

CITY PLAN COMMISSION**THURSDAY, JANUARY 5, 2023****FILE NUMBER:** S190-158R**SENIOR PLANNER:** Sharmila Shrestha**LOCATION:** Sylvan Avenue at Fort Worth Avenue, south of Evanston Avenue**DATE FILED:** December 9, 2022**ZONING:** PD 714 (Subdistrict 1B)**PD LINK:** <http://www.dallascityattorney.com/51P/Articles%20Supp%2050/ARTICLE%20714.pdf>**CITY COUNCIL DISTRICT:** 6 **SIZE OF REQUEST:** 1.0478-acre **MAPSCO:** 44T**OWNER:** 739 Forth Worth Avenue, LLC

REQUEST: An application to replat a 1.0478-acre tract of land containing part of Lots 7 through 12, 14, 15 and all of Lots 16 and 17 in City Block A/4016; a portion of an abandoned 15-foot alley, and a portion of abandoned Sylvan Avenue to create one 0.8817-acre lot and one 0.1661-acre lot and to dedicate right-of-way on property located on Sylvan Avenue at Fort Worth Avenue, south of Evanston Avenue.

SUBDIVISION HISTORY:

1. S201-718 was a request southwest of the present request to replat a 8.758-acre tract of land containing all of City Blocks 18/3979, 19/3980, 4011, and 4012, part of Lots 1 through 3 in City Block 19/3980, part of Lots 2 through 4 in City Block 18/3979, Lot 1 in City Block A/4011 and a portion of Winnetka Avenue to be abandoned, to create one lot on property located on Fort Worth Avenue, east of North Clinton Avenue. The request was approved on August 19, 2021 but has not been recorded.
2. S190-158 was a request on the same location as the present request to replat a 1.088-acre tract of land containing part of Lots 7 through 12, 14, and 15 and all of Lots 16 and 17 in City Block A/4016; a portion of abandoned 15-foot alley, and a portion of abandoned Sylvan Avenue to create one lot on property located on Sylvan Avenue at Fort Worth Avenue, south of Evanston Avenue. The request was approved on July 9, 2020 but has not been recorded.
3. S189-289 was a request west of the present request to replat a 0.20-acre (8,821-square feet) tract of land containing all of Lots 25, 26, and 28A in City Block A/4015 and part of Common area B to create 3 lots ranging in size from 1,545-square feet to 4,273-square feet and one common area on property located at terminus of Malone Cliff View, north of Fort Worth Avenue. The request was approved on September 5, 2019. S189-289APM was approved and recorded on July 14, 2020.

STAFF RECOMMENDATION: Staff has determined that the request complies with the requirements of PD 714 (Subdistrict 1B); therefore, staff recommends approval 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 structure, new or existing, 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 submittal of the final plat, submit a tree survey to the Arborist. A release from the arborist is required prior to issuance of early release request or the recordation of the plat, whichever occurs first.
11. The number of lots permitted by this plat is 2.

Paving & Drainage Conditions:

12. Submit a Full Set of Civil Engineering Plans 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. Section 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. Lot-to-Lot drainage will not be allowed without proper **City of Dallas Engineering Division** approval (Note must be on Plat). Section 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 Evanston Avenue. Sections 51A-8.602(c), 51A-8.604(c)
16. On the final plat, dedicate a minimum 20-foot by 20-foot corner clip (via fee simple or Street easement) at the intersection of Sylvan Avenue and Fort Worth Avenue. Section 51A 8.602(d)(1).
17. 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 with the area of corner clip. Section 51A 8.602(d)(1), Section 51A-8.608(a)
18. On the final plat, dedicate a 15-foot by 15-foot alley sight easement at the intersection of Fort Worth Avenue & the alley. Section 51A-8.602(e)
19. Provide minimum alley right-of-way at the alley bend per City of Dallas Standard Construction details File 251D-1 page 4002.
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). Section 51A-8.606, 51A-8.608.

Survey (SPRG) Conditions:

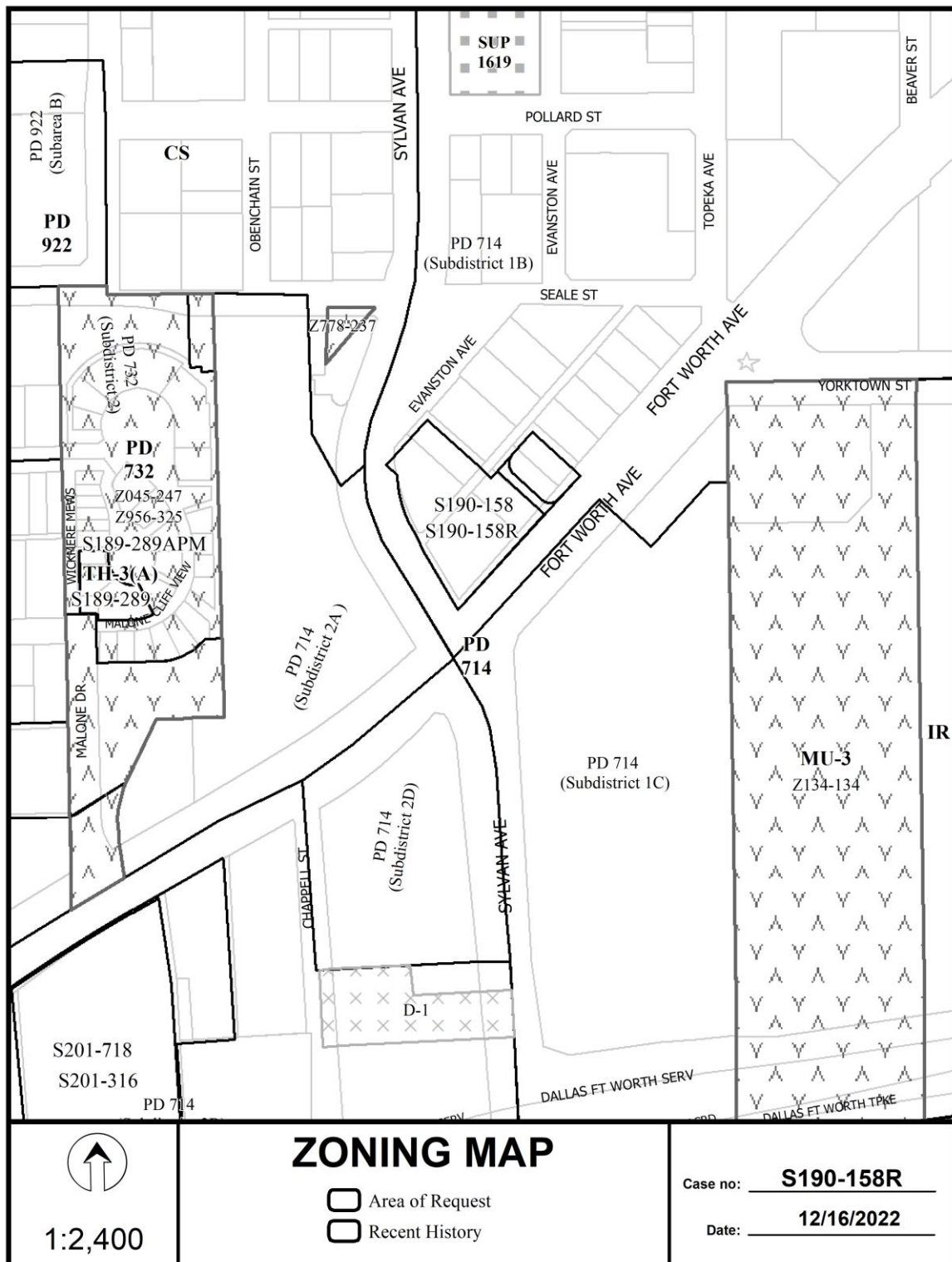
21. On the final plat, show recording information on all existing easements within 150 feet of property.
22. List utility easements as retained within street abandonments when stated in ordinance or follow the City of Dallas standard affidavit requirements.
23. Provide an 8.5 inch by 11-inch survey drawing depicting distances between existing building within Lot 7 and south right-of-way line of 15 feet alley.

Dallas Water Utilities Conditions:

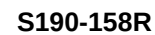
24. Additional design information is required for assessment. Site plan must be submitted showing proposed development, building finished floor elevation, development, existing mains – including downstream manhole, and proposed water and wastewater service locations. Submit water/wastewater engineering plans to 320 E. Jefferson Blvd., Room 200, Attention: Water and Wastewater Engineering.
25. Engineer shall furnish plans for water and sanitary sewer. Developer shall furnish a contract for water and sanitary sewer.
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/Street Name/GIS, Lot & Block Conditions:

27. On the final plat, show the abandonment as: "Abandonment authorized by Ordinance No.____recorded as Inst. Nos. (Cert. No._____, QCD No. _____). Utility Easements retained."
28. Prior to the final plat, verify if there will be two abandonments (right-of-way and alley as shown on plat).
29. On the final plat, identify the property as Lots 7A and 8A in City Block A/4016. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).







[illegible][illegible]

BEFORE ME, the undersigned authority, on this day personally appeared BRUN R. MAZE, 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 this capacity stated:

OPEN under my hand and seal of office this the _____ day of _____, 2022.

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF DALLAS

11061

[illegible]

beginning at a $1/2$ " iron rod with yellow cap stamped "H.C. INC." set in the northwest line of Fort Worth Avenue (formerly known as East Dallas Park, a 100 foot right-of-way established by deed recorded in Volume 1788, Page 639, Deed Records, Dallas County, Texas).

THENCE South 42°18'00" West, along the northwest line of said Fort Worth Avenue, a distance of 53.00 feet to a $1/2$ " iron rod found for the beginning of a tangent curve to the right;

THENCE over and across said Lot 8, the following bearings and distances,

Along straight curve to the right, west chord bears S87°18'00" West, a distance 25.46, having a radius of 18.00 feet, a central angle of 90°00'00" and an arc length of 28.2 feet to a 1/2" iron rod with yellow plastic cap stamped "TLC INC." set for corner.

North 47°42'00" West, a distance of 84.34 feet to a 1/2" iron rod with yellow plastic cap stamped "TLC INC." set for the beginning of a tangent curve to the right.

Along said tangent curve to the right, whose chors bears West 04200.03° West, a distance of 10.40 feet, having a radius of 22.00 feet, a central angle of 87.2341 arc, an arc length of 13.56 feet to a 1/2" iron rod with yellow plastic cap stamped "B/C" set in the southeast line of a 15' alley (redistributed by Volume 38, Page 114, Deed Records, Dallas County, Texas).

THENCE South 47°42'00" East a distance of 104.31 feet to the POINT OF BEGINNING containing 7.233 square feet or 0.1661 acres of land, more or less.

Tract 1:

17000

REALTAS, 739 E North Avenue, LLC is the owner of a tract or parcel of land situated in western Colorado Survey; Abstract No. 280, City of Dolores, Dolores County, Texas, and being part of Lots 6, 8, 9, 10, 11, 12, 14 and 15 and all of Lots 6 and 17, Block A/A06 of the plat recorded in Addition on section to the City of Dolores, Dolores County, Texas according to the plat returned Volume 93, Page 114, Deed Records, Dolores County, Texas, being all or those tracts of land described to 739 East North Avenue, LLC by deed recorded in Volume 2005185, Page 89-90, assigned to 739 East North Avenue, LLC by deed recorded in Volume 2005185, Page 89-90, instrument Number 2005000029172, 2007044616151, all in the Official Public Records, Dolores County.

RECORDING of an x-ray of concrete found for the intersection of the eastern right-of-way line of Spauld Avenue (formerly known as Oberlin Street, a variable with right-of-way established by deed recorded in Volume 2003165, Page 8849, Deed Records, Dodge County, Texas) and the northeastern right-of-way line of Fort Worth Avenue, (formerly known as West Dallas Place, a 100 foot right-of-way, established by deed recorded in Volume 1786, Page 639, Deed Records, Dodge County, Texas).

THEME North 30° 28' 36" West, along the easterly right-of-way line of said Sylton Avenue, passing at a distance of 104.7 feet, a found 1/2 inch iron rod, continuing a total distance of 109.21 feet to a 1/2 inch iron rod with yellow plastic cap stamped "G INC" and for the intersection of the easterly right-of-way line of said Sylton Avenue and the southeasterly line of a 15 foot alley (established by Volume 89, Page 114, Deed Records, Dallas County, Texas) in block A, 4016.

TRNCE North 2° 19' 46" West, along the distance of 28.53 feet to a 1/2 inch iron rod with yellow plastic cap stamped "RLG INC" set for the intersection of a cut-off line between the easterly right-of-way line and the easterly right-of-way line of sold Sydon Avenue.

THE continuing along the westerly right-of-way line of said Shown Avenue is a northwesterly direction along said non-tangent curve to the right, whose chord bears North 14° 13' 04" West, a distance of 83.09 feet, having a radius of 166.21 feet, a central angle of 25° 26' 00", and an arc length of 83.78 feet to a 1/2 inch red wax with yellow plastic cap stamped "THE GAC" found for the end of said non-tangent curve to the right in the common line between said Lot 15 and said Lot 16.

THENCE North 47° 42' 00" West, along the common line between the easterly right-of-way line of said Sylvan Avenue and the west line of Lot 16, containing a distance of 16.00 feet a 3-1/4 inch aluminum disk (hereinafter "MARKED L", GOODE'S CO. INC., and "TSC") on a 1/2 inch iron rod for the southeast corner of a right-of-way dedication by this plat, combining a total distance of 24.00 feet to a PC not found for the intersection of the easterly right-of-way line of said Sylvan Avenue and the southeasterly right-of-way line of Eustasia Avenue (hereinafter known as Sylvan Avenue).

Volume 89, Page 114, (Dead Records, Dallas County, Texas):

THENCE North 42° 18' 00" east along the southeasterly right-of-way line of said Easton Avenue a distance of 100.00 feet to 5/8 inch iron rod found for the northern corner of new lot 17, thence South 42° 18' 00" west along the southeasterly right-of-way line of said Easton Avenue a distance of 0.21 feet.

LOCATION: South 42° 16' 02" west along the common line between said northeasterly line of said 15 acre tract RABBITHOLE L. GOODSON JR. INC. and T-75 on a 0.172 inch rock rod set for the west corner of lot 18A, Block A/4916, Rodriguez Heights Subdivision, an addition to the City of Dallas according to the plat recorded in Volume 78151, Page 1232, Deed Records, Dallas County, Texas, containing a total distance of 125.00 feet to a 5/8 inch iron rod found for the southerly common error between said Lot 18A and Lot 17 on the northeasterly line of said 15 foot strip.

foot alley and in Lot 12, a distance of 1.00 feet to a 1/2 inch iron rod with yellow plastic cap stamped "RLG INC" set; THENCE South 47° 42' 00" East, over and across said 15 foot alley, a distance of 15.00 feet to a 1/2 inch iron rod with yellow plastic cap stamped "RLG INC" set, on the southeasterly line of said 15 foot alley, from which a 1 inch iron pipe bears North 37° 10' 08" East, a distance of 2.24 feet;

15.00 feet to a 1/2 inch iron rod with yellow plastic cap stamped "RLG INC" set for a corner.

THEACE South 47°42'00" East, over and across said Lot 8, a distance of 104.51 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set in the northwest line of said Fort Worth Avenue.

ENCE South 42°18'00" West, along the northwest line of said Fort Worth Avenue, a distance of

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

[illegible]

WITNESS, my hand at Dallas, Texas, this the _____ day of _____, 2022.

BEFORE ME, the undersigned authority, on this day personally appeared _____,

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2022.

Notary Public in and for the State of Texas

of
TGS

LOT 7A & LOT 8A, BLOCK A/4016

TERRACE GROVE ADDITION
PART OF LOTS 7, 8, 9, 10, 11, 12, 14, AND 15
AND ALL OF LOTS 16 AND 17

CITY OF DALLAS, DALLAS COUNTY, TEXAS

SCALE: 1 = 20

DATE: DECEMBER 2022

SURVEYOR

739 FORT WORTH AVENUE, LLC
5617 SHADYWOOD LANE
DALLAS, TX 75209
972-701-1177
C/O SUSAN GANDY

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12001 N. CENTRAL
DALLAS, TX 75243
214-739-8100
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TX PR INC #1-443

789FELS REG #105341-00				
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		2011.015		27.352