

LOCATION: Peak Street, North of Munger Avenue**DATE FILED:** April 6, 2023**ZONING:** MF-2(A)**CITY COUNCIL DISTRICT:** 2 **SIZE OF REQUEST:** 0.390 acres**MAPSCO:** 45D**APPLICANT/OWNER:** Highfield Partners 1, LLC

REQUEST: An application to create an 8-lot shared access development with lots ranging in size from 1,618 square feet to 3,057 square feet from a 0.390-acre tract of land containing part of Lot 11 and all of Lots 12 through 14 in City Block 10/658 on property located on Peak Street, North of Munger Avenue.

SUBDIVISION HISTORY:

1. S212-007 was a request southeast of the present request to replat a 0.9785-acre tract of land containing part of City Block 15/646 to create one lot on property located on Peak Street, Between Ross Avenue and San Jacinto Street. The request was approved on November 4, 2021 and but has not been recorded.
2. S201-699 was a request southeast of the present request to replat a 0.265-acre tract of land containing all of Lot 7 and part of Lot 6 in City Block 2/650 to create one lot on property located on Ross Avenue at Ashby Street, northwest corner. The request was approved on June 3, 2021 and but has not been recorded.
3. S190-170 was a request southeast of the present request to replat a 0.409-acre tract of land containing all of Lots 8 and 9 in City Block 3/649 to create one lot on property located on Ross Avenue at Peak Street, west corner. The request was approved on July 23, 2020 but has not been recorded.
4. S189-309 was a request south of the present request to replat a 0.8167-acre tract of land containing all of Lots 2 through 6 in City Block 5/655 on property located on Munger Avenue at Ripley Street, south corner. The request was approved on October 3, 2019 and recorded March 13, 2023.
5. S189-004 was a request southeast of the present request to replat a 0.195-acre tract of land containing part of Lots 11, 12, 13, and 14 in City Block 10/658 to create one lot on property located on Peak Street at Delano Place, if extended, north corner. The request was approved administratively October 16, 2018 and was withdrawn April 5, 2023.
6. S189-002 was a request southeast of the present request to replat a 2.551-acre tract of land containing part of Lots 1 through 6, all of Lot 7 in City Block 16/647, and tract of land from Block 16/647, and a portion of an abandoned alley, to create one lot on property located on Peak Street, between Ross Avenue and San Jacinto Street. The request was approved on November 1, 2018 and recorded October 28, 2021.

7. S178-151 was a request south of the present request to replat a 0.139-acre tract of land containing part of Lots 17 and 18 in City Block 3/649 to create one lot on property located on Roseland Avenue at Ripley Street, east corner. The request was approved on April 5, 2018 and recorded on August 8, 2019.
8. S178-091 was a request southeast of the present request to replat a 0.370-acre tract of land containing all of Lots 8, 9 and part of Lot 10 in City Block 2/650 to create one 0.066-acre lot, and one 0.304-acre lot on property located on Roseland Avenue at Ashby Street, south corner. The request was approved on February 15, 2018 but has not been recorded. S178-091A was recorded on November 26, 2019.
9. S178-033 was a request north of the present request to replat a 1.923-acre tract of land containing Lots 1 through 4, and Lots 7 through 12 and part of two alleys in City Block 1/660 to create one lot on property bounded by Cabell Drive, Carroll Avenue, Lafayette Street, and Ashby Street. The request was approved on November 30, 2017 and recorded May 11, 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 northeast, east southeast of the request have lot areas ranging in size from 3,337 square feet to 8,494 square feet and lot widths ranging from 38 feet to 65 feet and are zoned MF-2(A) Multi Family District.

Staff finds there is not an established lot pattern in the immediate area of request and request complies with the requirements of MF-2(A) Multi Family District and complies with the requirement of Section 51A-8.503; 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 eight.

Paving & Drainage Conditions:

12. Submit a full set of Civil Engineering Plans (drainage, paving, street signage/markings/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 15-foot by 15-foot Alley Sight Easement at the intersection of North Peak Street & the alley. *Section 51A-8.602(e)*

Flood Plain Conditions:

16. 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

Shared Access Conditions:

17. Provide additional shared access area easement, up to 26 feet, for compliance to Dallas Fire Code when building height is 30 feet or greater.

18. A water and wastewater easement at least 12 feet wide to be used exclusively for public water and wastewater below grade must be provided within the Shared Access Area Easement & labeled on the plat. Section 51A-4.411(d)(2) and Sections 49-60(d), 49-61(c)(5)(B), and Development Design Procedure and Policy Manual Section 6.2
19. No building permit may be issued to authorize work in the Shared Access Area Development until the final plat and the Shared Access Area Agreement have been recorded in the real property records of Dallas County, and the recording information has been placed on the face of the plat, and all other requirements of the Shared Access Area development have been met. Section 51A-4.411(c)(3)
20. Prior to submittal of the final plat the Shared Access Area Development must meet all of the requirements of Section 51A-4.411. Section 51A-4.411(c)
21. The recording information of the "Shared Access Area Agreement" must be placed on the final plat prior to being submitted to the City Plan Commission Chairman for signature. The Shared Access Area Agreement shall include a metes and bounds description of the shared access area as part of an attachment to the document. Section 51A-4.411(e)
22. A shared access development is treated as one lot for the purpose of setbacks and lot coverage.
23. Regardless of the minimum front yard setback of the applicable zoning district, the minimum front yard setback must be at least 20 feet from the right-of-way line of a street or alley if the parking space for the lot(s) is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. Section 51A-4.411(f)(2)
24. Include the words "Shared Access Development" in the title block of the final plat. Platting Guidelines
25. Place a note on the final plat stating: "No vehicular access is permitted to adjacent property outside the platted property from the shared access area except to a public or City Council approved Private Street." Section 51A-4.411(d)(3), and 51A-4.411(d)(10)
26. If a guard house is provided, it must be at least 30 feet from the shared access point. Section 51A-4.411(d)(8)
27. The Shared Access Area Easement must be terminated a minimum of 3 feet from the adjacent property or right-of-way. Section 51A-8.618(b)
28. Provide guest parking at a rate of 0.25 spaces per dwelling unit and with adequate maneuverability per the Shared Access Development requirements.
29. On the final plat, provide guest parking with adequate maneuverability per Shared Access development requirements City Code 51A-4.411(g) and all other requirements set forth by City Code 51A-4.411.

Survey (SPRG) Conditions:

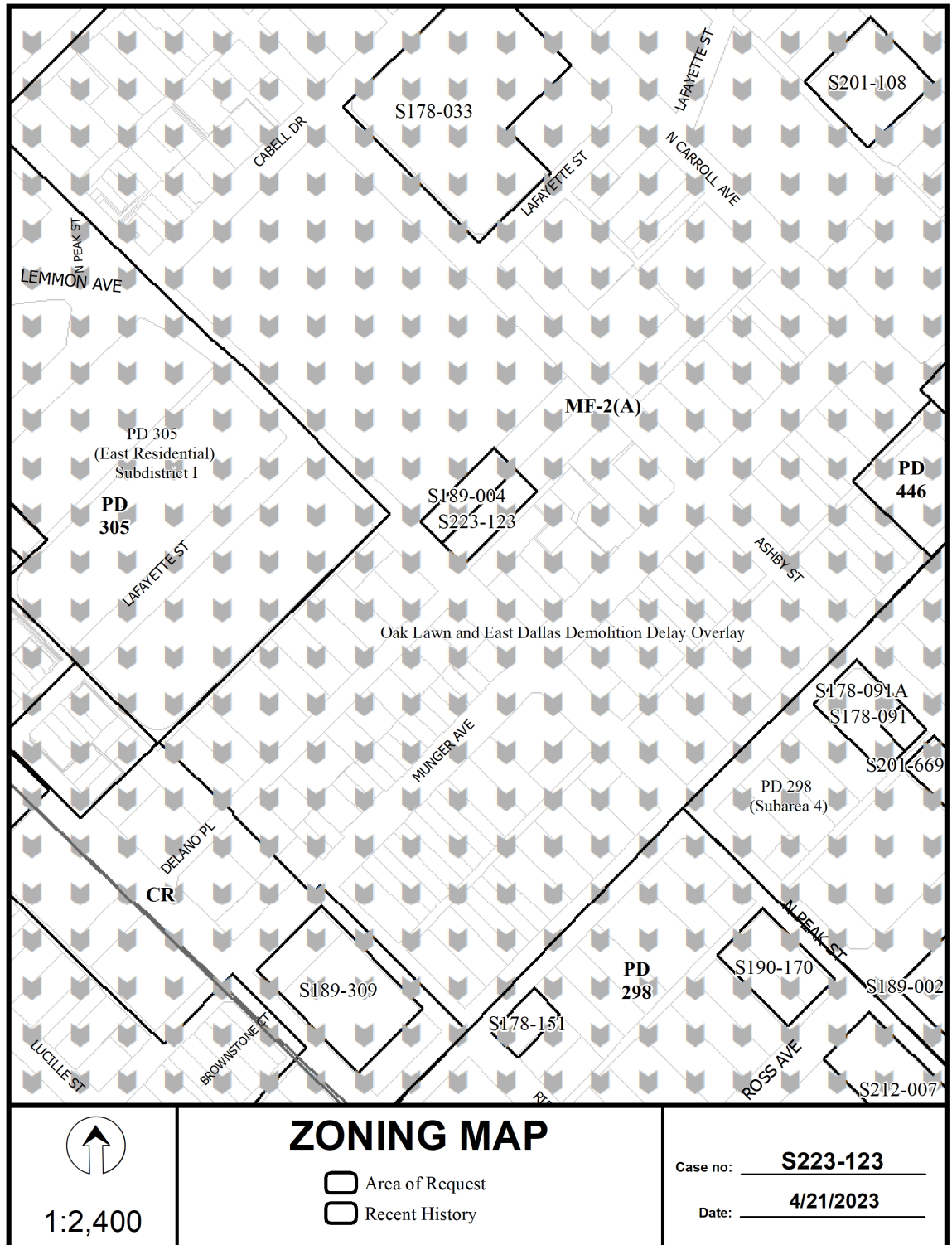
30. Prior to final plat, submit a completed final plat checklist and all supporting documents.

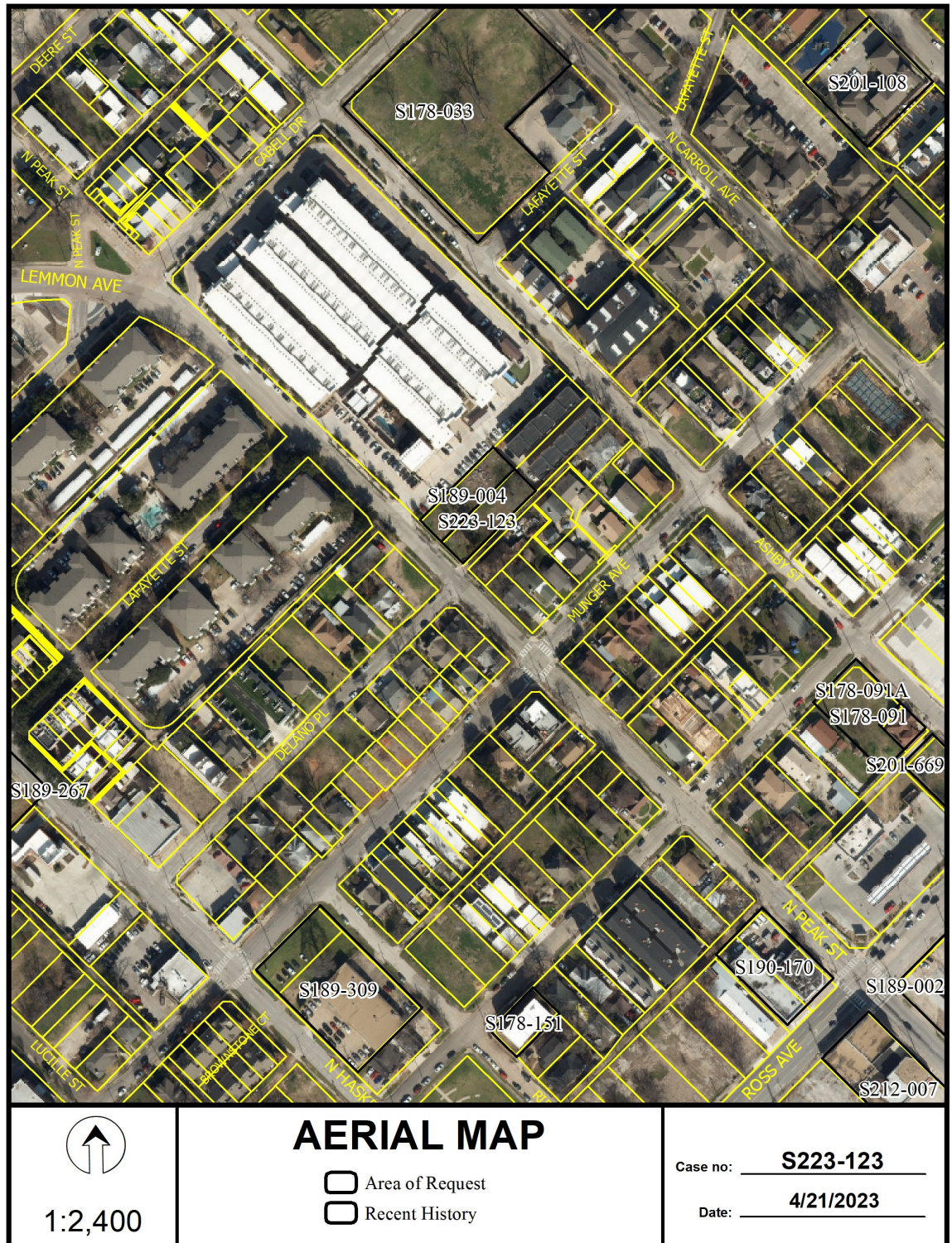
Dallas Water Utilities Conditions:

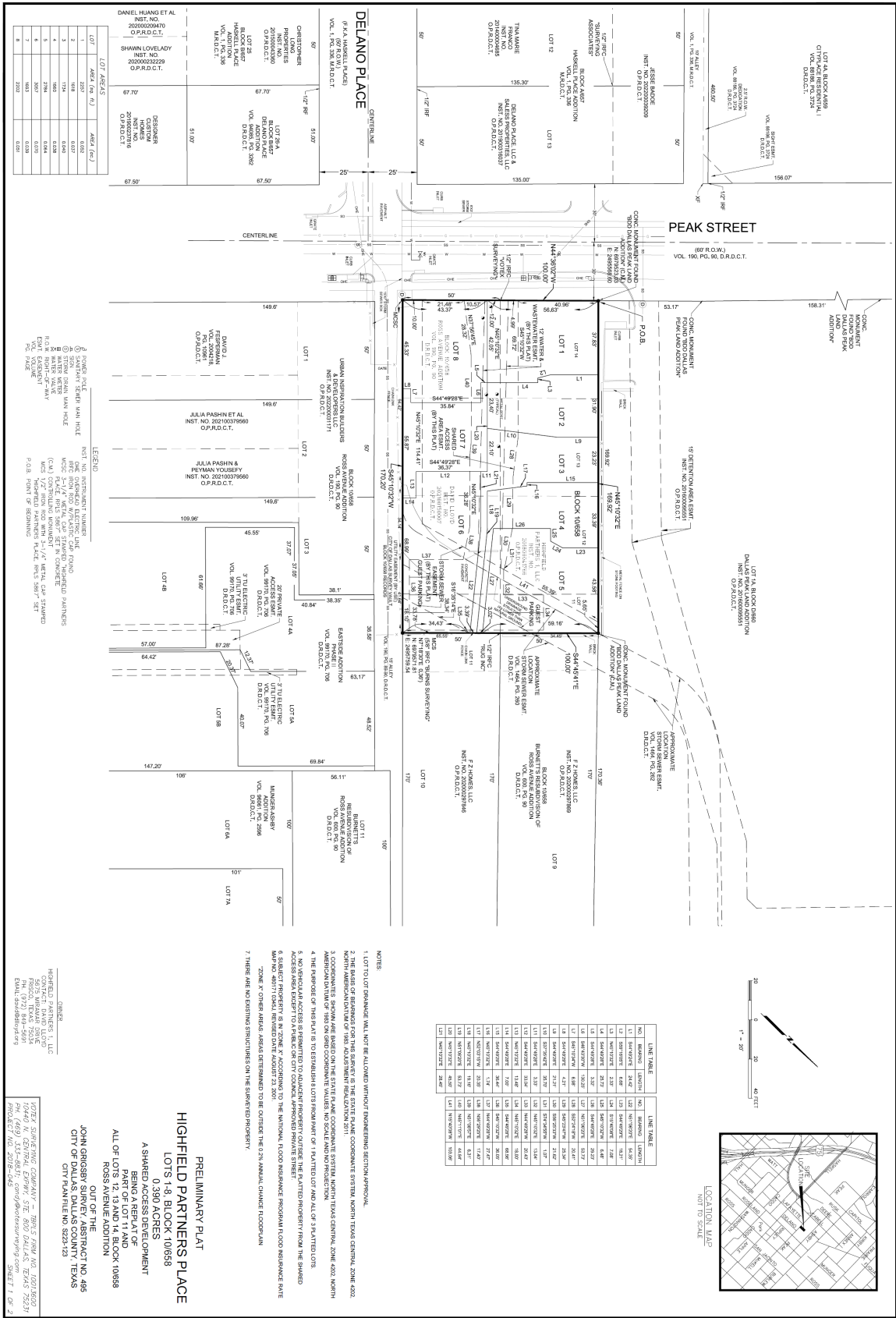
31. Engineer must furnish plans for water and sanitary sewer. Developer must furnish a contract for water and sanitary sewer. Sections 49-60(g)(1) and (2) and 49-62(b), (c), and (f).
32. Additional design information is required for assessment. Site plan must be submitted showing proposed development, 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.
33. 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:

34. On the final plat, remove chain link fence from the alley notated on the plat and provide proof that fence in alley has been removed or is not encroaching into the alley.
35. On the final plat, change “Delano Place (F.K.A. Haskell Place)” to “Delano Place (F.K.A. Cochran Street) (F.K.A. Haskell Place)”Section 51A-8.403(a)(1)(A)(xii)
36. On the final plat, identify the property as Lots 11A through 11H in City Block 10/658. Ordinance 1A, Page 131 pages 131-148, Section 2 (passed August 13, 1872).







WHEREAS high-potential patients 1, LLC, and ORMS Corp are the owners of a lot or lots and easements in the Joint Original Survey, Abstract No. 405, and City Block 605 of the Official Block Numbers of the City of Dallas, Dallas County, Texas, being all of Lots 12, 13 and 14 and part of Lot 11, Block 10538, Ross Avenue Addition, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 190, Page 80, Deed Records, Dallas County, Texas; also being all of that certain tract of land conveyed to Highland Partners 1, LLC by General Warranty Deed recorded in Instrument Number 201100204700, Official Public Records, Dallas County, Texas and to David L. Boyd by Quitclaim Deed recorded in Instrument No. 202100150007, Official Public Records, Dallas County, Texas; and being more particularly described as follows:

Public Records, Dallas County, Texas:
The BEGINNING at a concrete monument with cap shaped "BOD DALLAS PEAK LAND ADDITION" found in the northeast right-of-way line of North Peak Street (a 60-foot wide right-of-way) at the west corner of said Highland Partners I, LLC tract and the south corner of Lot 1A, Block D1650, Dallas Peak Land Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Instrument Number 2016003955551, Official

THEIR N 45° 10' 27" E, departing said northeast right-of-way line of North Peak Street, with the southeast line of said L 1st, a distance of 169.92 feet to a concrete monument, call "BOD DALLAS PEAK LAND", and thence S 89° 55' 00" E, a distance of 169.92 feet to a concrete monument, call "BOD DALLAS PEAK LAND".

ADDITION¹ found at the north corner of said titled Partners 1, LLC tract and the west corner of a tract of land conveyed to F. A. Horne, LLC by Special Warranty Deed recorded in Instrument Number 202000297859, Official Public Records, Dallas County, Texas.

EVIDENCE 3-19—42' x 60' Observing stand southeast corner of east CA, NW wall near west end of said P-2 Highway. Evid. at distance of 50.00' from pasting a 1/2-inch iron rod with cap stamped "FUG INC." found at the east corner of said Highfield Partners, L.L.C. street and the north corner of said Lloyd Road concerning for a total distance of 100.00 feet is a 1/2-inch iron rod with 3 1/4-inch metal cap stamped "HIGHFIELD PARTNERS PLACE, #PUS 38067". In fact all the steel corner of said Lloyd Road, being among the south corner of a tract of land conveyed to P-2 Home, Texas, by Special Warranty Deed recorded as Instrument No. 20030229786d, Official Public Records, Dallas County, Texas.

EVIDENCE 3-20—A 5/8-inch iron rod with yellow plastic cap stamped "BURNS SURVEYING" bears N of 18° 30' E, a distance of 0.36' feet.

THE N 41° 36' 02" W, with said northeast right-of-way line of North Peak Street, at a distance of 50.00 feet, passing a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURENING" found at south corner of said Highfield Partners I, LLC tract and the west corner of said Lloyd tract, and continuing for a total distance of 100.00 feet to the **POINT OF BEGINNING** and containing 17,006 square feet or 0.390 acre of land, more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

[illegible]

Water main and wastewater easements shall also include additional area of working space for construction and use of equipment and materials. The easement shall be designed to provide for maintenance and repair of the system. Additional easement area is also conveyed for installation and maintenance of manholes, valves, and other appurtenances. The easement shall also include the area for the installation, maintenance, and repair of the system. The easement shall also include the area for the installation, maintenance, and repair of the system. The easement shall also include the area for the installation, maintenance, and repair of the system.

This shall approved subject to all existing ordinances, rules, regulations and resolutions of the City of Dallas, Texas.

WITNESS my hand this ____ day of _____, 2023.

WITNESS my hand this the ____ day of _____, 202

By: Highfield Partners I, LLC

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COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the County and State on this day personally appeared David Lloyd, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

This plan is approved by the Chief Engineer of the Department of Sustainable Development and Construction of the City of Dallas and accepted by the Owner, subject to the following conditions, which shall be binding upon the Owner, its heirs, grantors and assigns:

The shared access will be as designated within the limits of this address by a homeowner's association and the individual lot owners of the lot or lots that are traversed by or adjacent to the shared access area. The City or County will not be responsible for the maintenance and operation of the shared access area or for any damage to private property or person that results from the use or condition of the shared access area. In the event that the City of Dallas Water Utilities does need to repair work in the shared access area after work on water or wastewater lines or for any other reason, the placement repair will be to minimum standards set forth in the City of Dallas pavement lot and strip standards manual as it exists, and any special permits or other surface treatments must be repaired or replaced at the lot owner's expense.

LLOYD DENNMAN RE

CHIEF ENGINEER OF DEPARTMENT OF SUSTAINABLE DEVELOPMENT AND CONSTRUCTION

1. Candy Hone, a registered Professional Land Surveyor, licensed by the state of Texas, affirm that this plot was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable information, and that the plot 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. 19465, as amended), and Texas Local Government Code, Chapter 212. I further affirm that no information shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-017 (a)(1)(c)(i).

PRELIMINARY

THIS DOCUMENT IS THE PROPERTY OF THE SURVEYING COMPANY. IT IS TO BE USED ONLY FOR THE PURPOSES FOR WHICH IT WAS ISSUED. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYING COMPANY.

VoteX Surveying Company - Firm No. 10013600 - (469) 333-8833

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 _____, 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 and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ of _____, 2023.

Notary Public, State of Texas

PRELIMINARY PLAT

LOTS 1-8, BLOCK 10/658
0.390 ACRES

BEING A REPLAT OF
PART OF LOT 11 AND
ALL OF LOTS 12, 13 AND 14, BLOCK 10655
ROSS AVENUE ADDITION

OUT OF THE
JOHN GRIGSBY SURVEY, ABSTRACT NO. 48
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. S223-123

OWNERS

HIGHFIELD PARTNERS I, LLC
CONTACT: DAVID LLOYD
5675 MIRAMAR DRIVE
FRISCO, TEXAS 75034
PH. (972) 849-5691
EMAIL: david@lloyd.org

VOTEX SURVEYING COMPANY - TBPLS FIRM NO. 10013600
10440 N. CENTRAL EXPWY, STE. 800 DALLAS, TEXAS 75223
PH: (469) 333-8831; candy@votexsurveying.com
PROJECT NO. 2018-045 SHEET 1 OF