, BLOCK A/286
2.2463 ACRES
97,851 SQ. FT.
LOT 1, BLOCK A/487
GASTON YARD ADDITION
VOL. 2005127, PG. 1078
D.R.D.C.T.
LOT 6, BLOCK 386
SHEPHARD'S MONUMENT
TRIANGLE ADDITION
VOL. 1, PG. 676
M.R.D.C.T.
WESTDALE PROPERTIES
AMERICA, LTD.
INST. NO.
201100220307
O.P.R.D.C.T.
APCREP ELLUM LLC
INST. NO. 20170100019810
O.P.R.D.C.T.
CALLED 2.2406
UPLIFT EDUCATION
INST. NO.
20220220107
O.P.R.D.C.T.
LOT 1B BLOCK A/286
UPLIFT EDUCATION
INST. NO. 20220220107
O.P.R.D.C.T.
LOT 1C BLOCK A/286
UPLIFT EDUCATION
INST. NO. 20220220107
O.P.R.D.C.T.
LOT 1A BLOCK 387
1313 DESOTO, LLC
INST. NO. 20220220107
O.P.R.D.C.T.
LOT 24 BLOCK D/484
VOL. 150, PG. 407
M.R.D.C.T.
LOT 27, BLOCK D/484
VOL. 150, PG. 407
M.R.D.C.T.
LOT 22
LOT 23
LOT 24
LOT 25
LOT 26
LOT 27
LOT 28
LOT 29
LOT 30
LOT 31
LOT 32
LOT 33
LOT 34
LOT 35
LOT 36
LOT 37
LOT 38
LOT 39
LOT 40
LOT 41
LOT

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Uplift Education, are the owners of a 2.2463 acre tract of land situated in J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, being all of Lots 2, 3, 4, 5, 13, 14, 15, 16, and part of Lot 1, Block 286 of Shephard's Monument Triangle Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume Y, Page 676 of the Map Records of Dallas County, Texas, being part of Cantegral Street (a 25-foot right-of-way) and being part of a 15-foot alley, being all of Lots 16, 17, 18, 19, 20, 21, 22 and 23, Block C/483 of McCoy's Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 150, Page 407 of said Map Records, said tract being all of a tract of land described in Special Warranty Deed with Vendor's Lien to Uplift Education recorded in Instrument No. 201200075119 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic "KHA" cap found at the intersection of the north right-of-way line of Elm Street (a 60-foot wide right-of-way) and the east right-of-way line of a 13-foot alley;

THENCE departing the said north right-of-way line of Elm Street and with the said east right-of-way line of the 13-foot alley, the following courses and distances:

North 14°31'56" West, a distance of 82.52 feet to a 5/8" iron rod with plastic "KHA" cap found for corner;

North 45°17'56" West, a distance of 91.21 feet to a 5/8" iron rod with plastic "KHA" cap found in the southeast right-of-way line of Monument Street (a 25-foot wide right-of-way);

THENCE with the said southeast right-of-way line of Monument Street, North 44°15'04" East, a distance of 243.00 feet to a 1/2" iron rod with plastic "RLG" cap found at the terminus of Monument Street and in the west line of Lot 8B, Block E/485 of Reel FX Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201500288347 of said Official Public Records;

THENCE departing the said southeast right-of-way line of Monument Street, with the said west line of Lot 8B, Block E/485, the referenced east line of Cantegral Street, and the westerly terminus of Indiana Street (a 50-foot wide right-of-way), South 45°31'21" East, a distance of 77.72 feet to a 1/2" iron rod with plastic "RLG" cap found in the south right-of-way line of Indiana Street, said point being the northwest corner of said Lot 16, Block C/483 of McCoy's Addition;

THENCE with the said south right-of-way line of Indiana Street, North 75°28'04" East, a distance of 434.75 feet to an X-cut found at the intersection of the south right-of-way line of Indiana Street and the west right-of-way line of N. Crowdus Street (a 50-foot wide right-of-way), said point being the northeast corner of said Lot 23, Block E/485 of McCoy's Addition;

THENCE with said west right-of-way line of N. Crowdus Street, South 14°52'26" East, a distance of 100.00 feet to a 5/8" iron rod with plastic "KHA" cap found for the intersection of the said west right-of-way line of N. Crowdus Street and the north right-of-way line of July Alley (a 20-foot wide alley);

THENCE with the said north right-of-way line of July Alley, South 75°28'04" West, a distance of 375.28 feet to an X-cut found at the terminus of said July Alley;

THENCE with the terminus of said July Alley and the referenced east line of Cantegral Street, South 45°31'21" East, a distance of 22.13 feet to a 5/8" iron rod with plastic "KHA" cap found in the south right-of-way line of said July Alley and the north line of Lot 1A, Block 286 of Northrup-Boyett Addition, an addition to the City of Dallas, Texas, according to the plat recorded in Volume 90157, Page 2146 of the Deed Records of Dallas County, Texas;

THENCE with the north and west line of said Lot 1A, Block 286, the following courses and distances:

South 75°17'04" West, a distance of 11.05 feet to a 1/2" iron rod with plastic "RLG" cap found for corner;

North 86°08'56" West, a distance of 16.10 feet to an X-cut found for corner;

South 75°17'04" West, a distance of 16.20 feet to an X-cut found for corner;

South 19°24'56" East, a distance of 2.00 feet to a point for corner;

South 70°35'04" West, a distance of 9.35 feet to a point for corner;

South 15°46'56" East, a distance of 108.38 feet to an X-cut found in the said north right-of-way line of Elm Street and the southwest corner of said Lot 1A, Block 286;

THENCE with the said north right-of-way line of Elm Street, South 75°28'04" West, a distance of 226.00 feet to the **POINT OF BEGINNING** and containing 2.2463 acres or 97,851 square feet of land.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **UPLIFT EDUCATION,** acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat, designating the herein described property as **UPLIFT DEEP ELLUM,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, _____, this _____ day of _____, 2023.

RXR-KORMAN DEEP ELLUM OWNER LLC
a Delaware limited liability company

By: _____
Name:
Title:

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same on behalf of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT:

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying; the City of Dallas Development Code (Ordinance no. 19455, as amended); and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
KIMLEY-HORN AND ASSOC., INC.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300
andy.dobbs@kimley-horn.com

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48113C0320J, for Dallas County, Texas and incorporated areas, dated August 23, 2011, this property is located within Zone X and Zone AE.

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

Zone AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

PRELIMINARY PLAT

UPLIFT DEEP ELLUM

LOT 1A, BLOCK A/286

BEING 2.2463 ACRES SITUATED IN PART OF LOT 1 ALL OF LOTS 2, 3, 4, 5, 13, 14, 15, 16, BLOCK 286, SHEPHARD'S MONUMENT TRIANGLE ADDITION
ALL OF LOTS 16, 17, 18, 19, 20, 21, 22 AND 23, BLOCK C/483, McCOY'S ADDITION
PART OF CANTEGRAL STREET, PART OF A CALLED 15-FOOT WIDE ALLEY
JOHN GRIGSBY SURVEY,
ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-093

OWNER:
UPLIFT EDUCATION
608 E. ROYAL LANE
IRVING, TX 75039
CONTACT: R. PARELMAN
PHONE: 214-661-8084
EMAIL: rparelman@rxr.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: SARAH SCOTT, P. E.
PHONE: 972-770-1300
EMAIL: sarah.scott@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
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Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CM	JAD	Feb. 2023	064622000	2 OF 2

I:\Dallas\064622000\Civil\07 PLAT\UPLIFT DEEP ELLUM 2023-02\PRELIM\064622000-UPLIFT DEEP ELLUM 2023-02-PRELIM PLAT.DWG 03/23/2023 1:19 PM

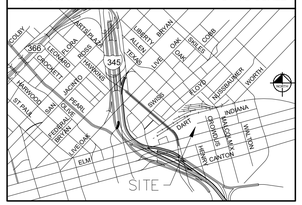
S223-093

29(h)

City Plan Commission Date: 03/23/2023

VICINITY MAP

NOT TO SCALE



NORTH

GRAPHIC SCALE IN FEET

5257 0 2629 5257 10514

1" = 5257' @ 24X36

LINE TYPE LEGEND

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING LINE
W	WATER LINE
SS	SANITARY SEWER LINE
	STORM SEWER LINE
GAS	UNDERGROUND GAS LINE
OHE	OVERHEAD UTILITY LINE
UGE	UNDERGROUND ELECTRIC LINE
UGT	UNDERGROUND TELEPHONE LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT

LEGEND

	ROOF DRAIN		MAIL BOX
	CABLE TV BOX		SANITARY SEWER CLEAN OUT
	CABLE TV HANDHOLE		SANITARY SEWER MANHOLE
	CABLE TV MANHOLE		SANITARY SEWER MARKER FLAG
	CABLE TV MARKER FLAG		SANITARY SEWER MARKER SIGN
	CABLE TV MARKER SIGN		SANITARY SEWER SEPTIC TANK
	CABLE TV VAULT		SANITARY SEWER VAULT
	COMMUNICATIONS BOX		STORM SEWER BOX
	COMMUNICATIONS HANDHOLE		STORM SEWER DRAIN
	COMMUNICATIONS MANHOLE		STORM SEWER MANHOLE
	COMMUNICATIONS MARKER FLAG		STORM SEWER VAULT
	COMMUNICATIONS MARKER SIGN		TRAFFIC BARRIER
	COMMUNICATIONS VAULT		TRAFFIC BOLLARD
	ELEVATION BENCHMARK		TRAFFIC BOX
	FIBER OPTIC BOX		CROSS WALK SIGNAL
	FIBER OPTIC HANDHOLE		TRAFFIC HANDHOLE
	FIBER OPTIC MANHOLE		TRAFFIC MANHOLE
	FIBER OPTIC MARKER FLAG		TRAFFIC MARKER SIGN
	FIBER OPTIC MARKER SIGN		TRAFFIC SIGNAL
	FIBER OPTIC VAULT		TRAFFIC VAULT
	MONITORING WELL		UNIDENTIFIED BOX
	GAS HANDHOLE		UNIDENTIFIED HANDHOLE
	GAS METER		UNIDENTIFIED METER
	GAS MANHOLE		UNIDENTIFIED MANHOLE
	GAS MARKER FLAG		UNIDENTIFIED MARKER FLAG
	GAS SIGN		UNIDENTIFIED MARKER SIGN
	GAS TANK		UNIDENTIFIED POLE
	GAS VAULT		UNIDENTIFIED TANK
	GAS VALVE		UNIDENTIFIED VAULT
	TELEPHONE BOX		UNIDENTIFIED VALVE
	TELEPHONE HANDHOLE		TREE
	TELEPHONE MANHOLE		WATER BOX
	TELEPHONE MARKER FLAG		FIRE DEPT. CONNECTION
	TELEPHONE MARKER SIGN		WATER HAND HOLE
	TELEPHONE VAULT		FIRE HYDRANT
	PIPELINE MARKER SIGN		WATER METER
	ELECTRIC BOX		WATER MANHOLE
	FLOOD LIGHT		WATER MARKER FLAG
	GUY ANCHOR		WATER MARKER SIGN
	GUY ANCHOR POLE		WATER VAULT
	ELECTRIC HANDHOLE		WATER VALVE
	LIGHT STANDARD		AIR RELEASE VALVE
	ELECTRIC METER		WATER WELL
	ELECTRIC MANHOLE	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
	ELECTRIC MARKER FLAG	IRFC	IRON ROD WITH CAP FOUND
	ELECTRIC MARKER SIGN	PKS	PK NAIL SET
	UTILITY POLE	PKF	PK NAIL FOUND
	ELECTRIC TRANSFORMER	IRF	IRON ROD FOUND
	ELECTRIC VAULT	IPF	IRON PIPE FOUND
	HANDICAPPED PARKING	ADF	ALUMINUM DISK FOUND
	SIGN	XS	"X" CUT IN CONCRETE SET
	MARQUEE/BILLBOARD	XF	"X" CUT IN CONCRETE FOUND
	BORE LOCATION	P.O.B.	POINT OF BEGINNING
	FLAG POLE	P.O.C.	POINT OF COMMENCING
	GREASE TRAP		

LOT 1, BLOCK A/487
GASTON YARD ADDITION
VOL. 95123, PG. 4754
D.R.D.C.T.

DALLAS AREA RAPID TRANSIT
VOL. 94216, PG. 1973
D.R.D.C.T.

STREET EASEMENT
INST. NO. 201500288347
O.P.R.D.C.T.

TEXAS AND PACIFIC RAILWAY
COMPANY ROADWAY EASEMENT
VOL. 83, PG. 82, D.R.D.C.T.

SIDEWALK & UTILITY EASEMENT
INST. NO. 202200220177
O.P.R.D.C.T.

LOT 8B, BLOCK E/485
REEL FX ADDITION
INST. NO. 201500288347
O.P.R.D.C.T.

CROWDUS STREET
ABANDONED BY ORDINANCE NO. 24143
(EASEMENT RIGHTS RESERVED)
VOL. 2000019, PG. 2807
VOL. 2002214, PG. 15649
D.R.D.C.T.

ONCOR ELECTRIC DELIVERY
COMPANY LLC EASEMENT
INST. NO. 201300135351
O.P.R.D.C.T.

1.38' SIDEWALK EASEMENT
VOL. 2001043, PG. 653
D.R.D.C.T.

INDIANA STREET
(50' RIGHT-OF-WAY)
(VOL. 150, PG. 470-M.R.D.C.T.)

N. CROWDUS STREET
(50' RIGHT-OF-WAY)
(VOL. 150, PG. 470-M.R.D.C.T.)

MONUMENT STREET
(25' RIGHT-OF-WAY)
(VOL. Y, PG. 676- D.R.D.C.T)

JULY ALLEY
(20' ALLEY)(VOL. 150, PG. 470-M.R.D.C.T.)

ELM STREET
(60' RIGHT-OF-WAY)
(ORDINANCE BOOK
1A, PG. 131)

13' ALLEY
(VOL. Y, PG. 676-
M.R.D.C.T.)

JULY ALLEY
(20' ALLEY)
(FORMERLY KNOWN AS
CANTEGRAL STREET)
(VOL. 67, PG. 22)
(D.R.D.C.T.)

REFERENCED AS CANTEGRAL STREET (FORMERLY KNOWN AS JULY ALLEY) VOL. Y, PG. 676-M.R.D.C.T.

REFERENCED AS "15' ALLEY" IN VOL. Y, PG. 676-M.R.D.C.T.

AREA INCLUDED IN DEED TO UPLIFT EDUCATION INST. NO. 201200075119 O.P.R.D.C.T.

JOHN GRIGSBY SURVEY
ABSTRACT NO. 495

BLOCK 286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

CALLED 2.2456
ACRES
UPLIFT EDUCATION
INST. NO.
201200075119
O.P.R.D.C.T.

LOT 1A, BLOCK A/286
2.2463 ACRES
97,851 SQ. FT.

LOT 1A, BLOCK 286
NORTHRUP-BOYETT
ADDITION
VOL. 90157, PG. 2146
D.R.D.C.T.

LOT 24, BLOCK D/484
MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LOT 37, BLOCK D/484
MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

2723 ELM STREET JOINT
VENTURE
VOL. 87163, PG. 4532
D.R.D.C.T.

WESTDALE PROPERTIES
AMERICA I, LTD.
INST. NO. 201100043907
O.P.R.D.C.T.

ELM STREET
REALTY, LTD.
INST. NO. 20080122937
O.P.R.D.C.T.

BELMOR CORPORATION
VOL. 89228, PG. 4319
D.R.D.C.T.

TWO-STORY BRICK
BUILDING

THREE-STORY
BRICK
BUILDING
(BUILDING TO REMAIN)

TWO-STORY BRICK
(BUILDING TO REMAIN)

WESTDALE PROPERTIES
AMERICA I, LTD.
INST. NO.
201400010057
O.P.R.D.C.T.

LOT 6, BLOCK 286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

AP DEEP ELLUM, LLC
INST. NO. 201700189410
O.P.R.D.C.T.

TEXAS UTILITIES
ELECTRIC COMPANY
EASEMENT
VOL. 89182, PG. 2375
D.R.D.C.T.

BOUNDARY LINE
AGREEMENT
VOL. 1343, PG. 622
D.R.D.C.T.

CITY OF DALLAS
VOL. 150, PG. 470
M.R.D.C.T.

LOT 1, BLOCK A/487
GASTON YARD ADDITION
VOL. 95123, PG. 4754
D.R.D.C.T.

LOT 2, BLOCK A/286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 3, BLOCK A/286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 4, BLOCK A/286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 5, BLOCK A/286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 13, BLOCK 286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 14, BLOCK 286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 15, BLOCK 286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 16, BLOCK 286
SHEPERDS MONUMENT
TRIANGLE
VOL. Y, PG. 676
M.R.D.C.T.

LOT 17, BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LOT 18, BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LOT 19, BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LOT 20, BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LOT 21, BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LOT 22, BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LOT 23, BLOCK C/483
ELIZA MCCOYS ADDITION
VOL. 150, PG. 407
M.R.D.C.T.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S45°31'21"E	22.13'
L2	S75°17'04"W	11.05'
L3	N66°06'56"W	16.10'
L4	S75°17'04"W	16.20'
L5	S19°24'56"E	2.00'
L6	S70°35'04"W	9.35'

S45°31'21"E 77.72'
N44°15'04"E 243.00'
N75°28'04"E 434.75'
S14°52'26"E 100.00'
S75°28'04"W 375.28'
N45°17'56"W 91.21'
N14°31'56"W 82.52'
S75°28'04"W 226.00'
S15°46'56"E 108.38'
N:6,972,858.52
E:2,495,876.52
N:6,972,582.49
E:2,495,290.60

P.O.B.

LEGEND:

INST. NO. = INSTRUMENT NUMBER
M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
VOL. / PG. = VOLUME / PAGE
C.M. = CONTROLLING MONUMENT
IRF = IRON ROD FOUND
PKF = PK NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
ADS = 3/4" ALUMINUM DISK STAMPED "UDE-KHA" AFFIXED TO A 5/8" IRON ROD

GENERAL NOTES:

1. The purpose of this plat is to create one lot from previously plated lots.
2. The basis of bearings is based on state plane coordinate system, Texas North Central Zone 4204, North American datum of 1982 (2011).
3. The grid coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983, U.S. Survey Feet (sFT), on grid coordinate values, no scale and no projection.
4. Lot to lot drainage will not be allowed without city of dallas paving & drainage engineering section approval.

OWNER:
UPLIFT EDUCATION
606 E. ROYAL LANE
IRVING, TX 75039
CONTACT: R. PARELMAN
PHONE: 214-661-8094
EMAIL: rparelman@rxr.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: SARAH SCOTT, P. E.
PHONE: 972-770-1300
EMAIL: sarah.scott@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
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OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

PRELIMINARY PLAT

UPLIFT DEEP ELLUM

LOT 1A, BLOCK A/286

BEING 2.2463 ACRES SITUATED IN PART OF LOT 1 ALL OF LOTS 2, 3, 4, 5, 13, 14, 15, 16, BLOCK 286, SHEPHARD'S MONUMENT TRIANGLE ADDITION
ALL OF LOTS 16, 17, 18, 19, 20, 21, 22 AND 23, BLOCK C/483, McCOY'S ADDITION
PART OF CANTEGRAL STREET, PART OF A CALLED 15-FOOT WIDE ALLEY
JOHN GRIGSBY SURVEY,
ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-093

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Tel. No. (972) 770-1300
FIRM # 10115500
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 30'	CM	JAD	Feb. 2023	064622000	1 OF 2

DWG NAME: K:\DAL_SURVEY\064622000-RXR UPLIFT DEEP ELLUM 2625 ELM DALLAS\SIDWG\064622000-RXR UPLIFT DEEP ELLUM 2625 ELM DALLAS_PP.DWG PLOTTED BY: MENDOZA, CANDE 2/23/2023 4:49 PM LAST SAVED: 2/22/2023 1:53 PM

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Uplift Education, are the owners of a 2.2463 acre tract of land situated in J. Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, being all of Lots 2, 3, 4, 5, 13, 14, 15, 16, and part of Lot 1, Block 286 of Shephard's Monument Triangle Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume Y, Page 676 of the Map Records of Dallas County, Texas, being part of Cantegral Street (a 25-foot right-of-way) and being part of a 15-foot alley, being all of Lots 16, 17, 18, 19, 20, 21, 22 and 23, Block C/483 of McCoy's Addition, an addition to the City of Dallas, Texas according to the plat recorded in Volume 150, Page 407 of said Map Records, said tract being all of a tract of land described in Special Warranty Deed with Vendor's Lien to Uplift Education recorded in Instrument No. 201200075119 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic "KHA" cap found at the intersection of the north right-of-way line of Elm Street (a 60-foot wide right-of-way) and the east right-of-way line of a 13-foot alley;

THENCE departing the said north right-of-way line of Elm Street and with the said east right-of-way line of the 13-foot alley, the following courses and distances:

North 14°31'56" West, a distance of 82.52 feet to a 5/8" iron rod with plastic "KHA" cap found for corner;

North 45°17'56" West, a distance of 91.21 feet to a 5/8" iron rod with plastic "KHA" cap found in the southeast right-of-way line of Monument Street (a 25-foot wide right-of-way);

THENCE with the said southeast right-of-way line of Monument Street, North 44°15'04" East, a distance of 243.00 feet to a 1/2" iron rod with plastic "RLG" cap found at the terminus of Monument Street and in the west line of Lot 8B, Block E/485 of Reel FX Addition, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 201500288347 of said Official Public Records;

THENCE departing the said southeast right-of-way line of Monument Street, with the said west line of Lot 8B, Block E/485, the referenced east line of Cantegral Street, and the westerly terminus of Indiana Street (a 50-foot wide right-of-way), South 45°31'21" East, a distance of 77.72 feet to a 1/2" iron rod with plastic "RLG" cap found in the south right-of-way line of Indiana Street, said point being the northwest corner of said Lot 16, Block C/483 of McCoy's Addition;

THENCE with the said south right-of-way line of Indiana Street, North 75°28'04" East, a distance of 434.75 feet to an X-cut found at the intersection of the south right-of-way line of Indiana Street and the west right-of-way line of N. Crowdus Street (a 50-foot wide right-of-way), said point being the northeast corner of said Lot 23, Block E/485 of McCoy's Addition;

THENCE with said west right-of-way line of N. Crowdus Street, South 14°52'26" East, a distance of 100.00 feet to a 5/8" iron rod with plastic "KHA" cap found for the intersection of the said west right-of-way line of N. Crowdus Street and the north right-of-way line of July Alley (a 20-foot wide alley);

THENCE with the said north right-of-way line of July Alley, South 75°28'04" West, a distance of 375.28 feet to an X-cut found at the terminus of said July Alley;

THENCE with the terminus of said July Alley and the referenced east line of Cantegral Street, South 45°31'21" East, a distance of 22.13 feet to a 5/8" iron rod with plastic "KHA" cap found in the south right-of-way line of said July Alley and the north line of Lot 1A, Block 286 of Northrup-Boyett Addition, an addition to the City of Dallas, Texas, according to the plat recorded in Volume 90157, Page 2146 of the Deed Records of Dallas County, Texas;

THENCE with the north and west line of said Lot 1A, Block 286, the following courses and distances:

South 75°17'04" West, a distance of 11.05 feet to a 1/2" iron rod with plastic "RLG" cap found for corner;

North 66°06'56" West, a distance of 16.10 feet to an X-cut found for corner;

South 75°17'04" West, a distance of 16.20 feet to an X-cut found for corner;

South 19°24'56" East, a distance of 2.00 feet to a point for corner;

South 70°35'04" West, a distance of 9.35 feet to a point for corner;

South 15°46'56" East, a distance of 108.38 feet to an X-cut found in the said north right-of-way line of Elm Street and the southwest corner of said Lot 1A, Block 286;

THENCE with the said north right-of-way line of Elm Street, South 75°28'04" West, a distance of 226.00 feet to the **POINT OF BEGINNING** and containing 2.2463 acres or 97,851 square feet of land.

THENCE with the said north right-of-way line of Elm Street, South 75°28'04" West, a distance of 226.00 feet to the **POINT OF BEGINNING** and containing 2.2463 acres or 97,851 square feet of land.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **UPLIFT EDUCATION,** acting by and through the undersigned, their duly authorized agents, do hereby adopt this plat, designating the herein described property as **UPLIFT DEEP ELLUM,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at _____, _____, this _____ day of _____, 2023.

RXR-KORMAN DEEP ELLUM OWNER LLC
a Delaware limited liability company

By: _____
Name:
Title:

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared, _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same on behalf of said limited liability companies and limited partnership, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of _____

SURVEYOR'S STATEMENT:

I, J. Andy Dobbs, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

_____
J. Andy Dobbs
Registered Professional Land Surveyor No. 6196
KIMLEY-HORN AND ASSOC., INC.
13455 Noel Road, Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
972-770-1300
andy.dobbs@kimley-horn.com

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

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared J. Andy Dobbs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48113C0320J, for Dallas County, Texas and incorporated areas, dated August 23, 2011, this property is located within Zone X and Zone AE.

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

Zone AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

PRELIMINARY PLAT

UPLIFT DEEP ELLUM

LOT 1A, BLOCK A/286

BEING 2.2463 ACRES SITUATED IN PART OF LOT 1 ALL OF LOTS 2, 3, 4, 5, 13, 14, 15, 16, BLOCK 286, SHEPHARD'S MONUMENT TRIANGLE ADDITION
ALL OF LOTS 16, 17, 18, 19, 20, 21, 22 AND 23, BLOCK C/483, McCOY'S ADDITION
PART OF CANTEGRAL STREET, PART OF A CALLED 15-FOOT WIDE ALLEY
JOHN GRIGSBY SURVEY,
ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-093

OWNER:
UPLIFT EDUCATION
606 E. ROYAL LANE
IRVING, TX 75039
CONTACT: R. PARELMAN
PHONE: 214-661-8094
EMAIL: rparelman@rxr.com

ENGINEER:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: SARAH SCOTT, P. E.
PHONE: 972-770-1300
EMAIL: sarah.scott@kimley-horn.com

SURVEYOR:
KIMLEY-HORN AND ASSOC., INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 700, DALLAS, TEXAS 75240
CONTACT: ANDY DOBBS, R.P.L.S.
PHONE: 972-770-1300
EMAIL: andy.dobbs@kimley-horn.com

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CM	JAD	Feb. 2023	064622000	2 OF 2

DWG NAME: K:\DAL_SURVEY\064622000-RXR UPLIFT DEEP ELLUM 2625 ELM DALLAS\DWG\064622000-RXR UPLIFT DEEP ELLUM 2625 ELM DALLAS_PP.DWG PLOTTED BY: MENDOZA, CANDE 2/23/2023 4:49 PM LAST SAVED: 2/22/2023 1:53 PM

Agenda Information Sheet

File #: 23-872 **Item #:** 30.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 1.390-acre lot from a tract of land in City Block 5438 on property located on Town North Drive at West Northwest Highway / State Highway Loop 12, northeast corner.
Applicant/Owner: White Rock Fellowship
Surveyor: Gonzalez & Schneeberg Engineers-Surveyors
Application Filed: February 24, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-096

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CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-096 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Town North Drive at West Northwest Highway / State Highway Loop 12, northeast corner

DATE FILED: February 24, 2023 **ZONING:** R-7.5(A)

CITY COUNCIL DISTRICT: 9 **SIZE OF REQUEST:** 1.390-acres **MAPSCO:** 37A

APPLICANT/OWNER: White Rock Fellowship

REQUEST: An application to create one 1.390-acre lot from a tract of land in City Block 5438 on property located on Town North Drive at West Northwest Highway / State Highway Loop 12, northeast corner.

SUBDIVISION HISTORY:

1. S223-097 is a request southeast of the present request to create one 1.175-acre lot from a tract of land in City Block 5439 on property located on Arboreal Drive at West Northwest Highway / State Highway Loop 12, northeast corner. The request is scheduled for public hearing on March 23, 2023.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

It is a policy of the city that institutional uses generally require greater land area than traditional residential or non-residential lots and generally serve, and are compatible with the neighborhood; therefore, staff concludes that the request is in compliance with Section 51A-8.503 and with the requirements of R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Arboreal Drive. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

16. On the final plat, dedicate a minimum 10-foot by 10-foot corner clip (via fee simple or street easement) at the intersection of Northwest Highway / State Highway Loop 12 and Arboreal Drive. Section 51A 8.602(d)(1)

17. On the final plat, dedicate a minimum 10-foot by 10-foot corner clip (via fee simple or street easement) at the intersection of Northwest Highway / State Highway Loop 12 and Town North Drive. Section 51A 8.602(d)(1)

18. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. Section 51A 8.602(d)(1), 51A 8.608(a)

19. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Town North Drive & the alley. *Section 51A-8.602(e)*

20. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.

21. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608*

Survey (SPRG) Conditions:

22. Prior to final plat, submit a completed final plat checklist and all supporting documents.

23. On the final plat, show recording information on all existing easements within 150 feet of the property.

24. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

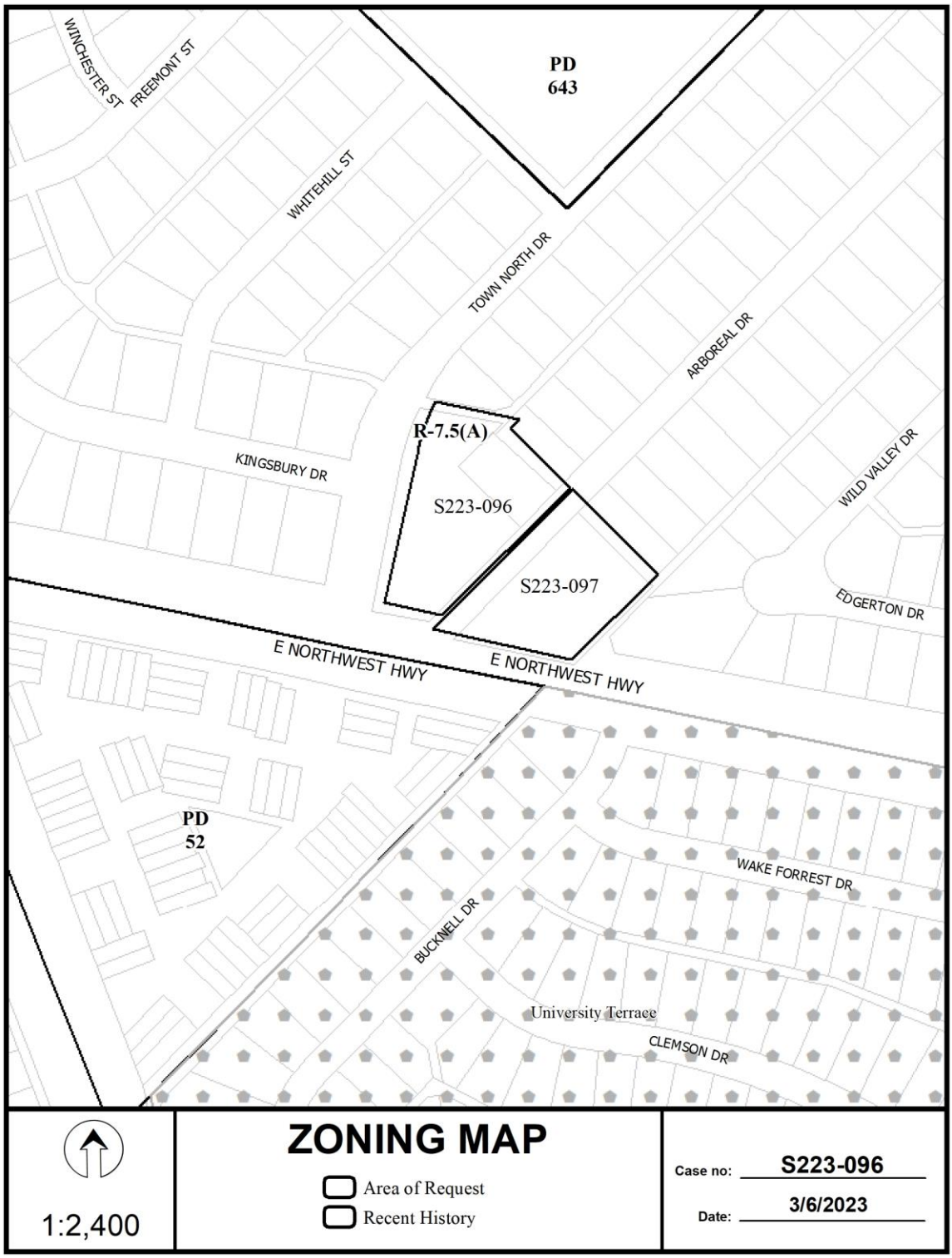
25. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

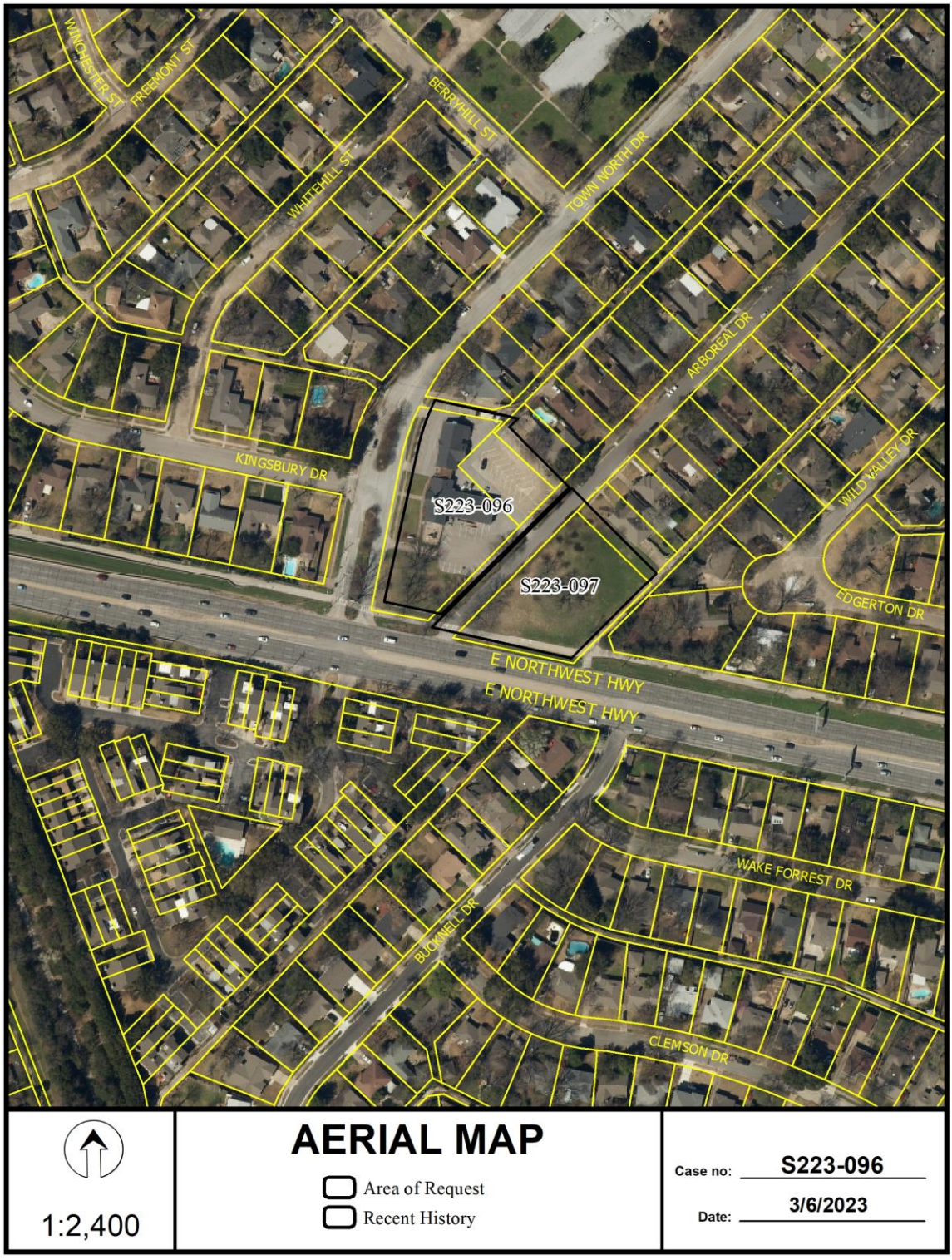
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

26. Prior to final plat, remove the fence from public right-of-way along the Northwest Highway / State Highway Loop 12.

27. On the final plat, change "Northwest Highway (State Highway Loop 12)" to "Northwest Highway / State Highway Loop 12". Section 51A-8.403(a)(1)(A)(xii)

28. On the final plat, identify the property as Lot 1 in City Block F/5438. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


WINCHESTER ST
FREEMONT ST
PD
643
WHITEHILL ST
TOWN NORTH DR
ARBOREAL DR
R-7.5(A)
S223-096
S223-097
KINGSBURY DR
WILD VALLEY DR
EDGERTON DR
E NORTHWEST HWY
E NORTHWEST HWY
PD
52
WAKE FORREST DR
BUCKNELL DR
University Terrace
CLEMSON DR
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-096
Date: 3/6/2023



AERIAL MAP

1:2,400

Area of Request
Recent History

Case no: S223-096
Date: 3/6/2023

LEGEND

	PROPERTY LINE
	ADJOINER PROPERTY LINE
	EASEMENT LINE
	CENTERLINE
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TARRANT COUNTY, TEXAS
INST. No.	INSTRUMENT NUMBER
V.	VOLUME
P.	PAGE
SQ.FT.	SQUARE FEET
○	5/8-INCH ALUMINUM MONUMENT STAMPED "GONZALEZ & SCHNEEBERG RPLS 4804" SET
MNS	MAG NAIL W/ BRASS WASHER STAMPED "TOWN NORTH FELLOWSHIP" DOES, INC. RPLS 4804" SET

PROPERTY LINE TABLE

LINE	BEARING	DISTANCE
L1	S 45°06'24" W	20.28'

PROPERTY CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	CHORD	CH. BEARING
C1	14°05'00"	344.28'	41.85'	83.24'	S 52°07'30" E

SURVEYOR'S NOTES

1. Bearing system for this survey is based on the southeast right-of-way line of Town North Drive, having a bearing of N 77°32'00" W, as shown on City Block 5438, Berean Baptist Church Subdivision, according to the plat recorded in Volume 35, P. 243, M.R.D.C.T.
2. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section approval.
3. The purpose of this plat is to create one lot from a platted block and a tract out of City Block 5438.
4. Coordinates shown are based upon Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on grid coordinate values, no scale and no projection.
5. Existing buildings to remain.

SHEET 1 OF 2

PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 1
LOT 1, BLOCK A/5438

1.390 ACRE TRACT
BEING A REPLAT OF
CITY BLOCK 5438
BEREAN BAPTIST CHURCH SUBDIVISION
V. 35, P. 243, M.R.D.C.T.
AN ADDITION TO THE CITY OF DALLAS
SITUATED IN THE D. A. MURDOCK SURVEY, ABSTRACT NO. 997
CITY BLOCK 5438
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-096
ENGINEERING NUMBER DP23-XXX

OWNER:
WHITE ROCK FELLOWSHIP
6940 E. NORTHWEST HIGHWAY
SUITE 1
DALLAS, TEXAS 75231
Phone: (214) 368-2231
Attn: Pastor Jason Ingersoll

ENGINEER – SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@g-s-engineers.com
Gonzalez & Schneeberg
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

2501 Lakeside Boulevard
Suite 200, Richardson, Texas 75082
TX. ENGINEERING FIRM REG. NO. 10078200
TX. SURVEYING FIRM REG. NO. 100782-00
1" = 30'
FEBRUARY, 2023
7423-21-11-06
g:\pw_plat\proj

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, White Rock Fellowship are the owners of a 1.390 acre tract of land situated in the D. A. Murdock Survey, Abstract No. 997, City of Dallas, Dallas County, Texas and being all of City Block 5438, Berean Baptist Church Subdivision, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 35, Page 243, Map Records, Dallas County, Texas; said 1.390 acre tract also being a portion of City Block 5438; said tract also being known as Tract I and Tract II according to the Special Warranty Deed with Vendor's Lien recorded in County Clerk's Instrument No. 20050028885, Official Public Records, Dallas County, Texas; said 1.390 acre tract being more particularly described by metes and bounds as follows;

BEGINNING, at a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the north corner of said 1.390 acre tract; said point also being the north corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being at the intersection of the southeast right-of-way line of Town North Drive (variable width at this point) and the southwest right-of-way line of a 15-foot alley;

THENCE, South 77 degrees 32 minutes 00 seconds East, with said southwest right-of-way line, a distance of 139.25 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the northernmost northeast corner of said 1.390 acre tract; said point also being the northernmost northeast corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being the southeast corner of said 15-foot alley; said point also being on the northwest right-of-way line of a 5-foot alley;

THENCE, South 45 degrees 08 minutes 00 seconds West, with said northwest right-of-way line, a distance of 20.38 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at an interior corner of said 1.390 acre tract;

THENCE, South 44 degrees 59 minutes 00 seconds East, passing, at a distance of 5.00 feet a point at the southeast corner of said 5-foot alley; said point also being the west corner of Lot 1, Block A/5438, Merriman Manor Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 42, Page 135, Map Records, Dallas County, Texas; continuing, in all, a total distance of 138.93 feet to a 5/8-inch iron rod found at the east corner of said 1.390 acre tract; said point also being the south corner of said Lot 1, Block A/5438; said point also being the west corner of Arborest Drive (50 feet wide); said point also being the north corner of a 10-foot public right-of-way;

THENCE, South 45 degrees 07 minutes 43 seconds West, with the northwest right-of-way line of said 10-foot public right-of-way, a distance of 294.77 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the south corner of said 1.390 acre tract; said point also being the south corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being at the intersection of said northwest right-of-way line and the northeast right-of-way line of Northwest Highway (State Highway Loop 12) (140-feet wide at this point);

THENCE, North 77 degrees 32 minutes 00 seconds West, with said northeast right-of-way line of Northwest Highway, a distance of 96.39 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the west corner of said 1.390 acre tract; said point also being the west corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being at the intersection of said northeast right-of-way line of Northwest Highway and said southeast right-of-way of Town North Drive;

THENCE, with said southeast right-of-way of Town North Drive the following metes and bounds;

North 12 degrees 28 minutes 00 seconds East, a distance of 257.60 feet to a Mag Nail with brass washer stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the beginning of a curve to the right having a radius of 341.24 feet;

Northeasterly, with said curve to the right through a central angle of 14 degrees 00 minutes 00 seconds, an arc distance of 83.28 feet (chord bears North 19 degrees 27 minutes 30 seconds East, 83.07 feet) to the POINT OF BEGINNING;

CONTAINING, 60,569 square feet or 1.390 acres of land, more or less,

OWNER'S DEDICATION

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT, White Rock Fellowship, do hereby adopt this plat, designating the herein described property as **TOWN NORTH FELLOWSHIP NO. 1**, an addition to the City of Dallas, Dallas County, Texas, and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same, All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the_____day of_____, 2023.

_____
WHITE ROCK FELLOWSHIP
Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared_____known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day of_____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Robert W. Schneeberg, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

RELEASED 02/22/23 FOR REVIEW - PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

_____
Robert W. Schneeberg
Texas Registered Professional Land Surveyor No. 4804

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Robert W. Schneeberg, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

SHEET 2 OF 2

PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 1
LOT 1, BLOCK A/5438

1.390 ACRE TRACT
BEING A REPLAT OF
CITY BLOCK 5438
BEREAN BAPTIST CHURCH SUBDIVISION
V. 35, P. 243, M.R.D.C.T.
AN ADDITION TO THE CITY OF DALLAS
AND A TRACT OUT OF
CITY BLOCK 5438
D. A. MURDOCK SURVEY, ABSTRACT NO. 997
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-096
ENGINEERING NUMBER DP23-XXX

OWNER:
WHITE ROCK FELLOWSHIP
Attn: Nicholas Smith
9330 N CENTRAL EXPY
DALLAS, TEXAS 75231
nicholassmith119@gmail.com
Phone: 903-520-0231

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG,
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

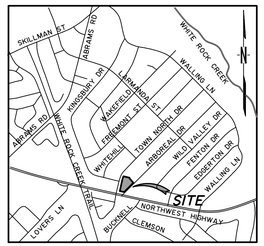
Gonzalez & Schneeberg
engineers ▪ surveyors
2100 Lakeside Boulevard
Suite 200, Richardson, Texas 75082
(972) 516-8855
TX ENGINEERING FIRM REG. NO. F-3376
TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
N/A	FEBRUARY, 2023	7422-22-11-06	7422 pre-plat.dwg

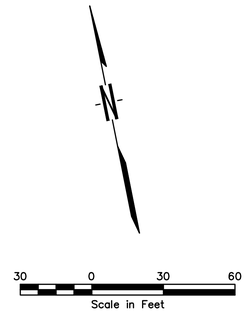
S223-096

30(g)

City Plan Commission Date: 03/23/2023



LOCATION MAP
NOT TO SCALE
MAPSCO 37-A



LEGEND

———	PROPERTY LINE
———	ADJOINER PROPERTY LINE
— — —	EASEMENT LINE
— · —	CENTERLINE
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
INST. No.	INSTRUMENT NUMBER
V.	VOLUME
P.	PAGE
CM	CONTROLLING MONUMENT
SQ.FT.	SQUARE FEET
AMS	3-1/4-INCH ALUMINUM MONUMENT STAMPED "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" SET
MNS	MAG NAIL W/ BRASS WASHER STAMPED "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" SET

PROPERTY LINE TABLE

LINE	BEARING	DISTANCE
L1	S 45°08'00" W	20.38'

PROPERTY CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD	CH. BEARING
C1	14°00'00"	341.24'	41.85'	83.28'	83.07'	N 19°27'30" E

SURVEYOR'S NOTES

1. Bearing system for this survey is based on the southeast right-of-way line of Town North Drive bearing North 12 degrees 28 minutes 00 seconds East as shown on City Block 5438, Berean Baptist Church Subdivision, according to the plat recorded in Volume 35, P. 243, M.R.D.C.T.
2. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section approval.
3. The purpose of this plat is to create one lot from a platted block and a tract out of City Block 5438.
4. Coordinates shown are based upon Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on grid coordinate values, no scale and no projection.
5. Existing buildings to remain.

SHEET 1 OF 2

PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 1
LOT 1, BLOCK A/5438

1.390 ACRE TRACT

BEING A REPLAT OF

CITY BLOCK 5438

BEREAN BAPTIST CHURCH SUBDIVISION

V. 35, P. 243, M.R.D.C.T.

AN ADDITION TO THE CITY OF DALLAS

AND A TRACT OUT OF

CITY BLOCK 5438

D. A. MURDOCK SURVEY, ABSTRACT NO. 997

CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE NO. S223-096

ENGINEERING NUMBER DP23-XXX

OWNER:
WHITE ROCK FELLOWSHIP
Attn: Nicholas Smith
9330 N CENTRAL EXPY
DALLAS, TEXAS 75231
nicholassmith12@gmail.com
Phone: 903-520-0231

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG,
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

Gonzalez & Schneeberg
engineers ▪ surveyors
2100 Lakeside Boulevard
Suite 200, Richardson, Texas 75082
(972) 516-8855
TX ENGINEERING FIRM REG. NO. F-3376 TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
1" = 30'	FEBRUARY, 2023	7422-22-11-06	7422 pre-plat.dwg

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OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, White Rock Fellowship are the owners of a 1.390 acre tract of land situated in the D. A. Murdock Survey, Abstract No. 997, City of Dallas, Dallas County, Texas and being all of City Block 5438, Berean Baptist Church Subdivision, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 35, Page 243, Map Records, Dallas County, Texas; said 1.390 acre tract also being a portion of City Block 5438; said tract also being known as Tract I and Tract II according to the Special Warranty Deed with Vendor's Lien recorded in County Clerk's Instrument No. 201500288851, Official Public Records, Dallas County, Texas; said 1.390 acre tract being more particularly described by metes and bounds as follows;

BEGINNING, at a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the north corner of said 1.390 acre tract; said point also being the north corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being at the intersection of the southeast right-of-way line of Town North Drive (variable width at this point) and the southwest right-of-way line of a 15-foot alley;

THENCE, South 77 degrees 32 minutes 00 seconds East, with said southwest right-of-way line, a distance of 139.25 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the northernmost northeast corner of said 1.390 acre tract; said point also being the northernmost northeast corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being the southeast corner of said 15-foot alley; said point also being on the northwest right-of-way line of a 5-foot alley;

THENCE, South 45 degrees 08 minutes 00 seconds West, with said northwest right-of-way line, a distance of 20.38 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at an interior corner of said 1.390 acre tract;

THENCE, South 44 degrees 59 minutes 00 seconds East, passing, at a distance of 5.00 feet a point at the southeast corner of said 5-foot alley; said point also being the west corner of Lot 1, Block A/5438, Merriman Manor Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 42, Page 135, Map Records, Dallas County, Texas; continuing, in all, a total distance of 138.93 feet to a 5/8-inch iron rod found at the east corner of said 1.390 acre tract; said point also being the south corner of said Lot 1, Block A/5438; said point also being the west corner of Arboreal Drive (50 feet wide); said point also being the north corner of a 10-foot public right-of-way;

THENCE, South 45 degrees 07 minutes 43 seconds West, with the northwest right-of-way line of said 10-foot public right-of-way, a distance of 294.77 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the south corner of said 1.390 acre tract; said point also being the south corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being at the intersection of said northwest right-of-way line and the northeast right-of-way line of Northwest Highway (State Highway Loop 12) (141-feet wide at this point);

THENCE, North 77 degrees 32 minutes 00 seconds West, with said northeast right-of-way line of Northwest Highway, a distance of 96.39 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the west corner of said 1.390 acre tract; said point also being the west corner of said City Block 5438, Berean Baptist Church Subdivision; said point also being at the intersection of said northeast right-of-way line of Northwest Highway and said southeast right-of-way of Town North Drive;

THENCE, with said southeast right-of-way of Town North Drive the following metes and bounds;

North 12 degrees 28 minutes 00 seconds East, a distance of 257.60 feet to a Mag Nail with brass washer stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the beginning of a curve to the right having a radius of 341.24 feet;

Northeasterly, with said curve to the right through a central angle of 14 degrees 00 minutes 00 seconds, an arc distance of 83.28 feet (chord bears North 19 degrees 27 minutes 30 seconds East, 83.07 feet) to the POINT OF BEGINNING;

CONTAINING, 60,569 square feet or 1.390 acres of land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT, White Rock Fellowship, do hereby adopt this plat, designating the herein described property as **TOWN NORTH FELLOWSHIP NO. 1**, an addition to the City of Dallas, Dallas County, Texas, and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the_____day of_____, 2023.

_____
WHITE ROCK FELLOWSHIP
Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared_____known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day of_____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Robert W. Schneeberg, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

RELEASED 02/22/23 FOR REVIEW - PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

_____
Robert W. Schneeberg
Texas Registered Professional Land Surveyor No. 4804

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Robert W. Schneeberg, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

OWNER:
WHITE ROCK FELLOWSHIP
Attn: Nicholas Smith
9330 N CENTRAL EXPY
DALLAS, TEXAS 75231
nicholassmith12@gmail.com
Phone: 903-520-0231

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG,
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

SHEET 2 OF 2

PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 1
LOT 1, BLOCK A/5438

1.390 ACRE TRACT
BEING A REPLAT OF
CITY BLOCK 5438
BEREAN BAPTIST CHURCH SUBDIVISION
V. 35, P. 243, M.R.D.C.T.
AN ADDITION TO THE CITY OF DALLAS
AND A TRACT OUT OF
CITY BLOCK 5438
D. A. MURDOCK SURVEY, ABSTRACT NO. 997
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-096
ENGINEERING NUMBER DP23-XXX

Gonzalez & Schneeberg 2100 Lakeside Boulevard
engineers ▪ surveyors Suite 200, Richardson, Texas 75082
(972) 516-8855
TX ENGINEERING FIRM REG. NO. F-3376 TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
N/A	FEBRUARY, 2023	7422-22-11-06	7422 pre-plat.dwg

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Agenda Information Sheet

File #: 23-873 **Item #:** 31.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 1.175-acre lot from a tract of land in City Block 5439 on property located on Arboreal Drive at West Northwest Highway / State Highway Loop 12, northeast corner.
Applicant/Owner: White Rock Fellowship
Surveyor: Gonzalez & Schneeberg Engineers-Surveyors
Application Filed: February 24, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-097

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CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-097 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Arboreal Drive at West Northwest Highway / State Highway Loop 12, northeast corner.

DATE FILED: February 24, 2023 **ZONING:** R-7.5(A)

CITY COUNCIL DISTRICT: 9 **SIZE OF REQUEST:** 1.175-acres **MAPSCO:** 37A

APPLICANT/OWNER: White Rock Fellowship

REQUEST: An application to create one 1.175-acre lot from a tract of land in City Block 5439 on property located on Arboreal Drive at West Northwest Highway / State Highway Loop 12, northeast corner.

SUBDIVISION HISTORY:

1. S223-096 is a request northwest of the present request to create one 1.390-acre lot from a tract of land in City Block 5438 on property located on Town North Drive at West Northwest Highway / State Highway Loop 12, northeast corner. The request is scheduled for public hearing on March 23, 2023.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

It is a policy of the city that institutional uses generally require greater land area than traditional residential or non-residential lots and generally serve, and are compatible with the neighborhood; therefore, staff concludes that the request is in compliance with Section 51A-8.503 and with the requirements of R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 7.5 feet of right-of-way (via fee simple) from the established center line of the Alley. *Section 51A 8.602(c)*

16. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Arboreal Drive. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

17. On the final plat, dedicate a minimum 10-foot by 10-foot corner clip (via fee simple or street easement) at the intersection of Northwest Highway / State Highway Loop 12 and Arboreal Drive. Section 51A 8.602(d)(1)

18. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. Section 51A 8.602(d)(1), 51A 8.608(a)

19. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Northwest Highway / State Highway Loop 12 & the alley. *Section 51A-8.602(e)*

20. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.

Survey (SPRG) Conditions:

21. Prior to final plat, submit a completed final plat checklist and all supporting documents.

22. On the final plat, show recording information on all existing easements within 150 feet of the property.

23. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

24. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

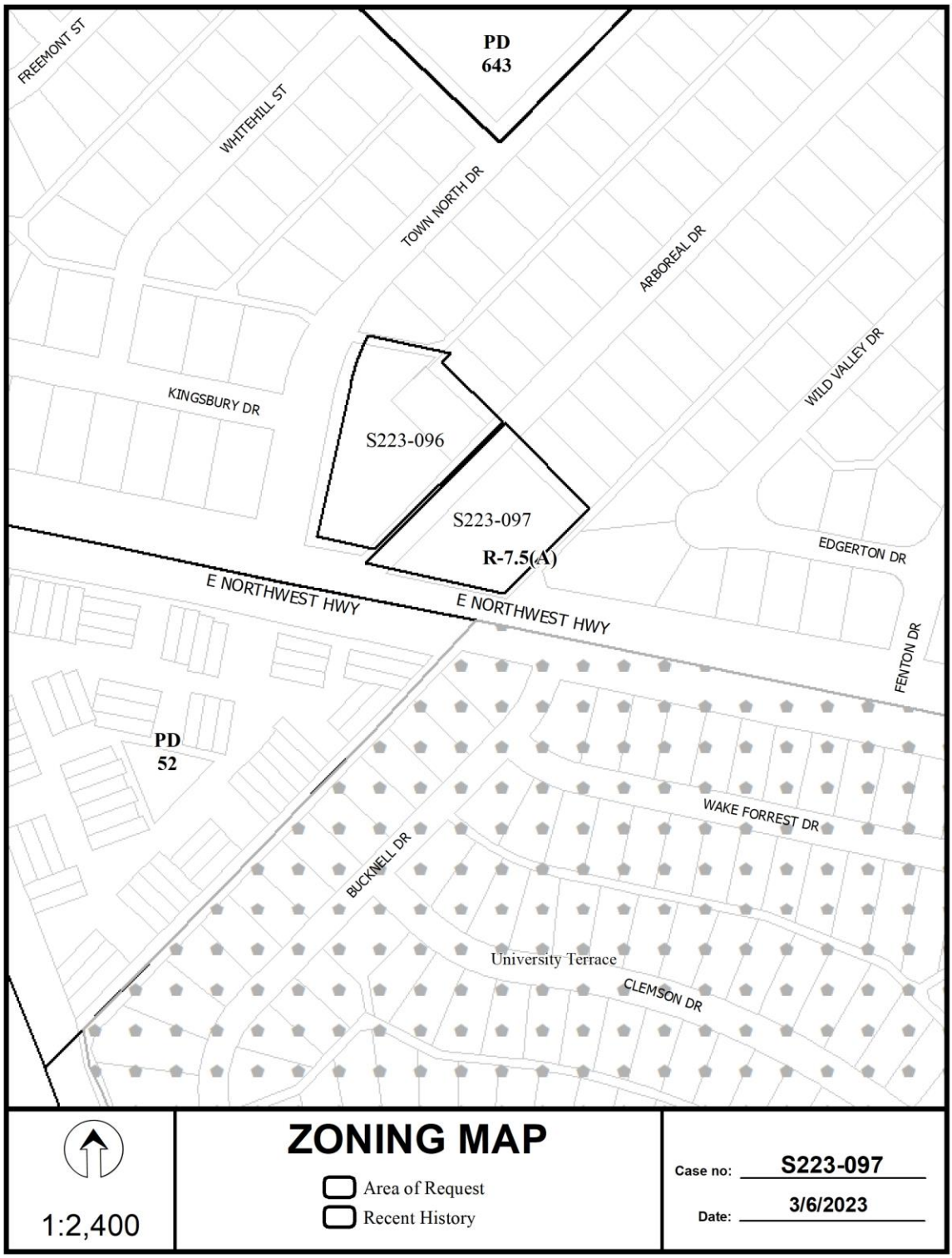
25. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

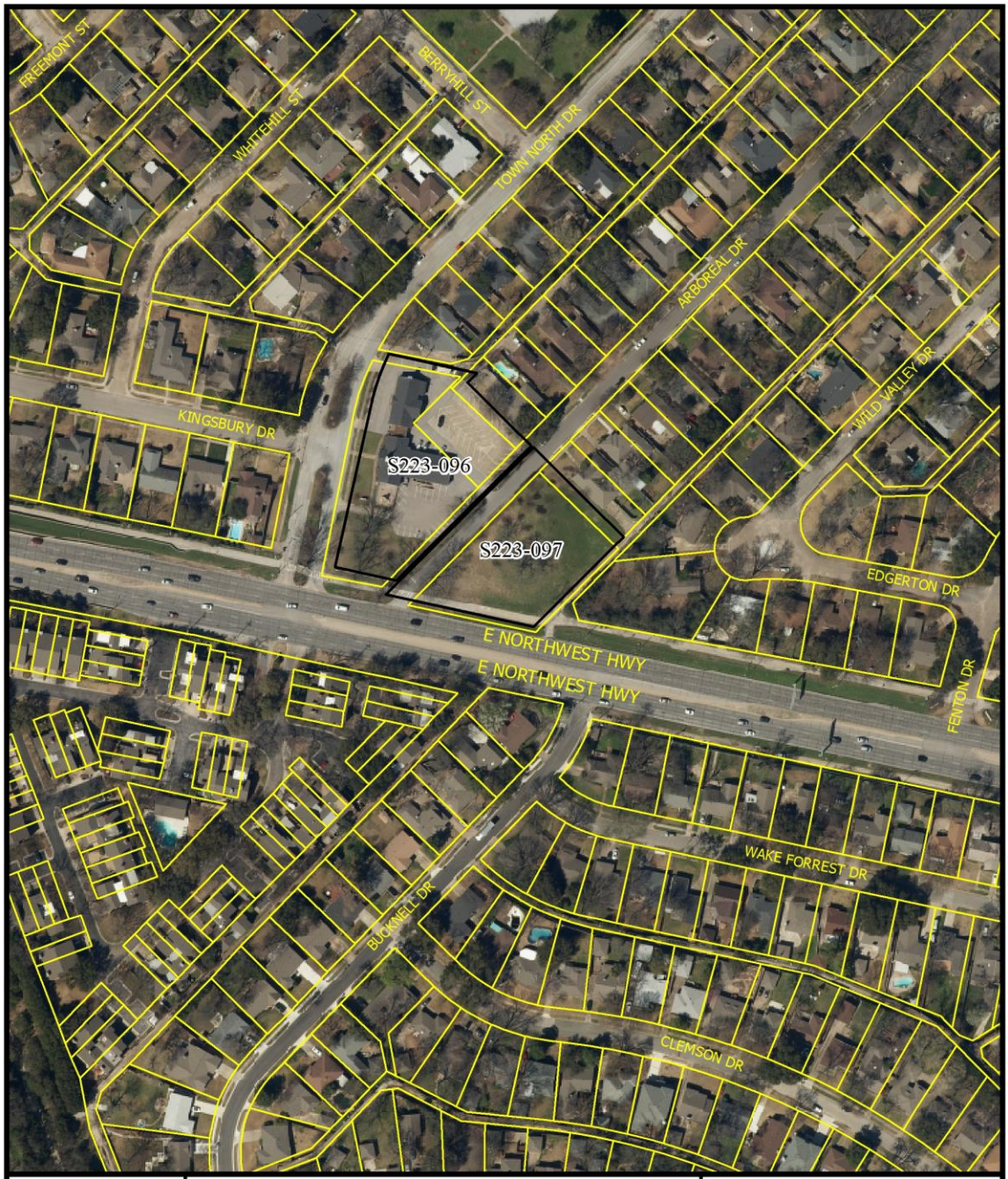
26. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

27. On the final plat, change "Northwest Highway (State Highway Loop 12)" to "Northwest Highway / State Highway Loop 12". Section 51A-8.403(a)(1)(A)(xii)

28. On the final plat, identify the property as Lot 1 in City Block A/5439. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


FREEMONT ST
WHITEHILL ST
PD
643
TOWN NORTH DR
ARBOREAL DR
WILD VALLEY DR
KINGSBURY DR
S223-096
S223-097
R-7.5(A)
EDGERTON DR
E NORTHWEST HWY
E NORTHWEST HWY
FENTON DR
PD
52
WAKE FORREST DR
BUCKNELL DR
University Terrace
CLEMSON DR
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-097
Date: 3/6/2023



AERIAL MAP

1:2,400

Area of Request

Recent History

Case no: S223-097

Date: 3/6/2023

TOWN NORTH DRIVE
[100' PUBLIC RIGHT-OF-WAY]
(V. 24, P. 161, M.R.D.C.T.)
EDISON DRIVE
[50' PUBLIC RIGHT-OF-WAY]
(V. 24, P. 161, M.R.D.C.T.)
NORTHWEST HIGHWAY
(STATE HIGHWAY LOOP 12)
[VARIABLE WIDTH PUBLIC RIGHT-OF-WAY]
(V. 5390, P. 60, D.R.D.C.T.)
ARBOREAL DRIVE
[50' PUBLIC RIGHT-OF-WAY]
(V. 42, P. 105, M.R.D.C.T.)
BUCKNELL DRIVE
[50' PUBLIC RIGHT-OF-WAY]
(V. 25, P. 39, M.R.D.C.T.)
WILD VALLEY DRIVE
[50' PUBLIC RIGHT-OF-WAY]
(V. 22, P. 105, M.R.D.C.T.)
Point of Beginning
TOTAL
5,089 sq.ft.
1.175 acres
LOT 1, BLOCK A/5439
TOWN NORTH FELLOWSHIP NO. 2
CITY BLOCK 5438
BEREAN BAPTIST CHURCH SUBDIVISION
CITY BLOCK 5439
WHITE ROCK FELLOWSHIP
6900 TOWN NORTH DR.
TRACT I
TRACT II
ONE-STORY BRICK
BLDG. HT. ± 34.0'±
BLDG. AREA
2,855 sq.ft.
ONE-STORY BRICK
BLDG. HT. ± 34.0'±
BLDG. AREA
5,304 sq.ft.
BLOCK A/5437
MERRIMAN PARK
V. 24, P. 161
M.R.D.C.T.
BLOCK E/5437
MERRIMAN PARK
V. 24, P. 161
M.R.D.C.T.
BLOCK A/5438
MERRIMAN MANOR ADDITION
V. 42, P. 105
M.R.D.C.T.
BLOCK B/5438
MERRIMAN MANOR ADDITION
V. 42, P. 105
M.R.D.C.T.
BLOCK A/5429
TOWN NORTH TOWNHOUSE ADDITION
V. 84, P. 161
D.R.D.C.T.
BLOCK A/5427
UNIVERSITY TERRACE ADDITION
V. 25, P. 39
M.R.D.C.T.
BLOCK D/5440
UNIVERSITY MANOR
V. 22, P. 105
M.R.D.C.T.
N 12°28'00" E 257.60'
S 77°32'00" E 139.20'
N 77°32'00" W 98.39'
N 45°07'43" E 322.66'
S 45°07'43" W 294.77'
N 77°32'00" W 233.69'
S 44°52'17" E 300.60'
S 45°10'04" W 196.96'
LOCATION MAP
NOT TO SCALE
SITE
LEGEND
PROPERTY LINE
ADJOINER PROPERTY LINE
EASEMENT LINE
CENTERLINE
DEED RECORDS, DALLAS COUNTY, TEXAS
MAP RECORDS, DALLAS COUNTY, TEXAS
INSTRUMENT NUMBER
VOLUME
CONTROLLING MONUMENT
PAGE
SQUARE FEET
IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TOWN NORTH FELLOWSHIP, GOES, INC, RPLS 4694" SET
MAG NAIL W/ BRASS WASHER STAMPED "TOWN NORTH FELLOWSHIP, GOES, INC, RPLS 4694" SET
Scale in Feet
SURVEYOR'S NOTES
1. Bearing relation from the South 77°32'00" East line of Town North Drive, bearing North 12°28'00" East, as shown on City Block 5438, Berean Baptist Church Subdivision, according to the plat recorded in Volume 98, P. 243, M.R.D.C.T.
2. Lot-to-lot drainage shall not be allowed without City of Dallas Paving & Drainage Engineering Section approval.
3. The purpose of this plat is to create one lot from a single tract.
4. Central Zone, North American Datum of 1983 for grid coordinate values, no scale and no projection.
5. No buildings exist on Site.
OWNER:
WHITE ROCK FELLOWSHIP
6900 N. CENTRAL EXPY.
DALLAS, TEXAS 75231
Phone: 903-530-4231
ENGINEER / SURVEYOR:
Robert Shabenberg, P.E., R.P.L.S.
robert.shabenberg@gonzalezschaeberg.com
GONZALEZ & SCHAEBERG ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-410-8855
SHEET 1 OF 2
PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 2
LOT 1, BLOCK A/5439
1.175 ACRE TRACT
BEING A PLAT OF A TRACT OUT OF
CITY BLOCK 5439
D. A. MUTRDUX SURVEY, ABSTRACT NO. 997
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-097
ENGINEERING NUMBER DP23-XXX
Gonzalez & Schaeberg
engineers ▪ surveyors
TX ENGINEERING FIRM REG. NO. E-3376
TX SURVEYING FIRM REG. NO. 100732-00
2100 Lakeside Boulevard
Suite 200, Richardson, Texas 75082
7422-21-1-06
FEBRUARY, 2023
1" = 30'

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, White Rock Fellowship are the owners of a 1.175 acre tract of land situated in the D. A. Murdock Survey, Abstract No. 997, City of Dallas, Dallas County, Texas and being a portion of City Block 5439; said point also being known as Tract III according to the Special Warranty Deed with Vendor's Lien recorded in County Clerk's Instrument No. 201502088850, Official Public Records, Dallas County, Texas; said 1.175 acre tract being more particularly described by metes and bounds as follows:

BEGINNING, at a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the north corner of said 1.175 acre tract; said point also being the north corner of said Tract III, said point also being at the intersection of the southwest right-of-way of Arboreal Drive (50 feet wide) and the southeast right-of-way of 10-foot public right-of-way;

THENCE, South 44 degrees 59 minutes 00 seconds East, with said southwest right-of-way, passing, at a distance of 40.00 feet a 1/2-inch iron rod found at the south corner of said Arboreal Drive, said point also being the west corner of Lot 1, Block B/5438, Merriman Manor Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 42, Page 135, Map Records, Dallas County, Texas; continuing, and passing, at a distance of 192.04 feet the south corner of said Lot 1, Block B/5438; said point also being the west corner of a 5-foot alley; continuing, in all, a total distance of 197.04 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the east corner of said 1.175 acre tract; said point also being the south corner of said 5-foot alley; said point also being on the northwest right-of-way of a 10-foot alley;

THENCE, South 45 degrees 10 minutes 06 seconds West, with said northwest right-of-way, a distance of 196.98 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the south corner of said 1.175 acre tract, said point also being at the intersection of said northwest right-of-way and the northeast right-of-way line of Northwest Highway (State Highway Loop 12) (112-feet wide at this point);

THENCE, North 77 degrees 32 minutes 00 seconds West, with said northeast right-of-way, a distance of 233.89 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the west corner of said 1.175 acre tract; said point also being at the intersection of said northeast right-of-way and the southeast right-of-way of a 10-foot public right-of -way;

THENCE, North 45 degrees 07 minutes 43 seconds East, leaving said northeast right-of-way and with said southeast right-of-way, a distance of 322.82 feet to the POINT OF BEGINNING;

CONTAINING, 51,189 square feet or 1.175 acres of land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT, White Rock Fellowship, do hereby adopt this plat, designating the herein described property as **TOWN NORTH FELLOWSHIP NO. 2**, an addition to the City of Dallas, Dallas County, Texas, and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same, All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the_____day of_____, 2023.

_____
WHITE ROCK FELLOWSHIP
Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared_____known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day of_____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Robert W. Schneeberg, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation, and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e), and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

RELEASED 02/22/23 FOR REVIEW - PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

_____
Robert W. Schneeberg
Texas Registered Professional Land Surveyor No. 4804

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Robert W. Schneeberg, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

OWNER:
WHITE ROCK FELLOWSHIP
Attn: Nicholas Smith
9330 N CENTRAL EXPY
DALLAS, TEXAS 75231
nicholassmith12@gmail.com
Phone: 903-520-0231

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG,
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

SHEET 2 OF 2

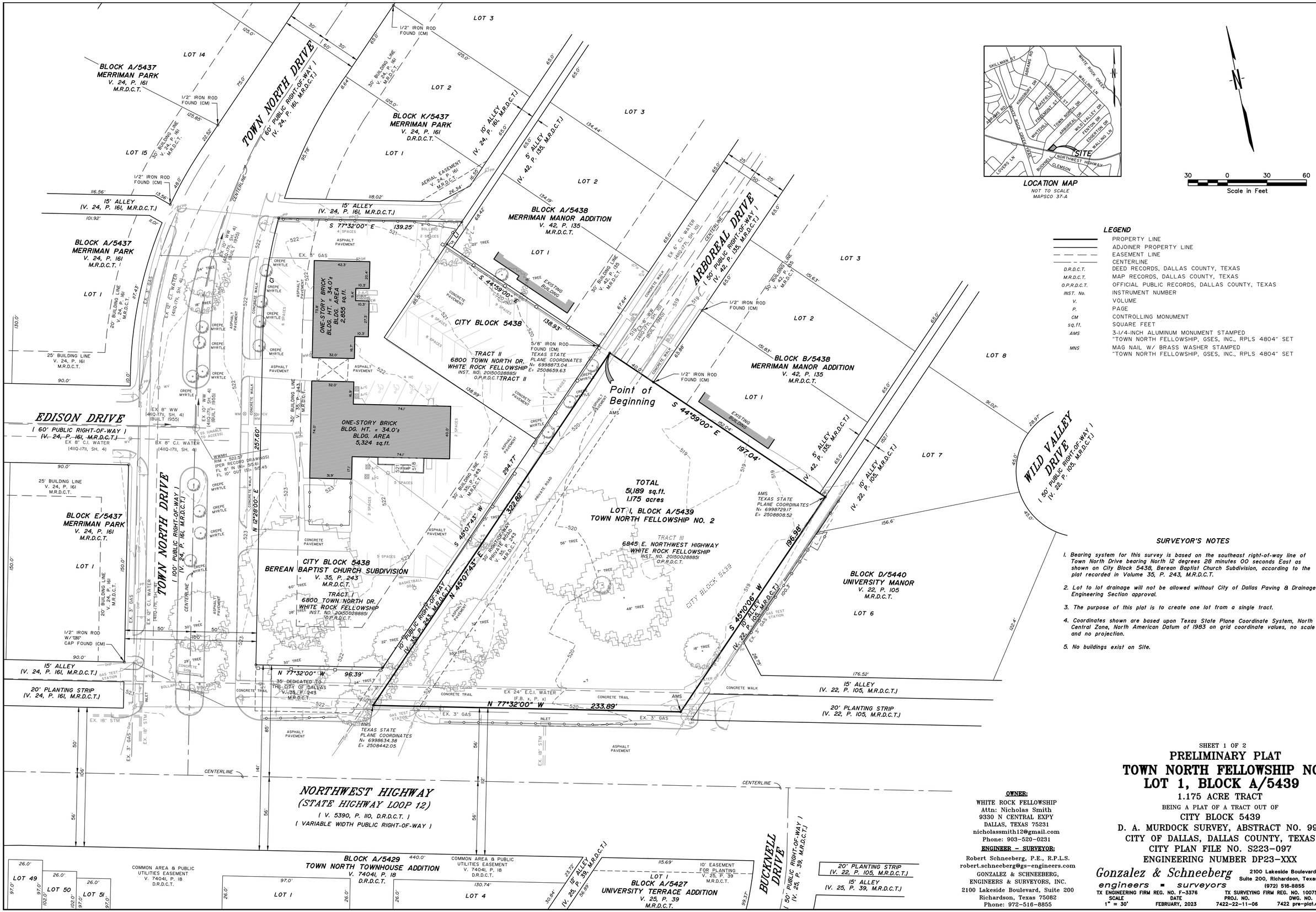
PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 2
LOT 1, BLOCK A/5439

1.175 ACRE TRACT
BEING A PLAT OF A TRACT OUT OF
CITY BLOCK 5439
D. A. MURDOCK SURVEY, ABSTRACT NO. 997
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-097
ENGINEERING NUMBER DP23-XXX

Gonzalez & Schneeberg 2100 Lakeside Boulevard Suite 200, Richardson, Texas 75082
engineers ▪ surveyors (972) 516-8855
TX ENGINEERING FIRM REG. NO. T-3376 TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
N/A	FEBRUARY, 2023	7422-22-11-06	7422 pre-plat.dwg

S223-097
31(g)
City Plan Commission Date: 03/23/2023



LOCATION MAP
NOT TO SCALE
MAPSCO 37-A

30 0 30 60
Scale in Feet

LEGEND

———	PROPERTY LINE
———	ADJOINER PROPERTY LINE
— — — —	EASEMENT LINE
— - — - —	CENTERLINE
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
INST. No.	INSTRUMENT NUMBER
V.	VOLUME
P.	PAGE
CM	CONTROLLING MONUMENT
sq.ft.	SQUARE FEET
AMS	3-1/4-INCH ALUMINUM MONUMENT STAMPED "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" SET
MNS	MAG NAIL W/ BRASS WASHER STAMPED "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" SET

SURVEYOR'S NOTES

1. Bearing system for this survey is based on the southeast right-of-way line of Town North Drive bearing North 12 degrees 28 minutes 00 seconds East as shown on City Block 5438, Berean Baptist Church Subdivision, according to the plat recorded in Volume 35, P. 243, M.R.D.C.T.
2. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section approval.
3. The purpose of this plat is to create one lot from a single tract.
4. Coordinates shown are based upon Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on grid coordinate values, no scale and no projection.
5. No buildings exist on Site.

SHEET 1 OF 2

PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 2
LOT 1, BLOCK A/5439

1.175 ACRE TRACT

BEING A PLAT OF A TRACT OUT OF
CITY BLOCK 5439
D. A. MURDOCK SURVEY, ABSTRACT NO. 997
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-097
ENGINEERING NUMBER DP23-XXX

OWNER:
WHITE ROCK FELLOWSHIP
Attn: Nicholas Smith
9330 N CENTRAL EXPY
DALLAS, TEXAS 75231
nicholassmith12@gmail.com
Phone: 903-520-0231

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG, ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

Gonzalez & Schneeberg
engineers ▪ surveyors
2100 Lakeside Boulevard
Suite 200, Richardson, Texas 75082
(972) 516-8855
TX ENGINEERING FIRM REG. NO. F-3376
TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
1" = 30'	FEBRUARY, 2023	7422-22-11-06	7422 pre-plat.dwg

P:\7422 White Rock Fellowship Church\7422 pre-plat.dwg, 2/24/2023 12:59:50 PM, DWG To PDF.pc3

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, White Rock Fellowship are the owners of a 1.175 acre tract of land situated in the D. A. Murdock Survey, Abstract No. 997, City of Dallas, Dallas County, Texas and being a portion of City Block 5439; said point also being known as Tract III according to the Special Warranty Deed with Vendor's Lien recorded in County Clerk's Instrument No. 201500288851, Official Public Records, Dallas County, Texas; said 1.175 acre tract being more particularly described by metes and bounds as follows;

BEGINNING, at a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the north corner of said 1.175 acre tract; said point also being the north corner of said Tract III; said point also being at the intersection of the southwest right-of-way of Arboreal Drive (50 feet wide) and the southeast right-of-way of 10-foot public right-of-way;

THENCE, South 44 degrees 59 minutes 00 seconds East, with said southwest right-of-way, passing, at a distance of 40.00 feet a 1/2-inch iron rod found at the south corner of said Arboreal Drive; said point also being the west corner of Lot 1, Block B/5438, Merriman Manor Addition, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 42, Page 135, Map Records, Dallas County, Texas; continuing, and passing, at a distance of 192.04 feet the south corner of said Lot 1, Block B/5438; said point also being the west corner of a 5-foot alley; continuing, in all, a total distance of 197.04 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the east corner of said 1.175 acre tract; said point also being the south corner of said 5-foot alley; said point also being on the northwest right-of-way of a 10-foot alley;

THENCE, South 45 degrees 10 minutes 06 seconds West, with said northwest right-of-way, a distance of 196.98 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the south corner of said 1.175 acre tract; said point also being at the intersection of said northwest right-of-way and the northeast right-of-way line of Northwest Highway (State Highway Loop 12) (112-feet wide at this point);

THENCE, North 77 degrees 32 minutes 00 seconds West, with said northeast right-of-way, a distance of 233.89 feet to a 3-1/4-inch aluminum monument stamped "TOWN NORTH FELLOWSHIP, GSES, INC., RPLS 4804" set at the west corner of said 1.175 acre tract; said point also being at the intersection of said northeast right-of-way and the southeast right-of-way of a 10-foot public right-of -way;

THENCE, North 45 degrees 07 minutes 43 seconds East, leaving said northeast right-of-way and with said southeast right-of-way, a distance of 322.82 feet to the POINT OF BEGINNING;

CONTAINING, 51,189 square feet or 1.175 acres of land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT, White Rock Fellowship, do hereby adopt this plat, designating the herein described property as **TOWN NORTH FELLOWSHIP NO. 2**, an addition to the City of Dallas, Dallas County, Texas, and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the_____day of_____, 2023.

_____
WHITE ROCK FELLOWSHIP
Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared_____known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day of_____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Robert W. Schneeberg, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

RELEASED 02/22/23 FOR REVIEW - PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

_____
Robert W. Schneeberg
Texas Registered Professional Land Surveyor No. 4804

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Robert W. Schneeberg, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

OWNER:
WHITE ROCK FELLOWSHIP
Attn: Nicholas Smith
9330 N CENTRAL EXPY
DALLAS, TEXAS 75231
nicholassmith12@gmail.com
Phone: 903-520-0231

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG,
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

SHEET 2 OF 2

PRELIMINARY PLAT
TOWN NORTH FELLOWSHIP NO. 2
LOT 1, BLOCK A/5439

1.175 ACRE TRACT
BEING A PLAT OF A TRACT OUT OF
CITY BLOCK 5439
D. A. MURDOCK SURVEY, ABSTRACT NO. 997
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-097
ENGINEERING NUMBER DP23-XXX

Gonzalez & Schneeberg 2100 Lakeside Boulevard
engineers ▪ surveyors Suite 200, Richardson, Texas 75082
(972) 516-8855
TX ENGINEERING FIRM REG. NO. F-3376 TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
N/A	FEBRUARY, 2023	7422-22-11-06	7422 pre-plat.dwg

P:\7422 White Rock Fellowship Church\7422 pre-plat.dwg, 2/24/2023 1:00:21 PM, DWG To PDF.pc3

Agenda Information Sheet

File #: 23-874 **Item #:** 32.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 1.01-acre lot from a tract of land in City Block 3766 on property located on Clarendon Drive, east of Beckley Avenue.
Applicant/Owner: FJMI, LLC
Surveyor: Eagle Surveying, LLC
Application Filed: February 24, 2023
Zoning: RR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 4
S223-098

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-098 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: East Clarendon Drive, east of South Beckley Avenue

DATE FILED: February 24, 2023 **ZONING:** RR

CITY COUNCIL DISTRICT: 4 **SIZE OF REQUEST:** 1.01-acres **MAPSCO:** 54M

APPLICANT/OWNER: FJMI, LLC

REQUEST: An application to create one 1.01-acre lot from a tract of land in City Block 3766 on property located on East Clarendon Drive, east of South Beckley Avenue.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of the RR Regional Retail District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608*

Survey (SPRG) Conditions:

16. Prior to final plat, submit a completed final plat checklist and all supporting documents.

17. On the final plat, show recording information on all existing easements within 150 feet of the property.

18. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

19. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

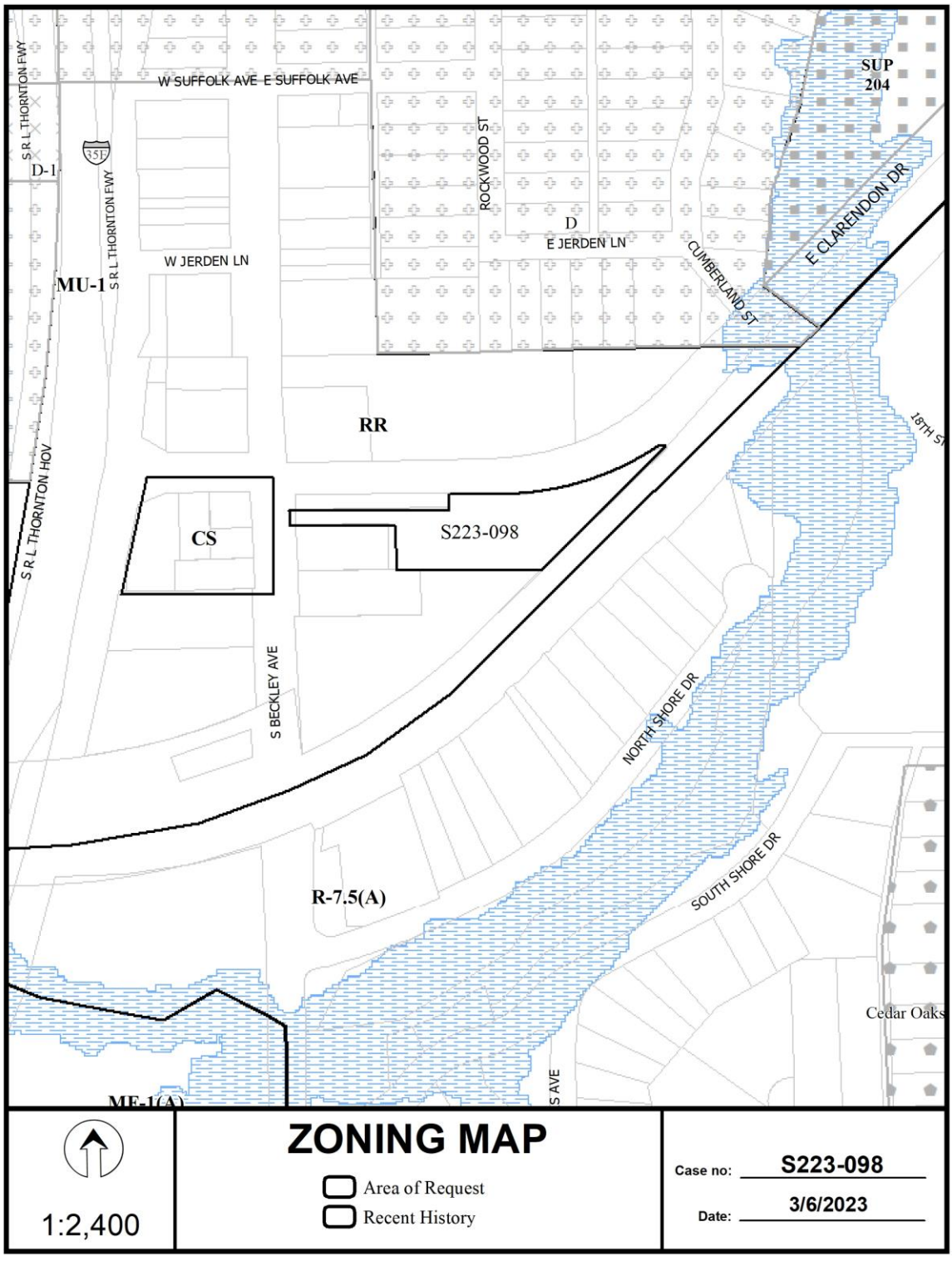
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

20. Prior to final plat, provide documentation to Real Estate to ensure all fencing located within City right-of-way on East Clarendon Drive (F.K.A. Jimtown Road) is relocated to owner's property or removed.

21. On the final plat, change "Clarendon Drive (F.K.A. Jimtown Road)" to "East Clarendon Drive (F.K.A. Jimtown Road)". Section 51A-8.403(a)(1)(A)(xii)

22. On the final plat, change "Beckley Avenue" to "South Beckley Avenue". Section 51A-8.403(a)(1)(A)(xii)

23. On the final plat, identify the property as Lot 1 in City Block A/3766. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


W SUFFOLK AVE
E SUFFOLK AVE
S R L THORNTON FWY
D-1
MU-1
W JERDEN LN
ROCKWOOD ST
D
E JERDEN LN
CUMBERLAND ST
E CLARENDON DR
SUP 204
RR
CS
S223-098
S R L THORNTON HOV
S BECKLEY AVE
NORTH SHORE DR
SOUTH SHORE DR
R-7.5(A)
Cedar Oaks
18TH ST
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-098
Date: 3/6/2023

1:2,400

AERIAL MAP

Area of Request

Recent History

Case no: S223-098

Date: 3/6/2023

GENERAL NOTES

1. The purpose of this plat is to create one (1) platted lot from an unplatted tract of land.
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3. Controlling monuments: as shown.
4. Lot-to-lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.
5. The bearings shown on this survey are based on GPS observations utilizing AllTerra RTK Network. North American datum of 1983 (Adjustment Realization 2011).
6. This property is located in **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated July 07, 2017 and is located in Community Number 480171 as shown on Map Number 48113C0480K. The location of the Flood Zone is approximate. For the exact Flood Zone designation, please contact 1-(877) FEMA MAP.
7. Buildings shown hereon are to be demolished.

LEGEND

POB	= POINT OF BEGINNING
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IRF	= IRON ROD FOUND
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INST. NO.	= INSTRUMENT NUMBER
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—℄—	CENTERLINE
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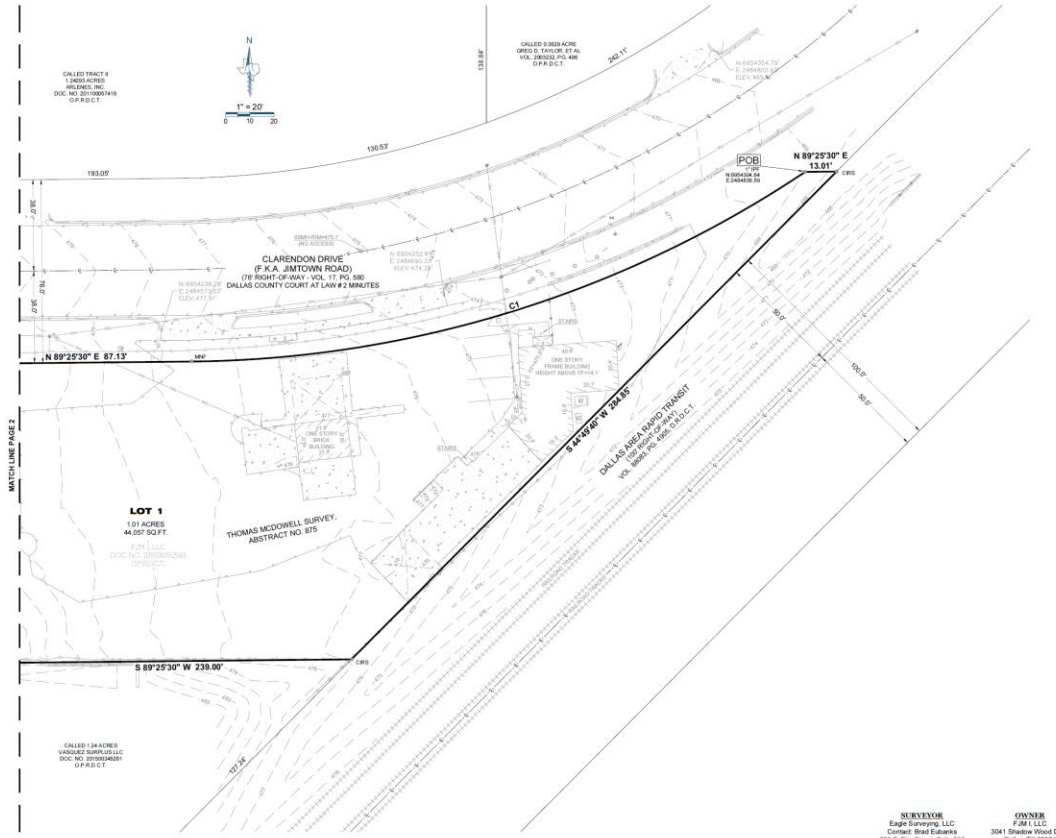

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	269.62'	465.00'	33°13'18"	N 72°48'51" E	265.86'

PRELIMINARY PLAT

CLARENDON ADDITION

LOT 1, CITY BLOCK 3766

BEING ALL OF A CALLED 1.0304 ACRE TRACT OF LAND
RECORDED IN DOCUMENT NUMBER 201600292590
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
THOMAS McDOWELL SURVEY, ABSTRACT 875,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-098
CITY ENGINEERING NO. DP_____

PAGE 1 OF 2

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

OWNER
FJM I, LLC
3041 Shadow Wood Drive
Dallas, TX 75224

JOB NUMBER	2211.044-03
DATE	02/24/2023
REVISION	
DRAWN BY	EN

EAGLE SURVEYING

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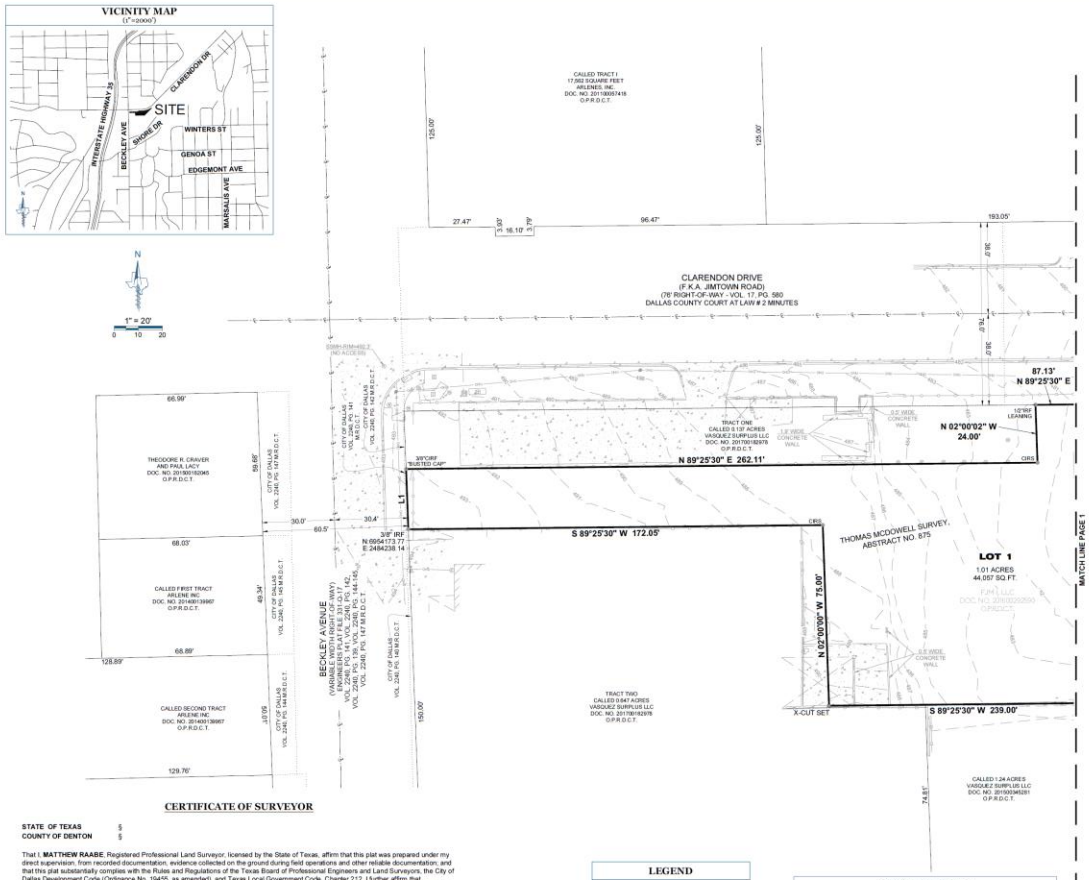
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

S223-098

City Plan Commission Date: 03/23/2023 32(g)



CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF DENTON §

That I, **MATTHEW RAABE**, Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____ 2023.

PRELIMINARY

this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

_____
Matthew Raabe, R.P.L.S. # 6402

STATE OF TEXAS §
COUNTY OF DENTON §

Before me, the undersigned Notary Public in and for said County and State on this day personally appeared **MATTHEW RAABE**, known to me to be the person whose name is subscribed to the foregoing considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____ 2023.

_____
Notary Public in and for the State of Texas

LEGEND

POB	= POINT OF BEGINNING
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———	SUBJECT BOUNDARY LINE

GENERAL NOTES

1. The purpose of this plat is to create one (1) platted lot from an unplatted tract of land.
2. State Plane Coordinate System, North Texas Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
3. Controlling monuments as shown.
4. Lot-to-lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.
5. The bearings shown on this survey are based on GPS observations utilizing AllTerra RTK Network. North American datum of 1983 (Adjustment Realization 2011).
6. This property is located in **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated July 07, 2017 and is located in Community Number 480171 as shown on Map Number 48113C0480K. The location of the Flood Zone is approximate. For the exact Flood Zone designation, please contact 1-(877) FEMA MAP.
7. Buildings shown hereon are to be demolished.

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS FJM I, LLC, is the sole owner of a 1.01 acre tract of land out of the Thomas McDowell Survey, Abstract Number 875, situated in the City of Dallas, Dallas County, Texas, and being all of a called 1.0304 acre tract of land conveyed to FJM I, LLC by General Warranty Deed with Vendor's Lien of record in Document Number 201602922590 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1" iron pipe found in the south right-of-way line of Clarendon Drive (variable width right-of-way, recorded in Volume 17, Page 580 Dallas County Court at Law #2 Minutes), being a north corner of said 1.0304 acre tract of land;

THENCE, N89°25'30"E, along the south right-of-way line of said Clarendon Drive, being the north line of said 1.01 acre tract, a distance of 13.01 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the northwest right-of-way line of Dallas Area Rapid Transit (100' right-of-way, created by Volume 88083, Page 4905, D.R.D.C.T.), being the northeast corner of said 1.01 acre tract;

THENCE, S44°49'40"W, along the northwest right-of-way line of said Dallas Area Rapid Transit, being the common southeast line of said 1.0304 acre tract, a distance of 284.85 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the northeast corner of a called 1.24 acre tract of land conveyed to Vasquez Surplus LLC by General Warranty Deed of record in Document Number 20170018297 8 of the Official Public Records of Dallas County, Texas and the southeast corner of said 1.0304 acre tract;

THENCE, along the north lines of said 1.24 acre tract of land and a called 0.647 acre tract of land shown as Tract Two conveyed to Vasquez Surplus LLC by General Warranty Deed of record in Document Number 20170018297 8 of the Official Public Records of Dallas County, Texas, being the common south line of said 1.0304 acre tract of land, the following three (3) courses and distances:

1. S89°25'30"W, a distance of 239.00 feet to an X-cut set, being an interior ell corner of said 0.647 acre tract and the southwest corner of said 1.0304 acre tract;
2. N02°00'00"W, a distance of 75.00 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the northeast corner of said 0.647 acre tract and an interior ell corner of said 1.0304 acre tract;
3. S89°25'30"W, a distance of 172.05 feet to a 3/8" iron rod found in the east right-of-way line of Beckley Avenue (variable width right-of-way, created by Engineers Plat File 331-Q-17, Volume 2240, Page 141, Volume 2240, Page 142, Volume 2240, Page 139, Volume 2240, Page 144-145, Volume 2240, Page 147, M.R.D.C.T), being the northwest corner of said 0.647 acre tract and a west corner of said 1.0304 acre tract;

THENCE, N02°07'00"W, along the east right-of-way line of said Beckley Avenue, being the common west line of said 1.0304 acre tract, a distance of 25.04 feet to a 3/8" iron rod found with a busted yellow cap, being the southwest corner of a called 0.137 acre tract of land shown as Tract One conveyed to Vasquez Surplus LLC by General Warranty Deed of record in Document Number 20170018297 8 of the Official Public Records of Dallas County, Texas and a north corner of said 1.0304 acre tract;

THENCE, along the common line between said 0.137 acre tract and the 1.0304 acre tract, the following two (2) bearings and distances:
N89°25'30"E, a distance of 262.11 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the southeast corner of said 0.137 acre tract and an interior ell corner of said 1.0304 acre tract;
N02°00'02"W, a distance of 24.00 feet to a leaning 1/2" iron rod found in the south right-of-way line of said Clarendon Drive, being the northeast corner of said 0.137 acre tract and the northwest corner of said 1.0304 acre tract;

THENCE, along the south right-of-way line of said Clarendon Drive, being the north line of said 1.0304 acre tract, the following two (2) courses and distances:

1. N89°25'30"E, a distance of 87.13 feet to a Mag nail found at the beginning of a tangent curve to the left;
2. In a northeasterly direction and along said tangent curve to the left, having a radius of 465.00 feet, a chord bearing of N72°48'51"E, a chord length of 265.86 feet, a delta angle of 33°13'18", an arc length of 269.62 feet to the POINT OF BEGINNING, containing 1.01 acres or 44,057 square feet of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT **FJM I, LLC**, does hereby adopt this plat, designating the herein described property as **CLARENDON ADDITION**, an addition to the City of Dallas, Dallas County, Texas and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility.)

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

OWNER: **FJM I, LLC**

BY: _____
AUTHORIZED AGENT SIGNATURE

BY: _____
AUTHORIZED AGENT, PRINTED NAME & TITLE

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned Notary Public in and for said County and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
CLARENDON ADDITION
LOT 1, CITY BLOCK 3766

BEING ALL OF A CALLED 1.0304 ACRE TRACT OF LAND
RECORDED IN DOCUMENT NUMBER 201600292590
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
THOMAS McDOWELL SURVEY, ABSTRACT 875,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-098
CITY ENGINEERING NO. DP_____

PAGE 2 OF 2

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

OWNER
FJM I, LLC
3041 Shadow Wood Drive
Dallas, TX 75224

JOB NUMBER	2211.044-03
DATE	02/24/2023
REVISION	
DRAWN BY	EN

EAGLE SURVEYING

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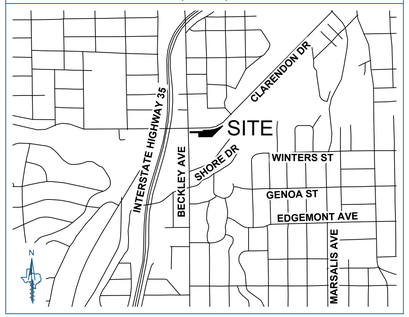
VICINITY MAP
(1"=2000')



GENERAL NOTES

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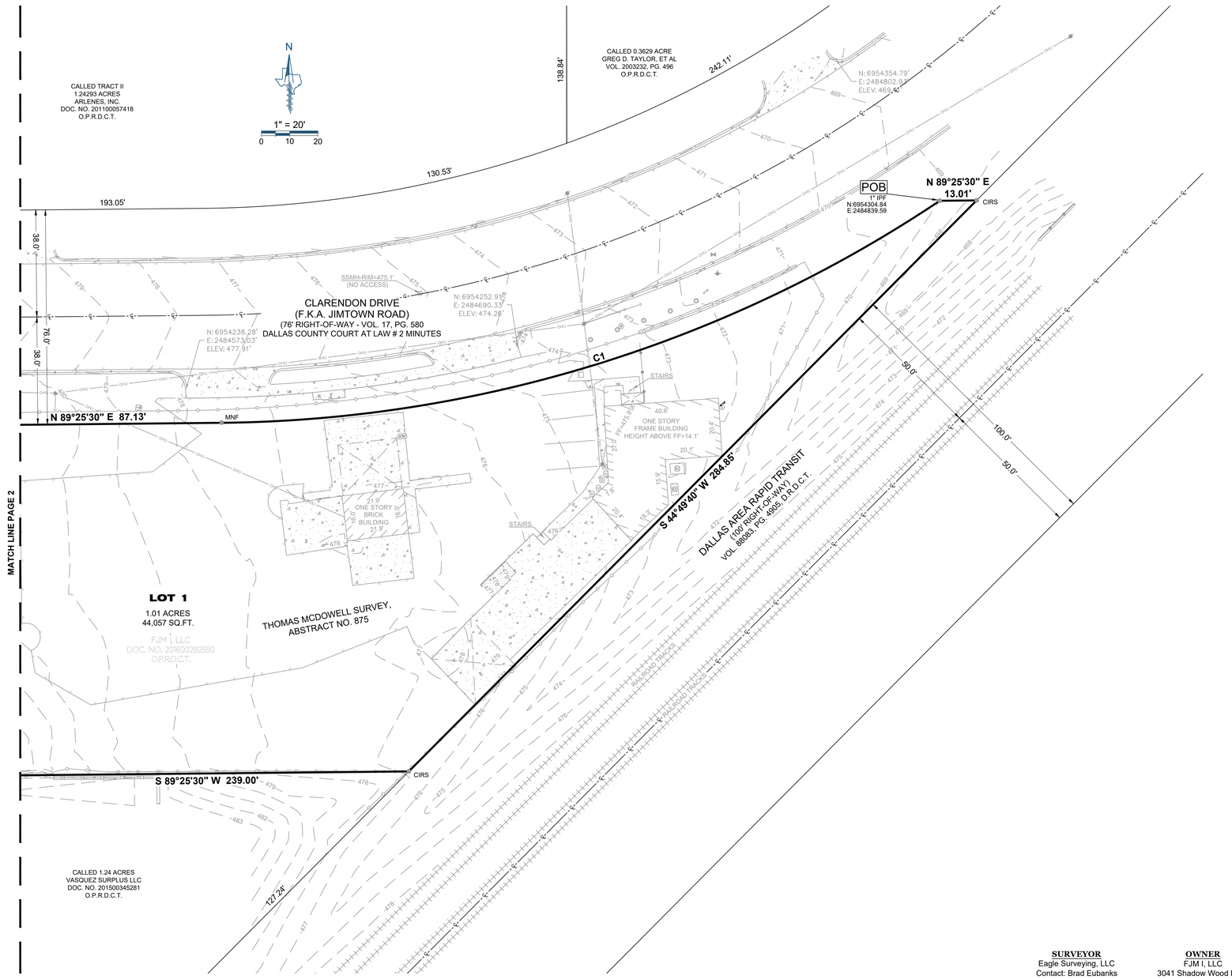

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
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CLARENDON ADDITION
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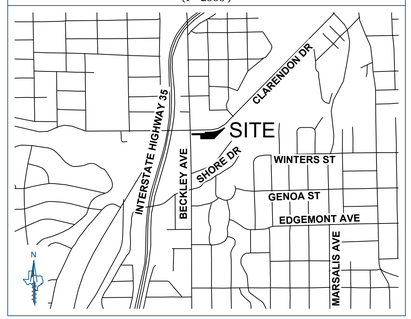

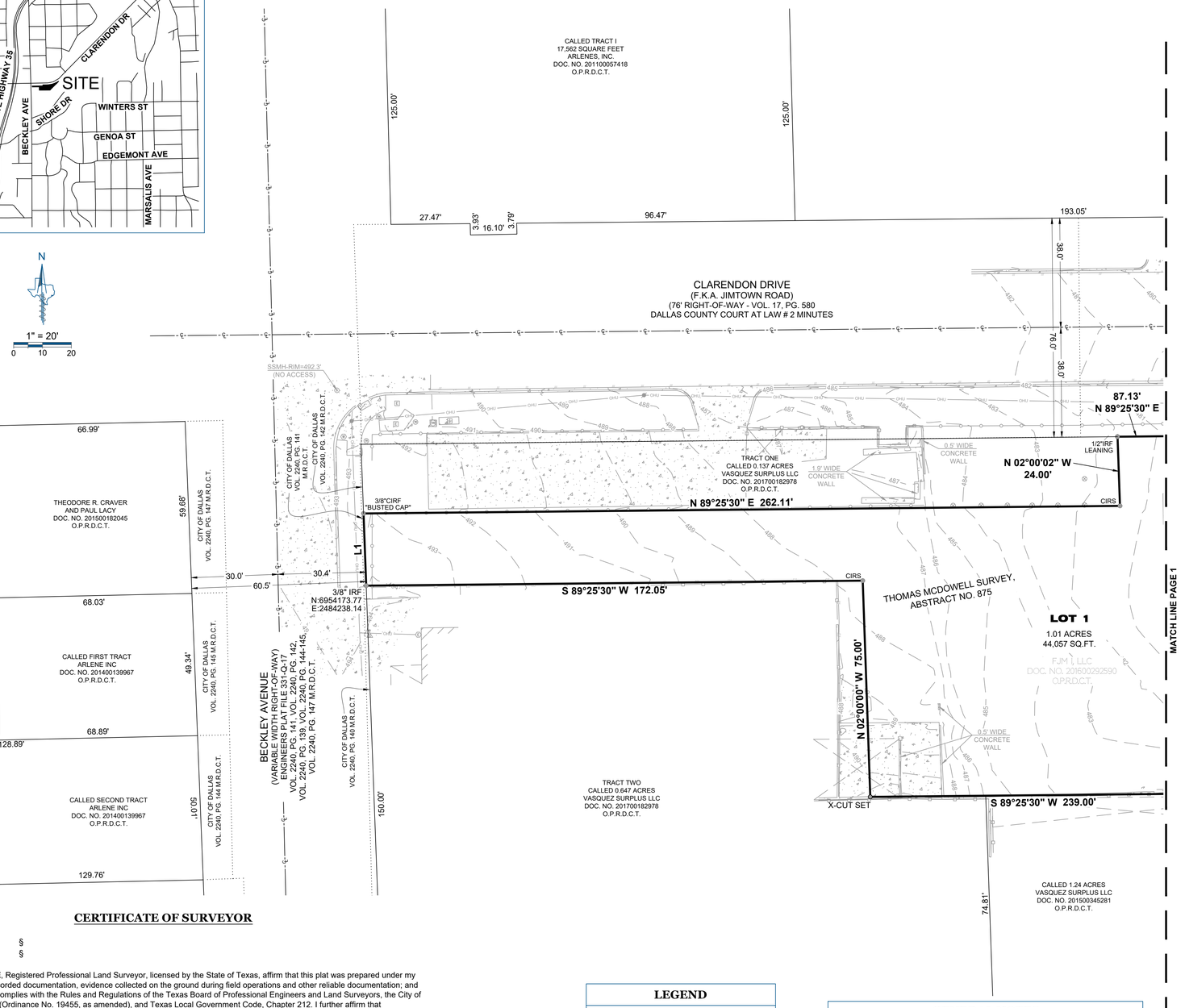

CERTIFICATE OF SURVEYOR

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COUNTY OF DENTON §

That I, **MATTHEW RAABE**, Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

PRELIMINARY
this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

_____
Matthew Raabe, R.P.L.S. # 6402

STATE OF TEXAS §
COUNTY OF DENTON §

Before me, the undersigned Notary Public in and for said County and State on this day personally appeared **MATTHEW RAABE**, known to me to be the person whose name is subscribed to the foregoing considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

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OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS FJM I, LLC, is the sole owner of a 1.01 acre tract of land out of the Thomas McDowell Survey, Abstract Number 875, situated in the City of Dallas, Dallas County, Texas, and being all of a called 1.0304 acre tract of land conveyed to FJM I, LLC by General Warranty Deed with Vendor's Lien of record in Document Number 201600292590 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1" iron pipe found in the south right-of-way line of Clarendon Drive (variable width right-of-way, recorded in Volume 17, Page 580 Dallas County Court at Law #2 Minutes), being a north corner of said 1.0304 acre tract of land;

THENCE, N89°25'30"E, along the south right-of-way line of said Clarendon Drive, being the north line of said 1.01 acre tract, a distance of 13.01 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the northwest right-of-way line of Dallas Area Rapid Transit (100' right-of-way, created by Volume 88083, Page 4905, D.R.D.C.T.), being the northeast corner of said 1.01 acre tract;

THENCE, S44°49'40"W, along the northwest right-of-way line of said Dallas Area Rapid Transit, being the common southeast line of said 1.0304 acre tract, a distance of 284.85 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the northeast corner of a called 1.24 acre tract of land conveyed to Vasquez Surplus LLC by General Warranty Deed of record in Document Number 201700182978 of the Official Public Records of Dallas County, Texas and the southeast corner of said 1.0304 acre tract;

THENCE, along the north lines of said 1.24 acre tract of land and a called 0.647 acre tract of land shown as Tract Two conveyed to Vasques Surplus LLC by General Warranty Deed of record in Document Number 201700182978 of the Official Public Records of Dallas County, Texas, being the common south line of said 1.0304 acre tract of land, the following three (3) courses and distances:

1. S89°25'30"W, a distance of 239.00 feet to an X-cut set, being an interior ell corner of said 0.647 acre tract and the southwest corner of said 1.0304 acre tract;
2. N02°00'00"W, a distance of 75.00 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the northeast corner of said 0.647 acre tract and an interior ell corner of said 1.0304 acre tract;
3. S89°25'30"W, a distance of 172.05 feet to a 3/8" iron rod found in the east right-of-way line of Beckley Avenue (variable width right-of-way, created by Engineers Plat File 331-Q-17, Volume 2240, Page 141, Volume 2240, Page 142, Volume 2240, Page 139, Volume 2240, Page 144-145, Volume 2240, Page 147, M.R.D.C.T), being the northwest corner of said 0.647 acre tract and a west corner of said 1.0304 acre tract;

THENCE, N02°07'00"W, along the east right-of-way line of said Beckley Avenue, being the common west line of said 1.0304 acre tract, a distance of 25.04 feet to a 3/8" iron rod found with a busted yellow cap, being the southwest corner of a called 0.137 acre tract of land shown as Tract One conveyed to Vasquez Surplus LLC by General Warranty Deed of record in Document Number 201700182978 of the Official Public Records of Dallas County, Texas and a north corner of said 1.0304 acre tract;

THENCE, along the common line between said 0.137 acre tract and the 1.0304 acre tract, the following two (2) bearings and distances:
N89°25'30"E, a distance of 262.11 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the southeast corner of said 0.137 acre tract and an interior ell corner of said 1.0304 acre tract;
N02°00'02"W, a distance of 24.00 feet to a leaning 1/2" iron rod found in the south right-of-way line of said Clarendon Drive, being the northeast corner of said 0.137 acre tract and the northwest corner of said 1.0304 acre tract;

THENCE, along the south right-of-way line of said Clarendon Drive, being the north line of said 1.0304 acre tract, the following two (2) courses and distances:

1. N89°25'30"E, a distance of 87.13 feet to a Mag nail found at the beginning of a tangent curve to the left;
2. In a northeasterly direction and along said tangent curve to the left, having a radius of 465.00 feet, a chord bearing of N72°48'51"E, a chord length of 265.86 feet, a delta angle of 33°13'18", an arc length of 269.62 feet to the POINT OF BEGINNING, containing 1.01 acres or 44,057 square feet of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT **FJM I, LLC**, does hereby adopt this plat, designating the herein described property as **CLARENDON ADDITION**, an addition to the City of Dallas, Dallas County, Texas and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility.)

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

OWNER: **FJM I, LLC**

BY: _____
AUTHORIZED AGENT SIGNATURE

BY: _____
AUTHORIZED AGENT, PRINTED NAME & TITLE

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned Notary Public in and for said County and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

PRELIMINARY PLAT
CLARENDON ADDITION
LOT 1, CITY BLOCK 3766

BEING ALL OF A CALLED 1.0304 ACRE TRACT OF LAND
RECORDED IN DOCUMENT NUMBER 201600292590
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
THOMAS McDOWELL SURVEY, ABSTRACT 875,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-098
CITY ENGINEERING NO. DP_____

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

OWNER
FJM I, LLC
3041 Shadow Wood Drive
Dallas, TX 75224

JOB NUMBER
2211.044-03
DATE
02/24/2023
REVISION
-
DRAWN BY
EN

EAGLE SURVEYING
Eagle Surveying, LLC
222 South Elm Street
Suite 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

Agenda Information Sheet

File #: 23-875 **Item #:** 33.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to create one 7.257-acre lot from a tract of land in City Block 5361 on property located on Garland Road at terminus of Centerville Road.
Applicant/Owner: Shoreline Church Dallas
Surveyor: Spiars Engineering, Inc.
Application Filed: February 24, 2023
Zoning: PD 1095
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 9
S223-099

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-099 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Garland Road / State Highway No. 78 at terminus of Centerville Road

DATE FILED: February 24, 2023 **ZONING:** PD 1095

PD LINK: currently not available

CITY COUNCIL DISTRICT: 9 **SIZE OF REQUEST:** 7.257-acres **MAPSCO:**38F

APPLICANT/OWNER: Shoreline Church Dallas

REQUEST: An application to create one 7.257-acre lot from a tract of land in City Block 5361 on property located on Garland Road / State Highway No. 78 at terminus of Centerville Road.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

STAFF RECOMMENDATION: The request complies with the requirements of PD 1095; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments

must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, add the note: “TxDOT approval may be required for any driveway modification or new access point(s).” No citation.

16. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608*

17. Comply with PD 1095 *City Code- per PD*

Survey (SPRG) Conditions:

18. Prior to final plat, submit a completed final plat checklist and all supporting documents.

19. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

22. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

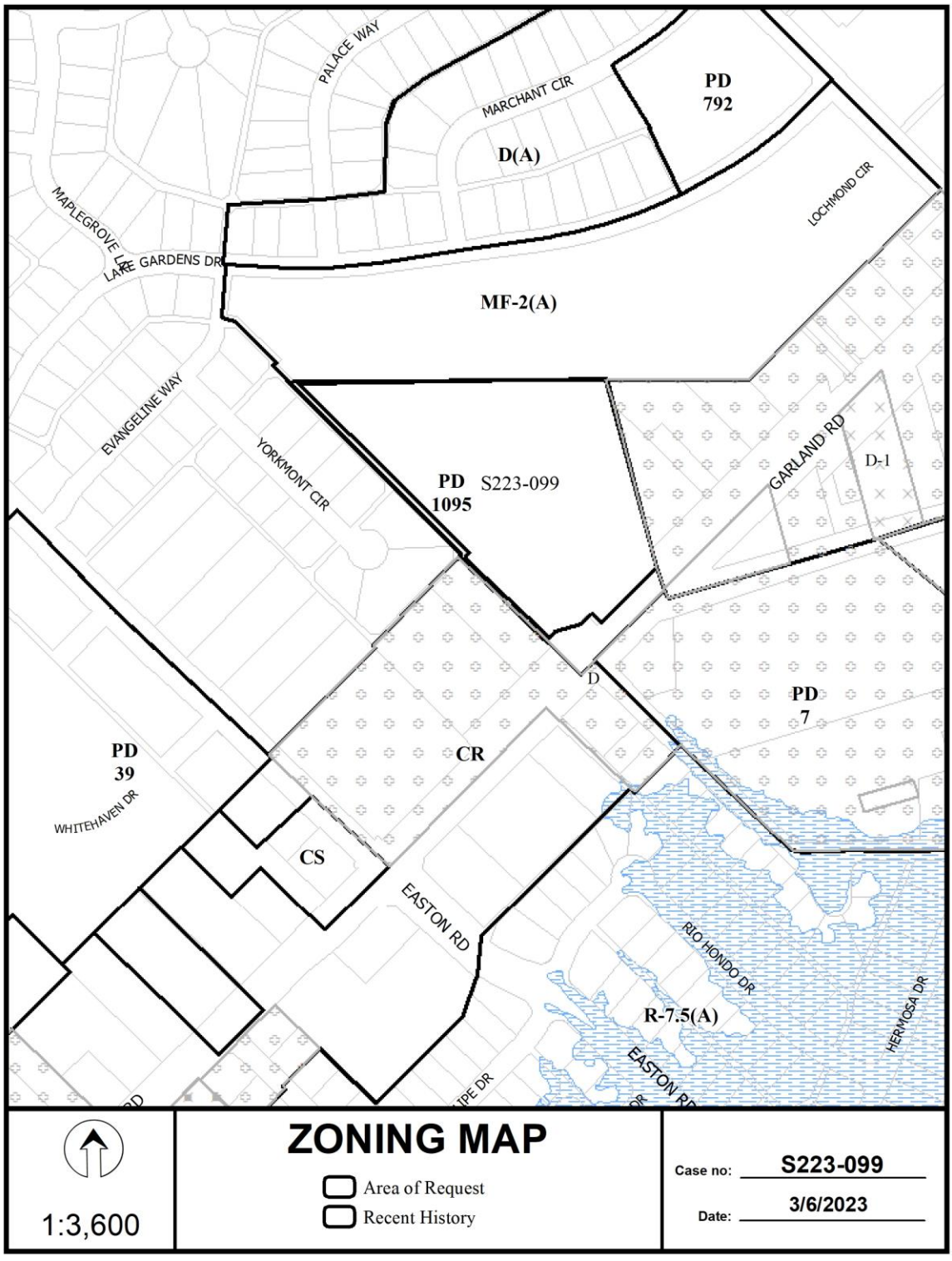
24. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

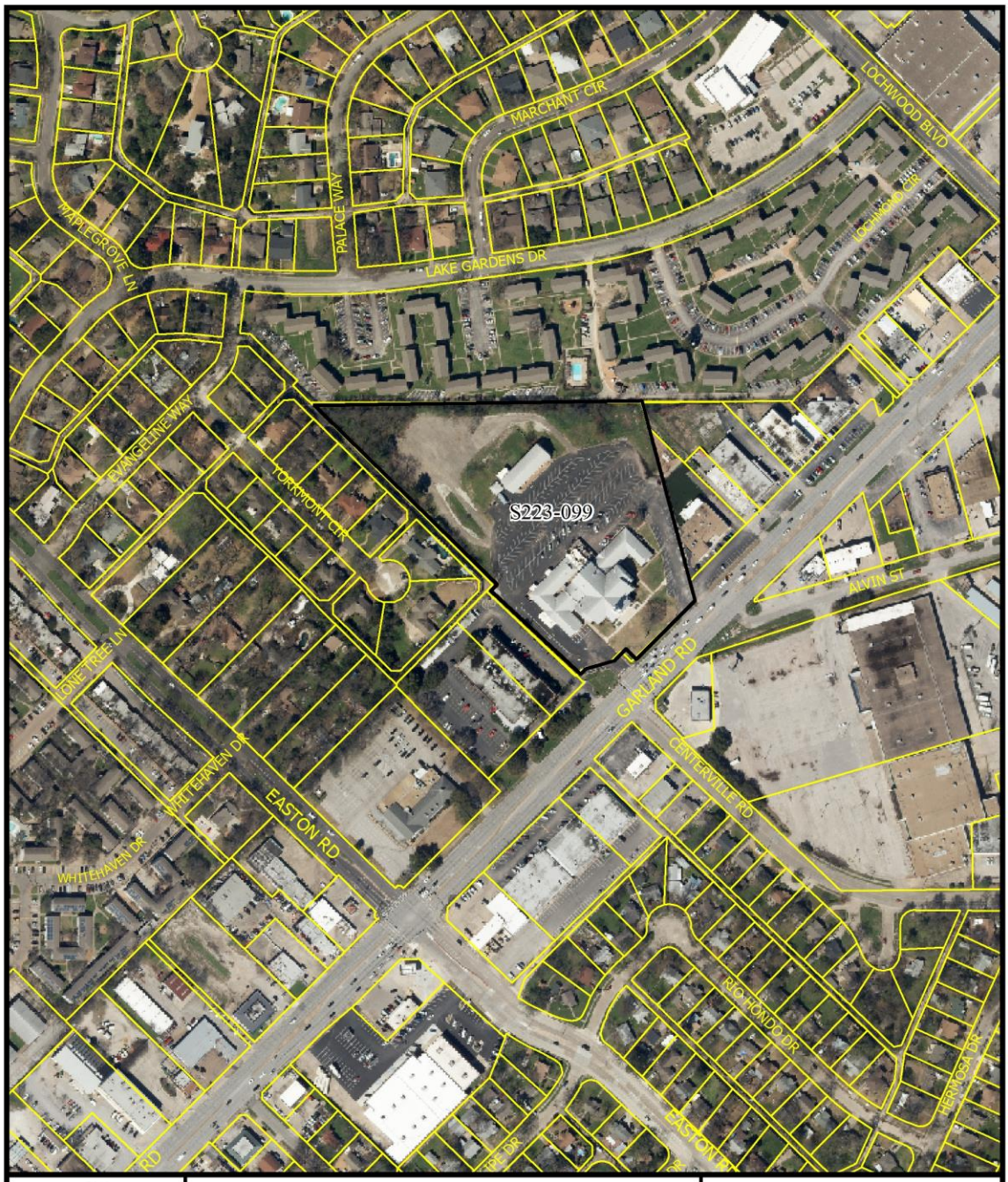
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

25. On the final plat, add label for “Centerville Road”. Section 51A-8.403(a)(1)(A)(xii)

26. On the final plat, change “Garland Road” to “Garland Road / State Highway No. 78”. Section 51A-8.403(a)(1)(A)(xii).

27. On the final plat, identify the property as Lot 1 in City Block Y/5361. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


PALACE WAY
MARCHANT CIR
PD
792
D(A)
LOCHMOND CIR
MAPLEGROVE LN
LAKE GARDENS DR
MF-2(A)
EVANGELINE WAY
YORKMONT CIR
PD
1095
S223-099
GARLAND RD
D-1
D
PD
7
PD
39
CR
WHITEHAVEN DR
CS
EASTON RD
RIO HONDO DR
R-7.5(A)
HERMOSA DR
EASTON RD
1:3,600
ZONING MAP
Area of Request
Recent History
Case no: S223-099
Date: 3/6/2023



1:3,600

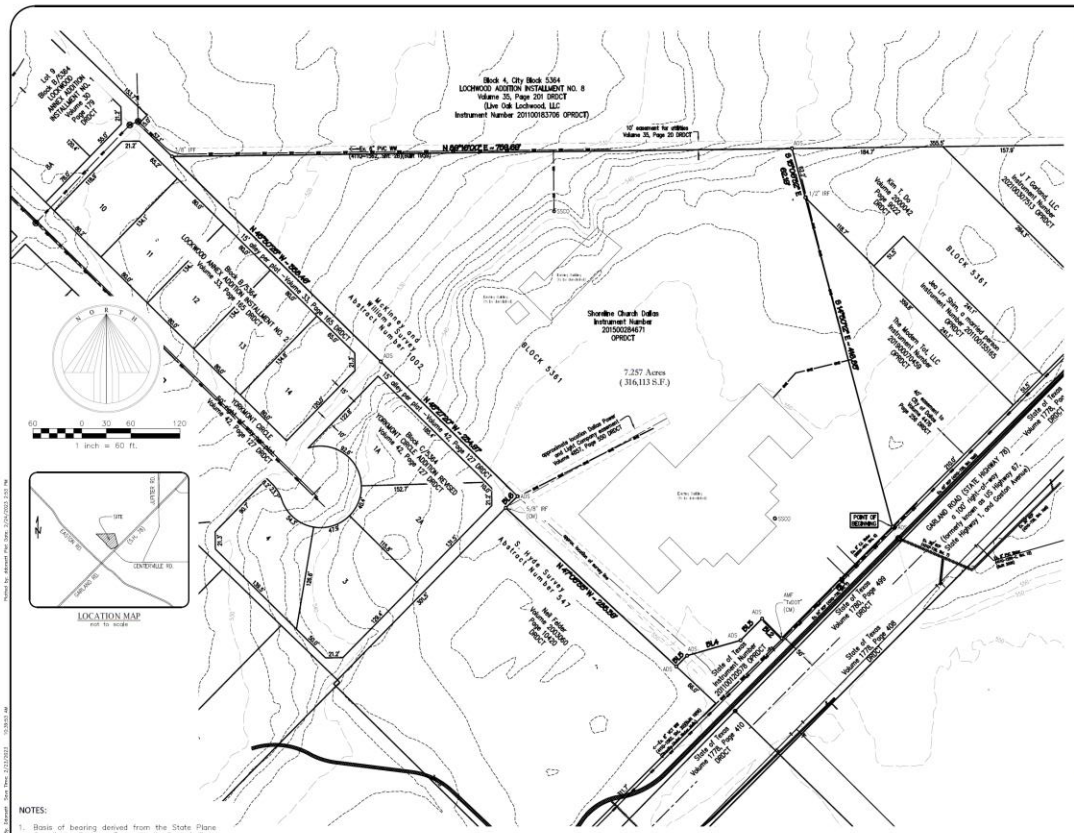
AERIAL MAP

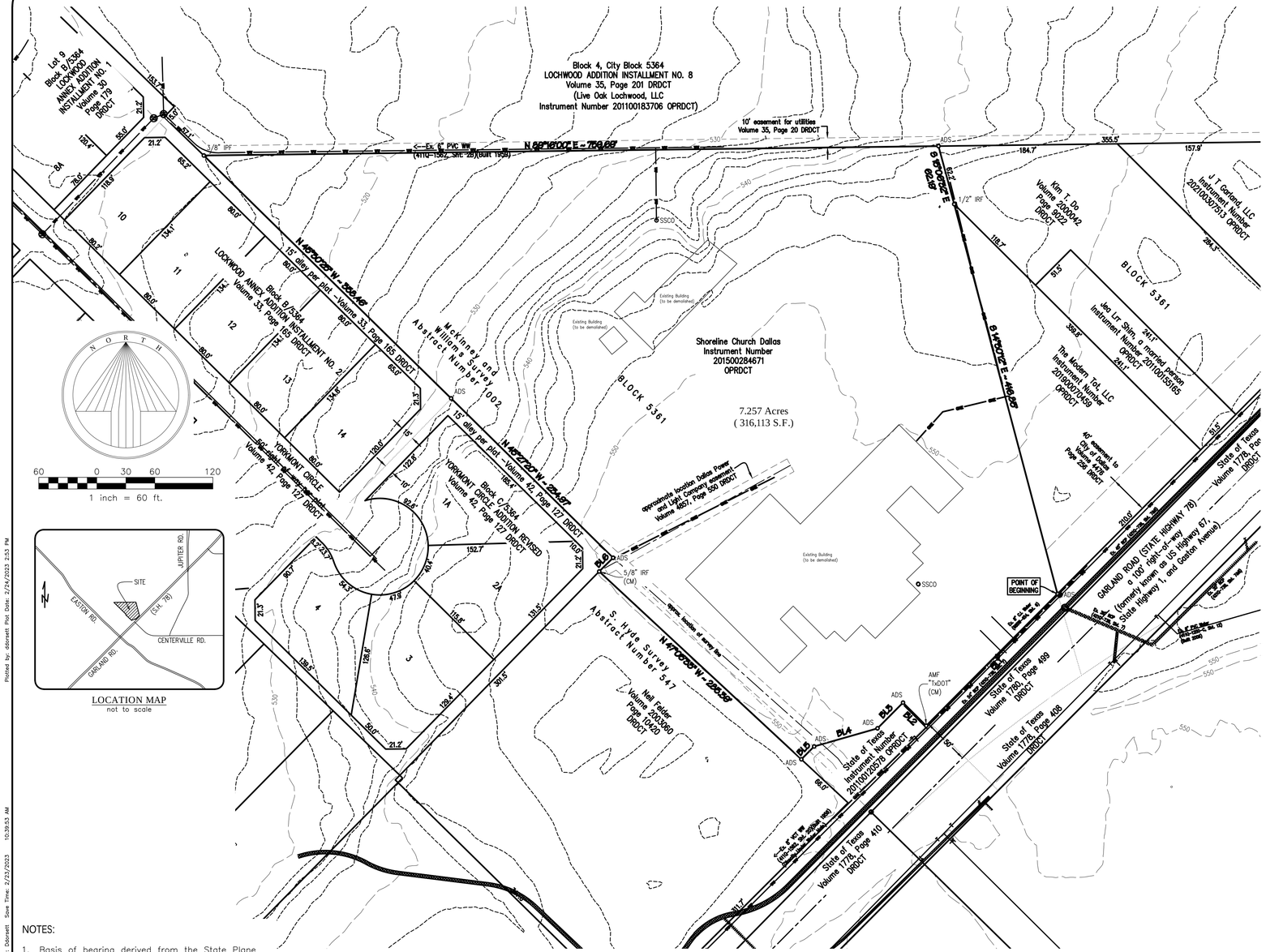
Area of Request

Recent History

Case no: S223-099

Date: 3/6/2023


Block 4, City Block 5364
LOCHWOOD ADDITION INSTALLMENT NO. 8
Volume 35, Page 201 DRDCT
(Live Oak Lochwood, LLC
Instrument Number 20110018370G OPRDCT)
Shoreline Church Dallas
Instrument Number
20150028467I
OPRDCT
7.257 Acres
(316,113 S.F.)
BLOCK 5361
BLOCK 5381
BLOCK 5364
Block 5/5364
LOCHWOOD ADDITION INSTALLMENT NO. 7
Volume 35, Page 179 DRDCT
Block 5/5364
LOCHWOOD ADDITION INSTALLMENT NO. 6
Volume 35, Page 165 DRDCT
Block 5/5364
LOCHWOOD ADDITION INSTALLMENT NO. 5
Volume 35, Page 165 DRDCT
Block 5/5364
LOCHWOOD ADDITION INSTALLMENT NO. 4
Volume 35, Page 165 DRDCT
Block 5/5364
LOCHWOOD ADDITION INSTALLMENT NO. 3
Volume 35, Page 165 DRDCT
Block 5/5364
LOCHWOOD ADDITION INSTALLMENT NO. 2
Volume 35, Page 165 DRDCT
Block 5/5364
LOCHWOOD ADDITION INSTALLMENT NO. 1
Volume 35, Page 179 DRDCT
McKinney and Williams Survey, Abstract Number 1002
S. Hyde Survey, Abstract Number 547
Kim T. Do
Volume 2003060, Page 10420 DRDCT
Jon Lin Shih & Yen-Ling Lee
Instrument Number 20110018370G OPRDCT
The Modern Tot, LLC
Instrument Number 20190000704590 OPRDCT
J. I Garland, LLC
Instrument Number 20170100120578 OPRDCT
Neil Feldet
Volume 2003060, Page 10420 DRDCT
Yorkmont Circle Addition Revised
Volume 42, Page 127 DRDCT
Yorkmont Circle
Block 5/5364
YORKMONT CIRCLE ADDITION REVISED
Volume 42, Page 127 DRDCT
Alvin Miller
Volume 2003060, Page 10420 DRDCT
Gainesville Junction Gulf Power
and Light Company
Volume 165, Page 565 DRDCT
State of Texas
Volume 1778, Page 410 DRDCT
State of Texas
Volume 1780, Page 499 DRDCT
State of Texas
Volume 1778, Page 410 DRDCT
State of Texas
Instrument Number
20070100612
OPRDCT
GARLAND ROAD STATE HIGHWAY 78
(formerly known as 100' right-of-way
State Highway 1, see Gaston Avenue)
POINT OF BEGINNING
N 89°16'00" W - 759.69'
S 15°06'32" E - 62.19'
N 45°27'39" W - 20.21'
S 44°55'00" E - 192.47'
N 44°55'00" W - 37.44'
S 74°00'00" W - 68.16'
S 44°55'04" W - 18.73'
N 47°05'33" W - 285.39'
N 45°07'20" W - 33.82'
N 45°30'25" W - 358.46'
S 89°16'00" E - 759.69'
S 15°06'32" E - 62.19'
S 14°50'12" E - 416.85'
N 45°27'39" W - 234.97'
S 45°27'39" E - 20.21'
N 44°55'00" W - 192.47'
S 45°07'20" E - 33.82'
S 44°55'00" E - 37.44'
S 74°00'00" E - 68.16'
S 44°55'04" E - 18.73'
N 47°05'33" E - 285.39'
N 45°30'25" E - 358.46'
N 14°50'12" W - 416.85'
5/8" IRF (CM)
1/2" IRF
5/8" IRF
1/2" IRF
5/8" IRF (CM)
1/2" IRF
5/8" IRF (CM)
1/2" IRF
5/8" IRF (CM)



LOCATION MAP
not to scale

NOTES:

1. Basis of bearing derived from the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, (2011).
2. Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering section approval.
3. Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, no scale and no projection.
4. TxDOT approval may be required for any driveway modification.
5. The purpose of this plat is to create one lot for development.

LEGEND	
ADS	3-1/4" ALUMINUM DISC STAMPED "SAS ADDITION SPIARSENG RPLS 5252" SET
AMF	3-1/4" ALUMINUM MONUMENT FOUND
IRF	IRON ROD FOUND
CIRF	IRON ROD WITH PLASTIC CAP FOUND
IPF	IRON PIPE FOUND
CM	CONTROL MONUMENT
(BTP)	BY THIS PLAT
DRDCT	DEED RECORDS, DALLAS COUNTY, TEXAS
OPRDCT	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

Line Table		
Line #	Bearing	Distance
BL1	S 44°50'00" W	192.47'
BL2	N 45°07'20" W	33.82'
BL3	S 44°55'00" W	37.44'
BL4	S 74°00'00" W	68.16'
BL5	S 44°50'00" W	18.73'
BL6	N 45°27'39" E	20.21'

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING a 316,113 square feet or 7.257 acres tract of land situated in the McKinney and Williams Survey, Abstract Number 1002, and the S. Hyde Survey, Abstract Number 547, in City Block 5361, City of Dallas, Dallas County, Texas, being all of a tract conveyed by a special warranty deed to Shoreline Church Dallas by deed recorded in Instrument Number 201500284671 of the Official Public Records, Dallas County, Texas (OPRDCT), with the subject tract being more particularly described as follows:

BEGINNING at a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set on the north line of Garland Road, a 100 foot wide public right-of-way (also known State Highway 78, and formerly known as US Highway 67, State Highway 1, and Gaston Avenue) for the west corner of a right-of-way deed thereof to the State of Texas, recorded in Volume 1778, Page 407, Deed Records, Dallas County, Texas (DRDCT), and for the north corner of another right-of-way deed to same, recorded in Volume 1780, Page 499 DRDCT, and being the southwest corner of a tract conveyed by a special warranty deed with vendor's lien to The Modern Tot, LLC, recorded in Instrument Number 201900070459 OPRDCT;

THENCE S 44°50'00" W, 192.47 feet along the northwest line of said road and same for said right-of-way deed, passing the west corner thereof, a point for the north corner of another right-of-way deed to same, recorded in Volume 1778, Page 410 DRDCT, and continuing along the northwest line thereof, to an aluminum monument stamped "TxDOT" found for the most easterly corner of a tract conveyed by deed to the State of Texas, recorded in Instrument Number 201100120578 OPRDCT;

THENCE along the common line thereof, the following:

N 45°07'20" W, 33.82 feet to a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set;

S 44°55'00" W, 37.44 feet to a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set;

S 74°00'00" W, 68.16 feet to a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set;

And S 44°55'04" W, 18.73 feet to a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set on the northeast line of a tract conveyed by a special warranty deed to Neil Felder, recorded in Volume 2003060, Page 10420 DRDCT;

THENCE N 47°05'33" W, 285.39 feet along the northeast line thereof to a 5/8" iron rod found on the southeast line of a 15-foot-wide alley created by the plat of Yorkmont Circle Addition Revised, recorded in Volume 42, Page 127 DRDCT;

THENCE N 45°27'39" E, 20.21 feet along the southeast line of said alley to a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set for the west corner thereof;

THENCE N 45°27'20" W, 234.97 feet along the northeast line of said alley to a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set for the intersection of said 15-foot-wide alley with another created by the plat of Lockwood Annex Addition Installment No. 2, recorded in Volume 33, Page 165 DRDCT;

THENCE N 45°30'25" W, 358.46 feet along the northeast line of said alley to a 3/8" iron pipe found for the southwest corner of Block 4, City Block 5364, Lochwood Addition Installment No. 8, according to the plat thereof recorded in Volume 35, Page 201 DRDCT, as conveyed by a special warranty deed to Live Oak Lochwood, LLC, recorded in Instrument Number 201100183706 OPRDCT;

THENCE N 89°16'00" E, 759.69 feet along the south line thereof to a 3-1/4" aluminum disc stamped "SAS ADDITION SPIARSENG RPLS 5252" set for the northwest corner of a tract conveyed by a warranty deed to Kim T. Do, recorded in Volume 2000042, Page 9022 DRDCT;

THENCE S 15°06'32" E, 62.19 feet along the west line thereof to a 1/2" iron rod found for the north corner of said Modern Tot tract;

THENCE S 14°50'12" E, 416.85 feet along the west line thereof to the POINT OF BEGINNING with the subject tract containing 316,113 square feet or 7.257 acres of land, as noted in the preamble above.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Shoreline Church Dallas, acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein described property as STANDARD AT SHORELINE ADDITION, an addition to the City of Dallas, Dallas County, Texas, and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire, and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Notwithstanding the general easement language recited above, the detention area easement shown on this plat is hereby dedicated to the public use forever, and may not be used in a manner inconsistent with the DETENTION AREA EASEMENT STATEMENT recited on this plat, which statement is hereby adopted and accepted.

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS my hand at Dallas, Texas, this the _____ day of _____, 2023.

Shoreline Church Dallas

_____
Ronald Brown, Board Member

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Daniel L. Smith, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ___ day of _____, 2023.

_____
Notary Public, State of Texas

SURVEYOR'S STATEMENT

I, Darren K. Brown, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

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

DARREN K. BROWN, R.P.L.S. NO. 5252

STATE OF TEXAS · REGISTERED · DARREN K. BROWN · 5252 · PROFESSIONAL · LAND SURVEYOR

darren.brown@spiarsengineering.com

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this the ____ day of _____, 2023.

_____
Notary Public, State of Texas

PRELIMINARY PLAT

STANDARD AT SHORELINE ADDITION

LOT 1A, BLOCK 5361
BEING A PART OF CITY BLOCK 5361
IN THE MCKINNEY AND WILLIAMS SURVEY, ABSTRACT NUMBER 1002, &
S. HYDE SURVEY, ABSTRACT NUMBER 547
CITY OF DALLAS, DALLAS COUNTY, TEXAS
TOTAL AREA - 7.257 ACRES
CITY PLAN FILE NO. S223-099
CITY ENGINEER PLAN FILE NO. DP__-___

APPLICANT
Ojala Holdings, LLC
2501 N Harwood Street, Suite 2400
Dallas, Texas 75201
Telephone: (214) 865-7926
Contact: Daniel L. Smith

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121 / TBPLS No. F-10043100
Contact: Kevin Wier

Scale: 1" = 60' February, 2023 SEI Job No. 22-002

Plotted by: ddorsett Plot Date: 2/24/2023 2:53 PM
Saved By: ddorsett Save Time: 2/23/2023 10:39:53 AM
Drawing: G:\2022 JOBS\22-002 The Standard at Shoreline\CAD\Preliminary\22-002 Preliminary Plat.dwg

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-876 **Item #:** 34.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 1.233-acre tract of land containing all of Lot 3A in City Block G/6364 to create one 0.372-acre lot and one 0.860-acre lot on property located on Lucky Lane at Doug Drive, northwest corner.
Applicant/Owner: Kapilashwar-Maruti Limited Partnership
Surveyor: A&W Surveyors, Inc.
Application Filed: February 26, 2023
Zoning: IR
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-101

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-101 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Lucky Lane at Doug Drive, northwest corner

DATE FILED: February 26, 2023 **ZONING:** IR

CITY COUNCIL DISTRICT: 6 **SIZE OF REQUEST:** 1.233-acres **MAPSCO:** 43B

APPLICANT/OWNER: Kapilashwar-Maruti Limited Partnership

REQUEST: An application to replat a 1.233-acre tract of land containing all of Lot 3A in City Block G/6364 to create one 0.372-acre lot and one 0.860-acre lot on property located on Lucky Lane at Doug Drive, northwest corner.

SUBDIVISION HISTORY:

1. S212-097 was a request south of the present request to replat a 0.230-acre tract of land containing part of Lots 1 and 2 in City Block G/6364 to create one lot on property located on Carol Lane, north of Doug Drive. The request was approved on March 3, 2022 but has not been recorded.

2. S212-076 was a request south of the present request to replat a 0.230-acre tract of land containing part of Lots 1 and 2 in City Block G/6364 to create one lot on property located on Carol Lane, north of Doug Drive. The request was withdrawn on February 2, 2022.

STAFF RECOMMENDATION: The request complies with the requirements of the IR Industrial Research District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is two.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Carol Lane. Sections 51A-8.602(c), 51A-8.604(c).

16. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Lucky Lane. Sections 51A-8.602(c), 51A-8.604(c).

Survey (SPRG) Conditions:

17. Prior to final plat, submit a completed final plat checklist and all supporting documents.

18. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

19. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

20. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

21. On the final plat, show recording information on all existing easements within 150 feet of the property.

22. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

23. On the final plat, chose a new or different addition name. Platting Guidelines.

Dallas Water Utilities Conditions:

24. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

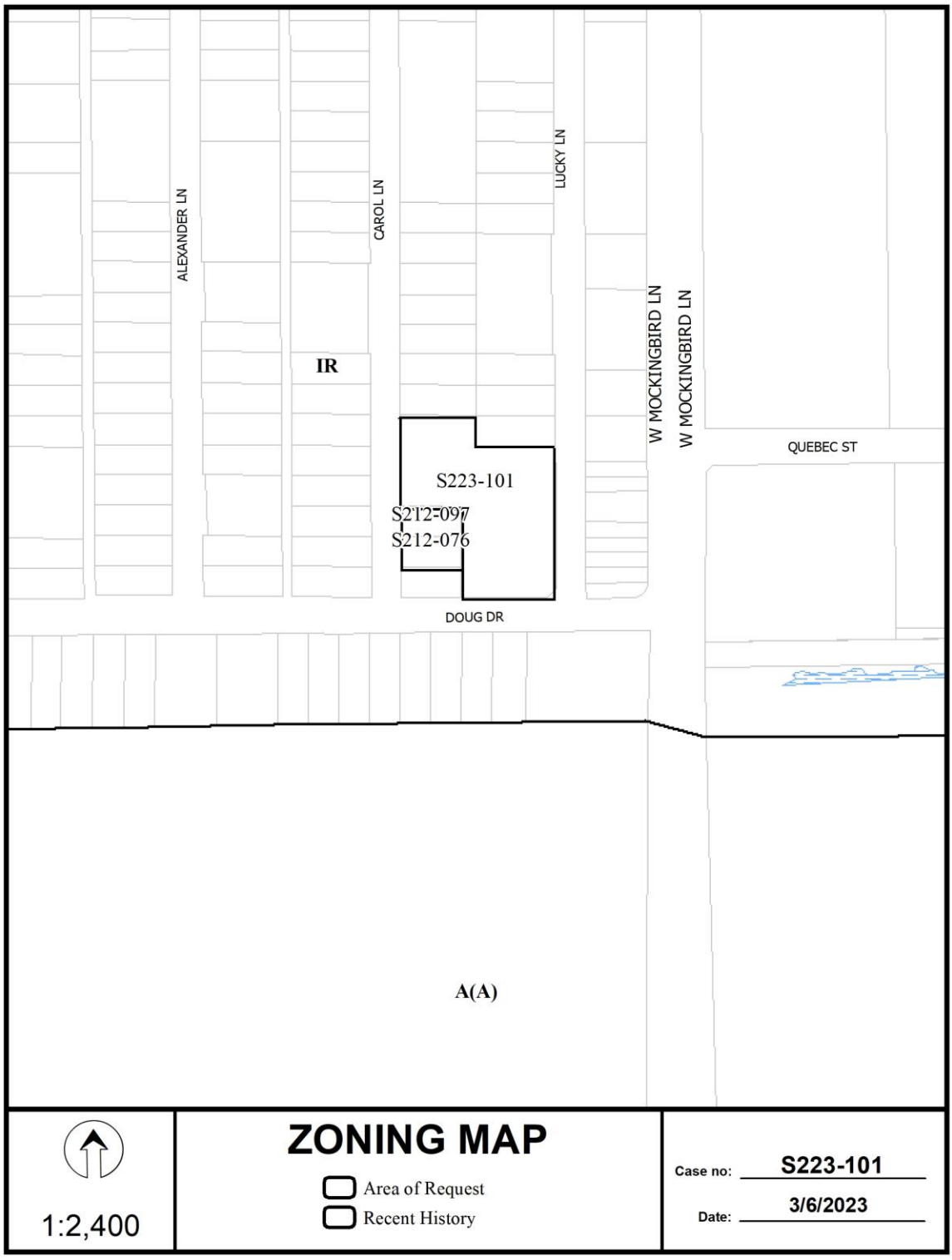
25. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

26. Wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

27. On the final plat, change “Mockingbird Lane (Formerly Westmoreland Road)” to “Mockingbird Lane (F.K.A. Westmoreland Road)”. Section 51A-8.403(a)(1)(A)(xii)

28. On the final plat, identify the property as Lots 3B & 3C in City Block G/6364. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).

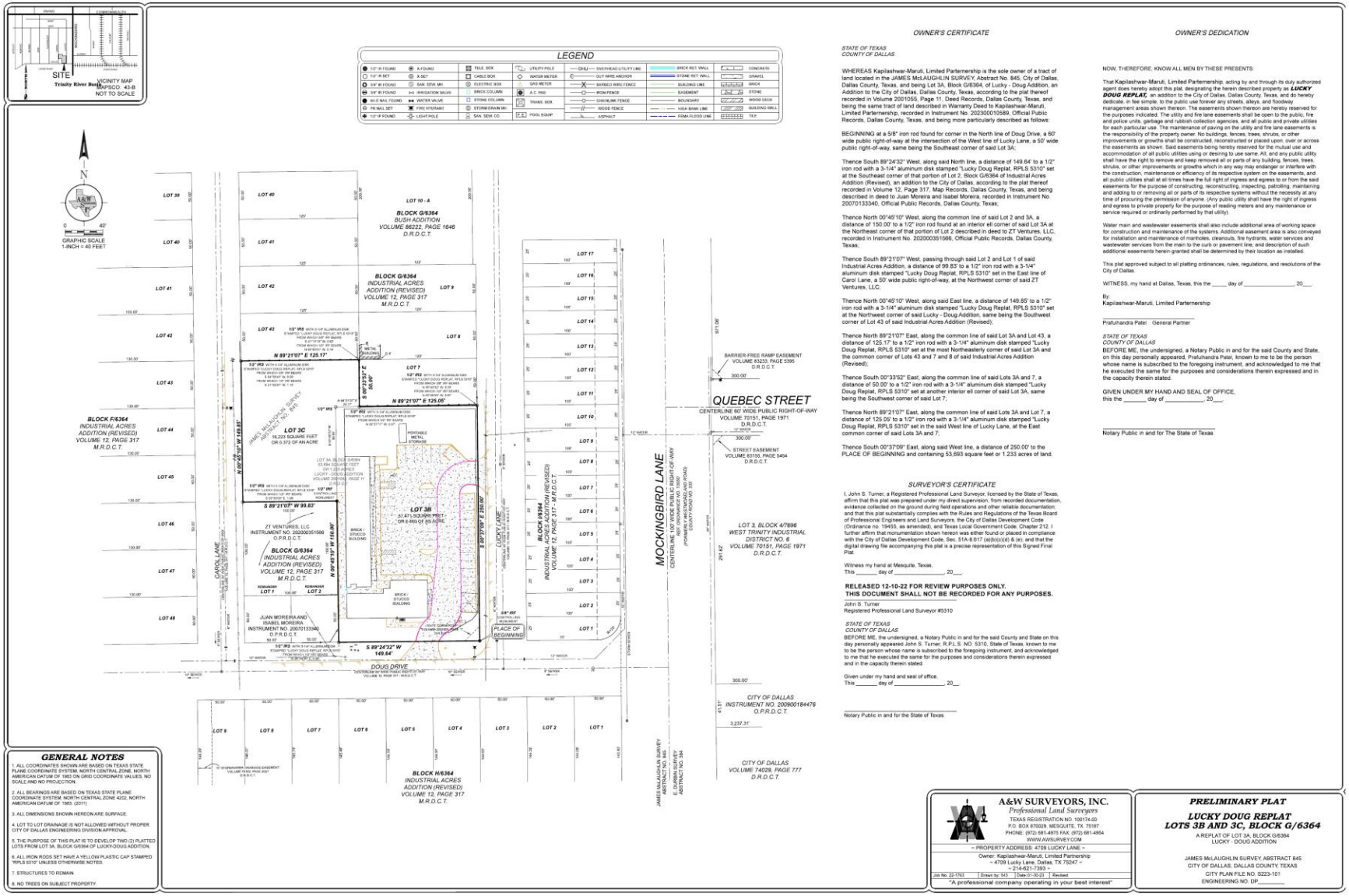

ALEXANDER LN
CAROL LN
LUCKY LN
W MOCKINGBIRD LN
W MOCKINGBIRD LN
QUEBEC ST
IR
S223-101
S212-097
S212-076
DOUG DR
A(A)
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-101
Date: 3/6/2023

1:2,400

AERIAL MAP

Area of Request
Recent History

Case no: S223-101
Date: 3/6/2023



GENERAL NOTES

1. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES. NO SCALE AND NO PROJECTION.

2. ALL BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011)

3. ALL DIMENSIONS SHOWN HEREON ARE SURFACE.

4. LOT TO LOT DRAINAGE IS NOT ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

5. THE PURPOSE OF THIS PLAT IS TO DEVELOP TWO (2) PLATTED LOTS FROM LOT 3A, BLOCK G/6364 OF LUCKY-DOUG ADDITION.

6. ALL IRON RODS SET HAVE A YELLOW PLASTIC CAP STAMPED "RPLS 5310" UNLESS OTHERWISE NOTED.

7. STRUCTURES TO REMAIN.

8. NO TREES ON SUBJECT PROPERTY.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Kapilashwar-Maruti, Limited Partnership is the sole owner of a tract of land located in the JAMES MCLAUGHLIN SURVEY, Abstract No. 845, City of Dallas, Dallas County, Texas, and being Lot 3A, Block G/6364, of Lucky - Doug Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001055, Page 11, Deed Records, Dallas County, Texas, and being the same tract of land described in Warranty Deed to Kapilashwar-Maruti, Limited Partnership, recorded in Instrument No. 202300010589, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for corner in the North line of Doug Drive, a 60' wide public right-of-way at the intersection of the West line of Lucky Lane, a 50' wide public right-of-way, same being the Southeast corner of said Lot 3A;

Thence South 89°24'32" West, along said North line, a distance of 149.64' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at the Southeast corner of that portion of Lot 2, Block G/6364 of Industrial Acres Addition (Revised), an addition to the City of Dallas, according to the plat thereof recorded in Volume 12, Page 317, Map Records, Dallas County, Texas, and being described in deed to Juan Moreira and Isabel Moreira, recorded in Instrument No. 20070133340, Official Public Records, Dallas County, Texas;

Thence North 00°46'10" West, along the common line of said Lot 2 and 3A, a distance of 150.00' to a 1/2" iron rod found at an interior ell corner of said Lot 3A at the Northeast corner of that portion of Lot 2 described in deed to ZT Ventures, LLC, recorded in Instrument No. 20200035156, Official Public Records, Dallas County, Texas;

Thence South 89°21'07" West, passing through said Lot 2 and Lot 1 of said Industrial Acres Addition, a distance of 99.83' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set in the East line of Carol Lane, a 50' wide public right-of-way, at the Northwest corner of said ZT Ventures, LLC;

Thence North 00°45'10" West, along said East line, a distance of 149.85' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at the Northwest corner of said Lucky - Doug Addition, same being the Southwest corner of Lot 43 of said Industrial Acres Addition (Revised);

Thence North 89°21'07" East, along the common line of said Lot 3A and Lot 43, a distance of 125.17' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at the most Northeasterly corner of said Lot 3A and the common corner of Lots 43 and 7 and 8 of said Industrial Acres Addition (Revised);

Thence South 00°33'52" East, along the common line of said Lots 3A and 7, a distance of 50.00' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at another interior ell corner of said Lot 3A, same being the Southwest corner of said Lot 7;

Thence North 89°21'07" East, along the common line of said Lots 3A and Lot 7, a distance of 125.05' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set in the said West line of Lucky Lane, at the East common corner of said Lots 3A and 7;

Thence South 00°37'09" East, along said West line, a distance of 250.00' to the PLACE OF BEGINNING and containing 53,693 square feet or 1.233 acres of land.

SURVEYOR'S CERTIFICATE

I, John S. Turner, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation, and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e), and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Witness my hand at Mesquite, Texas.
This _____ day of _____, 20__

RELEASED 12-10-22 FOR REVIEW PURPOSES ONLY.
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES.

John S. Turner
Registered Professional Land Surveyor #5310

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office.
This _____ day of _____, 20__

_____
Notary Public in and for the State of Texas

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Kapilashwar-Maruti, Limited Partnership, acting by and through its duly authorized agent does hereby adopt this plat, designating the herein described property as ***LUCKY DOUG REPLAT,*** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 20__.

By:
Kapilashwar-Maruti, Limited Partnership

_____
Prafulhandra Patel | General Partner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Prafulhandra Patel, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20__.

_____
Notary Public in and for The State of Texas

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

~ PROPERTY ADDRESS: 4709 LUCKY LANE ~
Owner: Kaplashwar-Maruti, Limited Partnership
~ 4709 Lucky Lane, Dallas, TX 75247 ~
~ 214-621-7393 ~

Job No. 22-1763	Drawn by: SAS	Date 01-30-23	Revised:

"A professional company operating in your best interest"

PRELIMINARY PLAT

LUCKY DOUG REPLAT
LOTS 3B AND 3C, BLOCK G/6364

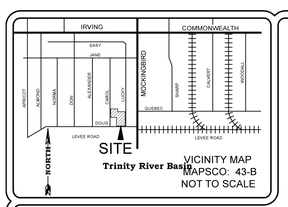
A REPLAT OF LOT 3A, BLOCK G/6364
LUCKY - DOUG ADDITION

JAMES McLAUGHLIN SURVEY, ABSTRACT 845
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-101
ENGINEERING NO. DP_____

S223-101

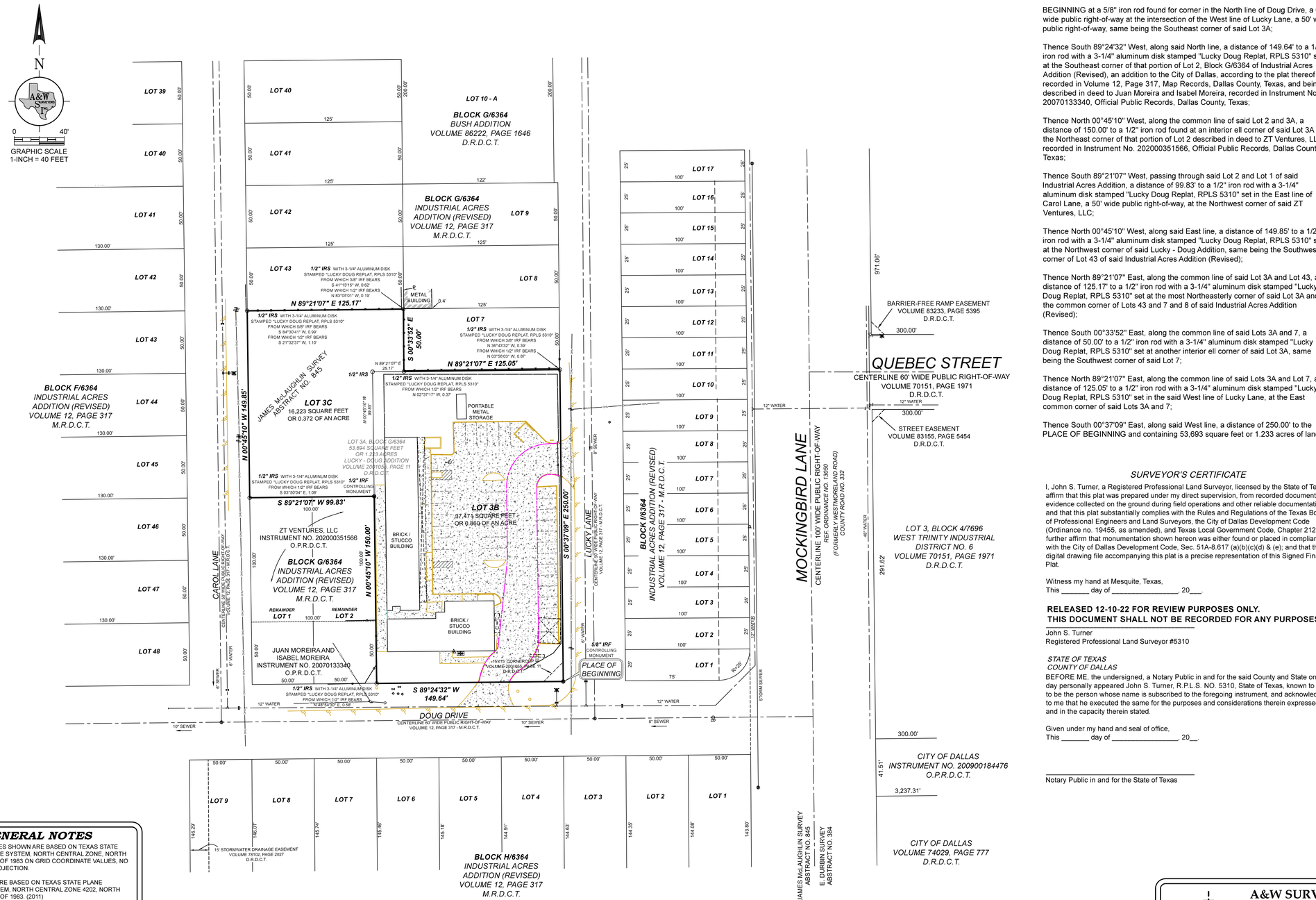
34(f)

City Plan Commission Date: 03/23/2023



LEGEND

1/2" IR FOUND	X-FOUND	TELE. BOX	UTILITY POLE	OHU — OVERHEAD UTILITY LINE	BRICK RET. WALL / CONCRETE
1/2" IR SET	X-SET	CABLE BOX	WATER METER	GUY WIRE ANCHOR	STONE RET. WALL / GRAVEL
5/8" IR FOUND	SAN. SEW. MH.	ELECTRIC BOX	GAS METER	BARBED WIRE FENCE	BUILDING LINE / BRICK
3/8" IR FOUND	IRRIGATION VALVE	BRICK COLUMN	A.C. PAD	IRON FENCE	EASEMENT / STONE
60-D NAIL FOUND	WATER VALVE	STONE COLUMN	TRANS. BOX	CHAINLINK FENCE	BOUNDARY / WOOD DECK
PK NAIL SET	FIRE HYDRANT	STORM DRAIN MH.	P.E. POOL EQUIP.	WOOD FENCE	HIGH BANK LINE / BULDING WALL
1/2" IP FOUND	LIGHT POLE	SAN. SEW. CO.		ASPHALT	FEMA FLOOD LINE / TILE



GENERAL NOTES

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2. ALL BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. (2011)

3. ALL DIMENSIONS SHOWN HEREON ARE SURFACE.

4. LOT TO LOT DRAINAGE IS NOT ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.

5. THE PURPOSE OF THIS PLAT IS TO DEVELOP TWO (2) PLATTED LOTS FROM LOT 3A, BLOCK G/6364 OF LUCKY-DOUG ADDITION.

6. ALL IRON RODS SET HAVE A YELLOW PLASTIC CAP STAMPED "RPLS 5310" UNLESS OTHERWISE NOTED.

7. STRUCTURES TO REMAIN.

8. NO TREES ON SUBJECT PROPERTY.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Kapilashwar-Maruti, Limited Parternership is the sole owner of a tract of land located in the JAMES McLAUGHLIN SURVEY, Abstract No. 845, City of Dallas, Dallas County, Texas, and being Lot 3A, Block G/6364, of Lucky - Doug Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2001055, Page 11, Deed Records, Dallas County, Texas, and being the same tract of land described in Warranty Deed to Kapilashwar-Maruti, Limited Parternership, recorded in Instrument No. 202300010589, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for corner in the North line of Doug Drive, a 60' wide public right-of-way at the intersection of the West line of Lucky Lane, a 50' wide public right-of-way, same being the Southeast corner of said Lot 3A;

Thence South 89°24'32" West, along said North line, a distance of 149.64' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at the Southeast corner of that portion of Lot 2, Block G/6364 of Industrial Acres Addition (Revised), an addition to the City of Dallas, according to the plat thereof recorded in Volume 12, Page 317, Map Records, Dallas County, Texas, and being described in deed to Juan Moreira and Isabel Moreira, recorded in Instrument No. 20070133340, Official Public Records, Dallas County, Texas;

Thence North 00°45'10" West, along the common line of said Lot 2 and 3A, a distance of 150.00' to a 1/2" iron rod found at an interior ell corner of said Lot 3A at the Northeast corner of that portion of Lot 2 described in deed to ZT Ventures, LLC, recorded in Instrument No. 202000351566, Official Public Records, Dallas County, Texas;

Thence South 89°21'07" West, passing through said Lot 2 and Lot 1 of said Industrial Acres Addition, a distance of 99.83' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set in the East line of Carol Lane, a 50' wide public right-of-way, at the Northwest corner of said ZT Ventures, LLC;

Thence North 00°45'10" West, along said East line, a distance of 149.85' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at the Northwest corner of said Lucky - Doug Addition, same being the Southwest corner of Lot 43 of said Industrial Acres Addition (Revised);

Thence North 89°21'07" East, along the common line of said Lot 3A and Lot 43, a distance of 125.17' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at the most Northeasterly corner of said Lot 3A and the common corner of Lots 43 and 7 and 8 of said Industrial Acres Addition (Revised);

Thence South 00°33'52" East, along the common line of said Lots 3A and 7, a distance of 50.00' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set at another interior ell corner of said Lot 3A, same being the Southwest corner of said Lot 7;

Thence North 89°21'07" East, along the common line of said Lots 3A and Lot 7, a distance of 125.05' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "Lucky Doug Replat, RPLS 5310" set in the said West line of Lucky Lane, at the East common corner of said Lots 3A and 7;

Thence South 00°37'09" East, along said West line, a distance of 250.00' to the PLACE OF BEGINNING and containing 53,693 square feet or 1.233 acres of land.

SURVEYOR'S CERTIFICATE

I, John S. Turner, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Witness my hand at Mesquite, Texas,
This _____ day of _____, 20___.

RELEASED 12-10-22 FOR REVIEW PURPOSES ONLY.
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES.

John S. Turner
Registered Professional Land Surveyor #5310

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office,
This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Kapilashwar-Maruti, Limited Parternership, acting by and through its duly authorized agent does hereby adopt this plat, designating the herein described property as ***LUCKY DOUG REPLAT,*** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 20___.

By:
Kapilashwar-Maruti, Limited Parternership

_____
Prafulhandra Patel General Partner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Prafulhandra Patel, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20___.

_____
Notary Public in and for The State of Texas

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

~ PROPERTY ADDRESS: 4709 LUCKY LANE ~

Owner: Kapilashwar-Maruti, Limited Partnership
~ 4709 Lucky Lane, Dallas, TX 75247 ~
~ 214-621-7393 ~

Job No. 22-1763	Drawn by: 543	Date:01-30-23	Revised:

"A professional company operating in your best interest"

PRELIMINARY PLAT

LUCKY DOUG REPLAT
LOTS 3B AND 3C, BLOCK G/6364

A REPLAT OF LOT 3A, BLOCK G/6364
LUCKY - DOUG ADDITION

JAMES McLAUGHLIN SURVEY, ABSTRACT 845
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-101
ENGINEERING NO. DP_____

Agenda Information Sheet

File #: 23-877 **Item #:** 35.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.344-acre tract of land containing all of Lots 11 and 12 in City Block 9/4108 to create one lot on property located on Seevers Avenue at McVey Avenue, northeast corner.
Applicant/Owner: Mission Outreach Holiness Church
Surveyor: Texas Heritage Surveying, LLC
Application Filed: February 22, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 4
S223-077

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-077 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Seevers Avenue at McVey Avenue, northeast corner

DATE FILED: February 22, 2023 **ZONING:** R-7.5(A)

CITY COUNCIL DISTRICT: 4 **SIZE OF REQUEST:** 0.344-acres **MAPSCO:** 54Z

APPLICANT/OWNER: Mission Outreach Holiness Church

REQUEST: An application to replat a 0.344-acre tract of land containing all of Lots 11 and 12 in City Block 9/4108 to create one lot on property located on Seevers Avenue at McVey Avenue, northeast corner.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

PROPERTY OWNER NOTIFICATION: On March 3, 2023, 28 notices were sent to property owners within 200 feet of the proposed plat.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

It is a policy of the city that institutional uses generally require greater land area than traditional residential or non-residential lots and generally serve, and are compatible with the neighborhood; therefore, staff concludes that the request is in compliance with Section 51A-8.503 and with the requirements of R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via fee simple or street easement) at the intersection of Seevers Avenue & McVey Avenue Section 51A 8.602(d)(1)

16. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. *Section 51A 8.602(d)(1), 51A 8.608(a)*

17. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of McVey Avenue & the alley. *Section 51A-8.602(e)*

Survey (SPRG) Conditions:

18. Prior to final plat, submit a completed final plat checklist and all supporting documents.

19. On the final plat, show recording information on all existing easements within 150 feet of the property.

20. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

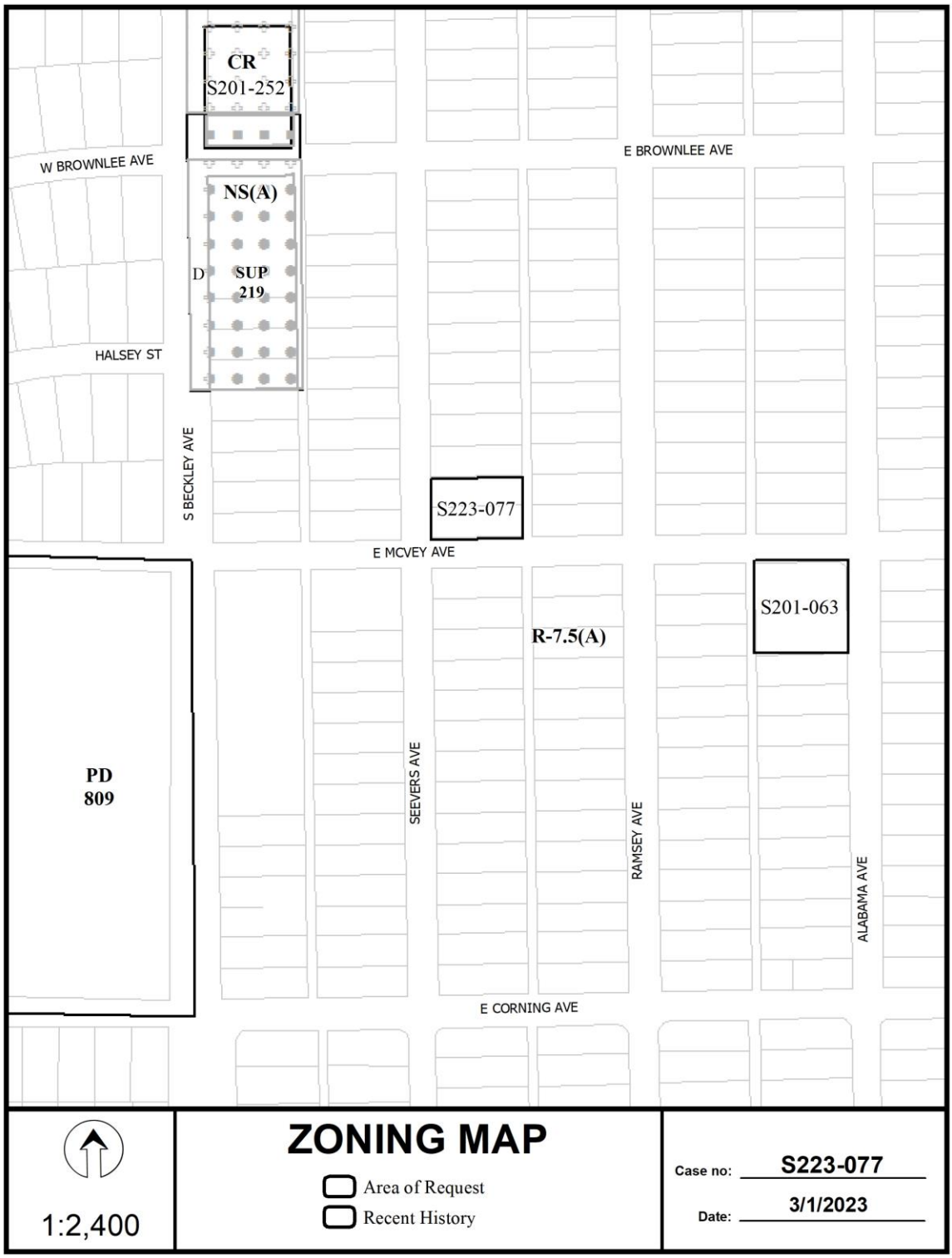
Dallas Water Utilities Conditions:

21. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

22. Prior to final plat, submit documentation to Real Estate to ensure fence located within the right-of-way of McVey Avenue is relocated onto the owner's boundary line or removed.

23. On the final plat, identify the property as Lot 11A in City Block 9/4108. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


CR
S201-252
W BROWNLEE AVE
E BROWNLEE AVE
NS(A)
D
SUP
219
HALSEY ST
S BECKLEY AVE
S223-077
E MCVEY AVE
S201-063
R-7.5(A)
PD
809
SEEVERS AVE
RAMSEY AVE
ALABAMA AVE
E CORNING AVE
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-077
Date: 3/1/2023

1:2,400

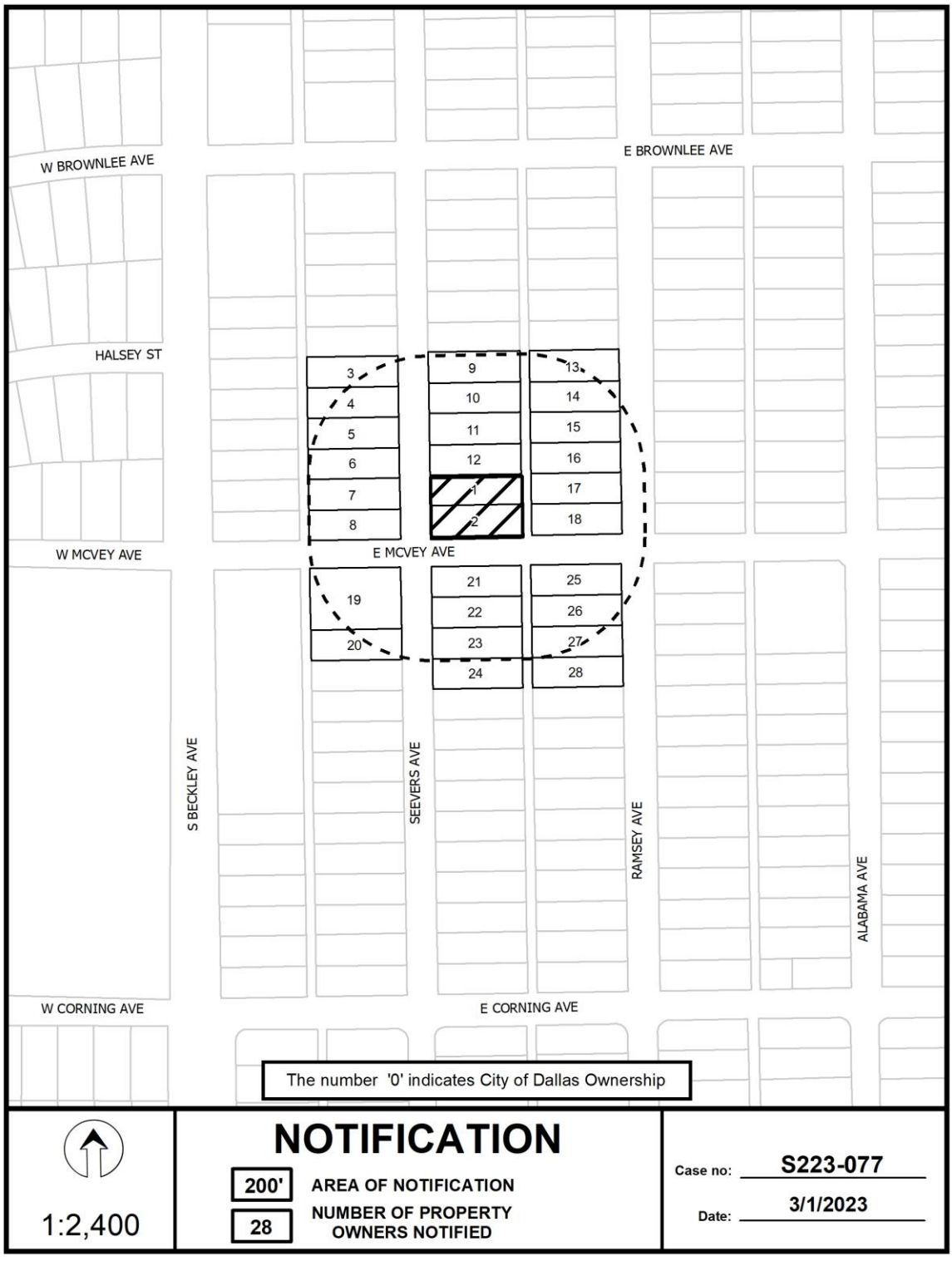
AERIAL MAP

Area of Request

Recent History

Case no: S223-077

Date: 3/1/2023


W BROWNLEE AVE
E BROWNLEE AVE
HALSEY ST
W MCVEY AVE
E MCVEY AVE
W CORNING AVE
E CORNING AVE
S BECKLEY AVE
SEEVERS AVE
RAMSEY AVE
ALABAMA AVE
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27
28
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
28
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: S223-077
Date: 3/1/2023

02/23/2023

Notification List of Property Owners

S223-077

28 Property Owners Notified

Label #	*Address*		*Owner*
1	2942	SEEVERS AVE	MISSION OUTREACH HOLINESS CHURCH
2	2946	SEEVERS AVE	MISSION OUTREACH HOLINESS
3	2927	SEEVERS AVE	SIERRA JOSE LUIS JR
4	2931	SEEVERS AVE	SIERRA JOSE LUIS
5	2933	SEEVERS AVE	ALBARADO EUGENIA EST OF
6	2939	SEEVERS AVE	HERNANDEZ ALFONSO &
7	2943	SEEVERS AVE	CINECIO ELIZABETH BALTAZAR
8	2947	SEEVERS AVE	MENDOZA OSCAR &
9	2926	SEEVERS AVE	LOPEZ ROGELIO
10	2930	SEEVERS AVE	HERNANDEZ RAMON R
11	2934	SEEVERS AVE	PADRON FERNANDO M ENRIQUEZ
12	2938	SEEVERS AVE	CENTRAL MANAGEMENT PROPERTIES
13	2927	RAMSEY AVE	VAZQUEZ FRANCISCO J
14	2931	RAMSEY AVE	BROWN VANESSA
15	2935	RAMSEY AVE	Taxpayer at
16	2939	RAMSEY AVE	BYNUM PAULINE
17	2943	RAMSEY AVE	VALDEZ ROGELIO
18	2949	RAMSEY AVE	MARTINEZ JUAN H & GOMEZ JOVITA
19	3001	SEEVERS AVE	AGAPE TEMPLE OF DELIVERANCE DESOTO
20	3011	SEEVERS AVE	GUEL MANAGEMENT & REALTY
21	3002	SEEVERS AVE	GARCIA CASIMIRO T
22	3006	SEEVERS AVE	GUAJARDO OLGA
23	3010	SEEVERS AVE	TORRES ALFREDO & MARGARITA
24	3014	SEEVERS AVE	TORRES ALFREDO
25	3001	RAMSEY AVE	Taxpayer at
26	3007	RAMSEY AVE	BUSTAMANTE OCTAVIANA

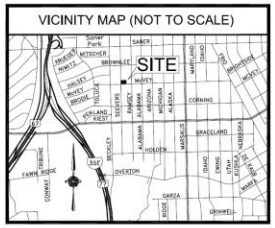
Label #	*Address*		*Owner*
27	3011	RAMSEY AVE	PEREZ JOSE G & MARTHA L
28	3015	RAMSEY AVE	ACOSTA ALBERTO

S223-077

35(i)

City Plan Commission Date: 03/23/2023

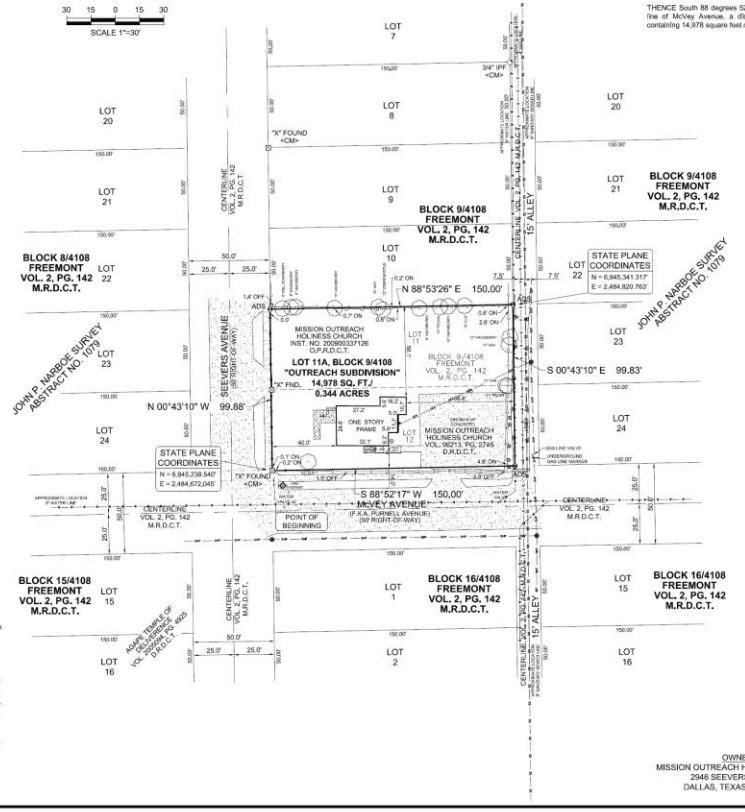
VICINITY MAP (NOT TO SCALE)



LEGEND

M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C..T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
IRF ○	IRON ROD FOUND
IPF ○	IRON PIPE FOUND
ADS ⊕	3-1/4" ALUMINUM DISK STAMPED "ADDITION & RPLS 5299" SET ON AN IRON ROD FOR CORNER
<CM>	CONTROL MONUMENT
F.K.A.	FORMERLY KNOWN AS

ASPHALT
EASEMENT LINE
BUILDING LINE
BOUNDRY LINE
CENTERLINE
SANITARY SEWER LINE — SS —
STORM SEWER LINE — STM —
WATER LINE — W — W —
OVERHEAD SERVICE LINE — OCS —
OVERHEAD POWER LINE — OHP —
WOOD FENCE



GENERAL NOTES:

1) The purpose of this replat is to create one lot out of two platted lots.

2) The maximum number of lots permitted by this plat is one.

3) Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section approval.

4) Bearings are based upon the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983, (2011).

5) Coordinates shown hereon are based on Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983 on Grid Coordinate values, No Scale and No Projection.

6) Structures located on subject property are to remain.

7) City of Dallas Water Dept. benchmarks used:
#1700 54-Z-2 Square cut on concrete curb in front of a fire hydrant southeast corner of Kiest Boulevard and Arizona Avenue. N= 6,943,853.354 E= 2,485,769.763 Elevation= 575.80'
#1701 54-Z-3 Square cut on concrete curb at midpoint on the north end of a concrete median strip on the south side of Kiest Boulevard and at the centerline of Beckley Avenue, N= 6,943,821.900 E=2,484,297.804 Elevation= 596.49'

8) Subject property is located within an area having a Zone Designation "X" by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No, 48113C0485J, with a date of Identification of 12/15/2022, for Community Number 480171, in Dallas County, State of Texas, which is the current Flood Insurance Rate Map for the community in which said property is situated.

9) All existing trees on subject property are as shown.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, MISSION OUTREACH HOLINESS CHURCH, is the owner of a tract of land situated in the John P. Narboe Survey, Abstract No. 1079, being Lots 11 & 12, Block 9/4108, Freemont, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2, Page 142, Map Records, Dallas County, Texas, and being that tract of land described in Quitclaim Deed to MISSION OUTREACH HOLINESS CHURCH as recorded in Volume 96213, Page 2745, Deed Records, Dallas County, Texas, along with that tract of land described in General Warranty Deed to MISSION OUTREACH HOLINESS CHURCH instrument No. 20080037126, Official Public Records, Dallas County, Texas, and together being more particularly described by metes and bounds as follows:

BEGINNING at a "X" cut in concrete for the Intersection of the north right-of-way line of McVey Avenue (F.K.A. Purnell Avenue)(50' right-of-way) and the east right-of-way line of Seevers Avenue (50' right-of-way), same being the southwest corner of said Lot 12, Block 9/4108;

THENCE North 00 degrees 43 minutes 10 seconds West, passing an "X" cut in concrete at 49.92 feet and continuing along the said east right-of-way line of Seevers Avenue, for a total distance of 99.88 feet to a 3 1/4 aluminum disk set stamped "OUTREACH SUBDIVISION & RPLS 5299" on a 1/2 inch Iron rod for the southwest corner of Lot 10, Block 9/4108 of said Freemont;

THENCE North 88 degrees 53 minutes 26 seconds East, along the south line of said Lot 10, Block 9/4108, a distance of 150.00 feet to a 3 1/4 aluminum disk set stamped "OUTREACH SUBDIVISION & RPLS 5299" on a 1/2 Inch Iron rod for the southeast corner of said Lot 10, Block 9/4108, same lying in the west right-of-way line of a 15 foot alley;

THENCE South 00 degrees 43 minutes 10 seconds East, passing a 5/8 Inch Iron rod at 49.91 feet and continuing along the said west right-of-way line of a 15 foot alley, for a total distance of 99.83 feet to a 3 1/4 aluminum disk set stamped "OUTREACH SUBDIVISION & RPLS 5299" on a 1/2 Inch Iron rod for the southeast corner of said Lot 12, Block 9/4108;

THENCE South 88 degrees 52 minutes 17 seconds West, along the said north right-of-way line of McVey Avenue, a distance of 150.00 feet to the PLACE OF BEGINNING and containing 14,978 square feet of 0.344 acres of land more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, MISSION OUTREACH HOLINESS CHURCH, acting by and through its duly appointed representative, does hereby adopt this plat, designating the herein described property as **OUTREACH SUBDIVISION** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby dedicated for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby dedicated for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress or egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of Ingress or egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by the utility).

Water main and wastewater easements shall also Include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for Installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Dallas, Texas.

WITNESS MY HAND THIS_____ DAY OF _____, 2023.
AMHEARST GROUP PROPERTIES

By:_____
BYRON ROWLETT - PASTOR

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared BYRON ROWLETT, known to me to be the person whose name is subscribed to the foregoing Instrument and acknowledged to me that she executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

STATE OF TEXAS

I, Gary E. Johnson, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

Preliminary, this document shall not be recorded for any purposes and shall not be used or viewed or relied upon as a final survey document. (02/24/2023)

Gary E. Johnson
Texas Registered Professional Land Surveyor No. 5299

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Gary E. Johnson, known to me to be the person whose name is subscribed to the foregoing Instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

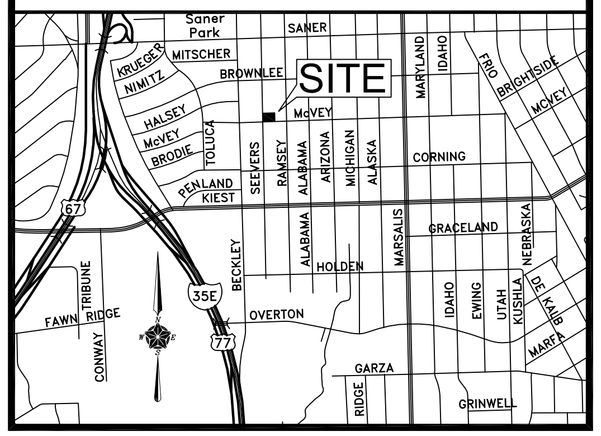
OWNER
MISSION OUTREACH HOLINESS CHURCH
2946 SEEVERS AVENUE
DALLAS, TEXAS 75216-4218

SURVEYOR
TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com Firm No. 10169300

PRELIMINARY PLAT
OUTREACH SUBDIVISION
LOT 11A, BLOCK 9/4108
BEING A REPLAT OF LOTS 11 & 12, BLOCK 9/4108 OF FREEMONT
SITUATED IN THE JOHN P. NARBOE SURVEY, ABSTRACT NO. 1079
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223.077
ENGINEERING PLAN NO. DP____

DATE: 01/17/2023 / JOB # 2202621-1 / SCALE= 1" = 30' / DRAWN: KO

VICINITY MAP (NOT TO SCALE)



LEGEND

M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C .T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
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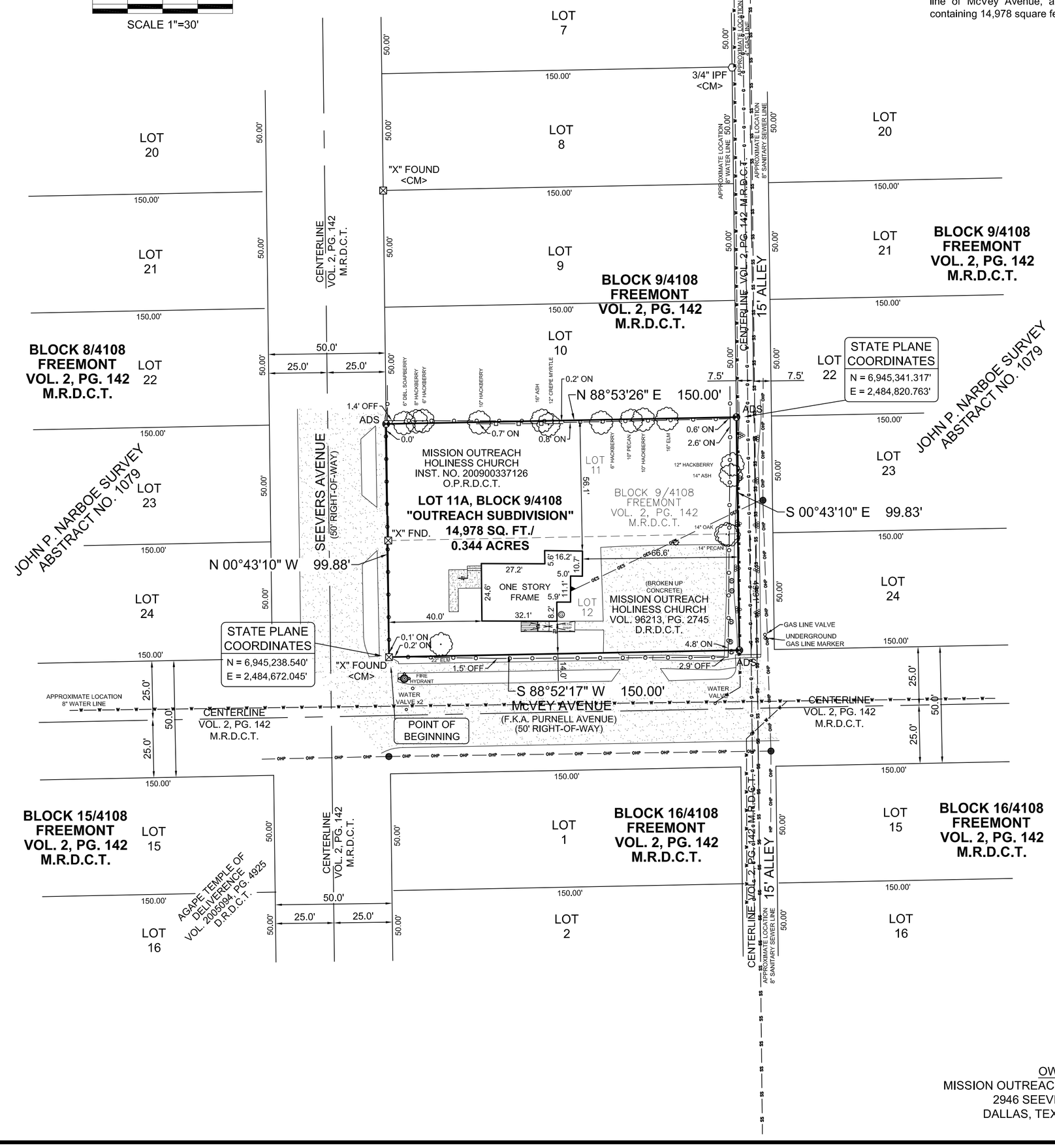
IPF ○	IRON PIPE FOUND
ADS ⊗	3-1/4" ALUMINUM DISK STAMPED "ADDITION & RPLS 5299" SET ON AN IRON ROD FOR CORNER
<CM>	CONTROL MONUMENT
F.K.A.	FORMERLY KNOWN AS

ASPHALT
EASEMENT LINE
BUILDING LINE
BOUNDRY LINE
CENTERLINE
SANITARY SEWER LINE — SS —
STORM SEWER LINE — STM —
WATER LINE — W — W —
OVERHEAD SERVICE LINE — OES —
OVERHEAD POWER LINE — OHP —
WOOD FENCE

SCALE 1"=30'



GENERAL NOTES:

1) The purpose of this replat is to create one lot out of two platted lots.

2) The maximum number of lots permitted by this plat is one.

3) Lot to lot drainage will not be allowed without City of Dallas Paving & Drainage Engineering Section approval.

4) Bearings are based upon the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983, (2011).

5) Coordinates shown hereon are based on Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983 on Grid Coordinate values, No Scale and No Projection.

6) Structures located on subject property are to remain.

7) City of Dallas Water Dept. benchmarks used:
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#1701 54-Z-3 Square cut on concrete curb at midpoint on the north end of a concrete median strip on the south side of Kiest Boulevard and at the centerline of Beckley Avenue. N= 6,943,821.900 E=2,484,297.804 Elevation= 596.49'

8) Subject property is located within an area having a Zone Designation "X" by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 48113C0485J, with a date of identification of 12/15/2022, for Community Number 480171, in Dallas County, State of Texas, which is the current Flood Insurance Rate Map for the community in which said property is situated.

9) All existing trees on subject property are as shown.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, MISSION OUTREACH HOLINESS CHURCH, is the owner of a tract of land situated in the John P. Narboe Survey, Abstract No. 1079, being Lots 11 & 12, Block 9/4108, Freemont, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 2, Page 142, Map Records, Dallas County, Texas, and being that tract of land described in Quitclaim Deed to MISSION OUTREACH HOLINESS CHURCH as recorded in Volume 96213, Page 2745, Deed Records, Dallas County, Texas, along with that tract of land described in General Warranty Deed to MISSION OUTREACH HOLINESS CHURCH Instrument No. 200900337126, Official Public Records, Dallas County, Texas, and together being more particularly described by metes and bounds as follows:

BEGINNING at a "X" cut in concrete for the intersection of the north right-of-way line of McVey Avenue (F.K.A. Purnell Avenue)(50' right-of-way) and the east right-of-way line of Seevers Avenue (50' right-of-way), same being the southwest corner of said Lot 12, Block 9/4108;

THENCE North 00 degrees 43 minutes 10 seconds West, passing an "X" cut in concrete at 49.92 feet and continuing along the said east right-of-way line of Seevers Avenue, for a total distance of 99.88 feet to a 3 1/4 aluminum disk set stamped "OUTREACH SUBDIVISION & RPLS 5299" on a 1/2 inch iron rod for the southwest corner of Lot 10, Block 9/4108 of said Freemont;

THENCE North 88 degrees 53 minutes 26 seconds East, along the south line of said Lot 10, Block 9/4108, a distance of 150.00 feet to a 3 1/4 aluminum disk set stamped "OUTREACH SUBDIVISION & RPLS 5299" on a 1/2 inch iron rod for the southeast corner of said Lot 10, Block 9/4108, same lying in the west right-of-way line of a 15 foot alley;

THENCE South 00 degrees 43 minutes 10 seconds East, passing a 5/8 inch iron rod at 49.91 feet and continuing along the said west right-of-way line of a 15 foot alley, for a total distance of 99.83 feet to a 3 1/4 aluminum disk set stamped "OUTREACH SUBDIVISION & RPLS 5299" on a 1/2 inch iron rod for the southeast corner of said Lot 12, Block 9/4108;

THENCE South 88 degrees 52 minutes 17 seconds West, along the said north right-of-way line of McVey Avenue, a distance of 150.00 feet to the PLACE OF BEGINNING and containing 14,978 square feet of 0.344 acres of land more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, MISSION OUTREACH HOLINESS CHURCH, acting by and through its duly appointed representative, does hereby adopt this plat, designating the herein described property as **OUTREACH SUBDIVISION** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby dedicated for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby dedicated for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress or egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all of or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress or egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by the utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Dallas, Texas.

WITNESS MY HAND THIS _____ DAY OF _____, 2023.
AMHEARST GROUP PROPERTIES

By:_____
BYRON ROWLETT - PASTOR

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared BYRON ROWLETT, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

STATE OF TEXAS

I, Gary E. Johnson, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2023.

Preliminary, this document shall not be recorded for any purposes and shall not be used or viewed or relied upon as a final survey document. (02/24/2023)

Gary E. Johnson
Texas Registered Professional Land Surveyor No. 5299

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Gary E. Johnson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

OWNER
MISSION OUTREACH HOLINESS CHURCH
2946 SEEVERS AVENUE
DALLAS, TEXAS 75216-4218

SURVEYOR
TEXAS HERITAGE SURVEYING, LLC
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com Firm No. 10169300

PRELIMINARY PLAT
OUTREACH SUBDIVISION
LOT 11A, BLOCK 9/4108
BEING A REPLAT OF LOTS 11 & 12, BLOCK 9/4108 OF FREEMONT
SITUATED IN THE JOHN P. NARBOE SURVEY, ABSTRACT NO. 1079
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223.077
ENGINEERING PLAN NO. DP____

DATE: 01/17/2023 / JOB # 2202621-1 / SCALE= 1" = 30' / DRAWN: KO

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-878 **Item #:** 36.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.324-acre tract of land containing all of Lot 13 in City Block 2/7158 to create one 5,842 square feet lot and one 8,267 square feet lot on property located on Hammerly Drive, south of Morris Street.
Applicant/Owner: Lux Home Corporation
Surveyor: Burns Surveying
Application Filed: February 22, 2023
Zoning: R-5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-078

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-078 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Hammerly Drive, south of Morris Street

DATE FILED: February 22, 2023 **ZONING:** R-5(A)

CITY COUNCIL DISTRICT: 6 **SIZE OF REQUEST:** 0.324-acres **MAPSCO:** 42M

APPLICANT/OWNER: Lux Home Corporation

REQUEST: An application to replat a 0.324-acre tract of land containing all of Lot 13 in City Block 2/7158 to create one 5,842 square feet lot and one 8,267 square feet lot on property located on Hammerly Drive, south of Morris Street.

SUBDIVISION HISTORY:

1. S212-207 was a request northwest of the present request to replat a 0.603-acre tract of land containing all of Lots 6 through 8 and part of Lot 9 to create 4 lots ranging in size from 6,000 square feet to 6,750 square feet on property located on Odessa Street, north of Palacios Avenue. The request was approved on June 2, 2022 but has not been recorded.

2. S189-055 was a request southwest of the present request to replat a 3.167-acre tract of land containing all of Lots 8 through 20 and all of Lots 23 through 27 in City Block 16/7162 to create one 3.167-acre lot on property located on McBroom Street at Toronto Street, northeast corner. The request was approved on December 13, 2018 but has not been recorded.

3. S178-258 was a request southeast of the present request to replat a 0.689-acre tract of land containing all of Lots 4 and 5 in City Block 11/7158 to create one lot on property located on Hammerly Drive, North of Pueblo Street. The request was approved on August 2, 2018 and was withdrawn September 25, 2018.

PROPERTY OWNER NOTIFICATION: On March 3, 2023, 18 notices were sent to property owners within 200 feet of the proposed plat.

STAFF RECOMMENDATION: Section 51A-8.503 states that “lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets.”

- The properties to the south of the request have width of 60 feet and lot areas ranging in size from 13,538 square feet to 15,106 square feet and are zoned R-5(A) Single Family District. (*Please refer to the existing area analysis and aerial map)*

There is an established lot pattern in the immediate area of the request; however, due to the layout of the property and the Texas & Pacific Industrial Railroad, staff concludes

that the request complies with the requirements of Section 51A-8.503 and the R-5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is two.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure

require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Hammerly Drive. *Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).*

Flood Plain Conditions:

16. On the final plat, determine the 100-year water surface elevation across this addition.

17. On the final plat, dedicate floodway easement, floodway management area or floodway easement (within common area), with the appropriate easement statement included on the face of the Plat. *51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V*

18. On the final plat, include additional paragraph in Owner’s Certificate (pertaining to the floodplain). *51A 8.611(d); DWU Floodplain Management; Drainage Design Manual Addendum V*

19. On the final plat, specify minimum fill and minimum finished floor elevations. *Section 51A-8.611(d), Trinity Watershed Management.*

20. On the final plat, show the natural channel set back from the crest of the natural channel. *Section 51A-8.611(d), Trinity Watershed Management.*

21. Prior to submission of the final plat, set floodway monument markers and provide documentation that the monuments have been set. *Section 51A-8.617(d)(1), (2), (3), and (4)*

22. Provide information regarding Fill Permit or Floodplain Alteration Permit if such permit is applied for.

23. Location is in the Mican Channel Sump (WSE 413 feet). All construction for any proposed development must be above the WSE. Any improvement proposed in the areas where the existing elevation is below the WSE requires a fill permit to be applied for and approved by DWU Floodplain Management Department. A Minimum Finish Floor elevation for those areas will have to be established during the process and placed on the face of the final plat. *Section 51A-8.611(a)(1) through (8)*

Survey (SPRG) Conditions:

24. Prior to final plat, submit a completed final plat checklist and all supporting documents.

25. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

26. On the final plat, show recording information on all existing easements within 150 feet of the property.

27. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

28. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.

Dallas Water Utilities Conditions:

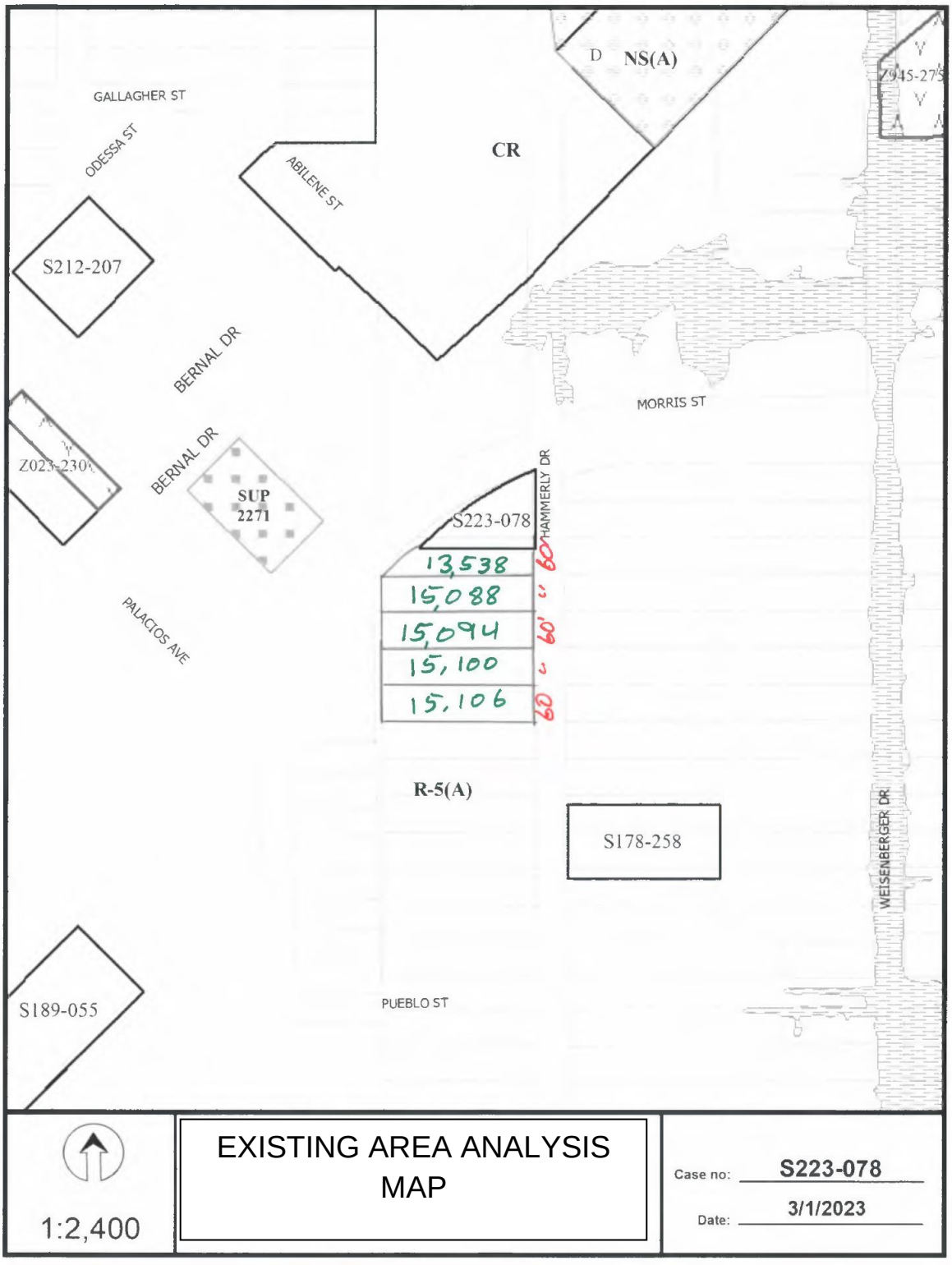
29. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

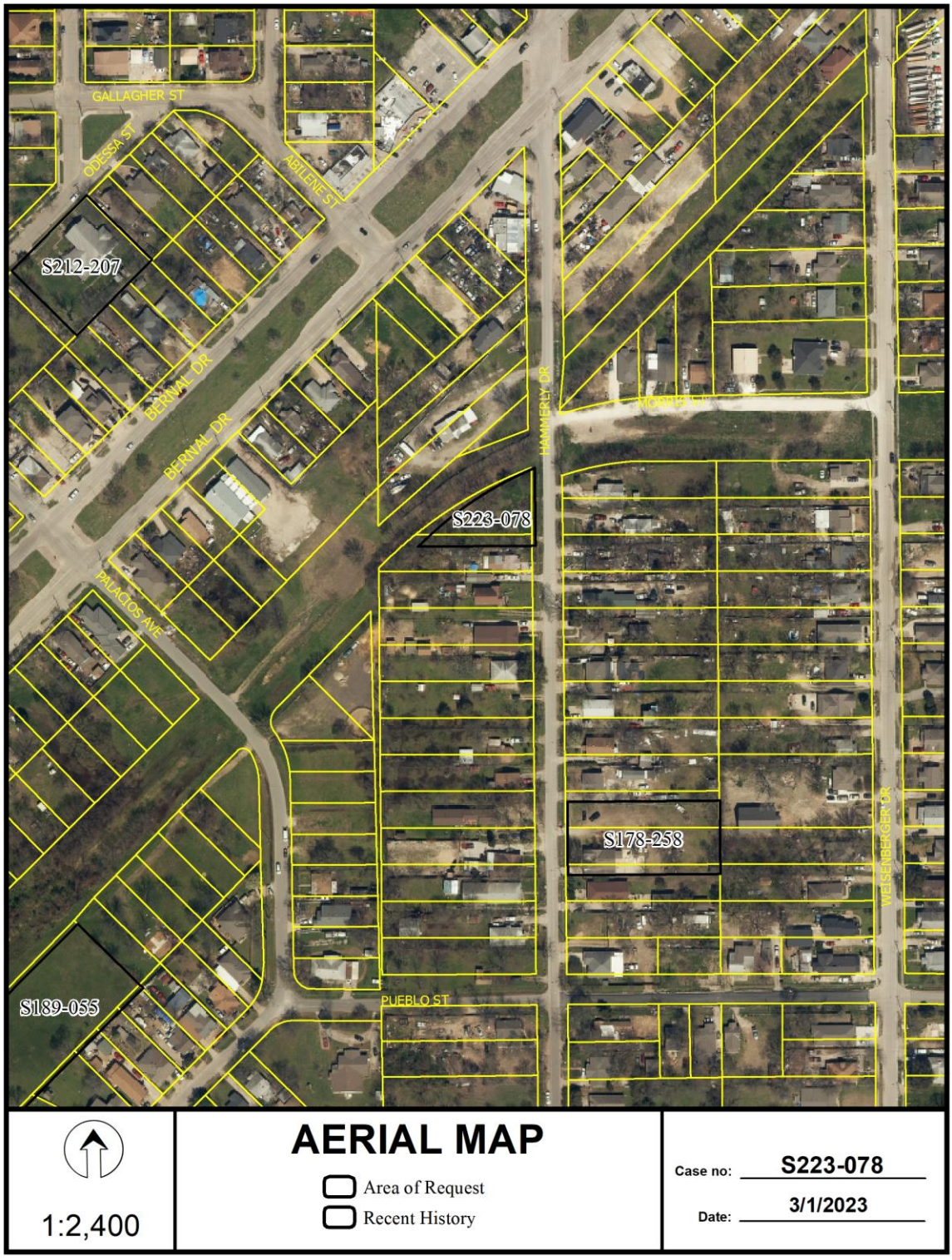
30. On the final plat, change “Morris Street (North Pilkington)” to “Morris Street (F.K.A. North Pilkington Street)”. Section 51A-8.403(a)(1)(A)(xii).

31. On the final plat, change “McBroom Road (South Pilkington)” to “McBroom Street (F.K.A. South Pilkington Street)”. Section 51A-8.403(a)(1)(A)(xii).

32. On the final plat, identify the property as Lots 13A & 13B in City Block 2/7158. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


GALLAGHER ST
ODESSA ST
ABILENE ST
CR
D NS(A)
Z945-275
S212-207
BERNAL DR
MORRIS ST
Z023-230
BERNAL DR
SUP 2271
S223-078
HAMMERLY DR
13,538
15,088
15,094
15,100
15,106
60' x 60' x 60'
PALACIOS AVE
R-5(A)
S178-258
WEISENBERGER DR
S189-055
PUEBLO ST
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-078
Date: 3/1/2023

GALLAGHER ST
ODESSA ST
ABILENE ST
CR
D
NS(A)
Z945-275
S212-207
BERNAL DR
BERNAL DR
MORRIS ST
Z023-230
SUP
2271
S223-078
HAMMERLY DR
PALACIOS AVE
R-5(A)
S178-258
WEISENBERGER DR
S189-055
PUEBLO ST
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-078
Date: 3/1/2023



1:2,400

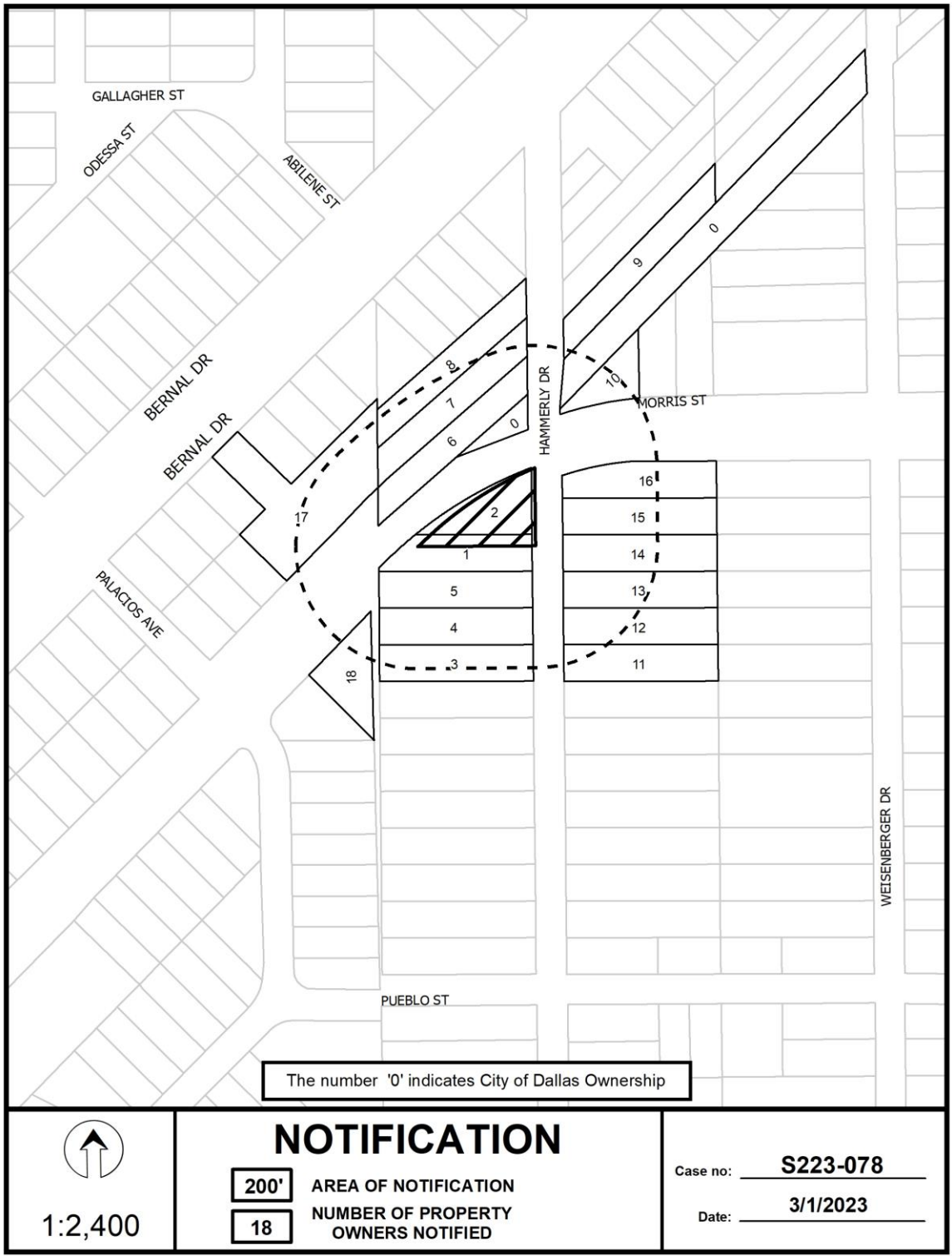
AERIAL MAP

Area of Request

Recent History

Case no: S223-078

Date: 3/1/2023


GALLAGHER ST
ODESSA ST
ABILENE ST
BERNAL DR
BERNAL DR
HAMMERLY DR
MORRIS ST
PALACIOS AVE
PUEBLO ST
WEISENBERGER DR
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
18
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: S223-078
Date: 3/1/2023

02/23/2023

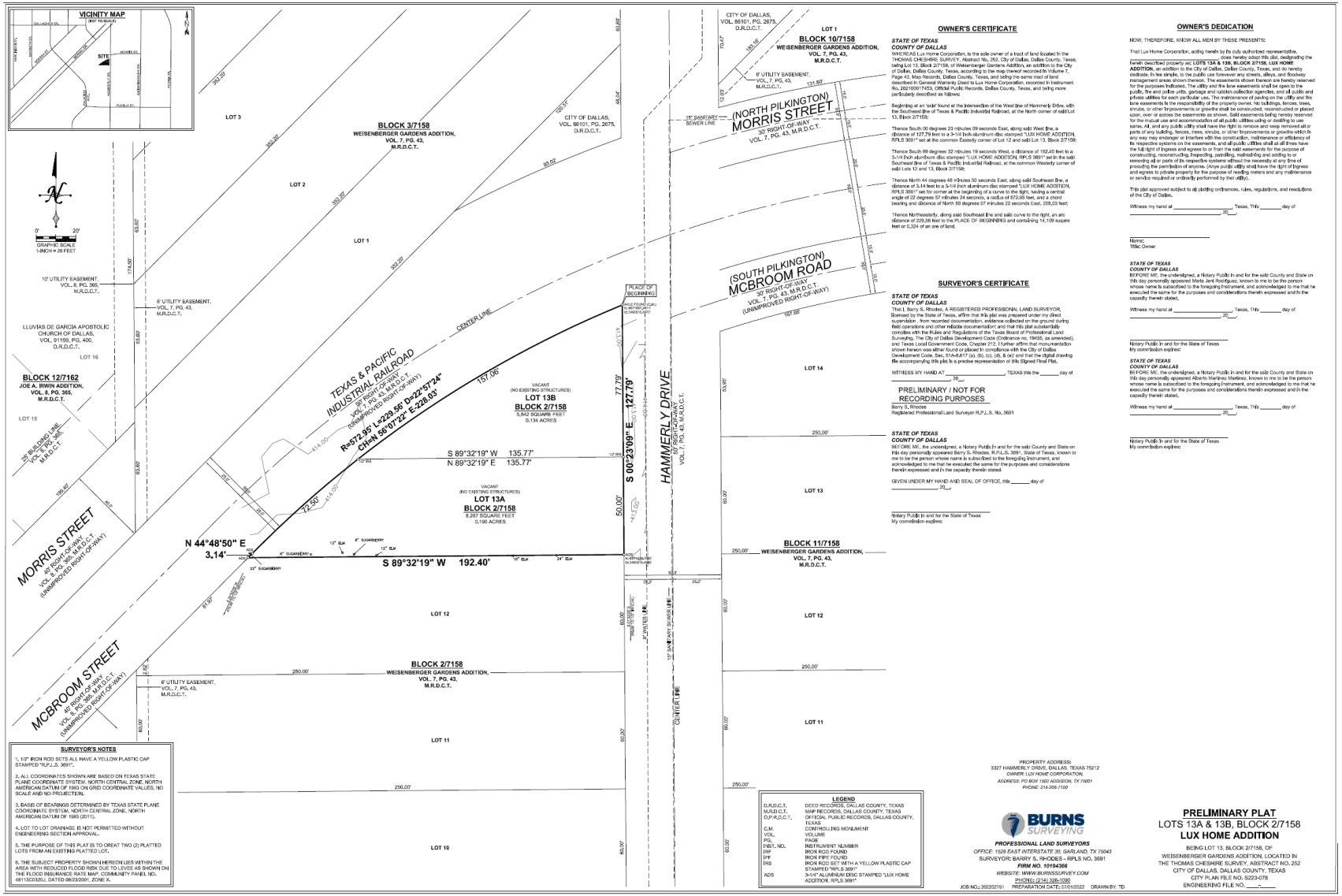
Notification List of Property Owners

S223-078

18 Property Owners Notified

Label #	*Address*		*Owner*
1	3323	HAMMERLY DR	ESPINO MARCELINO & ALICIA
2	3327	HAMMERLY DR	Taxpayer at
3	3307	HAMMERLY DR	LOPEZ PHILLIP A &
4	3313	HAMMERLY DR	ESQUIVEL CESAR MUNOZ &
5	3317	HAMMERLY DR	PINTOR JESSE ESTATE OF
6	3403	HAMMERLY DR	LOPEZ LETICIA
7	3407	HAMMERLY DR	ROMO LUZ ELENA
8	3413	HAMMERLY DR	ORNELAS CESAR
9	3402	HAMMERLY DR	TORRES CARLOS
10	4731	MORRIS ST	CHACON MICHAEL
11	3306	HAMMERLY DR	MEJIA RICARDO
12	3312	HAMMERLY DR	GOMEZ CHRISTINA ELAINE
13	3316	HAMMERLY DR	CARBAJAL ARTURO REYNA &
14	3322	HAMMERLY DR	GALCAN ERISTEO &
15	3326	HAMMERLY DR	MEDRANO IGNACIO
16	3330	HAMMERLY DR	GARCIA ATRURO &
17	4858	BERNAL DR	LLUVIAS DE GRACIA
18	4838	MCBROOM ST	ESQUIVEL CESAR

S223-078



SURVEYOR'S NOTES

1. 1/2" IRON ROD SETS ALL HAVE A YELLOW PLASTIC CAP STAMPED "R.P.L.S. 3691".
2. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
3. BASIS OF BEARINGS DETERMINED BY TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).
4. LOT TO LOT DRAINAGE IS NOT PERMITTED WITHOUT ENGINEERING SECTION APPROVAL.
5. THE PURPOSE OF THIS PLAT IS TO CREAT TWO (2) PLATTED LOTS FROM AN EXISTING PLATTED LOT.
6. THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN THE AREA WITH REDUCED FLOOD RISK DUE TO LEVEE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48113C0335J, DATED 08/23/2001, ZONE X.

LEGEND

D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS	IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "RPLS 3691"
ADS	3-1/4" ALUMINUM DISC STAMPED "LUX HOME ADDITION, RPLS 3691"

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Lux Home Corporation, is the sole owner of a tract of land located in the THOMAS CHESHIRE SURVEY, Abstract No. 252, City of Dallas, Dallas County, Texas, being Lot 13, Block 2/7158, of Weisenberger Gardens Addition, an addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 7, Page 43, Map Records, Dallas County, Texas, and being the same tract of land described in General Warranty Deed to Lux Home Corporation, recorded in Instrument No., 202100017453, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at an 'axle' found at the intersection of the West line of Hammerly Drive, with the Southeast line of Texas & Pacific Industrial Railroad, at the North corner of said Lot 13, Block 2/7158;

Thence South 00 degrees 23 minutes 09 seconds East, along said West line, a distance of 127.79 feet to a 3-1/4 inch aluminum disc stamped "LUX HOME ADDITION, RPLS 3691" set at the common Easterly corner of Lot 12 and said Lot 13, Block 2/7158;

Thence South 89 degrees 32 minutes 19 seconds West, a distance of 192.40 feet to a 3-1/4 inch aluminum disc stamped "LUX HOME ADDITION, RPLS 3691" set in the said Southeast line of Texas & Pacific Industrial Railroad, at the common Westerly corner of said Lots 12 and 13, Block 2/7158;

Thence North 44 degrees 48 minutes 50 seconds East, along said Southeast line, a distance of 3.14 feet to a 3-1/4 inch aluminum disc stamped "LUX HOME ADDITION, RPLS 3691" set for corner at the beginning of a curve to the right, having a central angle of 22 degrees 57 minutes 24 seconds, a radius of 572.95 feet, and a chord bearing and distance of North 56 degrees 07 minutes 22 seconds East, 228.03 feet;

Thence Northeasterly, along said Southeast line and said curve to the right, an arc distance of 229.56 feet to the PLACE OF BEGINNING and containing 14,139 square feet or 0.324 of an are of land.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

That I, Barry S. Rhodes, A REGISTERED PROFESSIONAL LAND SURVEYOR, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision , from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, The City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a), (b), (c), (d), & (e)' and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 20__.

PRELIMINARY / NOT FOR RECORDING PURPOSES

Barry S. Rhodes
Registered Professional Land Surveyor R.P.L.S. No. 3691

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Barry S. Rhodes, R.P.L.S. 3691, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Lux Home Corporation, acting herein by its duly authorized representative, _____, does hereby adopt this plat, designating the herein described property as **LOTS 13A & 13B, BLOCK 2/7158, LUX HOME ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective systems on the easements, and all public utilities shall at all times have the full right of Ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Aloye public utility shall have the right of Ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Name:
Title: Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Marie Jeni Rodriguez, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Alberto Martinez Martinez, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

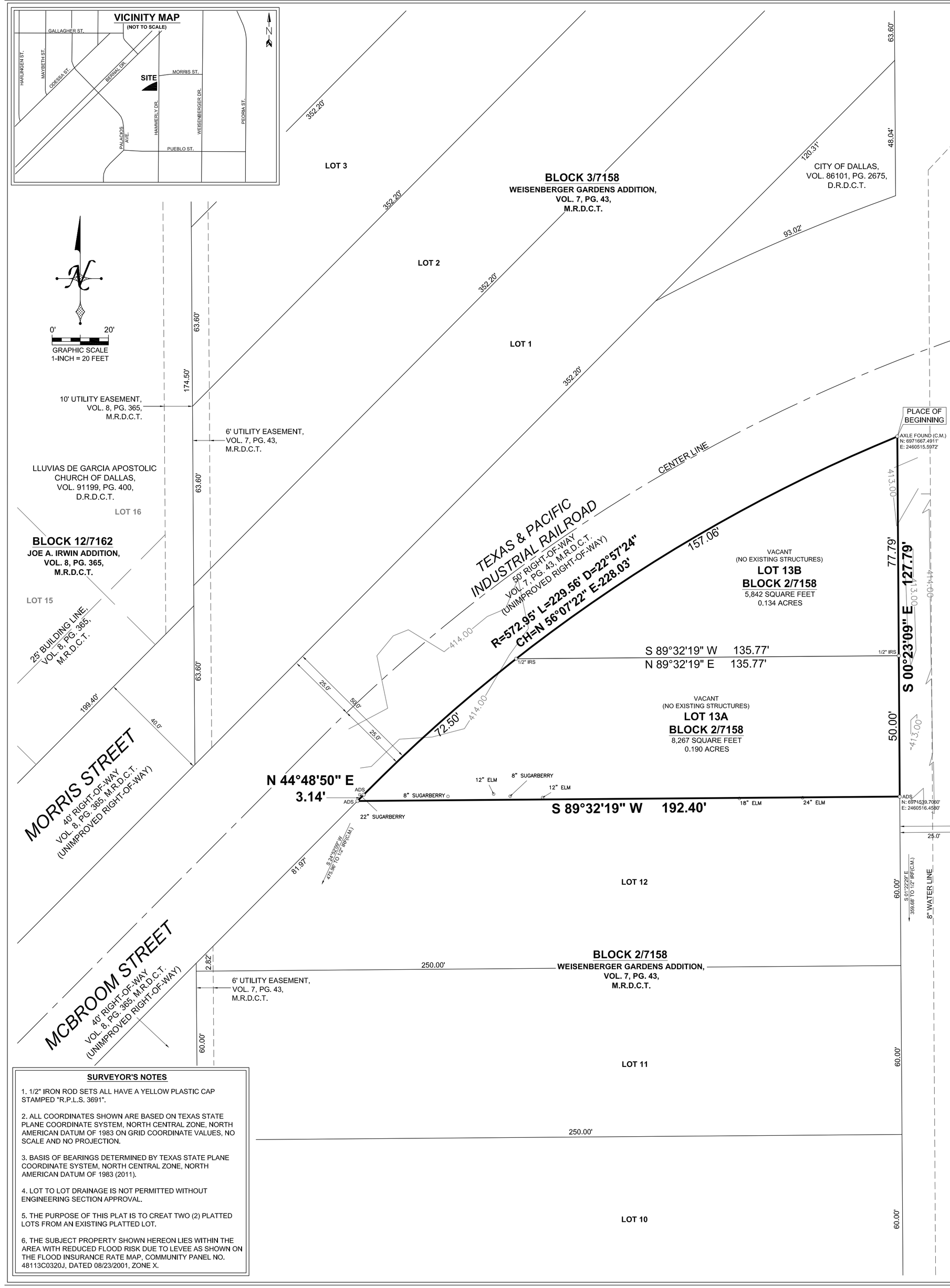
Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

PRELIMINARY PLAT
LOTS 13A & 13B, BLOCK 2/7158
LUX HOME ADDITION
BEING LOT 13, BLOCK 2/7158, OF
WEISENBERGER GARDENS ADDITION, LOCATED IN
THE THOMAS CHESHIRE SURVEY, ABSTRACT NO. 252
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-078
ENGINEERING FILE NO. ____-____

36(j)

City Plan Commission Date: 03/23/2023



SURVEYOR'S NOTES

1. 1/2" IRON ROD SETS ALL HAVE A YELLOW PLASTIC CAP STAMPED "R.P.L.S. 3691".

2. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

3. BASIS OF BEARINGS DETERMINED BY TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).

4. LOT TO LOT DRAINAGE IS NOT PERMITTED WITHOUT ENGINEERING SECTION APPROVAL.

5. THE PURPOSE OF THIS PLAT IS TO CREAT TWO (2) PLATTED LOTS FROM AN EXISTING PLATTED LOT.

6. THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN THE AREA WITH REDUCED FLOOD RISK DUE TO LEVEE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48113C0320J, DATED 08/23/2001, ZONE X.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Lux Home Corporation, is the sole owner of a tract of land located in the THOMAS CHESHIRE SURVEY, Abstract No. 252, City of Dallas, Dallas County, Texas, being Lot 13, Block 2/7158, of Weisenberger Gardens Addition, an addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 7, Page 43, Map Records, Dallas County, Texas, and being the same tract of land described in General Warranty Deed to Lux Home Corporation, recorded in Instrument No. 20210001745З, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at an 'axle' found at the intersection of the West line of Hammerly Drive, with the Southeast line of Texas & Pacific Industrial Railroad, at the North corner of said Lot 13, Block 2/7158;

Thence South 00 degrees 23 minutes 09 seconds East, along said West line, a distance of 127.79 feet to a 3-1/4 inch aluminum disc stamped "LUX HOME ADDITION, RPLS 3691" set at the common Easterly corner of Lot 12 and said Lot 13, Block 2/7158;

Thence South 89 degrees 32 minutes 19 seconds West, a distance of 192.40 feet to a 3-1/4 inch aluminum disc stamped "LUX HOME ADDITION, RPLS 3691" set in the said Southeast line of Texas & Pacific Industrial Railroad, at the common Westerly corner of said Lots 12 and 13, Block 2/7158;

Thence North 44 degrees 48 minutes 50 seconds East, along said Southeast line, a distance of 3.14 feet to a 3-1/4 inch aluminum disc stamped "LUX HOME ADDITION, RPLS 3691" set for corner at the beginning of a curve to the right, having a central angle of 22 degrees 57 minutes 24 seconds, a radius of 572.95 feet, and a chord bearing and distance of North 56 degrees 07 minutes 22 seconds East, 228.03 feet;

Thence Northeasterly, along said Southeast line and said curve to the right, an arc distance of 229.56 feet to the PLACE OF BEGINNING and containing 14,109 suqare feet or 0.324 of an are of land.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

That I, Barry S. Rhodes, A REGISTERED PROFESSIONAL LAND SURVEYOR, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision , from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, The City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a), (b), (c), (d), & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

WITNESS MY HAND AT _____, TEXAS this the _____ day of _____, 20__.

PRELIMINARY / NOT FOR RECORDING PURPOSES

Barry S. Rhodes
Registered Professional Land Surveyor R.P.L.S. No. 3691

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Barry S. Rhodes, R.P.L.S. 3691, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Lux Home Corporation, acting herein by its duly authorized representative, _____, does hereby adopt this plat, designating the herein described property as: **LOTS 13A & 13B, BLOCK 2/7158, LUX HOME ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forevever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown, Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same, All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective systems on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Anye public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by thet utility).

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Name:
Title: Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Maria Jeni Rodriguez, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Alberto Martinez Martinez, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20__.

_____
Notary Public in and for the State of Texas
My commission expires:

LEGEND

D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
IRS	IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "RPLS 3691"
ADS	3-1/4" ALUMINUM DISC STAMPED "LUX HOME ADDITION, RPLS 3691"

PROPERTY ADDRESS:
3327 HAMMERLY DRIVE, DALLAS, TEXAS 75212
OWNER: LUX HOME CORPORATION,
ADDRESS: PO BOX 1502 ADDISION, TX 75001
PHONE: 214-206-7100

BURNS SURVEYING
PROFESSIONAL LAND SURVEYORS
OFFICE: 1529 EAST INTERSTATE 30, GARLAND, TX 75043
SURVEYOR: BARRY S. RHODES - RPLS NO. 3691
FIRM NO. 10194366
WEBSITE: WWW.BURNSSURVEY.COM
PHONE: (214) 326-1090

JOB NO.: 202202751 PREPARATION DATE: 07/01/2022 DRAWN BY: TD

PRELIMINARY PLAT
LOTS 13A & 13B, BLOCK 2/7158
LUX HOME ADDITION

BEING LOT 13, BLOCK 2/7158, OF
WEISENBERGER GARDENS ADDITION, LOCATED IN
THE THOMAS CHESHIRE SURVEY, ABSTRACT NO. 252
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-078
ENGINEERING FILE NO. ____-____

Agenda Information Sheet

File #: 23-879 **Item #:** 37.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.617-acre tract of land containing all of Lot 79A in City Block 2251 to create four lots ranging in size from 6,002 square foot to 8,831 square foot on property located on Colonial Avenue, southeast of Faye Street.
Applicant/Owner: Keth Vibol
Surveyor: data Land Service Corporation
Application Filed: February 23, 2023
Zoning: PD 595 D(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 7
S223-086

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-086 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Colonial Avenue, southeast of Faye Street

DATE FILED: February 23, 2023 **ZONING:** PD 595 D(A)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20595.pdf

CITY COUNCIL DISTRICT: 7 **SIZE OF REQUEST:** 0.617-acres **MAPSCO:** 56G

APPLICANT/OWNER: Keth Vibol

REQUEST: An application to replat a 0.617-acre tract of land containing all of Lot 79A in City Block 2251 to create four lots ranging in size from 6,002 square foot to 8,831 square foot on property located on Colonial Avenue, southeast of Faye Street.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

PROPERTY OWNER NOTIFICATION: On March 3, 2023, 20 notices were sent to property owners within 200 feet of the proposed plat.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

- The properties to the north and south, of the request have lot areas ranging in size from 5,563 square feet to 7,463 square feet and lot widths ranging in size from 50 feet to 65 feet are zoned PD 595 D(A). (*Please refer to the existing area analysis and aerial map)*

Staff determine that there is an established lot pattern in the immediate area of request; however, due to layout of the right-of-way to the east of the request staff concludes that the request complies with the requirements of Section 51A-8.503 and the PD 595 D(A); therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*

4. The number and location of fire hydrants must comply with the Dallas Fire Code.

5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is four.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple) from the established center line of Faye Street. *Section 51A 8.602(c)*

16. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via fee simple or street easement) at Faye Street and South Central Expressway / State Highway No. 310. Section 51A 8.602(d)(1)

17. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. *Section 51A 8.602(d)(1), 51A 8.608(a)*

18. On the final plat, add the note: "TxDOT approval may be required for any driveway modification or new access point(s)." No citation.

19. Comply with PD 595 *City Code- per PD*

20. If the location is within PD 468, Pd 595, PD 887 then must comply with Form District Article XIII set forth by *City Code 51A-13*.

Survey (SPRG) Conditions:

21. Prior to final plat, submit a completed final plat checklist and all supporting documents.

22. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

23. On the final plat, show recording information on all existing easements within 150 feet of the property.

24. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

Dallas Water Utilities Conditions:

25. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

26. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

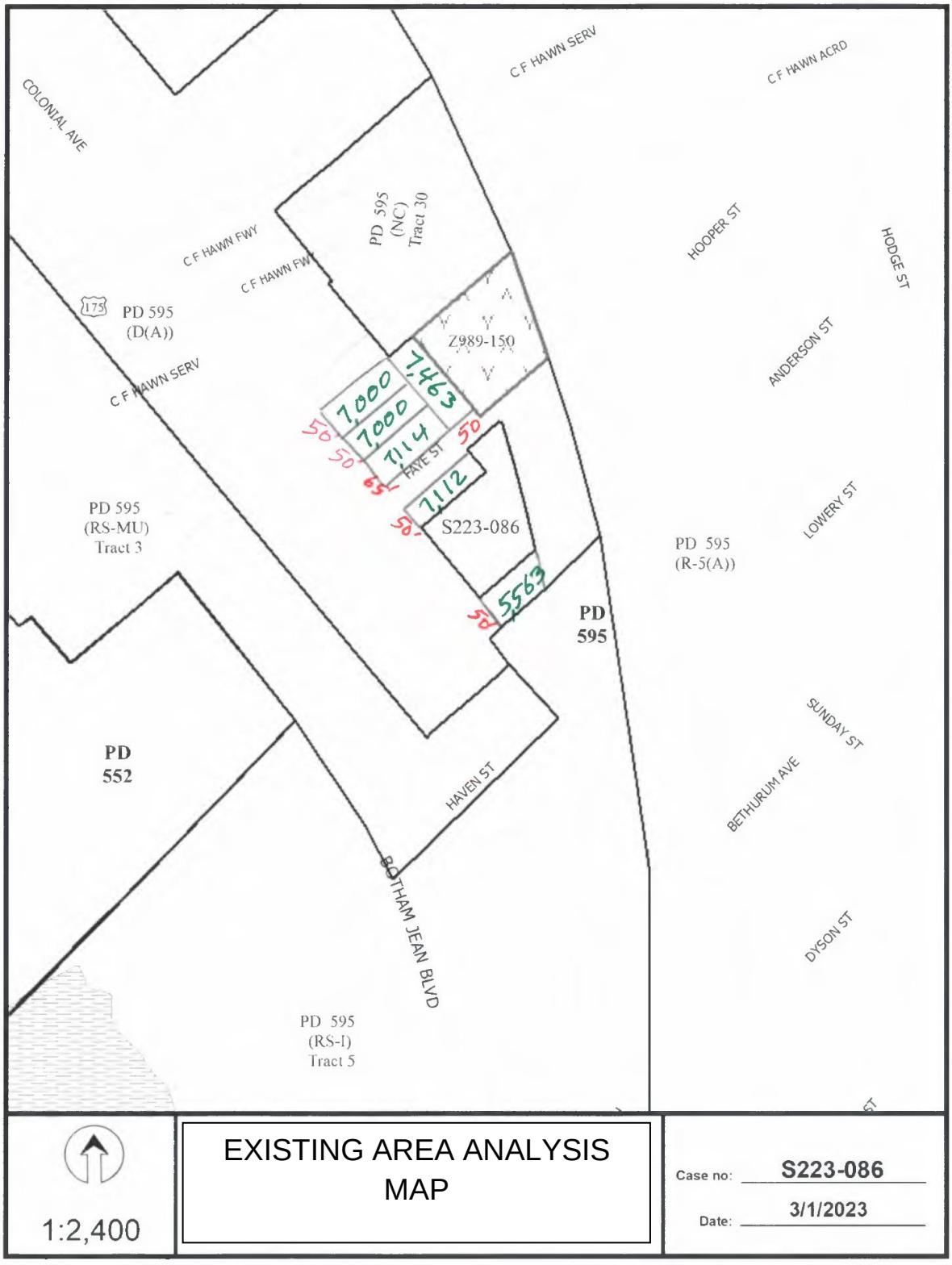
27. Water [and] wastewater main improvements is required by Private Development Contract. Submit water/wastewater Engineering Plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

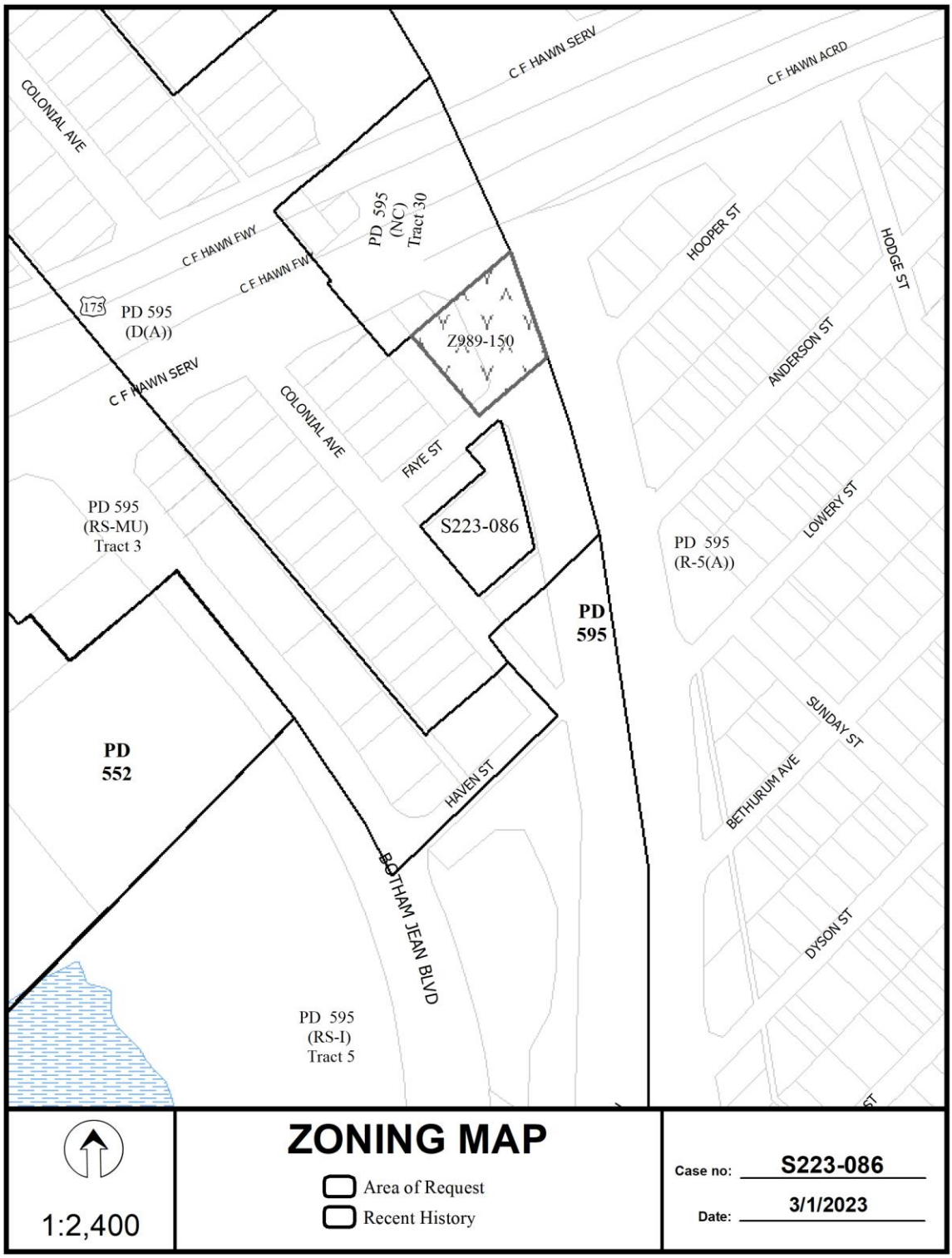
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

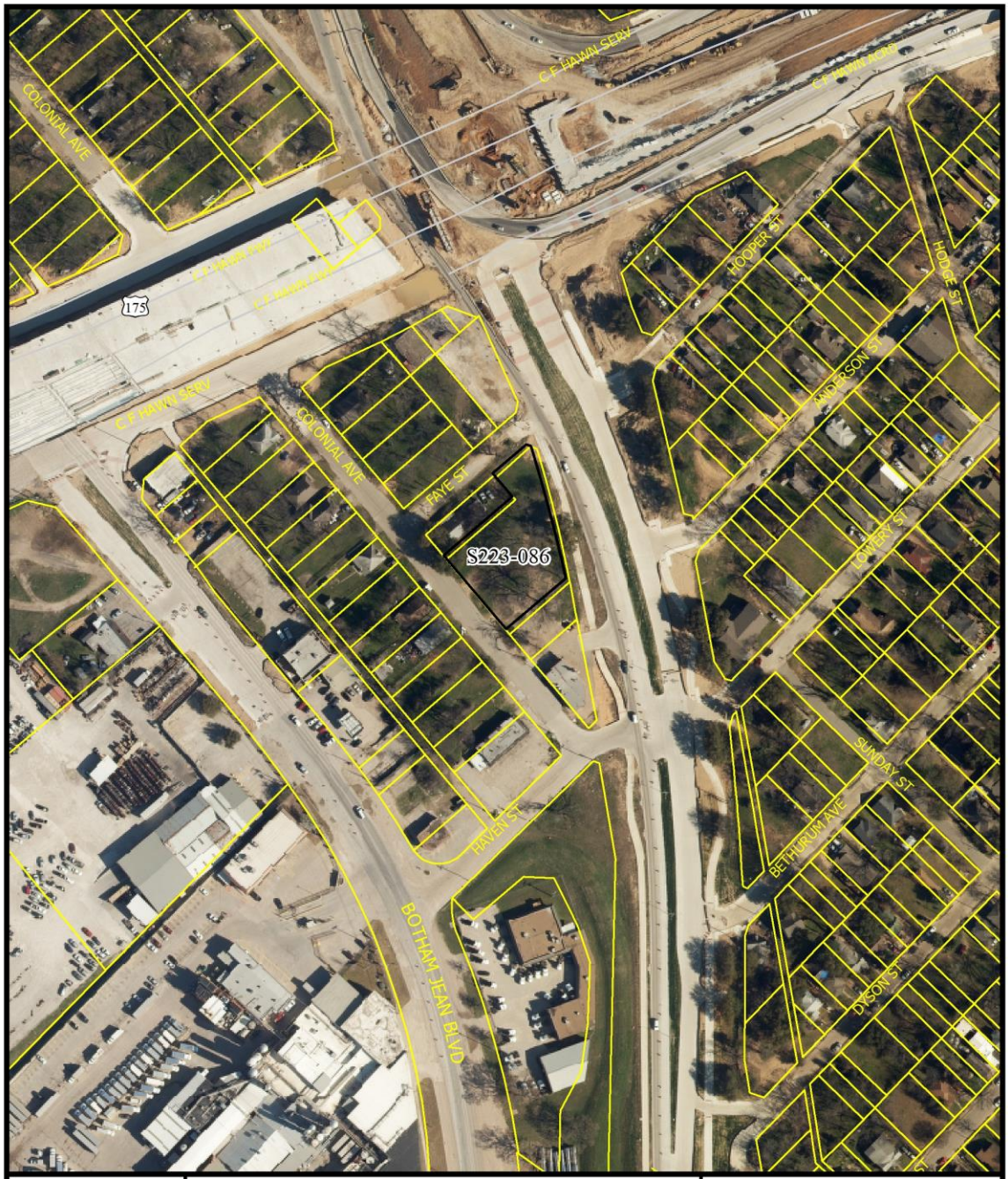
28. On the final plat, change "Faye Street" to "Faye Street (F.K.A. Stark Avenue) (F.K.A. Reed Street)". Section 51A-8.403(a)(1)(A)(xii)

29. On the final plat, change "South Central Expressway (A.K.A. S.H. 310)" to "South Central Expressway / State Highway No. 310". Section 51A-8.403(a)(1)(A)(xii)

30. On the final plat, identify the property as Lots 79B-79E in City Block 2251. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


COLONIAL AVE
C F HAWN SERV
C F HAWN ACRD
C F HAWN FWY
C F HAWN FWY
PD 595 (NC) Tract 30
HOOPER ST
HODGE ST
175
PD 595 (D(A))
Z989-150
ANDERSON ST
C F HAWN SERV
7,000
7,000
7,114
7,463
7,112
5,563
50
50
50
65
50
50
FAYE ST
S223-086
PD 595 (RS-MU) Tract 3
PD 595 (R-5(A))
LOWERY ST
PD 595
SUNDAY ST
PD 552
HAVEN ST
BETHURUM AVE
BOTHAM JEAN BLVD
DYSON ST
PD 595 (RS-I) Tract 5
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-086
Date: 3/1/2023


C F HAWN SERV
C F HAWN ACRD
COLONIAL AVE
C F HAWN FWY
PD 595 (NC) Tract 30
HOOPER ST
HODGE ST
175
PD 595 (D(A))
Z989-150
ANDERSON ST
C F HAWN SERV
COLONIAL AVE
FAYE ST
S223-086
PD 595 (RS-MU) Tract 3
PD 595 (R-5(A))
LOWERY ST
PD 595
SUNDAY ST
PD 552
HAVEN ST
BETHURUM AVE
BOTHAM JEAN BLVD
DYSON ST
PD 595 (RS-I) Tract 5
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-086
Date: 3/1/2023



1:2,400

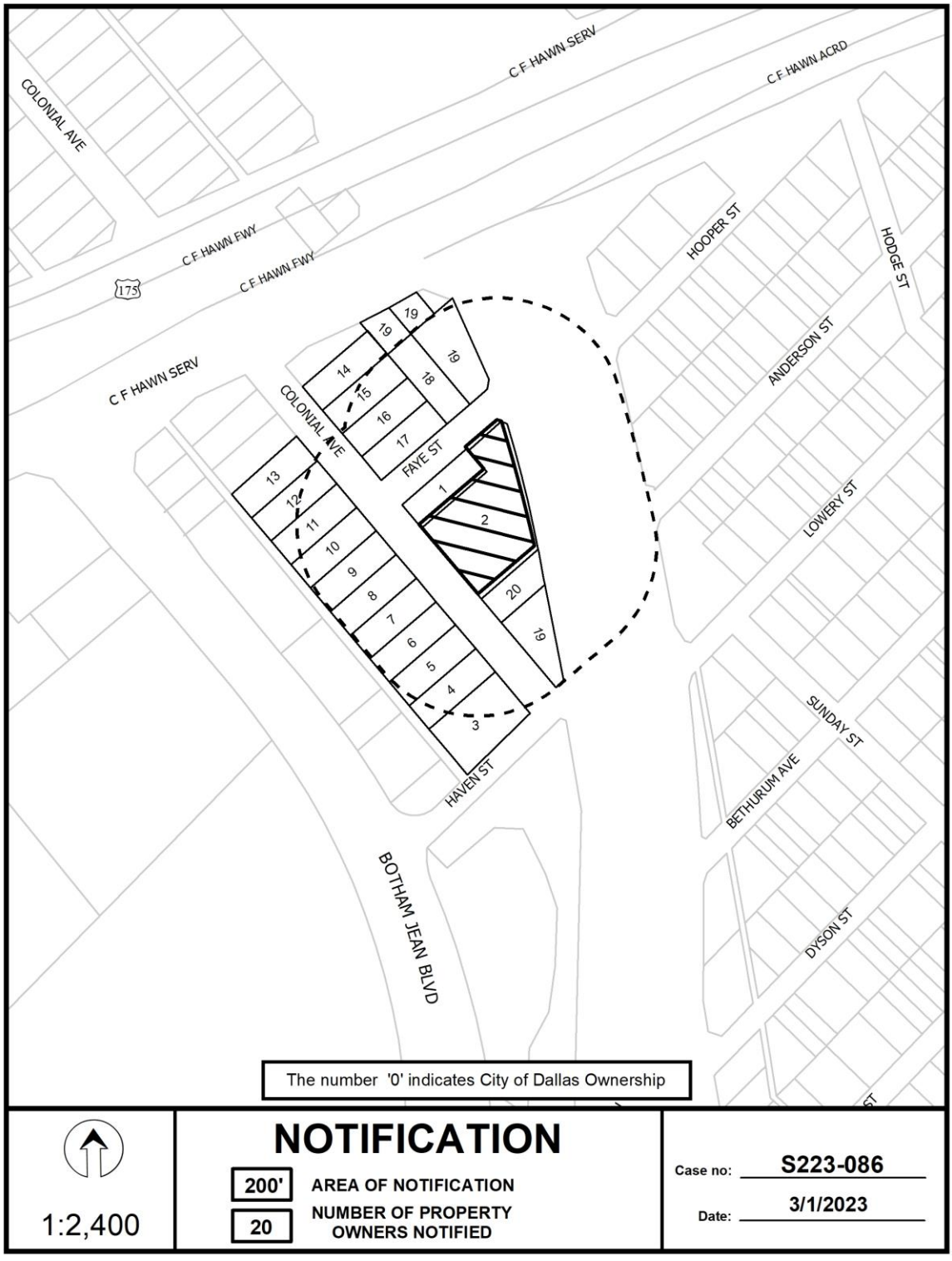
AERIAL MAP

Area of Request

Recent History

Case no: S223-086

Date: 3/1/2023


C F HAWN SERV
C F HAWN ACRD
COLONIAL AVE
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175
C F HAWN SERV
HOOPER ST
HODGE ST
ANDERSON ST
LOWERY ST
COLONIAL AVE
FAYE ST
HAVEN ST
SUNDAY ST
BETHURUM AVE
DYSON ST
BOTHAM JEAN BLVD
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20
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
20
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: S223-086
Date: 3/1/2023

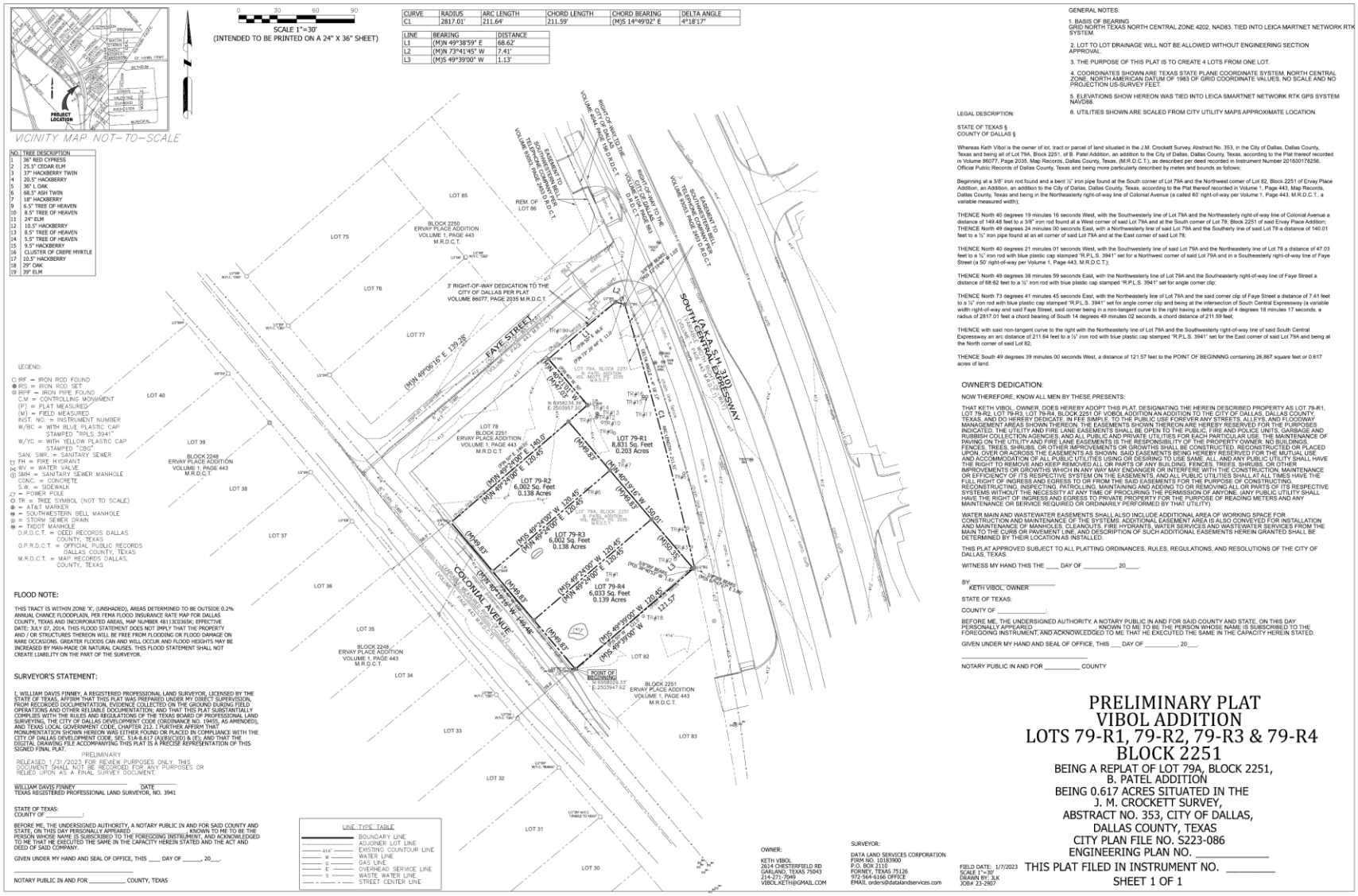
02/27/2023

Notification List of Property Owners

S223-086

20 Property Owners Notified

Label #	*Address*		*Owner*
1	5302	COLONIAL AVE	Taxpayer at
2	5300	COLONIAL AVE	KETH VIBOL
3	1615	HAVEN ST	Taxpayer at
4	5323	COLONIAL AVE	HIELO DEL CIELO LLC
5	5319	COLONIAL AVE	SIDDIQU SADIA
6	5315	COLONIAL AVE	RCGA LLC
7	5311	COLONIAL AVE	MILLER BESSIE ALFORD
8	5307	COLONIAL AVE	SPLATT LINDA WILLIS HILL
9	5303	COLONIAL AVE	PINE WOOD DEVELOPMENT COR
10	5227	COLONIAL AVE	WILLIAMS PINKIE
11	5223	COLONIAL AVE	LUX HOMES CORPORATION
12	5219	COLONIAL AVE	Taxpayer at
13	5215	COLONIAL AVE	JOHNSON VERA ESTATE OF
14	5208	COLONIAL AVE	WALLACE HAZEL
15	5212	COLONIAL AVE	AMINI MYLE
16	5218	COLONIAL AVE	CLARK TRAVIS ET AL
17	1639	FAYE ST	TOPLETZ INVESTMENTS
18	1641	FAYE ST	CHAMPION FAMILY BUILDERS
19	5325	S CENTRAL EXPY	DIAMOND VK INC
20	5318	COLONIAL AVE	OIBARA CATTLE FAMILY HOLDINGS LLC



NO.	TREE DESCRIPTION
1	36" RED CYPRESS
2	25.5" CEDAR ELM
3	37" HACKBERRY TWIN
4	20.5" HACKBERRY
5	30" L OAK
6	68.5" ASH TWIN
7	18" HACKBERRY
9	6.5" TREE OF HEAVEN
10	8.5" TREE OF HEAVEN
11	24" ELM
12	10.5" HACKBERRY
13	8.5" TREE OF HEAVEN
14	5.5" TREE OF HEAVEN
15	9.5" HACKBERRY
16	CLUSTER OF CREPE MYRTLE
17	10.5" HACKBERRY
18	29" OAK
19	39" ELM

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2817.01'	211.64'	211.59'	(M)S 14°49'02" E	4°18'17"

LINE	BEARING	DISTANCE
L1	(M)N 49°38'59" E	68.62'
L2	(M)N 73°41'45" W	7.41'
L3	(M)S 49°39'00" W	1.13'

LINE TYPE TABLE	
———	BOUNDARY LINE
———	ADJOINER LOT LINE
414' ———	EXISTING COUNTOUR LINE
W ———	WATER LINE
G ———	GAS LINE
E ———	OVERHEAD SERVICE LINE
S ———	WASTE WATER LINE
———	STREET CENTER LINE

LEGEND:
- IRF = IRON ROD FOUND
- IRS = IRON ROD SET
- IRPF = IRON PIPE FOUND
- C.M. = CONTROLLING MONUMENT
- (P) = PLAT MEASURED
- (M) = FIELD MEASURED
- INST. NO. = INSTRUMENT NUMBER
- W/BC = WITH BLUE PLASTIC CAP STAMPED "RPLS 3941"
- W/YC = WITH YELLOW PLASTIC CAP STAMPED "CBG"
- SAN. SWR. = SANITARY SEWER
- FH = FIRE HYDRANT
- WV = WATER VALVE
- SMH = SANITARY SEWER MANHOLE
- CONC. = CONCRETE
- S.W. = SIDEWALK
- POWER POLE
- TR = TREE SYMBOL (NOT TO SCALE)
- = AT&T MARKER
- = SOUTHWESTERN BELL MANHOLE
- = STORM SEWER DRAIN
- = TXDOT MANHOLE
- D.R.D.C.T. = DEED RECORDS DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS
- M.R.D.C.T. = MAP RECORDS DALLAS, COUNTY, TEXAS

FLOOD NOTE:

THIS TRACT IS WITHIN ZONE 'X', (UNSHADED), AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA FLOOD INSURANCE RATE MAP FOR DALLAS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48113C0305K, EFFECTIVE DATE: JULY 07, 2014. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND / OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE ON RARE OCCASIONS. GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

SURVEYOR'S STATEMENT:

I, WILLIAM DAVIS FINNEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, THE CITY OF DALLAS DEVELOPMENT CODE (ORDINANCE NO. 19455, AS AMENDED), AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF DALLAS DEVELOPMENT CODE, SEC. 51A-8.617 (A)(B)(C)(D) & (E); AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

PRELIMINARY
RELEASED 1/31/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

WILLIAM DAVIS FINNEY _____ DATE
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3941

STATE OF TEXAS:
COUNTY OF _____:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF _____, 20___.

_____
NOTARY PUBLIC IN AND FOR _____ COUNTY, TEXAS

GENERAL NOTES:

1. BASIS OF BEARING
GRID NORTH TEXAS NORTH CENTRAL ZONE 4202, NAD83. TIED INTO LEICA MARTNET NETWORK RTK SYSTEM.

2. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT ENGINEERING SECTION APPROVAL.

3. THE PURPOSE OF THIS PLAT IS TO CREATE 4 LOTS FROM ONE LOT.

4. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 OF GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION US-SURVEY FEET.

5. ELEVATIONS SHOW HEREON WAS TIED INTO LEICA SMARTNET NETWORK RTK GPS SYSTEM NAVD88.

6. UTILITIES SHOWN ARE SCALED FROM CITY UTILITY MAPS APPROXIMATE LOCATION.

LEGAL DESCRIPTION:

STATE OF TEXAS §
COUNTY OF DALLAS §

Whereas Keth Vibol is the owner of lot, tract or parcel of land situated in the J.M. Crockett Survey, Abstract No. 353, in the City of Dallas, Dallas County, Texas and being all of Lot 79A, Block 2251, of B. Pater Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 86077, Page 2035, Map Records, Dallas County, Texas, (M.R.D.C.T.), as described per deed recorded in Instrument Number 201600178256, Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows;

Beginning at a 3/8" iron rod found and a bent ½" iron pipe found at the South corner of Lot 79A and the Northwest corner of Lot 82, Block 2251 of Erway Place Addition, an Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 1, Page 443, Map Records, Dallas County, Texas and being in the Northeasterly right-of-way line of Colonial Avenue (a called 60' right-of-way per Volume 1, Page 443, M.R.D.C.T., a variable measured width);

THENCE North 40 degrees 19 minutes 16 seconds West, with the Southwesterly line of Lot 79A and the Northeasterly right-of-way line of Colonial Avenue a distance of 149.46 feet to a 3/8" iron rod found at a West corner of said Lot 79A and at the South corner of Lot 78, Block 2251 of said Erway Place Addition;
THENCE North 49 degrees 24 minutes 00 seconds East, with a Northwesterly line of said Lot 79A and the Southerly line of said Lot 78 a distance of 140.01 feet to a ½" iron pipe found at an ell corner of said Lot 79A and at the East corner of said Lot 78;

THENCE North 40 degrees 21 minutes 01 seconds West, with the Southwesterly line of said Lot 79A and the Northeasterly line of Lot 78 a distance of 47.03 feet to a ½" iron rod with blue plastic cap stamped "R.P.L.S. 3941" set for a Northwest corner of said Lot 79A and in a Southeasterly right-of-way line of Faye Street (a 50' right-of-way per Volume 1, Page 443, M.R.D.C.T.);

THENCE North 49 degrees 38 minutes 59 seconds East, with the Northwesterly line of Lot 79A and the Southeasterly right-of-way line of Faye Street a distance of 68.62 feet to a ½" iron rod with blue plastic cap stamped "R.P.L.S. 3941" set for angle corner clip;

THENCE North 73 degrees 41 minutes 45 seconds East, with the Northeasterly line of Lot 79A and the said corner clip of Faye Street a distance of 7.41 feet to a ½" iron rod with blue plastic cap stamped "R.P.L.S. 3941" set for angle corner clip and being at the intersection of South Central Expressway (a variable width right-of-way and said Faye Street, said corner being in a non-tangent curve to the right having a delta angle of 4 degrees 18 minutes 17 seconds, a radius of 2817.01 feet a chord bearing of South 14 degrees 49 minutes 02 seconds, a chord distance of 211.59 feet;

THENCE with said non-tangent curve to the right with the Northeasterly line of Lot 79A and the Southwesterly right-of-way line of said South Central Expressway an arc distance of 211.64 feet to a ½" iron rod with blue plastic cap stamped "R.P.L.S. 3941" set for the East corner of said Lot 79A and being at the North corner of said Lot 82;

THENCE South 49 degrees 39 minutes 00 seconds West, a distance of 121.57 feet to the POINT OF BEGINNNG containing 26,867 square feet or 0.617 acres of land.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT KETH VIBOL, OWNER, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 79-R1, LOT 79-R2, LOT 79-R3, LOT 79-R4, BLOCK 2251 OF VIBOL ADDITION AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE SAME. ALL, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY).

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS. ADDITIONAL EASEMENT AREA IS ALSO CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANOUTS, FIRE HYDRANTS, WATER SERVICES AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE, AND DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF DALLAS, TEXAS.

WITNESS MY HAND THIS THE ____ DAY OF _____, 20____.

BY: _____
KETH VIBOL, OWNER

STATE OF TEXAS:

COUNTY OF _____:

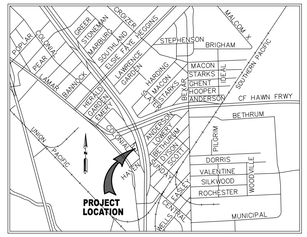
BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ___ DAY OF _____, 20___

_____
NOTARY PUBLIC IN AND FOR _____ COUNTY

S223-086

City Plan Commission Date: 03/23/2023 37(i)



VICINITY MAP NOT-TO-SCALE

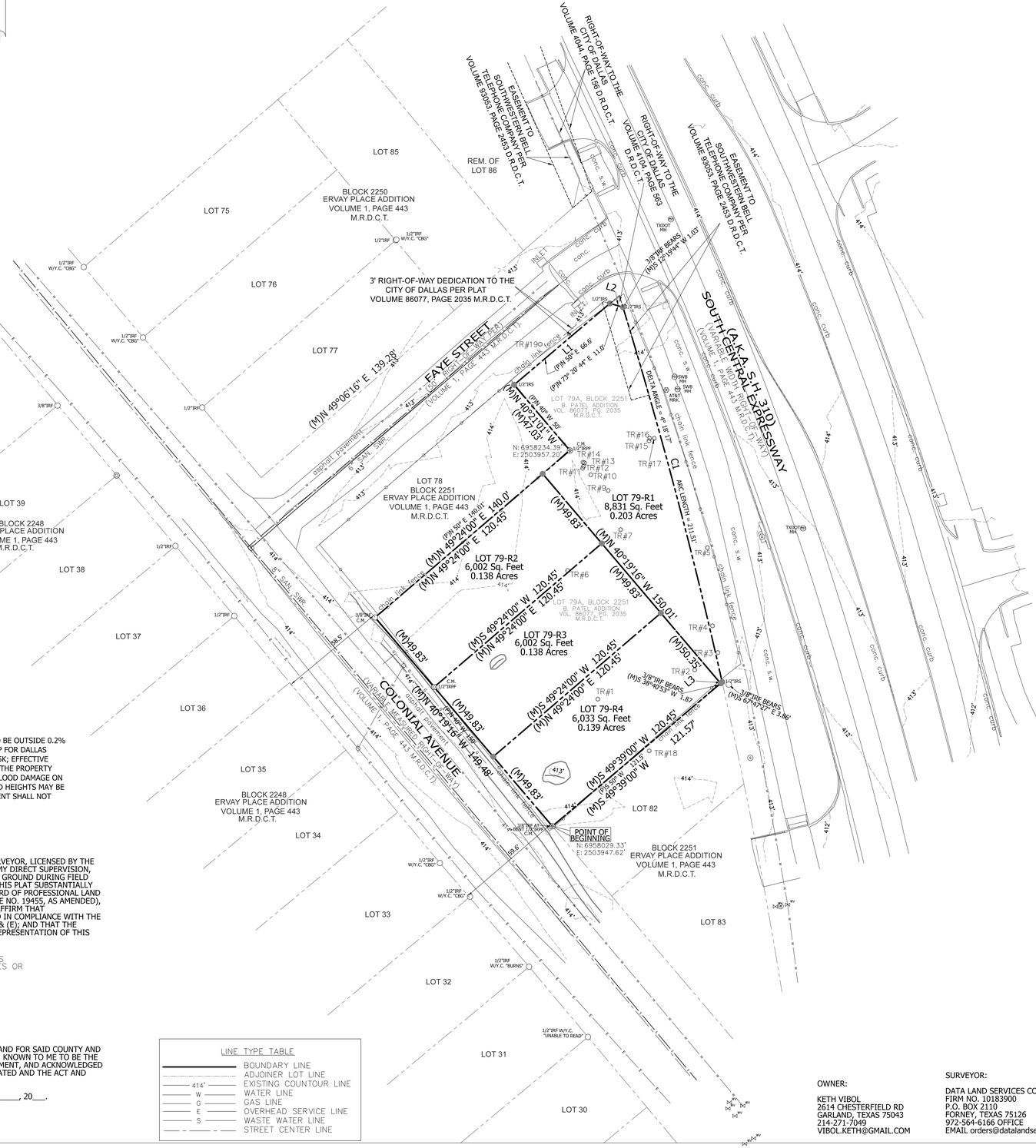
0 30 60 90

SCALE 1"=30'
(INTENDED TO BE PRINTED ON A 24" X 36" SHEET)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2817.01'	211.64'	211.59'	(M)S 14°49'02" E	4°18'17"

LINE	BEARING	DISTANCE
L1	(M)N 49°38'59" E	68.62'
L2	(M)N 73°41'45" W	7.41'
L3	(M)S 49°39'00" W	1.13'

NO.	TREE DESCRIPTION
1	36" RED CYPRESS
2	25.5" CEDAR ELM
3	37" HACKBERRY TWIN
4	20.5" HACKBERRY
5	36" L OAK
6	68.5" ASH TWIN
7	18" HACKBERRY
9	6.5" TREE OF HEAVEN
10	8.5" TREE OF HEAVEN
11	24" ELM
12	10.5" HACKBERRY
13	8.5" TREE OF HEAVEN
14	5.5" TREE OF HEAVEN
15	9.5" HACKBERRY
16	CLUSTER OF CREPE MYRTLE
17	10.5" HACKBERRY
18	29" OAK
19	39" ELM


LOT 85
REM. OF LOT 86
LOT 75
BLOCK 2250
ERVAY PLACE ADDITION
VOLUME 1, PAGE 443
M.R.D.C.T.
LOT 76
LOT 77
LOT 40
LOT 39
LOT 38
LOT 37
LOT 36
LOT 35
LOT 34
LOT 33
LOT 32
LOT 31
LOT 30
LOT 83
LOT 82
3' RIGHT-OF-WAY DEDICATION TO THE CITY OF DALLAS PER PLAT VOLUME 86077, PAGE 2035 M.R.D.C.T.
FAYE STREET
(TOP RIGHT-OF-WAY PER PLAT VOLUME 1, PAGE 443 M.R.D.C.T.)
COLONIAL AVENUE
(VARIABLE WIDTH RIGHT-OF-WAY)
(VOLUME 1, PAGE 443 M.R.D.C.T.)
SOUTH CENTRAL EXPRESSWAY (A.K.A. S.H. 310)
(VARIABLE WIDTH RIGHT-OF-WAY)
(VOLUME 1, PAGE 443 M.R.D.C.T.)
RIGHT-OF-WAY TO THE CITY OF DALLAS VOLUME 4044, PAGE 156 D.R.D.C.T.
RIGHT-OF-WAY TO THE CITY OF DALLAS VOLUME 4104, PAGE 563 D.R.D.C.T.
EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY PER VOLUME 93053, PAGE 2453 D.R.D.C.T.
EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY PER VOLUME 93053, PAGE 2453 D.R.D.C.T.
LOT 79-R1
8,831 Sq. Feet
0.203 Acres
LOT 79-R2
6,002 Sq. Feet
0.138 Acres
LOT 79-R3
6,002 Sq. Feet
0.138 Acres
LOT 79-R4
6,033 Sq. Feet
0.139 Acres
LOT 79A, BLOCK 2251
B. PATEL ADDITION
VOL. 86077, PG. 2035
M.R.D.C.T.
BLOCK 2248
ERVAY PLACE ADDITION
VOLUME 1, PAGE 443
M.R.D.C.T.
BLOCK 2251
ERVAY PLACE ADDITION
VOLUME 1, PAGE 443
M.R.D.C.T.
POINT OF BEGINNING
N: 6958029.33'
E: 2503947.62'
N: 6958234.39'
E: 2503957.20'
(M)N 49°06'16" E 139.38'
(M)N 49°24'00" E 140.0'
(M)N 49°24'00" E 120.45'
(M)S 49°24'00" W 120.45'
(M)S 49°24'00" E 120.45'
(M)N 49°06'16" W 149.48'
(M)S 49°39'00" W 121.57
(M)N 40°19'16" W 150.01'
(M)S 40°19'16" E 150.01'
(M)N 40°21'01" W 47.03'
(M)49.83'
(M)50.35'
(P)N 50° E 140.0'
(P)N 40° W 30'
(P)N 73° 20' 44" E 11.0'
DELTA ANGLE = 4° 18' 17"
ARC LENGTH = 211.51'
R=2817.01'
(M)S 38°40'53" W 1.82'
(M)S 67°47'57" E 3.86'
3/8"IRF BEARS (M)S 14°49'44" W 1.03'
TR#1
TR#2
TR#3
TR#4
TR#5
TR#6
TR#7
TR#8
TR#9
TR#10
TR#11
TR#12
TR#13
TR#14
TR#15
TR#16
TR#17
TR#18
TR#190
1/2"IRF
1/2"IRS
3/8"IRF
W/Y.C. "CBG"
W/Y.C. "BURNS"
W/Y.C. "UNABLE TO READ"
C.M.
INLET
TXDOT MH
SWB MH
ATST MH
conc. curb
conc. S.W.
chain link fence
fence
6" SAN. SWR.
asphalt pavement
gravel
overhead power line (TYP.)
INLET
conc. curb
conc. curb
conc. curb

Agenda Information Sheet

File #: 23-880 **Item #:** 38.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.2626-acre (11,437 square foot) tract of land containing all of Lot 1 in City Block 4/5170 and an abundant portion of alley in City Block 4/5170 to create one lot on property located on Preston Park Drive at Purdue Avenue northwest corner.
Applicant/Owner: Patrick and Caroline Floeck
Surveyor: PJB Surveying, LLC
Application Filed: February 23, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 13
S223-094

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-094 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Preston Park Drive at Purdue Avenue northwest corner

DATE FILED: February 23, 2023 **ZONING:** R-7.5(A)

CITY COUNCIL DISTRICT: 13 **SIZE OF REQUEST:** 0.2626-acres **MAPSCO:** 42M

APPLICANT/OWNER: Patrick and Caroline Floeck

REQUEST: An application to replat a 0.2626-acre (11,437 square foot) tract of land containing all of Lot 1 in City Block 4/5170 and an abundant portion of alley in City Block 4/5170 to create one lot on property located on Preston Park Drive at Purdue Avenue northwest corner.

SUBDIVISION HISTORY: There has been no recent platting activity within close proximity to this request.

PROPERTY OWNER NOTIFICATION: On March 3, 2023, 25 notices were sent to property owners within 200 feet of the proposed plat.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

- The properties in the immediate area of the request have no established lot pattern with lot areas ranging in size from 7,579 square feet to 10,285 square feet and lot widths ranging in size from 65 feet to 75 feet and are zoned R-7.5(A) Single Family District. (*Please refer to the existing area analysis and aerial map)*

Staff concludes that there is not an established lot pattern in the immediate area of the request and the request complies with the requirements of Section 51A-8.503 and the R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.

5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*

6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e)

13. Submit drainage, paving, etc. plans prepared by a licensed (TX) Professional Engineer to Permit Center, Oak Cliff Municipal Center (i.e., non-311T/DP). *Section 51A- 8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)*

Right-of way Requirements Conditions:

14. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via fee simple or street easement) at the intersection of Preston Park Drive & Purdue Avenue Section 51A 8.602(d)(1)

15. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. *Section 51A 8.602(d)(1), 51A 8.608(a)*

Survey (SPRG) Conditions:

16. Prior to final plat, submit a completed final plat checklist and all supporting documents.

17. On the final plat, show the correct recording information for the subject property. Platting Guidelines.

18. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

19. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

22. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.

Dallas Water Utilities Conditions:

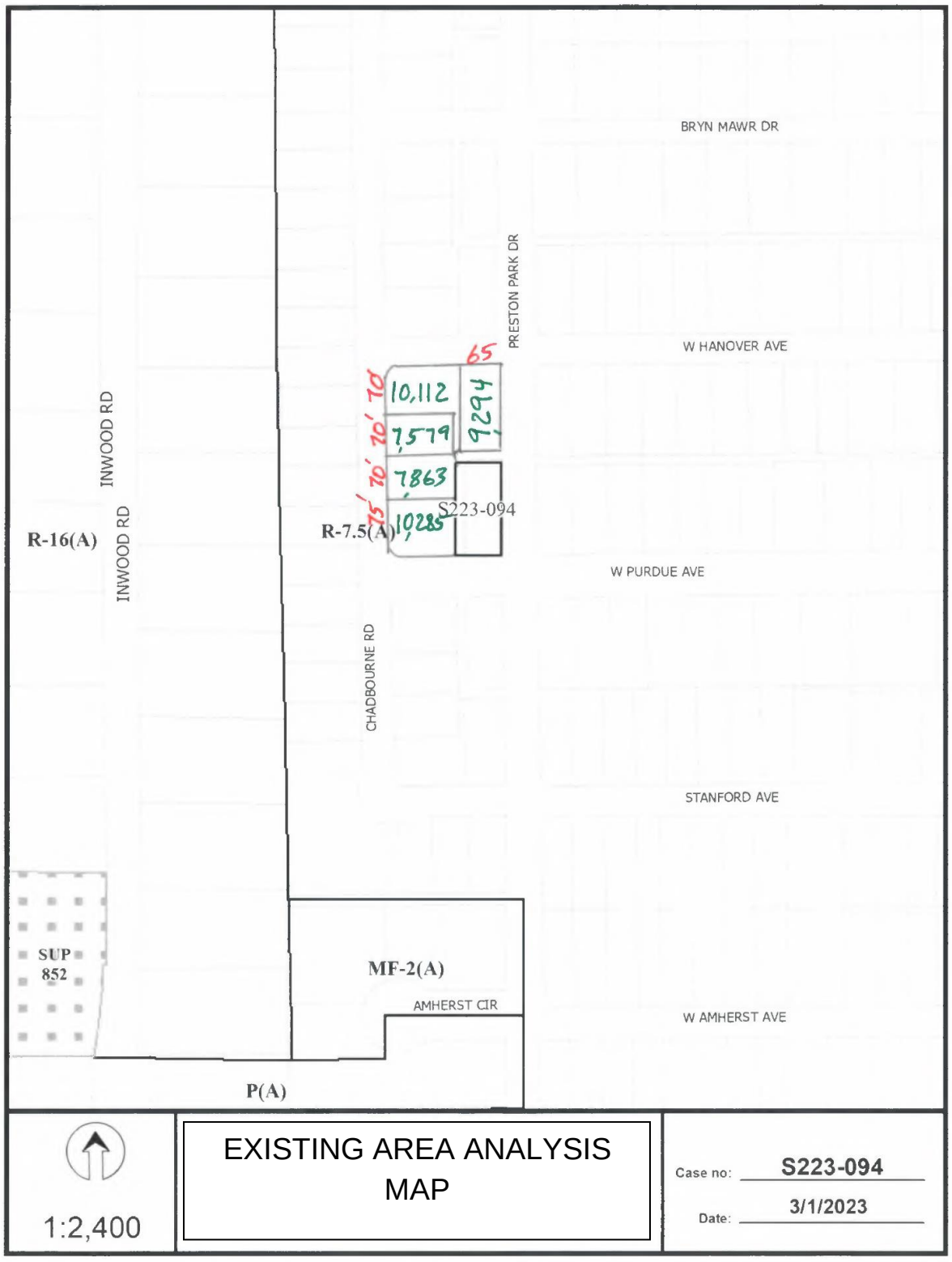
23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

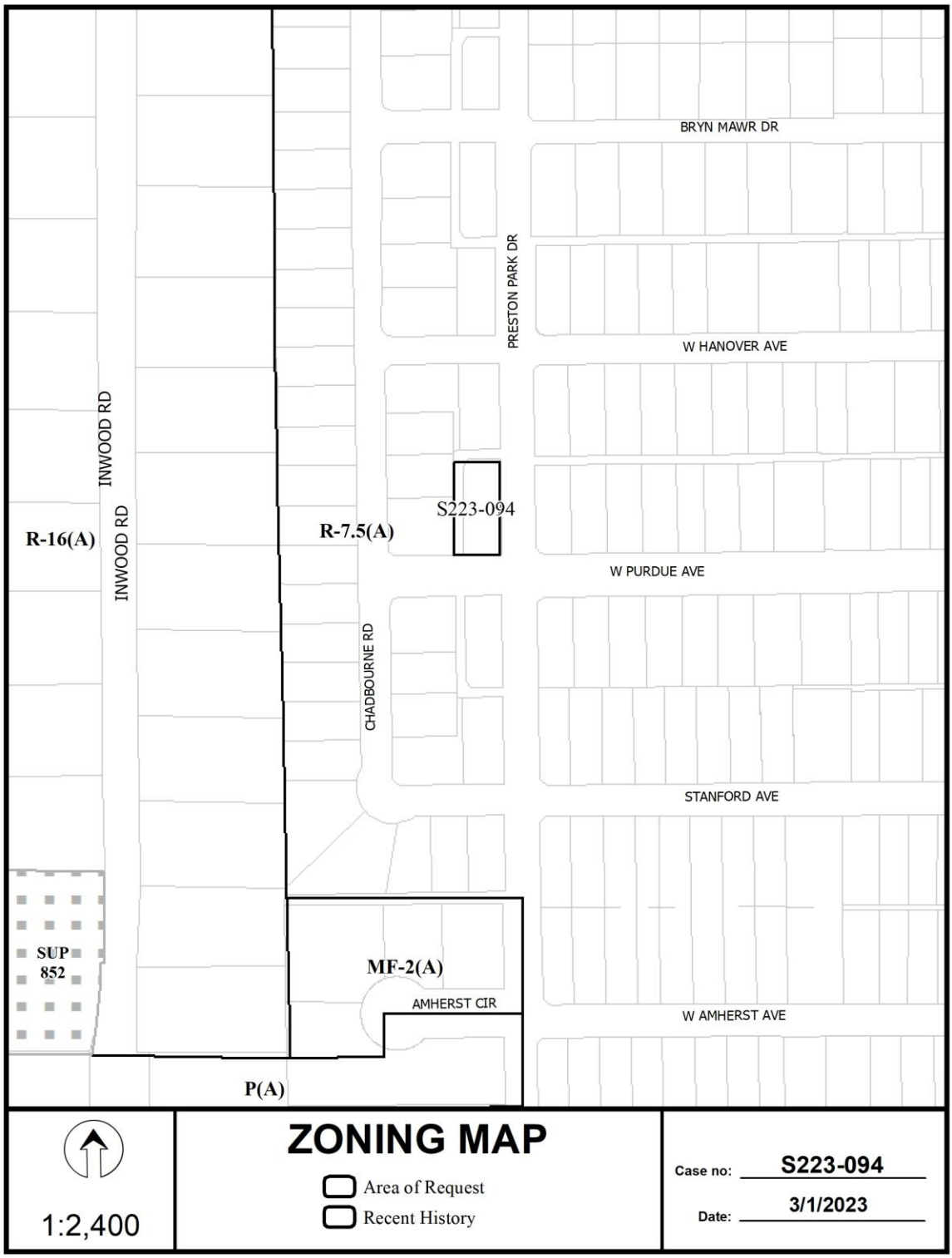
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

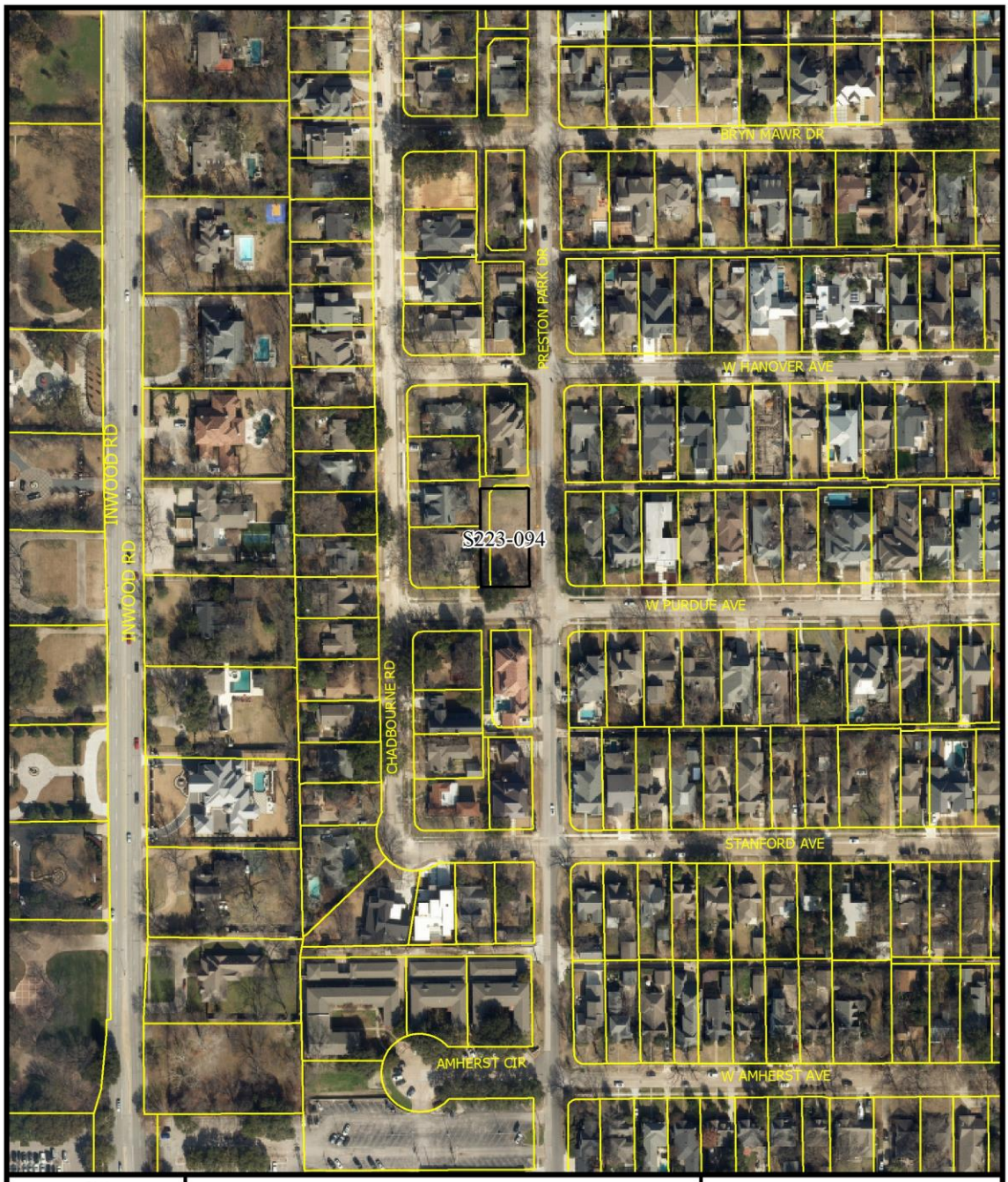
24. Prior to final plat, remove wood fence encroachment from the 15-foot alley and Preston Parkway right-of-way. If ROW is being abandoned, show the abandonment on the plat as follows: Abandonment authorized by Ordinance No. _____, recorded as Inst. Nos. (Cert. No. _____, QCD No. _____) Utility Easements retained.

25. On the final plat, change “Chadbourne Road (Formerly East Inwood Drive)” to “Chadbourne Road (F.K.A. East Inwood Drive)”. Section 51A-8.403(a)(1)(A)(xii).

26. On the final plat, identify the property as Lot 1A in City Block 4/5170. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


BRYN MAWR DR
PRESTON PARK DR
W HANOVER AVE
INWOOD RD
INWOOD RD
R-16(A)
R-7.5(A)
65
70'
70'
70'
75'
10,112
9294
7,579
7863
10285
S223-094
W PURDUE AVE
CHADBOURNE RD
STANFORD AVE
SUP 852
MF-2(A)
AMHERST CIR
W AMHERST AVE
P(A)
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-094
Date: 3/1/2023


BRYN MAWR DR
PRESTON PARK DR
W HANOVER AVE
INWOOD RD
INWOOD RD
S223-094
R-16(A)
R-7.5(A)
W PURDUE AVE
CHADBOURNE RD
STANFORD AVE
SUP 852
MF-2(A)
AMHERST CIR
W AMHERST AVE
P(A)
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-094
Date: 3/1/2023



1:2,400

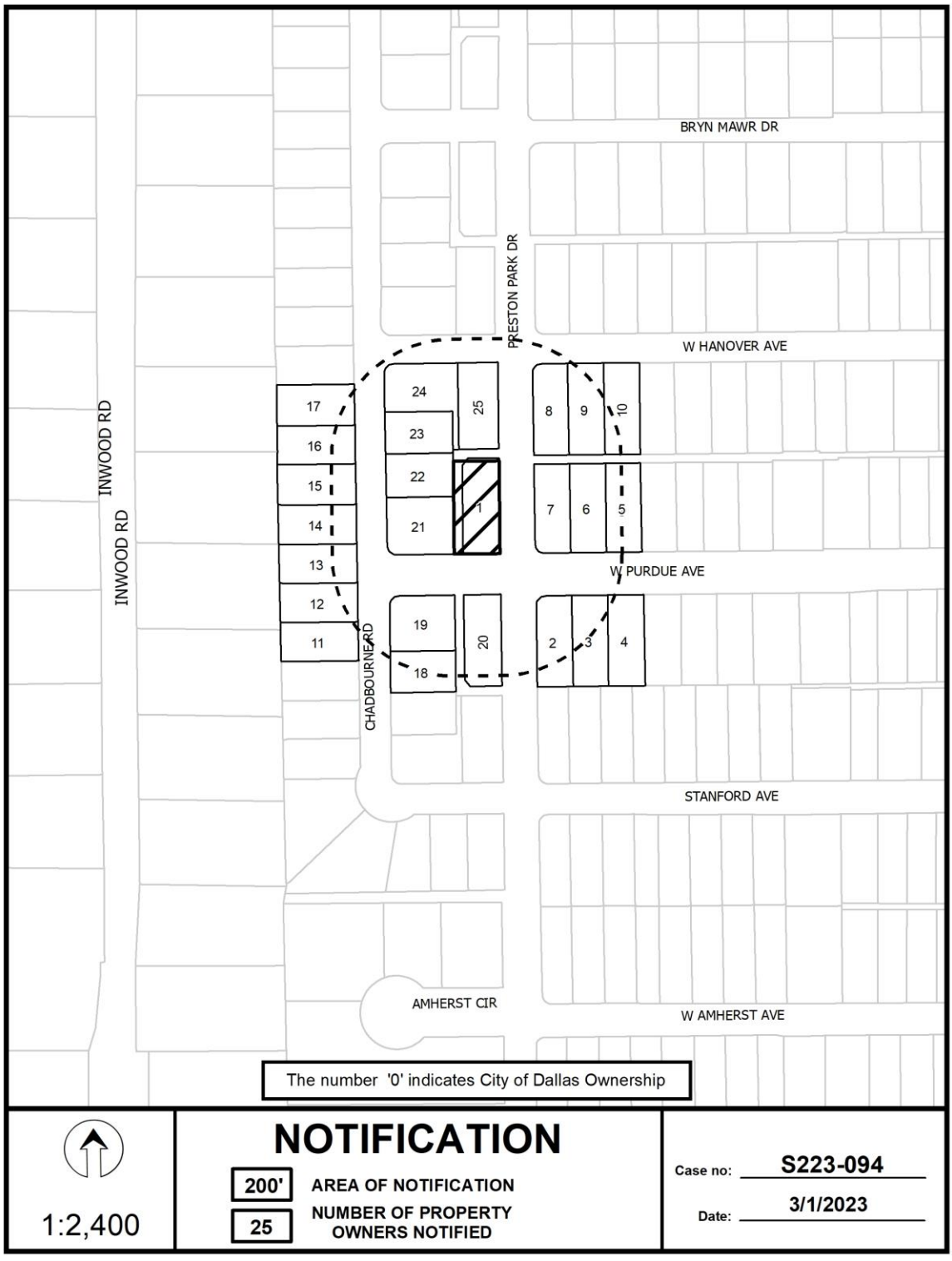
AERIAL MAP

Area of Request

Recent History

Case no: S223-094

Date: 3/1/2023


BRYN MAWR DR
PRESTON PARK DR
W HANOVER AVE
INWOOD RD
INWOOD RD
W PURDUE AVE
CHADBOURNE RD
STANFORD AVE
AMHERST CIR
W AMHERST AVE
24
25
23
22
21
1
8
9
10
7
6
5
17
16
15
14
13
12
11
19
18
20
2
3
4
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
25
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: S223-094
Date: 3/1/2023

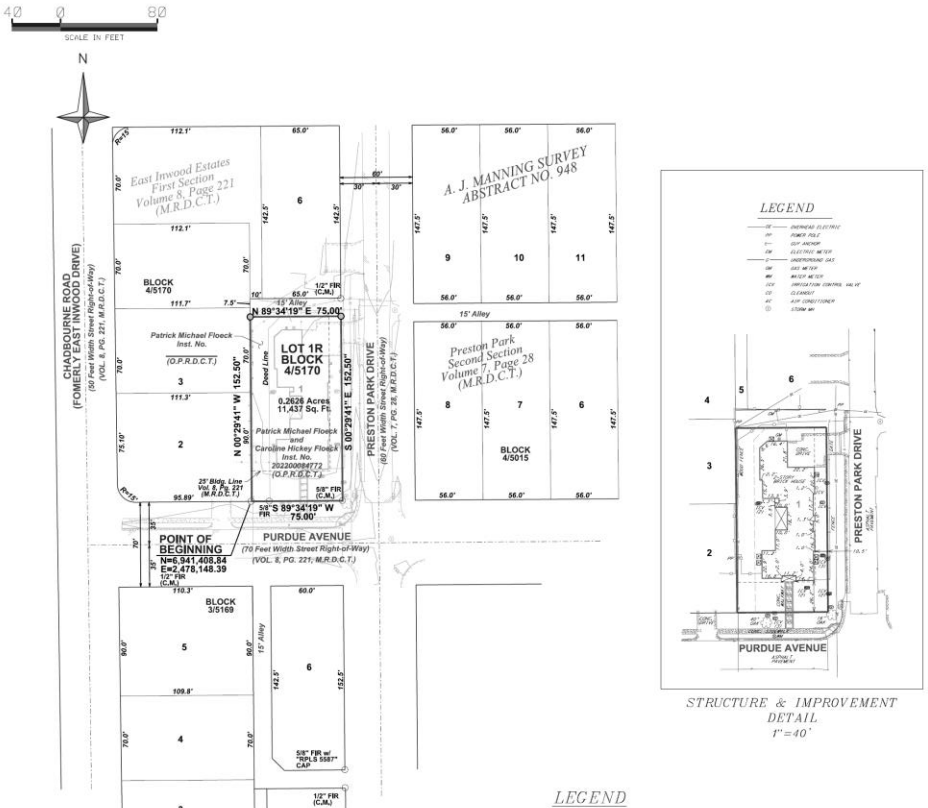
02/27/2023

Notification List of Property Owners

S223-094

25 Property Owners Notified

Label #	*Address*		*Owner*
1	5427	W PURDUE ST	FLOECK PATRICK MICHAEL &
2	5500	W PURDUE ST	HORWATH TODD
3	5504	W PURDUE ST	CHAPMAN KRISTI & DOUG HARVEY
4	5510	W PURDUE ST	MARSHALL DAVID TAYLOR
5	5511	W PURDUE ST	JACKSON JEFFREY M &
6	5507	W PURDUE ST	STEELMAN MAX R III
7	5501	PURDUE AVE	BANKHEAD J K
8	5500	W HANOVER AVE	Q3 FINANCIAL LLC
9	5504	W HANOVER AVE	HUNT DALLAS M
10	5510	W HANOVER AVE	MCGEE WILLIAM
11	8123	CHADBOURNE RD	ROBINSON CALEB T & HOPE W
12	8127	CHADBOURNE RD	ZEIGFINGER MARK
13	8133	CHADBOURNE RD	MILLER RHETT ANDERSON IV &
14	8203	CHADBOURNE RD	WEISBERG MARLO GABRIELLA
15	8209	CHADBOURNE RD	BECK MERRITT E
16	8213	CHADBOURNE RD	SCHENK ANTHONY J
17	8219	CHADBOURNE RD	SITTERLE KAREN
18	8114	CHADBOURNE RD	HILL RICHARD M JR
19	8118	CHADBOURNE RD	CARP DAVID A
20	5426	W PURDUE ST	BRENNAN TIM
21	8202	CHADBOURNE RD	WILBUR PAIGE E
22	8210	CHADBOURNE RD	LESLIE PAUL S & SHARON H
23	8216	CHADBOURNE RD	SCHILLACI GRAHAM & HANNAH
24	5400	W HANOVER AVE	THOMAS ROBERT & ANNA
25	5426	W HANOVER AVE	HODGES JANNAH



STRUCTURE & IMPROVEMENT
DETAIL
1"=40'

LEGEND

○	Monument Found (as noted)
●	1/2" Set Iron Rod (W/Red PJB SURVEYING Cap) Unless otherwise noted
SX	Set "X" cut
FIR	Found Iron Rod (as noted)
FIP	Found Iron Pipe (as noted)
(C.M.)	Controlling Monument
O.P.R.D.C.T.	Official Public Records Of Dallas County Texas
D.R.D.C.T.	Deed Records Of Dallas County Texas
M.R.D.C.T.	Map Records Of Dallas County Texas
INST. NO.	Instrument Number
VOL.	Volume
PG.	Page
R.O.W.	Right-of-Way

General Notes:

1. The purpose of this plat is to Replat one (1) lot and one (1) abandoned alley.
2. Bearings are referenced to the State Plane Coordinate System, North Texas Zone 4202, North American Datum of 1983, Adjustment Realization 2011
3. All coordinates shown are grid values, no scale, no projection.
4. Lot to lot drainage will not be allowed without proper City of Dallas Engineering Department approval.

OWNERS DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Patrick Michael Floeck and Caroline Hickey Floeck, does hereby adopt this plat designating the herein above described property as **EAST INWOOD ESTATES LOT 1R, BLOCK 4/5170**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The Utility and Firelane Easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use, the maintenance of the paving on the Utility and Firelane Easements is the responsibility of the property owner. No building, fences, trees, shrubs or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs or other Improvements or growths which In any way may endanger or Interfere with the construction, maintance, or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, Inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems withouth the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility)

Water main and Wastewater Easements shall also include additional area of working space for the construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all Platting Ordinances, Rules, Regulations and Resolutions fo the City of Dallas, Texas

Witness my hand this _____ day of _____2023.

By: Patrick Michael Floeck, (Owner)

STATE OF TEXAS }
COUNTY OF DALLAS }

Before me, the undersigned authority, on this day personally appeared Patrick Michael Floeck, known to me to be the person whose name is subscribed to the foregoing Instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated

Given under my hand and seal of office, this _____ day of _____2023.

_____
Notary Public in and for
State of Texas

Witness my hand this _____ day of _____2023.

By: Caroline Hickey Floeck, (Owner)

STATE OF TEXAS }
COUNTY OF DALLAS }

Before me, the undersigned authority, on this day personally appeared Caroline Hickey Floeck, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated

Given under my hand and seal of office, this _____ day of _____2023.

_____
Notary Public in and for
State of Texas

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

Being a 11,437 square foot (0.2626 acre) tract of land situated in the A.J. Manning Survey, Abstract Number 948, Dallas County, Texas, and being part of a tract of land described in deed to Patrick Michael Floeck and Caroline Hickey Floeck, recorded in Instrument No. 202200084772, of the Official Public Records of Dallas County, Texas, being all of Lot 1, Block 4/5170, of East Inwood Estates, First Section an addition to the City of Dallas, dated January 10, 1945 and recorded in Volume 8, Page 221, Map Records of Dallas County, Texas, (M.R.D.C.T.), said 0.2626 acre tract being more particularly described as follows;

BEGINNING at a 1/2-inch Iron rod (controlling monument) found at the southwest corner of said a 15-foot alley and southeast corner of Lot 2 of said Block 4/5170, being in the north line of Purdue Avenue (70 foot width street right-of-way) (Vol. 8, Pg. 221, M.R.D.C.T.);

THENCE North 00 degrees 29 minutes 41 seconds West, departing the north line of said Purdue Avenue, with the east line of said Lot 2 and the west line of said alley, at a distance of 90.00 feet passing the northeast corner of said Lot 2 and the southeast corner of Lot 3 of said Block 4/5170, continuing a total distance of 152.50 feet to 1/2-inch iron red with red cap stamped "PJB SURVEYING"(herein after referred to as "with cap") set;

THENCE North 89 degrees 34 minutes 19 seconds East, departing the east line of said Lot 3 and with the north line of said Lot 1 and south line of said alley, a distance of 75.00 feet to a 1/2-Iron rod with cap set at the northeast corner of said Lot 1, being in the west line of Preston Park Drive (60 foot width street right-of-way) (Vol. 7, Pg. 28, M.R.D.C.T.);

THENCE South 00 degrees 29 minutes 41 seconds East, with the east line of said Lot 1 and the west line of said Preston Park Drive, a distance of 152.50 feet to a 5/8-inch Iron rod (controlling monument) found at the southeast corner of said Lot 1, being the northwest corner of the Intersection of said Preston Park Drive and the north line of said Purdue Avenue;

THENCE South 89 degrees 34 minutes 19 seconds West, with the south line of said Lot 1 and the north line of said Purdue Avenue, a distance of 75.00 feet to the POINT OF BEGINNING and containing 11,437 square feet (0.2626 acre) of land.

SURVEYOR'S STATEMENT:

I, Dwayne H. Copeland, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially compiles with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended) and the Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51-A8.617 (a) (b) (c) (d) & (e); and that the digital drawing files accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____day of _____, 2022.

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

_____
Dwayne H. Copeland
Texas Registered Professional Land Surveyor No. 5470

STATE OF TEXAS }
COUNTY OF DALLAS }

Before me, the undersigned authority, on this day personally appeared Dwayne H. Copeland, known to me to be the person whose name is subscribed to the foregoing Instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated

Given under my hand and seal of office, this _____ day of _____2023.

_____
Notary Public in and for
State of Texas

PRELIMINARY
REPLAT
OF

EAST INWOOD ESTATES
LOT 1R, BLOCK 4/5170

BEING A REPLAT OF
0.2626 ACRES
LOT 1
CITY BLOCK 4/5170
EAST INWOOD ESTATES
FIRST SECTION

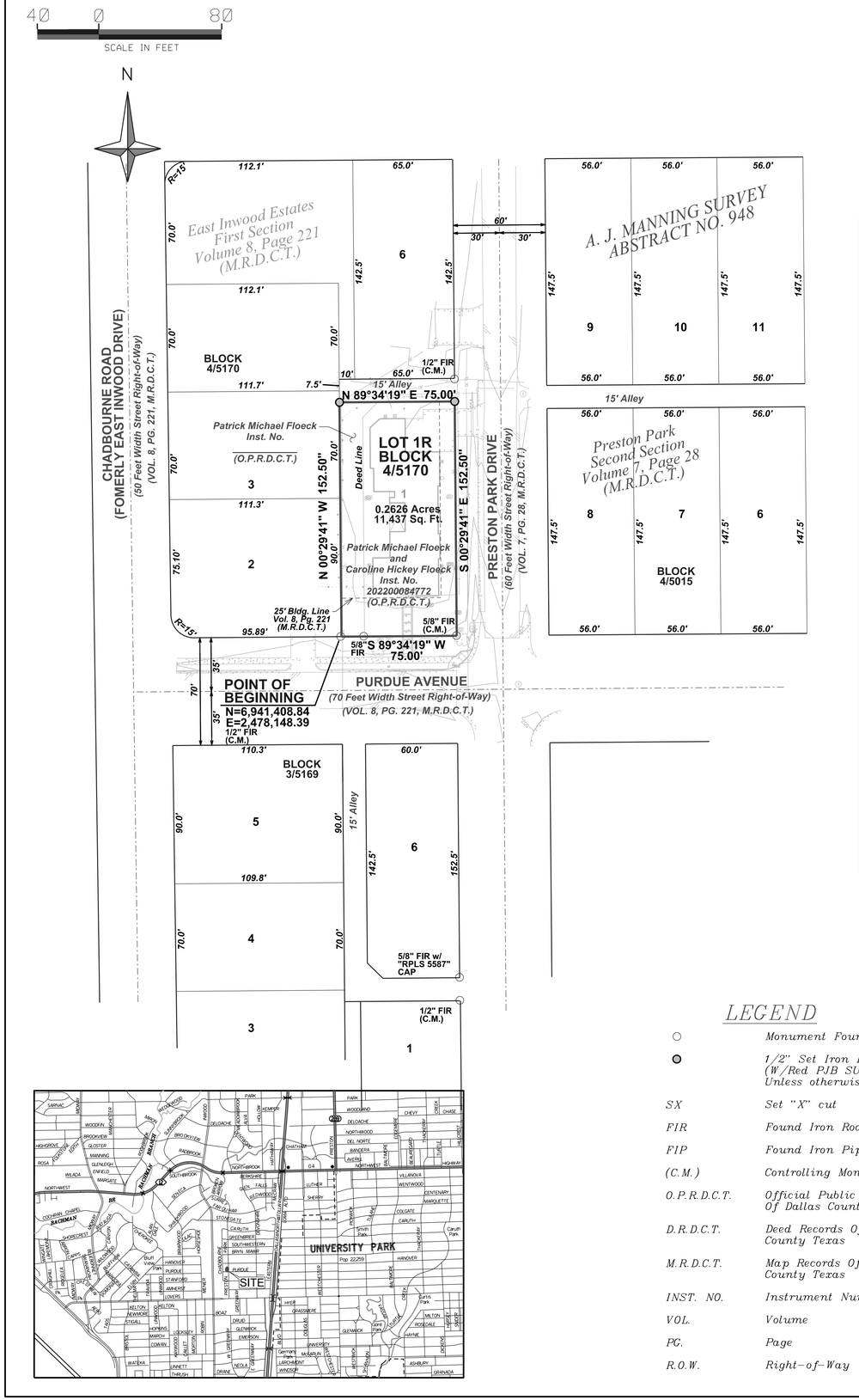
SITUATED IN THE
A.J. MANNING SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

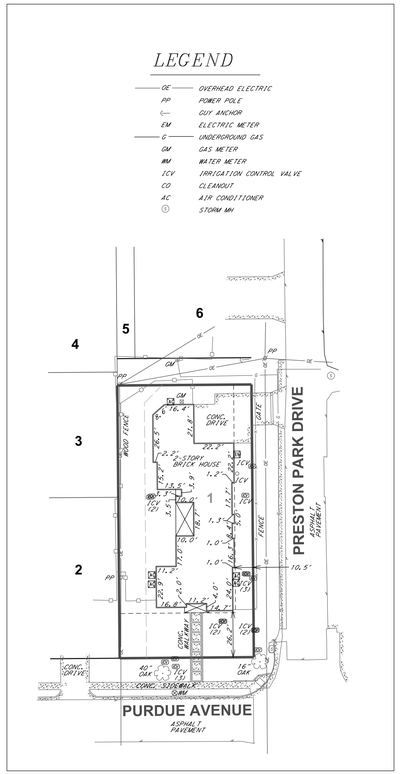
CITY PLAN FILE NO. S223-094

SURVEYOR
PJB SURVEYING, LLC
TBPELS NO. 10194303
200 W. BELMONT DR., SUITE D
ALLEN, TEXAS 75013
972-549-6969

OWNER/SUBDIVIDER
PATRICK MICHAEL FLOECK
CAROLINE HICKEY FLOECK
5427 PURDUE AVE.
DALLAS, TEXAS 75209

S223-094
38(i)
City Plan Commission Date: 03/23/2023





STRUCTURE & IMPROVEMENT DETAIL
1"=40'

LEGEND

○	*Monument Found (as noted)*
●	*1/2" Set Iron Rod (W/Red PJB SURVEYING Cap) Unless otherwise noted*
SX	*Set "X" cut*
FIR	*Found Iron Rod (as noted)*
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(C.M.)	*Controlling Monument*
O.P.R.D.C.T.	*Official Public Records Of Dallas County Texas*
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INST. NO.	*Instrument Number*
VOL.	*Volume*
PG.	*Page*
R.O.W.	*Right-of-Way*

General Notes:

1. *The purpose of this plat is to Replat one (1) lot and one (1) abandoned alley.*
2. *Bearings are referenced to the State Plane Coordinate System, North Texas Zone 4202, North American Datum of 1983, Adjustment Realization 2011*
3. *All coordinates shown are grid values, no scale, no projection.*
4. *Lot to lot drainage will not be allowed without proper City of Dallas Engineering Department approval.*

OWNERS DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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This plat approved subject to all Platting Ordinances, Rules, Regulations and Resolutions fo the City of Dallas, Texas

Witness my hand this _____ day of _____2023.

_____
By: Patrick Michael Floeck, (Owner)

STATE OF TEXAS }
COUNTY OF DALLAS }

Before me, the undersigned authority, on this day personally appeared Patrick Michael Floeck, known to me to be the person whose name is subscribed to the foregoing instruement and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated

Given under my hand and seal of office, this _____ day of _____2023.

_____
Notary Public in and for
State of Texas

Witness my hand this _____ day of _____2023.

_____
By: Caroline Hickey Floeck, (Owner)

STATE OF TEXAS }
COUNTY OF DALLAS }

Before me, the undersigned authority, on this day personally appeared Caroline Hickey Floeck, known to me to be the person whose name is subscribed to the foregoing instruement and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated

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COUNTY OF DALLAS

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Dated this the _____day of _____, 2022.

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

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Dwayne H. Copeland
Texas Registered Professional Land Surveyor No. 5470

STATE OF TEXAS }
COUNTY OF DALLAS }

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_____
Notary Public in and for
State of Texas

PRELIMINARY
REPLAT
OF

EAST INWOOD ESTATES
LOT 1R, BLOCK 4/5170

BEING A REPLAT OF
0.2626 ACRES
LOT 1
CITY BLOCK 4/5170
EAST INWOOD ESTATES
FIRST SECTION

SITUATED IN THE
A.J. MANNING SURVEY, ABSTRACT NO. 948
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE NO. S223-094

SURVEYOR
PJB SURVEYING, LLC
TBPELS NO. 10194303
200 W. BELMONT DR., SUITE D
ALLEN, TEXAS 75013
972-649-6669

OWNER/SUBDIVIDER
PATRICK MICHAEL FLOECK
CAROLINE HICKEY FLOECK
5427 PURDUE AVE
DALLAS, TEXAS 75209

Agenda Information Sheet

File #: 23-881 **Item #:** 39.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 2.059-acre tract of land containing all of Lot 1 in City Block A/3958 and a tract of land in City Block A/3958 to create 9 lots ranging in size from 8,339 square feet to 12,276 square feet on property located between Montclair Avenue and Neal Street, north of Bradley Street.
Applicant/Owner: Sage Louetta, LTD
Surveyor: Gonzalez & Schneeberg Engineers-Surveyors
Application Filed: February 24, 2023
Zoning: R-7.5(A)
Staff Recommendation: **Approval** subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-095

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-095 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Montclair Avenue and Neal Street, north of Bradley Street

DATE FILED: February 24, 2023 **ZONING:** R-7.5(A)

CITY COUNCIL DISTRICT: 6 **SIZE OF REQUEST:** 2.059-acres **MAPSCO:** 44S

APPLICANT/OWNER: Sage Louetta, LTD

REQUEST: An application to replat a 2.059-acre tract of land containing all of Lot 1 in City Block A/3958 and a tract of land in City Block A/3958 to create 9 lots ranging in size from 8,339 square feet to 12,276 square feet on property located between Montclair Avenue and Neal Street, north of Bradley Street.

SUBDIVISION HISTORY:

1. S212-053 was a request on the same property as the present request to replat a 2.059-acre tract of land containing all of Lot 1 in City Block A/3958 and a tract of land in City Block A/3958 to create 10 lots ranging in size from 8,067 square feet to 11,679 square feet on property located between Montclair Avenue and Neal Street, north of Bradley Street. The request was denied by the Commission on January 19, 2023

2. S212-054 was a request east of the present request to replat a 5.253-acre tract of land containing part of Lots 1 and 2 in City Block 7/3968; part of Lots 1 and 2 in City Block 8/3969; part of Lots 1 and 2 in City Block 11/3972; and an abandoned portion of Flanders Street and Windomere Avenue to create one lot on property located between Castle Street and Walmsley Avenue, east of Montclair Avenue. The request was approved on January 6, 2022 but has not been recorded.

3. S201-511was a request southeast of the present request to replat a 3.865-acre tract of land containing part of Lots 1 and 2 in City Block 15/3976 to create one lot on property located on Fort Worth Avenue, east of Montclair Avenue. The request was approved on November 5, 2020 but has not been recorded.

4. S178-327 was a request northeast of the present request to replat a tract of land containing all of Lot 1 in City Block 5/3966 to create four lots ranging in size from 7,500-square feet to 11,477.3-square feet in size on property located on Edgefield Avenue at Stafford Avenue, southeast corner. The request was approved on October 18, 2018 and was recorded on August 2, 2021.

5. S178-135 was a request northeast of the present request to replat a 0.818-acre tract of land containing all of Lot 3 in City Block 3/3964 to create one 7,799 square foot lot, one 8,058 square foot lot, and one 19,765 square foot lot on property located on Stafford Avenue at Edgefield Avenue, southwest corner. The request was approved on March 22, 2018 and recorded on May 13, 2019.

6. S178-110 was a request northeast of the present request to create one 2.203-acre lot from a 2.393-acre tract of land located in City Block 3960 on property located on Vilbig Road at Seale Street, southeast corner. The request was approved on March 1, 2018 but has not been recorded.

PROPERTY OWNER NOTIFICATION: On March 3, 2023, 35 notices were sent to property owners within 200 feet of the proposed plat boundary.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

- The properties to the north and south of the request have lot widths ranging in size from 48 feet to 90 feet and lot areas ranging in size from 5,687 square feet to 17,742 square feet and are zoned the R-7.5(A) Single Family District. *(Please refer to the existing area analysis)*

The request is to create nine lots with lot widths ranging in size from 40 feet to 65 feet and lot areas ranging in size from 8,339 square feet to 12,276 square feet and are zoned the R-7.5(A) Single Family District.

Staff concludes that there is not an established lot pattern in the immediate area of the request and the request complies with the requirements of Section 51A-8.503 and R-7.5(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.

7. On the final plat, include two boundary corners tagged with these coordinates: “Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection.”

8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman’s signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*

9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.

10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.

11. The number of lots permitted by this plat is nine.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple) from the established center line of Montclair Avenue. *Section 51A 8.602(c)*

16. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Neal Street. Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).

Survey (SPRG) Conditions:

17. Prior to final plat, submit a completed final plat checklist and all supporting documents.

18. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

19. On the final plat, show recording information on all existing easements within 150 feet of the property.

20. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

21. On the final plat, choose a new or different addition name. Platting Guidelines.

Dallas Water Utilities Conditions:

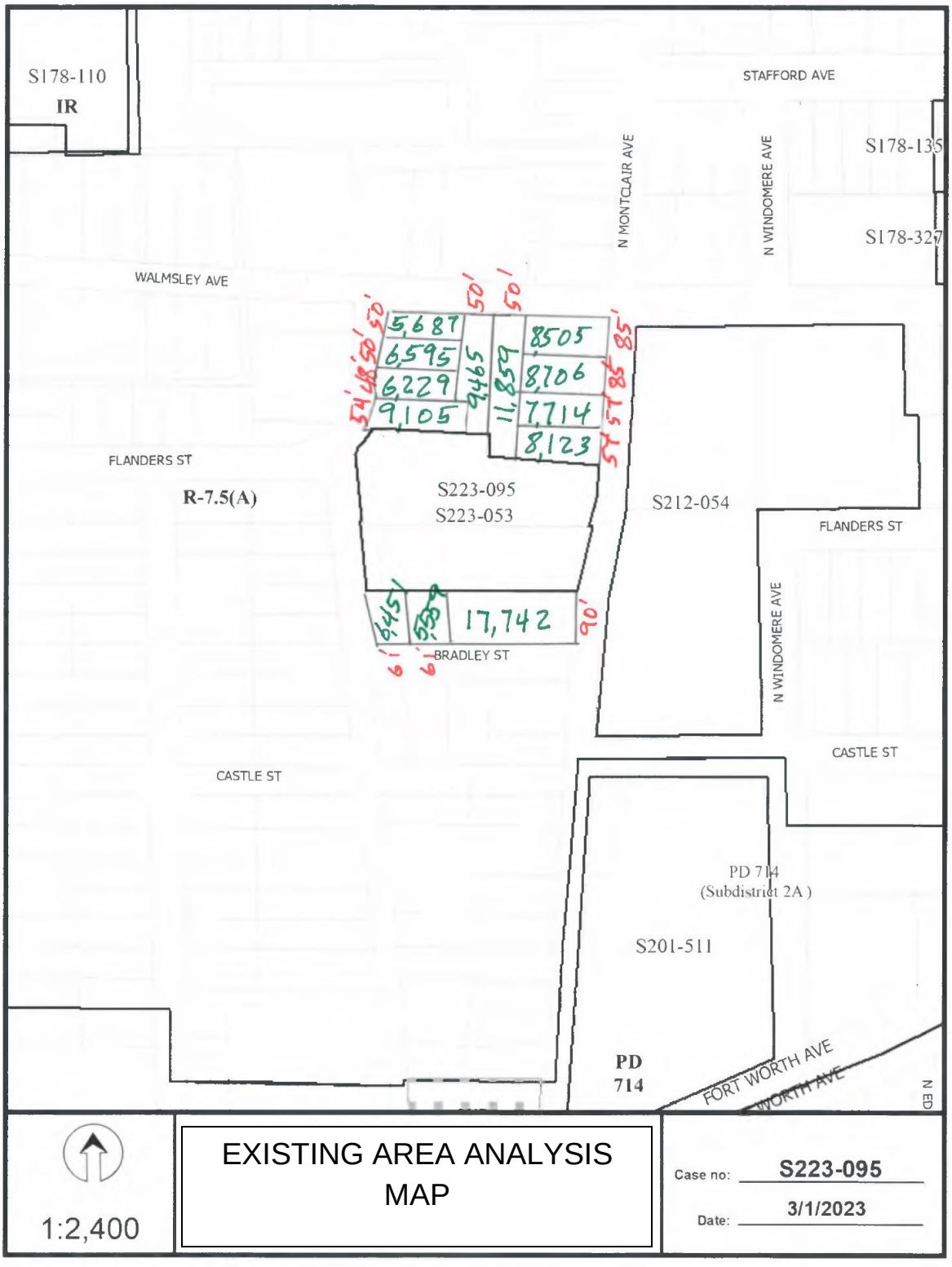
22. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).

23. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

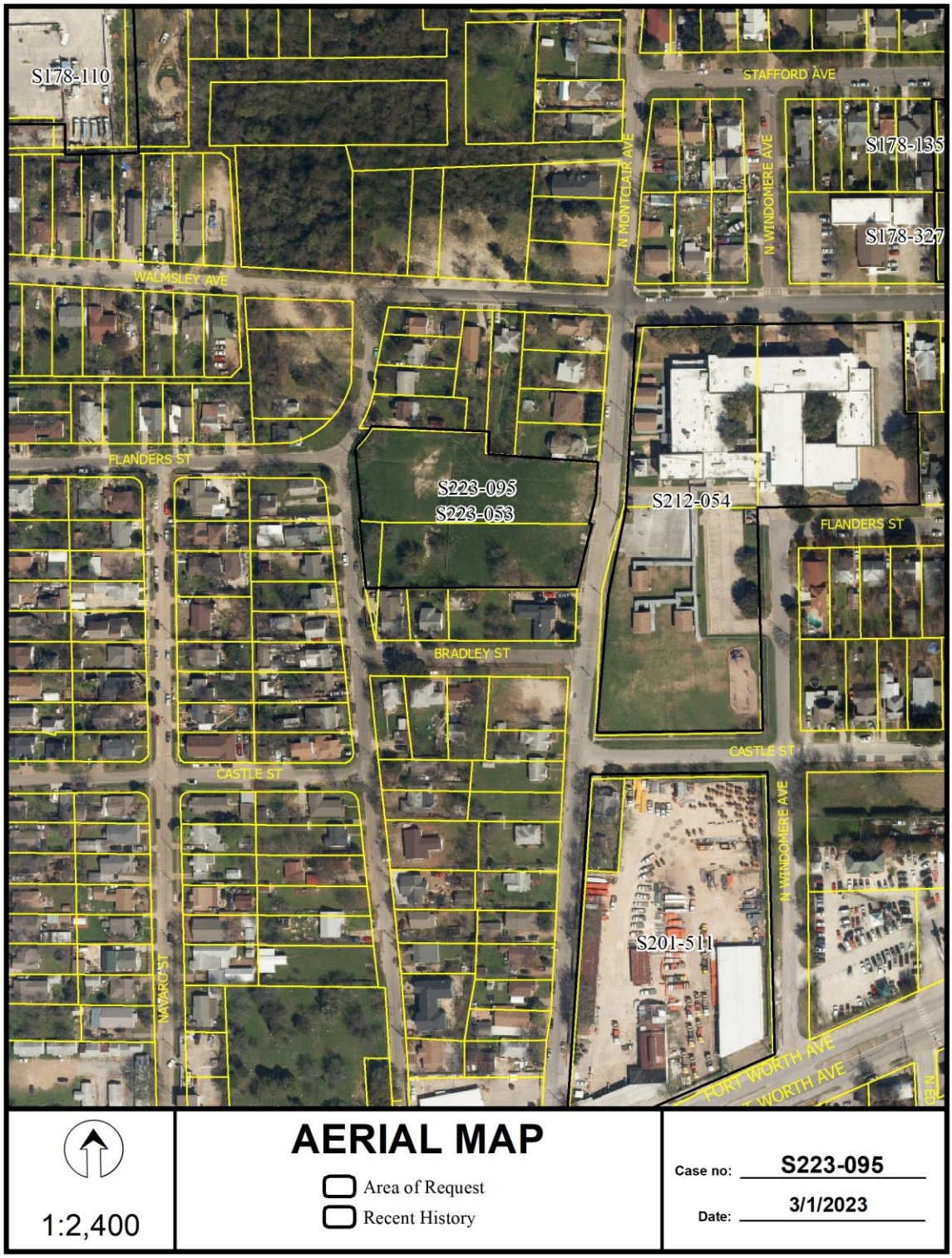
24. Water and wastewater main improvements are required by Private Development Contract. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

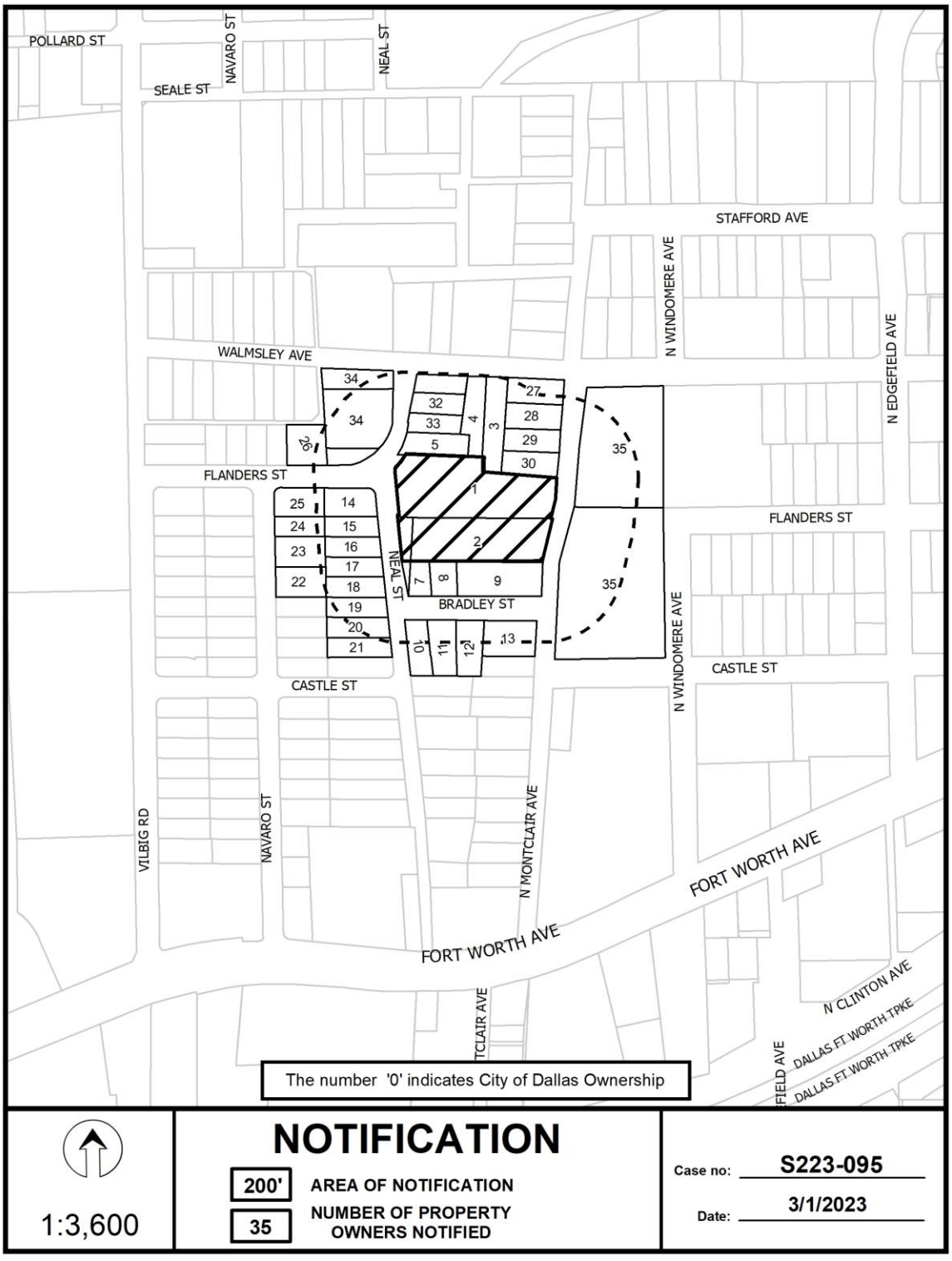
Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

25. On the final plat, identify the property as Lots 1A-1J in City Block A/3958. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


S178-110
IR
STAFFORD AVE
N MONTCLAIR AVE
N WINDOMERE AVE
S178-135
S178-327
WALMSLEY AVE
50'
50'
54'
50'
50'
85'
85'
5,687
6,595
6,229
9,105
9,465
11,859
8505
8,706
7,714
8,123
FLANDERS ST
R-7.5(A)
S223-095
S223-053
S212-054
FLANDERS ST
N WINDOMERE AVE
845
559
17,742
90'
61'
61'
BRADLEY ST
CASTLE ST
CASTLE ST
PD 714
(Subdistrict 2A)
S201-511
PD
714
FORT WORTH AVE
WORTH AVE
N ED
1:2,400
EXISTING AREA ANALYSIS
MAP
Case no: S223-095
Date: 3/1/2023

S178-110
IR
STAFFORD AVE
N MONTCLAIR AVE
N WINDOMERE AVE
S178-135
S178-327
WALMSLEY AVE
FLANDERS ST
R-7.5(A)
S223-095
S223-053
S212-054
FLANDERS ST
BRADLEY ST
N WINDOMERE AVE
CASTLE ST
CASTLE ST
PD 714
(Subdistrict 2A)
S201-511
PD
714
FORT WORTH AVE
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-095
Date: 3/1/2023


S178-110
STAFFORD AVE
S178-135
S178-327
N MONTCLAIR AVE
N WINDOMERE AVE
WALMSLEY AVE
FLANDERS ST
S223-095
S223-053
S212-054
FLANDERS ST
BRADLEY ST
CASTLE ST
CASTLE ST
N WINDOMERE AVE
S201-511
NAVARO ST
FORT WORTH AVE
WORTH AVE
1:2,400
AERIAL MAP
Area of Request
Recent History
Case no: S223-095
Date: 3/1/2023


POLLARD ST
SEALE ST
NAVARO ST
NEAL ST
STAFFORD AVE
N WINDOMERE AVE
N EDGEFIELD AVE
WALMSLEY AVE
FLANDERS ST
BRADLEY ST
CASTLE ST
VILBIG RD
N MONTCLAIR AVE
FORT WORTH AVE
N CLINTON AVE
DALLAS FT WORTH TPKE
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
35
NUMBER OF PROPERTY OWNERS NOTIFIED
1:3,600
Case no: S223-095
Date: 3/1/2023

02/27/2023

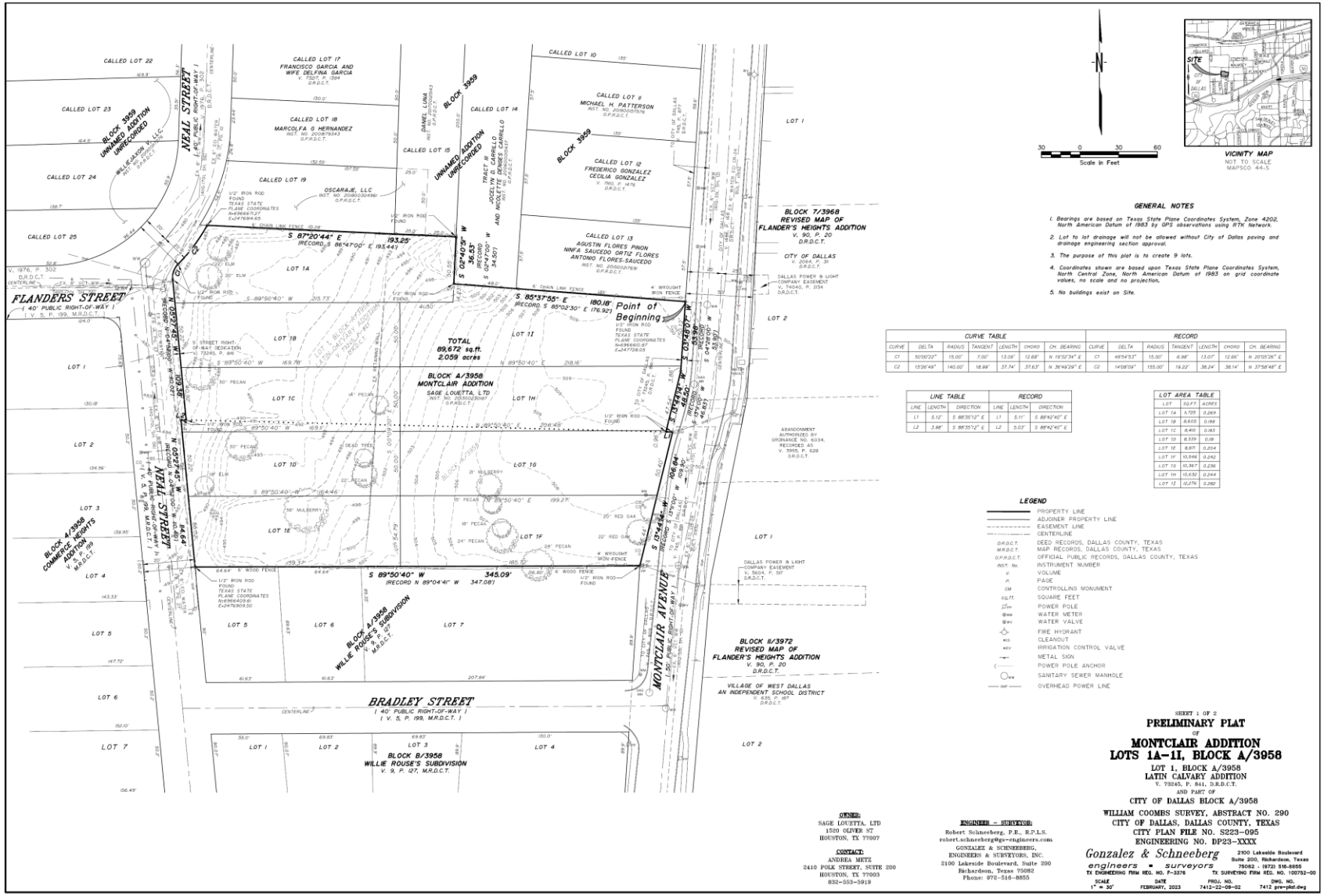
Notification List of Property Owners

S223-095

35 Property Owners Notified

Label #	*Address*		*Owner*
1	1737	N MONTCLAIR AVE	SAGE LOUETTA LTD
2	1731	N MONTCLAIR AVE	SAGE LOUETTA LTD
3	1514	WALMSLEY AVE	Taxpayer at
4	1518	WALMSLEY AVE	LUNA DANIEL
5	1814	NEAL ST	Taxpayer at
6	1720	NEAL ST	CALVARY LATIN AMERICAN
7	1625	BRADLEY ST	PINA LUIS A & ROSA
8	1621	BRADLEY ST	MARTINEZ JUAN A
9	1717	N MONTCLAIR AVE	LEON JOSE &
10	1626	BRADLEY ST	GARZA VALENTINE & SARRA
11	1620	BRADLEY ST	BARAJAS NECTALI &
12	1618	BRADLEY ST	BARAJAS NECTALI &
13	1707	N MONTCLAIR AVE	ROJAS JOSE ARMANDO &
14	1735	NEAL ST	FOSTER JEANETTE
15	1731	NEAL ST	MORENO JOSE ALBERTO
16	1727	NEAL ST	LEON JOSE LUIS & SARA
17	1723	NEAL ST	YBARRA ARTURO
18	1719	NEAL ST	LEON LUIS & SARA
19	1715	NEAL ST	Taxpayer at
20	1711	NEAL ST	MOJICA BERNARDO &
21	1707	NEAL ST	BOTELLO JUAN &
22	1718	NAVARO ST	MARQUEZ ANTONIO & YOLANDA
23	1726	NAVARO ST	RENTERIA ROMUALDO & OLIVIA
24	1730	NAVARO ST	RIVERA GENARO &
25	1734	NAVARO ST	PADILLA JUAN A MARQUEZ
26	1617	FLANDERS ST	OSORIO DEMETRIO

Label #	*Address*		*Owner*
27	1827	N MONTCLAIR AVE	DEL TORO LUIS E &
28	1823	N MONTCLAIR AVE	Taxpayer at
29	1819	N MONTCLAIR AVE	GONZALEZ FEDERICO
30	1811	N MONTCLAIR AVE	PINON AGUSTIN FLORES & NINFA SAUCEDO ORTIZ FLORES
31	1826	NEAL ST	MASON ALAN S
32	1822	NEAL ST	GARCIA FRANCISCO &
33	1818	NEAL ST	Taxpayer at
34	1825	NEAL ST	WILLIEJAXON V LLC
35	1400	WALMSLEY AVE	Dallas ISD


FLANDERS STREET
(40' PUBLIC RIGHT-OF-WAY)
(V. 5, P. 199, M.R.D.C.T.)
NEAL STREET
(40' PUBLIC RIGHT-OF-WAY)
(V. 5, P. 199, M.R.D.C.T.)
BRADLEY STREET
(40' PUBLIC RIGHT-OF-WAY)
(V. 5, P. 199, M.R.D.C.T.)
MONTCLAIR AVENUE
(50' PUBLIC RIGHT-OF-WAY)
(V. 5, P. 199, M.R.D.C.T.)
BLOCK A/3958
MONTCLAIR ADDITION
SAGE LOUETTA, LTD
INST. NO. 20090021887
O.P.R.D.C.T.
TOTAL
89,672 sq.ft.
2.059 acres
Point of Beginning
5/8" IRON ROD FOUND
TEXAS STATE PLANE COORDINATES
N=6966660.87
E=2477228.05
S 87°20'44" E
(RECORD S 86°47'00" E 193.44')
193.25'
S 02°40'39" W
36.53'
(RECORD S 34.50')
S 85°37'55" E
180.18'
(RECORD S 85°02'30" E 176.92')
S 02°48'07" W
(RECORD S 02°48'00" W)
S 03°41'41" W
(RECORD S 03°41'00" W)
48.50'
S 13°54'46" W
66.64'
(RECORD S 13°54'00" W 66.64')
S 89°50'40" W
345.09'
(RECORD N 89°04'41" W 347.08')
N 00°27'45" W
(RECORD N 00°27'00" W)
144.64'
CALLED LOT 22
CALLED LOT 23
CALLED LOT 24
CALLED LOT 25
CALLED LOT 17
FRANCISCO GARCIA AND WIFE DELFINA GARCIA
V. 7307, P. 394
D.R.D.C.T.
CALLED LOT 18
MARCOLFA G HERNANDEZ
INST. NO. 20061179343
O.P.R.D.C.T.
CALLED LOT 19
OSCARAJE, LLC
INST. NO. 20080030496
O.P.R.D.C.T.
CALLED LOT 10
CALLED LOT 9
MICHAEL H. PATTERSON
INST. NO. 20090037576
O.P.R.D.C.T.
CALLED LOT 14
CALLED LOT 15
CALLED LOT 12
FREDERICO GONZALEZ
CECILIA GONZALEZ
V. 7912, P. 1476
D.R.D.C.T.
CALLED LOT 13
AGUSTIN FLORES PINON
NINFA SAUCEDO ORTIZ FLORES
ANTONIO FLORES-SAUCEDO
INST. NO. 20050201769
O.P.R.D.C.T.
BLOCK 3959
UNNAMED ADDITION
UNRECORDED
WILLIE-DAVON, L.L.C.
INST. NO. 20080030496
O.P.R.D.C.T.
DANIEL LUNA
INST. NO. 20080030496
O.P.R.D.C.T.
TRACT W
JOCELYN D. CARRILLO
AND WIFE, YVETTE DENISE CARRILLO
INST. NO. 20080030496
O.P.R.D.C.T.
BLOCK 7/3968
REVISED MAP OF
FLANDER'S HEIGHTS ADDITION
V. 90, P. 20
D.R.D.C.T.
CITY OF DALLAS
V. 2064, P. 39
D.R.D.C.T.
DALLAS POWER & LIGHT COMPANY EASEMENT
V. 74040, P. 3334
D.R.D.C.T.
LOT 1
LOT 2
LOT 1A
LOT 1B
LOT 1C
LOT 1D
LOT 1E
LOT 1F
LOT 1G
LOT 1H
LOT 11
BLOCK A/3958
COMMERCE HEIGHTS ADDITION
V. 5, P. 199
M.R.D.C.T.
BLOCK A/3958
WILLIE ROUSE'S SUBDIVISION
V. 9, P. 127
M.R.D.C.T.
BLOCK B/3958
WILLIE ROUSE'S SUBDIVISION
V. 9, P. 127, M.R.D.C.T.
BLOCK 11/3972
REVISED MAP OF
FLANDER'S HEIGHTS ADDITION
V. 90, P. 20
D.R.D.C.T.
VILLAGE OF WEST DALLAS
AN INDEPENDENT SCHOOL DISTRICT
V. 635, P. 187
D.R.D.C.T.
ABANDONMENT AUTHORIZED BY ORDINANCE NO. 6034, RECORDED AS V. 5955, P. 628 D.R.D.C.T.
5' STREET RIGHT-OF-WAY DEDICATION
V. 73245, P. 846
6' CHAIN LINK FENCE
4' WROUGHT IRON FENCE
6' WOOD FENCE
1/2" IRON ROD FOUND
1/2" IRON ROD FOUND TEXAS STATE PLANE COORDINATES N=6966409.61 E=2475909.50
1/2" IRON ROD FOUND TEXAS STATE PLANE COORDINATES N=6966665.27 E=2476194.65
30" PECAN
14" PECAN
22" ELM
20" ELM
38" MULBERRY
31" MULBERRY
18" PECAN
24" PECAN
22" RED OAK
20" RED OAK
DEAD TREE
N 89°50'40" W 169.76'
N 89°50'40" W 216.73'
N 89°50'40" E 216.16'
N 89°50'40" E 206.48'
N 89°50'40" E 199.21'
S 89°50'40" W 169.76'
S 89°50'40" W 216.46'
S 89°50'40" W 206.48'
S 89°50'40" W 199.21'
S 89°50'40" W 64.64'
S 89°50'40" W 64.64'
S 89°50'40" W 185.52'
S 89°50'40" W 216.80'
S 89°50'40" W 207.84'
S 89°50'40" W 61.63'
S 89°50'40" W 61.63'
S 89°50'40" W 69.83'
S 89°50'40" W 69.83'
S 89°50'40" W 69.83'
S 89°50'40" W 69.83'
N 00°27'45" W 100.00'
N 00°27'45" W 100.00'
N 00°27'45" W 100.00

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, Sage Louetta, Ltd. is the owner of a 2.059 acre tract of land situated in the William Coombs Survey, Abstract No. 290, Dallas County, Texas and being all of Lot 1, Block A/3958, Latin Calvary Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 73245, Page 841, Deed Records, Dallas County, Texas; said 2.059 acre tract also being a tract of land in City of Dallas Block A/3958; said 2.059 acre tract also being all of that tract of land conveyed to Sage Louetta, Ltd. By Special Warranty Deed recorded in County Clerk's Instrument No. 20130023087, Official Public Record, Dallas County, Texas; said 2.059 acre tract also being more particularly described by metes and bounds as follows;

BEGINNING, at a 1/2-inch iron rod found at the easternmost northeast corner of said Lot 1, Block A/3958; said point also being at the southeast corner of a tract of land conveyed to Agustin Flores Pinon, Nieta Saucedo Ortiz Flores and Antonio Flores-Saucedo by Warranty Deed recorded in County Clerk's instrument No. 201500217696, Official Public Record, Dallas County, Texas; said Point also being on the west right-of-way line of Montclair Avenue (50 feet wide);

THENCE, with the said west right-of-way line of Montclair Avenue, the following metes and bounds;

South 03 degrees 48 minutes 07 seconds West, a distance of 53.98 feet (record calls South 04 degrees 28 minutes 00 seconds, 53.90 feet) to a 1/2-inch iron rod found for angle corner;

South 13 degrees 44 minutes 14 seconds West, a distance of 48.50 feet (record calls South 13 degrees 11 minutes 00 seconds West, 46.83 feet) to 1/2-inch iron rod found at the southeast corner of said Lot 1, Block A/3958;

South 88 degrees 35 minutes 12 seconds East, a distance of 5.12 feet (record calls South 88 degrees 42 minutes 40 seconds East, 5.0 feet) to 1/2-inch iron rod found for angle corner;

South 13 degrees 44 minutes 14 seconds West, a distance of 106.84 feet (record calls South 13 degrees 11 minutes 00 seconds West, 109.90 feet) to a to 1/2-inch iron rod found at the southeast corner of said 2.059 acre tract; said point also being the northeast corner of Lot 7, Block A/3958, Willie Rouse's Subdivision, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 9, Page 127, Map Records, Dallas County, Texas;

THENCE, South 89 degrees 50 minutes 40 seconds West, leaving said west right-of-way line of Montclair Avenue and with the common line of said 2.059 acre tract and Willie Rouse's Subdivision, a distance of 345.09 feet (record calls North 89 degrees 04 minutes 41 seconds West, 347.08 feet) to a 1/2-inch iron rod found at the southwest corner of said 2.059 acre tract; said point also being the northwest corner of Lot 5, Block A/3958 of said Willie Rouse's Subdivision; said point also being on the east right-of-way line of Neal Street (40 feet wide);

THENCE, with the said east right-of-way line of Neal Street, the following metes and bounds;

North 05 degrees 27 minutes 45 seconds West, a distance of 94.64 feet (record calls North 04 degrees 52 minutes 00 seconds West, 80.40 feet) to a 1/2-inch iron rod found for angle corner;

South 88 degrees 35 minutes 12 seconds East, a distance of 3.98 feet (record calls South 88 degrees 42 minutes 40 seconds East, 5.03 feet) to a 1/2-inch iron rod found at the southwest corner of said Lot 1, Block A/3958;

North 05 degrees 27 minutes 45 seconds West, a distance of 109.38 feet (record calls North 04 degrees 52 minutes 00 seconds West, 110.02 feet) to a 1/2-inch iron rod found at the beginning of a curve to the right having a radius of 15.00 feet;

Northeasterly, with said curve to the right through a central angle of 50 degrees 00 minutes 22 seconds, an arc distance of 13.09 feet (record calls central angle 49 degrees 54 minute 53 seconds, 13.07 feet) (chord bears North 19 degrees 32 minutes 34 seconds East, 12.68 feet) to a 1/2-inch iron rod found at a point of reverse curvature having a radius of 140.00 feet;

Northeasterly, with said reverse curve through a central angle of 15 degrees 26 minutes 49 seconds, an arc distance of 37.74 feet (record calls central angle 14 degrees 08 minutes 09 seconds, 38.24 feet) (chord bears North 36 degrees 49 minutes 29 seconds, 37.63 feet) to a 1/2-inch iron rod found at the end of said curve; said point also being the northwest corner of said 2.059 acre tract; said point also being the northwest corner of said Lot 1, Block A/3958; said point also being the southwest corner of a tract of land conveyed to Oscaraje, Llc. by General Warranty Deed recorded in County Clerk's Instrument No. 20180030496I, Official Public Record, Dallas County, Texas;

THENCE, South 87 degrees 20 minutes 44 seconds East, leaving said east right-of-way line of Neal Street and with the north line of said 2.059 acre tract, a distance of 193.25 feet (record calls South 86 degrees 47 minutes 00 seconds East, 193.44 feet to a 1/2-inch iron rod found at the westernmost northeast corner of said Lot 1, Block A/3958; said point also being the southeast corner of a tract of land conveyed to Daniel Luna by Warranty Deed with Vendor's Lien recorded in County Clerk's Instrument No. 20170012543, Official Public Record, Dallas County, Texas; said point also being on the west line of a tract of land conveyed to Jocelyn D. Carrillo and Nicolette Denges Carrillo by Affidavit of Heirship recorded in County Clerk's Instrument No. 20060001154371, Official Public Record, Dallas County, Texas;

THENCE, South 02 degrees 40 minutes 51 seconds West, continuing with said north line, a distance of 36.53 feet (record calls South 02 degrees 47 minutes 00 seconds West, a distance of 36.53 feet (chord bears South 02 degrees 47 minutes 00 seconds West, 34.50 feet) to a 1/2-inch iron rod found at an interior corner of said Lot 1, Block A/3958; said point also being the southwest corner of said Carrillo tract;

THENCE, South 85 degrees 37 minutes 55 seconds East, continuing with said north line, a distance of 180.18 feet (record calls South 85 degrees 02 minutes 30 seconds East, 176.92 feet) to the POINT OF BEGINNING;

CONTAINING, 89,672 square feet or 2.059 acres, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SAGE LOUETTA, LTD., acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein above described property as **MONTCLAIR ADDITION**, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the_____day of_____, 2023.

SAGE LOUETTA, LTD.

By: _____
Name
Title

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared _____ known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day at _____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Robert W. Schneeberg, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____day of_____, 2023.

RELEASED 2/23/2023 - FOR REVIEW ONLY NOT TO BE RECORDED

_____
Robert W. Schneeberg
Texas Registered Professional Land Surveyor No. 4804

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Robert W. Schneeberg, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day of_____, 2023.

_____
Notary Public in and for the State of Texas

SHEET 2 OF 2

PRELIMINARY PLAT
OF
MONTCLAIR ADDITION
LOTS 1A-1I, BLOCK A/3958

LOT 1, BLOCK A/3958
LATIN CALVARY ADDITION
V. 73245, P. 841, D.R.D.C.T.
AND PART OF
CITY OF DALLAS BLOCK A/3958
WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-095
ENGINEERING NO. DP23-XXXX

OWNER:
SAGE LOUETTA, LTD
1520 OLIVER ST
HOUSTON, TX 77007

CONTACT:
ANDREA METZ
2410 POLK STREET, SUITE 200
HOUSTON, TX 77003
832-553-5919

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG,
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

Gonzalez & Schneeberg
engineers ▪ surveyors
2100 Lakeside Boulevard
Suite 200, Richardson, Texas
75082 - (972) 516-8855
TX ENGINEERING FIRM REG. NO. F-3376
TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
1" = 30'	FEBRUARY, 2023	7412-22-09-02	7412 pre-plat.dwg

S223-095

39(I)

City Plan Commission Date: 03/23/2023

CALLED LOT 22
CALLED LOT 23
CALLED LOT 24
CALLED LOT 25
CALLED LOT 17
FRANCISCO GARCIA AND WIFE DELFINA GARCIA
V. 7321, P. 1384
D.R.D.C.T.
CALLED LOT 18
MARCOLFA G HERNANDEZ
INST. NO. 20081879343
O.P.R.D.C.T.
CALLED LOT 19
OSCARAJE, LLC
INST. NO. 201800304961
O.P.R.D.C.T.
CALLED LOT 15
DANIEL LUNA
INST. NO. 20170012543
O.P.R.D.C.T.
CALLED LOT 14
CALLED LOT 10
CALLED LOT 11
MICHAEL H. PATTERSON
INST. NO. 20190015757576
O.P.R.D.C.T.
CALLED LOT 12
FREDERICO GONZALEZ
CECILIA GONZALEZ
V. 7110, P. 1476
D.R.D.C.T.
CALLED LOT 13
AGUSTIN FLORES PINON
NINFA SAUCEDO ORTIZ FLORES
ANTONIO FLORES-SAUCEDO
INST. NO. 20150021276
O.P.R.D.C.T.
BLOCK 3959
UNNAMED ADDITION
UNRECORDED
WILLIEJAXON V, LLC,
INST. NO. 20200019276
O.P.R.D.C.T.
TRACT III
JOCELYN D. CARRILLO
AND NICOLETTE DENGES CARRILLO
INST. NO. 20060005437
O.P.R.D.C.T.
NEAL STREET
(40' PUBLIC RIGHT-OF-WAY)
(V. 1976, P. 302 D.R.D.C.T. CENTERLINE-
FLANDERS STREET
(40' PUBLIC RIGHT-OF-WAY)
(V. 5, P. 199, M.R.D.C.T.)
CENTERLINE
EX. 8" VCT WW
EX. 8" ED WATER
EX. 6" ED WATER
EX. 6" WATER
EX. 6" VCT WW
EX. 8" PVC WW
EX. 6" WATER ECI CR-24
BUILT 1932
EX. 6" CHP
EX. 6" OHP
EX. 6" X
EX. 6" PP
EX. 6" WM
EX. 6" WV
EX. 6" CO
EX. 6" CMP
EX. 6" GAS MH
EX. 6" WATER VAULT
EX. 6" FH
EX. 6" CICV
EX. 6" MW
EX. 6" SIGN
EX. 6" RETAINING WALL
EX. 6" CHAIN LINK FENCE
EX. 6" WOOD FENCE
EX. 6" 4' WROUGHT IRON FENCE
EX. 6" 6' CHAIN LINK FENCE
EX. 6" 6' WOOD FENCE
EX. 6" 4' WROUGHT IRON FENCE
EX. 6" 6' WOOD FENCE
EX. 6" 6' CHAIN LINK

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, Sage Louetta, Ltd. is the owner of a 2.059 acre tract of land situated in the William Coombs Survey, Abstract No. 290, Dallas County, Texas and being all of Lot 1, Block A/3958, Latin Calvary Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 73245, Page 841, Deed Records, Dallas County, Texas; said 2.059 acre tract also being a tract of land in City of Dallas Block A/3958; said 2.059 acre tract also being all of that tract of land conveyed to Sage Louetta, Ltd. By Special Warranty Deed recorded in County Clerk's Instrument No. 20130023087, Official Public Record, Dallas County, Texas; said 2.059 acre tract also being more particularly described by metes and bounds as follows;

BEGINNING, at a 1/2-inch iron rod found at the easternmost northeast corner of said Lot 1, Block A/3958; said point also being at the southeast corner of a tract of land conveyed to Agustin Flores Pinon, Ninfa Saucedo Ortiz Flores and Antonio Flores-Saucedo by Warranty Deed recorded in County Clerk's Instrument No. 20150021769I, Official Public Record, Dallas County, Texas; said Point also being on the west right-of-way line of Montclair Avenue (50 feet wide);

THENCE, with the said west right-of-way line of Montclair Avenue, the following metes and bounds;

South 03 degrees 48 minutes 07 seconds West, a distance of 53.98 feet (record calls South 04 degrees 28 minutes 00 seconds, 53.90 feet) to a 1/2-inch iron rod found for angle corner;

South 13 degrees 44 minutes 14 seconds West, a distance of 48.50 feet (record calls South 13 degrees 11 minutes 00 seconds West, 46.83 feet) to 1/2-inch iron rod found at the southeast corner of said Lot 1, Block A/3958;

South 88 degrees 35 minutes 12 seconds East, a distance of 5.12 feet (record calls South 88 degrees 42 minutes 40 seconds East, 5.11 feet) to 1/2-inch iron rod found for angle corner;

South 13 degrees 44 minutes 14 seconds West, a distance of 106.84 feet (record calls South 13 degrees 11 minutes 00 seconds West, 109.90 feet) to a to 1/2-inch iron rod found at the southeast corner of said 2.059 acre tract; said point also being the northeast corner of Lot 7, Block A/3958, Willie Rouse's Subdivision, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 9, Page 127, Map Records, Dallas County, Texas;

THENCE, South 89 degrees 50 minutes 40 seconds West, leaving said west right-of-way line of Montclair Avenue, and with the common line of said 2.059 acre tract and Willie Rouse's Subdivision, a distance of 345.09 feet (record calls North 89 degrees 04 minutes 41 seconds West, 347.08 feet) to a 1/2-inch iron rod found at the southwest corner of said 2.059 acre tract; said point also being the northwest corner of Lot 5, Block A/3958 of said Willie Rouse's Subdivision; said point also being on the east right-of-way line of Neal Street (40 feet wide);

THENCE, with the said east right-of-way line of Neal Street, the following metes and bounds;

North 05 degrees 27 minutes 45 seconds West, a distance of 114.64 feet (record calls North 04 degrees 52 minutes 00 seconds West, 110.40 feet) to a 1/2-inch iron rod found for angle corner;

South 88 degrees 35 minutes 12 seconds East, a distance of 3.98 feet (record calls South 88 degrees 42 minutes 40 seconds East, 5.03 feet) to a 1/2-inch iron rod found at the southwest corner of said Lot 1, Block A/3958;

North 05 degrees 27 minutes 45 seconds West, a distance of 109.38 feet (record calls North 04 degrees 52 minutes 00 seconds West, 110.02 feet) to a 1/2-inch iron rod found at the beginning of a curve to the right having a radius of 15.00 feet;

Northeasterly, with said curve to the right through a central angle of 50 degrees 00 minutes 22 seconds, an arc distance of 13.09 feet (record calls central angle 49 degrees 54 minute 53 seconds, 13.07 feet) (chord bears North 19 degrees 32 minutes 34 seconds East, 12.68 feet) to a 1/2-inch iron rod found at a point of reverse curvature having a radius of 140.00 feet;

Northeasterly, with said reverse curve through a central angle of 15 degrees 26 minutes 49 seconds, an arc distance of 37.74 feet (record calls central angle 14 degrees 08 minutes 09 seconds, 38.24 feet) (chord bears North 36 degrees 49 minutes 29 seconds, 37.63 feet) to a 1/2-inch iron rod found at the end of said curve; said point also being the northwest corner of said 2.059 acre tract; said point also being the northwest corner of said Lot 1, Block A/3958; said point also being the southwest corner of a tract of land conveyed to Oscaraje, Llc. by General Warranty Deed recorded in County Clerk's Instrument No. 20180030496I, Official Public Record, Dallas County, Texas;

THENCE, South 87 degrees 20 minutes 44 seconds East, leaving said east right-of-way line of Neal Street and with the north line of said 2.059 acre tract, a distance of 193.25 feet (record calls South 86 degrees 47 minutes 00 seconds East, 193.44 feet to a 1/2-inch iron rod found at the westernmost northeast corner of said Lot 1, Block A/3958; said point also being the southeast corner of a tract of land conveyed to Daniel Luna by Warranty Deed with Vendor's Lien recorded in County Clerk's Instrument No. 20170012514 3, Official Public Record, Dallas County, Texas; said point also being on the west line of a tract of land conveyed to Jocelyn D. Carrillo and Nicolette Denges Carrillo by Affidavit of Heirship recorded in County Clerk's Instrument No. 20060001543 7, Official Public Record, Dallas County, Texas;

THENCE, South 02 degrees 40 minutes 51 seconds West, continuing with said north line, a distance of 36.53 feet (record calls South 02 degrees 47 minutes 00 seconds West, a distance of 36.53 feet (chord bears South 02 degrees 47 minutes 00 seconds West, 34.50 feet) to a 1/2-inch iron rod found at an interior corner of said Lot 1, Block A/3958; said point also being the southwest corner of said Carrillo tract;

THENCE, South 85 degrees 37 minutes 55 seconds East, continuing with said north line, a distance of 180.18 feet (record calls South 85 degrees 02 minutes 30 seconds East, 176.92 feet) to the POINT OF BEGINNING;

CONTAINING, 89,672 square feet or 2.059 acres, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SAGE LOUETTA, LTD., acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein above described property as **MONTCLAIR ADDITION,** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas removed thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the_____day of_____, 2023.

SAGE LOUETTA, LTD.

By: _____
Name
Title

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared _____, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day of _____, 2023.

_____
Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, Robert W. Schneeberg, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____day of_____, 2023.

RELEASED 2/23/2023 - FOR REVIEW ONLY
NOT TO BE RECORDED

_____
Robert W. Schneeberg
Texas Registered Professional Land Surveyor No. 4804

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for said State, on this day personally appeared Robert W. Schneeberg, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the_____day of_____, 2023.

_____
Notary Public in and for the State of Texas

OWNER:
SAGE LOUETTA, LTD
1520 OLIVER ST
HOUSTON, TX 77007

CONTACT:
ANDREA METZ
2410 POLK STREET, SUITE 200
HOUSTON, TX 77003
832-553-5919

ENGINEER - SURVEYOR:
Robert Schneeberg, P.E., R.P.L.S.
robert.schneeberg@gs-engineers.com
GONZALEZ & SCHNEEBERG,
ENGINEERS & SURVEYORS, INC.
2100 Lakeside Boulevard, Suite 200
Richardson, Texas 75082
Phone: 972-516-8855

SHEET 2 OF 2

PRELIMINARY PLAT
OF
MONTCLAIR ADDITION
LOTS 1A-1I, BLOCK A/3958

LOT 1, BLOCK A/3958
LATIN CALVARY ADDITION
V. 73245, P. 841, D.R.D.C.T.
AND PART OF
CITY OF DALLAS BLOCK A/3958

WILLIAM COOMBS SURVEY, ABSTRACT NO. 290
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-095
ENGINEERING NO. DP23-XXXX

Gonzalez & Schneeberg
engineers ▪ surveyors
TX ENGINEERING FIRM REG. NO. F-3376
2100 Lakeside Boulevard
Suite 200, Richardson, Texas
75082 - (972) 516-8855
TX SURVEYING FIRM REG. NO. 100752-00

SCALE	DATE	PROJ. NO.	DWG. NO.
1" = 30'	FEBRUARY, 2023	7412-22-09-02	7412 pre-plat.dwg

P:\7412 Montclair Avenue\7412 pre-plat 9 lots.dwg, 2/24/2023 12:26:37 PM, DWG To PDF.pc3

Agenda Information Sheet

File #: 23-882 **Item #:** 40.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.501-acre (21,828 square feet) tract of land containing all of Lot 13 in City Block 9/6220 to create one 10,009 square feet lot and one 11,819 square feet lot on property located on Elmada Lane at Walnut Hill Lane, southeast corner.
Applicant/Owner: Stefanos and Beverly Smirnis
Surveyor: A&W Surveyors, Inc.
Application Filed: February 24, 2023
Zoning: R-10(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 6
S223-100

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-100 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Elmada Lane at Walnut Hill Lane, southeast corner

DATE FILED: February 24, 2023 **ZONING:** R-10(A)

CITY COUNCIL DISTRICT: 6 **SIZE OF REQUEST:** 0.501-acres **MAPSCO:** 24N

APPLICANT/OWNER: Stefanos and Beverly Smirnis

REQUEST: An application to replat a 0.501-acre (21,828 square feet) tract of land containing all of Lot 13 in City Block 9/6220 to create one 10,009 square feet lot and one 11,819 square feet lot on property located on Elmada Lane at Walnut Hill Lane, southeast corner.

SUBDIVISION HISTORY:

1. S190-121 was a request northeast of the present request to replat a 40.104-acre tract of land containing all of Lot 1 in City Block A/6222 and a tract of land in City Block 6222 to create one lot on property bounded by Walnut Hill Lane, Hedgeway Drive, Killion Drive, and Gooding Drive. The request was approved on May 21, 2020 but has not been recorded.

PROPERTY OWNER NOTIFICATION: On March 3, 2023, 14 notices were sent to property owners within 200 feet of the proposed plat boundary.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

- The properties to the east, south, and west of the request have lot widths ranging in size from 72 feet to 147 feet and lot areas ranging in size from 9.221 square feet to 21,289 square feet and are zoned the R-10(A) Single Family District. *(Please refer to the existing area analysis)*

The request is to create two lots with lot widths of 83 feet and 103 feet and lot areas ranging in size from 10,009 square feet and 11,819 square feet respectively and are zoned the R-10(A) Single Family District.

Staff concludes that there is not an established lot pattern in the immediate area of the request and the request complies with the requirements of Section 51A-8.503 and R-10(A) Single Family District; therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is two.

Paving & Drainage Conditions:

12. Place a note on the final plat stating "Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval" 51A 8.611(e
13. Submit drainage, paving, etc. plans prepared by a licensed (TX) Professional Engineer to Permit Center, Oak Cliff Municipal Center (i.e., non-311T/DP). *Section 51A- 8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)*

Right-of way Requirements Conditions:

14. On the final plat, dedicate 50 feet of right-of-way (via fee simple) from the established center line of Walnut Hill Lane. *Section 51A 8.602(c)*

15. On the final plat, dedicate a minimum 5-foot by 5-foot corner clip (via fee simple or street easement) at the intersection of Elmada Lane & Walnut Hill Lane Section 51A 8.602(d)(1)

16. Prior to final plat, a larger corner clip may be requested during engineering plan and traffic review to accommodate an adequate turning radius, or to maintain public/traffic appurtenances, within the area of the corner clip. *Section 51A 8.602(d)(1), 51A 8.608(a)*

17. On the final plat, dedicate a 15-foot by 15-foot Alley Sight Easement at the intersection of Walnut Hill Lane & Alley. *Section 51A-8.602(e)*

Survey (SPRG) Conditions:

18. Prior to final plat, submit a completed final plat checklist and all supporting documents.

19. On the final plat, show how all adjoining right-of-way was created. Section 51A-8.403(a)(1)(A)(xxii).

20. On the final plat, show recording information on all existing easements within 150 feet of the property.

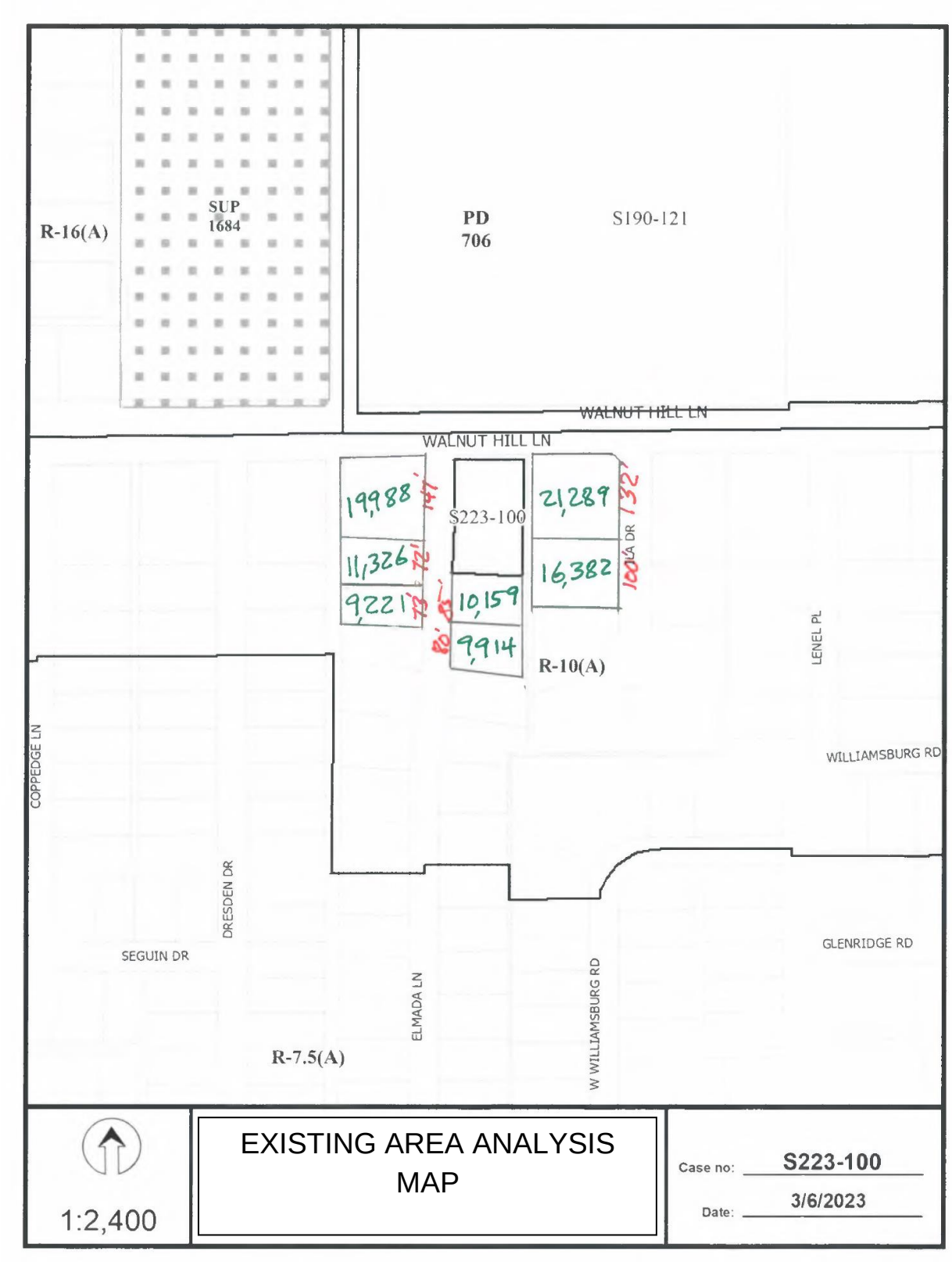
21. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

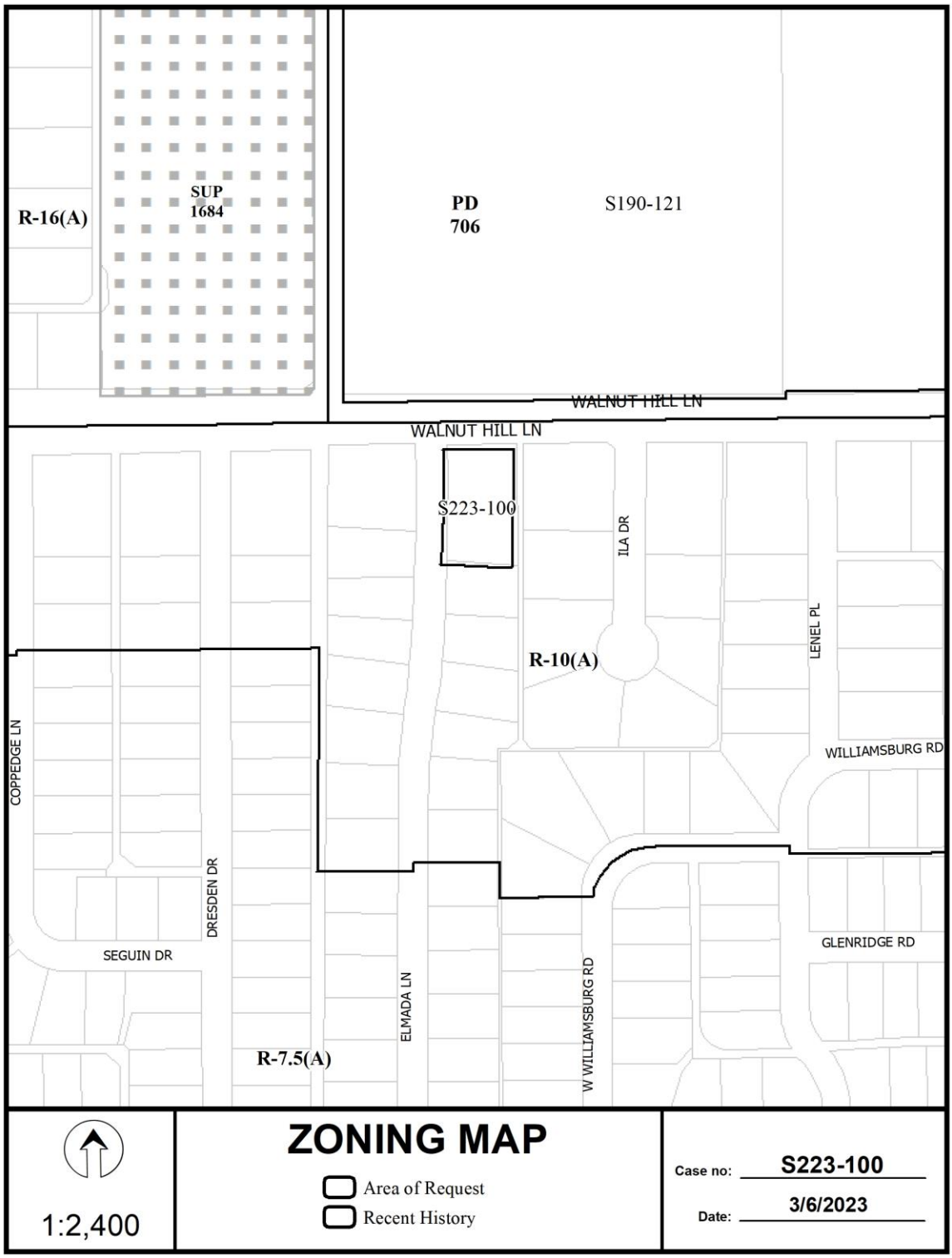
Dallas Water Utilities Conditions:

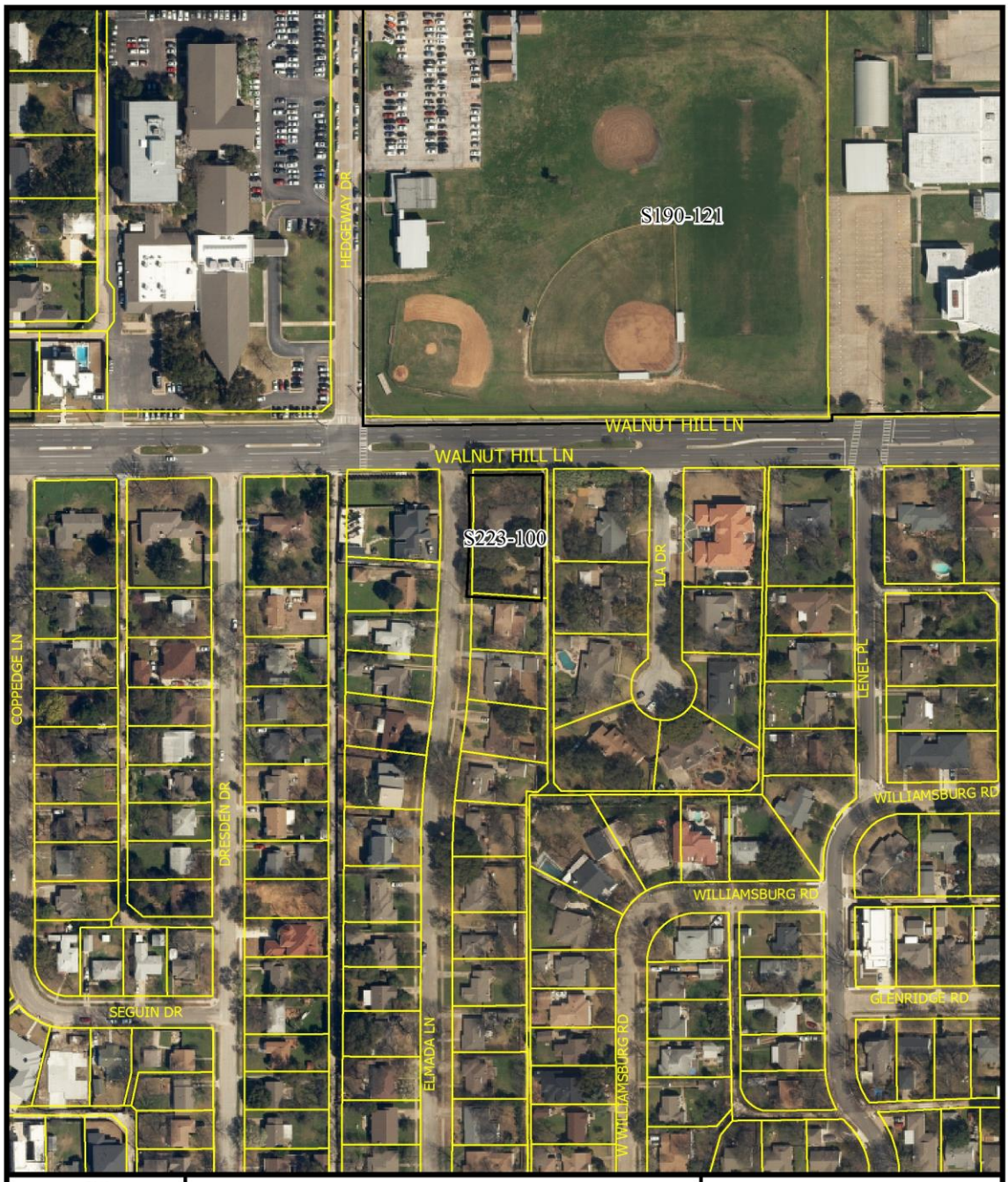
22. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

23. On the final plat, identify the property as Lots 13A & 13B in City Block 9/6220. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


R-16(A)
SUP 1684
PD 706
S190-121
WALNUT HILL LN
WALNUT HILL LN
S223-100
19,988
11,326
9,221
21,289
16,382
10,159
9,914
R-10(A)
LENEL PL
WILLIAMSBURG RD
COPPEDGE LN
DRESDEN DR
SEGUIN DR
ELMADA LN
W WILLIAMSBURG RD
GLENRIDGE RD
R-7.5(A)
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-100
Date: 3/6/2023


R-16(A)
SUP 1684
PD 706
S190-121
WALNUT HILL LN
WALNUT HILL LN
S223-100
ILA DR
LENEL PL
R-10(A)
WILLIAMSBURG RD
COPPEDGE LN
DRESDEN DR
SEGUIN DR
ELMADA LN
W WILLIAMSBURG RD
GLENRIDGE RD
R-7.5(A)
1:2,400
ZONING MAP
Area of Request
Recent History
Case no: S223-100
Date: 3/6/2023



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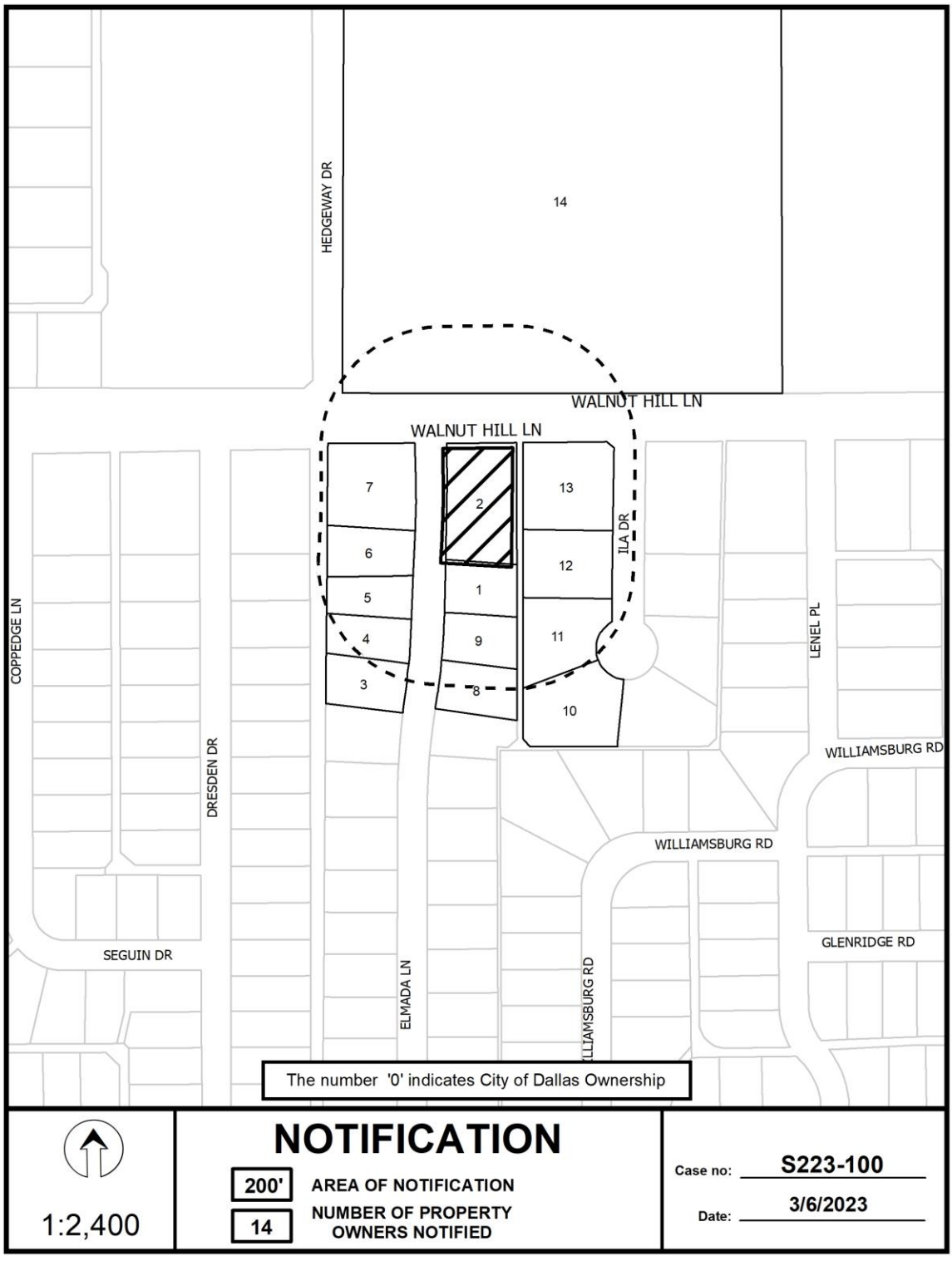
AERIAL MAP

Area of Request

Recent History

Case no: S223-100

Date: 3/6/2023


HEDGEWAY DR
14
WALNUT HILL LN
WALNUT HILL LN
7
6
5
4
3
2
1
9
8
13
12
11
10
ILA DR
LENEL PL
COPPEDGE LN
DRESDEN DR
WILLIAMSBURG RD
WILLIAMSBURG RD
GLENRIDGE RD
SEGUIN DR
ELMADA LN
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
14
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: S223-100
Date: 3/6/2023

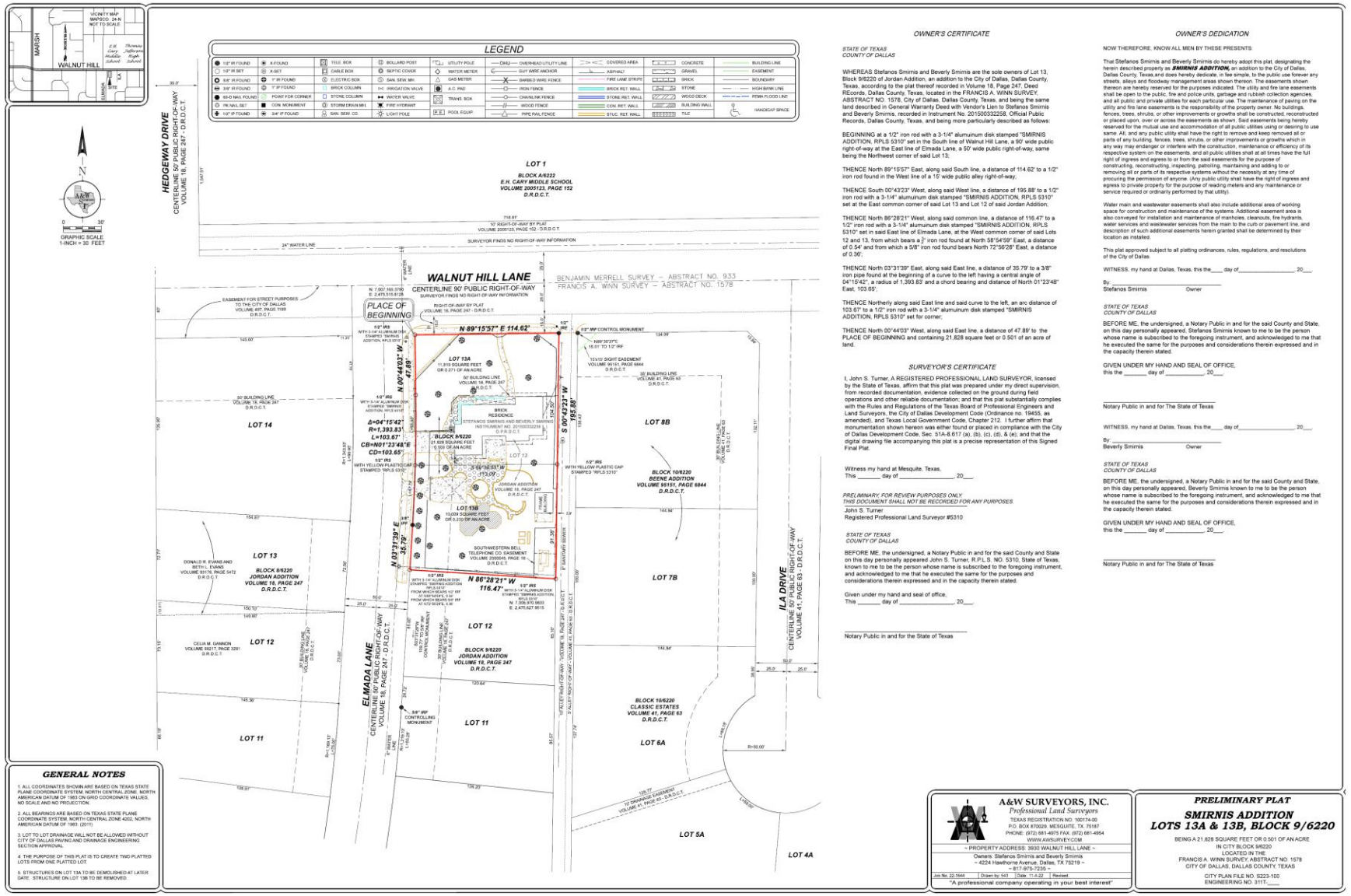
03/02/2023

Notification List of Property Owners

S223-100

14 Property Owners Notified

Label #	*Address*		*Owner*
1	9968	ELMADA LN	Taxpayer at
2	3930	WALNUT HILL LN	SMIRNIS STEFANOS & BEVERLY
3	9955	ELMADA LN	BDG 9955 ELMADA
4	9961	ELMADA LN	IPEMA JORDAN G
5	9965	ELMADA LN	GANNON CECELIA M
6	9971	ELMADA LN	EVANS DONALD R & BETH L
7	3908	WALNUT HILL LN	FRAIDE OMAR & MAYRA
8	9954	ELMADA LN	PEDERSON HANNAH C & TONY W
9	9962	ELMADA LN	WALKER CAROLINE
10	9903	ILA DR	QUINTANILLA MARIO & LISA
11	9911	ILA DR	JT RESIDENTIAL PROPERTIES LLC
12	9919	ILA DR	ARCUCCI DIDIER
13	9929	ILA DR	SHILLING RALPH F JR &
14	3978	KILLION DR	Dallas ISD



GENERAL NOTES

1. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

2. ALL BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, (2011)

3. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING AND DRAINAGE ENGINEERING SECTION APPROVAL.

4. THE PURPOSE OF THIS PLAT IS TO CREATE TWO PLATTED LOTS FROM ONE PLATTED LOT.

5. STRUCTURES ON LOT 13A TO BE DEMOLISHED AT LATER DATE. STRUCTURE ON LOT 13B TO BE REMOVED.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Stefanos Smirnis and Beverly Smirnis are the sole owners of Lot 13, Block 9/6220 of Jordan Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 18, Page 247, Deed REcords, Dallas County, Texas, located in the FRANCIS A. WINN SURVEY, ABSTRACT NO. 1578, City of Dallas, Dallas County, Texas, and being the same land described in General Warranty Deed with Vendor's Lien to Stefanos Smirnis and Beverly Smirnis, recorded in Instrument No. 201500332258, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with a 3-1/4" aluminum disk stamped "SMIRNIS ADDITION, RPLS 5310" set in the South line of Walnut Hill Lane, a 90' wide public right-of-way at the East line of Elmada Lane, a 50' wide public right-of-way, same being the Northwest corner of said Lot 13;

THENCE North 89°15'57" East, along said South line, a distance of 114.62' to a 1/2" iron rod found in the West line of a 15' wide public alley right-of-way;

THENCE South 00°43'23" West, along said West line, a distance of 195.88' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "SMIRNIS ADDITION, RPLS 5310" set at the East common corner of said Lot 13 and Lot 12 of said Jordan Addition;

THENCE North 86°28'21" West, along said common line, a distance of 116.47' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "SMIRNIS ADDITION, RPLS 5310" set in said East line of Elmada Lane, at the West common corner of said Lots 12 and 13, from which bears a 1/2" iron rod found at North 58°54'59" East, a distance of 0.54' and from which a 5/8" iron rod found bears North 72°56'28" East, a distance of 0.36';

THENCE North 03°31'39" East, along said East line, a distance of 35.79' to a 3/8" iron pipe found at the beginning of a curve to the left having a central angle of 04°15'42", a radius of 1,393.83' and a chord bearing and distance of North 01°23'48" East, 103.65';

THENCE Northerly along said East line and said curve to the left, an arc distance of 103.67' to a 1/2" iron rod with a 3-1/4" aluminum disk stamped "SMIRNIS ADDITION, RPLS 5310" set for corner;

THENCE North 00°44'03" West, along said East line, a distance of 47.89' to the PLACE OF BEGINNING and containing 21,828 square feet or 0.501 of an acre of land.

SURVEYOR'S CERTIFICATE

I, John S. Turner, A REGISTERED PROFESSIONAL LAND SURVEYOR, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a), (b), (c), (d), & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Witness my hand at Mesquite, Texas,
This _____ day of _____ 20___

PRELIMINARY, FOR REVIEW PURPOSES ONLY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES.

John S. Turner
Registered Professional Land Surveyor #5310

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office,
This _____ day of _____ 20___

_____
Notary Public in and for the State of Texas

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Stefanos Smirnis and Beverly Smirnis do hereby adopt this plat, designating the herein described property as ***SMIRNIS ADDITION***, an addition to the City of Dallas, Dallas County, Texas and does hereby dedicate, in fee simple, to the public use forever any streets, alleys and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the____ day of_____ 20___.

By: _____
Stefanos Smirnis Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Stefanos Smirnis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20___

_____
Notary Public in and for The State of Texas

WITNESS, my hand at Dallas, Texas, this the____ day of_____ 20___.

By: _____
Beverly Smirnis Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Beverly Smirnis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20___

_____
Notary Public in and for The State of Texas

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 670029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

~ PROPERTY ADDRESS: 3930 WALNUT HILL LANE ~

Owners: Stefanos Smirnis and Beverly Smirnis
~ 4224 Hawthorne Avenue, Dallas, TX 75219 ~
~ 817-975-7235 ~

Job No. 22-1644	Drawn by: SJ	Date: 11-4-22	Revised:

"A professional company operating in your best interest"

PRELIMINARY PLAT

SMIRNIS ADDITION
LOTS 13A & 13B, BLOCK 9/6220

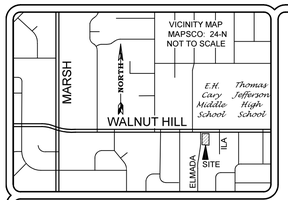
BEING A 21,828 SQUARE FEET OR 0.501 OF AN ACRE
IN CITY BLOCK 9/6220
LOCATED IN THE
FRANCIS A. WINN SURVEY, ABSTRACT NO. 1578
CITY OF DALLAS, DALLAS COUNTY, TEXAS

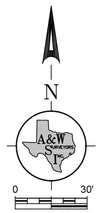
CITY PLAN FILE NO. S223-100
ENGINEERING NO. 3117_____

S223-100

40(i)

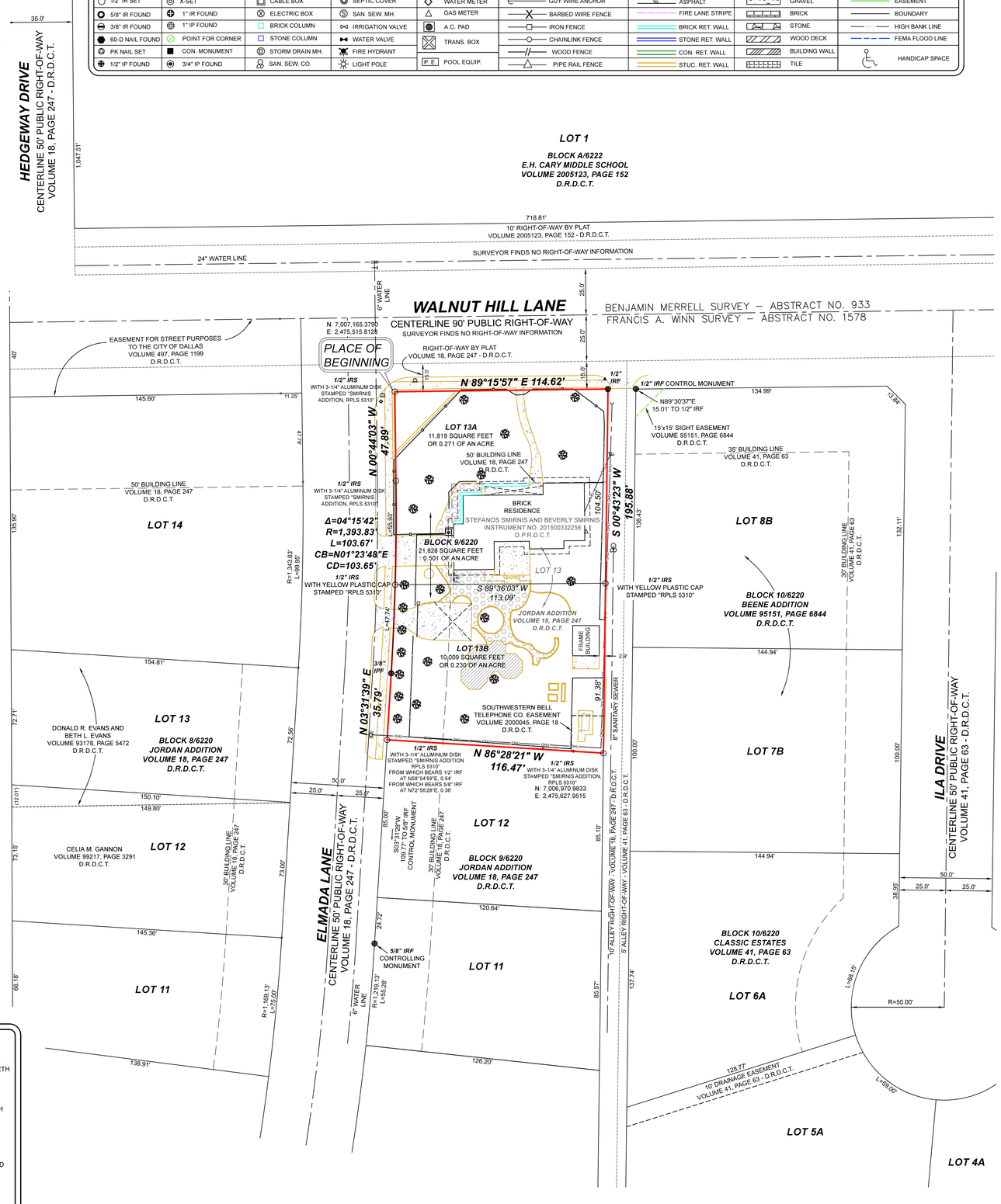
City Plan Commission Date: 03/23/2023





LEGEND

1/2" IR FOUND	X-FOUND	TELE. BOX	BOLLARD POST	UTILITY POLE	OHU OVERHEAD UTILITY LINE	COVERED AREA	CONCRETE	BUILDING LINE
1/2" IR SET	X-SET	CABLE BOX	SEPTIC COVER	WATER METER	GUY WIRE ANCHOR	ASPHALT	GRAVEL	EASEMENT
5/8" IR FOUND	1" IR FOUND	ELECTRIC BOX	SAN. SEW. MH.	GAS METER	BARBED WIRE FENCE	FIRE LANE STRIPE	BRICK	BOUNDARY
3/8" IR FOUND	1" IP FOUND	BRICK COLUMN	IRRIGATION VALVE	A.C. PAD	IRON FENCE	BRICK RET. WALL	STONE	HIGH BANK LINE
60-D NAIL FOUND	POINT FOR CORNER	STONE COLUMN	WATER VALVE	TRANS. BOX	CHAINLINK FENCE	STONE RET. WALL	WOOD DECK	FEMA FLOOD LINE
PK NAIL SET	CON. MONUMENT	STORM DRAIN MH.	FIRE HYDRANT	P.E. POOL EQUIP.	WOOD FENCE	CON. RET. WALL	BUILDING WALL	HANDICAP SPACE
1/2" IP FOUND	3/4" IP FOUND	SAN. SEW. CO.	LIGHT POLE		PIPE RAIL FENCE	STUC. RET. WALL	TILE	



GENERAL NOTES

1. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

2. ALL BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. (2011)

3. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING AND DRAINAGE ENGINEERING SECTION APPROVAL.

4. THE PURPOSE OF THIS PLAT IS TO CREATE TWO PLATTED LOTS FROM ONE PLATTED LOT.

5. STRUCTURES ON LOT 13A TO BE DEMOLISHED AT LATER DATE. STRUCTURE ON LOT 13B TO BE REMOVED.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Stefanos Smirnis and Beverly Smirnis are the sole owners of Lot 13, Block 9/6220 of Jordan Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 18, Page 247, Deed REcords, Dallas County, Texas, located in the FRANCIS A. WINN SURVEY, ABSTRACT NO. 1578, City of Dallas, Dallas County, Texas, and being the same land described in General Warranty Deed with Vendor's Lien to Stefanos Smirnis and Beverly Smirnis, recorded in Instrument No. 201500332258, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with a 3-1/4" alumuinum disk stamped "SMIRNIS ADDITION, RPLS 5310" set in the South line of Walnut Hill Lane, a 90' wide public right-of-way at the East line of Elmada Lane, a 50' wide public right-of-way, same being the Northwest corner of said Lot 13;

THENCE North 89°15'57" East, along said South line, a distance of 114.62' to a 1/2" iron rod found in the West line of a 15' wide public alley right-of-way;

THENCE South 00°43'23" West, along said West line, a distance of 195.88' to a 1/2" iron rod with a 3-1/4" alumuinum disk stamped "SMIRNIS ADDITION, RPLS 5310" set at the East common corner of said Lot 13 and Lot 12 of said Jordan Addition;

THENCE North 86°28'21" West, along said common line, a distance of 116.47' to a 1/2" iron rod with a 3-1/4" alumuinum disk stamped "SMIRNIS ADDITION, RPLS 5310" set in said East line of Elmada Lane, at the West common corner of said Lots 12 and 13, from which bears a 3/4" iron rod found at North 58°54'59" East, a distance of 0.54' and from which a 5/8" iron rod found bears North 72°56'28" East, a distance of 0.36';

THENCE North 03°31'39" East, along said East line, a distance of 35.79' to a 3/8" iron pipe found at the beginning of a curve to the left having a central angle of 04°15'42", a radius of 1,393.83' and a chord bearing and distance of North 01°23'48" East, 103.65';

THENCE Northerly along said East line and said curve to the left, an arc distance of 103.67' to a 1/2" iron rod with a 3-1/4" alumuinum disk stamped "SMIRNIS ADDITION, RPLS 5310" set for corner;

THENCE North 00°44'03" West, along said East line, a distance of 47.89' to the PLACE OF BEGINNING and containing 21,828 square feet or 0.501 of an acre of land.

SURVEYOR'S CERTIFICATE

I, John S. Turner, A REGISTERED PROFESSIONAL LAND SURVEYOR, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a), (b), (c), (d), & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Witness my hand at Mesquite, Texas,
This _____ day of _____, 20___.

PRELIMINARY, FOR REVIEW PURPOSES ONLY.
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES.

John S. Turner
Registered Professional Land Surveyor #5310

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office,
This _____ day of _____, 20___.

_____
Notary Public in and for The State of Texas

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Stefanos Smirnis and Beverly Smirnis do hereby adopt this plat, designating the herein described property as ***SMIRNIS ADDITION,*** an addition to the City of Dallas, Dallas County, Texas,and does hereby dedicate, in fee simple, to the public use forever any streets, alleys and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the____ day of_____, 20___.

By: _____
Stefanos Smirnis Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Stefanos Smirnis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20___.

_____
Notary Public in and for The State of Texas

WITNESS, my hand at Dallas, Texas, this the____ day of_____, 20___.

By: _____
Beverly Smirnis Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Beverly Smirnis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20___.

_____
Notary Public in and for The State of Texas

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

~ PROPERTY ADDRESS: 3930 WALNUT HILL LANE ~

Owners: Stefanos Smirnis and Beverly Smirnis
~ 4224 Hawthorne Avenue, Dallas, TX 75219 ~
~ 817-975-7235 ~

Job No. 22-1644	Drawn by: 543	Date: 11-4-22	Revised:

"A professional company operating in your best interest"

PRELIMINARY PLAT

SMIRNIS ADDITION
LOTS 13A & 13B, BLOCK 9/6220

BEING A 21,828 SQUARE FEET OR 0.501 OF AN ACRE
IN CITY BLOCK 9/6220
LOCATED IN THE
FRANCIS A. WINN SURVEY, ABSTRACT NO. 1578
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE NO. S223-100
ENGINEERING NO. 311T-____

Agenda Information Sheet

File #: 23-883 **Item #:** 41.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An application to replat a 0.21-acre (9,290 square feet) tract of land containing all of Lots 1 through 4 in City Block 4/2541 to create one lot on property located on Hodge Street, south of C F Hawn Freeway / Interstate Highway 175.
Applicant/Owner: Nabad Properties, LLC
Surveyor: CBG Surveying Texas, LLC
Application Filed: February 24, 2023
Zoning: PD 595 R-5(A)
Staff Recommendation: **Approval**, subject to compliance with the conditions listed in the docket.
Planner: Mohammad Bordbar
Council District: 7
S223-102

powered by Legistar™

CITY PLAN COMMISSION **THURSDAY, MARCH 23, 2023**

FILE NUMBER: S223-102 **CHIEF PLANNER:** Mohammad H. Bordbar

LOCATION: Hodge Street, south on C. F. Hawn Freeway / Interstate Highway No. 175

DATE FILED: February 24, 2023 **ZONING:** PD 595 R-5(A)

PD LINK: https://dallascityhall.com/departments/city-attorney/Articles/PDF/Article%20595.pdf

CITY COUNCIL DISTRICT: 7 **SIZE OF REQUEST:** 0.21-acres **MAPSCO:** 56G

APPLICANT/OWNER: Nabad Properties, LLC

REQUEST: An application to replat a 0.21-acre (9,290 square feet) tract of land containing all of Lots 1 through 4 in City Block 4/2541 to create one lot on property located on Hodge Street, south on C F Hawn Freeway / Interstate Highway 175.

SUBDIVISION HISTORY:

1. S223-086 is a request southwest of the present request to replat a 0.617-acre tract of land containing all of Lot 79A in City Block 2251 to create four lots ranging in size from 6,002 square foot to 8,831 square foot on property located on Colonial Avenue, southeast of Faye Street. The request is scheduled for public hearing on March 23, 2023

2. S201-661 was a request south of the present request to replat a 0.115-acre tract of land containing all of Lots 14 and 15 in City Block 11/2553 to create one lot on property located on Bethurum Avenue, south of Welch Avenue. The request was approved on May 20, 2021 but has not been recorded.

PROPERTY OWNER NOTIFICATION: On March 3, 2023, 30 notices were sent to property owners within 200 feet of the proposed plat.

STAFF RECOMMENDATION: Section 51A-8.503 states that "lots must conform in width, depth, and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development, and taking into consideration the natural topography of the ground, drainage, wastewater facilities, and the proposed layout of the streets."

- The properties to the west and south of the request have no established lot pattern with lot areas ranging in size from 2,500 square feet to 5,000 square feet and lot widths ranging in size from 25 feet to 76 feet are zoned PD 595 R-5(A). (*Please refer to the existing area analysis and aerial map)*

- The existing lots have lot areas ranging from 1,813 square feet to 2,499 square feet and are nonconforming due to the required lot area of minimum 5,000 square feet.

Staff concludes that there is not an established lot pattern in the immediate area of request and the request complies with the requirements of Section 51A-8.503 and the

PD 595 R-5(A); therefore, staff recommends approval of the request subject to compliance with the following conditions:

General Conditions:

1. The final plat must conform to all requirements of the Dallas Development Code, Texas Local Government Code, Texas Land Surveying Practices Act and the General Rules and Regulations of the Texas Board of Land Surveying.
2. Department of Development Services, Engineering Division must verify that the plat conforms with the water, wastewater, and easement requirements under the provisions of Chapter 49 of the Dallas City Code.
3. Compliance with all plans, contracts, ordinances, and requirements of the City of Dallas. *Section 51A-8.102(a), (b), (c), and (d)*
4. The number and location of fire hydrants must comply with the Dallas Fire Code.
5. Any new or existing structure may not extend across new property lines. *Section 51A-8.503(e)*
6. On the final plat, all easement abandonments, and ROW abandonments must be by separate instrument with the recording information shown on the face of the plat. A release from the Real Estate Division is required prior to the plat being submitted to the Chairman for signature.
7. On the final plat, include two boundary corners tagged with these coordinates: "Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on Grid Coordinate values, No Scale and no Projection."
8. On the final plat, monument all set corners per the Monumentation Ordinance. Prior to submittal of the final plat for the Chairman's signature. The monuments must be verified by the Chief City Surveyors Office in the Public Works Department. *Section 51A-8.617*
9. Provide ALL supporting documentation (i.e., deeds, plats, ordinances, easements…etc.) with a completed Final Plat Checklist to the Survey Plat Review Group (**SPRG**) with the Final Plat Submittal **after** City Plan Commission Approval.
10. Prior to the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to an early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is one.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/marking/lighting) prepared per City Standards by a licensed (TX) Professional Engineer to Engineering Division in Room 200, Oak Cliff Municipal Center (i.e., 311T/DP). Additions and alterations to the public infrastructure require approval and may require private development contracts with bonds.51A-8.102 (c); 8.601(b)(4),(5),(6),(7),(8),(9)

13. Detention may be required if the capacity of available outfall is not adequate to carry the developed runoff. Section 51A-8.611(c).

14. Place a note on the final plat stating “Lot-to-Lot drainage will not be allowed without proper City of Dallas Engineering Division approval” 51A 8.611(e)

Right-of way Requirements Conditions:

15. On the final plat, dedicate 28 feet of right-of-way (via fee simple or street easement) from the established centerline of Hodge Street. *Sections 51A-8.602(c), 51A-8.604(c) and 51A-8.611(c).*

16. On the final plat, add the note: “TxDOT approval may be required for any driveway modification or new access point(s).” No citation.

17. Must coordinate with Transportation Department for any traffic signal requirements that are deemed necessary for improving pedestrian accessibility and safety related to site development (Contact Srinivasa Veeramallu with Traffic Signals). *51A-8.606, 51A-8.608*

18. Comply with PD 595 (R-5(A)) *City Code- per PD*

19. If the location is within PD 468, Pd 595, PD 887 then must comply with Form District Article XIII set forth by *City Code 51A-13*.

Survey (SPRG) Conditions:

20. Prior to final plat, submit a completed final plat checklist and all supporting documents.

21. On the final plat, show distances/width across all adjoining right-of-way. Platting Guidelines.

22. On the final plat, show recording information on all existing easements within 150 feet of the property.

23. On the final plat, show all additions or tracts of land within 150 feet of the property with recording information. Platting Guidelines.

24. On the final plat, show or list the prior plat on the map, in the legal description, and/or title block. Platting Guidelines.

Real Estate / Arborist / Street Name / GIS, Lot & Block Conditions:

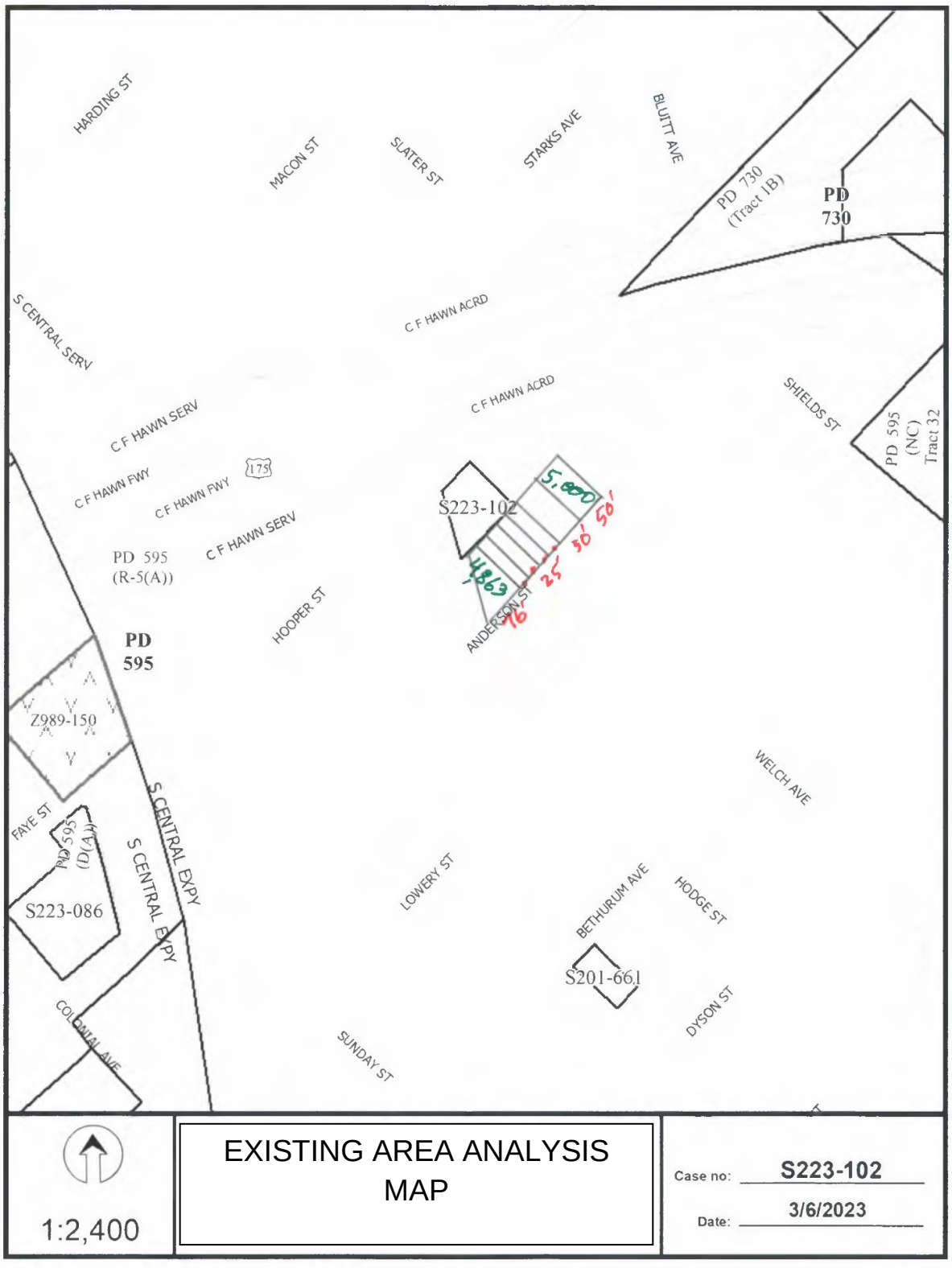
25. On the final plat, change “C.F. Hawn Freeway” to “C.F. Hawn Freeway / U.S. Highway No. 175”. Section 51A-8.403(a)(1)(A)(xii).

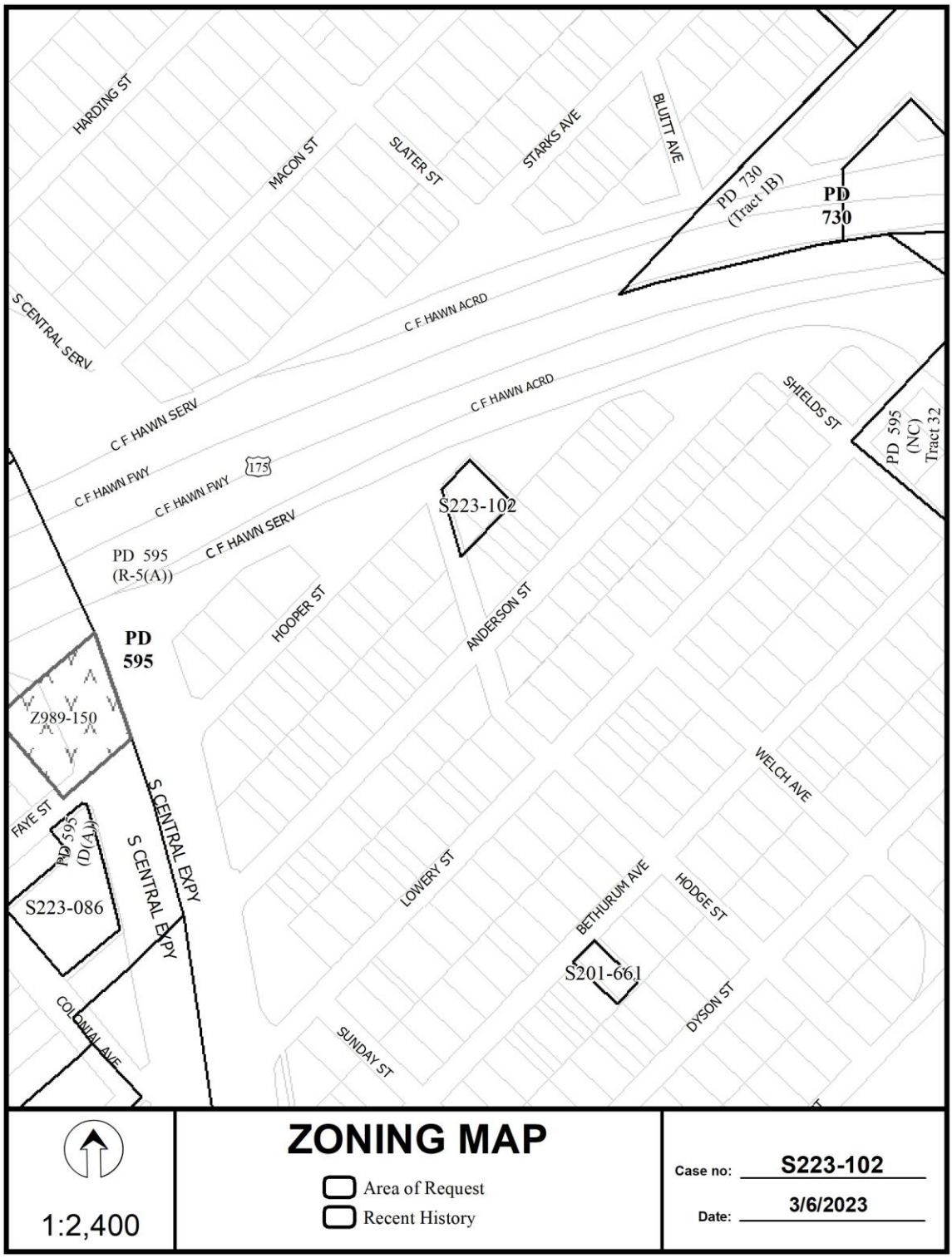
26. On the final plat, change “Hooper Street” to “Hooper Street (A.K.A. Hooper Avenue)”. Section 51A-8.403(a)(1)(A)(xii).

27. On the final plat, change “Anderson Street” to “Anderson Street (A.K.A. Anderson Avenue)”. Section 51A-8.403(a)(1)(A)(xii).

28. On the final plat, change “Hodge Street” to “Hodge Street (F.K.A. Hamilton Avenue)”. Section 51A-8.403(a)(1)(A)(xii).

29. On the final plat, identify the property as Lot 1A in City Block 4/2541. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).


HARDING ST
MACON ST
SLATER ST
STARKS AVE
BLUITT AVE
PD 730 (Tract 1B)
PD 730
S CENTRAL SERV
C F HAWN ACRD
C F HAWN SERV
C F HAWN FWY
175
SHIELDS ST
PD 595 (NC) Tract 32
S223-102
5,800
50'
50'
4863
25'
76'
PD 595 (R-5(A))
HOOPER ST
ANDERSON ST
PD 595
Z989-150
FAYE ST
PD 595 (D(A))
S223-086
S CENTRAL EXPY
LOWERY ST
WELCH AVE
BETHURUM AVE
HODGE ST
S201-661
DYSON ST
COLONIAL AVE
SUNDAY ST
1:2,400
EXISTING AREA ANALYSIS MAP
Case no: S223-102
Date: 3/6/2023


HARDING ST
MACON ST
SLATER ST
STARKS AVE
BLUITT AVE
PD 730 (Tract 1B)
PD 730
S CENTRAL SERV
C F HAWN ACRD
C F HAWN SERV
C F HAWN FWY
175
SHIELDS ST
PD 595 (NC) Tract 32
S223-102
PD 595 (R-5(A))
HOOPER ST
ANDERSON ST
PD 595
Z989-150
S CENTRAL EXPY
FAYE ST
PD 595 (D(A))
S223-086
WELCH AVE
LOWERY ST
BETHURUM AVE
HODGE ST
S201-661
DYSON ST
COLONIAL AVE
SUNDAY ST
ZONING MAP
Area of Request
Recent History
1:2,400
Case no: S223-102
Date: 3/6/2023

AERIAL MAP

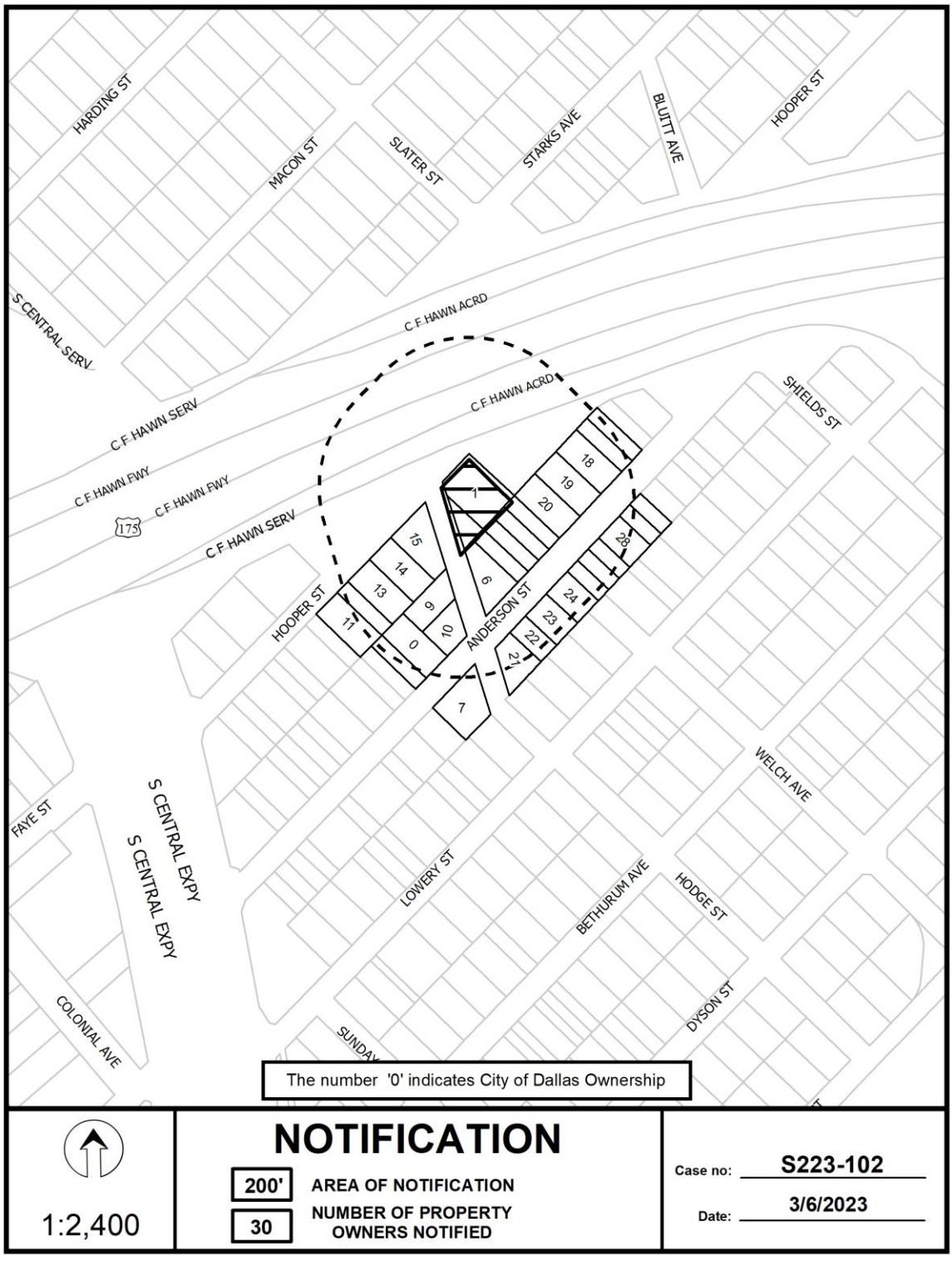
1:2,400

Area of Request

Recent History

Case no: S223-102

Date: 3/6/2023


HARDING ST
MACON ST
SLATER ST
STARKS AVE
BLUITT AVE
HOOPER ST
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C F HAWN SERV
C F HAWN FWY
175
SHIELDS ST
HOOPER ST
ANDERSON ST
FAYE ST
S CENTRAL EXPY
S CENTRAL EXPY
LOWERY ST
BETHURUM AVE
HODGE ST
WELCH AVE
DYSON ST
COLONIAL AVE
SUNDAY
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
30
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: S223-102
Date: 3/6/2023

03/02/2023

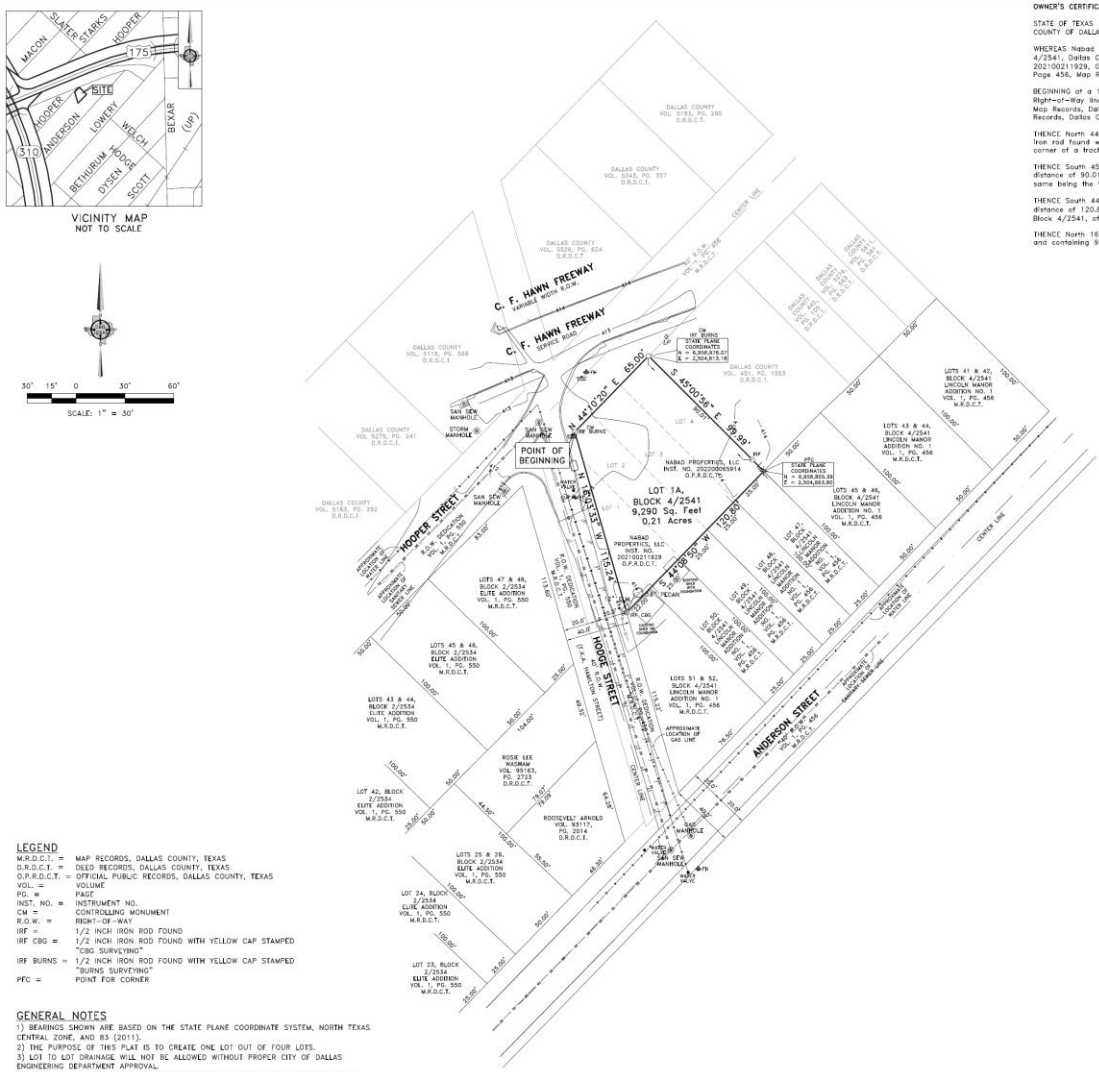
Notification List of Property Owners

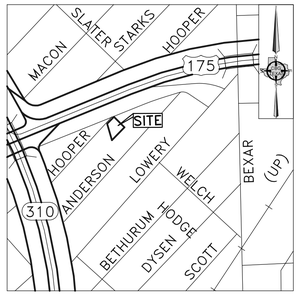
S223-102

30 Property Owners Notified

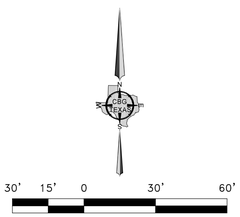
Label #	*Address*		*Owner*
1	5400	HODGE ST	NABAD PROPERTIES LLC
2	2313	ANDERSON ST	BREAUX JOHNNY
3	2311	ANDERSON ST	GARZA MARIA ISABEL &
4	2309	ANDERSON ST	MATURINO JORGE
5	2309	ANDERSON ST	MEDINA ALFREDO A &
6	2307	ANDERSON ST	ALEMAN SONIA
7	2246	ANDERSON ST	MOSLEY CHAPEL CME CHURCH
8	2243	ANDERSON ST	HALL ALEXIS B
9	5411	HODGE ST	WASHAM ROSIE LEE
10	2251	ANDERSON ST	ARNOLD ROOSEVELT
11	2230	HOOPER ST	JORDAN HARRY &
12	2234	HOOPER ST	Taxpayer at
13	2238	HOOPER ST	LEWIS ESTER MARIE
14	2242	HOOPER ST	JONES VERLINE C
15	2246	HOOPER ST	MIDWEST CAP LLC
16	2411	ANDERSON ST	CASTRO AMANDA
17	2409	ANDERSON ST	HODGE GENEVA V
18	2407	ANDERSON ST	Taxpayer at
19	2403	ANDERSON ST	GARZA BALTAZAR ALEMAN
20	2317	ANDERSON ST	FLORES ROBERTO
21	2302	ANDERSON ST	BLACKMON WALTER LEE
22	2304	ANDERSON ST	GARZA BLANCA
23	2308	ANDERSON ST	PATTERSON GLORIA JEAN
24	2312	ANDERSON ST	ARNOLD BRIDGETTE EILEEN
25	2314	ANDERSON ST	FLEMING CHARLES EDWARD &
26	2316	ANDERSON ST	REYES PEDRO

Label #	*Address*		*Owner*
27	2318	ANDERSON ST	CASTILLA BRICELDA
28	2402	ANDERSON ST	WILLIAMS MICHAEL W
29	2406	ANDERSON ST	SPARKS CLIFFORD
30	2406	ANDERSON ST	SPARKS CLIFFORD JR


VICINITY MAP
NOT TO SCALE
SITE
MACON
SLATER
STARKS
HOOPER
175
HOOPER
ANDERSON
LOWERY
WELCH
BEXAR
(UP)
BETHURUM
HODGE
DYSEN
SCOTT
310
SCALE: 1" = 30'
C. F. HAWN FREEWAY
VARIABLE WIDTH R.O.W.
C. F. HAWN FREEWAY
SERVICE ROAD
HOOPER STREET
(F.K.A. WILKINSON STREET)
HODGE STREET
(F.K.A. HAMILTON STREET)
ANDERSON STREET
POINT OF BEGINNING
LOT 1A,
BLOCK 4/2541
9,290 Sq. Feet
0.21 Acres
N 44°10'20" E 65.00'
S 45°00'56" E 99.99'
S 44°08'53" W 120.80'
N 45°51'07" W 115.24'
NABAD PROPERTIES, LLC
INST. NO. 202200065914
O.P.R.D.C.T.
NABAD PROPERTIES, LLC
INST. NO. 202100211939
O.P.R.D.C.T.
STATE PLANE COORDINATES
N = 6,958,805.39
E = 2,504,663.80
LOTS 41 & 42, BLOCK 4/2541 LINCOLN MANOR ADDITION NO. 1 VOL. 1, PG. 456 M.R.D.C.T.
LOTS 43 & 44, BLOCK 4/2541 LINCOLN MANOR ADDITION NO. 1 VOL. 1, PG. 456 M.R.D.C.T.
LOTS 45 & 46, BLOCK 4/2541 LINCOLN MANOR ADDITION NO. 1 VOL. 1, PG. 456 M.R.D.C.T.
LOTS 47 & 48, BLOCK 2/2534 ELITE ADDITION VOL. 1, PG. 550 M.R.D.C.T.
LOTS 45 & 46, BLOCK 2/2534 ELITE ADDITION VOL. 1, PG. 550 M.R.D.C.T.
LOTS 43 & 44 BLOCK 2/2534 ELITE ADDITION VOL. 1, PG. 550 M.R.D.C.T.
LOTS 51 & 52, BLOCK 4/2541 LINCOLN MANOR ADDITION NO. 1 VOL. 1, PG. 456 M.R.D.C.T.
LOT 42, BLOCK 2/2534 ELITE ADDITION VOL. 1, PG. 550 M.R.D.C.T.
LOT 24, BLOCK 2/2534 ELITE ADDITION VOL. 1, PG. 550 M.R.D.C.T.
LOTS 25 & 26, BLOCK 2/2534 ELITE ADDITION VOL. 1, PG. 550 M.R.D.C.T.
LOT 23, BLOCK 2/2534 ELITE ADDITION VOL. 1, PG. 550 M.R.D.C.T.
ROSIE LEE WORMAN VOL. 95183, PG. 2723 D.R.D.C.T.
ROOSEVELT, ARNOLD VOL. 83117, PG. 2014 D.R.D.C.T.
DALLAS COUNTY VOL. 5181, PG. 290 D.R.D.C.T.
DALLAS COUNTY VOL. 5345, PG. 357 D.R.D.C.T.
DALLAS COUNTY VOL. 5526, PG. 624 D.R.D.C.T.
DALLAS COUNTY VOL. 5118, PG. 566 D.R.D.C.T.
DALLAS COUNTY VOL. 451, PG. 1553 D.R.D.C.T.
DALLAS COUNTY VOL. 5275, PG. 241 D.R.D.C.T.
DALLAS COUNTY VOL. 5185, PG. 292 D.R.D.C.T.
DALLAS COUNTY VOL. 5181, PG. 290 D.R.D.C.T.
DALLAS COUNTY VOL. 5345, PG. 357 D.R.D.C.T.
DALLAS COUNTY VOL. 451, PG. 1553 D.R.D.C.T.
DALLAS COUNTY VOL. 5181, PG. 290 D.R.D.C.T.
SAN SEW MANHOLE
STORM MANHOLE
WATER VALVE
FIRE HYDRANT
POWER POLE
GUY WIRE
CM BY BURNS
STATE PLANE COORDINATES
N = 6,958,876.07
E = 2,504,815.18
CM
CBG
CENTER LINE
APPROXIMATE LOCATION OF GAS LINE
APPROXIMATE LOCATION OF WATER LINE
APPROXIMATE LOCATION OF SANITARY SEWER LINE
OVERHEAD UTILITY LINE
50' R.O.W. DEDICATION VOL. 1, PG. 456 M.R.D.C.T.



VICINITY MAP
NOT TO SCALE



SCALE: 1" = 30'

LEGEND

M.R.D.C.T. =	MAP RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T. =	DEED RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T. =	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
VOL. =	VOLUME
PG. =	PAGE
INST. NO. =	INSTRUMENT NO.
CM =	CONTROLLING MONUMENT
R.O.W. =	RIGHT-OF-WAY
IRF =	1/2 INCH IRON ROD FOUND
IRF CBG =	1/2 INCH IRON ROD FOUND WITH YELLOW CAP STAMPED "CBG SURVEYING"
IRF BURNS =	1/2 INCH IRON ROD FOUND WITH YELLOW CAP STAMPED "BURNS SURVEYING"
PFC =	POINT FOR CORNER

GENERAL NOTES

1) BEARINGS SHOWN ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE, AND 83 (2011).
2) THE PURPOSE OF THIS PLAT IS TO CREATE ONE LOT OUT OF FOUR LOTS.
3) LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DEPARTMENT APPROVAL.
4) ANY STRUCTURE NEW OR EXISTING MAY NOT EXTEND ACROSS NEW PROPERTY LINES.
5) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Nabad Properties, LLC are the owners of a 0.21-acre tract of land situated in the John M. Crockett Survey, Abstract No. 353, City of Dallas Block 4/2541, Dallas County, Texas, same being the tracts of land conveyed to Nabad Properties, LLC by deeds recorded in Instrument No. 202200065914 & 202100211929, Official Public Records, Dallas County, Texas, same being Lots 1-4, Block 4/2541, of Lincoln Manor Addition No. 1, recorded in Volume 1, Page 456, Map Records, Dallas County, Texas;

BEGINNING at a 1/2 inch iron rod found with a yellow cap stamped "Burns Surveying" for corner, said corner being at the intersection of the Northeast Right-of-Way line of Hodge Street (a 40 foot Right-of-Way) recorded in Volume 1, Page 456, Map Records, Dallas County, Texas and Volume 1, Page 550, Map Records, Dallas County, Texas, and the Southeast Right-of-Way line of Hooper Street (a 40 foot Right-of-Way) recorded in Volume 1, Page 456, Map Records, Dallas County, Texas;

THENCE North 44 degrees 10 minutes 20 seconds East, along the Southeast Right-of-Way line of said Hooper Street, a distance of 65.00 feet to a 1/2-inch iron rod found with a yellow cap stamped "Burns Surveying" for corner, said corner lying along the Southeast line of said Hooper Street, same being the West corner of a tract of land conveyed to Dallas County, by deed recorded in Volume 451, Page 1553, Deed Records, Dallas County, Texas,

THENCE South 45 degrees 00 minutes 56 seconds East, along the Southwest line of said Dallas County tract, passing a 1/2-inch iron rod found at a distance of 90.01 feet, and continuing a total distance of 99.99 feet to a point for corner, said corner being the South corner of said Dallas County tract, same being the West corner of Lot 46, Block 4/2541, of said Lincoln Manor Addition No. 1;

THENCE South 44 degrees 08 minutes 50 seconds West, along the Northwest property line of Lot 47, Block 4/2541, of said Lincoln Manor Addition No.1, a distance of 120.80 feet, to a 1/2-inch iron rod found with a yellow cap stamped "CBG Surveying" for corner, said corner being the West corner of Lot 52, Block 4/2541, of said Lincoln Manor Addition No. 1, same lying along the Northeast line of said Hodge Street;

THENCE North 16 degrees 03 minutes 33 seconds West, along the Northeast line of said Hodge Street, a distance of 115.24 feet to the POINT OF BEGINNING and containing 9,290 square feet or 0.21 acres of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Harun Hersi, representative of Nabad Properties, LLC, does hereby adopt this plat, designating the herein described property as **HODGE ADDITION** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2023.

BY: _____
Nabad Properties, LLC (Owner)
Harun Hersi (Agent)

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day appears Harun Hersi known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2023.

_____
Notary Public in and for Dallas County, Texas.

SURVEYOR'S STATEMENT:

I, Bryan Connally, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance no. 19455, as amended) , and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the_____ day of _____, 2023.

RELEASED FOR REVIEW 02/23/2023 PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally
Texas Registered Professional Land Surveyor No. 5513

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Bryan Connally known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2023.

_____
Notary Public in and for the State of Texas

FINAL REPLAT
HODGE ADDITION
LOT 1A, BLOCK 4/2541,
A REPLAT OF LOTS 1-4, BLOCK 4/2541,
LINCOLN MANOR ADDITION NO. 1
LAND SITUATED IN THE JOHN M.
CROCKETT SURVEY, ABSTRACT NO. 353
CITY PLAN FILE NO. S223-102

OWNER: NABAD PROPERTIES, LLC
1908 GALLAGHER STREET
DALLAS, TX, 75212
PHONE: 832-744-3233
EMAIL: HARUN.HERSI@GMAIL.COM

CBG SURVEYING TEXAS LLC
PROFESSIONAL LAND SURVEYORS
PLANNING & SURVEYING
Main Office
1413 East I-30, Ste. 7
Garland, TX 75043
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxllc.com

SCALE: 1"=30' / DATE: 02/23/2023 / JOB NO. 2220828 / DRAWN BY: ANR

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-884 **Item #:** 42.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

An appeal of the Landmark Commission's decision of denial without prejudice to demolish primary residential structure using standard, structure poses an imminent threat to public health or safety.
Staff Recommendation: **Denial without prejudice.**
Landmark Commission Recommendation: **Denial without prejudice.**
Planner: Rhonda Dunn
Council District: 4
Location: 338 S. Fleming Avenue
CD223-003(RD)

powered by Legistar™

THE RECORD

338 S Fleming Avenue
APPEAL
CD223-003(RD)

City Plan Commission
Hearing
03/23/2023

INDEX

338 S Fleming Avenue CD223-003(RD)

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SECTION 1

Certificate of Demolition

338 S Fleming Avenue
CD223-003(RD)

Certificate for Demolition and Removal (CD)
City of Dallas Landmark Commission

CD 223.003RD 1

1 Name of Applicant **Randy Shear**

MAILING Address 7027 Gaston Parkway City Dallas State TX Zip 75214
Daytime Phone 214.914.9969 Alternate Phone
Relationship of Applicant to Owner architectural designer

ADDRESS OF PROPERTY TO BE DEMOLISHED 338 S. Fleming Ave Zip 75203
Historic District 10-Tenth Street District

Proposed Work:

2 Indicate which demolition standard you are applying (choose one option ONLY)
- ☐ Replace with more appropriate/compatible structure
- ☐ No economically viable use
- ☑ Imminent threat to public health / safety
- ☐ Demolition requested/ordered because of lower priority of significance
- ☐ Intent to apply for certificate of demolition pursuant to Ch. 54 of the Texas Occ. Code

Certificate of Demolition for residential structures with no more than 3,000 square feet of floor area pursuant to a court order

3 Describe work and submit required documents for the demolition standard you are applying (see checklist)

Bedrock Report 01Oct21. Photographs of current condition- maintenance repairs
Study regarding the costs of restoration in place, architectural analyses of current condition

Application Deadline:

This form must be completed before the Dallas Landmark Commission can consider the approval of any demolition or removal of a structure within a Historic District. This form along with any supporting documentation must be filed by the first Thursday of each month by 12:00 Noon so it may be reviewed by the Landmark Commission on the first Monday of the following month. 1500 Marilla 5BN Dallas, Texas 75201 (See official calendar for exceptions to deadline and meeting dates).

Use Section 51A-3.103 OF THE Dallas City Code and the enclosed checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner at 214-670-4209 to make sure your application is complete.

Other: In the event of a denial, you have the right to an appeal. You are encouraged to attend the Landmark Commission hearing the first Monday of each month. Information regarding the review of certificates for individual addresses is also available for review.

4 Signature of Applicant [signature] Date November 23rd. 2022

5 Signature of Owner [signature] Date November 23rd. 2022
(IF NOT APPLICANT)

Review the enclosed Review and Action Form.
Memorandum to the Building Official: a Certificate for Demolition and Removal has been

- ☐ APPROVED. Please release the building permit.
- ☐ APPROVED WITH CONDITIONS. Please release the building permit in accordance with any conditions.
- ☐ DENIED. Please do not release the building permit for the above work.
- ☑ DENIED WITHOUT PREJUDICE. Please do not release the building permit at this time.

Rhonda Dunn 1/9/2023
Office of Historic Preservation Date

NOTE: THIS APPLICATION WILL EXPIRE 180 DAYS AFTER THE APPROVAL DATE.

Affidavit

Before me the undersigned on this day personally appeared [illegible] who on his or her oath certifies that the statements contained in the application for a certificate of demolition and removal are true and correct to the best of his or her knowledge and that he or she is the owner, principle, or authorized representative of the subject property.

[signature]
Affiant's signature

Subscribed and sworn to before me this [illegible] day of [illegible], 20[illegible]

[signature]
Notary Public

[illegible]

RECEIVED BY [signature]

JAN 09 2023

Office of Historic Preservation (OHP)

SHEAR [illegible]

SECTION 2

Landmark Commission Agenda

January 9, 2023

See Page 13 - 14 Item #4

specifications dated 1/9/23 with the following condition: that exterior casing of front gable window be painted white. Implementation of the recommended condition would allow the proposed work to be consistent with preservation criterion Section 3.7 pertaining to facades; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.

6. That the request for a Certificate of Appropriateness to alter front facade fenestration: add one window and one door; shift existing door to the left be denied without prejudice. The proposed work is inconsistent with preservation criteria Sections 3.10 and 3.11 pertaining to fenestration and openings; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.

Task Force Recommendation:

1. No quorum -- Comments only. Non-supportive, not in compliance with district's ordinance regarding fencing height and location.
2. No quorum -- Comments only: Non-supportive. Parking is not allowed in the front of the property. Applicant must replace the gravel with grass, replace the sidewalk from the front porch to the city sidewalk, and replace the ribbon driveway.
3. No quorum -- Comments only: Non-supportive. Alteration is inconsistent with the architectural features of the house.
4. No quorum -- Comments only. Supportive with the condition that applicant must provide a sample and that sample must be within the guidelines of the Munsell color chart.
5. No quorum -- Comments only. Supportive with the condition that trim in the front gable shall also be painted white.
6. No quorum -- Comments only. Non-supportive, the new door and window as well as the relocation of the original door has negatively altered the solid to void ratio of this house.

4. 338 S FLEMING AVE
Tenth Street Neighborhood Historic District
CD223-003(RD)
Rhonda Dunn

Request:
A Certificate of Demolition to demolish primary residential structure.
Applicant: Shear, Randy
Application Filed: 12/1/22
Staff Recommendation:

That the request for a Certificate of Demolition to demolish primary residential structure be denied without prejudice. The proposed work is inconsistent with the standards in City Code Section 51A-4.501(h)(4)(C).

Task Force Recommendation:

That the request for a Certificate of Demolition to demolish primary residential structure be denied without prejudice.

5. 3714 DUNBAR ST

Wheatley Place Historic District
CA223-135(RD)
Rhonda Dunn

Request:

1. A Certificate of Appropriateness to alter fenestration on protected facades, including modifying window openings and removal of side entry door.
2. A Certificate of Appropriateness to replace existing windows with vinyl framed windows.
3. A Certificate of Appropriateness to replace missing skirting (more than 50 percent).
4. A Certificate of Appropriateness to replace exterior doors: front, side, and rear.

Applicant: Ruiz-Gutierrez, Marcela

Application Filed: 12/1/22

Staff Recommendation:

1. That the request for a Certificate of Appropriateness to alter fenestration on protected facades, including modifying window openings and removal of side entry door be denied without prejudice. The proposed work is inconsistent with preservation criteria Section 4.1(b) pertaining to protected facades and Section 5.7 pertaining to windows and doors; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.
2. That the request for a Certificate of Appropriateness to replace existing windows with vinyl framed windows be denied without prejudice. The proposed work is inconsistent with preservation criterion Section 5.3 pertaining to windows and doors; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.
3. That the request for a Certificate of Appropriateness to replace missing skirting (more than 50 percent) be approved in accordance with specifications dated 1/9/23 with the following condition: that replacement material be impervious to moisture and rot; the existing skirting is aluminum. Implementation of the recommended condition would allow the proposed work to be consistent with preservation criteria Section 4.1(b) pertaining to

SECTION 3

CD223-003(RD)
Docket Material

CITY OF DALLAS

LANDMARK COMMISSION **JANUARY 9, 2023**

FILE NUMBER: CD223-003(RD)
LOCATION: 338 S. Fleming Ave.
STRUCTURE: Non-Contributing
COUNCIL DISTRICT: 4
ZONING: PD-388

PLANNER: Rhonda Dunn, Ph.D.
DATE FILED: December 1, 2022
DISTRICT: Tenth Street Neighborhood
MAPSCO: 55-E
CENSUS TRACT: 0041.00

APPLICANT: Shear, Randy

REPRESENTATIVE: N/A

OWNER: Bristow, Annemarie

REQUEST
A Certificate of Demolition (CD) is requested to:

- Demolish primary residential structure.

BACKGROUND / HISTORY:

The subject property is a one-story, wood-framed cottage presently zoned as commercial; identified as non-contributing to the Tenth Street Neighborhood Historic District.

Previous applications for Certificates of Appropriateness (and/or Demolition) filed for this property that are pertinent to this CD include:

Case Number	Review Type	Date	Owner	Decision
CD212-006(MP)	Standard	12/6/2021	Jara, Karen	
• Demolish a noncontributing structure using the standard "replace with more appropriate/compatible structure".				Denied without prejudice
CA212-066(MP)	Standard	12/6/2021	Jara, Karen	
• Construct a single-story main structure.				Denied without prejudice

CA212-367(MGM)	Standard	6/6/2022	Jara, Refugio	
• Construct a new residence.				Approved with conditions
CD212-014(MGM)	Standard	8/1/2022	Bristow, Annemarie	
• Demolish existing residence. Standard: "replace with more appropriate/compatible structure".				Denied without prejudice

RELEVANT DALLAS CITY CODE:

Section 51A-4.501(h)(4)(C)

The landmark commission must deny an application to demolish or remove a structure that poses an imminent threat to public health or safety unless it finds that:

(i) the structure constitutes a documented major and imminent threat to public health and safety;

(ii) the demolition or removal is required to alleviate the threat to public health and safety; and

(iii) there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.

PROJECT DESCRIPTION AND ANALYSIS:

The applicant is requesting to demolish a one-story, wood-framed residential building based on the premise, "the structure poses an imminent threat to public health or safety." The structure however is sited on private property secured by pad-locked chain link gates, with a "No Trespassing" sign installed on the encircling fence; a sign clearly visible, from the public right of way.

Staff has been in communication with the owner's daughter and representative regarding future plans for rehabilitation and adaptive reuse, of the existing building. Furthermore, the owner has applied for grant funds available to homeowners of the Tenth Street Historic District; funds earmarked for home repair and administered by the City of Dallas Housing and Neighborhood Revitalization Program. [Presently, the owner is on the waiting list for funding.]

Given that the public does not have access to the subject property and the owner's current plans for adaptive reuse, demolition due to imminent threat to public health or safety is not appropriate, at this time.

STAFF RECOMMENDATION:

That the request for a Certificate of Demolition to demolish primary residential structure be denied without prejudice. The proposed work is inconsistent with the standards in City Code Section 51A-4.501(h)(4)(C).

TASK FORCE RECOMMENDATION:

That the request for a Certificate of Demolition to demolish primary residential structure be denied without prejudice.

SITE MAP
338 S Fleming Ave.

The yellow rectangle highlights 338 S Fleming Ave. The orange shading denotes Tenth Street Neighborhood coverage. *Basemap Source: Google Earth*

CURRENT PHOTO
338 S Fleming Ave.

Subject property. Front: west elevation. Depicts encompassing locked, chain-link fence. ***Source: Google Maps (May 2022).***

ATTACHMENTS:

- **Task Force Recommendation Form**
- **Certificate of Appropriateness Application**

TASK FORCE
RECOMMENDATION(S)
338 S FLEMING AVE

TASK FORCE RECOMMENDATION REPORT
WHEATLEY PLACE / TENTH STREET

DATE: **12/6/2022**
TIME: **4:00 pm**
MEETING PLACE: **Preservation Dallas/Videoconference**

Applicant Name: Anne Marie Bristow
Address: 338 S Fleming Ave (Tenth St Neighborhood HD)
Date of CA/CD Request: 12/1/2022

RECOMMENDATION:

____ Approve_____Approve with conditions ____Deny ✓ Deny without prejudice

Recommendation / comments/ basis:

CA Deny without prejudice (waiting on footing application

Task force members present

✓ Brenda Gonzalez ____ Connie Reyes ____
✓ Larry Johnson ✓ Barbara Wheeler ____
____ Kathleen Lenihan ____

Ex Officio staff members Present: ✓ Dr. Rhonda Dunn

Simple Majority Quorum: ____ yes____ no (three makes a quorum; no more than seven can vote)

Maker: Johnson
2nd: Bradford
Task Force members in favor: 3
Task Force members opposed:
Basis for opposition:

CHAIR, Task Force Barbara Wheeler DATE 12/6/2022

The task force recommendation will be reviewed by the landmark commission in Briefing Room 6ES, starting with a Staff briefing. The Landmark Commission public hearing begins at 1:00 pm in Room 6ES, which allows the applicant and citizens to provide public comment.

Discussion Item #4: 338 S Fleming Ave.

District: Tenth Street

Request(s)

A Certificate of Demolition (CD) is requested to:

- Demolish primary residential structure.

Staff Recommendation(s)

- Deny without prejudice.

Task Force Recommendation(s)

- Deny without prejudice.

Background/History

Case Number	Review Type	Date	Owner	Decision
CD212-006(MP)	Standard	12/6/2021	Jara, Karen	
Demolish a noncontributing structure. Standard: "replace with more appropriate/compatible structure".				Denied without prejudice
CA212-066(MP)	Standard	12/6/2021	Jara, Karen	
Construct a single-story main structure.				Denied without prejudice
CA212-367(MGM)	Standard	6/6/2022	Jara, Refugio	
Construct a new residence.				Approved with conditions
CD212-014(MGM)	Standard	8/1/2022	Bristow, Annemarie	
Demolish existing residence. Standard: "replace with more appropriate/compatible structure".				Denied without prejudice

LOCATION MAP

338 S Fleming Ave

Basemap Source: Google Earth

Red rectangle denotes current property lines. Source: 1922 Sanborn Map

Subject Property

West elevation. Structure's orientation is due south.

Source: Google Maps (04/2022)

Demolish Primary Residential Structure

Standard: The structure poses an imminent threat to public health or safety.

Section 51A-4.501(h)(4)(C) [Dallas City Code]

The landmark commission must deny an application to demolish or remove a structure that poses an imminent threat to public health or safety unless it finds that:

(i) the structure constitutes a documented major and imminent threat to public health and safety;

(ii) the demolition or removal is required to alleviate the threat to public health and safety; and

(iii) there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.

Staff Recommendation(s):

That the request for a Certificate of Demolition to demolish primary residential structure be denied without prejudice. The proposed work is inconsistent with the standards in City Code Section 51A-4.501(h)(4)(C).

QUESTIONS

Certificate for Demolition and Removal CD Application

Imminent threat to public health/safety

338 S. Fleming Ave. Dallas Texas

TENTH STREET HISTORICAL DISTRICT
NON-CONTRIBUTING/COMMERICAL PROPERTY

Re-submitted November 29th 2022

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338 S. Fleming Ave-Historical Survey-Existing Property Status-Non Contributing

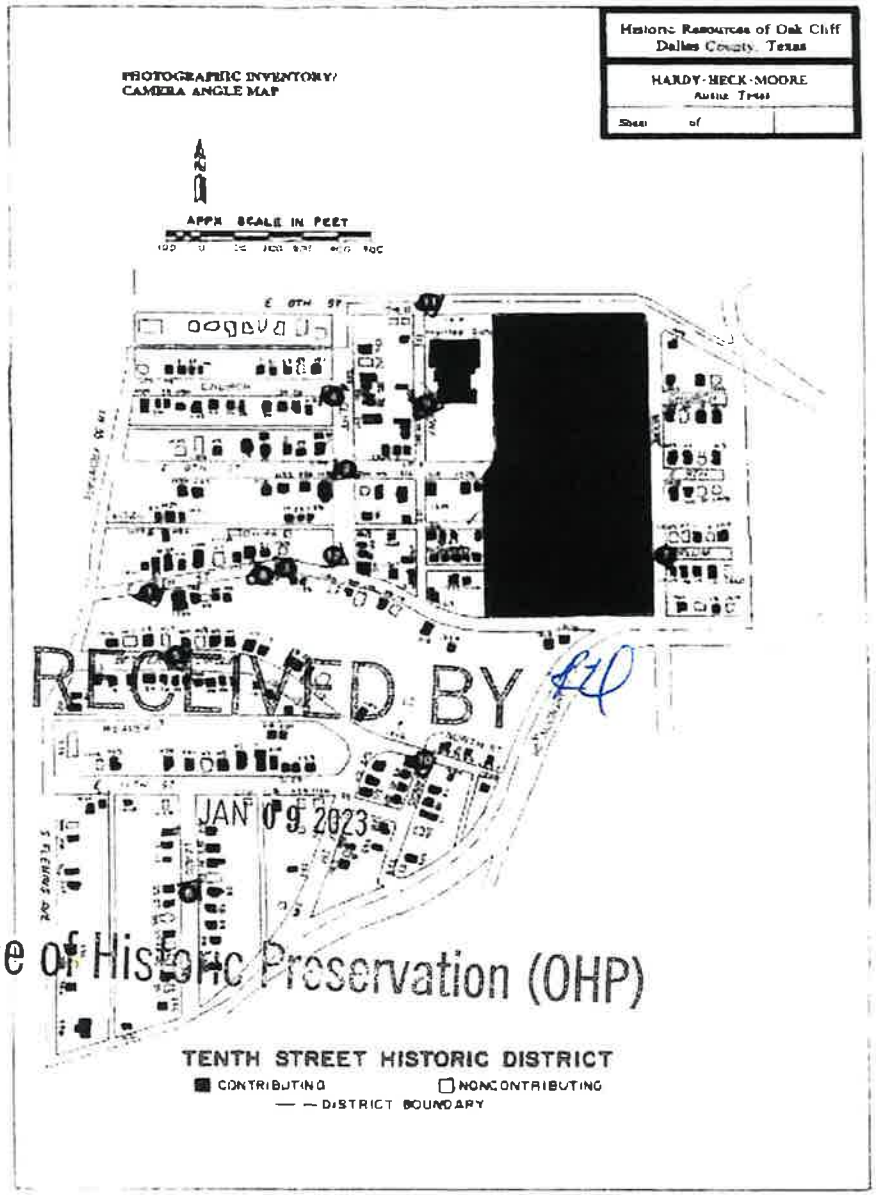
United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number 7 Page 6

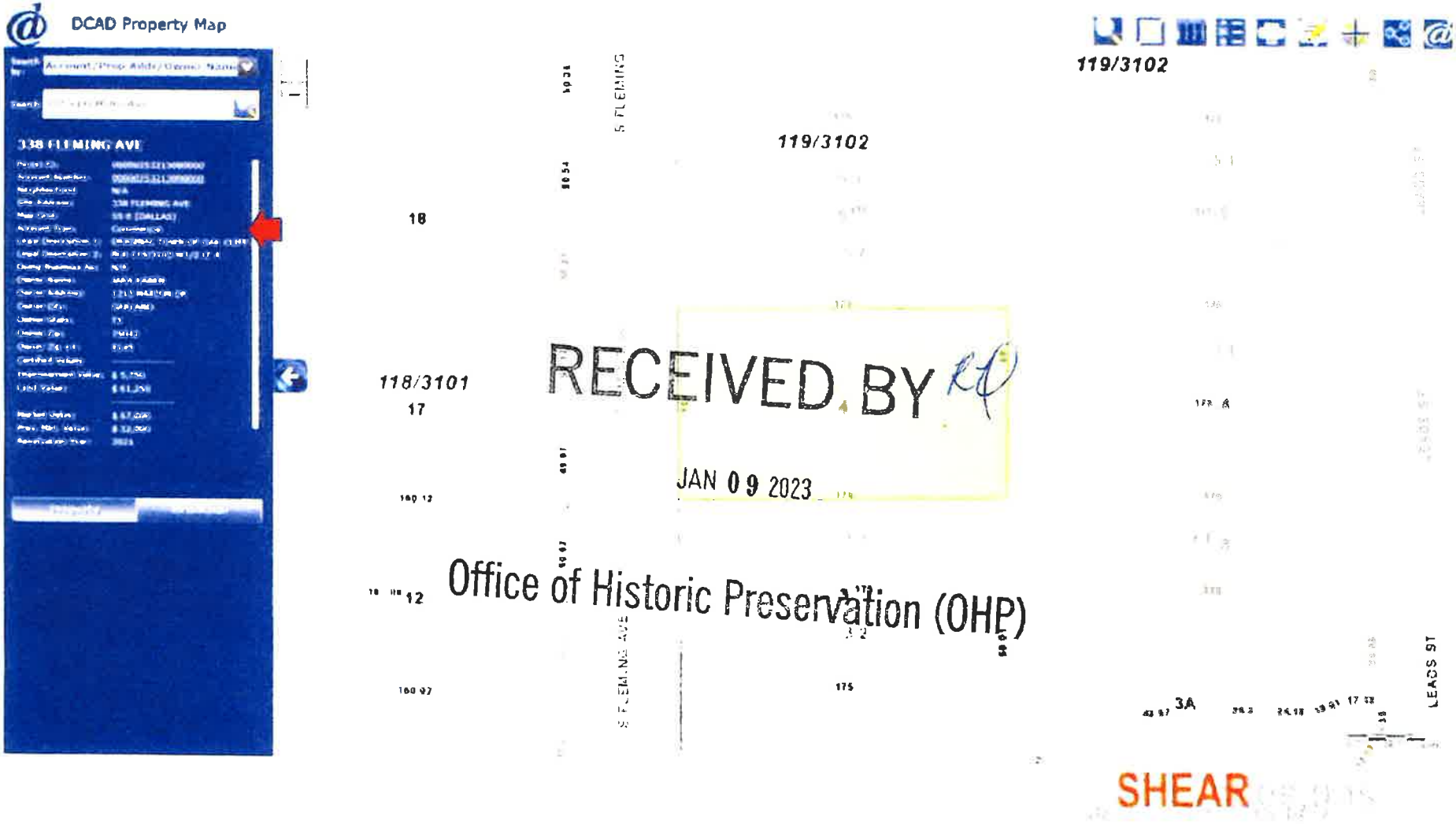
Tenth Street Historic District (Oak Cliff MPS) Dallas, Dallas County, Texas

L7 -1668	1121	E	Eleventh	Contributing	1923	Residence
L7 -1660	1125	E	Eleventh	Contributing	1930	Residence
L7 -1676	1126	E	Eleventh	Noncontributing	1930	Residence
	1129	E	Eleventh	Contributing		
L7 -1677	1134	E	Eleventh	Noncontributing	1930	Residence
	300	S	Fleming	Contributing		
	310	S	Fleming	Contributing		
	320	S	Fleming	Noncontributing garage	1944	
L7 -7256	304	S	Fleming	Noncontributing	1930	Residence
L7 -7257	308	S	Fleming	Contributing	1923	Residence
L7 -7256	316	S	Fleming	Contributing	1923	Residence
L7 -7255	322	S	Fleming	Contributing	1925	Residence
L7 -7254	324	S	Fleming	Contributing	1923	Residence
L7 -7253	328	S	Fleming	Noncontributing	1925	Residence
L7 -7252	334	S	Fleming	Contributing	1925	Residence
L7 -7251	340	S	Fleming	Contributing	1938	Institutional
L7 -7651	321		Lancaster	Contributing	1923	Residence
L7 -7650	323		Lancaster	Contributing	1925	Residence
L7 -7654	324		Lancaster	Contributing	1925	Residence
L7 -7655	328		Lancaster	Contributing	1925	Residence
L7 -7649	327		Lancaster	Contributing	1923	Residence
L7 -7648	329		Lancaster	Contributing	1923	Residence
L7 -7654	332		Lancaster	Contributing	1925	Residence
L7 -7653	336		Lancaster	Noncontributing	1923	Residence
L7 -7647	335		Lancaster	Contributing	1930	Residence
L7 -7653	334		Lancaster	Contributing	1925	Residence
L7 -7644	335		Lancaster	Contributing	1942	Residence
	339		Lancaster	Noncontributing garage	1944	
L7 -7581	316		Leeds	Contributing	1930	Residence
L7 -7572	311		Leeds	Contributing	1925	Residence
L7 -7580	312		Leeds	Contributing	1923	Residence
L7 -7571	315		Leeds	Contributing	1923	Residence
L7 -7579	316		Leeds	Contributing	1930	Residence
L7 -7578	317		Leeds	Contributing	1930	Residence
L7 -7570	320		Leeds	Noncontributing	1930	Residence
L7 -7577	324		Leeds	Contributing	1925	Residence
L7 -7569	323		Leeds	Contributing	1923	Residence
L7 -7576	328		Leeds	Contributing	1930	Residence
L7 -7568	327		Leeds	Contributing	1925	Residence
L7 -7567	333		Leeds	Noncontributing	1930	Residence
L7 -7573	334		Leeds	Contributing	1930	Residence
L7 -7566	338		Leeds	Contributing	1925	Residence
L7 -7574	336		Leeds	Contributing	1930	Residence
L7 -7575	341		Leeds	Noncontributing	1930	Residence
L7 -7564	345		Leeds	Noncontributing	1930	Residence
L7 -7573	348		Leeds	Contributing	1930	Residence
L7 -7563	349		Leeds	Contributing	1930	Residence
L7 -7562	351		Leeds	Noncontributing	1925	Residence
L7 -7561	359		Leeds	Contributing	1925	Residence
	1000	E	Ninth	Noncontributing		
L7 -1681	1100	E	Ninth	Contributing	1930	Residence
L7 -1682	1102	E	Ninth	Contributing	1930	Residence
L7 -1617	1108	E	Ninth	Noncontributing	1930	Commercial Building
L7 -1618	1106	E	Ninth	Contributing	1930	Residence
L7 -1619	1113	E	Ninth	Contributing	1930	Residence
L7 -1688	1114	E	Ninth	Contributing	1923	Residence
L7 -1630	1119	E	Ninth	Contributing	1925	Residence
L7 -1631	1121	E	Ninth	Contributing	1930	Residence
L7 -1684	1122	E	Ninth	Contributing	1910	Residence
L7 -1685	1124	E	Ninth	Contributing	1930	Residence
L7 -1632	1125	E	Ninth	Contributing	1930	Residence
L7 -1633	1129	E	Ninth	Contributing	1930	Residence

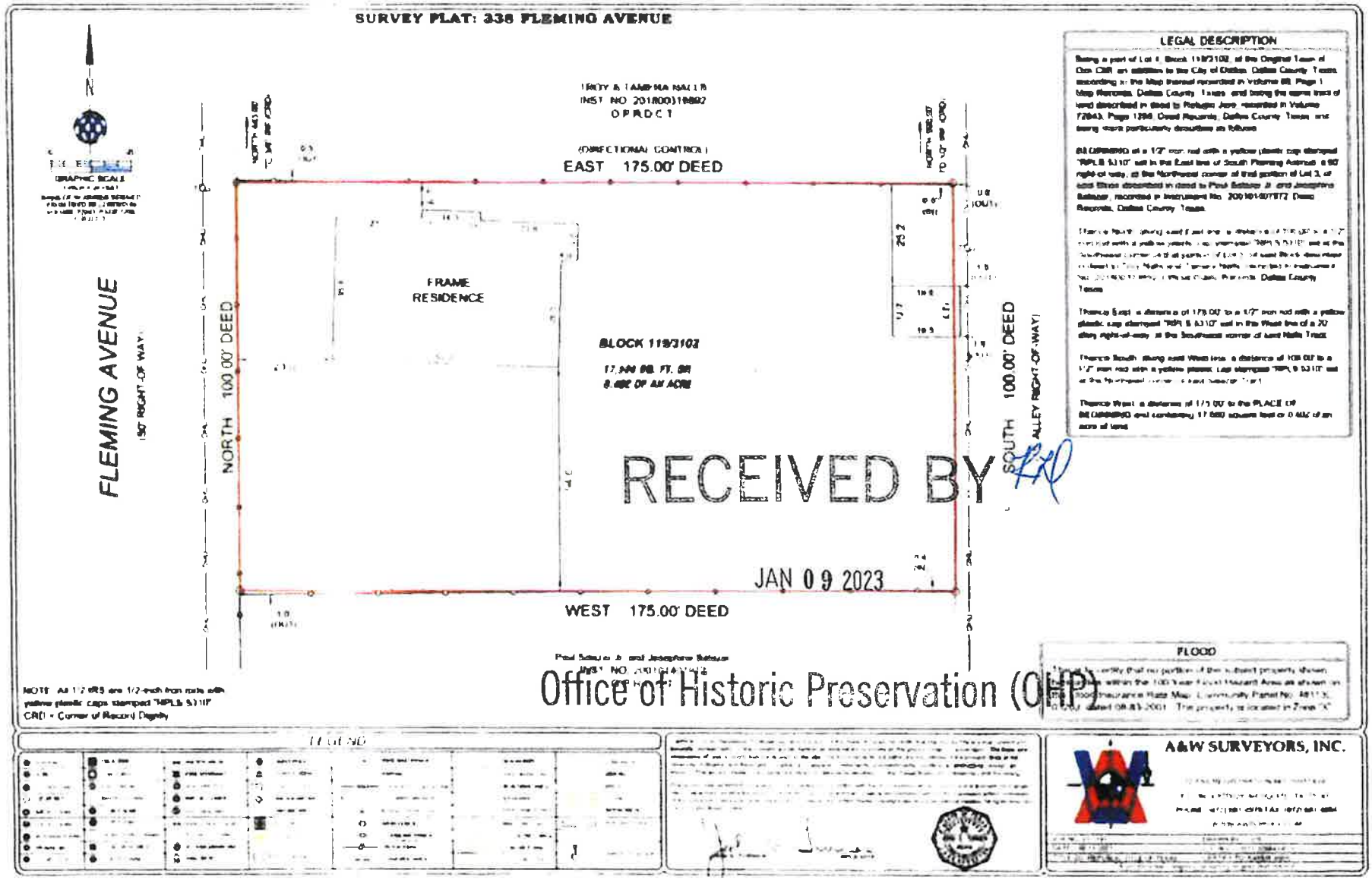


338 S. Fleming Ave- DCAD Property Map-
Account Type COMMERCIAL-Dallas Appraisal Re Evaluation Map 2021

Note: As of DCAD Map had experience a cyber attack so this plate is not up to date



338 S. Fleming Ave-Survey Plat Plan



338 S. Fleming Ave-1922 Sanborn Insurance Map + Tenth Streets District

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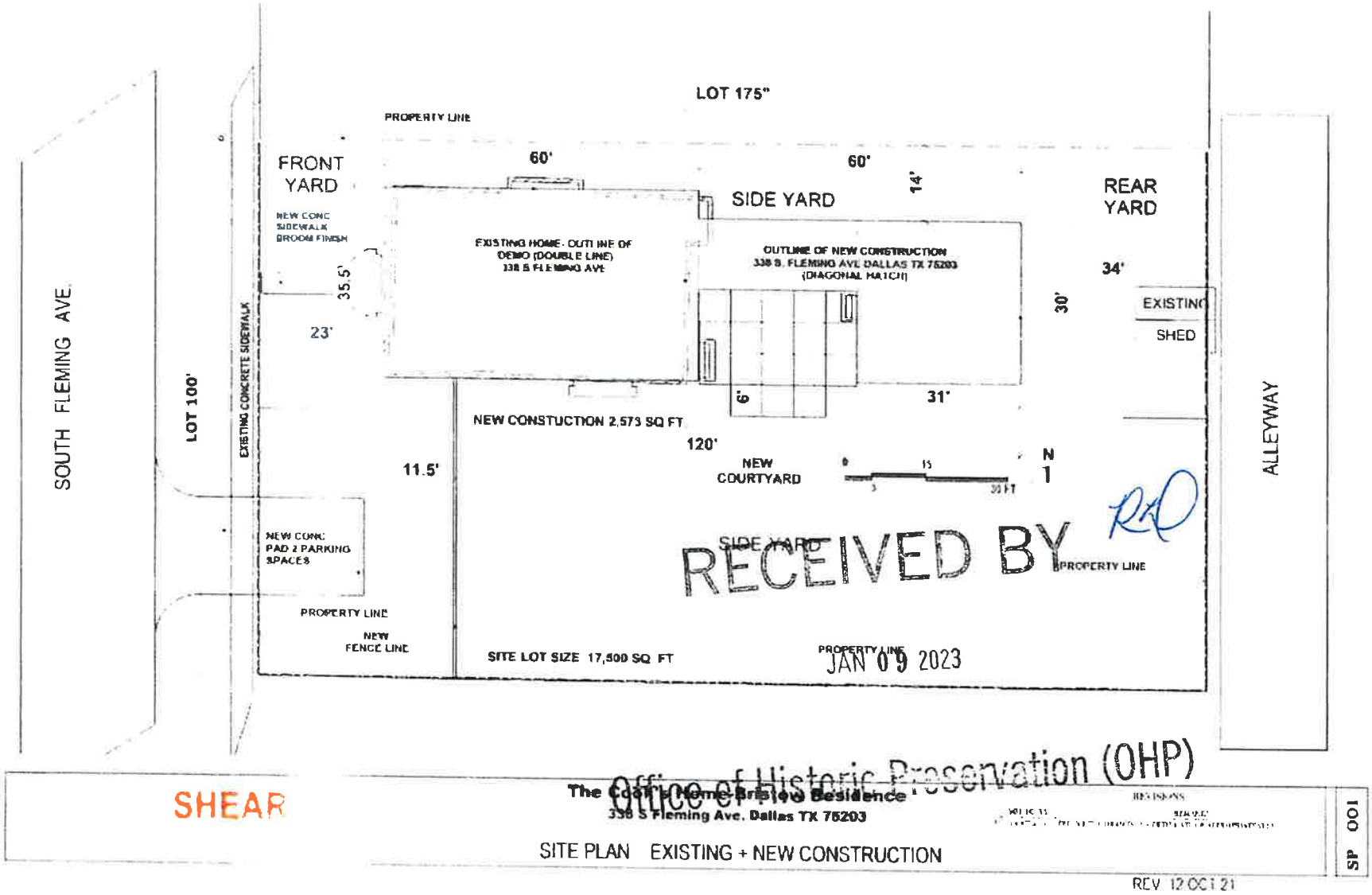
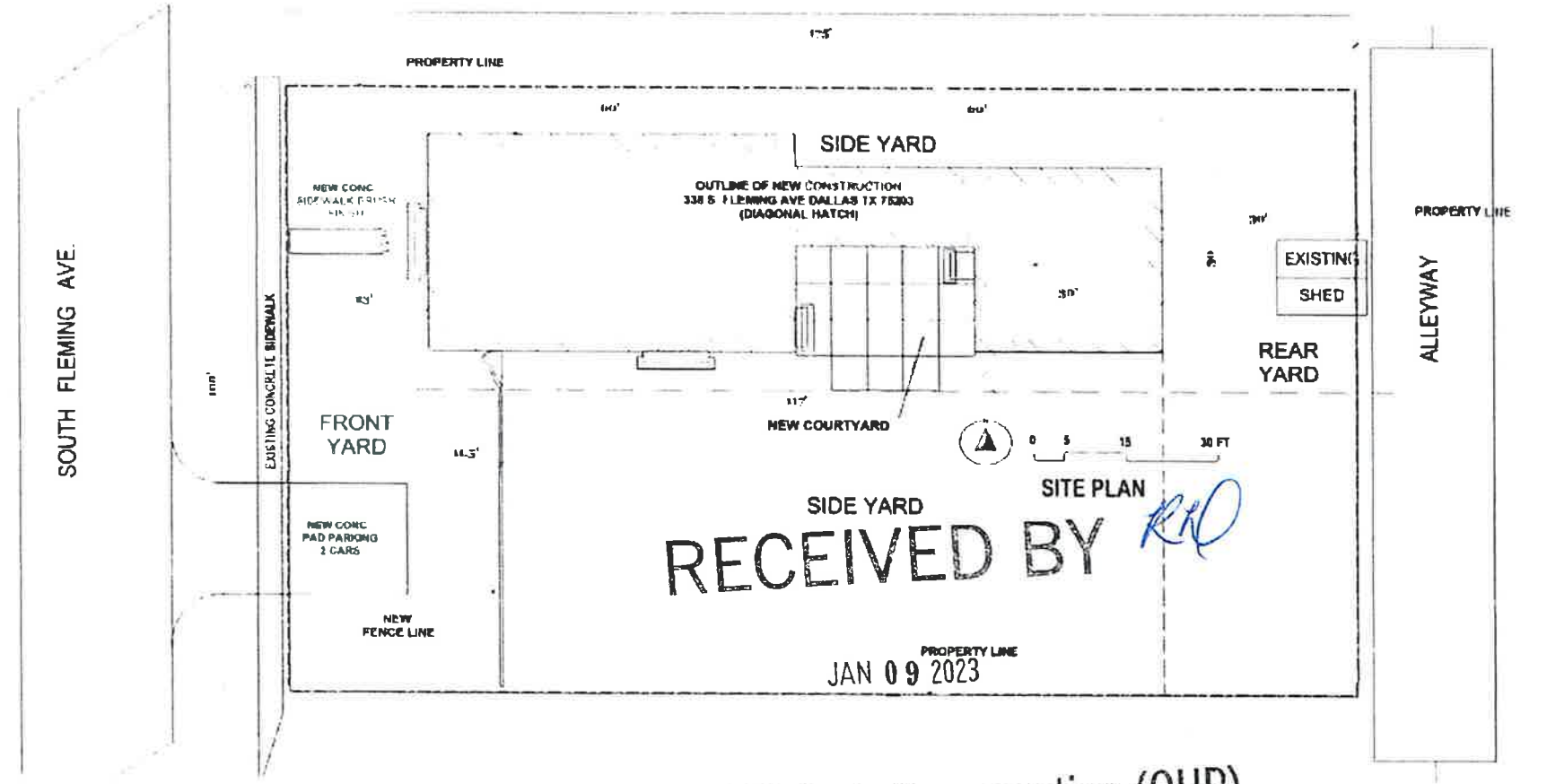
338 S. Fleming Ave- Site Plan-Existing Home--Overlay-- New Construction



338 S. Fleming- Site Plan-New Construction



338 S. Fleming Ave- Annemarie Bristow- Signed Guarantee Agreement

GUARANTEE AGREEMENT

WHEREAS, the structure located at [illegible] (Street Address), Dallas, Texas has been altered to the extent that it is no longer a contributing structure to Historic Overlay District No. 10 (Tenth Street District) (Name of District);

WHEREAS, [illegible] ("Owner") wishes to demolish the structure and intends to replace it with a new structure that is more appropriate and compatible with the historic overlay district;

WHEREAS, on [illegible], 20[illegible] the Landmark Commission granted a certificate for demolition for the structure;

WHEREAS, on [illegible], 20[illegible] the Landmark Commission approved a certificate of appropriateness for the replacement structure;

NOW, THEREFORE, Owner and the City of Dallas ("City") enter the following guarantee agreement pursuant to Dallas Development Code § 51A-4.501(b)(2)(C)(v) documenting the owner's intent and financial ability to construct the new structure:

I

Owner agrees to replace the structure by December 31, 2023 (Date) with a new structure in accordance with architectural drawings approved by City through the certificate of appropriateness process. The approved architectural drawings are attached as Exhibit A.

II

Owner agrees that Owner or Owner's construction contractor will post a performance and payment bond, letter of credit, escrow agreement, cash deposit, or make other arrangements acceptable to the Director of Sustainable Development and Construction to ensure the construction of the replacement structure. Documentation evidencing the financial arrangement entered pursuant to this paragraph is attached as Exhibit B.

III

Owner acknowledges that City has the right to enforce this agreement by any lawful means, including filing an action in a court of competent jurisdiction, at law or in equity, against any person violating or attempting to violate this agreement, either to prevent the violation or to require its correction. If the City substantially prevails in a legal proceeding to enforce this agreement against a person, Owner agrees that City shall be entitled to recover damages, reasonable attorney's fees, and court costs from that person.

IV

Owner agrees to defend, indemnify, and hold harmless City from and against all claims or liabilities arising out of or in conjunction with this agreement and City granting, revoking, or withholding a building permit and/or demolition permit by reason of this agreement.

V

Owner and City understand and agree that this agreement is governed by the laws of the State of Texas.

VI

The definitions and provisions of CHAPTER 51A of the Dallas City Code, as amended, apply and are incorporated into this agreement as if recited in this agreement.

OWNER

[illegible]

By: [illegible]

Printed Name [illegible]

Title [illegible]

SUBSCRIBED AND SWORN TO ON THIS [illegible] OF [illegible] 20[illegible]
IN DALLAS COUNTY STATE OF TEXAS

CARLOS J. ROMERO / NOTARY PUBLIC
MY COMMISSION EXPIRES 01/30/20[illegible]

CITY OF DALLAS

Neva Dean, Interim Director of Office of Historic Preservation

Date

APPROVED AS TO FORM:
[illegible]

By: [illegible]
Assistant City Attorney

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ATTACH APPROPRIATE ACKNOWLEDGEMENTS FOR ALL SIGNATORIES

Revised 01-02-2020

Office of Historic Preservation (OHP)

338 S. Fleming Ave- New Construction Form

NEW CONSTRUCTION FORM – TO BE FILLED OUT BY APPLICANT

This form must be completed by the applicant and submitted with any Certificate of Appropriateness application for new construction. Incomplete applications will not be docketed for consideration by the Landmark Commission. Please refer to the preservation criteria in the historic district ordinance or contact a City Preservation Planner for further information.

(Y)/N Will the proposed new construction require demolition of any structure(s) on the site?
If yes, you must submit a Certificate of Demolition form with your application.

(Y)/N Have you completed a preliminary review of the drawings with Building Inspection?
NOTE: This step is required for construction of a main structure and strongly recommended for accessory structures. Preliminary review does not guarantee final approval of a permit.

Preliminary review DATE 10/18/21 NAME OF PLANS EXAMINER BRYANT THOMPSON
DOCX PROJECT #HCC8100 / SFD

LOT COVERAGE

Existing lot coverage 11.6 % (lot coverage includes all structures with a permanent roof, including porches and patios)

Proposed lot coverage 14.2 % NOTE LOT: 17,500 SF.

SETBACKS AND BUILDING HEIGHT

Proposed main structure (skip if no new main structure is proposed):

Front yard setback 23 ft

Average front yard setback on blockface 25' ft

Side yard setbacks LEFT SIDE 8'-4' ft RIGHT SIDE 56' ft

Rear yard setback 34 ft OR distance to accessory structure N/A ft

Roof height 26 ft Average roof height on blockface 23 ft NOTE SLOPING SITE

~~Proposed accessory structure (skip if no new accessory structure is proposed):~~

Distance from main structure — ft

Side yard setbacks LEFT SIDE — ft RIGHT SIDE — ft

Rear yard setback — ft

Roof height of proposed accessory — ft Main structure roof height — ft

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338 S. Fleming Ave.-CD Application— Bedrock Engineering Report

BEDROCK FOUNDATION REPAIR, LLC (F-10832)
Engineering Division
1018 Fletcher, Dallas, Texas 75223 (972) 261-4711 (800) 880-1811 fax
www.bedrockfoundation.com email: office@bedrockfoundation.com

General Structural Initial Foundation Inspection

338 S. Fleming Ave.
Dallas, Texas 75203

October 1, 2021

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Office of Historic Preservation (OHP)

Client:
Annemarie Bristow
802 Haines
Dallas, Texas 75208
(214) 946-9486
annemariebristow@gmail.com

J.S. Barton, P. E.
(214) 824-1211

STATE OF TEXAS J. S. BARTON 58124 LICENSED PROFESSIONAL ENGINEER

October 5, 2021

Bedrock Foundation Repair, LLC **(972) 261-4711**

Re: 338 S. Fleming Ave. – Dallas, Texas

The foundation of the structure at 338 S Fleming Ave., Dallas, Texas was inspected on October 1, 2021. This is a one story wood siding structure with perimeter and interior piers and wood beams type foundation. For orientation purposes the structure faces approximately west.

Reportedly this structure sat vacant and neglected for many years.

OBSERVATIONS:

A visual inspection of the foundation included the following observations.

The property slopes down generally from the left front to the right rear. The grade appears to slope down away from the structure on the right side and rear. The left side is relatively level. There is a negative slope on the front that appears to divert drainage to the right side.

Exterior
Damage was noted in the siding.

Interior
There are cracks in the walls and ceiling throughout the interior of the structure.

Floors/Beams
The interior floors deflect down exceeding the tolerance of 1/16" per foot in various directions.

Crawl space
The crawl space was not accessible. The structure appears to have collapsed 18"+/-. Most of the structure is sitting directly on the ground. Some area of the crawl space was visible. A lot of the structural members visible were rotten. The piers are wood post/bois d'arc.

STATE OF TEXAS J. S. BARTON 58124 LICENSED PROFESSIONAL ENGINEER

October 5, 2021

338 S. Fleming Ave.-CD Application— Bedrock Engineering Report

Bedrock Foundation Repair, LLC (972) 261-4711

Re: 338 S. Fleming Ave. – Dallas, Texas

CONCLUSIONS:

As a result of this inspection, the following conclusions were developed.

The distress noted is attributed to failure of the piers causing the collapse of the structure. The pier failure was caused by neglect and the normal volume change of the soil due to moisture fluctuations. The soil in this area is predominantly clay. Clay soil swells when wet and shrinks when dry. The piers are not salvageable. Approximately 80% of the structure is sitting directly on the ground. The visible structural lumber for the foundation was rotten. It is concluded that most, if not all, of the lumber is damaged and not salvageable. If lifting the structure is attempted, the rotten lumber will crush. therefore, it is concluded the structure will need to be demolished and reconstructed from the ground up. The foundation can't be reconstructed with the structure left in place.

Adequate ventilation of the crawl space is recommended to maintain a more consistent moisture content of the soil to minimize the volume changes. Minimizing the volume changes will increase the stability of the piers. Persistent moisture in the crawl space can promote wood rot and mold growth. Cross vents provide ventilation. Maximum ventilation efficiency is achieved when cross vents are on all 4 sides.

Adequate drainage around the structure is recommended to minimize the moisture fluctuations of the soil minimizing the movement of the perimeter grade beam. Poor drainage may allow moisture to seep into the crawl space as well. The drainage is considered marginal around the structure. Drainage corrections will be necessary when the structure is reconstructed. Comments on site drainage are based on visual inspection of the property with emphasis on poor drainage that may negatively affect the structure. It is impossible to predict how drainage will behave in heavy rain events.

Seasonal moisture fluctuations cause minor foundation movements on all structures built on clay soils. It should be understood that most structures have some tolerance to unequal settlement, but when the support is stressed beyond the elastic limit, ultimate failure is unavoidable without the immediate strengthening of the foundation.

STATE OF TEXAS
J. S. BARTON
58124
LICENSED
PROFESSIONAL ENGINEER

October 5, 2021

Bedrock Foundation Repair, LLC (972) 261-4711

Re: 338 S. Fleming Ave. – Dallas, Texas

RECOMMENDATIONS:

Demolish the structure.

Reconstruct the foundation with reinforced concrete perimeter grade beams and reinforced concrete interior piers.

AGREEMENTS:

Opinions expressed in this report are based on sound engineering judgment and evaluation regarding past performance of the property inspected on the day of this inspection.

The report also gives engineering advice with regard to the best and most economical method to stabilize and maintain the property.

This advice assumes normally expected subsurface conditions and conventional construction methods.

No warranty is expressed or implied as to the performance of this foundation. Bedrock [illegible] repair does not warrant or predict the future performance of the structure.

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The information provided in this report is intended for the private use of our client. If you have any questions or comments regarding this report or if we can be of further assistance, please call.

JAN 09 2023

J. S. Barton, P. E.

Office of Historic Preservation (OHP)

STATE OF TEXAS
J. S. BARTON
58124
LICENSED
PROFESSIONAL ENGINEER

October 5, 2021

338 S. Fleming Ave.-CD Application— Bedrock Engineering Report

Bedrock Foundation Repair, LLC **(972) 261-4711**

Re: 338 S. Fleming Ave. – Dallas, Texas

Maintenance Procedures for Foundations on Expansive Clay Soils

Foundation problems caused by expansive clay soils usually develop when the amount of water in the soil changes non-uniformly under the foundation structure. The climate is such that these clay soils shrink when dry and swell when wet, resulting in up and down movement of the house. If this occurs unevenly (one area of the soil under the house gets more water or dries out faster) the house may become twisted, strained and damaged. Foundation maintenance, in general, consists of one major concept: The moisture in the soil under the house and around the house should be as uniform as possible at all times. Some measures to help accomplish this are:

1. **Install good ground cover.** This will prevent excessive moisture from seeping deep into the soil, causing problems to the foundation structure. This will also prevent erosion of the soil. Good ground cover also prevents excessive "drying out" of the soil through evaporation. Good ground cover will help maintain a more constant uniform moisture level in the soil beneath.

2. **Water the soil around the house during dry periods just enough to keep the grass green.** More watering is needed in areas with more abundant shrubbery, plants, and trees. The south and west sides of the house are more exposed to the sun, and may need more watering to offset rapid evaporation.

3. **NEVER water too close to the foundation.** Stay about 3 feet away with the water.

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NEVER pour water into the cracks of the ground.
These cracks usually go a few feet deep, and the water will reach soil that is normally undisturbed by concentrated amounts of moisture. Depending upon the shrink/swell potential of the soil, the soil may upheave, or it may consolidate and lose volume, either way, undermining the foundation and causing problems.

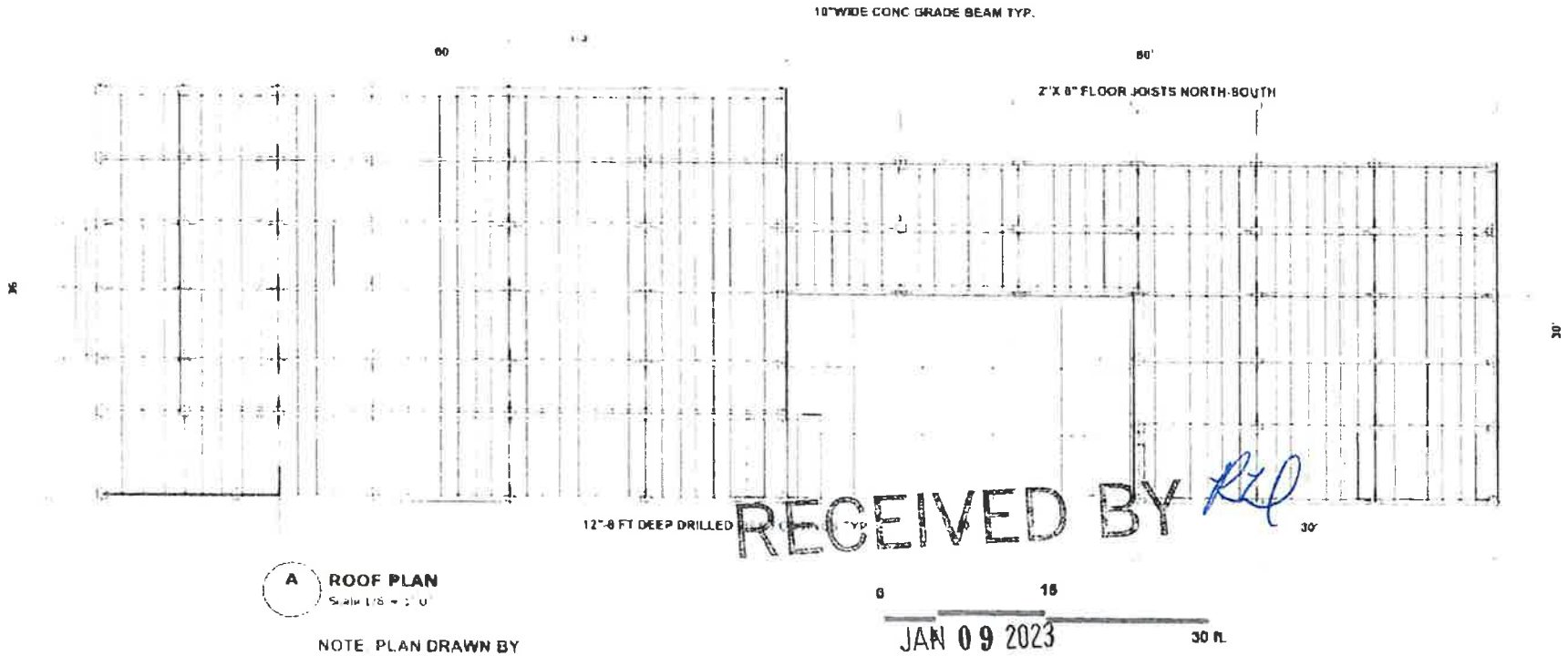
NEVER place sand, sandy loam, or rocks around the foundation.
They are very porous, and allow water to pass quickly to the soil below, where it is not and wind cannot dry it out. Clay soils are non-porous, and [illegible] proper water drainage away from the foundation.

NEVER allow water to pond around the foundation.
If water stands for very long, it will seep under the foundation, causing problems.

Bedrock Foundation Repair, LLC

SHEAR

338 S. Fleming Ave—Proposed Foundation Plan



A ROOF PLAN
Scale 1/8" = 1'-0"

NOTE PLAN DRAWN BY
RandShearDesigns LLC

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RandShearDesigns LLC 214-934-0969

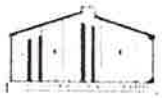
The Cook Home-Bristow Residence
338 S Fleming Ave. Dallas TX 75203

FOUNDATION PLAN

REVISIONS

A 100

New Evidence — Structured Foundation Costs August 16 2021



Date

Site Address

Client Details

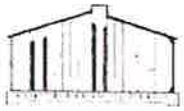
Structural Analyst

Product List

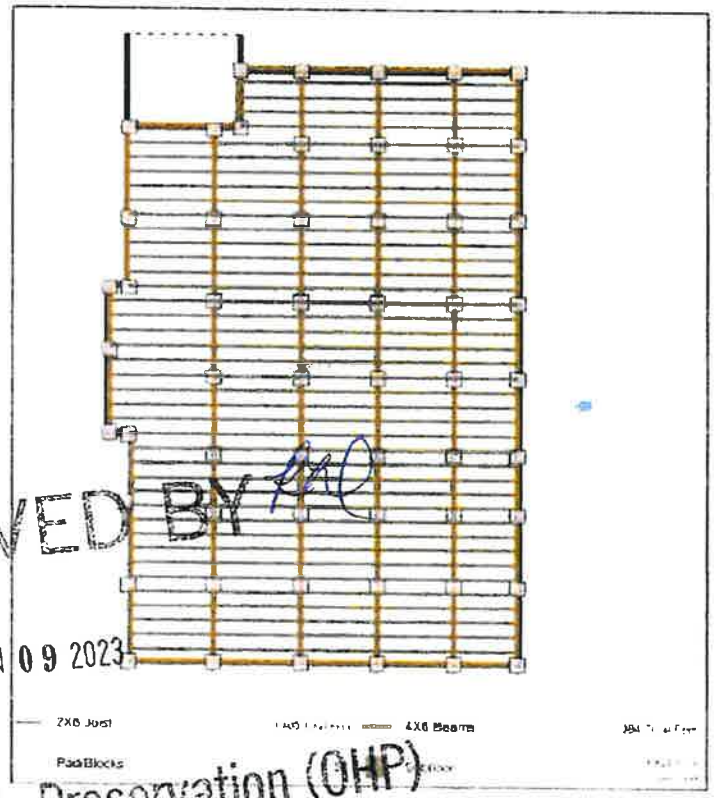
Description	Quantity
2X6 Joist	
4X6 Beams	
PadBlocks	
SubFloor	
Final Engineering	
Initial Engineering	
Dallas Permit	
Total	

Page 1 of 8

Prospective Foundation Costs



Detail Plan



Page 4 of 8

Foundation Diagram

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06Nov22

06Nov22

06Nov22

06Nov22

East Facade Existing

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North Façade

SHEAR

South Façade

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338 S. Fleming Ave.-CD Application— Existing Property Images 2022

South Façade

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South-East Facade Details Corner 'What's in the Wall

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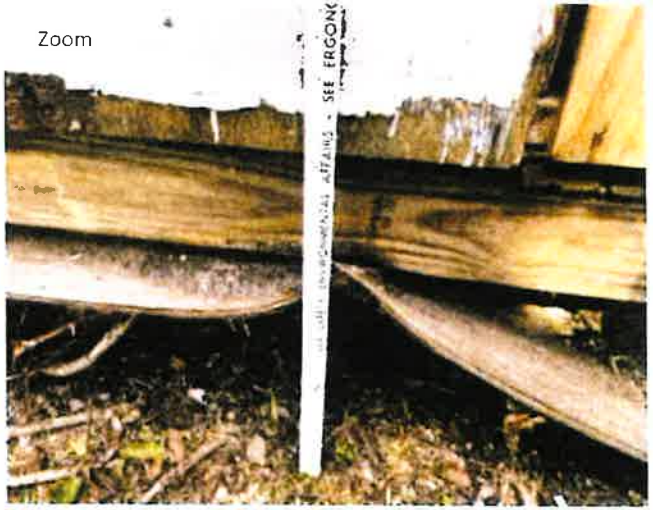
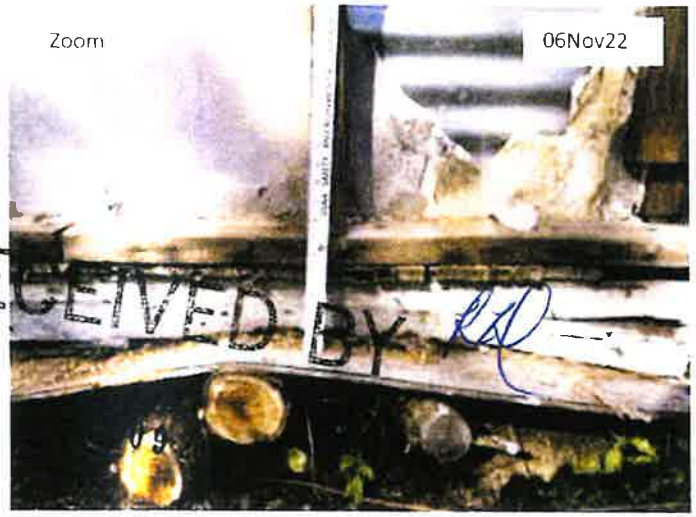
338 S. Fleming Ave.-CD Application— Existing Property Images 2022





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West Façade

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East Facade (Fleming Ave.

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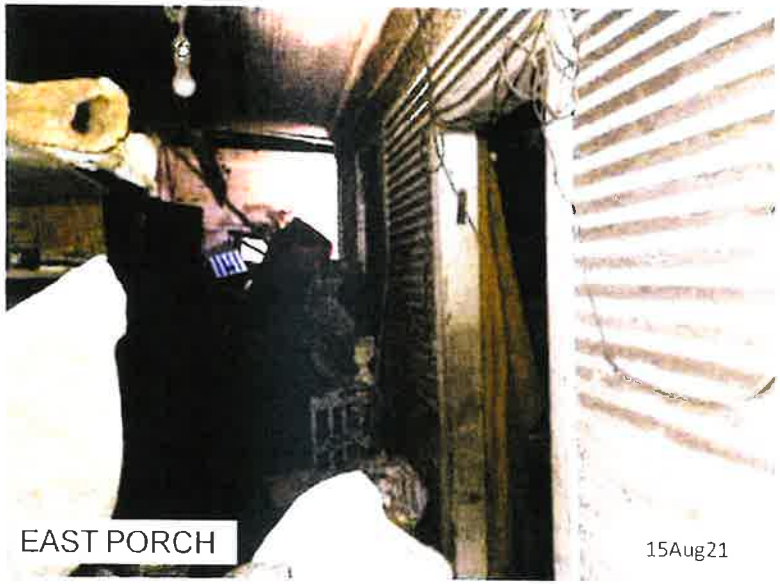

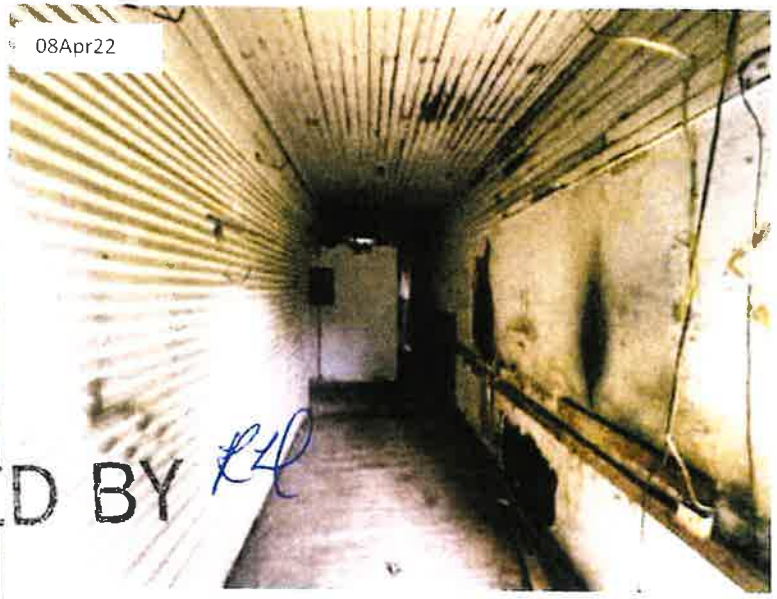

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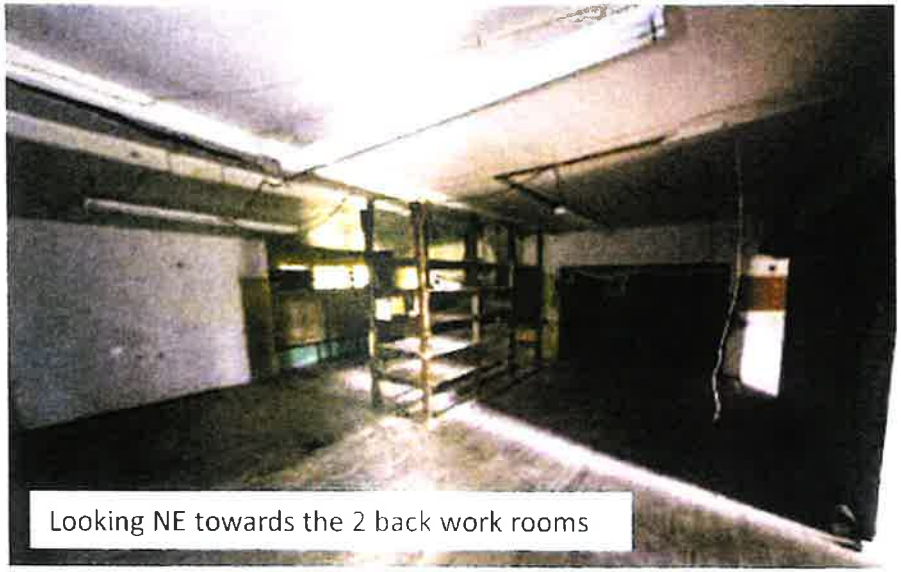
Office of Historic Preservation (OHP)

Looking SE towards center shelve



Looking NE towards the 2 back work rooms

Ceiling water damage at center shelve

RECEIVED BY
JAN 09 2023
SHEAR
Office of Historic Preservation (OHP)

Interior Main Space

RECEIVED BY
JAN 09 2023
Office of Historic Preservation (OHP)

Porch Ceiling Details

SHEAR

SECTION 4

Landmark Commission Minutes

January 9, 2023

See Page 10, Item #4

the decision with the City Plan Commission for a fee.

4. 338 S FLEMING AVE

Tenth Street Neighborhood Historic District
CD223-003(RD)
Rhonda Dunn
A Certificate of Demolition to demolish primary residential structure.

Speakers:	For:	Randy Shear David Cossum
	Against:	No Speakers

Motion
That the request for a Certificate of Demolition to demolish primary residential structure be **denied without prejudice**. The proposed work is inconsistent with the standards in City Code Section 51A-4.501(h)(4)(C).

Maker:	Swann				
Second:	Renaud				
Results:	14/1				
		Ayes:	-	14	Commissioner Anderson, Commissioner Guest, Commissioner Gibson, Commissioner Hajdu, Commissioner Hinojosa, Commissioner Livingston, Commissioner Montgomery, Commissioner Renaud, Commissioner Sherman, Commissioner Slade, Commissioner Spellicy, Commissioner Swann, Commissioner Rothenberger, Commissioner Velvin,
		Against:	-	1	Commissioner Offutt
		Absent:	-	0	
		Vacancies:	-	1	District 3

The Chair declared the motion denied without prejudice by the Landmark Commission and stated that if the applicant feels that the Landmark Commission errored in their decision, may appeal the decision with the City Plan Commission for a fee.

5. 3714 DUNBAR ST

Wheatley Place Historic District
CA223-135(RD)
Rhonda Dunn

1. A Certificate of Appropriateness to alter fenestration on protected facades, including modifying window openings and removal of side entry door.
2. A Certificate of Appropriateness to replace existing windows with vinyl framed windows.
3. A Certificate of Appropriateness to replace missing skirting (more than 50 percent)
4. A Certificate of Appropriateness to replace exterior doors: front, side, and rear.

Speakers:	For:	Julio Gutierrez
	Against:	No Speakers

SECTION 5

Transcript of the January 9, 2023 Landmark Commission Hearing

338 S Fleming Avenue

CD223-003(RD)

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IN RE: :

338 S. Fleming Ave. :

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_____:

LANDMARK COMMISSION MEETING
JANUARY 9TH, 2023

COMPUTER-AIDED TRANSCRIPTION
SAMANDA J. RIOS, COURT REPORTER

_____

TRANSCRIPTIONIST'S DISCLAIMER:
Speaker identifications contained herein have been done to the best of my ability. Misidentification of speakers may occur due to things beyond my control, e.g., similar voice tones, poor audio quality, overspeaking, overlapping room noises, etc. Likewise, use of quotation marks is to help with clarity of context, but may not necessarily reflect a direct quote.

- - -

(Transcription start time 52:50.)

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MADAM CHAIR MONTGOMERY: All right. Next up we have on our rearranged agenda is D4.

STAFF: Yes.

MADAM CHAIR MONTGOMERY: And that is a Fleming Ave.

STAFF: Dr. Rhonda Dunn presenting on behalf of City Staff, discussion item D4. The subject property is located at 338 South Fleming Avenue in the 10th Street neighborhood Historic District. The case No. CD223-003(RD).

The request is for a certificate of demolition to demolish primary residential structure. And we do have a speaker on this case.

MADAM CHAIR MONTGOMERY: We do indeed.

Welcome back, Mr. Shear.

MR. SHEAR: Thank you.

MADAM CHAIR MONTGOMERY: Again, I

need you to give me your name and address.

MR. SHEAR: Yes, yes. My name is Randy Shear, S-H-E-A-R. And I live at 7027 Gaston Parkway in Dallas, Texas.

MADAM CHAIR MONTGOMERY: And you swear or affirm to tell the truth?

MR. SHEAR: Yes, I swear to tell the truth.

MADAM CHAIR MONTGOMERY: Okay.

And you are here as the representative of the owner; is that correct?

MR. SHEAR: Yes, I'm here as the representative of the owner.

MADAM CHAIR MONTGOMERY: Alrighty.

And we had another speaker listed, Mr. David Cossum, is he joining you are not; do you know?

MR. SHEAR: He's going to be online.

MADAM CHAIR MONTGOMERY: Okay.

So we will let you go first and you have three minutes, which Elaine will set timing to share with us whatever you wish to communicate with us, and then we'll ask you

questions later.

MR. SHEAR: I actually wrote almost five pages here, but I'm going to make it very brief because this project has a lot of history to it.

MADAM CHAIR MONTGOMERY: It does indeed and we've been there for a lot of it. So you just begin and if you run out of time, then we'll talk about that one.

MR. SHEAR: If I do run out of time, could you just ask me to continue?

MADAM CHAIR MONTGOMERY: Yeah, we can. If someone makes a motion that's what we usually do and then we get more. So just go ahead with your three minutes first and then we'll --

MR. SHEAR: First, I'm going to talk about the things that have happened more recently. That the grant money that -- we applied for grant money in probably November, but it continued into December because it wasn't completed. At the same time, unfortunately, then Marie's husband, Larry, had succumbed to cancer and died on the 16th

of December, last year.

In the funding they have recently told us that we're actually on a waiting list. That was accepted, the application was accepted, but we're actually on a waiting list to get funding. But that doesn't exactly change the condition of property and so we're moving forward with this considering the fact that the CA was approved last June of last year. And we're -- they're actually going to move forward with both the engineer report and the code inspection on the property. It's possible that the property in this state is going to be condemned because the condition over the year has deteriorated even further.

Just last week I was at the house and I was able to get interior shots of the condition as it stands right now. It is a public threat because we actually disconnected the Encore power line, which was tethered to the building. And actually each time they came out to loosen the cable it tightened up because the building is shifting off of its Bodark foundations.

And it's collapsed now about -- I think when the bedrock report was done in July or it was published in October of '21, that had given the explanation that the building is 80 percent on the ground. And right now it's more in the 95 percent, it's collapsed further. I have a whole list of items about the conditions so I'm not going to repeat them right now. You can ask if you'd like.

Also, that condition allowed Anne Marie to say that she is keeping the existing structure and the funding would go towards pretty much the foundation. She had one condition that the CA remains the same.

COMMISSIONER UNKNOWN: I move that we provide the applicant an additional three minutes.

COMMISSIONER HAJDU: I'll second.

MADAM CHAIR MONTGOMERY: Everybody's second. Okay. Mr. Hajdu, you seconded that. All in favor?

THE COMMISSION: Aye.

MADAM CHAIR MONTGOMERY: All right. Go ahead. So you have another

three minutes.

MR. SHEAR: So separate from the actual condition of the house, the funding was an incentive for Anne Marie to fix the house, so to speak. But the over the year the reports that come in to save the house no matter what, the actual CA that was approved was not signed by the director and as we know they had the seven aspects of integrity. And their building now and this "CJ Castle" brief was completed for the CPC meeting. And at the CPC meeting, we weren't able to actually show them the design of the building. So -- or the CA was not submitted to the CPC. So most of the questions at that meeting were around what did it look like?

In fact, one commissioner even asked she said your design looks like what? Because that was under the category to replace it with a more appropriate structure. That's the correct term. But we were always in the position of saying that the property itself is irretrievably lost because of its condition and that still remains. The house is still a

non-contributing commercial structure. The director was wrong in the briefing of the demolition by neglect to say that both he did not know what the property was used for. It was a commercial business that had plaster and statuette company and concrete, those added weight to the property, which contributed to the structure collapsing.

And Anne Marie then had seven dumpsters take everything on the interior so that we could actually see the corridors that we show in the pictures. I think I added one picture just to show you how much junk was in this building. And we estimate maybe 2 tons or even more were removed from the structure. And in some funny way you think that she was doing good to the building, but maybe that disturbed the building even further or made it more unstable will be the word.

Together with the condition of the building, the building still remains commercial and it is non-contributing. We feel that we're asking you to -- oh, just one more paragraph about --

STAFF: That is your time.

MADAM CHAIR MONTGOMERY: I moved we give the applicant one more minute.

COMMISSIONER UNKNOWN: Second.

MADAM CHAIR MONTGOMERY: Thank you, sir.

All in favor?

COMMISSIONER UNKNOWN: Aye.

MADAM CHAIR MONTGOMERY: All right. Proceed. One minute.

MR. SHEAR: So in a letter to the mayor I wrote about trying to find a compromise. And I actually had something in mind and when at the CPC meeting I said there was actually a Plan B that's available to us. And that was really deconstruction they asked me and I said I wasn't going to talk about it, but they finally looked like they wanted to know. So I told them that it was deconstruction, which was actually adopted by the EPA in 2015. And has been adopted and have new ordinances in San Antonio that's been approved August of last year.

I think that some form of

deconstruction has to happen on the structure. So we're here to actually ask you and I think that we've been on the same page from the very beginning and I'll tell you why. Because Anne Marie got up here a year-and-a-half ago and she said that she would save every piece of wood in that building to use in the new building. She also -- also --

STAFF: That is your time, sir.

MR. SHEAR: Just a few sentences, ma'am?

Mr. Cummings had talked about a selective demolition, more recently Dr. Dunn talked about a manual demolition. And they actually asked in the task force meeting in the first go around for a -- I'm sorry, I just keep forgetting the word. But it's another word for salvage plan, that's it. The salvage plan. And so we're here today to ask this forum to let the building go through so under conditions, the conditions would be developed by you guys, to have the building go forward.

We also submitted a letter for an extension on the CA, but that's not for this

discussion.

MADAM CHAIR MONTGOMERY: Yeah, okay. I think we get where you're headed with this. We can let Mr. Cossum continue now. I see he's here. He's online, we just need to see his face.

MR. COSSUM: Good afternoon, Commissioner, David Cossum, 10407 Silver Rock Drive in Dallas, Texas 75218.

And really, I'm just curious --

MADAM CHAIR MONTGOMERY: Okay.

And you do you swear or affirm to tell us the truth today, sir?

MR. COSSUM: Yes, ma'am.

MADAM CHAIR MONTGOMERY: Okay.

You'll have to speak up because when you started we could barely hear you so your microphone needs to be high.

MR. COSSUM: Will do.

I really just wanted to make a couple of observations about the case in that, you know, it just seems clear that the owner has had the best intentions from this when she initially acquired the property back in, I

think it was June of '21. She knew it was a historic district, she was aware that it was listed as non-contributing at the time. But she still wanted to come up with a solution that recognized the district and the historical fabric of the district.

She met with historic preservation staff almost immediately upon acquiring the property. Then had met with them a few times, then got the engineer's report, I think in October of '21. That engineer's report I think you've seen showed some substantial difficulties with the foundation of the structure. Some of the boat arch piers that actually toppled over. The joists are rotted from sitting on the ground. There were just a number of structural issues that affected the integrity of the overall house.

At the time it seems the Historic Preservation Office staff given that the structure was listed as non-contributing had made a recommendation that the applicant pursue a demolition to provide a structure that was more conforming than the existing

structure.

And there were reasons why that structure in the original survey was listed as non-contributing. The enclosure of the porches, other factors that pretty much diminished the architectural significance of the structure that's historic.

I appreciate staff's re-analysis of that last year saying just the fact that it was constructed originally in the period of significance is significant. I don't argue with that. But there are also valid reasons why the structure had initially been listed as non-contributing. So for that reason I believe staff directed them towards pursuing a CD for that purpose to replace it with a more -- more contributing structure.

This commission did, in fact, approve a CA that would have been appropriate. And I think that also shows the good faith of the applicant and the owner at the time to come up with a solution that is consistent with the historical integrity of the district. But of course, the CA was tied to a CD being

approved. And ultimately that was not approved based on the re-interpretation of staff that the period of significance, the fact that the original structure had been built during that time was so significant that perhaps the structure needed to be re-evaluated as contributing.

So I -- you know, I can't argue one way or the other with that, but I do think it's important to note that the applicant and the owner we're always following --

STAFF: Excuse me, that's your time.

MR. COSSUM: Okay.

MADAM CHAIR MONTGOMERY: Hang on for questions.

I do want to clarify for some of our newer commissioners who weren't around during the events that he has just described. It is our normal procedure when someone would like to remove an existing structure and replace it with a new one, first, we have to look at the proposed new one and rule on whether it's acceptable or not. But that does

not in any way mean that we're going to say that they are allowed to demolish the existing structure.

So that is what happened. We said, yes, this is a nice new house she proposed to build, and then we said we rejected their certificate of demolition.

Also, between that original time when we recommended to do the selective deconstruction and save all the pieces, staff got a chance to get inside of the structure, inside of that enclosure that's on the outside and see the inside and see that it was in their judgment in more salvageable state than previously they had been able to tell from outside that surrounding enclosing structure, which appears to have been put on when a previously domestic building was used for commercial purposes. That's different than just being a commercial structure, it's an adaptive structure. It happens a lot to old houses, they become a business.

So I just want to make sure everyone who has not had the pleasure of being

here for this entire thing because it has dragged on forever, and I know that's hard on the applicant, that we all understood.

Now, who has questions for our applicant?

COMMISSIONER OFFUTT: I have question or questions.

MADAM CHAIR MONTGOMERY: Go ahead, sir.

COMMISSIONER OFFUTT: As I recall, the engineer reports that we have seen essentially confirmed that this thing is a danger to anybody attempting to even enter it, plus just walking around it. And based upon what you said its continued to shift and its continued to be damaged. So my sense is that we're in a worse situation than we were a year ago. Is that a correct statement?

MR. SHEAR: Yes. Do you hear me? Yes.

COMMISSIONER OFFUTT: Right. Okay.

MADAM CHAIR MONTGOMERY: I think you have to speak up a little bit for the mic to pick up.

COMMISSIONER OFFUTT: At the -- I'm sorry --

MR. SHEAR: And I do have a list of items that are worse as of last week that I went to record the building.

COMMISSIONER OFFUTT: And you had made a comment and I just wanted to clarify that you had had one off discussion with one or more commissioners about this project. Is that what you said, in terms of reclaiming wood or whatever?

MR. SHEAR: You might have to repeat the question, but early on I had -- I had done some research on deconstruction. As everything was going on for the whole last year, I've done extensive research on deconstruction and I pretty much know all the players in Dallas who do it. It's kind of interesting, but yes. Does that answer your question?

COMMISSIONER OFFUTT: No. You made -- I thought you made specific reference to having a discussion or discussions, one off, with individual Commissioners about the

reclamation or this project? Is that correct or not correct?

MR. SHEAR: No, I haven't had any discussions with one off commissioners. I did mention that as I said in the CBC meeting.

COMMISSIONER OFFUTT: Thank you.

MR. SHEAR: And actually the letter to the mayor said that we have to find some kind of common ground. I happen to think that common ground is something we can all agree on that the building is in very bad shape and it needs to be deconstructed before it is reconstructed.

Now, I also have two examples of that condition for other historic buildings that have been deconstructed that I think are very interesting.

MADAM CHAIR MONTGOMERY: Are you finished Mr. Offutt or did you have further questions?

COMMISSIONER OFFUTT: That's it. Thank you.

MADAM CHAIR MONTGOMERY: Alrighty. Who else has questions? Mr. Swann?

COMMISSIONER SWANN: Yes.

Mr. Shear?

MR. SHEAR: Yes, sir.

COMMISSIONER SWANN: What do you see as the chief threat to public safety at this moment as the building stands?

MR. SHEAR: Well, first of all, the building had -- Anne Marie, because of the demolition by neglect, I had instructed Anne Marie to make some needed repairs. And so she tarped the roof, she blocked holes where vagrants were going into the building. And as you know, if the vagrants go inside the building then it is a threat to them. And if they make a fire because it's cold it could just burn down. Not to mention the fact that the Encore service was the meter was very hot when they removed it few weeks ago.

And they said -- the guy from Encore said that because there's no circuit board inside the building, the biggest threat would have been fire from electrical service. But you also have other threats about the gas line being old and rusted. And so combine all

of these things I would believe that the building collapsing on somebody is a possibility. And I actually don't exactly like going inside the building at this point in time.

COMMISSIONER SWANN: Okay.

But now staff may need to help me with this and maybe code enforcement, too. But securing the building envelope against intrusion is the homeowner's or the property owner's responsibility, correct?

MR. SHEAR: It is and she did make sure that there is nobody able to access it. But they do get around that, you know, they take boards off and they get inside.

COMMISSIONER SWANN: Right. Oh, no, I understand. I mean, it requires constant vigilance in a case where people will ply to the plywood right off the buildings.

Now, the threat of fire from the connected electrical service that has been remediated, correct? So that is no longer an imminent threat to the building, correct?

MR. SHEAR: That is.

COMMISSIONER SWANN: Okay. And the gas has been shut off. So if we're talking about deteriorated gas mains, we're talking about supply mains that come from the gas service; is that correct?

MR. SHEAR: Yes. I would say the supply link, yes, but there were two meters on property there so we don't know if they're connected or not.

COMMISSIONER SWANN: Okay.

And currently the building has an additional line of defense, so to speak, against intruders as much as it is fenced. Is that not correct?

MR. SHEAR: No.

COMMISSIONER SWANN: Okay.

I'm sorry, I think I misunderstood that then. I thought there was a fence around the property? No?

MR. SHEAR: No, it's just a fence on the street line and that's just a normal 3-foot fence.

COMMISSIONER SWANN: Okay. Okay.

Now, does the building -- we've

acknowledged it -- and no one has ever suggested to you on this commission or anywhere else that the foundation would not need to be replaced, have they? I mean, the foundation has always been acknowledged to be in need of replacement; is that not correct?

MR. SHEAR: That would be correct. But unfortunately legal counsel based their argument on the fact that they got an email from staff members and that email stated that the foundation did not need to be replaced, it needed to be fixed as is in place.

COMMISSIONER SWANN: That's almost a semantic argument to me because I don't see how the foundation would be fixed without raising the building. I mean, raising it up.

MR. SHEAR: Well, they claimed and it was in the seven aspects of the condition. The foundation was in the seven aspects of integrity.

COMMISSIONER SWANN: Right. Because there -- you know, of course, there are many buildings standing.

MR. SHEAR: And it was possible --

it was plausible deniability on the directors part. That, oh, well, if the building is 80 percent on the ground, how did they get underneath it to study the foundation is irretrievably lost. So that's what was said.

COMMISSIONER SWANN: Okay.

MR. SHEAR: As for the report, it came from the fact that Mr. Johnson, Task Force member, came and inspected the structure himself. And in that email he gave his aspect that it's fixable.

COMMISSIONER SWANN: Okay.

MR. SHEAR: So the city argument then went into the CJ Castle brief, the lawyers brief that I can get it for you to read it, but they basically said everything is fine. They had doubts they said about the foundation and the non-contributing status.

COMMISSIONER SWANN: Okay. Now, visually do you -- you discern substantial racking or tilting out of "Guam." And when I say substantial, I mean substantial because these -- many of these occupied homes have a little bit of lean to them. But I'm talking

about the kind of racking, you know, the term that I mean, parallelogram of walls and twisting of the buildings that would indicate that it's about to -- that the structure supporting the roof is in danger of imminent failure.

In other words, we've seen that the building has fallen the distance of the crawl space. Okay. So that it's on the ground. The crawl space is gone. But are we seeing evidence that the structural integrity above the building is compromised to the point where it would fall on someone?

MR. SHEAR: The building was surveyed at a 2.5 degree rotation. I'm pretty sure they didn't build the building unparalleled to the street line.

COMMISSIONER SWANN: No, but would you not also agree that the failure, the tipping over of the bodark supports could create that degree of rotation?

MR. SHEAR: There is rotation, yes. And there's further rotation as it's collapsing down to the south side really and

it's actually rotating also because the bodark tree trunks, not the -- they're not stubbed into the ground, they're actually just tree trunks of various sizes which have been pictured. Because right now the interior wall, be it the wall between the porch and the inside of the building, has separated from the porch decking. So it was this much and I was able to very carefully not drop my iPhone to get pictures of the further bodark evidence further into underneath the home.

And I actually took more pictures because the walls have started to crack so that's evidence of collapse of the roof down. Also, the floorboards are buckling as it's collapsing so there's more evidence of buckling. And so --

COMMISSIONER SWANN: Okay.

But would you not also agree that if you have a foundation that is failing by degrees you are inevitably going to have buckling? Because some parts will be supported and some parts will not be as it progressively fails. And when I'm talking about failure,

I'm talking about the bodark. Because wouldn't you also agree that if it came down in what we would call a catastrophic failure, a sudden, not a gradual failure, that would create some progressive shock to the structure of the building Above the floor, correct?

MR. SHEAR: Yes, of course.

COMMISSIONER SWANN: Which wouldn't you agree from the pictures that it appears to have withstood that shock fairly well?

MR. SHEAR: No, the pictures I've taken over the few times that I've been there I've shown catastrophic collapse. It's just a matter of how big the storm will be. Well, we're just waiting for another storm to have it collapse further.

COMMISSIONER SWANN: But without bracing that was essentially doing its job, whether it be a kind of plate structure effect created by the intact siding, wouldn't we expect to see more racking and lean in the building that has essentially fallen off its foundation if it were not essentially sound in terms of its basic structure from the floor

level above?

MR. SHEAR: Well, look, look, I mean, you've got this email from three people. You have it from Director Miller, Carlos and owner and the task force member. And that email had given their version of what the structure condition was. They -- none of them including myself as an engineer. How can I talk about all these things, about racking and stuff like that? It was already in the bedrock report that the building had collapsed. And so it's just a matter of how much more the building can collapse and if it can be fixable. And my claim is that the building has to come down to be rebuilt. It has to be --

MADAM CHAIR MONTGOMERY: Could I insert one question that you have just made me think of in your line of questioning? As its lean and its twist has gotten worse, could you have helped support it at any time by building some sort of external supports that would have helped hold it in place as its foundation seems to hold it adequately in place?

MR. SHEAR: I don't think any kind of bracing at the beginning of this process or at the process now is available to hold up that building.

MADAM CHAIR MONTGOMERY: All right. Thank you.

MR. SHEAR: You can't get underneath it so it just keeps going down and twists and down. Plus, the code official that examines the building, the roof itself is made of 2 by 4 and is supported by a shelf in the middle of the building that people have seen that has six posts to it. That's everything that's holding up the roof at this point. If you remove that shelf system in the middle of the building, then you'll see catastrophic collapse.

MADAM CHAIR MONTGOMERY: I'm glad you're aware of that because then you won't remove the shelf which would be sort of, you know, make it all worse. What I was actually getting at is had we started holding it up better before it was quite as bad, could we be in a better position than we are now? And you

have said that you feel we could not have done anything to improve our current condition. So let me let Mr. Swann continue.

COMMISSIONER SWANN: Okay.

I'm going to address the next questions to staff. How do you in terms of city of Dallas, how does the city of Dallas make determinations of contributing versus non-contributing?

STAFF: Well, this, in other words, the reason why it's listed as non-contributing, it was a part of a study, a survey. In other words, historic resources surveys are conducted. And this survey that was done in 1994, I think it was Hardy Heck-Moore was done in 1994. And according to that survey, it was listed as non-contributing. But some things we don't know is if they actually came onto the property and actually examined the building, those things we don't know.

COMMISSIONER SWANN: I think you're about to answer -- you almost answered my next question. So what you're saying is this was a

determination made in order to prepare the nomination form for the National Registered listing?

STAFF: Correct.

COMMISSIONER SWANN: Okay. And isn't it true that a lot of those -- because when we're dealing with historic districts with a lot of structures, many of those surveys are essentially curb surveys.

STAFF: Correct. Windshield surveys as well.

COMMISSIONER SWANN: Thank you. That's the term I wanted, windshield surveys. And if you would please describe a windshield survey?

STAFF: A windshield survey is basically what it says you're in a car, you have your paperwork in front of you, your addresses you're supposed to be investigating. And you basically go from residence to residence in this case, you make a determination while you're sitting in the car of whether or not the structure you're looking at or investigating is or is not contributing.

In this case I could see if you did a windshield survey why would be non-contributing because the major historic feature of the property is a wraparound porch. And that wraparound porch was covered at that time with board and batten -- not horizontal, vertical siding.

COMMISSIONER SWANN: And at one of the first landmark meetings this was it not discussed that that was likely the reason that it was deemed non-contributing? And I believe it was Commissioner Cummings who pointed out that some exploratory, at least the removal of the sheathing would be required to make a -- to revisit the assessment of contributing versus non-contributing?

STAFF: Correct.

COMMISSIONER SWANN: Okay. And was that visit made to get behind the sheathing?

STAFF: Well, that's the July 25th visit that Mr. Shear is referring to, the seven points of integrity.

COMMISSIONER SWANN: Okay.

STAFF: Where Director Miller,

staff member Carlos Winona and myself, I was new at that time, maybe I was here for a week or two. But we actually went onto the property with Mr. Shear and went inside, took pictures both of the interior and the exterior. And that's when Mr. Miller made the assessment looking at the fact that behind that board and batten siding is actually 117. Like there's the actual porch and then there's behind the porch, the front facade that faces the south yard. So you could see where it did indeed at some point have that wraparound porch that we do see in the Sanborn map of 1922.

COMMISSIONER SWANN: Okay. And did Director Miller have the experiencing qualifications to make that professional assessment?

STAFF: I would think that he did. He's a licensed architect.

COMMISSIONER SWANN: All right. Thank you.

MR. SHEAR: I have to say that he is not a licensed architect.

MADAM CHAIR MONTGOMERY: You

haven't (indiscernible.)

MR. SHEAR: No, but if he was going to -- let's say, Mr. Swann, is going to change the status from non-contributing to contributing, he'd have to do the seven aspects of integrity. But he'd also have to confirm the fact that the building itself and the structure is not irretrievably lost. So he cannot --

MADAM CHAIR MONTGOMERY: Sir, we have occasionally found that something was ruled non-contributing in error, for instance, because they couldn't see what it really was behind an exterior covering. So that is the process we will go through to that. And Mr. Miller always seemed to firmly understand those seven attributes of integrity and so I would trust his judgment in interpreting what he saw there.

I must say that sometimes I fund his writings a little bit confusing so I could imagine the memo reporting what he came to know from looking at it might be a little hard to read, but that doesn't mean he was wrong in

his thinking. So I'm inclined to believe that he did have the qualifications to understand about that. He's seen a few buildings in his time.

MR. SHEAR: Yeah, but if I -- you know, there's this beautiful little Victorian white structure around the corner that's off the historic district. Why is Mr. Miller not going for status on that property because it have more integrity than our property?

MADAM CHAIR MONTGOMERY: That is a completely different process to bring a building into being covered by historic preservation ordinance. It doesn't have anything to do with evaluating those that have already been in. So let's move onto Mr. Renaud's question. He is a licensed architect, correct, Mr. Renaud?

COMMISSIONER RENAUD: That's correct, in the state of Texas.

Mr. Shear, I have some questions for you in particular. Have you worked on other historic homes of this period, of this vintage?

MR. SHEAR: You know, I have a history and I've sent -- actually in Toronto I ended up doing some historic work in finding a book on EJ Lennox and I actually saved the home from demolition in Toronto. So that was way back. And more recently, like I had sent the letter that I wrote to Michelle Obama to try to save the Phillis Wheatley School in New Orleans. And so I dabbled in trying to preserve these buildings. So I came into this job because Anne Marie hired me to fulfill her dream of fixing this building at the beginning and doing an addition to the building.

COMMISSIONER RENAUD: Right.

MR. SHEAR: But I mean at this point in time I -- I designed bigger things.

COMMISSIONER RENAUD: So my second question or the follow up question is that or at least what I've found in the past of homes of this vintage of, you know, built in the early 1900's is that 2 by 4 was very common construction type for both the ball framing and for the roof framing. In fact, you know, center rafters would be a 1 by 4, not a 2 by

4. There's a gigantic difference between the quality of wood produce, you know, 150 years ago compared to today. It was a lot more dense. In fact, at this point it's become almost as strong as steel, it becomes petrified. The cells are a lot tighter. There's just a lot more structural integrity.

And, in fact, you know, you look at the rafters of the roof today, I see very little sag in those and really what's collapsing is the foundation as we've seen in the photographs. Bodark interior posts were very, very common again. In fact, perimeter -- when they were concrete around the perimeter those were poured just right on the surface of the soil, they didn't even drop below the surface. So these are very common, you know, constructed. It's a very common construction type for this period so I don't see anything sort of out of the ordinary or poorly built originally. It's really just been a lack of maintenance.

Those are my comments and my questions. Thank you.

MADAM CHAIR MONTGOMERY: Any other commissioners? Any of you at home? Anyone else here?

I will say my home stands on little bodark post just sitting there on the ground. Does it stand still? Not exactly. But has it stood for over 100 years? Indeed and it functions as our house. A once in a while we go in and we replace one with concrete. There's 112 of them, we're not up there yet. So a foundation like that moves a bit and can be replaced piecemeal until it reaches a point of no return like perhaps this one has.

So no other -- because if no one has any comments then I am looking for a motion. And if we could reiterate the three reasons, either staff or our attorney, perhaps our attorney should do it. The three reasons that would lead us to need to approve this demolition.

STAFF: It says the Landmark Commission must deny an application to demolish or remove a structure that poses an imminent threat to public health or safety

unless it finds that, one, the structure constitutes a documented major and imminent threat to public health and safety; two, to the demolition or removal is required to alleviate the threat to public health and safety. And three, there is no reasonable way other than demolition or remove to eliminate the threat in a timely manner.

MADAM CHAIR MONTGOMERY: Go ahead, Commissioner Swann.

COMMISSIONER SWANN: Otherwise known -- oh, thank you. Let me -- I'm sorry. Let me make sure this gets on the recording.

I move that in the matter of CD-223-003(RD) otherwise known as 338 South Fleming Avenue, in the 10th Street neighborhood historic districts, that we deny the request for the certificate of demolition to demolish primary residential structure without prejudice with a finding that the posed work is inconsistent with the standards and city code section 51a-4.501H4C.

MADAM CHAIR MONTGOMERY: Do I have a second?

COMMISSIONER RENAUD: Second.

MADAM CHAIR MONTGOMERY: Thank you, Commissioner Renaud.

Any further discussion before we call for a vote?

COMMISSIONER SWANN: I really think some further discussion is appropriate. Because this is a project that everyone here wants to see come to a good end on both sides of this horseshoe. And our -- well --

MR. SHEAR: But Mr. Swann, it's become impossible to deal with you people because you've changed your minds.

MADAM CHAIR MONTGOMERY: We're actually at the point where only we get to talk. I know that may seem unfair, but it is just our rule.

COMMISSIONER SWANN: We're beyond the questioning period, but I think I've been fairly consistent on this case from the very beginning. I would be surprised if you can point to a situation where I've changed my mind.

MR. SHEAR: You said it was a

sticky one. What do you mean by that?

STAFF: Sir, the public hearing is closed so it's just comments of the Commission. Thank you.

COMMISSIONER SWANN: Okay. There is a great deal of integrity remaining in this building. I think the points made by Commissioner Renaud are well taken about the value and strength of old growth timber, which you will never see again, the hardness of the wood. The fact that the connections that were made when this building was constructed are original. It has not been dismantled, it has not been subjected to the potential for splitting and compromise a pin joints that you would get from dismantling. You have a valuable structure with a great deal of integrity that needs a new foundation.

And I hope that the powers that be that are making the determination on grants see this and reward you with a substantial grant to make necessary repairs to that foundation, which in this case do mean a replacement of that foundation because it is

that important. And we were, I think, very warm to the design that was proposed because it was in many ways faithful to the original structure. What it was not is the original structure. There are some ways in which you could never be faithful to the things that we value in historic districts when we're assessing integrity. And materials and the irreplaceable materials are a big issue in a district 10th Street that is built substantially where things are original of old growth timber.

I don't think the argument can be successfully made that this building poses an imminent danger to anyone. It has been appropriately mothballed and secured against intrusion, which we've acknowledged is an ongoing process. I think this commission has been very friendly to the addition as well. Yeah, we've massaged a little bit, but it was approved.

Now, it was approved as part of a process proceeding under a different standard. And that standard has changed now and we are

bound to satisfy to our satisfaction the three elements of the standard or to deny the certificate of demolition. And that's why the motion that is on the floor is on the floor.

MADAM CHAIR MONTGOMERY: Thank you, Mr. Swann.

I would like to also add that it's our own rules that say we have to deny a request for certificate of demolition. Unless we find it has been proven that it's a major and imminent threat to public health and safety, it is currently boarded up if that is not effective, perhaps a fence could be added. But it is not about to fall over on passers by. And if there are ways for you to prevent passers by and intruders getting close enough to it, more effort needs to be put into that.

But the other thing that we absolutely must meet, which I don't think has been met, is there no reasonable way other than demolition or removal to eliminate the threat in a timely manner? I do not believe you have thoroughly explored those ways or even kept up with trying to keep the building

in shape and as secure as it could be during this time that has past. I know it's been a lot of time, but we had a pandemic and things happen and that's what goes on.

So we are not -- we must deny it. That's the word they use unless we find those things to be true that there's just no other way. And I do not find there to be no other way around this house. No new house is probably going to be more authentic than the one that's there and did the things that have been done to it over time. And that's real standard, a lot of houses have disappeared in businesses, but they're still under there and could be a nice place to live and a contributing factor to that.

MR. SHEAR: I'm not suggesting that this building be demolished in the sense that it's demolished.

MADAM CHAIR MONTGOMERY: I know, I know, I know. (Indiscernible.)

MR. SHEAR: I don't know why you don't understand that we are going to use every piece of wood we possibly can and the

owner had stated that a year-and-a-half ago.

MADAM CHAIR MONTGOMERY: And that's better than just knocking it down and throwing it away, but it's still not the highest option.

MR. SHEAR: Don't change the narrative. Mr. Swann's been changing the narrative. Also, Mr. Anderson said why didn't you do B instead of A.

MADAM CHAIR MONTGOMERY: Sir, sir, you have to stop. And I would point out you've had a narrative, we all have, we've had our discussion.

COMMISSIONER SLADE: Can I ask --

MADAM CHAIR MONTGOMERY: There's always appealing?

MADAM CHAIR MONTGOMERY: Yes, who is online and wishes to ask something?

COMMISSIONER SLADE: This is Commissioner Slade. For the sake of order, could we please mute his microphone? He's being disrespectful of the order for this public hearing.

MADAM CHAIR MONTGOMERY: He has

left the microphone. I believe he has waved goodbye to me in a friendly manner. All right. Clearly this has become an extremely emotional issue for all of us. It's inappropriate for me to respond in that way, but sometimes we can't help it and I can understand why he feels quite frustrated.

Are there any other comments anybody wishes to make?

COMMISSIONER RENAUD: I would like just from a planning standpoint, just looking at this lot I don't think all opportunities have been considered by the owner of this property considering its size, considering what's existing there now. So I just wanted to make put that on the record.

MADAM CHAIR MONTGOMERY: You mean all opportunities for securing it?

COMMISSIONER RENAUD: No, all opportunities regarding the size of the property when I'm looking at the zoning of the site I just think if somebody wanted a new house there's an opportunity on the remainder of the tract for that to occur. And with

proper subdivision and work done in order to achieve that. So there are other options available from my opinion. Thank you.

MADAM CHAIR MONTGOMERY: All right.

Are we ready to call for a vote? All right. All those in favor of the motion please say aye.

THE COMMISSION: Aye.

MADAM CHAIR MONTGOMERY: Any opposed?

COMMISSIONER OFFUTT: Oppose.

MADAM CHAIR MONTGOMERY: All right.

Mr. Offutt is in opposition to this motion. Everyone else was in favor and therefore the Aye's win. And since it is a denial you will inform Mr. Shear that he could go back to CPC if he wants to.

All right. Because I just love to take risks I have made my argument here and I think Mr. Swann has supported me that more could have been done over this past year-and-a-half now to hold the building in stasis while it moves through this process, which was the duty of the owner both for public safety

and for historic preservation. Therefore, not as a Landmark Commissioner or as the chair, but as an interested party, I will be sending a note to the director requesting that we reconsider a demolition by neglect process which allows staff to work with the owner and her representative to rectify any failures and move forward with seeing if they can save this building. This is not an attack on anybody. I'm friends with the building, I'm just supporting the building and its value to historic preservation. The humans I don't care about, I'm not for or against any of you. I just want the building to be the best thing it can be.

Alrighty, let's move on to No. 5.

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(Transcription stop time 1:43:52.)

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C E R T I F I C A T I O N

I hereby certify that the recorded proceedings and evidence are contained fully and accurately in the notes taken by me of the above case, and this copy is a correct transcript of the same.

Samanda J. Rios

Samanda J. Rios
Court Reporter
Notary Public of Pennsylvania

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or supervision of the certifying reporter.)

SECTION 6

Historic Preservation Criteria
Dallas Development Code
§ 51A-4.501

SEC. 51A-4.501. HISTORIC OVERLAY DISTRICT.

(a) Purpose. The purpose of this section is to promote the public health, safety and general welfare, and:

(1) to protect, enhance and perpetuate places and areas which represent distinctive and important elements of the city's historical, cultural, social, economic, archeological, paleontological, ethnic, political and architectural history;

(2) to strengthen the economy of the city;

(3) to increase public knowledge and appreciation of the city's historic past and unique sense of place;

(4) to foster civic and neighborhood pride and a sense of identity;

(5) to promote the enjoyment and use of historic resources by the people of the city;

(6) to preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the city's history;

(7) to create a more livable urban environment;

(8) to enhance property values;

(9) to provide financial incentives for preservation;

(10) to protect and enhance the city's attraction to tourists and visitors;

(11) to resolve conflicts between the preservation of historic resources and alternative land uses;

(12) to integrate historic preservation into public and private land use planning;

(13) to conserve valuable resources through use of the existing building environment;

(14) to stabilize neighborhoods;

(15) to increase public awareness of the benefits of historic preservation;

(16) to maintain a harmony between new and historic structures so that they will be compatible in scale, form, color, proportion, texture and material; and

(17) to encourage public participation in identifying and preserving historic resources.

(b) Establishment of historic overlay districts. A historic overlay district may be established to preserve places and areas of historical, cultural, or architectural importance and significance if the place or area has three or more of the following characteristics:

(1) History, heritage and culture: Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.

(2) Historic event: Location as or association with the site of a significant historic event.

(3) Significant persons: Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.

(4) Architecture: Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.

(5) Architect or master builder: Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state, or country.

(6) Historic context: Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.

(7) Unique visual feature: Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.

(8) Archaeological: Archaeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

(9) National and state recognition: Eligible for or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

(10) Historic education: Represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

(c) Historic designation procedure and predesignation moratorium.

(1) Purpose. Temporary preservation of the status quo upon initiation of the historic designation procedure is necessary to allow time to evaluate each proposed historic overlay district, to consider appropriate preservation criteria, and to prevent circumvention of the purposes of this section. Relief from the predesignation moratorium may be obtained by applying for a predesignation certificate of appropriateness or certificate for demolition or removal.

(2) Initiation of historic designation procedure.

(A) The procedure for adopting an ordinance to establish or amend a historic overlay district may be initiated by five members of the city council, three members of the city plan commission, one member of the landmark commission for an individual property and three members of the landmark commission for an expansion of an existing district or creation of a new district, or by the owner(s) of the property.

(i) Statement of intent for historic designation. The five city council members, three city plan commissioners, or one landmark commissioner if it is an individual property, or three landmark commissioners if it is an expansion of an existing district or creation of a new district, must prepare and present a statement of intent for historic designation at the public hearing to initiate the historic designation procedure. The purpose of the statement of intent for historic designation is to provide justification of the action under consideration. The statement of intent must be provided to the property owner(s) at the time the agenda for the meeting is posted. The statement of intent of historic designation must contain the following:

(aa) List of characteristics on which the initiation is based;

(bb) A brief description of the historical significance of the potential building, site, district or expansion;

(cc) Purpose of the proposed designation; and

(dd) For district expansions, a statement including the history and timeline of the existing district designation process and information on why the expansion area was not originally included with the initial district designation, if available.

(ii) Procedure for individual properties. The procedure to designate an individual property requires a minimum of one public hearing of the initiating body. The purpose of the hearing is to determine whether sufficient information is presented to initiate the historic designation procedure.

(iii) Procedures for expansions and new districts.

(aa) The procedure to expand an existing district or create a new district involves a minimum of two public hearings and a community meeting. The purpose of the first public hearing is to determine whether enough information is presented to consider a historic designation. This first public hearing does not initiate the historic designation procedure. If the city council, the city plan commission, or the landmark commission determines that sufficient information has been presented in the statement of intent for historic designation for consideration, the department shall conduct a community meeting. The purpose of the community meeting is for the proposing commissioners or city council members to present the statement of intent for historic designation to the property owners, neighbors, and interested parties to the proposed initiation, and to provide an opportunity for public comment. The meeting must be held at a facility open to the public within the neighborhood of the proposed historic district. The information presented must include the following:

(I) Statement of intent for historic designation;

(II) List of potential impacts of historic preservation;

(III) List of neighborhood planning concerns and goals; and

(IV) Any other information that may be relevant.

(bb) Prior to the second public hearing to initiate the historic designation procedure, the proposing commissioners or city council members must revise the statement of the intent for historic designation. The revised statement of intent must include the following, as applicable:

(I) original statement of intent;

(II) transcription of the community meeting;

(III) benefits and incentives of preservation;

(IV) additional neighborhood planning goals;

(V) concepts for additional development incentives paired with historic preservation;

(VI) summary of concerns; and

(VII) summary of economic incentives available to the property owners such as city of Dallas historic tax exemption, tax increment financial districts, and federal or state opportunities.

(VIII) statement reflecting the property owner(s) position, if available.

The purpose of the second public hearing is to review the revised statement of intent and determine whether sufficient information is presented to initiate the historic designation procedure.

(B) The director shall provide property owners with notice of a public hearing to initiate the historic designation procedure, a statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property, and information about the process at least 15 days before the date set for the initial hearing using the procedure outlined in Section 51A-4.701(a)(1). The historic designation impact statement must include the following:

(i) regulations that may be applied to any structure on the property after the designation;

(ii) procedures for the designation;

(iii) tax benefits that may be applied to the property after the designation; and

(iv) rehabilitation or repair programs that the city offers for a property designated as historic.

(C) No permits to alter or demolish the property may be issued after provision of this notice until action is taken at that initial hearing by the city council, city plan commission, or landmark commission.

(D) The historic designation procedure is considered to be initiated immediately when the city council, the city plan commission, or the landmark commission votes to initiate it or, in the case of initiation by the property owner(s), when the zoning change application is filed with the director.

(3) Appeal. If the historic designation procedure is initiated by the landmark commission or the city plan commission, the property owner may appeal the initiation to the city council by filing a written notice with the director within 15 days after the action of the landmark commission or city plan commission. The written notice must include why the property owner thinks the criteria used to justify the initiation does not apply. Within 90 days after the filing of the appeal or 180 days after filing the appeal, if a 90 day extension is requested by the property owner within 45 days of filing the initial written notice of appeal with the director, the director and the chair of the landmark commission shall present the statement of intent for historic designation if it is an individual property, or the revised statement of intent for historic designation if it is an expansion or new district to the city council. After submission of the statement of intent for historic designation if it is an individual property, or revised statement of intent for historic designation if it is an expansion or new district, the city council shall hold a public hearing on the appeal. The sole issue on appeal is whether the landmark commission or city plan commission erred in evaluating the significance of the property based on the characteristics listed in Section 51A-4.501 (b). Appeal to the city council constitutes the final administrative remedy.

(4) Enforcement. Upon initiation of the historic designation procedure, the historic preservation officer shall immediately notify the building official. The building official shall not accept any application for a permit to alter, demolish, or remove the structure or site subject to the predesignation moratorium, unless a predesignation certificate of appropriateness or certificate for demolition or removal has been issued.

(5) Designation report. Upon initiation of the historic designation procedure, the historic preservation officer shall coordinate research to compile a written report regarding the historical, cultural, and architectural significance of the place or area proposed for historic designation. This report must include a statement on each of the following to the extent that they apply:

(A) A listing of the architectural, archaeological, paleontological, cultural, economic, social, ethnic, political, or historical characteristics upon which the nomination is based;

(B) A description of the historical, cultural, and architectural significance of the structures and site;

(C) A description of the boundaries of the proposed historic overlay district, including subareas and areas where new construction will be prohibited; and

(D) Proposed preservation criteria for the proposed historic overlay district.

(6) Designation procedure. For purposes of Section 51A-4.701 , "Zoning Amendments," once the designation report has been voted on by the landmark commission, the designation shall be treated as a city plan commission authorized public hearing and may not be appealed to city council if the city plan commission recommends denial. The notice of authorization in Section 51A-4.701 (a)(1) is not required.

(7) Historic designation. The city may not designate a property a historic district unless:

(A) the owner of the property consents to the designation; or

(B) the designation is approved by a three-fourths vote of:

(i) the landmark commission;

(ii) the city plan commission; and

(iii) the city council.

(C) The owner of the property may withdraw consent at any time during the designation process by filing a written notice with the director.

(D) If the property is owned by an organization that qualifies as a religious organization under Section 11.20 of the Texas Tax Code, the city may designate the property as a historic district only if the organization consents to the designation.

(8) Computation of time.

(A) Unless otherwise provided in this paragraph, computing any period of time prescribed in this subsection shall be in accordance with Section 1-5 of the Dallas City Code.

(B) If the last day of any period is a Saturday, Sunday, or official holiday observed by the city, the period is extended to include the next day that is not a Saturday, Sunday, or official holiday observed by the city.

(C) Except as otherwise specified, time periods will be calculated based on calendar days.

(9) Termination of the predesignation moratorium. The predesignation moratorium ends on the earliest of the following dates:

(A) The day after the city council, city plan commission, or landmark commission that voted to initiate the historic designation

procedure, votes to terminate the historic designation procedure.

(B) The day after the city council, in an appeal from an initiation by the city plan commission or landmark commission, votes to terminate the historic designation procedure.

(C) In the case of initiation by the property owner(s), the day after the zoning change application is withdrawn.

(D) If the proposed historic overlay district zoning change is approved, the effective date of the ordinance establishing the historic overlay district.

(E) If the proposed historic overlay district zoning change is denied, the day after either the city council makes its final decision denying the change or the expiration of the time period for appeal to the city council from a city plan commission recommendation of denial.

(F) Two years after the date the historic designation procedure was initiated, regardless of who initiated the procedure.

(d) Predesignation certificate of appropriate-ness.

(1) When required. A person shall not alter a site, or alter, place, construct, maintain, or expand any structure on the site during the predesignation moratorium without first obtaining a predesignation certificate of appropriateness in accordance with this subsection.

(2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a predesignation certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

(3) Application. An application for a predesignation certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.

(4) Predesignation certificate of appropriateness review procedure. Upon receipt of an application for a predesignation certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. The landmark commission may impose conditions on the predesignation certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark commission's decision must be in writing and, if the decision is to deny the predesignation certificate of appropriateness, with or without prejudice, the writing must state the reasons why the predesignation certificate of appropriateness is denied.

(5) Standard for approval. The landmark commission must approve the application if it determines that:

(A) for contributing structures, the application will not adversely affect the character of the site or a structure on the site; and the proposed work is consistent with the regulations contained in this section and the proposed preservation criteria; or

(B) for noncontributing structures, the proposed work is compatible with the historic overlay district.

(6) Issuance. If a predesignation certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:

(A) the director shall issue the predesignation certificate of appropriateness to the applicant; and

(B) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(7) Appeal. If a predesignation certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (o). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (o). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(8) Reapplication. If a final decision is reached denying a predesignation certificate of appropriateness, no further applications may be considered for the subject matter of the denied predesignation certificate of appropriateness unless the predesignation certificate of

appropriateness has been denied without prejudice or the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for a new hearing.

(9) Suspension of work. After the work authorized by the predesignation certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

(10) Revocation. The director may, in writing, revoke a predesignation certificate of appropriateness if:

(A) the predesignation certificate of appropriateness was issued on the basis of incorrect information supplied;

(B) the predesignation certificate of appropriateness was issued in violation of the regulations contained in this section, the proposed preservation criteria, or the development code or building codes; or

(C) the work is not performed in accordance with the predesignation certificate of appropriateness, the development code, or building codes.

(11) Amendments to a predesignation certificate of appropriateness. A predesignation certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard predesignation certificate of appropriateness review procedure.

(12) Effect of approval of the historic overlay district. A predesignation certificate of appropriateness will be treated as a certificate of appropriateness after the effective date of the ordinance implementing the historic overlay district.

(e) Additional uses and regulations.

(1) A historic overlay district is a zoning overlay which supplements the primary underlying zoning district classification. A historic overlay district is subject to the regulations of the underlying zoning district, except the ordinance establishing the historic overlay district may permit additional uses and provide additional regulations for the historic overlay district.

(2) If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of the underlying zoning district. If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of this section.

(3) The historic overlay district ordinance may include preservation criteria for the interior of historic structures if the interior is customarily open and accessible to the public and the interior has extraordinary architectural, archaeological, cultural, economic, social, ethnic, political or historical value. Unless there are specific provisions for the interior, the preservation criteria in the historic overlay district ordinance and the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties apply only to the exterior of structures within a historic overlay district.

(4) The landmark commission shall consider the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties ("the Standards"), as amended, when reviewing applications for predesignation and standard certificates of appropriateness. Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Standards are common sense principles in non-technical language developed to help promote consistent rehabilitation practices. It should be understood that the Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations; as such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. The director shall make the current Standards available for public inspection at all times. For informational purposes, the Standards published at Section 68.3 of Title 36 of the Code of Federal Regulations (current through January 1, 2001) are set forth below:

(A) A property will be used as it was historically or be given a new use that requires minimal changes to its distinctive materials, features, spaces and spatial relationships.

(B) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

(C) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

(D) Changes to a property that have acquired historic significance in their own right will be retained and preserved.

(E) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(F) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

(G) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(H) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(I) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(J) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(f) Notice of designation.

(1) Upon passage of a historic overlay district ordinance, the director shall send a notice to the owner or owners of property within the historic overlay district stating the effect of the designation, the regulations governing the historic overlay district, and the historic preservation incentives that may be available.

(2) Upon passage of a historic overlay district ordinance, the director shall file a copy of the ordinance in the county deed records to give notice of the historic regulations. Pursuant to Texas Local Government Code Section 315.006, the director shall also file in the county deed records a verified written instrument listing each historic structure or property by the street address, if available, the legal description of the real property, and the name of the owner, if available.

(3) The director may erect suitable plaques appropriately identifying each historic overlay district.

(g) Certificate of appropriateness.

(1) When required. A person shall not alter a site within a historic overlay district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with this subsection and the regulations and preservation criteria contained and in the historic overlay district ordinance.

(2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

(3) Application. An application for a certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.

(4) Director's determination of procedure. Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the application is to be reviewed under the routine work review procedure or the standard certificate of appropriateness review procedure.

(5) Routine maintenance work review procedure.

(A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize only routine maintenance work, he may review the application to determine whether the proposed work complies with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance and approve or deny the application within 20 days after a complete application is filed. The applicant must supply complete documentation of the work. Upon request, staff will forward copies of applications to the task force. The director may forward any application to the landmark commission for review.

(B) Routine maintenance work includes:

(i) the installation of a chimney located on an accessory building, or on the rear 50 percent of a main building and not part of the corner side facade;

(ii) the installation of an awning located on an accessory building, or on the rear facade of a main building;

(iii) the replacement of a roof of the same or an original material that does not include a change in color;

(iv) the installation of a wood or chain link fence that is not painted or stained;

(v) the installation of gutters and downspouts of a color that matches or complements the dominant trim or roof color;

(vi) the installation of skylights and solar panels;

(vii) the installation of storm windows and doors;

(viii) the installation of window and door screens;

(ix) the application of paint that is the same as the existing or that is an appropriate dominant, trim, or accent color;

(x) the restoration of original architectural elements;

(xi) minor repair using the same material and design as the original;

(xii) repair of sidewalks and driveways using the same type and color of materials;

(xiii) the process of cleaning (including but not limited to low-pressure water blasting and stripping), but excluding sandblasting and high-pressure water blasting; and

(xiv) painting, replacing, duplicating, or stabilizing deteriorated or damaged architectural features (including but not limited to roofing, windows, columns, and siding) in order to maintain the structure and to slow deterioration.

(C) The applicant may appeal the director's decision by submitting to the director a written request for appeal within 10 days of the decision. The written request for appeal starts the standard certificate of appropriateness review procedure by the landmark commission.

(6) Standard certificate of appropriate-ness review procedure.

(A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize work that is not routine maintenance work, or if the director's decision concerning a certificate of appropriateness to authorize only routine maintenance work is appealed, the director shall immediately forward the application to the landmark commission for review.

(B) Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the certificate of appropriateness and forward its decision to the director. The landmark commission may approve a certificate of appropriateness for work that does not strictly comply with the preservation criteria upon a finding that the proposed work is historically accurate and is consistent with the spirit and intent of the preservation criteria and that the proposed work will not adversely affect the historic character of the property or the integrity of the historic overlay district. The landmark commission may impose conditions on the certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark commission's decision must be in writing and, if the decision is to deny the certificate of appropriateness, with or without prejudice, the writing must state the reasons why the certificate of appropriateness is denied.

(C) Standard for approval. The landmark commission must grant the application if it determines that:

(i) for contributing structures:

(aa) the proposed work is consistent with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance;

(bb) the proposed work will not have an adverse effect on the architectural features of the structure;

(cc) the proposed work will not have an adverse effect on the historic overlay district; and

(dd) the proposed work will not have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.

(ii) for noncontributing structures, the proposed work is compatible with the historic overlay district.

(D) Issuance. If a certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:

(i) the director shall issue the certificate of appropriateness to the applicant; and

(ii) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(E) Appeal. If a certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (o). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (o). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(F) Reapplication. If a final decision is reached denying a certificate of appropriateness, no further applications may be considered for the subject matter of the denied certificate of appropriateness for one year from the date of the final decision unless:

(i) the certificate of appropriateness has been denied without prejudice; or

(ii) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for waiver of the time limitation.

(G) Suspension of work. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

(H) Revocation. The director may, in writing, revoke a certificate of appropriateness if:

(i) the certificate of appropriateness was issued on the basis of incorrect information supplied;

(ii) the certificate of appropriateness was issued in violation of the regulations contained in this section, the preservation criteria contained in the historic overlay district ordinance, the development code, or building codes; or

(iii) the work is not performed in accordance with the certificate of appropriateness, the development code, or building codes.

(I) Amendments to a certificate of appropriateness. A certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard certificate of appropriateness review procedure.

(8) Emergency procedure. If a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district is damaged and the building official determines that the structure is a public safety hazard or will suffer additional damage without immediate repair, the building official may allow the property owner to temporarily protect the structure. In such a case, the property owner shall apply for a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal within 10 days of the occurrence which caused the damage. The protection authorized under this subsection must not permanently alter the architectural features of the structure.

(h) Certificate for demolition or removal.

(1) Findings and purpose. Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Therefore, demolition or removal of historic structures should be allowed only for the reasons described in this subsection.

(2) Application. A property owner seeking demolition or removal of a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district must submit a complete application for a certificate for demolition or removal to the landmark commission. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. The application must be accompanied by the following documentation before it will be considered complete:

(A) An affidavit in which the owner swears or affirms that all information submitted in the application is true and correct.

(B) An indication that the demolition or removal is sought for one or more of the following reasons:

(i) To replace the structure with a new structure that is more appropriate and compatible with the historic overlay district.

(ii) No economically viable use of the property exists.

(iii) The structure poses an imminent threat to public health or safety.

(iv) The structure is non-contributing to the historic overlay district because it is newer than the period of historic significance.

(C) For an application to replace the structure with a new structure that is more appropriate and compatible with the historic overlay district:

(i) Records depicting the original construction of the structure, including drawings, pictures, or written descriptions.

(ii) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.

(iii) Any conditions proposed to be placed voluntarily on the new structure that would mitigate the loss of the structure.

(iv) Complete architectural drawings of the new structure.

(v) A guarantee agreement between the owner and the city that demonstrates the owner's intent and financial ability to construct the new structure. The guarantee agreement must:

(aa) contain a covenant to construct the proposed structure by a specific date in accordance with architectural drawings approved by the city through the predesignation certificate of appropriateness process or the certificate of appropriateness process;

(bb) require the owner or construction contractor to post a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other arrangement acceptable to the director to ensure construction of the new structure; and

(cc) be approved as to form by the city attorney.

(D) For an application of no economically viable use of the property:

(i) The past and current uses of the structure and property.

(ii) The name of the owner.

(iii) If the owner is a legal entity, the type of entity and states in which it is registered.

(iv) The date and price of purchase or other acquisition of the structure and property, and the party from whom acquired, and the owner's current basis in the property.

(v) The relationship, if any, between the owner and the party from whom the structure and property were acquired. (If one or both parties to the transaction were legal entities, any relationships between the officers and the board of directors of the entities must be specified.)

(vi) The assessed value of the structure and property according to the two most recent tax assessments.

(vii) The amount of real estate taxes on the structure and property for the previous two years.

(viii) The current fair market value of the structure and property as determined by an independent licensed appraiser.

(ix) All appraisals obtained by the owner and prospective purchasers within the previous two years in connection with the potential or actual purchase, financing, or ownership of the structure and property.

(x) All listings of the structure and property for sale or rent within the previous two years, prices asked, and offers received.

(xi) A profit and loss statement for the property and structure containing the annual gross income for the previous two years; itemized expenses (including operating and maintenance costs) for the previous two years, including proof that adequate and competent management procedures were followed; the annual cash flow for the previous two years; and proof that the owner has made reasonable efforts to obtain a reasonable rate of return on the owner's investment and labor.

(xii) A mortgage history of the property during the previous five years, including the principal balances and interest rates on the mortgages and the annual debt services on the structure and property.

(xiii) All capital expenditures during the current ownership.

(xiv) Records depicting the current conditions of the structure and property, including drawings, pictures, or written descriptions.

(xv) A study of restoration of the structure or property, performed by a licensed architect, engineer or financial analyst, analyzing the physical feasibility (including architectural and engineering analyses) and financial feasibility (including pro forma profit and loss statements for a ten year period, taking into consideration redevelopment options and all incentives available) of adaptive use of restoration of the structure and property.

(xvi) Any consideration given by the owner to profitable adaptive uses for the structure and property.

(xvii) Construction plans for any proposed development or adaptive reuse, including site plans, floor plans, and elevations.

(xviii) Any conditions proposed to be placed voluntarily on new development that would mitigate the loss of the structure.

(xix) Any other evidence that shows that the affirmative obligation to maintain the structure or property makes it impossible to realize a reasonable rate of return.

(E) For an application to demolish or remove a structure that poses an imminent threat to public health or safety:

(i) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.

(ii) A study regarding the nature, imminence, and severity of the threat, as performed by a licensed architect or engineer.

(iii) A study regarding both the cost of restoration of the structure and the feasibility (including architectural and engineering analyses) of restoration of the structure, as performed by a licensed architect or engineer.

(F) For an application to demolish or remove a structure that is noncontributing to the historic overlay district because the structure is newer than the period of historic significance:

(i) Documentation that the structure is noncontributing to the historic overlay district.

(ii) Documentation of the age of the structure.

(iii) A statement of the purpose of the demolition.

(G) Any other evidence the property owner wishes to submit in support of the application.

(H) Any other evidence requested by the landmark commission or the historic preservation officer.

(3) Certificate of demolition or removal review procedure.

(A) Economic review panel. For an application of no economically viable use of the property, the landmark commission shall cause to be established an ad hoc three-person economic review panel. The economic review panel must be comprised of three independent experts knowledgeable in the economics of real estate, renovation, and redevelopment. "Independent" as used in this subparagraph means that the expert has no financial interest in the property, its renovation, or redevelopment; is not an employee of the property owner; is not a city employee; is not a member of the landmark commission; and is not compensated for serving on the economic review panel. The economic review panel must consist of one person selected by the landmark commission, one person selected by the property owner, and one person selected by the first two appointees. If the first two appointees cannot agree on a third appointee within 30 days after submission of the documentation supporting the application, the third appointee will be selected by the director within 5 days. Within 35 days after submission of the documentation supporting the application, all appointments to the economic review panel shall be made. Within 35 days after appointment, the economic review panel shall review the submitted documentation; hold a public hearing; consider all options for renovation, adaptive reuse, and redevelopment; and forward a written recommendation to the landmark commission. The historic preservation officer shall provide administrative support to the economic

review panel. The economic review panel's recommendation must be based on the same standard for approval to be used by the landmark commission. An application of no economically viable use will not be considered complete until the economic review panel has made its recommendation to the landmark commission. If the economic review panel is unable to reach a consensus, the report will indicate the majority and minority recommendations.

(B) Within 65 days after submission of a complete application, the landmark commission shall hold a public hearing and shall approve or deny the application. If the landmark commission does not make a final decision within that time, the building official shall issue a permit to allow the requested demolition or removal. The property owner has the burden of proof to establish by clear and convincing evidence the necessary facts to warrant favorable action by the landmark commission.

(4) Standard for approval. The landmark commission shall deny the application unless it makes the following findings:

(A) The landmark commission must deny an application to replace a structure with a new structure unless it finds that:

(i) the new structure is more appropriate and compatible with the historic overlay district than the structure to be demolished or removed; and

(ii) the owner has the financial ability and intent to build the new structure. The landmark commission must first approve the predesignation certificate of appropriateness or certificate of appropriateness for the proposed new structure and the guarantee agreement to construct the new structure before it may consider the application to demolish or remove.

(B) The landmark commission must deny an application of no economically viable use of the property unless it finds that:

(i) the structure is incapable of earning a reasonable economic return unless the demolition or removal is allowed (a reasonable economic return does not have to be the most profitable return possible);

(ii) the structure cannot be adapted for any other use, whether by the owner or by a purchaser, which would result in a reasonable economic return; and

(iii) the owner has failed during the last two years to find a developer, financier, purchaser, or tenant that would enable the owner to realize a reasonable economic return, despite having made substantial ongoing efforts to do so.

(C) The landmark commission must deny an application to demolish or remove a structure that poses an imminent threat to public health or safety unless it finds that:

(i) the structure constitutes a documented major and imminent threat to public health and safety;

(ii) the demolition or removal is required to alleviate the threat to public health and safety; and

(iii) there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.

(D) The landmark commission must deny an application to demolish or remove a structure that is noncontributing to the historic overlay district because it is newer than the period of historic significance unless it finds that:

(i) the structure is non-contributing to the historic overlay district;

(ii) the structure is newer than the period of historic significance for the historic overlay district; and

(iii) demolition of the structure will not adversely affect the historic character of the property or the integrity of the historic overlay district.

(5) Appeal. The chair of the landmark commission shall give verbal notice of the right to appeal at the time a decision on the application is made. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. Any interested person may appeal the decision of the landmark commission to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. If no appeal is made of a decision to approve the certificate for demolition or removal within the 30-day period, the building official shall issue the permit to allow demolition or removal. If an appeal is filed, the city plan commission shall hear and decide the appeal within 65 days after the date of its filing. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (o). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (o). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(6) Reapplication. If a final decision is reached denying a certificate for demolition or removal, no further applications may be considered for the subject matter of the denied certificate for demolition or removal for one year from the date of the final decision unless:

(A) the certificate for demolition or removal has been denied without prejudice; or

(B) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request

for waiver of the time limitation.

(7) Expiration. A certificate for demolition or removal expires if the work authorized by the certificate for demolition or removal is not commenced within 180 days from the date of the certificate for demolition or removal. The director may extend the time for commencement of work upon written request by the applicant showing circumstances beyond the control of the applicant. If the certificate for demolition or removal expires, a new certificate for demolition or removal must first be obtained before the work can be commenced.

(i) Certificate for demolition for a residential structure with no more than 3,000 square feet of floor area pursuant to court order.

(1) Findings and purpose. Demolition of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Elimination of substandard structures that have been declared urban nuisances and ordered demolished pursuant to court order is necessary to prevent blight and safeguard the public health, safety, and welfare. Therefore, the procedures in this subsection seek to preserve historic structures while eliminating urban nuisances.

(2) Notice to landmark commission by email. A requirement of this subsection that the landmark commission be provided written notice of a matter is satisfied if an email containing the required information is sent to every member of the landmark commission who has provided an email address to the director.

(3) Referral of demolition request to landmark commission and director. When a city department requests the city attorney's office to seek an order from a court or other tribunal requiring demolition of a residential structure with no more than 3,000 square feet of floor area on a property subject to a predesignation moratorium or in a historic overlay district, that department shall provide written notice to the landmark commission and director of that request within two business days after the date it makes the request. The notice must include a photograph of the structure, the address of the property, and (if known) the name, address, and telephone number of the property owner. If the city attorney's office determines that the department did not provide the required notice, the city attorney's office shall provide that notice within two business days after the date it determines that the department did not provide the notice.

(4) Notice of court proceedings to landmark commission and director. The city attorney's office shall provide written notice to the landmark commission and director at least 10 days before any hearing before a court or other tribunal where the city attorney's office seeks an order requiring demolition of a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district. If a court or other tribunal orders demolition of the structure subject to a predesignation moratorium or in a historic overlay district, the city attorney's office shall provide written notice to the landmark commission and director within five days after the order is signed and provided to the city attorney's office.

(5) Application. If the city or a property owner seeks demolition of a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, a complete application for a certificate for demolition must be submitted to the landmark commission. Within 10 days after submission of an application, the director shall notify the city's representative or the property owner in writing of any documentation required but not submitted. The application must be accompanied by the following documentation before it will be considered complete:

(A) An affidavit in which the city representative or the property owner affirms that all information submitted in the application is correct.

(B) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions, and including Historic American Buildings Survey or Historic American Engineering Records documentation if required by law or agreement.

(C) A signed order from a court or other tribunal requiring the demolition of the structure in a proceeding brought pursuant to Texas Local Government Code Chapters 54 or 214, as amended.

(D) A copy of a written notice of intent to apply for a certificate for demolition that was submitted to the director and the landmark commission at least 30 days before the application.

(E) Any other evidence the city representative or property owner wishes to submit in support of the application.

(6) Hearing. Within 40 days after submission of a complete application, the landmark commission shall hold a public hearing to determine whether the structure should be demolished. If the landmark commission does not make a final decision on the application or suspend the granting of the certificate of demolition pursuant to this subsection within that time, the building official shall issue a demolition permit to allow the demolition. The city representative or the property owner has the burden of proof to establish by a preponderance of the evidence the necessary facts to warrant favorable action by the landmark commission.

(7) Standard for approval. The landmark commission shall approve the certificate for demolition if it finds that:

(A) a court or other tribunal has issued a final order requiring the demolition of the structure pursuant to Texas Local Government Code Chapters 54 or 214, as amended; and

(B) suspension of the certificate for demolition is not a feasible option to alleviate the nuisance in a timely manner.

(8) Suspension. The purpose of the suspension periods is to allow an interested party to rehabilitate the structure as an alternative to demolition.

(A) Residential structures with no more than 3,000 square feet of floor area.

(i) Initial suspension period.

(aa) The landmark commission may suspend the granting of the certificate for demolition until the next regularly scheduled

landmark commission meeting (the initial suspension period) to allow time to find a party interested in rehabilitating the structure.

(bb) If during the initial suspension period no interested party is identified, the landmark commission shall grant the certificate for demolition.

(cc) If during the initial suspension period an interested party is identified, the landmark commission shall suspend the granting of the certificate for demolition for no more than two more regularly scheduled landmark commission meetings (the extended suspension period).

(ii) Extended suspension period.

(aa) During the extended suspension period, the interested party shall:

[1] submit an application for a predesignation certificate of appropriateness or a certificate of appropriateness;

[2] provide evidence that the interested party has or will obtain title to the property and has authority to rehabilitate the structure, or is authorized to rehabilitate the property by a party who has title to the property or has the right to rehabilitate the property;

[3] provide evidence that the structure and property have been secured to prevent unauthorized entry; and

[4] provide a guarantee agreement that:

[A] contains a covenant to rehabilitate the structure by a specific date, in accordance with the predesignation certificate of appropriateness process or certificate of appropriateness, which the landmark commission may extend if the interested party shows circumstances preventing rehabilitation of the structure by that date that are beyond the control of the interested party;

[B] is supported by a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other similar enforceable arrangement acceptable to the director to ensure rehabilitation of the structure; and

[C] is approved as to form by the city attorney.

(bb) If during the extended suspension period the interested party does not meet the requirements of Subparagraph (A)(ii), the landmark commission shall grant the certificate for demolition.

(cc) If during the extended suspension period the interested party meets the requirements of Subparagraph (A)(ii), the landmark commission shall continue to suspend the granting of the certificate for demolition (the continuing suspension period).

(iii) Continuing suspension period.

(aa) The interested party must rehabilitate the structure to comply with Dallas City Code Chapter 27 and request an inspection by the city before the end of the continuing suspension period.

(bb) At each landmark commission meeting during the continuing suspension period, the interested party shall provide a progress report demonstrating that reasonable and continuous progress is being made toward completion of the rehabilitation.

(cc) If during the continuing suspension period the landmark commission finds that the interested party is not making reasonable and continuous progress toward completion of the rehabilitation, the landmark commission shall grant the certificate for demolition, unless the interested party shows circumstances preventing reasonable and continuous progress that are beyond the control of the interested party.

(dd) If during the continuing suspension period the landmark commission finds that the interested party has rehabilitated the structure to comply with Dallas City Code Chapter 27, the landmark commission shall deny the certificate for demolition.

(9) Appeal. The city representative or property owner may appeal a decision of the landmark commission under this subsection to the city plan commission by filing a written notice with the director within 10 days after the date of the decision of the landmark commission. The city plan commission shall hear and decide the appeal at the next available city plan commission meeting. The standard of review shall be *de novo*, but the director shall forward to the city plan commission a transcript of the landmark commission hearing. In considering the appeal, the city plan commission may not hear or consider new evidence unless the evidence corrects a misstatement or material omission at the landmark commission hearing or the evidence shows that the condition of the property has changed since the landmark commission hearing. The city plan commission chair shall rule on the admissibility of new evidence. The city plan commission shall use the same standard required for the landmark commission. The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings; however, the city plan commission shall give deference to the decision of the landmark commission. Appeal to the city plan commission constitutes the final administrative remedy.

(10) Expiration. A certificate for demolition expires if the work authorized by the certificate for demolition is not commenced within 180 days after the date of the certificate for demolition. The director may extend the time for commencement of work upon written request by the city representative or the property owner showing circumstances justifying the extension. If the certificate for demolition expires, a new certificate for demolition must first be obtained before the work can be commenced.

(11) Procedures for all other structures. If the city or a property owner seeks demolition of any structure other than a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, an application must be filed under Subsection (h) of this section.

(j) Summary abatement by fire marshal. If the fire marshal finds that conditions on a structure subject to a predesignation moratorium

or in a historic overlay district are hazardous to life or property and present a clear and present danger, the fire marshal may summarily abate those conditions without a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition.

(k) Demolition by neglect.

(1) Definition. Demolition by neglect is neglect in the maintenance of any structure on property subject to the predesignation moratorium or in a historic overlay district that results in deterioration of the structure and threatens the preservation of the structure.

(2) Demolition by neglect prohibited. No person shall allow a structure to deteriorate through demolition by neglect. All structures on properties subject to the predesignation moratorium and in historic overlay districts must be preserved against deterioration and kept free from structural defects. The property owner or the property owner's agent with control over the structure, in keeping with the city's minimum housing standards and building codes, must repair the structure if it is found to have any of the following defects:

(A) Parts which are improperly or inadequately attached so that they may fall and injure persons or property.

(B) A deteriorated or inadequate foundation.

(C) Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed.

(D) Walls, partitions, or other vertical supports that split, lean, list, or buckle due to defect or deterioration, or are insufficient to carry the loads imposed.

(E) Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration, or are insufficient to support the loads imposed.

(F) Fireplaces and chimneys which list, bulge, or settle due to defect or deterioration, or are of insufficient size or strength to carry the loads imposed.

(G) Deteriorated, crumbling, or loose exterior stucco or mortar.

(H) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken or open windows and doors.

(I) Defective or lack of weather protection for exterior wall coverings, including lack of paint or other protective covering.

(J) Any fault, defect, or condition in the structure which renders it structurally unsafe or not properly watertight.

(K) Deterioration of any exterior feature so as to create a hazardous condition which could make demolition necessary for the public safety.

(L) Deterioration or removal of any unique architectural feature which would detract from the original architectural style.

(3) Demolition by neglect procedure.

(A) Purpose. The purpose of the demolition by neglect procedure is to allow the landmark commission to work with the property owner to encourage maintenance and stabilization of the structure and identify resources available before any enforcement action is taken.

(B) Request for investigation. Any interested party may request that the historic preservation officer investigate whether a property is being demolished by neglect.

(C) First meeting with the property owner. Upon receipt of a request, the historic preservation officer shall meet with the property owner or the property owner's agent with control of the structure to inspect the structure and discuss the resources available for financing any necessary repairs. After the meeting, the historic preservation officer shall prepare a report for the landmark commission on the condition of the structure, the repairs needed to maintain and stabilize the structure, any resources available for financing the repairs, and the amount of time needed to complete the repairs.

(D) Certification and notice. After review of the report, the landmark commission may vote to certify the property as a demolition by neglect case. If the landmark commission certifies the structure as a demolition by neglect case, the landmark commission shall notify the property owner or the property owner's agent with control over the structure of the repairs that must be made. The notice must require that repairs be started within 30 days and set a deadline for completion of the repairs. The notice must be sent by certified mail.

(E) Second meeting with the property owner. The historic preservation officer shall meet with the property owner or the property owner's agent with control over the structure within 30 days after the notice was sent to inspect any repairs completed and assist the property owner in obtaining any resources available for financing the repairs.

(F) Referral for enforcement. If the property owner or the property owner's agent with control over the structure fails to start repairs by the deadline set in the notice, fails to make continuous progress toward completion, or fails to complete repairs by the deadline set in the notice, the landmark commission may refer the demolition by neglect case to the code compliance department or the city attorney for appropriate enforcement action to prevent demolition by neglect.

(l) Historic preservation incentives. Consult Article XI, "Development Incentives," for regulations concerning the tax exemptions, conservation easements, and transfer of development rights available to structures in historic overlay districts.

(m) Historic preservation fund.

(1) The department, in cooperation with community organizations, shall develop appropriate funding structures and shall administer the historic preservation fund.

(2) The historic preservation fund is composed of the following funds:

(A) Outside funding (other than city general funds or capital funds), such as grants and donations, made to the city for the purpose of historic preservation and funding partnerships with community organizations.

(B) Damages recovered pursuant to Texas Local Government Code Section 315.006 from persons who illegally demolish or adversely affect historic structures.

(3) The outside funding may be used for financing the following activities:

(A) Necessary repairs in demolition by neglect cases.

(B) Full or partial restoration of low-income residential and nonresidential structures.

(C) Full or partial restoration of publicly owned historic structures.

(D) Acquisition of historic structures, places, or areas through gift or purchase.

(E) Public education of the benefits of historic preservation or the regulations governing historic overlay districts.

(F) Identification and cataloging of structures, places, areas, and districts of historical, cultural, or architectural value along with factual verification of their significance.

(4) Damages recovered pursuant to Texas Local Government Code Section 315.006 must be used only for the following purposes:

(A) Construction, using as many of the original materials as possible, of a structure that is a reasonable facsimile of a demolished historic structure.

(B) Restoration, using as many of the original materials as possible, of the historic structure.

(C) Restoration of another historic structure.

(n) Enforcement and criminal penalties.

(1) A person is criminally responsible for a violation of this section if:

(A) the person owns part or all of the property and knowingly allows the violation to exist;

(B) the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials;

(C) the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property; or

(D) the person knowingly commits the violation or assists in the commission of the violation.

(2) Any person who adversely affects or demolishes a structure on property subject to the predesignation moratorium or in a historic overlay district in violation of this section is liable pursuant to Texas Local Government Code Section 315.006 for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No predesignation certificates of appropriateness, certificates of appropriateness, or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.

(3) Prosecution in municipal court for an offense under this section does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

(o) Substantial evidence standard of review for appeals. The city plan commission shall give deference to the landmark commission decision and may not substitute its judgment for the landmark commission's judgment.

(1) The city plan commission shall remand the matter back to the landmark commission if it determines that there is new testimony or evidence that was not available at the landmark commission hearing.

(2) The city plan commission shall affirm the landmark commission decision unless it finds that it:

(A) violates a statutory or ordinance provision;

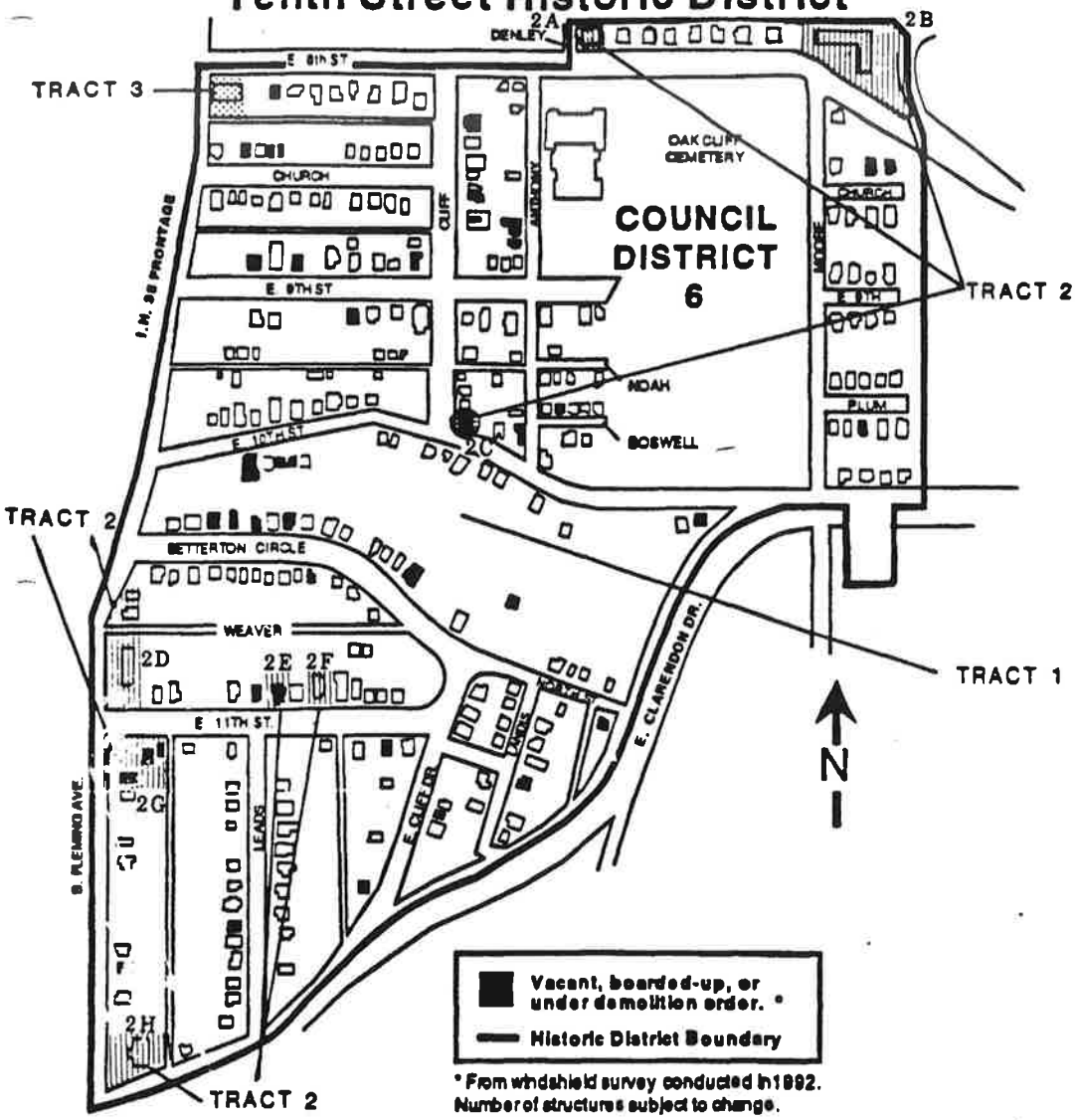
(B) exceeds the landmark commission's authority; or

(C) was not reasonably supported by substantial evidence considering the evidence in the record.

(p) Judicial review of decisions. The final decision of the city planning commission regarding an appeal of a landmark commission decision may be appealed to a state district court. The appeal to the state district court must be filed within 30 days after the decision of the city planning commission. If no appeal is made to the state district court within the 30-day period, then the decision of the city plan commission is final and unappealable. An appeal to the state district court is limited to a hearing under the substantial evidence rule. (Ord. Nos. 19455; 19499; 20585; 21244; 21403; 21513; 21874; 22018; 23506; 23898; 24163; 24542; 24544; 25047; 26286; 27430; 27922; 28073; 28553; 29478, eff. 10/1/14; 31433)

EXHIBIT B 933758

Tenth Street Historic District



Census Tract - 41
City Services Analysis Area
Near Southwest

Prepared By The Department Of Planning And Development
City Of Dallas, Texas
May 1993

PLANNED DEVELOPMENT DISTRICT FOR THE TENTH STREET NEIGHBORHOOD

(a) Definitions. Unless otherwise stated, the definitions contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, apply to this ordinance. In the event of a conflict, this section controls. In this ordinance:

(1) ADDITION means an enclosed living space added to a main structure.

(2) APPLICANT means an owner of property within this district, or an owner's duly authorized agent.

(3) CERTIFICATE OF APPROPRIATENESS means a certificate issued by the city in accordance with Section 51A-4.501 of the Dallas City Code, as amended, to authorize the alteration of the physical character of real property in the district or any portion of the exterior of a structure in the district, or the placement, construction, maintenance, expansion, or removal of any structure in or from the district.

(4) COLUMN means the entire column including the base and capital, if any.

(5) COMMISSION means the Landmark Commission of the City of Dallas.

(6) CORNERSIDE FACADE means a building facade facing a side street.

(7) CORNERSIDE YARD means a side yard that abuts a street.

(8) DEPARTMENT OF THE INTERIOR STANDARDS means the set of Historic Preservation standards established by the U. S. Department of the Interior National Park Service.

(9) DIRECTOR means the director of the Department of Planning and Development or that person's representative.

(10) DISTRICT means the Tenth Street Historic Overlay District. This district contains the property described in Section 1 of this ordinance.

(11) ERECT means to build, attach, hang, place, suspend, fasten, fix, maintain, paint, draw or otherwise construct.

(12) FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

(13) NEW CONSTRUCTION means new structures built or moved on the property.

(14) MAIN BUILDING means a building on a lot intended for occupancy by the main use.

(15) PRESERVATION CRITERIA means the standards considered by the director and commission in determining whether a certificate of appropriateness should be granted or denied.

(16) PROTECTED FACADE means a facade that must maintain its original appearance, as near as practical.

(20) REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

(b) Interpretations.

(1) Unless otherwise stated, all references to code articles, divisions, or sections in this ordinance refer to articles, divisions, or sections in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended.

(2) All attached exhibits are part of this ordinance.

(3) Section 51A-2.101, "Interpretations," applies to this ordinance.

(4) The following rules apply in interpreting the use regulations of this ordinance:

(A) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(B) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only.

(C) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(D) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803. ("DIR" means "development impact review." For more information regarding development impact review generally, see Division 51A-4.800).

(E) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, a site plan must be submitted and approved in accordance with the requirements of that section. ("RAR" means "residential adjacency review." For more information regarding residential adjacency review generally, see Division 51A-4.800).

(5) For purposes of determining the applicability of regulations in this ordinance and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a residential zoning district.

(6) Creation of separate tracts.

This district is divided into three (3) tracts. A map showing the boundaries of the three (3) tracts is attached as Exhibit A.

(c) Main uses permitted for Tract I.

-- Duplex.
-- Single family.
-- Cemetery or mausoleum.
-- Child-care facility (SUP).
-- Church.
-- Foster home (SUP).
-- Public or private school (SUP).

(d) Main uses permitted for Tract 2.

(1) Commercial and business services uses.

-- Building repair and maintenance shop.

(2) Institutional and community service uses.

-- Cemetery or mausoleum.
-- Child-care facility (SUP).
-- Church.
-- Community service center (SUP).
-- Foster home (SUP).
-- Library, art gallery, or museum (SUP).
-- Public or private school (SUP).

(3) Office uses.

-- Financial institution without drive-in window.
-- Office (to include medical office).

(4) Recreation uses.

-- Public park, playground, or golf course.

(5) Residential uses.

-- Multifamily (above retail buildings only).
-- Duplex.
-- Single family.

(6) Retail and personal service uses.

Custom print shop.
-- Dry cleaning or laundry store.
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- Hardware store 3,500 square feet or less.
-- Household equipment and appliance repair.
-- Nursery, garden shop, or plant sales.
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.
-- Stationary shop./book store
-- Temporary retail use.
-- Theater.

(7) Utility and public service uses:

-- Police or fire station.
-- Post office.

(e) Main uses permitted in Tract 3

-- All uses in Tract 2
-- Motor vehicle fueling station.

(f) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(g) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, this subsection controls).

(1) Front yard setback:

(a) A main building on an interior lot must have a front yard setback that is within five percent of the average setback of other main buildings in the same blockface. Documentation establishing average setbacks to be submitted by applicant.

(b) A main building on a corner lot must have front yard setback that is within five percent of the average setback of other main buildings in the same blockface. Documentation establishing average setbacks to be submitted by applicant.

(2) Rear and side yard:

(a) Rear and side yard setbacks must be within five percent of the average setback of other main buildings in the same blockface. Documentation establishing average setbacks to be submitted by applicant.

(b) Lots that are thirty feet or less in width have no side yard setback.

(c) Front, rear, side, and corner side yards are illustrated in attached Exhibit B.

(d) Construction or restoration of original buildings is encouraged to preserve the historic nature of the neighborhood.

(3) The board of adjustment may grant a special exception to the setback requirement(s) if the board finds after the public hearing:

- A special exception will not adversely affect the neighboring properties, and
- The improvement is within the general building patterns of the neighborhood.

In granting the special exception to the setback requirement(s), the board may impose any other reasonable condition that would further the purpose and intent of the setback restriction(s)/requirment(s).

(4) Height:

(a) The height of new construction, accessory buildings, or vertical or horizontal additions to existing non-protected structures or facades must not exceed thirty-six feet.

(4) Width requirements of structures:

(a) The width of a new single family residence shall not exceed 42 feet and:

(b) be no more than 20 percent greater than the average width of single family dwellings on the blockface.

(5) Environmental performance standards. See Article VI.

(a) Signs. Signs must comply with the provisions for non-business zoning districts contained in Article VII.

(b) Additional provisions. Development and use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the City of Dallas.

PRESERVATION CRITERIA

Except as otherwise provided in these Preservation Criteria, all public and private right-of-way improvements, renovation, repairs, demolition, maintenance, site work and new construction in this district shall conform to the following guidelines and a certificate of appropriateness must be obtained for such work prior to its commencement.

Except as otherwise provided in these Preservation Criteria, any such alterations to the property must conform to the regulations contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE" of the Dallas City Code, as amended. In the event of a conflict, these Preservation Criteria control.

Unless otherwise specified, preservation and restoration materials and methods used shall conform to those defined in the Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.

SITE AND SITE ELEMENTS

(a) New construction is prohibited in all front yards within the district.

(b) The existing original and historic structures must be retained and protected.

(c) New sidewalks, walkways, steps, and driveways must be of brush finish concrete, brick, stone, or other material if deemed appropriate. No exposed aggregate, artificial grass, carpet, asphalt or artificially-colored monolithic concrete paving is permitted.

(d) No circular drives are allowed in front yards.

(e) Exterior lighting must be appropriate to and enhance the structure.

(f) Landscape plant material must be appropriate and compatible, must enhance the structure and surroundings, and must not obscure significant views of the main building or from the main building. It is recommended that landscape modifications reflect the original historic landscaping design when appropriate.

(g) After the effective date of this ordinance, any new mechanical equipment must be erected in side or rear yards and must be screened from the street.

(h) Existing mature trees must be protected. Unhealthy or damaged trees may be removed if deemed appropriate.

(i) Fences in the rear yard and rear 50% of the side yard cannot exceed 9 feet in height from grade or top of retaining wall.

(j) Fences that are permitted in the front yard shall have a maximum height of three feet six inches. These fences must be appropriate to the district. Chain link fences are not allowed in the front yard. Fence locations can be found in Appendix C.

(k) Fences above three feet six inches in the side yards must be located a minimum of 10 feet back from the front facade of the main building. Fences with a maximum height of three feet six inches can be located anywhere in the side yard and may connect to front yard fence.

(l) Fences in cornerside yards must not be located directly in front of the cornerside facade except that the commission may allow a fence directly in front of all or any portion of the rear 50 percent of the cornerside facade if:

1. more screening is necessary to insure privacy due to unusually high pedestrian or vehicular traffic; and

2. the fence is less than four feet in height and is compatible with the architectural character of the home.

(m) Fences in side, rear or cornerside yards must be constructed of one or more of the following materials: wood, brick, stone, iron, a combination of those materials, or other materials if deemed appropriate.

(n) Tops of fences shall be horizontal, stepped or parallel to grade per Exhibit D.

STRUCTURE

Facades

(a) The front and side facades are protected facades.

(b) Reconstruction, renovation or repair of the opaque elements of the protected facades must employ materials similar to the original materials in texture, color, pattern, grain and module size as much as practical.

(c) The existing solid-to-void ratios of non-protected facades must be maintained as much as practical. All additions and alterations must be architecturally sensitive and appropriate to the overall design of the existing structure.

(d) Brick must match in color, texture, module size, bond pattern and mortar color. Brick surfaces not previously painted must not be painted unless the applicant establishes that

1. the color and texture of replacement brick cannot be matched with that of the existing brick surface;

2. the brick is not original or compatible with the style and period of the main building and the district; or

3. Painting is the only method that the brick may be repaired or restored.

(e) Stone, cast stone, and concrete elements must be renovated or repaired only with materials similar in size, grain, texture, and color to the original materials.

(f) Wood siding, trim, and detailing shall be carefully restored wherever practical. Historic materials should be repaired; they should be replaced only when necessary. Badly deteriorated paint should be removed in accordance with the Department of Interior standards prior to refinishing. All exposed wood must be painted, stained, or otherwise protected. No resurfacing with vinyl or aluminum siding or stucco is permitted on main structures. Imitation materials are allowed on accessory structure only if they are keeping with the style and materials on the main structure.

(g) COLOR: All colors must comply with the Acceptable Color Range Standards contained in Exhibit E. Fluorescent and metallic colors are not permitted on the exterior of any structure in this district.

Dominant and trim colors. All structures must have a dominant or body color and no more than three trim colors, including any accent colors. Proper location of dominant trim, and accent colors is shown in Exhibit F. The colors of a structure must be complementary of each other and the overall character of this district. Complimenting color schemes are encouraged through the blockface.

(h) Exposing and restoring original historic finish materials is encouraged.

(i) Exterior cleaning must be accomplished in accordance with Department of Interior standards. No sandblasting or other mechanical abrasive cleaning processes are permitted.

Fenestration and Openings

(a) Original doors and windows and their openings must remain intact and be preserved. Where replacement of an original door or window is necessary due to damage or structural deterioration, replacement doors and windows must express mullion size, light configuration, and material to match the original doors and windows. Replacement of windows and doors which have been altered and no longer match the historic appearance is strongly recommended.

Exterior storm windows and doors are permitted if they are sensitive additions and match the existing windows and doors in frame width and portion, glazing material, and color. Painted or factory finished aluminum storm doors, storm windows or screens are permitted. Mill finished aluminum is not permitted.

(b) New door and window openings on the front and corner facade are permitted only in locations where there is evidence that original openings have been infilled with other material.

(c) Decorative ironwork or burglar bars are permitted only on rear facades. Interior mounted burglar bars are permitted on protected facades.

(d) Glass and glazing shall match original materials as much as practical. Tinted, reflective glazing or reflective film is not permitted.

(e) Materials placed on or behind window glazing must be appropriate to the district.

(f) The Department of the Interior standards should be referred to for acceptable techniques to improve the energy efficiency of historic fenestrations.

Roofs

(a) The slope, massing, configuration and materials of the roof must be preserved and maintained. Original gables, dormers, and porch & roofs must be preserved. Existing parapets, cornices and coping eaves, roof trim and dormers must be retained and when repaired, should be done so with material matching in size, finish, module and color.

(b) The following roofing materials are allowed: wood shingles, composition shingles, or terra-cotta tiles and other materials if deemed appropriate.

(c) Solar panels, skylights, and mechanical equipment must be set back or screened so that it is not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.

Porches and balconies

(a) Existing original porches and balconies on protected facades must be retained and preserved; no porches may be enclosed on protected facades.

(b) All original columns, railings, and other trim and detailing that are part of the porch or balcony configuration must be preserved.

(c) It is encouraged that existing enclosed porches on protected facades be restored to their original appearance.

(d) Front porch floor finishes shall be of concrete, wood or other materials if deemed appropriate. Porch floors may not be covered with carpet. Wood floors must be painted or stained. Concrete, brick or stone floors may not be painted. A clear sealant is acceptable.

NEW CONSTRUCTION AND ADDITIONS

(a) The form, materials, general exterior appearance, color and details of any new construction of accessory building or vertical extension to existing structures must be compatible with the existing historic structure.

(b) New construction, additions to historic structures, accessory buildings, porches, and balconies must be of appropriate massing, roof form, shape, materials, detailing and color and have fenestration patterns and solids-to-voids ratios that are typical of the historic structure.

(c) Vinyl and aluminum, or other imitation materials are not acceptable cladding materials for the construction of a new main structure in this district or addition to existing historic structure in this district.

(d) Chimneys visible from the public right of way must be clad in brick, or stucco. Imitation brick will be reviewed through the certificate of appropriateness process.

(e) New construction and connections between new and existing construction must be designed so that they are clearly discernible from the existing historic structures as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new and existing construction shall be established and maintained.

(f) Historic details at parapets and coping must be preserved and maintained where abutting new construction.

ACCESSORY BUILDINGS

(a) Are only permitted in the rear yard;

(b) Must be compatible with the scale, shape, roof form, materials, detailing, and color of the main building;

(c) Must be at least eight feet from the main building; and

(d) May have garage doors located at the established rear yard setback from the alley if electric garage door openers are installed.

SIGNS

(a) Temporary political campaign signs (as defined in Chapter 15A of the Dallas City Code, as amended) and real estate signs may be erected.

(b) Street signs, protective signs, movement control signs, and historical markers may be erected. A certificate of appropriateness is required to erect one of these signs to ensure that the sign is sensitive and compatible with the appearance of the structure.

(c) All signs must conform with all applicable provisions of the Dallas City Code, as amended and be compatible with the architectural qualities of the historic structure.

REVIEW PROCEDURES FOR CERTIFICATES OF APPROPRIATENESS

(a) The review procedure outlined in Section 51A-4.501 of the Dallas City Code, as amended, applies to this district except that a certificate of appropriateness is not required to erect temporary political campaign signs (as defined in Chapter 15A of the Dallas City Code, as amended) or real estate signs.

(b) Certificate of appropriateness denied by the Landmark Commission, may be appealed to the city council in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.

EXHIBIT B

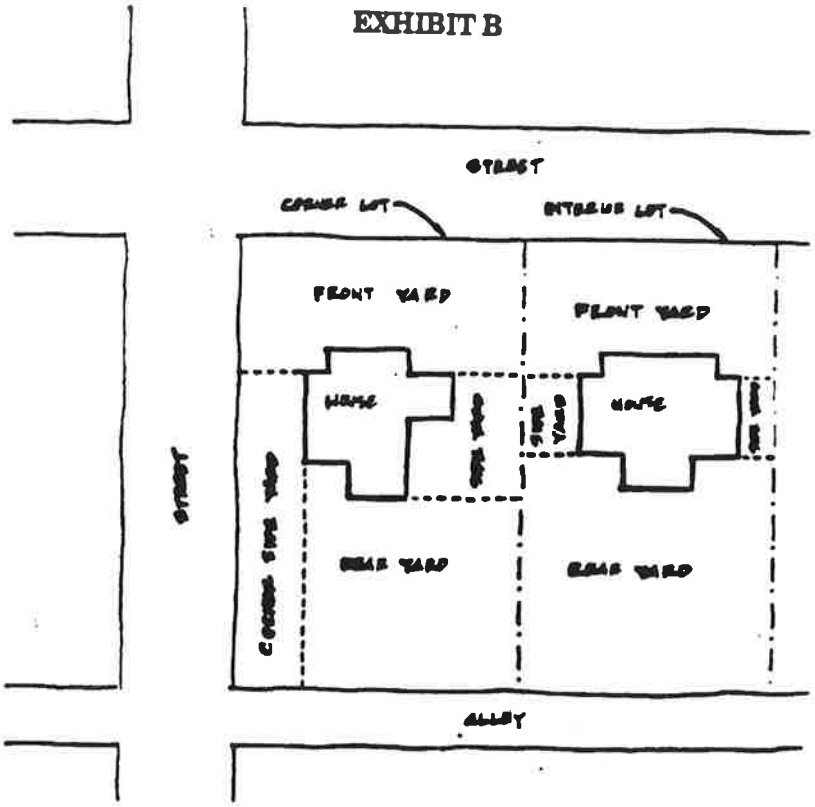

STREET
FRONT YARD
FRONT YARD
HOUSE
HOUSE
REAR YARD
REAR YARD
ALLEY

EXHIBIT C

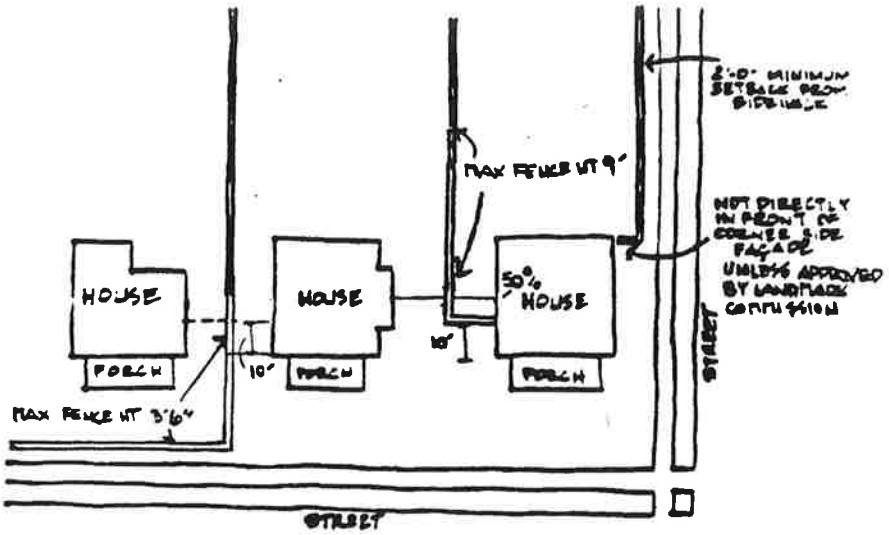
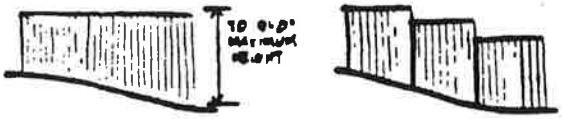


EXHIBIT D



Horizontal

EXHIBIT E

Color and color scheme shall be evaluated according to the Munsell Book of Color Systems (Neighboring Hues Edition -1973).

The Munsell color ranges or their equivalents in value (V) and Chroma (C) for primary or body trim or accent colors:

Body: **9 through 6V/1 through 4C**

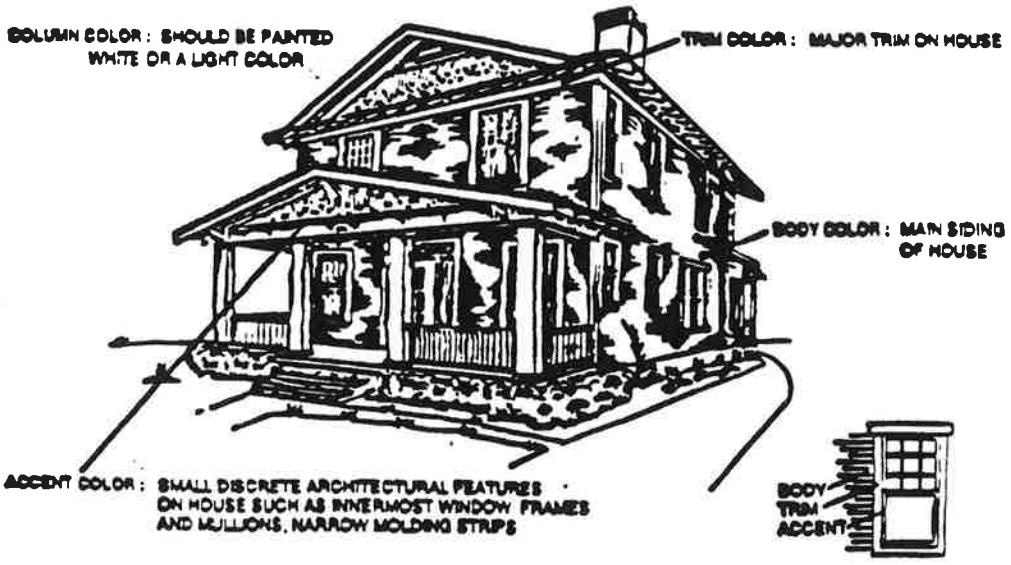
Trim: **9 through 3V/1 through 6C**

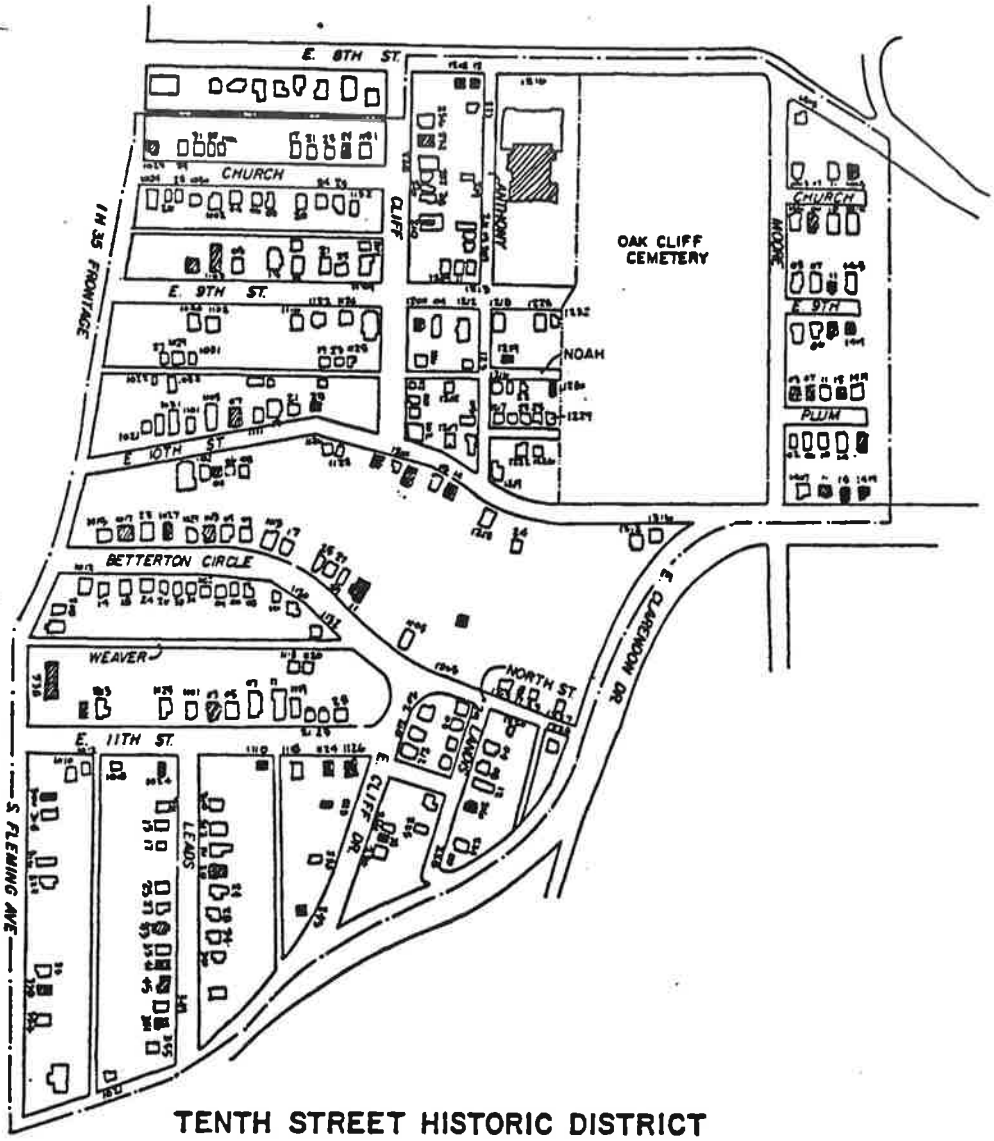
Hue symbols 2.5-10 for: R (Red) G (Green) B (Blue) Y (Yellow) YR (Yellow-Red) GY (Green-Yellow)

Neutral gray and absolute white may also be permitted. Neutral gray must be equivalent in value to those ranges specified above. Any colors or color schemes that are not within the specified allowable Munsell ranges must be reviewed by the Landmark Commission and approved or denied based on their appropriateness to and compatibility with the structure, blockface, and this district. The Commission shall not approve any colors or color schemes (or their equivalents) that are specifically excluded by this ordinance.

EXHIBIT F

COLOR PLACEMENT





TENTH STREET HISTORIC DISTRICT

☐ CONTRIBUTING ▨ NONCONTRIBUTING

—·—DISTRICT BOUNDARY

SECTION 7

Correspondence

- Notice of January 9, 2023 Landmark Hearing
- Notice of application denied without prejudice
- Request to Appeal from applicant
- Appeal Procedures

Invitation to Landmark Commission Meeting – Monday, January 9th, 2023

Rhonda Dunn <rhonda.dunn@dallas.gov>

Thu 12/22/2022 6:47 PM

Bcc: Annemarie Bristow <AnneMarieBristow@gmail.com>;Pop Nora <pop@thai-cottage.com>;Evan Stack <Evan.Stack@aspencapital.com>;good evening i would like to ge some information on how to submit residential permit application please <susancardenas20@gmail.com>;permitsbarragan@yahoo.com <permitsbarragan@yahoo.com>;Manny Fernandez <manny@honeybeehomebuyers.com>;Marcela Ruiz <marcela.i.ruiz@gmail.com>;Henry Marshall <newatmos.2020@gmail.com>;Marco Hagens <marco.hagens@lemonade.com>;jcg98@msn.com <jcg98@msn.com>;Randy Shear <rand.shear@gmail.com>

5 attachments (5 MB)

DallasCityCode_51A-4.400_Lot Setbacks.pdf; PeaksSuburbanOrdinance.pdf; TenthStreetOrdinance.pdf; WheatleyOrdinance.pdf; COD_Preservatio Code + HP Tax Incentives Info.pdf;

Dear Applicants,

This email provides details about the upcoming Landmark Commission (LMC) meeting on **Monday, January 9th, 2023**. For those of you who performed work, prior to a Landmark Commission review; or for those of you who are appealing, a prior Landmark Commission decision: you are strongly encouraged to attend. This is your opportunity to speak and to share your design decisions with the Landmark Commission.

***Note**: If you were asked by the Task Force or Staff to provide updated drawings, plans or specifications, please do so by **5 P.M. today**!

MONDAY, JANUARY 9th, 2023

10:00 AM – Briefing (Staff Presentations to the Landmark Commission.)
1:00 PM – Public Hearing (Your opportunity to speak. Three minute limit!)

The meeting will be held virtually, though City Council Chambers on the 6th Floor at City Hall (Room 6ES) will be available for those who wish to attend in person or who are not able to attend virtually. Those attending in person will be required to follow all current pandemic-related public health protocols.

The **January 9th** meeting agenda should be posted by Friday afternoon, on **January 6th**. You may access the agenda once it is posted on the City Secretary's Office website here:

https://dallascityhall.com/government/citysecretary/Pages/Public-Meetings.aspx

The 10:00 AM Briefing meeting is optional for you to attend. Be aware that the public can listen in but may not participate in the Briefing discussion. The public hearing at 1:00 PM which you should plan to attend is where the Commission will make their decision on your application or provide comments, if your application is a Courtesy Review. Discussion with applicants is reserved for the 1:00 PM public hearing.

Below you will find the web link and teleconference number for the January 9th Landmark Commission meeting. **In addition, you will find an email address for our admin, Elaine Hill, that you will need for signing up to speak at the meeting. The deadline to sign up to speak is Monday, January 9th by 9:00 AM, so be sure that you and/or anyone who plans to speak on your behalf has emailed Elaine and signed up on time. There is not a way to sign up to speak, after this deadline closes. When emailing Elaine, be sure you include the speakers full name as well as the address for the case you are requesting to speak on. Also be aware that speakers who**

attend the meeting virtually will be required to use video during the meeting discussion. Per state law, you may not participate using audio only.

Videoconference

To join via computer:
https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e23ed60a548ccf544ae29bb7560194dad
Event number: 2493 390 5578
Event password: JAN23LMC

To join via phone only:
Call-in (audio only): +1-408-418-9388
Access code: 2493 390 5578
Per state law, you may not speak before the Landmark Commission using audio only.

Speaker Sign-Up:
Email: Elaine Hill at phyllis.hill@dallas.gov
Deadline: **Monday, January 9th at 9:00 AM**
You must sign up by email by the above deadline to speak at the Landmark Commission hearing. Be sure your email to Elaine includes the full name of the speaker, as well as the address for the case you wish to speak on.

FYI:
Historic District Preservation Criteria, City of Dallas Setback Requirements and the City of Dallas Historic District Overlay Ordinance are attached.

Please let me know if you have any questions.

Kind Regards,

Rhonda Dunn, Ph.D.
Senior Planner
City of Dallas | www.dallascityhall.com
Office of Historic Preservation
1500 Marilla St, Room 5DN
Dallas, TX 75201
rhonda.dunn@dallas.gov
(214) 671-5173

OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.

January 18, 2023

RANDY SHEAR
7027 GASTON PARKWAY,
DALLAS, TX 75214

RE: CD223-003(RD)
REVIEW OF YOUR CERTIFICATE OF DEMOLITION APPLICATION 338 S FLEMING AVE

Dear RANDY SHEAR:

Enclosed is a copy of the Certificate of Demolition (CD) application that you submitted for review by the Landmark Commission on January 9, 2023.

Please see the enclosed Certificate of Demolition for Details.

PLEASE NOTE: You have the right to appeal this decision within 30 days from the Landmark Commission review date. The enclosed ordinance lists the fee schedule for appeals. Also enclosed is an application for appeal which is due in our office by 5:00 P.M on February 8, 2023. For information regarding the appeals process, please email Elaine Hill at Phyllis.hill@dallas.gov

Please make checks payable to the City of Dallas.

Encl. Application for Appeal
Ordinance No. 19455

If you have any questions, please contact me by phone at (214) 671-5173 or emai at rhonda.dunn@dallas,gov.

Rhonda Dunn
Senior Planner

Certificate of Demolition January 9, 2023

Standard	January 9, 2023	**PLANNER:**	Rhonda Dunn
FILE NUMBER:	CD223-003(RD)	**DATE FILED:**	December 9, 2022
LOCATION:	338 S FLEMING AVE	**DISTRICT:**	Tenth Street Neighborhood Historic Distr
COUNCIL DISTRICT:	4	**MAPSCO:**	55-E
ZONING:	PD-388	**CENSUS TRACT:**	0041.00

APPLICANT: RANDY SHEAR

REPRESENTATIVE:

OWNER: BRISTOW, ANNEMARIE

The Landmark Commission decision is: Denied without Prejudice

Information regarding requests:

1) Demolish primary residential structure.
   Deny without Prejudice
   Conditions: That the request for a Certificate of Demolition to demolish primary residential structure be denied without prejudice. The proposed work is inconsistent with the standards in City Code Section 51A-4.501(h)(4)(C).

Landmark Commission Chair

January 9, 2023
Date

Please take any signed drawings to Building Inspection for permits.

APPLICATION FOR APPEAL OF LANDMARK COMMISSION DECISION

The Deadline to Appeal this application is February 8, 2023

Director, Development Services Department
Dallas City Hall
1500 Marilla St., RM 5/B/N
Dallas Texas 75201
Telephone 214-670-4209

Office Use Only
Date Received

Landmark Case/File No.: CD223-003(RD)

Property Address: 338 S FLEMING AVE

Date of Landmark Commission Action: January 9, 2023

Applicant's Name: _____

Applicant's Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Applicant's Phone Number: _____ **Fax:** _____

Applicant's Email: _____

IF DIFFERENT FROM ABOVE, PROVIDE PROPERTY OWNER'S INFORMATION.

Owner's Name: _____

Owner's Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Owner's Phone Number: _____ **Fax:** _____

Owner's Email: _____

Applicant's Signature Date

Owner's Signature (if individual) Date
or Letter of Authorization (from corporation/partnership)

Fee for Single Family use/structure: **$300.00**
Fee for any other use/structure: **$700.00**

(3) Fee schedule.

Type of Application	Application Fee	Area of Notification for Hearing
[illegible]	[illegible]	
[illegible]	[illegible]	
Certified development plan when submitted after passage of an ordinance establishing a planned development district	$4[illegible] per each submission	
Waiver of the two-year waiting period under Section 51A-4.701(d)(3)	$300.00	
Extension of the development schedule under Section 51A-4.702(g)(3)	$75.00	
Waiver of the requirement to pay property taxes, fees, fines, and penalties are not delinquent under Section 51A-1.105(k)(1)	$200.00	
Appeal to the city council of a moratorium on rezoning or rezoning matter handled by the department	$[illegible]	
Request for a letter from the department explaining the availability of water service for a development site	$[illegible]	
Request for a letter from the department explaining the availability of wastewater service for a development site	$[illegible]	
Request for performance of a wastewater capacity analysis on an existing wastewater line to determine its capacity for a proposed development or land use	$[illegible]	
Appeal of an apportionment determination to the city plan commission	$[illegible]	
Appeal of apportionment determination from the city plan commission to the city council	$[illegible]	

Type of Application	Application Fee	Area of Notification for Hearing
Appeal a decision of the landmark $300.00 commission on a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal to the city plan commission regarding a single family use or a handicapped group dwelling unit use	$300.00	
Appeal a decision of the landmark commission on a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal to the city plan commission regarding any other use	$[illegible]	
Request for a sidewalk width waiver under Section 51A-4.124(a)(3)(C)(vi)	$[illegible]	
Request for an administrative parking reduction under Section 51A-4.313	$[illegible].00 and $[illegible] per space over [illegible] spaces	

Note: The director shall use land notification of major plan amendments to the city plan commission members, any known neighborhood associations covering the property, and persons on the early notification list at least [illegible] days prior to the public hearing.

(f) Fees for a street name change.

(1) The following fees are required for a street name change.

(A) A street name change fee must be paid to the director before an application will be processed.

(B) A fee for new street identification signs must be paid to the director of sustainable development and construction within 60 days of the approval of a street name change by the city council.

(C) A fee for change of official address records must be paid to the building official within 60 days of the approval of a street name change by the city council.

APPLICATION FOR APPEAL OF LANDMARK COMMISSION DECISION

The Deadline to Appeal this application is February 8, 2023

Director, Development Services Department
Dallas City Hall
1500 Marilla St., RM 5/B/N
Dallas Texas 75201
Telephone 214-670-4209

Office Use Only
Date Received

Landmark Case/File No.: CD223-003(RD)

Property Address: 338 S FLEMING AVE

Date of Landmark Commission Action: January 9, 2023

Applicant's Name: ANNEMARIE BRISTOW

Applicant's Mailing Address: 802 HAINES AVE

City: DALLAS **State:** TX **Zip:** 75208

Applicant's Phone Number: 1-(972) 400-2969 **Fax:**

Applicant's Email: annemariebristow@gmail.com

IF DIFFERENT FROM ABOVE, PROVIDE PROPERTY OWNER'S INFORMATION.

Owner's Name:

Owner's Mailing Address:

City: **State:** **Zip:**

Owner's Phone Number: **Fax:**

Owner's Email:

JAN 30 2023 Annemarie Bristow JAN 30, 2023

Applicant's Signature Date Owner's Signature (if individual) or Letter of Authorization (from corporation/partnership) Date

Fee for Single Family use/structure: $300.00
Fee for any other use/structure: $700.00

#10863
RECEIVED
JAN 30 2023
BY: 42-140

CITY OF DALLAS

March 8, 2023

****CORRECTION****

Via Certified Mail: 7014 2120 0003 4355 9578

Annemarie Bristow
802 Haines Avenue
Dallas, TX 75208

RE: Appeal of Certificate of Demolition:
Hearing – January 9, 2023
338 S Fleming Ave., Case No. CD223-003(RD)

Dear Annemarie Bristow:

Good afternoon, Annemarie Bristow,

Due to an error with the original transcription of the minutes, a correction was required to show the full transcript. See the attached corrected record for your review.

Please accept my sincerest apologies for any inconveniences this may have caused and let me know if you have any questions.

Sincerely,
Elaine Hill

We have received your correspondence appealing the Landmark Commission's denial without prejudice of a Certificate of Appropriateness application for 338 S. Fleming Avenue. Please be advisedthat the City Plan Commission hearing for **this appeal is scheduled for Thursday, March 23, 2023.** The City Plan Commission meeting will be held in person and by video conference. Individuals who wish to speak, remotely via WebEx, in accordance with the City Plan Commission Rules of Procedure, should contact the Current Planning division at 214-670-4209 by the close of business Tuesday prior to the scheduled CPC Meeting date. Individuals can also register online at: https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx.

Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or Channel 99 and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall.

The appeal of the decision of the Landmark Commission regarding the application for a Certificate of Appropriateness is a quasi-judicial action. No communication with City Plan Commission members may occur outside the hearing of **March 23, 2023.**

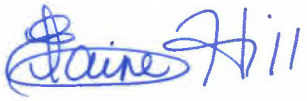
The Dallas Development Code, Section 51A-4.501(g)(6)(E) provides the procedures applicable to a Certificate of Appropriateness appeal. For your convenience, I have enclosed a copy of the ordinance containing the applicable section and a copy of the Appeal Procedures.

Annemarie Bristow
338 S. Fleming Avenue
Dallas, TX 75208

Included with this letter is the Landmark Commission record and other related paperwork. The Landmark Commission record includes all documents related to your specific case including a transcript of the January 2023 Landmark Commission hearing. As I mentioned in the email on February 9, 2023, should you wish to provide the City Plan Commission a brief on the matter, submit a copy to me at Dallas City Hall, 1500 Marilla Street, Room 5CN, Dallas, TX 75201 or to phyllis.hill@dallas.gov by **5:00 p.m. Wednesday, March 8,2023.** I will then distribute a copy of your brief to the City Plan Commission. I will also send you a copy of the brief by the Assistant City Attorney's office.

You may contact me @ 214-670-4206 or email me at Phyllis.hill@dallas.gov if there are anyquestions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Daniel Moore at 214-670-7027 if you have any questions regarding the formatof the City Plan Commission hearing or other related matters.

Respectfully,



Elaine Hill
Landmark Commission
Coordinator
Office of Historic Preservation

cc: Julia Ryan, Interim Director, Office of Historic Preservation
Stacy Rodriguez, Executive Assistant City Attorney
Daniel Moore, Assistant City Attorney
Theresa Pham, Assistant City Attorney
Dr. Rhonda Dunn, Senior Planner,
Office of Historic Preservation

Case No. CD223-003 (RD)

ANNEMARIE BRISTOW,	§	
Appellant,	§	
	§	**In re 338 S. Fleming Avenue**
	§	
vs.	§	
	§	**Appeal to the City Plan Commission**
	§	
LANDMARK COMMISSION,	§	
Appellee.	§	

BRIEF IN SUPPORT OF THE LANDMARK COMMISSION

TO THE HONORABLE COMMISSIONERS OF THE CITY PLANNING COMMISSION:

Now comes the City of Dallas Landmark Commission ("Landmark") and submits this brief in support of the Commission's decision to deny without prejudice Appellant's application for a Certificate of Demolition to demolish a structure in the Tenth Street Neighborhood Historic District using the standard "demolish or remove a structure that poses an imminent threat to public health or safety."

A. Facts and Background

The purpose of the historic district preservation program is to protect, enhance, and perpetuate places that represent distinctive and important elements of the City of Dallas's historical and architectural history, and to preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the City of Dallas's history. Dallas, Tex., Code § 51A-4.501(a). To advance this purpose, all members of Landmark are required to have "demonstrated experience in historic preservation and outstanding interest in the historic traditions of the city and have knowledge and demonstrated experience in the fields of history, art, architecture, architectural history, urban history, city planning, urban design, historic real estate development, or historic preservation." *Id.* § 51A-3.103(a)(1).

The structure at issue is located in the Tenth Street Neighborhood Historic District ("Tenth Street"). (*See* Record § 2, p. 6.)[1] The Dallas City Code recognizes Tenth Street as an endangered historic district, meaning a "district that is in danger of being irreplaceably lost from severe deterioration or damage or impending demolition of structures . . . ." Dallas, Tex., Code § 51A-11.102(4.1).

Before the application under appeal in this matter, Appellant filed two previous applications for a certificate of demolition and removal ("CD") using the standard "replace with more appropriate/compatible structure," but both were denied without prejudice by Landmark on December 6, 2021 and August 1, 2022, respectively. (Record § 3, p. 9-10.) An appeal of the August 1, 2022 denial was heard by this Commission on October 6, 2022, and this Commission affirmed the Landmark decision. Appellant also filed two applications for a certificate of appropriateness ("CA") to construct a new structure on the property because the Dallas City Code requires that a CA be approved for a proposed new structure before an application for a CD using the standard "replace with more appropriate/compatible structure" can be considered. Dallas, Tex., Code § 51A-4.501(h)(4)(A)(ii). The first CA application was denied without prejudice on December 6, 2021, and the second was approved with conditions on June 6, 2022. (Record § 3, p. 9-10.) Nothing in the Dallas City Code requires a CD to be approved simply because a CA has been approved. Rather, it is simply a condition precedent to consideration of an application for a CD under the standard "replace with more appropriate/compatible structure." *See* Dallas, Tex., Code § 51A-4.501(h)(4)(A)(ii); (*see also* Record § 5, p. 66-67).

[1] All record references are to the section number and the page number in the pdf copy of the corrected version of the record for this matter.

On December 1, 2022, Randy Shear filed the application for a CD at issue in this appeal on behalf of the owner, Appellant Annemarie Bristow, using the standard "demolish or remove a structure that poses an imminent threat to public health or safety." (Record §§ 1, 2, pp. 4, 6-7.) Both staff and the Tenth Street Task Force recommended denial without prejudice. (Record §§ 2, 3, pp. 6-7, 11, 16.) Landmark considered the application for a CD at its January 9, 2023 meeting. (Record §§ 2, 4, pp. 6, 51.) Two speakers spoke in favor of the application. (Record §§ 4, 5, pp. 51, 56-66.) Commissioner Swann moved to deny the request without prejudice, and the motion was approved by a vote of 14 to 1. (Record § 4, p. 51.) Appellant filed a timely appeal to this Commission. (Record § 7, p. 140.)

B. Standard of Review for Landmark Appeals

In an appeal from Landmark, this Commission "shall give deference to the landmark commission and may not substitute its judgment for the landmark commission's judgment" and must affirm unless this Commission finds that the decision:

(A) violates a statutory or ordinance provision;

(B) exceeds the landmark commission's authority; or

(C) was not reasonably supported by substantial evidence considering the evidence in the record.

Dallas City Code § 51A-4.501(o). The substantial evidence review is very limited in that it requires only more than a mere scintilla of the evidence to support the decision. Thus, even if a preponderance of the evidence in the record may actually be contrary to the decision, the remaining evidence may nonetheless amount to substantial evidence. *City of Dallas v. Stewart*, 361 S.W.3d 562, 566 (Tex. 2012).

Because "[d]emolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the city," a property owner seeking demolition or removal of any

structure on a property in a historic overlay district must choose one of four reasons for the demolition or removal. *Id.* § 51A-4.501(h)(1), (2)(B). Each reason has its own separate application requirements and criteria for Landmark to consider. *See generally id.* § 51A-4.501(h)(2), (4). For a CD application using the standard "demolish or remove a structure that poses an imminent threat to public health or safety," the Dallas City Code requires Landmark to "deny an application to demolish or remove a structure that poses an imminent threat to public health or safety unless it finds that:

(i) the structure constitutes a documented major and imminent threat to public health and safety;

(ii) the demolition or removal is required to alleviate the threat to public health and safety; and

(iii) there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner."

Id. § 51A-4.501(h)(4)(C). The applicable standard to "demolish or remove a structure that poses an imminent threat to public health or safety" is the same for all structures in a historic overlay district regardless of whether they are contributing or non-contributing. *Id.* Appellant had the burden of proof to establish the necessary facts by clear and convincing evidence to warrant a favorable action on a CD. *Id.* § 51A-4.501(h)(3)(B). This is a higher burden than for a CA. *Compare id.*, *with id.* § 51A-4.501(g)(6)(B) (providing that applicant has burden of proof but not imposing clear and convincing evidence standard).

C. Argument

In this matter, there is no evidence that Landmark violated a statutory or ordinance provision or exceeded its authority, and there is more than a scintilla of evidence to support Landmark's decision. Appellant had the burden of proof to establish the necessary facts by clear and convincing evidence, but Appellant did not meet this burden. As to the first two requirements

of the standard that "the structure constitutes a documented major and imminent threat to public health and safety and that "the demolition or removal is required to alleviate the threat to public health and safety, Appellant's representative, Mr. Shear, acknowledged that the most significant threat from the structure – fire from the electrical service and old gas lines – had been remediated. (*See* Record § 5, pp. 71-73.) He also acknowledged that the building had been boarded up and secured from entry. (Record § 5, p. 72.) Landmark Commissioners also questioned whether the Appellant had met her burden as to the third requirement for issuance of a CD – that there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner and raised concerns that Appellant had not fully explored alternatives to demolition. (*See, e.g.*, Record § 5, pp. 94-95, 97.) Ultimately, all but one of the Landmark Commissioners voted to deny the CD without prejudice having determined that Appellant did not establish by clear and convincing evidence that the three requirements had been met as necessary for Landmark to approve a CD under the standard "demolish or remove a structure that poses an imminent threat to public health or safety."

In her brief, Appellant focuses a great deal on the issue of whether the structure is contributing or noncontributing, but that issue is irrelevant here. Although the Dallas City Code sets out a different standard for approving a CA based on whether a structure is contributing or noncontributing, that is not true for a CD. *Compare* Dallas, Tex., Code § 51A-4.501(g)(6)(C), *with id.* § 51A-4.501(h)(4). In fact, while there is one standard for a CD application that is specifically for noncontributing structures, it only applies to noncontributing structures that are "newer than the period of historic significance" and requires an additional finding that "demolition of the structure will not adversely affect the historic character of the property or the integrity of the historic overlay district." *See* Dallas, Tex., Code § 51A-4.501(h)(4)(D). That is, the Dallas City

Code does not provide for Landmark to approve a CD simply because a structure is noncontributing. For the property at issue here, that standard was not even available because it was constructed during the period of historic significance for Tenth Street. (*See, e.g.*, Record § 5, pp. 81-83, 92.) Additionally, in her brief, Appellant conflates the matter on appeal with her prior appeal of a CD under a different standard, which has already been heard by this Commission and resolved in favor of Landmark, and the initiation of demolition by neglect proceedings under section 51A-4.501(k) of the Dallas City Code, which is not part of this appeal.

Landmark's decision is consistent with the applicable ordinances and in particularly with the Dallas City Code's classification of Tenth Street as an endangered historic district and the high standard that must be met to demolish an "irreplaceable" structure in any historic district. Furthermore, Landmark's determination was within its authority and reasonably supported by substantial evidence. Therefore, this Commission must affirm the decision.

Respectfully submitted,

CITY ATTORNEY OF THE CITY OF DALLAS
Tammy L. Palomino
Interim City Attorney

/s/ Kathleen M. Fones
Kathleen M. Fones
Senior Assistant City Attorney
Texas State Bar No. 24050611
kathleen.fones@dallas.gov

7DN Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201
Telephone: 214-670-3519
Facsimile: 214-670-0622

ATTORNEY FOR THE LANDMARK COMMISSION

Case No. CD223-003(RD) March 23rd. 2023

Annemarie Bristow (Appellant) vs. Landmark Commission (Appellee)

Re: 338 S Fleming Ave, Dallas, TX 75203 (Tenth Street Historic District)
Zoning: PD-338 COMMERICAL
Status: NON-CONTRIBUTING (1994)(19 Years)

BRIEF IN OPPOSITION TO THE LANDMARK COMMISSION'S DECISION

TO THE HONORABLE COMMISSIONERS OF THE CITY PLAN COMMISSION:

Annemarie Bristow, the property owner at 338 S Fleming Ave., now submits this brief in opposition to the Landmark's decision to deny part of the Appellant's application for a Certificate of Demolition and Removal due to an imminent threat to public health/safety. This application was the 3rd demolition application reviewed by the Landmark and the 2nd reviewed by the CPC. The CA was denied without prejudice by the Landmark on December 6th 2021 and CA was approved by the Landmark on June 6th 2022 .

A. Facts and Background

NON-CONTRIBUTOR

The structure at issue (338 South Fleming Ave) was listed as a non-contributing structure; historically, the building's destination had been determined since the Tenth Street Historic District had been considered historic in 1994, executed by the National Register of Historic Places. The number of resources listed within the community was determined and identified. Within the district, fifty-one (51) buildings were considered non-contributors. For the most part 338 S. Fleming Ave. has always been a non-contributor mostly since it was a commercial business for decades-not a home and does processes very little historic integrity.

Furthermore, Former Director Miller assessment that no survey had been done for years-was not true, a re-evaluation was conducted by the Smith/Searle 10th. Street Historic District Property List -Update of 1994 Nat. Reg. Survey, Field Work conducted by Christina Smith/Katherine Searle May 2006, is the most accurate published survey on the Tenth Street District to date.

The structure operated in the 1990s (found receipts) as a commercial business that produced architectural plaster details and concrete statuary figurines. This commercial business had removed all the porch-column supports and enclosed the three-sided wrap-around porches with simple plywood; Jara Statuary and Mold Company were established on Davis Street in 2001. The structure had been abandoned but was still used for storage.

The present owner Ms. Bristow bought the property in July 2021. She took immediate steps to work with the Office of Historic Preservation and find and hire the right professionals to design - navigate the historical preservation process-hired a lawyer to deal with legal issues and got a professional engineer to examine building structural integrity.

COLLABORATION WITH THE OHP

Ms. Bristow and her architectural designer Mr. Shear worked closely with the two seasoned and experienced OHP staff members, Ms. Liz Casso and Ms. Marsha Prior, for six months between (July to December 2021). These staff members had strongly recommended that the proposed work and design proceed under the demolition category to; Replace with a more Appropriate Compatible Structure. As a result, the Landmark 'denied without prejudice' both the CA and the CD presented on December 6th, 2021. Unfortunately, months after the first December Landmark meeting in 2021, both staff members, Liz Casso, and Marsha Prior, left the OHP.

In an email dated September 21st. 2021 from OHP staff member Liz Casso (LC); CA Application for New Construction Liz Casso suggested the need for additional document for the both the CA and CD application.

Quote (LC) ;
'First, I want to say that I am happy to see you all want to reconstruct the historic house. I also think that the design of the addition piece is very well done with the glass connector. But there are some thing(s) missing from the application'. In the same email,
Quote (LC):
'Missing complete structural report by an engineer or licensed restoration contractor. The submitted report (1st. Structured Report) was not signed and stamped by an engineer or licensed professional. In addition, the document did not really include an assessment of the structure's condition by an engineer.--It doesn't tell us any details about the condition or give a sense of how much of the structure is compromised and how much isn't. The submitted information does not prove the existing historic structure is beyond repair.
End quotes

In response to this request, the applicant Ms. Bristow immediately found an Bedrock Foundation recommended by David Preziosi (Preservation Dallas), who said Bedrock was well respected within the city for dealing with historic restorations. The structure was inspected on October 1st. 2021, by J Steve Barton P.E. of Bedrock Foundation Repair LLC Engineering Division, and Mr. Barton issued the engineering report five days later on October 6th, 2021.

In Conclusions of the report, Mr. Barton strongly affirmed that the foundation was beyond repair;
Quote (SB); As a result of this inspection, the following conclusions were developed:
'Approximately 80% of the structure is sitting directly on the ground. The visible structural lumber for the foundation was rotten. It is concluded that most, if not all, of the lumber, is damaged and not salvageable. If lifting the structure is attempted, the rotten lumber will crush; therefore, it is concluded the structure will need to be demolished and reconstructed from the ground up. The foundation can't be reconstructed with the structure left in place.'
End quote.

OHP IN OPPOSITION TO THE PROPOSAL

In the CD212-014(MGM) Seven Aspects of Integrity Report D3-15: Former Director Miller stated in reference to; the Bedrock Report, expressed plausible deniability in the Bedrock report's validity, in turn, injected new-logic and new-rules in thinking about the structure and the foundation. It is very clear now that after two engineers stamped reports the structure including the foundation is completely lost.
Quote: Miller (MGM):
'While aspects of deteriorated condition are acknowledged, it is also acknowledged that historic properties having similar or even worse conditions have and continue to be stabilized and rehabilitated. (Miller had no examples) (The) condition itself is not an aspect of integrity unless a structure condition has so physically deteriorated that the overall integrity of the building is irretrievably lost.
End quote

Ms. Bristow's attorney, Mr. Paul Wieneskie comments that were inaudible in the 01Aug22 (LMC Mtg.(Mr. Wieneskie's) (Pg.13-15 Line15 (Transcripts) 01Aug22 LMC [CD212-014](MGM)

(PW) The very material that is included in your packet, the Texas Administrative Code Provisions, are set out for the Historical Commission. One of those items states property does not contribute to the historical significance of the district if its location, design, setting, and materials, workmanship, and association have so deteriorated that the overall integrity of the building has been (irretrievably) lost.

And, I believe Mr. Shear just gave you-guys the information that demonstrates that it is–it's irretrievably lost. And cannot be restored in its present state.
And I have to say, the continued refusal of the commission to allow Ms. Bristow to demolish the unsalvageable existing structure and construct one this board already determined is appropriate and compatible (CA approved on June 6th 2022 LMK Mtg.) would come dangerously close to a regulatory taking (inaudible) (Transcripts Pg14-Line 14)

These were the inaudible Mr. Wieneskies remarks-
Mr. Wieneskie's 06OCT22 email sent stated;
(PW) The refusal of the commission to allow Annemarie Bristow to move forward with this project is not only arbitrary and unreasonable, but it comes dangerously close to frustrating the reasonable investment-backed expectation of the landowner, which can constitute inverse condemnation.

Ms. Bristow's lawyer, Mr. Wieneskie, also contended that, (PW) the Office of Historic Preservation (OHP) order directing the applicant to renovate and restore the property at 338 S. Fleming Ave. comes close to an unconstitutional taking of her property.

Even when Ms. Bristow requested that a simple liability release form be signed before the July 31st. 2022 property tour, Former Director Miller instructed his staff (2) not to sign any simple liability release-form before entering the structure.

Mr. Miller also threatened in an email, to have a judge signed court order issued, to gain access to the property. Ms. Bristow the owner, not the City of Dallas, is still liable for any personal injury regarding the structure and is still liable for anyone whom who is physically hurt by this building, knowing the buildings physical condition.

This structure has been and presently a danger to the public. Ms. Bristow has taken steps and has called both Oncor and Atmos to review old gas lines and remove the electrical service (still hot) were direct fire hazard. But the structure itself collapsing is the greatest threat to anyone who enters the structure. Squatters or occupiers gaining assess is also a problem since the building has been vacant for years. She has taken necessary steps to protect the building from the elements and illegal entry, but the building itself is collapsing in real-time (after every storm), any kind of bracing will not sufficiently help since the foundation has continued to rotate, lean and crack and buckle. Considering, the rash of several properties that have burnt-down recently Ms. Bristow is taking every action possible to protect this historic asset.

B Argument

It has to be noted that the Attorney's Christopher J Caso Brief presented by Ms. Fones at the CPC November 2nd, 2022 meeting. The document stated the word foundation only three times, the word structure both as, structure as (building) and structure as (foundation) were intermingled and used thirty-seven times. The of the CJ Caso Brief is also a Xerox-Copy of other briefs in support of the Landmark Commission (338 S. Fleming Ave.) The only comments made on the foundation are as follows; between Page 5-6

Quote Kathleen Fones (KF)
As to the issues raised by the appellant (Ms. Bristow) about the foundation and the 1994 determination that the structure was noncontributing, the evidence before the Landmark was not clear. Staff and the representative of Landmark that was allowed access to the structure both (4 persons) expressed doubt about the opinion that the foundation was damaged beyond repair. (see record Section 3 pp. 23-24, 39, 71)(MGM) Seven aspects of Integrity and Larry Johnson redacted email to Carlos Van Onna)

As evidence stated by Mr. Johnson (LJ) (redacted), this (round-robin) word-salad email on July 28, 2022, was allegedly written by Task Member Johnson and, written in two distinctive tones of diction, the document had considered an assessment of the foundation after the OHP inspection on July 25, 2022.
Quote Larry Johnson (LJ); Contrary to what I was told and to what the engineer report said, (Bedrock Report) the foundation is not laying on the ground (80%), the house is still elevated and a foundation crew is able to get underneath to lift the house.
End Quote

Note: A professional engineer did not provide this email as evidence of the foundation's condition. In addition, neither Former Director Miller, Staff member Carlos Van Onna nor Task force member Larry Johnson's 'opinions' are not valid proof or substantive evidence in this case. Opinions are just opinions, not facts.

The city attorneys should dismiss this slanderous document outright. This email that was cloaked into the CJ Caso Brief only as a reference and was published in the record must not uphold all of the two professionally stamped reports of the condition of the existing structure and should be dismissed as evidence in support of the Landmark decision.

C. New Evidence

ABBOUD ENGINEERING REPORT

On December 2022, it was determined, after lengthy conversations with ARPA staff, it was determined that 338 S Fleming and Ms. Bristow could be eligible for American Rescue Plan Act (ARPA) grants in January 2023. Part of the application process was a tour of the property to determine how funds may be distributed. In our case, the available funds would have likely been allocated solely to the foundation repair. A structural inspection was performed on January 19, 2023, by Abboud Engineering LLC; in his report, Joseph Abboud (JAE) stated;

Quote:
The structure has appeared to have collapsed. Most of the structure is sitting directly on the ground. Crawl space was not accessible, and any visible members of the foundation were rotten. None of (the) foundation members are salvageable. The siding walls and ceiling are in a deteriorating condition and contain visible cracks.
End quote

Under recommendations, Mr. Abboud noted: A total reconstruction of the foundation will be needed and there is a limited amount of materials that could be salvaged

D. Conclusions

Understanding on appeal to the CPC, the CPC "shall give deference to the landmark commission and may not substitute its judgment for the landmark commission's judgment" and must affirm unless the CPC finds that the decision:

(A) Violates a statutory or ordinance provision;

THE STANDARD NOT FOLLOWED

As Liz Casso stated in the first Landmark meeting on December 6th 2021:
Quote:
The standard for demolition that is being used, which is to replace with another, you know, structure, one of the requirements to request a demolition using that standard is that the new construction design is already approved. That's one of those items that is required in the application, which is why you all are hearing the new construction, you know, first.
Should you all deny the new construction design, you all would not hear the next item, which is the demolition, because the design, which is part of the requirement for the demolition application, would not have been heard.
End Quote

We allege that the former Director Miller deliberately did not follow 'The Standards' as explained by Ms. Casso in that Miller had separated the CA from the CD by three months. This was strategic on Miller's part since he knew that the approved CA would never be realized without the demo. In turn, the CA and the CD should have been presented (in that order) at both Landmark meetings on December 6, 2021, and June 6, 2022, when the Landmark overwhelmingly approved the CA with minor consequential conditions.

(B) Exceeds the landmark commission's authority

DEMOLITION BY NEGLECT-CODE NOT FOLLOWED

We allege, the Former Director Miller according to 'open records' had already recorded the demolition by neglect order weeks before the Landmark meeting in occurred in November 07th 2022. Mr. Miller was willing to breach protocols in the code when issuing this Demolition by Neglect order, since he did not meet with the owner Ms. Bristow nor the owners representative Mr. Shear. The Landmark meeting aware of the breach of protocol voted down the Demolition by Neglect order 7-3 vote but it seems that the DBN order was already issued according to official open record. (Within a five year period only three properties were issued DBN orders)

Also, in the non-recorded pre-landmark briefing, Miller unintentionally lied when asked by Commissioner Offett. When did the applicant purchase the property? (MGM) answered; Miller hesitated and replied, January of 2021 (Ms. Bristow was the owner in July 2021). Director Miller was also unsure what kind of business had occupied the structure (since this property is commercial).

But, according to the code SEC 51A-4.501 Section (3) Demolition by Neglect procedure, Section C First meeting with the property owner, Upon receipt of a request, the historic preservation officer shall meet with the proper or the property owner's agent with control of the structure to inspect the structure. (already done on July 25th 2022) and discuss the resources available for financing any necessary repairs Mr. Miller did none of these items, according to the code.
Days after the Landmark voted not to process the Demolition by Neglect, Mr. Miller sent Mr. Shear several emails asking to meet at the site.
Mr. Millers November 14th 2022 Email: Quote;
(MGM): I understand you have represented the owner at Landmark Commissioners public hearings, in letter to the mayor, in correspondence with various city departments, at the City Plan Commission appeal hearing and by arranging the July 25th site visit. We see no reason that you would not be able to continue to facilitate a simple request to meet on site.
End Quote:

This meeting with the owner never occurred, but it was clear that Director.
Miller had no interest in working with the owner or on a compromise that could move the project forward. Instead, director Miller was more interested in the structure being a monument to a failed process.

(C) Was not reasonably supported by substantial evidence considering the evidence in the record.

SUBSTANTIAL EVIDENCE FOUND AND IGNORED

We allege that former Director Miller's and legal staff actions were arbitrary, the director acted beyond his statutory authority, in violation of due process rights, and was not supported by substantial evidence offered in two professionally stamped engineering reports.

Directors should be leaders who are influences, not obstructionist.

Hence, we affirm that the Landmark was prejudiced in its decision to deny the applicant a CD for the property on 338 S. Fleming Ave. Accordingly, we respectfully ask the City Planning Commissioners to allow the project to move forward and be realized.

END

I, Annemarie Bristow, have read this assessment of what had occurred in the last year and a half (2021-2023) and agree that it should be submitted to the CPC as the 'Owners Brief' and be put into the record- for the City Plan Commissioners Meeting on March 23rd, 2023.

Respectfully Submitted,
Annemarie Bristow
802 Haines Ave. Dallas, Texas 75208
annemariebristow@gmail.com

Postscript to the Owners Brief Re:
ARPA-AMERICAN RESCUE PLAN ACT- GRANT APPLICATION

We received the Abboud Report attached as new evidence on February 17th 2023.

More recently on February 10th, 2023, Jasmine Bazley from the American Rescue Plan Act (ARPA) emailed, denying the applicant's proposal and the grant monies assigned for simple fact the property is considered a commercial property.

She had also told us that the determination was finalized and sent to the OHP on February 9th 2023-we can assume this information was sent to the Landmark. We had inquired about the date since a new Demolition by Neglect order has been issued by a concern citizen or anonymously person close to the date the OHP was informed of the grant monies denial. It has to be noted that the owner Ms. Bristow has been issued a plethora of code violations.

It is clear these provisions are direct assaults and are intended to intimidate Ms. Bristow. These are clear messages that, for whatever reason that motivates the 'watchers' self-interests, Ms. Bristow should sell the property or just walk away. This is a sad state of affairs when the people who are here to help-who vote and advise without prejudice are actually prejudice.

Rand Shear

ABBOUD ENGINEERING, LLC

Project ID: HOU-2021-00017077

Project Name: Visual Foundation Evaluation Report

Report Date: January 31, 2023

Inspection Date: January 19, 2023

Case #: 16224

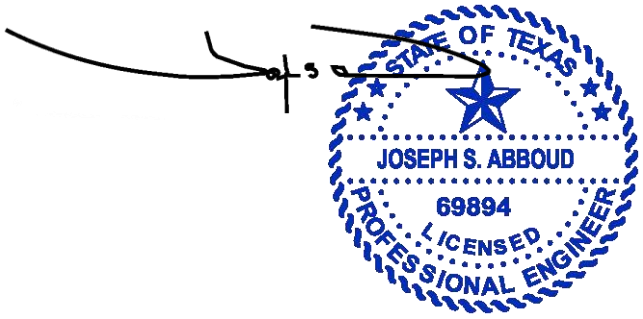
RE: Residence located at 338 S. Fleming Ave., Dallas, TX 75203

Dear Catrice Robinson,

Enclosed is the report of the visual inspection that was conducted on the structural foundation of Annmarie Bristow residence located at 338 S. Fleming Ave., Dallas, TX 75203, by Joseph Abboud, PE. This inspection was performed on January 19, 2023.

A foundation inspection consists of observing the exterior of the house for signs of structural distortion that might be related to foundation movement. An engineering evaluation of the performance of a foundation consists of taking the data from the inspection and using it, in conjunction with the engineer's knowledge of structural mechanics, the structural behavior of houses (including the structural behavior of walls and door frames) and the engineering properties of building materials to make engineering judgments about the performance of the foundation.

The information you need should be contained in the attached report. Information specific to this house starts in Section 1 "General Information." A summary of the items of concern may be found in Section 2 "Assessment.". If you should have any questions, however, please give us a call. It was a pleasure to have done business with you, and we hope we may be of additional service to you some time in the future.



77 Sugar Creek Center Blvd., Suite 501, Sugar Land, TX 77478
Tel: 281.791.0355 Fax: 346.350.5563

ABBOUD ENGINEERING, LLC

1. General Information

1. Address: 338 S. Fleming Ave., Dallas, TX 75203
2. Year Built: 1921
3. Estimated age of house: ~102 years
4. Type of structure: 1-story, single family bungalow
5. Type of foundation: Could not verify
6. Living area: ~2,084 sq. ft.

1.7. Lot area: ~17,511 sq. ft. (50 ft. x 175 ft.)

1.8. Location of structure: The house is located on Lot 4, Block 119/3102; originally in the Town of Oak Cliff. The house is facing West.

2. Assessment

This is a "Level A" evaluation as outlined in the Texas Section of the American Society of Civil Engineers "Recommendations for Evaluation of Residential Structures."

At time of the scheduled site visit, we were met by the property owner and her Architect Mr. Randy Shear who presented us with a copy of an independent structural inspection of the existing structure performed by J.S. Barton, PE of Bedrock Foundation Repair, LLC. The report dated October 5, 2021. We reviewed the report alongside our own investigation.

The house is a "1-story" wood siding structure converted into residence with parameter and interior piers and wood beam type foundation (see pic 6593). The structure appears to have collapsed. Most of the structure is sitting directly on the ground (see pics 6596, 6610 and 6612). Crawl space was not accessible, and any visible members of the foundation were rotten (see pics 6598, 6599 and 6602). None of foundation members are salvageable. The siding, walls and ceiling are in deteriorating condition and contain visible cracks. The walls are made/covered by siding, plywood, and sheet metal (see pics 6603, 6607 and 6608). The walls have large openings to the outside (see pic 6609). Most of the house structural lumber is damaged and not salvageable. Any attempt to lift this structure to repair the foundation might result in total collapse of the building. Our findings are similar to structural report obtained by the owner.

We also observed another structure to the east of the main building (See pic 6621). This red "shed" is lifted on CMU blocks but lack leveling (See pic 6622). The walls and ceiling are deteriorated, and no utilities or sanitary connections could be observed. The structure has limited crawl space (See pic 6624).

3. Recommendation

The following are lists of recommendations in order or events:

1. A total reconstruction of the foundation will be needed if this building can be raised.
2. There is limited amount of material that could be salvaged.

4. Limitation of Liability

The foregoing discussion is based upon an analysis of information which was obtained through a visual inspection of the foundation and its associated structure combined with such engineering information that was otherwise available. Although this process yields reliable results most of the time, it must be recognized that occasionally latent defects may exist which are not always amenable through detection during a visual inspection of this type. Thus, any inspection of this type is essentially an opinion upon which the client may place a reasonable degree of reliance; but, under no conditions can such an opinion be considered absolute, nor can such opinion be used without any assumption of risk.

5. Certification

I hereby certify that I did conduct the assessment of the foundation performance of the residence located at the address above on the date listed. I am a Licensed Professional Engineer in the State of Texas, whose registration number is 69894. I further certify that the findings and conclusions contained in this report have been, to the best of my knowledge, correctly and completely stated without bias and are based upon my observations and my experience. No responsibility is assumed for events that occur after the submission of this report and no warranty, either expressed or implied, is hereby made.

6. Attachments
    1. Aerial Map
    2. Pictures

ABBOUD ENGINEERING, LLC

Attachment 6.2

6593

Attachment 6.2

6598

6596

6599

ABBOUD ENGINEERING, LLC

Attachment 6.2

6607

6608

Attachment 6.2

6602

6603

BEDROCK FOUNDATION REPAIR, LLC (F-10832)
Engineering Division
1018 Fletcher, Dallas, Texas 75223 (972) 261-4711 (800) 880-1811 fax
www.bedrockfoundation.com email: office@bedrockfoundation.com

General Structural Initial Foundation Inspection

338 S. Fleming Ave.
Dallas, Texas 75203

October 1, 2021

Client:

Annemarie Bristow
802 Haines
Dallas, Texas 75208
(214) 946-9486
annemariebristow@gmail.com

J. S. Barton, P. E.
(214) 824-1211

Bedrock Foundation Repair, LLC **(972) 261-4711**

Re: 338 S. Fleming Ave. – Dallas, Texas

The foundation of the structure at 338 S. Fleming Ave., Dallas, Texas was inspected on October 1, 2021. This is a one story wood siding structure with perimeter and interior piers and wood beams type foundation. For orientation purposes the structure faces approximately west.

Reportedly this structure sat vacant and neglected for many years.

OBSERVATIONS:

A visual inspection of the foundation included the following observations:

The property slopes down generally from the left front to the right rear. The grade appears to slope down away from the structure on the right side and rear. The left side is relatively level. There is a negative slope on the front that appears to divert drainage to the right side.

Exterior:

Damage was noted in the siding.

Interior:

There are cracks in the walls and ceiling throughout the interior of the structure.

Interior floors:

The interior floors deflect down exceeding the tolerance of 1/16" per foot in various directions.

Crawl space:

The crawl space was not accessible. The structure appears to have collapsed 18"+/-. Most of the structure is sitting directly on the ground. Some area of the crawl space was visible. A lot of the structural members visible were rotten. The piers are wood post/bois d'arc.

Bedrock Foundation Repair, LLC **(972) 261-4711**

Re: 338 S. Fleming Ave. – Dallas, Texas

CONCLUSIONS:

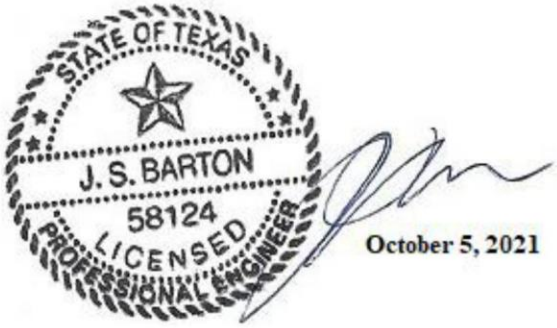
As a result of this inspection, the following conclusions were developed:

The distress noted is attributed to failure of the piers causing the collapse of the structure. The pier failure was caused by neglect and the normal volume change of the soil due to moisture fluctuations. The soil in this area is predominantly clay. Clay soil swells when wet and shrinks when dry. The piers are not salvageable. Approximately 80% of the structure is sitting directly on the ground. The visible structural lumber for the foundation was rotten. It is concluded that most, if not all, of the lumber is damaged and not salvageable. If lifting the structure is attempted, the rotten lumber will crush, therefore, it is concluded the structure will need to be demolished and reconstructed from the ground up. The foundation can't be reconstructed with the structure left in place.

Adequate ventilation of the crawl space is recommended to maintain a more consistent moisture content of the soil to minimize the volume changes. Minimizing the volume changes will increase the stability of the piers. Persistent moisture in the crawl space can promote wood rot and mold growth. Cross vents provide ventilation. Maximum ventilation efficiency is achieved when cross vents are on all 4 sides.

Adequate drainage around the structure is recommended to minimize the moisture fluctuations of the soil minimizing the movement of the perimeter grade beam. Poor drainage may allow moisture to seep into the crawl space as well. The drainage is considered marginal around the structure. Drainage corrections will be necessary when the structure is reconstructed. Comments on site drainage are based on visual inspection of the property with emphasis on poor drainage that may negatively affect the structure. It is impossible to predict how drainage will behave in heavy rain events.

Seasonal moisture fluctuations cause minor foundation movements on all structures built on clay soils. It should be understood that most structures have some tolerance to unequal settlement, but when the support is stressed beyond the elastic limit, ultimate failure is unavoidable without the immediate strengthening of the foundation.



October 5, 2021

Bedrock Foundation Repair, LLC **(972) 261-4711**

Re: 338 S. Fleming Ave. – Dallas, Texas

RECOMMENDATIONS:

Demolish the structure.

Reconstruct the foundation with reinforced concrete perimeter grade beams and reinforced concrete interior piers.

AGREEMENTS:

Opinions expressed in this report are based on sound engineering judgment and evaluation regarding past performance of the property inspected on the day of this inspection.

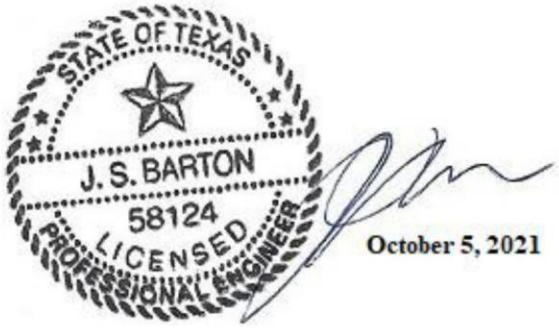
The report also gives engineering advice with regard to the best and most economical method to stabilize and maintain the property.

This advice assumes normally expected subsurface conditions and conventional construction methods.

No warranty is expressed or implied as to the performance of this foundation. Bedrock Foundation Repair, LLC report does not warrant or predict the future performance of the structure.

The information provided in this report is intended for the private use of our client. If you have any questions or comments regarding this report or if we can be of further assistance, please call.

J. S. Barton, P. E.



October 5, 2021

Bois D’arc Foundation Images

South Façade

North Façade

Images taken by RandShearDesigns LLC

West Façade-Fleming Ave

South-East Facade Details Corner

'What's in the Wall

142-167

Images taken by RandShearDesigns LLC

Enclosed Porch Details

Images taken by RandShearDesigns LLC

Looking SE towards center shelve

Ceiling water damage at center shelve

Looking NE towards the 2 back work rooms

Interior Main Space

City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 23-885 **Item #:** 43.

AGENDA DATE: March 23, 2023

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Planning and Urban Design

SUBJECT

Authorization of a Hearing

1. Suspension of CPC Rules of Procedure Section 4(c)(2) to allow reconsideration of Authorization of a Hearing "Consideration of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres with consideration being given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations."
   UA From: February 16, 2023.

If #1 is approved, then consideration of #2.

2. Reconsideration of action taken on September 6, 2018, which was to recommend approval of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres with the area amended to include the area bounded by Turtle Creek Greenbelt on the west, Avondale Avenue and North Fitzhugh Avenue on the north, Katy Trail on the east and including the southernmost lot on Stonebridge Drive on the south with consideration being given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. **This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.**
   UA From: February 16, 2023.

If #2 is approved, then consideration of #3.

3. Consideration of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres with consideration being given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. **This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.**
   Postpone From: February 2, 2023.
   UA From: February 16, 2023.
   Planner: Megan Wimer
   Council District: 14

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Memorandum

CITY OF DALLAS

DATE January 19, 2023

TO Tony Shidid, Chair
City Plan Commissioners

SUBJECT **Reconsideration of authorizing a public hearing to determine proper zoning**

This is a reconsideration of an action taken by the City Plan Commission on September 6, 2018, to authorize a hearing to determine proper zoning as detailed below.

> Consideration of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally located east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres. Consideration is to be given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

BACKGROUND:

In 2016, property owners began the Neighborhood Stabilization Overlay (NSO) process with the intent of preserving the Turtle Creek Park neighborhood's unique character. However, since regulations are limited to front yard, side yard, height, and garage characteristics, the participating property owners determined that an NSO would not adequately address the neighborhood's concerns.

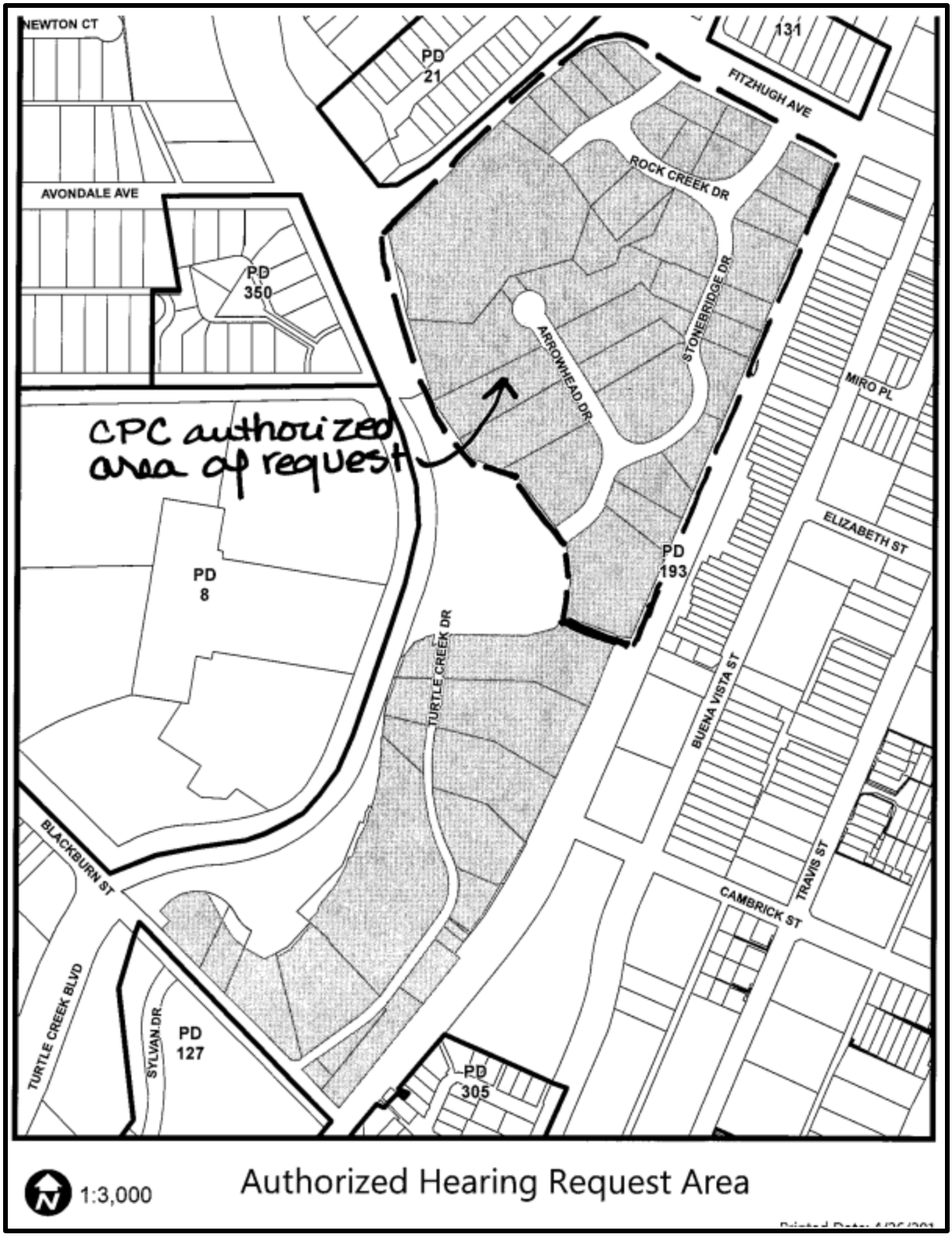
On April 20, 2018, and August 7, 2018, property owners submitted petitions to the Department of Sustainable Development and Construction and the District 14 Commissioner requesting an authorized hearing to establish a Planned Development Subdistrict to "preserve the park like atmosphere".

Based on the petitions, consideration of authorizing a public hearing was placed on the September 6, 2018, CPC agenda by three-signature memo. At that meeting, a hearing was authorized but with an amended boundary that reduced the area of request to approximately 16.7 acres. A map of the original and amendment boundaries is attached.

While the topography, irregular lot pattern, curving streets, mature landscaping, and diverse architectural styles contribute to the neighborhood's distinct character, these attributes are difficult to capture and address through zoning regulations. After thoroughly considering the request, staff has determined that creating a new Planned Development Subdistrict is not an effective method to preserve the features that make the neighborhood unique. Therefore, we ask that CPC reconsider the authorization.

The neighborhood is in agreement with this reconsideration. Councilmember Ridley, who was the District 14 Commissioner at the time of authorization, supports removing this case from the authorized hearing list.

Megan Wimer, AICP, CBO
Chief Planner
Planning and Urban Design


NEWTON CT
PD 21
131
FITZHUGH AVE
ROCK CREEK DR
AVONDALE AVE
PD 350
STONEBRIDGE DR
ARROWHEAD DR
MIRO PL
CPC authorized area of request
PD 193
ELIZABETH ST
PD 8
TURTLE CREEK DR
BUENA VISTA ST
BLACKBURN ST
TRAVIS ST
CAMBRICK ST
TURTLE CREEK BLVD
SYLVAN DR
PD 127
PD 305
1:3,000
Authorized Hearing Request Area

Memorandum

CITY OF DALLAS

DATE September 6, 2018

TO Gloria Tarpley, Chair and
City Plan Commissioners

SUBJECT City Plan Commission Authorized Hearing

Commissioners Ridley, Carpenter, and Rieves request that the City Plan Commission authorize a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family District within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally located east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street and being approximately 23.31 acres. Consideration is to be given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. Attached is a location map for your review.

This is a hearing to consider the request to authorize the hearing and not the rezoning of property at this time.

Donna P. Moorman

Donna Moorman, Chief Planner
Current Planning Division
Sustainable Development and Construction Department

Memorandum

CITY OF DALLAS

DATE August 2, 2018

TO David Cossum, Director
Department of Sustainable Development and Construction

SUBJECT Request for Agenda Item for Authorized Hearing

We respectfully request that the following item be placed on the City Plan Commission agenda and advertised as required by Section 51A-4.701(a)(1) of the City of Dallas Development Code.

Consideration of authorizing a public hearing to determine the proper zoning on property zoned an R-7.5 Single Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District; generally located east of Turtle Creek Greenbelt, south of Avondale Avenue, south of Fitzhugh Avenue, west of Katy Trail, and north of Blackburn Street being approximately 23.31 acres. Consideration is to be given to appropriate zoning for the area to include but not limited to use, development standards, and other appropriate regulations. A map of the area to be considered is attached.

Thank you for your attention to this matter.

Paul E Ridley
Paul Ridley, Commissioner

Commissioner

Commissioner

1:3,000

Authorized Hearing Request Area

Printed Date: 4/26/2018